



Agenda Item # 13
BOA-003633-2026

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

20 Graf Dairy Drive

Applicant / Agent:

Dauphin Street Residences

Property Owner:

Dauphin Street Residences, LLC

Current Zoning:

R-3, Multi-Family Residential Suburban District

Future Land Use:

Mixed Commercial Corridor

Case Number(s):

6739/6660

Unified Development Code (UDC) Requirement:

- The UDC does not allow feather flags, temporary freestanding signs, or oversized banners, and limits banners to a maximum of 30 days in an R-3, Multi-Family Residential Suburban District.

Board Consideration:

- Sign Variance to allow six (6) feather flags, one (1) temporary freestanding sign, and one (1) oversized banner for 180 days in an R-3, Multi-Family Residential Suburban District.

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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

APPLICATION NUMBER <u> 6739 </u> DATE <u> March 2, 2026 </u>	 NTS
APPLICANT <u> Dauphin Street Residences </u>	
REQUEST <u> Sign Variance </u>	

SITE HISTORY

The subject site was annexed into the City in 1945 and initially zoned for low-density residential use. With adoption of the 1967 Zoning Ordinance, the property was rezoned to R-A, Residential Agriculture.

In 2008, applications for Rezoning, Planned Unit Development (PUD), and Subdivision were submitted for the subject property and the larger 38±-acre parent parcel. Following revisions and multiple public hearings, the City Council approved the rezoning of two corner lots at Dauphin Street and South Sage Avenue from R-1 to B-2 to “allow a bank and drug store,” subject to several conditions, including approval of a PUD.

In 2016, a PUD allowing shared access among three lots, including a proposed car wash, was approved but later expired. A similar PUD was resubmitted in 2018; however, during review, it was determined that the 2008 rezoning restricted the corner lots to a bank and drug store. The Planning Commission denied the application, and the City Council upheld that denial on appeal.

In December 2019, the Planning Commission approved a three-lot Subdivision, PUD, and Rezoning; however, only one lot was recorded.

In October 2022, the Planning Commission approved a resubdivision creating two lots, a PUD to allow multiple buildings with shared private access to facilitate a multi-family development, and Rezoning from LB-2 to R-3 to eliminate split zoning. The City Council adopted the R-3 rezoning in November 2022, and the subdivision plat was recorded in January 2023 as the *SRV KO Subdivision*.

Since 2023, several Minor Modifications to the PUD have been approved, including reductions in dwelling units and buildings, changes to development phasing, and modifications to the pool layout.

Most recently, in April 2025, the Board of Zoning Adjustment approved a Sign Variance allowing three monument signs, including one off-premises sign and one exceeding the 25-square-foot maximum permitted for a multi-family development in an R-3 district.

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

STAFF COMMENTS

Engineering Comments:

All 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 requests a Sign Variance to allow six (6) feather flags, one (1) temporary freestanding sign, and one (1) oversized balcony banner for 180 days at a property zoned R-3, Multi-Family Residential Suburban District. The Unified Development Code (UDC) prohibits feather flags and temporary freestanding signs in the R-3 district, limits banners to a maximum of 32 square feet, and restricts banner display to 30 days. The applicant therefore seeks relief from both prohibited sign types and the applicable size and duration limitations.

A detailed description of the proposed Sign Variance is provided via the link on Page 1 of this report.

The site is developed with a 264-unit multi-family apartment complex situated on approximately 19.5 acres. The proposed feather flags, measuring approximately 25.5 inches by 105.5 inches, would be placed along Graf Dairy Drive. The temporary freestanding sign, approximately 3 feet by 4 feet, would be located within a traffic circle to direct prospective tenants to the leasing office. The balcony banner, approximately 3.5 feet by 10 feet, would be mounted on a third-floor balcony facing South Sage Avenue. The applicant anticipates a 12- to 14-month “lease-up period”—the initial period following construction during which a new apartment community transitions from vacant units to stabilized occupancy—and requests 180 days of additional signage to increase visibility and direct traffic to the site. The applicant notes that the development is located more than 820 feet from Dauphin Street and was intentionally designed as an inward-facing community, which limits visibility from major roadways. The applicant contends that the existing temporary signage regulations are insufficient for a development of this scale but indicates that the signage will be tasteful, well maintained, and potentially limited to Thursday through Sunday if full-time display is not permitted.

