CITY OF WINTER PARK PLANNING AND ZONING BOARD

Staff Report June 4, 2019

SPR 19-06

REQUEST OF JUSTIN AND LINDSAY VERMUTH FOR APPROVAL TO CONSTRUCT A 1,424 SQUARE FOOT TWO-STORY ADDITION TO THEIR SINGLE-FAMILY HOME LOCATED AT 725 BALMORAL ROAD ON LAKE BERRY, ZONED R-1AAA. VARIANCES ARE REQUESTED FOR THE SOUTHERN SIDE SETBACKS.

Justin and Lindsay Vermuth (property owners) are requesting approval to construct a 1,424 square foot two-story addition to their foot single-family home located at 725 Balmoral Road which is located on Lake Berry, zoned R-1AAA.

This property measures 19,505 square feet, and this addition will increase the square footage of the home to 4,518 square feet. The total square footage of the home will yield a floor area ratio (FAR) of 23.2%, and is within the maximum 33% permitted. This new home will have impervious lot coverage of 7,369 square feet or 38%, which is within the maximum 50% permitted.

TREE PRESERVATION: The Code direction on water front lots is "to preserve existing trees to the degree reasonably possible." The location of the addition will not require any trees to be removed from the site.

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. In this case, the swimming pool/deck is existing.

VIEW OF NEIGHBORS: The Code states that the lakefront setback shall be the average established by the adjacent lakefront properties within 200 feet of the subject property, or 50 feet, whichever is greater. 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 proposed addition is located behind the average lakefront setback of the adjacent homes, and will not degrade the traditional lake views of the adjoining properties.

Based on the approximate 96 feet of width of this lot, the required setbacks are 12 feet to the first floor and 17 feet to the second floor. The applicant is requesting a minimal side setback variance to the southern second floor side setback requirements to keep this two-story addition in line with the existing first floor wall on the south side of the home. Due to the slight pie shape to this lot, the applicant is requesting a one inch to three-and-a-half inch setback variance on the south side of the lot. Due to the minimal encroachment into the side setback requirements, and the fact that it does not impact the lake views of the adjacent properties, staff does not see a concern with this request.

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 a stormwater swale near the lakefront that is sized to meet the City's code requirements.

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

STAFF RECOMMENDATION IS FOR APPROVAL



PROJECT LOCATION

725 Balmoral Road

City of Winter Park Florida







PROJECT LOCATION

725 Balmoral Road

City of Winter Park Florida





Topographic Survey

Legal Description:

Lot 17, Block A, Kenilworth Shores Section Six, according to the plat thereof, as recorded in Plat Book V, Page 111, of the Public Records of Orange County, Florida

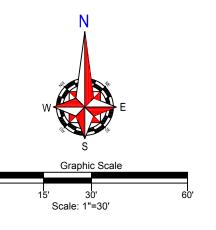
Flood Zone: X & AE Panel: 0255F Community Number: 12095C Date: 9/25/2009

CERTIFIED TO:

Justin J. Vermuth Service First Title Agency, Inc. Bank of America, N.A. Chicago Title Insurance Company







-Site Benchmark Information-

Set Nail & Disc "LB 7623" in Pavement Elevation: 80.77'



Set Nail & Disc "LB 7623" in Pavement Elevation: 79.98'

-Benchmark Information-

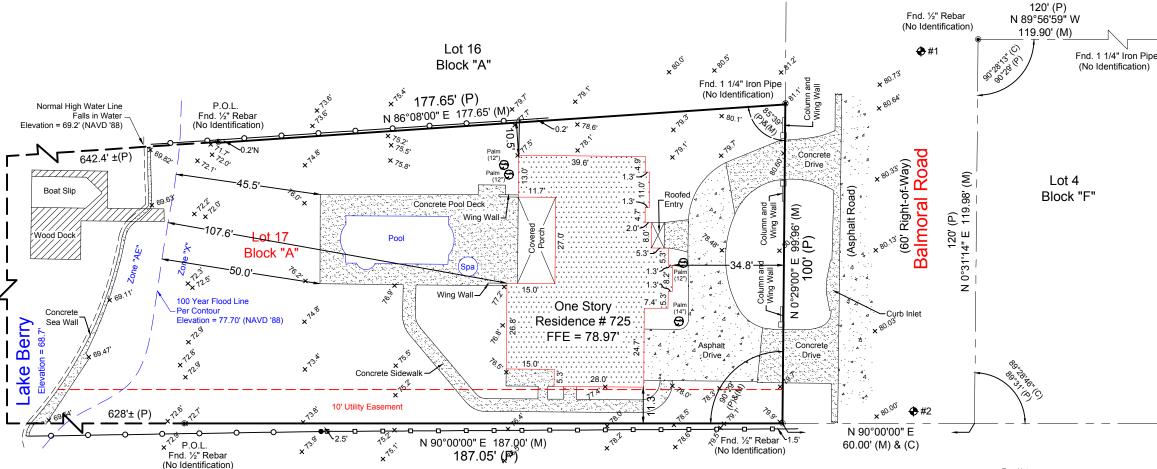
Orange County Datum

(Elevations are based upon NAVD 88 Datum)



Denotes Tree Type

Diameter of Tree measured at Chest Height



Not Platted

Revision: Added Spotshots - 04/12/19 - BMJ

| i | Fie | ld Date: 12/3/15 | Date Completed: 12/7/15 | | |
|------------|----------------------|--|--|--|--|
| | Drawn By: GLG | | File Number: IS-25256 | | |
| | ٠ | -Lege | | | |
| | C © CB | - Calculated - Centerline - Concrete Block | PC - Point of Curvature Pg Page | | |
| | CM Conc. | - Concrete Monument - Concrete | Pl Planter P.O.B Point of Beginning P.O.L Point on Line | | |
| | D DE | - Description - Drainage Easement | PP - Power Pole PRM - Permanent Reference | | |
| | Esmt. | | Monument PT - Point of Tangency | | |
| | FFE | Management Agency - Finished Floor Elevation | R - Radius Rad Radial | | |
| | Fnd. IP | - Found - Iron Pipe | R&C - Rebar & Cap Rec Recovered | | |
| - ● | L M | - Length (Arc) - Measured | Rfd Roofed Set - Set ½" Rebar & | | |
| e | N&D N.R. | | Rebar Cap "LB 7623" Typ Typical | | |
| | ORB P_ | Official Records Book Plat | UE - Utility Easement WM - Water Meter | | |
| | P.B. - □ - | - Plat Book - PVC Fence | △ - Delta (Central Angle) -O Chain Link Fence | | |
| | | Not | 20 | | |

>Survey is Based upon the Legal Description Supplied by Client.

- >Abutting Properties Deeds have NOT been Researched for Gaps,
- >Subject to any Easements and/or Restrictions of Record.
- >Bearing Basis shown hereon, is Assumed and Based upon the Line
- >Building Ties are <u>NOT</u> 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 Construed to give ANY Rights or Benefits to Anyone Other than those Certified.
- Flood Zone Determination Shown Heron is Given as a Courtesy, and is Subject to Final Approval by F.E.M.A. This Determination may be affected 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.

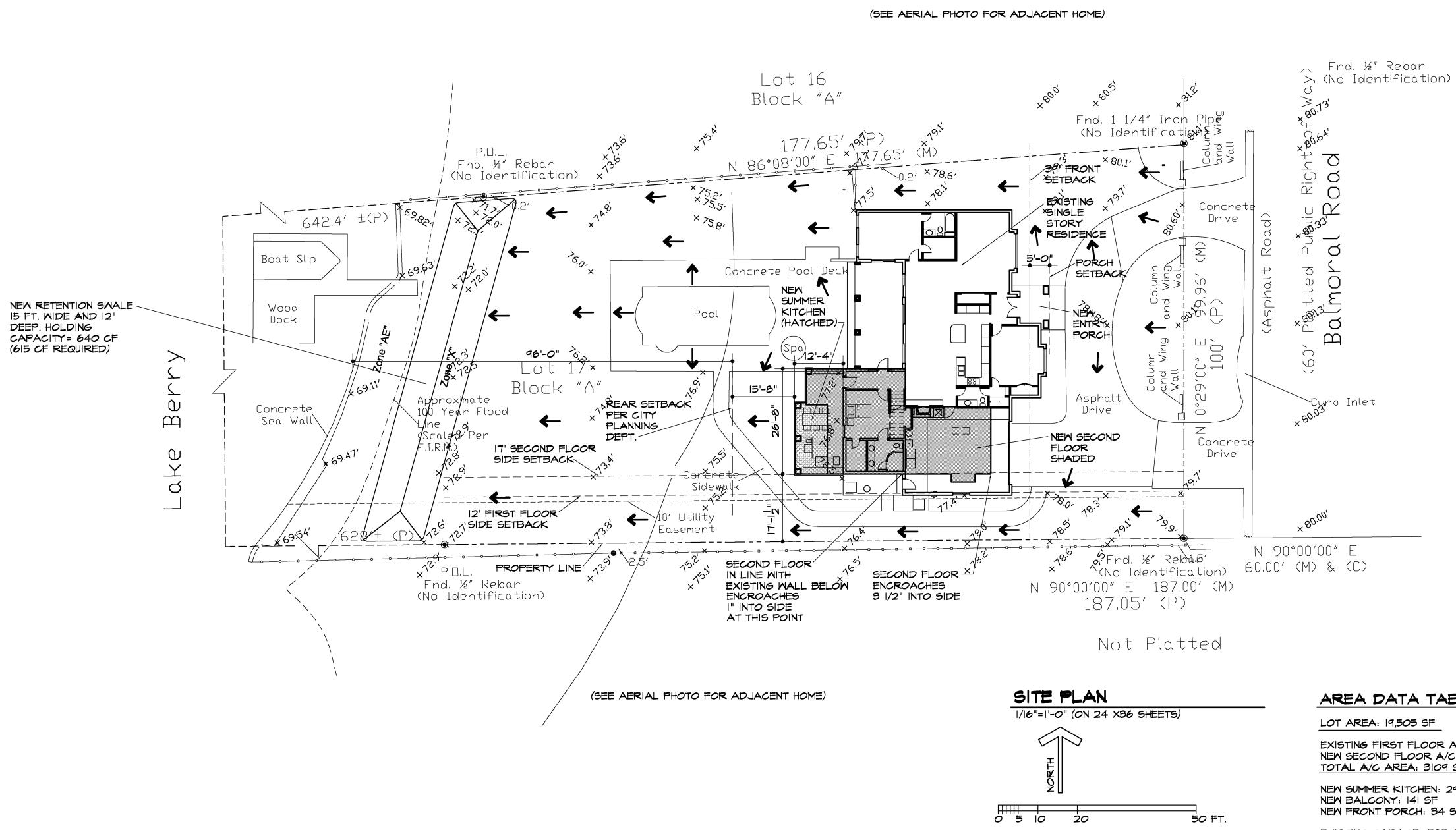
I hereby Certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Beilef as recently Surveyed under my Direction on the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 5J-17.052 Florida Stating Codes Pursupant to Section 472 027 Elorida Stating

Patrick K. Ireland Comp. PStv 6637 LB 7623

This Survey is intended ONLY for the use of Said Certified Parties. This Survey NOT VALID UNLESS signed and Embossed with Surveyor's Seal.

