



Planning & Zoning Board Regular Meeting

Agenda

December 7, 2021 @ 6:00 pm

City Hall Commission Chambers
401 S. Park Avenue

welcome

Agendas and all backup material supporting each agenda item are accessible via the city's website at cityofwinterpark.org/bpm and include virtual meeting instructions.

assistance & appeals

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office ([407-599-3277](tel:407-599-3277)) at least 48 hours in advance of the meeting.

"If a person decides to appeal any decision made by the Board with respect to any matter considered at this hearing, a record of the proceedings is needed 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).

please note

Times are projected and subject to change.

-
1. **Call to Order**
 2. **Consent Agenda**
 - a. [Approval of the November 2, 2021 Meeting Minutes.](#) 1 minute
 3. **Staff Updates**
 4. **Public Comments (for items not on the agenda): Three minutes allowed for each speaker**
 5. **Non-Action Items**
 6. **Action Items**
 7. **Public Hearings**
 - a. [SPR #21-13 Request of Charles Clayton on behalf of the owner, Kris Rivers, for approval of the remodel of the existing home at 5 Isle of Sicily on Lake Maitland, zoned R-1AAA, including the addition of a new exercise room which requires a variance to move the required first-floor side yard setback of 26 feet to the requested 22 feet.](#) 10 minutes
 - b. [ANNEX #21-03; CPA 21-08; RZ 21-06: Request of the RSRW Properties LLC: to Annex the Property at 1471 Harmon Avenue to establish Low Density Residential \(R-2\) Future Land Use and Zoning in order to build up to a two-family dwelling.](#) 15 min
 - c. [REQUEST OF WINTER PARK CHRISTIAN CHURCH FOR: CONDITIONAL USE APPROVAL TO BUILD A NEW REPLACEMENT CHURCH FACILITY ON THE 1.25 ACRES OF THE LAKEMONT FRONTAGE AT 740/760 N. LAKEMONT AVENUE, ZONED R-1A. REQUEST OF CREATIVE NEIGHBORS LLC TO: AMEND THE COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TEXT AND FUTURE LAND USE MAP; TO AMEND THE ZONING MAP TO CHANGE FROM SINGLE FAMILY \(R-1A\) ZONING TO PLANNED UNIT RESIDENTIAL DISTRICT \(PURD\) ZONING; FOR APPROVAL OF THE PRELIMINARY CONCEPT PLAN AND THE COMPREHENSIVE DEVELOPMENT PLAN OF THE PLANNED UNIT RESIDENTIAL DISTRICT ZONING AND TO PROVIDE SUBDIVISION PLAT APPROVAL TO DIVIDE THE EAST/REAR 5.25 ACRES OF 740/760 N. LAKEMONT AVENUE TO PROVIDE FOR 13 SINGLE FAMILY HOME](#) 45 minutes

LOTS AND 12 TOWNHOUSE LOTS, COMMON AREA PARK AND
RETENTION TRACTS ALONG WITH THE DEDICATION OF REQUIRED
PUBLIC STREETS AND EASEMENTS.

8. Board Comments

9. Adjournment



Planning & Zoning Board

agenda item

item type	Consent Agenda	meeting date	December 7, 2021
prepared by	Mary Bush	approved by	
board approval	Completed		
strategic objective			

subject

Approval of the November 2, 2021 Meeting Minutes.

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[November 2 P&Z draft.pdf](#)



Planning and Zoning Board Minutes

November 2, 2021 at 06:00 p.m.

Hybrid Meeting
401 S. Park Avenue | In-Person and Virtual | Winter Park, Florida

Call to Order

Chairman Richard James called the meeting to order at 6:02 p.m. Present: Jim Fitch, Richard James, Melissa Vickers, David Bornstein, and Vashon Sarkisian. Absent: Michael Spencer and Alex Stringfellow. Also Present: City Attorney Dan Langley. Staff: Director of Planning and Transportation Bronce Stephenson, Principal Planner Jeff Briggs, Senior Planner John Harbilas, Planner I Nicholas Lewis, Transportation Manager Sarah Walter, and Recording Secretary Mary Bush.

Consent Agenda

Motion made by David Bornstein, seconded by Jim Fitch to approve the October 5, 2021 meeting minutes.

Motion carried unanimously with a 5-0 vote. (Michael Spencer and Alex Stringfellow were not present for the meeting.)

Staff Updates

Mr. Stephenson briefly introduced a few of the staff members of the Planning Department, which included Senior Planner John Harbilas and Planner I Nicholas Lewis.

Public Comments (for items not on Agenda)

No one from the public wished to speak. The public hearing was closed.

Non-Action Items

No non-action items.

Action Items

- Multi-Modal Transportation Impact Fee

Mr. Stephenson provided a brief summary of the item. He noted that the establishment of the fee has been a goal of the City since the adoption of the City's last Comprehensive Plan. He also noted that Mike Woodward and Cliff Tate of Kimley-Horn were present to provide an overview of the analysis report they completed for the City to support the Multi-Modal Transportation Impact Fee (MMTIF).

Clif Tate provided the Board a brief presentation of their analysis report for the Multi-Modal Transportation Impact Fee. Mr. Tate discussed how the proposed impact fee follows the methodology of the Orange County Multi-Modal Transportation Impact Fee, the proposed application of the fees, the legal requirements, the fee calculations and examples of them, how the fee compares with other local governments, and the next steps to take to implement the fee. Mr. Tate noted that Orange County uses a consumption based methodology. He elaborated on the items that the Multi-Modal Transportation Impact Fees can be used for and the statutory requirements for the fees. He reviewed the new legal requirements that were passed in 2021, noting that legislation restricts increases in the fees to once every four years and they may not exceed 50%. Mr. Tate explained in depth how the fees are calculated, based on the amount of capacity consumed by the development multiplied by the cost of capacity and then less any applicable credit generated by the development. He also provided examples of calculated fees and a detailed comparison of current local government impact fees.

Mr. Tate noted that the next steps would be:

- to present the draft to the City Commission for public comment and the first reading on November 10, 2021,
- and then have the effective date of the draft ordinance to be January 1, 2022.

Staff recommendation was for approval.

Mr. Fitch inquired about who would pay the fee for single family homes. Brief discussion ensued and Mr. Stephenson recommended that the fee only be applied to net new units. Further discussion provided clarification that the developer would pay the net difference. The Board continued conversation on the amount of credit to be received for tear downs, what the fee is utilized for, the Planning and Zoning Board's involvement in regards to the fee, the reason for significant variance in fee amounts from City to City, considerations made for basing the fee on the capacity for storing vehicles, and where multi-use trails fit into the fee.

Attorney Langley noted that the impact fee is a land development regulation and the Planning and Zoning Board has to review and make a recommendation on all land development regulations.

The Board heard public comment from the following resident:

Erich Scherer of 800 N. Lakemont Avenue, Winter Park, FL 32789 addressed the Board. Mr. Scherer spoke on concerns regarding the Lakemont Church redevelopment project, an item not on the agenda.

No one else from the public wished to speak. The public hearing was closed.

The Board expressed their support for the concept of the Multi-Modal Transportation Impact Fee.

Brief discussion ensued about the fee for smaller houses. Mr. Tate will add a line item in the cost table of the analysis report to show the fee for smaller houses.

No one from the public wished to speak. The public hearing was closed.

Motion made by David Bornstein, seconded by Melissa Vickers, for approval of the Multi-Modal Transportation Impact fee.

Motion carried with a 4-1 vote. (In Favor: Vashon Sarkisian, Melissa Vickers, David Bornstein, Richard James. Opposed: Jim Fitch.) (Michael Spencer and Alex Stringfellow were not present for the meeting.)

Chairman James called for a recess at 6:56 p.m. and reconvened the meeting at 7:02 p.m.

- ANNEX #21-02; CPA #21-07; RZ #21-05: Request of the 3217 Corrine LLC: to Annex the Properties at 3303 and 3313 Corrine Drive and Utilize the south 63 feet of 1813 Northwood Terrace Drive to establish Commercial (C-3A) and Parking Lot (PL) Future Land Use and Zoning in order to build a two-story, 8,750 sq. ft. commercial/office building on the combined properties.

Mr. Briggs provided the Board a brief summary of the request. He presented aerials of the three existing single family homes to be removed and redeveloped into a new two-story office building with parking. Mr. Briggs presented the site plan to the Board and pointed out the significant landscape buffer area that is to be placed at all points adjoining a residential property to obscure the view of the building. He also noted that a six-foot wall will be required to be built to protect and create a privacy buffer for the adjacent single-family homes. He added that low lighting will be installed to prevent glare onto any adjacent residential properties. Mr. Briggs indicated that as far as compatibility the project will have minimal to no impact on the peaceful enjoyment of the adjacent residential properties. In regards to the vacation request, Mr. Briggs noted that the applicant is not requesting to close and vacate Northwood Terrace Drive. Northwood Terrace Drive will stay open and have the exact same pavement and abilities of a two-way street as it does now. It is a right-of-way that has extra space, so it will be reduced five feet to a 50-ft right-of-way which is typical in the City of Winter Park. In return for the vacation of the right-of-way the applicant will build a sidewalk on both sides of the right-of-way.

Staff recommendation was for approval with the following conditions:

- The applicant is required to reconfigure the Northwood Terrace driveway with curb repositioning to funnel traffic to the south and install sidewalks on both sides of the right-of-way.

Attorney Tara Tedrow of 215 N. Eola Drive, Orlando, FL with Lowndes, Drosdick, Doster, Kantor & Reed Law Firm represented the applicant and provided the Board a presentation of the request. She presented aerial location maps and photos of the properties. She discussed the timeline of the request dating back to the first discussions with City staff about the project in October 2019. Attorney Tedrow noted the various modifications and

community outreach that have occurred since the first discussions. She also noted that the original project area was 1.36 acres of total property and the newly proposed project area has been reduced to 0.57 acres on three lots. She explained that the applicant's desire is to construct a new office building for their business, SLA Management, which is a custom school food service management company dedicated to providing high quality, nutritious, and cost-efficient meal programs to the K-12 academic community. She overviewed the prior conceptual plans and how they transitioned to the current plans that take into consideration the community feedback received over time. She added that the applicant offered overflow parking availability on evenings and weekends for East End Market customers. Attorney Tedrow also presented conceptual renderings of the proposed office building. She further discussed the C-3A zoning, the Parking Lot zoning, and the annexation of the properties. She explained that the annexation of the properties into the City of Winter Park would unify the project with the property at 3217 Corrine Drive that was voluntarily annexed into the City years ago by the applicant. Attorney Tedrow went on to detail the surrounding zonings, a traffic study of the area done by engineering firm VHB, Corrine Drive updates based on email correspondence with the City of Orlando and Metroplan Orlando, the Comprehensive Plan amendment text change request, and the right-of-way vacation. She concluded her presentation with an explanation of the justifications for approval including the request being consistent with the goals and policies of the rezoning code criteria and the Comprehensive Plan amendment code criteria.

The Board inquired about the following:

- if there were plans to extend the sidewalk along Corrine Drive to East End Market,
- who the water, sewer, and gas provider for the property will be,
- why the applicant chose to develop in Winter Park,
- the amount of resident attendance at the previous community Zoom meeting on October 19, 2021,
- if there would be a wall or fence erected per the site plans,
- moving the dumpster location from the far northeast corner of the parking lot to the far northwest corner,
- utilizing roll carts for waste management instead of a dumpster.

The Board heard public comment from the following residents:

John Jacobs of 800 N. Lakemont Avenue, Winter Park, FL 32789 addressed the Board. Mr. Jacobs spoke on concerns regarding the use of the proposed parking lot and if any review or feedback had been received from the City of Orlando regarding the proposal.

Attorney Tedrow addressed Mr. Jacob's concerns and noted that the applicant's offer for parking to East End Market was not a requirement and could be rescinded or tested and removed if necessary. She also noted that there were no extra jurisdictional reviews of the proposal required nor completed.

Mary Hartwig of 2819 Northwood Blvd, Winter Park, FL 32789 addressed the Board. Ms. Hartwig expressed that promises gone unfulfilled by East End Market have made the public weary about accepting promises being made regarding the applicant's project. She feels the project would invite more traffic to the area which is already a problem.

No one else from the public wished to speak. The public hearing was closed.

Vice Chair Bornstein disclosed that he and his family have known the applicant's family for generations. He also noted that the applicant contacted him a month ago to provide him information about the project. Vice Chair Bornstein emphasized that his relationship with the applicant in no way hinders him from making an unbiased vote and that he is comfortable proceeding without recusal based on his ability to fairly render a verdict. City Attorney Dan Langley affirmed that Vice Chair Bornstein did not describe a conflict of interest.

Discussion ensued and the Board expressed their support for the project and the parking plans.

Motion made by Vashon Sarkisian, seconded by David Bornstein, for approval to Annex the Properties at 3303 and 3313 Corrine Drive and Utilize the south 63 feet of 1813 Northwood Terrace Drive to establish Commercial (C-3A) and Parking Lot (PL) Future Land Use and Zoning in order to build a two-story, 8,750 sq. ft. commercial/office building on the combined properties with the following conditions:

- **Reconfiguration of Northwood Terrace driveway with curb repositioning and installation of sidewalks on both sides of right-of-way with connections to the existing sidewalks leading to East End Market.**

Motion carried with a 4-1 vote. (In Favor: Vashon Sarkisian, Melissa Vickers, David Bornstein, Richard James. Opposed: Jim Fitch.) (Michael Spencer and Alex Stringfellow were not present for the meeting.)

- CU #21-03. Request of Park Avenue Concepts for: Approval of Conditional Use to waive the separation distance of 1,000 feet from a church or school in order to allow a 4-COP Liquor License in conjunction with the proposed 102-seat restaurant located at 331/339 S. Park Avenue, zoned C-2.

Mr. Lewis provided the Board a brief summary of the CU #21-03 request. He presented a location map and photo of the property. He noted that the applicant would like to renovate the two properties into a fine dining restaurant. In alignment with City code, the restaurant would derive over 50% of its business from food sales rather than alcoholic beverages. Though, due to parking restrictions in the Park Avenue Corridor the restaurant would be unable to meet a seat count of at least 150 as required by the City's alcoholic beverages code. Mr. Lewis explained that an option for the applicant would be to purchase a 4-COP liquor license but City code does not allow any bar activity within 1,000 feet of a school or church. Rollins College and All Saints Episcopal Church are within 1,000 feet of the property, so the applicant is seeking approval for their 4-COP liquor license under the condition that the property stays a fine dining restaurant as established by the City's zoning code definition.

Staff recommendation was for approval with the following conditions:

- That the business functions as a full service restaurant in compliance with the Section 58-95 zoning definition of a 'fine dining restaurant'. Fine Dining restaurant means any establishment which is devoted to the retailing and on-premises consumption of meals and food where more than 50 percent of the gross revenue is derived from food sales versus alcoholic beverages. Additionally, fine dining restaurants shall meet all of the following criteria:
 1. A host or hostess should be regularly present to greet and arrange for the seating of patrons;
 2. Food and beverage service (other than bar service) is provided via table service by servers;
 3. Dinnerware (utensils, plates, etc.) shall be non-disposable;
 4. Ordering, food service and payment is done at the table;
 5. The menu shall consist of full dining cuisine with a range of appetizers, entrees and desserts along with appropriate selections of beverages; and
 6. Payment at a counter/cashier may be allowed only and exclusively to accommodate take-out orders.

The Board inquired about the distance from the restaurant to the college and church. The Board also asked if take-out was permitted and where the parking will be located.

The applicant's representative, Attorney Steve La Bret of 501 North Magnolia Avenue, Suite A10B, Orlando, FL with Steven Michael La Bret, P.A. addressed the Board. Attorney La Bret noted that the applicant was under the impression that they could get a 4-COP SFS license but, unfortunately, they could not due to being unable to meet the City's parking restrictions. Mr. La Bret noted that the alternative was to get a 4-COP license as described by the City staff. Attorney La Bret added that the applicant cannot successfully do business without the inclusion of liquor sales and thus would need a variance along with the 4-COP license.

No one from the public wished to speak. The public hearing was closed.

The Board inquired about the location and square footage of the restaurant.

Motion made by Melissa Vickers, seconded by Vashon Sarkisian, for approval of Conditional Use to waive the separation distance of 1,000 feet from a church or school in order to allow a 4-COP Liquor License in conjunction with the proposed 102-seat restaurant located at 331/339 S. Park Avenue, zoned C-2 with the following conditions:

- That the business functions as a full service restaurant in compliance with the Section 58-95 zoning definition of a 'fine dining restaurant'. Fine Dining restaurant means any establishment which is devoted to the retailing and on-premises consumption of meals and food where more than 50 percent of the gross revenue is derived from food sales versus alcoholic beverages. Additionally, fine dining restaurants shall meet all of the following criteria:
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 4. Ordering, food service and payment is done at the table;

5. The menu shall consist of full dining cuisine with a range of appetizers, entrees and desserts along with appropriate selections of beverages; and
6. Payment at a counter/cashier may be allowed only and exclusively to accommodate take-out orders.

Motion carried unanimously with a 5-0 vote. (Michael Spencer and Alex Stringfellow were not present for the meeting.)

Board Comments

No Board comments.

Adjournment

Meeting adjourned at 8:12 p.m.

/s/ Mary Bush.



Planning & Zoning Board

agenda item

item type Public Hearings	meeting date December 7, 2021
prepared by Nicholas Lewis	approved by Bronce Stephenson
board approval Completed	
strategic objective	

subject

SPR #21-13 Request of Charles Clayton on behalf of the owner, Kris Rivers, for approval of the remodel of the existing home at 5 Isle of Sicily on Lake Maitland, zoned R-1AAA, including the addition of a new exercise room which requires a variance to move the required first-floor side yard setback of 26 feet to the requested 22 feet.

motion / recommendation

Staff recommendation is for approval.

background

Charles Clayton, the contractor and applicant, on behalf of the owner, Kris Rivers, is seeking to renovate the existing home at 5 Isle of Sicily including the addition of a new exercise room along the right side of the home. The addition of the exercise room, which extends beyond the required 26-foot first-floor side yard setback, requires a variance. The applicant is requesting that the first-floor side yard setback be set to 22 feet, which would be allowable under the base Floor Area Ratio (FAR).

The overall lot area is 49,800 square feet; however, section 58-65 excludes land area located across a street and separated from the building site as well as submerged lands from being included in the available land area calculation. Therefore, the appropriate lot area for calculating FAR is 41,520 square feet. The base FAR for properties with a lot area greater than 13,600 square feet is 33%. However, the Land Development Code permits a maximum FAR of 38% for such properties so long as they adhere to the side setback standards in section 58-65. Therefore, the permissible gross area under the base FAR of 33% would be 13,702 and the maximum permissible gross floor area utilizing the side setback standards is 15,778 square feet. The proposed home, including the addition of the exercise room, is 14,216 square feet and therefore, adheres to the 38% maximum FAR requirement.

Under the base FAR of 33%, a lot with a width of 175 feet must have a first-floor side setback of twenty-two (22) feet. Under the maximum FAR of 38%, section 58-65 requires a first-floor side setback of twenty-six (26) feet. The applicant plans to renovate the home using the same first and second-floor layout with the exception of the addition of the exercise room, a closed first-floor porch in the rear of the home, and enclosing the small

porch to the nursery in the front of the home. The exercise room, which is approximately 273 square feet, will be the only portion of the home that would extend beyond the required 26-foot setback. The exercise room would extend to 22 feet and 2 inches from the property line and thus, would be in conformance with a 22-foot side yard setback. This requested remodel adheres to the code maximum of 38% FAR. Similarly, the impervious lot coverage is fifty percent (50%) meeting the maximum impervious lot coverage permitted. Except for the exercise room, the home adheres to all setback requirements as well. As evidenced in the analysis below, the setback encroachment has no impact on the existing tree canopy, views of the neighbors, views across the lake including the aesthetics for lake users, or stormwater retention and therefore, staff recommends approval of this request.

TREE PRESERVATION: The Code direction on water front lots is “to preserve existing trees to the degree reasonably possible”. The building additions do not have any negative impacts on the property’s existing trees.

VIEW OF NEIGHBORS: The Code direction is to minimize the degradation of traditional views across properties by new houses, additions, second story additions, etc. alongside property lines toward the lake that may block traditional views.

The staff was concerned with the potential visual impact of the addition caused by the encroachment on the adjacent property to the North (Dawoud’s). However, staff has learned that there currently exists a large landscape buffer/visual barrier along the relevant portion of the property line that gives the Dawoud’s a de minimis view of the small addition.

VIEW FROM THE LAKE: The Code direction is to minimize the height and extent of stem walls or retaining walls facing the lake. The addition will be located on the side of the home directly behind the existing boat house and basketball court and has no stem or retaining wall component. Therefore, the exercise room will have no negative effect on the views of the lake.

STORM WATER RETENTION: The zoning code requires retention of storm water so that storm water flowing over a waterfront lawn area does not carry with it into the lake any fertilizers, herbicides, etc. There is an abundant amount of open lakefront yard area on this property to easily accomplish that requirement via the creation of a depressed swale areas on the property of about four inches in depth.

