

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: December 3, 2012****CASE NUMBER**

5796/5774/4459/4458/4453

APPLICANT NAME

Rainbow Sign Company (Craig Inabinett, Agent)

LOCATION1550 Government Street
(Northwest corner of Government Street and South
Catherine Street).**APPEAL**

Appeal of the Architectural Review Board's denial to allow an additional 108.8 square feet of signage for a total of 277.8 square feet of signage for a tenant at a multi-tenant commercial site in a Historic District, a Sign Variance for which was approved by the Board of Zoning Adjustment.

ZONING

B-2, Neighborhood Business

AREA OF PROPERTY

4.9± Acres

TRAFFIC ENGINEERING**COMMENTS**

If approved, Traffic Engineering needs to meet onsite to ensure that no line of sight hazard will result.

FIRE DEPARTMENT**COMMENTS**

All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

CITY COUNCIL**DISTRICT**

District 2

ANALYSIS

The applicant is requesting an Appeal of the Architectural Review Board's denial to allow an additional 108.8 square feet of signage for a total of 277.8 square feet of signage for a tenant at a multi-tenant commercial site in a Historic District, a Sign Variance for which was approved by the Board of Zoning Adjustment.

At the Board of Zoning Adjustment (BOA) meeting of August 6, 2012, the applicant was granted a Sign Variance to amend a previously approved sign variance to allow an additional 108.8 square feet of signage for a total of 277.8 square feet of signage for a tenant at a multi-tenant commercial site in a Historic District; the Zoning Ordinance allows a maximum of 64 square feet of total signage per tenant in a Historic District. The variance was approved subject to the approval of the Architectural Review Board (ARB). In accordance with that approval condition, the applicant appeared before the Architectural Review Board on October, 3, 2012, and was

denied. The Zoning Ordinance specifies that grievances with the Architectural Review Board's decisions must be made through the Board of Zoning Adjustment; hence this application.

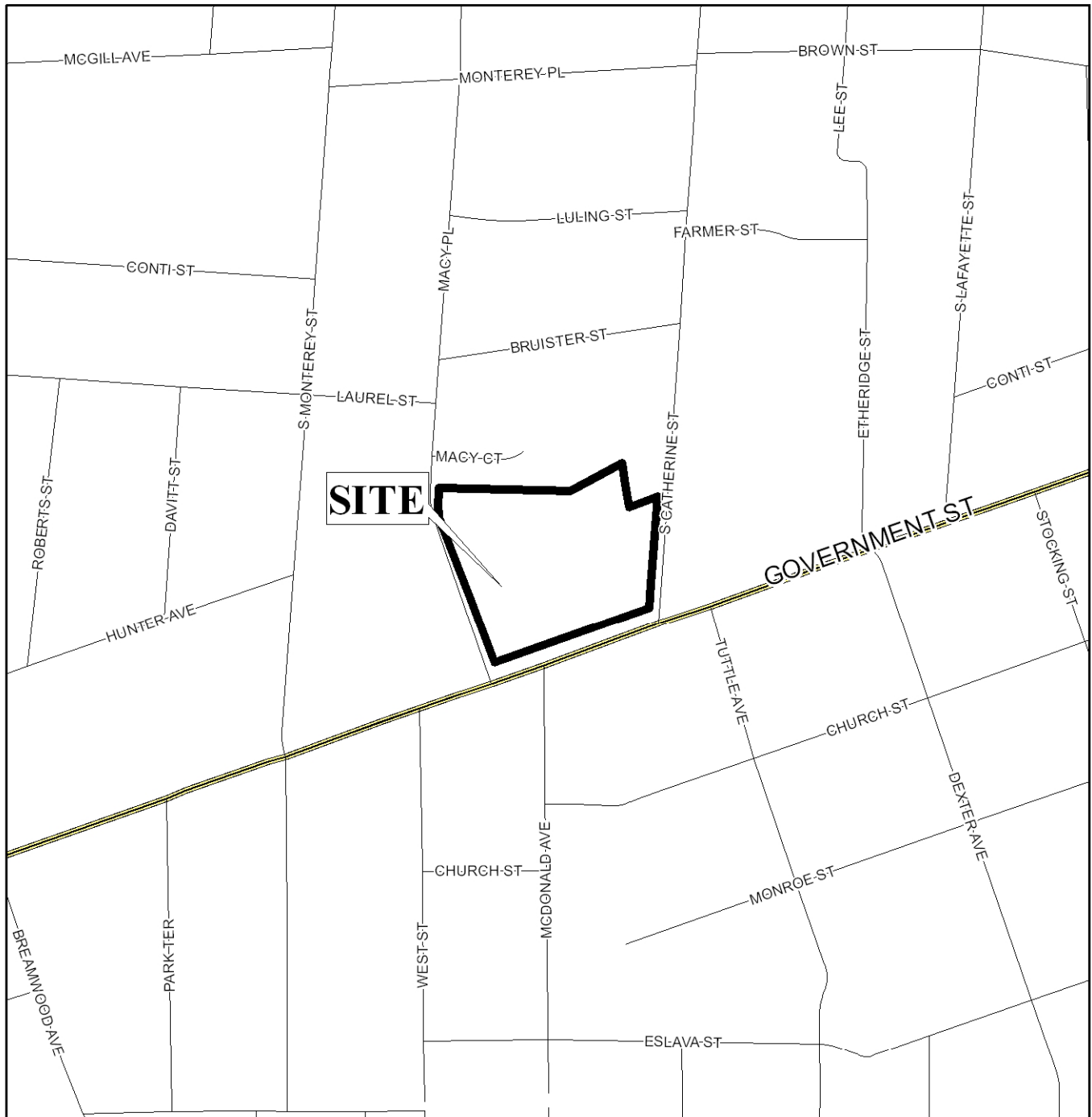
The proposed sign is for the existing Weinacker's Shopping Center pylon at the Northwest corner of Government Street and South Catherine Street and would be double-faced, illuminated, 13'-6" wide by 4' high (approximately 54.4 square feet per face). The applicant stated at the BOA meeting that the sign will help to better identify the location and that since the approval of the last sign variance for this location, the store has expanded to its current 42,510 square feet, after incorporating the vacant Harco Drugs space into the Winn Dixie store.

