

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: January 8, 2018****CASE NUMBER**

6151/3709

APPLICANT NAME

Alan Chastain (LA Signs)

LOCATION7054 Howells Ferry Road
(Northeast corner of Howells Ferry Road and Cody Road North).**VARIANCE REQUEST****SIGN:** Sign Variance to allow a second wall sign for a tenant at a multi-tenant site in a B-2, Neighborhood Business District.**ZONING ORDINANCE
REQUIREMENT****SIGN:** The Zoning Ordinance only allows one wall sign per tenant, per street frontage on a multi-tenant site in a B-2, Neighborhood Business District.**ZONING**

B-2, Neighborhood Business District

**ENGINEERING
COMMENTS**

No Comments

**TRAFFIC ENGINEERING
COMMENTS**

No Comments

**CITY COUNCIL
DISTRICT**

District 7

ANALYSIS

The applicant is requesting a Sign Variance to allow a second wall sign for a tenant at a multi-tenant site in a B-2, Neighborhood Business District; the Zoning Ordinance only allows one wall sign per tenant, per street frontage on a multi-tenant site in a B-2, Neighborhood Business District.

The applicant is requesting an illuminated wall sign displaying the business's logo with the letter "P" and a crown above it, as well as the name of the business above the entrance door of building, with both signs to be located on the same side, and same street frontage.

This site has been given the Mixed Commercial Corridor land use designation per the recently adopted Future Land Use Plan and Map. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting. This applies mostly to the

transportation corridors west of I-65 serving primarily the low-density (suburban) residential neighborhoods. MCC includes a wide variety of retail, services and entertainment uses.

This designation acknowledges existing commercial development that is spread along Mobile's transportation corridors in a conventional strip pattern or concentrated into shorter segments of a corridor.

Over time, new development and redevelopment in Mixed Commercial Corridors is encouraged to raise design quality, improve connectivity to surrounding neighborhoods; improved streetscapes; and improve mobility and accessibility for all users of the corridor.

The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application; and, unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement of the Ordinance will result in an unnecessary hardship. The Ordinance also states that a variance should not be approved unless the spirit and intent of the Ordinance is observed and substantial justice done to the applicant and the surrounding neighborhood.

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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.

The applicant states the following reasons to explain the need for the variance:

This purpose of this application is to allow: Prestige Event Center located at 7054 Howells Ferry Road to install an illuminated logo (P with a crown combined) above one entrance door and acrylic letters (Prestige Event Center) above another entrance door on the front of their building.

The building was externally designed to have one sign installed above each entrance. The owner believed that he would be allowed to have these signs due to the large size of the building. Since the sign ordinance only allows one wall sign for a multiuse property, the owner will only be allowed to have one sign on the building and there will be a "large empty area" above the other entrance where no sign would be allowed and this will detract from the efforts the owner has made to make the building appealing to the community. The owner saw that other large commercial buildings in Mobile have multiple signs on their buildings with signs above their entrances. However due to the differences in the aesthetics of the building, columns, stone walls, raised areas, this

disallows for both signs to be installed in their desired location and be considered one sign, even though they are on the same plane.”

The applicant states that “the owner saw that other large commercial buildings in Mobile have multiple signs on their building with signs above their entrances” as a justification to design the layout of their building to have two signs along one street frontage. However, the applicant did not provide any examples of the sites they have referenced nor do they reference if the sites had non-conforming status, if a variance was approved, or if they were single-tenant sites. It should also be noted that there are no other previous variance requests for additional signage within the vicinity of the subject site.

The applicant also states that intervening architectural elements prevents both signs to be installed in their desired location and be considered one sign, even though they are on the same plane. However, the logo that is identified with the letter “P” with the crown above it could be relocated to where the main entrance sign is proposed and the prestige event center signage could be removed and or relocated and displayed on a monument sign. Or, as the building is a corner unit, the second wall sign could be placed on the wall facing Cody Road North.