VARIANCE REQUESTED: The exercise room is proposed at a 22-foot setback versus the code required 26-foot setback.

SUMMARY: Staff’s analysis is that there is no impact upon the existing tree canopy on the lot, on the views of the neighbors, the views across the lake including the aesthetics for lake users, or stormwater retention. Therefore, staff is recommending approval of this setback encroachment. In most scenarios, the P&Z Board reviews tear downs that result in a much larger new home with more square footage, more impervious coverage and being located closer to the lake. This is not the case here. Overall, the plans meet the intent of the lakefront review criteria. The small setback variance for the addition of the exercise room is not consequential and results from the owners’ effort to work with the

location of the existing home.

[alternatives / other considerations](#)

[fiscal impact](#)

ATTACHMENTS:

[5 Isle of Sicily Site Plan.pdf](#)

ATTACHMENTS:

[5 Isle of Sicily Pics.pdf](#)

ATTACHMENTS:

[Neighbor Notice Letters.pdf](#)

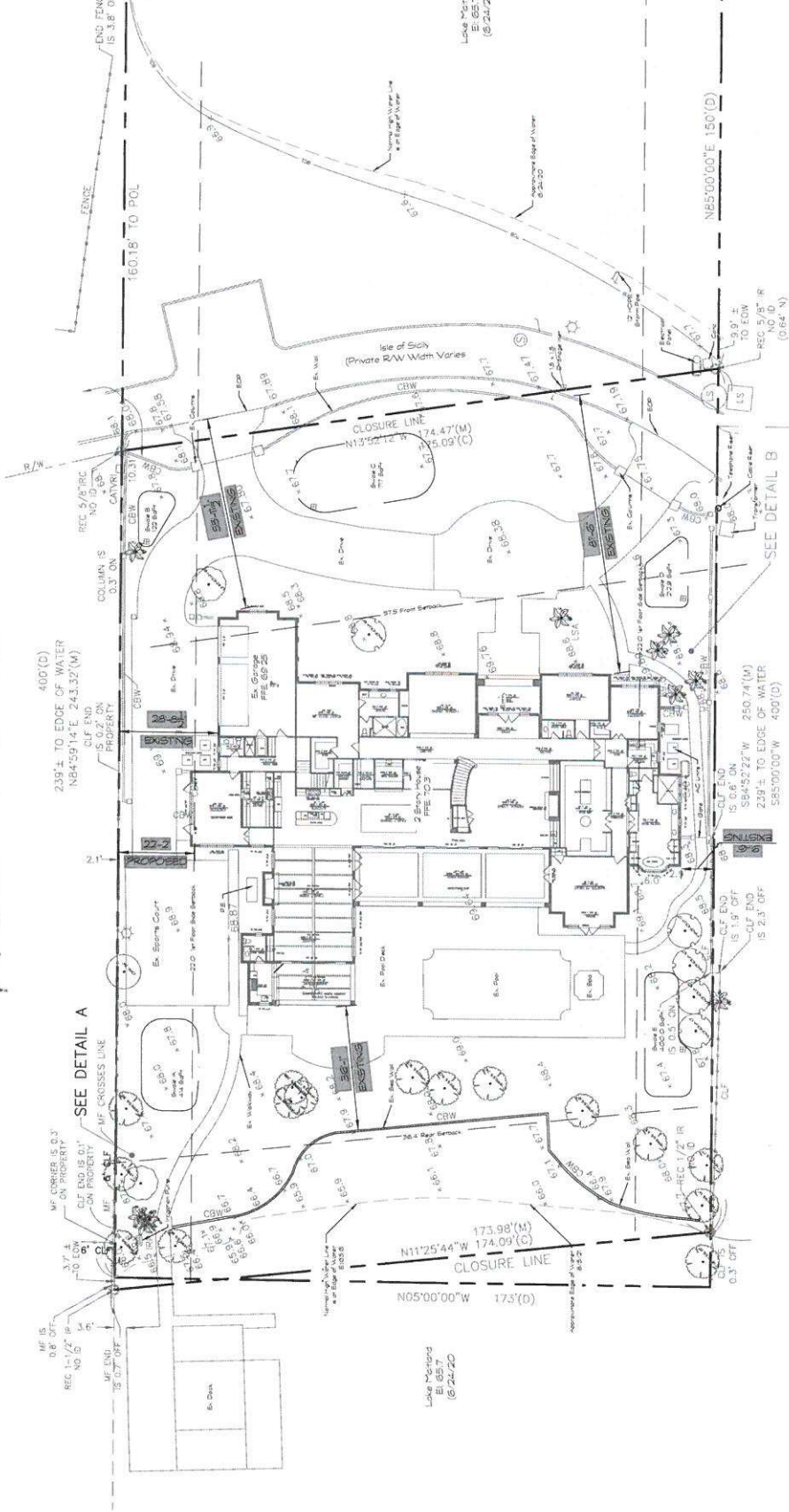
ATTACHMENTS:

[5 isle of Sicily.pdf](#)

ATTACHMENTS:

[5 Isle of Sicily Remodel App.pdf](#)

New Home PLAN



*SECOND FLOOR WALLS TO REMAIN

HARDSCAPE NOTES

- 1.01** Contractor shall furnish and install all hardscape materials with existing site conditions. All materials shall be installed in accordance with the manufacturer's instructions. All materials shall be installed in accordance with the manufacturer's instructions. All materials shall be installed in accordance with the manufacturer's instructions.
- 1.02** All hardscape materials shall be installed in the field using proper planning. All hardscape materials shall be installed in the field using proper planning. All hardscape materials shall be installed in the field using proper planning.
- 1.03** See site grading plans for all hardscape materials. All hardscape materials shall be installed in the field using proper planning. All hardscape materials shall be installed in the field using proper planning.
- 1.04** General limits of construction are noted on the drawings unless otherwise noted. All hardscape materials shall be installed in the field using proper planning. All hardscape materials shall be installed in the field using proper planning.
- 1.05** Contractor shall verify all hardscape materials with existing site conditions. All hardscape materials shall be installed in the field using proper planning. All hardscape materials shall be installed in the field using proper planning.
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- 1.07** Contractor shall furnish and install all hardscape materials with existing site conditions. All hardscape materials shall be installed in the field using proper planning. All hardscape materials shall be installed in the field using proper planning.
- 1.08** All hardscape materials shall be installed in the field using proper planning. All hardscape materials shall be installed in the field using proper planning. All hardscape materials shall be installed in the field using proper planning.

GENERAL NOTES

- 0.01** Contractor shall furnish and install all hardscape materials with existing site conditions. All hardscape materials shall be installed in the field using proper planning. All hardscape materials shall be installed in the field using proper planning.
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Lot 5 = Type 'B' Drainage Lot

Impervious Calculations	SQFT	%
Overall Lot Area	48,800.0	
Area for Pool	8,800.0	
Driveway & Front Court	5,800.0	
Backyard Court	1,200.0	
Pool & Back Deck	3,200.0	
Walkways	1,200.0	
Total Impervious	2,200.0	4.51%
Total Pervious	46,600.0	95.49%

Swale Calculations Area Cu. Ft.

Impervious at 4" x 0.043 (1st of Impervious Area) x Retention Cu. Ft.	0.043
Retention Swale Volume	1,765.2
Swale A @ 4' Deep	43.1
Swale B @ 4' Deep	52.2
Swale C @ 4' Deep	243.8
Swale D @ 4' Deep	27.3
Swale E @ 4' Deep	400.0

Exterior Envelope Changes

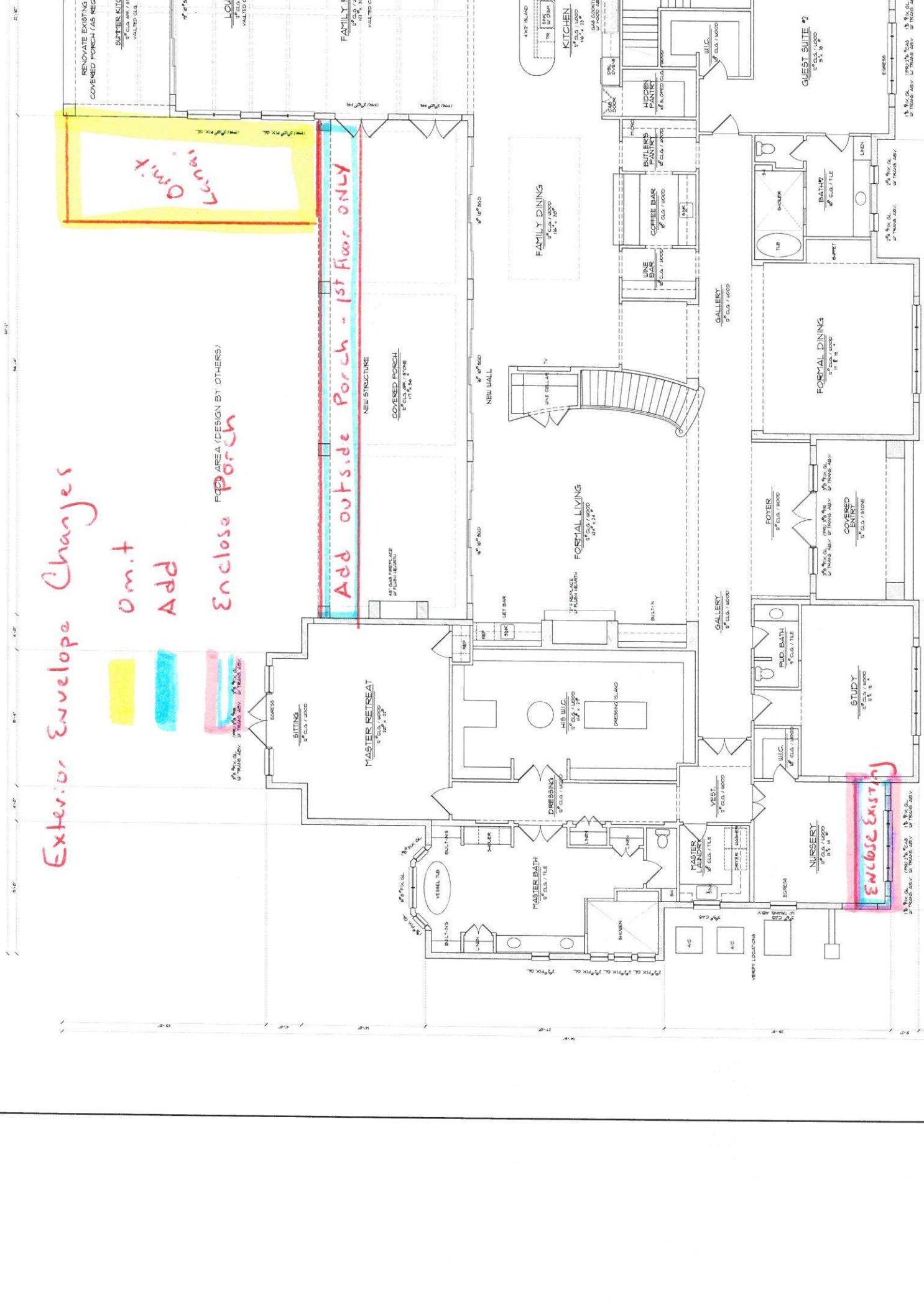
30
+
30
= 60

PPV

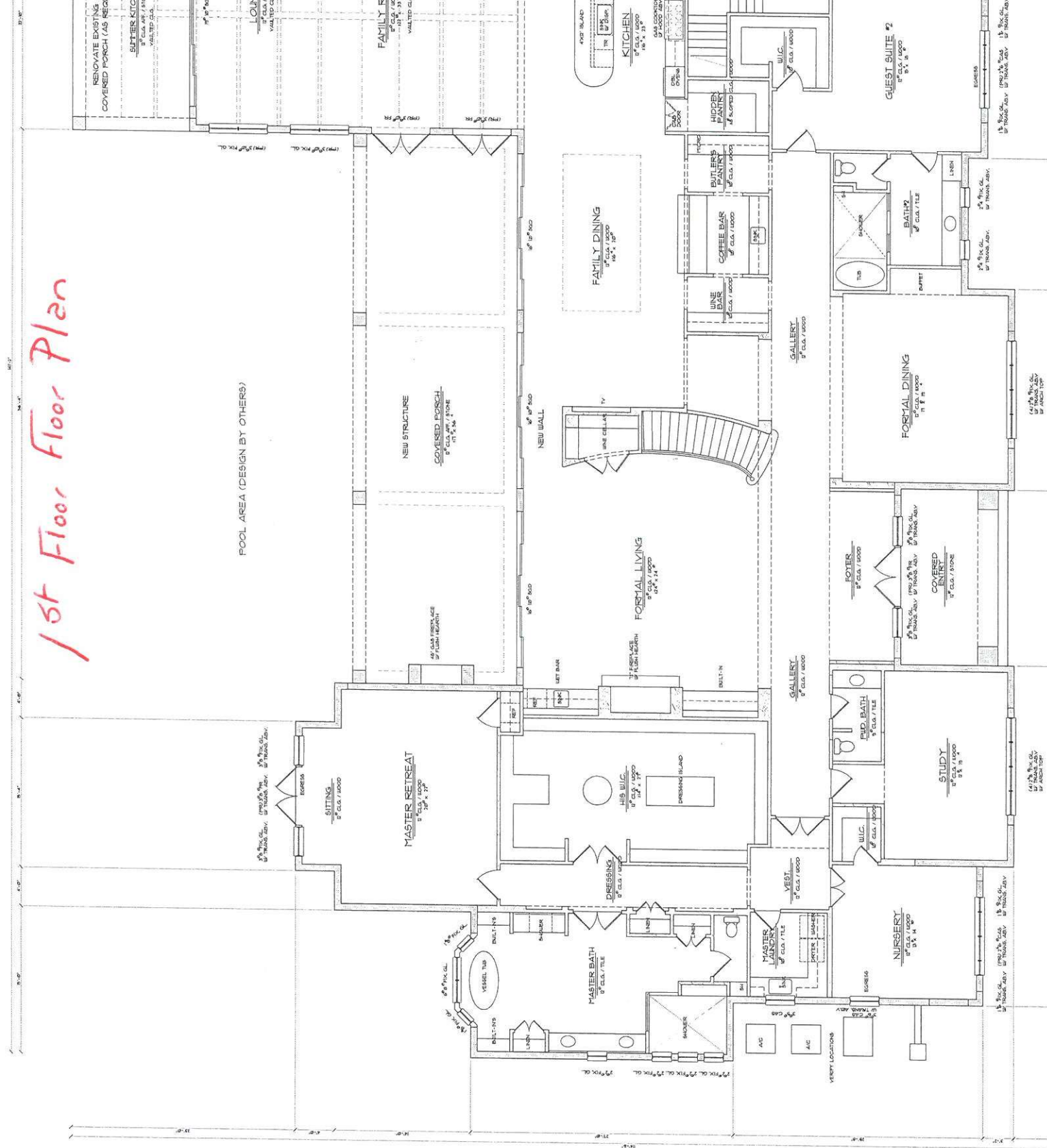
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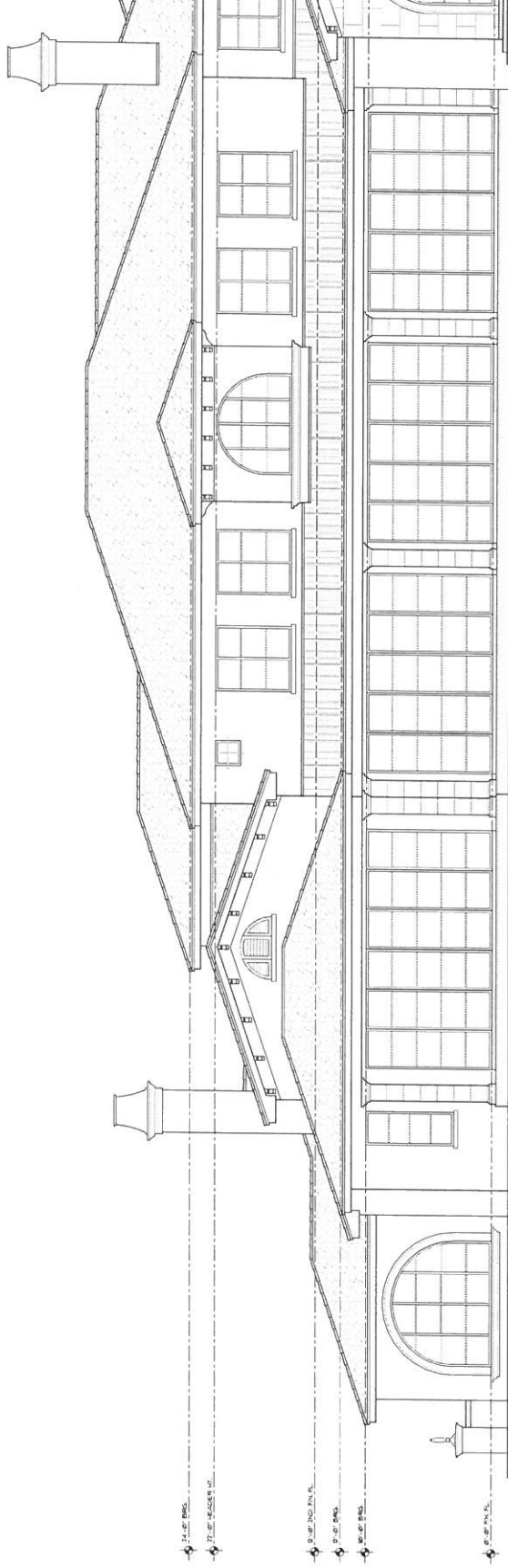
Enclose **Porch** POOL AREA (DESIGN BY OTHERS)

Add outside Porch = 1st Floor only

[illegible]

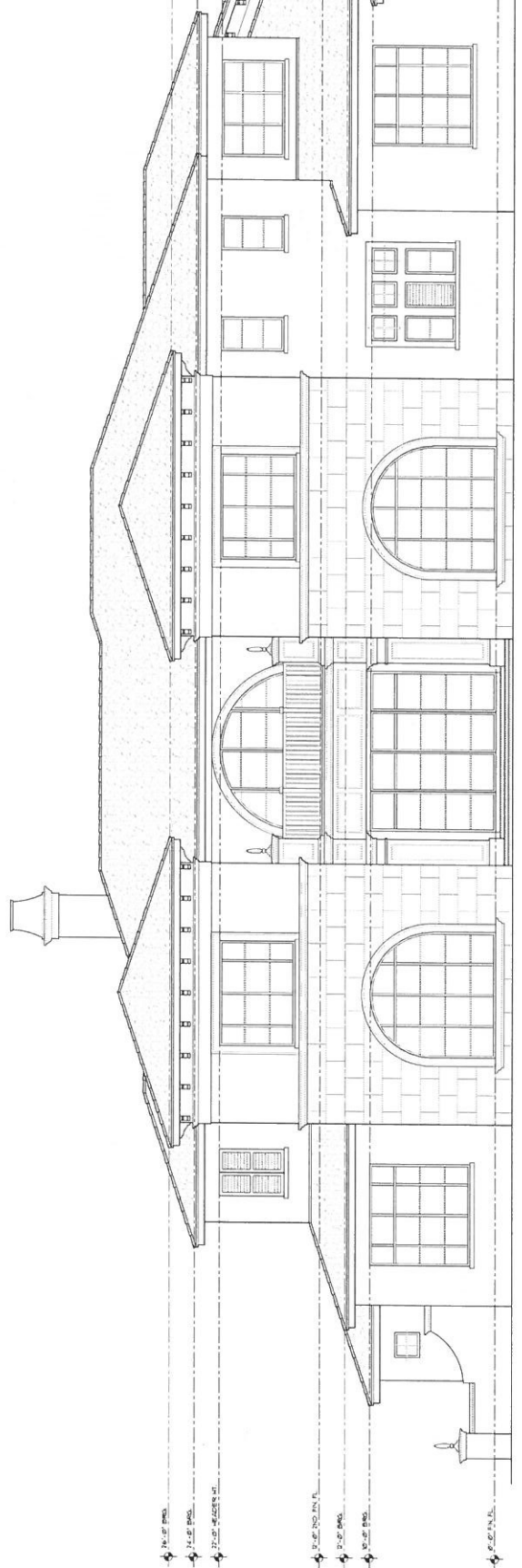
1st Floor Plan





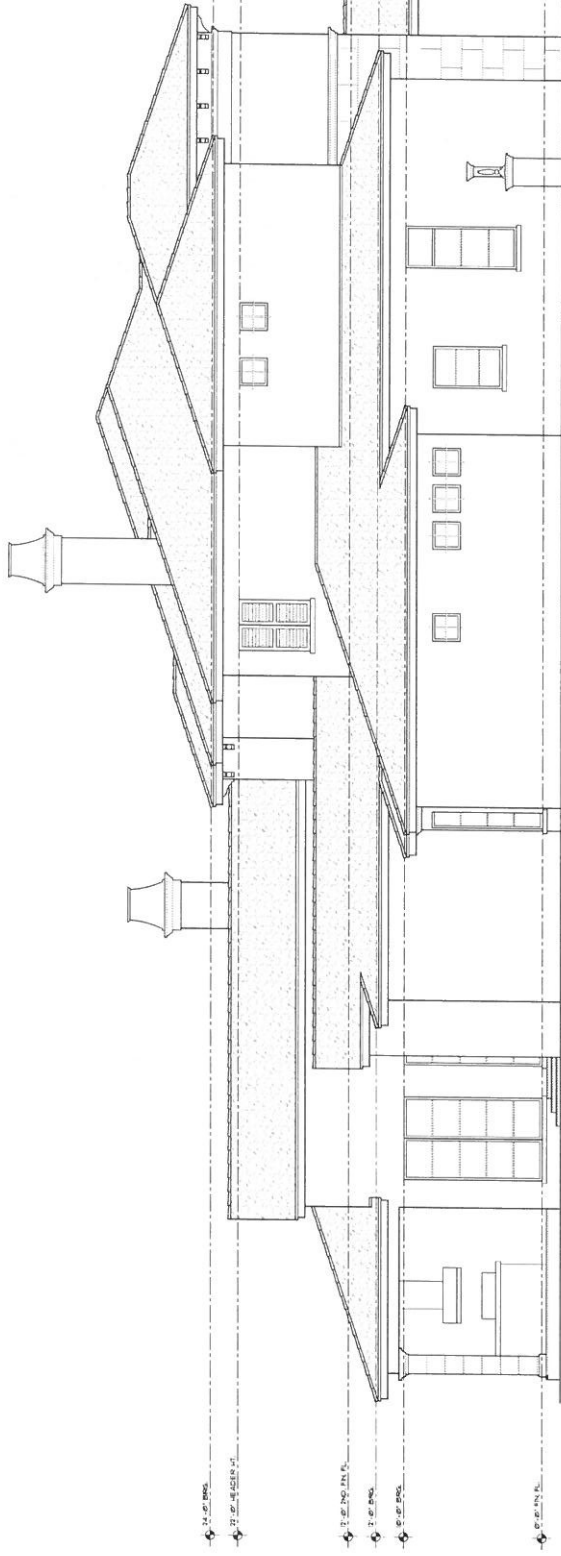
REAR ELEVATION

1/4" = 1'-0"



