

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT
APPLICATION FOR SIGN WAIVER SW-18-20 (ORDINANCE 2018-0704)

DECEMBER 4, 2018

Location: 7788 Ramona Boulevard West
Between Greenland Avenue and Permento Avenue

Real Estate Number: 007221-0200

Waiver Sought: Reduce minimum setback from twenty (20) feet to ten (10) feet.
Increase maximum size of sign from 50 square feet to 60 square feet.

Current Zoning District: Residential Low Density-60 (RLD-60)

Current Land Use Category: Low Density Residential (LDR)

Planning District: 5-Northwest

Applicant /Agent: Shark Signs of NE FL, Inc.
5317 Shen Ave.
Jacksonville, FL 32205

Owner: Eagle's View Academy, Inc.
C/O Mariam McDermitt
7788 Ramona Blvd West.
Jacksonville, FL 32221

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Sign Waiver **Ordinance 2018-0704 (SW-18-20)** seeks to reduce the required minimum setback from twenty (20) feet to ten (10) feet and increase the maximum size of signage from 50 square feet to 60 square feet. The applicant plans to install a twelve (12) foot externally illuminated monument sign on the West side of the entrance driveway, center of the property facing perpendicular to Ramona Blvd West. The sign portion of the monument sign will be 5 feet by 10 feet for a total of 50 square feet of signage. The base column will also include the academy's logo, website and street number which will increase the signage square footage from 50 square feet to 60 square feet. Therefore, the applicant is requesting an increase to the minimum square footage of signage.

Situated on a 2.19 acre lot, the subject property currently contains a 14,589 square foot, one-story gymnasium building built in 2002, and two relocatable classrooms. The structures currently contains, Eagle's View Academy, which is located between Greenland Avenue and Permento Avenue. The subject property is also located within Zoning District RLD-60 and surrounding properties include Single Family Dwellings, Churches and other Commercial uses.

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 site is within a RLD-60 Zoning District and the LDR functional land use classification as defined by the Future Land Use Map Series (FLUMs) contained within the Future Land Use Element (FLUE) as adopted by the 2030 Comprehensive Plan. Zoning requirements state that for assembly or institutional use located within a residential zoning district signage may not be located in a required front yard and cannot be located no closer than 100 feet from a principal residential structure.

- (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 result of this sign waiver will not detract from the specific intent of the zoning code, in that due to the Zoning District RLD-60 signage for institutional uses cannot be placed within the required front yard (20 feet). Ramona Boulevard is made up of several different zoning districts, mainly CCG-1/CCG-2/IBP, all of which only require a signage setback of 10 feet. The approval of this sign waiver would not create a sign out of character for other signage along Ramona Boulevard. The request is based on the need for more visibility of the sign along Ramona Boulevard. The 20 foot required setback of RLD-60

makes visibility of the sign along Ramona Boulevard difficult.

- (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 effect of the proposed sign waiver is unlikely to diminish property values in, or negatively alter the aesthetic character of the area surrounding the subject property. The sign will be located within a developing area uses ranging from residential dwelling, assemblies, institutional uses, and commercial uses. Staff maintains that the request will not alter the aesthetic character of the area as other zoning districts along Ramona Boulevard only require a 10 foot setback for signage. Just across the street from Eagle's View Academy are several undeveloped properties zoned CCG-2, which once developed could legally place signage along Ramona Boulevard meeting the 10 foot setback.

- (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. Considering that Ramona Boulevard is a high vehicular traffic commercial corridor and the subject site is a school, it is unlikely that the proposed externally illuminated sign will create objectionable light, glare or other effects additional to what already exists in the area.

- (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?*

No. The proposed waiver will not have a detrimental effect on vehicular or pedestrian traffic or parking conditions, or result in the creation of objectionable or excessive light, glare, shadows, or other effects, when taking into account existing uses and zoning in the vicinity. It does not create or contribute to visual obstructions along this corridor and does not limit vehicular access to the site.

- (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?*

Yes. There is landscaping along the property line including trees which could cause a visual barrier for individuals traveling along Ramona Boulevard. Strict enforcement of the regulation would require the sign to be set back further from the right-of-way and roadway, greatly reducing the visibility of the sign.

- (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. This request is not based exclusively upon a desire to negate the expense of costs associated with compliance, as the sign has not yet been constructed on the property. The applicant is requesting the setback reduction for better visibility along Ramona Boulevard without having to lose landscaping.

