TOWN OF BELLEAIR
BUILDING DEPARTMENT
901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
Phone: (727) 588-3769 ext. 215
Fax: (727) 588-3768

MEMORANDUM

DATE: August 5, 2016

TO: Mayor and Commissioners

FROM: Micah Maxwell, Town Manager

SUBJECT: Request for Variance – **Belleview Biltmore Golf Course**
1501 Indian Rocks Road
Belleair, FL, 33756
Parcel No 28/29/15/68274/000/0002

Property Owner: Green Golf Partners (Town of Belleair)
901 Ponce De Leon Blvd
Belleair , FL 33756

The following information is regarding the above referenced variance request.

I. Existing conditions of land and structure(s):

A. Zoning designation: GC (Golf Course)

B. Original Construction date:

- 1925 (original construction)
- 1991

C. Structural and other improvements to date:

- 1949 - Addition
- 1958 - Addition
- 1962 - Addition
- 1973 - Addition
- 1986 - Re-roof
- 1987 - Rest Stations
- 1988 - Re-roof
- 1990 - Site work for Club house
- 1990 - Club House w/ shop and rest
- 1991 - Fire Suppression system
- 1991 - Demo of Old Club house
- 1997 - Interior Demo
- 1997 - Interior Remodel
- 1999 - Plumbing
- 2001 - Electrical
- 2001 - Shed
- 2001 - Tree Removal
- 2004 - Door Replacement
- 2005 - Fire Sprinklers
- 2005 - Plumbing

D. Existing Easements:

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II. Proposed request:

The applicant is requesting three (3) after the fact variances

The first variance request would allow for an existing ground structure with 2 ground signs separated by more than 3ft be counted as 1 sign. The current width of the ground structure is 4.5ft. The applicant is asking for a 1½ft variance for distance between signs

The second variance request would allow the maximum use of signage area to be increased from 20 square ft to a total not to exceed 45 square ft for maximum use signage area. The applicant is asking for a 25ft variance increase to the signage area.

The third variance request would allow for 1 variable sign to be placed on the existing marquee sign advertising different events that the golf club is holding

RECEIVED
BELLAIR BLDG. DEPT
AUG 05 2016
TIME REC._____

TOWN OF BELLEAIR
901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
Phone: (727) 588-3769 ext. 215
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DATE 8-4-16

To the Town Commission of the Town of Belleair, Florida

1. The undersigned, GREEN GOLF PARTNERS, owner of Lot 28-29-15-68274-000-0002 Block _____, Subdivision PELICAN GOLF COURSE, property Commission of the Town of Belleair for a variance on the above-described property.

2. The property is presently zoned GOLF COURSE.

3. The present land use on the property is GOLF COURSE.

4. The decision involves Article 74 Section 573-C1 of the Belleair Land Development Code.

5. The Commissions power arises under Article V, Section 66.253 of the Belleair Land Development Code.

6. The Relief prayed by the applicant is: A SIGN THAT IS LARGER THAN 20 SQFT. ~~NOT~~ NOT PERMITED BY T.O.B. / CURRENT NEW SIGN IS 44 Sqft.

7. The Justification for the request is (requests for the variances must demonstrate the practical difficulty or unnecessary hardship which justifies the variance): 1. SIGN STRUCTURE WAS EXISTING WHEN TOWN PURCHASED. 2. NEW SIGN COVERS OLD LOGO. 3. OVERLAY FOR SUNDAY BRUNCH.

8. Attached is a non-refundable fee to defray expenses incurred by the Town of Belleair in processing this application.(** Note: All costs incurred by the Town of Belleair, above and beyond the variance application fee, will be the responsibility of the applicant regardless of approval or denial of the request**)

9. I am aware that this request will be voided should I or my representative fail to appear at the public hearings scheduled to consider this request.

10. I am aware that any variance that may be granted will automatically expire twelve months after approval by the Town Commission unless a building permit id produced from the Town with respect to the improvements contemplated by this application for variance within said twelve month period unless the construction of said improvements is promptly commenced pursuant to the building permit and diligently pursued to completion thereafter.

FEE: $300.00

Paid: _____

TOWN OF BELLEAIR
Owner
1501 INDIAN ROCKS RD.
Address
727-581-5498
Telephone Number

TOWN OF BELLEAIR
901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
Phone: (727) 588-3769 ext. 215
Fax: (727) 588-3768

VARIANCE APPICATION CHECK OFF SHEET

Application shall be **fully completed** and must include the following information:

OWNERS NAME GREEN GOLF PARTNERS

OWNERS MAILING ADDRESS 1501 INDIAN ROCKS RD

PROPERTY ADDRESS 1501 INDIAN ROCKS RD.

PHONE NUMBER 727-581-5498

REPRESENTATIVE NANE AND ADDRESS (if any)

ZACK VERVAECKE / 1501 INDIAN ROCKS RD.

PHONE NUMBER 515-720-6401

DATE OF ORIGINAL CONSTRUCTION NOVEMBER 2015

IMPERVIOUS COVER

FLOOD ZONE AND ELEVATION

REQUIRED INFORMATION:

REQUIRED	RECEIVED	PROVIDE (18) COPIES EACH.
X		PLANS/SPECS/PRODUCT BROCHURE
X		PHOTOS OF AREA (straight/right angle/left angle)
X		SURVEY W/ SETBACKS SHOWN
X		SITE PLAN W/ SETBACKS SHOWN

REVIEWED BY:	ZONING	PUB.WK	FIRE	BLDG.	MRG.
DATE SENT:					
DATE RETURNED:					

Interactive Map of this parcel | Sales Query | Back to Query Results | New Search | Tax Collector Home Page | Contact Us | WM

28-29-15-68274-000-0002

Compact Property Record Card

Portability Calculator | Updated August 3,2016 | Email Print | Radius Search | FEMA/WLM

