

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

**Staff Report  
October 3, 2017**

**SPR 17-09**      REQUEST OF MARK AND CARYN ISRAEL FOR APPROVAL TO CONSTRUCT A NEW 332-SQUARE FOOT OPEN PORCH AND AIR CONDITIONED 867-SQUARE FOOT ADDITION TO THE SINGLE-FAMILY HOME LOCATED AT 728 KIWI CIRCLE ON LAKE OSCEOLA, ZONED R-1AAA.

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Mark and Caryn Israel (property owners) are requesting approval to construct a new 332-square foot open porch and air conditioned 867-square foot addition to the single-family home located at 728 Kiwi Circle on Lake Osceola, zoned R-1AAA. This addition requires a variance to the code requirements for the side setbacks.

As the board may recall, the property owners previously received a lakefront site plan approval in August which included a setback variance to the southern property line. Subsequent to this approval, the applicant revised their proposed additions, which were deemed a significant change and also requires a variance to the northern property line.

**TREE PRESERVATION:** The Code direction on water front lots is "to preserve existing trees to the degree reasonably possible." This addition does not require the removal of any existing trees onsite.

**VIEW FROM THE LAKE:** The Code direction is to minimize the height and extent of stem walls or retaining walls facing the lake. Generally, the policy is not to permit walls/swimming pool decks facing the lake in excess of three feet in height. Another purpose of this review is to preclude the ability to see parked cars from the lake. This addition does not create any stem walls or retaining walls facing the lake that are in excess of three feet in height, so it will not negatively impact the views from the lake.

**VIEW OF NEIGHBORS:** The Code direction is to minimize the degradation of traditional views across properties by new houses, additions, second story additions, etc. alongside property lines toward the lake that may block traditional views. The 332-square foot porch addition proposed in the southern portion of the site is smaller than what was previously approved and will not affect the traditional lake views of the neighbor, but still requires a setback variance.

The air conditioned 867-square foot addition to the northern side of the property was not proposed on the previous approval, and is located twelve and a half feet from the property line in lieu of the required 24 feet for a lot of this width. The affected neighbor has written a letter of no objection to this requested variance (attached).

**STORM WATER RETENTION:** The zoning code requires retention of storm water so that storm water flowing over a lakefront lawn area does not carry with it into the lake any fertilizers, herbicides, etc. Typically, this retention requirement is accomplished by the creation of a depressed swale area across the lakefront of about one foot in depth. The amount of impervious surface determines the need for the depth of the swale. The applicant will comply with the City's code requirements for storm water retention.

**SUMMARY:** Overall, with the letter of no objection to the side setback variance to the northern property line, the plans meet the intent of the lakefront review criteria. Staff does not see any significant concerns with the proposed home as presented.

**STAFF RECOMMENDATION IS FOR APPROVAL**



# Parcel Report for 06-22-30-7929-00-070

Courtesy Rick Singh, CFA, Orange County Property Appraiser



Created: 7/18/2017

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

## OCPA Web Map

Florida turnpike	Major Roads	Proposed Road	Residential	Commercial/Industrial/Vacant Land	Parks	<b>6</b> Lot Number
Interstate 4	Public Roads	Brick Road	Agriculture	Agricultural Curtilage	Lakes and Rivers	<b>06060</b> Parcel Number
Toll Road	Gated Roads	Block Line	Commercial/Institutional	Hydro	Building	<b>3106</b> Parcel Address
Road Under Construction	Lot Line	Governmental/Institutional/Misc.	Waste Land	Block Number	<b>111.9</b> Parcel Dimensions	

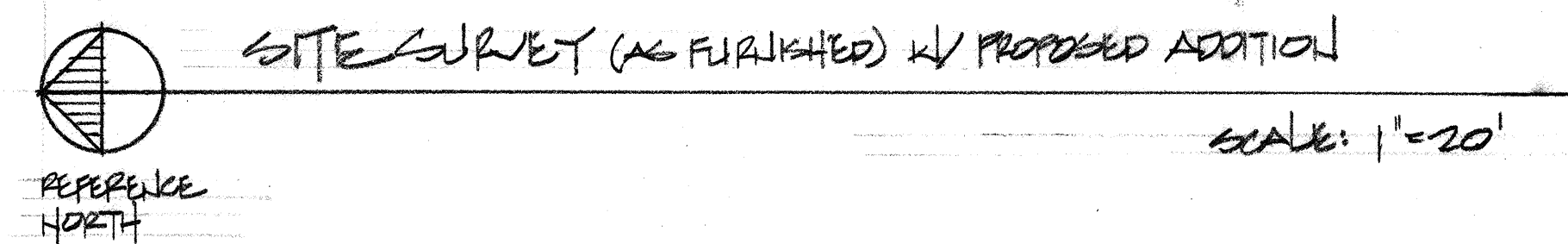
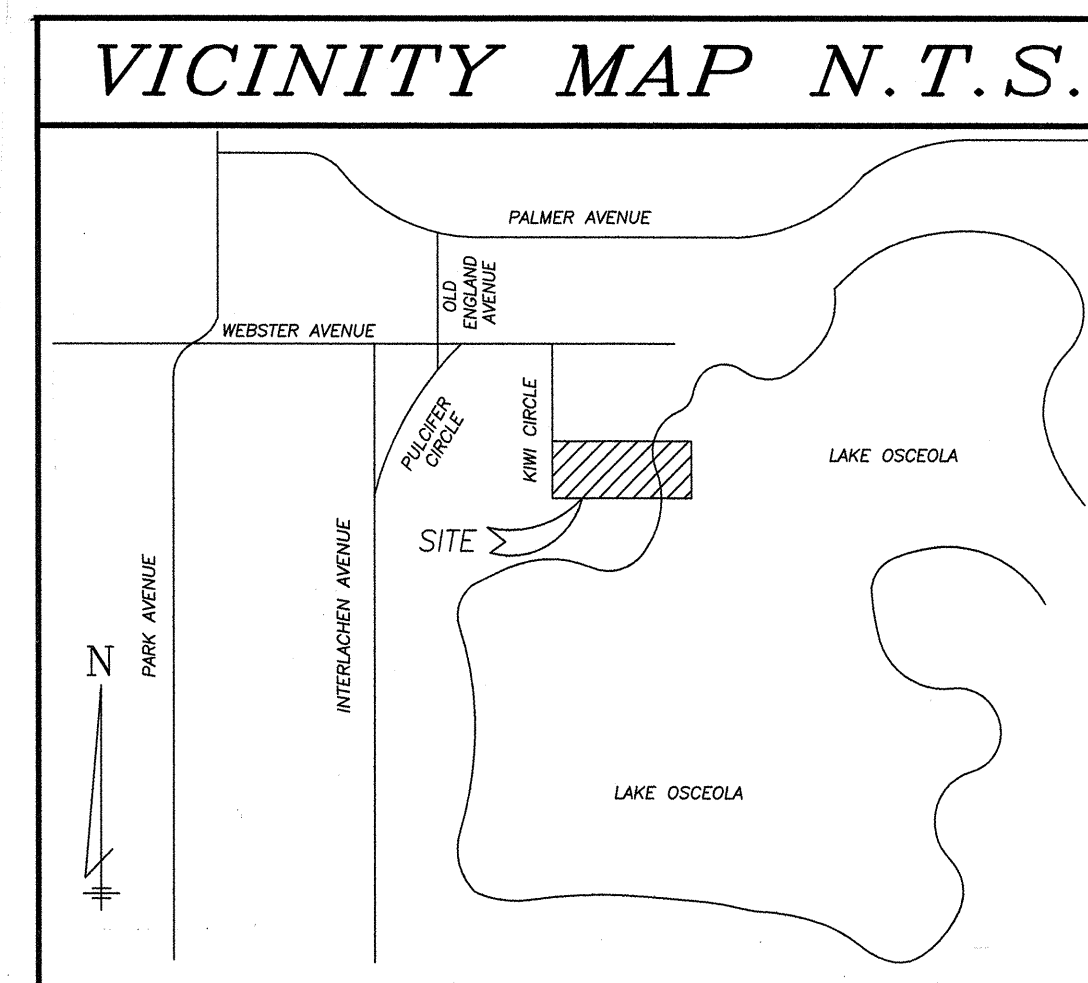


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**David E. Runnels, AIA, P.A.**  
**Architect**  
233 West Park Avenue  
Winter Park, FL 32789  
State License No. AR 0011659

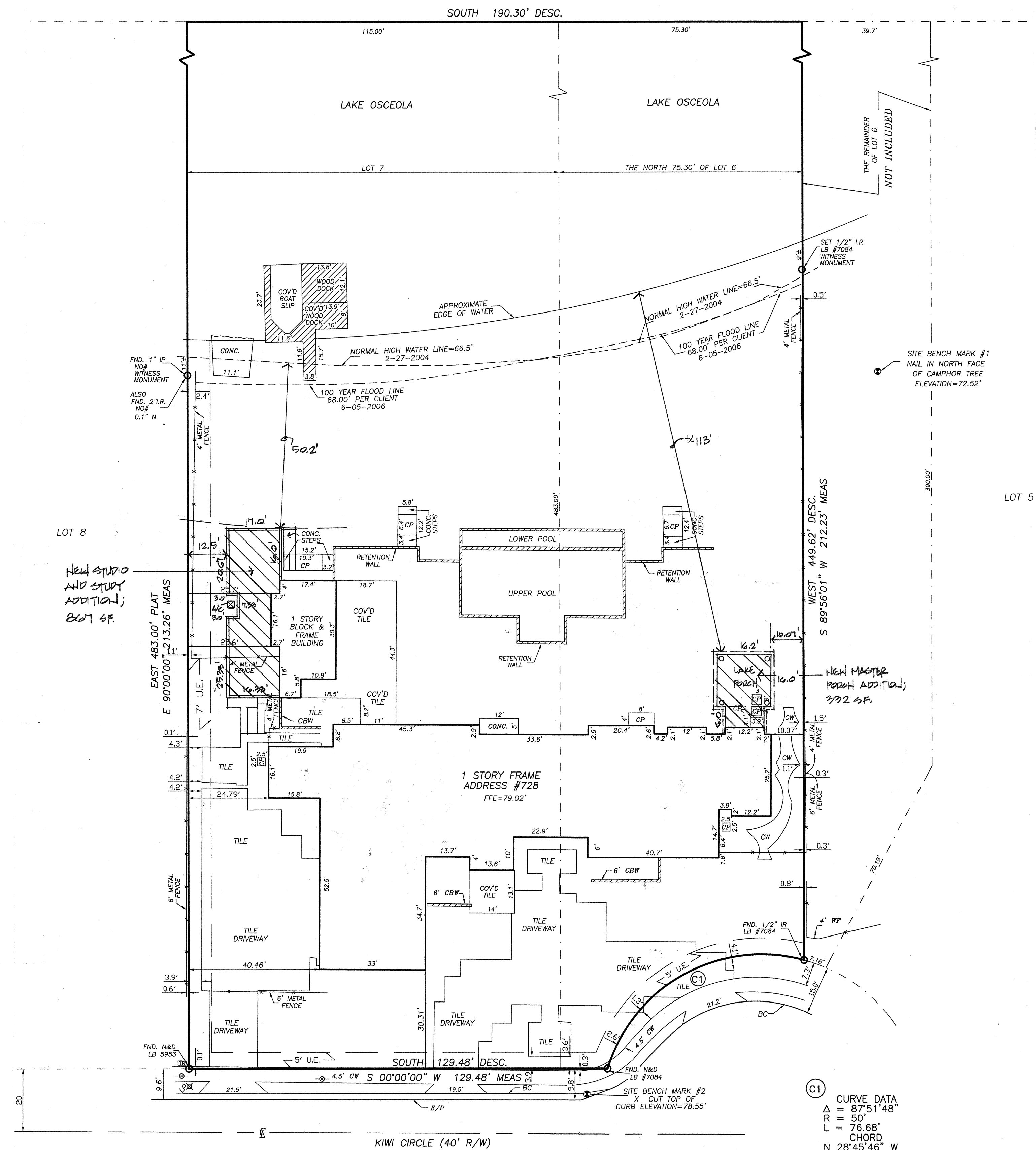
# **Remodel & Addition for The Israel Residence**

<input checked="" type="checkbox"/> DRAWN	<input type="checkbox"/>
<input checked="" type="checkbox"/> CHECKED	<input type="checkbox"/>
DATE SEPTEMBER 2017	
SCALE AS NOTED	
<input checked="" type="checkbox"/> JOB NO.	<input type="checkbox"/>
1717	
SHEET SITE SURVEY	
ONE (1)	
OF 4	SHEETS

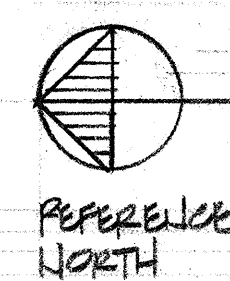
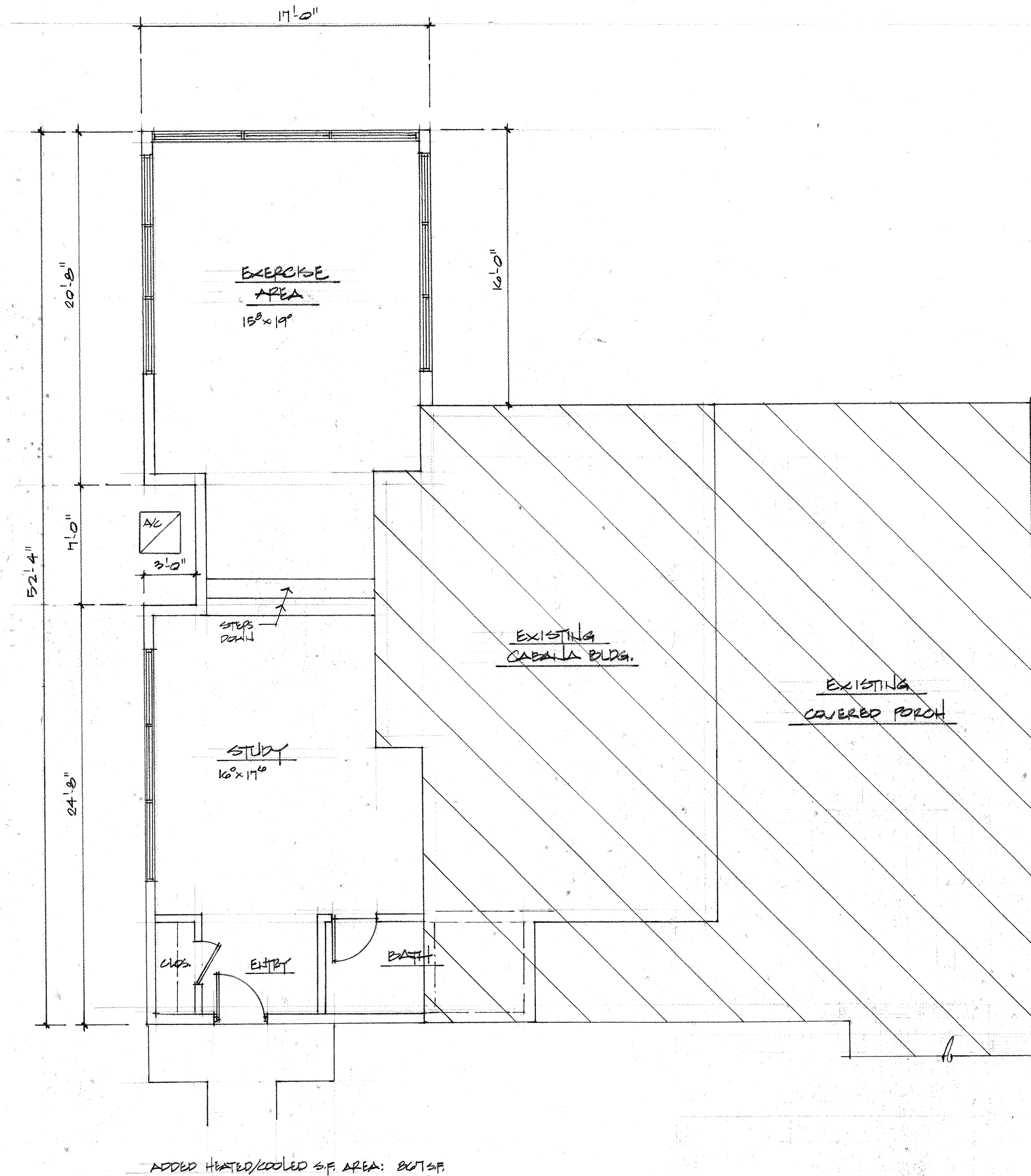


***LEGAL DESCRIPTION***

LOT 7 AND THE NORTH 75.30 FEET OF LOT 6, SEMINOLE PLACE, AS RECORDED  
IN PLAT BOOK 3, PAGE 121, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

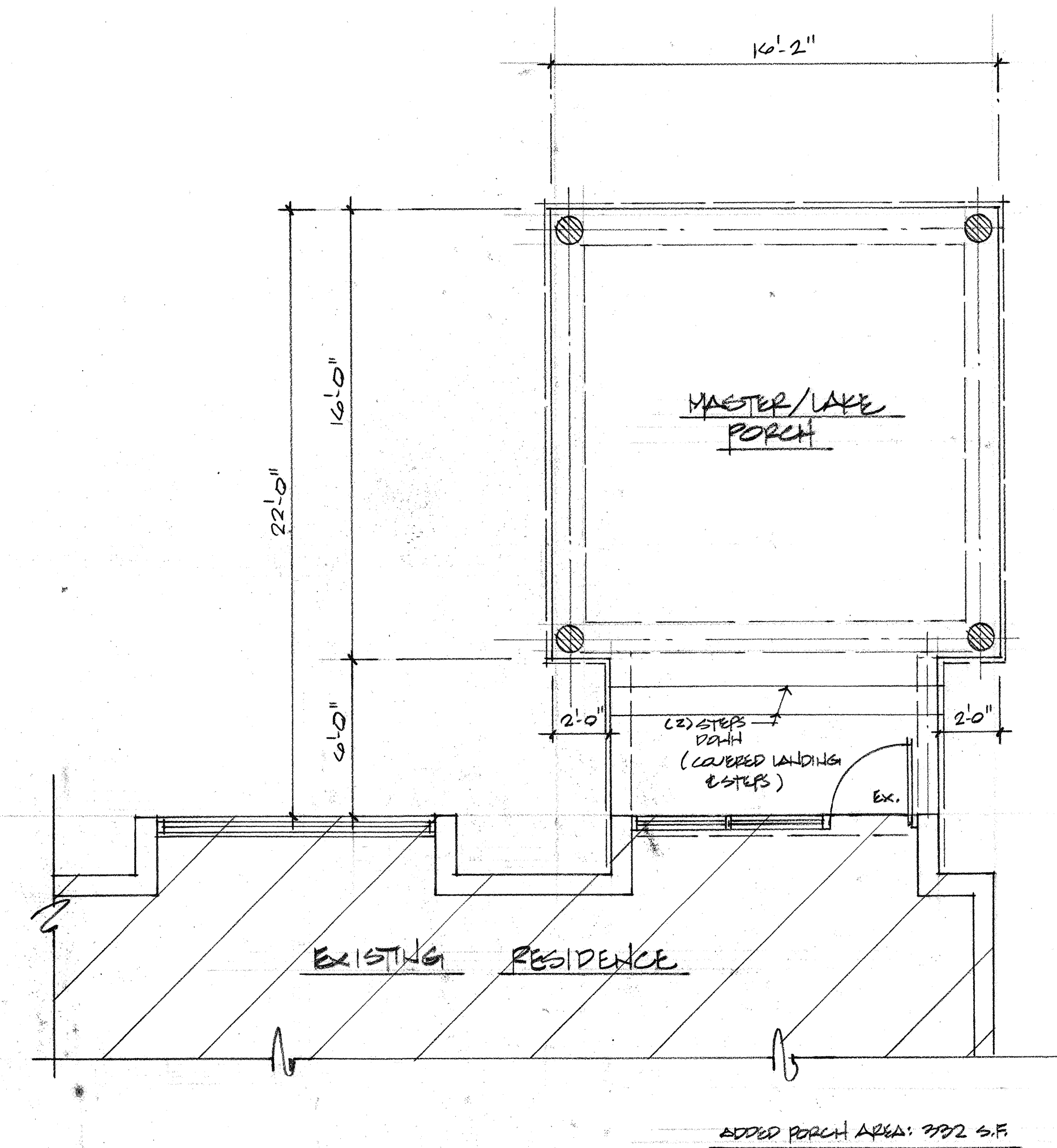


(C1) CURVE DATA  
 $\Delta = 87^{\circ}51'48''$   
 $R = 50'$   
 $L = 76.68'$   
 CHORD  
 $N 28^{\circ}45'46'' W$   
 $69.38' P \& M$



FLOOR PLAN & ADDITIONS

SCALE: 1/4" = 1'-0"



David E. Runnels, AIA, P.A.  
Architect  
233 West Park Avenue  
Winter Park, FL 32789  
State License No. AR 0011659

# Remodel & Addition for The Israel Residence

DRAWN  
CHECKED  
DATE  
SEPTEMBER 2017  
SCALE  
AS NOTED  
JOB NO.  
1717  
SHEET  
FLOOR PLAN  
Two (2)  
OF 4 SHEETS

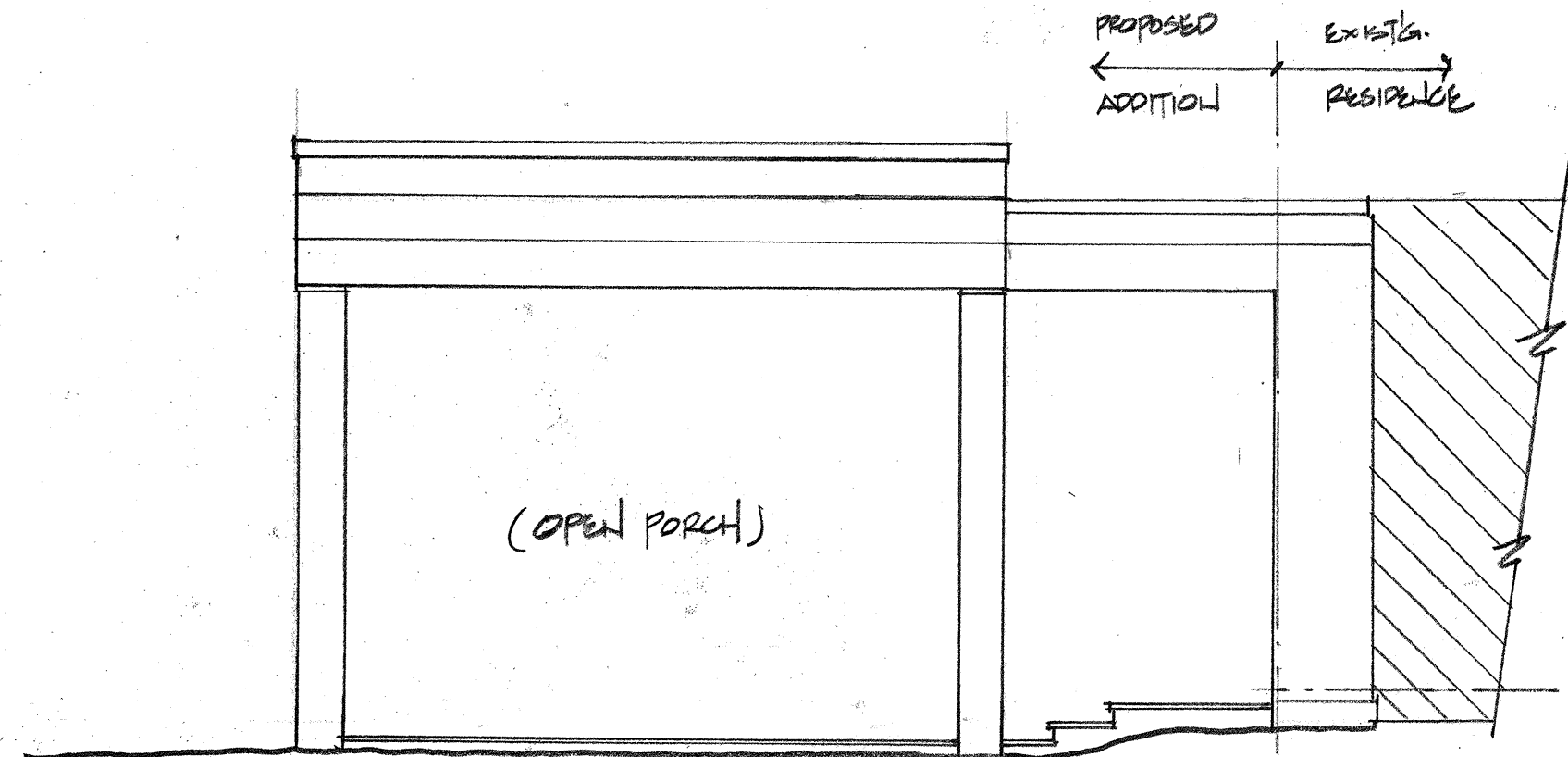


REVISIONS	BY

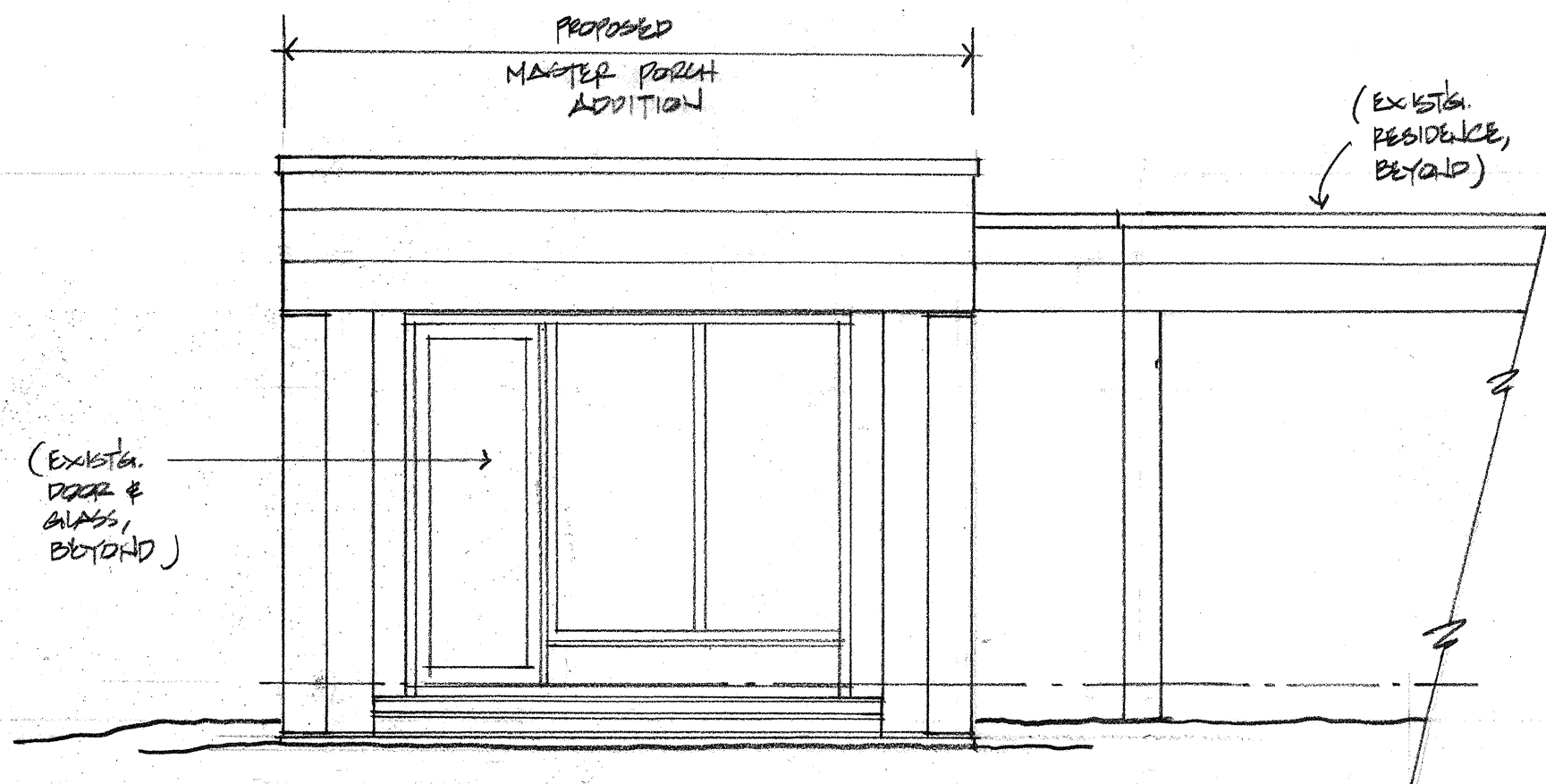
David E. Runnels, AIA, P.A.  
 Architect  
 233 West Park Avenue  
 Winter Park, FL 32789  
 State License No. AR 0011659

Remodel & Addition  
 for The Israel Residence

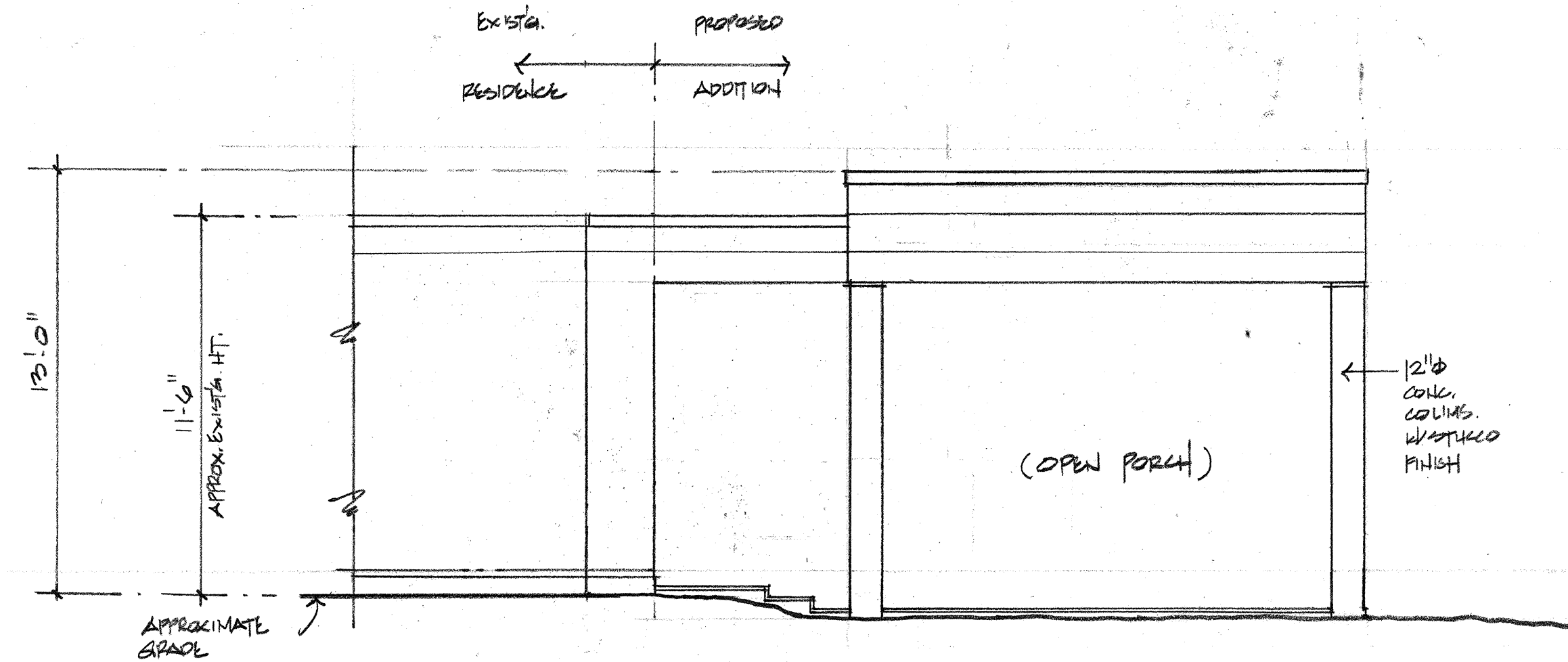
DRAWN	DER
CHECKED	DER
DATE	SEPTEMBER 20, 2017
SCALE	AS NOTED
JOB NO.	1717
SHEET	ELEVATIONS
THREE (3)	
OF 4	SHEETS



3 NORTH ELEVATION of MASTER PORCH  
 SCALE: 1/4" = 1'-0"



2 EAST ELEVATION of MASTER PORCH  
 SCALE: 1/4" = 1'-0"



1 SOUTH ELEVATION of MASTER PORCH  
 SCALE: 1/4" = 1'-0"



September 11, 2017

City of Winter Park

To whom it may Concern:

My name is Dr. Marc Shapiro, MD, I own and reside at 736 Kiwi Circle in Winter Park, FL. My house is adjacent to and north of the Israel's residence at 728 Kiwi Circle. I understand that they are requesting a variance to allow construction on their property within 10 feet of my property line. I have discussed this issue with the Israels and I have no objection to the city granting the variance.

Thank you,

A handwritten signature in black ink, appearing to read 'Dr. Shapiro', with a stylized flourish at the end.

Dr. Marc Shapiro, MD

736 Kiwi Circle

Winter Park, FL

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

**Staff Report  
October 3, 2017**

**SPR 17-07**    REQUEST OF Z PROPERTIES FOR APPROVAL TO CONSTRUCT A NEW 5,465-SQUARE FOOT SINGLE-FAMILY HOME LOCATED AT 1204 N PARK AVENUE ON LAKE MAITLAND, ZONED R-1AAA.

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Request of Z Properties (representing the property owners) for approval to construct a new two-story, 5,465-square feet single-family home within the Twelve Oaks neighborhood located at 1204 N Park Avenue on Lake Maitland, zoned R-1AAA.

This property measures 16,592-square feet, is currently developed with a single-family home that is to be demolished. The proposed two-story home will be total of 5,465-square feet, excluding the porches, which yields a floor area ratio (FAR) of 33%. This new home will have impervious lot coverage of 6,343-square feet or 38%, 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." Since this property was already developed, this proposed home will not require any removals of protected trees. The cypress trees along the lake and large oak tree in the front of the lot are being preserved.

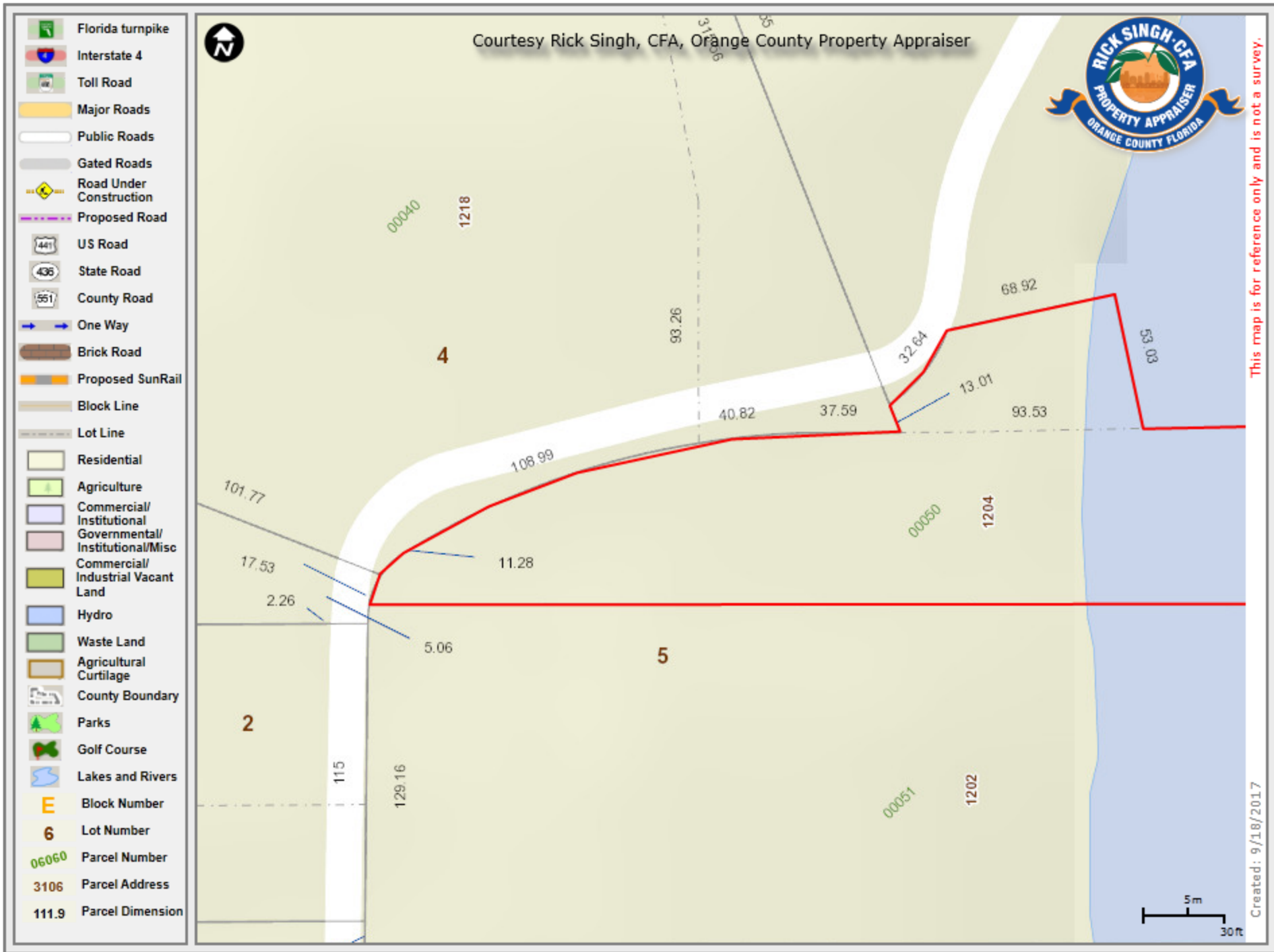
**VIEW FROM THE LAKE:** The Code direction is to minimize the height and extent of stem walls or retaining walls facing the lake. Generally, the policy is not to permit walls/swimming pool decks facing the lake in excess of three feet in height. The issues that we typically deal with about grades and pools decks/retaining walls are not present in this case.

**VIEW OF NEIGHBORS:** The Code direction is to minimize the degradation of traditional views across properties by new houses, additions, second story additions, etc. alongside property lines toward the lake that may block traditional views. The attached site plan shows the orientation of this home versus the adjacent homes. This proposed home will not impede the views of the lake of the neighboring properties.


































**STORM WATER RETENTION:** The zoning code requires retention of storm water so that storm water flowing over a waterfront lawn area does not carry with it into the lake any fertilizers, herbicides, etc. Typically, this retention requirement is accomplished by the creation of a depressed swale area across the waterfront of about one foot in depth. The amount of impervious surface determines the need for the depth of the swale. The applicant is proposing three stormwater retention areas that are sized to meet the City's code requirement.

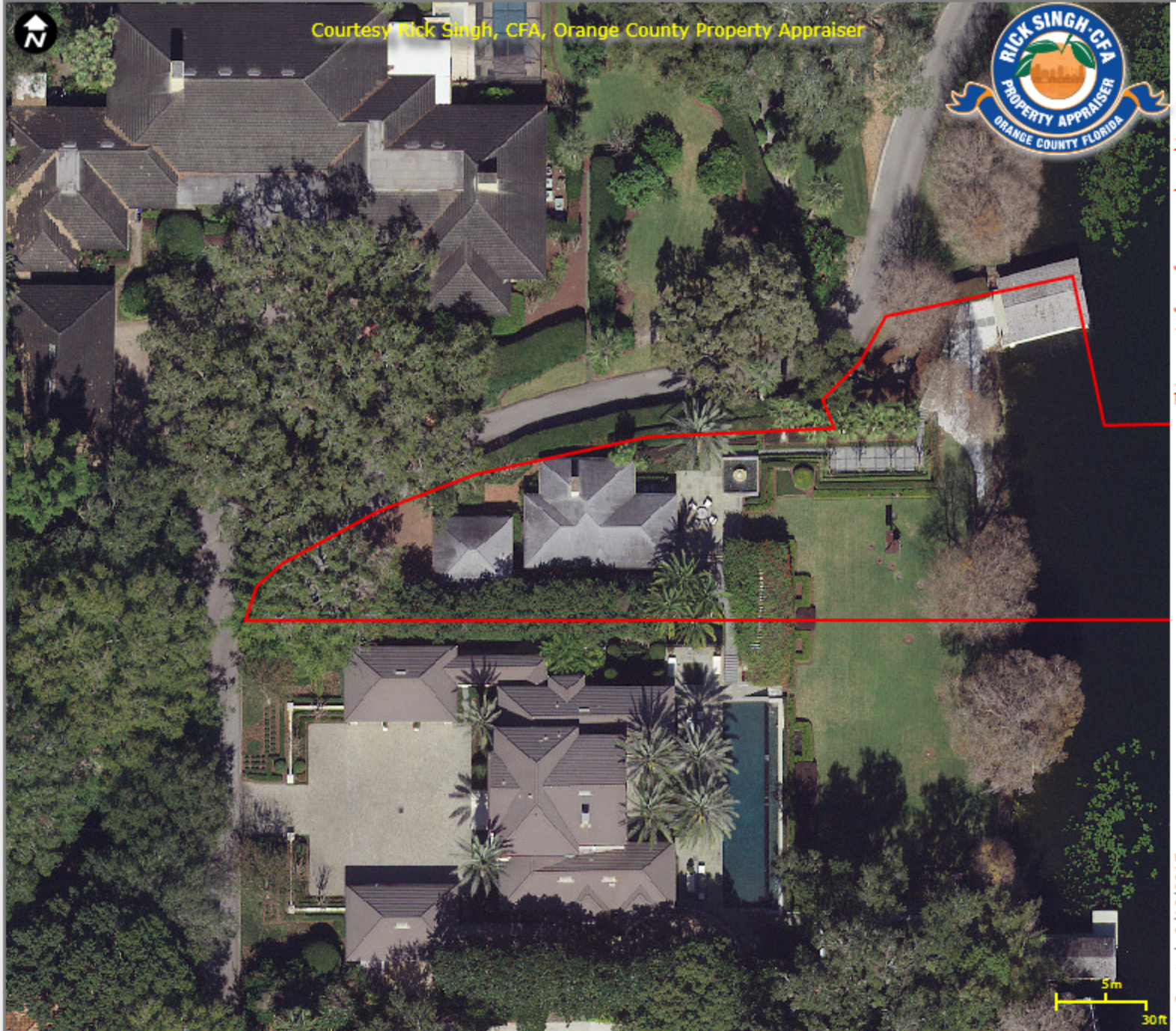
**SUMMARY:** Overall, the plans meet the intent of the lakefront review criteria. Staff does not see any significant concerns with the proposed home as presented.

