



LAKE MARY PLANNING AND ZONING BOARD

Lake Mary City Hall
100 N. Country Club Road

Regular Meeting
AGENDA

TUESDAY, MAY 13, 2025 6:00 PM

1. Call to Order
2. Moment of Silence
3. Pledge of Allegiance
4. Roll Call - Determination of Quorum
5. Approval of Planning and Zoning Board Minutes
 - A. Draft Planning and Zoning Board Minutes - April 22, 2025
6. **Citizen Participation:** This is an opportunity for anyone to come forward and address the Commission on any matter relating to the City or of concern to our citizens. This also includes: 1) any item discussed at a previous work session; 2) any item not specifically listed on a previous agenda but discussed at a previous Commission meeting or 3) any item on tonight's agenda not labeled as a public hearing. Items requiring a public hearing are generally so noted on the agenda and public input will be taken when the item is considered.
7. **P&Z Public Participation Process:** City staff and the applicant, or the agent for the applicant, will make their presentations first, followed by questions from the Planning and Zoning Board members. After the presentations from staff and the applicant, the Chairman will open the public hearing portion of the meeting to allow interested parties to speak for or against the item being considered. The public is instructed to keep their presentation factual, not be redundant, and to direct all comments to the Board, not to the applicant or to staff. From time to time, it may become necessary for the Chairman to limit the time that speakers may have. If a time limit is to be imposed, it will be announced at the time that the Public Hearing is opened. If a speaker wishes to be heard for the record but does not have any new information regarding the item being considered, the speaker shall give his/her name and address for the record and state that they agree with the presentation made by a previous speaker, giving the specific

name of the person. When the Chairman believes that no additional information is forthcoming, the Chairman shall close the public hearing portion of the meeting.

8. Old Business
9. New Business
 - A. 2024-ZTA-01, Ordinance No. 1715, A recommendation to the Mayor and City Commission regarding a City initiated code amendment to amend Chapter 155, Appendix D: Public Utilities. (Public Hearing – Legislative) (Lillian Sexton, Project Manager)
 - B. 2024-SP-08, A request for site plan approval for the construction of Heathrow Centre, a proposed multi-tenant office/support retail center consisting of 3 one-story buildings (+/- 4,016 sq. ft.; 4,916 sq. ft.; and 4,921 sq. ft.), located at 7151 Business Park Lane. Applicant: Ms. Michelle Pierce, Providence One Partners. (Quasi-Judicial – Public Hearing) (Sabreena Colbert, Project Manager)
 - C. 2023-VA-01, A request for a variance from Chapter 155, Appendix I to increase the allowable sign area and to allow an additional wall sign in the Lake Mary Blvd. Gateway Corridor Overlay District at 3860 Flagg Ln. Applicant: Ms. Jennifer Wolfe, It's Permittable Georgia, LLC. (Quasi-Judicial – Public Hearing) (Sabreena Colbert, Project Manager)
10. Community Development Director's Report
11. Other Business
12. Reports of Other Members
13. Adjournment

THE ORDER OF ITEMS ON THIS AGENDA IS SUBJECT TO CHANGE

NOTE: If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he or she may need a verbatim record of the proceedings including the testimony and evidence, which record is not provided by the City of Lake Mary.

PERSONS WITH DISABILITIES NEEDING ASSISTANCE IN ORDER TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY ADA COORDINATOR AT LEAST 48 HOURS IN ADVANCE OF THE MEETING AT (407) 585-1424.



LAKE MARY PLANNING AND ZONING BOARD

Lake Mary City Hall
100 N. Country Club Road

Regular Meeting
MINUTES

TUESDAY, MAY 13, 2025, 6:00 PM

NO VIDEO RECORDING WAS MADE FOR THIS MEETING

1. Call to Order

The meeting was called to order by Chairman Hawkins at 5:57 PM.

2. Moment of Silence

3. Pledge of Allegiance

4. Roll Call – Determination of Quorum

Robert Hawkins, Chairman

Benjamin Vogt, Vice Chairman

Nick Carlin, Member

Frederic Schott, Alternate Member

Sabreena Colbert, Community Development Director

Lillian Sexton, Fire Marshal

Patrick Martin, Community Development Administrative Coordinator

Aeriel McCann, Assistant City Attorney

5. Approval of Planning and Zoning Board Minutes

A. Draft Planning & Zoning Board Minutes – April 22, 2025

Vice Chairman Vogt made a motion to approve the Draft Planning and Zoning Board Meeting Minutes of April 22, 2025. Alternate Member Schott seconded the motion, and the motion carried unanimously, 4 to 0.

