

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR SIGN WAIVER ORDINANCE 2024-241/SW-24-01

MAY 7, 2024

<i>Location:</i>	6133 San Jose Boulevard between Furman Road and Camellia Oaks Lane
<i>Real Estate Number:</i>	149786-0100
<i>Waiver Sought:</i>	Increase the number of signs from 1 to 2; Allow for illumination; Reduce minimum setback from 10 feet to 9 feet
<i>Current Zoning District:</i>	Residential Low Density-60 (RLD-60) Commercial Residential Office (CRO)
<i>Current Land Use Category:</i>	Low Density Residential (LDR) Residential Professional Institutional (RPI)
<i>Planning District:</i>	3-Southeast
<i>Council District:</i>	5
<i>Applicant/Agent:</i>	Walker Signs 3099 Apalachicola Boulevard, Suite 3 Middleburg, Florida 32068
<i>Owner:</i>	Lakewood Church of Jacksonville 6133 San Jose Boulevard Jacksonville, Florida 32217
<i>Staff Recommendation:</i>	APPROVE

GENERAL INFORMATION

Application for Sign Waiver **Ordinance 2024-241 (SW-24-01)** seeks to increase the number of signs from 1 to 2; allow for illumination; and reduce minimum setback from 10 feet to 9 feet. The church has two signs on San Jose Blvd. One of those signs has been removed and the proposed sign has already been installed.

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.

- (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 Lakewood Presbyterian Church at 2001 University Boulevard West, San Jose Church of Christ at 6233 San Jose Boulevard and San Jose Baptist Church at 6140 San Jose Blvd.

- (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 9 feet from the property line it will meet the 25 foot sight triangle at the intersection of Furman Road and San Jose Blvd. The sight triangle allows drivers to adequately see other vehicles before turning onto San Jose Blvd.

- (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.

- (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.

- (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. Strict compliance with the sign regulations would not create a substantial financial burden.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on April 15, 2024 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 **2024-241 / SW-24-01** be **APPROVED**.



Proposed sign has been installed.



Existing sign has been removed.



New sign is already installed and does not interfere with sight triangle



Aerial view of subject property



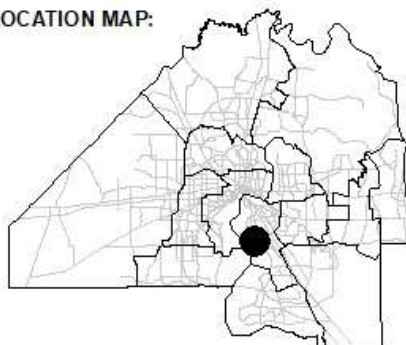
REQUEST SOUGHT:

**REDUCE SETBACK FROM
10 FEET TO 9 FEET**

**INCREASE NUMBER OF
SIGNS FROM 1 TO 2**

**ALLOW INTERNAL
ILLUMINATION**

LOCATION MAP:



0 100 200 400
Feet

COUNCIL DISTRICT:

5

ORDINANCE NUMBER

ORD-2024-0241

TRACKING NUMBER

SW-24-01

**EXHIBIT 2
PAGE 1 OF 1**