

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: December 3, 2012****CASE NUMBER**

5798

APPLICANT NAME

Publix Super Markets (Steve Ladas, Agent)

LOCATION4628 Airport Boulevard
(Northeast corner of Airport Boulevard and University
Boulevard)**VARIANCE REQUEST****SIGN:** Sign Variance to allow two freestanding signs on a single-tenant commercial site in a B-2, Neighborhood Business District.**ZONING ORDINANCE
REQUIREMENT****SIGN:** The Zoning Ordinance allows only one freestanding sign on a single-tenant commercial site in a B-2, Neighborhood Business District.**ZONING**

B-2, Neighborhood Business District

AREA OF PROPERTY

6.8± Acres

**TRAFFIC ENGINEERING
COMMENTS**

If approved, Traffic Engineering needs to meet onsite to ensure that no line of sight hazard will result.

**FIRE DEPARTMENT
COMMENTS**

All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

**CITY COUNCIL
DISTRICT**

District 5

ANALYSIS

The applicant is requesting a Sign Variance to allow two freestanding signs on a single-tenant commercial site in a B-2, Neighborhood Business District; the Zoning Ordinance allows only one freestanding sign on a single-tenant commercial site in a B-2, Neighborhood 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 applicant states that a second freestanding sign is needed due to the location of the building on the Eastern portion of the site, which is currently under construction, as well as the existence of a developed outparcel to the Southwest of the site. The developed outparcel prevents the grocery store from locating their sign at the corner, where it would serve both Airport and University Boulevards. The site has street frontage on all four sides, with two streets, Airport Boulevard and University Boulevard being major streets that are heavily trafficked. The applicant states that if they are allowed a second freestanding sign, that it would give the general public and travelers the ability to locate the site more easily so that safe and easy access to the property is available.

It should be noted that the last business to operate at this location, Barnhill's Buffet had a single freestanding sign along Airport Boulevard and was able to operate for approximately 15 years. With this in mind, it should also be noted that the Barnhill's Buffet occupied a much smaller piece of property. Specifically, one pylon sign would be placed to maximize visibility along Airport Boulevard, while a monument sign would be placed to increase visibility along University Boulevard.

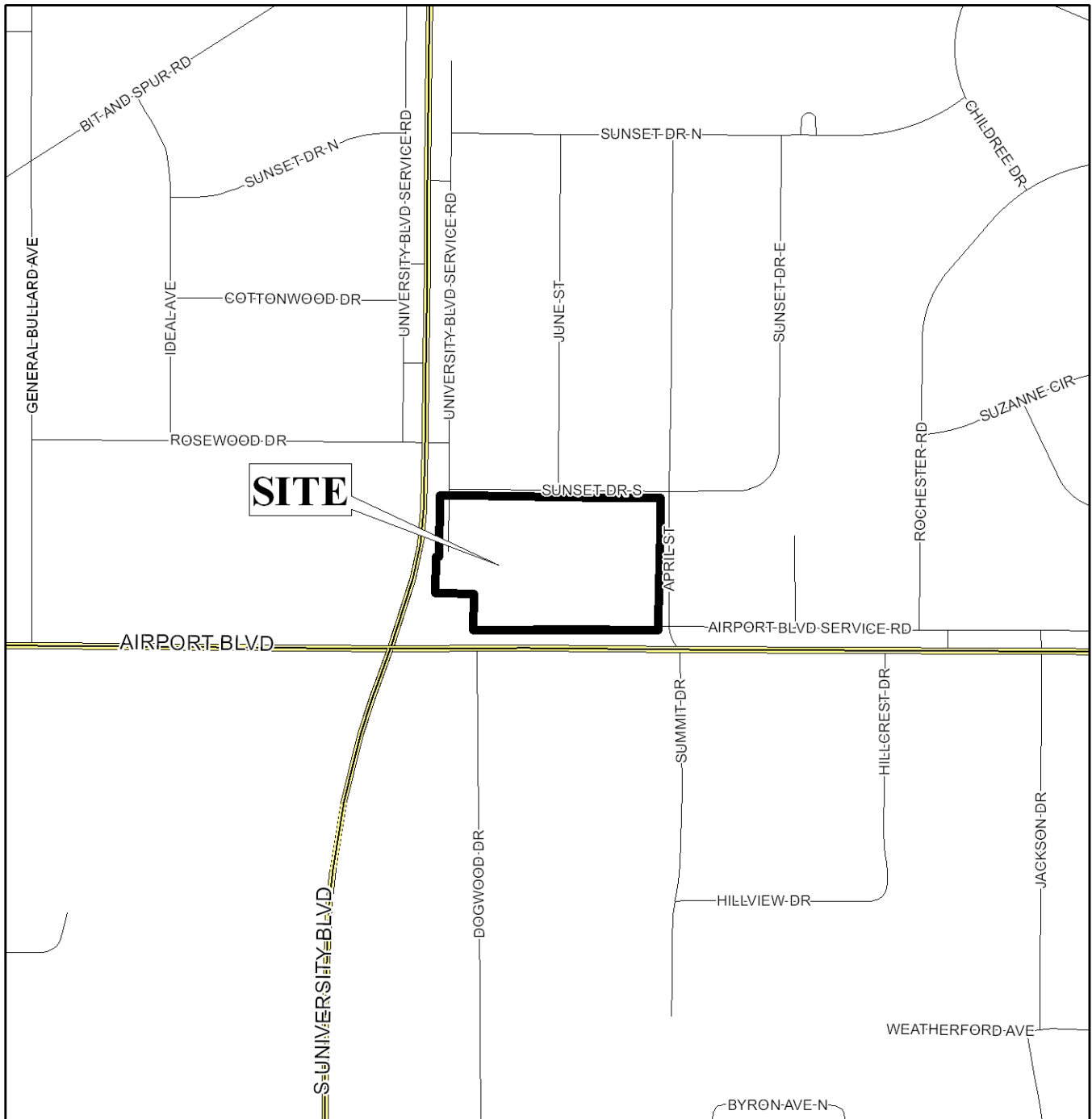
Due to the large size of property that the applicant occupies and the large amount of street frontage the site has, two freestanding signs may be appropriate.

