

**CITY OF WINTER PARK
PLANNING AND ZONING BOARD**

**Staff Report
December 6, 2016**

SPR 7:16 REQUEST OF NASRALLAH ARCHITECTURAL GROUP, INC. FOR APPROVAL TO BUILD A NEW TWO-STORY, SINGLE-FAMILY HOME LOCATED AT 117 GENIUS DRIVE ON LAKE MIZELL.

Nasrallah Architectural Group is requesting approval to construct a new two-story, single-family home located at 117 Genius Drive on Lake Mizell. The upland area of this lot measures 41,335 square feet, and is currently vacant.

The proposed two-story home will be 12,407 square feet in size with a 670 square foot area with ceilings over 17.5 feet in height. The square footage of this home yields a floor area ratio (FAR) of 32%. Therefore, the proposed home is within the maximum allowed 33% FAR. The proposed home will have impervious lot coverage of 9,691 square feet, or 23%, which is within the maximum 50%.

TREE PRESERVATION: The Code direction on water front lots is "to preserve existing trees to the degree reasonably possible." None of the existing trees onsite are being removed for the construction of this home.

VIEW FROM THE LAKE: The applicant is proposing to construct a retaining wall that extends from the northern retention area, along the pool deck, and to the southern retention area. The retaining wall is less than three feet in height, and two rows of hedges are to be planted along the length of the wall.

The northern portion of the retaining wall and pool deck extend slightly into the 50 foot lakefront setback. This area is less than 10% impervious. The edge of the covered rear patio in this area observes the 50 foot lakefront setback.

VIEW OF NEIGHBORS: The location of the home as proposed will not degrade the lake views of the neighbors.

STORM WATER RETENTION: The applicant is proposing three stormwater retention areas, which are sized to meet the City's code requirements.

SUMMARY: Overall, the plans meet the intent of the lakefront review criteria. Staff does not see any significant concerns with the proposed home as presented and the staff's review is limited at this time to the lakefront review criteria. The applicant is not requesting any variances from the P&Z Board and the new home will comply with all zoning regulations. If there is any plan component that might not comply, it will be revised during the Building Dept. permit review.

STAFF RECOMMENDATION IS FOR APPROVAL

Parcel Report for 08-22-30-0240-33-171



Created: 11/9/2016

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

OCA Web Map		Proposed Road	Block Line	Commercial/Institutional	Hydro	Golf Course
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	Road Under Construction	Proposed SunRail	Agriculture	Agricultural Curtilage	Parke	Hospital

**CITY OF WINTER PARK
PLANNING AND ZONING BOARD**

**Staff Report
December 6, 2016**

SPR 8:16 REQUEST OF E2 HOMES, LLC FOR APPROVAL TO ENLARGE THE EXISTING SWIMMING POOL SCREEN ENCLOSURE AND CONSTRUCT A NEW ENCLOSED PUTTING GREEN FOR THE SINGLE-FAMILY HOME LOCATED AT 1032 TUSCANY PLACE ON LAKE TUSCANY.

E2 Homes is requesting approval to enlarge the existing swimming pool screen enclosure and construct a new enclosed putting green for the single-family home located at 1032 Tuscany Place on Lake Tuscany, zoned R-1AA.

The upland area of this lot measures over 30,000 square feet, and is currently occupied by a two-story 4,808-square foot, single-family home. The applicant is currently constructing a 1,253-square foot addition to this home on the non-lakefront portion of the home.

The proposed screen enclosure for the swimming pool/deck and putting green will add 2,760-square feet of impervious area to the site. The new total impervious area of the site is 9,989 square feet, or 33%, which is within the maximum 50%.

TREE PRESERVATION: The Code direction on water front lots is "to preserve existing trees to the degree reasonably possible." None of the existing trees onsite are being removed for the construction of this home.

VIEW FROM THE LAKE: The preliminary site plan submitted to the City by the applicant depicted the activity/putting green screen enclosed area as a screen enclosed batting cage. The city's Building Official determined that a batting cage is not a permitted accessory use within the R-1AA zoning district. The applicant then revised the plans to make this a screen enclosed putting green structure of the exact same dimensions as the batting cage. The putting green enclosure has been lowered in elevation to meet the applicable code restrictions on wall heights at the side setback and the retaining wall height restriction at the lakefront.

VIEW OF NEIGHBORS: The Code direction on water front lots is "to try to protect traditional views across neighboring properties." In this case, the west adjoining neighbor at 1024 Tuscany Place will have their current lake view altered as a result of this putting green screen enclosure structure. Staff has mailed a copy of the applicant's site plan as well as this staff report to the affected neighbor. The P&Z Board will make a determination at their meeting as to how to address this fact, unless the neighbor has no objections to the attached plans.

STORM WATER RETENTION: There is over 120 feet between the home and the normal high water elevation of Lake Tuscany and the applicant, as stated within the attached application package, is proposing to provide stormwater retention within this area.

SUMMARY: Overall, the plans meet the intent of the lakefront review criteria with the exception of the potential aggradation of traditional lake views. Staff does not see any significant concerns with the proposed home as presented with the exception of the concerns of the lake views of 1024 Tuscany Place. If Staff learns that they object, then Staff will recommend denial, otherwise the staff recommendation is for approval.

STAFF RECOMMENDATION IS FOR APPROVAL with the following condition:

- 1. That the screen enclosed activity area may not be utilized as a batting cage.**

**James & Susan Kragh
1024 Tuscany Place
Winter Park, Florida 32789**

July 9, 2016

Building & Permitting Services
City of Winter Park
401 South Park Avenue
Winter Park, Florida 32789

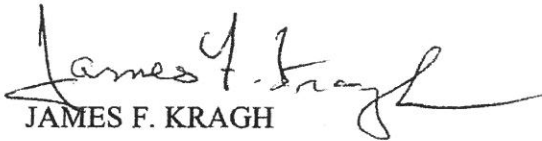
Re: Proposed Improvements at 1032 Tuscany Place

Dear Building Department Officials:

My wife and I are the owners and residents of the home located at 1024 Tuscany Place, Winter Park, Florida 32789. The lot line for our residence abuts that of 1032 Tuscany Place, which we understand is owned by Jason and Renae Bruce. We have reviewed the proposed permit set of plans for the improvements that the Bruce Family wishes to make to their home. We understand that the proposed single-story addition closest to our lot line would otherwise violate the City's current setback requirements absent our consent to its construction. Any changes to the west side of the proposed planned improvement to the single story addition (including the bump-out) closest to our lot line will make this consent agreement null and void.

We are agreeable to the proposed construction project so long as it is completed in accordance with the elevations shown in the attached plan sheets.

Sincerely,

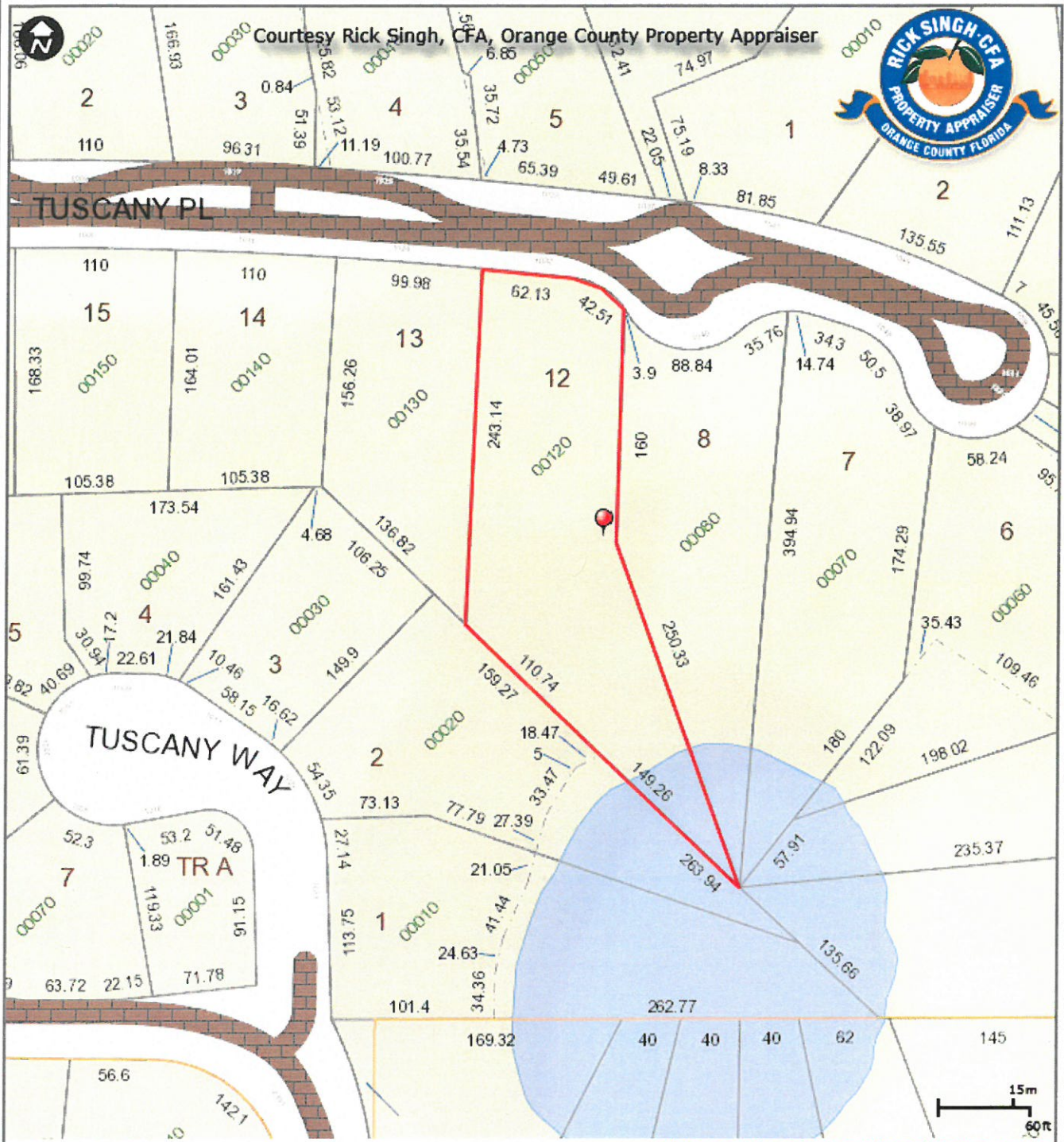

JAMES F. KRAGH


SUSAN KRAGH

Enclosures: Three Plan Sheets

Parcel Report for 32-21-30-8786-00-120

Courtesy Rick Singh, CFA, Orange County Property Appraiser

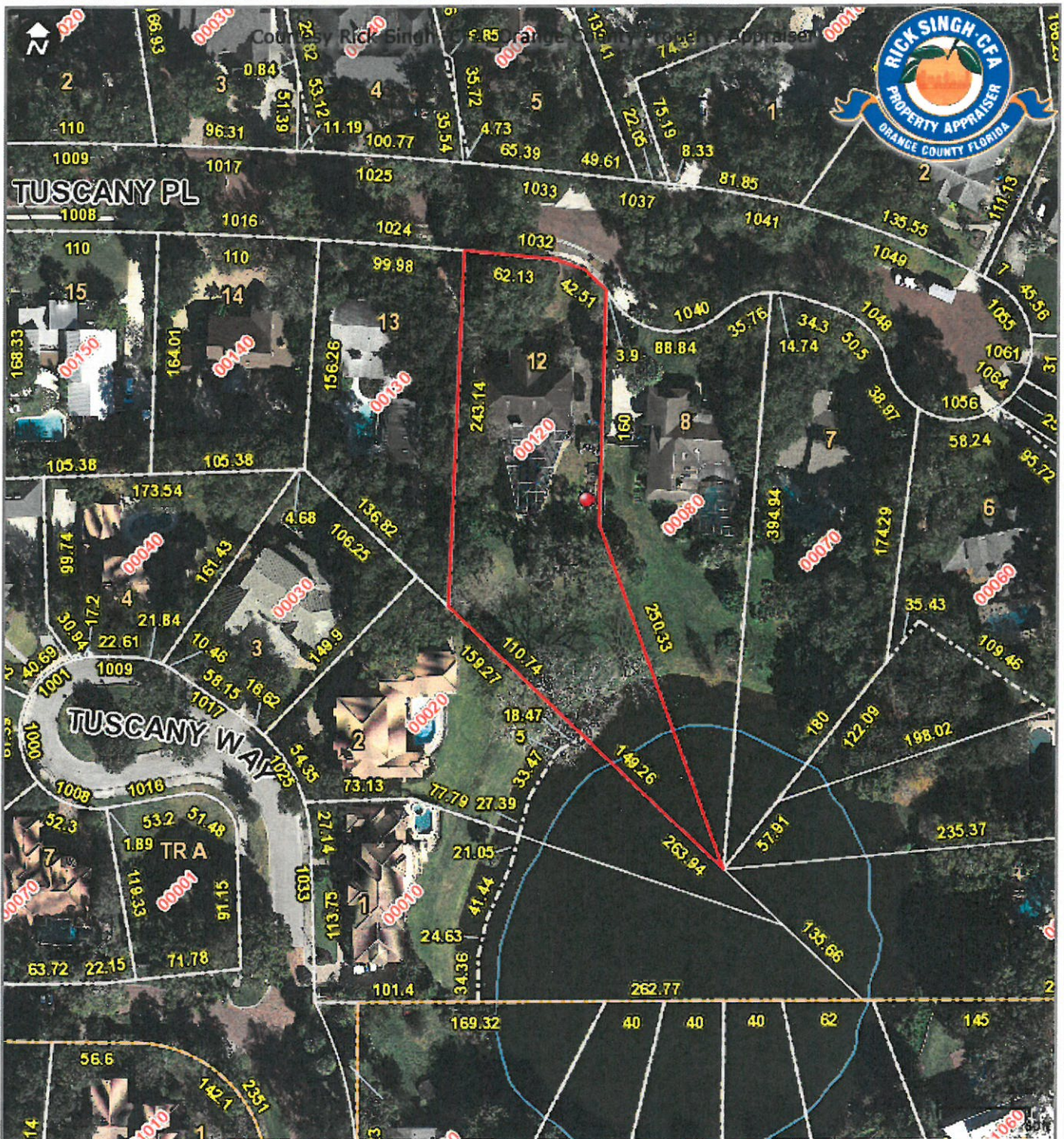


Created: 11/14/2016

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

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

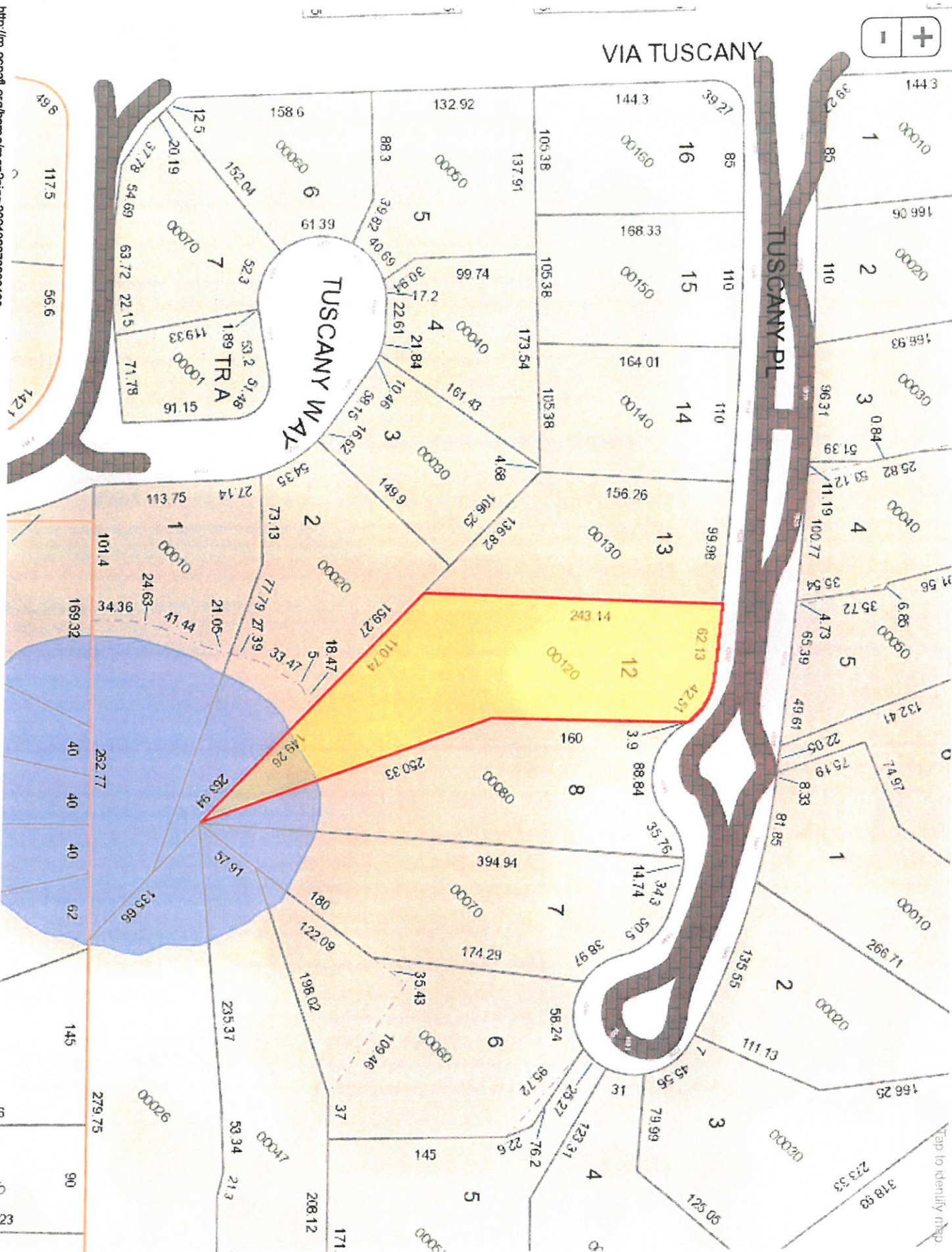
Parcel Report for 32-21-30-8786-00-120



Created: 11/14/2016

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

OCA Web Map		Proposed Road		Residential		Commercial/Industrial/Vacant Land		Parks		6 Lot Number			
	Florida turnpike		Public Road		Brick Road		Agriculture		Agricultural Curtilage		Lakes and Rivers		Parcel Number
	Interstate 4		Gated Roads		Block Line		Commercial/Institutional/Governmental/Institutional/Misc		Hydro		Building		Parcel Address
	Toll Road		Road Under Construction		Lot Line		Waste Land		Block Number		Parcel Dimension		



**CITY OF WINTER PARK
PLANNING AND ZONING BOARD**

**Staff Report
December 6, 2016**

**REQUEST OF Z DEVELOPMENT SERVICES FOR: CONDITIONAL
USE APPROVAL TO CONSTRUCT A NEW DUNKIN DONUTS STORE
WITH A DRIVE-THRU COMPONENT ON THE PROPERTY AT 370 BLUE
HERON DRIVE LOCATED AT THE NORTHEAST CORNER OF
FAIRBANKS AVENUE AND BLUE HERON DRIVE, ZONED C-3.**

This item is a conditional use request to construct a new Dunkin Donuts store with a drive-thru on the property at 370 Blue Heron Drive which is the northeast corner of Blue Heron and Fairbanks Avenue. It is a conditional use because of the drive-thru component.