Ownership/Mailing Address Change Mailing Address	Site Address
BELLEAIR, TOWN OF 901 PONCE DE LEON BLVD BELLEAIR FL 33756-1034	1501 INDIAN ROCKS RD BELLEAIR

Property Use: 3855 (Regulation, PAR 3 Golf Course) | Living Units: 0

[click here to hide] **Legal Description**

PELICAN GOLF COURSE LESS THAT PART DESC FROM POINT ON E'LY R/W OF GOLF VIEW DR & N'LY R/W OF ALTHEA RD TH S25D17'43"W 310FT FOR POB TH S64D42'17"E 125FT TH S25D17'43"W 100FT TH S45D51'05"W 128.16FT TH S04D44'21"W 128.16FT TH N64D42'17"W 125FT TH N25D17'43"E 340FT TO POB

File for Homestead Exemption

Exemption	2016	2017
Homestead:	No	No
Government:	Yes	Yes
Institutional:	No	No
Historic:	No	No

2016 Parcel Use

Homestead Use Percentage: 0.00%
Non-Homestead Use Percentage: 100.00%
Classified Agricultural: No

Parcel Information Latest Notice of Proposed Property Taxes (TRIM Notice)

Most Recent Recording	Sales Comparison	Census Tract	Evacuation Zone (NOT the same as a FEMA Flood Zone)	Plat Book/Page
17887/1694	Sales Query	121030257001	NON EVAC	053/045

2016 Preliminary Value Information

Year		Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2016		$1,956,692	$1,956,692	$0	$0	$0

[click here to hide] **Value History as Certified (yellow indicates correction on file)**

Year	Homestead Exemption	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2015	No	$1,995,806	$1,995,806	$0	$0	$0
2014	No	$1,986,942	$1,986,942	$1,986,942	$1,986,942	$1,986,942
2013	No	$1,991,073	$1,991,073	$1,991,073	$1,991,073	$1,991,073
2012	No	$1,999,144	$1,999,144	$1,999,144	$1,999,144	$1,999,144
2011	No	$2,108,262	$2,108,262	$2,108,262	$2,108,262	$2,108,262
2010	No	$2,428,422	$2,428,422	$2,428,422	$2,428,422	$2,428,422
2009	No	$3,246,210	$3,246,210	$3,246,210	$3,246,210	$3,246,210
2008	No	$3,750,000	$3,750,000	$3,750,000	$3,750,000	$3,750,000
2007	No	$3,600,000	$3,600,000	$3,600,000	N/A	$3,600,000
2006	No	$3,659,800	$3,659,800	$3,659,800	N/A	$3,659,800
2005	No	$3,089,600	$3,089,600	$3,089,600	N/A	$3,089,600
2004	No	$2,794,400	$2,794,400	$2,794,400	N/A	$2,794,400
2003	No	$2,677,700	$2,677,700	$2,677,700	N/A	$2,677,700
2002	No	$2,554,400	$2,554,400	$2,554,400	N/A	$2,554,400
2001	No	$2,419,100	$2,419,100	$2,419,100	N/A	$2,419,100
2000	No	$2,239,700	$2,239,700	$2,239,700	N/A	$2,239,700
1999	No	$2,220,900	$2,220,900	$2,220,900	N/A	$2,220,900
1998	No	$2,227,300	$2,227,300	$2,227,300	N/A	$2,227,300
1997	No	$1,898,700	$1,898,700	$1,898,700	N/A	$1,898,700
1996	No	$1,903,700	$1,903,700	$1,903,700	N/A	$1,903,700

2015 Tax Information

Click Here for 2015 Tax Bill Tax Collector Mails 2015 Tax Bills October 31	Tax District: BL
2015 Final Millage Rate	21.9426
2015 Est Taxes w/o Cap or Exemptions	$43,793.17

A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. Click here for more information.

Ranked Sales (What are Ranked Sales?) See all transactions

Sale Date	Book/Page	Price	Q/U	V/I
06 Feb 2013	17887 / 1694	$3,500,000	U	I
20 Dec 2010	17122 / 1371	$1,680,000	U	I
29 Jun 2007	15866 / 0882	$30,300,000	U	I
14 Apr 1997	09672 / 0983	$9,400,000	U	I
26 Apr 1990	07260 / 2214	$4,902,100	Q	I

2016 Land Information

Seawall: No | Frontage: None | View:

Land Use	Land Size	Unit Value	Units	Total Adjustments	Adjusted Value	Method
Wasteland/Marsh (96)	0x0	1000.00	1.0800	1.0000	$1,080	AC

Golf Courses (38)	0x0	5500.00	134.9000	1.0000	$741,950	AC

[click here to hide] 2016 Building 1 Structural Elements Back to Top

Site Address: 1501 INDIAN ROCKS RD

Quality: Average
Square Footage: 17882.00
Foundation: Spread/Mono Footing
Floor System: Slab On Grade
Exterior Wall: Concrete Blk/Wood
Roof Frame: Wood Frame/Truss
Roof Cover: Composition Shingle
Stories: 0
Living units: 0
Floor Finish: Carpet Combination
Interior Finish: Dry Wall
Fixtures: 27
Year Built: 1991
Effective Age: 20
Cooling: Heat & Cooling Pkg

No Building Drawing Available

Compact Property Record Card

Building 1 Sub Area Information

Description	Building Finished Ft²	Gross Area Ft²	Factor	Effective Ft²
Utility	4,224	4,224	0.55	2,323
Open Porch	0	818	0.30	245
Base	8,122	8,122	1.00	8,122
Detached Garage Unfinished	0	4,480	0.45	2,016
Carport Unfinished	0	238	0.20	48
	Total Building finished SF: **12,346**	Total Gross SF: **17,882**		Total Effective SF: **12,754**

[click here to hide] 2016 Extra Features

Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
GOLF HOLE	$85,000.00	18.00	$1,530,000.00	$1,071,000.00	1991
FIRESPRINK	$2.30	9,940.00	$22,862.00	$12,803.00	1991
CONC PAVE	$6.00	3,600.00	$21,600.00	$15,120.00	0
ASPHALT	$1.75	30,000.00	$52,500.00	$36,750.00	0

[click here to hide] Permit Data

Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). We are required to list all improvements, which may include unpermitted construction. Any questions regarding permits, or the status of non-permitted improvements, should be directed to the permitting office in which the structure is located.

