

Miller Permitting &  
Land Development

285 SE Verada Avenue  
Port Saint Lucie, Florida 34983  
Office: 772-343-0336 • FAX: 772-343-1699  
[www.millerpermitting.com](http://www.millerpermitting.com)

July 15, 2009

COUNCIL ITEM #3  
DATE 8/10/09

Karen Phillips  
City Clerk's Office  
City of Port St. Lucie  
121 SW Port St. Lucie Blvd.  
Port St. Lucie, FL 34984

RE: P09-009 Colonial Bank Variance Appeal

Dear Ms, Phillips,

I would like to request an appeal on our variance request for 5.5 additional sq. ft on our monument sign and 3 ft. on our building signage. The Planning & Zoning Board at their last meeting denied us the above requests. We were approved for the additional height on our Tower signs.

Please let me know what documentation you require and the date we are scheduled for. I have included the fee of \$150.00.

Thank you for your assistance and I look forward to your response.

Best regards,

A handwritten signature in black ink, appearing to read 'Rebecca Miller'.

Rebecca Miller  
President, MPLD  
Agent & Applicant, Colonial Bank

REBECCA S. MILLER DBA  
MILLER PERMITTING

04-06

1920

772-343-0336  
285 S.E. VERADA AVE.  
PORT ST. LUCIE, FL 34983-2138

DATE 7/15/09

03-4/630 FI  
1008

PAY TO THE ORDER OF

City of PSJ  
One Hundred Fifty and 00/100

\$ 150 DOLLARS

ACH RT 063100277

FOR Colonial VAR

⑈001920⑈ ⑆06300004⑆⑆ 005500191825⑈

*Cary S. Miller*

RECEIPT



CITY OF PORT ST. LUCIE  
CITY CLERK'S OFFICE  
121 SW Port St. Lucie Blvd. Port St. Lucie, FL 34984  
(772) 871-5157

1921

DATE 7-21-09

RECEIVED FROM

Rebecca S. Miller

\$ 150.00

FOR Verance

One hundred & fifty and no/100

DOLLARS

AMOUNT OF ACCOUNT	
THIS PAYMENT	1920
BALANCE DUE	

CASH  
 CHECK  
 M.O.

BY *Fancy Bissan*

THANK YOU



# CITY OF PORT ST. LUCIE

CITY CLERK'S OFFICE



A CITY FOR ALL AGES

July 17, 2009 .

CERTIFIED MAIL

Rebecca S. Miller  
Miller Permitting & Land Development  
285 SE Verada Avenue  
Port St. Lucie, FL 34983-2138

RE: Appeal the decision of the Planning & Zoning Board of July 7, 2009, regarding a request for 5.5 additional square feet on the monument sign and three feet on the building signage.

Dear Ms. Miller:

Please consider this your notice of public hearing before the City Council serving as the Board of Zoning Appeals to be held on **Monday, August 10, 2009, at 6:45 p.m.**, in Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida, on the above referenced appeal.

Any back-up material you wish to have put into the packet going to the City Council should be in the City Clerk's office by 12:00 noon on Wednesday, August 5, 2009.

If you should have any questions, please do not hesitate to contact me at 871-5259.

Sincerely,

Karen A. Phillips, CMC  
City Clerk

CC: Daniel Holbrook, Planning & Zoning Director  
Roger G. Orr, City Attorney  
Pam E. Booker Hakim, Assistant City Attorney  
Joan Weissman, Planning Technician

**SENDER, COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 REBECCA S. MILLER  
 MILLER PERMITTING & LAND DEV.  
 285 SE VERADA AVE.  
 PORT ST. LUCIE, FL 34983-2138

2. Article Number (Transfer from service label) **7009 0960 0000 7884 8798**

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
  
 B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

7009 0960 0000 7884 8798

**U.S. Postal Service**  
**CERTIFIED MAIL<sup>®</sup> RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)  
 For delivery information visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
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Sent To  
 MILLER PERMITTING & LAND DEV.  
 Street, Apt. No.,  
 or PO Box No. 285 SE VERADA AVE  
 City, State, ZIP+4  
 PSL, FL 34983-2138

PS Form 3800, August 2006

See Reverse for Instructions

COUPRE01

The Port St. Lucie News  
Legal Advertising  
Proof of Publication to:

Karen A. Phillips, City Clerk  
City Hall Plaza  
121 SW Port St. Lucie Blvd.  
Port St. Lucie, FL 34984

### NOTICE OF PUBLIC HEARING

The City Council of the City of Port St. Lucie serving as the Board of Zoning Appeals will consider appeals on August 10, 2009, at 6:45 p.m., at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida, as follows:

Zoning Appeal                    #09-4

Legal Description:                Gatlin Commons, First Replat Lot 11

Location:                         1720 SW Gatlin Blvd., Port St. Lucie, FL

Action Sought:                    Appeal the decision of the Planning & Zoning Board of July 7, 2009, to deny granting a variance request from the Sign Code to allow façade signage with greater than the permitted square footage and a monument sign with greater than the permitted square footage, P09-009

Appellant:                         Agent: Miller Permitting & Land Development, 285 SE Verada Avenue, Port St. Lucie, FL 34983-2138

Copies of the above appeal documents are available in the City Clerk's office for public inspection Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m. Interested parties may appear at the meeting and be heard with respect to the appeal.

No stenographic record by a certified court reporter will be made of the foregoing meeting. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at said meeting upon which any appeal is to be based.

Karen A. Phillips, CMC  
City Clerk

PUBLISH: July 31, 2009

Foreign Account Number : 11515278  
Ad # : 2042086  
Ad Net Cost : \$79.59  
Name (Primary) : CITY OF PORT ST. LUCIE  
Company (Primary) : CITY OF PORT ST. LUCIE  
Street 1 (Primary) : 121 SW PORT ST. LUCIE BLVD  
City (Primary) : PORT ST LUCIE  
State (Primary) : FL  
ZIP (Primary) : 34984  
Phone (Primary) : (772) 344-4390  
Class Code : 9424SC - Notice of Meeting  
Start Date : 7/31/2009  
Stop Date : 7/31/2009  
Prepayment Amount : \$0.00  
Ad Sales Rep. : 190 - Barbara Wentzel  
Width : 1  
Depth : 108

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PUBLIC HEARING

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Karen A. Phillips,  
CMC  
City Clerk

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Karen A. Phillips,  
CMC  
City Clerk

Publish: July 31, 2009  
2042086

**Karen Phillips**

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**From:** Wentzel, Barbara [Barbara.Wentzel@scripps.com]  
**Sent:** Monday, July 27, 2009 1:33 PM  
**To:** Karen Phillips  
**Subject:** AD #2042086  
**Attachments:** Classified Ad \_ 2042086.pdf

**Your ad will appear in the ST. LUCIE NEWS TRIBUNE for St. Lucie County on 7/31/09.**

**Please review this proof prior to publication and fax or e-mail me any changes/corrections immediately. Thanks.**

**When referring to this ad, please always use the ad number.**

**Barbara Wentzel  
Classified Legal Advertising St. Lucie County  
P.O. Box 9009  
Stuart, FL 34995-9009  
E-mail: barbara.wentzel@scripps.com  
772-692-8966 (Direct)  
772-600-1450 (Fax)**

***PLEASE NOTE: Deadline to place a legal notice is  
3:00 PM - 4 BUSINESS DAYS (Monday - Friday) prior to publication.***

**7. PUBLIC HEARINGS**

Chairman Lillo stated, "The applicant or agent for the applicant must be present. If no representative is present for the application, it will be tabled to the following month's meeting. Anyone wishing to speak on any item may approach the podium after the issue has been opened for the public to comment. Each person wishing to comment may do so for not more than three minutes. Your comments and concerns are very welcome. However, we must maintain order and provide time for everyone."

**A. P09-009 COLONIAL BANK - VARIANCE**

Ms. Weissman stated, "The application is for variances for a new branch of Colonial Bank, located on the south side of Gatlin Boulevard, west of Rosser Boulevard and east of Import Drive. The application was on the June 2 Planning and Zoning Board agenda; it was tabled to allow the applicant time to make some corrections. The revised application has significantly reduced the number of variances originally requested. The applicant is now requesting façade signage with a total of 8.9 square feet above the permitted 104.5 square feet, and two feet more than the permitted height for four proposed logos. The Citywide Design Standards, which were amended on April 14, 2008, increased the height to the top of signs from 15 feet above the finished floor elevation to 20 feet. The final variance request is for a monument sign with greater than the permitted square footage, with 5.69 square feet additional. The Planning and Zoning staff finds the request to be inconsistent with the variance criteria as stipulated in Section 158.295(C) of the Zoning Code and recommends denial. It should be noted, however, that the Code doesn't differentiate between the big-box stores and regular businesses. As we noted in the staff report, four variance applications have been granted in this plaza: Walmart, Sam's Club, Seacoast National Bank, and McDonalds. The Planning and Zoning Department is working with the newly appointed Sign Code Review Committee to review and update the Sign Code. This should be completed by the end of the year. The applicant is here to answer any questions."

Rebecca Miller, Miller Permitting and Development, agent for Colonial Bank, said, "With me is Stacy Kane, Colonial Branch Manager. The unique location of this bank gives only one egress, which is in the rear. There is no access from either direction of Gatlin Boulevard. It is incredibly awkward, in that they have no identifiable signage facing the Walmart parking lot, and the only sign in the front is a monument that is now obscured by landscaping. Colonial Bank has a statewide design standard. We have approval in Stuart and Jensen Beach for our tower. All new

banks employ the same design standard, which includes the tower. We initially came in with quite a bit more for a variance; we listened to the staff and greatly reduced the request, in deference to the City's design codes and standards. We hope you can find this design acceptable and grant the bank its much needed visibility." Ms. Kane said, "When our clients pull in through the back entrance, they are very confused. Someone came into today with a Bank of America deposit slip. With all the competition we have on Gatlin Boulevard, it is critical to have this variance."

Mr. Stermer said, "When the bank decided to build in this location, they saw the Site Plan as it was designed from the beginning. The bank knew going in where their ingress/egress was going to be. Correct?" Ms. Miller answered, "That is correct. I don't know if any of you have driven in that parking lot, but I certainly didn't anticipate it by looking at the Site Plan. The access is a little alley, not an open, wide street. The confusion factor was not taken into consideration." Mr. Stermer noted that it was the design of the shopping center from the get-go. Ms. Miller continued, "It was. Sometimes you realize things after the fact once you open for business."

Mr. Lesko asked, "Can you say which variance is most important?" Ms. Miller replied, "It would probably be the tower sign. It would be visible from the street and the parking lot. The eagle logo is immediately identifiable. It looks awful with no lettering; it looks like unfinished construction. There are also safety reasons for this. When you go across the parking lot, you pull across two lanes and a street; there are stop signs everywhere. People are trying to figure out what the bank is, and they're not paying attention. I speak from personal experience. They really need something to identify themselves to the customers in the Walmart parking lot, as well. The tower signs will do that, to some extent, but they have no lettering."

Mr. Rich asked whether some aspects of the variance can be approved and not others. Ms. Hakim advised, "I would take this as three separate variance applications; we've done that before. If the board is inclined to approve one or two, and not all three, you can certainly vote on each one of them." Mr. Rich said, "There are four variances cited in this packet, dating back to July 2005. Are sign variances always asked for after Site Plan review, as a matter of procedure?" Mr. Holbrook replied, "The variance applications typically come in after the Site Plan has been approved, and typically after the site has been constructed. Often the tenants are not narrowed down, so they don't know what kind of signage will be put up in what location. But for this one for Walmart and Sam's in this

instance, it was clearly understood that they were the tenants." Mr. Rich noted, "As well as Seacoast and McDonalds, I would imagine. They're built to very specific standards."

Mr. Stermer asked, "Wasn't this bank built with the intention of it being this bank?" Ms. Miller responded, "Yes. It was designed. . . . When a Site Plan is approved, it will indicate a shell structure, or the type of zoning that is allowed. The specifics to the actual structure are not in the initial Site Plan. When you come in after the fact, you see the lot with overgrown landscaping on one side and no egress. We get a huge amount of feedback from our clients and from businesses that this is necessary for the institution that actually settles into the site. When the original Site Plan was approved, this would have said restaurant or retail or bank. These sites are usually out for bid. There is another critical issue with this development. There will frequently be a unified Site Plan that will set its own standards. That is highly recommended. The developers did not do that in this case. That has caused many of the variances to be granted. The juxtaposition of the buildings is not conducive to the amount of signage that is the City standard. If they had created their own sign standards, we wouldn't be in this position."

Chairman Lillo opened the Public Hearing. There being no comments, Chairman Lillo closed the Public Hearing and observed, "We have sign variances many times. It is always difficult. The City works hard to put together some kind of design standard, so that we have a baseline, but each case is unique and subjective. I am familiar with this area, and I looked at the plans. My personal opinion is that although it is a variance, the location of the signage, the proportion to the building, and the fact that this is a commercial plaza would make me feel that this is justified. I will be voting in favor. What is the pleasure of the board?"

Mr. Stermer said, "It is my opinion that the variance process is designed to give an applicant the opportunity to get a deviation from Code. I think it is intended to give them an opportunity for one that makes sense. When a business goes into a project, they know what they have and where they want it. Due diligence needs to be done. I don't think this bank did that here. For that reason, I will vote against it."

Mr. Gardner said, "I drove the property this morning. This particular property, as well as everything sitting on Gatlin in front of Sam's, has a unique exposure. They aren't backed up to woods or another property, so that they wouldn't have access behind them. I agree with the applicant; the parking lot is

confusing. I support their signage variances. I'm not crazy about the monument sign with 24-hour drive-thru. McDonalds could say that, and they don't. That could open a can of worms. I will support the variances, though."

Chairman Lillo asked whether three votes are required or optional. Ms. Hakim answered, "I request that you take each one separately. There is the variance for the logos on the tower. There is one for the name on the rear of the building. The last is for '24-hour ATM' on the monument sign." Chairman Lillo asked for a motion regarding the tower logo. Mr. Lesko **moved** to approve P09-009 for the proposed tower logos. Mr. Rooksberry **seconded** the motion. The **motion passed** by roll call vote, with Mr. Rooksberry, Mr. Rich, Mr. Gardner, Mr. Lesko, and Chairman Lillo voting in favor, and Mr. Stermer and Vice Chair Parks voting against. Mr. Lesko **moved** to deny the name on the rear of the building for P09-009. Mr. Stermer **seconded** the motion. The **motion to deny failed** by roll call vote, with Mr. Lesko, Mr. Stermer, and Vice Chair Parks voting in favor, and Mr. Rich, Mr. Gardner, Chairman Lillo and Mr. Rooksberry voting against. Ms. Hakim advised, "You would need five votes for approval. You didn't get that here. You can make a motion to approve, but I think you're going to get the same count. So that motion is denied, and they can go to the City Council with it." Mr. Lesko **moved** to deny the variance for the monument sign for P09-009. Mr. Stermer **seconded** the motion. The **motion to deny failed** by roll call vote, with Mr. Lesko, Mr. Stermer, Vice Chair Parks, and Mr. Rooksberry voting in favor, and Mr. Gardner, Chairman Lillo, and Mr. Rich voting against. Chairman Lillo advised that the item can be appealed to the City Council.

**B. P09-067 RCN GROUP (RUSSELL J. KNOWLES) - VARIANCE**

Chairman Lillo stated, "We have an e-mail from the applicant requesting that this application be tabled." Mr. Rich **moved** to table P09-067. Mr. Rooksberry **seconded** the motion. Chairman Lillo opened the Public Hearing. There being no comments, Chairman Lillo closed the Public Hearing. The **motion passed unanimously** by roll call vote.

**C. P08-251 WILLOW LAKES, LLC, AND RED RIVER, LLC - ANNEXATION**

Ms. Kean stated, "The City has received an application from Dennis Murphy, Culpepper and Terpening, Inc., on behalf of Willow Lakes and Red River, to annex approximately 316.84 acres north of Midway Road. The property has St. Lucie County land uses: 278 acres of Mixed Use and 39 acres of Agricultural. To the north is St. Lucie County Mixed Use. To the south are the



# City of Port St. Lucie

## Planning and Zoning Department Memorandum

**TO:** PLANNING AND ZONING BOARD - MEETING OF JULY 7, 2009

**FROM:** JOAN WEISSMAN, PLANNING TECHNICIAN *JW*

**RE:** VARIANCE APPLICATION (PROJECT NO. P09-009)  
COLONIAL BANK @ GATLIN COMMONS

**DATE:** JUNE 24, 2009

**APPLICANT:** Rebecca Miller, Miller Permitting and Land Development, as agent for Colonial Bank @ Gatlin Commons. Authorization letter is in the file.