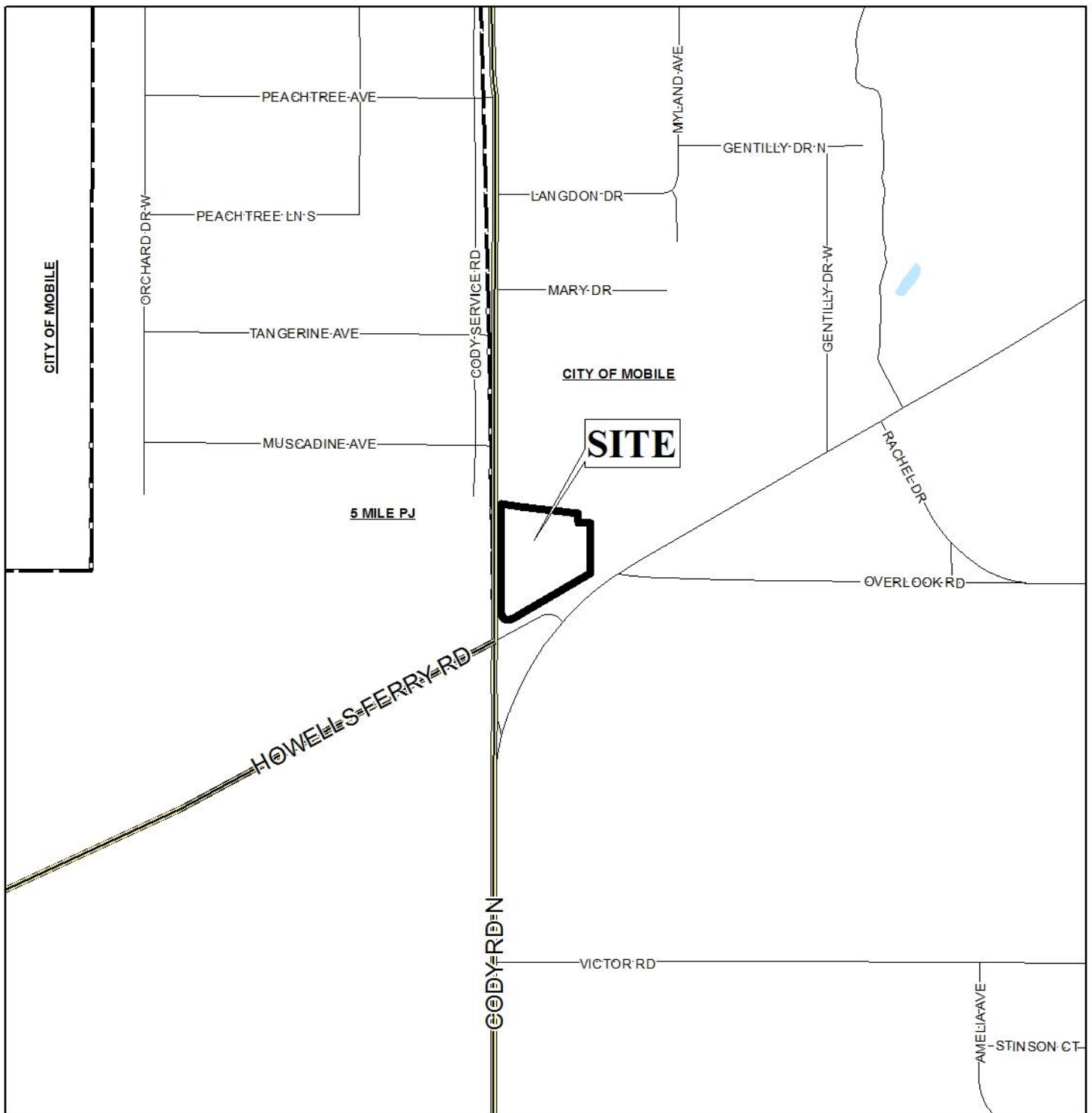
It should be noted that the sign regulations of the Zoning Ordinance have been enacted to protect the health, safety, and welfare of the citizens of the City of Mobile and the general aesthetics of the city by providing for uniform standards for the locations, spacing, height, setback, lighting, and other regulation of off-premise and on premise signs within the city.

There are no conditions which exist at this site that require two wall signs on the same façade for a single tenant at a multi-tenant site. The applicant is permitted to have one wall sign facing Howell’s Ferry Road, and one facing Cody Road North, but has not presented a hardship that will necessitate the erection of two wall signs on the same facade.

RECOMMENDATION: Staff recommends to the Board the following findings of fact for Denial:

- 1) Approving the variance will be contrary to public interest in that the Zoning Ordinance only allows one wall sign per tenant for a multi-tenant site (with two allowed for a corner unit with two street frontages) in a B-2, Neighborhood Business District;
- 2) Special conditions do not exist and there are no hardships which exist that make the placement of two wall signs necessary on the same facade;
- 3) The spirit of the chapter shall not be observed and substantial justice shall not be done to the surrounding neighborhood by granting the variance because the site can be developed without exceeding the required number of signs per tenant per facade.

