THE TOWN OF
Windermere

DEVELOPMENT REVIEW BOARD

Chair: Frank Chase
Peter Fleck
Jennifer Roper
Stephen Withers
Molly Rose
Council Liaison: Andy Williams

Agenda ***Agenda***

February 18, 2025
6:30 PM

TOWN HALL
520 MAIN STREET
WINDERMERE, FL 34786

PLEASE TURN OFF ALL CELL PHONES AND PAGERS

PLEASE NOTE: IN ACCORDANCE WITH F.S. 286.26: Person with disabilities needing assistance to participate in any such proceedings should contact the Office of the Clerk at least 48 hours beforehand at (407) 876-2563.

Pursuant to Resolution No. 2005-12 adopted on December 13, 2005, the following Civility Code shall govern all procedings before the Town of Windermere Development Review Board:

1. All electronic devices, including cell phones and pagers. shall be either turned off or otherwise silenced.
2. Prolonged conversation shall be conducted outside Council meeting hall.
3. Whistling, heckling, gesturing, loud conversations, or other disruptive behavior is prohibited.
4. Only those individuals who have signed the speaker list and/or/who have been recognized by the Mayor (or Chair) may address comments to the Council.
5. Comments at public hearings shall be limited to the subject being considered by the Council
6. Comments at Open Forums shall be directed to Town issues.
7. All public comments shall avoid personal attacks and abusive language
8. No person attending a Development Review Board meeting is to harass, annoy, or otherwise disturb any other person in the room.

Any member of the public whose behavior is disruptive and violates the Town of Windermere Civility Code is subject to removal from the Development Review Board meeting by an officer and such other actions as may be appropriate. PLEASE NOTE: IN ACCORDANCE WITH F.S. 286.0105: Any person who desires to appeal any decision at this meeting will need a record of this proceeding. For this, such person may need to ensure that a verbatim record of such proceeding is made which includes the

AGENDA

1. THE MEETING IS CALLED TO ORDER BY THE CHAIR

2. OPEN FORUM / PUBLIC COMMENT (3-Minute Limit)

3. NEW BUSINESS

a. Variance Request: Z25-01 - 603 Main Street - Dijon Real Estate, LLC/CIG Companies and Magnifica, LLC - Variance to Allow a Ground Sign Greater than 20 Square Feet. (Attachments)

4. ADJOURN

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

Development Review Board
February 18, 2025

Town Council
March 11, 2025

Case No.:	Z25-01
Property Owner/Applicant:	Dijon Real Estate, LLC/ CIG Companies and Magnifica, LLC
Requested Action:	Variance to allow for a ground sign of 27.4 square feet, which is larger than the permitted 20 square foot ground sign.
Property Address:	603 Main Street
Legal Description:	PLAT OF WINDERMERE G/36 LOTS 215 THROUGH 218 & WLY 65 FT OF LOTS 207 & 208
Future Land Use/Zoning:	Commercial/Commercial
Existing Use:	Office

Surrounding Future Land Use/Zoning

North:	Commercial/Commercial
East:	Residential/Residential
South:	Commercial/Commercial
West:	Public/Public

CASE SUMMARY:
CIG Companies and Magnifica, LLC, at 603 Main Street submitted a request for approval of a variance pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The purpose of the

variance request is to allow for ground sign larger than the Town permitted 20 square feet as provided in Section 8.05.03(b), Town Land Development Code. The ground sign is actually constructed with an area of 27.4 square feet and is not compliant. The sign was constructed without the required building permit. This is an after the fact variance request.



Aerial view of 603 Main Street. Source: Orange County Property Appraiser

Division 10.02.00 of the LDC empowers the Development Review Board to review and make recommendations for approval, approval with conditions or denial to the Town Council on variance requests.

Division 10.02.00 of the LDC requires the Town Council to consider the recommendation of the Development Review Board and to take final action to either approve or deny the variance request.

CASE ANALYSIS:

There is one (1) variance request:

1. Allow a 27.4 square foot ground sign

Section 10.02.02 of the LDC provides the specific standards by which the Development Review Board and Town Council are to review to consider the approval or denial of a variance application. In addition, this Section requires a positive finding, based on substantial competent evidence, for each of the standards. These standards are summarized as follows:

1. The need for the variance arises out of the physical surroundings, shape, topographical condition or other physical or environmental conditions that are unique to the subject property. Variances should be granted for conditions peculiar to the property and not the result of actions of the property owner;

2. There are practical or economic difficulties in carrying out the strict letter of the regulation;

3. The variance request is not based exclusively upon a desire to reduce the cost of developing the site;

4. The proposed variance will not substantially increase congestion surrounding public streets, the danger of fire or other hazard to the public;

5. The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site;

6. The effect of the proposed variance is in harmony with the general intent of this Land Development Code and the specific intent of the relevant subject areas of this Land Development Code; and

7. The variance will not encourage further requests for changes where such a land use would not be deemed appropriate.

It is also important to note that this Section also provides specific standards that are not to be considered in the review of a variance application. These standards are:

1. That the implementation of these regulations would impose an economic hardship on the cost of the building or redevelopment project;

2. That these regulations impose a hardship by decreasing the maximum density of a property in terms of the number of units, square footage of buildings, etc.; and

3. That other adjacent lands, structures or buildings not in conformance with these regulations provide a rationale for a lessening of their application in this specific case.