- (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?*

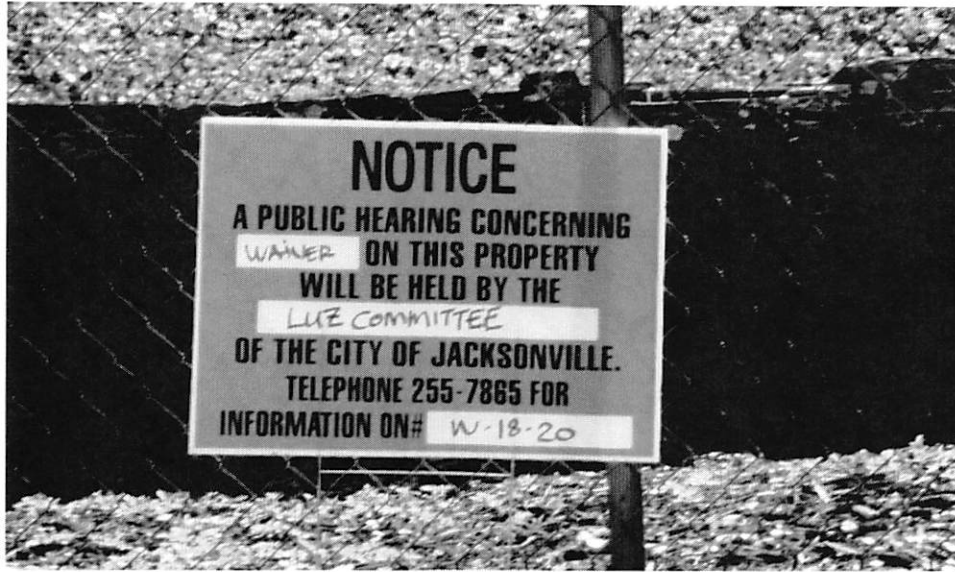
Yes. If it were positioned meeting the required setback the signage would not be visible from the street due to several large trees blocking visibility for cars traveling along Ramona Boulevard. By moving the sign up 10 feet and providing external illumination will make it easier for the community to view the signage with ease.

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

No. As previously stated the sign has not yet been constructed on the property and therefore can be built in compliance with the zoning regulations and would not create any future substantial financial burden on the applicant.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **November 13, 2018** by the Planning and Development Department, the Notice of Public Hearing signs were posted.



Source: Planning and Development Department Staff
Date: November 13, 2018

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application Sign Waiver SW-18-20 (Ordinance 2018-0704) be APPROVED.



