REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR SIGN WAIVER SW-18-08

January 3, 2019

Location: 7100 Shindler Drive

Between Hipps Road and Feldman Road

Real Estate Number: 016177-0000

Waiver Sought: Reduce Minimum Setback from 20 Feet to 10 Feet

Current Zoning District: Residential Low Density 100B (RLD-100B)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southwest – District 4

Applicant /Agent: Shawn Ninesling

Nine Enterprises / Signarama 3633 Southside Boulevard Jacksonville, Florida. 32216

Owner: Shindler Drive Baptist Church

Pastor Jonathan Reavis 7100 Shindler Drive

Jacksonville. Florida. 32222

Staff Recommendation: APPROVE

GENERAL INFORMATION

Application for Sign Waiver **Ordinance 2018-0763** (SW-18-08) seeks to reduce the minimum setback for a sign from 20 feet to 10 feet in the Residential Low Density 100B (RLD-100B). The applicant is seeking to install a new sign by the entrance to the property, but due to the location of a parking lot driveway isle the setback cannot be met to the extent of the code.

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 effect of the sign waiver will be compatible with the existing contiguous zoning and general character of the area. The signs along Shindler Road vary in setbacks, and are not internally illuminated. The proposed setback reduction will not be an obvious change compared to other neighborhood and business signs 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 result of the sign waiver will not detract from the specific intent of the zoning ordinance, in that the new sign is unable to conform to required setbacks due to the existing vehicle use area. The situation is unique to the subject property and would not promote the existence of any other non-conforming signs in the area.
- (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 site, in that the proposed sign will still be setback substantially from the road.
- (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. The reduced setback will allow for an existing parking lot to be accessed from its current drive isle.
- (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 is unlikely to be detrimental to the public health, safety, or welfare in that there are sign along Shindler Road that are similar in setbacks and have no current negative effects.

(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, the subject property does exhibit specific physical limitations that limit the possible setback of the sign location from the road. The current vehicle use area would need to be redesigned so that the sign would not interfere with the driveway, and this is seen as a burden on the property owner.

(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, but is rather based upon a desire to update a current sign with a more modern design. The request is the minimum necessary to obtain a reasonable communication of the churches message.

(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?

The Planning Department has not identified any result of the request that is in the public interest at this time.

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

Yes. Strict compliance with the regulation could create a financial burden on the applicant. Redesigning the vehicle use area would more than likely have a substantial cost to the church.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on November 20, 2018 by the Planning and Development Department, the required Notice of Public Hearing signs **were posted**.



Source: Planning and Development Department

Date: November 20, 2018

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application Sign Waiver SW-18-06 (Ordinance 2018-0763) be APPROVED.



Aerial View

Source: JaxGIS

Date: November 20, 2018



Proposed Location of the New Sign.

Source: Planning and Development Department

Date: November 20, 2018



View of the Current Sign that will be removed from the Corner of Shindler Rd. and Hipps Rd, as well as the current setback from the road of the old sign.

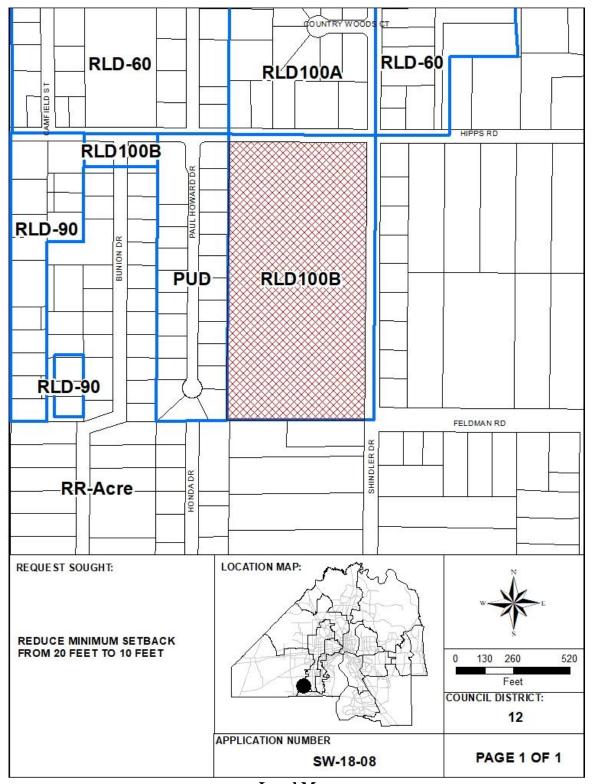
Source: Planning and Development Department

