

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT****Date: December 5, 2016**

<b><u>CASE NUMBER</u></b>	6073
<b><u>APPLICANT NAME</u></b>	Keith W. Sherrill
<b><u>LOCATION</u></b>	806 Monroe Street (North side of Monroe Street, 125'± East of South Jefferson Street)
<b><u>VARIANCE REQUEST</u></b>	<b>SIGN:</b> Sign Variance to allow a painted mural wall sign along the primary frontage in a T-5.1 Sub-District site within the Downtown Development District.
<b><u>ZONING ORDINANCE REQUIREMENT</u></b>	<b>SIGN:</b> The Zoning Ordinance requires that painted mural wall signs only be permitted along secondary frontages and walls internal to a property within the Downtown Development District.
<b><u>ZONING</u></b>	T-5.1 Zoning Sub-District
<b><u>AREA OF PROPERTY</u></b>	19,516 square feet / 0.4±Acres
<b><u>CITY COUNCIL DISTRICT</u></b>	District 2
<b><u>ENGINEERING COMMENTS</u></b>	No comments.
<b><u>TRAFFIC ENGINEERING COMMENTS</u></b>	No comments.
<b><u>URBAN FORESTRY COMMENTS</u></b>	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).
<b><u>FIRE COMMENTS</u></b>	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)

**ANALYSIS**

The applicant is requesting a Sign Variance to allow a painted mural wall sign along the primary frontage in a T.5-1 Sub-District site within the Downtown Development District; the Zoning Ordinance requires that painted mural wall signs only be permitted along secondary frontages and walls internal to a property within the Downtown Development District.

The applicant is proposing a new business, and wishes to have two separate signs on the front façade of an existing building, one to be a compliant upper building sign, and one to be a painted wall sign (*not a mural, as determined by the Consolidated Review Committee*). Multiple signs are allowed by the Downtown Development District regulations, however, painted wall signs are only allowed along secondary frontages and walls, per Section 64-3.I.16.(d)(2) of the Zoning Ordinance, hence the variance request.

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 provided the following statement regarding the request:

*It seems to me that it has been some time since the code has been updated, as what we are trying to do is fairly common across the Country. Ultimately, we are choosing a similarly styled sign that was mounted under the lights of the original Crystal Ice Company — taken from a 1950s era photo, see enclosed diagram. While this allows us to maintain and highlight the historical integrity of our facility, it does not allow us to display our full name and logo due to size, font, etc. We are proposing an additional wall sign / mural that does display our full name and logo, a wall sign that would blend perfectly with the historic brick backdrop. We believe this is also historically appropriate, and a nod to the era of the founder and many brick "ghost signs" of the past.*

The current regulations for the downtown area became effective in May 2014, thus they are relatively recent.

The site has one frontage, with all other property boundaries of the site abutting other developed properties. The proposed 63 square foot  $\pm$  painted wall sign will face Monroe Street, which is a B\C class street, according to Plate B, Regulating Plan Street Hierarchy, of the Regulating Plan for the Downtown Development District. Section 64-3.I.16.(d)(2) of the Zoning Ordinance limits painted wall signs to secondary frontages and walls. Thus the proposed sign could be

painted on the East face of the existing building without the need for a sign variance, however, visibility of the sign from the street would be compromised.

The other signs options that are available for the front façade are as follows:

1. diagonal corner: 3 x 15 feet maximum
2. fabric awning: 8 inches by width of awning
3. window decal: 30% of window area
4. upper building: 3 feet x width of building
5. hanging blade: 10 square feet per side
6. individual storefront: 2 feet x width of building
7. internal neon: 30% of window area

Of the seven listed options, the most feasible would be number 4, the upper building sign. The proposed logo could be reduced in height to three feet, made into a sign, and incorporated as part of the allowed "HAINT BLUE BREW" sign: "HAINT BLUE" logo "BREW". The upper building sign could then be supplemented with a hanging blade sign, suspended on the front entry of the building, which could be approximately 3.5 feet tall by 2.8 feet wide (10 square feet total per face).

