



Agenda Item # 4

BOA-003230-2025

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

2570 Government Boulevard

Applicant / Agent:

Sunday Bougher, SGA Design Group

Property Owner:

Exchange Right

Current Zoning:

B-3, Community Business Suburban District

Future Land Use:

Mixed Commercial Corridor

Case Number(s):

6659/5987

Unified Development Code (UDC) Requirement:

- The UDC limits single-tenant sites in a B-3, Community Business Suburban District to no more than one (1) freestanding sign, two (2) wall signs, informational signs no larger than 20 square feet, and all signs must be placed below the roofline.

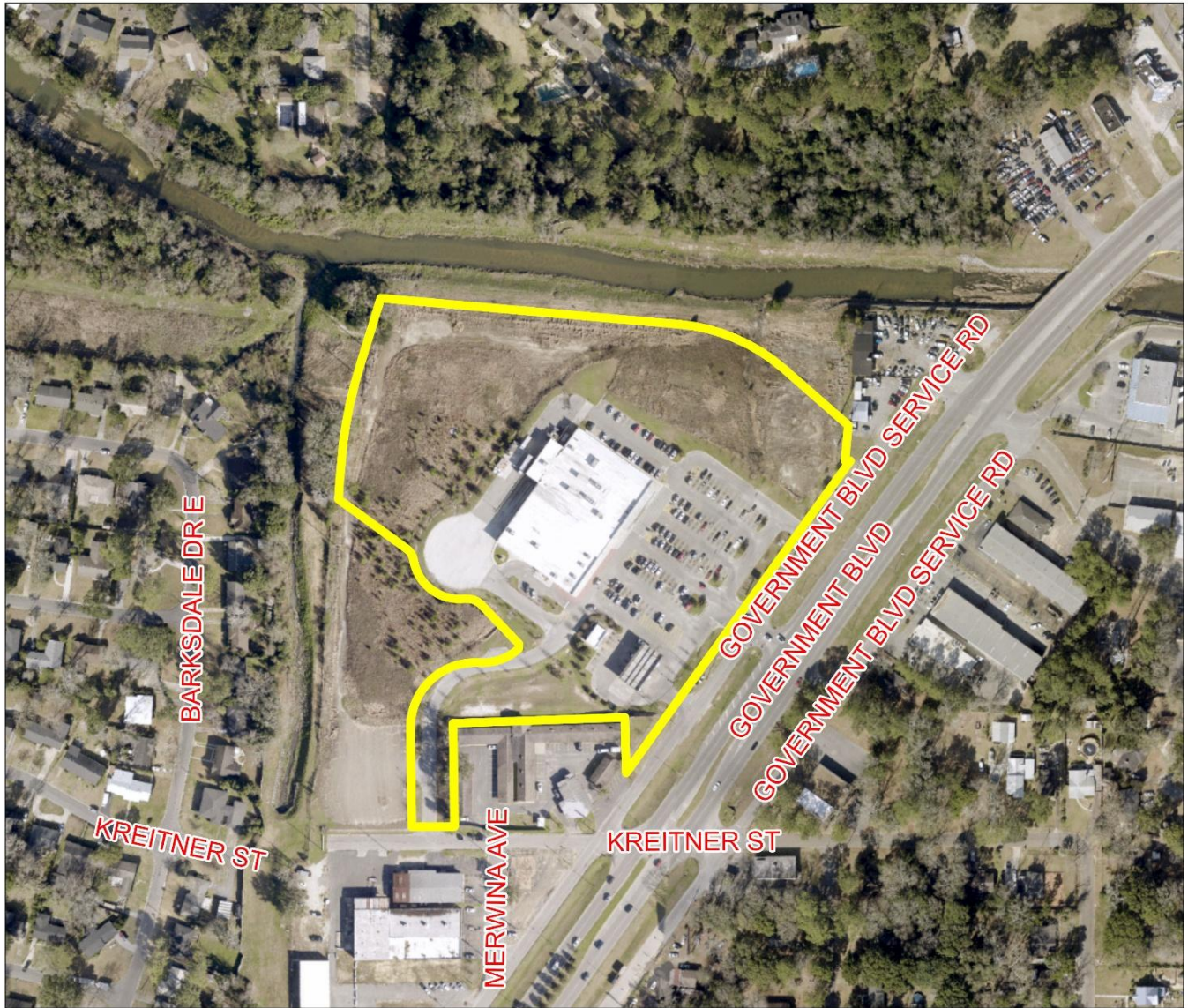
Board Consideration:

- To amend a previously approved Sign Variance to allow one (1) freestanding sign, six (6) wall signs, two (2) informational signs larger than 20 square feet, and an informational roof-mounted sign for a single tenant site in a B-3, Community Business Suburban District.


