Agenda Items

1. Call to Order

2. Approval of September 1, 2020 meeting minutes

3. Public Hearings
   - SPR #20-11 Request of Dr. Daniel Cohen for approval to construct a new swimming pool at 2104 Venetian Way on Lake Maitland.
   - SPR #20-12 Request of Lazarus Development Group for approval to construct a new two-story single-family home at 540 Country Club Drive on Lake Killarney.
   - ZTA #20-06 Request of the City of Winter Park for: An Ordinance Amending Article IV “Sign Regulations” Providing for Revised Regulations Relating to Temporary Signage.
   - ZTA #20-07 Request of the City of Winter Park for: An Ordinance Amending Article IV “Sign Regulations” Providing for Revised Regulations Relating to Definitions; Modifications for Signage in certain Zoning locations; and Clarifying the types of permitted and prohibited signs.

4. New Business

5. Planning Director’s Report

6. Board Updates & Comments

7. Upcoming Meeting Schedule
   - Next P&Z Work Session: Tuesday, October 27, 2020 at 12:00 p.m.
   - Next P&Z Regular Meeting: Monday, November 2, 2020 at 6:00 p.m.

appeals & assistance

“If a person decides to appeal any decision made by the Board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.” (F.S. 286.0105).

“Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk’s Office (407-599-3277) at least 48 hours in advance of the meeting.”
Planning & Zoning Board
Staff Report for October 6, 2020 Meeting

SPR #20-11. Request of Daniel Cohen and Esther Kovacs for: Approval to construct a new swimming pool for the single-family home located at 2104 Venetian Way on Lake Maitland, zoned R-1AAA.

Background

On July 9, 2019, the owners of 2104 Venetian Way received approval to expand their existing home with a two-story addition and on August 4, 2020 received approval to modify those plans to increase the size of that lakefront addition. This application is to add a new swimming pool, as the previous approvals were made subject to the condition:

1. That due to the floodway status of the property, potential changing of grades, construction within the down slope area of the lot and storm water issues on this site, any future plans for a swimming pool/deck must be brought back to the P&Z Board for approval.

This property has a very unique history because the land was designated on the FEMA maps as a “floodway” when the home was built in 2008/2009. A “floodway” is land that is expected to flood or hold water during high water hurricane type events. The resultant soils are several feet of organic soils (muck). To make the land buildable, the organic soils had to be compacted. There was a large amount of dirt placed for several years where the home would be located in order to compact the soils. The same thing occurred on the adjacent lot to the west at 2072 Venetian Way, prior to the start of their new home.

In order to satisfy the City and the Federal Emergency Management Agency (FEMA), a large retention area (pond) was created on the lakefront of this property. It is both a retention area where water drains to after a rain, and it also holds water as compensating storage for the fill brought in to enable the existing house pad to be raised up above the floodway level. This situation, limits changing grades unless compensating storage is undertaken. This proposed construction of the swimming pool is partly on the area previously filled and partly in the area of existing storm water retention.

The applicants have provided a civil engineering report from Bravo Engineering which details that the new swimming pool will displace 459 cubic yards of storm water retention volume. However, the retention area will be enlarged to accommodate 546 cubic yards of new storm water retention volume, thus providing compensating storage. An attached graphic, on the next page, shows where that new compensating storage will be created by enlarging the retention area. The submittal materials also confirm that this change does not require any additional permitting from FDEP.
The new swimming pool adds 973 sf of impervious area, bringing the total impervious coverage to 7,511 sf which is 41% of this 18,482 square feet property, within the maximum 50% coverage.  

The swimming pool plans submitted show a walkway going down to the boathouse. The walkway would need to be a boardwalk raised up above the retention area depression. The plans also show wood decking on each side of the proposed pool. Since the land under these decks is retention area, they will be raised about 18 inches above the grade below in order to allow storm-water to go underneath those decks. The plan shows a landscape planter area on the south side of the pool but that landscape planter encroaches into the retention area and thus cannot be placed there as it is in conflict with the engineered retention plan.

**Tree Preservation**

There are no existing trees affected by this swimming pool addition.

**View from the Lake**

The code limits walls and swimming pool decks facing the lake in excess of three feet in height. The proposed swimming pool will have a retaining wall of 18 inches in height facing the lake because the level of the retention area is 18 inches below the height of the pool deck.

**View of Neighbors**

Given the minimal 18 inches of height for the swimming pool and side decks above the grade, there is no structure to block or impair the “traditional views of the lake”.

*Staff recommendation is for approval of the proposed swimming pool consistent with the engineering plans submitted and previously stated staff report clarifications.*
April 16, 2020

Mr. Donald Marcotte, P.E.
Assit Dir P/W-City Engineer
City of Winter Park
401 Park Avenue South
Winter Park, FL 32789

Re: 2104 Venetian Way – Lot Grading Plan Review

Dear Mr. Marcotte:

This letter is in response to your email comment on or about March 2, 2020. Included with this submittal are the following:

- Permit Determination from FDEP (No permit required)
- Response from FEMA (No Determination ever issued for the lot)
- Compensating Storage Analysis Report
- Revised Lot Grading Plan

The comments are repeated below in *italics* and the responses are in **bold**.

1) *The last home was permitted to be built in 2007. At that time what was the FEMA BFE used to calculate the compensating storage and which datum was used, 1929 NGVD or 1988 NAVD? The earliest FEMA FIRM map we have on file was revised 2009 with a BFE of 68.9 (NAVD 88), then revised again in 2014 to 68.0 (NAVD 88).*

The base flood elevation (BFE) in effect at the time the project was permitted was 70 NGVD-29. The FEMA BFE and lot grading plan were both based on the NGVD-29 datum. (see FEMA Map Panel 255 and Survey included in the Compensating Storage Analysis Report included with this submittal.)

2) **Based on the BFE in question #1 above, please provide the compensating storage calculations including the amount of fill placed in the flood plain.** We no longer have this data on file. We seem to recall Constance Owens, PE who provided those calculations in 2007.

Five flood plain calculations have been included in the Compensating Storage Analysis Report. These calculations include five analyses:

1) Pre-Development (2007) using NGVD-29: BFE = 70 and NHWE = 66.5 (815 CY Storage Vol)
2) Pre-Development (2007) using NAVD-88: BFE = 68.0 and NHWE = 65.7 (459 CY Storage Vol)
3) Exist-Condition (2020) using NGVD-29: BFE = 70 and NHWE = 66.5 (1,158 CY Storage Vol)
4) Exist-Condition (2020) using NAVD-88: BFE = 68.0 and NHWE = 65.7 (653 CY Storage Vol)
5) Prop-Condition using NAVD-88: BFE = BFE = 68.0 and NHWE = 65.7 (546 CY Storage Vol)

Comparing Analyses No’s 1 & 3 (“Pre-Development (2007) using NGVD-29” to “Exist-Condition (2020) using NGVD-29”) is probably closest to the calculations prepared by Engineer Owens in 2007; though, I've been unable to find a copy of her calculations to confirm this assumption. Never the less, the proposed condition provides more storage volume than was present in the pre-development condition, based on the current elevations, so the proposed improvements should be acceptable.
3) **Please investigate and confirm that FDEP or FEMA was involved with the review and approval of the calculations mentioned in #2 above. If this is the case, we will require another approval from either or both of those agencies.**

I have contacted both FEMA and FDEP.

A LOMC process was started with FEMA, but it was determined to be not required and never completed. I’ve included an email from FEMA stating because the LOMC was not finalized, they are unable to distribute the application information in the file. In projects of this nature, FEMA's primarily concern would be removal of a structure from the Special Flood Hazard Area (SFHA). Since the east side of the house is not above the BFE, the structure does not qualify to be removed from the SFHA, so FEMA would not involve itself with a project of this nature, which is probably why the above reference LOMC was never finalized.

With FDEP, we confirmed that no permit had previously been issued for the site, and we filed a permit determination request for the proposed improvements. We subsequently received a response stating that no permit is required. A copy of that determination response has been included with this submittal.

4) **Please provide a comparison of the compensating storage calculations of 2007 to what is currently being proposed for additional fill within the Flood Plain and make sure that the datum is converted to make and accurate comparison.**

As noted in response No 2, when correcting for differing datums and using the current BFE & NHWL, there is +87 CY more storage in the proposed condition than was present in the pre-development condition.

I trust that you will find this submittal sufficient to approve the Lot Grading Plan for this project; however, should you have any questions or require additional information, please contact me at your convenience.

Very truly yours,

**Bravo Engineering, LLC**

Christopher T. Bravo, P.E.
Project Engineer

cc: File, Zoltan Kecskes
Compensating Storage Calculations
For
Cohen-Neamie Residence
2104 Venetian Way

In
The City of Winter Park, Orange County, Florida

Prepared for
Zoltan Construction, LLC
127 W Fairbanks Ave, PMB#526
Winter Park, FL 32789

Prepared by
Bravo Engineering, LLC
7221 Aloma Ave, Ste 300
Winter Park, Fl 32792
(407) 252-1671

February 2020
Revised March 2020
Revised April 2020

Christopher T. Bravo
Florida P.E. 58562
Section 1.0 - Introduction

1.1 Preface

The subject site is located in Section 32, Township 21S, Range 30E, on the southwest side of Venetian Way, directly south of Azalea Pl, within the Maitland Shores subdivision in the City of Winter Park, Orange County, Florida. The project consists of expanding an existing ±3,160 SF (footprint) single-family residential structure, located on a ±0.59 acre, lake front, lot.

The proposed improvements include enclosing and expanding the existing patio, constructing a new patio, and constructing a pool deck. Construction of the existing structure began around 2008. The project was designed using the NGVD-29 datum.

The property drains southwest to Lake Maitland.

Section 2.0 - Existing Site and Drainage Conditions

2.1 Land Use

The site is located within a residential subdivision and will continue to be a single-family residential lot.

2.2 Topography and Flood Plain

The pre-development elevations are taken from a topographic survey prepared by Southeastern Surveying & Mapping Corp., dated 8/18/05. The pre-development survey used the NGVD-29 datum. The property had a high point, elevation 71.2 NGVD-29, near the middle, ±75’ from the northeast property line. The Normal High Water Elevation (NHWE), along the southwest side of the site, was 66.50 NGVD-29 (according to the TSW plan dated 7/27/15) though the water elevation at the time of the survey (8/18/05) was 66.60 NGVD-29.

The existing elevations are based on the topographic survey prepared by Ireland & Associates Surveying, Inc, dated 12/31/19. The current survey used the NAVD-88 datum. The area is shown on the survey to have a highpoint of ±69.6 near the middle of the north property line, and a low of elevation ±65.4 ft. along the south side of the site. The NHWE, is shown as 65.7 NAVD-88, though the surveyed water elevation at the time of the survey was 65.3 NAVD-88.

According to NOAA, https://www.ngs.noaa.gov/cgi-bin/VERTCON/vert_con.prl, the difference between the NGVD-29 and NAVD-88 datum at this location is almost exactly 12”. (An NAVD-88 elevation is found by subtracting 1.0’ from the NGVD-29 elevation.)

According to the FEMA Map Number 12095C0255 E, dated 12/06/2000, the 100-year Base Flood Elevation (BFE) of Lake Maitland was 70 NGVD-29, which equates to 69 NAVD-88.

FEMA revised the map (Number 12095C0255 F, dated 9/25/2009), changing the 100-year BFE of Lake Maitland to 68.9 NAVD-88.
FEMA issued a map change, (LOMR 13-04-7033P, dated 3/7/2014), changing the 100-year BFE of Lake Maitland to its current BFE of 68.0 NAVD-88.

2.3 Soils
Soil types for the area are mapped on the NRCS in the Orange County Soil Survey Report. Project area soils consist of Arents, nearly level (1) and water (99). The corresponding Hydrologic Soil Group (HSG) is A.

2.4 Surface Water Drainage
The runoff from the site consists primarily as overland sheet flow. Existing drainage patterns are maintained.

At the time the existing structure was constructed, 2008-2009, the owner over-compensated for the encroachment into the flood plain including construction of a small, wet, retention pond at the southwest end of the lot. This pond provides very limited extra storage capacity, since it’s top of bank is only a couple inches above the NHWE; but because it holds standing water year-round, it is providing a breeding ground for mosquitoes and other nuisance species.

Since construction, FEMA has revised the flood map making two changes. One is the conversion from NGVD-29 to NAVD-88. The other is lowering the Base Flood Elevation an additional 12”. Comparing the BFE and NHWE in place at the time of construction with the current BFE and NHWE, the proposed improvements result in +87 CY more storage volume than was present in the pre-development condition.

Section 3.0 - Proposed Analysis

3.1 Design Criteria
The project falls under the jurisdiction of the City of Winter Park. The Florida Department of Environmental Projection has made a determination that no permit is required for the proposed improvements.

3.2 Pre-Development Storage Volume
As previously mentioned, the pre-development condition was determined based on the topographic survey prepared by Southeastern Surveying. This survey was prepared using the NGVD-29 datum. The Pre-Development storage volume was found two ways: First (Analysis No 1), using the grades based on the NGVD-29 datum and the BFE and NHWE being used at the time (70 and 66.5, respectively). Second (Analysis No 2), converting the grades to NAVD-88 and the BFE and NHWE being used today (68 and 65.7, respectively).

For Analysis No 2, the spot elevations were converted to NAVD-88 by subtracting 1.0’. Then a stage/area analysis was performed to calculate the pre-development flood storage volume using the current base flood elevation (68.0 NAVD-88) and NHWE (65.7 NAVD-88).

The existing storage volumes (Analyses No 3 & 4) were determined (for information purposes only) based on the topographic survey prepared by Ireland Surveying, using the
same criteria. In the case on Analysis No 3, 12” was added to the spot elevations to convert them to NGVD-29. Analysis No 3 is most representative of the permitted condition.

3.3 Post Development Storage Volume

The proposed improvements were added to the topographic survey prepared by Ireland Surveying, and a stage/area analysis was performed to calculate the post development flood stage volume (Analysis No 5) using the current BFE (68.0 NAVD-88) and the NHWE (65.7 NAVD-88).