Permit Number	Description	Issue Date	Estimated Value
1837	COMMERCIAL ADD	17 Nov 2014	$22,600
9650	ROOF	11 May 2011	$68,225
7843	HEAT/AIR	14 Apr 2008	$8,850
7754	ROOF	21 Feb 2008	$14,840
01-7-2091	SHED	10 Aug 2001	$12,900
97-10-7718	COMMERCIAL ADD	10 Nov 1997	$8,000

EXISTING 5x10' MONUMENT PANELS (x2 SIDES)

PROPOSED LOW TAC TEMPORARY VINYL MODIFICATION (x2 SIDES)

12'-5" (149")
6'-4" (76")
1501
Bar & Grill
PUBLIC
WELCOME
BELLEVIEW BILTMORE
1925
GOLF CLUB

1501
1501

150

ARTICLE IX. - SIGNS

DIVISION 1. - GENERALLY

Sec. 74-541. - Purpose of article; conflicting provisions.

This article is intended to complement the requirements of the building and electrical codes adopted by the town. It is also the intent of this article to support the provisions of the county sign ordinance where it is consistent with or more restrictive than this article. Wherever inconsistency exists between this article and the county sign ordinance or the building and electrical codes, the more stringent requirement shall apply.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-542. - Applicability of article.

No person shall erect in any manner or attach in any manner to any building, wall, fence, pole, tree or shrub, or annex to the land within the town any sign or any advertising matter of any kind whatsoever, unless expressly authorized by or exempted from this land development code. A permit shall be applied for and issued by the town manager prior to erecting any permanent accessory sign. Development excluded under section 66-3(b)(4) and (5) shall not be exempted from the provisions of this article.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-543. - Maintenance.

All signs, including their supports, braces, guys and anchors, electrical parts and lighting fixtures, and all painted and display area, shall be maintained in accordance with the building and electrical codes adopted by the town, and shall present a neat and clean appearance. The vegetation around, in front of, behind and underneath the base of the ground signs for a distance of ten feet shall be neatly trimmed and free of unsightly weeds, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near the sign.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-544. - Compliance with article no defense to nuisance action.

Compliance with the requirements of this article shall not constitute a defense to an action brought to abate a nuisance under the common law.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-545. - Prohibited signs.

The following signs are prohibited unless exempted by division 2 of this article or expressly authorized by division 3 or division 4 of this article:

(1) Signs that are in violation of the building code or electrical code adopted by the town.

(2) Any sign that constitutes or has the potential to constitute a safety hazard.

(3) Blank signs.

(4) Signs with visible moving, revolving or rotating parts, visible mechanical movement of any kind, or other apparent visible movement achieved by electrical, electronic or mechanical means, including time-temperature-date signs.

(5) Signs with the optical illusion of movement created by a design that presents a pattern giving the illusion of motion or changing of copy.

(6) Signs with lights or illuminations that flash, move, rotate, scintillate, blink, flicker or vary in intensity or color.

(7) Strings of lightbulbs used on commercially developed parcels for commercial purposes, excluding holiday decorations.

(8) Signs commonly referred to as wind signs, consisting of one or more banners, flags pennants, ribbons, spinners, streamers, captive balloons or other objects or material fastened in such a manner as to move in the wind. (See figure 1 following this subsection.)