In preparation for the submittal of the Sign Variance request, the sign proposal received a tentative, verbal approval from the Mobile Historic Development Commission office which determined that the increase in square footage will not impair the historical or architectural character of the area and that the ARB would likely be in favor of approving the sign. However, as previously stated, that was not the case at the ARB public hearing in which the proposal was heard.

In review of an appeal from an ARB decision, the Board should first and foremost consider if the ARB acted within the parameters of their authority. If so, the ARB decision should be upheld and the appeal denied. If not, the appeal should be granted.

RECOMMENDATION: Since this is an appeal of the Architectural Review Board, the Board of Adjustment should consider all factors, including whether the ARB was acting within their authority.

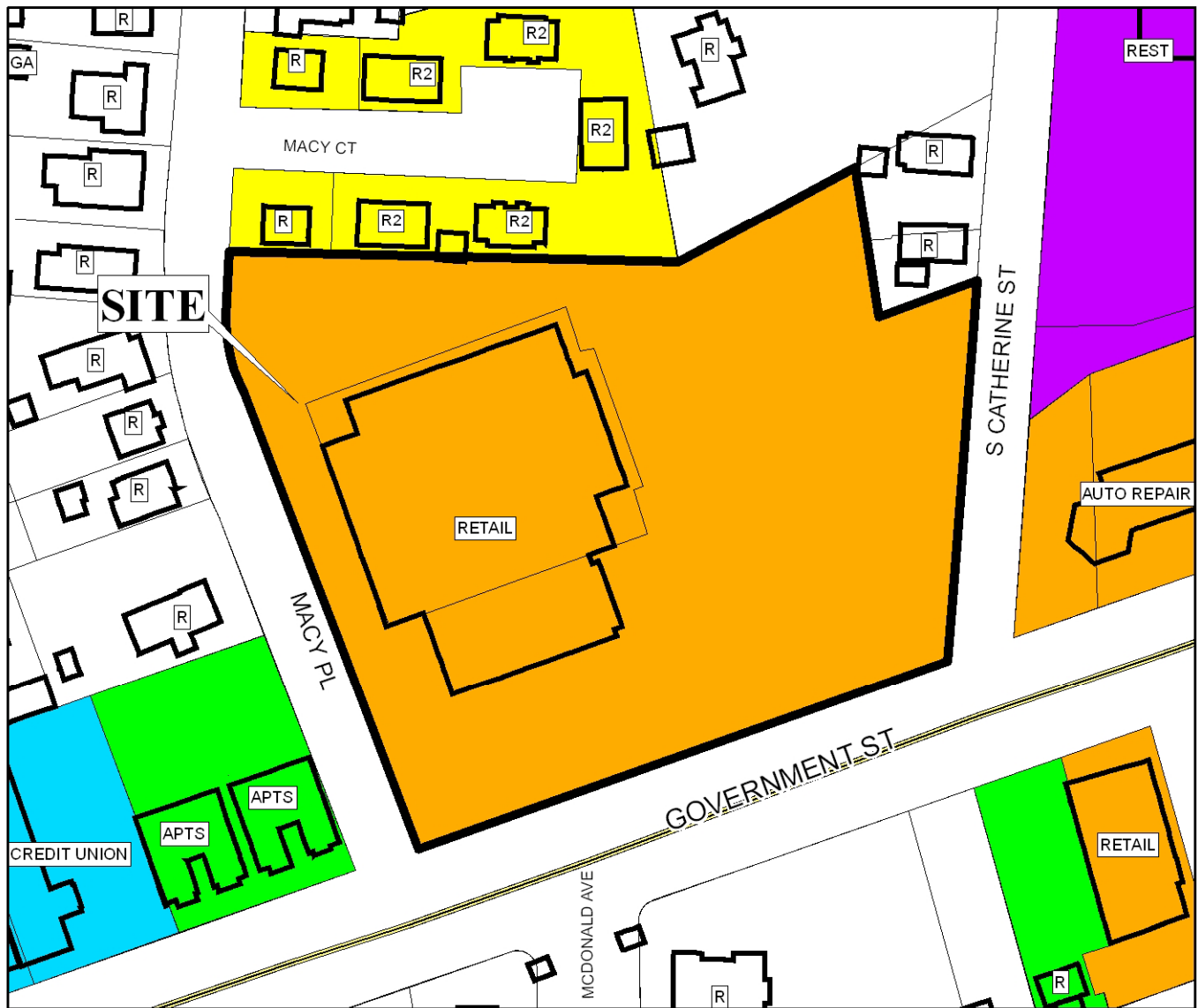
LOCATOR MAP



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REQUEST Administrative Appeal



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING

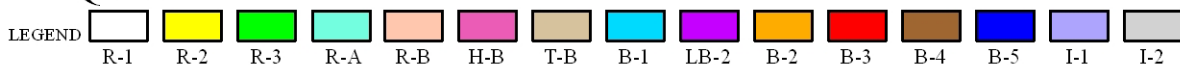


Residential land use is located to the west and north of the site. Commercial land use is located to the east of the site.

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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING

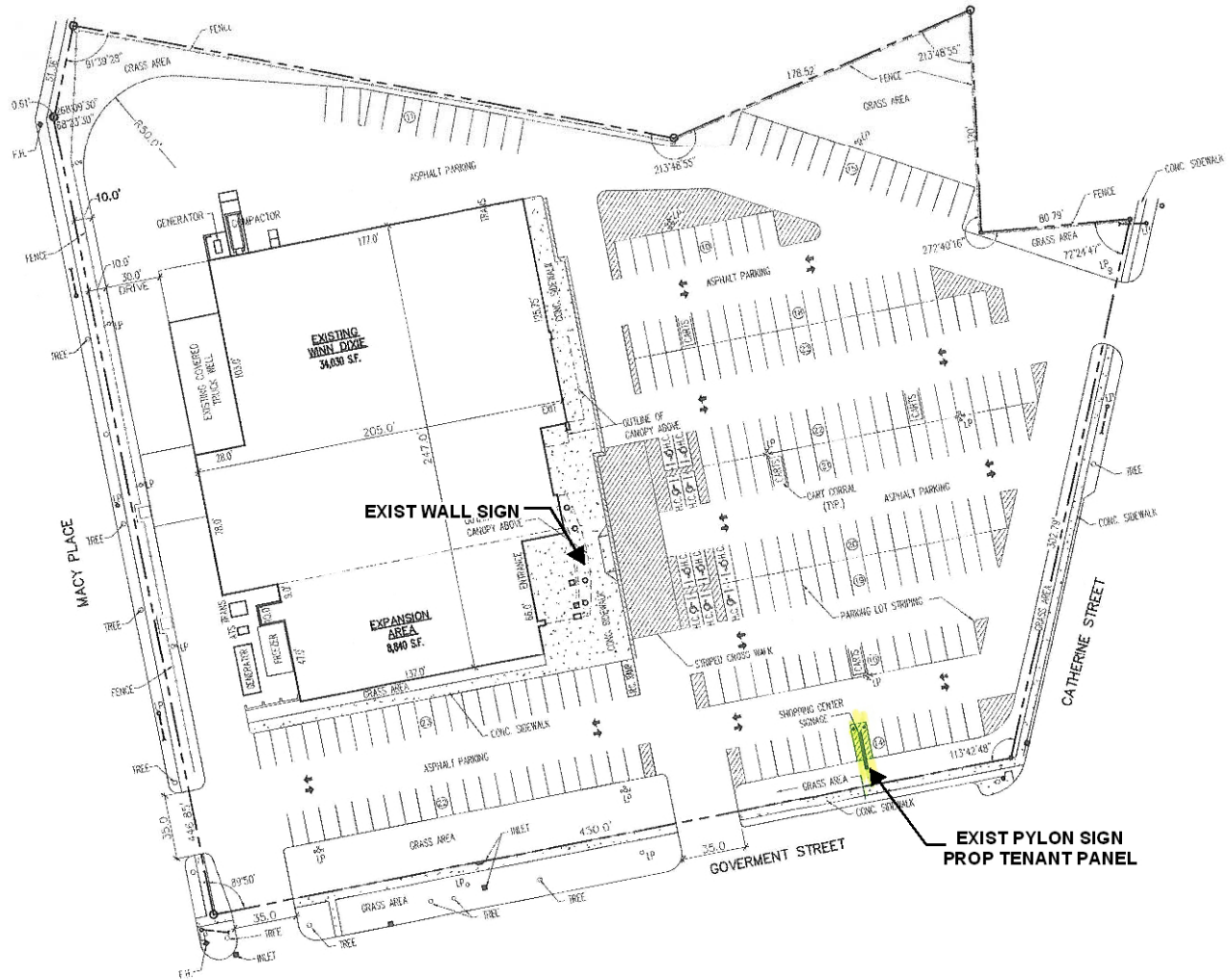


Residential land use is located to the west and north of the site. Commercial land use is located to the east of the site.

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SITE PLAN



