Welcome to the City of Winter Park City Commission meeting. The agenda for regularly scheduled Commission meetings is posted in City Hall the Tuesday before the meeting. Agendas and all backup material supporting each agenda item are available in the City Clerk's office or on the city's website at cityofwinterpark.org.

meeting procedures

Persons desiring to address the Commission MUST fill out and provide the City Clerk a yellow "Request to Speak" form located by the door. After being recognized by the Mayor, persons are asked to come forward and speak from the podium, state their name and address, and direct all remarks to the Commission as a body and not to individual members of the Commission, staff or audience.

Citizen comments at 5 p.m. and each section of the agenda where public commend is allowed are limited to three (3) minutes. The yellow light indicator will remind you that you have one (1) minute left. Large groups are asked to name a spokesperson. The period of time is for comments and not for questions directed to the Commission or staff for immediate answer. Questions directed to the City Commission will be referred to staff and should be answered by staff within a reasonable period of time following the date of the meeting. Order and decorum will be preserved at all meetings. Personal, impertinent or slanderous remarks are not permitted. Thank you for participating in your city government.

agenda

1. Meeting Called to Order
2. Invocation
   Reverend Alison Harrity, St. Richard's Episcopal Church
   Pledge of Allegiance
3. Approval of Agenda
4. Mayor's Report
   a. Recognition - 2018 Summer Youth Enrichment Program 15 minutes
5. City Manager's Report
   a. City Manager's Report

6. City Attorney's Report

7. Non-Action Items

8. Citizen Comments (Items not on the agenda) and Budget Comments | 5 p.m. or soon thereafter
   (if the meeting ends earlier than 5:00 p.m., the citizen comments will be at the end of the meeting)
   (Three (3) minutes are allowed for each speaker)

9. Consent Agenda
   a. Approve the July 9, 2018 Commission minutes.

   b. Approve the following formal solicitations and the respective motions:
      1. JHL Landscape Supply, LLC dba Sod Depot - IFB-26-2018 - Purchase, Delivery & Installation of Sod; $50,000
      2. Tom's Sod Service, Inc. - IFB-26-2018 - Purchase, Delivery & Installation of Sod; $100,000
      4. Covanta Energy Marketing; Duke Energy Florida; Florida Municipal Power Agency; Florida Power & Light; Gainesville Regional Utilities; Orlando Utilities Commission; Seminole Electric Cooperative - ITN-12-2018 - Purchase of Wholesale Electric Power; Staff is requesting permission to enter into negotiations with all Responsive firms to negotiate the pricing and terms.

   c. Approve the following piggyback agreement and authorize the Mayor to execute:
      1. Shaw Industries, Inc. dba Spectra Contract Flooring - Central Florida - NJPA contract #121715 for Flooring with Related Equipment, Products, Supplies, Installation & Services; $200,000

   d. Approve the following purchase and authorize the execution of a purchase order:
      1. Hydro-Dyne Engineering, Inc. - Rebuild of WFS Center Flow Style Filter Screen & New
10. Action Items Requiring Discussion

a. Budget Discussion & Set Tentative Millage Rate  
   20 Minutes

11. Public Hearings

a. Ordinance - Revise the Sign Code for Murals  
   (2)  
   10 minutes

b. Request of Greenhouse Partnership Ltd.:  
   20 minutes
   - Ordinance - To amend the Comprehensive Plan text and maps to enable Central Business District Future Land Use on the property at 338 West Morse Boulevard, and to amend the Future Land Use designation from Office to Central Business District on the property at 338 West Morse Boulevard. (1)
   - Ordinance - To amend the zoning regulations text and definitions map to enable the approval of Commercial (C-2) district zoning on the property at 338 West Morse Boulevard, and to amend the official Zoning Map to change from Office (O-1) district zoning to Commercial (C-2) district zoning on the property at 338 West Morse Boulevard. (1)
   - For Conditional Use approval to convert the existing two-story office building into five residential condominiums with new attached garages with second floor guest quarters and to build a new three-story building with three residential condominiums on the property at 338 West Morse Boulevard.

c. Request of Ansaka, LLC:  
   20 minutes
   - For subdivision approval to re-subdivide the properties at 1791, 1801, 1811 and 1821 Aloma Avenue, zoned R-1A, into six single-family building lots. All of the proposed lots meet or exceed the minimum R-1A lot dimension requirements of 75 feet of lot width and 8,500 square feet of lot area, except for one lot with 67.5 feet of lot width due to the need to provide a common driveway.

d. Request of FG Schaub Custom Homes, LLC:  
   10 minutes
   - For subdivision or lot split approval to divide the property at 1635 Dale Avenue, zoned R-1A, into two single-family building lots. Both lots
will have 75 feet of lot width and 11,775 square feet of land area, which meet the requirements for new lots in the R-1A zoning district so that no variances are requested.

e. Request of Eustacia Ledbetter: 10 minutes

- For subdivision or lot split approval to divide the property at 2737 Woodside Avenue, zoned R-1A, into two single-family building lots. Both lots will have 75 feet of lot width and 7,800 square feet of land area. Both lots will need a variance to the minimum lot size requirements of 8,500 square feet and the corner lot will need a variance from the 85 feet of lot frontage needed for a corner lot.

12. City Commission Reports

Appeals and Assistance

"If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105)

"Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office (407-599-3277) at least 48 hours in advance of the meeting."
**subject**  
Reverend Alison Harrity, St. Richard’s Episcopal Church

**motion / recommendation**

**background**

**alternatives / other considerations**

**fiscal impact**
**subject**
Recognition - 2018 Summer Youth Enrichment Program

**motion / recommendation**

**background**

**alternatives / other considerations**

**fiscal impact**
subject
City Manager's Report

motion / recommendation

background

alternatives / other considerations

fiscal impact

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<tr>
<td>City Manager's Report</td>
<td>7/17/2018</td>
<td>Cover Memo</td>
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Below are issues of interest to the Commission and community that are currently being worked on by staff, but do not currently require action on the Commission agenda. These items are being tracked to provide the Commission and community the most up to date information regarding the status of the various issues. The City Manager will be happy to answer questions or provide additional updates at the meeting.

<table>
<thead>
<tr>
<th>issue</th>
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<tbody>
<tr>
<td>Quiet zones</td>
<td>Material procurement completed by January 2019 and expected construction completed by August 2019.</td>
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<tr>
<td>Seminole County Ditch Drainage Improvement</td>
<td>Preliminary drainage improvements design alternatives to be completed by September 2018. Dredging to begin July 23.</td>
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</tbody>
</table>
| Electric undergrounding | **Miles of Undergrounding Update**  
Project G: 4.03 miles 40% complete (some overhead strip out has begun)  
S. Virginia Ave. near Lyman: .41 miles 50% complete  
**TOTAL so far for FY 2018:** 4 miles |
| Fairbanks transmission | Ongoing weekly meetings are taking place between Duke, FDOT and the COWP. Tentative start date 10/1/18 |
| Power contracts | 10MW GRU expires in 2019. ITN has been released to secure 10MW block to replace GRU. |
| Denning Drive | Phase 2a from Fairbanks to Morse is substantially complete; awaiting landscaping for final completion. Phase 2b from Morse to Canton is underway with demolition, storm pipe installation and curbing complete. Sidewalk installation is underway. On July 11, the road was closed to traffic for the final push including island installation and repaving. It is anticipated this phase being substantially complete and back open for traffic on July 24 weather permitting. Power undergrounding and new decorative light installation continues. |
| Library Design | Architect team is currently working on Design development following recent commission meeting approvals and work session clarifications of add/alternates. Additional team meetings are being held the week of July 16 as a part of further refinement so design development can be completed this summer. |
| Consideration of additional parking at MLK, Jr. Park | Preliminary engineering is underway to determine feasibility and order of magnitude cost. This discussion is for Comstock Avenue adjacent to MLK, Jr. Park is scheduled for the August 13 meeting. |
| “Prohibit Language” | Discussion in the comprehensive plan will be scheduled for one of the August meetings. |

Once projects have been resolved, they will remain on the list for one additional meeting to share the resolution with the public and then be removed.
subject
Approve the July 9, 2018 Commission minutes.

motion / recommendation

background

alternatives / other considerations

fiscal impact
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REGULAR MEETING OF THE CITY COMMISSION
JULY 9, 2018

Mayor Steve Leary called the meeting of the Winter Park City Commission to order at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Finance Director Wes Hamil, followed by the Pledge of Allegiance.

Members present: Mayor Steve Leary
Commissioner Pete Weldon
Commissioner Greg Seidel
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper

Also Present: City Manager Randy Knight
City Attorney Kurt Ardaman
City Clerk Cynthia Bonham

Approval of agenda

City Manager Knight reported that Item 11-a (Public Hearing Resolution) is being removed from the agenda.

Commissioner Cooper asked to remove item 10-a (Lawrence Center parking garage) to allow more time to digest it before it is on the agenda. There was no support to remove this item.

Motion made by Mayor Leary to approve the agenda with the removal of item 11-a; seconded by Commissioner Sprinkel and carried with a 4-1 vote with Commissioner Cooper voting no.

Mayor’s Report

No report.

City Manager’s Report

City Manager Knight presented a video highlighting the July 4 celebration in Winter Park. He commented that the last event at the civic center will be on Saturday (the We Still Do event). He also addressed the hurricane booklet the City produced.

Presentation of the proposed FY 2019 Budget
City Manager Knight presented an overview of the proposed budget for FY 2019. He spoke about the various funds, the general fund, expenses and revenues, property taxes, notable items in the budget, millage rate comparisons, capital projects, organizational support funding, the proposed homestead exemption and the effect on the City, City employees and departments, and the electric utility. City Manager
Knight will keep abreast of what the legislature is doing regarding taxing internet sales. Upon discussion, a work session was scheduled for August 13 at 2:00 p.m. to discuss the budget further.

**City Attorney’s Report**

Attorney Ardaman handed out an outline of legal issues and standards that apply to comprehensive plans, land development regulations and zoning for their use at the July 10 work session mixed use discussion.

**Non-Action Items**

a. **Financial Report for May 31, 2018**

Finance Director Wes Hamil presented the report covering the first eight months of the fiscal year. Included in his PowerPoint was the permit and plan review revenues, the first seven months of the half cent sales tax revenue, the golf course operations (first six months), investment earnings, general fund revenues and projected variances, water and sewer, and electric. Mr. Hamil answered questions.

