

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT****Date: May 7, 2018**

<b><u>CASE NUMBER</u></b>	6175/3858/3768/3511/1955/62
<b><u>APPLICANT NAME</u></b>	Wrico Signs, Inc.
<b><u>LOCATION</u></b>	1751 Old Shell Road (Southwest corner of Old Shell Road and Semmes Avenue)
<b><u>VARIANCE REQUEST</u></b>	<b>SIGN:</b> Sign Variance to allow a second wall sign for each tenant on a multi-tenant site in a B-2, Neighborhood Business District.
<b><u>ZONING ORDINANCE REQUIREMENT</u></b>	<b>SIGN:</b> The Zoning Ordinance allows one wall sign per tenant, per street frontage on a multi-tenant site in a B-2, Neighborhood Business District.
<b><u>ZONING</u></b>	B-2, Neighborhood Business
<b><u>AREA OF PROPERTY</u></b>	0.77± Acre
<b><u>ENGINEERING COMMENTS</u></b>	No comments.
<b><u>TRAFFIC ENGINEERING COMMENTS</u></b>	This request was not reviewed by Traffic Engineering.
<b><u>CITY COUNCIL DISTRICT</u></b>	District 2

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

The site consists of a three-unit building currently under renovation and proposed to contain a beauty salon, attorney's office and an advertising agency. All units have entrances from a parking lot on the West side of the building with wall signs proposed near the respective entrances. Tenant panels are also proposed on the existing freestanding sign near the entrance to the site from Old Shell Road. An existing un-permitted site identifier wall sign on the Northeast wall facing the street intersection is proposed to be removed and the requested second wall sign for each tenant is proposed on this wall. As this is a multi-tenant site, each tenant is allowed one

wall sign. However, the tenant in the end unit near the public street intersection is allowed a sign on each wall facing the streets. It is proposed that all three tenants be allowed signage on this wall; hence this application. It should be noted that the site is within the Old Dauphin Way Historic District and each tenant is allowed a maximum of 64 square feet of signage.

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.

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 purpose of the Sign Regulation Provisions 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 applicant states:

1. *The purpose of this application is to allow:*

*Consistent and effective signage for each of the three tenants occupying the multi-tenant structure.*

2. *What are the conditions, items, facts or reasons which prevent you from complying with the requirements of the Zoning Ordinance?*

*The positioning of this historic structure on the parcel, the unique angle at which it abuts Old Shell Road and the intersection with Semmes Avenue along with the orientation of the parking and building entrances conflicts with the positioning of signage for each tenant as allowed by code. It is important to note that the combination of the three signs we are requesting for each tenant do not exceed the 64 sf per tenant allowance. We are also only asking for an allowance of 30% of the hard corner facing wall to be used for signage. It is my understanding that of all of the signs we are requesting, the only ones that technically need a variance are the two smaller signs on the hard corner. They will be smaller than the one for the front tenant (salon) and primarily serve to inform traffic travelling west on Old Shell Road.*

3. *How did the conditions, items, facts or reasons which prevent you from complying with the requirements of the Zoning Ordinance occur?*

*The unique orientation and layout of the historic building as it relates to the parking lot and the adjoining streets presents compliance challenges as limited by the existing code.*

4. *How is this property different from neighboring properties?*

*This property is unique due to its historic nature, atypical orientation on the parcel, traffic sightlines and flow on the adjacent angled streets and pedestrian/vehicular traffic as it relates to customers access of the businesses.*

The subject site is bordered to the South and West by R-1, Single-Family Residential and B-2 in residential use; across Semmes Avenue by B-2 used as offices and R-1; and to the North across Old Shell Road by R-3, Multi-Family Residential, used as apartments in the converted Old Shell Road Elementary School.

The site has been given a Traditional Mixed-Use 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 land use designation generally applies to transportation corridors east of I-65, which serve as the primary commercial and mixed-use gateway to Downtown and the City's traditional neighborhoods (equivalent to Map for Mobile's Traditional Neighborhoods).

Depending on their location (and as allowed by specific zoning), TC designations incorporate a range of moderately scaled single-use commercial buildings holding retail or services; buildings that combine housing units with retail and/or office; a mix of housing types including low- or mid-rise multifamily structures ranging in density from 4 to 10 du/ac; and attractive streetscapes and roadway designs that safely accommodate all types of transportation – transit, bicycling, walking, and driving. In these areas, special emphasis is placed on the retention of existing historic structures, compatible infill development, and appropriate access management.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

As the signs would not be visible to traffic heading East on Old Shell Road until almost at the street intersection and well past the site entrance drive, they would not serve much purpose in that location. Also, the signs would not be visible to traffic heading North on Semmes Avenue until almost completely at the intersection. The only practical visibility would be for traffic

heading West along Old Shell Road. However, as the building has no parking or entrances along Semmes Avenue, it would seem to stand that wall signage for the tenants would face the parking lot to the West and not be readily visible from the street frontages. Therefore, a hardship could be considered to be imposed by the location and shape of the building which would justify increased signage allowances and the Board should consider this application for approval.

