

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

**Staff Report  
June 6, 2017**

REQUEST OF DOROUGH BROTHERS PROPERTIES, LLC FOR: SUBDIVISION OR LOT SPLIT APPROVAL TO DIVIDE THE PROPERTY AT 331 S. LAKEMONT AVENUE, ZONED R-1A, INTO TWO SINGLE FAMILY BUILDING LOTS, FRONTING ON GRINNELL TERRACE. EACH PROPOSED LOT WILL MEET OR EXCEED THE MINIMUM LOT SIZE REQUIREMENTS OF THE R-1A ZONING OF 75 FEET OF LOT WIDTH AND 8,500 SQUARE FEET OF LOT AREA AND NO VARIANCES ARE REQUESTED.

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Dorough Brothers Properties, LLC (contract purchaser) is requesting subdivision or lot split approval to divide the property located at 331 South Lakemont Avenue 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 applicants plan 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 a corner lot, and is approximately 160 feet wide on Grinnell Trail, 170 feet wide on Lakemont Avenue and measures 27,076-square feet in size. The subdivided lots are proposed to be divided north and south and fronting on Grinnell Trail. The properties are proposed to be 75 feet and 84 feet wide, with lot areas of 12,750-square feet and 14,310-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 meets the R-1A lot dimension standards, and no variances are 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, is a door that swings both ways. In some cases, it 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 64 homes within this neighborhood along with the R-1A zoning (see attached map). The average lot width is 79 feet, and the median lot width is 78 feet. The average lot area from this 64 home survey is 10,882-square feet, and the

median lot area is 10,716-square feet. Thus, the proposed lot widths and lot areas compare favorably to 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. Based on the proposed site plans, the application will only be removing one 48" camphor tree in the western lot due to this request. Also, staff is recommending that a condition be placed that these homes be of varying architecture as the applicant has presented. The applicants will comply with the normal single-family development standards, setbacks, etc.

**SUMMARY:** The request meets all of the R-1A zoning requirements for lot sizes, and no variances are requested.

**Staff Recommendation is for APPROVAL, with the following conditions:**

1. That the proposed homes be of varying architecture.
2. That the applicant preserves that existing trees, with the exception of the 48" camphor located within the western home's footprint.

## **RELEVANT COMPREHENSIVE PLAN POLICY:**

**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.





## Comprehensive Plan Test

331 S Lakemont Ave  
Lot Split Request

City of Winter Park  
Florida

### LEGEND

- Subject Site
- R-1A Lots Within 500' of Site (64 total)

### NOTES

Average Lot Width = 79 feet  
Median Lot Width = 78 feet  
Average Lot Size = 10,882 square feet  
Median Lot Size = 10,716 square feet



Date: 5/22/2017

0 100 200 300 Feet







CITY OF WINTER PARK

401 South Park Avenue

Winter Park, Florida

32789-4386

Dorough Brothers  
John Dorough  
3786 Kinsley Pl  
Winter Park, FL. 32792

5/10/17

RE: 331 S. Lakemont Ave.

To Whom It May Concern,

Please be advised that the site visit regarding trees at 331 S. Lakemont Ave. was merely a preliminary meeting. In his letter to Planning and Zoning on May 3, 2017, Greg Clarkson stated that Josh had agreed that "any tree(s) that would be in the way of the footprint of either future house could go through the tree removal application process". Please be advised that the tree removal application process does not always result in permission to remove trees that are requested for removal. In no way did Josh imply that any tree on the property would be automatically approved for removal.

We do not make decisions on the tree removal process until a site plan has been submitted to the City and approved by the Building Department as well as Planning and Zoning. According to our arborist field notes, there are two trees in poor condition and the remainder eleven trees are in good health. There is a large camphor on site. Although healthy, it is not protected under our Tree Preservation Ordinance.