LOCATOR MAP



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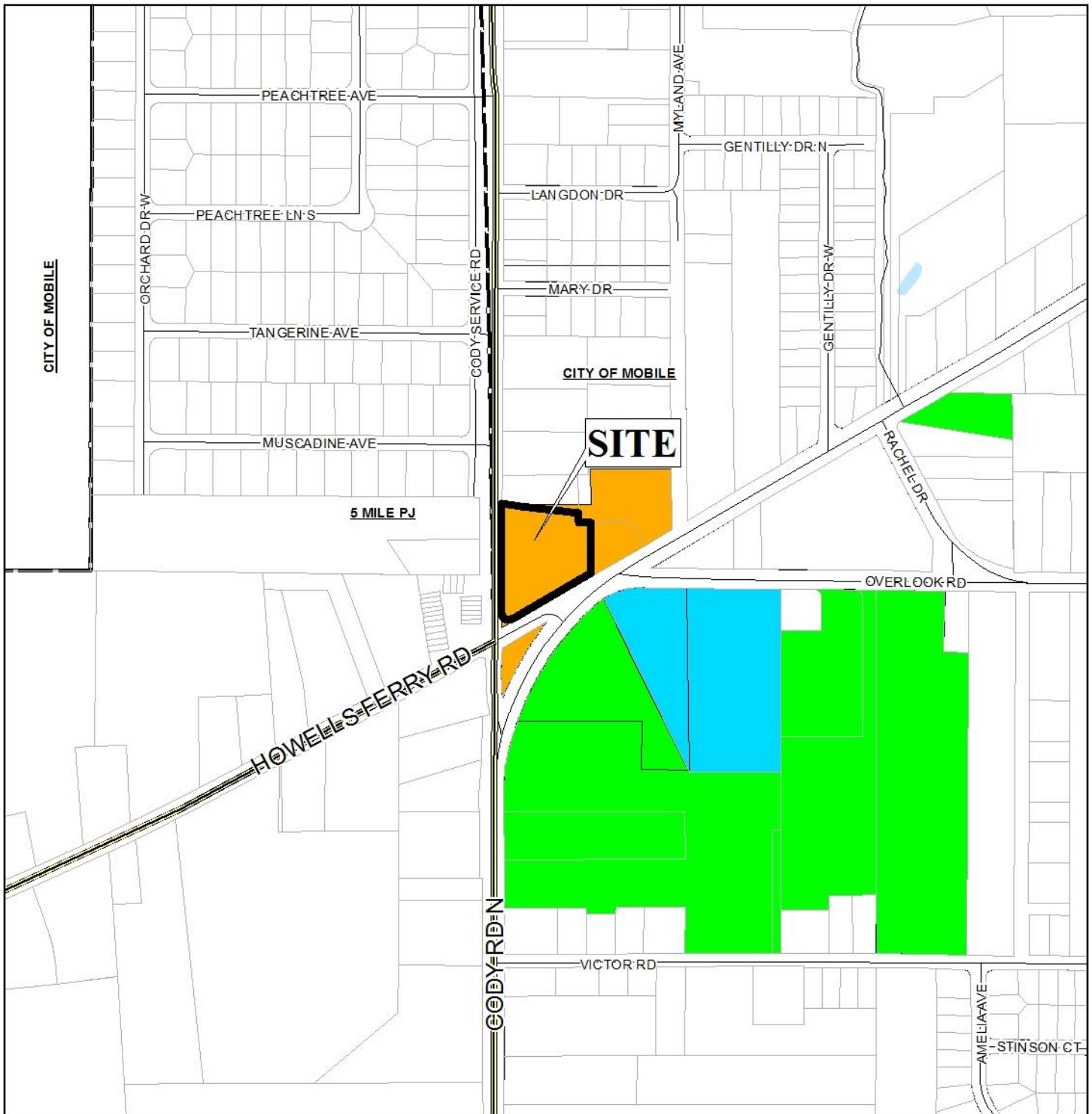
APPLICANT Alan Chastain (LA signs)