Site and Context: This property of 17,820 square feet in size has 132 feet of frontage on Fairbanks Avenue and 135 feet along the side street of Blue Heron Drive. There also is a platted 20 foot wide public alley directly behind (to the north) that has never been improved. The property is next to a medical office complex to the east, an auto parts store to the west and has single family residential homes to the north along Blue Heron Drive.

Project Plans: The plans show a one-story, 1,435 square foot, Dunkin Donuts store with one drive-thru lane on the west side of the new building. The site plan shows 14 parking spaces which meets the code requirements for the 24 seats and 515 square feet of patron area, as indicated on the plans.

Traffic Circulation and Stacking: There are two primary reasons for drive-thru's being conditional uses. One is to avoid any negative traffic impact from the design by insuring that the stacking needs are met so cars do not back up into the street or create on-site circulation issues. In this case, there is more than adequate stacking for six cars using the drive-thru lane and vehicles waiting in line are separated from the other cars/customers going into the store via a by-pass lane for circulation. The stacking for the Dunkin Donuts in Maitland is also six cars and the stacking for the Starbucks on Aloma Avenue is for eight cars.

The second primary reason drive-thru's are conditional uses is to provide safeguards to nearby properties so that they will not be negatively affected by nuisances due to the operation of the drive-thru such as excessive noise, overflow parking, etc.

Design for Neighborhood Compatibility. When a Dunkin Donuts was first discussed on this site, the neighbors' expressed their concerns about the potential negative impact of noise from the order board/drive thru and spill over traffic on Blue Heron Drive. As a result there have been several site design changes that have occurred to mitigate these neighborhood concerns as follows:

1. The new plans show an eight foot wall that will be built on the northern property line of the project to protect the adjacent home and other homes from sound and activity. In addition, the 20 foot alley is to be used for the planting of oak trees that will buffer and hide the view of the building.
2. The plans also include a six foot wall and gate system along the Blue Heron Drive frontage from the rear property line down to the front line of the drive-thru pickup window. The purpose of this six foot wall and gate is to buffer the homes across the street on Blue Heron Drive from any sound associated with the drive-thru operations. There also is space within the parkway area of the right-of-way between the wall and the sidewalk for street oak trees that will buffer and hide the building from view of the nearby homes.

The reason for the wall and gate system is that three times a week the store receives large truck deliveries and 2-3 times a week the trash truck empties the dumpster. Those vehicles cannot back out into Fairbanks Avenue. The manager inside the store will activate the gate to allow those trucks to exit the site and then the gate closes.

The combination of the wall and gate system along the north and west sides of this project work to buffer the nearby homes from the sounds associated with the drive-thru and the oak trees to be planted outside the walls will screen the view of the building from the residential area. Also by closing the driveway, no traffic can exit out to Blue Heron Drive. Anyone who exits onto Fairbanks Avenue and then turns onto Blue Heron Drive will learn to their frustration that this is not a cut-thru route, as it is a dead end neighborhood that leads you back to Fairbanks Avenue.

Landscape Plan: There is a landscape plan provided with the full program of new landscaping to be added to the site. The staff will condition the approval on added landscape detail for the alley area outside the north wall and for the addition of one extra oak tree along the Blue Heron frontage.

Storm Water Retention: This site will have an underground storm water exfiltration system that will meet the requirements of the St. John River Water Management District as well as City Code.

Site Lighting: The City's lighting code does not allow light pole/fixtures higher than 16 feet; the fixtures themselves must focus the light downward to eliminate light spread and the photometric design does not allow more than one foot candle at the property lines. Thus, there will be no issues for the neighbors with impacts from the site lighting.

Comprehensive Plan Policy and History: As the P&Z Board is aware, the Comprehensive Plan policy that applied only to West Fairbanks Avenue which prohibited "fast food" businesses has been revised to allow conditional use reviews similar to all other commercial corridors in the City. Thus, food related businesses with drive-thru components can apply for conditional use approval. Then the City determines if the business is compatible with the surrounding area, if the site and building plans are adequate to provide for such a drive-thru component and that the nearby property owners are effectively safeguarded from noise, off-site parking and traffic impacts.

Architectural Compatibility on the West Fairbanks Gateway Corridor: As redevelopment begins along the West Fairbanks corridor, it is critically important that the architectural image of the new redevelopment is complimentary considering the \$20 million of public investment within the corridor. The original architectural submittal was a standard common franchise look similar to the Dunkin Donuts store in Maitland. The City Architect has provided drawings to the applicant for revision of the building façade elements to a much more attractive and detailed Mediterranean image. Staff will condition the approval upon revisions to the building architectural consistent with that revised design direction. In lieu of design guidelines, the City must act project by project.

Other Items from Departmental Review: These plans have been reviewed by other city departments. Their comments were to add one additional bike rack, to require a monument sign (as presented), to execute a "use" agreement for the alley trees and irrigation, add a fire hydrant, add a recycling receptacle and to consider a limitation on hours of operation until the City had experience with the sound levels.

Summary: The proposed location for this Dunkin Donuts store site is adequately sized and the overall site plan design well suited for this type of project. The project meets all the code requirements, there are no variances requested, other than the wall heights which are being done to safeguard the neighbors. The drive-in components are designed to meet the peak stacking needs for use intended. The site design of the walls/gate with the perimeter oak trees will protect the neighbors from the sounds of the drive-thru operations and screen the view of the building. No traffic can exit the site directly into the neighborhood. Together with the conditions recommended, the staff believes this Dunkin Donuts can operate compatibility in this location adjacent to residential properties.

STAFF RECOMMENDATION IS FOR APPROVAL subject to the plans submitted with the following conditions:

1. **That the landscape plan be modified to add new oak trees on the north side of wall adjacent to the alley and add one extra oak tree along the Blue Heron frontage.**
2. **That a right-of-way use agreement be executed for the use of the alley for trees and irrigation.**

3. **That the project be limited to a monument sign (in lieu of a pole sign) as presented.**
4. **That one additional bike rack, a fire hydrant and a recycle receptacle is added to the plans.**
5. **That the construction and material plans for the buffer walls and gate along the north and west sides be approved by the City Architect.**
6. **That the architectural facades be modified to a Mediterranean design consistent with the images provided to the applicant and be approved by the City Architect.**
7. **That the initial operations of the Dunkin Donuts drive-thru be limited to 6:00 am to 10:00 pm. The operator may request additional hours based upon the operational experience.**

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



Courtesy Rick Singh, CFA, Orange County Property Appraiser

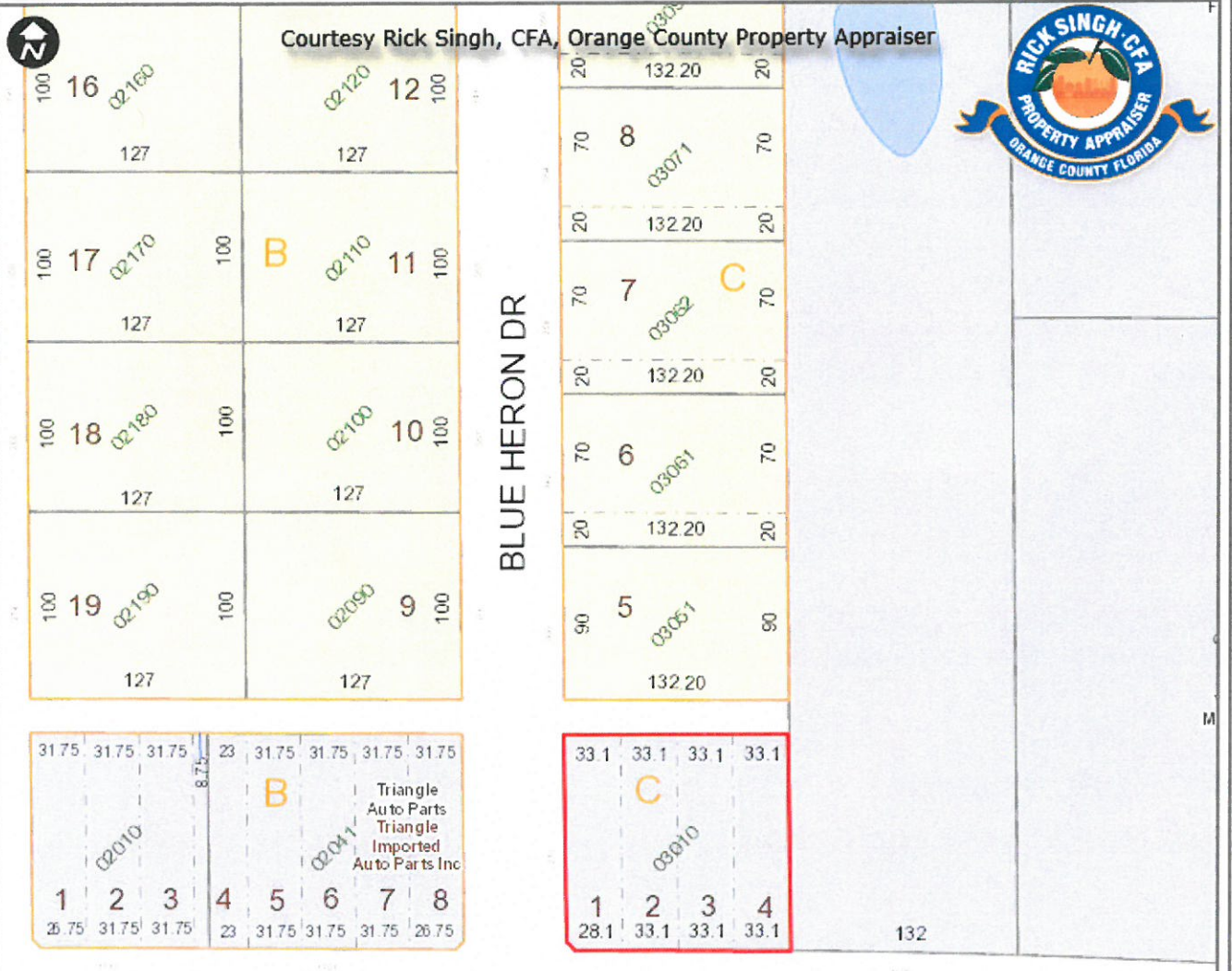


This map is for reference only and is not a survey.

Created: 11/21/2016

OCPA Web Map

Florida Turnpike	Major Roads	Proposed Road	Residential	Commercial/Industrial/Vacant Land	Parks	Lot Number
Interstate 4	Public Roads	Brick Road	Agriculture	Agricultural Curtilage	Lakes and Rivers	Parcel Number
Toll Road	Gated Roads	Block Line	Commercial/Institutional	Hydro	Building	Parcel Address
Road Under Construction	Lot Line	Governmental/Institutional/Misc	Waste Land	Block Number	Parcel Dimensions	



426 Daily Traffic 33500 426 Daily Traffic 33500 426



Created: 11/21/2016

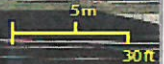
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OCPA Web Map

Major Roads	Proposed Road	Residential	Commercial/Industrial	Parks	Lot Number
Florida Turnpike	Brick Road	Agriculture	Vacant Land	Lakes and Rivers	Parcel Number
Interstate 4	Gated Roads	Commercial/Institutional	Agricultural Curtilage	Building	Parcel Address
Toll Road	Road Under Construction	Governmental/Institutional/Misc.	Hydro	Block Number	Parcel Dimensions
	Lot Line		Waste Land		



Courtesy Rick Singh, CFA, Orange County Property Appraiser



Created: 11/21/2016

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

View of DD lot from the SW corner



View of DD lot facing NE



View of W adjoining property

View of residence to the north



View of DD lot in the NW corner facing N



View of residence to the NW

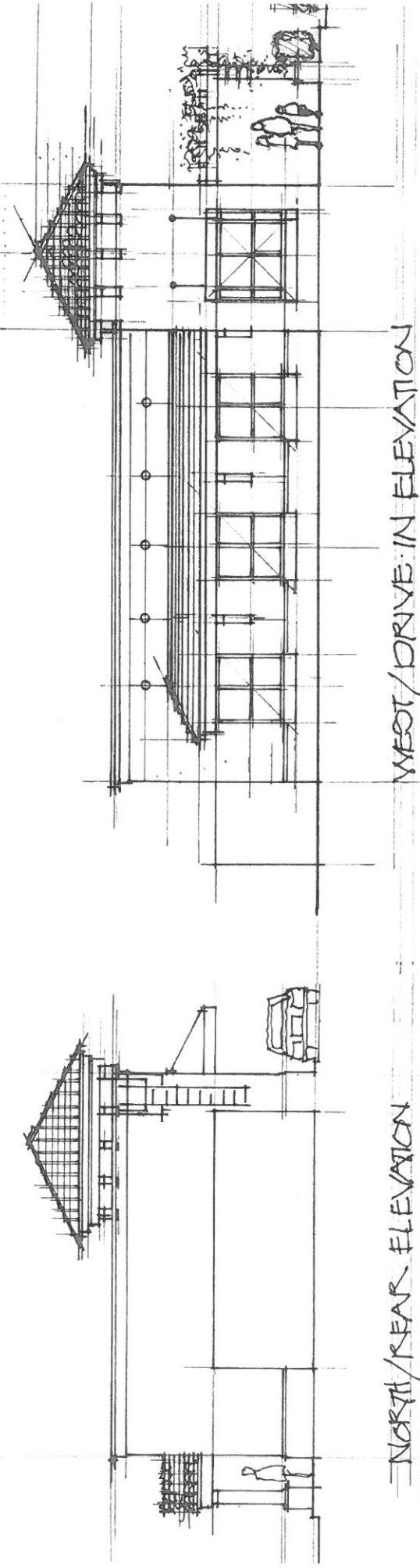


View of Blue Heron Drive from DD lot facing NW



20' ALERT

City Architect Version

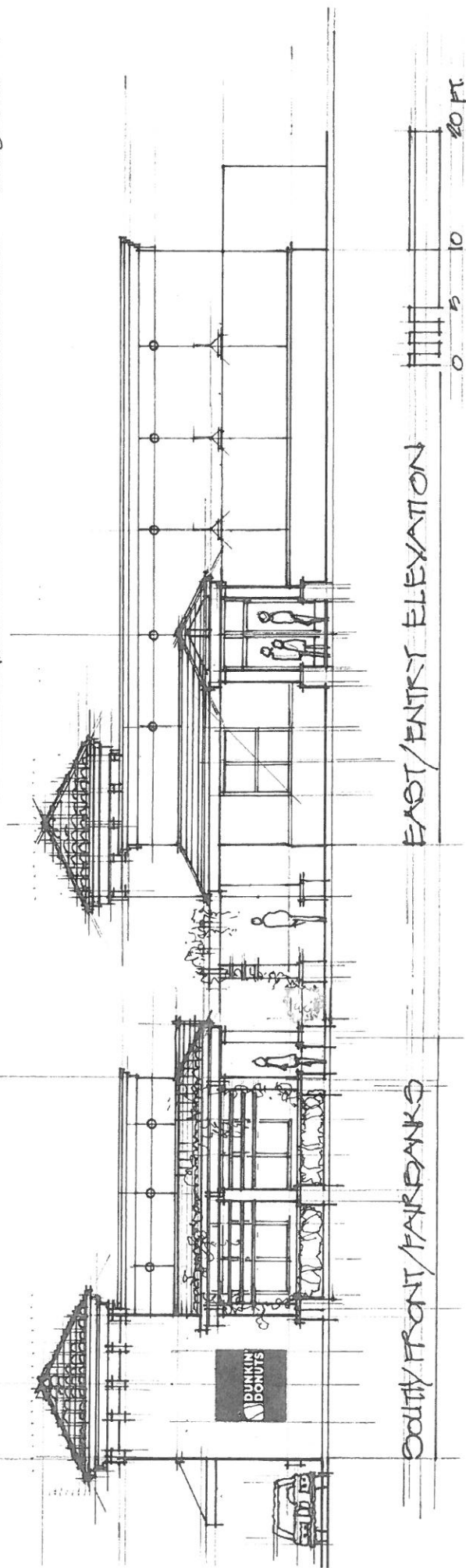


NORTH/REAR ELEVATION

WEST/DRIVE-IN ELEVATION

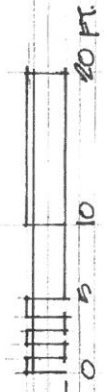
SCHEME

WINTER PARK TRADITIONAL
10/28/08
10 NOV 2010



SOUTH FRONT/FAKEDAKO

EAST/ENTRY ELEVATION



**CITY OF WINTER PARK
PLANNING AND ZONING BOARD**

**Staff Report
December 6, 2016**

REQUEST OF RANDALL LAZARUS FOR: SUBDIVISION APPROVAL TO DIVIDE THE PROPERTY AT 1800 EDWIN BOULEVARD, ZONED R-1A, INTO TWO SINGLE FAMILY BUILDING LOTS. THE TWO LOTS ARE PROPOSED TO BE 62.5 FEET IN WIDTH AND 9,375 SQUARE FEET IN SIZE WHICH REQUIRES A VARIANCE FOR LESS THAN THE 75 FEET OF LOT WIDTH REQUIRED IN THE R-1A ZONING.