The Tree Preservation Ordinance requires that any protected healthy tree be preserved on the lot while taking every effort to maintain as much tree canopy as possible. This could include shifting the building footprint in an effort to minimize impact to existing trees.

Should you have any further questions please contact me directly. A staff report will be sent to the Planning Department.

Best regards,

Dru Dennison

## Urban Forestry Staff Report

RE: 331 S. Lakemont Ave.

- There are two trees on the site that are in poor condition both along the east side along S. Lakemont Ave.
- There are eleven trees throughout the property that are in good condition and need to be considered when designing the footprint.
- A camphor tree on site is quite large and is healthy; although not protected under the Tree Preservation Ordinance.
- Staff will wait on proposed building plans to determine approval of tree removal requested.



GREEN TERRACE P.B.

BLOCK "B"

RECOVERED X-CUT NO IDENTIFICATION

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12 89.65'(P)

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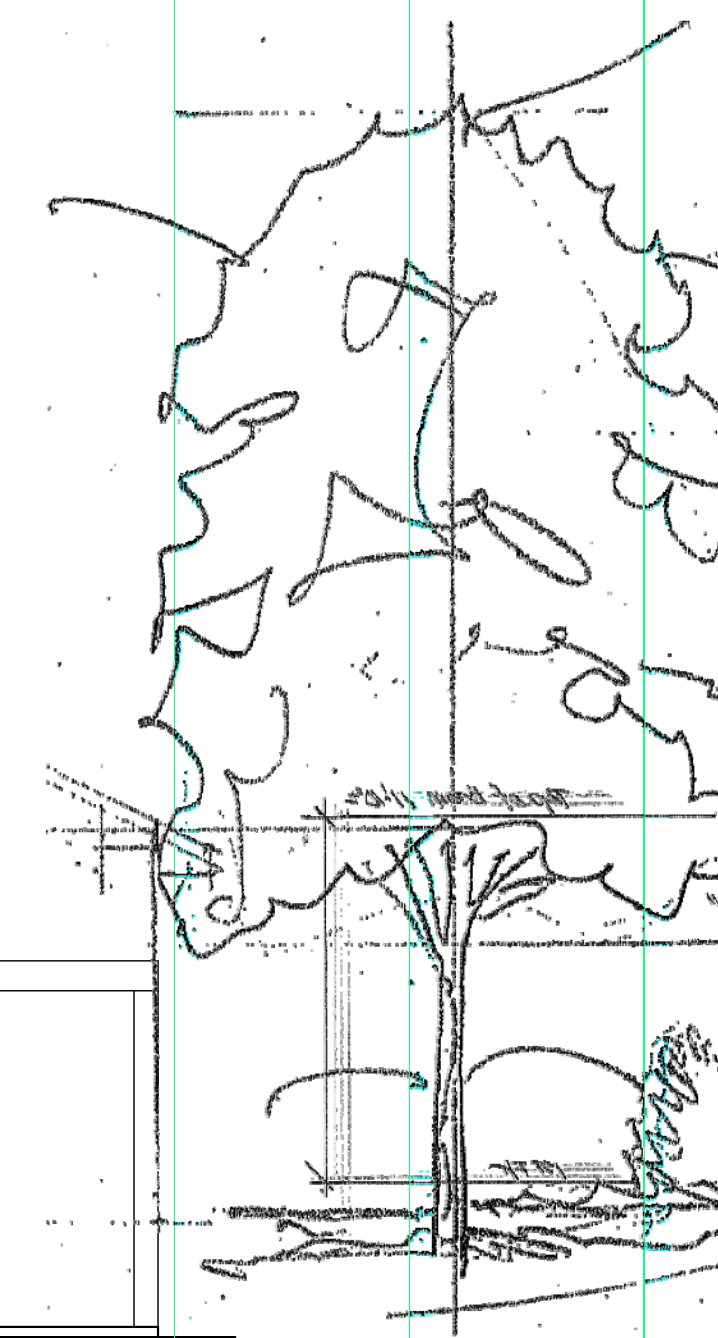
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PER PLAT BOOK 0, PAGE 51  
50.00' PLATTED STREET