RECOMMENDATION:

Based on the preceding, this application is recommended for approval, subject to the following conditions:

- 1) coordination with Traffic Engineering to ensure that no line of sight hazard will result;
and
- 2) compliance with all other municipal codes and ordinances.

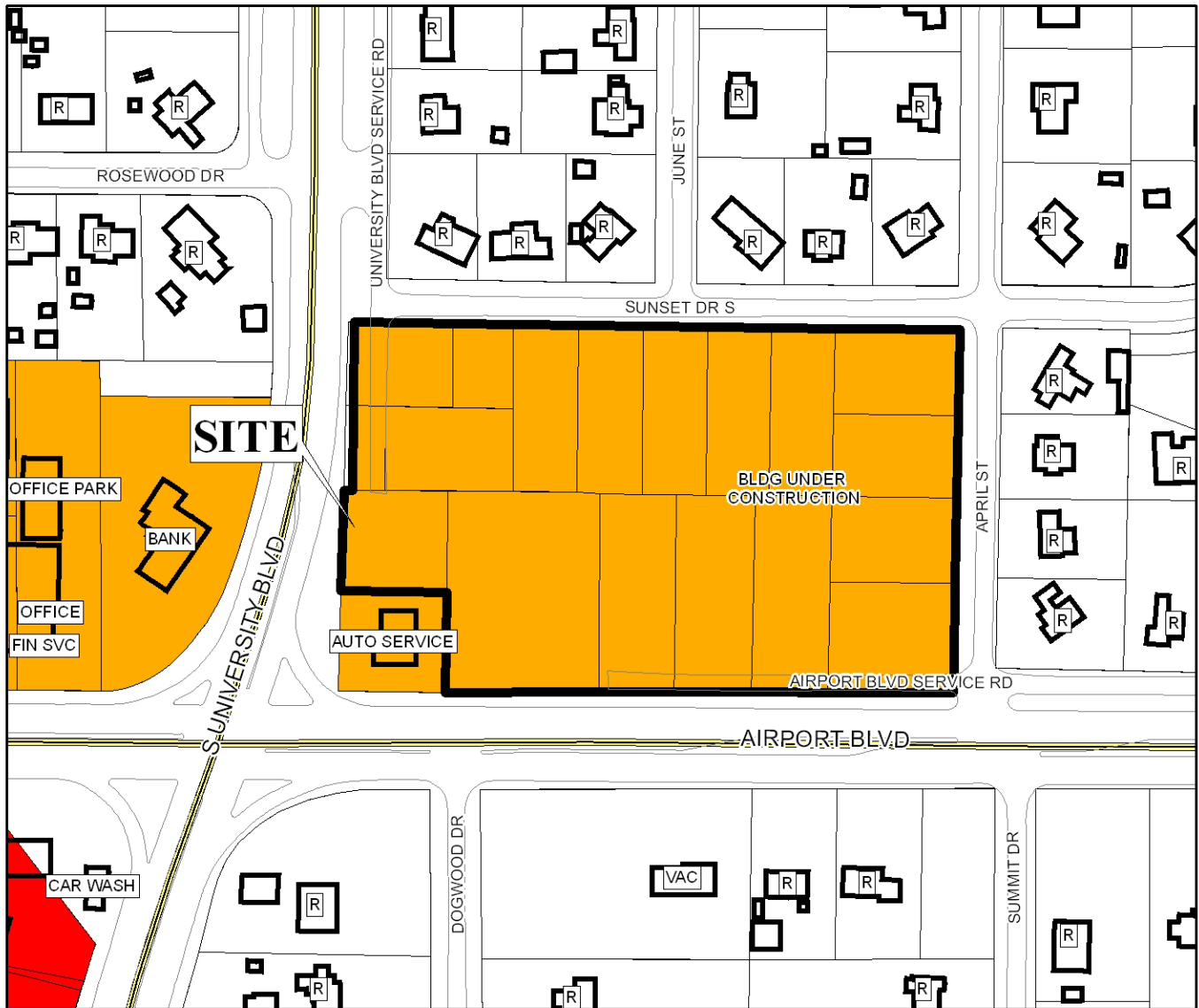
LOCATOR MAP



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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



Single family residences are located to the north, east, and south of the site. Businesses are located to the west of the site.