5725 Wayside Drive Suite 1002 Sanford, FL 32771 www.irelandsurveying.com
Office-407.678.3366 Fax-407.320.8165

Fnd. ½″ Rebar > (No Identification) Fnd. 1 1/4" Iroh SETBACK EXISTING XSINGLE STORY RESIDENCE Asphalt Cyrb Inlet NEW SECOND Concrete FLOOR Drive SHADED N 90°00′00″ E Fnd. ½" Rebá.5' 60,00′ (M) & (C) ^(No Identification) N 90°00′00″ E 187,00′ (M) 187.05′ (P) Not Platted SITE PLAN AREA DATA TABLE 1/16"=1'-0" (ON 24 X36 SHEETS) LOT AREA: 19,505 SF EXISTING FIRST FLOOR A/C AREA: 2155 SF GROSS NEW SECOND FLOOR A/C AREA: 954 SF TOTAL A/C AREA: 3109 SF GROSS NEW SUMMER KITCHEN: 295 SF NEW BALCONY: 141 SF 0 5 10 20 NEW FRONT PORCH: 34 SF NET EXISTING GARAGE: 585 SF EXISTING FRONT PORCH: 31 SF EXISTING REAR PORCH: 324 SF LEGAL DESCRIPTION: GROSS FLOOR AREA: 4518 SF FLOOR AREA RATIO: 4518/19,505= 23.2% (33% ALLOWED) LOT 17, BLOCK A, KENILMORTH SHORES SECTION SIX, ACCORDING TO THE PLAT IMPERVIOUS AREA: THEREOF, AS RECORDED IN PLAT BOOK V, PAGE III, OF THE PUBLIC RECORDS OF HOUSE AND PORCHES: 3424 SF ORANGE COUNTY, FLORIDA. DRIVEWAY: 1650 SF POOL, POOL DECK AND WALKS: 2295 SF



SCOPE OF WORK:

NEW SUMMER KITCHEN AT FIRST FLOOR, NEW MASTER BEDROOM SUITE, BALCONY, LAUNDRY AND BONUS ROOM AT NEW SECOND FLOOR. NEW FRONT ENTRY PORCH.

TOTAL IMPERVIOUS AREA: 7369 SF OR 37.8% (50% ALLOWED)

FIRST INCH OF RAINFALL = 7369 SF/ 12 = 615 CF REQUIRED CAPACITY OF SWALE AT LAKEFRONT: 640 CF PROVIDED

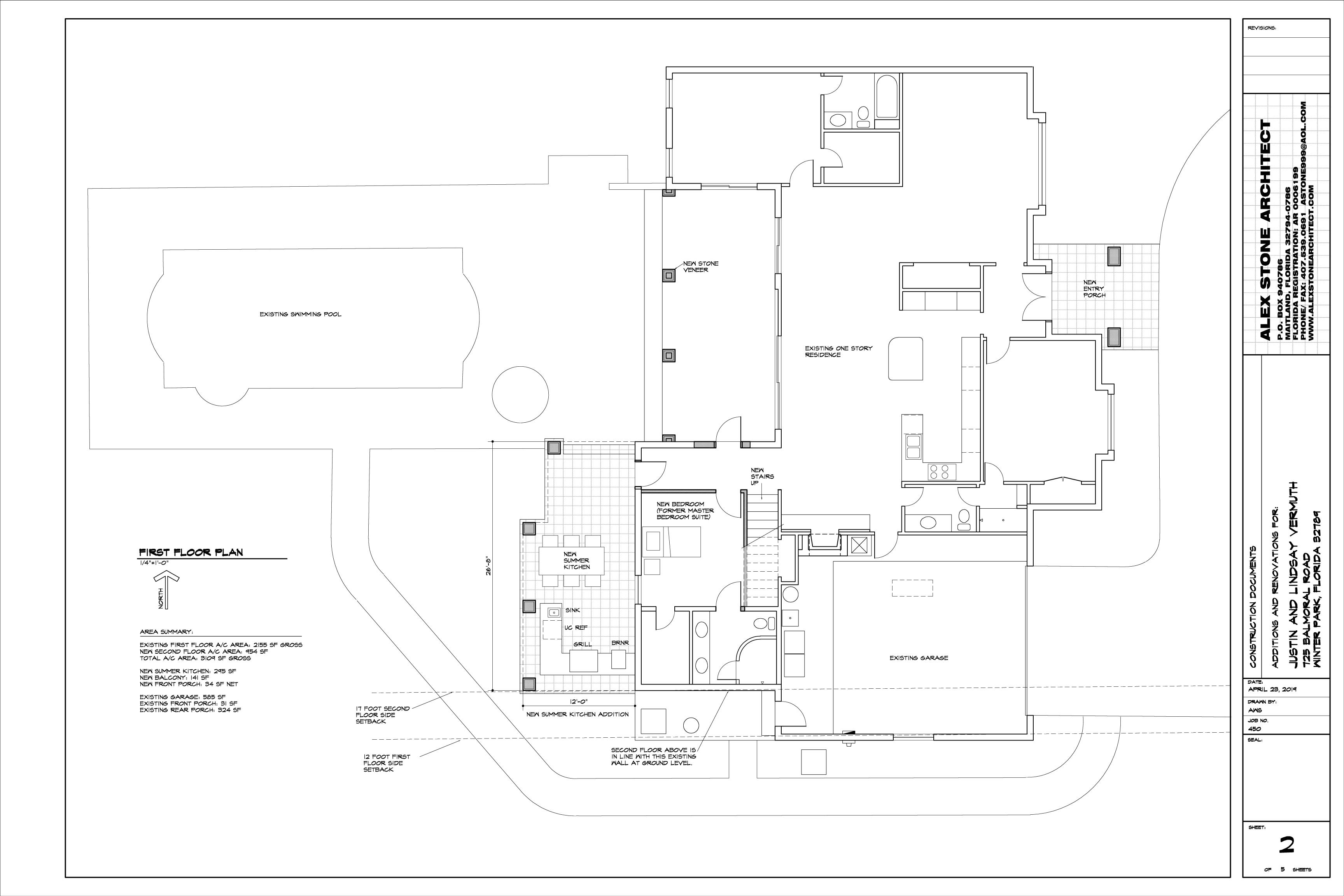
LOT COVERAGE: 3424 SF/ 19,505 SF= 17.6%

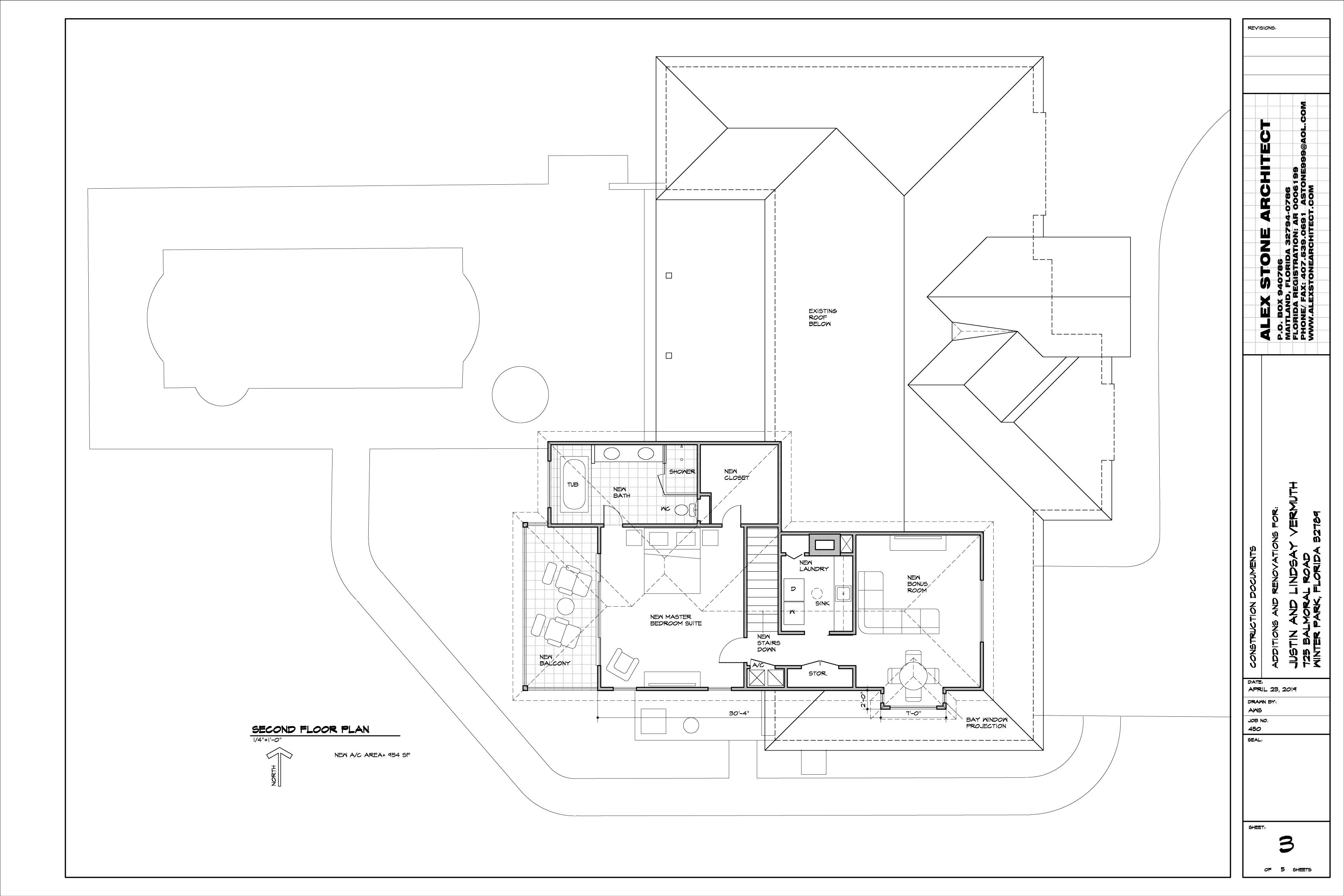
APRIL 23, 2019 DRAWN BY: JOB NO. 450 SEAL:

REVISIONS:

OF 5 SHEETS

SHEET:











APRIL 23, 2019 DRAWN BY: JOB NO. 450 SEAL:

REVISIONS:

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OF 5 SHEETS



DATE:

DRAWN BY:

JOB NO. 450

SEAL:

APRIL 23, 2019

REVISIONS:

CITY OF WINTER PARK PLANNING AND ZONING BOARD

Staff Report June 4, 2019

SPR 19-05

REQUEST OF Z PROPERTIES FOR APPROVAL TO CONSTRUCT A NEW 4,245-SQUARE FOOT SINGLE-FAMILY HOME LOCATED AT 1204 N PARK AVENUE ON LAKE MAITLAND, ZONED R-1AAA.

Z Properties (representing the property owners) is requesting approval to construct a new, one-story, 4,245 square foot single-family home within the Twelve Oaks neighborhood located at 1204 N Park Avenue on Lake Maitland, zoned R-1AAA.

This property previously received lakefront site plan approval from P&Z in October of 2017 for a two-story 5,465 square foot home. This home was never constructed, and now new buyers desire a single-story design. While this newly proposed home is smaller in size, due to the site plan changes and significant architectural style changes, this item must be brought back before P&Z for consideration.

Based on the property size of 16,592 square feet, the proposed 4,245 square foot onestory home yields a floor area ratio (FAR) of 26%, which is well within the maximum 33% FAR that is permitted. This new home will have impervious lot coverage of 6,270 square feet or 38%, which is also within the maximum 60% impervious area permitted for onestory homes.

Per P&Z's review of the standard lakefront criteria:

VIEW OF NEIGHBORS: The code states that the lakefront setback shall be the average established by the adjacent lakefront properties within 200 feet of the subject property, or a setback of 50 feet, whichever is greater. This application is a unique case, because there are no homes to the north of the property that front onto this same shoreline of Lake Maitland to use in the average setbacks. To the south, there is also a unique circumstance because the adjacent property at 1202 North Park Avenue has a nonconforming accessory structure building that sits approximately 12 feet from the lake. Per the code section cited below, the lakefront setback calculation is to include "accessory buildings". The other property, further to the south, at 1194 North Park Avenue is setback approximately 86 feet from the lake. Thus the average lakefront setback is approximately 49 feet which is less than the minimum required 50-foot setback.

Staff visited this property to get more information on these unique circumstances. The adjacent homeowners at 1202 North Park Avenue do not agree that their accessory structure should be included in the average, and that only the main residences should be used in the calculations. They also feel that this new home, as proposed which is approximately 17 feet closer to the lake than their swimming pool, and 40 feet closer to the lake than their main residence does not comply in that "views of water from adjoining properties will be unduly impaired".

The code direction is to minimize the degradation of traditional views across properties by new houses alongside property lines toward the lake that may block traditional views. The attached site plan and aerials show the orientation of this home versus the adjacent homes. Due to the constraints of the shape of this lot and the desire for a one-story home, it is located closer to the lake than the home to the south, but still at or behind the 50-foot lakefront setback. Generally the precedent has been that property owners are allowed to build if they conform to the average lakefront setback but everything between the average lakefront setback and the minimum 50 foot setback is up to the discretion of the P&Z Board. However, the Zoning Code does say that the P&Z Board "may impose more restrictive requirements as necessary to accomplish the objectives" of the lakefront reviews. The P&Z Board then does have the authority to make judgment calls on the "impairment of lake views" but the code text also supports the ability of the applicant to build at the 50-foot setback.

Sec. 58-87. Lakefront lots, canalfront lots, streamfront lots, wetlands, boathouses and docks.

- (5) Structures on lakefront lots require the approval of the planning and zoning board prior to the issuance of a building permit. As conditions necessitate, the planning and zoning board or city commission may impose increased setbacks in concert with their waterfront review or conditional use authority as necessary to accomplish the objectives in this section. Structures in this context shall also include parking lots, driveways, swimming pools, cabanas, gazebos, screen enclosures, tennis courts and other accessory buildings.
 - (a) Setbacks Single family/duplex. The setback from the water's ordinary high water elevation for single family and duplex buildings and any other accessory structures on those properties (other than boathouses, docks, over the water gazebos or retaining walls) shall be the average established by the adjacent water front properties within 200 feet of the subject property, or 50 feet, whichever is greater. The planning and zoning board shall have the authority to approve water front setbacks less than the average to a minimum of 50 feet in accordance with their water front review authority.

The irony of the Code direction and effort by the P&Z Board to mitigate that "views of water from adjoining properties will not be unduly impaired" is that it only applies to buildings and does not apply to landscaping. So an owner can plant trees, hedges and bamboo and completely screen off a neighbor's view of the lake. They can plant the landscaping all the way down to the lake's edge.

In discussions with the applicant, they are in agreement to plant magnolia trees or bamboo down to the 50 foot setback so that the neighbor's will be looking at 'green' versus looking at building. They also commit that they will not plant such visually screening landscaping further down from the 50 foot setback to the lake's edge. That does then become a condition of approval that keeps that area open for preservation of lake views.

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 with a single-family home that was demolished, this proposed home will be located in generally the same footprint, and will not require any removal of protected trees.

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, as there is no land left for a swimming pool.

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 a storm water swale near the lakefront that is sized to meet the City's code requirements.

CONSTRUCTION IMPACT: The access road to this Twelve Oaks neighborhood is a narrow, private roadway. Because of this, construction management is very important. As part of the permit process, a construction management plan will be required, and will need to pay careful attention to the parking of construction vehicles, delivery trucks, etc., as to not prohibit the access to neighboring properties, and workers driving to the site should have offsite parking.

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 subject to three conditions:

- 1. The planting of a dense landscape screen of magnolia trees and or bamboo along the southern setback area of the lot ending at the 50 foot lakefront setback in order for the view of the building to be screened by landscaping.
- 2. That there be no landscape plantings above three feet in height planting in the southern portion of the property from the 50 foot setback down to the lake's edge, and
- 3. That the Building Department approve a construction management plan.



PROJECT LOCATION 1204 N Park Avenue

City of Winter Park Florida





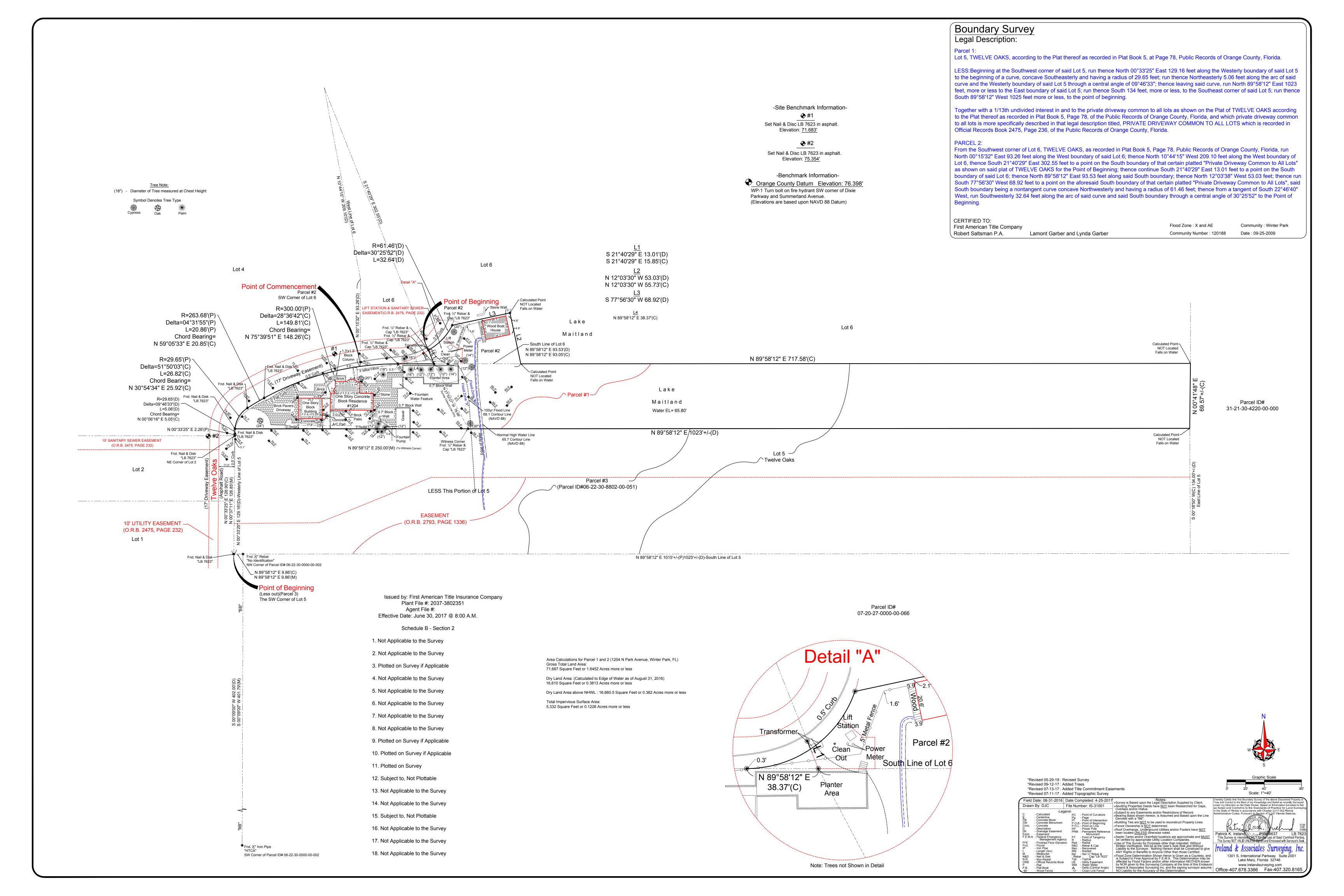


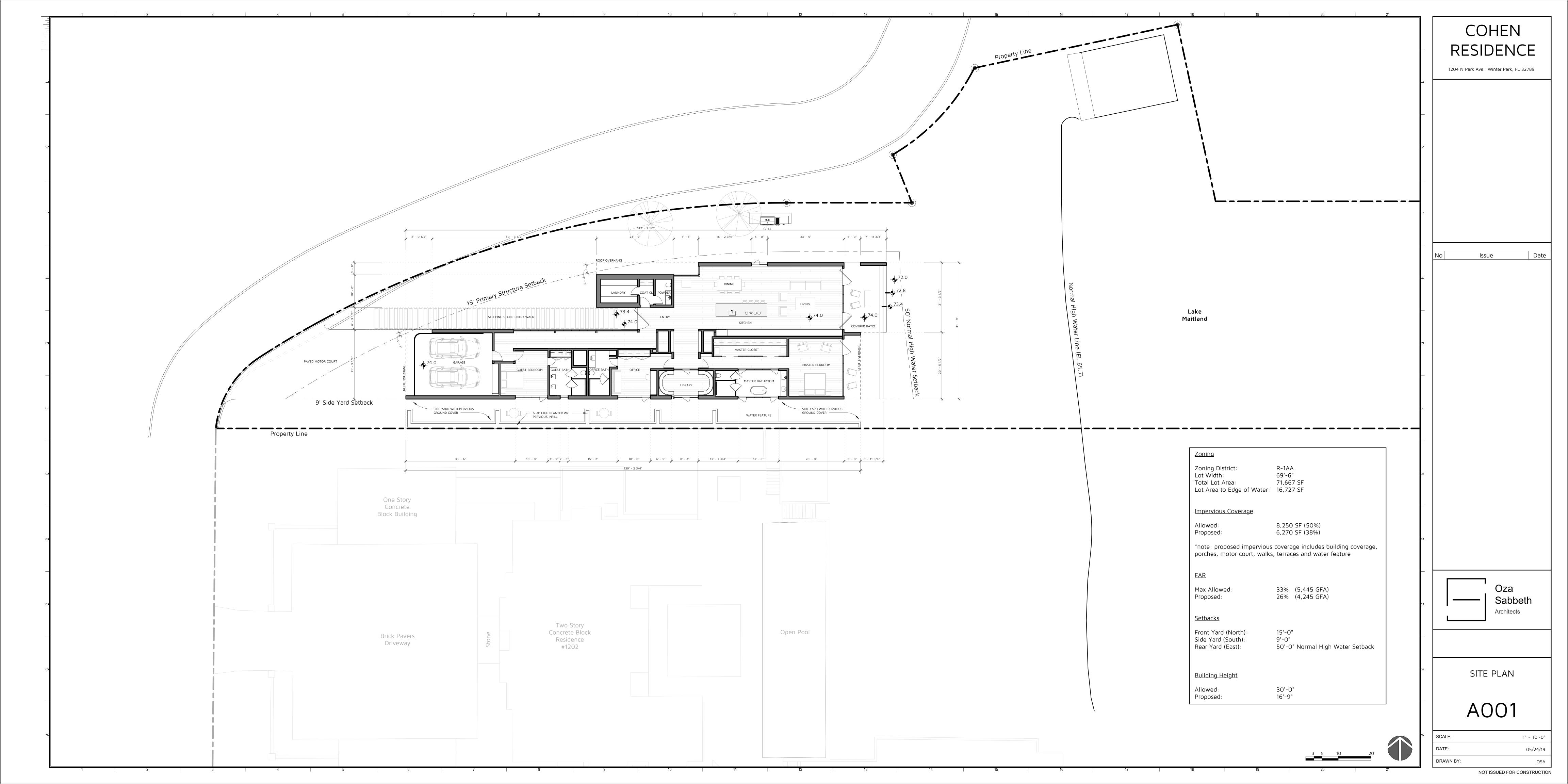
PROJECT LOCATION 1204 N Park Avenue

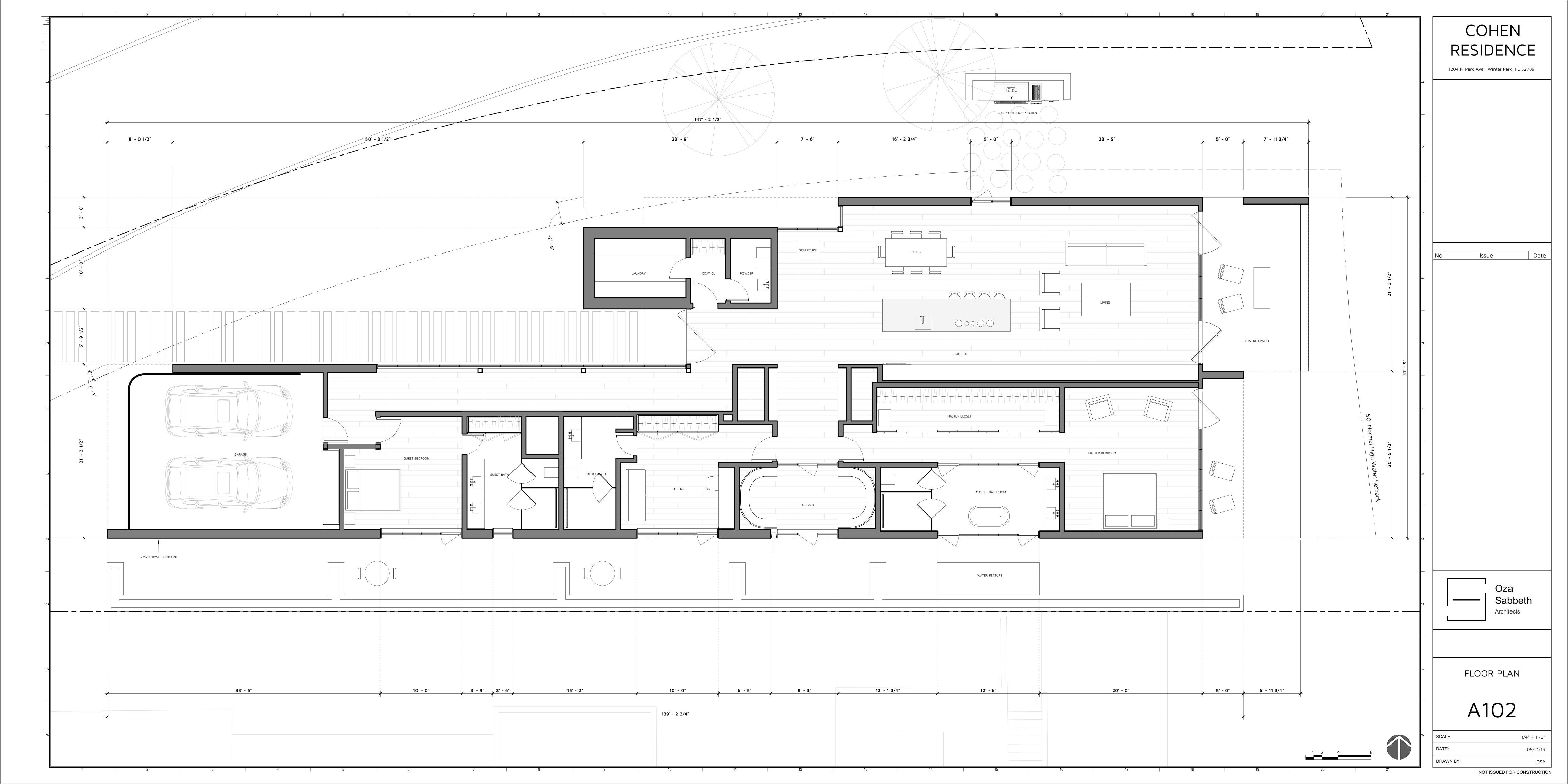
City of Winter Park Florida

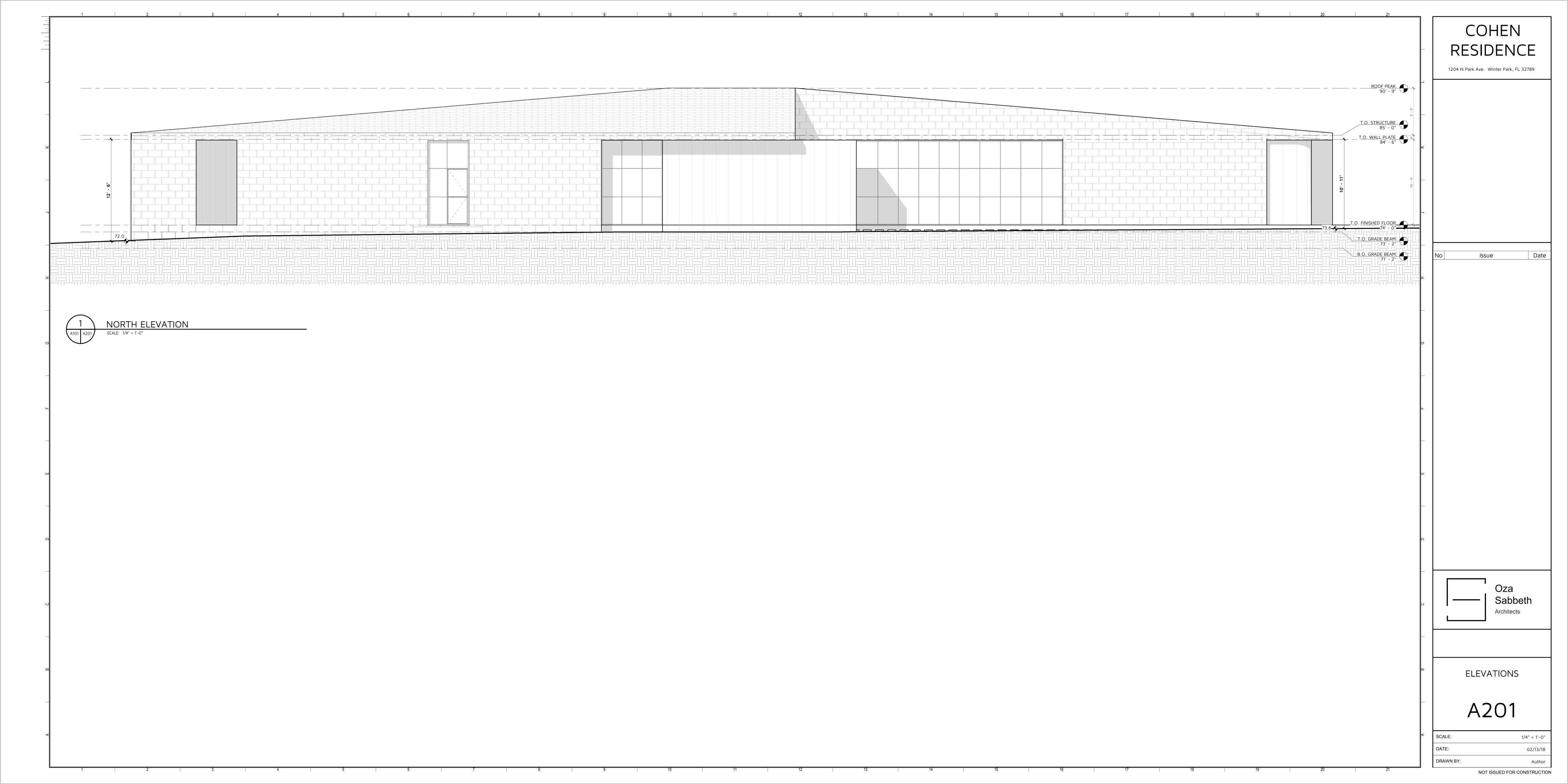




























05/31/19





PERSPECTIVES

05/31/19





PERSPECTIVES

05/31/19

CITY OF WINTER PARK PLANNING AND ZONING BOARD

Staff Report June 4, 2019

REQUEST OF IRA KITOGRAD FOR: APPROVAL OF THE FINAL BUILDING ELEVATIONS AND LANDSCAPE PLAN FOR THE PROPOSED LIVE/WORK PROJECT AT 2600 TEMPLE DRIVE, ZONED OFFICE (O-2).

On January 28, 2019 the City Commission approved the conditional use for a new live/work project at 2600 Temple Drive, which is zoned office (O-2). A condition of that approval was "that the applicant come back before the P&Z Board with a specific landscape plan, detailed elevations of the building including articulation, and an addition of a sidewalk to the site plan along the front of the building connecting to Temple Trail."

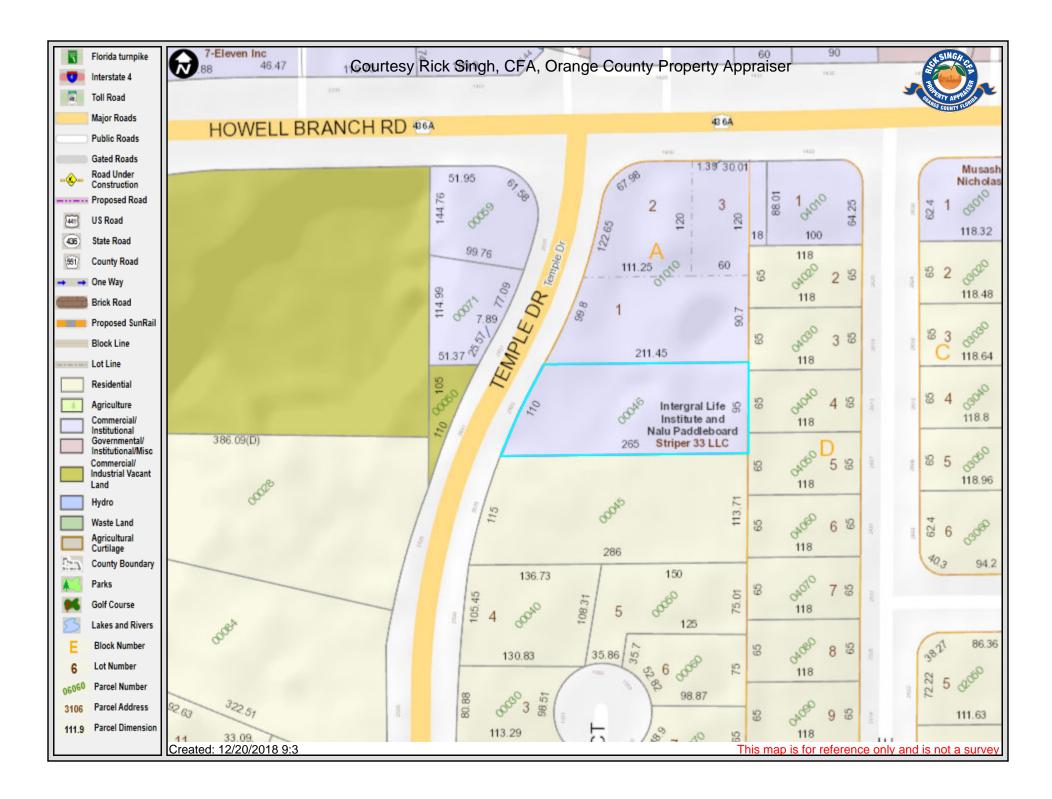
The applicant is now satisfying the condition to come back before the P&Z Board. Attached are the building elevations and site plan from the January 2019 submittal, and the final architectural elevations as part of this submittal as well as the landscape plan.

The added sidewalk along the front of the building now provides a pedestrian connection to Temple Drive. The applicant has also shown all four elevations of the building. These updated building elevations have a more residential look and feel and in return are more compatible to the surrounding properties. The southern elevation is the side with the least design enhancement, but the applicant is proposing 25 gallon graceful bamboo trees placed every five to seven feet to screen this side of the building from the adjacent residential properties.

Summary: This condition for additional design enhancement and landscaping has worked to produce a more articulated and visually appealing building with added architectural elements and interest, as well as proper screening to the adjacent residential properties.

STAFF RECOMMENDATION IS FOR APPROVAL with one condition:

1. That since the units are going to be sold fee simple, and will require replatting of the parcel, there shall be a requirement to keep and maintain the vinyl fence and bamboo screening to the adjacent residential properties.





A LANDSPACE DESIGN BY



2600 TEMPLE



2600 Temple Drive Winter Park, FL 32789

2019

SIGNATURE
LANDSCAPE CONTRACTORS

216 S Park Ave #2,
Winter Park, FL 32789

PHONE
(407) 622-0011

EMAIL
contactus@signaturelandscapecontractors.com

ONLINE

2600 TEMPLE

2600 Temple Drive Winter Park, FL 32789



No. Description Date

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IBK
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5931 SF

| I LANTING SCHEDOLL | | | |
|------------------------|---------------------------------|-----|--|
| NAME/TYPE | REMARKS | QT | |
| OAK TREE | 6-8" CALIPER WITH 25' SPREAD | 7 | |
| PAUROTIS PALM | 12'-0" - 14'-0" HEIGHT | 2 | |
| VIBURNUM ODORATISSIMUM | 10 GALLON PLANTED 36" O.C. | 165 | |
| BOUGAINVILLEA | 16'-0" - 18'-0" HEIGHT | 1 | |
| GRACEFUL BAMBOO | 25 GALLON PLANTED 5'-0" O.C. | 30 | |
| JASMINE | QUANTITY IN TRAYS (1.5 SF EACH) | 364 | |
| FASHION AZALEAS | 7 GALLON PLANTED 12" O.C. | 33 | |
| JAPANESE BOXWOODS | 7 GALLON PLANTED 12" O.C. | 75 | |



2600 TEMPLE

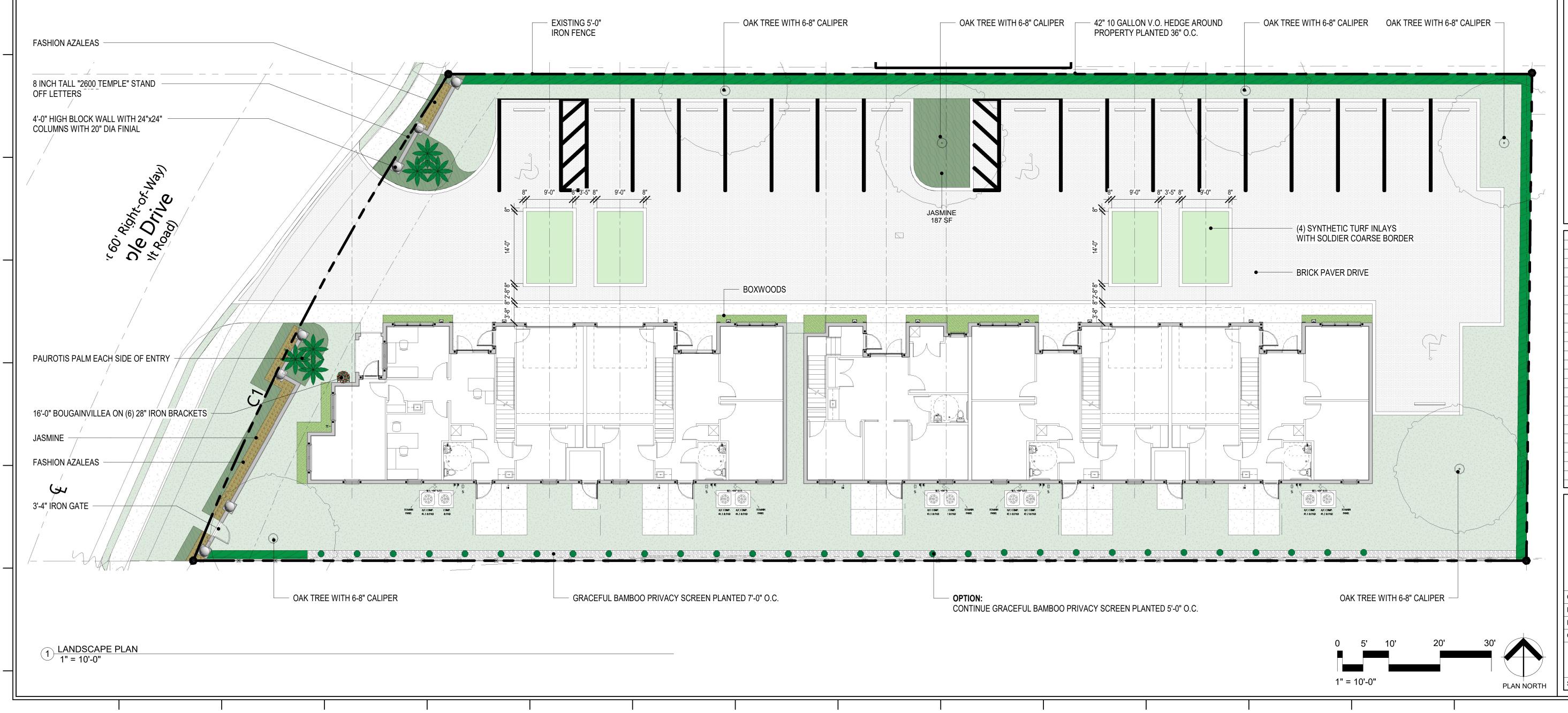
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LANDSCAPE PLAN

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Client Name IBK

Date 5/10/2019

Drawn by WV

Checked by AS

SIGNATURE
LANDSCAPE CONTRACTORS

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Winter Park, FL 32789

PHONE
(407) 622-0011

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contactus@signaturelandscapecontractors.com

ONLINE
www.signaturelandscapecontractors.com

2600 TEMPLE

2600 Temple Drive Winter Park, FL 32789



o. Description Date

RENDERING

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SIGNATURE LANDSCAPE CONTRACTORS 216 S Park Ave #2, Winter Park, FL 32789 PHONE (407) 622-0011 EMAIL contactus@signaturelandscapecontractors.com ONLINE www.signaturelandscapecontractors.com

2600 TEMPLE

2600 Temple Drive Winter Park, FL 32789



RENDERING

5/10/2019 Drawn by





2600 TEMPLE

2600 Temple Drive Winter Park, FL 32789



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SIGNATURE
LANDSCAPE CONTRACTORS

216 S Park Ave #2,
Winter Park, FL 32789

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2600 TEMPLE

2600 Temple Drive Winter Park, FL 32789



No. Description Date

RENDERING

Client Name IBK
Date 5/10/2019
Drawn by WV
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Scale



RENDERINGS ARE AN ARTIST'S ILLUSTRATION AND MAY NOT ACCURATELY DEPICT ALL ARCHITECTURAL OR LANDSCAPE ITEMS

SOUTH ELEVATION WITH NO LANDSCAPING



2600 TEMPLE

2600 Temple Drive Winter Park, FL 32789

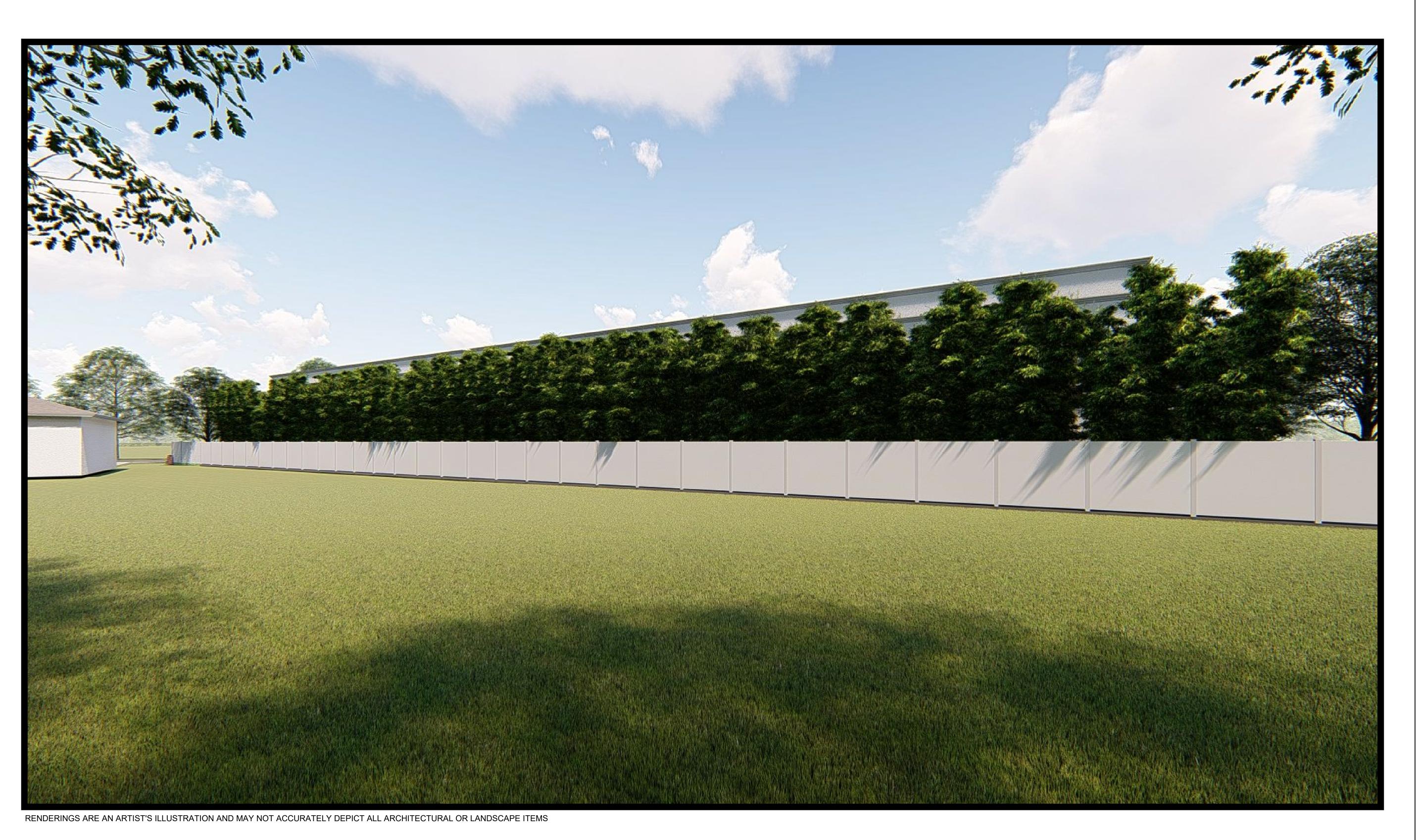


No. Description Date

RENDERING

Client Name IBK
Date 5/10/2019
Drawn by WV
Checked by AS

Scale



SIGNATURE
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2600 TEMPLE

2600 Temple Drive Winter Park, FL 32789



No. Description Date

RENDERING

Client Name IBK

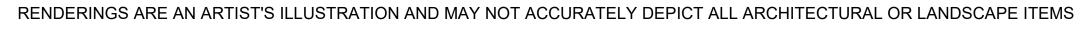
Date 5/10/2019

Drawn by WV

Checked by AS

SOUTH ELEVATION FULLY LANDSCAPED





SIGNATURE LANDSCAPE CONTRACTORS 216 S Park Ave #2, Winter Park, FL 32789 PHONE (407) 622-0011 EMAIL contactus@signaturelandscapecontractors.com ONLINE www.signaturelandscapecontractors.com

