



# Agenda Item # 5

## BOA-003249-2025

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

[Applicant Materials for Consideration](#)

### DETAILS

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**Location:**

20 Graf Dairy Drive

**Applicant / Agent:**

David Brandt, Fravert Services

**Property Owner:**

David Roberts, Kore, LLC

**Current Zoning:**

R-3, Multi-Family Residential Suburban District

**Future Land Use:**

Mixed Commercial Corridor

**Case Number(s):**

6660/2213

**Unified Development Code (UDC) Requirement:**

- The UDC limits multi-family developments in an R-3, Multi-Family Residential Suburban District to no more than two (2) monument signs per development, with all signs required to be located on the development site, and no larger than 25 square feet.

**Board Consideration:**

- To allow three (3) monument signs, with one (1) being located off-premise, and one (1) exceeding 25 square feet for a multi-family development 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 single family residential units.  
A convenience store is located to the south.

APPLICATION NUMBER <u>      6660      </u> DATE <u>      April 7, 2025      </u>	 NTS
APPLICANT <u>      David Brandt, Fravert Services      </u>	
REQUEST <u>      Sign Variance      </u>	

## SITE HISTORY

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The subject site was annexed into the City in 1945 and served as a dairy for many years.

With the adoption of the Zoning Ordinance in 1967, the site was assigned an R-A, Residential-Agriculture District zoning classification.

In July 1967, the Board of Zoning Adjustment heard a request within the Southwest corner of the site for Use, Rear and Side Yard and Buffer Strip Variances to allow the use of the property for a grocery store. That request was denied.

At some time later, the zoning classification was amended to R-1, Single-Family Residential.

Since 2008 the site has had several Planning Commission applications involving part or all of the site.

In May 2008, the site was the subject of associated Subdivision, Planned Unit Development (PUD) and Rezoning applications. Graf Dairy Subdivision was a five-lot subdivision. The associated PUD allowed for shared access between two (2) building sites and allowed multiple buildings on a single building site. The associated Rezoning changed the classification of the Northern portion of the site from R-1 to LB-2, Limited Neighborhood Business, and the classification of the Southern portion from R-1 to R-3, Multi-Family Residential. All three applications were approved and the subdivision was recorded.

In December 2019, the site was part of Graf Dairy Subdivision, Resubdivision of Lots 1, 2, 3 and 5 which was approved as a three-lot subdivision, but which subsequently expired. An associated PUD was approved to allow shared access between multiple building sites, and an associated Rezoning from B-2 and LB-2 was approved for an area no longer on the subject site.

Then, in October 2022, the site was again the subject of Subdivision, PUD and Rezoning reviews. SRV KO Subdivision was approved and recorded as a two-lot subdivision. An associated PUD allowed for multiple buildings on a single building site with shared access between multiple buildings sites on a private street. The Rezoning revised the split zoning of LB-2 and R-3 to R-3 for the site.

## STAFF COMMENTS

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### Engineering Comments:

The sign on Dauphin St appears to be located within the public ROW. The proposed signs must be located on private property.

### Traffic Engineering Comments:

The existing Right of Way Line along Dauphin Street shown doesn't appear to be accurate and should be rechecked. Monument signs are not allowed to be placed within the Right of Way. 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 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 allow three (3) monument signs, with one (1) being located off-premise, and one (1) exceeding 25 square feet for a multi-family development in an R-3, Multi-Family Residential Suburban District; the UDC limits multi-family developments in an R-3, Multi-Family Residential Suburban District to no more than two (2) monument signs per development, with all signs required to be located on the development site, and no larger than 25 square feet per sign face.

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

The purpose of the Sign Regulation Provisions 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 currently under development as a multi-family residential apartment complex. It is situated at the South end of a private street (Graf Dairy Drive), which extends approximately 800 feet from the South side of Dauphin Street, with one (1) entrance/exit on the private street and one (1) entrance/exit along South Sage Avenue. The applicant proposes to install one (1) monument sign off-premise on the adjacent property to the North at the Dauphin Street entrance to the private street; one (1) monument sign at the private street entrance to the complex; and one (1) monument sign at the South Sage Avenue entrance. The sign along South Sage Avenue is proposed to be double-faced, perpendicular to the street, with approximately 38 square feet per face (25 square feet per face allowed).