**OWNER:** WACO, LLC.

**LOCATION:** 1720 SW Gatlin Blvd., south side of Gatlin Blvd., west of Rosser Blvd., and east of Import Drive

**LEGAL DESCRIPTION:** Gatlin Commons 1<sup>st</sup> Replat Lot 11

**SIZE:** 1.008 Acres

**EXISTING ZONING:** PUD (Gatlin Commons Planned Unit Development)

**EXISTING USE:** Bank

**REQUESTED VARIANCE:** This application was originally scheduled for the June 2, 2009 Planning and Zoning agenda and was tabled in order to allow the applicant to make corrections. This revised submission has significantly reduced the number of variances originally requested. The following variances are now requested: Facade signage with greater than the permitted square footage (104.50 total permitted, 53.66 sq. ft. existing, 113.43 sq. ft. total proposed, 8.93 sq. ft. variance requested); greater than the permitted height of four proposed logos (20' permitted, 22' proposed, 2 ft. height variance for each logo); and a monument sign with greater than the permitted square footage (32 sq. ft. permitted and existing, 37.69 sq. ft. proposed, 5.69 sq. ft. variance requested). The Citywide Design Standards, amended on April 14, 2008,

increased the height to the top of signs from 15' from finish floor elevation to 20'. A copy of the original Staff Report, dated May 14, 2009 is attached.

**SURROUNDING USES:** North – P (Professional); East – vacant lot (Gatlin Commons PUD); South – Sam's Club (Gatlin Commons PUD); West – McDonald's (Gatlin Commons PUD)

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### **IMPACTS AND FINDINGS**

Compatibility with variance criteria:

- 1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

- a. Applicant response

- The building was constructed with a tower design. The main entrance to the building is at the rear.

- b. Staff evaluation

- Special conditions and circumstances do exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. These are as a result of the unusual entrance to this bank, which is off Portsmouth Lane. Although the building was constructed with a tower design, there is adequate room on the façade to place the logos without the necessity of a height variance. It should be noted, however, that variances for height above grade and square footage have already been granted in Gatlin Commons for Wal-Mart and Sam's Club. Seacoast National Bank and McDonald's in Gatlin Commons have also been granted variances for height above grade.

- 2) That the special conditions and circumstances do not result from any action of the applicant.

- a. Applicant response

- The design of the structure and tower featuring the company logo/trademark is consistent for all of Florida bank expansions.

- b. Staff evaluation

- The tower feature is an architectural element. The logo/trademark can be placed without the need for a height variance. There is an existing sign on the front building façade that meets the height requirement. Staff again calls attention to the fact that other variances have been

granted for height above grade in Gatlin Commons.

- 3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district.

a. Applicant response

Due to extreme difficulty in accessing the bank directly, additional signage becomes necessary. The tower logo is simply an identifiable locational indicator for our customers.

b. Staff evaluation

The bank location fronts on Gatlin Blvd., however, the entrance is by way of an internal access road. A 53.66 sq. ft. façade sign already exists on the north elevation facing Gatlin Blvd. The applicant is permitted a total of 104.5 sq. ft. based on the linear frontage of the building, leaving 40.84 sq. ft. available for additional signage without a variance. The approved sign had 24" letters and a 36" logo, however, in this new submission, the applicant has advised that the logo has been removed, thus reducing the square footage of the existing sign. There is an existing 32 sq. ft. monument sign along Gatlin Blvd. with 9" letters. The applicant is requesting an additional 5.69 sq. ft. to add the ATM band to the monument. If the applicant were to add the ATM band to the existing sign panel, then a variance would be required for the smaller size of the letters.

- 4) That literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant.

a. Applicant response

Due to Gatlin Commons not having a Master Sign Program, the bank has a shortage of signage needed for the location and the accessibility to property. Seacoast, National City, and First People's have all been granted height variances plus additional signage.

b. Staff evaluation

Literal interpretation of the provisions of the chapter would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district. However, other parcels in Gatlin Commons were granted similar sign variances. Gatlin Commons has never requested a Master Sign Program for the entire project.

- 5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

a. Applicant response

The design of the constructed building and location in the Commons parking lot, with limited accessibility, requires the additional signage and additional height on the tower.

b. Staff evaluation

The variances requested are not the minimum variances that will make possible the reasonable use of the land, building, or structure. However, although the height can be reduced to meet code, others in the plaza have been granted similar variances. The monument sign face could be revised to include the additional verbiage, but that would result in the need for a variance from the Design Standards for less than the required height of the letters. At the time the monument sign was reviewed, the applicant was advised that additional verbiage might require a variance. The sign company advised that they wanted to proceed without the ATM copy on the bottom of the sign at that time.

- 6) That the granting of the variance will be in harmony with the general intent and purpose of the chapter and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

a. Applicant response

The variance will increase egress accessibility to clients allowing them to safely access the bank, and reducing missed turns into property and confused traffic patterns.

b. Staff evaluation

Although the granting of the variances will not be in harmony with the general intent and purpose of the chapter, the variances are minor in nature and should not be injurious to the area.

- 7) That there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.

a. Applicant response

Yes, will fully comply.

b. Staff evaluation

If the variance is granted, no additional conditions or safeguards are needed.

**OTHER**

Site plan approval was granted on May 29, 2007 (P07-070). An amended site plan, for the elimination of one parking space, was approved by the Site Plan Review Committee on November 12, 2008 (P08-224).

The following variances have been granted in Gatlin Commons:

July 6, 2005 - P05-212 - Wal-Mart – for greater than the permitted square footage, size of letters, height above grade and location on buildings. This was based on the size of the structure and the distance from the road.

December 6, 2005 - P05-234 - Sam's Club – for greater than the permitted number of signs, greater than the permitted square footage, size of letters, and number of monument signs. This was based on the size of the project, its location on a major roadway, and its distance from the roadway.

November 6, 2007 - P07-334 – Seacoast National Bank - for greater than the permitted height for the front façade sign from the then permitted 15' to 26'.

December 6, 2007 - P07-368 – McDonalds – for greater than the permitted height from the then permitted 15' to 17'.

It should be noted that the Code does not differentiate between the big box stores and regular businesses. At present, the Planning and Zoning Department is working with a newly appointed Sign Code Review Committee to review and update the Sign Code. This should be completed by the end of the year.

**STAFF RECOMMENDATION:**

The Planning and Zoning Department staff finds the request to be inconsistent with variance criteria as stipulated in Section 158.295(C) of the Zoning Code. Therefore, staff recommends denial of this revised submission.

***(NOTE TO APPLICANT: Any request for a variance that is denied by the Planning and Zoning Board may be appealed to the Board of Zoning Appeals. Appeal applications are made through the City Clerk's office and must be submitted within 15 days after the Planning and Zoning Board hearing).***

**A. P09-009 COLONIAL BANK - VARIANCE**

Ms. Weissman stated, "The applicant is here and is requesting that the public hearing be tabled to July 7, to allow time to make some corrections."

Chairman Lillo opened the Public Hearing. There being no comments, Chairman Lillo closed the Public Hearing. Mr. Rich moved to table P09-009. Mr. Rooksberry seconded the motion, which passed unanimously by roll call vote.

**B. P09-004 VERANDA PUD AMENDMENT NO. 1 - PUD AMENDMENT WITH CONCEPT PLAN**

Mr. Finizio stated, "This is a PUD amendment with a Concept Plan. The applicant is Land Planning Systems, Inc., for the owners, St. Lucie Land, Ltd., and Stuart Holdings, Ltd. The property is located on the north and south sides of Becker Road, east of the turnpike. The amendment will cover the property located east of Gilson Road, south of Harbor Ridge, and north of the Martin County line. The total size of the Veranda PUD will be 1,064 acres. The original PUD included 859 acres; the addition of the Floridian property will add 204 acres. The existing zoning is St. Lucie County PUD, PNRD (Planned Non-Residential Development), and AR-1 (Agricultural/Residential). The existing uses are a marina, a tree nursery, and the Floridian golf course. The requested zoning is PUD. The area east of Gilson Road will be rezoned to PUD and incorporated into the existing Veranda PUD. Future land use is Residential Golf Course (RGC) and Open Space Preservation (OSP). Project P05-459 established the Veranda PUD, a residential development along Becker Road that includes a threshold of 3,131 units. The housing types for this development include single-family and multi-family units. This amendment adds 24 acres to the existing PUD. Pages iii and iv include a complete list of the proposed changes. The amendment is consistent with the direction and policies of the Comprehensive Plan. The developer's agreement commits the developer to transportation infrastructure improvements, including the cost-sharing for the Becker Road/turnpike interchange and the four-laning of Becker Road from the turnpike to Gilson Road. Along the south side of Becker Road an eight-foot-wide pedestrian bicycle way is proposed; a 9-foot-wide sidewalk is proposed along the north side, with a crosswalk connection to Southbend Boulevard. Over 50% of the site will be open space, in accordance with the City's residential-development regulations. The project includes 608 acres of wetlands, uplands, stormwater treatment lakes and ponds, and mitigation areas. The developer's agreement states that preserving 120 acres of uplands and 150 acres of wetlands



# City of Port St. Lucie

## Planning and Zoning Department Memorandum

**TO:** PLANNING AND ZONING BOARD - MEETING OF JUNE 2, 2009

**FROM:** JOAN WEISSMAN, PLANNING TECHNICIAN *juw*

**RE:** VARIANCE APPLICATION (PROJECT NO. P09-009)  
COLONIAL BANK @ GATLIN COMMONS

**DATE:** MAY 14, 2009

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**APPLICANT:** Rebecca Miller, Miller Permitting and Land Development, as agent for Colonial Bank @ Gatlin Commons. Authorization letter is in the file.

**OWNER:** WACO, LLC.

**LOCATION:** 1720 SW Gatlin Blvd., south side of Gatlin Blvd., west of Rosser Blvd., and east of Import Drive

**LEGAL DESCRIPTION:** Gatlin Commons 1<sup>st</sup> Replat Lot 11

**SIZE:** 1.008 Acres

**EXISTING ZONING:** PUD (Gatlin Commons Planned Unit Development)

**EXISTING USE:** Bank

**REQUESTED VARIANCE:** Façade signage with greater than the permitted square footage (104.5 sq. ft. total permitted, 91.5 sq. ft. existing, 193.75 sq. ft. total proposed, 89.25 sq. ft. variance requested); greater than the permitted size of two proposed logos (36" permitted, 54" proposed, 18 sq. ft. variance requested for each); greater than the permitted height of four proposed logos (20' permitted, 22' proposed, 2 ft. height variance for each); and a monument sign with greater than the permitted square footage (32 sq. ft. permitted and existing, 37.5 sq. ft. proposed, 5.5 sq. ft. variance requested). The Citywide Design Standards, amended on April 14, 2008, increased the height to the top of signs from 15' from finish floor elevation to 20'. Revisions to The Citywide Design Standards, adopted on April 13, 2009, limit the size of corporate logos to 36".

**SURROUNDING USES:** North – P (Professional); East – vacant lot (Gatlin Commons PUD); South – Sam's Club (Gatlin Commons PUD); West – McDonald's (Gatlin Commons PUD)

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**IMPACTS AND FINDINGS**

Compatibility with variance criteria:

- 1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.
  - a. Applicant response  
The building was constructed with a tower design. The main entrance to the building is at the rear.
  - b. Staff evaluation  
There are no special conditions and circumstances which exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. Although the building was constructed with a tower design, there is adequate room on the façade to place the logos without the necessity of a height variance. There are no special circumstances that warrant 54" logos.
- 2) That the special conditions and circumstances do not result from any action of the applicant.
  - a. Applicant response  
The design of the structure and tower featuring the company logo/trademark is consistent for all of Florida bank expansion.
  - b. Staff evaluation  
The tower feature is an architectural element. The logo/trademark can be placed without the need for a height variance. There is an existing sign on the front building façade that meets the height requirement.
- 3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district.

a. Applicant response

Due to extreme difficulty in accessing the bank directly, additional signage becomes necessary. The tower logo is simply an identifiable locational indicator for our customers.

b. Staff evaluation

The bank location fronts on Gatlin Blvd., however the entrance is by way of an internal access road. A 91.5 sq. ft. façade sign already exists on the north elevation facing Gatlin Blvd. The applicant is entitled to a total of 104.5 sq. ft. based on the linear frontage of the building, leaving 13 sq. ft. available for additional signage without a variance. It should be noted that the approved sign has 24" letters and a 36" logo. If the need for additional signage was anticipated, the size of the existing sign could have been made smaller. Further, the logo, without any name, will not identify the bank to the general public. There is an existing 32 sq. ft. monument sign along Gatlin Blvd. Existing signage at the St. Lucie West branch contains both the logo and the name, and there are no towers.

- 4) That literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant.

a. Applicant response

Due to Gatlin Commons not having a Master Sign Program, the bank has a shortage of signage needed for the location and the accessibility to property. Seacoast, National City, and First People's have all been granted height variances plus additional signage.

b. Staff evaluation

Literal interpretation of the provisions of the chapter would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district. Gatlin Commons could have requested a Master Sign Program for the entire project. Since it did not, the applicant must conform to the current Sign Code and Design Standards requirements. Seacoast National Bank, within the Gatlin Commons project, was granted a variance for height above grade for the front façade on November 6, 2007. There is no record of a variance for either National City Bank or First People's Bank in this PUD.

- 5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

a. Applicant response

The design of the constructed building and location in the Commons parking lot, with limited accessibility, requires the additional signage and additional height on the tower.

b. Staff evaluation

The variances requested are not the minimum variances that will make possible the reasonable use of the land, building, or structure. The size of the logos, and the height, can be reduced to meet code. The monument sign face can be revised to include the additional verbiage, but that might require that the size of the existing logo be reduced. At the time the monument sign was reviewed, the applicant was advised that additional verbiage might require a variance. The sign company advised that they wanted to proceed without the ATM copy on the bottom of the sign.

6) That the granting of the variance will be in harmony with the general intent and purpose of the chapter and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

a. Applicant response

The variance will increase egress accessibility to clients allowing them to safely access the bank, and reducing missed turns into property and confused traffic patterns.

b. Staff evaluation

The granting of the variances will not be in harmony with the general intent and purpose of the chapter. Neither the logos without an identifying name, nor the requested height variances will increase ingress/egress accessibility to clients and might be detrimental to the public welfare.

7) That there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.

a. Applicant response

Yes, will fully comply.

b. Staff evaluation

If the variance is granted, no additional conditions or safeguards are needed.

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**OTHER**

Site plan approval was granted on May 29, 2007 (P07-070). An amended site plan, for the elimination of one parking space, was approved by the Site Plan Review Committee on November 12, 2008 (P08-224).

The following variances have been granted in Gatlin Commons:

July 6, 2005 - P05-212 - Wal-Mart – for greater than the permitted square footage, size of letters, height above grade and location on buildings. This was based on the size of the structure and the distance from the road.

December 6, 2005 - P05-234 - Sam's Club – for greater than the permitted number of signs, greater than the permitted square footage, size of letters, and number of monument signs. This was based on the size of the project, its location on a major roadway, and its distance from the roadway.

November 6, 2007 - P07-334 – Seacoast National Bank - for greater than the permitted height for the front façade sign from the then permitted 15' to 26'.

December 6, 2007 - P07-368 – McDonalds – for greater than the permitted height from the then permitted 15' to 17'.

