



city commission agenda

Regular Meeting

March 9, 2015
3:30 p.m.
Commission Chambers

commissioners				mayor	commissioners			
seat 1	Steve Leary	seat 2	Sarah Sprinkel	Kenneth W. Bradley	seat 3	Carolyn Cooper	seat 4	Tom McMacken

welcome

Welcome to the City of Winter Park City Commission meeting. The agenda for regularly scheduled Commission meetings is posted in City Hall the Tuesday before the meeting. Agendas and all backup material supporting each agenda item are available in the City Clerk's office or on the city's Web site at www.cityofwinterpark.org.

meeting procedures

Persons desiring to address the Commission MUST fill out and provide to the City Clerk a yellow "Request to Speak" form located by the door. After being recognized by the Mayor, persons are asked to come forward and speak from the podium, state their name and address, and direct all remarks to the Commission as a body and not to individual members of the Commission, staff or audience.

Citizen comments at 5 p.m. and each section of the agenda where public comment is allowed are limited to three (3) minutes. The yellow light indicator will remind you that you have one (1) minute left. Large groups are asked to name a spokesperson. This period of time is for comments and not for questions directed to the Commission or staff for immediate answer. Questions directed to the City Commission will be referred to staff and should be answered by staff within a reasonable period of time following the date of the meeting. Order and decorum will be preserved at all meetings. Personal, impertinent or slanderous remarks are not permitted. Thank you for participating in your city government.

agenda

1	Meeting Called to Order	
2	Invocation Pastor Jeff Arp, Calvary Assembly of God Pledge of Allegiance	
3	Approval of Agenda	
4	Mayor's Report	*Projected Time *Subject to change
	a. Proclamation – Deputy Police Chief Art King b. Visioning Steering Committee appointment	10 minutes
5	City Manager's Report	*Projected Time *Subject to change
	a. Recognition of Mayor Kenneth W. Bradley's six years of service	15 minutes

6	City Attorney's Report	*Projected Time *Subject to change
7	Non-Action Items	*Projected Time *Subject to change
8	Citizen Comments 5 p.m. or soon thereafter (if the meeting ends earlier than 5:00 p.m., the citizen comments will be at the end of the meeting) (Three (3) minutes are allowed for each speaker; not to exceed a total of 30 minutes for this portion of the meeting)	
9	Consent Agenda	*Projected Time *Subject to change
	<ul style="list-style-type: none"> a. Approve the minutes of February 23, 2015. b. Approve the following purchase and contracts: <ul style="list-style-type: none"> 1. PR 157270 to Sternberg Lanterns for lanterns for the Winter Park Racquet Club. 2. Amendment No. 3, RFQ-2-2012; Continuing Contracts for Professional, Architectural & Engineering Services - Landscape Architect to Miller Legg and authorize the Mayor to execute renewal. 3. Piggyback contract with Cintas Corporation for facilities solutions: RFP 12-JLH-011, US Communities; and authorize the Mayor to execute contract. 	5 minutes
10	Action Items Requiring Discussion	*Projected Time *Subject to change
	a. East Morse Boulevard parking and sidewalk easement	10 minutes
11	Public Hearings	*Projected Time *Subject to change
	a. <u>Request of Winter Park Real Estate Advisors, Inc: (2nd hearing)</u> <ul style="list-style-type: none"> - To amend the conditional use approval previously granted at 125 S. Interlachen Avenue to allow for modifications to the approved multi-family project to be composed of six units, three stories and 20,542 square feet of residential living area with parking in the basement level below the project, on property zoned R-4. 	20 minutes
	b. Ordinance – Vacating and abandoning the portion of Kindel Avenue between Benjamin Avenue and Lewis Drive within the Ravaudage Planned Development and Home Acres Subdivision area (2)	5 minutes
	c. <u>Request of the City of Winter Park for the property at 2908 Temple Trail:</u> <ul style="list-style-type: none"> - Ordinance – Changing the Future Land Use Designation of Single Family Residential to Open Space and Recreation (2) - Ordinance – Changing the zoning of Single Family (R-1A) District to Parks and Recreation (PR) District (2) 	10 minutes
	d. Ordinance – Annexing 1802 Stonehurst Road (1)	10 minutes

- e. **Ordinance** – Annexing a portion of the Howell Branch right-of-way from 1620 Howell Branch Road, east to the City limits (1)

10 minutes

12 City Commission Reports

***Projected Time**
***Subject to change**

- a. Commissioner Leary
- b. Commissioner Sprinkel
- c. Commissioner Cooper
- d. Commissioner McMacken
- e. Mayor Bradley

10 minutes each

appeals & assistance

"If a person decides to appeal any decision made by the Commission 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."



city commission city manager's report

item type

City Manager's Report

meeting date

March 9, 2015

Below are issues of interest to the Commission and community that are currently being worked on by staff, but do not currently require action on the Commission agenda. These items are being tracked to provide the Commission and community the most up to date information regarding the status of the various issues. The City Manager will be happy to answer questions or provide additional updates at the meeting.

issue	update	date
Quiet Zones	State funds approved for grant disbursement.	Funding agreements being developed. Expect to be received in March.
Fairbanks electric transmission and distribution undergrounding	Engineering cost estimates indicate that the project can be completed within FDOT's available funding. Contracts among Duke, the City, and FDOT are currently in negotiation.	City Commission action expected in March 2015.
New Hope Baptist Church Project	Pastor John Phillips continues pursuing licensing for the day care and school through DCF and obtaining required certifications for staff.	Approved Conditional Use will expire in September 2015.
Railroad crossing update	FDOT maintains all street crossings. Repairs included in a CIP.	City requested cost estimates for additional concrete panel installations. Expect to receive estimates in March 2015.
Future tree plantings update	53 trees were planted in February. 50 more scheduled for planting by the end of March.	Street tree inventory has started.
MLK (Rollins) Restroom	Plans complete. Rollins will be contracting.	Completion will be Summer 2015.
Collector Roads Street Lighting	Staff has identified 27 collector roads and is preparing a streetlight assessment of these roads. Appropriate plans will be developed for each.	Report back to Commission the 2nd meeting in March.
Free SunRail Service	<p>On February 23, the City of Winter Park Community Redevelopment Agency (CRA) approved the expenditure of funds to provide SunRail® train service during the Winter Park Sidewalk Art Festival Saturday, March 21, and Sunday, March 22, 2015, operating from approximately 9 a.m. to 5 p.m.</p> <p>SunRail will operate its normal ticketed schedule on Friday, March 20. However, FREE train service will be offered on</p>	

	<p>Saturday and Sunday as a result of the CRA approval and generous support from the following funding partners:</p> <ul style="list-style-type: none"> • Florida Hospital • Winter Park Community Redevelopment Agency • Winter Park Chamber of Commerce • The Winter Park Sidewalk Art Festival <p>PLEASE NOTE – Saturday, March 21, and Sunday, March 22, departing times:</p> <ul style="list-style-type: none"> • Last train leaving Winter Park heads northbound @ 4:41 p.m. • Last train leaving Winter Park heads southbound @ 3:36 p.m. <p>Click here for the complete Saturday and Sunday train schedule.</p>	
Group Bike Ride & Gathering	<p>In support of March as Florida Bicycle Month and in celebration of “Bike to Work Day,” Winter Park’s Pedestrian & Bicycle Advisory Board presents a Group Bike Ride & Gathering, Wednesday, March 11. Riders are encouraged to gather for the group ride at 3:30 p.m. on Garfield Avenue directly behind the main stage in Central Park. The group ride, for those 16 years of age and up, will begin at 4 p.m. (map attached). The after party will begin at 5 p.m. at Boca located at 358 N. Park Ave. Free bike valet service will be available for secure bike parking from 3:30 to 8 p.m. Those interested in participating in this exciting, green event are asked to please register via trafficguy@cityofwinterpark.org or 407-599-3411.</p>	
Historic Preservation Ordinance	<p>Draft approved by the Historic Preservation Board. They would like to have several community meetings for public review before Commission review.</p>	TBD – April 2015.

Once projects have been resolved, they will remain on the list for one additional meeting to share the resolution with the public and then be removed.

REGULAR MEETING OF THE CITY COMMISSION
February 23, 2015

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:33 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Reverend Steve May, First Baptist Church of Winter Park, followed by the Pledge of Allegiance.

Members present:

Mayor Kenneth Bradley
Vice Mayor Steven Leary
Commissioner Sarah Sprinkel
Commissioner Tom McMacken
Commissioner Carolyn Cooper

Also present:

City Manager Randy Knight
Assistant City Attorney Bill Reischmann
City Clerk Cynthia Bonham

Approval of the agenda

Motion made by Commissioner Cooper to approve the agenda; seconded by Commissioner McMacken and approved by acclamation with a 5-0 vote.

Mayor's Report

a. Presentation - Healthy Weight Community Champions Award

Lesli Ahonkhai, Assistant Director of the Florida Department of Health, presented the City with the Healthy Weight Community Champions Award.

b. Proclamation - Invasive Species Awareness Week

Mayor Bradley proclaimed the week of February 22-28, 2015 as National Invasive Species Awareness week. He encouraged residents to participate in activities and events to promote knowledge and understanding of the threats posed by invasive species.

c. Proclamation - Bike Month

Mayor Bradley announced that March is Bike Month in the State of Florida and proclaimed March 11 as "Bike to Work Day." Traffic Engineer Butch Margraf encouraged everyone to attend the Group Bike Ride & Gathering Event which will be held on March 11, 2015 at 3:30 p.m.

d. Appointment - Members to Visioning Steering Committee

Planning Director Dori Stone answered questions pertaining to the anticipated number of meetings. She asked the Mayor and each Commissioner to announce the names of their two nominees for the Steering Committee. Commissioner Leary nominated Garrett Preisser and Steve Castina; Commissioner Sprinkel nominated Jeffrey Blydenburgh and Meg Baldwin; Commissioner Cooper nominated David

Strong and Steve Goldman; Commissioner McMacken nominated Michael Dick and Dykes Everett; Mayor Bradley nominated John Caron and said he will announce his second nominee at a future date. A majority agreed that due to unforeseen time commitments, an alternate person may need to be appointed by each commissioner.

e. Appointment - MetroPlan Orlando Municipal Advisory Committee

Mayor Bradley advised that Winter Park has a position on the MetroPlan Orlando Municipal Advisory Committee and is traditionally served by the Mayor of the City. It would be his expectation that whoever is elected as Mayor would fill that position and if that individual chooses not to serve or cannot serve, that they would seek an elected official to serve or co-serve with them. A majority agreed.

f. Appointment - Police Pension Board (Officer Sam Easterbrook to replace Officer Rafael Berrios)

Motion made by Mayor Bradley to appoint Officer Sam Easterbrook (to replace Officer Rafael Berrios) to the Police Pension Board; seconded by Commissioner Cooper. No public comments were made. **The motion carried unanimously with a 5-0 vote.**

City Manager's Report – No report.

Commissioner Sprinkel asked about the timeframe for implementation of quiet zones. Assistant Public Works Director Don Marcotte explained that the agreements have to be signed by the end of June and upon receipt, an applicable timeframe can then be determined.

Upon request, Electric Utility Director Jerry Warren provided a status update regarding the undergrounding on Fairbanks Avenue and answered questions.

City Attorney's Report

Attorney Reischmann provided an update regarding the most recent Code Enforcement Board action on the 788 W. New England Avenue property.

Attorney Reischmann acknowledged Commissioner Cooper's request to look into a City agreement with the Developer of Windsong. She recalled that they are to pay the City \$150,000 upon the last sale in Windsong.

Non-Action Item – No items.

Consent Agenda

a. Approve the minutes of February 9, 2015.

- b. Approve the following formal solicitations and contract:
 - 1. Award to Electric Supply, IFB-6-2015 Underground Electric Materials and authorize the Mayor to the execute contract.
 - 2. Award to Gresco, IFB-6-2015 Underground Electric Materials and authorize the Mayor to execute the contract.
 - 3. Award to HD Supply Power Solutions, IFB-6-2015 Underground Electric Materials and authorize the Mayor to execute the contract.
 - 4. Award to Tri-State Utility Products, IFB-6-2015 Underground Electric Materials and authorize the Mayor to execute the contract.
 - 5. Award to Wesco Distribution Inc., IFB-6-2015 Underground Electric Materials and authorize the Mayor to execute the contract.
 - 6. Renewal with GATSO USA, Inc. for Red Light Safety Program and authorize the Mayor to execute the contract.
- c. Approve the agreement renewal to permit Central Florida Community Sailing Program, Inc. to teach a Community Sailing Program in Lake Baldwin Park.

Motion made by Commissioner McMacken to approve the Consent Agenda; seconded by Commissioner Sprinkel. No public comments were made. **The motion carried unanimously with a 5-0 vote.**

Action Items Requiring Discussion

- a. Concours d' Elegance use of the Winter Park Golf Course

Parks and Recreation Director John Holland explained that last year the Concours d'Elegance was granted approval to use the Winter Park Golf Course for their 2014 event. The approval was based upon the evaluation of the impact of the event on the golf course. The golf course Superintendent reported the condition of the course was not impacted by the event. The event manager worked very closely with golf course staff and followed all instructions as to accessing the fairways and protection of the turf.

On January 28, 2015 a public meeting was held by the Parks and Recreation Advisory Board (P&RAB) prior to their consideration of approving the request for the 2015 event. The meeting was very positive and concerns were heard and addressed by the event promoter. Mr. Holland explained that Tim Webber, Executive Producer of the event is requesting approval of the event for the next five years. The P&RAB approved the request by a vote of 5-1.

Applicant Tim Webber spoke about the move of the Concours d' Elegance from Park Avenue to the golf course. He summarized his request and agreed to work with staff to address the concerns of the residents.

Discussion ensued regarding the request for five years. The following recommendations were made: to add contract language that would allow the City Commission to look at fees and operating conditions on a yearly basis and

renegotiate/adjust as needed; to adjust the temporary mesh fencing; to not allow event parking on the golf course if it rains; and to adjust the sound system.

Motion made by Mayor Bradley for the creation of a series of one year contracts but with a five year term and that embedded in that is the ability for the City to adjust the rate for the use of the facility each year; seconded by Commissioner Sprinkel.

Patrick Chapin, Winter Park Chamber of Commerce, spoke in favor of the request.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

b. Appointment of Canvassing Board for March 10, 2015 General Election

City Clerk Cynthia Bonham explained the need to select three members to the Canvassing Board in order to have a quorum. For the 2015 election, Mayor Bradley and Commissioners Sprinkel, Cooper and McMacken could serve on the Board unless they have been actively participating in any candidate's campaign. She noted that for any disqualified Commissioner or Mayor, the City Clerk can act as the alternate Canvassing Board member and if another member needs to be selected she was advised to appoint a citizen. Both City Manager Knight and Ms. Bonham recommended the appointment of Winter Park Library Director Shawn Shaffer to be the third Canvassing Board member who already agreed to serve if needed.

Commissioner Sprinkel and Mayor Bradley removed themselves, Commissioner Cooper said she is unavailable and Commissioner McMacken volunteered to serve.

Motion made by Mayor Bradley that our Canvassing Board consists of Commissioner McMacken, City Clerk Cynthia Bonham and Library Director Shawn Shaffer; seconded by Commissioner Sprinkel. No public comments were made. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Mayor Bradley to accept the canvassing criteria as set by the state and used by Orange County for canvassing absentee ballots; seconded by Commissioner Cooper. No public comments were made. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Mayor Bradley to allow the Orange County Supervisor of Elections to open and run all absentee ballots through the tabulator ahead of time that are not questionable and are valid; seconded by Commissioner Sprinkel. No public comments were made. Upon a roll call vote, Mayor Bradley

and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Public Hearings:

- a. Request of Winter Park Real Estate Advisors, Inc: To amend the conditional use approval previously granted at 125 S. Interlachen Avenue to allow for modifications to the approved multi-family project to be composed of six units, three stories and 20,542 square feet of residential living area with parking in the basement level below the project, on property zoned R-4.

Planning Manager Jeff Briggs provided background regarding the previously approved conditional use granted and the request for modifications to the approval. He advised that the Planning & Zoning Board voted in favor of the request with the conditions recommended by staff as follows:

1. The exterior patio walls shall be screened by landscaping and any other proposed walls within setback areas shall be no higher than three feet in height.
2. The electric transformer/switch gear and backflow preventers shall be located adjacent to the building so they can and shall be effectively screened by landscaping.

Since this is a quasi-judicial hearing, Commissioner Cooper disclosed she spoke with staff regarding this issue. Mayor Bradley and Commissioners Sprinkel, McMacken and Leary said no discussions transpired. Mr. Briggs answered questions.

Motion made by Commissioner Sprinkel to approve the request; seconded by Commissioner Cooper. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

- b. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THE PORTION OF KINDEL AVENUE BETWEEN BENJAMIN AVENUE AND LEWIS DRIVE WITHIN THE RAVAUDAGE PLANNED DEVELOPMENT AND HOME ACRES SUBDIVISION AREA, MORE PARTICULARLY DESCRIBED HEREIN. First Reading

Attorney Reischmann read the ordinance by title. Public Works Director Troy Attaway explained the City has received a request to abandon a portion of Kindel Avenue from Lewis to Benjamin to help with the redevelopment of this area.

To compensate for the loss of this road, the developer will construct a parallel road approximately 75 feet to the north to be called Morgan Lane. This road will serve all of the functions as Kindel Avenue being proposed for abandonment. This action is also consistent with the abandonment of Kindel Avenue west of Lewis which has already been approved. Mr. Attaway advised that there is a requirement that the

actual road surface of Kindel will not be removed and the road will not be closed until Morgan Lane is completely constructed and open for traffic. Mr. Attaway answered questions.

Motion made by Mayor Bradley to accept the ordinance on first reading; seconded by Commissioner Sprinkel. Attorney Reischmann provided legal counsel regarding the public notice requirements. No public comments were made.

Motion amended by Commissioner Cooper that a condition for acceptance would be that Morgan Lane is in place and appropriately constructed prior to the vacation of Kindel Avenue; seconded by Mayor Bradley. No public comments were made.

Upon a roll call vote on the amendment, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote on the main motion as amended, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

c. Request of the City of Winter Park for the property at 2908 Temple Trail:

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF SINGLE FAMILY RESIDENTIAL FUTURE LAND USE TO OPEN SPACE AND RECREATION ON THE PROPERTY AT 2908 TEMPLE TRAIL, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. First Reading

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE SINGLE FAMILY RESIDENTIAL (R-1A) DISTRICT ZONING TO PARKS AND RECREATION (PR) DISTRICT ZONING ON THE PROPERTY AT 2908 TEMPLE TRAIL, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. First Reading

Mayor Bradley noted that this will be a simultaneous public hearing. Attorney Reischmann read both ordinances by title. He noted that the first ordinance is a legislative decision and the second ordinance is a quasi-judicial matter. Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken said no discussions transpired regarding this issue.

Motion made by Mayor Bradley to accept the first ordinance on first reading; seconded by Commissioner Sprinkel.

Motion made by Mayor Bradley to accept the second ordinance on first reading; seconded by Commissioner McMacken.

Planning Manager Jeff Briggs explained that the City purchased the property at 2908 Temple Trail to be added to our park inventory so we are rezoning it from Single Family Residential (R-1A) to Parks and Recreation (PR) District. It was noted that the Parks and Recreation Department will address the appropriate use of the property once it has been rezoned.

No public comments were made. **Upon a roll call vote on the first ordinance, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

No public comments were made. **Upon a roll call vote on the second ordinance, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

Public comments (Items not on the agenda)

Donna Colado, 327 Beloit Avenue, said now that the quiet zone matters have been resolved, she asked if and when will they be discussing the dedicated funding source for Commuter Rail. City Manager Knight said he is predicting that it will not happen at the state level until the year it reverts back to the local governments to fund.

Pastor David Mark Sutton, 1876 Parker Drive, asked for support in his efforts to help with the homeless in the area.

Barry Carson, 601 Callahan Street, asked for approval to adopt a portion of Pennsylvania Avenue where it abuts his home so that he can maintain it on a regular basis. City Manager Knight was directed to follow up with this request.

City Commission Reports:

- a. Commissioner Leary – No report.
- b. Commissioner Sprinkel

Commissioner Sprinkel was thrilled to see the creation of a Garden Group starting up in the City. She thanked City resident Mike Miller for representing us in Tallahassee and welcomed the new President of Rollins College, Grant Cornwell to our City. She requested putting some type of mechanism in place where our boards can provide an annual review and we in turn can acknowledge their great work. A majority agreed and suggested that the boards provide an annual update as well.

City Manager Knight announced that the St. Patrick's Day parade is Sunday, March 8. He spoke about the upcoming trip to Tallahassee and advised that our lobbyist

has proposed the dates of March 10-11 or March 17-18. Due to the potential conflicts with those dates, he will ask for a third option and will circulate that information to the Commission for consideration.

c. Commissioner Cooper

Commissioner Cooper asked when next year's election will be held. City Clerk Cynthia Bonham said we will be piggybacking with Orange County's Presidential Preference Primary to be held in March.

Commissioner Cooper mentioned that she would like for us to start looking into obtaining shared funding for the Commuter Rail circulator bus.

d. Commissioner McMacken - No report.

e. Mayor Bradley

Mayor Bradley requested support to have our Parks & Recreation Board review and recommend the renaming of a park for former Mayor Allen Trovillion and Mayor Joe Terranova and to rename the West Meadow to the Strong Meadow in honor of both David and Hope Strong. A majority showed support and said they look forward to hearing the recommendations from the board for their approval. Commissioner Cooper requested that we also look at renaming a park after Reverend Dawkins. City Manager Knight acknowledged the request to provide information regarding the process by which we name things after people.

Mayor Bradley said he and Vice Mayor Leary have the privilege of throwing out the first pitch at this coming Saturday's baseball game and is looking forward to it.

The meeting adjourned at 5:07 p.m.

ATTEST:

Mayor Kenneth W. Bradley

City Clerk Cynthia S. Bonham, MMC



city commission agenda item

item type	Consent Agenda	meeting date	March 9, 2015
prepared by department division	Purchasing Division	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N/A		final vote

Purchases over \$75,000

	vendor	item background	fiscal impact	motion recommendation
1.	Sternberg Lanterns	PR157270 - Lanterns for Winter Park Racquet Club	Total expenditure included in approved FY15 budget. Amount: \$77,610.01	Commission approve PR157270 to Sternberg Lanterns.

This is a Sole Source vendor.

Piggyback contracts

	vendor	item background	fiscal impact	motion recommendation
2.	Cintas Corporation	Facilities Solutions: Including Rental and Service of Uniforms, Mats, Mops & Towels, & Other Related Products and Solutions RFP #12-JLH-011 US Communities	Total expenditure included in approved FY15 budget.	Commission approve piggyback contract with Cintas Corporation and authorize the Mayor to execute contract.

US Communities utilized a competitive bidding process to award this contract. The current contract is valid through March 31, 2017.

Contracts

	vendor	item background	fiscal impact	motion recommendation
3.	Miller Legg	Amendment 3, RFQ-2-2012 Continuing Contracts for Professional, Architectural & Engineering Services Landscape Architect	Total expenditure included in approved FY15 budget.	Commission approve Amendment No. 3 to Miller Legg and authorize the Mayor to execute renewal.

The City utilized a formal solicitation process to award this contract. The contract term was for a period of one (1) year with a total of four (4) one year renewal options, not to exceed five (5) years in total.



city commission agenda item

item type	Action Item Requiring Discussion	meeting date	March 9, 2015
prepared by	Troy Attaway	approved by	<input checked="" type="checkbox"/> City Manager
department	Public Works		<input type="checkbox"/> City Attorney
division	Administration		<input type="checkbox"/> N/A
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N/A final vote		
strategic objective	<input checked="" type="checkbox"/> Exceptional Quality of Life <input type="checkbox"/> Fiscal Stewardship		
	<input type="checkbox"/> Intelligent Growth & Development <input type="checkbox"/> Public Health & Safety		
	<input checked="" type="checkbox"/> Investment in Public Assets & Infrastructure		

subject

Agreement regarding East Morse Blvd. Parking and Sidewalk Easement

motion | recommendation

Approve Agreement

background

The existing parking and sidewalk located on the southside of Morse Blvd., east of Interlachen Avenue is partially on private property owned by the Cloisters Condominium. The Condominium wishes to memorialize the ownership operation and maintenance responsibilities of the parking and sidewalk. This agreement/easement does not change the current parking or sidewalk use.

alternatives | other considerations

Have no agreement or easement

fiscal impact

Approximately \$1,500 per year for sidewalk and parking area maintenance. Parking area was recently paved and sidewalk is currently in good condition.

**THIS INSTRUMENT PREPARED BY
AND RETURN TO:**

**James Edward Cheek, III
Winderweeddle, Haines, Ward
& Woodman, P.A.
Post Office Box 880
Winter Park, Florida 32790**

**AGREEMENT REGARDING MORSE BOULEVARD
PARKING AND SIDEWALK EASEMENT**

THIS AGREEMENT Regarding Morse Boulevard Parking and Sidewalk Easement is made this ____ day of _____, 2015, by and between CLOISTERS CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation, whose address is 101 S. Interlachen Avenue, Manager's Office, Winter Park, Florida 32789 (the "Association"), and CITY OF WINTER PARK, a Florida municipal corporation, whose address is 401 Park Avenue South, Winter Park, FL 32789 (the "City").

RECITALS

A. Association is the fee simple owner of the common areas associated with that certain condominium development in Winter Park, Florida, generally known as "The Cloisters," located on Interlachen Avenue, generally in the southeastern corner of the intersection of Interlachen Avenue and Morse Boulevard.

B. The common area real property owned by Association which is the subject of this Agreement is more particularly described on Exhibit "A" attached hereto and by reference made a part hereof (the "Property").

C. The Cloisters condominium development was constructed in or about 1971 and has been in existence and operation since that time.

D. Association received fee simple title to the Property by Warranty Deed from the developer of the project in 1975. (See Exhibit "B" hereto.)

E. Since the development of The Cloisters, public parking has existed along the southern edge of Morse Boulevard from approximately its intersection with Interlachen Avenue, on the west, to the termination of Morse Boulevard's paved area falling just short of Lake Osceola, on the east. The parking spaces located in this area along the southern right-of-way of

Morse Boulevard between Interlachen Avenue and Lake Osceola shall be referred to as the "Morse Boulevard Parking Spaces."

F. Association is the record title owner of certain portions of the land which has been used for the Morse Boulevard Parking Spaces, outside and generally to the South of the Morse Boulevard right-of-way. The parking use has been and continues to be made with the consent of Association. The Association property being used for parking purposes is depicted on the survey attached hereto as Exhibit "C" (hereinafter, the "Parking Property").

G. While at one time the parties were uncertain as to the status of the ownership of the Parking Property, they have now determined and agree that the developer of the property conveyed the Parking Property to the Association by warranty deed recorded at O.R. Book 2655, Pages 1106-1107, Official Records of Orange County, Florida.

H. City and Association have a mutual interest in formally addressing the parking use of the Parking Property in a manner which is beneficial to them both.

I. Association constructed and has for a number of years maintained a sidewalk along the northern edge of the Association's property. This sidewalk is depicted on the survey attached hereto as Exhibit "C" and shall hereinafter be referred to as the "Sidewalk Property." The City has used this sidewalk for public purposes and continues to do so.

J. There is no recorded easement or other document allowing the City's sidewalk use of the Sidewalk Property.

NOW, THEREFORE, in consideration of the premises, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree, declare, and state the following:

I. Parking Easement

(1)(a) Association hereby forever grants, bargains, sells, conveys, and declares for the benefit of the City, its guests, invitees, successors and assigns a perpetual non-exclusive easement in and over the Parking Property for the purposes of public parking. The area of the easement is more particularly described on Exhibit "D" attached hereto and made a part hereof (the "Easement Area"); to have and to hold the same unto the City, its successors and assigns forever.

(b) Association's agreement to the terms contained herein is conditioned upon and shall not become effective unless the City through appropriate legal processes designates the lands East of Interlachen Avenue, South of Morse Boulevard, and West of Lake Osceola which are occupied by The Cloisters condominium project (including the properties owned by the Association) as a Special Residential Parking District ("SRPD") under Section 98-71 of the Winter Park City Code, which SPRD entitles property owners and residents of The Cloisters, their designees, and the Association, to apply for and receive special residential parking permits for use of the parking spaces on Morse Boulevard, including, without limitation, those parking spaces made up in whole or in any part of the Parking Property or any portion of the Parking Property, and provides that there shall be no permit fee or charge to Property owners and residents of The Cloisters, their designees, or the Association for such permits, although the City may, if it wishes, require reimbursement for the cost of the permit sticker.

(2) The City shall be responsible for the maintenance and repair of the Parking Property. The City shall have discretion to determine the standard for maintenance, but that standard shall be consistent with and not less than the standard for other similarly situated parking areas in the City. The City shall be responsible for any operating expenses related to the use of the Parking Property, and for any capital improvements of the Parking Property for the parking uses described herein.

(3) The City shall at its own expense provide and maintain in force comprehensive broad form general liability insurance in the amount of no less than \$1,000,000.00, for any liability from property damage or personal injury arising from the parking use of the Parking Property. The policy or policies must cover all parties and must be with one or more insurance companies authorized to transact business in the State of Florida. The amount of insurance required shall be increased as the parties may reasonably agree from time to time to account for inflation, other economic factors, or generally increased insurance settlements or jury verdicts or court judgments.

(4) Association understands and acknowledges that this Agreement does not provide its members with exclusive rights to the Parking Property parking spaces, and that, with the exception of the effect of the Special Parking Residential Area matters discussed above, the Parking Property shall remain public parking. City agrees that the Parking Property will not be used for bus or coach parking, including commercial or tourist bus or coach parking, and that such parking will not be allowed on the Parking Property.

(5) If the City at any time limits the hours of public parking on the Parking Property, such limitation shall not apply to The Cloisters residents who are entitled to apply for and receive special residential parking permits as discussed above.

II. Sidewalk Easement

Association, for and in consideration of the mutual benefits, covenants and conditions herein contained, and in consideration of the sum of Ten and No/100 Dollars (\$10.00) paid by City, the receipt and sufficiency of which are hereby acknowledged, does hereby give and grant unto City and its successors and assigns, a perpetual non-exclusive easement for pedestrian ingress and egress (the "Sidewalk Easement") across, over, on and through the following portion of Grantor's property, more particularly described as follows:

See Exhibit "E" attached hereto and made a part hereof (the "Easement Area");

TO HAVE AND TO HOLD the same unto City, its successors and assigns forever.

