

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR GROUND SIGN HEIGHT VARIANCE FROM 15 FEET TO 27.5 FEET AT 4911 WAYSIDE DRIVE (COURTESY FORD); (TODD DEVOOGLE, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Francisco Torregrosa **EXT.** 7387

Agenda Date 09-27-04 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR GROUND SIGN HEIGHT VARIANCE FROM 15 FEET TO 27.5 FEET AT 4911 WAYSIDE DRIVE (COURTESY FORD); (TODD DEVOOGLE, APPLICANT); OR
2. **DENY** THE REQUEST FOR GROUND SIGN HEIGHT VARIANCE FROM 15 FEET TO 27.5 FEET AT 4911 WAYSIDE DRIVE (COURTESY FORD); (TODD DEVOOGLE, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	TODD DEVOOGLE COURTESY FORD 4911 WAYSIDE DRIVE SANFORD, FL 32771	C-2 DISTRICT, LDC SECTION 30.1243(a)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A 30 FOOT TALL GROUND POINT OF SALE SIGN THAT WOULD BE LOCATED ON A SPOT THAT IS 2.5 FEET BELOW THE ROAD CROWN OF THE ABUTTING INTERSTATE-4 ON-RAMP FOR AN EXISTING CAR DEALERSHIP (COURTESY FORD). • THE APPLICANT STATES THAT THE RECENT ELEVATION OF INTERSTATE-4 ALONG THE SUBJECT PROPERTY HAS SIGNIFICANTLY REDUCED THE VISIBILITY OF A COMPLIANT. 	
STAFF FINDINGS	<p>THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR GRANT OF A VARIANCE. STAFF FINDS THAT:</p> <ul style="list-style-type: none"> • A 15 FOOT TALL SIGN WOULD ALLOW FOR REASONABLE EXPOSURE TO INTERSTATE-4 TRAFFIC. • THE APPLICANT HAS REDUCED THE HEIGHT OF THE 	

	<p>PROPOSED SIGN BY PLACING IT AT THE SOUTHEAST CORNER OF THE PROPERTY WHERE THE INTERSTATE ELEVATION IS LOWEST (2.5 FEET ABOVE GRADE).</p> <ul style="list-style-type: none">• THE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHER COMMERCIAL PROPERTIES BY ALLOWING A TALLER SIGN.• REASONABLE USE OF THE SUBJECT PROPERTY WOULD BE RETAINED WITHOUT THE REQUESTED SIGN HEIGHT.
<p>STAFF RECOMMENDATION</p>	<p>BASED ON THE STATED FINDINGS, STAFF RECOMMENDS DENIAL OF THE REQUEST UNLESS THE APPLICANT CAN DEMONSTRATE A HARDSHIP. IF THE BOARD SHOULD DECIDE TO APPROVE THE REQUEST, STAFF RECOMMENDS APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY SIGN HEIGHT VARIANCE GRANTED SHALL APPLY ONLY TO THE GROUND POINT OF SALE SIGN DEPICTED ON THE ATTACHED SITE PLAN.• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

RECEIVED

JUL 30 2004

APPL. NO. BV 2004-131

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

APPLICATION TYPE:

VARIANCE Maximum height variance for pole signs from 15 feet to 30 feet
Construction of new interchange has reduced visibility of existing signs from I-4

COPY

SPECIAL EXCEPTION

MOBILE HOME SPECIAL EXCEPTION

EXISTING PROPOSED REPLACEMENT

MOBILE HOME IS FOR _____

YEAR OF MOBILE HOME _____ SIZE OF MOBILE HOME _____

ANTICIPATED TIME MOBILE HOME IS NEEDED _____

PLAN TO BUILD YES NO IF SO, WHEN _____

MEDICAL HARDSHIP YES (LETTER FROM DOCTOR REQUIRED) NO

APPEAL FROM DECISION OF THE PLANNING MANAGER

	PROPERTY OWNER	AUTHORIZED AGENT*
NAME	<u>AutoNation ; Courtesy Ford</u>	<u>Todd DeVogel</u> <u>Contact: James Bergman</u>
ADDRESS	<u>4911 Wayside Drive</u>	<u>4911 Wayside Drive</u> <u>Controller - Courtesy Ford</u>
	<u>Sanford, FL 32771</u>	<u>Sanford FL 32771</u>
PHONE 1	<u>(407) 328-6000</u>	<u>(407) 328-6040</u> <u>(407) 402-1062</u>
PHONE 2		
E-MAIL		

PROJECT NAME: Courtesy Ford

SITE ADDRESS: 4911 Wayside Drive, Sanford, FL 32771

CURRENT USE OF PROPERTY: New Vehicle Auto Dealership

LEGAL DESCRIPTION: see attached

SIZE OF PROPERTY: 29.20 acre(s) PARCEL I.D. 29-19-30-300-0200-0000

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS _____

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on Sept. 27, 04 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

