



Agenda Item # 12
BOA-003899-2026

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

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

DETAILS

Location:

5133 Cottage Hill Road

Applicant / Agent:

Thomas Sign & Awning Co. (Alvin Ramos, Agent)

Property Owner:

BGM 2, LLC, Candoor Investments, LLC,
& Cottage Village WS, LLC

Current Zoning:

B-2, Neighborhood Business Suburban District

Future Land Use:

Neighborhood Center - Suburban

Case Number(s):

6794/6649

Unified Development Code (UDC) Requirement:

- The UDC limits single tenant sites in a B-2, Neighborhood Business Suburban District to no more than one (1) freestanding sign and no more than two (2) wall signs.

Board Consideration:

- Sign Variance to amend a previously approved Sign Variance allowing two (2) freestanding signs and three (3) wall signs for a single tenant site in a B-2, Neighborhood Business Suburban District.

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BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial units.

APPLICATION NUMBER 6794 DATE October 1, 2026
 APPLICANT Thomas Sign & Awning Co.
 REQUEST Sign Variance



SITE HISTORY

A portion of the property was rezoned from R-A, Residence Agriculture District, to B-2, Neighborhood Business District, by City Council in July 1972. Additional portions of the property were subsequently rezoned from R-1, Single-Family Residential District, to B-2 in April 1974 and from R-A to B-2 in October 1974.

In November 1987, the Planning Commission approved a Planned Unit Development for the site to allow construction of a McDonald's restaurant.

In September 2022, the Planning Commission approved a seven (7)-lot subdivision, a Planned Unit Development to facilitate shared access and parking among the lots, and rezoning of the remaining R-1 portion of the property to B-2. The rezoning was adopted by City Council in November 2022, the subdivision plat was recorded in September 2023, and the subject site was subsequently developed in accordance with the approvals.

On February 3, 2025, the Board of Zoning Adjustment approved a Sign Variance to allow two (2) freestanding signs and three (3) wall signs. A 90-day extension of the approval was granted on October 6, 2025.

There are no additional Planning Commission or Board of Zoning Adjustment cases associated with the site.

STAFF COMMENTS

Engineering Comments:

Signs must be located on private property and NOT within the public ROW.

Traffic Engineering Comments:

Signs should be located on private property and not within the public right-of-way (ROW). Before any sign is built near an intersection their placement should be checked to verify that they do not impede drivers' line of sight.

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 located within the City Limits of Mobile shall comply with the provisions of the City of Mobile Fire Code Ordinance, which adopts the 2021 edition of the *International Fire Code (IFC)*.

Fire apparatus access roads shall be provided to within 150 feet of all non-sprinklered commercial buildings and within 300 feet of all sprinklered commercial buildings, as measured along an approved route around the exterior of the facility.

An approved fire water supply capable of meeting the requirements set forth in *Appendices B and C* of the 2021 IFC shall be provided for all commercial buildings.

Fire hydrant placement shall comply with the following minimum standards:

- Within 400 feet of non-sprinklered commercial buildings
- Within 600 feet of sprinklered commercial buildings
- Within 100 feet of fire department connections (FDCs) serving standpipe or sprinkler systems

Although the *International Residential Code (IRC)* functions as a stand-alone document for the construction of one- and two-family dwellings and townhouses, it does not govern the design or layout of emergency access or community-level fire protection infrastructure. Therefore, residential developments must also comply with the applicable requirements of the *International Fire Code*, including, but not limited to, those listed above concerning the design, construction, regulation, and maintenance of fire apparatus access roads and fire protection water supplies.

Planning Comments:

The applicant is requesting a Sign Variance to amend a previously approved Sign Variance allowing two (2) freestanding signs and three (3) wall signs for a single-tenant site in a B-2, Neighborhood Business Suburban District. The current request is to allow two (2) Wawa tenant panels to be placed on an existing freestanding multi-tenant sign serving the adjoining Cottage Village Shopping Center. The Unified Development Code (UDC) limits single-tenant sites in a B-2, Neighborhood Business Suburban District to no more than one (1) freestanding sign and no more than two (2) wall signs.

