

ZONING BOARD OF ADJUSTMENT STAFF REPORT

October 26, 2026

ZBA-95-26

GENERAL INFORMATION

Petitioner

Chris Rhodes

Requested Action and Purpose

Variance from the freestanding sign general standards to allow a billboard that was relocated to increase its height and display area.

Location and Existing Zoning

1701 McFarland Blvd N. Zoned GC. (Council District 3).

Size and Existing Land Use

Approximately 1.45 acres, Commercial

Surrounding Land Use and Zoning

North: Single-family residential, SFR-1

East: Commercial, GC

South: Commercial, OS

West: Commercial, GC

Applicable Regulations

Division 10. – Signs and Billboards.

Sec. 25-182.h.3

3. Modification, replacement, or removal of existing billboards.

i. Billboards may be dismantled, moved, and/or converted to accommodate electronic, digital, and video displays or tri-vision technology in accordance with the standards in this article VI, [division 10](#).

ii. A billboard that is replaced or converted is subject to the following:

(a) The maximum height of the billboard shall not increase.

(b) The display area of each sign face of the billboard shall not increase.

iii. Prior to the removal of any billboard, the billboard's owner shall obtain a permit for the demolition and removal of the billboard.

Division 10. – Signs and Billboards.

Sec. 25-182.h.4

4. Minimum clearance and maximum height.

i. On properties adjacent to Interstate 20/59, the base of a billboard sign face shall be at least eleven (11) feet above the ground and not more than the higher of seventy-five (75) feet above the ground or sixty (60) feet above the plane of the adjoining highway lanes. Such billboards are not subject to a maximum total height limitation.

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ii. Except as otherwise provided in subsection i. above, the distance from the base of the lowest sign face of a billboard to the ground beneath the billboard shall be at least eleven (11) feet and not more than:

- (a) Forty (40) feet if the billboard is located along a street with more than three (3) moving lanes; and
- (b) Twenty-six (26) feet if the billboard is located along a street with three (3) or fewer moving lanes.

iii. Except as otherwise provided in subsection i. above, the total height of a billboard, as measured from the top of the sign face to the ground beneath the billboard, shall not exceed:

- (a) In cases where the ground level is lower than the main-traveled way of the street or highway to which the sign is directed, the higher of twenty-five (25) feet above the plane of such main-traveled way or sixty (60) feet in total height; and
- (b) Sixty (60) feet in all other cases.

SUMMARY

The petitioner is requesting variance from the freestanding sign general standards to allow a billboard that was relocated to increase its height and display area. The applicant owns an existing billboard located at 5000 Skyland Blvd E, which they are requesting to relocate to 1701 McFarland Blvd N. The existing billboard has 288 square feet of display area and is 32 feet tall. The applicant is requesting that the new sign be 50 feet tall with 360 square feet of display area. Per the petitioner "The subject parcel is affected by two physical obstructions that sit directly within the sight line between approaching traffic and the proposed sign face. A twenty-two (22) foot commercial building occupies the adjacent parcel, and a forty (40) foot utility pole stands next to the sign location. At the existing height of thirty-two (32) feet, the sign face would be partially obscured by these structures from the primary direction of approaching travel. A driver would be required to make repeated glances to read a message that should be comprehensible in a single view, increasing eyes-off-road time along a high-volume corridor. At fifty (50) feet, the sign face clears both the building profile and the utility pole, allowing single-glance perception at prevailing traffic speed."

The new sign will be equipped with an electronic board and the applicant states that the sign will be installed with architectural cladding consistent with the surrounding commercial corridor aesthetic, landscaping will be installed, and they will not allow content that includes adult, tobacco, or cannabis advertising.

Variance Application

Property Information:

Site Address:

1701 McFarland Blvd N, Tuscaloosa, Alabama 35406

Total Acres:

1.45

Number of Existing Structures:

1

Current Zoning:

General Commercial (GC)

Current Land Use:

Commercial

Applicant Information:

Applicant Name:

Chris Rhodes

Is the applicant also the property owner?