- 6. Citizen Participation:** This is an opportunity for anyone to come forward and address the Board on any matter relating to the City or of concern to our citizens. This also includes: 1) any item discussed at a previous work session; 2) any item not specifically listed on a previous agenda but discussed at a previous Commission meeting or 3) any item on tonight's agenda not labeled as a public hearing. Items requiring a public hearing are generally so noted on the agenda and public input will be taken when the item is considered.

No one came forward and the citizen participation section was closed.

- 7. P&Z Public Participation Process:** City staff and the applicant, or the agent for the applicant, will make their presentations first, followed by questions from the Planning and Zoning Board members. After the presentations from staff and the applicant, the Chairman will open the public hearing portion of the meeting to allow interested parties to speak for or against the item being considered. The public is instructed to keep their presentation factual, not be redundant, and to direct all comments to the Board, not to the applicant or to staff. From time to time, it may become necessary for the Chairman to limit the time that speakers may have. If a time limit is to be imposed, it will be announced at the time that the Public Hearing is opened. If a speaker wishes to be heard for the record but does not have any new information regarding the item being considered, the speaker shall give his/her name and address for the record and state that they agree with the presentation made by a previous speaker, giving the specific name of the person. When the Chairman believes that no additional information is forthcoming, the Chairman shall close the public hearing portion of the meeting.

8. Old Business

There was no old business.

9. New Business

- A. 2025-ZTA-01, Ordinance No. 1715, A recommendation to the Mayor and City Commission regarding a City initiated code amendment to amend Chapter 155, Appendix D: Public Utilities. (Public Hearing – Legislative) (Lillian Sexton, Project Manager)**

Lillian Sexton, Project Manager, came forward to speak on this item.

Ms. Sexton stated that the proposed amendment is to fall in line with ISO (Insurance Services Office), Florida Fire Prevention Code, and NFPA (National Fire Protection Association) recommendations. She continued that currently everything on the fire hydrants is painted red. The bonnet, the caps, and the barrel are all painted red. What this amendment would change is the bonnet and the caps would change to a different color to indicate the water flow that comes out of that hydrant. Within the City, there are different flows that come out of hydrants. This change would make it so that first responders arriving on site can see the color and know what GPM (gallons per minute) will be coming out of that hydrant. It is a quicker way for the engineer to hook up to the hydrant and already know what they will be pumping. Additionally, Seminole County, Longwood, and other jurisdictions that we work together with are all starting to go this route, so this way if departments cross into other jurisdictions to assist everyone knows what they are dealing with.

Chairman Hawkins asked if this would be a statewide or national change.

Ms. Sexton responded that currently it is a county effort for all jurisdictions to go to this system. A lot of places already do it. As more departments want to become ISO-1 rated, it will be more prevalent.

Ms. Sexton added that this has been in the fire code for a long time. The goal is to have all jurisdictions align to benefit mutual aid. Staff recommends approval of the ordinance.

Item A was then open for a Public Hearing. No one came forward, and the Public Hearing was closed.

Vice Chairman Vogt made a motion to recommend approval to the Mayor and City Commission for 2024-ZTA-01, Ordinance No. 1715, regarding a City initiated code amendment to amend Chapter 155, Appendix D: Public Utilities. (Public Hearing – Legislative) (Lillian Sexton, Project Manager) Alternate Member Schott seconded the motion, and the motion carried 4 to 0.

Ms. Colbert added this item goes before the Commission June 5, 2025, for First Reading and June 19, 2025, for Second Reading.

B. 2024-SP-08, A request for site plan approval for the construction of Heathrow Centre, a proposed multi-tenant office/support retail center consisting of 3 one-story buildings (+/- 4,016 sq. ft.; 4,916 sq. ft.; and 4,921 sq. ft.), located at 7151 Business Park Lane. Applicant: Ms. Michelle Pierce, Providence One Partners. (Quasi-Judicial – Public Hearing) (Sabreena Colbert, Project Manager)

Sabreena Colbert, Project Manager, came forward to speak on this item.

The subject property is located on the southeast corner of Business Center Dr. and Business Park Ln. The property is part of the Colonial Center Heathrow Planned Unit Development (PUD)

and has a Future Land Use designation of High Intensity Planned Development for Target Industry.

