

PLANNING COMMISSION  
**April 25, 2018**  
Meeting Minutes

The Planning Commission of Monroe County conducted a meeting on **Wednesday, April 25, 2018**, beginning at 10:00 a.m. at the Marathon Government Center, 2798 Overseas Highway, Marathon, Florida.

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL** by Ilze Aguila

**PLANNING COMMISSION MEMBERS**

Denise Werling	Present
William Wiatt, Chair	Present
Teri Johnston	Present
Ron Miller	Present
Beth Ramsay-Vickrey	Present

**STAFF**

Steve Williams, Assistant County Attorney	Present
John Wolfe, Planning Commission Counsel	Present
Emily Schemper, Assistant Director of Planning and Environmental Resources	Present
Devin Rains, Principal Planner	Present
Cheryl Cioffari, Principal Planner	Present
Janene Sclafani, Sr. Planner	Present
Devin Tolpin, Planner	Present
Matthew Restaino, Planner	Present
Ilze Aguila, Sr. Planning Commission Coordinator	Present

**COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL**

County Resolution 131-92 was read into the record by Mr. Wolfe.

**SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS**

Ms. Aguila confirmed receipt of all necessary paperwork.

**CHANGES TO THE AGENDA**

Ms. Ilze Aguila reported that staff had requested a continuance for Agenda Items 1 and 6. Agenda Item 1 had not been posted properly and Agenda Item 6 had a discrepancy in the calculations for the parking variance, and therefore did not line up with the ad that had been placed. The applicants for Agenda Items 2 and 3 had requested a continuance to the next meeting. All four items would be continued to the May 30, 2018 Planning Commission Meeting.

**Motion: Commissioner Wiatt made a motion to continue Item 1, Family Dollar Alcohol Beverage Application; Item 2, Howard PC Variance Application; Item 3, Levine PC Appeal; and Item 6, Summerland Key Marina PC Variance, until the May 30, 2018 Planning Commission Hearing. Commissioner Johnston seconded the motion. There was no opposition. The motion passed unanimously.**

**SWEARING OF COUNTY STAFF**

County staff members were sworn in by Mr. Wolfe.

**ANNOUNCEMENT**

Ms. Emily Schemper introduced two new staff members to the Commission; Cheryl Cioffari, Principal Planner, and Matt Restaino, Planner, both presently stationed in the Marathon office, subject to change.

**APPROVAL OF MINUTES**

**Motion: Commissioner Wiatt made a motion to approve the February 26, 2018, meeting minutes. Commissioner Ramsay-Vickrey seconded the motion. There was no opposition. The motion passed unanimously.**

**MEETING**

**New Items:**

**4. J-DAO, LLC, 91260 OVERSEAS HIGHWAY, TAVERNIER, MILE MARKER 91: A PUBLIC HEARING CONCERNING A REQUEST FOR A 2COP ALCOHOLIC BEVERAGE SPECIAL USE PERMIT, WHICH WOULD ALLOW BEER AND WINE FOR SALE BY THE DRINK (CONSUMPTION ON PREMISES) OR IN SEALED CONTAINERS FOR PACKAGE SALES. THE SUBJECT PROPERTY IS COMMONLY KNOWN AS TAVERNIER TOWNE SHOPPING CENTER AND IS LEGALLY DESCRIBED AS PART OF LOT 15 AND PART GOVERNMENT LOT 2, SECTIONS 33 AND 34, TOWNSHIP 62 SOUTH, RANGE 38 EAST, KEY LARGO, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00089910-000100. (File 2018-020)**

(10:05 a.m.) Mr. Devin Rains, Principal Planner, presented the staff report and announced that the applicant's agent was also present. This application is for a 2COP Alcoholic Beverage Use Permit to allow beer and wine for sale by the drink or in sealed containers for consumption on or off the premises. The property is commonly known as Tavernier Towne Shopping Center in Tavernier. The parking and other amenities are well established for this facility. The site is located in a portion of the shopping center that has previously been a restaurant. This site also previously had 2COP alcoholic beverage use licenses, the most recent being closed out in 2015. Staff recommends approval for the 2COP Alcoholic Beverage Use Permit. The recommendation may be changed or affected based on any public comments. Mr. Rains reminded the Commission that Alcoholic Beverage Special Use Permits issued by Monroe County are deemed privileged, running with the property, and the sale of that real property would establish those rights and obligations to the new purchaser as long as that license remains active. Sales and consumption shall occur only within the areas allowed and approved by the Monroe County Planning and Environmental Resources Department which, in this case, is within the restaurant

itself. In the event the license by the Florida DBPR expires and lapses, this Alcoholic Beverage Special Use Permit approval shall become null and void.

Commissioner Miller asked if the other license for this property had been closed out. Mr. Rains responded affirmatively, adding that the previous entity that had held license had closed them out when the business closed, and there was no evidence of any negative issues related to those licenses.

Chair Werling asked if the applicant wished to speak, which they did not. Chair Werling asked for public comment. There was none. Public comment was closed.

**Motion: Commissioner Ramsay-Vickrey made a motion to approve. Commissioner Johnston seconded the motion. There was no opposition. The motion passed unanimously.**

**5. L.J. GATOR, L.C. DBA BOONDOCKS GRILLE & DRAFT HOUSE & MINIATURE GOLF, 27205 OVERSEAS HIGHWAY, RAMROD KEY:** A PUBLIC HEARING CONCERNING A REQUEST FOR A SIGN VARIANCE TO MAXIMUM SIGN ALLOWANCES IN CHAPTER 142 OF THE MONROE COUNTY LAND DEVELOPMENT CODE (LDC). APPROVAL OF THE SIGN VARIANCE WOULD RESULT IN ONE (1) ADDITIONAL GROUND MOUNTED SIGN, FOR A TOTAL OF TWO (2) GROUND MOUNTED SIGNS TO BE LOCATED ON THE SUBJECT PROPERTY WITHIN THE SUBURBAN COMMERCIAL (SC) LAND USE DISTRICT. THE SIGN VARIANCE IS REQUESTED FOR A PROPOSED 116 SQUARE FOOT GROUND MOUNTED SIGN HAVING TWO FACES FOR A TOTAL FACE AREA OF 232 SQUARE FEET, LOCATED ON A PARCEL COMMONLY KNOWN AS BOONDOCKS GRILLE & DRAFT HOUSE. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS PARCELS OF LAND IN SECTIONS 29 AND 32, TOWNSHIP 66 SOUTH, RANGE 29 EAST, RAMROD KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 0014030-000500. (File 2018-026)

(10:10 a.m.) Ms. Devin Tolpin, Planner, presented the staff report, first bringing to the Commission's attention a supplemental memo to the staff report that had gone out on April 17, 2018, which stated, "Please note the following communication of the applicant: The subject sign of this variance is proposed to be an illuminated ground-mounted sign. All references to a non-illuminated sign within the staff report should be disregarded. The illuminated aspects of the proposed ground-mounted sign shall be subject to the requirements and restrictions of the Monroe County Land Development Code and will be reviewed for compliance prior to issuance of a building permit."

Commissioner Miller asked whether the Commission would be voting on the illumination aspect or whether the Building Department would be the entity signing off on that. Ms. Tolpin responded that the variance was for the number of ground-mounted signs.

Ms. Tolpin proceeded with the staff report indicating that the applicant was requesting a sign variance to maximum sign allowances in Chapter 142 of the Monroe County Land Development Code. The sign variance is requested for an additional ground-mounted sign to be located on the

subject property. The additional sign is a double-faced 232 square foot, 116 square foot per face, ground-mounted sign. The existing ground-mounted sign will be modified to match the dimensions of the proposed sign. The proposed variance would result in a total of two ground-mounted signs with a total ground-mounted sign face area of 464 square feet fronting U.S. 1 on the subject property known as Boondocks Grille and Draft House and Miniature Golf, located at 27205 Overseas Highway, Ramrod Key, at Mile Marker 27.2. The site is 56,743 square feet, located within the Suburban Commercial Land Use District, the Mixed Use Commercial Future Land Use Map and is designated as Tier III Infill Area.

