



Agenda Item # 3

BOA-003706-2026

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration](#)

DETAILS

Location:

1725 Dauphin Island Parkway

Applicant / Agent (as applicable):

Advantage Sign Company (Amanda Murphy, Agent)

Property Owner:

Clark Oil Co., Inc.

Current Zoning:

B-3, Community Business Suburban District

Future Land Use:

Low Density Residential

Case Number(s):

6757/4509/4457

Unified Development Code (UDC) Requirement:

- The UDC does not allow digital gas pricers within 300-feet of residentially zoned property in a B-3, Community Business Suburban District.

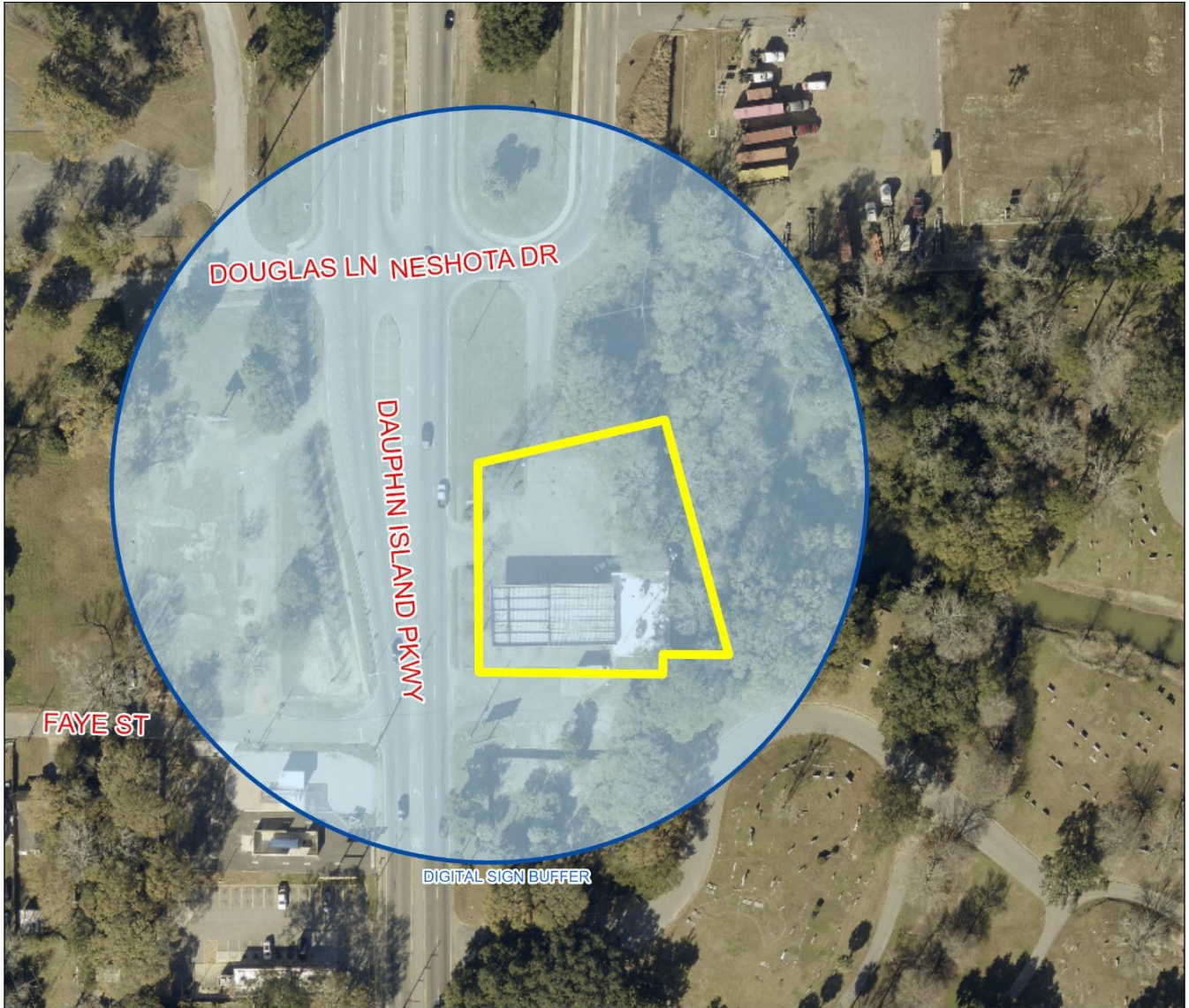
Board Consideration:

- To allow digital gas pricers within 300-feet of residentially zoned property in a B-3. Community Business Suburban District.