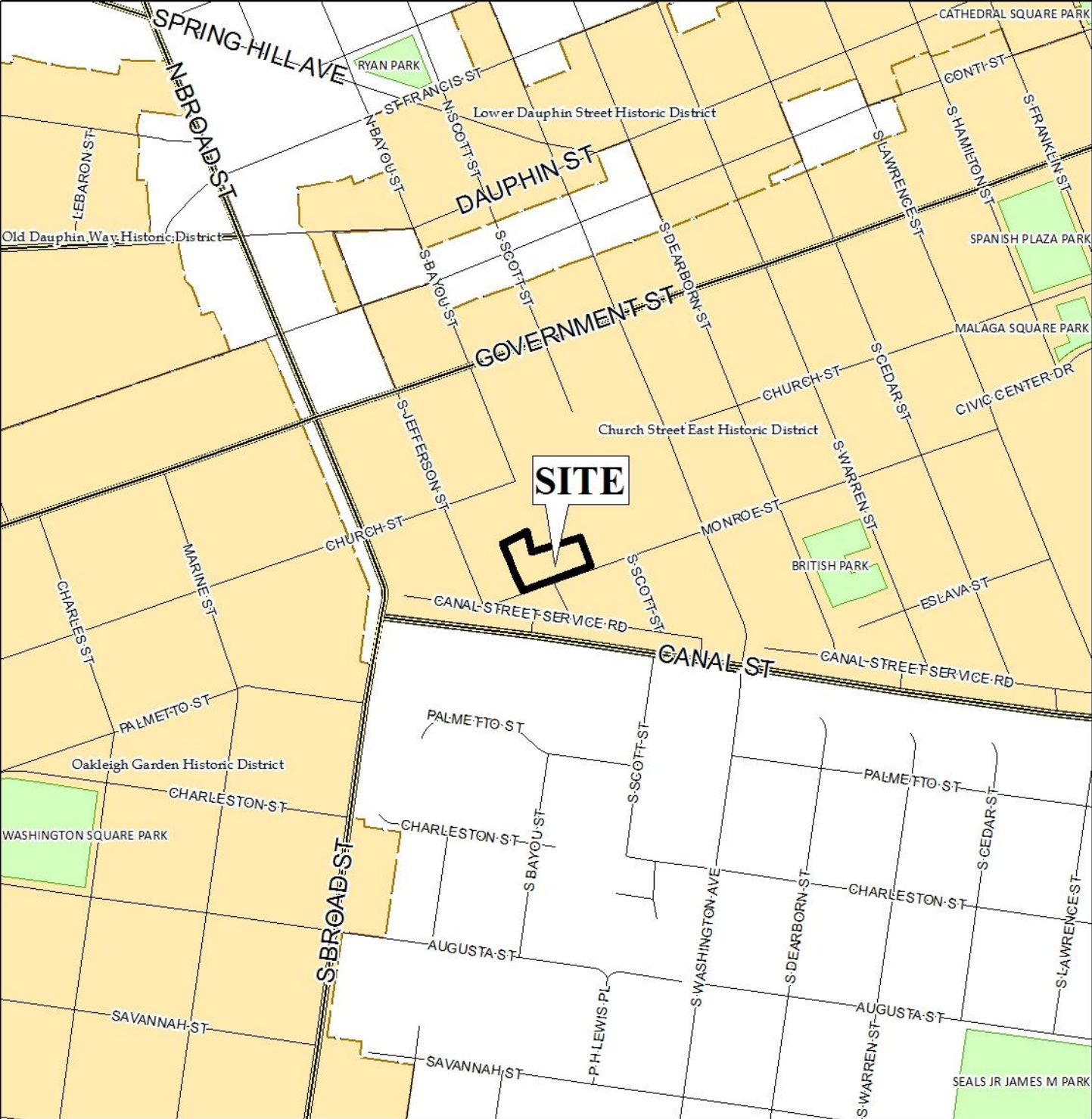
It should be noted that the Board approved a painted wall sign for the front of the Greer's grocery store located at the corner of Broad Street and Government Street, at its July 6, 2015 meeting. Murals are painted on the side of the Greer's building, along the secondary frontage for the site. The Greer's site is approximately 370 feet from the site under consideration.

Staff believes that there are sign options available to the applicant such that a painted wall sign on the front façade of the building is not necessary. Furthermore, staff is of the opinion that a hardship associated with the property and the sign regulations has not been adequately established by the applicant.

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

- 1) Based on the fact that there are several other allowable sign options available to the applicant, and that a hardship associated with the site and the sign regulations was not clearly established, granting the variance will be contrary to the public interest;
- 2) No special conditions exist with the property itself, that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and
- 3) The spirit of the chapter shall not be observed and substantial justice shall not be done to the applicant and the surrounding neighborhood by granting the requested variance, as there are other sign options available that will not require a variance, and due to the fact that regulations controlling signage were recently adopted, thus reflect current signage concepts.