A detailed description of the request is available via the link on Page 1 of this report.

The intent of the sign regulations is to balance commercial visibility with community aesthetics and compatibility while providing businesses with a fair and equitable opportunity to advertise goods and services.

The site was previously developed with a bank building and has since been redeveloped with a single-tenant Wawa convenience store and gas station. The Board previously approved two (2) freestanding signs with digital gasoline pricers and three (3) wall signs. The site also contains various signs that do not require permits, including information signs less than 20 square feet, gasoline pump signs, and interior window advertisements.

The site has frontage on both Cottage Hill Road, to the north, and Demetropolis Road, to the west, with access from each roadway. The applicant's 2025 Sign Variance request was based on the property's dual roadway frontage and the need for identification from each roadway. The current request would add Wawa identification to an existing freestanding multi-tenant sign along Demetropolis Road, approximately 95 feet from one of the previously approved Wawa signs and on the same side of the roadway. If approved, Wawa would, therefore, have logos on three (3) freestanding signs.

The applicant states that the additional tenant panels are intended to provide greater visibility and assist the traveling public in identifying the business and accessing the site from its two (2) Demetropolis Road access points. However, the property's dual roadway frontage and multiple access points do not prevent reasonable identification of the business through the signage already approved. The request is therefore based on a desire for additional visibility and identification rather than a physical characteristic of the property that creates a hardship warranting additional freestanding signage.

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:

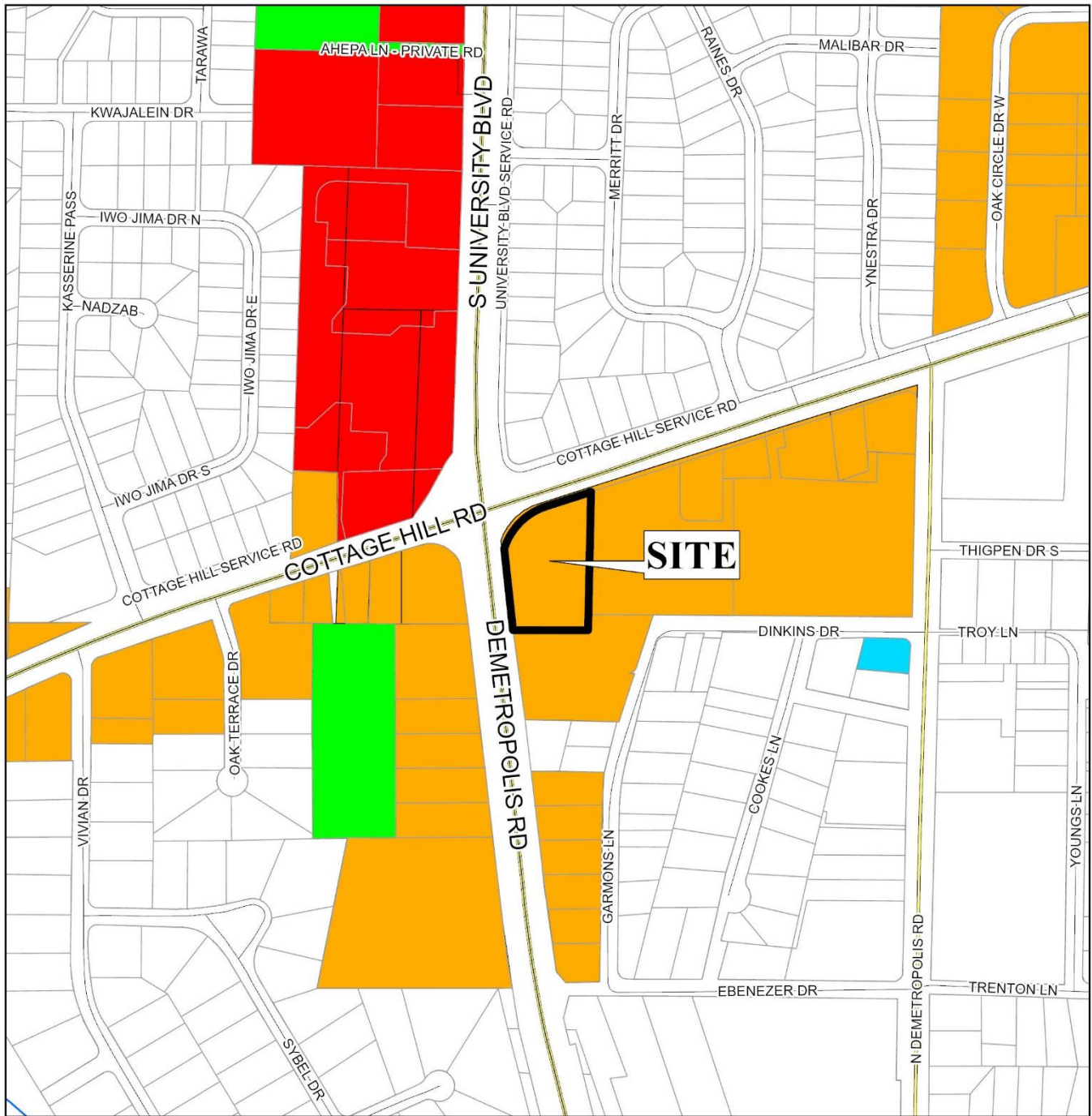
Based on the requested Variance application and documentation submitted, if the Board considers approval of the request, the following findings of fact must be presented:

- 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 condition should apply:

- 1) Obtain the applicable Sign Permit for the tenant panel signage.

LOCATOR ZONING MAP



APPLICATION NUMBER 6794 DATE October 1, 2026

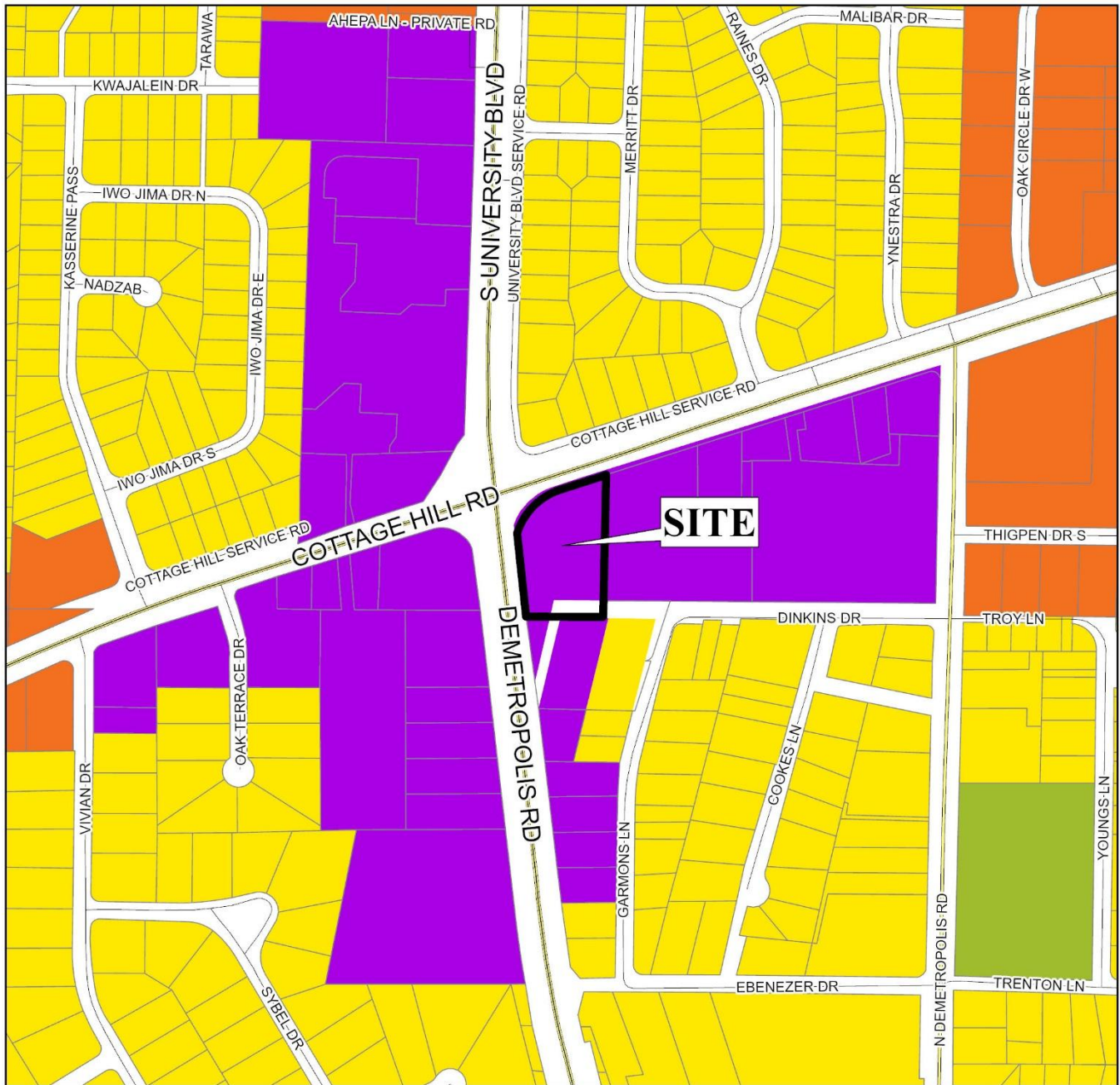
APPLICANT Thomas Sign & Awning Co.

