



401 South Park Avenue • Winter Park, Florida 32789

407-599-3324 • planning@cityofwinterpark.org
cityofwinterpark.org

Planning & Community Development

Planning & Zoning Board Staff Report for October 1, 2019 Meeting

SPR #19-12. Request of Majid Kalaghchi for: Approval to construct a new, two-story, 4,393 square foot, single-family home located at 470 Fairfax Avenue on the Howell Creek Canal, zoned R-1AA.

Background

The applicant is requesting site plan approval to construct a new, two-story, 4,393 square-foot, single-family home at 470 Fairfax Avenue, which is located on the Howell Creek Canal, and is zoned R-1AA. This property measures 12,300 square feet. Below is a table summarizing this request in comparison to the R-1AA zoning/waterfront lot requirements.

Table 1:

	R-1AA/Waterfront Lot Requirements	Proposed
Floor Area Ratio	Max 38%	4,393 square feet/36%
Impervious Lot Coverage	Max 50%	5,484 square feet/45%
Canal Setback	57 feet	57 feet

Note: Items in bold indicate a variance request.

Tree Preservation

The purpose and intent of the lakefront/canal front lots section of the code states that existing trees shall be preserved to the degree reasonably possible, and the appearance of the property and the shore when viewed from the water will be kept as natural as reasonably possible. The applicant is proposing to remove several palm trees (not protected species) in the front of the lot that are within the driveway footprint and one maple tree in the rear of the lot that is within the stormwater retention area, but is preserving the remaining trees along the canal and the sides of the property. Per code, conditions for approval of a tree removal permit shall include tree replacement, financial compensation or a combination of tree replacement and financial compensation.

View From the Canal

The code limits walls and swimming pool decks facing the canal in excess of three feet in height. This lot does have some grade drop from the street front to the canal, but the pool deck height does not exceed the three foot height code maximum.

View of Neighbors

The purpose and intent of the lakefront/canal front lots section of the code is to ensure that the views of the canal from adjoining properties will not be unduly impaired by new houses, additions, second story additions, etc. In order to achieve this, the code states that the lakefront/canal front setback shall be the average established by the adjacent waterfront properties within 200 feet of the subject property, or 50 feet, whichever is greater. However, the P&Z Board does have the authority to approve setbacks less than the average determined, or impose more restrictive setbacks. Staff has determined that the average waterfront setback is approximately 57 feet from the canal, and the applicant is adhering to this 57 foot setback.

Stormwater Retention

The code requires retention of stormwater so that stormwater flowing over a waterfront lawn area does not carry with it into the canal or chain of lakes any fertilizers, herbicides, or other chemicals that affect the water quality of our community's most precious assets. The amount of impervious surface on the lot determines the depth/size of the retention needed. The applicant is proposing a stormwater swale near the canal that is sized to meet the City's code requirements.

Summary

The applicant is proposing a home that is compatible with the natural grade of the property, is ensuring that water pollution from stormwater runoff and other sources will be minimized, and is preserving existing trees to the degree reasonably possible so that the appearance of the property and the shore when viewed from the water will be kept as natural as reasonably possible. Overall, the plans meet the intent of the canal front review criteria defined in the code and no variances are requested.

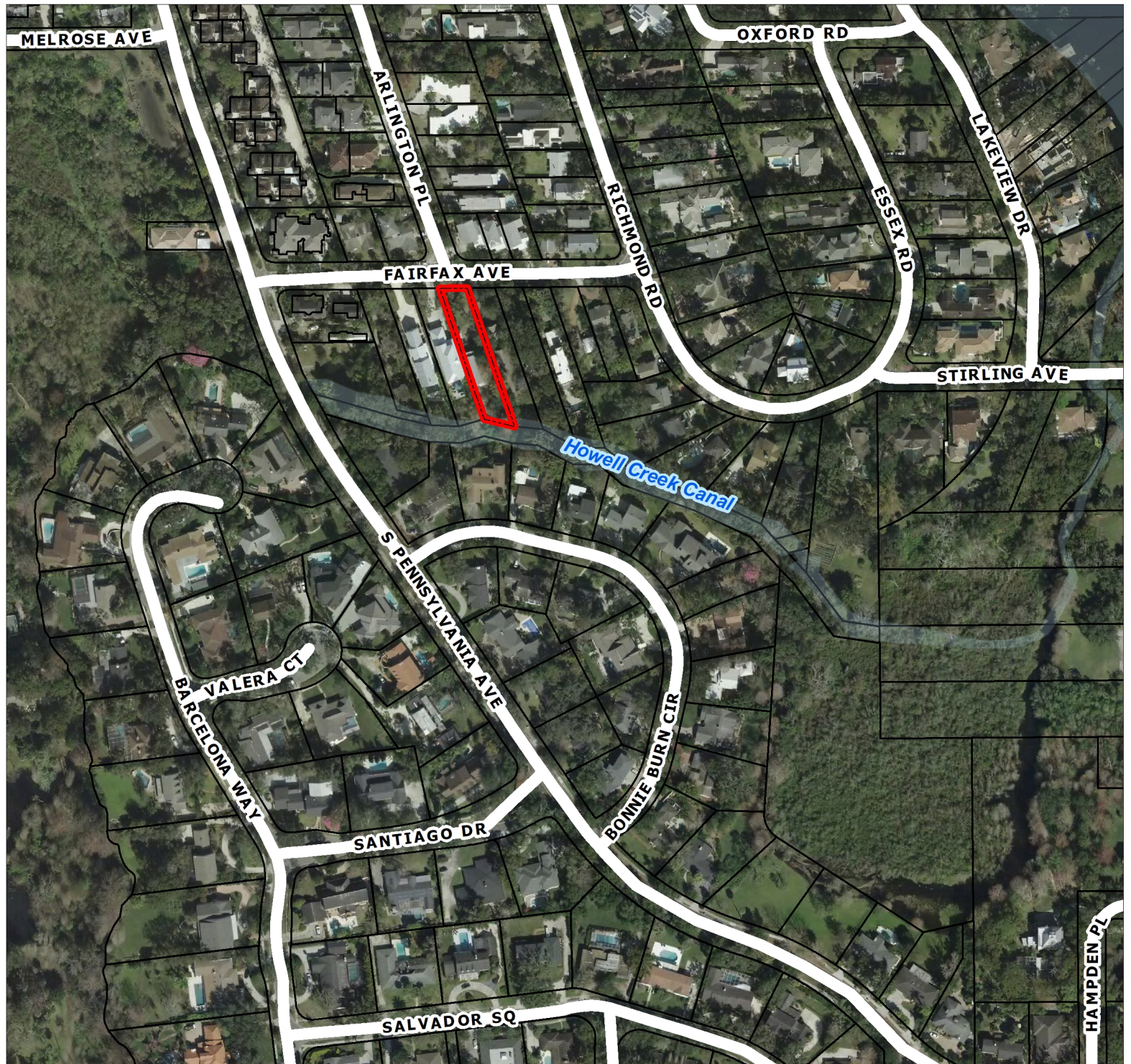
Staff recommendation is for approval.



LOCATION MAP

470 Fairfax Avenue

City of Winter Park
Florida

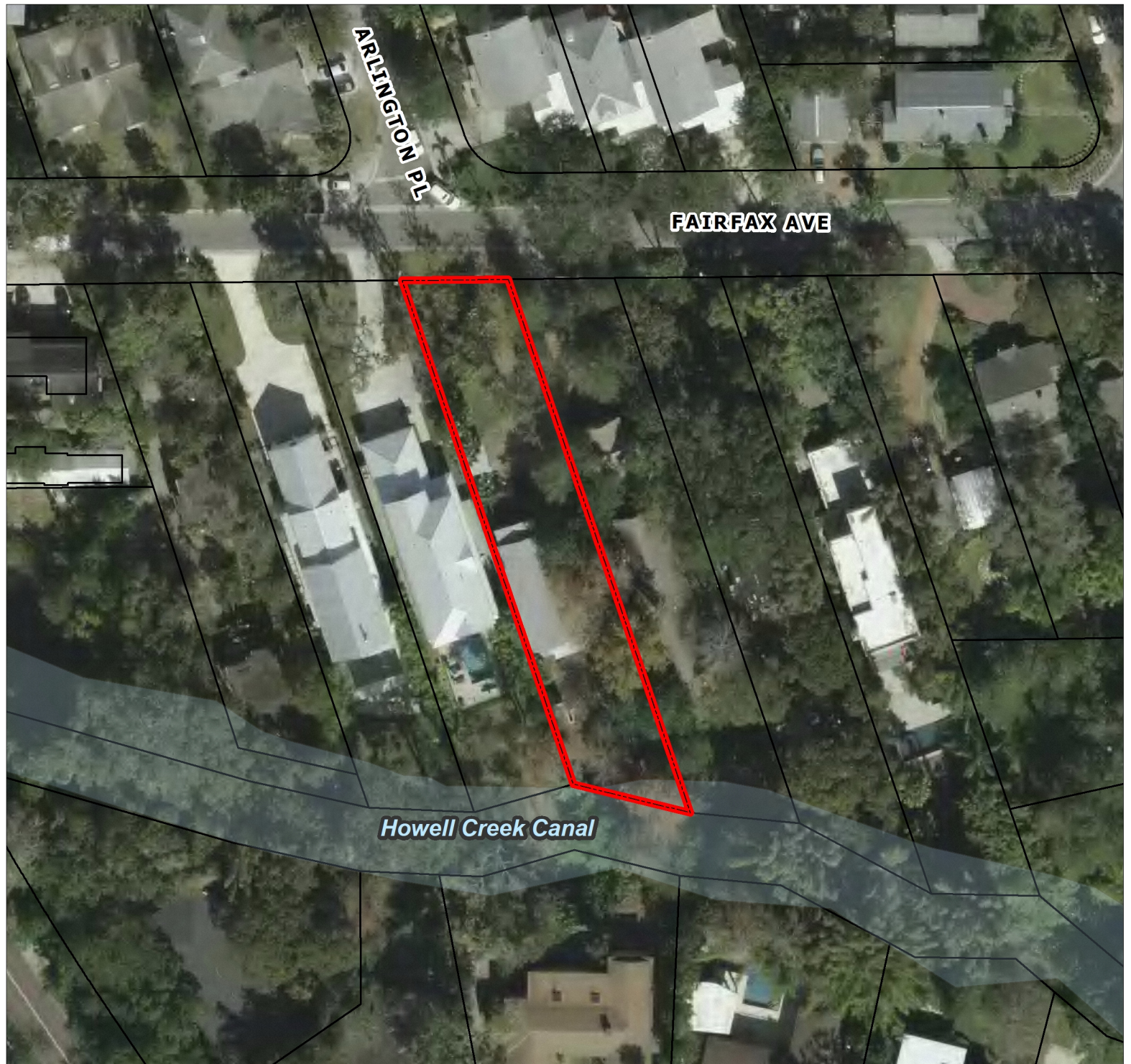




LOCATION MAP

470 Fairfax Avenue

City of Winter Park
Florida



Write a description for your map.

Write a description for your map.

FAIRFAX AVENUE
Fairfax Ave

SOUTH RIGHT OF WAY LINE

SOUTH RIGHT OF WAY LINE

LOT 6
BLOCK 5
REPLAT OF A PORTION OF VIRGINIA
HEIGHTS
PLAT BOOK J, PAGE 28
PID#7-22-30-8910-05-060
OWNER: C AND L PROPERTIES ORLANDO
LLC

BLOCK
 REPLAY OF A PORTION OF MICHIGAN
 HEIGHTS
 PLAT BOOK 4, PAGE 28
 PD#27-22-50-8015 15-000
 OWNER: HALLIC BR. NW
 DE VANE MARGARET S

FILED 7/2/00 PAGE
FROM MAP 20950

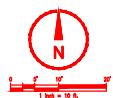
N76°12'56"W
54.31'

100 YEAR FL

ELEV 72.00 M
FROM MAP 20

HOWELL CREEK

BLOCK "A"
BANKS COLONIAL ESTATES
PLAT BOOK V, PAGE 81

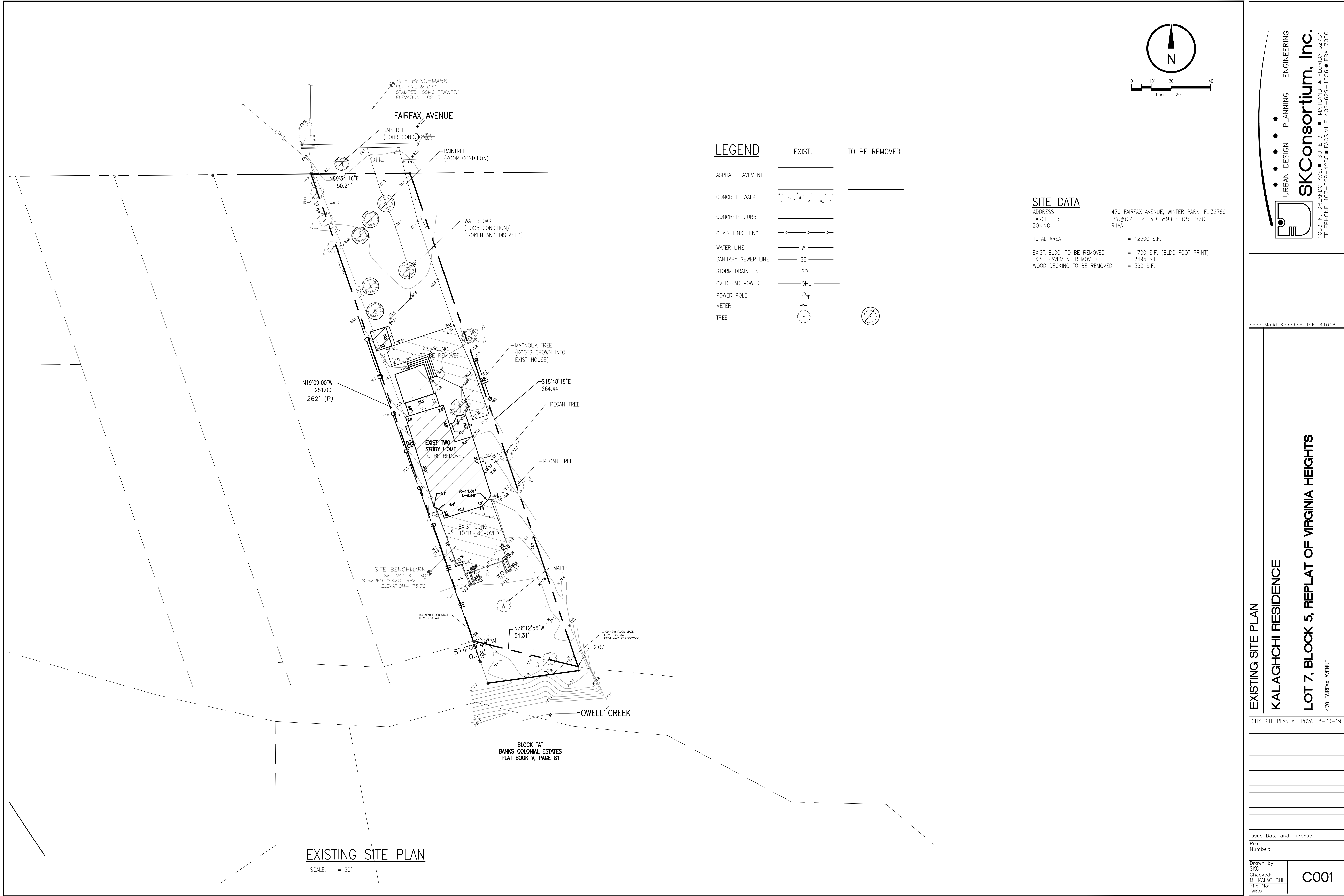


 URBAN DESIGN PLANNING ENGINEERING
SK Consortium, Inc.
1053 N. ORLANDO AVE. ■ SUITE 3 ■ MAITLAND, FLORIDA 32751
TELEPHONE: 407-629-4288 ■ FACSIMILE: 407-629-1656 ■ ED# 7080

AERIAL SITE PLAN 1

Google Earth

© 2018 Google



EXISTING SITE PLAN
SCALE: 1" = 20'

LEGEND

	EXIST.	TO BE REMOVED
ASPHALT PAVEMENT		
CONCRETE WALK		
CONCRETE CURB		
CHAIN LINK FENCE		
WATER LINE		
SANITARY SEWER LINE		
STORM DRAIN LINE		
OVERHEAD POWER		
POWER POLE		
METER		
TREE		