**STAFF 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/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



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

Created: 9/18/2017





TWELVE OAKS VIEW



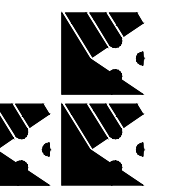
LAKE MAITLAND VIEW

# 1204 PARK RESIDENCE

## WINTER PARK

**WINTER PARK DESIGN**

151 CIRCLE DRIVE  
MAITLAND, FL 32751  
PHONE: 407.644.8963  
FAX: 407.644.7866



1204 PARK RESIDENCE  
WINTER PARK, FLORIDA

JOB NUMBER

DATE

REVISIONS

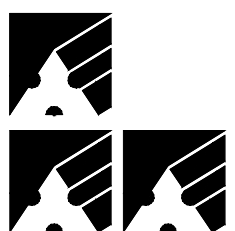
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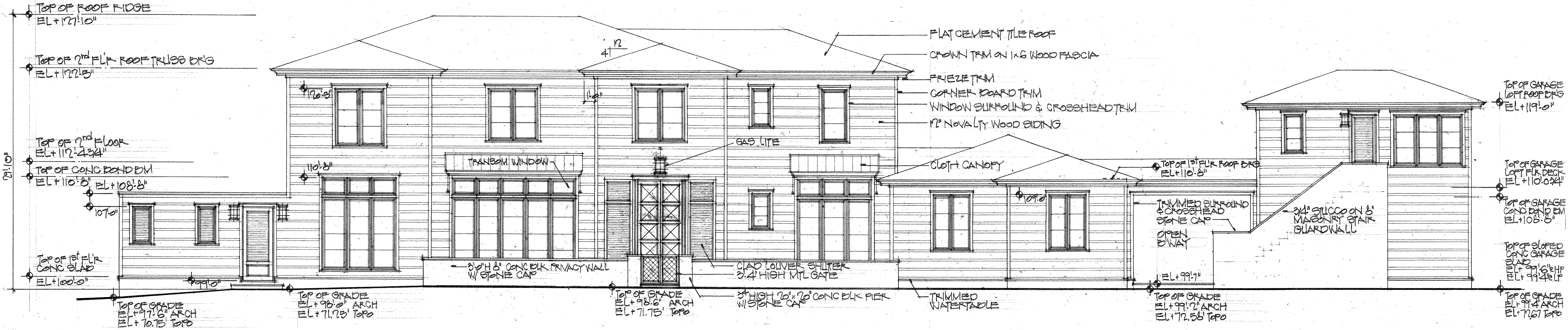
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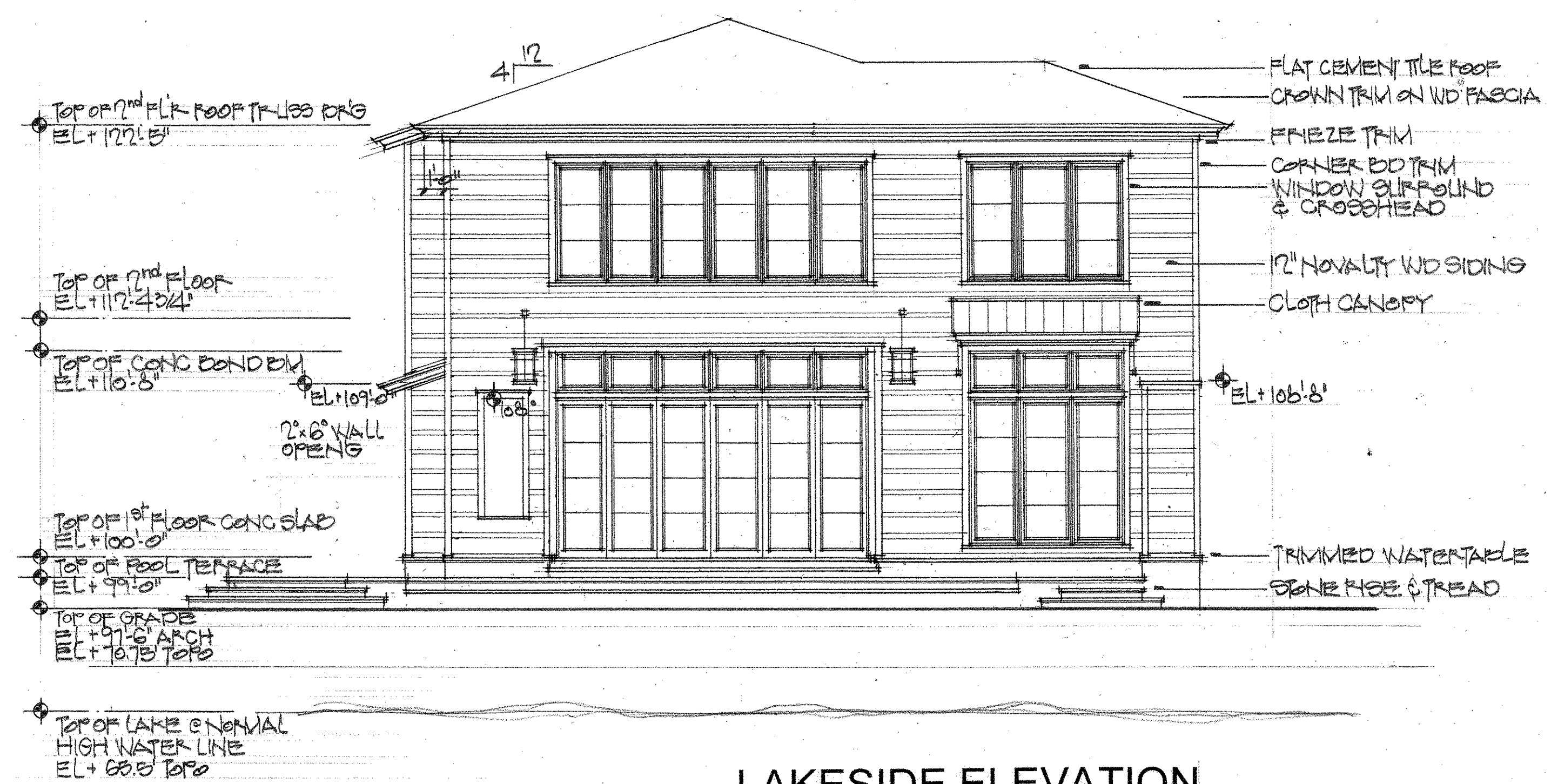
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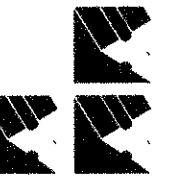




**TWELVE OAKS SIDE ELEVATION**  
3/16"=1'-0"



**LAKESIDE ELEVATION**  
3/16"=1'-0"





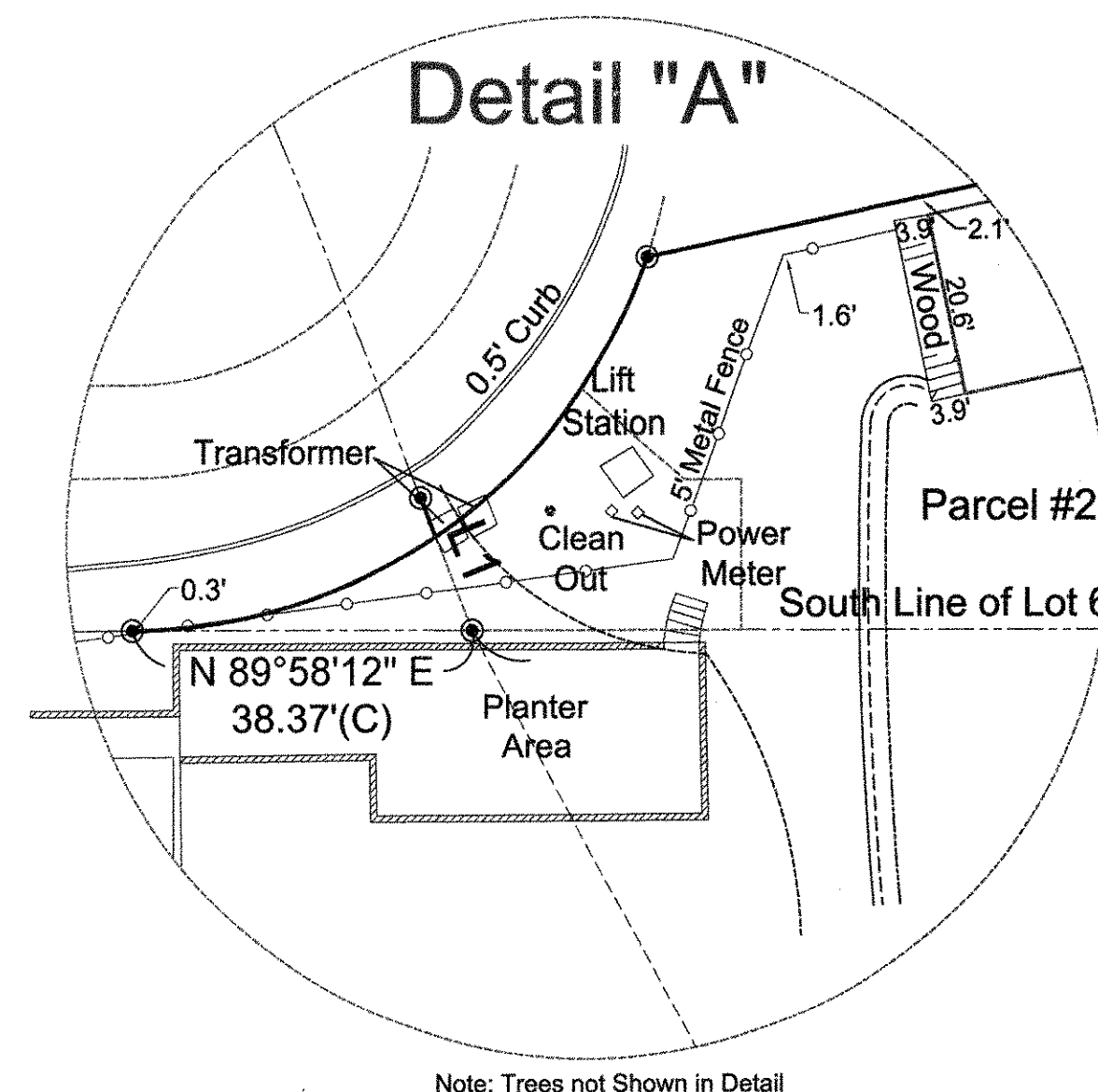
**Legal Description:**

Lot 5, TWELVE OAKS, according to the Plat thereof as recorded in Plat Book 5, at Page 78, Public Records of Orange County, Florida.

Together with a 1/13th undivided interest in and to the private driveway common to all lots as shown on the Plat of TWELVE OAKS according to the Plat thereof as recorded in Plat Book 5, Page 78, of the Public Records of Orange County, Florida, and which private driveway common to all lots is more specifically described in that legal description titled, PRIVATE DRIVEWAY COMMON TO ALL LOTS which is recorded in Official Records Book 2475, Page 236, of the Public Records of Orange County, Florida.

From the Southwest corner of Lot 6, TWELVE OAKS, as recorded in Plat Book 5, Page 78, Public Records of Orange County, Florida, run North 00°15'32" East 93.26 feet along the West boundary of said Lot 6; thence North 10°44'15" West 209.10 feet along the West boundary of Lot 6, thence South 21°40'29" East 302.55 feet to a point on the South boundary of that certain plat titled "Private Driveway Common to All Lots" as shown on said plat of TWELVE OAKS for the Point of Beginning; thence continue South 21°40'29" East 13.01 feet to a point on the South boundary of said Lot 6; thence North 89°58'12" East 93.53 feet along said South boundary; thence North 12°03'38" West 53.03 feet; thence run South 03°30'34" West 12.01 feet to a point on the aforesaid South boundary of that certain plat titled "Private Driveway Common to All Lots"; thence South boundary being a nongrant curve concave Northwesterly and having a radius of 61.46 feet; thence from a tangent of South 12°46'40" West, run Southwesterly 32.64 feet along the arc of said curve and said South boundary through a central angle of 30°25'52" to the Point of Beginning.

Community : Winter Park  
Date : 09-25-2009



Note: Trees not Shown in Deta

Field Date: 08-31-2016	Date Completed: 4-25-2017
Drawn By: DJC	File Number: IS-31001

[illegible]

Florida City and County Surveying Surveyors of the State  
 and Comptroller to the Board of the Knowledge and the  
 Surveyors of the State of Florida. Based on the  
 as noted and certified by the Surveyors of the State of Florida in the  
 Administrative Codes, Pursuant to Section 400.007, Florida Statutes.

**Patricia A. Ireland**  
 Surveyor of the State of Florida  
 Patrick K. Ireland, Surveyor of the State of Florida, License No. 15653  
 The Survey was made and certified by the Surveyors of the State of Florida  
 Ireland & Associates Surveying, Inc.  
 1301 S. International Parkway  
 Suite 2001  
 Lake Mary, Florida 32716  
 Office 407.678.3366 Fax 407.320.8165



COVERAGE CALCULATIONS			
PROPERTY ADDRESS	:	1204 PARK AVENUE	
EXISTING ZONING	:	R-1AAA	
LOT AREA	:	16,592 SF	
<u>IMPERVIOUS COVERAGE</u>			
ALLOWED	:	8,296 SF	
BUILDING COVERAGE	:	3,635 SF	
HARDSCAPING	:	2,708 SF	
TOTAL IMPERVIOUS	:	6,343 SF (38%)	
<u>FLOOR AREA RATIO</u>			
ALLOWED:	6,305 (38%)	PROPOSED:	5,465 (33%)
<u>SETBACKS</u>			
FRONT	15'-0"	PROPOSED:	15'-0" (From property line)
REAR	50'-0"	PROPOSED:	68'-0" (From high water line)
SOUTH SIDE	10'-0"/14'-0"	PROPOSED:	10'-0"/14'-0"
<u>BUILDING HEIGHT</u>			
ALLOWED:	30'-0"	PROPOSED:	29'-10"

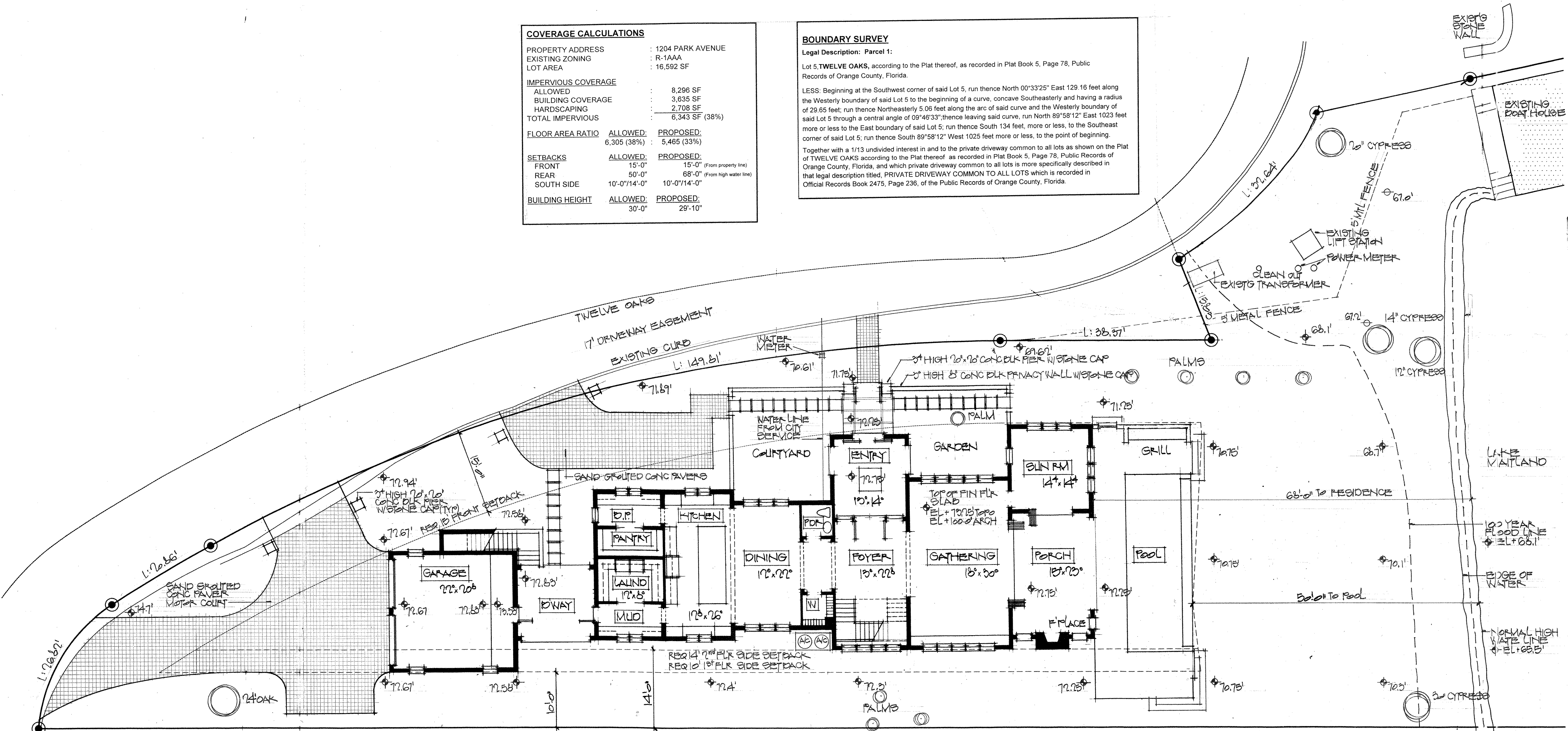
#### BOUNDARY SURVEY

Legal Description: Parcel 1:

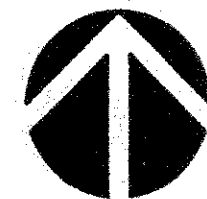
Lot 5, TWELVE OAKS, according to the Plat thereof, as recorded in Plat Book 5, Page 78, Public Records of Orange County, Florida.

LESS: Beginning at the Southwest corner of said Lot 5, run thence North 00°33'25" East 129.16 feet along the Westerly boundary of said Lot 5 to the beginning of a curve, concave Southeasterly and having a radius of 29.65 feet; run thence Northeasterly 5.06 feet along the arc of said curve and the Westerly boundary of said Lot 5 through a central angle of 09°46'33"; thence leaving said curve, run North 89°58'12" East 1023 feet more or less to the East boundary of said Lot 5; run thence South 134 feet, more or less, to the Southeast corner of said Lot 5; run thence South 89°58'12" West 1025 feet more or less, to the point of beginning.

Together with a 1/13 undivided interest in and to the private driveway common to all lots as shown on the Plat of TWELVE OAKS according to the Plat thereof, as recorded in Plat Book 5, Page 78, Public Records of Orange County, Florida, and which private driveway common to all lots is more specifically described in that legal description titled, PRIVATE DRIVEWAY COMMON TO ALL LOTS which is recorded in Official Records Book 2475, Page 236, of the Public Records of Orange County, Florida.

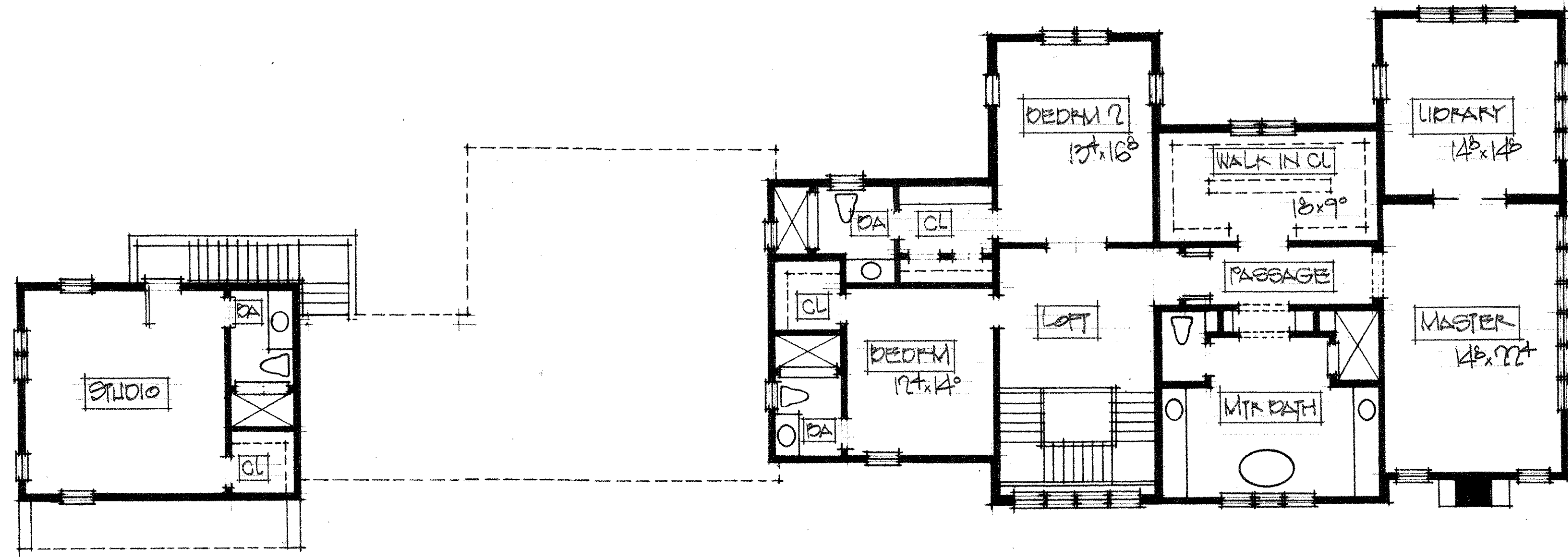


#### SITE PLAN / FIRST FLOOR PLAN



#### AREA TABULATION

Lot Area	: 16,592 SF
FAR Allowed	: 6,305 (38%)
<b>BUILDING AREA</b>	
First Floor	: 2,300
Second Floor	: 2,230
Total Living	: 4,530 SF
Studio	: 420
Garage	: 515
Total FAR	: 5,465 SF
Front Porch	: 210
Rear Porch	: 345
Breezeway	: 195
Exterior Stair	: 90
TOTAL	: 6,305 SF



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



LEGAL DESCRIPTION

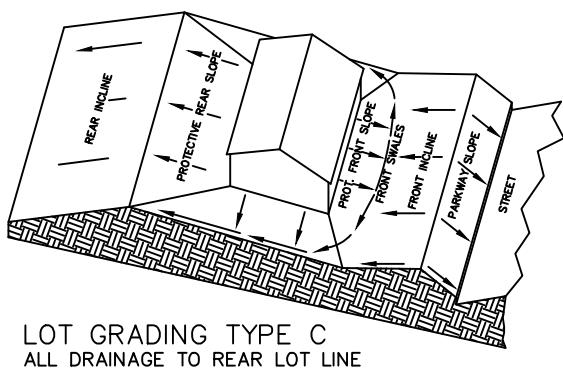
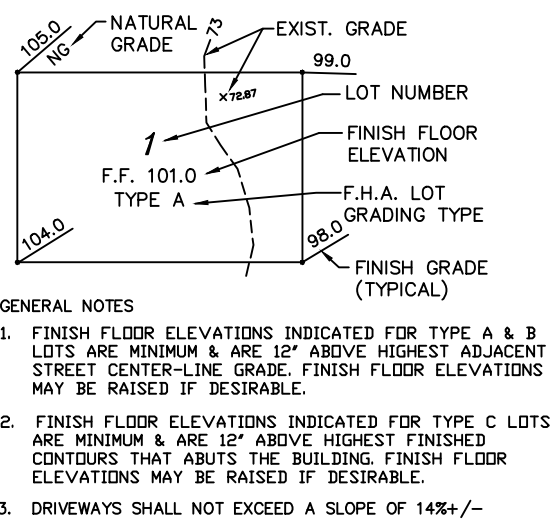
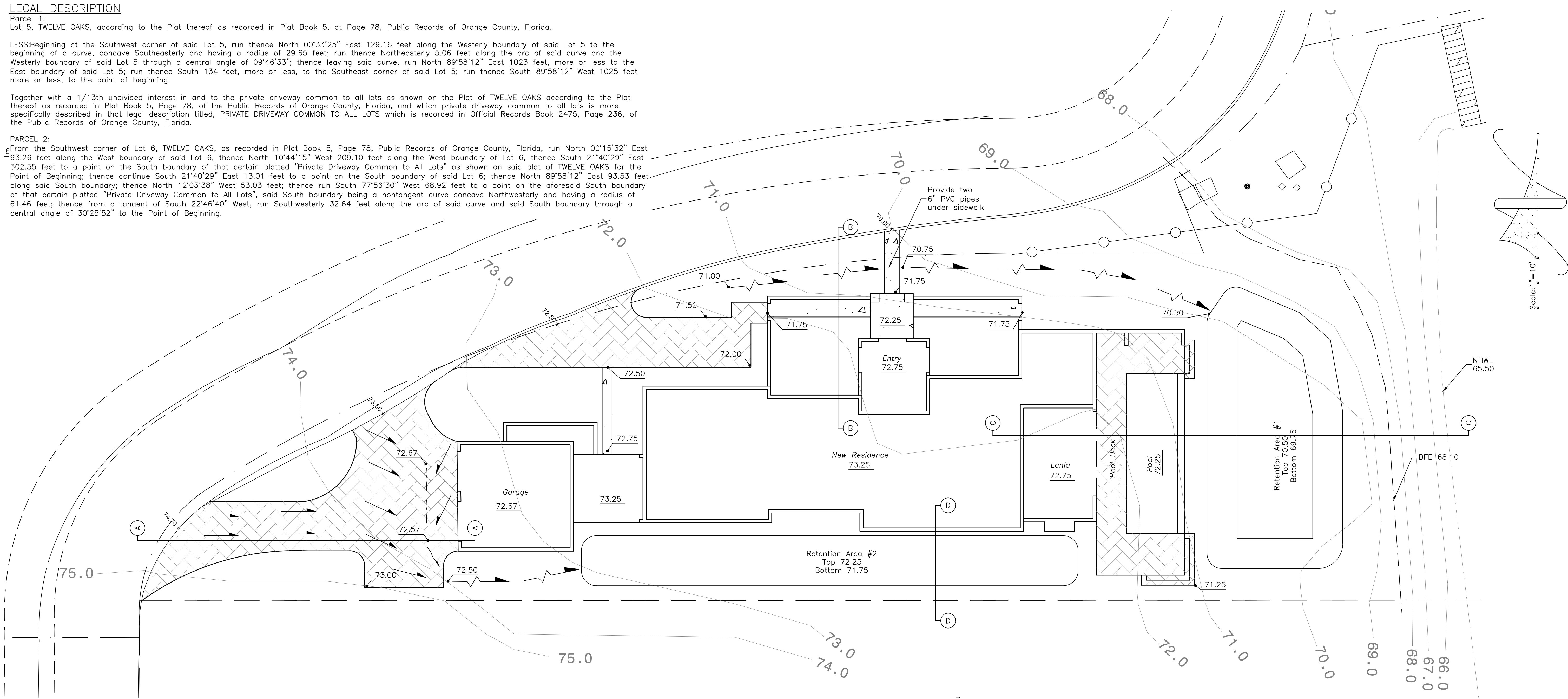
Parcel 1:  
Lot 5, TWELVE OAKS, according to the Plat thereof as recorded in Plat Book 5, at Page 78, Public Records of Orange County, Florida.

LESS:Beginning at the Southwest corner of said Lot 5, run thence North 00°33'25" East 129.16 feet along the Westerly boundary of said Lot 5 to the beginning of a curve, concave Southeasterly and having a radius of 29.65 feet; run thence Northeasterly 5.06 feet along the arc of said curve and the Westerly boundary of said Lot 5 through a central angle of 09°46'33"; thence leaving said curve, run North 89°58'12" East 1023 feet, more or less to the East boundary of said Lot 5; run thence South 134 feet, more or less, to the Southeast corner of said Lot 5; run thence South 89°58'12" West 1025 feet more or less, to the point of beginning.

Together with a 1/13th undivided interest in and to the private driveway common to all lots as shown on the Plat of TWELVE OAKS according to the Plat thereof as recorded in Plat Book 5, Page 78, of the Public Records of Orange County, Florida, and which private driveway common to all lots is more specifically described in that legal description titled, PRIVATE DRIVEWAY COMMON TO ALL LOTS which is recorded in Official Records Book 2475, Page 236, of the Public Records of Orange County, Florida.

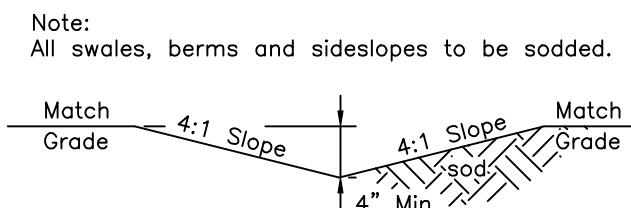
PARCEL 2:

From the Southwest corner of Lot 6, TWELVE OAKS, as recorded in Plat Book 5, Page 78, Public Records of Orange County, Florida, run North 00°15'32" East 93.26 feet along the West boundary of said Lot 6; thence North 10°44'15" West 209.10 feet along the West boundary of Lot 6, thence South 21°40'29" East 302.55 feet to a point on the South boundary of that certain platted "Private Driveway Common to All Lots" as shown on said plat of TWELVE OAKS for the Point of Beginning; thence continue South 21°40'29" East 13.01 feet to a point on the South boundary of said Lot 6; thence North 89°58'12" East 93.53 feet along said South boundary; thence North 12°03'38" West 53.03 feet; thence run South 77°56'30" West 68.92 feet to a point on the aforesaid South boundary of that certain platted "Private Driveway Common to All Lots", said South boundary being a nontangent curve concave Northwesterly and having a radius of 61.46 feet; thence from a tangent of South 22°46'40" West, run Southwesterly 32.64 feet along the arc of said curve and said South boundary through a central angle of 30°25'52" to the Point of Beginning.

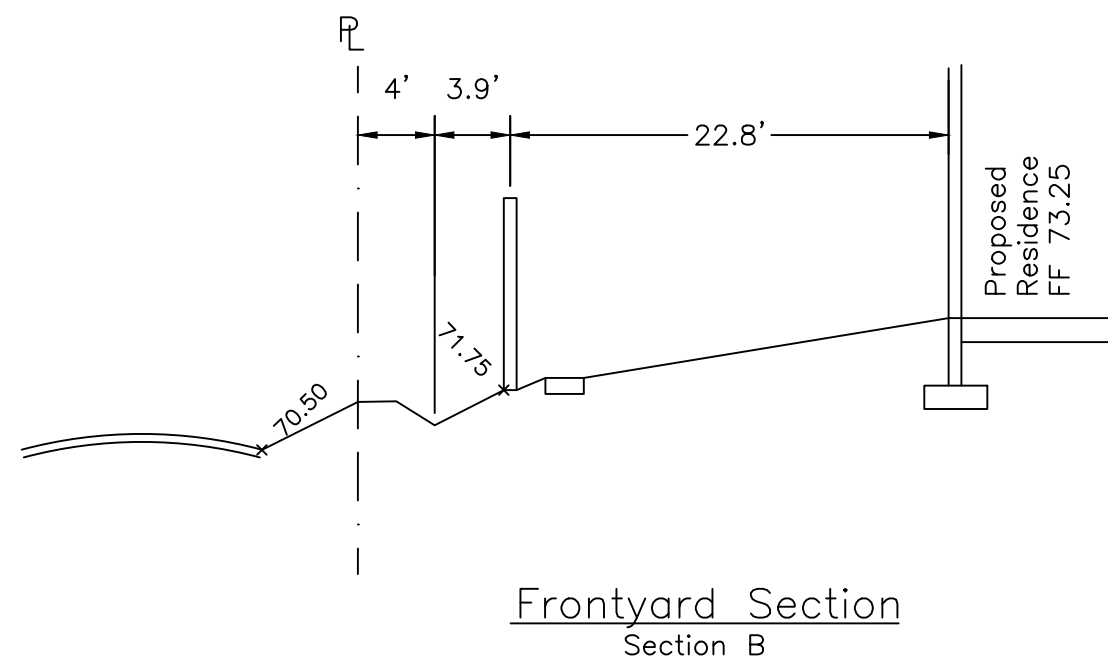
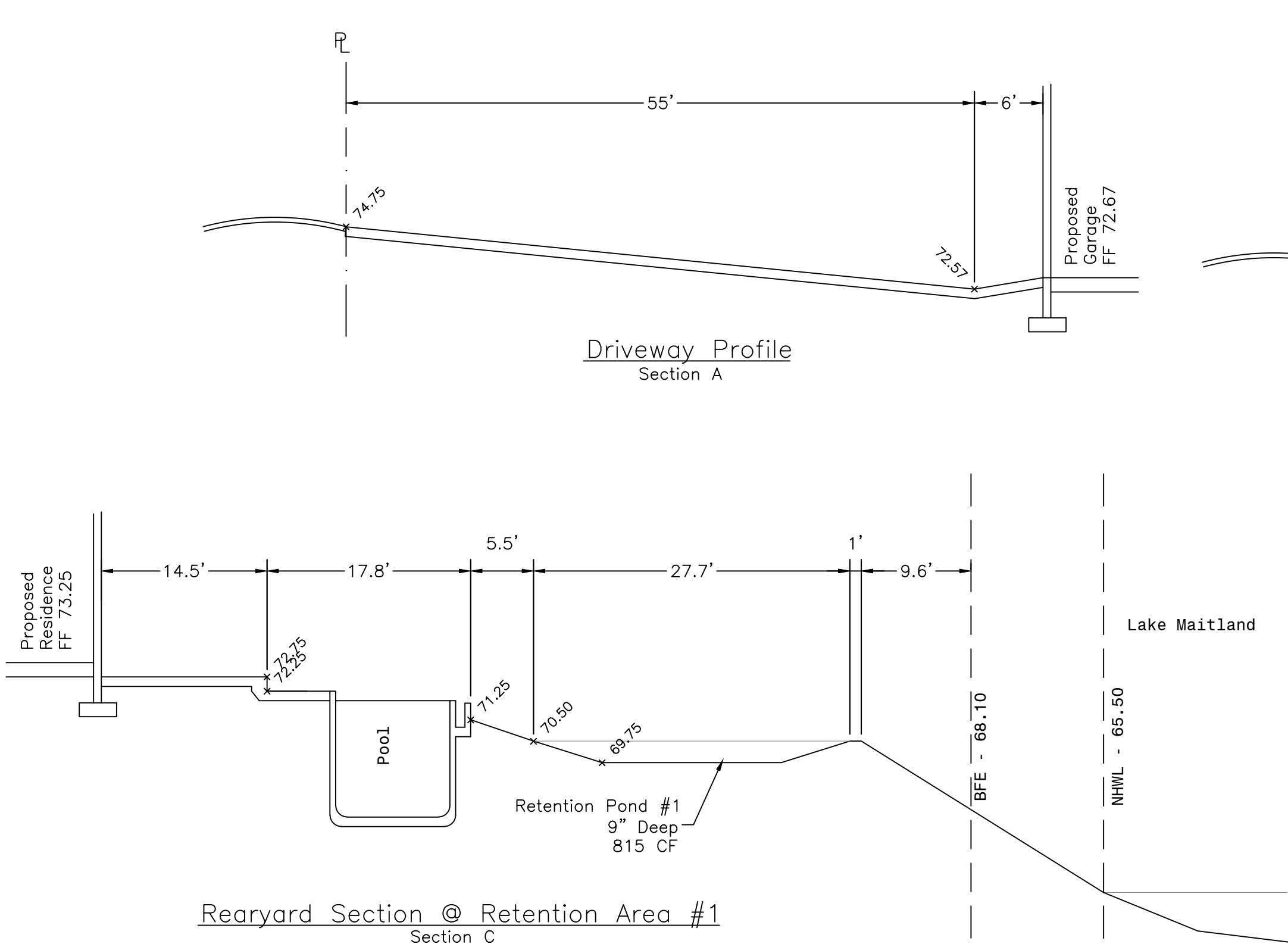


LOT GRADING DETAILS

NTS

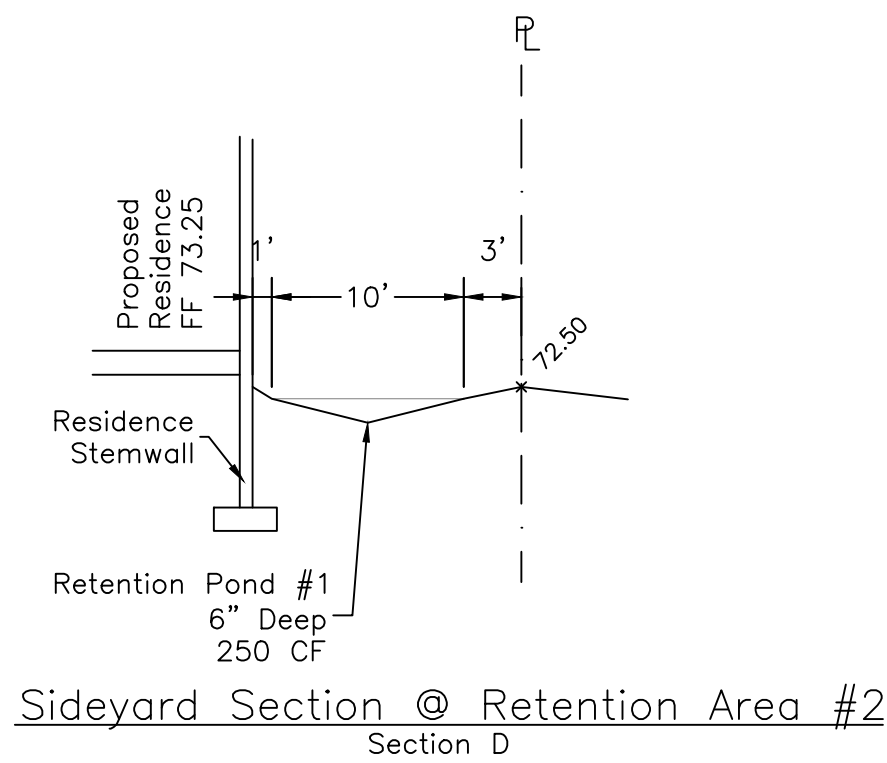


Typical Swale Section



Frontyard Section

Section B



Sideyard Section @ Retention Area #2

Section D

Storm Water Retention Calculation

Area of Property - 16,592 sf  
Impervious area - 6,343 sf

Required Stormwater Retention  
Store 2" of runoff from Imp Area Not draining to Street or drainage course  
2.0" X (6,343) = 1,057 cf

Volume stored in Retention Areas  
Retention Area 1 = 815 cf  
Retention Area 2 = 250 cf  
Total Stored Volume = 1,065 cf >= 1,057 cf

Volume stored is >= Volume Required {OK}

- Notes:
- Sideslopes of Retention Area are 6:1 max.
  - Sod sideslopes and bottom of retention area.
  - Volume and dimensions are absolute minimums

Site Address:  
2504 N Park Ave  
Winter Park Florida 32789

Parcel ID: 06-22-30-8802-00-050

Legend

- New Swale
- Drainage Direction
- New Elevation
- Ex. Elevation

Unroe Engineering, Inc

Civil Engineering/Planning/Scientific Evaluation  
PO Box 690942, Orlando, FL 32869-0942  
Business Authorization Number - EB 0000579 ph (407) 299-0650

Residential Grading Plan  
The New Residence at  
1204 Park Ave, Winter Park, Florida 32789

DP	Drawn
DP	Checked
1"=10'	Scale
9/25/17	Date
RLG-C1	File
Dwg. No.	
C1	
1 of 1	

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

**Staff Report  
October 3, 2017**

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REQUEST OF DEBORAH CROWN AND BRANDON & JENNIFER LENOX FOR:  
SUBDIVISION OR LOT SPLIT APPROVAL TO DIVIDE THE LAKEFRONT PORTION OF  
THE PROPERTY AT 1486 ALABAMA DRIVE SUCH THAT THE ADJACENT HOME AT  
1488 ALABAMA DRIVE WILL ACQUIRE THAT SPLIT PORTION OF THE LAKEFRONT  
ACROSS THE STREET FROM THESE TWO HOMES.