3.4 Results

The amount of compensating storage volume required has been greatly reduced because of the change to the BFE. The storage volumes for the three conditions (in both NGVD-29 and NAVD-88) are as follows:

<table>
<thead>
<tr>
<th>Condition</th>
<th>NGVD-29</th>
<th>NAVD-88</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-Development</td>
<td>815</td>
<td>459</td>
</tr>
<tr>
<td>Existing</td>
<td>1,158</td>
<td>695</td>
</tr>
<tr>
<td>Post Development</td>
<td>546</td>
<td></td>
</tr>
</tbody>
</table>

Section 4.0 - Conclusion

Since the flood storage volume in the Post Development Condition (546 CF NAVD-88) is greater than the flood storage volume in the Pre-Development Condition (459 CF NAVD-88), there is no loss of flood storage capacity and therefore no adverse impacts to the local community.
APPENDIX A

Exhibits
DELAYS
Light traffic in this area

No known road disruptions. Traffic incidents will show up here.
## Map Unit Legend

<table>
<thead>
<tr>
<th>Map Unit Symbol</th>
<th>Map Unit Name</th>
<th>Acres in AOI</th>
<th>Percent of AOI</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Arents, nearly level</td>
<td>1.5</td>
<td>98.6%</td>
</tr>
<tr>
<td>99</td>
<td>Water</td>
<td>0.0</td>
<td>1.4%</td>
</tr>
<tr>
<td><strong>Totals for Area of Interest</strong></td>
<td></td>
<td><strong>1.5</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>
Orange County, Florida

1—Arents, nearly level

Map Unit Setting
- National map unit symbol: bv78
- Mean annual precipitation: 45 to 53 inches
- Mean annual air temperature: 70 to 77 degrees F
- Frost-free period: 350 to 365 days
- Farmland classification: Not prime farmland

Map Unit Composition
- Arents and similar soils: 100 percent
- Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Arents

Setting
- Landform: Rises on marine terraces
- Landform position (three-dimensional): Rise
- Down-slope shape: Convex
- Across-slope shape: Linear
- Parent material: Altered marine deposits

Typical profile
- AC - 0 to 80 inches: sand

Properties and qualities
- Slope: 0 to 2 percent
- Depth to restrictive feature: More than 80 inches
- Natural drainage class: Somewhat poorly drained
- Runoff class: Negligible
- Capacity of the most limiting layer to transmit water (Ksat): Very high (19.98 to 50.02 in/hr)
- Depth to water table: About 24 to 36 inches
- Frequency of flooding: None
- Frequency of ponding: None
- Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
- Sodium adsorption ratio, maximum in profile: 4.0
- Available water storage in profile: Very low (about 2.4 inches)

Interpretive groups
- Land capability classification (irrigated): None specified
- Land capability classification (nonirrigated): 6s
- Hydrologic Soil Group: A
- Forage suitability group: Forage suitability group not assigned (G155XB999FL)
Hydric soil rating: No

Data Source Information

Soil Survey Area: Orange County, Florida
Survey Area Data: Version 16, Sep 17, 2019
Property Record - 32-21-30-5476-03-020

Property Summary as of 02/07/2020

<table>
<thead>
<tr>
<th>Property Name</th>
<th>Mailing Address</th>
<th>Physical Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>2104 Venetian Way</td>
<td>Po Box 940867</td>
<td>2104 Venetian Way</td>
</tr>
<tr>
<td>Cohen-Neamie Daniel D</td>
<td>Maitland, FL 32794-0867</td>
<td>Winter Park, FL 32789</td>
</tr>
<tr>
<td>Kovacs Esther</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Names
WP - Winter Park

Property Use
0130 - Sfr - Lake Front

Value and Taxes
Historical Value and Tax Benefits

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Land</th>
<th>Building(s)</th>
<th>Feature(s)</th>
<th>Market Value</th>
<th>Assessed Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>$1,077,600</td>
<td>$482,959</td>
<td>$13,460</td>
<td>$1,574,019</td>
<td>$1,574,019</td>
</tr>
<tr>
<td>2018</td>
<td>$1,077,600</td>
<td>$470,102</td>
<td>$13,460</td>
<td>$1,561,162</td>
<td>$1,561,162</td>
</tr>
<tr>
<td>2017</td>
<td>$1,077,600</td>
<td>$457,538</td>
<td>$13,460</td>
<td>$1,548,598</td>
<td>$1,548,598</td>
</tr>
<tr>
<td>2016</td>
<td>$1,077,600</td>
<td>$535,095</td>
<td>$13,460</td>
<td>$1,626,155</td>
<td>$1,626,155</td>
</tr>
</tbody>
</table>

2019 Taxable Value and Certified Taxes

<table>
<thead>
<tr>
<th>Taxing Authority</th>
<th>Assd Value</th>
<th>Exemption</th>
<th>Tax Value</th>
<th>Millage Rate</th>
<th>Taxes</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Schools: By State Law (Rle)</td>
<td>$1,574,019</td>
<td>$0</td>
<td>$1,574,019</td>
<td>3.8610</td>
<td>$6,077.29</td>
<td>24%</td>
</tr>
<tr>
<td>Public Schools: By Local Board</td>
<td>$1,574,019</td>
<td>$0</td>
<td>$1,574,019</td>
<td>3.2480</td>
<td>$5,112.41</td>
<td>20%</td>
</tr>
<tr>
<td>Orange County (General)</td>
<td>$1,574,019</td>
<td>$0</td>
<td>$1,574,019</td>
<td>4.4347</td>
<td>$6,980.30</td>
<td>27%</td>
</tr>
<tr>
<td>City Of Winter Park</td>
<td>$1,574,019</td>
<td>$0</td>
<td>$1,574,019</td>
<td>4.0923</td>
<td>$6,441.36</td>
<td>25%</td>
</tr>
<tr>
<td>City Of Winter Park Debt Service 2011</td>
<td>$1,574,019</td>
<td>$0</td>
<td>$1,574,019</td>
<td>0.1361</td>
<td>$214.22</td>
<td>1%</td>
</tr>
<tr>
<td>City Of Winter Park Debt Service 2017</td>
<td>$1,574,019</td>
<td>$0</td>
<td>$1,574,019</td>
<td>0.3021</td>
<td>$475.51</td>
<td>2%</td>
</tr>
<tr>
<td>St Johns Water Management District</td>
<td>$1,574,019</td>
<td>$0</td>
<td>$1,574,019</td>
<td>0.2414</td>
<td>$379.97</td>
<td>1%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>16.3156</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$25,681.06</td>
<td></td>
</tr>
</tbody>
</table>

2019 Non-Ad Valorem Assessments

<table>
<thead>
<tr>
<th>Levying Authority</th>
<th>Assessment Description</th>
<th>Units</th>
<th>Rate</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>There are no Non-Ad Valorem Assessments</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Property Features

Property Description

MAITLAND SHORES R/150 LOT 2 BLK C & THAT PART OF OCCUPIED PLATTED LAKE LYING SOUTHWESTERLY OF SAID LOT

Total Land Area

25,486 sqft (+/-) | 0.59 acres (+/-) | GIS Calculated

Land

<table>
<thead>
<tr>
<th>Land Use Code</th>
<th>Zoning</th>
<th>Land Units</th>
<th>Unit Price</th>
<th>Land Value</th>
<th>Class Unit Price</th>
<th>Class Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>0130 - Sfr - Lake Front</td>
<td>R-1AAA</td>
<td>1 LOT(S)</td>
<td>working...</td>
<td>working...</td>
<td>working...</td>
<td>working...</td>
</tr>
</tbody>
</table>

Buildings

<table>
<thead>
<tr>
<th>Model Code</th>
<th>Subarea Description</th>
<th>Sqft</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>01 - Single Fam Residence</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Type Code</th>
<th>BAS - Base Area</th>
<th>2543</th>
<th>working...</th>
</tr>
</thead>
<tbody>
<tr>
<td>0104 - Single Fam Class IV</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Value</th>
<th>FAT - Fin Attic</th>
<th>630</th>
<th>working...</th>
</tr>
</thead>
</table>
Estimated New Cost  working...
Actual Year Built  2010
Beds  4
Baths  5.0
Floors  2
Gross Area  5274 sqft
Living Area  3192 sqft
Exterior Wall  Com.Brick
Interior Wall  Drywall

Extra Features

<table>
<thead>
<tr>
<th>Description</th>
<th>Date Built</th>
<th>Units</th>
<th>Unit Price</th>
<th>XFOB Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>BD2 - Boat Dock 2</td>
<td>01/01/1979</td>
<td>1 Unit(s)</td>
<td>working...</td>
<td>working...</td>
</tr>
<tr>
<td>BC2 - Boat Cover 2</td>
<td>01/01/1953</td>
<td>1 Unit(s)</td>
<td>working...</td>
<td>working...</td>
</tr>
<tr>
<td>FPL2 - Fireplace 2</td>
<td>12/29/2010</td>
<td>1 Unit(s)</td>
<td>working...</td>
<td>working...</td>
</tr>
<tr>
<td>WLDC - Wall Dec</td>
<td>01/01/2005</td>
<td>98 Unit(s)</td>
<td>working...</td>
<td>working...</td>
</tr>
<tr>
<td>PT1 - Patio 1</td>
<td>12/31/2011</td>
<td>1 Unit(s)</td>
<td>working...</td>
<td>working...</td>
</tr>
</tbody>
</table>

Sales

Sales History

<table>
<thead>
<tr>
<th>Sale Date</th>
<th>Sale Amount</th>
<th>Instrument #</th>
<th>Deed Code</th>
<th>Seller(s)</th>
<th>Buyer(s)</th>
<th>Vac/Imp</th>
</tr>
</thead>
<tbody>
<tr>
<td>02/24/2016</td>
<td>$100</td>
<td>20160144473</td>
<td>Quitclaim Deed</td>
<td>Childers Thomas F</td>
<td>Cohen-Neamie</td>
<td>Improved</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Childers Susan C</td>
<td>Daniel D</td>
<td></td>
</tr>
<tr>
<td>02/24/2016</td>
<td>$1,575,000</td>
<td>20160106327</td>
<td>Warranty Deed</td>
<td>Childers Thomas F</td>
<td>Cohen-Neamie</td>
<td>Improved</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Childers Susan C</td>
<td>Daniel D</td>
<td></td>
</tr>
<tr>
<td>08/24/2002</td>
<td>$100</td>
<td>20020507723</td>
<td>Quitclaim Deed</td>
<td>Childers Thomas F</td>
<td>Tr Thomas F</td>
<td>Vacant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>06643 / 3331</td>
<td></td>
<td>Childers Susan C Tr</td>
<td></td>
<td></td>
</tr>
<tr>
<td>04/27/2000</td>
<td>$530,000</td>
<td>20000180116</td>
<td>Warranty Deed</td>
<td>Allen Ronald P Miller</td>
<td>Childers Thomas F Tr</td>
<td>Vacant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>05993 / 2181</td>
<td></td>
<td>Connie S</td>
<td>Susan C</td>
<td></td>
</tr>
<tr>
<td>04/29/1997</td>
<td>$505,000</td>
<td>19970157454</td>
<td>Warranty Deed</td>
<td>Kane Donna</td>
<td>Allen Ronald P</td>
<td>Improved</td>
</tr>
<tr>
<td></td>
<td></td>
<td>05246 / 3612</td>
<td></td>
<td>Kane Judith L Miller Connie S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11/01/1978</td>
<td>$90,000</td>
<td>19781315138</td>
<td>Warranty Deed</td>
<td></td>
<td></td>
<td>Improved</td>
</tr>
</tbody>
</table>
Similar Sales

<table>
<thead>
<tr>
<th>Address</th>
<th>Sale Date</th>
<th>Sale Amount</th>
<th>$/SQFT</th>
<th>Deed Code</th>
<th>Beds/Baths</th>
<th>Instrument #</th>
<th>Book/Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>2212 Azalea Pl</td>
<td>11/12/2019</td>
<td>$765,000</td>
<td></td>
<td>Warranty Deed</td>
<td>0/0</td>
<td>20190728790</td>
<td>/</td>
</tr>
<tr>
<td>2212 Azalea Pl</td>
<td>03/28/2019</td>
<td>$720,000</td>
<td></td>
<td>Warranty Deed</td>
<td>0/0</td>
<td>20190199529</td>
<td>/</td>
</tr>
</tbody>
</table>

Services for Location

TPP Accounts At Location

<table>
<thead>
<tr>
<th>Account</th>
<th>Market Value</th>
<th>Taxable Value</th>
<th>Business Name(s)</th>
<th>Business Address</th>
</tr>
</thead>
</table>

There are no TPP Accounts associated with this parcel.

Schools

Winter Park (High School)

Principal          Ms. Matthew Arnold
Office Phone       407.622.3200

Dommerich (Elementary)

Principal          Ms. Karen Verano
Office Phone       407.623.1407
Grades             2019: A | 2018: A | 2017: A

Maitland (Middle School)

Principal          Mr. Andrew Leftakis
Office Phone       407.623.1462

Community/Neighborhood Association

<table>
<thead>
<tr>
<th>Name</th>
<th>Maitland Shores Protective Association</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gated?</td>
<td>No</td>
</tr>
<tr>
<td>Number Of Households</td>
<td>n/a</td>
</tr>
</tbody>
</table>

Utilities/Services

<table>
<thead>
<tr>
<th>Electric</th>
<th>Winter Park</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water</td>
<td>Winter Park</td>
</tr>
<tr>
<td>Recycling (Friday, Tuesday)</td>
<td>Winter Park/Waste Pro</td>
</tr>
<tr>
<td>Trash (Tuesday, Friday)</td>
<td>Winter Park/Waste Pro</td>
</tr>
<tr>
<td>Yard Waste (Wednesday)</td>
<td>Winter Park/Waste Pro</td>
</tr>
</tbody>
</table>

Elected Officials
School Board Representative  Karen Castor Dentel  
State Senate  Linda Stewart  
State Representative  Joy Goff-Marcil  
US Representative  Stephanie Murphy  
County Commissioner  Emily Bonilla  
Orange County Property Appraiser  Rick Singh  

Nearby Amenities (1 mile radius)  

ATMS  1  
Barber Shops  1  
Beauty Salons  1  
Child Daycare  1  
Dentists Offices  3  
Dry Cleaners  1  
Gas Stations  1  
Gyms & Fitness  3  
Nail Salons  1  
Restaurants  3  

Market Stats  

Sales Within Last 1 Year  

Maitland Shores  

Sales Within Last 6 Months  

<table>
<thead>
<tr>
<th>Sales Between 6 Months To One Year</th>
<th>Count</th>
<th>Median</th>
<th>Average</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vacant Land</td>
<td>1</td>
<td>$765,000</td>
<td>$765,000</td>
<td>$765,000</td>
</tr>
</tbody>
</table>

Sales Between 6 Months To One Year  

<table>
<thead>
<tr>
<th>Vacant Land</th>
<th>Count</th>
<th>Median</th>
<th>Average</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Residential</td>
<td>2</td>
<td>$921,750 (S290/SqFt)</td>
<td>$921,750 (S290/SqFt)</td>
<td>$1,843,500</td>
</tr>
<tr>
<td>Vacant Land</td>
<td>1</td>
<td>$765,000</td>
<td>$765,000</td>
<td>$765,000</td>
</tr>
</tbody>
</table>

Maitland Shores (All Phases)  

Sales Within Last 6 Months  

<table>
<thead>
<tr>
<th>Sales Between 6 Months To One Year</th>
<th>Count</th>
<th>Median</th>
<th>Average</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Residential</td>
<td>2</td>
<td>$921,750 (S290/SqFt)</td>
<td>$921,750 (S290/SqFt)</td>
<td>$1,843,500</td>
</tr>
<tr>
<td>Vacant Land</td>
<td>1</td>
<td>$765,000</td>
<td>$765,000</td>
<td>$765,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sales Between 6 Months To One Year</th>
<th>Count</th>
<th>Median</th>
<th>Average</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Residential</td>
<td>2</td>
<td>$921,750 (S290/SqFt)</td>
<td>$921,750 (S290/SqFt)</td>
<td>$1,843,500</td>
</tr>
<tr>
<td>Vacant Land</td>
<td>1</td>
<td>$765,000</td>
<td>$765,000</td>
<td>$765,000</td>
</tr>
</tbody>
</table>
See FIS Report for Detailed Legend and Index Map for FIRM Panel Layout.