Date: November 20, 2018



View of the Subject Property.

Source: Planning and Development Department Date: November 20, 2018



Legal Map

Source: JaxGIS

Date: November 20, 2018

Date Submitted:	8
Date Filed: 10-18	

Application Number:	-18-08
Public Hearing: 201	8-763

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:	Current Land Use Category:		
Council District: 10	Planning District:		
Previous Zoning Applications Filed (provide applicat	7		
E-91-53			
Applicable Section of Ordinance Code:			
656.130	03(b)(3)(i)		
Notice of Violation(s):			
Neighborhood Associations: ARGYLE AREA CIV	ar Concu		
Overlay:			
LUZ Public Hearing Date: 1-3-19 City Council Public Hearing Date: 12-11-18			
Number of Signs to Post: Amount of Fee: 1707. Zoning Asst. Initials:			
	•		
PROPERTY INFORMATION			
Complete Property Address: 2. Real Estate Number:			
7100 Shindler Drive	016177-0000		
3. Land Area (Acres):	4. Date Lot was Recorded:		
14.6	7/7/1993		
5. Property Located Between Streets:	6. Utility Services Provider:		
Hipps + Feldman	City Water / City Sewer		
	Well / Septic		

7 Maine County				
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 65	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 distr	sign in excess of 40 feet in height in any zoning district.			
Increase maximum size of sign froms	q. ft. to sq. ft. (maximum request 25% or			
10 sq. ft., whichever is less)				
Increase number of signs fromto	(not to exceed maximum square feet allowed)			
Allow for illumination or change from	external to internal lighting			
Reduce minimum setback from feet	to / D feet (less than 1 ft. may be granted			
administratively)				
8. In whose name will the Waiver be granted?	0:			
Shindler Drive Buphat				
9. Is transferability requested? If approved, the waiver	is transferred with the property.			
Yes				
No				
OWNER'S INFORMATION (please attach separa	te sheet if more than one owner)			
10. Name: 2 1/2 to Church				
of the HADE DWIST IN	_11. E-mail:			
Shindler Unive Dyons Charles Pastor Jonathan Reavis	11. E-mail:) reavis @shindler.org			
Pas for Janathan Reavis 12. Address (including city, state, zip):	11. E-mail:) reavis @Shindler.org 13. Preferred Telephone:			
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12. Address (including city, state, zip): 7100 Shindler Dr Jacksonville, F1 32222 APPLICANT'S INFORMATION (if different from a company of the Enterprises about Signal and Laura on Shawn Winesling)	13. Preferred Telephone: 904-210-3939 Dwner) 19. E-mail: 068'ce@jaxsignarama.com			

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?

Yes, the contiguous properties have signs on their properties.

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?

No, the sign will not detract from the general area.

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?

No, because it is consistent with general area.

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?

No, will not affect traffic.

- 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?

 No, will help the public find location.
- 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?
 No, there are no physical limitations.
- 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? No, updating existing sign.
- 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?

 No violations have been issued.
- 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?

Yes, sign should increase public interest for the church.

10. Would strict compliance with the regulation create a substantial financial burden when considering the cost of compliance?

No financial burden will be created.

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.

Placing sign at the 20' setback would block one of the main entrance/exits to the already existing parking lot.

Please see attached drawing for clarification.