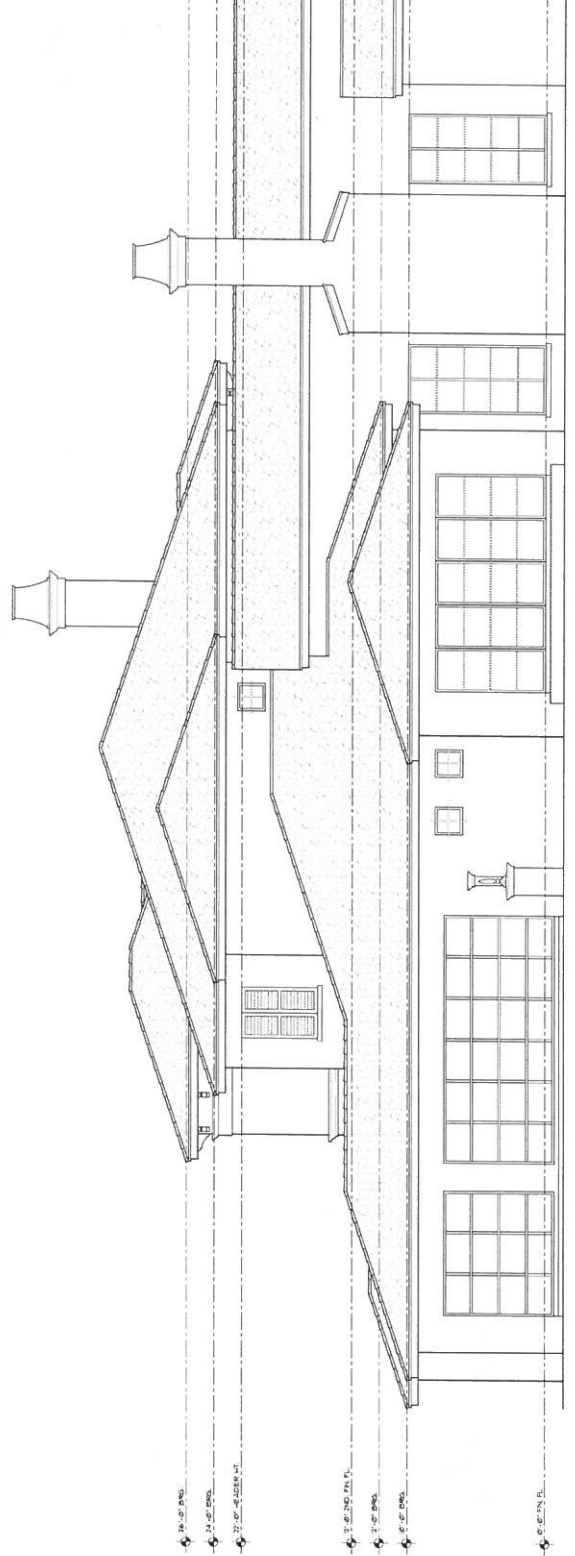
FRONT ELEVATION

1/4" = 1'-0"



LEFT ELEVATION

1/4" = 1'-0"



RIGHT ELEVATION

1/4" = 1'-0"







401 South Park Avenue • Winter Park, Florida 32789

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

Planning & Transportation

November 12, 2021

**Steven and Kerry Parker
4 Isle of Sicily
Winter Park, FL 32789**

RE: Neighboring Lakefront Site Plan Review – 5 Isle of Sicily

To Whom It May Concern:

This letter is to inform you that your neighbor located at 5 Isle of Sicily, adjacent to your property, will be seeking approval of their lakefront site plan and building plans at the Tuesday, December 7, 2021 Planning and Zoning Board meeting at the Winter Park City Hall located at 401 S. Park Avenue, Winter Park, Florida.

Please visit www.cityofwinterpark.org/live-broadcasts in the days prior to the meeting in order to receive instruction on participating in this meeting through virtual electronic means.

Please find attached a copy of their site plan.

If you have additional questions, please feel free to contact me at 407-599-3501.

Sincerely,

Nick Lewis
Planner I

Enclosure



401 South Park Avenue • Winter Park, Florida 32789

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

Planning & Transportation

November 12, 2021

**Oliver and Rosemary Dawoud
6 Isle of Sicily
Winter Park, FL 32789**

RE: Neighboring Lakefront Site Plan Review – 5 Isle of Sicily

To Whom It May Concern:

This letter is to inform you that your neighbor located at 5 Isle of Sicily, adjacent to your property, will be seeking approval of their lakefront site plan and building plans at the Tuesday, December 7, 2021 Planning and Zoning Board meeting at the Winter Park City Hall located at 401 S. Park Avenue, Winter Park, Florida.

Please visit www.cityofwinterpark.org/live-broadcasts in the days prior to the meeting in order to receive instruction on participating in this meeting through virtual electronic means.

Please find attached a copy of their site plan.

If you have additional questions, please feel free to contact me at 407-599-3501.

Sincerely,

Nick Lewis
Planner I

Enclosure

F.A.R. and Setbacks Calculator for Single Family Residence

(fill out **BLUE** cell only)



Lot Width (ft)	173	Lot width measured at bldg line across lot at front wall of home or at the front setback.
Lot Depth (ft)	240	The long side of the lot.
No. of Story	2	Max 2 story
Lot Area (sq.ft.)	41,520	Submerged lands or land across the street shall not be included.
Base F.A.R. (sq.ft.)	13702	
Front Setback	49	All setbacks shall be verified by a registered surveyor.
1st Flr Side Setbacks (ft)	22	For lots 60 ft or less in width, side setback may be 7.5 ft minimum.
2nd Flr Side Setbacks (ft)	30	
1st Flr Rear Setback (ft)	25	
2nd Flr Rear Setback (ft)	35	

F.A.R. and Side Setback Adjustments

Percentage Increase	5.0%	5% maximum increase.
Max. F.A.R. (sq.ft.)	15778	
New 1st Flr Side Setbacks (ft)	26	For lots 60 ft or less in width, side setbacks may be 7.5 ft minimum for 5% increase.
New 2nd Flr Side Setbacks (ft)	35	For lots 60 ft or less in width, side setback may be 12.5 ft minimum for 5% increase.



CITY OF WINTER PARK
APPLICATION FOR SITE PLAN REVIEW

SPR# 21-13

FEE PAID

ck # _____
amt. \$ _____
date _____

General Instructions: To request approval of a site plan, complete this application and submit it to the Planning Department along with the \$125 application fee for residential or \$250 application fee for commercial or multi-family and all additional information necessary for the public hearing before the Planning and Zoning Board. For Lakefront, Canalfront or Streamfront lots please see submittal checklist. **Please submit one (1) electronic copy and one (1) paper copy (11" by 17") of the required documents with this application. Digital copies may be submitted via flash drive, CD-ROM, etc. or through the wpcloud.** Please contact the Planning Department for instructions to upload to the wpcloud.

I. APPLICANT

OWNER

Name Charles Clayton
Address 2250 Lee Rd Suite 120
Winter Park FL 32789
Phone 407 628 3334
Email Address cclayton11@aol.com

Name Kris Rivers
Address 5 Isle of Sicily
Winter Park FL 32789
Phone 407 448-3866
Email Address Krivers622@gmail.com

Is the property under contract for purchase or lease?

☐ Yes

☒ No

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

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

☐ Yes

☐ No

II. PROPERTY

Street Address: 5 Isle of Sicily, Winter Park FL

Zoning Classification: SFR Comprehensive Plan Future Land Use Designation: _____

PARCEL # 31-21-30-0000-00-014 (same as tax ID number of Orange County property tax records)

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

Attached Orange County Property Appraiser
Record book 2668 page 1542

Property is on: ☐ Septic ☒ Sewer

Name of Lake, canal or stream Lake Maillard

III. SITE PLAN REVIEW REQUESTED

The applicant requests a Site Plan Review for:

Remodel of Home

IV. CERTIFICATION

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

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

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

SIGNATURE _____

DATE 9/24/21

5 Isle Of Sicily 31-21-30-0000-00-014

Name(s):

Rivers Kris

Physical Street Address:

5 Isle Of Sicily

Property Use:

0130 - Sfr - Lake Front

Mailing Address On File:

5 Isle Of Sicily

Winter Park, FL 32789-1505

Postal City and Zip:

Winter Park, FL 32789

Municipality:

Winter Park

[Incorrect Mailing Address?](#)



5 ISLE OF SICILY, WINTER PARK, FL 32789 7/6/2015 9:19 AM

[Upload Photos](#)

[View 2021 Property Record Card](#)

[PROPERTY FEATURES](#)

[VALUES, EXEMPTIONS AND TAXES](#)

[SALES](#)

[MARKET STATS](#)

[LOCATION](#)

Property Description

BEG 2119.6 FT W & 387 FT S OF NE COR OF NW1/4 OF SW1/4 SEC 32 RUN S 85 DEG W 400 FT N 5 DEG W 173 FT N 85 DEG E 400 FT S 5 DEG E 173 FT TO POB IN SEC 31-21-30

Total Land Area

60,221 sqft (+/-) | 1.38 acres

(+/-)

GIS Calculated

← Legal

[View Plat](#)

DESCRIPTION:

FROM THE NE CORNER OF THE ROGENS LOT RUN NORTH 5 DEGREES WEST 180 FEET, THENCE NORTH 85 DEGREES EAST 150 FEET TO THE POINT OF BEGINNING, 2119.6 FEET WEST AND 387 FEET SOUTH OF THE NE CORNER OF THE NW 1/4 OF THE SW 1/4 OF SECTION 32, TOWNSHIP 21 SOUTH, RANGE 30 EAST, THENCE SOUTH 85 DEGREES WEST 400 FEET, THENCE NORTH 5 DEGREES WEST 173 FEET, THENCE NORTH 85 DEGREES EAST 400 FEET, THENCE SOUTH 5 DEGREES EAST 173 FEET TO POINT OF BEGINNING; ALL BEARINGS BASED ON NORTH LINE OF SW 1/4 OF SAID SECTION 32 AS A TRUE EAST-WEST LINE, TOGETHER WITH ALL RIPARIAN RIGHTS OF THE GRANTOR IN AND TO LAKE MAITLAND, TOGETHER WITH NONEXCLUSIVE, PERPETUAL EASEMENTS FOR INGRESS AND EGRESS PURPOSES CREATED BY WARRANTY DEED DATED JUNE 5, 1929 AND RECORDED AUGUST 27, 1929, IN DEED BOOK 394, PAGE 261 AND WARRANTY DEED DATED AND RECORDED AUGUST 22, 1942 IN DEED BOOK 592, PAGE 191, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SUBJECT TO AN EASEMENT FOR RIGHT OF WAY AND EASEMENT FOR ROAD PURPOSES, OVER AND ACROSS THE ABOVE DESCRIBED PROPERTY 30 FEET IN WIDTH AND FURTHER DESCRIBED IN THE QUITCLAIM DEED DATED SEPTEMBER 22, 1975, RECORDED DECEMBER 30, 1975 IN ORIGINAL RECORD BOOK 2668, PAGE 1542.



SETBACK / COVERAGE WORKSHEET

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

Address: 5 Isle of Sicily

Lot width²: 175'

Submitted by:

Lot area³: 49,800 (area from seawall)

	Maximum % Allowed ⁴	Existing Area ¹¹	Additional Proposed Area ¹¹	New Total Area	Maximum Allowed Area
IMPERVIOUS LOT COVERAGE Include bldg footprint, driveways, sidewalks, patios, swimming pools, A/C pads, artificial turf, etc.	2 story - 50% 1 story - 60%	24,500	-(3,234.4)	21,265.6	24,900
FLOOR AREA RATIO (F.A.R.)^{5,6,7} For one and two story bldgs (include 1st & 2nd floors, garages/carports, stair areas on both floors, areas on 2nd floors which are open to the 1st floor ⁸ , and accessory bldgs. EXCLUDE - pool screen enclosure areas and certain open front, side & rear porches ⁹ .	Lots < 11,600 sf: Use 38% Base FAR or w/ increased side setbacks: 43% Max FAR Lots 11,600 sf to 13,600 sf Use 4,500 sf Base area & 5,200 sf Maximum area Lots > 13,600 sf Use 33% Base FAR or w/ increased side setbacks: 38% Max FAR				16,434
SCREEN POOL ENCLOSURE	8% ¹⁰	14,280			
FRONT YARD LANDSCAPE COVERAGE Count all landscaped green areas - exclude hard surfaces and all driveway surfaces (pervious & impervious). Front Lot Area: 23,808	Minimum % Required 50%	Existing Area ¹¹ 15,728	Landscape Area Reduced ¹¹ 8,886.4	New Total Area 6,841.6	Minimum Required Area 11,904

NOTES:

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

SETBACKS (complete boxes A and B first)

	Minimum Allowable Dimensions			Existing ¹³	Proposed
FRONT	Average of 2 adjacent homes on each side. If corner lot, use 3 adjacent homes.			57.5'	57.5'
SIDES^{1,2} (see other side setback options on pg 4)	1st Floor	See pages 3&4	A 22'	9.5'	9.5' no change
	2nd Floor		B 31'	22.8'	22.8' no change
REAR^{1,3,4}	1st Floor		25 ft.		
	2nd Floor		35 ft ⁵		
CORNER LOT	Lakefront		see note 6	36.4'	36.4' (no change)
	1st Floor	Lot width ≤ 65 ft.	15 ft.		
		Lot width > 65 ft ⁷	20 ft.		
	2nd Floor	Lot width ≤ 65 ft.	15 ft.		
		Lot width > 65 ft ⁷	22.5 ft.		
BUILDING HEIGHT^{8,9,10,11,12}	30 ft. - 35 ft. plus 2 ft. or 40 ft. (see notes 11 & 12)			33.8'	33.8' (no change)

Notes:

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



Planning & Zoning Board

agenda item

item type	Public Hearings	meeting date	December 7, 2021
prepared by	John Harbilas	approved by	Jeffrey Briggs
board approval	Completed		
strategic objective			

subject

ANNEX #21-03; CPA 21-08; RZ 21-06: Request of the RSRW Properties LLC: to Annex the Property at 1471 Harmon Avenue to establish Low Density Residential (R-2) Future Land Use and Zoning in order to build up to a two-family dwelling.

motion / recommendation

Staff recommendation is for approval

background

The City of Winter Park, received a request to annexed the property at 1471 Harmon Avenue, from unincorporated Orange County, into the City. If approved, the City needs to establish a Low Density Residential Future Land Use designation in the Comprehensive Plan and Low Density Residential (R-2) zoning on this property.

The owners are proposing to redevelop the 1923 platted lot for a two-family dwelling, commonly referred to as a duplex, which is similar to other buildings in that area. The use of a duplex may be permitted under the City's current R-2 zoning regulations. Should the annexation be approved, the new development will be able to take advantage of the City utility connections, which exist along Harmon Avenue. The property is now zoned R-2 in Orange County and is designated "Low Medium Density Residential" in the Orange County Comprehensive Plan. This request is consistent with what exists under the County designation.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Location map.pdf](#)

ATTACHMENTS:

[Annexation Ordinance for Harmon Ave.pdf](#)



Annexation Request

Harmon Avenue

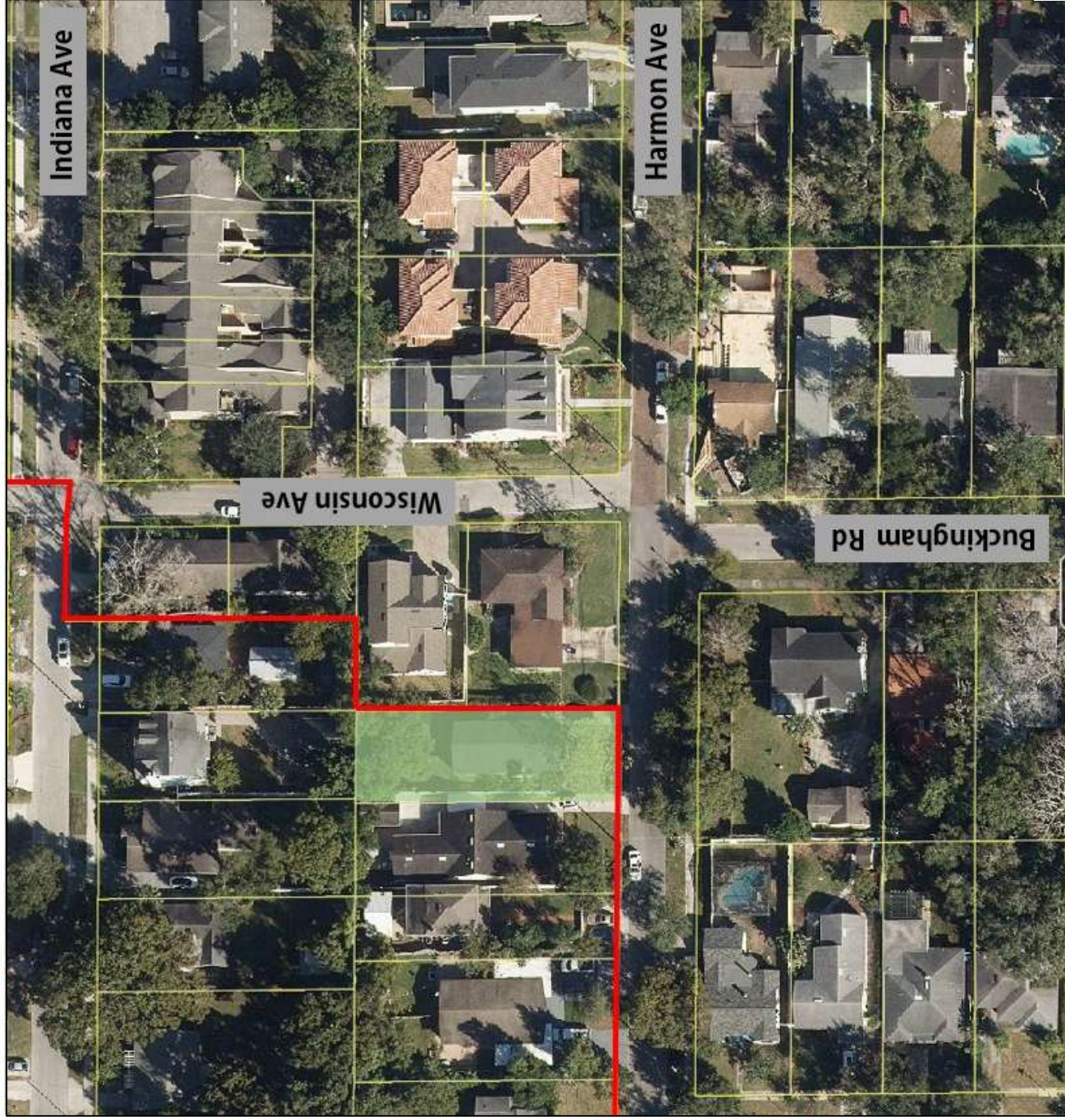
City of Winter Park
Florida



WP Boundary



Proposed Annexations



ORDINANCE XXXX-22

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 0.16 ACRES OF REAL PROPERTY LOCATED AT 1471 HARMON AVENUE, AS MORE SPECIFICALLY DESCRIBED HEREIN, INTO THE MUNICIPAL BOUNDARIES OF THE CITY OF WINTER PARK; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY OF WINTER PARK JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property owner of 1471 Harmon Avenue has requested that the City enact a voluntary annexation for the property, also identified by Orange County Tax Parcel ID # 12-22-29-4996-13-150; and

WHEREAS, the Subject Property being annexed is proposed for redevelopment as a two-family dwelling unit; and

WHEREAS, the City of Winter Park has determined that the Subject Property is reasonably compact and contiguous to the municipal limits of the City of Winter Park, that annexation of the Subject Property will not result in the creation of an enclave and that the Subject Property meets the prerequisites and standards set forth in Section 171.044, Fla. Stat., for voluntary annexation into the City of Winter Park; and

WHEREAS, the City of Winter Park has provided adequate notice required by general law for the annexation of the Subject Property and has conducted the required public hearing prior to the adoption of this Ordinance.