Special Flood Hazard Areas:
- Without Base Flood Elevation (BFE)
  - Zone A, V, A99
- With BFE or Depth
  - Zone AE, AO, AH, VE, AR
- Regulatory Floodway

General Structures:
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile
- Zone X
- Future Conditions 1% Annual Chance Flood Hazard
- Zone X
- Area with Reduced Flood Risk due to Levee. See Notes
- Zone X
- Area with Flood Risk due to Levee
- Zone X
- Regulatory Floodway
- 2.5% Annual Chance Flood Hazard
- Zone X
- Area with Reduced Flood Risk due to Levee
- Zone X
- Area with Flood Risk due to Levee
- Zone X
- Regulatory Floodway

Legend:
- NO SCREEN
  - Area of Minimal Flood Hazard
  - Zone X
- Map Panels
  - Digital Data Available
  - No Digital Data Available
  - Unmapped
- Project Site
- Cross Sections with 1% Annual Chance Flood Hazard
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall
- Coastal Transect
- Water Surface Elevation

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/6/2020 at 2:15:39 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.
Boundary Survey

Legal Description:

Lot 2, Block A, M-3, D.S. ORES, according to the Plat thereof as recorded in Plat Book R, Page 155, P. 1st Recs of Orange Co., Florida.

Lot: 1

Panel: 220

Lot 2: 155

Date: 02-12-16

Per Contour

1.6' - Length (Arc)

12.7' - (Non-Radial)

55.0' to NHWE

67.7

2.5'

65.4

0.1'

65.9

65.7

12'±(C)

66.3

Lot 2

66.1

3.4'

69.0

5.3'

68.5

5.0'

67.4

75.4

(2)

3'

66.9

3' - (No Identification)

99.4' to NHWE

65.5

65.5

67.4

82.7' to NHWE

69.0

67.9

67.45

100 Year Flood Plane

Venetian Way

(Asphalt Road)

82.7' to NHWE

39°12'15" E 179.05'(M)

120.001(P)

Δ= F192(P)

S 90°42′48″ E 119.85'(P)

FFE = 68.82'

5.0'

Brick

Residence # 2104

FFE = 68.37'

Septic

67.6

16.7'

Normal High Water Line

(Per Contour)

12.7'

Normal High Water Line

(Per Contour)

55.0' to NHWE

5.0'

5.3'

66.4

5.3'

65.6

9.5'

66.1

66.1

65.7

65.8

65.9

12.7' - (Non-Radial)

65.5

65.5

65.6

65.7

65.7

66.3

5.0'

66.1

3.4'

65.4

65.5

65.6

65.7

65.9

12.7'

66.3

65.7

65.7

66.3

5.0'

66.1

3.4'

65.4

65.5

65.6

65.7

65.9

12.7'

66.3

65.7

65.7

66.3

5.0'

66.1

3.4'

65.4

65.5

65.6

65.7

65.9

12.7'

66.3

65.7

65.7

66.3

5.0'

66.1

3.4'

65.4

65.5

65.6

65.7

65.9

12.7'

66.3

65.7

65.7

66.3

5.0'

66.1

3.4'

65.4

65.5

65.6

65.7

65.9

12.7'

66.3

65.7

65.7

66.3

5.0'

66.1

3.4'

65.4

65.5

65.6

65.7

65.9

12.7'

66.3

65.7

65.7

66.3

5.0'

66.1

3.4'

65.4

65.5

65.6

65.7

65.9

12.7'

66.3

65.7

65.7

66.3

5.0'

66.1

3.4'

65.4

65.5

65.6

65.7

65.9

12.7'

66.3

65.7

65.7

66.3

5.0'

66.1

3.4'

65.4

65.5

65.6

65.7

65.9

12.7'

66.3

65.7

65.7

66.3

5.0'

66.1

3.4'
APPENDIX B

Calculations
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>NWL</td>
<td>455</td>
<td>0.01</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>66.5</td>
<td>1370</td>
<td>0.03</td>
<td>91</td>
<td>91</td>
<td>3.4</td>
<td>0.00</td>
</tr>
<tr>
<td>66.6</td>
<td>1800</td>
<td>0.04</td>
<td>159</td>
<td>250</td>
<td>9.3</td>
<td>0.01</td>
</tr>
<tr>
<td>66.7</td>
<td>2135</td>
<td>0.05</td>
<td>197</td>
<td>446</td>
<td>16.5</td>
<td>0.01</td>
</tr>
<tr>
<td>66.8</td>
<td>2435</td>
<td>0.06</td>
<td>228</td>
<td>675</td>
<td>25.0</td>
<td>0.02</td>
</tr>
<tr>
<td>66.9</td>
<td>2700</td>
<td>0.06</td>
<td>257</td>
<td>932</td>
<td>34.5</td>
<td>0.02</td>
</tr>
<tr>
<td>67.0</td>
<td>2850</td>
<td>0.07</td>
<td>277</td>
<td>1,209</td>
<td>44.8</td>
<td>0.03</td>
</tr>
<tr>
<td>67.1</td>
<td>2970</td>
<td>0.07</td>
<td>291</td>
<td>1,500</td>
<td>55.6</td>
<td>0.03</td>
</tr>
<tr>
<td>67.2</td>
<td>3105</td>
<td>0.07</td>
<td>304</td>
<td>1,804</td>
<td>66.8</td>
<td>0.04</td>
</tr>
<tr>
<td>67.3</td>
<td>3260</td>
<td>0.07</td>
<td>318</td>
<td>2,122</td>
<td>78.6</td>
<td>0.05</td>
</tr>
<tr>
<td>67.4</td>
<td>3445</td>
<td>0.08</td>
<td>335</td>
<td>2,457</td>
<td>91.0</td>
<td>0.06</td>
</tr>
<tr>
<td>67.5</td>
<td>3680</td>
<td>0.08</td>
<td>356</td>
<td>2,814</td>
<td>104.2</td>
<td>0.06</td>
</tr>
<tr>
<td>67.6</td>
<td>4330</td>
<td>0.10</td>
<td>400</td>
<td>3,214</td>
<td>119.0</td>
<td>0.07</td>
</tr>
<tr>
<td>67.7</td>
<td>5015</td>
<td>0.12</td>
<td>467</td>
<td>3,681</td>
<td>136.4</td>
<td>0.08</td>
</tr>
<tr>
<td>67.8</td>
<td>5670</td>
<td>0.13</td>
<td>534</td>
<td>4,216</td>
<td>156.1</td>
<td>0.10</td>
</tr>
<tr>
<td>67.9</td>
<td>6320</td>
<td>0.15</td>
<td>599</td>
<td>4,815</td>
<td>178.3</td>
<td>0.11</td>
</tr>
<tr>
<td>68.0</td>
<td>6900</td>
<td>0.16</td>
<td>661</td>
<td>5,476</td>
<td>202.8</td>
<td>0.13</td>
</tr>
<tr>
<td>68.1</td>
<td>7240</td>
<td>0.17</td>
<td>707</td>
<td>6,183</td>
<td>229.0</td>
<td>0.14</td>
</tr>
<tr>
<td>68.2</td>
<td>7530</td>
<td>0.17</td>
<td>738</td>
<td>6,922</td>
<td>256.4</td>
<td>0.16</td>
</tr>
<tr>
<td>68.3</td>
<td>7725</td>
<td>0.18</td>
<td>763</td>
<td>7,684</td>
<td>284.6</td>
<td>0.18</td>
</tr>
<tr>
<td>68.4</td>
<td>7910</td>
<td>0.18</td>
<td>782</td>
<td>8,466</td>
<td>313.6</td>
<td>0.19</td>
</tr>
<tr>
<td>68.5</td>
<td>8095</td>
<td>0.19</td>
<td>800</td>
<td>9,266</td>
<td>343.2</td>
<td>0.21</td>
</tr>
<tr>
<td>68.6</td>
<td>8275</td>
<td>0.19</td>
<td>818</td>
<td>10,085</td>
<td>373.5</td>
<td>0.23</td>
</tr>
<tr>
<td>68.7</td>
<td>8455</td>
<td>0.19</td>
<td>836</td>
<td>10,921</td>
<td>404.5</td>
<td>0.25</td>
</tr>
<tr>
<td>68.8</td>
<td>8630</td>
<td>0.20</td>
<td>854</td>
<td>11,776</td>
<td>436.1</td>
<td>0.27</td>
</tr>
<tr>
<td>69.0</td>
<td>8825</td>
<td>0.20</td>
<td>873</td>
<td>12,648</td>
<td>468.5</td>
<td>0.29</td>
</tr>
<tr>
<td>69.5</td>
<td>9355</td>
<td>0.21</td>
<td>4,545</td>
<td>17,194</td>
<td>636.8</td>
<td>0.39</td>
</tr>
<tr>
<td>BFE</td>
<td>70.0</td>
<td>0.23</td>
<td>4,806</td>
<td>22,000</td>
<td>814.8</td>
<td>0.51</td>
</tr>
</tbody>
</table>
## Pre-Development Flood Storage Volume

**No 2 ~ NAVD-88**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>65.5</td>
<td>455</td>
<td>0.01</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>65.6</td>
<td>1370</td>
<td>0.03</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>NWL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>65.7</td>
<td>1800</td>
<td>0.04</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>65.8</td>
<td>2135</td>
<td>0.05</td>
<td>197</td>
<td>197</td>
<td>7.3</td>
<td>0.00</td>
</tr>
<tr>
<td>65.9</td>
<td>2435</td>
<td>0.06</td>
<td>228</td>
<td>425</td>
<td>15.7</td>
<td>0.01</td>
</tr>
<tr>
<td>66.0</td>
<td>2700</td>
<td>0.06</td>
<td>257</td>
<td>682</td>
<td>25.3</td>
<td>0.02</td>
</tr>
<tr>
<td>66.1</td>
<td>2850</td>
<td>0.07</td>
<td>277</td>
<td>959</td>
<td>35.5</td>
<td>0.02</td>
</tr>
<tr>
<td>66.2</td>
<td>2970</td>
<td>0.07</td>
<td>291</td>
<td>1,250</td>
<td>46.3</td>
<td>0.03</td>
</tr>
<tr>
<td>66.3</td>
<td>3105</td>
<td>0.07</td>
<td>304</td>
<td>1,554</td>
<td>57.6</td>
<td>0.04</td>
</tr>
<tr>
<td>66.4</td>
<td>3260</td>
<td>0.07</td>
<td>318</td>
<td>1,872</td>
<td>69.4</td>
<td>0.04</td>
</tr>
<tr>
<td>66.5</td>
<td>3445</td>
<td>0.08</td>
<td>335</td>
<td>2,208</td>
<td>81.8</td>
<td>0.05</td>
</tr>
<tr>
<td>66.6</td>
<td>3680</td>
<td>0.08</td>
<td>356</td>
<td>2,564</td>
<td>95.0</td>
<td>0.06</td>
</tr>
<tr>
<td>66.7</td>
<td>4330</td>
<td>0.10</td>
<td>400</td>
<td>2,964</td>
<td>109.8</td>
<td>0.07</td>
</tr>
<tr>
<td>66.8</td>
<td>5015</td>
<td>0.12</td>
<td>467</td>
<td>3,432</td>
<td>127.1</td>
<td>0.08</td>
</tr>
<tr>
<td>66.9</td>
<td>5670</td>
<td>0.13</td>
<td>534</td>
<td>3,966</td>
<td>146.9</td>
<td>0.09</td>
</tr>
<tr>
<td>67.0</td>
<td>6320</td>
<td>0.15</td>
<td>599</td>
<td>4,565</td>
<td>169.1</td>
<td>0.10</td>
</tr>
<tr>
<td>67.1</td>
<td>6900</td>
<td>0.16</td>
<td>661</td>
<td>5,226</td>
<td>193.6</td>
<td>0.12</td>
</tr>
<tr>
<td>67.2</td>
<td>7240</td>
<td>0.17</td>
<td>707</td>
<td>5,933</td>
<td>219.8</td>
<td>0.14</td>
</tr>
<tr>
<td>67.3</td>
<td>7530</td>
<td>0.17</td>
<td>738</td>
<td>6,672</td>
<td>247.1</td>
<td>0.15</td>
</tr>
<tr>
<td>67.4</td>
<td>7725</td>
<td>0.18</td>
<td>763</td>
<td>7,435</td>
<td>275.4</td>
<td>0.17</td>
</tr>
<tr>
<td>67.5</td>
<td>7910</td>
<td>0.18</td>
<td>782</td>
<td>8,216</td>
<td>304.3</td>
<td>0.19</td>
</tr>
<tr>
<td>67.6</td>
<td>8095</td>
<td>0.19</td>
<td>800</td>
<td>9,017</td>
<td>334.0</td>
<td>0.21</td>
</tr>
<tr>
<td>67.7</td>
<td>8275</td>
<td>0.19</td>
<td>818</td>
<td>9,835</td>
<td>364.3</td>
<td>0.23</td>
</tr>
<tr>
<td>67.8</td>
<td>8455</td>
<td>0.19</td>
<td>836</td>
<td>10,672</td>
<td>395.2</td>
<td>0.24</td>
</tr>
<tr>
<td>67.9</td>
<td>8630</td>
<td>0.20</td>
<td>854</td>
<td>11,526</td>
<td>426.9</td>
<td>0.26</td>
</tr>
<tr>
<td>BFE</td>
<td>68.0</td>
<td>0.20</td>
<td>873</td>
<td>12,399</td>
<td>459.2</td>
<td>0.28</td>
</tr>
</tbody>
</table>
**Project:** Cohen-Neamie Residence  
**Job No.:** 2020-04  
**Calculated By:** Chris Bravo  
**Due:** 03/16/20  
**Sheet:** 3 of 5