	ATTACHMENTS
	The following attachments must accompany each copy of the application.
	Survey
NA	Site Plan – two (2) copies on 8 ½ x 11 and two (2) copies on 11 x 1/ or larger
	Property Ownership Affidavit (Exhibit A)
	Agent Authorization if application is made by any person other than the property owner (Exhibit B)
	Legal Description – may be written as either lot and block, or metes and bounds (Exhibit 1)
	Proof of property ownership — may be print-out of property appraiser record card if individual
	owner, http://apps.coj.net/pao_propertySearch/Basic/Search.aspx, or print-out of entry from the
	Florida Department of State Division of Corporations if a corporate owner,
	http://search.sunbiz.org/Inquiry/CorporationSearch/ByName
	Photographs of sign structure showing nonconforming nature and physical impediments to
	compliance. Sent vie e-neil)
	If waiver is based on economic hardship, applicant must submit the following:
/ V Y	- Two (2) estimates from licensed contractors stating the cost of bringing the sign structure into
	compliance; and
	- Any other information the applicant wished to have considered in connection to the waiver
	request.

FILING FEES

*Applications filed to correct existing zoning violations are subject to a double fee.

Base Fee

Residential Districts: \$1,161.00

Non-residential Districts: \$1,173.00

Public Notices

\$7.00 per Addressee

Advertisement

Billed directly to owner/agent

NOTE: City Council may, as a condition of the waiver, specify a time period within which the sign structure shall be required to conform to the requirements of the City's sign regulations.

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 City Council. 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.

<u>I hereby certify that I have read and understand</u> 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)	Applicant or Agent (if different than owner)
Print name: ALGERT W. ASERNETHY	Print name: Shawa Winesline
Signature: allerthe Chenneth	Signature:
Owner(s)	*An agent authorization letter is required if the application is made by any person other than the property owner.
Print name:	
Signature:	