SITE DATA

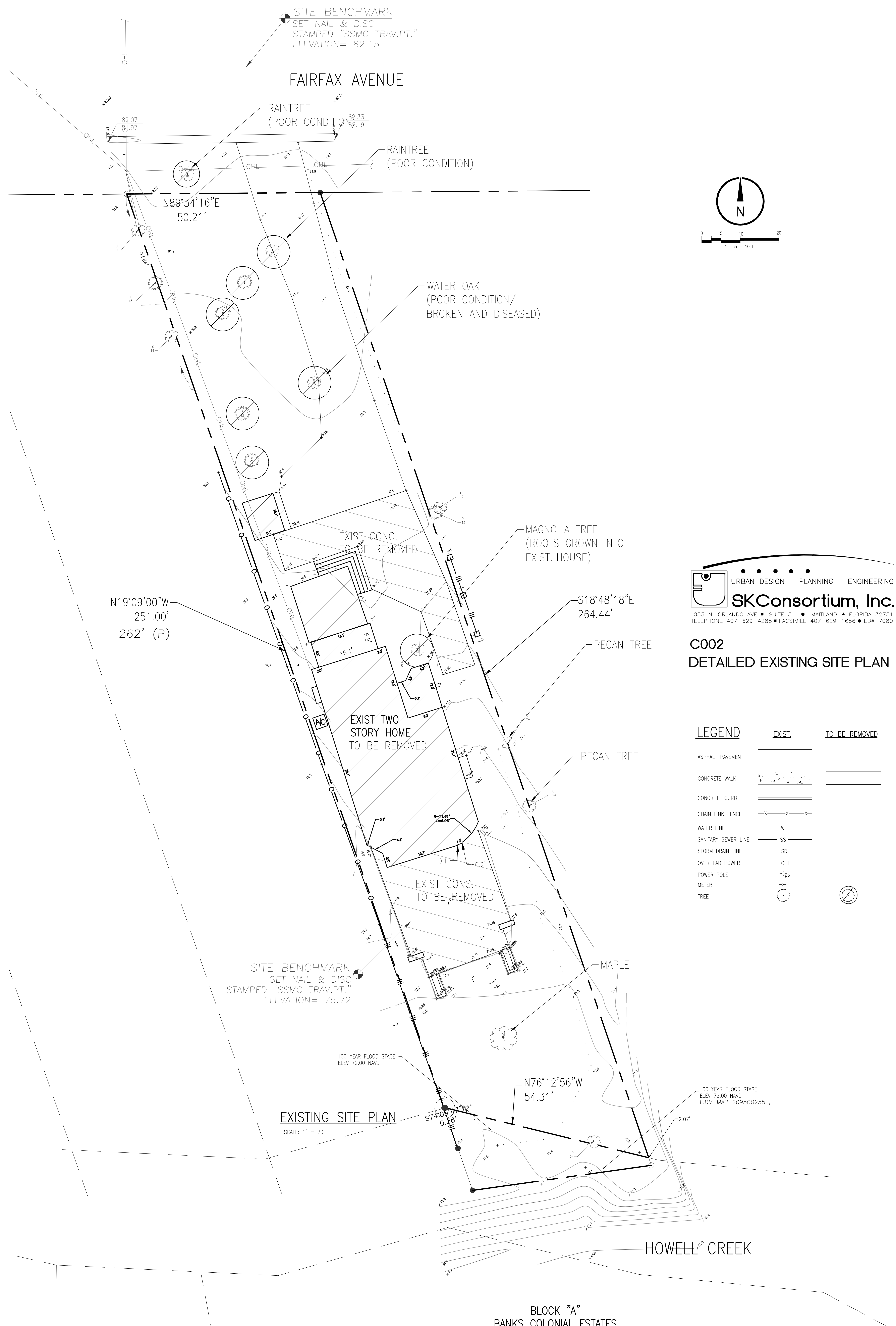
ADDRESS:	470 FAIRFAX AVENUE, WINTER PARK, FL.32789
PARCEL ID:	PID#07-22-30-8910-05-070
ZONING	R1AA
TOTAL AREA	= 12300 S.F.
EXIST. BLDG. TO BE REMOVED	= 1700 S.F. (BLDG FOOT PRINT)
EXIST. PAVEMENT REMOVED	= 2495 S.F.
WOOD DECKING TO BE REMOVED	= 360 S.F.

EXISTING SITE PLAN
KALAGHCHI RESIDENCE

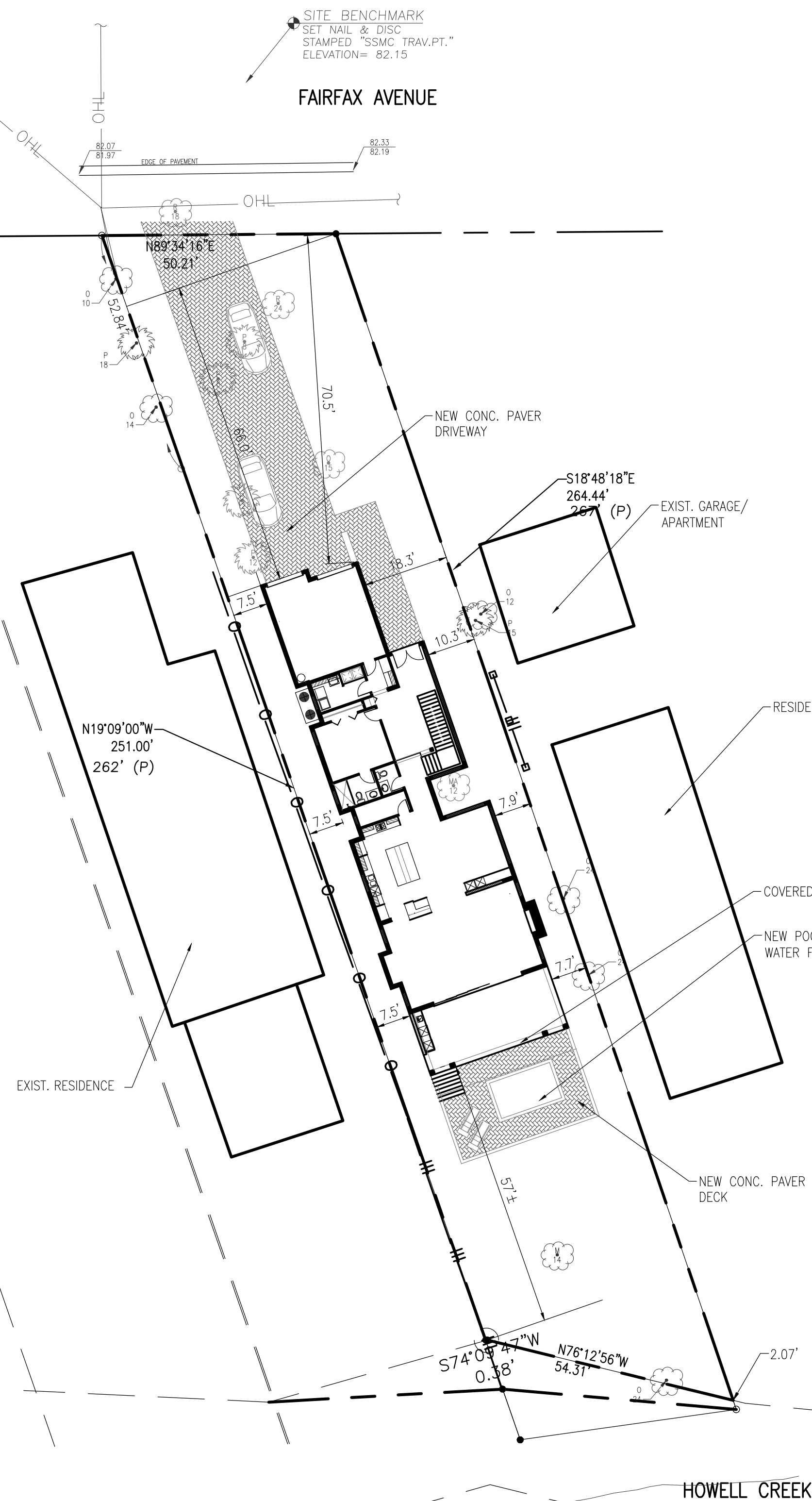
LOT 7, BLOCK 5, REPLAT OF VIRGINIA HEIGHTS
470 FAIRFAX AVENUE

Seal: Majid Kalaghchi P.E. 41046

Issue Date and Purpose	
Project Number:	
Drawn by:	C001
Checked:	
File No:	



BLOCK "A"
RANKS COLONIAL ESTATES



TOTAL AREA = 12300 S.F.
SETBACK REQUIREMENTS
FRONT SEE PLAN
REAR 50 FT
SIDE 7.5 FT FIRST FLOOR
10 FT. SECOND FLOOR

IMPERVIOUS SURFACE RATIO

2-STORY HOUSE = 50% 6,150 S.F.
(INCLUDES BUILDING FOOTPRINT, DRIVES, WALKS, PATIO'S, POOL DECKS, A/C PADS)

1ST LEVEL SLAB FOOTPRINT 3,083 S.F.
A/C PAD 21 S.F.
PAVER DRIVEWAY 1,492 S.F.
PAVER WALKWAY 250 S.F.
POOL DECK 638 S.F.
TOTAL IMPERVIOUS 5,484 S.F. < 6150 SF ALLOWANCE

FAR CALCULATIONS

PROPERTY SIZE = 12,300 S.F.
 BASE FAR (38%) = 4,674 S.F.
 FAR USED = 4,393 S.F. (LIVING AREA + GARAGE)
 FRONT PORCH EXCLUSION ALLOWED = 400 S.F. (OPEN FRONT PORCH)
 FRONT PORCH USED = 0 S.F.
 REAR PORCH EXCLUSION ALLOWED = 500 S.F.
 (OPEN OR SCREENED REAR/SIDE PORCH)
 REAR PORCH USED = 438 S.F.

Seal: Majid Kalaghchi P.E. 41046

SITE PLAN

KALAGHCHI RESIDENCE

LOT 7, BLOCK 5, REPLAT OF VIRGINIA HEIGHTS

470 FAIRFAX AVENUE

SITE DEVELOPMENT PLAN

SCALE: 1" = 20'

Issue Date and Purpose

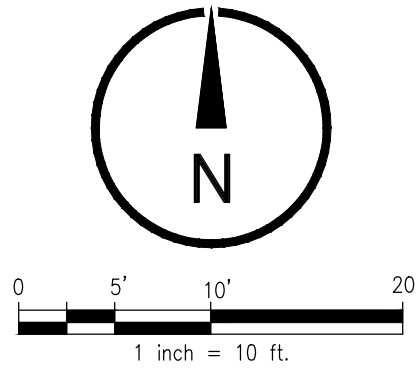
Project Number:

Drawn by:
SKC
Checked:
M. KALAGHCHI
File No:
FAIRFAX

C101

SET NAIL & DISC
STAMPED "SSMC TRAV.PT."
ELEVATION= 82.15

FAIRFAX AVENUE

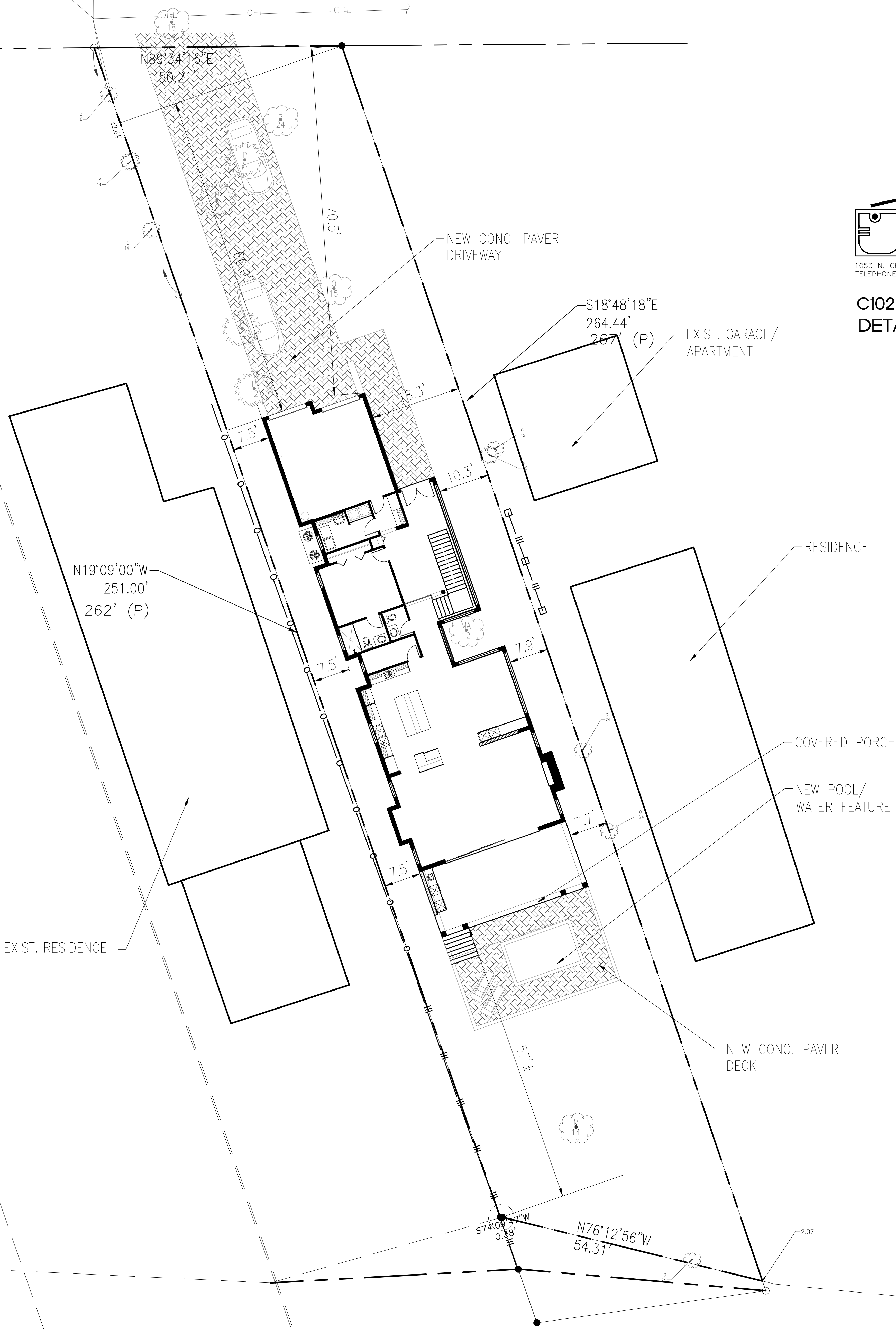


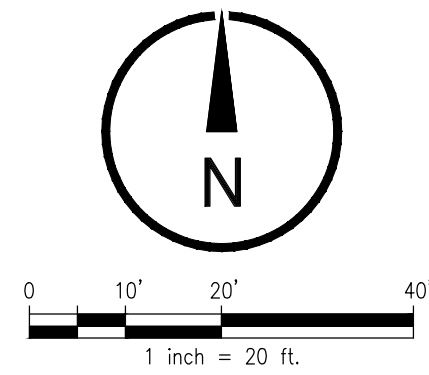
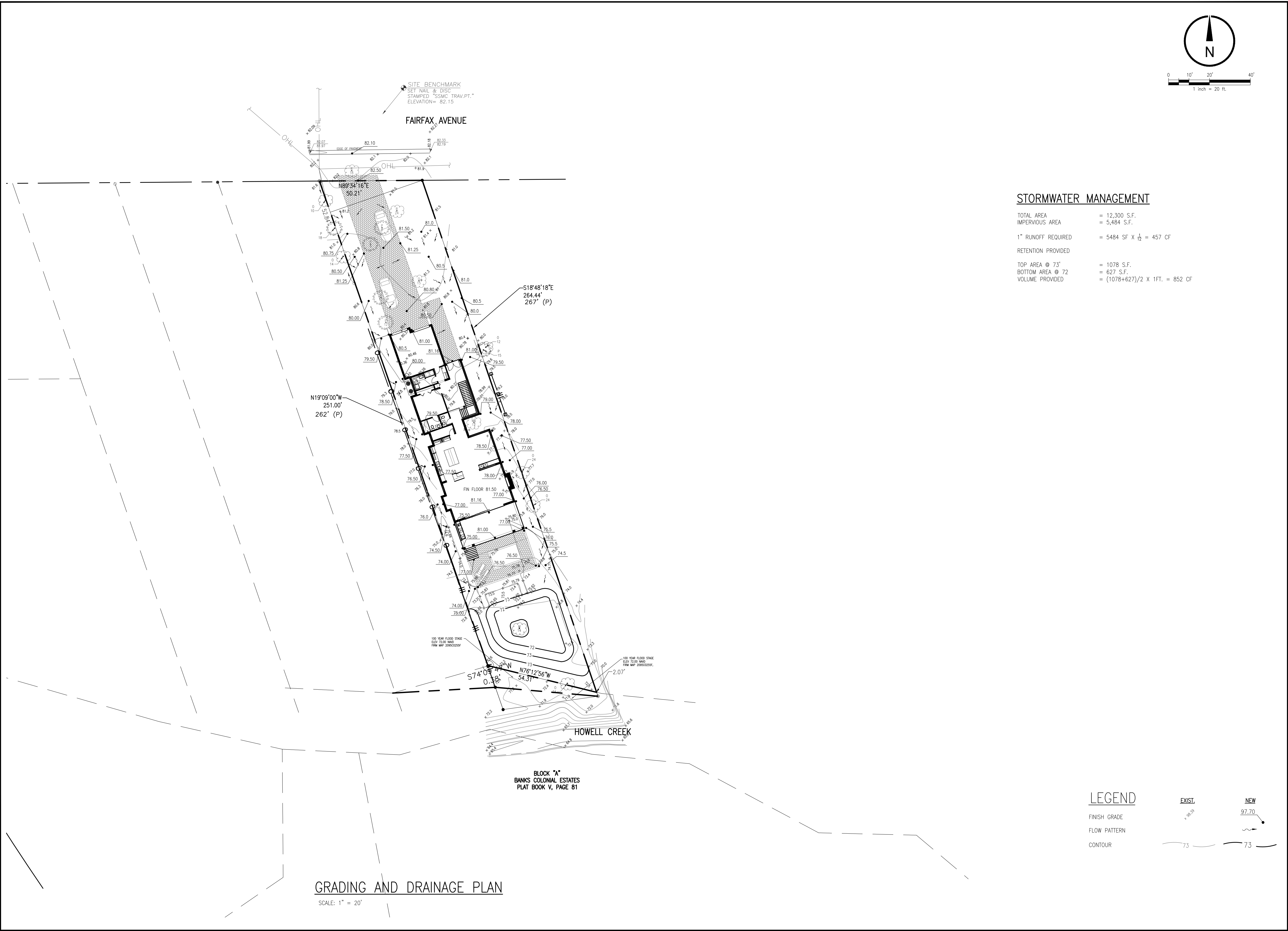
URBAN DESIGN PLANNING ENGINEER

SKConsortium, Inc.

