

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: October 5, 2015**

<u>CASE NUMBER</u>	6005
<u>APPLICANT NAME</u>	Wrico Signs, Inc. for Volunteers of America
<u>LOCATION</u>	1204 Hillcrest Road (West side of Hillcrest Road, at the West terminus of Omni Park Drive)
<u>VARIANCE REQUEST</u>	SIGN: Sign Variance to allow a digital sign for a church 300'± from other residentially zoned property in an R-3, Multiple-Family Residential District.
<u>ZONING ORDINANCE REQUIREMENT</u>	SIGN: The Zoning Ordinance does not allow digital signs in an R-3, Family Residential District and requires a minimum of 300' from other residentially zoned property.
<u>ZONING</u>	R-3, Multiple Family District
<u>AREA OF PROPERTY</u>	4.8± Acres
<u>ENGINEERING</u>	No Comments
<u>TRAFFIC ENGINEERING COMMENTS</u>	No Comments
<u>CITY COUNCIL DISTRICT</u>	District 6

ANALYSIS The applicant is requesting a Sign Variance to allow a digital sign for a church 300'± from other residentially-zoned property in an R-3, Multiple-Family District. The Zoning Ordinance does not allow digital signs in an R-3, Multiple Family District and requires all digital signage to be a minimum of 300' from residentially-zoned property.

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 that substantial justice is 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:

This letter is a request for variance for Volunteers of America to place a sign at 1204 Hillcrest Road. Volunteers of America and Hillcrest Baptist Church are religious institutions serving the needs of the community.

We respectfully request the ability to replace the existing sign at this location with an electronic message center in order to be able to provide important service information to the people in the area.

We are a nonprofit organization zoned R3.

Although the sign will be within 300 feet of R2 zoned property, the location of the sign insures it will not be visible from the homes to that Southwest of the church due to elevation and thick tree and foliage. All other surrounding areas are zoned for business.

We at Volunteers of America are most appreciative of the City of Mobile's work with the faith community in helping to insure all signage is appropriately informative, aesthetically appealing, and also not an annoyance to local citizens. This is also our aim.

Thank you for your consideration.

As stated, the applicant desires to replace the existing freestanding sign on site with a new, double-faced aluminum sign equipped with an electronic digital reader board. The applicant further insists that the proposed digital sign is desired in order to better serve the needs of the community by providing important service information and announcements. The regulations regarding digital signs, as adopted by the City Council on June 4, 2013, require a minimum straight line distance of 300' from residentially-zoned property. The proposed digital sign would be sited approximately 56' away from the nearest residentially-zoned property (not including the site itself).

The subject site is located along a portion of Hillcrest Road that is comprised of many commercial businesses consisting of B-1, Buffer Business District, B-2, Neighborhood Business District, and B-3, Community Business District designations. However, the subject site is also bordered by a mixture of residential districts that are zoned R-1, Single Family Residential; R-2, Two Family Residential; and R-3, Multiple Family Residential districts; the subject site itself is currently designated as R-3, Multiple Family Residential. This site is unique in the fact that it is zoned R-3, Multiple Family District and has served as the location of a local church for many years.

The subject site is located next to residentially-zoned areas directly to the South and West; however, upon reviewing aerial images of the site it appears that the residential homes that are located to the West of the site are shielded from the view of the proposed digital sign by a heavily wooded area that is approximately 316' in depth. The homes located in this area would not have any visibility of the digital sign due to the trees located on the subject site, and also due to the fact that a portion of the church blocks the homes from the direct view of the proposed digital sign. Further inspection of the site also reveals that there is a vegetative buffer, with somewhat dense tree foliage and landscaping, that separates the property to the South of the subject site. The residential housing units within the adjacent neighborhood are recessed at a distance of 300'± from Hillcrest Road, and are protected by a landscaped buffer consisting of hedges and a full, canopied tree line on the neighboring property. The property line of the closest residence is sited approximately 332' Southwest of the proposed digital sign location.

The existing sign is perpendicular to Hillcrest Road. The proposed digital sign would be placed in the same location as the existing sign with similar orientation, thus its lights will not be directed towards any of the residential areas located within the surrounding vicinity. It should also be mentioned that the height of the sign only measures nine feet from the base to the top of the sign. The top of the digital reader board appears to be sited at the midpoint of the sign; hence, it is not over six feet in height.