**Consent Agenda**

a. Approve the June 25, 2018 Commission minutes.

b. Approve the following purchase and authorize the execution of a purchase order:
   1. Asphalt Paving Systems, Inc. - Micro-surfacing of various streets throughout the City; $152,184.10.

c. Approve the following piggyback agreements and authorize the Mayor to execute:
   1. The Nidy Sports Construction Co. - Renewal of existing piggyback agreement for Athletic Surfacing Systems Maintenance & Construction; $200,000.
   2. OpenEdge, A Division of Global Payments - Agreement for Merchant Services Processing; no impact on budget.
   3. Penn Credit Corporation - Collection Services; no impact on budget.

d. Approve the following formal solicitation and authorize staff to enter into negotiations:

**Motion made by Commissioner Cooper to approve the Consent Agenda; seconded by Commissioner Weldon and carried unanimously with a 5-0 vote.** No public comments were made.
Action Items Requiring Discussion

a. City Participation on Lawrence Center Parking Garage

Planning Director Dori Stone thanked the Commission and City Manager for the great years working with the City. This was her last regular Commission meeting.

Ms. Stone addressed the CRA work session discussion regarding the potential funding of a parking garage and partnership with Rollins College. She asked for permission to send out a revised citywide notice with a profile of both a five level and a six level garage to make sure the City has done proper notice before the Commission takes any action. She stated there is no action planned this evening for this item other than gaining permission to notice this appropriately as the code and comprehensive plan requires to include a five and six level profile.

There was a general consensus to provide the appropriate notice citywide containing a five and six level profile. Commissioner Cooper opposed. Commissioner Sprinkel did not agree to six levels. It was concluded that this item will be voted on sometime in the future.

Public Hearings:

a. A RESOLUTION OF THE WINTER PARK, FLORIDA RECOMMENDING RAVAGO AMERICAS INC. BE APPROVED AS A QUALIFIED TRAGET INDUSTRY BUSINESS PURSUANT TO SECTION 288.106, FLORIDA STATUTES AND PROVIDING AN EFFECTIVE DATE.

This item was removed from the agenda.

Second Reading

b. ORDINANCE NO. 3112-18: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING A 15 FOOT EASEMENT GRANTED TO THE CITY OF WINTER PARK ON OCTOBER 17, 1995, RECORDED IN OFFICIAL RECORDS BOOK 4964, PAGE 2797 AND OFFICIAL RECORDS BOOK 4971, PAGE 4989 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA (EXHIBIT A); PARTICULARLY DESCRIBED IN EXHIBIT B; PROVIDING FOR CONFLICTS, RECORDING AND AN EFFECTIVE DATE

Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Cooper to adopt the ordinance; seconded by Commissioner Weldon. There were no public comments made. Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.
c. Request of Z Properties Group:

ORDINANCE NO. 3113-18: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, “LAND DEVELOPMENT CODE”, ARTICLE I “COMPREHENSIVE PLAN” FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL TO PARKING LOT ON A PORTION OF THE PROPERTY AT 301 NORTH PENNSYLVANIA AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE Second Reading

ORDINANCE NO. 3114-18: AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE III, “ZONING” AND THE OFFICIAL ZONING MAP SO AS TO CHANGE LOW DENSITY RESIDENTIAL (R-2) ZONING TO PARKING LOT (PL) DISTRICT ZONING ON A PORTION OF THE PROPERTY AT 301 NORTH PENNSYLVANIA AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE Second Reading

There were no public comments made. Planning Manager Jeff Briggs pointed out that they adjusted the effective date so they become effective when the home is built.

Motion made by Commissioner Cooper to adopt the comprehensive plan ordinance as presented; seconded by Commissioner Weldon. Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Commissioner Cooper to adopt the zoning ordinance as presented; seconded by Commissioner Weldon. Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

d. Request of Sydgan Corporation:

ORDINANCE NO. 3115-18: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, “LAND DEVELOPMENT CODE”, ARTICLE I “COMPREHENSIVE PLAN” FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL TO CENTRAL BUSINESS DISTRICT ON THE PROPERTIES AT 218 S PENNSYLVANIA AVE AND 217 HANNIBAL SQUARE EAST, AND FROM COMMERCIAL TO CENTRAL BUSINESS DISTRICT ON THE PROPERTY AT 227 HANNIBAL SQUARE EAST, MORE PARTICULARLY DESCRIBED HEREIN PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE SECOND READING
ORDINANCE NO. 3116-18: AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE III, “ZONING” AND THE OFFICIAL ZONING MAP SO AS TO CHANGE MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ZONING TO COMMERCIAL (C-2) DISTRICT ZONING ON THE PROPERTIES AT 218 S PENNSYLVANIA AVE AND 217 HANNIBAL SQUARE EAST, AND TO CHANGE FROM COMMERCIAL (C-3) TO COMMERCIAL (C-2) ON THE PROPERTY AT 227 HANNIBAL SQUARE EAST, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE  SECOND READING

Attorney Ardaman read both ordinances by title. Commissioner Cooper commented about the comments made at the last meeting regarding personal property and her concern with loss of parking in the area. She stated because they are rezoning three properties to the highest density they have in the City she feels comfortable saying ‘am I making a policy decision that is best for the entire area’ and believed that the aggregate gradual erosion of loss of parking is not good.

There were no public comments made.

Motion made by Mayor Leary to adopt the comprehensive plan ordinance; seconded by Commissioner Weldon. Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel and Weldon voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

Motion made by Mayor Leary to adopt the zoning ordinance; seconded by Commissioner Weldon. Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel and Weldon voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

e. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING ARTICLE IV, SIGN REGULATIONS OF THE CITY OF WINTER PARK LAND DEVELOPMENT CODE; TO PROVIDE FOR THE REGULATION OF MURALS; PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE  First Reading

Attorney Ardaman read the ordinance by title. Mayor Leary stated he called this back for the agenda because of the 45% coverage of a wall for a mural that he thought would not make a mural better whether it is 45% or 100%. He stated it did not make sense for them to gauge or impose taste values through size. Mr. Briggs displayed samples of murals taking up the entire wall. There were no public comments made.
Motion made by Commissioner Weldon to remove the percentage limitation (45%) on murals (end the sentence after ‘directly facing a street’); seconded by Mayor Leary.

Motion amended by Commissioner Cooper to delete the sentence that begins ‘The City Commission may approve larger murals on a case by case basis’; seconded by Commissioner Weldon.

Motion amended by Commissioner Cooper that says that murals in the Park Avenue corridor require the approval of the City Commission. Motion failed for lack of a second.

Motion amended by Commissioner Cooper that says murals are allowed on properties outside of the Park Avenue corridor. Motion failed for lack of a second.

Upon a roll call vote on the amendment, Commissioners Cooper and Weldon voted yes. Mayor Leary and Commissioners Seidel and Sprinkel voted no. The motion failed with a 3-2 vote.

Upon a roll call vote on the main motion to remove the percentage, Mayor Leary and Commissioners Seidel, Sprinkel and Weldon voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

City Commission Reports:

Commissioner Seidel – Spoke about the process with setting the tentative millage rate before discussing the budget. He believed the process did not give them enough time and information to make a good decision on the millage rate.

Commissioner Sprinkel – Spoke about the exceptional July 4 event and the wonderful experience with the 19 people who became citizens. She spoke about how the whole world is watching the rescue of the boys in Thailand and gets behind it.

Commissioner Cooper – Asked about the flight path because of receiving comments and concerns with residents that appears to be a change. City Manager Knight will contact resident Carolyn Fennell, Senior Director of Public Affairs, GOAA, in hopes that she can either provide information or a contact to determine what is happening with the flight path that has changed.
Commissioner Weldon – Spoke about the right for anyone to run for the Commission. He addressed the Blue Bamboo and if the Commission finds them as valuable to the City as he believes they are to support them to some level.

Mayor Leary – No report.

Public comments (items not on the agenda):

Shawn Shaffer, Executive Director, Winter Park Library, provided their annual report to the Commission.

Tom McMacken, 1821 Shiloh Lane, expressed code enforcement concerns with the property behind him being rented out too often and with too many people making noise late in the evening. He asked that short term rentals in the City be further enforced and to do more.

Todd Weaver, 1051 Lake Bell Drive, also addressed the large number of Air BandB’s operating in his neighborhood. He stated that Orlando and Osceola County and other municipalities reached a compromise that people who are homesteaded on their homes are allowed to have short term rentals and the absentee landlords tend to be the problem. He asked that the Commission also consider a compromise.

The meeting adjourned at 5:03 p.m.

__________________________________________
Mayor Steve Leary

ATTEST:

__________________________________________
City Clerk Cynthia S. Bonham, MMC
subject
Approve the following formal solicitations and the respective motions:

1. JHL Landscape Supply, LLC dba Sod Depot - IFB-26-2018 - Purchase, Delivery & Installation of Sod; $50,000
2. Tom's Sod Service, Inc. - IFB-26-2018 - Purchase, Delivery & Installation of Sod; $100,000
4. Covanta Energy Marketing; Duke Energy Florida; Florida Municipal Power Agency; Florida Power & Light; Gainesville Regional Utilities; Orlando Utilities Commission; Seminole Electric Cooperative - ITN-12-2018 - Purchase of Wholesale Electric Power; Staff is requesting permission to enter into negotiations with all Responsive firms to negotiate the pricing and terms.

motion / recommendation
Commission approve the items as presented.

background
Formal solicitations were issued in order to present these motions.

alternatives / other considerations
N/A

fiscal impact
Items 1-3: Total expenditures included in approved budget.

Item 4: Total expenditure to be determined.

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Formal Solicitations

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<td>Formal Solicitations</td>
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<td>Procurement Division</td>
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<tr>
<td>JHL Landscape Supply, LLC dba Sod Depot</td>
<td>IFB-26-2018 – Purchase, Delivery &amp; Installation of Sod</td>
<td>Total expenditure included in approved FY18 budget. Amount: $50,000</td>
<td>Commission approve the award and authorize the Mayor to execute the agreement.</td>
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<tr>
<td>Tom’s Sod Service, Inc.</td>
<td>IFB-26-2018 – Purchase, Delivery &amp; Installation of Sod</td>
<td>Total expenditure included in approved FY18 budget. Amount: $100,000</td>
<td>Commission approve the award and authorize the Mayor to execute the agreement.</td>
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<td>Wesco Distribution, Inc.</td>
<td>IFB-27-2018 – Pad-Mounted Switchgears</td>
<td>Total expenditure included in approved FY18 budget. Amount: $207,336.76</td>
<td>Commission approve the award and authorize the execution of a purchase order.</td>
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<td>Covanta Energy Marketing; Duke Energy Florida; Florida Municipal Power Agency; Florida Power &amp; Light; Gainesville Regional Utilities; Orlando Utilities Commission; Seminole Electric Cooperative</td>
<td>ITN-12-2018 – Purchase of Wholesale Electric Power</td>
<td>Total expenditure to be determined.</td>
<td>Commission authorize staff to enter into negotiations.</td>
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A formal solicitation was issued to award this contract.  
A formal solicitation was issued to award this contract.  
A formal solicitation was issued to award this purchase.  
Staff is requesting permission to enter into negotiations with all Responsive firms to negotiate the pricing and terms for the purchase of wholesale electric power.
subject
Approve the following piggyback agreement and authorize the Mayor to execute:

1. Shaw Industries, Inc. dba Spectra Contract Flooring - Central Florida - NJPA contract #121715 for Flooring with Related Equipment, Products, Supplies, Installation & Services; $200,000

motion / recommendation
Commission approve the item as presented.

background
A formal solicitation was issued by the State of Florida to award the originating contract.

alternatives / other considerations
N/A

fiscal impact
Total expenditure included in approved FY18 budget.

