

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**APPLICATION FOR SIGN WAIVER SW-24-07 (ORDINANCE 2024-0616)****SEPTEMBER 17, 2024**

Location: 3044 San Pablo Road South

Real Estate Number: 167080-0000; 167077-0100

Waiver Sought: 1.) Reduce sign setback from 25 feet to 1 foot
2.) Increase the maximum size of a sign from 24 square feet to 30 square feet

Current Zoning District: Residential Rural - Acre (RR-Acre)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Greater Arlington/Beaches, District 2

Council District: District 13

Applicant /Agent: Ryan Richardson
2756 Park Street
Jacksonville, Florida 32205

Owner: Rivertown Church
3044 San Pablo Road South
Jacksonville, Florida 32224

Staff Recommendation: DENY

GENERAL INFORMATION

Application for Sign Waiver **Ordinance 2024-0616 (SW-24-07)** seeks to permit a reduction in the required minimum setback for a new monument sign from the property line abutting San Pablo Road South from 25 feet to 1 foot, and increase the maximum size of the sign from 24 square feet to 30 square feet. The site is within the Residential Rural-Acre (RR-Acre) zoning district and the Low Density Residential (LDR) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2045 Comprehensive Plan.

The property has an existing sign that meets the requirements on an internal landscape island of the vehicle use are. The request is being sought to move the sign to the outer edge of the vehicle

use area near the eastern property line while increasing the over size of the sign. San Pablo Road is currently undergoing an widening project which will bring the roadway very close to the property line in which the setback request is being sought.

NOTICE TO OWNER / AGENT

Section 656.1310, Ordinance Code, sets forth procedures and criteria for evaluating waivers of the Part 13 sign regulations. Section 656.1310 of the Ordinance Code defines a sign as “a painting, structure or device which is placed, erected, or constructed or maintained on or in the ground, or on or outside of an enclosed building or other object or structure or affixed or painted on or inside an exterior window of a building for the purpose of displaying information, advertisement or attraction of the attention of persons, including posters, pictures, pictorial or reading matter and a letter, word, model, device or representation used in the nature of an advertisement, announcement, attraction or direction”.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to Section 656.1310(a)(i) through (x), Ordinance Code, provides that, with respect to action upon Applications for Sign Waivers, the Planning Commission shall grant a waiver only if substantial competent evidence exists to support a positive finding based on each of the following criteria as applicable:

- (i) *Will the effect of the sign waiver be compatible with the existing contiguous signage or zoning and consistent with the general character of the area considering population, density, scale, and orientation of the structures in the area?***

No. The effect of the sign waiver will not be compatible with the existing contiguous signage. The property is located along a residential stretch of San Pablo Road with many entrances to neighborhoods nearby. The proposed sign is much closer to the right of way than any of the other residentially zoned property signs.

- (ii) *Would the result detract from the specific intent of the zoning ordinance by promoting the continued existence of nonconforming signs that exist in the vicinity?***

Yes. The intent of the zoning ordinance is to have signage that does not interfere with visibility but promotes signage that is consistent with that found in the surrounding area. The proposed request would not be promoting the continued existence of non-conforming signs as no similar signage is found in the immediate residential area of San Pablo Road South. The proposed request would however set a precedent for other properties to seek signage that does not conform to the zoning code requirements.

- (iii) *Could the effect of the proposed waiver diminish property values in, or negatively alter the aesthetic character of the area surrounding the site, and could such waiver substantially interfere with or injure the rights of others whose property would be affected by the same?***

Yes. The effect of the proposed sign waiver could diminish property values in, or negatively alter the aesthetic character of the area surrounding the site, as a larger than normal sign would be located closer to the roadway than any other sign in the surrounding area.

- (iv) ***Would the waiver have a detrimental effect on vehicular traffic or parking conditions, or result in the creation of objectionable or excessive light, glare, shadows or other effects, taking into account existing uses and zoning in the vicinity?***

Yes. The waiver could have a detrimental effect on vehicular traffic. Due to the expansion of the San Pablo Roadway, the proposed sign being located one foot from the right of way creating a distraction of those vehicles traveling south as it would be located close to the new travel lanes. Additionally, no other signs in the residentially zoned areas surrounding the site are located within the required setback distances.

- (v) ***Is the proposed waiver detrimental to the public health, safety or welfare, or could such waiver result in additional public expense, creation of nuisances, or cause conflict with any other applicable law?***

Yes. The proposed waiver would create a potential nuisance due to its proposed location, and if allowed would set a precedent for other signs in the area to seek similar setbacks close to the roadway.

- (vi) ***Does the subject property exhibit specific physical limitations or characteristics, which could be unique to the site and which would make imposition of the strict letter of the regulation unduly burdensome?***

No. The subject property does not exhibit specific physical limitations that limit the setback of the sign location from the road. The existing sign was located on an internal landscape island in the vehicle use area which met the requirements of the code. The property could meet all of the sign requirements by placing a new sign in the existing signs location.

- (vii) ***Is the request based exclusively upon a desire to reduce the costs associated with compliance and is the request the minimum necessary to obtain a reasonable communication of one's message?***

No. The request is not based on a desire to reduce the costs associated with compliance as the proposed sign would have a cost to the church property, and the request far exceeds the minimum necessary to obtain the communication of the message of the sign.

