

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: June 6, 2016****CASE NUMBER**

6044 / 5698 / 5072

APPLICANT NAME

Wrico Signs, Inc. for Infirmary Health Systems, Inc.

LOCATION5 Mobile Infirmary Circle
(Intersection of Mobile Infirmary Boulevard and Mobile Infirmary Circle)**VARIANCE REQUEST****SIGN:** Sign Variance to allow the erection of a directional sign which includes advertising matter (logo) at a hospital campus in a B-1, Buffer Business District.**ZONING ORDINANCE
REQUIREMENT****SIGN:** The Zoning Ordinance allows directional signs which do not include any advertising matter in B-1, Buffer Business Districts.**ZONING**

B-1, Buffer Business District

AREA OF PROPERTY

1 Lot / 27.5 ± Acres

**CITY COUNCIL
DISTRICT**

District 1

**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 (State Act 2015-116 and City Code Chapters 57 and 64).

FIRE**COMMENTS**

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code) Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code. (2012 IFC)

ANALYSIS

The applicant is requesting a Sign Variance to allow the erection of a directional sign which includes advertising matter (logo) at a hospital campus in a B-1, Buffer Business District; the Zoning Ordinance allows directional signs which do not include any advertising matter in B-1, Buffer Business Districts.

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 provided the following statement regarding the request:

The purpose of this application is to amend approved variance, case #ZON2011-01696, to allow the erection and placement of (1) 3' 10"X 10' 8" freestanding sign on the Mobile Infirmary Center campus identifying Infirmary Cancer Care.

Currently there is no square footage available to provide an identifying sign for Infirmary Cancer Care. Patients and visitors are very often under stress during visits to a hospital, especially when dealing with a cancer situation. As a result, such individuals are susceptible to becoming confused and somewhat disoriented when trying to find the location for treatment. Due to the close proximity of the Mitchell Cancer Institute and University of (South Alabama's) Children's and Women's Hospital, both of which are located on property adjacent to the Mobile Infirmary Medical Center campus, the identification of the Infirmary Cancer Care is critical in eliminating confusion and providing reinforcement for patients and visitors that they are at the correct facility. As a health care provider, Mobile Infirmary's desire is to make it easy for patients and visitors to locate the necessary facility on the campus property as quickly as possible.

Granting the variance requested will help patients and visitors to more easily and quickly verify whether or not such individuals are at the correct Cancer Care facility.

The applicant received approval at the August 1, 2011 meeting to place nine (9) directional signs on the Mobile Infirmary campus, but was only allowed to have two of the signs contain the

Mobile Infirmary logo (the request had been to have all signs include the logo). The request at hand is to add one more sign to the previous approval, to include the Mobile Infirmary logo.

Mobile Infirmary has recently established a cancer care facility on-site, and the proposed sign location will be near the intersection of Center Street and Mobile Infirmary Drive. Also near this location, however is the University of South Alabama's Mitchell Cancer Institute, which is less than 500 feet from the Mobile Infirmary's facility.

Given the close proximity of the two cancer treatment facilities and the complexity of the overall medical campus and the associated parking lot and circulation system layout, a clearly identifiable sign would seem necessary and appropriate to distinguish the Mobile Infirmary cancer treatment facility from the University of South Alabama cancer treatment facility.