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A formal solicitation was issued by the State of Florida to award the originating contract.
subject
Approve the following purchase and authorize the execution of a purchase order:

1. Hydro-Dyne Engineering, Inc. - Rebuild of WFS Center Flow Style Filter Screen & New WCP6 Integral Washing Compactor; $89,375

motion / recommendation
Commission approve the item as presented.

background
A sole source is currently on file to make this purchase.

alternatives / other considerations
N/A

fiscal impact
Total expenditure included in approved FY18 budget.

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<td>Purchases Over $75k</td>
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### Purchases over $75,000

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<td>1. Hydro-Dyne Engineering, Inc.</td>
<td>Rebuild of WFS Center Flow Style Filter Screen &amp; New WCP6 Integral Washing Compactor</td>
<td>Total expenditure included in approved FY18 budget. Amount: $89,375</td>
<td>Commission approve the purchase and authorize the execution of a purchase order.</td>
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A sole source is currently on file to make this purchase.
subject
Budget Discussion & Set Tentative Millage Rate

motion / recommendation
Adopt a tentative millage rate of 4.0923 mills. Adopt a voted debt service millage of 0.1478 mills required to service debt on the General Obligation Bonds, Series 2011 (Public Safety Complex Bonds) & 0.3271 mills required to service debt on the General Obligation Bonds, Series 2017 (Library & Events Center Bonds).

background
The Commission must adopt and submit the tentative millage rate to the Property Appraiser by August 4, 2018. This is the rate the Property Appraiser will use in preparing the “Notice of Proposed Property Taxes” to all property owners in August 2018. Once the tentative millage rate is set, it may not be exceeded unless an extensive notification to property owners is undertaken. The final millage can be lower than the tentative millage without additional notification requirements.

The proposed budget presented to the Commission on July 9th was based on keeping the current operating millage at 4.0923. This would mark the 11th year that the rate has remained unchanged. The combined operating and debt service millage represents a decrease from the combined millage in FY18 as taxable values have risen which reduces the millage necessary to fund the debt payments.

In FY20 it is possible that the passage of a ballot measure to add an additional homestead exemption, will cost the city approximately $750k in annual revenue. The proposed budget and contingency has been designed with the expectation of keeping rates steady as to prepare to weather this budget impact.

alternatives / other considerations
If the Commission chooses, it can adjust the millage rate within certain voting approval requirements at various millage thresholds. Below are the simple majority,
super majority, and unanimous voting millage thresholds.

<table>
<thead>
<tr>
<th>Action</th>
<th>Vote</th>
<th>Rate</th>
<th>Revenue</th>
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<tbody>
<tr>
<td>Rolled-back millage rate</td>
<td>Simple majority</td>
<td>3.8456</td>
<td>$22.0 M</td>
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<tr>
<td><strong>Current millage rate</strong>*</td>
<td><strong>Simple majority</strong></td>
<td><strong>4.0923</strong></td>
<td><strong>$23.4 M</strong></td>
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<tr>
<td>Adjusted rolled back rate - Maximum millage rate allowed with simple majority</td>
<td>Simple majority</td>
<td>5.6372</td>
<td>$32.2 M</td>
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<tr>
<td>Up to 10% above adjusted rolled-back rate</td>
<td>Super majority (four votes)</td>
<td>6.2009</td>
<td>$35.4 M</td>
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<tr>
<td>More than 10% above the adjusted rolled-back rate and up to 10 mills</td>
<td>Unanimous vote</td>
<td>6.2010 – 10.0</td>
<td>$5.7 M for each mill added.</td>
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</tbody>
</table>

*Rate proposed in budget.

**fiscal impact**
Property tax revenue is the single largest contributor to General Fund revenues (39% of total revenues) and small adjustments to the rate can have large impacts on total revenues. As a simple way of considering incremental changes, every ¼-mill increase or decrease in the rate would change annual revenue by $1.4 million.
subject
Ordinance - Revise the Sign Code for Murals (2)

motion / recommendation
Motion to amend the murals section of sign Ordinance as recommended by the City Commission.

background
Per the action of the City Commission at the first reading on July 9th, the rules on murals were changed to allow murals to cover the entire (100%) of the first floor on the sides facing streets.

Murals must be non-commercial in nature and in no way identify a product of any kind.

Without all the strike-thru’s and underlines it will read as below:

(e) Mural signs. Art work painted or afixed to building walls, facades or other exterior surfaces shall be limited to one single façade only on the first floor on each side directly facing a street. The City Commission may approve larger murals on a case by case basis, at a public hearing after notice to adjacent property owners. Mural art works are to be exclusively non-commercial in nature, and in no way identify a product and deemed to provide artistic value and benefit to the surrounding area and not just of benefit to the building or business proposing the mural.

alternatives / other considerations
N/A

fiscal impact
N/A
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<tbody>
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<td>7/12/2018</td>
<td>Cover Memo</td>
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</table>
ORDINANCE NO. _________

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING ARTICLE IV, SIGN REGULATIONS OF THE CITY OF WINTER PARK LAND DEVELOPMENT CODE; TO PROVIDE FOR THE REGULATION OF MURALS; PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE.

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

WHEREAS, the City Commission finds that some signs, particularly large signs, signs with lighted and/or changing information, and human signs, detract from the aesthetic beauty of the landscape;

WHEREAS, the City Commission wishes to preserve the aesthetic beauty of the City of Winter Park;

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

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

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

SECTION 1. Chapter 58, Land Development Code, Article IV, Sign Regulations, Section 58-130 (e) Mural signs" is hereby amended and modified to read as follows:

(e) Mural signs. Art work painted or affixed to building walls, facades or other exterior surfaces shall be limited to one single façade only on the first floor on each side directly facing a street and shall not cover more than forty-five (45%) percent of the first floor of that wall or signable area. The City Commission may approve larger murals on a case by case basis, at a public hearing after notice to adjacent property owners, if such mural art works are to be exclusively non-commercial in nature, and in no way identify a product and deemed to provide artistic value and benefit to the surrounding area and not just of benefit to the building or business proposing the mural.

SECTION 2. SEVERABILITY. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.
SECTION 3. CODIFICATION. It is the intention of the City Commission of the City of Winter Park, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinance of the City of Winter Park, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, “Ordinance” may be changed to “Section,” “Article,” or other appropriate word.

SECTION 4. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this ______ day of ____________________, 2018.

__________________________
Steve Leary, Mayor

_______________________________
City Clerk, Cynthia S. Bonham
item type | Public Hearings | meeting date | 7/23/2018
---|---|---|---
prepared by | Planning / CRA | approved by | City Manager, City Attorney
board approval | yes | final vote
strategic objective | Exceptional Quality of Life, Intelligent Growth and Development

**subject**
Request of Greenhouse Partnership Ltd.:

- Ordinance - To amend the Comprehensive Plan text and maps to enable Central Business District Future Land Use on the property at 338 West Morse Boulevard, and to amend the Future Land Use designation from Office to Central Business District on the property at 338 West Morse Boulevard. (1)
- Ordinance - To amend the zoning regulations text and definitions map to enable the approval of Commercial (C-2) district zoning on the property at 338 West Morse Boulevard, and to amend the official Zoning Map to change from Office (O-1) district zoning to Commercial (C-2) district zoning on the property at 338 West Morse Boulevard. (1)
- For Conditional Use approval to convert the existing two-story office building into five residential condominiums with new attached garages with second floor guest quarters and to build a new three-story building with three residential condominiums on the property at 338 West Morse Boulevard.

**motion / recommendation**
Recommendation is for approval of the Comprehensive Plan text and map amendments, and the zoning text and map amendments.

Recommendation for approval of the Conditional Use request with conditions that the entrance gate must be relocated to meet the required 20 foot setback from Virginia Avenue and a common area tract location be provided on the private property on Virginia Avenue sufficient for eight trash cans (so that they aren’t sitting in the sidewalk).

**background**

**Site and Context:** This property is located at the southeast corner of Morse Boulevard and Virginia Avenue. The site is 45,716 square feet in size (1.05 acres). It currently holds a two story office building of 20,600 square feet (per OCPA) and has an existing parking lot with 52 spaces. With the covered alcoves in the front and rear, there is less square footage on the ground floor (7,600 sq. ft.) versus the
second floor (13,000 sq. ft.).

The property owners originally built this two story office in 1998 and leased the entire building to Smith Barney. Smith Barney later merged with Morgan Stanley and moved their offices from this building. Since that time, the owners have not been able to lease the second floor. Currently there is one office tenant using most of the first floor and the rest of the building is vacant. As a result, the owners are seeking ways to make the building and property more economically viable by converting the entire property to residential units by seeking Commercial (C-2) zoning for the desired building density.

**Project Plans for Conversion of the Existing Office Building to Five Residential Condominiums:** The applicants plan to leave the size and footprint of the existing office building generally as-is but convert the interior from office space to five (two-story) residential units. There will be new construction to the rear to add two-car garages for each unit and for guest living space above that garage. Outdoor courtyard space will be created in the rear as well. The size of the units will range from 5,600 to 5,883 square feet in size inclusive of the garage spaces.

**Project Plans for the New Three Story Residential Building:** The applicants also are requesting approval to add a new three story residential building holding three units in the land area to the east of the existing building where the driveway and parking now exist. This would be a three story building with parking and common area space on the ground floor. On the second floor are two proposed residential condominiums of 2,360 square feet in size and on the third floor one residential condominium of 5,250 square feet in size.

**Overall Project Summary:** The total project consists of 8 residential units. Both the existing O-1 zoning and the proposed C-2 zoning allow up to 17 units per acre so potentially the site could hold up to 18 residential units. The parking required is 2½ spaces per unit or 20 spaces. There will be 28 spaces provided in private garages or in open surface parking, once a handicapped space is provided. The existing building to be converted is setback 10 feet from Morse Blvd. and Virginia Avenue. The new rear two-story garages will be setback 27 feet from the adjacent Douglas Grande property. The new three story residential building will be built in line with the existing building at the 10 foot setback from Morse Blvd. and will be 25 feet on the east side and 45 feet in the rear from the adjacent Douglas Grande property. There will be 25 feet between these two buildings to break up the mass of these facades on the Morse Blvd. frontage.

The Building Height allowed in C-2 zoning is 40 feet to the roof plus another 5 feet of allowance for mansard/parapet roof for 45 feet total. The heights shown at 14 feet per floor are 42 feet in height plus the 5½ foot mansard for 47½ feet. The applicant is requesting that 2½ foot height exception due to the 55 foot height of the adjacent Douglas Grande building. The only other exception is for a privacy wall for the end corner unit on Virginia Avenue be allowed a 5 foot wall/6 foot columns versus Code maximum of 3 foot/4 foot columns.