The applicant is requesting site plan approval to construct a multi-tenant office and support retail center consisting of 3 single-story buildings (+/- 4,016 sq. ft.; 4,916 sq. ft.; and 4,921 sq. ft.) for uses consistent with the PUD entitlements of office including the support retail and commercial uses listed in the agreement.

The setbacks proposed exceed the minimum per the developer's agreement with the north and west being 25 ft. and the south and east being 10 ft. The maximum building height proposed is 22 ft., which is well below the 70 ft. allowance per the PUD. The site lighting will meet the code minimum setback of 20 ft., maximum height of 25 ft., and will not exceed 0.5 ft candles at the property line. All signage will meet Chapter 155, Appendix I or the requirements outlined in the Developer's Agreement.

Vehicular access to the site is provided by two existing full access driveways, one to the northeast onto Business Park Ln. and one to the southwest onto Business Center Dr. The driveway off of Business Park Ln. does provide cross access for the property to the east. The proposed development is expected to generate 454 daily trips with 20 trips in the AM and 56 trips in the PM peak hours. A traffic study was not required as the projected trips fall within the thresholds entitled in the PUD.

There was an oversight in the staff report. The parking section was not updated to reflect the quantities for this project, so I will provide those now. The parking requirement for the PUD is 1 space per 300 sq. ft. for office and support retail. Forty-seven parking spaces are required based on the 13,997 sq. ft. total building area, and the applicant is providing 55 parking spaces, including 3 ADA accessible spaces. Pedestrian access is being provided by connections to existing sidewalks along Business Center Dr. and Business Park Ln. The applicant is also providing parking for 6 bicycles to support the multi-modal vision for the PUD.

An environmental assessment was conducted, and no identified species were located on site. However, due to the site being a suitable habitat for gopher tortoise, the applicant is required to conduct a survey 90 days prior to the start of site work as noted in the staff report.

The Heathrow Centre site plan meets the 25% open space requirement per the PUD by providing 32.5% open space. Water and sewer services will be provided by Seminole County with connections to existing lines on Business Center Dr. The dumpster enclosure is located internal to the site and collection will be provided by Waste Pro.

The Colonial Center Heathrow PUD has an existing master stormwater system that is designed to meet the 100-year 24-hour storm event, without exceeding the pre-development peak rates of discharge. This development will tie into that system and the property is located within a closed drainage basin.

The buffer requirements per the PUD are included in the table on page 2 of the staff report. All landscaping requirements are being met. A double trunk 24-inch oak tree, which would fall under out historic tree classification, is proposed for removal. So, the applicant will be required to provide the mitigation fee. All other existing trees on site will remain. The proposed irrigation plan provides one hundred percent coverage for the landscaping on site.

Staff finds that all criteria have been met for granting approval of the proposed Heathrow Centre Site Plan and recommends approval with the 5 conditions noted in the staff report.

Chairman Hawkins asked if the sidewalk could be meandered around the tree to be removed.

Ms. Colbert responded that the trees shown on the plan are the trees to remain. The 24-inch double oak that is to be removed is underneath one of the building pads. There were comments during the review process to shift the sidewalk.

Chairman Hawkins stated that he is looking at the plan, and he does not see any tree that is underneath a building pad.

One of the applicant's consultants spoke from the audience. Ms. McCann asked that he come forward and state his name and address for the record.

Tom Skelton, American Civil Engineering Company, 207 N. Moss Rd. Ste. 211, Winter Springs, FL, came forward to speak on the item. Member Carlin stated that it looks like it is the canopy of the tree that would interfere with the building. Mr. Skelton replied that it may be the west 5 ft. of the building, but it is right in the building envelope.

Chairman Hawkins asked why the building couldn't be moved to the north 5 ft. Mr. Skelton responded that they are limited with how far the building can be moved to the north or the east.

Chairman Hawkins asked how the applicant is limited in moving the building north. Building 3 is 15 ft. further north than Building 2. Ms. Colbert stated that there would be an opportunity to shift the building north, but they are meeting the minimum setback on the east and there is a requirement between the parking and the building to have a landscaped strip and a sidewalk on the east side of the building for entry.

Ms. Colbert added that a condition of approval could be added to have the applicant work with staff to shift the building in an effort to keep the historic tree. She stated that staff did work with the applicant on the paver patio areas and utilization of the existing driveway bump-out for their loading zoning to minimize impacts to the site.