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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

APPLICATION NUMBER <u>6757</u> DATE <u>June 1, 2026</u>	 NTS
APPLICANT <u>Advantage Sign Company (Amanda Murphy, Agent)</u>	
REQUEST <u>Sign Variance</u>	

SITE HISTORY

The subject site was annexed into the City in 1956.

With the adoption of the Zoning Ordinance in 1967, the site was assigned an R-A, Residential Agriculture zoning classification.

The site was rezoned from R-A to B-3 in October 1969.

The site was the subject of a Sign Variance request in December 1994 to allow two (2) freestanding signs and a high-rise sign within 1,800 feet of an Interstate highway. That request was denied by the Board of Zoning Adjustment.

In August 1995, the site was the subject of a Protection Buffer Variance request to waive the requirement of a protection buffer for the site. That request was also denied by the Board.

The site has never been the subject to any applications before the Planning Commission.

STAFF COMMENTS

Engineering Comments:

No comments.

Traffic Engineering Comments:

No comments.

Urban Forestry Comments:

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.

Fire Department Comments:

All projects located within the City Limits of Mobile shall comply with the provisions of the City of Mobile Fire Code Ordinance, which adopts the 2021 edition of the International Fire Code (IFC).

Fire apparatus access roads shall be provided to within 150 feet of all non-sprinklered commercial buildings and within 300 feet of all sprinklered commercial buildings, as measured along an approved route around the exterior of the facility.

An approved fire water supply capable of meeting the requirements set forth in Appendices B and C of the 2021 IFC shall be provided for all commercial buildings.

Fire hydrant placement shall comply with the following minimum standards:

- Within 400 feet of non-sprinklered commercial buildings
- Within 600 feet of sprinklered commercial buildings
- Within 100 feet of fire department connections (FDCs) serving standpipe or sprinkler systems

Although the International Residential Code (IRC) functions as a stand-alone document for the construction of one- and two-family dwellings and townhouses, it does not govern the design or layout of emergency access or community-level fire protection infrastructure. Therefore, residential developments must also comply with the applicable requirements of the International Fire Code, including, but not limited to, those listed above concerning the design, construction, regulation, and maintenance of fire apparatus access roads and fire protection water supplies.

Planning Comments:

The applicant is requesting a Sign Variance to allow digital gas pricers within 300-feet of residentially zoned property in a B-3, Community Business Suburban District; the Unified Development Code (UDC) does not allow digital gas pricers within 300-feet of residentially zoned property in a B-3, Community Business Suburban District.

The entire application packet is available via the link on Page 1.

The purpose of the Sign Regulations is to promote the economic well-being of the entire Mobile community by creating a favorable physical image, to afford the business community an equal and fair opportunity to advertise and promote products and services, and to protect the right of the citizens to enjoy Mobile's natural scenic beauty.

The subject site has an existing convenience store with gasoline sales. The applicant proposes to replace the existing Exxon freestanding sign containing digital fuel pricing panels to a Shell freestanding sign with digital fuel pricing panels. The existing digital signage appears to have been installed prior to the adoption of the digital sign regulations in 2013. As the location of the proposed sign is within 300 feet of residentially zoned property to the South, a Sign Variance is required to allow the proposed digital fuel pricing displays on the new sign, hence this application.

As justification for the request, the applicant states the following:

We would like to replace a digital pricer sign at 1725 Dauphin Island Parkway. This is a Shell station owned by Clark Oil and is in business. We were told there was a residentially zoned property within 300 ft of this gas station. We would like to consider a variance for us to replace the existing sign. Thank you for your consideration.

The site plan submitted indicates that the proposed sign would be compliant with the required 18-inch setback from the right-of-way, as well as size allowances.

