



Agenda Item # 3

BOA-003127-2024

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

1720 Spring Hill Avenue

Applicant / Agent:

Infirmiry Health System, Inc. (Victor Sign Company, LLC, Agent)

Property Owner:

Infirmiry Health System

Current Zoning:

B-1, Buffer Business Urban District

Future Land Use:

Institutional

Case Number(s):

6631/563/375

Unified Development Code (UDC) Requirement:

- The UDC requires multi-tenant sites to have at least 1,201 linear feet of street frontage to be allowed three (3) monument signs in a B-1, Buffer Business Urban District.

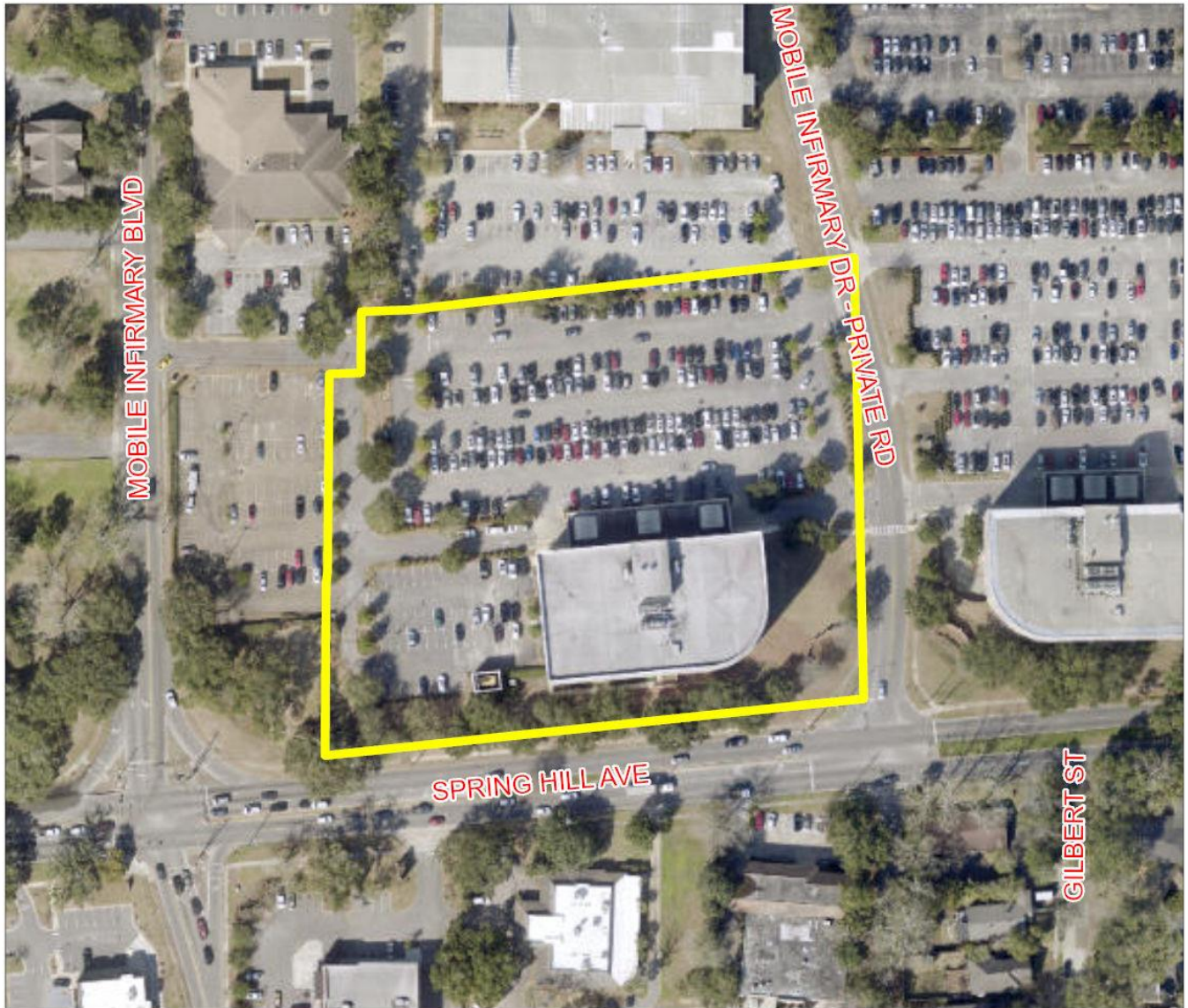
Board Consideration:

- To allow three (3) monument signs for a multi-tenant site with less than 1,201 linear feet of street frontage in a B-1, Buffer Business Urban District.