### Existing Flood Storage Volume

**No 3 ~ NGVD-29**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>NWL</td>
<td>66.5</td>
<td>2260</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td></td>
<td>66.6</td>
<td>2690</td>
<td>0.06</td>
<td>247</td>
<td>247</td>
<td>9.2</td>
</tr>
<tr>
<td></td>
<td>66.7</td>
<td>3160</td>
<td>0.07</td>
<td>293</td>
<td>540</td>
<td>20.0</td>
</tr>
<tr>
<td></td>
<td>66.8</td>
<td>3665</td>
<td>0.08</td>
<td>341</td>
<td>881</td>
<td>32.6</td>
</tr>
<tr>
<td></td>
<td>66.9</td>
<td>4080</td>
<td>0.09</td>
<td>387</td>
<td>1,268</td>
<td>47.0</td>
</tr>
<tr>
<td></td>
<td>67.0</td>
<td>4460</td>
<td>0.10</td>
<td>427</td>
<td>1,695</td>
<td>62.8</td>
</tr>
<tr>
<td></td>
<td>67.1</td>
<td>4945</td>
<td>0.11</td>
<td>470</td>
<td>2,166</td>
<td>80.2</td>
</tr>
<tr>
<td></td>
<td>67.2</td>
<td>5515</td>
<td>0.13</td>
<td>523</td>
<td>2,689</td>
<td>99.6</td>
</tr>
<tr>
<td></td>
<td>67.3</td>
<td>6115</td>
<td>0.14</td>
<td>581</td>
<td>3,270</td>
<td>121.1</td>
</tr>
<tr>
<td></td>
<td>67.4</td>
<td>6565</td>
<td>0.15</td>
<td>634</td>
<td>3,904</td>
<td>144.6</td>
</tr>
<tr>
<td></td>
<td>67.5</td>
<td>6925</td>
<td>0.16</td>
<td>674</td>
<td>4,579</td>
<td>169.6</td>
</tr>
<tr>
<td></td>
<td>67.6</td>
<td>7305</td>
<td>0.17</td>
<td>711</td>
<td>5,290</td>
<td>195.9</td>
</tr>
<tr>
<td></td>
<td>67.7</td>
<td>7665</td>
<td>0.18</td>
<td>748</td>
<td>6,039</td>
<td>223.7</td>
</tr>
<tr>
<td></td>
<td>67.8</td>
<td>8005</td>
<td>0.18</td>
<td>783</td>
<td>6,822</td>
<td>252.7</td>
</tr>
<tr>
<td></td>
<td>67.9</td>
<td>8320</td>
<td>0.19</td>
<td>816</td>
<td>7,638</td>
<td>282.9</td>
</tr>
<tr>
<td></td>
<td>68.0</td>
<td>8645</td>
<td>0.20</td>
<td>848</td>
<td>8,487</td>
<td>314.3</td>
</tr>
<tr>
<td></td>
<td>68.1</td>
<td>8875</td>
<td>0.20</td>
<td>876</td>
<td>9,363</td>
<td>346.8</td>
</tr>
<tr>
<td></td>
<td>68.2</td>
<td>9075</td>
<td>0.21</td>
<td>897</td>
<td>10,260</td>
<td>380.0</td>
</tr>
<tr>
<td></td>
<td>68.3</td>
<td>9265</td>
<td>0.21</td>
<td>917</td>
<td>11,177</td>
<td>414.0</td>
</tr>
<tr>
<td></td>
<td>68.4</td>
<td>9435</td>
<td>0.22</td>
<td>935</td>
<td>12,112</td>
<td>448.6</td>
</tr>
<tr>
<td></td>
<td>68.5</td>
<td>9615</td>
<td>0.22</td>
<td>952</td>
<td>13,065</td>
<td>483.9</td>
</tr>
<tr>
<td></td>
<td>68.6</td>
<td>9820</td>
<td>0.23</td>
<td>972</td>
<td>14,036</td>
<td>519.9</td>
</tr>
<tr>
<td></td>
<td>68.7</td>
<td>10045</td>
<td>0.23</td>
<td>993</td>
<td>15,030</td>
<td>556.7</td>
</tr>
<tr>
<td></td>
<td>68.8</td>
<td>10300</td>
<td>0.24</td>
<td>1,017</td>
<td>16,047</td>
<td>594.3</td>
</tr>
<tr>
<td></td>
<td>68.9</td>
<td>10635</td>
<td>0.24</td>
<td>1,047</td>
<td>17,094</td>
<td>633.1</td>
</tr>
<tr>
<td></td>
<td>69.0</td>
<td>11085</td>
<td>0.25</td>
<td>1,086</td>
<td>18,180</td>
<td>673.3</td>
</tr>
<tr>
<td></td>
<td>69.5</td>
<td>13375</td>
<td>0.31</td>
<td>6,115</td>
<td>24,295</td>
<td>899.8</td>
</tr>
<tr>
<td>BFE</td>
<td>70.0</td>
<td>14545</td>
<td>0.33</td>
<td>6,980</td>
<td>31,275</td>
<td>1158.3</td>
</tr>
</tbody>
</table>
### Existing Flood Storage Volume

**No 4 ~ NAVD-88**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>65.5</td>
<td>2260</td>
<td>0.05</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>65.6</td>
<td>2690</td>
<td>0.06</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>NWL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0.00</td>
</tr>
<tr>
<td>65.8</td>
<td>3665</td>
<td>0.08</td>
<td>341</td>
<td>341</td>
<td>12.6</td>
<td>0.01</td>
</tr>
<tr>
<td>65.9</td>
<td>4080</td>
<td>0.09</td>
<td>387</td>
<td>728</td>
<td>27.0</td>
<td>0.02</td>
</tr>
<tr>
<td>66.0</td>
<td>4460</td>
<td>0.10</td>
<td>427</td>
<td>1,155</td>
<td>42.8</td>
<td>0.03</td>
</tr>
<tr>
<td>66.1</td>
<td>4945</td>
<td>0.11</td>
<td>470</td>
<td>1,626</td>
<td>60.2</td>
<td>0.04</td>
</tr>
<tr>
<td>66.2</td>
<td>5515</td>
<td>0.13</td>
<td>523</td>
<td>2,149</td>
<td>79.6</td>
<td>0.05</td>
</tr>
<tr>
<td>66.3</td>
<td>6115</td>
<td>0.14</td>
<td>581</td>
<td>2,730</td>
<td>101.1</td>
<td>0.06</td>
</tr>
<tr>
<td>66.4</td>
<td>6565</td>
<td>0.15</td>
<td>634</td>
<td>3,364</td>
<td>124.6</td>
<td>0.08</td>
</tr>
<tr>
<td>66.5</td>
<td>6925</td>
<td>0.16</td>
<td>674</td>
<td>4,039</td>
<td>149.6</td>
<td>0.09</td>
</tr>
<tr>
<td>66.6</td>
<td>7305</td>
<td>0.17</td>
<td>711</td>
<td>4,750</td>
<td>175.9</td>
<td>0.11</td>
</tr>
<tr>
<td>66.7</td>
<td>7665</td>
<td>0.18</td>
<td>748</td>
<td>5,499</td>
<td>203.7</td>
<td>0.13</td>
</tr>
<tr>
<td>66.8</td>
<td>8005</td>
<td>0.18</td>
<td>783</td>
<td>6,282</td>
<td>232.7</td>
<td>0.14</td>
</tr>
<tr>
<td>66.9</td>
<td>8320</td>
<td>0.19</td>
<td>816</td>
<td>7,098</td>
<td>262.9</td>
<td>0.16</td>
</tr>
<tr>
<td>67.0</td>
<td>8645</td>
<td>0.20</td>
<td>848</td>
<td>7,947</td>
<td>294.3</td>
<td>0.18</td>
</tr>
<tr>
<td>67.1</td>
<td>8875</td>
<td>0.20</td>
<td>876</td>
<td>8,823</td>
<td>326.8</td>
<td>0.20</td>
</tr>
<tr>
<td>67.2</td>
<td>9075</td>
<td>0.21</td>
<td>897</td>
<td>9,720</td>
<td>360.0</td>
<td>0.22</td>
</tr>
<tr>
<td>67.3</td>
<td>9265</td>
<td>0.21</td>
<td>917</td>
<td>10,637</td>
<td>394.0</td>
<td>0.24</td>
</tr>
<tr>
<td>67.4</td>
<td>9435</td>
<td>0.22</td>
<td>935</td>
<td>11,572</td>
<td>428.6</td>
<td>0.27</td>
</tr>
<tr>
<td>67.5</td>
<td>9615</td>
<td>0.22</td>
<td>952</td>
<td>12,525</td>
<td>463.9</td>
<td>0.29</td>
</tr>
<tr>
<td>67.6</td>
<td>9820</td>
<td>0.23</td>
<td>972</td>
<td>13,496</td>
<td>499.9</td>
<td>0.31</td>
</tr>
<tr>
<td>67.7</td>
<td>10045</td>
<td>0.23</td>
<td>993</td>
<td>14,490</td>
<td>536.7</td>
<td>0.33</td>
</tr>
<tr>
<td>67.8</td>
<td>10300</td>
<td>0.24</td>
<td>1,017</td>
<td>15,507</td>
<td>574.3</td>
<td>0.36</td>
</tr>
<tr>
<td>67.9</td>
<td>10635</td>
<td>0.24</td>
<td>1,047</td>
<td>16,554</td>
<td>613.1</td>
<td>0.38</td>
</tr>
<tr>
<td>BFE</td>
<td>68.0</td>
<td>0.25</td>
<td>1,086</td>
<td>17,640</td>
<td>653.3</td>
<td>0.40</td>
</tr>
<tr>
<td></td>
<td>68.1</td>
<td>0.26</td>
<td>1,123</td>
<td>18,763</td>
<td>694.9</td>
<td>0.43</td>
</tr>
</tbody>
</table>
### Proposed Flood Storage Volume

**No 5 ~ NAVD-88**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>NWL</td>
<td></td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>65.7</td>
<td>1895</td>
<td>0.04</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.01</td>
</tr>
<tr>
<td>65.8</td>
<td>2470</td>
<td>0.06</td>
<td>218</td>
<td>218</td>
<td>8.1</td>
<td>0.01</td>
</tr>
<tr>
<td>65.9</td>
<td>3015</td>
<td>0.07</td>
<td>274</td>
<td>492</td>
<td>18.2</td>
<td>0.02</td>
</tr>
<tr>
<td>66.0</td>
<td>3800</td>
<td>0.09</td>
<td>341</td>
<td>833</td>
<td>30.9</td>
<td>0.02</td>
</tr>
<tr>
<td>66.1</td>
<td>4780</td>
<td>0.11</td>
<td>429</td>
<td>1,262</td>
<td>46.7</td>
<td>0.03</td>
</tr>
<tr>
<td>66.2</td>
<td>5165</td>
<td>0.12</td>
<td>497</td>
<td>1,759</td>
<td>65.2</td>
<td>0.04</td>
</tr>
<tr>
<td>66.3</td>
<td>5450</td>
<td>0.13</td>
<td>531</td>
<td>2,290</td>
<td>84.8</td>
<td>0.05</td>
</tr>
<tr>
<td>66.4</td>
<td>5705</td>
<td>0.13</td>
<td>558</td>
<td>2,848</td>
<td>105.5</td>
<td>0.07</td>
</tr>
<tr>
<td>66.5</td>
<td>6195</td>
<td>0.14</td>
<td>595</td>
<td>3,443</td>
<td>127.5</td>
<td>0.08</td>
</tr>
<tr>
<td>66.6</td>
<td>6440</td>
<td>0.15</td>
<td>632</td>
<td>4,075</td>
<td>150.9</td>
<td>0.09</td>
</tr>
<tr>
<td>66.7</td>
<td>6685</td>
<td>0.15</td>
<td>656</td>
<td>4,731</td>
<td>175.2</td>
<td>0.11</td>
</tr>
<tr>
<td>66.8</td>
<td>6875</td>
<td>0.16</td>
<td>678</td>
<td>5,409</td>
<td>200.3</td>
<td>0.12</td>
</tr>
<tr>
<td>66.9</td>
<td>7045</td>
<td>0.16</td>
<td>696</td>
<td>6,105</td>
<td>226.1</td>
<td>0.14</td>
</tr>
<tr>
<td>67.0</td>
<td>7235</td>
<td>0.17</td>
<td>714</td>
<td>6,819</td>
<td>252.6</td>
<td>0.16</td>
</tr>
<tr>
<td>67.1</td>
<td>7385</td>
<td>0.17</td>
<td>731</td>
<td>7,550</td>
<td>279.6</td>
<td>0.17</td>
</tr>
<tr>
<td>67.2</td>
<td>7520</td>
<td>0.17</td>
<td>745</td>
<td>8,295</td>
<td>307.2</td>
<td>0.19</td>
</tr>
<tr>
<td>67.3</td>
<td>7640</td>
<td>0.18</td>
<td>758</td>
<td>9,053</td>
<td>335.3</td>
<td>0.21</td>
</tr>
<tr>
<td>67.4</td>
<td>7740</td>
<td>0.18</td>
<td>769</td>
<td>9,822</td>
<td>363.8</td>
<td>0.23</td>
</tr>
<tr>
<td>67.5</td>
<td>7850</td>
<td>0.18</td>
<td>779</td>
<td>10,602</td>
<td>392.7</td>
<td>0.24</td>
</tr>
<tr>
<td>67.6</td>
<td>7980</td>
<td>0.18</td>
<td>791</td>
<td>11,393</td>
<td>422.0</td>
<td>0.26</td>
</tr>
<tr>
<td>67.7</td>
<td>8130</td>
<td>0.19</td>
<td>805</td>
<td>12,199</td>
<td>451.8</td>
<td>0.28</td>
</tr>
<tr>
<td>67.8</td>
<td>8305</td>
<td>0.19</td>
<td>822</td>
<td>13,020</td>
<td>482.2</td>
<td>0.30</td>
</tr>
<tr>
<td>67.9</td>
<td>8530</td>
<td>0.20</td>
<td>842</td>
<td>13,862</td>
<td>513.4</td>
<td>0.32</td>
</tr>
<tr>
<td>BFE</td>
<td>68.0</td>
<td>0.20</td>
<td>868</td>
<td>14,731</td>
<td>545.6</td>
<td>0.34</td>
</tr>
</tbody>
</table>
April 2, 2020

Daniel Cohen-Neamie
2104 Venetian Way
Winter Park, FL 32789-1217
zoltan@zoltanconstruction.com

File No. 386028-001, Orange County

Dear Mr. Cohen:

On March 20, 2020 we received your request for verification of exemption to perform the following activities:

The filling of an existing upland-cut pond to match the surrounding grade. The alteration includes permanent fill of approximately 150 cubic yards. The property will retain 545 cubic yards of flood storage compensation. The project is located at 2401 Venetian Way, Winter Park, Florida.