Section 10.02.02(c) of the LDC allows the imposition of conditions and restrictions as may be necessary to allow a positive finding to be made on any of the variance standards to minimize the negative effect of the variance. The conditions and restrictions should further the interest of the LDC. The applicant submitted a sign plan, and other materials in support of the variance request. Please see information provided with the agenda item for the applicant's submittal.

PUBLIC NOTICE:

Public notices were mailed to property owners within 500 ft of the subject property. As of February 6, 2025, no responses were received in support nor in opposition to the proposed variance.

CIG/Magnifica
603 Main Street
Windermere, FL 34786
12-16-2024

DOROTHY BURKHALTER, TOWN CLERK
TOWN OF WINDERMERE
WINDERMERE, FL 34786

Dear Dorothy Burkhalter,

Subject: Request for Variance for Monument/Signage at 603 Main Street

I am writing to formally request a variance for the monument/sign installed at 603 Main Street. The sign, which exceeds the allowable square footage as per town regulations, was not designed as traditional signage but rather as a complementary art piece for the corner.

The structure features a depiction of the lion and the lamb, with no wording representing Magnifica or CIG companies. Its intent is purely aesthetic and to enhance the environment at the corner, providing a meaningful and visually appealing landmark. The monument/sign was strategically placed further back from the corner to ensure it does not impede visibility or traffic flow at the roundabout.

The area surrounding the sign was designed by a renowned landscape architect responsible for much of the work in the prestigious Isleworth Residential Private Community. The design aimed to create a walkable and safe environment, providing greater distance for pedestrians from the busy traffic at the roundabout.

Our vision for this corner includes completing the project, upon approval, with the addition of a bench. This would create a small, inviting space for residents to rest, admire the artwork, and enjoy a moment of tranquility away from the hustle and bustle of the street.

We kindly request your consideration of this variance to allow us to finalize this thoughtfully planned project, which we believe contributes positively to the community's aesthetics and functionality.

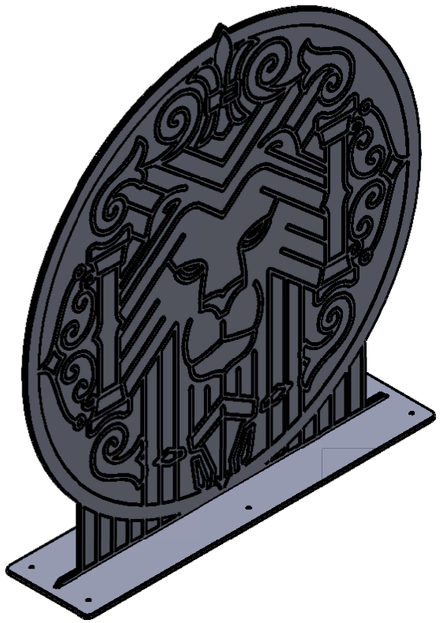
Please let us know if additional documentation or further discussions are required. I can be reached at 517-214-8213 for any questions or clarifications.

Thank you for your time and attention to this matter.