REQUEST Sign Variance



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LOCATOR ZONING MAP



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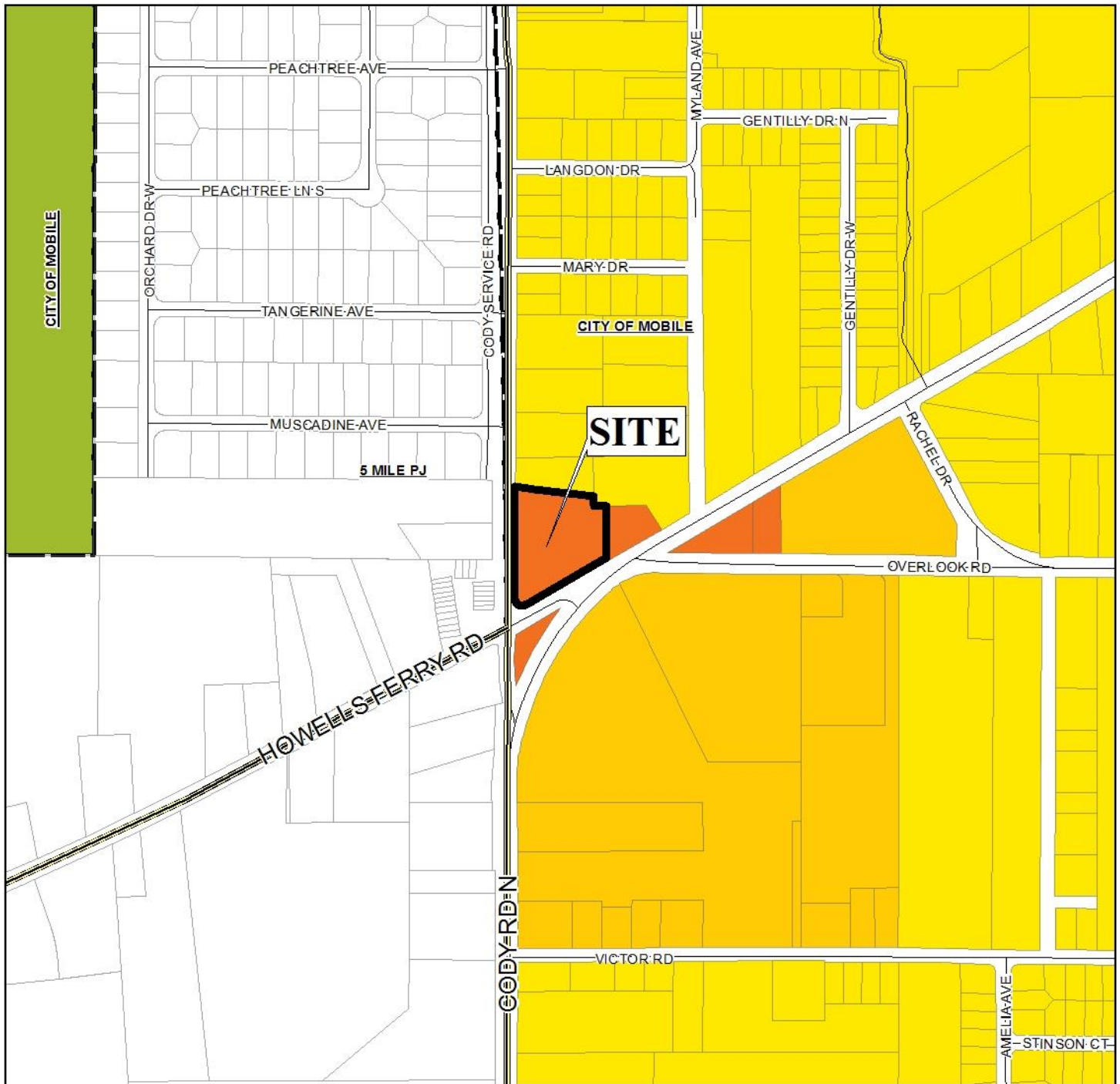
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FLUM LOCATOR MAP



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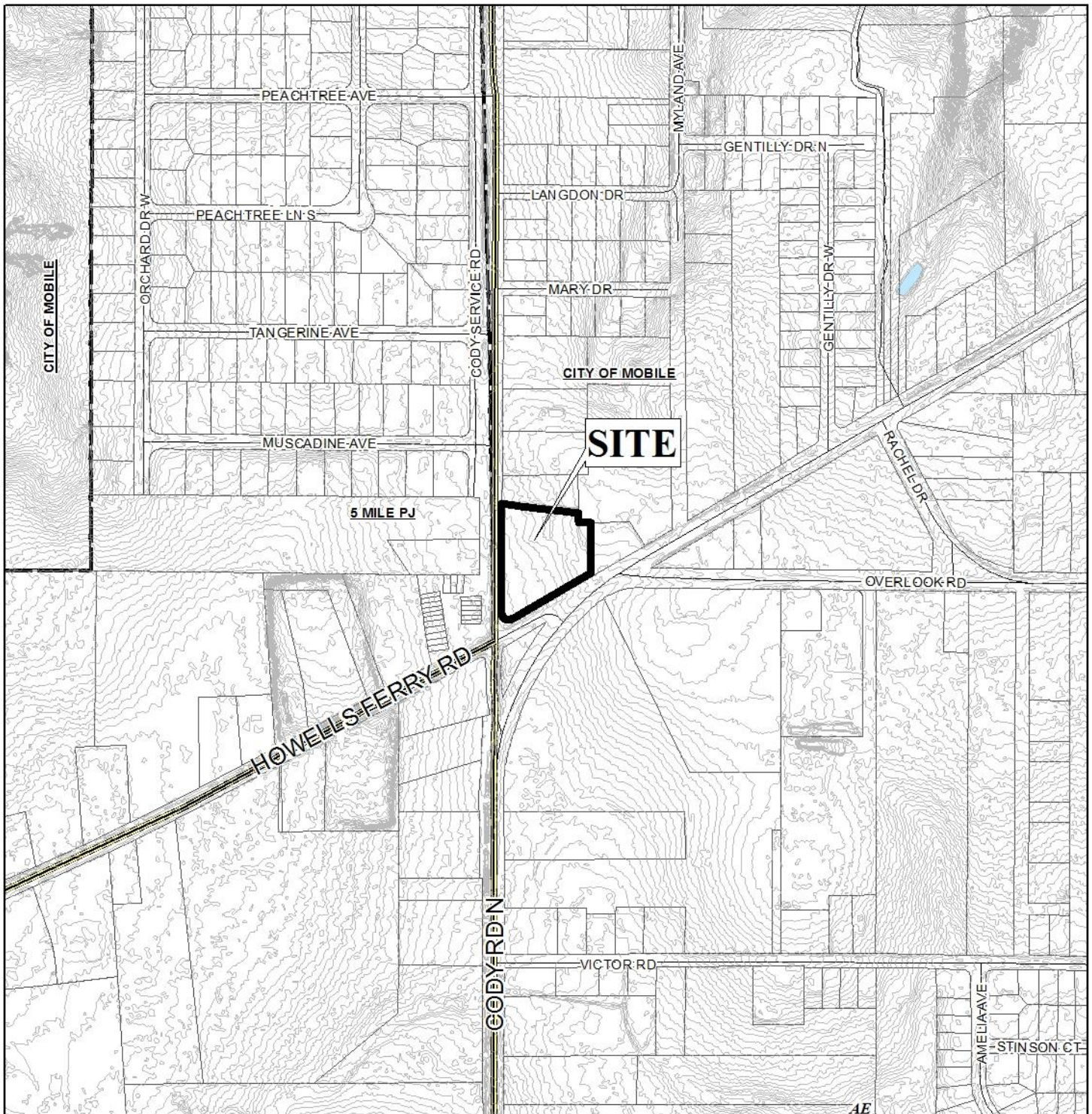
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Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed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