2600 TEMPLE

2600 Temple Drive Winter Park, FL 32789



RENDERING

5/10/2019 Drawn by Checked by



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2600 TEMPLE

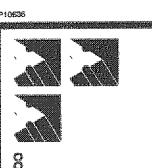
2600 Temple Drive Winter Park, FL 32789



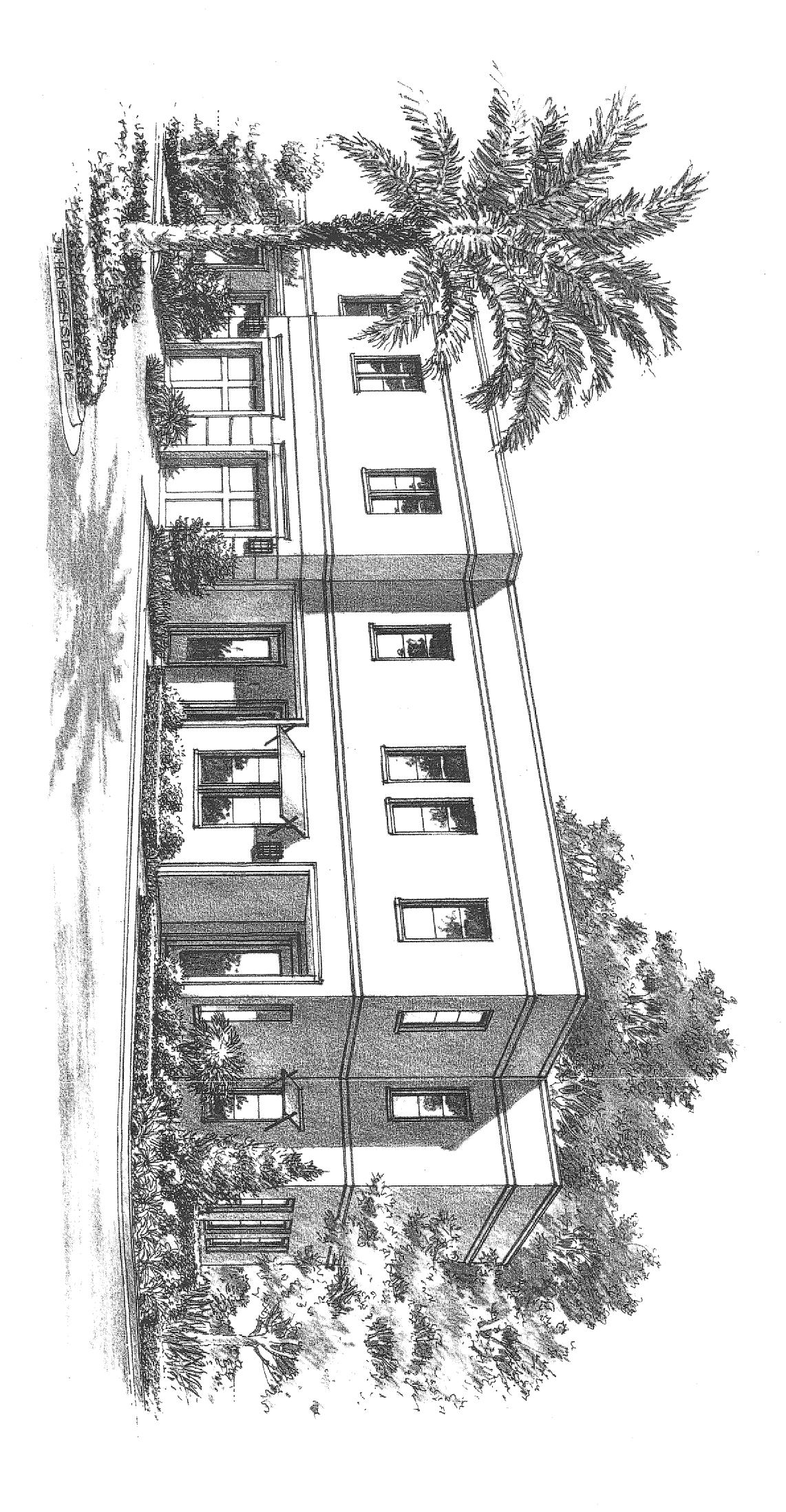
RENDERING

5/10/2019

Drawn by Checked by



Elevation submitted January 20



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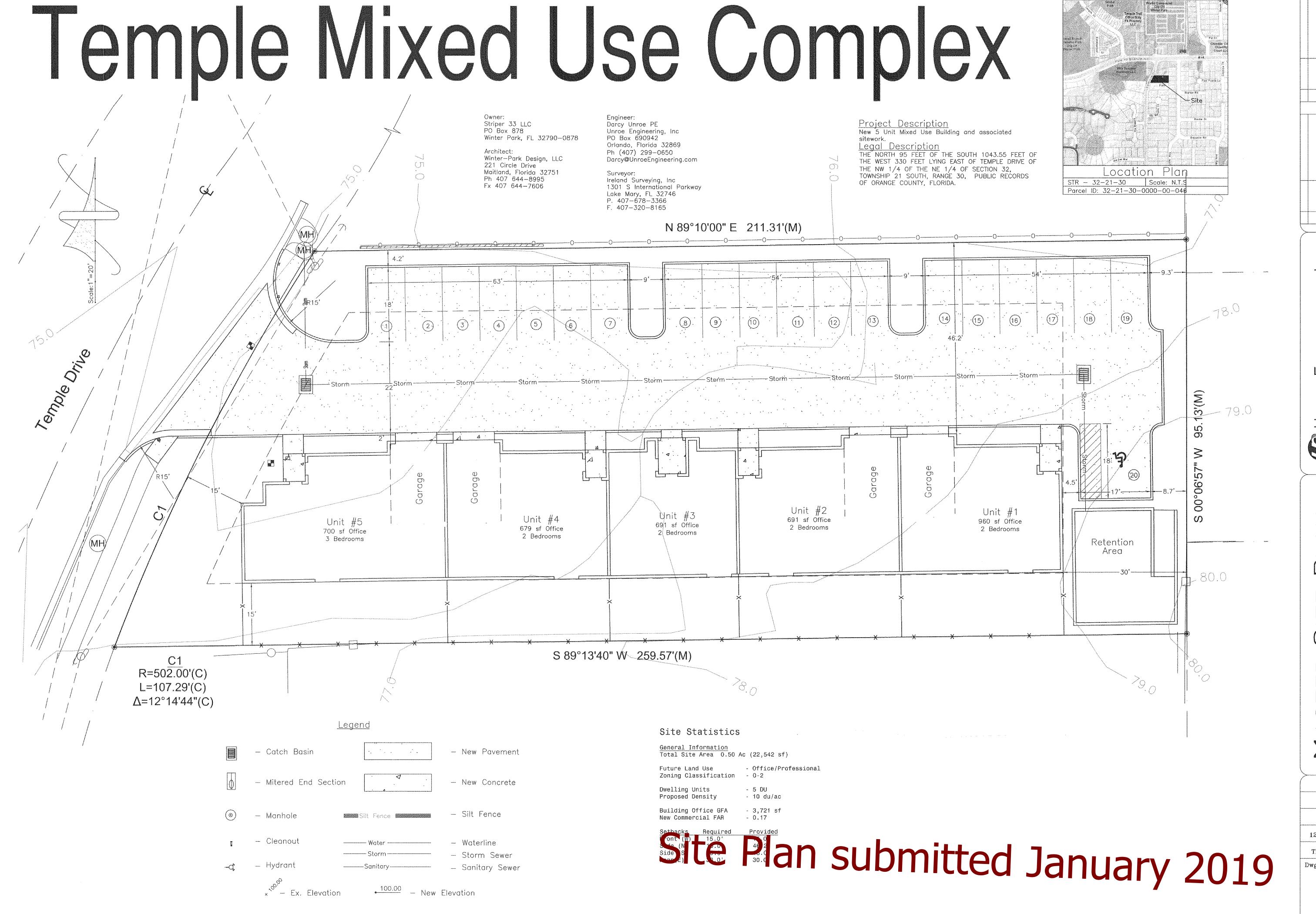
2600 TEMPLE DRIVE

WINTER PARK, FLORIDA

Winter Par Design







Revisions

 \mathbf{DP} 1"=20' 12/03/18 TMU-CO

Dwg. No.

CITY OF WINTER PARK PLANNING AND ZONING BOARD

Staff Report June 4, 2019

REQUEST OF VILLA TUSCANY HOLDINGS LLC FOR: SUBDIVISION APPROVAL TO DIVIDE THE PROPERTY AT 1298 HOWELL BRANCH ROAD ON LAKE TEMPLE, ZONED R-3, INTO FOUR LAKEFRONT LOTS, TO BE DEVELOPED AS SINGLE-FAMILY LOTS.

One year ago, in June 2018, Villa Tuscany Holdings LLC (property owner) received subdivision approval from the City Commission to divide the property located at 1298 Howell Branch Road into four lots, each to be developed with single-family homes. However, now the property owner desires to change the layout of the four lots and since the layout is significantly different, a subsequent approval is necessary. The zoning of this property is R-3.

This was the location of several Conditional Use requests for a memory care facility (Villa Tuscany), which were not approved by the City Commission. As a result, the property owner decided to subdivide the property for future single-family home development.

Project Site and Proposed Lot Dimensions: Per the applicant's survey, the entire property is 3.777 acres in size. Of that total land area, there are 2.41 acres (104,979 square feet) of land above the Ordinary High Water (OHW) elevation of 66.6 feet (NAVD 88 datum). The OWH elevation defines the ordinary or normal reach of water during the high-water season. The term "ordinary" excludes floods and other extraordinary high water events, but includes the average or normal reach of high water of each year. The remaining 1.367 acres (59,546 square feet) are comprised of water bodies, either as actual water or shoreline below the OHW elevation. The larger waterbody in the southwestern portion of the lot is Lake Temple, and the smaller waterbody in the northeastern portion of the lot is a remnant sinkhole with no name.

The proposed lot dimensions are as follows:

Lot #1 - 20,037 square feet (0.46 acre) and 264 feet of lot width;

Lot #2 - 12,632 square feet (0.29 acre) and 70 feet of lot width;

Lot #3 - 13,068 square feet (0.30 acre) and 80.8 feet of lot width;

Lot #4 - 59,241 square feet (1.36 acre) and 341.6 feet of lot width.

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

Zoning Test: To create a single family lot in the R-3 zoning, the minimum size required is 50 feet of lot width and 6,000 square feet of lot area. The proposed lots are all in excess of those requirements Thus, this request exceeds the R-3 lot dimension standards, and no variances are requested.

Comprehensive Plan Test: The practice outlined in the Comprehensive Plan and the Subdivision Code (attached) is to look at the surrounding neighborhood to compare lot sizes. The Code dictates that the review area is within a 500-foot radius of the subject property, and is limited to those properties in the "same zoning". There are no other single-family properties within 500 feet that are zoned R-3.

However, this is to be a single-family development and there are homes within this neighborhood with single-family zoning (see attached map). The average lot size from this 41 home survey is 20,361 square feet, and the median lot area is 14,070 square feet. Thus, in this case, the lot sizes proposed are similar to the average lot size within the 500-foot radius.

Development Plans: The applicant has provided conceptual site plan layouts of new homes to indicate that the buildable areas are sufficient for single-family homes. However, the specific plans, layout, elevations, etc. will not be developed until the lots are sold to builders. It is important to point out that while these lots are zoned R-3, the applicant is in agreement to comply with the normal single-family zoning development standards with respect to setbacks, floor area ratio, building articulation, etc.

Traffic/Mobility Impacts: In terms of traffic impact for the proposed homes, according to the Institute of Transportation Engineers (I.T.E.) data, the traffic generation/car trips per day for these homes will be approximately 38 daily trips. This is less than the 80 daily trips anticipated for the previously proposed memory care facility.

Access to the proposed lots, into and out of this property was an issue in the initial staff reviews. Access driveways to each individual lot presented safety concerns given sight lines, speed of traffic, U-turns necessary, etc. As a result, these four lots will use a private access easement/common driveway. All traffic is to enter and exit on Howell Branch Road via the signalized intersection at Temple Trail and Howell Branch Road, onto the roadway with 30,600 cars a day. Utilizing access at the traffic light will insure safe turning movements into and out of the property. The traffic signal upgrades will be done at the applicant's expense.

Lakefront Review: All of these lots are lakefront lots on Lake Temple, which per Section 58-87 of the Zoning Code, requires that all new homes and major construction be reviewed and approved by the Planning and Zoning Board at a public hearing following notice. If approved, the applicant plans to market these lots to single-family home builders who would present their specific plans including site plans and lakefront elevations to the P&Z Board. The P&Z Board's review focuses on tree preservation, storm water retention, accommodating the plans to the grade of the lot and maintaining lake views. The setbacks for single-family homes are a minimum of 50 feet from the OHW elevation of Lake Temple. Typically, homes are further back than the minimum 50-foot setback in order to provide space for a swimming pool.

Tree Preservation: This vacant property is covered with trees of all types and sizes. The City's code requires identification of the trees nine inches in diameter or greater. The applicant has previously submitted a tree survey. That will be used as each individual lot comes in for approval of their development/house plans by the P&Z Board. At that time, the home builder will need to work with the city's Urban Forestry

department on the plans for removal and preservation. Generally, the trees that need to be removed in order to build the home, swimming pool, drives and such can be removed, but each individual house plan involves a negotiation with Urban Forestry especially if removal of a specimen tree is involved.

Technical Advisory Committee Comments: During the review by other city departments, the site plan was revised, per the comments from the various departments to the form submitted. The Public Works Department has also asked for an easement for those sections of the sidewalk along Howell Branch Road that encroach upon this property, as well as a drainage easement over the weir or control structure between these two water bodies in case maintenance work is required. The applicant is in agreement with those requests. Other comments from Public Works related to the traffic signal upgrades have been agreed to by the applicant. Similarly, the sanitary sewer lift station necessary for this project will be designed to meet city specifications.

Per the City Attorney, there will need to be a formal plat recorded along with a Homeowners Association in order to implement the approvals and conditions as well as provide for the maintenance of the common driveway and sanitary sewer lift station.

The applicant is not asking for approval of a subdivision wall along Howell Branch Road frontage for a privacy and sound buffer. However, staff fully expects that the eventual builder will want to pursue that option. Those plans for the any wall will require City Commission approval and there are specifications in the subdivision regulations on heights allowed, design, etc.

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

Summary: The request meets all of the R-3 zoning requirements for lot sizes, and no variances are requested. The neighbors will be provided an opportunity to review and comment on the specific house plans as they come in to be reviewed and approved by the P&Z Board, as lakefront lots. The applicant is in agreement that these lots will be developed per the single-family zoning rules, just like the surrounding single family lots.