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project did not qualify for the federal review portion of this verification request. Additional authorization must be obtained prior to commencement of the proposed activity. This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact Daniel Shideler at the letterhead address or at 407-897-4133 and Daniel.Shideler@dep.state.fl.us.

1. Regulatory Review – Verified

Based on the information submitted, the Department has verified that the activity as proposed is exempt under Chapter 62-330.051(16)(a-k), Florida Administrative Code, (F.A.C.) from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes (F.S.).
This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

**General Conditions for Exemptions**
The following apply when specified in an exemption in Rule 62-330.051, F.A.C.:

1. Activities shall not exceed a permitting threshold in section 1.2 of the applicable Volume II;

2. Construction, alteration, and operation shall not:
   a. Adversely impound or obstruct existing water flow, cause adverse impacts to existing surface water storage and conveyance capabilities, or otherwise cause adverse water quantity or flooding impacts to receiving water and adjacent lands;
   b. Cause an adverse impact to the minimum flows and levels established pursuant to Section 373.042, F.S.
   c. Cause adverse impacts to a Work of the District established pursuant to Section 373.086, F.S.;
   d. Adversely impede navigation or create a navigational hazard;
   e. Cause or contribute to a violation of state water quality standards. Turbidity, sedimentation, and erosion shall be controlled during and after construction to prevent violations of state water quality standards, including any antidegradation provisions of paragraphs 62-4.242(1)(a) and (b), subsections 62-4.242(2) and (3) and Rule 62-302.300, F.A.C., and any special standards for Outstanding Florida Waters and Outstanding National Resource Waters due to construction-related activities. Erosion and sediment control best management practices shall be installed and maintained in accordance with the guidelines and specifications described in the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007), incorporated by reference herein ([https://www.flrules.org/Gateway/reference.asp?No=Ref-02530](https://www.flrules.org/Gateway/reference.asp?No=Ref-02530)), and the *Florida Stormwater Erosion and Sedimentation Control Inspector’s Manual* (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), incorporated by reference herein ([https://www.flrules.org/Gateway/reference.asp?No=Ref-02531](https://www.flrules.org/Gateway/reference.asp?No=Ref-02531)).
   f. Allow excavated or dredged material to be placed in a location other than a self-contained upland disposal site, except as expressly allowed in an exemption in rule 62-330.051, F.A.C.

3. When performed in waters accessible to federally- or state-listed aquatic species, such as manatees, marine turtles, smalltooth sawfish, and Gulf sturgeon, all in-water work shall comply with the following.
   a. All vessels associated with the project shall operate at “Idle Speed/No Wake” at all times while in the work area and where the draft of the vessels provides less than a four-foot
clearance from the bottom. All vessels will follow routes of deep water whenever possible.

b. All deployed siltation or turbidity barriers shall be properly secured, monitored, and maintained to prevent entanglement or entrapment of listed species.

c. All in-water activities, including vessel operation, must be shut down if a listed species comes within 50 feet of the work area. Activities shall not resume until the animal(s) has moved beyond a 50-foot radius of the in-water work, or until 30 minutes elapses since the last sighting within 50 feet. Animals must not be herded away or harassed into leaving. All on-site project personnel are responsible for observing water-related activities for the presence of listed species.

d. Any listed species that is killed or injured by work associated with activities performed shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1(888)404-3922 and ImperiledSpecies@myFWC.com. Copies of incorporated materials identified above may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C.

2. Proprietary Review - Not required

The activity does not appear to be located on sovereign submerged lands, and does not require further authorization under Chapter 253 of the Florida Statutes, or Chapters 18-20 or 18-21 of the Florida Administrative Code.

3. Federal Review - Not Included

This permit does not include Federal authorization or imply the presence or limits of Waters of the United States (WOTUS) on the subject property. Activities that may impact WOTUS shall require a separate permit from the Corps. It is recommended that you contact your local Corps office to determine whether your project site contains WOTUS and/or if a Department of the Army permit is needed. A map of local Corps offices and the federal application form (ENG 4345) are available online at the Jacksonville District Regulatory Division website.

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the subsequent order may modify or take a different position than this action.
Petition for Administrative Hearing
A person whose substantial interests are affected by the Department’s action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

(a) The name and address of each agency affected and each agency’s file or identification number, if known;
(b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner’s representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner’s substantial interests will be affected by the agency determination;
(c) A statement of when and how the petitioner received notice of the agency decision;
(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
(e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency’s proposed action;
(f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency’s proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency’s proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition
In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).
The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time
Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department’s action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation
Mediation is not available in this proceeding.

FLAWAC Review
The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review
Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.
EXECUTION AND CLERKING
Executed in Orlando, Florida.
STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Christine Daniel, Environmental Manager
Permitting and Waste Cleanup Program

Enclosures:
   Project drawings

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Chris Bravo, Bravo Engineering, LLC, Chris@bravoengineeringllc.com
Graham Williams, SJWMD, gwilliams@sjrwmd.com
Daniel Shideler FDEP, Leo Anglero FDEP, Christine Daniel FDEP

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Mandakini Patel  April 2, 2020
Clerk  Date
373.406(6) Florida Statutes

373.406 Exemptions—The following exemptions shall apply:

(6) Any district or the department may exempt from regulation under this part those activities that the district or department determines will have only minimal or insignificant individual or cumulative adverse impacts on the water resources of the district. The district and the department are authorized to determine, on a case-by-case basis, whether a specific activity comes within this exemption. Requests to qualify for this exemption shall be submitted in writing to the district or department, and such activities shall not be commenced without a written determination from the district or department confirming that the activity qualifies for the exemption.

History.—s. 2, part IV, ch. 72-299; s. 47, ch. 79-65; s. 5, ch. 80-259; s. 2, ch. 82-101; s. 12, ch. 89-279; s. 268, ch. 94-356; s. 2, ch. 95-215; s. 2, ch. 96-370; s. 15, ch. 98-203; s. 21, ch. 98-333; s. 2, ch. 2000-130; s. 2, ch. 2002-253; s. 6, ch. 2011-164; s. 1, ch. 2011-165; s. 14, ch. 2013-92.

62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under chapters 253 and 258, F.S., as applicable.

(16) The construction, alteration, maintenance, or filling of wholly-owned, artificial surface waters that:

(a) Were or are created entirely from uplands;
(b) Are isolated such that they do not connect to any other wetlands or other surface waters;
(c) Are not excavated within three feet above any aquitard or karst materials;
(d) Involve no more than a total of 0.5 acre of work in wetlands within the artificial waterbody;
(e) Do not impound water above any surrounding natural grade elevation, or have the capability of impounding more than 40 acre-feet of water;
(f) Were or are not created to provide mitigation under part IV of chapter 373, F.S.;
(g) Excavated materials shall not be used off-site for commercial, industrial, or construction use;
(h) Were not permitted for stormwater treatment or management under chapter 62-25, F.A.C., or part IV of chapter 373, F.S.;
(i) All excavated material shall be deposited and fully contained within uplands;
(j) Are not a farm pond as defined in section 403.927, F.S.; and
(k) Work is conducted in accordance with paragraph 62-330.050(9)(b), F.A.C.
Planning & Zoning Board
Staff Report for October 6, 2020 Meeting


Background

Lazarus Development Group (representing the property owners) is requesting site plan approval to construct a new, two-story, 4,834 square-foot, single-family home at 540 Country Club Drive, which is located on Lake Killarney, and is zoned R-2. This property measures 8,860 square feet, and is also known as Lot 7 of the Lake Killarney Shores replat that was approved by the Commission on April 9, 2018. Below is a table summarizing this request in comparison to the R-2 zoning/lakefront lot requirements.

<table>
<thead>
<tr>
<th></th>
<th>R-2/Lakefront Lot Requirements</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Floor Area Ratio</td>
<td>Max 55%</td>
<td>4,402 square feet/50%</td>
</tr>
<tr>
<td>Impervious Lot Coverage</td>
<td>Max 65%</td>
<td>4,006 square feet/45%</td>
</tr>
<tr>
<td>Lakefront Setback</td>
<td>78.2 feet</td>
<td>70 feet</td>
</tr>
</tbody>
</table>

Lakefront Lot Review Criteria:

Tree Preservation

The purpose and intent of the lakefront lots section of the code states that existing trees shall be preserved to the degree reasonably possible, and the appearance of the property and the shore when viewed from the water will be kept as natural as reasonably possible. As there are currently no trees located on this lot, the applicant is not proposing to remove any trees as part of this request.

View from the Lake

The code limits walls and swimming pool decks facing the lake in excess of three feet in height. The issues that staff typically deals with about grades and pools decks/retaining walls are not present in this case due to the fact that the lot is relatively flat.
**View of Neighbors**

The purpose and intent of the lakefront lots section of the code is to ensure that the views of the lake from adjoining properties will not be unduly impaired by new houses, additions, second story additions, etc. In order to achieve this, the code states that the lakefront setback shall be the average established by the adjacent lakefront properties within 200 feet of the subject property, or a 50-foot setback, whichever is greater. However, the P&Z Board does have the authority to approve setbacks less than the average determined, or impose more restrictive setbacks.

During the replat of this Lake Killarney Shores subdivision, there was significant discussion about the lakefront views of the adjoining neighbors to this subdivision at both the P&Z Board and City Commission meetings. At the Commission meeting, it was decided that the lakefront average setback will be established by the setback of the existing homes along the lake within 200 feet of each request (even though they have subsequently been demolished).

Staff has determined that the average lakefront setback for this lot (known as Lot 7 of the attached plat) is approximately 78.2 feet from the lake (see attached analysis). The applicant/builder is proposing a 70 feet setback from the lake to the home, which is less than the average setback determined by staff. Additionally, a 50-foot setback to the pool deck is requested.

The applicant has provided a letter signed by the developer/owner of the Lake Killarney replat properties nearest to this lot and also signed by the nearest affected (non-developer owned property) neighbor to this lot (owner of 518/612 Country Club Drive), that states an agreed-upon building setback of 70 feet from the lake, and pool setback range of the agreed-upon building setback to 50 feet. P&Z has the authority to approve lakefront setbacks less than the average determined by staff above to a minimum of 50 feet, in accordance with their lakefront review authority. Staff does not see a concern with the plan as submitted.

**Stormwater Retention**

The code requires retention of stormwater so that stormwater flowing over a waterfront lawn area does not carry any fertilizers, herbicides, or other chemicals that into the canal or chain of lakes that may affect the water quality of our community’s most precious assets. The amount of impervious surface on the lot determines the depth/size of the retention needed. The applicant is proposing a storm water swale near the lakefront that is sized to meet code requirements.

**Summary**

The applicant is proposing a home that is compatible with the natural grade of the property, is ensuring that water pollution from stormwater runoff and other sources will be minimized, and is preserving existing trees to the degree reasonably possible so that the appearance of the property and the shore when viewed from the water, will be kept as natural as reasonably possible. Overall, the plans meet the intent of the canal front review criteria defined in the code and no variances are requested.

*Staff recommendation is for approval.*
LOCATION MAP
540 Country Club Drive
City of Winter Park
Florida

Lee Road
Lake Killarney
Letter of Agreement

Lake Killarney, LLC (the Developer of Lake Killarney Shores) and David Robold (owner of 612 and 518 Country Club Drive, Winter Park, 32789) agree to the following regarding the setbacks and characteristics of the homes to be built on Lake Killarney as part of the Lake Killarney Shores development:

- Lot 1: Rear Setback 60’
- Lot 2: Rear Setback 61’
- Lot 3: Rear setback of 70’ on the side adjacent to 612 Country Club Drive. Front setback reduced to 20’. Pool will be located furthest from 612 Country Club Drive and shall be at an elevation even to or recessed below ground level to avoid obstruction of views from 612 Country Club Drive.
- Lot 4: Rear setback 70’. Front setback reduced to 20’. Pool will be placed furthest from 612 Country Club Drive to avoid obstruction of views from 612 Country Club Drive.
- Lots 5-8: Rear setback of 70’.
- Lot 9: Rear setback of 85’. Front setback reduced to 20’. Pool will be located furthest from 518 Country Club Drive and shall be even to or recessed below ground level to avoid obstruction of views from 518 Country Club Drive.
- Pools can be placed between the agreed rear setback and the 50’ lakefront setback.
- Pools on lots 3, 4, 8, and 9 will be at an elevation even to or recessed below ground level as necessary to insure those backyards are not at higher elevation compared to 612 and 518 Country Club Drive.
- Solid fence or privacy fence shall not extend beyond the rear corners of the house indoor living area at rear setback line. Beyond that point, the fence will be see-through picket fence.
- There will be no pool enclosures, cabanas, summer-kitchens, or similar type construction in the pool area or beyond the rear corners of the house indoor living area.
- Underground utilities will be attached to 518 and 612 Country Club Drive at no additional cost.
- All curbing will be replaced along right-of-way.
- Speed humps will be located in right-of-way north of the intersection of Country Club Drive and Lake Front Drive. However, they will not obstruct ingress/egress to the driveways located at 518 and 612 Country Club Drive.
- This agreement is subject to final approval by the Winter Park City Commission.