Pursuant to Land Development Code Section 142-4(c)(1) Land Use District, every developed parcel of land with a commercial or non-residential use shall be allowed one illuminated or non-illuminated ground-mounted sign of a height not more than 24 feet for each frontage as indicated in the following table. Photographs were presented of the existing and proposed ground-mounted sign. Images of the proposed modifications were included in the staff report. An aerial was presented indicating the location of the existing ground-mounted sign as marked by the green "x" and the location of the proposed ground-mounted sign marked by the red "x." Staff has found that the applicant has demonstrated compliance with all necessary standards for approval pursuant to LDC Section 142-6 and recommends approval. Ms. Tolpin noted that staff had received some public comments expressing opposition to the illuminated sign, but that any illumination would be subject to the LDC Section 114 and subject to the outdoor lighting requirements. Ms. Tolpin asked if the Commission had any questions.

Commissioner Johnston asked what portion of the proposed sign was actually illuminated. Ms. Tolpin responded that it would be the lettering, as well as the LED message board at the bottom.

Mr. Williams asked the Chair if the larger screen could be seen and read by the Commission, which it could not, but the Commission had other screens that could be seen and the reports in front of them.

Commissioner Miller asked where the regulations stood regarding signs. Mr. Williams responded that the BOCC had authorized outside counsel from the mainland to come and examine the County's sign code which is in the process of being drafted. Commissioner Miller asked if that would help when it comes to these variances. Mr. Williams stated that it would not in this particular situation, that counsel is not rewriting size and scope, but is eliminating all reference to content in the Code which a Supreme Court case in Arizona took away from communities approximately three years ago. An argument could be made that some distinctions made in the County's Sign Code were no longer constitutional. But size, variance and location were not being addressed.

Commissioner Miller asked regarding page eight of nine at the bottom where an administrative variance was referenced, and whether the Planning Director was authorized to grant administrative variances to the maximum per face requirements and whether that would apply to this property. Ms. Schemper responded that this request for a variance was to have two separate ground-mounted signs rather than one, which is the current requirement in the Code. Maximum area would not help the applicant in this case. The main point of this request is the applicant's desire to have one sign next to each driveway since they have two separate driveways.

Chair Werling asked if the applicant would like to speak, which they did not. Chair Werling asked for public comment.

Ms. Jan Edelstein of Cudjoe Key was sworn in by Mr. Wolfe and stated that she was speaking in favor of enforcing the sign ordinance as written in order to protect the community character and scenic resources of the Lower Keys. This application doubles the number of signs and increases the face amount by 15 percent. Ms. Edelstein stated that Boondocks presently has a very prominent sign that is very visible to motorists on this two-lane, all American scenic highway. The layout of Boondocks provides a well-organized entry which brings the motorist into the center of the compound with the golf on the left and the restaurant/bar on the right. Parking is provided in the middle area with the driveway continuing to parking behind and on the far side of the golf course as well as on the other side of the restaurant, but that all of the parking is accessed through the center area. There is a secondary driveway which is shared with the adjoining business strip/office building to the right that goes back to Old State Highway 4A running behind the property, all shown by staff's aerial earlier presented.