- (viii) ***Is the request the result of violation that has existed for a considerable length of time without receiving a citation and if so, is the violation that exists a result of construction that occurred prior to the applicants acquiring the property, not being a direct result of the actions of the current owner?***

No. The request is not the result of any cited violations.

- (ix) *Does the request accomplish a compelling public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees?*

No. The request does not accomplish any compelling public interest nor are there and preservation of natural resources by relocating the sign from the existing location of the other sign.

- (x) *Would strict compliance with the regulation create a substantial financial burden when considering the cost of compliance?*

No. There is no financial burden on the property owner by meeting the requirements of the code to be in compliance.

SUPPLEMENTARY INFORMATION

The Notice of Public Hearing sign **was** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application Sign Waiver SW-24-07 (Ordinance 2024-0616) be **DENIED**.



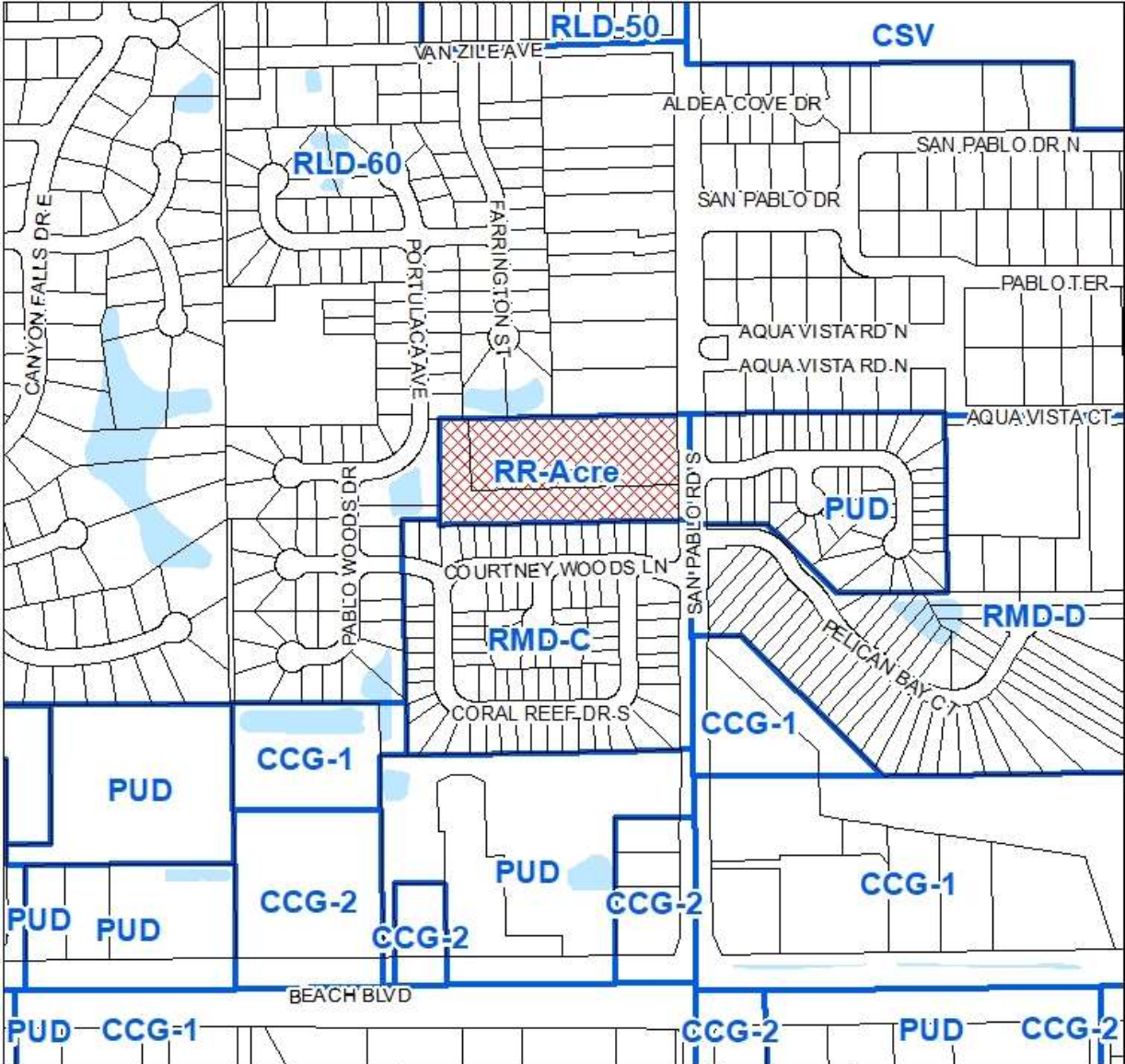
Aerial View (Red Star is the proposed location of the sign)


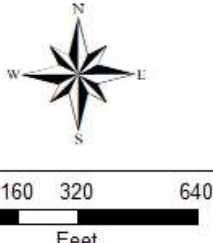


View of the approximate location of the new Sign with a Temporary Sign in its place



View of the proposed sign location looking down San Pablo Road



<p>REQUEST SOUGHT:</p> <p>INCREASE MAXIMUM SIZE OF SIGN FROM 24SF TO 30SF</p> <p>REDUCE MINIMUM SETBACK FROM 25 FEET TO 1 FOOT</p>	<p>LOCATION MAP:</p>  <p>TRACKING NUMBER</p> <p>SW-24-07</p>	 <p>COUNCIL DISTRICT:</p> <p>13</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>
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Legal Map