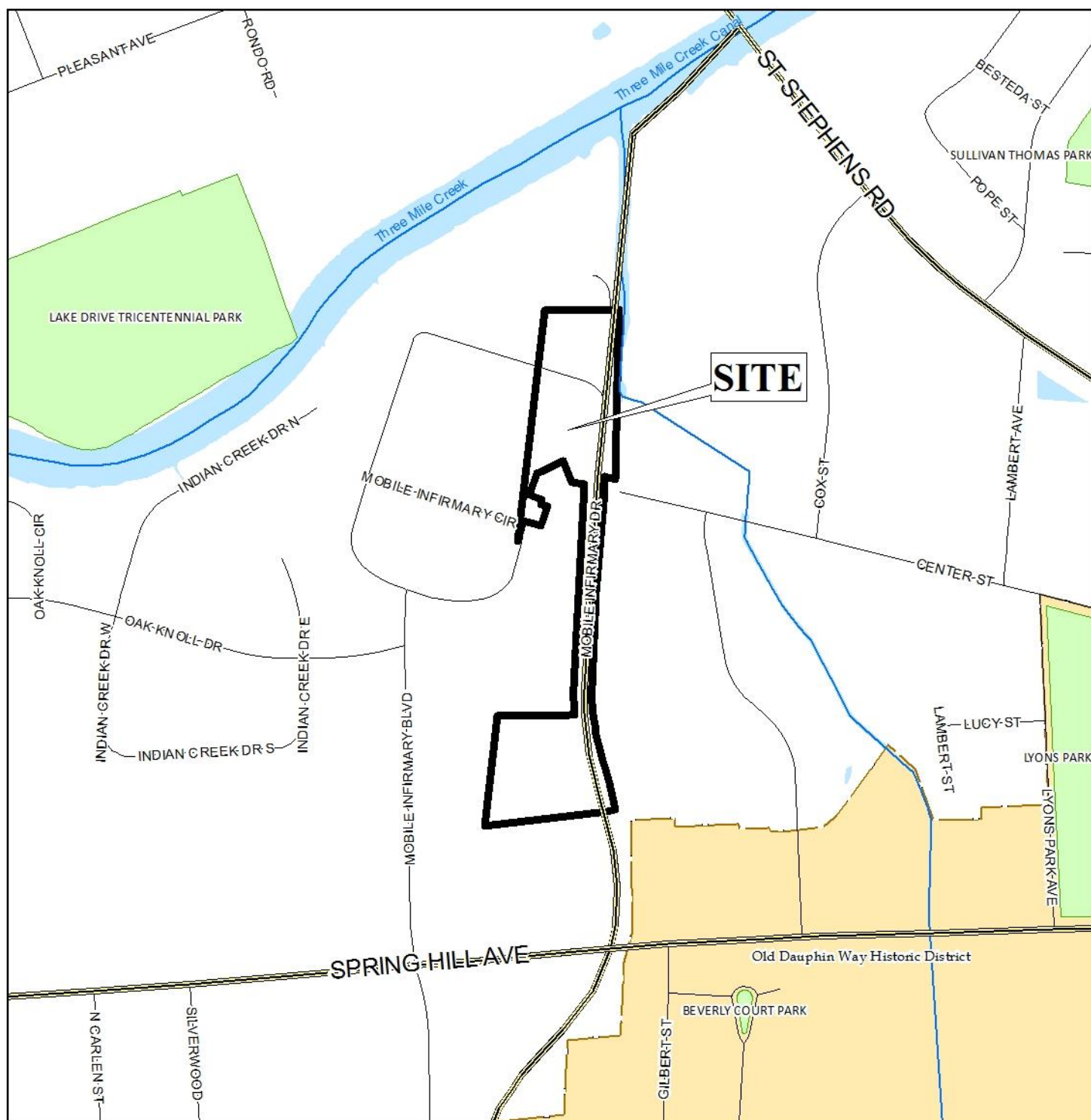
RECOMMENDATION: Based on the preceding, staff recommends to the Board the following findings of fact for Approval:

- 1) Approving the variance request will not be contrary to the public interest because the proposed sign will provide identification necessary to distinguish between the applicant's cancer treatment facility and the adjacent University of South Alabama's cancer treatment facility;
- 2) Special conditions exist, including the complex parking, circulation and medical campus layout, as well as the adjacent University of South Alabama cancer treatment facility, 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 due to the fact that the applicant provides critical medical treatment for persons diagnosed with cancer.

The Approval should be subject to the following conditions:

- 1) Completion of the Sign Permit process; and
- 2) Full compliance with all other applicable codes and ordinances.