Chairman Hawkins stated the existing double oak tree is worth more than \$1,250.

Mr. Skelton again came forward to speak on the project. He stated the only thing he would add to Ms. Colberts presentation is that the project has an extensive landscape plan that will be planting a lot more trees that over time will more than compensate for the one tree to be removed.

Chairman Hawkins commented that there are only three live oak trees in the proposed plan. Most of the trees are maple or magnolia.

James Dumbauld, Landscape Designer, Kimley-Horn and Associates, Inc., 200 S. Orange Ave. Ste. 600, Orlando, FL, came forward to speak on the item. He listed a number of trees that would be planted as noted in the proposed landscape plan. He stated that Building 2 would have to be shifted pretty far north in order to get the building out of the drip line of the existing tree. He stated that the tree being 21-inches in diameter means that there would need to be a 21-foot diameter around the tree to avoid damaging the root system.

The applicant, Michelle Pierce, 216 Promenade Cr., Lake Mary, FL, came forward to speak on the item. She stated that they initially tried to save the tree. She continued that they have put a lot of time and effort into lushly landscaping the proposed development. More live oaks were not used because of the damage they do to sidewalks and parking lots. There is a big variety of trees on the site.

Chairman Hawkins commented that maples have similar root characteristics to oak trees. Ms. Pierce responded that they are not as quick growing in Florida and that the roots tend to grow a bit deeper, about 10 ft., rather than staying near the surface.

Chairman Hawkins then stated he believes that the 24-inch double live oak that is to be removed is worth more than \$1,250 despite the code. He stated that he would like to see more trees added to the property in lieu of removing the large existing tree. There are plenty of places to plant live oaks or red maples on the site.

Ms. Pierce responded she would be happy to accommodate that if the site can. Mr. Dumbauld stated that based on the diameters of the existing trees on the site there is very little room for additional trees. He stated that understory trees were being planted in between the existing canopies to meet the required number of buffer plantings. He added it isn't the healthiest way to do it because the new trees are going to get shaded, but it is the only way to get in the required plantings. There have been 10 additional understory trees added since the last round of revisions. All but one of the existing trees are being saved. We are completely out of room to plant any more canopy trees. He added he believes they are meeting the intent of the buffer code, they are saving as many trees on-site as possible, and there is really not a lot of room with the underground utilities to plant any more trees.

Chairman Hawkins questioned if the buildings could be made smaller.

Ms. Pierce responded that they would be unable to make the buildings any smaller and still afford to do the development.

Member Carlin added they are required six trees and there are sixteen going in.

Item B was then open for a Public Hearing. No one came forward, and the Public Hearing was closed.

Chairman Hawkins stated that since it seems there is no room for additional trees that he will accept that \$1,250 tree mitigation.

Member Carlin made a motion to approve 2024-SP-08, a site plan for Heathrow Centre, a proposed multi-tenant office/support retail center consisting of 3 one-story buildings (+/- 4,016 sq. ft.; 4,916 sq. ft.; and 4,921 sq. ft.), located at 7151 Business Park Lane. Applicant: Ms. Michelle Pierce, Providence One Partners. Alternate Member Schott seconded the motion, and the motion carried 4 to 0 with the following conditions of approval:

- 1. The photometrics for the site shall not exceed 0.5 ft. candles at the property line and all light poles shall not exceed 25' in height.**
 - 2. All mechanical equipment, including rooftop air conditioner units, ventilation equipment, and similar appurtenances shall be screened from view from any adjacent lots or property and the right of way. Screening shall be greater than the height of the mechanical equipment.**
 - 3. The dumpster enclosure shall be a minimum 6' tall masonry wall and must be constructed of a permanent, low maintenance finish such as patterned concrete, rock-salted concrete, split face or ribbed concrete, stone, brick, or tile. Stucco and raw concrete are not acceptable finishes. Gates necessary to access the refuse area shall be minimum of six-foot-high and may be constructed of wood.**
 - 4. Per the environmental report, a gopher tortoise survey will be required 90 days prior to any land clearing/site work. If any burrows are identified all tortoises with burrows located within 25 feet of the proposed disturbance should be relocated to an off-site recipient property through the appropriate permit process through FWC.**
 - 5. Mitigation in the amount of \$1,250 will be required prior to issuance of a site construction permit.**
- C. 2023-VA-01, A request for a variance from Chapter 155, Appendix I to increase the allowable sign area and to allow an additional wall sign in the Lake Mary Blvd. Gateway Corridor Overlay District at 3860 Flagg Ln. Applicant: Ms. Jennifer Wolfe, It's Permittable Georgia, LLC. (Quasi-Judicial – Public Hearing) (Sabreena Colbert, Project Manager)**

Sabreena Colbert, Project Manager, came forward to speak on this item.