The intent of the UDC's sign regulations is to balance economic opportunity with preservation of the City's visual character, particularly within residential districts. After reviewing the request, staff finds that the applicant has not demonstrated special conditions unique to the property that would create an unnecessary hardship if the Code were strictly applied. The site is fully functional as a multi-family residential development without the requested additional signage. The property's distance from Dauphin Street and its inward-oriented design are intentional development choices rather than physical constraints inherent to the land. Any hardship related to visibility, traffic generation, or "lease-up efficiency" is therefore self-imposed and economic in nature. Pursuant to Article 5, Section 10-E.2.(b), economic considerations alone cannot justify the granting of a variance.

Moreover, approving multiple prohibited sign types and extending banner display to six times the duration permitted in the R-3 district would undermine the intent of the residential sign standards and could establish an undesirable precedent. The regulations are designed to minimize visual clutter and maintain neighborhood character. The request reflects a marketing preference rather than a land use necessity.

It should also be noted that the site previously received approval of a Sign Variance allowing additional monument signage, including one off-premises sign and one exceeding the typical size limitations for a multi-family development in an R-3 district. Given that additional signage has already been authorized, further expansion of signage allowances raises questions as to whether visibility constitutes a true hardship under the variance standards.

Based on the preceding, staff finds that the hardship cited is perhaps economic and/or self-imposed and that the request may not meet the required standards for variance approval.

VARIANCE CONSIDERATIONS

Standards of Review:

Variations 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:

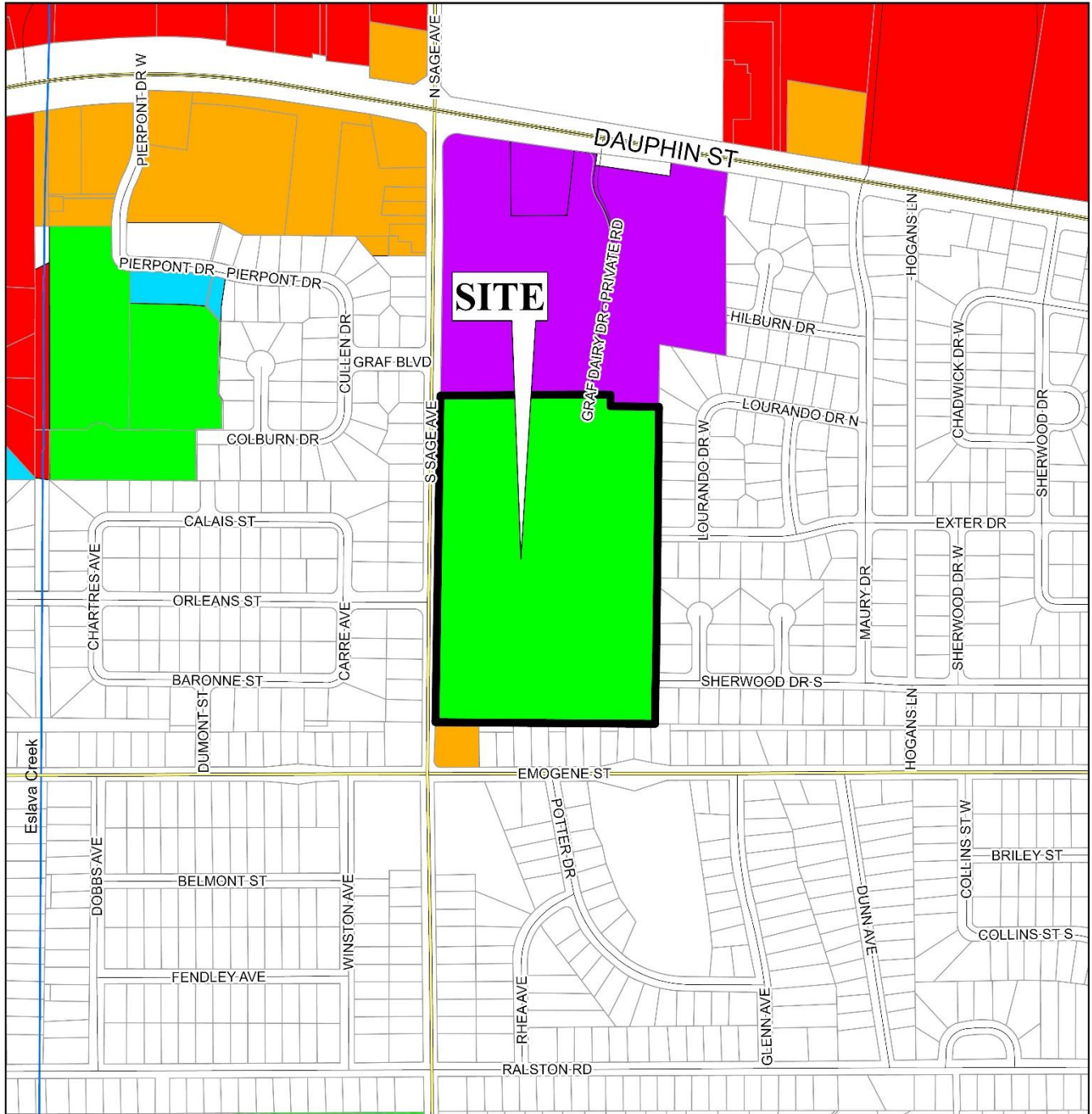
- (a) In order to relieve an owner of restrictive covenants that are recorded in Mobile County Probate Court and applicable to the property;
- (b) Where economic loss is the sole basis for the required variance; or
- (c) Where the variance is otherwise unlawful.

Considerations:

Based on the requested Variance application, if the Board considers approval of the request, the following findings of fact must be present:

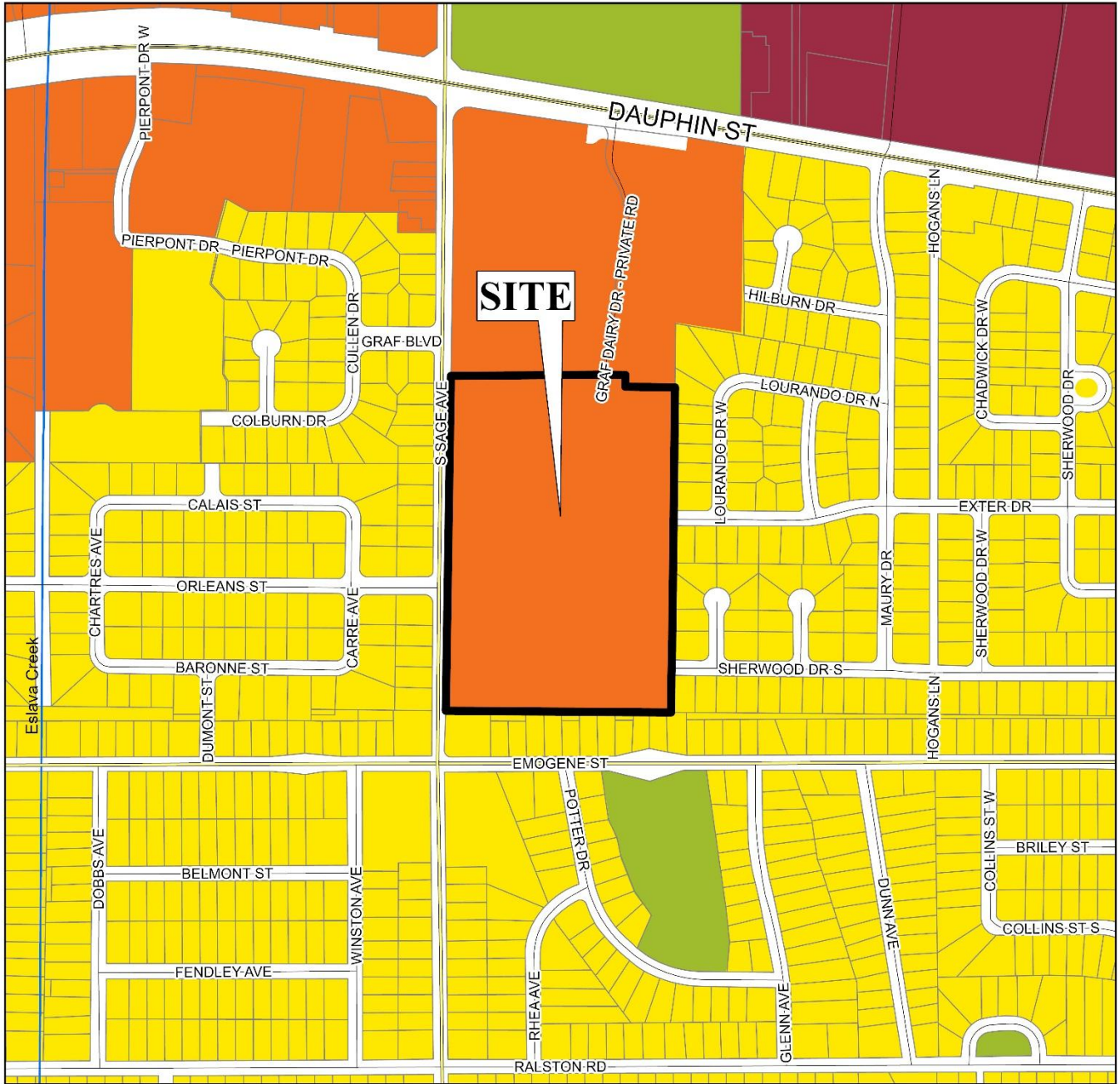
- A. The variance **will not** be contrary to the public interest;
- B. Special conditions **exist** such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- C. The spirit of the chapter **shall be** observed and substantial justice **done** to the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

LOCATOR ZONING MAP



APPLICATION NUMBER <u>6739</u> DATE <u>March 2, 2026</u>	 NTS
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FLUM LOCATOR MAP



