

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**APPLICATION FOR SIGN WAIVER ORDINANCE 2025-0179/SW-25-01****APRIL 1, 2025**

Location: 10900 McCormick Road; between St. Johns Bluff Road and Ft. Caroline Road

Real Estate Number: 161220-0000

Waiver Sought: Allow for internal illumination; Reduce minimum setback from 20 feet to 10 feet

Current Zoning District: Residential Low Density-90 (RLD-90)

Current Land Use Category: Low Density Residential (LDR)

Planning District: 2 – Greater Arlington

Council District: 2

Applicant/Agent: Thomas Sweeney
11308 Oak Landings Drive
Jacksonville, Florida 32225

Owner: Highlands United Presbyterian Church of Jax
10900 McCormick Road
Jacksonville, Florida 32225

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Sign Waiver **Ordinance 2025-0179 (SW-25-01)** seeks to allow for internal illumination; and reduce minimum setback from 20 feet to 10 feet for a 45.5 square foot monument sign. The church has one existing 24 sq. ft. sign on McCormick Road. The 4.00± acres church property is located on the south side of McCormick Road, about halfway between St. Johns Bluff Road and Ft. Caroline Road; within the Wonderwood Connector Corridor Land Use and Zoning Study area that was prepared by the Planning and Development Department in April, 2002.

The church has been a part of the community for over 40 years. The Wonderwood Corridor Study primarily focuses on commercial intensification along this corridor. This sign waiver to allow internal illumination application is for a non-commercial use and has been reviewed by staff (see attached memo) and found to be consistent with the Study.

The existing sign was built per approved Sign Waiver Ordinance 2010-0893 (SW-10-07), which sought to allow for the internal illumination of a newly proposed sign which replaced an existing legal nonconforming sign that resulted from the creation of the Wonderwood Expressway. The site is within a Residential (RLD-90) zoning district, and while the proposed sign met all other requirements of Part 13 of the Zoning Code, internal lighting was not allowed. The internal lighting feature for the new sign consisted of the Church logo and name, with an electronic reader board (containing amber colored lettering) atop a masonry base. Ordinance 2010-0893 was approved with the following conditions:

- (a) The electronic message board shall only contain verbal messages that change simultaneously for the entire portion of the sign that changes.
- (b) The electronic message board shall only use amber lights.
- (c) The brightness of the electronic message board shall not exceed 3.2 foot-candles, as measured from 5 feet from the electronic message board, between 11 pm and 5 am.

Section 656.1303 (b)(3) of the Zoning Code allows one nonilluminated or externally illuminated monument sign not exceeding one square foot in area for each five linear feet of street frontage, per street, to a maximum of 50 square feet, provided the signs are located no closer than 200 feet apart, as measured by a straight line between such signs, and further provided that the sign(s) are located on a street classified as a collector street or higher, and the following performance standards and development criteria are met: (i) The sign shall be located no closer than 100 feet from a principal residential structure located in a residential zoning district and may not be located in a required front yard; (ii) The sign must be a sign, not exceeding 12 feet in height; (iii) Illumination associated with the sign must be external, provided that the source of such illumination shall be designed, installed and maintained in a manner which prevents any glare or light from shining onto residentially used property.

(4) For purposes of this Part assembly and institutional uses shall include, but are not limited to, churches, schools, lodges.

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?*

Yes. The desired waivers will 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. The proposed internally illuminated sign meets all other requirements of Part 13 of the Zoning Code. This location is appropriate due to the size of the parcel, the location/orientation of the sign, existing buffers afforded to nearby residential development and surrounding uses.

- (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?*

No. The approved sign(s) will be comparable to the signs at Fort Caroline Baptist Church of Jacksonville at 11428 McCormick Road and the Gate Fueling station at 11040 McCormick Road. The intent of the ordinance is to promote aesthetically pleasing signage with great deference to adjoining properties, the general character of the area and the streetscape. The sign is of a size and scale that's consistent with signage in the area and is aesthetically compatible with the use that it will identify. Approval of this waiver will not promote the continued proliferation of signage.

- (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?*

No. The applicant seeks to update and improve the condition of the site via the installation of signage in a manner like that found in the surrounding area. The rights of others will not be negatively affected.

- (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?*

No. The waiver is unlikely to 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.

- (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?*

The proposed waiver will not have a detrimental effect on vehicular or pedestrian traffic or parking conditions. The proposed waiver will not be detrimental to the public welfare in that the sign does not create or contribute to any visual obstruction. Although the sign will be 10 feet from the property line, it will meet the 25-foot sight triangle at either points of

ingress/egress onto McCormick Road.

Because of the relatively small size of the sign (static at 24 sq. ft.; reader board at 19 sq. ft.), and setbacks from adjacent properties, it will not result in light intrusion onto adjoining properties in the area. Illumination of the sign in this instance will promote the public safety and welfare because it will allow the message of the sign to be viewable from a greater distance, reducing the risk caused by cars slowing down to read the sign when approaching and thereby decreasing the likelihood of accidents.

