



## Ocala Board of Adjustment Agenda - Final Monday, December 15, 2025

### **Meeting Information**

#### *Location*

Ocala City Hall  
110 SE Watula Avenue  
Second Floor - Council Chambers  
Ocala, Florida

<https://www.ocalafl.gov/meetings>

#### *Time*

5:30 PM

#### *Board Members:*

George Carrasco  
James Hartley, Chairperson  
Rusty Juergens  
Dustin Magamoll, Vice-Chairperson  
Brent Malever  
Ethan White

#### *Staff:*

Jeff Shrum, AICP  
Director  
Growth Management Department

Aubrey Hale  
Planning Director  
Growth Management Department

Endira Madraveren  
Chief Planning Official  
Staff Liaison

Gabriela Solano  
Committee Secretary

### **WELCOME!**

We are very glad you have joined us for today's meeting. The Zoning Board of Adjustment (BOA) is a quasi-judicial board that meets once a month to hear and decide only such special exceptions, variance, and appeals of the building official, as the BOA is specifically authorized to pass upon by the terms of the code and shall decide such questions as are involved in determining whether special exceptions should be granted. It shall grant approvals with such conditions and safeguards as are appropriate under the code and shall deny when not in harmony with the purpose, intent and requirements of the code.

### **GENERAL RULES OF ORDER**

The BOA is pleased to hear all non-repetitive comments. If you wish to appear before the BOA, please fill out an Appearance Request/Lobbyist Registration Form and give it to the BOA Recording Secretary. When the Chairman recognizes you, state your name and address and speak directly into the microphone. Persons with disabilities needing assistance to participate in any of these proceedings should contact the BOA Recording Secretary at (352) 629-8404 at least 48 hours in advance of the meeting.

### **APPEALS**

Appeals from decisions of the BOA shall be to the Marion County Circuit Court. Any person or any board, taxpayer, department or bureau of the City aggrieved by any decision of the BOA may seek review by a court of record of such decisions in the manner provided by law. Please be advised that if any person wishes to appeal any decision made by the BOA with respect to any material considered at the above meeting, they will need a record of the proceedings, and that, for such purpose, they may need to ensure a verbatim record of the proceeding is made.

- a. Pledge
  - b. Roll Call for Determination of a Quorum
2. Proof of Publication

It was acknowledged that a Public Meeting Notice was posted at City Hall (110 Se Watula Avenue, Ocala, Florida 34471) and published in the Ocala Gazette on November 21, 2025.

  - a. [Ocala Gazette Ad](#)  
**Attachments:** [BOA Ad PROOF 12152025](#)
3. Approval of Minutes
  - a. [September 15, 2025 Meeting Minutes](#)  
**Attachments:** [September 15, 2025 Final Minutes](#)
4. Public Hearing
  - a. [Public Hearing PH25-0003 to appeal the decision of the Building Official/Growth Management Director per Section 122-111 regarding the fee for digital off-site advertising signs, per Section 110-191\(e\)\(2\) of the Code of Ordinances.](#)  
Presentation By: William E. Sexton  
**Attachments:** [2025 07 28 Letter to City of Ocala](#)  
[2025 10 02 Letter to City of Ocala and Appeal Packet\(64959752.1\)](#)  
[Code of Ordinances Off-site Advertising Signs](#)  
[Table 1 Off-site Advertising Signs Approved Since 2012](#)  
[VIEW FLORIDA LLC SGN25-0009 SIGN ENGINEERING](#)  
[RANEY BILLBOARD SGN24-0135 SIGN ENGINEERING](#)  
[OCALA FEDEX SPLM23-45176 SIGN ENGINEERING](#)  
[PH25\\_0003\\_Case](#)  
[PH25\\_0003\\_Aerial](#)
5. Public Comments
6. Staff Comments
7. Board Comments
8. Next Meeting: TBD
7. Adjournment



# Ocala

## Legislation Text

110 SE Watula Avenue  
Ocala, FL 34471

[www.ocalafl.gov](http://www.ocalafl.gov)

---

**File #:** 2026-0441

**Agenda Item #:** a.

---

**Submitted By:** JaNiece Lucky

**Department:** Growth Management

---

**FORMAL TITLE:**

Ocala Gazette Ad

---

**OCALA'S RELEVANT STRATEGIC GOALS:**

Operational Excellence

---

**PROOF OF PUBLICATION:**

Ocala Gazette

---

**BACKGROUND:**

N/A



# NOTICE OF PUBLIC HEARING OCALA BOARD OF ADJUSTMENT

The Ocala Board of Adjustment will consider the following petition at its meeting on **Monday, December 15, 2025, commencing at 5:30 pm, in the City Council Chambers located on the Second Floor of City Hall at 110 SE Watula Avenue. The meeting may be viewed live by selecting it at <https://www.ocalafl.gov/meetings>.**

## SOUTHWEST

Petitioner: Ashley Hoffman Lukis, GreyRobinson P.A. Case: PH25-0003; A request for an appeal regarding the City's interpretation of the permitting fee for a digital off-site advertising sign under Section 110-191(e)(2) of the Code of Ordinances for a property located at 1609 SW 17<sup>th</sup> Street (Parcel 23656-014-01); approximately 5.30 acres.

JEFF SHRUM, AICP

DIRECTOR, GROWTH MANAGEMENT DEPARTMENT

The agenda and material related to items on each agenda will be available in advance online at [www.ocalafl.gov](http://www.ocalafl.gov).

Interested parties may appear at the meeting and be heard regarding their opinion of the proposed cases. Copies of the proposed cases are available and may be reviewed at the Growth Management Department, 201 SE 3rd Street, Second Floor, Ocala, telephone (352) 629-8404, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

If reasonable accommodations are needed for you to participate in this meeting, contact the Growth Management Department at (352) 629-8404, 48 hours in advance, so those arrangements can be made.

Any person who decides to appeal any decision of the Ocala Board of Adjustment with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made.





# Ocala

## Legislation Text

110 SE Watula Avenue  
Ocala, FL 34471

[www.ocalafl.gov](http://www.ocalafl.gov)

---

**File #:** 2026-0449

**Agenda Item #:** a.

---

**Submitted By:** JaNiece Lucky

**Department:** Growth Management

---

**FORMAL TITLE:**

September 15, 2025 Meeting Minutes

---

**OCALA'S RELEVANT STRATEGIC GOALS:**

Operational Excellence

---

**PROOF OF PUBLICATION:**

N/A

---

**BACKGROUND:**

N/A



# Ocala

## Board of Adjustment

### Minutes

110 SE Watula Avenue  
Ocala, FL 34471

[www.ocalafl.gov](http://www.ocalafl.gov)

---

**Monday, September 15, 2025**

**5:30 PM**

---

1. Call To Order

- a. Pledge
- b. Roll Call for Determination of a Quorum

**Present:** Chairman James Hartley  
George Carrasco Jr.  
Vice Chair Dustin Magamoll  
Brent Malever  
Ethan White

**Excused:** Rusty Juergens

2. Proof of Publication

It was acknowledged that a Public Meeting Notice was posted at City Hall (110 Se Watula Avenue, Ocala, Florida 34471) and published in the Ocala Gazette on August 29, 2025.

- a. Ocala Gazette Ad

**Attachments:** [BOA Draft Ad PROOF 09152025](#)

3. Approval of Minutes

- a. December 16, 2024, Meeting Minutes

**Attachments:** [December 16, 2024 Meeting Minutes.pdf](#)

**RESULT:** APPROVED

**MOVER:** Brent Malever

**SECONDER:** George Carrasco, Jr.

**AYE:** Chairman Hartley, Carrasco, Vice Chair Magamoll, Malever and White

**EXCUSED:** Juergens

- b. April 21, 2025, Meeting minutes

**Attachments:** [April 21, 2025 Meeting Minutes.pdf](#)

**RESULT:** APPROVED

**MOVER:** Dustin Magamoll

**SECONDER:** Brent Malever

**AYE:** Chairman Hartley, Carrasco, Vice Chair Magamoll, Malever and White

**EXCUSED:** Juergens

4. Special Exception

a.

**Attachments:**    [SE25-0005 Staff Report](#)  
                              [SE25-0005 Case Map](#)  
                              [SE25-0005 Aerial Map](#)  
                              [Concept Plan](#)  
                              [Letter to BOA](#)  
                              [American Tower Confirmation & FCC Permit](#)

Senior Planner, Emily Johnson, displayed maps and various photos of the property and adjacent properties while providing staff comments and the findings of fact for SE25-0005.

Mr. Hartley asked for clarification on whether approval of the tower would allow an expansion of the church. Emily responded the tower is being considered as its own use. She further clarified that the special conditions identify that the proposal does not change or expand the existing use.

Mr. Carrascao asked how many 100-foot towers are located within the City of Ocala in residential areas. Emily responded that she did not have that information available at that time.

Myron Loss, 3408 NE 23rd Avenue, Ocala, stated his request is not for the benefit of the church or himself, but for the people of Ocala. He explained that they hope to reach the entire city, and with a 100-foot tower they expect to reach approximately four miles. He noted that American Tower Company would charge \$2,400 per month to place an antenna on their tower, which they cannot afford. Their goal is simply to share the good news. The station transmits in Spanish from 1:00 a.m. to 12:30 p.m., with the remainder of programming in English. He added that it is a Christian station with no preaching, and that if the tower were to fall, it would fall entirely on their property.

Mr. Hartley asked what the current broadcast radius is and what the increase would be with the proposed tower. Mr. Loss responded that their current radius is approximately one mile, and with the tower it would extend to about 3.7 miles. Mr. Hartley then asked whether the additional radius could be achieved without a 100-foot tower. Mr. Loss stated that it could not, explaining that the trees absorb much of the signal before it can travel farther.

Mr. Hartley asked whether they had any intention of leasing space on the tower to a telecommunications company. Mr. Loss stated that they do not, as they are not in the commercial business..

Mr. Magamoll asked about the cost of the tower and its construction. Mr. Loss stated that the tower has already been purchased and that the remaining expense is the rental of the crane needed for installation.

Clark Ryman, 79 Almond Drive, Ocala, pastor of Free Will Baptist Church, stated that as a nonprofit, they are doing everything in their ability to spread the message of Jesus

Christ. He expressed support for the radio station, noting that its bilingual programming is a valuable resource. He emphasized that this effort is not about money, but about advancing the cause of Christ.

Mr. Carrasco asked for clarification regarding the denial. Emily stated that the proposal does not meet the locational criteria outlined in Section 122-1043, which requires a minimum distance of one-half mile from another existing tower. Mr. Carrasco asked how far the site is from the nearest existing tower, and Emily responded that it is within one-quarter mile. Mr. Carrasco then inquired about the reasoning for that specific distance. Emily explained that, to her understanding, the requirement is intended to prevent an over-concentration of towers in one area. Mr. Carrasco asked if this was related to visual impact, and Emily confirmed that it was. Mr. Carrasco commented that in other ordinances, such as downtown regulations for bars, the distance requirements can be relaxed, suggesting it seems rules can be bent selectively. Emily referred the question to City Attorney, Mr. William Sexton, regarding whether the board has the authority to grant approval contrary to the code.

Mr. Hartley stated that while board members are welcome to ask questions of staff, at that point the board can deliberate on the points raised. He noted that the content of the radio station should not be relevant to the decision. He explained that Emily's point pertains to the code, which specifies that there must be no available sites within a one-half mile radius of the proposed tower. He asked whether a site is considered "available" if it is cost prohibitive. Mr. Carrasco believed Emily stated the issue is not related to interference. Mr. Hartley responded that staff only has the criteria from the code, not information on financial feasibility. Mr. Carrasco commented that the code does not explain the reasoning behind the requirements. Mr. Sexton stated that the law rarely explains "why," only "what," and that staff should not recommend approval of anything that does not comply with the code. Mr. Carrasco asked whether the board can approve something beyond the code. Mr. Sexton strongly encouraged against it, stating there is no legal basis for approving a proposal that does not meet clearly prescribed requirements. Mr. Hartley added that for the board to approve, it would have to make a finding that the site is not "available." He questioned whether a site costing \$2,400 per month could be considered available. Mr. Carrasco suggested that approvals contrary to the code occur frequently, but Mr. Hartley disagreed. Mr. White asked whether cost-prohibitive factors can make a site legally unavailable, emphasizing respect for what the code allows.

Emily clarified that, under the code, an "available" site is defined as a tower, site, or antenna support structure with a willing lessor or seller, available on commercially reasonable terms, and technologically feasible as an alternative to the proposed tower, site, or antenna support structure. Mr. Loss noted that the \$2,400 per month lease is not commercially reasonable for them.

Mr. Carrasco stated that if the board were to vote in favor of the proposal, he would like to include provisions specifying that no leasing of the tower to third parties would be allowed.

Mr. Malever asked if they have to cut trees short or put the tower above. Mr. Loss stated 100 ft they get above the trees.

Mr. Magamoll asked about FAA regulations. Jeff Shrum, Growth Management Director, stated that FAA approval will be required during the permit process. He also clarified that the city does not have any determination as to whether the \$2,400 lease is viable or not.

Mr. Loss stated that the permit process has been approved. Jeff Shrum clarified for the record that the City has not approved any permits for this request.

Mr. Sexton clarified for the record that Section 122-1043 of the code does not distinguish between types of towers; all towers are governed by that section. He also stated that any decision must be based on competent, substantial evidence presented in the record from the hearing, noting that the applicant bears the burden of presenting such evidence.

Motion to approve SE25-0005 a Special Exception to allow a 100-foot-tall telecommunications tower in ht R-1A, Single-Family Residential District, for property located at 2206 NE 24th Street. With conditions only use for transmissions of the church's radio station.

**RESULT:** APPROVED

**MOVER:** George Carrasco, Jr.

**SECONDER:** Brent Malever

**AYE:** Carrasco, Vice Chair Magamoll and Malever

**NAY:** Chairman Hartley and White

**EXCUSED:** Juergens

5. Variance

a. Briggs/ VAR25-0005

**Attachments:** [VAR25-0005 Staff Report](#)  
[VAR25-0005 Case Map](#)  
[VAR25-0005 Aerial Map](#)  
[VAR25-0005 Site Plan](#)  
[VAR25-0005 Elevations](#)  
[VAR25-0005 Application](#)  
[VAR25-0005 OHPAB Approval](#)

Planner II Breah Miller Displayed maps and various photos of the property and adjacent properties while providing staff comments and the findings of fact for VAR25-0005.

Robert and Nadia Briggs, 1244 SE 7th Street Ocala, stated they are available for any questions the board may have.

Motion to approve VAR25-0005 to reduce the street side yard setback from 25 feet to 18.3 feet and reduce the rear yard setback from 25 feet to 3 feet.

**RESULT:** APPROVED

**MOVER:** George Carrasco, Jr.

**SECONDER:** Dustin Magamoll

**AYE:** Chairman Hartley, Carrasco, Vice Chair Magamoll, Malever and White

**EXCUSED:** Juergens

6. Public Comments

None.

7. Staff Comments

None.

8. Board Comments

Mr. Carrasco stated he would like to review the Special Exception criteria further and suggested that the City may need to revisit these standards in the future. He noted that the staff analysis references the telecommunications industry and that the ordinance appears clearly written for telecommunications and cellular facilities. He commented that it is unlikely others will seek approval for radio antennas under this section, and therefore there may need to be a distinction made between the two types of uses.

Mr. Hartley welcomed Mr. White to the board.

9. Next Meeting: October 20, 2025

10. Adjournment

Meeting adjourned at 6:31pm.



# Ocala

## Legislation Text

110 SE Watula Avenue  
Ocala, FL 34471

[www.ocalafl.gov](http://www.ocalafl.gov)

---

**File #:** 2026-0433

**Agenda Item #:** a.

---

Submitted By: Emily W. Johnson

Presentation By: William E. Sexton

Department: Growth Management

---

**OFFICIAL TITLE** (Motion Ready):

Public Hearing PH25-0003 to appeal the decision of the Building Official/Growth Management Director per Section 122-111 regarding the fee for digital off-site advertising signs, per Section 110-191(e)(2) of the Code of Ordinances.

---

**OCALA'S RELEVANT STRATEGIC GOALS:**

Economic Hub, Quality of Place

---

**PROOF OF PUBLICATION:**

N/A

---

- **Applicant:** Ashley Hoffman Lukis, GreyRobinson P.A.
- **Property Owner:** Lorven Holdings LLC

**BACKGROUND:**

The subject property, identified as Parcel 23656-014-01, is part of the Ocala Industrial Park platted subdivision (Plat Book H, Page 46) and originally developed in 1970. The site operates as a medical laboratory, which is a permitted use in the M-1, Light Industrial, zoning district.

On May 22, 2025, a minor site plan application (SPLM25-0008) was approved for new digital off-site advertising signs by View Florida LLC on the southwestern corner of the property. A building permit application for the digital off-site advertising signs was subsequently submitted (SGN25-0009). On October 3, 2025, the applicant remitted a \$300,000.00 permitting fee under protest and filed a Notice of Appeal. The building permit was approved on October 24, 2025.

The code pertaining to digital and tri-vision off-site advertising signs, Section 110-191, was originally adopted on November 17, 2011 via Ordinance 2012-13, and further amended on October 16, 2012 via Ordinance 2012-57. Pursuant to the code, Section 110-191(e)(2) establishes a permitting fee of \$150,000.00 per sign. This permitting fee is assessed on new digital and tri-vision signs when an owner of such sign has insufficient square

footage credits issued for the removal of existing off-site advertising signs. The permitting fee is waived when an owner has sufficient removal credits on file. There are no removal credits on file for View Florida LLC (the billboard owner) nor Lorven Holdings LLC (the property owner).