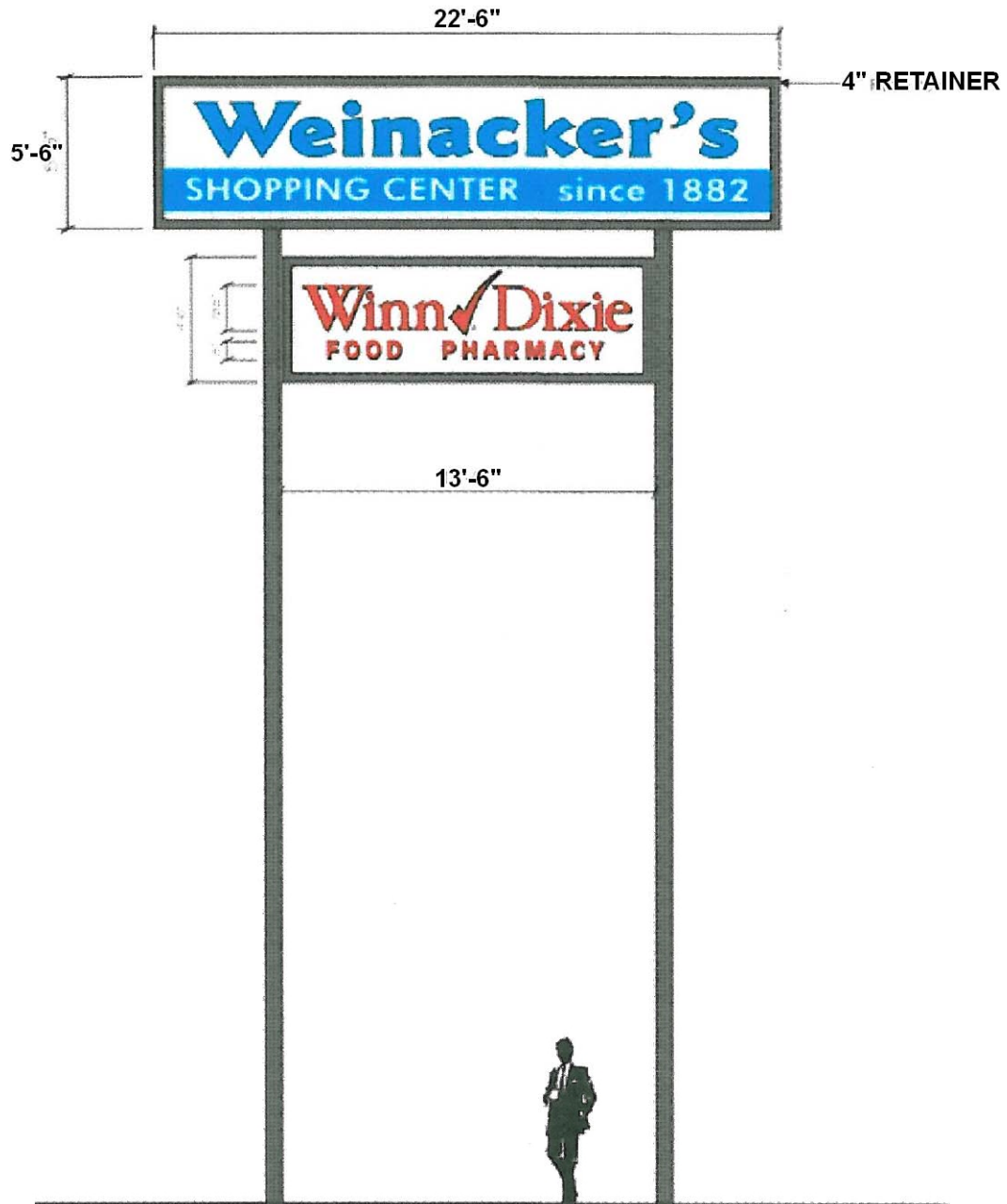
The site plan illustrates the existing development.

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DETAIL SITE PLAN



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