REQUEST OF DEBORAH CROWN AND BRANDON & JENNIFER LENOX TO:  
AMEND THE "SUBDIVISION REGULATIONS" SO AS TO ESTABLISH MINIMUM  
CRITERIA AND STANDARDS FOR THE SUBDIVISION OR SPLIT OF THE LAKEFRONT  
PORTIONS OF PROPERTIES LOCATED ACROSS THE STREET FROM THE PRINCIPAL  
RESIDENCE.

---

Deborah Crown (owner of 1488 Alabama Drive) and Brandon & Jennifer Lenox (owners of 1486 Alabama Drive) are requesting subdivision or lot split approval to divide the lakefront portion of the Lenox property (across Alabama Drive on Lake Maitland) so that both properties may have a dock/boathouse and access to the Chain of Lakes.

**Property Characteristics and Lot Split Request:** The Lenox property at 1486 Alabama Drive, (like their three neighbors to the east), have their home on one side of Alabama Drive and their lakefront across Alabama Drive from their home. The property is zoned R-1AA and their lakefront portion has approximately 105 feet of frontage on the street and 125 feet of frontage on Lake Maitland.

The two parties desire to split off the western portion of the lakefront so that the Crown property at 1488 Alabama Drive can purchase and own a portion of the lakefront that is 20 feet wide at the street and 50 feet wide on Lake Maitland. Along with the purchase comes the existing boathouse owned by the Lenox. The split would leave the Lenox property at 1486 Alabama drive with a lakefront parcel that has 85 feet on the street and 75 feet on Lake Maitland. The Lenox would then build a new boathouse on their property, subject to approval from the Lakes & Waterways Board.

**Conformance to the Comprehensive Plan and Zoning:** The Comprehensive Plan does not provide specific guidance in this regard. The Objective and Policy below clearly state that the intention is to limit development and density on the lakefronts. However, the clarity of whether density means houses versus boathouses is not clear.



**OBJECTIVE 1-5.1: MAINTAIN AND PRESERVE THE CHARACTER AND QUALITY OF LAKEFRONT AND OTHER WATERFRONT DEVELOPMENT THROUGH THE USE OF LAND USE CONTROLS.** It is the intent of the City to apply land use controls to maintain and preserve the existing density, character and quality of lakefront land use by prohibiting lot splits and maintaining low densities.

**Policy 1-5.1.1: Preserve Lakefront Estates.** To maintain the diversity of sizes of lakefront properties and estates and to strongly discourage the subdivision or split of such properties, the City shall preserve low densities along the City's lakefront property, including larger lakefront estates in order to perpetuate the unique character of Winter Park that sets it apart from other cities throughout Florida.

The typical lakefront properties on the Chain of Lakes in the City are located in the R-1AAA Lakefront District zoning district. The R-1AAA zoning has specific requirements for frontage both on the street and on the lake. In almost all instances in the City where the homes are across the street from the Lake (on Osceola, Lakeview, Fawsett, etc.) both the homes and the lake frontages are zoned R-1AA. However, in this instance, when the R-1AA zoning district was created in 1979, the lakefront portion of these Alabama Drive homes are zoned R-1AAA and the home site parcels are zoned R-1AA.

The City's single family residential zoning districts were created with lot size requirements that primarily focus on the lot size for the single family home when the minimum lot size or minimum building site is detailed. There is no specific mention of the minimum size or width requirements for the portion of the property on the lake across the street from the home because in almost all circumstances it is generally the same width as the single family home parcel.

Presumably, one could make an argument that there are no minimum size requirements for lakefront parcels split by a street from the main building site. However, in that case, homeowners would have the right to divide their lakefronts to any width standard they desired and presumably have the "right" to do so as no variance is necessary. An alternative interpretation is that the same width requirements exist for the lakefront portion of the property, as the principal residence since the dock/boathouse is an accessory use to the principal residence. Since this is not clear in the Land Development Code, the applicants and the staff are proposing a companion ordinance to establish standards for requests such as this.

**Planning Staff Analysis:** The paramount concern for staff related to this request is the precedent set with regards to the other 84 instances in the City where the lakefront portion of the property is separated by the intervening street. Those situations exist, such as in this case on Alabama Drive on Lake Maitland, for a section of Osceola Avenue on Lake Mizell; for a section of Lakeview Drive on Lake Virginia and for a portion of Fawsett Road on Lake Sue.

There are significant economic incentives for these 84 lakefront owners to consider the sale of a portion of their lakefront and a corresponding positive economic

incentive for non-lakefront owners who live close to the lake to gain lakefront access. The Zoning Code has a stated goal of keeping the lakefronts “as natural as reasonably possible” and the negative effect for the City would be exactly the opposite if multiple additional boathouses could be built along the lakeshores.

**Companion Subdivision Code Ordinance:** To help remedy this precedent concern and provide criteria for the future the applicants and the staff are proposing a companion ordinance to amend the Subdivision Regulations to establish criteria for the future. Once the City specifically adopts criteria then variances to those standards can be denied by the City Commission. The three criteria that the proposed ordinance establishes are:

1. That the same lot width standards apply to the lakefront portion of the property as they do to the principal residence, thus a variance is required;
2. That the split may be approved only when the benefiting lot is directly across the street from the parcel (which is defined as within 70 feet). In this way homes down the street or around the corner cannot benefit, and
3. That the end result is a consolidated property with both the lakefront and main residence property included in the deed and Property appraiser description, so that it cannot be sold off later to another third party.

In summary, the ordinance criteria clarify that any split is a variance, (so the City can deny); you must be directly across the street from the parcel (within 70 feet) and that you can't later decide to sell it off to a third party. From the analysis presented by the applicant and the staff's review there are only three other properties that could qualify to meet these criteria. Thus, the staff's concerns about the precedent setting nature of this approval are mitigated by the companion ordinance.

**Staff Recommendation is for APPROVAL of both the Subdivision/Lot Split as well as the companion Ordinance.**



# Rick Singh CFA Orange County Property Appraiser Florida (Beta version)

Base map

Layers



Foreclosure

Sales

Parcel Search

Legend

Identify



help

OCPA Tools



Custom Print

Trending



Feedback





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

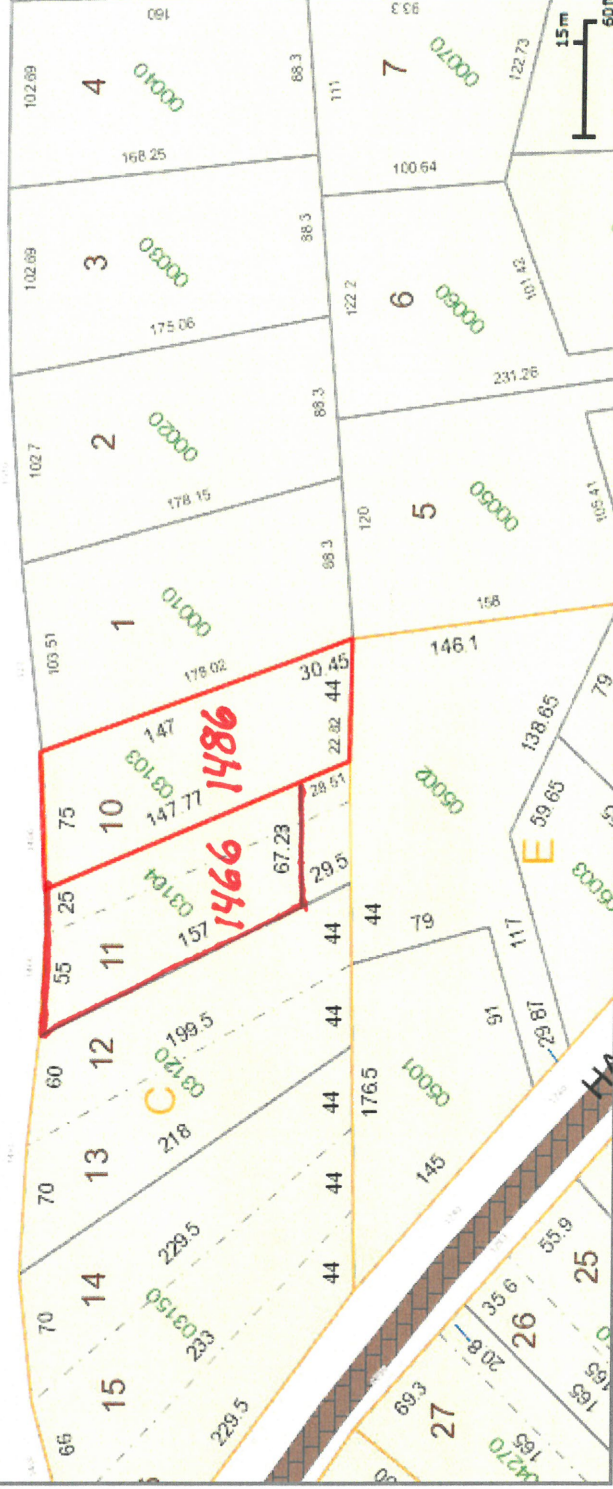


Courtesy Rick Singh, CFA, Orange County Property Appraiser



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

ALABAMA DR



Created: 9/19/2017



Google Maps 1466 Alabama Dr



Image capture: Apr 2016 © 2017 Google United States

Winter Park, Florida

Google, Inc.

Street View - Apr 2016







**Policy 1-4.4.9: Proposed Annexation Areas.** The City has and shall continue to achieve the coordination with Orange County prior to annexing the four unincorporated Annexation Reserve Areas (ARAs) identified below:

1. **Annexation Reserve Area #1: Lake Killarney.** ARA #1 is a growth annexation area comprised of 198 acres, is located north of Fairbanks Avenue and is bounded by Lake Killarney on the north. The area contains approximately 1,300 residents and is primarily designated Low-Density Residential to the south side of the Lake, Office to the west along Wymore, and the Killarney Elementary School, located to the southwest near I-4, is designated Institutional. Annexation of this area would extend the City limits of Winter Park to I-4, the major barrier west of the City limits.
2. **Annexation Reserve Area #2: Kentucky/Oglesby.** ARA #2 is a growth annexation area comprised of 13± acres and accommodating approximately 40 residents, is located south of Fairbanks Avenue, north of Oglesby Avenue, east of I-4 and east and west of Clay Street. Annexation of this area would fill in the gap between the existing City limits and the City limits of Orlando to the south.
3. **Annexation Reserve Area #3: Lawndale.** ARA #3 is a growth annexation area containing 50± acres and approximately 300 residents, is located south of Minnesota Avenue, north of Harmon Avenue, west of Clay Street, and east of Wisconsin Avenue with a section extending north of Minnesota following Jackson Avenue west of Nicolet Avenue and east of Harold Avenue. Annexation of this area would fill in the gap between the existing City limits and the City limits of Orlando to the south.
4. **Annexation Reserve Area #4: Stonehurst.** ARA #4 is an enclave comprised of 5.6 acres and containing approximately 30 persons located in 13 single-family dwellings, is located in the south section of the City, south of Lake Virginia, north of Glenridge Way, between Lauren Road and Winchester Drive. This area is an unincorporated Orange County enclave, completely surrounded by the City limits of Winter Park.

**GOAL 1-5: QUALITY AND CHARACTER.** The City recognizes the many unique areas of the City and provides planning processes and regulations that ensures quality development while reflecting the context and heritage of the many facets of Winter Park.

**OBJECTIVE 1-5.1: MAINTAIN AND PRESERVE THE CHARACTER AND QUALITY OF LAKEFRONT AND OTHER WATERFRONT DEVELOPMENT THROUGH THE USE OF LAND USE CONTROLS.** It is the intent of the City to apply land use controls to maintain and preserve the existing density, character and quality of lakefront land use by prohibiting lot splits and maintaining low densities.

**Policy 1-5.1.1: Preserve Lakefront Estates.** To maintain the diversity of sizes of lakefront properties and estates and to strongly discourage the subdivision or split of such properties, the City shall preserve low densities along the City's lakefront property,

including larger lakefront estates in order to perpetuate the unique character of Winter Park that sets it apart from other cities throughout Florida.

**Policy 1-5.1.2: Limitations of Development of Waterfront Lots.** The City shall require that the Planning and Zoning Board review and approve plans for construction on all waterfront properties.

**Policy 1-5.1.3: Restrictions on Lake or Canal Lot Development.** The Planning and Zoning Board Commission shall have the discretion to place conditions on any lake or canal lot construction plan approval and to impose more stringent and restrictive requirements and development standards due to the environmental sensitivity of these properties.

**Policy 1-5.1.4: Management of Lakefront Development.** The City shall restrict lakefront development outside of the floodplain and lake setback areas around the lakes to the lowest density residential land uses with the corresponding lot coverage and impervious coverage.

**Policy 1-5.1.5: Management of Undeveloped Lakefront Lots.** Lakefront areas that are undeveloped but previously platted and in common ownership may combine lots so as to conform to the minimum lot sizes and frontages required or the average lot sizes and frontages of existing lots within a 500 ft. radius whichever is greater.

**Policy 1-5.1.6: Development of Large Lakefront Tracts to Provide Adequate Public Access for Public Purposes.** The development of large unplatted lakefront tracts shall include provisions for public access of a passive nature and public visual access along with agreements for the proper maintenance of these areas.

**Policy 1-5.1.7: Lakefront Setbacks.** The City shall enforce a minimum fifty (50) foot lakefront setback and require site plan review for all lakefront and canal front construction. The City shall prohibit filling in lakefront and stream front wetlands and shall require a conditional use approval for any type of allowable construction in such areas. In addition, no encroachment, fill, or other new development shall be permitted in a floodway. Development of flood prone areas shall be addressed on a site by site basis as part of the site plan review or conditional use process. The City shall coordinate with the State, the St. Johns River Water Management District, the East Central Florida Regional Planning Council, Orange County, state agencies, and other agencies concerned with managing natural resources. Such intergovernmental coordinating activities shall be directed toward protecting the values and functions of respective natural systems.

**OBJECTIVE 1-5.2: PRESERVE THE QUALITY AND CHARACTER OF WINTER PARK'S RESIDENTIAL NEIGHBORHOODS.** By recognizing and maintaining the variety of neighborhoods and housing types available throughout the City, the City will protect and conserve the diverse range of residential opportunities.



## Lenox/Crown Property Report

All data was obtained through the Orange County Property Appraiser's Office, Orange County Tax Collector's Office and The City of Winter Park.

### Part 1.

There are 84 homes in the City of Winter Park where a street divides the property with a home on it from lakefront property across the street. Of the 84 homes, 78 have deeded lakefront land across the street. Among the 6 homes that do not have a deeded piece of property across the street, 5 of the properties across the street are owned by either the City of Winter Park (4), or Rollins College (1). The single remaining property is 1466 Alabama Dr (Crown Residence). Land directly across the street is owned by the Lenox Residence (1486 Alabama Dr).

6 Properties that do not have deeded land on the lake with direct lake views:

1. 165 W. Fawsett Rd. - Direct view of Lake Sue across the street. Land across the street is owned by the city of Winter Park. Parcel ID 18-22-30-2844-00-005
2. 937 Lakeview Dr. - Direct view of Lake Virginia across the street. Land across the street is owned by Rollins College. Parcel ID 05-22-30-9400-63-010
3. 905 Lakeview Dr. - Direct view of Lake Virginia across the street. Land across the street is owned by the City of Winter Park. Parcel ID 07-22-30-1490-00-001
4. 1110 Alabama Drive - Direct view of Canal across the street. Canal Land deeded to the City of Winter Park Parcel ID 31-21-30-4220-04-160
5. 1450 Alabama Drive – No deeded land. Partial view of Lake Maitland. Land across the street is deeded to the City of Winter Park. Parcel ID 31-21-30-4220-00-000
6. 1466 Alabama Drive – Direct View of Lake Maitland No Deeded Land (Crown residence). Land across the street is owned by 1486 Alabama Dr (Lenox Residence)

Below is a list of the 79 properties that have deeded lakefront land across the street from the home.

#### Lake Sue

185 W. Fawsett Rd  
201 W. Fawsett Rd  
235 W. Fawsett Rd  
251 W. Fawsett Rd  
2290 W. Fawsett Rd  
2200 W. Fawsett Rd  
2170 W. Fawsett Rd

2150 W. Fawsett Rd  
2130 W. Fawsett Rd  
2110 W. Fawsett Rd  
2010 W. Fawsett Rd  
2020 W. Fawsett Rd  
2050 W. Fawsett Rd  
2060 W. Fawsett Rd  
2080 W. Fawsett Rd  
1936 W. Fawsett Rd  
1900 W. Fawsett Rd  
1860 W. Fawsett Rd

Lake Virginia

1169 Lakeview Dr  
1167 Lakeview Dr  
1135 Lakeview Dr  
1111 Lakeview Dr  
1071 Lakeview Dr  
1055 Lakeview Dr  
1035 Lakeview Dr  
1023 Lakeview Dr  
1005 Lakeview Dr  
965 Lakeview Dr  
945 Lakeview Dr

Lake Mizell

1000 Genius Dr  
1008 Genius Dr  
1016 Genius Dr  
1024 Genius Dr  
913 Osceola Ave - No Direct View of the Lake  
919 Osceola Ave  
921 Osceola Ave  
1001 Osceola Ave  
1031 Osceola Ave  
1041 Osceola Ave  
1101 Osceola Ave  
1141 Osceola Ave  
1200 Osceola Ave  
1220 Osceola Ave

Lake Maitland

1218 Alabama Drive  
1230 Alabama Drive  
1246 Alabama Drive  
1260 Alabama Drive

1288 Alabama Drive  
1292 Alabama Drive  
1360 Alabama Drive  
1400 Alabama Drive  
1486 Alabama Drive – Lenox Residence  
1500 Alabama Drive  
1510 Alabama Drive  
1520 Alabama Drive  
1530 Alabama Drive

Lake Killarney

230 Killarney Dr  
240 Killarney Dr  
250 Killarney Dr  
300 Killarney Dr  
320 Killarney Dr  
350 Killarney Dr  
400 Killarney Dr  
430 Killarney Dr  
1838 Killarney Dr  
1840 Killarney Dr  
1894 Killarney Dr  
1898 Killarney Dr  
1891 Killarney Dr  
115 Killarney Dr  
131 Killarney Dr  
139 Killarney Dr  
143 Killarney Dr  
145 Killarney Dr  
1321 Fairview Ave  
1300 Fairview Ave  
120 Broadview

**Part 2.**

Below is a summary of every Winter Park street that has a lakefront home on it.  
Noted are any properties that have some variance related to lakefront access.

Lake Maitland

Gipson Green Lane – None  
Bett Mar Lane – None  
Columbia Ln – None  
Legion Dr – None  
Summerland Ave – None

Gaines Way – None

Summer Way

1. 1662 Summer Way – narrow strip of land for lake access. No direct view of Lake Maitland

Green Cove Rd – None

New York Ave – None

North Park Ave – None

Old England Ave – None

Anchorage Ct – None

McKean Cir – None

Palmer Ave

1. 721 Palmer Ave – Narrow strip of land behind 751 Palmer Ave. for Canal/Lake Access. 721 Palmer and 751 Palmer share a single boathouse on the canal.
2. 1031 Palmer Ave owns land on the canal with a boathouse and lake access. 1031 Palmer Ave does not sit on the canal, across the street from the canal, or adjacent to the water/canal. 1031 Palmer is Located on the corner of Palmer Ave and Alabama Dr (closer to Temple) and is 0.4 miles from the canal property.

Mayfield Ave

1. 820 Mayfield Ave - owns land on the canal with a boathouse and lake access. 820 Mayfield does not sit on the canal, across the street from the canal, or adjacent to the water/canal.
2. 920 Mayfield Dr - owns land on the canal with a boathouse and lake access. 920 Mayfield does not sit on the canal, across the street from the canal, or adjacent to the water/canal. \*\*\* Deed for land was transferred from 841 Mayfield Ave to 920 Mayfield Ave in 2016. 920 Mayfield Ave is located .35 miles from the owned boathouse.

Alabama Dr

1. 1737 Alabama Drive owns land on the canal with a boathouse and lake access. 1737 Alabama Drive does not sit on the canal or adjacent to the water/canal. \*\*Deed to canal property for 1737 Alabama Drive was transferred from 1760 Alabama Dr in 2015. 1737 is located on the corner of Alabama Drive and Via Tuscany and 1737 Alabama is located 0.4 Miles from the canal property.
2. 1764 Alabama Drive - owns land on the canal with a boathouse and lake access. 1764 Alabama Drive does not sit on the canal, across the street from the canal, or adjacent to the water/canal. 1764 Alabama is located 0.45 Miles from the canal land.
3. 1710 Alabama Drive owns land on the canal with a boathouse and lake access. 1710 Alabama Drive does not sit on the canal, across the street from the canal, or adjacent to the water/canal. 1710 Alabama Drive is located on

the intersection of Alabama Drive and Via Tuscany 0.5 miles from the canal property.

4. 1287 Alabama Drive (canal property) is owned by the owners of 870 Mayfield Ave. 870 Mayfield Ave does not sit on the canal, across the street from the canal, or adjacent to the water/canal. 870 Mayfield is located in between the intersections of Mayfield Ave and Harding Ave and Mayfield Ave and Alabama way. 870 Mayfield Ave is located 0.3 miles form the property on the canal (1287 Alabama Dr).
5. \*\*\*1529 Alabama Dr\*\*\* – 1529 Alabama Dr is lakefront property only. There is no house across the street. Property mailing address is a PO Box and deeded to a Trust.

#### Interlachen Ave

1. 300 South Interlachen Ave Unit 303 – Owns a boathouse located at 1291 Alabama Drive. 300 South Interlachen Ave Unit 303 does not sit on the canal, across the street from the canal, or adjacent to the water/canal. 300 South Interlachen Ave Unit 303 is 1.5 miles form the owned property on the canal (1291 Alabama Drive)

#### 1011 Ayrshire St, Orlando, FL 32803

1. 1011 Ayrshire St, Orlando, FL 32803 owns the canal lot and boathouse located at 1293 Alabama Drive. 1011 Ayrshire St, Orlando, FL 32803 does not sit on the canal, across the street from the canal, or adjacent to the water/canal. 1011 Ayrshire St, Orlando, FL 32803 is located in the city of Orlando and is 3.5 miles from the canal property on 1293 Alabama Drive.

#### Via Tuscany – None

Isle of Sicily – All properties have lake access in back yard and across the street. There are no properties on the street that lack accesses therefore there are no adjacent properties that could request lakefront property via a purchase or variance.

#### Pinetree Rd – None

#### Venetian Way –

1. 2105 Venetian Way – narrow strip of lake access

#### Azalea Place

1. 2211 Azalea Place – narrow strip of lake access. All adjacent properties have lake access.

#### Poinciana Ln – None

### Lake Osceola

Georgia Ave – None  
Seminole Drive – None  
Palmer Ave – None  
Via Bella – None  
Greentree Drive – None  
Temple Grove – None  
Bonita Dr – None

### \*\*\*Alberta Drive

1. 1210 Alberta Drive granted land across the street from Lake Osceola. Land is a narrow walkway solely for the purpose of access to Lake Osceola. Strip is 10 ft. in width with a dock at the end of the access on Lake Osceola. From 1210 Alberta Drive there is no direct view to the lake.

### Lakewood Drive

1. 495 Lakewood Drive – Narrow strip of land for lake access adjacent to Winter Park Owned Park

Trismen Terrace – None  
Osceola Ct – None  
Chase Ave – None  
Interlachen Ave – None  
Webster Ave – None  
Kiwi Circle – None

### Lake Virginia

520 East Lake Sue Ave

1. 520 East Lake Sue Ave owns a narrow strip of land across Virginia Dr. Home does not have a direct line of sight to lake Virginia.

### Lake Virginia Drive

1. Access granted to 520 East Lake Sue Ave property. See above.

Preserve Point Dr – None  
Genius Drive – None  
Osceola – None  
Lakeview Drive – None  
Stirling Ave – None  
College Pt. – None  
Highland Rd – None  
Henkel Cir – None

### Lake Mizell

Audubon Lane – None  
Henkel Cir – None

#### Osceola Ave

1. 892 Osceola Ave – Land has been divided to allow for owners across Osceola Ave to have Access to Lake Mizell.
2. 913 Osceola Ave – Deeded land across the street to Lake Mizell. Land is surrounded on both sides by 829 Osceola Ave (above)
3. 919 Osceola Ave – Deeded land across Osceola Ave. (As above)
4. 9210 Osceola Ave – 859 Square foot piece of land on Lake Mizell that is owned by 138 Detmar Rd. Detmar road is not on or adjacent to Lake Mizell.

Genius Dr – None

#### Lake Berry

Genius Dr – None

Balmoral Rd – None

Lake Berry Dr – None

Chase Landing Way – None

Preserve Point Dr – None

#### Lake Killarney

##### Killarney Drive

1. Parcel ID # 12-22-29-4172-07-001 (Deeded Address) – 0.03 acre piece of land on Lake Killarney. Land is not owned by adjacent properties on Lake Killarney. Deeded to owners with a mailing address of 325 S, Orlando Ave. 325 S. Orlando Ave is a commercial building. Owner's homesteaded property is located in Apopka.
2. 1801 Killarney Drive - 0.1 vacant lakefront property with no lot/home adjacent to it. Deeded address is 355 Starling Rd, Winter Park, FL 32789 (0.2 miles from 1801 Killarney Dr)

##### Lakeview Ave

1. 438 Lakeview Ave – Parcel Number 12-22-29-4172-01-102. 0.07-acre lakefront lot on Lake Killarney with no deeded land or home adjacent or across the street. Deeded Owners are located at 825 Dixie Pkwy, Winter Park, FL 32789 (1.9 miles from lakefront land).

Kilshore Lane – None

Blue Heron Dr – None

Killarney Dr – None

Euston Rd. – None

Lotafun Ave – None

Ololu Dr- None

##### Rippling Ln

1. Parcel ID 02-22-29-0000-00-085 – Property is a 10ft wide strip of land on Lake Killarney deeded to property at 212 Rippling Lane, which is across the street from the lakefront properties. 10ft strip is between two lakefront properties. No other property that is across the street from Lake Killarney

on Rippling Ln has land access to Lake Killarney.

**Lake Dr**

1. 2120 Lake Drive – Property is a 10ft wide strip of land for lake access deeded to an LLC registered at 505 Lakefront Blvd, Winter Park Florida. 505 Lakefront Blvd is located 1.1 miles from 2120 Lake Drive. The lot is non buildable (0.07 acres) and for the sole purpose of lake access.

Boitnott Ln – None

Country Club Drive – None

**Lake Bell**

Kindel Ave – None

Turner Rd – None

Lake Bell Dr – None

Early Ave – None

**Lake Wilderness**

Early Ave – None

Albert Lee Parkway – None

**Lake Spider**

Barker Dr – None

Lake Spider Dr – None

St George St – None

**Lake Sue**

1. 1941 Englewood Rd is deeded a narrow strip of land for access to Lake Sue on Fawsett Rd. 1941 Englewood is a block from Lake Sue behind the lakefront homes and does not have a direct view of the lake.



**SWANN HADLEY STUMP  
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September 6, 2017

Dear Mr. Briggs:

Thank you for taking the time to meet with Jennifer & Brandon Lenox (the "Owners"), Deborah Crown (the "Applicant") and myself. The Owners live at 1486 Alabama Drive and the Applicant has purchased the home at 1466 Alabama Drive. The Owners' home and the Applicant's home are adjacent to each other and both are across the street from Lake Maitland. All of the property in front of the two homes that is between Alabama Drive and Lake Maitland belongs to the Owner.

The attached Application for Subdivision requests that a portion of the land between Alabama Drive and Lake Maitland be subdivided (i.e. split) from the Owner's property and consolidated with the Applicant's property. We expect that the consolidation will be a condition of approval for the subdivision. The City's Comprehensive Plan and Code discourage subdivision of lake front properties so that there is not an increase in density in order to encourage lakefront estates. We believe the Application meets both of these goals in that it does not increase density by creating a new dwelling unit while at the same time creating a lakefront estate which is consistent with the characteristics of the neighborhood.

Based on research done by the Owners, we believe there are no other properties in Winter Park, other than a few owned by the City or Rollins College, which share the characteristics of the Applicant's property of being across the street from a lake and separated from the lake by a road where the land between the road and lake are owned by a private person/entity. Therefore, the action requested by the Applicant will not set precedent as the characteristics of these properties are unique. However, in order to confirm exactly what circumstances may allow for subdivision of lakefront property, the Applicant also requests the following text amendment to the City Code:

"Subdivision/lot splits of lakefront property may be allowed as a variance if: (i) the property from which the land is to be split shall be on a lake and divided by a public right of way, (ii) the property which the land will be consolidated with shall be across a public right of

way from a lake, (iii) both the property from which the land will be split and the property with which the land will be consolidated must be adjacent to each other along their side yard boundaries, (iv) that portion of the lakefront property which is to be split off cannot be between the property from which it is to be split and the lake, (v) that portion of the lakefront property which is to be split off must be between the property with which it will be consolidated and the lake. For purposes of determining the location of the property to be split off in relation to the lake, a line shall be drawn from the middle of road frontage of the lot from which it will be split (or the middle of the road frontage of lot with which it will be consolidated) to the middle of the split off lot, and whether a straight line between those two points extend into the contiguous lake."

Thank you for working with us on this Application.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stuart Buchanan", with a long horizontal flourish extending to the right.

Stuart Buchanan

September 5, 2017

Brandon and Jennifer Lenox  
1486 Alabama Dr  
Winter Park, FL #2789

Brandon and Jennifer Lenox hereby authorize the applicant, Deborah Crown, to act as the agent for the owners, Brandon and Jennifer Lenox, for the lot split of 1486 Alabama Dr, Winter Park Florida 32789.

Kind Regards,

A handwritten signature in black ink, appearing to be 'BL' or 'Brandon Lenox' in a stylized, cursive script.

Brandon Lenox

A handwritten signature in black ink, appearing to be 'Jennifer Lenox' in a stylized, cursive script.

Jennifer Lenox



**CITY OF WINTER PARK  
APPLICATION FOR SUBDIVISION**

SUB# \_\_\_\_\_

FEE PAID ck # \_\_\_\_\_  
amt. \_\_\_\_\_  
\$ \_\_\_\_\_ date \_\_\_\_\_

**General Instructions:** To request approval of a subdivision plan, complete this application and submit it to the Planning Department along with the applicable fee of \$500 for three (3) lots or less, \$800 over three (3) lots or \$1,000 with road improvements and all additional information necessary for the public hearings before the Planning and Zoning Board and City Commission. **Please submit seven (7) paper copies (11" by 17") of the required documents, as well as digital copies, with this application. Digital copies may be submitted via flash drive, CD-ROM, etc. or through the wpcloud.** Please contact the Planning Department for instructions to upload to the wpcloud.

**I. APPLICANT**

Name Deborah Crown \_\_\_\_\_  
Address 865 Creston Drive \_\_\_\_\_  
Maitland, FL 32751 \_\_\_\_\_  
Phone (937) 935-0888 \_\_\_\_\_

**OWNER**

Brandon & Jennifer Lenox \_\_\_\_\_  
1486 Alabama Drive \_\_\_\_\_  
Winter Park, FL 32789 \_\_\_\_\_  
(407) 670 - 5833 \_\_\_\_\_

Email Address crownjsu@yahoo.com \_\_\_\_\_

Email Address bklenox@gmail.com \_\_\_\_\_

Is the property under contract for purchase or lease?

☐ Yes

☒ No

If the applicant is NOT the owner, attach a copy of the purchase or lease contract or option on the property, or a letter signed by the owner of record authorizing the applicant to act as agent for the owner. This information is requested to establish the legal status of the applicant and will be held in confidence, except as the information pertains to the zoning application.

Is the contract for purchase or lease contingent upon this approval? ☐ Yes

☐ No

**II. PROPERTY**

Street

Address: 1486 Alabama Drive, Winter Park, FL 32789 \_\_\_\_\_

Zoning Classification: R-1AA \_\_\_\_\_

Comprehensive Plan Future Land Use Designation: \_\_\_\_\_

PARCEL # 31-21-30-4220-03-103 \_\_\_\_\_ (same as tax ID number of Orange County property tax records)

Legal Description: Provide complete and accurate legal description below including Plat Book and Page Number OR attach a copy of the legal description to this application.

\*See attached \_\_\_\_\_

**III. SUBDIVISION PLAT REQUEST: The applicant requests subdivision for:**

Lot split of 1486 Alabama Drive property in order to add to the adjoining western neighbor's property (address of 1466 Alabama Drive) a portion of lakefront property which is outlined in red on the attached map, In order to facilitate this approval a text amendment is requested as further discussed in the attached letter.

**IV. CERTIFICATION**

I certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate, and that I am:

- ☐ the owner of the property described herein  
☐ a party to an agreement for purchase or lease of this property  
☒ an agent for the owner or purchaser/lessee of this property

If applicable, it is understood and agreed that approval of this application by the Planning and Zoning Board is contingent upon the recording of restrictive covenants designing the terms and conditions of an approval. These restrictive covenants will be executed by the owner of the property and recorded by the City of Winter Park. Said owner will be responsible for all fees associated with the recording of this document.

SIGNATURE Deborah Crow

DATE 9/6/17

S:\PCD\Applications\Subdivision Application.doc

6/30/2017

Legal Description for 1486 Alabama Drive, Winter Park, Florida 32789

J KRONENBERGER SUB G/56 BLOCK C LOT 10 DESC: FROM THE SE CORNER OF LOT 10 RUN N20-14-00W 31 FT FOR THE POB TH S89-16-00W 67.22 FT TH NWLY 147.77 FT TO A POINT ON THE NORTH LINE OF LOT 10 A DISTANCE OF 25 FT ELY OF THE NW CORNER OF LOT 10 TH ELY 75 FT ALONG THE NORTH LINE OF LOT 10 TO THE NE CORNER THEREOF TH S20-14-00E 147 FT TO THE POB & BEG AT THE SE CORNER LOT 10 TH N20-14-00W 30.45 FT TH S89-20-20W 67.45 FT TH S23-07-20E 28.51 FT TH N89-31-00E 22.82 FT TH S87-42-00E 44 FT TO THE POB & A STRIP OF LAND BEGINNING AT THE POINT OF INTERSECTION OF THE NLY LINE OF ALABAMA DR WITH THE PROLONGATION NLY OF THE WLY BOUNDARY LINE OF LOT 10 TH NORTH ALONG SAID PROLONGATION TO THE SHORELINE OF LAKE MAITLAND TH ELY ALONG SHORELINE TO THE POINT OF INTERSECTION OF SHORELINE WITH A PROLONGATION NLY OF THE ELY BOUNDARY OF LOT 10 TH WLY ALONG NLY SIDE OF ALABAMA DR 100 FT MORE OR LESS TO THE POB

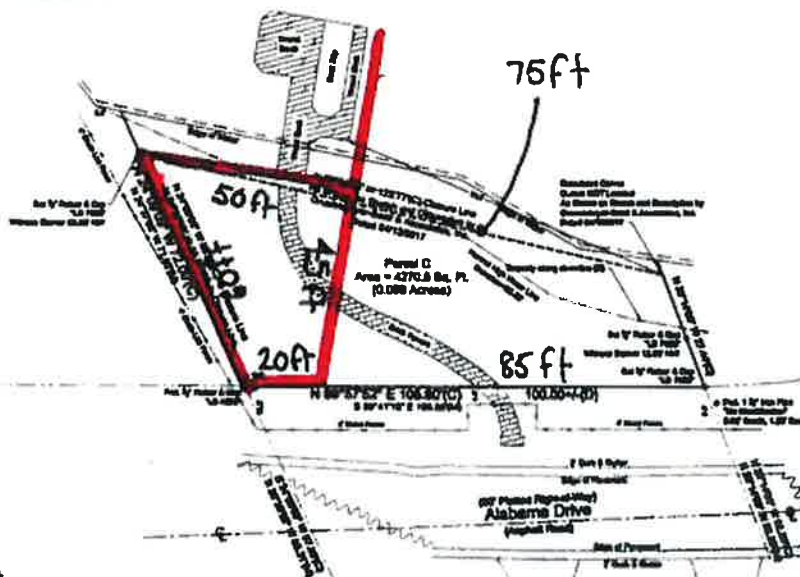
001  
 Found 4742 Columns Movement TLE 2200  
 Elevator 07.34

**Get Help & Click on IF Corporate Internet:  
Telephone 87.42**

**Benchmark Information**  
**Orange County Datum Elevation 88.49**  
 Orange County Benchmark Designation FT-152  
 (Elevations are based upon NAVD 88 Datum)

Leke

**Maitland**  
 1999-2000  
 1999-2000



### Boundary Survey

**Legal Description:**

**Parcel A:**  
That part of Lot 18, Block C, J. Kronenberger Subdivision, as per plat shown in Plat Book C, pages 56 and 57, Public Records of Orange County, Florida, described as follows:

From the Southeast corner of said Lot 16, run North 29 degrees 14' West along the East line thereof 31 feet to the Point of Beginning; run thence South 58 degrees 18' West 67.22 feet; thence Northerly 147.77 feet to a point on the North line of Lot 18 a distance of 29 feet Easterly of the Northwest corner of said lot, thence run Easterly 78 feet along the North line of Lot 18 to the Northeast corner thereof; thence South 29 degrees 14' East 147 feet to the Point of Beginning.

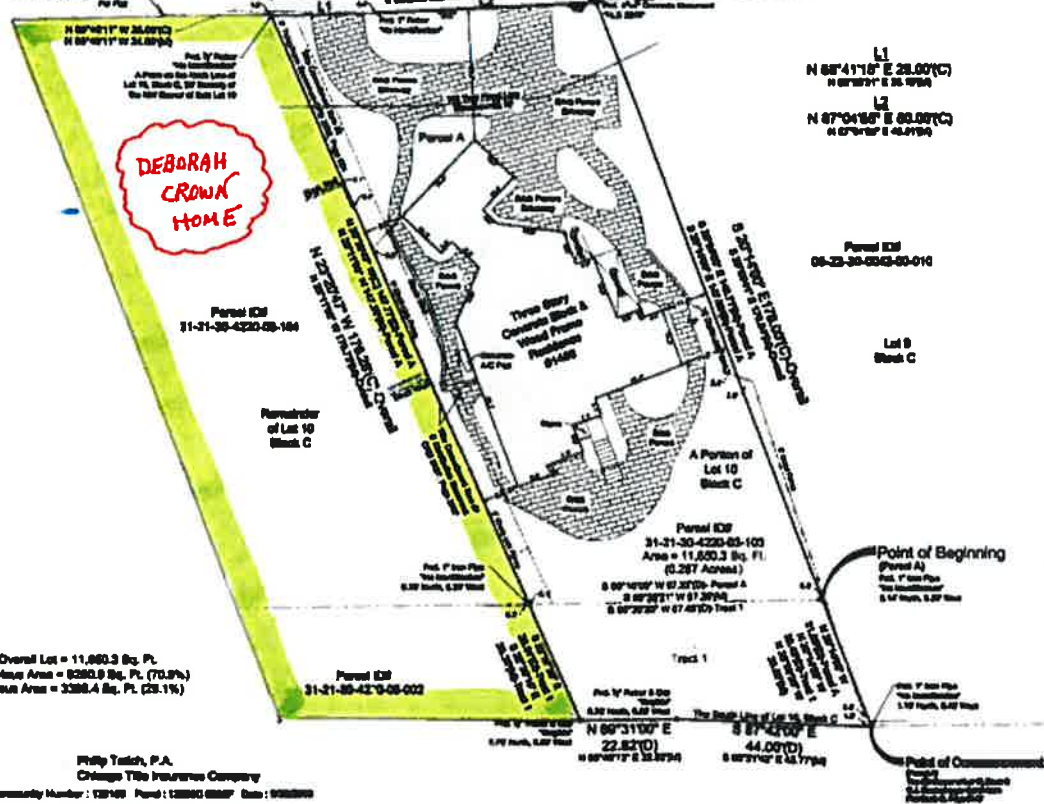
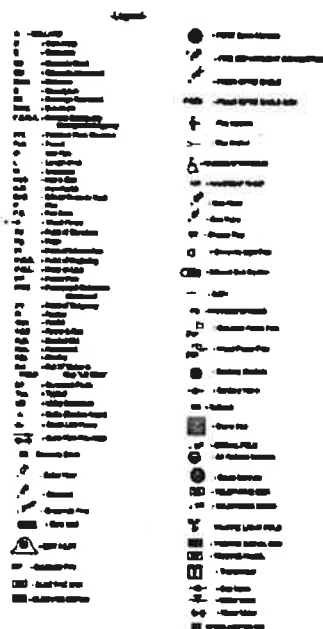
AND

**Trail 1:**

Beginning at the Southeast corner of said Lot 18; thence run North 20°14' West, along the East Line Surveyed, 26.448 feet to a one inch pipe located at the Southeast corner of Parcel A, as described in Official Records Book 18015, Page 1988, Public Records of Orange County, Florida; thence run South 25°28'28" West, along the South Line of said Parcel A, 67.446 feet to a one inch pipe located at the Southwest corner of said Parcel A; thence run South 23°17'29" East, along a Southerly extension of the Westerly line of said Parcel A, 28.81 feet to the Southerly line of said Lot 18; thence run North 68°21'30" East along said Southerly line of Lot 18, 22.82 feet; thence run South 67°42'00" East, along said Southerly line of Lot 18, 44.80 feet to the Point of Beginning.