In accordance with the historical application of Section 110-191(e)(2), the Building Official/Growth Management Director determined that signs oriented in opposite directions and located on the same structure require the fee in lieu of removal for two signs (one for each sign orientation) is \$300,000.00. Section 122-2 defines the building official as the director of building, zoning, and licensing department. The City Manager has appointed the Growth Management Director position to serve in this capacity.

**The City attorney will present staff's information and case details and the attorney representing the sign owner will present their case information and details at the hearing.**



July 28, 2025

**VIA EMAIL**

Aubrey Hale  
Planning Director  
City of Ocala  
201 S.E. 3rd Street  
Ocala, Florida 34471  
ahale@ocalafl.gov

William Sexton  
City Attorney  
City of Ocala  
110 S.E. Watula Avenue  
Ocala, Florida 34471  
wsexton@ocalafl.org

**Re: View Florida, LLC  
Local Permit Fee Under Section 110-191(e)(2) of the City Code**

Dear Mr. Hale and Mr. Sexton:

This firm represents View Florida, LLC. View Florida operates outdoor advertising signs throughout the state and is in the process of applying for a City of Ocala permit to operate a monopole v-shaped, or v-back, billboard sign. I am reaching out about the \$150,000 payment required under section 110-191(e)(2) of the City Code. We read the text of this provision to require a payment of \$150,000 per sign. However, our understanding is that the City advised View Florida that it must pay \$300,000 in order to obtain a permit. View Florida's interpretation of the City Code is explained below, which we would appreciate the opportunity to discuss with you soon.

**I. The City Code Requires a \$150,000 Fee per Sign.**

Section 110-191(e)(2) provides that "[u]pon the applicant paying city the amount of \$150,000.00, an applicant shall be entitled to place a tri-vision or digital off-site advertising sign in a location where off-site advertising signs are permitted as set forth in this chapter." (emphases added).

Our understanding based on email and telephone correspondence with City planning staff is that the City interprets section 110-191(e)(2) to require applicants to pay \$150,000 per sign face, rather than per sign. This reading would mean each face, or side, of the sign is counted as a separate sign, constituting two total signs.

However, because section 110-191(e)(2) uses the term "sign" while separately defining the term "sign face," our analysis of the section yields a different interpretation. We read the section

to provide that upon payment of \$150,000, the applicant is entitled to a sign permit, regardless of whether the sign will have one or two faces.

Standing alone, the term “sign” includes *both* faces of a dual-faced sign. Section 110-3 of the City Code defines the term “sign” as “any letters, numbers, symbols, graphics, pictures or figures, or combination thereof, which are erected, constructed, placed, attached or painted on a structure or the ground, which identify, advertise or direct attention to a product, business, institution, place, person or event, which can be seen from the public right-of-way. When not modified by the term ‘structure’ or ‘face,’ the term ‘sign’ shall include all parts of the sign and its supporting structure. Unless context requires a different interpretation, sign refers to a digital, static or tri-vision sign.” (emphasis added).

This definition makes plain that (i) the terms “sign” and “sign face” are intended to mean two separate things (indeed, “sign face” is the next defined term in the ordinance), and (ii) a “sign” is inclusive of all parts—not just the faces, supports, etc.—without regard to the orientation of the faces or structural supports.

Even without the express definitions in section 110-3, general principles of statutory construction would also require that the terms “sign” and “sign face”—as different terms used in different ways—to have separate, distinct meanings absent some evidence they are meant to be interchangeable. *Maddox v. State*, 923 So. 2d 442, 446–47 (Fla. 2006) (explaining that the use of different terms in different sections of the same statute is strong evidence that different meanings were intended, and courts will not supply missing terms or modifiers that do not appear in the text of the statute). The term “sign face” appears almost fifty times throughout section 110, signifying that the City has intentionally differentiated between the term “sign” and “sign face” when desired. Yet, section 110-191(e) expressly says “sign,” with no modifier for the number of faces.

We therefore read the permitting fee language from section 110-191(e)(2) to apply to an *entire sign*—“*all parts of the sign and its supporting structure*”—because the fee provision does not include any modifying terms (like “face”).

## **II. View Florida’s Proposed Monopole Sign is a Single “Sign” Under the Code.**

With respect to the specific sign proposed by View Florida, our understanding is that the City relies in part on the configuration of the proposed structure—a v-back sign on a monopole—to justify charging a \$300,000 fee for two separate “signs” under section 110-191(e)(2). It is difficult to conceptualize how a monopole structure could be counted as two signs under the plain text of the definition of “sign.” Moreover, the code draws no distinctions based on the shape or configuration of the proposed sign. It does not state that v-back structures shall be counted as two separate signs. This makes sense, as v-back structures have two faces just like back-to-back structures.

Mr. Hale and Mr. Sexton  
October 3, 2022  
Page 3

Critically, the City's interpretation of section 110-191(e)(2) also conflicts with the City's spacing requirements for signs. Under section 110-186 of the code, signs on "the same side of the right-of-way" must be at least 1,000 feet apart from one another. If a v-back sign is counted as two separate signs, then *any* v-back sign, and indeed any back-to-back sign—with each face placed only a few feet, if not inches, apart—would necessarily violate the spacing requirement.

In sum, section 110-191(e)(2) provides that an applicant who pays a \$150,000 fee "shall be entitled to place a tri-vision or digital off-site advertising sign"—not a sign face—"in a location where off-site advertising signs are permitted as set forth in this chapter." Based on this text, our understanding is that section 110-191(e)(2) imposes a fee *per sign*, and not *per sign face*, and contains no suggestion that monopole v-back signs should be treated as two signs as opposed to a single sign with two faces. Accordingly, View Florida should be entitled to erect a monopole v-back sign upon payment of a \$150,000 fee.

View Florida is eager to move forward with permitting this and other proposed signs in the City in an amicable and cooperative manner. Considering our differing interpretations of the City Code, we would like to schedule a call or videoconference to discuss this matter further and clarify next steps to ensure View Florida can obtain its permit in accordance with the requirements of the City code.

Thank you for your consideration, and please feel free to call or e-mail me at any time.

Sincerely,

/s/ Ashley H. Lukis

Ashley H. Lukis

ORIGIN ID: TLHA (850) 577-9090 ASHLEY LUKIS GRAYROBINSON, P.A. 301 S BRONOUGH ST., SUITE 600 TALLAHASSEE, FL 32301 UNITED STATES US		SHIP DATE: 02OCT25 ACTWGT: 0.50 LB CAD: 253850526MSX13600
TO JEFF SHRUM CITY OF OCALA 201 SE 3RD ST OCALA FL 34471 (850) 577-5462 INV: REF: 1997936014 P.O. DEPT:		BILL SENDER

TRK# 3938 4404 5480

0201

**XG OCFA**

FL-US MCO

FRI - 03 OCT 5:00P

STANDARD OVERNIGHT

ASR 34471




58HJ3/2422/69F2

**FOLD on this line and place in shipping pouch with bar code and delivery address visible**

1. Fold the first printed page in half and use as the shipping label.
2. Place the label in a waybill pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.
3. Keep the second page as a receipt for your records. The receipt contains the terms and conditions of shipping and information useful for tracking your package.

### Legal Terms and Conditions

Tendering packages by using this system constitutes your agreement to the service conditions for the transportation of your shipments as found in the applicable FedEx Service Guide, available upon request. FedEx will not be responsible for any claim in excess of the applicable declared value, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the applicable FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of 100 USD or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is 500 USD, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see applicable FedEx Service Guide. FedEx will not be liable for loss or damage to prohibited items in any event or for your acts or omissions, including, without limitation, improper or insufficient packaging, securing, marking or addressing, or the acts or omissions of the recipient or anyone else with an interest in the package. See the applicable FedEx Service Guide for complete terms and conditions. To obtain information regarding how to file a claim or to obtain a Service Guide, please call 1-800-GO-FEDEX (1-800-463-3339).

Ashley H. Lukis | ashley.lukis@gray-robinson.com | D 850-577-6951  
301 South Bronough Street, Suite 600, Tallahassee, Florida 32301 | T 850-577-9090 | F 850-577-3311

October 2, 2025

**VIA FEDEX AND EMAIL**

Aubrey Hale  
Planning Director  
City of Ocala  
201 S.E. 3rd Street  
Ocala, Florida 34471  
ahale@ocalafl.gov

William Sexton  
City Attorney  
City of Ocala  
110 S.E. Watula Avenue  
Ocala, Florida 34471  
wsexton@ocalafl.org

Jeff Shrum  
Growth Management Director  
City of Ocala  
201 S.E. 3rd Street, 2nd Floor  
Ocala, Florida 34471  
jshrum@ocalafl.gov

**Re: View Florida, LLC  
Permit Fee Under Section 110-191(e)(2) of the City Code  
Application #SGN25-0009**

Dear Mr. Shrum, Mr. Hale, and Mr. Sexton:

Enclosed please find the following:

- i. A check for \$300,000 for issuance of a permit associated with the above-referenced permit application from View Florida, LLC;
- ii. A Notice of Appeal on behalf of View Florida, LLC; and
- iii. Correspondence from the City of Ocala related to the enclosed permit application and payment, which is attached as an exhibit to the Notice of Appeal.

**Please note that View Florida submits the \$300,000 permitting fee under protest, as explained in the enclosed Notice of Appeal.**

Thank you for your time, and please feel free to call or e-mail me at any time.

Sincerely,

*/s/ Ashley H. Lukis*

Ashley H. Lukis

Enclosures

Ashley H. Lukis | ashley.lukis@gray-robinson.com | D 850-577-6951  
301 South Bronough Street, Suite 600, Tallahassee, Florida 32301 | T 850-577-9090 | F 850-577-3311

October 2, 2025

**VIA FEDEX AND EMAIL**

Jeff Shrum  
Growth Management Director  
City of Ocala  
201 S.E. 3rd Street, 2nd Floor  
Ocala, Florida 34471  
jshrum@ocalafl.gov

William Sexton  
City Attorney  
City of Ocala  
110 S.E. Watula Avenue  
Ocala, Florida 34471  
wsexton@ocalafl.org

**Re: View Florida, LLC Notice of Appeal  
Permit Fee Under Section 110-191(e)(2) of the City Code  
Application #SGN25-0009**

Dear Mr. Shrum and Mr. Sexton:

This firm represents View Florida, LLC. View Florida operates outdoor advertising signs throughout the state and has applied for a City of Ocala permit to operate a monopole v-shaped, or v-back, billboard sign. **Pursuant to section 122-111 of the City Code, please accept this Notice of Appeal regarding the City's interpretation of the payment required under section 110-191(e)(2) of the City Code.**

As stated in the enclosed email correspondence from the City dated September 17, 2025, the City made a final decision that View Florida must pay \$150,000 per sign face—for a total of \$300,000—as a condition of obtaining a building permit for its proposed offsite sign. *See* Ex. A (“City Decision”). Contemporaneous with the filing of this appeal, View Florida has submitted payment of \$300,000 **under protest**, as required by the City’s Decision, in order to obtain its permit and move forward with construction and avoid further economic loss during the pendency of this appeal.

**I. SUMMARY**

The plain text of section 110-191(e)(2) of the City Code requires permit applicants to pay \$150,000 per sign, regardless of whether the sign has one or two faces.<sup>1</sup> However, the City advised

---

<sup>1</sup> This provision requires payment of a \$150,000 fee in lieu of removing existing signage, *see* City Code § 110-191(b),(e). The City and View Florida agree that View Florida is entitled to

View Florida that it must pay \$300,000—or \$150,000 per face—in order to obtain a permit. View Florida respectfully submits that the City has misinterpreted the Code, because the Code imposes a \$150,000 fee per sign, and not per sign face.

Section 110-3 of the City Code defines a “sign” as “any letters, numbers, symbols, graphics, pictures or figures, or combination thereof, which are erected, constructed, placed, attached or painted on a structure or the ground, which identify, advertise or direct attention to a product, business, institution, place, person or event, which can be seen from the public right-of-way. When not modified by the term ‘structure’ or ‘face,’ the term ‘sign’ shall include all parts of the sign and its supporting structure. Unless context requires a different interpretation, sign refers to a digital, static or tri-vision sign.” (emphases added).

Section 110-3 separately defines a “sign face” as “the plane area which is defined as sign area, except that, for off-site advertising signs, sign face shall not include trim, embellishments or the owner's nameplate.”

The fee provision at issue is section 110-191(e)(2), which states that “[u]pon the applicant paying city the amount of \$150,000.00, an applicant shall be entitled to place a tri-vision or digital off-site advertising sign in a location where off-site advertising signs are permitted as set forth in this chapter.” (emphases added) Thus, the \$150,000 permit fee is imposed on a per sign, rather than per sign face, basis.<sup>2</sup>

## **II. THE CITY CODE REQUIRES A \$150,000 FEE PER SIGN—NOT PER SIGN FACE.**

The City interprets section 110-191(e)(2) to require applicants to pay \$150,000 per sign face, rather than per sign.<sup>3</sup> In other words, the City maintains that each face, or side, of the sign is counted as a separate sign, constituting two total signs. The plain language of the Code refutes this interpretation.

As explained above, section 110-191(e)(2) provides that “[u]pon the applicant paying city the amount of \$150,000.00, an applicant shall be entitled to place a tri-vision or digital off-site advertising sign in a location where off-site advertising signs are permitted as set forth in this chapter.” (emphases added). Critically, section 110-191(e)(2) uses the term “sign”—not “sign

---

proceed under this provision to obtain a permit. The only matter in dispute in this appeal is whether the Code requires View Florida to pay \$150,000 or \$300,000.

<sup>2</sup> Sections 110-3 and 110-191 are enclosed as Exhibit B, with relevant language highlighted for ease of reference.

<sup>3</sup> This understanding is based on the enclosed City Decision as well as View Florida’s multiple telephone, videoconference, and email communications with City staff prior to the issuance of the City’s Decision.

face,” which is separately defined. An applicant who pays \$150,000 is therefore entitled to place a “sign”—inclusive of “all parts of the sign and its supporting structure”—regardless of whether the sign will have one or two faces. *See* City Code. § 110-191(e)(2).

Standing alone, the term “sign” includes *both* faces of a dual-faced sign. Section 110-3 of the City Code explicitly states that when, as here, the term “sign” is “not modified by the term ‘structure’ or ‘face,’ the term ‘sign’ shall include all parts of the sign and its supporting structure.” (emphasis added). This definition makes plain that (i) the terms “sign” and “sign face” are intended to mean two separate things (indeed, “sign face” is the next defined term in the ordinance), and (ii) a “sign” is inclusive of *all* parts—not just the faces, supports, etc.—without regard to the orientation of the faces, the number of faces, or the structural supports.

Even without the distinct definitions in section 110-3, general principles of statutory construction would also require that the terms “sign” and “sign face”—as different terms used in different ways—to have separate, distinct meanings absent some evidence they are meant to be interchangeable. *Maddox v. State*, 923 So. 2d 442, 446–47 (Fla. 2006) (explaining that the use of different terms in different sections of the same statute is strong evidence that different meanings were intended, and courts will not supply missing terms or modifiers that do not appear in the text of the statute). The term “sign face” appears almost fifty times throughout section 110, signifying that the City has intentionally differentiated between the term “sign” and “sign face” when desired. Yet, section 110-191(e) expressly says “sign,” with no modifier for the number of faces.

View Florida therefore submits that the permitting fee language in section 110-191(e)(2) applies to an *entire sign*—“*all parts of the sign and its supporting structure*”—because the fee provision does not include any modifying terms (like “face”).

### **III. VIEW FLORIDA’S PROPOSED MONOPOLE SIGN IS A SINGLE “SIGN” UNDER THE CODE.**

View Florida’s proposed sign is a double-faced sign on a monopole (single-pole) support, which fits squarely within the definition of a “sign” under the City Code. The City cites to the definition of a “double-faced sign” in code section 110-3, suggesting that this somehow supports imposition of a \$150,000 fee per face rather than per sign. *See* Ex. A (“City Decision”). This position—which appears to be a recent development—does not change the analysis.

First, by its terms, the definition still classifies a double-faced structure as a single sign: a “double-faced sign” is “a sign with two faces which are no more than three feet apart at their closest point, and which describe an internal angle between the face planes extended of no more than 60 degrees.” City Code § 110-3 (emphasis added). Even if View Florida’s sign is a “double-faced sign,” it is still a single sign, and section 110-191(e)(2) requires payment of \$150,000 for that sign.



During previous conversations with the City, View Florida understood the City’s position to be that View Florida’s proposed sign faces exceeded three feet at the closest point and therefore did *not* qualify as a “double-faced sign.” Now, the City seems to take the opposite position. But the result does not change either way. Whether View Florida does or does not propose a “double-faced sign” is irrelevant because section 110-191(e)(2) uses the term “sign”—not “double-faced sign.” The City’s reliance on the “double-faced sign” definition as a justification for doubling the fee that View Florida must pay is frankly puzzling.

Second, the term “double-faced sign” does not appear *anywhere else in the City Code* outside of the definitions. It is absent from section 110-191 and every other provision in the Code, save for a repeated definition in section 122-2.<sup>4</sup> It simply serves no practical purpose. Had the City wanted to refer to double-faced signs in section 110-191, it could have done so. Instead, it used the defined term “sign” only. A stray definition used nowhere else in the City Code does not change the clear definition of the term “sign” or the City’s imposition of a \$150,000 fee on a per-sign basis. *See* City Code § 110-191(e)(2).