In previous cases before the Board, where digital gasoline pricing signs were proposed within 300-feet of residentially zoned property, the Board has been sympathetic to the applicant's request to allow such, primarily due to the fact that digital pricing signs have low levels of light emission, and such signage is necessary to allow an applicant a fair opportunity to advertise prices within a competitive market.

VARIANCE CONSIDERATIONS

Standards of Review:

Variances are not intended to be granted frequently. The applicant must clearly show the Board that the request is due to very unusual characteristics of the property and that it satisfies the variance standards. What constitutes unnecessary hardship and substantial justice is a matter to be determined from the facts and circumstances of each application.

Article 5 Section 10-E. 1. of the Unified Development Codes states that the Board of Adjustment may grant a variance if:

- The Applicant demonstrates that the variance shall not be contrary to the public interest;
- Where, owing to special conditions a literal enforcement of the provision of this Chapter will result in unnecessary hardship; and
- The spirit of this Chapter will be observed and substantial justice done.

Article 5 Section 10-E.2. states; no variance shall be granted:

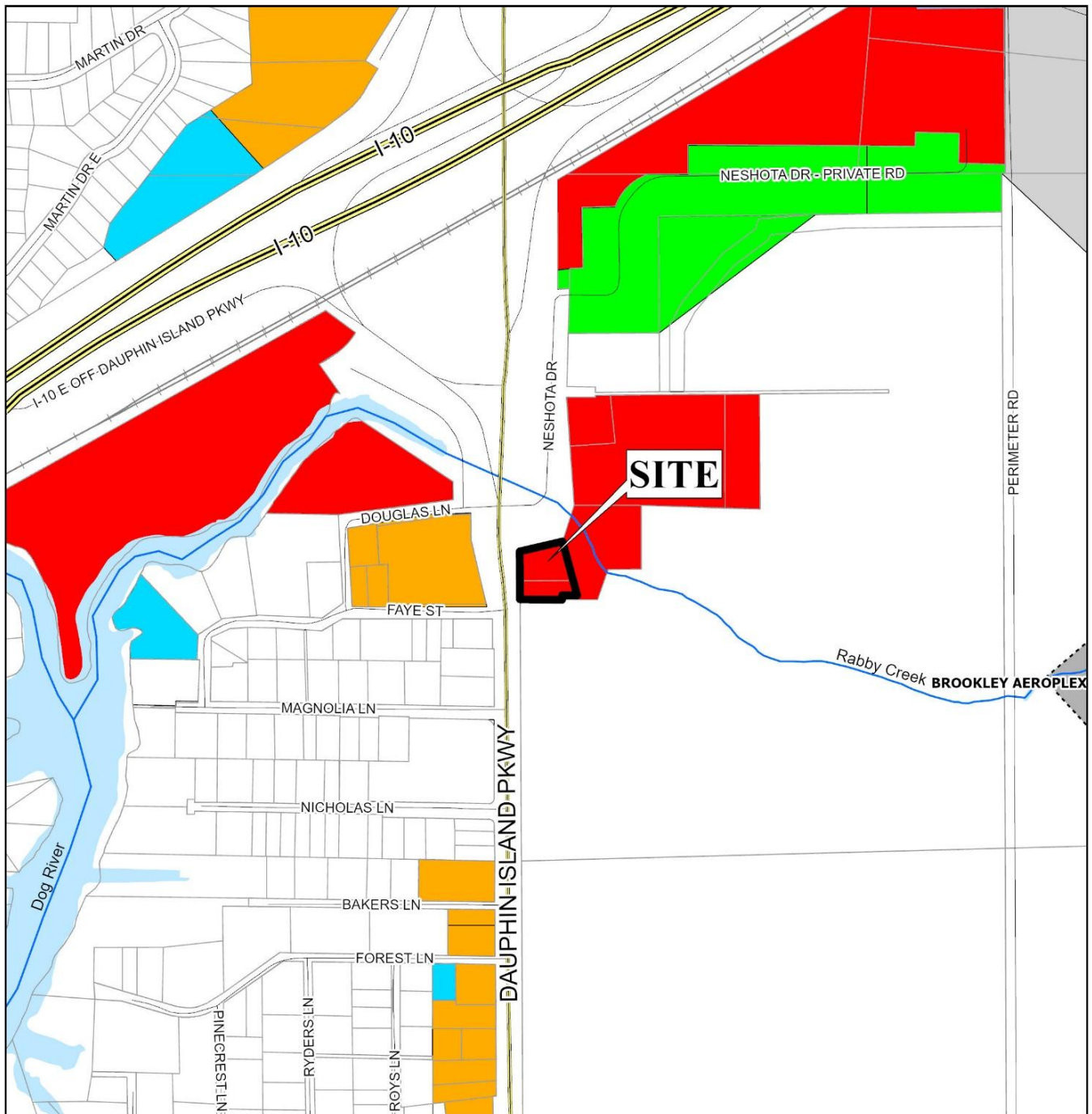
- (a) In order to relieve an owner of restrictive covenants that are recorded in Mobile County Probate Court and applicable to the property;
- (b) Where economic loss is the sole basis for the required variance; or
- (c) Where the variance is otherwise unlawful.