APPLICATION NUMBER 6739 DATE March 2, 2026

APPLICANT Dauphin Street Residences

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 | |



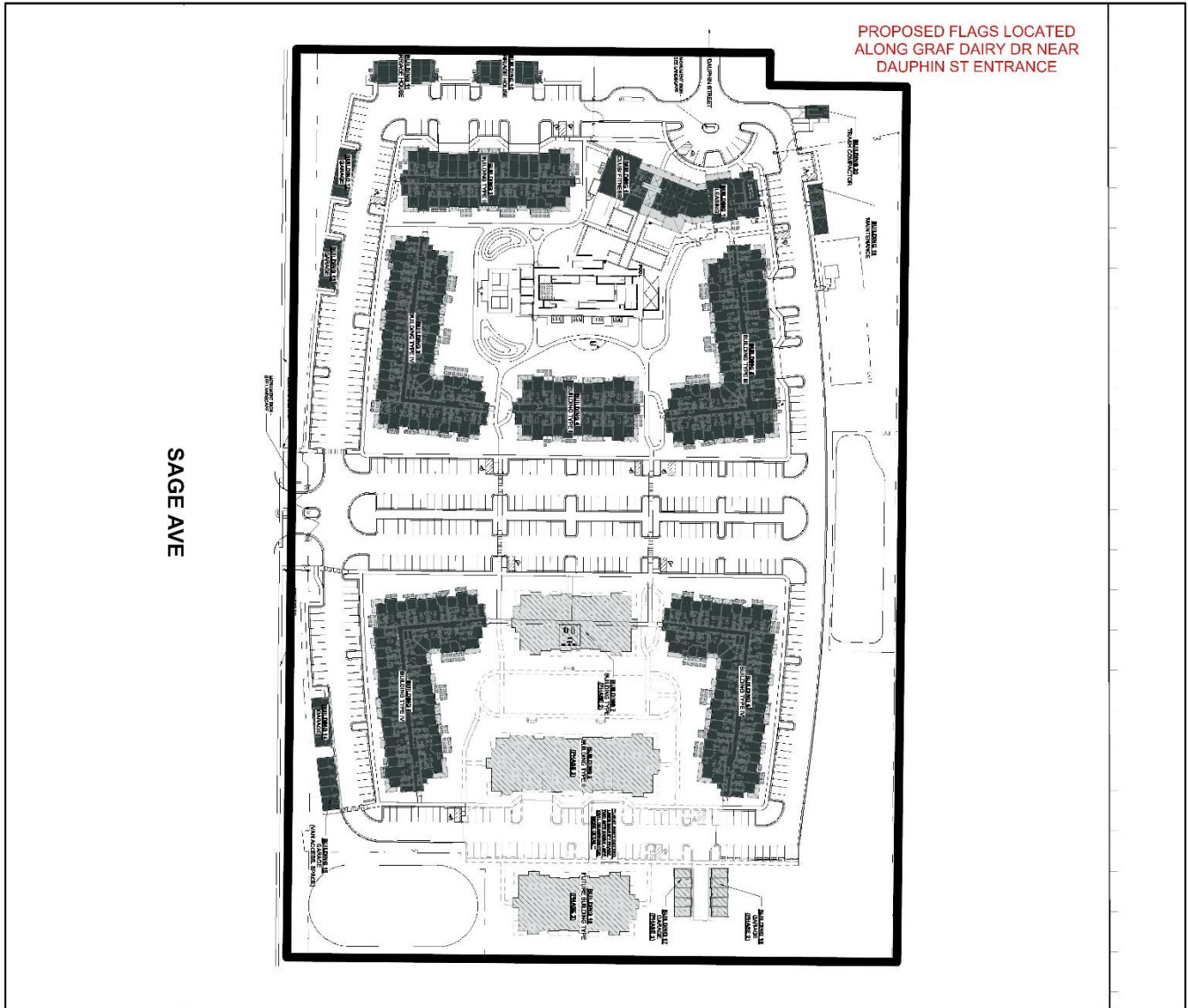
BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

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<table style="width: 100%; font-size: small;"> <tr> <td> R-A</td> <td> R-3</td> <td> B-1</td> <td> B-2</td> <td> B-5</td> <td> ML</td> <td> I-2</td> <td> OPEN</td> <td> T-3</td> <td> T-5.2</td> </tr> <tr> <td> R-1</td> <td> R-B</td> <td> T-B</td> <td> B-3</td> <td> CW</td> <td> MH</td> <td> PD</td> <td> SD</td> <td> T-4</td> <td> T-6</td> </tr> <tr> <td> R-2</td> <td> H-B</td> <td> LB-2</td> <td> B-4</td> <td> MM</td> <td> I-1</td> <td> MUN</td> <td> SD-WH</td> <td> T-5.1</td> <td></td> </tr> </table>		 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	
 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