View Florida also understands that the City relied in part on the configuration of the proposed structure—a v-back sign on a monopole—to justify charging a \$300,000 fee for two separate “signs” under section 110-191(e)(2). It is difficult to conceptualize how a monopole structure could be counted as two signs under the plain text of the definition of “sign.” Moreover, the code draws no distinctions based on the shape or configuration of the proposed sign. It does not state that v-back structures shall be counted as two separate signs. This makes sense, as v-back structures have two faces just like back-to-back structures.

Critically, the City’s interpretation of section 110-191(e)(2) also conflicts with the City’s spacing requirements for signs. Under section 110-186 of the code, signs on “the same side of the right-of-way” must be at least 1,000 feet apart from one another. If View Florida’s proposed v-back sign is counted as two separate signs, then almost every current and future v-back sign or back-to-back sign—with each face placed only a few feet apart—would necessarily violate the spacing requirement.

#### IV. CONCLUSION

In sum, section 110-191(e)(2) provides that an applicant who pays a \$150,000 fee “shall be entitled to place a tri-vision or digital off-site advertising sign”—not a sign face—“in a location where off-site advertising signs are permitted as set forth in this chapter.” Based on this text, our understanding is that section 110-191(e)(2) imposes a fee *per sign*, and not *per sign face*, and

---

<sup>4</sup> “*Sign, double-faced* means a sign with two faces which are no more than three feet apart at their closest point, and which describe an internal angle between face planes extended no more than 60 degrees.” Like the definition in section 110-3, the term defined in section 122-2 does not appear anywhere else.

contains no suggestion that monopole v-back signs should be treated as two signs as opposed to a single sign with two faces. Accordingly, View Florida is legally entitled to erect a monopole v-back sign upon payment of a \$150,000 fee.

Thank you for your consideration. Please direct all communications regarding this matter to my attention.

Dated: October 2, 2025

Respectfully submitted,

/s/ Ashley H. Lukis

Ashley H. Lukis

Florida Bar No. 106391

GRAYROBINSON, P.A.

301 S. Bronough St., Ste. 600

Tallahassee, Florida 32301

(850) 577-9090

Ashley.lukis@gray-robinson.com

### **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing Notice of Appeal was furnished to the City of Ocala via FedEx with a copy via electronic mail to jshrum@ocalafl.gov and wsexton@ocalafl.org on October 2, 2025.

/s/ Ashley H. Lukis

Ashley H. Lukis

Florida Bar No. 106391

# **Exhibit A**

---

**From:** Jeff Shrum <JShrum@ocalafl.gov>  
**Sent:** Wednesday, September 17, 2025 4:38 PM  
**To:** Ashley Hoffman Lukis  
**Cc:** William E. Sexton; Aubrey Hale  
**Subject:** Response regarding offsite advertising building permit #SGN25-0009

**This message originated outside of GrayRobinson.**

---

Ms. Lukis,

The City of Ocala is in receipt of a building permit application dated 1/30/2025 for a scope of work: "Construction a new off premise billboard with electric. 10.5 x 36 digital face on both sides @ 48ft overall height". As this sign application and associated plans indicate that the billboard has a sign face on both sides supported by a shared structure, it would be classified as an offsite double faced sign per our sign code definitions and subject to the requirements for such signs. Double face signs are defined by [Code Section 110-3](#). As your application is for a double faced digital sign, it is subject to the standards of [Section 110-191](#) which provide for options to achieve the placement of such signs. It has been indicated that you intend to utilize Section 110-191(e) which would require a payment of \$150,000 per sign face, a total of \$300,000 for the proposed sign permit.

Appeals to the decision of the building official (Growth Management Director) shall be in accordance with [Section 122-111](#).

**Jeff Shrum, AICP**  
Growth Management Director  
City of Ocala  
201 SE 3<sup>rd</sup> St – 2<sup>nd</sup> Floor  
Ocala, FL 34471  
Phone # (352)-629-8494  
[Jshrum@ocalafl.gov](mailto:Jshrum@ocalafl.gov)



# **Exhibit B**

**Sec. 110-191. - Tri-vision and digital off-site advertising signs.**

- (a) *Prohibition.* No tri-vision or digital off-site advertising signs shall be allowed in the city except as provided in this chapter.
- (b) *Tri-vision and digital off-site advertising signs.* The city will issue permits for new tri- vision and digital off-site advertising signs subject to the removal of existing off-site advertising signs, as follows:
  - (1) An owner of off-site advertising signs shall be eligible to receive a building permit for one tri-vision or digital off-site advertising sign outside of the target removal area as provided in this chapter after the removal of existing off-site advertising signs with an amount of square footage equal to or greater than a 4:1 ratio of the proposed new sign.
  - (2) An owner of off-site advertising signs shall be eligible to receive a building permit for one tri-vision or digital off-site advertising sign within the target removal area as provided in this chapter after the removal of existing off-site advertising signs with an amount of square footage equal to or greater than an 8:1 ratio of the proposed new sign.
  - (3) For the purposes of satisfying the requirements of this section, square footage of removed signage shall be calculated as follows:
    - a. Square footage of existing off-site advertising signs removed within the target removal area shall be credited at a 2:1 ratio.
    - b. Square footage of existing off-site advertising signs removed outside of the target removal area shall be credited at a 1:1 ratio.
  - (4) A permit for a tri-vision or digital off-site advertising sign may be issued only in conjunction with demolition permits for the removal of signs, together with all supporting structures, or a building permit for the installation of reduced size sign face on an existing structure as required by this chapter. City shall confirm by site inspection the removal of an existing off-site advertising sign and structure, or the installation of a reduced size sign face. The square footage of the sign removed shall be on file in the building department prior to final inspections for the tri-vision or digital sign. Upon confirmation of the removal of an off-site advertising sign with all supporting structures, or the installation of a reduced size sign face, a certificate shall be issued by the building official for each off-site advertising sign and shall identify the square footage of the sign removed. The owner of the certificate may hold the certificate, redeem it for a permit in accordance with this chapter or transfer the certificate to a third party. If there is a credit balance remaining after a certificate is redeemed, a certificate for the credit balance shall be issued. No transfer shall be effective until written notification signed by both parties has been provided to the building department confirming the transfer to the transferee.

(c)

*Relocation of existing tri-vision or digital signs.* An existing tri-vision or digital off-site advertising sign may be relocated and reconstructed on another site as a like kind of sign without the requirement to remove other existing off-site advertising signs as required by subparagraph (b) above, subject to meeting all other criteria of this chapter.

- (d) *Eligible existing signs.* For purposes of subsection (b), an "existing off-site advertising sign" eligible for credit of square footage removed must be a conforming or lawful non-conforming sign.

(e) *Payment in lieu of removal.*

- (1) If an owner (or any person substantially related to owner by ownership control) has insufficient off-site advertising sign square footage to satisfy the provisions of subsection (b), the city will permit tri-vision or digital off-site advertising signs pursuant to the following:
  - (2) Upon the applicant paying city the amount of \$150,000.00, an applicant shall be entitled to place a tri-vision or digital off-site advertising sign in a location where off-site advertising signs are permitted as set forth in this chapter, as follows:
    - a) The amount to be paid by the applicant is the city's estimated costs of requiring a sign owner to remove a typical non-conforming off-site advertising sign, including all compensation required by law.
    - b) The amount paid by the applicant shall be held by the city in a fund, and used only by the city to compensate sign owners for the removal of non-conforming off-site advertising signs pursuant to law, including condemnation thereof, if necessary.
- (f) The building official shall delete any off-site advertising signs removed under this section from the city's inventory of off-site advertising signs.
- (g) In addition to the requirements provided in this chapter for off-site advertising signs, any tri-vision off-site advertising sign erected shall meet the following criteria:
  - (1) The static display time for each message is a minimum of six seconds;
  - (2) The time to completely change from one message to the next is a maximum of two seconds;
  - (3) The change of message shall occur simultaneously for the entire sign face;
  - (4) Messages must be fully displayed on a single rotation and not continued as sequential interval messages;
  - (5) No emission of sound or odor intended to attract attention shall be permitted;
  - (6) The sign shall contain a default design that will hold the face of the sign in one position if a malfunction occurs; and
  - (7) The sign shall meet all other requirements of this chapter.
- (h) In addition to the requirements provided in this chapter for off-site advertising signs, any digital off-site advertising sign erected shall meet the following criteria:
  - (1) No message may be displayed for less than six seconds;

- (2) No flashing lights, traveling messages, animation, or other movement are permitted;
- (3) The time to completely change from one message to the next is a maximum of two seconds;
- (4) The change of message shall occur simultaneously for the entire sign face;
- (5) Messages must be fully displayed on a single rotation and not continued as sequential interval messages;
- (6) Interactive displays, including recognition based on electronic key codes, phone calls or texting, facial recognition or automated license plate recognition shall not be permitted;
- (7) No emission of sound or odor intended to attract attention shall be permitted;
- (8) Digital off-site advertising signs shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot candle meter at a pre-set distance. Pre-set distances to measure the foot candles impact vary with the expected viewing distances of each size sign as follows:

Face Size	Measurement distance
Up to 300 sq. ft.	150 feet
Over 300 sq. ft.	200 feet

Automatic sensors shall be incorporated to ensure that illumination of a digital off-site advertising sign shall be adjusted as ambient light conditions change. Upon request of city, sign owner shall provide city with acceptable evidence that the sign complies with these illumination standards. Such evidence shall consist of testing by an independent third party by using a foot candle meter or similar testing device.

- (9) The sign shall contain a default design that will hold the face of the sign in one position if a malfunction occurs; and
- (10) The sign shall meet all requirements of this chapter, except as may be otherwise approved by city council pursuant to section 110-87(b).
  - (i) In the event of a conflict between the requirements of subsection (g) or (h) of this section, and other requirements of this chapter, the more restrictive provision shall apply.

(Ord. No. 2012-13, § 9, 11-17-11; Ord. No. 2012-57, § 5, 10-16-12)



**Sec. 110-3. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Abandoned sign* means any sign face which advertises a bona fide business no longer conducted or product no longer sold, or any previously permitted portable or temporary sign for which the permitted time has expired. In making the determination that a sign advertises a bona fide business no longer being conducted, the building official shall consider the existence or absence of a current business tax certificate or utility service deposit or account, use of the premises, and relocation of the business; or any sign structure which has not been used for bona fide business purposes for over six months, that is nonconforming as to existing codes regarding area of sign, height, setback or maintenance.

*Animated sign* means an on-site sign depicting or involving action, motion, light, or color changes through electrical or mechanical means. This type of signage is not only recognized by type but also may be recognized by its display, which may be regulated by city code, zoning regulations, or other agreements. Animated signs may contain lists of specific products and auxiliary services. Animated signs are not identified as illuminated signs. An animated sign's display shall be limited to four differing levels of regulation which are defined as such:

- (1) Level 1 static display only, i.e., the messages are changed with no transitions.
- (2) Level 2 static display with "fade" or "dissolve" transitions, or similar subtle transitions and frame effects that do not have the appearance of moving text.
- (3) Level 3 static display with "fade," "dissolve," "travel," or "scrolling" transitions, or similar transitions and frame effects that have text or animated images that appear to move or change in size, or be revealed sequentially rather than all at once.
- (4) Level 4 full animation, flashing and video.

*Area of sign* means the total surface of a sign, including the background and frame but not structural supporting elements outside of its frame. Where a sign is of skeleton letters, characters or symbols applied to a frame or to a background which is not a structural part of the sign, the area of the sign shall be the smallest rectangle, triangle or circle which will include the display. Where a sign is built with two faces back to back, the area of the sign shall be the larger of the areas of the two faces computed as specified in this subsection.

*Balloon* means an airtight bag filled with hot air, helium, hydrogen or any other gas lighter than air which is tethered to the ground or any other stationary object for the primary purpose of attracting attention to its site, whether or not the bag displays characters, ornamentation or letters.

*Banner* means any sign with characters, letters, illustrations or other ornamentation applied to or integrated in any cloth, paper, fabric, plastic or similar material that is not permanently attached to a solid backing wood, metal or masonry.

*Blank panel* means a sign or portion of a sign having no identifiable copy, letters, numbers, symbols, graphics, pictures or figures, or combination thereof; the blank panel of the sign must be constructed of or consist of the same, similar or like materials as being removed or replaced.

*Building, front foot* means each foot, or major portion thereof, measured along the main entry of a building. Where buildings form an "L" or "U," all main entry sides are measured.

*Business identity flag* means a flag that advertises only the name or logo of a business located on the premises where the flag is flown.

*Change in occupancy* means, for the purpose of this chapter only, a site where the use changes (e.g., professional office to retail use) or where a site plan is required, will result in the loss of the permitted status of a nonconforming sign or sign structure per subsection 110-82(3). A site where there is a change in the name, owner or proprietor of the same use (e.g. professional office to professional office) will not result in the loss of the permitted status of a nonconforming sign or sign structure per subsection 110-82(3).

*Changeable copy* means a sign or portion thereof on which the copy or symbols change either manually, or through mechanical means, changing the placement of letters or symbols on a panel mounted in or on a track system. Changeable copy signs may contain lists of specific products and auxiliary services.

*Commercial flag* means any flag that advertises grand openings, special sales or other events (both profit and nonprofit events) on the premises where the flag is flown or on other premises.

*Construction sign* means a sign announcing and identifying the construction project scheduled or underway on the site where the sign is located.

*Digital sign* means a sign that displays electronic, static or animated images, static or animated graphics or static or animated pictures, with or without information, defined by a small number of matrix elements using different combinations of light emitting diodes, fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. These include computer programmable, microprocessor controlled electronic or digital displays. This also includes any rotating, revolving, moving, flashing, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, or any other method or technology that allows the sign face to present a series of images or displays.

*Directional sign* means any sign used to indicate the direction to entrances, exits, parking areas, restrooms or other non-business-related facilities on the site.

*Directory sign* means a sign which gives the names of the businesses or individuals located in the building or complex where the sign is located. A directory sign shall be of a unified design and common material, and shall allow for a uniform size sign for each business or unit of space in the development. Directory signs shall be limited to the name and type of business and its location within the building or complex.

*Double-faced sign* means a sign with two faces which are no more than three feet apart at their closest point, and which describe an internal angle between the face planes extended of no more than 60 degrees.

*Embellishments* means extensions of the major graphic area of an off-site sign face to include integral copy or design, the area of which extension does not exceed ten percent of the area of the sign face. Additional panels for supplementary copy are not embellishments.

*Fascia sign* means a sign located on the fascia of a roof or canopy, including signs that extend the plane of the structural fascia such that the vertical dimension of the sign is no more than one-third the distance from the ground to the bottom of the fascia, and where no lateral supports are used.

*Flag* means any cloth, paper, fabric, plastic or similar material, usually rectangular in shape, whether or not the material displays characters, ornamentation or letters, attached to any staff, cord, building or other structure, that hangs loosely or blows in the wind.

*Freestanding sign* means any sign with vertical supports placed upon or in the ground and architecturally and aesthetically integrated with the overall development. A freestanding sign shall include a ground or pole sign as defined in this section.

*Ground sign* means the total square footage of a sign where the bottom of the sign face either: 1) rests upon the ground; 2) extends above the ground with vertical supports a maximum of four feet; or 3) rests upon a base that is embellished to conceal all structural vertical supports. A monument sign is considered a ground sign.

*Height of sign* means, for on-site signs, the distance between the top of a sign and the average grade elevation below it. For off-site signs, height of sign means the distance between the top of the sign, excluding embellishments, and the roadway centerline grade perpendicular to that point of the sign closest to the road right-of-way.

*Identification sign* means a sign that indicates the name and business type or service or the name of the development located on the site where the sign is located. Identification signs shall be limited to the name of the business or service, street address, phone number, and graphic of business logo.

*Illuminated sign* means a sign that uses artificial light, either internal or external to the sign faces, to draw attention to the sign or otherwise increase its visibility.

*Instructional sign* means a sign conveying nonadvertising information relating to the use of the premises, including such signs as no parking, no trespassing, and warning signs.

*Internally illuminated sign* means a sign that uses artificial light from behind the sign face to increase its visibility.

*Logo* means a distinctive trademark or symbol of a company, publication, etc.

*Membership sign* means a sign identifying affiliation with a travel club, business association, credit card company or professional association.

*Multiple-frontage property* means a plot or parcel that is contiguous to more than one public right-of-way, being either a corner plot or parcel or a through plot or parcel.

*Multiuse complex* means any development of two or more business or industrial uses that are under common land ownership or that share common property frontage.

*Noncommercial flag* means any flag other than a business identity flag or commercial flag including, without limitation, a flag of any governmental, religious, charitable, fraternal or political organization or cause.

*Nonconforming sign* means any sign or sign structure that does not conform to the requirements of this chapter.

*Off-site advertising sign* means any sign which directs attention to a business, commodity, service, product or activity not conducted, sold, offered or available on the premises where such sign is located or to which it is affixed.

*On-site sign* means a sign that identifies or advertises only goods, services, facilities, events or attractions available on the premises where the sign is located.

*Parasite sign* means any sign not exempted by this chapter, for which no permit has been issued, and which is attached to another sign.