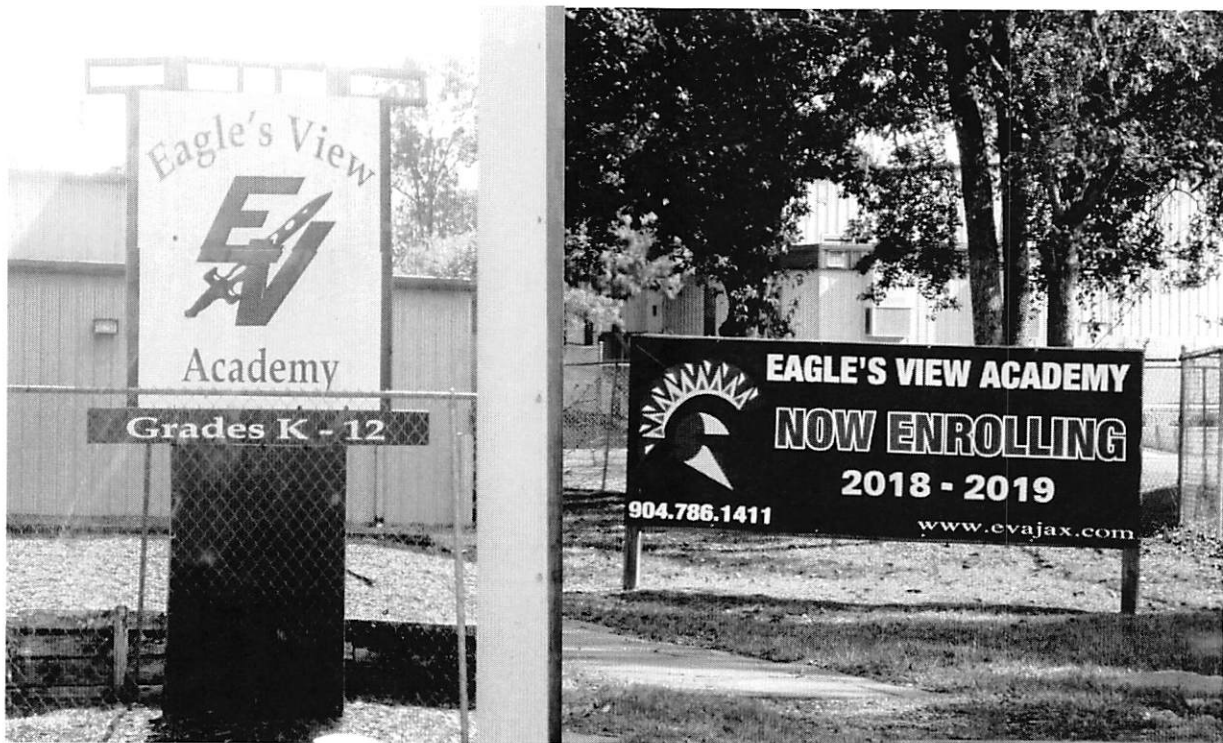
Aerial View

Source: JAXGIS



Proposed Location of Sign

*Source: Planning and Development Department Staff
Date: November 13, 2018*



Current Signage on Property

*Source: Planning and Development Department Staff
Date: November 13, 2018*



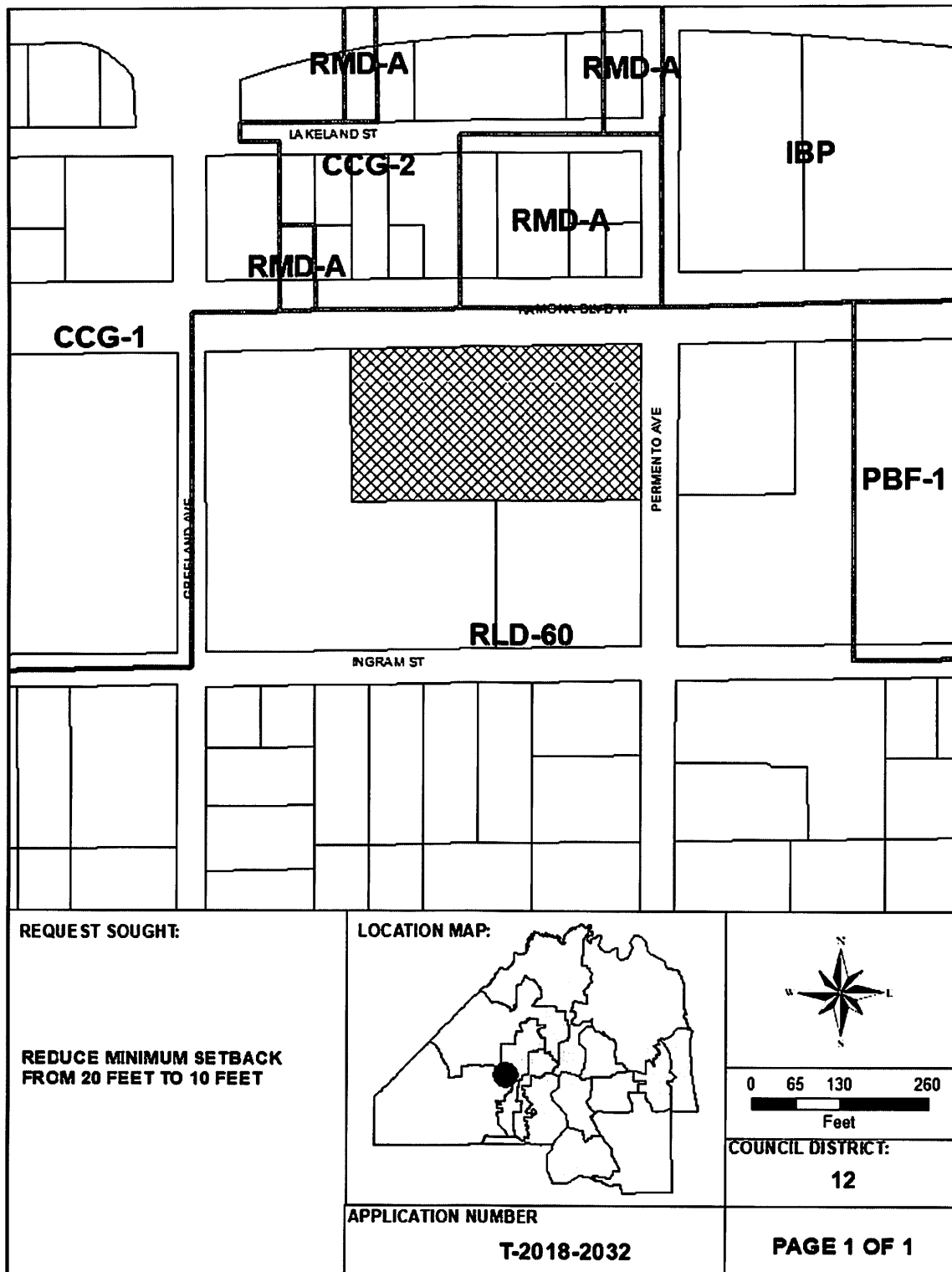
View of Property along Ramona Blvd

*Source: Planning and Development Department Staff
Date: November 14, 2018*



Property to the North: Single Family Dwelling.

*Source: Planning and Development Department Staff
Date: November 14, 2018*



Legal Map
JAXGIS

Date Submitted: 9.21.18
Date Filed:

Application Number: (1) - 18-20
Public Hearing:

Application for Sign Waiver
 City of Jacksonville, Florida
 Planning and Development Department

Please type or print in ink. Instructions regarding the completion and submittal of this application are located at the end of this form. For additional information, please contact the Planning and Development Department at (904) 255-7865.

For Official Use Only		
Current Zoning District: PLD-60	Current Land Use Category: LDR	
Council District: 12	Planning District: S	
Previous Zoning Applications Filed (provide application numbers): NONE.		
Applicable Section of Ordinance Code:		
Notice of Violation(s): NONE		
Neighborhood Associations: W. OAK CIVIC ASSOC / PALMING HILLS		
Overlay: N/A.		
LUZ Public Hearing Date:	City Council Public Hearing Date:	
Number of Signs to Post: 2	Amount of Fee: \$1322-	Zoning Asst. Initials: tdh.