REQUEST Sign Variance



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FLUM LOCATOR MAP



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APPLICANT Thomas Sign & Awning Co.

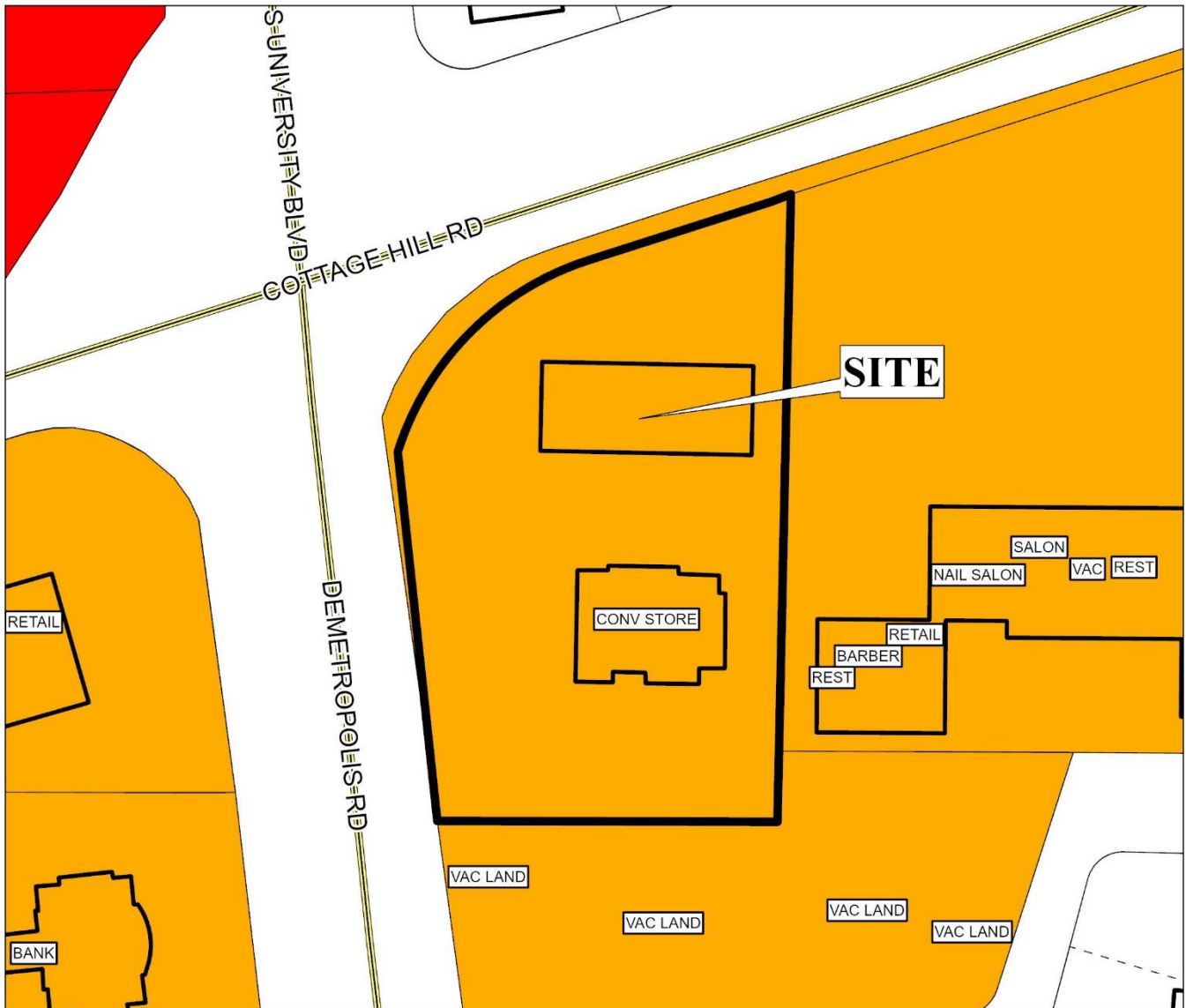
REQUEST Sign Variance