Randall Lazarus (contract purchaser) is requesting subdivision or lot split approval to divide the property located at 1800 Edwin Boulevard into two single-family lots. The zoning of this property is R-1A. The property is currently occupied by one single-family home, which the applicant plans to demolish.

During the City's review process of subdivisions or lot split requests, there are two criteria that are reviewed. First is the 'Zoning Test' as to conformance with the zoning criteria. The next is the 'Comprehensive Plan Test' which is conformance to the neighborhood character.

ZONING TEST: This existing property is 125 feet wide along Edwin Boulevard and 18,774-square feet in size. The subdivided lots are proposed to be 62.5 feet wide, with lot areas of 9,375-square feet in size. The R-1A zoning requires a minimum of 75 feet of lot width, and a minimum of 8,500-square feet of land area. Thus, this request does not meet the R-1A lot dimension standards for lot width (62.5 feet vs. 75 feet), and a variance is requested.

COMPREHENSIVE PLAN TEST: There are many neighborhoods in the City that are zoned R-1AA or R-1A, but the existing character may be significantly different than the zoning code minimums. In some cases the typical lots are smaller or larger. The Comprehensive Plan test, or comparison, can substantiate a relaxation of the minimum lot dimensions, and in other cases it can require larger lot sizes than the minimums.

As a result, the practice outlined in the Comprehensive Plan and the Subdivision Code (attached) is to look at the surrounding neighborhood to compare the standard lot sizes. The Code dictates that the review area is within a 500-foot radius of the subject property, and limited to those in the same zoning.

There are 78 homes within this neighborhood along Edwin Boulevard, Bryan, Lakemont, Phelps Aloma, Anzle, and Harris Avenue with the R-1A zoning (see attached map). The average lot width is 73 feet. From this 78 home survey, the median lot width is also 73 feet.

Of the 78 homes compared, 30% of them have lots less than or equal to 62.5 feet and 70% of the neighborhood have lots greater than 62.5 feet. Thus, the proposed lot widths of 62.5 feet compare favorably only to 30% of the neighborhood.

The average lot area from this 78 home survey is 10,328-square feet, and the median lot area is 8,886-square feet. Thus, the proposed lot area (9,375-square feet each) compares favorably to the median and average lot area of the neighborhood.

APPLICABLE CODES: The applicable Comprehensive Plan policy and Subdivision Code section governing lot splits are on the following page.

DEVELOPMENT PLANS: The applicant has provided a generalized front elevation for the type of homes that they plan to build, and general site plans for the layout of the proposed new homes. The applicants will comply with the normal single-family development standards, setbacks, etc.

DEVELOPMENT OPPORTUNITIES: Lot split requests like these give the City an opportunity to provide input to the developers to encourage variety and character in their design to enhance our single-family neighborhoods. As mentioned, the applicant provided generalized front elevations of the types of homes they plan to build, which depict two different architectural styles for the homes. Staff suggests that the final front elevations of the homes also be of varied architectural styles to each other to provide diversity to the neighborhood.

SUMMARY: The custom of the planning staff is not to recommend "approval" of lot splits with variances. The issue is that if staff says that staff should not be recommending the creation of lots that do not meet the minimum lot size requirements.

The criteria still exists in the Comprehensive Plan and Subdivision Code regulations that the Planning and Zoning Board can base their recommendation on the Comprehensive Plan Test of the comparison with lot sizes in the immediate neighborhood. The Planning and Zoning Board then has the factual justification for approval or denial based on those statistical comparisons.

This is a situation where the proposed lot square footages are comparable to the neighborhood standard. However, the lots widths are significantly smaller than the Code required 75 feet, and only 30% of the nearby homes are on lots of 62.5 feet or less.

In recognition that lot width variances are requested, and that the Comprehensive Plan comparison of lot widths does not support the request, the Staff Recommendation is for DENIAL.

However, if APPROVED, staff recommends the following condition:

- 1. That the final architectural elevations of the two proposed homes be of significantly different architectural styles and front façades from each other.**

RELEVANT COMPREHENSIVE PLAN POLICIES:

Policy 1-3.6.8: Subdivision of Land and Lot Splits for Non-Lakefront Single Family and Low Density Multi-Family Property. The City shall consider approving subdivision and lot split applications, which are not lakefront properties and which are not estate lots in areas designated single family, low density or multi-family residential, when the proposed new lots are designed at size and density consistent with the existing conditions in the surrounding neighborhood within a radius of five hundred (500) feet.

ARTICLE VI. - SUBDIVISION AND LOT CONSOLIDATION REGULATIONS

Sec. 58-377. - Conformance to the comprehensive plan.

(a) In the City of Winter Park, as a substantially developed community, the review of lot splits, lot consolidations, plats, replats or subdivisions within developed areas of the city shall insure conformance with the adopted policies of the comprehensive plan as a precedent to the conformance with other technical standards or code requirements.

(b) In existing developed areas and neighborhoods, all proposed lots shall conform to the existing area of neighborhood density and layout. The proposed lot sizes, widths, depths, shape, access arrangement, buildable areas and orientation shall conform to the neighborhood standards and existing conditions. This provision is specifically intended to allow the denial or revision by the city of proposed lot splits, lot consolidations, plats, replats or subdivisions when those are not in conformance with the existing neighborhood density or standards, even if the proposed lots meet the minimum technical requirements of the zoning regulations.

(c) In determining the existing area or neighborhood density and standards, for the consideration of lot splits, plats, replats or subdivision of other than estate lots or lakefront lots, the planning and zoning commission and city commission shall consider the frontage and square foot area of home sites and vacant properties with comparable zoning within an area of 500-foot radius from the proposed subdivision.

(d) In order to implement the policies of the comprehensive plan, the city commission may also impose restrictions on the size, scale, and style of proposed building, structures, or other improvements. This provision shall enable the city commission to impose restrictions on the size, height, setback, lot coverage, impervious area or right-of-way access such that proposed building and other improvements match the dimension and character of the surrounding area or neighborhood.

- Florida turnpike
- Interstate 4
- Toll Road
- Major Roads
- Public Roads
- Gated Roads
- Road Under Construction
- Proposed Road
- US Road
- State Road
- County Road
- One Way
- Brick Road
- Proposed SunRail
- Block Line
- Lot Line
- Residential
- Agriculture
- Commercial/Institutional
- Governmental/Institutional/Misc
- Commercial/Industrial/Vacant Land
- Hydro
- Waste Land
- Agricultural Curtilage
- County Boundary
- Parks
- Golf Course
- Lakes and Rivers
- Block Number
- Lot Number
- Parcel Number
- Parcel Address
- Parcel Dimension



RICK SINGH CFA
PROPERTY APPRAISER
 ORANGE COUNTY FLORIDA

Courtesy Rick Singh, CFA, Orange County Property Appraiser

Created: 11/18/2016

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



Comprehensive Plan Test

1800 Edwin Boulevard

Lot Split Request

City of Winter Park
Florida

LEGEND

- Subject Site
- R-1A Lots Within
- 500' of Site (78 total)

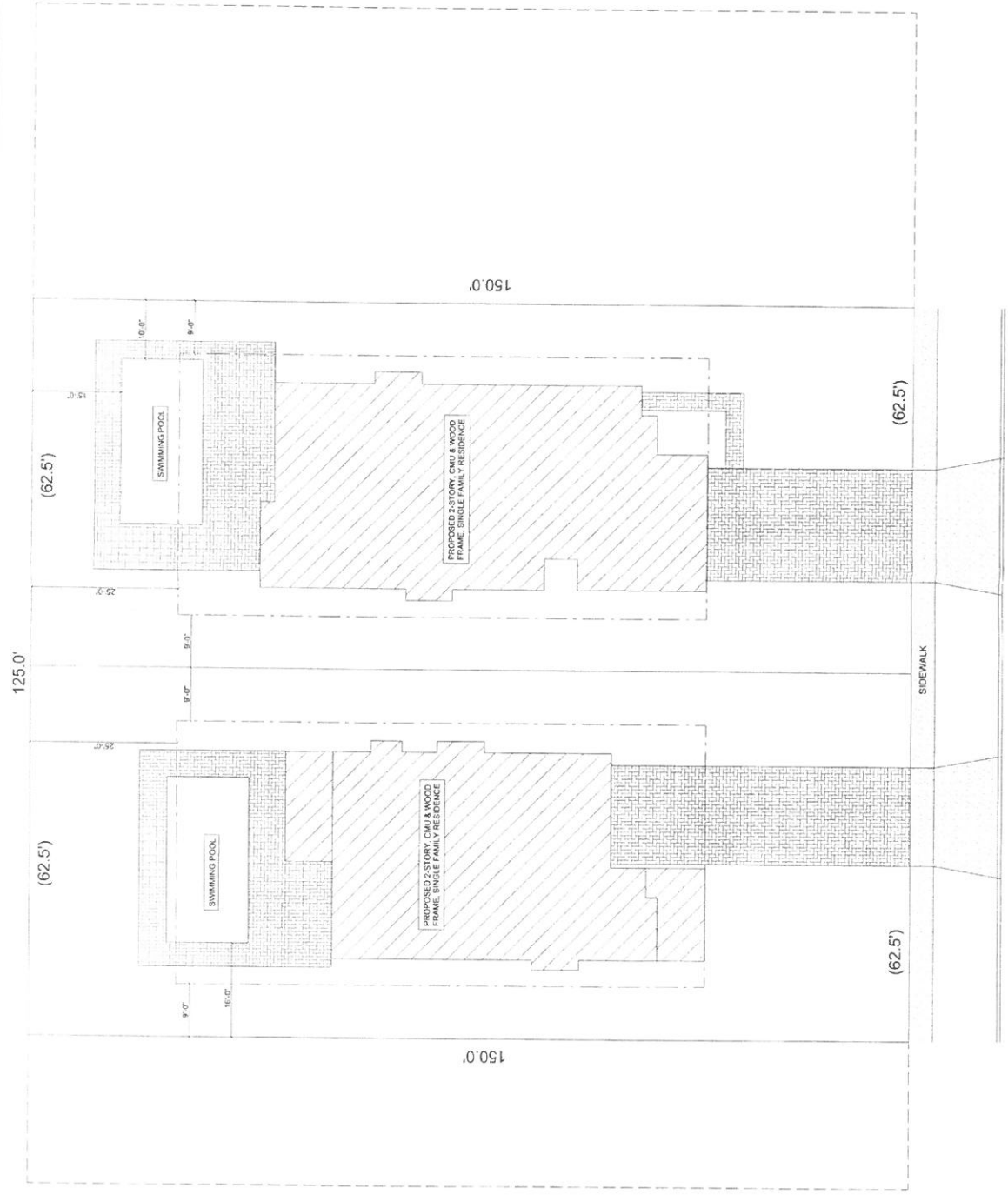
NOTES

- Average Lot Width = 73 feet
- Median Lot Width = 73.5 feet
- Average Lot Size = 10,328 square feet
- Median Lot Size = 8,886 square feet
- 23 Lots are 62.5' or Less in Width (30%)
- 55 Lots are Greater than 62.5' in Width (70%)



Date: 11/17/2016





CLASSIC HOMES, INC.
1800 EDWIN BLVD
WINTER PARK, FLORIDA

CHRIS GOODEN
DESIGNER
1000 SHAWNEE BLVD, SUITE 110
WINTER PARK, FLORIDA 32789
PH: 407-939-1100
WWW.CLASSICHOMES.COM



**CITY OF WINTER PARK
PLANNING AND ZONING BOARD**

**Staff Report
December 6, 2016**

REQUEST OF MORGAN BELLOWS TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM SINGLE FAMILY RESIDENTIAL TO LOW DENSITY RESIDENTIAL DESIGNATION ON THE PROPERTY AT 335 WEST COMSTOCK AVENUE.

REQUEST OF MORGAN BELLOWS TO: AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM SINGLE FAMILY (R-1A) DISTRICT ZONING TO LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING ON THE PROPERTY AT 335 WEST COMSTOCK AVENUE.

This is a request by Morgan Bellows seeking approval to change the existing Single-Family Residential Future Land Use designation in the Comprehensive Plan to Low Density Residential, and to change the zoning district from Single-Family Residential (R-1A) to Low-Density Residential (R-2) on the property at 335 West Comstock Avenue.

Site and Context:

The property is currently occupied by a single-family residence, which is proposed to be demolished. The lot is 70 feet wide by 125 feet deep, and 8,750-square feet in size. The property is on the northeast corner of Comstock and Virginia Avenues. As the attached maps depict, the abutting properties to the north are zoned single-family (R-1A) and the properties to the south, across Comstock Avenue, and to the west across Virginia Avenue are also zoned single family (R-1A). The properties to the east are zoned low-density residential (R-2), which are occupied by the recently completed David Weekly townhomes and single-family homes. With the exception of the David Weekly project, the properties along Comstock Avenue to the west of the train tracks until Denning Drive are zoned R-1A.

Proposed Project Plans:

The applicant has provided a development plan for a single family home. The proposed two-story single family home is a total of 4,361 square feet in size including the two car garage. The proposed home meets the R-2 setbacks and building lot coverage. Under R-2 zoning, this property could be used for a duplex however, the applicant is willing to accept a restriction on the R-2 zoning that limits development of the property to a single family home and to no more than the 50% FAR shown. The maximum FAR as currently zoned R-1A is 43%. What the applicant gains and the only reason for the request, is to add 7% more FAR or 612 square feet of added house size.

Staff Analysis of the Future Land Use/Rezoning Request:

The issue for the Planning Staff is where the City should draw the line between the single-family R-1A zoning and the R-2 zoning. The City agreed to rezone the David Weekly development from R-1A to R-2 because the City recognized that the David Weekly property would be adjacent to a business property zoned office (Grant Chapel), and more importantly that property was at the time adjacent to the City's electric utility storage yard, and also virtually adjacent to the railroad right-of-way.

If this request is approved and the zoning line between R-1A and R-2 is moved then it clearly would be precedent setting for the adjacent property at 400 West Lyman Avenue and 450 Virginia Avenue. They could ask for a similar rezoning to R-2 and have the expectation for approval.

Generally, rezoning to R-2 is not necessary to foster redevelopment in this area. As the Planning and Zoning Board is aware, nearby at 450 West Lyman Avenue, zoned R-1A, Phil Kean Designs has under construction a new single-family home. At 426 West Lyman Avenue the Planning and Zoning Board denied a similar request for R-2 zoning in June of 2015. These owners have none-the-less proceeded with their plans for a two-story single-family home under the R-1A zoning, that is now under construction.

Staff's Recommendation:

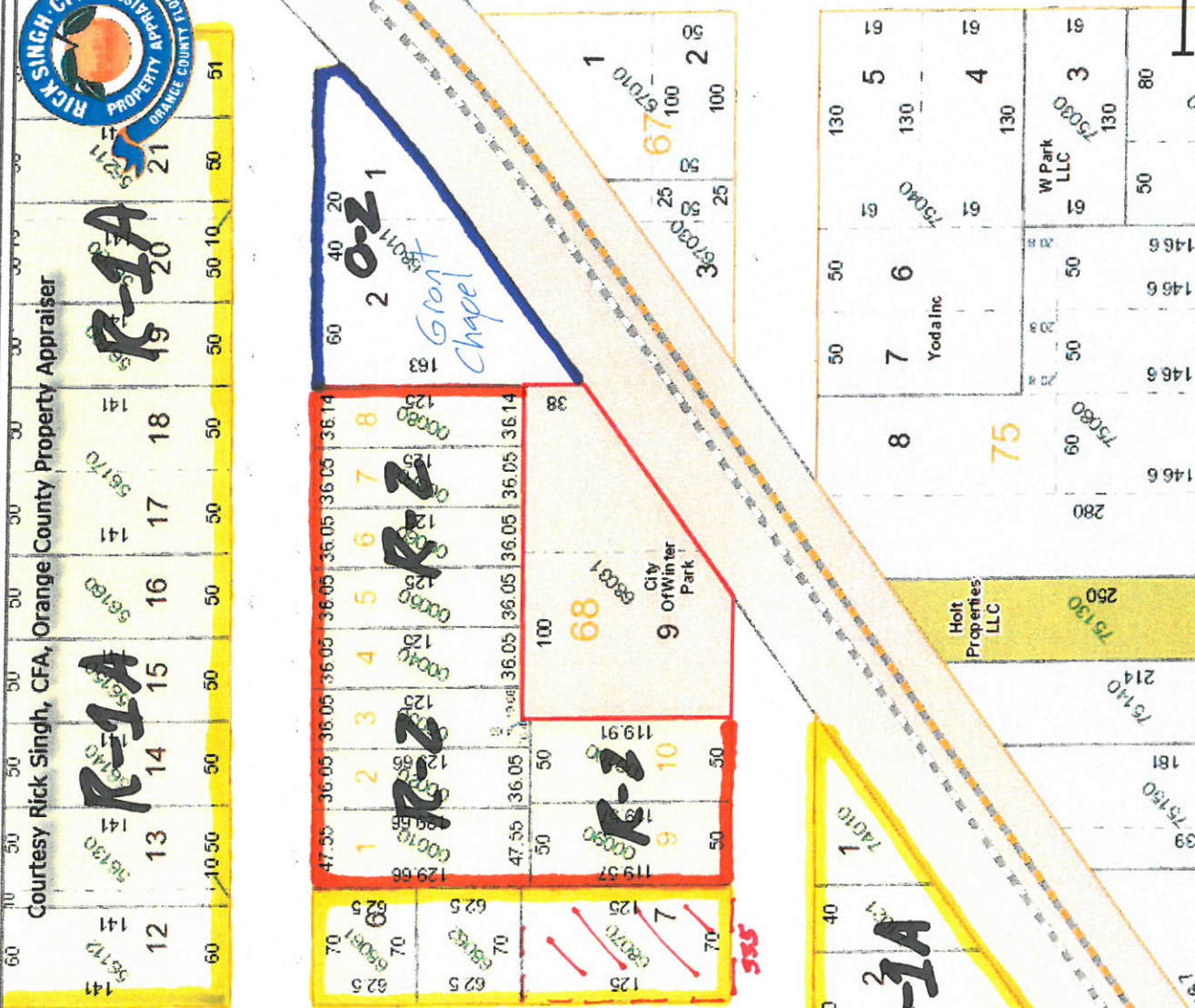
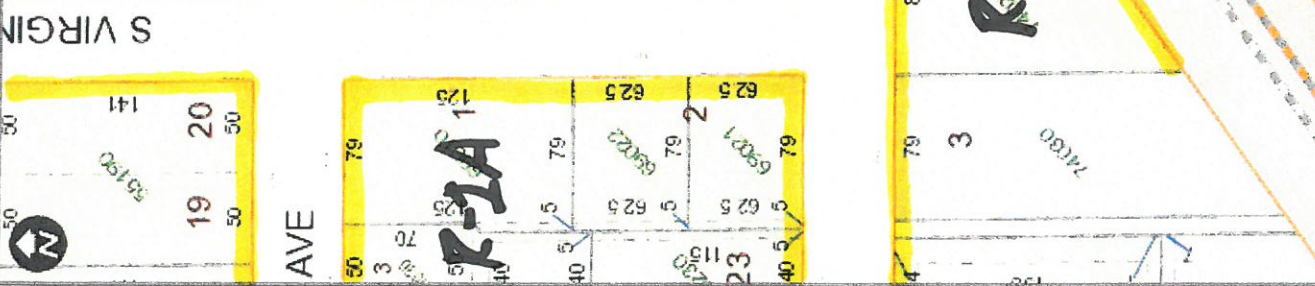
The Planning Staff recognizes that the City could easily draw the line between R-1A and R-2 zoning at Virginia Avenue and have a logical stopping point. This block already has 83% of the land within it, zoned as R-2 or O-2/PQP.