The rights herein granted to City by Association specifically include the following: (a) the right for City to clear the Easement Area of trees, limbs, undergrowth and other physical objects which, in the opinion of City, endanger or interfere with the safe and efficient use of the Sidewalk Easement; (b) the right for City to have or otherwise provide for public pedestrian access on and over the Easement Area; and (c) all other rights and privileges reasonably necessary or convenient for the enjoyment and use of said Sidewalk Easement for the purposes described above, including the right to grant access to such persons or entities as City deems necessary or convenient in furtherance of the provisions set forth herein.

Association hereby warrants and covenants (a) that it is the owner of the fee simple title to the premises in which the above-described Easement Area is located; (b) that it has full rights and lawful authority to grant and convey the Sidewalk Easement to City; and (c) that City shall have quiet and peaceful possession, use and enjoyment of this Sidewalk Easement.

All covenants, terms, provisions and conditions herein contained shall inure and extend to and be obligatory upon the successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, Association has hereunto set its hand and seal the day and year first above written.

III. Matters Relating to Future Parking Use

The City recognizes the importance of the Morse Boulevard Parking Spaces to The Cloisters and the Association. In its planning and development of the area, the City agrees to use all reasonable efforts to retain the existing number of parking spaces along the southern right-of-way of Morse Boulevard from its intersection with Interlachen Avenue on the west to the Lake Osceola on the east.

IV. Miscellaneous

1. **Recitals.** All of the foregoing recitals contained in this Agreement are true and correct and are incorporated herein in full as material provisions of this Agreement.

2. **Non Waiver of City's Regulatory Powers.** Nothing contained in this Agreement shall be construed as a waiver of or contract with respect to the regulatory and permitting authority of City as it now or hereafter exists under applicable law, rules and regulations.

3. **Non Waiver of Sovereign Immunity.** Nothing contained in this Agreement or any instrument executed pursuant to the terms of this Agreement shall be construed as a waiver or attempt as a waiver by City of its sovereign immunity under the Constitution in the laws of the State of Florida.

4. **Authority.** The parties each warrant to the other that they have the full power and authority to enter into this Agreement and that there are no unrecorded agreements or other restrictions which may restrict or limit their ability to enter into this Agreement.

5. **Captions.** The captions at the beginning of the several paragraphs within this Agreement are not a part of this Agreement, but are merely labels to assist in locating and reading the respective paragraphs.

6. **Construction.** The fact that a party may be deemed to have drafted or structured any provision hereof shall not be considered in construing the particular provision, either in favor of or against such party.

7. **Counterparts.** This Agreement may be executed in counterparts, each of which will be deemed an original document. This Agreement will not be binding on the parties, until such time as a counterpart of this Agreement has been executed by each party and a copy thereof delivered to the other party to this Agreement.

8. **Effective Date.** The effective date of this Agreement shall be the date that this Agreement has been fully executed by all parties hereto.

9. **Entire Agreement; Amendments:** This Agreement contains the entire agreement of the parties hereto with respect of the subject matter hereof. This Agreement may be amended, supplemented, extended or modified in any respect whatsoever, or rescinded in whole or in part, only by written instrument duly executed and acknowledged by all of the parties hereto or their respective successors and assign and recorded in the Official Records of

Orange County, Florida. Nothing contained in this Agreement shall be interpreted in a manner to waive any rights of enforceability by either party.

10. Force Majeure. In the even the City or the Foundation shall be delayed or hindered in or prevented from the performance of any act required to be performed by such party by reason of Acts of God, strikes, lockouts, unavailability of materials, failure of power, prohibitive governmental laws or regulations, the act or failure to act of the other party, adverse weather conditions preventing the performance of work, war or other reason beyond such party's control, then the time for performance of such act shall be extended for a period equivalent to the period for such delay. Lack of adequate funds or financial inability to perform shall not be deemed to be a cause beyond the control of such party.

11. Governing Law; Venue: This Agreement and the provisions contained herein shall be construed and interpreted in accordance with, and controlled and governed by, the laws of the State of Florida. To the maximum extent permitted by applicable law, any action to enforce, arising out of, or relating in any way to, any of the provisions of this Agreement shall be brought and prosecuted in such court or courts located in Orange County, Florida as is provided by law; and the parties consent to the jurisdiction of said court of courts located in Orange County, Florida.

12. Mortgages. This Agreement shall be superior to any future mortgage encumbering the Property.

13. Notice. Any written notice, demand or request that is required to be made in this Agreement shall be served in person, or by registered or certified mail, return receipt requested, or by express mail or similar reputable overnight courier service, addressed to the party to be served at the address set forth below. The addresses stated herein may be changed as to the applicable party by providing the other party with notice of such address change in the manner provided in this paragraph. In the event that written notice, demand or request is made as provided in this paragraph, then in the even that such notice is returned to the sender by the United States Postal Service or other similar reputable overnight courier service because of insufficient address or because the party has moved or otherwise, other than for insufficient postage, such writing shall be deemed to have been received by the party to whom it was addressed on the date that such writing was initially placed in the United States Postal Service or reputable overnight courier service by the sender. Notices should be mailed as follows:

As to the City:

City of Winter Park
401 Park Avenue South
Winter Park, Florida 32789-4386
Attn: City Manager

As to the Association:

Cloisters Condominium Association, Inc.

Manager's Office
100 S. Interlachen Avenue
Winter Park, Florida 32789

with a copy to:

James Edward Cheek, III
Winderweeple, Haines, Ward &
Woodman, P.A.
P.O. Box 880
Winter Park, Florida 32790-0880

For delivery requiring
a street address:

329 Park Avenue North, 2nd Floor
Winter Park, Florida 32789

14. Remedies. Each party shall have any and all remedies as permitted by law and equity; provided, however, that the parties agree to provide for a positive dialogue and communication if disputes or disagreements arise as to the interpretation or implementation of this Agreement. No third party rights are established by this agreement. Without limitation, no unit owners or others who are not named parties to this Agreement shall have standing to enforce it.

15. Severability. Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be effective and valid, but if any provision hereof or the application thereof to any person or to any property shall be prohibited or held invalid such prohibition or invalidity shall not affect any other provision which may be given effect without the invalid provision or application, and to this end, the provisions of this Agreement are declared to be severable.

16. Sovereign Immunity. The City shall have all defenses and rights of sovereign immunity under Florida law, including those rights provided in s. 768.28, F.S., and nothing in this Agreement may be construed to be a waiver or modification of City's sovereign immunity.

17. Recording. This Agreement shall be recorded in the public records of Orange County, Florida upon its becoming effective as to the Association as provided in Section I(1)(b) above.

CLOISTERS CONDOMINIUM ASSOCIATION, INC.,
a Florida not for profit corporation

By: _____
Martin Starr
As Its: President

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this ____ day of _____, 2015,
by MARTIN STARR, who personally appeared before me and who is personally known to me or
who produced _____ as identification.

NOTARY PUBLIC

My Commission Expires:

Print Name _____

CITY OF WINTER PARK, a Florida
Municipal Corporation

By: _____
Kenneth W. Bradley
As Its: Mayor

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this _____ day of _____,
2015, by KENNETH W. BRADLEY, who personally appeared before me and who is personally
known to me or who produced _____ as identification.

NOTARY PUBLIC

My Commission Expires:

Print Name _____

EXHIBIT "A"

LEGAL DESCRIPTION

(PROPERTY OWNED BY ASSOCIATION)

EXHIBIT "B"

WARRANTY DEEDS FROM DEVELOPER TO ASSOCIATION

EXHIBIT "C"

SURVEY OF AREA

EXHIBIT "D"

LEGAL DESCRIPTION OF PARKING EASEMENTS AREA

EXHIBIT "E"

LEGAL DESCRIPTION OF SIDEWALK EASEMENT AREA

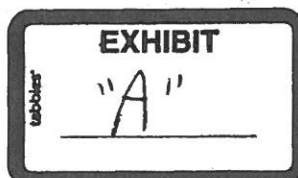
THAT PART OF LOT 514 OF THE "ORIGINAL TOWN OF WINTER PARK",
ACCORDING TO PLAT THEREOF RECORDED IN MISCELLANEOUS BOOK 3,
PAGE 220, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA,
MORE FULLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NW CORNER OF SAID LOT 514, RUN THENCE EAST
ALONG THE NORTH LINE OF SAID LOT 514 A DISTANCE OF 89.82
FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION, RUN
THENCE S, 27°39'42"E A DISTANCE OF 18.46 FEET, RUN THENCE
EAST AND PARALLEL WITH THE NORTH LINE OF SAID LOT 514
A DISTANCE OF 283.46 FEET, RUN THENCE N29°01'32"E A
DISTANCE OF 13.33 FEET, RUN THENCE EAST AND PARALLEL WITH
SAID NORTH LINE A DISTANCE OF 10.04 FEET, RUN THENCE
S28°44'19"E A DISTANCE OF 13.21 FEET, RUN THENCE EAST AND
PARALLEL WITH SAID NORTH LINE A DISTANCE OF 86.54 FEET,
RUN THENCE N67°01'34"E A DISTANCE OF 10.71 FEET, RUN
THENCE N17°06'10"W A DISTANCE OF 12.79 FEET TO THE INTER-
SECTION WITH THE NORTH LINE OF SAID LOT 514, RUN THENCE
WEST ALONG SAID NORTH LINE A DISTANCE OF 407.53 FEET TO
THE POINT OF BEGINNING, ALL PROPERTY LOCATED IN ORANGE
COUNTY, FLORIDA.

RECORDED & RECORD VERIFIED

James B. Smith
County Comptroller, Orange Co., Fla.

ROBERT C. MATTHIAS
ATTORNEY AT LAW
Suite 101
401 South Orange Ave.
Orlando, Florida 32801



937262 ORANGE CO., FL OCT 28 1 40 PM '75

WARRANTY DEED
FROM CORPORATION TO CORPORATION

RAMCO FORM 334
C.R. 2655 PC 1106

This Warranty Deed Made and executed the 6th day of May A.D. 1975 by
AMHERST DEVELOPMENT, INC.

a corporation existing under the laws of FLORIDA, and having its principal place of
business at P.O. BOX 1240, WINTER PARK, FLORIDA
hereinafter called the grantor, to

CLOISTERS CONDOMINIUM ASSOCIATION, INC.

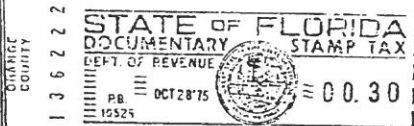
a non-profit corporation existing under the laws of the State of FLORIDA, with its permanent postoffice
address at 100 SOUTH INTERLACHEN AVENUE, WINTER PARK, FLORIDA 32789
hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and
the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

30/51
Witnesseth: That the grantor, for and in consideration of the sum of \$ 10.00 and other
valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell,
alien, remise, release, convey and confirm unto the grantee, all that certain land situate in Orange
County, Florida, viz:

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF.

Subject to easements and restrictions of record, if any,
but reference thereto shall not impose same where none
exist.



Together with all the tenements, hereditaments and appurtenances thereto belonging or in any-
wise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that it is lawfully seized of said land in fee
simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully war-
rants the title to said land and will defend the same against the lawful claims of all persons whomsoever;
and that said land is free of all encumbrances except real estate taxes subsequent
to 1974.

In Witness Whereof

the grantor has caused these presents to
be executed in its name, and its corporate seal to be hereunto affixed, by its
proper officers thereunto duly authorized, the day and year first above written.

ATTEST: *Geraldine J. Flagg*
Secretary

AMHERST DEVELOPMENT, INC.

Signed, sealed and delivered in the presence of:

By *Alan C. Parker*
Alan C. Parker President

As to both parties
STATE OF Florida
COUNTY OF Orange

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments,
personally appeared
ALAN C. PARKER, and GERALDINE J. FLAGG

well known to me to be the President and Asst. Secretary respectively of the corporation named as grantor
in the foregoing deed, and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily
under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 6th day of May, A.D. 1975.

(NOTARIAL SEAL)

Robert C. Matthias
Notary Public, State of Florida
My Commission expires:

This instrument prepared by and return to ROBERT C. MATTHIAS

ATTORNEY AT LAW Notary Public, State of Florida at Large
Suite 616 Bradshaw Building
14 East Washington St.
Orlando, Florida 32801

EXHIBIT

"B"

THAT PART OF LOT 514 OF THE "ORIGINAL TOWN OF WINTER PARK",
ACCORDING TO PLAT THEREOF RECORDED IN MISCELLANEOUS BOOK 3,
PAGE 220, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA,
MORE FULLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NW CORNER OF SAID LOT 514, RUN THENCE EAST
ALONG THE NORTH LINE OF SAID LOT 514 A DISTANCE OF 89.82
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EAST AND PARALLEL WITH THE NORTH LINE OF SAID LOT 514
A DISTANCE OF 283.46 FEET, RUN THENCE N29°01'32"E A
DISTANCE OF 13.33 FEET, RUN THENCE EAST AND PARALLEL WITH
SAID NORTH LINE A DISTANCE OF 10.04 FEET, RUN THENCE
S28°44'19"E A DISTANCE OF 13.21 FEET, RUN THENCE EAST AND
PARALLEL WITH SAID NORTH LINE A DISTANCE OF 86.54 FEET,
RUN THENCE N67°01'34"E A DISTANCE OF 10.71 FEET, RUN
THENCE N17°06'10"W A DISTANCE OF 12.79 FEET TO THE INTER-
SECTION WITH THE NORTH LINE OF SAID LOT 514, RUN THENCE
WEST ALONG SAID NORTH LINE A DISTANCE OF 407.53 FEET TO
THE POINT OF BEGINNING, ALL PROPERTY LOCATED IN ORANGE
COUNTY, FLORIDA.

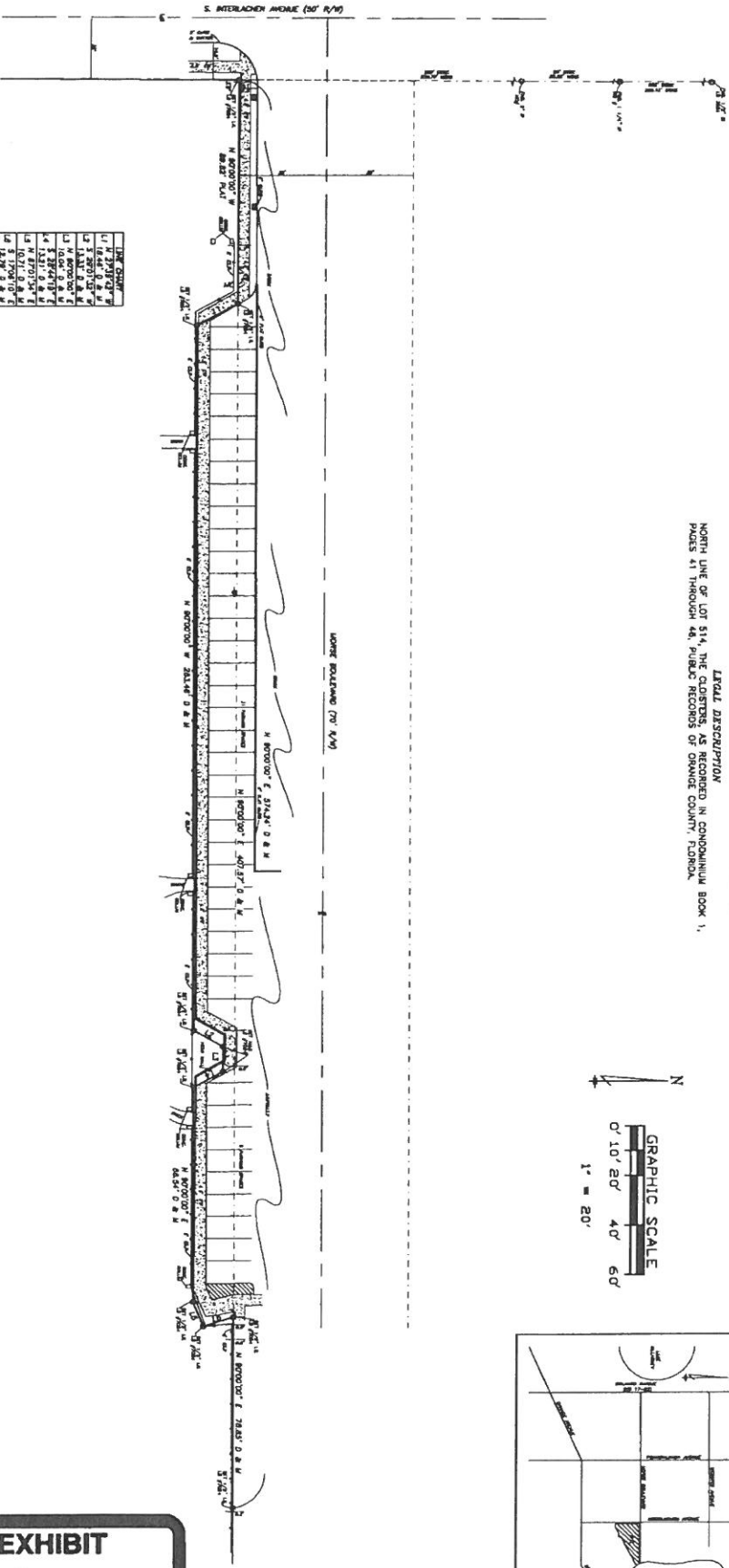
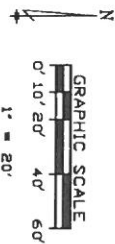
RECORDED & RECORD VERIFIED

James B. Smith
County Comptroller, Orange Co., Fla.

ROBERT C. MATTHIAS
ATTORNEY AT LAW
SUITE 101
401 South Orange Ave.
Orlando, Florida 32801

MAP OF SURVEY

LEGAL DESCRIPTION
NORTH LINE OF LOT 114, THE GARDENS, AS RECORDED IN CONDOMINIUM BOOK 1,
PAGES 41 THROUGH 48, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.



LINE	BEARING	DISTANCE
1	N 89°00'00" E	314.47' 0.00"
2	S 14°14'10" E	107.71' 0.00"
3	N 89°00'00" E	314.47' 0.00"
4	S 14°14'10" E	107.71' 0.00"
5	N 89°00'00" E	314.47' 0.00"
6	S 14°14'10" E	107.71' 0.00"
7	N 89°00'00" E	314.47' 0.00"
8	S 14°14'10" E	107.71' 0.00"
9	N 89°00'00" E	314.47' 0.00"
10	S 14°14'10" E	107.71' 0.00"
11	N 89°00'00" E	314.47' 0.00"
12	S 14°14'10" E	107.71' 0.00"

Land Surveying, Inc.
4618 Curry Ford Rd.
Orlando, FL 32818
PH: 407 886 4687
FAX: 407 877 3776
E-Mail: MaplandSurvey@aol.com
LS 77064

THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING ACT, CHAPTER 349, F.S., AND THE RULES OF THE FLORIDA BOARD OF SURVEYING, CHAPTER 61, F.A.C. THE SURVEY WAS COMPLETED ON 12/17/13.

LEGEND
1. LOT 114, THE GARDENS, AS RECORDED IN CONDOMINIUM BOOK 1, PAGES 41 THROUGH 48, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
2. HOME BOULEVARD (75' R/W)
3. INTERLOCKER MOBILE (20' R/W)
4. LOT 114, THE GARDENS, AS RECORDED IN CONDOMINIUM BOOK 1, PAGES 41 THROUGH 48, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
5. LOT 114, THE GARDENS, AS RECORDED IN CONDOMINIUM BOOK 1, PAGES 41 THROUGH 48, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
6. LOT 114, THE GARDENS, AS RECORDED IN CONDOMINIUM BOOK 1, PAGES 41 THROUGH 48, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
7. LOT 114, THE GARDENS, AS RECORDED IN CONDOMINIUM BOOK 1, PAGES 41 THROUGH 48, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
8. LOT 114, THE GARDENS, AS RECORDED IN CONDOMINIUM BOOK 1, PAGES 41 THROUGH 48, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
9. LOT 114, THE GARDENS, AS RECORDED IN CONDOMINIUM BOOK 1, PAGES 41 THROUGH 48, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
10. LOT 114, THE GARDENS, AS RECORDED IN CONDOMINIUM BOOK 1, PAGES 41 THROUGH 48, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
11. LOT 114, THE GARDENS, AS RECORDED IN CONDOMINIUM BOOK 1, PAGES 41 THROUGH 48, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
12. LOT 114, THE GARDENS, AS RECORDED IN CONDOMINIUM BOOK 1, PAGES 41 THROUGH 48, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

- NOTES:**
1. THIS SURVEY IS BASED ON THE LOT 114 OF LOT 114 OF INTERLOCKER MOBILE.
 2. THE SURVEY IS BASED ON THE LOT 114 OF LOT 114 OF INTERLOCKER MOBILE.
 3. THIS SITE IS IN FLOOD ZONE X, BASED ON FLOOD INSURANCE RATE MAP NO. 15186-0001, CITY OF WINTER PARK, FLORIDA.
 4. ACCORDING TO FLOOD INSURANCE RATE MAP NO. 15186-0001, CITY OF WINTER PARK, FLORIDA, THIS SITE IS IN FLOOD ZONE X, BASED ON FLOOD INSURANCE RATE MAP NO. 15186-0001, CITY OF WINTER PARK, FLORIDA.
 5. DESCRIPTION PROVIDED BY CLIENT.
 6. THERE MAY BE ADDITIONAL EASEMENTS AND/OR EASEMENTS NOT SHOWN ON THIS MAP. THE CLIENT IS ADVISED TO CHECK THE RECORDS OF THIS COUNTY, COUNTY AND CITY RECORDS FOR ANY EASEMENTS OR EASEMENTS NOT SHOWN ON THIS MAP.
 7. A TITLE SEARCH OF THIS MAP, HAS NOT BEEN PERFORMED BY THE SURVEYOR.

BOUNDARY SURVEY CERTIFICATE TO THE PUBLIC
ASSOCIATION: BOUNDARY SURVEYING ASSOCIATION
DATE: 12/17/13
FIELD DATE: DEC. 17, 2014
SCALE: 1" = 20'
PREPARED FOR: CLAYTON CONDOMINIUM ASSOCIATION
LOCATION: 108 X INTERLOCKER MOBILE
WINTER PARK, FL 32789
DRAWN BY: J. J. JONES
CHECKED BY: J. J. JONES
DATE: 12/17/13

EXHIBIT
"C"

SKETCH OF DESCRIPTION

PARKING EASEMENT "A"

COMMENCE AT THE NORTHWEST CORNER OF LOT 514, THE CLOISTERS, AS RECORDED IN CONDOMINIUM BOOK 1, PAGES 41 THROUGH 46, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN N 90°00'00" E ALONG THE SOUTH RIGHT OF WAY LINE OF MORSE BOULEVARD A DISTANCE OF 90.17 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 90°00'00" E ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 290.20 FEET; THENCE S 28°30'58" W A DISTANCE OF 12.60 FEET; THENCE N 89°59'59" W A DISTANCE OF 277.74 FEET; THENCE N 30°10'25" W A DISTANCE OF 12.81 FEET TO THE POINT OF BEGINNING.

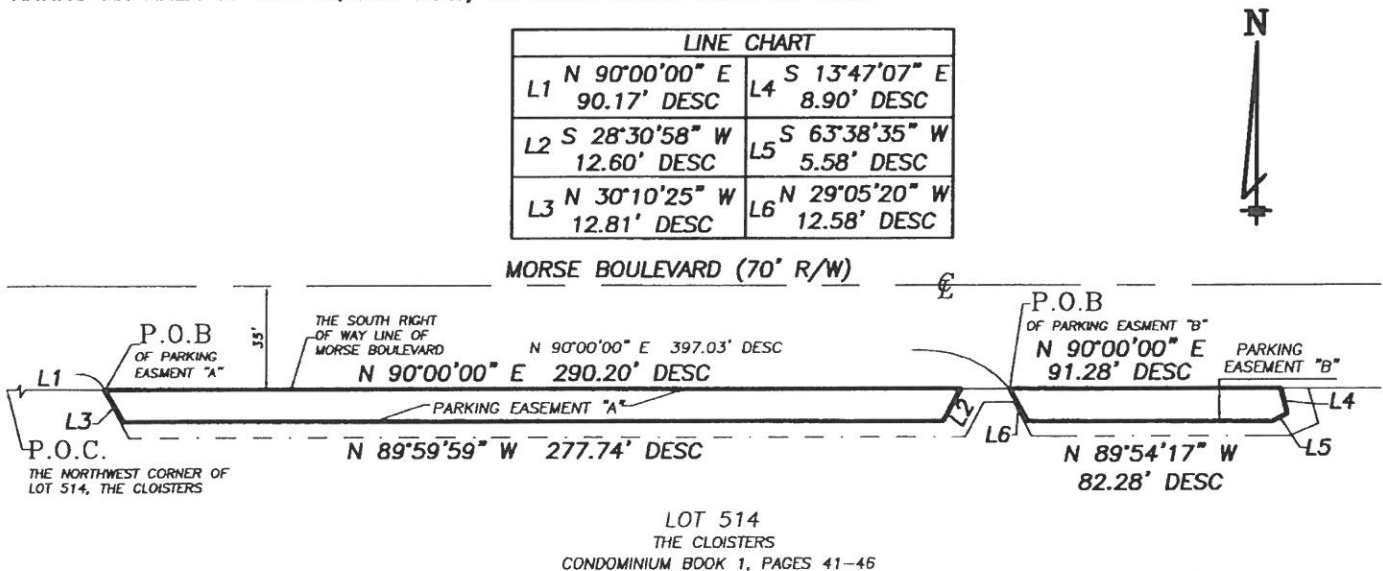
HAVING AN AREA OF 3,144 SQUARE FEET, OR 0.072 ACRES MORE OR LESS.

TOGETHER WITH

PARKING EASEMENT "B"

COMMENCE AT THE NORTHWEST CORNER OF LOT 514, THE CLOISTERS, AS RECORDED IN CONDOMINIUM BOOK 1, PAGES 41 THROUGH 46, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN N 90°00'00" E ALONG THE SOUTH RIGHT OF WAY LINE OF MORSE BOULEVARD 397.03 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 90°00'00" E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 91.28 FEET; THENCE S 13°47'07" E A DISTANCE OF 8.90 FEET; THENCE S 63°38'35" W A DISTANCE OF 5.58 FEET; THENCE N 89°54'17" W A DISTANCE OF 82.28 FEET; THENCE N 29°05'20" W A DISTANCE OF 12.58 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 984 SQUARE FEET, OR 0.023 ACRES MORE OR LESS.



DF#OC1-41-CONDO

SKETCH OF DESCRIPTION, THIS IS NOT A BOUNDARY SURVEY.

LEGEND

BC - BACK OF CURB	CBW - CONCRETE BLOCK WALL
CALC - CALCULATED	CM - CONCRETE MONUMENT
CL - CENTERLINE	COVD - COVERED
CLF - CHAIN LINK FENCE	CW - CONCRETE WALKWAY
CONC - CONCRETE	DE - DRAINAGE EASEMENT
CP - CONCRETE PAD	ESMT - EASEMENT
A - CENTRAL ANGLE	FFE - FINISHED FLOOR ELEVATION
DESC - DESCRIPTION	IP - IRON PIPE
DW - DRIVEWAY	L - ARC LENGTH
E/P - EDGE OF PAVEMENT	MS - METAL SHED
FND - FOUND	OL - ON LINE
IR - IRON ROD	P&M - PLAT & MEASURED
MEAS - MEASURED	POB - POINT OF BEGINNING
N&D - NAIL & DISK	POC - POINT OF COMMENCEMENT
PC - POINT OF CURVATURE	R/W - RIGHT OF WAY
R - RADIUS	UB - UTILITY BOX
TYP - TYPICAL	WF - WOOD FENCE
UE - UTILITY EASEMENT	# - NUMBER
LB - LICENSE BUSINESS	

REVISIONS:

DATE: JAN. 7, 2015

SCALE: 1" = 60'

DRAWN BY: A. R.

M.A.P. Land Surveying, Inc.



4515 Curry Ford Rd.
Suite C
Orlando FL 32812
PH. 407 896 4557
FAX 407 277 3778

E-Mail
Maplandsurvey@cfl.rr.com

LB #7084

THIS BEARING STRUCTURE BASED ON: THE SOUTH
RIGHT OF WAY LINE OF MORSE BOULEVARD

Andrew Perry, P.S.M.
Professional Surveyor & Mapper #6124
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
SEAL OF THIS FLORIDA LICENSED SURVEYOR AND MAPPER.

