



Agenda Item # 10
BOA-003453-2025

View additional details on this proposal and all application materials using the following link:

[**Applicant Materials for Consideration**](#)

DETAILS

Location:

3366 Cottage Hill Road

Applicant / Agent:

Dennis Langan

Property Owner:

Dennis Langan

Current Zoning:

B-3, Community Business Suburban District

Future Land Use:

District Center

Case Number(s):

6705 / 6541

Unified Development Code (UDC) Requirement:

- The UDC requires that all signs in a B-3, Community Business Suburban District, be located on the site of the business or activity they advertise.

Board Consideration:

- Off-Premise Sign Variance to allow an off-premises sign to be erected in a B-3, Community Business Suburban District.

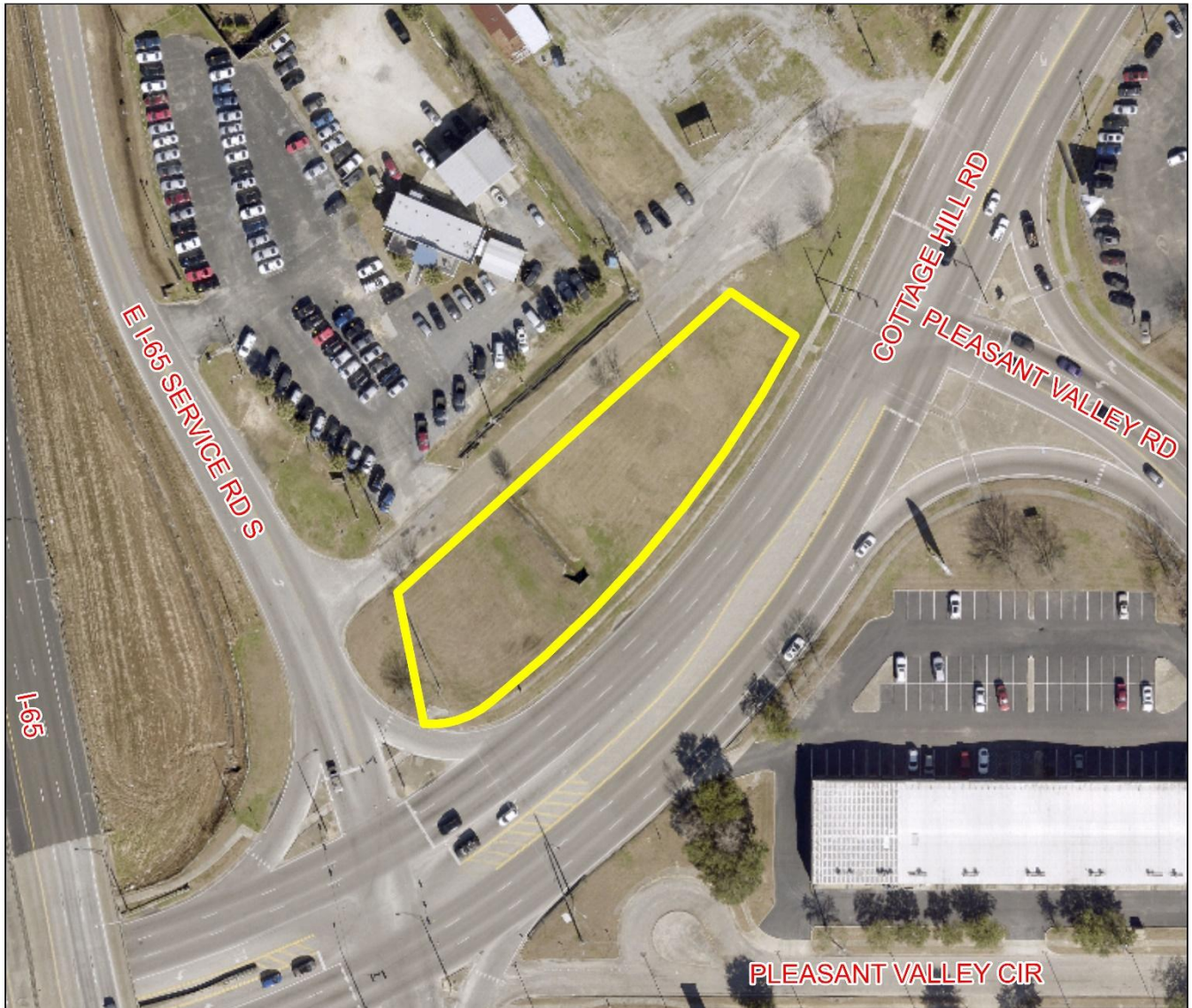
Report Contents:

