



Agenda Item # 5

BOA-003366-2025

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

5555 Moffett Road

Applicant / Agent:

Jennifer Jackson, Wrico Signs, Inc.

Property Owners:

David Reed, Moffett Road First Baptist Church

Current Zoning:

R-1, Single-Family Residential Suburban District

Future Land Use:

Mixed Commercial Corridor

Case Number(s):

6677

Unified Development Code (UDC) Requirement:

- The UDC does not allow an electronic message center within 300 feet of residentially zoned properties in an R-1, Single-Family Residential Suburban District.

Board Consideration:

- Sign Variance to allow an electronic message center within 300 feet of residentially zoned properties in an R-1, Single-Family Residential Suburban District.

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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units. A convenience store lies to the north.

APPLICATION NUMBER	<u>6677</u>	DATE	<u>July 7, 2025</u>
APPLICANT	<u>Jennifer Jackson, Wrico Signs, Inc.</u>		
REQUEST	<u>Sign Variance</u>		



SITE HISTORY

The site was developed prior to 1984 across multiple metes-and-bounds parcels for use as a religious facility.

There are no Planning Commission or Board of Zoning Adjustment cases associated with the 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 the installation of an electronic message center within 300 feet of residentially zoned properties in an R-1, Single-Family Residential Suburban District. In accordance with Section 64-4-14.O.1(c) of the Unified Development Code (UDC), electronic or digital signs are prohibited within 300 feet of residential zoning districts.

As justification, the applicant states a desire to update the existing sign. 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 site is currently developed as a religious facility and includes an existing monument sign fronting Moffett Road. The applicant proposes to replace a portion of this sign with an internally illuminated electronic message center. The proposed replacement would be slightly smaller than the current message area and would retain the existing foundation.

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.

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.

The subject property fronts Moffett Road, Howells Ferry Road, and Duluth Avenue. It is bordered on the east, south, and west by properties zoned R-1, Single-Family Residential Suburban District. To the north, it is adjacent to a property zoned B-2, Neighborhood Business Suburban District.

It is worth noting that the Board of Zoning Adjustment approved a similar Sign Variance for the B-2 zoned property to the North in December 2022.

The applicant has not identified any unique physical conditions or hardships on the site that would prevent compliance with the UDC's standard sign requirements. Based on recent Google Street View imagery, the existing sign appears to be adequately visible from the public right-of-way.

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.

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:

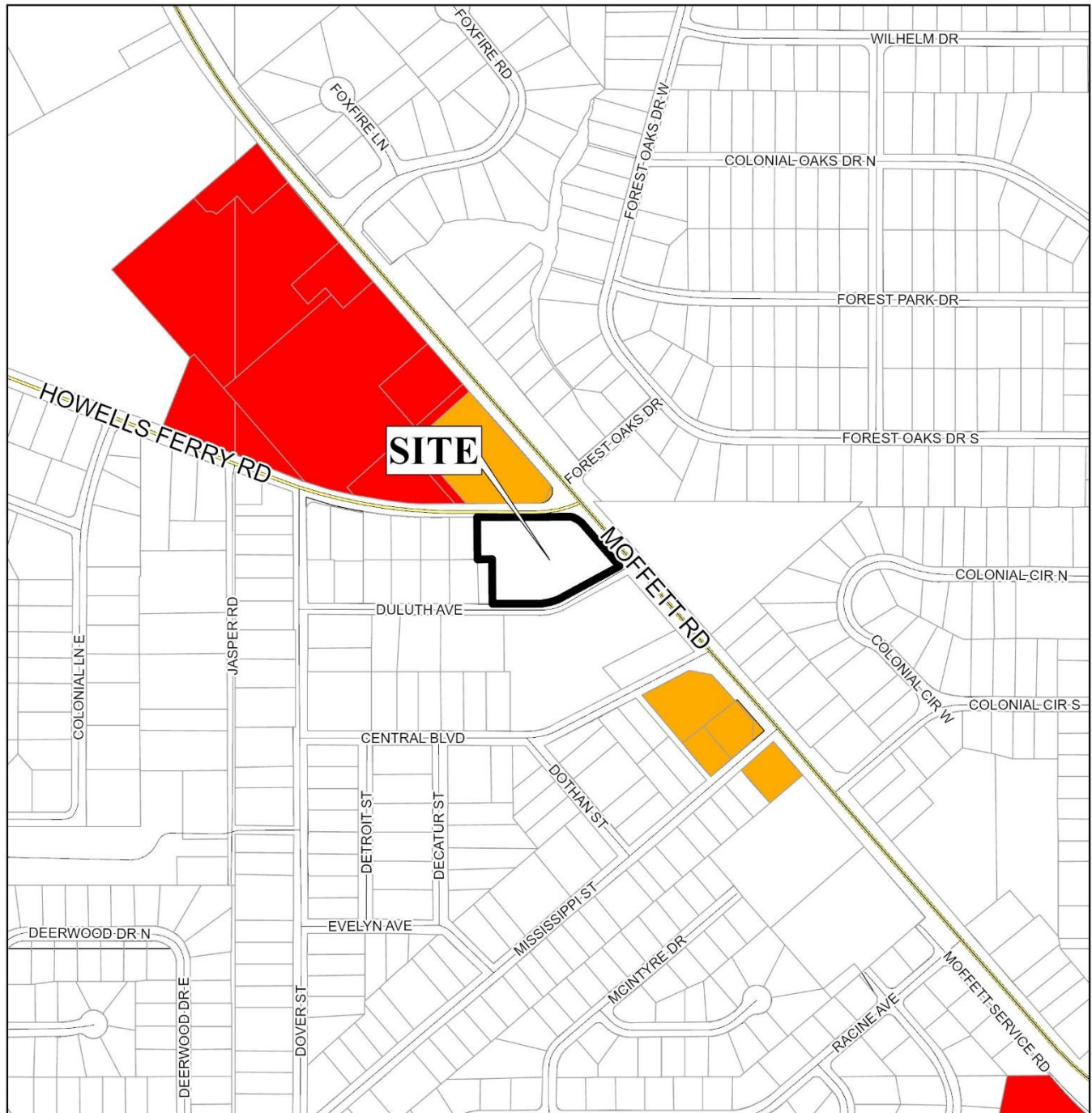
Based on the requested Variance application and documentation submitted, if the Board considers approval of the request, the following findings of fact must be presented:

- 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) The applicant shall obtain a Sign Permit from the Planning and Zoning Department;
- 2) The applicant shall obtain an Electrical Permit from the Permitting Department; and,
- 3) The sign shall comply with all applicable provisions of the Unified Development Code and all other relevant codes and ordinances.