EXHIBIT

"D"

SKETCH OF DESCRIPTION

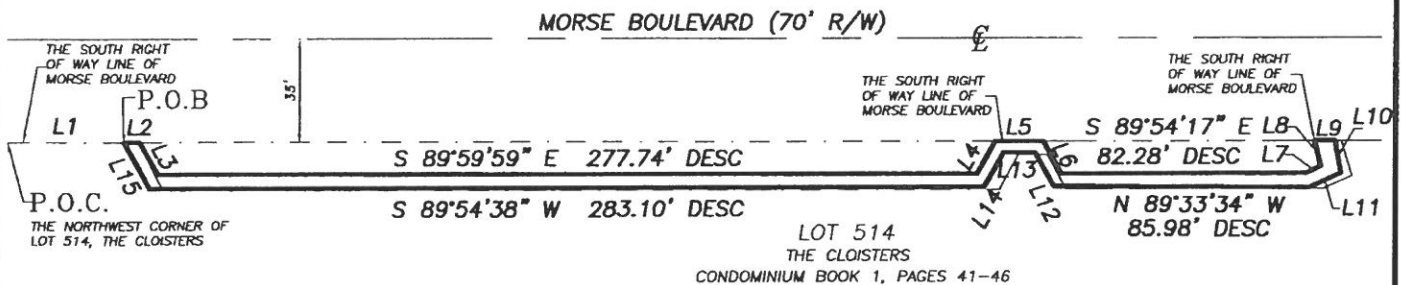
SIDEWALK EASEMENT

COMMENCE AT THE NORTHWEST CORNER OF LOT 514, THE CLOISTERS, AS RECORDED IN CONDOMINIUM BOOK 1, PAGES 41 THROUGH 46, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN N 90°00'00" E ALONG THE SOUTH RIGHT OF WAY LINE OF MORSE BOULEVARD A DISTANCE OF 84.84 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 90°00'00" E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 5.33 FEET; THENCE S 30°10'25" E A DISTANCE OF 12.81 FEET; THENCE S 89°59'59" E A DISTANCE OF 277.74 FEET; THENCE N 28°30'58" E A DISTANCE OF 12.60 FEET TO SAID SOUTH RIGHT OF WAY LINE; THENCE N 90°00'00" E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 16.66 FEET; THENCE S 29°05'20" E A DISTANCE OF 12.58 FEET; THENCE S 89°54'17" E A DISTANCE OF 82.28 FEET; THENCE N 63°38'35" E A DISTANCE OF 5.58 FEET; THENCE N 13°47'07" W A DISTANCE OF 8.90 FEET TO SAID SOUTH RIGHT OF WAY LINE; THENCE N 90°00'00" E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 7.00 FEET; THENCE S 09°47'25" E A DISTANCE OF 11.13 FEET; THENCE S 64°54'23" W A DISTANCE OF 11.68 FEET; THENCE N 89°33'34" W A DISTANCE OF 85.98 FEET; THENCE N 29°17'40" W A DISTANCE OF 13.20 FEET; THENCE N 89°52'39" W A DISTANCE OF 10.85 FEET; THENCE S 29°15'59" W A DISTANCE OF 13.36 FEET; THENCE S 89°54'38" W A DISTANCE OF 283.10 FEET; THENCE N 29°16'25" W A DISTANCE OF 18.14 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 1,998 SQUARE FEET, OR 0.046 ACRES MORE OR LESS.



LINE CHART		
L1 N 90°00'00" E 84.84' DESC	L6 S 29°05'20" E 12.58' DESC	L11 S 64°54'23" W 11.68' DESC
L2 N 90°00'00" E 5.33' DESC	L7 N 63°38'35" E 5.58' DESC	L12 N 29°17'40" W 13.20' DESC
L3 S 30°10'25" E 12.81' DESC	L8 N 13°47'07" W 8.90' DESC	L13 N 89°52'39" W 10.85' DESC
L4 N 28°30'58" E 12.60' DESC	L9 N 90°00'00" E 7.00' DESC	L14 S 29°15'59" W 13.36' DESC
L5 N 90°00'00" E 16.66' DESC	L10 S 09°47'25" E 11.13' DESC	L15 N 29°16'25" W 18.14' DESC



DF#OC1-41-CONDO

SKETCH OF DESCRIPTION, THIS IS NOT A BOUNDARY SURVEY.

LEGEND	
BC - BACK OF CURB	CBW - CONCRETE BLOCK WALL
CALC - CALCULATED	CM - CONCRETE MONUMENT
C - CENTERLINE	COVD - COVERED
CLF - CHAIN LINK FENCE	CW - CONCRETE WALKWAY
CONC - CONCRETE	DE - DRAINAGE EASEMENT
CP - CONCRETE PAD	ESMT - EASEMENT
Δ - CENTRAL ANGLE	FFE - FINISHED FLOOR ELEVATION
DESC - DESCRIPTION	IP - IRON PIPE
DW - DRIVEWAY	L - ARC LENGTH
E/P - EDGE OF PAVEMENT	MS - METAL SHED
FND - FOUND	OL - ON LINE
IR - IRON ROD	P&M - PLAT & MEASURED
MEAS - MEASURED	POB - POINT OF BEGINNING
N&D - NAIL & DISK	POC - POINT OF COMMENCEMENT
PC - POINT OF CURVATURE	R/W - RIGHT OF WAY
R - RADIUS	UB - UTILITY BOX
TYP - TYPICAL	WF - WOOD FENCE
UE - UTILITY EASEMENT	# - NUMBER
LB - LICENSE BUSINESS	

REVISIONS:

DATE: JAN. 7, 2015

SCALE: 1" = 60'

DRAWN BY: A. R.

M.A.P.
Land Surveying, Inc.



4515 Curry Ford Rd.
Suite C
Orlando Fl. 32812
PH. 407 896 4557
FAX 407 277 3778

E-Mail: Maplandsurvey@cfl.rr.com

LB #7084

THIS BEARING STRUCTURE BASED ON: THE SOUTH RIGHT OF WAY LINE OF MORSE BOULEVARD

Andrew Perry, P.S.M.

Professional Surveyor & Mapper #6124

"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THIS FLORIDA LICENSED SURVEYOR AND MAPPER."

EXHIBIT

"E"



city commission public hearing

item type	Public Hearing	meeting date	March 9, 2015
prepared by department division	Jeff Briggs Planning Department	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	Planning and Zoning Board	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	7-0 final vote

Subject: Second Public Hearing - Amendment to Conditional Use for Modifications to the Multi-Family Project at 125 S. Interlachen Avenue.

The recent Ordinance change for supermajority votes established that Conditional Uses for three story buildings within the Central Business District require two public hearings. This is the second public hearing for the Conditional Use request by the new owners of the Ye Olde Bric condo property at 125 S. Interlachen Avenue is to amend the previously approved conditional use plans to allow for modifications to the multi-family project originally approved in 2006 and modified in 2013. It remains six units but is now three stories (versus four stories) and 20,542 square feet of building area with parking in the basement level below the building. See plans attached.

Summary:

On September 25, 2006 the City Commission by a 4-1 vote approved a Conditional Use, for a six unit, four story, 23,500 square foot condominium project to replace the existing Ye Ole Brick condo building at 125 S. Interlachen Avenue. That project to be developed by Robert Vega required a Conditional Use approval for buildings over 10,000 sq. ft. and this specific project included exceptions that were approved for additional building lot coverage (50% vs. 40%) and additional height (four stories – 45 feet vs. three stories – 35 feet).

The property is zoned R-4; but with less than 20,000 square feet of land area (15,250 sq. ft.) the Code requirements state that the building must conform to the R-3 development standards. The City Commission compromised in the original 2006 approval between the R-3 and R-4 standards. Six units are the permitted R-3 residential density. The 50% building lot coverage was less than the 55% permitted in R-4 but more than the 40% allowed in R-3. The building height of four stories and 45 feet was less than the five stories and 55 feet allowed in R-4 but more than the three stories and 35 feet of R-3.

That original Conditional Use approval was valid for two years. On October 14, 2008 the City Commission granted to the original developer, Mr. Robert Vega, an extension to that original Conditional Use approval for another two years. That conditional use approval was to expire on October 14, 2010. However, in the interim, Mr. James Moye recovered the property (in lieu of foreclosure) and obtained another two year extension of the Conditional Use approval on August 23, 2010. That approval was to expire on October 14, 2012 however, the City Commission granted an additional extension until October 14, 2014. Mr. Moye again requested a further extension in August 2014 and based on the State Law and advice from the city

attorney, this was granted administratively. That legal opinion and letter are attached. Thus, the project still maintains the entitlements and code exceptions that were approved in 2006 for Robert Vega and renewed/amended in 2013 for Phil Keen.

Now there is a new owner of the property, Winter Park Real Estate Advisors, Inc. which closed on the property on November 25, 2014. They are ready to proceed with the project. However, there are certain changes which are deemed by staff to be "significant changes" that require a subsequent review and recommendation from the Planning Board and approval by the City Commission. Those include "when there is a change in the architectural style of the building" which was the case before with the architectural design proposed by Phil Keen and is also the case now with this new design. Thus, this subsequent approval is required under our Code due to the architectural modifications and due to some design changes and a minor setback exception desired.

Current Project Plan Request: The project parameters retain some of the "compromises" from the original approval in 2006 and subsequent approval in 2013 between the R-3 and R-4 districts and in some cases they are further reduced. The project remains six units which is the R-3 residential density. The building footprint or building lot coverage has been reduced to 43.1% from the 50% allowable from the 2006/2013 approval which is slightly more than the 40% lot coverage allowed in R-3 and less than the 55% lot coverage allowed in R-4. The square footage of the project has also been reduced from the 23,500 square feet approved in 2006 and 2013 to the current size of 20,369 square feet. There also is a corresponding decrease in floor area ratio from the 154% permitted in 2006/2013 to the current 133%. Again this is a compromise between the R-3 maximum FAR of 110% and the R-4 maximum FAR of 200%.

One of the new design features is the approach to the underground or basement parking level. Experience with The Residences and Villa Sienna on Interlachen Avenue has shown that the ramp down to the basement parking level within the 25 foot front setback is excessively steep. So this design raises the basement level to be two feet above grade with the balance below grade that then reduces the slope down the ramp to the basement. The physical dimensions of the underground or basement parking level have also been expanded outward which provides much easier turning radius for cars inside the basement and also provides room for visitor parking spaces. This increase in height of the basement then forms a two foot high patio level outside the first floor of the residential units. At two feet or less in height, these are patios/decks and not a "building" and thus can extend into the setback areas. With a two foot tall patio and a four foot tall privacy wall around the patio, it is not different than a six foot tall wall that would be allowed in the setback area or on the property line.

Another major change is that the project has been reduced to three stories from the four stories approved in 2006/2013. The heights approved in 2006/2013 were 45 feet to the top of the roof, another 3 feet above (48 feet) for rooftop parapet walls and 10 feet above 45 feet for the elevator tower (55 feet). This three story building is 35.5 feet to the roof top. Then there are parapet walls of varying heights for architectural interest another 5.5 to 9.5 feet in height for a total visual height of 41-45 feet) vs. the previous 48 feet of visible height. Back within the rooftop are the elevator/stair tower elements for each units that are 13.5 feet of added height (49 feet). The plans also contemplate a covered trellis area on the rooftop. The height of the trellis shelter roof is 45 feet high which is consistent with the original 2006/2013 approvals.

There is a new setback exception that is requested for the ornamental turret elements on the sides and the front of the building. The Code would allow these architectural extensions up to

18 inches into the setbacks if they are no longer than 8 feet wide. Because of the curved nature of these turrets they are 10 feet wide. On the sides of the buildings this two feet is insignificant and adds to the architectural appeal. On the front of the building, the designer was sensitive to that street view. Thus the materials provided include perspective elevations both with and without those architectural elements on the front of the building. From the staff's perspective, the appearance is enhanced with these design elements.

Other Considerations: This project is intended to be developed not as a condominium but as fee simple townhouses pursuant to a replat provided that the fire separation Building Code challenges can be accomplished. To the extent that any "subdivision approval" is required, then this process provides that agreement subject to meeting the applicable Building Code requirements. This fee simple/replat marketing approach is what was approved by the City and was done for the 400 Swoope townhouse project and also will be done for Morse/Virginia brownstone project.

Experience has taught us that special attention needs to be paid to the placement of the electric transformers and back flow preventers. It is not a significant issue with the green electric transformer or switch gear boxes but the appearance of the backflow preventers next to the sidewalk quickly diminishes the visual appeal of the development. While one can accept that in commercial locations, it is not acceptable on Interlachen Avenue. There are conditions recommended to address these circumstances.

Planning and Zoning Board Recommendation:

Motion made by Mr. Gottfried, seconded by Mr. Weldon to approve the request to amend the conditional use approval previously granted to the property at 125 S. Interlachen Avenue to allow for modifications to the approved multi-family project together with the conditions recommended by staff as follows:

- 1. The exterior patio walls shall be screened by landscaping and any other proposed walls within setback areas shall be no higher than three feet in height.**
- 2. The electric transformer/switch gear and backflow preventers shall be located adjacent to the building so they can and shall be effectively screened by landscaping.**

Motion carried unanimously with a 6-0 vote.



**CITY OF WINTER PARK
Planning & Zoning Board**

**Regular Meeting
City Hall, Commission Chambers**

**February 3, 2015
6:00 p.m.**

MINUTES

Chairman James Johnston called the meeting to order at 6:00 p.m. in the Commission Chambers of City Hall. Present: James Johnston, Chairman, Peter Gottfried, Vice-Chairman, Shelia De Ciccio, Ross Johnston, Robert Hahn, and Peter Weldon. Absent: Tom Sacha and Randall Slocum. Staff: Planning Manager, Jeff Briggs, and Recording Secretary Lisa Smith.

Approval of minutes – January 6, 2015

Motion made by Mr. Gottfried, seconded by Mr. Weldon to approve the January 6, 2015, meeting minutes. Motion carried unanimously with a 6-0 vote.

REQUEST OF WINTER PARK REAL ESTATE ADVISORS, INC. TO: AMEND THE CONDITIONAL USE APPROVAL PREVIOUSLY GRANTED TO THE PROPERTY AT 125 S. INTERLACHEN AVENUE TO ALLOW FOR MODIFICATIONS TO THE APPROVED MULTI-FAMILY PROJECT TO BE COMPOSED OF SIX UNITS, THREE STORIES AND 20,542 SQUARE FEET OF RESIDENTIAL LIVING AREA.

Planning Manager Jeffrey Briggs presented the staff report and explained that new owners of the Ye Olde Bric Condo property located at 125 South Interlachen Avenue are requesting to amend the previously approved conditional use to allow for modifications to the multi-family project. He said that the project was first approved in 2006 and modified in 2013. Mr. Briggs discussed the history of the subject property in detail. He reviewed the plans that are currently proposed. He noted that the project parameters retain some of the “compromises” from the original approval in 2006 and subsequent approval in 2013 between the R-3 and R-4 districts and in some cases they are further reduced. The project remains six units which is the R-3 residential density. The building footprint or building lot coverage has been reduced to 43.1% from the 50% allowable from the 2006/2013 approval which is slightly more than the 40% lot coverage allowed in R-3 and less than the 55% lot coverage allowed in R-4. The square footage of the project has also been reduced from the 23,500 square feet approved in 2006 and 2013 to the current size of 20,369 square feet. There also is a corresponding decrease in floor area ratio from the 154% permitted in 2006/2013 to the current 133%. Again this is a compromise between the R-3 maximum FAR of 110% and the R-4 maximum FAR of 200%. He also reviewed the issues of parking, setbacks, and height.

He explained that other issues to consider are that this project is intended to be developed not as a condominiums but as fee simple townhouses pursuant to a replat provided that the fire separation Building Code challenges can be accomplished. To the extent that any “subdivision approval” is required, then this process provides that agreement subject to meeting the applicable Building Code requirements. This fee simple/replat marketing approach is what was approved by the City and was done for the 400 Swoope townhouse project and also will be done for Morse/Virginia brownstone project.

Mr. Briggs noted that special attention needs to be paid to the placement of the electric transformers and back flow preventers. It is not a significant issue with the green electric transformer or switch gear boxes but the appearance of the backflow preventers next to the sidewalk quickly diminishes the visual appeal of the development. While one can accept that in commercial locations, it is not acceptable on Interlachen Avenue. There are conditions recommended to address these circumstances. Staff recommended approval of the request subject to the following conditions:

1. The exterior patio walls shall be screened by landscaping and any other proposed walls within setback areas shall be no higher than three feet in height.
2. The electric transformer/switch gear and backflow preventers shall be located adjacent to the building so they can and shall be effectively screened by landscaping.

Mr. Briggs responded to Board member questions and concerns.

Bill Platts, Slocum Platts Architects, 670 North Orlando Avenue, represented the applicant. He agreed with the staff report and conditions as presented by Mr. Briggs. He responded to Board member questions and concerns.

Jeff Bein, 147 Interlachen Avenue, gave his concerns regarding the landscape buffer, setbacks and parking for the project, as an adjacent neighbor.

Michael Gekos, 147 Interlachen Avenue, asked the status of a soil analysis. The applicant responded that the soil test has been completed and there are no issues with regard to sink holes opening up.

Gerri Ribacki, spoke on behalf of her mother that lives in a unit on the corner of Morse Boulevard and Interlachen Avenue. She requested clarification as to the location of ingress/egress for the parking garage and was please that there would not be a driveway adjacent to their building.

No one else wished to speak concerning this request. Public Hearing closed.

Mr. Weldon expressed support for the project and noted that the project has vested rights and is being reduced in scale from the previous approvals. Mr. Gottfried agreed and noted that many of the modifications were improvements from the previous approvals. A question was raised on the continuation of the conditional use by the State Legislation and Mr. Briggs and Mr. Johnston responded. Discussion ensued about the setbacks for the basement garage, the first floor patios and the height of their privacy walls and the landscaping required per the condition offered by staff. It was confirmed that the elevation with the bay window/turrets on the Interlachen frontage were the plans being approved. Discussion by other Board members expressed support for the applications and modifications.

Motion made by Mr. Gottfried, seconded by Mr. Weldon to approve the request to amend the conditional use approval previously granted to the property at 125 S. Interlachen Avenue to allow for modifications to the approved multi-family project to be composed of six units, three stories and 20,542 square feet of residential living area with parking in the basement level below the project. In addition to the following conditions:

3. The exterior patio walls shall be screened by landscaping and any other proposed walls within setback areas shall be no higher than three feet in height.
4. The electric transformer/switch gear and backflow preventers shall be located adjacent to the building so they can and shall be effectively screened by landscaping.

Motion carried unanimously with a 6-0 vote.



**CITY OF WINTER PARK
Planning & Zoning Board**

**Regular Meeting
City Hall, Commission Chambers**

**February 3, 2015
6:00 p.m.**

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Planning Manager Jeffrey Briggs presented the staff report and explained that new owners of the Ye Olde Bric Condo property located at 125 South Interlachen Avenue are requesting to amend the previously approved conditional use to allow for modifications to the multi-family project. He said that the project was first approved in 2006 and modified in 2013. Mr. Briggs discussed the history of the subject property in detail. He reviewed the plans that are currently proposed. He noted that the project parameters retain some of the "compromises" from the original approval in 2006 and subsequent approval in 2013 between the R-3 and R-4 districts and in some cases they are further reduced. The project remains six units which is the R-3 residential density. The building footprint or building lot coverage has been reduced to 43.1% from the 50% allowable from the 2006/2013 approval which is slightly more than the 40% lot coverage allowed in R-3 and less than the 55% lot coverage allowed in R-4. The square footage of the project has also been reduced from the 23,500 square feet approved in 2006 and 2013 to the current size of 20,369 square feet. There also is a corresponding decrease in floor area ratio from the 154% permitted in 2006/2013 to the current 133%. Again this is a compromise between the R-3 maximum FAR of 110% and the R-4 maximum FAR of 200%. He also reviewed the issues of parking, setbacks, and height.

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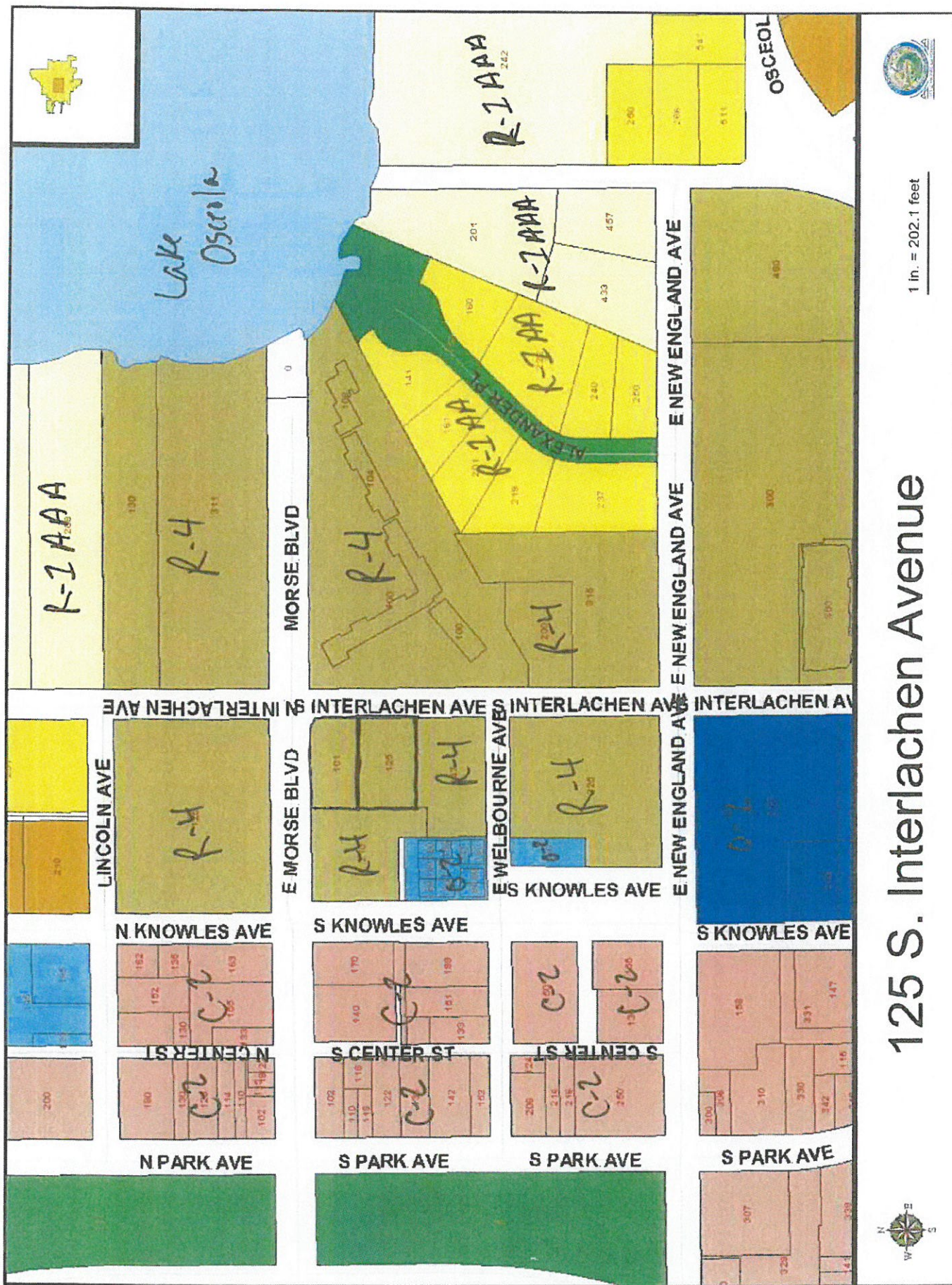
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Motion carried unanimously with a 6-0 vote.



125 S. Interlachen Avenue

1 in. = 202.1 feet









August 28, 2014

Mr. James E. Moye
Moye, O'Brien, Pickert & Dillon, LLP
800 South Orlando Avenue
Maitland, Florida 32751

RE: Extension Request for 125 S. Interlachen Avenue

Dear Mr. Moye:

As the Planning and Community Development Director, I am authorizing an administrative extension of the valid conditional use permit for property located at 125 Interlachen Avenue in Winter Park, Florida for a period of two years pursuant to the Laws of Florida 2014-218, Section 46. This application will now expire on August 29, 2016.

I have also requested a refund of the fees from your most recent extension request under the city's public hearing process. We will send you the refund by mail when it is processed.

I appreciate your patience in this matter. If you have any further questions, please contact me at (407) 599-3665.

Sincerely,

Dori Stone, AICP
Planning and Community Development Director

Cc: George Wiggins, Building Official
Jeff Briggs, Planning Manager

CITY OF WINTER PARK

401 South Park Avenue

Winter Park, Florida

32789-4386

PLANNING DEPARTMENT

P 407.599.3290

F 407.599.3449



BROWN, GARGANESE, WEISS & D'AGRESTA, P.A.

Attorneys at Law

111 N. Orange Ave., Suite 2000
P.O. Box 2873
Orlando, Florida 32802-2873
Phone (407) 425-9566
Fax (407) 425-9596

L. Robin McKinney

rmckinney@orlandolaw.net

August 20, 2014

Dori Stone, Director
Planning & Community Development
City of Winter Park
401 Park Avenue South
Winter Park, FL 32789

RECEIVED
AUG 27 2014
CITY OF WINTER PARK
PLANNING DEPARTMENT

Re: Conditional Use Extensions - SunTrust and Interlachen

Dear Dori:

This letter will serve as our response to your request for a legal opinion regarding whether two applicants, SunTrust and Interlachen, who have applied for extensions of their conditional use permits, are entitled to such extensions, pursuant statutory provisions granting extensions of local government development orders. In our opinion, the applicants are entitled to extensions pursuant to the statutory provisions, as they have met the requirements of the statutes and have not exceeded the four year cap on extensions.

The statutory extensions of development orders date back to Senate Bill 360, enacted in 2009, when the Legislature determined that, due to real estate market conditions, it would mandate extensions of local government development orders. This provision was renewed in SB 1752, codified at Laws of Florida 2010-147, and HB 7207, codified at Laws of Florida 2011-139. For the last three years those extensions have been renewed, and the Legislature required that requests for extension be made in writing by the dates specified in the statute. The total number of years for the extension of any one development order is four years.

The City Code of Winter Park contains a procedure for the extension of a conditional use permit that is distinct from the automatic extensions granted by statute. Section 58-90(d)(2) provides that the City Commission may grant an extension of a conditional use permit at its discretion. In order to determine whether the two applicants for conditional use permit extensions should be granted such extensions by staff instead of City Commission, it is necessary to analyze whether their prior extensions were granted pursuant to City Code or statute.

The SunTrust bank branch received the following approvals:

August 2010 – final conditional use approval for 2 yrs.

August 27, 2012 – extension for 1 year by City Commission until August 27, 2013

May 13, 2013 – additional one year extension until August 27, 2014

SunTrust is now requesting an additional one year extension. This applicant qualifies for an extension under the statute because the conditional use permit is a development order with an expiration date between January 1, 2014 and January 1, 2016. The owner may request and be administratively granted the extension pursuant to Laws of Florida 2014-218, Section 46, as the request is in writing and "identifies the specific authorization for which the holder intends to use the extension and the anticipated timeframe for acting on the authorization."

The Interlachen property received the following approvals:

Sept. 25, 2006 – City Commission approved conditional use for the over 10,000 sq. ft and 4 stories

Oct. 14, 2008 – City Commission grants extension of 2 years to developer Mr. Vega

**Mr. Moye recovers property in lieu of foreclosure

August 23, 2010 – City Commission grants Mr. Moye 2 yr extension

May 13, 2012 – City Commission grants 2 yr extension until October 14, 2014


Mr. Moye is now requesting an extension to October 14, 2016. The first extension was granted in 2008, which was before the statutory extensions were enacted. Arguably, he was entitled to the extension in 2010, provided that he complied with the following from 2010-147:

- (3) The holder of a valid permit or other authorization that is eligible for the 2-year extension must notify the authorizing agency in writing by December 31, 2010, identifying the specific authorization for which the holder intends to use the extension and the anticipated timeframe for acting on the authorization.

The evidence on record, however, does not indicate that the prior extensions were granted pursuant to the statutory provisions. If those earlier two approvals had been granted pursuant to the statutory provisions, then arguably this property would have reached the 4 year cap. The owners paid an application fee on each occasion and went through the public hearing process for approval. Given that there is no fee requirement for the statutory approval, nor any required public hearing process, it is our opinion that the past extensions were granted pursuant to the City Code, rather than by statute. Accordingly, Mr. Moye is entitled to the statutory extension, to be granted administratively. You may wish to ask the applicants to provide revised request letters specifically stating that the requests are made pursuant to the extension provisions of Laws of Florida 2014-218.

Please advise if we can provide you with any further assistance relating to this matter.

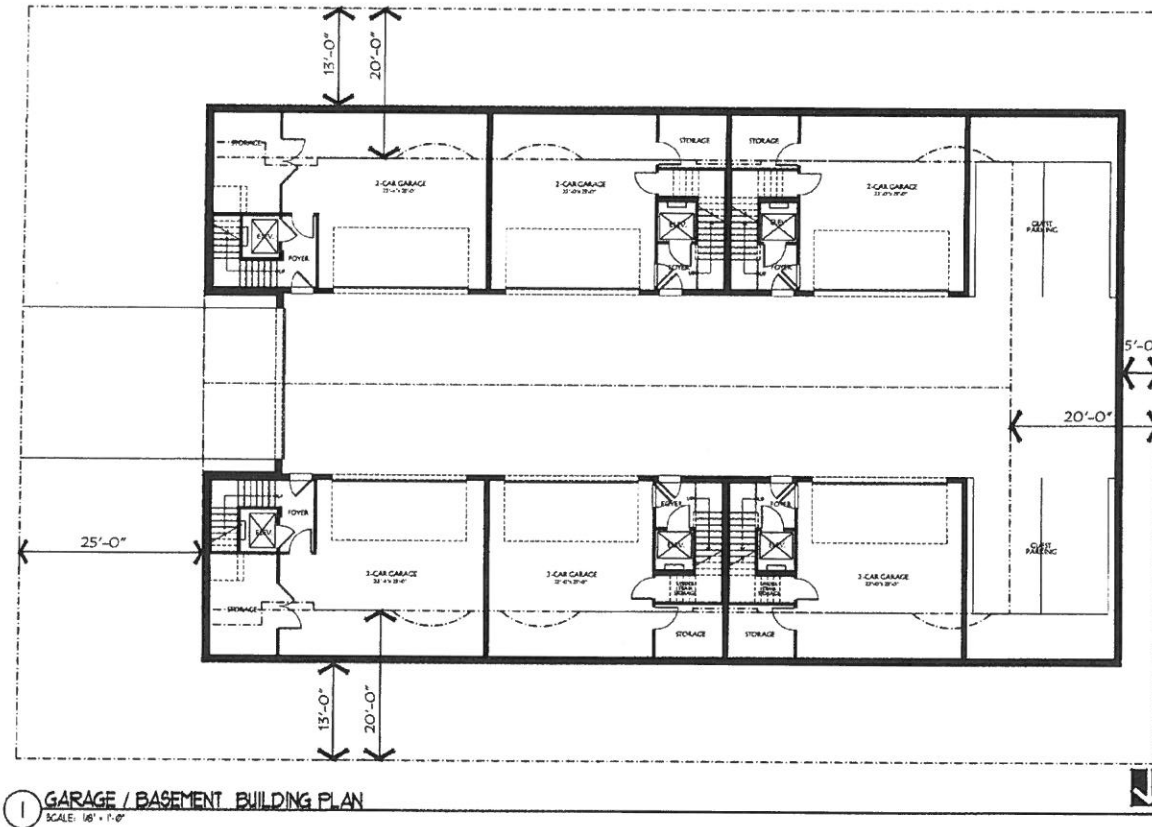
Sincerely,



L. Robin McKinney

LRM/nh

cc: Usher L. Brown, Esq.