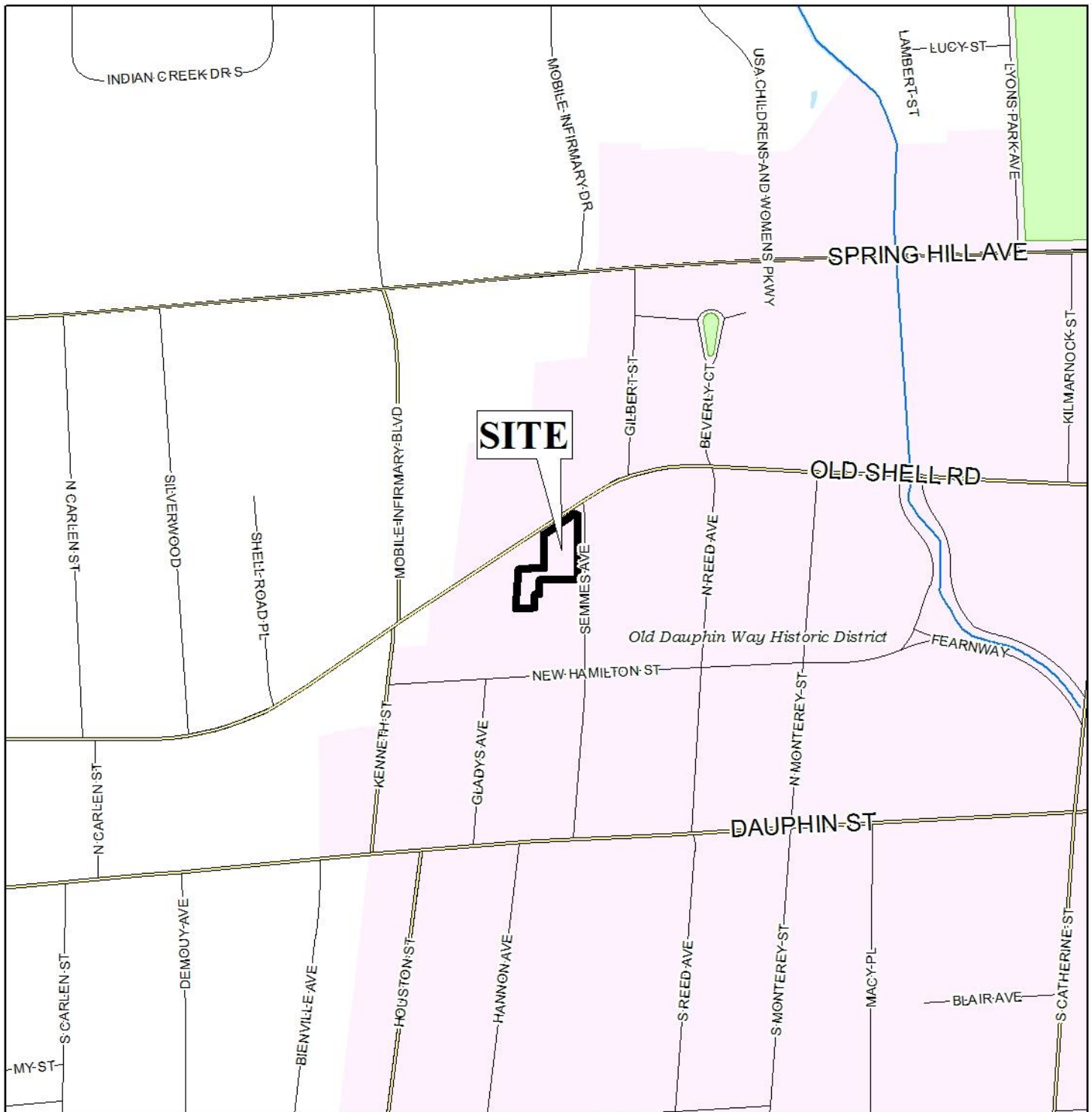
**RECOMMENDATION:** Staff recommends to the Board the following findings of fact for approval:

- 1) Based on the fact that the building has no entrances along the public street frontages and wall signs must be at the building entrances facing the parking lot, no allowance is made for street frontage wall signage for two of the tenants and the variance will not be contrary to the public interest;
- 2) These special conditions (wall signage at the building entrances face the interior parking lot and are not readily visible to street traffic) exist such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and
- 3) That the spirit of the chapter shall be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance in that all tenants will have a street frontage wall sign.

Therefore, the request to allow a second wall sign for each tenant on a multi-tenant site is recommended for approval, subject to the following conditions:

- 1) approval of the Architectural Review Board for all proposed signage;
- 2) obtaining of a sign permit for each proposed sign; and
- 3) full compliance with all municipal codes and ordinances.