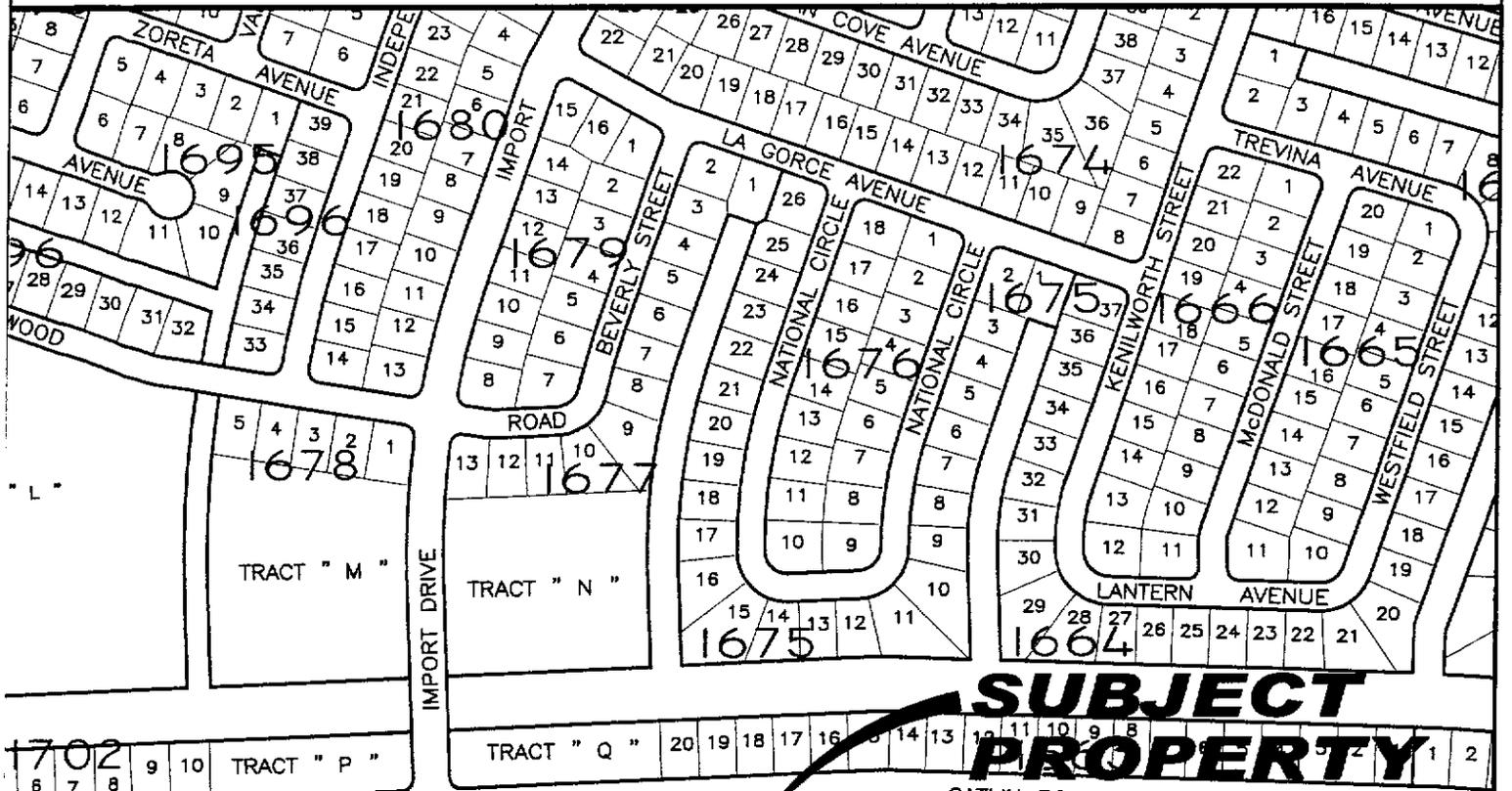
It should be noted that the Planning and Zoning Department will be working with a newly appointed Sign Code Review Committee to review and update the Sign Code.

**STAFF RECOMMENDATION:**

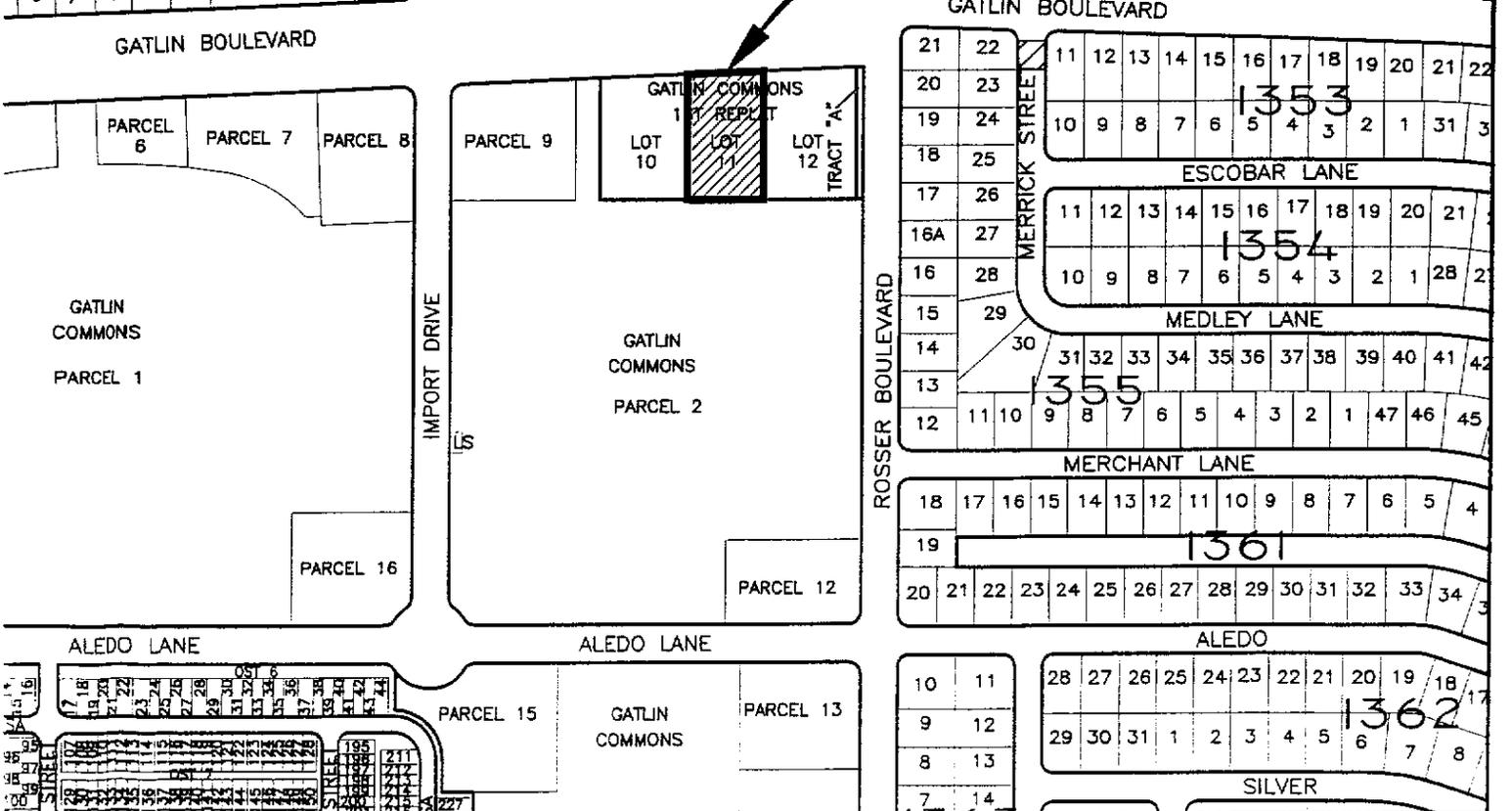
The Planning and Zoning Department staff finds the request to be inconsistent with variance criteria as stipulated in Section 158.295(C) of the Zoning Code and recommends denial.

***(NOTE TO APPLICANT: Any request for a variance that is denied by the Planning and Zoning Board may be appealed to the Board of Zoning Appeals. Appeal applications are made through the City Clerk's office and must be submitted within 15 days after the Planning and Zoning Board hearing).***

# SITE LOCATION



**SUBJECT  
PROPERTY**



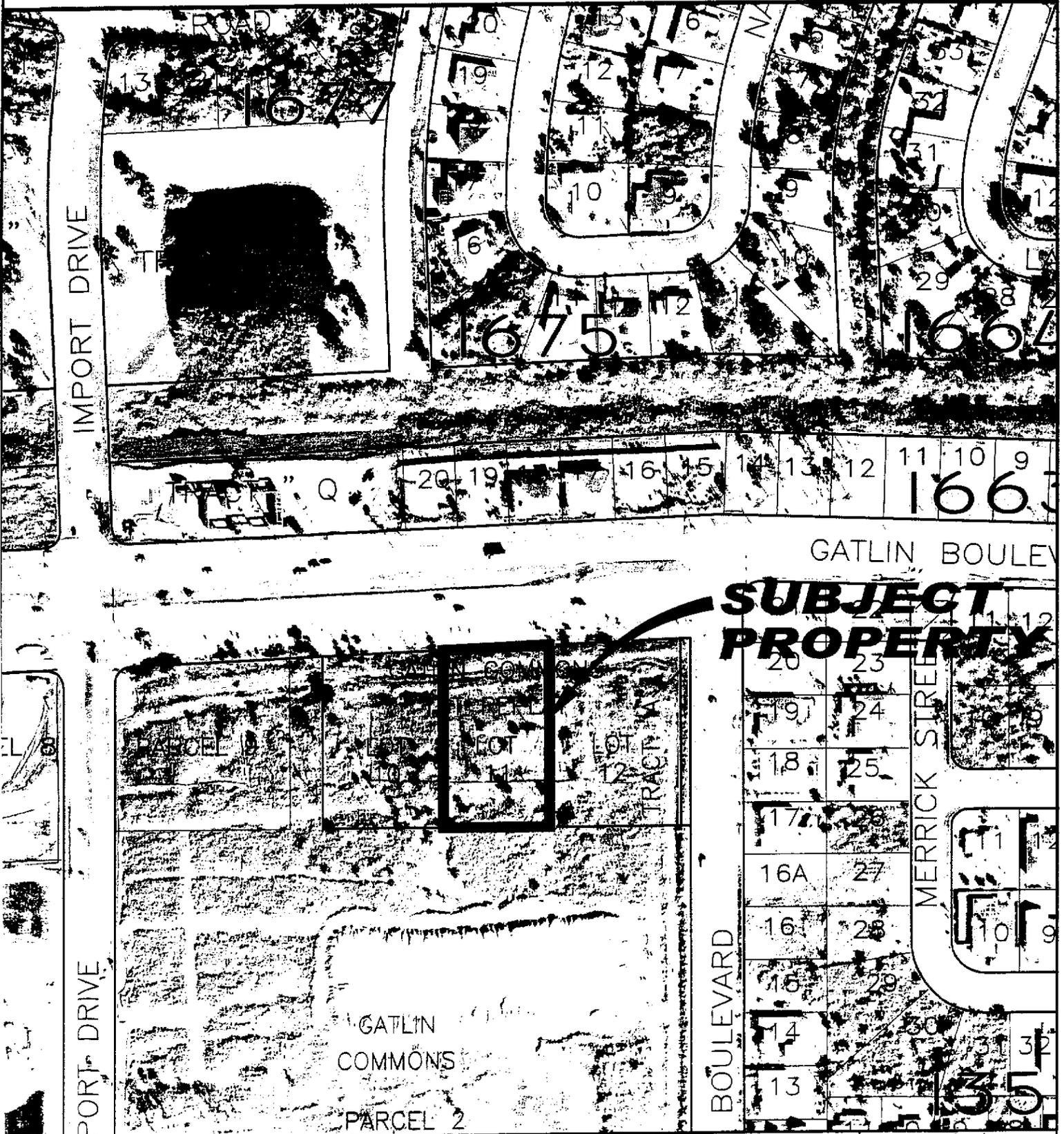
CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
GIS, Division of M.I.S. PZ2008.DWG

VARIANCE  
LOT 11  
GATLIN COMMONS

DATE: 2/3/09  
APPLICATION NUMBER:  
P09-009  
CADD FILE NAME:  
P09-009M  
SCALE: 1"=400'

# SITE LOCATION



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
GIS, Division of M.I.S. PZ2008.DWG

VARIANCE

LOT 11

GATLIN COMMONS

AERIAL PHOTOGRAPH TAKEN DEC 2006

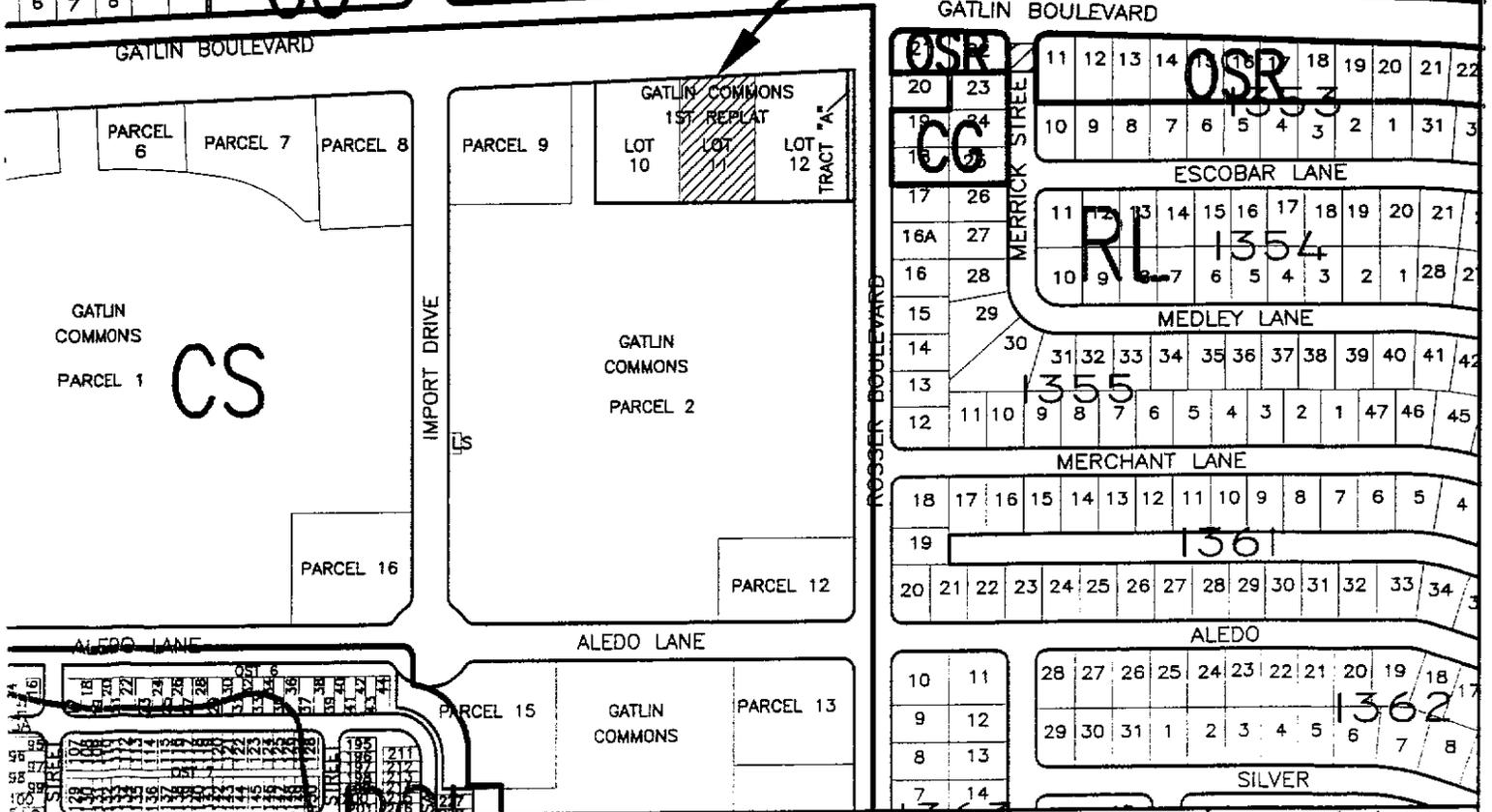
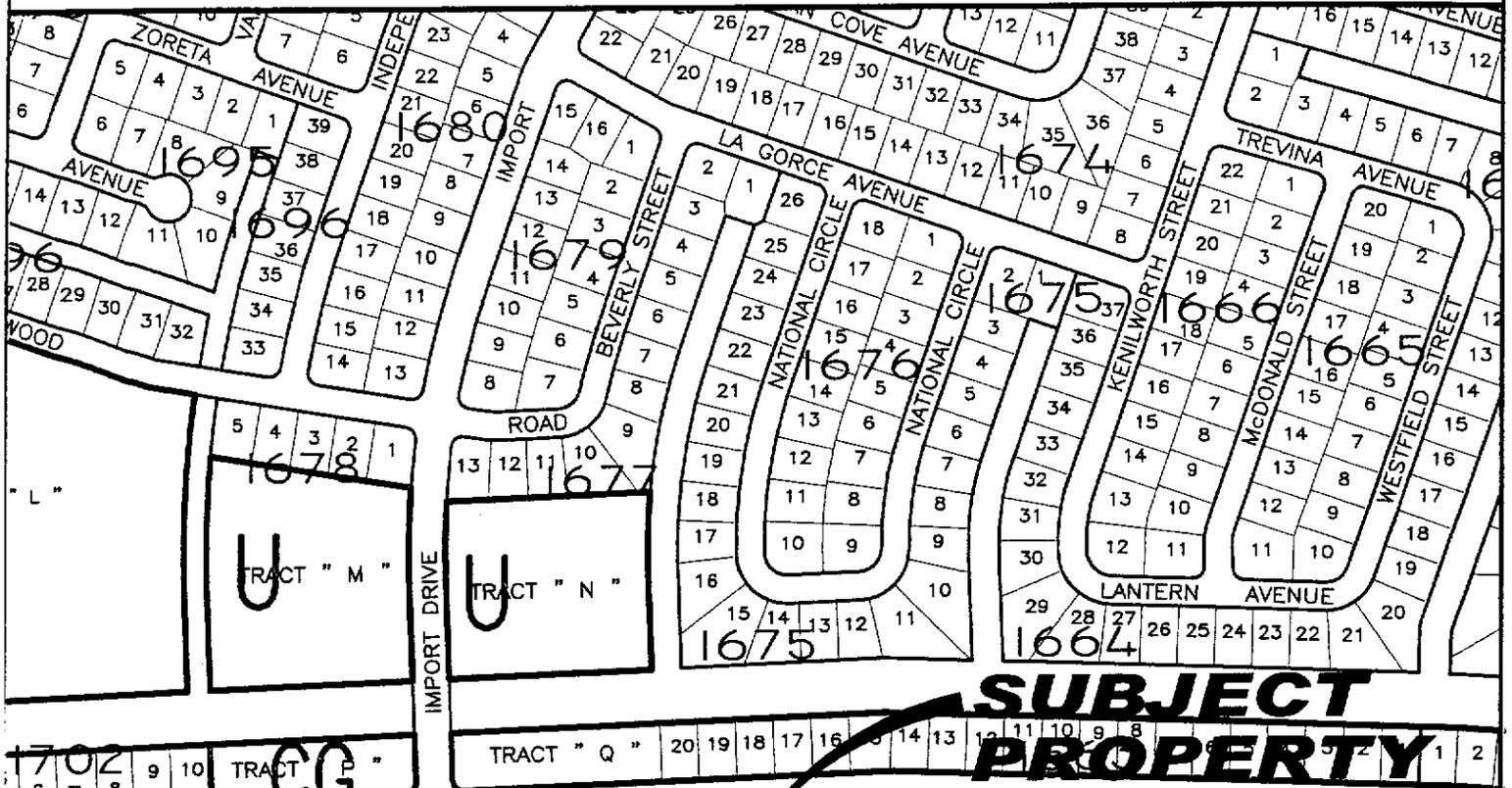
DATE: 2/3/09

