## GENERAL INFORMATION

## Property Owner (X) Petitioner (X)

Sher-Wil, Inc.

## Requested Action and Purpose

Petitions for a variance from the freestanding restrictions to construct a sign

## Location and Existing Zoning

4900 Doris Pate Drive. Zoned BH. (Council District 6)

## Size and Existing Land Use

Approximately 1.23 acres, Vacant Land

## Surrounding Land Use and Zoning

North: Commercial, BH
East: Commercial, BH
South: Skyland Blvd, BH
West: Commercial, BH

## Applicable Regulations

Sec. 24-135. - Permitted and allowed signs.
(2) Freestanding signs.
(c) Freestanding general business signs shall not exceed two hundred (200) square feet in area and twenty-five (25) feet in height on any individual development site, unless specifically allowed or further limited by this section.

## SUMMARY

The petitioner is requesting a variance to construct a one hundred (100) foot tall pylon sign. Per the petitioner the sign is "necessary to alert motorists traveling on 20/59 to the location of the restaurant in time for such motorists to exit 20/59". The petitioner also states, "the elevation of the subject property versus the trees along 20/59 make the height of the pole subject to this requested variance necessary for motorist visibility". The proposed sign face will be eighteen (18) feet in height and eleven (11) feet wide.

Office of Urban Development, Planning Division: No comment
Office of Urban Development, Codes and Development Services Division: No violations found or complaints received

# ZONING BOARD OF ADJUSTMENT STAFF REPORT 

Office of Urban Development, Building and Inspections Division: No comment
Infrastructure and Public Services, Engineering Division: No comment
Fire and Rescue Department, Fire Administration: No comment

## Please complete all of the following required fields:

Location of Petitioned Property
Address: 4900 Doris Pate Drive, Tuscaloosa, AL 35405 (a/k/a intersection of Skyland Blvd. East and Interstate 20/59; Exit 76)

| Name: Sher-Wil, Inc. Phone:Property Owner <br> 205-799-2000 | Email: spate@pateholdings.net |
| :---: | :---: |
| Address: 1301 Industrial Park Drive, Tuscaloosa, AL | ZIP Code: 35401 |
| Petitioner (if different from owner) |  |
| Name: | Email: |
| Address: | Zip Code: |

The Petitioner requests the following item(s) from the Zoning Board of Adjustment:
A special exception is a conditional use which the zoning ordinance expressly permits under conditions specified in the zoning ordinance. A variance is a deviation from the regulations in the zoning ordinance which requires proof of an unnecessary hardship. An appeal is a formal challenge of the zoning officer's ruling.
$\square$ Special Exception
Commercial ........ \$ 200.00 per lot
Residential ........... \$ 50.00 per lot
$\square$ Use Variance
Commercial ....... \$ 200.00 per lot
Residential .......... \$ 50.00 per lot

回 Variance
Commercial ........ \$ 200.00 per lot
Residential $\qquad$ $\$ 50.00$ per lot

Appeal Zoning Officer's ruling $\qquad$ \$ 10.00 per lot

Provide a detailed description of the proposed request. Include any related information, such as the history of the property in relation to the proposed use, number of parking spaces, hours of operation, number of employees, etc.

Petitioner requests a variance to allow construction and erection of a 100' pylon sign pole at the subject property. The subject property is located at the intersection of Skyland Boulevard East and Interstate 20/59 at Exit 76. The property is under contract for development of a national brand quick service restaurant. The 100' pylon sign pole is necessary to alert motorists traveling on 20/59 to the location of the restaturant in time for such motorists to exit 20/59. The elevation of the subject property versus the trees along 20/59 make the height of the pole subject to this requested variance necessary for motorist visibility. Councilman John Faile supports this variance per attached letter.

PLEASE SUBMIT AN ELECTRONIC COPY OF THIS APPLICATION AND ANY NECESSARY SUPPORTING MATERIALS TO:<br>Office of Urban Development:<br>Planning Division<br>2201 University Boulevard, Annex III Tuscaloosa, AL 35401<br>Email: zba@tuscaloosa.com

## Answer the following for Variance/Use Variance requests ONLY:

When a variance is at issue, the primary consideration is whether a literal enforcement of a zoning ordinance will result in an unnecessary hardship. Circumstances that are not hardships include self-inflicted or self-created, inconvenient, financial or personal. The petitioner must specifically state a hardship for the variance.

Explain in detail any special circumstances or conditions that are particular to the property or buildings where a strict application of the ordinance would deprive the applicant of the reasonable use of such property or building.
Tree line is high and pylon pole sign will not be visible to motorists traveling on 20/59 absent this
variance. Without a pole sign of the height requested, motorists will not be alerted to the location of the
quick service restaurant in time to safely exit 20/59.

Explain in detail how the granting of the variance/use variance would be in harmony with the character of the surrounding area and why it would not be detrimental to the neighborhood.
The area where the subject property is Icoated is an area with dense commercial interstate development.
The restaurant will be entirely new construction and enhance the dining options at Exit 76. There is significant public benefit in having more dining choices for the traveling, and local, public. Any
travelers drawn to exit the interstate by the request signage are likely to benefit surrounding businesses.

## Important Items to Note:

- For all variance requests pertaining to a dimensional requirement of the site (setbacks, height, etc.), a scaled site plan and/or building elevation produced by a registered land surveyor, professional engineer, or architect is required to be submitted alone with this application.
- A filing fee related to the specific request (reference page one of this petition) is required to be submitted along with this petition. Check is preferred, but an invoice can be sent upon request.
- In-person attendance at the ZBA meeting is mandatory for the petitioner.
- Any request which will not be represented by the property owner at the public hearing must be accompanied by a notarized designation of agent affidavit.


## Certification of Applicant

I certify that the foregoing facts, to the best of my knowledge, are true and correct and that except for the exception, variance, or appeal requested in this petition, the proposed construction and use complies with all requirements for the zoning district in which the property is located. I also acknowledge that if the Board determines that any of the foregoing information is not accurate, my petition may be denied because it contained false or otherwise incorrect information. I recognize the City will send public notification and place a sign on the property with information for the public. This Petition will not be accepted until all required information is provided.

Print Name: Sher-Wil, Inc.


Date:
2/19/24

## Dear Sir,

I am pleased to offer my support for a Quick Serve Restaurant at the intersection of Skyland Blvd East and Interstate 20/59, Exit 76. This is in District 6 of Tuscaloosa that I represent on the City Council. There is a need for a sign at least 100' tall. With traffic on the interstate, they must have a sign this high so that travelers can be aware of the restaurant and bring needed revenue to Tuscaloosa.

Thank you for your consideration and I am excited to see a great addition to District 6.

Sincerely,

John Faile


## 4900 Doris Pate Drive



4900 Doris Pate Drive