The Planning Staff did feel strongly about the denial of the rezoning to R-2 at 426 West Lyman Avenue, on the south side of Lyman Avenue, because that location is in the next block over and because the small size of those lots is not appropriate for the added square footage size of homes permitted with R-2 zoning.

If this applicant were planning to use this R-2 zoning request for a duplex, then the Planning Staff would be in opposition. However, this applicant is committing to a deed restricted single family home, in a location where 10 existing residences already exist, zoned R-2 (David Weekly Townhomes). It is also in the same block as the City's "Blake Yard" property, proposed for R-2 zoning. The only net difference in this application versus maintaining the R-1A single family zoning is whether the future single family home is 612 square feet larger by virtue of the rezoning.

The Planning Staff believes that Virginia Avenue is a more clearly defined "line in the sand" between R-2 and R-1A zoning. Since only 17% of this block is designated single family and since the proposed use is single family, the staff can support the request for low density residential FLU and R-2 zoning based on the restrictions outlined above.

- Florida Turnpike
- Interstate 4
- Toll Road
- Major Roads
- Public Roads
- Gated Roads
- Road Under Construction
- Proposed Road
- US Road
- State Road
- County Road
- One Way
- Brick Road
- Proposed SunRail
- Block Line
- Lot Line
- Residential
- Agriculture
- Commercial/Institutional
- Governmental
- Institutional/Misc
- Commercial/Industrial
- Vacant Land
- Hydro
- Waste Land
- Agricultural Curtilage
- County Boundary
- Parks
- Golf Course
- Lakes and Rivers
- Block Number
- Lot Number
- Parcel Number
- Parcel Address
- Parcel Dimension



Courtesy Rick Singh, CFA, Orange County Property Appraiser

RICK SINGH CFA
PROPERTY APPRAISER
ORANGE COUNTY FLORIDA

Created: 10/6/2016

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

- Florida turnpike
- Interstate 4
- Toll Road
- Major Roads
- Public Roads
- Gated Roads
- Road Under Construction
- Proposed Road
- US Road
- State Road
- County Road
- One Way
- Brick Road
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- Block Number
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Courtesy Rick Singh, CFA, Orange County Property Appraiser



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

Created: 11/16/2016

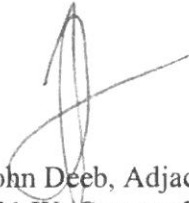
October 12, 2016

RE: Rezoning Application from R-1A to R-2
335 W. Comstock Avenue, Winter Park, FL

To Whom It May Concern:

I have no objection to the rezoning request of Morgan S. Bellows for his property located at 335 W. Comstock Avenue, Winter Park, Florida. It is my understanding that Mr. Bellows would like to rezone his property from R-1A to R-2.

Sincerely,

A handwritten signature in black ink, appearing to be 'John Deeb', written over a faint circular stamp or watermark.

John Deeb, Adjacent Property Owner
331 W. Comstock Ave.
Winter Park, FL 32789

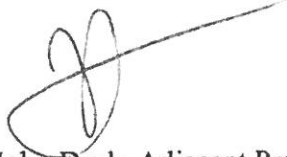
October 12, 2016

RE: HVAC Condenser Location Permission
335 W. Comstock Avenue, Winter Park, FL 32789

To Whom It May Concern:

I have reviewed the proposed site plan from Morgan S. Bellows for his future residence to be located at 335 W. Comstock Avenue, Winter Park, Florida 32789. I have no objection to the HVAC condensers being placed within the set backs of the eastern elevation as proposed by Mr. Bellows.

Sincerely,

A handwritten signature in black ink, appearing to be 'John Deeb', with a long horizontal line extending to the right.

John Deeb, Adjacent Property Owner
331 W. Comstock Ave.
Winter Park, FL 32789

NO.	DATE	DESCRIPTION

SLOCUM PLANTS ARCHITECTS, P.A.

479 NORTH HIGHLAND AVENUE SUITE 1201 KATY, TEXAS 77450
TEL: 281-465-2771 WWW.SLOCUMPLANTS.COM



PROJECT NO. 1713 - JADESB

SITE PLAN

MORGAN BELLOWS RESIDENCE

FLORIDA

WINTER PARK

DRAWN	
CHECKED	
DATE	05-25-20%
SCALE	AS NOTED
PROJECT NO.	1713
SHEET	1

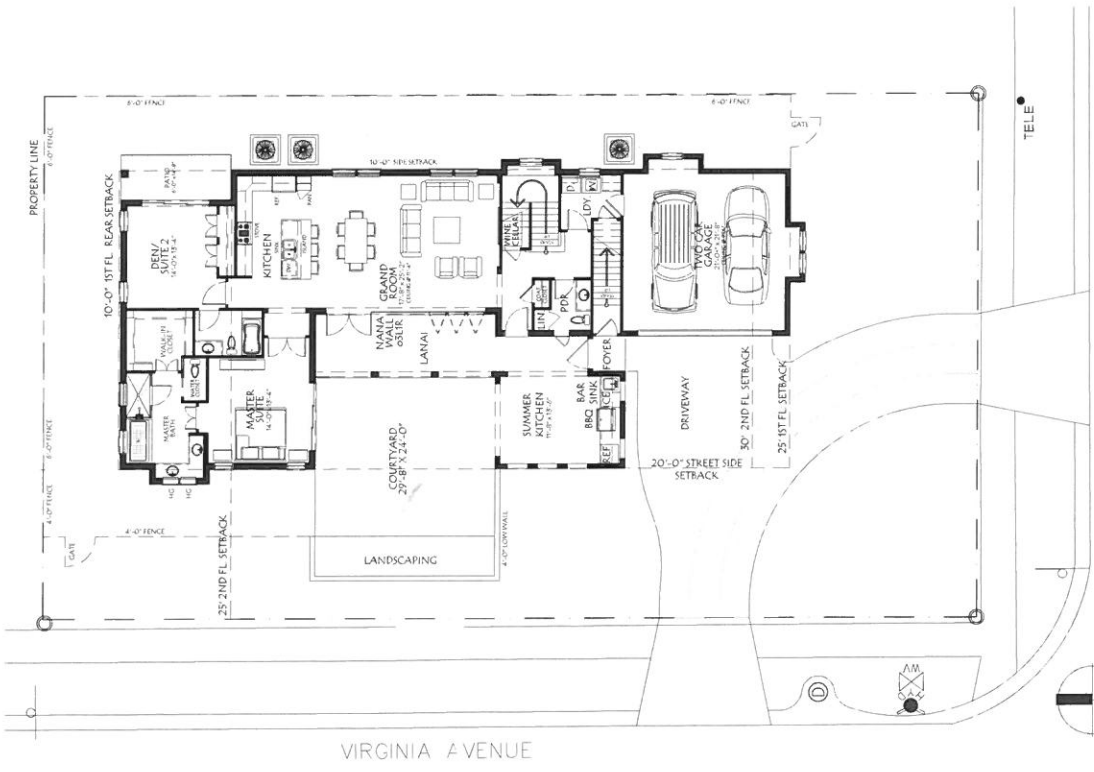
A1.1

IMPERVIOUS AREA CALCULATIONS

SITE AREA:	8,120 SF.
IMPERVIOUS AREAS:	1,852 SF.
- 1ST FLOOR HVAC	530 SF.
- GARAGE	20 SF.
- FRONT PORCH	486 SF.
- COVERED LANAI AND SUMMER KITCHEN	823 SF.
- DRIVEWAY	548 SF.
- COURTYARD	46 SF.
- MECHANICAL WALLS/SLABS	
TOTAL IMPERVIOUS SHOWN (49.3%):	4,305 SF.
IMPERVIOUS ALLOWABLE (50%):	4,060 SF.
TOTAL IMPERVIOUS SHOWN (50.6%):	4,115 SF.

AREA CALCULATIONS

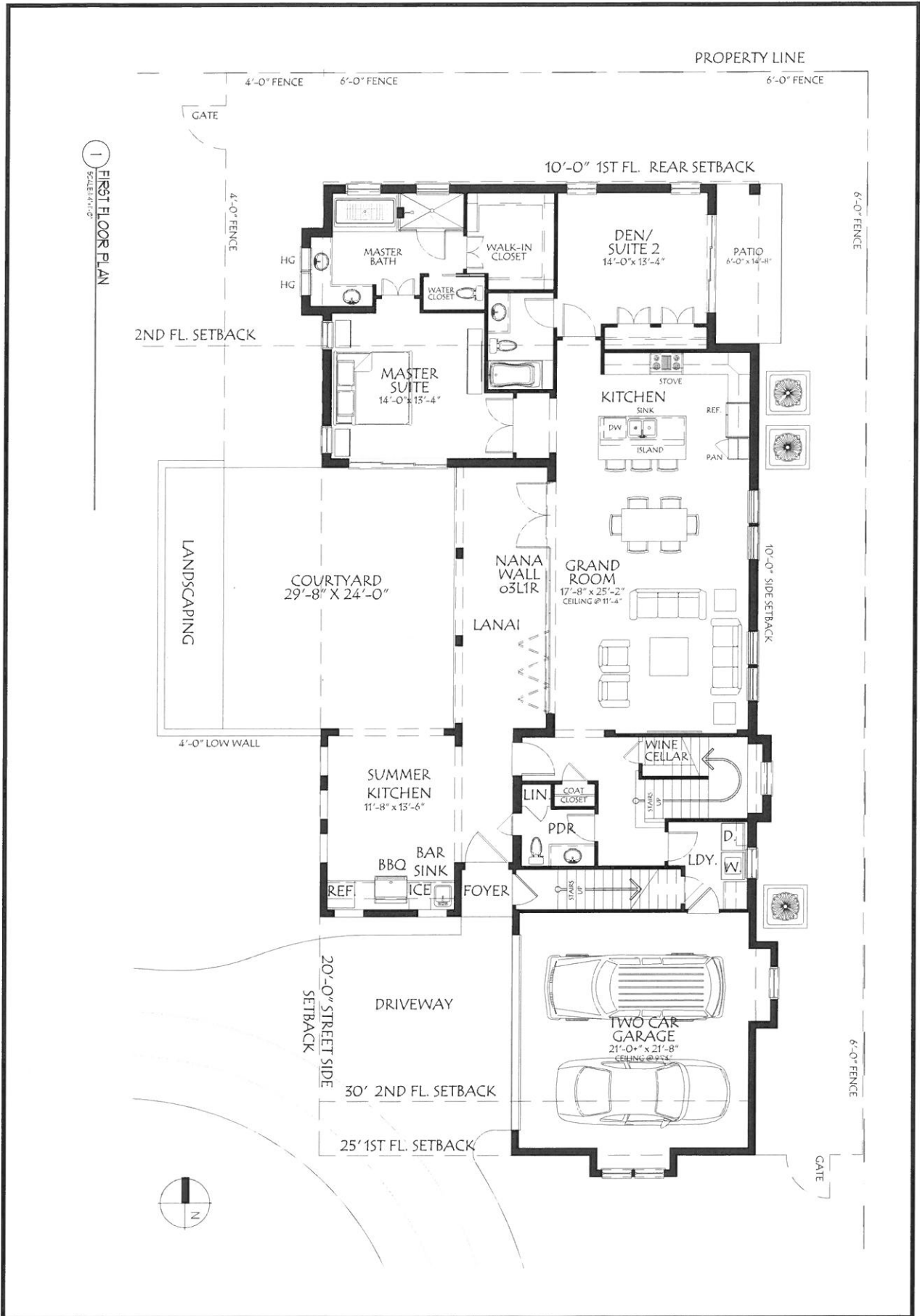
SITE AREA	8,120 SF.
MAX FAR (55%):	4,466 SF.
FAR SHOWN (50.08%):	4,061 SF.
1ST FLOOR HVAC:	1,852 SF.
2ND FLOOR HVAC:	1,515 SF.
TOTAL HVAC:	3,367 SF.
GARAGE	530 SF.
FRONT PORCH	20 SF.
COVERED LANAI	261 SF.
SUMMER KITCHEN	275 SF.
BALCONY	204 SF.
ALLOWABLE CREDIT (300 SF.)	
TOTAL NON-HVAC:	940 SF.
FAR TOTAL :	4,361 SF.
BUILDING FOOTPRINT ALLOWABLE (40%):	3,248 SF.
BUILDING FOOTPRINT SHOWN (33.8%):	2,948 SF.



W. COMSTOCK AVENUE

1 SITE PLAN
SCALE: 1/8" = 1'-0"

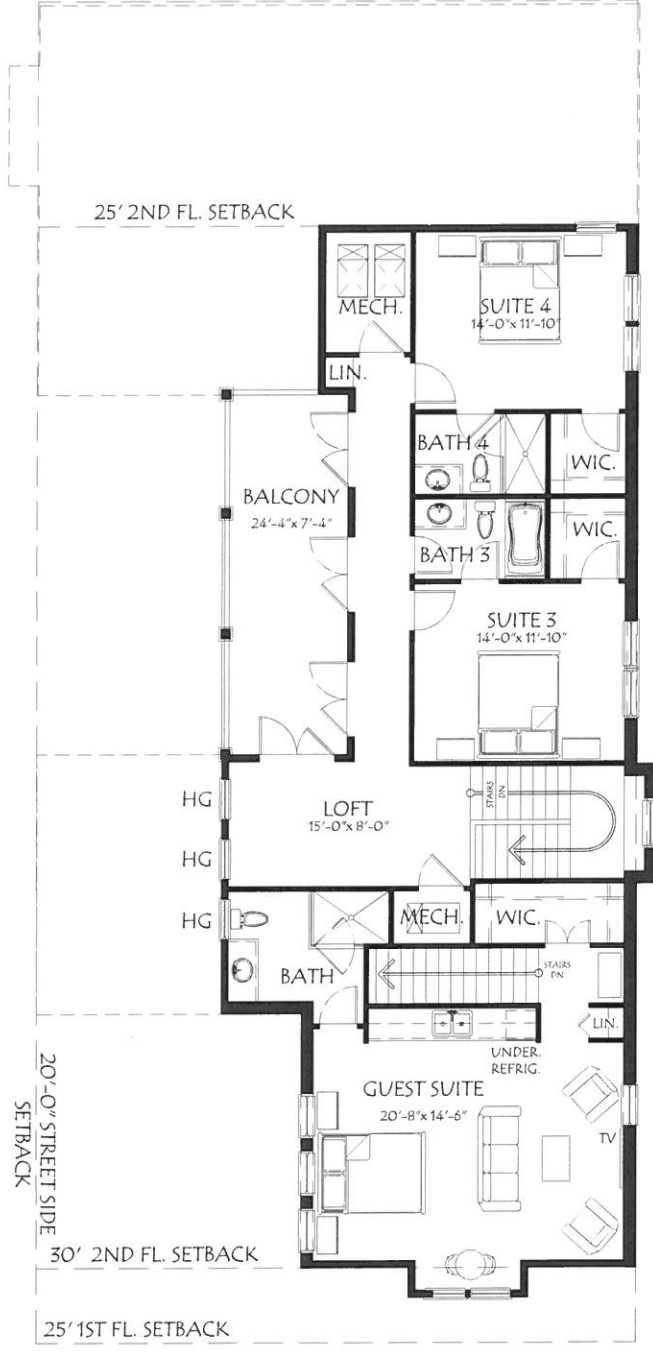
VIRGINIA AVENUE



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

<p>BY REPRESENTING OR REVIEWING OR PREPARING ANY OF THESE DOCUMENTS, I HEREBY EXPRESSLY AGREE TO HOLD THE DESIGNER AND ARCHITECTS P.A. HARMLESS FROM AND AGAINST ALL LIABILITY, INCLUDING BUT NOT LIMITED TO, THE COST OF DEFENSE AND SETTLEMENT, IN ANY AND ALL SUCH ACTIONS, SUITS, OR PROCEEDINGS, AND TO INDEMNIFY AND HOLD THE DESIGNER AND ARCHITECTS P.A. HARMLESS FROM AND AGAINST ALL SUCH LIABILITY, INCLUDING BUT NOT LIMITED TO, THE COST OF DEFENSE AND SETTLEMENT, IN ANY AND ALL SUCH ACTIONS, SUITS, OR PROCEEDINGS.</p>	<p>FIRST FLOOR PLAN MORGAN BELLOWES RESIDENCE WINTER PARK FLORIDA</p>	<p>SP SLOCUM PLATTS ARCHITECTS, P.A. RANDALL J. SLOCUM AR 13250 WILLIAM F. PLATTS AR 13242 676 NORTH ORLANDO AVENUE, SUITE 100 HAITLAND, FL 32751 TEL. (407)545-3019 FAX (407)545-2711 WWW.SLOCUMPLATTS.COM</p>	<p>REVISIONS:</p> <table border="1"> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </table>																
<p>A2.1</p>	<p>DATE: 05-23-2006 DRAWN BY: JAS NOTED CHECKED BY: JAS NOTED SCALE: AS NOTED SHEET: 1 OF 2</p>	<p>ILLUSTRATION: J. PLATTS 4803262</p>	<p> </p>																

