

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: October 3, 2016**

<u>CASE NUMBER</u>	6060/5557/5415
<u>APPLICANT NAME</u>	Wrico Signs Inc. for MAWSS
<u>LOCATION</u>	4725 Moffett Road (South side of Moffett Road at the South terminus of Shelton Beach Road Extension)
<u>VARIANCE REQUEST</u>	SIGN: Sign Variance to allow two wall signs for a tenant at a multi-tenant site in a B-3, Community Business District.
<u>ZONING ORDINANCE REQUIREMENT</u>	SIGN: The Zoning Ordinance allows one wall sign for a tenant with a multi-tenant site in a B-3, Community Business District.
<u>ZONING</u>	B-3, Community Business
<u>AREA OF PROPERTY</u>	0.06± Acres
<u>ENGINEERING COMMENTS</u>	No comments
<u>CITY COUNCIL DISTRICT</u>	District 7

ANALYSIS The applicant is requesting a Sign Variance to allow two wall signs for a tenant in a multi-tenant site in a B-3, Community Business District; The Zoning Ordinance allows one wall sign for a tenant with a multi-tenant site in a B-3, Community Business District.

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 site was previously developed with a grocery store and anchor shopping center. Each business at the site was allowed 1 wall sign, in addition to a tenant panel sign/cabinet space on a freestanding sign along Moffett Road. The site is now anchored by the Mobile Area Water & Sewer System headquarters, a bank, and a fast food restaurant. The MAWSS facility includes offices, a service center, water bottling facility as well as above-ground fuel storage and dispensing. The applicant would like to add a MAWSS payment kiosk on the site to allow customers the opportunity to make payments via drive-through in addition to providing customers with a more convenient alternative to make payments.

The applicant states:

"The purpose of this application is to allow MAWSS to have signage on both sides of a payment kiosk identifying it as a MAWSS payment facility.

MAWSS is constructing a free standing payment kiosk at 4725 Moffett Road. It is located along the Forest Hill entrance to the Park Forest Shopping Center MAWSS location. Our customers will be able to access the kiosk from two directions, coming from both Forest Hill Drive and Moffett Road. For this reason, we are requesting a hardship exception to allow the signage on both sides of the kiosk to include "MAWSS". The purpose of including MAWSS on the signs is to identify the kiosk as a MAWSS payment facility, so that customers coming from either direction will be aware that they can make payments at the kiosk."

The MAWSS payment center signs are smaller than 20 square feet, thus meeting the size requirements to be classified as directional signs; however, due to the MAWSS logo displayed on the sign, it triggers sign compliance and is categorized as an additional wall sign for advertising.

Based on the applicant's statement, the request for the additional signage on the kiosk is to clearly identify the payment center so that customers will be aware of its location, whether they are coming from Forrest Hill Drive or Moffett Road. Due to the fact the site is a multi-tenant site which includes a bank that has a drive-through and pedestrian accessible ATM, it may be unclear to customers that the kiosk is only for MAWSS payments without signage on both sides. The additional signage will provide clear identification for the MAWSS payment kiosk.

In some instances where additional corporate logo wall signage was requested due to multi-tenant sites or lack of visibility, the Board has been sympathetic to the applicant's request. Therefore staff is of the opinion an additional wall sign to serve as an identifier for the 24 hour

payment center kiosk will not be a detriment to the shopping center or the surrounding neighborhood.