Anil Deshpande
Lake Killarney, LLC
5401 S. Kirkman Road, Suite 640
Orlando, Florida  32819
Date: 9/6/2018

David Robold
612 Country Club Drive
Winter Park, Florida  32789
Date: 9/11/18
### Existing Buildings Inside and Within 200’ of Killarney Shores

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Existing Setback (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>638 Country Club Drive</td>
<td>52</td>
</tr>
<tr>
<td>632 Country Club Drive</td>
<td>50</td>
</tr>
<tr>
<td>624/626 Country Club Drive</td>
<td>51.8</td>
</tr>
<tr>
<td>618/620 Country Club Drive</td>
<td>75.6</td>
</tr>
<tr>
<td>612 Country Club Drive</td>
<td>79.7</td>
</tr>
<tr>
<td>604/606 Country Club Drive</td>
<td>71.4</td>
</tr>
<tr>
<td>600/602 Country Club Drive</td>
<td>55</td>
</tr>
<tr>
<td>532/534 Country Club Drive</td>
<td>85.8</td>
</tr>
<tr>
<td>524 Country Club Drive</td>
<td>99.5</td>
</tr>
<tr>
<td>518 Country Club Drive</td>
<td>85.5</td>
</tr>
<tr>
<td>605 Lakefront Boulevard</td>
<td>50</td>
</tr>
<tr>
<td>595 Lakefront Boulevard</td>
<td>45</td>
</tr>
</tbody>
</table>

### Existing Lakefront Setback Averages within 200’ Per Lot

#### Lot 1

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Existing Setback (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>612 Country Club Drive</td>
<td>79.7</td>
</tr>
<tr>
<td>618/620 Country Club Drive</td>
<td>75.6</td>
</tr>
<tr>
<td>624/626 Country Club Drive</td>
<td>51.8</td>
</tr>
<tr>
<td>632 Country Club Drive</td>
<td>50</td>
</tr>
<tr>
<td>638 Country Club Drive</td>
<td>52</td>
</tr>
</tbody>
</table>

**Average** 61.82

#### Lot 2

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Existing Setback (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>604/606 Country Club Drive</td>
<td>71.4</td>
</tr>
<tr>
<td>612 Country Club Drive</td>
<td>79.7</td>
</tr>
<tr>
<td>618/620 Country Club Drive</td>
<td>75.6</td>
</tr>
<tr>
<td>624/626 Country Club Drive</td>
<td>51.8</td>
</tr>
<tr>
<td>632 Country Club Drive</td>
<td>50</td>
</tr>
<tr>
<td>638 Country Club Drive</td>
<td>52</td>
</tr>
</tbody>
</table>

**Average** 63.4

#### Lot 3

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Existing Setback (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>604/606 Country Club Drive</td>
<td>71.4</td>
</tr>
<tr>
<td>612 Country Club Drive</td>
<td>79.7</td>
</tr>
<tr>
<td>618/620 Country Club Drive</td>
<td>75.6</td>
</tr>
<tr>
<td>624/626 Country Club Drive</td>
<td>51.8</td>
</tr>
<tr>
<td>632 Country Club Drive</td>
<td>50</td>
</tr>
</tbody>
</table>

**Average** 65.7
<table>
<thead>
<tr>
<th>Lot 4</th>
<th>Property Address</th>
<th>Existing Setback (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>600/602 Country Club Drive</td>
<td>55</td>
</tr>
<tr>
<td></td>
<td>604/606 Country Club Drive</td>
<td>71.4</td>
</tr>
<tr>
<td></td>
<td>612 Country Club Drive</td>
<td>79.7</td>
</tr>
<tr>
<td></td>
<td>618/620 Country Club Drive</td>
<td>75.6</td>
</tr>
<tr>
<td></td>
<td><strong>Average</strong></td>
<td><strong>70.4</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lot 5</th>
<th>Property Address</th>
<th>Existing Setback (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>524 Country Club Drive</td>
<td>99.5</td>
</tr>
<tr>
<td></td>
<td>600/602 Country Club Drive</td>
<td>55</td>
</tr>
<tr>
<td></td>
<td>604/606 Country Club Drive</td>
<td>71.4</td>
</tr>
<tr>
<td></td>
<td>612 Country Club Drive</td>
<td>79.7</td>
</tr>
<tr>
<td></td>
<td>618/620 Country Club Drive</td>
<td>75.6</td>
</tr>
<tr>
<td></td>
<td><strong>Average</strong></td>
<td><strong>76.2</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lots 6 &amp; 7</th>
<th>Property Address</th>
<th>Existing Setback (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>518 Country Club Drive</td>
<td>85.5</td>
</tr>
<tr>
<td></td>
<td>524 Country Club Drive</td>
<td>99.5</td>
</tr>
<tr>
<td></td>
<td>600/602 Country Club Drive</td>
<td>55</td>
</tr>
<tr>
<td></td>
<td>604/606 Country Club Drive</td>
<td>71.4</td>
</tr>
<tr>
<td></td>
<td>612 Country Club Drive</td>
<td>79.7</td>
</tr>
<tr>
<td></td>
<td><strong>Average</strong></td>
<td><strong>78.2</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lot 8</th>
<th>Property Address</th>
<th>Existing Setback (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>605 Lakefront Boulevard</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>518 Country Club Drive</td>
<td>85.5</td>
</tr>
<tr>
<td></td>
<td>524 Country Club Drive</td>
<td>99.5</td>
</tr>
<tr>
<td></td>
<td>600/602 Country Club Drive</td>
<td>55</td>
</tr>
<tr>
<td></td>
<td>604/606 Country Club Drive</td>
<td>71.4</td>
</tr>
<tr>
<td></td>
<td><strong>Average</strong></td>
<td><strong>72.3</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lot 9</th>
<th>Property Address</th>
<th>Existing Setback (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>605 Lakefront Boulevard</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>518 Country Club Drive</td>
<td>85.5</td>
</tr>
<tr>
<td></td>
<td>532/534 Country Club Drive</td>
<td>85.8</td>
</tr>
<tr>
<td></td>
<td>600/602 Country Club Drive</td>
<td>55</td>
</tr>
<tr>
<td></td>
<td>595 Lakefront Boulevard</td>
<td>45</td>
</tr>
<tr>
<td></td>
<td><strong>Average</strong></td>
<td><strong>64.3</strong></td>
</tr>
</tbody>
</table>
NOTE: 2nd STORY ROOF WILL RUNOFF TO 1ST STORY ROOF, THEN BE COLLECTED BY GUTTERS.

<table>
<thead>
<tr>
<th>Basin:</th>
<th>Lot 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Swale Shape:</td>
<td>Trapezoidal</td>
</tr>
<tr>
<td>Front Slope (H:V):</td>
<td>3 : 1</td>
</tr>
<tr>
<td>Back Slope (H:V):</td>
<td>3 : 1</td>
</tr>
<tr>
<td>Bottom Width (ft):</td>
<td>5</td>
</tr>
<tr>
<td>Swale Depth (ft):</td>
<td>1</td>
</tr>
<tr>
<td>Cross-sectional Area (sf):</td>
<td>5</td>
</tr>
<tr>
<td>Swale Length (ft):</td>
<td>43</td>
</tr>
<tr>
<td>Provided WQV (cf):</td>
<td>215</td>
</tr>
<tr>
<td>Provided WQV (Ac-ft):</td>
<td>0.005</td>
</tr>
<tr>
<td>Required WQV:</td>
<td>0.007 OK</td>
</tr>
</tbody>
</table>

IMPERVIOUS LOT AREA = 4174 S.F.
RIGHT SIDE ELEVATION
SCALE 1/8" = 1'-0"

FRONT ELEVATION
SCALE 1/8" = 1'-0"
Planning & Zoning Board
Staff Report for October 6, 2020 Meeting

ZTA# 20-08 Request of the City of Winter Park for: An Ordinance amending Article III, Zoning of Chapter 58 of the Land Development Code providing regulations electric vehicle charging stations in multi-family and non-residential parking lots and parking garages.

Background:

This public hearing is to consider an Ordinance to amend the City’s parking regulations in order to require electric vehicle charging stations and readiness in parking lots and parking garages.

1. The Ordinance requires that a parking lot or parking garage with 25 spaces or more, install a minimum of one electric car charging station. A parking lot or parking garage of 50 spaces or more, is required to have two electric charging stations and if 100 spaces and above, then electric vehicle chargers are required for at least 2% of the parking spaces. A 25 to 50 car parking lot then must have one EV Charging station and from 50 to 100 spaces, it must have two EV charging stations. Above 100 spaces it is 2% of the total.

2. The Ordinance requires that for future EV charging readiness, any multi-family townhouse or condominium project with individual unit garages or an underground parking garage, must have a 220/240 volt / 40 amp outlet in the garage (one space per unit) so that an owner of an electric vehicle can add a charging station later if desired.

3. The Ordinance requires that for future EV charging readiness, any parking lot or parking garage over 50 spaces must provide the electrical capacity and buried conduit/raceway so that in the future, 20% of the spaces in the parking lot or parking garage can be converted to EV charging stations.

4. In implementing an electric charging station, the location of at least one of the EV charging stations is required to be adjacent to the handicapped parking space(s) so that a handicapped individual can have access to the charging station from within the handicapped parking space.

Staff recommendation is for approval.
ORDINANCE NO. __________

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA
AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE”, ARTICLE
III, “ZONING REGULATIONS” SUBSECTION 58-86 “OFF- STREET
PARKING AND LOADING REGULATIONS” SO AS TO ADD
REGULATIONS FOR ELECTRIC VEHICLE CHARGING
INFRASTRUCTURE IN MULTI-FAMILY AND NON-RESIDENTIAL
PARKING LOTS AND PARKING GARAGES, PROVIDING FOR
VESTING, CONFLICTS, CODIFICATION, SEVERABILITY, AND AN
EFFECTIVE DATE.

WHEREAS, the City of Winter Park’s Off-Street Parking and Loading Regulations portion of the
Land Development Code does not currently contain provisions for off-street parking facility
requirements for electric vehicles;

WHEREAS, according to the U.S. Department of Energy, the benefits of electric vehicles include
improved air quality, reduction of carbon emissions, quieter and more livable streets, and
decreased dependency on fossil fuels;

WHEREAS, a significant number of industry stakeholders are urging electric utilities to support
the buildout of electric vehicle infrastructure to aid the development of the electric vehicle usage
which in turn will decarbonize the transportation sector, promote energy independence, and
increase electric retail sales resulting in a net benefit to all stakeholders;

WHEREAS, Florida ranks within the top five states nationally for sales of electric vehicles;

WHEREAS, the City should continue its support of plug-in electric vehicles and its efforts in
constructing electric vehicle and plug-in hybrid electric vehicle charging infrastructure as this
further supports the City’s Sustainability Action Plan;

WHEREAS, the proposed amendment is consistent with the City’s Vision of Winter Park as the
city of arts and culture, cherishing its traditional scale and charm while building a healthy and
sustainable future for all generations;

WHEREAS, the Planning and Zoning Board, after notice and public hearing, has considered the
proposed amendments to the Off-Street Parking and Loading Regulations portion of the Land
Development Code, more specifically described herein, and submitted its recommendation to the
City Commission;

WHEREAS, the City Commission, after notice and public hearing, has considered the proposed
amendments to the Off-Street Parking and Loading Regulations portion of the Land Development
Code, the recommendations of the Planning and Zoning Board and all public comments;
WHEREAS, the proposed amendment to the Off-Street Parking and Loading Regulations portion of the Land Development Code is consistent with the City of Winter Park Comprehensive Plan;

WHEREAS, the portions of Chapter 58, Land Development Code, Article III, Zoning Regulations that are to be amended and modified as described in each section and amended to read as shown herein.

NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK:


Sec. 58-86. Off-Street Parking and Loading Regulations.

(5) Electric Vehicle Charging Station Infrastructure and Electric Vehicle Parking Space Requirements.

a) Intent and purpose. The intent of this section is to facilitate and encourage the use of electric vehicles and to expedite the establishment of a convenient, cost-effective electric vehicle infrastructure that will also accommodate future technology advancements.

b) Definitions. For the purposes of this section, the following definitions shall apply:

1. Electric vehicle means any motor vehicle registered to operate on public roadways that operates either partially or exclusively on electric energy. Electric vehicles (EVs) include: (a) Battery-powered electric vehicles; (b) Plug-in hybrid electric vehicles; (c) electric motorcycles; and (d) Fuel cell vehicles.

2. Electric vehicle charging level means the standardized indicators of electrical force, or voltage, amps and kilowatts by which an electric vehicle’s batteries are recharged. EV charging equipment is commonly known as Electric Vehicle Service Equipment (EVSE) and can output either Alternating Current (AC) or Direct Current (DC). EVSE are technically not chargers, they are power supply units, the charger is onboard the vehicle. The onboard charger helps manage the charging session and converts an AC input to DC to charge the vehicle’s batteries; if a DC input is supplied the charger passes the power directly to the batteries. The terms Level1 (L1), Level2 (L2), and Level3 (L3) are the most common charging levels; L3 is also referred to DCFC or DC Fast Charging, and include the following specifications:

   a) Level-1 is considered slow charging. Voltage including the range from 0 through 120.
   
   b) Level-2 is considered medium charging. Voltage is greater than 120, up to 240.
c) Level-3 is considered fast or rapid charging, is also referred to DCFC or DC Fast Charging. Voltage is greater than 240.

3. **Electric vehicle charging station** means battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

4. **Electric vehicle charging station infrastructure** means conduit/wiring, structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations and rapid charging stations.

5. **Electric vehicle parking space** means any off-street parking space that is equipped with an electric vehicle charging station that is exclusively for use by electric vehicles.

c) **Readiness requirements.** In order to proactively plan for and accommodate the anticipated future growth in market demand for electric vehicles, all new development shall provide electric vehicle charging station infrastructure per this section. The infrastructure shall be installed per the requirements of the current edition of the National Electrical Code (NFPA 70) as adopted and amended by the State of Florida for enforcement by the City.

   1. Townhouse fee-simple or Condominium multi-family residential projects and properties with more than three individual units, either with individual garages for each unit or with underground parking garages serving the majority of the units, shall be constructed to provide a 220-240-volt / 40 amp outlet on a dedicated circuit within the garage and in close proximity to one designated vehicle parking space per unit to accommodate the potential future hardwire installation of, at the minimum, a Level-2 vehicle charging station.