Ms. Edelstein presented another photograph with a red mark where she estimates the new sign is going which would be more prominent and further from the building than the existing sign. According to the sign ordinance, the applicant must establish that seven factors are met. The first factor is the undue hardship and unique circumstance test. The applicant is not unduly harmed by having only one sign, nor does the applicant assert that it suffers undue harm. Instead, the applicant asserts that it will help the driver know where to go and they have already done an excellent job of telling the driver where to go. The applicant asserts that the situation is unique as there are two uses on the property with two entrances and he should therefore have two signs. This is not a unique situation as Looe Key Resort has one modest sign which serves a bar, a restaurant, an active dive operation and a motel. Big Pine Plaza is another example of a modest sign with an entrance arrow at the first driveway and another entrance arrow at the second driveway. The second criteria, is that the variance would not be materially detrimental to neighbors, but the County Lighting Code does not protect from sky glow. The Lighting Ordinance and Sign Ordinance need to be revised to protect from this. The third criteria, is that the situation faced by the applicant is not faced by other owners in unincorporated Monroe County, yet every property owner is subject to this requirement of one sign and they comply. The fourth criteria, is that the variance is not contrary to the general objective of the sign ordinance which is to moderate the size, number and obtrusive placement of signs and reduction of clutter. Two is more than one, the size is being increased by 15 percent, and would clutter the roadway by being moved closer to the roadway.

Ms. Edelstein pointed out that the first and foremost purpose of the sign ordinance is to implement the Comp Plan relating to community character, scenic resources and protection of areas from incompatible uses. The Lower Keys Livable CommuniKeys Plan states that the Lower Keys are a place of low-density rural development with scaled businesses that serve the local community. Another sign is contrary to that scale. This is fronted on an all American road, one of 30 in the country and the only one in Florida, and is unique in being two lanes and in a natural setting. Boondocks is not located in an Urban Commercial area such as North Roosevelt Drive or in Marathon where a large sign would just blend into the other clutter, but is in a small

spot of recreational commercial zoning nestled in a native area and old homes. If the applicant is found to have met all seven burdens to obtain a variance for this second sign, then Ms. Edelstein urges a condition on height to not exceed 18 feet, nor for the face to exceed 400 square feet, and that neither sign should ever be lit. The neighbors, local businesses and all residents driving on U.S. 1 expect the laws of Monroe County to be applied as written to protect community character and the scenic resources of the Lower Keys.

Mr. Bill Hunter of Summerland Key was sworn in by Mr. Wolfe and stated that he was not speaking so much about the sign but rather about variances. This Commission had discussed variances several months ago, both the number being received and the rationale for the variances. It seemed like the Commission was granting variances over and over. The Code is the Code and either the Code is right or the Code is wrong. A variance should have a very good and unique reason for being granted. Mr. Hunter did not hear the Planner state why they were recommending that this variance be granted and he would like to hear more discussion on the seven burdens, the unique reason for this variance and variances in general. If the Code is wrong, it can be changed. The sign ordinance is about to be rewritten and this would be the opportunity to change it.

Chair Werling noted there were no further public members presented and closed public comment. Chair Werling asked if the applicant now wanted to speak.

Mr. Jim Reynolds, the engineer for the applicant, was sworn in by Mr. Wolfe and stated that he believes Boondocks is a unique situation in the Keys with the co-joined golf course and restaurant uses. The golf course had originally been a separate parcel and there are two distinct uses. On this section of the two-lane highway there is very heavy traffic. Customers do also enter by Ramrod Plaza and park on that side and customers are not sure which driveway to enter, so there is a traffic flow issue. The existing sign was damaged by Hurricane Irma and needs to be replaced so this seemed like a good opportunity to take the one sign and separate it into two signs to help improve that traffic flow. The illuminated part is only the message sign. Ground-mounted lights are not intended to be used. The applicant believes this is a unique situation, that this would improve traffic flow and safer access, and that the increase in sign square footage is not detrimental to anyone.

Chair Werling asked if the big square part of the sign with the name Boondocks Grille and Draft House was illuminated at all. Mr. Reynolds responded that it was not and pointed out on page five of the staff report where there is a picture with the message board at the bottom. Chair Werling asked if the banners out on the right-of-way would go away upon getting the second sign. Mr. Reynolds believed those were temporary after the storm. Chair Werling stated that had been there for years. Mr. Reynolds responded that he couldn't speak to that.