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



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A22
SHEET

SECOND FLOOR PLAN
MORGAN BELLOWS RESIDENCE
WINTER PARK FLORIDA

SLOCUM PLATTS ARCHITECTS, P.A.
1001 P. PLATTS JRB2362




SLOCUM PLATTS ARCHITECTS, P.A.
RANDALL J. SLOCUM AR 13356 WILLIAM P. PLATTS AR 13282
476 NORTH ORLANDO AVENUE, SUITE 1501 MARLAND, FL 32751
TEL. (407) 645-3019 FAX (407) 645-2771
WWW.SLOCUMPLATTS.COM

NO.	REVISIONS

NO.	DATE	REVISIONS

SLOCUM PLATTS ARCHITECTS, P.A.
 420 NORTH ORLANDO AVENUE, SUITE 1301 WALTAM, FL 32791
 TEL: (407) 445-2019 FAX: (407) 445-2771
 WWW.SLOCUMPLATTS.COM

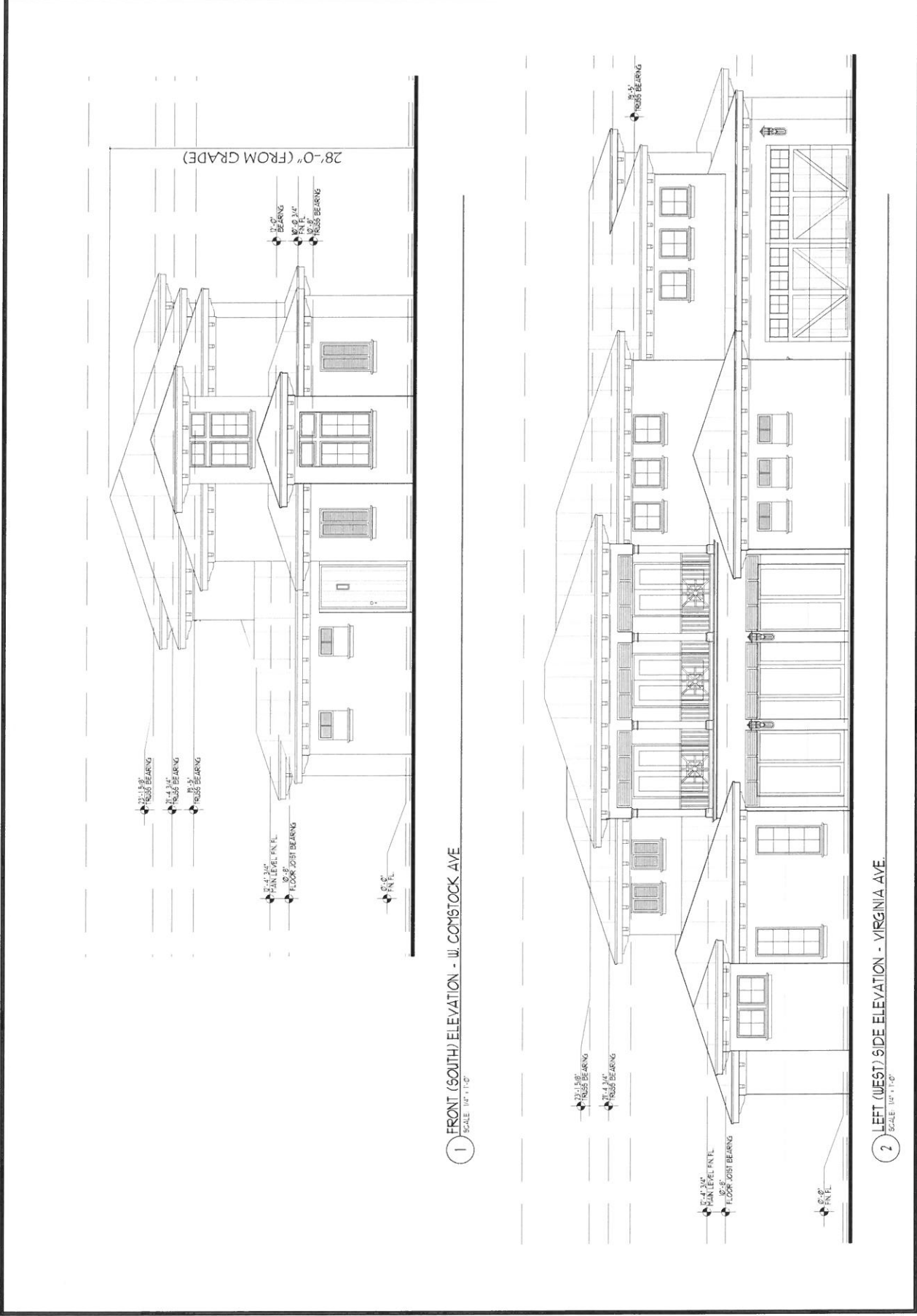


SLOCUM PLATTS ARCHITECTS
 335 W. COMSTOCK AVE.
 WINTER PARK, FLORIDA

EXTERIOR ELEVATIONS
 MORGAN BELLOWS RESIDENCE
 335 W. COMSTOCK AVE.
 WINTER PARK, FLORIDA

DRAWN: []
 CHECKED: []
 DATE: []
 CWP: 7/1/2016
 AS NOTED
 JOB NO: 15-0063
 SHEET: 5

A6.0



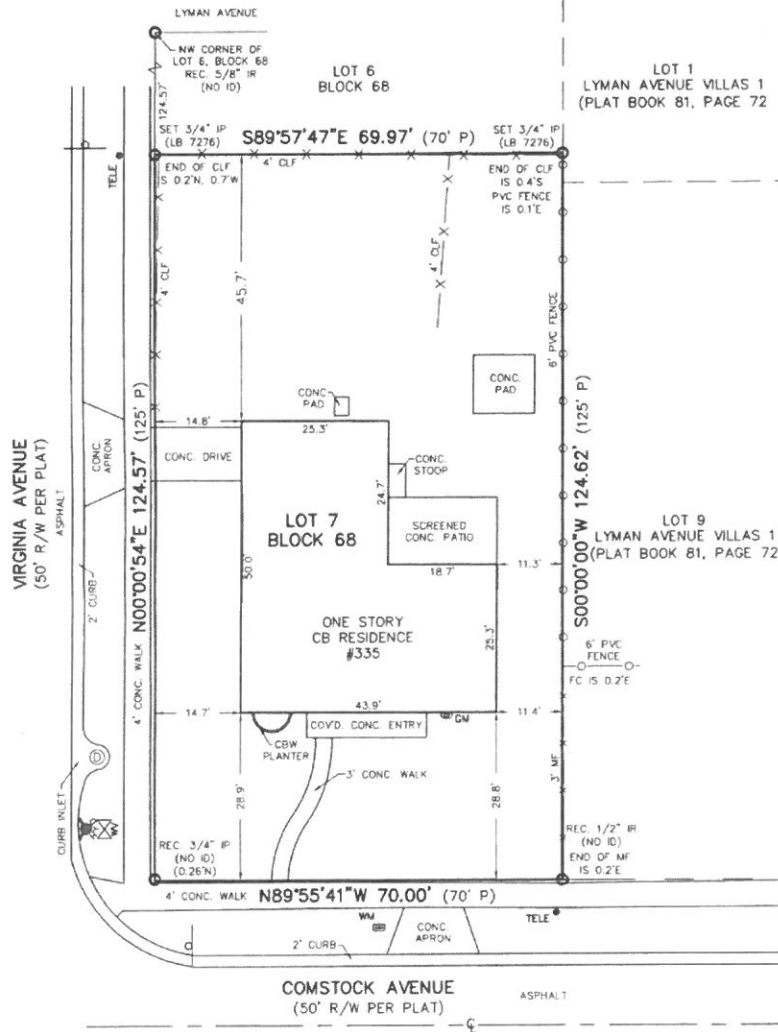
1 FRONT (SOUTH) ELEVATION - W. COMSTOCK AVE
 SCALE: 1/4" = 1'-0"

2 LEFT (WEST) SIDE ELEVATION - VIRGINIA AVE.
 SCALE: 1/4" = 1'-0"

BOUNDARY SURVEY FOR SYDGAN CORPORATION

DESCRIPTION:

LOT 7, BLOCK 68, REVISED MAP OF THE TOWN OF WINTER PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "A", PAGES 67 THROUGH 72, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.



LEGEND

- CB CONCRETE BLOCK
- CBW CONCRETE BLOCK WALL
- CLF CHAIN LINK FENCE
- CONC. CONCRETE
- COVD. COVERED
- FC FENCE CORNER
- GM GAS METER
- HYD FIRE HYDRANT
- ID IDENTIFICATION
- IP IRON PIPE
- IR IRON ROD
- LB LICENSED BUSINESS
- MF METAL FENCE
- P PLAT
- PVC POLYVINYL CHLORIDE
- R/W RIGHT-OF-WAY
- REC. RECOVERED
- TELE TELEPHONE RISER
- WM WATER METER
- WV WATER VALVE
- ⊕ CENTERLINE
- Ⓢ SIGN
- Ⓢ STORM MANHOLE

Certify To:
MORGAN S BELLOWES
LIBERTY TITLE COMPANY
WESTCOR LAND TITLE
CITIZENS BANK OF FLORIDA

This is to certify that this survey was performed in the field on the date(s) shown hereon.

SURVEYOR'S NOTES:

1. The lands as shown hereon lie within Section 07, Township 22 S., Range 30 E., Orange County, Florida.
2. This survey represents a survey made on the ground under the supervision of the signing surveyor, unless otherwise noted.
3. Underground improvements or underground foundations have not been located except as noted.
4. This survey does not reflect or determine ownership.
5. All easements of which the surveyor has knowledge of, or has been furnished, have been noted on this map.
6. No title data has been provided to this surveyor unless otherwise noted.
7. Bearings shown hereon are assumed relative to the East right-of-way line of Virginia Avenue; said bearing being N00°00'54"E (assumed).
8. According to the Federal Insurance Rate Map, this property lies in Zone "X", Community Panel number 12095C0255 F, Dated: 9/25/2009.

Z:\Projects\Town of Winter Park Block 68\Survey\Lot 7.dwg

REVISIONS

Rev.	Date:

HLSM, LLC
Hennich-Luke-Swaggerly-Menard
Professional Surveyors & Mappers
Licensed Business No. 7276
794 Big Tree Drive, Suite 108
Longwood, Florida 32750
P. (407) 647-7348
F. (407) 982-7166
Survey@HLSM.US

Job No: F-034
Field Date: 1/29/15
Drawn By: ADA
Field By: WKP/ME
Scale: 1"=20'

THIS SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

William F. Menard

William F. Menard
Professional Surveyor & Mapper
Florida Registration #5625

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF SINGLE FAMILY RESIDENTIAL TO LOW DENSITY RESIDENTIAL DESIGNATION ON THE PROPERTY AT 335 WEST COMSTOCK AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN 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, 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 Board, 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 December 6, 2016, 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 January 9, 2017 and January 23, 2017 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. 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 of single family residential to low density residential on the property at 335 West Comstock Avenue, more particularly described as follows:

LOT 7, BLOCK 68 PER THE REVISED MAP OF THE TOWN OF WINTER PARK, AS RECORDED IN PLAT BOOK "A", Pages 67-72 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

Property Tax ID # 05-22-30-9400-68-070

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 _____, 2017.

Mayor

Mayor Steve Leary

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 LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING ON THE PROPERTY AT 335 WEST COMSTOCK AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the owners of property at 426 West Lyman Avenue have requested a Zoning map amendment consistent with the amended Comprehensive Plan, and the requested zoning text 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 December 6, 2016 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 of Single Family (R-1A) District to Low Density Residential (R-2) District zoning on the property at 335 West Comstock Avenue, more particularly described as follows:

LOT 7, BLOCK 68 PER THE REVISED MAP OF THE TOWN OF WINTER PARK, AS RECORDED IN PLAT BOOK "A", Pages 67-72 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

Property Tax ID # 05-22-30-9400-68-070

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 _____, 2016.

Mayor Steve Leary

Attest:

City Clerk

**CITY OF WINTER PARK
PLANNING AND ZONING BOARD**

**Staff Report
December 6, 2016**

REQUEST OF TGG, LTD. TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM COMMERCIAL TO A CENTRAL BUSINESS DISTRICT FUTURE LAND USE DESIGNATION ON LOT 16, BLOCK 40 AT 309 WEST NEW ENGLAND AVENUE.

REQUEST OF TGG LTD. TO: AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ZONING TO COMMERCIAL (C-2) DISTRICT ZONING ON LOT 16, BLOCK 40 AT 309 WEST NEW ENGLAND AVENUE.

This public hearing involves requests by TGG Ltd. (property owner) to change the Comprehensive Plan future land use designation to Central Business District and the Zoning to C-2 at 309 W. New England Avenue. The property is a 50 by 130 lot (Lot 16, Block 40) that is 6,500 square feet in size.

The subject property is vacant and the other adjacent properties at 313 West New England and 301 West New England Avenue are both designated as Central Business District future land use and zoned C-2. The property directly across the street at 298 West New England also has the same designation and zoning.

Background to the Request: When the Community Redevelopment Area was established in 1994, one of the primary goals was to encourage the redevelopment of this portion of West New England Avenue from Pennsylvania to New York Avenue. To that end, the City administratively changed the Comprehensive Plan future land use map in 1995 for all the properties affected to a Commercial FLU.

However, when the redevelopment of New England Avenue began with the redevelopment of the Dexter's building, the Future Land Use and Zoning needed for that density and building setback, up close to the street, was the Central Business District designation and C-2 zoning. In turn, all of the successive redevelopment of New England Avenue between Pennsylvania and Virginia Avenues has been undertaken utilizing Central Business District FLU and C-2 zoning. This has been consistent with the goal to emulate on West New England Avenue, the style, density and character of Park Avenue. The goal has been to have the redevelopment continue down to New York Avenue so the Park Avenue shopping district is physically connected to the Hannibal Square business district. In that way, one's shopping trip would be up and down Park Avenue and up and down West New England Avenue.

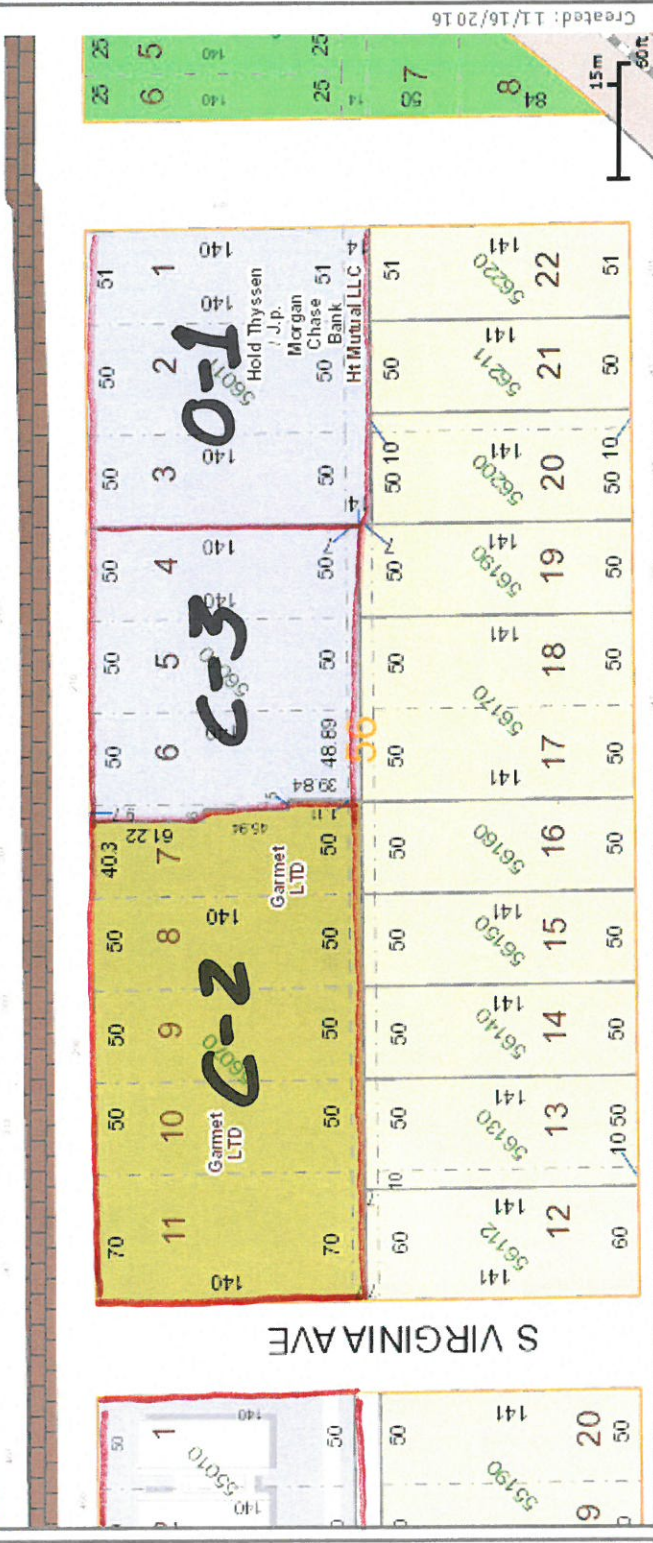
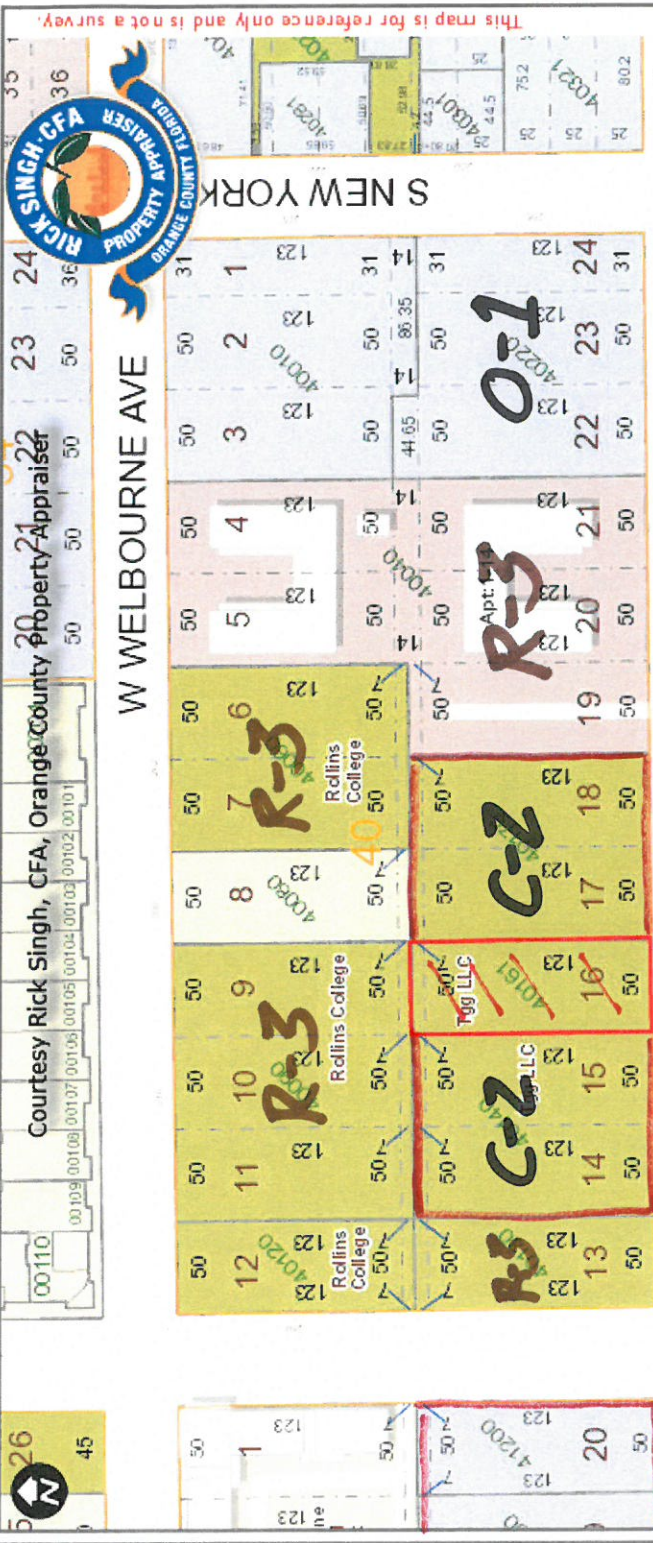
By changing the Future Land Use on this property from Commercial to Central Business District, the property would be permitted up to a maximum 200% FAR and the setbacks of C-2 zoning. This would of course be predicated on their ability to provide parking for such building density.

