



Agenda Item # 4

BOA-003776-2026

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

2668 Berkley Avenue

Applicant / Agent:

Complete Signs

Property Owner:

Trinity Lutheran Church

Current Zoning:

B-2, Neighborhood Business Suburban District

Future Land Use:

Light Industry

Case Numbers:

6768/4641

Unified Development Code (UDC) Requirement:

- The UDC does not allow an electronic message center within 300-feet of residentially zoned properties in a B-2, Neighborhood Business Suburban District.

Board Consideration:

- Sign Variance to allow an electronic message center within 300-feet of residentially zoned properties in a B-2, Neighborhood Business Suburban District.

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BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential and commercial units.

APPLICATION NUMBER	6768	DATE	August 3, 2026
APPLICANT	Complete Signs		
REQUEST	Sign Variance		



SITE HISTORY

The subject site was annexed into the City of Mobile in 1960.

In May 1997, the Board of Zoning Adjustment approved a Use Variance to allow the expansion of an existing church in an I-2, Heavy Industry District.

In June 1998, the Planning Commission approved a Sidewalk Waiver to waive construction of sidewalks along Berkley Avenue and Main Street.

In June 2003, the site was rezoned from I-2 to B-2, Neighborhood Business District, to bring the zoning into compliance with the use as a church. A Planned Unit Development (PUD) was also approved to allow multiple buildings on a single building site.

In October 2003, the Planning Commission approved an amendment to the previously approved PUD to allow multiple buildings on a single building site.

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 an electronic message center within 300-feet of residentially zoned properties in a B-2, Neighborhood Business Suburban District; the Unified Development Code (UDC) does not allow an electronic message center within 300-feet of residentially zoned properties in a B-2, Neighborhood Business Suburban District.

The subject site is currently developed as a church with an associated school. It has an existing freestanding illuminated sign with a manual message center along its Berkley Avenue frontage. The applicant proposes to replace the faces of the existing sign with a digital/electronic message center of the same size. As justification, the applicant states that the digital/electronic message display is needed to communicate changing information such as worship service times, school announcements, parent/student information, church activities, community events, and emergency or weather-related notices. The application and supporting materials are available via the link on Page 1 of this report.

The purpose of the City of Mobile's sign regulations is to protect public health, safety, and general welfare, as well as to promote aesthetic standards throughout the city. These regulations provide uniform standards for the location, spacing, height, setbacks, lighting, and other characteristics of both on-premise and off-premise signage.

Per Section 64-4-14.O.1(c) of the UDC:

"Electronic or digital signs are allowed only... if the sign is placed a distance of not less than 300 feet from any residential zoned property. The distance shall be measured in a straight line, without regard to intervening structures or objects, from the proposed location of the sign to the nearest property line of any residential zoned property."

Further provisions of the UDC allow electronic message boards to include animations and effects, provided they do not flash or otherwise meet the definition of a "flashing sign."

The subject site is bordered to the North and West by I-2, Heavy Industry District zoning. The property to the North is used as an equipment sales and service storage yard, and the property to the West is used for roofing supply sales and warehousing. To the South, across Main Street, is R-1 in use as a public school, and to the East across Berkley Avenue is R-1, in use as single-family dwellings. The proposed sign would be within 300 feet of the residences across Berkley Avenue.

The applicant has not submitted technical specifications for the digital display, nor has it been demonstrated how the proposed sign would comply with illumination and operational standards set forth in Section 64-4-14.O.1 of the UDC.

A desire to modernize signage alone does not constitute a hardship under the criteria for granting a variance. As such, approval of this request could set a precedent for future variances absent of site-specific justifications or demonstrated hardships.

Approving this request would be inconsistent with Section 64-4-14.O.1(c) of the UDC and may undermine the intent of the sign regulations by allowing digital signage in close proximity to residential areas without sufficient justification.

Should the Sign Variance be approved, the applicant must obtain a Sign Permit from the Planning and Zoning Department, and a separate Electrical Permit from the Permitting Department.

