

**MINUTES OF THE TOWN OF LADY LAKE  
REGULAR PLANNING AND ZONING BOARD MEETING  
LADY LAKE, FLORIDA**

**May 9, 2016  
5:30pm**

The Planning and Zoning Board Meeting was held in the Town Hall Commission Chambers at 409 Fennell Blvd., Lady Lake, Florida. The meeting convened at 5:30 p.m.

**CALL TO ORDER:** John Gauder, Chairperson

**PLEDGE OF ALLEGIANCE:** John Gauder, Chairperson

**ROLL CALL:** Michael McKenzie, Member  
William Sigurdson, Member  
John Gauder, Chairperson

**ABSENT:** Peter Chiasson, Member

**STAFF MEMBERS PRESENT:** Thad Carroll, Growth Management Director; Wendy Then, Town Planner; and Carol Osborne, Staff Assistant to Town Clerk

**Also Present:** Attorney Sasha Garcia, BRS Legal

**OPEN FORUM:** Chairperson Gauder noted for the record that there was no one present in the audience.

**NEW BUSINESS:**

**1. Approval of Minutes – April 11, 2016 Regular Meeting**

*Upon a motion by Member McKenzie and a second by Member Sigurdson, the Planning and Zoning Board approved the minutes of the Planning and Zoning Board Meeting of April 11, 2016 by a vote of 3-0.*

**2. Ordinance No. 2016-17 – Ordinance No. 2016-17 – Amendments to the following sections of the Land Development Regulations (Ordinance No. 2009-15) Chapter 17, Sign Regulations: Section 17-2 Permitting Requirements, Section 17-3, General Requirements, Section 17- 4, Permanent Signs, and Section 17-5, Temporary Signs. (Wendy Then)**

Town Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk's Office). She stated that on October 5, 2009, the Town Commission approved Ordinance 2009-15 in an effort to update Chapter 17, Sign Regulations, which were originally adopted in 1994. The changes that were incorporated sought to put more detailed sign restrictions, both for safety and aesthetic purposes, as well as signage provisions for temporary and promotional events.

Ms. Then stated it has been almost seven years since the sign code have been amended, and staff has been progressively working with the sign code provisions, particularly Code Enforcement,

Growth Management with the Building Department, and Public Works. She stated our Public Works crew removes signs from the Town's right-of-way. Town staff has been directed to revise certain sections of Chapter 17 that continuously result in variance applications. She stated these issues appear to be more the norm rather than the exception. In addition, the changes made under section 17-2 will help clarify permitting requirements and diminish conflicts in the interpretations to the sign code, thus communicating a better understanding to our citizens and the general public of our regulations.

Ms. Then stated the proposed revisions to section 17-2, Permitting Requirements, include clarifications for construction signs, governmental flags, and non-political flags (corporate flag, organizational flag or fraternal order flag). She stated this particular section of the code does not require a permit for the display of these signs. Ms. Then noted since construction signs are temporary and will, at most, be on the job site for no longer than six or seven months, they will be required to be set back five feet from the road and not exceed 32 sq. ft. in area.

Regarding the display of flags, Ms. Then stated companies are permitted to display one or more ground-mounted governmental flags provided they are not used for commercial purposes. She stated organizations are permitted to display only one non-political flag affiliated with their operations.

Ms. Then stated the proposed revision to section 17-3, General Requirements Sign Placement Standards, is to increase the size of a wall sign from ten percent of the square footage of the façade to twenty percent of the square footage of the façade. She stated certain areas of our current commercial design standards require that the parapets of particular buildings extend a percentage of the roof line. When a sign is placed on the wall, there is no uniformity between the location of the signage and the elevation of the exterior design. Ms. Then showed a diagram of a façade illustrating how proper uniformity is achieved. She stated a parapet is generally no more than one third of the entire height of the building. Ms. Then explained by dividing the façade area into thirds, with the top one third of the building allocated for the signage, an applicant is permitted to utilize no more than twenty percent of that square footage area of the façade.

Ms. Then stated the proposed revisions in Section 17-4, Permanent Signs, aim to allow flexibility for businesses to select which façade to place wall signage on, providing the sign proposal adheres to the maximum square footage allowed, and is placed on the exterior elevations facing the public street or the patron's parking areas. The current code requires additional signage on a secondary façade provided it faces the public street. She reported in many cases this part of the code does not apply and variances have been approved when it is proven that the elevation shows the vacant wall can be utilized for signage. This enables the public to see which businesses are in that building while traveling in various directions. She stated this was the case with the Stein Mart building and a variance was approved for the Ulta Beauty store located in that building. Also, the professional plaza off of C.R. 466 that houses multiple medical businesses utilized the variance process for signage on the wall that faces C.R. 466. Ms. Then stated only one variance application for secondary wall signage has been denied; all others have been approved.

Ms. Then indicated there have been variance applications for secondary wall signs, as well as variance applications for *additional* wall signs.