Mr. Wayne Gardner, the applicant, was sworn in by Mr. Wolfe and responded that the banners were part of their marketing plan. To his knowledge, this was legal and he had never had anyone state that this was not able to be done. Chair Werling recalled that the banners would be counted as part of the signage against whatever the square footage of the sign is. So technically, if the permanent signage is maxed out, that would limit the banners which would not be legally allowed. Chair Werling remembered going around and around with this topic. Mr. Williams

confirmed Chair Werling's memory of the situation. Mr. Gardner stated he honestly wasn't aware, that he has owned the property for 17 years and has had banners there every day for 17 years. Chair Werling added that the meeting had been very well attended, and that the sandwich boards were also a big deal. Mr. Gardner responded that he remembered the sandwich boards, but that he owned the property out front in the right-of-way. Commissioner Wiatt added that one of the issues associated with signage right on U.S. 1 is the FDOT easement and signage requirements on their property, then once Mr. Gardner's property is reached it falls under County requirements. Commissioner Wiatt recalls approving one sandwich board if it met certain criteria, but his understanding is that the banners are not to Code. Chair Werling reiterated that it counts against the square footage of the sign. Commissioner Wiatt wanted the applicant to be aware of that now that he's drawn attention to his signage.

Chair Werling asked if the applicant wanted to rethink this. Mr. Gardner responded that the concept was they had the two big signs as one. Over the years, families come in through the bar when they are coming to play miniature golf so it just seemed to make sense, since the sign had to be redone due to the storm, to separate those two signs and put one in front of the golf course and one in front of Boondocks with the same illumination and everything they've been doing. Chair Werling understood but noted that with the tiki continuing it looks joined to the golf portion as if it is all one entity. Mr. Gardner understood, but added that it had already been approved for him to develop the property in front of the strip mall so there will be a larger parking lot in front. He will be advertising to people who pull into the big parking lot first. He is trying to handle the traffic issue and get the miniature golf families over to that side of the property, and get the bar and restaurant people to the other side.

Commissioner Miller asked how the sign installed after the turnoff to the parking lot being developed would go. Mr. Gardner responded that it would be able to be seen coming all the way down. The Grille and Draft House sign would be before the first parking lot and then beyond it would be the miniature golf sign. It would be understandable that you could go past the restaurant if you wanted to go to the miniature golf side. Commissioner Miller clarified that he was referring to the current sign. Mr. Gardner stated it would be right before the sign, adding that FDOT was also making him widen the entrance.

Commissioner Ramsay-Vickrey interjected that when coming up from Key West, it is less confusing than when coming down from Key Largo, to which Mr. Gardner agreed. Commissioner Ramsay-Vickrey continued that there was something to be said for the separation of the bar/restaurant and the family side.

Commissioner Johnston asked what the speed limit is on U.S. 1 in front of Boondocks, which Commissioner Ramsay-Vickrey responded that it is 45.

Commissioner Wiatt asked how many parcels had been incorporated as one on the site. Mr. Gardner responded that the golf course had been two pieces of property, and then the FDOT property was one piece in front of it; Boondocks was one piece of property, and then he bought the FDOT property in front of that; then Ramrod Plaza was another piece of property and he had purchased the FDOT property in front of it. So that total is seven. Commissioner Wiatt then indicated that a variance may very well be appropriate for this property as it is actually more than

one property. There are two driveways and a lot of linear footage on U.S. 1. If the properties had been developed based on the number of parcels, there might be four signs along U.S. 1. Chair Werling agreed. Commissioner Wiatt continued, adding that he does not take variances lightly, nor does he believe the County takes them lightly, but the idea of having a Code so well defined that it would address any and all possibilities is a bit of a pipe dream and variances are part of the Code, and he believes this property is a good example of where a variance opportunity is appropriate.