LOCATOR ZONING MAP



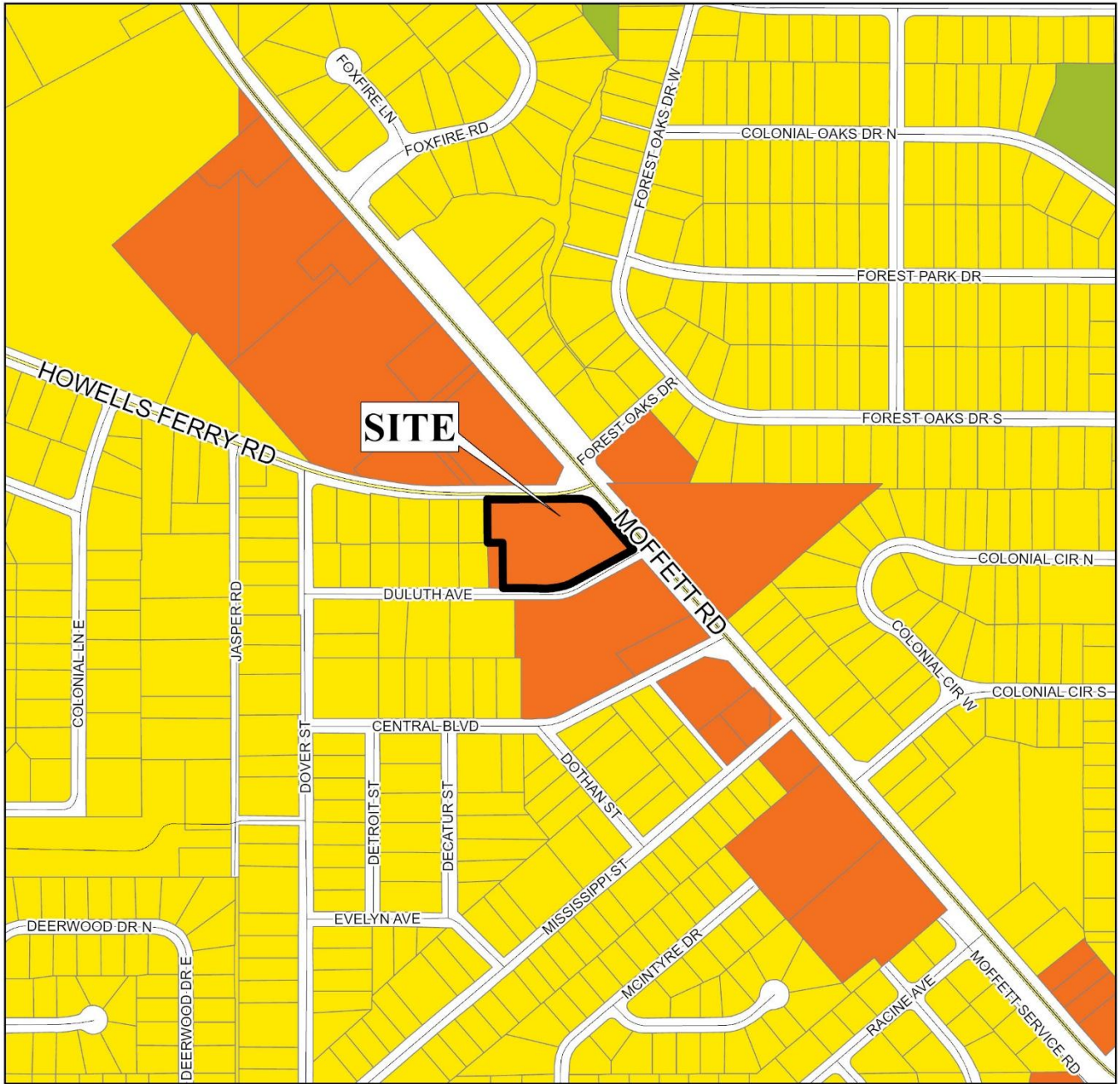
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APPLICANT Jennifer Jackson, Wrico Signs, Inc.