The subject property is located on the south side of W. Lake Mary Blvd., east of I-4 at 3860 Flagg Ln. The property is currently zoned C-2 (Commercial District) and is within the Lake Mary Blvd. gateway corridor overlay. The property was the prior Bob Evan's restaurant and was

approved for redevelopment as Discount Tire in 2021. Discount Tire received a temporary Certificate of Occupancy in 2024 pending the signage correction.

The applicant has applied for a sign variance based on Discount Tire's needs, and the difficulty of communicating its presence due to these unique site conditions and challenges, to alert drivers of its presence on the busy roads.

The requested variances are from Chapter 155, Appendix I, Subsection 6, Table 1; Chapter 155, Appendix I, Subsection 3; and Chapter 155, Appendix I, Subsection 6(B)(3)(d).

Based on the calculations, Discount Tire can have a cumulative total of 178 sq. ft. of sign area, inclusive of the I-4 bonus of 50 sq.ft. on the west façade. Discount Tire was previously approved and permitted for an 82.69 sq. ft. illuminated wall sign on the east façade where the main entrance is located. The variance request is for two additional illuminated wall signs of 74.42 sq. ft. each, on the north and west facades, for a total sign area of 231.53 sq. ft. which is 53.53 sq. ft. over the total allowed per code.

This option for additional wall signs is not accorded to single occupant, single story buildings. An additional signage allowance for corner occupants of multi-occupant buildings where the same or similar façade treatment is used, and where there is an entrance to the general public is allowed per Subsection 6(B)(2) of Appendix I. Also, multistory buildings with multiple occupants are allowed one wall sign to be placed on two facades provided that one of the chosen facades is the main front entrance.

The Discount Tire façade facing W. Lake Mary Blvd. does not have a public entrance, nor is the building multi-occupant or multi-story. Should the applicant choose to modify the north façade to include a door to be used as a public entrance, a wall sign in accordance with Subsection 3 and 6 would be permitted in lieu of the sign on the east façade.

Ms. Colbert noted that there is currently a wall sign on the north façade facing W. Lake Mary Blvd. contrary to what was permitted.

She continued in order to authorize any variance from the terms of Chapter 155, Appendix I, the Planning and Zoning Board, designated as the Sign Code Board of Adjustment, shall consider variances from the requirements of Subsection 6 of Appendix I in specific cases where such variances will not be contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of this sign code would result in unnecessary hardship. No action of the Board shall be valid or binding unless adopted by the affirmative vote of three or more members. The Sign Code Board of Adjustment, in order to grant a variance, must find that all of the criteria noted on pages 3 and 4 of the staff report have been met.

Staff find that the applicant has not demonstrated that all seven criteria have been met as stated in the staff report to grant the requested sign code variance and recommend denial. In our

research there have been no similar requests to increase the allowable sign area and to allow an additional wall sign were found on file.

Chapter 155, Appendix I, Subsection 9(A)(3) provides the process for appeal by an aggrieved person.

Chairman Hawkins asked if an east wall sign is what was permitted. Ms. Colbert responded that a wall sign of approximately 82 sq. ft. was permitted on the east façade where the main entrance is located.

Chairman Hawkins asked if they put the wall sign on the north side. Ms. Colbert stated that a revision to the permit was submitted. There were comments because what they were requesting to provide did not meet code, however, the sign was installed on the north façade.

Chairman Hawkins questioned if they were issued a temporary Certificate of Occupancy. Ms. Colbert stated she issued a temporary Certificate of Occupancy so they could continue forward once the site was completed with the understanding that they would continue to work with staff. I then had communications with their attorney and provided the information and now here we are over a year later with not much forward movement.

Alternate Member Schott asked if the current sign that there is the one pictured on page 74 of the agenda packet or is that what is proposed. Ms. Colbert responded that what is shown is what is proposed as part of the variance at about 74.4 sq. ft.

Chairman Hawkins stated that the reason the sign is supposed to be on the east side of the building is because that is where the entrance is. Ms. Colbert confirmed.

