

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT**

Date: November 4, 2013

CASE NUMBER

5867

APPLICANT NAME

Capital Signs (Charles Laborde, Agent)

LOCATION

1966 Government Street
(Northeast corner of Government Street and Dauphin
Island Parkway, extending to Airport Boulevard)

VARIANCE REQUEST

SIGN: Sign Variance to allow a 64 square foot monument sign, with an existing 55 square foot wall sign, for a total of 119 square feet of signage, at a single-tenant commercial site in a B-3, Community Business District, along the Government Street Corridor.

**ZONING ORDINANCE
REQUIREMENT**

SIGN: The Zoning Ordinance allows a maximum of 50 square feet for a monument sign, and a maximum of 64 square feet of total signage, at a single tenant commercial site in a B-3, Community Business District, along the Government Street Corridor.

ZONING

B-3, Community Business District

AREA OF PROPERTY

0.6± Acres

**TRAFFIC ENGINEERING
COMMENTS**

No Comments

**CITY COUNCIL
DISTRICT**

District 2

ANALYSIS

The applicant is requesting a Sign Variance to allow a 64 square-foot monument sign, with an existing 55 square-foot wall sign, for a total of 119 square feet of signage, at a single-tenant commercial site in a B-3, Community Business District, along the Government Street Corridor; the Zoning Ordinance allows a maximum of 50 square feet for a monument sign, and a maximum of 64 square feet of total signage, at a single-tenant commercial site in a B-3, Community Business District, along the Government Street Corridor.

The applicant obtained a wall sign permit for a 55 square foot wall sign and wishes to place a new 64 square foot monument sign, that would replace an existing dilapidated pole sign. The

applicant has received a Certificate of Appropriateness for the Architectural Review Board for both the existing wall sign and the proposed monument sign.

At its January 9, 1995 meeting, the Board of Zoning Adjustment denied a request to allow 243 square feet of non-conforming signage to remain at 1971 Government Street, which is across the street from the subject site.

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.

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.

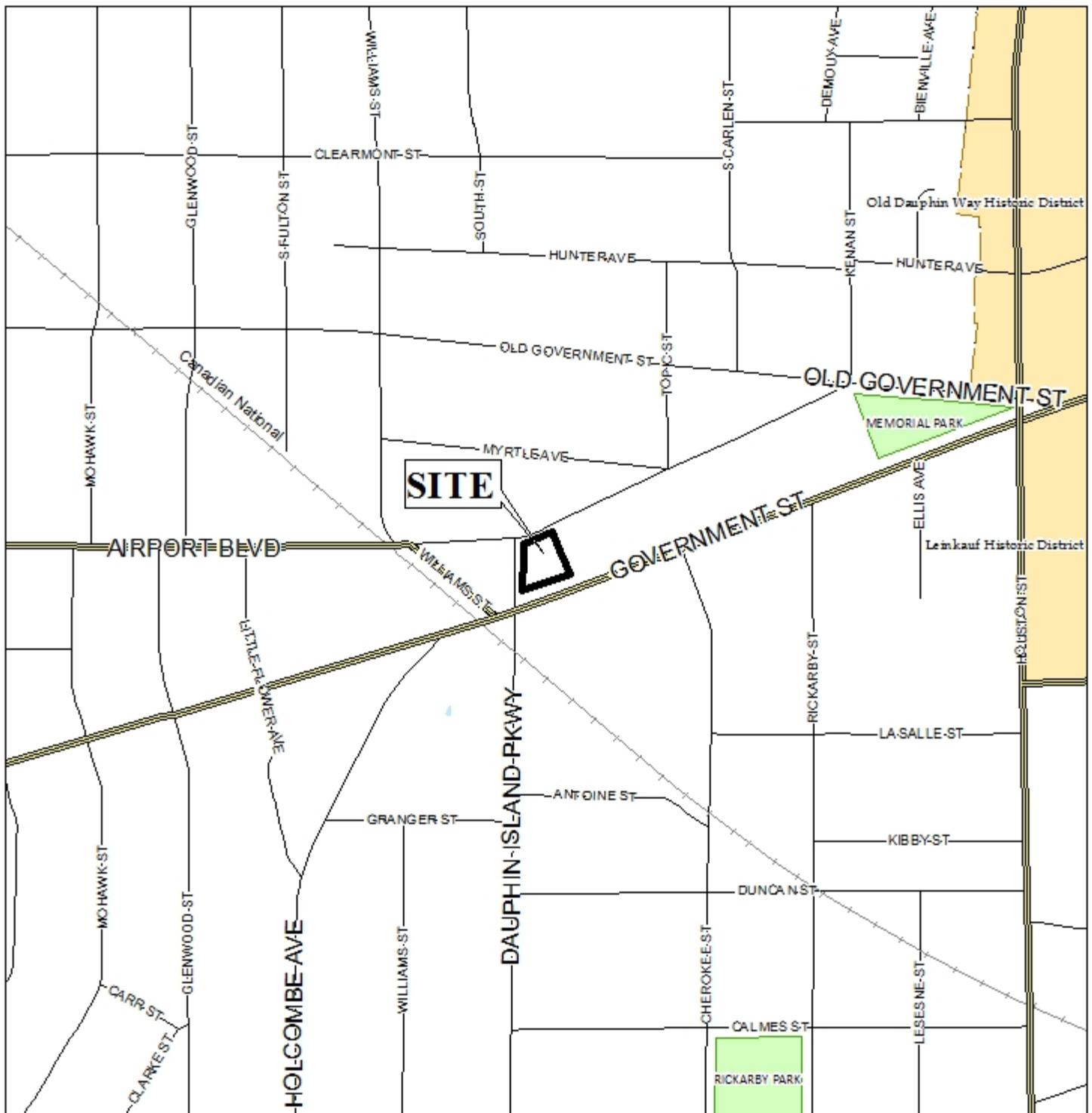
The applicant gives the following reasons to explain the need for the variance: "Popeye's objects the Zoning Ordinance, because the store is hard to see and without proper signage it could cause a safety issue (very hard to get into this location). The reason which prevents Popeye's from complying with the zoning is because they do not give enough square footage to effectively advertise their business. This property is different because the neighboring businesses have more visibility."