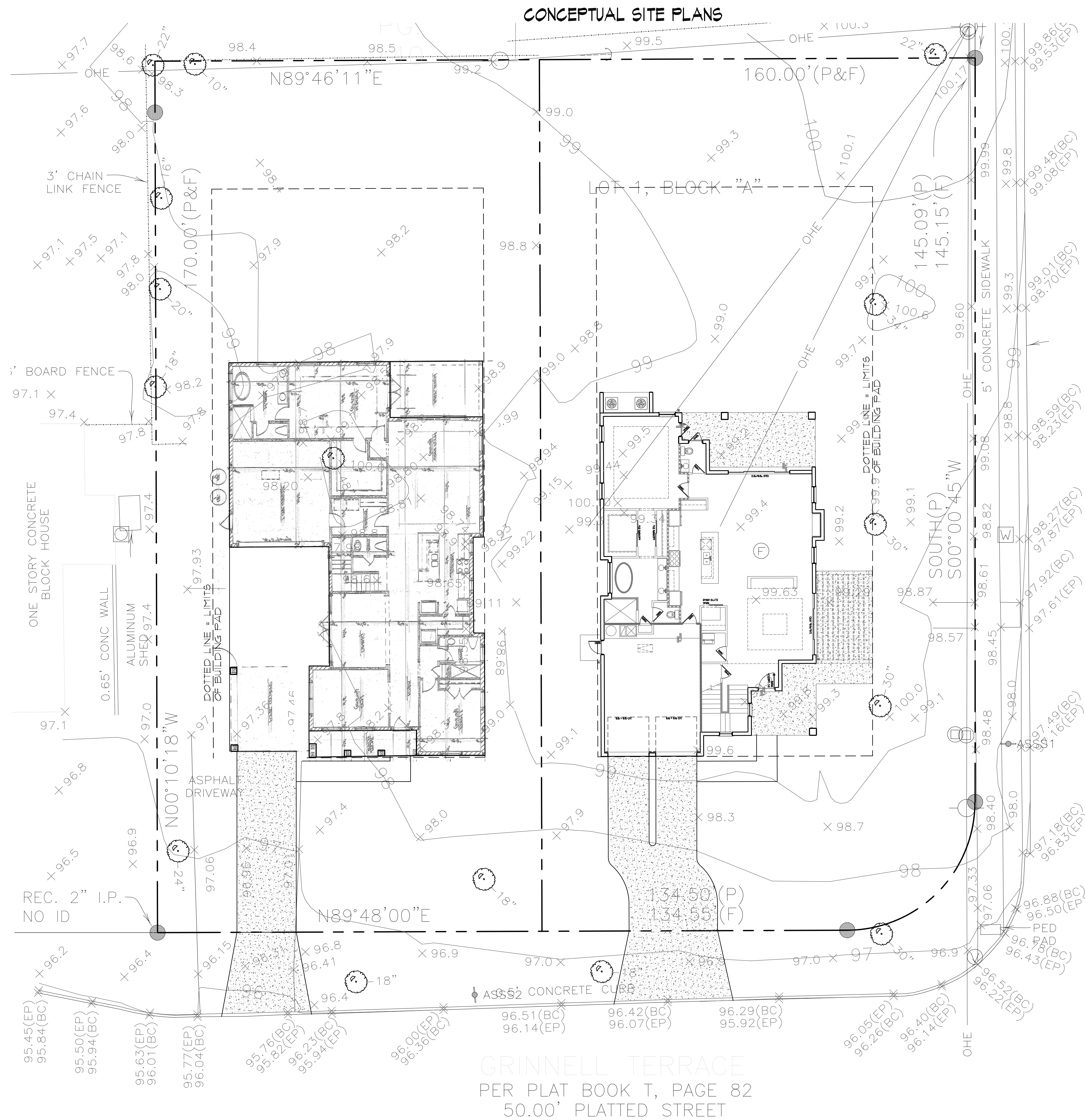


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# CONCEPTUAL SITE PLANS

SCALE	
DATE:	5/2/2015
DRAWN BY:	R CARRION
CHECKED BY:	J YOUNGMAN





NOTE:  
FLOOR PLANS AND ELEVATIONS  
ARE INTENDED TO REPRESENT  
THE TYPE AND QUALITY OF HOUSES  
TO BE CONSTRUCTED.

JOHN D. YOUNGMAN  
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PROJECT:  
LOT SPLIT CONCEPT SITE PLANS  
331 S LAKEVONT AVE  
WINTERPARK FLORIDA

SHEET TITLE  
CONCEPTUAL SITE PLANS

PERMIT ☐ CONSTRUCTION ☒ PRELIMINARY ☐ TRUSS PACKAGE ☐ APPROVAL ☐

ARCHITECT FL. REG. AR 9601

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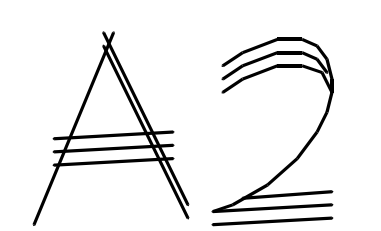
SCALE

