

TOWN OF LONGBOAT KEY  
ZONING BOARD OF ADJUSTMENT  
MINUTES OF JUNE 14, 2012 MEETING

The meeting of the Zoning Board of Adjustment was called to order by Secretary Charles Fuller at 9:30 a.m. on Thursday, June 14, 2012.

Members Present: Secretary Charles Fuller, Members Kenneth Schneier, Lee Riley, Thomas Bijou

Members Absent: Chairman Ben Feole, Vice Chairman Gaele Barthold, Member Kenneth Gorman

Also Present: David Persson, Town Attorney; Robin Meyer, Planning, Zoning & Building Director; Ric Hartman, Planner; Steve Schield, Planner; Donna Chipman, Office Manager

Approval of Minutes

**Mr. Schneier made a MOTION TO APPROVE THE MINUTES OF THE MARCH 8, 2012, ZONING BOARD OF ADJUSTMENT MEETING AS WRITTEN; seconded by Mr. Riley and approved by a unanimous vote.**

Agenda Item 1. PETITION #2-12 by Avenue of the Flowers Acquisition requesting a Variance from Section 156.08 of the Town of Longboat Key Sign Code to increase the allowed number of wall signs from one to two 32 square foot signs, for the property located at 505 Bay Isles Parkway.

Ms. Chipman swore all those testifying at this hearing. Proof of Advertising in the *Sarasota Herald-Tribune*, the Town Attorney's Opinion and the Staff Report are part of the applicant's file. Patricia Ortiz, representing the applicant, presented the Return Receipts to the Board.

Steve Schield, Planner, reviewed the staff report noting the applicant was requesting permission for additional signage on the wall of the new building. He reviewed a PowerPoint presentation showing the existing site and conditions, along with the proposed site and location of the signs. He provided a brief background of the history of the Town's Sign Code. He continued with the PowerPoint presentation noting the monument sign will be replaced at the same location of Avenue of the Flowers and Gulf of Mexico Drive (GMD). He continued with reviewing the staff report noting staff believed there was not a hardship; they were allowed a sign on the building, and part of the reason for the request was due to the visibility from GMD. However, the existing buffer conditions will still exist after construction and would still not provide visibility. Mr. Schield commented there had been very few variances granted over the years for signs; there had only been requests in the past for historical signs, such as the Buccaneer Inn, Colony Beach & Tennis Resort, and Lands End. He requested that if the board wished to approve the request that they include the staff recommended conditions outlined in the staff report.

Mr. Schneier questioned if the new, freestanding monument sign would be of similar size. Mr. Schield replied yes. Mr. Schneier commented that the photograph in the packet showed other signs/lettering in the rear of the site beyond the sign in question. Mr. Schield noted there were additional signs, but there were allowances in the code for directional signs that were exempt. However, the code only allowed one 32 square foot sign.

Patricia Ortiz, West Central Florida Permits, representing the applicant, commented they were asking for a total of two 32 square foot externally illuminated wall signs – one on the north elevation and second on the east elevation. They were requesting the sign to enhance site visibility as the site was surrounded with a 50 foot wide buffer and it was very difficult to find from Gulf of Mexico Drive. She addressed the issue of hardship noting that it was due to visibility. She understood they could not ask for a second freestanding sign, but were working within the boundaries to allow signage that would capture travelers entering into the plaza. She discussed it was important, especially in this location, to identify the location and ensure people entering the complex understood there was an option to shop at a smaller retail establishment. They believed that wall signage was integral to their business identification, and the existing vegetative buffer was a hardship. The other signs proposed for the site were exempt (drive thru pharmacy, directional). She continued with reviewing the responses to the Findings of Fact.

Discussion ensued with the board on the following:

- Referring to the prototype photograph whether the additional lettering showing in the back of the building was proposed to be the only lettering on the building (two “CVS” signs); it would be the only lettering that would require permitting, as the other signs were directional
- Whether the additional signage could be placed on the main sign for Publix; Publix, as the owner, made the determination of what details would be included on the freestanding sign, and CVS has requested space, but in a different color than green and white
- If there were other CVS locations that might have similar circumstances
- That CVS had made some adjustments to take into consideration the code requirements
- That CVS could work within the confines of the code regarding illumination (they usually request two internally illuminated wall signs, but knew that would not work due to the Turtle Lighting code and that it was not within the characteristics of the town)
- That the CVS architecture was so distinct that a customer would know it was a CVS without a sign
- That normally they would have 36 inch set letters on the building with additional language, i.e. pharmacy, 24 hours, etc.
- What the limitations were for the Publix signage on their building (Publix would be subject to the same requirements of one 32 square foot wall sign and the monument sign)

George Spoll, Harbourside Drive, chairman of the Revitalization Task Force, was sworn. He commented that the issue of signage and visibility for the site was extensively discussed during the process, and the task force had attempted to convey their concerns to the developer. There were discussions with representatives of Publix, but not with CVS, as they were represented by Publix. He pointed out that Arvida had worked with the Town years ago to design the plaza to not be obtrusive to the community. He mentioned that he was vice president of the Bay Isles Association who would be mostly affected by what took place, because Bay Isles Parkway was owned by the Association. He commented that when the new entrance was constructed onto Bay Isles Parkway, it was noted that no one had given permission to the developer to make those changes. He explained the Association had been consistent in encouraging the screening of the center and limiting the impact along Bay Isles Parkway. The CVS building was highly visible and to add more signage was unnecessary, because no one would see the sign from that side of the building. He urged the board to endorse staff's recommendation to deny the application.

No one else wished to be heard, and the hearing was closed.

Mr. Riley commented he was sensitive to the signage issues on the island, and he appreciated businesses trying to locate on Longboat Key; however, he was persuaded by the staff report and did not believe additional signage was necessary. He would not be in favor of granting the request. Mr. Bijou believed customers would find the CVS and one additional sign would not make a difference. Mr. Schneier agreed, but from an aesthetic standpoint, he wished there was a balance so there was not one side of the building with a fairly large sign and the other side blank.

**Mr. Riley made a MOTION TO DENY PETITION 2-12 BASED ON THE FINDINGS OF FACT SET OUT IN THE STAFF REPORT; seconded by Mr. Bijou and approved by a unanimous vote:**

<b>BIJOU:</b>	<b>AYE</b>	<b>FULLER:</b>	<b>AYE</b>
<b>RILEY:</b>	<b>AYE</b>	<b>SCHNEIER:</b>	<b>AYE</b>

Setting Future Meeting Date.

The next meeting was tentatively scheduled for Thursday, July 12, 2012.

Adjournment.

The meeting was adjourned at 10:08 am.

Respectfully submitted,

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Charles Fuller, Secretary  
Zoning Board of Adjustment