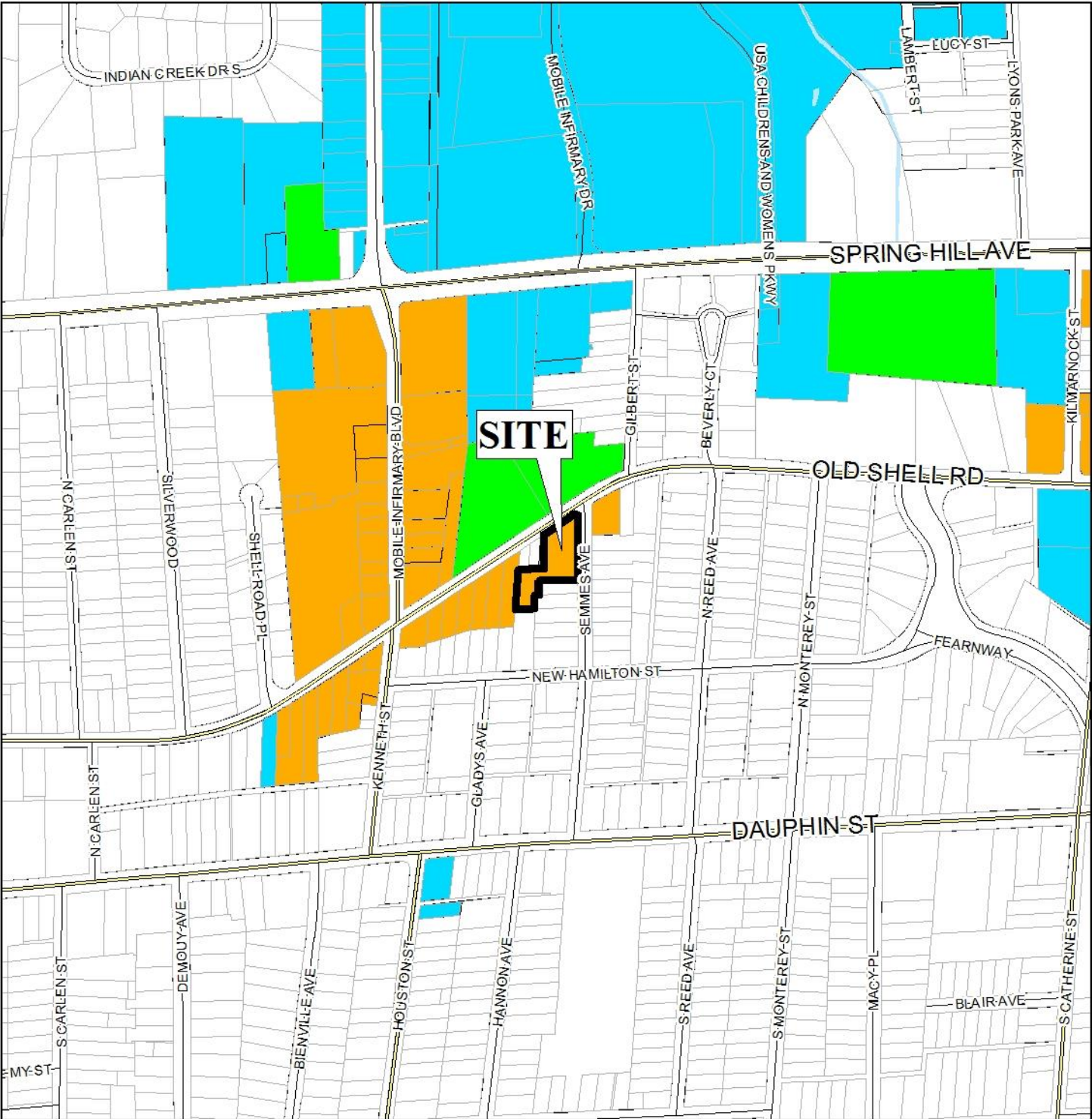
# LOCATOR MAP



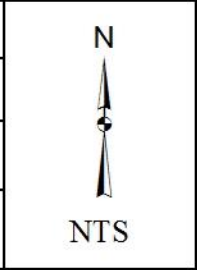
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 REQUEST Sign Variance