   2. Multi-family residential properties with common use surface parking or spaces within an above grade parking garage, and non-residential properties with surface parking or spaces within an above grade parking garage, shall provide the electrical capacity and buried raceway necessary to accommodate the future hardwire installation, at the minimum, a Level-2 vehicle charging station, for a minimum ratio of 20% of the total required parking spaces.

d) **Electric vehicle parking space requirement for multi-family residential and non-residential properties of a certain intensity.** All sites in which multifamily residential, commercial, office, institutional or industrial uses, or any combination thereof, are required to provide 25 or more motor vehicle parking spaces, shall provide a minimum of one electric vehicle charging station; if required to provide 50 or more parking spaces, then two electric vehicle charging stations and if required to provide 100 spaces or above, then two (2%) percent of the required off-street parking shall have electric vehicle charging stations (such spaces shall be counted toward meeting the overall parking requirement) in accordance with the following standards:

   1. Minimum standards. Electric vehicle parking spaces shall, at a minimum, be equipped with an electric vehicle charging station rated at electric vehicle charging Level 2.
2. Exclusive use. Electric vehicle parking spaces shall be reserved for the exclusive use of electric vehicles, actively engaged in a recharging session.

3. Fees. Nothing herein shall prohibit the charging of a fee for the use of an electric vehicle charging station by a resident, guest, invitee or employee.

4. ADA Accessible Spaces. A minimum of one (1) electric vehicle parking space must be located adjacent to a required accessible parking space such that the electric vehicle charging station can be shared between an accessible parking space and electric vehicle parking space.

5. Lighting. Site lighting shall be provided where an electric vehicle charging station is installed.

6. Equipment Standards and Protection. Battery charging station outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the surface where mounted. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designed and located as to not impede pedestrian travel or create trip hazards on sidewalks. Adequate battery charging station protection, such as concrete-filled steel bollards, shall be used. Curbing may be used in lieu of bollards, if the battery charging station is setback a minimum of 24 inches from the face of the curb.

7. Signage. (1) Information shall be posted identifying voltage and amperage levels and any time of use, fees, or safety information related to the electric vehicle charging station. (2) Each electric vehicle charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. For purposes of this subsection, “charging” means that an electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station equipment and is actively charging. (3) Restrictions shall be included on the signage, if removal provisions are to be enforced by the property owner pursuant to state statutes.

8. Maintenance. Electric vehicle charging stations shall be maintained in good condition in all respects, including the functioning of the equipment, by the property owner. Removal of any required EV charging stations is prohibited. A phone number or other contact information shall be provided on the equipment for reporting when the equipment is not functioning or other problems are encountered.

e) Exception. Where the installation of one or more electric vehicle parking spaces, and/or the installation of electric vehicle charging station infrastructure to allow for the future installation of electric vehicle charging stations, are required by this article, an exception may be granted by the Building Official through the site plan approval process only where it is demonstrated that the extension of the electrical power supply to the effected location is physically impractical. Financial impracticality is not a valid criterion for granting such an exception.
SECTION 2. VESTING. In order to not adversely affect development projects that may be in process and for which expenditures have been made in reliance upon the existing code provisions, the City will allow such development or building permit applications to be subject to the parking code existing prior to the adoption of this Ordinance, provided such development projects or permits have been submitted prior to the effective date of this Ordinance.

SECTION 3. SEVERABILITY. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of the remainder of this Ordinance.

SECTION 4. CODIFICATION. It is the intention of the City Commission of the City of Winter Park, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinance of the City of Winter Park, Florida, except for Sections 6-10;

SECTION 5. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of ________________, 2020.

______________________________
Steve Leary, Mayor

ATTEST:

______________________________
City Clerk
Planning & Zoning Board
Staff Report for October 6, 2020 Meeting

ZTA#20-06 Request of the City of Winter Park for: An Ordinance amending Article IV of Chapter 58 “Land Development Code” concerning sign regulations; providing for revised regulations relating to temporary signage.

Background:

This public hearing is to consider an Ordinance to amend the City Sign Code to revise the regulations for temporary signs. There are many types of temporary signs but the proposed changes in this Ordinance focus on political or election signs as well as event or free expression signs.

Political or election signs are temporary signs in support of candidates for elected office, or other voter election issues to be on a ballot. Event or free expression signs would advocate for variety of causes. We typically see such signs promoting an event like a Church rummage sale, announcing a child as a high school graduate, advocating for social justice and other political causes on a range of opinions on local or national issues.

Constitutional law requires that local government make provisions for all types of these political and free expression signs based upon the First Amendment to the US Constitution providing for “free speech” and such signage regulations must be content neutral.

Part of the objective of this Ordinance is to update the temporary sign regulations based on current constitutional law and to make the regulations for temporary signs uniform. A summary of the changes are as follows:

1. The Ordinance has reorganized the regulations that apply to all types of temporary signs including construction development signs, real estate signs, etc. so that they are all grouped under one Code section uniformly.

2. The Ordinance revises the size of permitted temporary political, election, event or free expression signage to a maximum of 12 square feet in total (per street frontage) with no one sign greater than 4 square feet in size. The Ordinance is consistent with Orlando’s code in limiting no more than two election signs while then allowing another temporary sign to be a real estate or event/free expression sign. Currently Winter Park is the only jurisdiction in Orange County that restricts such temporary election signage to a limit of two signs, each a maximum of two square feet. The allowable size for election signs in every other Orange County jurisdiction is at least 4 square feet in size.

3. The Ordinance also removes the 45-day pre-election timeline that currently exists as current case law does not allow for the restriction of election signage to any number of days prior to an election.
4. The new text emphasizes that all types of temporary signage, including election signs cannot be placed in the public right-of-way and cannot be placed on a property without the consent of the owner or the tenant of the property. When vacant lots are used for a proliferation of political signs, this section will allow for their removal. This section also states the normal practice that such illegally placed temporary signage in the street right-of-way and on public property shall be subject to removal.

A comparison with other nearby jurisdictions for election and free expression signs is as follows:

**Orange County:**

Residential Zones: 16 sq. ft. max. total  
Other zones: 32 sq. ft. max.

No limit on the number of signs except the total area cannot exceed the square footage.

**Winter Garden:**  
8 sq. ft. max. total  
Other zones: 32 sq. ft. max.

No limit on the number of signs except the total area cannot exceed the square footage.

**Maitland:**  
6 sq. ft. max. each sign  
Other zones: 32 sq. ft. max.

No limit on the number of signs; only one for each candidate with a max. 6 sf. size.

**Orlando:**  
4 sq. ft. max. each sign  
Other zones: 32 sq. ft. max.

Election signs and limited to two signs per property.

These new proposed temporary signage rules would be similar to Orlando’s regulations. Both cities would allow up to two election signs, each a maximum of 4 sq. ft. in size. The same property could have another temporary sign such as a real estate sign or free expression sign.

*Staff recommendation is for approval.*
ORDINANCE NO. ____________

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING ARTICLE IV OF CHAPTER 58 OF THE LAND DEVELOPMENT CODE CONCERNING SIGN REGULATIONS; PROVIDING FOR REVISED REGULATIONS RELATING TO TEMPORARY SIGNAGE; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Park (the “City”) recognizes that the location and maintenance of temporary signage affects the public health, safety, and general welfare of the businesses and residents of the City, and that in order to preserve and enhance the City as a desirable community in which to live and do business, a pleasing and visually attractive environment of utmost importance; and

WHEREAS, the City recognizes that the regulation of temporary signage within the City is a means by which the aesthetics and character of the City may be maintained, and that the uncontrolled and unlimited proliferation of temporary signage would degrade the attractiveness of the natural and manmade attributes of the City, thereby undermining the economic value of tourism, visitation, and permanent economic growth; and

WHEREAS, the City finds that the regulation of temporary signage shall further improve pedestrian and traffic safety within the City, minimize the adverse possible impacts of temporary signage on nearby public and private property, lessen the competition and visual clutter that may otherwise be caused by the improper placement, excessive height, excessive size, or increasing numbers of temporary signage that conceals or obstructs adjacent land uses or signs; and

WHEREAS, the City has deemed it necessary to clarify and simplify existing temporary signage regulations and to provide additional revisions necessary to ensure the delicate balancing of First Amendment and free speech principles while achieving the City’s goals of creating a healthy, safe, and attractive environment that does not contain excessive clutter and visual distractions throughout the City; and

WHEREAS, in accordance with section 163.3174, Florida Statutes, and section 58-3 of the City Code of Ordinances, the City’s local planning agency, which is the designated planning and zoning board, has reviewed and made recommendations as to the amendments set forth herein;

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF WINTER PARK, FLORIDA:

SECTION I: RECITALS. The above recitals are true and correct, are adopted and incorporated herein, and constitute the legislative findings of the City Commission of the City of Winter Park.

SECTION II: Portions of Chapter 58, Land Development Code, Article IV, Sign Regulations, are hereby amended to read as shown below, and words with single underlined type shall constitute additions to the original text and strike through shall constitute deletions to the original text.
SECTION III: Chapter 58, Land Development Code, Article IV, Sign Regulations, Subsection 58-123 “Definitions” is hereby amended to add or amend the definitions as shown below:

Sec. 58-123. – Definitions.

*Snipe sign* means any unauthorized sign of any material whatsoever that is placed upon public property or attached in any way to any public utility pole, tree, or any other object located or situated on or within any public road right-of-way or easement or placed upon a private property without the express written permission of the property owner.

*Temporary sign* means any sign that is not a permanent sign. Temporary signs shall include any and all signs formerly or commonly referred to as temporary election signs, temporary political signs, temporary free expression signs, temporary real estate signs, temporary directional signs, temporary construction signs, temporary grand opening signs, or any other temporary sign unless otherwise expressly provided herein. Permitted temporary signs shall not include any sign devoted to commercial off-site advertising for services such as lawn care, day care, construction services or solicitations.

SECTION IV: Chapter 58, Land Development Code, Article IV, Sign Regulations, Subsection 58-134 “Temporary signs” subsections (a) through (e) are hereby repealed in their entirety and shall be amended, modified and readopted as subsections (a) through (f) as shown below:

Sec. 58-134. – Temporary signs. In addition to other signs permitted by this section, temporary signs may be permitted in accordance with the following requirements. Such temporary signs shall meet all requirements of this article except as otherwise provided in this subsection. Further, a temporary sign may display multiple independent messages on any portion of the sign surface or copy area of such temporary sign.

(a) Each property in the City shall be allowed twelve (12) square feet of non-illuminated temporary signage on each street frontage. Such temporary signs may be either where an owner or resident is actively attempting to sell or lease such property, either personally or through an agent, or is displaying signage which is supporting an election or political purpose or free expression purpose. Such temporary sign(s) shall not individually exceed four (4) square feet in area nor six (6) feet in height. Temporary signs promoting an election, political purpose shall be limited to no more than two (2) signs per street frontage and only one per candidate. Temporary signs promoting an event, free expression or a real estate purpose shall be limited to no more than one (1) sign per street frontage. Such sign(s) may be up to twelve (12) square feet in size in areas that are permitted for nonresidential buildings as long as the twelve (12) square feet is used entirely for the purpose of advertising the sale or lease of property, otherwise, such signs are limited to four (4) square feet in size.
(b) Temporary signs used for the purpose of supporting an event or election or political purpose shall be removed within seven (7) days after the event or election is held.

(c) One on-site non-illuminated temporary development sign may be permitted on property where there is an active building program is underway to identify the project, the developer, architect, contractor, realtor and others involved in the design, construction and financing in accordance with Florida law. Such sign shall be permitted on a temporary basis and shall not be erected more than five days prior to the start of construction. Such temporary sign shall be removed upon issuance of a certificate of occupancy or when there has been no construction activity on the property for sixty (60) days or more. Such sign shall be limited to one per street frontage and shall not exceed eight (8) square feet in size or six (6) feet in height for single family and duplex building projects; thirty-two (32) square feet in size and eight (8) feet in height for multifamily building projects and thirty-two (32) square feet for nonresidential building projects. For construction projects of multi-family or non-residential buildings, the wind screen coverings on construction fences may contain pictures and perspective elevations of the project but the area of text, words, logos, and other project information shall not cover more than thirty-two (32) square feet of the fence wind screen materials per street frontage.

(d) In addition to the above, a maximum of two additional temporary signs may be used to direct interested persons to the location of an open house. The two directional signs are limited in size to four (4) square feet, may not be adorned with any visual attractors such as balloons or pinwheels and may be placed in the public right-of-way subject to not blocking visibility for traffic and are subject to allowing removal by the abutting property owner if that owner does not consent to the placement of the sign. Such directional signs shall be posted only during the hours of 9:00 a.m. to 6:00 p.m. and shall be removed immediately following the close of the open house event. Open house signage shall not be posted more than two days per week.

(e) All temporary signs shall be located only on private property with the express permission of the property owner or occupant of such property, and such signage shall be located behind the sidewalk, or ten (10) feet behind the curb or edge or pavement, whichever is greater. When a vacant property is used for the placement of more than two (2) temporary signs, the City may presume that the property owner has not granted express permission for such temporary signage and such signs may be removed by the city. No such temporary signage shall be allowed on any public property or within the public right-of-way. Temporary signage that is placed in violation of this subsection is subject to immediate removal and disposal by the city.

Sec. 58-134. – Temporary signs.

(a) In addition to other signs permitted by this section, temporary signs may be permitted in accordance with the following requirements: Such temporary signs shall meet all requirements of this article except as otherwise provided in this subsection.

(b) Subdivision development signs shall be permitted to identify subdivisions where an active building and development program is underway. Such signs shall be permitted on a temporary
permit basis only for a maximum of two years or until the subdivision is completed, whichever shall occur first. Such signs shall be limited to one per street frontage and shall not exceed 32 square feet in size or eight feet in height. For construction projects of multi-family or non-residential buildings, the wind screen coverings on construction fences may contain pictures and perspective elevations of the exterior of the project on up to 50 percent of the wind screen area but the area of text, words, logos, and other project information shall not cover more than 32 square feet of the fence wind screen materials per street frontage.

(c) On site development signs shall be permitted on property where there is an active building program underway to identify the project, the developer, architect, contractor, realtor and others involved in the design, construction and financing. Such signs shall be permitted on a temporary basis and shall not be erected more than five days prior to the start of construction. Signs shall be removed upon issuance of a certificate of occupancy or when there has been no construction activity on the property for 60 days or more. Such signs shall be limited to one per street frontage and shall not exceed eight square feet in size or six feet in height for single family and duplex building projects; 32 square feet in size and eight feet in height for multifamily building projects and 32 square feet for nonresidential building projects. For construction projects of multi-family or non-residential buildings, the wind screen coverings on construction fences may contain pictures and perspective elevations of the project but the area of text, words, logos, and other project information shall not cover more than 32 square feet of the fence wind screen materials per street frontage.