Page

Context Map	2
Site History	3
Staff Comments	3
Variance Considerations	4
Exhibits	6

BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial units.

APPLICATION NUMBER	6705	DATE	October 6, 2025
APPLICANT	Dennis Langan		
REQUEST	Off-Premise Sign Variance		



SITE HISTORY

The site consists of Lot 1 of the Cottage Shops Subdivision, a two-lot subdivision approved by the Planning Commission on June 15, 2000. At that time, the applicant requested a 10-foot setback along Old Cottage Hill Road in lieu of the required 25-foot setback. Meeting minutes reflect that the applicant was advised a variance would be required; however, the final subdivision plat erroneously recorded a 10-foot setback without approval from the Board of Adjustment.

On September 11, 2023, the Board of Zoning Adjustment formally approved the 10-foot setback to allow development of the property as a car wash. Permits for the car wash have since been issued and remain active.

No other Planning Commission or Board of Zoning Adjustment actions are associated with the site.

STAFF COMMENTS

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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.

Fire Department Comments:

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2021 International Fire Code). Fire apparatus access is required to be within 150' of all non-sprinklered commercial buildings and within 300' of all sprinklered commercial buildings. Fire water supply for all commercial buildings will be required to meet the guidance of Appendices B and C of the 2021 International Fire Code. The minimum requirement for fire hydrants is to be within 400' of non-sprinkled commercial buildings, within 600' of sprinkled commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

Planning Comments:

The applicant is requesting an Off-Premise Sign Variance to allow the installation of an off-premises sign within a B-3, Community Business Suburban District. Per the Unified Development Code (UDC), all signage within this district must be located on the site containing the business or activity being advertised.

A detailed description of the request is available via the link on Page 1 of this report. In summary, the applicant proposes to install a 200-square-foot, double-sided, LED-illuminated electronic message center, 35-feet in height, at the intersection of Cottage Hill Road and East I-65 Service Road South. The sign would not serve the proposed

development on the property; rather, it would be leased to other businesses for advertising. No justification for the variance request has been provided.

Per Article 4, Section 64-4-14.L.2 of the UDC, no new outdoor off-premises advertising structure may be constructed or erected after the enactment of the ordinance, except for the replacement of an existing off-premises advertising structure in a permitted district. The applicant's proposal is not for the replacement of an existing structure, but for the construction of a new off-premises advertising structure.

Further, Section 64-4-14.L.6(k) requires that for each new off-premises electronic or digital billboard erected, three (3) existing nonconforming sign faces must be removed. No information has been provided regarding compliance with this requirement.

The stated purpose of the Sign Regulation provisions is to promote the economic well-being of the entire Mobile community by creating a favorable physical image, ensuring equal and fair opportunities for the business community to advertise, and protecting the rights of citizens to enjoy Mobile's natural scenic beauty. Given that no justification was submitted, and that the proposed sign would not be used by the future tenant of the property, it is unclear how the request would promote fair opportunities for the subject business to advertise its products and services. Instead, the request would effectively allow a billboard to be placed on the property for the benefit of other businesses—despite the presence of existing billboards in the vicinity that could serve the same purpose. As such, no hardship has been demonstrated that would prevent compliance with the UDC's sign regulations.

VARIANCE CONSIDERATIONS

Standards of Review:

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.

Article 5 Section 10-E. 1. of the Unified Development Codes states that the Board of Adjustment may grant a variance if:

- The Applicant demonstrates that the variance shall not be contrary to the public interest;
- Where, owing to special conditions a literal enforcement of the provision of this Chapter will result in unnecessary hardship; and
- The spirit of this Chapter will be observed and substantial justice done.