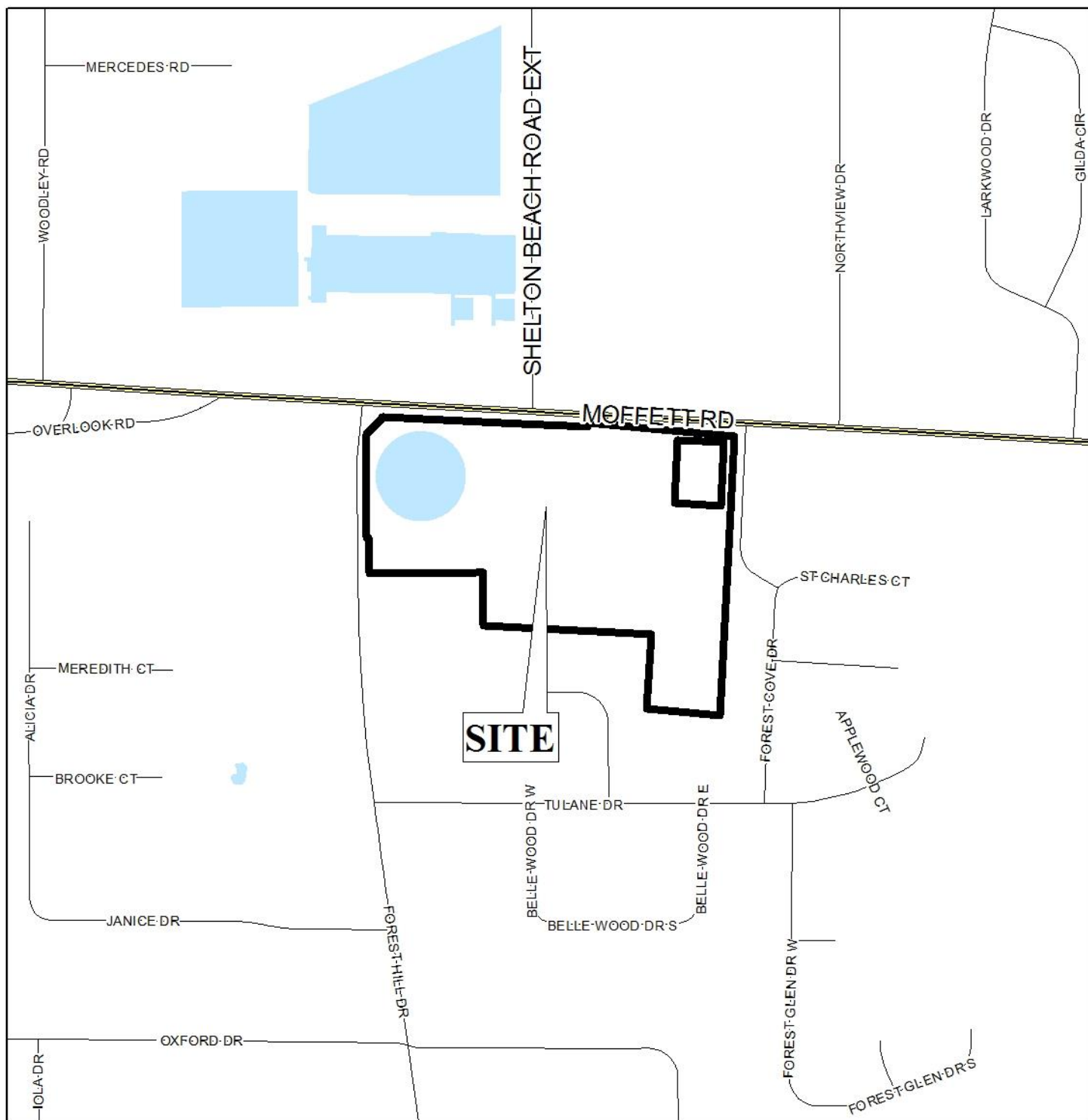
RECOMMENDATION: Staff recommends to the Board the following findings of facts for Approval:

- 1) approving the variance will not be contrary to the public interest in that the additional wall sign would be considered more of informational signage for the payment center kiosk;
- 2) special conditions exist and there are hardships which exist due to the fact there are other business located within the shopping center which may cause possible confusion to citizens regarding who the payment center belongs to;
- 3) the spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance because the additional wall sign will be used as a clear way to identify the MAWSS payment center for customers arriving from both Forest Hill Drive and Moffett Road.

Therefore, this application is recommended for approval, subject to the following conditions:

- 1) completion of the of sign permit process;
- 2) full compliance with all other municipal codes and ordinances.