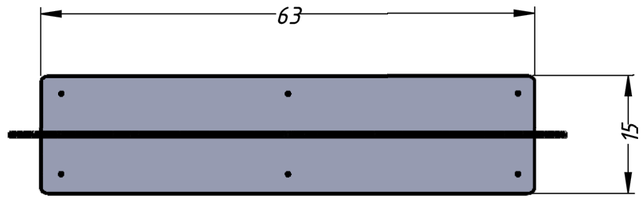
Sincerely,

Brian Henley
Partner, CIG Companies and Magnifica LLC

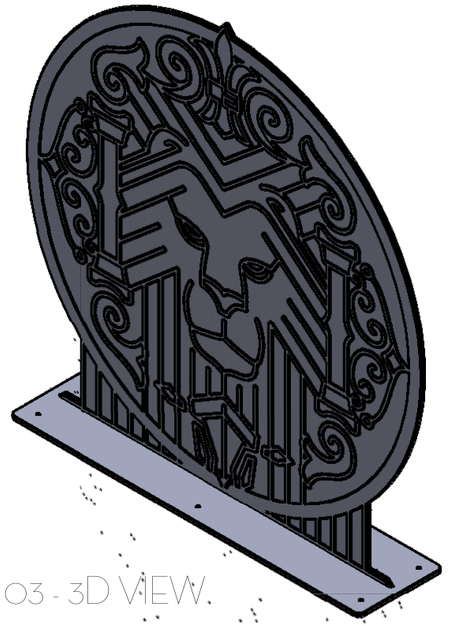
MAGNIFICA



01 - 3D VIEW



02 - PLAN VIEW



03 - 3D VIEW

04 - SIDE VIEW



05 - FRONT VIEW

06 - SIDE VIEW

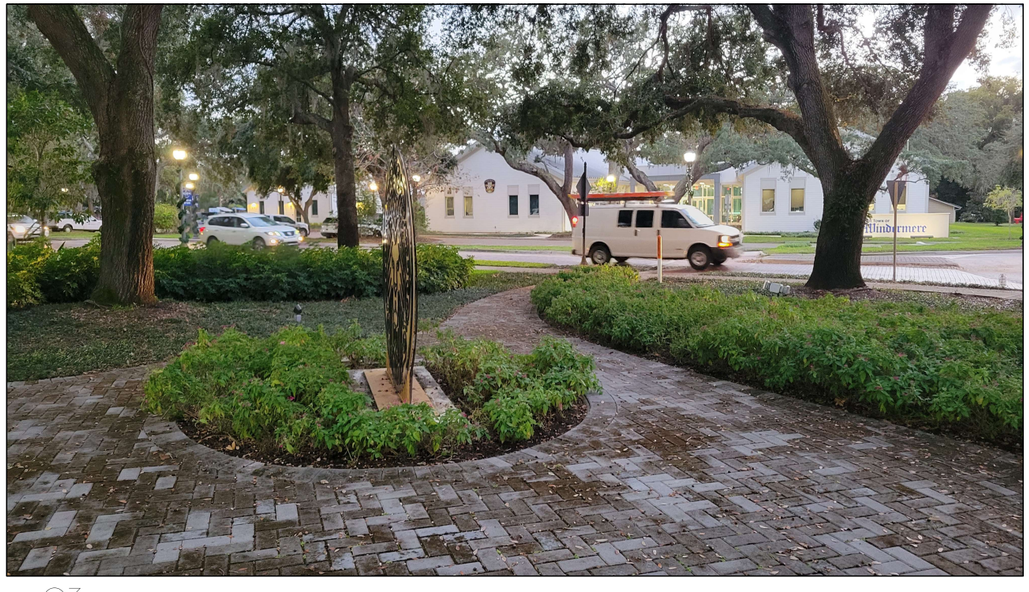
MAGNIFICA



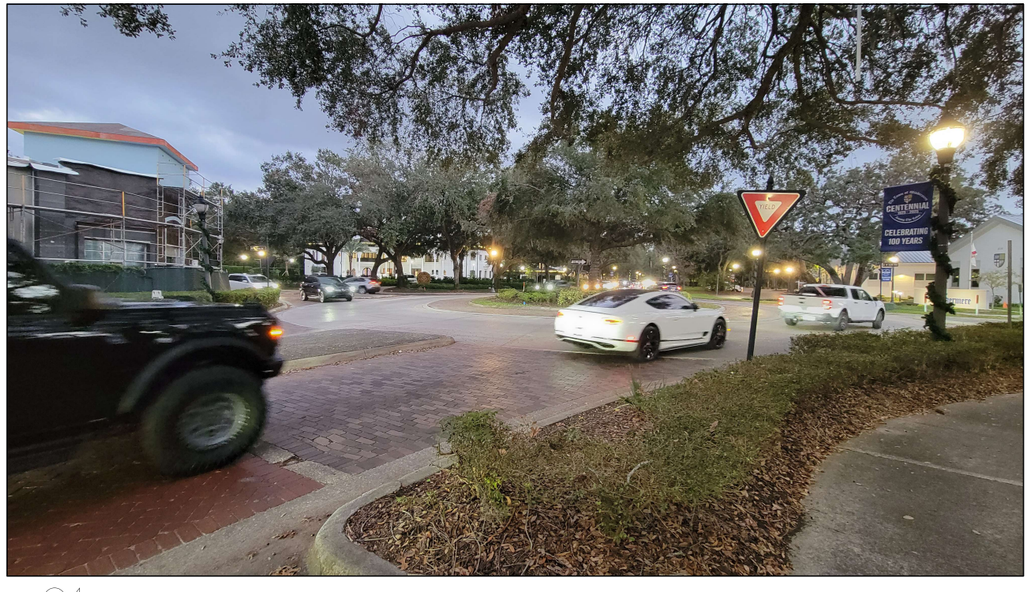
01



02



03



04

MAGNIFICA



MAGNIFICA

E. 6th AVENUE

LOCATION OF EXISTING SIGNAGE

EXIST. PARKING LOT
AND DRIVEWAY

MAIN STREET

126'-11"

79'-11"

ENTRY PORTICO

RAMP

EXIST. BUILDING

PATIO

N

0' 10' 25' 50' 100'