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 1

Legal Description

5-93 28-35-25E 18,35 Jacksonville Heights Tract 1, 2 BIK 1

EXHIBIT A

Property Ownership Affidavit - Corporation

Date: 9/24/18
City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202
Re: Property Owner Affidavlt for the following site location in Jacksonville, Florida:
Address: 7100 SHINDLER DRIVE RE#(s): OHL177-COCK
To Whom it May Concern:
1 ALBERT W. ABERNETHY, as PRESIDENT OF
SHINDLER DRIVE BAPTES CRIMEN'S 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 UNUEL APPLICA Submitted to the Jacksonville Planning and
Development Department.
(signature) alfut wo alumith
(print name) ALGERT W. HRERUETHY
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 24 th day of September 20 18 by Albert Hoernethy, as
President of Innale Dr. Baptist Church
corporation, who is personally known to me or who has produced
as identification and who took an oath.
masia Trene Selver
(Signature of NOTARY PUBLIC)
Maria Irene SIVa
(Printed name of NOTARY PUBLIC)
State of Florida at Large. Notary Public State of Florida Maria Irene Silva My commission expires: My commission FF 988428 Expires 03103/2020
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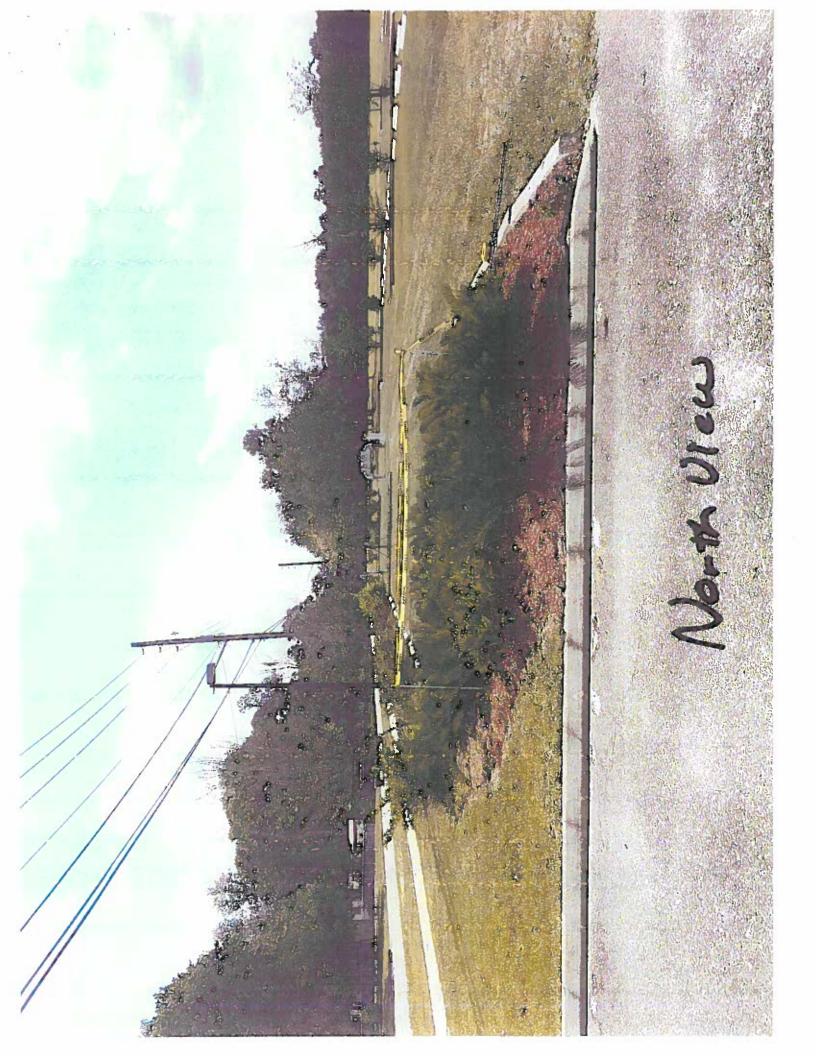
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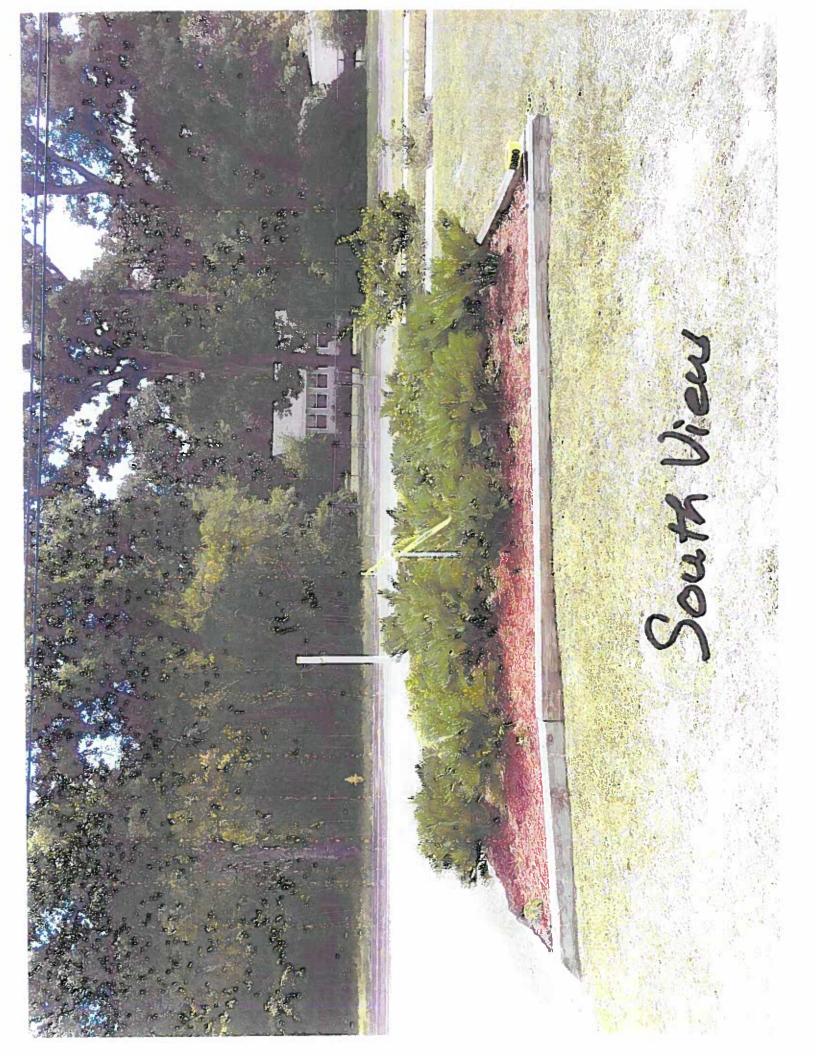
EXHIBIT B