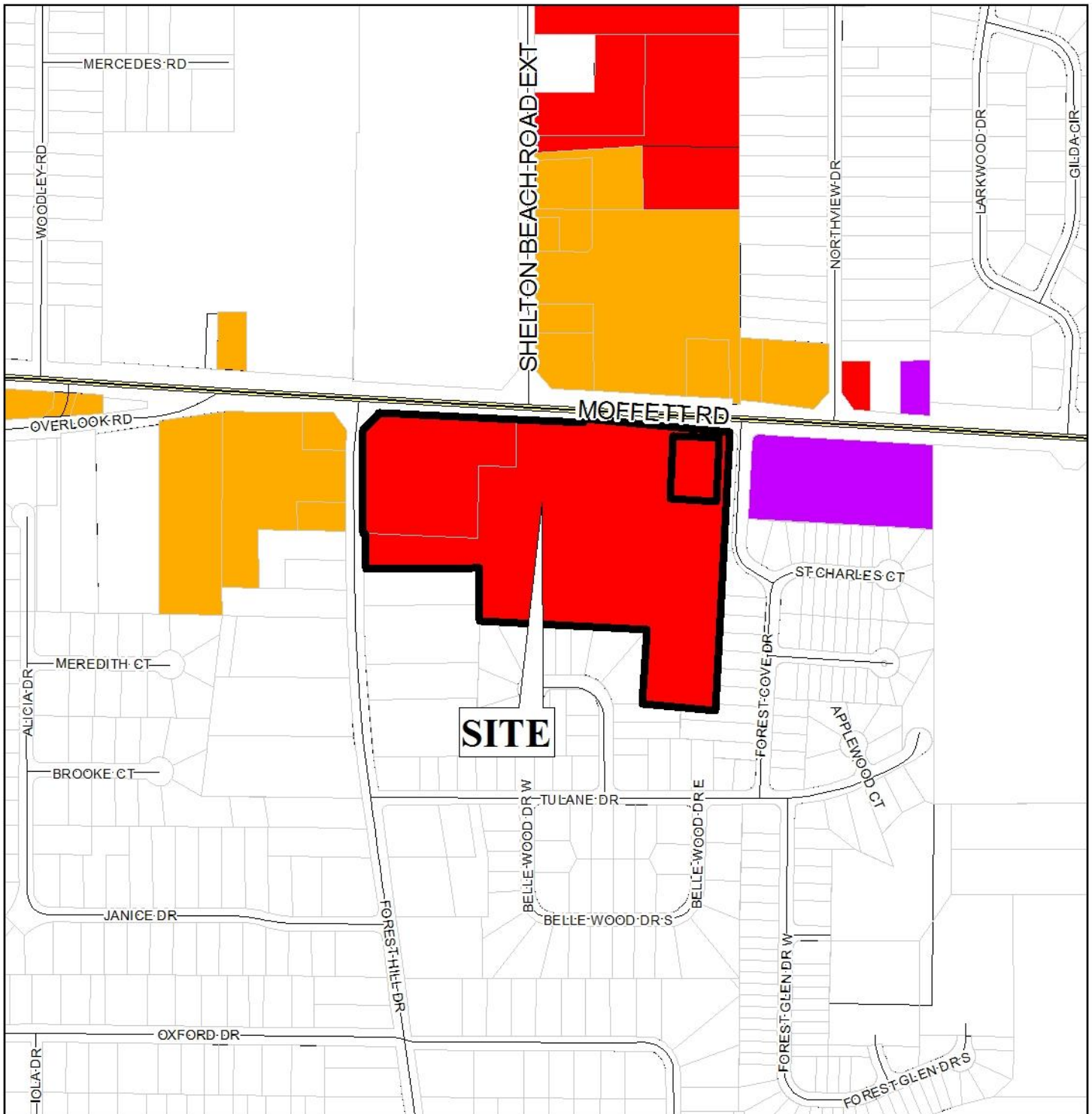
LOCATOR MAP



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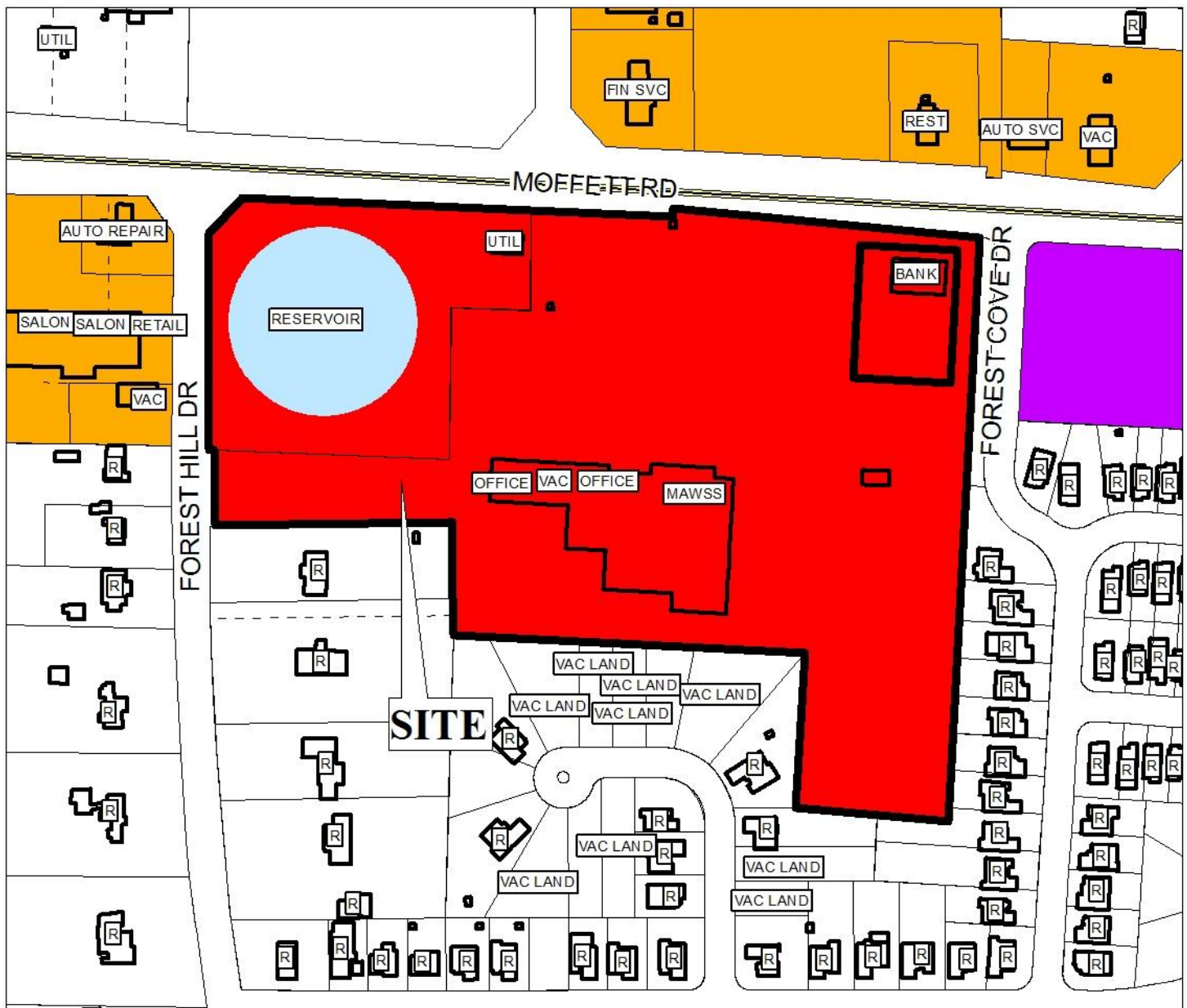
LOCATOR ZONING MAP



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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units to the south and commercial units to the north.