As justification to allow the proposed signage, the applicant states the following concerning the different requests:

***Regarding multiple monument signs*** - *There are multiple entrances going into the subject property which would necessitate having more than one monument sign. These entrances are located on Dauphin St. and Sage Avenue.*

***Regarding the off-premise monument sign*** – *Graf Dairy Road is an 850' jog from the turn-in entrance off of Dauphin St., down to the subject property itself. A monument sign located at each end of this (insert distance) separation will allow for visitors to properly identify the turn-in entrance, and also assure drivers that they are traveling in the right direction as they approach the subject property.*

***Regarding Monument Sign #3 being larger than 25 square feet*** – *the increased square footage size allows for a properly-visible/readable letters size for vehicular visitors to the subject property.*

It should be noted that the area where the off-premise sign is proposed is actually within an un-opened strip of a 40-foot wide service road along the South side of Dauphin Street which is still public right-of-way. This service road was supposed to have been vacated prior to the signing of the previously-mentioned SRV KO Subdivision, but the process was never finalized. Therefore, if the Board considers approval of the off-premise monument sign, it should be subject to either the completion of the Vacation process for the service road strip or the obtaining of a Non-Utility Right-of-Way Use Agreement with the City to allow the sign within the public right-of-way prior to the approval of a sign permit for the proposed sign.

## VARIANCE CONSIDERATIONS

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### 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 requested Variance application, and documentation submitted, if the Board considers approval of the request, the following findings of fact must be present:

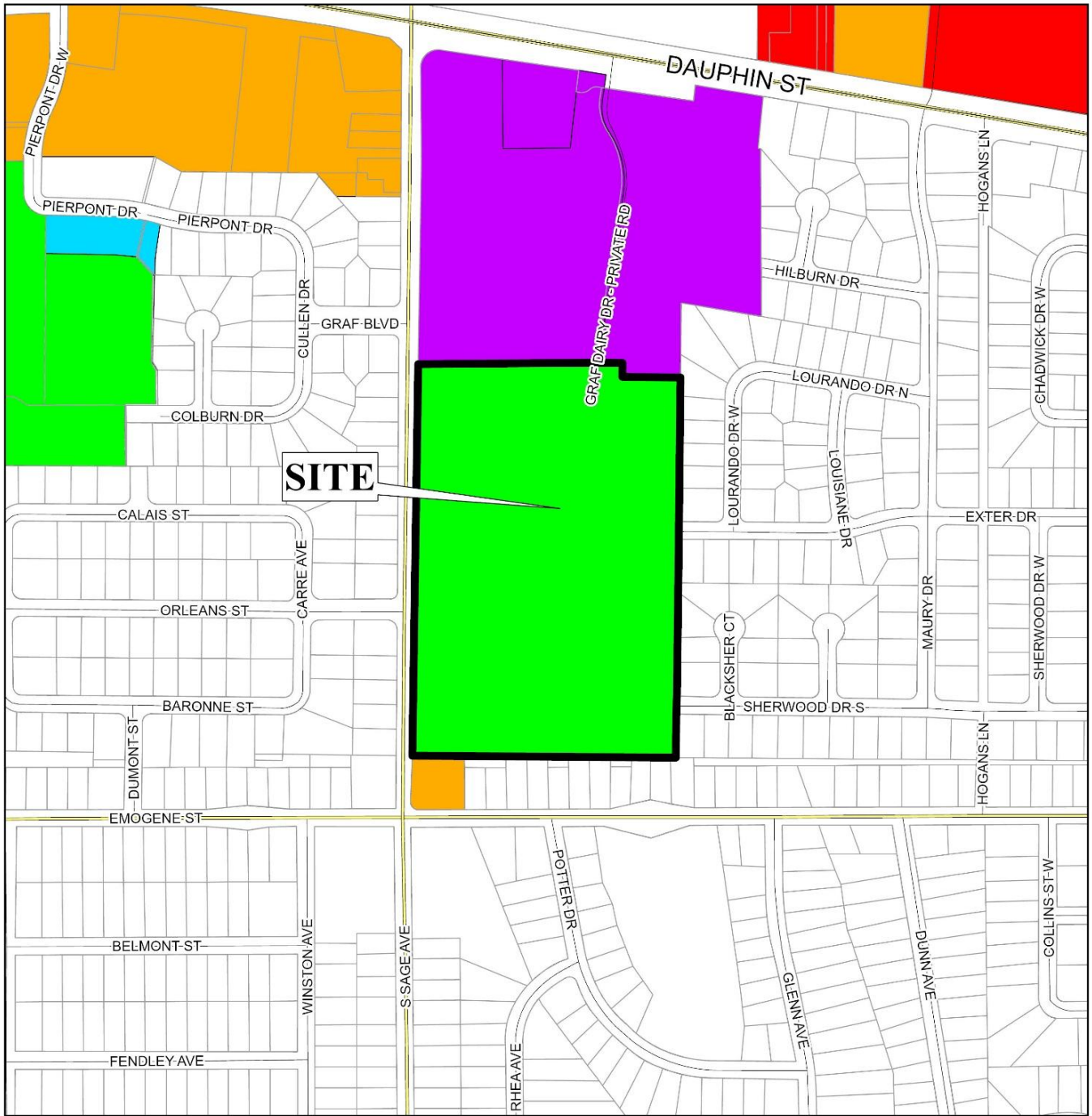
- 1) The variance **will not** be contrary to the public interest;
- 2) Special conditions exist such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- 3) The spirit of the chapter **shall** be observed and substantial justice done to the applicant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