Agent Authorization - Corporation

<u>.</u>	Agent Additionzacion - Corporacion
Date: 9/24/18	
City of Jacksonville Planning and Development Department 214 North Hogan Street, Suite 300,	
Jacksonville, Florida 32202	
Re: Agent Authorization for the following Address: 100 Shindles Discourse Fi 3: To Whom it May Concern:	
hereby authorizes and empowers <u>Strait</u> application(s) for <u>Strait Laboration</u> and in connection with such authorization	as Recident of of corporation organized under the laws of the state of Florida to act as agent to file to file such applications, papers, documents, requests and other matters abmitted to the Jacksonville Planning and Development Department.
(signature) Albert W. A	
STATE OF FLORIDA COUNTY OF DUVAL	
	cknowledged before me this 24 th day of September of corporation, who is personally known to me or as identification and who took an oath.
	Maria Rene Delera
(5	Signature of NOTARY PUBLIC)
	Maria Vere Silva
(F	Printed name of NOTARY PUBLIC)
	tate of Florida at Large. Notary Public State of Florida Maria Irene Silva My Commission FF 888428 Expires 05/03/2020

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SIGN ELEVATION

7100 Shindler Drive

FL 32222 Jacksonville

Laura Ninesling

Chris Gildersleeve

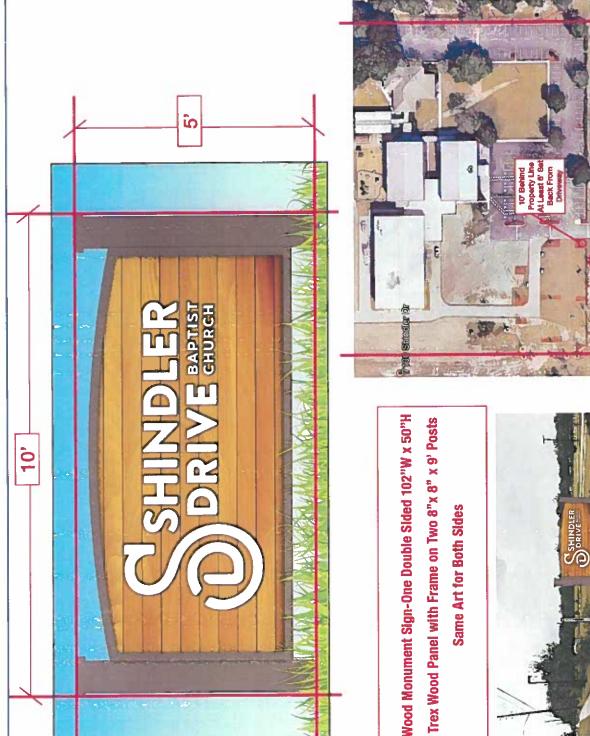
7478 07/11/2018

Design No.

DATE

Rev Date

Address State CHA This design and engineering is submitted as our proposal, and the right to use or exhibit in any form is not authorized without written permission by Signarama.



Road Frontage: 565 sq/ft Sign Sq. Feet: 50 sq/ft

 $[(10^{\circ} W \times 5^{\circ} H = 50)]$

565 ft. (Shindler Drive)

565

This design and engineering is submitted as our proposal, and the right to use or exhibit in any form is not authorized without written permission by Signarama.