The total floor area ratio (FAR) for this project of is 101%. That is well within the maximum 200% FAR permitted by C-2 zoning. It is also less than the 110% FAR
allowed by R-3 zoning. Actually, aside from the front setback and new building height, this project fits within all the R-3 zoning criteria.

The plan shows one-way traffic circulation with the entrance on Virginia Avenue and exit onto Morse Blvd. along with gated access. The gate adjacent to Virginia Avenue will need to be relocated to meet the 20 foot setback in order to allow vehicles to access the keypad without stopping on top of the sidewalk. The gate on Morse Blvd. is ‘exit only’, so no vehicles will be able to turn in from that direction.

**Conformance to the Comprehensive Plan:** Under the current text and maps of the Comprehensive Plan and Zoning Code, this property is not permitted for Central Business District future land use or C-2 zoning. Those applicable Comp. Plan policies and Zoning text are shown on the attached page. This Comp. Plan text and Zoning Code implementation is from the 2009 Comp. Plan adoption. For whatever reason, this property on Morse Blvd. was excluded from being eligible for CBD future land use and C-2 zoning. The staff has no specific recollection of the rationale but assume that the authors felt the property was developed with the Smith Barney office building and did not envision another redevelopment scenario.

From the applicant’s/property owner’s perspective these policies and text are not fair and equitable. The property diagonally across Morse Blvd. where the Phil Keen townhomes project is being completed has CBD/C-2 designations. The adjacent Douglas Grande project has CBD/C-2 along the Morse Blvd. portion of the site. The adjacent property to the west on the Morse Blvd. is eligible for CBD/C-2 designation. All of the properties (except for the Park west condos) on Morse Blvd. from New York Avenue to Capen Avenue are eligible for CBD/C-2 zoning. So why not this one is what the applicant’s/property owner’s ask. The planning staff agrees that this one property should have the same land use opportunities as do the other similarly situated properties along this portion of the Morse Blvd. corridor.

**Summary and Recommendation:** The planning staff agrees that this property should be allowed the same opportunities for CBD/C-2 designations. It is interesting that this project, while requesting commercial designations, is actually an R-3 multi-family project, with two variances. Unless the condo owners are planning to use their units for Air B&B’s/VRBO’s this could just as easily be done via R-3 zoning with no changes to the Comp. Plan or Zoning text.

The building size, height and scale of the project is comparable to the Phil Keen townhomes across the street and in the context of adjacency to the Douglas Grande, less intense. The project will also function as a logical step down in height transition from the Douglas Grande at 4 stories, this new Building at 3 stories to the existing building conversion staying at 2 stories, which then matches the existing building size to the west. Other than the 2½ foot height allowance which is mitigated by the proximity to Douglas Grande and the privacy wall along Virginia the project has no exceptions to Code.

**Planning and Zoning Board Minutes – July 10, 2018:**

**REQUEST OF THE GREENHOUSE PARTNERSHIP LTD. TO:** AMEND THE COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TEXT TO MODIFY POLICIES AND MAPS TO ENABLE THE APPROVAL OF CENTRAL BUSINESS
DISTRICT FUTURE LAND USE ON THE PROPERTY AT 338 WEST MORSE BOULEVARD AND TO AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM AN OFFICE FUTURE LAND USE DESIGNATION TO A CENTRAL BUSINESS DISTRICT FUTURE LAND USE DESIGNATION ON THE PROPERTY AT 338 WEST MORSE BOULEVARD.

REQUEST OF THE GREENHOUSE PARTNERSHIP LTD. TO: AMEND THE ZONING REGULATIONS TEXT AND DEFINITIONS MAP FOR THE COMMERCIAL (C-2) ZONING DISTRICT TO ENABLE THE APPROVAL OF COMMERCIAL (C-2) DISTRICT ZONING ON THE PROPERTY AT 338 WEST MORSE BOULEVARD AND TO AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM OFFICE (O-1) DISTRICT ZONING TO COMMERCIAL (C-2) DISTRICT ZONING ON THE PROPERTY AT 338 WEST MORSE BOULEVARD.

REQUEST OF THE GREENHOUSE PARTNERSHIP LTD. FOR: CONDITIONAL USE APPROVAL TO CONVERT THE EXISTING TWO-STORY 22,000 SQUARE FOOT OFFICE BUILDING INTO FIVE RESIDENTIAL CONDOMINIUMS WITH NEW ATTACHED GARAGES WITH SECOND FLOOR GUEST QUARTERS AND TO BUILD A NEW THREE- STORY 16,000 SQUARE FOOT BUILDING WITH THREE RESIDENTIAL CONDOMINIUMS AND ON THE PROPERTY AT 338 WEST MORSE BOULEVARD.

Mr. Briggs presented the staff report and explained that the Greenhouse Partnership Ltd. (Property Owner) is requesting the following:

1. A change to the Comprehensive Plan text and policies to enable Central Business District future land use as well as the actual change of the future land use designation from Office to Central Business District on the property at 338 W. Morse Blvd.;

2. A changing in the Zoning Code text to enable Commercial (C-2) zoning and to change the Zoning Map from Office (O-1) to Commercial (C-2); and

3. Conditional Use approval to redevelop the existing two story building with five condominiums and to build a new three story building with three condominiums.

He stated that this property is located at the southeast corner of Morse Boulevard and Virginia Avenue. The site is 45,716 square feet in size (1.05 acres). It currently holds a two story office building of 20,600 square feet (per OCPA) and has an existing parking lot with 52 spaces.

The property owners originally built this two story office in 1998 and leased the entire building to Smith Barney. Smith Barney later merged with Morgan Stanley and moved their offices from this building. Since that time, the owners have not been able to lease the second floor. Currently there is one office tenant using most of the first floor and the rest of the building is vacant. As a result, the owners are seeking ways to make the building and property more economically viable by converting the entire property to residential units by seeking Commercial (C-2) zoning for the desired building density.

The applicants plan to leave the size and footprint of the existing office building generally as-is but convert the interior from office space to five (two-story) residential units. There will be new construction to the rear to add two-car garages for each unit and for guest living space above that garage. Outdoor courtyard space will be created in the rear as well. The size of the units will range from 5,600 to
5,883 square feet in size inclusive of the garage spaces.

The applicants also are requesting approval to add a new three story residential building holding three units in the land area to the east of the existing building where the driveway and parking now exist. This would be a three story building with parking and common area space on the ground floor. On the second floor are two proposed residential condominiums of 2,360 square feet in size and on the third floor one residential condominium of 5,250 square feet in size.

The total project consists of 8 residential units. Both the existing O-1 zoning and the proposed C-2 zoning allow up to 17 units per acre so potentially the site could hold up to 18 residential units. The parking required is 2½ spaces per unit or 20 spaces. There will be 27 spaces provided in private garages or in open surface parking, once a handicapped space is provided. The existing building to be converted is setback 10 feet from Morse Blvd. and Virginia Avenue. The new rear two-story garages will be setback 27 feet from the adjacent Douglas Grande property. The new three story residential building will be built in line with the existing building at the 10 foot setback from Morse Blvd. and will be 25 feet on the east side and 45 feet in the rear from the adjacent Douglas Grande property. There will be 25 feet between these two buildings to break up the mass of these facades on the Morse Blvd. frontage.

The Building Height allowed in C-2 zoning is 40 feet to the roof plus another 5 feet of allowance for mansard/parapet roof for 45 feet total. The heights shown at 14 feet per floor are 42 feet in height plus the 5½ foot mansard for 47½ feet. The applicant is requesting that 2½ foot height exception due to the 55 foot height of the adjacent Douglas Grande building. The only other exception is for a privacy wall for the end corner unit on Virginia Avenue be allowed a 5 foot wall/6 foot columns versus Code maximum of 3 foot/4 foot columns.

The total floor area ratio (FAR) for this project of is 101%. That is well within the maximum 200% FAR permitted by C-2 zoning. It is also less than the 110% FAR allowed by R-3 zoning. Actually, aside from the front setback and new building height, this project fits within all the R-3 zoning criteria.

The plan shows one-way traffic circulation with the entrance on Virginia Avenue and exit onto Morse Blvd. along with gated access. The gate adjacent to Virginia Avenue will need to be relocated to meet the 20 foot setback in order to allow vehicles to access the keypad without stopping on top of the sidewalk. The gate on Morse Blvd. is ‘exit only’, so no vehicles will be able to turn in from that direction.

The planning staff agrees that this property should be allowed the same opportunities for CBD/C-2 designations. It is interesting that this project, while requesting commercial designations, is actually an R-3 multi-family project, with two variances. Unless the condo owners are planning to use their units for Air B&B’s/VRBO’s this could just as easily be done via R-3 zoning with no changes to the Comp. Plan or Zoning text.

The building size, height and scale of the project is comparable to the Phil Keen townhomes across the street and in the context of adjacency to the Douglas Grande, less intense. The project will also function as a logical step down in height transition
from the Douglas Grande at 4 stories, this new Building at 3 stories to the existing building conversion staying at 2 stories, which then matches the existing building size to the west. Other than the 2½ foot height allowance which is mitigated by the proximity to Douglas Grande and the privacy wall along Virginia the project has no exceptions to Code.

Mr. Briggs stated that the staff recommendation is for approval of both the Comp. Plan changes and Zoning changes and APPROVAL of the final Conditional Use with a conditions that the entrance gate must be relocated to meet the required 20 foot setback from Virginia Avenue and a common area tract location be provided on the private property on Virginia Avenue sufficient for eight trash cans.

Mr. Dan Bellows, Sydgan Corp. representing the applicant provided more details on the building parameters and responded to Board members questions about the project. He stated that the owners feel strongly that CBD future land us and C-2 zoning is appropriate for this site and that they should not be singled out for FLU or Zoning that is different than others in the same context on Morse Boulevard have been granted. He assured the Board that the owners will be developing and living in this project so that it will be developed with superior quality both in architectural detail and landscape materials.

No one else wished to speak, the Public Hearing was closed.

The P&Z Board members discussed the request and agreed that the land use and zoning designations requested were appropriate for this location. The comments also concurred that the new three story building was also appropriate in the context of being next door to the four story Douglas Grande building.

Motion made by Ray Waugh, seconded by Laura Turner, for to amend the Comprehensive Plan Future Land Use Element Text to modify policies and maps to enable the approval of Central Business District Future Land Use on the property at 338 West Morse Boulevard and to amend the “Comprehensive Plan” Future Land Use Map to change from an Office Future Land Use designation to a Central Business District Future Land Use designation on the property at 338 West Morse Boulevard.

Motion carried with a 7-0 vote.

Motion made by Ray Waugh, seconded by Laura Turner, for to amend the zoning regulations text and definitions map for the Commercial (C-2) district zoning on the property at 338 West Morse Boulevard and to amend the Official Zoning Map to change from Office (O-1) District Zoning to Commercial (C-2) district zoning on the property at 338 West Morse Boulevard.

Motion carried with a 7-0 vote.

Motion made by Ray Waugh, seconded by Bob Hahn, for conditional use approval to convert the existing two-story 22,000 square foot office building into five residential condominiums with new attached garages
with second floor guest quarters and to build a new three-story 16,000 square foot building with three residential condominiums on the property at 338 West Morse with the conditions recommended by staff.

Motion carried with a 7-0 vote.

**alternatives / other considerations**
N/A

**fiscal impact**
N/A

ATTACHMENTS:

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ORDINANCE NO.  ______

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA
AMENDING CHAPTER 58, “LAND DEVELOPMENT CODE”,
ARTICLE I “COMPREHENSIVE PLAN” FUTURE LAND USE
ELEMENT TEXT POLICIES AND MAPS TO ENABLE THE
APPROVAL OF CENTRAL BUSINESS DISTRICT FUTURE LAND
USE ON THE PROPERTY AT 338 WEST MORSE BOULEVARD AND
TO AMEND THE “COMPREHENSIVE PLAN” FUTURE LAND USE
MAP TO CHANGE FROM AN OFFICE FUTURE LAND USE
DESIGNATION TO A CENTRAL BUSINESS DISTRICT FUTURE
LAND USE DESIGNATION ON THE PROPERTY AT 338 WEST
MORSE BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN
PROVIDING FOR CONFLICTS, SEVERABILITY AND AN
EFFECTIVE DATE.

WHEREAS, Section 163.3184, Florida Statutes, establishes a process for adoption of
comprehensive plans or plan amendments amending the future land use designation of
property; and

WHEREAS, this Comprehensive Plan amendment meets the criteria established by
Chapter 163 and 166, Florida Statutes; and pursuant to and in compliance with law,
notice has been given to Orange County and to the public by publication in a
newspaper of general circulation to notify the public of this proposed Ordinance and of
public hearings to be held; and

WHEREAS, the Winter Park Planning and Zoning Commission, acting as the designated
Local Planning Agency, has reviewed and recommended adoption of the proposed
Comprehensive Plan amendment, having held an advertised public hearing on July 10,
2018, provided for participation by the public in the process, and rendered its
recommendations to the City Commission; and

WHEREAS, the Winter Park City Commission has reviewed the proposed
Comprehensive Plan amendment and held advertised public hearings on July 23, 2018
and on August 13, 2018 and provided for public participation in the process in
accordance with the requirements of state law and the procedures adopted for public
participation in the planning process.

WHEREAS, words with single underline shall constitute additions to the original text
and strike through text shall constitute deletions to the original text.

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY
OF WINTER PARK, FLORIDA, AS FOLLOWS:

SECTION 1. That Chapter 58 “Land Development Code”, Article I,
“Comprehensive Plan”, is hereby amended by modifying and amending Future Land
Use Policy 1-2.4.7 on Page 1-6 of the Future Land Use Element - Goals, Objectives and
Policies to read as shown below and to amend the “Central Business District Future
Land Use Designated Area Map on Page D-4 as shown in Exhibit “A” to this Ordinance:
Policy 1-2.4.7: Restriction on the Use of CBD Future Land Use & (C-2) Zoning

CBD future land use and C-2 zoning may also be permitted on properties abutting Morse Blvd between Capen and Virginia Avenues, abutting the south side of Morse Boulevard between Virginia and New York Avenues, abutting New England Avenue between Pennsylvania and New York Avenues, abutting Pennsylvania Avenue between Garfield and Lyman Avenues, or abutting Hannibal Square, East. Central Business District future land use designations or C-2 zoning shall not be permitted by the City for any property outside these designated areas. Properties within the designated areas are candidates for C-2 which may or may not be granted by the City Commission on a case by case basis.

SECTION 2. That Chapter 58 “Land Development Code”, Article I, “Comprehensive Plan” future land use plan map is hereby amended so as to change the future land use map designation of office to commercial on the property at 338 West Morse Boulevard, being more particularly described as follows:

LOTS 7 AND 8 AND LOT 134 (LESS W 5 FT) AND LOT 135 IN BLOCK 34; PER THE PLAT OF THE REVISED MAP OF THE TOWN OF WINTER PARK AND OLD TOWN AS RECORDED IN PLAT BOOK “A”, PAGES 67-72 & B, PAGE 86 AND MISC. BOOK 3, PAGE 220 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

Property Tax ID # 05-22-30-9400-34-070

SECTION 3. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 4. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 5. Effective Date. An amendment adopted under this paragraph does not become effective until 31 days after adoption. If timely challenged, an amendment may not become effective until the state land planning agency or the Administration Commission enters a final order determining that the adopted small scale development amendment is in compliance.

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 _____________, 2018.

Mayor

______________________________
Mayor Steve Leary

Attest:

______________________________
City Clerk
Exhibit “A”
ORDINANCE NO.  

AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE III, “ZONING” AMENDING THE ZONING REGULATIONS TEXT FOR THE SECTION 58-75 COMMERCIAL (C-2) ZONING DISTRICT AND SECTION 58-95 DEFINITIONS MAP D-2 TO ENABLE THE APPROVAL OF COMMERCIAL (C-2) DISTRICT ZONING ON THE PROPERTY AT 338 WEST MORSE BOULEVARD AND TO AMEND THE “OFFICIAL ZONING MAP” TO CHANGE FROM OFFICE (O-1) DISTRICT ZONING TO COMMERCIAL (C-2) DISTRICT ZONING ON THE PROPERTY AT 338 WEST MORSE BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the owners of property at 338 W. Morse Boulevard have requested a Zoning text and map amendments consistent with the amended Comprehensive Plan, and the requested zoning text change will achieve conformance with the Comprehensive Plan for the property and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at their July 10, 2018 meeting; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

WHEREAS, words with single underline shall constitute additions to the original text and strike through text shall constitute deletions to the original text.

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS:

SECTION 1. Zoning Text Amendments. That Chapter 58 “Land Development Code”, Article III, “Zoning” is hereby amended so as to change in Section 58-75 Commercial (C-2) District, Subsection (a) (1) to read as shown below and to change within Section 58-95 “Definitions” to amend the “Central Business District vs. Commercial C-2 Zoning Map D-2” as shown in Exhibit “A” to this Ordinance regarding the property at 338 W. Morse Boulevard.
Sec. 58-75. Commercial (C-2) District.

(a) Purpose and intent.

(1) This commercial zoning district is limited to the commercial portion of the geographic downtown area known as the Central Business District and the similar commercial area of the city within the Hannibal Square Neighborhood Commercial District (HSNCD) of the City’s Community Redevelopment Area (CRA). As detailed in the Comprehensive Plan, Commercial (C-2) district zoning is not permitted on any property except if it is within the Central Business District “potential C-2 zoning” area depicted in the CBD Map (D-2) in the definitions section, generally described as west of Knowles Avenue, south of Swoope Avenue, north of Comstock Avenue and east of and including the New York Avenue Corridor or it is on properties abutting Morse Blvd between Capen and Virginia Avenues, abutting the south side of Morse Boulevard between Virginia and New York Avenues, abutting New England Avenue between Pennsylvania and New York Avenues, abutting Pennsylvania Avenue between Garfield and Lyman Avenues, or abutting Hannibal Square, East. No applications for C-2 zoning shall be accepted for any property outside these designated areas. Moreover, even properties within these designated areas shall have no vested right to C-2 zoning. This district has different requirements than other commercial areas especially pertaining to setbacks, parking requirements, height limitations and permitted land uses, including a prohibition on drive-in businesses. This district is established to encourage the continuation of the present unique Park Avenue business district of the city and to provide for its use within certain other defined geographical areas as specified in the Comprehensive Plan.

SECTION 2. Official Zoning Map Amendment. That Chapter 58 “Land Development Code”, Article III, “Zoning” and the Official Zoning Map is hereby amended so as to change the zoning designation of Office (O-1) District to Commercial (C-2) District zoning on the property at 338 W. Morse Boulevard, more particularly described as follows:

LOTS 7 AND 8 AND LOT 134 (LESS W 5 FT) AND LOT 135 IN BLOCK 34; PER THE PLAT OF THE REVISED MAP OF THE TOWN OF WINTER PARK AND OLD TOWN AS RECORDED IN PLAT BOOK “A”, PAGES 67-72 & B, PAGE 86 AND MISC. BOOK 3, PAGE 220 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

Property Tax ID # 05-22-30-9400-34-070

SECTION 3. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 4. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 5. Effective Date. This Ordinance shall become effective upon the effective date of Ordinance ___________. If Ordinance ___________ does not become effective, then this Ordinance shall be null and void.

Agenda Packet Page 42
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 _____________, 2018.

____________________________________
Mayor Steve Leary

Attest:

_____________________________
City Clerk
Exhibit “A”
subject
Request of Ansaka, LLC:

- For subdivision approval to re-subdivide the properties at 1791, 1801, 1811 and 1821 Aloma Avenue, zoned R-1A, into six single-family building lots. All of the proposed lots meet or exceed the minimum R-1A lot dimension requirements of 75 feet of lot width and 8,500 square feet of lot area, except for one lot with 67.5 feet of lot width due to the need to provide a common driveway.

motion / recommendation
Recommendation is for approval of the preliminary plat.

background
Ansaka LLC (property owner) is requesting to re-subdivide the properties at 1791, 1801, 1811 and 1821 Aloma Avenue, zoned R-1A into six single family building lots. This is the same property that recently requested Comprehensive Plan future land use and Zoning changes in order to build an 18-unit residential townhouse project on the 1791, 1801, 1811, 1821 and 1835 Aloma properties. Those requests were denied by the City Commission and this ‘pivot’ is to subdivide the properties maintaining the single family (R-1A) land use. However, it does not include the 1835 Aloma property, which is zoned Office (O-2). That would be developed separately, presumably for a small office building.

Site and Zoning/Future Land Use Changes: The entire development site of 1791, 1801, 1811, and 1821 Aloma Avenue comprises 62,500 square feet (1.45) acres. The property has 250 feet of frontage on Aloma Avenue and a property depth of 250 feet. To the immediate east are vacant Office properties including their property at 1835 Aloma Avenue and the corner office site owned by Fifth Third Bank. To the rear/north and west side are single family homes. All of this property is zoned Single Family (R-1A).

Proposed Re-Subdivision: The proposed re-subdivision would create six new buildable single family lots. All of the proposed lots meet or exceed the minimum R-
1A lot dimensions requirements of 75 feet of lot width and 8,500 square feet of lot area, except for the one western-most front lot with 67.5 feet of lot width due to the need to provide a common driveway to the homes in the rear. The other five lot widths range from 75 feet to 87.5 feet. The lot sizes range from 9,845 square feet to 11,243 square feet. The average lot width for the proposed lots is 78 feet and the average lot size is 10,417 square feet.

There will be a common driveway leading back to Lots #4 & #5 (in common ownership by those owners) of 20 feet in width. They will construct a 15-16 foot wide driveway which leaves 2 feet of grass buffer on each side and will allow two cars to pass. There also is a single driveway leading back to Lot #6 which would have a 9 foot drive with 1.5 feet of grass buffer on each side.

**Applicable Comprehensive Plan Policy:** This re-subdivision is now consistent with the applicable Comprehensive Plan policy that relates to this planning area, as shown below:

**Planning Area B: Osceola/Lakeview**

**Policy 1-B-1: Preserve Single-Family Homes.** The City shall preserve single-family residential land use in the Osceola/Lakeview planning area and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in this Comprehensive Plan.

**Traffic Access Controls:** This project also proposes to provide a common means of access for all of the lots so that there are only two driveways onto Aloma Avenue, versus the current four driveways. The eastern driveway will be a single direction of ‘right-in and right-out’ because it is too close to safely allow left turns into and out of this property. The western driveway will allow those left turns. In this manner, no vehicles will need to circle around on the residential streets to the north to get back to travel east on Aloma. This common access tract also will permits travel for the future office property to the east so that those vehicles can safely exit the property if needing to turn left.

That front common access tract also includes five visitor parking spaces. There will need to be a low 4-5 foot tall wall (like at the YMCA on Palmer Avenue) to screen those visitor cars, and also to provide a privacy and sound buffer wall for the homes behind. The green area in front of that access tract will be landscape screening that will include street oak trees along the project frontage in the common access HOA tract that will be maintained by the Homeowners Association.

**Coverage and Setback Variance Requests:** There are coverage and interior setback variance requests that result from the desire to provide the common HOA access tract and visitor parking area at the front of the development which then constrains some of the building areas. The Planning staff understands the need for the impervious coverage variances due to the HOA paved tract access. Thus any approval will make it clear that the HOA tract impervious coverage/pavement doesn’t count toward the home limits and that the FAR is based on the entire Lot area for
Lots 2 & 3 inclusive of the HOA access tract. In reality, the only other setback variance request is for a rear setback of 20 ft. for one-story/30 ft. for two-story in the rear of Lots 1, 2 & 3 versus the Code of 25/35. However, staff believes there is ample buildable area to utilize the permitted FAR without the need for those rear setback variances.

Thus, there are no setback variances that place any structures closer to any neighboring property or homes than is allowed under Code and the new homes will all meet the Code setbacks. The only variance is due to the traffic safety addition of the HOA access tract such that that pavement will not count toward the home limits and that the FAR is based on the entire Lot area for Lots 2 & 3 inclusive of the HOA access tract. The Final Plat will include ‘notes’ that will outline those special provisions for future reference.

**Tree Preservation:** The project is attempting to save the two major specimen live oak trees that are on the property. One is within the circle area of the eastern driveway. The other is in the ‘front yard’ area of Lot#4. The Final Plat will create an easement area for these trees to the benefit of the City so that they cannot be removed without approval and at the discretion of the City.

**Storm Water Retention:** Each building lot will provide storm water retention for their impervious surfaces on the individual lot and the subdivision will provide storm water retention in underground exfiltration beneath the common area front driveway within that tract. This storm water retention will meet the requirements of FDOT and the City Code.

**Water and Sewer Utility Challenges:** There will be financial and bureaucratic challenges for this project because the sewer and water lines are located within the Aloma Avenue (FDOT) right-of-way. There also is not certainty that there is enough ‘fall’ for gravity sewer to work for the rear lots. These are civil engineering issues that will be resolved as part of the process that goes into the Final Plat preparation and infrastructure plan preparation. At this time however, the applicant needs to learn via this Preliminary Plat request, if this layout and number of lots is acceptable to the City before engaging and expending more resources for this engineering work.

**Other Approvals and Process:** This is a Preliminary Plat approval and this project (four lots or more) per the Subdivision Code requires a formal plat and Final Plat approval which is also necessitated by the need to create a Homeowners Association and the common area access and visitor parking tract on a plat. Pursuant to this Preliminary Play approval, those documents will be prepared and approved by city staff and city attorney. When that is complete and city staff/attorney has signed off, the Final Plat is presented at a public hearing for approval by the City Commission.

**Summary and Recommendation:** This is a 1.45 acre property that fronts a four-lane arterial State Highway with 43,000 cars a day. With the exception of one lot width variance, all the lots meet or exceed the lot dimensions required by the R-1A zoning. The average lot widths and lot area sizes all exceed the R-1A requirements and are comparable to the sizes of the other R-1A properties in this vicinity. The applicant is voluntarily undertaking the expense and effort to coordinate and limit the number of driveways onto Aloma Avenue and provide common access and improved
traffic safety. In this manner, vehicles can safely turn left into and out of this
development and vehicles do not have to circle back through the neighborhood to the
north to head eastward on Aloma Avenue. The new homes will meet the R-1A
zoning regulations as to size (FAR), height, impervious coverage, etc. and the
interior setback variances requested do not place any structures closer to neighbors
than the Code now permits.

**Planning and Zoning Board Minutes – July 10, 2018:**

**REQUEST OF ANSAKA LLC FOR:** SUBDIVISION APPROVAL TO RE-SUBDIVIDE
THE PROPERTIES AT 1791, 1801, 1811 AND 1821 ALOMA AVENUE, ZONED R-1A,
INTO SIX SINGLE FAMILY BUILDING LOTS. ALL OF THE PROPOSED LOTS MEET
OR EXCEED THE MINIMUM R-1A LOT DIMENSIONS REQUIREMENTS OF 75 FEET
OF LOT WIDTH AND 8,500 SQUARE FEET OF LOT AREA, EXCEPT FOR ONE LOT
WITH 67.5 FEET OF LOT WIDTH DUE TO THE NEED TO PROVIDE A COMMON
DRIVEWAY.

Mr. Briggs presented the staff report and explained that Ansaka LLC (property owner)
is requesting to re-subdivide the properties at 1791, 1801, 1811 and 1821 Aloma
Avenue, zoned R-1A into six single family building lots. This is the same property
that recently requested Comprehensive Plan future land use and Zoning changes in
order to build an 18-unit residential townhouse project on the 1791, 1801, 1811,
1821 and 1835 Aloma properties. Those requests were denied by the City
Commission and this ‘pivot’ is to subdivide the properties maintaining the single
family (R-1A) land use. However, it does not include the 1835 Aloma property,
which is zoned Office (O-2). That would be developed separately, presumably for a
small office building.

The entire development site of 1791, 1801, 1811, and 1821 Aloma Avenue comprises
62,500 square feet (1.45) acres. The property has 250 feet of frontage on Aloma
Avenue and a property depth of 250 feet. The proposed re-subdivision would create
six new buildable single family lots. All of the proposed lots meet or exceed the
minimum R-1A lot dimensions requirements of 75 feet of lot width and 8,500 square
feet of lot area, except for the one western-most front lot with 67.5 feet of lot width
due to the need to provide a common driveway to the homes in the rear. The other
five lot widths range from 75 feet to 87.5 feet. The lot sizes range from 9,845
square feet to 11,243 square feet. The average lot width for the proposed lots is 78
feet and the average lot size is 10,417 square feet.

There will be a common driveway leading back to Lots #4 & #5 (in common
ownership by those owners) of 20 feet in width. They will construct a 15-16 foot
wide driveway which leaves 2 feet of grass buffer on each side and will allow two
cars to pass. There also is a single driveway leading back to Lot #6 which would
have a 9 foot drive with 1.5 feet of grass buffer on each side.

This project also proposes to provide a common means of access for all of the lots so
that there are only two driveways onto Aloma Avenue, versus the current four
drivers. The eastern driveway will be a single direction of ‘right-in and right-out’
because it is too close to safely allow left turns into and out of this property. The
western driveway will allow those left turns. In this manner, no vehicles will need to
circle around on the residential streets to the north to get back to travel east on
Aloma. This common access tract also will permits travel for the future office property to the east so that those vehicles can safely exit the property if needing to turn left.

That front common access tract also includes five visitor parking spaces. There will be a low 4-5 foot tall wall (like at the YMCA on Palmer Avenue) to screen those visitor cars, and also to provide a privacy and sound buffer wall for the homes behind. The green area in front of that access tract will be landscape screening that will include street oak trees along the project frontage in the common access HOA tract that will be maintained by the Homeowners Association.

The project is attempting to save the two major specimen live oak trees that are on the property. One is within the circle area of the eastern driveway. The other is in the ‘front yard’ area of Lot#4. The Final Plat will create an easement area for these trees to the benefit of the City so that they cannot be removed without approval and at the discretion of the City.

This is a Preliminary Plat approval and this project (four lots or more) per the Subdivision Code requires a formal plat and Final Plat approval which is also necessitated by the need to create a Homeowners Association and the common area access and visitor parking tract on a plat. Pursuant to this Preliminary Play approval, those documents will be prepared and approved by city staff and city attorney. When that is complete and city staff/attorney has signed off, the Final Plat is presented at a public hearing for approval by the City Commission.

With the exception of one lot width variance, all the lots meet or exceed the lot dimensions required by the R-1A zoning. The average lot widths and lot area sizes all exceed the R-1A requirements and are comparable to the sizes of the other R-1A properties in this vicinity. The applicant is voluntarily undertaking the expense and effort to coordinate and limit the number of driveways onto Aloma Avenue and provide common access and improved traffic safety. In this manner, vehicles can safely turn left into and out of this development and vehicles do not have to circle back through the neighborhood to the north to head eastward on Aloma Avenue. The new homes will meet the R-1A zoning regulations as to size (FAR), height, impervious coverage, etc. and the interior setback variances requested do not place any structures closer to neighbors than the Code now permits.

Mr. Briggs stated that the staff recommendation is for approval of the Preliminary Plat.

Sally Flynn, 1400 Highland Road, spoke in favor of the request and was happy to see single-family development.

No one else wished to speak, the Public Hearing was closed.

The P&Z Board members discussed the request and agreed that the lot sizes were compatible with the neighborhood and that the variance for the one lot was not significant.

Motion made by Owen Beitsch, seconded by Laura Turner, for approval to
re-subdivide the properties at 1791, 1801, 1811 and 1821 Aloma Avenue, zoned R-1A, into six single-family building lots. All of the proposed lots meet or exceed the minimum R-1A lot dimension requirements of 75 feet of lots width and 8,500 square feet of lot area, except for one lot with 67.5 feet of lot width due to the need to provide a common driveway.