DATE: 5/2/2015

DRAWN BY: R. GARRON

CHECKED BY: J. YOUNGMAN

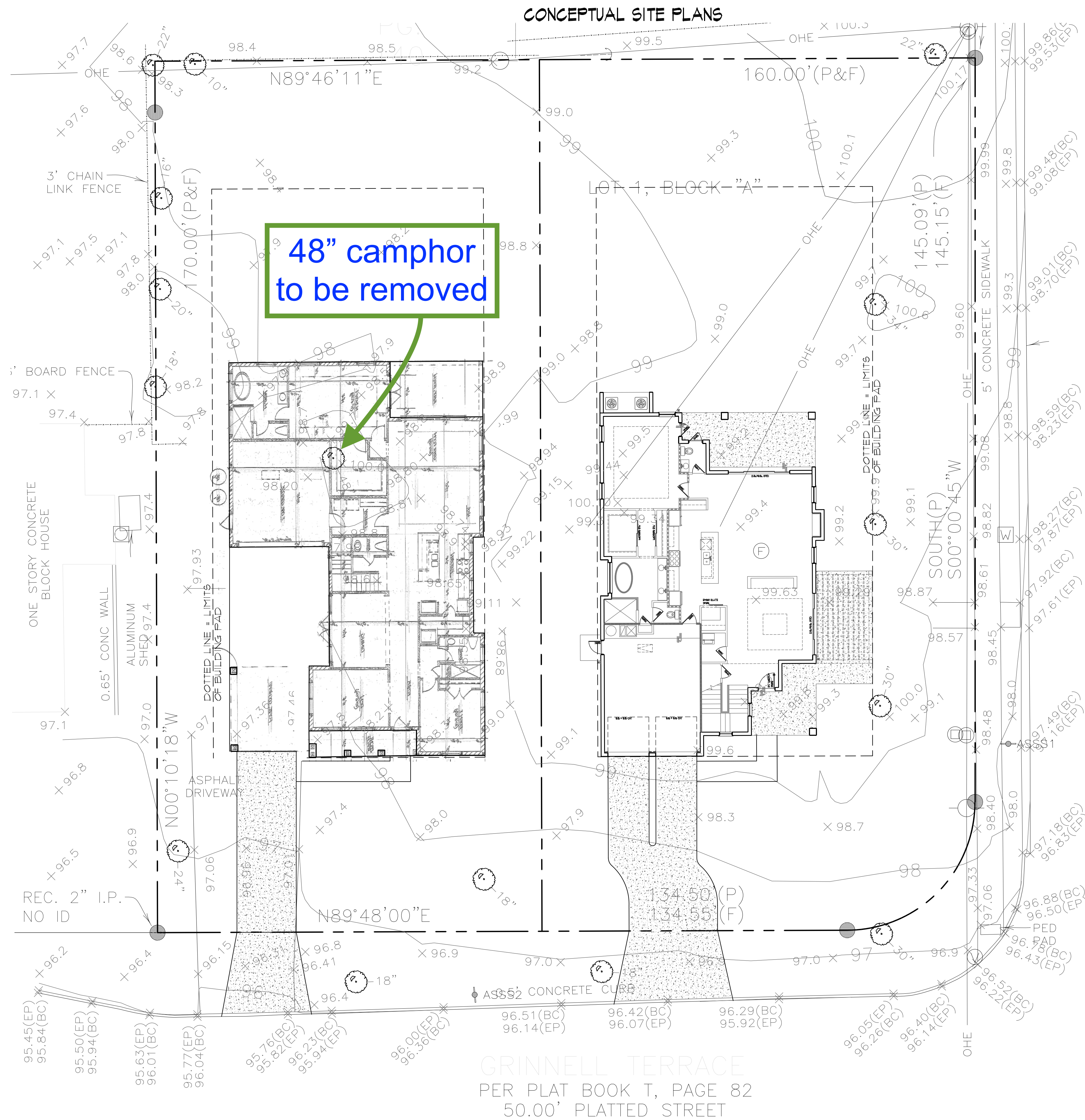
SHEET



CONCEPTUAL LOT SPLIT SITE PLAN - LOT 1  
SCALE: 1"=10'

CONCEPTUAL LOT SPLIT SITE PLAN - LOT 2  
SCALE: 1"=10'





CONCEPTUAL LOT SPLIT SITE PLAN - LOT 1  
SCALE: 1"=10'

CONCEPTUAL LOT SPLIT SITE PLAN - LOT 2  
SCALE: 1"=10'

NOTE:  
FLOOR PLANS AND ELEVATIONS  
ARE INTENDED TO REPRESENT  
THE TYPE AND QUALITY OF HOUSES  
TO BE CONSTRUCTED.

LAKEMONT AVENUE  
PER PLAT BOOK O, PAGE 51  
50.00' PLATTED STREET

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PROJECT:  
LOT SPLIT CONCEPT SITE PLANS  
331 S LAKEVIEW AVE  
WINTERPARK FLORIDA