FIGURE 1. WIND SIGNS

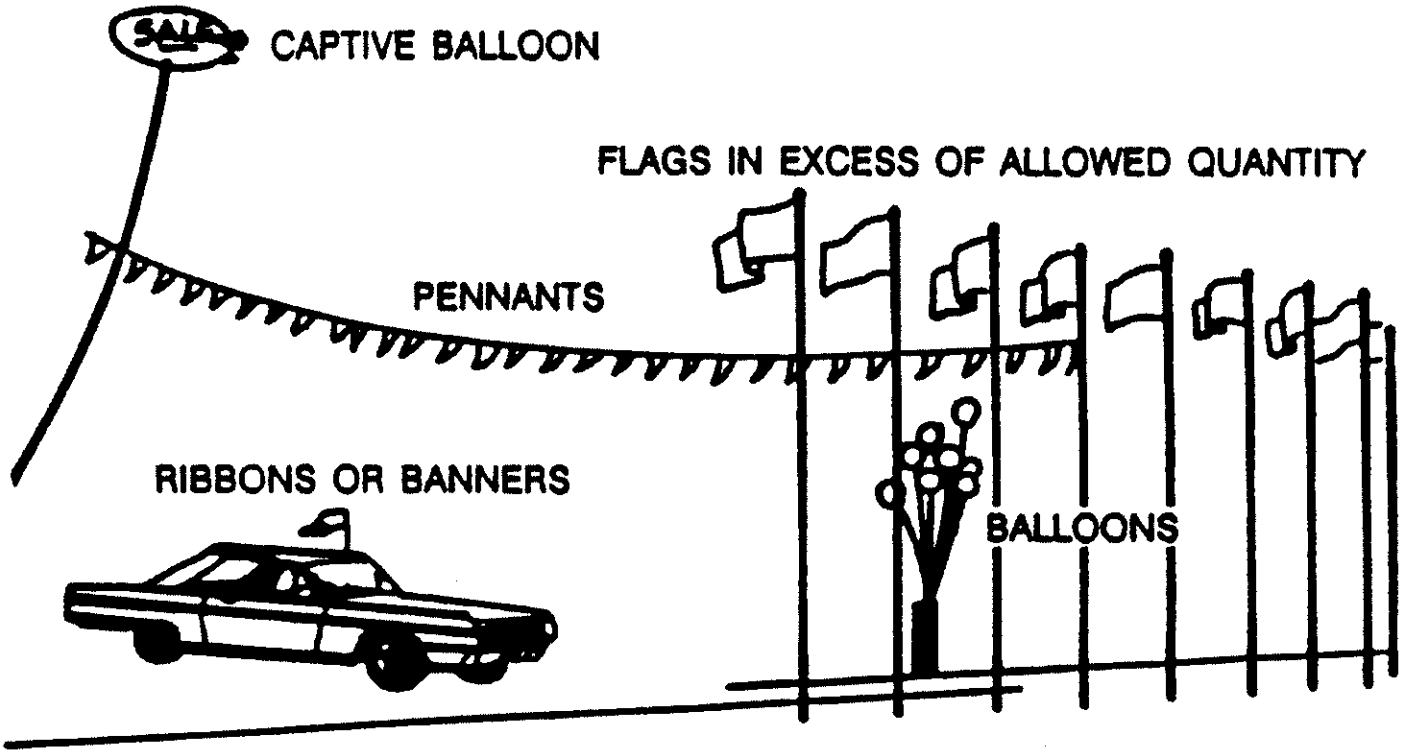

Figure 1—Wind Signs

(9) Signs that incorporate projected images, have more than the two faces (sides), involve the use of live animals, or emit audible sound, odor or visible matter such as smoke to attract attention.

(10) Signs or sign structures that interfere in any way with the use of any fire escape, emergency exit or standpipe, or that obstruct any window so that light or ventilation is reduced to less than that required by any provision of this land development code or other town ordinance.

(11) Signs that resemble any official sign or marker erected by any governmental agency, or that by reason of position, shape or color would conflict with the proper functioning of any traffic sign or signal or be of a size, location, movement, content, color or illumination that may be reasonably confused with, construed as or conceal a traffic control device.

(12) Signs that obstruct the vision of pedestrians, cyclists or motorists traveling on or entering public streets.

(13) Nongovernmental signs that use the word "stop," "look" or "danger," or any similar word, phrase or symbol, except as permitted under section 74-571(11).

(14) Signs within ten feet of a public right-of-way.

(15) Signs within 100 feet of traffic controls that contain red, yellow or green lights that might be confused with traffic control lights.

(16) Signs of such intensity or brilliance that they cause glare or impair the vision of any motorist, cyclist or pedestrian using or entering a public street, or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics.

(17) Signs that contain any lights or control mechanism that causes unreasonable interference with radio, television or other communication signals.

(18) Searchlights used to advertise or promote a business or to attract customers to a property.

(19) Signs that are painted, pasted or printed on any curbstone, flagstone or pavement or any portion of any sidewalk or street, except house numbers and traffic control signs.

(20) Signs placed on benches, bus shelters or waste receptacles, except signs to identify public conveyances or services.

(21) Signs erected on public property, or on private property, such as private utility poles, located on public property, other than signs erected by public authority for public purposes.

(22) Signs erected over or across any public street, except as may otherwise be expressly authorized by this land development code, and except governmental signs erected by or on the order of the town manager.

(23) Vehicle signs with a total sign area on any vehicle in excess of 80 square inches when the vehicle is parked for more than 60 consecutive minutes, except when the operator of the vehicle is engaged in work at that location.

(24) Signs displaying copy that is harmful to minors.

(25) Portable signs.

(26) Roof signs.

(Ord. No. 399, § 1, 11-20-01)

Secs. 74-546—74-570. - Reserved.

DIVISION 2. - EXEMPT AND PERMITTED SIGNS

Sec. 74-571. - Exempt signs.

The following signs are exempt from the provisions of this article, and from the requirements stated in this land development code that a permit be obtained for the erection of a permanent sign, provided such signs are not placed or constructed so as to violate any of the provisions of section 74-545:

(1) Signs that are not designed or located so as to be visible from any street or adjoining property.

(2) Signs of 80 square inches or less which include no letters, symbols, logos or designs in excess of two inches in vertical or horizontal dimension, provided that such signs do not constitute a sign prohibited by section 74-545 and are not located in the front yard setback.

(3) Signs necessary to promote health, safety and welfare, and other regulatory, statutory, traffic control or directional signs erected on public property with permission as appropriate from the United States, the state, the county or the town.

(4) Legal notices and official instructions.

(5) Decorative flags, banners and bunting for a celebration, convention or commemoration of significance to the community, when authorized by the town manager for a prescribed period of time.

(6) Holiday lights, religious displays and decorations.

(7) Merchandise displays behind storefront windows if no part of the display moves or contains flashing lights, provided that any printed matter in the display combined with any permanent permitted sign may not exceed the total number of square feet allowed in the permanent sign regulations.

(8) Memorial signs or tablets, names of buildings and dates of erection when cut into masonry surface or when constructed of bronze or other noncombustible materials and attached to the surface of a building.

(9) Signs incorporated into machinery or equipment by a manufacturer or distributor which identify or advertise only the product or service dispensed by the machine or equipment.

(10) Advertising and identifying signs located on taxicabs, buses, trailers, trucks or vehicle bumpers.

(11)

Warning signs to indicate the dangers of trespassing, swimming, animals or potential hazards as provided in section 74-545(13).

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-572. - Permitted temporary signs.

(a) *Generally.* Temporary signs are allowed throughout the town, subject to the restrictions of this section and other relevant parts of the land development code. The town feels it is necessary to place restrictions on the use and placement of temporary signs in order to protect and enhance the aesthetic beauty and appearance of the town and to ensure that the proliferation of temporary signs does not create visual eyesores or litter problems. A temporary sign may be a ground or building sign. It may not be an electrical sign. Within 48 hours after the culmination of the event (sale, election, close of business, special event, etc.) to which the sign pertains, the owner or resident thereof shall remove all posted temporary signs.