1053 N. ORLANDO AVE. ■ SUITE 3 ■ MAITLAND ■ FLORIDA ■
TELEPHONE 407-629-4288 ■ FACSIMILE 407-629-1656 ■ EB#

C102
DETAILED SITE PLAN





STORMWATER MANAGEMENT

TOTAL AREA = 12,300 S.F.
IMPERVIOUS AREA = 5,484 S.F.
1" RUNOFF REQUIRED = 5484 SF X $\frac{1}{12}$ = 457 CF
RETENTION PROVIDED
TOP AREA @ 73' = 1078 S.F.
BOTTOM AREA @ 72' = 627 S.F.
VOLUME PROVIDED = $\frac{(1078+627)}{2} \times 1\text{ FT.} = 852 \text{ CF}$

LEGEND

FINISH GRADE
FLOW PATTERN
CONTOUR

EXIST. 72.00
NEW 97.70

73 73

URBAN DESIGN PLANNING ENGINEERING

SKConsortium, Inc.

10633 N. ORLANDO AVE., SUITE 300 • MAINTLAND, FLORIDA 32751
TELEPHONE 407-629-4288 • FACSIMILE 407-629-1656 • EB# 7080

Seal: Majid Kalaghchi P.E. 41046

GRADING AND DRAINAGE PLAN

KALAGHCHI RESIDENCE

LOT 7, BLOCK 5, REPLAT OF VIRGINIA HEIGHTS

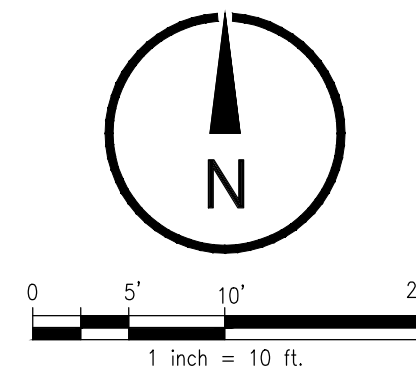
470 FAIRFAX AVENUE

CITY SITE PLAN APPROVAL 8-30-19

Issue Date and Purpose	C201
Project Number:	
Drawn by: SKC Checked by: M. KALAGHCHI File No: FAIRFAX	

STAMPED "SSMC TRAV.PT."
ELEVATION= 82.15

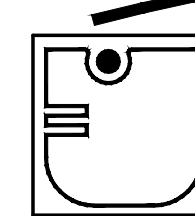
FAIRFAX AVENUE



N89°34'16"E
50.21'

S18°48'18"E
264.44'
267' (P)

N19°09'00"W
251.00'
262' (P)



URBAN DESIGN PLANNING ENGINEERING

SK Consortium, Inc.

1053 N. ORLANDO AVE. ■ SUITE 3 ■ MAITLAND ■ FLORIDA 32751
TELEPHONE 407-629-4288 ■ FACSIMILE 407-629-1656 ■ EB# 7080

C202 DETAILED GRADING PLAN

LEGEND

FINISH GRADE
FLOW PATTERN
CONTOUR

EXIST.

NEW

97.70

73

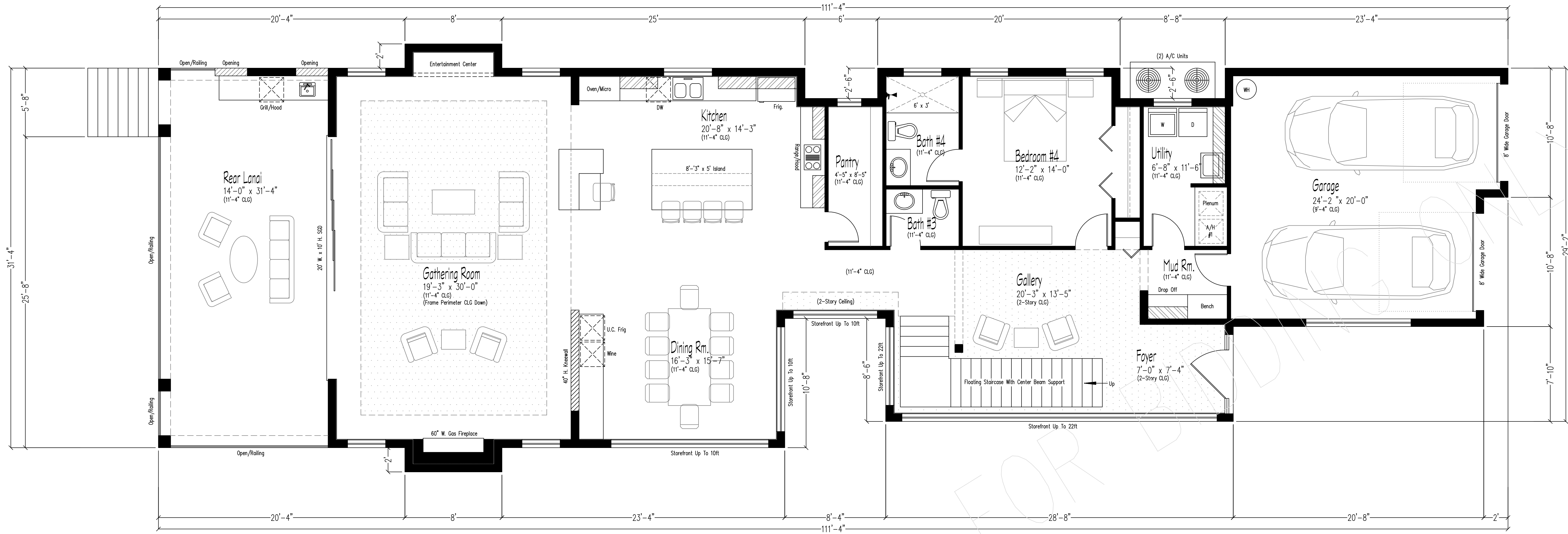
73

100 YEAR FLOOD STAGE
ELEV 72.00 NAVD
FIRM MAP 2095C0255F

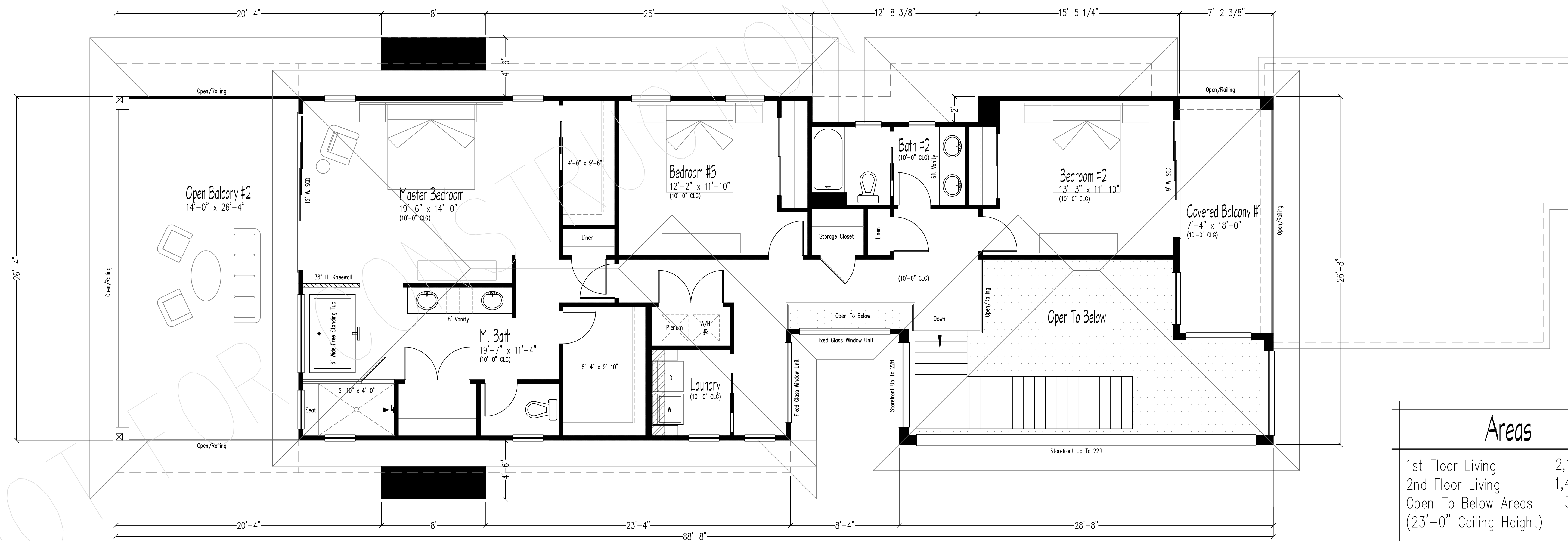
100 YEAR FLOOD STAGE
ELEV 72.00 NAVD
FIRM MAP 2095C0255F

HOWELL CREEK

BLOCK "A"
BANKS COLONIAL ESTATES
PLAT BOOK V, PAGE 81



First Floor Plan



Second Floor Plan

FAR Calculations	
Property Size =	12,300 S.F.
Base FAR (38%) =	4,674 S.F.
FAR Used =	4,393 S.F.
(Living Area + Garage)	

Areas	
1st Floor Living	2,178 S.F.
2nd Floor Living	1,400 S.F.
Open To Below Areas	348 S.F.
(23'-0" Ceiling Height)	
Total Living Area	3,926 S.F.
Rear Lanai	438 S.F.
Covered Balcony #1	133 S.F.
Open Balcony #2	368 S.F.
Garage	467 S.F.
Total	5,332 S.F.

NOTE: ALL CONTRACTORS TO COMPLY WITH ALL CURRENT AND APPLICABLE CODES

BUILDER:

BUILDING DESIGNER:

Darius Designs, LLC
Home Construction, Additions,
Light Commercial
Shown A. Darjoo
807.435.2859
Shardjoo@gmail.com

STRUCTURAL ENGINEER:

STRUCTURAL NOTES:

This Structure Has Been Designed To Meet Or Exceed The Wind Load Requirements Of The Florida Building Code, 2018 Edition, Section 6309 Design Criteria, And Following ASCE 7-10.
1. Wind Speed = 130 MPH Ultimate Wind Speed (Vult) And 108 MPH (Vest)
2. Risk Category 2
3. Wind Exposure: Category C
4. Windward Exposure: Category C
And Height & Exposure Adjustment Coefficient Is 1.40

Revisions

PROJECT:

LOCATION:

PARCEL ID#:

CUSTOMER:

JOB:

DATE:

SCALE:

SHEET:

1

OF: 3

The Kalagchi Residence

Custom Home

470 Fairfax Drive, Winter Park, FL 32789

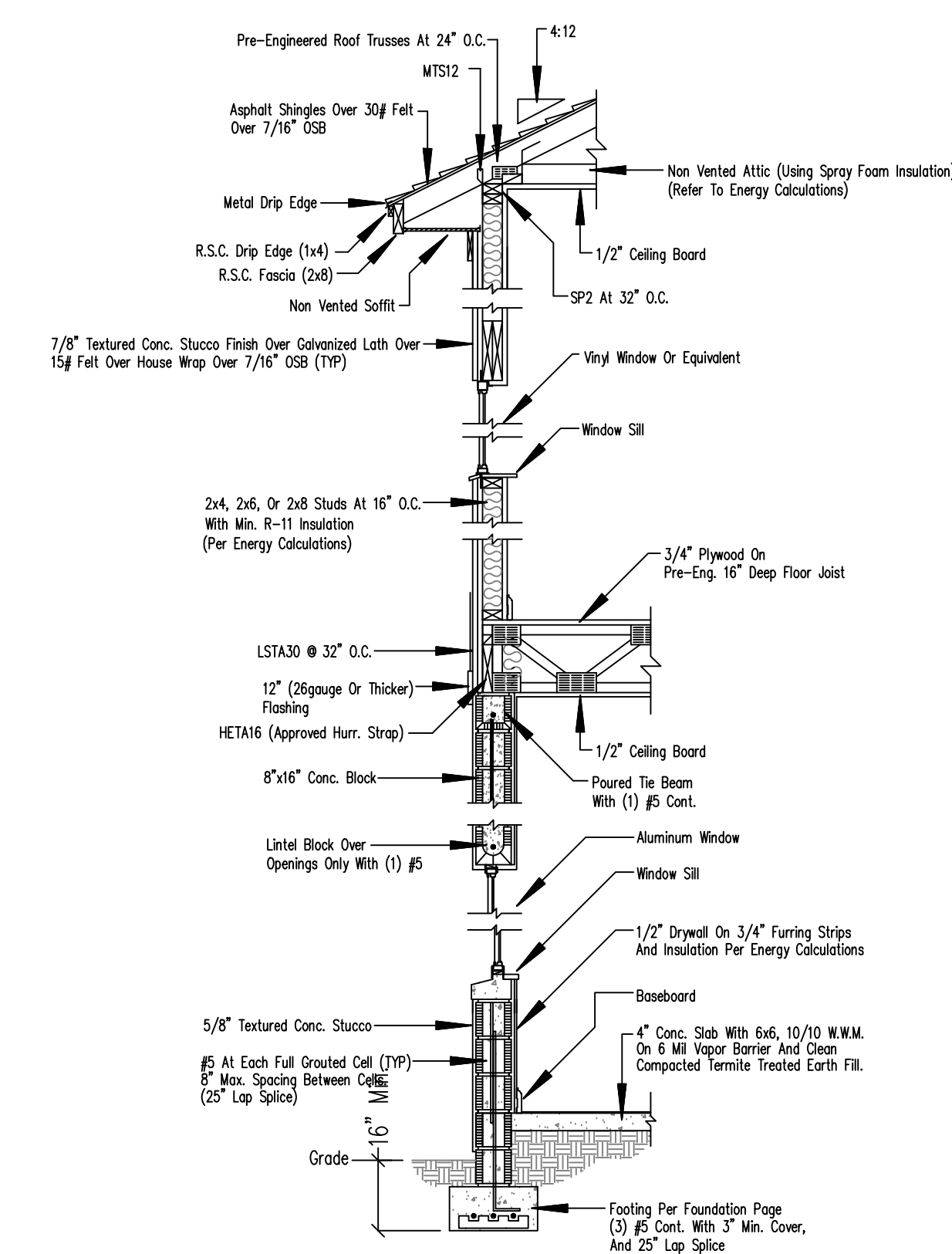
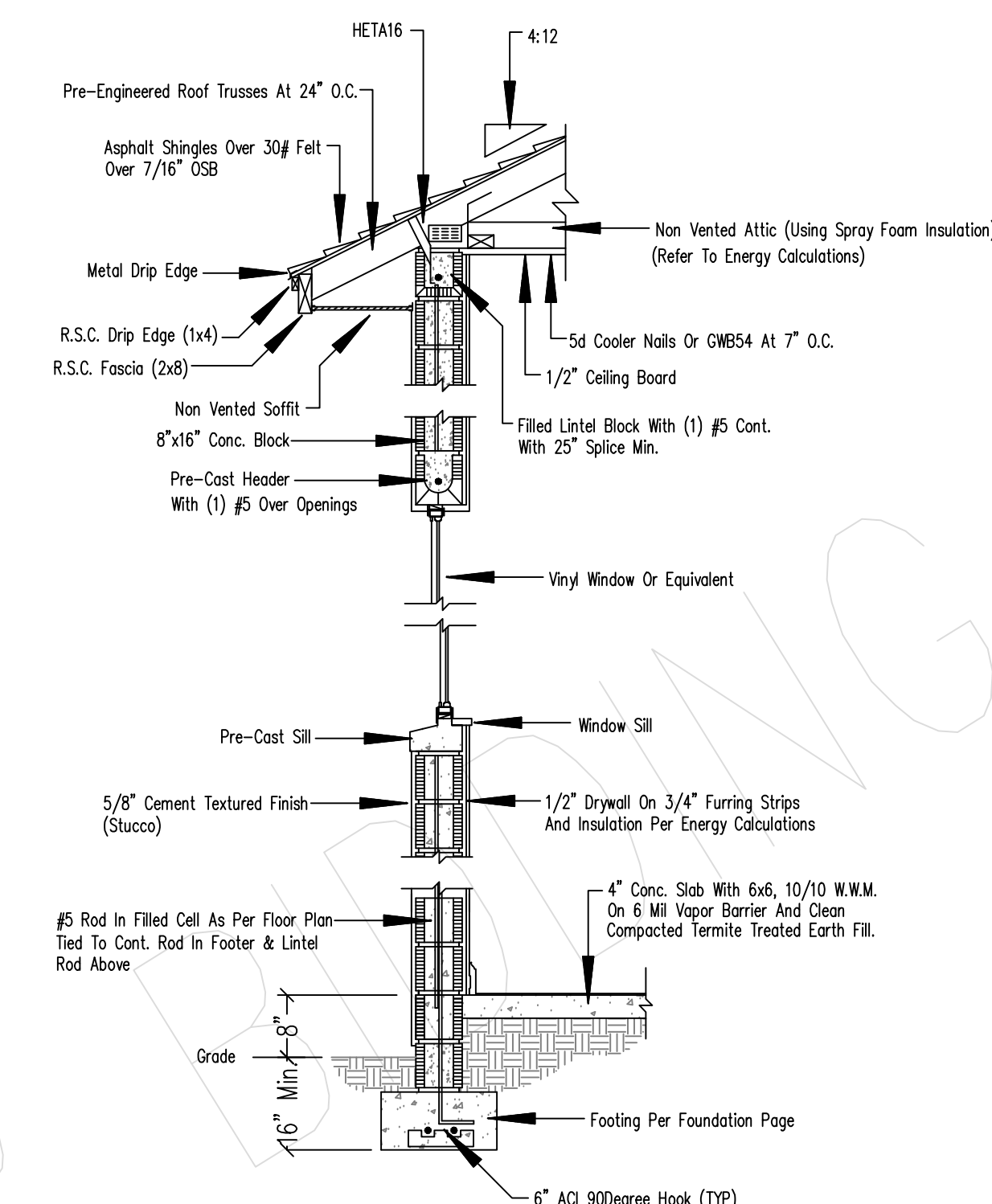
07-22-20-8810-05-070

The Majid Kalagchi Residence

MAJID

08.26.2019

1/4"=1'-0"



BUILDER:

BUILDING DESIGNER:



Light Commercial
Shawn A. Danjou
407.435.6959
SDanjoudesigns@att.net

STRUCTURAL ENGINEER:

STRUCTURAL NOTES

This Structure Has Been Designed To Meet Or Exceed The Wind Load Requirements Of The 2017 Florida Building Code Residential 6th Edition Section R301 Design Criteria And Including ASCE 7-10.