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 Code 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:

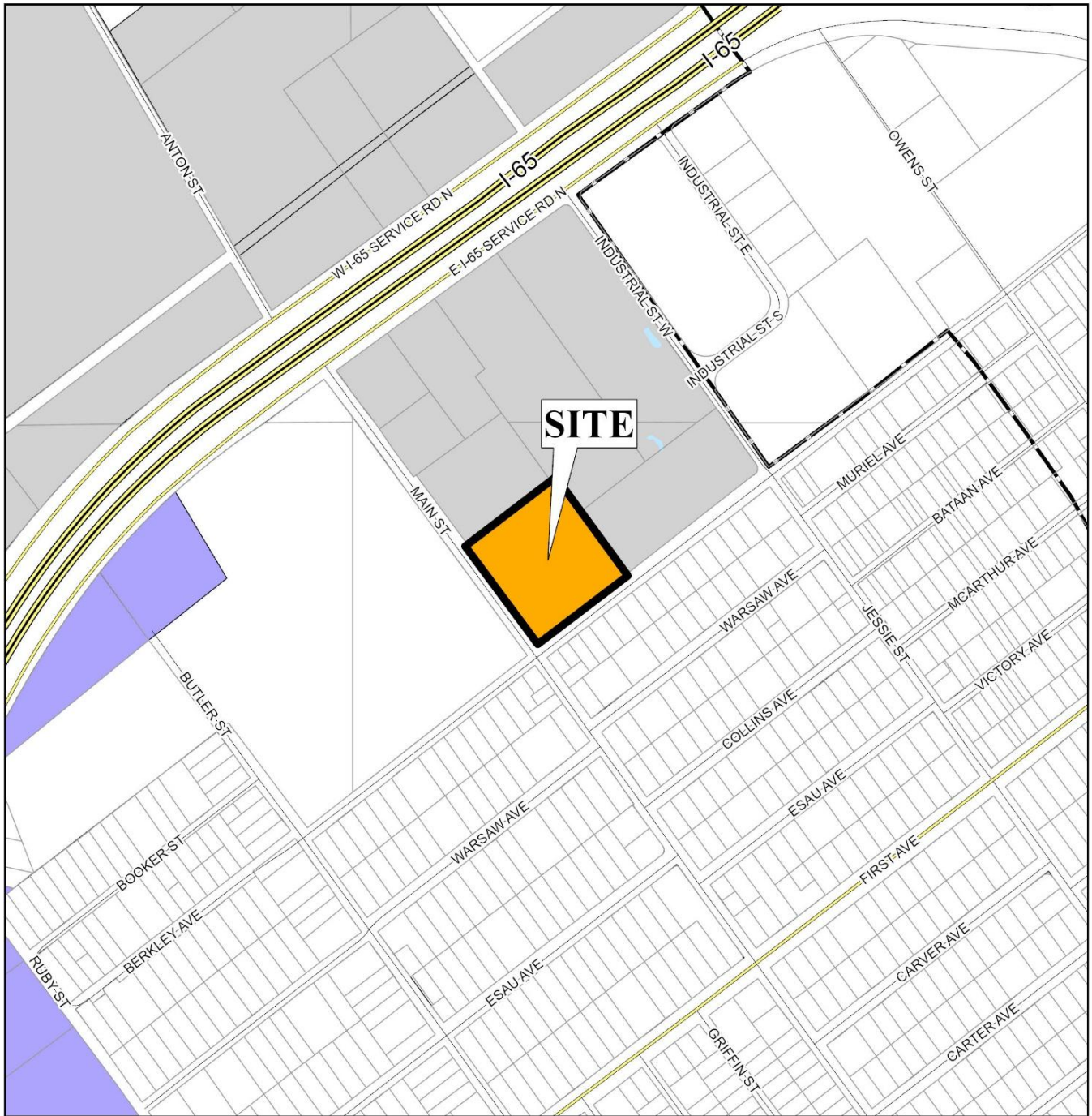
Based on the requested Variance application and documentation submitted, if the Board considers approval of the request, the following findings of fact must be presented:

- 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.

If approved, the following conditions could apply:

- 1) Obtaining of a Sign Permit from the Planning and Zoning Department;
- 2) Obtaining of an Electrical Permit from the Permitting Department;
- 3) Compliance with Section 64-4-14.O. of the sign regulation provisions regarding digital signs; and
- 4) Full compliance with all other municipal codes and ordinances.