Ms. Then stated to be in compliance with section 17-3, the amendments to section 17-4 for buildings proposes the wall signage to be two sq. ft. per lineal footage of the building on a public

street with up to 200 sq. ft. maximum, or twenty percent of the of square footage of the façade, whichever is greater. For single use tenants, applicants may be allowed an additional wall sign on a secondary façade facing the public street and/or on facades facing patron's parking area. This does not include the loading area, which is usually located at the rear of the building. Multi-tenant buildings have the same proposed regulations.

Ms. Then stated the proposed amendments to Section 17-5, Temporary Signs, will extend the display of promotional banners and/or feather flags an additional one time per calendar year, for a maximum of four times a year per individual business. She stated many businesses wanted to display promotional flags for the various holidays throughout the year and were permitted only three per year. Ms. Then stated another addition to the code is to allow a business their choice of one banner and one feather flag, or two feather flags at the building's frontage. Because feather flags have become very popular forms of advertising because they are easily moved, Ms. Then stated it is important to educate the public to be in compliance when using these forms of promotional advertising.

Regarding holiday flags, Member McKenzie questioned if there is a timeframe when these flags will be permitted. He stated he has seen Christmas displays in some stores in August.

Ms. Then stated in respect to the temporary signs, the feather flags are more for the product. The Town cannot control what happens inside the store in regards to when holiday merchandise is sold. She emphasized that when a temporary application is submitted for a promotional sale, it is reviewed closely, and they will advise the applicant to utilize their temporary sign wisely. She stated the current code does not include any provisions limiting what businesses display and, if that is an issue the Board would like included, she will research that issue if directed.

Mr. Carroll stated each temporary sign timeframe is 15 days, for a total of 60 days per calendar year. He said when an application is submitted, it is documented, but the content of signs is an area the Growth Management Department does not want to regulate. He stated if a company wants to advertise a promotion that is out-of-season, that is their discretion.

Member Sigurdson asked for clarification in Section 17-4 regarding the 50% of the glass area where the sign is placed.

Ms. Then stated this section is in the code, but it is very difficult to regulate what is displayed in the windows. She stated some businesses change their displays frequently and the intention of the code is to have fifty percent of the window area clear. To clarify, Ms. Then gave an example that if a business is permitted 200 sq. ft. of signage and there are four windows with 20 sq. ft. being utilized on each window for displays, it will result in 80 sq. ft. being deducted from the total wall signage. She noted this has never been done, but will remain in the code.

Member Sigurdson stated, for example, if his business had four large windows in the front of his building, he could cover the bottom half of all of those windows.

Ms. Then replied that Member Sigurdson is correct. She stated the fifty percent can be one half of the window, or twenty-five percent on the top of the window and twenty-five percent on the bottom of the window. Ms. Then stated when the application is submitted, it is reviewed to ensure the content is appropriate.

Overall, the proposed amendments to Chapter 17, Sign Regulations, seek to align and reconcile existing practices with the written provisions of the code.

Growth Management staff requests the Planning and Zoning Board members' input and direction in these efforts, which ultimately seek to establish regulations that enhance public safety and the general well-being of the Town of Lady Lake citizens.

Ms. Then stated the staff appreciates the Board's feedback as sign regulations are not an easy subject matter for municipalities. She stated that many times the regulations need to be modified to benefit the community, which is why land development regulations are living documents.

Member McKenzie stated many of these are limited to the imagination and, with people having creative ideas, they will try to change or circumvent regulations and it is important to continue to review and make modifications.

Ms. Then agreed and stated the main change the commission wanted to pursue was the wall signage situation in lieu of all of the variances that have been submitted recently, especially during 2015.

Chairperson Gauder agreed, stating when there is a number of the same instances occurring, it is necessary to review current codes and make appropriate modifications.

Ms. Then stated when reoccurring issues become the norm, it is time to review regulations and make the modifications to accomplish the greatest benefit as recommended by the elected officials and board members.

The Town Commission is tentatively scheduled to hear Ordinance No. 2016-17 for first reading on Monday, June 6, 2016, and for second/final reading on Monday, June 20, 2016.

***Upon a motion by Member Sigurdson and a second by Member McKenzie, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2016-17 to the Town Commission for consideration by the following roll call vote:***

<b><i>MCKENZIE</i></b>	<b><i>YES</i></b>
<b><i>SIGURDSON</i></b>	<b><i>YES</i></b>
<b><i>GAUDER</i></b>	<b><i>YES</i></b>

Chairperson Gauder stated for the record that there is no one from the public in attendance.

**CHAIRPERSON/MEMBERS' REPORT:** No report.

**ADJOURN:** *With nothing further to discuss, the meeting was adjourned at 5:54 p.m.*

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Carol Osborne, Staff Assistant to the Town Clerk      John Gauder, Chairperson

Minutes transcribed by Carol Osborne, Staff Assistant to the Town Clerk