No

Property Owner Information:

Owner 1

Property Owner Name:

Richard Ellis Jr.

The primary consideration for a variance request 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.

Detailed Description of the Proposed Request, including Hardship:

DESCRIPTION OF REQUEST

The applicant is the owner of an existing billboard located within the city limits (located at 5000 Skyland Blvd E). Pursuant to Section 25-195(c)(2)(iii) of the Tuscaloosa Zoning Ordinance, the owner of an existing billboard may remove that billboard and relocate it to an approved and conforming location upon obtaining

a sign permit under Section 25-42 and complying with Article VI, Division 10. The applicant intends to proceed under that authority: the existing legacy structure will be removed and relocated to the subject property, and the total number of billboard structures within the city will not increase.

Relocation under that provision is subject to Section 25-182(h)(3)(ii), which provides that a billboard which is replaced or converted may not increase its maximum height (subsection (a)) or the display area of each sign face (subsection (b)). The applicant requests a variance from both of those limitations, seeking approval to construct the relocated structure at fifty (50) feet in overall height rather than the existing thirty-two (32) feet, and with a face measuring ten (10) feet by thirty-six (36) feet rather than the existing twelve (12) feet by twenty-four (24) feet.

EXTRAORDINARY AND EXCEPTIONAL CONDITIONS PERTAINING TO THE PROPERTY

The subject parcel is affected by two physical obstructions that sit directly within the sight line between approaching traffic and the proposed sign face. A twenty-two (22) foot commercial building occupies the adjacent parcel, and a forty (40) foot utility pole stands next to the sign location. At the existing height of thirty-two (32) feet, the sign face would be partially obscured by these structures from the primary direction of approaching travel. A driver would be required to make repeated glances to read a message that should be comprehensible in a single view, increasing eyes-off-road time along a high-volume corridor. At fifty (50) feet, the sign face clears both the building profile and the utility pole, allowing single-glance perception at prevailing traffic speed.

Recognized traffic engineering principles governing advance sight distance hold that a driver must be able to perceive and process roadside information before reaching a decision point. An obstructed or under-elevated sign face compresses that perception window and forces late viewing, which is precisely the condition the requested height is intended to correct. This is consistent with Section 25-174(a)(3), which directs that the sign regulations establish controls permitting the reasonable use of signs and expressly recognizes the benefits of signs to the city's residents, businesses, and visitors, including aiding orientation and identifying activities. A sign face that cannot be resolved in a single glance from the approaching travel lane does not serve those recognized functions.

CONDITIONS PECULIAR TO THIS PROPERTY

The combination of a twenty-two (22) foot structure and a forty (40) foot utility pole positioned within the sight line is specific to this parcel and is not a condition generally shared by other properties along the McFarland Boulevard corridor. The obstruction is a function of the existing improvements and utility infrastructure on and adjacent to this particular site, not of the corridor as a whole.

CONDITIONS NOT CREATED BY THE APPLICANT

Both the commercial building and the utility pole were in place prior to the applicant's involvement with the property. The applicant did not construct, alter, or cause the placement of either structure, and has taken no action that created or contributed to the sight-line condition for which relief is sought.

UNNECESSARY HARDSHIP

Application of the no-increase limitation in Section 25-182(h)(3)(ii) to this particular parcel would prevent the relocated sign from performing its lawful function. A billboard that cannot be read in a single glance from the approaching travel lane does not serve its intended purpose, and no configuration at the existing thirty-two (32) foot height resolves the obstruction. The hardship arises directly from the physical conditions of the site rather than from any preference or convenience of the applicant.

MINIMUM NECESSARY RELIEF AND CONSISTENCY WITH THE PUBLIC INTEREST

The requested relief does not exceed any dimensional maximum the Ordinance establishes for a billboard at this location. Section 25-182(h)(4) sets two separate limits. Under Section 25-182(h)(4)(ii)(a), on a street with more than three moving lanes, the distance from the ground to the base of the lowest sign face — the clearance — shall not exceed forty (40) feet. Under Section 25-182(h)(4)(iii)(b), the total height of the

billboard, measured from the ground to the top of the sign face, shall not exceed sixty (60) feet.

The proposed structure complies with both. With a ten (10) foot face at a total height of fifty (50) feet, the clearance is exactly forty (40) feet — at, and not above, the maximum permitted under subsection (ii)(a) — and the total height is fifty (50) feet, ten feet below the maximum permitted under subsection (iii)(b). The requested fifty (50) foot total height is the calculated minimum required to clear the twenty-two (22) foot building, the forty (40) foot utility pole, and to provide adequate advance perception distance, and it is achieved without exceeding either applicable height standard.

Under Section 25-182(h)(5), the maximum display area of a billboard is six hundred seventy-two (672) square feet. The requested face of three hundred sixty (360) square feet is well below that maximum, and represents an increase of only seventy-two (72) square feet over the existing face. The requested dimensions also reduce the vertical profile of the sign from twelve (12) feet to ten (10) feet, producing less vertical visual intrusion at the greater elevation. The wider horizontal aspect improves readability at speed, allowing a driver to comprehend the message in a shorter scan. The dimensional change is directed at legibility at the required elevation rather than at increased sign presence.

The replacement structure will be engineered to current wind-load and structural codes, and will be materially safer than the legacy structure it retires.

The variance is consistent with the purpose and intent of the billboard cap established in Section 25-195(c)(2)(i), which is to hold the number of billboard structures existing on January 1, 2025 constant rather than to reduce sign dimensions. This application delivers exactly that outcome: one structure removed, one structure erected, no net increase. It additionally removes a legacy structure from its present location, an aesthetic improvement for that neighborhood, and consolidates the applicant's inventory onto one of the few remaining qualifying corridor locations. The relocated sign will provide advertising access for local businesses along a primary commercial corridor.

Finally, the applicant notes that relocation of the existing structure to this site at its current dimensions — two hundred eighty-eight (288) square feet of display area at thirty-two (32) feet in height — qualifies under Section 25-195(c)(2)(iii) and complies with the standards in Article VI, Division 10. The applicant is not asking the Board to determine whether a billboard may be relocated to this parcel; the Ordinance provides for that relocation. The question presented is the configuration of the relocated structure. The applicant submits that the configuration requested here — greater elevation to clear the documented sight-line obstruction, a reduced vertical face profile, current structural and wind-load engineering, architectural cladding, landscaping, and permanent content restrictions — better serves the safety and aesthetic purposes stated in Section 25-174 than the configuration that would otherwise be constructed. Approval of this variance is what allows those improvements and conditions to be secured.

COMPLIANCE WITH ALL OTHER APPLICABLE STANDARDS

Apart from the two limitations from which relief is sought, the proposed structure complies with the standards in Article VI, Division 10:

- Spacing between billboards — the location satisfies the one thousand (1,000) foot minimum separation between billboards on the same side of a non-interstate street under Section 25-182(h)(6)(i).
- Separation from digital displays — the location satisfies the two thousand (2,000) foot separation required between billboards incorporating electronic, digital, or video display or tri-vision technology under Section 25-182(h)(8)(iv)(a), measured along the centerline of the adjacent street.
- Display area — 360 square feet, within the 672 square foot maximum under Section 25-182(h)(5).
- Total height — 50 feet, within the 60 foot maximum under Section 25-182(h)(4)(iii)(b).
- Permitting — the applicant will obtain a sign permit under Section 25-42 and a demolition and removal permit for the existing structure under Section 25-182(h)(3)(iii) prior to relocation.

PROPOSED CONDITIONS

The applicant offers the following conditions in connection with approval: architectural cladding consistent with the surrounding commercial corridor aesthetic; landscaping installed and maintained around the structure base; and a permanent content restriction prohibiting adult, tobacco, and cannabis advertising.

Supporting Documents:

Site Plan (if applicable):

1701 McFarland Blvd_ N (1) (1).pdf

MBI-235 10'6x36 PF 15'V 50'T LED (1).pdf

Elevation Drawings (if applicable):

James Media Zozos LHR-32'_8.31.2026 (1).jpg

James Media Zozos LHR-Tall_8.31.2026 (1).jpg

James Media Zozos RHR-32'_8.31.2026 (1).jpg

James Media Zozos RHR-Tall_8.31.2026 (1).jpg

Zozo's Tuscaloosa Restaurant_Perspective Tall
(1).jpg

Zozo's Tuscaloosa Restaurant_Perspective (1).jpg

Additional Documents:

Digital Distance (2).png

Static Distance (1).png

IMG_7703 (1).heic

VARIANCE APPLICATION DESCRIPTION.pdf

Once submitted, a staff member will contact the applicant using the email provided on this form. If more documents are required, the staff member will clarify what is required in that email. By submitting this application, you recognize the city will send public notification and place a sign on the property with information for the public.

VARIANCE APPLICATION DESCRIPTION

McFarland Boulevard Billboard Relocation — Cap-and-Replace

Existing: 12' × 24' face (288 sq ft), 32' overall height **Requested:** 10' × 36' face (360 sq ft), 50' overall height

DESCRIPTION OF REQUEST

The applicant is the owner of an existing billboard located within the city limits (located at 5000 Skyland Blvd E). Pursuant to **Section 25-195(c)(2)(iii)** of the Tuscaloosa Zoning Ordinance, the owner of an existing billboard may remove that billboard and relocate it to an approved and conforming location upon obtaining a sign permit under Section 25-42 and complying with Article VI, Division 10. The applicant intends to proceed under that authority: the existing legacy structure will be removed and relocated to the subject property, and the total number of billboard structures within the city will not increase.

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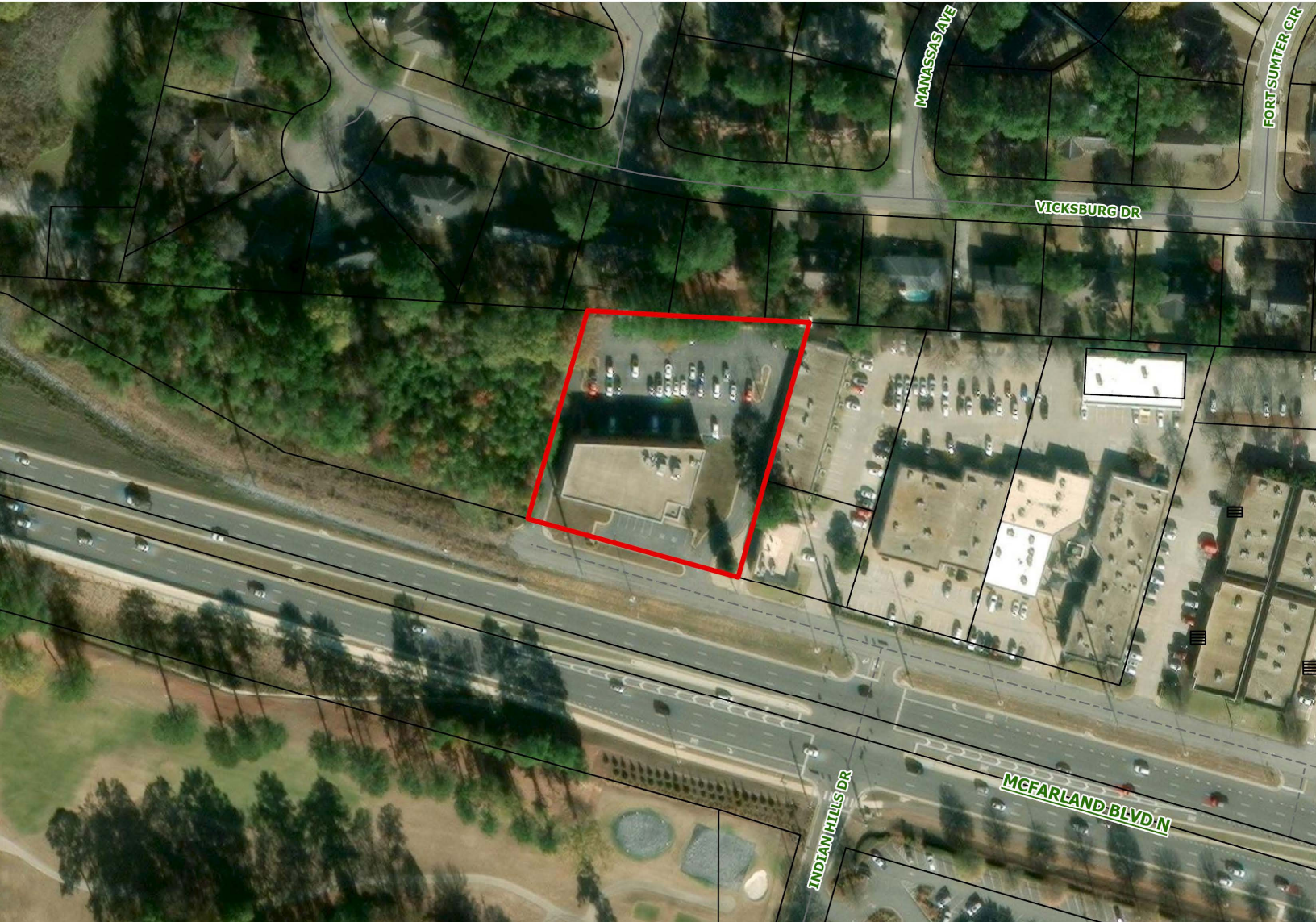
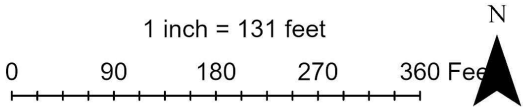
1701 McFarland Boulevard North

