REQUEST OF THE 717 N. CAPEN AVENUE LLC FOR: SUBDIVISION OR LOT SPLIT APPROVAL TO DIVIDE THE PROPERTY AT 717 NORTH CAPEN AVENUE, ZONED R-1A, INTO TWO SINGLE FAMILY BUILDING LOTS. EACH LOT IS PROPOSED TO BE 50 FEET IN WIDTH AND 5,000 SQUARE FEET IN SIZE. VARIANCES ARE REQUESTED FOR THESE LOT SIZES THAT DO NOT MEET THE MINIMUM LOT SIZE REQUIREMENTS OF THE R-1A ZONING OF 75 FEET OF LOT WIDTH AND 8,500 SQUARE FEET OF LOT AREA.

The owners of 717 North Capen Avenue are requesting subdivision or lot split approval to divide their property into two single-family lots. The zoning of this property is R-1A. Each lot is proposed to be 50 feet wide and 5,000 square feet in size. Variances are requested for these lot sizes because they will not meet the minimum lot size requirements of R-1A zoning. The property is currently vacant.

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

ZONING TEST: This existing property is 100 feet wide on North Capen Avenue and measures approximately 10,000 square feet in size. The subdivided lots are proposed to be 50 feet wide and 5,000 square feet in size. The R-1A zoning requires a minimum of 75 feet of lot width, and a minimum of 8,500-square feet of land area. Thus, this request does not meet the R-1A lot dimension standards, and variances are requested.

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

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

There are 78 homes within this neighborhood with the same R-1A zoning (see attached map). The average lot width is 60.2 feet, and the median lot width is 60 feet. The average lot area from this 78 home survey is 6,441 square feet, and the median lot area is 6,142 square feet. Thus, the proposed lot widths are
approximately 10 feet shorter, and lot areas are approximately 1,000 square feet less than the existing neighborhood.

Of the 78 homes compared, only 13 home or 17% of them have lots less than 60 feet and 83% of the neighborhood have lots equal to or greater than 60 feet. Thus, the proposed lot widths of 50 feet compare favorably only to 17% of the neighborhood.

Similarly, of the 78 homes compared, only 6 homes or 8% of them have lot areas of approximately 5,000 square feet or less. The vast majority of the neighborhood at 72 homes or 92% of the lots have areas greater than 5,000 square feet. Thus, the proposed lot areas of 5,000 square feet compare favorably only to 8% of the neighborhood. This then becomes direction from the Comprehensive Plan policy to not approve the variances requested.

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

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

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

**SUMMARY:** The custom of the planning staff is not to recommend “approval” of lot splits with variances. However, in this case, the policies of the Comprehensive Plan also support a recommendation for denial.

This is a situation where the proposed lot widths and sizes only compare to a small percentage, approximately 8% of the neighborhood. While staff recognizes that this neighborhood does have smaller lot widths and areas than the code requires. The application fails to meet the Zoning and Comprehensive Plan tests.

**In recognition that lot width variances are requested, and that the Comprehensive Plan comparison of lot widths does not support the request, the Staff Recommendation is for DENIAL.**
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.
The diagram provides a comprehensive view of the property at 717 N Capen Ave, City of Winter Park, Florida. The data includes:

- **Average Lot Width**: 60.2 feet
- **Median Lot Width**: 60 feet
- **Average Lot Size**: 6,441 square feet
- **Median Lot Size**: 6,142 square feet

The notes section highlights the following:

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

The map is labeled with various streets and landmarks, aiding in the identification of property boundaries and neighborhood layout.