Chairman Hawkins asked that if they wanted a sign on the north side, then they would have needed to put on entrance there or turn one of the current employee entrances into a regular entrance. Ms. Colbert stated that would be the easiest path to take one of the existing door openings or store front windows and make it a public entrance.

Chairman Hawkins asked if the sign company put the sign in the wrong place on purpose or did the contractor. Ms. Colbert stated that she is not sure, and she would have to defer to the applicant.

Ms. Colbert added that they would also get the 50 sq. ft. additional sign on the west façade along I-4. Chairman Hawkins responded that it could be a five-foot high by ten-foot long sign, and that side of the building is no more than 50 or 75 ft. from the I-4 exit ramp.

Jennifer Wolfe, It's Permittable Georgia, LLC, 4113 N. Swann St., Covington, GA, the applicant, came forward to speak on the item.

Ms. Wolfe stated she has come to respectfully request the Boards approval for additional wall signs for her client, Discount Tire, located at 3860 Flagg Ln. We understand that City staff has recommended denial of our request for zoning relief. After multiple revisions and engagement with the Development Review Committee as well as responding to staff comments, it is the City's position that our response have not sufficiently justified the need or demonstrated a hardship. She continued that she would like to provide further context and facts in support of the request.

We are petitioning for zoning relief to allow an additional wall sign on the west elevation and a corresponding increase in square footage on the elevation. Discount Tire's new location is situated at the intersection of Exit Ramp 98 and W. Lake Mary Blvd. As motorists exit I-4 at this ramp they have a clear line-of-sight to the east elevation of the building. The proposed wall sign on this elevation of the building would serve as a critical wayfinding element allowing drivers to easily identify the store's location in advance. Notably there is no ingress or egress to the Discount Tire parcel directly from W. Lake Mary Blvd. As such, a monument sign which is typically located near a driveway or entry point would not be effective in this context.

The existing front elevation signage faces W. Lake Mary Blvd and provides some visibility, but only to those already familiar with the area. The proposed west elevation signage faces Wendy's and would greatly improve visibility for motorists turning right of W. Lake Mary Blvd. at the Mobil gas station and along Flagg Ln. which runs behind both the Mobil gas station and Wendy's. As well as navigating through the adjacent At Home parking lot which offers indirect access to Discount Tire's location.

In good faith, my client has voluntarily declined a monument sign which is permitted under the current signage code. We hope the Board will view this as a reasonable compromise in consideration of our request for additional wall signs. Our objective is not excessive branding or signage proliferation, rather this request stems from a sincere effort to support safe and effective wayfinding for motorists that are exiting I-4 or traveling on W. Lake Mary Blvd. We firmly believe the proposed signage does not cause harm or create visual clutter, aligns with the spirit of the City's sign ordinance, and is professionally designed to complement the architectural features of the building and surrounding area.

In our initial justification, we cited Wendy's, which has 3 wall signs, as a precedent for our request. We have since been informed that their signage is not legally permitted. Based on that feedback, we have withdrawn that from our supporting arguments.

Ms. Wolfe concluded that she is appreciative of the Board's time. She believes their request is measured, thoughtful, and rooted in the practical need for visibility and access. We ask that the Board recognize this hardship created by the unique site layout and allow Discount Tire the necessary signage to serve its customers and the community effectively.

Chairman Hawkins stated that there is currently a ground sign out front that is within the development of the At Home. Ms. Wolfe responded that there is one associated with At Home that Wendy's has a small banner on that is near the Mobil.

Chairman Hawkins asked why not have that sign redesigned within code to allow you to have your sign as part of that ground sign. Ms. Wolfe responded that they don't own the rights to that sign.

Ms. Colbert stated she did some more research and pulled the deed restrictions for Corporate Point, which is what the subdivision is called, and the monument sign that exists now with the At Home face is on the Discount Tire property within a perpetual sign easement that gives the owners of At Home the right to that signage. The outparcels do have the ability to place signage on it, but it would have to be in compliance with the Lake Mary Blvd. Gateway Corridor Overlay. So it would have to be within the sign cabinet meaning it would need to be redesigned. They are able to do that, but they would have to coordinate among private property owners to achieve that.

Chairman Hawkins asked if they are entitled to their own ground sign. Ms. Colbert responded no, they would not be.

Chairman Hawkins asked if the applicant had pursued asking At Home to redesign the sign to include Discount Tire. Ms. Wolfe stated not that she was aware. She continued that they had submitted an application for their own ground sign because she believed they were entitled to one.