If approved, the following conditions should apply:

- 1) Approval of all necessary sign permits;

- 2) Completion of the Right-of-Way Vacation process for the un-opened service road where the off-premise sign is proposed, or the obtaining of a Non-Utility Right-of-Way Use Agreement to allow the sign within the public right-of-way; and
- 3) Full compliance with all municipal codes and ordinances.

# LOCATOR ZONING MAP



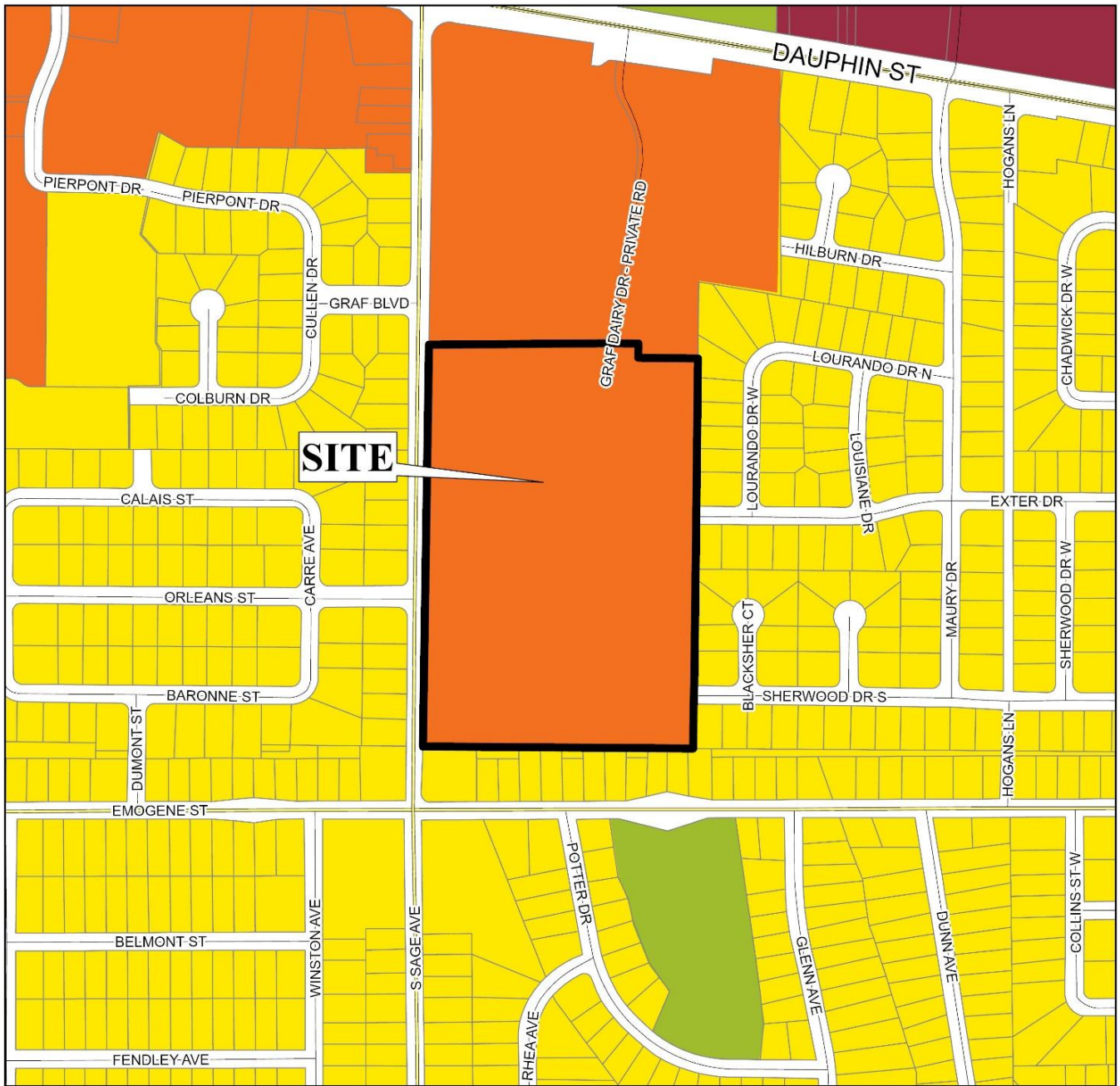
APPLICATION NUMBER 6660 DATE April 7, 2025