SIGNATURE OF OWNER OR AGENT*

DATE

7/30/04

* Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL _____

BCC PUBLIC HEARING DATE _____

FOR OFFICE USE ONLY

PROCESSING:

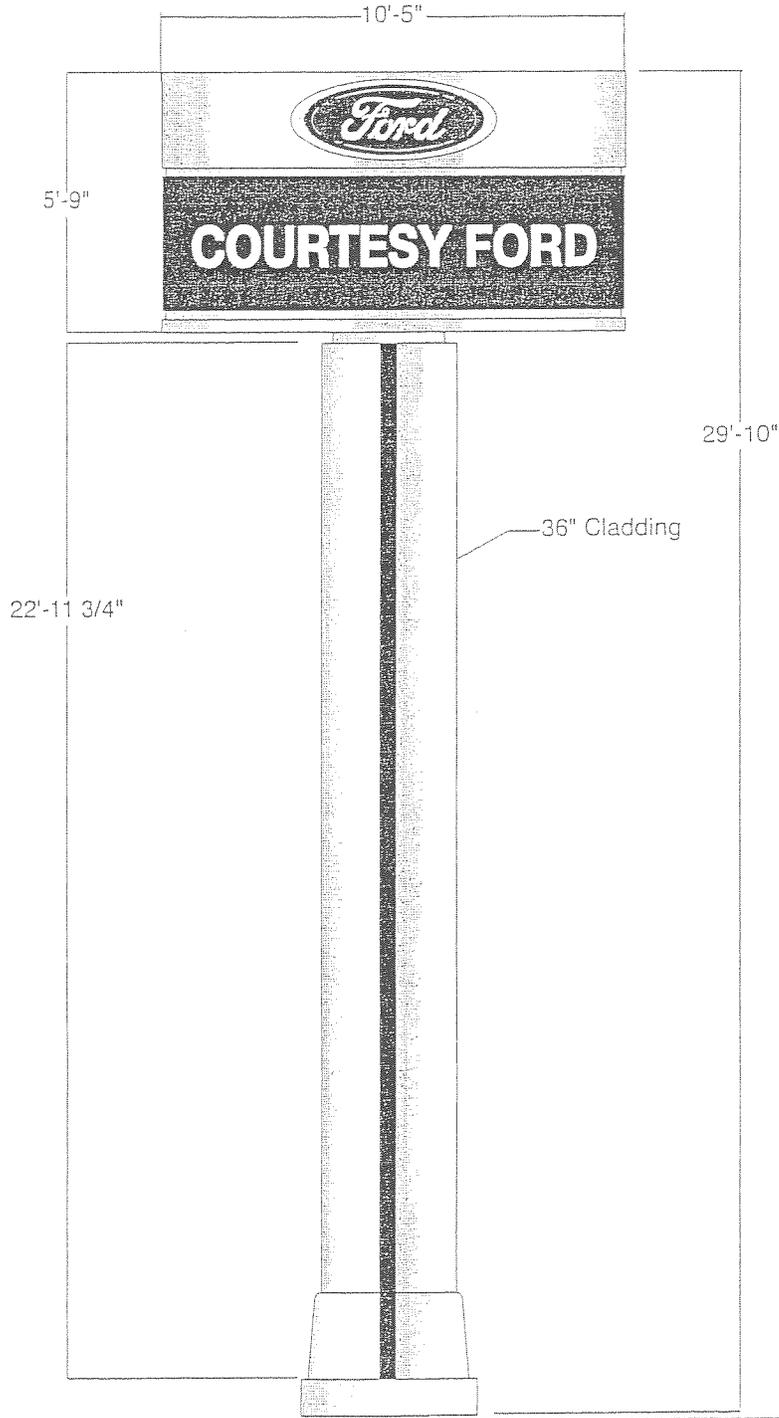
FEE: _____ COMMISSION DISTRICT _____ FLU / ZONING _____

LOCATION FURTHER DESCRIBED AS _____

PLANNER _____ DATE _____

EFFICIENCY COMMENTS _____

FO S-60
P-25



Account FORD (COURTESY)