Considerations:

Based on the requested Variance application, if the Board considers approval of the request, the following findings of fact must be presented:

- A) The variance will not be contrary to the public interest;
- B) Special conditions exist such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and
- C) The spirit of the chapter shall be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance.

LOCATOR ZONING MAP



APPLICATION NUMBER _____ DATE _____

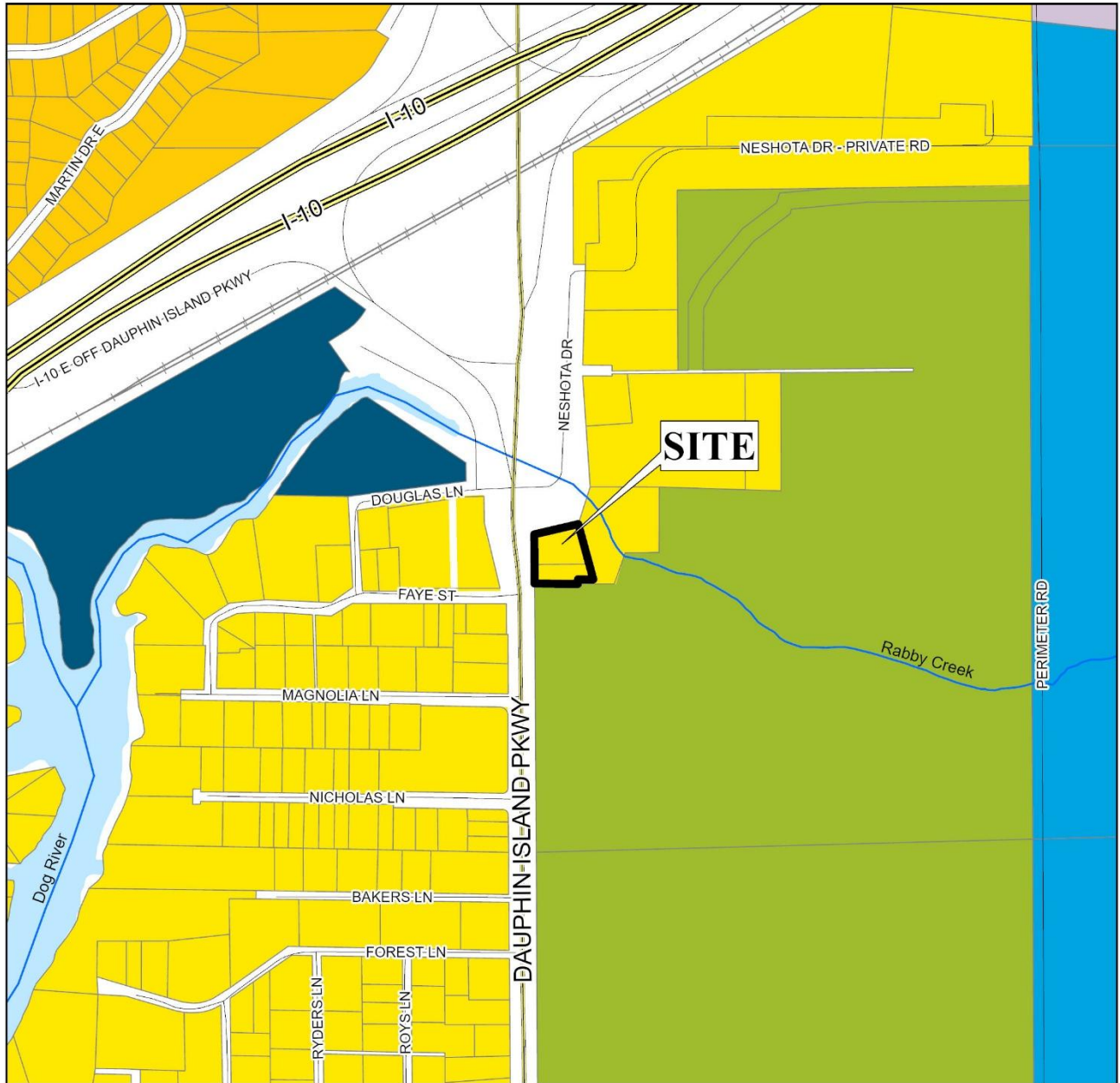
APPLICANT _____

REQUEST _____



NTS

FLUM LOCATOR MAP



APPLICATION NUMBER _____ DATE _____

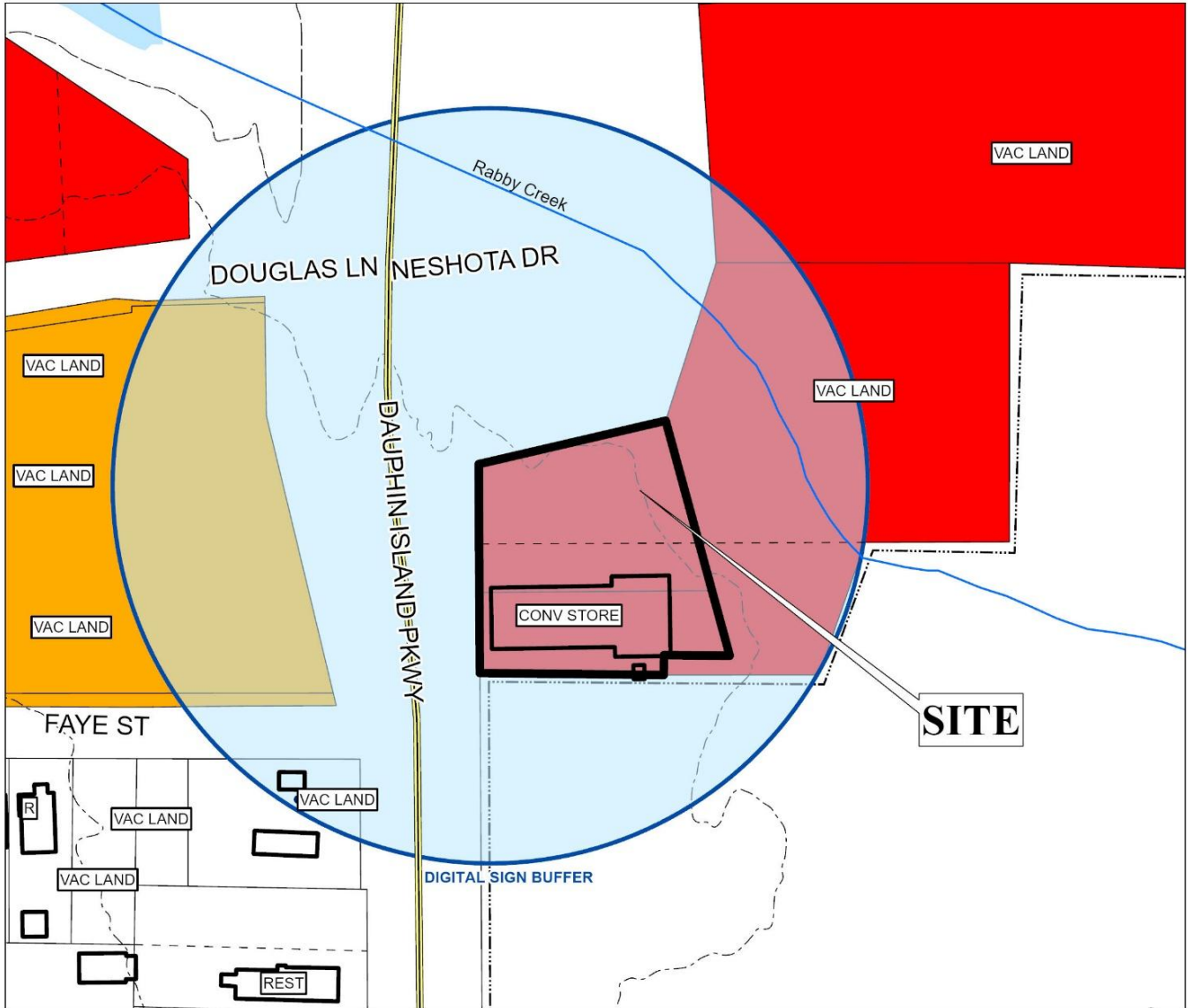
APPLICANT _____

REQUEST _____

- | | | | |
|---|---|---|---|
| Low Density Residential | Neighborhood Center - Traditional | Light Industry | Water Dependent |
| Mixed Density Residential | Neighborhood Center - Suburban | Heavy Industry | |