## LOCATOR ZONING MAP

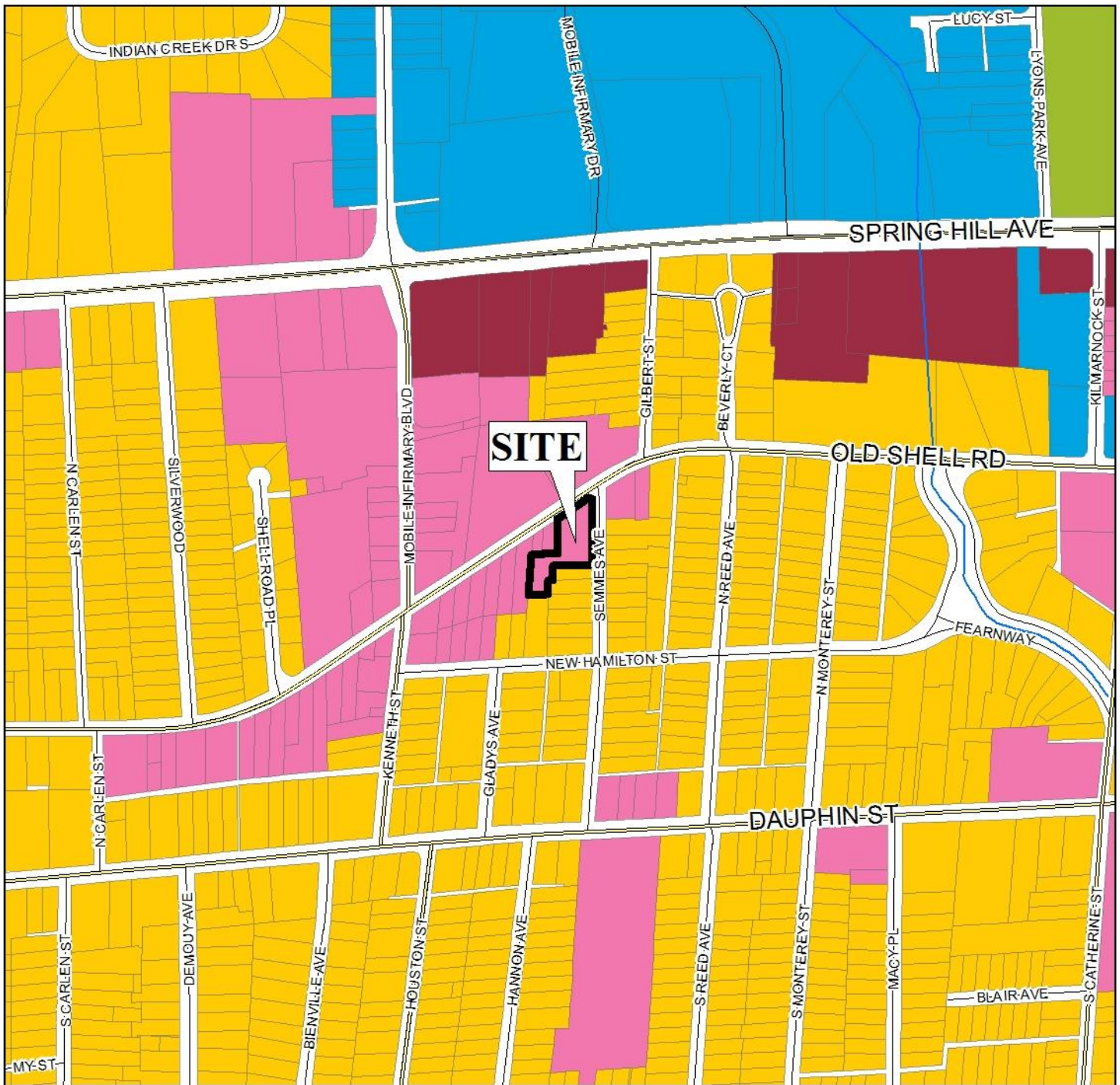


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# FLUM LOCATOR MAP



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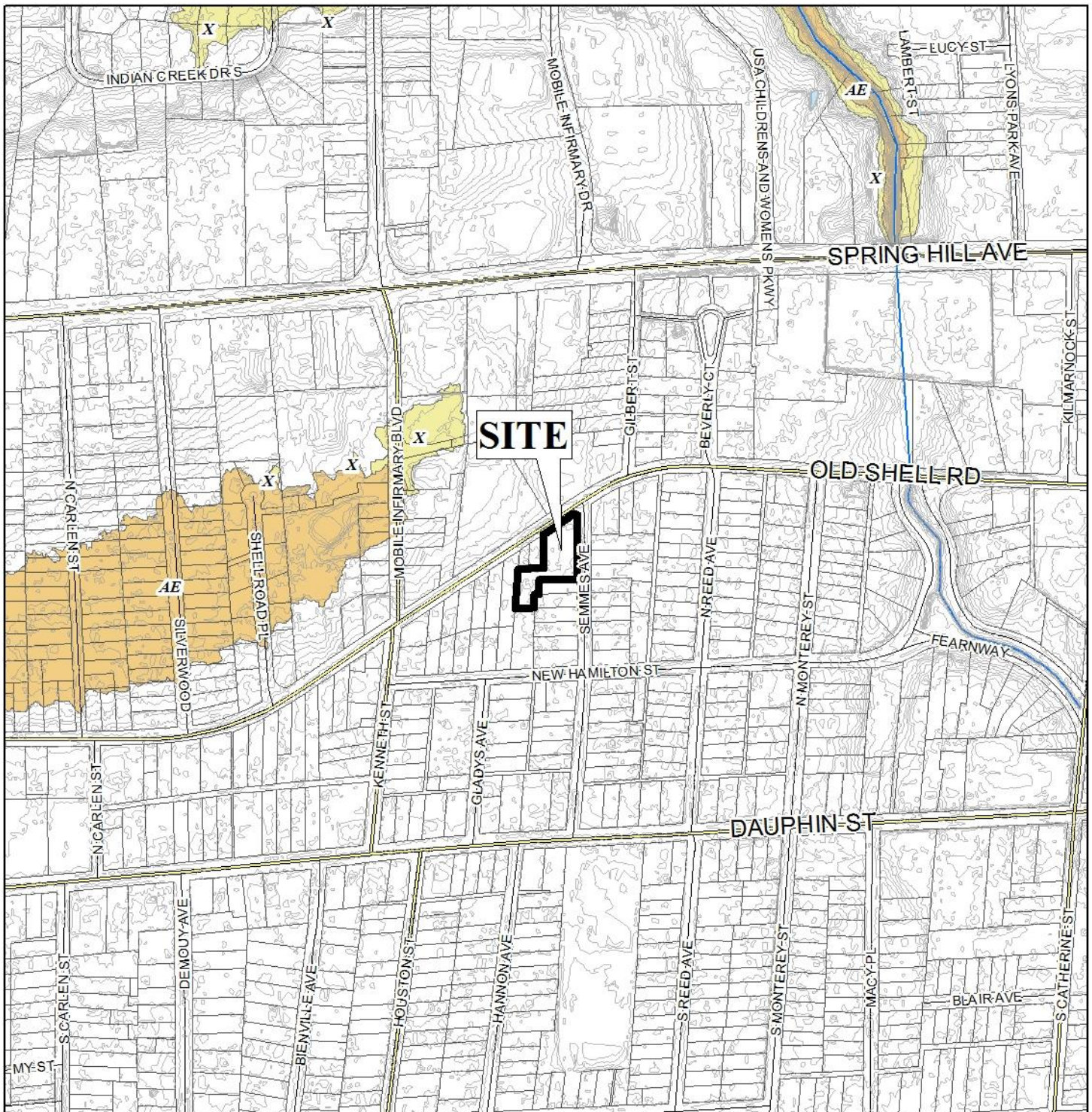
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Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed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