REVISIONS

SLOCUM PLATTS
ARCHITECTS, P.A.

RAHWALL J. SLOCUM JR. 13288 WILLIAM P. PLATTS AVE 13242
178 NORTH GARDEN AVENUE SUITE 1001 HAITLAND, FL 32751
TEL: 407/946-3011 FAX: 407/946-3071
WWW.SLOCUMPLATTS.COM

TOWNHOME UNIT DATA

SOUTH INTERLACHEN PLACE

WINTER PARK, FLORIDA

WILLIAM P. PLATTS, ARCHITECT

DRAWN	CAD
CHECKED	
DATE	01-09-2005
SCALE	AS NOTED
JOB NO.	M-300X
SHEET	A1.1

REVISIONS

SLOCUM PLATT
ARCHITECTS, P.A.
1100 W. 15TH AVENUE, SUITE 100
DENVER, CO 80202
TEL: (303) 733-1111 FAX: (303) 733-1112
WWW.SLOCUMPLATT.COM



RAY PROJECTIONS
APPROVED BAY
PROPOSED BAY A
PROPOSED BAY B

TOWNHOME BUILDING PLANS
SOUTH INTERLACHEN PLACE
WINTER PARK, FLORIDA

DRAWN: CAD
CHECKED: LPP
DATE: 01-19-2016
SCALE: AS NOTED
JOB NO: 14-XXXX
SHEET

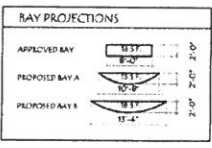
A1.2

REQUIREMENTS	
ZONING:	R-4 (CENTRAL BUSINESS DISTRICT)
MAX. BUILDING HEIGHT:	45' (FROM GRADE)
MAX. FLOOR AREA RATIO:	200%
MAX. STORIES:	3
MAX. IMPERVIOUS COVERAGE:	50%
BUILDING FOOTPRINT:	15%
TOTAL COVERAGE:	75%
BETBACKS:	75%
FRONT:	10'
REAR:	10'
SIDES:	10'

AREA CALCULATIONS	
SITE AREA	5,750 SF.
MAX. BLDG. FOOTPRINT ALLOWED (30%)	1,725 SF.
MAX. BLDG. FOOTPRINT PROVIDED (43.1%)	6,583 SF.
TOTAL COVERAGE ALLOWED (75%)	11,438 SF.
TOTAL COVERAGE PROVIDED (133.1%)	11,212 SF.
MAX. BLDG. FLR. AREA RATIO ALLOWED (200%)	30,500 SF.
MAX. BLDG. FLR. AREA RATIO PROVIDED (133.1%)	20,369 SF.

HVAC AREA	
GARAGE LEVEL (BASEMENT)	(1596 SF.)
1ST FLOOR:	6,583 SF.
2ND FLOOR:	6,383 SF.
3RD FLOOR:	6,383 SF.
ROOF TOP:	1,020 SF.
TOTAL HVAC:	20,369 SF.

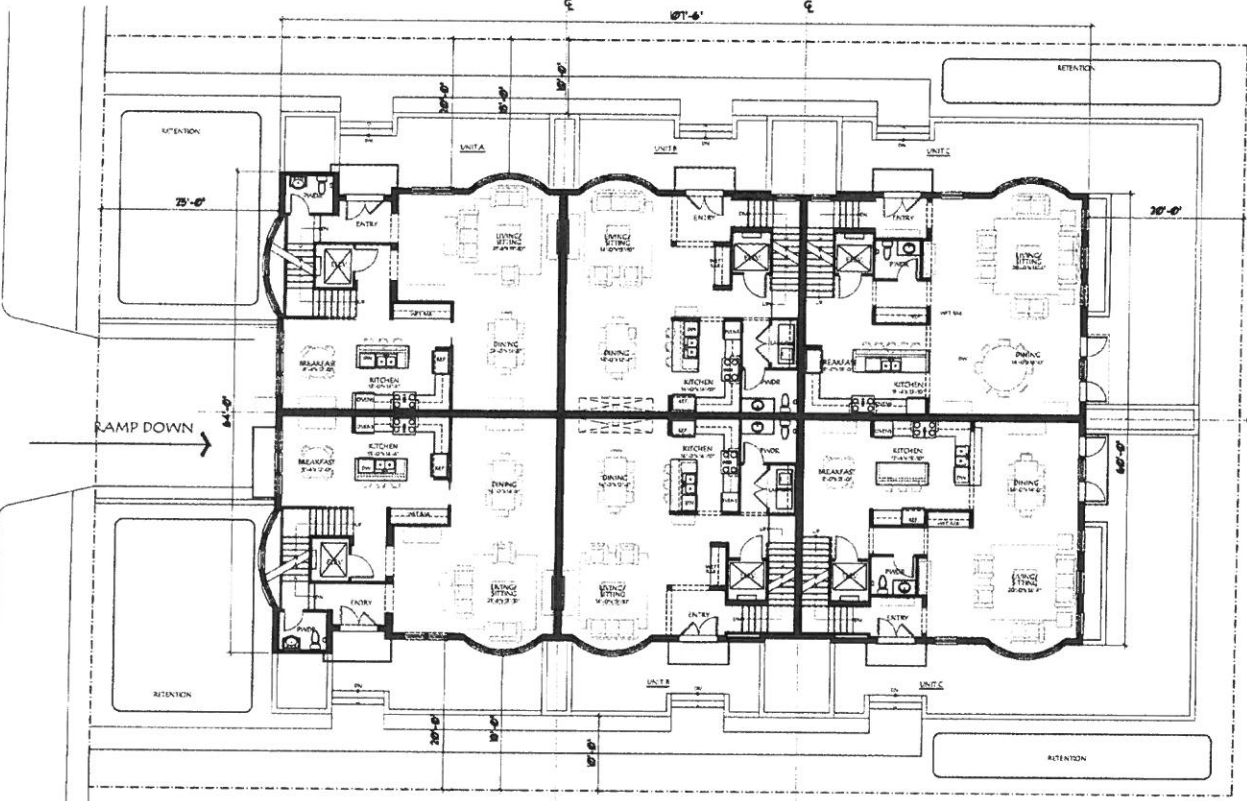
NON-HVAC AREA	
GARAGE LEVEL:	3,500 SF.
1ST FLOOR:	-
2ND FLOOR:	-
3RD FLOOR:	-
ROOF TOP:	244 SF.
TOTAL NON HVAC:	3,744 SF.



UNIT 'A'	
1ST FLOOR HVAC:	1,084 SF.
2ND FLOOR HVAC:	1,084 SF.
3RD FLOOR HVAC:	1,084 SF.
TOTAL HVAC:	3,252 SF.

UNIT 'B'	
1ST FLOOR HVAC:	912 SF.
2ND FLOOR HVAC:	869 SF.
3RD FLOOR HVAC:	869 SF.
TOTAL HVAC:	2,710 SF.

UNIT 'C'	
1ST FLOOR HVAC:	1,031 SF.
2ND FLOOR HVAC:	1,031 SF.
3RD FLOOR HVAC:	1,031 SF.
TOTAL HVAC:	3,111 SF.



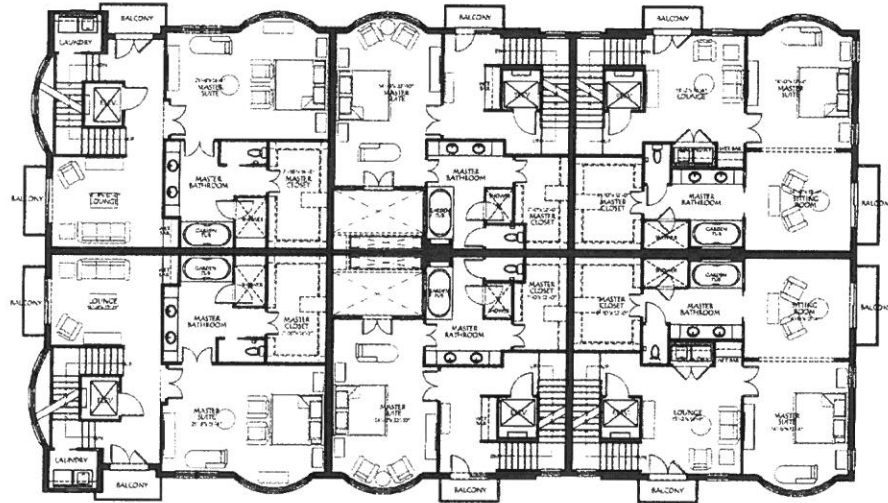
UNIT 'A'	
1ST FLOOR HVAC:	1,084 SF.
2ND FLOOR HVAC:	1,084 SF.
3RD FLOOR HVAC:	1,084 SF.
TOTAL HVAC:	3,252 SF.

UNIT 'B'	
1ST FLOOR HVAC:	912 SF.
2ND FLOOR HVAC:	869 SF.
3RD FLOOR HVAC:	869 SF.
TOTAL HVAC:	2,710 SF.

UNIT 'C'	
1ST FLOOR HVAC:	1,031 SF.
2ND FLOOR HVAC:	1,031 SF.
3RD FLOOR HVAC:	1,031 SF.
TOTAL HVAC:	3,111 SF.

BUILDING PLAN - FIRST FLOOR
SCALE: 1/8" = 1'-0"

K.F. ADG



1 BUILDING PLAN - SECOND FLOOR
SCALE: 1/8" = 1'-0"

1/18/2006

REVISIONS

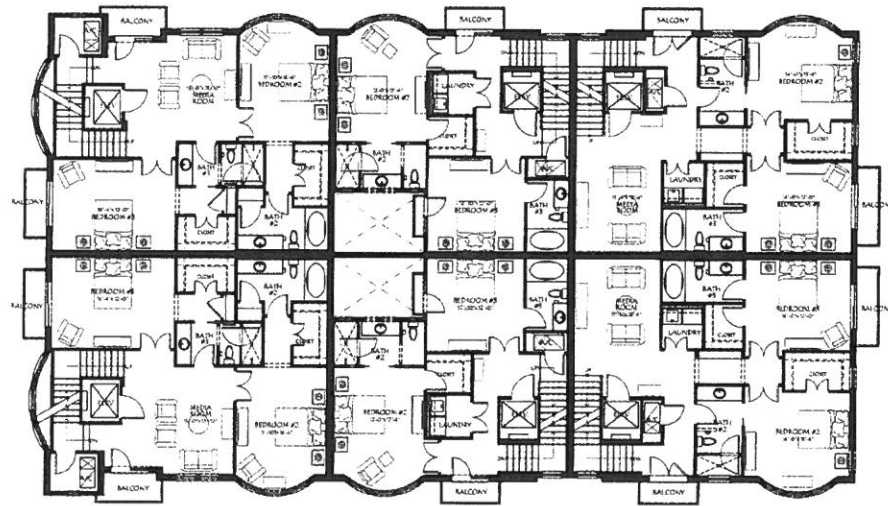
SLOCUM PLATTS
ARCHITECTS, P.A.
RANDALL J. SLOCUM AS LIAISON, WILLIAM F. PLATTS AS LIAISON
470 NORTH ORLAND AVENUE, SUITE 1001, MAULANA, FL 32751
TEL: (407) 442-3079 FAX: (407) 442-3771
WWW.SLOCUMPLATTS.COM



RELIANT PLATTS ARCHITECTS

TOWNHOME BUILDING FLAHS
SOUTH INTERLACHEN
PLACE
WINTER PARK, FLORIDA

DRAWN:
CAB
CHECKED:
VFB
DATE:
01-19-2006
SCALE:
AS NOTED
JOB NO.:
14-XXXX
SHEET:
A1.3



1 BUILDING PLAN - THIRD FLOOR
SCALE: 1/8" = 1'-0"

J. R. JACOBS

REVISIONS

SLOCUM PLATTS
ARCHITECTS, P.A.
RANDALL J. SLOCUM AND SISTER WILLIAM F. SLOCUM AS PARTNERS
4701 NORTH WILSON AVENUE, SUITE 1001, MARYLAND, AL 37071
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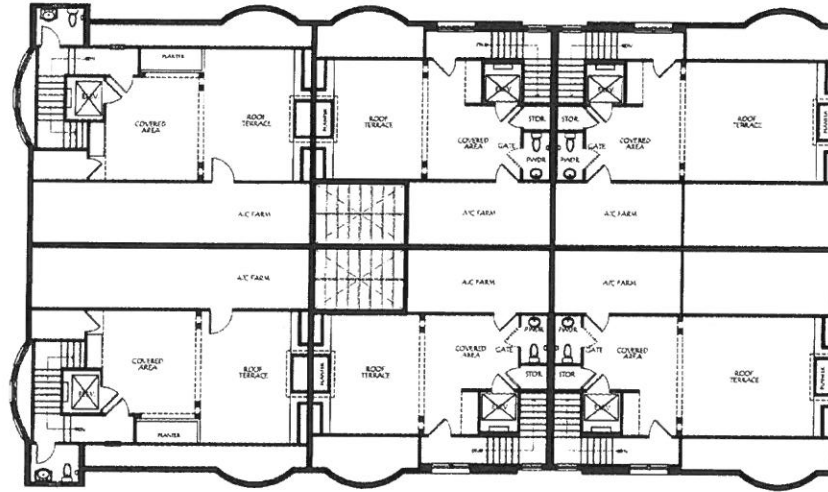


REVISIONS
DATE
BY
CHECKED
DATE
BY

TOWNHOME BUILDING PLAN
SOUTH INTERLACHEN
PLACE
WINTER PARK
FLORIDA

DRAWN
CAD
CHECKED
DATE
BY
SCALE
AS NOTED
JOB NO.
14-2004
SHEET

A1.4



1 BUILDING PLAN - ROOF TOP / ROOF PLAN
SCALE: 1/8" = 1'-0"

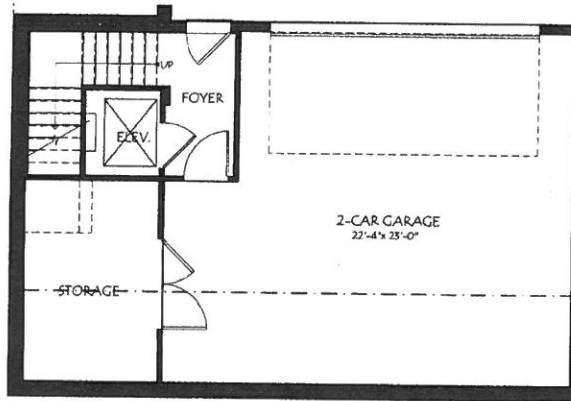
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REVISIONS

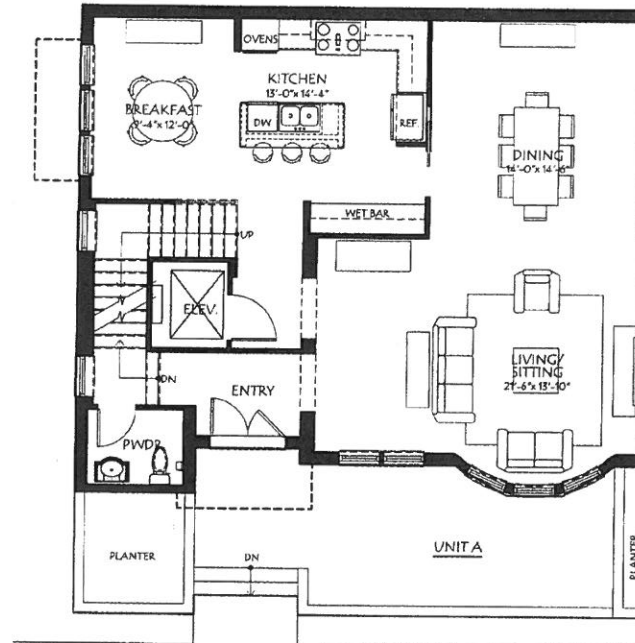
SLOCUM PLATTS ARCHITECTS, P.A.
 RANDALL J. SLOCUM AS LISCEN, WILLIAM F. PLATTS AS LISCEN
 416 NORTH ORLAND AVENUE, SUITE 1001, ANN ARBOR, MI 48104
 TEL: 734/764-3011 FAX: 734/764-3771
 WWW.SLOCUMPLATTS.COM

TOWNHOME BUILDING PLANS
SOUTH INTERLACHEN PLACE
 WINTER PARK, FLORIDA

GRAPHIC
 CAD
 CHECKED
 JWP
 DATE
 01-19-2005
 SCALE
 AS NOTED
 JOB NO.
 14-XXXX
 SHEET
A1.5



1 UNIT 'A' - GARAGE/BASEMENT FLOOR PLAN
SCALE: 1/4" = 1'-0"



2 UNIT 'A' - FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

REVISIONS

SLOCUM PLATTS ARCHITECTS, P.A.

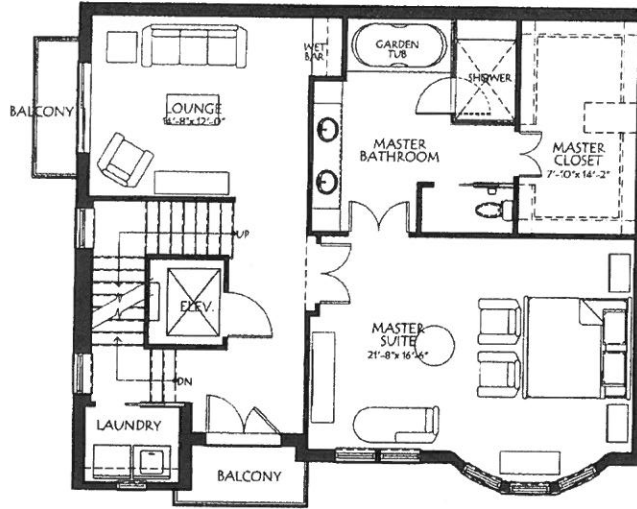
BARBARA A. SLOCUM AS 12345 WILLIAM P. PLATTS AS 12345
400 NORTH 1ST STREET, SUITE 1000, MIAMI, FL 33136
TEL: 305.555.1234 FAX: 305.555.1235
WWW.SLOCUMPLATTS.COM

TOWNHOME UNIT PLANS

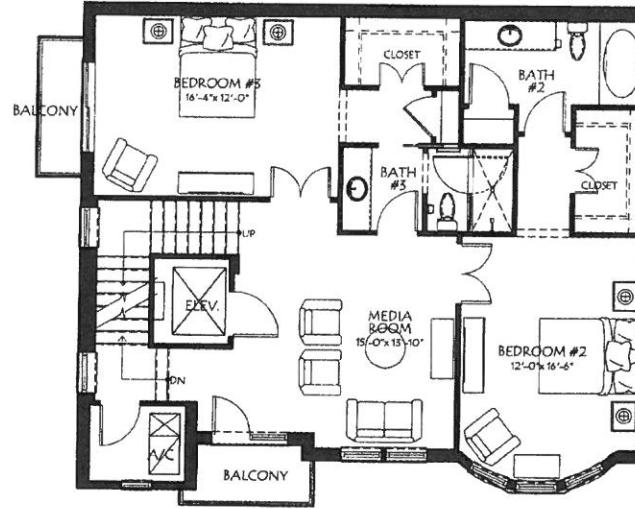
SOUTH INTERLACHEN PLACE

WINTER PARK, FLORIDA

DESIGN: CAD
CHECKED: WPP
DATE: 05-05-2005
SCALE: AS NOTED
JOB NO: 14-1000
SHEET: A2.0



1 UNIT 'A' - SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



2 UNIT 'A' - THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"

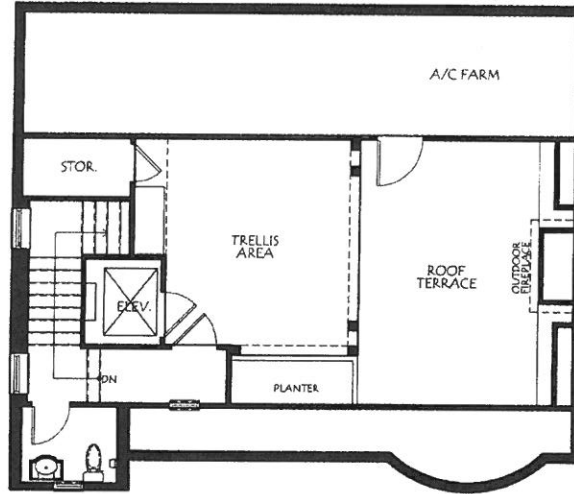
REVISIONS

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409 NORTH OULDADE AVENUE, SUITE 1001
MIAMI, FL 33136
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TOWNHOME UNIT PLANS
SOUTH INTERLACHEN PLACE
WINTER PARK, FLORIDA
SLOCUM PLATT ARCHITECTS

DRAWN	CAD
CHECKED	UPD
DATE	01-09-2015
SCALE	AS NOTED
JOB NO.	14-100X
SHEET	A2.1



1 UNIT 'A' - ROOF TOP / ROOF PLAN
SCALE: 1/4" = 1'-0"

REVISIONS

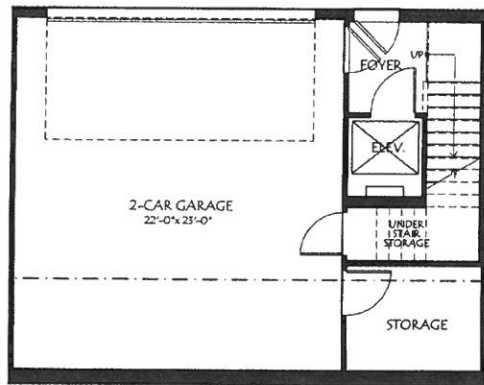
SLOCUM PLATTS
ARCHITECTS, P.A.
KANSAS CITY, MISSOURI 64111
401 NORTH ORLAND AVENUE SUITE 1001 KANSAS CITY, MO 64101
TEL: 816.221.1171
WWW.SLOCUMPLATTS.COM



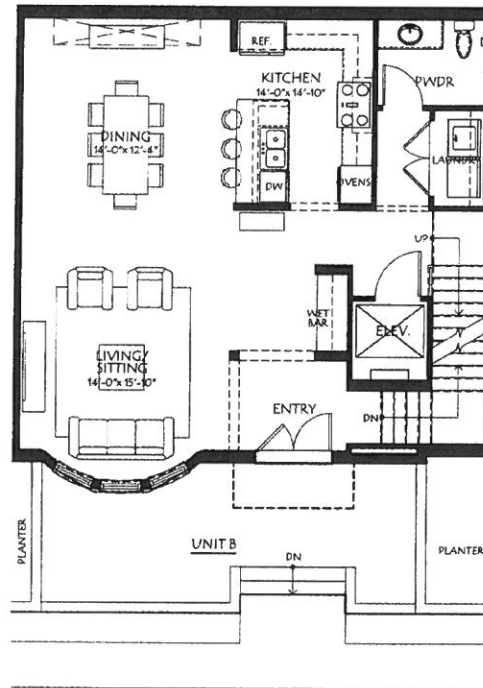
TOWNHOME UNIT PLANS
SOUTH INTERLACHEN
PLACE
WINTER PARK, FLORIDA

DRAWN
CAD
CHECKED
LPT
DATE
01-09-2018
SCALE
AS NOTED
JOB NO.
14-0008
SHEET

A2.2



1 UNIT 'B' - GARAGE/BASEMENT FLOOR PLAN
SCALE: 1/4" = 1'-0"



2 UNIT 'B' - FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

REVISIONS

SLOCUM PLATT
ARCHITECTS, P.A.



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WWW.SLOCUMPLATTS.COM

WILLIAM P. PLATT ARCHITECT

FLORIDA

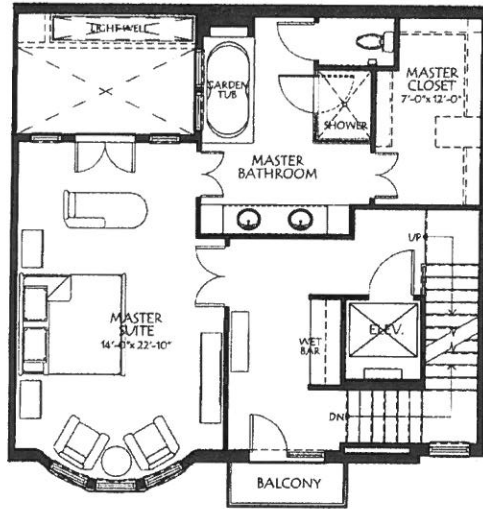
TOWNHOME UNIT PLANS

SOUTH INTERLACHEN
PLACE

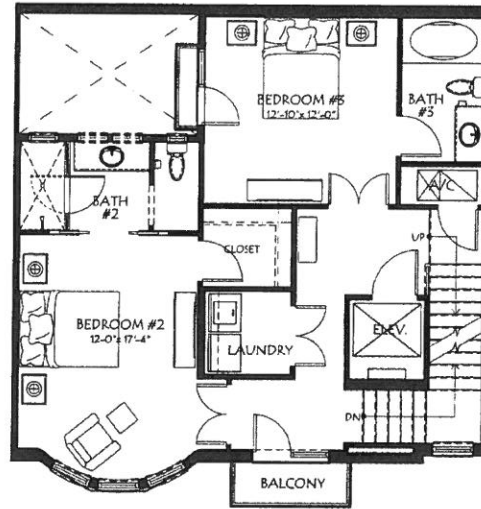
WINTER PARK

DRAWN
CAD
CHECKED
JPP
DATE
01-09-2008
SCALE
AS NOTED
JOB NO.
14-100X
SHEET

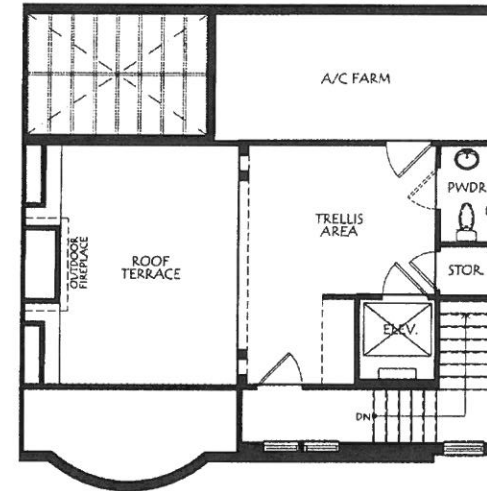
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1 UNIT 'B' - SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



2 UNIT 'B' - THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"



3 UNIT 'B' - ROOF TOP / ROOF PLAN
SCALE: 1/4" = 1'-0"

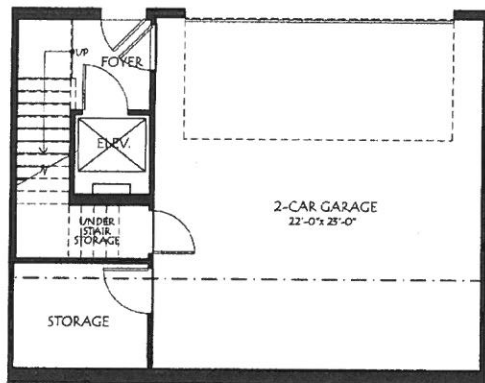
REV	DATE	DESCRIPTION

SLOCUM PLATT
ARCHITECTS, P.A.

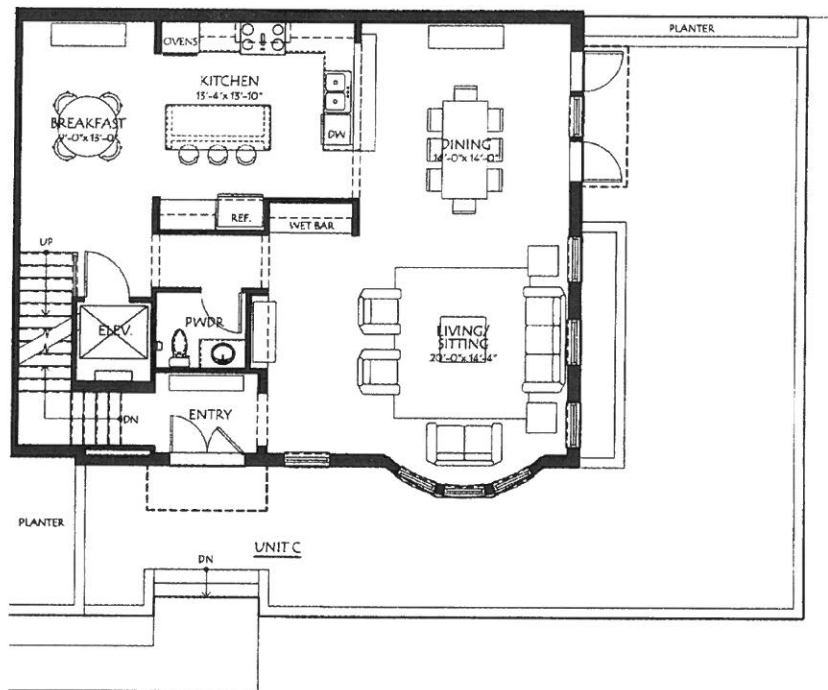
MANASSA, FL SLOCUM ARCHITECTS, P.A. 13242
475 HARTLEY DRIVE, SUITE 100, MANASSA, FL 32051
TEL: 888.444.4444 FAX: 888.444.4444
WWW.SLOCUMPLATT.COM

TOWNHOME UNIT PLANS
SOUTH INTERLACHEN PLACE
WINTER PARK, FLORIDA

DESIGN: CAD
CHECKED: WFP
DATE: 01-05-2005
SCALE: AS NOTED
JOB NO: 14-200X
SHEET: A2.4



1 UNIT 'C' - GARAGE/BASEMENT FLOOR PLAN
SCALE: 1/4" = 1'-0"



2 UNIT 'C' - FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

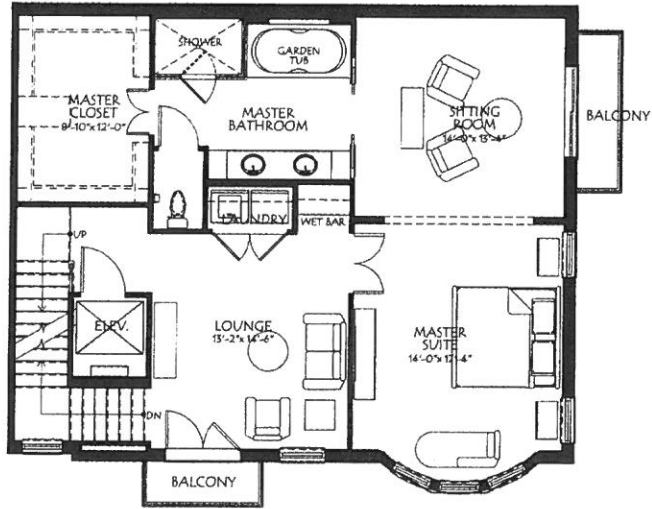
REVISIONS

**SLOCUM PLATT
ARCHITECTS, P.A.**
RANDALL J. SLOCUM AND WILLIAM F. PLATT, AIA
470 NORTH HOLLAND AVENUE, SUITE 1800, PALM BEACH, FL 33480
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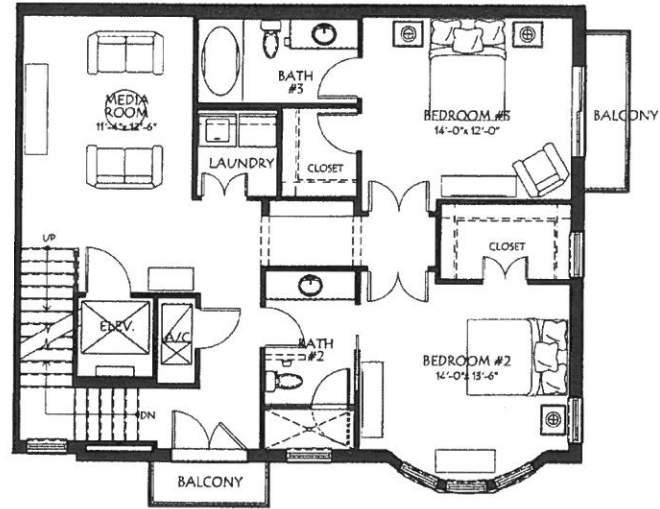


TOWNHOME UNIT PLANS
**SOUTH INTERLACHEN
PLACE**
WINTER PARK, FLORIDA
SLOCUM PLATT ARCHITECTS, P.A.