Staff Analysis of the Applicant's Requests:

The Planning Staff recommendation consistently through the years has been in support of Central Business District future land use and C-2 zoning along this frontage of West New England Avenue. The Planning Staff continues to believe that this is the appropriate land use in order to continue the redevelopment pattern that has already occurred along New England Avenue. It is also based on the recognition that the City still has the review and approval control over all redevelopment since the Zoning Code requires P&Z/City Commission approval of any building/building addition over 500 square feet.

STAFF RECOMMENDATION IS FOR APPROVAL of the change to Central Business District FLU and C-2 Zoning for the property at 309 West New England Avenue.

- Florida turnpike
- Interstate 4
- Toll Road
- Major Roads
- Public Roads
- Gated Roads
- Road Under Construction
- Proposed Road
- US Road
- State Road
- County Road
- One Way
- Brick Road
- Proposed SunRail
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- Lot Line
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- Commercial/Industrial/Vacant Land
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- Waste Land
- Agricultural Curtilage
- County Boundary
- Parks
- Golf Course
- Lakes and Rivers
- Block Number
- Lot Number
- Parcel Number
- Parcel Address
- Parcel Dimension



S NEW YORK

Courtesy Rick Singh, CFA, Orange County Property Appraiser

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

Created: 11/16/2016

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



DAILY TRAFFIC
7000

Winter Park
W Morse Blvd
Courtesy Rick Singh, CFA, Orange County Property Appraiser



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

Created: 11/16/2016
Crosby-Bondin

- Florida turnpike
- Interstate 4
- Toll Road
- Major Roads
- Public Roads
- Gated Roads
- Road Under Construction
- Proposed Road
- US Road
- State Road
- County Road
- Toll Ramp
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- Brick Road
- Rail Road
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- Block Line
- Lot Line
- Residential
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- Commercial/Institutional
- Governmental/Institutional/Misc
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- Waste Land
- Agricultural Curtilage
- County Boundary
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- Building



Courtesy Rick Singh, CFA, Orange County Property Appraiser

This map is for reference only and is not a survey. Created: 11/16/2016

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3), DISTRICT ZONING TO COMMERCIAL (C-2) DISTRICT ZONING ON THE PROPERTY AT 309 WEST NEW ENGLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the owner of property at 309 W. New England Avenue have requested a Zoning map amendment consistent with the amended Comprehensive Plan, and the requested zoning text 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 December 6, 2014 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 of Medium Density Multi-Family (R-3) District to Commercial (C-2) on the property at 309 W. New England Avenue, more particularly described as follows:

Lot 16, and the south half of the vacated alley adjacent thereto within Block 40, Revised Map of the Town of Winter Park as recorded in Plat Book "A", Pages 67-72 of the Public Records of Orange County, Florida.

Property Tax ID # 05-22-30-9400-40-161

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 _____, 2017.

Mayor Steve Leary

Attest:

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF COMMERCIAL TO CENTRAL BUSINESS DISTRICT ON THE PROPERTY AT 309 WEST NEW ENGLAND AVENUE (LOT 16, BLOCK 40), MORE PARTICULARLY DESCRIBED HEREIN.

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, 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 December 6, 2016, 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 January 9, 2017 and on January 23, 2016 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. 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 of commercial to central business district on the property at 309 West New England Avenue, being more particularly described as follows:

Lots 16 and the south half of the vacated alley adjacent thereto within Block 40, Revised Map of the Town of Winter Park as recorded in Plat Book "A", Pages 67-72 of the Public Records of Orange County, Florida.

Property Tax ID # 05-22-30-9400-40-161

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 _____, 2017.

Mayor

Mayor Steve Leary

Attest:

City Clerk

**CITY OF WINTER PARK
PLANNING AND ZONING BOARD**

**Staff Report
December 6, 2016**

REQUEST OF PHIL KEAN DESIGNS TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM A LOW DENSITY RESIDENTIAL TO A PARKING LOT FUTURE LAND USE DESIGNATION ON THE REAR (NORTH) 20 FEET OF 947 NORTH KENTUCKY AVENUE.

REQUEST OF PHIL KEAN DESIGNS TO: AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING TO PARKING LOT (PL) DISTRICT ZONING ON THE REAR (NORTH) 20 FEET OF 947 NORTH KENTUCKY AVENUE.

This request by Phil Kean Designs seeks approval to change the existing Low Density Residential Future Land Use designation to Parking Lot, and to change the zoning from Low Density Residential (R-2) to Parking Lot (PL) on the rear (north) 20 feet of the property at 947 North Kentucky Avenue.

Site and Context:

The property at 947 North Kentucky backs up to the rear of the properties at 906/912/952 West Fairbanks Avenue that hold the offices of Phil Kean Designs. Those collective buildings have been renovated and rebuilt over the past 3-4 years and are in conformance with the City's parking regulations. However, due to the nature of their business, they experience times when their needs for parking are in excess of the City's Code. The property at 947 North Kentucky Avenue was offered to them for purchase and their interest would be to create six employee parking spaces off the alley in the rear 20 feet of the 947 North Kentucky property and then develop and sell the balance of the property as a single family home or duplex. Just as with the previous Cask and Larder request, this rear 20 feet cannot be used or improved as office building parking under the residential R-2 zoning and they are required to ask for a change in land use designation and zoning to "Parking Lot".

Proposed Project Plans:

The 947 N. Kentucky property is zoned R-2 and can be used for either a single family home or duplex. The applicant has provided a development plan for a possible duplex in order to show the City and neighbors, the maximum utilization of the property for a duplex and the rear employee parking. This request is for "straight" zoning. It is not for approval of any specific site plan design or use. The applicant is not sure if the property will be developed as single family or duplex. However, they did not want to show single family use and have neighbors feel misled if it turned out to be a duplex redevelopment.

Staff Analysis of the Future Land Use/Rezoning Request:

The City is fortunate to have experienced the redevelopment that has been done by Phil Kean Designs along this section of West Fairbanks Avenue. Most of that office complex is on property only 70 feet deep. While the rear public alley helps with access, the shallow depth of these properties had previously discouraged redevelopment. To the extent that this rezoning to Parking Lot for a 20 by 60 parcel assists the viability of the office complex, the staff is in support. From the neighbors' perspective, they will not notice any difference. From the street front on North Kentucky, one will only see the future single family or duplex building. The parking will be fenced so that the adjacent neighbors also will not see the cars.

Staff's Recommendation is for Approval.

- Florida turnpike
- Interstate 4
- Toll Road
- Major Roads
- Public Roads
- Gated Roads
- Road Under Construction
- Proposed Road
- US Road
- State Road
- County Road
- One Way
- Brick Road
- Proposed SunRail
- Block Line
- Lot Line
- Residential
- Agriculture
- Commercial/Institutional
- Governmental/Misc
- Industrial/Vacant Land
- Hydro
- Waste Land
- Agricultural Curtilage
- County Boundary
- Golf Course
- Lakes and Rivers
- Zoning
- Block Number
- Lot Number
- Parcel Number
- Parcel Address
- Parcel Dimension



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

Created: 11/17/2016



5	6	7	8
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G DR

- Florida turnpike
- Interstate 4
- Toll Road
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- Public Roads
- Gated Roads
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- Agricultural Curtilage
- County Boundary
- Golf Course
- Lakes and Rivers
- Zoning
- Block Number
- Lot Number
- Parcel Number
- Parcel Address
- Parcel Dimension



Courtesy Rick Singh CFA, Orange County Property Appraiser

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

Created: 11/17/2016



PHIL KEAN
 ARCHITECT
 10011 WINTER PARK DRIVE
 SUITE 100
 WINTER PARK, FL 32789
 (407) 842-2233
 WWW.PHILKEANARCHITECT.COM

ENGINEER:

PROJECT:

KENTUCKY DUPLEX
947 KENTUCKY AVE
WINTER PARK, FL 32789

PLAN HISTORY

DATE	DESC.

SHEET DATA:

DESIGNED BY:
 Designer
 DRAWN BY:
 Author

SHEET DESC.:

SITE PLAN

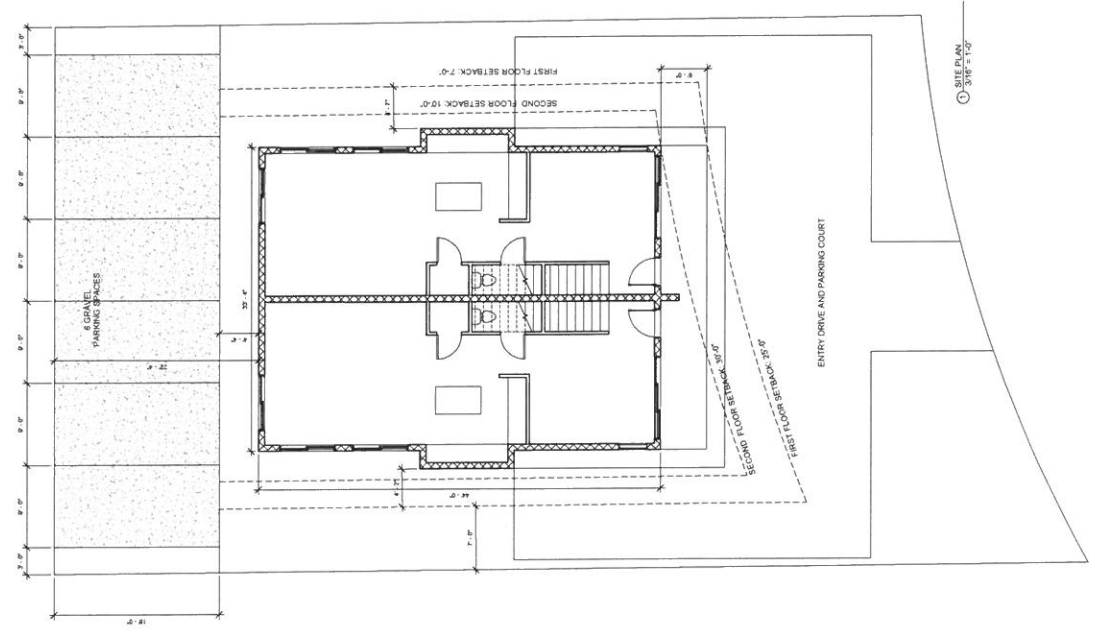
SHEET

AS

SITE CALCULATIONS:
ORIGINAL LOT:
 LOT AREA 10,728 SF
 LOT WIDTH 102'-0"
 LOT DEPTH 105'-0"
PROPOSED RESIDENTIAL LOT:
 AREA 1,965 SF
 AREA 5,048 SF

ALLOWABLE:
 MAXIMUM LOT COVERAGE (APN) 1,965 SF
 MAXIMUM BUILDING COVERAGE (APN) 2,400 SF
 MAXIMUM BUILDING FOOTPRINT 3,389 SF
 BUILDING HEIGHT 30'-0"

PROPOSED:
 IMPROVED LOT COVERAGE 3,200 SF
 MAXIMUM BUILDING COVERAGE 3,200 SF
 FLOOR AREA RATIO 3.01%
 BUILDING HEIGHT 35'-0"



① SITE PLAN
 3/06" = 1'-0"

DESIGNER:
PK
PHIL KEAN
 ARCHITECT
 4121 W. UNIVERSITY AVENUE
 SUITE 100
 GAITHERSBURG, MD 20878
 301.948.8800
 WWW.PHILKEANARCHITECT.COM

ENGINEER:

PROJECT:

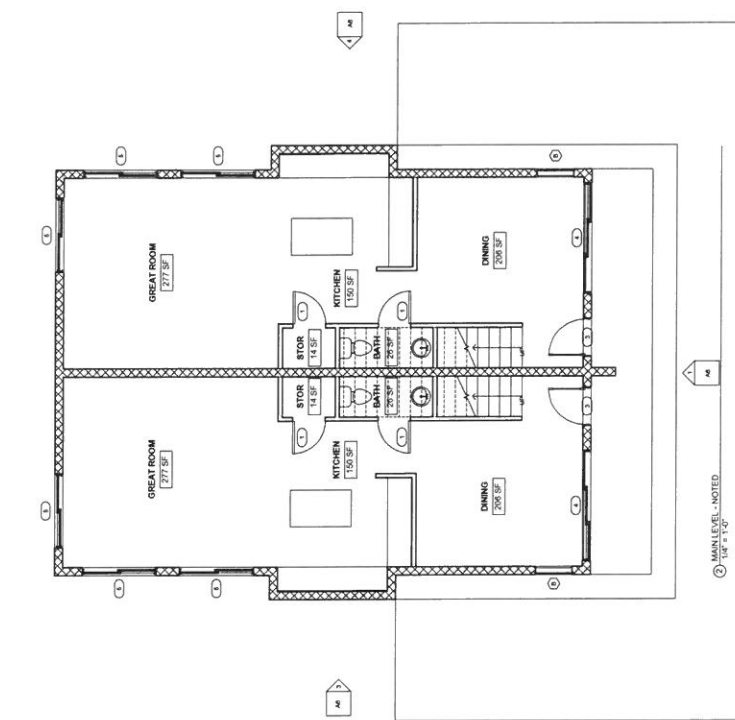
KENTUCKY DUPLEX
 947 KENTUCKY AVE
 WINTER PARK, FL 32789

PLAN HISTORY
 DATE | DESC.

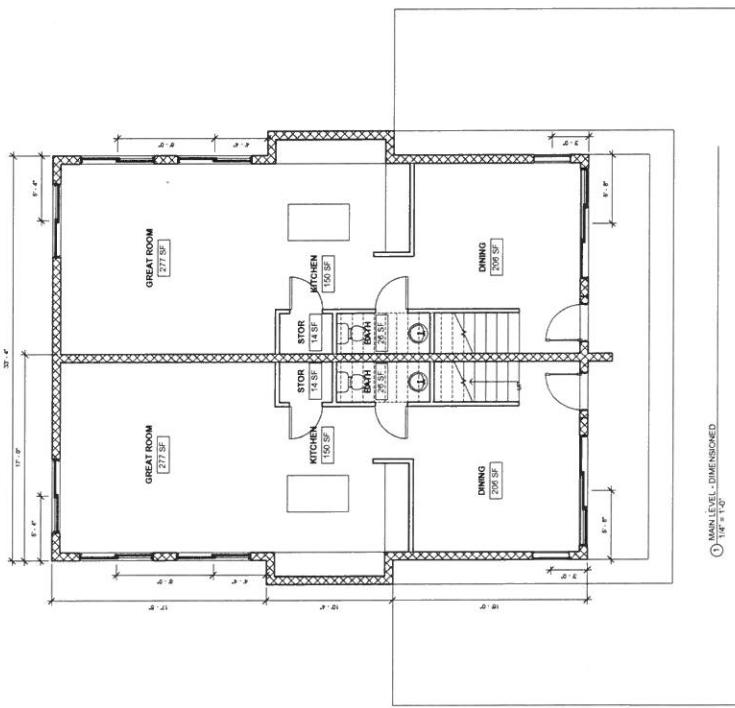
SHEET DATA:
 DESIGNED BY:
 DRAWN BY:
 AUTHOR:

SHEET DESC.:
 First Floor
 Plan

SHEET
A1



② MAIN LEVEL - NOTED
 1/8" = 1'-0"



① MAIN LEVEL - DIMENSIONED
 1/8" = 1'-0"

TOTAL AC	
Name	Area
FIRST FLOOR	1008 SF
SECOND FLOOR	1008 SF
Grand Total	3018 SF

TOTAL UNDER ROOF SQUARE	
Name	Area
FIRST FLOOR	1008 SF
COVERED PORCH	167 SF
SECOND FLOOR	1008 SF
Grand Total	3183 SF

DESIGNER:



PHIL KEANE
ARCHITECTS
1401 N. WINTER PARK AVENUE
SUITE 200
WINTER PARK, FL 32789
TEL: (407) 839-1122
WWW.PHILKEANEARCHITECTS.COM

ENGINEER:

DAVID COOPER/PHIL KEANE ARCHITECTS

PROJECT:

KENTUCKY DUPLEX
947 KENTUCKY AVE
WINTER PARK, FL 32789

PLAN HISTORY
DATE DESC.

