



# City of Eustis

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TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: February 5, 2026

RE: **FIRST READING**

Ordinance Number 26-05: Burger King Restaurant New Noncompliant Pylon Sign – SR 19 N

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**Case Number:** 2026-CUP-001

**Project Name:** SR19N Burger King Pylon Sign

**Application Type:** Conditional Sign Permit

**Applicant:** Eddie Alvarez, Adiser Orlando, LLC

**Property Owner:** Burger King Company LLC

**Location:** Outparcel of Publix at SR 19 & CR 44

**Parcel ID:** 35-18-26-0003-000-06500

**Alternate Key:** 3800866

**Future Land Use:** General Commercial (GC)

**Design District:** Suburban Corridor (SC)

## I. INTRODUCTION

The applicant requests approval of a Conditional Sign Permit to allow an existing pylon sign to remain at a height of 30 feet, exceeding the 15-foot maximum permitted for freestanding signs within the Suburban Corridor Design District under LDR §115-11.2(b)(4).

The sign was installed by a contractor without a permit, resulting in a Code Enforcement case and issuance of a Notice of Violation and Order to Correct (Violation ID 2501171). The sign currently stands at approximately 42 feet. The applicant proposes to reduce the height to 30 feet to bring the structure closer to compliance while maintaining visibility along SR 19.

In addition to height, the sign copy area is noncompliant. The existing sign cabinet measures approximately nine feet ten inches (9 ft. 10 in.) by nine feet (9 ft.), totaling approximately 88.88 square feet, exceeding the 50-square-foot maximum allowed for a single-tenant freestanding sign. This deviation requires City Commission approval under the Conditional Sign Permit process.

## II. BACKGROUND

The Burger King restaurant recently underwent a major renovation, with the owner investing approximately \$1.25 million at this location.

A sign contractor installed a new sign cabinet on top of an existing pole without obtaining a City sign permit, triggering enforcement under LDR §102-5 (Work Without Permit). As part of this enforcement action, Code Enforcement issued a Notice of Violation and Order to Correct (Violation ID 2501171), requiring the owner to bring the sign into compliance through permitting or approved deviations.

The Suburban Corridor Design District limits freestanding sign height to 15 feet (LDR §115-11.2(b)(4)) to maintain corridor character and reduce visual clutter.

The sign cabinet installed without a permit measures approximately 88.88 square feet, exceeding the 50 square foot maximum copy area permitted for single-tenant freestanding signs. This noncompliant copy area must be reviewed and approved through the Conditional Sign Permit process.

The applicant states that lowering the sign to 15 feet or reducing the cabinet to 50 square feet would require full pole and cabinet replacement and significant cost but is willing to reduce the height to 30 feet.

### **III. DESCRIPTION OF REQUEST**

The applicant seeks approval of a Conditional Sign Permit under LDR §115-11.2(b)(4) to:

- Retain the existing pylon sign structure.
- Reduce its height from 42 feet to 30 feet.
- Allow a deviation from the 15-foot maximum height required in the Suburban Corridor Design District.
- Allow a deviation from the 50-square-foot maximum copy area requirement to retain the existing 88.88-square-foot sign cabinet.

No other site or building changes are proposed.

### **IV. APPLICABLE REGULATIONS**

#### **1. Suburban Corridor Design District Sign Standards:**

##### **LDR §115-11.2(b)(4)**

- Maximum freestanding sign height: 15 feet
- Maximum copy area for a single-tenant freestanding sign: 50 square feet
- Emphasis on reduced scale, corridor character, and visual consistency

#### **2. Conditional Sign Permit Criteria**

##### **LDR §115-11.5**

- Allows deviations from sign standards when unique site conditions, visibility needs, or public benefit justify relief
- Requires demonstration that the deviation will not create adverse aesthetic, safety, or corridor character impacts
- Requires that the deviation is the minimum necessary to address the hardship or condition

#### **3. Enforcement & Compliance**

##### **LDR §102-5 – Work Without Permit**

- Requires correction of unpermitted work
- Allows compliance pathways through permitting or approved deviations
- Notice of Violation and Order to Correct issued as Violation ID 2501171

## **V. STAFF ANALYSIS**

### **A. Sign Height and Corridor Character**

The Suburban Corridor Design District's 15-foot height limit is intended to create a cohesive, pedestrian-scaled visual environment. A 30-foot sign exceeds this standard but represents a significant reduction from the current 42-foot height.