- | | | | |
|---|---|---|---|
| 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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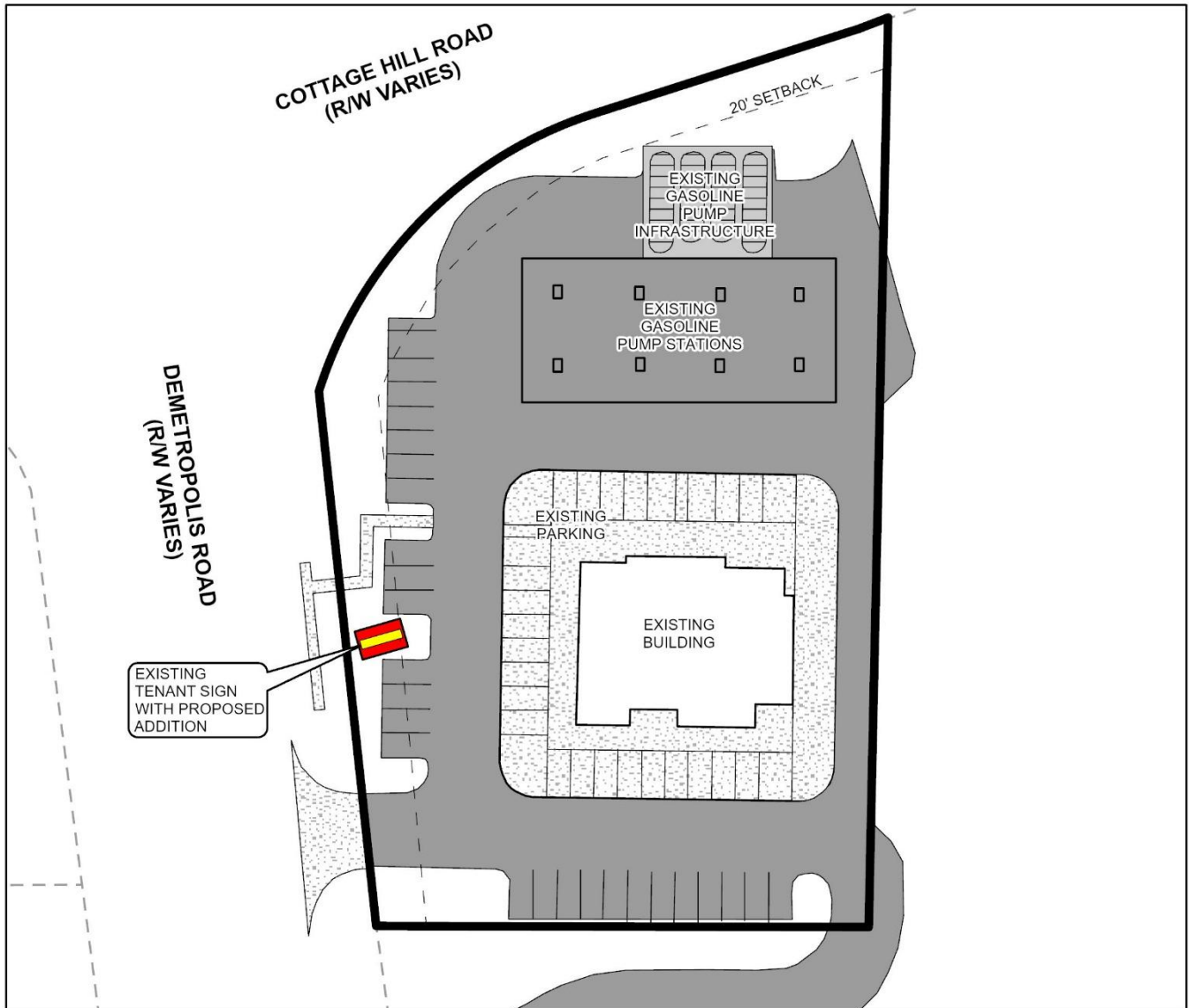
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REQUEST Sign Variance