- (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 make the strict letter of the regulation burdensome.

- (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. Staff finds no evidence that the request is based on a desire to reduce the costs associated with compliance. The applicant states that the sign installed in 2011 is no longer working due to storm damage and is unable to be repaired due to a lack of available parts. This request to obtain reasonable identification and communication of messages is not based exclusively upon a desire to reduce the costs associated with compliance. If approved, the result of this waiver will be an additional cost to the applicant to construct a new 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 violation. The owners would like to replace a sign that is not working for them anymore.

- (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?*

Yes. The installation of this sign will improve the visibility of/for this site. A public benefit is that the use will be more identifiable with new monument signage.

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

No. Compliance with the sign regulations would not create a substantial financial burden.

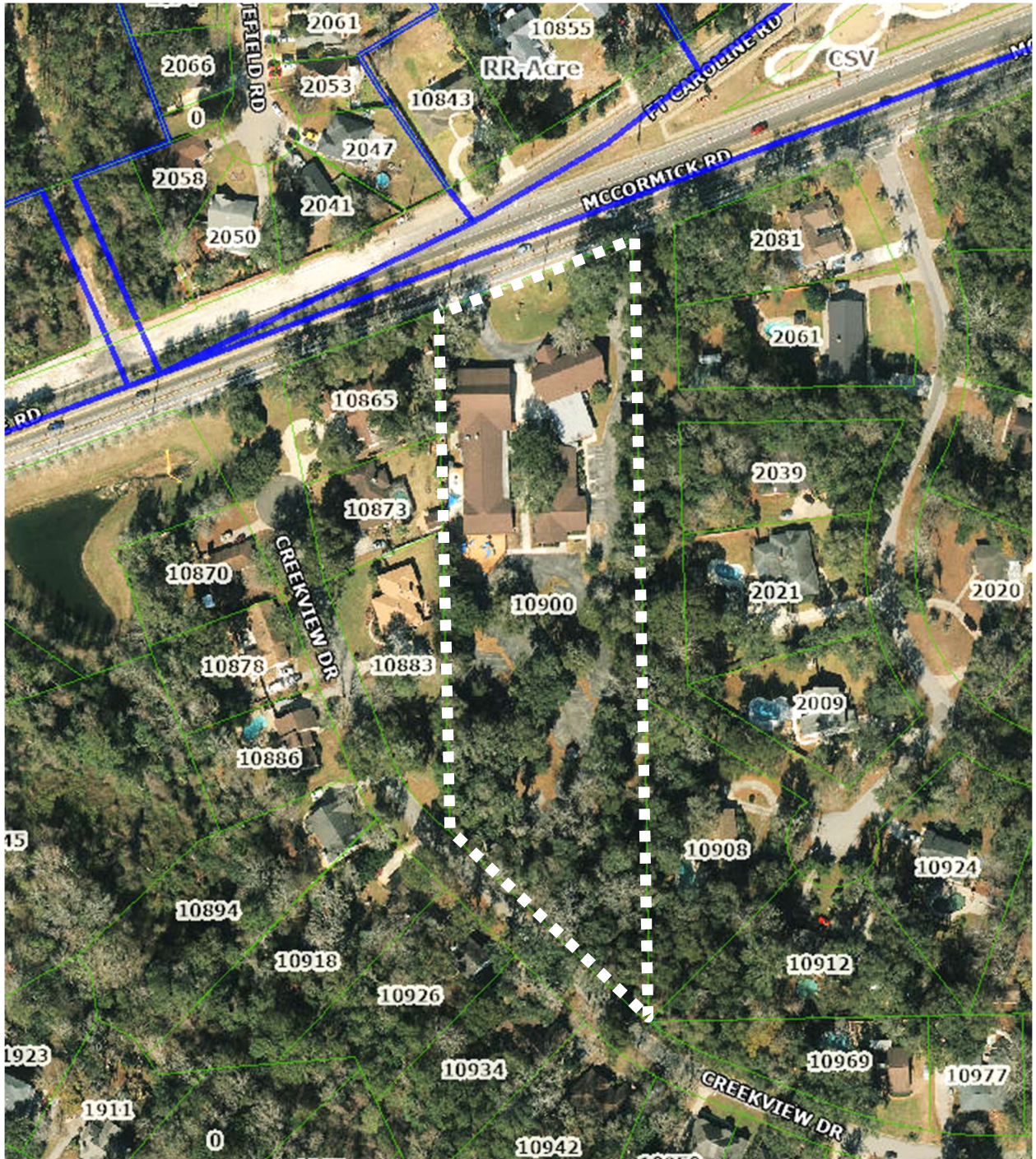
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on March 20, 2025, by the Planning and Development Department, the Notice of Public Hearing signs **were** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application Sign Waiver Ordinance **2025-0179 / SW-25-01** be **APPROVED**.