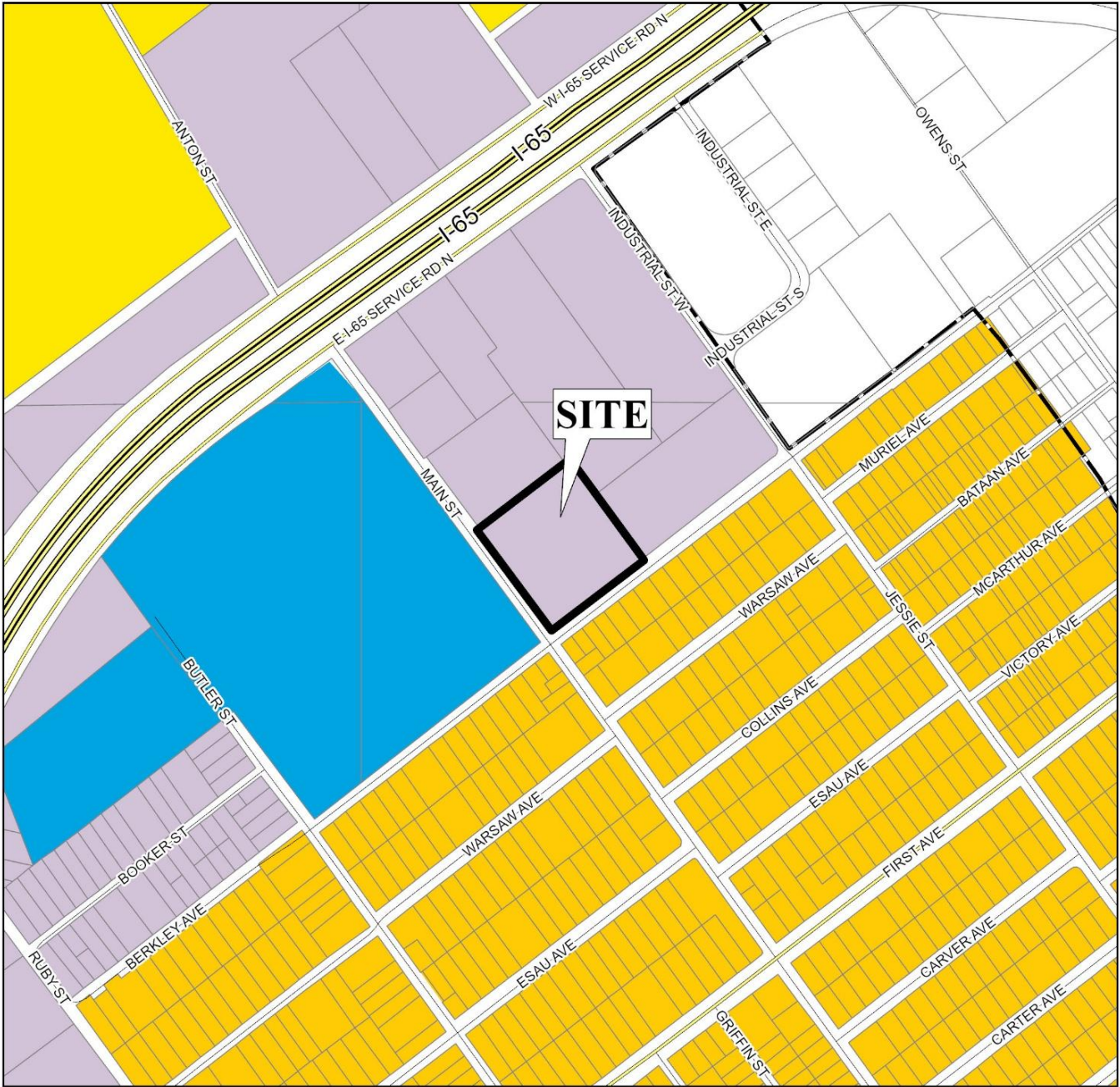
LOCATOR ZONING MAP



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FLUM LOCATOR MAP



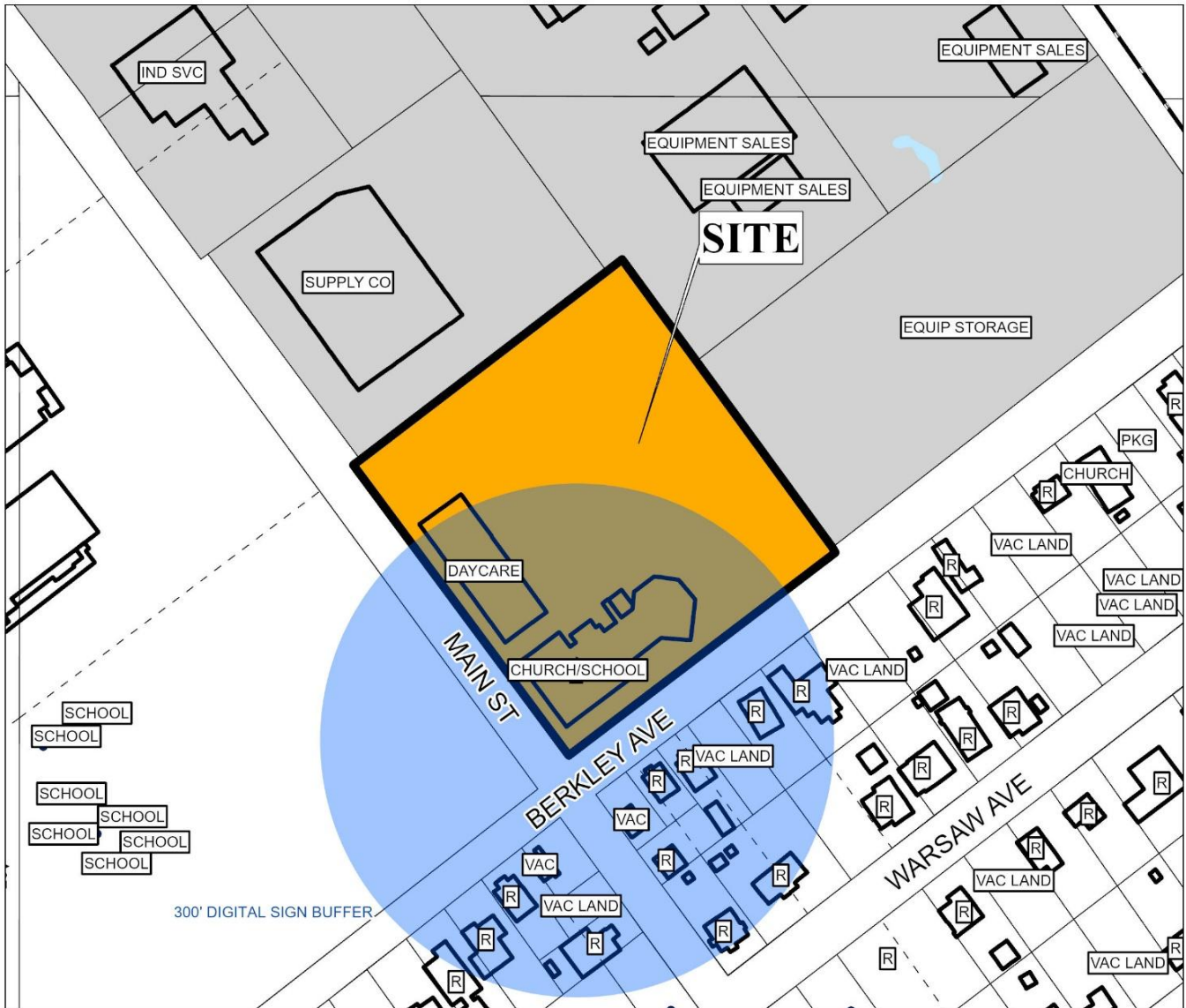
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- | | | | |
|---|---|--|---|
| Low Density Residential | Neighborhood Center - Traditional | Light Industry | Water Dependent |
| Mixed Density Residential | Neighborhood Center - Suburban | Heavy Industry | |
| Downtown | Traditional Corridor | Institutional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



BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING



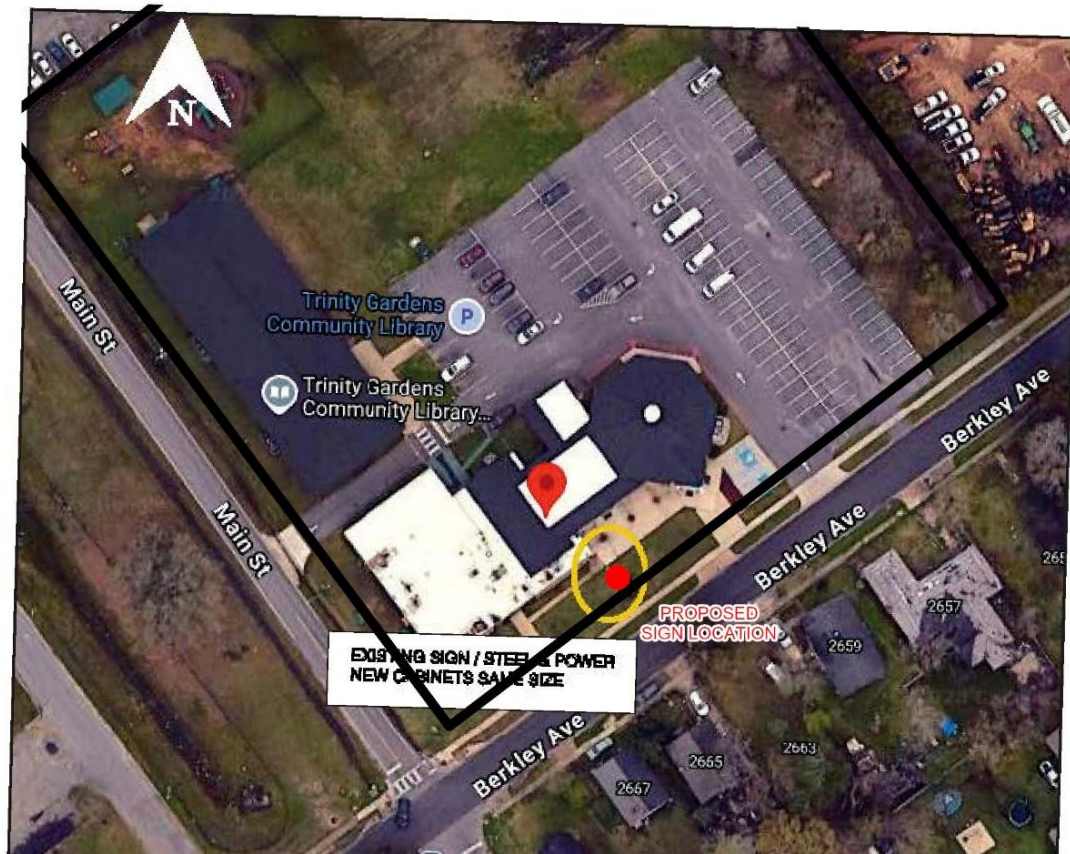
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R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	