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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial units. Residential units lie southeast of the site.

APPLICATION NUMBER <u>6631</u> DATE <u>December 2, 2024</u>	 NTS
APPLICANT <u>Infirmary Health System, Inc. (Victor Sign Company, LLC, Agent)</u>	
REQUEST <u>Sign Variance</u>	

SITE HISTORY

The subject site was developed as a medical office complex in the 1950's.

In 1955, a Rear Yard Setback Variance was granted to allow a building to be built on the rear property line.

In 1956, a Use Variance was granted to allow the operation of a pharmacy on the site.

The site was assigned a B-1, Buffer Business District zoning classification with the adoption of the 1967 Zoning Ordinance.

In August 2011, a Sign Variance encompassing most of the Mobile Infirmary site allowed a directional sign with logo to be placed on the subject site in conjunction with the two (2) existing monument signs and one (1) existing monument/wall entrance sign, although the subject site was not specifically included in that variance.

The current B-1, Buffer Business Urban District zoning classification was assigned to the site with the adoption of the Unified Development Code (UDC) in March 2023.

Although never having been made a legal lot of record, the site has been included in various Planned Unit Developments and Administrative Planned Unit Developments in previous years for the Mobile Infirmary site.

STAFF COMMENTS

Engineering Comments:

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

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 a Sign Variance to allow three (3) monument signs for a multi-tenant site with less than 1,201 linear feet of street frontage in a B-1, Buffer Business Urban District; the UDC requires multi-tenant sites to have at least 1,201 linear feet of street frontage to be allowed three (3) monument signs in a B-1, Buffer Business Urban District.

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

The purpose of the Sign Regulations is to promote the economic well-being of the entire Mobile community by creating a favorable physical image, to afford the business community an equal and fair opportunity to advertise and promote products and services, and to protect the right of the citizens to enjoy Mobile's natural scenic beauty.

The subject site is a multi-tenant medical office building with two (2) permitted monument signs and one entrance (1) monument/wall sign, apparently constructed without approval or permit at some unknown date. A similar matching monument/wall sign of 104 square feet across Mobile Infirmary Drive was allowed to remain in a historic district via a Sign Variance granted in 2001, although the subject site was not included in that variance as it is not within a historic district.

The site plan depicts the two (2) existing and permitted monuments sign along Spring Hill Avenue and Mobile Infirmary Drive respectively, and the existing (unpermitted)w entrance monument/wall sign in the Northwest corner of the intersection of those two streets.

The subject site has approximately 930 linear feet of public street frontage, which allows for two (2) freestanding/monument signs. As the applicant proposes to expand the size of the two (2) existing permitted monument signs and retain the unapproved and unpermitted entrance monument/wall sign while retaining all three signs, with less than 1,201 feet of public street frontage, a new variance is required. The freestanding/monument signs are allowed a total of 232.5 square feet per face, and approximately 72 square feet per face are proposed, within the allowable size limits. However, the total signage number would exceed the allowable limits of Section 6-4-14 of the UDC; hence this application.

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 al 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:

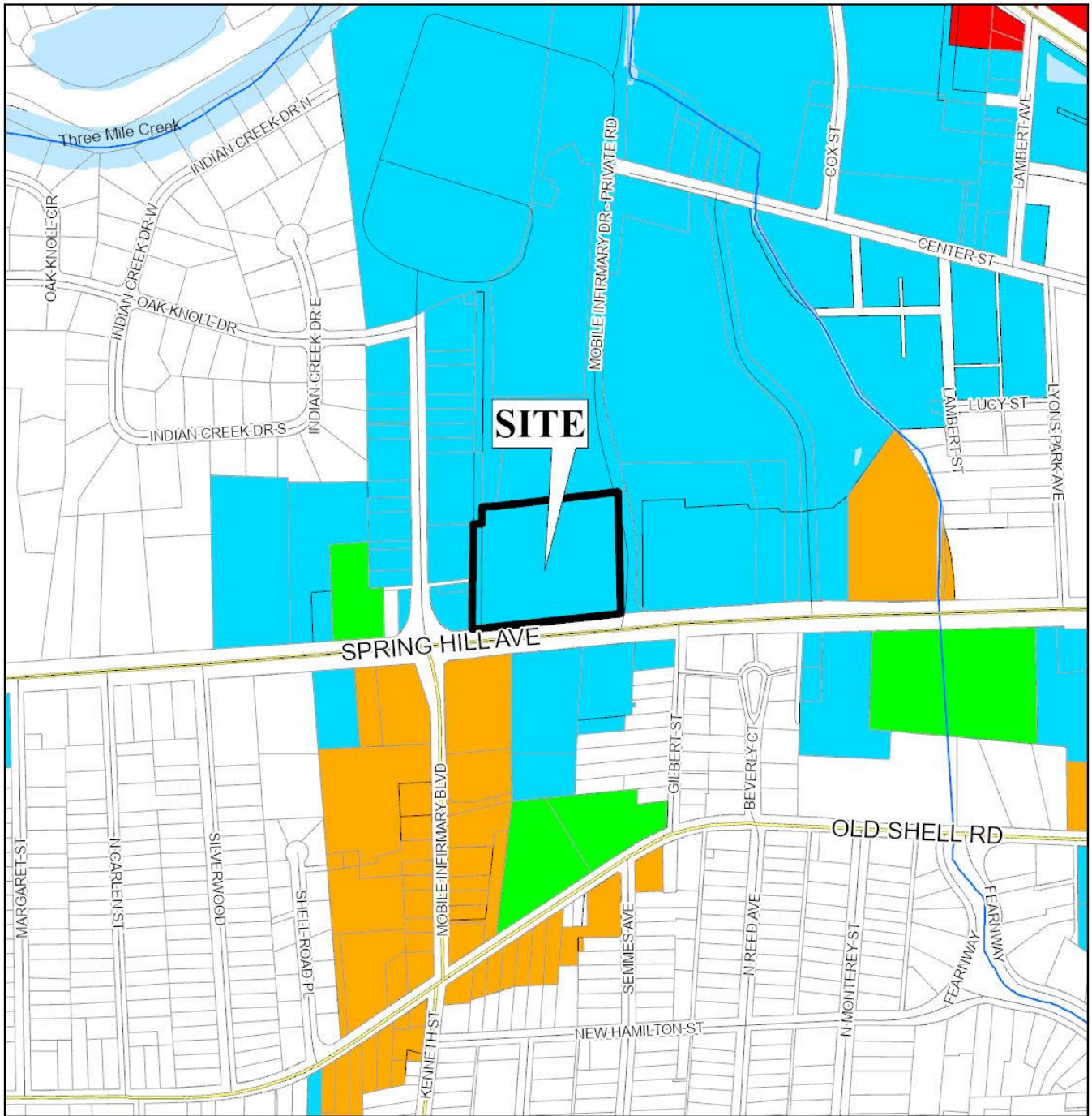
- (a) In order to relieve an owner of restrictive covenants that are recorded in Mobile County Probate Court and applicable to the property;
- (b) Where economic loss is the sole basis for the required variance; or
- (c) Where the variance is otherwise unlawful.

Considerations:

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

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

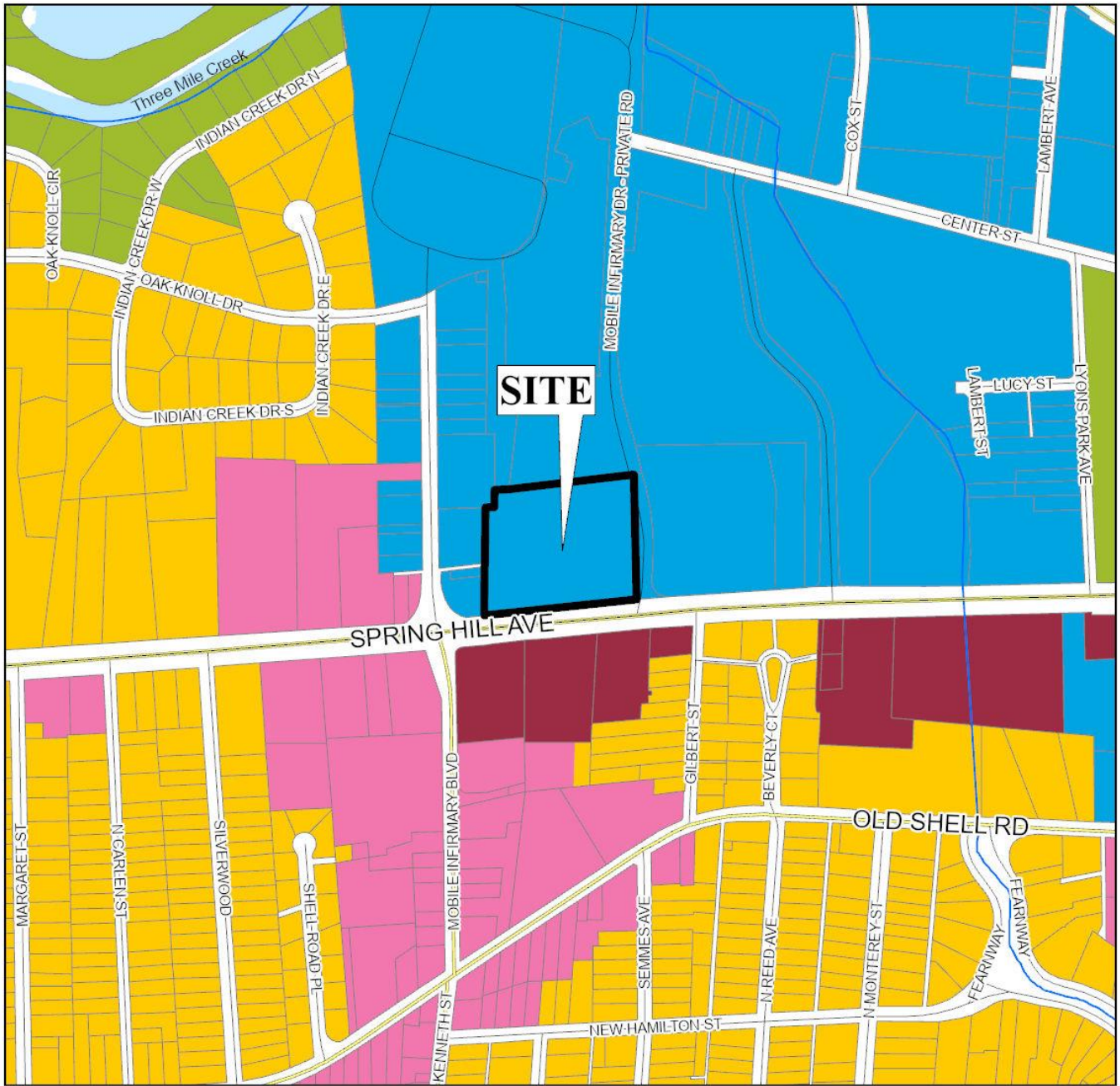
LOCATOR ZONING MAP



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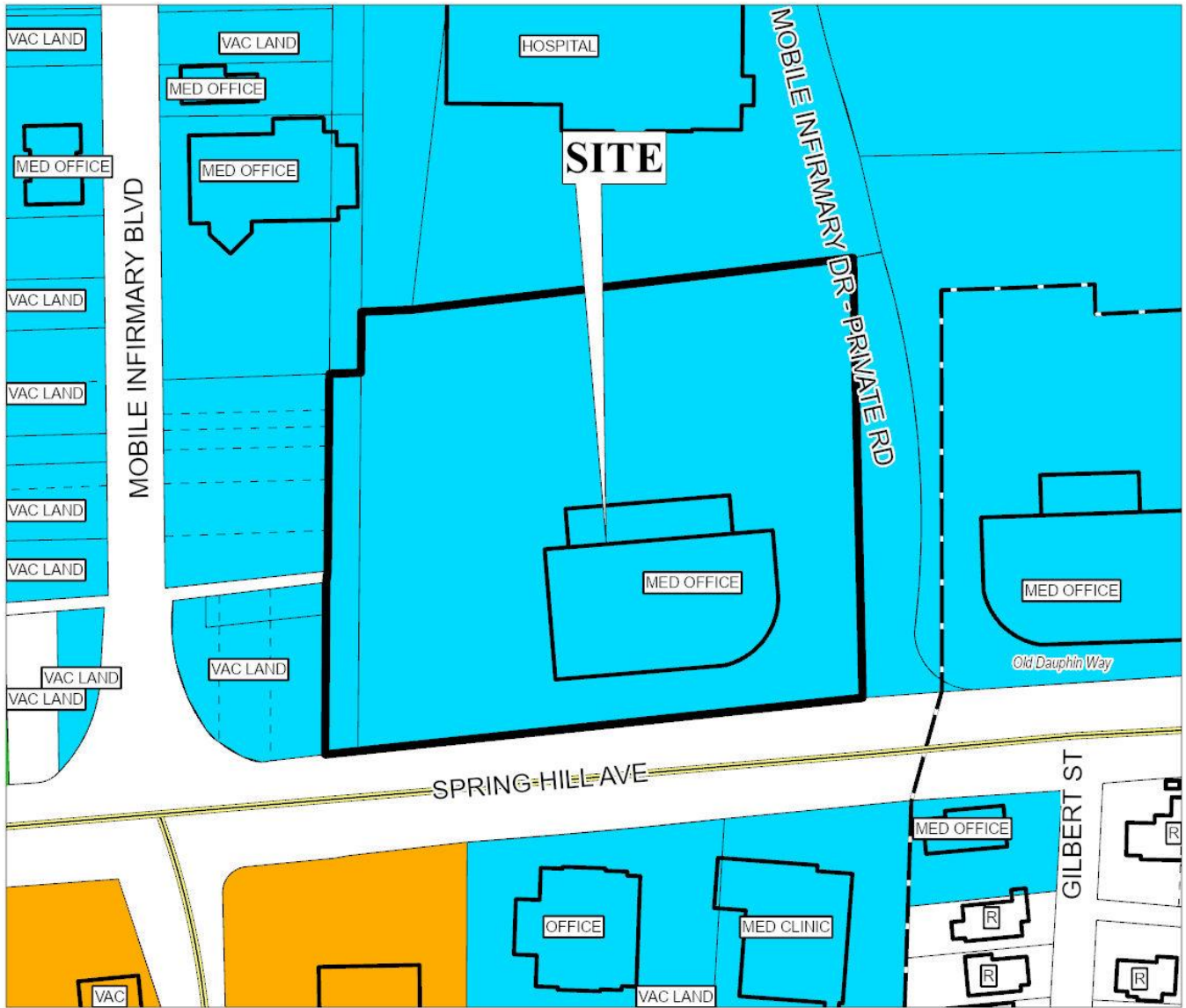