*Pennant* means any long, narrow, usually triangular, flag-like piece of cloth, plastic, paper or other similar material, whether or not the material displays characters, ornamentation or letters, attached to any staff, cord, building or other structure, that hangs loosely for the primary purpose of attracting attention to its site.

*Permitted signs.* All signs permitted under this chapter, except those specifically designated as off-site signs, shall be located on the lot or parcel of the business, service or facility identified or advertised on the permitted sign.

*Pole sign* means a sign that is supported by a pole (sometimes more than one).

*Premises* means the lot or lots, plots, portions or parcels of land considered as a unit for a single development or activity.

*Projecting sign* means a sign supported by a wall of a building, projecting away from that wall 12 inches or more, designed with a face reading at an angle to that wall.

*Property front foot* means each foot, or major portion thereof, measured along the public right-of-way where the subject property abuts the right-of-way.

*Real estate sign* means a sign erected by the owner or his agent advertising the real property where the sign is located for sale, lease or rent.

*Roof sign* means a sign located on the roof of a building and primarily supported by that roof structure, which extends above the top of the parapet or ridge line in the area where the sign is located, except fascia signs.

*Sequential interval message* means a message that is not complete in one interval of a changing sign face, such as questions, riddles or story boards. A business advertising on more than one interval of a changing sign face is not considered to have sequential interval messages unless any one message is reliant on another in the rotation to complete the message.

*Setback.* The setbacks for signs specified in this chapter shall be measured horizontally from the vertical plane of the property line to the closest point of the sign.

*Sign* means any letters, numbers, symbols, graphics, pictures or figures, or combination thereof, which are erected, constructed, placed, attached or painted on a structure or the ground, which identify, advertise or direct attention to a product, business, institution, place, person or event, which can be seen from the public right-of-way. When not modified by the term "structure" or "face," the term "sign" shall include all parts of the sign and its supporting structure. Unless context requires a different interpretation, sign refers to a digital, static or tri-vision sign.

*Sign face* means the plane area which is defined as sign area, except that, for off-site advertising signs, sign face shall not include trim, embellishments or the owner's nameplate.

*Sign structure* means any structure, which is designed specifically for the purpose of supporting a sign, has supported or is capable of supporting a sign. This definition shall include any decorative covers, braces, wires, supports, or components attached to or placed around the sign structure.

*Sponsor sign* means a business, organization or person that uses its logo on a freestanding sign located at a park, public or private school, college or university. The logo shall be limited to a percentage of the total sign face of a freestanding sign.

*Static sign* means a sign that displays a message without electronic or mechanical means; i.e., a static sign is a sign other than a digital or tri-vision sign.

*Streamer* means any strip of cloth, paper, fabric, plastic or similar material hanging loose at one or more ends, whether or not the material displays characters, ornamentation or letters, which is attached to any staff, cord, building or other structure for the primary purpose of attracting attention to its site.

*Target removal area* means the city's community redevelopment areas in existence as of January 1, 2011, together with an area encompassed by a 1,000 foot radius around the external boundaries of such community redevelopment areas.

*Temporary sign* means a sign used to advertise or identify transitory events of two weeks' or less duration, unless specifically permitted for a longer period by this chapter.

*Tri-vision sign* means a sign composed of mechanically operated triangular louvers or slats containing three separate advertising messages, each of which becomes visible when the louvers are synchronically rotated to one of three positions.

*Wall sign* means a sign painted on or affixed to the structural wall of a building, with a sign face approximately parallel to the wall, perpendicular to the ground, and projecting no more than 12 inches from the wall. The term "wall sign" shall also include window signs and fascia signs.

*Wayfinding signage* means noncommercial signs, landmarks or other visual graphic communication that are part of a city-sponsored and coordinated program for the purpose of directing pedestrian and vehicular traffic to local destinations open to the public. Typical wayfinding signs include: gateways, vehicular directional, destinations (parks, downtown and neighborhoods), murals, parking lot identification, parking trailblazer, pedestrian directional, vehicular directional and pedestrian kiosk.

*Window sign* means a permanent sign affixed to, suspended behind or painted on either face of a window or glass door that reads to the exterior of the building.

(Code 1961, § 16B-3; Code 1985, § 7-413; Ord. No. 1828, § 1, 3-4-86; Ord. No. 2207, §§ 1, 2, 3-5-91; Ord. No. 2270, §§ 1, 2, 4-21-92; Ord. No. 2422, § 1, 11-2-93; Ord. No. 2751, § 1, 8-19-97; Ord. No. 5745, §§ 1, 2, 11-6-07; Ord. No. 5746, §§ 1, 2, 11-6-07; Ord. No. 5823, § 1, 2-19-08; Ord. No. 2012-13, §§ 1, 2, 11-17-11; Ord. No. 2012-58, §§ 1, 2, 9-18-12; Ord. No. 2013-16, § 1, 1-22-13; Ord. No. 2014-30, § 1, 4-1-14; Ord. No. 2015-3, §§ 1, 2, 11-4-14; Ord. No. 2017-25, § 1, 1-17-17)

**Cross reference—** Definitions generally, § 1-2.

---

### Sec. 110-3. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Abandoned sign* means any sign face which advertises a bona fide business no longer conducted or product no longer sold, or any previously permitted portable or temporary sign for which the permitted time has expired. In making the determination that a sign advertises a bona fide business no longer being conducted, the building official shall consider the existence or absence of a current business tax certificate or utility service deposit or account, use of the premises, and relocation of the business; or any sign structure which has not been used for bona fide business purposes for over six months, that is nonconforming as to existing codes regarding area of sign, height, setback or maintenance.

*Animated sign* means an on-site sign depicting or involving action, motion, light, or color changes through electrical or mechanical means. This type of signage is not only recognized by type but also may be recognized by its display, which may be regulated by city code, zoning regulations, or other agreements. Animated signs may contain lists of specific products and auxiliary services. Animated signs are not identified as illuminated signs. An animated sign's display shall be limited to four differing levels of regulation which are defined as such:

- (1) Level 1 static display only, i.e., the messages are changed with no transitions.
- (2) Level 2 static display with "fade" or "dissolve" transitions, or similar subtle transitions and frame effects that do not have the appearance of moving text.
- (3) Level 3 static display with "fade," "dissolve," "travel," or "scrolling" transitions, or similar transitions and frame effects that have text or animated images that appear to move or change in size, or be revealed sequentially rather than all at once.
- (4) Level 4 full animation, flashing and video.

*Area of sign* means the total surface of a sign, including the background and frame but not structural supporting elements outside of its frame. Where a sign is of skeleton letters, characters or symbols applied to a frame or to a background which is not a structural part of the sign, the area of the sign shall be the smallest rectangle, triangle or circle which will include the display. Where a sign is built with two faces back to back, the area of the sign shall be the larger of the areas of the two faces computed as specified in this subsection.

*Balloon* means an airtight bag filled with hot air, helium, hydrogen or any other gas lighter than air which is tethered to the ground or any other stationary object for the primary purpose of attracting attention to its site, whether or not the bag displays characters, ornamentation or letters.

*Banner* means any sign with characters, letters, illustrations or other ornamentation applied to or integrated in any cloth, paper, fabric, plastic or similar material that is not permanently attached to a solid backing wood, metal or masonry.

*Blank panel* means a sign or portion of a sign having no identifiable copy, letters, numbers, symbols, graphics, pictures or figures, or combination thereof; the blank panel of the sign must be constructed of or consist of the same, similar or like materials as being removed or replaced.

*Building, front foot* means each foot, or major portion thereof, measured along the main entry of a building. Where buildings form an "L" or "U," all main entry sides are measured.

*Business identity flag* means a flag that advertises only the name or logo of a business located on the premises where the flag is flown.

*Change in occupancy* means, for the purpose of this chapter only, a site where the use changes (e.g., professional office to retail use) or where a site plan is required, will result in the loss of the permitted status of a

---

nonconforming sign or sign structure per subsection 110-82(3). A site where there is a change in the name, owner or proprietor of the same use (e.g. professional office to professional office) will not result in the loss of the permitted status of a nonconforming sign or sign structure per subsection 110-82(3).

*Changeable copy* means a sign or portion thereof on which the copy or symbols change either manually, or through mechanical means, changing the placement of letters or symbols on a panel mounted in or on a track system. Changeable copy signs may contain lists of specific products and auxiliary services.

*Commercial flag* means any flag that advertises grand openings, special sales or other events (both profit and nonprofit events) on the premises where the flag is flown or on other premises.

*Construction sign* means a sign announcing and identifying the construction project scheduled or underway on the site where the sign is located.

*Digital sign* means a sign that displays electronic, static or animated images, static or animated graphics or static or animated pictures, with or without information, defined by a small number of matrix elements using different combinations of light emitting diodes, fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. These include computer programmable, microprocessor controlled electronic or digital displays. This also includes any rotating, revolving, moving, flashing, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, or any other method or technology that allows the sign face to present a series of images or displays.

*Directional sign* means any sign used to indicate the direction to entrances, exits, parking areas, restrooms or other non-business-related facilities on the site.

*Directory sign* means a sign which gives the names of the businesses or individuals located in the building or complex where the sign is located. A directory sign shall be of a unified design and common material, and shall allow for a uniform size sign for each business or unit of space in the development. Directory signs shall be limited to the name and type of business and its location within the building or complex.

*Double-faced sign* means a sign with two faces which are no more than three feet apart at their closest point, and which describe an internal angle between the face planes extended of no more than 60 degrees.

*Embellishments* means extensions of the major graphic area of an off-site sign face to include integral copy or design, the area of which extension does not exceed ten percent of the area of the sign face. Additional panels for supplementary copy are not embellishments.

*Fascia sign* means a sign located on the fascia of a roof or canopy, including signs that extend the plane of the structural fascia such that the vertical dimension of the sign is no more than one-third the distance from the ground to the bottom of the fascia, and where no lateral supports are used.

*Flag* means any cloth, paper, fabric, plastic or similar material, usually rectangular in shape, whether or not the material displays characters, ornamentation or letters, attached to any staff, cord, building or other structure, that hangs loosely or blows in the wind.

*Freestanding sign* means any sign with vertical supports placed upon or in the ground and architecturally and aesthetically integrated with the overall development. A freestanding sign shall include a ground or pole sign as defined in this section.

*Ground sign* means the total square footage of a sign where the bottom of the sign face either: 1) rests upon the ground; 2) extends above the ground with vertical supports a maximum of four feet; or 3) rests upon a base that is embellished to conceal all structural vertical supports. A monument sign is considered a ground sign.

*Height of sign* means, for on-site signs, the distance between the top of a sign and the average grade elevation below it. For off-site signs, height of sign means the distance between the top of the sign, excluding



---

embellishments, and the roadway centerline grade perpendicular to that point of the sign closest to the road right-of-way.

*Identification sign* means a sign that indicates the name and business type or service or the name of the development located on the site where the sign is located. Identification signs shall be limited to the name of the business or service, street address, phone number, and graphic of business logo.

*Illuminated sign* means a sign that uses artificial light, either internal or external to the sign faces, to draw attention to the sign or otherwise increase its visibility.

*Instructional sign* means a sign conveying nonadvertising information relating to the use of the premises, including such signs as no parking, no trespassing, and warning signs.

*Internally illuminated sign* means a sign that uses artificial light from behind the sign face to increase its visibility.

*Logo* means a distinctive trademark or symbol of a company, publication, etc.

*Membership sign* means a sign identifying affiliation with a travel club, business association, credit card company or professional association.

*Multiple-frontage property* means a plot or parcel that is contiguous to more than one public right-of-way, being either a corner plot or parcel or a through plot or parcel.

*Multiuse complex* means any development of two or more business or industrial uses that are under common land ownership or that share common property frontage.

*Noncommercial flag* means any flag other than a business identity flag or commercial flag including, without limitation, a flag of any governmental, religious, charitable, fraternal or political organization or cause.

*Nonconforming sign* means any sign or sign structure that does not conform to the requirements of this chapter.

*Off-site advertising sign* means any sign which directs attention to a business, commodity, service, product or activity not conducted, sold, offered or available on the premises where such sign is located or to which it is affixed.

*On-site sign* means a sign that identifies or advertises only goods, services, facilities, events or attractions available on the premises where the sign is located.

*Parasite sign* means any sign not exempted by this chapter, for which no permit has been issued, and which is attached to another sign.

*Pennant* means any long, narrow, usually triangular, flag-like piece of cloth, plastic, paper or other similar material, whether or not the material displays characters, ornamentation or letters, attached to any staff, cord, building or other structure, that hangs loosely for the primary purpose of attracting attention to its site.

*Permitted signs.* All signs permitted under this chapter, except those specifically designated as off-site signs, shall be located on the lot or parcel of the business, service or facility identified or advertised on the permitted sign.

*Pole sign* means a sign that is supported by a pole (sometimes more than one).

*Premises* means the lot or lots, plots, portions or parcels of land considered as a unit for a single development or activity.

*Projecting sign* means a sign supported by a wall of a building, projecting away from that wall 12 inches or more, designed with a face reading at an angle to that wall.

---

*Property front foot* means each foot, or major portion thereof, measured along the public right-of-way where the subject property abuts the right-of-way.

*Real estate sign* means a sign erected by the owner or his agent advertising the real property where the sign is located for sale, lease or rent.

*Roof sign* means a sign located on the roof of a building and primarily supported by that roof structure, which extends above the top of the parapet or ridge line in the area where the sign is located, except fascia signs.

*Sequential interval message* means a message that is not complete in one interval of a changing sign face, such as questions, riddles or story boards. A business advertising on more than one interval of a changing sign face is not considered to have sequential interval messages unless any one message is reliant on another in the rotation to complete the message.

*Setback.* The setbacks for signs specified in this chapter shall be measured horizontally from the vertical plane of the property line to the closest point of the sign.

*Sign* means any letters, numbers, symbols, graphics, pictures or figures, or combination thereof, which are erected, constructed, placed, attached or painted on a structure or the ground, which identify, advertise or direct attention to a product, business, institution, place, person or event, which can be seen from the public right-of-way. When not modified by the term "structure" or "face," the term "sign" shall include all parts of the sign and its supporting structure. Unless context requires a different interpretation, sign refers to a digital, static or tri-vision sign.

*Sign face* means the plane area which is defined as sign area, except that, for off-site advertising signs, sign face shall not include trim, embellishments or the owner's nameplate.

*Sign structure* means any structure, which is designed specifically for the purpose of supporting a sign, has supported or is capable of supporting a sign. This definition shall include any decorative covers, braces, wires, supports, or components attached to or placed around the sign structure.

*Sponsor sign* means a business, organization or person that uses its logo on a freestanding sign located at a park, public or private school, college or university. The logo shall be limited to a percentage of the total sign face of a freestanding sign.

*Static sign* means a sign that displays a message without electronic or mechanical means; i.e., a static sign is a sign other than a digital or tri-vision sign.

*Streamer* means any strip of cloth, paper, fabric, plastic or similar material hanging loose at one or more ends, whether or not the material displays characters, ornamentation or letters, which is attached to any staff, cord, building or other structure for the primary purpose of attracting attention to its site.

*Target removal area* means the city's community redevelopment areas in existence as of January 1, 2011, together with an area encompassed by a 1,000 foot radius around the external boundaries of such community redevelopment areas.

*Temporary sign* means a sign used to advertise or identify transitory events of two weeks' or less duration, unless specifically permitted for a longer period by this chapter.

*Tri-vision sign* means a sign composed of mechanically operated triangular louvers or slats containing three separate advertising messages, each of which becomes visible when the louvers are synchronically rotated to one of three positions.

*Wall sign* means a sign painted on or affixed to the structural wall of a building, with a sign face approximately parallel to the wall, perpendicular to the ground, and projecting no more than 12 inches from the wall. The term "wall sign" shall also include window signs and fascia signs.

---

*Wayfinding signage* means noncommercial signs, landmarks or other visual graphic communication that are part of a city-sponsored and coordinated program for the purpose of directing pedestrian and vehicular traffic to local destinations open to the public. Typical wayfinding signs include: gateways, vehicular directional, destinations (parks, downtown and neighborhoods), murals, parking lot identification, parking trailblazer, pedestrian directional, vehicular directional and pedestrian kiosk.

*Window sign* means a permanent sign affixed to, suspended behind or painted on either face of a window or glass door that reads to the exterior of the building.

(Code 1961, § 16B-3; Code 1985, § 7-413; Ord. No. 1828, § 1, 3-4-86; Ord. No. 2207, §§ 1, 2, 3-5-91; Ord. No. 2270, §§ 1, 2, 4-21-92; Ord. No. 2422, § 1, 11-2-93; Ord. No. 2751, § 1, 8-19-97; Ord. No. 5745, §§ 1, 2, 11-6-07; Ord. No. 5746, §§ 1, 2, 11-6-07; Ord. No. 5823, § 1, 2-19-08; Ord. No. 2012-13, §§ 1, 2, 11-17-11; Ord. No. 2012-58, §§ 1, 2, 9-18-12; Ord. No. 2013-16, § 1, 1-22-13; Ord. No. 2014-30, § 1, 4-1-14; Ord. No. 2015-3, §§ 1, 2, 11-4-14; Ord. No. 2017-25, § 1, 1-17-17)

Cross reference(s)—Definitions generally, § 1-2.