APPLICANT David Brandt, Fravert Services

REQUEST Sign Variance



# FLUM LOCATOR MAP



APPLICATION NUMBER 6660 DATE April 7, 2025

APPLICANT David Brandt, Fravert Services

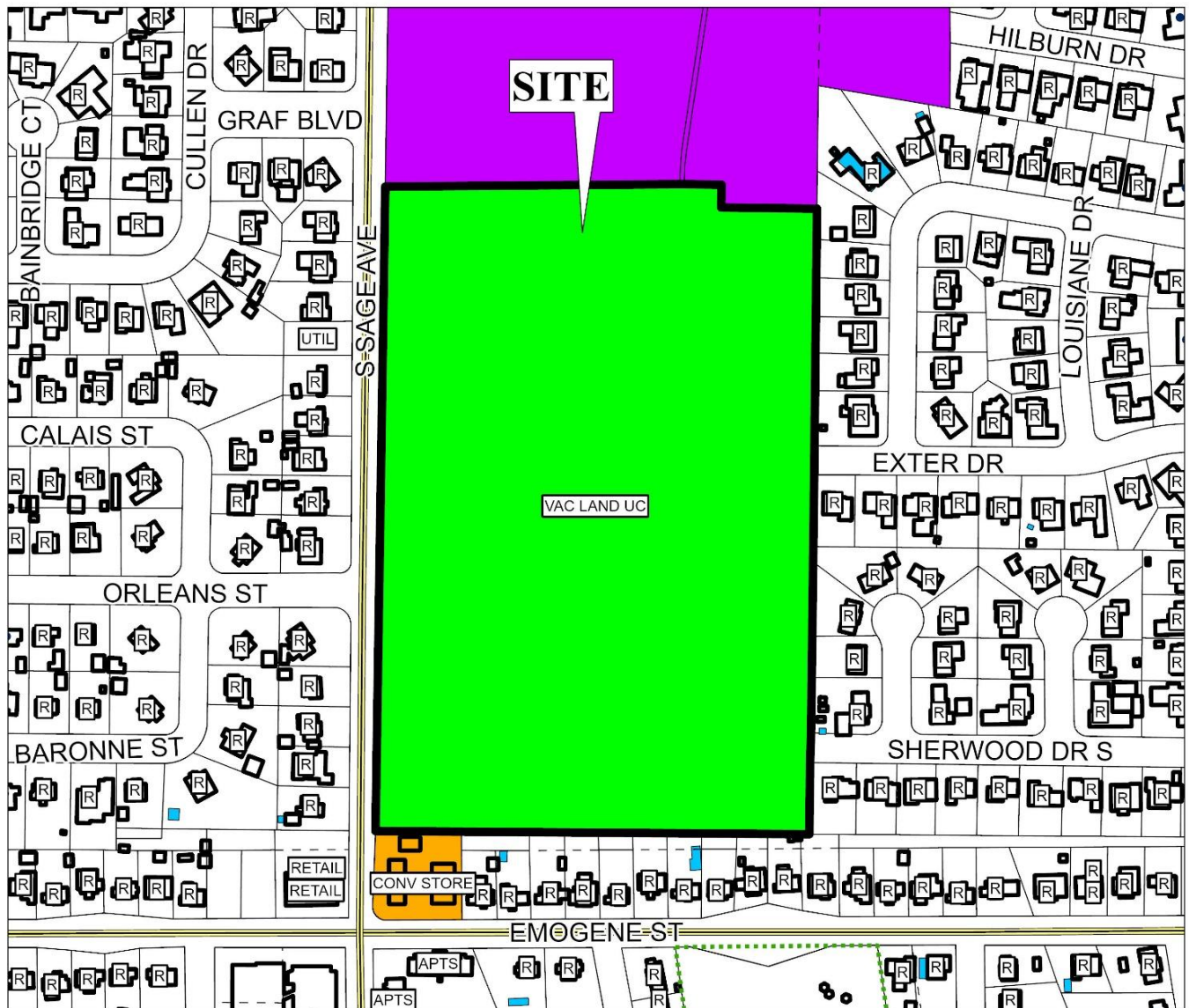
REQUEST Sign Variance

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|---|--|---|---|
| <span style="display:inline-block; width:10px; height:10px; background-color:yellow; border:1px solid black;"></span> Low Density Residential   | <span style="display:inline-block; width:10px; height:10px; background-color:darkred; border:1px solid black;"></span> Neighborhood Center - Traditional | <span style="display:inline-block; width:10px; height:10px; background-color:lightgrey; border:1px solid black;"></span> Light Industry     | <span style="display:inline-block; width:10px; height:10px; background-color:teal; border:1px solid black;"></span> Water Dependent |
| <span style="display:inline-block; width:10px; height:10px; background-color:orange; border:1px solid black;"></span> Mixed Density Residential | <span style="display:inline-block; width:10px; height:10px; background-color:purple; border:1px solid black;"></span> Neighborhood Center - Suburban     | <span style="display:inline-block; width:10px; height:10px; background-color:grey; border:1px solid black;"></span> Heavy Industry          |   |
| <span style="display:inline-block; width:10px; height:10px; background-color:pink; border:1px solid black;"></span> Downtown                    | <span style="display:inline-block; width:10px; height:10px; background-color:lightpink; border:1px solid black;"></span> Traditional Corridor            | <span style="display:inline-block; width:10px; height:10px; background-color:lightblue; border:1px solid black;"></span> Institutional      |   |
| <span style="display:inline-block; width:10px; height:10px; background-color:red; border:1px solid black;"></span> District Center              | <span style="display:inline-block; width:10px; height:10px; background-color:orange; border:1px solid black;"></span> Mixed Commercial Corridor          | <span style="display:inline-block; width:10px; height:10px; background-color:lightgreen; border:1px solid black;"></span> Parks, Open Space |   |