AMED

**Parcel C:**  
A strip of land beginning at the point of intersection of the Northerly line of Alabama Drive with the prolongation Northerly of the Westerly boundary line of Lot 18, Block C, J. Krenzelberg & Son, Inc., extending to the Point of closure on the Northerly line of Alabama Drive, Page 88 and 87, Public Records of Orange County, Florida running thence North along said prolongation of the Westerly boundary line of said Lot 18 to the shoreline of Lake Milledgeville; running thence Easterly along the shoreline of said Lake Milledgeville to the point of intersection of said shoreline with a prolongation Northerly of the Easterly boundary of said Lot 18; running thence Southerly along the prolongation of said Easterly boundary line of Lot 18 to the Northerly side of said Alabama Drive; and running thence Westerly along the said Northerly side of Alabama Drive 100 feet, more or less, to the Point of Beginning.



Overall Lot = 11,880.3 Sq. Ft.  
Impervious Area = 8280.8 Sq. Ft. (70.0%)  
Pervious Area = 3599.4 Sq. Ft. (29.1%)

CONTINUED TO:  
Brandon Lavan  
Jovella Lavan

Philip Tschir, P.A.  
Chicago, The Insurance Company

Phone: 202-336-1800 Fax: 202-336-1801



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

**Staff Report  
October 3, 2017**

**SPR: 17** Request of Rollins College for approval of the Final Building elevations for the Facilities Building at 450 W. Fairbanks Avenue in compliance with the condition of approval for the conditional use.

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On February 27, 2017 the City Commission approved the conditional use for the new Rollins College Facilities Building at 501 Holt and 450 W. Fairbanks Avenue. A condition of that approval was "that the final architectural elevations and materials of the building and screen wall be approved by the P&Z Board with input from the city architect". At that time, the elevations and "look" of the building was conceptual and thus the City/P&Z Board desired to approve the final design in terms of the aesthetic compatibility with the surrounding area and especially the adjacent neighborhood.

Rollins College is now requesting approval of the Final Building elevations for the Facilities Building at 450 W. Fairbanks Avenue in compliance with that condition of approval for the conditional use. Attached are the building elevations from the February 27<sup>th</sup> City Commission submittal and the final architectural elevations for the current design.

The brick perimeter screen wall is also mentioned in the condition of approval. The design goal is to screen and hide the building as much as possible from the views along Holt Avenue, since it is a residential street. Thus, the brick wall is 7 feet high with 8 foot columns. Note the curvilinear design along Holt so that it is not a straight flat wall. It will have heavy landscape screening with new oak trees planted every 25 feet inside and outside of the sidewalk to form a dense screen above the wall. There also are significant landscape plant materials to be planted along the base of the wall. With respect to the wall, those plans are unchanged since the initial submission. Together with the trees and landscaping on the exterior of the wall, it will be an effective visual screen for Facilities Building.

**City Architect Review:** The City Architect has worked with Rollins College and is in support of the design changes that have been presented for the Facilities Building. This is an upgrade to the architectural image in details and materials since the initial conceptual presentation. There are some minor comments concerning the paint patterns that have been presented to the College. He also is making a suggestion (not a requirement) that the College consider an artistic sculpted brick graphic enhancement for a section of the wall.

**STAFF RECOMMENDATION IS FOR APPROVAL**

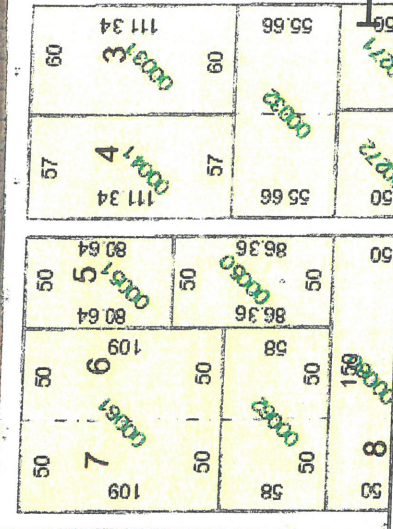
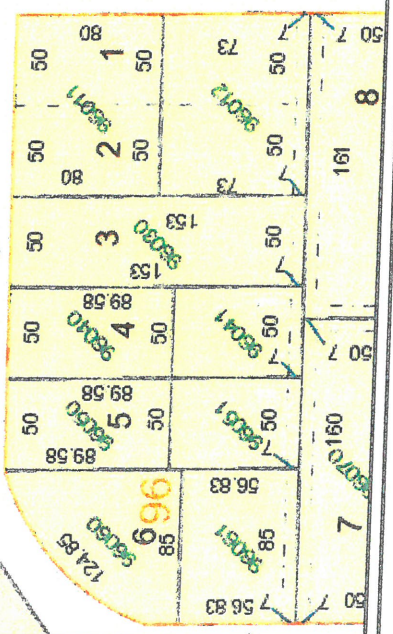
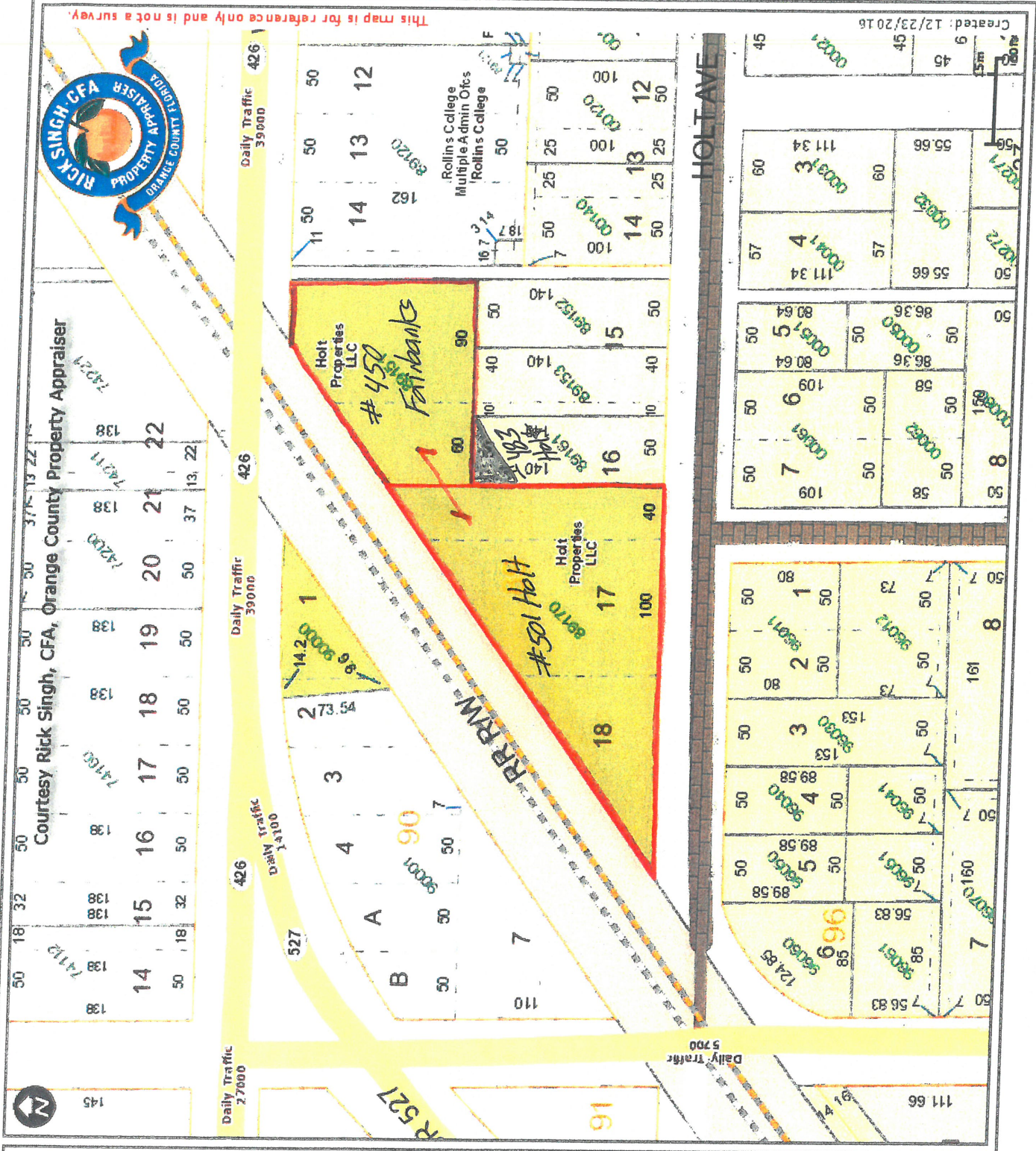


- Florida Turnpike
- Interstate 4
- Toll Road
- Major Roads
- Public Roads
- Gated Roads
- Road Under Construction
- Proposed Road
- US Road
- State Road
- County Road
- One Way
- Brick Road
- Proposed SunRail
- Block Line
- Lot Line
- Residential
- Agriculture
- Commercial/Institutional
- Governmental
- Institutional/Misc
- Commercial/Industrial/Vacant Land
- Hydro
- Waste Land
- Agricultural
- 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

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



Created: 12/23/2016

## ROLLINS COLLEGE FACILITIES SERVICES BUILDING

15 September 2017

### CITY ARCHITECT'S COMMENTS + OBSERVATIONS

This latest review is a follow-up to a meeting held at City Hall on 28 August 2017, where we reviewed bca architecture's version of the design with LAMM & Partners and Rollins College representatives.

As redlined on a set of hard copies, I have made the following suggestions:

1. **NW + SE Elevations**- Run the color of the base wainscot up to horizontal score line in center section of the buildings (approx. 15' + high). Alternate suggestion would be to face the wainscot and these areas of the facades with cast stone, brick or perhaps a horizontally struck (using Fry reglets) stucco finish. Since the wall will be a poured concrete panel, these horizontal details could be let into the casting of the wall.
2. **NE + SW Elevations**- It is suggested that a similar use of color placement, raising the height of the color as shown on redline drawings, might add some interest to the end elevations of the building. Alternate suggestion- same as No. 1 above.

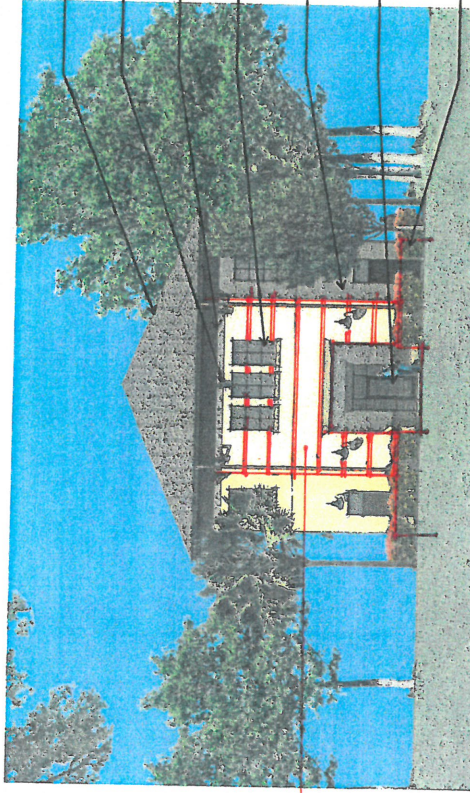
We would like to thank the Design Team for making the additions of a "mansard" partial roof over the center section of the building, thus hiding the HVAC equipment and tying the roofs of the entire building together. Also the added Roof Plan is appreciated.

END.

Brooks Weiss, AIA, City Architect

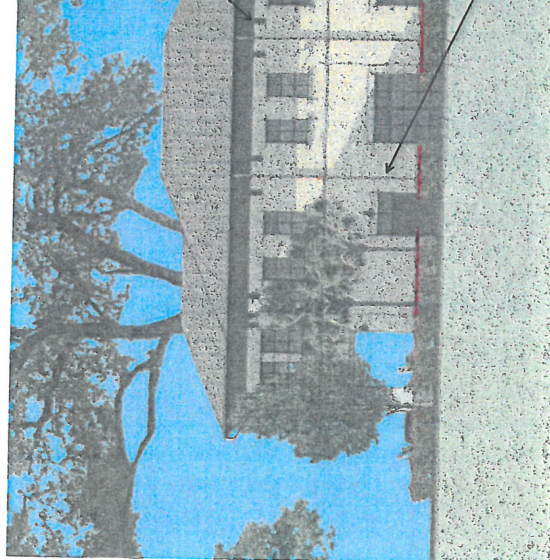


northeast elevation



- architectural asphalt roof shingles
- decorative pvc brackets - painted
- painted accent band
- aluminum windows with insulated tinted glass
- 7-1/4" tilt-up concrete panels, painted
- bronze anodized aluminum storefront system
- painted wainscot

Paint same as base wainscot -  
(alt. price on home structure)

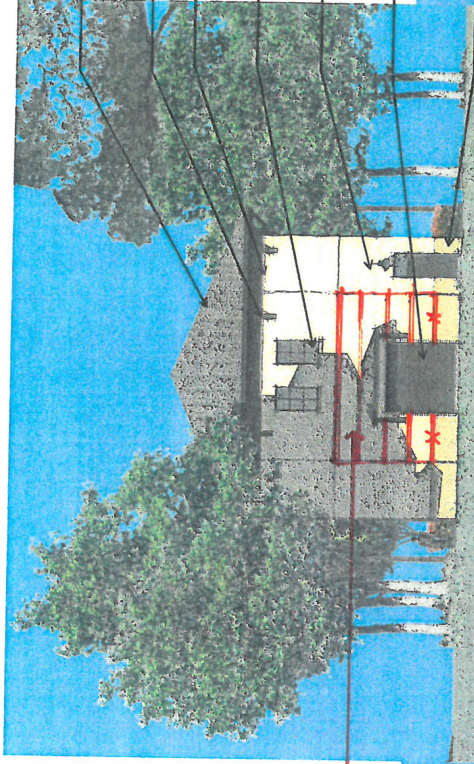


northwest elevation

- architectural asphalt roof shingles
- decorative pvc brackets - painted
- aluminum windows with insulated tinted glass
- wood look overhead door
- bronze anodized aluminum storefront system
- metal gutters and downspouts
- pvc window sill, painted
- continuous suspended metal canopy
- RUN SAME COLOR WAINSCOT

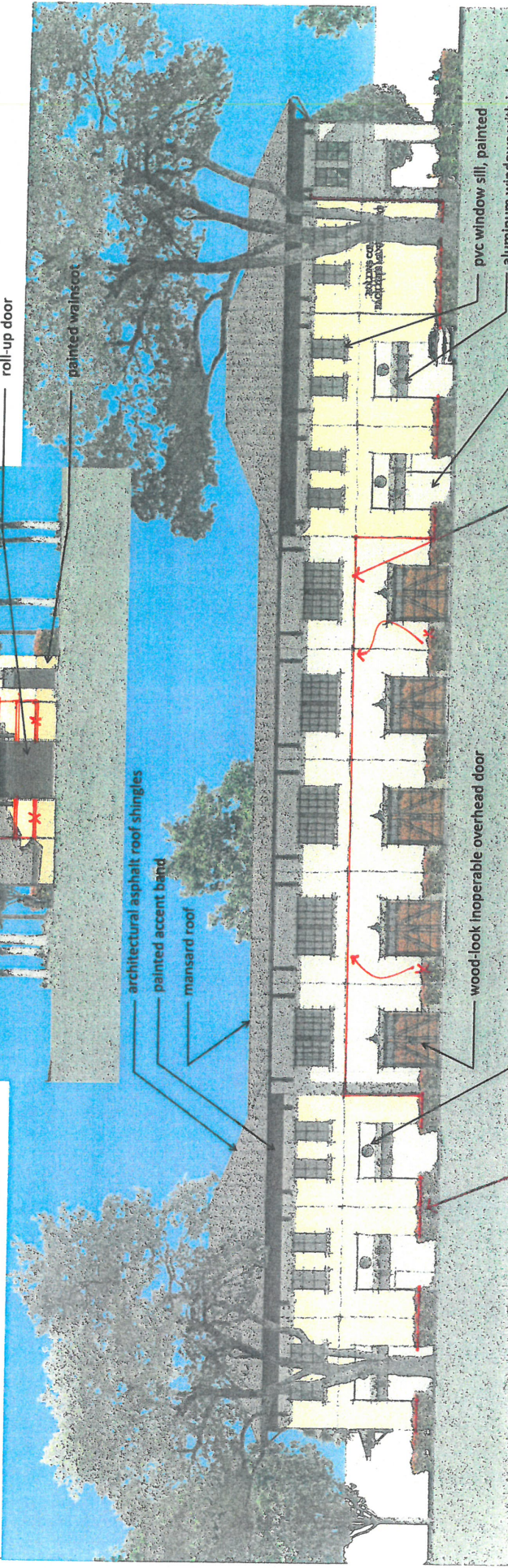


southwest elevation



- architectural asphalt roof shingles
- decorative pvc brackets, painted
- painted accent band
- aluminum windows with insulated tinted glass
- 7-1/4" tilt-up concrete panels, painted
- roll-up door

PAINTED WAINGSOT W/IN THIS AREA  
ALT. BRICK ON HORIZ. STUCCO



southeast elevation

- architectural asphalt roof shingles
- decorative pvc brackets, painted
- painted accent band
- aluminum windows with insulated tinted glass
- 7-1/4" tilt-up concrete panels, painted
- roll-up door

PAINTED WAINGSOT (BRICK ON STUCCO) : RUN VERTICAL

















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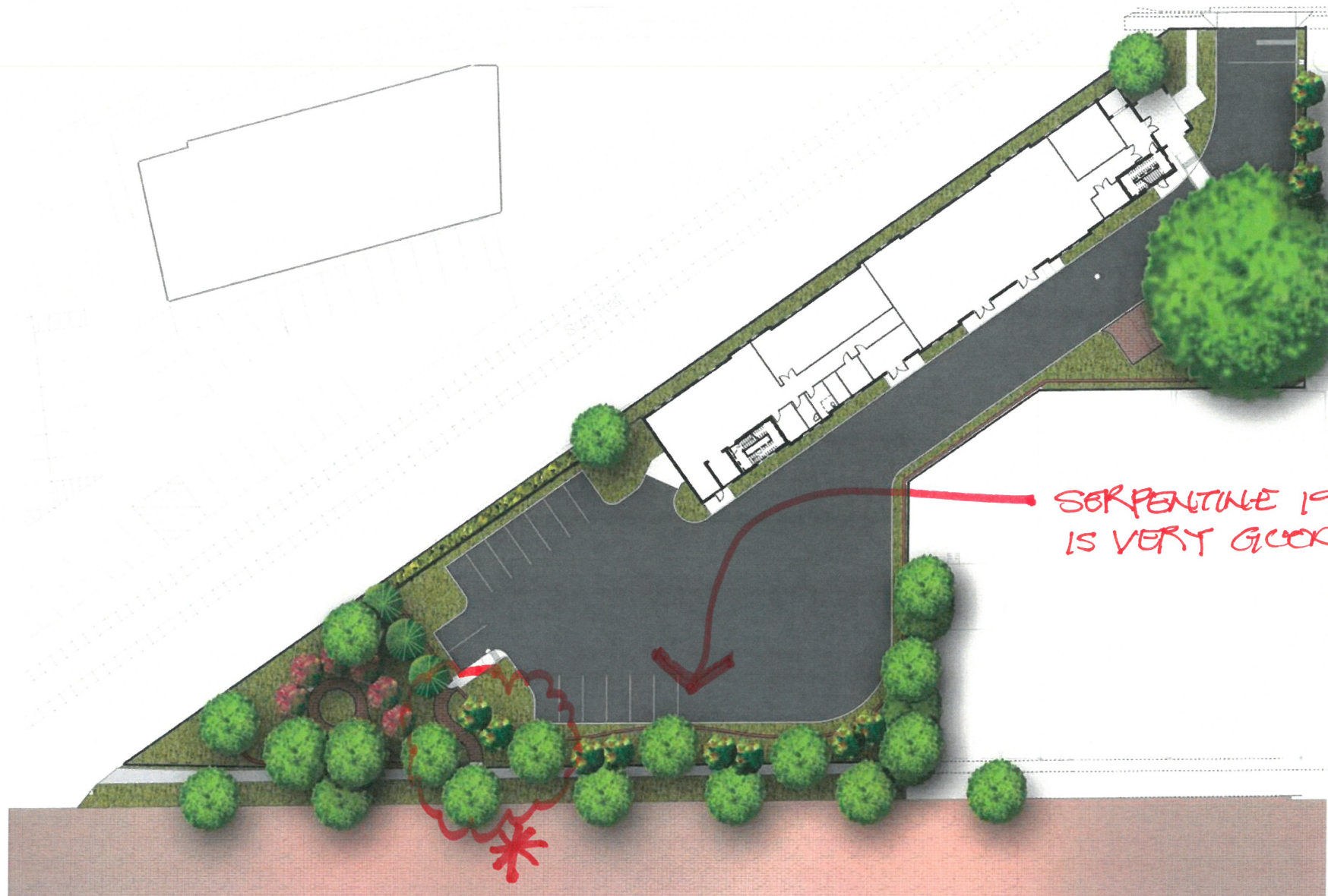
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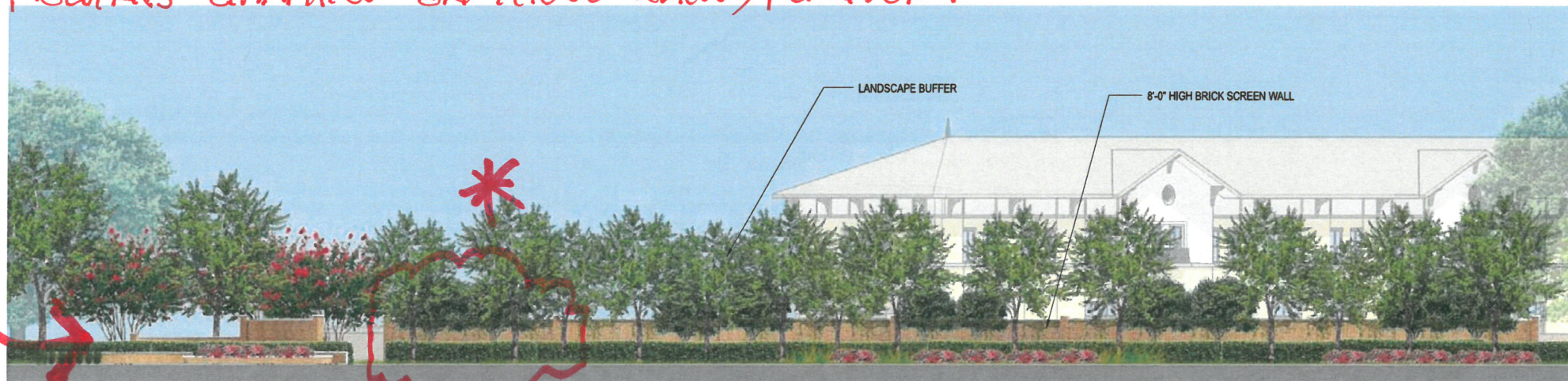


## 1- CONCEPTUAL LANDSCAPE PLAN

IS THERE ANY "COLLEGE QUARTER" AND/OR ROWING GRAPHICS ON THESE WALLS / PLANTER? \* SUGGESTED EAST BOUND + HOLT AVE. LOCATION OF SCULPTED BRICK GRAPHIC ENHANCEMENT. SEE ATTACHED IMAGES.

E

F



## 2- ELEVATION VIEW OF LANDSCAPE FROM HOLT AVE.

1

2

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7

8

# RLF

ROGERS, LOVELOCK & FRITZ, INC.

Architecture

Engineering

Interior Design

4750 New Broad Street

Orlando, Florida 32814

Telephone (407) 730-8600

Telefax (407) 730-3503

www.rlf.com

License Number AA C000564

License Number EB 0000629

project title & owner's name

## ROLLINS

FACILITIES BUILDING

CITY OF WINTER PARK  
PRELIMINARY CONDITIONAL USE SUBMITTAL

seal/signature

date

FEBRUARY 10, 2017

job number

15034

drawn by

MCH,MCP

checked by

RLB

revisions

No.	Description	Date
-----	-------------	------

NOT TO SCALE

drawing number

## AE900

sheet

of

IF THIS DRAWING IS LESS THAN 36" x 24" IT IS A REDUCED SIZE DRAWING

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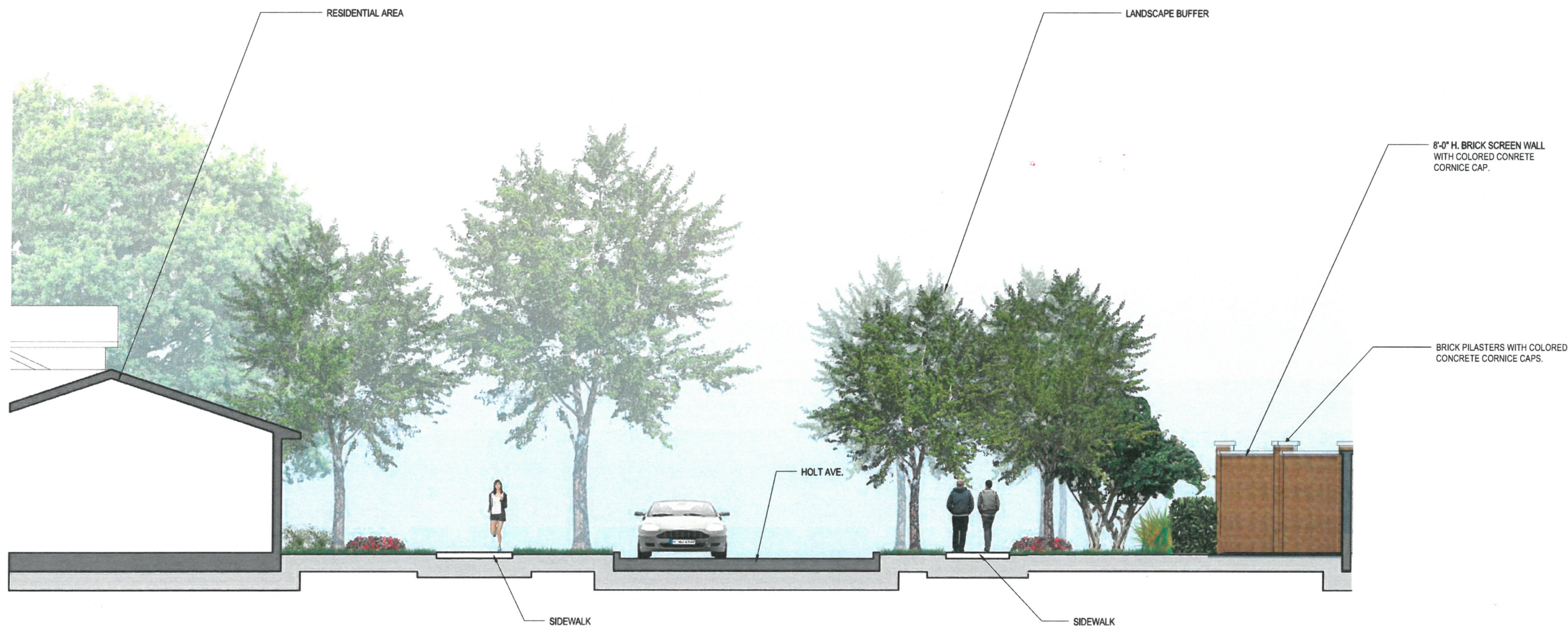
B

C

D

E

F



**SECTION VIEW FROM HOLT AVE.**

**RLF**

ROGERS, LOVELOCK & FRITZ, INC.

Architecture

Engineering

Interior Design

4750 New Broad Street

Orlando, Florida 32814

Telephone (407) 730-8600

Telefax (407) 730-3603

www.rlfiae.com

License Number AA C000554

License Number EB 0000629

project title & owner's name

**ROLLINS**  
**FACILITIES BUILDING**

**CITY OF WINTER PARK**  
**PRELIMINARY CONDITIONAL USE SUBMITTAL**

seal/signature

date

**DECEMBER 7, 2016**

job number

**15034**

drawn by

**MCH, MCP**

checked by

**RLB**

revisions

No.	Description	Date
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NOT TO SCALE

drawing number

**AE901**

sheet of

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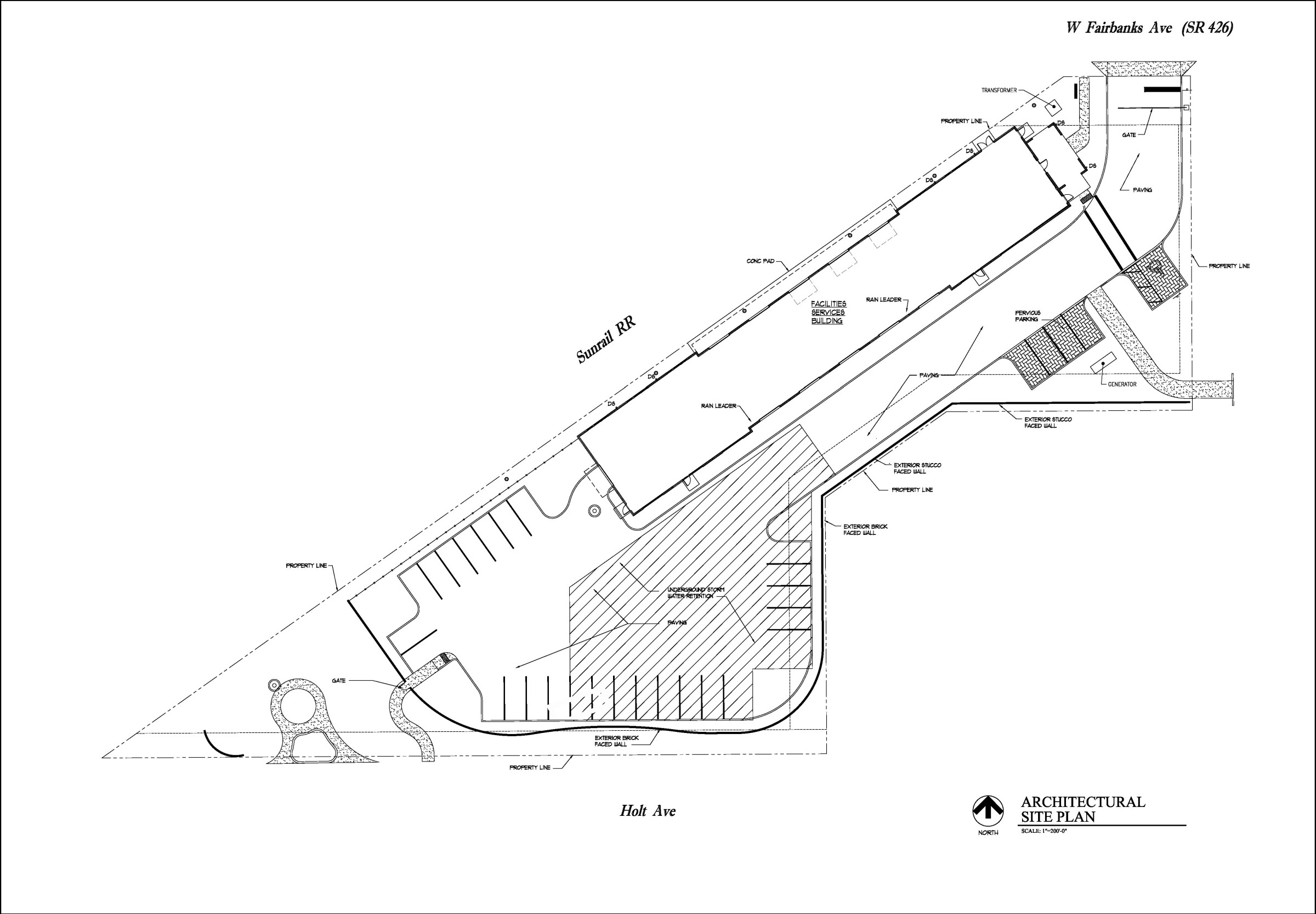








rollins facilities services building



site plan

Rev	Date	Description	By

**FOULOS & BENNETT**  
Foulos & Bennett, LLC  
2602 W. 46th St. Suite 100  
Tampa, FL 33607  
Tel: 813.487.2594 www.foulosandbennett.com  
Emp. Bus. No. 28567

**PENINSULA ENGINEERING INC.**  
Professional Engineer  
No. 1001, State of Florida  
1001 S. 1st St. Suite 100  
Tampa, FL 33606  
Tel: 813.241.1111  
www.peninsulaeng.com

**bec structures, llc**  
Professional Engineer  
No. 1001, State of Florida  
1001 S. 1st St. Suite 100  
Tampa, FL 33606  
Tel: 813.241.1111  
www.becstructures.com

**bca architecture**  
5401 Lake Fairway Circle, Midland, FL 32761  
Midland, FL 32761  
Tel: 407.569.2884  
www.bcaarchitecture.com  
Midland, FL 32761  
Tel: 407.569.2884  
www.bcaarchitecture.com

ROLLINS COLLEGE FACILITIES SERVICES BUILDING 1000 Holt Avenue Winter Park, FL 32789		ARCHITECTURAL SITE PLAN
DRAWN MC	CHECKED NBB	
PROJECT NUMBER 1704		
DRAWING NUMBER A-101		
DATE 09-13-17		



southwest elevation



architectural asphalt roof shingles

decorative pvc brackets, painted

painted accent band

aluminum windows with insulated tinted glass

7- 1/4" tilt-up concrete panels, painted

roll-up door

painted wainscot



architectural asphalt roof shingles

painted accent band

mansard roof

wood-look inoperable overhead door

decorative pvc medallion

pvc window sill, painted

aluminum windows with insulated tinted glass

5-1/4" tilt-up concrete recessed panel

southeast elevation



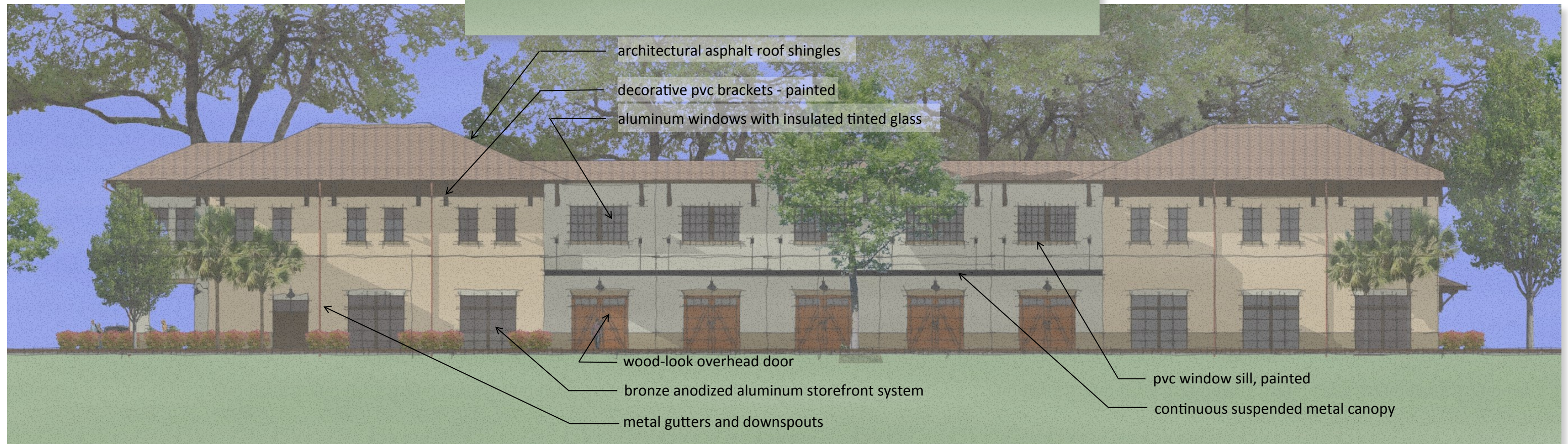
scheme 'a'

rollins facilities services building

northeast elevation



- architectural asphalt roof shingles
- decorative pvc brackets - painted
- painted accent band
- aluminum windows with insulated tinted glass
- 7- 1/4" tilt-up concrete panels, painted
- bronze anodized aluminum storefront system
- painted wainscot



- architectural asphalt roof shingles
- decorative pvc brackets - painted
- aluminum windows with insulated tinted glass

- wood-look overhead door
- bronze anodized aluminum storefront system
- metal gutters and downspouts

- pvc window sill, painted
- continuous suspended metal canopy

northwest elevation



scheme 'a'

rollins facilities services building



north view



scheme 'a'

rollins facilities services building



east view

b c a architecture  
design architecture planning



scheme 'a'

rollins facilities services building



south view



southwest elevation



- architectural asphalt roof shingles
- decorative pvc brackets, painted
- painted accent band
- aluminum windows with insulated tinted glass
- 7- 1/4" tilt-up concrete panels, painted
- roll-up door
- painted wainscot



- architectural asphalt roof shingles
- painted accent band
- mansard roof
- wood-look inoperable overhead door
- decorative pvc medallion

- pvc window sill, painted
- aluminum windows with insulated tinted glass
- 5-1/4" tilt-up concrete recessed panel

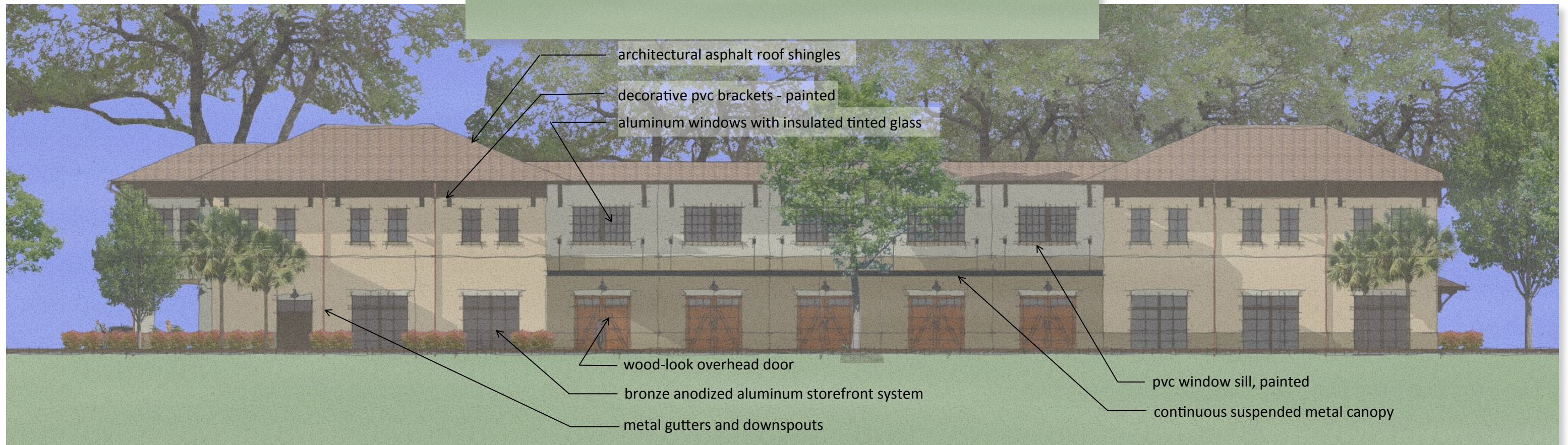
southeast elevation



northeast elevation



- architectural asphalt roof shingles
- decorative pvc brackets - painted
- painted accent band
- aluminum windows with insulated tinted glass
- 7- 1/4" tilt-up concrete panels, painted
- bronze anodized aluminum storefront system
- painted wainscot



- architectural asphalt roof shingles
- decorative pvc brackets - painted
- aluminum windows with insulated tinted glass

- wood-look overhead door
- bronze anodized aluminum storefront system
- metal gutters and downspouts

