

# TOWN OF SEWALL'S POINT



**PAMELA MAC'KIE WALKER**  
Town Manager

**TO:** Town of Sewall's Point Commission  
**FROM:** Pamela Mac'Kie Walker, Town Manager  
**SUBJECT:** Agenda Item 2  
FPL Franchise Renewal  
Town Commission Workshop, October 13, 2015

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**Background:** On January 8, 1986, the Town entered into a Franchise Agreement with Florida Power and Light (FPL) which provided a non-exclusive right to install and maintain electric facilities within the Town's rights-of-way for the purpose of providing electric service within the Town. For the duration of the franchise, the Town committed not to form a municipal electric utility to compete with FPL. In exchange for that commitment, FPL has collected and remitted franchise fees to the Town each month based on a percentage of the revenues collected from the sale of electricity by FPL to its customers within the Town.

The current (expiring) Franchise Agreement has produced significant revenues to the Town using the 6% fee over the past thirty years. From January 2010 through September 2015, the franchise fee has generated over \$950,000 in revenue to the Town. The estimated revenues for the Town from a new franchise agreement with FPL are \$177,855 per year, based on a proposed franchise rate of 6% and based on current consumption levels. Franchise revenues are directly dependent on FPL's rates and actual energy consumption by customers in Sewall's Point.

FPL reports that nearly 90% of their customers pay franchise fees in the range of 5.9 – 6%. FPL currently has approximately 178 franchise agreements with municipalities and counties within its service territory, including the Cities of Stuart, Port St. Lucie, Jupiter, Tequesta, Palm Beach Gardens, and West Palm Beach. St. Lucie County, Indian River County, Brevard County, and Palm Beach County also have franchise agreements. The Town of Jupiter Island does not.

Because a franchise is a bargained for agreement, a municipality may not unilaterally impose a franchise fee on a utility. Instead the municipality and utility must agree on the franchise terms. The Town staff has negotiated a rate of six percent (6%), which is the highest rate FPL pays. FPL will agree to a lower rate if so desired by the Commission. The proposed Franchise Agreement will allow the Town to periodically raise or lower the rate, provided the rate falls between 1 and 6 percent.

**Recommendation:** Staff recommends that the ordinance approving a renewed franchise agreement with FPL be brought for first reading at the October 27 regular meeting of the Town Commission and approved.

# TOWN OF SEWALL'S POINT



## PAMELA MAC'KIE WALKER Town Manager

TO: Town of Sewall's Point Commission

FROM: Pamela Mac'Kie Walker, Town Manager

SUBJECT: Agenda Item 3: Sign Ordinance Changes  
October 13, 2015 Workshop

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**Background:** At the workshop on June 16, staff presented the Commission with conceptual amendments to the B-1 section of the commercial sign code. Subsequently, staff has undertaken an identical process of meeting with property owners and tenants in the B-2 district in order to gain input regarding potential changes to the sign code in that district.

Attached to this report are the following documents:

1. A memo from the consultant retained by the Town for this purpose which outlines the process and input received;
2. The proposed revised sign code draft; and
3. A chart summarizes the changes under consideration.

It is important to note that a U.S. Supreme Court case decided this year, *REED ET AL. v. TOWN OF GILBERT, ARIZONA*, may require additional, and perhaps significant, revisions to the Town's sign code altogether. In that case, the Supreme Court struck down an ordinance that regulated signs based on their content, e.g., political signs could be up to 32 square feet and unlimited in number, while a sign announcing an event sponsored by a non-profit could be only six square feet and limited to four per property. The unanimous ruling generally requires that sign codes not limit speech based on content. This has caused a significant issues with most municipal codes across the country that regulate commercial speech, for example, differently than other categories of speech based on their content or purpose.

Nevertheless, the staff is proceeding with the direction given by the Commission and will coordinate the recommendations with the Town Attorney for compliance with the Court's decision and its impacts on our regulatory authority.

**Recommendation:** The purpose of this workshop is to get Commission input and public comment regarding the proposed changes before a draft ordinance is submitted to the Town Attorney for review and proposal.

**TO:** Mrs. Pam Mac'Kie Walker, Town Manager, Town of Sewall's Point  
**FROM:** Mrs. Nilsa Zacarias, Principal, NZ Consultants (NZC)  
**DATE:** October 8, 2015  
**REF.:** Sign Code Update Initiative

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The Town of Sewall's Point has two commercial zoning districts B1 (North of Hwy. A1A) and B2 (South of Hwy. A1A). In an effort to update and provide uniform standards along with effective signage throughout both districts, the Town contracted NZC to conduct a comprehensive review and rewrite of the sign code.

This initiative was developed with participation and involvement of business representatives of both zoning districts. The sign update process included the following:

*March to May, 2015:* Meetings and reviews with Mr. Taylor and Mrs. Stephanie Scambler Young of Harbour Bay Plaza.

*July to October, 2015:* Meetings with business representatives from B1 and B2 districts as follows:

**INITIAL MEETING:** The goal of this initial meeting was to gather input from the business community regarding the constraints and problems perceived in the existing sign code.

**July 9<sup>th</sup>**- *Meeting attendees: Jessica Bohner and Steve Bohner from Premier Realty Group; Steve Dutcher from Illustrated Properties; Tim Kazmer, property manager of 3601 St. Lucie Office Building; and Debra Duvall from Water Pointe Realty.*

**SITE MEETINGS:** after the initial meeting, NZC met with the business representatives at their respective sites to identify constraints and opportunities specific to each site. A photo inventory of existing signage (ground and wall signs) was taken at each site to facilitate analysis.

**July 13<sup>th</sup>** - *Site visit and meetings with the following representatives:*

*Tim Kazmer, property manager from 3601 St. Lucie Office Building; Steve Bohner and Jessica Bohner from Premier Realty Group; Tom Aydelotte, Debra Duvall from Water Pointe Realty, and Mick Satur and Kevin Burn from Seacoast Bank at the 3727 office building; site visit and contact Benihana restaurant.*

**DRAFT SIGN CODE:** a Draft sign code was prepared based on the input and information gathered at the various meetings.

**September 10<sup>th</sup>** - NZC e-mailed the Draft sign code to each of the business for review and feedback.

**REVIEW MEETINGS:** NZC met with the following business representatives to gather comments and feedback regarding the Draft sign code.

**September 29<sup>th</sup>**- *Meeting with Tim Kazmer and Steve Dutcher; Steve Bohner, Jessica Bohner and Steve Garret.*

**October 5<sup>th</sup>** – *Meeting with Tom Aydelotte, Debra Duvall and Mick Saturn.*

At the review meetings the following concerns were raised by the business representatives:

1. If the proposed sign code is adopted, a number of existing signs would be classified as non-conforming. Representatives were concerned about the timeframe for bringing those signs into compliance. The draft code proposes a one-year period for compliance, said period to start on the date that any new sign is installed on the property.
2. The business representatives indicated concern about the current code section which states that "if a non-conforming sign is destroyed or damaged by any means to an extent of 50 percent or more of its replacement costs at time of destruction or damage, it shall not be reconstructed or repaired except in conformance with this sign code" [Section 74-102(2)]. Further review of this existing code section was urged. However, this is a standard code language regarding non-conforming structures.
3. Concern was expressed about the prohibition of graphics in the lower third of a ground sign where tenants are listed. This restriction was brought forward from the existing code for ground signs, Section 74-42(10).

# PROPOSED SIGN CODE AMENDMENT

10/07/15

## Chapter 74 - SIGNS

### FOOTNOTE(S):

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**Cross reference**— Streets, sidewalks and other public places, ch. 38; posting of signs for stopping, standing and parking, § 42-31 et seq.; buildings and building regulations, ch. 50; planning and development, ch. 66; zoning, ch. 82. ([Back](#))

### ARTICLE I. - IN GENERAL

#### Sec. 74-1. - Penalty for violation of chapter.

Violations of this chapter shall be a Class A violation, punishable as set forth in chapter 18.

(Ord. No. 290, exh. A, 1-15-2002)

#### Sec. 74-2. - Right-of-way violations.

If the prohibited sign is unlawfully located in a public right-of-way, the town may immediately remove said sign. If the sign is not claimed within 15 days of the issuance of the citation, the town may destroy the same without liability.

(Ord. No. 347, § 2, 6-23-2009)

#### Secs. 74-3—74-25. - Reserved.

### ARTICLE II. - SIGN REGULATIONS

The regulations and requirements set forth in this article are intended to preserve the character of the Town by controlling the size, location and use of signs in all zoning districts within the Town. It is further intended to protect property values and to create a more attractive, economic and business climate through the reinforcement and encouragement of graphic excellence and to reduce conflicts between signs. It is the goal of the Town to promote the Town's interest in aesthetics, to reduce urban clutter, to eliminate nuisance forms of advertising and to promote traffic safety by the avoidance of distractions to motorists caused by objectionable signage. It is not the intent or purpose of this article to impermissibly regulate signage by giving commercial speech greater protection than noncommercial speech, nor to discriminate among various noncommercial messages exhibited or conveyed by signs. Notwithstanding anything contained in the Town of Sewall Point's Sign Code to the contrary, any sign erected pursuant to the provisions of this Code may, at the option of the applicant, contain either a noncommercial message unrelated to the business located on the premises where the sign is erected or a commercial message related to the business and located on the business premises. The noncommercial message may occupy the entire sign face or portion thereof. The sign may be changed from commercial to noncommercial messages as frequently as desired by the owner of the sign, provided that the size and design criteria conform to the applicable portions of this Code, the sign is allowed by this Code, the sign conforms to the requirements of the applicable zoning district, and the appropriate permits are obtained. For the purposes of this sign code, noncommercial messages, by their very nature, shall never be deemed an off premise sign.

## DIVISION 1. - DEFINITIONS

### Sec. 74-26. - [Definitions.]

The following words, terms and phrases, shall have the meaning ascribed to them in this section:

*Abandoned sign* means a sign is abandoned if the land use or business advertised in that sign is no longer licensed, no longer has a certificate of occupancy, or is no longer doing business at the location of the sign or the location noted on the sign.

*Adjacent property* means property immediately adjacent to the property.

*Animated sign* means a sign of which all or any part visibly moves in any fashion; and any sign which contains or uses for illumination any light, lights, or lighting device or devices which change color, flash, alternate, show movement, or motion, or change the appearance of the sign or any part thereof.

*Area.* (See copy area; overall area; text area.)

*Attachment* means brochure holder, balloons, flags or any other attention-getting device attached to a sign.

*Awning* means a cover or screen, usually consisting of canvas fabric, supported and stiffened by a rigid frame, extending over or before windows, doors, outside walks, or the like, and providing shelter or protection against the elements.

*Banner* means a sign produced on cloth, paper or fabric of any kind, either with or without frame.

*Changeable copy* means a sign with characters, letters, or illustrations that can be changed, rearranged, or altered without changing the face of the sign or surface or wall.

~~*Commercial sign* means a temporary sign using letters, numbers, symbols or combinations thereof which advertises a trade, business, industry or other activity for profit, or a product, commodity or service, whether or not for profit, including, but not limited to, construction signs and real estate signs.~~

#### ■ Moved to Section 101, Temporary Signs.

*Construction sign* means a temporary sign giving the name or names of principal contractors, architects, lending institutions, or sponsor responsible for construction or development on the parcel where the sign is erected, and/or identifying the structure or project being constructed on the parcel where the sign is placed.

*Copy area* means the actual area of the sign copy applied to any background as computed by drawing precisely four straight lines, in the shape of a square or rectangle, drawn closest to copy extremities encompassing all individual letters, words and graphics including logos.

*Corner lot* means a single piece of property located at the intersection of two different streets.

*Courtyard* means an open space surrounded by walls or buildings on the same lot.

~~*Development identification sign* means a permanent sign which by symbol or name identifies a multi-lot residential development.~~

#### ■ Renamed “*Perimeter wall or entry feature sign*” for clarification, and moved to proper alphabetical location.

*Directional sign* means a sign which only provides directional instructions or information, no commercial information, for pedestrian or vehicular traffic, such as the terms: parking, one-way, exit, or entrance, and/or arrows.

*Double faced sign* means a sign which has two sides, parallel to each other, facing in exact opposite directions.

*Eaves* means the lower border of a roof that overhangs the wall, excluding covered walkways, projections, or other architectural decorative only features.

*Enforcement officer* means the town commission of the town or its designee(s).

*Finished grade* means the completed or settled level of the ground, asphalt, or pavement on which a sign is erected; except that if the sign is erected on an artificial mound or similar artificial rise, the term shall mean the completed or settled level of the ground, asphalt, or pavement which surrounds all or a majority of the building on the parcel or site on which the sign is erected.

*Font* means an assortment or set of type all of one size and style.

*Freestanding Directory Sign* means a permanent sign which is supported by structures or supports in or upon the ground and independent of support from any building used only for the purpose of identifying courtyard tenants.

*Government sign* means a sign erected, owned, leased, or maintained by any city or county, the state, or federal government for the purpose of discharging any government function.

*Gross glass area* means and shall include all glass on the side of a structure facing the same or generally same direction.

*Ground floor* means the floor of the building constructed at or slightly above the same level as the parking lot at the main entrance to the building.

*Ground sign* means a permanent sign which is supported by structures or supports in or upon the ground and independent of support from any building.

*Height.* (See overall height.)

~~*Identification sign* means sign which by symbol or name, identifies a property~~

■Renamed “Residential Identification sign” to distinguish it from “Property Identification sign.”  
Moved to proper alphabetical location.

*Illuminated sign* means a sign which receives light from an artificial internal or external source to make the message readable.

*Non-conforming sign* means a sign legal at the time of its erection, which does not conform to the requirements of this sign code.

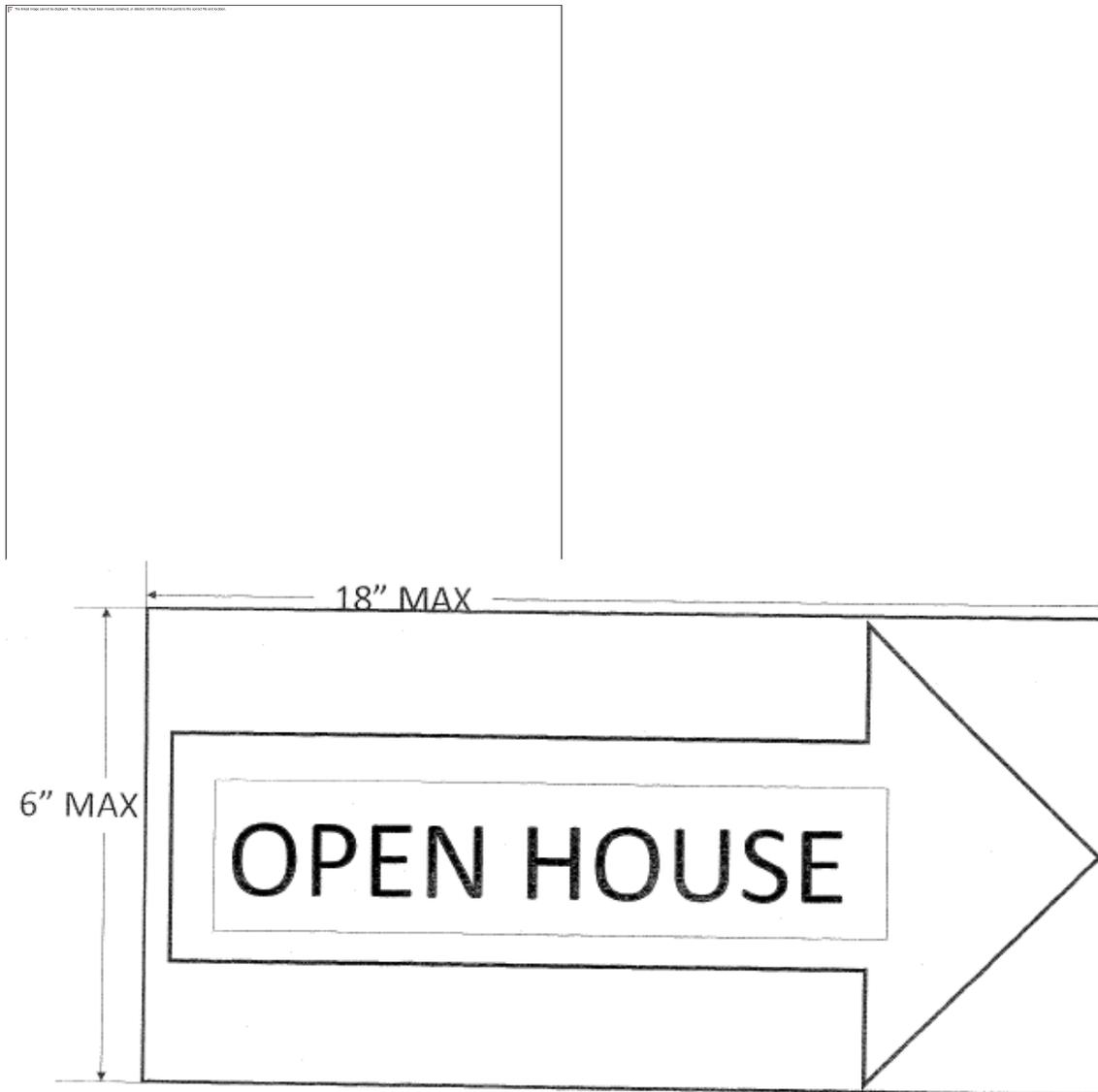
*Normal business hours* means 8:00 a.m. through 5:00 p.m. Monday through Saturday.