# ENVIRONMENTAL LOCATOR MAP



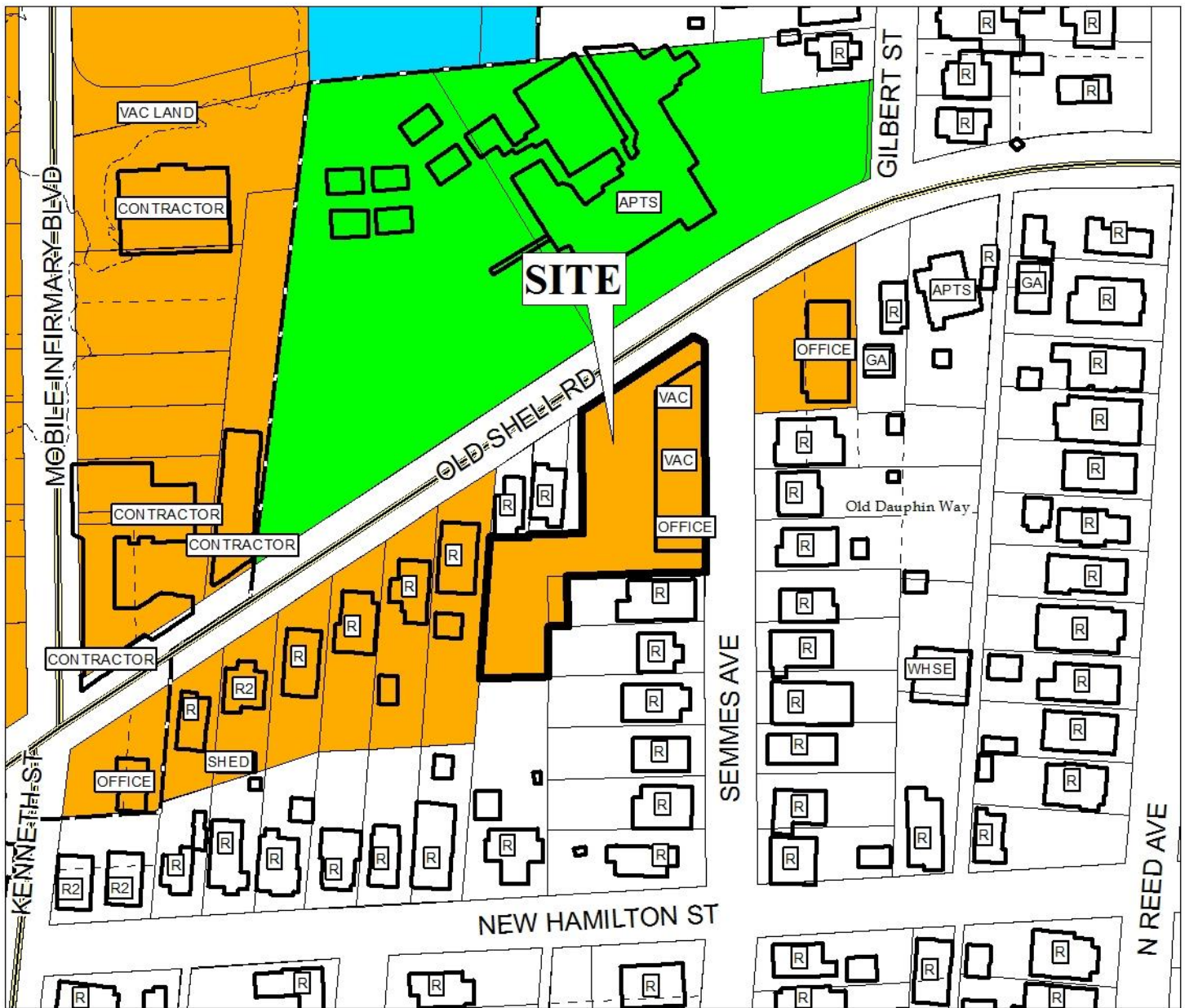
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# BOARD OF ADJUSTMENT

## VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. Commercial units are located to the northwest.

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<span style="display: inline-block; width: 15px; height: 15px; background-color: cyan; border: 1px solid black;"></span> R-A	<span style="display: inline-block; width: 15px; height: 15px; background-color: green; border: 1px solid black;"></span> R-3	<span style="display: inline-block; width: 15px; height: 15px; background-color: tan; border: 1px solid black;"></span> T-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> B-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black;"></span> B-5	<span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> MUN	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightorange; border: 1px solid black;"></span> SD-WH	<span style="display: inline-block; width: 15px; height: 15px; background-color: purple; border: 1px solid black;"></span> T5.1
<span style="display: inline-block; width: 15px; height: 15px; background-color: white; border: 1px solid black;"></span> R-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black;"></span> R-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue; border: 1px solid black;"></span> B-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black;"></span> B-3	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightpurple; border: 1px solid black;"></span> I-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightgreen; border: 1px solid black;"></span> OPEN	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightpink; border: 1px solid black;"></span> T3	<span style="display: inline-block; width: 15px; height: 15px; background-color: darkpurple; border: 1px solid black;"></span> T5.2
<span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> R-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: peachpuff; border: 1px solid black;"></span> H-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: magenta; border: 1px solid black;"></span> LB-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: brown; border: 1px solid black;"></span> B-4	<span style="display: inline-block; width: 15px; height: 15px; background-color: gray; border: 1px solid black;"></span> I-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightcoral; border: 1px solid black;"></span> SD	<span style="display: inline-block; width: 15px; height: 15px; background-color: mediumslateblue; border: 1px solid black;"></span> T4	<span style="display: inline-block; width: 15px; height: 15px; background-color: darkblue; border: 1px solid black;"></span> T6