SHEET TITLE  
CONCEPTUAL SITE PLANS

PERMIT ☐ CONSTRUCTION ☒ PRELIMINARY ☐ TRUSS PACKAGE ☐ APPROVAL ☐

ARCHITECT FL. REG. AR 9601

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SCALE

DATE: 5/2/2015

DRAWN BY: R. GARRON

CHECKED BY: J. YOUNGMAN

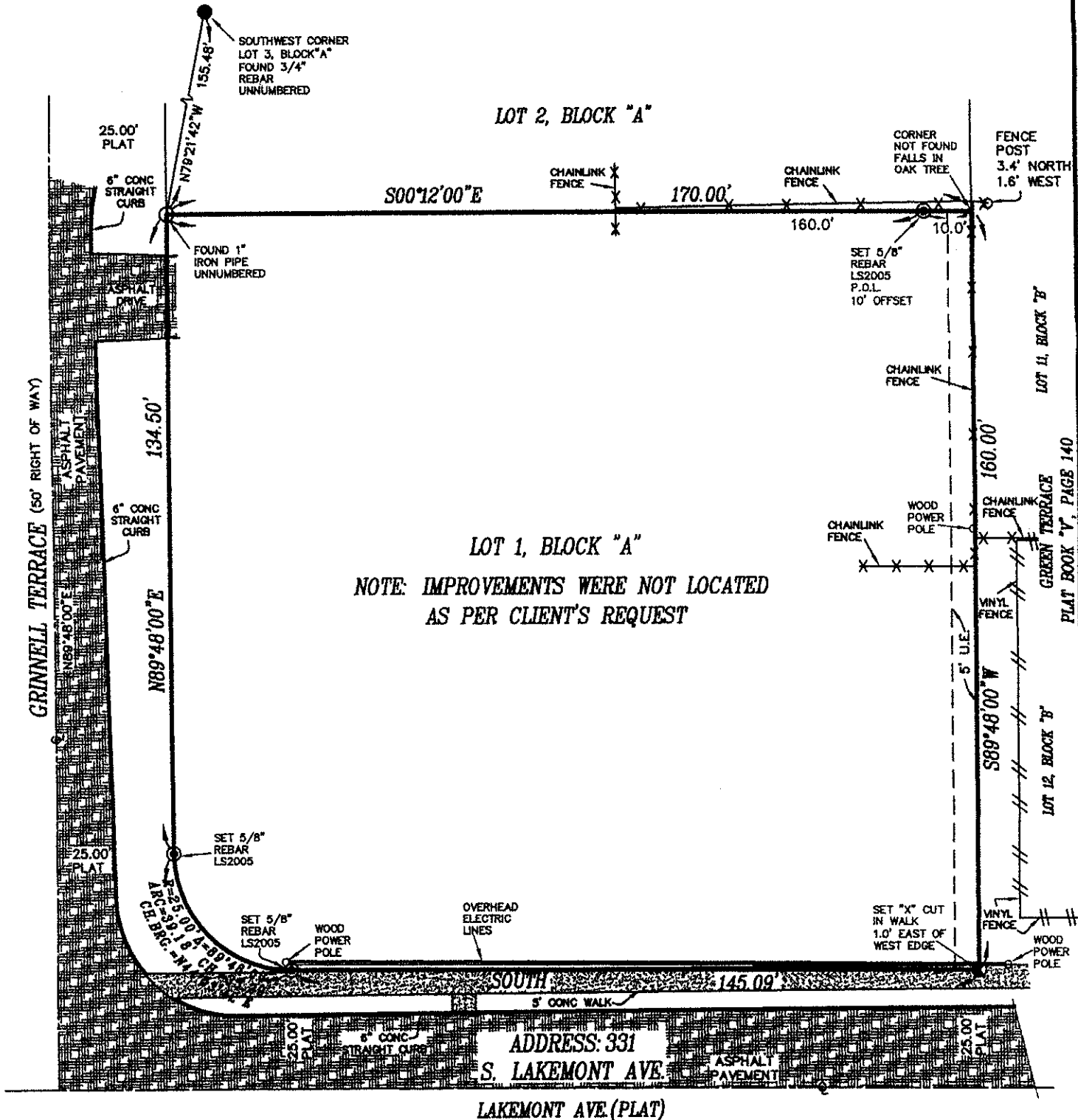
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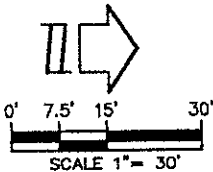
PLAT OF BOUNDARY SURVEY FOR DONNA G. SCHRIMSCHER

Description: Lot 1, Block "A", FREMAR SUBDIVISION, according to the plat thereof as recorded in Plat Book "T", Page 82, Public Records of Orange County, Florida.



NOTES:

1. BEARINGS ARE BASED ON THE NORTH LINE OF LOT 1, BLOCK "A", FREMAR BEING N89°48'00"E.
2. UNDERGROUND IMPROVEMENTS, ROOF OVERHANGS AND FOOTERS HAVE NOT BEEN LOCATED.
3. ELEVATIONS ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929.
4. BUILDING TIES ARE TO FOUNDATION.
5. BUILDING TIES ARE NOT TO BE USED TO CONSTRUCT DEED OR PLATTED LINES.
6. BEARINGS AND DISTANCES SHOWN HEREON ARE MEASURED AND PER RECORDED PLAT UNLESS OTHERWISE NOTED.
7. DESCRIPTION IS RECORDED IN O.R. BOOK 4155, PAGE 3437, ORANGE COUNTY, FLORIDA.