*Obscene sign* means that quality of any description or representation, in whatever form, of nudity, sexual conduct, or sexual excitement, when it:

1. Predominately appeals to the prurient, shameful, or morbid interests of minors in sex, and
2. Is patently offensive to contemporary standards in the adult community as a whole with respect to what is suitable sexual material for minors, and
3. Taken as a whole, lacks serious literary, artistic, political, or scientific value.

*Off-premises sign* means a sign relating its subject matter to premises other than the premises on which it is located or to products, accommodations, services or activities available on premises other than the premises on which the sign is located.

*Open house route sign* means a sign used to provide direction to real estate open houses. These signs shall be no larger than 18 inches by six inches and contain only the words "OPEN HOUSE" inside of an arrow. Signs shall be black and white only (see example).



*Overall area* means the total area of the sign face, not including any supporting structure provided that such supporting structure is used exclusively for and is necessary for support and does not carry any lettering or identifying markings.

*Overall height* means total height of sign including any frame, background, supporting member or other component part measured from finished grade level.

*Overall width* means total width of sign including any frame, background, supporting member or other component part.

*Pedestal* means the lower portion or base of a ground sign; said pedestal shall be solid, and made of stucco, cement, stone or similarly appearing material.

- Language added to eliminate the possibility of pole signs.

Perimeter wall or entry feature -Development identification sign means a permanent sign which by symbol or name identifies a multi-lot residential development.

- Renamed to distinguish it from commercial “Property ID Signs”

(1) *Permanent sign* means sign permanently affixed to a building or to the ground.

*Permanently attached* means using bolts and screws.

*Premises* means all contiguous lands, structures, places, used in connection with any business conducted on such site, including the interior of the establishment and the contiguous exterior walls under common ownership, control or possession.

*Professional office* means the office of an establishment in which a person or persons are engaged in any occupation, vocation, or calling, not purely commercial, mechanical, or agricultural, in which a professed knowledge or skill in some department of science or learning is used by its practical application to the affairs of others, either advising or guiding them in serving their interest or welfare through the practice of an art founded thereon.

*Property* means an area of vacant land or land containing one or more buildings which, because of its unity of use, shall be regarded as one unit for the purpose of this sign code. On land containing multiple buildings, each in excess of 10,000 square feet, with separate street addresses, each building shall be considered a separate property.

*Property Identification name* means text and/or graphics used to distinguish one property from another. A Property Identification name may be the name of a single tenant of the property, or any name that is unique within the Town's jurisdiction and not specifically prohibited in Sec. 74-101. Only one property identification name shall be permitted for any property. Said property name must be the same on all Property Identification signs located on a single property.

*Property Identification sign* means a permanent sign structure on which a property identification name is displayed by symbol or name.

*Real-estate sign* means a temporary sign, which advertises the sale, rent, lease or open house of the premises upon which it is located.

*Residential Identification sign* means a sign which by symbol or name identifies a residential property.

*Rider* means a small sign attached to a larger one; commonly seen on real estate signs which may contain the name and phone number of the real estate broker or agent, or which may contain remarks specific to the property, such as "Sold," "For Sale," "For Rent," or "Sale Pending." The rider is included within the overall two square feet limitation set forth in subsection 74-31(1).

*Setback* means the distance between a property line or right-of-way line and the edge of a sign, which is nearest to the property line or right-of-way.

*Snipe sign* means any sign placed on any tree, shrub, plant, utility pole, or similar object. Also, any sign installed without permission of the owner(s) or agent of the property where the sign is placed.

*Strip lighting* means long narrow lights.

~~*Temporary commercial sign* means a temporary sign using letters, numbers, symbols or combinations thereof which advertises a trade, business, industry or other activity for profit, or a product, commodity or service, whether or not for profit, including, but not limited to, construction signs and real estate signs.~~

■ Moved to Sec. 74-101, Temporary Signs.

*Temporary signs* means signs of a non-permanent nature not requiring a permit and as regulated in this sign code.

*Text area* means the actual area of the sign copy applied to any background as computed by drawing precisely four straight lines, in the shape of a square or rectangle, drawn closest to copy extremities encompassing all individual letters and words, excluding graphics such as logos.

*Uniform Sign Program* means a document which specifies, and provides for, consistent color, font, style and materials for all wall signs within a shopping plaza. Said Uniform Sign Program shall be subject to the approval of the Town Commission.

Vehicle sign means any visible sign painted on or magnetically attached to a vehicle of any nature which is used or designed or intended to be used for hire or in the furtherance of commerce, work, or for profit. Separate sign structures mounted on any vehicle(s) are expressly prohibited.

*Wall sign* means sign mounted parallel to and affixed to the face of a structure or wall.

*Water facing* means any sign on waterfront property facing any river or other body of water for the purpose of being seen from that river or body of water and/or a bridge connecting the town to other areas.

*Waterfront property* means ~~for the purpose of this sign code,~~ any property abutting any water body.

(Ord. No. 266, 2-29-2000; Ord. No. 347, § 3, 6-23-2009)

Secs. 74-27—74-30. - Reserved.

## DIVISION 2. - SIGN REGULATIONS IN RESIDENTIAL ZONED AREAS

Sec. 74-31. - General provisions.

Except as specifically provided elsewhere, signs in residentially zoned areas shall:

- (1) Be no greater than two square feet overall area;
  - a. Exception: temporary political signs in residentially zoned districts may be up to three square feet in overall area per Section 74-101;
- (2) ~~Be placed no higher than three feet overall height~~ Top of sign shall be no higher than three feet above average grade at nearest property line;
  - a. Exception: the top of temporary political signs in residentially zoned districts may be up to four feet above average grade at nearest property line per Section 74-101;
- (3) Be placed no closer than ten feet from the paved surface of any roadway abutting the property on which the sign is placed; in the case of a hedge or other obstruction that exists closer than ten feet from the paved surface, signs must be placed as close as possible to said hedge or other obstruction;
- (4) Not be illuminated;
- (5) Be limited to six signs per property, only one of which may be a commercial sign;
- (6) If advertising or otherwise relating to an event, be removed within 48 hours following the conclusion of the event.

(Ord. No. 266, 2-29-2000; Ord. No. 347, § 4, 6-23-2009)

Sec. 74-32. - Residential Identification signs.

Residential Identification signs for ~~residential property~~ are permitted provided that:

- (1) Lettering shall be of a single color.
- (2) The background shall be of a single color.
- (3) Trim or borders may contain one additional color.
- (4) Colors shall be aesthetically compatible with the home or residential building(s) on the property.
- (5) Signs may be illuminated. Sign illumination shall not extend significantly beyond the edges of the sign.

(Ord. No. 266, 2-29-2000)

Sec. 74-33. – Perimeter wall or entry feature ~~Development~~ signs.

Permanent on-site, residential development identification signs are permitted provided that:

- (1) Up to a maximum of two ground signs or two wall signs may be placed at the main entrance of a development, and one ground sign or wall sign at each auxiliary entrance.
- (2) Signs may contain one message only, indicating the name of the development at which it is located.
- (3) Maximum overall area of each sign permitted shall be ten square feet.
- (4) Maximum overall height shall be five feet.
- (5) Maximum width shall be five feet.
- (6) Ground signs shall be made of stucco, cement, stone, or similarly appearing material in all areas except for the text and logo.

(Ord. No. 266, 2-29-2000)

~~Sec. 74-34. — Real estate signs.~~

~~Real estate signs are permitted provided that:~~

- ~~(1) The signs may contain the words "For Sale", "For Rent", "For Lease", "Sale Pending", or "Open House", the company's logo or graphic, the owner, company and/or agent's name, telephone number, and other contact information if applicable. During the duration of the open house, in addition to the listing sign, one open house sign on the subject property shall be permitted, and shall be removed by 4:00 p.m.~~
- ~~(2) The signs must be removed within five days after a property is sold, rented, or leased, or after the listing expires or is otherwise terminated.~~
- ~~(3) Signs shall be professionally lettered and black and white in color only.~~
- ~~(4) No more than one real estate sign shall be permitted per property (in accordance with subsection 74-31(5)), except that on riverfront or waterfront property, one additional real estate sign which must be water facing, shall be permitted provided that the sign is no further than 25 feet inland from the natural mean high water mark of the adjoining body of water.~~
- ~~(5) No attachments of any kind or type are permitted except riders that are permanently attached to the sign and are included within the overall two square foot size limitation described in section 74-31.~~
- ~~(6) Open house route signs for real estate open houses are allowed. Signs must be black and white, 18 inches in length by six inches in width, and contain only the words "Open House" inside of an arrow. Signs may be posted on the day of the open house no earlier than 10:00 a.m. and must be removed by 4:00 p.m. No more than one open house route sign is permitted. Signs are prohibited in the town's rights-of-way. Signs cannot be placed on private property without obtaining permission of the property owner or resident. The use of open house route signs for open houses is limited to Saturdays and Sundays only, except for the quarterly open houses held by the Realtor's Association. Open house route signs are not permitted within 100 feet of the intersection of Sewall's Point Road and East Ocean Boulevard. Said distance shall be measured from each corner of the intersection.~~

~~(Ord. No. 347, § 5, 6-23-2009)~~

~~Editor's note—~~

~~Ord. No. 347, § 5, adopted June, 23, 2009, amended section 74-34 in its entirety to read as herein set out. Formerly, section 74-34 pertained to temporary real estate signs and derived from Ord. No. 266, adopted February 29, 2000.~~

■ Real Estate signs moved to Temporary Signs Section 74-101(c)(10).

~~Sec. 74-35. — Construction signs.~~

~~Construction signs are permitted provided that:~~

- ~~(1) The signs are placed only after a building permit has been issued for the property, and removed within five days after a certificate of occupancy is issued for the property, or after the building permit has expired, whichever occurs first.~~
  - ~~(2) Signs shall be professionally lettered and black and white in color only.~~
  - ~~(3) In the event that a permit pole or box is required and/or utilized, then the construction sign must be affixed to said pole or box.~~
  - ~~(4) No more than one construction sign shall be permitted per property (in accordance with subsection 74-31(5))~~
- ~~(Ord. No. 347, § 6, 6-23-2009)~~

### ~~Editor's note—~~

~~Ord. No. 347, § 6, adopted June, 23, 2009, amended section 74-35 in its entirety to read as herein set out. Formerly, section 74-35 pertained to temporary construction signs and derived from Ord. No. 266, adopted February 29, 2000.~~

### ■ Construction signs moved to Temporary Signs Section 74-101(c)(6).

Secs. 74-364—74-50. - Reserved.

## DIVISION 3. - SIGNS PERMITTED IN BOTH BUSINESS AND RESIDENTIAL ZONED DISTRICTS

Sec. 74-51. - [Signs allowed in all zoning districts.]

The following signs shall be allowed in all zoning districts.

- (1) Vehicle signs. Vehicle signs shall be permitted in all zoning districts during normal business hours only.
- (2) Flags, when not displayed in connection with a commercial promotion or as an advertising device, are permitted provided that:
  - a. All flags in B-1 and B-2 business zones must be flown from flag poles legally permitted by the town building department.
  - b. A flagpole shall not exceed 25 feet in height or be placed closer than 15 feet from any road abutting the property on which the pole is placed.
  - c. ~~Flagpoles must meet the current wind load established for Sewall's Point Yardarms shall not be permitted on flagpoles.~~
  - d. No more than one flagpole shall be permitted on any one property.
  - e. ~~Yardarms shall not be permitted on flagpoles~~
  - f. No more than three flags shall be permitted per residential property. ~~Flags shall not exceed 25 square feet in overall area.~~
  - g. ~~Flags shall not exceed 25 square feet in overall area Flagpoles must meet the current wind load established for Sewall's Point.~~

(Ord. No. 266, 2-29-2000; Ord. No. 291, § II, 10-15-2002; Ord. No. 307, § 1, 5-17-2005)

Secs. 74-52—74-70. - Reserved.

## DIVISION 4. - SIGN REGULATIONS IN B-1 AND B-2 BUSINESS ZONES

Sec. 74-71. - General provisions.

Signs are permitted in B-1 and B-2 business zones provided that:

- (1) Permanent signs shall be constructed of first class, quality material such as marine plywood, concrete, stucco, plexiglass, bronze or aluminum.
- (2) All lettering and other identifying markings shall be permanent and not of changeable copy.
- (3) All text must be of a single color, unless a Uniform Sign Program is established.
- (4) Graphics without text, such as logos, may be multicolored.
- (5) Temporary signs are limited to three signs per property.

~~(6) Water facing commercial signs are specifically prohibited except as expressly permitted.~~

■(6) moved to Sec. 74-76 (5)

(76) All signs and all components, including supports, braces, anchors, etc., shall be kept in like-new condition, in compliance with all building and electrical codes, and in conformance with the requirements of this sign code.

(Ord. No. 266, 2-29-2000)

#### Sec. 74-72. - Ground signs.

Ground signs, except as may be permitted elsewhere in this chapter, shall:

- (1) Be permanent signs;
- (2) Have an exterior made of stucco, cement, stone, or similarly appearing material in all areas except for the letters of the text and logo.
- (3) Be consistent with the aesthetics, architecture, materials, and color of the main structure(s) and/or character of the development
- (34) Not exceed ~~40~~ 60 square feet of copy area;
- (45) Have a blank border of at least nine inches on the top and left and right sides of the copy area.
- (56) Have a pedestal or solid base with a minimum ~~pedestal~~ height of 18 inches, and which shall be blank and free of text, graphics, or other copy with the exception of street numbers.
  - a. The pedestal area may optionally contain street numbers which do not exceed six inches in height, nor more than four single digits.
  - b. Up to one-half of the pedestal width and up to 18 inches high, may optionally be deleted from the exact center of the sign structure pedestal area provided the area deleted beneath the sign contains grass or other plant material.
- (67) Optionally contain a semi-circular or semi-oval shaped logo area at the top of the sign. The optional logo area shall:
  - a. Be a maximum of two feet high.
  - b. Be a minimum of one foot high.
  - c. Be a maximum of four feet wide.
  - d. Be blank or contain a single graphic logo only with no text.

- e. Optionally contain street numbers which do not exceed six inches in height, nor more than four single digits. The street numbers may be in addition to or instead of the logo.
- (78) Not exceed ~~six-eight (8')~~ feet of overall height unless the optional logo area is added in which case the overall height shall not exceed ~~seven nine (9')~~ feet.

(89) Not exceed 12 feet in overall width.

(910) Be only single, or double-faced;

~~(1011) Only indicate the name of the property or of a single business in the upper one-third of the copy area and may contain a text-only listing of building occupants in the lower two-thirds of the copy area provided that all text used for the listing shall be of the same font.~~

Business and tenant name regulations:

- ~~Only the Property Identification name of the property or of a single business may be displayed in the upper one-third of the copy area.~~
- ~~A maximum of three tenant names shall be permitted in the lower two-thirds of the copy area.~~
- ~~The tenant listing shall be text only; no graphics are permitted.~~

See current Code Section 74-72(10)

- Stylized font and color of tenant names are permitted.
- Letter height for tenant names shall be a maximum of 14 inches for uppercase letters and a minimum of nine inches for lower case letters.
- Letters for tenant names shall be attached directly to the monument sign structure; panels, raceways, and cabinet signs are expressly prohibited.

~~(1412)~~Not be placed closer than 12 feet from the paved surface of the abutting roadway.

~~(1213)~~Be limited to one sign per property.

~~(1314)~~If illuminated, have only internal lighting or permanently fixed and encased face lighting on the ground from in front of and generally below the level of the sign surface. Neon, fluorescent, or any suitable light source may be used for internal lighting of a ground sign, provided that the actual lamps or tubes are not visible. ~~Internal lighting shall illuminate text only.~~

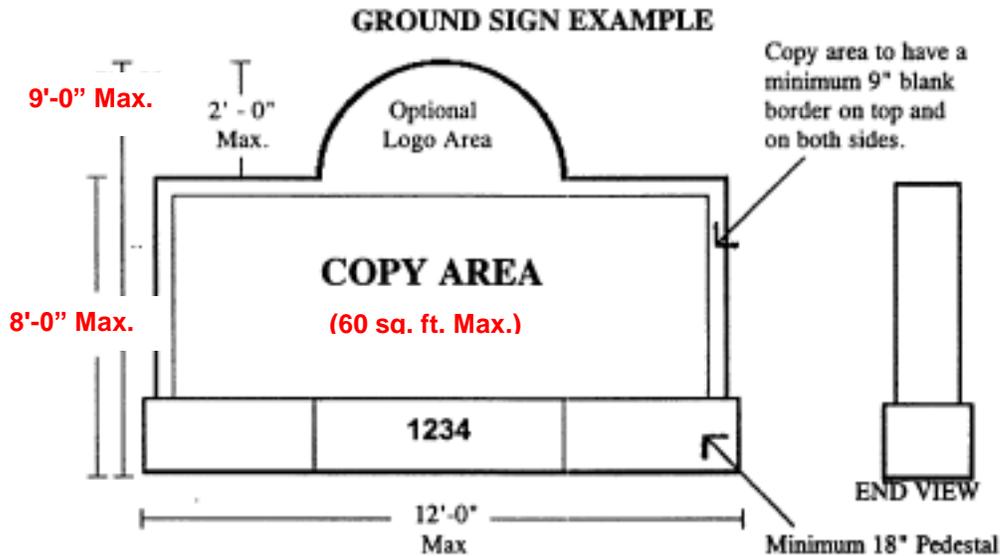
~~(1415)~~Landscape requirements elsewhere in the Town Code of Ordinances shall not be interpreted to require landscaping directly in front of a ground sign. Landscaping so required shall be placed behind the ground sign if, it is practical in the sole opinion of the town building official. Landscaping and irrigation at the base of any such signage shall be required as follows:

■Following language copied from the Town's landscape code.

- (a) All trees and vegetation planted in conformance with this chapter shall be installed in accordance with good planting procedures as prescribed by the American Society of Landscape Architects. All existing trees, and trees being planted on the site, and other required plant material shall be permanently maintained in healthy growing condition or shall be promptly replaced within 30 days. Severe pruning or maintenance practice(s) upon any tree with a minimum caliper of two inches that results in stunted, abnormal, or other unreasonable deviation from normal healthy growth shall be considered as removal of vegetation, which requires a permit.
- (b) The exterior perimeters of all vehicular use areas adjacent to other property pursuant to the Zoning Code or public right-of-way ground signs shall be landscaped with a strip of

~~land which is at least three 1.5 feet in width. Within this landscape strip a hedge shall be installed which, at the time of planting, shall be three feet in height and be allowed to grow to and be maintained so as to form a continuous, unbroken, solid visual screen. Spacing of plants shall be no more than two and one half to three feet on center, depending on the species.~~

- (c) ~~The developer must submit for approval by the Department a combination site plan ground sign/landscape plan ("vehicular use ground sign landscape plan"). The use of xeriscape design is preferred. The design should include: low maintenance design; low volume irrigation; use of mulch ground cover; use of drought tolerant plant material; and soil augmentation; and limited use of turf to allow for low maintenance. Turf shall not be considered sufficient plant material to meet the requirements of this section. The vehicular use ground sign landscape plan shall be submitted to the Department and shall contain the following information: The name, address, and telephone number of the owner and designer; landscape architect and irrigation maintenance contractor; a site plan indicating all dimensions and property lines, northpoint, clearly delineated existing and proposed easements, utility lines, parking spaces, access aisles, driveways, sidewalks, curbs and other vehicular use controls, the location of curb cuts on adjacent property and median openings on abutting street; lighting adjacent to the ground sign(s); irrigation system; proposed planting areas; decorative or screen walls; and existing trees and related buildings. Proposed planting areas must indicate the quantity, spacing, size and name of proposed plant material.~~



(Ord. No. 266, 2-29-2000)

#### 74-73. Freestanding Directory Signs

Commercial properties shall be permitted a freestanding directory sign for the purpose of listing occupants/tenants of the building, provided that:

- (1) The number of such freestanding directory signs shall be limited to one for each detached building on the property, or one for each point of access to a courtyard.
- (2) Location of such sign shall comply with the American with Disability Act (ADA) requirements not to obstruct accessibility to the building, sidewalks and pedestrian flow throughout the commercial property.
- (3) Overall area of such sign shall not exceed 15 square feet, exclusive of optional logo area.
- (4) Maximum overall sign height shall be no higher than 5 feet (6 feet with optional logo area). The sign shall include a 6-inch minimum pedestal clear of any copy.
- (5) Maximum sign width shall be 3 feet.
- (6) Maximum 5 tenants per free standing directory sign
- (7) Sign color and materials shall be consistent with the color and materials of the principal structure(s)
- (8) Such sign may be illuminated
- (9) Copy area of sign shall not exceed 14 sq. ft.
- (10) Copy lettering shall be a *minimum* of 2 inches in height and shall be consistent in font and color
- (11) Lettering on such sign shall be permanently attached to the surface of the sign; or, to removable panels of a uniform type, color, and material.

Sec. 74-73 ~~74~~. - Wall signs.

Wall signs shall:

- (1) Be permanent signs;
- (2) Be parallel to the surface of the walls on which they are painted or attached and shall not project more than 14 inches from the wall surface;

- (3) Not exceed 30 square feet in overall area;
- (4) Only indicate the name of the property or of a single business. ~~→A small logo, not to exceed ten percent of the text area is permitted. Logos are permitted as part of a property or business name, and shall be included as an integral part of the maximum sign area.~~
- (5) Not extend above the cornice line of the ground floor ~~in the B-2 business zones and not to extend above the lowest eaves line of the building in B-1 business zones,~~ or, when placed on a wall at the perimeter of a property, higher than six feet measured from the finished grade level to the top of the sign or wall structure, whichever is higher;
- (6) Only be illuminated by internal lighting or permanently fixed and encased face lighting from below the sign surface. Neon, fluorescent, or any suitable light source may be used for internal lighting of a sign, provided that the actual lamps or tubes are not visible. ~~Internal lighting shall illuminate text only.~~

(Ord. No. 266, 2-29-2000)

Sec. 74-~~74~~75. - Traffic signs.

Directional and traffic control signs containing no commercial copy are permitted provided that:

- (1) No more than one single- or double-faced sign of no greater than two square feet overall area or higher than five feet overall height above the adjacent paved surface for such authorized curb cut shall be allowed to direct traffic to any building on the property.
- (2) As required for safety, "stop," "exit only," "one way," "entrance," and similar traffic control signs are permitted provided that the signs are:
  - a. No greater than six square feet overall area;
  - b. No higher than seven feet above the adjacent paved surface;
  - c. Either single- or double-faced;
  - d. No closer than two feet from the property line.
- (3) Law enforcement officers are not able to enforce traffic control signs which are not in compliance with the Federal Highway Administration's (FHWA) Manual on Uniform Traffic Control Devices, (FHWA Manual). The FHWA Manual contains the national standards and guidance for traffic control devices used on all roads open to the public. Should a conflict exist between this chapter and the FHWA Manual, the FHWA Manual shall prevail only upon request of the applicant.

(Ord. No. 266, 2-29-2000)

Sec. 74-~~75~~76. - Property identification signs.

A property identification name may be the name of a single tenant of the property or any name that is unique within the Town's jurisdiction and not specifically prohibited in Sec. 74-101. Only one property identification name shall be permitted for any property. Said property name must be the same on all Property Identification signs on a single property.

~~Permanent property identification signs are permitted provided that:~~

- (1) A property may be identified by:
  - a. one ground sign located at the main entrance to the property; and
  - b. one wall sign located on or below the eaves of the top floor of the building.
- (2) Properties on a corner lot may:
  - a. locate the ground sign near the intersection of the two bordering roadways, and

- b. ~~Or properties located on a corner lot~~ Have two identical wall signs, shall be permitted, each facing each different bordering streets (maximum two). If this option is selected a ground sign shall not
- (3) Properties on a corner lot with a water facing elevation may:
  - a. have two identical wall signs, only one of which may be a water facing sign which could be illuminated.
- (4) Ground Property Identification signs shall be included as part of the total number of ground signs permitted on any property
- (5) Wall Property Identificaiton signs shall be in addition to wall signs permitted pursuant to Section 74-74, Wall signs.

Sec. 74-~~7677~~. - Automated teller machines.

Automated teller machines (ATM) may contain certain signs provided that:

- (1) ATM must be attached to a bank.
- (2) Signs must be an integral part of the ATM as provided by the manufacturer including bank indicia.
- (3) Only one sign not to exceed two and one-half square feet indicating the bank name shall be permitted.
  - (a) Any border or background color shall be included as an integral part of the maximum sign area.
- (4) Informational and instructional signs shall be permitted provided that no such sign shall exceed 60 square inches.

(Ord. No. 266, 2-29-2000)

Sec. 74-~~7778~~. - Additional signs permitted in B-1 business zones only.

- (a) Properties bordered by two streets shall be permitted one additional ground sign. Properties bordered by not less than three streets shall be permitted ~~a second two additional~~ ground signs. ~~provided that both ground signs shall be located only at the main entrance to the property; be one-sided only; be identical; and face in different directions with the face of each sign at an angle of not less than 45 degrees, nor more than 180 degrees~~
- ~~(b) Properties located on a corner lot, bordered by two or more streets, shall be permitted a maximum of two identical property identification wall signs in addition to ground signs which may be provided elsewhere in this chapter, provided that:~~
  - ~~(1) The overall area of each sign shall not exceed 20 square feet.~~
  - ~~(2) The two signs must each face separate streets.~~
- ~~(eb) In multi-tenant buildings, Retail establishments, including shops and restaurants, with an exterior wall facing the street or roadway abutting the property and adjacent to the road right-of-way or parking area, shall each be permitted one wall sign on the previously mentioned exterior wall.~~
- ~~(c) In multi-tenant buildings, Professional Office establishments with an entrance directly accessible from the exterior of the building at ground level on an exterior wall facing the street or roadway abutting the property and adjacent to the road right-of-way or parking area, shall each be permitted one wall sign on the previously mentioned exterior wall. Office establishments with primary access only through a central lobby shall not be permitted an exterior wall sign.~~
- ~~(d) In addition to the previously mentioned requirements for wall signs as described in Section 74-74, the following shall apply:~~

- (1) All tenant wall signs on the property shall be identical in style and height. The font may vary from sign to sign but shall be consistent within each sign.
  - (2) Signs must be illuminated from the interior of the sign only.
  - (3) Signs shall be in the shape of the text only, no backgrounds shall be permitted.
  - (4) Logos may be appended to the text portion of the sign with the logo area included as an integral part of the maximum copy area. not to exceed ten percent of the text area.
  - (5) All text shall be white in color with a black border, except plazas shall be permitted to establish where a Uniform Sign Program which provides for consistent color, font, style and materials for all wall signs within the plaza. Said Uniform Sign Program shall be subject to the approval of the Town Commission has been approved pursuant to the terms of this Code.
- (e) Tenant spaces that do not have any exterior visibility and do not have an exterior wall adjacent to a street, right of way, or parking area ("courtyard tenant spaces") may have exterior wall signage, at the property owner's discretion. Such signage shall be limited to one sign per 4,000 square feet of the gross square footage of the combined courtyard tenant spaces, and in no case shall the total number of wall signs for courtyard tenant space exceed five.
- (df) An owner or tenant of a property whose space is directly accessible from the exterior of the building at ground level is allowed either one wall sign not to exceed six inches by four feet, A permitted wall sign may be replaced by ~~or~~ one removable hanging sign, or one awning sign to be used for the purpose of identifying the establishment.
- (1) Removable hanging signs shall: not exceed two square feet; be one- or two-sided; be hung from a walkway soffit or structure in front of a tenant's space at the main entrance door of a directly accessible owner or tenant's space; not project lower than eight feet from the walkway below; be uniformly hung perpendicular with respect to the building face; and be removed in the event of a hurricane or other such event.
  - (2) An awning with name of occupant/tenant shall be allowed provided that:
    - a. Overall area of the sign does not exceed one foot in height and ten feet in length.
    - b. Sign is placed on the vertical edge of awning only.
    - c. No additional identification signs larger than two square feet exist on the premises.
    - d. Signs may contain one message only.
    - e. Occupants/tenants shall also be allowed the following signs:
      1. An inside window sign not to exceed five percent of the gross glass area may contain the name of the occupant, hours of business operation, open/closed designations, credit card designation and telephone numbers; and 15 percent of the gross glass area of elevation may further be used for the specific advertising of goods and services, not to exceed 20 square feet. Materials utilized in signage comprising the 15 percent allowable area for goods and services must be of a permanent nature. Use of cardboard or paper materials temporarily affixed to the glass or placed just inside the glass is prohibited.
      2. A menu sign used to inform the public of the list of dishes or foods available in a restaurant along with the corresponding prices is permitted, provided that:
        - i. A window menu must be framed or matted and its area will not be applied toward the 15 percent of the gross glass area. The sign may also indicate if the restaurant is open and list the hours of operation of the restaurant.
        - ii. One menu sign is allowed for each restaurant.
        - iii. The sign shall not exceed four square feet in overall area.

- iv. Signs on the outside of the building shall be enclosed in a casing attached to the building. The casing design and color shall be architecturally compatible with the building design and color. The casing shall extend no more than three inches in depth away from the wall to which it is attached, which shall be the owned, rented, or leased premises.

~~(f) A property with a single operating business, in lieu of a permitted ground sign, may optionally substitute a ground sign subject to the following conditions. The sign shall be no wider than 15 feet, no higher than three and one-half feet and need not meet the pedestal or border requirements. This sign may be for business or property identification only, may not be a menu type sign, and must meet all other ground sign requirements.~~

~~(g) Temporary special event signs, promotional, grand opening, seasonal sales and other similar signs shall be permitted provided that the signs shall be:~~

~~(1) Limited to one sign per property for up to seven days in any one 30-day period.~~

~~(2) Erected no more than 72 hours before the start of the event.~~

~~(3) Removed within 12 hours following the event.~~

~~(4) No more than 20 square feet overall area.~~

~~(5) Inflatable signs or balloons shall be properly disposed of and may not be released into the atmosphere~~

#### ■(g) Special Event Signs, moved to Section 74-101(c)(4), Temporary Signs

(Ord. No. 266, 2-29-2000)

Sec. 74-~~7879~~. - Additional signs permitted in B-2 business zones only.

(a) Commercial properties shall be permitted a wall sign in the form of a directory for the purpose of listing occupants/tenants of the building, provided that:

(1) Such sign shall be located on the face of the building at the main ground floor entrances affixed immediately outside and directly adjacent to the entrance.

(2) Overall area of such sign shall not exceed six square feet.

(3) Overall height shall be no higher than the entrance door if placed on the exterior of the building.

(4) Lettering on such sign may be of changeable copy.

~~(b) Only one The primary tenant of each property shall be permitted one a wall sign in the form of a property identification sign, subject to the provisions of Section 74-75. (Note: The realtor sign exempted in the nonconforming signs section of this chapter shall be considered the primary tenant's permitted wall sign.~~

~~(c) Properties bordered by not less than two streets shall be permitted one additional ground sign~~

(Ord. No. 266, 2-29-2000)

Secs. 74-~~7980~~—74-100. - Reserved.