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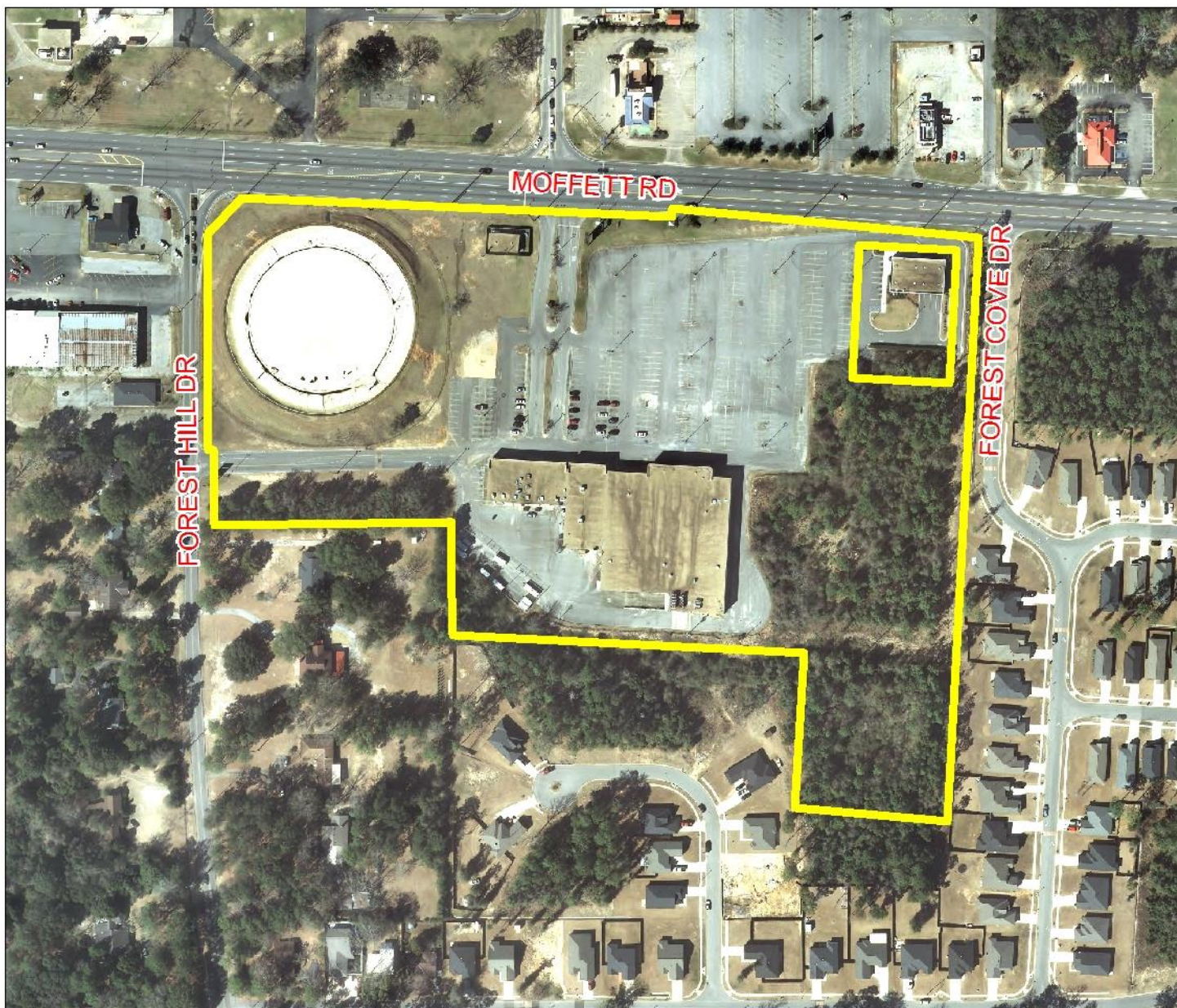
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 R-A	 R-3	 T-B	 B-2	 B-5	 MUN	 SD-WH	 T5.1
 R-1	 R-B	 B-1	 B-3	 I-1	 OPEN	 T3	 T5.2
 R-2	 H-B	 LB-2	 B-4	 I-2	 SD	 T4	 T6