- pvc window sill, painted
- continuous suspended metal canopy

northwest elevation



scheme 'b'

rollins facilities services building



north view



scheme 'b'

rollins facilities services building



east view





screen wall

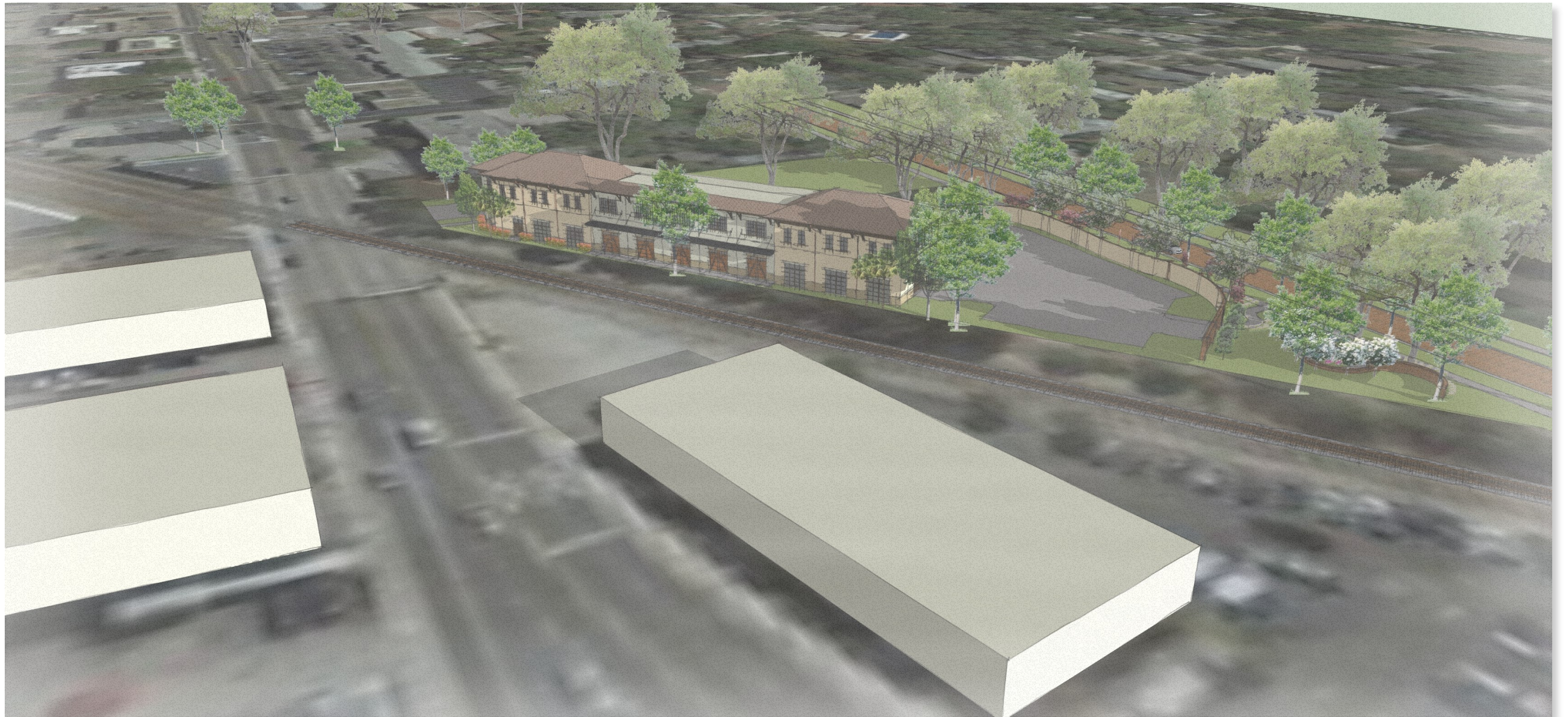




screen wall

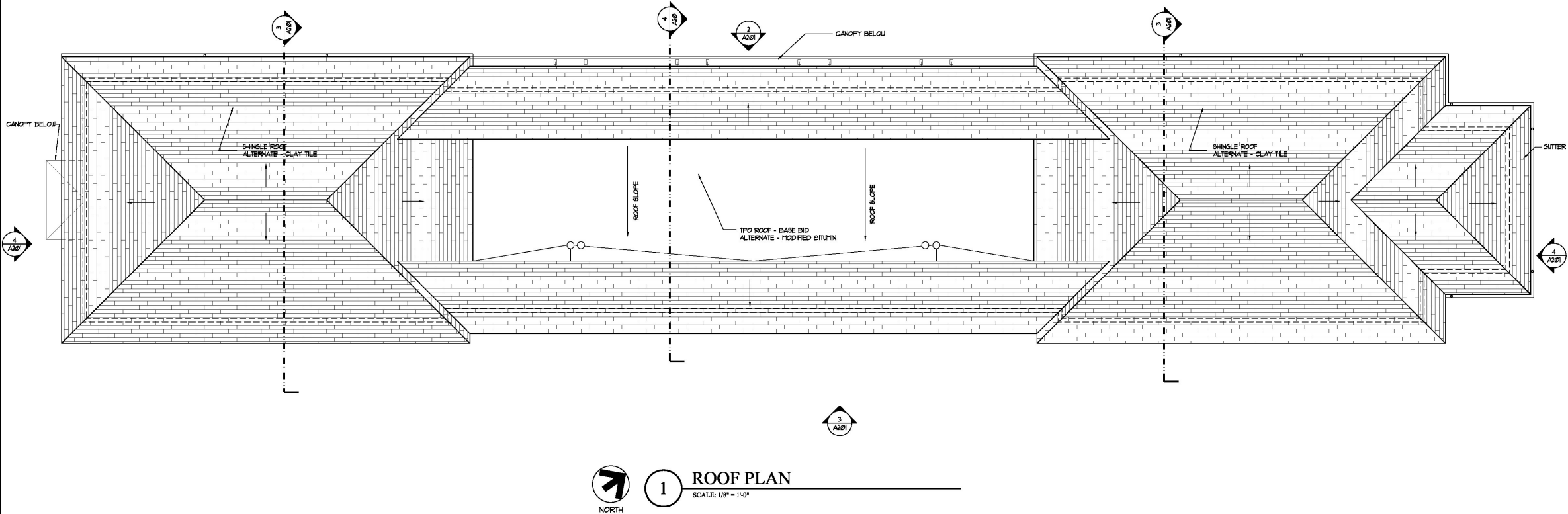






bird's eye view





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

roof plan

Rev	Date	Description	By

**POULOS & BENNETT, LLC**  
Poulos & Bennett, LLC  
2600 E. Livingston St., Orlando, FL 32803  
Tel: 407.487.2394 www.poulosandbennett.com  
Reg. Prof. No. 28567

**PENINSULA ENGINEERING INC.**  
1001 N. 10th St., Suite 200  
Maitland, FL 32751  
Tel: 407.672.3802  
Fax: 407.672.3802  
www.peninsulaeng.com

**bec structures llc**  
540 Lane Path Circle, Maitland, FL 32751  
407.592.2884  
Fax: 407.592.2882  
www.becarchitects.com

**ROLLINS COLLEGE  
FACILITIES SERVICES BUILDING**  
1000 Holt Avenue  
Winter Park, FL 32789

**ROOF PLAN**

DRAWN MC	CHECKED NBB
PROJECT NUMBER 1704	
DRAWING NUMBER <b>A-131</b>	
DATE 09-08-17	







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

**Staff Report  
October 3, 2017**

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REQUEST OF CONDEV LAND LLC TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM AN INSTITUTIONAL FUTURE LAND USE DESIGNATION TO A MEDIUM DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION ON THE FIRST CHURCH OF CHRIST SCIENTIST PROPERTY AT 650 NORTH NEW YORK AVENUE, IN ORDER TO MATCH THE EXISTING MULTI-FAMILY (R-3) ZONING.

REQUEST OF CONDEV LAND LLC FOR: SUBDIVISION APPROVAL TO DIVIDE OR SPLIT THE 2.38 ACRES OF THE FIRST CHURCH OF CHRIST SCIENTIST PROPERTY AT 650 NORTH NEW YORK AVENUE TO CREATE A NORTHERN PARCEL OF 1.43 ACRES TO BE PURCHASED BY CONDEV LAND LLC FOR USE AS A FEE SIMPLE 16 UNIT TOWNHOUSE PROJECT AND TO CREATE A SOUTHERN PORTION OF 0.95 ACRES TO BE RETAINED FOR POTENTIAL RECONSTRUCTION OF THE FIRST CHURCH OF CHRIST SCIENTIST.

REQUEST OF CONDEV LAND LLC FOR: CONDITIONAL USE APPROVAL TO CONSTRUCT A FEE SIMPLE, THREE STORY, RESIDENTIAL TOWNHOUSE PROJECT OF 16 UNITS IN EIGHT SEPARATE TWO-UNIT DUPLEX BUILDINGS WITH AN AVERAGE INDIVIDUAL TOWNHOUSE UNIT SIZE OF APPROXIMATELY 4,700 SQUARE FEET AND A TOTAL COMBINED TOTAL PROJECT SIZE FOR THE EIGHT SEPARATE DUPLEX BUILDINGS OF 68,394 SQUARE FEET, ON PROPERTY ZONED R-3.

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Condev Land, LLC (prospective purchaser) is requesting the following:

1. Change of the Comprehensive Plan Future Land Use designation to Medium Density Residential at 650 North New York Avenue, to match the existing Multi-Family (R-3) zoning.
2. Subdivision approval to divide/split 2.28 acres of the First Church of Christ Scientist property at 650 North New York Avenue to create a northern parcel of 1.43 acres to be purchased by Condev Land, LLC, and leave the remaining 0.95 acres to be retained for potential reconstruction of the First Church of Christ Scientist.
3. Conditional Use for a three-story, 16-unit residential townhouse project.

**Site and Zoning Parameters:** The entire 650 North New York Avenue property measures 2.28 acres, and is zoned Medium Density Residential (R-3). The divided/split property that Condev Land, LLC is purchasing to develop the townhomes is the north 62,292-square feet (1.43 acres) which is about 63% of the overall site. Based on 17/units per acre maximum density, this permits the 16 units proposed.

The Future Land Use designation of the entire property is Institutional, which was based on the use of the property as a church. To be consistent with the R-3 zoning and proposed multi-family development, the applicant is also requesting that the Future Land Use designation be changed to Medium Density Residential for the portion they are purchasing.



**Proposed Project:** These 16 new units will be developed as eight separate, three-story, two-unit duplex buildings. The individual townhome unit size is approximately 4,700-square feet, which yields a total project size of 68,394-square feet and a floor area ratio (FAR) of 110%, which is the maximum permitted in R-3 for three-story buildings. The project has 25,080 square feet of building lot coverage, which is at the code maximum of 40%. The maximum impervious coverage is 70%, and this project is at 69% (42,960 square feet).

The R-3 zoning code states that the maximum building height is 35 feet. The project is proposing a roof height of 35 feet, with exceptions for the chimneys and an additional one foot six inches for mechanical screening bringing the overall height to 36 feet six inches. The R-3 zoning code is silent to allowances for mechanical screening, so the excess height for the mechanical screening requires a variance. However, staff is in support of this small variance.

The applicable policy in the Comprehensive Plan that relates to this project with regard to building heights, is shown below:

**Policy 1-5.4.6: Promote Appropriate Scale and Height for Medium Density Multi-Family Development.** Except within the Central Business District geographical area, multi-family residential development within areas designated Medium Density Residential shall not exceed two stories in height unless approved via conditional use by the City Commission. In addition, such third floors must be entirely contained within a sloping roof having a maximum 12:12 roof slope.

This policy means that except within the Central Business District geographical area, multi-family residential development within areas designated R-3, shall not exceed two stories in height unless approved via conditional use by the City Commission, which is why this request involves a conditional use. This site is just north of the CBD boundary. In addition, such third floors must have a maximum 12:12 roof slope (45 degree angle) for the third floor. This project achieves the intent of this policy to not have vertical three-story walls with an alternative method of compliance. Starting at the second floor eave height, the project is setback at a 45 degree angle, with terracing and enhanced setbacks for the third floor, such as in wedding cake manner, for the third floor walls facing streets or other properties. When the roof slope height reaches the maximum roof height, then the project is utilizing a flat roof. Staff feels that this alternative method achieves the same intent of the Comprehensive Plan policy. The design staggers and provides a wedding cake like setback for the third floors that eliminate the three story vertical walls that was intended by this Policy.

As is typical, the City looks at the details of the electric transformers/backflow preventers and trash bin areas, with special attention needs to be paid to the placement of these items and how they can be screened from view. This is often difficult since they are required to be up at street front locations. Currently, these elements are proposed to be internal to the project and screened from the street or surrounding properties. As these plans are not final engineering drawings, if these items were to be moved to a location where they were visible from the street or adjacent properties, this would quickly diminish the visual appeal of the development. There are conditions recommended to address these circumstances.



**Traffic Circulation/Parking:** Parking is being provided per Code (two and a half spaces per unit) via two-car garages for each unit, and eight parallel spaces on the south side of the property. The applicant is also creating seven parallel spaces within the City right-of-way along Whipple Avenue for additional visitor parking above the code requirements. The access for the garages for these townhomes is via an internal driveway.

**Tree Preservation:** The project is attempting to save as many oak trees as possible throughout the project. As you can see on the site plan, the internal driveway accessed from New York Avenue is pinched at the entrance to save an existing 18" oak. Several other oak trees on the edges of the project are also being preserved. The applicant has provided a preliminary landscape schedule for compensation of the trees to be removed and added landscaping.

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

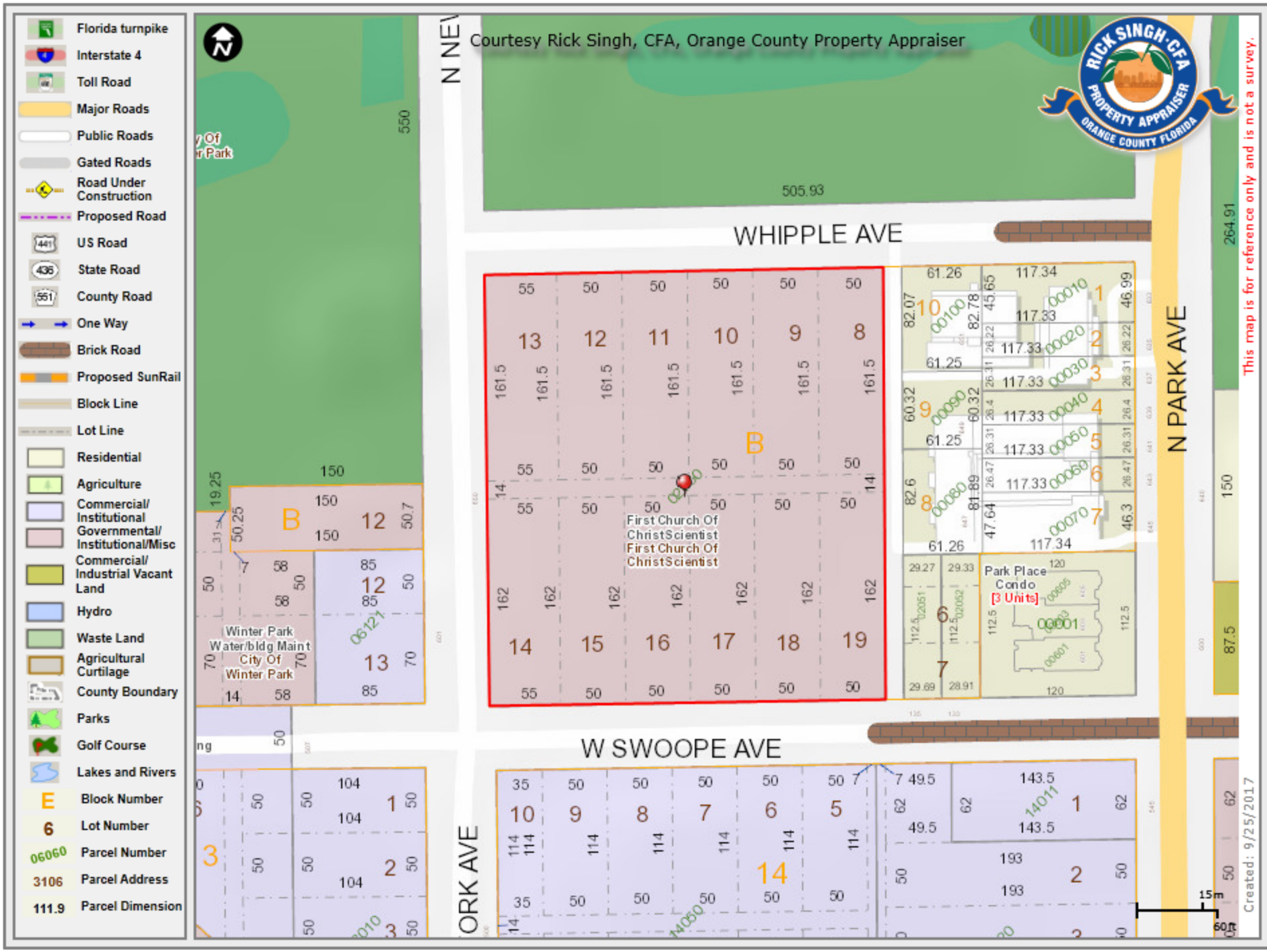
**Other Approvals:** This project is intended to be developed as fee simple townhouses pursuant to a replat (not as a condominium). To the extent that a "subdivision approval" is required, then this process provides that approval. This fee simple/replat marketing approach is what is occurring on most multi-family residential projects in today's market environment.

**Staff Analysis of the Conditional Use Request:** The key word within our Conditional Use code standards is "compatibility". This project is located on the edge of the downtown Winter Park area, adjacent to the Winter Park golf course. It provides an adequate transition from the downtown area to the more residential area to the north, and has an attractive architectural appearance that is compatible with the surrounding properties. It is very similar in density and height to the townhouse project now under construction, to the east, at 633-651 North Park Avenue.

**STAFF RECOMMENDATION IS FOR APPROVAL of the Future Land Use Amendment, Subdivision re-plat for fee simple ownership, and Conditional Use with the following condition:**

1. That any electric transformers/backflow preventers, or trash bins shall be located where not visible from a public street or adjacent properties, and shall also be landscaped so as to be effectively screened from view.







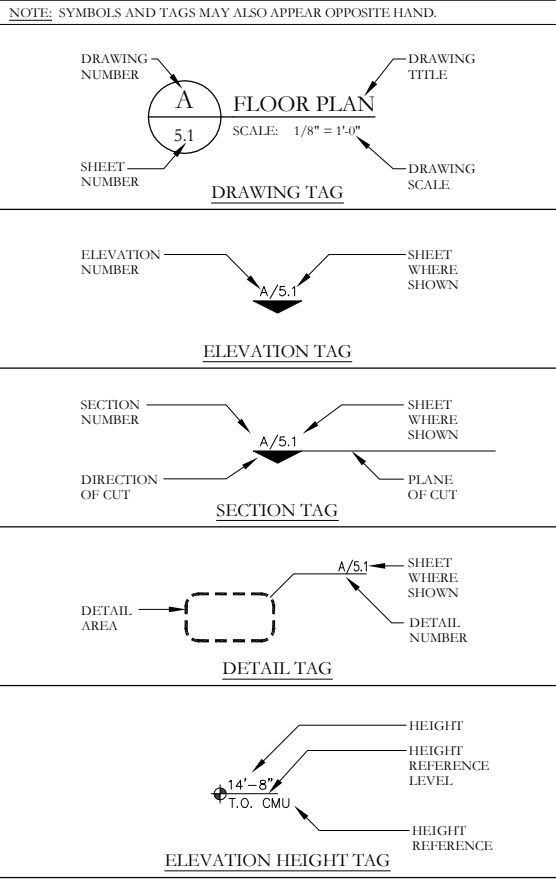
DEVELOPMENT PLAN  
FOR  
CONDEV CONDITIONAL USE APPROVAL



<div><div>ACi</div><div>DEVELOPMENT MANAGEMENT ARCHITECTURE 407.740.8405 FL REG. AA0002940</div></div>	<div>ARCHITECTURE</div> <div>ACI ARCHITECTS, Inc. 955 North Pennsylvania Avenue Winter Park, Florida 32789 Tel. (407) 740-8405 FL AA0002940</div>	<div>CIVIL ENGINEERS</div> <div>AVCON, INC. 5555 East Michigan Street, Suite 200 Orlando, Florida 32822 Tel. (407) 599-1122 Auth. No. 5057</div>			<div>CONDEV</div> <div>650 N. New York Ave., Winter Park, FL</div>	OWNER : CONDEV PROPERTIES CORPORATION 1270 North Orange Avenue Winter Park, Florida 32789 (407) 679-1748	
	<div>LANDSCAPE ARCHITECT</div> <div>LAND DESIGN, INC. 100 S. Orange Avenue Orlando, FL 32701 (407) 270-7800</div>	<div>SURVEYOR</div> <div>IRELAND &amp; ASSOCIATES SURVEYING, INC. 1301 S. International Pkwy. Suite 2001 Lake Mary, Florida 32746 Tel. (407) 678-3366</div>				DATE:	SHEET NUMBER:
						09.06.2017	0.0
						REVISION:	
SHEET NAME:						COVER PAGE	



ARCHITECTURAL SYMBOLS & TAGS:



DRAWING INDEX:

PAGE #	
0.0	COVER PAGE
1.1	DRAWING INDEX & LEGENDS
1.2	GENERAL INFORMATION
C-000	COVER SHEET - CIVIL
V-100	PROJECT SURVEY
C-100	DEMOLITION PLAN
C-200	SITE AND GEOMETRY PLAN
C-201	TURNING PLAN
C-202	TURNING PLAN
C-300	DRAINAGE AND GRADING PLAN
C-400	UTILITY PLAN
2.1	ARCHITECTURAL SITE PLAN - FIRST LEVEL
2.2	ARCHITECTURAL SITE PLAN - SECOND LEVEL
2.3	ARCHITECTURAL SITE PLAN - THIRD LEVEL
4.1	STREET ELEVATIONS
5.1	EXTERIOR FINISHES
5.2	ENLARGED NORTH ELEVATION
5.3	ENLARGED EAST ELEVATION
5.4	ENLARGED SOUTH ELEVATION
5.5	ENLARGED WEST ELEVATION
5.6	RENDERED ELEVATIONS
5.7	RENDERING
5.8	RENDERING
5.9	RENDERING
6.1	SECTIONS
7.0	CONCEPTUAL SITE PLAN
7.1	IMAGERY - SITE ELEVATIONS
7.2	IMAGERY - SITE ELEVATIONS
7.3	LANDSCAPE SCHEDULE AND IMAGERY
7.4	EXISTING TREE EXHIBIT

THE DETERMINATION OF THE POINT OF MEASUREMENT FOR BUILDING HEIGHT:  
THE POINT OF MEASUREMENT FOR THE PROJECT BUILDINGS HAS BEEN CALCULATED BASED UPON THE STREET FRONTAGE ALONG WHIPPLE AVENUE.

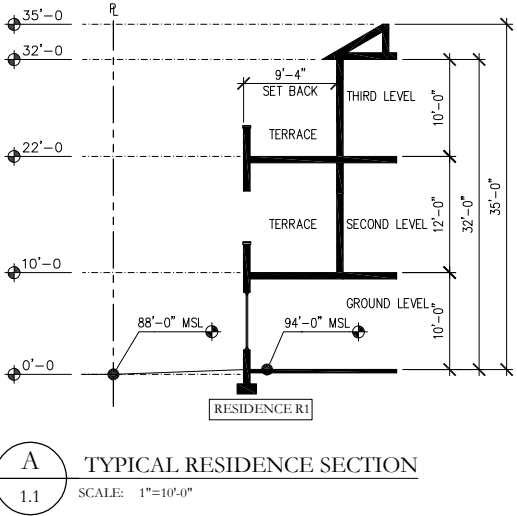
THE AVERAGE ELEVATION ALONG THE PROPERTY LINE ALONG WHIPPLE AVENUE FRONTAGE HAS BEEN DETERMINED BASED UPON THE COLLECTED FIELD MEASUREMENTS AS SHOWN IN THE SURVEYING DATA FROM HENRICH-LUKE AND SWAGGERTY, LLC.

THE 4 RESIDENTIAL BUILDINGS FRONT WHIPPLE AVENUE.

FOR THE PURPOSES OF THIS SUBMISSION - 93.6' MSL IS BEING USED AS THE PROJECT BENCHMARK ELEVATION FOR SETTING THE FLOOR ELEVATIONS FOR EACH BUILDING.

ABBREVIATIONS:

T.O.	TOP OF
MSL	MEAN SEA LEVEL
ℙ	PROPERTY LINE
DIM.	DIMENSION
TYP.	TYPICAL
AVE.	AVENUE
LN.	LANE



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CONDEV  
650 N. New York Ave., Winter Park, FL

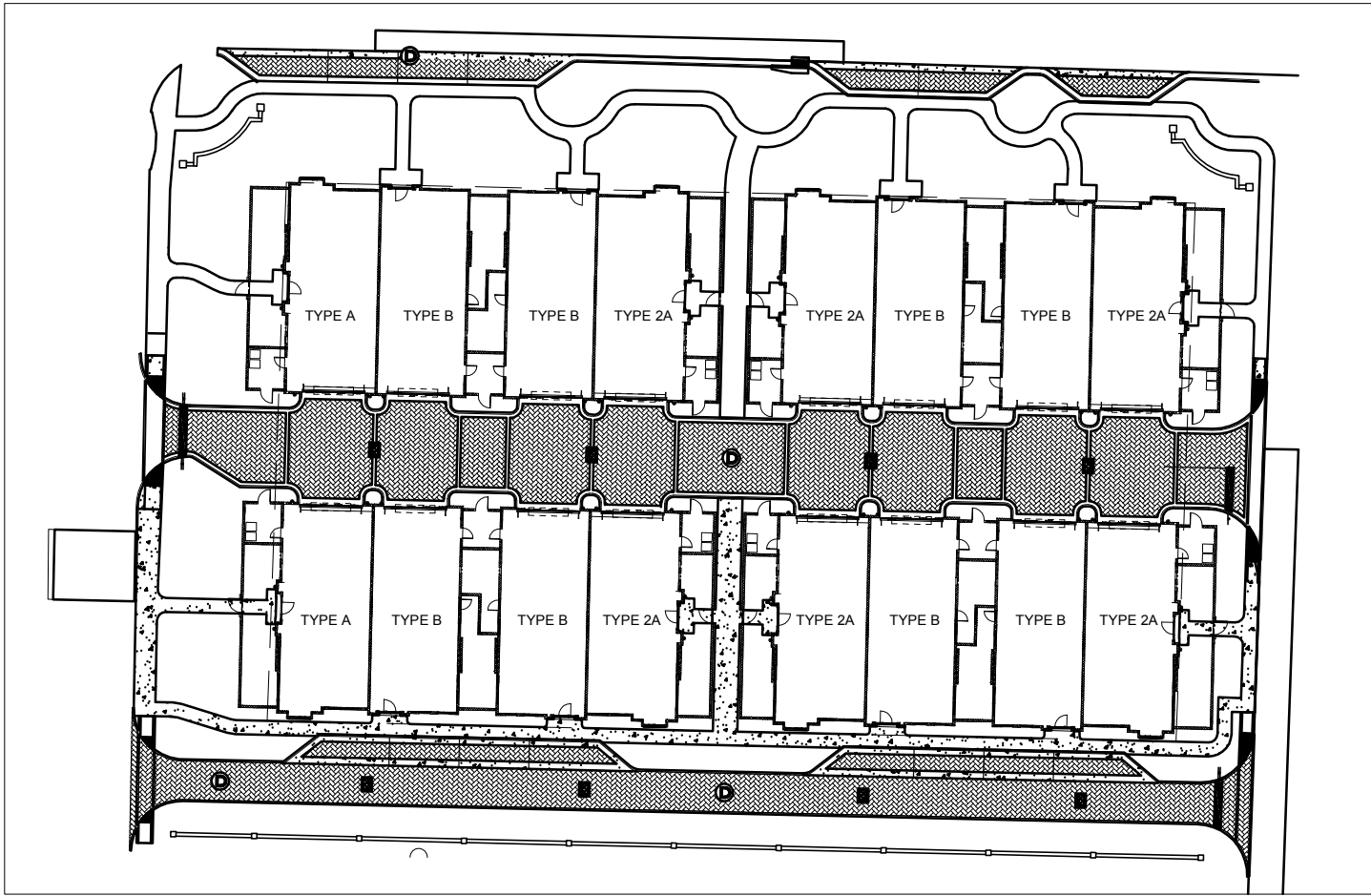
SHEET NAME:

DRAWINGS INDEX & LEGENDS

OWNER :  
CONDEV PROPERTIES  
CORPORATION  
1270 North Orange Avenue  
Winter Park, Florida 32789  
(407) 679-1748

DATE: 09.06.2017  
REVISION: 09/04/07  
SHEET NUMBER: 1.1





KEY PLAN  
SCALE: 1/16" = 1'-0"

APPLICABLE CODE REQUIREMENTS:

PROPERTY AREAS

LOT	AREAS	
	ACREAGE	SQ.FT.
LOT 1		62,292.1
TOTAL	1.43 ACRES	62,292.1

ALL AREAS SHALL BE VERIFIED BY SURVEYOR AT FINAL PLAT SUBMISSION

ZONING CURRENT W.P. L.D.C.

CURRENT ZONING	R-3 MEDIUM DENSITY MULTIFAMILY RESIDENTIAL
ALLOWABLE F.A.R.	1.10 - MULTIFAMILY
PROPOSED USE	MEDIUM DENSITY MULTI-FAM. RESIDENTIAL
MAXIMUM HEIGHT (STORIES)	2 - 3 / CONDITIONAL USE
MAXIMUM HEIGHT (FEET)	2 STORIES 30' / 3 STORIES 35'
MINIMUM LOT SIZE	15,000 MULTI-FAMILY
MINIMUM LOT SIZE/UNIT	2,500 MULTI-FAMILY
MINIMUM LOT WIDTH	100' MULTI-FAMILY
MAX- BUILDING COVERAGE	40% MULTI-FAMILY
MAX- IMPERVIOUS COVERAGE	70% MULTI-FAMILY
MINIMUM BUILDING SETBACKS	
FRONT YARD (NORTH)	25'-0" MULTI-FAMILY
SIDE YARD - INTERIOR (EAST)	20'-0" MULTI-FAMILY
SIDE YARD - MAJOR STREET (WEST)	25'-0" MULTI-FAMILY
REAR YARD 2 + STORIES (SOUTH)	25'-0" MULTI-FAMILY

BUILDING AREAS & USE

ALL AREAS ARE GROSS SQUARE FEET

BUILDING TYPE	1ST FLOOR		2ND FLOOR		3RD FLOOR		TOTAL AREAS	# UNITS	GROUND FLOOR AREA	TOTAL PROJECT AREA
	USE	AREA	USE	AREA	USE	AREA				
TYPE A	RESIDENTIAL /GARAGE	1,586	RESIDENTIAL	1,576	RESIDENTIAL	1,429	4,591	2	3,156	8,518
TYPE A-2	RESIDENTIAL /GARAGE	1,586	RESIDENTIAL	1,759	RESIDENTIAL	1,538	4,883	6	9,468	25,644
TYPE B	RESIDENTIAL /GARAGE	1,549	RESIDENTIAL	1,542	RESIDENTIAL	1,460	4,551	8	12,268	34,232
							TOTAL	16	24,888	68,394

\*GROSS SQ. FT. CALCULATION (INCLUDE ALL AREAS WITHIN EXTERIOR WALLS AND FULLY COVERED PORCHES.

BUILDING CODE ANALYSIS

PER FLORIDA BUILDING CODE 2014 & CITY OF WINTER PARK ORDINANCE

ALLOWABLE MULTI-FAMILY DEVELOPMENT DENSITY	17 PER ACRE / 1 UNIT PER 2,500 SQ. FT. 17 X 1.43 = 24 UNITS 62,292.1 / 2,500 = 25 UNITS * F.A.R. INCLUDES ATTACHED AND DETACHED GARAGES AND COVERED PORCHES. F.A.R. PER COMPREHENSIVE PLAN INDICATES. *THE MAXIMUM FLOOR AREA RATIOS OUTLINED ABOVE ARE NOT AN ENTITLEMENT AND ARE NOT ACHIEVABLE IN ALL SITUATIONS.
ALLOWABLE MAXIMUM FLOOR AREA RATIO (F.A.R.)	3 STORY DEVELOPMENT = 1.10 62,292.1 x 1.10 = 68,521.3 SQ. FT.
ALLOWABLE MAXIMUM BUILDING HEIGHT	3 STORY BUILDINGS IN R-3 DISTRICTS OUTSIDE OF THE CBD WILL REQUIRE 3RD FLOOR TO BE LOCATED WITHIN ROOF WITH A 12" 12 PITCH (VARIANCE, INCLUDING ONE FOR PROJECT ACROSS THE ALLEY, HAVE BEEN PROVIDED TO ALLOW STEEPER PITCH).
ALLOWABLE BUILDING LOT COVERAGE	MULTI-FAMILY 40% - 62,292.1 X 0.70 = 24,916.8 SQ. FT.
ALLOWABLE IMPERVIOUS COVERAGE	MULTI-FAMILY 70% - 62,292.1 X 0.70 = 43,604.5 SQ. FT. SEE SHEET C-200 ON IMPERVIOUS AREA CALCULATIONS

SITE LOCATED OUTSIDE THE WINTER PARK CBD DISTRICT AND OUTSIDE AREA REGULATED BY MAXIMUM HEIGHT MAP.

GENERAL NOTES & DEFINITIONS:

- WINDOWS ARE TO BE FIXED OR OPERABLE. MATERIALS SHALL MEET FLORIDA BUILDING CODE. ALL WINDOWS ARE TO BE SET BACK FROM THE FAÇADE A MINIMUM OF 1" TO FACE OF GLASS WITH SIMULATED DIVIDED LITE PATTERNS AS SHOWN.
- DOORS SHALL BE SOLID WOOD, FIBERGLASS OR METAL CLAD WOOD FRENCH STYLE DOOR SYSTEMS WITH SIMULATED DIVIDED LIGHTS (SAME AS WINDOWS) OR NO LIGHT. (SEE ELEVATIONS) DOORS WILL BE A COMBINATION OF FIXED IN SOME LOCATIONS AND OPERABLE IN OTHERS.
- BRACKETS SHALL BE, CAST STONE, PRE CAST CONCRETE, STAINED WOOD, PAINTED FRP, GFRP OR SIMULATED WOOD TRIM. (HIGH DENSITY POLYMER).
- ROOFS SHALL BE CLAY BARREL TILE.
- RAILINGS SHALL BE A COMBINATION OF METAL, TILE, AND GLASS. SITE WALLS SHALL BE BLOCK WITH STUCCO FINISH.
- BALCONIES ARE PROJECTING ALONG THE FAÇADE. NO BALCONY SHALL PROJECT OVER A PUBLIC WAY.
- ARCHITECTURAL MOULDINGS MAY BE HAND STRUCK RUN STUCCO MOULDING, FRP, GFRP, CAST STONE, ARCHITECTURAL PRE CAST OR HIGH DENSITY POLYMER.
- ARCHITECTURAL EMBELLISHMENTS INCLUDE INSET AND PROJECTING FRP AND CAST CONCRETE, INSET TILE MOSAICS, PANELS, METAL GRILLES, ETC. (SEE ELEVATIONS)
- ALL AREA CALCULATIONS ARE CALCULATED AS GROSS SQUARE FOOT AREAS AND BALCONIES, TERRACES
- THE DRIVE WAYS AND ALL GARDEN AREAS ARE PRIVATELY OWNED AND MAINTAINED.
- ALL ROOF ELEVATIONS ARE MEASURED TO THE TOP SURFACE OF THE UNDERLYING STRUCTURE. ROOFING MATERIALS, WHICH CAN VARY BY SEVERAL INCHES IN THICKNESS, ARE NOT INCLUDED IN THE OVERALL HEIGHT MEASUREMENT.

PARKING /CURRENT L.D.C.

USE	UNITS	FORMULA	SPACES REQUIRED
RESIDENTIAL UNITS	16 UNITS	2.5 x UNITS	40
TOTAL PARKING PROVIDED:			40

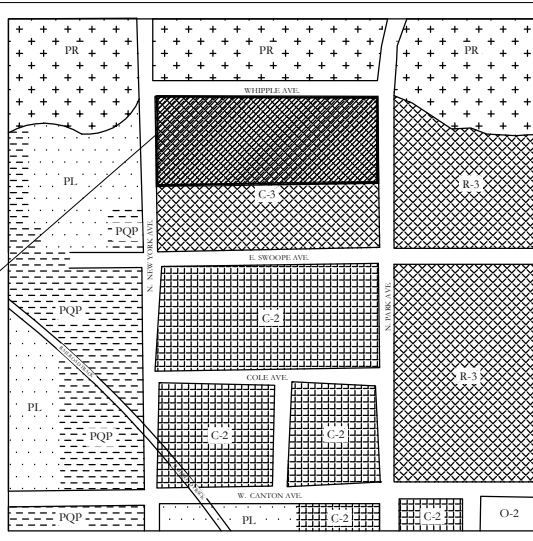
FLOOD ZONING

SITE IS LOCATED IN F.E.M.A. DESIGNATED AREA OF MINIMAL FLOOD HAZARD (ZONE X)



VICINITY MAP 650 NEW YORK AVE N. WINTER PARK, FL 32789

PROPOSED SITE



ZONING INFO.

NOT TO SCALE



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SHEET NAME:

CONDEV  
650 N. New York Ave., Winter Park, FL  
GENERAL INFORMATION

OWNER :  
CONDEV PROPERTIES  
CORPORATION  
1270 North Orange Avenue  
Winter Park, Florida 32789  
(407) 679-1748

DATE: SHEET NUMBER:

09.06.2017  
REVISION:  
1.2



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**AC*i***  
ASSOCIATED  
CONSULTING  
INTERNATIONAL

▲ ■ ●

DEVELOPMENT MANAGEMENT/ARCHITECTURE  
FL 3A0002940

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**AVCON**

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**ENGINEERS & PLANNERS**

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<b>Issues</b>			
<b>Revisions</b>			
<b>No.</b>	<b>Date</b>	<b>Issue/ Revision</b>	<b>By</b>

Phase: CIVIL CONCEPTUAL DESIGN  
Sheet Name:  
Sheet Name  
**COVER SHEET**  
  
SHEET NUMBER

C-000

**LOCATION MAP:**



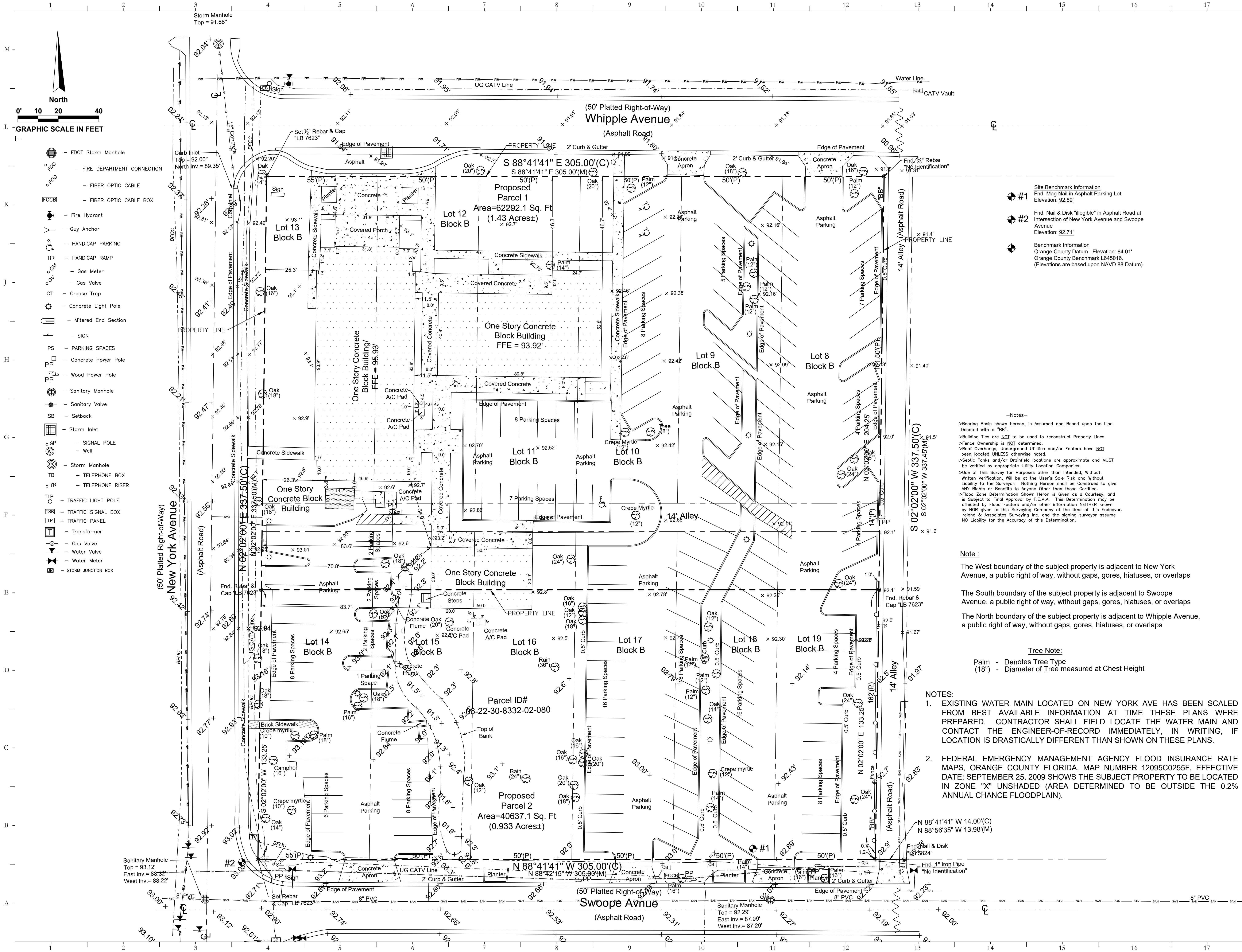
**FLOOD ZONE:** ZONE "X" UNSHADED AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).

NO.	DATE	DESCRIPTION	SHEETS

CONTAINING 40,637.1 SQUARE FEET (0.933 ACRES±)

**CONDEV COMPANIES**  
**1270 N. ORANGE AVENUE**  
**WINTER PARK, FL 32789**  
**(407) 679-3120**





- FDOT Storm Manhole
- FIRE DEPARTMENT CONNECTION
- FIBER OPTIC CABLE
- FIBER OPTIC CABLE BOX
- Fire Hydrant
- Guy Anchor
- HANDICAP PARKING
- HANDICAP RAMP
- Gas Meter
- Gas Valve
- Grease Trap
- Concrete Light Pole
- Mitered End Section
- SIGN
- PARKING SPACES
- Concrete Power Pole
- Wood Power Pole
- Sanitary Manhole
- Sanitary Valve
- Setback
- Storm Inlet
- SIGNAL POLE
- Well
- Storm Manhole
- TELEPHONE BOX
- TELEPHONE RISER
- TRAFFIC LIGHT POLE
- TRAFFIC SIGNAL BOX
- TRAFFIC PANEL
- Transformer
- Gas Valve
- Water Valve
- Water Meter
- STORM JUNCTION BOX

- Site Benchmark Information**
- #1 Fnd. Mag Nail in Asphalt Parking Lot Elevation: 92.89'
  - #2 Fnd. Nail & Disk "illegible" in Asphalt Road at Intersection of New York Avenue and Swoope Avenue Elevation: 92.71'
- Benchmark Information**
- Orange County Datum Elevation: 84.01'
  - Orange County Benchmark L645016 (Elevations are based upon NAVD 88 Datum)

**Notes:**

- >Bearing Basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB".
- >Building Ties are NOT to be used to reconstruct Property Lines.
- >Fence Ownership is NOT determined.
- >Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.
- >Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies.
- >Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Constructed to give ANY Rights or Benefits to Anyone Other than those Certified.
- >Flood Zone Determination Shown Hereon is Given as a Courtesy, and is Subject to Final Approval by FEMA. This Determination may be effected by Flood Factors and/or other information NEITHER known by NOR given to this Surveying Company at the time of this Endeavor. Ireland & Associates Surveying Inc. and the signing surveyor assume NO Liability for the Accuracy of this Determination.

**Note :**

The West boundary of the subject property is adjacent to New York Avenue, a public right of way, without gaps, gores, hiatuses, or overlaps

The South boundary of the subject property is adjacent to Swoope Avenue, a public right of way, without gaps, gores, hiatuses, or overlaps

The North boundary of the subject property is adjacent to Whipple Avenue, a public right of way, without gaps, gores, hiatuses, or overlaps

**Tree Note:**

Palm - Denotes Tree Type  
(18") - Diameter of Tree measured at Chest Height

- NOTES:**
- EXISTING WATER MAIN LOCATED ON NEW YORK AVE HAS BEEN SCALED FROM BEST AVAILABLE INFORMATION AT TIME THESE PLANS WERE PREPARED. CONTRACTOR SHALL FIELD LOCATE THE WATER MAIN AND CONTACT THE ENGINEER-OF-RECORD IMMEDIATELY, IN WRITING, IF LOCATION IS DRASTICALLY DIFFERENT THAN SHOWN ON THESE PLANS.
  - FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS, ORANGE COUNTY FLORIDA, MAP NUMBER 12095C0255F, EFFECTIVE DATE: SEPTEMBER 25, 2009 SHOWS THE SUBJECT PROPERTY TO BE LOCATED IN ZONE "X" UNSHADED (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).

CONDEV AT  
WINTER PARK, FLORIDA

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INTERNATIONAL

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FLA0002940

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FLORIDA

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MIKE KERNS, P.E.  
FL P.E. #70599

Issues			
No.	Date	Issue/ Revision	By

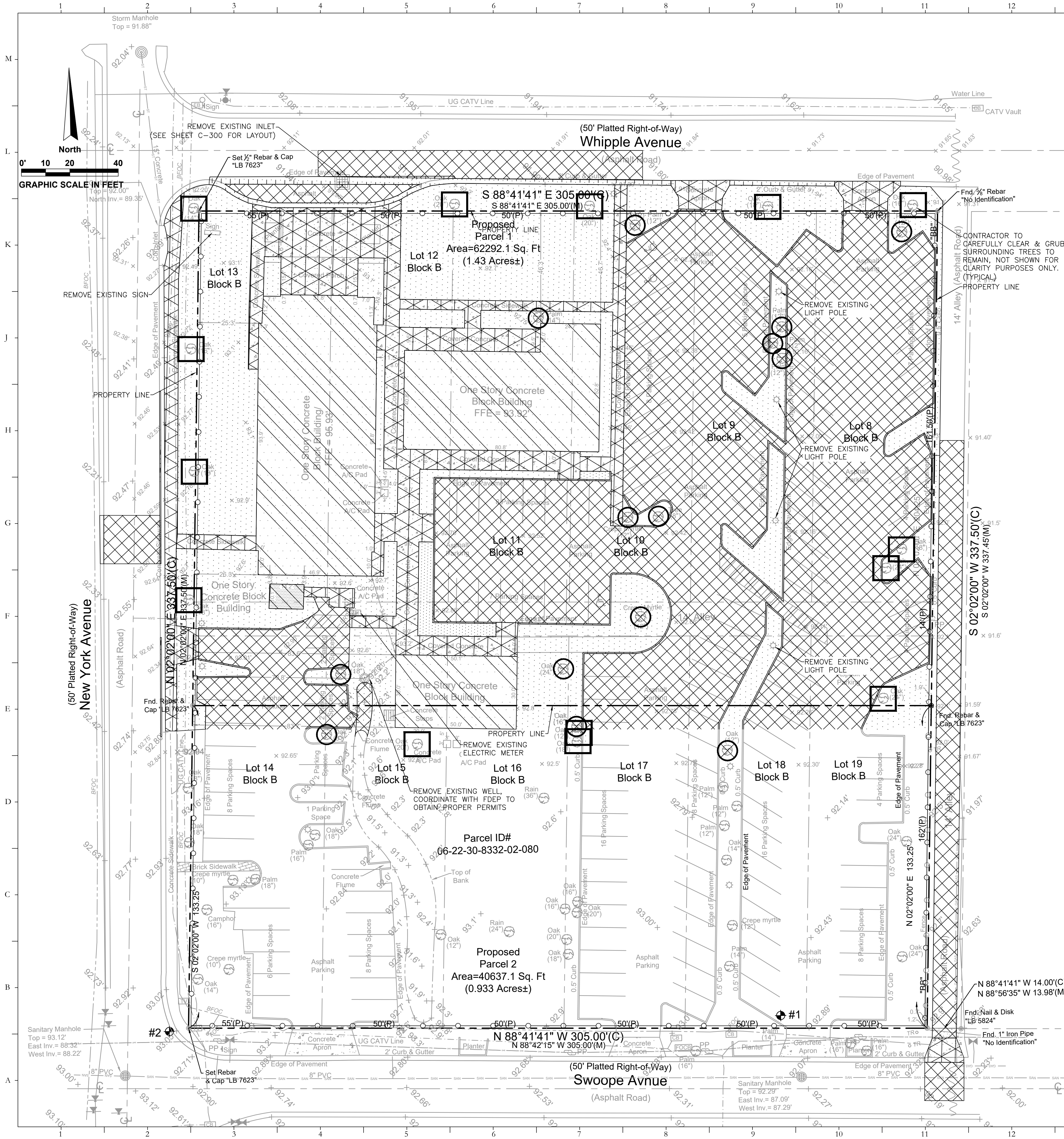
Revisions			
No.	Date	Issue/ Revision	By

Date: SEPTEMBER 6, 2017  
Checked By: MK  
Design By: MZ  
Drawn By: MZ  
Project No.: 2017.09.14

Phase: CIVIL CONCEPTUAL DESIGN  
Sheet Name:  
Sheet Name  
**PROJECT  
SURVEY**  
SHEET NUMBER

**V-100**





#### DEMOLITION NOTES:

1. CONTRACTOR TO COORDINATE WITH UTILITY COMPANIES PRIOR TO ANY CONSTRUCTION ACTIVITY FOR DIG PERMITS, ELECTRICAL PERMITS OR OTHER PERMITS AS APPLICABLE.
2. CONTRACTOR IS TO COORDINATE FULLY WITH UTILITY COMPANIES ON EXACT LOCATION OF UNDERGROUND UTILITIES PRIOR TO EXCAVATION.
3. ALL DEBRIS AND WASTE MATERIALS GENERATED BY DEMOLITION OR SUBSEQUENT CONSTRUCTION ACTIVITIES SHALL BE DISPOSED OFF-SITE IN A LEGAL MANNER AT AN APPROVED DISPOSAL FACILITY.
4. THE CONTRACTOR SHALL OBTAIN ANY AND ALL PERMITS REQUIRED FOR DEMOLITION, CONSTRUCTION WORK AND HAULING WASTE MATERIAL. ALL ASSOCIATED COSTS AND PERMIT FEES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
5. THE CONTRACTOR IS ADVISED THAT UNCHARTED UTILITIES MAY BE FOUND TO EXIST WITHIN THE CONSTRUCTION AREA AND THAT CONSTRUCTION OPERATIONS SHOULD BE CONDUCTED WITH CAUTION. PRIOR TO DEMOLISHING UTILITY LINES, CONTRACTOR SHALL VERIFY FLOW DIRECTIONS FROM EXISTING BUILDINGS WHICH ARE TO REMAIN.
6. REMOVE AND DISPOSE OF ALL EXISTING TREES PER THE DEMOLITION REQUIREMENTS, ALSO REFER TO DEMOLITION PLAN FOR TREES TO REMAIN UNDISTURBED.
7. CONTRACTOR IS RESPONSIBLE FOR PRODUCING A M.O.T. PLAN AND HAVING IT APPROVED BY THE CITY OF WINTER PARK PRIOR TO ANY OFF-SITE CONSTRUCTION.
8. TREE PROTECTION IS REQUIRED FOR ALL TREES NOT SHOWN AS TO BE REMOVED; SEE TREE PROTECTION BARRICADE DETAIL.
9. ALL EXISTING UTILITIES LOCATED WITHIN THE CONSTRUCTION LIMITS, THAT SERVE THE EXISTING FACILITIES, SHALL BE CAPPED AND REMOVED BEFORE ANY NEW CONSTRUCTION SHALL BEGIN.
10. SEE LANDSCAPE AND DEMOLITION PLANS FOR TREE PROTECTION DETAILS.
11. CONTRACTOR SHALL ABANDON EXISTING SEPTIC TANKS AND WELLS PER THE FLORIDA ADMINISTRATIVE CODE; PERMITS SHALL BE OBTAINED FROM ORANGE COUNTY HEALTH DEPARTMENT.
12. DURING CONSTRUCTION, WHEN COMBUSTIBLES ARE BROUGHT ON TO THE SITE, ACCESS ROADS AND A SUITABLE TEMPORARY OR PERMANENT SUPPLY OF WATER, ACCEPTABLE TO THE FIRE DEPARTMENT, SHALL BE PROVIDED AND MAINTAINED IN ACCORDANCE WITH CHAPTER 16 OF THE NFPA 1, 2005 EDITION.

#### EROSION CONTROL NOTES:

1. SILT SCREENS AND TURBIDITY BARRIERS MUST REMAIN IN PLACE AND BE MAINTAINED IN GOOD CONDITION AT ALL LOCATIONS SHOWN UNTIL CONSTRUCTION IS COMPLETE, SOILS ARE STABILIZED AND VEGETATION HAS BEEN ESTABLISHED.
2. THE EROSION CONTROL MEASURES SHOWN HEREON ARE INTENDED AS MINIMUM STANDARDS.
3. ANY EROSION CONTROL REQUIRED BEYOND THAT SPECIFIED SHALL BE CONSIDERED AS INCLUDED WITHIN THIS CONTRACT.
4. ALL EROSION AND SEDIMENT CONTROL WORK SHALL CONFORM TO THE LOCAL WATER MANAGEMENT DISTRICT AND FLORIDA DEPT. OF ENVIRONMENTAL PROTECTION STANDARDS.
5. EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE PLACED PRIOR TO, OR AS THE FIRST STEP IN CONSTRUCTION. SEDIMENT CONTROL PRACTICES WILL BE APPLIED AS A PERIMETER DEFENSE AGAINST ANY TRANSPORTATION OF SILT OFF THE SITE.
6. SEDIMENT MATERIALS FROM WORK ON THIS PROJECT SHALL BE CONTAINED AND NOT ALLOWED TO COLLECT ON ANY OFF-PERIMETER AREAS OR IN WATERWAYS, THESE INCLUDE BOTH NATURAL AND MAN-MADE OPEN DITCHES, STREAMS, STORM DRAINS, LAKES, AND PONDS.
7. AN INSPECTOR, CERTIFIED BY THE STATE OF FLORIDA OR EXPERIENCED IN THE INSTALLATION AND MAINTENANCE OF EROSION CONTROLS, IS REQUIRED TO INSPECT THE EROSION AND SEDIMENTATION CONTROL MEASURES AS SHOWN ON THE APPROVED STORMWATER POLLUTION PREVENTION PLAN. INSPECTION REPORTS ARE TO BE COMPLETED ON THE WINTER PARK FORM ONCE EVERY WEEK AND AFTER EVERY RAINFALL EVENT OF 1" OR MORE DURING THE CONSTRUCTION PHASE. THESE REPORTS SHALL BE MADE AVAILABLE TO THE OWNER AT ANY TIME AND COPIES OF ALL OF THE INSPECTIONS SHALL BE SUBMITTED TO THE CITY PRIOR TO THE ISSUANCE OF A CERTIFICATE OF COMPLETION OR OCCUPANCY.
8. ALL MUD, DIRT OR OTHER MATERIALS TRACKED OR SPILLED ONTO EXISTING PUBLIC ROADS AND FACILITIES, DUE TO CONSTRUCTION, SHALL BE PROMPTLY REMOVED AND NOT ALLOWED TO REMAIN ON THE ROADWAY OVERNIGHT BY THE CONTRACTOR.
9. ALL PERMANENT SOIL EROSION CONTROL MEASURES FOR ALL SLOPES, CHANNELS, AND ANY DISTURBED LAND AREAS SHALL BE COMPLETED WITHIN 7 CALENDAR DAYS AFTER FINAL GRADING.
10. ALL TEMPORARY PROTECTION SHALL BE MAINTAINED UNTIL PERMANENT MEASURES ARE IN PLACE AND ESTABLISHED.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR: A. PREPARING FDEP NOTICE OF INTENT APPLICATIONS. (NOI & NOT) B. FDEP NOTICE OF INTENT APPLICATION FEES. C. PREPARING THE FDEP STORMWATER POLLUTION PREVENTION PLAN (SWPPP) D. SUBMITTAL OF THE FDEP NOTICE OF INTENT APPLICATIONS (NOI & NOT). THE NOI PERMIT MUST BE OBTAINED PRIOR TO COMMENCING WORK FOR THIS PROJECT.
12. CONTRACTOR SHALL FURNISH THE CITY OF WINTER PARK WITH A COPY OF THE NOI.
13. THE CONTRACTOR SHALL OBTAIN WATER MANAGEMENT DISTRICT NPDES PERMIT PRIOR TO COMMENCING WORK FOR THIS PROJECT.
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL DEWATERING PERMITS. PRIOR TO EARTH WORK OR CONSTRUCTION, THE CONTRACTOR SHALL PROVIDE A COPY OF THE COMPLETED FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NPDES NOTICE OF INTENT (NOI) FOR STORMWATER DISCHARGE FROM CONSTRUCTION ACTIVITIES TO THE ORANGE COUNTY ENVIRONMENTAL PROTECTION DIVISION, ATTENTION: NPDES ADMINISTRATOR. CONTRACTOR SHALL ALSO PROVIDE A COPY OF THE APPROVED NOI TO THE CITY OF WINTER PARK ENGINEERING DEPARTMENT PRIOR TO COMMENCING CONSTRUCTION.

#### LEGEND:

- FDOT TYPE III SILT FENCE
  - TREE TO BE REMOVED
  - CONSTRUCTION ENTRANCE
  - TREE PROTECTION BARRIER
  - CONCRETE TO BE REMOVED
  - CURB TO BE REMOVED
  - ASPHALT PAVEMENT TO BE REMOVED.
  - BUILDING TO BE REMOVED.
  - LIMITS OF CLEARING & GRUBBING
  - PROPERTY LINE
- Site Benchmark Information  
Fnd. Mag Nail in Asphalt Parking Lot  
Elevation: 92.89'
- Fnd. Nail & Disk "Illegible" in Asphalt Road at Intersection of New York Avenue and Swoope Avenue  
Elevation: 92.71'
- Benchmark Information  
Orange County Datum Elevation: 84.01'  
Orange County Benchmark L645016.  
(Elevations are based upon NAVD 88 Datum)

#### UTILITY NOTE:

1. EXISTING WATER MAIN LOCATED ON NEW YORK AVE HAS BEEN SCALED FROM BEST AVAILABLE INFORMATION AT TIME THESE PLANS WERE PREPARED. CONTRACTOR SHALL FIELD LOCATE THE WATER MAIN AND CONTACT THE ENGINEER-OF-RECORD IMMEDIATELY, IN WRITING, IF LOCATION IS DRASTICALLY DIFFERENT THAN SHOWN ON THESE PLANS.
2. CONTRACATOR TO COORDINATE THE REMOVAL OF EXISTING POWER SUPPLIED TO THE SITE, AND FACILITIES CONNECTED TO THE POWER SUPPLY, WITH CITY OF WINTER PARK AND UTILITY COMPANY.

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WINTER PARK, FLORIDA

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MIKE KERNS, P.E.  
FL P.E. #70599

#### Issues

Date: SEPTEMBER 6, 2017  
Checked By: MK  
Design By: MZ  
Drawn By: MZ  
Project No.: 2017.099.14

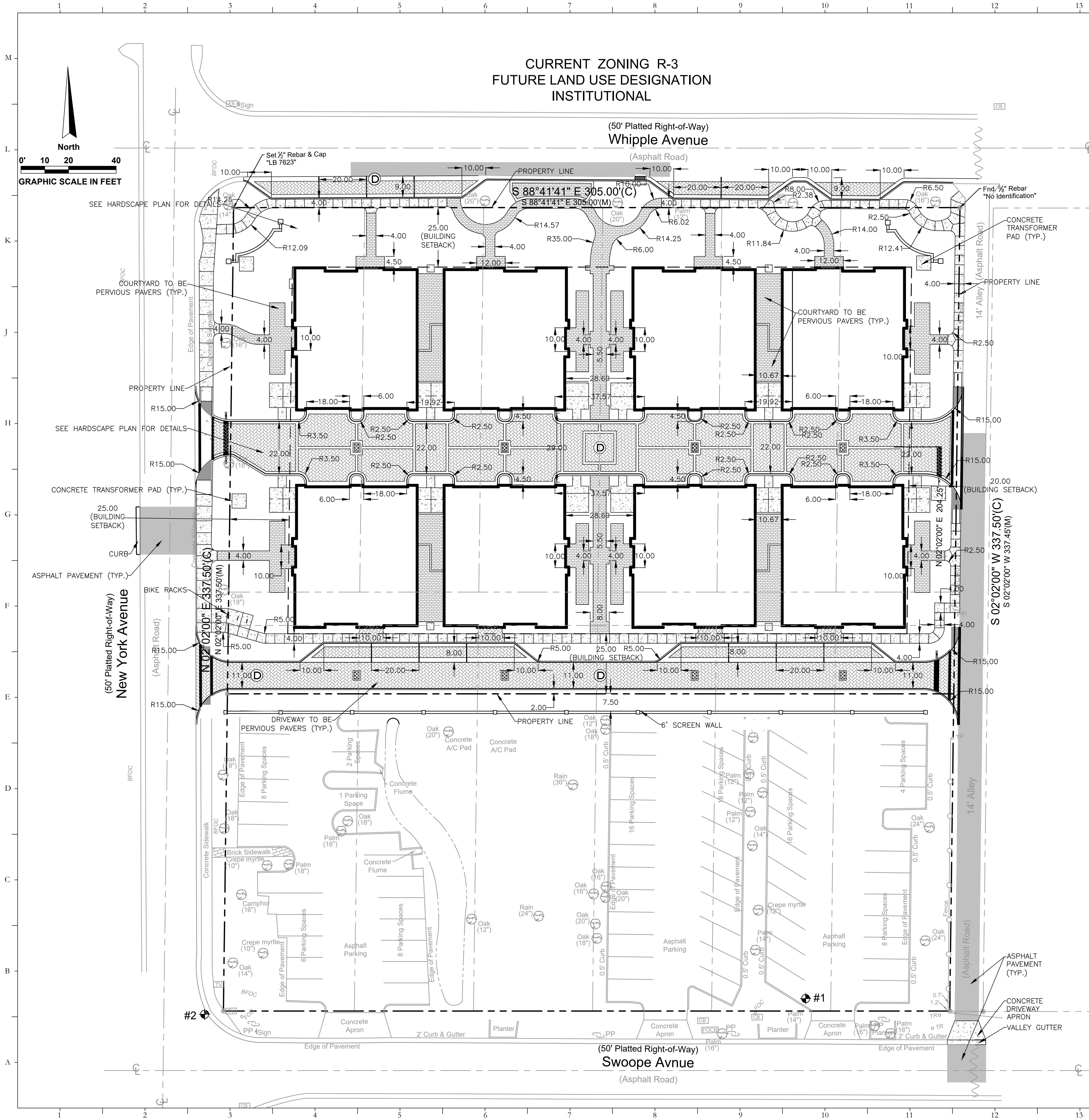
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Sheet Name:

Sheet Name  
**DEMOLITION  
PLAN**  
SHEET NUMBER

**C-100**



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ZONING METRICS	
CURRENT USE	PLACE OF WORSHIP
CURRENT ZONING	R-3 - MEDIUM DENSITY MULTIFAMILY RESIDENTIAL DISTRICT
FUTURE LAND USE DESIGNATION	INSTITUTIONAL
PROPOSED USE	MEDIUM DENSITY MULTIFAMILY RESIDENTIAL DISTRICT
PARK AVENUE CORRIDOR	OUTSIDE CORRIDOR
FLOOR AREA RATIO	F.A.R. (1.10 MAX ALLOWABLE)
F.A.R. ≤ 1.10	
GROSS BUILDING AREA	68,394 SQ. FT.
LOT AREA	62,292 SQ. FT.
	= 1.10 FAR
MINIMUM LOT SIZE	15,000 SF - MULTIFAMILY
STREET-FRONT SETBACK	25'
REAR YARD SETBACK	25'
SIDE YARD SETBACK	20'
MAX BUILDING HEIGHT	2-3 STORIES / CONDITIONAL USE 2 STORIES 30' / 3 STORIES 35'
IMPERVIOUS AREA	42,960 SF (69.0% - 70% MAX)
PERVIOUS AREA	19,332 SF (31.0% - 30% MIN)
TOTAL AREA	62,292 SF (100 %)
TOTAL GROSS SQUARE FOOT	
TYPE A (2 UNITS)	TYPE B (8 UNITS)
1ST FLOOR = 1,586 GSF/BLDG	1ST FLOOR = 1,549 GSF/BLDG
2ND FLOOR = 1,576 GSF/BLDG	2ND FLOOR = 1,542 GSF/BLDG
3RD FLOOR = 1,423 GSF/BLDG	3RD FLOOR = 1,460 GSF/BLDG
TOTAL = 4,591 GSF/BLDG	TOTAL = 4,551 GSF/BLDG
TYPE A-2 (6 UNITS)	
1ST FLOOR = 1,586 GSF/BLDG	
2ND FLOOR = 1,759 GSF/BLDG	
3RD FLOOR = 1,538 GSF/BLDG	
TOTAL = 4,883 GSF/BLDG	
TOTAL = 68,394 GSF	

- Site Benchmark Information
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Elevation: 92.89'
- #2 Fnd. Nail & Disk "illegible" in Asphalt Road at  
Intersection of New York Avenue and Swoope  
Avenue  
Elevation: 92.71'
- Benchmark Information  
Orange County Datum Elevation: 84.01'  
Orange County Benchmark L645016.  
(Elevations are based upon NAVD 88 Datum)

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Revisions			
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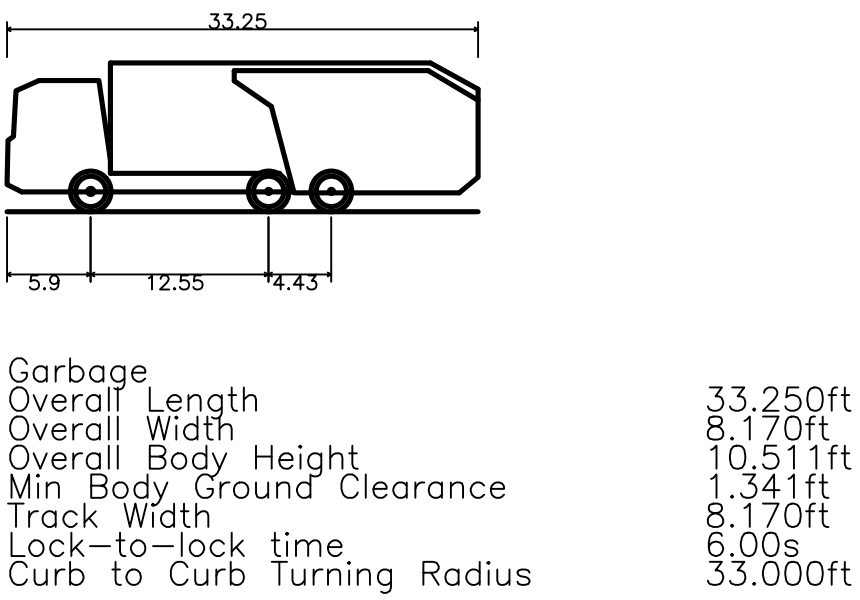
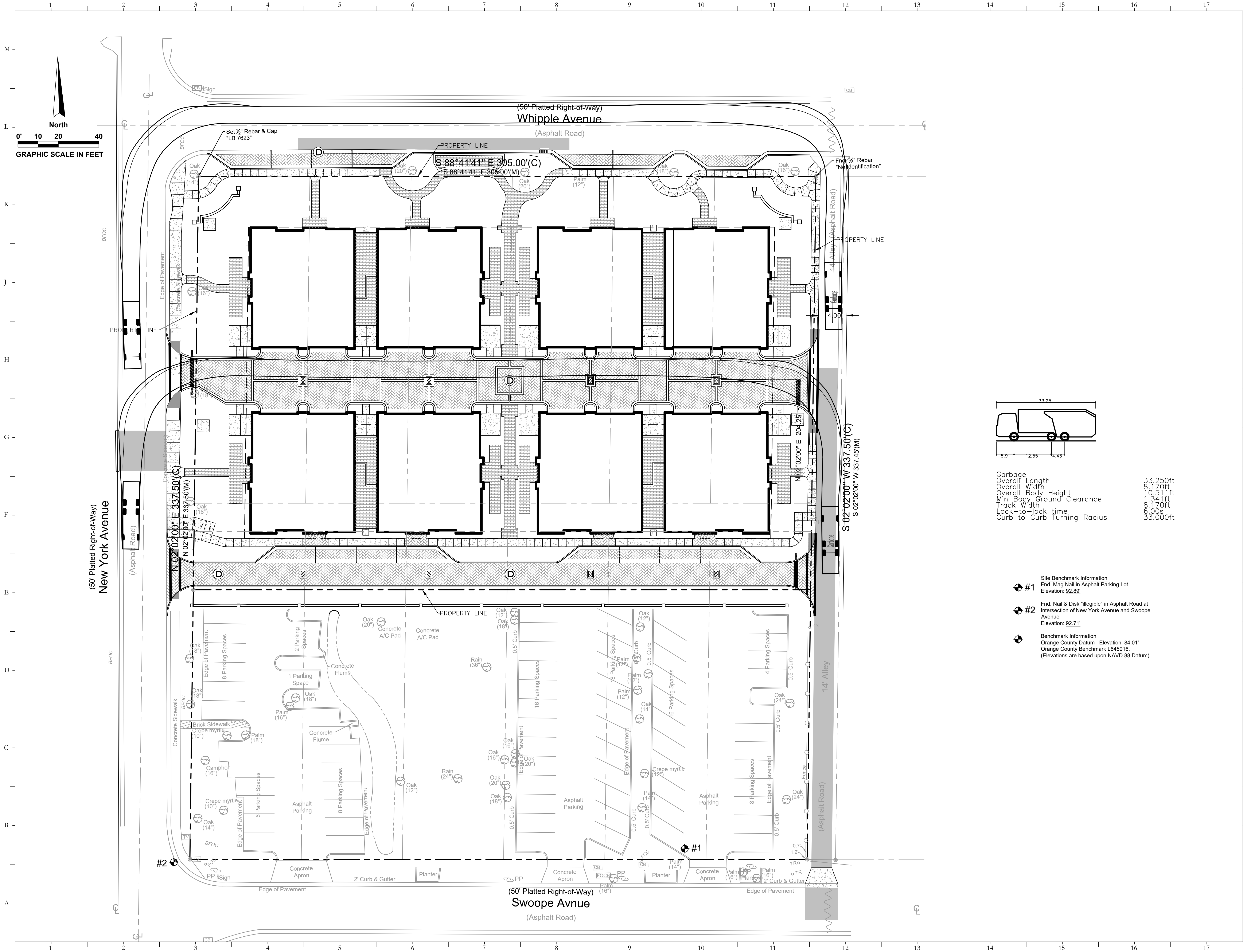
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Checked By: MK  
Design By: MZ  
Drawn By: MZ  
Project No.: 2017.099.14

Phase: CIVIL CONCEPTUAL DESIGN  
Sheet Name:  
**SITE &  
GEOMETRY PLAN**  
SHEET NUMBER

**C-200**



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- Site Benchmark Information**
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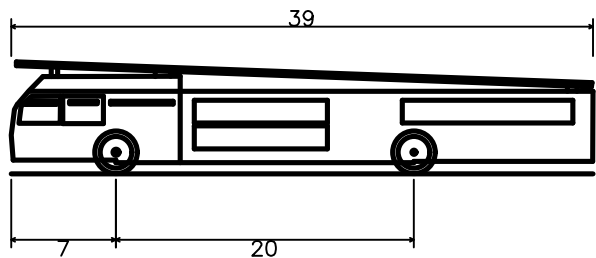
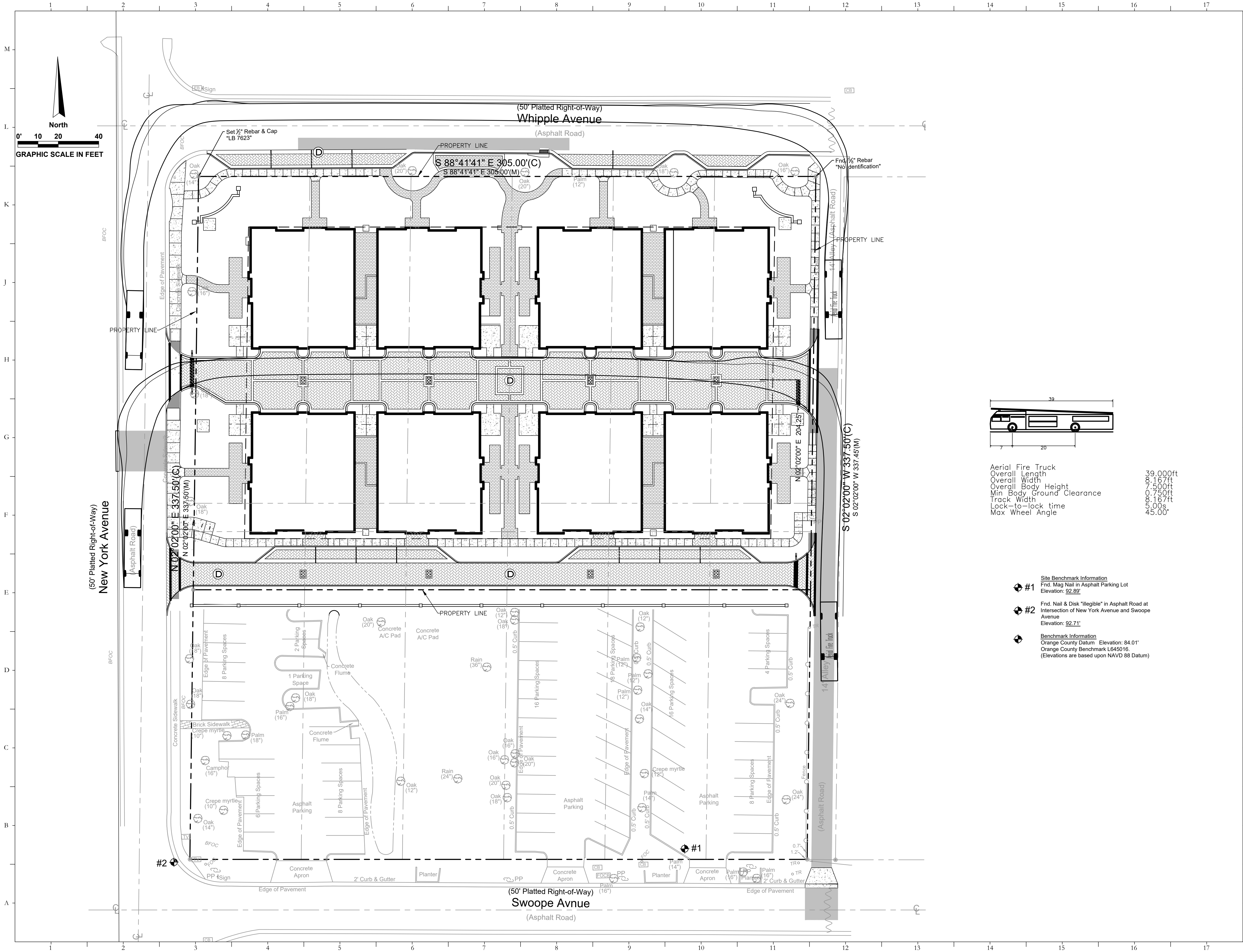
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Sheet Name:  
**SHEET NAME  
TURNING PLAN**

SHEET NUMBER  
**C-201**



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Aerial Fire Truck  
Overall Length 39.000ft  
Overall Width 7.167ft  
Overall Body Height 7.500ft  
Min. Body Ground Clearance 0.750ft  
Track Width 8.167ft  
Lock-to-lock time 5.00s  
Max. Wheel Angle 45.00°

- Site Benchmark Information**
- #1** Fnd. Mag Nail in Asphalt Parking Lot  
Elevation: **92.89'**
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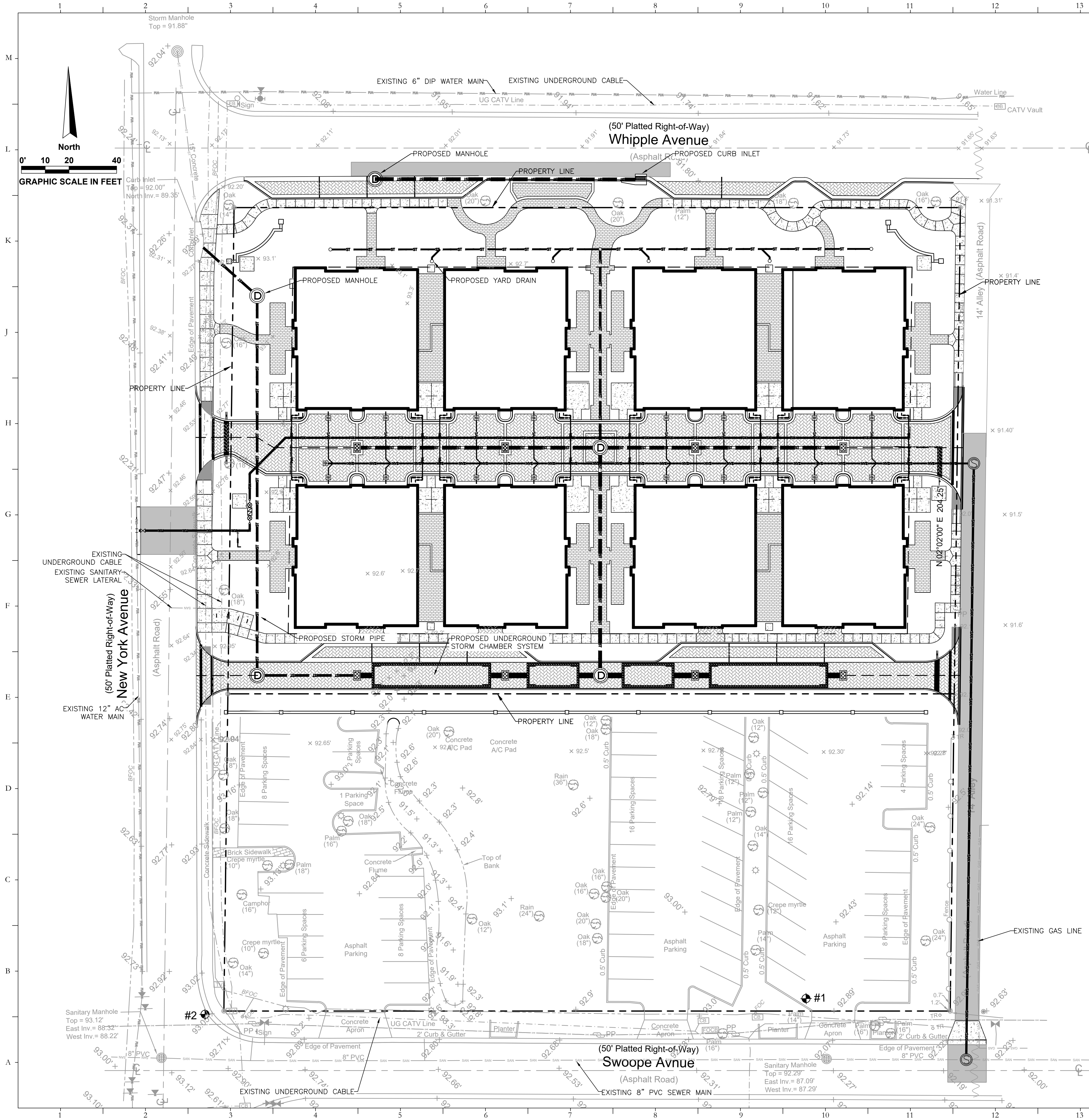
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Sheet Name:  
**SHEET NAME  
TURNING PLAN**

SHEET NUMBER  
**C-202**



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**LEGEND**

PROPOSED WATER LINE

EXISTING WATER LINE

PROPOSED SANITARY LINE

EXISTING SANITARY LINE

PROPOSED STORM PIPE

EXISTING STORM PIPE

PROPOSED DRAINAGE MANHOLE

EXISTING DRAINAGE MANHOLE

PROPOSED DRAINAGE INLET

PROPOSED CURB INLET

PROP. FIRE HYDRANT ASSEMBLY

PROPOSED GATE VALVE

PROPOSED SANITARY MANHOLE

EXISTING SANITARY MANHOLE

SAMPLE POINT

EXISTING SPOT ELEVATION

PROPOSED SPOT ELEVATION

- Site Benchmark Information**
- #1**  
Fnd. Mag Nail in Asphalt Parking Lot  
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- #2**  
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Elevation: **92.71'**
- Benchmark Information**  
Orange County Datum    Elevation: 84.01'  
Orange County Benchmark L645016.  
(Elevations are based upon NAVD 88 Datum)

UTILITY NOTE:  
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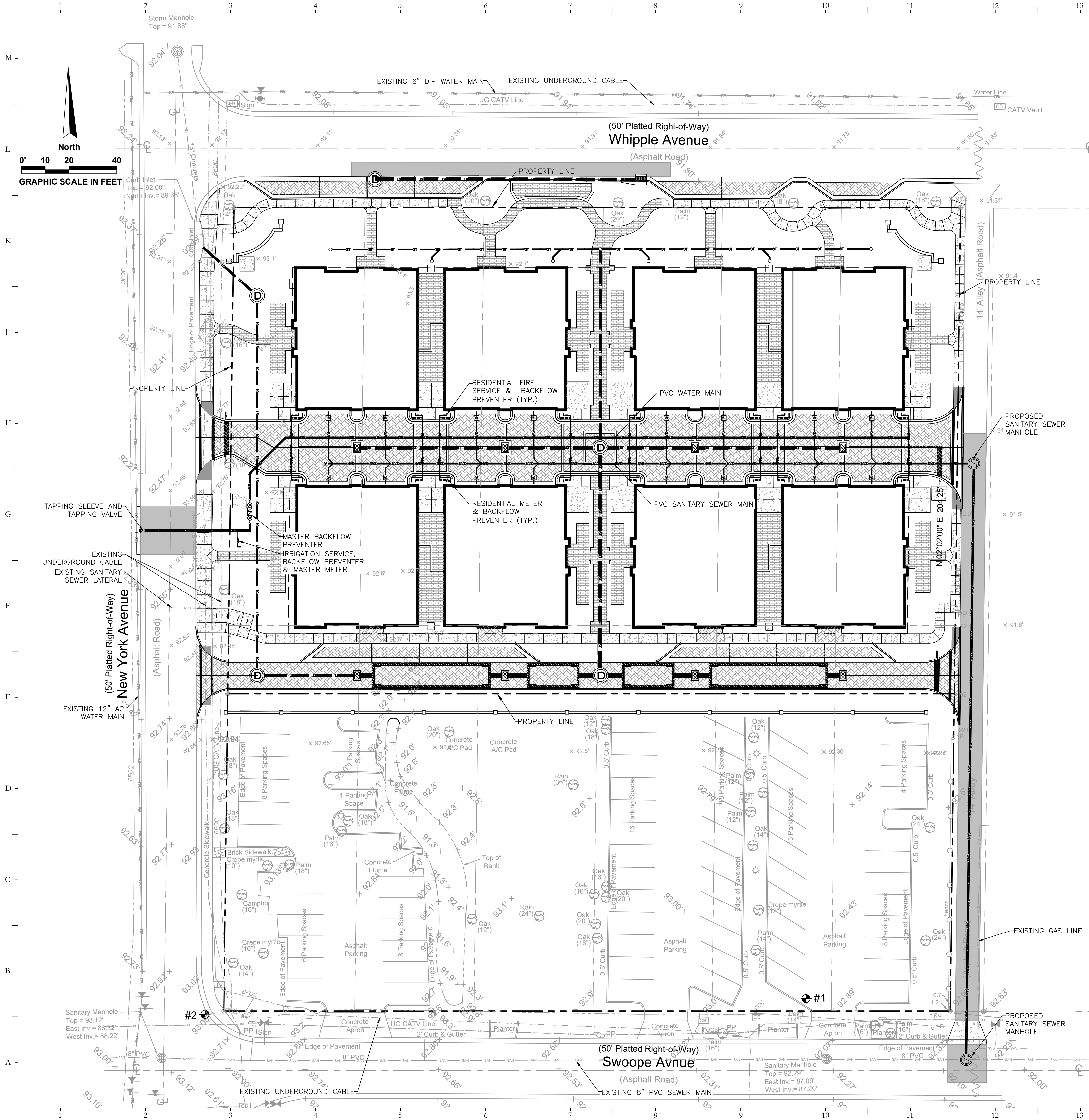
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Checked By: MK  
Design By: MZ  
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Phase: CIVIL CONCEPTUAL DESIGN  
Sheet Name:  
**DRAINAGE &  
GRADING PLAN**  
SHEET NUMBER  
**C-300**



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**LEGEND**

PROPOSED WATER LINE

EXISTING WATER LINE

PROPOSED SANITARY LINE

EXISTING SANITARY LINE

PROPOSED STORM PIPE

EXISTING STORM PIPE

PROPOSED DRAINAGE MANHOLE

EXISTING DRAINAGE MANHOLE

PROPOSED DRAINAGE INLET

PROPOSED CURB INLET

PROP. FIRE HYDRANT ASSEMBLY

PROPOSED GATE VALVE

PROPOSED SANITARY MANHOLE

EXISTING SANITARY MANHOLE

SAMPLE POINT

EXISTING SPOT ELEVATION

PROPOSED SPOT ELEVATION

**TYPICAL PIPE BENDS**

90° BEND

45° BEND

TEE

NOTE: ALL OTHER PIPE BENDS USED IN DESIGN OF THIS PROJECT ARE NOTED ON THE PLANS

- #1**

Site Benchmark Information  
Fnd. Mag Nail in Asphalt Parking Lot  
Elevation: **92.89'**
- #2**

Fnd. Nail & Disk "illegible" in Asphalt Road at Intersection of New York Avenue and Swoope Avenue  
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- Benchmark Information  
Orange County Datum    Elevation: 84.01'  
Orange County Benchmark L645016.  
(Elevations are based upon NAVD 88 Datum)

- UTILITY NOTE:
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2.