1. Wind Speed = 139 MPH Ultimate Wind Speed (Vult) And 108 MPH (Vast)

2. Risk Category 2

3. Construction Type = Single Family Residential (V)

4. Wind Exposure Category C

5. Internal Pressure Coefficient For Enclosed Building Is .18

6. Height And Exposure Adjustment Coefficient Is 1.40

Revisions

The Kalaghchi Residence

Custom Home

LOCATION: 470 Fairfax Drive, Winter Park, FL 32789

PARCEL ID#: 07-22-30-8910-05-070

CUSTOMER: The Majid Kalaghchi Residence

JOB:	MAJID
------	-------

DATE: 08.26

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

SHEET:

2

OF: 3

Front And Rear Elevations



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Planning & Community Development

Planning & Zoning Board Staff Report for October 1, 2019 Meeting

SPR #19-13. Request of Charles Clayton Construction for: Approval to construct a new, two-story, 16,036 square foot, single-family home located at 115 Palmer Avenue on Lake Maitland, zoned R-1AAA.

Background

Charles Clayton Construction (representing the property owners) is requesting site plan approval to construct a new, two-story, 16,036 square-foot, single-family home at 115 Palmer Avenue, which is located on Lake Maitland, and is zoned R-1AAA. This property measures 49,196 square feet. Below is a table summarizing this request in comparison to the R-1AAA zoning/lakefront lot requirements.

Table 1:

	R-1AAA/Lakefront Lot Requirements	Proposed
Floor Area Ratio	Max 38%	8,976 square feet/22%
Impervious Lot Coverage	Max 50%	15,870 square feet/39%
Lakefront Setback	80 feet	80 feet

Note: Items in bold indicate a variance request.

Tree Preservation

The purpose and intent of the lakefront lots section of the code states that existing trees shall be preserved to the degree reasonably possible, and the appearance of the property and the shore when viewed from the water will be kept as natural as reasonably possible. The applicant is proposing to remove several trees within the front of the lot, and is saving the trees along the lakefront. Based on onsite observation by the city's Urban Forestry Division, most of the trees identified for removal on the site plan are in poor condition and/or are non-protected species (camphor, palms). The Urban Forestry Division further stated that the remaining protected species (oaks) to be removed have a history of excessive and improper pruning, and therefore removing these trees would be permitted with the required mitigation. Per code, conditions for approval of a tree removal permit shall include tree replacement, financial compensation or a combination of tree replacement and financial compensation.

View From the Lake

The code limits walls and swimming pool decks facing the lake in excess of three feet in height. While this lot does have a significant grade drop of over ten feet from the front of the house to the lakeside, the applicant is proposing steps leading down from the house to the pool deck and is therefore not exceeding the wall/pool deck height limits of three feet.

View of Neighbors

The purpose and intent of the lakefront lots section of the code is to ensure that the views of the lake from adjoining properties will not be unduly impaired by new houses, additions, second story additions, etc. In order to achieve this, 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. However, the P&Z Board does have the authority to approve setbacks less than the average determined, or impose more restrictive setbacks.

Staff has determined that the average lakefront setback is approximately 80 feet from the lakefront, and the applicant is adhering to this 80 foot setback. Due to the curvature of the lake and the extreme differences in lot length between the two adjacent lakefront lots, adhering to this average still does place this proposed home in front of the home to the east. However, there is extensive vegetative screening between these properties (see attached pictures) and therefore will screen this proposed home from the adjacent home to east.

Stormwater Retention

The code requires retention of stormwater so that stormwater flowing over a waterfront lawn area does not carry with it into the canal or chain of lakes any fertilizers, herbicides, or other chemicals that affect the water quality of our community's most precious assets. The amount of impervious surface on the lot determines the depth/size of the retention needed. The applicant is proposing a stormwater swale near the lakefront that is sized to meet the City's code requirements.

Summary

The applicant is proposing a home that is compatible with the natural grade of the property, is ensuring that water pollution from stormwater runoff and other sources will be minimized, and is preserving existing trees to the degree reasonably possible so that the appearance of the property and the shore when viewed from the water, will be kept as natural as reasonably possible. Overall, the plans meet the intent of the canal front review criteria defined in the code and no variances are requested.

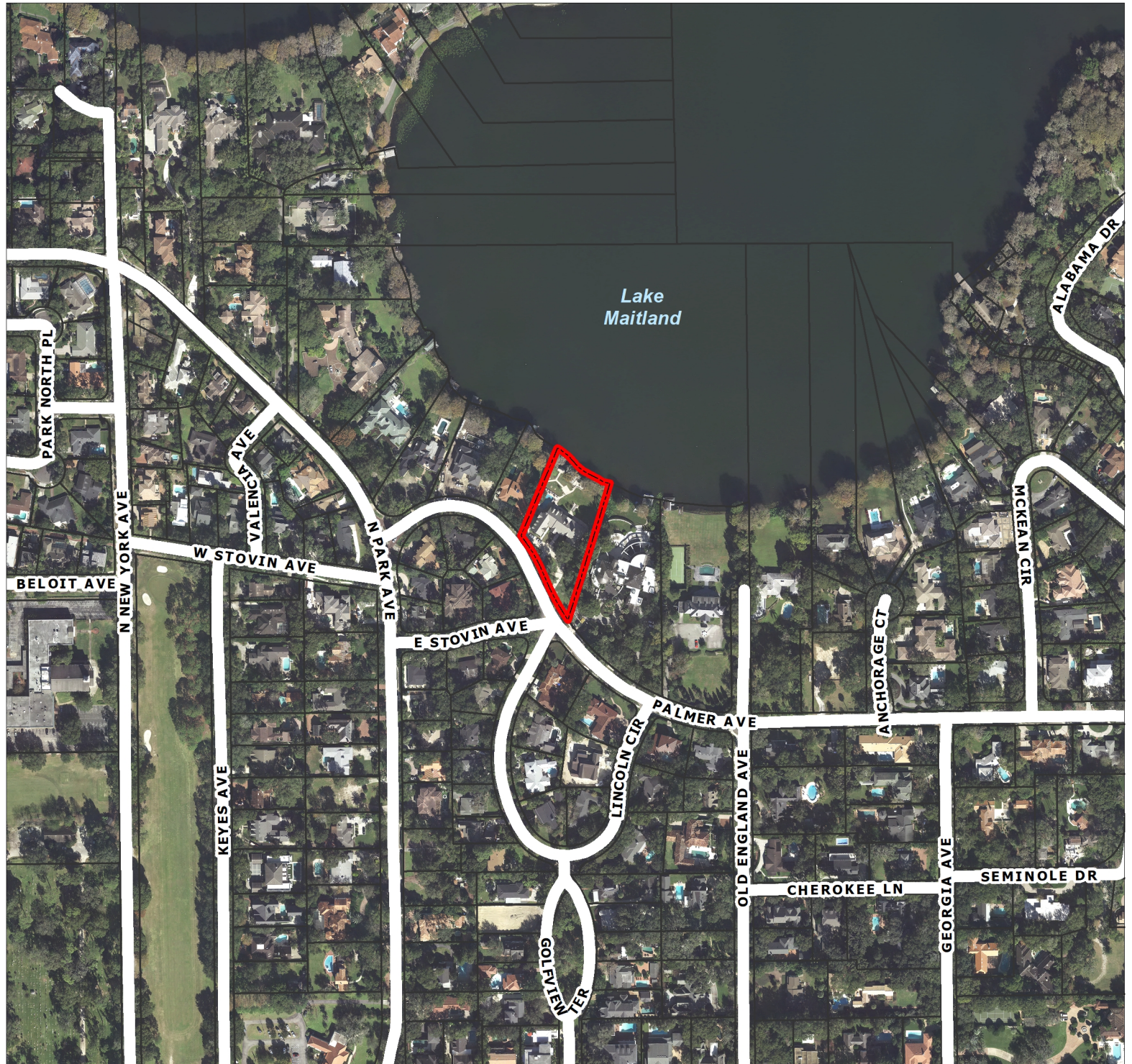
Staff recommendation is for approval.



LOCATION MAP

117 Palmer Avenue

City of Winter Park
Florida

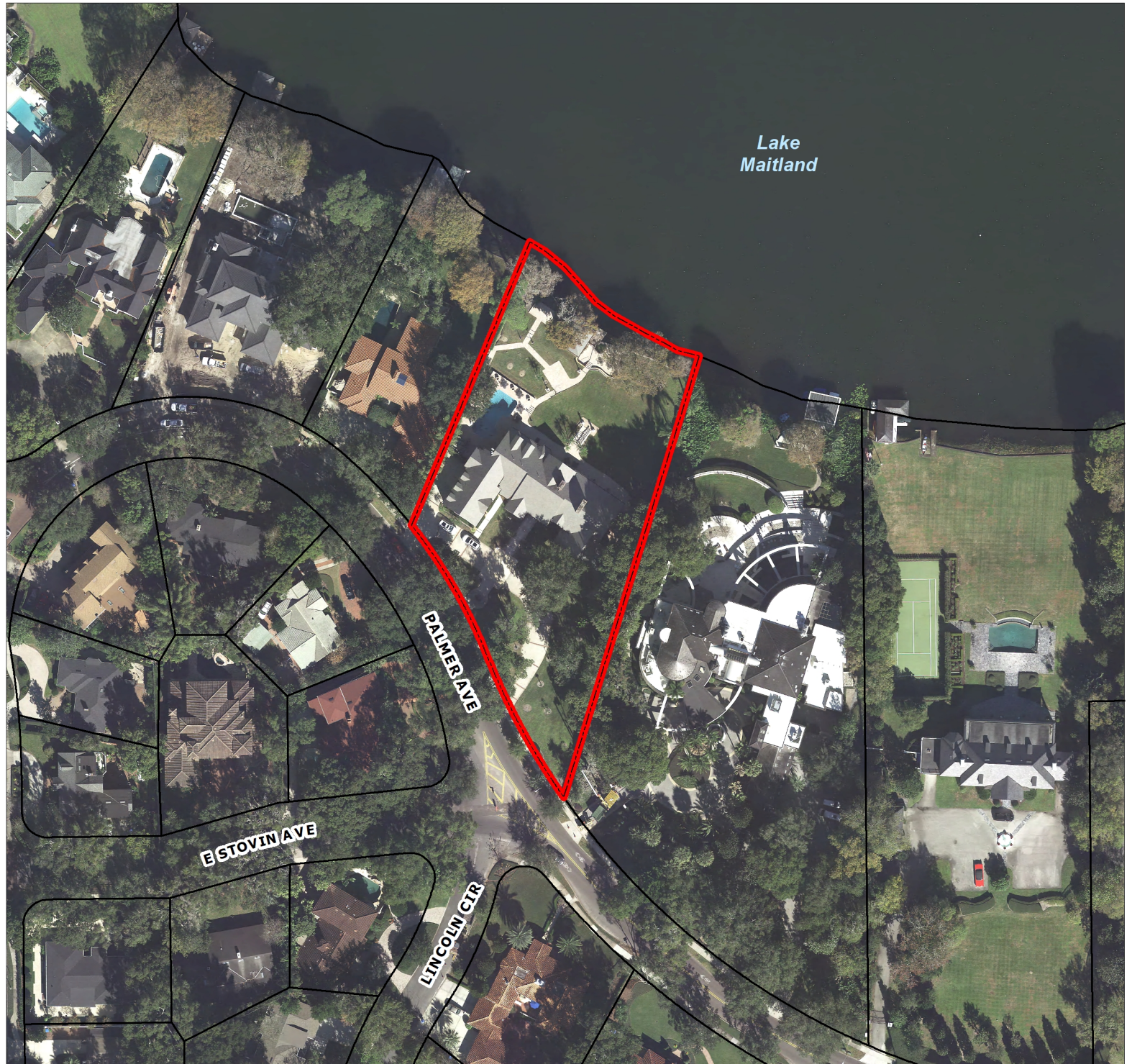




LOCATION MAP

117 Palmer Avenue

City of Winter Park
Florida





SETBACK / COVERAGE WORKSHEET

For Single Family Zoning Districts (R-1A, R-1AA & R-1AAA)¹

Address: 115 Palmer Ave, Winter Park, FL
Submitted by: Charles Clayton Construction Inc.

Lot width²: 188'
Lot area³: 49,196 SF - 1.13 acres

	Maximum % Allowed ⁴	Existing Area ¹¹	Additional Proposed Area ¹¹	New Total Area	Maximum Allowed Area
IMPERVIOUS LOT COVERAGE Include bldg footprint, driveways, sidewalks, patios, swimming pools, A/C pads, artificial turf, etc.	2 story - 50%				24,598 SF
	1 story - 60%				29,517 SF
FLOOR AREA RATIO (F.A.R.)^{5,6,7} For one and two story bldgs (include 1st & 2nd floors, garages/carports, stair areas on both floors, areas on 2nd floors which are open to the 1st floor ⁸ , and accessory bldgs. EXCLUDE - pool screen enclosure areas and certain open front, side & rear porches ⁹ .	Lots < 11,600 sf: Use <u>38%</u> Base FAR or w/ increased side setbacks: <u>43%</u> Max FAR				
	Lots 11,600 sf to 13,600 sf Use <u>4,500 sf</u> Base area & <u>5,200 sf</u> Maximum area				
	Lots > 13,600 sf Use <u>33%</u> Base FAR or w/ increased side setbacks: <u>38%</u> Max FAR			16,086	16,231 SF
SCREEN POOL ENCLOSURE	8% ¹⁰				

	Minimum % Required	Existing Area ¹¹	Landscape Area Reduced ¹¹	New Total Area	Minimum Required Area
FRONT YARD LANDSCAPE COVERAGE Count all landscaped green areas - exclude hard surfaces and all driveway surfaces (pervious & impervious) Front Lot Area:	50%	11,931	3315	8618 Pervious	4308

NOTES:

1. Windsong & Waterbridge may use these standards, except lot types A, B, & C in Windsong. Provisions on side articulations & accessory bldgs are mandatory.
2. Lot width measured at the front bldg line across lot. The bldg line is located at the required front setback for vacant lots or front bldg wall closest to the street of existing homes. For unusual (pie) shaped lots, an average lot width may be utilized as measured between the front setback line and the required rear setback line or shall be determined by the Building Director. For a proposed home, determine the front setback as described on page 2.
3. Submerged lands or land across the street shall not be included.
4. Percentage based on the lot area.
5. One story homes with a sloping roof, 12:12 or less, may utilize the maximum F.A.R. and may provide roof dormers, 8 ft. maximum width and 2.5 ft. back from the required setback, occupying 45% of roof area within the same roof plane.
6. Area forming a room behind 2nd floor walls shall be included in the gross floor area.
7. See page 3 on how to achieve maximum F.A.R.
8. Vaulted and cathedral ceiling areas count twice if the height from the floor to the ceiling is 17.5 feet or greater.
9. The area of open front porches and entries may be excluded from the gross floor area subject to a maximum area of 400 square feet. The area within an open or screened rear and/or side porches, lanai, porte cochere or other covered areas may be excluded from the gross floor area up to 500 sf of floor area. On 2nd floor, rear and/or side porches shall have an exterior sides that are 75% open in order to utilized up to 300 sf of the total 500 sf excludable gross floor area.
10. Any area not already used in the permitted floor area ratio (FAR) may be added to this 8% for additional screened pool enclosure area.
11. These columns only apply to existing homes.

SETBACKS (complete boxes A and B first)

	Minimum Allowable Dimensions			Existing ¹³	Proposed
FRONT	Average of 2 adjacent homes on each side. If corner lot, use 3 adjacent homes.			<i>Varies</i>	<i>30'</i>
SIDES ^{1,2} (see other side setback options on pg 4)	1st Floor	See pages 3&4	<i>A</i>		<i>33'</i>
	2nd Floor		<i>B</i>		<i>23'</i> <i>33'</i>
REAR ^{1,3,4}	1st Floor	25 ft.			
	2nd Floor	35 ft ⁵			
	Lakefront	see note 6			<i>80' +</i>
CORNER LOT	1st Floor	Lot width ≤ 65 ft.	15 ft.		
		Lot width > 65 ft ⁷	20 ft.		
	2nd Floor	Lot width ≤ 65 ft.	15 ft.		
		Lot width > 65 ft ⁷	22.5 ft.		
BUILDING HEIGHT ^{8,9,10,11,12}	30 ft. - 35 ft. plus 2 ft. or 40 ft. (see notes 11 & 12)				<i>35' @ Front facade</i>

Notes:

- Any building wall that exceeds 12 ft. in height measured from natural grade to top of wall plate or truss kneewall must meet the setbacks for the 2nd floor.
- Accessory buildings' maximum side wall height (natural grade to roof sheathing) shall not exceed 10.5 ft. and interior side setback is 5 ft. minimum (no gable end allowed) for garages up to 600 sf, pool cabana up to 500 sf and all other accessory buildings up to 320 sf. Other accessory buildings used for habitation shall meet setbacks of the main residence.
- Rear setbacks for properties abutting non-residential zoned, R-3/R-4, or a permanent stormwater retention area over 25 ft. in width may be 10 ft. For lots that are 75ft deep or less a first floor setback of 10ft and a second floor setback of 25ft is allowed. For lots which are 105ft deep or less a first floor setback of 15ft and a second floor setback of 30ft is allowed.
- Accessory buildings: garage/carport up to 820 sf, pool cabana up to 500 sf and storage bldg up to 320 sf - minimum rear setback shall be 10 ft. . Other accessory buildings used for habitation shall meet setbacks of the main residence.
- The rear setback may be reduced to 25 ft. for two-story components when those consist of a second story loft or mezzanine that is within the normal scale and 18-ft max height of a typical one-story structure.
- Require Planning & Zoning commission approval. Lakefront setback is based on the average setback establish by the adjacent residences within 200 ft. or 50 ft., whichever is greater, measured from ordinary high water line.
- Setbacks given are measured on the side yard adjacent to the street & lots over 75 ft. with 1st and 2nd floor setbacks of 25 ft. may reduce the rear setback by 5 ft. on each floor.
- Building height is the vertical distance measured from the average elevation of the existing lot grade measured directly adjacent to the front of the building or proposed building.
- No building or portion thereof shall exceed 30 ft. in height except for homes with a roof slope of 8:12 or greater may be permitted to have 2 ft. additional building height.
- Accessory building that exceeds 18 ft. in height shall meet the same setbacks as the principal building on the property.
- Properties or lots with at least 80 ft. of width at the building line are permitted to have a building height of 35 ft. if the side setbacks are increased to 20 ft. at 30 ft. above the side lot line. Exception: homes with a roof slope of 8:12 or greater are permitted 2 ft. of additional building height.
- Properties or lots exceeding 50,000 sq.ft. in size with at least 100ft width at the building line may be permitted building heights of 40 ft. if side setbacks are increased to 35 ft. to the portion of the roof over 30 ft. in height.
- This column only applies to existing homes.

50' pool

Aerial 115 Palmer Ave

Neighbor Properties
75 Palmer Ave and 161 Palmer Ave

Legend

 115 Palmer Ave

 115 Palmer Ave

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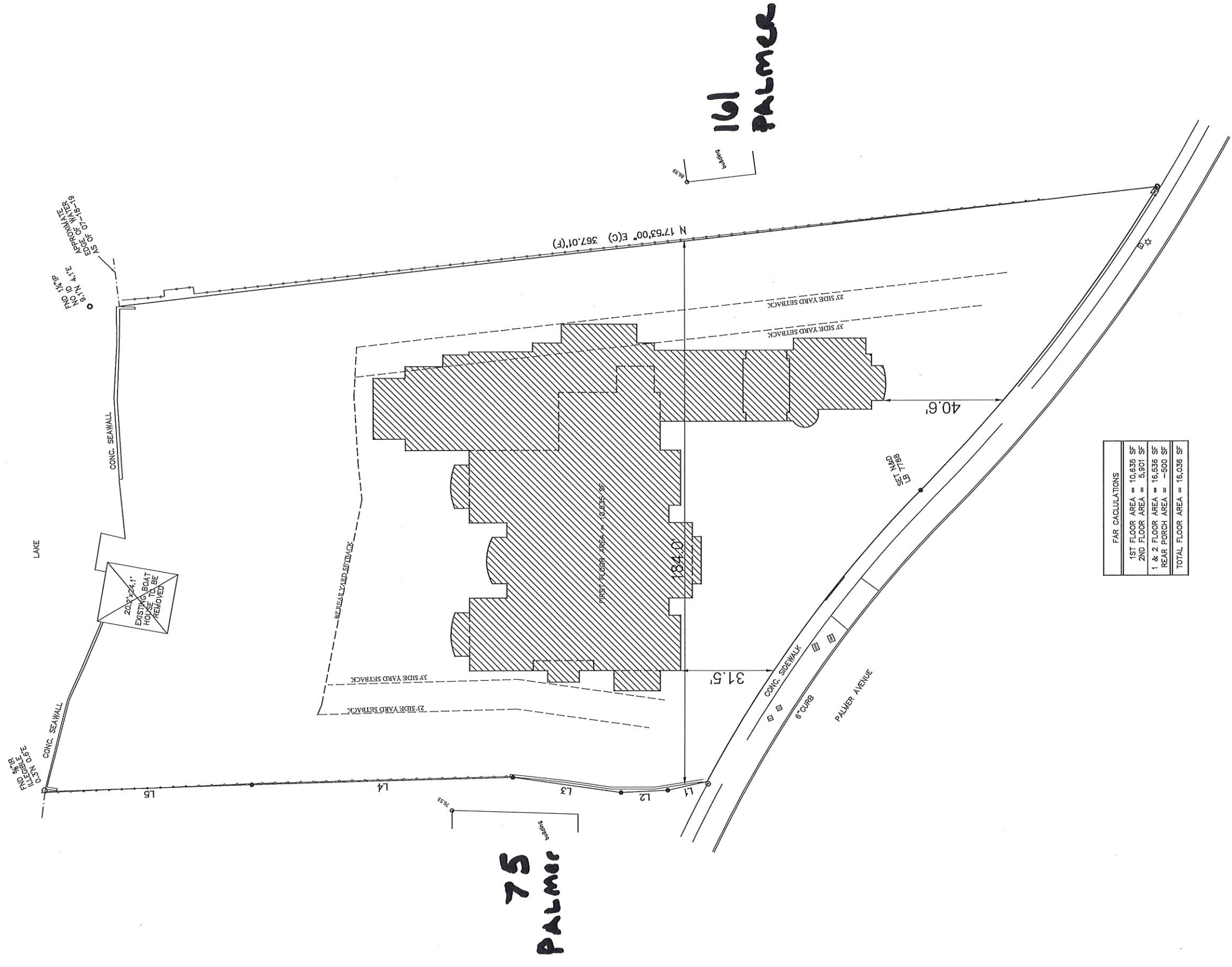
9/3/19

Google Earth

© 2018 Google

200 ft

N



FAR CALCULATIONS	
1ST FLOOR AREA	= 10,636 SF
2ND FLOOR AREA	= 5,901 SF
1 & 2 FLOOR AREA	= 16,536 SF
REAR PORCH AREA	= -500 SF
TOTAL FLOOR AREA	= 16,036 SF

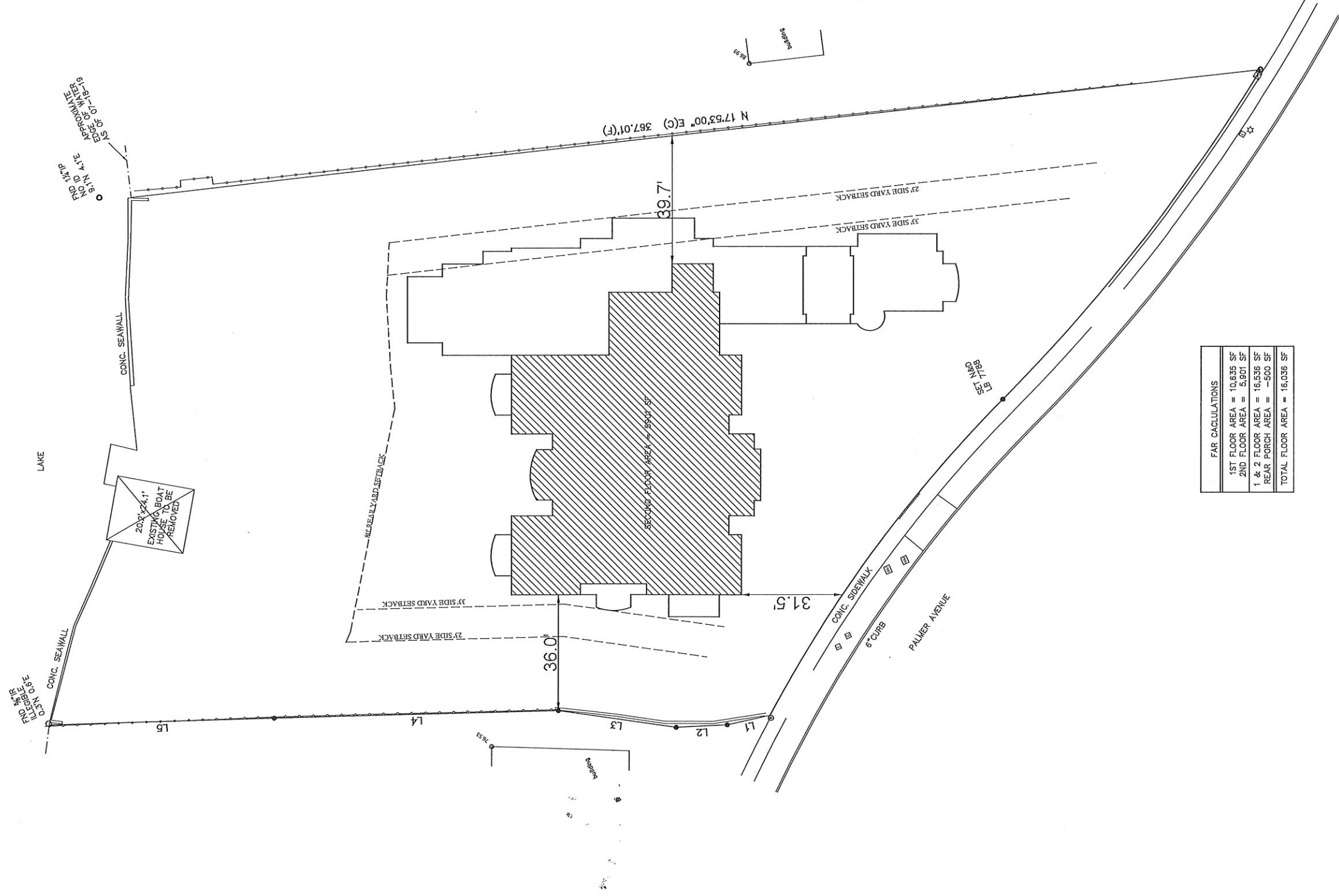


FIRST FLOOR FAR PLAN
SEPTEMBER 2, 2019

SCALE 1"=16'-0"
0 8' 16' 32' 64'

HENDERSON RESIDENCE
115 PALMER
WINTER PARK, FLORIDA

GEOFFREY MOUEN
ARCHITECT



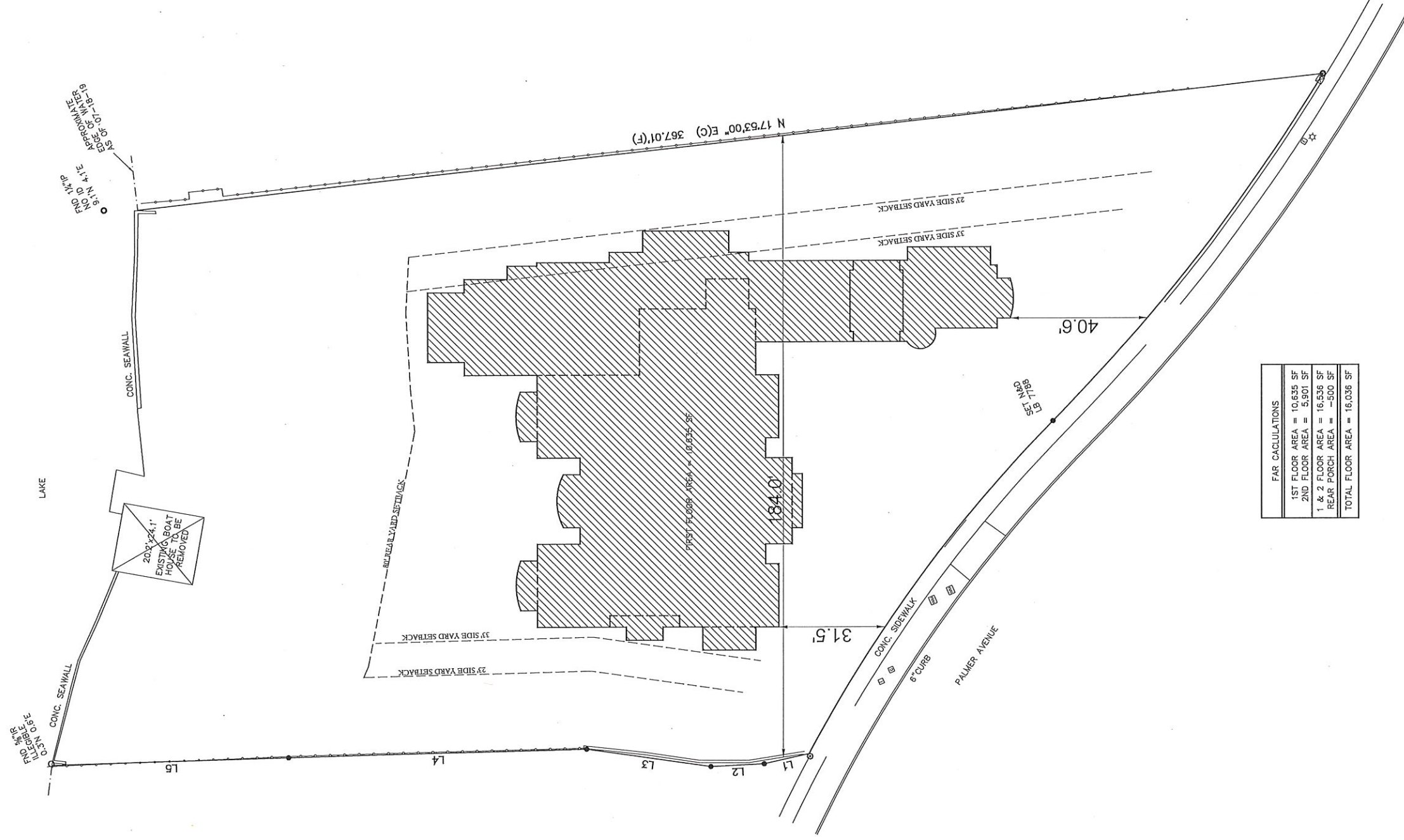
SECOND FLOOR FAR PLAN
SEPTEMBER 2, 2019

SCALE 1"=16'-0"
0 8' 16' 32' 64'

HENDERSON RESIDENCE
115 PALMER
WINTER PARK, FLORIDA

GEOFFREY MOUEN

ARCHITECT



FAR CALCULATIONS	
1ST FLOOR AREA =	10,635 SF
2ND FLOOR AREA =	5,901 SF
1 & 2 FLOOR AREA =	16,536 SF
REAR PORCH AREA =	-500 SF
TOTAL FLOOR AREA =	16,036 SF