DRAWN
CAD
CHECKED
LEP
DATE
01-06-2016
SCALE
AS NOTED
JOB NO.
14-0000
SHEET
A25



1 UNIT 'C' - SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



2 UNIT 'C' - THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"

REVISIONS

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BANKALL, J. SLOCUM, ARCHITECTS, P.A. 13342
4700 HUNTERS TRAIL, SUITE 100, FORT MYERS, FL 33911
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WWW.SLOCUMPLATT.COM

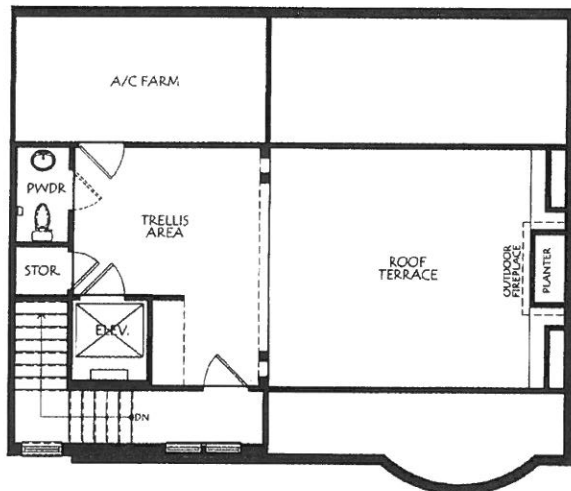


WINTER PARK, FLORIDA
SOUTH INTERLACHEN PLACE

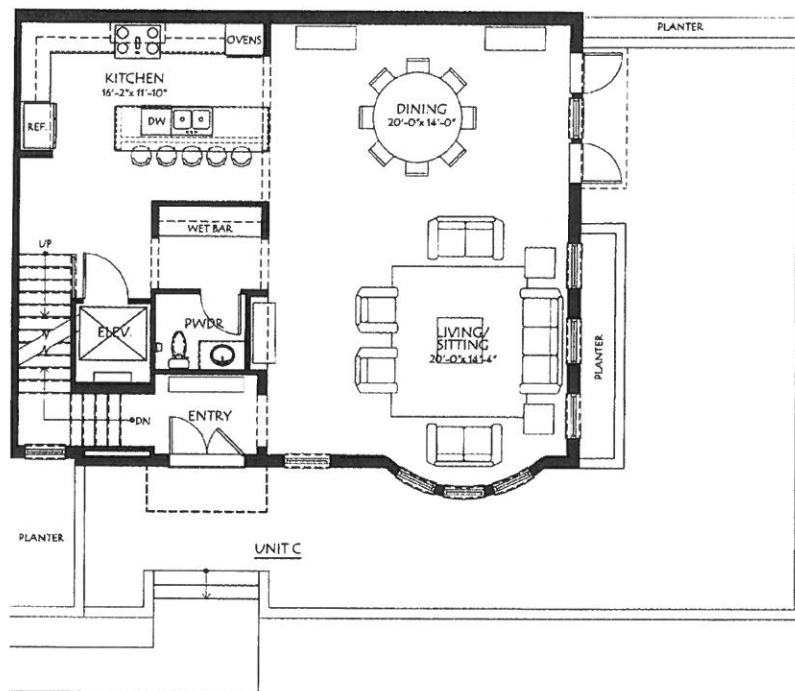
TOWNHOME UNIT PLANS
SOUTH INTERLACHEN PLACE
WINTER PARK, FLORIDA

DRAWN
CAD
CHECKED
BEP
DATE 01-26-2005
SCALE AS NOTED
JOB NO. 14-XXXX
SHEET

A2.6



1 UNIT 'C' - ROOF TOP / ROOF PLAN
SCALE: 1/4" = 1'-0"



2 UNIT 'C' - FIRST FLOOR PLAN - OPTION
SCALE: 1/4" = 1'-0"

REVISIONS

SLOCUM PLATT
ARCHITECTS, P.A.

BARRELL / SLOCUM ARCHITECTS, P.A. 1325E WILKINSON PL. #1202
475 NORTH WILKINSON AVENUE, SUITE 1202
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WWW.SLOCUMPLATTS.COM



TOWNHOME UNIT PLANS
SOUTH INTERLACHEN PLACE
WINTER PARK, FLORIDA

DRAWN
CAD
CHECKED
JEP
DATE
01-25-2015
SCALE
AS NOTED
JOB NO.
14-000X
SHEET

A2.7



1 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"

A-E-2/046

REVISIONS

SLOCUM PLATT
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670 NORTH GILKINSON AVENUE, SUITE 100, WINTER PARK, FL 32789
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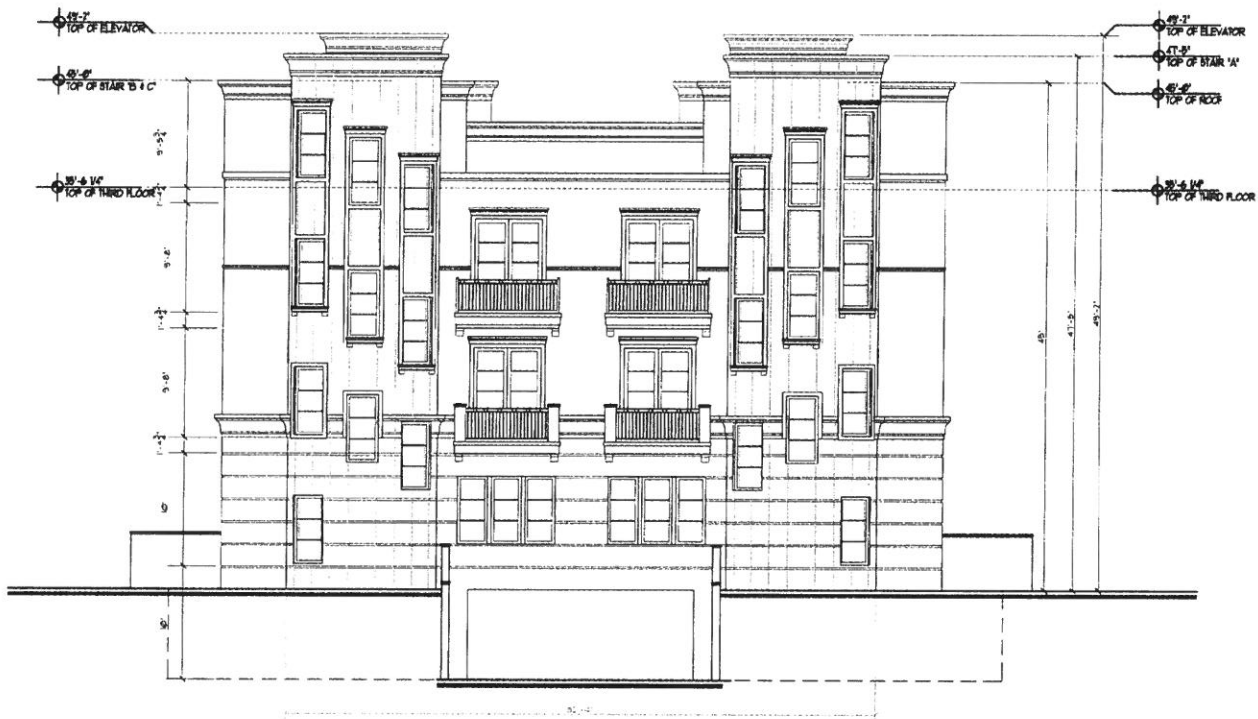


WINTER PARK, FLORIDA

TOWNHOME ELEVATION
SOUTH INTERLACHEN PLACE
WINTER PARK

DRAWN	CAD
CHECKED	UPM
DATE	01-15-2015
SCALE	AS NOTED
JOB NO.	14-000X
SHEET	

A6.1



1 EAST ELEVATION
SCALE: 3/16" = 1'-0"

K.E.E./DUG

REVISIONS

SLOCUM PLATTS
ARCHITECTS, P.A.

SP

RAVENSALL J. SLOCUM AND STEVEN WILLIAMS, P.A. 12343
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TOWNHOME ELEVATION - CONCEPT

SOUTH INTERLACHEN PLACE

WINTER PARK, FLORIDA

DRAWN
CAD
CHECKED
DATE
01-19-2015
SCALE
AS NOTED
JOB NO.
14-000X
SHEET
A6.3

A1.0

Original Architectural Style - as approved in 2006



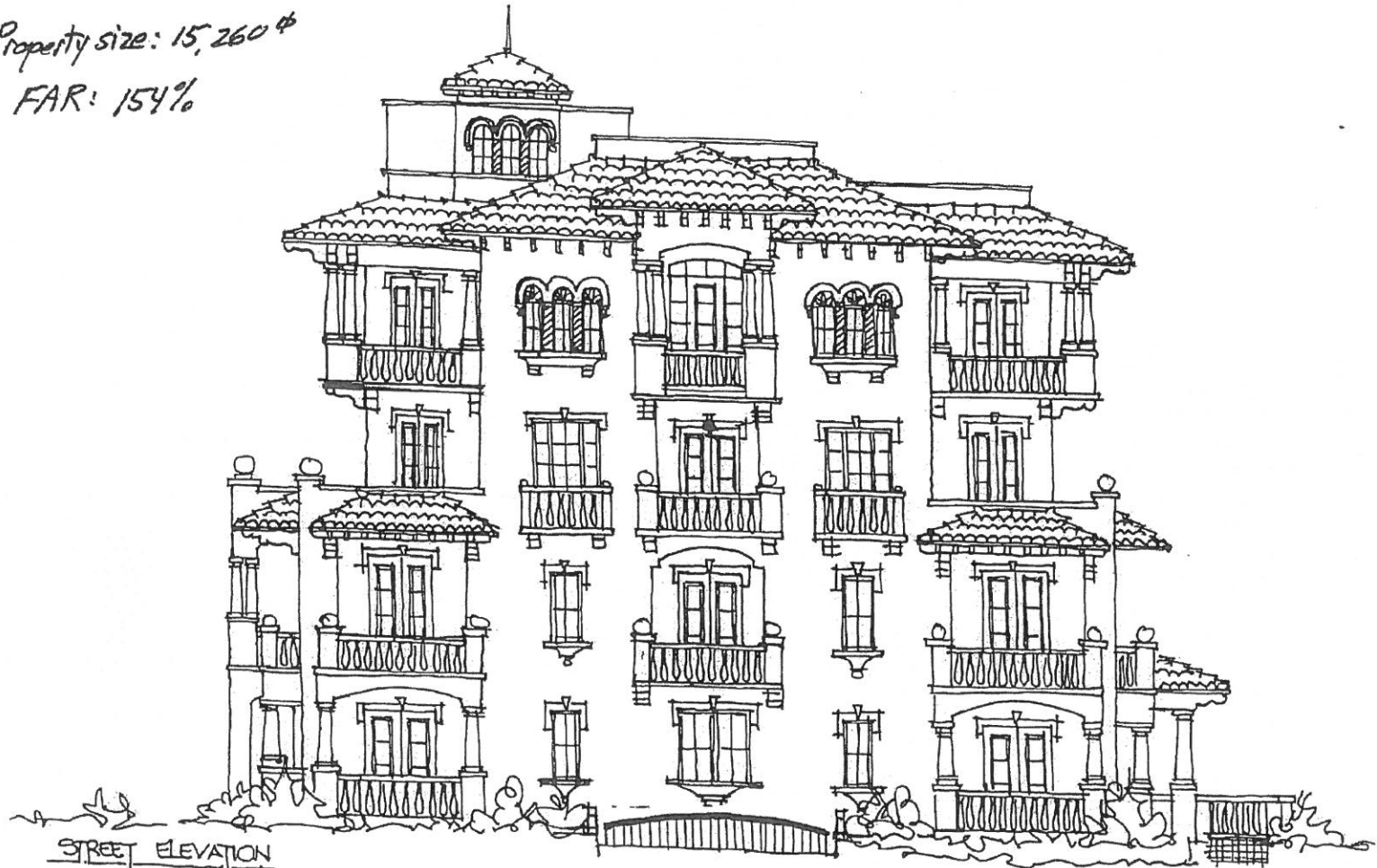
2006 Project Plans

Robert Vega's Project e 125 S. Interlachen Zoning: R-4

Six units 23,500 Φ total

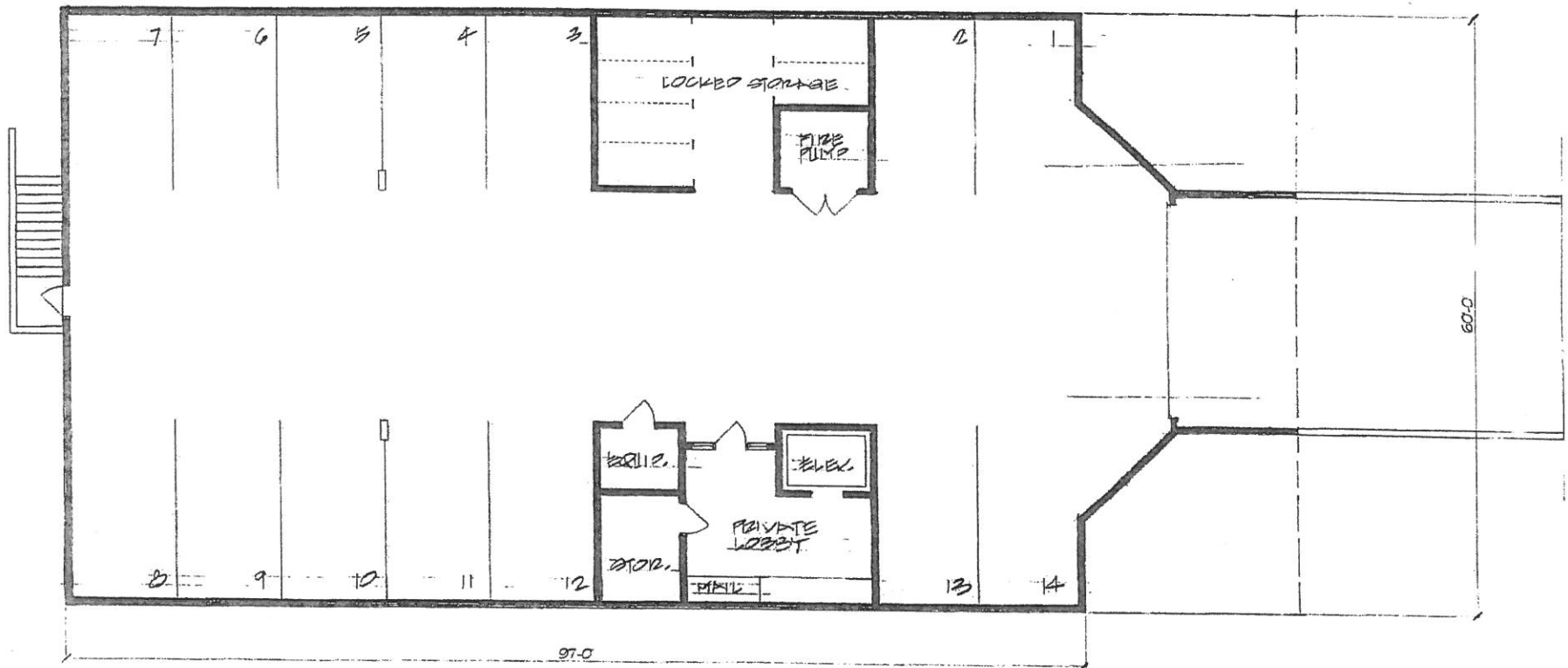
Property size: 15,260 Φ

FAR: 154%

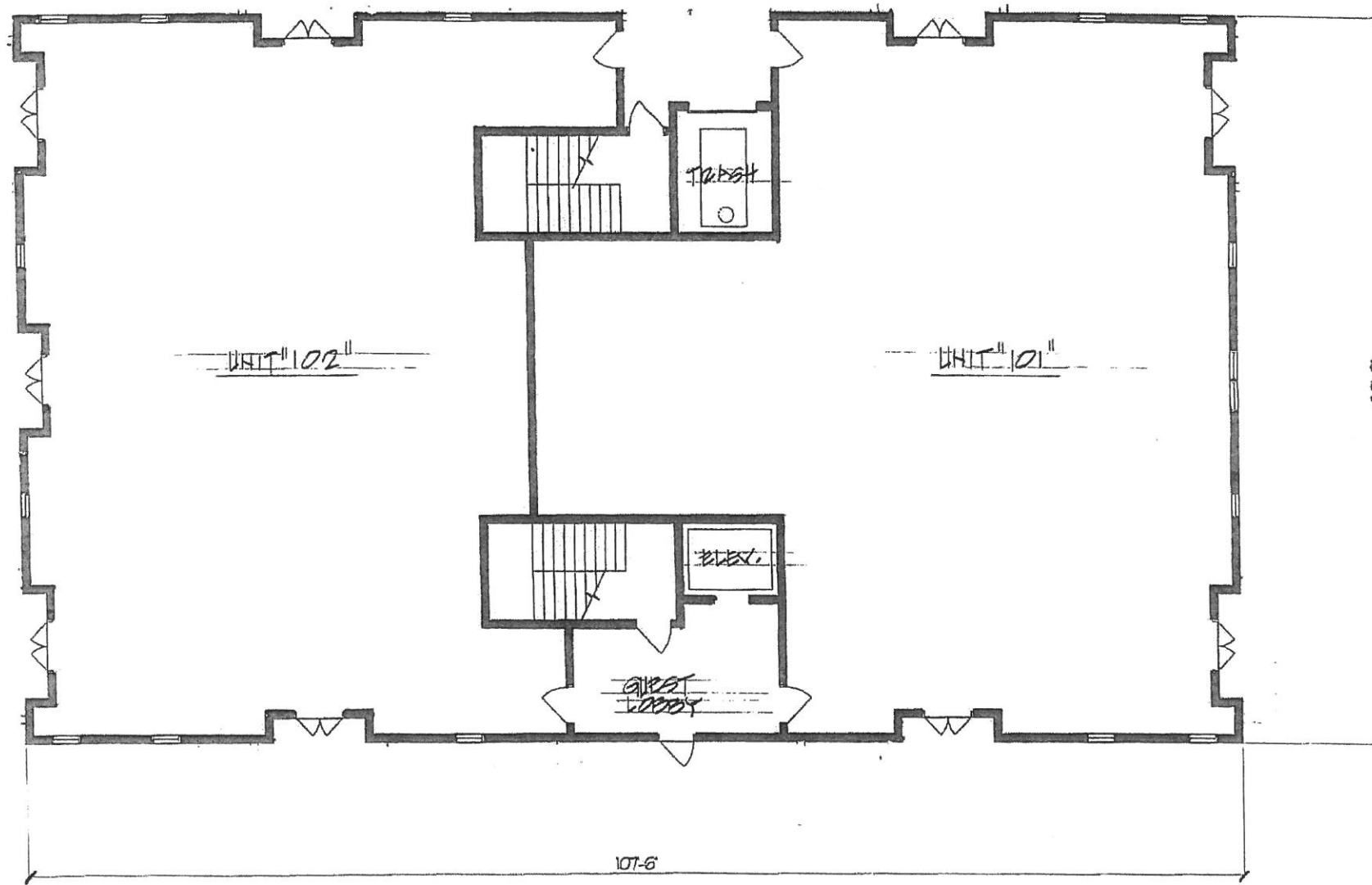




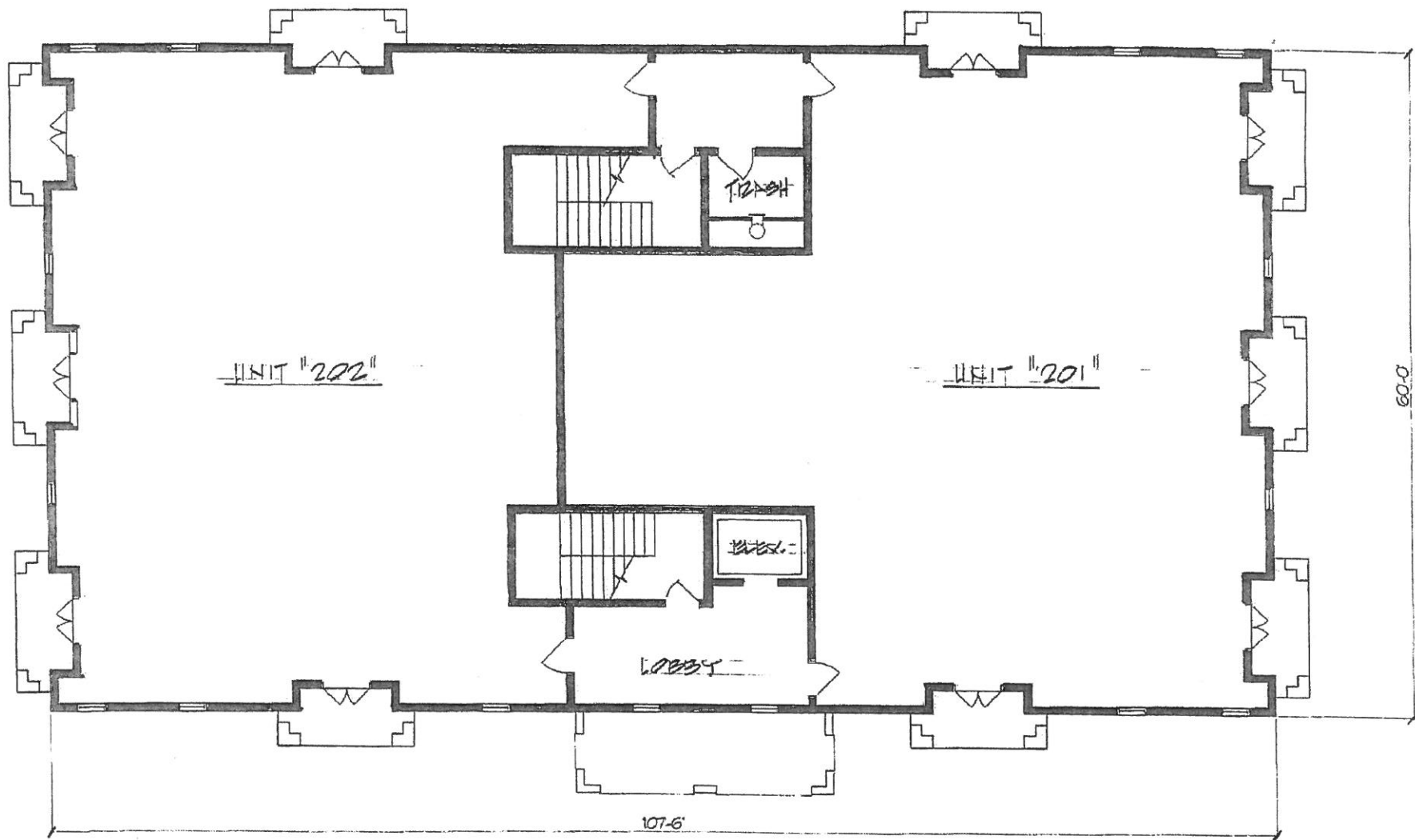
IDE ELEVATION
EET.