LOCATOR MAP



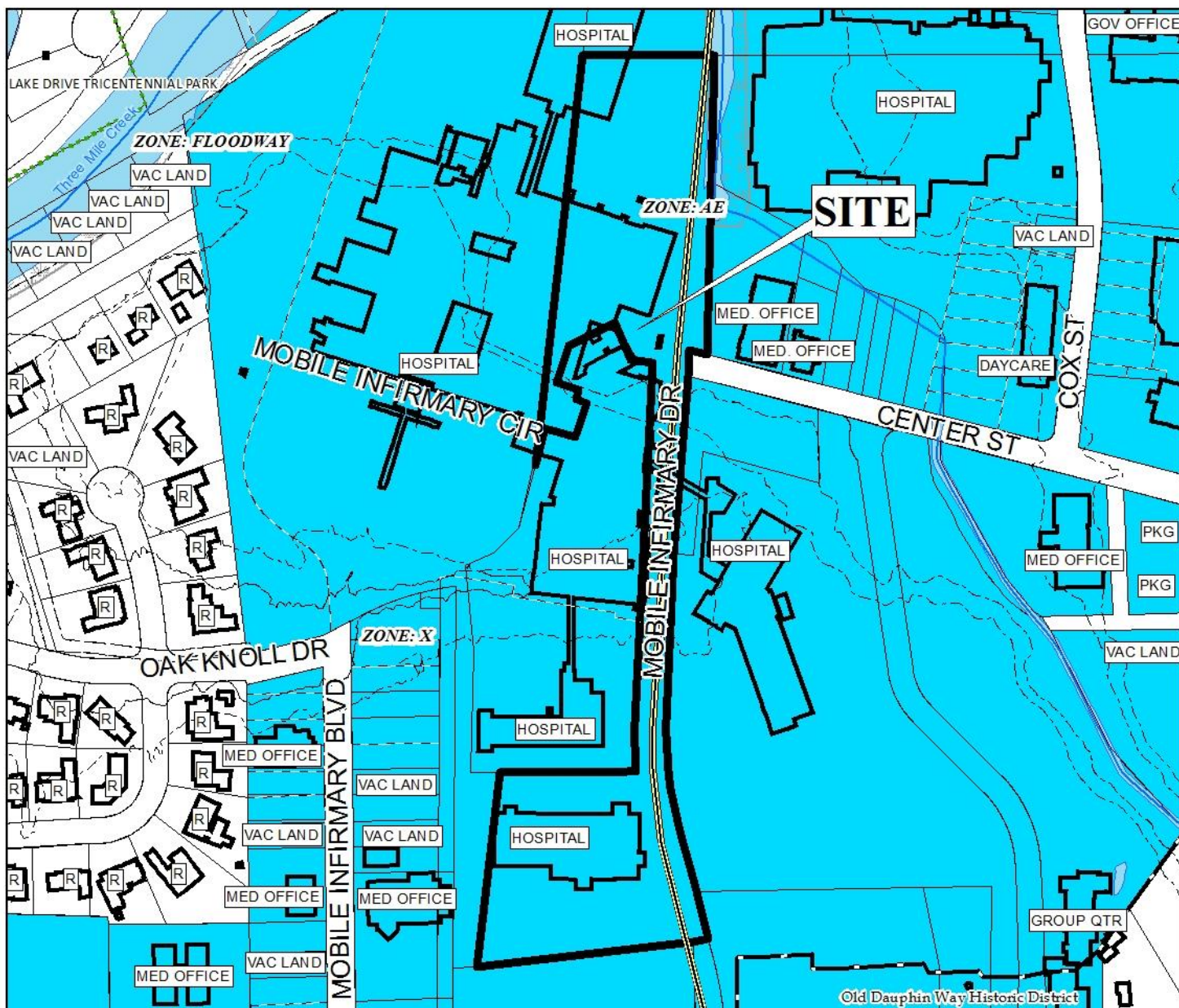
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REQUEST Sign Variance