## LOCATOR MAP



APPLICATION NUMBER 6073 DATE December 5, 2016

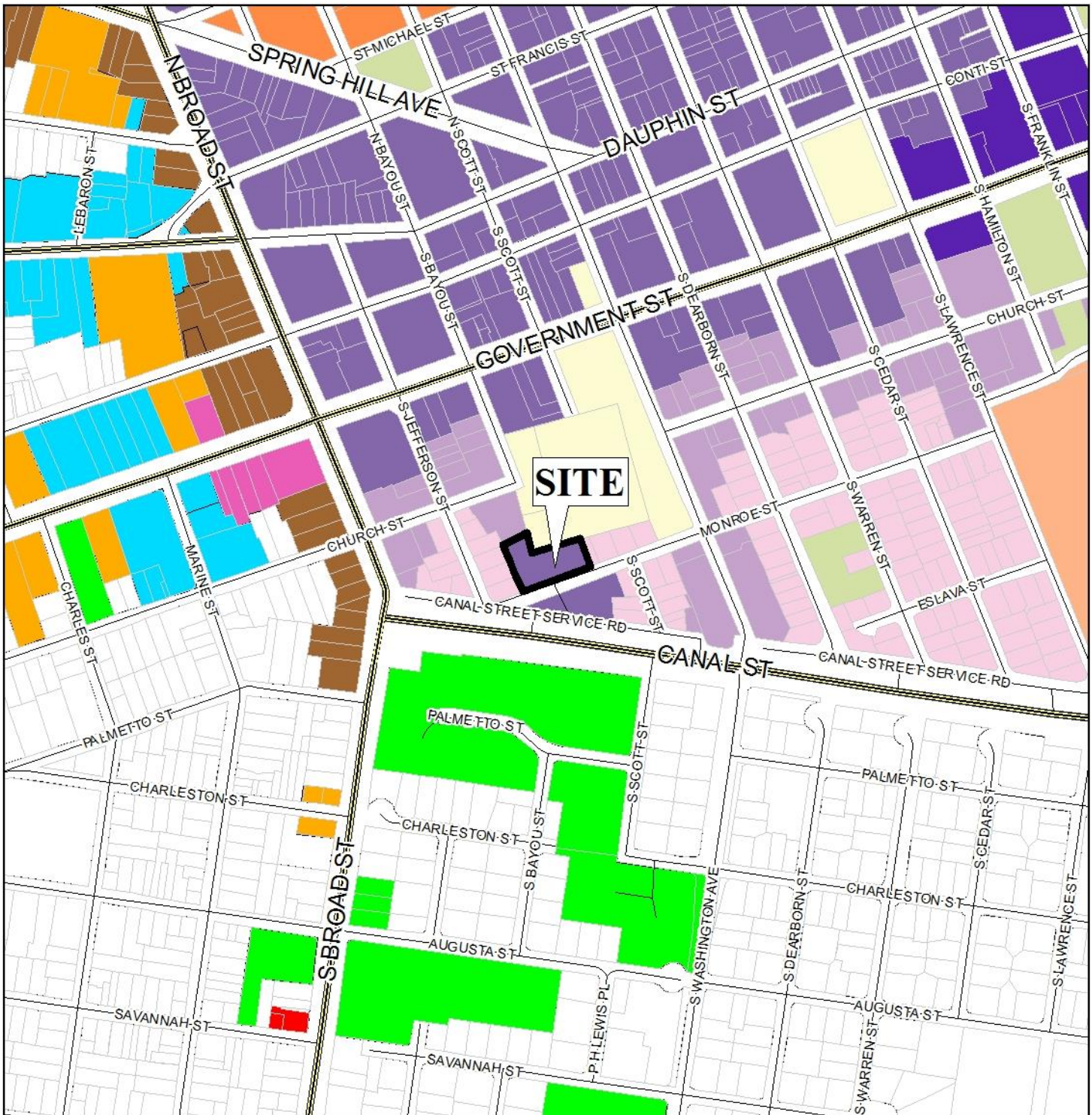
APPLICANT Keith Sherrill

REQUEST\_\_\_\_\_Sign Variance



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# LOCATOR ZONING MAP



APPLICATION NUMBER 6074 DATE December 5, 2016

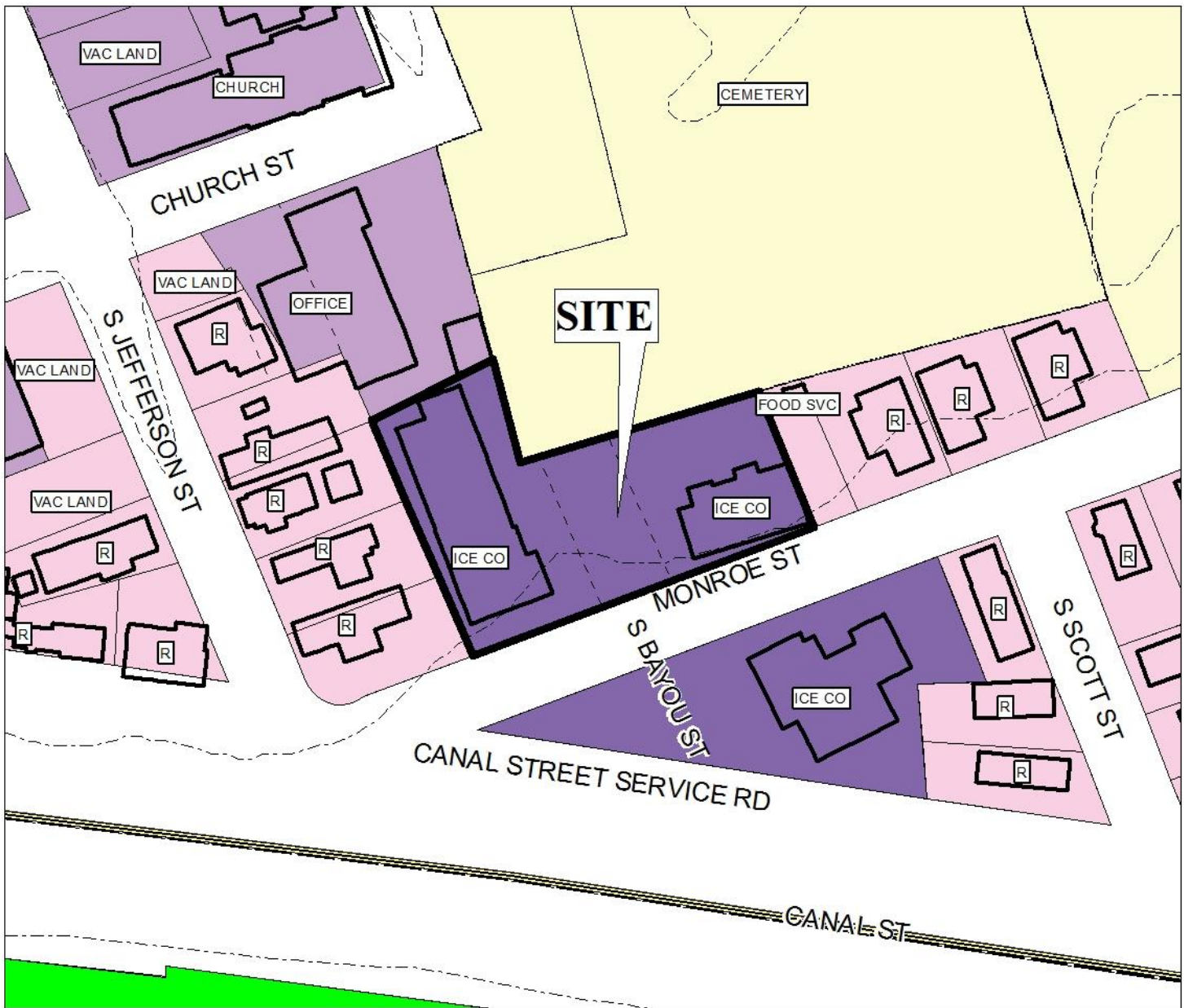
APPLICANT Keith Sherrill

REQUEST Use Variance



# BOARD OF ADJUSTMENT

## VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. A cemetery lies north of the site.

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APPLICANT Keith Sherrill

REQUEST Sign Variance

<span style="background-color: cyan; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> R-A	<span style="background-color: green; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> R-3	<span style="background-color: brown; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> T-B	<span style="background-color: orange; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> B-2	<span style="background-color: blue; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> B-5	<span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> MUN	<span style="background-color: orange; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> SD-WH	<span style="background-color: purple; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> T5.1
<span style="background-color: white; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> R-1	<span style="background-color: pink; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> R-B	<span style="background-color: cyan; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> B-1	<span style="background-color: red; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> B-3	<span style="background-color: lightblue; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> I-1	<span style="background-color: lightgreen; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> OPEN	<span style="background-color: lightpink; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> T3	<span style="background-color: darkpurple; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> T5.2
<span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> R-2	<span style="background-color: peachpuff; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> H-B	<span style="background-color: magenta; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> LB-2	<span style="background-color: brown; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> B-4	<span style="background-color: gray; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> I-2	<span style="background-color: orange; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> SD	<span style="background-color: lightpurple; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> T4	<span style="background-color: darkblue; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> T6



# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL

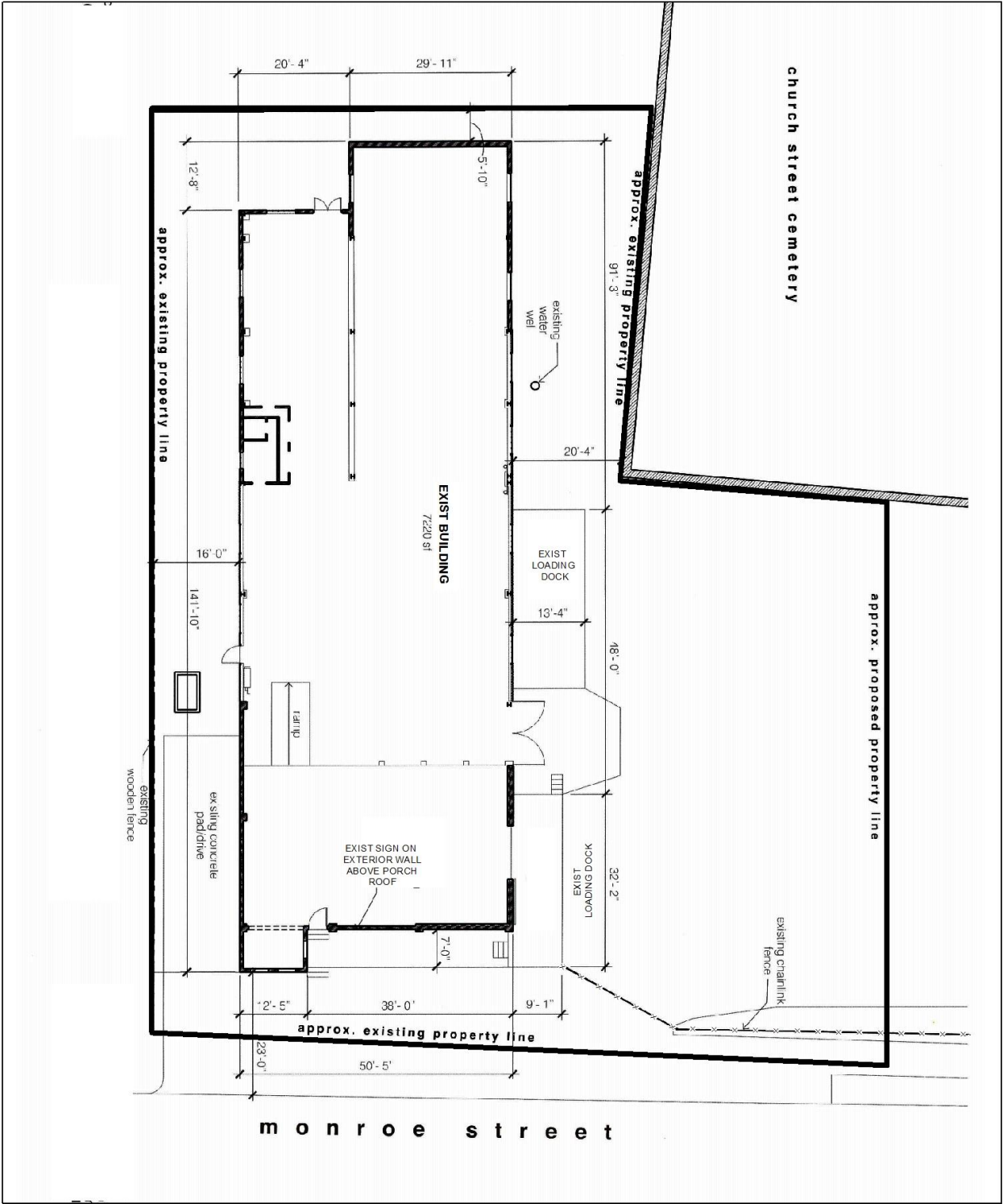


The site is surrounded by residential units. A cemetery lies north of the site.

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SITE PLAN



The site plan illustrates the existing building, fence, and location of the existing sign.