Article 5 Section 10-E.2. states no variance shall be granted:

- (a) In order to relieve an owner of restrictive covenants that are recorded in Mobile County Probate Court and applicable to the property;
- (b) Where economic loss is the sole basis for the required variance; or
- (c) Where the variance is otherwise unlawful.

Considerations:

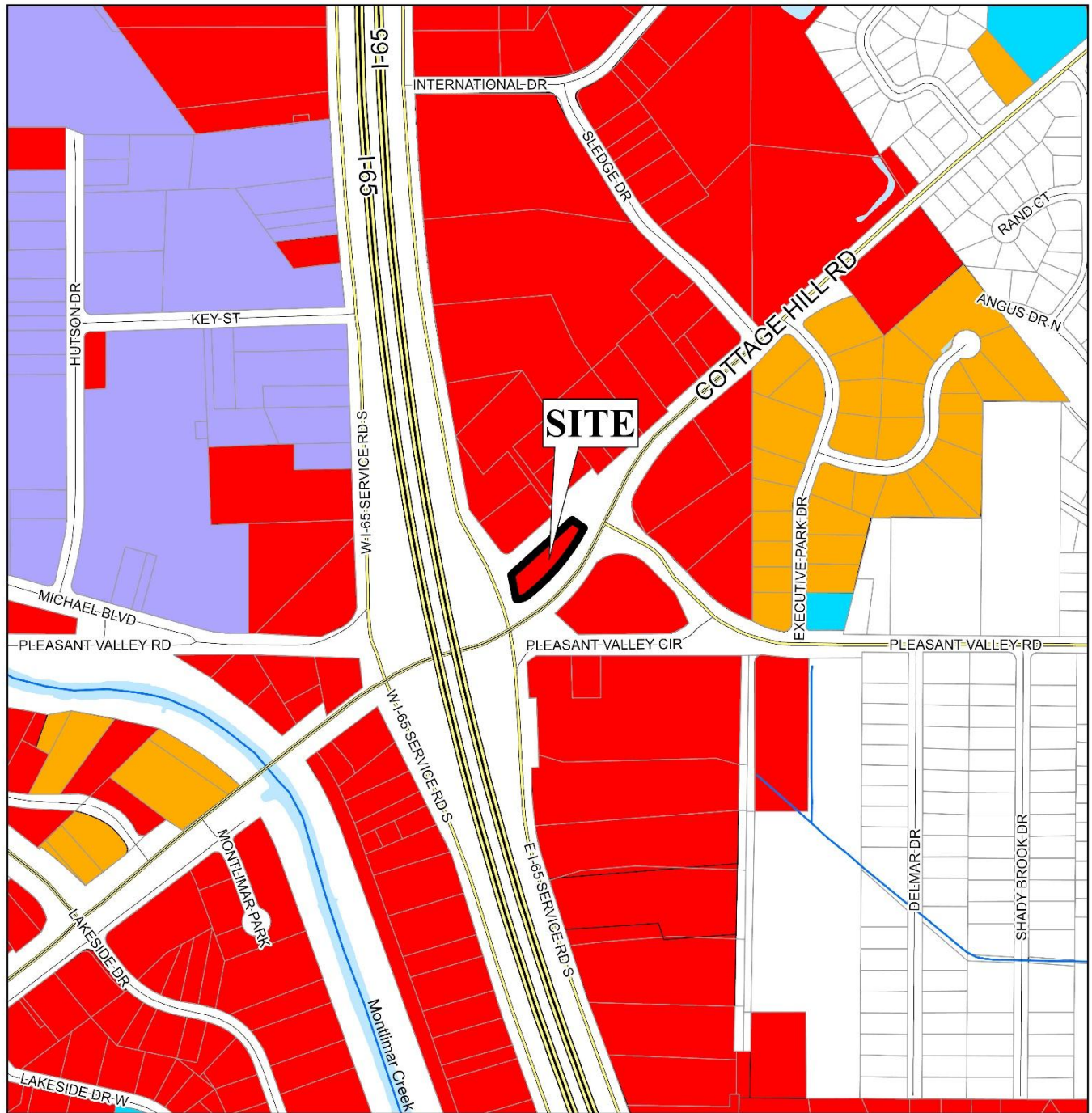
Based on the requested Variance application and documentation submitted, if the Board considers approval of the request, the following findings of fact must be presented:

- A. The variance **will not** be contrary to the public interest;
- B. Special conditions exist such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- C. The spirit of the chapter **shall** be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance.