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 the proposed sign placement, current buildings, current parking areas, and setbacks.

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DETAIL 1



Existing Pylon Conditions

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DETAIL 2



Proposed Pylon w/ New Faces

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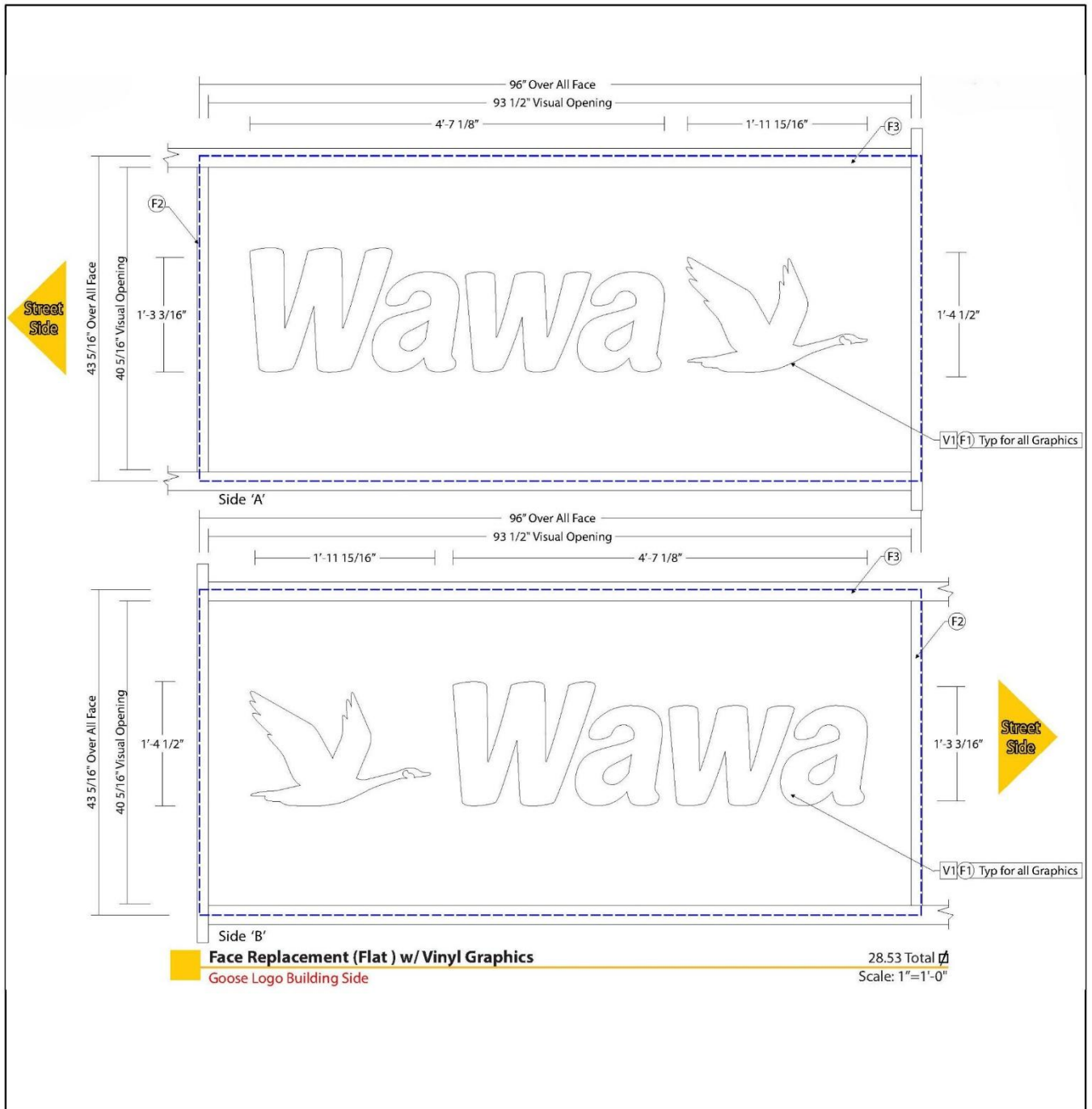
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DETAIL 3