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

SECTION 1: *Recitals.* The above “Whereas” clauses are true and correct and constitute legislative findings of the City of Winter Park City Commission and are incorporated herein by this reference.

SECTION 2: *Property Annexed.* That, after conducting two public hearings and having found that the Owners’ petition for voluntary annexation of the Subject Property meets the prerequisites and standards for annexation under general law, the Subject Property, as further legally defined below and as graphically shown on the map attached hereto as Exhibit “A” and the legal description of Lot 15, Block M, per the plat of Lawndale as recorded in Plat Book H, Page 118 of the Public records of Orange County, Florida

SECTION 3: *Effect of Annexation.* That the City of Winter Park, shall have all of the power, authority, and jurisdiction over and within the Subject Properties as described in Section 2 hereof, and the inhabitants thereof, and property therein, as it does and have over its present corporate limits and laws, ordinances, and resolutions of said City shall

apply and shall have equal force and effect as if all territory had been part of said City at the time of the passage of such laws, ordinances, and resolutions.

SECTION 4: *Apportionment of Debts and Taxes.* Pursuant to § 171.061, Fla. Stat., the area annexed to the City shall be subject to all taxes and debts of the City upon the effective date of annexation. However, the annexed area shall not be subject to municipal ad valorem taxation for the current year if the effective date of the annexation falls after the City levies such tax.

SECTION 5: *Instructions to Clerk.* Within seven (7) days following the adoption of this Ordinance, the City Clerk or her designee is directed to file a copy of this Ordinance with the clerk of the circuit court and the chief administrative officer of Orange County as required by § 171.044(3), Fla. Stat.

SECTION 6: *Severability.* Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

SECTION 7: *Effective Date.* This Ordinance shall become effective after its adoption at its second reading.

ADOPTED this _____ day of _____, 2022, by the City Commission of the City of Winter Park, Florida.

APPROVED:

Phillip Anderson, Mayor

ATTEST:

Rene Cranis, City Clerk

Exhibit "A"





Planning & Zoning Board

agenda item

item type	Public Hearings	meeting date	December 7, 2021
prepared by	Jeffrey Briggs	approved by	Bronce Stephenson
board approval	Completed		
strategic objective			

subject

REQUEST OF WINTER PARK CHRISTIAN CHURCH FOR: CONDITIONAL USE APPROVAL TO BUILD A NEW REPLACEMENT CHURCH FACILITY ON THE 1.25 ACRES OF THE LAKEMONT FRONTAGE AT 740/760 N. LAKEMONT AVENUE, ZONED R-1A.

REQUEST OF CREATIVE NEIGHBORS LLC TO: AMEND THE COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TEXT AND FUTURE LAND USE MAP; TO AMEND THE ZONING MAP TO CHANGE FROM SINGLE FAMILY (R-1A) ZONING TO PLANNED UNIT RESIDENTIAL DISTRICT (PURD) ZONING; FOR APPROVAL OF THE PRELIMINARY CONCEPT PLAN AND THE COMPREHENSIVE DEVELOPMENT PLAN OF THE PLANNED UNIT RESIDENTIAL DISTRICT ZONING AND TO PROVIDE SUBDIVISION PLAT APPROVAL TO DIVIDE THE EAST/REAR 5.25 ACRES OF 740/760 N. LAKEMONT AVENUE TO PROVIDE FOR 13 SINGLE FAMILY HOME LOTS AND 12 TOWNHOUSE LOTS, COMMON AREA PARK AND RETENTION TRACTS ALONG WITH THE DEDICATION OF REQUIRED PUBLIC STREETS AND EASEMENTS.

motion / recommendation

Staff Recommendation is for Approval of all of the requests except for the Comprehensive Development Plan which requires further review by the P&Z Board.

background

This comprehensive application involves multiple requests for the redevelopment of the 6.4 acres of the Winter Park Christian Church properties at 740/760 N. Lakemont Avenue. The request is to rebuild a new Winter Park Christian Church facility on the front 1.25 acres and to use the rear 5.25 acres for the development of 13 single family homes and 12 townhomes.

Individually the requests are:

1. Conditional Use by the Winter Park Christian Church for the construction of a new replacement church facility;
2. Amending the Comprehensive Plan Text to allow for a 47.2% FAR and to change the future land use map designation of Institutional to Single Family Residential for the rear 5.25 acres.
3. Amending the Zoning Map on the rear 5.25 acres from Single Family Residential (R-1A) to Planned Unit Residential District (PURD);

4. Request for approval of the Preliminary Concept Plan and Comprehensive Development Plan for a PURD development of 13 single family houses and 12 townhomes; and
5. Subdivision Plat approval to provide for the 13 single family lots and 12 townhouse lots along with the common area and retention.

Summary:

The Winter Park Christian Church Inc. (Disciples of Christ) owns the 6.4 acres of property at 740/760 N. Lakemont Avenue, on which they have used for the Church since the late 1950's. In recent years, the Church membership has declined and the Church facilities that were last renovated significantly in 1975, need updating. From that situation arose the idea to sell the rear 5.25 acres of the property for residential development and to rebuild a new Church with modern facilities that would be more visible and hopefully build the congregation. This would be similar to what the Christian Science Church at 650 N. New York Avenue recently accomplished. The first part of the application is from the Winter Park Christian Church for the Conditional Use to rebuild a new Church facility. The second part of from the buyer of the rear 5.25 acres, Creative Neighbors LLC, for the approvals needed to build a new subdivision under the City's PURD zoning to hold 13 single family homes and 12 townhouses.

Request for Conditional Use for the new Church facility.

The first part of this redevelopment project is to build the new replacement Winter Park Christian Church facility on the 1.25 acres adjacent to Lakemont Avenue. The future land use of the entire site is Institutional and the Zoning is Single Family (R-1A), in which new Churches are Conditional Uses. The proposed plans, developed by ACI Architects, show a 6,500 sq. ft facility with 150 seats in the sanctuary and 38 parking spaces. These plans meet the zoning code in all respects including setbacks, building height, parking, storm water retention, etc. You will note that some of the parking will be a grass surface, which is permitted given the "light and infrequent use" for such parking and that allows the ability to save a very nice live oak tree. There also are parking spaces that back into the roadway, which while not normally permitted, are again allowable given the infrequent usage.

Comprehensive Plan Change for the Residential Development

The Creative Neighbors LLC requests begin with the need to change the Comprehensive Plan future land use map designation of Institutional to Single Family Residential on the rear 5.25 acres that will be redeveloped once the new Church is built. As this is the same Single-Family future land use designation as the surrounding neighborhoods, such a change is consistent and compatible with the existing neighborhoods.

The companion Comprehensive Plan change requested was based upon the limitation within that designation to a maximum floor area ratio of 43%. The sum total of the square footage of all the 25 residential units versus all of the privately-owned land (not including the dedicated right-of-way) is a floor area ratio of 47.2%. As a result, it

appeared that a text amendment would be required to permit this allowance for the 47.2% FAR. However, the Winter Park Christian Church has agreed to transfer their unused floor area ratio from their Church site to the residential component in order to maintain a maximum 43% FAR on the total overall site.

Policy 1-2.3.1: Single-Family Residential This Future Land Use Map designation is designed to indicate areas to be developed for single-family residential uses and the compatible zoning districts for such future land use designation are the R-1AAA, R-1AA, R-1A and PURD zoning districts. The residential uses intended for these areas include single-family detached housing, accessory units and attached townhouse units. The overall density range shall be up to five (5) dwelling units (DUs) per acre except in the approved PURD areas where the density of single-family, zero lot line or townhouse development maybe increased to eight (8) DUs to the acre but is mediated by the provision of readily useable open space areas. The maximum floor area ratio shall be set at 0.38 (38%) with the potential bonus of 5% to reach a maximum of 0.43 (43%) upon satisfaction of meeting design incentives and shall include the floor area of above grade, attached and unattached garages.

Zoning Change for the Residential Development

The Creative Neighbors LLC requests also include a change from the existing Single-Family Residential (R-1A) district zoning to the Planned Unit Residential (PURD) district. The PURD Zoning has been in the Code since the 1970's and is something that has been infrequently used, mostly because there is so little vacant land to develop as new subdivisions. The PURD zoning has been used for the creation of the Waterbridge, Windsong and Pennsylvania Place subdivisions. The essence of the PURD zoning is to allow a variety of housing/lot types and to aggregate the land that would otherwise be allocated to front and back yards into common area park tracts that are more visible and usable by everyone.

The PURD zoning is supposed to be a two-step process. First an applicant gets the approval for the PURD zoning based upon a "Preliminary Concept Plan". Once that is accomplished, then the applicant submits for approval of a "Comprehensive Development Plan". That second part is where all of the setbacks and deviations from traditional single family are outlined and approved.

This proposed Preliminary Concept Plan starts out in a good place. The overall density matches the maximum 5 units/acre that would be permitted in the current R-1A zoning.

The overall floor area ratio (with the Church credit) is to be in line with the 43% floor area ratio permitted in the current R-1A zoning. There is a townhouse component for a variety of housing types and a significant common area park tract for all to enjoy. The roadway is a dedicated right-of way with underground utilities within those areas, as is typically the case.

The PURD zoning district permits significant flexibility when it comes to the development standards for the homes/townhomes. The Code says "There shall be no minimum

setbacks, no minimum percentage of lot coverage and no minimum lot width. However, the location of proposed structures shall be shown on the development plan and the development of the PURD shall be subject to the minimum lot size, setback lines, lot coverage or floor area, specified in the approved plan.

Staff feels that asking the Planning and Zoning Board to approve the "Comprehensive Development Plan" at this time is likely premature. The main focus at this time is whether the City is comfortable with this redevelopment proposal, whether the City is comfortable with a mix of townhouses and single-family homes and whether the City is comfortable with then working on the specific details of the residential units.

From the applicant's perspective, they need to know exactly what they can build and until that part is approved, they are not sure of their economic feasibility. However, since there are variations requested for every aspect of the development standards from the typical single-family rules including setbacks, building height, impervious coverage, etc., the staff is not comfortable recommending approval until the P&Z Board more completely understands what exactly the housing development will look like.

Subdivision Plat

The subdivision plat itself is typical of other neighborhoods in the City. The streets will be dedicated public streets, with a typical 24 feet of roadway width. The alley behind the townhomes will be private but that is permitted as a secondary access. A storm water retention area is provided that has been sized to meet the City Code and that of the St. John River Water Management District for the impervious coverage runoff from all of the residential buildings, driveways and streets.

The applicants are requesting one variance which is to have a 45-foot wide right-of-way in lieu of the required 50 feet. That diminishes the 'green' parkway strip between the roadway and the sidewalk by 2.5 feet on each side but otherwise does not impair the function of the roadway.

Protections for the Adjacent Residential Neighborhoods

This is a dead-end neighborhood so there is no traffic onto any adjacent roadway other than the four lanes of North Lakemont Avenue. The plan in addition to the park/open space tract also has a 20-foot buffer strip of common area around the perimeter of the site that is to function as an open space buffer and walking path. This accomplishes a goal of tree preservation as many of the existing trees are located along those property lines and it also provides some separation from the new homes within the project from those in the adjacent neighborhoods. The applicant has sent notices and held two open houses at the Church to show the neighbors the proposed plans. There may be opposition to this proposal at the public hearings but staff has not heard any objections to-date.

Traffic Generation

These 25 new residential homes will generate 290 vehicle trips per day, as 'net new' traffic

assuming the church traffic is a constant. The daily average vehicle traffic on North Lakemont Avenue is about 15,000 cars per day.

Summary and Recommendation

This project does not appear to adversely affect the adjacent neighbors in any fashion and provides some creative land use (park site and buffer strip) in return for the combination of townhouse and single-family homes. The project is true to the Comprehensive Plan single-family density limit of 5 units/acre and to the 43% FAR limit, overall on the 6.4 acres.

The combination of single-family home sizes and townhome sizes, in terms of square footage is not modest. Each townhouse is almost a 7,000 sq. ft. building. The homes on the single family lots that range in size from 6,471 to 7,912 square feet in size are to hold homes that given the reduced setback requests and lot sizes are effectively an R-2/55% FAR versus R-1A/43% FAR scale. This is not unprecedented in the City. If one looks at the new home development on Country Club Drive or the older neighborhood of Pennsylvania Place, one can picture the density, scale and appearance this neighborhood will have.

[alternatives / other considerations](#)

[fiscal impact](#)

ATTACHMENTS:

[OCA Map.JPG](#)

ATTACHMENTS:

[Colored Site Plan.JPG](#)

ATTACHMENTS:

[THE ENCLAVE IN WINTER PARK NARRATIVE.docx](#)

ATTACHMENTS:

[New WP Christian Church plan package.pdf](#)

ATTACHMENTS:

[ENCLAVE DEVELOPMENT STANDARDS.xlsx \(OCT 12\).xlsx](#)

ATTACHMENTS:

[Enclave Townhomes concept plans.pdf](#)

ATTACHMENTS:

[Single Family Home Architectural Concept Package.pdf](#)

ATTACHMENTS:

[Sec58-70 PURD Zoning District text.doc](#)





THE ENCLAVE IN WINTER PARK

DEVELOPMENT SUMMARY

The Winter Park Christian Church (Disciples of Christ) was conceived in the late 1950's and is one of Winter Park's best examples of a uniquely-unsuspecting property. Located at 740 & 760 N. Lakemont Ave, this property is in close proximity to Lakemont Elementary School, The Lakemont YMCA and Phelps Park. With over six acres of land, The Winter Park Christian Church currently accommodates a school facility, 200 seat sanctuary, fellowship hall and meeting space (also the local voting center for its precinct) in three buildings totaling almost 13, 000 square feet.

At present, the church and its accessory structures have fallen into disrepair and are outdated for today's needs. To avoid closing the church due to insufficient funds necessary to improve the property, ACI Architects (headed by Larry Adams) was tasked with planning a full redevelopment of the site that would include the construction of a new Church (to be located on Lakemont Ave) and a new residential sub-division to be tucked behind on the remaining 5+ acres. The proposed re-development plan before you is the result of two equally necessary components of a thriving community... Worship, counseling and fellowship resource and creative community residences.

Our proposal suggests a new single story, 150 seat, 6,500 sq. ft. "traditional style" Church facility located directly on Lakemont Ave featuring a centralized park with mature oak and magnolia tree canopy, parking for 38 vehicles and a circular drop-off drive to accommodate all who visit. Additionally, in order to fund the new Church facility, Creative Neighbors, LLC will develop a new residential community offering 12 unit "Dual-Villa" townhomes and 13 single family lots encompassing *The Enclave in Winter Park*.

The twelve townhome villas are designed with only two units per building allowing for generous "recess and projections" and adequate "solids & voids", paramount when creating unique residences. Each townhome shall have a personalized elevation with one distinguishable entry per structure (giving the appearance of a single family residence. The Villas of 3,316 sq. ft. in size, will offer 2800 sq. ft. (conditioned) space, 4

bedrooms, optional elevator, 150 sq. ft. open-landscaped courtyard, 2-car garage with two additional off-street parking spaces and open porches.

The thirteen single family lots range in size from 6,471 sq. ft. to over 7,912 sq. ft. and will be designed individually by each buyer and constructed by one of three selected local contractors. Design variety is our top priority and will be overseen by the association/developer.

The Enclave in Winter Park will feature a 1/3 acre “*Center Park*” that will feature mature tree canopy and a starting point for the ½ mile fitness pathway along the perimeter of the property. We have carefully designed the development to protect over 90% of existing trees and will work to prune, protect and encourage continued growth of the enormous Oak trees throughout our new community.

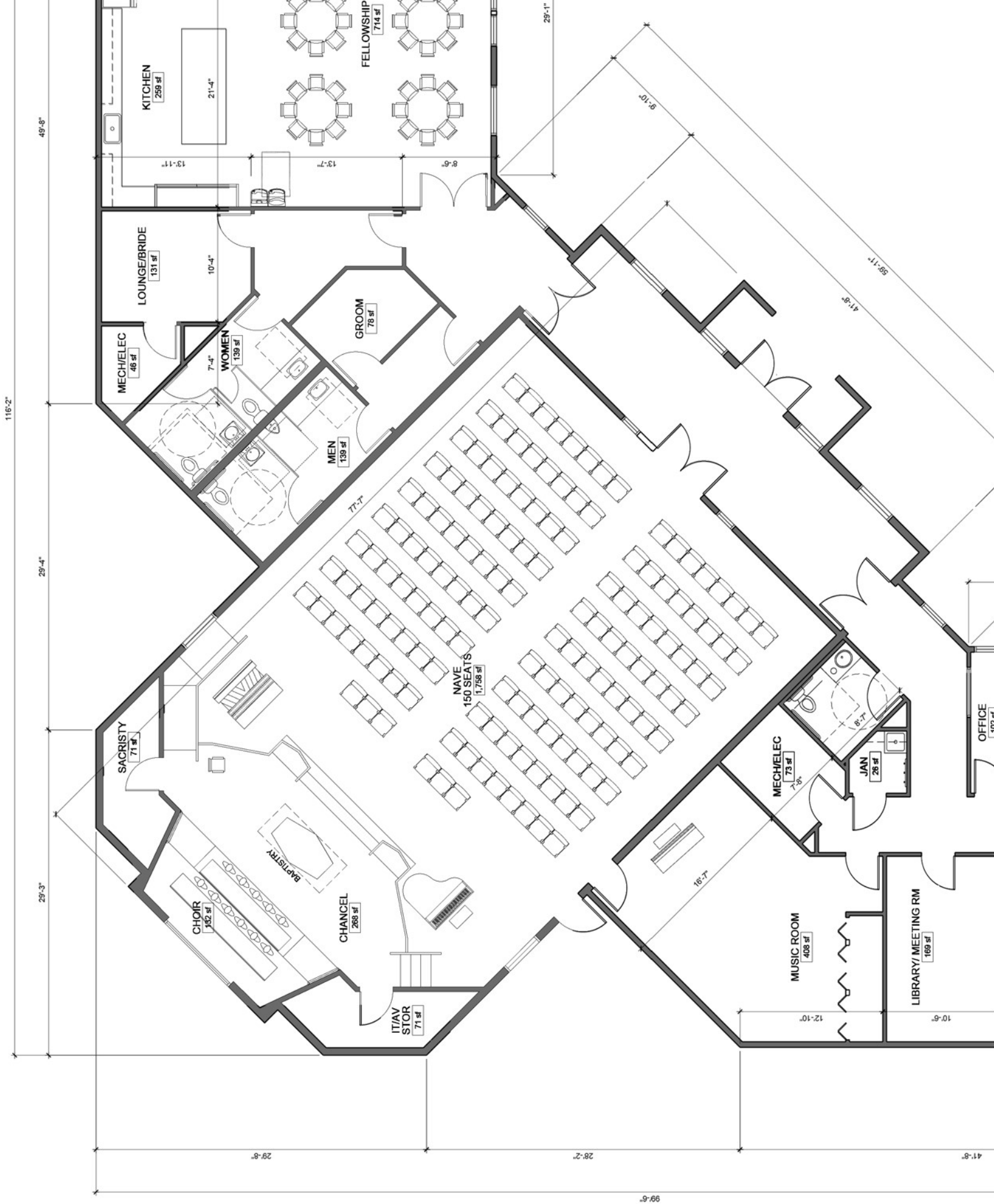
We look forward to presenting our new project...The Enclave in Winter Park.