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LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2



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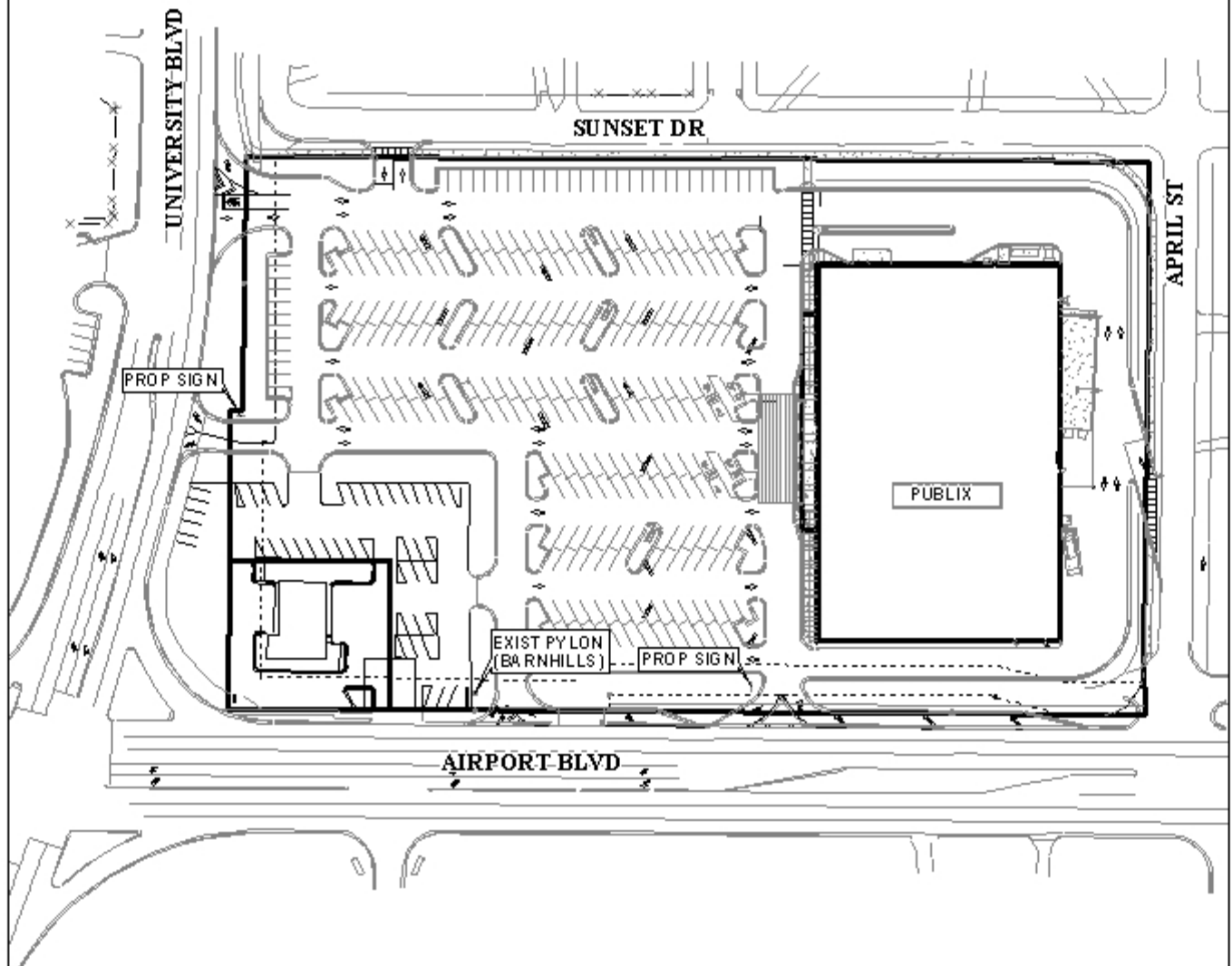


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SITE PLAN



The site plan illustrates the proposed sign locations.

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N

 NTS

SCALE: 240' = 1" 0"

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N
NTS

PROPOSED SIGN DETAIL



D/F Illuminated Pylon Display

SCALE: 1/4"=1'-0"

Airport Boulevard Entrance

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N

 NTS