(b) *Placement authorization; off-premises signs.* No temporary sign shall be erected on any property without the authorization of the owner or resident thereof. Temporary off-premises signs for the purpose of providing direction or advertising a sale or event are prohibited.

No temporary sign shall be erected on any property without the authorization of the property owner of resident thereof.

Temporary signs for the purpose of providing direction or advertising of a garage sale, yard sale, estate sale, automobile sale and the like are to be placed only on the property of the residence where a permit has been issued for such sale.

(c) *Placement standard.* Temporary signs and support structures are to be posted not less than ten feet from the edge of a street and shall not be posted on or over a public right-of-way or easement.

(d) *Content.* A temporary sign may display any message as long as it is:

(1) Not harmful to minors.

(2) For a specific, special, one-time event or function that does not normally occur more than once a year (i.e., sale of property, construction in progress, election or grand opening).

(e) *Size, height and number.*

(1) RE, R-1 and R-2 districts. A parcel on which a one-family or two-family residence is located may display signage of six square feet per residence with no sign exceeding five square feet in size. No sign, including its support, shall exceed four feet in height.

(2) All other zoning districts. All other parcels may display six square feet of temporary signage per 100 feet of frontage, up to a maximum of 24 square feet of signage. No sign, including its support, shall be more than eight feet in height.

(3)

Exception. Notwithstanding the foregoing height and size restrictions a person engaging in the sale of residential or real property shall be permitted to install one additional temporary sign that shall not exceed five square feet in size and shall not be more than four feet in height, including its supports. The aforementioned additional temporary sign shall be permitted on the property for a maximum of 12 hours per week and shall be no more that three feet apart from any other temporary sign on the property. In addition, notwithstanding the prohibition in subsection (b) above, the additional temporary sign contemplated in this subsection or a temporary sign contemplated generally in this section may provide direction or advertise the sale or event related to the sale of residential or real property. This exception shall expressly apply to persons engaging in the sale of residential real estate. All provisions of this section and applicable provisions of the land development code shall apply to any additional temporary sign permitted by this section.

(f) *Removal of illegal signs.* Any temporary sign not complying with the requirements of this section is illegal, and the town is authorized to remove and dispose of all illegal temporary signs and assess a fee as provided in appendix B to this Code for such removal.

(Ord. No. 399, § 1, 11-20-01; Ord. No. 402, § 1, 1-15-02; Ord. No 409, § 1, 1-7-03; Ord. No. 452, § 1, 7-15-08)

Sec. 74-573. - Permitted permanent signs.

(a) A permanent accessory sign may be a ground or building sign. No such signs are allowed in the RE, R-1 and R-2 zoning districts except those allowed in section 74-575.

(b) A permanent accessory sign may display any message which is not harmful to minors.

(c) Permissible number, area, spacing and height of permanent accessory signs are as follows:

(1) *RM-15, RPD, hotel, golf course and SPM districts.* One sign, either a ground sign or a building sign, is permitted. A ground sign shall not exceed a sign area of 20 square feet, nor shall it be more than six feet in height above the ground. A building sign shall not exceed a sign area of 20 square feet, nor shall it exceed a height of ten feet above the ground.

(2) *Single-occupancy commercial complex.* One sign, either a ground sign or a building sign, is permitted. A ground sign shall not exceed a sign area of 20 square feet, nor shall it be more than six feet in height above the ground. A building sign shall not exceed a sign area of 20 square feet, nor shall it exceed a height of ten feet above the ground.

(3) *Multiple-occupancy commercial complex, general sign.* One sign, either a ground sign or a building sign, is permitted. A ground sign shall not exceed a sign area of 20 square feet, nor shall it be more than six feet in height above the ground. A building sign shall not exceed a sign area of 20 square feet, nor shall it exceed a height of ten feet above the ground.

(4) *Multiple-occupancy commercial complex, occupant signs.* One or more building signs, displayed on any exterior portion of the complex that is part of the occupant's unit (not including a common or jointly owned area), is permitted, not to exceed a total sign area of six square feet.

(d)

Any sign not complying with the requirements of this section is illegal and subject to immediate removal, except for those signs covered in section 66-252(b)(2)c.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-574. - Directional signs.

Directional signs limited in area to four square feet which give directions to motorists regarding the location of parking area and access to drives shall be permitted as permanent accessory signs on all parcels, and shall not be counted as part of an occupant's allowable sign area.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-575. - Signs at entrances to residential developments.

(a) *Generally.* A permanent accessory sign may be displayed at the entrance to residential development.

(b) *Restrictions.*

(1) One sign is permitted at only one entrance into the development from each abutting street. The sign may be a single sign with two faces of equal size, or may be two single-faced structures of equal size located on each side of the entrance. No face of the sign shall exceed 20 square feet in size.

(2) When reviewing the placement of such signs, the location of public utilities, sidewalks and future street widenings shall be considered.

(3) Signs shall be maintained perpetually by the developer, the owner of the sign, a pertinent owner's association or some other person who is legally accountable under a maintenance arrangement. If no accountable person accepts legal responsibility to maintain the signs and no other provision has been made for their maintenance, the signs shall be removed by the town, and the developer or owner shall pay all cost of removal.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-576. - Flags.

(a) *Number.* Not more than three flags or insignias may be displayed on any one parcel of land.

(b) *Size.* The maximum distance from top to bottom of any flag shall be 20 percent of the total height of the flagpole, or, in the absence of a flagpole, 20 percent of the distance from the top of the flag or insignia to the ground. (See figure 2 following this section.)