(d) One temporary real estate sign offering real property for sale or lease shall be permitted on each street frontage of properties where an owner is actively attempting to sell or lease such property, either personally or through an agent. Such sign shall not exceed four square feet in area nor six feet in height in residential zones for one or two family dwellings and shall not exceed 12 square feet in area for multifamily dwellings or nonresidential buildings. All such temporary real estate signs shall be located behind the sidewalk or ten feet behind the curb or edge of pavement, whichever is greater. Additionally, a maximum of two "open house" signs may be used to direct interested persons to the location of an open house, in addition to the "open house" sign placed at the site of the real property offered for sale. The two directional signs are limited in size to two square feet and may be placed in the public right of way subject to not blocking visibility for traffic and are subject to allowing removal by the abutting property owner if that owner does not consent to the placement of the sign. Such "open house" signs shall be posted only during the hours of 9:00 a.m. to 6:00 p.m. and shall be removed immediately following the close of the open house event. Open house signage shall not be posted more than two days per week.

(e) Political or campaign signs on behalf of candidates for public office or measures on election ballots provided that such signs are subject to the following regulations:

1. Such signs shall be erected not earlier than 45 days prior to such election and shall be removed within three days following such election. For city elections, political signs posted prior to the date of the scheduled primary election date may remain posted until three days following the general election.
(2) One sign is permitted on any one property frontage, except as modified herein. Such signs shall not exceed two square feet in area, and if detached, shall not exceed six feet in height. For city elections, when an election is held for two city commission seat vacancies, two signs (one for each seat) are permitted on any one property frontage. In addition, one additional sign (other than a sign for a city commission seat or city mayoral candidate) may be placed on any property street frontage. For elections when no city commission or mayoral candidate or other city matter is on the ballot, one sign is permitted on any one property frontage.

(3) All signs shall be located behind the sidewalk, or ten feet behind the curb or edge or pavement, whichever is greater.

(4) Any candidate, election committee or organization for an electoral measure that does not conform to these provisions shall be subject to the misdemeanor penalties provided by section 1-7 of this Code of Ordinances, or shall be subject to issuance of a citation under chapter 1, article II, of this Code of Ordinances or shall be subject to issuance of a notice to appear before the city’s code enforcement board as provided under chapter 2, article III, division 4 of this Code of Ordinances.

Prior to the imposition of any of the foregoing penalties on a candidate for political office, written notice of the violation shall be delivered to the candidate's local campaign treasurer or to the candidate or his representative. If the violation is not corrected within 72 hours following delivery of such notice, the candidate shall be in violation of this subsection (e) whether or not the candidate erected the signs constituting the violation.

Prior to the imposition of any of the foregoing penalties on an election committee or organization for an electoral provision, written notice of the violation shall be delivered to the person or persons who publicly represent themselves as chairman of or in charge of such committees or organizations. If the violation is not corrected within 72 hours following delivery of such notice, the election committee or organization for an electoral provision shall be in violation of this subsection (e) whether or not the committee or organization erected the signs constituting the violation.

SECTION V. INCONSISTENCY. If any Ordinances or parts of Ordinances are in conflict herewith, this Ordinance shall control to the extent of the conflict.

SECTION VI: SEVERABILITY. If any section, subsection, sentence, clause, phrase, provision, or word of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then such invalidity or unconstitutionality shall not be held to invalidate or impair the validity, force, or effect of any other remaining provisions of this Ordinance.

SECTION VII: CODIFICATION. Sections II through IX of this Ordinance shall be codified and made a part of the City of Winter Park Land Development Code, and the sections of this Ordinance may be renumbered or re-lettered to accomplish this intention. The word “Ordinance” may be changed to “Section,” “Article,” or other appropriate word. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener’s errors.
**SECTION VIII:** This Ordinance shall become effective immediately following approval by the City Commission at its second reading.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _______ day of _________, 2020.

City of Winter Park

___________________________

Steven M. Leary, Mayor

Attest:

___________________________

City Clerk
Planning & Zoning Board
Staff Report for October 6, 2020 Meeting

ZTA# 20-07 Request of the City of Winter Park for: An Ordinance amending Article IV of Chapter 58 of the Land Development Code providing new sign regulations relating to definitions; modifications for signage in certain zoning locations; and clarifying types of permitted and prohibited signs.

Background:

This public hearing is to consider an Ordinance to amend the City Sign Code to revise the regulations and allowances for certain signs. These are updates to the Sign Code regulations based on direction from the City Commission and observations by staff. A summary of the changes are as follows:

1. The Ordinance requires that when a building is demolished, the ground or pole sign is also demolished entirely. Now only sign face must be removed. All ground signage on such redeveloped office or commercial properties then requires that the pole sign must be replaced by a ground level monument sign.

2. The Ordinance imposes a maximum 50 square foot limitation for wall signs regardless of the amount of signable wall area.

3. The Ordinance reduces the size of under awning and under canopy signs along Park Avenue and New England Avenue from six square feet to four square feet to match the existing conditions that exist along these streets.

4. The Ordinance adds various sign definitions that were missing from the current code language and clarifies that other types of signs are prohibited, such as people spinning signs (human signs) and that no advertising signage is permitted on traffic control boxes.

Staff recommendation is for approval.
ORDINANCE NO. ____________

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING ARTICLE IV “SIGN REGULATIONS” OF CHAPTER 58 LAND DEVELOPMENT CODE; PROVIDING FOR REVISED REGULATIONS RELATING TO AMENDMENTS TO DEFINITIONS; MODIFICATIONS FOR SIGNAGE IN CERTAIN ZONING LOCATIONS; CLARIFYING TYPES OF PERMITTED AND PROHIBITED SIGNS; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Park (the “City”) recognizes that the location and maintenance of signage affects the public health, safety, and general welfare of the businesses and residents of the City, and that in order to preserve and enhance the City as a desirable community in which to live and do business, a pleasing and visually attractive environment of utmost importance; and

WHEREAS, the City recognizes that the regulation of signage within the City is a means by which the aesthetics and character of the City may be maintained, and that the uncontrolled and unlimited proliferation of signage would degrade the attractiveness of the natural and manmade attributes of the City, thereby undermining the economic value of tourism, visitation, and permanent economic growth; and

WHEREAS, the City finds that the regulation of signage shall further improve pedestrian and traffic safety within the City, minimize the adverse possible impacts of temporary signage on nearby public and private property, lessen the competition and visual clutter that may otherwise be caused by the improper placement, excessive height, excessive size, that conceals or obstructs adjacent land uses or signs; and

WHEREAS, in accordance with section 163.3174, Florida Statutes, and section 58-3 of the City Code of Ordinances, the City’s local planning agency, which is the designated planning and zoning board, has reviewed and made recommendations as to the amendments set forth herein;

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF WINTER PARK, FLORIDA:

SECTION I: RECITALS. The above recitals are true and correct, are adopted and incorporated herein, and constitute the legislative findings of the City Commission of the City of Winter Park.

SECTION II: Portions of Chapter 58, Land Development Code, Article IV, Sign Regulations, are hereby amended to read as shown below, and words with single underlined type shall constitute additions to the original text and strike through shall constitute deletions to the original text.

* * *
SECTION III: Chapter 58, Land Development Code, Article IV, Sign Regulations, Subsection 58-123 “Definitions” is hereby amended to add or amend the definitions as shown below:

Sec. 58-123. – Definitions.

   Canopy (or marquee) means a permanent roof-like shelter extending from part or all of a building face over the sidewalk or public right-of-way or a colonnade where the upper floor(s) extend over the pedestrian sidewalk and constructed of some durable materials such as wood, metal, glass or plastic.

   Monument sign means a freestanding ground mounted sign which is supported by and integrated with a solid base, as opposed to poles, posts, columns or other such structural supports.

   Signable area means an area of the façade of a building up to the roof line, not including parapet façade areas, which is free of windows and doors or major architectural detailing.

SECTION IV: Chapter 58, Land Development Code, Article IV, Sign Regulations, Subsection 58-124 Signs permitted in zoning districts of the city” is hereby amended in subsection (d) (3) (5) and (6) and by the addition of a new subsection (g) as shown below:

Sec. 58-124. Signs permitted in zoning districts of the city.

(d) Commercial (C-2) district.

   (3) Ground signs and projecting signs on properties or buildings within the central business district C-2 district shall be limited to an area of each face of 20 square feet and shall have a minimum clearance of seven feet unless such sign is a ground level monument sign.

   (5) Signs attached to the underside of a canopy or colonnade shall have a copy area no greater than four six square feet for single tenant signs and six square feet for multi-tenant signs, with a maximum letter height of nine inches, subject to a minimum clearance of seven feet from the sidewalk or pedestrian walkway. Under canopy signs shall not have any lighting either internal, on the sign face or external.

   (6) Commercial (C-2) district properties may not have digital, electronic, and/or internally-illuminated signs, such as backlit plastic, acrylic or glass. Front lighting of signs is encouraged. External illumination must be provided by a light source that is installed to prevent direct light from shining onto the street or adjacent properties. Flashing or moving lights are not permitted. Backlit halo-type opaque sign lettering is permitted, however, the light color must be white or subdued and muted such as a pastel shade. Sign faces and sides may not be translucent and must be an opaque material such as metal or wood.
(e) General commercial (C-3), limited commercial (C-3A) and light industrial (I-1) districts.

(1) Each premises or building shall be permitted one ground sign indicating only the business, commodities, service or other activity sold, offered or conducted on the property. Where a premises building has in excess of 300 feet of frontage, one additional ground sign may be erected for each additional 300 feet of street frontage in excess to the first 300 feet. Ground signs shall also comply with the applicable provisions of section 58-125. Service stations shall be permitted one additional ground sign not exceeding 32 square feet of area per face indicating only the prices of fuels sold on the premises. A ground sign must be located entirely on private property behind the lot line. Whenever a property is undergoing redevelopment such that the principal building has been demolished or more than 50% of the building structure or structural elements have been removed, then the ground or pylon sign must also be removed and the only type of ground sign that is permitted to be erected is a monument sign.

(g) Medical arts (MA) district.

(1) Signs in the medical arts district shall comply with the regulation for the office (O-1) and (O-2) districts except that the city commission may approve a master sign plan permitting additional signs, height and area as appropriate for the medical campus and buildings.

(2) Signs in the medical arts district shall also comply with the provisions of the office districts including paragraph (3) related to sign types, design and illumination.

SECTION V: Chapter 58, Land Development Code, Article IV, Sign Regulations, Subsection 58-126 Wall signs is hereby amended as shown below:

Sec. 58-126. - Wall signs.

a) Signable area determination. The occupancy displaying a wall sign shall with the City’s approval, determine the signable area by choosing one such area on the building facade or wall and by then calculating the number of square feet which are enclosed by an imaginary rectangle or square which is drawn around this wall area.

(b) Area limits. In all cases, wall sign areas refer to the area of copy including words, logos and decorative elements rather than the area of the and blank background or frame.
(1) Where an occupancy has no ground, roof or projecting sign on the same premises, 45 percent of the signable area may be used for copy.
(2) Where an occupancy has a ground sign but no roof or projecting sign on the same premises, 30 percent of the signable area may be used for copy.
(3) Where an advertiser has a projecting sign but no ground sign on the same premises, 15 percent of the signable area may be used for copy.
(4) However, in no case shall any wall sign exceed fifty (50) square feet, regardless of the amount of signable area.
(c) **Interruption of architectural features.** A wall sign shall not interrupt any major architectural features of the building, and shall not project from the wall by more than 12 inches.

(d) **When unrestricted.** One identification wall sign four square feet in area or less with non-illuminated letters up to but not exceeding three inches in height, is not restricted and shall be permitted in addition to regulated signage.

**SECTION VI:** Chapter 58, Land Development Code, Article IV, Sign Regulations, Subsection 58-128 “Canopy (or marquee) signs”, subsection (6) is hereby amended to add or amend the definitions as shown below:

**Sec. 58-128. Canopy (or marquee) signs.**

(6) Signs attached to the underside of a canopy or colonnade shall have a copy area no greater than four six square feet for single tenant signs and six square feet for multi-tenant signs, with a maximum letter height of nine inches, subject to a minimum clearance of seven feet from the sidewalk or pedestrian walkway in the central business district (C-2) zoning district, and eight feet from the sidewalk or pedestrian walkway in all other districts and shall be mounted as nearly as possible at right angles to the building face. Under canopy signs shall not have any lighting either internal, on the sign face or external.

**SECTION VII:** Chapter 58, Land Development Code, Article IV, Sign Regulations, Subsection 58-133 “Nonconforming signs”, subsection (b) is hereby amended to add or amend the definitions as shown below:

**Sec. 58-133. Nonconforming signs and signage permitted for redevelopment.**

(b) Whenever the occupancy of a premises with nonconforming signs changes, the new occupant shall be required to remove, change or alter such signs to conform to the provisions of these regulations. This requirement is not intended to apply to changes in ownership where the same type of business, continues to occupy the premises. Whenever a building is demolished or more than 50% of the building or structural elements have been removed for redevelopment, any existing ground signs shall also be demolished and completely removed including all parts of the structure and base at the same time as the demolition is permitted and occurs and any new signs shall be required to conform to the provisions of these regulations.

**SECTION VIII:** Chapter 58, Land Development Code, Article IV, Sign Regulations, Subsection 58-135 “Prohibited signs” is hereby amended by adding and amending subsections (12) through (14) as shown below:

**Sec. 58-135. – Prohibited signs.**
The following types of signs are expressly prohibited in all districts, except as otherwise provided by this article:

(13) **Human signs.**

(14) **Signage, lettering or logos on any sidewalk café seating umbrella, chair or table located within a public right-of-way.**

(15) **Any sign not expressly permitted in article IV, sign regulations, or elsewhere in this code is prohibited.**

(16) **Any signage attached to or made as a part of any traffic signal box or cabinet.**

**SECTION IX. INCONSISTENCY.** If any Ordinances or parts of Ordinances are in conflict herewith, this Ordinance shall control to the extent of the conflict.

**SECTION X: SEVERABILITY.** If any section, subsection, sentence, clause, phrase, provision, or word of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then such invalidity or unconstitutionality shall not be held to invalidate or impair the validity, force, or effect of any other remaining provisions of this Ordinance.

**SECTION XI: CODIFICATION.** Sections II through IX of this Ordinance shall be codified and made a part of the City of Winter Park Land Development Code, and the sections of this Ordinance may be renumbered or re-lettered to accomplish this intention. The word “Ordinance” may be changed to “Section,” “Article,” or other appropriate word. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener’s errors.

**SECTION XII: This Ordinance shall become effective immediately following approval by the City Commission at its second reading.**

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this______ day of _________, 2020.

**City of Winter Park**

________________________________________
Steven M. Leary, Mayor

Attest:

________________________________________
City Clerk