

BOARD OF ZONING ADJUSTMENT MINUTES
MEETING OF AUGUST 5, 2013 - 2:00 P.M.
MOBILE GOVERNMENT PLAZA, AUDITORIUM

MEMBERS PRESENT

William Guess, Chairman
Vernon Coleman, Vice Chairman
Sanford Davis
Lewis Golden
Adam Metcalfe
Jeremy Milling

MEMBERS ABSENT

Russell Reilly

STAFF PRESENT

Bert Hoffman, Planner II
Marie Cross, Planner I
Tchernavia Yow, Secretary I
Lisa Watkins, Secretary I

OTHERS PRESENT

John Lawler, City Attorney
George Davis, City Engineering
Butch Ladner, Traffic Engineering
DC Billy Roach, Fire & Rescue

The notation *motion carried unanimously* indicates a consensus, with the Chairman voting.

ROLL CALL

| | |
|---|-------------------------------|
| ✓ | William Guess, Chairman |
| ✓ | Vernon Coleman, Vice-Chairman |
| ✓ | Sanford Davis |
| ✓ | Lewis Golden |
| ✓ | Adam Metcalfe |
| ✓ | Jeremy B. Milling |
| ✗ | Russell Reilly |

CALL TO ORDER:

Chairman Guess advised all in attendance as to the policies and procedures of the Board of Zoning Adjustment. He noted the numbers of members present constituted a quorum and called the meeting to order at 2:00 p.m.

HOLDOVERS: NONE

EXTENSIONS: NONE

PUBLIC HEARINGS:

#5842

(Case #ZON2013-01727)

Mitchell Signs, Inc.

111 West I-65 Service Road North

(West side of West I-65 Service Road North, 210'± North of College Lane South)

Sign Variance to allow a third wall sign for a single-tenant commercial site with a freestanding sign in a B-3, Community Business District; the Zoning Ordinance allows two wall signs and a freestanding sign for a single-tenant commercial site in a B-3, Community Business District.

Council District 7

The Chair announced the matter, advising it had been recommended for denial. He advised that the applicant should address the Board regarding the subject at that time.

Polly Talley, Mitchell Signs, 3200 Highway 49 North, Meridian, MS, spoke on behalf of the applicant and made the following points in favor of the matter:

- The building plans were pre-approved last year;
- The architect showed the three signs on the plans;
- Neighboring bank, BB&T, has three signs on their building.

The Chair asked if there were any questions from the Board. Hearing none, he stated that the neighboring bank has an additional side street/street frontage, so it makes a difference in what is allowed,

Mr. Golden asked what the overall square footage of the signs would be.

Ms. Talley stated that with the three signs they would still be within the allowable square footage.

Mr. Coleman asked if one sign faced north and the other under the interstate.

Ms. Talley verified that one was on the front elevation, and the other is on the east side elevation.

Mr. Guess asked if there was a pylon sign as well.

Ms. Talley verified that there was a 20' high monument sign.

Mr. Guess stated that the Board has to take into consideration the hardship of a property and asked what is the hardship here.

Ms. Talley stated that the architect designed the building to have the three signs and without the third sign, the building will have a plain face and very different look.

Mr. Metcalfe asked if their sign had a message center as well.

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Ms. Talley replied that it did.

Hearing no further discussion or opposition, a motion was made by Mr. Metcalfe with second by Mr. Coleman to deny the above referenced request.

The motion carried unanimously.

#5843

(Case #ZON2013-01765)

Awadhesh K. Gupta

7155 Airport Boulevard

(South side of Airport Boulevard, 108'± East of Park Avenue South)

Parking Ratio, Tree Planting and Access Variances to allow thirteen parking spaces for a 4,401 square-foot building, no frontage trees on a 107' street frontage site, and a 15' wide two-way access aisle in a B-3, Community Business District; the Zoning Ordinance requires fifteen parking spaces for a 4,401 square-foot building, three over-story frontage trees for a 107' street frontage site, and a 24'-wide two-way access aisle in a B-3, Community Business District.

Council District 6

The Chair announced the matter, advising it had been recommended for denial. He advised that the applicant should address the Board regarding the subject at that time.

Richard Patrick, Richard L. Patrick, PLS, 3317 Fairfield Road, Mobile, AL, spoke on behalf of the applicant and made the following points in support of the matter:

- Mr. Lloyd Milton leases the building for M&M Automotive;
- There is a letter from his client, Mr. Awadhesh K. Gupta, in the file;
- The site is a two-story building that used to be a chiropractic office;
- Mr. Lloyd just need 300 square feet of the building for office space for one employee on site, and no one will use any other part of the building;
- Mr. Lloyd will only be parking 10 cars for sale on the site at any one time and will only need space for one employee to park;
- The site has landscape timbers now, and Mr. Milton has agreed to put wheel stops on the and plant frontage trees on the site.

Lloyd Milton, M&M Automotive, 851 Blackburn Drive, Mobile, AL, spoke on his own behalf and made the following points in favor of the application:

- The building has been vacant since around Christmas;
- There was a tattoo parlor in the building for about four months, but it was used as a chiropractic office prior to that.

Mr. Hoffman stated that the applicant applied for a business license to operate an auto sales business at this location. The reason why it came before the Board is that it is a two-story, 4000 square foot building, and the staff is requiring so many parking spaces for that reason. The building was this way prior to annexation. The concern the staff had was that even though this

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particular leasee may only be using 300 square feet, the remainder of the building may still be available for the property owner to lease.

Mr. Milton stated that the owner has leased the entire building to him for five years, so owner has no right to lease to anyone else – there will be no other use of the building other than the 300' he will use for office space for one employee.

Mr. Guess asked if the entranceway had been cleared and found an 18' width and whether or not there was a curb, ditch or culvert there.

Mr. Patrick stated that they do have an 18' entranceway now, there is no curb, and the existing asphalt is in good shape.

Hearing no further discussion or opposition, a motion was made by Mr. Metcalfe with second by Mr. Davis to approve the above referenced request.

The motion carried unanimously.

OTHER BUSINESS:

There being no further business, the meeting was adjourned at 2:18 p.m.

APPROVED: June 2, 2014



Chairman of the Board

/lw