### DIVISION 5. TEMPORARY SIGNS

#### Sec. 74-101. Temporary Signs

(a) Temporary signs are those signs that are not intended or not constructed for permanent placement pursuant to the technical requirements of this article, as well as the town's building and other technical codes, including electrical codes.

(b) Temporary signs are exempt from the permitting process required of permanent signs pursuant to this article; however, prior approval by the Town Manager shall be obtained prior to the installation of any temporary sign. Temporary signs shall comply with the requirements of this section and those other sections referenced herein.

(c) Permitted Temporary signs:

- (1) signs that advertise the sale, lease or rental of the a lot or the improvements thereon;
- (2) signs that advertise a permitted garage sale;
- (3) signs that advertise an open house;
- (4) special event signs, promotional, grand opening, seasonal sales and other similar signs shall be permitted provided that the signs shall be:
  - a. Limited to one sign per property for up to seven days in any one 30-day period.
  - b. Erected no more than 72 hours before the start of the event.
  - c. Removed within 12 hours following the event.
  - d. No more than 20 square feet overall area.
  - e. ~~Inflatable signs or balloons shall be properly disposed of and may not be released into the atmosphere~~

■ Temporary special event signs were originally addressed in Section 74-78(g) which applies only to B1 districts. Moving it here allows temporary special event signs in all districts with the Town Manager's prior approval.

- (5) commercial signs [*commercial sign* means a temporary sign using letters, numbers, symbols or combinations thereof which advertises a trade, business, industry or other activity for profit, or a product, commodity or service, whether or not for profit, including, but not limited to, construction signs and real estate signs];

■ Definition of Commercial Signs moved here from Definitions Section.

(6) construction signs;

■ Construction Signs were formerly addressed as a separate Section (Sec. 74-35) which applied only to Residential zones. Moved here because all construction signs are temporary signs and permitted in all zoning districts.

Construction signs are permitted provided that:

- a. The signs are placed only after a building permit has been issued for the property, and removed within five days after a certificate of occupancy is issued for the property, or after the building permit has expired, whichever occurs first.
- b. Signs shall be professionally lettered and black and white in color only.
- c. In the event that a permit pole or box is required and/or utilized, then the construction sign must be affixed to said pole or box.
- d. No more than one construction sign shall be permitted per property ~~(in accordance with subsection 74-31(5))~~

Ord. No. 347, § 6, 6-23-2009

■ The stricken subsection (74-31(5)) applies to residential zones only, and allows one of six permitted signs to be a construction sign. Section 74-71(B-1 & B-2 zones) limits all temporary signs on commercial property to three signs. **Do we want to allow more than one construction sign on commercial property?**

Leave this note in final draft

- (7) political signs;
- a. political temporary signs shall be permitted with an exposed area of not more than three square feet;
  - b. the top of temporary political signs may be up to four feet above average grade at nearest property line per;
- (8) religious or personal (free-speech) signs;
- a. religious and personal (free-speech) temporary signs shall be permitted with an exposed area of not more than three square feet of exposed area;
- (9) holiday displays.
- (10) real estate signs are permitted provided that:
- a. The signs may contain the words "For Sale", "For Rent", "For Lease", "Sale Pending", or "Open House", or "Waterfront", and may contain the size of the lot (acres, square feet, or dimensions), the company's logo or graphic, the owner, company and/or agent's name, telephone number, and other contact information if applicable. During the duration of the open house, in addition to the listing sign, one open house sign on the subject property shall be permitted, and shall be removed by 4:00 p.m.
  - b. The signs must be removed within five days after a property is sold, rented, or leased, or after the listing expires or is otherwise terminated.
  - c. Signs shall be professionally lettered and black and white in color only.
  - d. No more than one real estate sign shall be permitted per property (in accordance with subsection 74-31(5)), except that on riverfront or waterfront property, one additional water facing real estate sign shall be permitted. Said water facing real estate sign may be up to four square feet in visible area.
  - e. No attachments of any kind or type are permitted except riders that are permanently attached to the sign and are included within the overall two square foot size limitation described in section 74-31.
  - f. Open house route signs for real estate open houses are allowed. Signs must be black and white, not larger than one square foot in visible area, and contain only the words "Open House" inside of an arrow. Signs may be posted on the day of the open house no earlier than 10:00 a.m. and must be removed by 4:00 p.m. No more than one open house route sign is permitted. Signs are prohibited in the town's rights-of-way. Signs cannot be placed on private property without obtaining permission of the property owner or resident. The use of open house route signs for open houses is limited to Saturdays and Sundays only, except for the quarterly open houses held by the Realtor's Association. Open house route signs are not permitted within 100 feet of the intersection of Sewall's Point Road and East Ocean Boulevard. Said distance shall be measured from each corner of the intersection.

(Ord. No. 347, § 5, 6-23-2009)

**Editor's note—**

Ord. No. 347, § 5, adopted June, 23, 2009, amended section 74-34 in its entirety to read as herein set out. Formerly, section 74-34 pertained to temporary real estate signs and derived from Ord. No. 266, adopted February 29, 2000.

■ Real Estate Signs were formerly addressed as a separate Section (Sec. 74-36) which applied only to Residential zones. Moved here because all construction signs are temporary signs and permitted in all zoning districts.

- (11) Such signs that refer to a particular election, event or other specific matter shall be removed within seven days after said election, event or other specific matter or occasion. Holiday displays shall likewise be removed within seven days from the conclusion of the holiday.
- (12) No temporary sign shall be placed in any public right-of-way or on any public property.
- (13) Notwithstanding the foregoing, the town manager may authorize the placement within a right-of-way of temporary signs identifying by name open businesses adjacent to ongoing road construction. Any such sign shall comply with FDOT or other applicable standards regarding lettering, size, material and placement.
- (14) No temporary sign shall be placed in a location in such a manner as to constitute a safety hazard, or hindrance to pedestrian or vehicular traffic.
- (15) No temporary sign shall be attached to a temporary structure.
- (16) The failure to remove a temporary sign pursuant to the provisions of this section shall subject the property owner upon whose property the sign is located to code enforcement. Each day that a temporary sign remains in violation of this section shall be deemed to be a separate offense.

#### DIVISION ~~56~~ - PROHIBITED SIGNS

##### Sec. 74-10~~42~~ - [Prohibited signs in any zoning district.]

The following signs shall not be erected, placed or maintained in any zoning district and are prohibited, unless specifically permitted elsewhere in this sign code:

- (1) Any sign which obstructs the view of bicyclists or motorists using any street, approach to any street intersection, or which interferes with the effectiveness of or obscures any traffic sign, device, or signal.
- (2) Signs that by reason of position, shape, or color, would conflict with the proper function of any traffic sign or signal, or be of a size, location, movement, content, color, or illumination that may be reasonably confused with or construed as, or conceal, a traffic control device.
- (3) Snipe signs.
- (4) Off-premises signs. ~~Except as expressly provided, this~~ provision expressly prohibits any businesses in the B-1 or B-2 district from maintaining vehicle signs within the town anywhere within the Town except on the premises in which the advertised business is located.
- (5) Signs erected, constructed, or maintained so as to obstruct any fire escape or any window or door or opening used as a means of ingress or egress.
- (6) Any sign (other than a government sign), banner, or display placed on any curb, street, sidewalk, post, pole, hydrant, bridge, tree, or other surface located on, over, or across any public street or right-of-way, or other public property, or located on town owned property. Such signs shall immediately be removed by the town's police department or other designee of the town commission.
- (7) Animated signs of any kind.
- (8) Signs containing any type of reflective, fluorescent, or fluorescent-like paint or materials of any kind.

- (9) Sign spot lights or flood lamps and any exposed incandescent lamps larger than 15 watts unless shielded to prevent glare upon a public right-of-way or adjacent property. Any sign lights that hamper the vision of motorists or bicyclists.
- (10) Neon lighting or strip lighting in any fashion which can be seen from any street or right-of-way or adjacent property.
- (11) Signs with the optical illusion of movement by means of a design that presents a pattern capable of giving the illusion of motion or changing copy.
- (12) Signs containing extruding figures, waving or fluttering, or any device to attract attention; flags, or banners.
- (13) Signs that emit odor, or visible matter such as smoke or steam.
- (14) Signs ~~not placed~~ in non-residentially zoned areas which faceing residential property.
- ~~(15) Signs placed in residentially zoned areas or property zoned residential which are~~ located less than 100 feet from ~~the sign face to a~~ the property line of adjacent residentially zoned property.
- ~~(156)~~ Signs that contain any obscene copy.
- ~~(167)~~ Abandoned signs.
- ~~(178)~~ Signs which emit or utilize in any manner any sound capable of being detected by a person with normal hearing.
- ~~(189)~~ Balloons or inflatable signs of any kind.

(Ord. No. 266, 2-29-2000)

Sec. 74-1023 - Nonconforming signs.

~~Every sign lawfully erected within the town on the effective date of the sign code [February 29, 2000] and which is a type of sign not permitted in this sign code may be continued for a period of three years except as follows:~~

Any nonconforming sign pursuant to the regulations of this chapter, which was lawfully in existence prior to the adoption of this chapter, shall be allowed to remain as a legal nonconforming structure, pursuant to the requirements of Chapter 82, Zoning, Article III, Nonconformities, except as follows:

- (1) The sign may not be altered in any way unless to bring it into conformity except that occupant or tenant name changes on existing menu type signs may be changed to reflect a new tenant or occupant or a business name change.
- (2) If a nonconforming sign is destroyed or damaged by any means to an extent of 50 percent or more of its replacement costs at time of destruction or damage, it shall not be reconstructed or repaired except in conformance with this sign code.
- ~~(3) Temporary signs which are not permitted under this sign code, shall be removed within 60 days from the effective date of this chapter.~~
- ~~(4) The sole legally permitted water facing sign as of the effective date of this chapter, currently in use by an on-premise realtor, shall be allowed to remain provided that it is in continuous use by the on-premise licensed real estate broker or his successor. The name on the sign may change. The sign may be repaired or replaced with a duplicate sign if damage warrants replacement. The shape may not be altered. The sign may not be increased in size. The sign may not be illuminated. Current illumination must cease within 60 days of the effective date of this chapter. The sign may not be relocated.~~
- ~~(5) Nonconforming signs in residential zoned areas shall be required to comply with this sign code within 90 days of the effective date except as may be exempted elsewhere in this chapter.~~

~~(63)~~ Development Perimeter wall or entry feature signs in residential zones, existing, and in place, as of the date of this chapter shall be exempt from compliance with this code. Replacements for existing development Perimeter wall or entry feature signs must comply with this code.

(4) Signs which are not in compliance with this chapter on the effective date of this sign code shall be brought into compliance within one calendar year from the date of the installation of any new sign on the property.

~~(7) Signs which are not in compliance with the sign code in effect immediately prior to this chapter and not in compliance with this chapter must comply with this sign code within 30 days of the effective date of this chapter.~~

(Ord. No. 266, 2-29-2000)

#### Sec. 74-103. - Permits.

(a) It shall be unlawful for any entity or person to erect, construct, alter, enlarge, move, or replace any permanent sign or cause the same to be done, without first having obtained a building permit for the sign.

(b) A fee in accordance with a fee schedule adopted by resolution of the town commission, as noted in section 4-18(b) supplemental fees, shall be charged for each building permit issued excepted as provided elsewhere in this chapter.

~~(c) The permit fee shall be waived for a one time replacement of permitted signs in existence on the date of this chapter, which are made non-conforming by virtue of this chapter.~~

(d) All permanent signs shall conform to all applicable building codes.

(e) A building permit for a permanent sign shall become null and void unless the construction is complete a certificate of completion from the Building Department is issued within three months after the effective date of the issuance of the permit.

(Ord. No. 266, 2-29-2000)

#### Sec. 74-104. - Variance.

No variance to this sign code shall be authorized by any individual or board including but not limited to a town manager, the board of zoning adjustment, or the town commission.

(Ord. No. 266, 2-29-2000)

GENERAL SUMMARY	Ground Signs		Wall Signs		Property Identification Signs		Freestanding Directory Signs	
<p><b>Modifications to existing rules</b></p>	<p>* 6-8 feet high</p> <p>* Restrictions on lettering</p> <p>* No logo in copy area</p> <p>* Logos may be illuminated</p> <p>* Landscaping required</p>		<p>* Size of Logo not restricted but must be included allowable square footage maximums</p> <p>* Logos may be illuminated</p> <p>* 5 additional signs permitted on exterior walls for interior tenants under certain conditions</p> <p>* In B-1, may substitute with 1 hanging or 1 awning sign (with restrictions)</p>		<p>* Ground "Property ID Sign" shall be counted toward the total # of permitted "Ground Signs"</p> <p>* Property ID name must be identical on all Property ID signs</p> <p>* 1 Property ID wall sign may be water-facing and could be illuminated</p>			
	B-1	B-2	B-1	B-2	B-1	B-2	B-1	B-2
<p><b>Properties bordering one street</b></p>	<p>1 sign</p>		<p>1 per tenant with exterior frontage plus 5</p>	<p>1 Directory Wall Sign</p>	<p>1 ground sign and 1 wall sign</p>		<p>1 per building <i>or</i> 1 per courtyard entry</p>	
<p><b>Properties bordering two streets</b></p>	<p>± 2 signs</p>				<p>1 ground sign and 2 identical wall signs facing separate streets</p>			
<p><b>Properties bordering three or more streets</b></p>	<p>± 3 signs</p>							

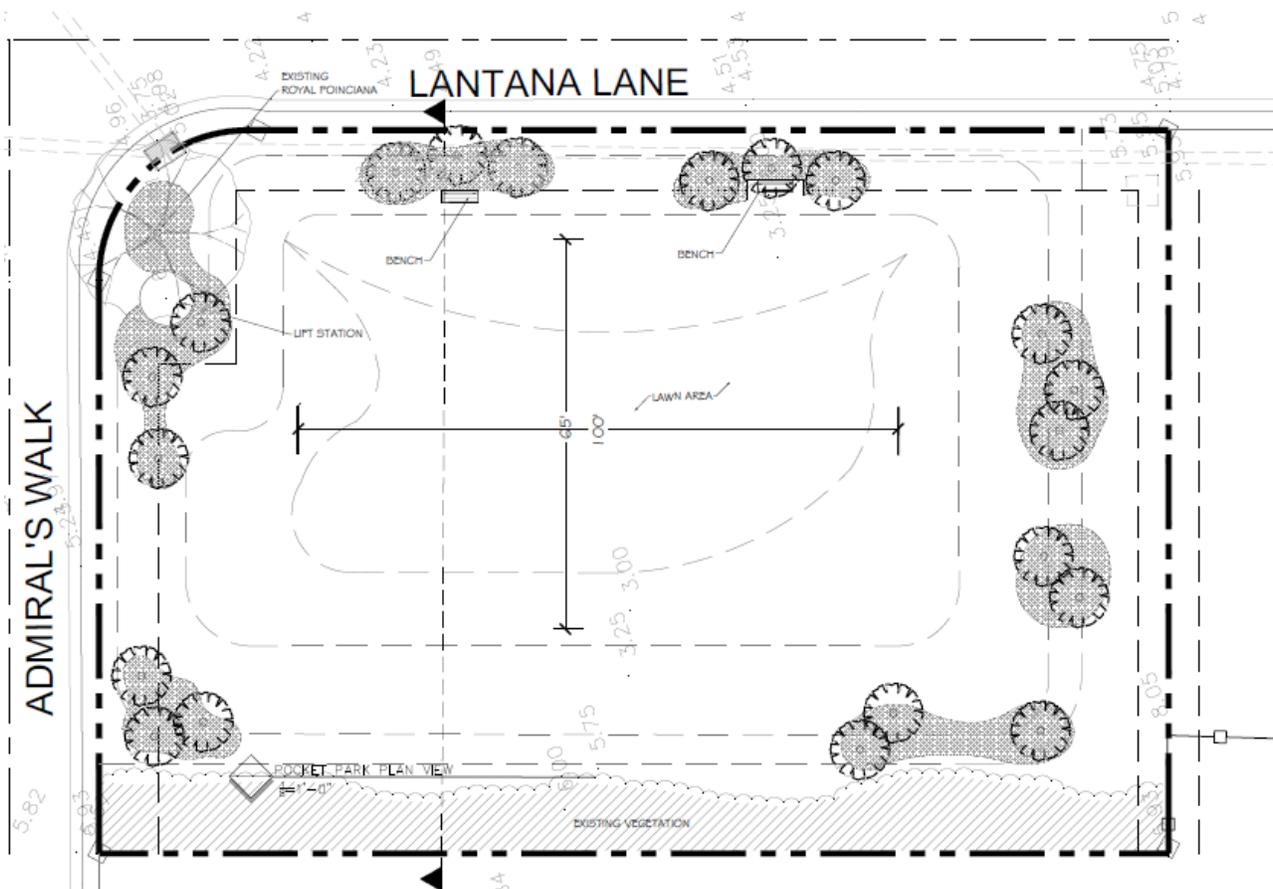
# TOWN OF SEWALL'S POINT



**PAMELA MAC'KIE WALKER**  
Town Manager

**TO:** Town of Sewall's Point Commission  
**FROM:** Pamela Mac'Kie Walker, Town Manager  
**SUBJECT:** Agenda Item 4  
Update on Lantana Pocket Park  
Town Commission Workshop, October 13, 2015

**Background:** At your meeting on June 23, 2015, the Town Commission directed staff to develop plans and investigate the costs of improving the Town's property located at the corner of Lantana Lane and Admiral's Way with "benches, landscaping, and the potential for sports and exercise activities." In response, the staff has received the attached proposal to install landscaping as shown in the revised landscape plan:



This landscape plan calls for the installation of 20 sabal palmettos and 232 1-gallon salt meadow cord grass at a total cost of \$6,861. The cost of the two benches shown is approximately \$1,000.