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A primary purpose of the Future Land Use Map is to guide zoning decisions. In many cases the designation on the FLUM may match the existing use of land, but in others the designated land use may differ from what is on the ground today. For example, a parcel that is in commercial use today but designated as any of the “mixed use” types on the map could redevelop with a mix of residential and commercial uses (such as retail, office, entertainment, etc., depending on the location).

The correspondence between the FLUM and the zoning district structure is described in the matrix below. This tool gives the City the flexibility over the long-term to determine appropriate changes to the zoning map based on various factors.

Zoning correspondence matrix

[illegible]

NEIGHBORHOOD CENTERS (NC)

Neighborhood Center applies to smaller hubs of mixed commercial, community, and recreational activity that cater to adjacent residential areas. Many of these centers exist today in some form. The following principles apply not just to the future development of new centers, but also to the redevelopment of existing centers. These principles are common to all neighborhood centers, but the appropriate design varies depending on whether a center is in a more “traditional” or more “suburban” context.

- › Support a limited amount of commercial employment
- › Incorporate some residential use, compatible in character with that of surrounding residential development, providing appropriate transitions in height, massing and other buffering from one land use district to the next.
- › The retail and housing uses should merge around vibrant, compact, accessible nodes, located at key neighborhood intersections or along short road segments. Form vibrant, compact, accessible nodes, located at key neighborhood intersections or along short road segments.
- › Be connected to the surrounding neighborhood and nearby public uses (e.g., schools, parks, etc.) via well-designed sidewalks and complete streets.

Land use mix

Primary Uses

- › Commercial
- › Office
- › Residential, Multifamily

Secondary Uses

- › Residential, Attached
- › Civic
- › Parks

Housing mix

- › Various types ranging in density from 10 to 30 du/ac;
- › Residential units above ground-floor retail
- › Multifamily buildings (small scale)
- › Attached residential such as duplexes, multiplexes, and townhomes
- › Accessory and live-work units



NC TRADITIONAL (NCT)

These tend to be in areas connected to MxDR neighborhoods. They primarily occur east of I-65.

Development Intent

- › Buildings should orient to the street, with on-site parking typically pushed to the back of the site.
- › Design qualities of the public realm are emphasized, including the provision of continuous sidewalks, tree canopy, pedestrian amenities, on-street parking and bicycle facilities where appropriate.



NC SUBURBAN (NCS)

These generally are located among the LDR neighborhoods west of the I-65. Where they exist, these centers currently have a more pronounced vehicular orientation.

Development Intent

- › Support increase in mix and density of uses (e.g., infill of outparcels, addition of housing, etc.).
- › Retrofit to improve internal walkability (e.g., through the addition of sidewalks, tree canopy, protection from the elements) and external connectivity to the surrounding areas (via sidewalks, paths and trails, street crossings, transit stops, etc.)