FIGURE 2. FLAG SIZE

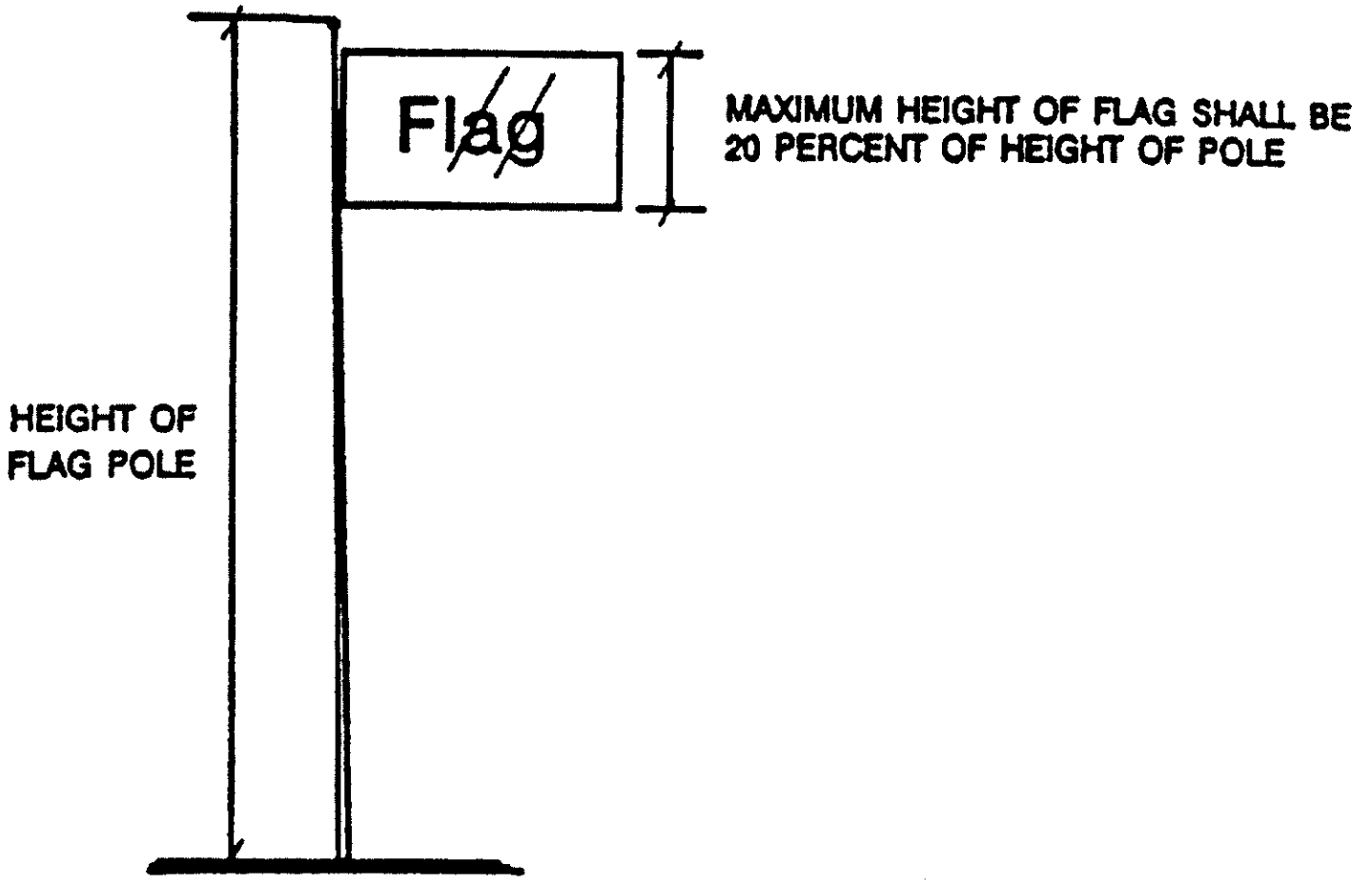

Figure 2—Flag Size

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-577. Utility signs.

Public utility signs that identify the location of underground utility lines and facilities, high-voltage lines and other facilities and appurtenances are permitted so long as they do not exceed three feet in height and the sign face does not exceed one-half square foot.

(Ord. No. 399, § 1, 11-20-01)

Secs. 74-578—74-590. - Reserved.

DIVISION 3. - MEASUREMENT DETERMINATIONS

Sec. 74-591. - Sign area.

(a) *Generally.* The area of a sign shall be the area within the smallest square, rectangle, parallelogram, triangle, circle or semicircle, the sides of which touch the extreme points or edges of the sign face.

(b) *Special situations.*

(1) Where a sign is composed of letters or pictures attached directly to a facade, window, door or marquee and the letters or pictures are not enclosed by a border or trimming, the sign area shall be the area within the smallest square, rectangle, parallelogram, triangle, circle or semicircle, the sides of which touch the extreme points of the letters or pictures. (See figure 3 following this subsection.)

FIGURE 3. AREA OF SIGN WITH LETTERS OR PICTURES ATTACHED DIRECTLY TO A WALL, WINDOW, DOOR, ETC. (WITHOUT A BORDER)