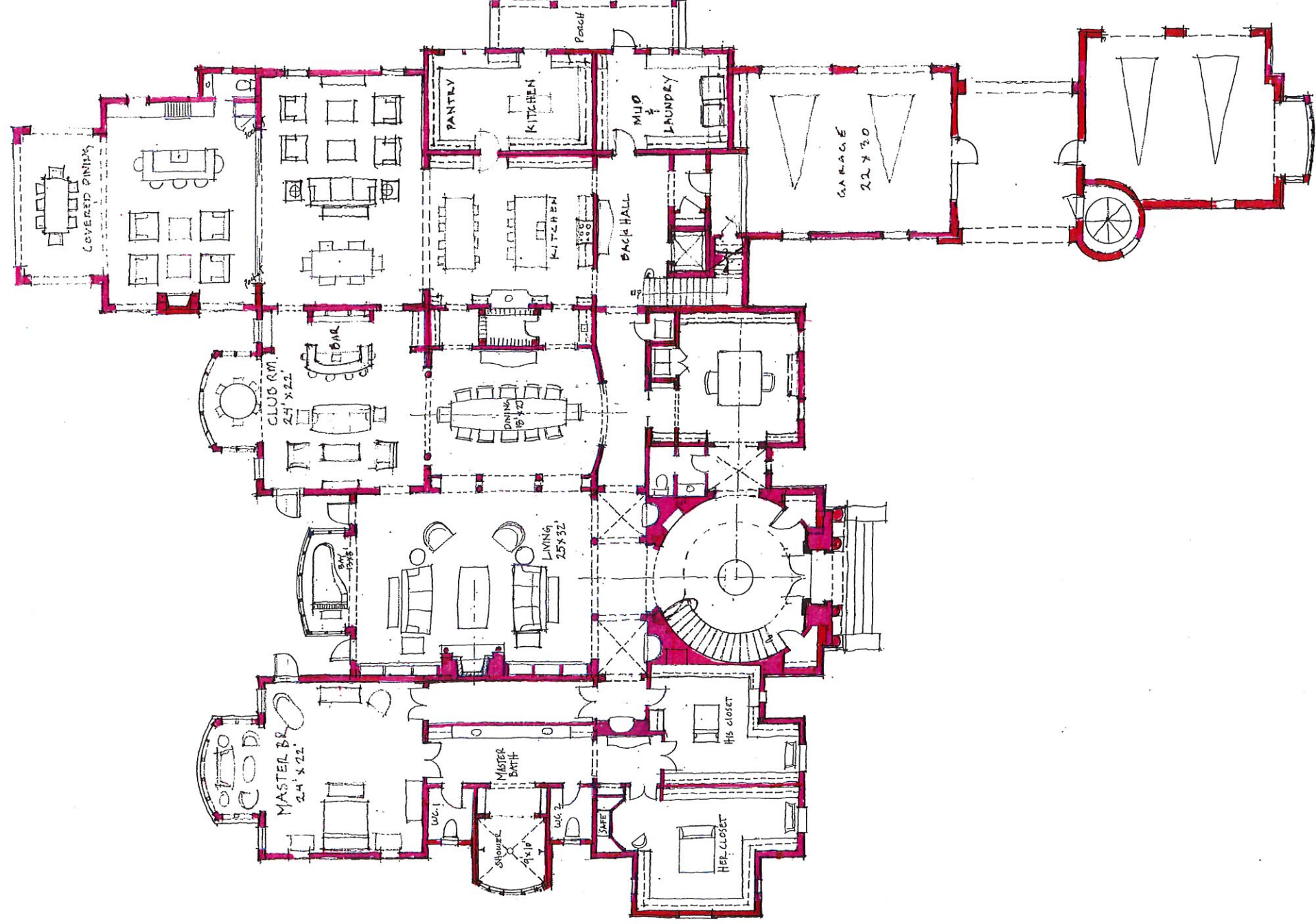


FIRST FLOOR FAR PLAN
SEPTEMBER 2, 2019



HENDERSON RESIDENCE
115 PALMER
WINTER PARK, FLORIDA

GEOFFREY MOUEN
ARCHITECT



FIRST FLOOR PLAN

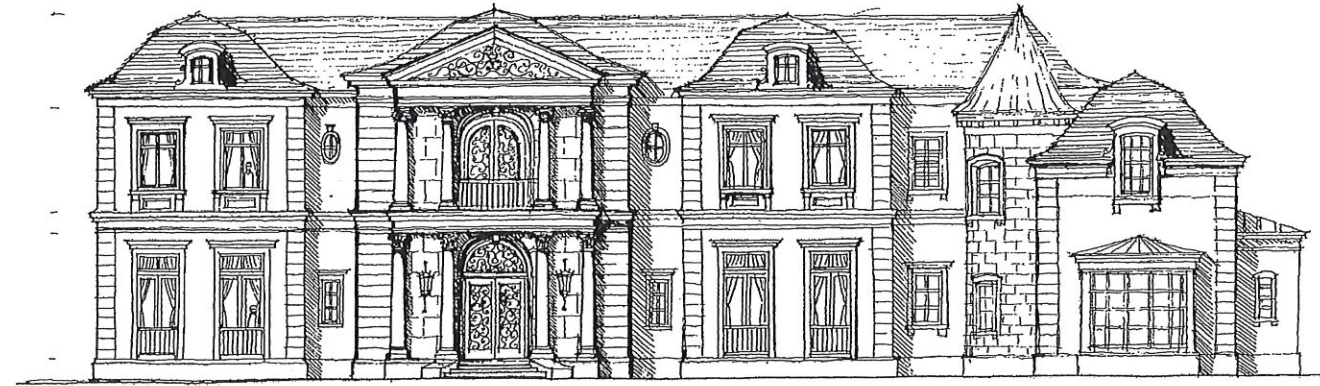
September 4th, 2019



HENDERSON RESIDENCE

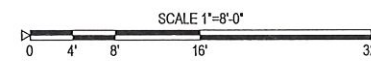
115 PALMER

WINTER PARK, FLORIDA

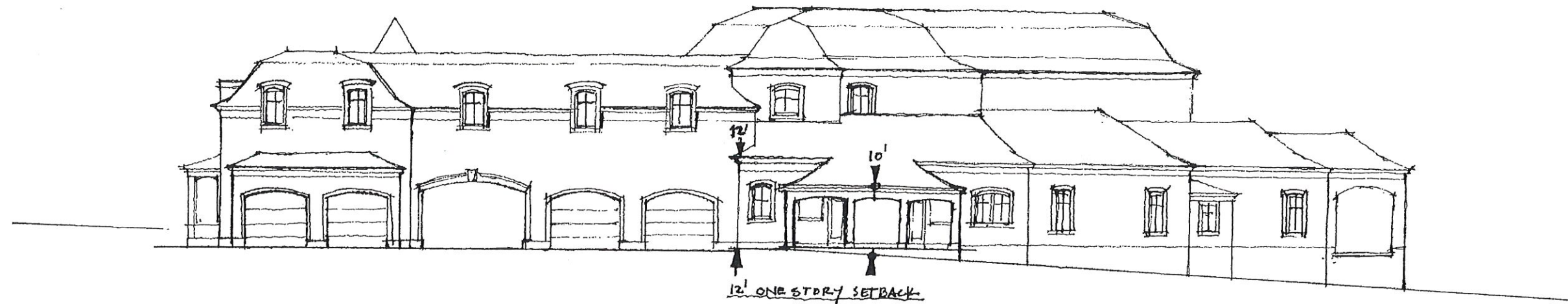


FRONT ELEVATION

September 4th, 2019

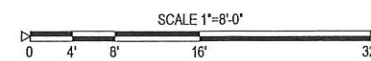


HENDERSON RESIDENCE
115 PALMER
WINTER PARK, FLORIDA



RIGHT ELEVATION

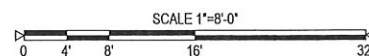
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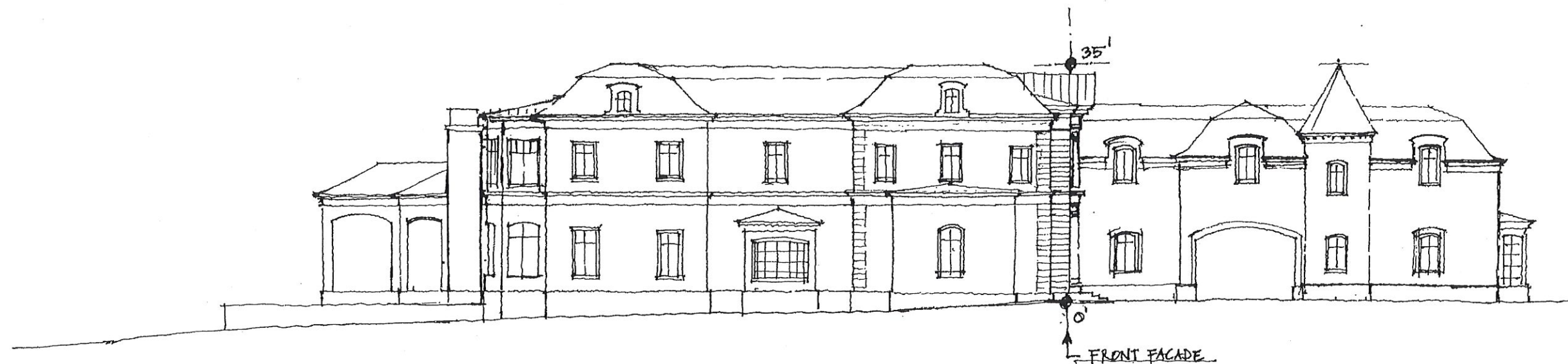
HENDERSON RESIDENCE
115 PALMER
WINTER PARK, FLORIDA



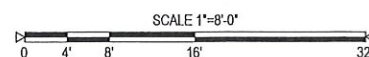
REAR ELEVATION
September 4th, 2019



HENDERSON RESIDENCE
115 PALMER
WINTER PARK, FLORIDA



LEFT ELEVATION
September 4th, 2019



HENDERSON RESIDENCE
115 PALMER
WINTER PARK, FLORIDA



FAR CALCULATIONS	
1ST FLOOR AREA = 15,000 SF	
2ND FLOOR AREA = 15,000 SF	
3RD FLOOR AREA = 15,000 SF	
4TH FLOOR AREA = 15,000 SF	
5TH FLOOR AREA = 15,000 SF	
6TH FLOOR AREA = 15,000 SF	
7TH FLOOR AREA = 15,000 SF	
8TH FLOOR AREA = 15,000 SF	
9TH FLOOR AREA = 15,000 SF	
10TH FLOOR AREA = 15,000 SF	
11TH FLOOR AREA = 15,000 SF	
12TH FLOOR AREA = 15,000 SF	
13TH FLOOR AREA = 15,000 SF	
14TH FLOOR AREA = 15,000 SF	
15TH FLOOR AREA = 15,000 SF	
16TH FLOOR AREA = 15,000 SF	
17TH FLOOR AREA = 15,000 SF	
18TH FLOOR AREA = 15,000 SF	
19TH FLOOR AREA = 15,000 SF	
20TH FLOOR AREA = 15,000 SF	



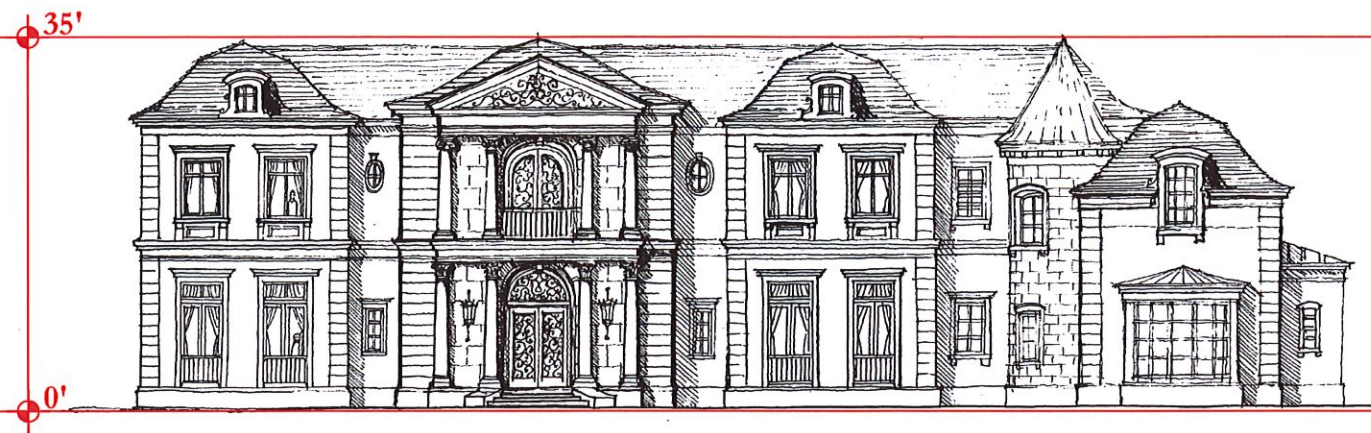
FIRST FLOOR FAR PLAN
SEPTEMBER 2, 2019

SCALE 1"=16'-0"

HENDERSON RESIDENCE
115 PALMER
WINTER PARK, FLORIDA

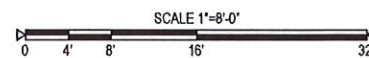


GEOFFREY MOUEN
ARCHITECT

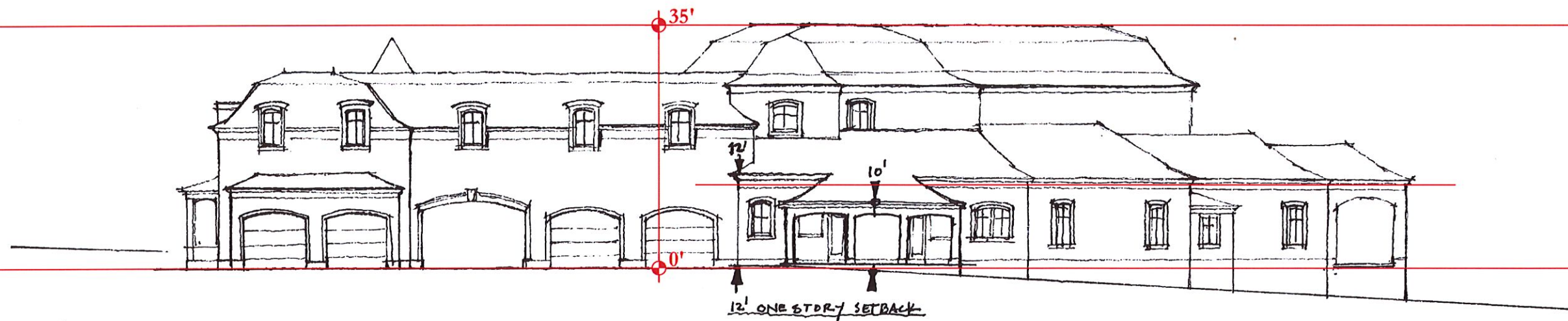


FRONT ELEVATION

September 9th, 2019

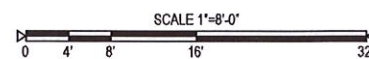


HENDERSON RESIDENCE
115 PALMER
WINTER PARK, FLORIDA



RIGHT ELEVATION

September 9th, 2019

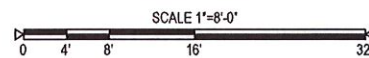


HENDERSON RESIDENCE
115 PALMER
WINTER PARK, FLORIDA

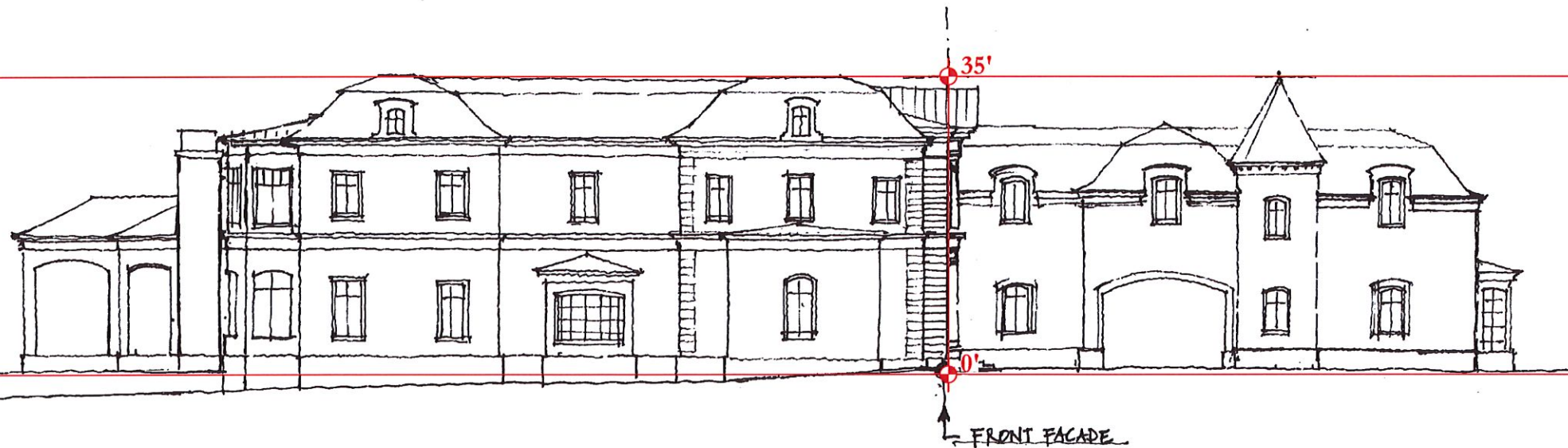


REAR ELEVATION

September 9th, 2019

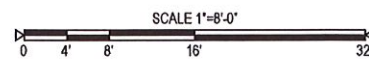


HENDERSON RESIDENCE
115 PALMER
WINTER PARK, FLORIDA



LEFT ELEVATION

September 9th, 2019



HENDERSON RESIDENCE
115 PALMER
WINTER PARK, FLORIDA

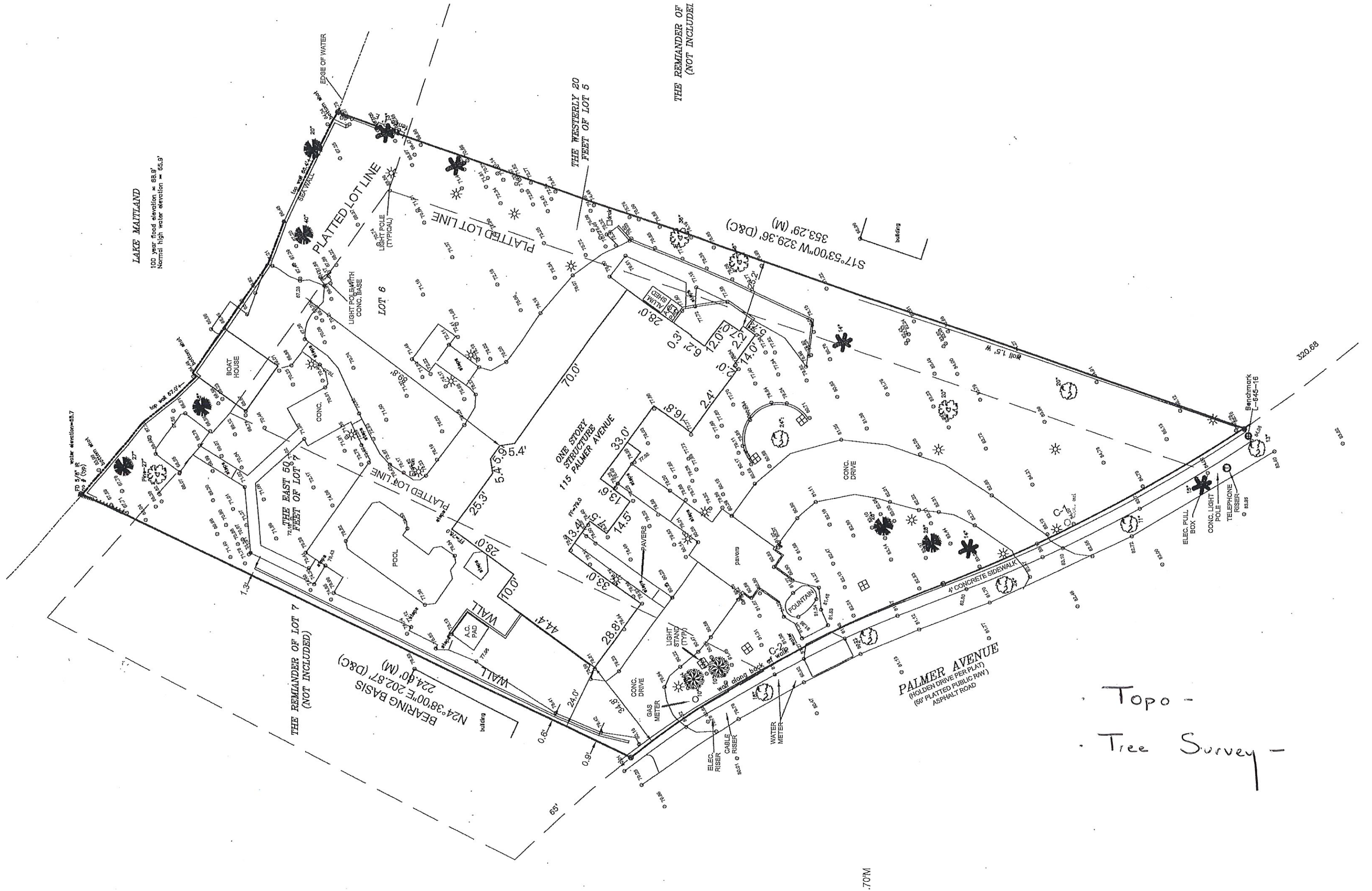




100 year flood elevation = 88.9'
Normal high water elevation = 85.9'