**Recommendation:** With the exception of residents who want no change whatsoever on this property, the improvements shown in the subject plan are not objectionable. The input from residents has consistently objected to lighting, bathrooms, loudspeakers, organized/league sporting activities, or any activities that interfere with the primary function of the property as a retention area. Improving the property by the addition of some more organized areas of landscaping and two benches should be an enhancement to the neighborhood and to the Town. Staff respectfully recommends that the Commission authorize staff to negotiate for the installation of landscaping and two park benches for a total cost not to exceed \$7,500.

# Lantana Park Survey

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: <u>Douglas Proctor</u>	
Address: <u>7 Lantana Ln</u>	Telephone Number: <u>(816) 648-6264</u>
Email address: <u>proctdb1@aol.com</u>	Household age range: <u>64-65</u>

1. How would you rate the current condition of this park?

- Excellent as is    
  Acceptable    
  Needs Improvement    
  Unacceptable

2. What would you say should be the primary use of this park? (You may check up to 3)

- Children playing    
  Dog walking    
  Relaxing    
  Meet Neighbors  
 Athletic activities    
 Exercise    
 \_\_\_\_\_    
 \_\_\_\_\_

3. Please rate the overall appearance of the park as it exists today:

- Excellent as is    
  Acceptable    
  Needs Improvement    
  Unacceptable

4. Please identify improvements you would like to see at this park? (You may check up to 3)

- Landscaping    
 Lighting    
 Gazebo    
 Benches  
 Sports facilities    
 Drinking Fountain    
 Walking paths    
 No Changes

5. Please identify activities you would like to see at this park? (You may check up to 3)

- Dog Shows    
 Neighborhood gatherings    
 Kids' athletics    
 Educational programs  
 Exercise    
 \_\_\_\_\_    
 \_\_\_\_\_    
 None

6. Comments:

Not in favor of a formal sports park.

Carole Chontos  
83 S. Sewall's Point Road  
Sewall's Point, Fl. 34996

July 16, 2015

Re: Sewall's Point Commission and Pocket Parks on property in Sewall's Point owned by the town.

Dear Neighbor,

The City of Sewall's Point had sent out questionnaires to some residents regarding a Pocket park of Rio Vista Lane where there is a retention pond. The questionnaire was sent only nto local addresses and only to homes in the immediate area. Out of ten responses only two families were definitely in favor of this project. The others had concerns, but the Town Manager encouraged the commission to go forward on the park.

I am writing to inform you of the concerns I have as a resident regarding this project.

First, when federal money is taken for a project like this anyone can use the park, not just the Sewall's Point's Residents. An example would be our town park across from the police station. I have personally used the park and spoken to people at the park and most are not residents of the Town of Sewall's Point. The town manager insists that is not the case, but I have first-hand knowledge that she is incorrect on this matter. There is parking there, but where will visitors and residents park their cars at a pocket park? This would be an inconvenience to those residents near the park. And a safety issue.

The second issues that the city's finances are shy when it comes to upcoming projects. Sewall's Point Road needs to be repaved in a few years and the city has stated that this project would require a \$1,000.00 assessment for each resident for three years. In addition the state is planning on requiring Sewall's Point (a coastal community) to change over to sewers from septic. Depending on the type of System we are talking about, costs could be roughly between \$4,000.00 to \$18,000.00 per household.

With these facts in mind does the city need to spend money on pocket parks? Also having public spaces open to people who are not residents makes safety an issue and also there is a liability issue.

Please notify your commissioner and the city manager regarding these matters. The town needs to act financially responsible on behalf of its residents.

Thank you for your attention to town issues.

  
Carole Chontos  
Sewall's Point Resident

Seen to me then jib

**Town of Sewall's Point**  
One South Sewall's Point Road  
Sewall's Point, FL 34996



Lantana Park Survey

Please complete the following Survey regarding potential improvements to Lantana Lane Park.

<i>Answers to these questions is optional but helpful</i>	
Name: <u>John Houlihan</u>	
Address: <u>11 LANTANA STREET FL 34996</u>	Telephone Number:
Email address: <u>johnhoulihanesg@aol.com</u>	Household age range:

**1. How would you rate the current condition of this park?**

- Excellent as is    
 Acceptable    
 Needs Improvement    
 Unacceptable

**2. What would you say should be the primary use of this park? (You may check up to 3)**

- Children playing    
 Dog walking    
 Relaxing    
 Meet Neighbors  
 Athletic activities    
 Exercise    
 Flood retention    
 Water retention

**3. Please rate the overall appearance of the park as it exists today:**

- Excellent as is    
 Acceptable    
 Needs Improvement    
 Unacceptable

**4. Please identify improvements you would like to see at this park? (You may check up to 3)**

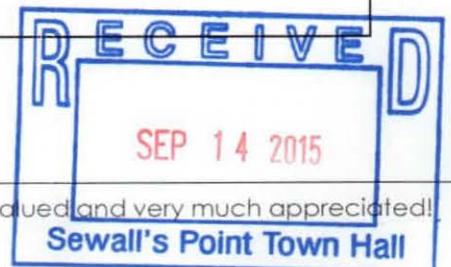
- Landscaping    
 Lighting    
 Gazebo    
 Benches  
 Sports facilities    
 Drinking Fountain    
 Walking paths    
 No Changes

**5. Please identify activities you would like to see at this park? (You may check up to 3)**

- Dog Shows    
 Neighborhood gatherings    
 Kids' athletics    
 Educational programs  
 Exercise    
 \_\_\_\_\_    
 \_\_\_\_\_    
 None

**6. Comments:**

Lighting is objectionable to nearby homes including 11 Lantana  
 No public parking; no entry after dark for security reasons.  
 No public or private toilet facilities, use should be limited  
 to surrounding homes in Rio Vista and walkers.  
 Property's original purpose for retention should be priority as  
 water accumulates and flooding continues. No permanent structures  
 Recreational activities for children should be limited to daytime  
 hours; noise, safety, etc.



Thank you very much for taking the time to complete this survey. Your feedback is valued and very much appreciated!

Sewall's Point Town Hall

# Lantana Park Survey

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: <u>Krista Vennos</u>	
Address: <u>1065 River Rd</u>	Telephone Number: <u>772 283 8530</u>
Email address: <u>nk103@bellsouth.net</u>	Household age range: <u>45 - 53</u>

1. How would you rate the current condition of this park?

- Excellent as is       Acceptable       Needs Improvement       Unacceptable

2. What would you say should be the primary use of this park? (You may check up to 3)

- Children playing       Dog walking       Relaxing       Meet Neighbors  
 Athletic activities       Exercise       \_\_\_\_\_       \_\_\_\_\_

3. Please rate the overall appearance of the park as it exists today:

- Excellent as is       Acceptable       Needs Improvement       Unacceptable

4. Please identify improvements you would like to see at this park? (You may check up to 3)

- Landscaping       Lighting       Gazebo       Benches  
 Sports facilities       Drinking Fountain       Walking paths       No Changes

5. Please identify activities you would like to see at this park? (You may check up to 3)

- Dog Shows       Neighborhood gatherings       Kids' athletics       Educational programs  
 Exercise       \_\_\_\_\_       \_\_\_\_\_       None

6. Comments:

*I think our young children in the neighborhood should have a nice area to play with friends or hang out with friends.  
 I prefer to have my children close by where I know they will be safe. Would also be nice to have*

*picnic area so parents and kids can get together.*

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: Jody + Leo Hart	
Address: 14 Rio Vista Drive	Telephone Number: 772-463-8270
Email address: jody1231@bellsouth.net	Household age range: 43, 42, 10, 7, 4

Lantana Park Survey

1. How would you rate the current condition of this park?

- Excellent as is     Acceptable     Needs Improvement     Unacceptable

2. What would you say should be the primary use of this park? (You may check up to 3)

- Children playing     Dog walking     Relaxing     Meet Neighbors  
 Athletic activities     Exercise     \_\_\_\_\_     \_\_\_\_\_

3. Please rate the overall appearance of the park as it exists today:

- Excellent as is     Acceptable     Needs Improvement     Unacceptable

4. Please identify improvements you would like to see at this park? (You may check up to 3)

- Landscaping     Lighting     Gazebo     Benches  
 Sports facilities     Drinking Fountain     Walking paths     No Changes

5. Please identify activities you would like to see at this park? (You may check up to 3)

- Dog Shows     Neighborhood gatherings     Kids' athletics     Educational programs  
 Exercise     \_\_\_\_\_     \_\_\_\_\_     None

6. Comments:

We live on Rio Vista (which is a very busy street) Not safe for my kids to play in my front yard! It would be so nice to have a place to take them close by where they can play or meet neighborhood friends! We go there a lot now but it would be great to maybe have basketball or some exercise activities at the park. It is a nice quiet street - much safer for kids than Rio Vista! (Cars drive way too fast on this road)

Thank you for taking the time + energy to possibly improve this park!

# Lantana Park Survey

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: Peter + Jackie Costanzo	
Address: 24 Lantana	Telephone Number: 772 781 9615
Email address: Capt.peteC@hotmail.com	Household age range: 54 yrs

- How would you rate the current condition of this park?  
 Excellent as is     Acceptable     Needs improvement     Unacceptable
- What would you say should be the primary use of this park? (You may check up to 3)  
 Children playing     Dog walking     Relaxing     Meet Neighbors  
 Athletic activities     Exercise     \_\_\_\_\_     \_\_\_\_\_
- Please rate the overall appearance of the park as it exists today:  
 Excellent as is     Acceptable     Needs improvement     Unacceptable
- Please identify improvements you would like to see at this park? (You may check up to 3)  
 Landscaping     Lighting     Gazebo     Benches  
 Sports facilities     Drinking Fountain     Walking paths     No Changes
- Please identify activities you would like to see at this park? (You may check up to 3)  
 Dog Shows     Neighborhood gatherings     Kids' athletics     Educational programs  
 Exercise     \_\_\_\_\_     \_\_\_\_\_     None

6. Comments:

The park is shabby looking. I am against lighting because we enjoy the night sky. Night activities are not needed there. We prefer activities that will not encourage noise!

# Lantana Park Survey

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: James & Diana Cameron	
Address: 4 Admirals Walk	Telephone Number: 772-678-6859
Email address: grandmadadew@aol.com	Household age range: 60's with 6 grandsons under 12 yrs old

- How would you rate the current condition of this park?  
 Excellent as is     Acceptable     Needs Improvement     Unacceptable
- What would you say should be the primary use of this park? (You may check up to 3)  
 Children playing     Dog walking     Relaxing     Meet Neighbors  
 Athletic activities     Exercise     \_\_\_\_\_     Water Detention During Storms
- Please rate the overall appearance of the park as it exists today:  
 Excellent as is     Acceptable     Needs Improvement     Unacceptable
- Please identify improvements you would like to see at this park? (You may check up to 3)  
 Landscaping     Lighting     Gazebo     Benches  
 Sports facilities     Drinking Fountain     Walking paths     No Changes
- Please identify activities you would like to see at this park? (You may check up to 3)  
 Dog Shows     Neighborhood gatherings     Kids' athletics     Educational programs  
 Exercise     \_\_\_\_\_     \_\_\_\_\_     None
- Comments:  

Its not really a park. Its a storm detention property.  
 Please see attached letter for our complete comments. Thank you.

May 21, 2015  
James & Diana Cameron  
4 Admiral's Walk  
Sewall's Point, Florida 34996

The Honorable Paul Luger, Mayor  
Town of Sewall's Point  
One South Sewall's Point Road  
Sewall's Point, Florida 34996

Attention: Pam Walker, Town Manager

Dear Mayor Luger, and Ms. Walker:

Thank you for the opportunity to provide comments on potential improvements to the Lantana Lane property. We are new residents of Sewall's Point, having purchased our home on 1 July 2014. We chose to live in Sewall's Point because of the natural beauty and serenity offered by such a perfect locale. We felt secure in the knowledge that our quiet location would remain so for many years to come because of the high regard for the safety and welfare of residents as demonstrated by the establishment of water detention sites throughout the community and the dedication of our private police force. Therefore, we were quite surprised to receive your letter regarding potential other uses for this property. We have to voice our objections to potential other uses for the Lantana property on several levels.

Our concerns about any large scale improvements (adding a playground or a playing field for team sports) are as follows:

- The streets in this area cannot accommodate the additional automobiles and traffic brought in by users.
- The noise generated from any large increase in usage would negatively impact the peace and serenity of nearby residents.
- Removal of the waste left behind by the users would be an added expense for the community.
- We would be creating the potential for non residents to treat this area as a "public park" thereby destroying the private nature of Sewall's Point. Who would monitor their activities? If you think this would not happen, think about all of the people that come into the community each day to mow lawns, make deliveries, work on construction projects, read meters, etc.
- The additional liability from any playground or team sports perspective from residents and non-residents is not something the community as a whole should undertake when there are serious liability issues existing elsewhere in the community that could be remedied or mitigated if additional funds are available.

Our concerns regarding small improvements are as follows:

- Placing trash receptacles around the property is only an invitation for workers to bring their lunch and fill up the receptacles with their lunch debris. In the short time we have lived here, we have picked up chicken bones, food and drink containers, napkins, etc. that have been left behind. Not much fun and quite smelly. This has been tried before with negative results.

- Putting a doggy bag and disposal receptacle on the property is also a mistake. We have dogs and **always** pick up after our pets. However, the community does not need the added expense of providing bags and removing waste. Also, we envision that the dog waste disposal receptacle would become quite smelly and objectionable when the waste is left outside in the sun for a day or more. Finally, make pet owners responsible for the pick up and proper disposal of their pet's waste.

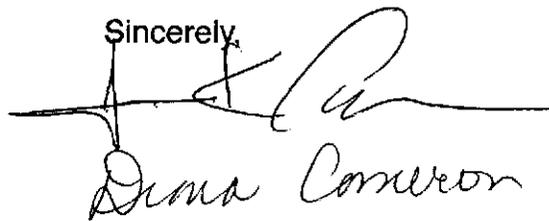
What should be done with the Lantana Lane property?

- Nothing. Residents near the park already use it to chat with neighbors and enjoy the neighborhood. Just keep the property mowed and ready for its intended use.
- All property owners have a duty to keep their property neat, contact the owners of the adjacent large lot and ensure that they keep their property mowed and trimmed.

Where do we see serious liability issues for the community? What do we suggest we do with any available funds to reduce liability?