GAS COMPANY TO COORDINATE SERVICE EXTENSION TO THE SITE WITH MEP FOR DEMANDS, SIZES AND CONNECTION LOCATIONS.

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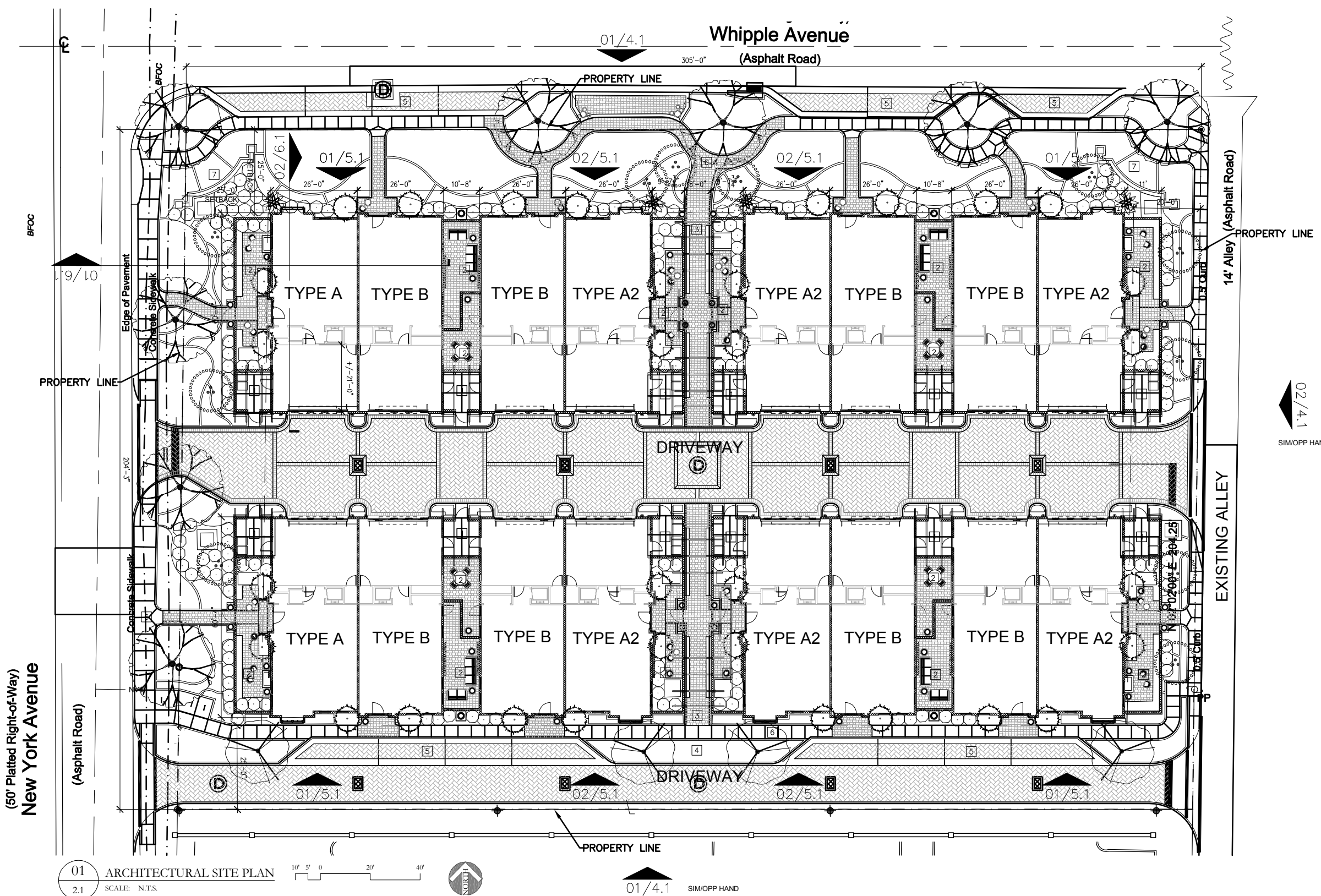
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Project No.: 2017.099.14

Phase: CIVIL CONCEPTUAL DESIGN  
Sheet Name:  
**Sheet Name  
UTILITY PLAN**

SHEET NUMBER  
**C-400**





- SITE PLAN KEY NOTES
- 1 EXTERIOR TRASH ENCLOSURE LOCATIONS TYP.
  - 2 PRIVATE EXTERIOR COURTYARD
  - 3 GATE LEADING TO PRIVATE COURTYARD ARBOR
  - 4 WATER FEATURE
  - 5 ON STREET PARKING SPACES
  - 6 SIDEWALK
  - 7 LANDSCAPE WALL (REF LANDSCAPE DWGS)

01 ARCHITECTURAL SITE PLAN  
2.1 SCALE: N.T.S.

01/4.1  
SIM/OPP HAND

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**LANDSCAPE ARCHITECT**  
LAND DESIGN, INC.  
100 S. Orange Avenue  
Orlando, FL 32701  
(407) 270-7800

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Tel. (407) 599-1122  
Auth. No. 5057

**SURVEYOR**  
IRELAND & ASSOCIATES  
SURVEYING, INC.  
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Lake Mary, Florida 32746  
Tel. (407) 678-3366

**CONDEV**  
650 N. New York Ave., Winter Park, FL

SHEET NAME:  
**ARCHITECTURAL SITE PLAN**

OWNER:  
CONDEV PROPERTIES  
CORPORATION  
1270 North Orange Avenue  
Winter Park, Florida 32789  
(407) 679-1748

DATE: 09.06.2017	SHEET NUMBER: <b>2.1</b>
REVISION:	

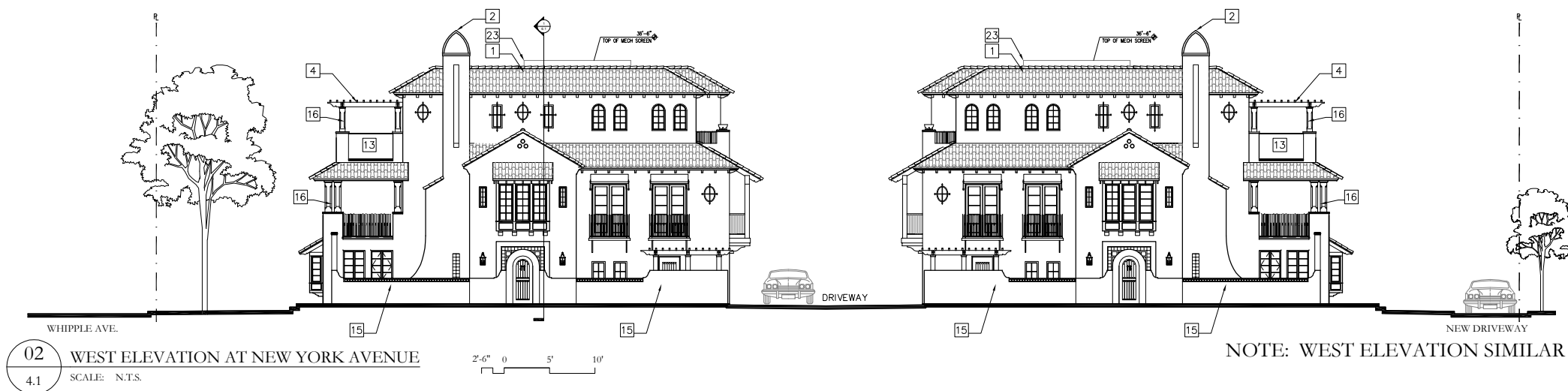
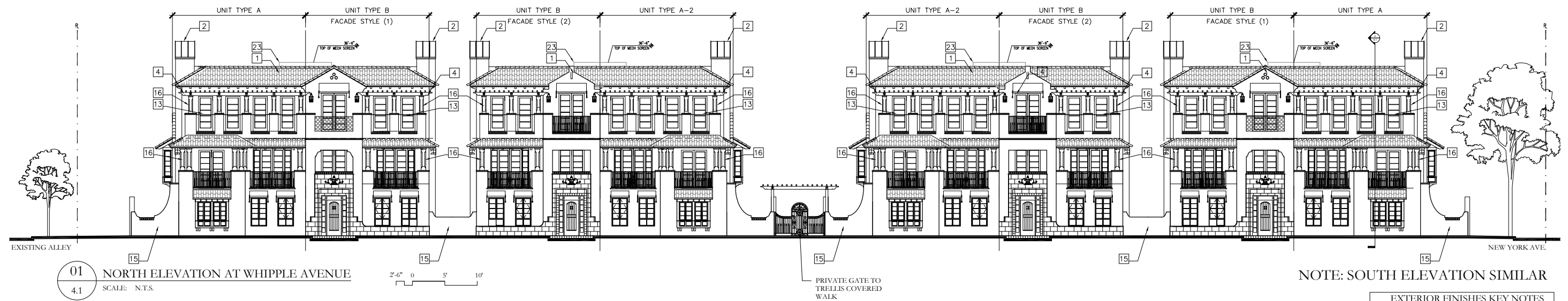












EXTERIOR FINISHES KEY NOTES	
1	CLAY BARREL ROOF TILE, VARIEGATED COLOR
2	CHIMNEY
3	STUCCO FINISH, TYPICAL
4	SIMULATED WOOD TRELLIS
5	GAS LANTERN
6	FABRIC AWNING
7	STONE, SIMULATED STONE OR SCORED STUCCO, SMOOTH FINISH
8	MEXICAN TILE SURROUND
9	MEXICAN TILE STEPS
10	CASEMENT WINDOWS
11	FRENCH DOORS
12	ENTRY DOOR
13	GLASS RAIL
14	PROJECTED BAY WINDOW
15	SITE WALL, STUCCO
16	STAINED WOOD, OR SIMULATED WOOD COLUMNS
17	CLAY TILE RAIL
18	METAL RAIL SYSTEM
19	CIRCULAR METAL RAIL TOP
20	PARTIAL BARREL TILE RAIL SYSTEM WITH MATCH TOP CAP
21	MEXICAN TILE
22	CUSTOM GARAGE DOOR
23	MECHANICAL SCREEN BEYOND
24	TRASH ENCLOSURE

NOTE: REFER TO ENLARGE ELEVATIONS FOR BUILDING HEIGHTS AND MATERIALS ON SHEET 6.1.

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	<div>LANDSCAPE ARCHITECT</div> <div>LAND DESIGN, INC. 100 S. Orange Avenue Orlando, FL 32701 (407) 270-7800</div>	<div>SURVEYOR</div> <div>IRELAND &amp; ASSOCIATES SURVEYING, INC. 1301 S. International Pkwy, Suite 2001 Lake Mary, Florida 32746 Tel. (407) 678-3366</div>		<div>SHEET NAME:</div>	<div>CONDEV</div> <div>650 N. New York Ave., Winter Park, FL</div>	<div>DATE:</div> <div>09.06.2017</div> <div>REVISION:</div>	<div>SHEET NUMBER:</div> <div>4.1</div>
					<div>STREET ELEVATION</div>		






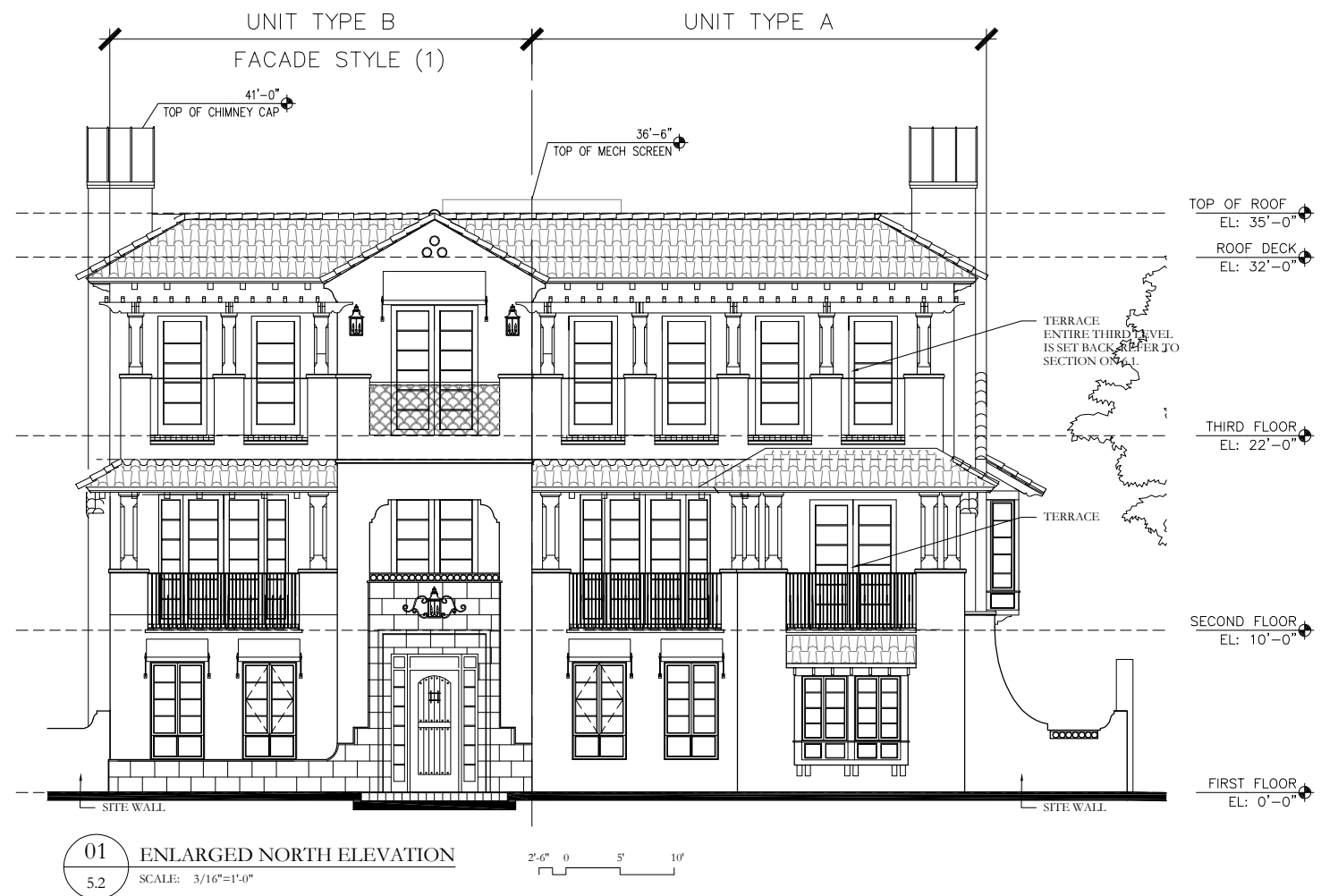
EXTERIOR FINISHES KEY NOTES	
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ELEMENTS OF ARCHITECTURAL STYLE



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	<b>LANDSCAPE ARCHITECT</b> LAND DESIGN, INC. 100 S. Orange Avenue Orlando, FL 32701 (407) 270-7800	<b>SURVEYOR</b> IRELAND & ASSOCIATES SURVEYING, INC. 1301 S. International Pkwy, Suite 2001 Lake Mary, Florida 32746 Tel. (407) 678-3366					DATE: 09.06.2017	SHEET NUMBER: 5.1
							REVISION:	

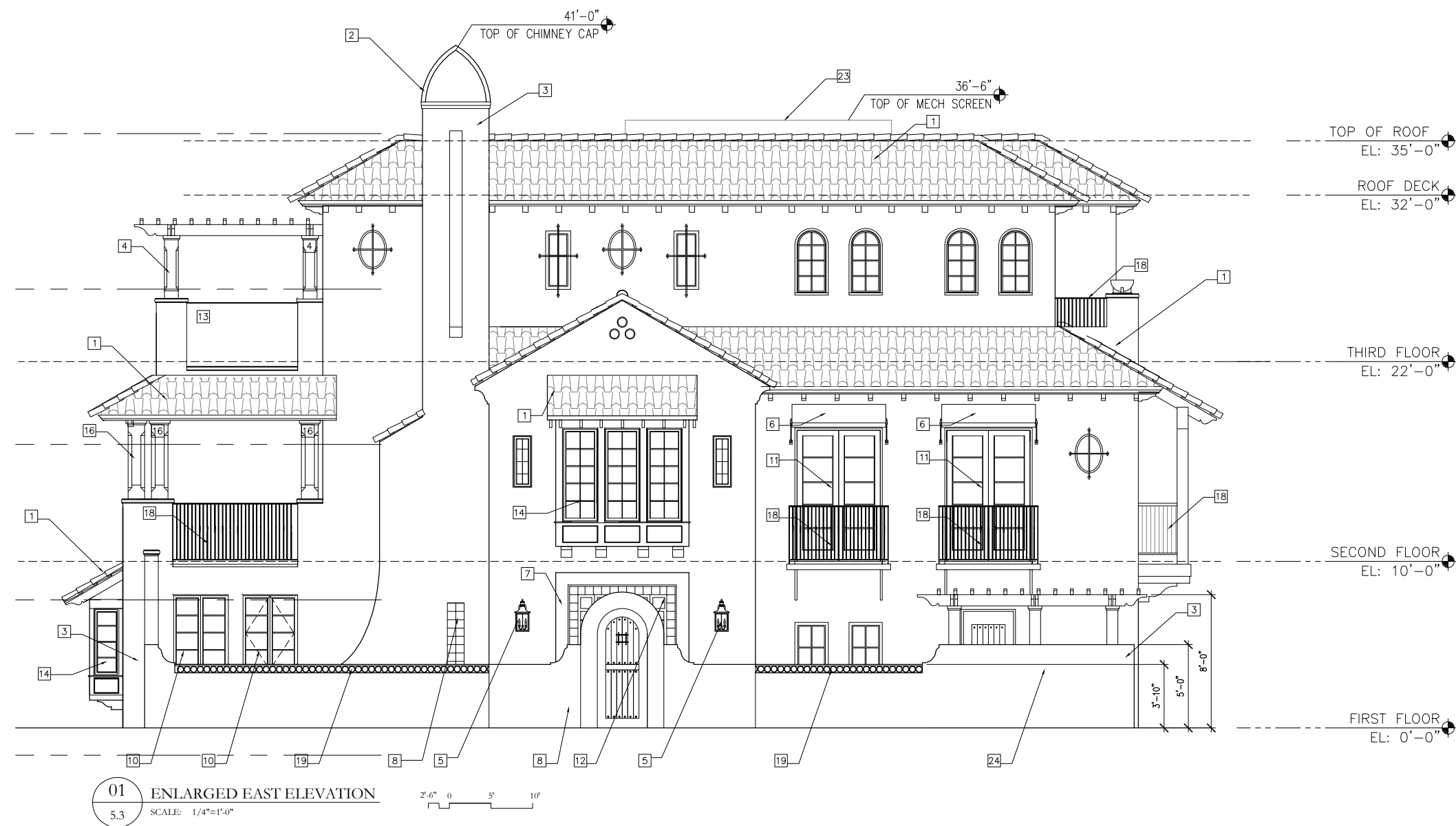




NOTE: REFER TO SHEET 5.1 FOR TYPICAL FINISH MATERIALS.

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						<div>REVISION:</div>	



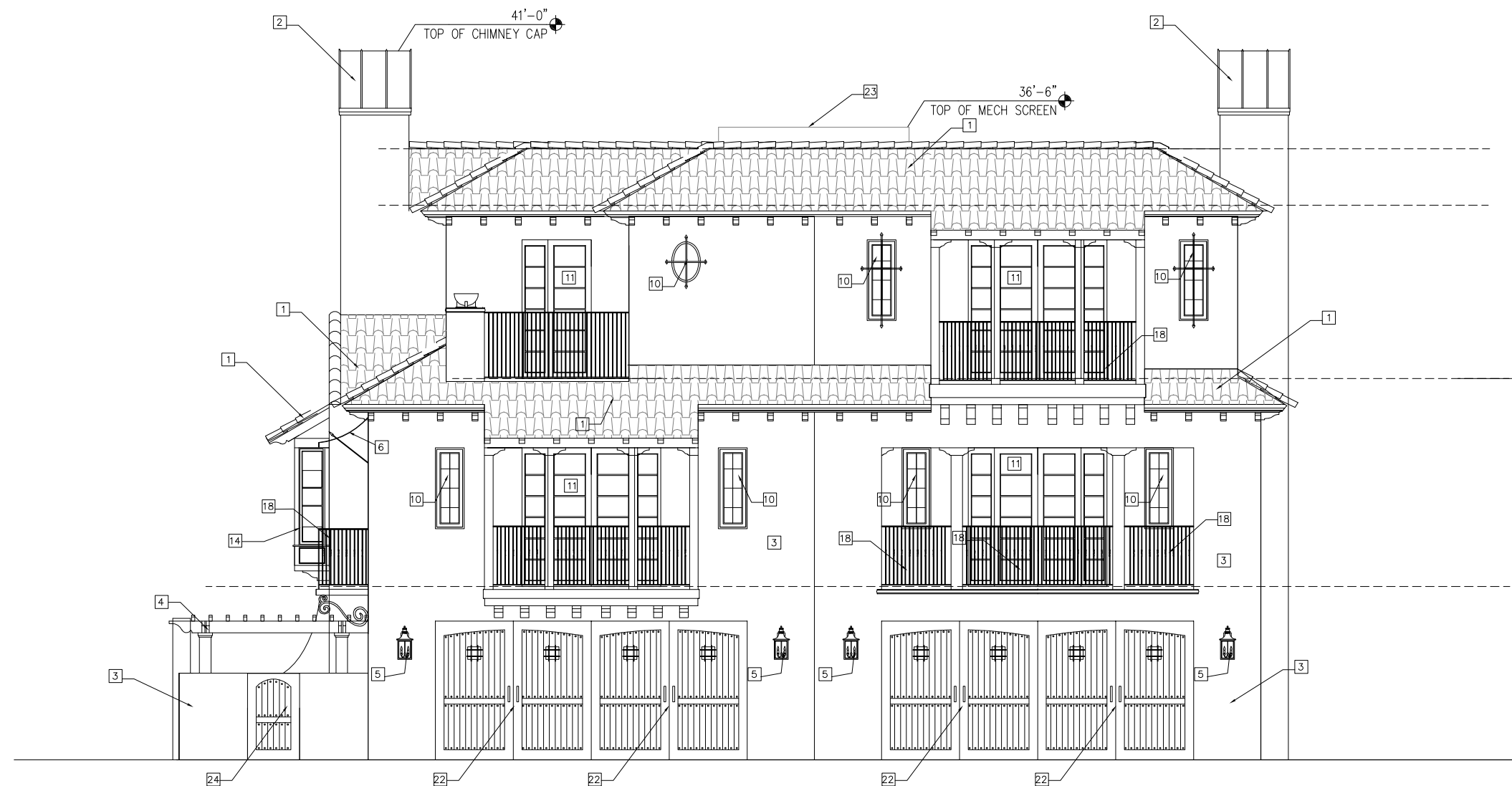


EXTERIOR FINISHES KEY NOTES	
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NOTE: REFER TO SHEET 5.1 FOR TYPICAL FINISH MATERIALS.

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01 ENLARGED SOUTH ELEVATION  
5.4 SCALE: 1/4"=1'-0"

2'-6" 0 5' 10'

EXTERIOR FINISHES KEY NOTES	
1	CLAY BARREL ROOF TILE, VARIEGATED COLOR
2	CHIMNEY
3	STUCCO FINISH, TYPICAL
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NOTE: REFER TO SHEET 5.1 FOR TYPICAL FINISH MATERIALS.



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**CONDEV**  
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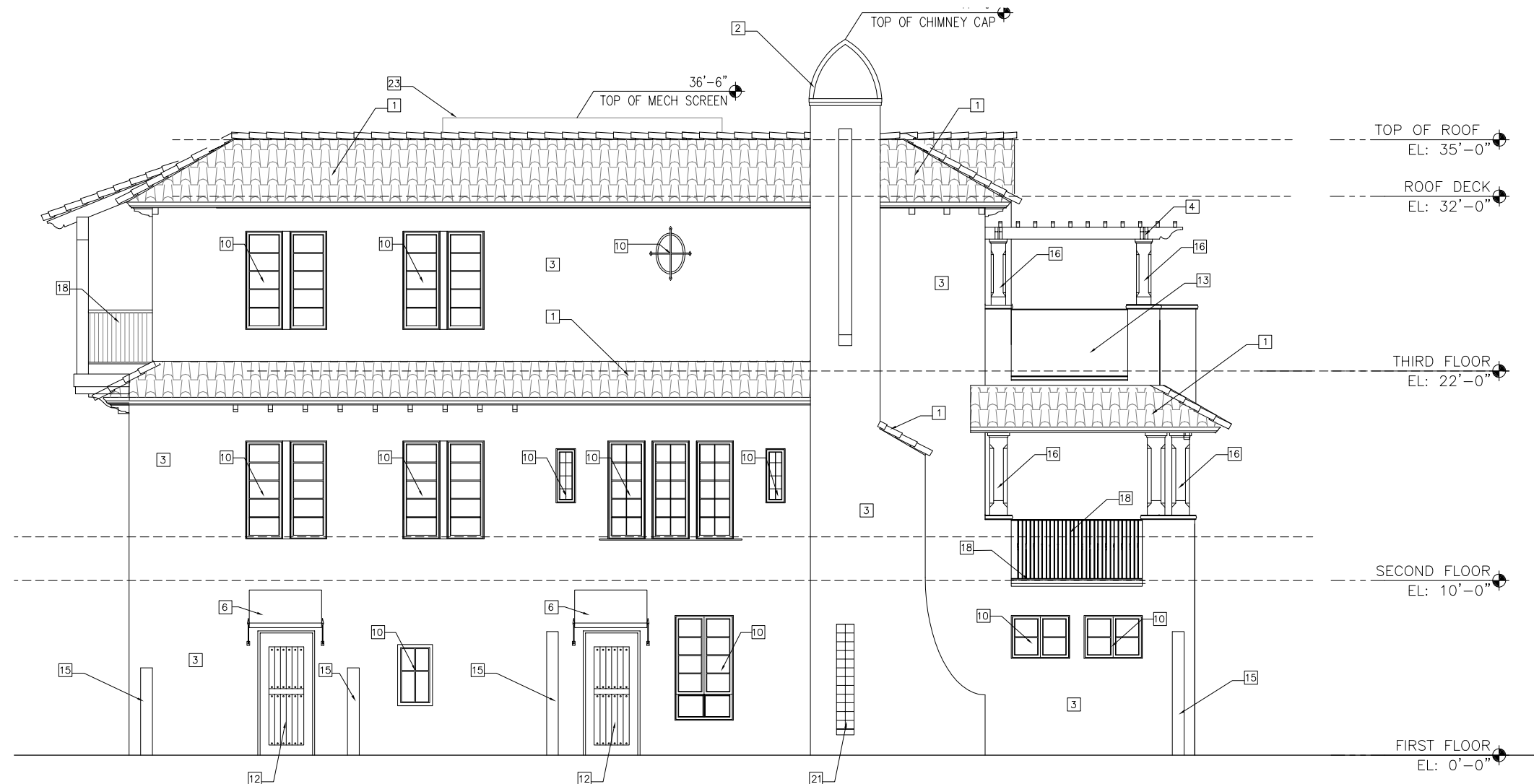
**ENLARGED SOUTH ELEVATION**

**OWNER :**  
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CORPORATION  
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Winter Park, Florida 32789  
(407) 679-1748

**DATE:** 09.06.2017  
**SHEET NUMBER:**

**REVISION:**  
**5.4**





EXTERIOR FINISHES KEY NOTES	
1	CLAY BARREL ROOF TILE, VARIEGATED COLOR
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23	MECHANICAL SCREEN BEYOND
24	TRASH ENCLOSURE

01  
5.5  
ENLARGED WEST ELEVATION  
SCALE: 1/4"=1'-0"

2'-6" 0 5' 10'

NOTE: REFER TO SHEET 5.1 FOR TYPICAL FINISH MATERIALS.



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CONDEV  
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SHEET NAME:

ENLARGED EAST ELEVATION

OWNER:  
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5.5





01 RENDERED NORTH ELEVATION  
5.6 SCALE: N.T.S. 2'-6" 0 5' 10'

NOTE: SOUTH ELEVATION IS SIMILAR.



02 RENDERED EAST ELEVATION  
5.6 SCALE: N.T.S. 2'-6" 0 5' 10'

NOTE: WEST ELEVATION IS SIMILAR.

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	<div>LANDSCAPE ARCHITECT</div> <div>LAND DESIGN, INC. 100 S. Orange Avenue Orlando, FL 32701 (407) 270-7800</div>	<div>SURVEYOR</div> <div>IRELAND &amp; ASSOCIATES SURVEYING, INC. 1301 S. International Pkwy, Suite 2001 Lake Mary, Florida 32746 Tel. (407) 678-3366</div>				<div>DATE:</div> <div>09.06.2017</div>	<div>SHEET NUMBER:</div>
						<div>REVISION:</div>	5.6





1 RENDERING - VIEW LOOKING SOUTHEAST ALONG WHIPPLE AVE. & NEW YORK AVE.  
5.7 SCALE: N.T.S.

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CIVIL ENGINEERS

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CONDEV  
650 N. New York Ave., Winter Park, FL

SHEET NAME:

RENDERING

OWNER :  
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DATE:	SHEET NUMBER:
09.06.2017	5.7
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09/04/07	





1  
5.8

RENDERING VIEW LOOKING SOUTH ALONG WHIPPLE AVE.  
SCALE: N.T.S.

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CONDEV  
650 N. New York Ave., Winter Park, FL

SHEET NAME:

RENDERING

OWNER :  
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09.06.2017	5.8
REVISION:	
09/04/07	

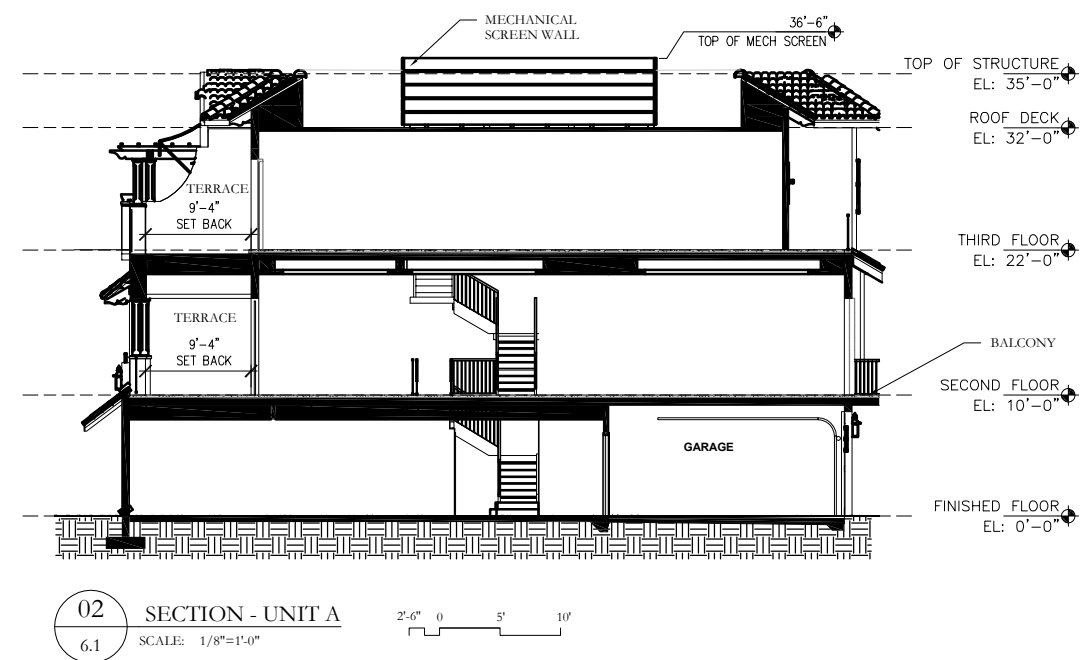
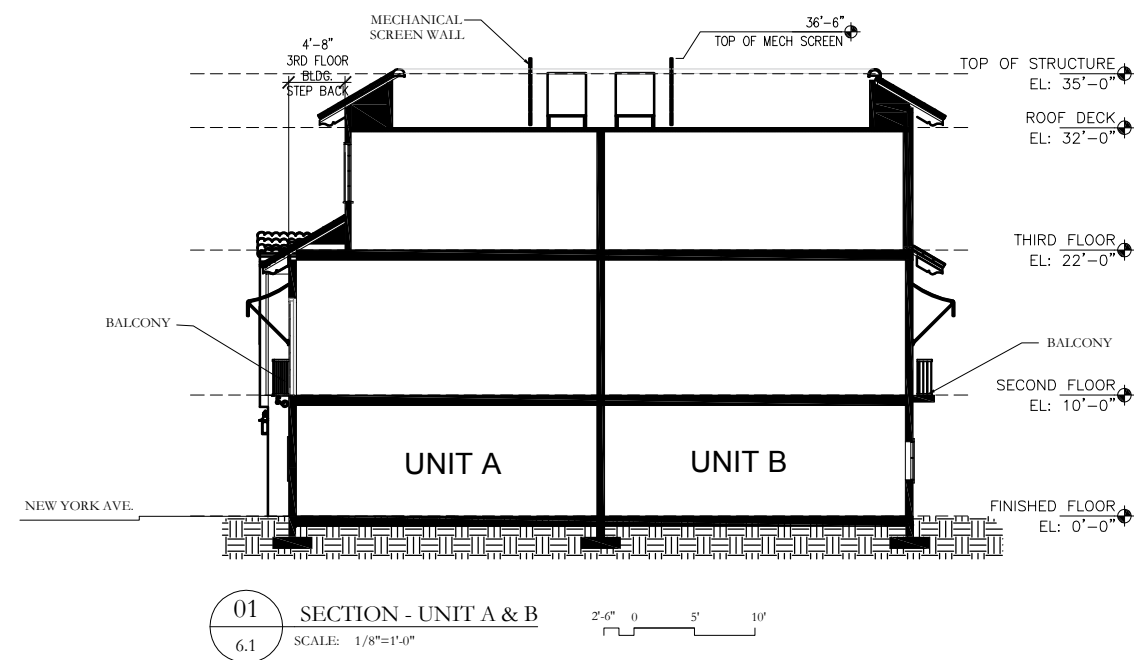




1 RENDERING - VIEW LOOKING SOUTH  
5.9 SCALE: N.T.S.

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				RENDERING		REVISION: 09/04/07	





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						<div>REVISION:</div>		



SITE CHARACTER IMAGES



COURTYARD FOUNTAIN



COURTYARD PLANTING



COURTYARD SITE WALLS AND ENTRANCE GATES



SITE PAVERS



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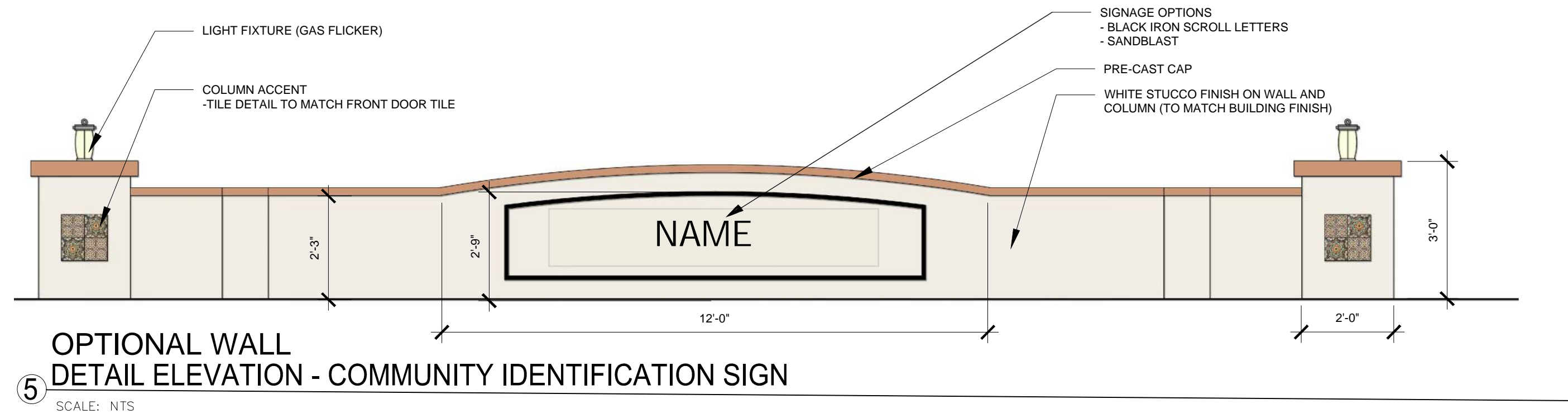
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**CONCEPTUAL SITE PLAN**






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	<u>LANDSCAPE ARCHITECT</u> LAND DESIGN, INC. 100 S. Orange Avenue Orlando, FL 32701 (407) 270-7800	<u>SURVEYOR</u> IRELAND & ASSOCIATES SURVEYING, INC. 1301 S. International Pkwy, Suite 2001 Lake Mary, Florida 32746 Tel. (407) 678-3366				DATE: 09.06.2017	SHEET NUMBER:  7.1
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LandDesign

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					IMAGERY - SITE ELEVATIONS	REVISION:	7.2



CANOPY TREES



Quercus virginiana - Live Oak

ACCENT TREES



Lagerstroemia indica 'Tuscarora' - Tuscarora Crape Myrtle



Elaeocarpus decipiens - Japanese Blueberry Tree

BOARDER/SCREEN SHRUBS



Galphimia glauca - Thryallis



Podocarpus macrophyllus - Yew Pine



Viburnum suspensum - Sandankwa Viburnum

MEDIUM SHRUBS / GRASSES



Muhlenbergia capillaris - Pink Muhly Grass



Raphiolepis indica 'Alba' - White Indian Hawthorn

MEDIUM SHRUBS / GRASSES CONT.