STAFF RECOMMENDATION IS FOR APPROVAL of the Subdivision request to divide the property at 1298 Howell Branch Road into four lakefront lots, as presented subject to the following conditions to be approved in form and content on the formal plat by the City Attorney:

- That approval require implementation via a formal plat approved by the City to establish the common driveway access rights, to dedicate the access rights to the City other than that provided for by the common driveway and that it provide for a Homeowners Association in order to provide for the continual maintenance of the common driveway and sanitary sewer lift station.
- 2. That the plat set forth the commitments to develop each lot in conformance with the single family zoning development standards.
- 3. That the plat dedicates to the City, the easements requested by Public Works.

- 4. That the plat provides an easement area for a future privacy wall or landscape buffer area along the Howell Branch Road frontage.
- 5. That the traffic signals upgrades necessary for the traffic light at Temple Trail and Howell Branch Road be at the development's expense.
- 6. That new potable water and fire flow infrastructure be constructed including fire hydrant(s) as needed within 300 feet travel distance to all sides of all three homes which must be completed at the development's expense prior to the issuance of the building permit for the construction of the first new home.

RELEVANT COMPREHENSIVE PLAN POLICY:

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

ARTICLE VI. - SUBDIVISION AND LOT CONSOLIDATION REGULATIONS

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

- (a) In the City of Winter Park, as a substantially developed community, the review of lot splits, lot consolidations, plats, replats or subdivisions within developed areas of the city shall insure conformance with the adopted policies of the comprehensive plan as a precedent to the conformance with other technical standards or code requirements.
- (b) In existing developed areas and neighborhoods, all proposed lots shall conform to the existing area of neighborhood density and layout. The proposed lot sizes, widths, depths, shape, access arrangement, buildable areas and orientation shall conform to the neighborhood standards and existing conditions. This provision is specifically intended to allow the denial or revision by the city of proposed lot splits, lot consolidations, plats, replats or subdivisions when those are not in conformance with the existing neighborhood density or standards, even if the proposed lots meet the minimum technical requirements of the zoning regulations.
- (c) In determining the existing area or neighborhood density and standards, for the consideration of lot splits, plats, replats or subdivision of other than estate lots or lakefront lots, the planning and zoning commission and city commission shall consider the frontage and square foot area of home sites and vacant properties with comparable zoning within an area of 500-foot radius from the proposed subdivision.
- (d) In order to implement the policies of the comprehensive plan, the city commission may also impose restrictions on the size, scale, and style of proposed building, structures, or other improvements. This provision shall enable the city commission to impose restrictions on the size, height, setback, lot coverage, impervious area or right-of-way access such that proposed building and other improvements match the dimension and character of the surrounding area or neighborhood.



PROJECT LOCATION 1298 Howell Branch Road

City of Winter Park Florida







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COMPREHENSIVE PLAN TEST

1298 Howell Branch Rd

City of Winter Park Florida

LEGEND

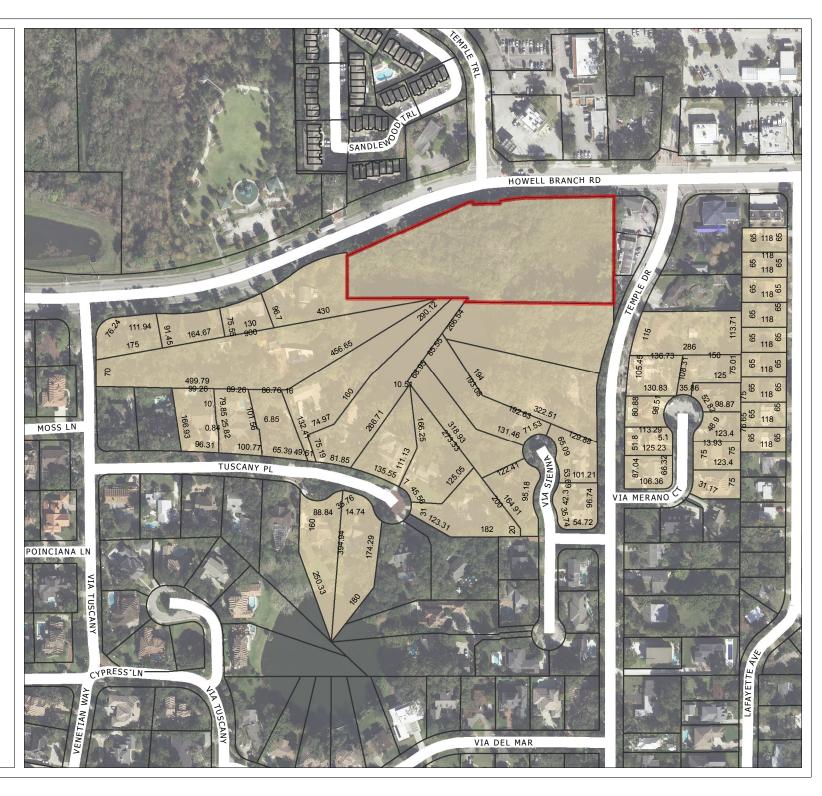
Subject Site

Single-Family Lots Within 500' of Site (41 total)

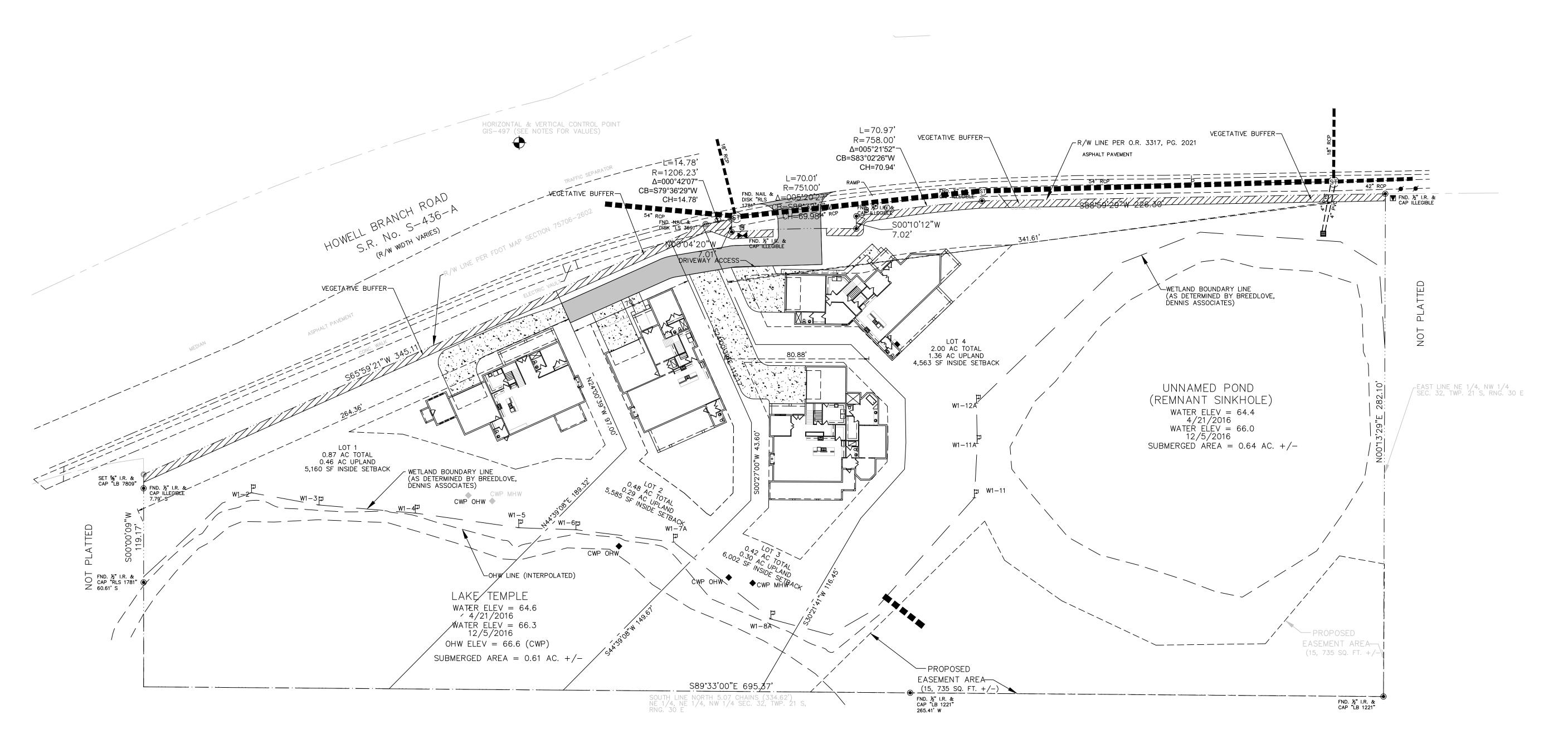
NOTES

Average Lot Size = 20,361 sq ft Median Lot Size = 14,070 sq ft

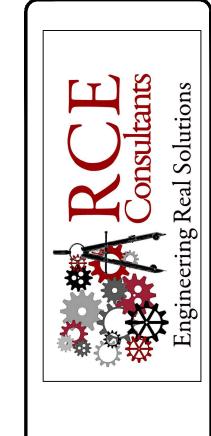




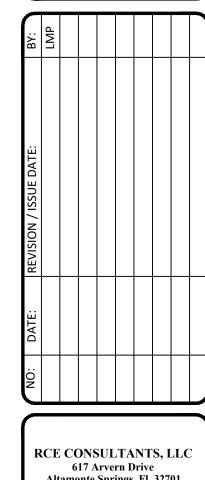
SITE LEGEND SITE BOUNDARY LINE CENTER LINE OF ROAD EASEMENT LINE EDGE OF PAVEMENT LINE PROPOSED PROPERTY LINE PROPOSED SETBACK LINE (IN FEET) 1 inch = 30 ft.



NOT PLATTED



HOWELL BRANCH PROJECT SITE PLAN



RCE CONSULTANTS, LLC 617 Arvern Drive Altamonte Springs, Fl. 32701 Phone No. 407-452-8633 larry@rceconsultants.com

Engineer of Record

Laurence Poliner #56974 RCE CONSULTANTS, LLC Certificate of Authorization 29307

PROJECT #:
XX.2019

DRAWN:LMP CHECKED: LMP

SCALE:

1"=30'

SCAURIT CHECKED:

SHEET:

APRIL,2019

C

1"=30'
SITE PLAN