The motion carried unanimously with a 7-0 vote.

alternatives / other considerations
N/A

fiscal impact
N/A

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Aloma 6 Single Family Lots & 1 Commercial Lot – Subdivide and Replat Request
Lots 12, 13, 14, 15, 16, 17, & ½18 Campo Bello
(1791, 1801, 1811, 1821, and 1835 Aloma Ave.)

This proposed replat and land development does not require any adjustment to the land’s zoning, nor does it require any change to the Comprehensive Plan/Future Land Use. Instead, this submittal requests nominal variances, an adjustment to the current lot layout, and provides for the addition of a cross easement access road.

A portion of the site (1835 Aloma Avenue) is now zoned Office (O-2). This lot is approximately ~17,700 sq. ft. in size and will remain unchanged through the replat process. The sole adjustment to the 1835 Aloma, O-2 parcel will be the addition of a conforming driveway, which will improve the overall future traffic pattern for the commercial corner and will provide cross easement access to the West.

The 4 residential properties in the overall parcel (1791, 1801, 1811 and 1821 Aloma Avenue) combine for approximately 1.4 acres and currently consist of 4 single family properties. The combined size and depth (250’ x 250’) of these lots provide for favorable single-family lot subdivision. The Comprehensive Plan’s maximum R1 density is 5 units per acre, which translates into 7 SF homes possible on this site...our proposed plan requests only 6.

1791 & 1801 are each (current state) 75 feet wide and 250 feet deep, providing for 4 conforming subdivided lots. Each new lot could be 75 by 125 feet and meet the R-1A code for 75 feet and with 9,375 sq. ft. exceeding the 8,500 sf needed. 1811 and 1821 are (current state) non-conforming 50’ wide lots with grandfathered-in homes. So, there are already 6 conforming lots available. The proposed plan simply adjusts how these 6 lots are drawn to provide optimization of lot width, access, and desirability.

Additionally, this replat and subdivision will be good for Winter Park, its residents, and the neighboring community, because the proposed plan:

- Maintains current zoning and conforms to density requirements (lower density than the allowable 5 units per acre)
- Allows for cross-easement access for the commercial parcel (improves future traffic pattern)
- Provides large, desirable residential lots (in line with community/commission requests)
- Reduces Aloma curb cuts (from 5 → down to 2, DOT favorable)
- Preserves live oaks and healthy trees on the parcel
- Incorporates street trees (enhances Aloma frontage)
LEGAL DESCRIPTION:
LOT 12 AND THE WEST 25 FEET OF LOT 13, CAMPO BELLO, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK "L", PAGE 23, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

AND
LOT 14, AND THE EAST 25 FEET OF LOT 13, CAMPO BELLO, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK "L", PAGE 23, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

AND
LOT 15, CAMPO BELLO SUBDIVISION IN SECTION 5, TOWNSHIP 22 SOUTH, RANGE 30 EAST, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK "L", PAGE 23, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

AND
PARCEL 1:
LOT 16, CAMPO BELLO, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK "L", PAGE 23, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

PARCEL 2:
LOT 17 AND THE WEST 1/2 OF LOT 18, CAMPO BELLO, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK "L", PAGE 23, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

CONTAINS 78,707 SQUARE FEET OR 1.8069 ACRES MORE OR LESS.

NOTES:
1. THIS PROPERTY DOES NOT FALL WITHIN THE 100 YR FLOOD PLAN ELEVATION.
LOT TABLE

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ZONING

- S.单家庭联体
- O-2

LAND USE

- S.单家庭联体
- S.单家庭联体
- S.单家庭联体
- S.单家庭联体
- S.单家庭联体
- S.单家庭联体

REQUESTED VARIANCES

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<td>REDUCTION OF LOT WIDTH FROM 75 FT. TO 67.5 FT. TO ALLOW FOR LOT 4 TO HAVE ACCESS TO ALOMA AVE AS A FLAG LOT.</td>
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<td>1ST FLOOR FRONT SETBACK - 55 FT. IS PROPOSED FROM ALOMA AVE. 1ST FLOOR REAR SETBACK - 20 FT. (ADJACENT TO FRONT LOT LINE OF LOTS 4,5 AND 6)</td>
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<td>4,5,6</td>
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<td>1ST FLOOR FRONT SETBACK OF 20 FT. (ADJACENT TO REAR LOT LINE OF LOTS 1,2 AND 3)</td>
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DISCLAIMER:

FOOTPRINTS OF HOUSES AS SHOWN ON THIS PLAN ARE CONCEPTUAL AND ILLUSTRATIVE IN NATURE FOR THE PURPOSE OF SHOWING ONE POSSIBLE SCENARIO FOR HOW HOMES MAY BE BUILT ON THE LOTS. THESE FOOTPRINTS DO NOT SHOW FRONT, SIDE AND REAR WALL ARTICULATIONS THAT WILL BE PROVIDED PER CODE WITH FINAL DESIGNS. ACTUAL FINAL BUILDING FOOTPRINTS WILL VARY BUT WILL CONFORM TO CITY CODE WITH APPROVED VARIANCES AS INCLUDED IN THIS APPLICATION.

COMMON AREA

- UTILITY & ACCESS EASEMENT MAINTAINED BY H.O.A
item type: Public Hearings  
meeting date: 7/23/2018

prepared by: Planning / CRA  
approved by: City Manager, City Attorney

board approval: yes  final vote

strategic objective: Exceptional Quality of Life, Intelligent Growth and Development

subject
Request of FG Schaub Custom Homes, LLC:

- For subdivision or lot split approval to divide the property at 1635 Dale Avenue, zoned R-1A, into two single-family building lots. Both lots will have 75 feet of lot width and 11,775 square feet of land area, which meet the requirements for new lots in the R-1A zoning district so that no variances are requested.

motion / recommendation
Recommendation is for approval with one condition that the homes be of varying architecture to add diversity to the neighborhood.

background
FG Schaub Custom Homes, LLC is requesting subdivision or lot split approval to divide the property at 1635 Dale Avenue into two single-family lots. The zoning of this property is R-1A. Each lot is proposed to be 75 feet wide and 11,775 square feet in size. Both lots will meet the 8,500 square feet minimum lot size and 75 foot lot width requirements of R-1A. The property is currently developed with one single-family home that will be demolished.

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 150 feet wide on Dale Avenue, and measures approximately 23,550 square feet in size. The subdivided lots are proposed to be 75 feet wide and 11,775 square feet in size. The R-1A zoning requires a minimum of 75 feet of lot width, and a minimum of 8,500-square feet of land area. Thus, this request meets the R-1A lot dimension standards, and no variances are requested.
COMPREHENSIVE PLAN TEST: There are many neighborhoods in the City that are zoned R-1AA or R-1A, but the existing character may be significantly different than the zoning code minimums. In some cases the typical lots are smaller or larger. The Comprehensive Plan test, or comparison, is a door that swings both ways. In some cases, it can substantiate a relaxation of the minimum lot dimensions, and in other cases it can require larger lot sizes than the minimums.

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

There are 83 homes within this neighborhood with the same R-1A zoning (see attached map). The average lot width is 87 feet, and the median lot width is 80 feet. The average lot area from this 83 home survey is 13,229 square feet, and the median lot area is 11,805 square feet.

The proposed lot widths and sizes are slightly smaller than the average and median of the neighborhood. However, the neighborhood split 50/50 with lots that are 75 feet wide and 100 feet wide so the proposed lot widths compare favorably to 50% or half of the neighborhood.

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

DEVELOPMENT PLANS: The applicant has provided a generalized front elevation for the type of homes that they plan to build, and general site plans for the layout of the proposed new homes. 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 slightly different architectural elevations 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 request meets all of the R-1A zoning requirements for lot sizes, and no variances are requested. This request also passes the Comprehensive Plan test.

Planning and Zoning Board Minutes – July 10, 2018:
REQUEST OF FG SCHAUB CUSTOM HOMES LLC FOR: SUBDIVISION OR LOT SPLIT APPROVAL TO DIVIDE THE PROPERTY AT 1635 DALE AVENUE, ZONED R-1A, INTO TWO SINGLE FAMILY BUILDING LOTS. BOTH LOTS WILL HAVE 75 FEET OF LOT WIDTH AND 11,812 SQUARE FEET OF LOT AREA WHICH MEET THE REQUIREMENTS FOR NEW LOTS IN THE R-1A ZONING DISTRICT SO THAT NO VARIANCES ARE REQUESTED.
Senior Planner, Allison McGillis presented the staff report and explained that FG Schaub Custom Homes, LLC (contract purchasers) are requesting subdivision or lot split approval to divide the property at 1635 Dale Avenue into two single-family lots. The zoning of this property is R-1A. Each lot is proposed to be 75 feet wide and 11,775 square feet in size. Both lots will meet the 8,500 square feet minimum lot size and 75 foot lot width requirements of R-1A. The property is currently developed with one single-family home that will be demolished.

This existing property is 150 feet wide on Dale Avenue, and measures approximately 23,550 square feet in size. The subdivided lots are proposed to be 75 feet wide and 11,775 square feet in size. The R-1A zoning requires a minimum of 75 feet of lot width, and a minimum of 8,500-square feet of land area. Thus, this request meets the R-1A lot dimension standards, and no variances are requested.

There are 83 homes within this neighborhood with the same R-1A zoning (see attached map). The average lot width is 87 feet, and the median lot width is 80 feet. The average lot area from this 83 home survey is 13,229 square feet, and the median lot area is 11,805 square feet.

The proposed lot widths and sizes are slightly smaller than the average and median of the neighborhood. However, the neighborhood split 50/50 with lots that are 75 feet wide and 100 feet wide so the proposed lot widths compare favorably to 50% or half of the neighborhood.

The request meets all of the R-1A zoning requirements for lot sizes, and no variances are requested. This request also passes the Comprehensive Plan test.

Mrs. McGillis stated that the staff recommendation is for approval, with the condition that the proposed homes be of varying architecture.

Mrs. McGillis responded to questions posed by Board members.

Fred Schaub, applicant, responded to questions from the Board regarding the property values, and the types of homes that they plan to build.

No one else wished to speak, the Public Hearing was closed.

The P&Z Board members discussed the request and agreed that the lot sizes were compatible with the neighborhood and that there were no variances.

**Motion made by Laura Walda, seconded by Owen Beitsch, for subdivision approval to divide the property at 1635 Dale Avenue, zoned R-1A, into two single family building lots, subject to the condition outlined in the staff report.**

**The motion carried with a 7-0 vote.**
alternatives / other considerations
N/A

fiscal impact
N/A

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</tbody>
</table>

Average Lot Size = 13,229 sq ft
Median Lot Size = 11,805 sq ft

Average Lot Width = 87 ft
Median Lot Width = 80 ft

City of Winter Park
Florida

Subject Site
Within 500' of Site
(83 total)

NOTES
Average Lot Width = 87 ft
Median Lot Width = 80 ft
Average Lot Size = 13,229 sq ft
Median Lot Size = 11,805 sq ft
SKETCH OF DESCRIPTION FOR F G SCHAUB CUSTOM HOMES, LLC
Description: Lot 32, Block "C", (LESS the West 20.00 feet of said Lot 32, Block "C") and Lot 33, Block "C" (LESS the East 5.00 feet of said Lot 33, Block "C"), COMSTOCK PARK, according to the plat thereof as recorded in Plat Book "K", Page 87, Public Records of Orange County, Florida.

