

ORDINANCE NUMBER 26-05

AN ORDINANCE OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING A CONDITIONAL SIGN PERMIT FOR THE EXISTING FREESTANDING SIGN LOCATED AT THE BURGER KING RESTAURANT AT 1909 STATE ROAD 19 NORTH; ALLOWING A MAXIMUM HEIGHT OF 42 FEET AND AN 89 SQUARE FOOT SIGN CABINET; AUTHORIZING THE CITY COMMISSION TO ESTABLISH CONDITIONS OF APPROVAL AT ADOPTION, INCLUDING BUT NOT LIMITED TO BEAUTIFICATION OR MAINTENANCE COMMITMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Eddie Alvarez of Adiser Orlando, LLC, on behalf of Burger King Company LLC, submitted an application for a Conditional Sign Permit for the existing pylon sign located at the Burger King restaurant at 1909 State Road 19 North, Eustis, Florida, identified as Parcel ID 35-18-26-0003-000-06500, Alternate Key 3800866; and

WHEREAS, a sign contractor installed a new sign cabinet on an existing pole without obtaining a City sign permit, resulting in Code Enforcement Violation ID 2501171; and

WHEREAS, the Suburban Corridor Design District (LDR §115-11.2(b)(4)) limits freestanding signs to a maximum height of 15 feet and a maximum copy area of 50 square feet; and

WHEREAS, the existing pylon sign stands at approximately 42 feet in height and contains an approximately 89 square foot sign cabinet, both of which exceed the standards of the Suburban Corridor Design District; and

WHEREAS, at the February 5, 2026 City Commission meeting, the Commission determined that the existing height and copy area are acceptable for this location along the SR 19 commercial corridor; and

WHEREAS, the City Commission directed staff to work with the applicant on beautification of the area surrounding the sign; and

WHEREAS, Planning staff requested, and the applicant agreed, to adopt and maintain the SR 19 frontage area adjacent to the site for mowing and routine upkeep; and

WHEREAS, the City Commission finds that approval of the Conditional Sign Permit, subject to conditions, provides a public benefit through corridor beautification and maintenance; and

WHEREAS, the City Commission finds that approval of the Conditional Sign Permit will close Code Enforcement Violation ID 2501171 based on the Commission's acceptance of the existing sign; and

WHEREAS, the City Commission finds that the request meets the criteria for a Conditional Sign Permit under LDR §115-11.5 and is in the best interest of the public health, safety, and welfare of the citizens of the City of Eustis.

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

SECTION 1. APPROVAL OF CONDITIONAL SIGN PERMIT

The Conditional Sign Permit for the Burger King property located at 1909 State Road 19 North is hereby APPROVED. The request includes, but is not limited to, allowing the existing sign height of approximately 42 feet and sign cabinet size of approximately 89 square feet to remain as built, together with any modifications, conditions, or alternate configurations the City Commission may deem appropriate at adoption, which may include enhanced landscaping, right-of-way beautification or other corridor improvement measures.

The following deviations are specifically authorized pursuant to LDR §115-11.5:

1. A maximum freestanding sign height of 42 feet, measured from finished grade to the top of the sign cabinet; and
2. Retention of the existing sign cabinet measuring approximately 89 square feet of copy area.

SECTION 2. CONDITIONS OF APPROVAL

1. Height and Cabinet Size: The existing 42-foot height and 89-square-foot cabinet are approved as deviations from the Suburban Corridor Design District standards. No enlargement, extension, or increase in height or copy area is permitted.

2. Beautification Measures (Optional AIB Participation): The applicant shall coordinate with City staff to implement beautification improvements around the base of the sign, which may include flowering plants, enhanced landscaping, or participation in the City's America in Bloom (AIB) program. Participation in AIB is encouraged but not required; however, equivalent beautification measures

acceptable to the City shall be provided.

- 3. Frontage Maintenance:** The applicant shall adopt and maintain the SR 19 frontage area adjacent to the site, including mowing, litter removal, and routine upkeep.
- 4. Code Enforcement Case Closure:** Code Enforcement Violation ID 2501171 shall be closed upon adoption of this Ordinance and confirmation of the beautification and maintenance commitments.
- 5. Applicability:** This approval applies only to the existing pole and cabinet structure and is not transferable to a new or relocated sign.

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 2026-05 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