

ORDINANCE NUMBER 26-05

AN ORDINANCE OF THE CITY OF EUSTIS, FLORIDA, APPROVING A CONDITIONAL SIGN PERMIT FOR THE PROPERTY LOCATED AT THE OUTPARCEL OF THE PUBLIX SHOPPING CENTER AT SR 19 AND CR 44 (BURGER KING #13907); ALLOWING A FREESTANDING PYLON SIGN WITH A MAXIMUM HEIGHT OF THIRTY (30) FEET AND A SIGN CABINET WITH A COPY AREA OF EIGHTY-EIGHT POINT EIGHTY-EIGHT (88.88) SQUARE FEET; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Burger King Company LLC is the fee simple owner of the property located at the outparcel of the Publix Shopping Center at SR 19 and CR 44, identified by Parcel ID 35-18-26-0003-000-06500 and Alternate Key 3800866; and

WHEREAS, the applicant, Eddie Alvarez of Adiser Orlando, LLC, submitted an application for a Conditional Sign Permit pursuant to LDR §115-11.5 to allow deviations from the Suburban Corridor Design District sign standards for an existing freestanding pylon sign; and

WHEREAS, the City's Land Development Regulations, specifically LDR §115-11.2(b)(4), limit freestanding sign height within the Suburban Corridor Design District to fifteen (15) feet and limit copy area for a single-tenant freestanding sign to fifty (50) square feet; and

WHEREAS, a sign contractor installed a new sign cabinet measuring approximately nine feet ten inches (9 ft 10 in) by nine feet (9 ft), totaling approximately eighty-eight point eighty-eight (88.88) square feet, on an existing pole without obtaining a City sign permit, resulting in a Code Enforcement case and issuance of a Notice of Violation and Order to Correct (Violation ID 2501171) pursuant to LDR §102-5 (Work Without Permit); and

WHEREAS, the existing sign height is approximately forty-two (42) feet, and the applicant proposes to reduce the height to thirty (30) feet, representing a substantial reduction and bringing the sign closer to compliance while addressing visibility needs along SR 19; and

WHEREAS, the applicant further requests approval to retain the existing 88.88-square-foot sign cabinet, which exceeds the maximum copy area permitted under LDR §115-11.2(b)(4); and

WHEREAS, LDR §115-11.5 authorizes the City Commission to approve deviations from sign standards when unique site conditions, structural limitations, or visibility needs justify relief and when such deviations will not create adverse aesthetic, safety, or corridor character impacts; and

WHEREAS, the City Commission finds that the existing pole structure and cabinet configuration present unique conditions, that the requested deviations represent the minimum necessary to address those conditions, and that approval will resolve an active Code Enforcement case; and

WHEREAS, the City Commission further finds that the request, with conditions, is consistent with the intent of the Land Development Regulations and is in the best interest of the public health, safety, and welfare of the citizens of Eustis.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA:

SECTION 1. APPROVAL.

The Conditional Sign Permit for the property located at the outparcel of the Publix Shopping Center at SR 19 and CR 44 (Burger King #13907), Case Number 2026-CUP-001, is hereby APPROVED, allowing a freestanding pylon sign with a maximum height of thirty (30) feet and a sign cabinet with a copy area of eighty-eight point eighty-eight (88.88) square feet, subject to the conditions set forth in Section 2.

SECTION 2. CONDITIONS OF APPROVAL.

1. Maximum Height. The freestanding pylon sign shall be reduced to a maximum height of thirty (30) feet, measured from finished grade to the top of the sign cabinet.

2. Copy Area Deviation. The existing sign cabinet, measuring approximately eighty-eight point eighty-eight (88.88) square feet, is approved as a deviation from the fifty (50)-square-foot maximum permitted under LDR §115-11.2(b)(4). This approval applies only to the existing cabinet and does not authorize enlargement, replacement with a larger cabinet, or installation of additional sign faces.

3. No Additional Modifications. No additional height increases, structural extensions, or cabinet enlargements shall be permitted.

4. Permitting Requirements. All required sign permits must be obtained prior to any additional work on the sign.

5. Applicability. This approval applies only to the existing pole and cabinet structure and is not transferable to a new or relocated sign.

6. Code Enforcement Compliance. All Code Enforcement violations associated with Violation ID 2501171 shall be resolved prior to issuance of a final sign permit.

7. Compliance with Codes. All work shall comply with the City of Eustis Land Development Regulations and the Florida Building Code.

SECTION 3. CONFLICTS.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. SEVERABILITY.

If any section, subsection, sentence, clause, or phrase of this Ordinance is held invalid, the remainder shall continue in full force and effect.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2026, by the City Commission of the City of Eustis, Florida.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Emily A. Lee
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by means of physical presence, this 19th day of February, 2026, by Emily A. Lee, Mayor/Commissioner, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial No:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the Eustis City Commission, but I have not performed an independent title examination as to the accuracy of the legal description.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 26-05 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Parks & Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Date