### ***DIVISION 3. OFF-SITE ADVERTISING<sup>1</sup>***

#### **Sec. 110-181. Permitted locations.**

Off-site advertising signs shall be permitted on the following named streets only if the property is zoned B-2, B-4, B-5, M-1 or M-2:

- (1) U.S. Highways 441, 301 and 27 (Pine Avenue).
- (2) State Road 40 from the easterly to the westerly city limits.
- (3) State Road 200 (S.W. College Road) from Pine Avenue to the westerly city limits.
- (4) U.S. Highway 27/NW 10th Street from Magnolia Avenue to the westerly city limits.
- (5) Interstate 75 within the city limits.
- (6) NW 37th Avenue/SW 37th Avenue from U.S. Highway 27 to State Road 200.
- (7) NW 38th Avenue/SW 38th Avenue from U.S. Highway 27 to State Road 200.
- (8) NE 14th Street from NE 25th Avenue to NE Silver Springs Boulevard;
- (9) SW 17th Street from Pine Avenue to State Road 200;
- (10) SW 60th Avenue from State Road 40 to the southern city limits;
- (11) SW 42nd Street/SW [and] NW 44th Avenue from I-75 west then north to the city limits;
- (12) SE Maricamp Road from SE 30th Avenue to the southeastern city limits;
- (13) NE 36th Avenue from State Road 40 to the northern city limits;
- (14) NE 25th Avenue from NE 14th Street to the northern city limits.
- (15) NW 27th Avenue from NW Blitchton Road (US27) to State Road 40;
- (16) SW Martin L King Avenue from State Road 200 (SW College Road) to SW 17th Street.

---

<sup>1</sup>Cross reference(s)—Businesses, ch. 22.

---

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(a); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90; Ord. No. 5795, § 1, 1-22-08; Ord. No. 2012-13, § 5, 11-17-11; Ord. No. 2012-57, § 3, 10-16-12)

### **Sec. 110-182. Removal of signs in A-1 districts.**

Off-site advertising signs in A-1 districts constructed on or after August 5, 1969, are temporary uses. Any such sign shall be removed within one year of the time of the rezoning of the property upon which such sign is located to any zoning district in which such sign is not permitted, and shall be removed or relocated within one year of the time of the rezoning of any adjacent property when, by reason of such rezoning, the sign is in nonconformance with the requirements of section 110-185 or 110-186.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(b); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90)

### **Sec. 110-183. Maximum height.**

The lowest horizontal component of an off-site advertising sign shall not be higher than six feet above the building closest to that sign, provided that the highest horizontal component of that sign does not exceed 50 feet measured from the roadway centerline grade perpendicular to that point of the sign closest to the right-of-way. Off-site advertising signs located a distance 100 feet or greater from a building fronting the same roadway as the off-site advertising sign shall not exceed 35 feet in height measured from the roadway centerline grade perpendicular to that point of the sign closest to the right-of-way.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(c); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90)

### **Sec. 110-184. Maximum area.**

The area of a sign face of an off-site advertising sign shall not exceed 378 square feet, including border, with ten percent embellishments. The cabinet for a digital sign shall not be included in the sign face area calculation. An apron not exceeding two and one-half feet in height may be attached to the bottom of the sign.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(d); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90; Ord. No. 2012-13, § 6, 11-17-11; Ord. No. 2012-57, § 4, 10-16-12)

### **Sec. 110-185. Setbacks.**

No off-site advertising sign shall be permitted to be constructed, erected or altered so that any part thereof would extend toward any street a distance less than 30 feet or the building setback line, whichever is greater, or a distance less than 15 feet from rear and side lot lines.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(e); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90)

### **Sec. 110-186. Spacing.**

- (a) Any portion of a static or tri-vision off-site advertising sign which is exposed above the ground shall not be placed closer than 1,000 feet to another off-site advertising sign on the same side of the right-of-way.

- 
- (b) Any portion of a digital off-site advertising sign which is exposed above the ground shall not be placed closer than 1,000 feet to a static or tri-vision off-site advertising sign on the same side of the right-of-way, and 2,500 feet to a digital off-site advertising sign with a digital face oriented towards same direction traffic.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(f); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90; Ord. No. 2012-13, § 7, 11-17-11)

#### **Sec. 110-187. Minimum distance from certain uses.**

- (a) No static off-site advertising sign shall be located within 200 feet of any residentially zoned land measured along the common right-of-way, or within a 100-foot radius of any residentially zoned land measured from the residential lot line to the nearest point of the sign.
- (b) No tri-vision or digital off-site advertising sign shall be located within a 200-foot radius of any residentially zoned land measured from the residential lot line to the nearest point of the sign.
- (c) No off-site advertising sign shall be located within 150 feet of a church, public school, public park, civic area or cemetery where the sign orients toward such facility or the street upon which such facility is located measured from the property line to the nearest point of the sign.
- (d) No digital off-site advertising sign shall be located within 150 feet of the Ocala International Airport measured from the property line to the nearest point of the sign.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(g); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90; Ord. No. 2012-13, § 8, 11-17-11)

#### **Sec. 110-188. Construction and maintenance standards.**

Off-site advertising signs shall be governed by the following construction and maintenance standards:

- (1) All off-site advertising signs shall be constructed and maintained in accordance with the applicable building code.
- (2) Construction and materials for off-site advertising signs shall be as follows:
- a. Sign structures, excluding faces, shall be constructed with a maximum of two supports.
  - b. Wood framing and trim shall be of treated material, and any wood material under the surface of the ground shall be pressure-treated material.
- (3) All off-site advertising signs shall have a minimum clearance of 12 feet below the bottom of the sign structure and average grade below the sign, including the apron when present, but excluding supports.
- (4) The backs of all signs, where visible, shall be painted or treated with a material suitable for the preservation of the appearance of such signs.
- (5) All signs shall be maintained front and back in a constant state of good repair. Standards for good repair shall include the following:
- a. Neither paper nor paint shall be peeling or flaked.
  - b. The sign shall be legible at a distance of 100 feet.
  - c. Signs shall be maintained in a vertical position.
  - d. All signs shall identify the city zoning permit number under which such sign is maintained in such a manner that such identification shall be legible from the right-of-way.

---

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(h); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90; Ord. No. 5023, § 50, 2-19-02)

### **Sec. 110-189. Signs permitted only on legal lots.**

Off-site advertising signs may only be constructed on legal lots as set forth in section 122-249.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(i); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90)

### **Sec. 110-190. Construction in easement, buffer or water retention area.**

No off-site advertising sign may be erected in a utility easement, a water retention area or a buffer.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(j); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90)

### **Sec. 110-191. Tri-vision and digital off-site advertising signs.**

- (a) *Prohibition.* No tri-vision or digital off-site advertising signs shall be allowed in the city except as provided in this chapter.
- (b) *Tri-vision and digital off-site advertising signs.* The city will issue permits for new tri-vision and digital off-site advertising signs subject to the removal of existing off-site advertising signs, as follows:
  - (1) An owner of off-site advertising signs shall be eligible to receive a building permit for one tri-vision or digital off-site advertising sign outside of the target removal area as provided in this chapter after the removal of existing off-site advertising signs with an amount of square footage equal to or greater than a 4:1 ratio of the proposed new sign.
  - (2) An owner of off-site advertising signs shall be eligible to receive a building permit for one tri-vision or digital off-site advertising sign within the target removal area as provided in this chapter after the removal of existing off-site advertising signs with an amount of square footage equal to or greater than an 8:1 ratio of the proposed new sign.
  - (3) For the purposes of satisfying the requirements of this section, square footage of removed signage shall be calculated as follows:
    - a. Square footage of existing off-site advertising signs removed within the target removal area shall be credited at a 2:1 ratio.
    - b. Square footage of existing off-site advertising signs removed outside of the target removal area shall be credited at a 1:1 ratio.
  - (4) A permit for a tri-vision or digital off-site advertising sign may be issued only in conjunction with demolition permits for the removal of signs, together with all supporting structures, or a building permit for the installation of reduced size sign face on an existing structure as required by this chapter. City shall confirm by site inspection the removal of an existing off-site advertising sign and structure, or the installation of a reduced size sign face. The square footage of the sign removed shall be on file in the building department prior to final inspections for the tri-vision or digital sign. Upon confirmation of the removal of an off-site advertising sign with all supporting structures, or the installation of a reduced size sign face, a certificate shall be issued by the building official for each off-site advertising sign and shall identify the square footage of the sign removed. The owner of the certificate may hold

- 
- the certificate, redeem it for a permit in accordance with this chapter or transfer the certificate to a third party. If there is a credit balance remaining after a certificate is redeemed, a certificate for the credit balance shall be issued. No transfer shall be effective until written notification signed by both parties has been provided to the building department confirming the transfer to the transferee.
- (c) *Relocation of existing tri-vision or digital signs.* An existing tri-vision or digital off-site advertising sign may be relocated and reconstructed on another site as a like kind of sign without the requirement to remove other existing off-site advertising signs as required by subparagraph (b) above, subject to meeting all other criteria of this chapter.
- (d) *Eligible existing signs.* For purposes of subsection (b), an "existing off-site advertising sign" eligible for credit of square footage removed must be a conforming or lawful non-conforming sign.
- (e) *Payment in lieu of removal.*
- (1) If an owner (or any person substantially related to owner by ownership control) has insufficient off-site advertising sign square footage to satisfy the provisions of subsection (b), the city will permit tri-vision or digital off-site advertising signs pursuant to the following:
  - (2) Upon the applicant paying city the amount of \$150,000.00, an applicant shall be entitled to place a tri-vision or digital off-site advertising sign in a location where off-site advertising signs are permitted as set forth in this chapter, as follows:
    - a) The amount to be paid by the applicant is the city's estimated costs of requiring a sign owner to remove a typical non-conforming off-site advertising sign, including all compensation required by law.
    - b) The amount paid by the applicant shall be held by the city in a fund, and used only by the city to compensate sign owners for the removal of non-conforming off-site advertising signs pursuant to law, including condemnation thereof, if necessary.
- (f) The building official shall delete any off-site advertising signs removed under this section from the city's inventory of off-site advertising signs.
- (g) In addition to the requirements provided in this chapter for off-site advertising signs, any tri-vision off-site advertising sign erected shall meet the following criteria:
- (1) The static display time for each message is a minimum of six seconds;
  - (2) The time to completely change from one message to the next is a maximum of two seconds;
  - (3) The change of message shall occur simultaneously for the entire sign face;
  - (4) Messages must be fully displayed on a single rotation and not continued as sequential interval messages;
  - (5) No emission of sound or odor intended to attract attention shall be permitted;
  - (6) The sign shall contain a default design that will hold the face of the sign in one position if a malfunction occurs; and
  - (7) The sign shall meet all other requirements of this chapter.
- (h) In addition to the requirements provided in this chapter for off-site advertising signs, any digital off-site advertising sign erected shall meet the following criteria:
- (1) No message may be displayed for less than six seconds;
  - (2) No flashing lights, traveling messages, animation, or other movement are permitted;
  - (3) The time to completely change from one message to the next is a maximum of two seconds;

- 
- (4) The change of message shall occur simultaneously for the entire sign face;
  - (5) Messages must be fully displayed on a single rotation and not continued as sequential interval messages;
  - (6) Interactive displays, including recognition based on electronic key codes, phone calls or texting, facial recognition or automated license plate recognition shall not be permitted;
  - (7) No emission of sound or odor intended to attract attention shall be permitted;
  - (8) Digital off-site advertising signs shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot candle meter at a pre-set distance. Pre-set distances to measure the foot candles impact vary with the expected viewing distances of each size sign as follows:

Face Size	Measurement distance
Up to 300 sq. ft.	150 feet
Over 300 sq. ft.	200 feet

Automatic sensors shall be incorporated to ensure that illumination of a digital off-site advertising sign shall be adjusted as ambient light conditions change. Upon request of city, sign owner shall provide city with acceptable evidence that the sign complies with these illumination standards. Such evidence shall consist of testing by an independent third party by using a foot candle meter or similar testing device.

- (9) The sign shall contain a default design that will hold the face of the sign in one position if a malfunction occurs; and
  - (10) The sign shall meet all requirements of this chapter, except as may be otherwise approved by city council pursuant to section 110-87(b).
- (i) In the event of a conflict between the requirements of subsection (g) or (h) of this section, and other requirements of this chapter, the more restrictive provision shall apply.
- (Ord. No. 2012-13, § 9, 11-17-11; Ord. No. 2012-57, § 5, 10-16-12)

### **Sec. 110-192. Static off-site advertising signs.**

- (a) The city will issue permits for static off-site advertising signs subject to the removal of existing off-site advertising signs as follows:
  - (1) An owner of off-site advertising signs shall be eligible to receive a building permit for one static off-site advertising sign outside of the target removal area as provided in this chapter after the removal of existing off-site advertising signs, with an amount of square footage equal to or greater than a 1:1 ratio of the proposed new sign.
  - (2) An owner of off-site advertising signs shall be eligible to receive a building permit for one static off-site advertising sign within the target removal area as provided in this chapter after the removal of existing off-site advertising signs with an amount of square footage equal to or greater than a 2:1 ratio of the proposed new sign.
  - (3) For the purposes of satisfying the requirements of this section, square footage of removed signage shall be calculated as follows:
    - a. Square footage of existing off-site advertising signs removed within the target removal area shall be credited at a 2:1 ratio.



- 
- b. Square footage of existing off-site advertising signs removed outside of the target removal area shall be credited at a 1:1 ratio.
- (4) A permit for a static off-site advertising sign may be issued only in conjunction with demolition permits for the removal of signs, together with all supporting structures, or a building permit for the installation of reduced size sign face on an existing structure as required by this chapter. City shall confirm by site inspection the removal of an existing off-site advertising sign and structure or the installation of a reduced size sign face. The square footage of the sign removed shall be on file in the building department prior to final inspection for the static sign. Upon confirmation of the removal of an off-site advertising sign with its supporting structure, or the installation of a reduced size sign face, a certificate shall be issued by the building official for each off-site advertising sign, which shall identify the square footage of the sign removed. The owner of the certificate may hold the certificate, redeem it for a permit in accordance with this chapter or transfer the certificate to a third party. If there is a credit balance remaining after a certificate is redeemed, a certificate for the credit balance shall be issued. No transfer shall be effective until written notification signed by both parties has been provided to the building department confirming the transfer to the transferee.
- (b) City council may approve an agreement to allow conversion or reconstruction of a lawful nonconforming off-site advertising sign, or sign structure, that existed on January 1, 2011, to a static monopole off-site advertising sign, or construction of a new static monopole off-site advertising sign: (1) without the sign or sign structure being in compliance with street corridor, setback, height and spacing restrictions or legal lot requirements of this chapter; or (2) on a parcel with a zoning designation that does not comply with the requirements of this chapter, provided that the parcel shall not have a residential zoning designation or be zoned FBC or B-3C.
- (1) Such approval shall be based on a consideration of the following factors:
- a. Whether the conversion or reconstruction will reduce the square footage or number of existing signs, together with all supporting structures, in gateways to the city or in the downtown area.
  - b. Whether the converted or reconstructed sign will comply with the requirements of section 110-188.
  - c. Whether the degree of nonconformity of the existing signs will be reduced.
  - d. Whether, the aesthetics of the city or of the existing signs will be improved.
- (2) Each approval shall be based upon factors appropriate to the particular conversion or reconstruction and shall not constitute precedent concerning, or require city to approve other conversions or reconstructions.

(Ord. No. 2012-13, § 10, 11-17-11; Ord. No. 2012-57, § 6, 10-16-12; Ord. No. 2015-14, § 1, 2-17-15; Ord. No. 2018-42, § 13, 9-25-18)

### **Sec. 110-193. Licenses.**

- (a) A license shall be required for each sign face. Applications for such license shall be submitted to the building department on the forms provided and shall be issued prior to final inspection of any new off-site advertising sign. For any off-site advertising sign existing as of October 1, 2012, the building director shall assign a license number to each sign face and provide a list of such license numbers to the owner(s) of the signs. Application and license renewal fees shall be established by resolution approved by city council.
- (b) Licenses shall expire annually on January 15. All license renewal fees are required to be submitted to the city building department by no later than January 15. On or before November 1 of each year, the building department shall send to each licensee a list of licenses and a notice of fees due for all licenses which were

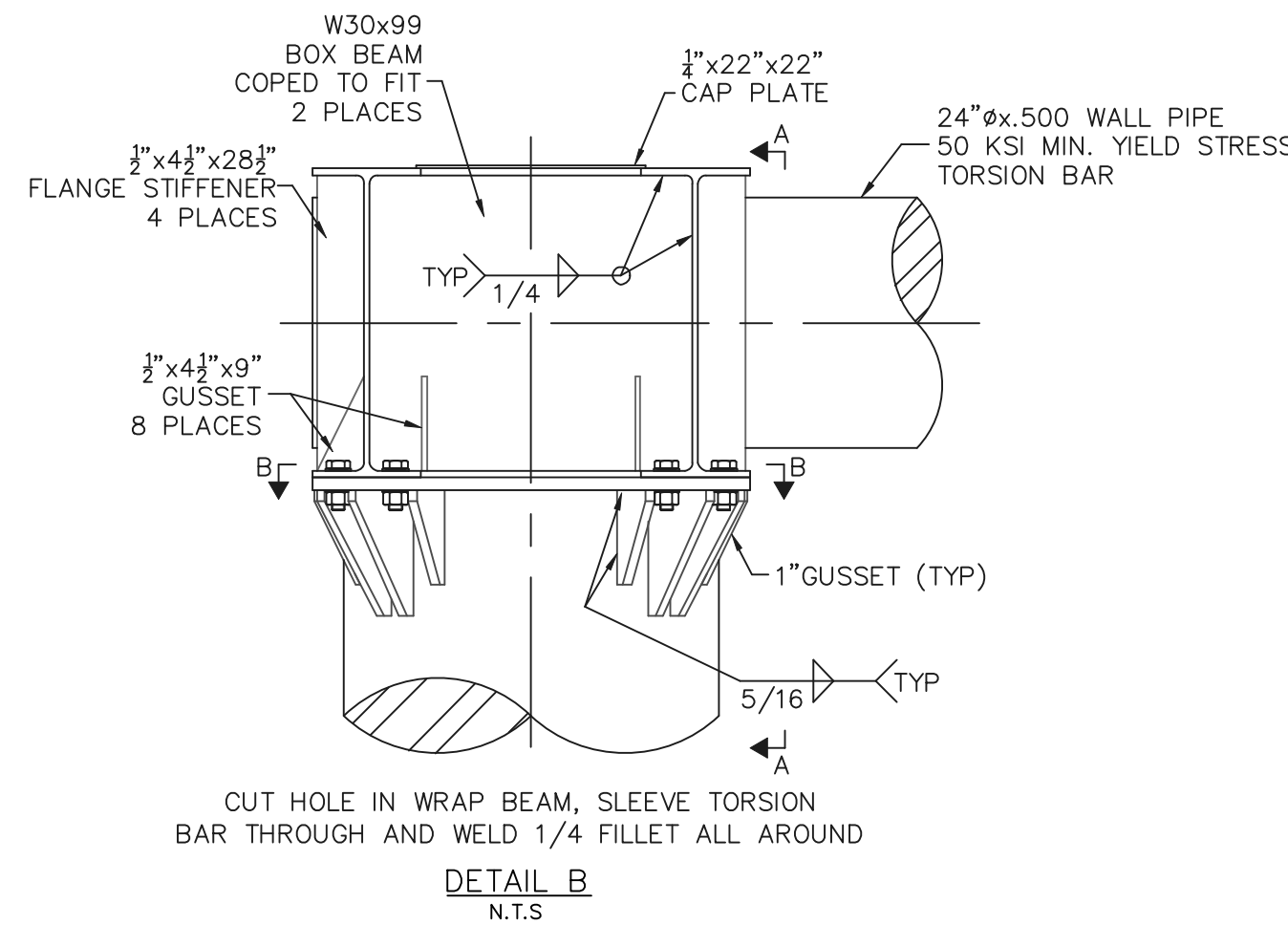
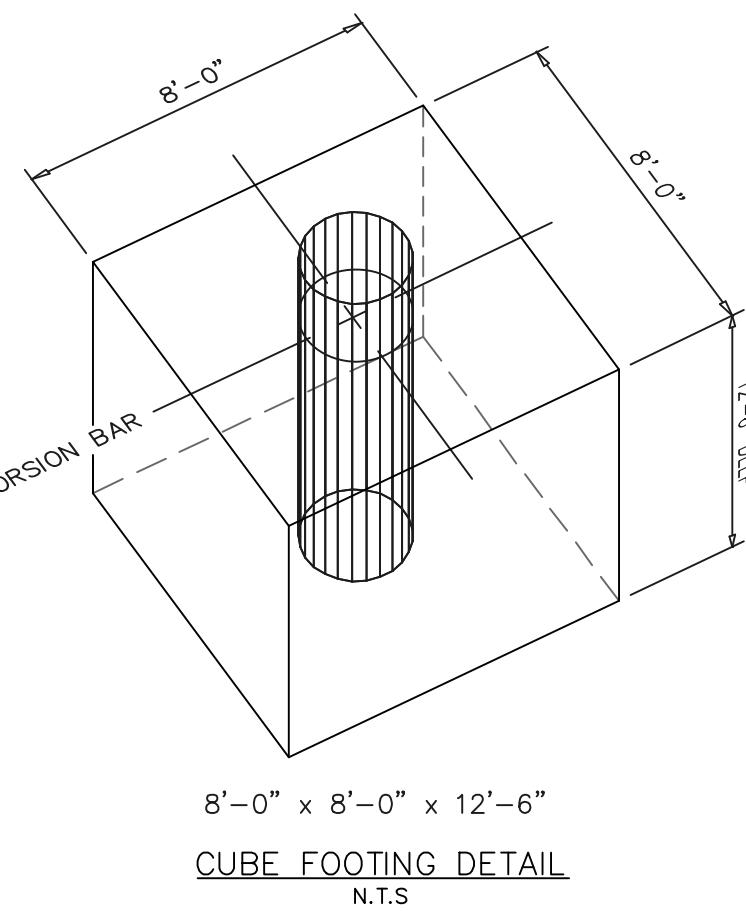
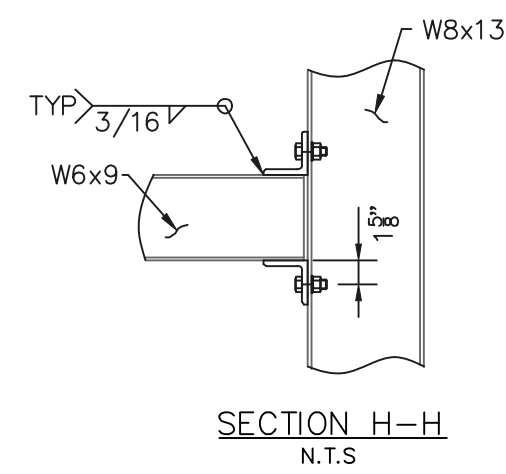
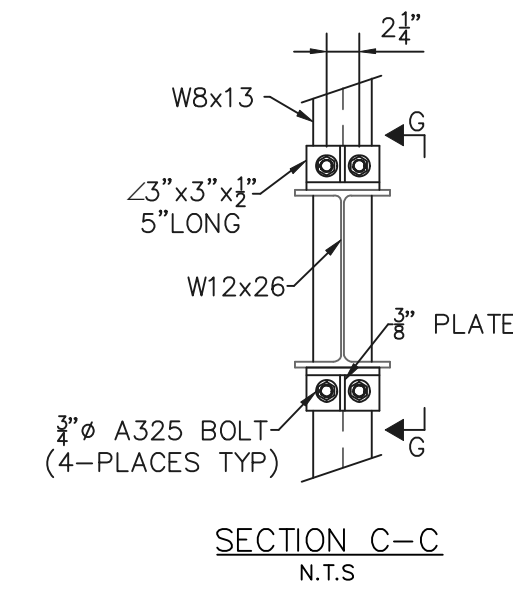
---

issued to him prior to September 30. The licensee shall, no later than January 1 of each year, advise the building department of any additions, deletions or errors contained in the notice.

- (c) If a licensee has not submitted his fee payment and list of licenses by January 15, the code inspector shall, no later than February 1, send a notice of violation to the licensee by certified mail, requiring the payment of the license fee within 30 days after the date of the notice and payment of a delinquency fee equal to ten percent of the original amount due. If the licensee submits payment as required by the violation notice, his license will automatically be reinstated, and such reinstatement will be retroactive to January 15. If the licensee does not respond to the notice of violation within the 30-day period, the code inspector shall notify the enforcement board for appropriate action as specified in chapter 2, article V of this Code.

(Ord. No. 2012-57, § 7, 10-16-12)

Project Number	Project Name	Type	Number of Signs	Credits Used	Fee Paid In Lieu	Payee
SPLM12-0007	Clear Channel Billboard	Static	2	756	N/A	Clear Channel
SPLM15-0005	S Curve Digital Billboard	Digital	1	1,512	N/A	Clear Channel
SPLM15-0016	Lamar Billboard	Static	2	752	N/A	Lamar
SPLM20-0011	Lamar Digital Billboard	Digital	2	3,024	N/A	Lamar
SPLM21-44586	Ocala BP Billboard	Digital	1	N/A	\$150,000	Savannah Consulting LLC
SPLM22-44994	SR 200 New Build-Billboard	Digital	1	1,512	N/A	Clear Channel
SPLM23-45092	Raney Site Billboard	Digital	2	N/A	\$300,000	Raney Outdoor
SPLM23-45176	Ocala Fedex Billboard	Digital	2	N/A	\$300,000	Savannah Consulting LLC
SPLM23-45314	Billboard 2800 SE Maricamp	1 Digital, 1 Static	2	1,890	N/A	Clear Channel
SPLM23-45315	Billboard New 841 N Pine Ave	Digital	1	3,024	N/A	Clear Channel
SPLM25-0008	View Florida Billboard	Digital	2	N/A	\$300,000	View Florida LLC