APPLICATION NUMBER:  
P09-009

CADD FILE NAME:  
P09-009A

SCALE: 1" = 200'

# FUTURE LAND USE



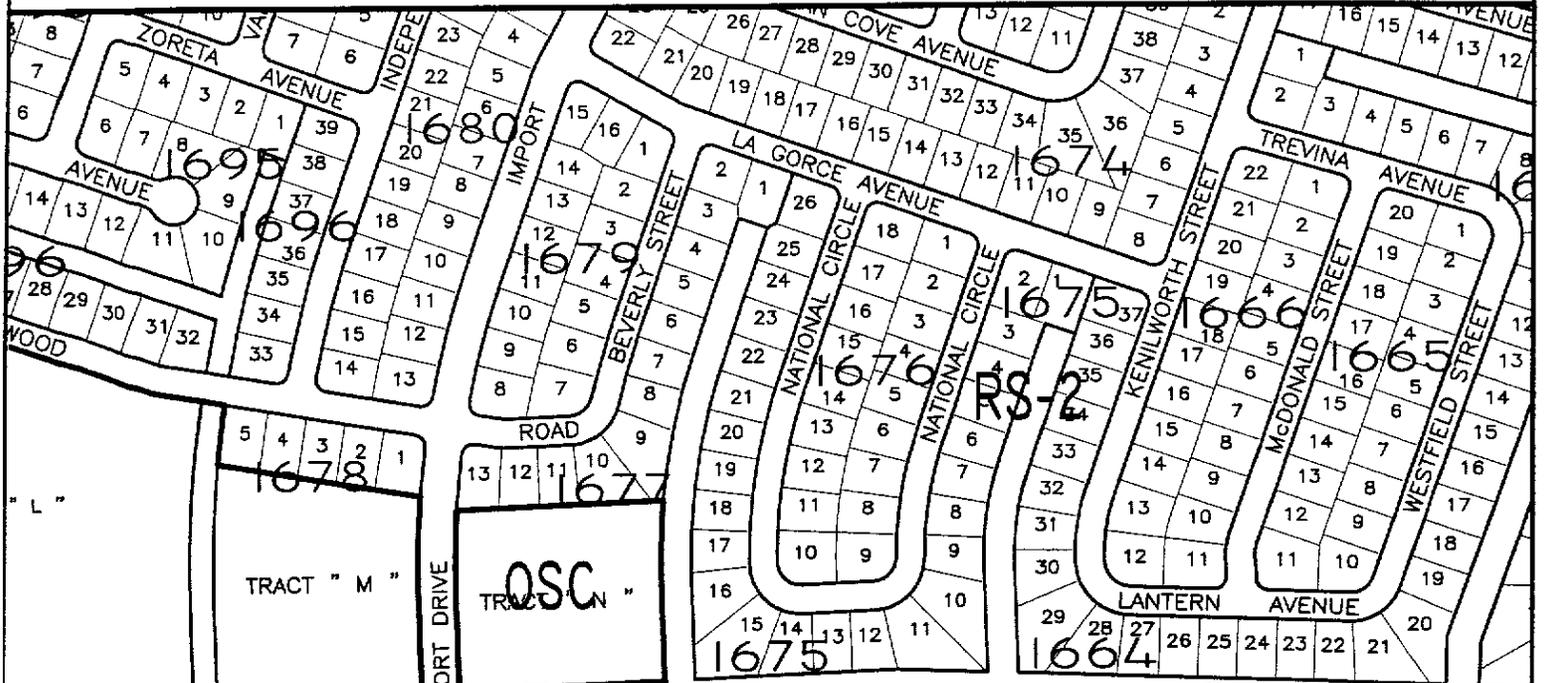
CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
GIS, Division of M.I.S. PZ2008.DWG

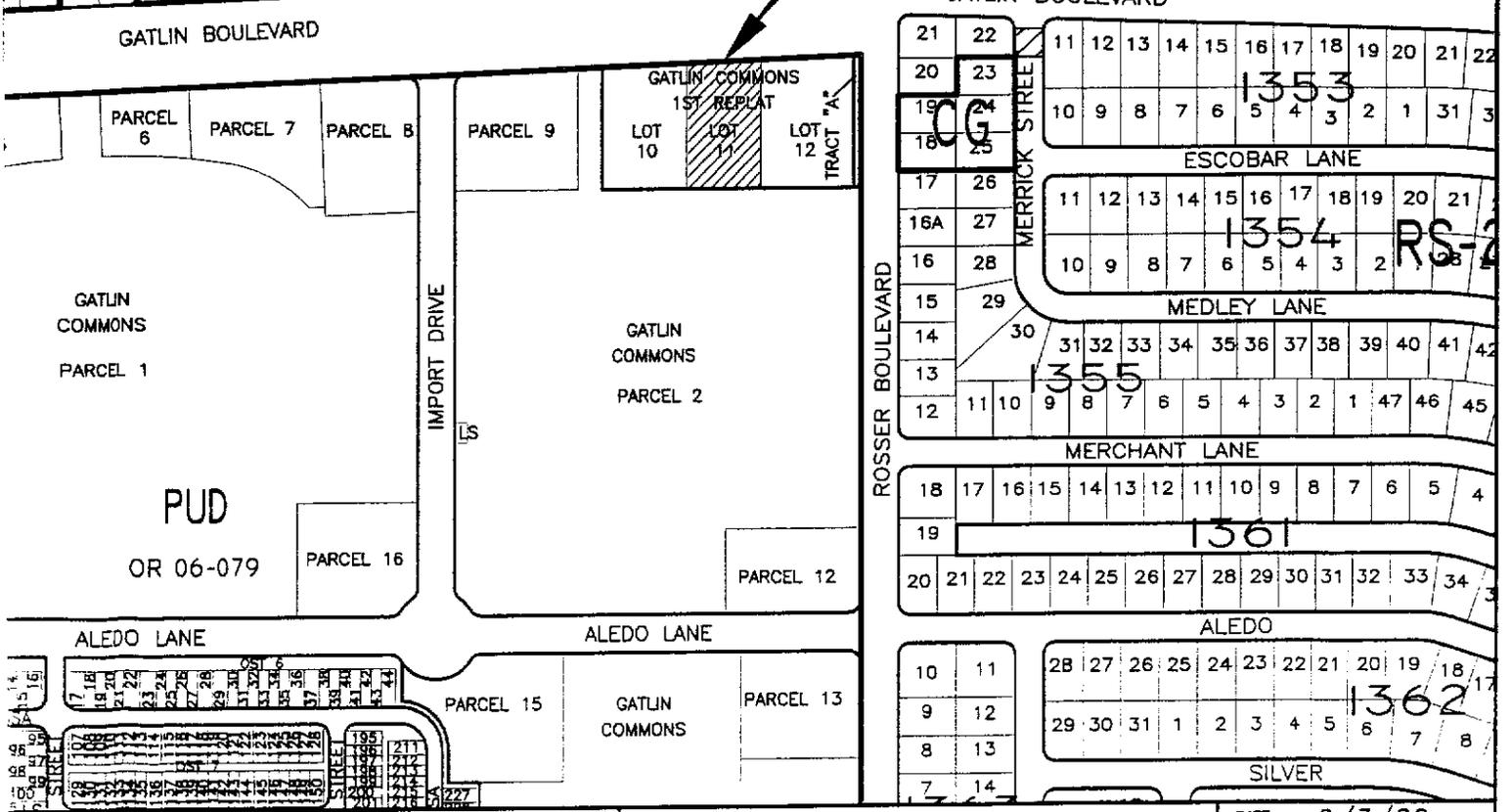
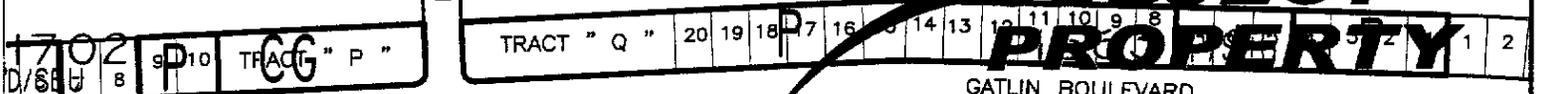
VARIANCE  
LOT 11  
GATLIN COMMONS

DATE:	2/3/09
APPLICATION NUMBER:	P09-009
CADD FILE NAME:	P09-009M
SCALE:	1"=400'

# EXISTING ZONING



**SUBJECT PROPERTY**



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
GIS, Division of M.I.S. PZ2008.DWG

VARIANCE  
LOT 11  
GATLIN COMMONS

DATE: 2/3/09  
APPLICATION NUMBER:  
P09-009  
CADD FILE NAME:  
P09-009M  
SCALE: 1" = 400'

**VARIANCE APPLICATION**

CITY OF PORT ST. LUCIE  
Planning & Zoning Department  
121 SW Port St. Lucie Blvd.  
Port St. Lucie, Florida 34984  
(772)871-5212 FAX: (772)871-5124

**RECEIVED**

APR 14 2009

**FOR OFFICE USE ONLY**

Planning Dept. P09-209  
Fee (Nonrefundable) \$ 1635  
Receipt # 9520

PLANNING DEPARTMENT  
CITY OF PORT ST. LUCIE, FL

Refer to "Fee Schedule" for application fee. Make check payable to the "City of Port St. Lucie. Fee is nonrefundable unless application is withdrawn prior to advertising for the Planning and Zoning Board meeting. Attach two copies of proof of ownership (e.g., warranty deed, affidavit), a copy of recent survey and a statement addressing each of the attached criteria.

**PROPERTY OWNER:**

Name: Colonial Bank @ Gatlin Commons  
Address: 1720 SW Gatlin Blvd  
Telephone No. 305-523-1689 Fax No. 305-523-3498

**APPLICANT (IF OTHER THAN OWNER, ATTACH AUTHORIZATION TO ACT AS AGENT):**

Name: Rebecca Miller - Miller Permitting @ Land Development  
Address: 285 SE Verada Ave., Port St. Lucie FL 34983  
Telephone No. 772 343 0336 office Fax No. 772 343 1699  
418-1384 cell

**SUBJECT PROPERTY:**

Legal Description: ALL OF LOT 11 OF THE PLAT OF GATLIN COMMONS PB 55/PT 30  
Parcel I.D. Number: 4314-506-0003-000.0  
Address: 1720 SW Gatlin Blvd  
Current Zoning Classification PUD

Description of requested variance and applicable conditions/circumstances justifying request (continue on separate sheet, if necessary): Provide documentation that the attached variance criteria have been met.

Additional 5.55 Sq. feet for monument Sign  
Additional 43.75 Sq. feet for Main Entrance Rear Signage  
Tower Logos NORTH + SOUTH SIDES Add'l 14.12' @ 36" each \*  
Tower Logos East + West Add'l 31.8' @ 54" each \*

\* All Logos exceed 20' height restriction

[Signature]  
Signature of Applicant

Rebecca Miller  
Hand Print Name

4-13-09  
Date

NOTE: Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed to service this project has not yet been determined. Adequacy of public facility services is not guaranteed at this stage in the development review process. Adequacy for public facilities is determined through certification of concurrency and the issuance of final local development orders as may be necessary for this project to be determined based on the application material submitted.  
H:\PZ\SHARED\APPLCTN\VAR\APPL (07/29/04)

## VARIANCES

The Planning and Zoning Board and Zoning Administrator may authorize the variance from the provisions of this chapter as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Planning and Zoning Board or Zoning Administrator will consider the variance criteria in § 158.295 (C) 1-7 and consider your responses to the following when making a determination.

(1) Please explain special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

Building constructed with Tower Design -  
main Entrance to Building is at rear

(2) Please explain if these conditions and circumstances result from actions by the applicant;

The design of structure and tower featuring  
company logo/trademarks consistent for all  
of Florida bank expansion.

(3) Please explain how granting the variance requested will not confer on the applicant special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district;

Due to extreme difficulty in access bank directly  
additional signage becomes necessary. The  
tower logo is simply an identifiable locational  
indicator for our customers.

(4) Please explain how a literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;

Due to Gratlin Commons not having a master Sign Program,  
the bank has a shortage of signage needed for the  
location and the accessibility to property. Sea Coast, National City  
and First Peoples have all been granted height variances plus  
additional signage.

(5) Please illustrate and explain if the variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structure;

The design of the constructed building and location  
in the Commons parking lot with limited accessibility  
requires the addition signage and additional  
height on tower.

(6) Please indicate how granting variance will be in harmony with the general intent and purpose of the chapter and that granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;

This variance will increase egress accessibility to clients allowing them to SAFELY Access the bank, and reducing missed turns into property and confused traffic patterns.

(7) Please indicate that there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.

Yes. We will fully comply.

[Signature]  
Signature of Applicant

Rebecca Miller  
Print Name

11-13-09  
Date

RECEIVED

APR 16 2009

PLANNING DEPARTMENT  
CITY OF PORT ST. LUCIE, FL

Prepared by and return to:  
Nicole R. Avallone  
Attorney at Law  
Adorno & Yoss, LLP  
350 East Las Olas Boulevard Suite 1700  
Fort Lauderdale, FL 33301  
954-763-1200  
File Number: 215092.0076  
Will Call No.:

COPY  
[Space Above This Line For Recording Data]  
Warranty Deed

This Warranty Deed made this 23rd day of May, 2008 between Edgewood Investment Partners L.L.C. t/k/a Edgewood Development Partners, LLC, a Florida limited liability company, whose post office address is 7307 N.W. 122nd Ave., Parkland, FL 33076, grantor, and W.A.CO. Santa Ana, LLC, a Washington limited liability company whose post office address is 600 University Street, Suite 2100, Seattle, WA 98104, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Saint Lucie County, Florida to-wit:

Lot 11 of GAYLIN COMMONS 1ST REPLAT, according to the Plat thereof, as recorded in Plat Book 55, Page 39, of the Public Records of St. Lucie County, Florida.