Aerial view of subject property



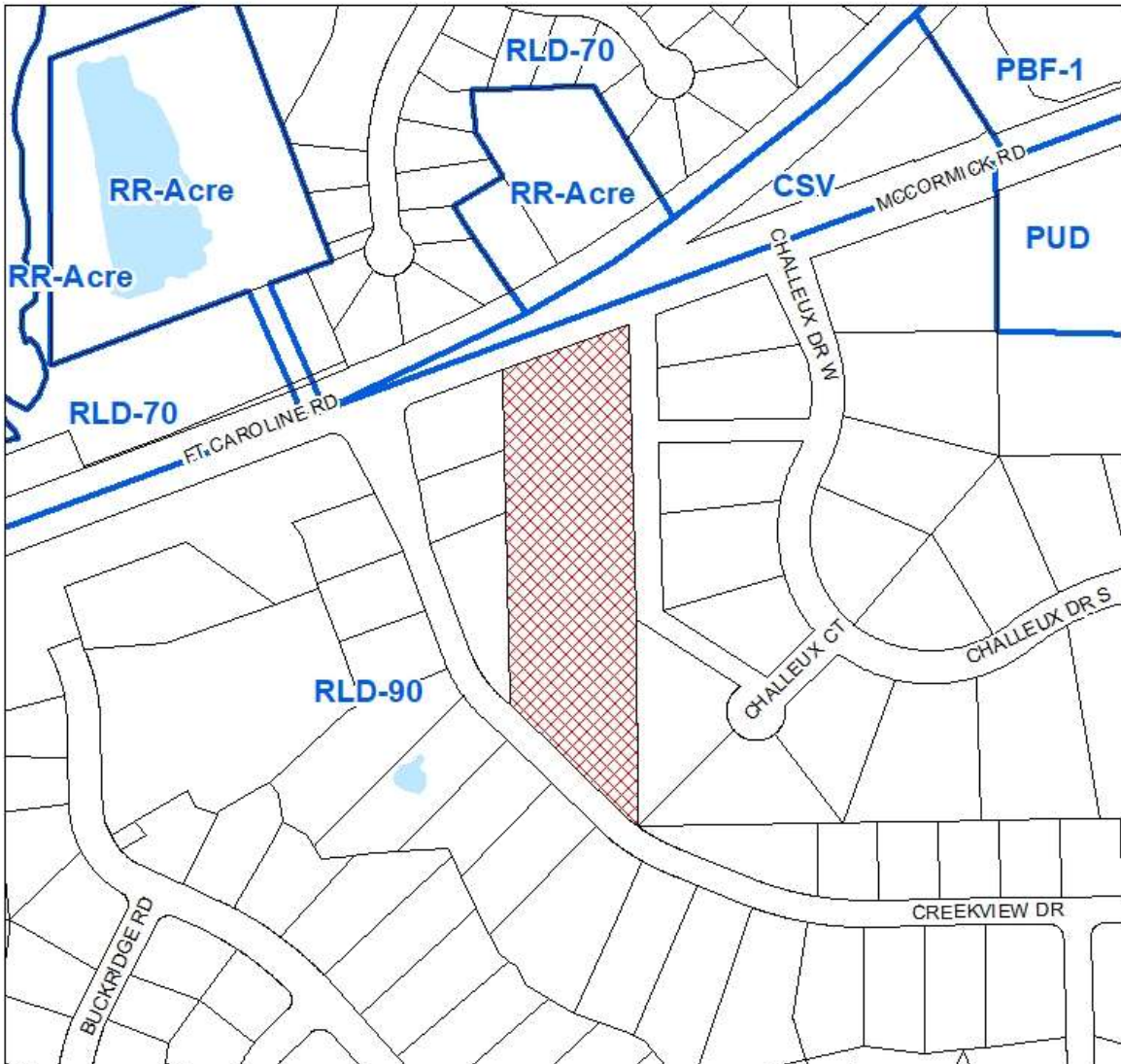
Facing east along McCormick Road from the subject site



Facing west along McCormick Road from the subject site



The existing sign on the subject site

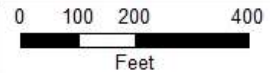
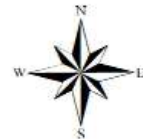
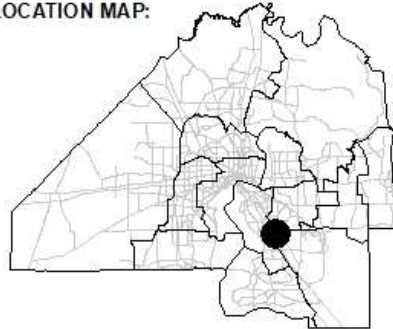


REQUEST SOUGHT:

ALLOW FOR ILLUMINATION OR CHANGE TO INTERNAL LIGHTING

REDUCE MINIMUM SETBACK FROM 20 FEET TO 10 FEET

LOCATION MAP:



COUNCIL DISTRICT:

2

TRACKING NUMBER

SW-25-01

**EXHIBIT 2
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