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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial and residential units.

APPLICATION NUMBER <u>6659</u> DATE <u>April 7, 2025</u>	 NTS
APPLICANT <u>Sunday Bougher, SGA Design Group</u>	
REQUEST <u>Sign Variance</u>	

SITE HISTORY

The subject site was annexed into the City in 1945 and remained vacant for many years.

With the adoption of the Zoning Ordinance in 1967, the site was assigned R-1, Single-Family Residential District, B-2, Neighborhood Business District, and B-3 Community Business District zoning classifications.

In the 1960's the site was developed as a K-Mart shopping center.

In March 2002, the Planning Commission approved D/M Subdivision (3 lots), Planned Unit Development (PUD) to allow shared access between multiple building sites, and Rezoning from R-1, B-2 and , B-3, to B-3 to eliminate split zoning in a retail shopping center for the site. The subdivision was approved and recorded, but the rezoning expired.

In May 2007, the site was the subject of Mobile Central Subdivision (1-lot) and Rezoning from R-1, B-2 and B-3, to B-3 to eliminate split zoning and allow a retail store. The subdivision subsequently expired, but the Rezoning was adopted by the City Council in July 2007.

In March 2015, the site was again before the Planning Commission for MAP Mobile Gov't LLC Subdivision (3-lots), PUD Approval to allow multiple buildings on a single building site with shared access between multiple building sites, and a Sidewalk Waiver to waive construction of a sidewalk along Government Boulevard. Both the PUD and Subdivision were approved and the Subdivision was recorded. The Sidewalk Waiver was denied. Shortly afterward, it was developed as its current use as a Wal-Mart store with a fuel station.

In August 2015, the Board of Zoning Adjustment heard a Sign Variance for the site to allow nine (9) wall signs in addition to two (2) previously permitted wall signs and a freestanding sign. The Board approved the request for larger address numbers and more and larger fuel pricer signs, but denied the request for two (2) wall directional signs and two (2) additional wall logo signs.

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-sprinklered commercial buildings, within 600' of sprinklered 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 amend a previously approved Sign Variance to allow one (1) freestanding sign, six (6) wall signs, two (2) informational signs larger than 20 square feet, and an informational roof-mounted sign for a single tenant site in a B-3, Community Business Suburban District; the UDC limits single-tenant sites in a B-3, Community Business Suburban District to no more than one (1) freestanding sign, two (2) wall signs, informational signs no larger than 20 square feet, and all signs must be placed below the roofline.

The entire application packet is available via the link on Page 1.

The applicant failed to pay the legal advertising fee to publish the notification in a public newspaper. As such, the Board cannot consider the current application, and it is recommended that this case be heldover to the May 5th meeting to allow the applicant to pay the legal advertising fee.

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.