REQUEST Sign Variance



FLUM LOCATOR MAP



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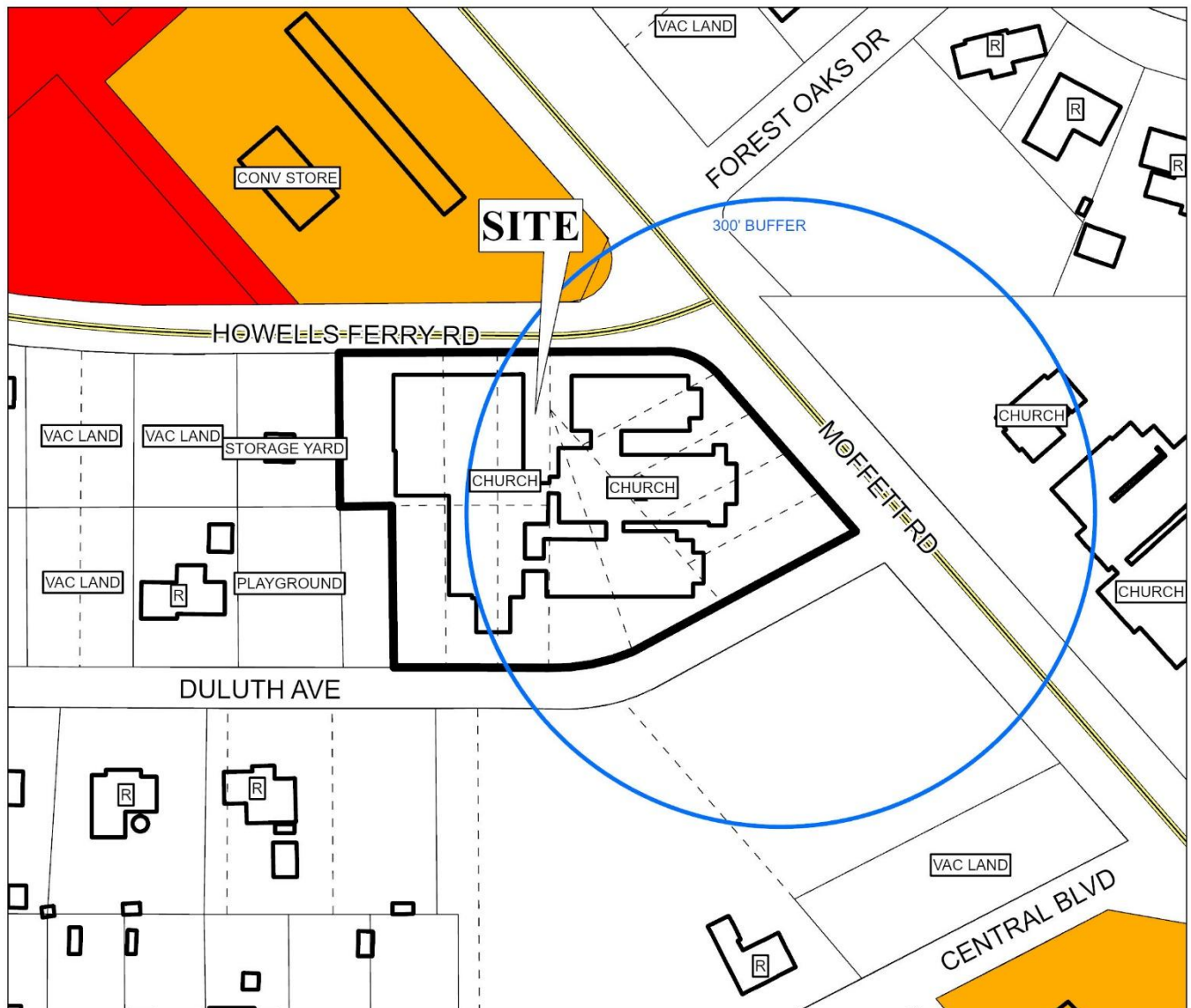
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- | | | | |
|---------------------------|-----------------------------------|-------------------|-----------------|
| Low Density Residential | Neighborhood Center - Traditional | Light Industry | Water Dependent |
| Mixed Density Residential | Neighborhood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



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. A convenience store lies to the north.

