



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: December 13, 2022

RE: Resolution Number 22-90: Lake Eustis Waterfront Grille Conditional Sign

Introduction:

Resolution Number 22-90 approves a Conditional Sign for the Lake Eustis Waterfront Grille at 350 Lakeshore Drive (Alternate Key Number 1191181) to permit approximately 146 square feet of building signage in the Urban Neighborhood design district.

Background:

Pertinent Site Information:

- The site subject to this request is 350 Lakeshore Drive and comprises approximately 1.64 acres. The site is located on Lakeshore Drive adjacent to Sharps Mobile Home Park.
- On October 6, 2022, the petitioner to this application, filed a Sign Permit Application for two building signs totaling approximately 146 square feet.
 - One horizontal sign totaling 120 square feet (4 feet by 30 feet) and
 - One oval sign totaling 26 square feet (6.7 feet by 4.95 feet)
- The Sign Permit Application was reviewed by Development Services for consistency with Section 115-11.2(d)(3)(a) on October 7, 2022, and was denied approval due to being more than 2 times the approvable size.



- The applicant was notified of the application denial by email on October 7, 2022.
- The applicant applied for a Condition Sign Permit on October 26, 2022, and paid for the application on October 28, 2022.
- Development Services was notified on November 7, 2022, that the applicant had proceeded to install the signs without a permit and the signs were on the building.

The applicant is, requesting “after-the-fact” permission to allow building signage of approximately 146 square feet. The applicant’s justification statement is as follows: “This property is not roadside or at road level. The building sits *off* the road and is significantly below the road elevation. Additionally, coming in from the West the bridge structure is visually obstructive. While a monument sign might provide some relief, because of the bridge to the West of the entry and mobile homes to the East which have no setback there is little benefit...”

The following image shows the subject property and sign, which has been erected without a permit.



Applicable Land Development Regulations & Analysis of Request

Sec. 115-11.1. - Permits required.

(a) *Sign permits.* Prior to erecting, displaying, or replacing any sign visible from the public right-of-way, the property owner shall obtain a permit from the city building department, by providing a legal description of the property, a scaled and dimensioned drawing of the proposed sign, furnishing any information or specifications as deemed necessary, and a site plan showing all

existing signs, the proposed sign location, setbacks to the closest property lines, and by making payment of all applicable fees.

Pursuant to the Land Development Regulations, signs require separate permits. The property owner did not obtain a sign permit prior to erecting the subject signage, as of the writing of this staff report no Code Enforcement violation has been initiated.

Sec. 115-11.2(d) - Sign standards.

(3) Placement . The permitted building signs may be placed on the wall, awnings, or be a projecting sign in compliance with the following standards:

a. Building signs (wall, awning, marquee, canopy) .

1. Wall signs shall display only one surface, shall not be mounted more than 6 inches from any wall, and shall not project more than 12 inches from the building.

2. The maximum combined copy area for building signs, including any sign backgrounds, shall be as follows:

Corridor design districts: One hundred square feet per building frontage, maximum letter size 36 inches, maximum logo size 48 inches. Maximum copy area may be distributed per sign and along building elevations, as desired by the business consistent with the maximum number of signs permitted above; however, copy area per building elevation shall not exceed 100 square feet.

All other design districts: Seventy-two square feet per building frontage, maximum letter size 24 inches, maximum logo size 24 inches. Maximum copy area may be distributed per sign as desired by the business consistent with the maximum number of signs permitted above; however, copy area per building elevation shall not exceed 72 square feet.

The property is not located in a corridor design district but rather the Urban Neighborhood design district, so the sign standards for all other design districts apply. The subject signs' total copy and logo area square footage exceed the regulation that states that the sign shall have a maximum copy area of no more than 72 square feet per building frontage.

Section 115-11.5 Conditional Signs:

Permitted. Signs that are not addressed or permitted in this section may be permitted as conditional signs when there are unique situations or circumstances which require individual review of the location, size, and impact in order to determine the appropriateness of the sign on a particular site and its compatibility with adjacent uses.

Public hearing. The city commission may approve a conditional sign by resolution in a public hearing in accordance with Section 102-12.

Conditions. The city commission may attach conditions and limitations to the approval as necessary to carry out the spirit and purpose of the land development regulations and the comprehensive plan and to prevent or minimize adverse impacts. These conditions may include but are not limited to, size, duration, landscaping, and lighting.

In approving conditional signs, the city commission shall make the following findings:

- **There are special circumstances and conditions peculiar to the site, the business, or the sign that are not applicable to other sites or businesses.**

Comparing this subject site and sign to other similar uses within the City, there are no special circumstances or conditions peculiar to the site, business, or sign that are not applicable to other sites or businesses. The property subject to the request is located along a local street, with the pad of the primary building being lower than the crown of the adjacent street. The building height allows the sign to be installed at the driver visibility level. The building is no further back than other similar entities throughout the City. The building sitting lower than the crown of Lakeshore Drive may be considered to be an extenuating condition of the site and building, however, the sign placement provides adequate visibility for the sign. The size of the sign does not necessarily enhance that visibility. The site conditions are also not amenable to the applicant to utilize a ground sign for the business. It may be reasonable with this conditional sign to allow the applicant to apply all allowable sign copy area to the building.

- **The approval does not grant any special privilege denied to other sites or businesses.**

The purpose and intent of Section 115-11 of the Land Development Regulations is to, “create the legal framework for signage regulation that is intended to facilitate easy and agreeable communication between people. This Code recognizes the need for adequate business identification and advertising and communication in addition to the need to protect the safety and welfare of the public and provide a well-maintained, attractive appearance in the community.”

Other businesses within the City limits in similar design districts are subject to the same limitations as this property. Approval would potentially grant a special privilege denied to other sites and businesses and may set a perceived justification for other conditional sign approvals in the future.

- **The sign is compatible with its environment and does not create any unsafe conditions or detriments to the public welfare.**

The signs subject to this request would not pose any threat to public welfare or create unsafe conditions, provided that the signs have been installed in accordance with applicable code standards. If this conditional sign request is approved, the applicant will still be required to submit a building permit application and engineered drawings confirming compliance with the Florida Building Code.

Recommended Action:

Approval of the Conditional Sign Permit with conditions:

1. A maximum of 146 square feet of total signage for the property
2. Sign permits must be obtained and completed within 30 days of the approval of Resolution Number 22-90

Policy Implications:

None

Alternatives:

1. Approve Resolution Number 22-90
2. Deny Resolution Number 22-90

Budget/Staff Impact:

None

Prepared By:

Jeff Richardson, AICP, Deputy Director, Development Services

Reviewed By:

Mike Lane, AICP, Director, Development Services