Thank you,

Creative Neighbors, LLC



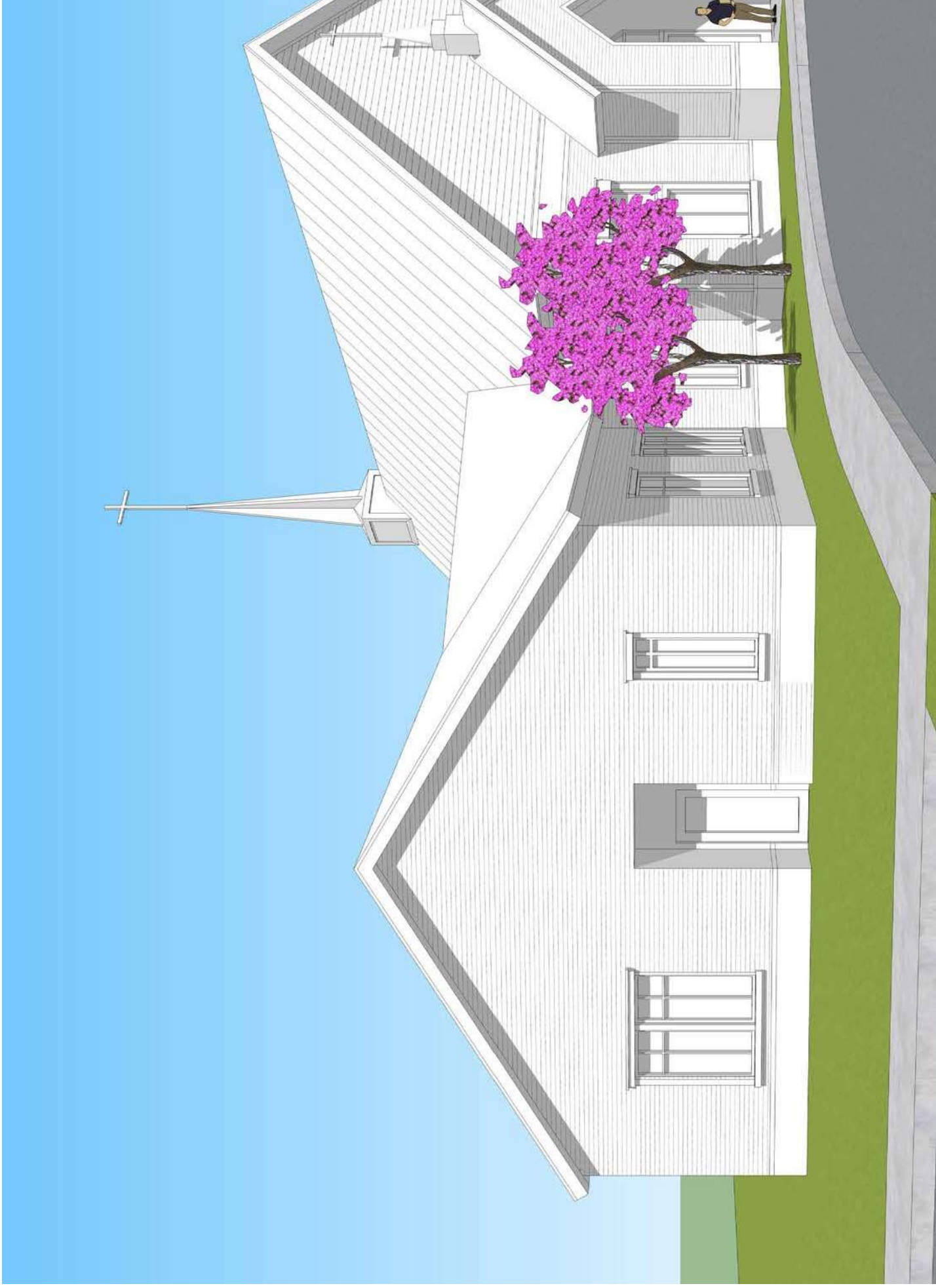


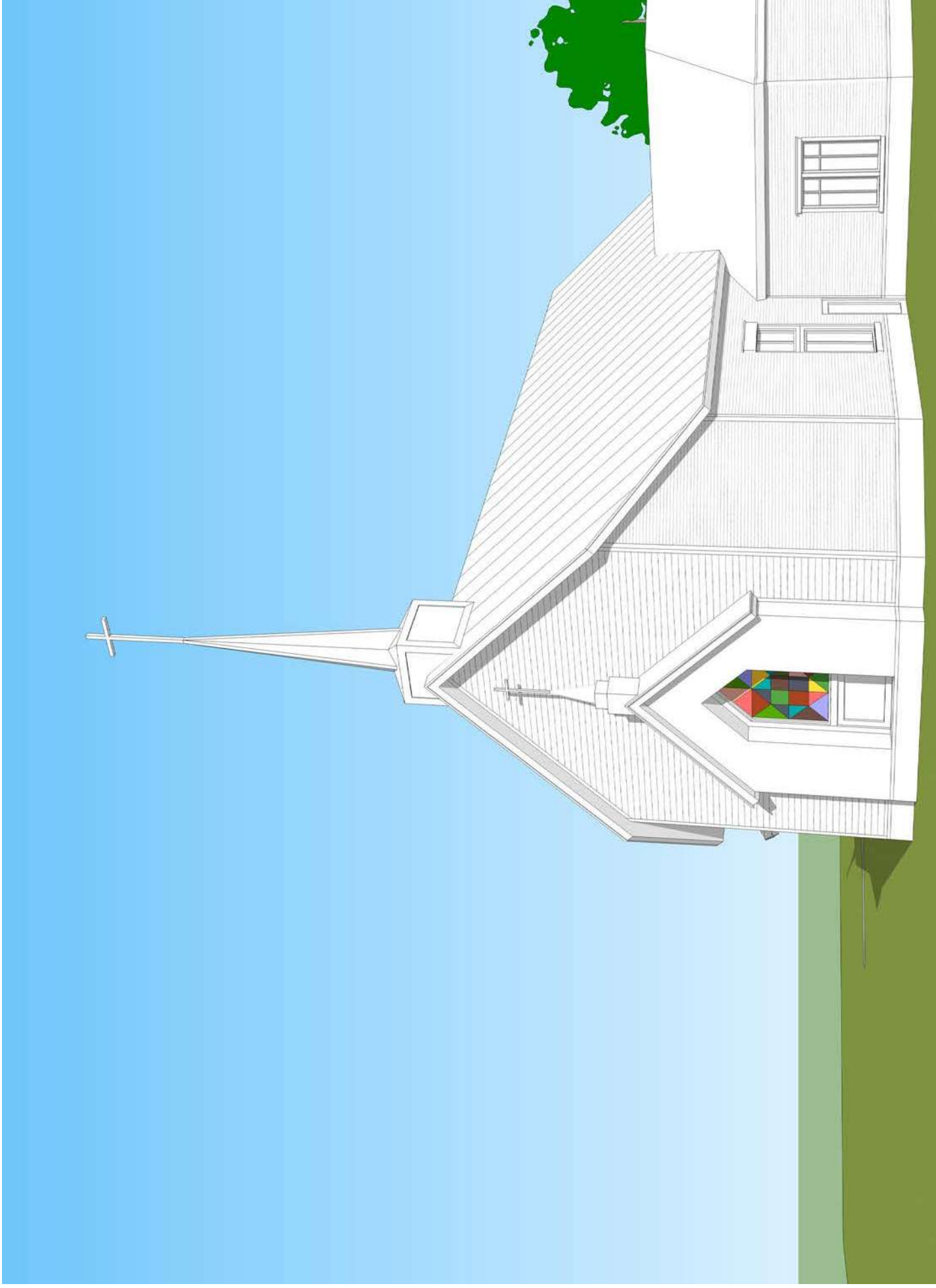














THE ENCLAVE IN WINTER PARK DEVELOPMENT STANDARDS

LOT TYPE:	A	B	C	D	E	F	G
<u>Regulations</u>							
Lot width	59	57	59	60.43	60.43	60.36	62
lot depth	114	114	134.11	119.51	116.51	107.21	107.21
Total lot size (sq.ft.)	6,726	6,498	7,912	7,222	7,041	6,471	6,647
Max. density allowed (du/ac)	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Front setback (1)	20'	20'	20'	20'	20'	20'	20'
Side setback (2) (3)	6.5	6.5	6.5	6.5	6.5	6.5	6.5
Recreation area side setback (9)	20'	n/a	20'	20'	20'	n/a	20'
Rear setback (4)(9)	20'	20'	20'	n/a	n/a	20'	20'
Center Park rear setback	n/a	n/a	n/a	10'	10'	n/a	n/a
Street-side setback (for front yard-facing garages) (5)	n/a	n/a	n/a	10'	10'	10'	10'
Side yard setbacks to 2nd floor (10)	8'	8'	8'	8'	8'	8'	8'
Accessory structures setbacks (including detached garages & guest house)	5'	5'	5'	5'	5'	5'	5'
Min. living space principal structure(sq.ft.)	1,200	1,200	1,200	1,200	1,200	1,200	1,200
Max. F.A.R (7)(11)	47%	47%	47%	47%	47%	47%	47%
Max. I.S.R (6) (8)	65%	65%	65%	65%	65%	65%	65%
Max. height	35'	35'	35'	35'	35'	35'	35'

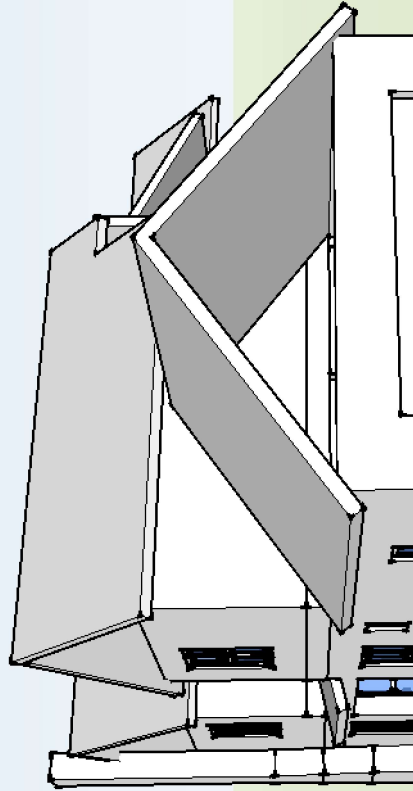
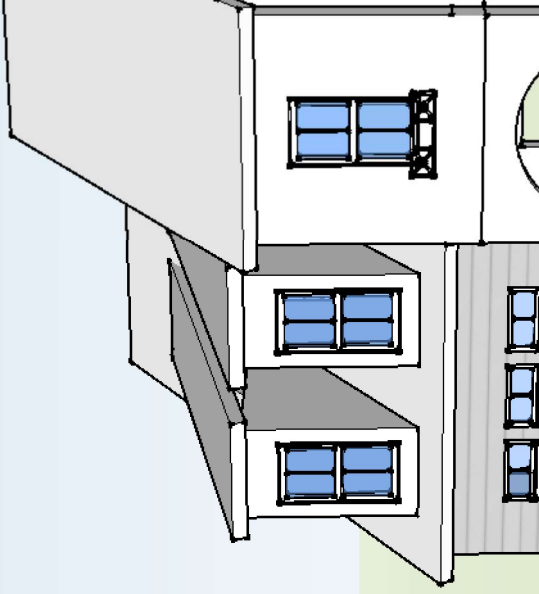
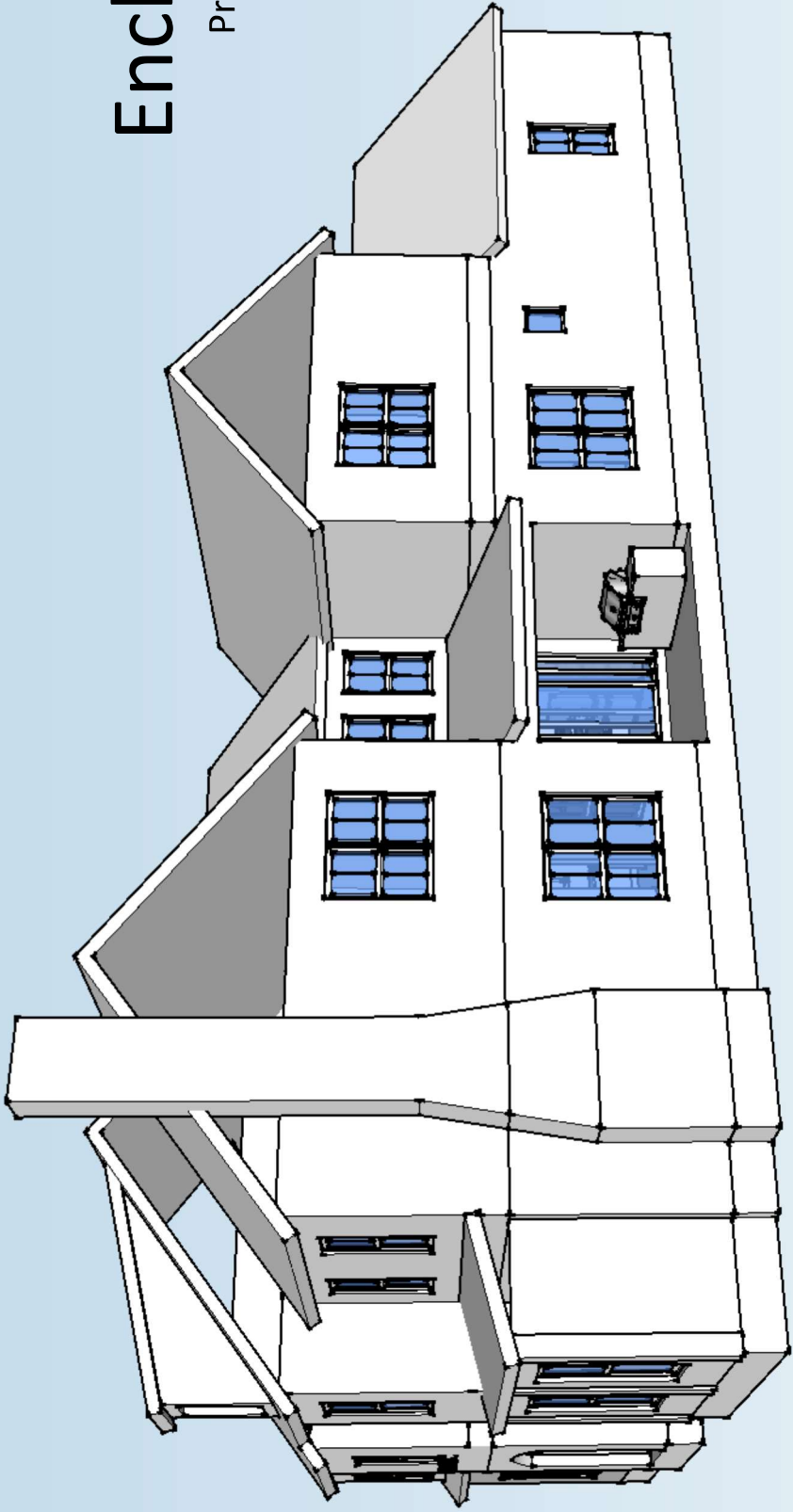
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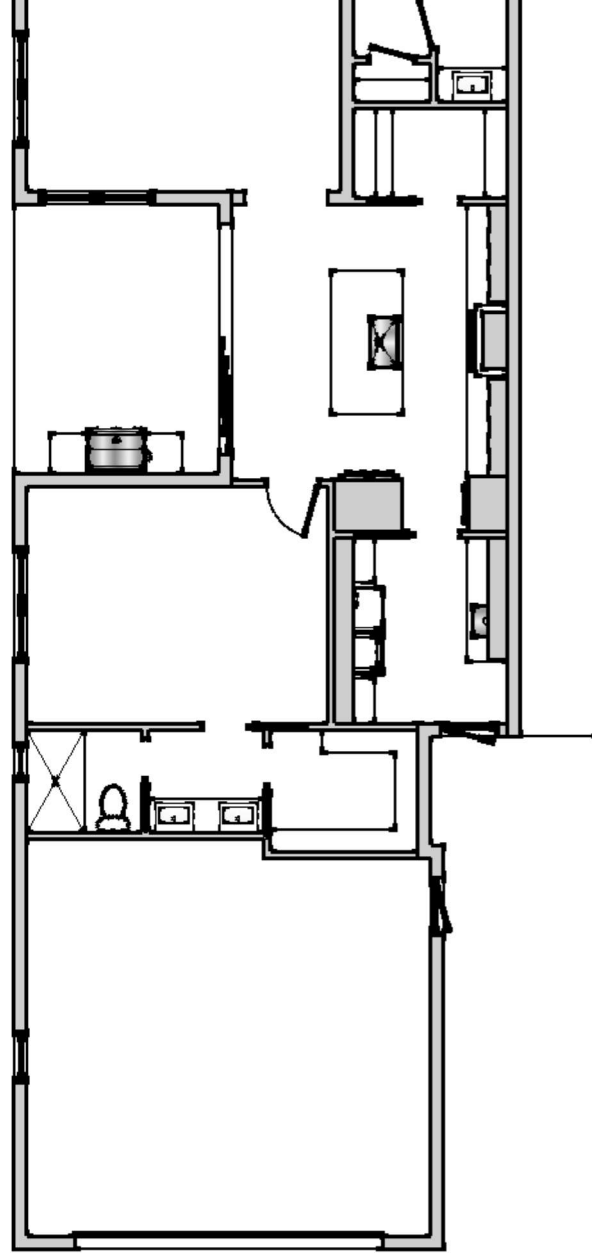
- 1) Measured from closest concrete edge (sidewalk or curb)
- 2) Does not include setbacks bordering recreation areas
- 3) Does not include lots bordering a street
- 4) Does not include lots bordering "Center Park"
- 5) Will be 20' from nearest concrete edge if garage faces side yard
- 6) Excludes roads & sidewalks.
- 7) Excluding open porches, screen enclosures, open cabanas and attached open breezeways
- 8) Credit for rear-lot garages shall be given for distance equal to primary dwelling length by 8 feet width
- 9) Measured from building to outside perimeter line of easement
- 10) Applies to a minimum of one side of structure
- 11) Single family home lots may use .55 FAR

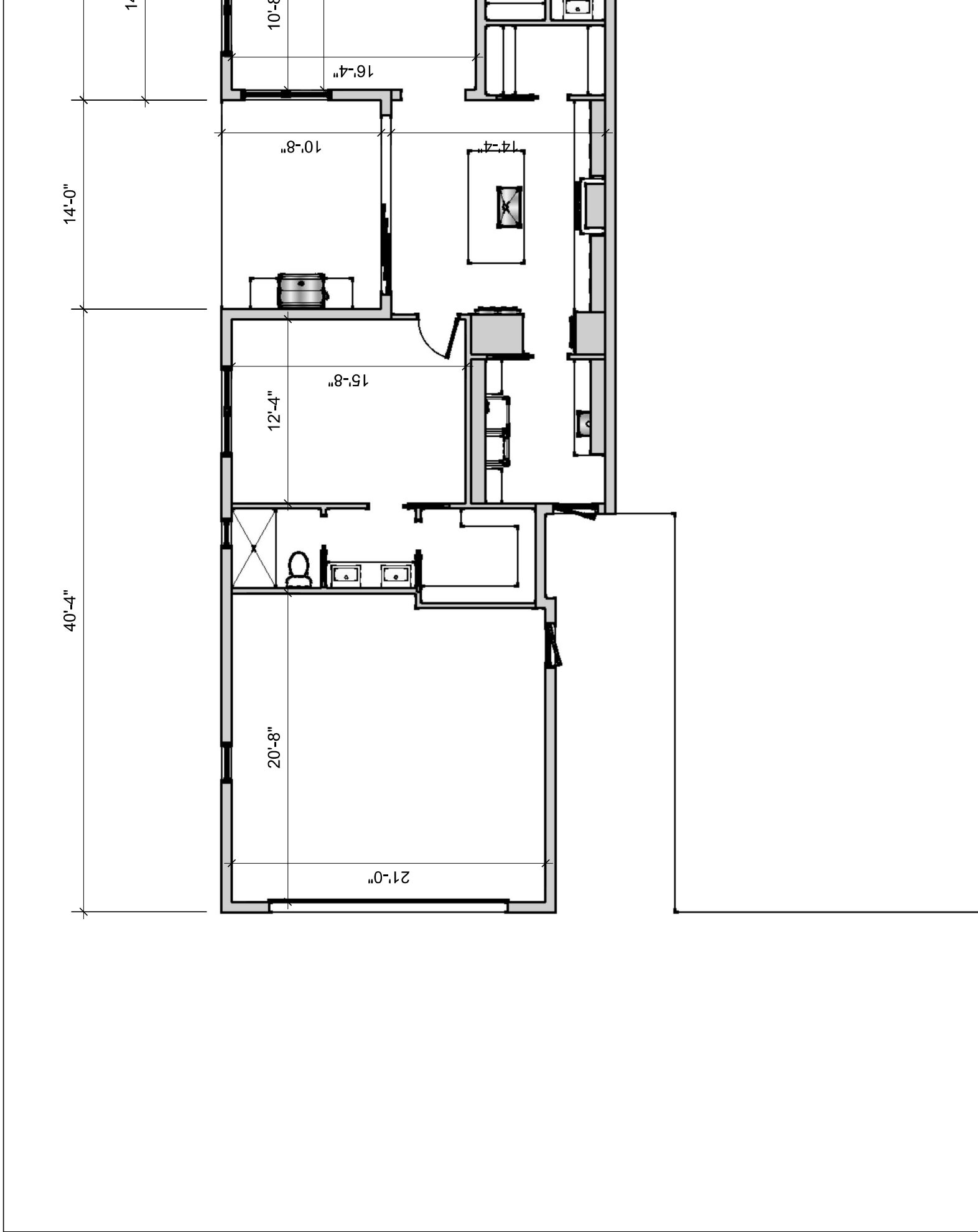
Additional Development Standards:

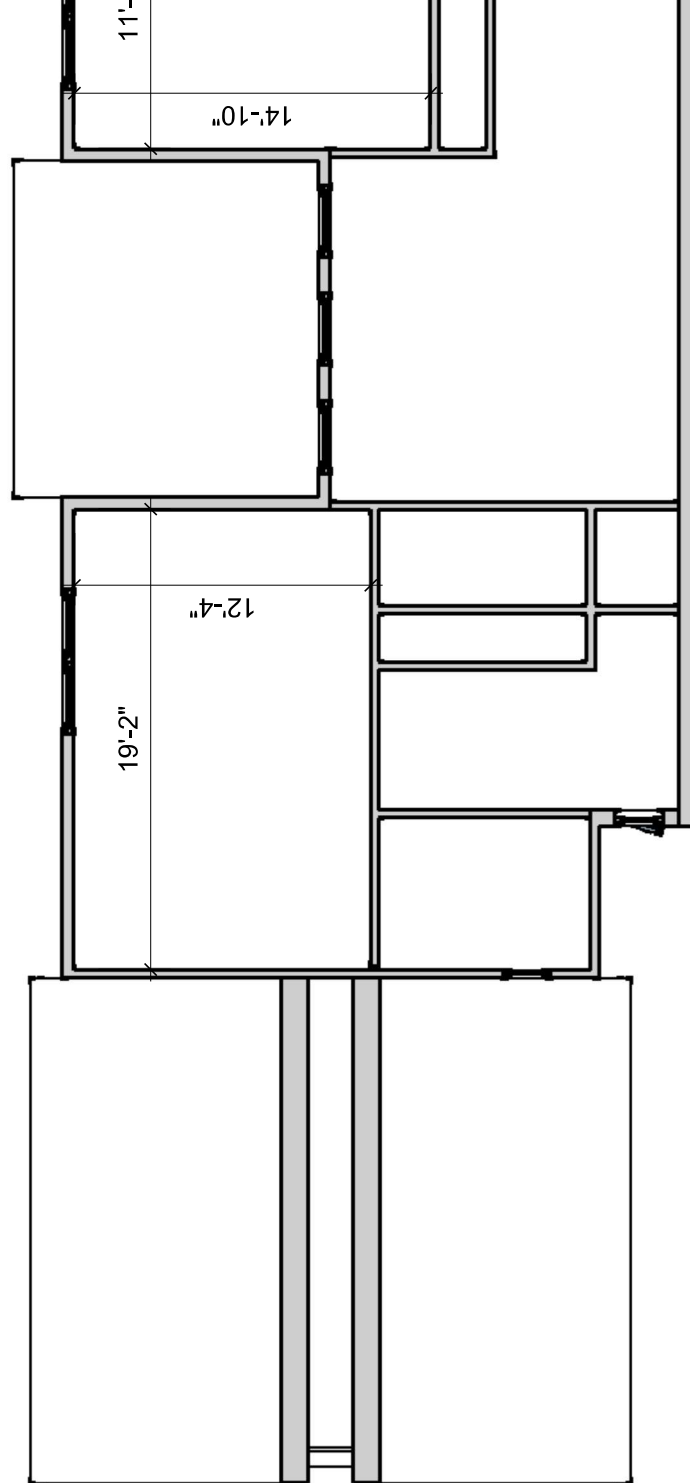
- 1) All dwellings must include a entry element (open porch or stoop) that may infringe into front yard setback up to 8 feet (FAR exempt)
- 2) Front facing garages shall be allowed with homeowner association review and approval
- 3) 5 foot minimum rear & side setbacks for all site improvements (pool, patio, 8' high cabana or accessory structure walls)
- 4) Shared driveways may be allowed with approval of the homeowners association
- 5) HVAC equipment may be placed within the side yard setback when screened from the adjacent lot by 30" high stucco-concrete or brick wall. Landscaping screening is required to block view from street.
- 6) Rear-yard located garages may be attached with an open or enclosed breezeway that shall not count toward the FAR
- 7) Pool water edge may be placed at edge of rear and side property lines within respective rear yards. Pool decks may be placed within side or rear property setbacks up to 50% of building setback. Screen enclosure require homeowners association approval
- 8) All lots with rear yards abutting the "Recreation trail" shall be limited to metal privacy fence with 3 1/2" open spacing
- 9) Each residence shall provide space for four off-street vehicles
- 10) Circular drives shall be permitted only with homeowners association approval
- 11) One common drive may serve two abutting properties without meeting the driveway setback requirement
- 12) Open second story balconies may be permitted above first floor open porch and will be excluded from FAR requirement
- 13) Minor deviations of the floor area ratio for principal dwelling and cottage dwelling may be considered up to three additional percent
- 14) Accessory guest house dwelling may be allowed and may include cooking facilities but may not be used as a rental dwelling
- 15) Screen pool enclosures may be permitted up to an additional 10 percent of the lot area in addition to the permitted building area
- 16) The area between a building and a street shall be landscaped with grass, plantings or both and shall require association approval
- 17) The principal dwelling may be placed in either the front of rear of the lot
- 18) Two off-street parking spaces shall be required for each principal building and one space shall be required for accessory dwelling
- 19) Driveway and parking surfaces may be placed one foot from rear or side property line if drainage flows away from neighboring property
- 20) Rear yard garages and accessory structures shall not exceed 8 feet high wall height

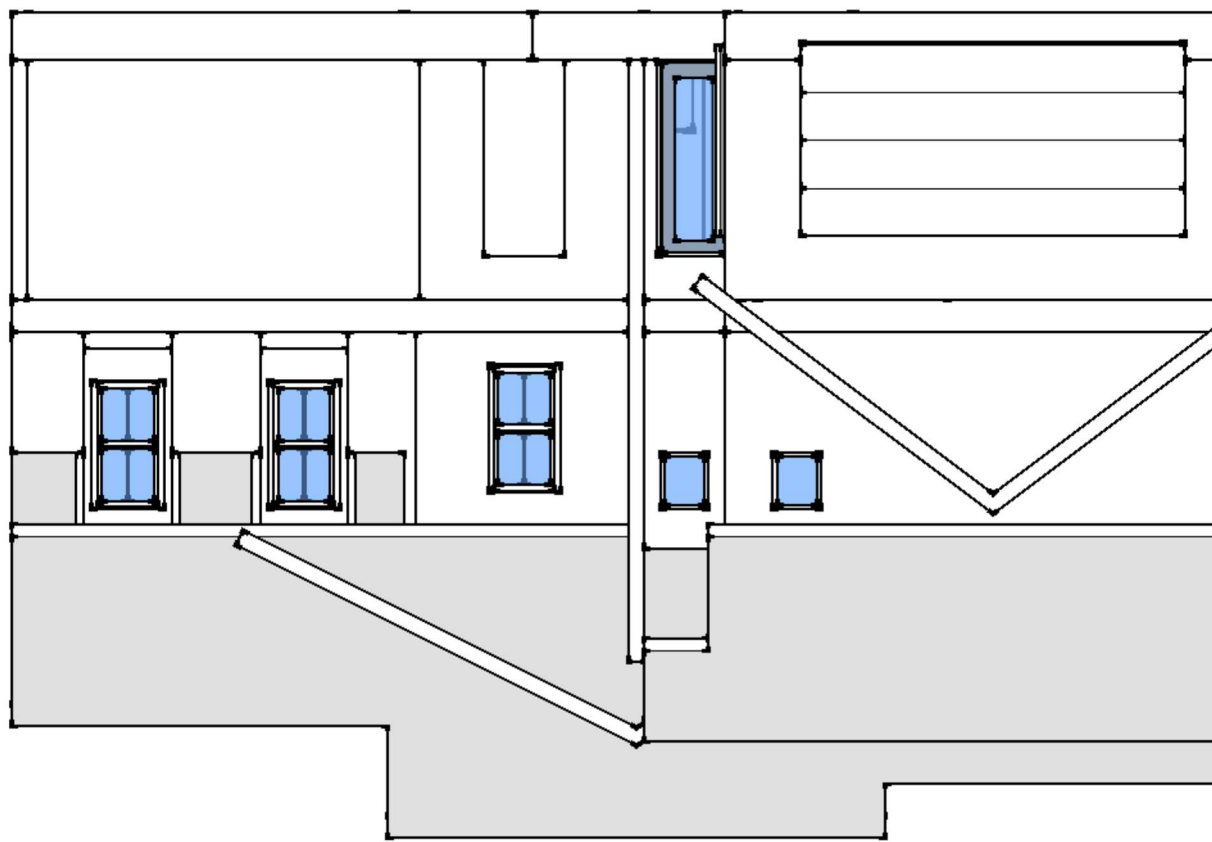
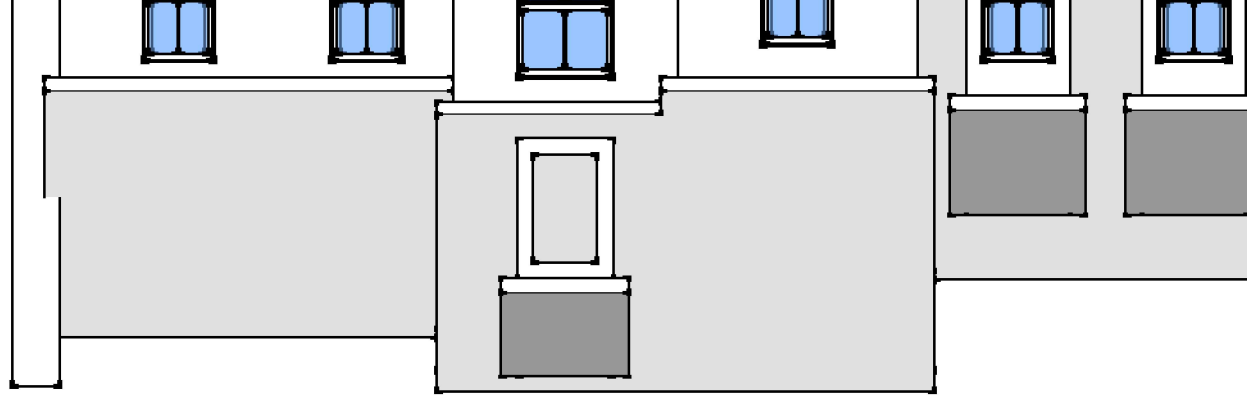
Enclave Project

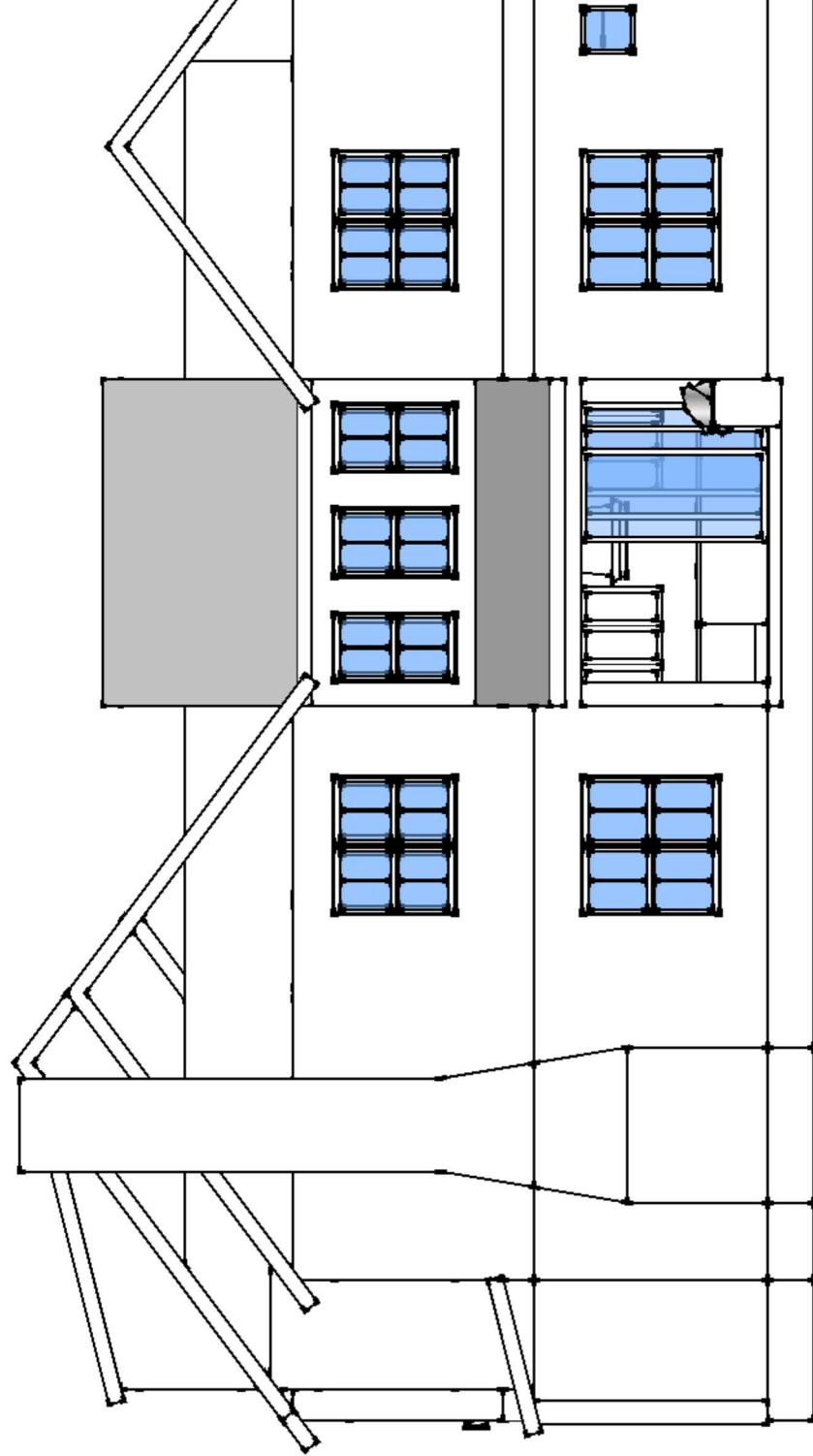


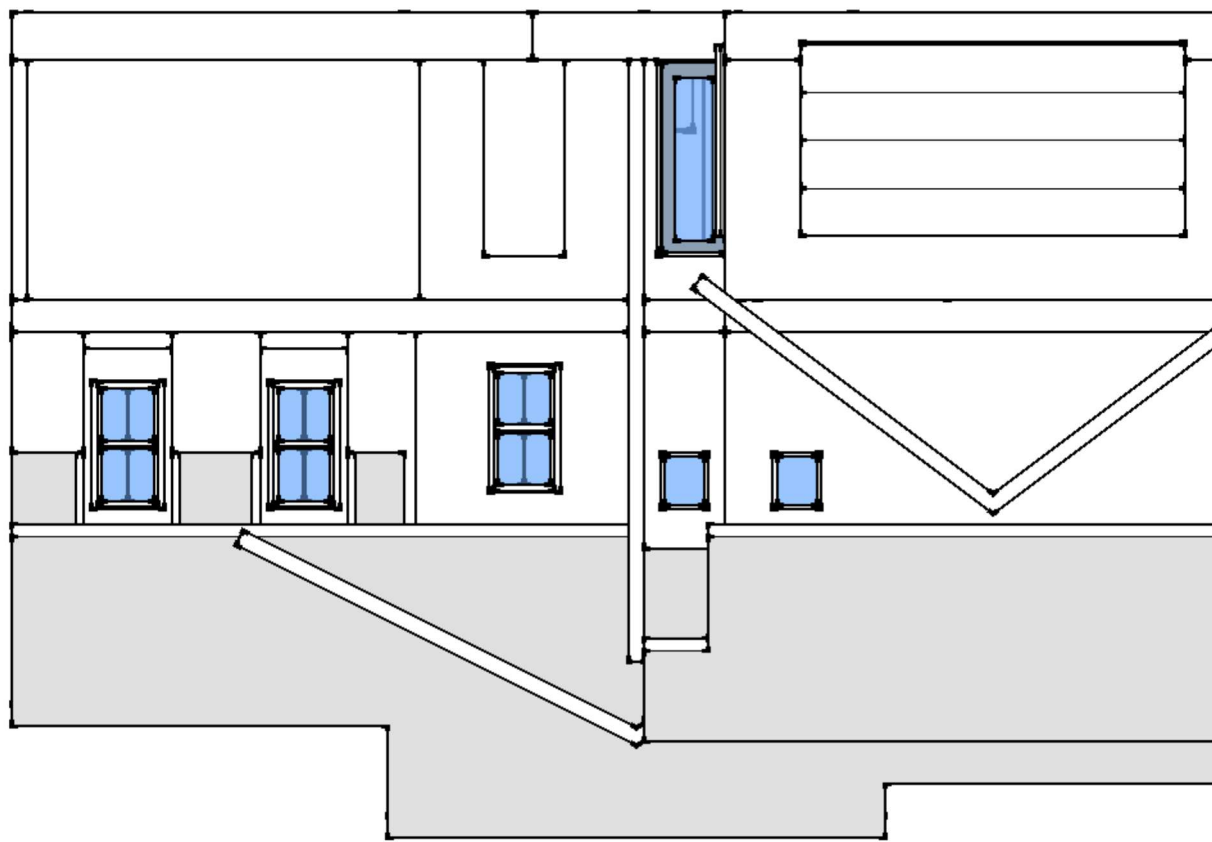
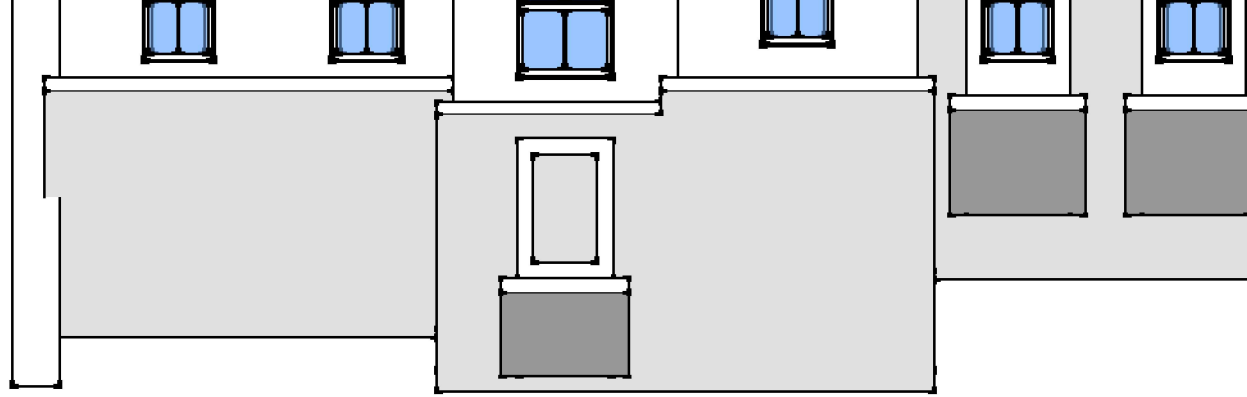


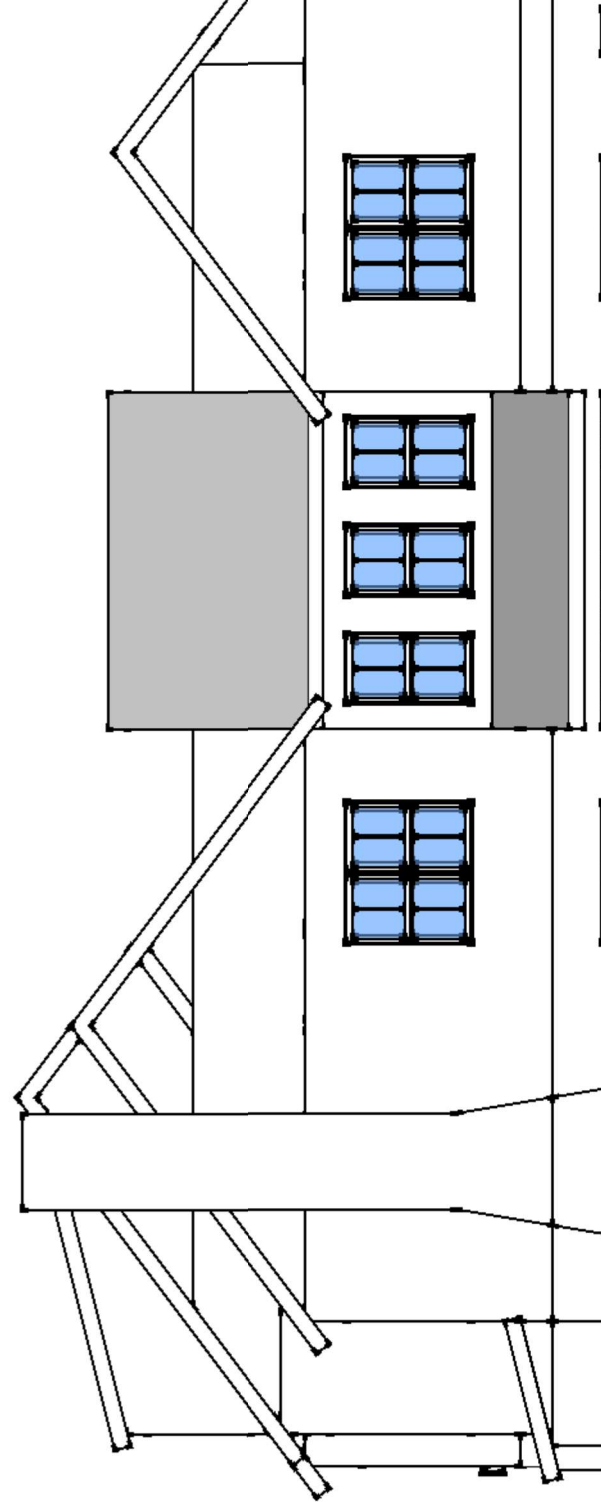
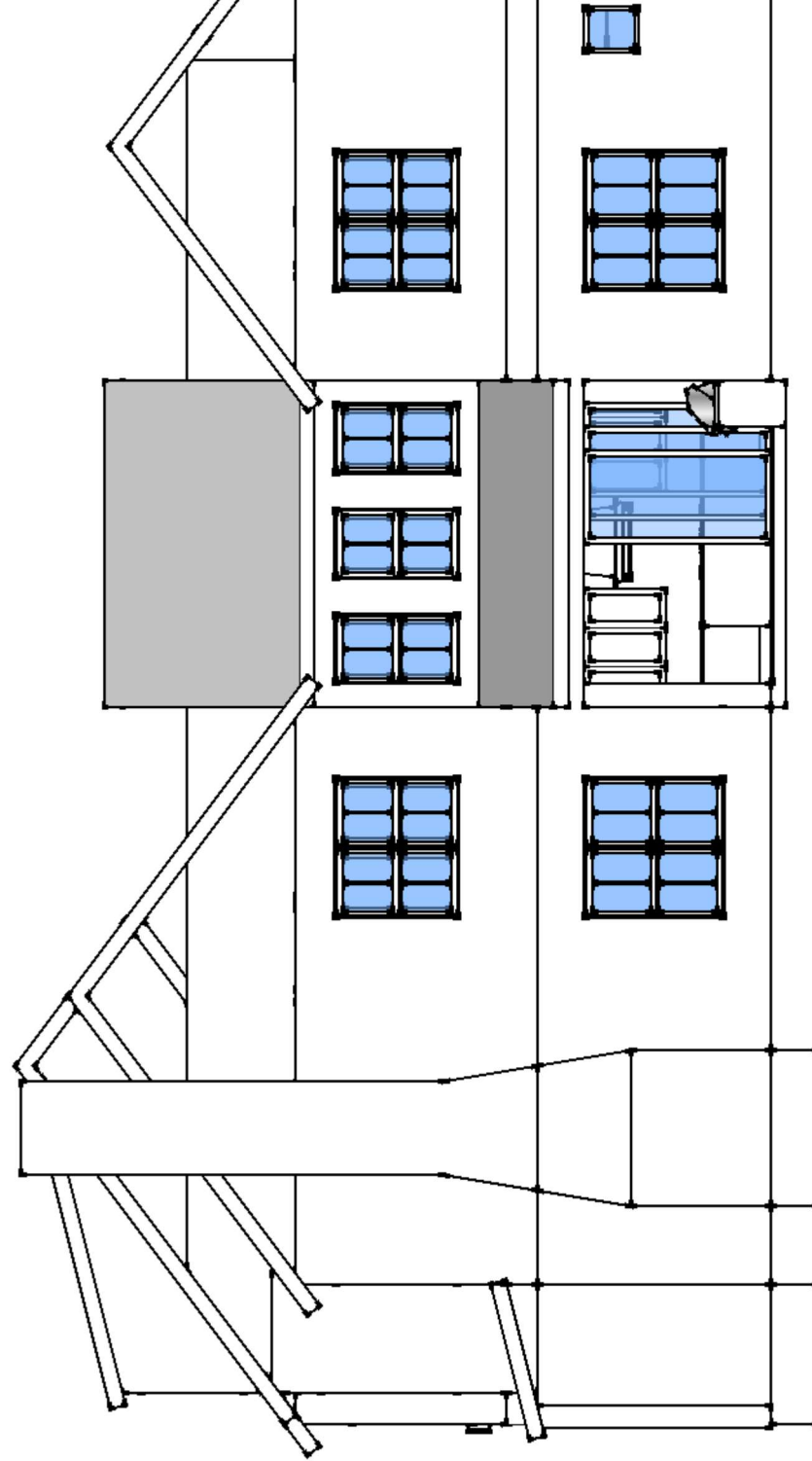


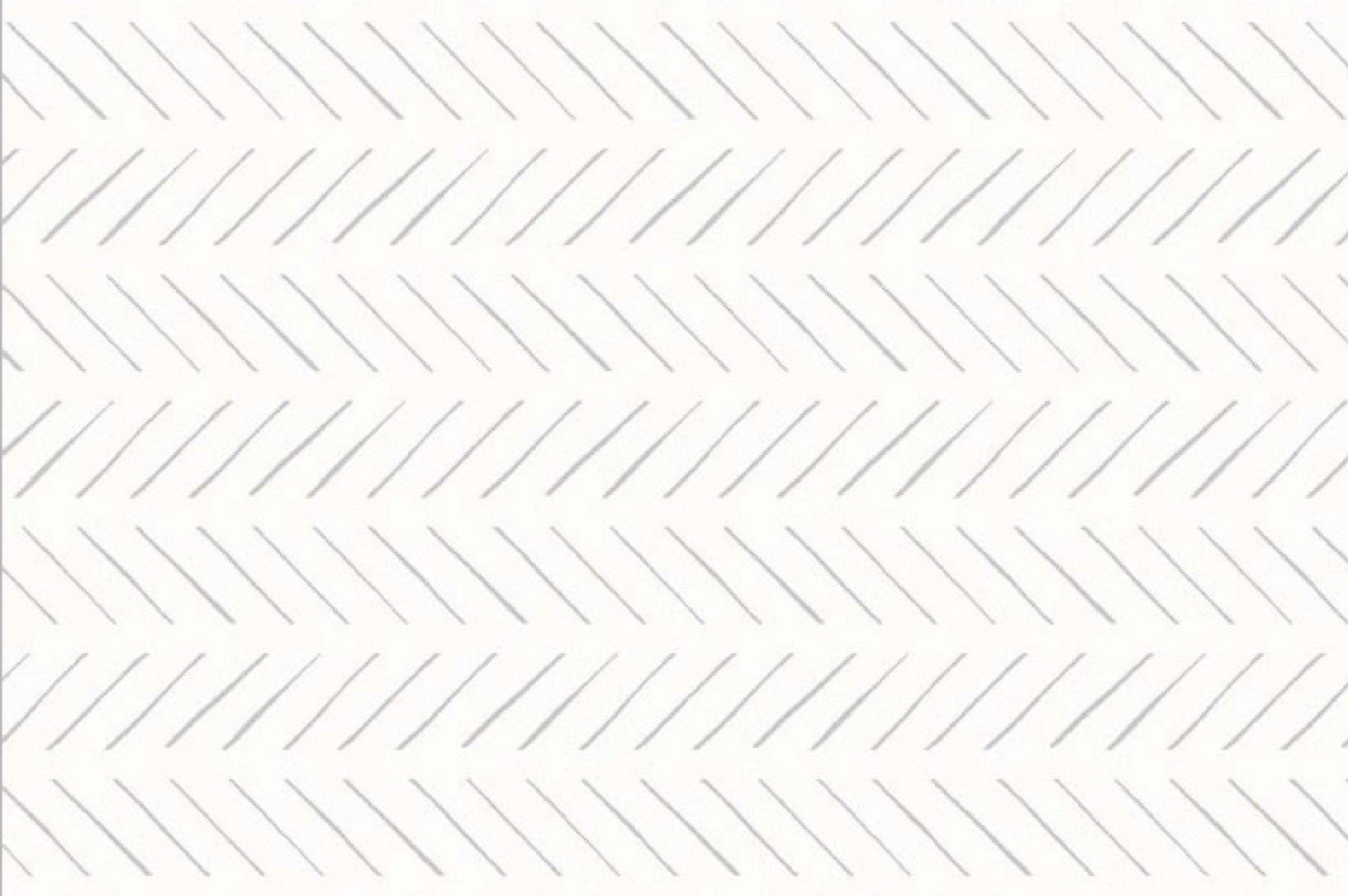




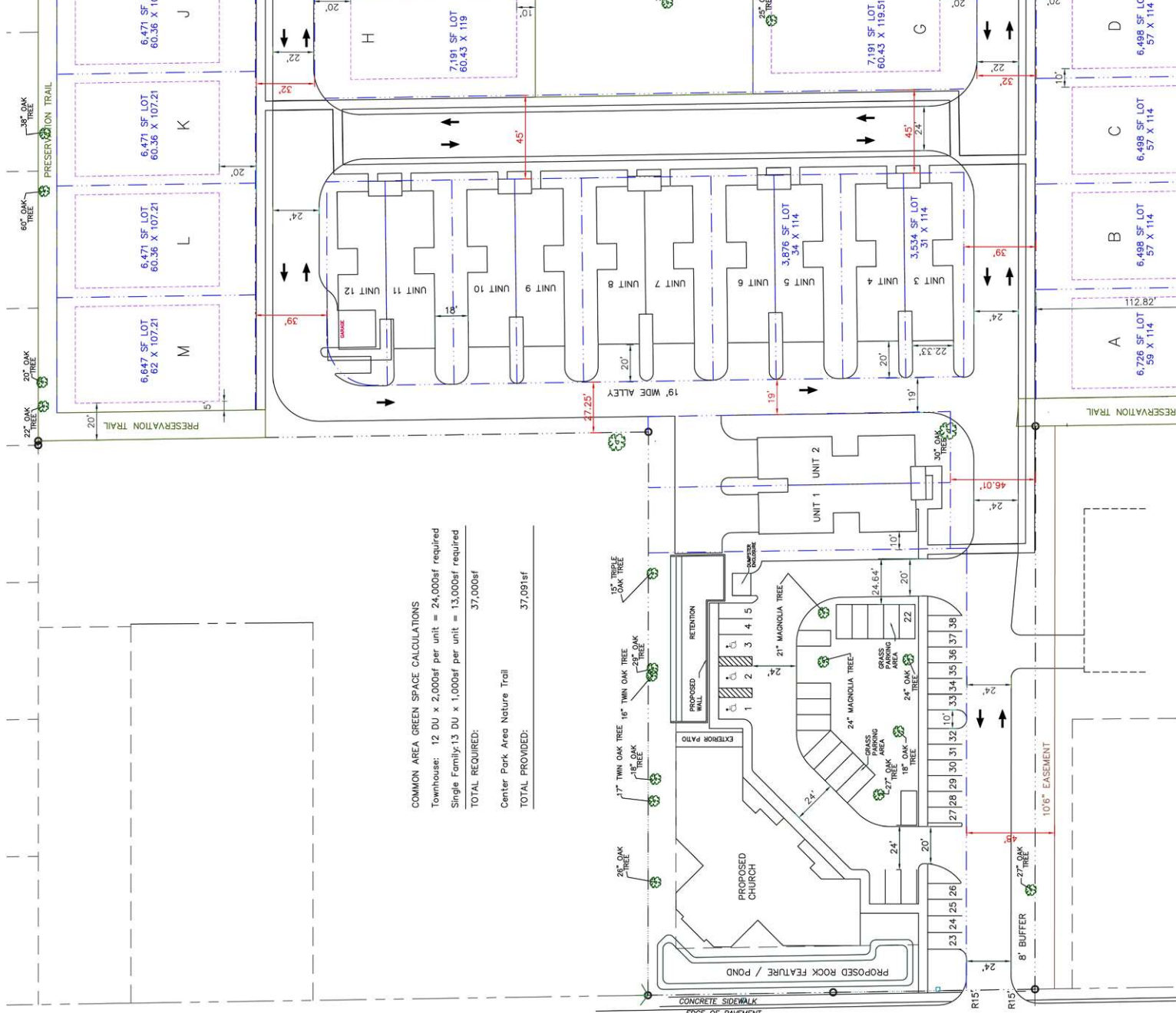


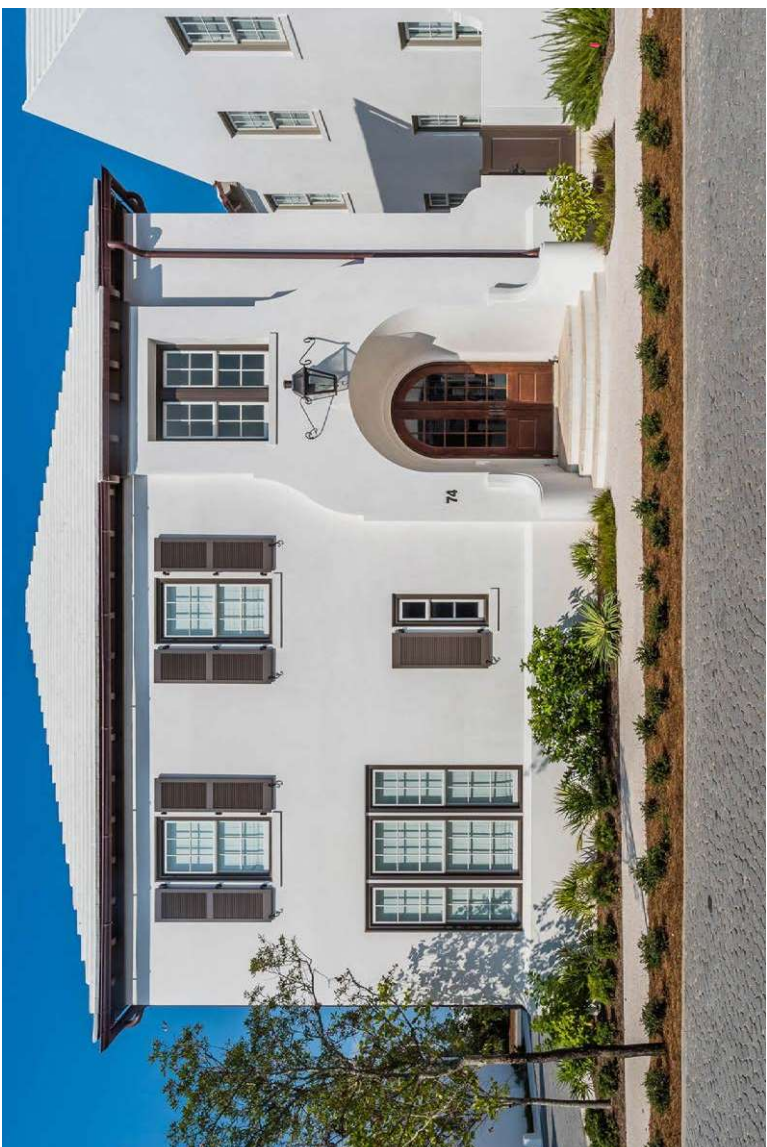




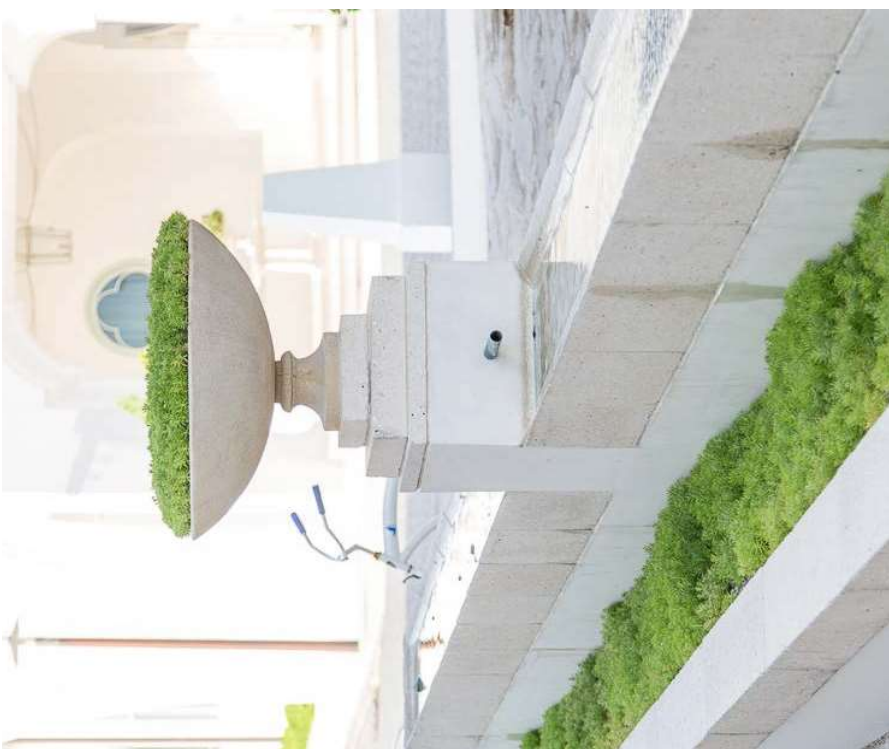
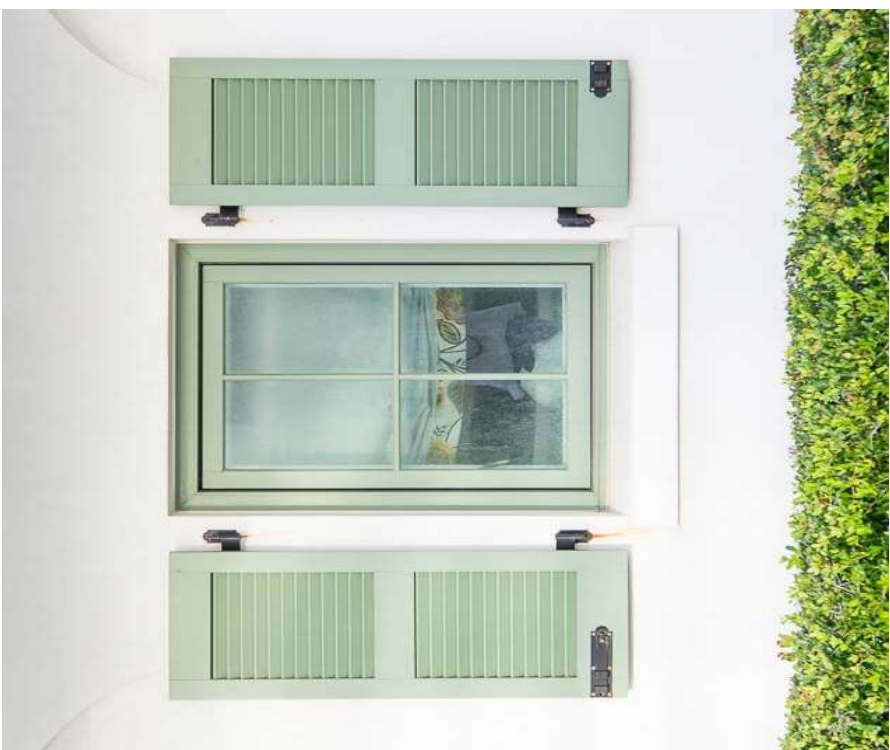


NORTH LAKEMONT AVENUE

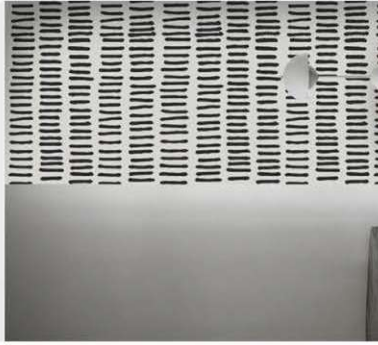
























Sec. 58-70. Planned Unit Residential Development (PURD) District.

(a) Purpose and intent.

(1) The planned unit residential development (PURD) district is established to encourage the development of large tracts of land as planned residential areas which provide a more varied and interesting urban pattern and are capable of incorporating new demands in the housing market and changes in design and technology in the building industry.