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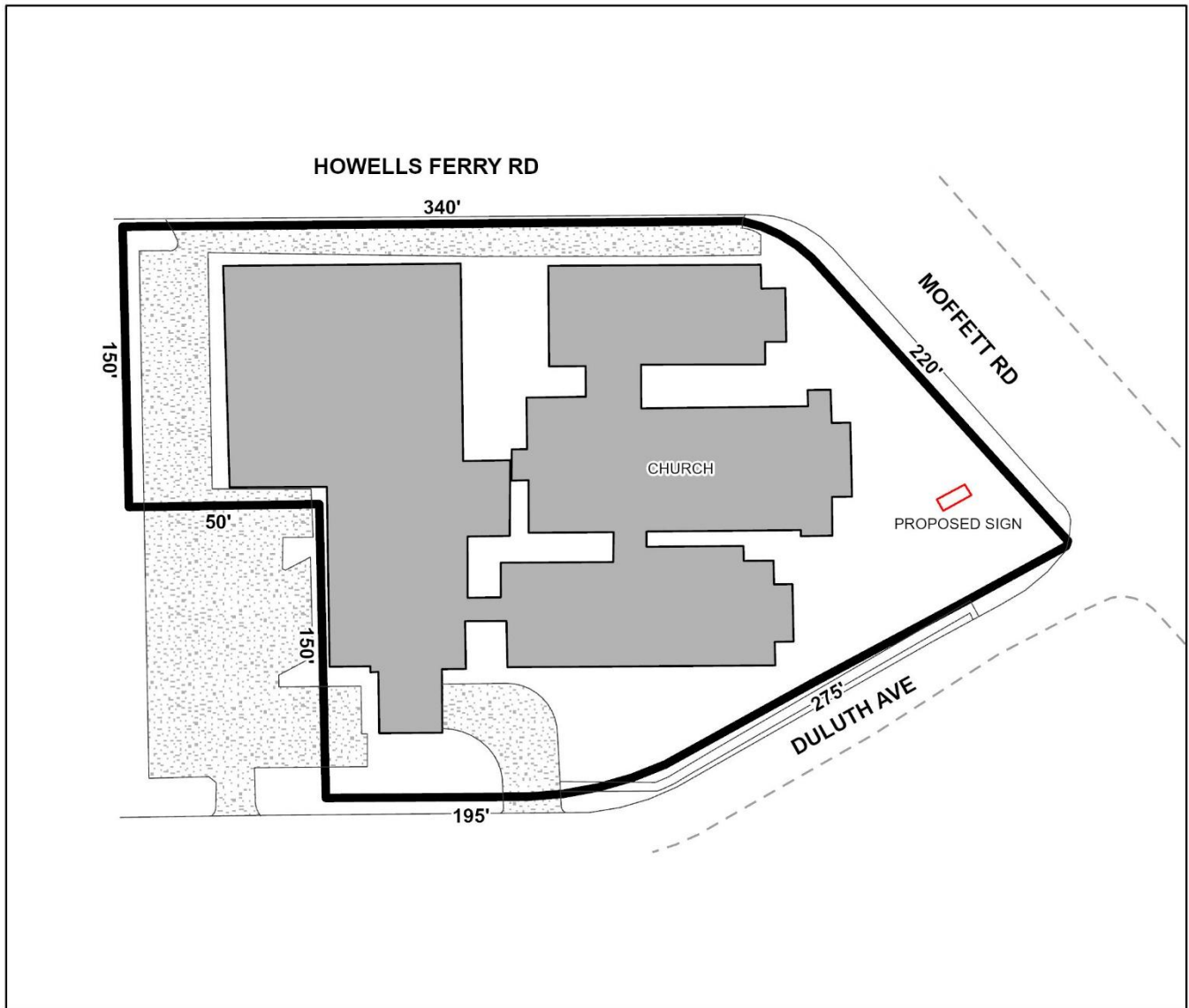
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R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	



SITE PLAN



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

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NTS

DETAIL SITE PLAN



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NTS

ZONING DISTRICT CORRESPONDENCE MATRIX																
			LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)
RESIDENTIAL - AG	R-A															
ONE-FAMILY RESIDENCE	R-1	■					■		■					□		
TWO-FAMILY RESIDENCE	R-2	■					■		■					□	○	
MULTIPLE-FAMILY	R-3	○	■				■	■						□	○	
RESIDENTIAL-BUSINESS	R-B		○				■		■					□	○	
TRANSITIONAL-BUSINESS	T-B		○			■	■	■	■					□		
HISTORIC BUSINESS	H-B				■		■		■					□		
VILLAGE CENTER	TCD						■	■						□		
NEIGH. CENTER	TCD						■	■						□		
NEIGH. GENERAL	TCD						■							□		
DOWNTOWN DEV. DDD	T-6				■									□		
DOWNTOWN DEV. DDD	T-5.1				■		■		□					□		
DOWNTOWN DEV. DDD	T-5.2				■		■							□		
DOWNTOWN DEV. DDD	T-4				■		■		□					□		
DOWNTOWN DEV. DDD	T-3				■		■							□		
DOWNTOWN DEV. DDD	SD-WH										○	○		□		
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○	○		○	○		□		
BUFFER BUSINESS	B-1		□				□	■	■	■				□	○	
NEIGH. BUSINESS	B-2		○				□	■	■	■				□	○	
LIMITED BUSINESS	LB-2		○				□	■	■	■				□	○	
COMMUNITY BUSINESS	B-3					■				■			○	□	○	
GEN. BUSINESS	B-4				■					■			○	□	○	
OFFICE-DISTRIBUTION	B-5									■	■			□	□	
LIGHT INDUSTRY	I-1										■			□	□	□
HEAVY INDUSTRY	I-2											■		□		□

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

MIXED COMMERCIAL CORRIDOR (MCC)

This land use designation mostly applies to 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.