Shindler Drive Baptist Church Signarama Te ray gray pur business 7100 Shindler Drive Laura Ninesling Chris Gildersleeve Jacksonville 3633 Southside Boulevand Jacksonville, FL 32216 Florida Phone: 904.210.3939 (904) 998-8880 (904) 998-8896 Jonathan Reavis DESCRIPTION Production Design No. Designer Rev. Date Address DATE State C) Mgr This design and engineering is submitted as our proposal, and the right to use or exhibit in any form is not authorized written permission by Signarama Backfilled with Post, 4' Deep, WOOD MONUMENT SIGN-ONE DOUBLE SIDED 102"W X 50"H TREX WOOD PANEL WITH FRAME ON TWO 8"X 8" POSTS 8"x 8"x 10' Concrete ຄໍ 565 ft. (Shindler Drive) $(10^{\circ}W \times 5^{\circ}H = 50^{\circ})$ SAME ART ON BOTH SIDES BAPTIST CHURCH Adhestive Road Frontage: 565 sq/ft Plastic Letter Stad Sign Sq. Feet 50 sq/ft Stud Mount, Bush 10, Û Mounting: Dimensional Letters Stud Mounted to Face Frame Color: Matthews Paint Standard Bronze Color: Mathews Paint Standard Bronze Face: Trex Wood in Havana Gold Dimensional Letter Color: White (2) 8" x 8" x 10' Wood Posts Dimensions: 102"W x 50"H (1) Wood Panel This design and engineering is submitted as our proposal, and the right to use or exhibit in any form is not authorized without written permission by Signarama

7478

Janis Lewis

Jacksonville FL 32222

SIGN ELEVATION

EXHIBIT

07/11/2018

MITIGATION CALCULATIONS LANDSCAPE CALCULATIONS

PLANT LIST

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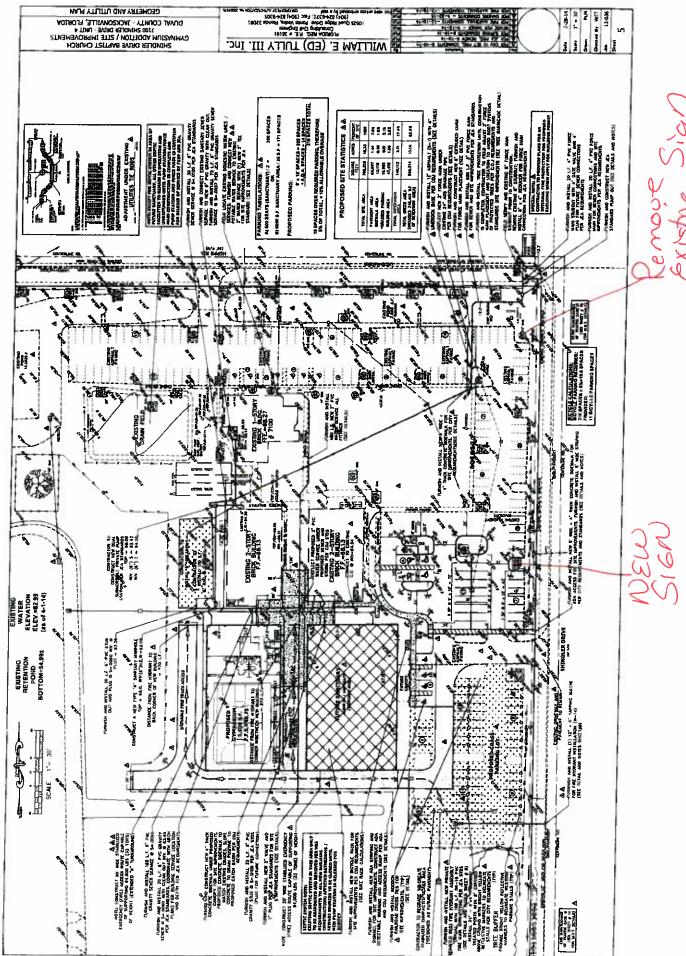
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