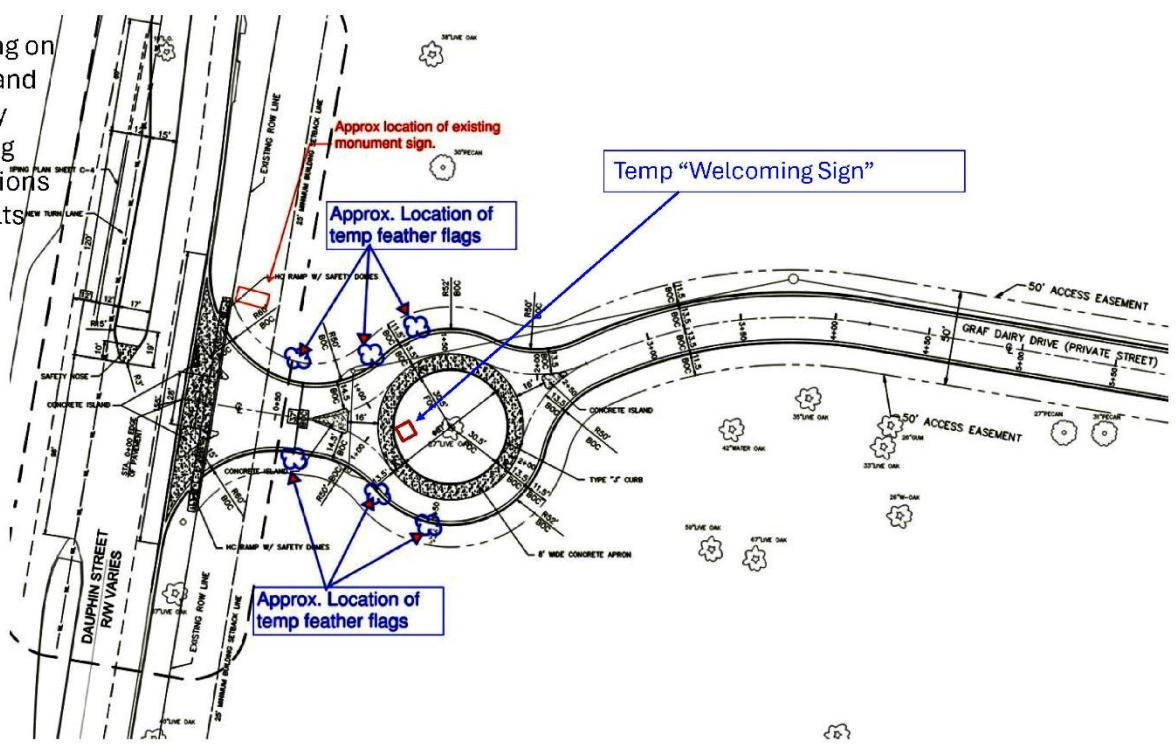
The site plan illustrates the current buildings, drives and parking.

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DETAIL SITE PLAN

PROPOSED FEATHER FLAG LOCATIONS

Proposed feather flag on Dauphin and temporary welcoming sign locations on as-builts



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DETAIL SITE PLAN

PROPOSED FEATHER FLAGS ALONG GRAF DAIRY DR



APPLICATION NUMBER 6739 DATE March 2, 2026

APPLICANT Dauphin Street Residences

REQUEST Sign Variance



NTS

DETAIL SITE PLAN

PROPOSED BANNER FACING SAGE AVE



APPLICATION NUMBER 6739 DATE March 2, 2026

APPLICANT Dauphin Street Residences

REQUEST Sign Variance



NTS

FUTURE LAND USE MAP CORRESPONDENCE TO ZONING

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).

Each future land use designation on the FLUM will have at least one corresponding zoning district, allowing a more precise application of the FLUM based on specific local conditions. In most cases, there are multiple combinations or types of zoning techniques that can accomplish the future land use designation's objectives.

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.

The designation of an area with a FLUM land use category does not mean that the most intense zoning district consistent with that category is “automatically” assigned to a property. Instead, an area retains its existing zoning category until it is changed through a landowner-initiated rezoning application, or a rezoning that follows an area plan. This is because the FLUM is a long-term designation, while a change in zoning considers current conditions – such as market demands, availability of infrastructure, or impacts on the immediate neighborhood.