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



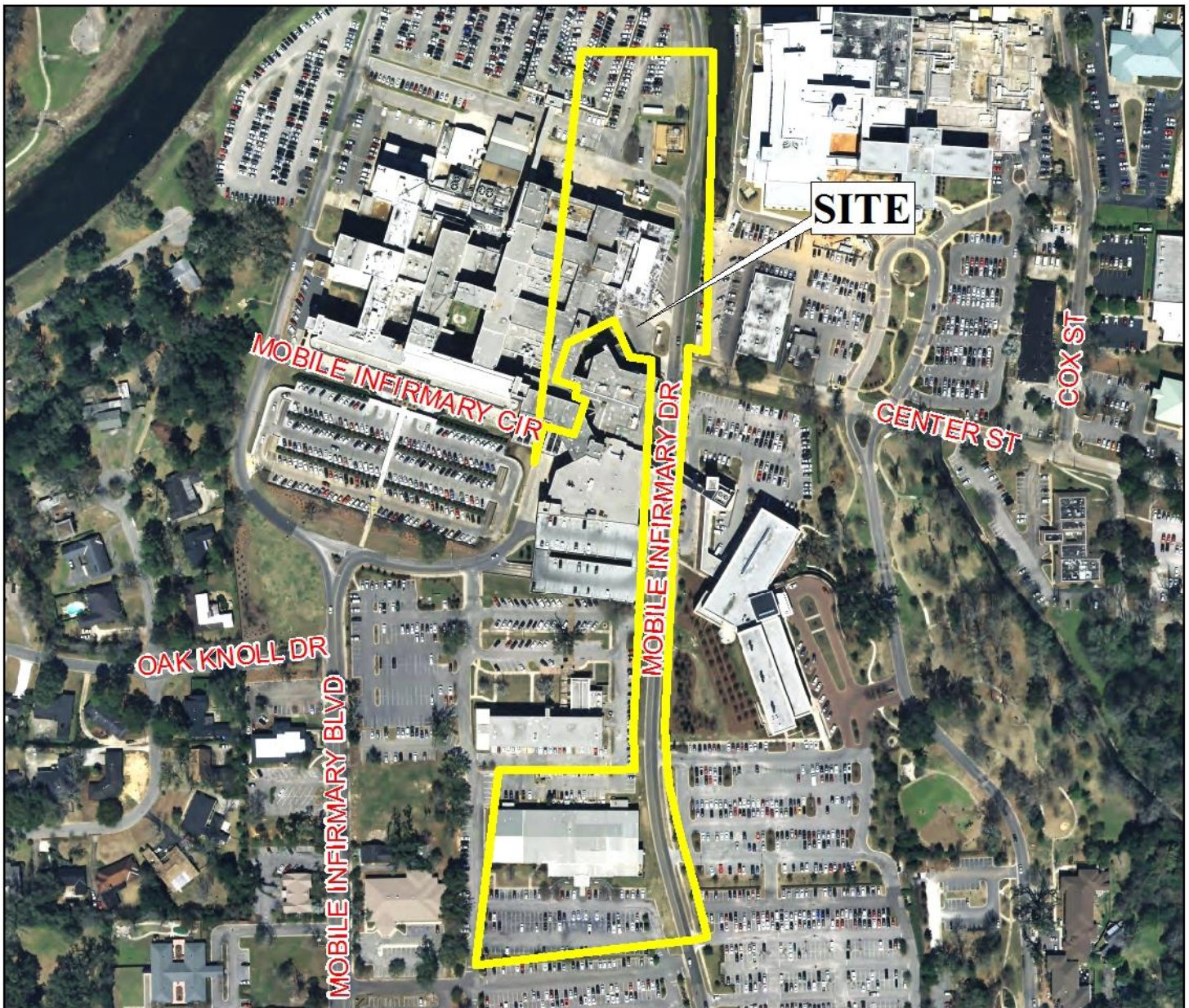
The site is surrounded by medical units. Residences lie west of the site.

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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