PROPERTY INFORMATION	
1. Complete Property Address: 7788 RAMONA BLVD W JACKSONVILLE, FL 32221	2. Real Estate Number: 007221-0200 ✓
3. Land Area (Acres): 2.19	4. Date Lot was Recorded: 2003
5. Property Located Between Streets: GREELAND AVE AND PERMENTO AVE	6. Utility Services Provider: City Water / City Sewer <input checked="" type="checkbox"/> Well / Septic <input type="checkbox"/>

7. Waiver Sought:

- Increase maximum height of sign from _____ to _____ feet (maximum request 20% or 5 ft. in height, whichever is less). *Note – Per Section 656.1310, no waiver shall be granted which would permit a sign in excess of 40 feet in height in any zoning district.
- Increase maximum size of sign from 50 sq. ft. to 60 sq. ft. (maximum request 25% or 10 sq. ft., whichever is less)
- Increase number of signs from _____ to _____ (not to exceed maximum square feet allowed)
- Allow for illumination or change from _____ external to _____ internal lighting
- Reduce minimum setback from 20 feet to 10 feet (less than 1 ft. may be granted administratively)

8. In whose name will the Waiver be granted?
EAGLE'S VIEW ACADEMY

9. Is transferability requested? *If approved, the waiver is transferred with the property.*

- Yes
- No

OWNER'S INFORMATION (please attach separate sheet if more than one owner)

10. Name: EAGLE'S VIEW ACADEMY, INC C/O MARIAM MCDERMOTT	11. E-mail:
12. Address (including city, state, zip): 7788 RAMONA BLVD W. JACKSONVILLE, FL 32221	13. Preferred Telephone: 904-786-1411

APPLICANT'S INFORMATION (if different from owner)

14. Name: SHARK SIGNS OF NE FL, INC.	15. E-mail: AMBER@SIGNSHARKS.COM
16. Address (including city, state, zip): 5317 SHEN AVENUE JACKSONVILLE, FL 32205	17. Preferred Telephone: 904-766-6222/904-318-7728

CRITERIA

Section 656.1310, Ordinance Code, sets forth procedures and criteria for evaluating waivers of the Part 13 sign regulations. Section 656.1302 of the Ordinance Code defines a sign as *"a painting, structure, projected image or device which is placed, erected, constructed or maintained on or in the ground or water, or on or outside of an enclosed building, boat, ship, vessel or other object or structure or affixed or painted on or inside an exterior window of a building for the purpose of display, 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."*

Section 656.133(c)1 through 10, Ordinance Code, provides that, with respect to action upon Applications for Sign Waivers, the City Council shall grant a waiver only if substantial competent evidence exists to support a positive finding based on each of the following criteria as applicable:

1. *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?*
2. *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?*
3. *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?*
4. *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?*
5. *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?*
6. *Does the subject property exhibit specific physical limitations or characteristics, which would be unique to the site and which would make imposition of the strict letter of the regulation unduly burdensome?*
7. *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?*
8. *Is the request the result of a 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 applicant's acquiring the property, not being a direct result of the actions of the current owner?*
9. *Does the request accomplish a compelling public interest such as, for example, furthering the preservation of natural resources by saving a tree or trees?*
10. *Would strict compliance with the regulation create a substantial financial burden when considering the cost of compliance?*

18. Given the above definition of a "sign" and the aforementioned criteria by which the request will be reviewed against, please describe the reason that the waiver is being sought. Provide as much information as you can; you may attach a separate sheet if necessary. Please note that failure by the applicant to adequately substantiate the need for the request and to meet the criteria set forth may result in a denial.

CURRENT ZONING REQUIRES A 20' SETBACK AT THIS LOCATION FOR A NEW MAIN ID SIGN. REQUESTING WAIVER FOR 10' SETBACK FOR BETTER VISIBILITY.

FILING FEES		
*Applications filed to correct existing zoning violations are subject to a double fee.		
<u>Base Fee</u>	<u>Public Notices</u>	<u>Advertisement</u>
Residential Districts: \$1,161.00	\$7.00 per Addressee	Billed directly to owner/agent
Non-residential Districts: \$1,173.00		

AUTHORIZATION

Please review your application. No application will be accepted until all of the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the Planning Commission. The owner and/or authorized agent must be present at the public hearing.

The required public notice signs must be posted on the property within five (5) working days after the filing of this application. Sign(s) must remain posted and maintained until a final determination has been made on the application.

I hereby certify that I have read and understand the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

Owner(s) Print name: <u>MARIAN McDERMITT</u> Signature: <u>Marian McDermitt</u>	Applicant or Agent (if different than owner) Print name: <u>DONNY CAGLE</u> Signature: <u>[Signature]</u>
Owner(s) Print name: _____ Signature: _____	<i>*An agent authorization letter is required if the application is made by any person other than the property owner.</i>

SUBMITTAL

This application must be typed or printed in ink and submitted along with three (3) copies for a total of four (4) applications. Each application must include all required attachments.

Submit applications to:
 Planning and Development Department, Zoning Section
 214 North Hogan Street, 2nd Floor
 Jacksonville, Florida 32202
 (904) 255-8300

EXHIBIT B

Agent Authorization - Corporation

Date: 9-4-18

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location in Jacksonville, Florida:

Address: 7788 RAMONA BLVD W JACKSONVILLE, FL REH(s): 007221-0200

To Whom it May Concern:

You are hereby advised that DONNY CAGLE, as PRESIDENT of SHARK SIGNS OF NE FL INC, a corporation organized under the laws of the state of FLORIDA hereby authorizes and empowers DONNY CAGLE to act as agent to file application(s) for EAGLE'S VIEW ACADEMY for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change as submitted to the Jacksonville Planning and Development Department.