Commissioner Miller asked Commissioner Wiatt about having two signs and additional banners. Commissioner Wiatt believed the banners would be out based on the Sign Code unless a variance was allowed for the banners, which would probably not fly.

Mr. Wolfe submitted that the banners and whether they were or were not in compliance was not in front of the Commission today. The Commission indicated they understood that. Chair Werling did note that if applicants were generally doing something incorrectly, the Commission wouldn't necessarily agree to give them something additional and that the sign issues had been a big deal. Commissioner Miller added that he would have a problem voting for the variance without somehow stating that the variance was passed with the stipulation that this is it for signage. Commissioner Wiatt asked if it was possible to look at the Code to identify whether banners were preapproved. Mr. Williams responded that this would typically be handled with Code Enforcement. Mr. Wolfe agreed, adding that if there were an active Code Compliance case, this item wouldn't appear before the Planning Commission until that was resolved.

Mr. Gardner commented that he would welcome Code Enforcement if it were to be done in the Lower Keys overall, that he would get rid of all of his banners if that also applied to all of his competitors. He would not want selective enforcement. Chair Werling assured Mr. Gardner that he was not being singled out.

Commissioner Ramsay-Vickrey agreed with Commissioner Wiatt as to the way this property had been parceled together and that these were separate businesses. Further, the fact that one is a bar and one is a children's putt-putt golf, she would lean toward approving the sign variance. Chair Werling asked if the new sign would only have the golf course information. Mr. Gardner confirmed this, adding that they wanted to be able to put the kids' "happy birthday" message on the sign and that type of thing. There was further discussion as far as the photographs in the staff report. Mr. Gardner stated that the actual sign hadn't been designed yet. Mr. Williams responded that if that is the case, this item was before the Commission prematurely. Mr. Gardner added that the sign would look like the photo but with a reader board that blew out during the storm. Commissioner Ramsay-Vickrey noted that page six showed the "proposed sign" which did not show a reader board. Mr. Reynolds interjected that his understanding was that the additional square footage gets approved first, and when they come in for a building permit, that's when the sign gets established. Ms. Schemper clarified that this variance would be approved based on plans submitted and should be the actual plans for the sign. Ms. Schemper explained that on page five of the report with the Boondocks Bar and Grille sign, the applicant is saying that the mini golf sign would look like that, but there are no plans to show that. Mr. Gardner reiterated that the exact measurements had been sent out to the community and it was not his understanding that the illumination had to be stated. Chair Werling indicated that it did.

Ms. Schemper asked Mr. Wolfe if there was an option to continue this item until the actual plans were submitted. Mr. Wolfe thought the best thing would be to continue the item and await the accurate second sign.

Chair Werling noted that Commissioner Ramsay-Vickrey had mentioned that it looked like the miniature golf sign had been taken off of the existing sign and was being moved to the further location, so now the Commission is confused. Mr. Gardner responded that it does not show the reader board as the new sign had not yet been designed. He did not want to pay somebody to design the sign until it was approved. The community had been notified as to the size of the sign. He didn't believe the illumination or the reader board needed to be addressed. Commissioner Wiatt stated that the sign pictured was identified as the "proposed sign." Mr. Gardner responded that it would look exactly like the one next to it, that he had copied and pasted it rather than paying the graphic artist to design the sign and put the reader board at the bottom of the picture. Chair Werling expressed concern as to the legality of this for the Commission. Mr. Wolfe added that if the applicant did prevail on this at this time, it would be a basis for appeal and that a continuance may be preferable.

Commissioner Ramsay-Vickrey asked Mr. Wolfe if he could help the applicant with his questions of what needed to be done. Mr. Wolfe indicated he was conferring with staff now and looking at the Code. Mr. Gardner reiterated that he was under the impression that he was here today solely about size and locations and he was not trying to pull a fast one. The Commission indicated that they did not believe that to be the case, but felt it needed to be clarified. Commissioner Ramsay-Vicrey noted that if the Commission was confused, the public would be confused. Commissioner Wiatt added that it may make no difference in the end, but it appears to be a misrepresentation.