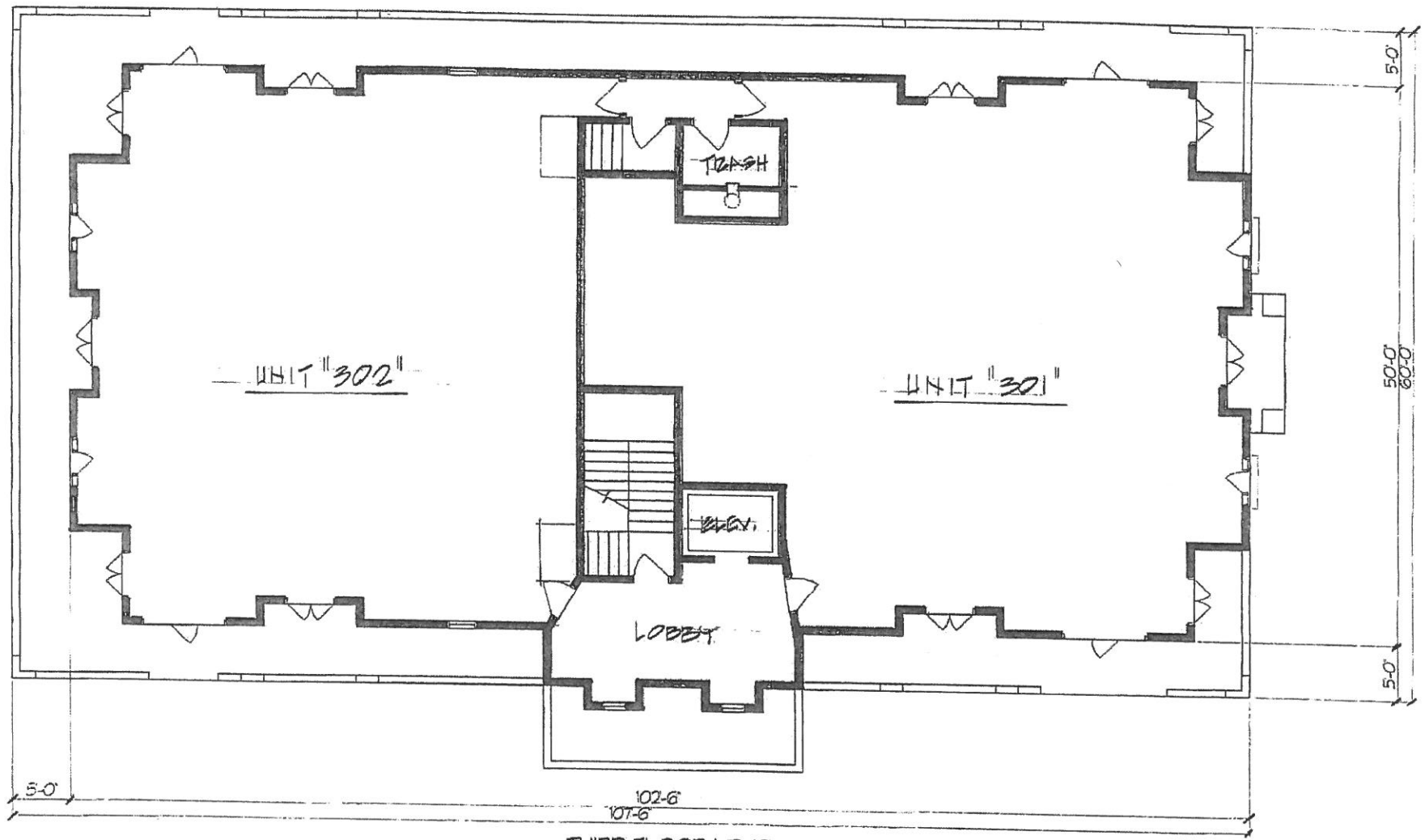
PARKING GARAGE LEVEL



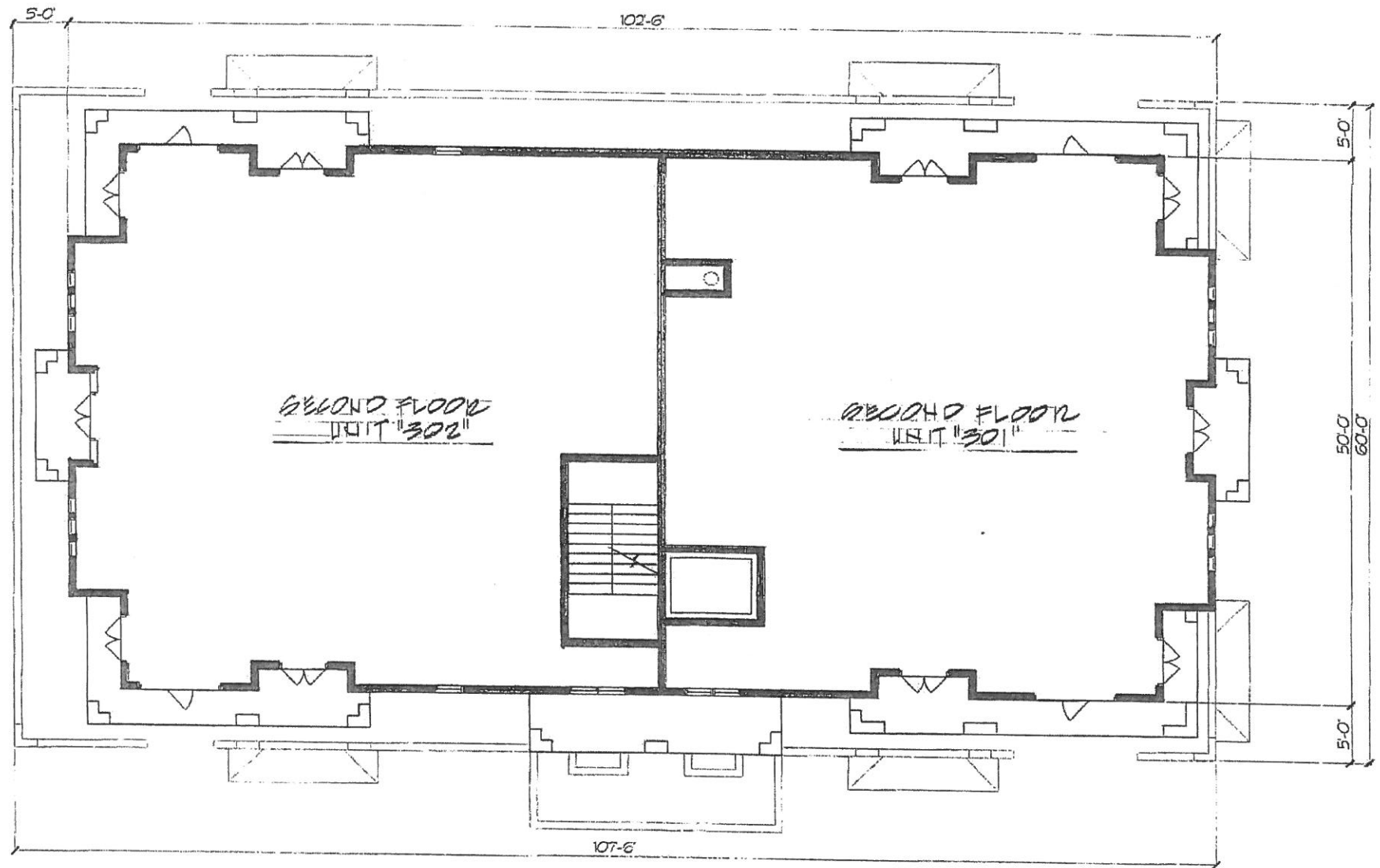
FIRST FLOOR LEVEL



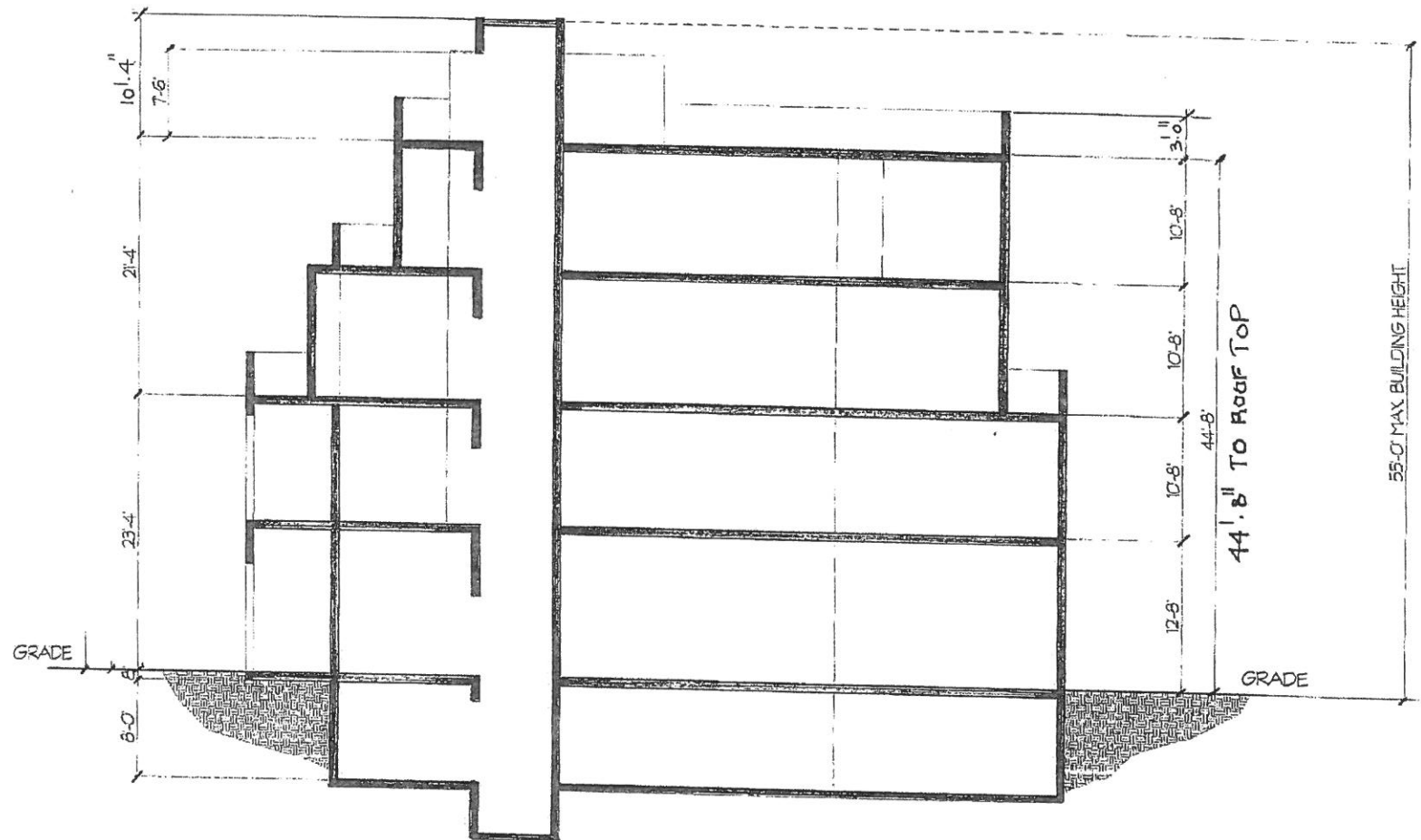
SECOND FLOOR LEVEL



THIRD FLOOR LEVEL



FOURTH FLOOR LEVEL



CROSS SECTION

Phil Kean plans - as approved in 2013



ARCHITECT:

Architecture by
Phil Kean
 LLC
 983 N. Orange Avenue
 Winter Park, FL 32789
 PH: 407-606-3023
 FAX: 407-606-3023
 © Philip L. Kean
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DATE: September 21, 2017

PROJECT INFORMATION:

125 S. Interlachen Ave.
 Winter Park, Florida

PLAN HISTORY

DATE	DESCRIPTION
00-00-00	PRELIM DESIGN
05-20-2013	REVIEW SET ONLY THESE PLANS ARE NOT FINISHED

SHEET DATA:

DESIGNED BY: PHIL KEAN
 DRAWN BY: ERIC AL LUCIA
 CHECKED BY:

SHEET DESCRIPTION

FRONT RENDERING

SHEET

10



PHIL KEAN DESIGNS INC.
ARCHITECTURE / CONSTRUCTION / INTERIORS

ARCHITECT:

Architecture by
Phil Kean
L.L.C.
1857 N. Orange Avenue
Winter Park, FL 32789
PH: 407-506-3022
FAX: 407-506-3053
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DATE: September 21, 2013

PROJECT INFORMATION:

125 S. Interlachen Ave.
Winter Park, Florida

PLAN HISTORY

DATE	DESCRIPTION
00-00-00	PRELIM DESIGN
05-20-2013	REVIEW SET ONLY THESE PLANS ARE NOT FINISHED

SHEET DATA:

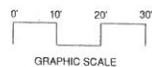
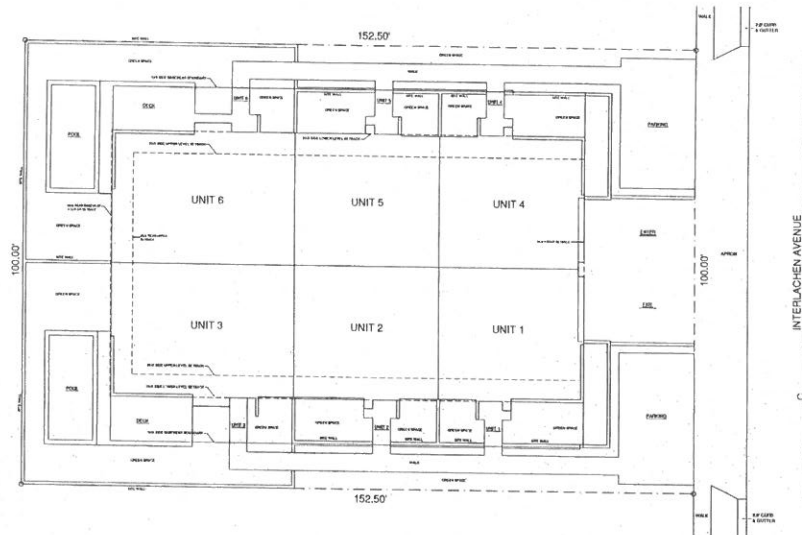
DESIGNED BY: PHIL KEAN
DRAWN BY: ERIC AL LUCIA
CHECKED BY:

SHEET DESCRIPTION

REAR RENDERING

SHEET

11



PROPOSED SITE PLAN
SCALE: 1" = 10'-0"

DESCRIPTION:
LOT 9 & 10, LESS THE TOWNSHIP LOT 9 OF LOT 1A, TOWN OF WINTER PARK, AS RECORDED IN PLAT BOOK 1, PAGE 24 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
LOT SIZE = 26 ACRES OR - 15,750 SQ. FT.
ZONING: R-1
PARCEL ID: 90-20-00-0000-00-00
DWS
DWS
DWS



VICINITY MAP
NOT TO SCALE

ARCHITECT:

Architecture by
Phil Kean
963 N. Orange Avenue
Winter Park, FL 32789
PH: 407-569-3822
FAX: 407-569-3823
P. Kean
J. Kean

DATE: September 11, 2013
www.philkean.com

PROJECT INFORMATION:

125 S. Interlachen Ave.
Winter Park, Florida

PLAN HISTORY

DATE	DESCRIPTION
00-00-00	PRELIM DESIGN
05-20-2013	REVIEW SET ONLY THESE PLANS ARE NOT FINISHED

SHEET DATA:

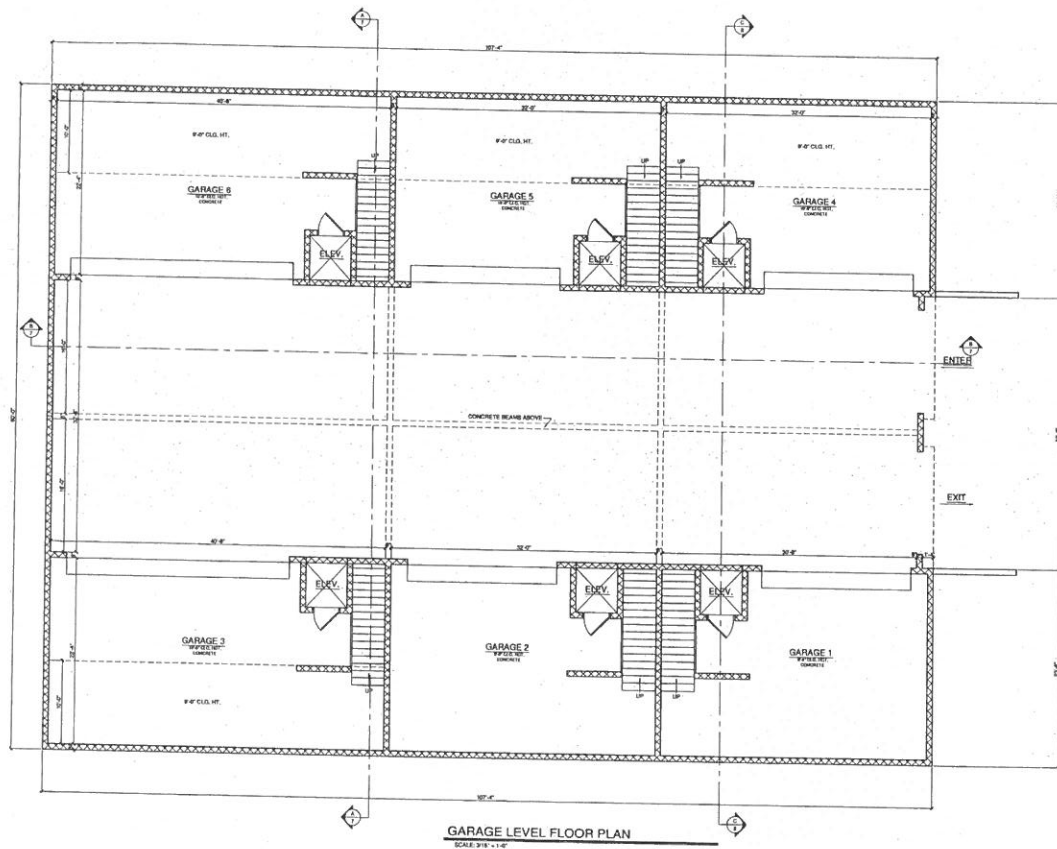
DESIGNED BY: PHIL KEAN
DRAWN BY: ERIC M. LUCIA
CHECKED BY:

SHEET DESCRIPTION

SITE PLAN

SHEET

AS



UNIT 1 / 4	
1ST LEVEL AC	966
CON. ENTRY	32
2ND LEVEL AC	966
BALCONY	875
4TH LEVEL AC	80
BALCONY	471
MECH.	243
GARAGE	781
TOTALS FOR UNIT 1 / 4	
AC	3278
CON. ENTRY	32
BALCONY	430
GARAGE	781
MECH.	38
UNIT 2 / 5	
1ST LEVEL AC	972
CON. ENTRY	32
2ND LEVEL AC	966
3RD LEVEL AC	966
4TH LEVEL AC	923
BALCONY	324
MECH.	38
GARAGE	773
TOTALS FOR UNIT 2 / 5	
AC	3507
CON. ENTRY	32
BALCONY	324
GARAGE	773
MECH.	38
UNIT 3 / 6	
1ST LEVEL AC	1298
CON. ENTRY	26
2ND LEVEL AC	1298
3RD LEVEL AC	1247
4TH LEVEL AC	947
BALCONY	566
MECH.	38
GARAGE	985
TOTALS FOR UNIT 3 / 6	
AC	4955
CON. ENTRY	26
BALCONY	566
GARAGE	988
MECH.	38

ARCHITECT:
 Architecture by
Phil Kean
 125 S. Interlachen Ave.
 Winter Park, FL 32789
 PH: 407-598-3022
 FAX: 407-598-3023
 phil@philkean.com
 ALL RIGHTS RESERVED

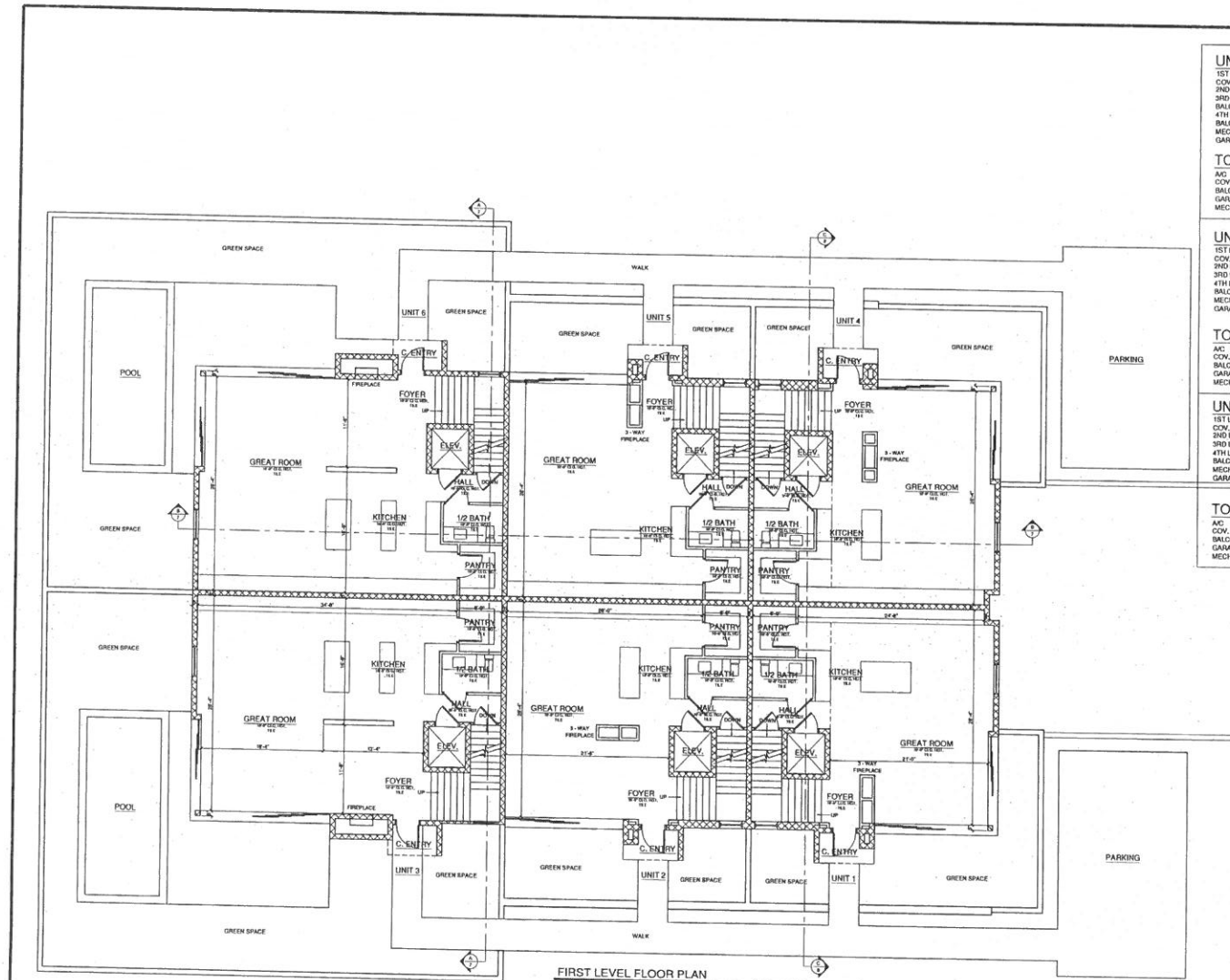
PROJECT INFORMATION:
 125 S. Interlachen Ave.
 Winter Park, Florida

PLAN HISTORY	
DATE	DESCRIPTION
00-00-00	PRELIM DESIGN
05-20-2013	REVIEW SET ONLY THESE PLANS ARE NOT FINISHED

SHEET DATA:
 DESIGNED BY: PHIL KEAN
 DRAWN BY: ERIC M. LUCIA
 CHECKED BY:

SHEET DESCRIPTION
 GARAGE LEVEL FLOOR PLAN

SHEET
1



UNIT 1 / 4	
1ST LEVEL AC	966
CON. ENTRY	32
2ND LEVEL AC	966
BALCONY	875
4TH LEVEL AC	966
BALCONY	471
MECH.	348
GARAGE	761
TOTALS FOR UNIT 1 / 4	
AC	3078
CON. ENTRY	32
BALCONY	438
GARAGE	761
MECH.	38
UNIT 2 / 5	
1ST LEVEL AC	972
CON. ENTRY	32
2ND LEVEL AC	966
3RD LEVEL AC	966
4TH LEVEL AC	623
BALCONY	324
MECH.	38
GARAGE	773
TOTALS FOR UNIT 2 / 5	
AC	3507
CON. ENTRY	32
BALCONY	324
GARAGE	773
MECH.	38
UNIT 3 / 6	
1ST LEVEL AC	1228
CON. ENTRY	29
2ND LEVEL AC	1290
3RD LEVEL AC	1247
4TH LEVEL AC	647
BALCONY	556
MECH.	38
GARAGE	985
TOTALS FOR UNIT 3 / 6	
AC	4255
CON. ENTRY	29
BALCONY	556
GARAGE	985
MECH.	38

ARCHITECT:

Architecture by
Phil Kean
 P.C.
 963 N. Orange Avenue
 Winter Park, FL 32789
 PH: 407-599-3822
 FAX: 407-599-3823
 Phil Kean, Owner
 J.D. 90891

DATE: September 10, 2013
WWW.PHILKEANARCHITECT.COM

PROJECT INFORMATION:

125 S. Interlachen Ave.
 Winter Park, Florida

PLAN HISTORY

DATE	DESCRIPTION
00-00-00	PRELIM DESIGN
05-20-2013	REVIEW SET ONLY THESE PLANS ARE NOT FINISHED

SHEET DATA:

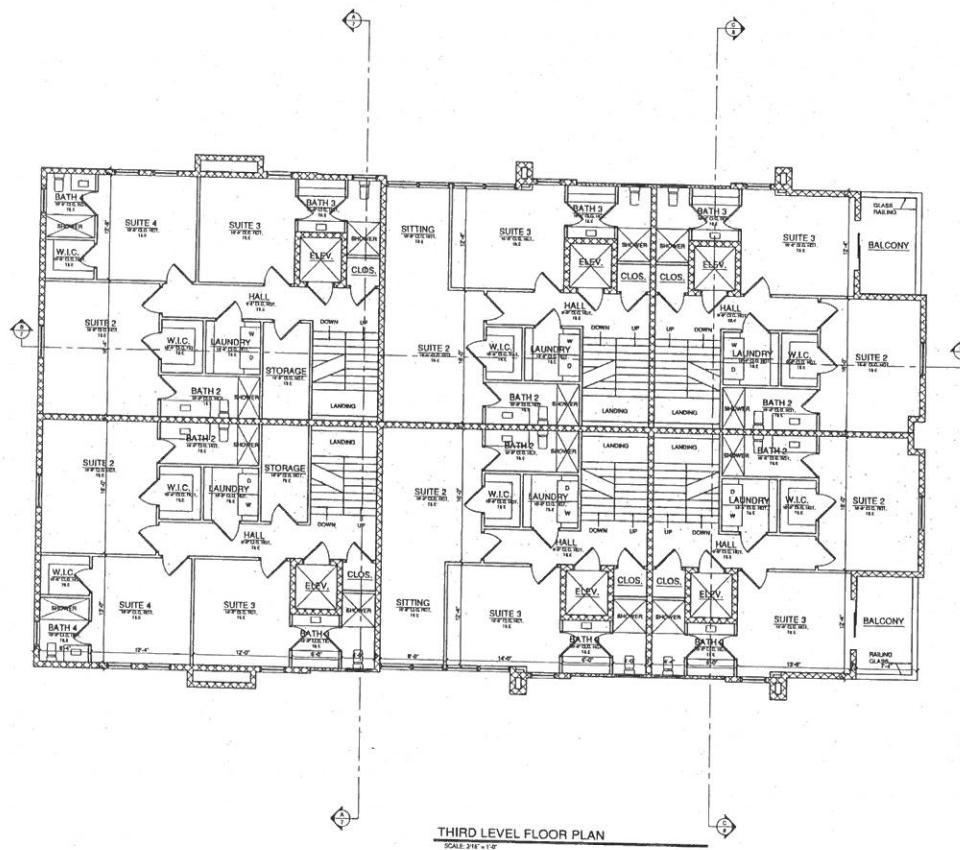
DESIGNED BY: PHIL KEAN
 DRAWN BY: ERIC M. LUCIA
 CHECKED BY:

SHEET DESCRIPTION

FIRST LEVEL FLOOR PLAN

SHEET

1.1



THIRD LEVEL FLOOR PLAN
SCALE: 3/16" = 1'-0"

UNIT 1 / 4	
1ST LEVEL AC	968
CONV. ENTRY	32
2ND LEVEL AC	968
3RD LEVEL AC	875
BALCONY	90
4TH LEVEL AC	471
BALCONY	348
MECH.	38
GARAGE	781
TOTALS FOR UNIT 1 / 4	
AC	3078
CONV. ENTRY	32
BALCONY	438
GARAGE	781
MECH.	38
UNIT 2 / 5	
1ST LEVEL AC	972
CONV. ENTRY	32
2ND LEVEL AC	968
3RD LEVEL AC	866
4TH LEVEL AC	803
BALCONY	324
MECH.	38
GARAGE	773
TOTALS FOR UNIT 2 / 5	
AC	3507
CONV. ENTRY	32
BALCONY	324
GARAGE	773
MECH.	38
UNIT 3 / 6	
1ST LEVEL AC	1298
CONV. ENTRY	28
2ND LEVEL AC	1226
3RD LEVEL AC	1247
4TH LEVEL AC	647
BALCONY	506
MECH.	38
GARAGE	980
TOTALS FOR UNIT 3 / 6	
AC	4255
CONV. ENTRY	28
BALCONY	538
GARAGE	980
MECH.	38

ARCHITECT:
Architecture by
Phil Kean
2621 N. Orange Avenue
Winter Park, FL 32789
PH: 407-586-3822
FAX: 407-586-3823
C/Phil Kean
AS 25061

PROJECT INFORMATION:

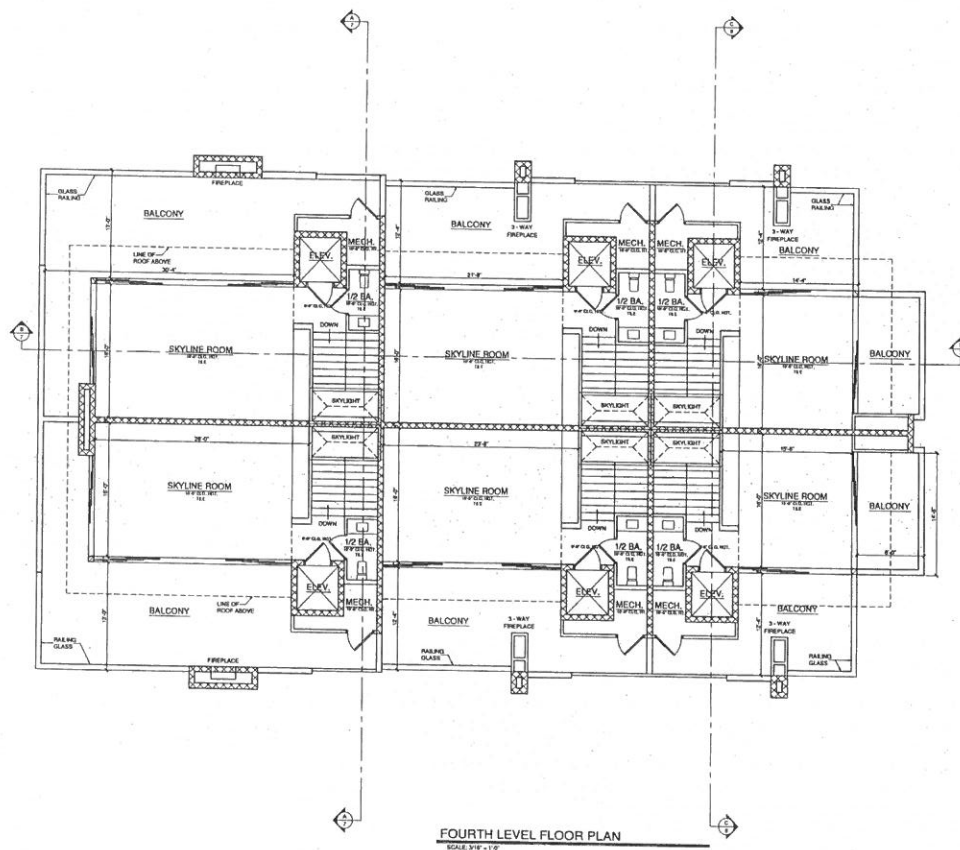
125 S. Interlachen Ave.
Winter Park, Florida

PLAN HISTORY	
DATE	DESCRIPTION
00-00-00	PRELIM DESIGN
05-20-2013	REVIEW SET ONLY THESE PLANS ARE NOT FINISHED

SHEET DATA:	
DESIGNED BY:	PHIL KEAN
DRAWN BY:	ERIC M. LUCIA
CHECKED BY:	

SHEET DESCRIPTION	
THIRD LEVEL FLOOR PLAN	

SHEET	
-------	--



FOURTH LEVEL FLOOR PLAN
SCALE: 3/16" = 1'-0"

UNIT 1 / 4	
1ST LEVEL A/C	968
COV. ENTRY	32
2ND LEVEL A/C	966
3RD LEVEL A/C	975
BALCONY	60
4TH LEVEL A/C	471
BALCONY	348
MECH.	38
GARAGE	781
TOTALS FOR UNIT 1 / 4	
A/C	3278
COV. ENTRY	32
BALCONY	438
GARAGE	791
MECH.	38
UNIT 2 / 5	
1ST LEVEL A/C	972
COV. ENTRY	32
2ND LEVEL A/C	966
3RD LEVEL A/C	966
4TH LEVEL A/C	603
BALCONY	324
MECH.	38
GARAGE	773
TOTALS FOR UNIT 2 / 5	
A/C	2957
COV. ENTRY	32
BALCONY	324
GARAGE	773
MECH.	38
UNIT 3 / 6	
1ST LEVEL A/C	1296
COV. ENTRY	29
2ND LEVEL A/C	1296
3RD LEVEL A/C	1247
4TH LEVEL A/C	647
BALCONY	558
MECH.	38
GARAGE	988
TOTALS FOR UNIT 3 / 6	
A/C	4258
COV. ENTRY	29
BALCONY	558
GARAGE	988
MECH.	38

ARCHITECT:
Architecture by
Phil Kean
1985 N. Orange Avenue
Winter Park, FL 32789
PHI 407-505-3022
FAX 407-505-3023
© Philip L. Kean
AIA 2009

PROJECT INFORMATION:

125 S. Interlachen Ave.
Winter Park, Florida

PLAN HISTORY	
DATE	DESCRIPTION
00-00-00	PRELIM DESIGN
05-20-2013	REVIEW SET ONLY THESE PLANS ARE NOT FINISHED

SHEET DATA:
DESIGNED BY: PHIL KEAN
DRAWN BY: ERIC M. LUCIA
CHECKED BY:

SHEET DESCRIPTION
FOURTH LEVEL FLOOR PLAN

SHEET



ELEVATION NOTES:

- | # | DESCRIPTION |
|----|--|
| 1. | STONE FINISH. |
| 2. | STUCCO FINISH. |
| 3. | 6" STUCCO BAND. |
| 4. | GRANULATED ROOF, OVER APPROVED WATER BARRIER, OVER ROOF SHEATHING. |

ARCHITECT:

Architecture by
Phil Kean
 LLC
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 phil@p.kean.com
 (JUL 2010)

DATE: September 15, 2013
 WWW.PHILKEANARCHITECTURE.COM

PROJECT INFORMATION:

125 S. Interlachen Ave.
 Winter Park, Florida

PLAN HISTORY

DATE	DESCRIPTION
09-09-09	PRELIM DESIGN
09-20-2013	REVIEW SET ONLY THESE PLANS ARE NOT FINISHED

SHEET DATA:

DESIGNED BY: PHIL KEAN
 DRAWN BY: ERIC M. LUCIA
 CHECKED BY:

SHEET DESCRIPTION

FRONT AND REAR
 ELEVATIONS

SHEET

5



LEFT ELEVATION
SCALE 3/8" = 1'-0"



RIGHT ELEVATION
SCALE 3/8" = 1'-0"

ELEVATION NOTES:

DESCRIPTION

1. STONE FINISH.
2. STUCCO FINISH.
3. 6" STUCCO BAND.
4. GRANULATED ROOF, OVER APPROVED WATER BARRIER, OVER ROOF SHEATHING.