(signature) Marian McDermitt
(print name) MARIAN McDermitt

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 4th day of September 2017, by Marian McDermitt, as Corp. Secretary of Eagle's View Academy, a non profit corporation, who is personally known to me or who has produced personally know as identification and who took an oath.

Brittany Connors
(Signature of NOTARY PUBLIC)

Brittany Connors
(Printed name of NOTARY PUBLIC)



Brittany Connors
Commission # GG089816
Expires: April 3, 2021
Bonded thru Aaron Notary

State of Florida at Large.
My commission expires: April 3, 2021

EXHIBIT A

Property Ownership Affidavit - Corporation

Date: 9-4-18

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Property Owner Affidavit for the following site location in Jacksonville, Florida:

Address: 7788 RAMONA BLVD W JACKSONVILLE, FL RE#(s): 007221-0200

To Whom it May Concern:

OFFICER OF THE BOARD

I MARIAN McDERMITT, as Corporate Secretary of EAGLE'S VIEW ACADEMY, a corporation organized under the laws of the state of FLORIDA,

hereby certify that said corporation is the Owner of the property described in Exhibit 1 in connection with filing application(s) for SIGN VARIANCE submitted to the Jacksonville Planning and Development Department.

(signature) Marian McDermitt

(print name) MARIAN McDermitt

Please provide documentation illustrating that signatory is an authorized representative of the corporation; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 4 day of September 20 17, by Marian McDermitt, as corp secretary of Eagle's View Academy NON profit corporation, who is personally known to me or who has produced corporation as identification and who took an oath.



Brittany Connors
Commission # GG089816
Expires: April 3, 2021
Bonded thru Aaron Notary

Brittany Connors
(Signature of NOTARY PUBLIC)

Brittany Connors
(Printed name of NOTARY PUBLIC)

State of Florida at Large.

My commission expires: April 3, 2021

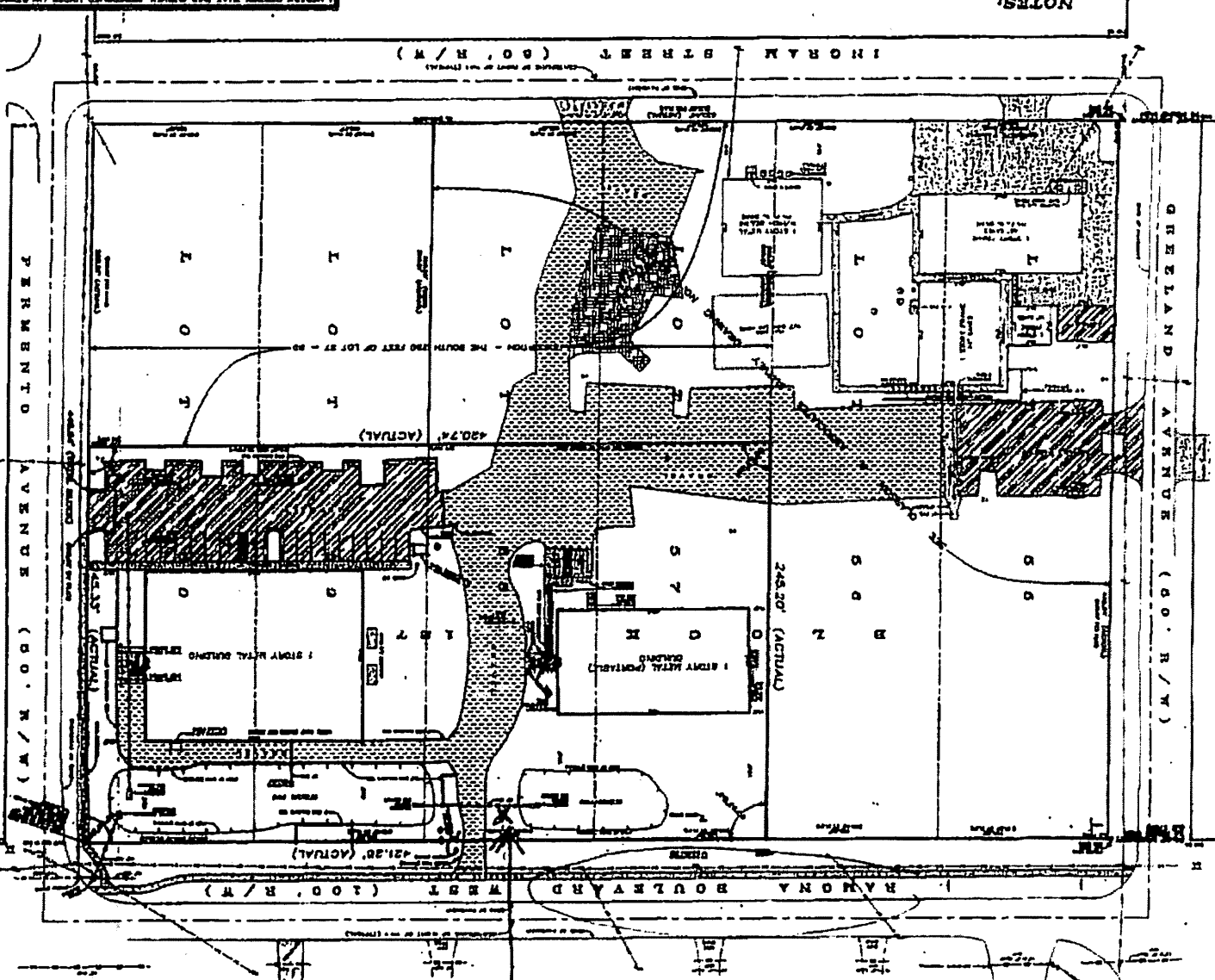
7780 W RAMONA BLVD. WEST

Proposed Set Back From 20' TO 10'

MAP SHOWING BOUNDARY SURVEY OF LOTS 57 THROUGH 60, RAMONA ACRES, RECORDED IN DEED BOOK 714, PAGE 118 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA FOR, RAJIB VIKR ACADEMY.

FOR, RAJIB VIKR ACADEMY.

- LEGEND:**
- FOUND 1/2" IRON (AS CAPPED)
 - SET 1 1/2" IRON (LB 1704)
 - FOUND 4"x4" CONCRETE MONUMENT
 - WATER VALVE
 - SANITARY SEWER MANHOLE
 - ELECTRIC MANHOLE
 - SIGN
 - LIGHT POLE
 - UTILITY POLE
 - GUY WIRE
 - FIRE HYDRANT
 - SPROUT
 - CLEANOUT
 - CONCRETE
 - POINT OF CURVATURE
 - REINFORCED CONCRETE PIPE
 - CORRUGATED METAL PIPE
 - OFFICIAL RECORDS VOLUME
 - ELIPTICAL
 - CORRUGATED PLASTIC PIPE
 - COVERED AREA
 - STORM DRAINAGE
 - SEWER DRAINAGE
 - FENCE (NES TO FACE)
 - OVERHEAD UTILITY LINES
 - HANDICAP PARKING SPACES



- NOTES:**
- 1 NORTH ARROW SHOWN IS APPROXIMATE AND IS FOR PICTORIAL PURPOSES ONLY.
 - 2 THIS IS AN ABOVE SURFACE SURVEY ONLY. UNDERGROUND INFORMATION NOT LOCATED, EXCEPT STORM DRAINAGE PIPES AS SHOWN.
 - 3 RECORD PLAT SHOWS NO BEARINGS OR ANGLES.

DRAWING NO. B-1888(C)
 SCALE: 1"=100'
 FIELD BOOK: 481, PAGE: 71 & 72
 DATE SURVEYED: JUNE 20, 2007
 SURVEYED BY: [Name]
 CHECKED BY: [Name]
 DATE CHECKED: [Date]

CADREX AND ASSOCIATES, INC.
 1844 BIRCH AVENUE
 WINTER HAVEN, FLORIDA 33884
 PHONE: 888-288-1110

2018 FLORIDA NOT FOR PROFIT CORPORATION ANNUAL REPORT

DOCUMENT# N01000005597

Entity Name: EAGLE'S VIEW ACADEMY, INC.

Current Principal Place of Business:

7788 RAMONA BLVD. W.
JACKSONVILLE, FL 32221

Current Mailing Address:

7788 RAMONA BLVD. W.
JACKSONVILLE, FL 32221 US

FEI Number: 59-3740677

Certificate of Status Desired: Yes

Name and Address of Current Registered Agent:

MCDERMITT, MARIAN
7788 RAMONA BLVD. W.
JACKSONVILLE, FL 32221 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: MARIAN MCDERMITT

01/18/2018

Electronic Signature of Registered Agent

Date

Officer/Director Detail :

Title PRESIDENT
Name RAY, JEFF
Address 7788 RAMONA BLVD. W.
City-State-Zip: JACKSONVILLE FL 32221

Title VP
Name LANG, DOUG
Address 7788 RAMONA BLVD. W.
City-State-Zip: JACKSONVILLE FL 32221

Title SECRETARY
Name MCDERMITT, MARIAN
Address 7788 RAMONA BLVD. W.
City-State-Zip: JACKSONVILLE FL 32221

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 617 Florida Statutes, and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: MARIAN MCDERMITT

CORPORATE
SECRETARY

01/18/2018

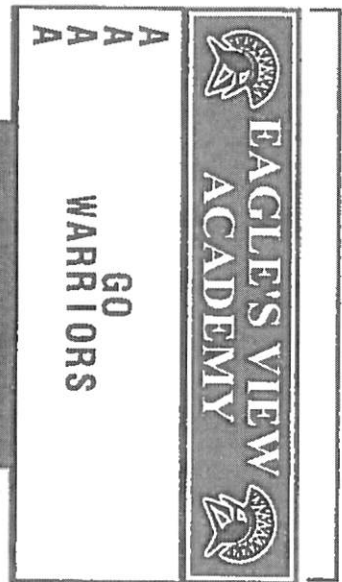
Electronic Signature of Signing Officer/Director Detail