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL

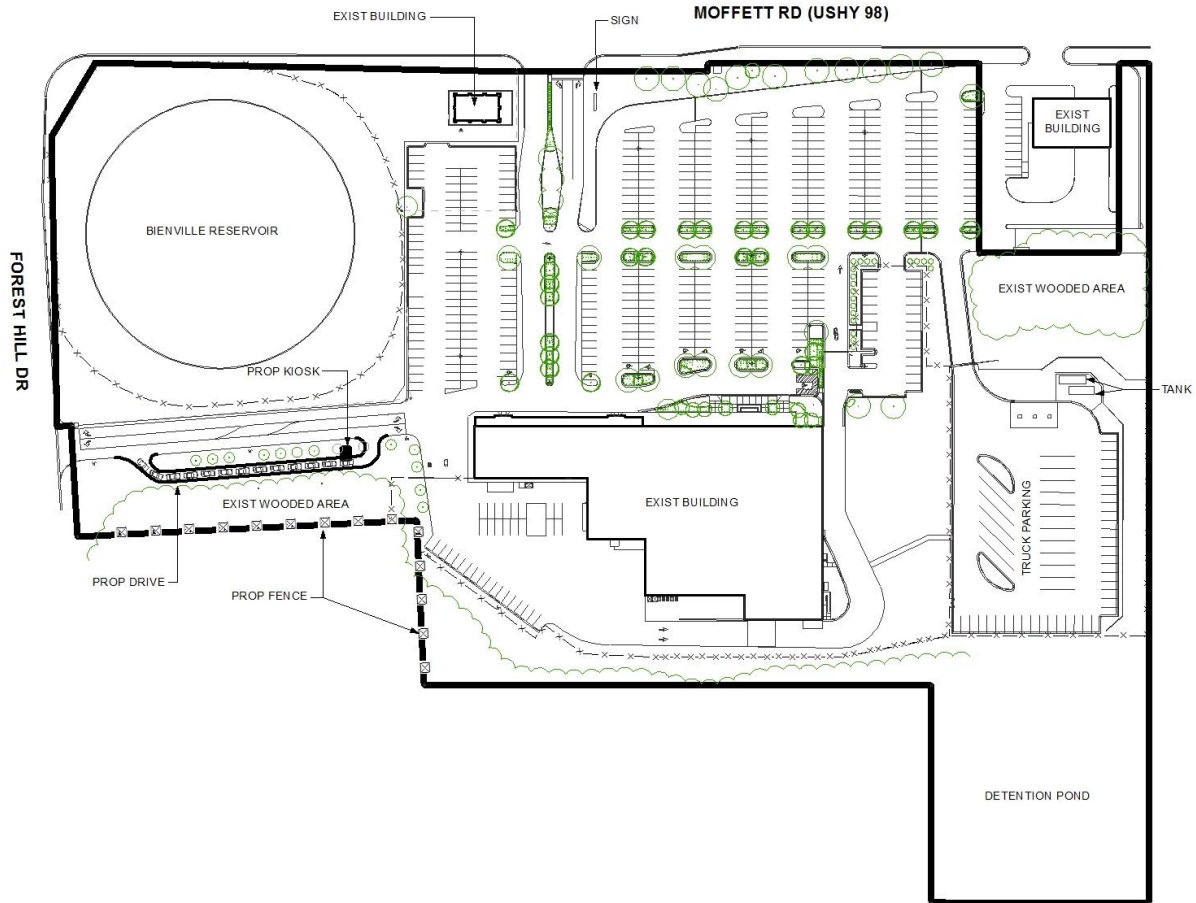


The site is surrounded by residential units to the south and commercial units to the north.

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SITE PLAN



The site plan illustrates the existing buildings, existing wooded areas, existing parking, proposed drive, proposed kiosk, and proposed fences.

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NTS

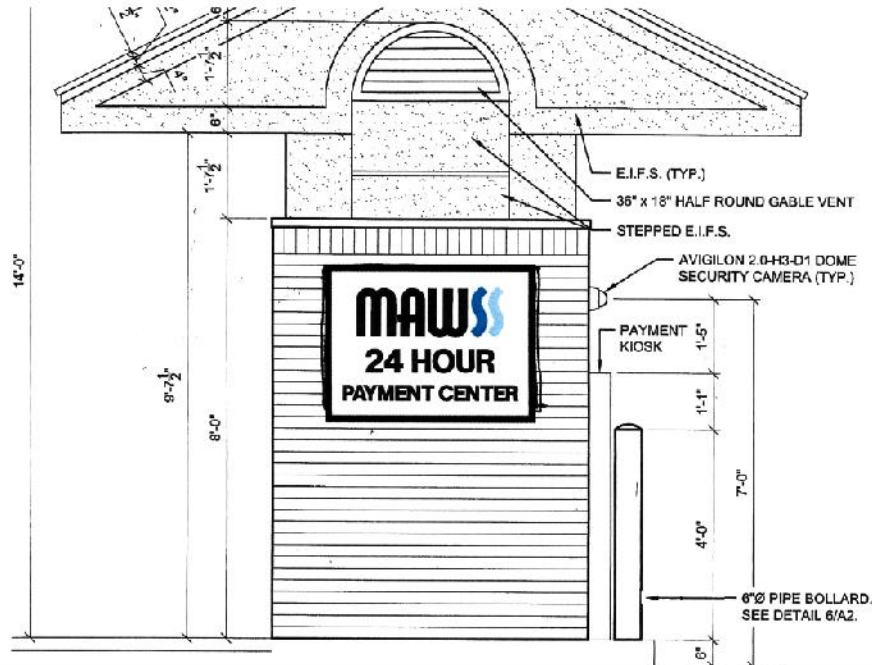
DETAIL SITE PLAN

48"

36"

MAWSS

24 HOUR PAYMENT CENTER



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NTS

REPLACE EXISTING 6' HIGH WOOD SCREENING FENCE TO MATCH EXISTING CONSTRUCTION

± 197

REMOVE EXISTING CHAIN LINK FABRIC TO INSTALL NEW WOOD FENCE (± 56'-0"). REINSTALL CHAIN LINK FABRIC UPON COMPLETION OF WOOD FENCE.

± 56'-0"

REPLACE EXISTING 6' HIGH WOOD SCREENING FENCE TO MATCH EXISTING CONSTRUCTION

SIGN LOCATIONS

WOODED AREA

NEW ASPHALT DRIVE

APPROXIMATE LOCATION OF EXISTING LEANING TREES TO BE REMOVED

RELOCATED TWO TREES

REMOVE AND RELOCATE TWO TREES

PAYMENT KIOSK

2

ARCHITECTURAL SITE PLAN - ENLARGED

SCALE: 1" = 30'-0"

NORTH

FOREST HILL DRIVE

REQUEST_____Sign Variance