- Traffic along South Sewall's Point road moves fast, even at 35 MPH. Due to the incomplete sidewalk, residents are forced to walk close to traffic and at great peril to themselves, children and pets. What to do about it? Extend the sidewalks further into the community (as funds permit) to protect citizens.
- In the same vein, bicyclists ride at great peril down Sewall's Point road. What to do about it? Develop bicycle lanes to ensure the safe transit of bicyclists through the main community roads.
- Traffic on certain interior roads (Rio Vista, for example) moves much too quickly for walkers and students going to the school bus pickup point. What to do about it? Study traffic, have police monitor speeds, and place speed bumps on these roads.
- Our park opposite Sewall's Point Town Hall is used quite often by non-residents as a parking location for bridge walking, as a launching point for kayaking, or for bringing children to play in the park playground. Although we certainly appreciate these activities, we believe we are exposing the community to increased liability and that the park should be used by tax paying residents only. What to do about it? (1) Provide residents with stickers for their cars identifying them as Sewall's Point residents and (2) place appropriate signage in the Park.

Thank you for the opportunity to comment.

Sincerely,  


James & Diana Cameron



Lantana Park Survey

Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: Laurel Couchman / Mike Barrett	
Address: 23 Lantana Ln	Telephone Number: 215-3147
Email address:	Household age range: 50's

- How would you rate the current condition of this park?  
 Excellent as is     Acceptable     Needs Improvement     Unacceptable
- What would you say should be the primary use of this park? (You may check up to 3)  
 Children playing     Dog walking     Relaxing     Meet Neighbors  
 Athletic activities     Exercise     \_\_\_\_\_     \_\_\_\_\_
- Please rate the overall appearance of the park as it exists today:  
 Excellent as is     Acceptable     Needs Improvement     Unacceptable
- Please identify improvements you would like to see at this park? (You may check up to 3)  
 Landscaping     Lighting     Gazebo     Benches  
 Sports facilities     Drinking Fountain     Walking paths     No Changes
- Please identify activities you would like to see at this park? (You may check up to 3)  
 Dog Shows     Neighborhood gatherings     Kids' athletics     Educational programs  
 Exercise     \_\_\_\_\_     \_\_\_\_\_     None

6. Comments:  
 Dog play day - every one month  
 Extra trees for shade  
 Maybe kids practice field

We use daily for dog frisbee!

Please also note that we will be out of town for upcoming meeting but fully support the police department and will do whatever is recommended to keep the current level of enforcement and increase as deemed necessary.  
 Thank you! Laurel Couchman

# Lantana Park Survey

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: <u>AIMEE RIZZO</u>	
Address: <u>15 RIO VISTA DR.</u>	Telephone Number: <u>287-4326</u>
Email address:	Household age range: <u>retired</u>

**1. How would you rate the current condition of this park?**

- Excellent as is       Acceptable       Needs improvement       Unacceptable

**2. What would you say should be the primary use of this park? (You may check up to 3)**

- Children playing       Dog walking       Relaxing       Meet Neighbors  
 Athletic activities       Exercise       \_\_\_\_\_       \_\_\_\_\_

**3. Please rate the overall appearance of the park as it exists today:**

- Excellent as is       Acceptable       Needs Improvement       Unacceptable

**4. Please identify improvements you would like to see at this park? (You may check up to 3)**

- Landscaping       Lighting       Gazebo       Benches  
 Sports facilities       Drinking Fountain       Walking paths       No Changes

**5. Please identify activities you would like to see at this park? (You may check up to 3)**

- Dog Shows       Neighborhood gatherings       Kids' athletics       Educational programs  
 Exercise       \_\_\_\_\_       \_\_\_\_\_       None

**6. Comments:**

*more <sup>native</sup> shrubbery around the perimeter would be nice (with some color).*

# Lantana Park Survey

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: <u>Way and Beth Finnegan</u>	
Address: <u>27 Lantana Lane</u>	Telephone Number: <u>324-8803</u>
Email address: <u>bethfinnegan@hotmail.com</u>	Household age range:

**1. How would you rate the current condition of this park?**

- Excellent as is     
  Acceptable     
  Needs Improvement     
  Unacceptable

**2. What would you say should be the primary use of this park? (You may check up to 3)**

- Children playing     
  Dog walking     
  Relaxing     
  Meet Neighbors  
 Athletic activities     
 Exercise     
 \_\_\_\_\_     
 \_\_\_\_\_

**3. Please rate the overall appearance of the park as it exists today:**

- Excellent as is     
  Acceptable     
  Needs Improvement     
  Unacceptable

**4. Please identify improvements you would like to see at this park? (You may check up to 3)**

- Landscaping     
 Lighting     
 Gazebo     
 Benches  
 Sports facilities     
 Drinking Fountain     
 Walking paths     
 No Changes

**5. Please identify activities you would like to see at this park? (You may check up to 3)**

- Dog Shows     
 Neighborhood gatherings     
 Kids' athletics     
 Educational programs  
 Exercise     
 \_\_\_\_\_     
 \_\_\_\_\_     
 None

**6. Comments:**

# Lantana Park Survey

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: Bob & Laurie Kilbride	
Address: 4 Lantana Lane	Telephone Number: (772) 781 4144
Email address:	Household age range:

**1. How would you rate the current condition of this park?**

- Excellent as is     
  Acceptable     
  Needs Improvement     
  Unacceptable

**2. What would you say should be the primary use of this park? (You may check up to 3)**

- Children playing     
  Dog walking     
  Relaxing     
  Meet Neighbors  
 Athletic activities     
 Exercise     
 \_\_\_\_\_     
 \_\_\_\_\_

**3. Please rate the overall appearance of the park as it exists today:**

- Excellent as is     
  Acceptable     
  Needs Improvement     
  Unacceptable

**4. Please identify improvements you would like to see at this park? (You may check up to 3)**

- Landscaping     
 Lighting     
 Gazebo     
 Benches  
 Sports facilities     
 Drinking Fountain     
 Walking paths     
 No Changes

**5. Please identify activities you would like to see at this park? (You may check up to 3)**

- Dog Shows     
 Neighborhood gatherings     
 Kids' athletics     
 Educational programs  
 Exercise     
 \_\_\_\_\_     
 \_\_\_\_\_     
 None

**6. Comments:**

The park has a lot of potential. It needs to be beautified & upgraded with benches & landscaping. We don't want lights, which would promote night time problems. Thank you.

# Lantana Park Survey

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: <u>McPhee</u>	
Address: <u>8 Admirals Walk</u>	Telephone Number: <u>772-260-4024</u>
Email address: <u>spmcphoe@aol.com</u>	Household age range: <u>N/A</u>

1. How would you rate the current condition of this park?

- Excellent as is       Acceptable       Needs Improvement       Unacceptable

2. What would you say should be the primary use of this park? (You may check up to 3)

- Children playing       Dog walking       Relaxing       Meet Neighbors  
 Athletic activities       Exercise       retention pond

3. Please rate the overall appearance of the park as it exists today:

- Excellent as is       Acceptable       Needs Improvement       Unacceptable

4. Please identify improvements you would like to see at this park? (You may check up to 3)

- Landscaping       Lighting       Gazebo       Benches  
 Sports facilities       Drinking Fountain       Walking paths       No Changes

5. Please identify activities you would like to see at this park? (You may check up to 3)

- Dog Shows       Neighborhood gatherings       Kids' athletics       Educational programs  
 Exercise       A place for flood waters to go.       dog walking       None

6. Comments:

A place for flood waters to go.      \_\_\_\_\_      A place for serenity

- Concerned about parking (lack of) if this retention area is called a "park"
- Flooding, as that is its true purpose.
- becoming a TEEN hang out
- negative noise impact on adjacent, nearby properties.

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: Jody + Leo Hart	
Address: 14 Rio Vista Drive	Telephone Number: 772-463-8270
Email address: jody1231@bellsouth.net	Household age range: 43, 42, 10, 7, 4

Lantana Park Survey

1. How would you rate the current condition of this park?

- Excellent as is     Acceptable     Needs Improvement     Unacceptable

2. What would you say should be the primary use of this park? (You may check up to 3)

- Children playing     Dog walking     Relaxing     Meet Neighbors  
 Athletic activities     Exercise     \_\_\_\_\_     \_\_\_\_\_

3. Please rate the overall appearance of the park as it exists today:

- Excellent as is     Acceptable     Needs Improvement     Unacceptable

4. Please identify improvements you would like to see at this park? (You may check up to 3)

- Landscaping     Lighting     Gazebo     Benches  
 Sports facilities     Drinking Fountain     Walking paths     No Changes

5. Please identify activities you would like to see at this park? (You may check up to 3)

- Dog Shows     Neighborhood gatherings     Kids' athletics     Educational programs  
 Exercise     \_\_\_\_\_     \_\_\_\_\_     None

6. Comments:

We live on Rio Vista (which is a very busy street) Not safe for my kids to play in my front yard! It would be so nice to have a place to take them close by where they can play or meet neighborhood friends! We go there a lot now but it would be great to maybe have basketball or some exercise activities at the park. It is a nice quiet street - much safer for kids than Rio Vista! (Cars drive way too fast on this road)

Thank you for taking the time + energy to possibly improve this park!

# Lantana Park Survey

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: Peter + Jackie Costanzo	
Address: 24 Lantana	Telephone Number: 772 781 9615
Email address: capt.petec@hotmail.com	Household age range: 54 yrs

1. How would you rate the current condition of this park?

- Excellent as is    
  Acceptable    
  Needs improvement    
  Unacceptable

2. What would you say should be the primary use of this park? (You may check up to 3)

- Children playing    
  Dog walking    
  Relaxing    
  Meet Neighbors  
 Athletic activities    
 Exercise    
 \_\_\_\_\_    
 \_\_\_\_\_

3. Please rate the overall appearance of the park as it exists today:

- Excellent as is    
 Acceptable    
 Needs improvement    
 Unacceptable

4. Please identify improvements you would like to see at this park? (You may check up to 3)

- Landscaping    
 Lighting    
 Gazebo    
 Benches  
 Sports facilities    
 Drinking Fountain    
 Walking paths    
 No Changes

5. Please identify activities you would like to see at this park? (You may check up to 3)

- Dog Shows    
 Neighborhood gatherings    
 Kids' athletics    
 Educational programs  
 Exercise    
 \_\_\_\_\_    
 \_\_\_\_\_    
 None

6. Comments:

The park is shabby looking. I am against lighting because we enjoy the night sky. Night activities are not needed there. We prefer activities that will not encourage noise!

# Lantana Park Survey

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: <u>Krista Vennos</u>	
Address: <u>1065 River Rd</u>	Telephone Number: <u>772 283 8530</u>
Email address: <u>nk103@bellsouth.net</u>	Household age range: <u>45 - 53</u>

1. How would you rate the current condition of this park?

- Excellent as is       Acceptable       Needs Improvement       Unacceptable

2. What would you say should be the primary use of this park? (You may check up to 3)

- Children playing       Dog walking       Relaxing       Meet Neighbors  
 Athletic activities       Exercise       \_\_\_\_\_       \_\_\_\_\_

3. Please rate the overall appearance of the park as it exists today:

- Excellent as is       Acceptable       Needs Improvement       Unacceptable

4. Please identify improvements you would like to see at this park? (You may check up to 3)

- Landscaping       Lighting       Gazebo       Benches  
 Sports facilities       Drinking Fountain       Walking paths       No Changes

5. Please identify activities you would like to see at this park? (You may check up to 3)

- Dog Shows       Neighborhood gatherings       Kids' athletics       Educational programs  
 Exercise       \_\_\_\_\_       \_\_\_\_\_       None

6. Comments:

*I think our young children in the neighborhood should have a nice area to play with friends or hang out with friends.  
 I prefer to have my children close by where I know they will be safe. Would also be nice to have*

*picnic area so parents and kids can get together.*

# Lantana Park Survey

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: <u>GRACE STERN</u>	
Address: <u>9 LANTANA LANE</u>	Telephone Number: <u>561 870-3652</u>
Email address: <u>gracepsterne@gmail.com</u>	Household age range: <u>50-60</u>

1. How would you rate the current condition of this park?

- Excellent as is       Acceptable       Needs Improvement       Unacceptable

2. What would you say should be the primary use of this park? (You may check up to 3)

- Children playing       Dog walking       Relaxing       Meet Neighbors  
 Athletic activities       Exercise       \_\_\_\_\_       \_\_\_\_\_

3. Please rate the overall appearance of the park as it exists today:

- Excellent as is       Acceptable       Needs Improvement       Unacceptable

4. Please identify improvements you would like to see at this park? (You may check up to 3)

- Landscaping       Lighting       Gazebo       Benches  
 Sports facilities       Drinking Fountain       Walking paths       No Changes

5. Please identify activities you would like to see at this park? (You may check up to 3)

- Dog Shows       Neighborhood gatherings       Kids' athletics       Educational programs  
 Exercise       \_\_\_\_\_       \_\_\_\_\_       None

6. Comments:

SEE ATTACHED LETTER

From:  
Mr. & Mrs. Mark Stern  
9 Lantana Lane  
Sewall's Point, Fl 34996

May 11, 2015

Re: Lantana Lane Park

Dear Mr. Luger,

As the homeowners directly across the street from the water detention property on Lantana Lane & Admiral's Way, we are deeply concerned that the town is considering 'developing' this small piece of property.

While the area does sometimes fill up with water, and the grass sometimes doesn't get cut for months, it's usually dry enough to walk and play on; But it is a relatively small area not big enough for playing fields. The area is already frequently used by local children, dog owners and it provides a place for walkers and people of all ages to stop and rest on the existing park bench. As I write this letter at 5:00pm there are 4 young boys playing in this field across the street with a tennis ball and bat.

A few years ago there was a public garbage can next to the existing bench on the northeast corner of the property. The garbage can would fill up and overflow regularly with food containers [some still containing food] mostly from the landscape workers who would eat lunch there everyday; They were filling a garbage can that we had to look at and sometimes smell and they were not residents of Sewall's Point. Also the garbage can always contained bags of dog feces which dog owners would leave. Dog walkers would also deposit their bags of feces in the garbage can as they walked by, not wanting to take the bags home. Living directly across the street, the smell of the dog feces and stale food was not pleasant. Raccoons were also raiding the garbage can at night. Thankfully that garbage can went away.

The thought of having sports facilities, excessive noise, a drinking fountain, gazebo, walking trails, and/or lighting frankly on this small plot frightens us. The peaceful block we currently live on will no longer be so peaceful. We believe the property is currently being used at it's optimal capacity serving a dual-purpose as a water detention area and by offering locals a place to play and relax, yet not drawing large amounts of people, cars and potentially loud activities.

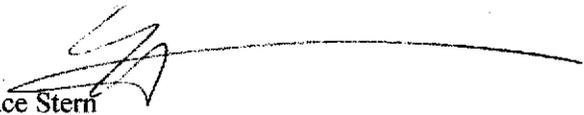
This is a charming quiet neighborhood, something we've worked hard to experience, and we believe this is something all Sewall's Point residents are entitled to. To have a dedicated park that draws distant people, noise and cars parked in front of our homes is not a welcome proposition.

As residents of Sewall's Point, we would rather instead see Town monies put toward repaving roads, installing a bike-lane and sidewalk on Sewall's Point Road, erecting streetlights in unusually dark areas, and conducting more police radar enforcement on our *interior* streets, As dog owners and dog walkers, we are frequently approached and sometimes passed by cars going 35mph+ on interior streets. It's frustrating to see the same people always in a hurry speeding, unchecked.

We feel strongly that Sewall's Point Road would benefit from a bike-lane and sidewalk. Nobody can refute the danger this road poses to walkers and bikers; And there are plenty of them who take their chances daily.

We respectfully ask that the Town reconsider development of the property and see it for what it already is: a functional & diverse property. It would be upsetting to lose our small piece of solitude here on Lantana Lane.