The applicant could redesign the proposed signage to meet the criteria set forth by the sign regulations in the Zoning Ordinance as the majority of other businesses along the Government Street Corridor have. The applicant has not made a clear enough distinction as to why this site is different enough from surrounding sites that the subject site should be allowed additional signage.

RECOMMENDATION:
for denial.

Based on the preceding, this application is recommended

LOCATOR MAP



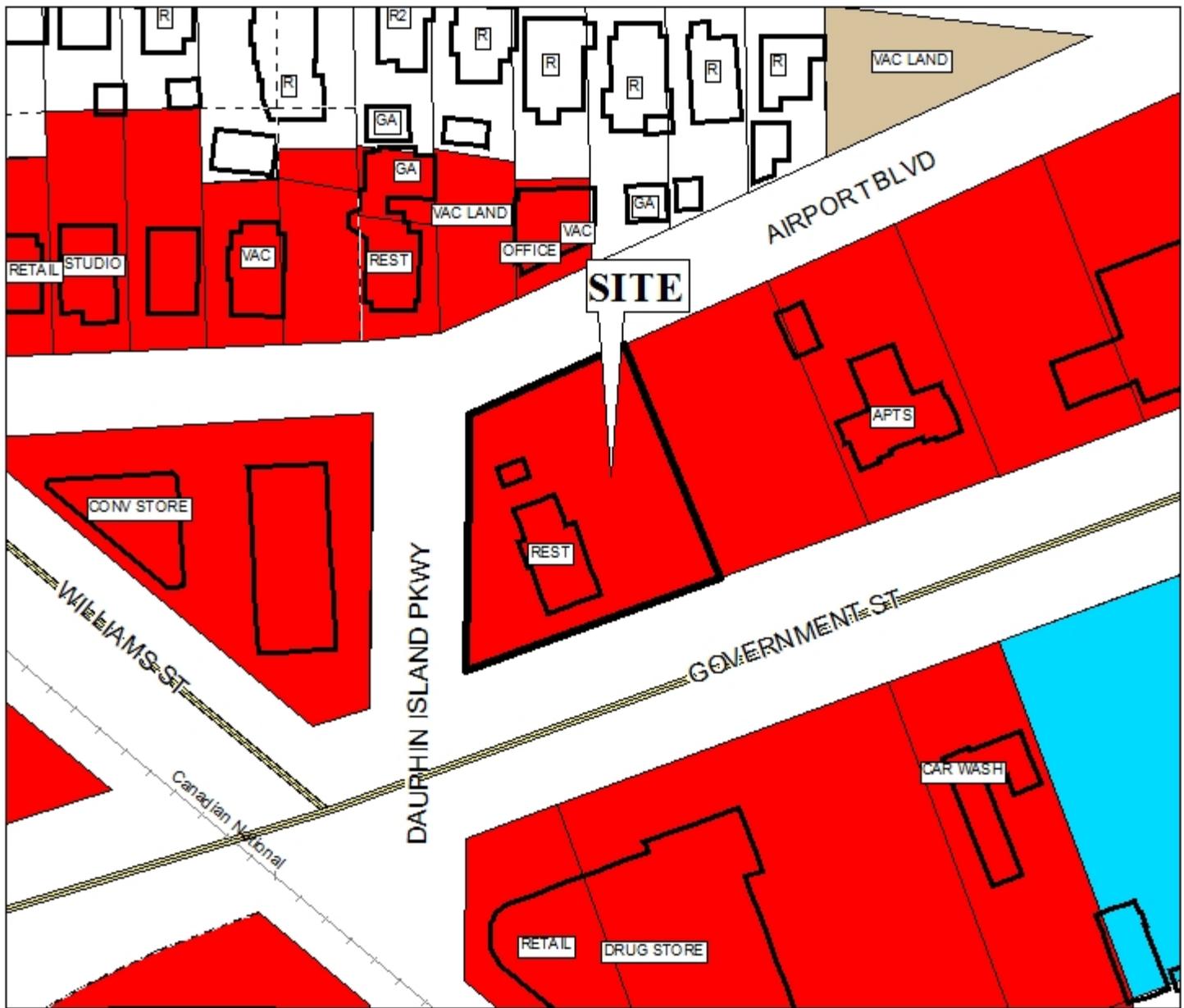
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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by business and residential land use units.

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SITE PLAN



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DETAIL SITE PLAN

Proposed

32' W

Non illuminated sandblasted sign foam.

1966 Government St
Mobile, AL



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DETAIL SITE PLAN



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