### **B. Existing Conditions**

- The sign pole predates the recent renovation.
- The new sign cabinet was installed without a permit, triggering enforcement under LDR §102-5.
- Code Enforcement issued a Notice of Violation and Order to Correct (Violation ID 2501171), which remains active until the sign is brought into compliance.
- Lowering the sign to 15 feet would require full pole replacement.

### **C. Visibility Considerations**

SR 19 is a high-speed arterial roadway. A 30-foot sign may improve visibility for motorists while still reducing the current noncompliant height.

### **D. Sign Copy Area**

The existing nine-foot-ten-inch by nine-foot sign cabinet contains approximately 88.88 square feet of copy area, significantly exceeding the 50-square-foot limit. Reducing the cabinet to 50 square feet would require full replacement of the sign structure. The deviation must therefore be reviewed and approved by the City Commission as part of this Conditional Sign Permit.

### **E. Precedent and Consistency**

Approval should be conditioned to avoid creating precedent for excessive sign heights or oversized copy areas along the corridor. Limiting the approval to the existing pole and cabinet structure is appropriate.

### **F. Public Impact**

No residential properties are adjacent. The sign faces commercial traffic along SR 19.

## **VI. FINDINGS**

- The request seeks to correct an unpermitted installation under LDR §102-5.
- A Notice of Violation and Order to Correct (Violation ID 2501171) was issued by Code Enforcement and remains unresolved pending Commission action.
- The proposed 30-foot height exceeds the 15-foot maximum in LDR §115-11.2(b)(4) but is substantially lower than the existing 42-foot height.
- The existing sign copy area of 88.88 square feet exceeds the 50-square-foot maximum allowed under LDR §115-11.2(b)(4), requiring approval through the Conditional Sign Permit.
- The applicant has demonstrated unique structural and cost-related conditions.
- The deviations are unlikely to create adverse impacts on corridor aesthetics or public safety.
- Approval would resolve the active Code Enforcement case.

- The request meets the intent of LDR §115-11.5 for Conditional Sign Permits when conditioned appropriately.

## **VII. RECOMMENDED ACTION**

Staff recommends **APPROVAL WITH CONDITIONS** of the Conditional Sign Permit to allow a 30-foot pylon sign and an 88.88-square-foot sign cabinet, subject to the following:

1. The sign shall be reduced to a maximum height of 30 feet, measured from finished grade to the top of the sign cabinet.
2. The existing sign cabinet measuring approximately 88.88 square feet is acknowledged as a deviation from the 50-square-foot maximum copy area. Approval includes authorization of this deviation for the existing cabinet only.
3. No further height increases, cabinet enlargements, or structural extensions are permitted.
4. All required sign permits must be obtained prior to any additional work.
5. This approval applies only to the existing pole and cabinet structure and is not transferable to a new or relocated sign.
6. All Code Enforcement violations associated with Violation ID 2501171 must be resolved prior to issuance of a final sign permit.

## **VIII. ALTERNATIVES**

1. Approve the request as submitted.
2. Approve with modified conditions.
3. Deny the request, requiring full compliance with the 15-foot maximum.
4. Continue the item to a date certain.

## **IX. BUDGET / STAFF IMPACT**

No direct budget impact. Staff time is covered by application fees.

## **X. BUSINESS IMPACT ESTIMATE**

The applicant reports over \$2.5 million invested in recent Eustis renovations, including \$1.25 million at this location. Allowing a 30-foot sign and the existing cabinet size may support visibility and business operations while resolving a compliance issue.

**Prepared By:** Mike Lane, Development Services