Date

SIGN IS NOT PERMANENTLY ILLUMINATED

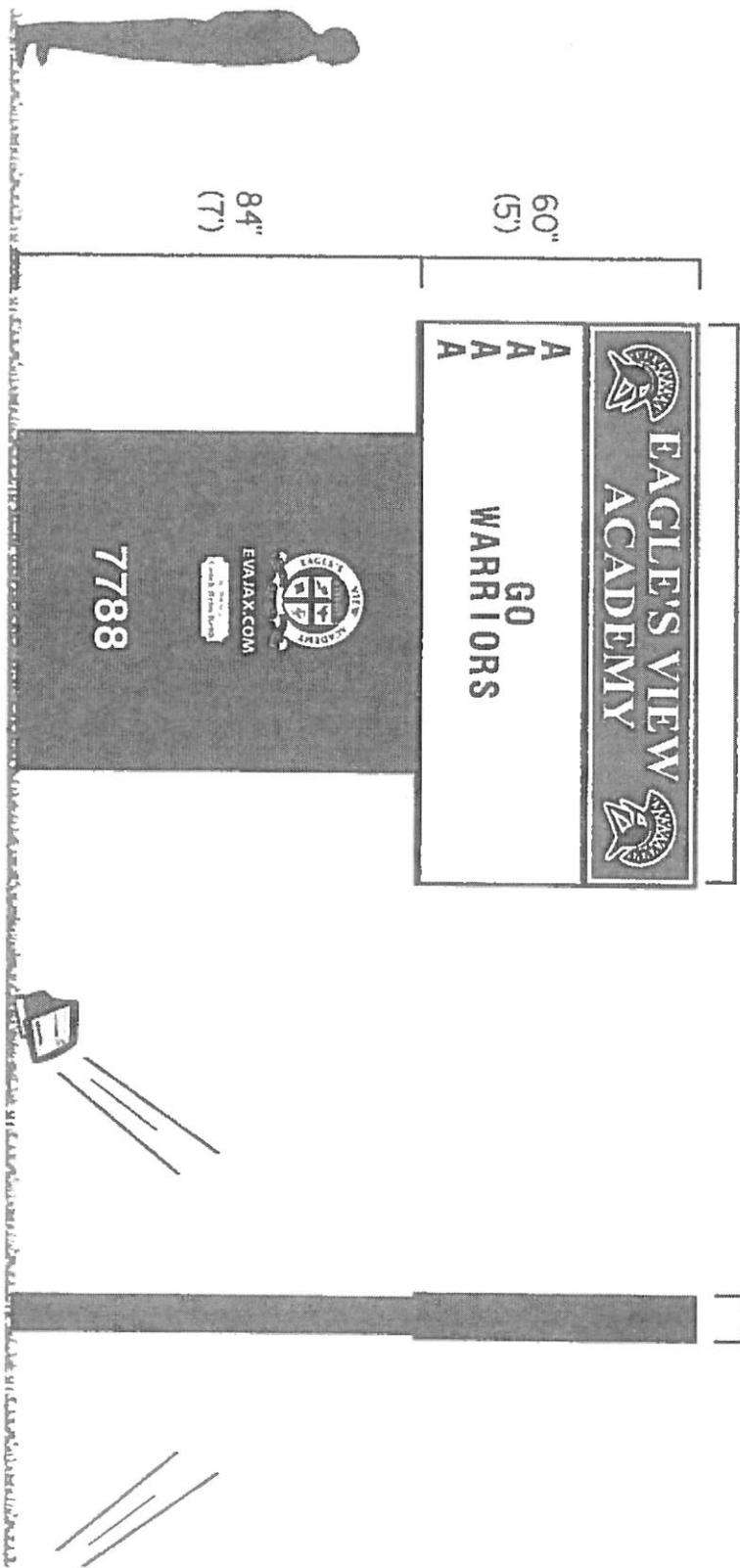
FRONT VIEW

120" (10')



SIDE VIEW

10"



LIGHTING VIA 2 GROUND-MOUNTED, 5 WATTS SOLAR LED FIXTURES

Review layout thoroughly; errors or omissions are the responsibility of the client once layout has been approved and production initiated. Finished product is dependent on the quality of artwork provided. Rendering scaling is representative of finished product; please allow for minor size variances in production or fabrication.

Production cannot begin without signed and dated layout approval and deposit (if required).

Approved, or approved with noted changes by: (required)

Date:

Color appearance on layouts are subject to your computer monitor rendering capability. Some colors may not appear as intended and required reprinting with a specific PMS, Pantone or other color is required and may be as close as possible to color match is required client must provide specific PMS color.

We do not reproduce trademarks, copyrighted or other proprietary logos or likenesses without proof of permission of reuse. ALL PERMITTING & LAYOUTS ARE PROPERTY OF SHARK SIGNS OF NE FL, INC. NO REUSE OR REPRODUCTION WITHOUT EXPRESSED PERMISSION.

NEW ADDRESS!