Parcel Identification Number: 4314-506-0003-000-0

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2007.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

COPY  
DoubleTime

Signed, sealed and delivered in our presence:

Edgewood Investment Partners L.L.C., a Florida limited liability company

By: [Signature]  
Jeff Beebe, Manager

Nicole R. Avallone  
Witness Name: Nicole R. Avallone

Beverly F. Bryan  
Witness Name: BEVERLY F. BRYAN

State of Florida  
County of Broward

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of May, 2008 by Jeff Beebe of Edgewood Investment Partners L.L.C., a Florida limited liability company, on behalf of said firm. He/she  is personally known or  has produced a driver's license as identification.

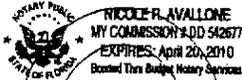
[Notary Seal]

Nicole R. Avallone  
Notary Public

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

COPY



COPY



Miller Permitting &  
Land Development

285 SE Verada Avenue  
Port Saint Lucie, Florida 34983  
Office: 772-343-0336 • FAX: 772-343-1699  
[www.millerpermitting.com](http://www.millerpermitting.com)

June 16, 2009

Ms. Joan Weissman  
City Of Port St. Lucie  
Planning & Zoning Department  
RE: P09-099 Colonial Bank Variance

Dear Ms. Weissman,

Please be advised that our re-submittal of the variance request has had some significant changes and all previous items (IE: Booklets and other documentation) should be discarded and the new packages submitted on 06/15/09 be referred to as our variance request.

The changes I will provide to you in bullet format:

- The logo on the existing permitted wall sign has been removed to allow more square feet for our tower signs. New square footage has been provided in detail.
- The tower logos have been reduced in size from 54" on the North and East sides to 36" to keep in line with city code
- The tower logos on the West and South sides remain 36" each.
- All tower signs are 22' high (replacing old heights of 22'11", etc.)
- The monument sign request no longer states 2 options and we have settled on the Tag line on the monument portion of the sign only

As you will note, our variance request has been severely downsized. We hope we will have a favorable staff recommendation now that we have reacted respectfully to feedback given by the P/Z department.

My best regards,

Rebecca Miller  
President, MPLD



Miller Permitting &  
Land Development

285 SE Verada Avenue  
Port Saint Lucie, Florida 34983  
Office: 772-343-0336 • FAX: 772-343-1699  
[www.millerpermitting.com](http://www.millerpermitting.com)

January 30, 2009

City of Port St. Lucie Planning & Zoning Department  
121 SW Port St. Lucie Blvd.  
Port St. Lucie, FL 34984

To Whom It May Concern:

Colonial Bank throughout Florida, Alabama and Texas has opened new branches and has expansion plans for many more, using a consistent site and building plan. Building design, colors and signs are intended to be consistent for brand loyalty and ease of identification for our customers.

Some photo examples of branches already opened in the past two years are provided for your consideration.

Each photo states the branch location. You will notice that all buildings have towers with our corporate trademark, the Colonial Eagle. This is a very important part of our method of branding and market recognition.

The signage for each branch consists of halo lighted black letters and logos at positions permitted by local code. All lighting is of the "green" type being LED technology using very little electrical power. We would like our new branch in your community to be consistent with our new facilities under construction in Stuart, Clermont, New Smyrna Beach, Flagler County, Deland, and soon, Vero Beach and Ft. Pierce.

We suggest that in your deliberation, the tower decoration and trademark do not "sell" anything and looks no more aggressive than say a clock as exists on the north side of Gatlin Blvd. within 1/2 mile. Further, as matter of safety for ingress and egress to all our branches, we strive to design around identifying our buildings from a distance most suitable for our driving customers to safely enter the branch site. Tower trademarks have proven to accomplish this very successfully.

On the basis of these appeals, we ask that you permit the use of our tower trademarks as illustrated on the presentations given.

Respectfully yours,

Rebecca Miller  
President, Miller Permitting & Land Development, LLC

## BASIS OF PETITION

### Petition for use of corporate trademarks on tower structure.

Colonial Bank, throughout Florida, Alabama and Texas has opened new branches and has expansion plans for many more, using a consistent site and building plan. Design, colors and signs are intended to be consistent and achieve two common goals.

1. Establish design and capability for our customers to safely access our branches. All building structures contain towers for placement of the corporate registered trademark. They are of color and design to best display the trademark for long distance recognition.. No other graphics appear on the towers. The symbol is plain in design and intended to yield instant recognition from appropriate distances without a lot of detail, to alert approaching customers of a possible lane change on a 4 lane road and safely enter the property.

Tower trademarks have successfully achieved this safety issue on prior branch developments as shown on following pages illustrating the Colonial national sign program. This will be utilized in the next North Stuart branch as well as Ft. Pierce and Vero Beach. You'll see examples of this in the next pages listing Homestead, Ft. Lauderdale 17<sup>th</sup> Street and Ft. Lauderdale, Bayview branches.

2. Brand our buildings with consistent signage. Our letter style is Adobe Caslon Black. The name COLONIAL BANK is always presented in black finish. The logo or corporate trademark is always 1.5 larger in size when presented on buildings in a single line and finished in PMS 285 blue. All electrical fixtures are illuminated with "green" concept L.E.D. technology.

Once a customer has safely approached the branch, our normal building signs ,complete with in line trademarks fill out our intended full name branding. As most branches require extensive landscaping, there will always be some occlusion of 1<sup>st</sup> floor signage. That is why our tower trademarks are so important to goal no. 1.

---

We suggest that in your deliberation, the tower trademarks are more decoration than signs in that they do not "sell" anything and are no more aggressive than say the 54" clock as exists on the First People's Bank on the North side of Gatlin Blvd., just west of our bank site.

Our request for tower marking then is for 36" trademarks on all sides of the tower.

Current law provides that no signage may appear above 20' in height. The second part of our request for tower signage deals with placement which would encroach into the 20' maximum height by 2' and achieve the same height of 22' from grade to the top of the signs on all 4 sides of the tower.

This type of request is very similar to that encountered for the sign work performed for the Seacoast National Bank, Sam's , McDonald's and Walmart , all within the same development and Home Depot to the west, all of which have received variances.

---

### Uniqueness of requirement

Please examine the site plan illustrating the limited access to the branch. Westbound traffic must exit busy Gatlin Blvd. to Rosser Road west to the only access, Portsmouth Lane. Our customers must align themselves to the south lane to make the left turn onto Rosser Rd., thence to Portsmouth Lane. This is a very irregular access. The same problem occurs with eastbound traffic having missed a blind approach off Gatlin onto Brigantine Place. THE ONLY ACCESS TO THIS SITE is off what could be considered an alley with traffic headed for any number of shops within the complex. There is no access off Gatlin Blvd.

## BREAKDOWN OF VARIANCE REQUEST

All area calculations made using decimal system

### Building:

Tower Logo North Side	36"	9.0	square feet
Tower Logo South Side:	36"	9.0	square feet
Tower Logo West Side	36"	9.0	square feet
Tower logo East Side	36"	9.0	square feet
Main Entrance, (Rear) Lettering	<u>16"x 17'-10"</u>	<u>23.77</u>	<u>square feet</u>
Total Added Bldg. Square Footage		59.77	square Feet

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### Variance Request Recap:

53.66	Square Feet Existing (2'x26'-10")
<u>59.77</u>	Square Feet Additional Requested (Includes Tower Signs & Rear Sign)
113.43	Square Feet Total Proposed
<u>104.50</u>	Square Feet Permitted
<b>8.93</b>	<b>Square Feet Variance Requested</b>

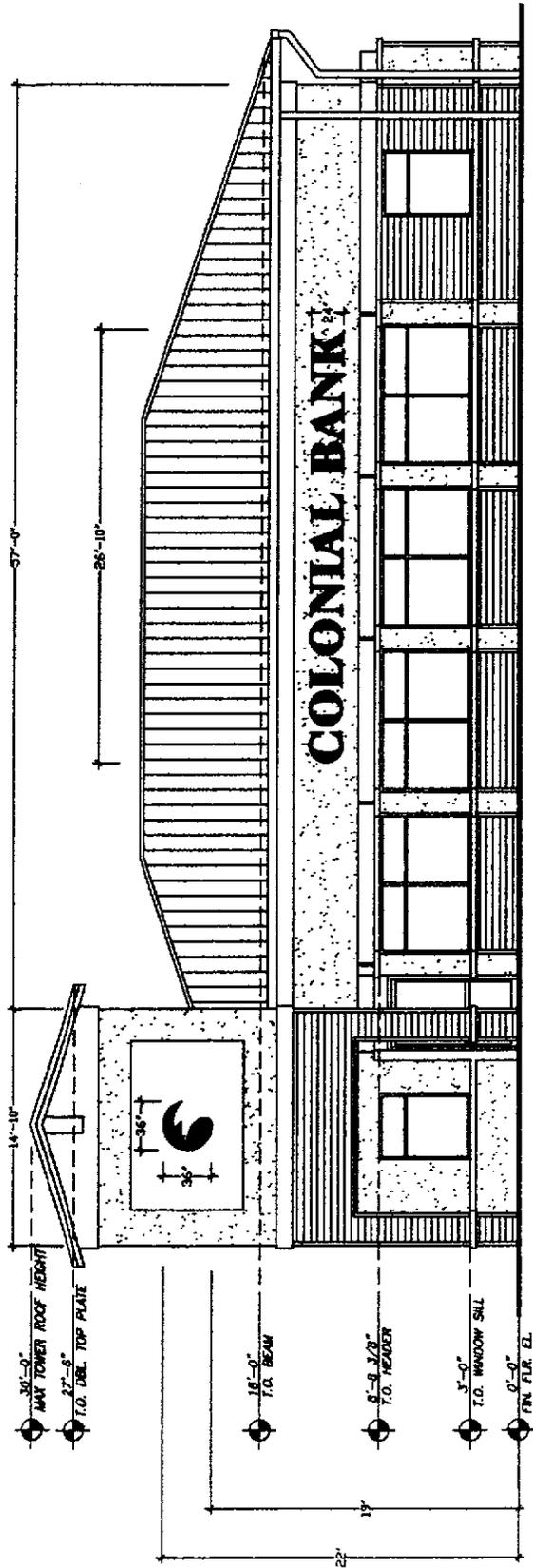
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### Monument Sign

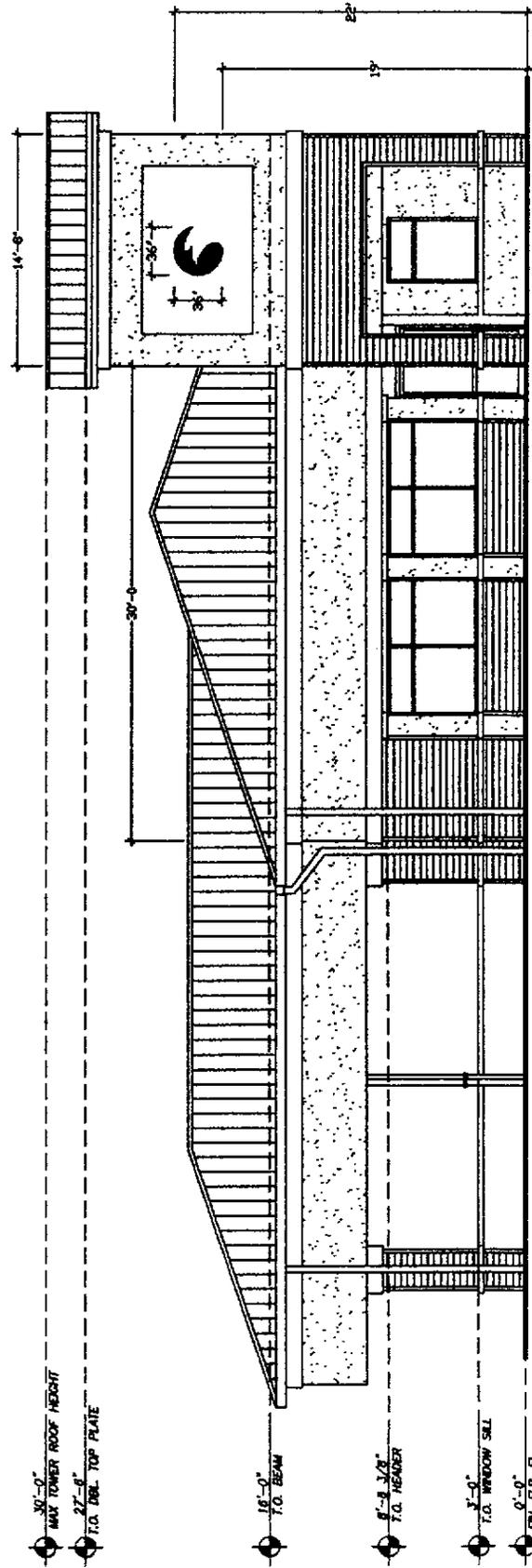
Additional Tag Line	
<i>24 Hour Drive-In ATM</i>	
9"x 94"	5.87 Square Feet
Existing Monument Sign Area 94"x 49"	<u>31.82</u> Square Feet
Total Area Requested	37.69 Square Feet
Total Area Permitted	<u>32.00</u> Square Feet
<b>Total Square Feet Variance Requested</b>	<b>5.69 Square Feet</b>

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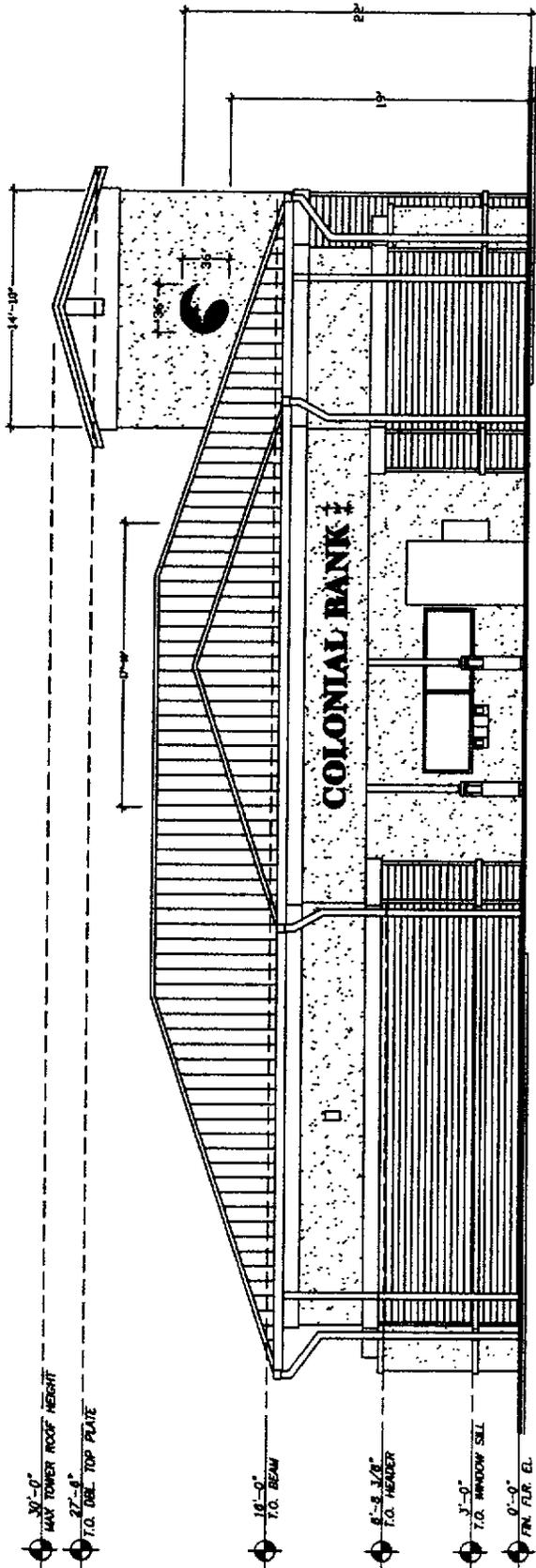
6-18-2009