FLUM LOCATOR MAP



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 REQUEST Sign Variance



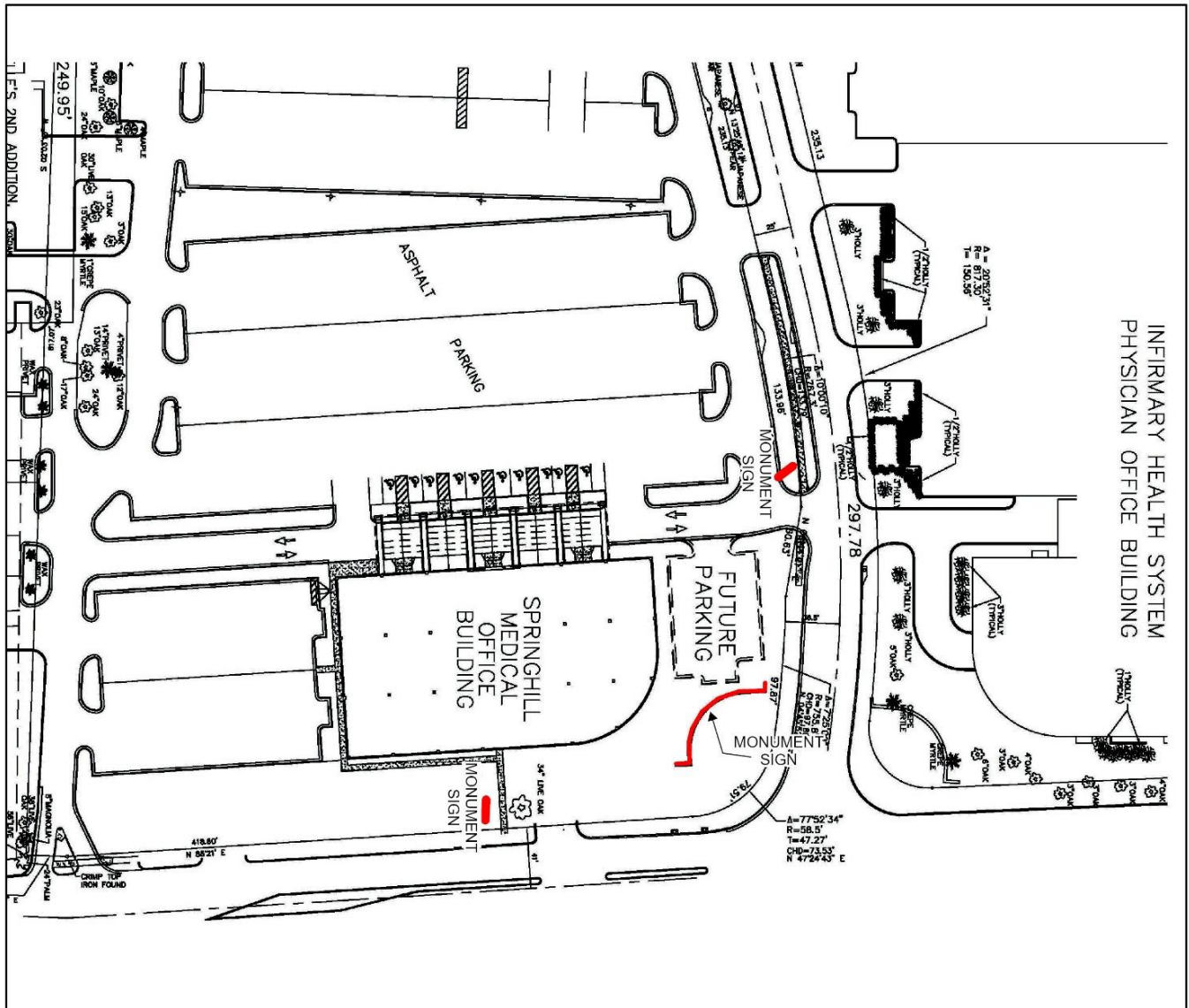
BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units. Residential units lie southeast of the site.