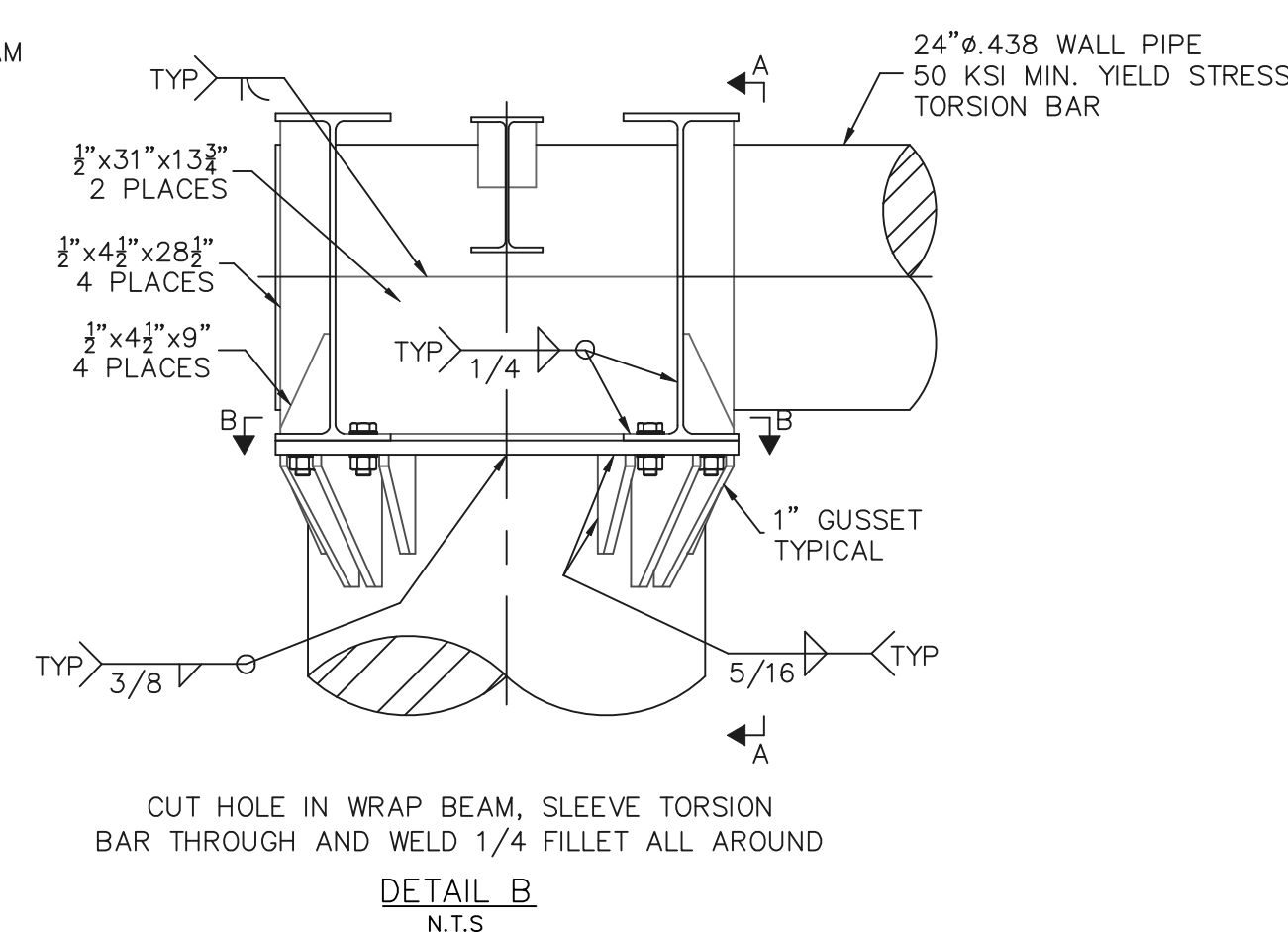
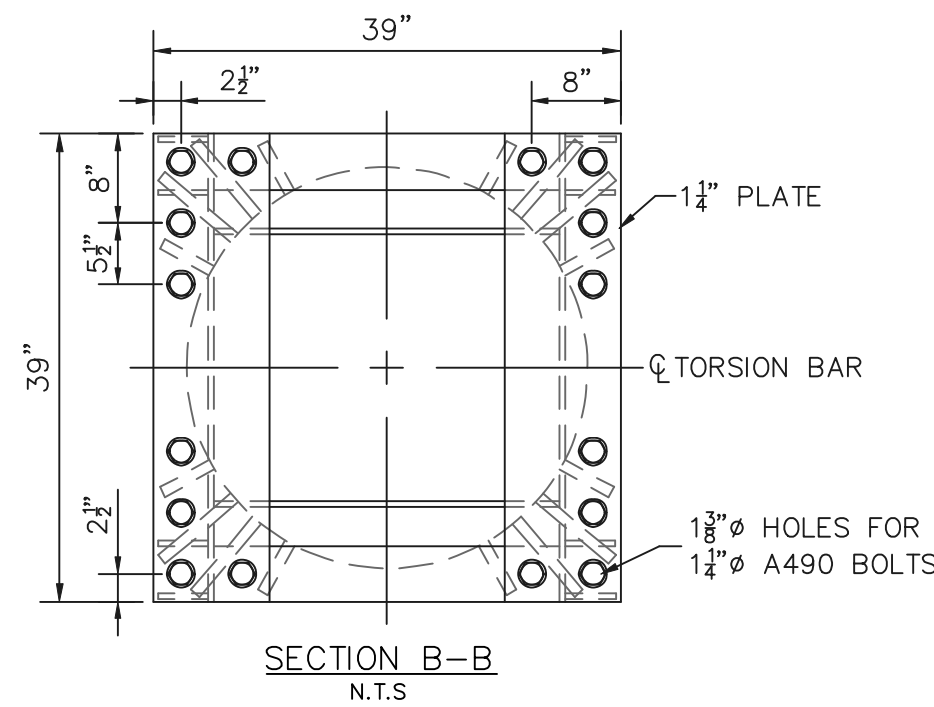
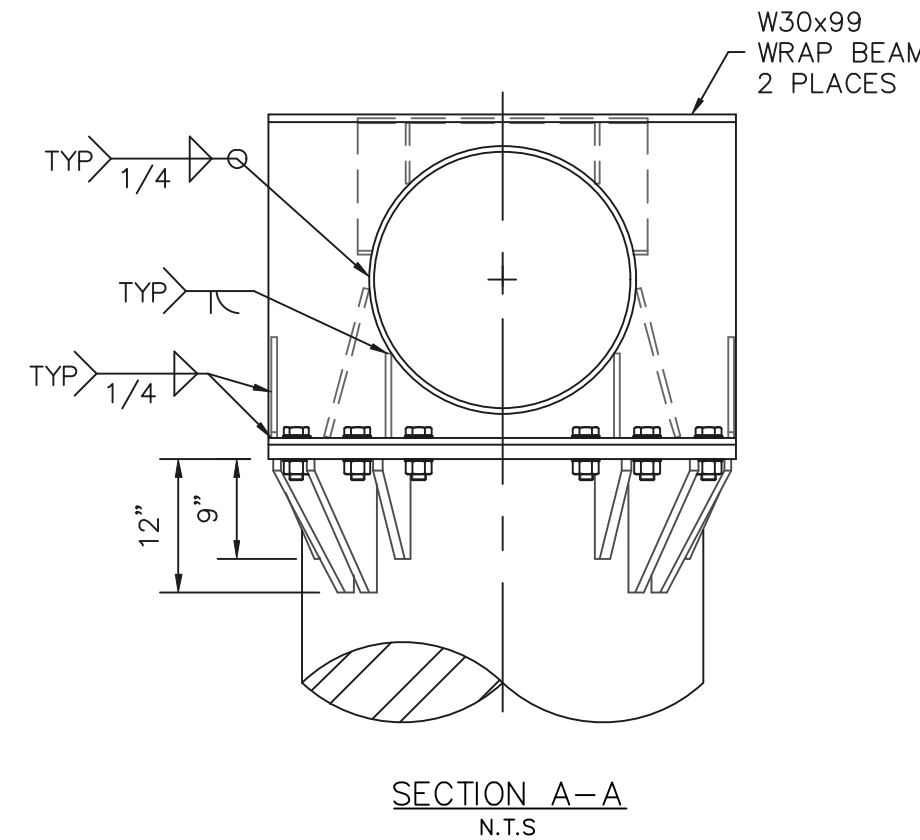
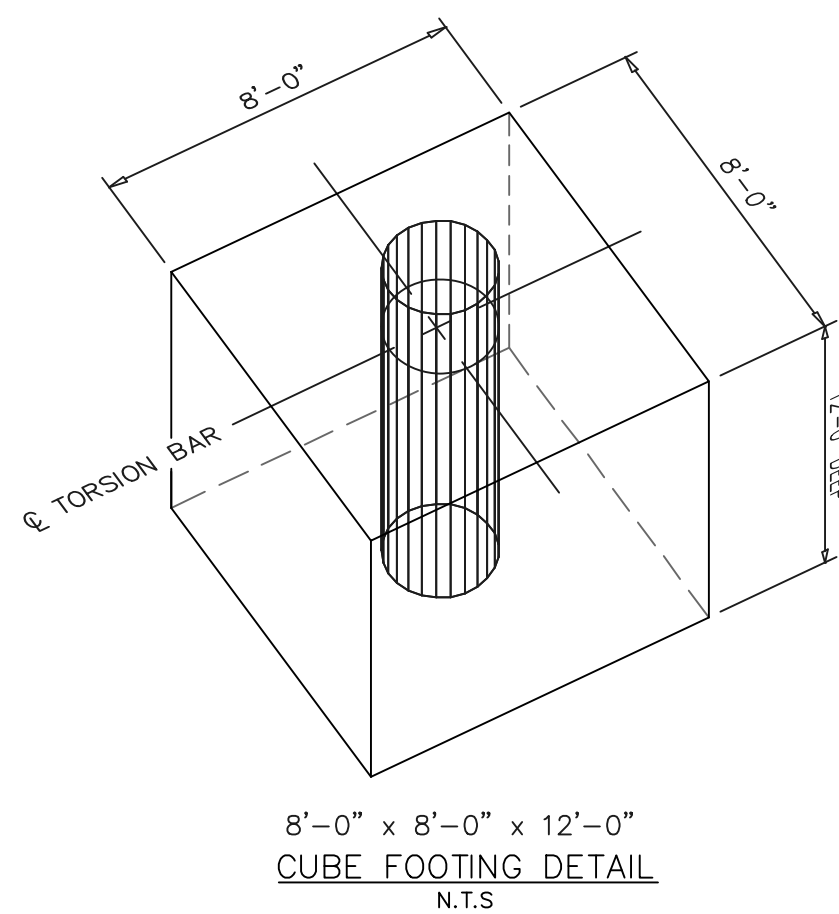
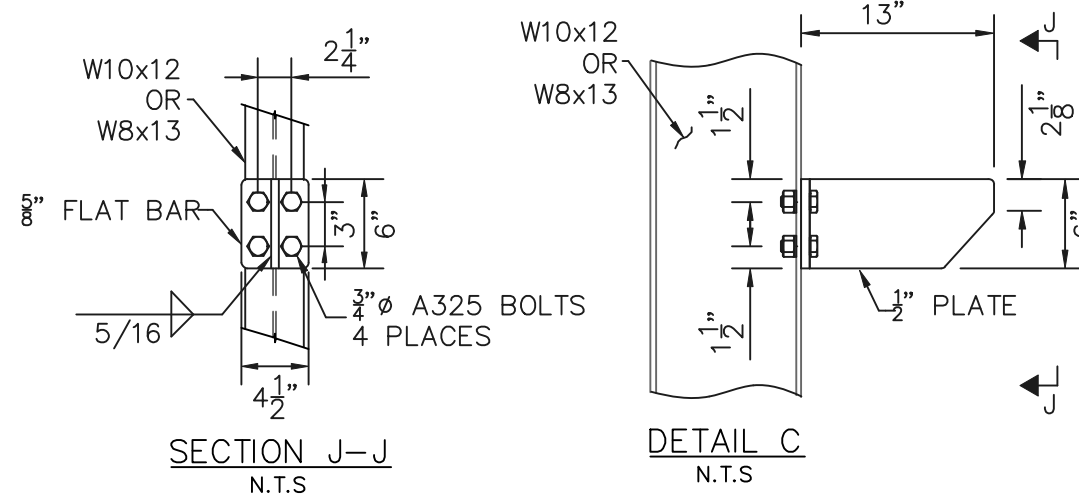
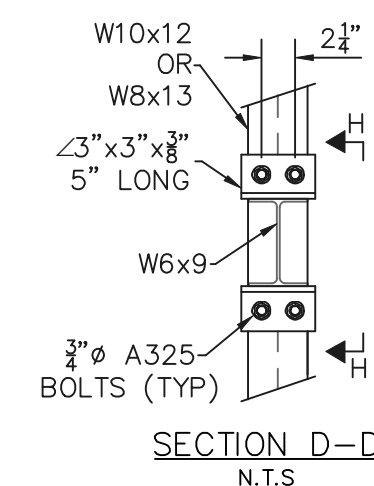
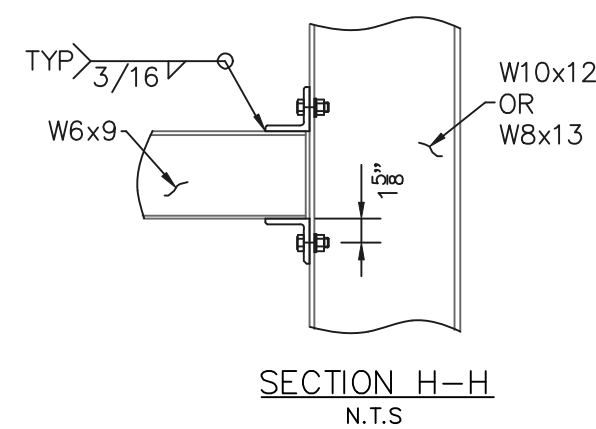
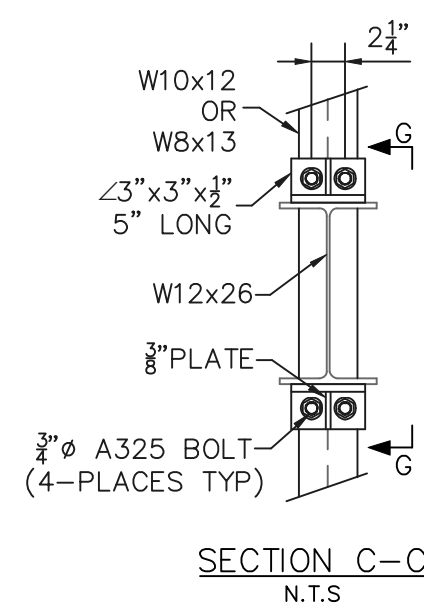
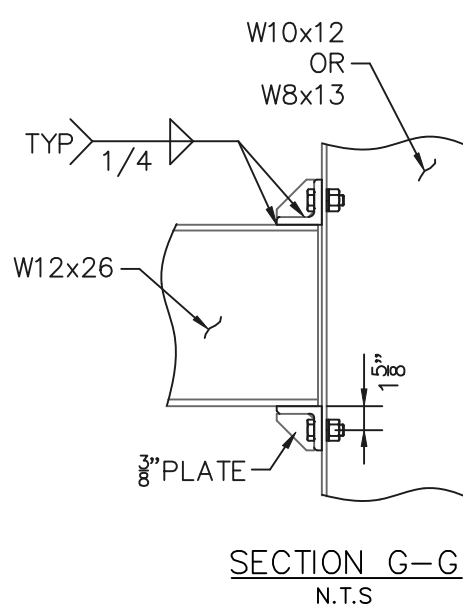
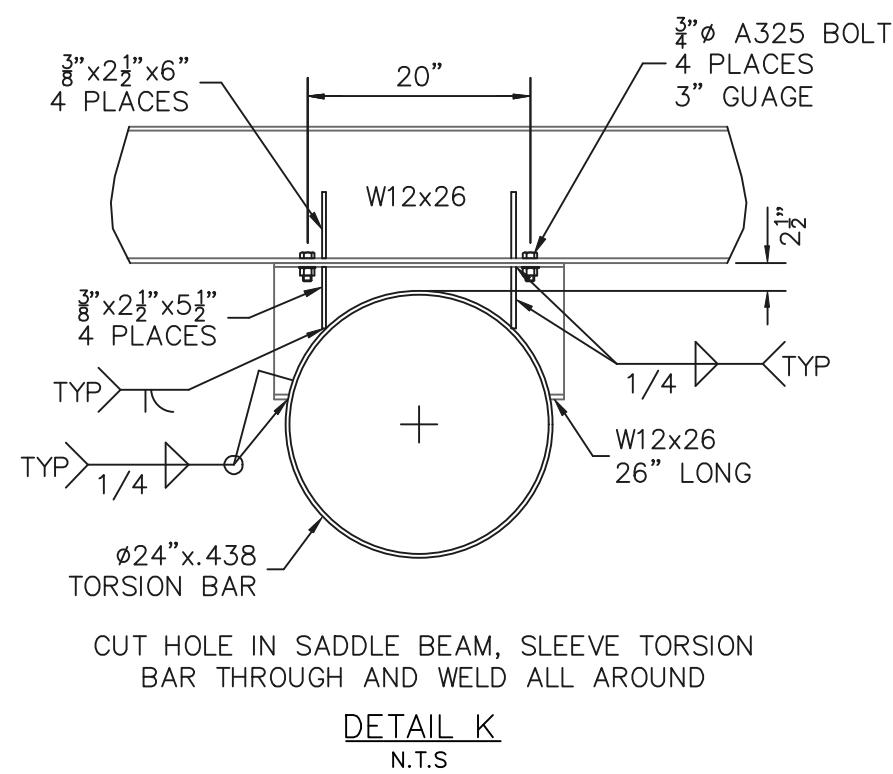
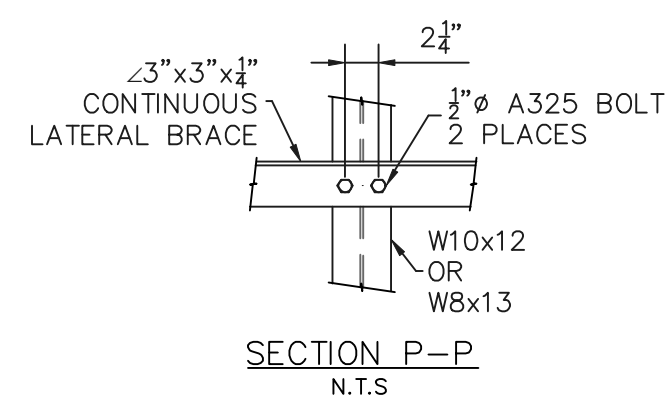
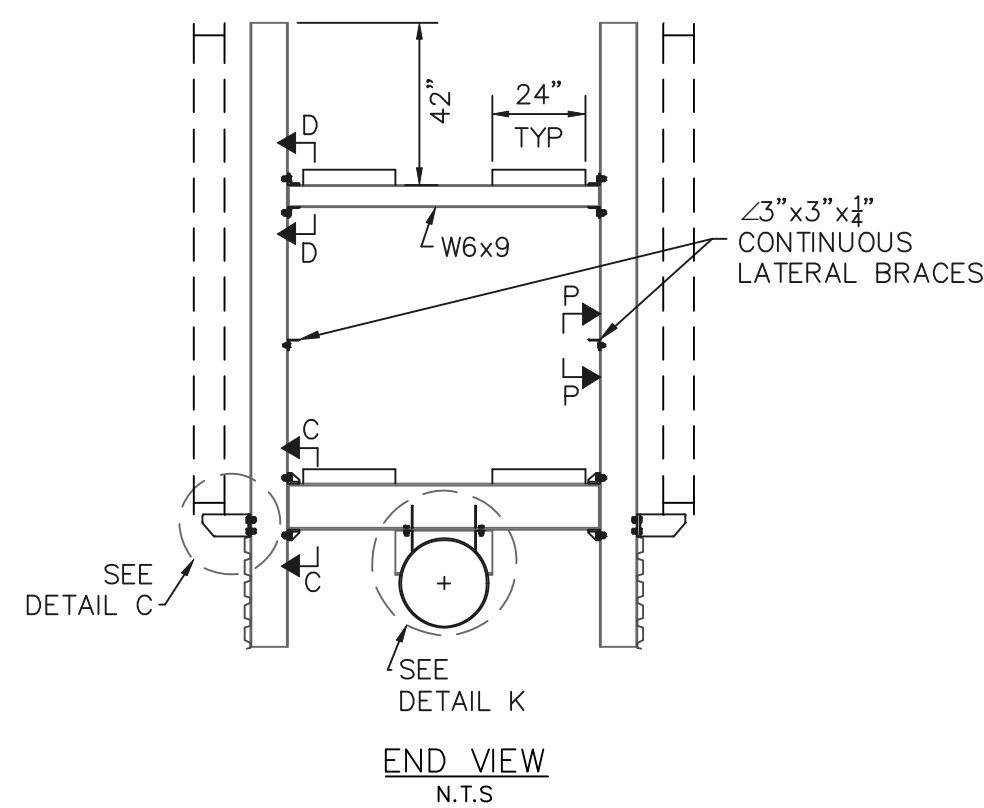
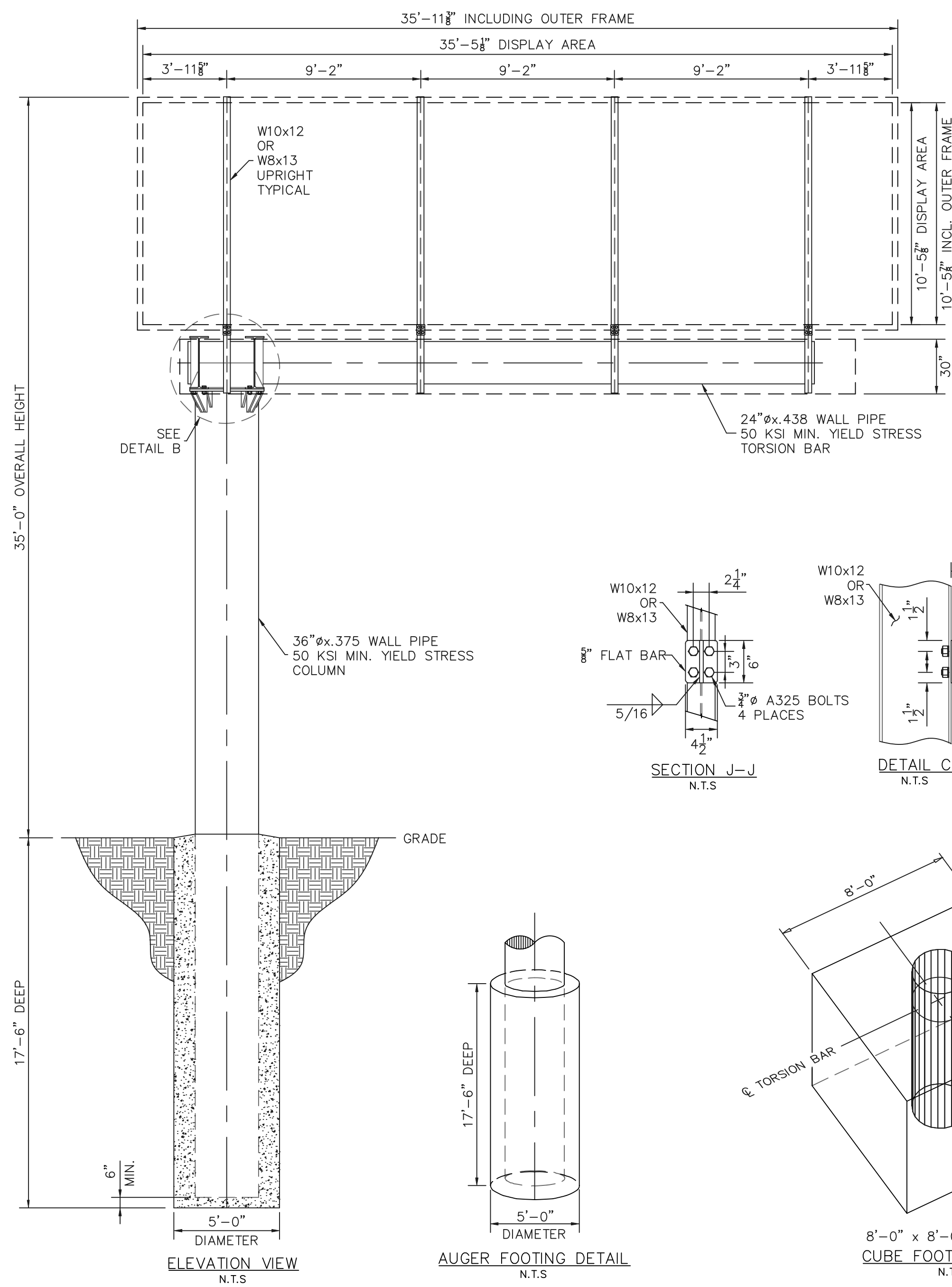
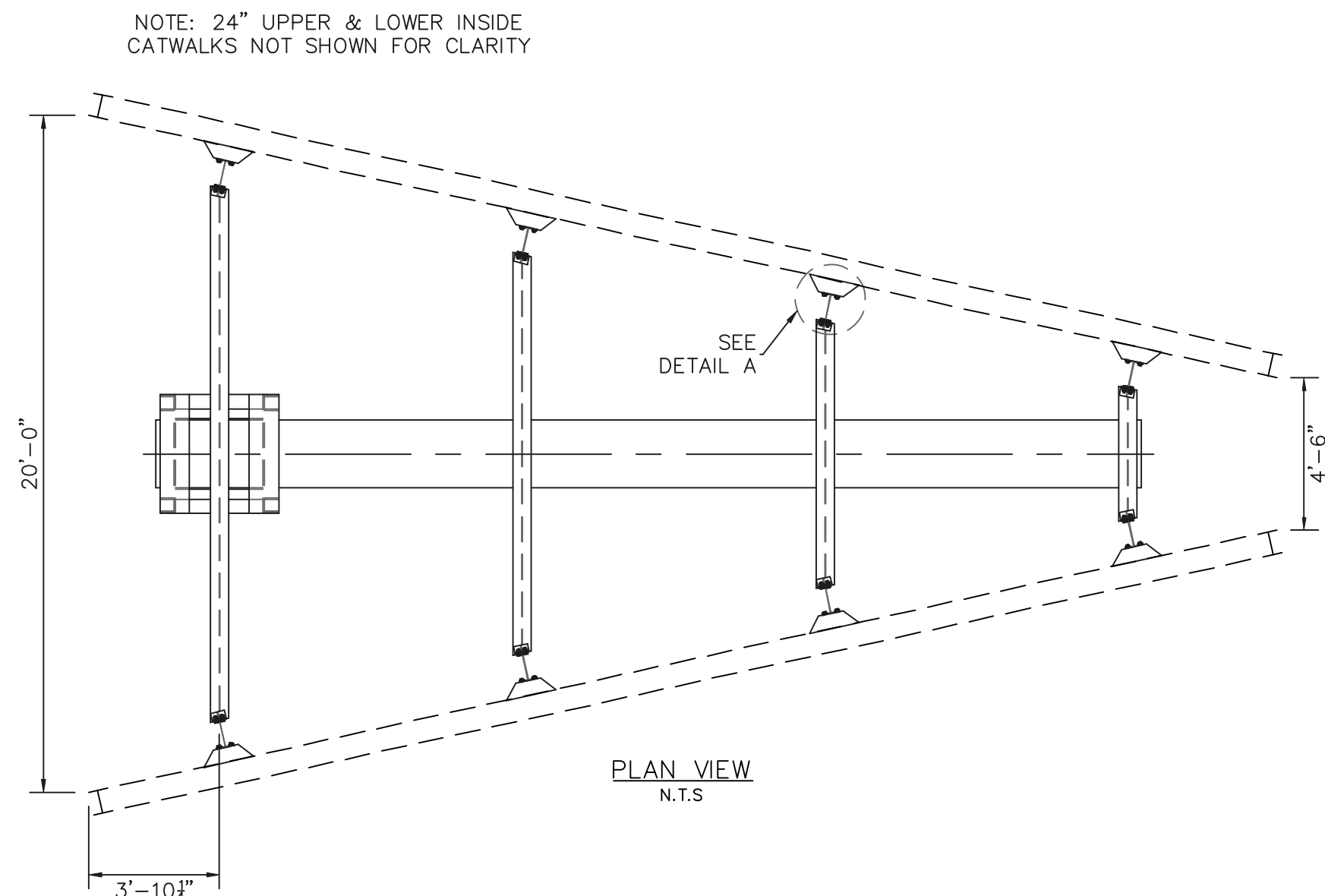