Sincerely,

  
Mark & Grace Stern  
561-870-3652 gracepster@gmail.com

May 21, 2015  
James & Diana Cameron  
4 Admiral's Walk  
Sewall's Point, Florida 34996

The Honorable Paul Luger, Mayor  
Town of Sewall's Point  
One South Sewall's Point Road  
Sewall's Point, Florida 34996

Attention: Pam Walker, Town Manager

Dear Mayor Luger, and Ms. Walker:

Thank you for the opportunity to provide comments on potential improvements to the Lantana Lane property. We are new residents of Sewall's Point, having purchased our home on 1 July 2014. We chose to live in Sewall's Point because of the natural beauty and serenity offered by such a perfect locale. We felt secure in the knowledge that our quiet location would remain so for many years to come because of the high regard for the safety and welfare of residents as demonstrated by the establishment of water detention sites throughout the community and the dedication of our private police force. Therefore, we were quite surprised to receive your letter regarding potential other uses for this property. We have to voice our objections to potential other uses for the Lantana property on several levels.

Our concerns about any large scale improvements (adding a playground or a playing field for team sports) are as follows:

- The streets in this area cannot accommodate the additional automobiles and traffic brought in by users.
- The noise generated from any large increase in usage would negatively impact the peace and serenity of nearby residents.
- Removal of the waste left behind by the users would be an added expense for the community.
- We would be creating the potential for non residents to treat this area as a "public park" thereby destroying the private nature of Sewall's Point. Who would monitor their activities? If you think this would not happen, think about all of the people that come into the community each day to mow lawns, make deliveries, work on construction projects, read meters, etc.
- The additional liability from any playground or team sports perspective from residents and non-residents is not something the community as a whole should undertake when there are serious liability issues existing elsewhere in the community that could be remedied or mitigated if additional funds are available.

Our concerns regarding small improvements are as follows:

- Placing trash receptacles around the property is only an invitation for workers to bring their lunch and fill up the receptacles with their lunch debris. In the short time we have lived here, we have picked up chicken bones, food and drink containers, napkins, etc. that have been left behind. Not much fun and quite smelly. This has been tried before with negative results.

- Putting a doggy bag and disposal receptacle on the property is also a mistake. We have dogs and **always** pick up after our pets. However, the community does not need the added expense of providing bags and removing waste. Also, we envision that the dog waste disposal receptacle would become quite smelly and objectionable when the waste is left outside in the sun for a day or more. Finally, make pet owners responsible for the pick up and proper disposal of their pet's waste.

What should be done with the Lantana Lane property?

- Nothing. Residents near the park already use it to chat with neighbors and enjoy the neighborhood. Just keep the property mowed and ready for its intended use.
- All property owners have a duty to keep their property neat, contact the owners of the adjacent large lot and ensure that they keep their property mowed and trimmed.

Where do we see serious liability issues for the community? What do we suggest we do with any available funds to reduce liability?

- Traffic along South Sewall's Point road moves fast, even at 35 MPH. Due to the incomplete sidewalk, residents are forced to walk close to traffic and at great peril to themselves, children and pets. What to do about it? Extend the sidewalks further into the community (as funds permit) to protect citizens.
- In the same vein, bicyclists ride at great peril down Sewall's Point road. What to do about it? Develop bicycle lanes to ensure the safe transit of bicyclists through the main community roads.
- Traffic on certain interior roads (Rio Vista, for example) moves much too quickly for walkers and students going to the school bus pickup point. What to do about it? Study traffic, have police monitor speeds, and place speed bumps on these roads.
- Our park opposite Sewall's Point Town Hall is used quite often by non-residents as a parking location for bridge walking, as a launching point for kayaking, or for bringing children to play in the park playground. Although we certainly appreciate these activities, we believe we are exposing the community to increased liability and that the park should be used by tax paying residents only. What to do about it? (1) Provide residents with stickers for their cars identifying them as Sewall's Point residents and (2) place appropriate signage in the Park.

Thank you for the opportunity to comment.

Sincerely,

/s/

James & Diana Cameron

# Lantana Park Survey

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: James & Diana Cameron	
Address: 4 Admirals Walk	Telephone Number: 772-678-6859
Email address: grandmadadew@aol.com	Household age range: 60's with 6 grandsons under 12 yrs old

- How would you rate the current condition of this park?  
 Excellent as is     Acceptable     Needs Improvement     Unacceptable
- What would you say should be the primary use of this park? (You may check up to 3)  
 Children playing     Dog walking     Relaxing     Meet Neighbors  
 Athletic activities     Exercise     \_\_\_\_\_     Water Detention During Storms
- Please rate the overall appearance of the park as it exists today:  
 Excellent as is     Acceptable     Needs Improvement     Unacceptable
- Please identify improvements you would like to see at this park? (You may check up to 3)  
 Landscaping     Lighting     Gazebo     Benches  
 Sports facilities     Drinking Fountain     Walking paths     No Changes
- Please identify activities you would like to see at this park? (You may check up to 3)  
 Dog Shows     Neighborhood gatherings     Kids' athletics     Educational programs  
 Exercise     \_\_\_\_\_     \_\_\_\_\_     None
- Comments:  

Its not really a park. Its a storm detention property.  
 Please see attached letter for our complete comments. Thank you.

May 21, 2015  
James & Diana Cameron  
4 Admiral's Walk  
Sewall's Point, Florida 34996

The Honorable Paul Luger, Mayor  
Town of Sewall's Point  
One South Sewall's Point Road  
Sewall's Point, Florida 34996

Attention: Pam Walker, Town Manager

Dear Mayor Luger, and Ms. Walker:

Thank you for the opportunity to provide comments on potential improvements to the Lantana Lane property. We are new residents of Sewall's Point, having purchased our home on 1 July 2014. We chose to live in Sewall's Point because of the natural beauty and serenity offered by such a perfect locale. We felt secure in the knowledge that our quiet location would remain so for many years to come because of the high regard for the safety and welfare of residents as demonstrated by the establishment of water detention sites throughout the community and the dedication of our private police force. Therefore, we were quite surprised to receive your letter regarding potential other uses for this property. We have to voice our objections to potential other uses for the Lantana property on several levels.

Our concerns about any large scale improvements (adding a playground or a playing field for team sports) are as follows:

- The streets in this area cannot accommodate the additional automobiles and traffic brought in by users.
- The noise generated from any large increase in usage would negatively impact the peace and serenity of nearby residents.
- Removal of the waste left behind by the users would be an added expense for the community.
- We would be creating the potential for non residents to treat this area as a "public park" thereby destroying the private nature of Sewall's Point. Who would monitor their activities? If you think this would not happen, think about all of the people that come into the community each day to mow lawns, make deliveries, work on construction projects, read meters, etc.
- The additional liability from any playground or team sports perspective from residents and non-residents is not something the community as a whole should undertake when there are serious liability issues existing elsewhere in the community that could be remedied or mitigated if additional funds are available.

Our concerns regarding small improvements are as follows:

- Placing trash receptacles around the property is only an invitation for workers to bring their lunch and fill up the receptacles with their lunch debris. In the short time we have lived here, we have picked up chicken bones, food and drink containers, napkins, etc. that have been left behind. Not much fun and quite smelly. This has been tried before with negative results.

- Putting a doggy bag and disposal receptacle on the property is also a mistake. We have dogs and **always** pick up after our pets. However, the community does not need the added expense of providing bags and removing waste. Also, we envision that the dog waste disposal receptacle would become quite smelly and objectionable when the waste is left outside in the sun for a day or more. Finally, make pet owners responsible for the pick up and proper disposal of their pet's waste.

What should be done with the Lantana Lane property?

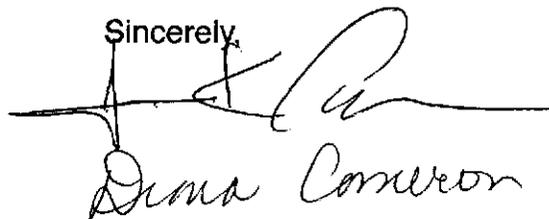
- Nothing. Residents near the park already use it to chat with neighbors and enjoy the neighborhood. Just keep the property mowed and ready for its intended use.
- All property owners have a duty to keep their property neat, contact the owners of the adjacent large lot and ensure that they keep their property mowed and trimmed.

Where do we see serious liability issues for the community? What do we suggest we do with any available funds to reduce liability?

- Traffic along South Sewall's Point road moves fast, even at 35 MPH. Due to the incomplete sidewalk, residents are forced to walk close to traffic and at great peril to themselves, children and pets. What to do about it? Extend the sidewalks further into the community (as funds permit) to protect citizens.
- In the same vein, bicyclists ride at great peril down Sewall's Point road. What to do about it? Develop bicycle lanes to ensure the safe transit of bicyclists through the main community roads.
- Traffic on certain interior roads (Rio Vista, for example) moves much too quickly for walkers and students going to the school bus pickup point. What to do about it? Study traffic, have police monitor speeds, and place speed bumps on these roads.
- Our park opposite Sewall's Point Town Hall is used quite often by non-residents as a parking location for bridge walking, as a launching point for kayaking, or for bringing children to play in the park playground. Although we certainly appreciate these activities, we believe we are exposing the community to increased liability and that the park should be used by tax paying residents only. What to do about it? (1) Provide residents with stickers for their cars identifying them as Sewall's Point residents and (2) place appropriate signage in the Park.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Diana Cameron". The signature is written in a cursive style with a long horizontal flourish extending to the right.

James & Diana Cameron



Lantana Park Survey

Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: Laurel Couchman / Mike Barrett	
Address: 23 Lantana Ln	Telephone Number: 215-3147
Email address:	Household age range: 50's

- How would you rate the current condition of this park?  
 Excellent as is     Acceptable     Needs Improvement     Unacceptable
- What would you say should be the primary use of this park? (You may check up to 3)  
 Children playing     Dog walking     Relaxing     Meet Neighbors  
 Athletic activities     Exercise     \_\_\_\_\_     \_\_\_\_\_
- Please rate the overall appearance of the park as it exists today:  
 Excellent as is     Acceptable     Needs Improvement     Unacceptable
- Please identify improvements you would like to see at this park? (You may check up to 3)  
 Landscaping     Lighting     Gazebo     Benches  
 Sports facilities     Drinking Fountain     Walking paths     No Changes
- Please identify activities you would like to see at this park? (You may check up to 3)  
 Dog Shows     Neighborhood gatherings     Kids' athletics     Educational programs  
 Exercise     \_\_\_\_\_     \_\_\_\_\_     None

6. Comments:  
 Dog play day - every one month  
 Extra trees for shade  
 Maybe kids practice field

We use daily for dog frisbee!

Please also note that we will be out of town for upcoming meeting but fully support the police department and will do whatever is recommended to keep the current level of enforcement and increase as deemed necessary.  
 Thank you! Laurel Couchman

# Lantana Park Survey

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: <u>AIMEE RIZZO</u>	
Address: <u>15 RIO VISTA DR.</u>	Telephone Number: <u>287-4326</u>
Email address:	Household age range: <u>retired</u>

**1. How would you rate the current condition of this park?**

- Excellent as is       Acceptable       Needs improvement       Unacceptable

**2. What would you say should be the primary use of this park? (You may check up to 3)**

- Children playing       Dog walking       Relaxing       Meet Neighbors  
 Athletic activities       Exercise       \_\_\_\_\_       \_\_\_\_\_

**3. Please rate the overall appearance of the park as it exists today:**

- Excellent as is       Acceptable       Needs Improvement       Unacceptable

**4. Please identify improvements you would like to see at this park? (You may check up to 3)**

- Landscaping       Lighting       Gazebo       Benches  
 Sports facilities       Drinking Fountain       Walking paths       No Changes

**5. Please identify activities you would like to see at this park? (You may check up to 3)**

- Dog Shows       Neighborhood gatherings       Kids' athletics       Educational programs  
 Exercise       \_\_\_\_\_       \_\_\_\_\_       None

**6. Comments:**

*more <sup>native</sup> shrubbery around the perimeter would be nice (with some color).*

May 21, 2015  
James & Diana Cameron  
4 Admiral's Walk  
Sewall's Point, Florida 34996

The Honorable Paul Luger, Mayor  
Town of Sewall's Point  
One South Sewall's Point Road  
Sewall's Point, Florida 34996

Attention: Pam Walker, Town Manager

Dear Mayor Luger, and Ms. Walker:

Thank you for the opportunity to provide comments on potential improvements to the Lantana Lane property. We are new residents of Sewall's Point, having purchased our home on 1 July 2014. We chose to live in Sewall's Point because of the natural beauty and serenity offered by such a perfect locale. We felt secure in the knowledge that our quiet location would remain so for many years to come because of the high regard for the safety and welfare of residents as demonstrated by the establishment of water detention sites throughout the community and the dedication of our private police force. Therefore, we were quite surprised to receive your letter regarding potential other uses for this property. We have to voice our objections to potential other uses for the Lantana property on several levels.

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- Putting a doggy bag and disposal receptacle on the property is also a mistake. We have dogs and **always** pick up after our pets. However, the community does not need the added expense of providing bags and removing waste. Also, we envision that the dog waste disposal receptacle would become quite smelly and objectionable when the waste is left outside in the sun for a day or more. Finally, make pet owners responsible for the pick up and proper disposal of their pet's waste.

What should be done with the Lantana Lane property?

- Nothing. Residents near the park already use it to chat with neighbors and enjoy the neighborhood. Just keep the property mowed and ready for its intended use.
- All property owners have a duty to keep their property neat, contact the owners of the adjacent large lot and ensure that they keep their property mowed and trimmed.

Where do we see serious liability issues for the community? What do we suggest we do with any available funds to reduce liability?

- Traffic along South Sewall's Point road moves fast, even at 35 MPH. Due to the incomplete sidewalk, residents are forced to walk close to traffic and at great peril to themselves, children and pets. What to do about it? Extend the sidewalks further into the community (as funds permit) to protect citizens.
- In the same vein, bicyclists ride at great peril down Sewall's Point road. What to do about it? Develop bicycle lanes to ensure the safe transit of bicyclists through the main community roads.
- Traffic on certain interior roads (Rio Vista, for example) moves much too quickly for walkers and students going to the school bus pickup point. What to do about it? Study traffic, have police monitor speeds, and place speed bumps on these roads.
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Thank you for the opportunity to comment.

Sincerely,

/s/

James & Diana Cameron

Attached photos - Message (HTML)

FILE MESSAGE

Ignore Delete Reply Reply All Forward More Meeting Move OneNote Actions Mark Unread Categorize Follow Up Translate Find Related Select Zoom

Delete Respond Move Tags Editing Zoom

Save Undo Redo Up Down

 Wed 9/16/2015 4:36 PM  
spmcphee@aol.com  
Attached photos

To Pamela Walker; Vincent Barile; Jacqui Thurlow-Lippisch; Paul Luger; jcampos@sewallspoint.org; Daniel Morris

 You replied to this message on 9/16/2015 4:48 PM.

Message image1.jpeg image2.jpeg image3.jpeg

Good Afternoon,  
We thought you would like to see the attached photos of the Pocket/Lantana Park-retention area doing its job. Kids were having a blast! The McPhee's







## Pamela Walker

---

**From:** spmcphee@aol.com  
**Sent:** Monday, July 06, 2015 6:31 AM  
**To:** Pamela Walker  
**Cc:** Vincent Barile; jcampos@sewallspoint.org; Jacqui Thurlow-Lippisch  
**Subject:** Please record our omitted communication in packet and minutes....Re: "Lantana Park"

Dear Ms. Walker,

Please make sure our communications regarding turning the retention area on the corner of Lantana Lane and Admiral's Walk into a park/sports field are recorded in the packet and the minutes of the June 23, 2015 meeting as well as any future meetings regarding this issue. In addition, please record in the packet and the minutes that our communications were erroneously omitted from the packet provided for the June 23, 2015 meeting. If the comprehensive concerns of those who live closest to this property are ultimately disregarded, it will be important that all communications provided by residents - particularly those who stand to be the most severely impacted - are recorded to inform us when pursuing any remedies that may be available when the inevitable negative impacts occur. Printing this email out in its entirety, scanning it, and adding it to the packet/minutes will suffice as it encompasses all of our 2015 communications regarding this matter. Please acknowledge this request and let us know when our communications are added to the packet (via return e-mail), so that we may print it out and add it to our records. Although we aren't able to attend meetings on Tuesdays at 7 pm because of our work, we have always kept up with the agendas, packets, and minutes, which is how we discovered this omission. Thank you for your attention. Peter and Simone McPhee, 8 Admiral's Walk, Stuart, FL 34996

-----Original Message-----

From: spmcphee <spmcphee@aol.com>  
To: PWalker <PWalker@sewallspoint.org>  
Cc: VBarile <VBarile@sewallspoint.org>; jcampos <jcampos@sewallspoint.org>; JThurlow-Lippisch <JThurlow-Lippisch@sewallspoint.org>  
Sent: Fri, Jun 26, 2015 1:18 pm  
Subject: Re: Our communication was omitted from packet....Re: "Lantana Park"

We forgot to note below that at least one of the returned surveys was from someone on River Road - whose location would not suffer the myriad negative impacts of developing this retention area, further sullyng these 'survey' results.