Mr. Wolfe announced that after reviewing the Code, reader boards are allowed on both sides of the sign as long as the building permit application has it on there, and they are in compliance with the illumination standards. The Commission could approve this variance for the size of the signs and the number of the signs, subject to the applicant meeting all requirements of the normal requirements of the Land Development Code and the Building Code, which the applicant would have to do. Commissioner Ramsay-Vickrey asked if there was a "however" and Mr. Wolfe responded he was not aware of a "however." Commissioner Wiatt asked if there was no concern that the document was going out to the public and it wasn't completely accurate. Mr. Williams responded that the application states, "new miniature golf sign" and has a picture that is not what is being approved today, which is his concern. The Commission does have the ability to approve this today, but Mr. Williams doesn't like staff receiving documents and plans that on the day of the hearing, with no notice to the public, where a sign that's different than what was submitted was being approved. Technically, under the Code, the Commission can approve the size, the second sign, et cetera, but the picture of the new miniature golf sign is not as discussed here today. Mr. Wolfe added that the preference would be to have the depiction of the two signs with reader boards on both. However, the application is for a sign variance to the maximum sign allowances and the additional ground-mounted sign. The specific application has to do with size and number, not with what's on there. It is not an ideal situation, but can legally be approved subject to the applicant meeting all of the other requirements.

Commissioner Miller asked if the applicant wanted the Commission to vote now or to continue the item. Mr. Gardner stated that he wants to get his sign corrected in front of his business and asked questions about the process which were responded to by Chair Werling. Commissioner Ramsay-Vickrey asked staff if the neighbors needed to be re-notified, which was not required. Commissioner Wiatt asked what the neighbors had received. Ms. Schemper responded that the photo was posted as part of the file on the County's website so neighbors receiving the notice in the mail may have gone to the website to see the file. Commissioner Wiatt asked if the applicant were to continue the item, the changes were made to the website and the item was re-noticed, would he be able to move forward on May 30. Ms. Schemper believed so, but asked the applicant if adding the reader board to the photographic image of the sign would depict what is being proposed or were the graphics and wording also being changed. Mr. Gardner stated this was a tough spot because he has to pay someone to design a sign before being approved for size. All he wanted to be approved for today was size and the second sign. Commissioner Wiatt noted that a photograph had been presented and wanted to know if they actually needed to have a diagram at all. Mr. Williams responded that empty and content-less would be more accurate than erroneous content. Commissioner Wiatt added not even erroneous, but content that misrepresents. Mr. Williams agreed, adding that the sign appears to the public, as advertised, as the sign that is being approved and it's not.

Mr. Gardner again asked for clarification that if he were to submit everything exactly as submitted, taking the picture out, if that would make the Commission feel better in voting on this. Ms. Schemper stated that he wouldn't need to submit a complete application packet, just the page with the signage. Chair Werling suggested it state the size with a lighted reader and the dimensions. Commissioner Miller added that he had spent years out in the audience and before coming to the meetings, he looked on the website to see what was going to happen. So to change it or have it not be accurate was the problem. Mr. Gardner conceded that it was misleading, but that he had been looking at it as to size and the second sign, and agreed to withdraw the item today and would see the Commission next month. Chair Werling added that in the long run, the Commission was trying to save the applicant from worse things happening.

Mr. Gardner asked for a continuance to the May 30, 2018 meeting.

**Motion: Commissioner Ramsay-Vickrey made a motion to approve the applicant's request for a continuance to the May 30, 2018 Planning Commission Meeting. Commissioner Johnston seconded the motion. There was no opposition. Motion passed unanimously.**

#### **BOARD DISCUSSION**

There was no board discussion.

#### **ADJOURNMENT**

The Monroe County Planning Commission meeting was adjourned at 11:05 a.m.