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## VICINITY MAP - EXISTING AERIAL

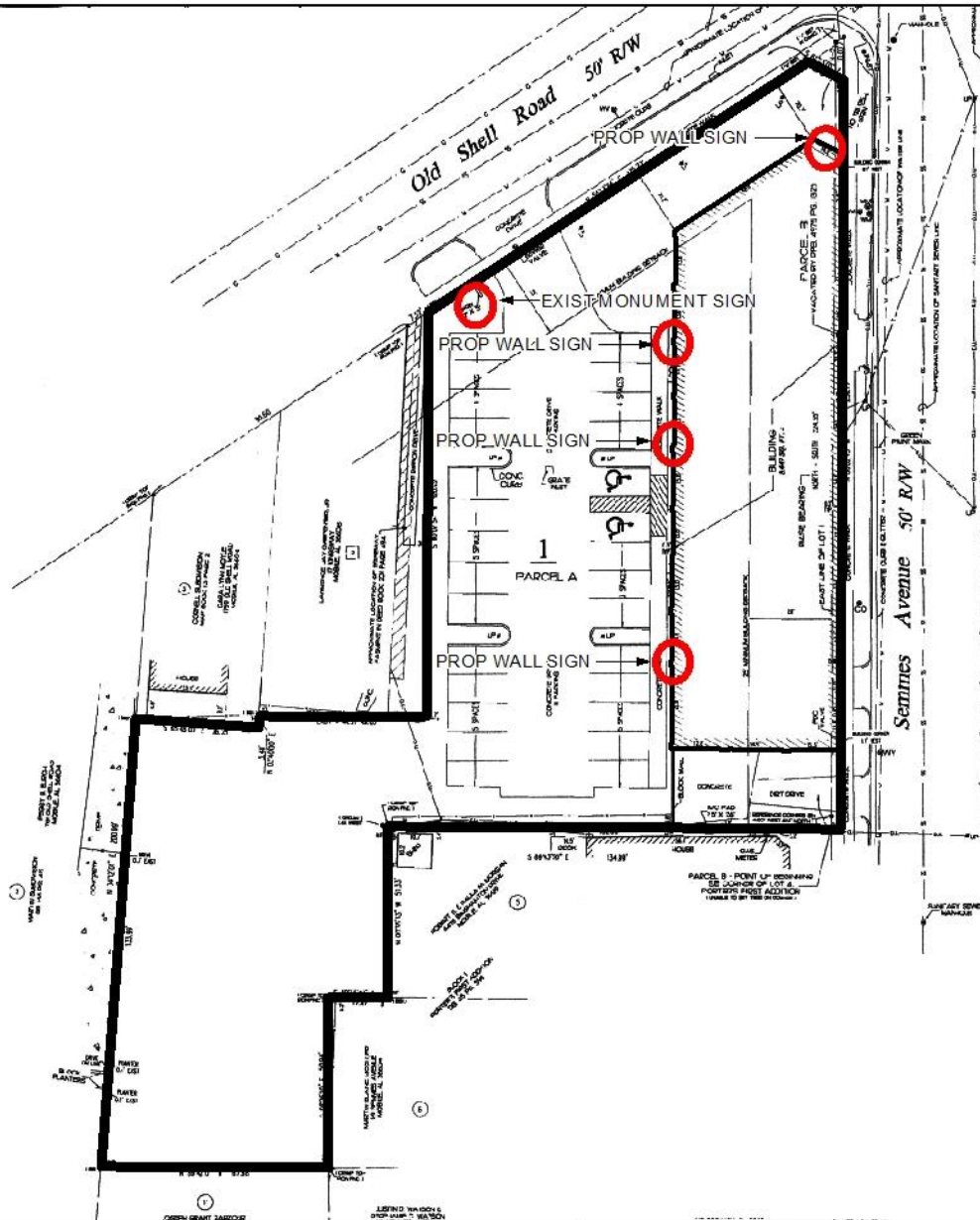


The site is surrounded by residential units. Commercial units are located to the northwest.

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# SITE PLAN



The site plan illustrates the existing building, existing parking, setbacks, and proposed wall signs.