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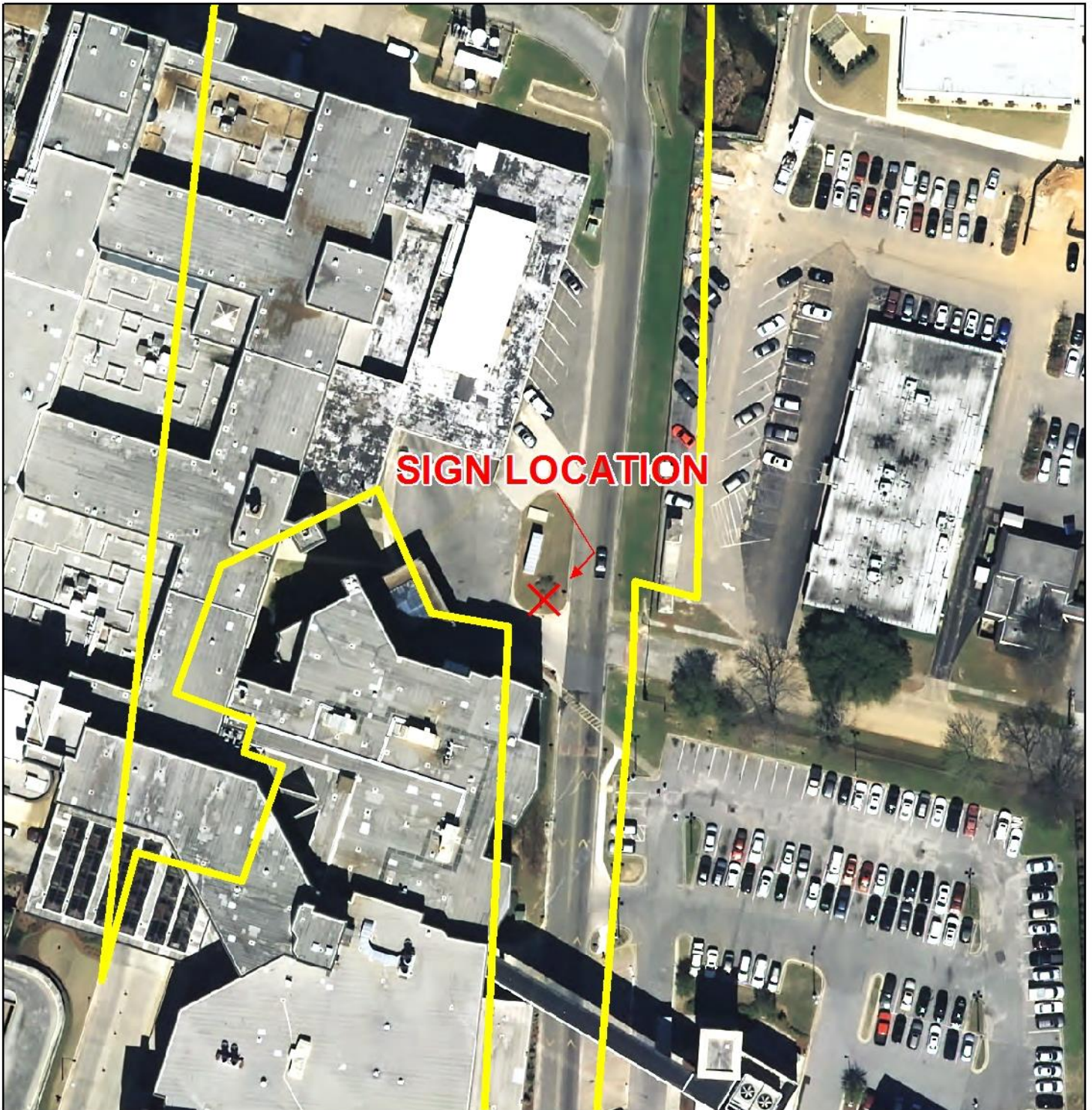


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DETAIL SITE PLAN



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DETAIL SITE PLAN



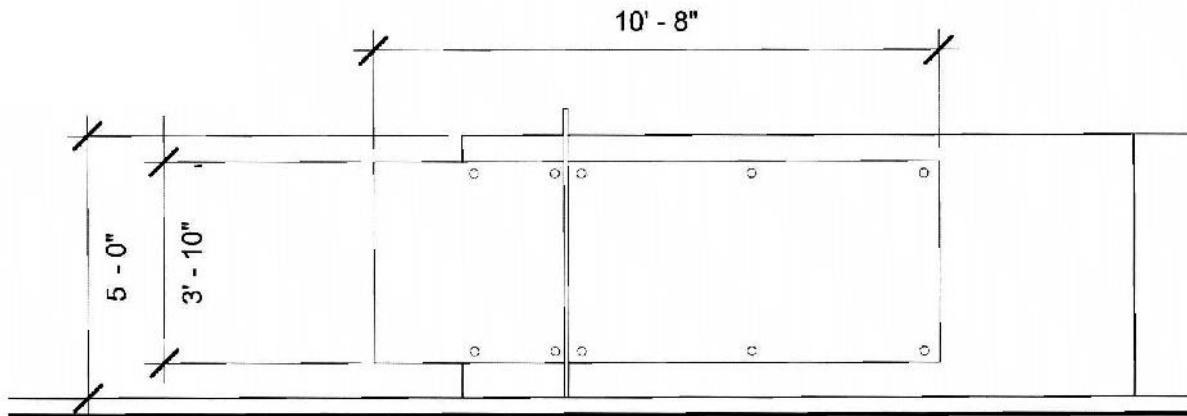
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