(2) Further, the objectives of the PURD district include:

- a. To provide a more desirable living environment than would be possible through the strict application of article requirements;
- b. To encourage developers to use a more creative approach in the development of land;
- c. To encourage a more efficient allocation and maintenance by private initiative of common open spaces within new residential areas;
- d. To encourage variety in the physical development pattern of the city;
- e. To provide for more efficient use of those public facilities and utilities required in connection with the new residential development;
- f. To encourage a variety of dwelling and building types within a neighborhood area; and
- g. To place emphasis on the density of dwelling units per acre rather than on minimum lot sizes, thereby permitting and encouraging a developer to preserve scenic and natural amenities.

(b) *Permitted uses.* The uses permitted within this district shall be primarily residential in character, and may include the following:

- (1) Single family detached dwellings;
- (2) Duplex townhouses or cluster housing but excluding garden apartments or density in a single building beyond that defined in this article;
- (3) Multiple-family dwellings provided, however, in no case shall the building height as defined in this article exceed 35 feet. Parapet walls or mechanical equipment and related structures may be added to the building height but in no case shall extend more than five feet above the height limitation established in this section;
- (4) Parks and recreational areas;
- (5) Churches.

(c) Development requirements and standards for approval.

(1) The parcel for which a PURD is proposed must be compact in shape and be in a single ownership or control. The parcel must be a minimum of two acres in size.

(2) The overall density of development permitted on this tract shall not exceed five units per acre for properties designated as single-family in the comprehensive plan or ten units per acre for properties designated as low density or multi-family in the comprehensive plan. This calculation shall not include the land areas to be dedicated as road right-of-ways or stormwater retention areas necessary for those road right-of-ways. The residential units permitted in this district may be provided by a mixture of housing types provided that the number of multi-family units does not exceed 50 percent of the total residential units; the remaining units shall include cluster housing, attached and detached single family residences.

(3) Minimum land area per residential unit:
Single family detached . . . 5,000 sq. ft.
Cluster housing/townhouse . . . 2,500 sq. ft.
Multiple-family unit . . . 1,500 sq. ft.

(4) Minimum land area per residential unit reserved in common open space:
Single family detached . . . 1,000 sq. ft.
Townhouse/cluster housing . . . 2,000 sq. ft.
Multiple-family unit . . . 2,500 sq. ft.
(Required stormwater retention areas shall not be counted toward meeting this requirement.)

(5) Minimum living area per residential unit:
Single family detached . . . 1,500 sq. ft.
Cluster house . . . 1,200 sq. ft.
Townhouse . . . 1,000 sq. ft.
Multiple-family unit . . . 750 sq. ft.

(6) There shall be no minimum setbacks, no minimum percentage of lot coverage and no minimum lot widths unless otherwise stated in this section. However, the location of proposed structures shall be shown on the development plan and the development of the PURD shall be subject to the minimum lot size, setback lines, lot coverage or floor area, specified in the approved plan. The proposed location arrangement of structures shall not be detrimental to existing or proposed adjacent dwellings or to the development of the neighborhood.

(7) When development standards are not proposed and adopted that are different than the applicable single family or low density building and accessory structure requirements, the regulations of this article shall apply.

(8) A minimum of two off-street parking spaces shall be provided for each residential unit in the planned unit residential development. For single family attached and detached houses, these spaces shall be provided on each residential lot; for the multiple-family units, parking may be provided in small parking areas adjacent to the units served.

(9) All streets within the PURD shall meet all the requirements outlined in the city's subdivision regulations.

(10) The common open space and recreational areas may be deeded to the city for general public use. If the city does not accept this land or the developer elects not to offer the areas for general public use, the developer of the PURD shall provide a legally constituted homeowners association which owns and maintains this common open space property. The legal instruments of this association shall be reviewed and shall be acceptable to the city commission. If the

property is owned by such an association, this property shall be subject to the city ad valorem taxes. The legal instrument creating this association shall be approved by the city commission.

(11) The perimeter of the planned unit residential development shall contain a buffer or setback strip of 50 feet to any adjacent private property, if the development includes any building over 30 feet in height. Otherwise a buffer or setback strip of 20 feet shall be provided. When a development contains buildings of differing heights, the buffer or setback strip shall be determined by the height of the building closest to the adjacent private property. No buildings, parking lots or other structures may be located within this area. However, swimming pools and pool decks may be permitted in these buffer areas subject to the normal residential setback requirements. The planning and zoning commission may recommend and the city commission may approve the erection of a fence or wall or the location of other buildings or structures within this buffer area if it is located adjacent to a public street and if those buildings or structures are consistent with the character of the surrounding area or as deemed appropriate to protect the privacy and amenities of the adjacent existing uses. This buffer area may be included in the required open space, but is not required to be, if this land is open to common use and not fenced for the private use of the adjacent residential unit.

(12) After the completion of a planned unit residential development, the use of the land and the construction, modification or alteration of any buildings or structures within the area covered by the plan shall be regulated by the approved development plan which shall be retained in the office of the building and zoning department of the city.

(13) No changes may be made in the approved development plan except as provided below:

a. Minor extensions, alterations or modifications of existing buildings or structures may be permitted after review and approval by the building official provided they are substantially consistent with the purposes and intent of the development plan.

b. Substantial change in permitted uses, location of buildings or other specifications of the development plan may be permitted, but only after public hearing and approval by the city commission upon receipt of the recommendation of the planning and zoning commission.

(d) *Review and approval procedure.* An application for a PURD shall be considered administratively as a petition for rezoning and will be subject to those procedures established in this article. Because of the nature of this district, additional procedures and requirements must be required; these are outlined in the following paragraphs. The application and additional supportive data shall be submitted to the building official.

(1) *Pre-application conference.* The applicant for a PURD is encouraged to confer with the city's administrative staff prior to submitting a formal application to discuss the general concept of the plan and to obtain information regarding projected programs and other matters of the city which might affect the development.

(2) *Preliminary concept plan.*

a. Applications for PURD districts shall be accompanied by a preliminary concept plan and supporting documents that properly present necessary basic data such as the location and size of the entire proposed development, the existing and proposed land uses by type and density, the location of existing streets and highways, the location of streets proposed in the development, public uses, such as parks, playgrounds or other open spaces, and typical

examples of various proposed buildings. The applicant shall also identify the present ownership of all land included in the development, indicate the expected sequence of development, and define the objectives and intent of the planned unit residential development.

b. An application for approval of the planned unit residential development (PURD) shall be reviewed by the planning and zoning commission and the city commission in public hearings with final approval being given by the city commission. In the review the following points will be considered:

1. Adherence to the city's comprehensive planning policies;
2. The proper relation between the proposed development and the surrounding uses, and the effect of the plan upon the city's comprehensive plan;
3. The adequacy of existing and proposed streets, utilities, and other public services to serve the development;
4. The character, design and appropriateness of the proposed land uses and their adequacy to encourage desirable living conditions, to provide separation and screening between uses where desirable to preserve the natural amenities of the land; and
5. The adequacy of open space areas and recreation facilities within the PURD. If a PURD district is approved, the building official shall change the zoning map to designate the appropriate PURD district and the date of approval. Planned unit residential developments shall also be subject to approval by the city commission receiving upon the recommendation of the planning and zoning commission of a comprehensive development plan (which shall substantially comply with the approved concept plan) prior to issuance of permits or authorization of development.

(3) *Comprehensive development plan.* The application shall be supported by a development plan and a written summary of intent, and shall show the relation between the proposed development and the surrounding area, both existing and proposed. The following information shall also be presented for review:

- a. A general location map;
- b. Existing topographic conditions, including contour intervals of one foot based on field surveys or photogrammetric methods;
- c. The existing and proposed land uses and the proposed location of all buildings or structures in the PURD;
- d. The location of existing and proposed streets and major thoroughfares;
- e. The location of all existing and proposed utilities, including a preliminary utility and drainage plan;
- f. The present zoning of the surrounding area;
- g. A legal description of the subject property;

h. The location and use of existing and proposed public, semipublic, or community facilities such as schools, parks and open spaces. This will include areas proposed to be dedicated or reserved for community or public use as required by this district;

i. Perspective drawings of representative building types except for detached single-family dwellings and their accessory buildings. These drawings should indicate general architectural type and appearance; and

j. If a proposed development creates special problems or involves unusual circumstances or if the planning and zoning commission desires additional information to more adequately evaluate the proposal, such data may be required. Examples include an off-street parking and loading plan, an economic feasibility report or market analysis, a traffic study and circulation plan for the area or any other information needed.

(4) *Development report.* The applicant shall submit a written statement with the plan that shall include the following information:

a. A state of the present ownership of all land within the proposed development;

b. An explanation of the character of the PURD, including a summary of acres for each use, the number of dwelling units and the gross density by type of land use. The statement shall include standards for floor area ratio, lot size, yard and spacing requirements for each type of dwelling unit. In the event any standards are not included in the development report, the applicable zoning standards for the single family, cluster housing or multi-family housing shall be utilized. This shall apply to the principal structure as well as any accessory structures such as swimming pools, fences, walls, etc.

c. A general statement of the proposed development schedule and progression of unit division or staging;

d. Statement giving the proposed ownership of the multiple-family units; and

e. Agreements, provisions and covenants which govern the use, maintenance, and protection of the development of common or open areas where public dedication is not contemplated.

(5) *Staff review.* After all required information has been received, the administrative staff of the city will have 30 days to review it. During this time, the staff may require the applicant to provide additional information which it deems necessary to adequately consider the comprehensive development plan.

(6) *Public hearings.* After this review period, the planning and zoning commission and city commission will hold public hearings. The administrative staff will present its recommendations to the commissions at these hearings. Approval of the comprehensive development plan will be contingent upon its conformance to the approved preliminary concept plan.

(7) *Subdivision plan.* The applicant may file a preliminary subdivision plan with the development plan in order that tentative approval of the subdivision may be granted by the planning and zoning commission. In no case, however, shall subdivision approval precede approval of the development plan. The building official shall issue building permits for structures in the area covered by the approved comprehensive development plan if they are in substantial conformity with the approved preliminary concept plan, the development schedule, and with all

other applicable regulations. If the developer questions the building official, the matter will be resolved by the planning and zoning commission.

(8) *Revision of comprehensive development plan.* Any major or substantial changes in the approved comprehensive development plan which affects the intent and character of the development, the land use pattern and density, the location or dimensions of streets or structures, or similar substantial changes shall be reviewed and approved by the city commission subsequent to the receipt of the recommendation of the planning and zoning commission. A request for a revision of the comprehensive development plan shall be supported by a written statement of why the revisions are necessary or desirable. The planning and zoning commission or city commission may require any additional supportive data they deem necessary.

(9) *Duration of approval.* Approval by the city commission shall be for one year or the submitted development schedule. If no construction has begun within one year after approval of the development plan, or if the applicant fails to maintain the approved development schedule, the approval of the comprehensive development plan shall lapse and be of no further effect. If the approval of the comprehensive development plan lapses under this provision the comprehensive development plan shall automatically be removed from the official zoning map and the area shall automatically revert back to the zoning district which applied to the area prior to the approval of the comprehensive development plan. The city clerk shall also file a notice of revocation with the recorded comprehensive development plan.

(e) Approved development plan standards for approved PURD's. Except as shown below, the applicable zoning standards (based on the comprehensive plan) shall apply for all principal and accessory structures. In addition, for Waterbridge and Windsong subdivisions, the development standards of Section 58-65 Lakefront (R-1AAA) District, subsection (f)(8) "Side wall articulation" shall be applied and other development standards of Section 58-65(f) may be applied except where the approved Windsong and Waterbridge development standards contain more restrictive requirements.

(1) Winter Park Oaks and Waterbridge as shown below:

Setbacks	Winter Park Oaks	Waterbridge
Front	20'	25' Single Family 20' Zero Lot Line
Side	5'	10' Single Family 10' (one side) Zero Lot Line
Rear	10' lots 1-20 & 26-40 15' lots 21-25	20' Single Family 10' Zero Lot Line

- (2) Alabama Hotel: Only as shown on development plan report.
- (3) Winter Park Towers Village: Only as shown on development plan report.
- (4) Genius or Windsong property as shown below:

Lot Type*	A	B	C(12)	D(9)	E(11)	F(10)	G(8)
Lot width	200'	150'	125'	125'	100'	100'	60'
Lot depth	435'	300'	200'	150'	150'	100'	105'
Max. density (DU/AC)	.5	.97	1.7	2.3	2.9	4.4	6.0
Minimum Setbacks:							
Front	50'	35'	25'	25'	25'(1)(2)	20'(1)	15'(3)
Side	30'	25'	15'	15'	10'	10'	5'
Rear	75'	50'	25'	25'	25'	20'	20'
Lake (4) (5)	75'	75'	75'	--	--	--	--
Min. living area	2,500 s.f.	2,000 s.f.	1,800 s.f.	1,500 s.f.	1,500 s.f.	1,500 s.f.	1,200 s.f.
Max. height	40'	35'	35'	35'	35'	35'	30'
Max F.A.R. (%)	20%	25%	30%	33%	33%	38%	45%(6)
Max. impervious surface (%)	35%	40%	45%	50%	50%	50%	55%(7)
1. The front setback may be reduced to 20 feet if the house includes a front porch. 2. The front setback may be reduced to 20 feet if the lot fronts upon a common green/park. 3. Garages must be set back a minimum of ten feet behind the primary facade line. (please see Item 14 below for exceptions) 4. Setback is from normal high water elevation. 5. Minimum setback for all site improvements, (pools, patio, etc.). 6. The maximum FAR on all lots within Windsong-Elizabeth's Walk will be 45 percent, except for lots 2-6, 9-20, 49-50, and 61-62, for which the maximum FAR will be 55 percent; and lots 33-47, for which the maximum FAR will be 33 percent. 7. The maximum impervious surface on all lots within Windsong-Elizabeth's Walk will be 55 percent, except for lots 2-6, 9-20, 49-50, and 61-62, for which the maximum impervious surface will be 65 percent; and lots 33-47, for which the maximum impervious surface will be 50 percent. All other development standards for lots 33-47 Windsong-Elizabeth's Walk, shall conform to those listed as Type "E" lots referenced above. 8. The house constructed on Windsong-Elizabeth's Walk, lot 1 will be limited to single story in height. 9. Lots 13 and 32-34 in Windsong-North Shore are less than 18,750 sq. ft. and less than 125 feet in width, as approved by the city commission. 10. The minimum lot width for lots 6 and 7, Windsong-Lakeside Section One is 87.5 feet; for lots 8-10 Windsong-Lakeside Section One the minimum lot width is 90 feet; and the minimum lot width for lots 1-12 Windsong-North Shore is 95 feet, as approved by the city commission. 11. The rear yard setback for lots 39 and 40 Windsong-Lookout Landing shall be 35 feet, and the house on these two lots shall be limited to single story in height. 12. Lots are permitted 35 feet of building height, if side setbacks to that second story component over 30 feet in height are increased to 15 feet.							

13. As per Windsong-Lakeside Section One, the front setback on Mizell Avenue for new construction after October 1, 2001 shall be 20 feet for lot 1, 25 feet for lot 2, 30 feet for lots 3, 4 and 5, 40 feet for lots 6 and 7 and 30 feet for lots 8, 9 and 10.

14. The waters edge for any pool on all of the lots within Windsong (lot types A--G) may be placed to the edge of the respective minimum side yard setback referenced above, and to within 10 feet of all rear property lines, within the respective rear yard setback. Pool decks may be placed within the side or rear yard setback, up to one-half of the distance within the respective side or rear setback for a particular lot type. Screen pool enclosures may be permitted at a ten-foot set back if limited to one-story in height, as per zoning regulations. Setbacks on lakefront lots may be permitted by the planning and zoning commission at a 60 feet setback in lieu of the required 75-foot setback and the side setbacks on lakefront lots may also be reduced to 12.5 feet in lieu of the required 25 feet by the planning and zoning commission if deemed advisable to preserve existing trees

15. As to Elizabeth's Walk, the following additional development standards shall apply:

(a) HVAC equipment may be placed within the side yard setback lines for lots 1-32 and 48-71 Elizabeth's Walk. To screen the equipment from the adjacent lot, a minimum four-foot high stucco-concrete block and/or brick screen wall, shall be constructed on the side yard property line. If visible from the front street, landscaping shall be used in front of said HVAC equipment, so as to screen the equipment from the front;

(b) The front and rear yard setbacks for lots 2-6, 9-20, 30-31, 48-51 and 60-63 Elizabeth's Walk may be reduced to ten feet provided the front and rear setback is ten feet only on houses with front side entry and rear side entry garages. In addition, the front yard setback may be further reduced by three feet on lots 1-32 and 48-71, in Elizabeth's Walk, in the event the additional three-foot setback relief is utilized for a deeper front open porch on the respective house. On any lot where the front and rear yard setback is reduced to ten feet, a corresponding increase in the side yard setback will be required, as follows:

- On houses that are two-story with a front garage, the side setbacks will increase to 13 feet total (with five feet minimum on one side).

- On houses that are one-story with a rear-entry garage, the side setbacks will increase to 15 feet total (with five feet minimum on one side).

- On houses that are two-story with a rear-entry garage, the side setbacks will increase to 20 feet total (with seven feet six inches minimum on one side).

- On houses that are one-story with a front garage, the side yard setbacks shall remain ten feet total (with five feet on each side).

- On houses that have a front-entry garage (garage doors facing the street), the garage front facade shall be setback a minimum to ten feet behind the primary house facade line. If the front garage plan has a side-entry or courtyard-entry garage (no garage doors facing the street), the garage front facade may be placed at the respective front yard setback line.

(c) All corner lots shall be allowed to have rear-entry garage plans, with the driveway exiting the side street.

(d) Any lots with a rear-entry garage may be connected to the main house by an enclosed or unenclosed breeze way, which connection will be counted in the FAR for the house,

(e) All front garages on any lot with a reduced front yard setback must be one-story in height and function, and all rear-entry garages which back up to Glenridge Way must be one-story in height and function, however Lots 2-6 Elizabeth's Walk, which back up to Preserve Point Drive, may have a two-story function on the rear-entry garage, subject to additional tree plantings within the rear of said lot, or within the landscaping buffer outside the lot and the seven-foot Preserve Point wall, to screen any two-story function on said lot.

*See Plats of Windsong--Chart Attached

Lot types A-F may utilize a five percent increase in floor area ratio in accordance with the provisions of Section 58-65 "Lakefront (R-1AAA) District" subsection (f), paragraph (8) "d" and table notes in accordance with the lot width.

One-story dwelling provisions: Homes in all lot types (A--G) limited to one-story with a maximum building height of 25 feet may utilize an additional five percent increase in the allowable floor area ratio and a maximum impervious coverage of 60 percent. These one-story homes which qualify for the five percent floor area ratio increase shall use a maximum floor area of 5,200 square feet on lots with areas of 11,600 square feet to 13,600 square feet.

(5) Pennsylvania Place property as shown below:

a. Lots 1 and 29:

15-foot side buffer on the outside of each lot (side facing adjoining property).

Ten-foot side setback on inside of each lot (side facing neighboring home within the property).

Front and rear setbacks 25 feet.

b. Lot 2:

20-foot street side setback.

Ten-foot interior side setback.

Front and rear setback 25 feet.

c. Lots 3--16:

Side setbacks of 5 feet, both sides.

Front setbacks of 25 feet.

Rear setbacks, 25 feet from centerline.

d. Lots 17--20:

Setback 15 feet from closest edge of access easement.

Setback 20 feet from closest edge of pavement.

Ten-foot side setbacks.

e. Lots 21--27:

Front setback 25 feet.

Rear setback 20 feet from closest edge of pavement.

Ten-foot side setbacks.

f. Lot 28:

Front and rear setback 25 feet.

Ten-foot side setbacks.

g. Corner lots 21, 24 and 25:

20-foot street side setback.

h. Maximum floor area ratio for all lots is 38 percent.

i. No additional setback for the second story up to 30 feet in height and on lots 90 feet or greater, 35 feet is permitted with a side setback of 15 feet to that second story component over 30 feet in height.

j. Impervious coverage up to 50 percent (excluding private alleys) and up to 55 percent for one-story houses without semi-circular driveways.

k. Lots with 25-foot street front setbacks may reduce front setback five feet for front porch.

(6) Within the single-family lots of Waterbridge Subdivision and on Lot types A through E in the Windsong Subdivision containing residences that are 5,000 square feet or larger in gross floor area, a second kitchen may be included in a dwelling or cabana subject to not having a separate utility meter and not allowing this portion of the dwelling to be rented, let or hired out for occupancy whether compensations be paid directly or indirectly and subject to executing a deed restriction which outlines the above restrictions. That deed restriction shall be recorded prior to the issuance of the building permit and shall be removed only with the consent of the city.

(Ord. No. 2296, §§ 1, 2, 4-13-99; Ord. No. 2336, § 1, 12-14-99; Ord. No. 2344, §§ 1, 2, 5-9-00; Ord. No. 2443-01, § 3, 10-9-01; Ord. No. 2453-02, § 1, 1-8-02; Ord. No. 2510-03, § 3, 4-8-03; Ord. No. 2601-04, § 3, 9-13-04)