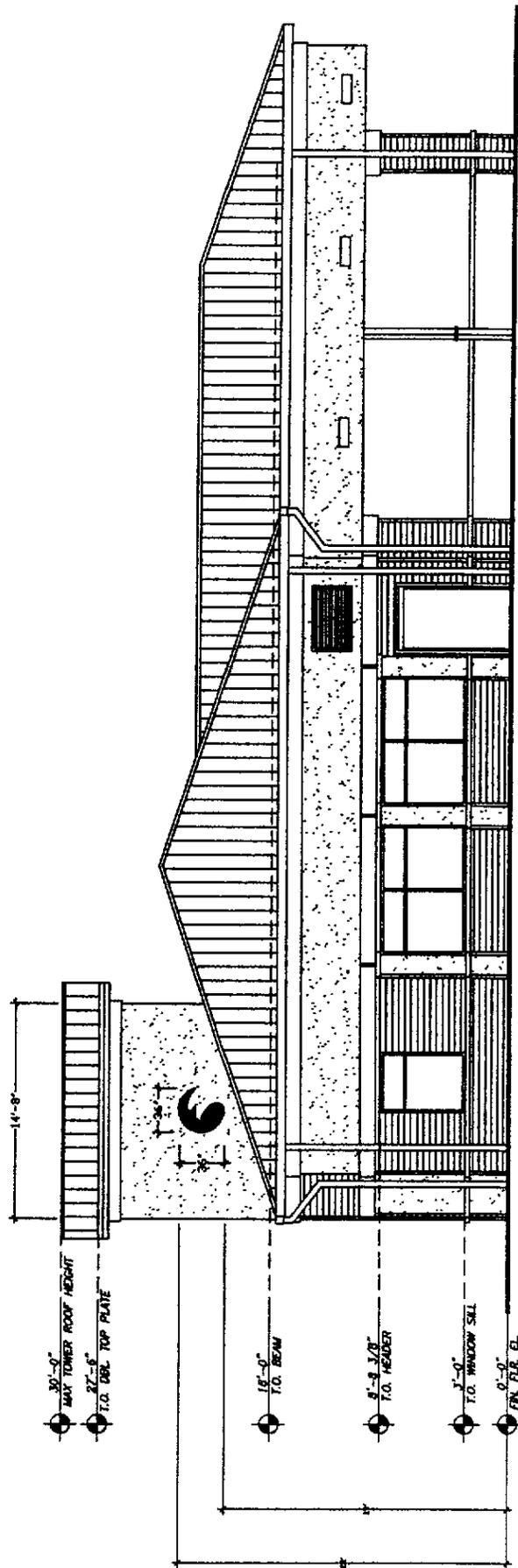
NORTH ELEVATION



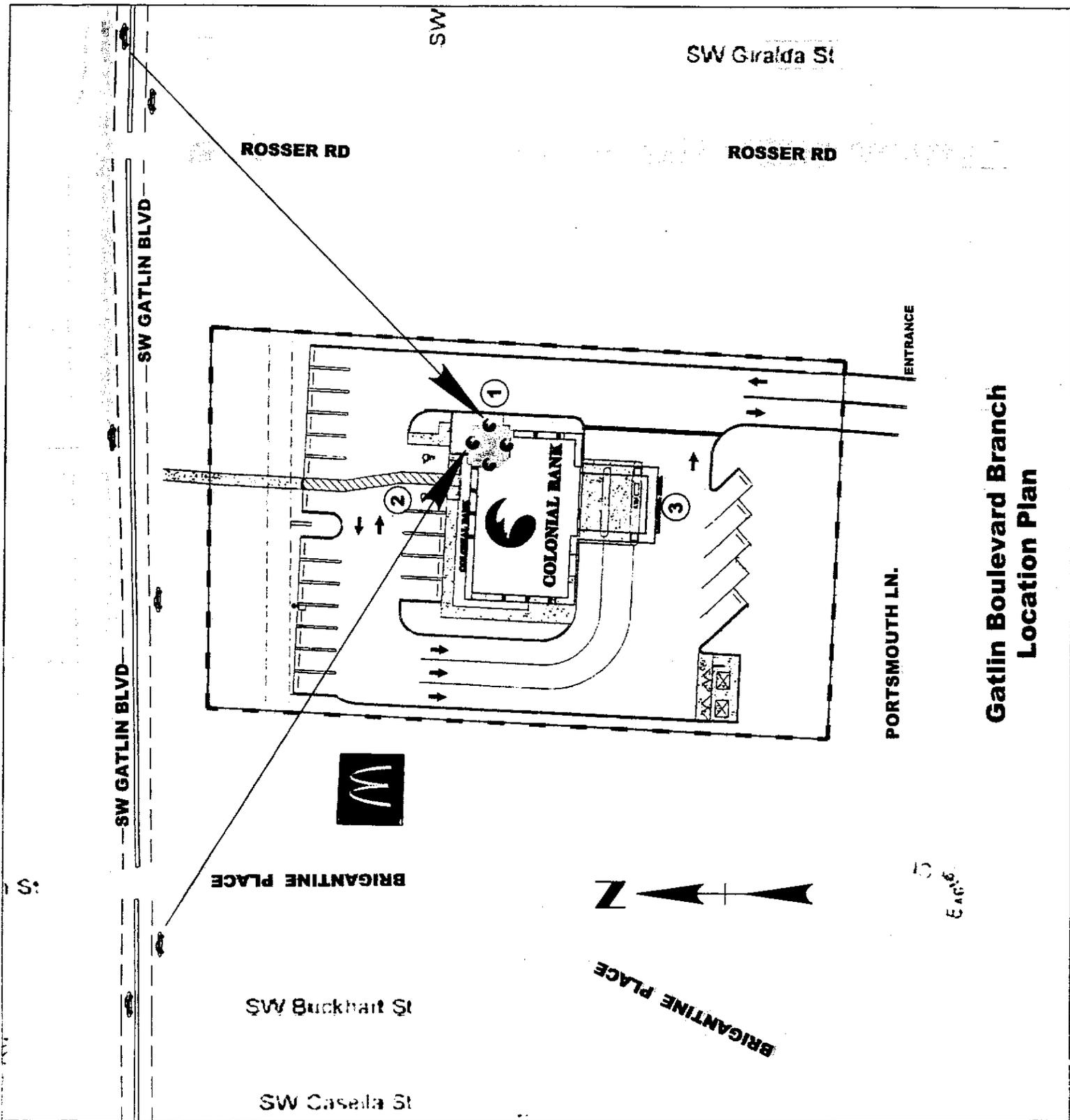
EAST ELEVATION



SOUTH ELEVATION



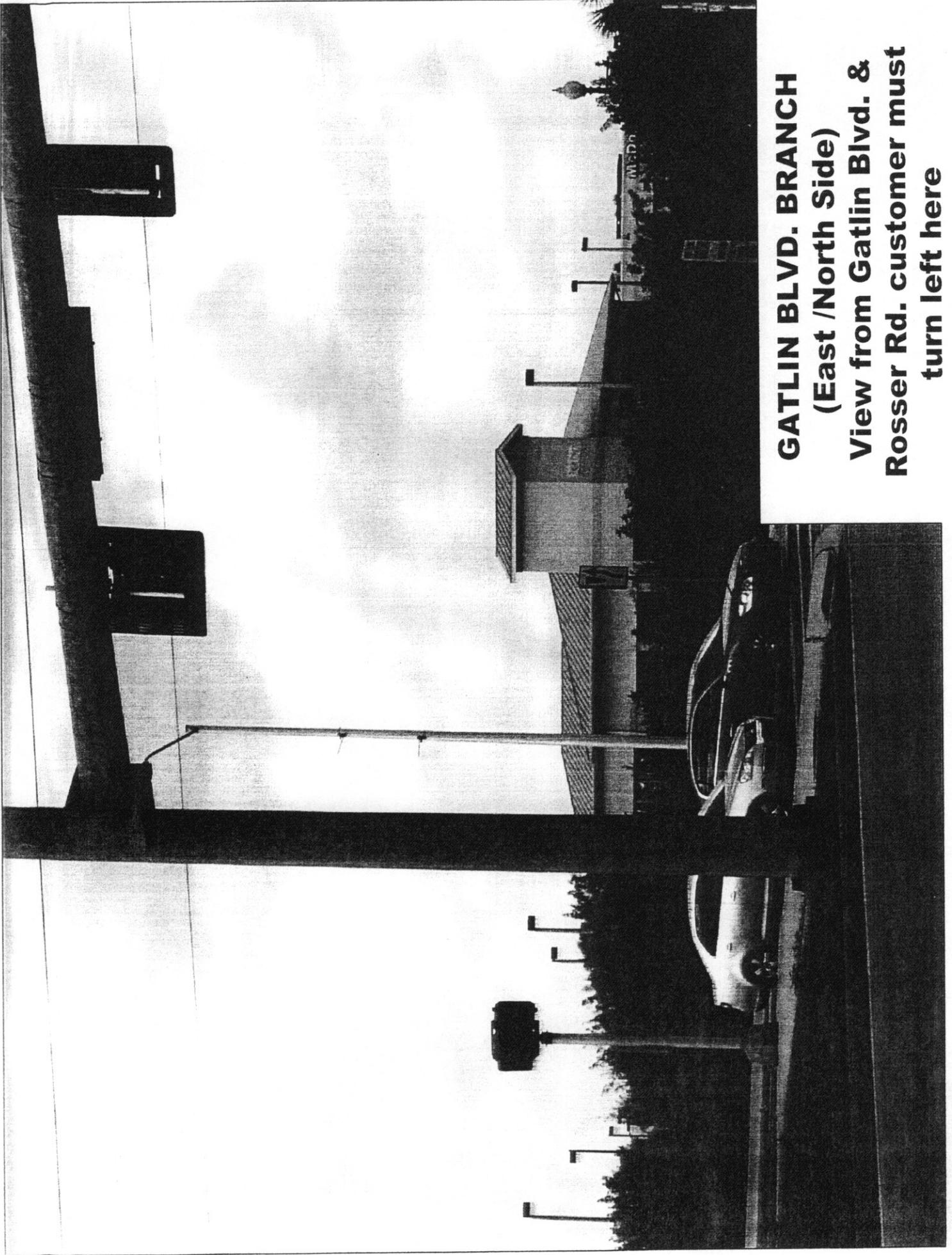
WEST ELEVATION



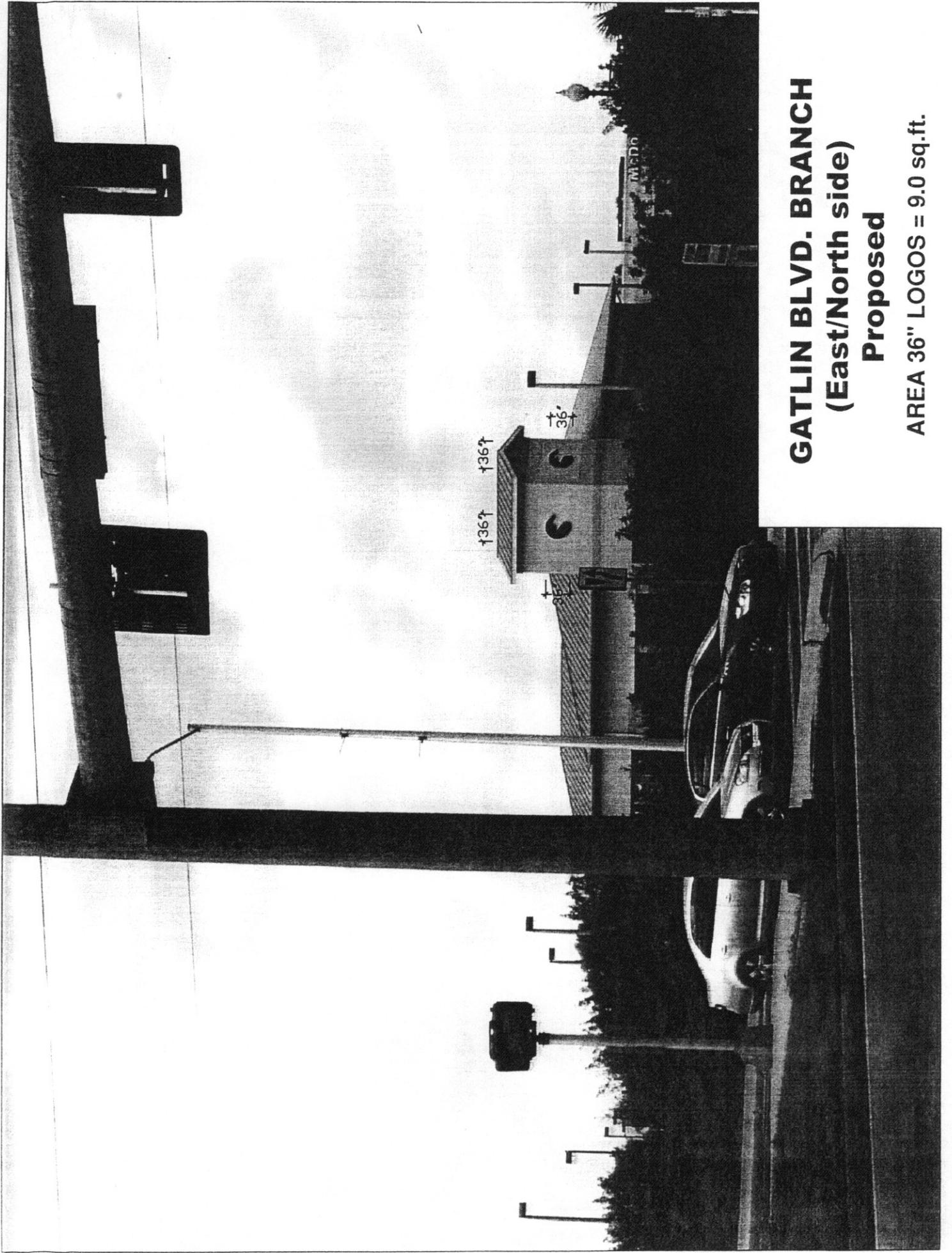
**Gatlín Boulevard Branch  
Location Plan**

0  
5  
10  
15  
20  
25  
30  
35  
40  
45  
50  
55  
60  
65  
70  
75  
80  
85  
90  
95  
100

- ① TRAVELING WEST ON GATLIN, CUSTOMER MUST TURN LEFT ON ROSSER RD. TO GAIN ENTRY TO THE BANK. TOWER LOGO IS UNIQUELY REQUIRED TO BE SEEN FROM APPROXIMATELY 1000' IN ORDER TO SAFELY EXECUTE ALL TURNS NECESSARY.
- ② TRAVELING EAST, THE TOWER LOGO FACING NORTH IS AT A HEIGHT ABOVE ALL FUTURE TREES AND OTHER LANDSCAPING TO ALERT CUSTOMER OF THE ROSSER ROAD ACCESS IN CASE THEY MISS BRIGANTINE PLACE.
- ③ AN ADDITIONAL WALL SIGN FACING THE SHOPPING AREAS AND ACCESS FROM THE ONLY ROAD INTO THE SITE IS NEEDED TO IDENTIFY THE BANK TO ITS ONLY ENTRANCE.



**GATLIN BLVD. BRANCH**  
**(East /North Side)**  
**View from Gatlin Blvd. &**  
**Rosser Rd. customer must**  
**turn left here**



**GATLIN BLVD. BRANCH**  
**(East/North side)**  
**Proposed**

AREA 36" LOGOS = 9.0 sq.ft.

EXISTING AREA SIGN 24" X 26'-10" = 53.66 sq.ft.



**GATLIN BLVD. BRANCH**  
**(North Side)**  
**Existing view from Gatlin Blvd.**  
**customer traveling east.**

EXISTING AREA SIGN 24"X26'-10" = 53.66 sq.ft.