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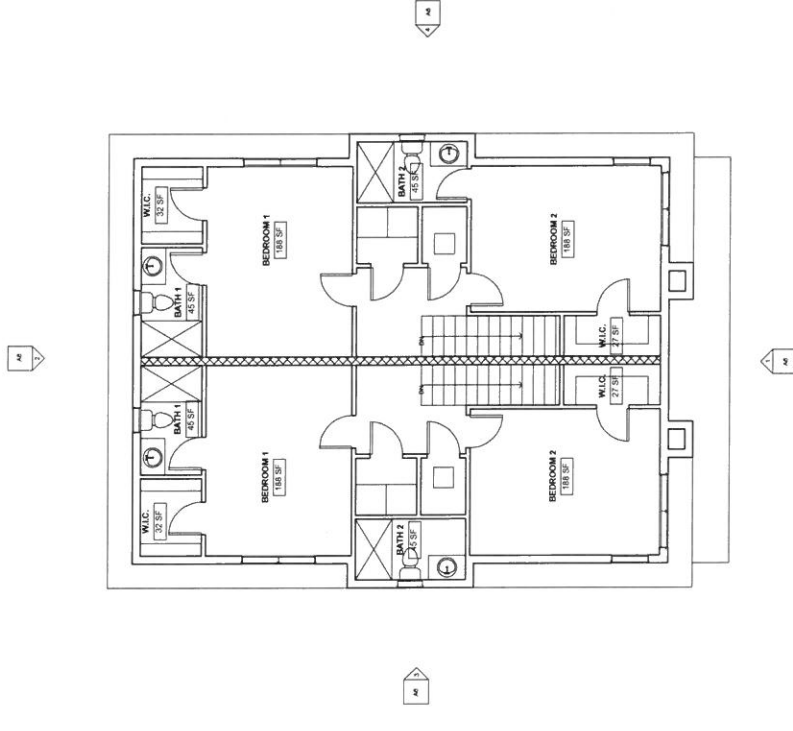
DESIGNED BY:
Designer
DRAWN BY:
Author

SHEET DESC.:

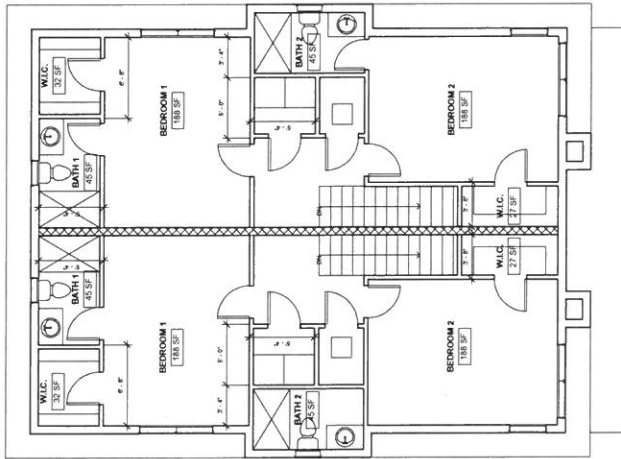
Second Floor
Plan

SHEET

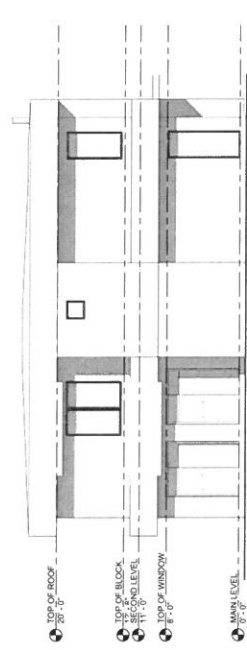
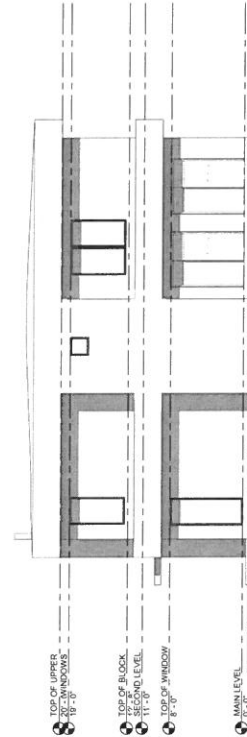
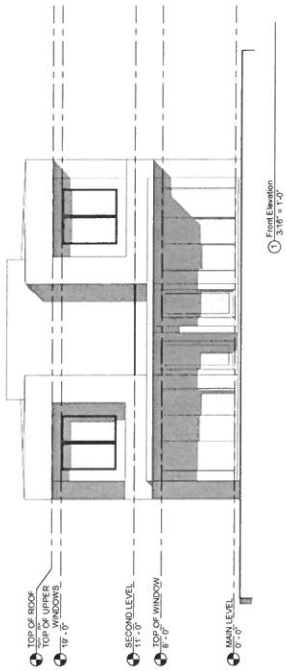
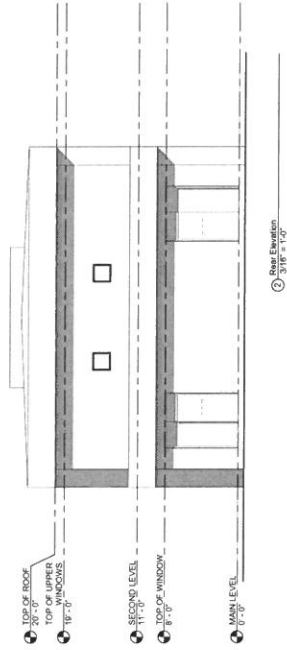
A2



② SECOND LEVEL - NOTED
14' x 11' 0"



① SECOND LEVEL - DIMENSIONED
14' x 11' 0"



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL TO PARKING LOT ON THE NORTH 20 FEET OF 947 NORTH KENTUCKY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN 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, 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 Board, acting as the designated Local Planning Agency, has reviewed and recommended APPROVAL of the proposed Comprehensive Plan amendment by a 7-0 voted after having held an advertised public hearing on December 6, 2016, and 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 January 9, 2017 and January 23, 2017 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. 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 of low density residential to parking lot on the north 20 feet of 947 N. Kentucky Avenue, more particularly described as follows:

THE NORTH 20 FT OF LOT 4, BLOCK B, 74 PER THE PLAT OF FAIRBANKS PARK, AS RECORDED IN PLAT BOOK "O", Page 46 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

Property Tax ID # 12-22-29-2556-02-040

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 _____, 2017.

Mayor

Mayor Steve Leary

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 LOW DENSITY RESIDENTIAL (R-2) ZONING TO PARKING LOT (PL) DISTRICT ZONING ON THE NORTH 20 FEET OF 947 NORTH KENTUCKY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the owners of property at 520 South Pennsylvania Avenue have requested a Zoning map amendment that is consistent with the Comprehensive Plan, and the requested zoning text change will achieve conformance with the Comprehensive Plan for the property and such municipal zoning does meet 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 December 6, 2016 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

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 of Low Density Residential (R-2) District zoning to Parking Lot (PL) District zoning on the north 20 feet of 947 N. Kentucky Avenue, more particularly described as follows:

THE NORTH 20 FT OF LOT 4, BLOCK B, 74 PER THE PLAT OF FAIRBANKS PARK, AS RECORDED IN PLAT BOOK "O", Page 46 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

Property Tax ID # 12-22-29-2556-02-040

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 _____, 2017.

Mayor Steve Leary

Attest:

City Clerk

**CITY OF WINTER PARK
PLANNING AND ZONING BOARD**

**Staff Report
December 6, 2016**

REQUEST OF CDS CONTRACTOR, INC. FOR: SUBDIVISION APPROVAL TO REPLAT THE PROPERTIES AT 1300 AND 1324 MILLER AVENUE. THESE TWO EXISTING PLATTED LOTS ARE ORIENTED NORTH/SOUTH WITH 60 AND 50 FEET OF LOT WIDTH ON MILLER AVENUE AND THE REPLAT WOULD CREATE TWO LOTS IN AN EAST/WEST ORIENTATION THAT ARE 72.5 AND 71.0 FEET WIDE, FRONTING ON SCHULTZ AVENUE.

CDS Contractors, Inc. (property owner) is requesting subdivision approval to replat the properties located at 1300 and 1324 Miller Avenue, zoned R-2. Their desire is to re-orient these two existing platted lot that are currently oriented north/south with 60 and 50 feet of street frontage along Miller Avenue and re-orient the properties in an east/west orientation with 72.5 and 71 feet of street frontage along Shultz Avenue. The properties are currently occupied by single-family homes, which the applicant plans to demolish.

SUMMARY: The properties are zoned R-2, and currently platted as nonconforming lots of record per R-2 development standards. They are grandfathered-in which allows each lot to be redeveloped with a duplex. While the reconfigured lot sizes will roughly be the same area as they exist today, the new lots are under the 9,000-square feet of land area required for creating a new R-2 lot today for duplex development. Therefore, applicant's request to reconfigure these lots to be oriented east/west as presented needs P&Z and City Commission approval.

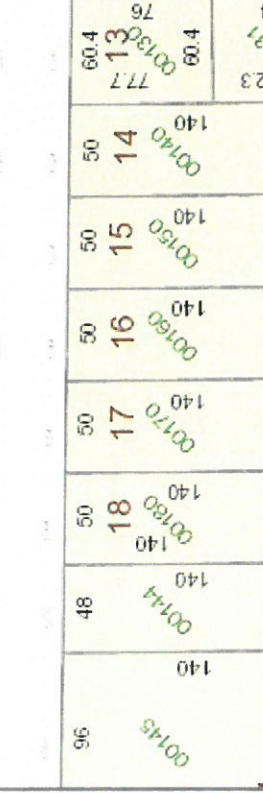
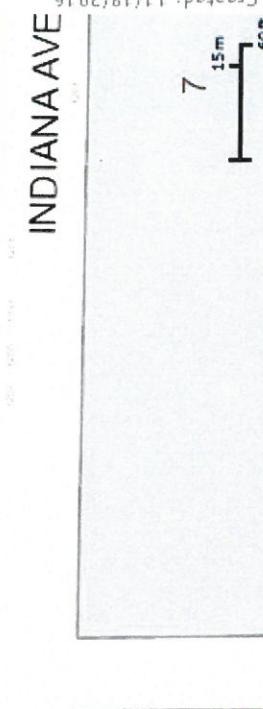
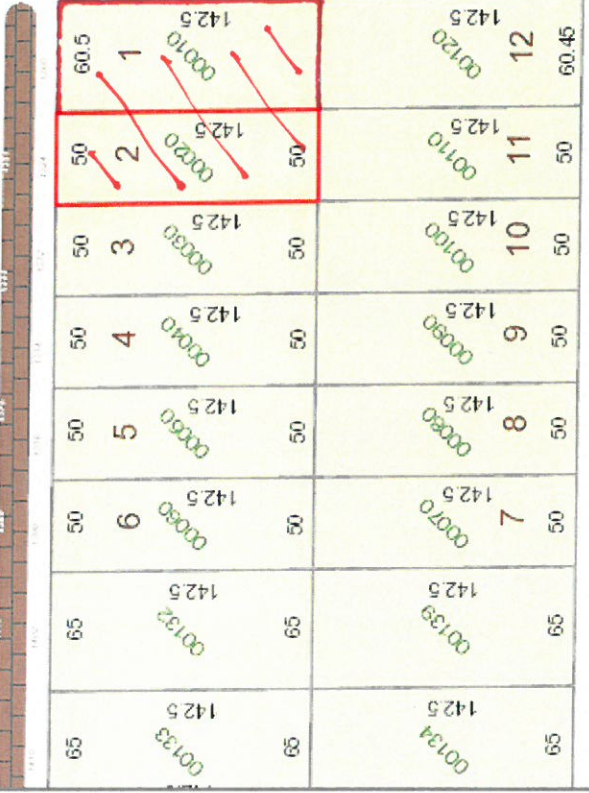
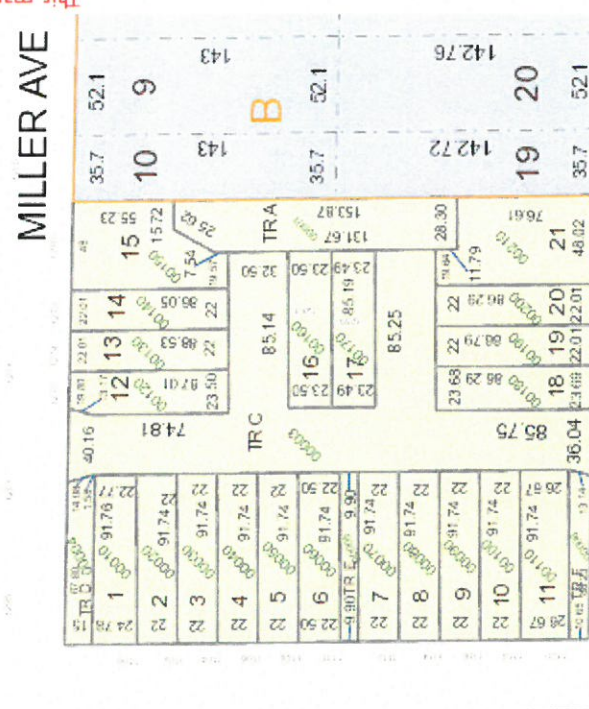
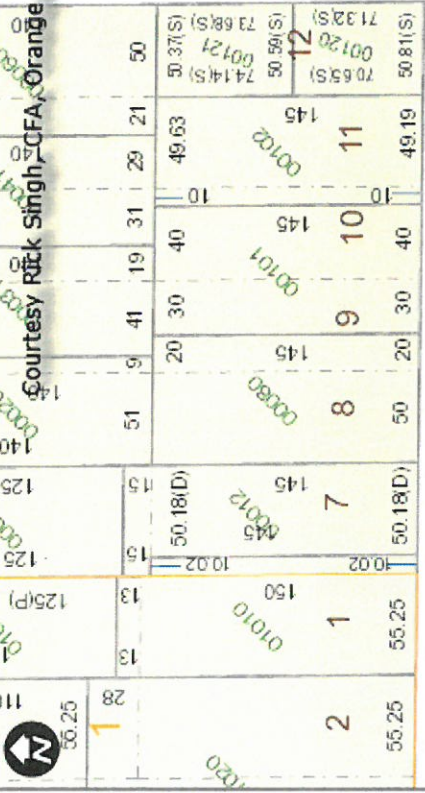
DEVELOPMENT PLANS: The applicant has provided preliminary elevations for the duplexes that they plan to build, and general site plans for the layout of the proposed duplexes. The applicants will comply with the normal duplex development standards, setbacks, etc. Staff feels that the proposed development plans are an improvement to this neighborhood. Having these lots front along Shultz Avenue, which has twice as much daily traffic as Miller Avenue, will provide an attractive frontage for people to view while traveling down Shultz Avenue that is an upgrade to what exists today. This will also compliment the Townhomes at Harper Place that were built a few years ago across the street that front Shultz Avenue.

APPLICABLE CODES: The applicable Comprehensive Plan policies and Subdivision Code section governing lot splits are on the following page.

SUMMARY: Based on the strict application of the Code, as previously mentioned, this reconfiguration does not meet the R-2 minimum lot sizes for duplex development. However, staff feels that this reconfiguration provides an improvement and will blend well with the neighborhood.

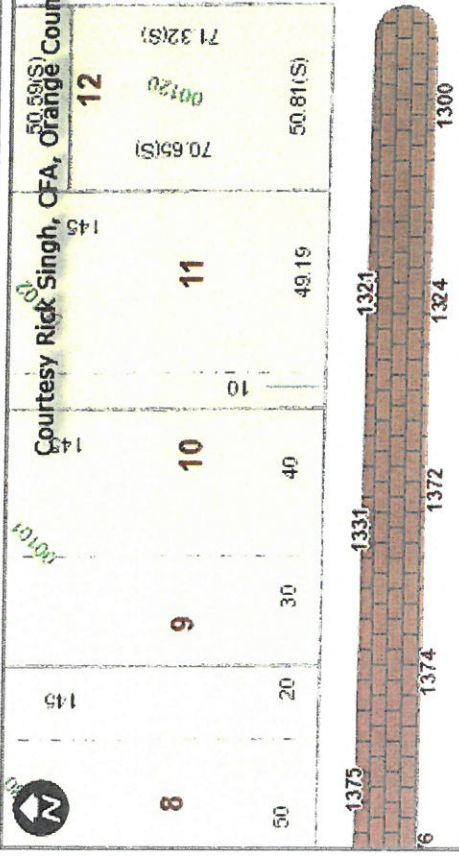
STAFF RECOMMENDATION IS FOR APPROVAL.

- Florida turnpike
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- Lot Number
- Parcel Number
- Parcel Address
- Parcel Dimension



Courtesy Rick Singh-CFA, Orange County Property Appraiser.
This map is for reference only and is not a survey.