ARCHITECT:

Architecture by
Phil Kean
P.L.L.C.
963 N. Orange Avenue
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PH 407-599-2022
FAX 407-599-2923
© Philip L. Kean
JULY 1985

DATE: September 23, 2013
WWW.PHILKEAN.COM

PROJECT INFORMATION:

125 S. Interlachen Ave.
Winter Park, Florida

PLAN HISTORY

DATE	DESCRIPTION
00-00-00	PRELIM DESIGN
05-20-2013	REVIEW SET ONLY THESE PLANS ARE NOT FINISHED

SHEET DATA:

DESIGNED BY: PHIL KEAN
DRAWN BY: ERIC M. LUCHA
CHECKED BY:

SHEET DESCRIPTION

LEFT AND RIGHT
ELEVATIONS

SHEET

6



city commission agenda item

Item type	Public Hearing	meeting date	March 9, 2015		
prepared by	Troy Attaway	approved by	<input checked="" type="checkbox"/>	City Manager	
department	Public Works		<input type="checkbox"/>	City Attorney	
division	Administration		<input type="checkbox"/>	N/A	
board approval		<input type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> N/A	final vote
strategic objective	<input type="checkbox"/> Exceptional Quality of Life				
	<input checked="" type="checkbox"/> Intelligent Growth & Development				
	<input type="checkbox"/> Fiscal Stewardship				
	<input type="checkbox"/> Public Health & Safety				
	<input checked="" type="checkbox"/> Investment in Public Assets & Infrastructure				

subject

Abandon a portion of Kindle Avenue from Lewis to Benjamin - SECOND READING OF ORDINANCE

motion | recommendation

Motion to approve the abandonment of a portion of Kindle Avenue.

background

The City has received a request to abandon a portion of Kindle Avenue from Lewis to Benjamin to help with the redevelopment of this area.

To compensate for the loss of this road, the developer will construct a parallel road approximately 75 feet to the north to be called Morgan Lane. This road will serve all of the functions as Kindle Avenue being proposed for abandonment. This action is also consistent with the abandonment of Kindle Avenue west of Lewis which has already been approved.

There is a requirement, that the actual road surface of Kindle will not be removed and the road will not be closed until Morgan Lane is completely constructed and open for traffic.

alternatives | other considerations

fiscal impact

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA
VACATING AND ABANDONING THE PORTION OF KINDEL
AVENUE BETWEEN BENJAMIN AVENUE AND LEWIS DRIVE
WITHIN THE RAVAUDAGE PLANNED DEVELOPMENT AND
HOME ACRES SUBDIVISION AREA, MORE PARTICULARLY
DESCRIBED HEREIN.**

WHEREAS, the City Commission desires to foster the development of the Ravaudage Planned Development by vacating and abandoning certain platted streets within the Home Acres subdivision as platted in Plat Book "M", Page 97 of the Public Records of Orange County, Florida, so that an alternate street system can be developed to better serve the economic growth of this area, and

WHEREAS, this Ordinance meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to abutting property owners and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held.

WHEREAS, the city public works department has provided for participation by the public in the process by providing information as requested and has also rendered its recommendations to the City Commission; and

WHEREAS, the Winter Park City Commission has reviewed the proposed Ordinance and held advertised public hearings at which the City Commission has provided for public participation in the process in accordance with the requirements of state law.

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

Section 1. The City Commission of the City of Winter Park hereby vacates and abandons the portion of the right-of-way of Kindel Avenue between Benjamin Avenue and Lewis Drive per the plat of Homes Acres, as recorded in Plat Book "M", Page 97, as more particularly described in Exhibit "A".

Section 2. This Ordinance is conditioned upon the receipt by the City of an easement to be recorded in the Public Records of Orange County for a private street to be called Morgan Lane to run from Bennett Avenue to Benjamin Avenue, so as to eliminate the creation of a dead-end road and maintain a street grid pattern within the Ravaudage planned development.

Section 3. All ordinances or portions of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon the delivery to the City and recording in the Public Records of Orange County of the easement for the private street, as detailed in Section 2 of this Ordinance.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, on the 9th day of March, 2015.

Mayor Kenneth W. Bradley

ATTEST:

City Clerk Cynthia S. Bonham

SKETCH OF DESCRIPTION

OF
A PORTION OF KINDEL AVENUE
(THIS IS NOT A SURVEY)

Exhibit "A"

LEGAL DESCRIPTION:

THAT PORTION OF KINDEL AVENUE AND PARK, LYING EAST OF OF LEWIS DRIVE AND WEST OF BENJAMIN AVENUE, HOME ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "M", PAGE 97, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 13, BLOCK "B", HOME ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "M", PAGE 97, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN N 00°02'43"E ALONG THE WEST LINE OF SAID LOT 13 A DISTANCE OF 35.00 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE N 00°02'43"E A DISTANCE OF 100.00 FEET TO A POINT ON A CURVE CONCAVE NORTHEASTERLY; SAID CURVE HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 90°02'43" AND A CHORD BEARING OF S 44°58'38"E; THENCE RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 23.57 FEET TO THE POINT OF TANGENCY OF SAID CURVE; SAID POINT LYING ON THE NORTH RIGHT OF WAY LINE OF AFORESAID KINDEL AVENUE, THENCE RUN N 90°00'00"E ALONG THE NORTH LINE OF SAID KINDEL AVENUE, A DISTANCE OF 234.92 FEET; TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 89°54'37"; THENCE RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 23.54 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF AFORESAID BENJAMIN AVENUE, THENCE RUN S 00°05'24"W ALONG SAID WEST LINE A DISTANCE OF 84.97 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF KINDEL AVENUE; THENCE RUN S 90°00'00"W ALONG SAID SOUTH LINE A DISTANCE OF 249.88 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, SAID CURVE HAVING A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 89°57'17"; THENCE RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 23.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 18,685 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES:

1. The above described land lies within Section 1, Township 22 South, Range 29 East, Orange County, Florida.
2. Bearings shown hereon are based on the West Line of Lewis Drive, Home Acres, having a bearing of N 00°02'43" E. (Assumed).
3. See Sketch on Sheet 2 of 2.

SHEET 1 OF 2

**HENRICH-LUKE &
SWAGGERTY, LLC**



surveyors & mappers
165 Middle Street
Suite 1101
Lake Mary, Florida 32746
(407) 647-7346
FAX (407) 647-8097
Licensed Business No. 7276

Job No: E-8974
Date: 4-2-13
Drawn By: MIL
Scale: 1"=100'

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

NOT VALID WITHOUT SHEET 2 OF 2



Mark I. Luke
Professional Surveyor & Mapper
Florida Registration #5006

Exhibit "A" cont.



Mark I. Luke
Professional Surveyor & Mapper
Florida Registration #5006



city commission public hearing

item type	Public Hearing	meeting date	March 9, 2015
prepared by department division	Jeff Briggs Planning Department	approved by	<input checked="" type="checkbox"/> City Manager <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	Planning and Zoning Board	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	6-0 final vote

Subject: Ordinances for Park and Open Space Zoning on 2908 Temple Trail.

Two Ordinances to designate property at 2908 Temple Trail, just purchased by the City, to be changed from Single Family Residential to Park and Open Space designations. **SECOND READING OF ORDINANCES**

Summary:

On December 29, 2014, the City purchased the property at 2908 Temple Trail. The property is designated Single Family Residential in the Comprehensive Plan and zoned R-1A. Even though varying amounts of this property have been in the Howell Branch Creek floodplain over the years; the property has been zoned residential back from the days when it was within unincorporated Orange County prior to annexation by the City in the 1980's.

The City purchased this property with funds from the Park Acquisition Trust fund in order to add this parcel to the City's holdings of the adjacent Howell Branch Preserve Park. The City has not determined exactly how the property will be used or if it will just remain as is. However, the staff will not be doing anything without consultation with the adjacent neighbors. However, as a "city property" purchased with Park Acquisition funding, the appropriate Comp. Plan designation is now "Open Space and Recreation" and the appropriate Zoning is "Park and Recreation (PR)". This will add 17,122 square feet (0.39 acres) to the City's park inventory.

Planning and Zoning Board Recommendation:

Motion made by Mr. Weldon, seconded by Mrs. DeCiccio to amend the Comprehensive Plan Future Land Use Map designation of single-family residential to open space and recreation on the property at 2908 Temple Trail. Motion carried unanimously with a 6-0 vote.

Motion made by Mr. Weldon, seconded by Mrs. DeCiccio to change the zoning of single-family residential (R-1A) to Parks and Recreation (PR) on the property located at 2908 Temple Trail. Motion carried unanimously with a 6-0 vote.

P&Z Minutes: February 3, 2015:

REQUEST OF THE CITY OF WINTER PARK FOR: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF SINGLE FAMILY RESIDENTIAL TO OPEN SPACE AND RECREATION ON THE PROPERTY AT 2908 TEMPLE TRAIL.

REQUEST OF THE CITY OF WINTER PARK FOR: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING OF SINGLE FAMILY (R-1A) DISTRICT TO PARKS AND RECREATION (PR) DISTRICT ON THE PROPERTY AT 2908 TEMPLE TRAIL.

Planning Manager Jeffrey Briggs presented the staff report and explained that the City has recently purchased the property at 2908 Temple Trail. The subject property is designated Single Family Residential in the Comprehensive Plan and zoned R-1A. He said that even though varying amounts of this property have been in the floodplain over the years; the property has been zoned residential prior to annexation by the City in the 1980s. He noted that City purchased this property with funds from the Park Acquisition Trust fund in order to add this parcel to the City's holdings of the adjacent Howell Branch Preserve Park. He advised that the City has not determined exactly how the property will be used and that the staff will not be doing anything without consultation with the adjacent neighbors. He noted that as a "city property" purchased with Park Acquisition funding, the appropriate Comprehensive Plan designation is now "Open Space and Recreation" and the appropriate Zoning is Park and Recreation (PR). Staff recommended approval. Mr. Briggs responded to Board member questions and concerns.

No one wished to speak concerning this issue. Public Hearing closed.

The consensus amongst the Board members was that this was the appropriate zoning given the intended use by the City.

Motion made by Mr. Weldon, seconded by Mrs. DeCiccio to amend the Comprehensive Plan Future Land Use Map designation of single-family residential to open space and recreation on the property at 2908 Temple Trail. Motion carried unanimously with a 6-0 vote.

Motion made by Mr. Weldon, seconded by Mrs. DeCiccio to change the zoning of single-family residential (R-1A) to Parks and Recreation (PR) on the property located at 2908 Temple Trail. Motion carried unanimously with a 6-0 vote.

OCA Web Map

Florida Turnpike	Major Roads	Proposed Road	Block Line	Commercial/Institutional	Hydro	Golf Course
Interstate 4	Public Roads	Brick Road	Lot Line	Governmental/Institutional/Misc	Waste Land	Lakes and Rivers
Toll Road	Gated Roads	Rail Road	Residential	Commercial/Industrial/Vacant Land	County Boundary	Building
	Road Under Construction	Proposed SunRail	Agriculture	Agricultural Curtilage	Parks	Hospital



OCPA Web Map

	Major Roads		Proposed Road		Residential		Commercial/Industrial/Vacant Land		Parks	6	Lot Number
	Public Roads		Brick Road		Agriculture		Agricultural Curtilage		Lakes and Rivers	06060	Parcel Number
	Gated Roads		Block Line		Commercial/Institutional		Hydro		Building	3106	Parcel Address
	Road Under Construction		Lot Line		Governmental/Institutional/Misc		Waste Land	E	Block Number	111.9	Parcel Dimension



Created: 3/17/2014

This map is for reference only and is not a survey.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF SINGLE FAMILY RESIDENTIAL FUTURE LAND USE TO OPEN SPACE AND RECREATION ON THE PROPERTY AT 2908 TEMPLE TRAIL, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the Winter Park City Commission adopted its Comprehensive Plan on February 23, 2009 via Ordinance 2762-09, and

WHEREAS, Section 163.3184, Florida Statutes, establishes a process for adoption of comprehensive plans or plan amendments amending the future land use designation of property; and

WHEREAS, the City of Winter Park, the owner of the property, as petitioner for a future land use amendment, is desirous of amending the future land use designation from Single Family Residential to Open Space and Recreation; and

WHEREAS, this Comprehensive Plan amendment meets the criteria established by Chapter 163 and 166, Florida Statutes; and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Winter Park Planning and Zoning Commission, acting as the designated Local Planning Agency, has reviewed and recommended adoption of the proposed Comprehensive Plan amendment, having held an advertised public hearing on February 3, 2015, provided for participation by the public in the process, and rendered its recommendations to the City Commission; and

WHEREAS, the Winter Park City Commission has reviewed the proposed Comprehensive Plan amendment and held advertised public hearings on February 23, 2015 and March 9, 2015 and provided for public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process.

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

SECTION 1. Future Land Use Map Amendment. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to change the future land use map designation from Single Family Residential to Open Space and Recreation on the property at 2908 Temple Trail, more particularly described as follows:

BEG FROM NW COR SE1/4 OF SW1/4 OF SEC RUN S 682.33 FT S 88 DEG E 240 FT FOR POB CONTINUE S 88 DEG E 135.7 FT N 48 DEG E 120.1 FT TO RD NWLY ALONG RD 103.94 FT S 46 DEG W 242.46 FT TO POB IN SEC 29-21-30

Parcel ID# 29-21-30-0000-00-034

SECTION 2. 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 any other Section or part of this Ordinance.

SECTION 3. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 4. Effective Date. An amendment adopted under this paragraph does not become effective until 31 days after adoption. If timely challenged, an amendment may not become effective until the state land planning agency or the Administration Commission enters a final order determining that the adopted small scale development amendment is in compliance.

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 _____, 2015.

Mayor

Attest:

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE SINGLE FAMILY RESIDENTIAL (R-1A) DISTRICT ZONING TO PARKS AND RECREATION (PR) DISTRICT ZONING ON THE PROPERTY AT 2908 TEMPLE TRAIL, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Winter Park, the owner of a property at 2908 Temple Trail has requested a Zoning map amendment consistent with the amended Comprehensive Plan, and the requested zoning change will achieve conformance with the Comprehensive Plan for the property, and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes, and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at their February 3, 2015 meeting; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

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

SECTION 1. Official Zoning Map Amendment. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to change the zoning designation from Single Family (R-1A) District to Parks and Recreation (PR) District on the property at 2908 Temple Trail, more particularly described as follows:

BEG FROM NW COR SE1/4 OF SW1/4 OF SEC RUN S 682.33 FT S 88 DEG E 240 FT FOR POB CONTINUE S 88 DEG E 135.7 FT N 48 DEG E 120.1 FT TO RD NWLY ALONG RD 103.94 FT S 46 DEG W 242.46 FT TO POB IN SEC 29-21-30

Parcel ID# 29-21-30-0000-00-034

SECTION 2. 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 any other Section or part of this Ordinance.

SECTION 3. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall become effective upon the effective date of Ordinance _____. If Ordinance _____ does not become effective, then this Ordinance shall be null and void.

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 _____, 2015.

Mayor

Attest:

City Clerk



city commission public hearing

item type	Public Hearing	meeting date	March 9, 2015
prepared by department division	Jeff Briggs Planning Department	approved by	<input checked="" type="checkbox"/> City Manager <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	N/A	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N/A	final vote

Subject: Ordinance to Annex the property at 1802 Stonehurst Road.

Summary:

Mr. and Mrs. King own the home at 1802 Stonehurst Road. They have made a voluntary request for annexation.

Stonehurst Road is an enclave surrounded by the City of Winter Park. Slowly over the years some of the residents have been volunteering to be annexed. The Comprehensive Plan policy is to work toward the eventual annexation of the entire enclave.

When we have the second reading of this Ordinance, the agenda will also contain the Ordinances to establish Single Family FLU designation on the Comprehensive Plan maps and Single Family (R-1AA) zoning on this property. Ordinances to establish the FLU and Zoning can only be done once the second reading of the annexation is official. The property now has the single family FLU and zoning in Orange County, so there is no change.

Prepared by:
Jeff Briggs, Planning Director
City of Winter Park
401 Park Avenue South
Winter Park, FL 32789

Return to:
City of Winter Park City Clerk
401 S. Park Avenue
Winter Park, FL 32789

ORDINANCE NO. 2989-15

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ANNEXING THE PROPERTY AT 1802 STONEHURST ROAD; MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR THE AMENDMENT OF THE CITY OF WINTER PARK'S CHARTER, ARTICLE I, SECTION 1.02, CORPORATE BOUNDARIES TO PROVIDE FOR THE INCORPORATION OF THE REAL PROPERTY DESCRIBED HEREIN; PROVIDING FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 171, Florida Statutes provides the exclusive method of municipal annexation, in order to insure sound urban development and efficient provision of urban services; and

WHEREAS, the City has determined that the area to be annexed is contiguous and reasonably compact, is developed for urban purposes, is not within the boundaries of another municipality, and has met all other requirements of Chapter 171, Florida Statutes, including but not limited to the prerequisites for annexation; and

WHEREAS, the City Commission hereby finds that the annexation of said property will not result in the creation of any enclaves, and it is further determined that the property otherwise fully complies with the requirements of State law; and

WHEREAS, The owner of the property has provided their voluntary consent and petitioned the City of Winter Park for this annexation as described in below and depicted on Exhibit "A", which is the area to be annexed; and:

WHEREAS, pursuant to, and in compliance with the law, notice has been given by publication once a week for two consecutive weeks in a newspaper of general circulation notifying the public of this proposed Ordinance and of public hearings to be held at City Hall in the City of Winter Park; and

WHEREAS, the City Commission has determined that the annexation of the subject area has met all procedural requirements and that it will promote sound urban development and efficient provision of urban services; and

WHEREAS, the annexation is in compliance and consistent with the goals and objectives of the City of Winter Park Comprehensive Plan, Charter and Municipal Code; and

WHEREAS, in the best interest of the public health, safety, and welfare of the citizens of Winter Park, the City Commission of the City of Winter Park desires to annex the real property generally described below into the municipal boundaries of the City of Winter Park; and

WHEREAS, upon adoption of this Ordinance, the municipal boundaries lines of the City of Winter Park, shall, for purposes of Article I, Section 1.02 of the Municipal Charter, shall be redefined to include the subject real property.

NOW, THEREFORE, be it enacted by the City Commission of the City of Winter Park, Florida as follows:

Section 1. Annexation of Real Property. The real property described herein shall be, and is hereby annexed into the City of Winter Park, Florida. This real property is described is illustrated in Exhibit "A" incorporated herein by reference and described as:

LOT 19, STONEHURST ESTATES (LESS S 180 FT THEREOF) AS
RECORDED IN PLAT BOOK "U", PAGE 19 OF THE PUBLIC RECORDS OF
ORANGE COUNTY, FLORIDA
PARCEL ID# 17-22-30-8324-00-191

The described real property shall be existing within the boundaries of the City of Winter Park, Florida and known to be existing within said boundaries from the effective date of this Ordinance.

Section 2. Incorporation of Recitals. The recitals to this Ordinance are hereby incorporated herein by reference and are fully effective as part of this Ordinance.

Section 3. City Boundaries Redefined; Winter Park Charter Amended. Pursuant to Section 166.031(3), Florida Statutes and Section 171.091, Florida Statutes, the City of Winter Park Charter, Article I, Section 1.02 is hereby amended to redefine the corporate boundaries of the City of Winter Park to include the real property described above and in Exhibits "A" of this Ordinance. The City Clerk shall file the revised Winter Park Charter, Article 1, Section 1.02 with the Department of State within seven days after the effective date of this Ordinance. Section 1.02 provides that the corporate boundaries of the City of Winter Park shall remain as they exist on the date the amended Charter took effect, and provides that the City has the power to change its boundaries in the manner prescribed by law. The amendment to the Charter will provide that after the effective date of the adoption of Section 1.02, the property subject to this Ordinance was annexed, and the legal description of the property will not be included in the Charter but the Ordinance number shall be included so that the public is on notice that a description of the corporate boundaries, including the property annexed hereby, is on file in the City Clerk's office.

Section 4. Repeal of Prior Inconsistent Ordinances and Resolutions. All Ordinances and Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed to the extent of conflict.

Section 5. Severability. Should any section or provision of this Ordinance or any portion hereof, including any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereto as a whole, and the invalid portion shall be severed from the remainder of this Ordinance and the remainder of this Ordinance shall be continue to be lawful, enforceable and valid.

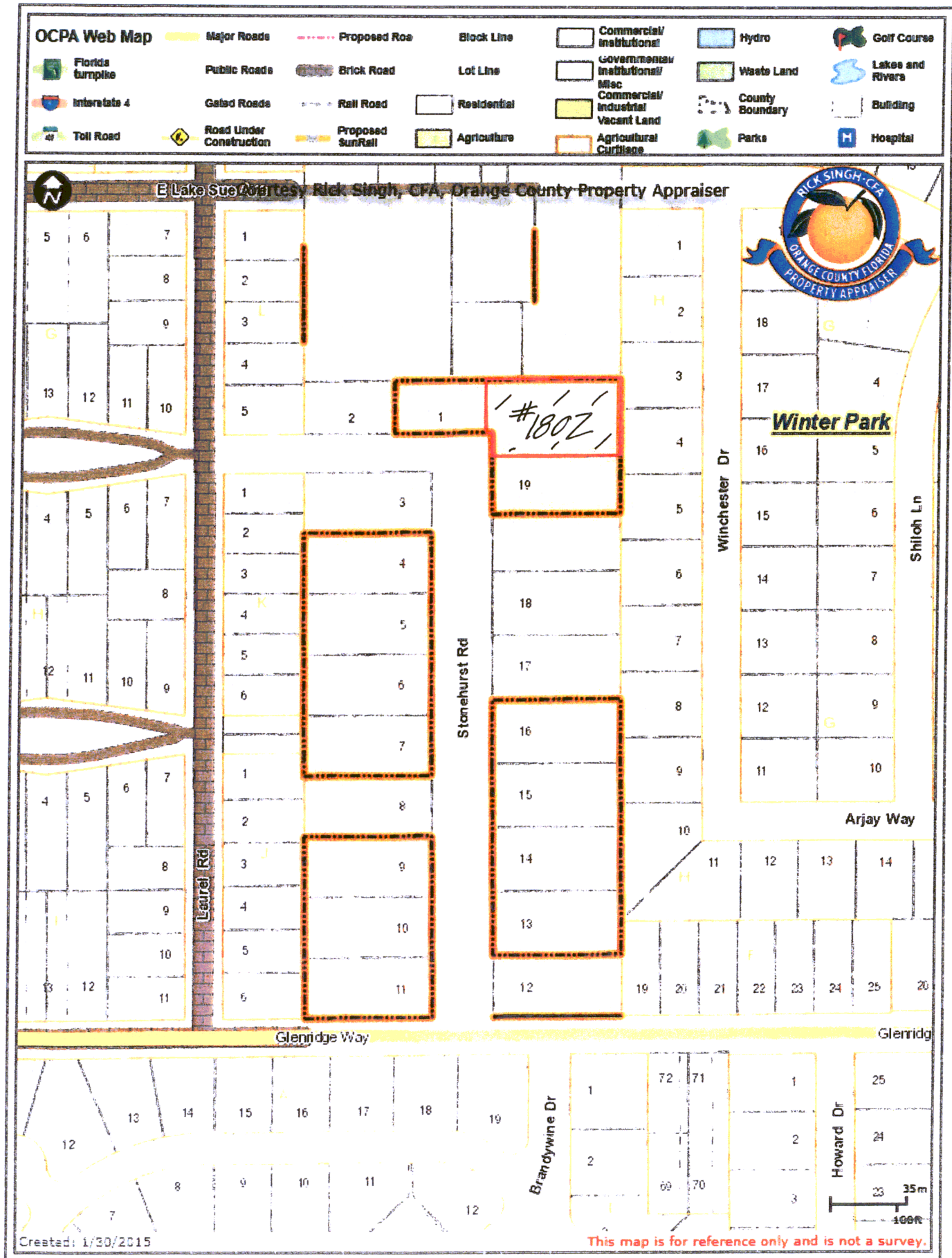
Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Park, Florida.

ADOPTED by the City Commission of the City of Winter Park, Florida at a regular meeting assembled on the _____ day of _____, 2015.

Kenneth W. Bradley, Mayor

Attest: _____
Cynthia S. Bonham, City Clerk

Exhibit "A"





CITY OF WINTER PARK

401 Park Avenue South

Winter Park, Florida

32789-4386

February 6, 2015

Board of the Orange County Commission
Orange County Administration
PO Box 1393
Orlando, FL 32801

RE: Annexation of 1802 Stonehurst Road

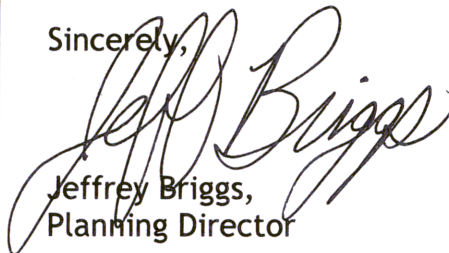
Dear Board of County Commissioners:

Pursuant to Chapter 171, Florida Statutes, the City of Winter Park has received a voluntary annexation petition from the owners of the property at 1802 Stonehurst Road to annex that property. Enclosed is a copy of the legal advertisement and ordinance. The legal advertisements will run in the Orlando Sentinel for two consecutive weeks on Sunday, February 22, 2015 and Sunday, March 1, 2015.

The ordinance for this annexation will be heard at public hearings on March 9, 2015 and March 23, 2015 at 3:30 pm in the Commission Chambers of City Hall, 401 S. Park Avenue, Winter Park.

If you have other questions, please contact me at jbriggs@cityofwinterpark.org or at (407) 599-3440.

Sincerely,



Jeffrey Briggs,
Planning Director

Enclosures

Prepared by and return to:
Jeff Briggs, Planning Director
City of Winter Park
401 Park Avenue South
Winter Park, FL 32789

ORDINANCE NO. 2989-15

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ANNEXING THE PROPERTY AT 1802 STONEHURST ROAD; MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR THE AMENDMENT OF THE CITY OF WINTER PARK'S CHARTER, ARTICLE I, SECTION 1.02, CORPORATE BOUNDARIES TO PROVIDE FOR THE INCORPORATION OF THE REAL PROPERTY DESCRIBED HEREIN; PROVIDING FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 171, Florida Statutes provides the exclusive method of municipal annexation, in order to insure sound urban development and efficient provision of urban services; and

WHEREAS, the City has determined that the area to be annexed is contiguous and reasonably compact, is developed for urban purposes, is not within the boundaries of another municipality, and has met all other requirements of Chapter 171, Florida Statutes, including but not limited to the prerequisites for annexation; and

WHEREAS, the City Commission hereby finds that the annexation of said property will not result in the creation of any enclaves, and it is further determined that the property otherwise fully complies with the requirements of State law; and

WHEREAS, The owner of the property has provided their voluntary consent and petitioned the City of Winter Park for this annexation as described in below and depicted on Exhibit "A", which is the area to be annexed; and:

WHEREAS, pursuant to, and in compliance with the law, notice has been given by publication once a week for two consecutive weeks in a newspaper of general circulation notifying the public of this proposed Ordinance and of public hearings to be held at City Hall in the City of Winter Park; and

WHEREAS, the City Commission has determined that the annexation of the subject area has met all procedural requirements and that it will promote sound urban development and efficient provision of urban services; and

WHEREAS, the annexation is in compliance and consistent with the goals and objectives of the City of Winter Park Comprehensive Plan, Charter and Municipal Code; and

WHEREAS, in the best interest of the public health, safety, and welfare of the citizens of Winter Park, the City Commission of the City of Winter Park desires to annex the real property generally described below into the municipal boundaries of the City of Winter Park; and

WHEREAS, upon adoption of this Ordinance, the municipal boundaries lines of the City of Winter Park, shall, for purposes of Article I, Section 1.02 of the Municipal Charter, shall be redefined to include the subject real property.

NOW, THEREFORE, be it enacted by the City Commission of the City of Winter Park, Florida as follows:

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RECORDED IN PLAT BOOK "U", PAGE 19 OF THE PUBLIC RECORDS OF
ORANGE COUNTY, FLORIDA
PARCEL ID# 17-22-30-8324-00-191

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Section 2. Incorporation of Recitals. The recitals to this Ordinance are hereby incorporated herein by reference and are fully effective as part of this Ordinance.

Section 3. City Boundaries Redefined; Winter Park Charter Amended. Pursuant to Section 166.031(3), Florida Statutes and Section 171.091, Florida Statutes, the City of Winter Park Charter, Article I, Section 1.02 is hereby amended to redefine the corporate boundaries of the City of Winter Park to include the real property described above and in Exhibits "A" of this Ordinance. The City Clerk shall file the revised Winter Park Charter, Article 1, Section 1.02 with the Department of State within seven days after the effective date of this Ordinance. Section 1.02 provides that the corporate boundaries of the City of Winter Park shall remain as they exist on the date the amended Charter took effect, and provides that the City has the power to change its boundaries in the manner prescribed by law. The amendment to the Charter will provide that after the effective date of the adoption of Section 1.02, the property subject to this Ordinance was annexed, and the legal description of the property will not be included in the Charter but the Ordinance number shall be included so that the public is on notice that a description of the corporate boundaries, including the property annexed hereby, is on file in the City Clerk's office.