Rosa 'Knockout' - Knockout Rose



Russelia equisetiformis - Red Firecracker Plant



Zamia pumila - Coontie

LOW SHRUBS / GROUNDCOVERS



Arachis glabrata - Perennial Peanut



Dietes vegata - African Iris



Ilex vomitoria 'Stokes Dwarf' - Dwarf Yaupon Holly

LOW SHRUBS / GROUNDCOVERS



Liriope muscari 'Emerald Goddess' - Emerald Goddess Liriope



Ophiopogon japonicus - Mondo Grass



Ophiopogon planiscapus 'Nigrescens' - Black Mondo Grass



Sansevieria trifasciata 'Black Coral' - Black Coral Snake Plant



Sansevieria trifasciata 'Black Gold' - Black Gold Snake Plant



Sansevieria trifasciata 'Laurentii' - Laurentii Snake Plant



Trachelospermum jasminoides 'Confederate' - Confederate Jasmine

LOW SHRUBS / GROUNDCOVERS



Tulbaghia violacea - Society Garlic

ACCENT SHRUBS



Crinum asiaticum - Crinum Lily



Crinum augustum 'Queen Emma' - Purple Crinum Lily



Strelitzia nicolai - White Bird of Paradise

VINES



Bougainvillea glabra - Magenta Bougainvillea



Ficus pumila - Fig Vine



Trachelospermum jasminoides 'Confederate' - Confederate Jasmine

PLANTER MATERIAL



Aechmea blanchetiana 'Orange' - Orange Bromeliad



Agave 'Blue Flame' - Blue Flame Agave



Agave lophantha - Thorncrest Century Plat



Alcantarea imperialis - Imperial Bromeliad



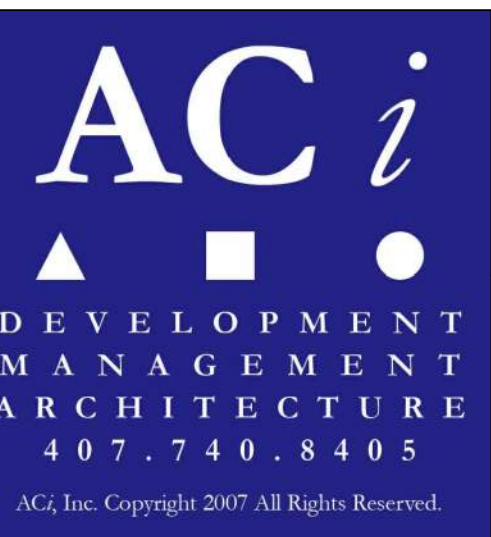
Codiaeum variegatum 'Corkscrew' - Corkscrew Croton



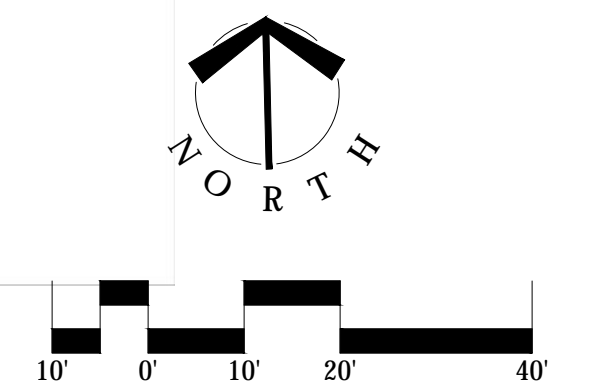
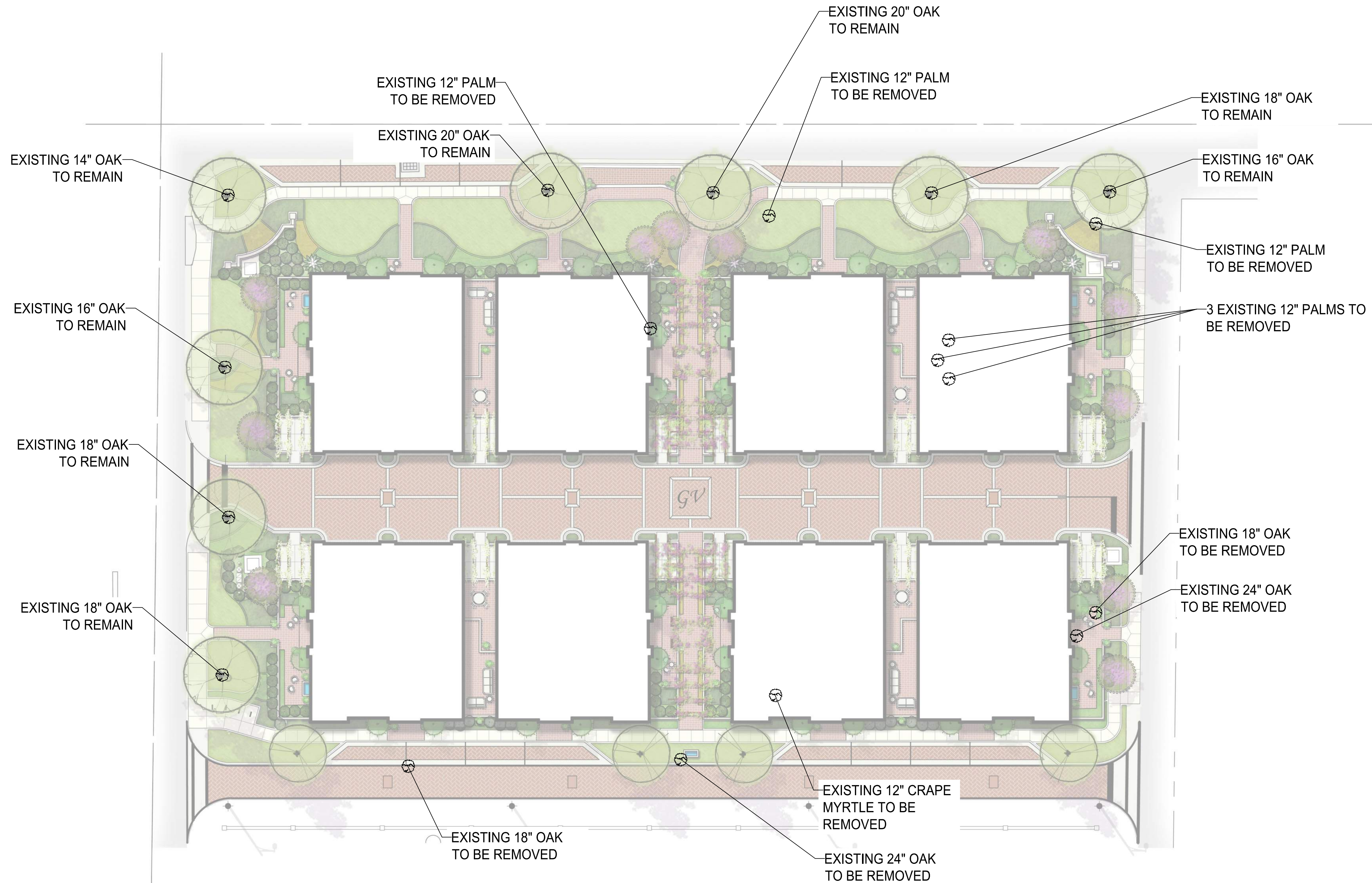
Codiaeum variegatum 'Petra' - Petra Croton

LANDSCAPE SCHEDULE:			
Botanical Name	Common Name	Size/Root Ball/Container	Comments
<b>CANOPY TREES:</b>			
Quercus virginiana	Live Oak	18" hgt. X 12" spd./200 Gal. Cont.	Full/single straight trunk/ 6-1/2" Cal. Min./6" C.T.
<b>ACCENT TREES:</b>			
Lagerstroemia indica 'Tuscarora'	Tuscarora Crape Myrtle	12" hgt x 10" spd /100 Gal. Cont.	Multi-trunk / 3 Stem Min.
Elaeocarpus decipiens	Japanese Blueberry Tree	9" hgt. x 4" spd./65 Gal. Cont.	Columnar habit / Full to Ground
<b>BOARDER/SCREEN SHRUBS:</b>			
Galphimia glauca	Thryallis	30" O.A./3 Gal. Cont.	Full/Plant 30" O.C.
Podocarpus macrophyllus	Yew Pine	36" O.A./7 Gal. Cont.	Full/Plant 48" O.C. / Full to Ground
Viburnum suspensum	Sandankwa Viburnum	24" O.A./7 Gal. Cont.	Full to Ground/Plant 36" O.C.
<b>MEDIUM SHRUBS / GRASSES:</b>			
Muhlenbergia capillaris	Pink Muhly Grass	24" O.A./3 Gal. Cont.	Full clump / 24" O.C.
Raphiolepis indica 'Alba'	Indian Hawthorn	12" hgt. x 18" spd./3 Gal. Cont.	Full/Plant 30" O.C.
Rosa 'Knockout'	Knockout Rose	24" O.A./3 Gal. Cont.	Full Good Color/Plant as shown
Russelia equisetiformis	Red Firecracker Plant	24" O.A./3 Gal. Cont.	Full/Plant 24" O.C. or as shown
Zamia pumila	Coontie	20" O.A./3 Gal. Cont.	Full/Plant 24" O.C.
<b>LOW SHRUBS / GROUNDCOVERS:</b>			
Annuals	To be selected by Owner	4" pot	Full/10" O.C.
Arachis glabrata	Perennial Peanut	4" Pot	Full/12" O.C.
Dietes vegata	African Iris	16" O.A./1 Gal. Cont.	Full/Plant 18" O.C.
Ilex vomitoria 'Stokes Dwarf'	Dwarf Yaupon	3 Gal.	Full/24" O.C.
Liriope muscari 'Emerald Goddess'	Emerald Goddess Liriope	12" O.A./1 Gal. Cont.	Full/18" O.C.
Ophiopogon japonicus	Mondo Grass	4" Pot	Full/12" O.C.
Ophiopogon japonicus 'Nanus'	Dwf. Mondo Grass	4" Pot	Full/12" O.C.
Ophiopogon planiscapus 'Nigrescens'	Black Mondo Grass	4" Pot	Full/12" O.C.
Sansevieria trifasciata 'Black Coral'	Black Coral Snake Plant	12" O.A./1 Gal. Cont.	Full/16" O.C.
Sansevieria trifasciata 'Black Gold'	Black Gold Snake Plant	12" O.A./1 Gal. Cont.	Full/16" O.C.
Sansevieria trifasciata 'Laurentii'	Laurentii Snake Plant	12" O.A./1 Gal. Cont.	Full/16" O.C.
Trachelospermum jasminoides	Confederate Jasmine	4" Pot/	Full/Plant 12" O.C.
'Confederate'			
Tulbaghia violacea	Society Garlic	1 Gal. Cont.	Full/12" O.C.
<b>ACCENT SHRUBS:</b>			
Crinum asiaticum	Crinum Lily	36" O.A./7 Gal. Cont.	Full/10 leaves min./Plant as shown or 4' O.C.
Crinum augustum 'Queen Emma'	Purple Crinum Lily	36" O.A./7 Gal. Cont.	Full/10 leaves min./Plant as shown or 4' O.C.
Strelitzia nicolai	White Bird of Paradise	8'-10' O.A./15 Gal. Cont.	Full/3 plants per pot min.
<b>VINES:</b>			
Bougainvillea glabra	Magenta Bougainvillea	5 stems min./3 Gal. Cont.	Full/Trained to Trellis/Plant as shown
Ficus pumila	Fig Vine	5 stems min./3 Gal. Cont.	Full/Trained to Trellis/Plant as shown
<b>PLANTER MATERIAL:</b>			
Aechmea blanchetiana 'Orange'	Orange Bromeliad	12" O.A./1 Gal. Cont.	Full/Plant as shown
Agave 'Blue Flame'	Blue Flame Agave	12" O.A./1 Gal. Cont.	Full/Plant as shown
Agave lophantha	Thorncrest Century Plant	12" O.A./1 Gal. Cont.	Full/Plant as shown
Alcantarea imperialis	Imperial Bromeliad	12" O.A./1 Gal. Cont.	Full/Plant as shown
Codiaeum variegatum 'Corkscrew'	Corkscrew Croton	24" O.A./3 Gal. Cont.	Full/Plant as shown
Codiaeum variegatum 'Petra'	Petra Croton	24" O.A./3 Gal. Cont.	Full/Plant as shown
Muhlenbergia capillaris	Pink Muhly Grass	24" O.A./3 Gal. Cont.	Full clump / 24" O.C.
<b>TURF GRASSES:</b>			
Stenotaphrum secundatum 'Floratar St.	Augustine Floratar Sod	Full/Solid Sod	Quantity in Square Feet
<b>Abbreviations:</b>			
B & B = Ball and Burlapped	Gal. Cont. = Gallon Contair	spd. = Spread	
Cal. min. = Caliper minimum	G.W. = Grey Wood		
C.T. = Clear Trunk	hgt. = Height		
Dia. = Diameter	O.A. = Overall		
	ppp = Plants per Pot		

LandDesign

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	<u>LANDSCAPE ARCHITECT</u> LAND DESIGN, INC. 100 S. Orange Avenue Orlando, FL 32701 (407) 270-7800	<u>SURVEYOR</u> IRELAND & ASSOCIATES SURVEYING, INC. 1301 S. International Pkwy, Suite 2001 Lake Mary, Florida 32746 Tel. (407) 678-3366			SHEET NAME:	DATE: 09.06.2017
					LANDSCAPE SCHEDULE AND IMAGERY	REVISION:
						7.3





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	<div>LANDSCAPE ARCHITECT</div> <div>LAND DESIGN, INC. 100 S. Orange Avenue Orlando, FL 32701 (407) 270-7800</div>	<div>SURVEYOR</div> <div>IRELAND &amp; ASSOCIATES SURVEYING, INC. 1301 S. International Pkwy. Suite 2001 Lake Mary, Florida 32746 Tel. (407) 678-3366</div>				<div>SHEET NAME:</div> <div>EXISTING TREE EXHIBIT</div>	<div>DATE:</div> <div>09.06.2017</div>	<div>SHEET NUMBER:</div>
						<div>REVISION:</div>	7.4	



# *First Church of Christ, Scientist*

650 N. New York Avenue  
Winter Park, FL 32789  
407-647-2725 Office & FAX  
Clerk@ChristianScienceWP.com

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August 21, 2017

Dear Commissioners and Staff,

As we enter this final phase of approvals for our church property, we thought it might be helpful to share some background on our decision to develop our property.

Over the last several years, our church membership has had many discussions about how to best fulfill our mission and outreach within the community. About two years ago, we agreed that our desire was to consolidate all our church functions into a new state-of-the-art facility.

Working with design professionals, we explored various options including major renovation to our existing buildings, selling the entire property and relocating, and rebuilding on our current site. Our members ultimately chose to remain on our current site, construct a new building, and offer the north portion of the property as a development opportunity within Winter Park's central business district.

Out of the multiple developers we met with, we chose Condev because of their long history in Winter Park and their ability to share our vision for the property. Over the last six months we have worked side by side with the principals of Condev to design a harmonious site plan that will work for both parties. We support the townhome design, and feel that the development will be a good neighbor to us and an enhancement to the city of Winter Park.

Sincerely,



Steven Wennerstrom  
Chairman, Executive Board



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

**Staff Report  
October 3, 2017**

**ZTA 1:17** Request of the City of Winter Park to Revise the Sign Regulations.

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The City Commission provided direction to the staff to examine the sign code with a goal of reducing the number of signs in the City. To that end, the following changes to the Sign Code are suggested from the Planning, Building and Code Enforcement staff in order to reduce the proliferation of signs in the City; add regulations for new types of signs and to aid enforcement and removal of illegal temporary signs:

A summary of the changes proposed is as follows:

**Sec. 58-123 – Definitions**

1. Updating and providing new definitions for animated signs (which are prohibited) including humans that are waving and spinning signs.
2. Determining that murals are signs and creating size and area limits on building walls.

**Sec. 58-134 – Temporary Signs**

1. Providing new regulations for decorative wind screens on construction fences regarding the copy area and pictures.
2. Limiting multi-family, office and commercial real estate ‘for sale’ and ‘for lease’ signs to placement onto existing ground or pole signs on the property versus the current practice of erecting additional freestanding plywood signs and providing an allowance for added copy area if the existing signage area of the ground or pole sign is fully utilized.
3. Eliminating the use of A-frame, portable and menu board signs City-Wide or alternatively restricting their use to the pedestrian oriented C-2 and C-3 zoned areas in the Central Business District, Hannibal Square Business District and Orange Avenue Corridor Business District.

**Sec. 58-135 – Prohibited Signs**

1. Clarifying that balloons, human signs, electronic signs, LED window signs, inflatable signs, and any flashing or blinking mechanism or sign is prohibited.
2. Declaring snipe signs “abandoned property” and allowing anyone to remove them.
3. Eliminating content based language regarding flag display.

**STAFF RECOMMENDATION IS FOR APPROVAL**



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CERTAIN PROVISIONS OF ARTICLE IV, SIGN REGULATIONS OF THE CITY OF WINTER PARK LAND DEVELOPMENT CODE TO REVISE THE REGULATIONS FOR TEMPORARY AND PROHIBITED SIGNS, REVISING THE DEFINITIONS FOR SIGNS, PROVIDE MORE SPECIFICITY AND CLARITY TO EXISTING SIGN REGULATIONS; AND AMENDING SECTION 1-24, SCHEDULE OF VIOLATIONS AND PENALTIES, RELATING TO SNIPE SIGNS; AND PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE.

**WHEREAS**, the City Commission of the City of Winter Park has determined the need to update and revise its Land Development Code relative to signs;

**WHEREAS**, the City Commission finds and determines that certain types of signs, particularly signs with lighted and/or changing information, and human signs, create a safety hazard by distracting motorists, pedestrians, and others;

**WHEREAS**, the City Commission wishes to protect the safety of motorists, pedestrians, and others from distraction caused by signs;

**WHEREAS**, the Future Land Use Element of the City's Comprehensive Plan provides that the City shall regulate signage;

**WHEREAS**, the City Commission finds and determines that the City adopted the Land Development Code in order to implement its comprehensive plan, and to comply with the minimum requirements in the State of Florida's Growth Management Act, at Section 163.3202, Florida Statutes, including the regulation of signage and future land use;

**WHEREAS**, the City Commission finds and determines that pursuant to the policy of the City's Comprehensive Plan, the City's Land Development Code is required to regulate signage;

**WHEREAS**, the City Commission finds and determines that this ordinance will lessen hazardous situations, as well as confusion and visual clutter otherwise caused by the proliferation, improper placement, excessive height, excessive size, and distracting characteristics of signs which compete for the attention of pedestrian and vehicular traffic;



**WHEREAS**, the City Commission hereby finds and determines that anything beside the road which tends to distract the driver of a motor vehicle directly affects traffic safety, and that signs which divert the attention of the driver and occupants of motor vehicles from the highway to objects away from it, may reasonably be found to increase the danger of accidents, and agrees with the courts that have reached the same determination [see *In re Opinion of the Justices*, 103 N.H. 268, 169 A.2d 762 (1961); *Newman Signs, Inv. C. Hjelle*, 268 N.W. 2d 741 (N.D. 1978); *Naser Jewelers, Inc. v. City of Concord, New Hampshire*, 513 F.3d 27 (1st Cir. 2008)];

**WHEREAS**, the City Commission has determined that the purpose and intent provisions of its signage regulations should be more detailed so as to further describe the beneficial, aesthetic, and other effects of the City's sign regulations, and to reaffirm that the sign regulations are concerned with the secondary effects of speech and are not designed to censor speech or regulate the viewpoint of the speaker;

**WHEREAS**, the City Commission wishes to continue to assure that animated signs and flashing signs are effectively prohibited as sign-types within the City;

**WHEREAS**, the City of Winter Park finds and determines that the regulation of signage for purposes of aesthetics has long been recognized as advancing the public welfare;

**WHEREAS**, the City of Winter Park finds and determines that as far back as 1954 the United States Supreme Court recognized that "the concept of the public welfare is broad and inclusive," that the values it represents are "spiritual as well as physical, aesthetic as well as monetary," and that it is within the power of the legislature "to determine that the community should be beautiful as well as healthy, spacious as well as clean, well balanced as well as carefully patrolled" [Justice Douglas in *Berman v. Parker*, 348 U.S. 26, 33 (1954)];

**WHEREAS**, the City of Winter Park finds and determines that aesthetics is a valid basis for zoning, and that the regulation of the size of signs and the prohibition of certain types of signs can be based upon aesthetic grounds alone as promoting the general welfare [see *Merritt v. Peters*, 65 So. 2d 861 (Fla. 1953); *Dade Town v. Gould*, 99 So. 2d 236 (Fla. 1957); *E.B. Elliott Advertising Co. v. Metropolitan Dade Town*, 425 F.2d 1141 (5th Cir. 1970), *cert. dismissed*, 400 U.S. 805 (1970)];

**WHEREAS**, the City of Winter Park finds and determines that the enhancement of the visual environment is critical to a community's image and its continued presence as a tourist destination;

**WHEREAS**, the City of Winter Park finds and determines that the sign control principles set forth herein create a sense of character and ambiance that distinguishes the City as one with a commitment to maintaining and improving an attractive environment;



**WHEREAS**, the City of Winter Park finds and determines that the sign regulations are intended to permit signs that are compatible with their surroundings and aid orientation, and to preclude placement of signs in a manner that devalue adjacent properties and land uses;

**WHEREAS**, the City of Winter Park finds and determines that the regulation of signage was originally mandated by Florida's Local Government Comprehensive Planning and Land Development Regulation Act in 1985 (see Chapter 85-55, §14, Laws of Florida), and this requirement continues to apply to the City of Winter Park through Section 163.3202(2)(f), Florida Statutes;

**WHEREAS**, the City of Winter Park finds and determines that the definition of "sign" should be revised so as to provide more specificity;

**WHEREAS**, the City of Winter Park finds and determines that there should be a more detailed definition for "animated sign" and that animated signs should continue to be included among signs prohibited in the City;

**WHEREAS**, the City of Winter Park finds and determines that the size restrictions on all temporary signs should be consistent;

**WHEREAS**, the City of Winter Park finds and determines that the regulations on election signs should be modified to comport with case law;

**WHEREAS**, the City of Winter Park finds and determines that "snipe signs" as defined in the sign code are abandoned property and anyone should be empowered to remove them;

**WHEREAS**, the City of Winter Park finds and determines that the amendments, as set forth herein, are consistent with all applicable policies of the City's adopted Comprehensive Plan;

**WHEREAS**, the City of Winter Park finds and determines that one of the City's goals under its comprehensive plan and included within the future land use element is to promote, protect, and improve the public health, safety and welfare of the City's residents through the provision of appropriate land uses;

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

**SECTION 1.** The above recitals are hereby adopted as the legislative purpose of this Ordinance and as the City Commission's legislative findings.

**SECTION 2.** Portions of Chapter 58, Land Development Code, Article IV, Sign Regulations, are hereby amended to read as shown on Exhibit "A" attached hereto, and



words with single underlined type shall constitute additions to the original text and ~~strike through~~ shall constitute deletions to the original text.

**SECTION 3.** All real estate signs not in conformance with any provisions of these regulations must be removed, changed or altered to conform to the provisions of these regulations and amendments within six (6) months after such sign becomes nonconforming.

**SECTION 4.** Section 1-24, Schedule of violations and penalties, of Article II, Code Enforcement Citations, of the City of Winter Park Code of Ordinances, is hereby amended by changing the violation for Snipe signs to a Class II violation as follows:

Class	Violation	Ord. No.
* * *		
II	Snipe signs	<del>§ 31-19(15)(b)</del> <u>58-135(3)</u>
* * *		

**SECTION 5. 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 6. CODIFICATION.** It is the intention of the City Commission of the City of Winter Park, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinance of the City of Winter Park, Florida;

**SECTION 7. CONFLICTS.** All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

**SECTION 8. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon its passage and adoption.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor Steve Leary

ATTEST:

\_\_\_\_\_  
City Clerk, Cynthia S. Bonham



## EXHIBIT "A"

### Sec. 58-123. - Definitions.

For the purposes of this article, certain terms or words used herein shall be interpreted as follows:

*Animated sign* means ~~any sign or part of a sign which changes physical position by movement or rotation~~ a sign which includes action, motion, or color changes, or the optical illusion of action, motion, or color changes, including a sign set in motion by movement of the atmosphere, or made up of a series of sections that turn, whether such movement or rotation is by human energy, mechanical or electronic means.

*Electronic sign* means ~~a sign for presentation of information for visual reception, acquired, stored or transmitted in various forms where the input information is supplied as an electrical signal and uses a light source, LED (light emitting diodes), bare electric bulbs, luminous tubes, fiber optic or any other combination of light sources to create the message. Also, signs that appear projected or are intermittently or intensely illuminated or of a traveling, tracing, scrolling or sequential light type, or contain or are illuminated by animated or flashing light, on which the copy changes automatically on a lamp bank or in a similar fashion, including but not limited to LED (light emitting diodes), LCD (liquid crystal displays), CEVMS (commercial electronic variable message signs), plasma displays, dynamic displays, projected images, or any other functionally equivalent technology, and which is capable of automated, remote or computer control to change the image, or through any electronically illuminated, scrolling or moving text, symbols or other images, utilizing LED, LCD, CEVMS, or other digital or electronic technology, commonly known as electronic message or reader boards, electronic marquees, message centers, moving message displays, or digital signs.~~

*Flashing sign* means any directly or indirectly illuminated sign which exhibits intermittent or flashing natural or artificial light or color effects by any means whatsoever. ~~Automatic changing signs such as public service time, temperature and date signs or electronically controlled message centers are classed as changing signs, not flashing signs.~~

*Ground sign* means a sign affixed to the ground and supported by poles, uprights, or braces extending from the ground or a permanently mounted object on the ground but not attached to any part of any building. Ground signs are also referred to as pole signs, pylon signs and monument signs.

*Murals* means art work or painting on the wall, façade, awning or other part of a building.

*Sign* means any object or device visible from the right-of-way of a street or highway, or internal parking lot, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business product, service, event or location by any means including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination, or projected images. "Sign" also includes a human sign, which is a sign that is carried, waved, or otherwise displayed by a person,



including a sign worn as an article of clothing, while outside, for the purpose of advertising a business, service or product.

Signs do not include the following:

- (1) Window displays of merchandise, pictures or models of products or services;
- (2) Time and temperature devices not related to a product;
- (3) Symbols or crests of political subdivisions and religious, fraternal, professional or civic organizations;
- (4) Works of art, such as sculpture, statues, fountains which in no way identify a product;
- (5) Directional signs four six square feet in area or less and no higher than thirty (30) inches in heights, so as not to block visibility at points of ingress and egress which direct and guide traffic and parking ~~but bear no advertising matter~~ which are limited to directional text/symbols and logo;
- (6) Coin-operated vending machines, gasoline pumps, telephone booths, and ice vending equipment.
- (7) Banners, used by the city or a museum to support a city commission-approved event or activity, excluding those used to identify a political cause or statement.
- ~~(8) Up to three balloons 12 inches or less in diameter on one property or premises.~~
- ~~(9) Murals painted on walls that bear no advertising matter.~~

**Sec. 58-134. - Temporary signs.**

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

(c) On site development signs shall be permitted on property where there is an active building program underway to identify the project, the developer, architect, contractor, realtor and others involved in the design, construction and financing. Such signs shall be permitted on a temporary basis and shall not be erected more than five days prior to the start of construction. Signs shall be removed upon issuance of a certificate of occupancy or when there has been no construction activity on the property for 60 days or more. Such signs shall be limited to one per street frontage and shall not exceed eight square feet in size or six feet in height for single family and duplex building projects; 32 square feet in size and eight feet in height for multifamily building projects and 32 square feet ~~no larger or higher than the size that is~~



~~permitted for permanent ground signs~~ for nonresidential building projects. For construction projects of multi-family or non-residential buildings, the wind screen coverings on construction fences may contain pictures and perspective elevations of the project but the area of text, words, logos, and other project information shall not cover more than 32 square feet of the fence wind screen materials per street frontage.

(d) One temporary real estate sign offering real property for sale or lease shall be permitted on each frontage of properties where an owner is actively attempting to sell or lease such property, either personally or through an agent. Such sign shall not exceed four square feet in area or six feet in height in residential zones for one or two-family dwellings and shall not exceed 12 square feet in area for multifamily dwellings or nonresidential buildings. For nonresidential properties, such as commercial, office or industrial, where an existing ground sign(s) such as a monument, pylon or pole already exists on the property, such 'for sale' or 'for lease' signs must be incorporated into the existing ground, monument, pylon or pole sign and there may be no other freestanding 'for sale' or 'for lease' sign on the property. Only in cases where there does not exist any ground monument, pylon or pole sign, may a freestanding temporary 'for sale' or 'for lease' sign be erected up to 12 square feet in size. In cases where the existing ground, monument, pylon or pole sign has utilized their maximum sign area for the property, such existing ground sign may be increased an additional four square feet in order to incorporate the copy area needed to identify the contact information regarding the "for sale" or "for lease" activity. All such temporary real estate signs shall be located behind the sidewalk or ten feet behind the curb or edge of pavement, whichever is greater. Additionally, a maximum of two "open house" signs may be used to direct interested persons to the location of an open house, in addition to the "open house" sign placed at the site of the real property offered for sale. The two directional signs are limited in size to two square feet and may be placed in the public right-of-way subject to not blocking visibility for traffic and are subject to allowing-removal by the abutting property owner if that owner does not consent to the placement of the sign. Such "open house" signs shall be posted only during the hours of 9:00 a.m. to 6:00 p.m. and shall be removed immediately following the close of the open house event. Open house signage shall not be posted more than two days per week.

(f) One temporary sign, A-frame sign, portable sign or menu board may be located outside of a commercial business in the C-2 or C-3 zoned areas of the Central Business District; Hannibal Square Business District and the C-3 zoned areas of the Fairbanks Avenue corridor from Park Avenue to Orange Avenue and along the Orange Avenue Business corridor, exclusive of beautification elements such as plants. Within these designated C-2 and C-3 zoned districts, the sign must be located within two (2) feet of the front wall or window of the building. One such sign may also be permitted within shopping centers, zoned C-1, provided that such signs are located on pedestrian walkways and not interfering with pedestrian and handicapped accessibility and provided that such signs are not visible from a public street. The sign must not block or impede pedestrian traffic or be placed on the public sidewalk and at least six feet of clear sidewalk width must remain for pedestrian traffic. The minimum criteria for all temporary signs in this paragraph (or section):

- 1) The sign must be no more than six feet in height and not more than ~~two feet in width~~ six square feet.



- 2) Sign placement must comply with the Florida ADA
- 3) At least five (5) feet of clear sidewalk space must be provided between the sign and the curb or other obstruction.
- 4) Placement of signs in landscaped area is prohibited.
- 5) Signs may only be placed immediately in front of the business they are advertising.
- 6) Signs shall not be secured, tethered, or installed on traffic devices, utility equipment, trees, furniture, poles, or any other fixture.
- 7) Signs shall not be located within sight triangles or in a manner that obstructs visibility to vehicular traffic.
- 8) Signs must be safely secured and removed in windy conditions and when the business is not open.

~~The sign must be no more than six feet in height and not more than two feet in width. The signs must be decorative, with the name/logo of the business included. The sign must be safely secured and removed under windy conditions. The sign must be removed when the business is not open. A temporary sign, portable sign or menu sign is not permitted if the business chooses to place an outdoor display of merchandise as permitted by this Code. section 58-82(aa). All such temporary, A-frame, portable or menu board signs shall be required to obtain a permit authorizing such sign and designating the location approved for the placement of said sign. Failure to locate said sign in the permitted location and placement in the city sidewalk, street side landscape area or other portion of the public right-of-way, shall permit the City to deem said sign as abandoned property and subject to removal by the City.~~

~~(g) Portable signs. One portable advertising sign may be placed in front of active businesses in General Commercial (C-3) zoning districts at or near the front lot line of the property. The sign shall not obstruct traffic visibility for vehicles exiting or interfere with traffic circulation within the property and shall not exceed two feet in width or six feet in height. Multi-tenant properties with several businesses within a single building shall be limited to one portable sign to serve one or all of the businesses within the building. The sign shall be removed when the business is not open and shall be removed during high wind conditions. In addition, the sign shall not interfere with required landscaping for a property. Businesses with existing ground, pole or roof signs shall not be permitted an additional portable sign under this paragraph.~~

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

*(b) Office (O-1) and (O-2) districts.*

(3) Office district properties located within the boundaries of the area subject to the Central Business District Facade Design Guidelines, the Morse Boulevard Plan Facade Design Guidelines area from New York Avenue to Denning Drive or within the boundaries of the Hannibal Square Neighborhood Commercial District may not have digital, electronic, and/or internally illuminated signs, such as backlit plastic, acrylic or glass. Front lighting of signs is encouraged. External illumination must be provided by a light source that is installed to prevent direct light from shining onto the street or adjacent properties. Flashing or moving lights are not permitted. Backlit halo-type opaque sign lettering is permitted,



however, the light color must be white or subdued or muted such as a pastel shade. Sign faces and sides may not be translucent and must be an opaque material such as metal or wood.

(d) *Central business (C-2) district.*

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

(e) *General commercial (C-3), limited commercial (C-3A) and light industrial (I-1) districts.*

(4) Commercial district properties located within the boundaries of the area subject to the Central Business District Facade Design Guidelines, the Morse Boulevard Plan Facade Design Guidelines area from New York Avenue to Denning Drive or within the Hannibal Square Neighborhood Commercial District may not have digital, electronic, and/or internally illuminated signs, such as backlit plastic, acrylic or glass. Front lighting of signs is encouraged. External illumination must be provided by a light source that is installed to prevent direct light from shining onto the street or adjacent properties. Flashing or moving lights are not permitted. Backlit halo-type opaque sign lettering is permitted, however, the light color must be white or subdued and muted such as a pastel shade. Sign faces and sides may not be translucent and must be an opaque material such as metal or wood.

**Sec. 58-129. - Signs on awnings.** In addition to other permitted signs, a sign consisting of letters not exceeding an average height of 12 inches placed within an area width not exceeding 18 inches may be painted, placed, or installed upon the front and sides of any awning erected and maintained in accordance with the city's building code. An identification emblem, insignia, initial or other similar feature not exceeding an area of eight square feet may be painted, placed or installed elsewhere on any awning. Awnings in areas subject to the Central Business Façade Design Guidelines and Morse Boulevard Plan Design Façade Design Guidelines may not have a shiny surface and must have a matt, fabric texture finish.

**Sec. 58-130. - Other signs.**

(d) *Window signs.* The total area of all window signs on any side of a building shall not cover more than 25 percent of the window area. In addition, there shall be no neon or LED lighting in a window highlighting, bordering or drawing attention to other signage in a window or as part of such signage or as stand alone lighting, other than an “open” sign which must be non-flashing and non-scrolling.

(e) *Mural signs.* Art work painted or afixed to building walls, facades or other exterior surfaces shall be limited to one single façade and shall not cover more than 45% of the wall or signable area.



(f) Flags. No more than three flags of a national, religious, fraternal or civic organization shall be displayed and the total permitted size of all individual flag(s) shall not exceed 32 square feet.

**Sec. 58-133. - Nonconforming signs.**

(a) All signs not in conformance with any provisions of these regulations, with the exception of the maximum height and area limitations, must be removed, changed, or altered to conform to the provisions of these regulations as may be amended within 90 days ~~two years~~ after such sign becomes nonconforming.

~~(1) Any sign not in conformance with the provisions of these regulations becomes nonconforming on July 14, 1998.~~

~~(2) Any sign not in conformance with the provisions of an amendment to these regulations becomes nonconforming on the effective date of such amendment.~~

~~(3) Any projecting sign which is nonconforming due solely to its location over a public right of way shall also be exempt from the conformance provisions of this chapter.~~

(b) Whenever the occupancy of a premises with nonconforming signs changes, the new occupant shall be required to remove, change or alter such signs to conform to the provisions of these regulations. This requirement is not intended to apply to changes in ownership where the same type of business, continues to occupy the premises. Whenever a building is demolished and removed for redevelopment the existing ground signs shall be required to conform to the provisions of these regulations.

(c) All wind signs, animated signs, and nonconforming flashing signs shall be removed or converted to nonflashing, non-animated signs. All portable and temporary signs not in conformance with this section shall be removed or altered to meet the requirements of this section.

(d) No nonconforming sign shall be enlarged or increased in size or altered in any fashion or extended to occupy a greater amount of land. No nonconforming sign shall be reconstructed if the sign pole(s) or structural elements of the sign face(s) are damaged, destroyed or removed to an extent of more than 50 percent of the replacement cost at the time of destruction. Nonconforming signs may undergo reasonable repair and maintenance including change of advertising message. Reasonable repair and maintenance means the work necessary to keep the sign structure in a good state of repair, including the replacement in kind of materials in the sign structure. When such replacement of materials is involved, such replacement may not exceed 50 percent of the structural materials in the sign within any 24-month period.

**Sec. 58-135. - Prohibited signs.**

The following types of signs are expressly prohibited in all districts, except as otherwise provided by this article:

(1) Animated signs, flashing signs, automatic changing signs, electronic and inflatable signs are. ~~Animated signs, flashing signs and automatic changing signs or automatic changeable copy signs shall be prohibited.~~ Also, any interior or exterior blinking mechanism or flashing window signs of any size are



prohibited. This is not intended to prohibit public service information signs and other electronic message centers where different copy changes are shown on the same lamp bank as long as such messages are limited to time, temperature, date and other public service non-advertising copy.

(2) *Snipe signs.* The tacking, pasting or otherwise affixing of signs of a miscellaneous character to the walls of buildings, on poles, trees, fences or other structures is prohibited. Any snipe sign placed on or affixed to public property or placed in the right-of-way, including but not limited to public property and rights-of-way along or adjoining any roadway, in violation of this Code, is hereby declared to be abandoned property and is subject to being removed by any person, so long as such removal is accomplished in a safe and peaceful manner. Nothing herein shall be construed to permit any person who removes such abandoned property to do so in a manner that endangers any person or the safety of any other person traveling on such roadway.

(4) *Banner and wind signs.* Banner and wind signs shall be prohibited. ~~In addition no more than three flags of a national, religious, fraternal or civic organization shall be displayed and no individual flag shall exceed 32 square feet.~~ Government facilities displaying the banners in the public interest for community events and signs authorized under a special event permit are exempt from this provision.

(10) *Balloons whether inflated or permanent.* ~~More than three balloons over 12 inches in diameter on any one property or any one balloon over 18 inches in diameter.~~

(11) Any sign not expressly permitted in Article IV, Sign Regulations, is prohibited.

#### **Section 58-137. Severability.**

(a) *Generally.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section.

(b) *Severability where less speech results.* Without diminishing or limiting in any way the declaration of severability set forth elsewhere in this section, this Code, or any adopting ordinance, if any part, section subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.

(c) *Severability of provisions pertaining to prohibited signs.* Without diminishing or limiting in any way the declaration of severability set forth elsewhere in this section, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section or any other law is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other



part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under Section 58-135 of this section. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Section is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Section 58-135.

(d) *Severability of prohibition on off-site signs.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section and/or any other Code provisions and/or laws as declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the prohibition on off-site signs as contained in this section and Code.