- Florida turnpike
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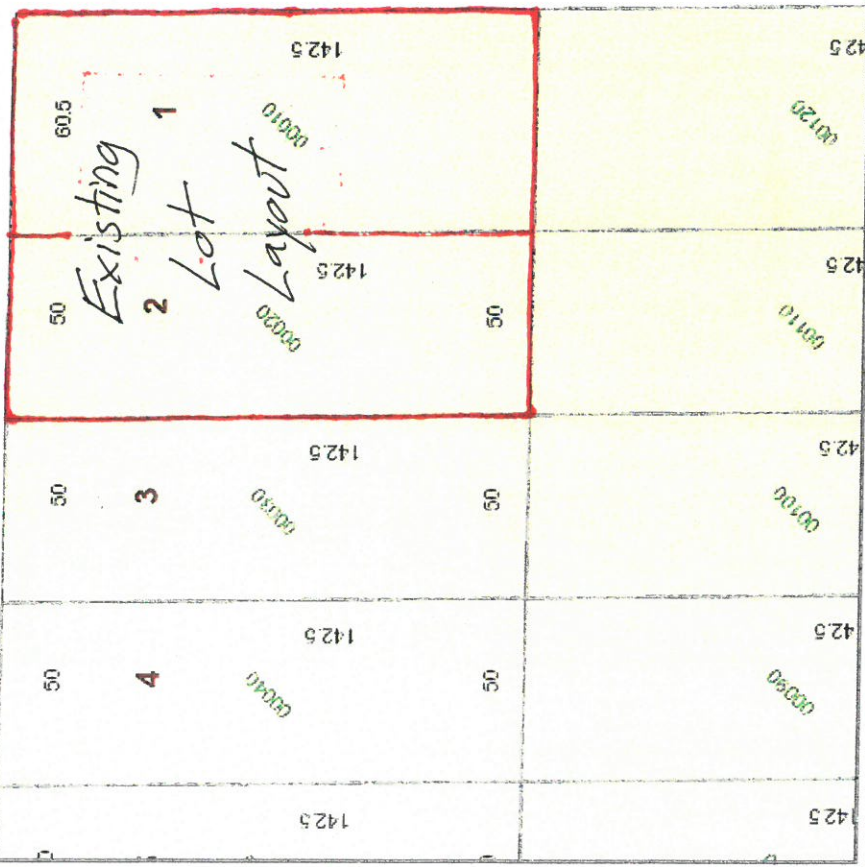


SCHU
1051

Courtesy Rick Singh, CFA, Orange County Property Appraiser



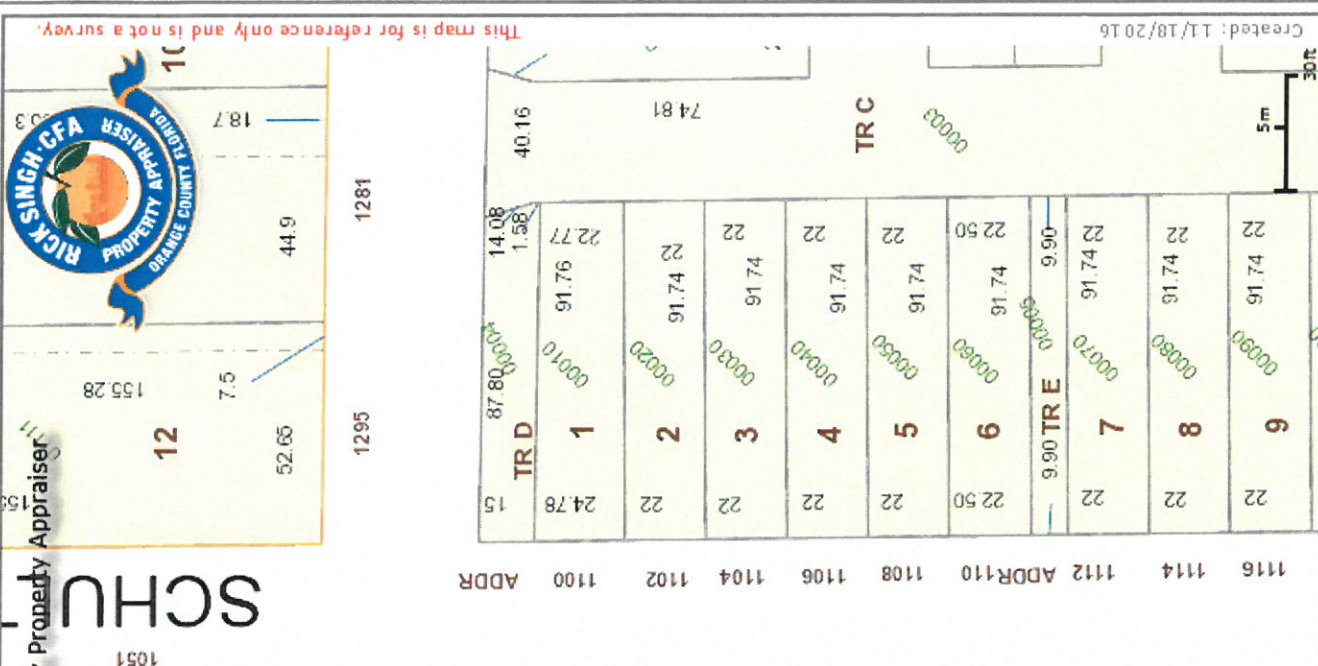
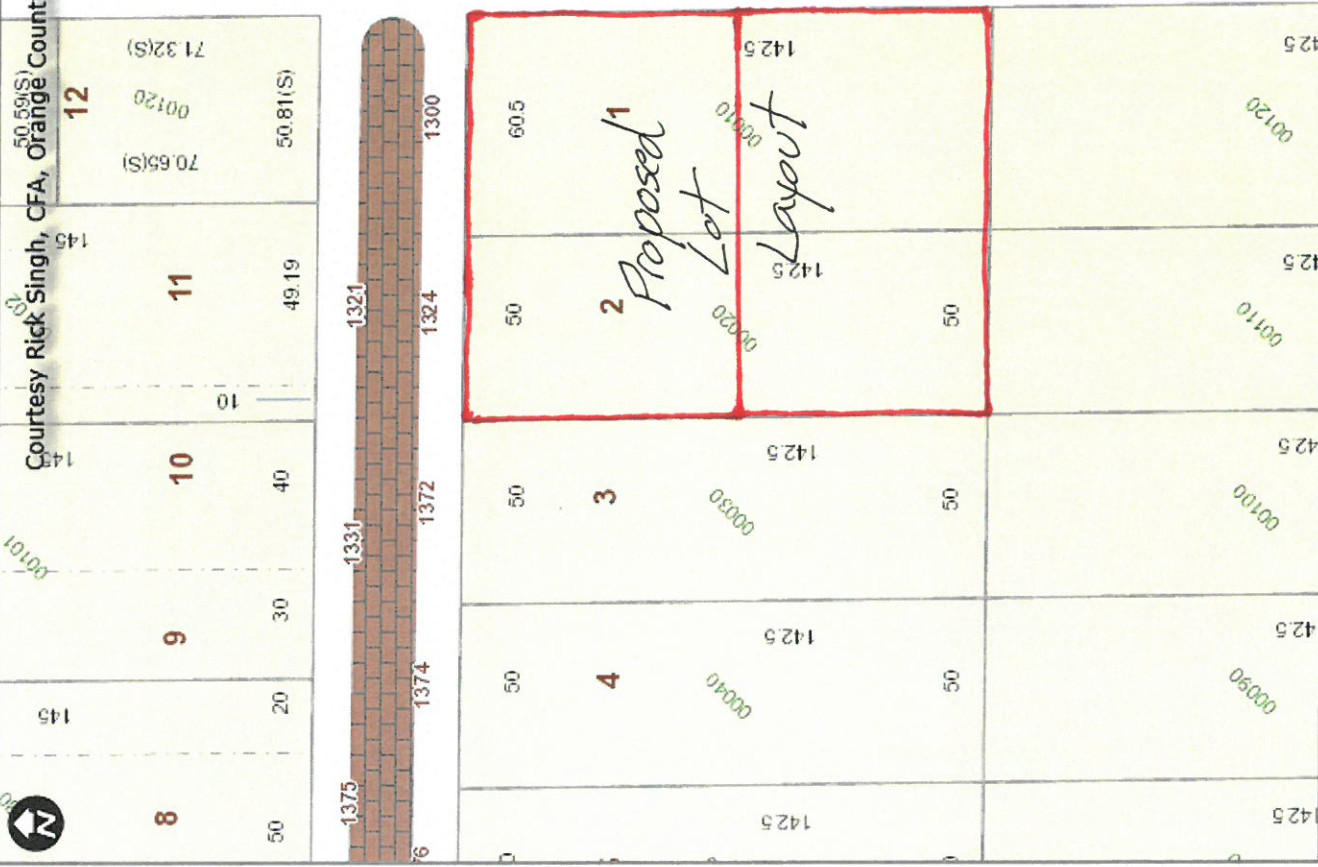
This map is for reference only and is not a survey.



TR D	1	2	3	4	5	6	7	8	9
15	24.78	22	22	22	22	22.50	22	22	22
Area	91.76	91.74	91.74	91.74	91.74	91.74	91.74	91.74	91.74
Block	00070	00020	00030	00040	00050	00060	00070	00080	00090
TRC	14.08	1.58	22.77	40.16	74.81	18.7	44.9	1281	1281

Created: 11/18/2016

- Florida turnpike
- Interstate 4
- Toll Road
- Major Roads
- Public Roads
- Gated Roads
- Road Under Construction
- Proposed Road
- US Road
- State Road
- County Road
- One Way
- Brick Road
- Proposed SunRail
- Block Line
- Lot Line
- Residential
- Agriculture
- Commercial/Institutional
- Governmental
- Institutional/Misc
- Commercial/Industrial/Vacant Land
- Hydro
- Waste Land
- Agricultural Curtilage
- County Boundary
- Parks
- Golf Course
- Lakes and Rivers
- Block Number
- Lot Number
- Parcel Number
- Parcel Address
- Parcel Dimension



Courtesy Rick Singh, CFA, Orange County Property Appraiser

NO.	DATE	DESCRIPTION
1.	8.22.18	CITY OF W.P.A. REV.

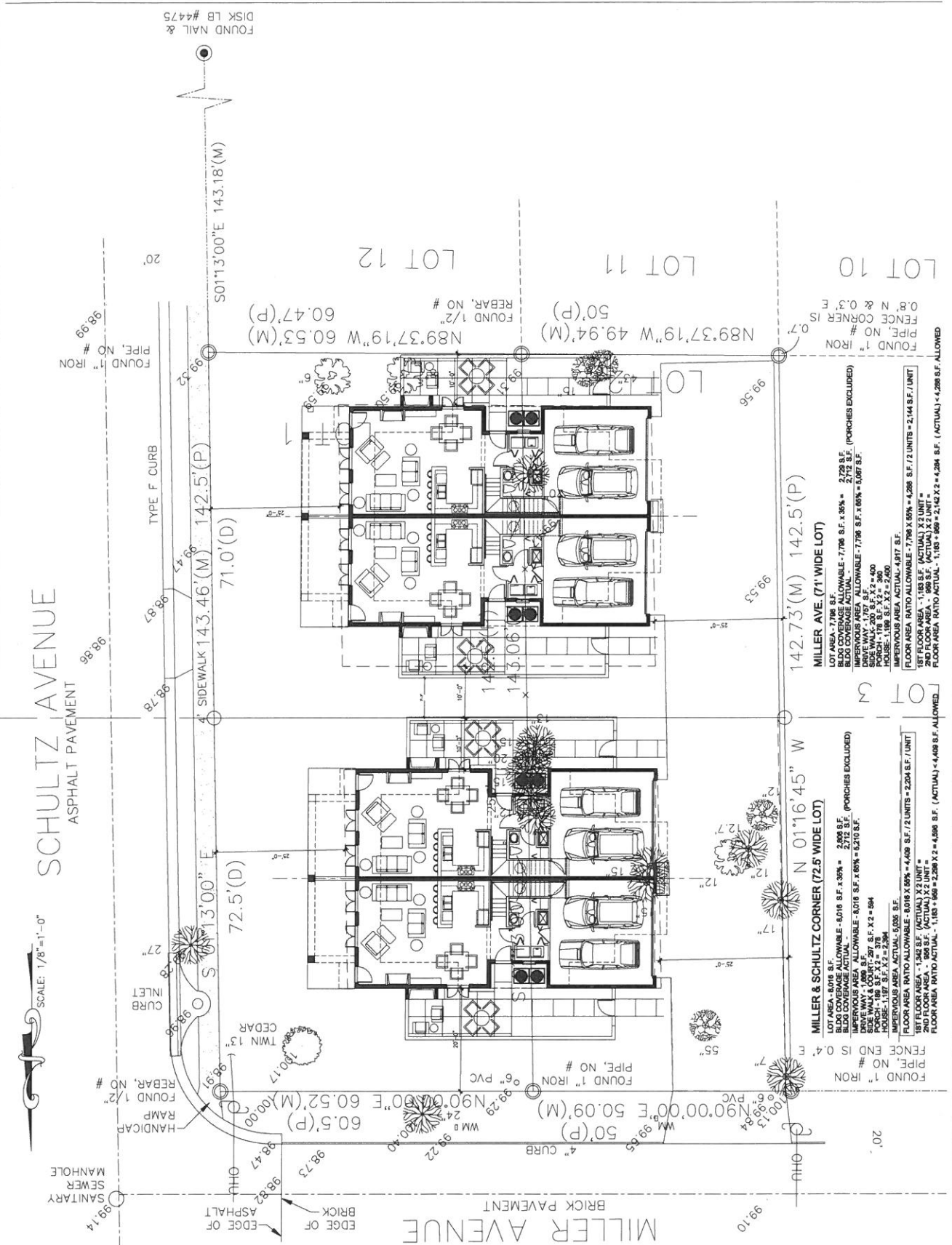
REQUIREMENTS OF VEHICLE CONNECTIONS:
 ALL IMPROVEMENTS IN THIS DEVELOPMENT SHALL BE CONFORMANT WITH THE CITY OF WINTER PARK DEVELOPMENT CODE AND THE CITY OF WINTER PARK ZONING ORDINANCE. THE DEVELOPER SHALL OBTAIN APPROVAL FROM THE CITY ENGINEER AND THE CITY PLANNING DEPARTMENT BEFORE ANY CONSTRUCTION BEGINS. THE DEVELOPER SHALL MAINTAIN RECORD DRAWINGS OF THIS DEVELOPMENT THROUGHOUT THE PROJECT AND FOR THE LIFE OF THE PROJECT. THE DEVELOPER SHALL MAINTAIN RECORD DRAWINGS OF THIS DEVELOPMENT THROUGHOUT THE PROJECT AND FOR THE LIFE OF THE PROJECT. THE DEVELOPER SHALL MAINTAIN RECORD DRAWINGS OF THIS DEVELOPMENT THROUGHOUT THE PROJECT AND FOR THE LIFE OF THE PROJECT.

PROJECT:
DUPLEX FOR STEVE MURPHY

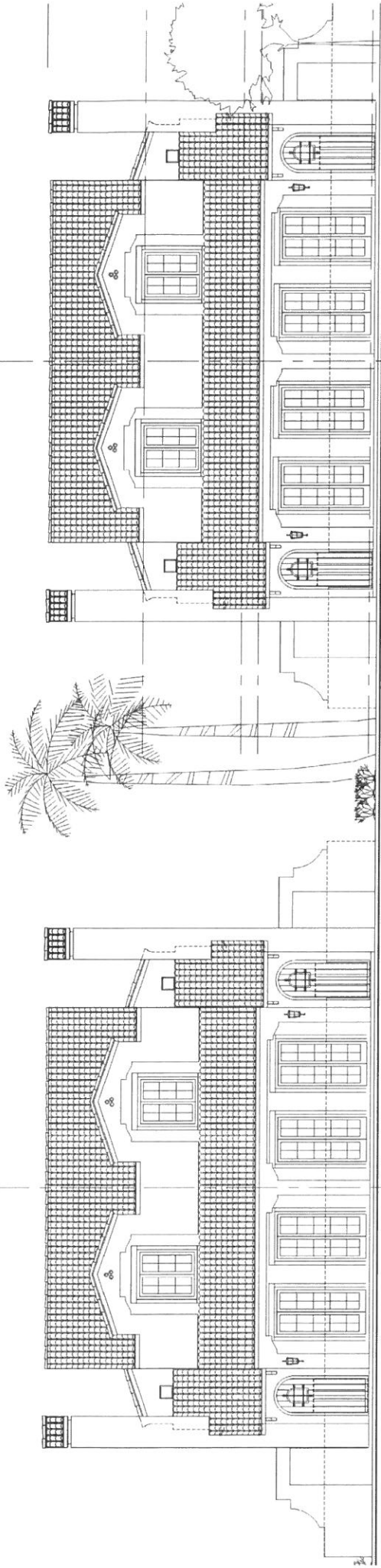
1304 MILLER AVE
 WINTER PARK, FL 32789
 SITE DEVELOPMENT PLAN

A00
 SHEET NUMBER

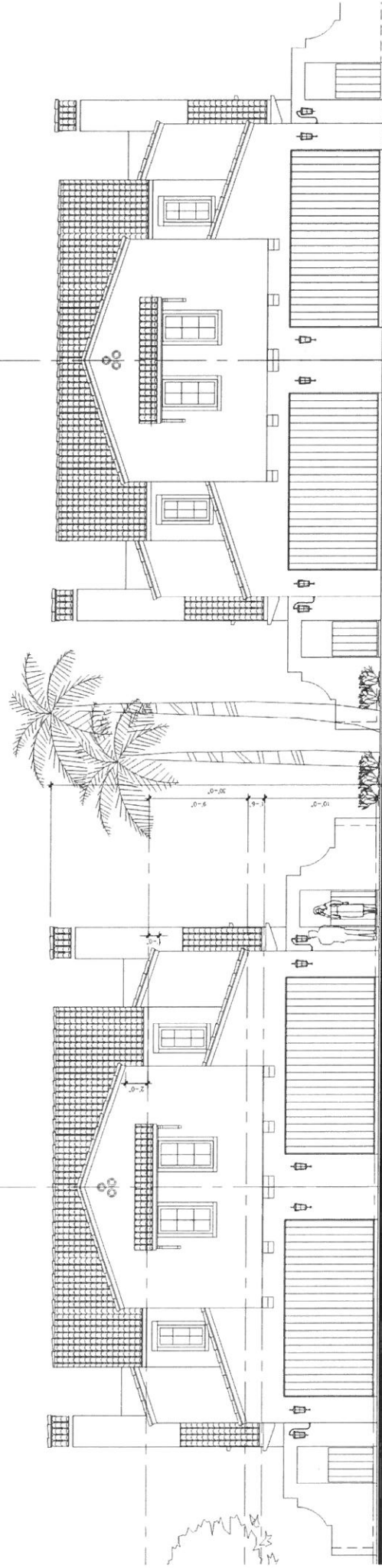
SAMUEL OLMEDO
 ARCHITECT
 FL REG. A00015027



RECORDED IN PLAT BOOK J, PAGE 94 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
 LOTS 1 AND 2, METZINGERS ADDITION TO WINTER PARK, ACCORDING TO THE PLAT THEREOF AS



Schultz Ave Elevation
 3/16" = 1'-0"



Alley / Driveway Elevation
 3/16" = 1'-0"