-----Original Message-----

From: spmcphee <spmcphee@aol.com>  
To: PWalker <PWalker@sewallspoint.org>  
Cc: VBarile <VBarile@sewallspoint.org>; jcampos <jcampos@sewallspoint.org>; JThurlow-Lippisch <JThurlow-Lippisch@sewallspoint.org>  
Sent: Fri, Jun 26, 2015 12:22 pm  
Subject: Re: Our communication was omitted from packet....Re: "Lantana Park"

Thank you Ms. Walker,

We didn't know you were on vacation when sending the e-mails. The documents I refer to are available on line. I clicked on the packet associated with June 23, 2015's meeting. I checked it twice to be sure our emailed input was omitted. The commissioners have seen it as it was sent to all of them, however, its omission from the packet means that residents will not be able to see it. Seeing the letters that our neighbors sent in that packet was important to us, and we think our neighbors deserve the same benefit of seeing what we sent as well. We should all see the very valid objections and considerations we have all devoted so much time to communicating. We remain extremely concerned after seeing that only 10 people responded to the survey that was rife with biases (it assumed that improvements were necessary in its wording, and spoon fed suggested improvements). I used to be in the business of conducting focus groups and writing survey instruments; the one used here was not objective to say the least. Of the 10 responses, only half took the bait in citing vague improvements. Whereas those who were opposed spent much time raising comprehensive, valid concerns. Mind boggling that from these results, you have been directed to bring forward previously developed plans. We can't help but to feel that our input is not valued. The McPhee's

-----Original Message-----

From: Pamela Walker <PWalker@sewallspoint.org>  
To: spmcphee <spmcphee@aol.com>  
Cc: Vincent Barile <VBarile@sewallspoint.org>; jcampos <jcampos@sewallspoint.org>; Jacqui Thurlow-Lippisch <JThurlow-Lippisch@sewallspoint.org>  
Sent: Fri, Jun 26, 2015 9:50 am  
Subject: Re: Our communication was omitted from packet....Re: "Lantana Park"

I am away from the office and so can't check the documents you refer to. If they were omitted I assure you it was an innocent error that I will correct immediately.

No decision was made at the meeting regarding the use of the property. I have been directed to bring forward the plans previously developed when the issue was considered before. The commission would like to review those and discuss the matter further.

I absolutely assure you that each commissioner will receive a copy of your correspondence and that I will correct any error of omission previously made.

Thank you for your patience. I will advise you further when I return to the office on July 6.

Pam Mac'Kie Walker  
Town Manager

On Jun 25, 2015, at 2:36 PM, " spmcphee@aol.com" < spmcphee@aol.com> wrote:

Hello,

Absent any answer, we just looked at the packet available online for June 23, 2015 and are left wondering why the email we sent outlining our concerns about the retention area (it is located below this message, dated May 6, 2015) wasn't included. Other residents' letters were included in conjunction with the 10 surveys received, but not our e-mail, which serves the same purpose as a letter. Please let us know and thank you for your help in understanding why we were omitted. Simone and Peter McPhee

-----Original Message-----

From: spmcphee < spmcphee@aol.com>  
To: pwalker < pwalker@sewallspoint.org>  
Cc: vbarile < vbarile@sewallspoint.org>; jcampos < jcampos@sewallspoint.org>; jthurlow-lippisch < jthurlow-lippisch@sewallspoint.org>  
Sent: Thu, Jun 25, 2015 8:45 am  
Subject: Re: "Lantana Park"

Good morning,

We were unable to attend Tuesday evening's meeting. We saw that the retention area in front of our home was on the agenda. Could you share with us what, if any, decisions were made regarding it? Thanks. The McPhee's

-----Original Message-----

From: spmcphee < spmcphee@aol.com>  
To: PWalker < PWalker@sewallspoint.org>  
Cc: vbarile < vbarile@sewallspoint.org>; jcampos < jcampos@sewallspoint.org>; jthurlow-lippisch < jthurlow-lippisch@sewallspoint.org>  
Sent: Wed, May 6, 2015 4:00 pm  
Subject: Re: "Lantana Park"

Thank you Ms. Walker,

It was upsetting to see this again after three years. We have pages of fruitless and frustrating emails from August 2012 expressing our serious concerns about this. The survey attached does not address the logistics or exact plans, but characterizes it as potential "improvements" to "Lantana Lane Park", which implies that it is in need of 'improvement', when in actuality it isn't a park, and it isn't in need of 'improvement'. It's a retention area, much like several others located throughout town that haven't been given park names.

Unlike the real park across the street from Town Hall (which is just one mile away) this area does not have any infrastructure to support a "park". There is no parking (in fact, whenever there is a garage sale, it's a nightmare). A young child was actually hit by a car on the corner of Lantana Lane and Admirals Walk in 2002. There is no lighting, and if lighting is put in, it will shine into surrounding homes. If no lighting, it has the potential to turn into a teen hangout. We have seen countless tress planted in that space, only to watch them die shortly thereafter. Children already have a wonderful time playing in the green space when it isn't holding rain water, so it is unnecessary to officially "park-ify" it as it is already enjoyed as such. Several of the homes that would be negatively impacted by parking/lighting issues have out of area owners and/or are vacant.

We have enjoyed our quiet sanctuary for nearly 13 years now and normally do not get involved in any politics. But because this threatens the solitude we cherish, we feel compelled, once again, to ask that this small area with no parking be left just the way it is to do the job it was designed to do. It seems that if unnecessary changes stand to negatively impact the quality of life of ANY of its residents, then it shouldn't be done. The McPhee's

-----Original Message-----

From: Pamela Walker < PWalker@sewallspoint.org>  
To: spmcphee < spmcphee@aol.com>  
Sent: Tue, May 5, 2015 6:06 pm  
Subject: RE: "Lantana Park"

Thank you very much for taking the time to send us your thoughts on this issue. I will be sure that your opinions are shared with the Commission as they make their decision.

**Pam Mac'Kie Walker**

**Town Manager**

One South Sewall's Point Road

Sewall's Point, Florida 34996

(772) 287-2455

 Please consider a tree before printing this email.

**From:** [spmcphee@aol.com](mailto:spmcphee@aol.com) [<mailto:spmcphee@aol.com>]

**Sent:** Tuesday, May 05, 2015 2:54 PM

**To:** Pamela Walker

**Subject:** "Lantana Park"

Good Afternoon,

Attached you will find two documents. One is the letter that was sent to us about what is now being dubbed "Lantana Lane Park", and the other is the completed survey about the same property. **We are very much against** turning this **retention** area located on the corner of Admiral's WALK and Lantana Lane into something it was never intended to be, especially not a "park", as we have already shared some time ago with your predecessor the last time this was proposed (when it was dubbed "pocket park") . Please acknowledge that you were able to open these and print them out, and/or if we should also drop copies off to Town Hall. The McPhee's

PAUL LUGER  
Mayor

DAN MORRIS  
Vice Mayor

VINCENT N. BARILE  
Commissioner

JAMES W. CAMPO, C.F.A.  
Commissioner

JACQUI THURLOW-LIPPISCH  
Commissioner

# TOWN OF SEWALL'S POINT



PAMELA MAC'KIE WALKER  
Town Manager

LAKISHA Q. BURCH, CMC  
Town Clerk

TINA CIECHANOWSKI  
Chief of Police

JOHN ADAMS  
Building & Facilities Director

JOSE TORRES  
Maintenance

May 1, 2015

Neighbor  
8 Admiral's Walk  
Sewall's Point, FL 34996

Re: Lantana Lane Park

Dear Neighbor:

The Town of Sewall's Point would like your ideas!

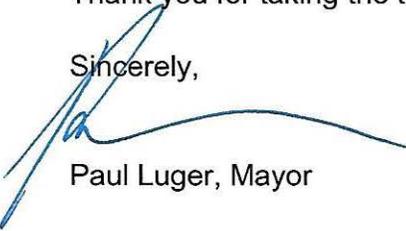
We are considering improvements to properties owned by the Town, including the vacant property located at the corner of Admiral's Way and Lantana Lane. While the primary purpose of the property is stormwater ~~detention~~, the property can be used for other purposes during its usual dry condition. *retention*

Would you be willing to share your ideas with us? There is a brief questionnaire attached to this letter that is being distributed to property owners in the vicinity of the park. If you would like to have a say about potential changes to this property, kindly take a moment to respond.

Your answers can be returned by mail, dropped off at Town Hall, or sent via email to our Town Manager, Pam Walker: [pwalker@sewallspoint.org](mailto:pwalker@sewallspoint.org). The input received will be reported to the Town Commission at our workshop on June 16, so we need your response **no later than May 30** (sooner would be greatly appreciated).

Thank you for taking the time to share your thoughts with the Town. We value your input.

Sincerely,

  
Paul Luger, Mayor

One South Sewall's Point Road, Sewall's Point, Florida 34996  
Town Hall (772) 287-2455 • Fax (772) 220-4765 • E-Mail: [townhall@sewallspoint.org](mailto:townhall@sewallspoint.org)  
Police Department (772) 781-3378 • Fax (772) 286-7669 • E-Mail: [sppd@sewallspoint.org](mailto:sppd@sewallspoint.org)

# Lantana Park Survey

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: <u>McPhee</u>	
Address: <u>8 Admirals Walk</u>	Telephone Number: <u>772-260-4024</u>
Email address: <u>spmcphoe@aol.com</u>	Household age range: <u>N/A</u>

1. How would you rate the current condition of this park?

- Excellent as is     Acceptable     Needs Improvement     Unacceptable

2. What would you say should be the primary use of this park? (You may check up to 3)

- Children playing     Dog walking     Relaxing     Meet Neighbors  
 Athletic activities     Exercise     retention pond     \_\_\_\_\_

3. Please rate the overall appearance of the park as it exists today:

- Excellent as is     Acceptable     Needs Improvement     Unacceptable

4. Please identify improvements you would like to see at this park? (You may check up to 3)

- Landscaping     Lighting     Gazebo     Benches  
 Sports facilities     Drinking Fountain     Walking paths     No Changes

5. Please identify activities you would like to see at this park? (You may check up to 3)

- Dog Shows     Neighborhood gatherings     Kids' athletics     Educational programs  
 Exercise     A place for flood waters to go.     dog walking     None

6. Comments:

*A place for serenity*

- Concerned about parking (lack of) if this retention area is called a "park"
- Flooding, as that is its true purpose.
- becoming a Teen hangout
- negative noise impact on adjacent, nearby properties.



Thu 8/13/2015 2:14 PM

Art Schwartz <aschwartz@imagesysgroup.com>

Rio Vista Pocket Park

To Pamela Walker

**i** You replied to this message on 8/13/2015 5:12 PM.

My wife and I have been the owners of 21 Lantana Lane in Sewalls Point for the past ten years. We love our home and the Sewall's Point area in general. We've experienced an ideal mix of children, pets, and adults that walk or ride by our home each day. We've become aware of an initiative to build a pocket park on Rio Vista. I really don't believe there would be any benefit to the local residents of Sewalls Point by building such a park. I sincerely hope that the idea of a pocket park in my neighborhood goes away and goes away quickly.

Arthur Schwartz  
21 Lantana Lane  
Stuart



**Art Schwartz**  
President/CEO

Tel. 732.302.1500 Ext.116  
Cell. 732.236.7156

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# Lantana Park Survey

**Town of Sewall's Point**  
 One South Sewall's Point Road  
 Sewall's Point, FL 34996



Please complete the following Survey regarding potential improvements to Lantana Lane Park.

*Answers to these questions is optional but helpful*

Name: <u>GRACE STERN</u>	
Address: <u>9 LANTANA LANE</u>	Telephone Number: <u>561 870-3652</u>
Email address: <u>gracepsterne@gmail.com</u>	Household age range: <u>50-60</u>

1. How would you rate the current condition of this park?

- Excellent as is       Acceptable       Needs Improvement       Unacceptable

2. What would you say should be the primary use of this park? (You may check up to 3)

- Children playing       Dog walking       Relaxing       Meet Neighbors  
 Athletic activities       Exercise       \_\_\_\_\_       \_\_\_\_\_

3. Please rate the overall appearance of the park as it exists today:

- Excellent as is       Acceptable       Needs Improvement       Unacceptable

4. Please identify improvements you would like to see at this park? (You may check up to 3)

- Landscaping       Lighting       Gazebo       Benches  
 Sports facilities       Drinking Fountain       Walking paths       No Changes

5. Please identify activities you would like to see at this park? (You may check up to 3)

- Dog Shows       Neighborhood gatherings       Kids' athletics       Educational programs  
 Exercise       \_\_\_\_\_       \_\_\_\_\_       None

6. Comments:

SEE ATTACHED LETTER

From:  
Mr. & Mrs. Mark Stern  
9 Lantana Lane  
Sewall's Point, Fl 34996

May 11, 2015

Re: Lantana Lane Park

Dear Mr. Luger,

As the homeowners directly across the street from the water detention property on Lantana Lane & Admiral's Way, we are deeply concerned that the town is considering 'developing' this small piece of property.

While the area does sometimes fill up with water, and the grass sometimes doesn't get cut for months, it's usually dry enough to walk and play on; But it is a relatively small area not big enough for playing fields. The area is already frequently used by local children, dog owners and it provides a place for walkers and people of all ages to stop and rest on the existing park bench. As I write this letter at 5:00pm there are 4 young boys playing in this field across the street with a tennis ball and bat.

A few years ago there was a public garbage can next to the existing bench on the northeast corner of the property. The garbage can would fill up and overflow regularly with food containers [some still containing food] mostly from the landscape workers who would eat lunch there everyday; They were filling a garbage can that we had to look at and sometimes smell and they were not residents of Sewall's Point. Also the garbage can always contained bags of dog feces which dog owners would leave. Dog walkers would also deposit their bags of feces in the garbage can as they walked by, not wanting to take the bags home. Living directly across the street, the smell of the dog feces and stale food was not pleasant. Raccoons were also raiding the garbage can at night. Thankfully that garbage can went away.

The thought of having sports facilities, excessive noise, a drinking fountain, gazebo, walking trails, and/or lighting frankly on this small plot frightens us. The peaceful block we currently live on will no longer be so peaceful. We believe the property is currently being used at it's optimal capacity serving a dual-purpose as a water detention area and by offering locals a place to play and relax, yet not drawing large amounts of people, cars and potentially loud activities.

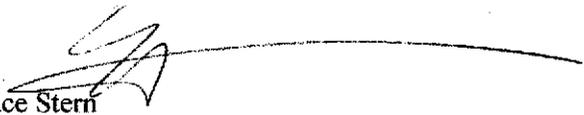
This is a charming quiet neighborhood, something we've worked hard to experience, and we believe this is something all Sewall's Point residents are entitled to. To have a dedicated park that draws distant people, noise and cars parked in front of our homes is not a welcome proposition.

As residents of Sewall's Point, we would rather instead see Town monies put toward repaving roads, installing a bike-lane and sidewalk on Sewall's Point Road, erecting streetlights in unusually dark areas, and conducting more police radar enforcement on our *interior* streets, As dog owners and dog walkers, we are frequently approached and sometimes passed by cars going 35mph+ on interior streets. It's frustrating to see the same people always in a hurry speeding, unchecked.

We feel strongly that Sewall's Point Road would benefit from a bike-lane and sidewalk. Nobody can refute the danger this road poses to walkers and bikers; And there are plenty of them who take their chances daily.

We respectfully ask that the Town reconsider development of the property and see it for what it already is: a functional & diverse property. It would be upsetting to lose our small piece of solitude here on Lantana Lane.

Sincerely,

  
Mark & Grace Stern  
561-870-3652 gracepster@gmail.com