Chairman Hawkins stated that would be out of the question according to Ms. Colbert and asked why the applicant does not pursue a ground sign with At Home. Wendy's has a non-conforming illegal sign. Theirs is under Code Enforcement as I understand.

Chairman Hawkins then asked since staff gave a temporary Certificate of Occupancy with the condition that you put up a sign as it was permitted, who authorized putting up a sign on the north façade. Ms. Wolfe stated that her understanding from Discount Tire is that there was a disconnect in communication between the general contractor and the local installer, Creative Signs, who installed the sign.

Chairman Hawkins then asked since they were notified that it was not correct, why it has not been corrected. Ms. Wolfe stated that Discount Tire's attorney has gotten involved with the City. They worked with staff and asked that they be able to leave the sign while a variance was pursued. Revised plans were also submitted, but the permit that was issued was for the sign on the east elevation.

Chairman Hawkins asked if the applicant was willing to modify the building to allow that sign to be conforming and permitted by adding an entrance to the north side of the building. Ms. Wolfe stated this is the first time that she was made aware that if an alteration was made to the building that they could potentially have that sign. She stated that it is something she could definitely take back to Discount Tire.

Chairman Hawkins asked Ms. Colbert if he was correct in his statement. Ms. Colbert responded that it was one of the solutions at the time they were provided their temporary Certificate of Occupancy to modify the north façade to have a public entry.

Chairman Hawkins asked if they declined. Ms. Colbert responded that the applicant decided to go the way of a variance against staff's recommendation.

Chairman Hawkins stated that he is trying to help the applicant as much as he can, but it seems the contractor hasn't gone about this the way that they should have. He continued that he drove around the building 3 times today, and he got off the interstate at Lake Mary Blvd. The exit ramp is 50 to 75 ft. away from the building, so a 10 ft. by 5 ft., 50 sq. ft., sign on that side of the building would be more than visible for people getting off the interstate. Ms. Wolfe responded that Discount Tire is aware that they are allowed that sign, but since they were pursuing a variance for the additional wall sign they wanted to apply for the additional square footage for consistency in branding.

Chairman Hawkins stated that as the Chairman he has provided 3 options to rectify the situation because the applicant has not convinced him that any of the 9 required conditions in reviewing a sign variance have been met. We have to be able to say "yes" to all of those.

Member Carlin stated that he agrees with Chairman Hawkins that working with At Home is a great starting point.

Chairman Hawkins added that putting a sign on the west façade that's permissible will help as well.

Item C was then open for a Public Hearing. No one came forward, and the Public Hearing was closed.

Vice Chairman Vogt made a motion to deny 2023-VA-01, a request for a variance from Chapter 155, Appendix I to increase the allowable sign area and to allow an additional wall sign in the Lake Mary Blvd. Gateway Corridor Overlay District at 3860 Flagg Ln. Applicant: Ms. Jennifer Wolfe, It's Permittable Georgia, LLC. Member Carlin seconded the motion, and the motion carried 4 to 0.

10. Community Development Director's Report

Sabreena Colbert, Community Development Director, stated there are no items for the next meeting, so it will be cancelled. There may be items for the first meeting in June. She also made the Board aware that Chick-Fil-A formally withdrew their application after their item was continued by the City Commission.

She continued that she wanted to let the Board know that she hears the desire to preserve the City's trees and the value of mature trees, and that she works to the best of her ability to meet that goal with applicants.

11. Other Business

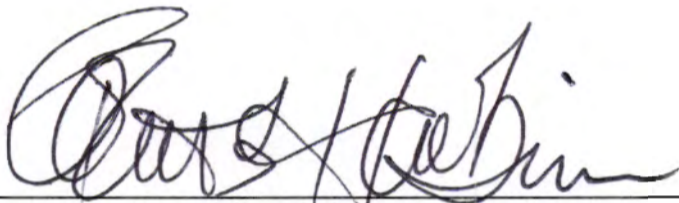
There was no other business.

12. Reports of Other Members

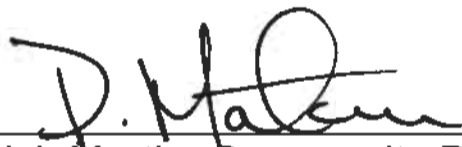
There were no other reports.

13. Adjournment

There being no further business, the meeting was adjourned at 6:55 PM.



Robert Hawkins, Chairman



Patrick Martin, Community Development Administrative Coordinator