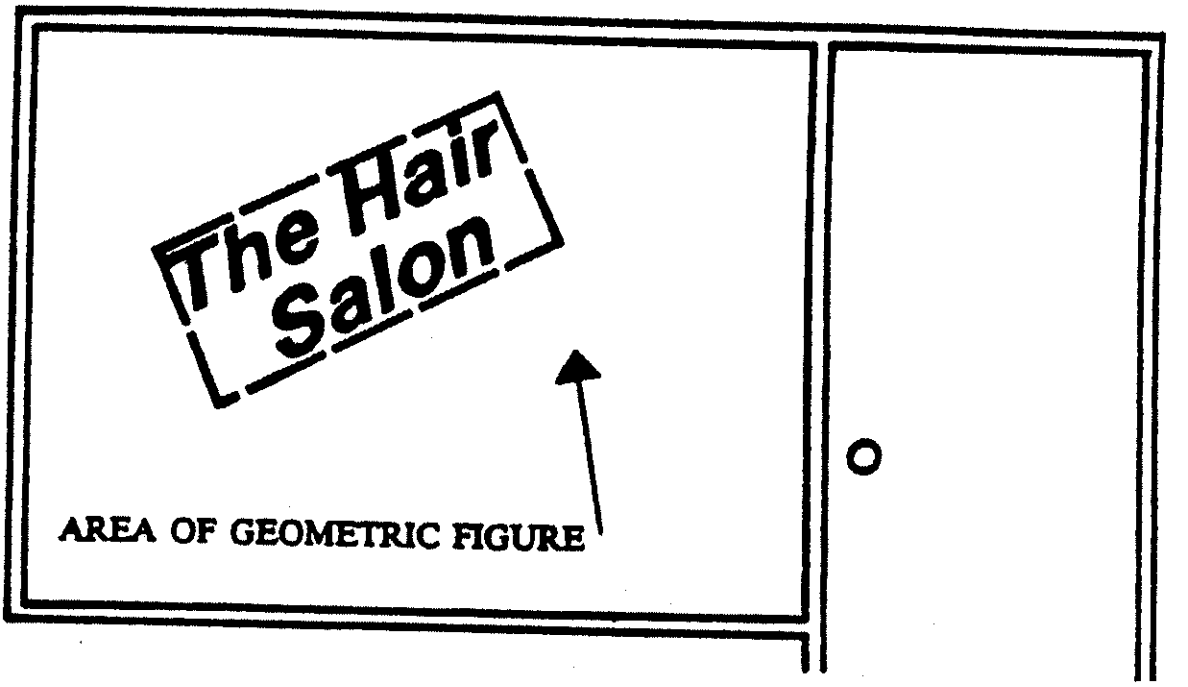

Figure 3—Area of Sign with Letters or Pictures Attached Directly to a Wall, Window, Door, etc. (Without a Border)

(2) Where two sign faces are placed back to back on a single sign structure and the faces are at no point more than three feet apart, the area of the sign shall be counted as the area of one of the faces.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-592. - Number of signs.

(a) *Generally.* Each noncontiguous sign face shall be counted as one sign.

(b)

Special situations. Where two sign faces are placed back to back and are at no point more than three feet apart, they shall be counted as one sign.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-593. - Sign height.

The height of a sign shall be measured as the vertical distance from the finished grade at the base of the supporting structure to the top of the sign or its frame or supporting structure, whichever is highest.

(Ord. No. 399, § 1, 11-20-01)

Secs. 74-594—74-610. - Reserved.

DIVISION 4. - DESIGN, CONSTRUCTION AND LOCATION

Sec. 74-611. - Applicability of division.

All permanent signs must comply with the design, construction and location standards set out in this division.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-612. - Compliance with building and electrical codes.

All permanent signs and their illuminations shall be designed, constructed and maintained in conformance with applicable provisions of the building and electrical codes adopted by the town.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-613. - Illumination.

(a) Sign lighting shall not be designed or located to cause confusion with traffic lights.

(b) Illumination by floodlights or spotlights is permitted provided that no light shines directly onto an adjoining property or obstructs the vision of motorists or pedestrians using or entering a public street.

(c) Illuminated signs shall not have lighting mechanisms that project more than 18 inches perpendicularly from any surface of the sign over public space.

(d) Illumination of signs in commercial districts, hotel districts and golf course districts shall not be permitted between the hours of 8:00 p.m. and 8:00 a.m. However, if an entity illuminating a sign is open for business and operating, illumination of signs shall be allowed during those operating hours.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-614. - Placement.

(a) *Placement near street and driveway intersections.* Signs located within a clear visibility triangle shall conform to the requirements of section 74-153.

(b) *Placement in right-of-way.* Signs and support structures are to be posted not less than ten feet from the edge of a street, and shall not be posted on a public right-of-way or easement.

(c) *Projection over right-of-way.* No sign shall project over a public right-of-way except as specifically authorized by this land development code.

(d) *Blocking exits, fire escapes, etc.* No sign or sign structure shall be erected that impedes use of any fire escape, emergency exit or standpipe.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-615. - Clearance.

(a) *Clearance over pedestrian ways.* All signs over pedestrian ways shall provide a minimum of seven feet six inches of clearance.

(b) *Clearance over vehicular ways.* All signs over vehicular ways shall provide a minimum of 13 feet six inches of clearance.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-616. - Relationship to building features.

A building sign shall not extend beyond any edge of the surface to which it is attached, nor shall it disrupt a major architectural feature of the building. (See figures 4 and 5 following this section.)