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**DETAIL SITE PLAN**

church street cemetery

approx. existing property line

approx. proposed property line

east garden

unconditioned storage 2027 sf

exterior terrace 2532 sf

haint blue brew 2661 sf

monroe street

Dimensions: 20'-4", 29'-11", 50'-8", 50'-5", 12'-8", 12'-5", 23'-0", 38'-0", 9'-1", 16'-0", 14'-10", 40'-8", 49'-4", 44'-6", 5'-10", 20'-4", 30'-2", 32'-2", 7'-0"

Labels: new wall, existing wall to remain, new ramp, existing steel structure to remain, waste + recycling bins, welded wire metal fence with vines woven throughout

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# DETAIL SITE PLAN

**unconditioned storage**  
2027 sf

**exterior terrace**  
2532 sf

remove roofing to the north + northern wall of existing building to expose exterior terrace

existing steel structure above to remain

new ramp

new well

new walk

existing wall to remain

49'-4"

19'-0"

storage  
9' sf

elect  
33 sf

new ramp

new ramp

existing concrete pad/drive to remain

36'-0"

16'-9"

production area  
332 sf

mech  
144 sf

chill storage  
150 sf

wc  
46 sf

wc  
48 sf

taproom  
1107 sf

29'-6"

31'-4"

7'-0"

screened porch  
233 sf

east garden

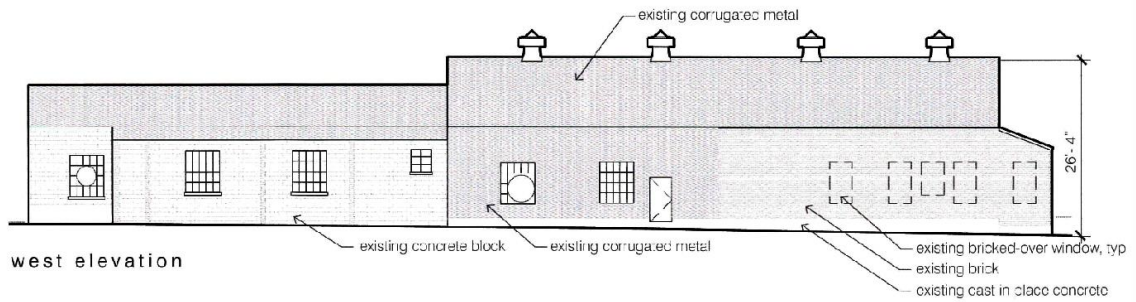
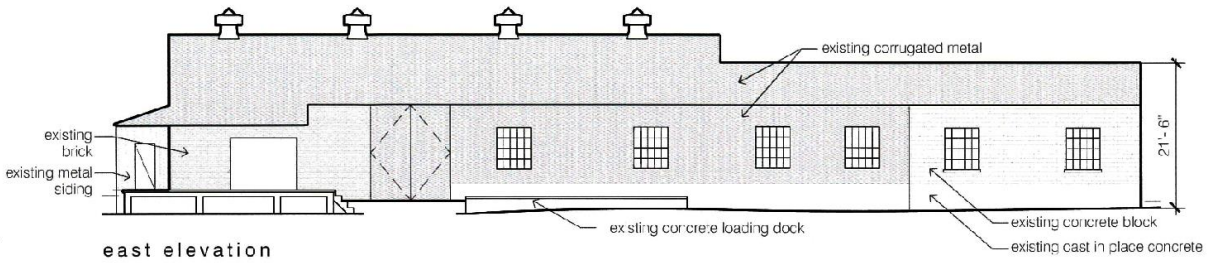
PROP SIGN ON WALL ABOVE PORCH ROOF

PROP PAINTED MURAL ON FACE OF WALL

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# DETAIL SITE PLAN

## EXISTING BUILDING ELEVATIONS



APPLICATION NUMBER 6073 DATE December 5, 2016

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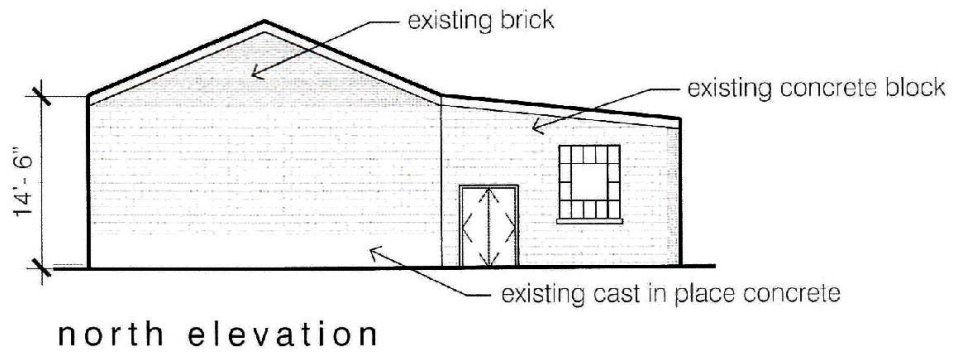
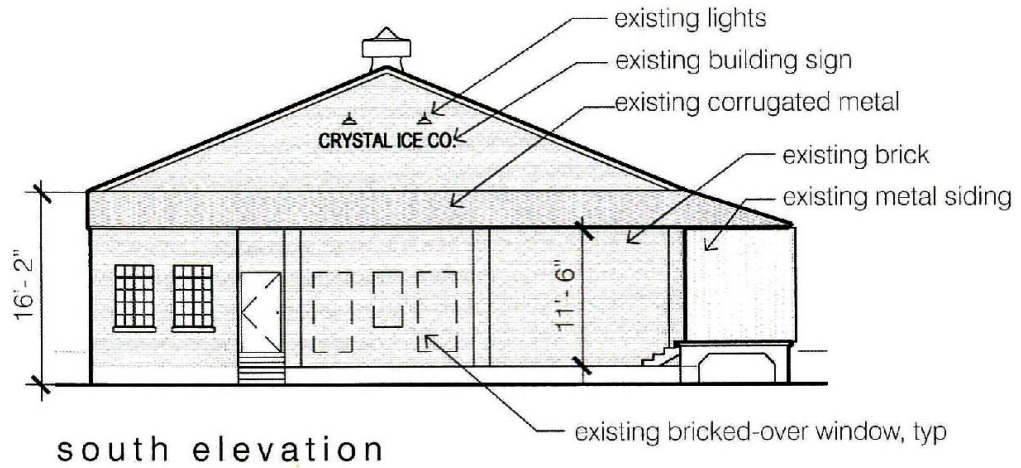
REQUEST Sign Variance



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# DETAIL SITE PLAN

## EXISTING BUILDING ELEVATIONS



APPLICATION NUMBER 6073 DATE December 5, 2016

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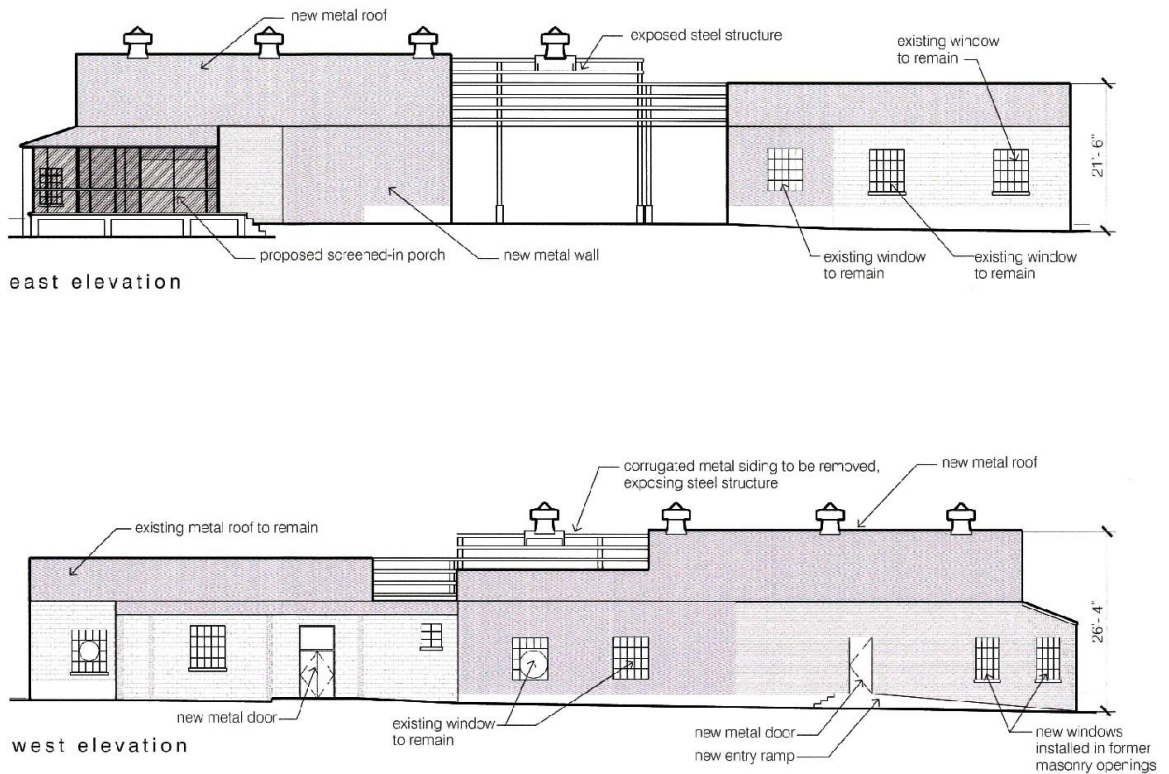
REQUEST Sign Variance