Zoning correspondence matrix

	RESIDENTIAL - AG (R-A)	ONE-FAMILY RESIDENCE (R-1)	TWO-FAMILY RESIDENCE (R-2)	MULTIPLE-FAMILY (R-3)	RESIDENTIAL BUSINESS (R-B)	HISTORIC BUSINESS (H-B)	BUFFER BUSINESS (B-1)	TRANSITIONAL BUSINESS (T-B)	LIMITED BUSINESS (LB-2)	NEIGHBORHOOD BUSINESS (B-2)	COMMUNITY BUSINESS (B-3)	GENERAL BUSINESS (B-4)	OFFICE-DISTRIBUTION (B-5)	COMMERCIAL WAREHOUSE (CW)	MARITIME MIXED (MM)	MARITIME LIGHT (ML)	MARITIME HEAVY (MH)	LIGHT INDUSTRY (I-1)	HEAVY INDUSTRY (I-2)	VILLAGE CENTER (TCD)	NEIGHBORHOOD CENTER (TCD)	NEIGHBORHOOD GENERAL (TCD)	DOWNTOWN DEV. DDD (T-6)	DOWNTOWN DEV. DDD (T-5.1)	DOWNTOWN DEV. DDD (T-5.2)	DOWNTOWN DEV. DDD (T-4)	DOWNTOWN DEV. DDD (T-3)	DOWNTOWN DEV. DD (SD-WH)	DOWNTOWN DEV. DD (SD)	
LOW DENSITY RESIDENTIAL (LDR)	■	S	S	S			○								○															○
MIXED DENSITY RESIDENTIAL (MDR)		U	U	■	■			■	■						■															○
DOWNTOWN (DT)					■							■										■	■	■	■	■	○		○	
DISTRICT CENTER (DC)								■			U	○	○																	
NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	■	■	U	■	■	○	■	○	○	○										■	■	■								
NEIGHBORHOOD CENTER - SUBURBAN (NC-S)			S			S	■	S	S	○										■	■									○
TRADITIONAL CORRIDOR (TC)		■	■	■	■	U	■	U	U	○																				○
MIXED COMMERCIAL CORRIDOR (MCC)						■		■	■	■	■	■	■	■	■															
LIGHT INDUSTRIAL (LI)													■	■	■				■										○	○
HEAVY INDUSTRY (HI)																■	■	■	■										○	○
INSTITUTIONAL LAND USE (INS)										■	■		○	○					○											
PARKS & OPEN SPACE (POS)	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□
WATER DEPENDENT USES (WDWRU)	■					○									■	■	■		○											

- Zoning district is appropriate to implement the future land use category.
- US Zoning district with Urban or Suburban subdistrict is appropriate to implement the future land use category.
- Elements of the zoning district are related to the future land use category and may be appropriate with qualifications or conditions.
- Zoning district is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

MIXED COMMERCIAL CORRIDOR (MCC)

This land use designation mostly applies to transportation corridors west of I-65 serving primarily the low-density (suburban) residential neighborhoods. MCC includes a wide variety of retail, services and entertainment uses. This designation acknowledges existing commercial development that is spread along Mobile’s transportation corridors in a conventional strip pattern or concentrated into shorter segments of a corridor.

Development Intent

- › New development and redevelopment in Mixed Commercial Corridors is encouraged to raise design quality, improve connectivity to surrounding neighborhoods; improved streetscapes; and improve mobility and accessibility for all users of the corridor.

Land use mix

Primary Uses

- › Commercial
- › Office

Secondary Uses

- › Residential, Multifamily
- › Residential, Attached
- › Civic
- › Parks

Housing mix

- › Multifamily buildings
- › Attached residential such as duplexes, multiplexes, and townhomes

Character Example