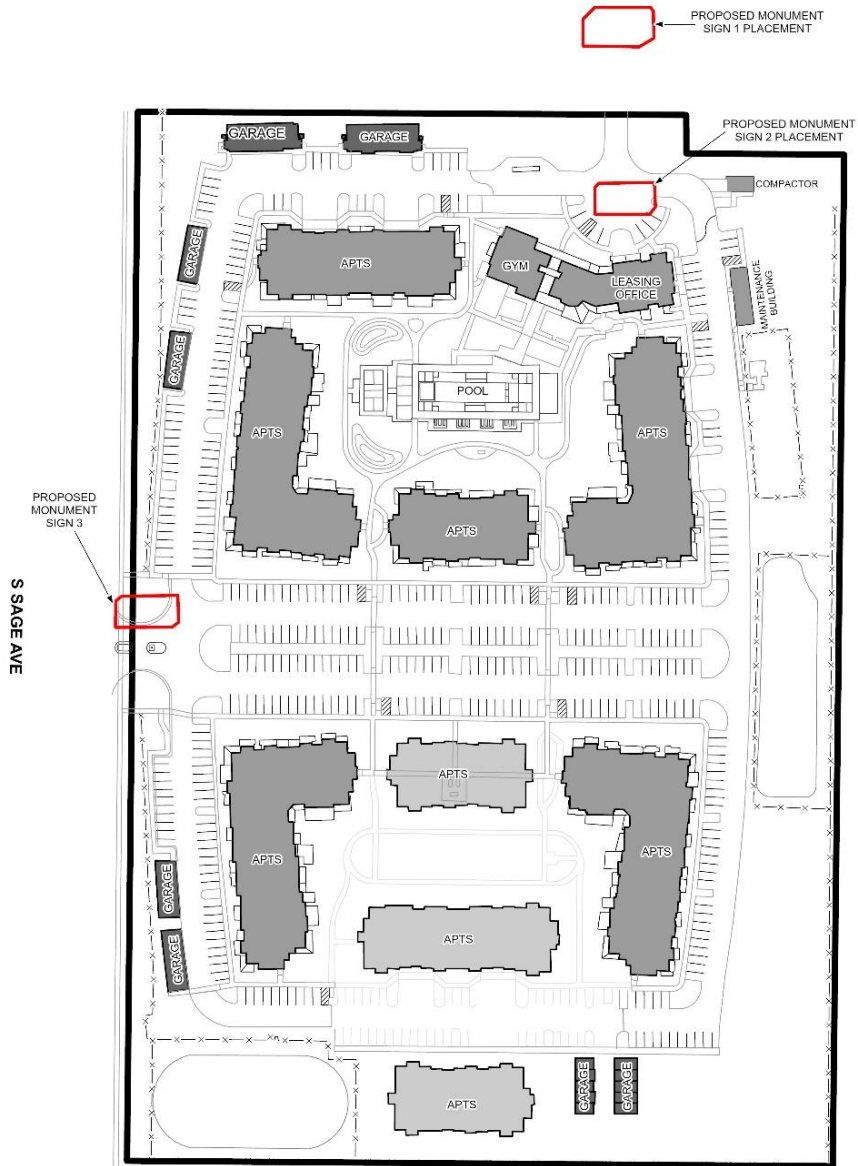
# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING




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# SITE PLAN



The site plan illustrates the proposed sign placements, buildings, parking and drives.

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REQUEST	Sign Variance			

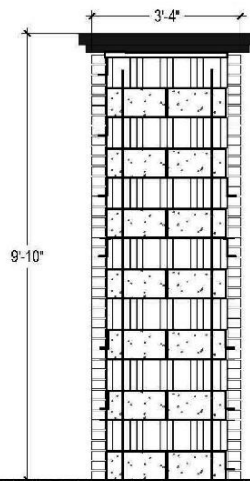
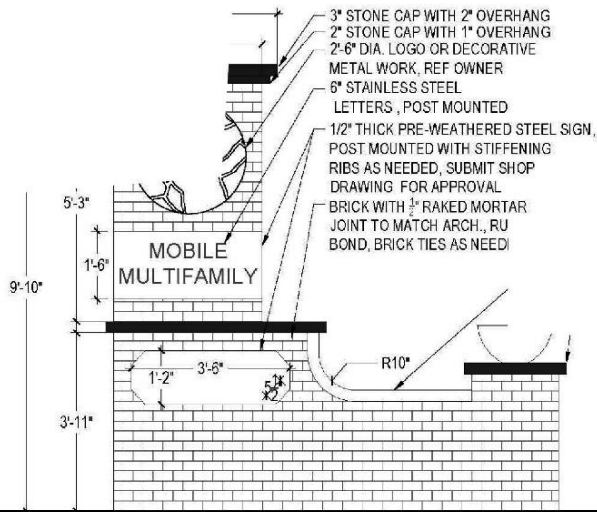
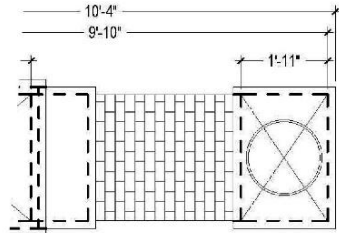
# DETAIL SITE PLAN