Section 4. Repeal of Prior Inconsistent Ordinances and Resolutions. All Ordinances and Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed to the extent of conflict.

Section 5. Severability. Should any section or provision of this Ordinance or any portion hereof, including any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereto as a whole, and the invalid portion shall be severed from the remainder of this Ordinance and the remainder of this Ordinance shall be continue to be lawful, enforceable and valid.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Park, Florida.

ADOPTED by the City Commission of the City of Winter Park, Florida at a regular meeting assembled on the _____ day of _____, 2015.

Kenneth W. Bradley, Mayor

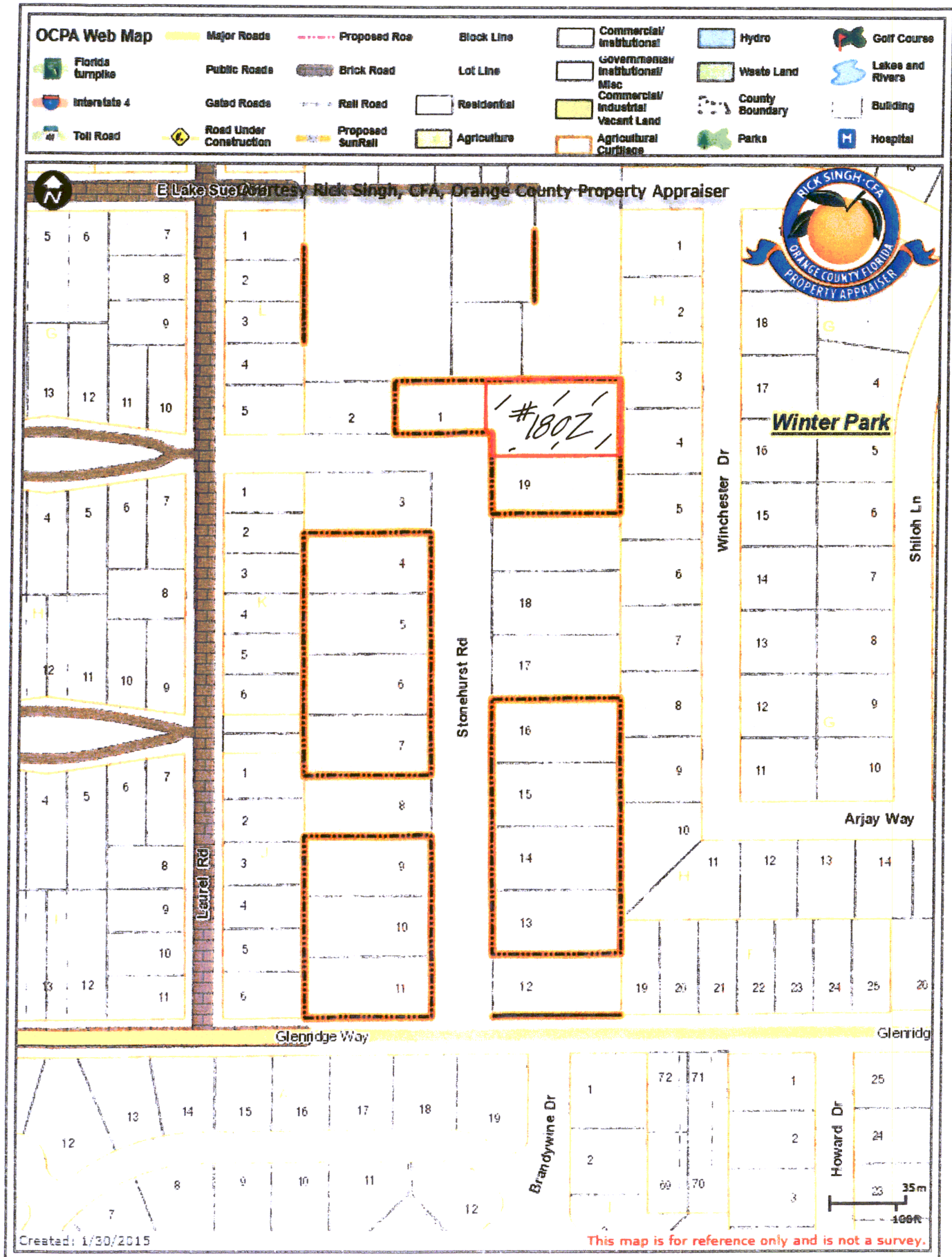
Attest: _____
Cynthia S. Bonham, City Clerk

First Reading: _____, 2015

Second Reading: _____, 2015

Effective Date: _____, 2015

Exhibit "A"



NOTICE OF ANNEXATION

CITY OF WINTER PARK
PUBLIC NOTICE

TO CONSIDER THE ANNEXATION OF 1802 STONEHURST ROAD

NOTICE is hereby given that public hearings will be held by the Winter Park City Commission on Monday, March 9, 2015 at 3:30 p.m. and on Monday, March 23, 2015 at 3:30 pm in the Winter Park City Hall, Commission Chambers at 401 S. Park Avenue, Winter Park, Florida, to consider the following:

ORDINANCE NO. 2989-15

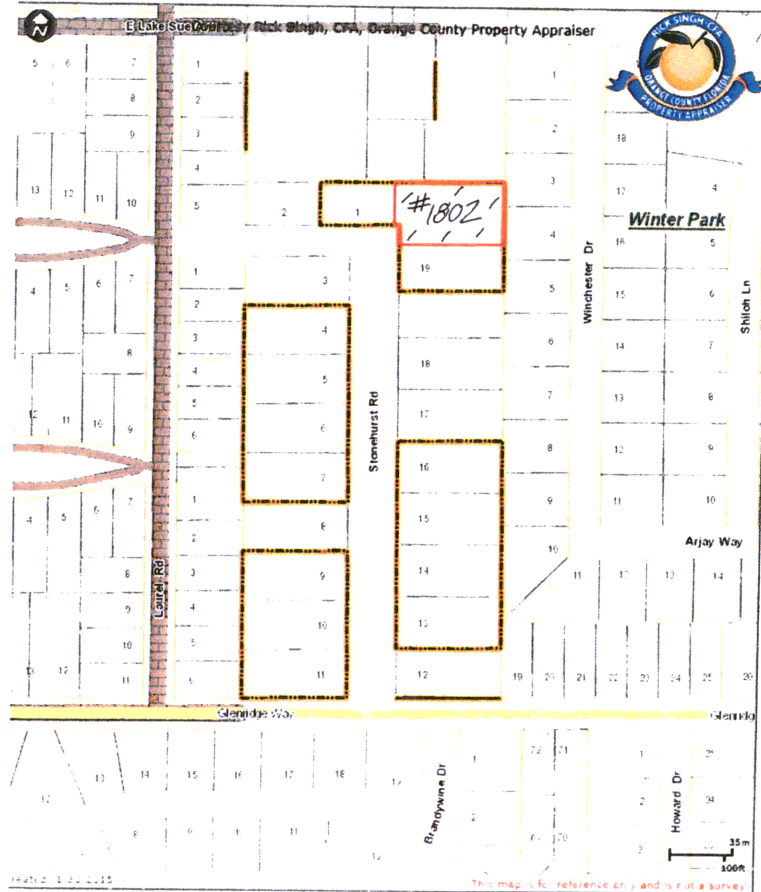
AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ANNEXING THE PROPERTY AT 1802 STONEHURST ROAD.

The complete legal description as well as a complete copy of this proposed Ordinance No. 2889-15 may be obtained and inspected at the office of the City Clerk at 401 Park Avenue, South, Winter Park, Florida during regular business hours.

All interested parties are invited to attend and be heard. Additional information is available in the City Clerk's office so that citizens may acquaint themselves with each issue and receive answers to any questions they may have prior to the meeting.

NOTE: If a person decides to appeal any decision made by the Commission 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.



Cynthia S. Bonham, CMC
City Clerk

Publish: Sunday, February 22, 2015 and Sunday, March 1, 2015, Orlando Sentinel



city commission public hearing

item type	Public Hearing	meeting date	March 9, 2015
prepared by department division	Jeff Briggs Planning Department	approved by	<input checked="" type="checkbox"/> City Manager <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	N/A	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N/A	final vote

Subject: Ordinance to Annex a portion of the Howell Branch Road right-of-way.

This ordinance would annex the eastern portion of the Howell Branch Road right-of-way from 1620 Howell Branch Road; east to the city limits. What happened in 2002, was that the City annexed down from the north and up from the south and never included this portion of the Howell Branch Road right-of-way. (See map attached)

Over the years, on rare occasions there has been confusion for the Police Dept. with calls on accidents in this section of Howell Branch Road. Since it is unincorporated Orange County, the City has to call the Highway Patrol to take the accident report since it is not inside the city limits. This will eliminate that confusion in this section of Howell Branch Road.

Howell Branch Road would remain a "county road" meaning Orange County has the responsibility for maintenance of the right-of-way.

The staff has provided the notice required to Orange County per Chapter 171, Florida Statutes, as well as the required legal advertisements.

Staff Recommendation: Approval

Prepared by:
Jeff Briggs, Planning Director
City of Winter Park
401 Park Avenue South
Winter Park, FL 32789

Return to:
Winter Park City Clerk
401 S. Park Avenue
Winter Park, FL 32789

ORDINANCE NO. 2990-15

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ANNEXING A PORTION OF THE RIGHT-OF-WAY OF HOWELL BRANCH ROAD GENERALLY BETWEEN 1620 HOWELL BRANCH ROAD AND THE CITY LIMITS; MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR THE AMENDMENT OF THE CITY OF WINTER PARK'S CHARTER, ARTICLE I, SECTION 1.02, CORPORATE BOUNDARIES TO PROVIDE FOR THE INCORPORATION OF THE REAL PROPERTY DESCRIBED HEREIN; PROVIDING FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, the City has determined that the area to be annexed is contiguous and reasonably compact, is developed for urban purposes, is not within the boundaries of another municipality, and has met all other requirements of Chapter 171, Florida Statutes, including but not limited to the prerequisites for annexation; and

WHEREAS, the City Commission hereby finds that the annexation of said property will not result in the creation of any enclaves, and it is further determined that the property otherwise fully complies with the requirements of State law; and

WHEREAS, pursuant to, and in compliance with the law, notice has been given by publication once a week for two consecutive weeks in a newspaper of general circulation notifying the public of this proposed Ordinance and of public hearings to be held at City Hall in the City of Winter Park; and

WHEREAS, the City Commission has determined that the annexation of the subject area has met all procedural requirements and that it will promote sound urban development and efficient provision of urban services; and

WHEREAS, the annexation is in compliance and consistent with the goals and objectives of the City of Winter Park Comprehensive Plan, Charter and Municipal Code; and

WHEREAS, in the best interest of the public health, safety, and welfare of the citizens of Winter Park, the City Commission of the City of Winter Park desires to annex the

real property generally described below into the municipal boundaries of the City of Winter Park; and

WHEREAS, upon adoption of this Ordinance, the municipal boundaries lines of the City of Winter Park, shall, for purposes of Article I, Section 1.02 of the Municipal Charter, shall be redefined to include the subject real property.

NOW, THEREFORE, be it enacted by the City Commission of the City of Winter Park, Florida as follows:

Section 1. Annexation of Real Property. The real property described herein shall be, and is hereby annexed into the City of Winter Park, Florida. This real property is described in Exhibit “A” and illustrated in Exhibit “B”. These Exhibits are incorporated herein by reference. The described real property shall be existing within the boundaries of the City of Winter Park, Florida and known to be existing within said boundaries from the effective date of this Ordinance.

Section 2. Incorporation of Recitals. The recitals to this Ordinance are hereby incorporated herein by reference and are fully effective as part of this Ordinance.

Section 3. City Boundaries Redefined; Winter Park Charter Amended. Pursuant to Section 166.031(3), Florida Statutes and Section 171.091, Florida Statutes, the City of Winter Park Charter, Article I, Section 1.02 is hereby amended to redefine the corporate boundaries of the City of Winter Park to include the real property described in Section 1 and Exhibits “A” and “B” of this Ordinance. The City Clerk shall file the revised Winter Park Charter, Article 1, Section 1.02 with the Department of State within seven days after the effective date of this Ordinance. Section 1.02 provides that the corporate boundaries of the City of Winter Park shall remain as they exist on the date the amended Charter took effect, and provides that the City has the power to change its boundaries in the manner prescribed by law. The amendment to the Charter will provide that after the effective date of the adoption of Section 1.02, the property subject to this Ordinance was annexed, and the legal description of the property will not be included in the Charter but the Ordinance number shall be included so that the public is on notice that a description of the corporate boundaries, including the property annexed hereby, is on file in the City Clerk’s office.

Section 4. Repeal of Prior Inconsistent Ordinances and Resolutions. All Ordinances and Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed to the extent of conflict.

Section 5. Severability. Should any section or provision of this Ordinance or any portion hereof, including any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereto as a whole, and the invalid portion shall be severed from the remainder of this Ordinance and the remainder of this Ordinance shall be continue to be lawful, enforceable and valid.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Park, Florida.

ADOPTED by the City Commission of the City of Winter Park, Florida at a regular meeting assembled on the _____ day of _____, 2015.

Kenneth W. Bradley, Mayor

Attest: _____
Cynthia S. Bonham, City Clerk

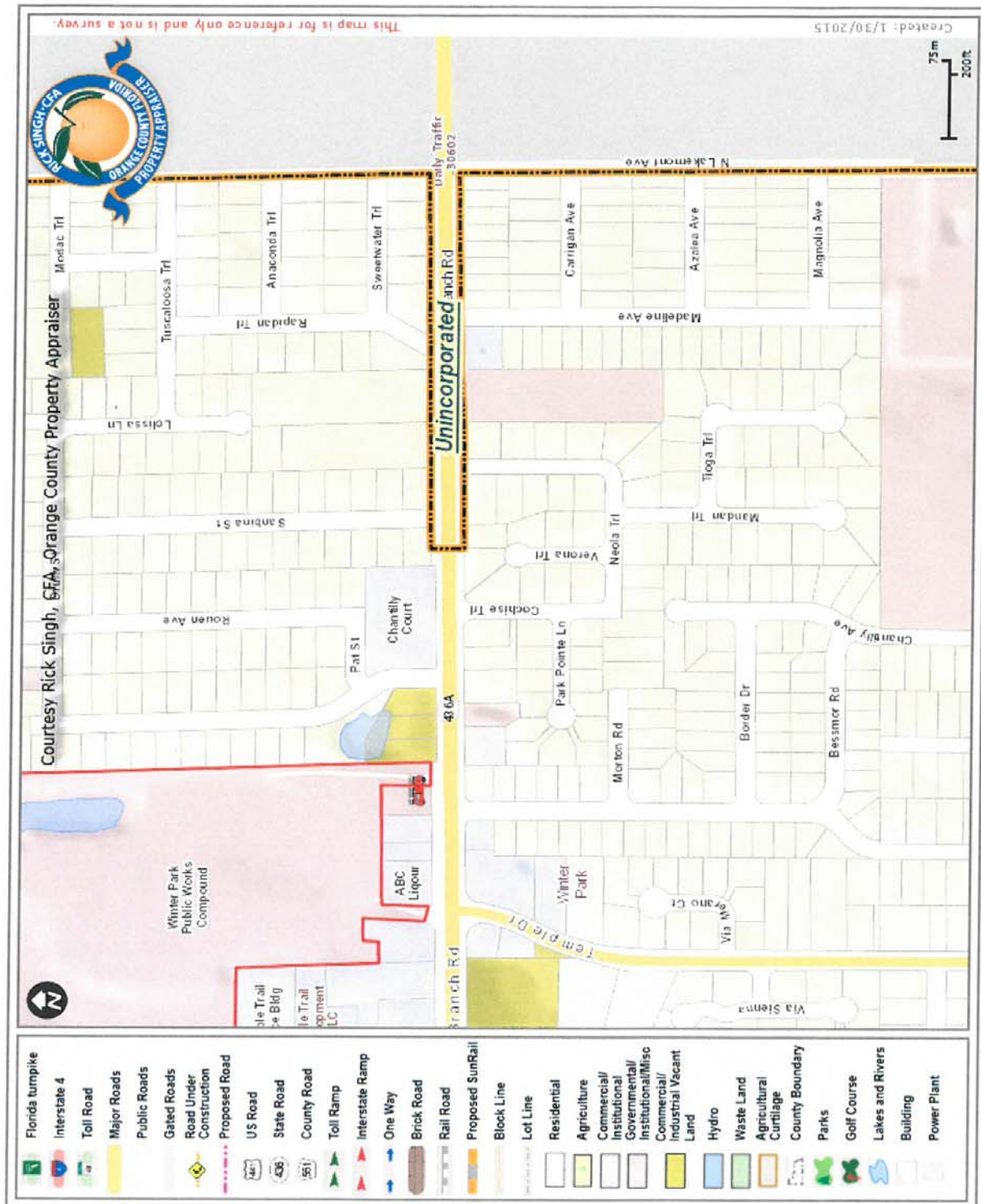
Exhibit A

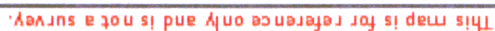
HOWELL BRANCH ROAD ANNEXATION

LEGAL DESCRIPTION:

BEGIN at the Southwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 29, Township 21 South, Range 30 East, Orange County, Florida; thence run North $00^{\circ}39'12''$ West along the West line of said Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, a distance of 50.00 feet, to the Southwest corner of Lot 14, Block "B", Howell Heights, according to the plat thereof, as recorded in Plat Book "X", Page 72, of the Public Records of Orange County, Florida, said point also being on the North right-of-way line of Howell Branch Road (as now established); thence departing said West line of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, run South $89^{\circ}32'51''$ East along said North right-of-way line, of Howell Branch Road, a distance of 1284.14 feet, to the Southeast corner of Lot 5, Block "G", Dommerich Hills Fourth Addition, according to the plat thereof, as recorded in Plat Book 1, Page 2, of the Public Records of Orange County, Florida; thence departing said North right-of-way line, run South $00^{\circ}07'03''$ East along the East line, of the aforesaid Section 29, a distance of 50.01 feet, to the Southeast corner of said Section 29; thence South $00^{\circ}41'57''$ West along the East line of Section 32, Township 21 South, Range 30 East, Orange County, Florida, a distance of 39.00 feet, to a point 9.00 feet south of, when measured perpendicular to, the Northeast corner of Lot 1, Block "A", Temple Terrace, according to the plat thereof, as recorded in Plat Book "S", Page 5, of the Public Records of Orange County, Florida, said point also being on the South right-of-way line of Howell Branch Road (as now established); thence departing said East line of Section 32, run North $89^{\circ}50'34''$ West along said South right-of-way line of Howell Branch Road, a distance of 815.93 feet to the West line of the West 86.75 feet of the East 173.50 feet of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 32; thence South $01^{\circ}05'57''$ East along said West line and said South right-of-way line, a distance of 6.80 feet to the Northeast corner of Lot 42, Block "B", The Hills, according to the plat thereof, as recorded in Plat Book 1, Page 104, of the Public Records of Orange County, Florida; thence North $89^{\circ}32'51''$ West along said South right-of-way line, a distance of 468.36 feet, to the West line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, of said Section 32; thence departing said South right-of-way line, of the aforesaid Howell Branch Road, run North $01^{\circ}07'40''$ East along said West line, a distance of 50.00 feet, to the POINT OF BEGINNING.

Exhibit B







CITY OF WINTER PARK

401 Park Avenue South

Winter Park, Florida

32789-4386

February 6, 2015

Board of the Orange County Commission
Orange County Administration
PO Box 1393
Orlando, FL 32801

RE: Annexation of a portion of Howell Branch Road

Dear Board of County Commissioners:

Pursuant to Chapter 171, Florida Statutes, the City of Winter Park is proceeding to annex a small portion of the right-of way of Howell Branch Road which has properties within the city on both sides. There have been instances of confusion with public safety response where these right-of-ways are in the County but all the properties along these sections are in the City. This will remedy these public safety response issues. Enclosed is a copy of the legal advertisement, ordinance and map. The legal advertisements will run in the Orlando Sentinel for two consecutive weeks on Sunday, February 22, 2015 and Sunday, March 1, 2015.

The ordinance for this annexation will be heard at public hearings on March 9, 2015 and March 23, 2015 at 3:30 pm in the Commission Chambers of City Hall, 401 S. Park Avenue, Winter Park.

If you have other questions, please contact me at jbriggs@cityofwinterpark.org or at (407) 599-3440.

Sincerely,



Jeffrey Briggs,
Planning Director

Enclosures

ORDINANCE NO. 2990-15

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ANNEXING A PORTION OF THE RIGHT-OF-WAY OF HOWELL BRANCH ROAD GENERALLY BETWEEN 1620 HOWELL BRANCH ROAD AND THE CITY LIMITS; MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR THE AMENDMENT OF THE CITY OF WINTER PARK'S CHARTER, ARTICLE I, SECTION 1.02, CORPORATE BOUNDARIES TO PROVIDE FOR THE INCORPORATION OF THE REAL PROPERTY DESCRIBED HEREIN; PROVIDING FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 171, Florida Statutes provides the exclusive method of municipal annexation, in order to insure sound urban development and efficient provision of urban services; and

WHEREAS, the City has determined that the area to be annexed is contiguous and reasonably compact, is developed for urban purposes, is not within the boundaries of another municipality, and has met all other requirements of Chapter 171, Florida Statutes, including but not limited to the prerequisites for annexation; and

WHEREAS, the City Commission hereby finds that the annexation of said property will not result in the creation of any enclaves, and it is further determined that the property otherwise fully complies with the requirements of State law; and

WHEREAS, pursuant to, and in compliance with the law, notice has been given by publication once a week for two consecutive weeks in a newspaper of general circulation notifying the public of this proposed Ordinance and of public hearings to be held at City Hall in the City of Winter Park; and

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WHEREAS, the annexation is in compliance and consistent with the goals and objectives of the City of Winter Park Comprehensive Plan, Charter and Municipal Code; and

WHEREAS, in the best interest of the public health, safety, and welfare of the citizens of Winter Park, the City Commission of the City of Winter Park desires to annex the real property generally described below into the municipal boundaries of the City of Winter Park; and

WHEREAS, upon adoption of this Ordinance, the municipal boundaries lines of the City of Winter Park, shall, for purposes of Article I, Section 1.02 of the Municipal Charter, shall be redefined to include the subject real property.

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Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Park, Florida.

ADOPTED by the City Commission of the City of Winter Park, Florida at a regular meeting assembled on the _____ day of _____, 2015.

Kenneth W. Bradley, Mayor

Attest: _____
Cynthia S. Bonham, City Clerk

First Reading: _____, 2015

Second Reading: _____, 2015

Effective Date: _____, 2015

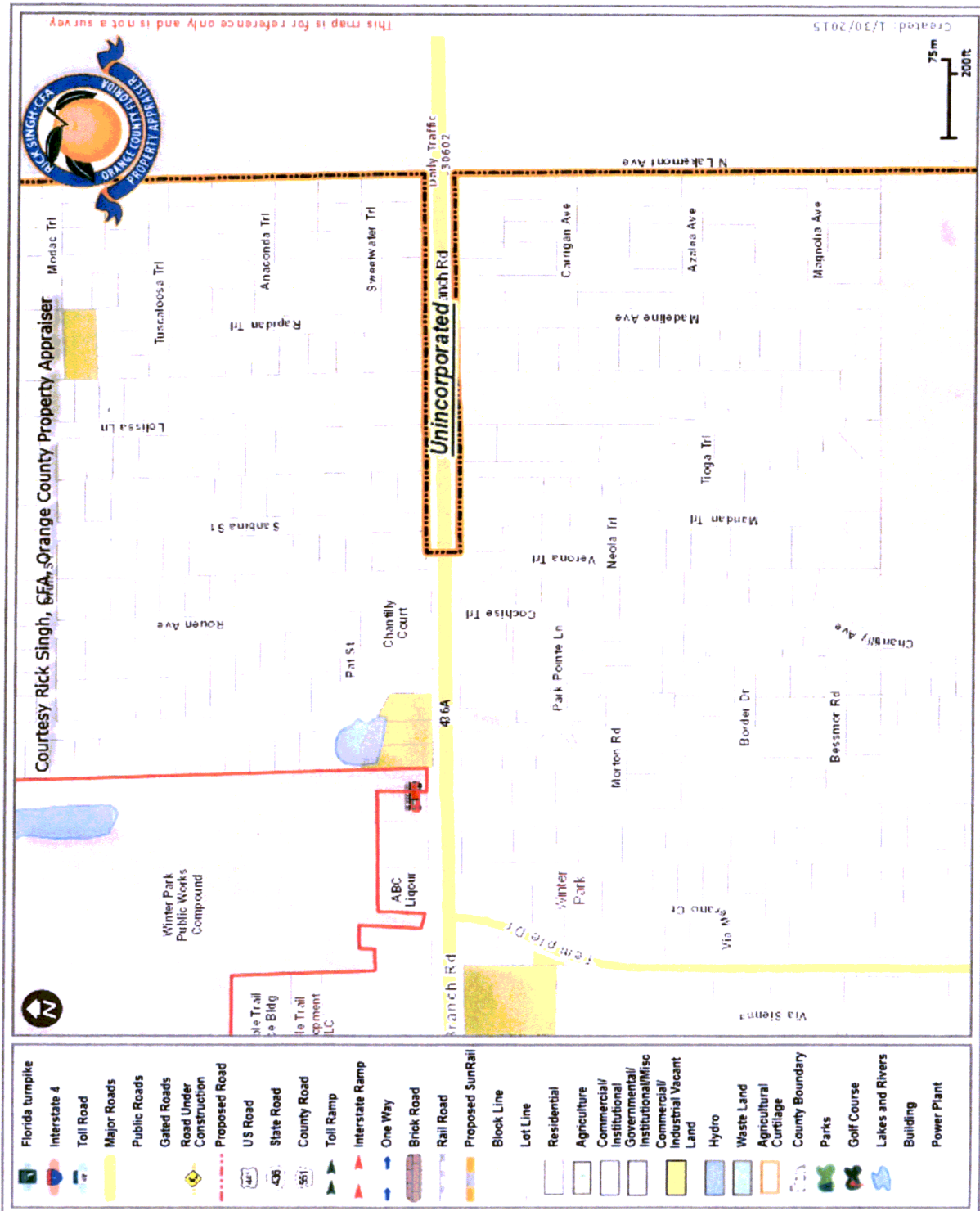
Exhibit A

HOWELL BRANCH ROAD ANNEXATION

LEGAL DESCRIPTION:

BEGIN at the Southwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 29, Township 21 South, Range 30 East, Orange County, Florida; thence run North $00^{\circ}39'12''$ West along the West line of said Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, a distance of 50.00 feet, to the Southwest corner of Lot 14, Block "B", Howell Heights, according to the plat thereof, as recorded in Plat Book "X", Page 72, of the Public Records of Orange County, Florida, said point also being on the North right-of-way line of Howell Branch Road (as now established); thence departing said West line of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, run South $89^{\circ}32'51''$ East along said North right-of-way line, of Howell Branch Road, a distance of 1284.14 feet, to the Southeast corner of Lot 5, Block "G", Dommerich Hills Fourth Addition, according to the plat thereof, as recorded in Plat Book 1, Page 2, of the Public Records of Orange County, Florida; thence departing said North right-of-way line, run South $00^{\circ}07'03''$ East along the East line, of the aforesaid Section 29, a distance of 50.01 feet, to the Southeast corner of said Section 29; thence South $00^{\circ}41'57''$ West along the East line of Section 32, Township 21 South, Range 30 East, Orange County, Florida, a distance of 39.00 feet, to a point 9.00 feet south of, when measured perpendicular to, the Northeast corner of Lot 1, Block "A", Temple Terrace, according to the plat thereof, as recorded in Plat Book "S", Page 5, of the Public Records of Orange County, Florida, said point also being on the South right-of-way line of Howell Branch Road (as now established); thence departing said East line of Section 32, run North $89^{\circ}50'34''$ West along said South right-of-way line of Howell Branch Road, a distance of 815.93 feet to the West line of the West 86.75 feet of the East 173.50 feet of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 32; thence South $01^{\circ}05'57''$ East along said West line and said South right-of-way line, a distance of 6.80 feet to the Northeast corner of Lot 42, Block "B", The Hills, according to the plat thereof, as recorded in Plat Book 1, Page 104, of the Public Records of Orange County, Florida; thence North $89^{\circ}32'51''$ West along said South right-of-way line, a distance of 468.36 feet, to the West line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, of said Section 32; thence departing said South right-of-way line, of the aforesaid Howell Branch Road, run North $01^{\circ}07'40''$ East along said West line, a distance of 50.00 feet, to the POINT OF BEGINNING.

Exhibit B



NOTICE OF ANNEXATION

CITY OF WINTER PARK
PUBLIC NOTICE

TO CONSIDER THE ANNEXATION OF A PORTION OF THE HOWELL BRANCH ROAD RIGHT-OF -WAY

NOTICE is hereby given that public hearings will be held by the Winter Park City Commission on Monday, March 9, 2015 at 3:30 p.m. and on Monday, March 23, 2015 at 3:30 pm in the Winter Park City Hall, Commission Chambers at 401 S. Park Avenue, Winter Park, Florida, to consider the following:

ORDINANCE NO. 2990-15

**AN ORDINANCE OF THE CITY OF WINTER PARK,
FLORIDA, ANNEXING THE RIGHT-OF-WAY OF HOWELL
BRANCH ROAD GENERALLY FROM 1620 HOWELL
BRANCH ROAD EAST TO THE CITY LIMITS, MORE
PARTICULARLY DESCRIBED HEREIN.**

The complete legal description by metes and bounds as well as a complete copy of this proposed Ordinance No. 2990-15 may be obtained and inspected at the office of the City Clerk at 401 Park Avenue, South, Winter Park, Florida during regular business hours.

All interested parties are invited to attend and be heard. Additional information is available in the City Clerk's office so that citizens may acquaint themselves with each issue and receive answers to any questions they may have prior to the meeting.

NOTE: If a person decides to appeal any decision made by the Commission 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.