ABBREVIATIONS/LEGEND

- L.B.-LICENSED BUSINESS  
ARC-ARC LENGTH  
CH.-CHORD  
R -RADIUS  
Δ DELTA (CENTRAL ANGLE)  
P.C.-POINT OF CURVATURE  
P.T.-POINT OF TANGENCY  
P.I.- POINT OF INTERSECTION  
P.R.C.-POINT OF REVERSE CURVATURE  
D.&U.E.- DRAINAGE & UTILITY EASEMENT  
U.&S.E.- UTILITY & SIDEWALK EASEMENT  
U.E.- UTILITY EASEMENT  
D.E.- DRAINAGE EASEMENT  
C - CENTERLINE  
CONC-CONCRETE  
F.F.E.-FINISHED FLOOR ELEVATION  
P.O.L.- POINT ON LINE

THIS SURVEY MEETS THE "STANDARDS OF PRACTICE" AS REQUIRED BY CHAPTER 6J-17, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

THE UNDERSIGNED AND CAVONE, INC. LAND SURVEYORS and MAPPERS MAKE NO RESERVATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS, AND FURTHER THIS INSTRUMENT IS NOT INTENDED TO REFLECT OR SET FORTH ALL SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION.

<b>CAVONE, INC.</b> LAND SURVEYORS AND MAPPERS 300 SOUTH RONALD REAGAN BOULEVARD LONGWOOD, FLORIDA 32750-3469 TELEPHONE (407) 530-9080 FAX No. (407) 338-3636 E-MAIL: CAVONE@CFLRR.COM	THIS SURVEY NOT VALID UNLESS EMBOSSED WITH THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER <i>Dominick F. Cavone</i> DOMINICK F. CAVONE - PRESIDENT FLORIDA SURVEYOR & MAPPER NUMBER 2005 LICENSED BUSINESS NUMBER L.B.5073		REVISION	DATE
			RECEIVED	
			FINAL LOCATION	
			FOUNDATION LOCATION	
			STAKE HOUSE	
		STAKE LOT	10-10-2018	





May 10, 2017

Planning and Zoning Commission  
City of Winter Park  
Re: Subdivision (Lot Split) at 331 S. Lakemont Ave.

To Whom It May Concern,

I'm writing in regards to our application for subdivision at the property of 331 S. Lakemont. Ave. I have taken the preliminary step to meet with Joshua Nye, City of Winter Park Arborist, to discuss the existing trees on the lot in reference to our future plans for building 2 single family homes, once the existing lot is subdivided.

Per the site visit with Josh, we informally agreed that any tree(s) that would be in the way of the footprints of either future house could go through the tree removal permit application process. Specifically, this refers to the 48" camphor tree that sits on Lot 1 that is within the footprint of the future house that will go on that lot (see conceptual site plan). We found that the oaks on the lots are not in the future house footprints and therefore would remain or just need trimming, particularly the ones that are along Lakemont Ave. A number of "trash" trees on the property we anticipate to remove.

As this subdivision process moves forward, as well as the subsequent demo and building permitting processes with the building department, we will continue to be in communication with Josh and the Division of Urban Forestry to follow all procedures for meeting the Arborist's requirements pertaining to any tree removal on the property.

Josh Nye said he is available for any questions as pertaining to our preliminary meeting regarding this lot and as things progress in this subdivision application process.

Regards,

Greg Clarkson  
Building Contractor for 331 S. Lakemont Ave.  
Owner, Clarkson Concept Inc.