THE WESTERLY 20
FEET OF LOT 5

- Topo -
- Tree Survey -



Existing Tree Legend

	CYPRESS	4
	TBR - CYPRESS	2
	TBR - MAGNOLIA	2
	OAK	4
	TBR - OAK	3
	PALMS	2
	TBR - PALMS	3
	UNKNOWN	1
	TBR - UNKNOWN	3

Trees To Be Removed	Qty	Size
TBR - CYPRESS	3	50"
TBR - MAGNOLIA	2	20"
TBR - OAK	3	82"
TBR - PALMS	1	100"

GRADING LEGEND

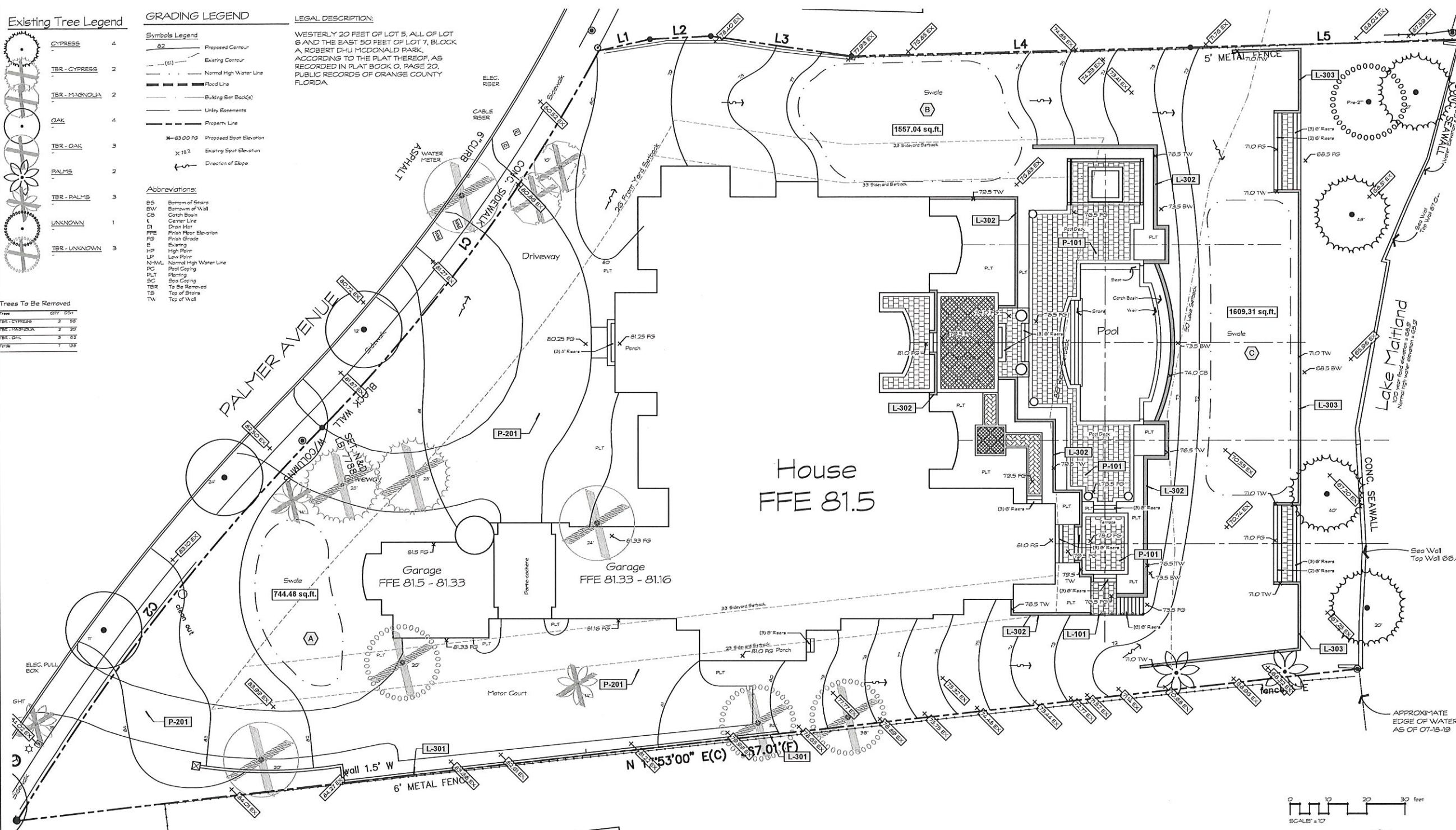
	Proposed Contour
	Existing Contour
	Normal High Water Line
	Flood Line
	Building Set Back(s)
	Utility Easements
	Property Line
	Proposed Spot Elevation
	Existing Spot Elevation
	Direction of Slope

Abbreviations:

BS	Bottom of Slope
BW	Bottom of Wall
CB	Center Basin
CL	Center Line
DI	Drain Inlet
FPE	Finish Floor Elevation
FG	Finish Grade
E	Existing
HPI	High Point
LP	Low Point
N-WL	Normal High Water Line
PC	Pool Coping
PLT	Planting
SC	Spot Elevation
TBR	To Be Removed
TS	Top of Slope
TV	Top of Wall

LEGAL DESCRIPTION:

WESTERLY 20 FEET OF LOT 5, ALL OF LOT 6 AND THE EAST 50 FEET OF LOT 7, BLOCK A, ROBERT D'U MC DONALD PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK O, PAGE 20, PUBLIC RECORDS OF ORANGE COUNTY FLORIDA.



Rev.	Date	Description	By
1	2019.0	UPDATED WALL HEIGHTS	AE

Henderson Residence
115 Palmer Avenue
Winter Park, Florida

Scale: 1" = 10'-0"
Date: 2019-09-05
Sheet No.: L1.11
Project No.: 1909000001

PAVING LEGEND

SYMBOL	POOL AREA DESCRIPTION
	P-101 Pool Deck Pavers - Natural Stone TED
SYMBOL	MOTOR COURT & DRIVEWAY DESCRIPTION
	P-201 Motor Court Pavers

SITE AMENITIES LEGEND

SYMBOL	FENCES, GATES & RAILINGS DESCRIPTION
	L-101 Aluminum Hard Rail
SYMBOL	WALLS DESCRIPTION
	L-301 Driveway Retaining Wall - Max Height 30" - To Street W/ Grade
	L-302 Terrace & Landscape Walls
	L-303 Landscape Wall - 30" Max Height

Front Yard Coverage

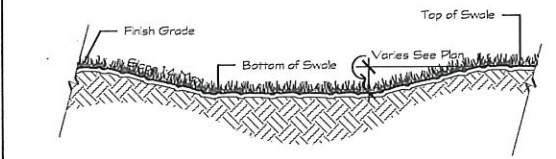
Impervious Calculations	SQ. FT.	%
Front Yard Area	11,931.63	100.0%
Motor Court, Driveway & Walls	3,319.5	
Total Impervious	3,319.5	27.8%
Total Permeous	8,612.2	72.2%
50% Minimum Landscape Area	4,306.1	

Lot 6 | Type 'C' Drainage Lot

Impervious Calculations	SQ. FT.	%
Overall Lot Area	49,316.6	100.0%
Area for Floor	10,635.0	
Driveway & Motor Court	5,856.3	
Pool & Pool Deck	5,850.0	
Walls	374.0	
Total Impervious	22,845.3	46.3%
Total Permeous	26,471.3	53.7%

Swale Calculations

Area	Cu. Ft.
Total Impervious Area	22,845.3
Required Swale Cubic Feet	0.0830
3'-A @ 6' Deep	1,659.2
3'-B @ 6' Deep	1,597.0
3'-C @ 6' Deep	1,602.3
Total	3,858.5



1 TYP SWALE
Scale: NTS

0 GENERAL NOTES

SYMBOL DESCRIPTION

- 0-01** Contractor shall familiarize himself/herself with existing site conditions prior to initiating construction. All existing site roads, parking lots, curbs, utilities, sewers and other elements to remain shall be fully protected from any damage unless otherwise noted.
- 0-02** Contractor shall notify all necessary utility companies 48 hours minimum prior to digging for verification of all underground utilities, irrigation and other elements and coordinate with the owner's representative prior to initiating operations. Drawings are prepared according to the best information available at the time of preparing these documents.
- 0-03** Report any discrepancies between the construction drawings and field conditions to the owner's representative immediately. Follow the owner's representative's instructions on resolving any discrepancies.
- 0-04** Contractor shall coordinate all work with related contractors and with the general construction of the project in order not to impede the progress of the work of others or the contractor's own work.
- 0-05** Contractor shall provide all necessary safety measures during construction operations to protect the public according to all applicable codes and recognized local practices.
- 0-06** Contractor shall coordinate access and staging areas with the owner's representative.
- 0-07** Contractor shall be responsible for all erosion control/protection by locally approved means and maintaining erosion control already in place. Contractor shall adhere to all governing codes and requirements.
- 0-08** Contractor shall clean the work areas at the end of each working day. Rubbish and debris shall be collected and legally deposited off-site daily. All materials, products and equipment shall be stored in an organized fashion as directed by owner's representative.
- 0-09** Contractor to coordinate his work with the work of the other contractors working on this project. The Contractor shall verify the condition and completeness of all work performed by others in relation to his/her project work responsibilities including the checking of existing elevations or structures prior to initiating construction. The Contractor shall immediately notify the owner's representative if any of these site conditions are incomplete, missing or damaged. Any adjustments required to the condition, completeness and/or elevation of this work shall be performed by others.

1 HARDSCAPE NOTES

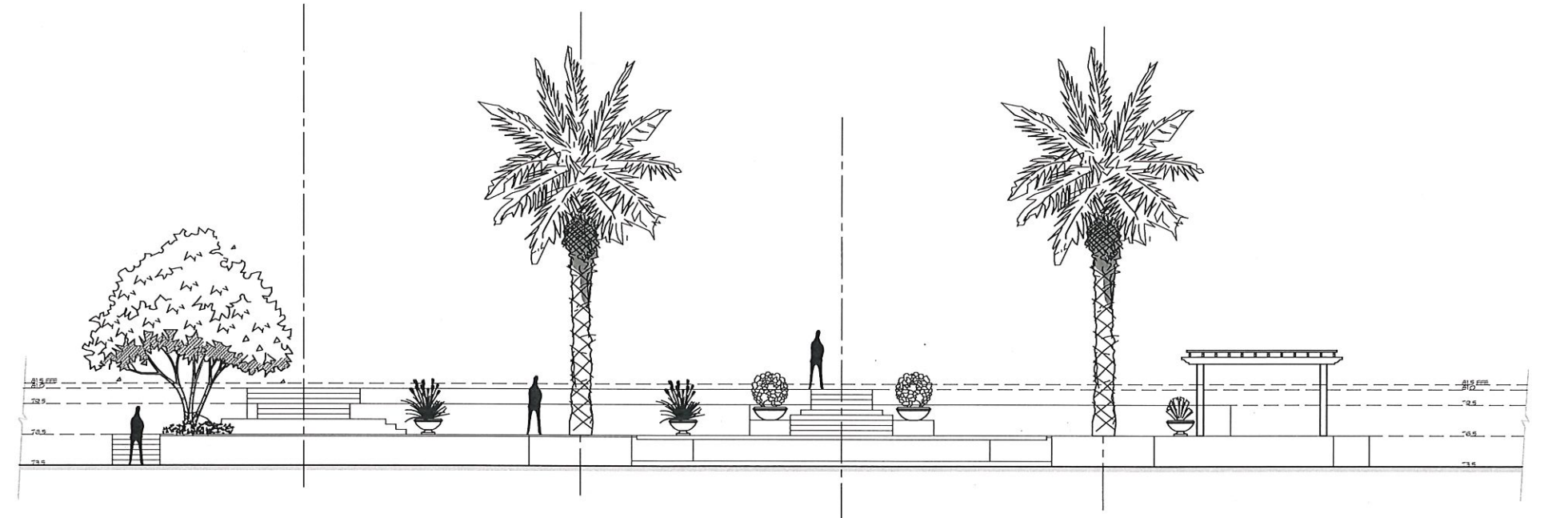
SYMBOL DESCRIPTION

- 1-01** Contractor shall familiarize himself/herself with existing site conditions prior to initiating construction. All existing site roads, parking lots, curbs, utilities, sewers and other elements to remain shall be fully protected from any damage unless otherwise noted.
- 1-02** All pavement shall be staked in the field using layout geometry indicated on the site layout plans or as instructed and approved by the owner's representative prior to construction. Alignment may be adjusted to accommodate existing drain inlets, manholes, or other site elements.
- 1-03** See site grading plans for pavement elevations. Match grades with existing conditions.
- 1-04** General limits of construction are noted on the drawings unless otherwise noted. Unless otherwise noted, the limit of work shall end at the face of each building &/or Property Line.
- 1-05** Contractor shall notify all necessary utility companies 48 hours minimum prior to digging for verification of all underground utilities, irrigation and other elements and coordinate with the owner's representative prior to initiating operations. Drawings are prepared according to the best information available at the time of preparing these documents.
- 1-06** All provided quantities are for estimation purposes only. The contractor &/or supplier is responsible for field verifying all quantities prior to installation.

2 GRADING NOTES

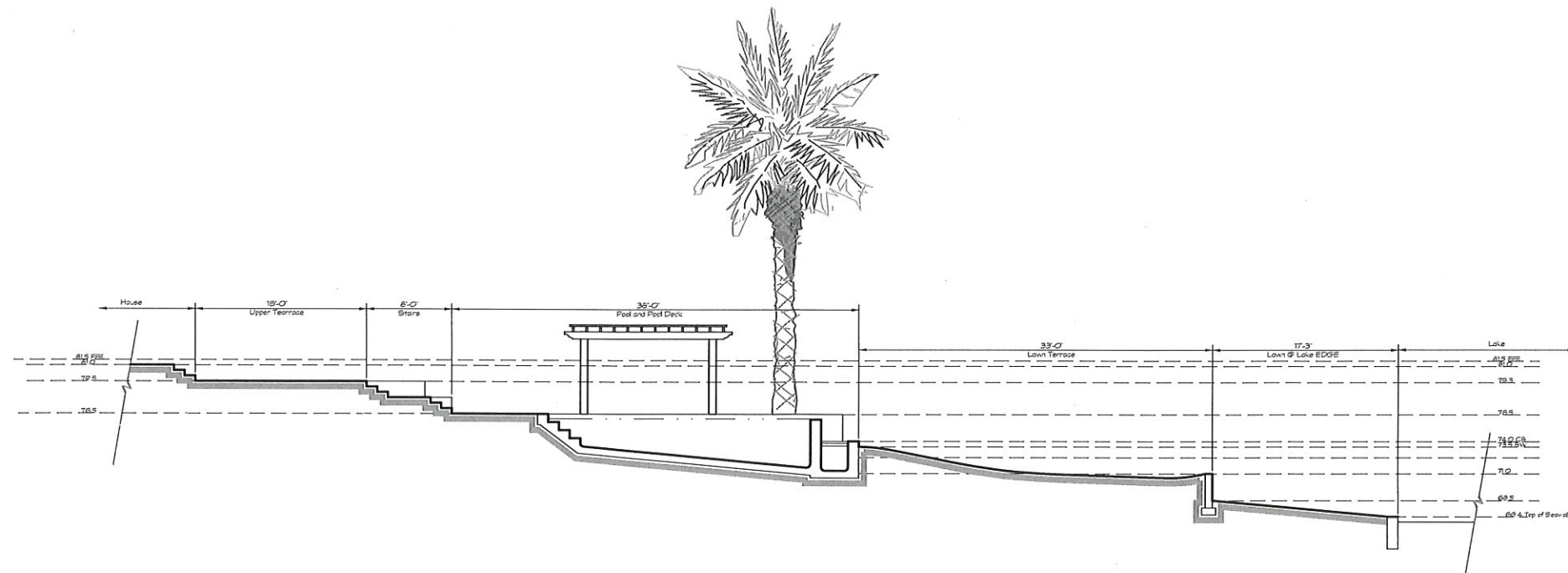
SYMBOL DESCRIPTION

- 2-01** The contractor shall familiarize himself/herself with the project prior to bidding the work.
- 2-02** The contractor shall be responsible for all earthwork and site grading necessary to achieve the finished grades noted on the grading plans according to the specifications.
- 2-03** Contractor shall install all drainage structures shown on plans and bring any discrepancies in grades and locations to the immediate attention of the owner's representative.
- 2-04** Some underground utilities, conduit, sleeves, drainage pipes, etc., have been previously installed or are scheduled for future installation by others. Contractor shall coordinate and work closely with other contractors, trades, and the owner's representative to avoid damage to these underground utilities and at grade elements. Any damages shall be reported immediately to owner's representative. Any damage caused by the contractor shall be replaced at no cost to the owner.
- 2-05** Finished grade in landscape planting areas shall be 3" below the finished elevations shown for all hardscape areas.
- 2-06** All utilities, sleeves, manholes, outfall structures, swales, and other structures or topographical features shall be field staked and verified prior to construction. Notify owner's representative of any existing utility which appears to need to be raised to match finished grades shown in the drawings, prior to performing any work in the area.
- 2-07** All fill required shall be clean, well draining soil. Fill shall be clean and free of all deleterious material and any other material harmful to plant growth such as rocks (larger than 2" dia), composted clay, rotted or surfacing material, muck, roots, branches, etc.
- 2-08** Contours for earth mounds shall be smooth, continuous arcs. Side slopes shall be smooth and even in transition and void of depressions and surface irregularities.
- 2-09** Refer to project Civil Engineer/Structural Engineer for specification on earthwork excavation and fill and compaction requirements in structural and non-structural areas.