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# DETAIL SITE PLAN

## PROPOSED BUILDING ELEVATIONS



APPLICATION NUMBER 6073 DATE December 5, 2016

APPLICANT Keith Sherrill

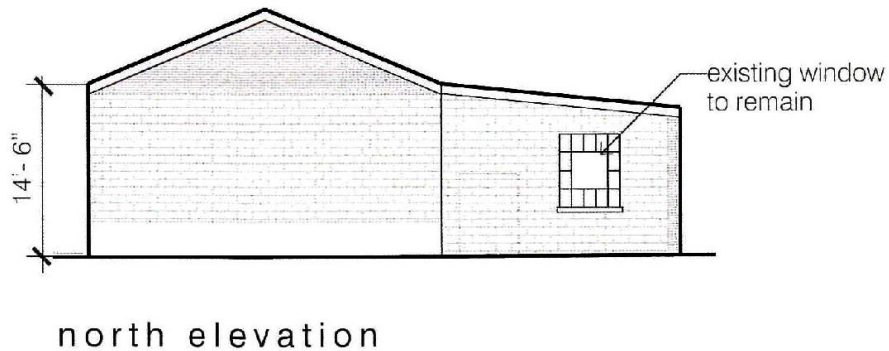
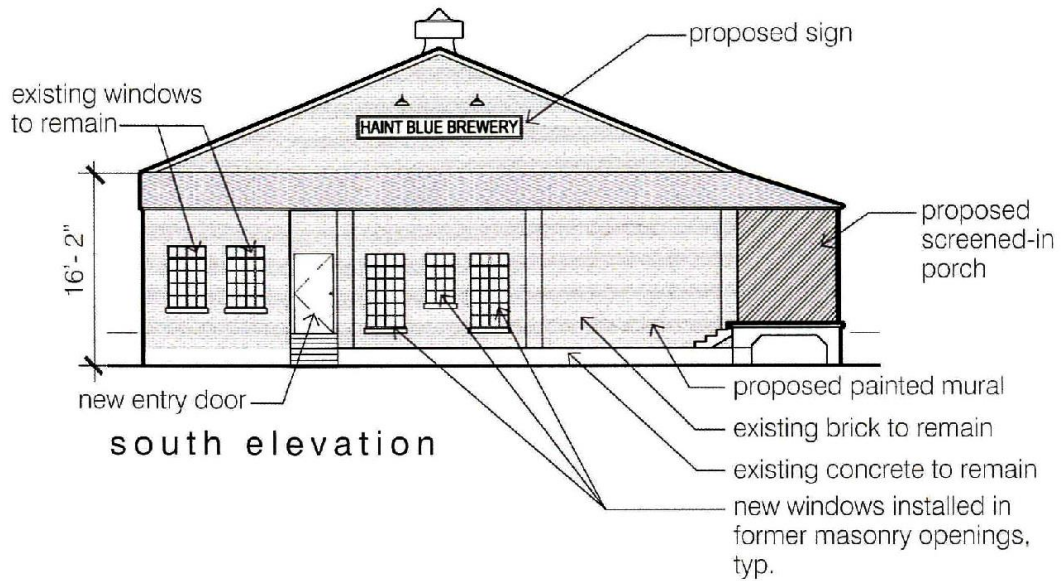
REQUEST Sign Variance



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# DETAIL SITE PLAN

## PROPOSED BUILDING ELEVATIONS



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REQUEST Sign Variance



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# DETAIL SITE PLAN



historic crystal ice signage

render of proposed facade

**haint blue brewery**  
606 north 30th street | mobile, alabama 36682  
proposed signage  
01 november 2016

prepared by:  
**HILLWORKS**: landscape+architecture  
301b sanders street | auburn, alabama 36832  
www.hillworks.us | tel 334.624.4681

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