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REQUEST <u>Sign Variance</u>



# DETAIL SITE PLAN



ELEVATION

**04 MONUMENT SIGN 1**

SCALE: 1/2"=1'-0"

SECTION

APPLICATION NUMBER 6660 DATE April 7, 2025

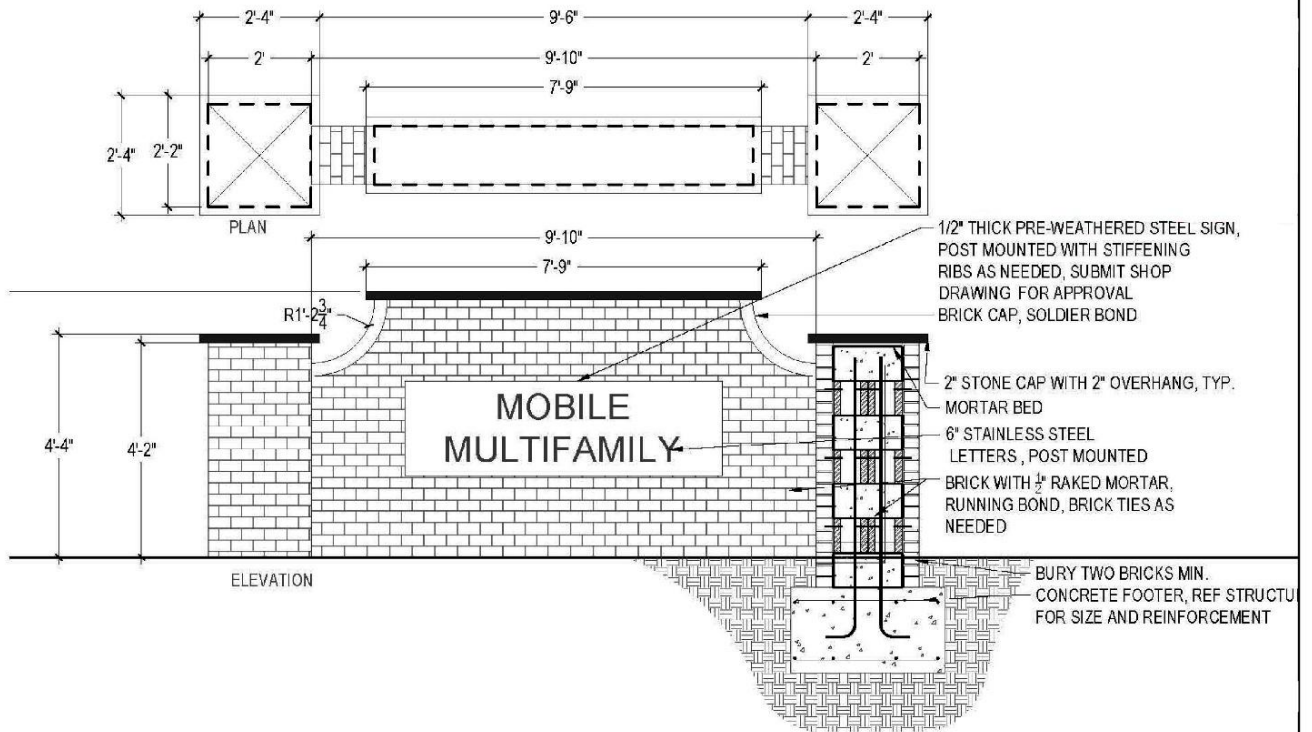
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REQUEST Sign Variance