1 POOL AND POOL TERRACE ELEVATIONS

Scale: 3/16" = 1'-0"
Reference



2 POOL DECK & TERRACE SECTIONS

Scale: 3/16" = 1'-0"
Reference



401 South Park Avenue • Winter Park, Florida 32789

407-599-3324 • planning@cityofwinterpark.org
cityofwinterpark.org

Planning & Community Development

Planning & Zoning Board Staff Report for October 1, 2019 Meeting

ZTA #19-04. Request of Chez Vincent and Hannibal's for: An Ordinance amending Chapter 58 "Land Development Code" Article III, "Zoning" Section 58-84 to provide for the same hours of sale of alcoholic beverages that exist within the Central Business District and the City at-large to be applied within the Hannibal Square Neighborhood Commercial district.

ZTA #19-03. Request of the City of Winter Park for: An Ordinance amending Chapter 62, Division 2, Noise and Disturbance Control, providing for the same noise controls that exist within the Central Business District to be applied within the Hannibal Square Neighborhood Commercial district.

Ordinance Overview:

These two ordinances are intended to provide consistency in the rules and regulations of certain commercial districts in Winter Park by establishing the same hours of alcoholic beverage sale and consumption that exist in the Central Business District to also apply in the Hannibal Square Neighborhood Commercial District. In an effort to provide additional consistency, the same rules for noise control shall also apply in both areas.

Background:

In 1995/1996 when the CRA evolution of New England Avenue and the Hannibal Square area began, there was a serious concern about the impact that new bars and restaurants might have on the surrounding residential homes and apartments located within close proximity to the redeveloping commercial areas. The goal of the CRA was to establish a "restaurant district" but the City did not want Hannibal Square to become a "bar and nightclub district". Dexter's was one of the first establishments to locate within the revitalized Hannibal Square Commercial area and live entertainment was an integral part of their business model. To ensure that their primary focus was to be a restaurant first and nightclub secondarily, the City established earlier closing hours for the Hannibal Square Neighborhood Commercial district. Those hours are closing at 11:00 pm on Sunday thru Thursday and 12:00 Midnight on Friday and Saturday nights. The rules in the Central Business District and everywhere else in the City are closing at 2:00 am except for 12:00 Midnight on Sundays.

This earlier closing hours has been a source of frustration for numerous restaurants that have operated within the area that cannot host later evening dinners or special events and have customers that leave to go to Park Avenue, where the rules allow for later hours of operation.

In the 1980's, a similar problem of live music existed along Park Avenue with bands playing late at night that were disturbing to the guests at the Park Plaza Hotel and nearby residential properties. The solution was to adopt noise controls for the Central Business District that create a violation after 10:00 pm if one can hear the sound of live music 50 feet away from an

establishment. Those established conditions have adequately addressed the issues that once existed along Park Avenue.

Establishing Consistency in Commercial Areas:

The proposal is to establish consistency in two ways. One ordinance would establish the same hours of alcoholic beverage sale and consumption that exist in the Central Business District to also apply in the Hannibal Square Neighborhood Commercial district which is until 2:00 AM, and 12:00 AM on Sundays.

These regulations have worked well along Park Avenue to maintain the primary focus as a 'restaurant district' and not as a 'bar/nightclub district'. The same then will be the case in the Hannibal Square Neighborhood Commercial district.

Staff Recommendation is for approval.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING REGULATIONS" SECTION 58-84 "GENERAL PROVISIONS FOR NONRESIDENTIAL ZONING DISTRICTS" AND CHAPTER 10 "ALCOHOLIC BEVERAGES" SECTION 10-33 "HOURS DURING WHICH SALES, CONSUMPTION AND SERVICE ARE PROHIBITED" SO ESTABLISH UNIFORM HOURS OF SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES CITY-WIDE.

WHEREAS, the City Commission of the City of Winter Park (the "City") recognizes that the hours of sales and consumption of alcoholic beverages and the hours of live music at venues located nearby residential homes and apartments can affect the livability and peaceful enjoyment of those residential neighbors; and

WHEREAS, the City recognizes that providing for uniform hours for the sale and consumption of alcoholic beverages and for the control of noise city-wide in the equitable manner in which to protect the public health, safety and general welfare.

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

SECTION 1: Recitals. The above recitals are true and correct, are adopted and incorporated herein, and constitute the legislative findings of the City Commission of the City of Winter Park.

SECTION 2: Portions of Chapter 58 and Chapter 10, are hereby amended to read as shown below, 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. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by amending Section 58-84 "General Provisions", by deleting Subsection 58-84 (x) in its' entirety as shown:

Section 58-84. General Provisions for Nonresidential Zoning Districts.

~~(x) Restaurant, bar, tavern, lounge; conditional uses in the Hannibal Square neighborhood. The city has established that restaurants, bars, taverns or lounges, in the Hannibal Square Neighborhood Commercial District shall be limited in the hours of sale and consumption of alcoholic beverages due to the proximity of residential homes and apartments and the related problems of nighttime activity and noise generated by these establishments and their customers outside the establishments. This restriction shall be in effect within the geographic area of the Hannibal Square neighborhood bounded by Denning Drive, Comstock Avenue, New York Avenue and Webster Avenue. The restriction shall limit the hours of sale and consumption of alcoholic beverages to no later than 11:00 p.m. on Sundays through Thursdays and no later than 12:00 a.m. (midnight) on Fridays and Saturdays, except for New Year's Eve when the hours are extended until 1:00 a.m.~~

SECTION 4. That Chapter 10 "Alcoholic Beverages", of the Code of Ordinances is hereby amended and modified by amending Section 10-33 "Hours during which sales consumption and service are prohibited", by repealing Subsection (j) in its' entirety as shown below:

Sec. 10-33. - Hours during which sales, consumption and service are prohibited.

~~(j) The city has established that restaurants, bars, taverns and cocktail lounges in the Westside neighborhood shall be limited in the hours of sale and consumption of alcoholic beverages due to the proximity of churches, residential homes and apartments and the related problems of nighttime activity and noise generated by these establishments. This restriction shall be in effect within the geographic area of the Westside community bounded by Denning Drive, Comstock Avenue, New York Avenue and Webster Avenue. The restriction shall limit the hours of sale and consumption of alcoholic beverages to no later than 11:00 p.m. on Sundays through Thursdays and no later than 12:00 a.m. (midnight) on Fridays and Saturdays.~~

SECTION 5. INCONSISTENCY. If any Ordinances or parts of Ordinances are in conflict herewith, this Ordinance shall control to the extent of the conflict.

SECTION 6: SEVERABILITY. If any section, subsection, sentence, clause, phrase, provision, or word of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then such invalidity or unconstitutionality shall not be held to invalidate or impair the validity, force, or effect of any other remaining provisions of this Ordinance.

SECTION 7: CODIFICATION. Sections II through VIII of this Ordinance shall be codified and made a part of the City of Winter Park Land Development Code, and the sections of this Ordinance may be renumbered or re-lettered to accomplish this intention. The word "Ordinance" may be changed to "Section," "Article," or other appropriate word. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener's errors.

SECTION 8: This Ordinance shall become effective immediately following approval by the City Commission at its second reading.

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 _____, 2019.

Mayor Steve Leary

ATTEST:

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 62, "OFFENSES AND MISCELLANEOUS PROVISIONS" WITHIN DIVISION 2, "NOISE AND DISTURBANCE CONTROL", SECTION 62-98, PROVIDING FOR THE SAME NOISE CONTROLS THAT EXIST WITH THE CENTRAL BUSINESS DISTRICT TO ALSO APPLY WITH THE HANNIBAL SQUARE NEIGHBORHOOD COMMERCIAL DISTRICT, PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Park (the "City") recognizes that the hours of live music and other amplified sounds at venues located nearby residential homes and apartments can affect the livability and peaceful enjoyment of those residential neighbors; and

WHEREAS, the City recognizes that providing for uniform hours for certain types of live music and other noise and sounds for the control of noise in an equitable manner for both the Central Business District and the Hannibal Square neighborhood Commercial District is in the best interests of the public and residents in order to protect the public health, safety and general welfare.

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

SECTION 1: Recitals. The above recitals are true and correct, are adopted and incorporated herein, and constitute the legislative findings of the City Commission of the City of Winter Park.

SECTION 2: Portions of Chapter 58 and Chapter 10, are hereby amended to read as shown below, 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. That Chapter 62 "Offenses and Miscellaneous Provisions", Division 2 "Noise and Disturbance Control of the Code of Ordinances is hereby amended and modified by amending Section 62-98 as shown below:

Chapter 62. Offenses and miscellaneous provisions.

Sec. 62-98. - Central business district ~~and hannibal square neighborhood commercial district.~~

(a) As used in this section, the central business district and the hannibal square neighborhood commercial district is generally defined as that part of the city bordered by Webster Avenue on the north, Interlachen Avenue on the east, Fairbanks Avenue on the south and New York Avenue on the west or fronting on New England Avenue, Hannibal Square, Morse Boulevard and Pennsylvania Avenue ~~and that part of the city zoned central business (C-2) district commercial.~~ Such areas are more particularly defined within the maps adopted in the Definitions section of the Comprehensive Plan of the City, Article I, Chapter 58.

(b) It shall be unlawful for any person operating or occupying a motor vehicle on a street or highway between the hours of 10:00 p.m. and 7:00 a.m. to operate or amplify the sound produced by a radio, tape player, or other mechanical sound making device or instrument from within the motor vehicle so that the sound:

(1) Is plainly audible on a public street or highway within the central business district but outside the motor vehicle in which the sound is created;

(2) Is plainly audible within a hotel or restaurant located within the central business district; or

(3) Is at a level that equals or exceeds 50 dBA measured at the property line of the recipient of such sound.

(c) It shall be unlawful for any person on a public street or highway between the hours of 10:00 p.m. and 7:00 a.m. to operate or amplify the sound produced by a radio, tape player, or other mechanical sound making device or instrument so that the sound:

(1) Is plainly audible within a hotel or restaurant located within the central business district; or

(2) Is at a level that equals or exceeds 50 dBA measured at the property line of the recipient of such sound.

(d) If a sound prohibited in subsection (b) of this section is created within a motor vehicle, the driver and each passenger shall be presumed to have individually and collectively used, operated or maintained such sound amplification device in violation of this section.

(e) It shall be unlawful for any person, business or establishment between the hours of 10:00 p.m. and 7:00 a.m. to provide musical entertainment in such manner as to create a plainly audible sound or detectable vibration that:

(1) Unreasonably disturbs the peace;

(2) Can be heard or felt at a distance of 50 feet from the building or structure in which such musical entertainment is located;

(3) Can be heard or felt inside any residential occupancy within another building or any tenant space within the same building; or

(4) Is in excess of 50 dBA as measured with a sound level meter inside any receiving property.

(f) A violation of any provision of this section shall be classified as a class II violation. Each successive repeated violation of this section shall be subject to a civil penalty for the next higher violation classification. For example, a first violation of this section will be fined as a class II violation, a second violation will be fined as a class III violation, and so on. Nothing shall prohibit the city from enforcing this section by any other means. Further, the city commission shall have the right to revoke or suspend the permission for any musical entertainment for a period of time to be determined by the city commission in the case of repeated violations of this section.

(g) Exempted from the prohibitions of this section is the use of sound amplification devices in connection with the use of emergency, fire, police and ambulance vehicles, railway locomotives or railway crossing warning devices, emergency warning systems, and theft alarms, as well as the use of horns or other warning devices required by F.S. § 316.271 when necessary to ensure safe operation of the motor vehicle to which the horn or device is attached. Also exempted from this section is the use of sound amplification devices in connection with an event sanctioned by prior resolution or approval of the city commission or for which a special permit has been issued by the city, and the event has been given specific authority to produce sound amplification or noise within the scope of the permit.

SECTION 4. INCONSISTENCY. If any Ordinances or parts of Ordinances are in conflict herewith, this Ordinance shall control to the extent of the conflict.

SECTION 5: SEVERABILITY. If any section, subsection, sentence, clause, phrase, provision, or word of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then such invalidity or unconstitutionality shall not be held to invalidate or impair the validity, force, or effect of any other remaining provisions of this Ordinance.

SECTION 6: CODIFICATION. Sections II through VIII of this Ordinance shall be codified and made a part of the City of Winter Park Land Development Code, and the sections of this Ordinance may be renumbered or re-lettered to accomplish this intention. The word "Ordinance" may be changed to "Section," "Article," or other appropriate word. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener's errors.

SECTION 7: This Ordinance shall become effective immediately following approval by the City Commission at its second reading.

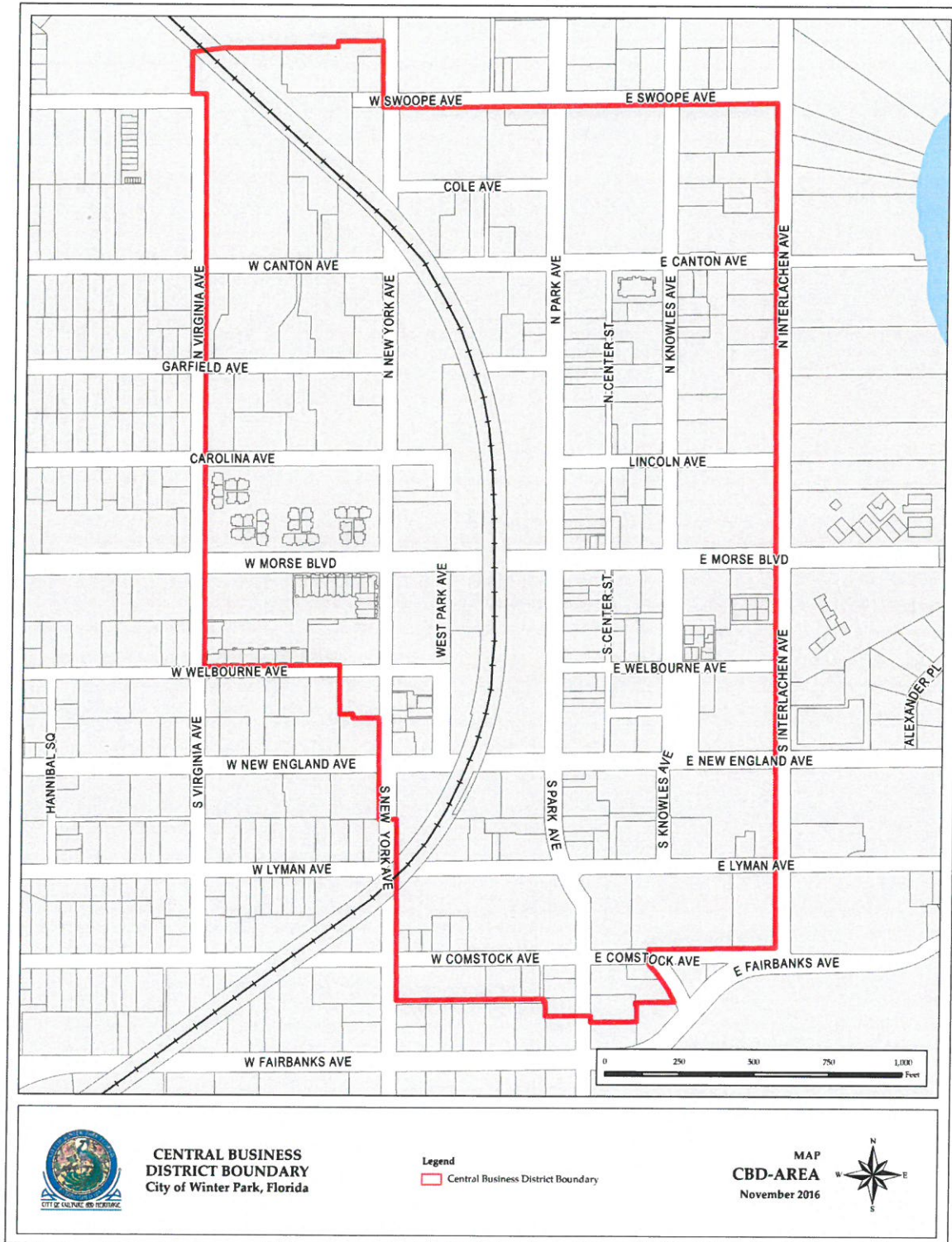
ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2019.

Mayor Steve Leary

ATTEST:

City Clerk

Central Business District (CBD) – The business, commercial, office and residential "core" of Winter Park (also known as "Downtown"). This is not to be confused with the CBD Future Land Use Designation, the Hannibal Square Neighborhood Commercial District, the Planning Area boundary for Planning Area G – Downtown/Rollins College, the Community Redevelopment Area (CRA), or with C-2 zoning.



Hannibal Square Neighborhood Commercial District – This area is shown on the map below, which is located west of the CBD, and is defined as:

- 1) Properties abutting Morse Boulevard between Capen Avenue and Virginia Avenue
- 2) Properties abutting New England Avenue between Pennsylvania and New York Avenues;
- 3) Properties abutting Pennsylvania Avenue between Lyman and Garfield Avenues; and
- 4) Properties abutting Hannibal Square East.