If approved, the following conditions should apply:

- 1) Acquisition of the appropriate Permit(s) for the sign, prior to its construction or placement on the property.

LOCATOR ZONING MAP



APPLICATION NUMBER 6705 DATE October 6, 2025

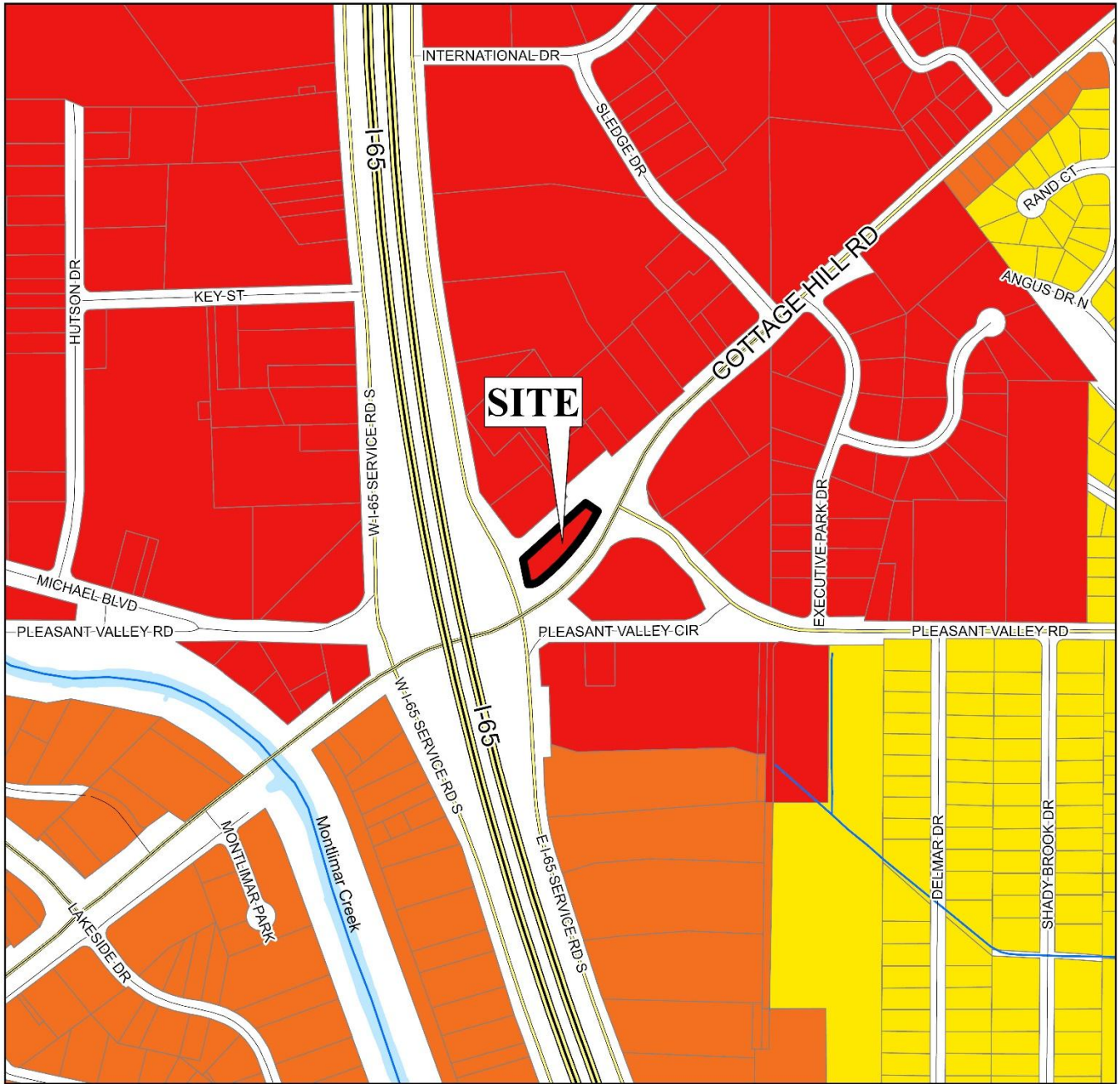
APPLICANT Dennis Langan

REQUEST Off-Premise Sign Variance



NTS

FLUM LOCATOR MAP



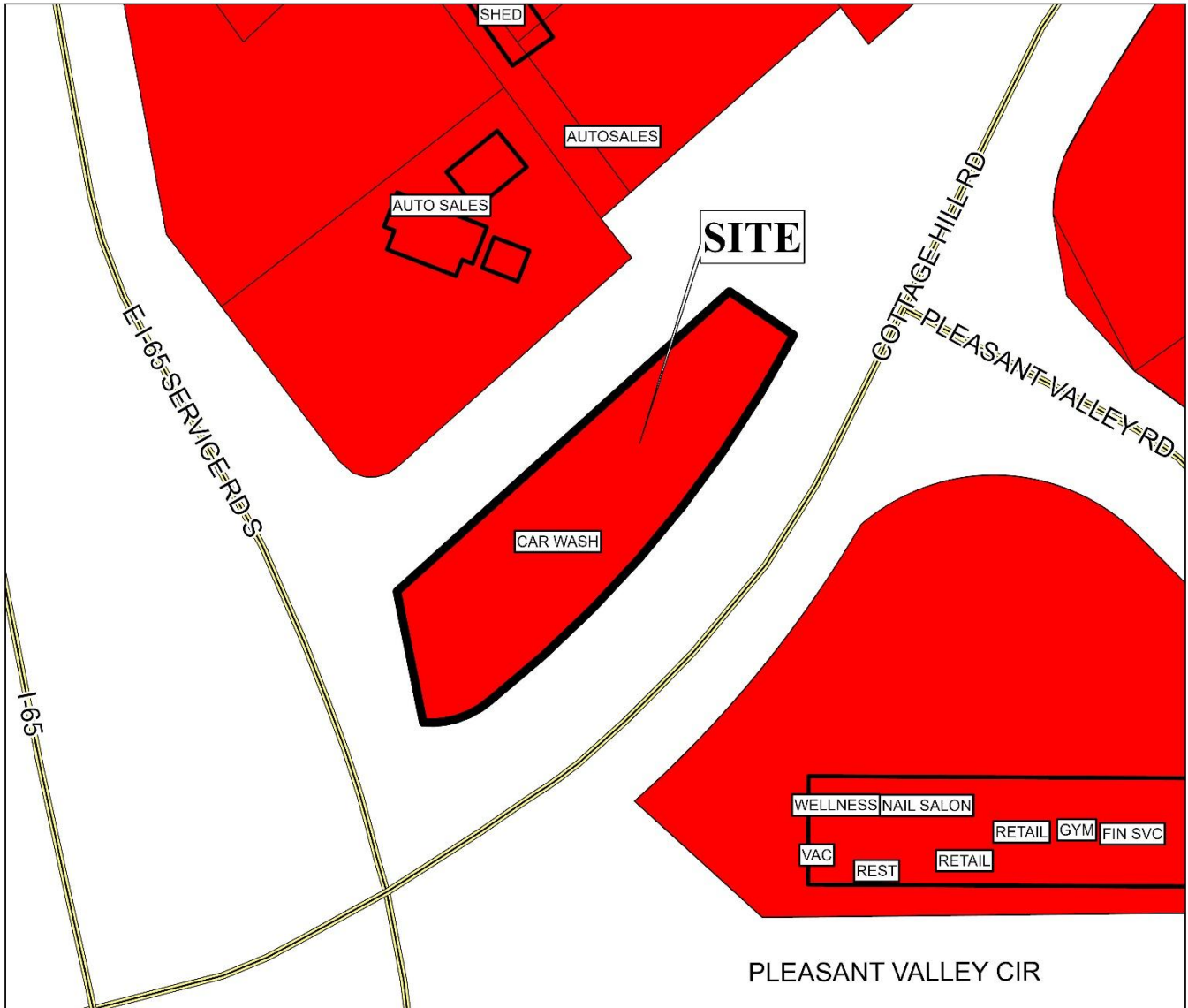
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 REQUEST Off-Premise Sign Variance