- |            |            |
|------------|------------|
| DRAWN BY:  | TGS        |
| DATE:      | 1/9/25     |
| SELECTIVE# | Permitting |
| SCALE:     | 1/4"=1'-0" |
| PROJ.#     | 001025     |
| DWG.#      | ED-11445   |
| SHEET#     | 1 OF 1     |

For Code Compliance  
City of Ocala Growth Management  
**SGN25-0009**  
**VIEW FLORIDA LLC**  
**BILLBOARD SIGN**  
**10/24/2025**



THE STRUCTURE SHOWN, AS DESIGNED, IS CAPABLE OF SUPPORTING UP TO TWO (2) DIGITAL DISPLAYS WEIGHING UP TO APPROXIMATELY 4,725# EACH.



GENERAL NOTES:

1. All design detailing, fabricating and construction shall conform to the following codes and standards:

For Code Compliance  
City of Ocala Growth Management  
SGN24-0135  
12/22/2024

- a. The Florida Building Code (2023 8th Edition)
- b. American Society of Testing and Materials (ASTM) specifications.
- c. Building Code Requirements for Reinforced Concrete (ACI 318—(Current Edition))
- d. Code for Welding in Building Construction of the American Welding Society (AWS) (Current Edition).
- e. Specification for the Design, Fabrication and Erection of Structural Steel for Buildings by The American Institute of Steel Construction (AISC) (Current Edition)

2. Concrete shall be  $f'_c = 2500$  P.S.I. @ 28 days Compressive Strength, Standard Weight (150 P.C.F.)

3. Reinforcing Steel (**if required**) shall be ASTM A-615 Grade 60.

- a. All reinforcing steel shall be free from mud, oil, rust or coatings that would reduce or destroy bond.
- b. All reinforcing bars shall lap 30 diameters minimum, except as noted.
- c. Minimum concrete cover on ties, stirrups and main bars shall be 3/4 inch for slab, wall and surfaces not exposed to weather or in contact with ground; 3 inches for unformed surfaces deposited against the ground except as noted.

4. Structural Material Specifications

- a. Structural Steel and Plates shall be A-36
- b. W-Shape beams shall be ( $F_y = 50$  ksi) Minimum
- c. Structural tubing shall be ASTM A-500, Grade B, ( $F_y = 46$  ksi)
- d. Structural piping shall be ASTM A-53, Grade B, Type E or S, ( $F_y = 35$  ksi), ASTM A572 Grade 42 ( $F_y = 42$  ksi) or ASTM A572 Grade 50 ( $F_y = 50$  ksi), unless otherwise noted.  
(see drawing for individual member specifications).

5. Anchor Bolts (**if required**) shall be ASTM F-1554 Grade 36, unless otherwise noted.

6. High strength bolts for connections shall be ASTM A-325, unless otherwise noted.

7. Welding electrodes shall comply with AWS D1.1—(Current Edition), E70xx.

8. Design Wind Speed= 130 MPH (**F.B.C.**)  
Equivalent Wind Load= 33.60 PSF @ 35'-0" above the ground. (3 Sec Wind Gusts.)  
Exposure "C"  $I_p = 1.0$   $G = 0.85$

9. Soil Bearing Capacity Requirements:

- a. Spread Footings shall be --- P.S.F.
- b. Cube or Auger Footing: Minimum Lateral Soil Bearing Capacity shall be  $(200 \frac{pcf}{ft} * 2) = 400$  P.S.F. per foot of depth.  
(times two increase per Section 1806.3.4)

10. Contractor shall verify all dimensions and conditions in the field before erection and notify the Engineer of any discrepancies.

11. Splicing of pipes having an equal diameter, wall and yield is permitted. A full penetration weld all around (per AWS D1.1) shall be used and must be performed by a certified welder. Splices shall not be: within one half of the foundation depth below grade, within 10' above grade or within 10' above telescoping splices. Unless noted otherwise.

12. The structure shown, as designed, is capable of supporting up to two (2) possible future digital displays weighing up to approximately 4,725# each.

NOTICE:  
This drawing is for permit procurement purposes only and is for the sole use of T.E.S. and it's designees. Unauthorized use is strictly prohibited.

Selective Structures, LLC  
811 East Avenue  
Athens, TN 37303

DESCRIPTION
-------------

10'-6" x 36'-0" PF, 20'V @ 35'-0" O.A.H.  
w/Up to Two (2) 4,780# Digital Displays  
Located In: Ocala, FL

**C.E.T.**  
CARL E. THOMPSON, JR., P.E.  
Serving the Industry Since 1984  
Phone: (423) 751-6336  
Email: [carl@tesengrs.com](mailto:carl@tesengrs.com) Website: [tesengrs.com](http://tesengrs.com)  
P.O. Box 458, Madisonville, TN 37354

## REVISIONS

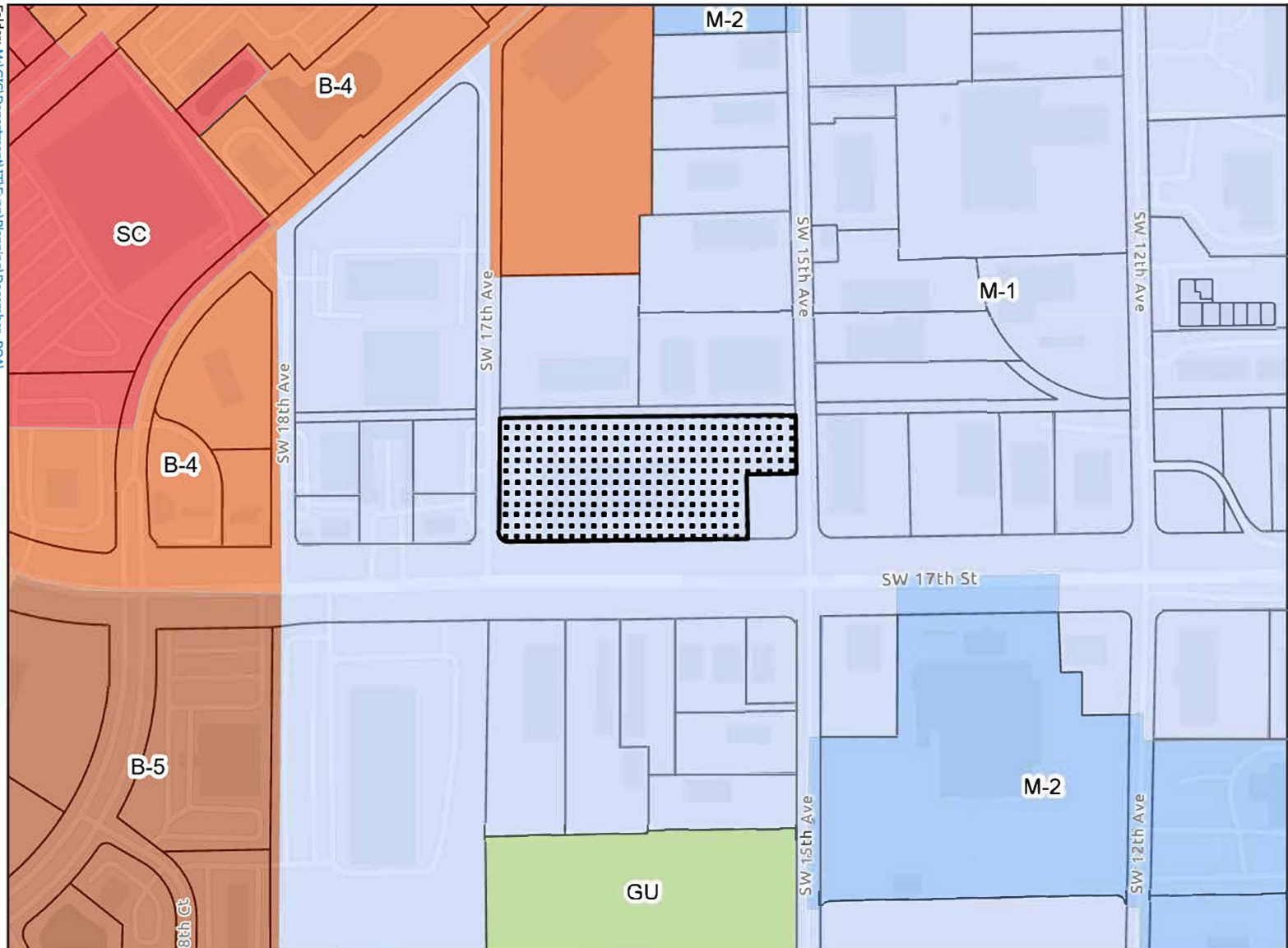
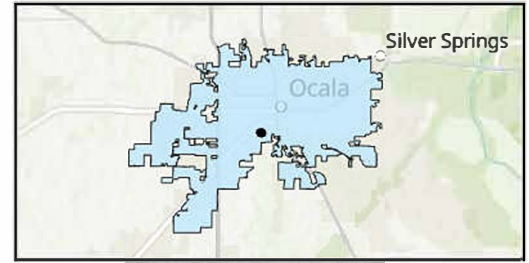
R1-	REVISIONS:	
DRAWN BY:	TGS	
DATE:	08/27/24	
SELECTIVE#	FL10248730	
SCALE:	1/4"=1'-0"	
PROJ.#	031824	
DWG.#	ED-11339	
SHEET#	1 OF 1	

This item has been electronically signed and sealed by **Carl E. Thompson, J.P.E.** using a digital signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

**REVIEWED**  
For Code Compliance  
City of Ocala Growth Management  
SGN24-0135  
12/2/2024





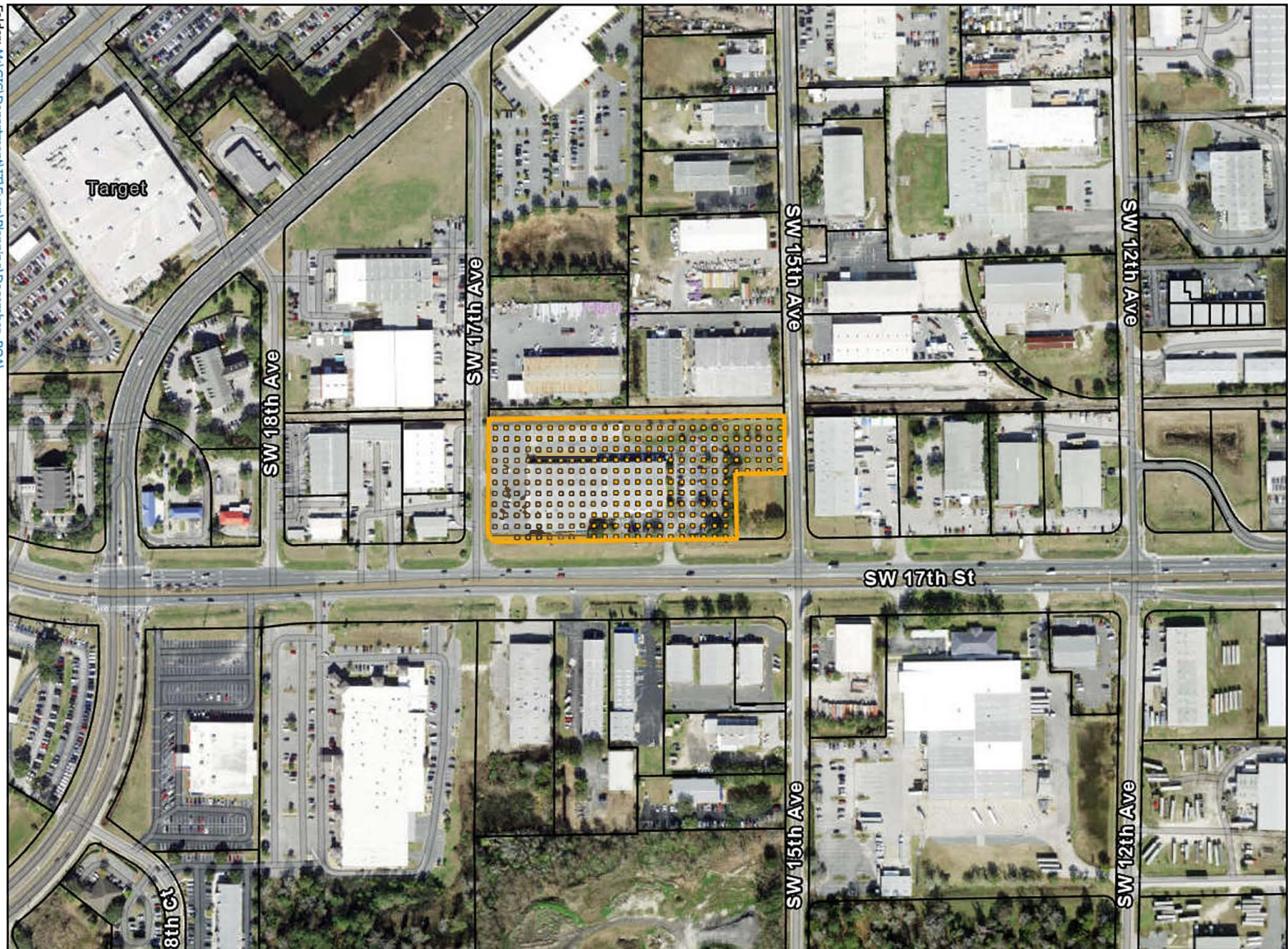
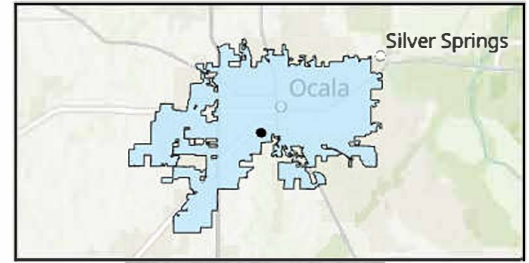
**CASE MAP****Case Number:** PH25-0003**Parcel:** 23656-014-01**Property Size:** Approximately 5.3 Acres**Land Use Designation:** Employment Center**Zoning:** M-1, Light Industrial**Proposal:** A request for an appeal regarding the City's interpretation of the permitting fee for a digital off-site advertising sign under Section 110-191(e)(2) of the Code of Ordinances.

- B-4: General Business
- SC: Shopping Center
- B-5: Wholesale Business
- M-1: Light Industrial
- GU: Governmental Use
- M-2: Medium Industrial
- Parcels
- Subject Parcel

0 450 900 1,800 Feet





**AERIAL MAP****Case Number:** PH25-0003**Parcel:** 23656-014-01**Property Size:** Approximately 5.3 Acres**Land Use Designation:** Employment Center**Zoning:** M-1, Light Industrial**Proposal:** A request for an appeal regarding the City's interpretation of the permitting fee for a digital off-site advertising sign under Section 110-191(e)(2) of the Code of Ordinances.

Subject Parcel

Parcels

0 450 900 1,800 Feet