0 700 1,400 2,100 2,800 Feet





1701 McFarland Boulevard North





BILLBOARD HEIGHT REQUIREMENTS

10x36 FACE – 50' TOTAL HEIGHT (FLAG UNIT)



COMPLIANT
Meets All Requirements

- ✓ **Total Height: 50'**
(Less than 60' maximum)
- ✓ **Clearance Height: 40'**
(40' maximum allowed)

KEY DIMENSIONS	
 Total Height (Grade to Top of Sign)	50'
 Clearance Height (Grade to Base of Sign Face)	40'
 Sign Face Size	10' x 36'

Illustration for permitting purposes – demonstrates compliance with maximum height (60') and clearance height (40') requirements.







zozo's
KITCHEN

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JAMES



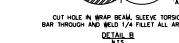
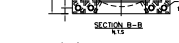
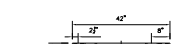
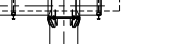
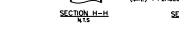
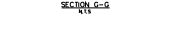
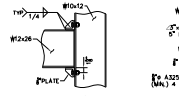
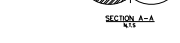
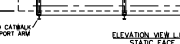
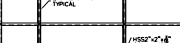
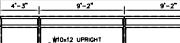
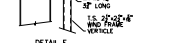
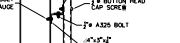
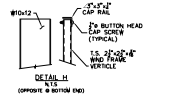
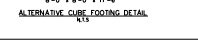
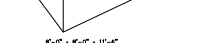
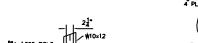
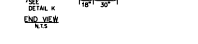
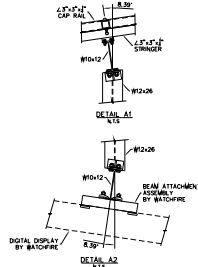
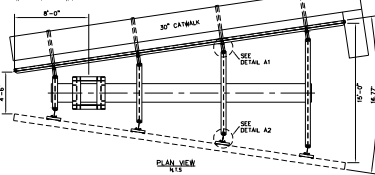
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THE STRUCTURE SHOWN, AS DESIGNED, IS CAPABLE OF SUPPORTING UP TO TWO (2) DIGITAL DISPLAYS WEIGHING APPROXIMATELY 4,725# EACH.