N
 NTS

SITE PLAN



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

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DETAIL SITE PLAN



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NTS

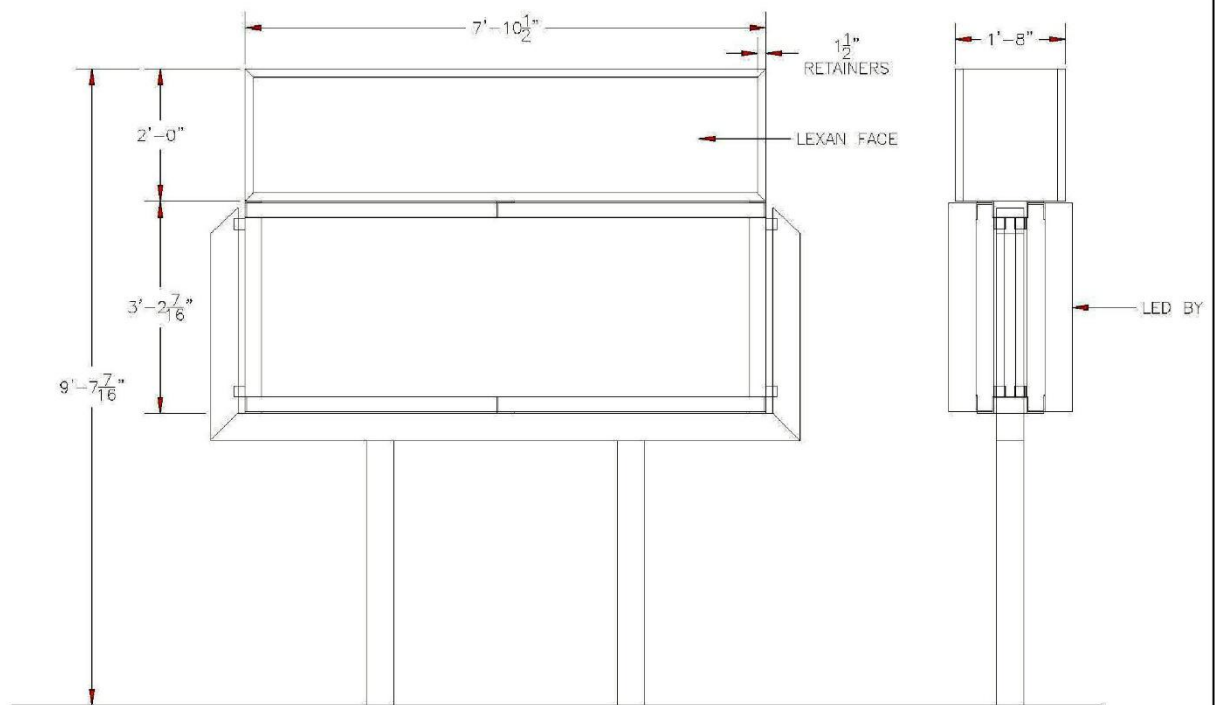
DETAIL SITE PLAN



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DETAIL SITE PLAN



SCALED TO FIT PAGE

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The designation of an area with a FLUM land use category does not mean that the most intense zoning district consistent with that category is “automatically” assigned to a property. Instead, an area retains its existing zoning category until it is changed through a landowner-initiated rezoning application, or a rezoning that follows an area plan. This is because the FLUM is a long-term designation, while a change in zoning considers current conditions – such as market demands, availability of infrastructure, or impacts on the immediate neighborhood.

Zoning correspondence matrix

[illegible]

Industrial Areas

LIGHT INDUSTRY / BUSINESS CENTER (LI)

This land use designation applies to an array of modern, low-impact industrial uses that include assembly and processing, warehousing, distribution and wholesaling facilities. The bulk of the light industrial use must be contained within a building or facility. This designation may also include uses such as complementary offices and retail, and areas that may be regarded as “industrial business”, including business administration and logistics operations for industrial concerns, building trade contractors facilities and advanced research facilities, as well as stand-alone educational, scientific and industrial research facilities, or any combination of those facilities located in light industrial and technology parks.

Development Intent

- › If the use requires outside storage, the storage must be limited in area and appropriately screened from view in accordance to specific zoning requirements.
- › Light industrial uses are characterized by attractive, accessible and connected development, compatible with the character of surrounding neighborhoods.
- › Development may take the form of planned campuses in park-like settings or unified design corridor with consideration to factors such as site and building orientation, building design, landscaping and buffering, lighting, continuity of pedestrian networks, access and connectivity to transit and to freight transportation.
- › Heavy commercial and, in some cases, high-density residential land uses may serve as transitions between LI and other, lower-intensity land use designations.
- › Protection buffers may also be required.
- › Higher quality building design should be encouraged at highly visible sites.

Land use mix

Primary Uses

- › Light Industrial / Clean Manufacturing
- › Warehousing / Logistics
- › Office

Secondary Uses

- › Commercial
- › Civic
- › Parks

Housing mix

- › A range of housing may be considered but it is not intended for these areas.

Character Example