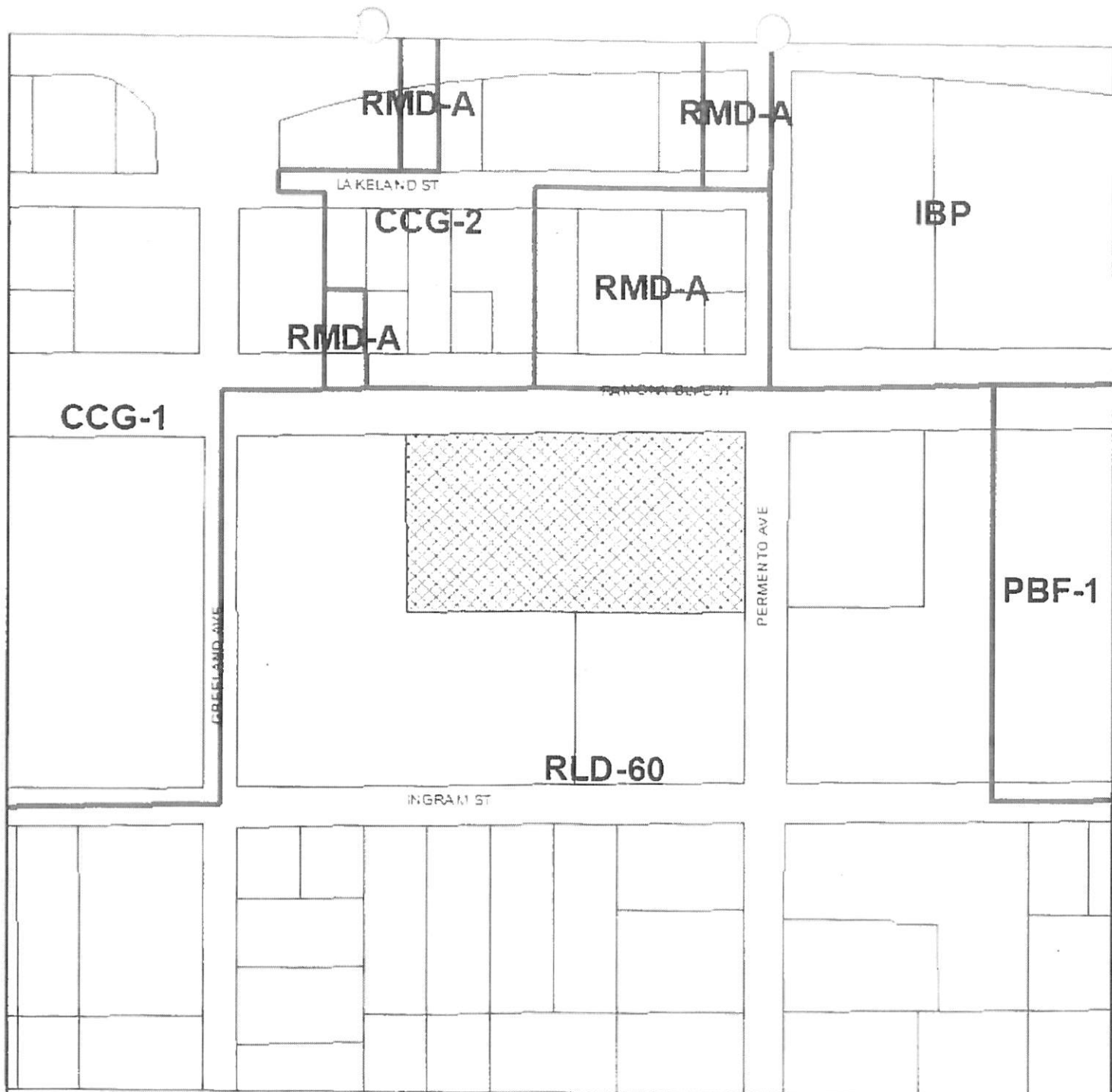
Shark Signs of NE FL, Inc.
5317 Shen Avenue, Jacksonville, FL 32205

904-766-6222
Fax: 904-766-0222

chris@signsharks.com
sales@signsharks.com



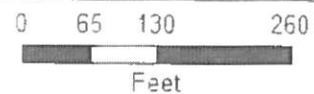
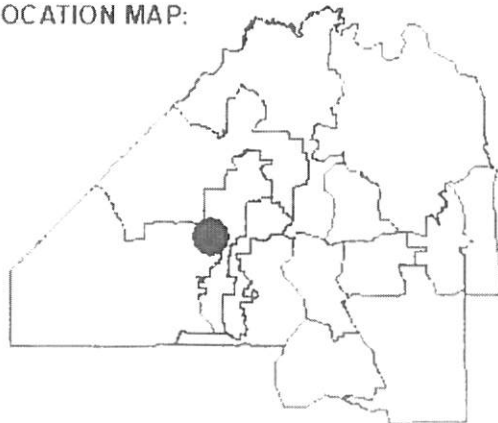
Certified Specialty Electrical Contractor
E512000498



REQUEST SOUGHT:

REDUCE MINIMUM SETBACK
FROM 20 FEET TO 10 FEET

LOCATION MAP:



COUNCIL DISTRICT:

12

APPLICATION NUMBER

T-2018-2032

PAGE 1 OF 1