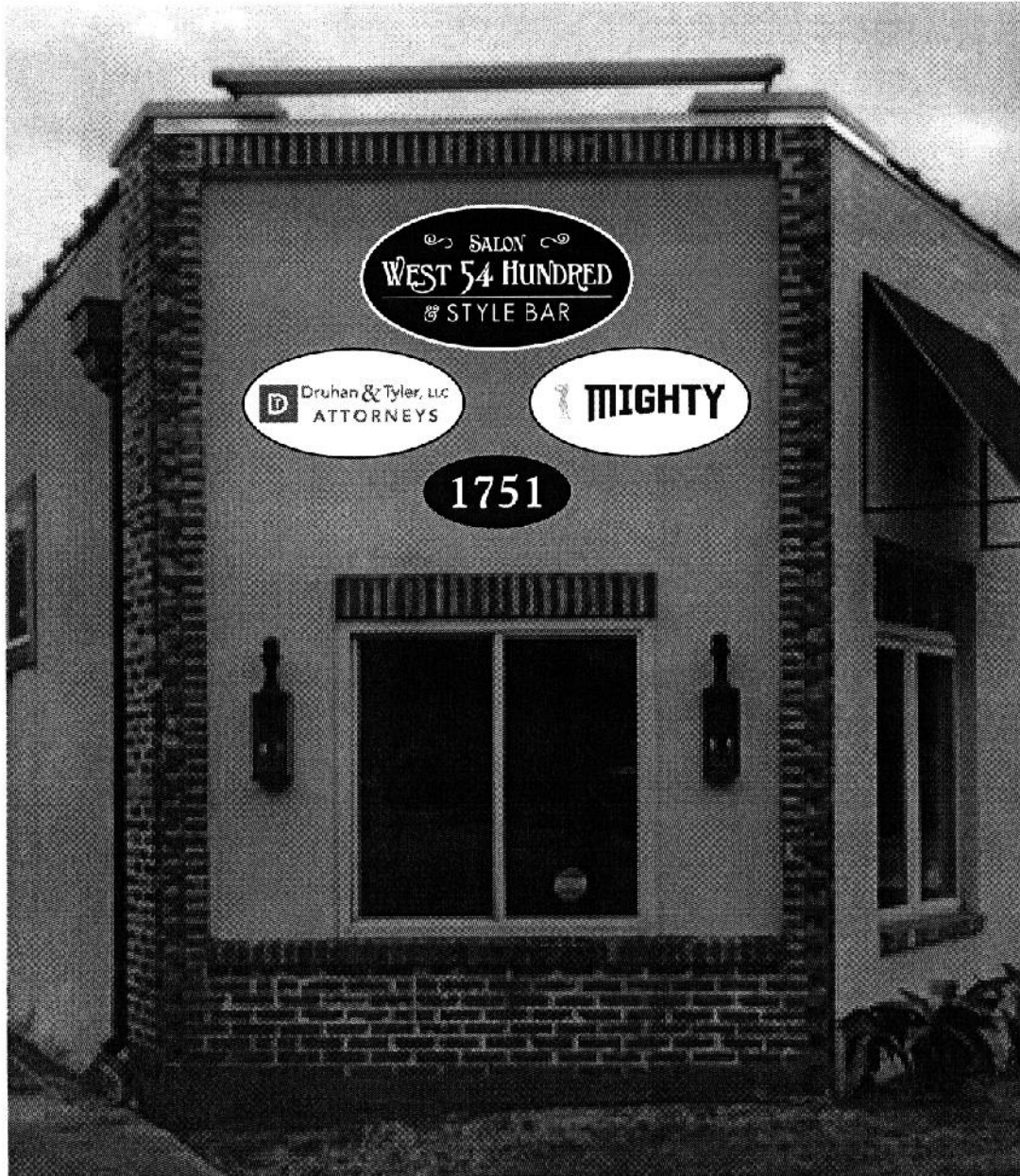
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## DETAIL SITE PLAN

Remove Lettering and Address from Wall; Rehab by Others  
Install (3) Tenant Panels (1) 28" x 52"; (2) 21" x 42",  
Paint Address and Install on an Oval Backer



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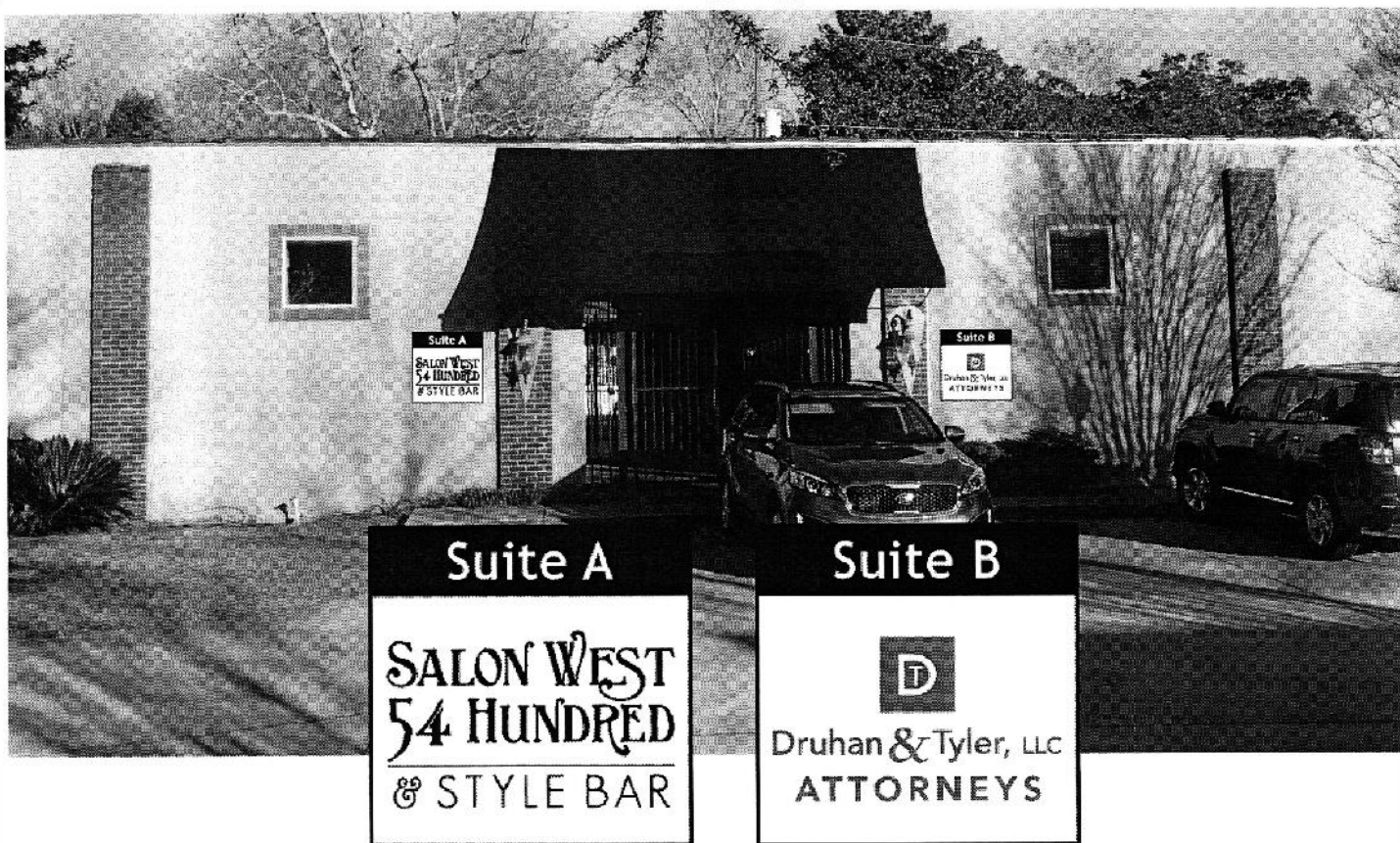
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# DETAIL SITE PLAN