ENVIRONMENTAL LOCATOR MAP



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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by residential and commercial units.

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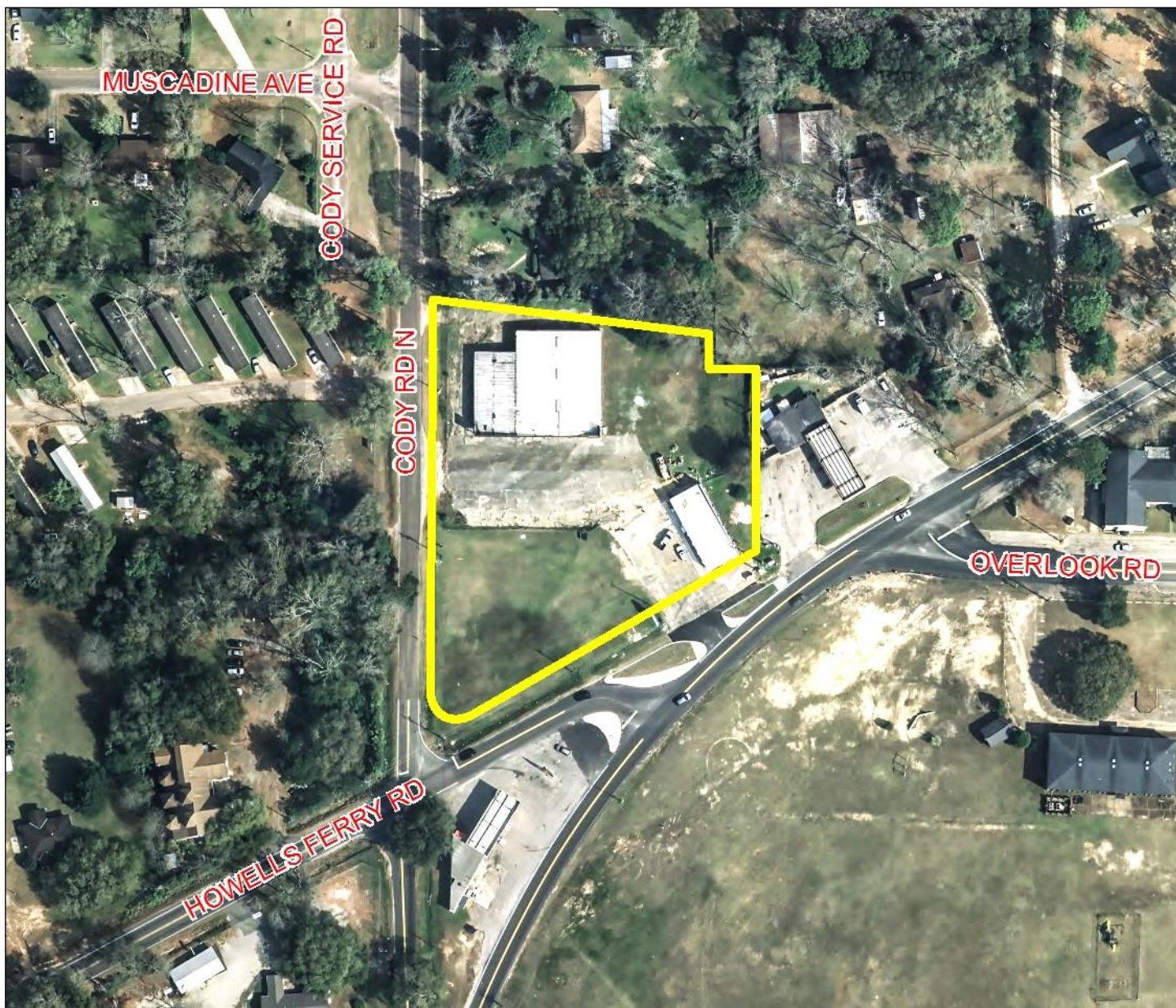
REQUEST Sign Variance