NTS

# DETAIL SITE PLAN

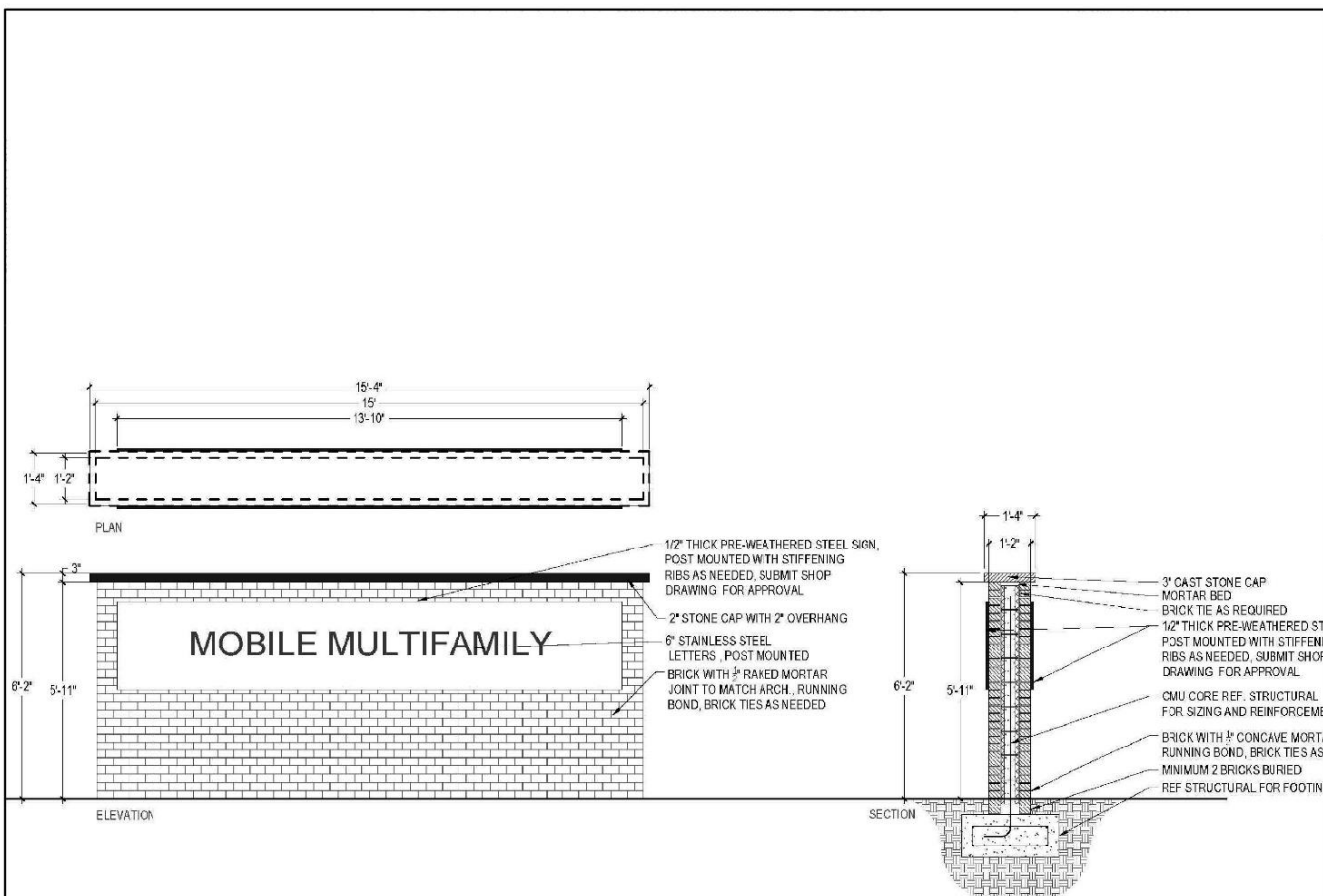


**05 MONUMENT SIGN 2**  
SCALE: 1/2"=1'-0"

APPLICATION NUMBER 6660 DATE April 7, 2025  
 APPLICANT David Brandt, Fravert Services  
 REQUEST Sign Variance



# DETAIL SITE PLAN



**06** MONUMENT SIGN 3  
SCALE: 1/2"=1'-0"

APPLICATION NUMBER <u>6660</u>	DATE <u>April 7, 2025</u>
APPLICANT <u>David Brandt, Fravert Services</u>	
REQUEST <u>Sign Variance</u>	



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.