| District Center | Mixed Commercial Corridor | Institutional | |
| Downtown | Traditional Corridor | Parks, Open Space | |



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



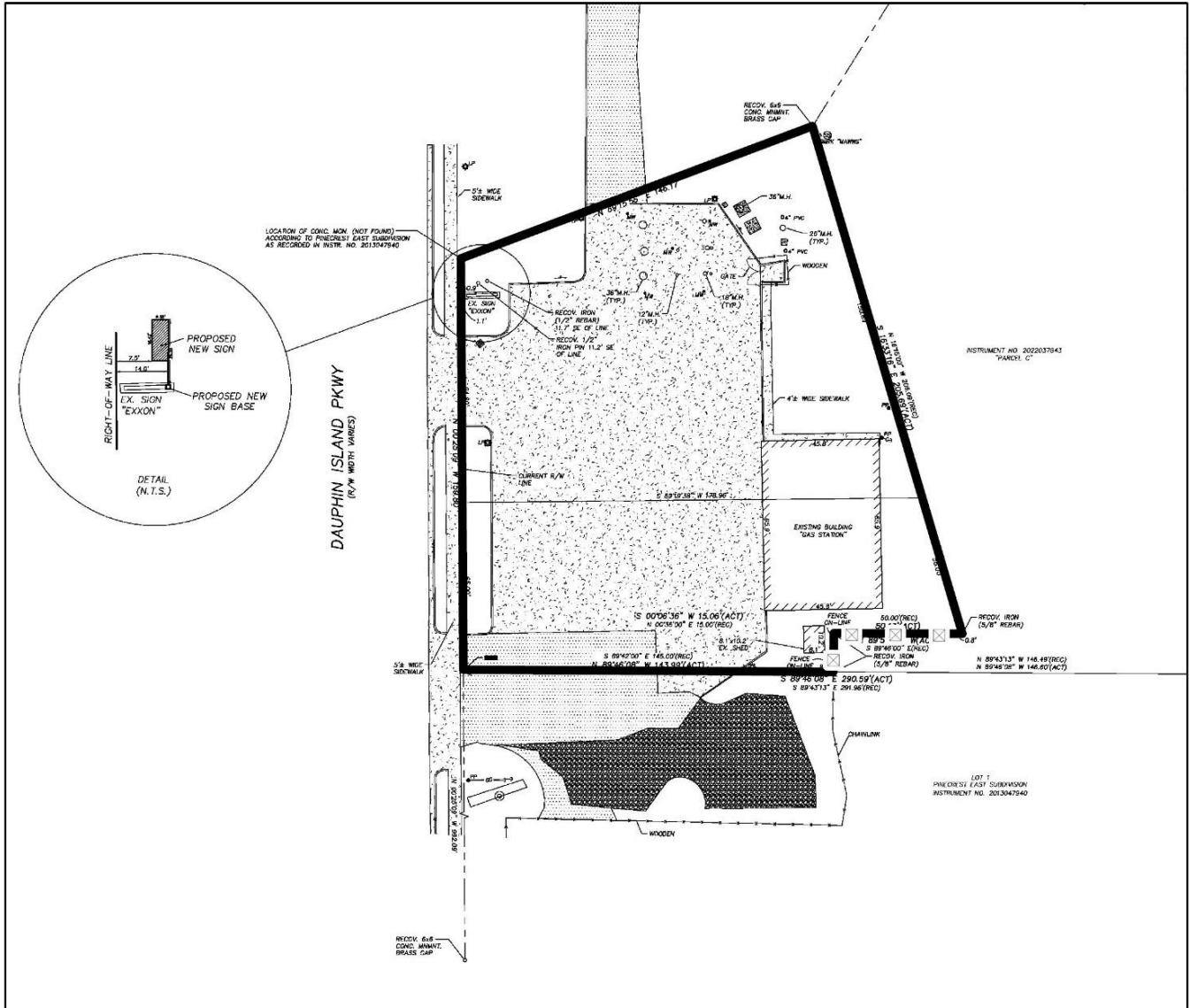
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APPLICATION NUMBER 6757 DATE June 1, 2026
 APPLICANT Advantage Sign Company (Amanda Murphy, Agent)
 REQUEST Sign Variance