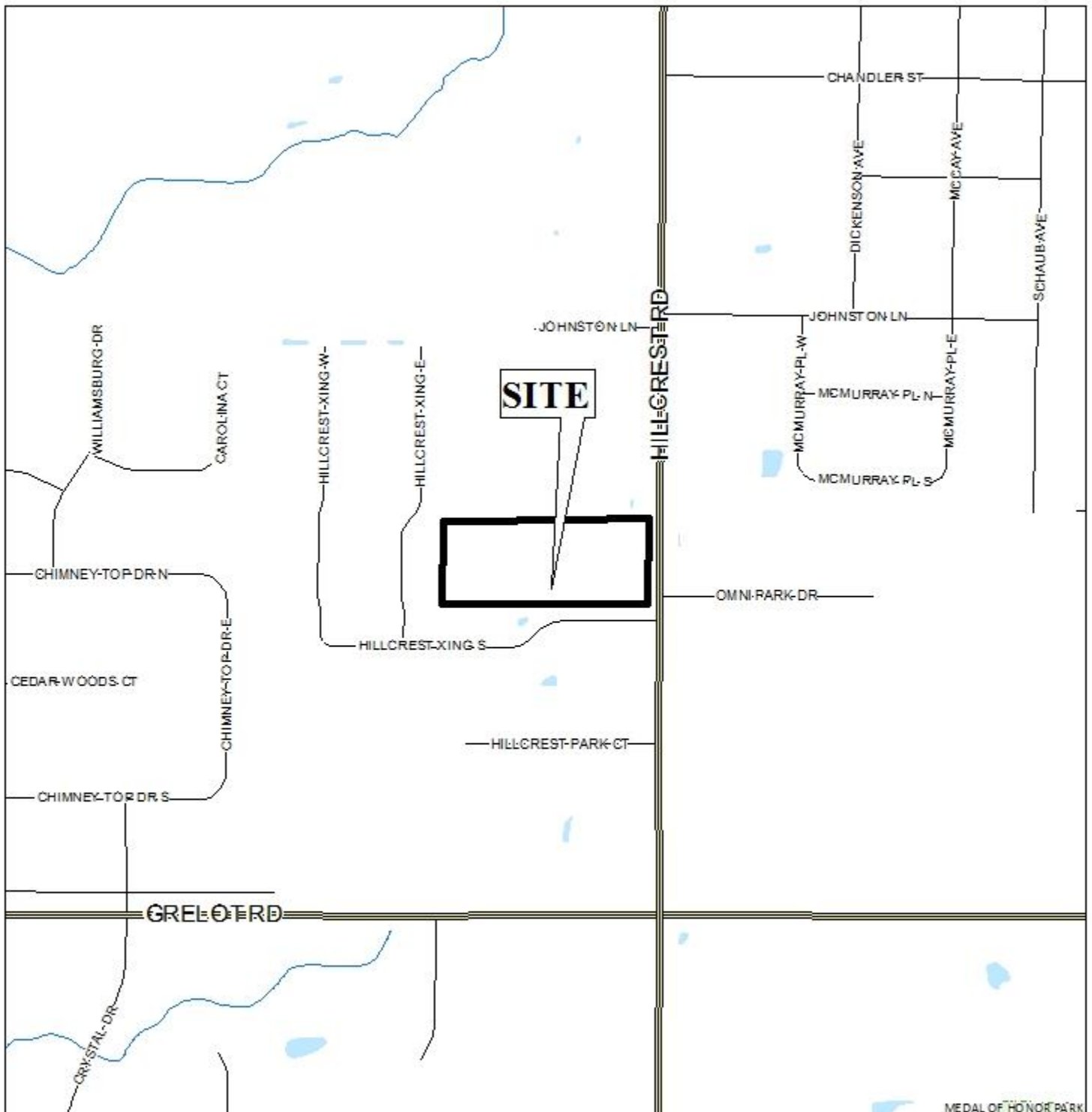
There are no conditions which exist at this site that would prevent the placement of a sign with a non-electronic message center to provide information to the community. It is simply the applicant's desire to have a digital sign.

RECOMMENDATION:
fact for Denial:

Staff recommends to the Board the following findings of

- 1) Approving the variance will be contrary to the public interest in that the residential buffer requirements for digital signs are intended to reduce the intrusion of light emitted from digital signs onto nearby residential properties;
- 2) Special conditions do not exist and there are no hardships which exist that make the placement of digital signage necessary; and
- 3) The spirit of the chapter shall not be observed and substantial justice shall not be done to the surrounding neighborhood by granting the variance because the proposed sign would be allowed to have a non-electronic message center.

LOCATOR MAP



APPLICATION NUMBER 6005 DATE October 5, 2015

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REQUEST Sign Variance



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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units to the west, and commercial units to the north, south, and east of the site.