- | | | | |
|---|--|---|---|
| Low Density Residential | Neighborhood Center - Traditional | Light Industry | Water Dependent |
| Mixed Density Residential | Neighborhood Center - Suburban | Heavy Industry | |
| Downtown | Traditional Corridor | Institutional | |
| District Center | Mixed Commercial Corridor | Parks, Open Space | |



BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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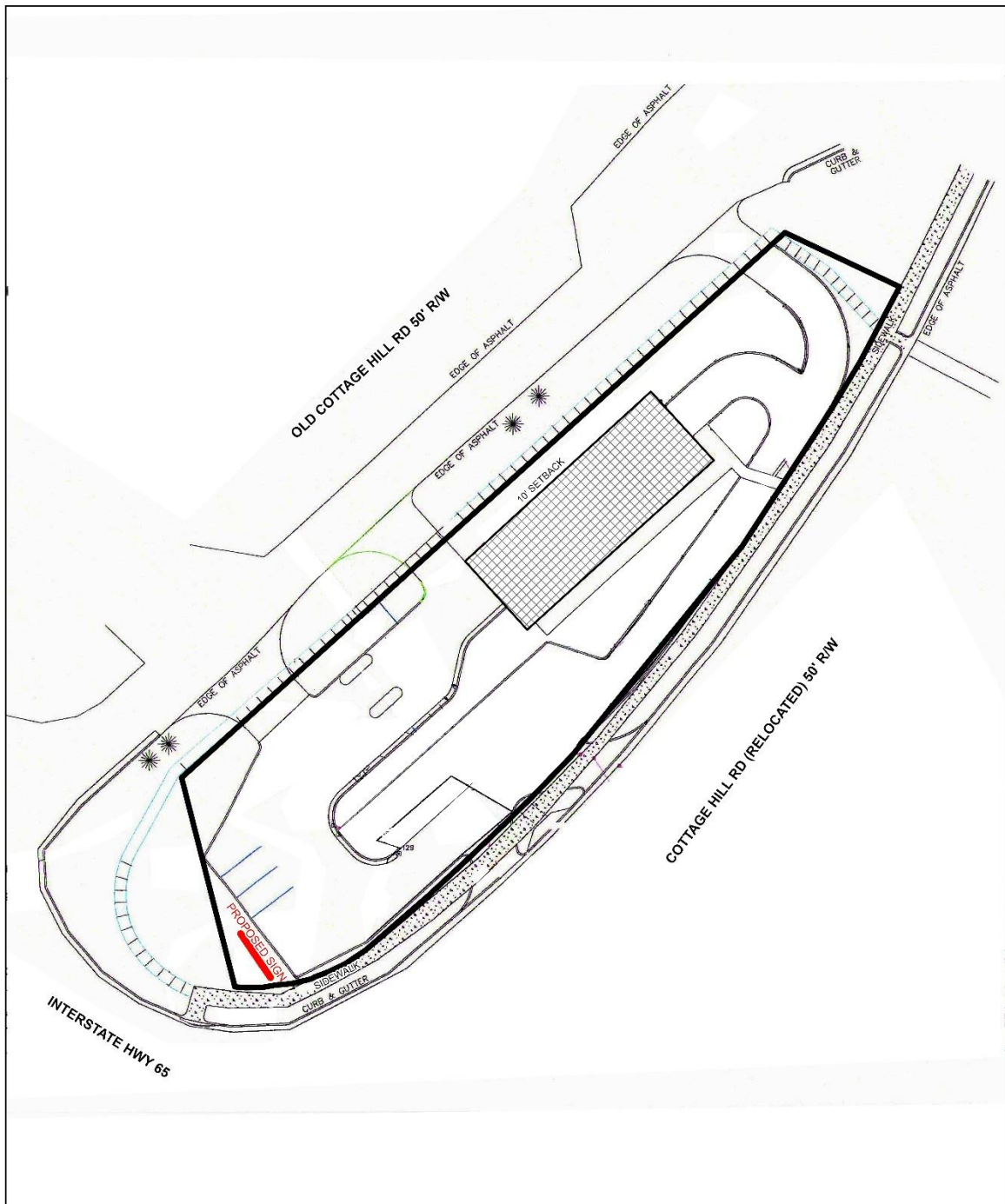
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REQUEST Off-Premise Sign Variance