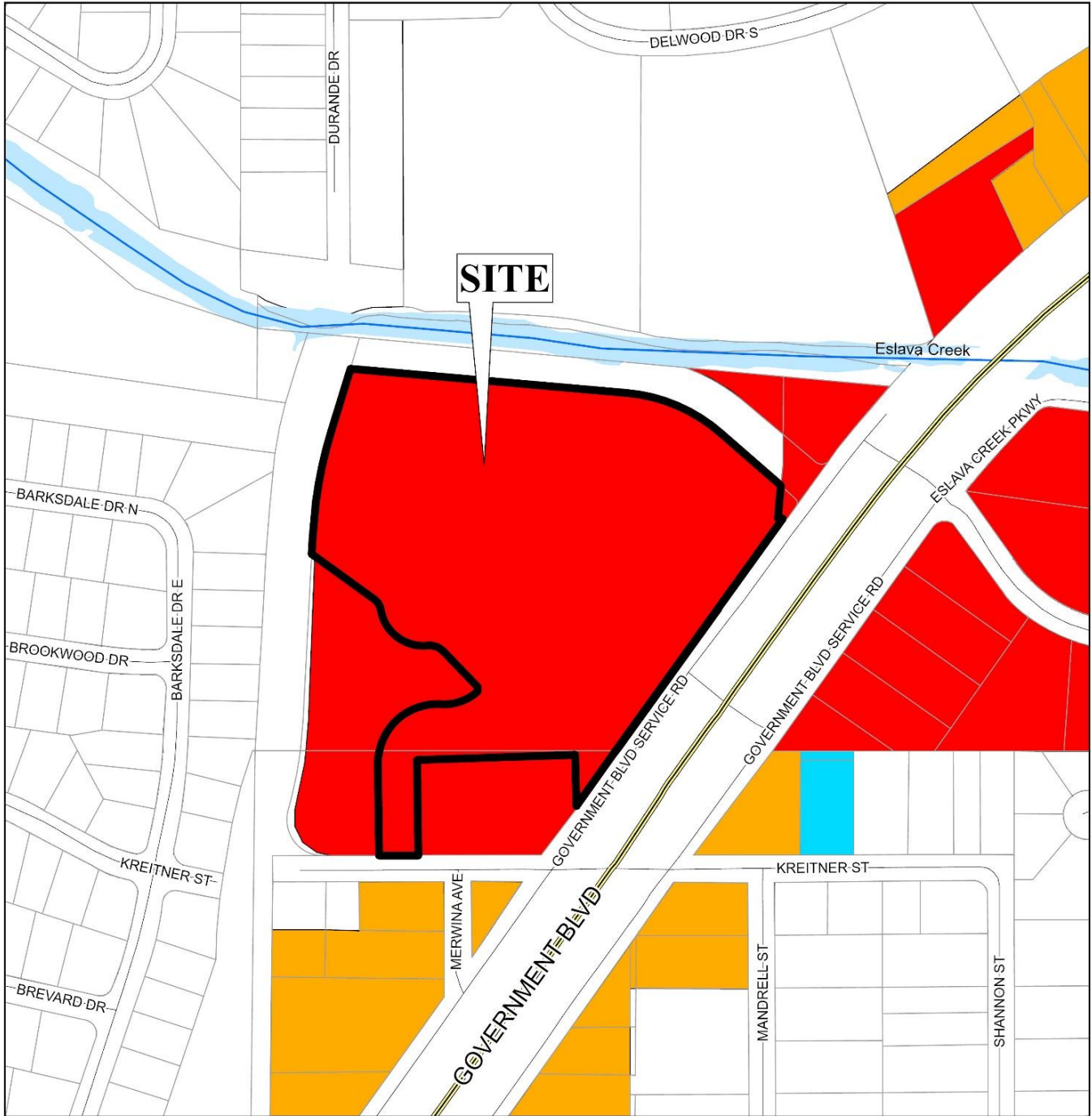
Article 5 Section 10-E.2. states; No variance shall be granted:

- (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 previous information, it is recommended that the Board consider a holdover to the May 5th meeting.