LOT 9
BLOCK "C"

LOT 8
BLOCK "C"

LOT 7
BLOCK "C"

LOT 31
BLOCK "C"

LOT 32
BLOCK "C"

LOT 33
BLOCK "C"

LOT 34
BLOCK "C"

N9E55'00"W

S89'55'00"E

50.00'

50.00'

50.00'

50.00'

75.00'

75.00'

20.00'

30.00'

45.00'

30.00'

45.00'

157.50'

157.50'

157.50'

157.50'

5.00'

5.00'

5.00'

5.00'

DALE AVENUE
N9E55'00"W
50' RIGHT OF WAY

NOTES:
1. BOUNDARIES ARE BASED ON THE CENTERLINE OF DALE AVENUE BEING N9E55'00"W (ASSUMED).
2. SHOWN ARE DESCRIPTION PURPOSES ONLY.
   LOT HAS NOT BEEN STAKED IN THE FIELD.

THE UNDERSIGNING AND CAVONE, INC. LAND SURVEYORS AND MAPPERS MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED ON THIS SURVEY. IT IS NOT INTENDED TO REFLECT OR BE INTENDED TO REFLECT CURRENT LINES, AGREEMENTS AND OTHER MATERIALS. IT IS INTENDED TO BE USED AS A TOOLS FOR THE PURPOSE OF DEFINING THE AREAS SHOWN.

Cavone, Inc.
Land Surveyors and Mappers
300 South 17th Street
Orlando, Florida 32806
Telephone: (407) 852-8200
Fax: (407) 852-8200
E-Mail: cavone@florida.com

W.O. SKETCH OF DESCRIPTION 2018-382
LOT BY NORM CAVONE
SKETCH OF DESCRIPTION for F G SCHAUFS CUSTOM HOMES, LLC

Description: The East 5.00 feet of Lot 33, Block "C", All of Lot 34, Block "C" and the West 20.00 feet of Lot 35, BLOCK "C", COMSTOCK PARK, according to the plat thereof as recorded in Plat Book "K", Page 87, Public Records of Orange County, Florida.
Kim,

My name is Shayan Vyas - we live at 1591 Dale Ave Winter Park FL 32789.

My family and I recently moved from Belle Isle to our home on Dale Ave - this past quarter.

We choose the home on Dale Ave and Winter Park because of the larger homes and lots on Dale Ave. My three year old son everyday marvels at the sizes of the home lots on our street - decreasing these lots will decrease the appeal and splendor of Winter park.

My wife and I are both physicians and we cannot attend the meeting tonight due to child care and work schedules, however

we wish to respectfully protest to the commission and the Winter Park Zoning department the request by FG Schaub Custom Homes LLC to subdivide 1635 Dale Ave into two lots.

Dale Ave has a number of smaller lots including 1651 Dale Ave (Which FG Schaub Custom Homes LLC owns) and we are very concerned about decreasing home values.

The decreasing value of the homes on Dale Ave is evident by the lowering of home sale prices. 1630 Dale Ave has decrease almost $200K since 1635 Dale ave was purchased by FG Schaub.

Subdividing 1635 Dale into two smaller lots will decrease our home values (Home Value Diminution) and make other homes on the street difficult to sell. Dale Ave has three other homes for sale currently.

Subdividing the lot will create smaller homes (homes under 4000 sq ft) which take the character appeal and majestic curbside appeal away from our homes on Dale Ave.

We are having difficulties with homes prices and homes selling on Dale Ave - allowing FG Schuab to continue to create smaller homes will hurt future homes sales as well as home property values.

Adding two homes to this lot is a bad situation for Dale Ave home owners and Winter Park.

Sincerely,

Shayan Vyas, MD
1591 Dale Ave
Winter Park, FL
subject
Request of Eustacia Ledbetter:

- For subdivision or lot split approval to divide the property at 2737 Woodside Avenue, zoned R-1A, into two single-family building lots. Both lots will have 75 feet of lot width and 7,800 square feet of land area. Both lots will need a variance to the minimum lot size requirements of 8,500 square feet and the corner lot will need a variance from the 85 feet of lot frontage needed for a corner lot.

motion / recommendation
Staff recommendation is for denial due to the variances requested.

P&Z Board recommendation is for approval with one condition that the homes be of varying architecture to bring diversity to the neighborhood.

background
The owner of 2737 Woodside Avenue is 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 75 feet wide and 7,800 square feet in size. The interior lot will meet the minimum lot size requirements of R-1A, but the corner lot will need a variance from the 85 feet of lot frontage needed for a corner lot. The property is currently developed with one single-family home that will be demolished.

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 104 feet wide on Woodside Avenue, 150 feet wide on East End Avenue, and measures approximately 15,600 square feet in size. The subdivided lots are proposed to be 75 feet wide and 7,800 square feet in
size. The R-1A zoning requires a minimum of 75 feet of lot width for an interior lot and 85 feet of width for a corner lot, and a minimum of 8,500-square feet of land area. Thus, a variance is requested for the corner lot dimensions and both lot areas.

**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 113 homes within this neighborhood with the same R-1A zoning (see attached map). The average lot width is 64 feet, and the median lot width is 65 feet. The average lot area from this 113 home survey is 8,112 square feet, and the median lot area is 7,579 square feet. Thus, the proposed lot widths of 75 feet, and the proposed lot areas of 7,800 square feet compare favorably and slightly exceed the majority of the neighborhood.

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

**DEVELOPMENT PLANS:** The applicant has provided a generalized front elevation for the type of homes that they plan to build, and general site plans for the layout of the proposed new homes. 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 slightly different architectural elevations 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, planning staff notes that while this request is short 10 feet of width for the corner lot and short in land area to pass the Zoning Test, the request passes the Comprehensive Plan test. This is a situation where the proposed lot widths and sizes compare to a majority of the neighborhood.

**Planning and Zoning Board Minutes – July 10, 2018:**

**REQUEST OF EUSTACIA LEDBETTER FOR:** SUBDIVISION OR LOT SPLIT APPROVAL TO DIVIDE THE PROPERTY AT 2737 WOODSIDE AVENUE, ZONED R-
1A, INTO TWO SINGLE FAMILY BUILDING LOTS. BOTH LOTS WILL HAVE 75 FEET OF LOT WIDTH AND 7,800 SQUARE FEET OF LOT AREA. BOTH LOTS WILL NEED A VARIANCE TO THE MINIMUM LOT SIZE REQUIREMENTS OF 8,500 SQUARE FEET AND THE CORNER LOT WILL NEED A VARIANCE FROM THE 85 FeETs OF LOT FRONTAGE NEEDED FOR A CORNER LOT.

Senior Planner, Allison McGillis presented the staff report and explained that the owner of 2737 Woodside Avenue is 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 75 feet wide and 7,800 square feet in size. The interior lot will meet the minimum lot size requirements of R-1A, but the corner lot will need a variance from the 85 feet of lot frontage needed for a corner lot. The property is currently developed with one single-family home that will be demolished.

This existing property is 104 feet wide on Woodside Avenue, 150 feet wide on East End Avenue, and measures approximately 15,600 square feet in size. The subdivided lots are proposed to be 75 feet wide and 7,800 square feet in size. The R-1A zoning requires a minimum of 75 feet of lot width for an interior lot and 85 feet of width for a corner lot, and a minimum of 8,500-square feet of land area. Thus, a variance is requested for the corner lot dimensions and both lot areas.

There are 113 homes within this neighborhood with the same R-1A zoning (see attached map). The average lot width is 64 feet, and the median lot width is 65 feet. The average lot area from this 113 home survey is 8,112 square feet, and the median lot area is 7,579 square feet. Thus, the proposed lot widths of 75 feet, and the proposed lot areas of 7,800 square feet compare favorably and slightly exceed the majority of the neighborhood.

The custom of the planning staff is not to recommend “approval” of lot splits with variances. However, planning staff notes that while this request is short 10 feet of width for the corner lot and short in land area to pass the Zoning Test, the request passes the Comprehensive Plan test. This is a situation where the proposed lot widths and sizes compare to a majority of the neighborhood.

In recognition that lot width variances are requested, the staff recommendation is for denial. However, if the P&Z Board approves, staff recommends the condition that the final front elevations of the homes be of varied architectural styles to each other to provide diversity to the neighborhood.

No one else wished to speak, the Public Hearing was closed.

The P&Z Board members discussed the request and agreed that the lot sizes were compatible with the neighborhood and that the variance was not significant.

Motion made by Laura Walda, seconded by Adam Bert, for subdivision approval to divide the property at 2737 Woodside Avenue into two single family lots, subject to the condition outlined in the staff report.

The motion carried with a 7-0 vote.
alternatives / other considerations
N/A

fiscal impact
N/A

ATTACHMENTS:

<table>
<thead>
<tr>
<th>Description</th>
<th>Upload Date</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Backup Materials</td>
<td>7/11/2018</td>
<td>Backup Material</td>
</tr>
</tbody>
</table>
Average Lot Width = 64 ft
Median Lot Width = 65 ft
Average Lot Size = 8,112 sq ft
Median Lot Size = 7,579 sq ft
LOT SPLIT REQUEST FOR:
Stacey Ledbetter
2737 Woodside Avenue
Winter Park, Florida 32789

SITE PLAN

DESCRIPTION
LOTS 64 AND 61, EDGEWOOD SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK K, PAGE 57, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA

AREA CALCULATIONS
LOT 1
Area Lot 1: 1,511 Sq. Ft.
Lot Area Lot 1: 3,550 Sq. Ft.
First Level: 224 Sq. Ft.
Second Level: 1,339 Sq. Ft.
Total Area: 3,765 Sq. Ft.

LOT 2
Area Lot 2: 1,525 Sq. Ft.
Lot Area Lot 2: 3,590 Sq. Ft.
First Level: 1,525 Sq. Ft.
Second Level: 1,280 Sq. Ft.
Total Area: 2,805 Sq. Ft.
LOT SPLIT REQUEST FOR:
2737 Woodside Avenue
Winter Park, Florida 32789

Stacey Ledbetter

10’-8” Brg. Height
8’-0” Door/Window Hdr. Height
0’-0” 1st Level Finished Floor
12’-8” 2nd Level Finished Floor
20’-8” 2nd Level Door/Window Hdr. Height
(9’-4” Above 2nd Level Finished Floor)
(8’-0” Above 2nd Level Finished Floor)

PROPOSED FRONT ELEVATION - LOT #2 (INTERIOR LOT)

SCALE: 1/4” = 1'-0"