R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	



SITE PLAN



The site plan illustrates proposed sign placement, current setbacks, and drives.

APPLICATION NUMBER	6705	DATE	October 6, 2025	<div style="display: flex; flex-direction: column; align-items: center;"> <div style="width: 10px; height: 50px; background: linear-gradient(to bottom, green, yellow, orange, red);"></div> <div>N</div> <div>NTS</div> </div>
APPLICANT	Dennis Langan			
REQUEST	Off-Premise Sign Variance			

DETAIL SITE PLAN



APPLICATION NUMBER	6705	DATE	October 6, 2025
APPLICANT	Dennis Langan		
REQUEST	Off-Premise Sign Variance		

N
NTS

ZONING DISTRICT CORRESPONDENCE MATRIX																
			LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)
RESIDENTIAL - AG	R-A													<input type="checkbox"/>		
ONE-FAMILY RESIDENCE	R-1	<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input type="checkbox"/>		
TWO-FAMILY RESIDENCE	R-2	<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	
MULTIPLE-FAMILY	R-3	<input type="checkbox"/>	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	
RESIDENTIAL-BUSINESS	R-B		<input type="checkbox"/>				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	
TRANSITIONAL-BUSINESS	T-B		<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					<input type="checkbox"/>		
HISTORIC BUSINESS	H-B			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input type="checkbox"/>		
VILLAGE CENTER	TCD						<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input type="checkbox"/>		
NEIGH. CENTER	TCD						<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input type="checkbox"/>		
NEIGH. GENERAL	TCD						<input checked="" type="checkbox"/>							<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-6			<input checked="" type="checkbox"/>										<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-5.1			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>		<input type="checkbox"/>					<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-5.2			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>							<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-4			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>		<input type="checkbox"/>					<input type="checkbox"/>		
DOWNTOWN DEV. DDD	T-3			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>							<input type="checkbox"/>		
DOWNTOWN DEV. DDD	SD-WH										<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		
DOWNTOWN DEV. DD	SD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		
BUFFER BUSINESS	B-1		<input type="checkbox"/>				<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	
NEIGH. BUSINESS	B-2		<input type="checkbox"/>				<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	
LIMITED BUSINESS	LB-2		<input type="checkbox"/>				<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	
COMMUNITY BUSINESS	B-3				<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
GEN. BUSINESS	B-4			<input checked="" type="checkbox"/>						<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OFFICE-DISTRIBUTION	B-5									<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	
LIGHT INDUSTRY	I-1										<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HEAVY INDUSTRY	I-2											<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

Zoning District Correspondence Matrix

- ☒ Directly Related
- ☐ Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- ☐ Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)



DISTRICT CENTER (DC)

This designation applies across the city to larger areas of existing mixed-use character or where such character is encouraged. These areas will include moderate to high-density residential (minimum densities of 6 du/ac) in dynamic, horizontal or vertical mixed use environments, to provide a balance of housing and employment.

District Centers generally serve several surrounding neighborhoods and may even have a city-wide or region-wide reach. As such, they are often anchored by a major commercial or institutional employer such as a shopping mall or a medical center.

Depending on location and assigned zoning, residential areas in District Centers may incorporate a mix of housing types, ranging from mid-rise multifamily buildings containing apartments and lofts, to townhouses and detached single-family homes. Major civic cultural institutions and public spaces provide regional and neighborhood destinations.

District Centers should be designed to induce pedestrian activity, with high quality streetscapes connecting the different components of a center as well as the center to its surrounding area. DC districts may be served by transit and include development of an intensity and design that supports transit use.