 R-A	 R-3	 T-B	 B-2	 B-5	 MUN	 SD-WH	 T5.1
 R-1	 R-B	 B-1	 B-3	 I-1	 OPEN	 T3	 T5.2
 R-2	 H-B	 LB-2	 B-4	 I-2	 SD	 T4	 T6



BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING AERIAL

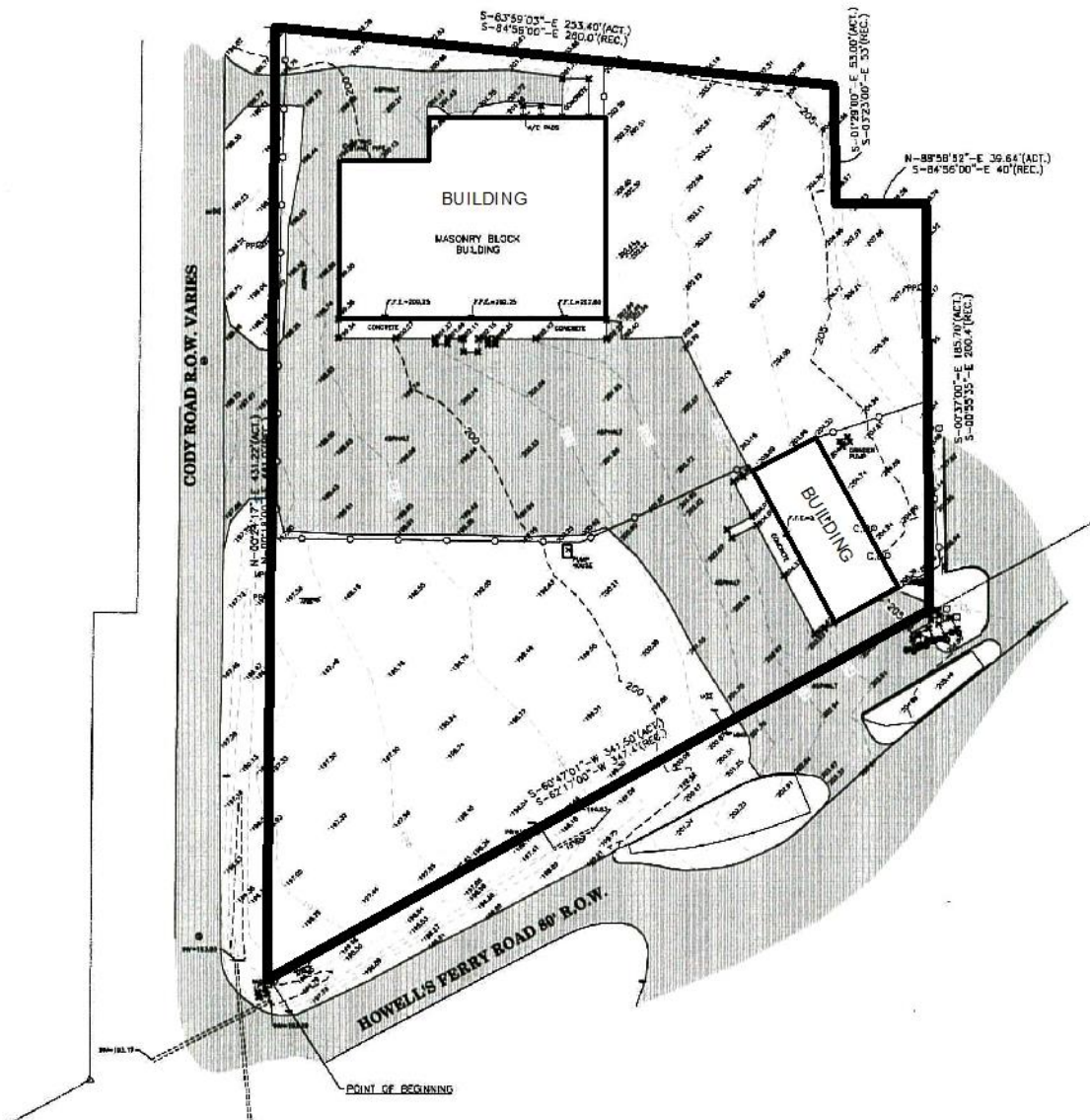


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SITE PLAN