**GATLIN BLVD. BRANCH**  
**Proposed**  
**(facing Gatlin)**

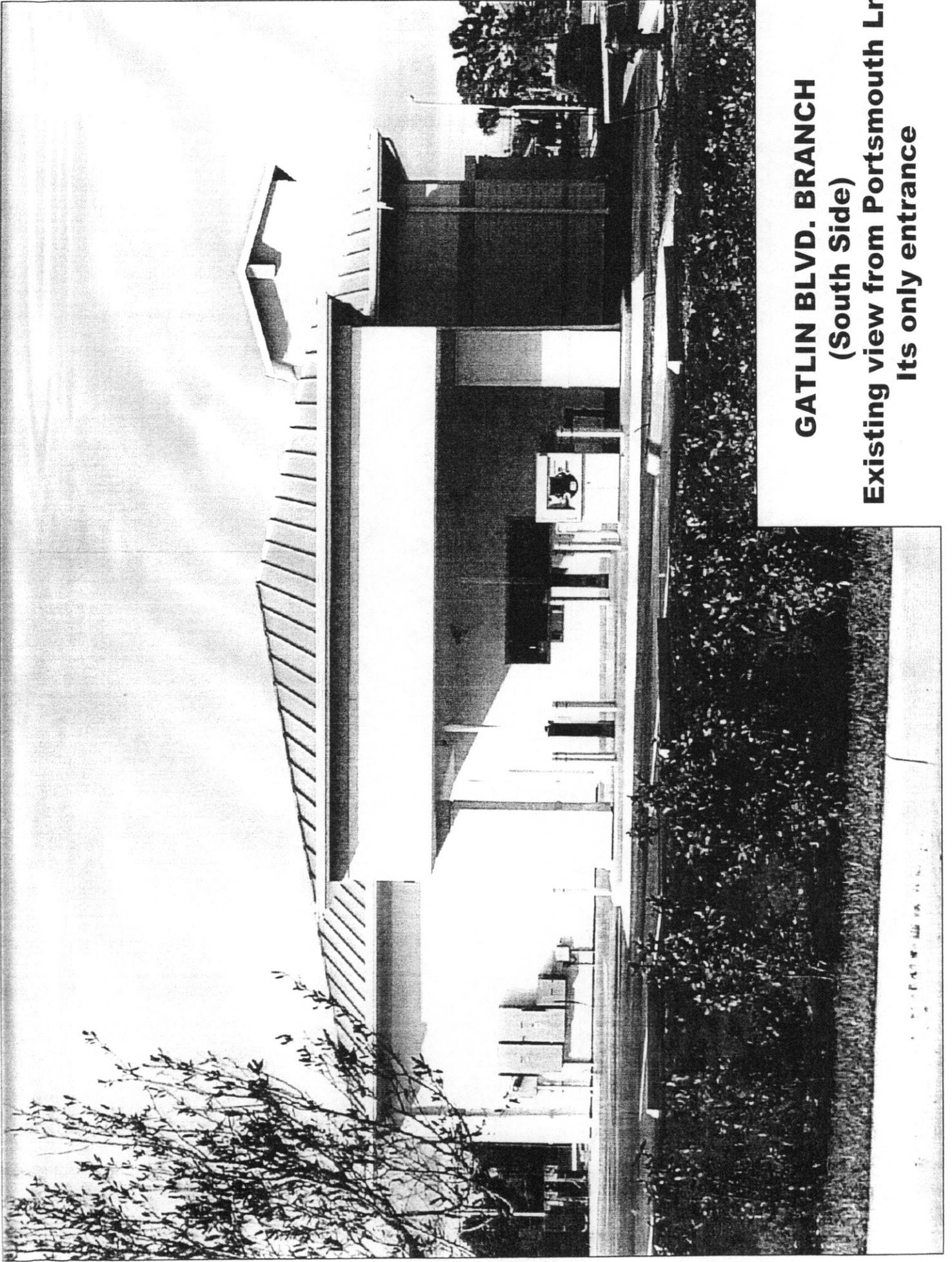
AREA 36" LOGOS= 9.0 sq.ft.

## PETITION FOR MAIN ENTRANCE (REAR) SIGN

All of our customers enter the property off Portsmouth Lane. There is no sign identifying the building. There is no access from Gatlin Blvd. We must be identified from this single access to the bank.

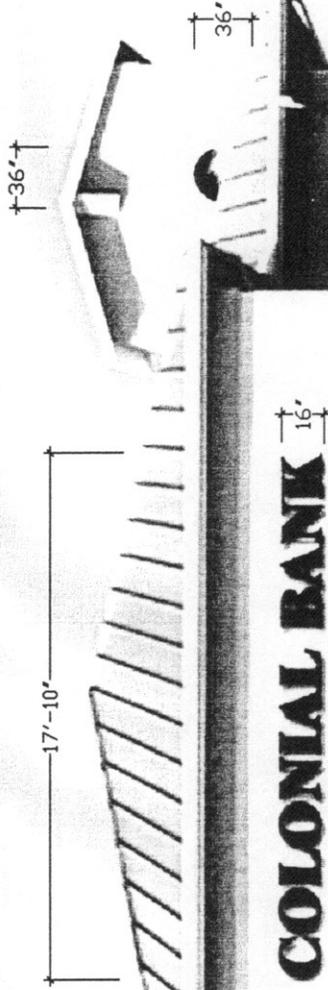
When you visit the development, you will have to maneuver several turns with no directional information to our bank or any other of the several businesses and you can easily miss our only entrance. This is why we are asking for 16" letters having a length of 17'-10".

The addition of this sign's area does not increase our allotted sign area for the building. Only the addition of the tower logos bring the total aggregate sign area to 8.93 square feet more than allowed by city code.



**GATLINS BLVD. BRANCH**  
**(South Side)**  
**Existing view from Portsmouth Ln.**  
**Its only entrance**

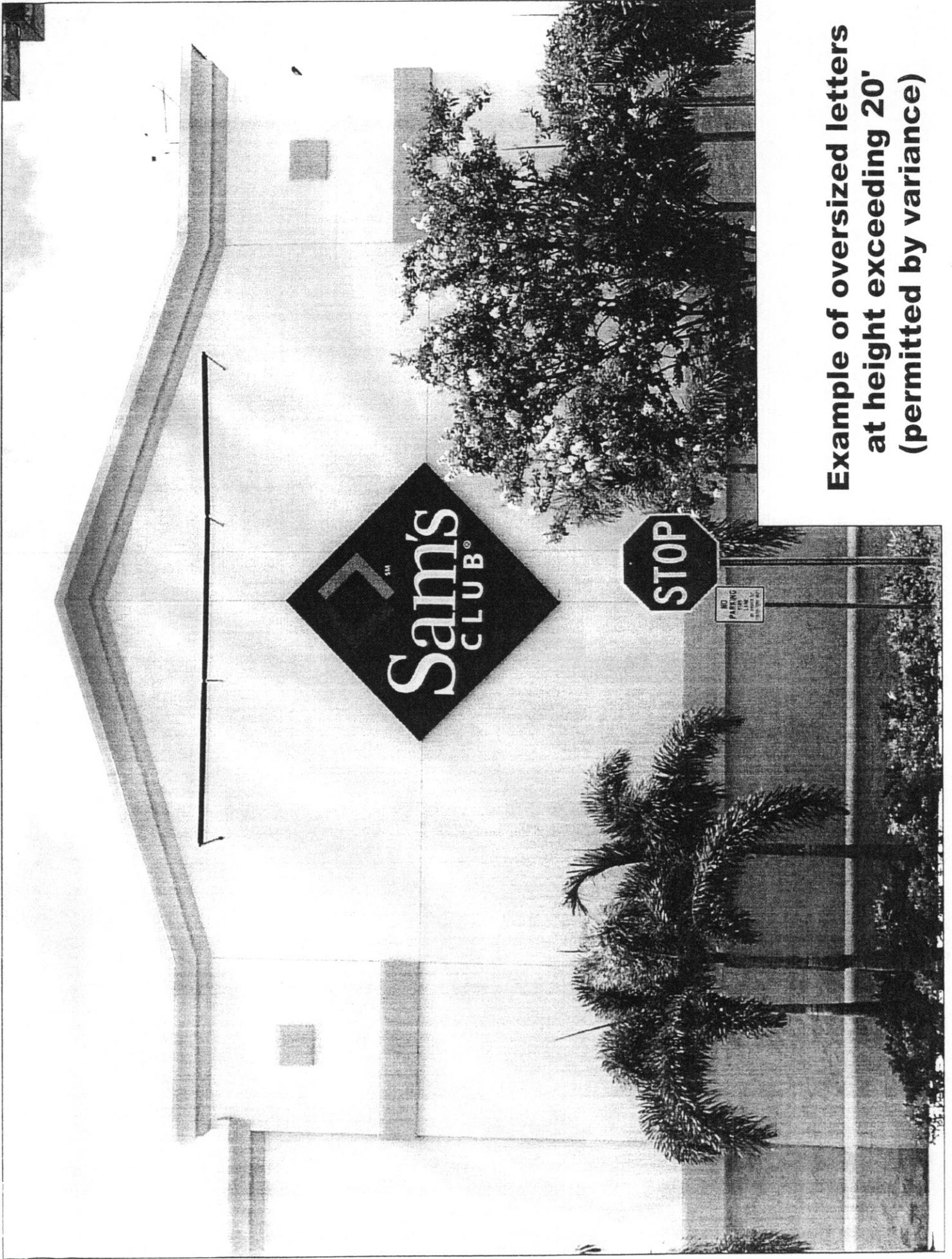
AREA 36" LOGO = 9.00 sq.ft.  
AREA SIGN 16"X17'-10" = 23.77 sq.ft.



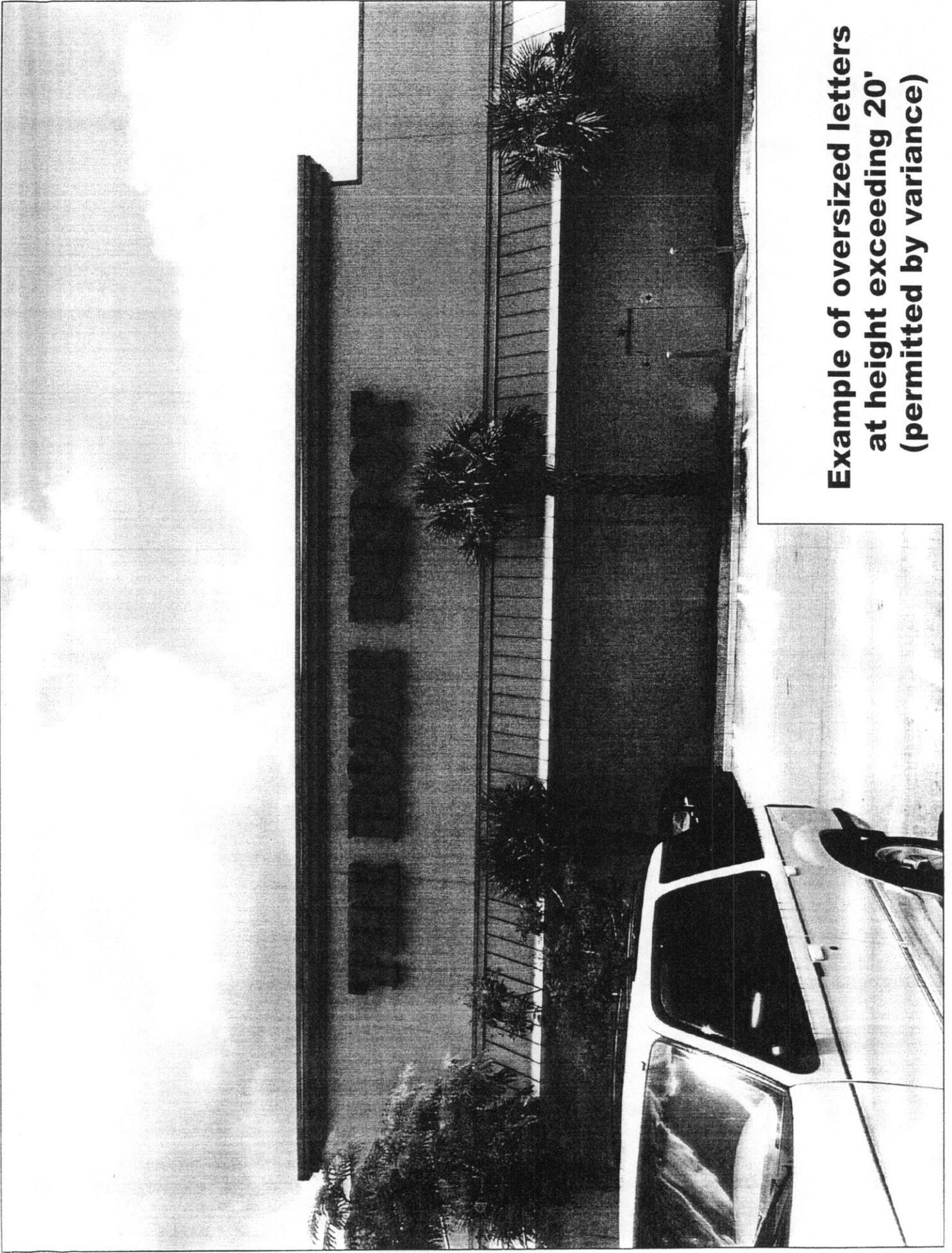
**GATLIN BLVD. BRANCH**  
**Main Entrance (Rear)**

**An additional wall sign facing the shopping areas and access from the only road into the site is needed to identify the bank to its only entrance**