APPLICATION NUMBER 6005 DATE October 5, 2015

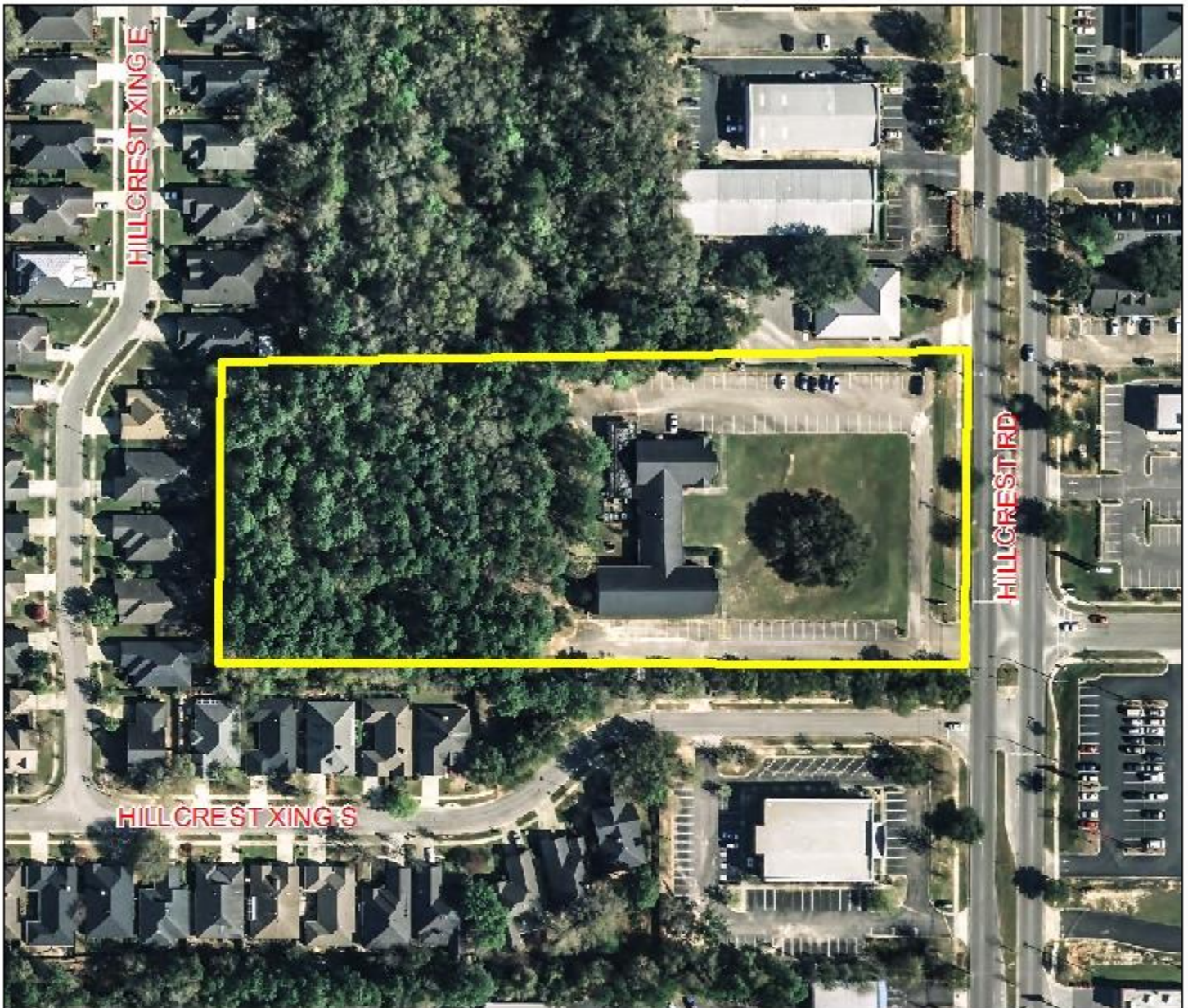
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R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



