

COMMISSION MEETING AGENDA ITEM

TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Resolution 2019-108 — A Resolution granting a variance from the provisions of Chapter 17). 17-4). b).2)., of the Town of Lady Lake Land Development Regulations which restricts wall sign copy area to not exceed 200 square feet or 20 percent of the façade; whichever is greater, for the Earth Fare retail space located within the Earth Fare Commons of Lady Lake Shopping Center, addressed as 655 North Highway 27/441, referenced by Alternate Key Number 3305451.

AGENDA ITEM ID

2019191

DEPARTMENT

Growth Management

STAFF RECOMMENDED MOTION

Staff recommends approval of Resolution 2019-108.

SUMMARY

On Thursday, July 11, 2019, applicant, Dennis Martin of SignCrafters of Central Florida, on behalf of property owner, Benchmark Lady Lake 25 Associates, LLC, has filed a variance application for Earth Fare located within the Earth Fare Commons, addressed as 655 North Highway 27/441, within the town limits of the Town of Lady Lake, Florida. The variance request is from the provisions of Chapter 17, Section 17-4, b). 2). of the Town of Lady Lake Land Development Regulations, which restricts wall sign copy area not to exceed 200 square feet or 20 percent of the façade; whichever is greater.

The variance request is to allow wall sign copy area to be increased an additional 84 square feet of the copy area allowed.

Under the sign code, the maximum that the applicant can have is up to 20 percent of the façade or up to 200 square feet of copy area; whichever is greater.

The copy area allowed for this tenant space per code is 346 square feet (based on 20 percent of the store sign façade of 40.67'x42.5'= 1,728.48 S.F.)

The applicant is requesting for a total of 430 square feet on the main façade; which requires a variance for the 84-square-foot difference.

BACKGROUND

On January 28, 2019, the Town of Lady Lake issued a Development Order for a New Major Site Plan for Lady Lake Commons MJSP 09/18-002, recently changed to Earth Fare Commons, located on approximately 18.5 acres of land along Highway 27/441, Fennell Blvd., and County Road 25. The proposed plaza is presently building 72,243 square feet of retail area. Out of that space, approximately 24,010 square feet will be allocated for Earth Fare.

When reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3, Section 14 f) – Review criteria for variances in the Land Development Regulations:

- No diminution in value of surrounding properties would be suffered.
- Granting the permit would be of benefit to the public interest.
- Denial of the permit would result in unnecessary hardship to the owner seeking it.
- The use must not be contrary to the spirit of this Code.

Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance. Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

Earth Fare is proposing signage along the front, side (west), and rear (north) elevations. The variance is pertaining particularly to the front elevation signage where the applicant has stated that “setback of the building on property prevents visibility; therefore, the signage needs to be larger to be seen from the roadway.” To the closest point of the U.S. Highway 27/441 right-of-way line, the storefront sits over 550 lineal feet away, so the applicant has expressed concerns of visibility. Additionally, the tenant is anticipating that the request will not be injurious nor detrimental to the public and will not interfere with the reasonable employment of nearby property owners but rather grant signage that is descriptive in nature, proportional to the location and size of the building, and architecturally pleasing.

With the SR 500 widening near approaching, the applicant feels that the request seeks to provide the “minimum needed to address our concern of providing signage that will give the general public the information needed about Earth Fare’s services and products offered.” All other requirements will be adhered to.

Notices to inform the surrounding seven property owners within 150 feet of the subject property of the proposed variance were mailed on Thursday, July 25, 2019. The property was posted on Monday, July 29, 2019.

PAST ACTIONS

The Technical Review Committee found that Resolution 2019-108 is ready for the Planning and Zoning Board's review and recommendation.

At the August 12, 2019 meeting, the Planning and Zoning Board voted 3 to 1 to forward Resolution 2019-108 to the Town Commission with the recommendation of approval.

The Town Commission tabled the first and final reading of this resolution at the September 4, 2019 Special Commission meeting at the request of the applicant.

FISCAL IMPACT

Not applicable.

SOURCE OF FUNDING

Not applicable.

FUNDING ACCOUNT

Not applicable.

WT/nvs