3'x3' Wall Signs @ Entrance



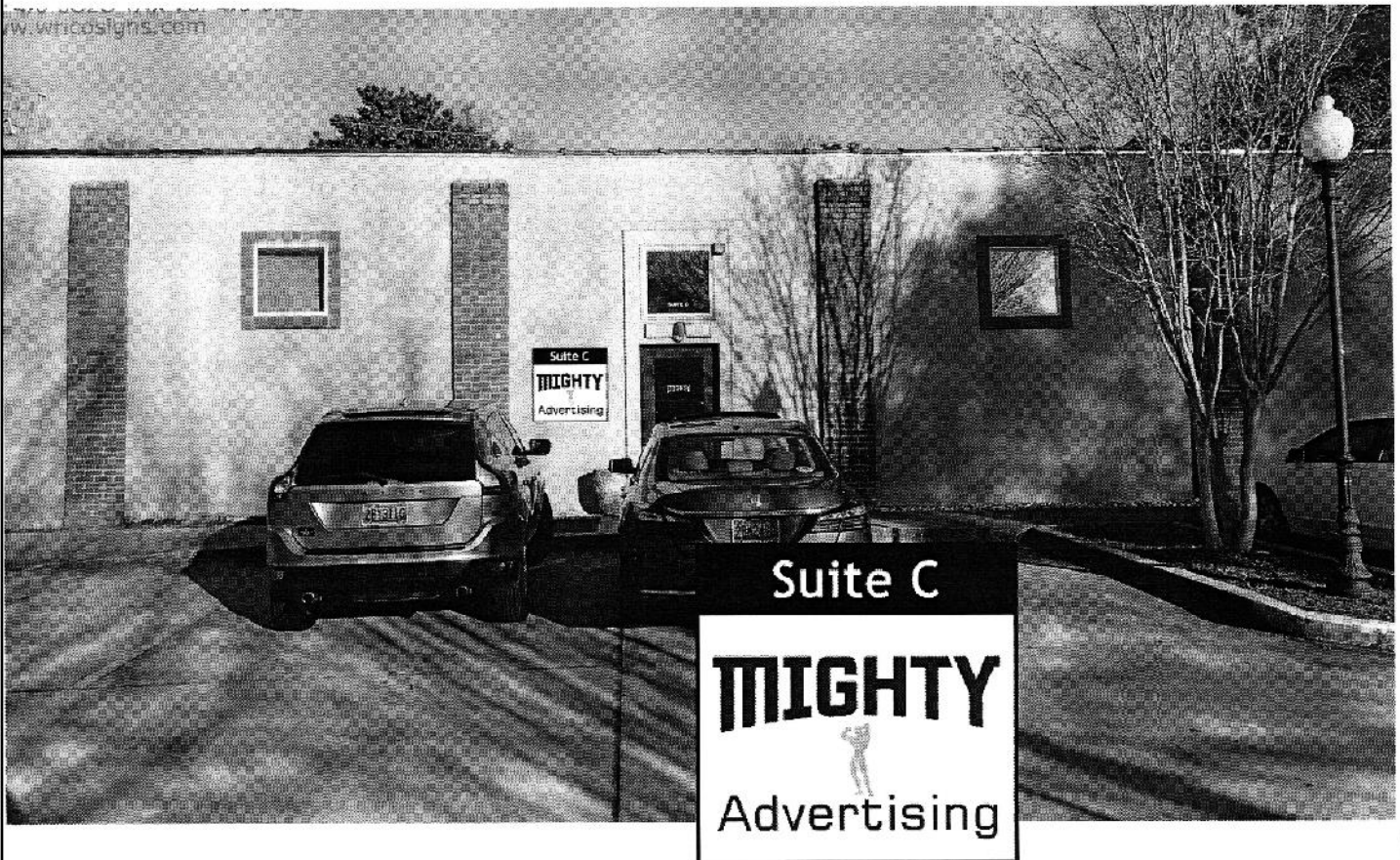
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# DETAIL SITE PLAN

3'x3' Wall Sign @ Entrance



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# DETAIL SITE PLAN



Monument Sign – 2-Sided

Each sign is 36" wide x 20" tall (5 SF Each)

6 Total = 30 SF

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NTS