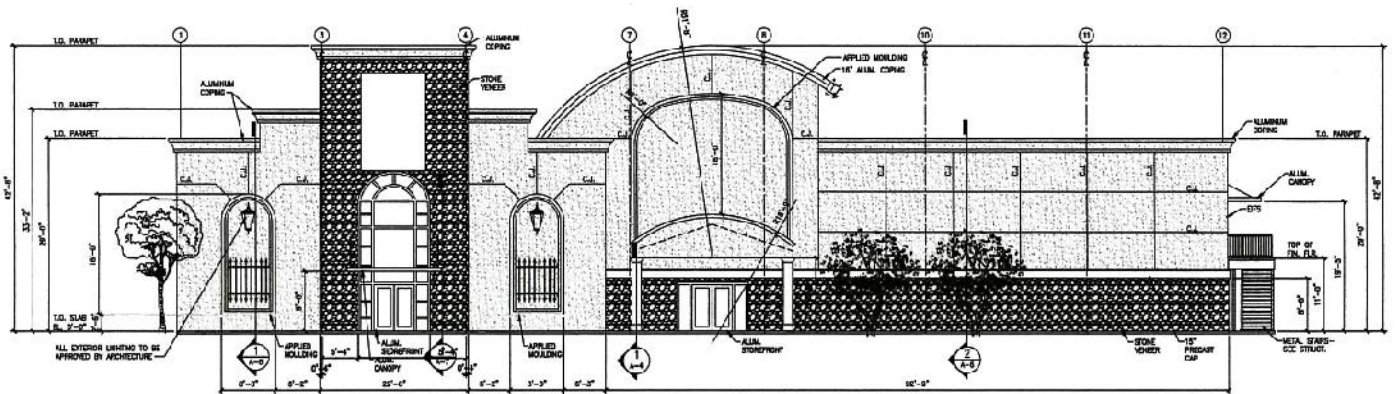


The site plan illustrates the existing buildings.

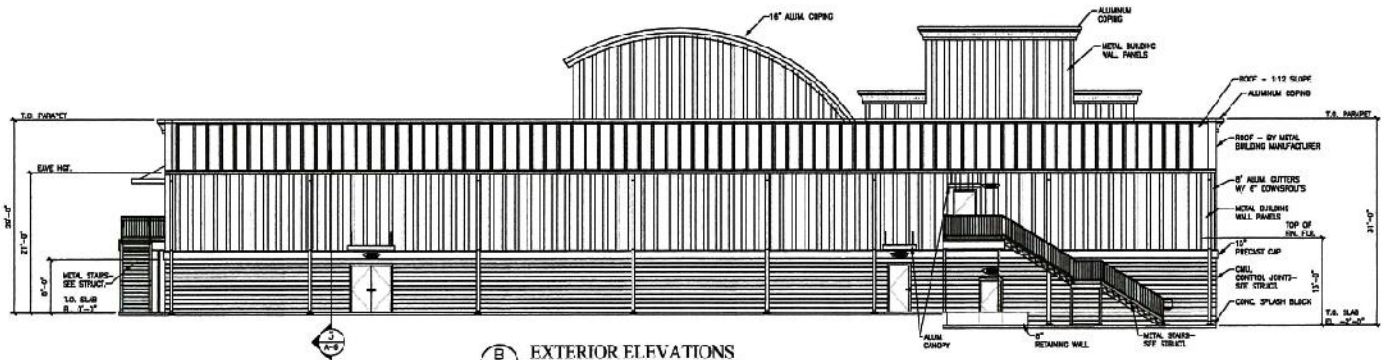
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DETAIL SITE PLAN



A EXTERIOR ELEVATIONS
SCALE: 1/8" = 1'-0"



B EXTERIOR ELEVATIONS
SCALE: 1/8" = 1'-0"

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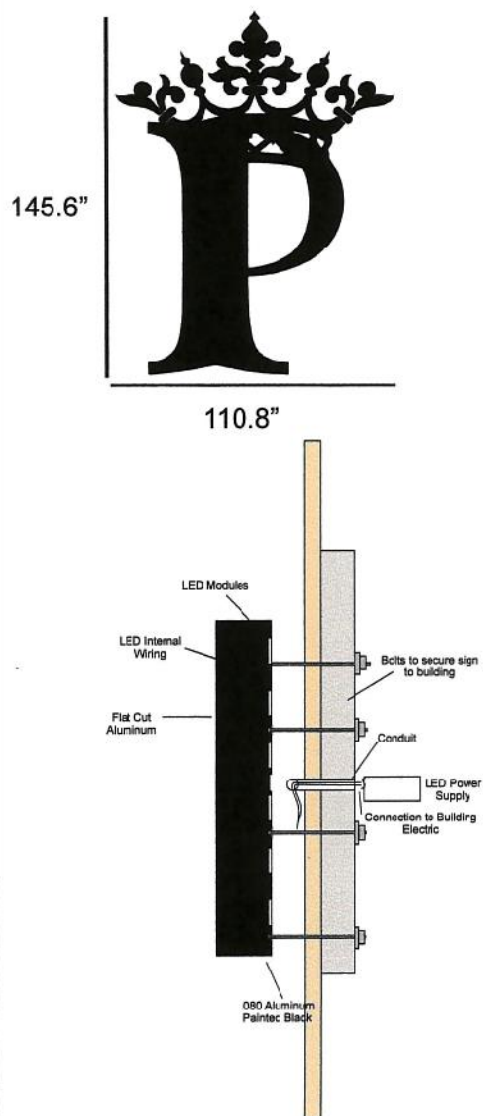
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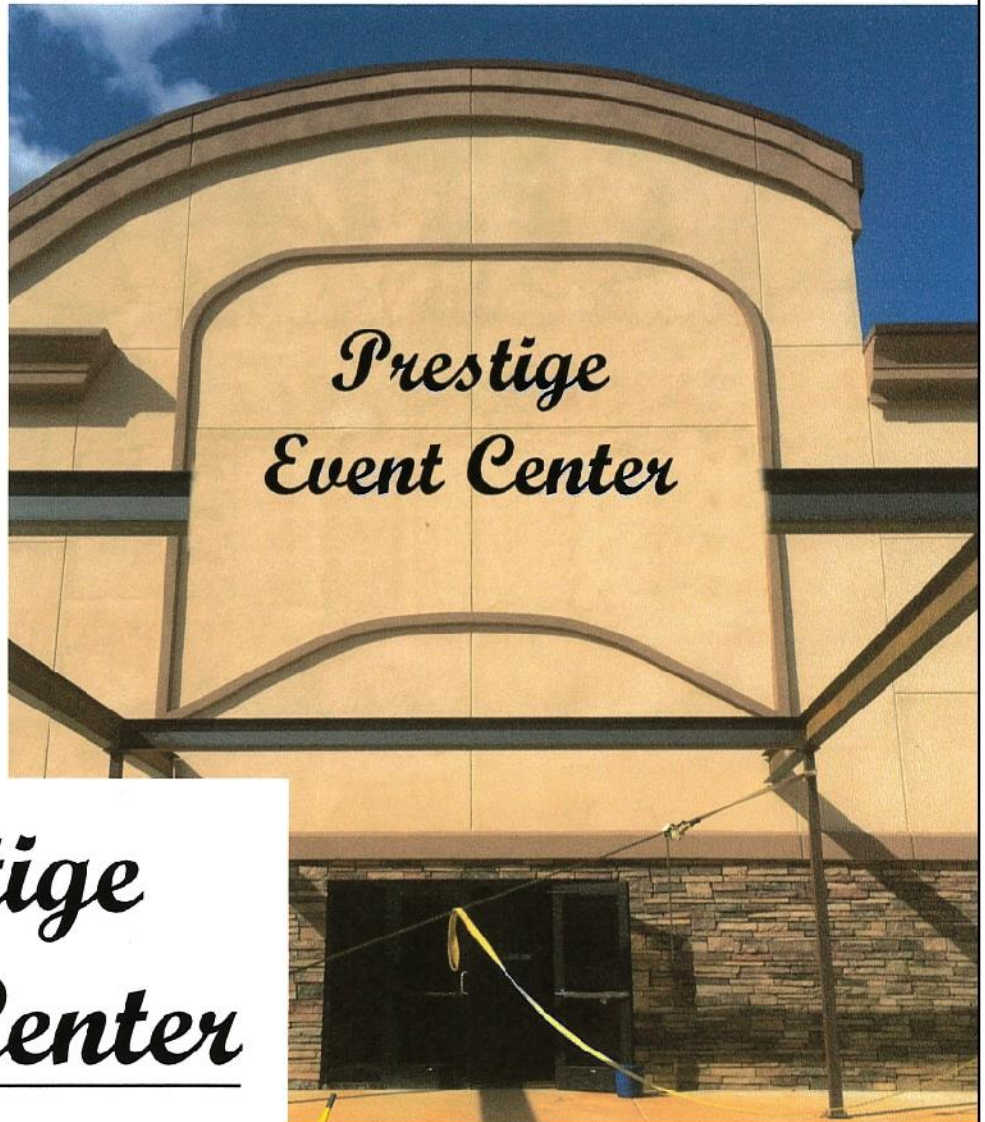
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DETAIL SITE PLAN



*Prestige
Event Center*

79.6"

197.25

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