

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2020-755**

5 AN ORDINANCE APPROVING SIGN WAIVER APPLICATION  
6 SW-20-07 FOR A SIGN LOCATED IN COUNCIL DISTRICT  
7 5 AT 1620 NALDO AVENUE, BETWEEN LASALLE STREET  
8 AND LANDON AVENUE (R.E. NO. 080460-0000) AS  
9 DESCRIBED HEREIN, OWNED BY THE SAN MARCO UNITED  
10 METHODIST CHURCH, INC. (F/K/A ELIZABETH SWAIM  
11 MEMORIAL METHODIST CHURCH, INC.), REQUESTING TO  
12 INCREASE THE MAXIMUM SIZE OF A SIGN FROM 24  
13 SQUARE FEET TO 34 SQUARE FEET, IN ZONING  
14 DISTRICT RESIDENTIAL MEDIUM DENSITY-D (RMD-D),  
15 AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE;  
16 PROVIDING A DISCLAIMER THAT THE WAIVER GRANTED  
17 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
18 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
19 EFFECTIVE DATE.  
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21 **WHEREAS**, an application for a waiver of requirements for signs,  
22 **On File** with the City Council Legislative Services Division, was  
23 filed by Taylor Sign & Design, Inc., on behalf of the owner of  
24 property located in Council District 5 at 1620 Naldo Avenue, between  
25 LaSalle Street and Landon Avenue (R.E. No. 080460-0000) (Subject  
26 Property), requesting to increase the maximum size of a sign from 24  
27 square feet to 34 square feet, in Zoning District Residential Medium  
28 Density-D (RMD-D); and

29 **WHEREAS**, the Planning and Development Department has considered  
30 the application and all the attachments thereto and has rendered an  
31 advisory recommendation (Staff Report); and

1           **WHEREAS**, the Land Use and Zoning Committee, after due notice,  
2 held a public hearing, and having duly considered both the testimonial  
3 and documentary evidence presented at the public hearing, has made  
4 its recommendation to the Council; and

5           **WHEREAS**, taking into consideration the above recommendations and  
6 all other evidence entered into the record and testimony taken at the  
7 public hearings, the Council has considered the criteria for sign  
8 waivers pursuant to Sec. 656.133(c), *Ordinance Code*, and finds that  
9 the request is in harmony with the spirit and intent of the Zoning  
10 Code and should be approved; now, therefore

11           **BE IT ORDAINED** by the Council of the City of Jacksonville:

12           **Section 1.**       The Council has considered the sign waiver  
13 criteria pursuant to Sec. 656.133(c), *Ordinance Code*, the  
14 recommendation of the Land Use and Zoning Committee, and has reviewed  
15 the Staff Report of the Planning and Development Department concerning  
16 sign waiver Application SW-20-07 and finds that the waiver is in  
17 harmony with the spirit and intent of the Zoning Code, considering  
18 the following criteria, as applicable:

19           (1) The effect of the sign waiver is compatible with the existing  
20 contiguous signage or zoning and consistent with the general character  
21 of the area considering population, density, scale, and orientation  
22 of the structures in the area;

23           (2) The result will not detract from the specific intent of the  
24 Zoning Code by promoting the continued existence of nonconforming  
25 signs that exist in the vicinity;

26           (3) The effect of the proposed waiver will not diminish property  
27 values in, or negatively alter the aesthetic character of the area  
28 surrounding the site, and will not substantially interfere with or  
29 injure the rights of others whose property would be affected by the  
30 same;

31           (4) The waiver will not have a detrimental effect on vehicular

1 or pedestrian traffic or parking conditions, or result in the creation  
2 of objectionable or excessive light, glare, shadows, or other effects,  
3 taking into account existing uses and zoning in the vicinity;

4 (5) The proposed waiver will not be detrimental to the public  
5 health, safety or welfare, and will not result in additional public  
6 expense, creation of nuisances, or cause conflict with any other  
7 applicable law;

8 (6) The Subject Property exhibits specific physical limitations  
9 or characteristics which are unique to the site and which would make  
10 imposition of the strict letter of the regulation unduly burdensome;

11 (7) The request is not based exclusively upon a desire to reduce  
12 the costs associated with compliance and is the minimum necessary to  
13 obtain a reasonable communication of one's message;

14 (8) If the request is the result of a violation that has existed  
15 for a considerable length of time without receiving a citation,  
16 whether the violation that exists is a result of construction that  
17 occurred prior to the applicant's acquisition of the property, and  
18 not as a direct result of the actions of the current owner;

19 (9) The request accomplishes a compelling public interest, such  
20 as, for example, furthering the preservation of natural resources by  
21 saving a tree or trees; and

22 (10) Strict compliance with the regulation will create a  
23 substantial financial burden when considering cost of compliance.

24 Therefore, sign waiver Application SW-20-07 is hereby **approved**.

25 **Section 2. Owner, Property and Sign Description.**

26 The Subject Property is owned by the San Marco United Methodist Church,  
27 Inc. (f/k/a Elizabeth Swaim Memorial Methodist Church, Inc.), and is  
28 legally described in **Exhibit 1, attached hereto**, dated November 20,  
29 2020, and graphically depicted in **Exhibit 2, attached hereto**. A  
30 graphic depiction of the sign is **attached hereto** as **Exhibit 3**. The  
31 applicant is Taylor Sign & Design, Inc., 4162 St. Augustine Road,