FIGURE 4. A BUILDING SIGN SHALL NOT EXTEND BEYOND ANY EDGE OF THE SURFACE TO WHICH IT IS ATTACHED

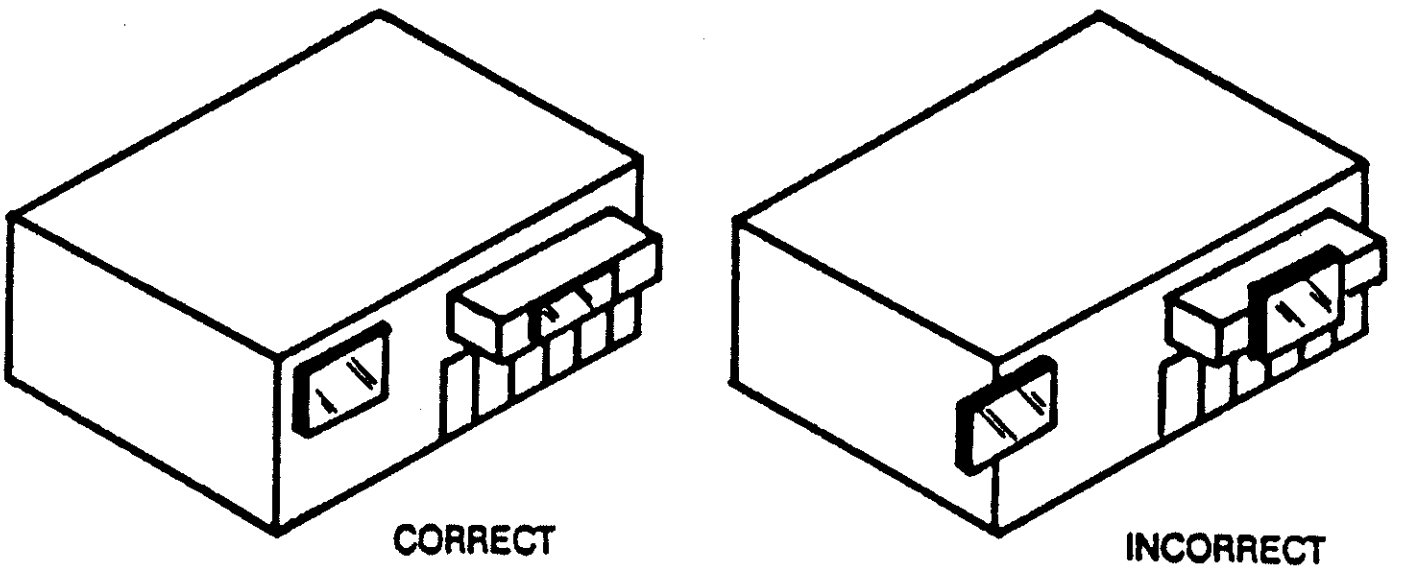

Figure 4—A Building Sign Shall Not Extend Beyond Any Edge of the Surface to Which it is Attached

FIGURE 5. A BUILDING SIGN MAY NOT DISRUPT ARCHITECTURAL FEATURES OF THE BUILDING

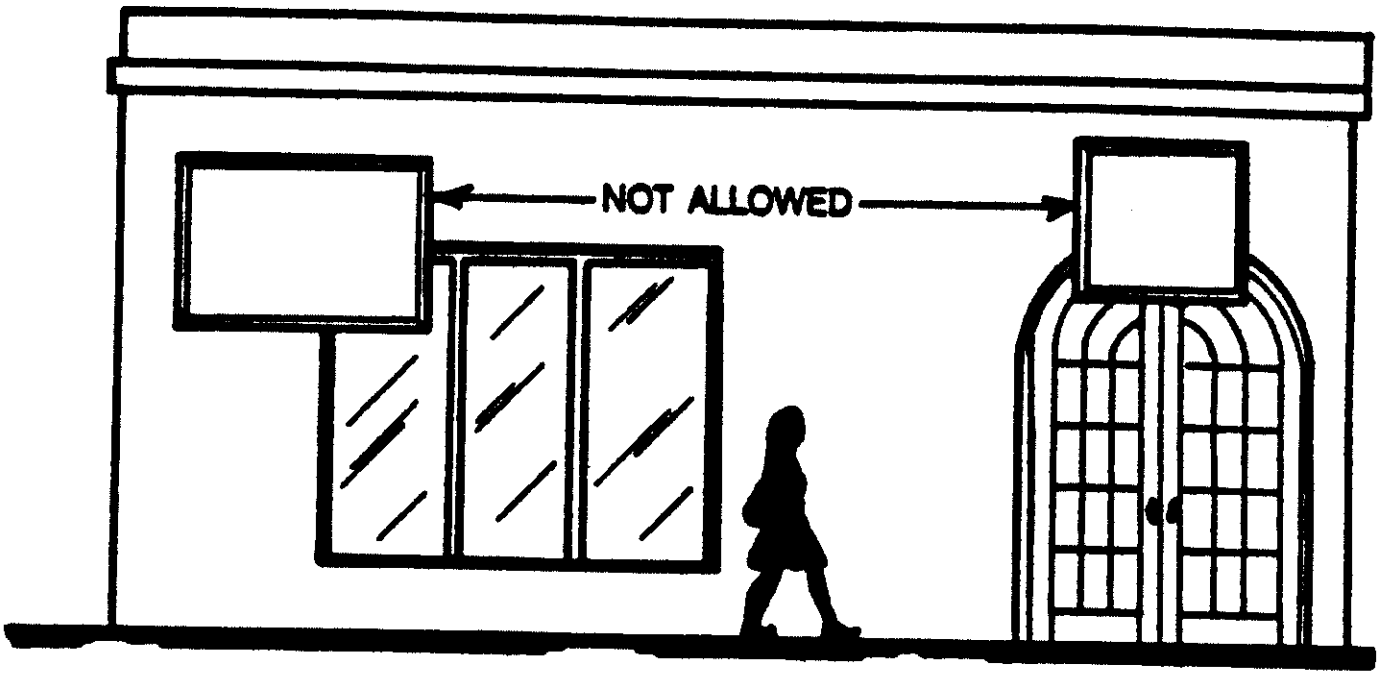

Figure 5—A Building Sign May Not Disrupt Architectural Features of the Building

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-617. - Projection of building signs.

A building sign may project no more than four feet perpendicularly from the surface to which it is attached.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-618. - Maximum window coverage.

The combined area of permanent and temporary signs placed on or behind windows shall not exceed 25 percent of the total window area at the same floor level on the side of the building or unit upon which the signs are displayed.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-619. - Format for multiple-occupancy complexes.

Building signs for multiple-occupancy complexes constructed or remodeled after the effective date of this land development code shall conform to an approved sign format. The sign format shall be included as a submittal for authorization to erect such a sign, and shall be maintained on file by the town. The format shall be presented in a plan or sketch with written specifications in sufficient detail to enable the town manager to authorize signs based on the specifications. At a minimum, the sign format shall specify the types of signs and dimensions, not to exceed the size limits contained in this article, which will be permitted each occupant within the complex. The sign format shall also contain common design elements such as placement, color, shape or style of lettering which lend a unified appearance to the signs of all the occupants within the complex. The sign format may only be modified with the approval of the town manager upon submission of a revised plan and specifications detailing the revised format.

(Ord. No. 399, § 1, 11-20-01)