LOCATOR ZONING MAP



APPLICATION NUMBER 6659 DATE April 7, 2025

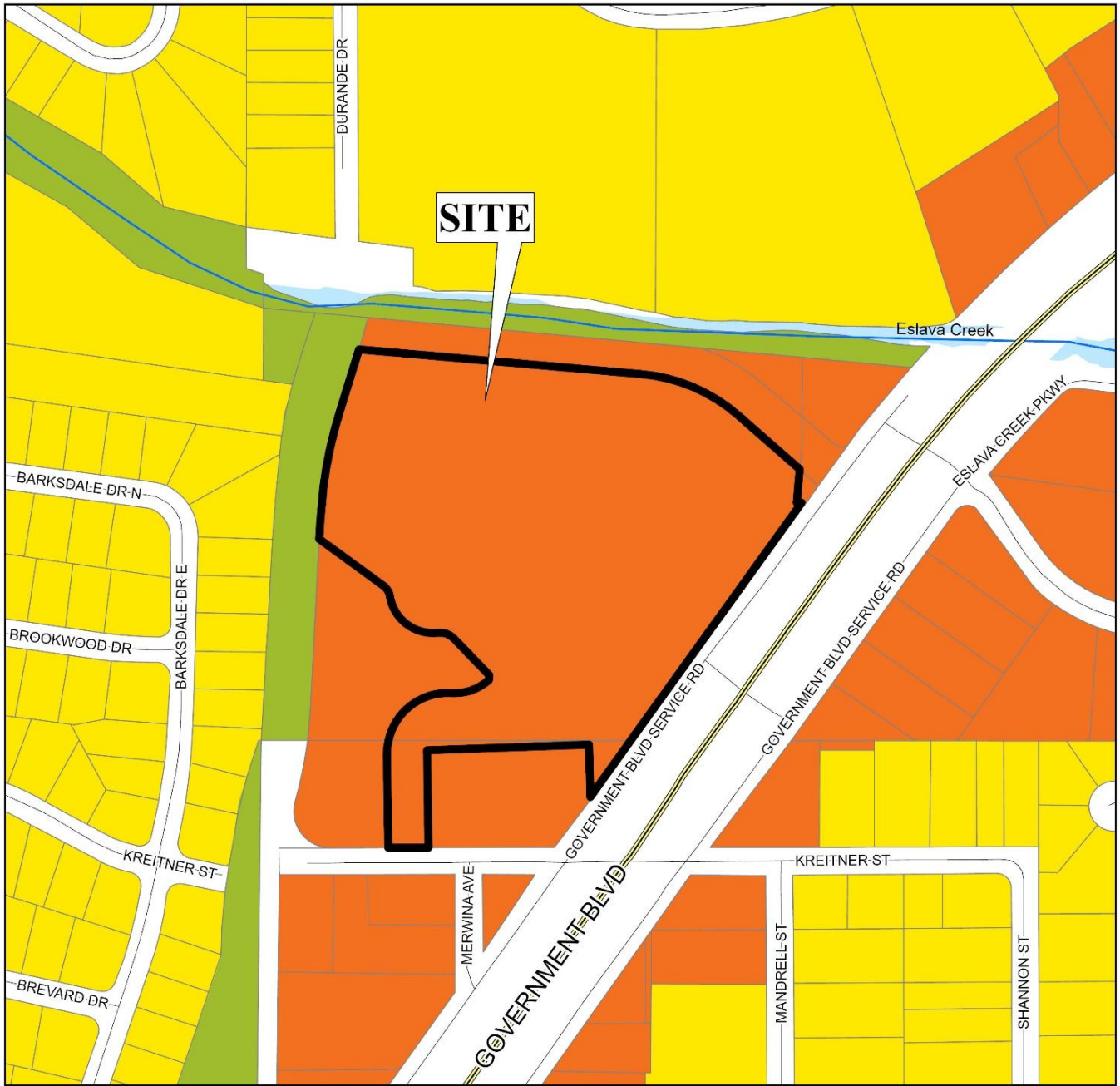
APPLICANT Sunday Bougher, SGA Design Group

REQUEST Sign Variance



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FLUM LOCATOR MAP



APPLICATION NUMBER 6659 DATE April 7, 2025

APPLICANT Sunday Bougher, SGA Design Group

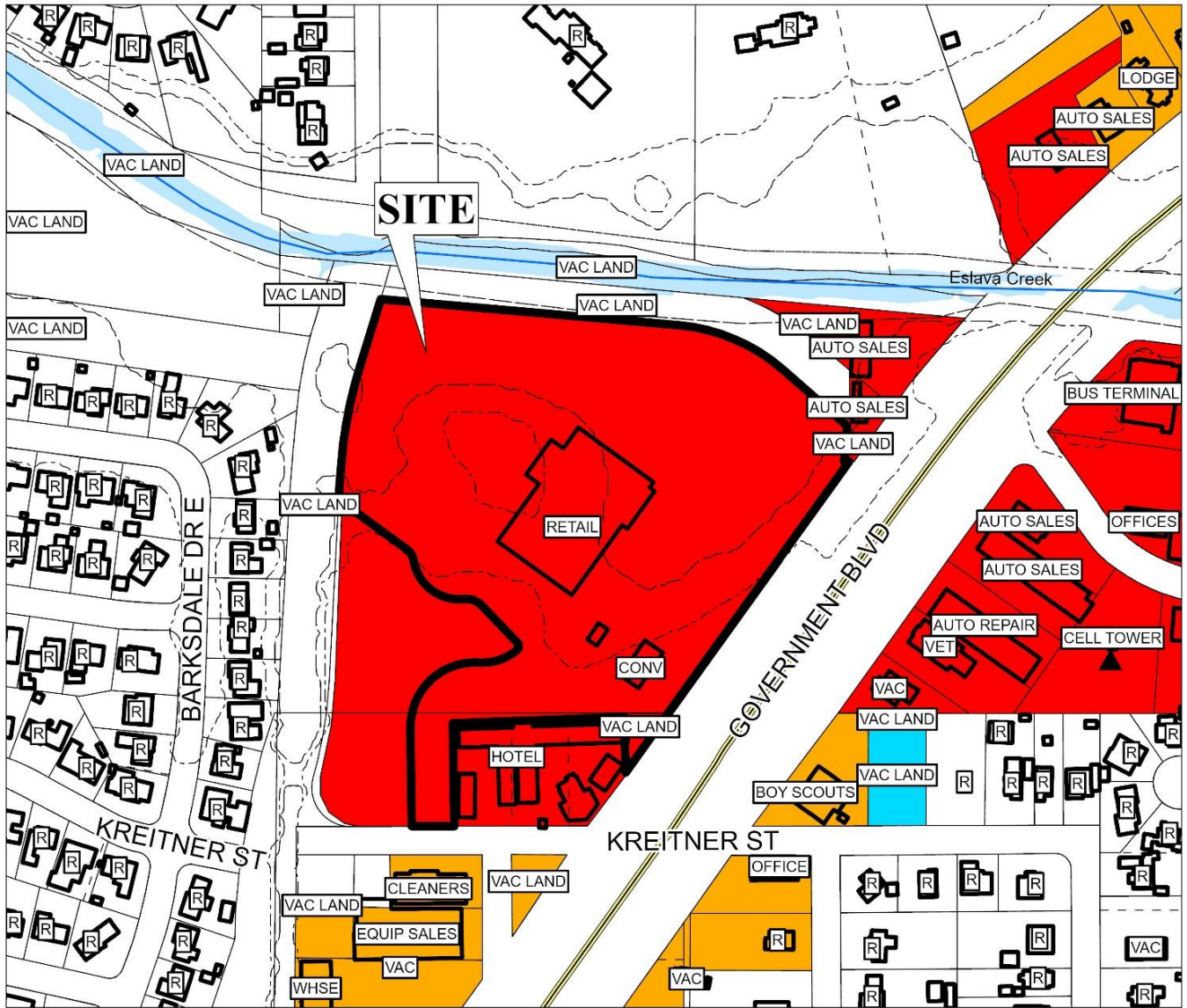
REQUEST Sign Variance

- | | | | |
|---|--|---|---|
| ■ 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 | |




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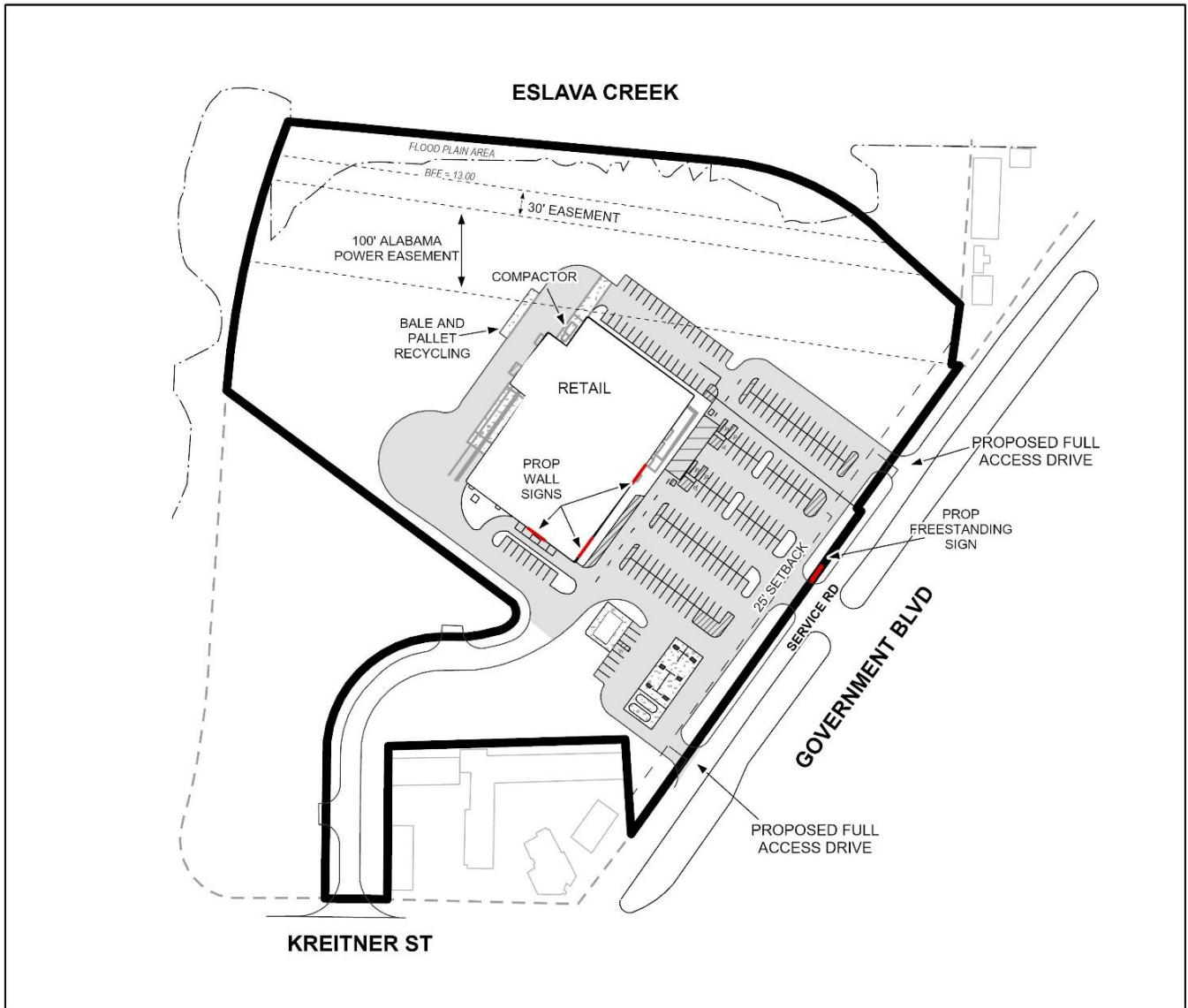
BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial and residential units.

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<table border="0" 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																								

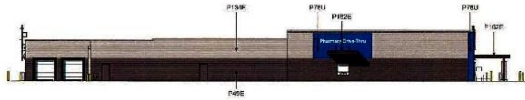
SITE PLAN



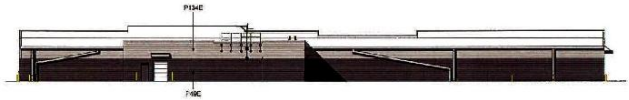
The site plan illustrates

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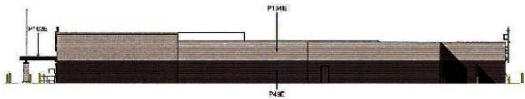
DETAIL SITE PLAN



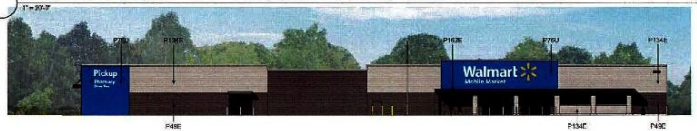
○ LEFT ELEVATION
1"=20'-0"



○ REAR ELEVATION
1"=20'-0"



○ RIGHT ELEVATION
1"=20'-0"



○ FRONT ELEVATION
1"=20'-0"

EXTERIOR BUILDING ELEVATIONS

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DETAIL SITE PLAN



○ WNM PYLON WITH FUEL READER
31'0" x 1'-0"

2570
ADDRESS SIGNAGE

○ 1'-0" ADDRESS
5'0" x 1'-0"



○ 1'-6" PHARMACY DRIVE-THRU
13'6" x 3'7"



○ 1'-6" STACKED PHARMACY DRIVE-THRU
10' x 10'



○ 2'-6" PICKUP
8' x 3'2"



○ 4'-6" WALMART SIGN, 1'-10 1/2" MOBILE MARKET SIGN
28'9" x 10'

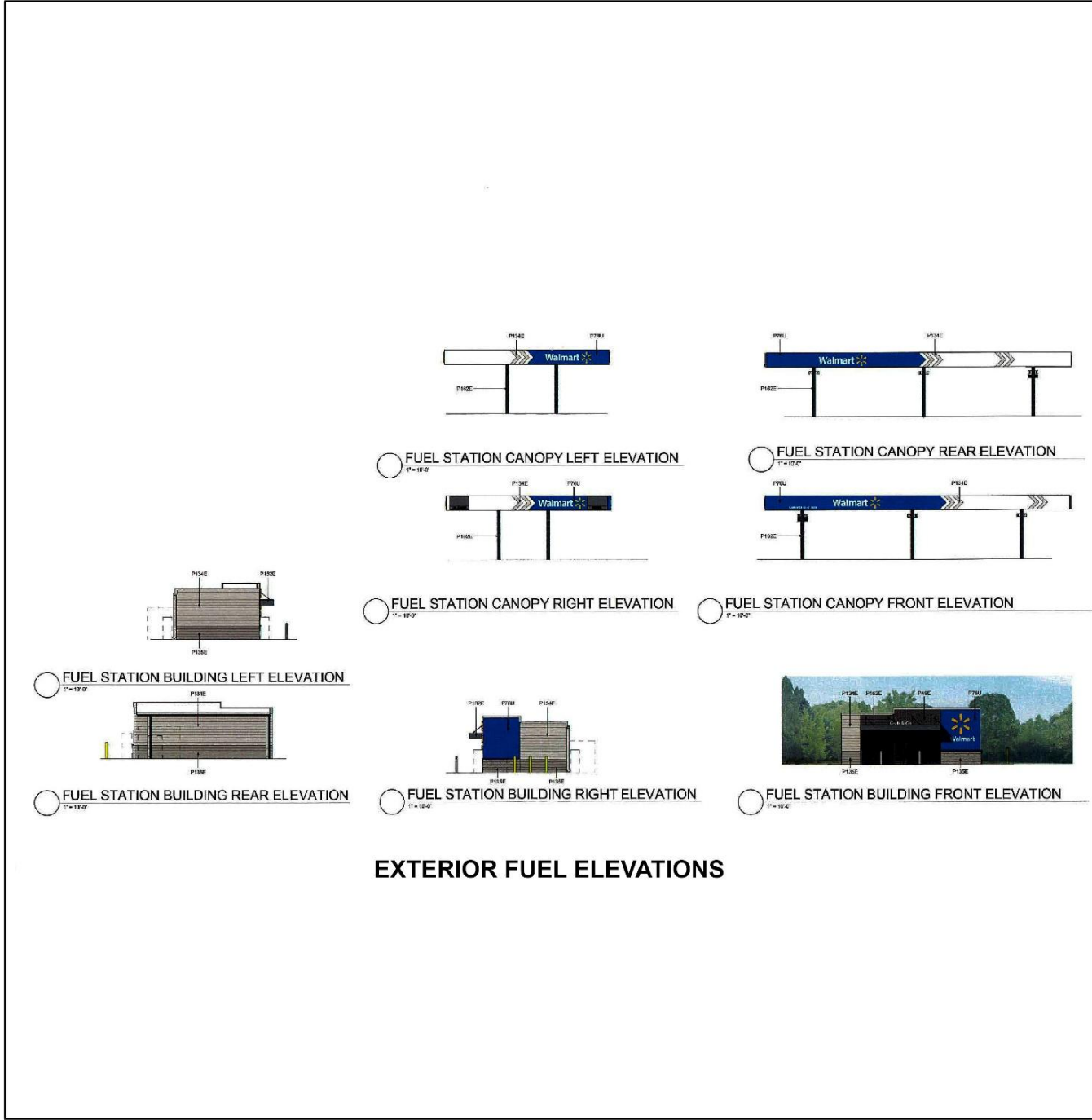
EXTERIOR BUILDING SIGNAGE

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 REQUEST Sign Variance




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DETAIL SITE PLAN



EXTERIOR FUEL ELEVATIONS

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DETAIL SITE PLAN



EXTERIOR FUEL SIGNAGE

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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)

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.

Over time, 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.