NOTE: 24" UPPER & LOWER ANGLE CANTAILS NOT SHOWN FOR CLARITY.



GENERAL NOTES:

- All design, detailing, fabrication and construction shall conform to the following codes and specifications:
 - The International Building Code (2001 Edition) Risk category II/Exposure C
 - American Society of Testing and Materials (ASTM) specifications.
 - Building Code Requirements for Reinforced Concrete (ACI 318-Current Edition)
 - Code for Welding in Building Construction of the American Welding Society (AWS) (Current Edition)
 - Specification for the Design, Fabrication and Erection of Structural Steel for Buildings by The American Institute of Steel Construction (AISC) (Current Edition)
- Concrete shall be $f_c=2500$ P.S.I. @ 28 days Compressive Strength, Standard Weight (150 P.C.F.)
- Reinforcing Steel (E_{steel}) shall be ASTM A-615 Grade 60.
 - All reinforcing steel shall be free from mud, oil, rust or coatings that would reduce or destroy bond.
 - All reinforcing bars shall top 30 diameters minimum, except as noted.
 - Minimum concrete cover on ties, stirrups and main bars shall be 3/4 inch for slab, and surfaces not exposed to weather or in contact with ground. 3 inches for unreinforced surfaces deposited against the ground except as noted.
- Structural Material Specifications
 - Structural Steel and Plates shall be A-36
 - W-Shape Beams shall be $F_y=50$ ksi Minimum
 - Structural tubing shall be ASTM A-500, Grade B, $F_y=46$ ksi
 - Structural piling shall be ASTM A-53, Grade B, Type E or S, $F_y=35$ ksi, ASTM A572 Grade 42 ($F_y=42$ ksi) or ASTM A572 Grade 50 ($F_y=50$ ksi), unless otherwise noted (see drawing for individual member specifications).
- Anchor Bolts (E_{steel}) shall be ASTM F-1554 Grade 36, unless otherwise noted.
- High strength bolts for connections shall be ASTM A-325, unless otherwise noted.
- Welding electrodes shall comply with AWS D11.1-Current Edition, E70xx.
- Design Wind Speed= 102 MPH (1.0 G.C.) Equivalent Wind Load= 24.8 PSF @ 60'-0" above the ground. (3 Sec Wind Gusts.) Exposure "C" $I_p=1.0$ $G=0.85$
- Soil Bearing Capacity Requirements:
 - Spread Footings shall be ≥ 2.0 P.S.F.
 - Cube or Auger Footing Minimum Lateral Soil Bearing Capacity shall be $(200 \text{ PSF} + 2 \text{ psi/100 P.S.F. per foot of depth})$ (See table below per Section 108.16)
- Contractor shall verify all dimensions and conditions in the field before erection and notify the Engineer of any discrepancies. Footing has been designed on the assumption that the allowable lateral bearing pressure is 200 PSF/ft of depth (doubled per IRC chapter 16). Owner to verify soil conditions prior to construction.
- Splicing of pipes having an equal diameter, girth and joint is permitted. A full penetration weld at ground (per AWS D11.1) shall be used and must be performed by a certified welder. Splices shall not be within one half of the foundation depth below grade, within 10' above grade or within 10' above telescoping splices. Unless noted otherwise.
- The structure shown, as designed, is capable of supporting up to two (2) digital displays weighing up to approximately 4,725# each.

Selective Structures, LLC

811 East Avenue
Athens, TN 37303

DESCRIPTION:

10'-6" x 36'-0" 8" PF, 15'V @ 50'-0" O.A.H.
w/Up to Two (2) 4,725# Digital Units
Located @: 15300 US Hwy 43
Russellville, AL

MBI

200 N. WILKESBARRE RD.
KNOXVILLE, TN 37919
PHONE: 615.584.2000
800.468.8888

REVISIONS



DATE	BY	TO
01/19/24	MBI	Permitting
1/4"-1'-0"	MBI	Scale
280195-007-00	MBI	Proj.#
MBI-235	MBI	Draw.#
1 OF 1		Sheet