 R-A	 R-3	 B-1	 B-2	 B-5	 ML	 I-2	 OPEN	 T-3	 T-5.2
 R-1	 R-B	 T-B	 B-3	 CW	 MH	 PD	 SD	 T-4	 T-6
 R-2	 H-B	 LB-2	 B-4	 MM	 I-1	 MUN	 SD-WH	 T-5.1	



SITE PLAN



The site plan illustrates the proposed sign placements and current buildings.

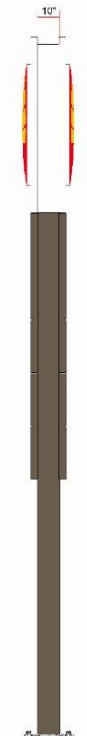
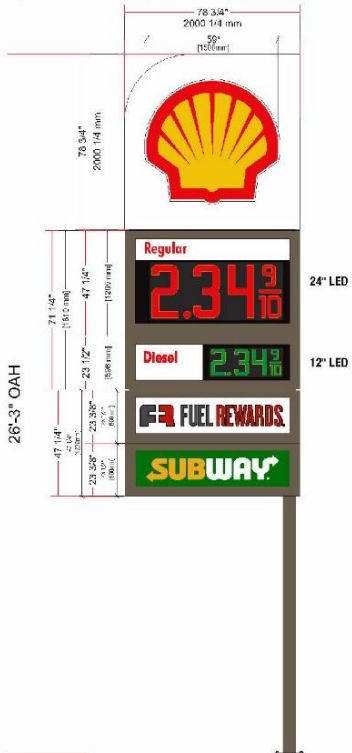
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DETAIL SITE PLAN

NEW SHELL MVI 8M FLAG MOUNT SIGN @ 26' 3" OAH.

SHELL ID, 2X REGULAR, 1X DIESEL, 1X FUEL REWARDS, 1X SUBWAY

REMOVING EXISTING POLES,
USING EXISTING FOUNDATION



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LOW DENSITY RESIDENTIAL (LDR)

This designation applies to residential neighborhoods found mostly west of I-65 or immediately adjacent to the east side of I-65. These areas are primarily single family residential, but may contain small-scale complimentary uses and other residential types at appropriate locations. An LDR area may include a wide range of lot sizes, housing size and styles, including some small-scale multi-unit buildings, but housing styles are highly consistent within a subdivision and tend to have limited connectivity between residential types and non-residential uses. Neighborhoods tend to have longer blocks and may be designed in a network of meandering streets. Residential density ranges between 0 and 6 dwelling units per acre (du/ac).

Development Intent

- › Complementary uses are designed and sited in a manner compatible with and connected to the surrounding context.
- › The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.
- › When establishing new residential areas or expanding existing developments, provide pedestrian and vehicular connectivity between adjacent developments.

Land use mix

Primary Uses

- › Residential, Single family
- › Residential, Attached

Secondary Uses

- › Residential, Multifamily
- › Civic
- › Parks

Housing mix

- › Predominantly single family subdivisions with lots smaller than one acre
- › Attached residential such as duplexes, multiplexes, and townhomes that have the scale of a single family home

Character Example