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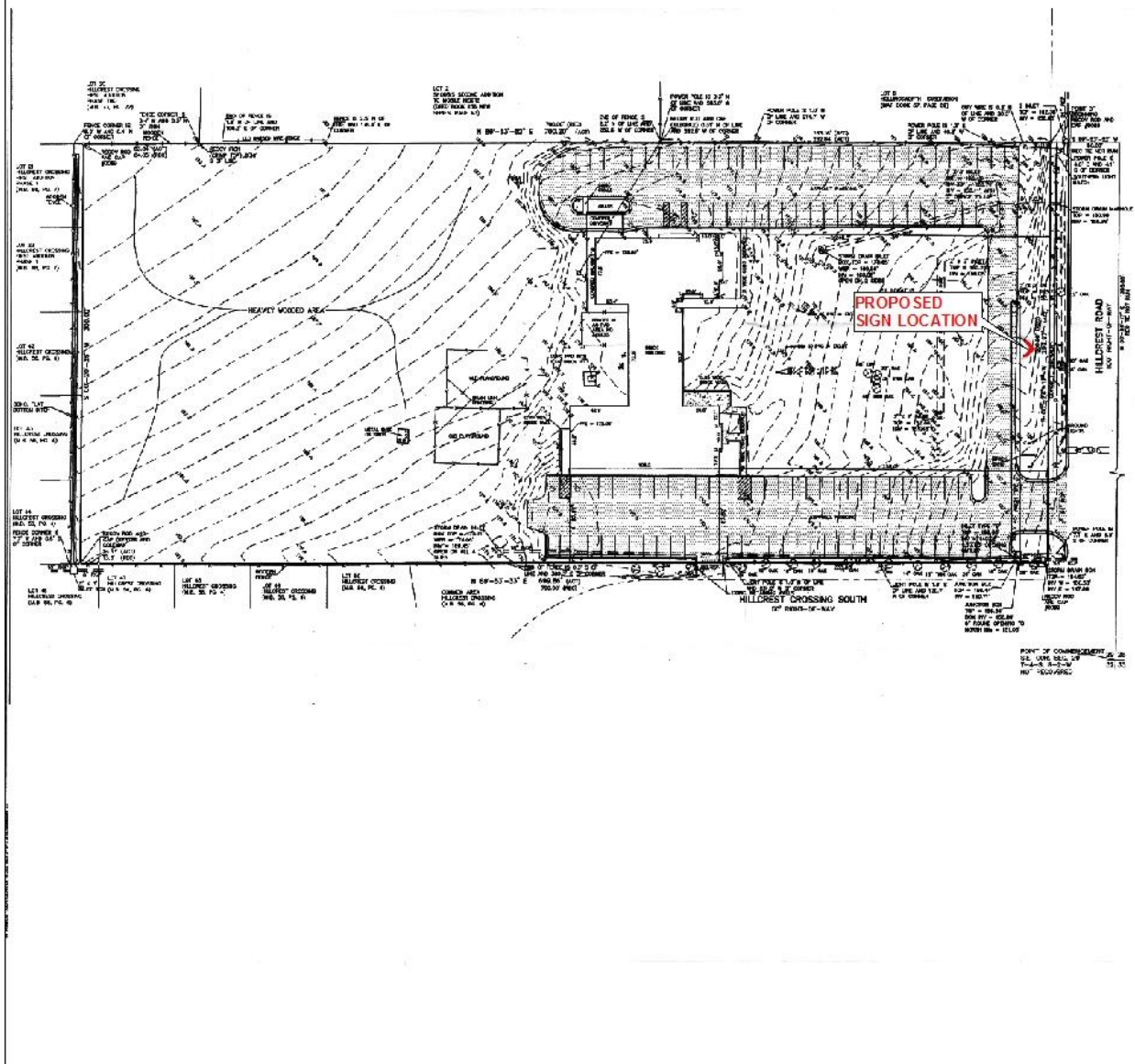
APPLICATION NUMBER 6005 DATE October 5, 2015

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SITE PLAN



The site plan illustrates the existing building, parking, fences, and the proposed sign location.

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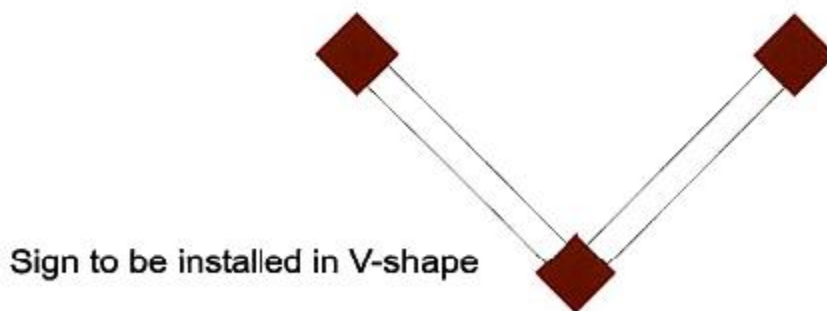


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DETAIL SITE PLAN



Masonry by Others



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