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SITE PLAN



The site plan illustrates the existing buildings, parking, and proposed monument signs.

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DETAIL SITE PLAN

QTY - 2
INTERNALLY ILLUMINATED CABINETS
(1) ON SPRINGHILL AVE - DOUBLE SIDED
(1) ON INFIRMARY DR - SINGLE SIDED



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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															
ONE-FAMILY RESIDENCE	R-1	■				■		■						□		
TWO-FAMILY RESIDENCE	R-2	■				■		■						□	○	
MULTIPLE-FAMILY	R-3	○	■			■	■							□	○	
RESIDENTIAL-BUSINESS	R-B		○			■		■						□	○	
TRANSITIONAL-BUSINESS	T-B		○		■	■	■	■						□		
HISTORIC BUSINESS	H-B			■		■		■						□		
VILLAGE CENTER	TCD					■	■							□		
NEIGH. CENTER	TCD					■	■							□		
NEIGH. 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. DDD	SD-WH									○	○			□		
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○		○	○			□		
BUFFER BUSINESS	B-1		□			□	■	■	■					□	○	
NEIGH. BUSINESS	B-2		○			□	■	■	■					□	○	
LIMITED BUSINESS	LB-2		○			□	■	■	■					□	○	
COMMUNITY BUSINESS	B-3				■				■				○	□	○	
GEN. BUSINESS	B-4			■					■				○	□	○	
OFFICE-DISTRIBUTION	B-5								■	■				□	□	
LIGHT INDUSTRY	I-1									■				□	□	□
HEAVY INDUSTRY	I-2										■			□		□

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)

Institutional Land Use (INS)



This designation includes land and buildings occupied by municipal and other governmental agencies for the exercise of their functions, to serve the public or provide a civic use or amenity. These include major libraries, airports, public schools and public safety facilities, but exclude parks and public open space which are identified under a separate land use classification (see below). Semi-public uses such as grammar and high schools, colleges and universities, hospitals, and other major institutions that serve the public and/or operate in a public function are

included. Parks and public open space are not included but have their own land use classification.

Note: Small-scale properties (less than 2 acres) accommodating subsidiary public and semi-public facilities, such as branch libraries, substations, satellite clinics, etc., may not be specifically called out in the FLUM under this land use designation, but may instead be considered part of the array of integrated complementary uses typically found in a residential neighborhood or a mixed-use center or corridor. The specific location and design of these complementary uses is subject to zoning.