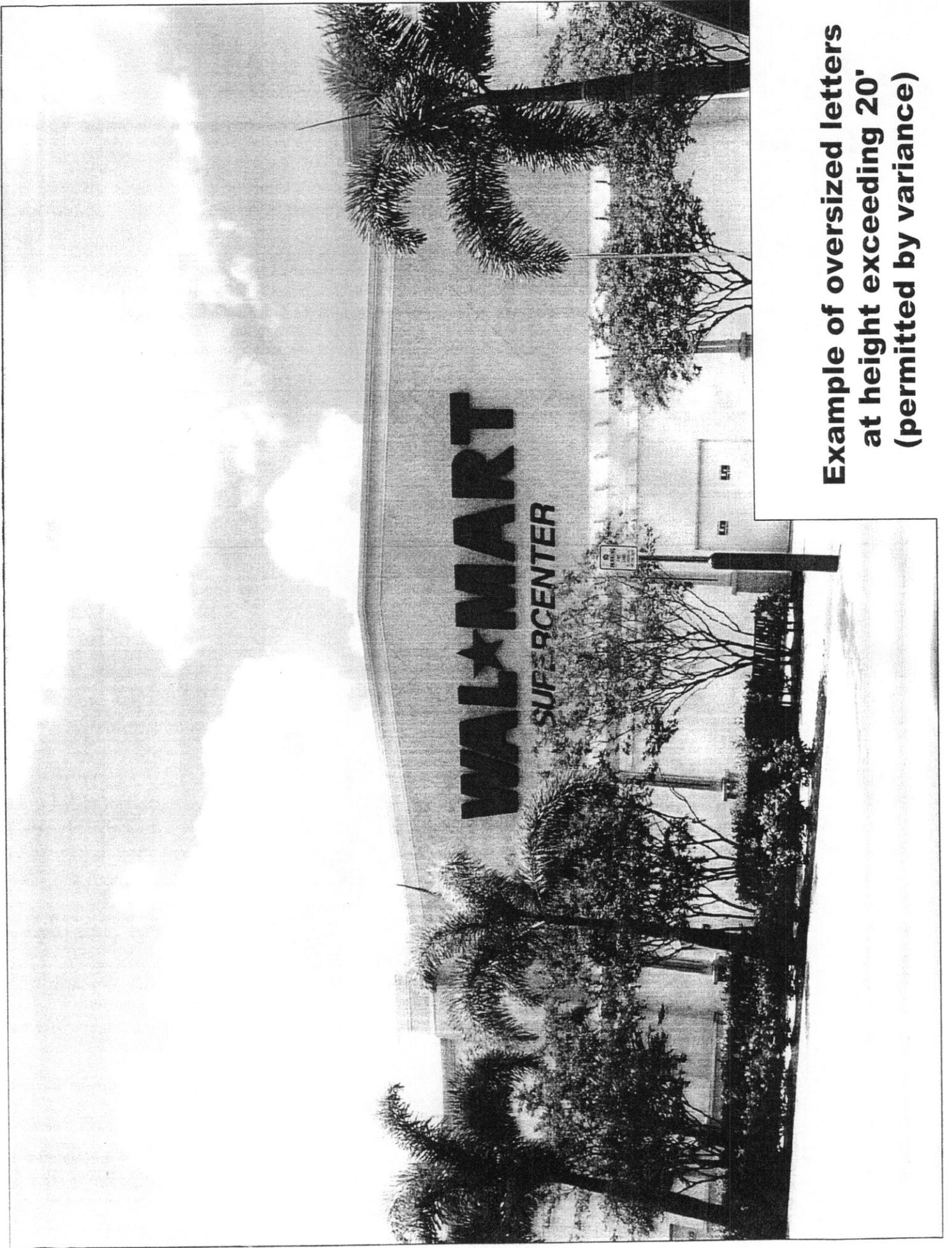




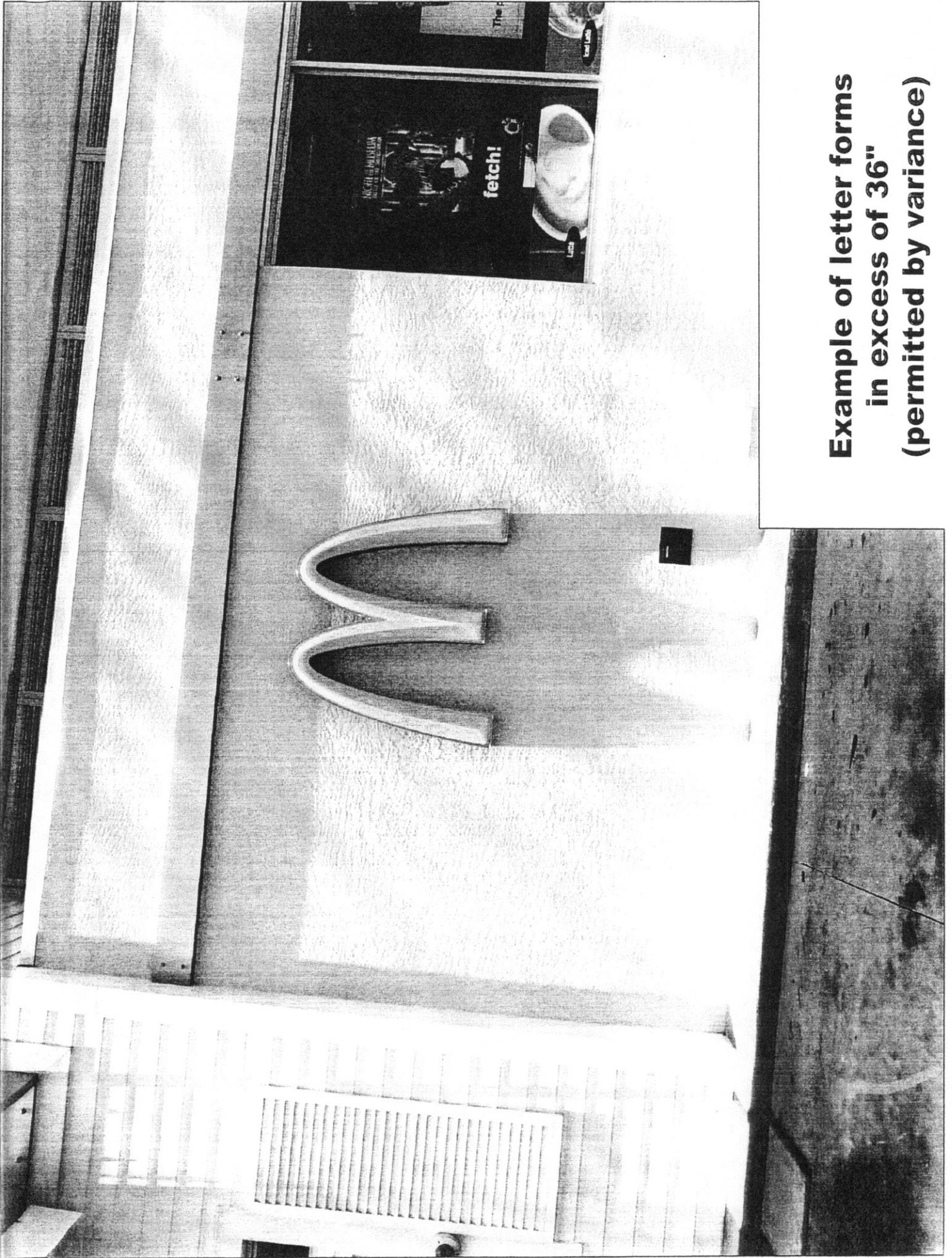
**Example of oversized letters  
at height exceeding 20'  
(permitted by variance)**



**Example of oversized letters  
at height exceeding 20'  
(permitted by variance)**



**Example of oversized letters  
at height exceeding 20'  
(permitted by variance)**



**Example of letter forms  
in excess of 36"  
(permitted by variance)**

PETITION FOR USE OF TAG LINE ON MONUMENT SIGN

Part of our sign program is the use of a small monument sign, in this case 32 square feet is permitted by code. We ask a tag line identifying an important service. "*24 hour Drive-In ATM*".

Not all banks have this feature and it is much safer to approach the ATM from the safety inside one's vehicle. We deem this a safety issue more than a sign.

This addition is only 9"x94" or 5.85 square feet added to our existing 31.82 square foot monument sign totaling 37.67 square feet.

**GATLIN BLVD. BRANCH**  
**Existing Monument**



**COLONIAL  
BANK**



**GATLIN BLVD. BRANCH  
Proposed Monument**

Blue Band 9"X94"=5.87 sq.ft.

94"

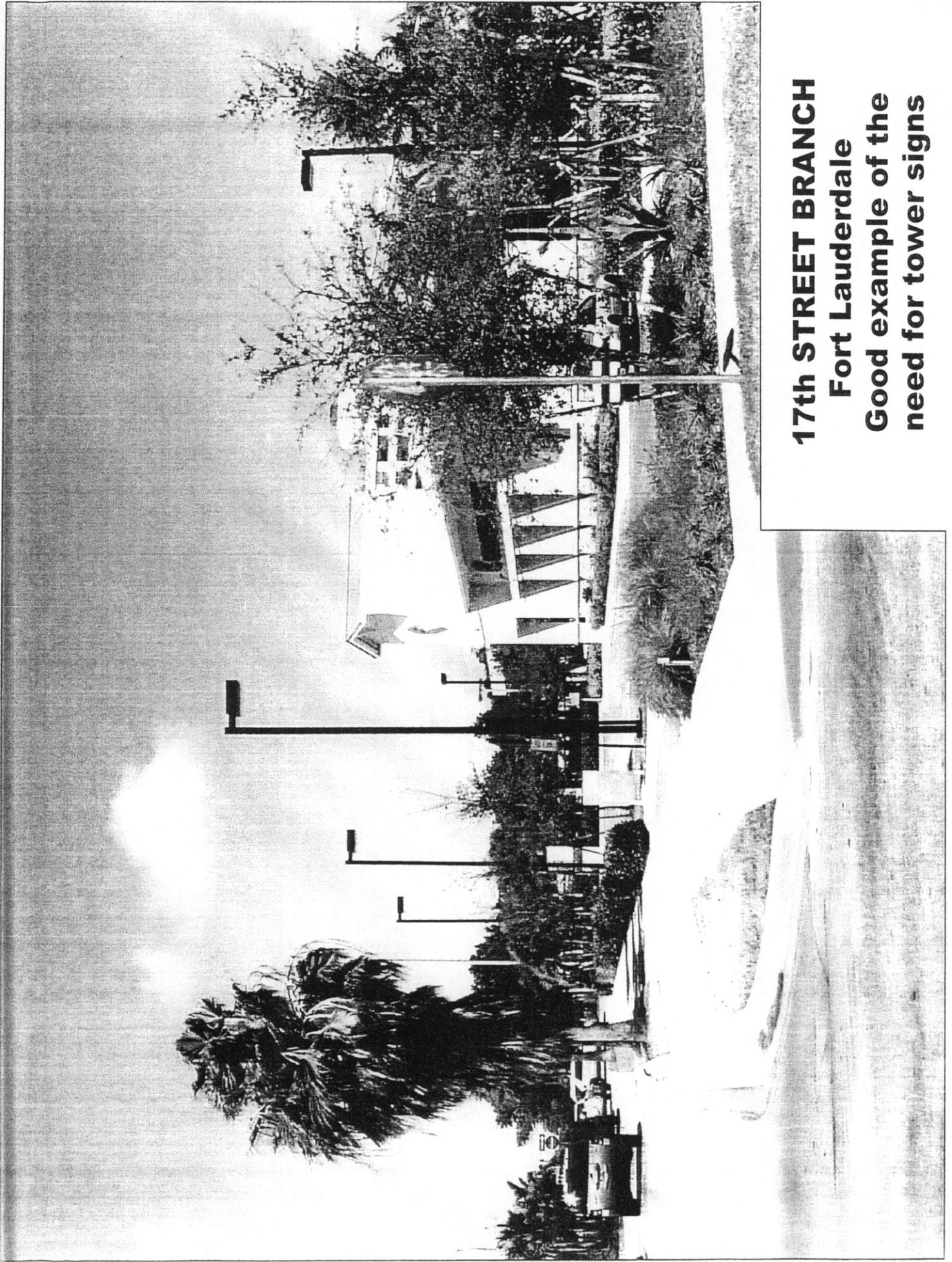


**COLONIAL  
BANK**

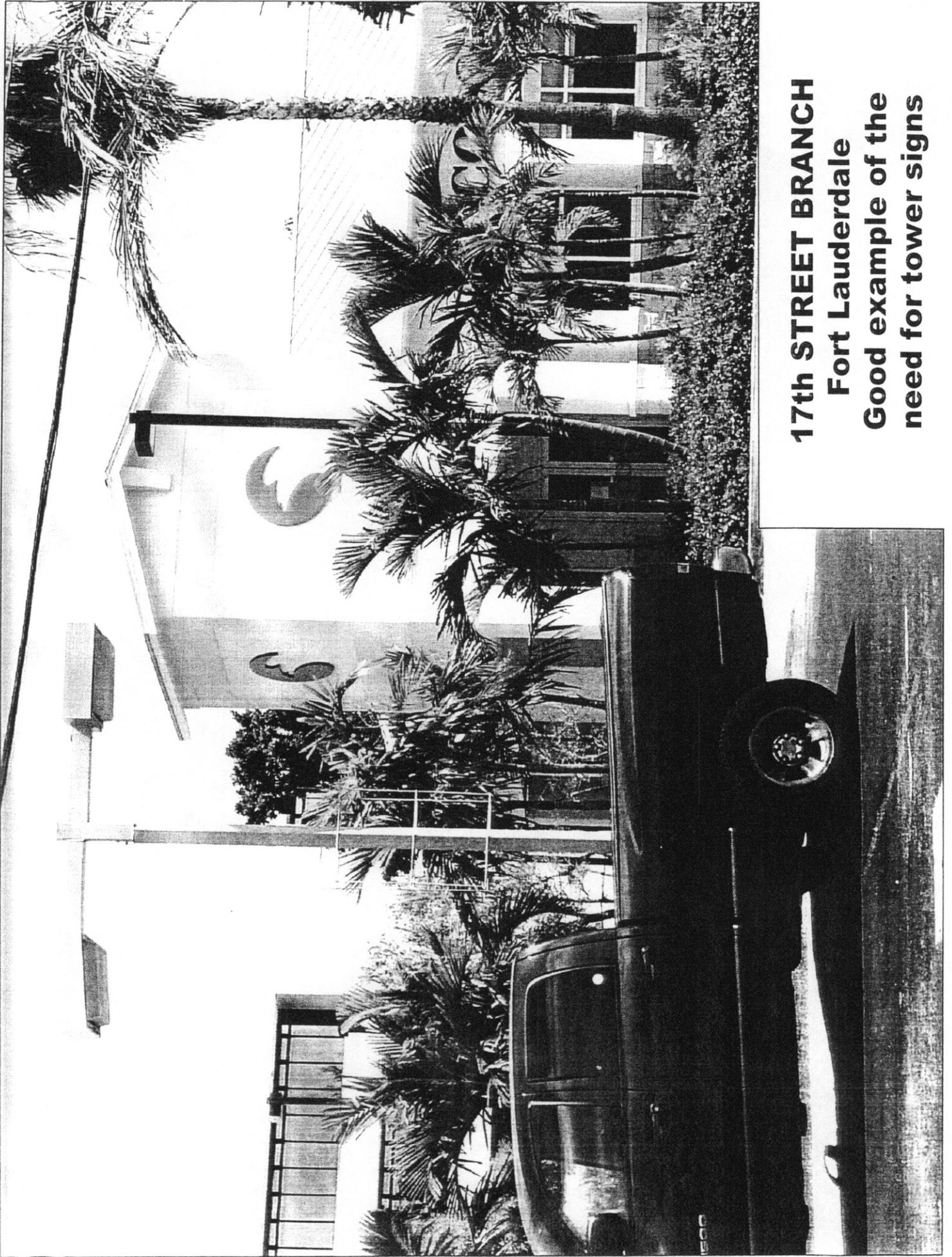
**24 Hour Drive-Thru ATM**

**1720**

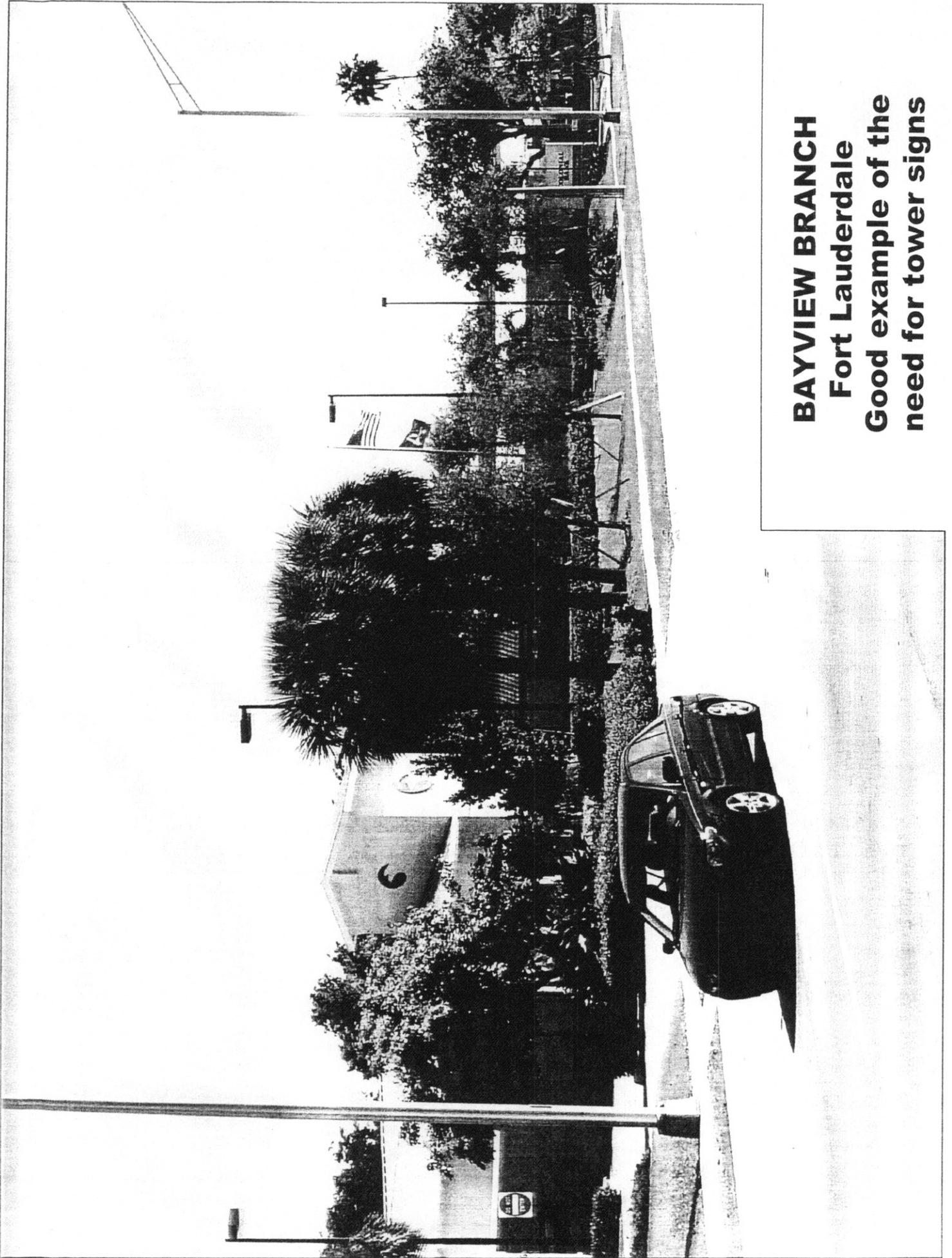




**17th STREET BRANCH**  
**Fort Lauderdale**  
**Good example of the**  
**need for tower signs**



**17th STREET BRANCH**  
**Fort Lauderdale**  
**Good example of the**  
**need for tower signs**



**BAYVIEW BRANCH**  
**Fort Lauderdale**  
**Good example of the**  
**need for tower signs**