Drawn By R. KECK

Project Title FO S60=CRTSY FRD.pdf

IP Rep. S. LOCICERO

Scale 1:48

Approved By

Date Created 18 FEB 04

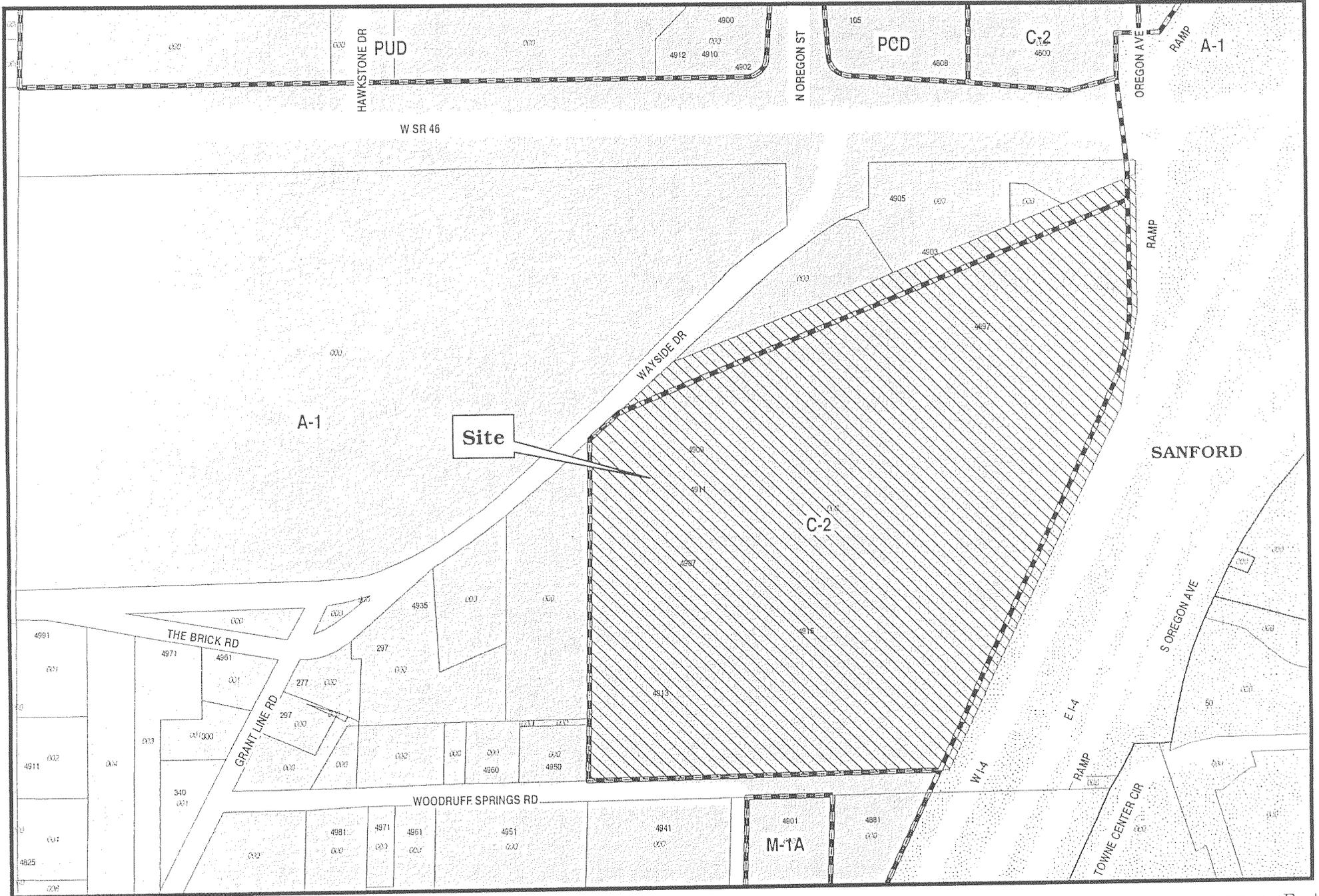
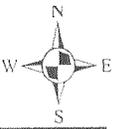
Date Revised XX Xxx 2002

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Todd DeVoogel
4811 Wayside Drive



Parcel: 29-19-30-300-0200-0000 / District: 5

BV2004-131
Sept. 1, 2004



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On September 27, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 29 TWP 19S RGE 30E N 15 A OF NE 1/4 OF SW 1/4 + ALL SE 1/4 OF NW 1/4 (LESS BEG INT W R/W ST RD 400 & S R/W NEW ST RD 46 RUN W 609.04 FT S 103.98 FT WLY ON CURVE 353.08 FT S 47 DEG 52 MIN 41 SEC W 442.09 FT N 68 DEG 33 MIN 31 SEC E TO A PT S OF BEG N TO BEG) ALL LYING NWLY OF ST RD 400 R/W

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: TODD DEVOOGEL
COURTESY FORD
4911 WAYSIDE DRIVE
SANFORD, FL 32771

Project Name: WAYSIDE DRIVE (4911)

Requested Development Approval:

1. MAXIMUM SIGN HEIGHT VARIANCE FROM 15 FEET TO 27.5 FEET FOR A PROPOSED POINT OF SALE GROUND SIGN IN THE C-2 (RETAIL COMMERCIAL DISTRICT).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Francisco Torregrosa, Planner
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

1. The variance granted will apply only to the proposed point of sale ground sign as depicted on the attached site plan.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2004.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: