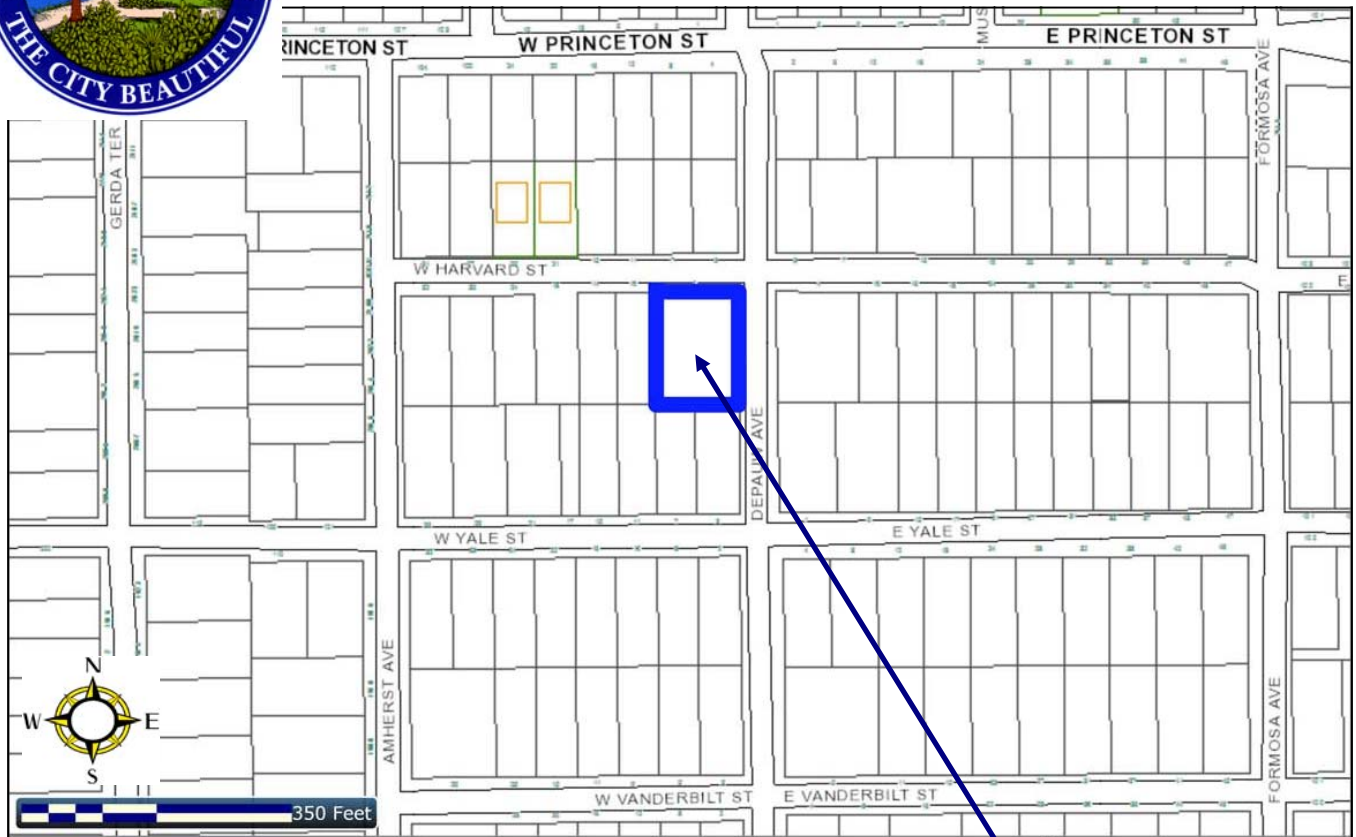




# HARVARD & DEPAUW REPLAT W. MODIFICATION OF STANDARDS



Location Map

 Subject Site

## SUMMARY

### Applicant

Kim Foy,  
Southern Traditions Dev., Inc.

### Owners

Chad Gracy, Jr.  
Keith Mueller  
Wesley Moss

### Project Planner

Jim Burnett, AICP

**Property Location:** 2 W. Harvard St. (south-west corner of W. Harvard St. and Depauw Ave., south of W. Princeton St.) (±0.36 acres, District 3).

**Applicant's Request:** The applicant plans to demolish an existing single-family home and detached garage apartment building and retain an existing duplex in the College Park neighborhood. As part of the redevelopment, the applicant has requested to Replat the property into three (3) lots with a Modification of Standards, due to non-conforming lot depth.

The property has a future land use designation of Residential Low Intensity and is

zoned R-2A/T/W (One- and Two-Family Residential, Traditional City Overlay, Wekiva Overlay).

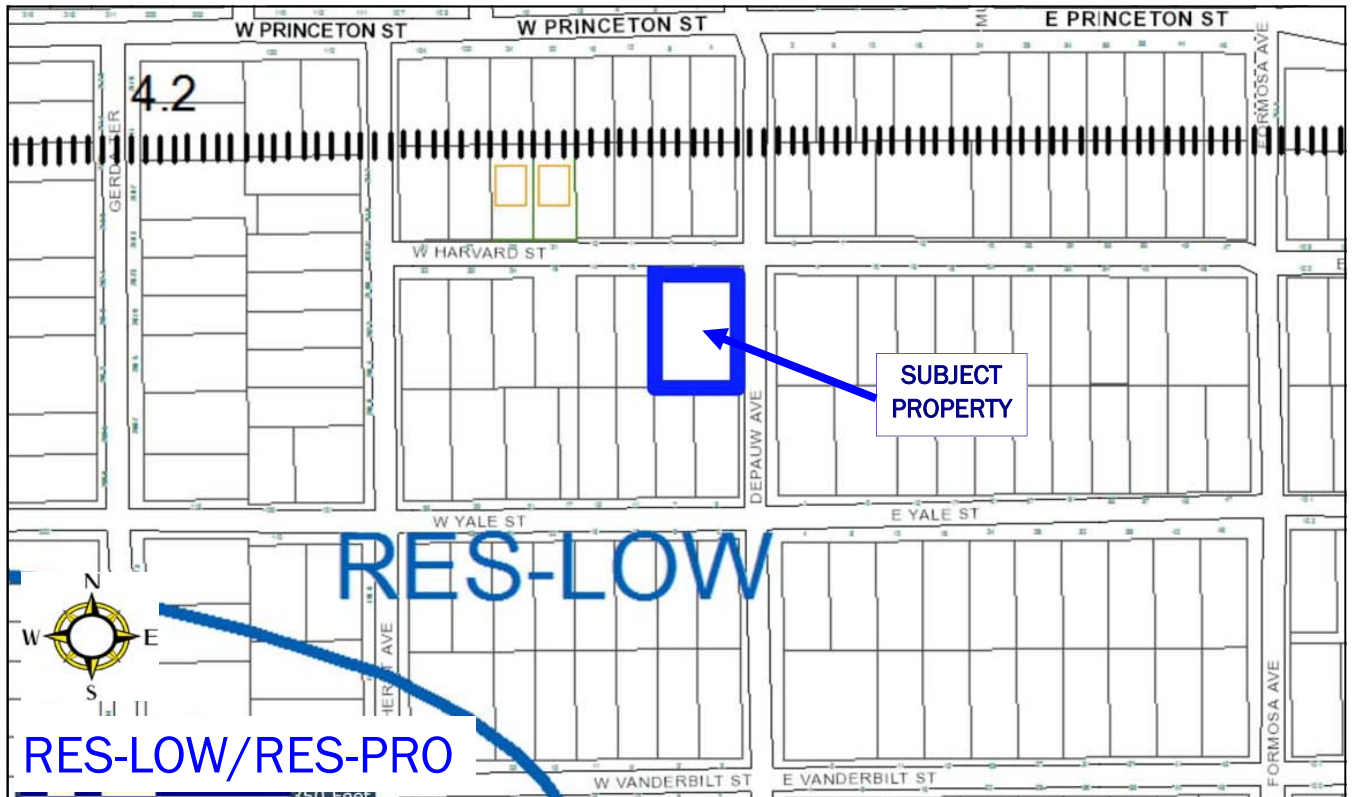
### Staff Recommendation:

Approval of the Replat with Modification of Standards, subject to conditions in this report.

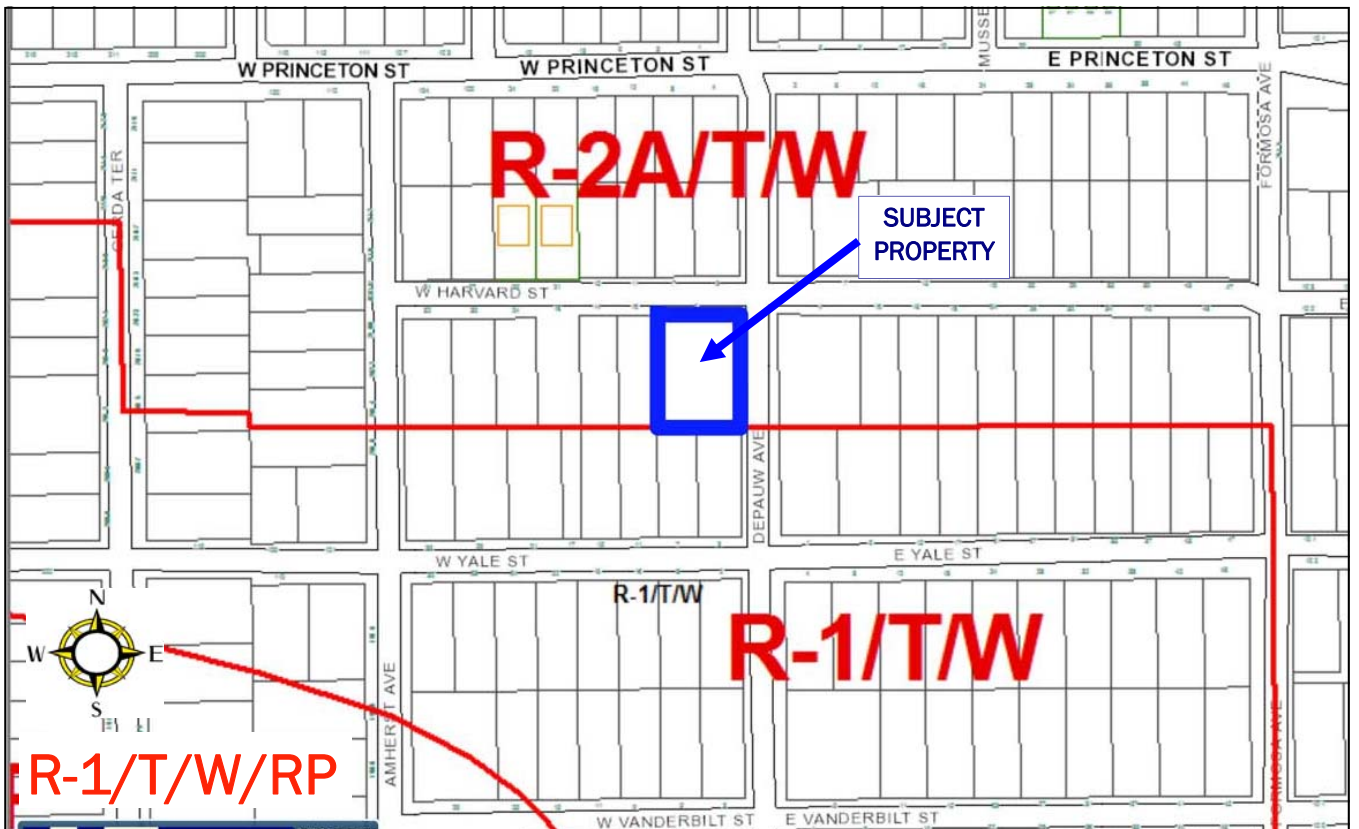
**Public Comments:** Courtesy notices were mailed to property owners within 300 ft. of the subject property the week of July 1, 2013. As of the mail-out of the staff report, staff has received no comments from the public relative to the request.

*Updated: July 9, 2013*

## FUTURE LAND USE MAP



## ZONING MAP



# PROJECT ANALYSIS

## Project Description

The owners plan to demolish an existing single-family home and detached garage apartment, while retaining an existing 2-story 2,250 sq. ft. duplex. The applicant is requesting to replat the property for the construction of two (2)  $\pm$ 2,250 sq. ft. homes with attached garages. A Modification of Standards is required because the lot does not meet the minimum 110 ft. lot depth for R-2A/T/W zoning. The property is at the southwest corner of Harvard St. and Depauw Ave., in the College Park neighborhood.

## Previous Actions

1920: 2,250 sq. ft. house constructed at 2 W. Harvard St. (house later converted to duplex).

1920: Property originally platted as part of Charles Joy Subdivision.

1930: 1,390 sq. ft. house and 2,184 sq. ft. garage apartment constructed at 2012 & 2014 Depauw Ave.

2/2011: Property purchased by current owners.

Adjacent uses, zoning and future land use designations are shown in Table 1 below.

Table 1 - Project Context			
	Future Land Use	Zoning	Adjacent Use
North	(across W. Harvard St.) Residential Low Intensity (RES-LOW)	R-2A/T/W (One- to Two-Family Residential, Traditional City Overlay, Wekiva Overlay)	Single-Family House
East	(across Depauw St.) RES-LOW	R-2A/T/W	Single-Family House
South	RES-LOW	R-1/T/W	Single-Family Houses
West	RES-LOW	R-2A/T/W	Vacant Lot

## Minor Subdivision Plat, with Modification of Subdivision Requirements

Minor Subdivision Plat Review is intended for subdivisions that do not require construction of streets or public improvements. In so doing, this review ensures that development in the City of Orlando takes place in an orderly and efficient manner. In this case, the property is being replatted as a prerequisite for the development of two (2) new 2-story single-family homes with attached garages on the new lots south of the existing retained duplex.

Per Table 2 at right, the existing and proposed lots will not meet the minimum lot depth requirement for R-2A/T/W zoning and will require a Modification of Subdivision requirements as part of the replat request. Per LDC Section 65.452, the following criteria apply to all plat-related Modification requests:

- Consistency with the Growth Management Plan;
- No adverse impacts to the Public interest;
- No burden/impact to Public facilities; and
- Hardship of the request.

## Existing Zoning and Future Land Use

The property is designated Residential Low Intensity on the City's Future Land Use Map, and is zoned R-2A/T/W (One- to Two-Family Residential, Traditional City Overlay, Wekiva Overlay) on the Official Zoning Map. Both the existing home/lot and new lots will exceed the minimum lot size, per Table 2 at right, but the lot length is  $\pm$ 1.8 - 2.0 ft. shy of the minimum Code requirement. Otherwise, the replat request complies with standards for platting of lands as contained in Chapter 65 Part 3C & 3G of the Land Development Code and is consistent with the Growth Management Plan, in that it doesn't increase the density beyond what is allowed under the Residential Low Intensity future land use classification. The existing and proposed single-family uses will pose no adverse impacts to the public interest and there will be no adverse burdens or impacts to public facilities. The existing owner purchased the property "as is" with the current

Table 2 - Development Standards			
R-2A/T/W Zoning Duplex & New SF Homes	Lot 1 (existing duplex)		Lots 2 & 3 (new homes)
<i>Min. Lot Size</i> = 4,400 SF (sq. ft.)      5,500 Duplex	6,221.5 (0.14 ac.)		4,654.8 each (0.11 ac. each)
<i>Min. Lot Dimensions</i> SF = 40 ft. (w) x 110 ft. (d) Duplex = 50 ft. (w) x 110 ft. (d)	$\pm$ 57.5 x <b>108.2</b>		$\pm$ 43.1 x <b>108.0</b>
	<i>Existing</i>	<i>Proposed</i>	<i>Proposed</i>
Imperv. Surface Ratio (ISR)(55%)	$\pm$ 36%	$\pm$ 49%	$\pm$ 44%
Setbacks - Front (min. 25 ft.)	45.5	45.5	25.25
Street Side (min. 15 ft.)	21.5	21.5	n/a
Side (min. 5 ft.)	7.0	7.0	5.0
Rear (min. 25 ft.)	21.0	21.0	38.9



## PROJECT ANALYSIS

nonconforming lot depth. Denial of the replat with Modification of Subdivision standards would require the owners to acquire a 2-ft. wide strip of land to bring the existing lot into conformity relative to lot depth. Purchasing additional land from the adjacent property to the west would create a nonconforming lot with regard to lot width should that owner want to construct a duplex or single-family home with a detached garage apartment. The proposed replat with Modification of Subdivision standards complies with the aforesaid criteria of LDC Section 65.452.

All setbacks and requirements of the R-2A/T/W zoning district shall be met, including required impervious surface coverage for the existing and proposed lots. Per LDC Section 58.1152, Nonconforming Residential Lots must also meet the following criteria:

- (a) *Height*. The maximum building height shall be two-stories. **Criterion Met (new homes will be 2-stories tall).**
- (b) *FAR*. The maximum floor area ratio shall be 0.50. **Criterion Met (new homes will have 0.48 FAR, existing duplex has 0.36 FAR).**
- (c) *Location of Required Parking*. All required parking spaces and garage door elevations shall be set back a minimum of five (5) feet from the principle facade of the principle building. For each lot, the combined width of all garage door(s) facing a street shall not exceed fifty percent (50%) of the combined width of all building elevations facing the same street. Garage accessory structures in the rear half of the lot shall not be included in this calculation, except when the garage accessory structure is located on a corner lot and faces a side street. When a garage/accessory structure is located on a corner lot and faces a side street, the garage accessory structure shall be set back a minimum of twenty (20) feet from the street side property line and the combined width of all garage door(s) facing a street shall not exceed thirty-five percent (35%) of the combined width of all building elevations facing a street, including the garage accessory structure. **Criterion Met.**
- (d) *Appearance Review Required*. Appearance Review shall be required pursuant to the requirements and procedures provided in LDC Section 62.300. **Noted.**
- (e) *Modification of Standards Prohibited*. Modifications to development standards on nonconforming residential lots under Chapter 65 of this Code are prohibited. A variance approved by the Board of Zoning Adjustment shall be required. **Noted.**

### School Impacts

The replat with Modification of Subdivision standards will allow retention of the existing duplex and will allow development of a new single-family home on each of the two (2) newly created lots. Orange County Property Appraiser (OCPA) listed the total number of existing units as six (6) (two (2) duplexes and two (2) apartments above the detached garage). The two (2) proposed single-family uses, combined with the remaining duplex for a total of four (4) dwelling units, will have a negligible effect on school attendance rates. A School Concurrence agreement will not be needed as a result of the replat with Modification of Standards.

## SITE PHOTOS

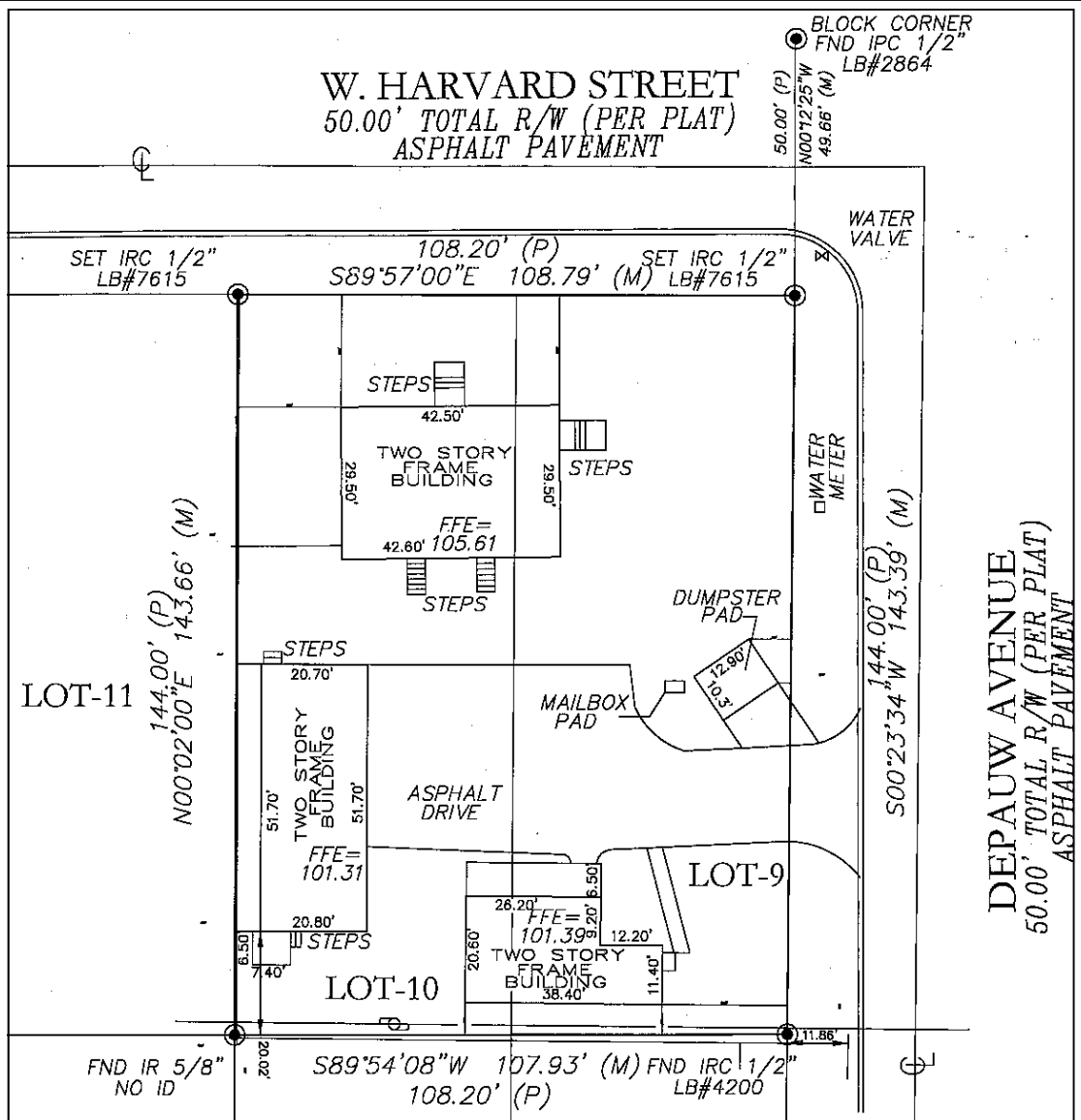


Existing home and garage apartments at 2012-2014 Depauw Ave. These structures will be demolished and two new single-family homes with attached garages built in their place.



Existing duplex at 2 - 4 W. Harvard St.

2013  
SURVEY

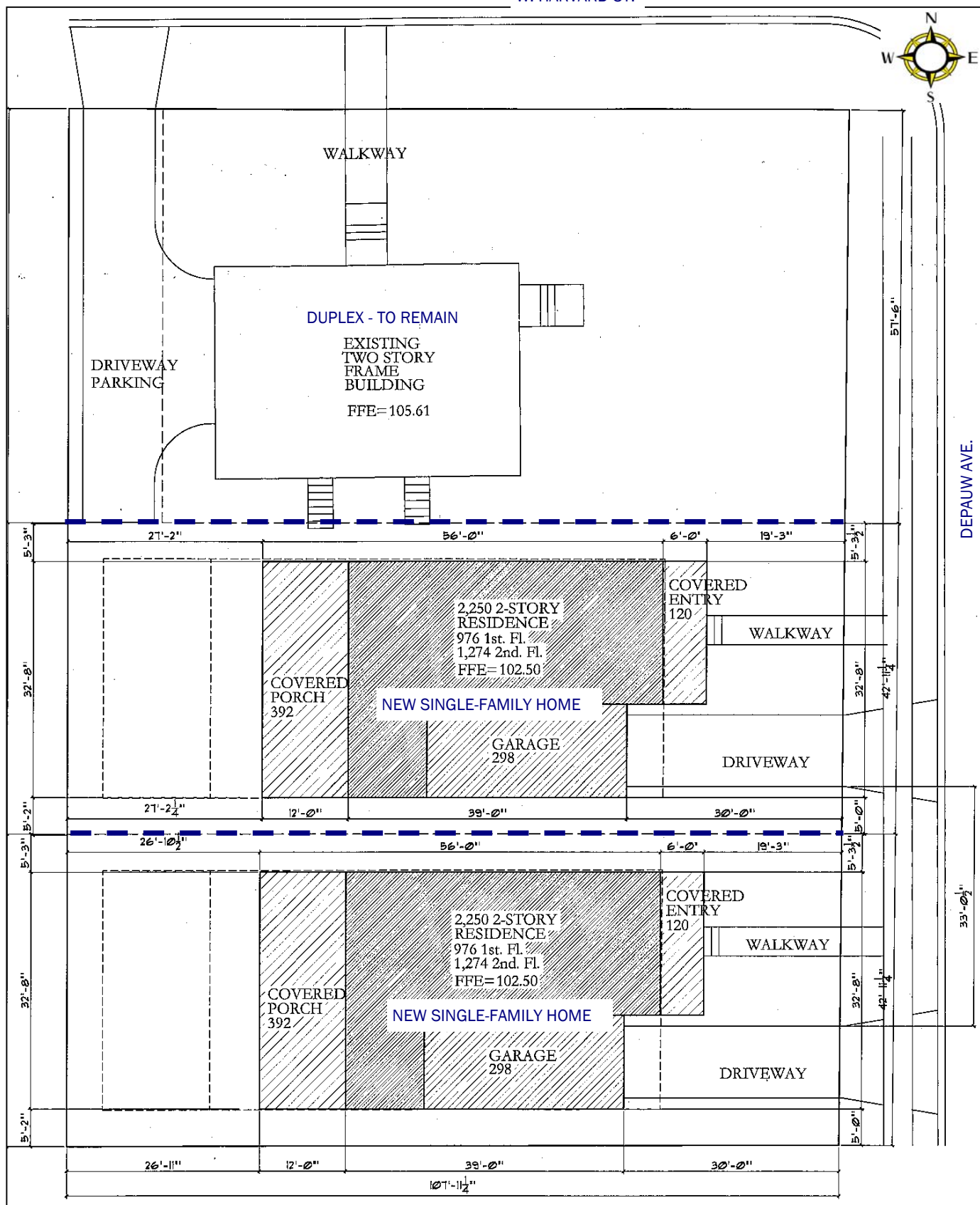


## SITE PHOTOS



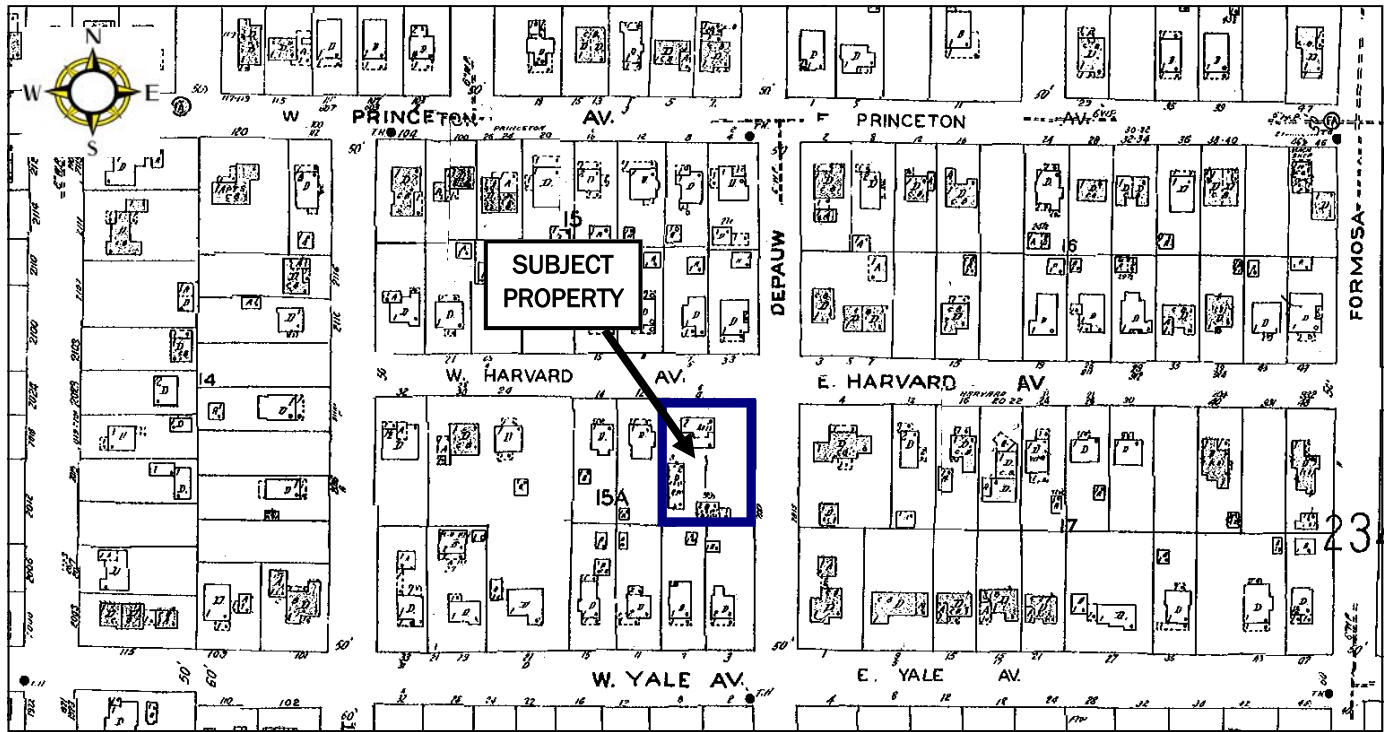
# PROPOSED SITE PLAN

W. HARVARD ST.





# 1956 SANBORN INSURANCE MAP



## FINDINGS

Subject to the conditions contained herein, the Minor plat (replat) proposal is consistent with the requirements for approval of Minor Subdivision Plat with Modification of Subdivision standards applications contained in Section 65 Parts 3C & 3G of the Land Development Code (LDC):

1. The proposed Minor plat is consistent with the purpose and intent of the City's Growth Management Plan.
2. The proposed plat is consistent with the requirements of the Land Development Code.
3. The Minor subdivision plat will not result in incompatible land uses or adverse impacts to the Public interest.
4. All future development will be in accordance with Chapter 59 of the LDC, the Concurrency Management Ordinance, which ensures that adequate public facilities are available to serve said development.

Based on the information provided in the staff report and the findings noted above, staff recommends approval of the Harvard & Depauw Replat with Modification of Subdivision standards, subject to the conditions in this staff report.

## CONDITIONS OF APPROVAL - REQUIRED

### Land Development

1. Impervious Surface Ratio (ISR) - All properties shall meet the 55% Code maximum ISR for each lot.
2. Floor-Area-Ratio (FAR) - Each home shall not exceed 0.50 FAR.
3. Building Height - Each home shall not exceed 2 stories in height.
4. Garage Setback - Attached garages shall be set back at least 5 ft. from the principal street-facing façade and shall not exceed 50% of all building facades (for each lot) facing the street.
5. Duplex Steps - Existing steps on the south side of the duplex shall be removed or relocated so as to not encroach into the newly created lot to the south.
6. Consistency - The proposed improvements must be consistent with the size, dimensions, site location, and appearance shown on the plans submitted with this application and as described within this staff report.

### Urban Design

1. Building elevations shall be designed to have different architectural detailing (even though both houses may be the same or different styles), and shall require Appearance Review prior to permitting. The Appearance Review shall also review the building elevations for authentic architectural details for the style chosen by the owner/developer for each new house.
2. A minimum 6-ft. deep covered porch shall be provided on the front elevation of each new house.
3. Attached garages shall be recessed no less than 5 ft. from the front façade of each house.
4. All other requirements of the Land Development Code (i.e., minimum transparency in the Traditional City, mechanical equipment screening, etc.) shall apply, and shall be reviewed at time of permitting.

### Engineering/Zoning

1. Minor Plat w. Modification of Standards - Upon approval of the project by the Municipal Planning Board, submit ten (10) folded and collated sets of the following items to Permitting:
  - > Copy of the plat
  - > Title opinion, no more than 90 days old with 1 set of supporting documents (can be a digital file) (1 original)
  - > Joinder and Consent (1 original), if applicable.
  - > Boundary Survey
  - > Topographic Survey.
  - > Signed and Sealed Appendix C and lot closure report.
  - > Page 1 of the subdivision application making reference to the SUB case # assigned by Planning.
  - > Any other documents required in the Planning staff report.
2. Concurrency Management - The following note shall be placed on the face of the plat: "Development on the property depicted on this plat is subject to the requirements of Chapter 59, the Concurrency Management Ordinance of the City of Orlando, which governs the City's ability to issue building permits on this property. Approval of this application shall not be deemed to provide any vested rights, except as to those matters depicted hereon, that are consistent with the requirements of Chapter 177, Florida Statutes, or were required by the City of Orlando as a condition of platting."

### Transportation Engineering & Planning

1. Easement Dedication - Per LDC Chapter 61, Figure 5, the minimum required right-of-way (R-O-W) width for any local resi-



## CONDITIONS OF APPROVAL - REQUIRED

dential street is sixty (60) feet, or fifty (50) feet plus a five (5) ft. wide City Services Easement. The existing R-O-W widths for W. Harvard St. and Depauw Ave. are fifty (50) feet. The owner/applicant shall dedicate five (5) feet of City Services Easement for the length of the property along both W. Harvard St. and Depauw Ave. to meet LDC Section 61.221 requirements.

2. Parking Design - Parking stalls shall have a minimum size of 9 ft. (w) x 18.5 ft. (d).

### Transportation Impact Fees

1. Fees - Any new construction, change in use, addition, or redevelopment of a site or structure shall be subject to a review for Transportation Impact Fees. An estimated Transportation Impact Fee in the amount of \$7,636, based on the construction of 2 new single family units, will be due at the time of building permit issuance, subject to change upon final permit plan review.

For a copy of the complete ordinance or impact fee rate chart, you may reference our website at: <http://www.cityoforlando.net/planning/Transportation/ifees.htm>.

Any exemptions or credits against the Transportation Impact Fee must be reviewed prior to permit issuance. All Transportation Impact Fee Credits shall be initiated and processed by the Transportation Impact Fee Coordinator. Credit shall be available for the previous use located on the subject site.

2. Concurrency - All new construction, changes in use, additions or redevelopments are required to submit a Concurrency Management application as a part of the building plan review process. A Concurrency Management application is available on the City's website at <http://www.cityoforlando.net/permits/forms/concurrency.htm>

The applicant shall comply with all applicable requirements of Chapter 59, the Concurrency Management Ordinance, to ensure that all public facilities and services are available concurrent with the proposed development. Approval of this application shall not be deemed to provide any vested rights.

## INFORMATIONAL COMMENTS

### Land Development

Except as provided herein, the proposed plat is subject to all codes and ordinances of the State of Florida, City of Orlando, and all other applicable regulatory agencies.

### Engineering/Zoning

1. Sidewalk - Per LDC Section 61.225, a 5-ft. wide concrete sidewalk will be required along all dedicated rights-of-way at time of development of the individual lots. Any existing sidewalks that are damaged or broken must be repaired.
2. Engineering Standards Manual - All building plans must conform to and construction be accomplished in accordance with the Engineering Standards Manual (ESM), Fourth Edition, adopted by the City Council on March 9, 2009.
3. On-Site Fees - At the time of development, the owner/developer is required to pay an on-site inspection fee that is a percentage of the cost of the on-site improvements, excluding the building, in accordance with LDC Section 65.604.
4. Erosion & Sedimentation Control - All building site plans submitted for review should include a detailed Erosion and Sedimentation Control Plan. Stormwater control measures to minimize the impact of the erosion/sedimentation shall be incorporated in the plan of the development for all projects in the City of Orlando and a detailed description of these measures are to be included with the final engineering submittal.
5. Sewer - The Wastewater Division shall be contacted to verify that a sewer lateral is available to serve the newly created lots.
6. Street-Tree Fund - The developer is required to contribute funds to the Street Tree Trust Fund prior to issuance of the building permit. Based on existing street frontages on Altaloma & Garvin, not more than four (4) nor fewer than two (2) street trees shall be required, to be determined at time of permitting. The City is responsible for installation of the trees, at a cost of \$350 for each 12'-14' height of canopy tree, but the developer may install the street trees in lieu of contributing to the Trust Fund in accordance with LDC Section 61.226.
7. Utility Construction - Section 1.04 of the Engineering Standards Manual provides that all utility lines shall be installed beneath the surface of the ground. Subdivision construction plans must include all proposed utilities.
8. Stormwater Management Plan - The owner/developer is required to design and construct an on-site storm water system in accordance with the approved Master Drainage Plan. Approval from St John's River Water Management District is required. The stormwater management system is to be privately owned and maintained and must include a site description including (if applicable):
  - a. Describe the nature of the construction activity.
  - b. Describe the intended sequence of major soil disturbing activities.
  - c. Total area (in acres) of the site.
  - d. Total area (in acres) of the site to be disturbed.

## CONDITIONS OF APPROVAL - INFORMATIONAL

- e. Existing data describing the soil or quality of any storm water discharge from the site.
- f. Estimate the drainage area size for each discharge point.
- g. Latitude and longitude of each discharge point and identify the receiving water or MS4 for each discharge point.
- h. A detailed description of all controls, Best Management Practices (BMP's) and measures that will be implemented at the construction site for each activity identified in the intended sequence of major soil disturbing activities section.
- i. Describe all temporary and permanent stabilization practices.
- j. Describe all structural controls to be implemented to divert storm water flow from exposed soils and structural practices to store flows, retain sediment on-site or in any other way limit storm water runoff.
- k. Describe all permanent storm water management controls such as, but not limited to, detention or retention systems or vegetated swales that will be installed during the construction process.
- l. Describe in detail controls for the following potential pollutants: waste disposal; offsite vehicle tracking from construction entrances/exits; the proper application rates of all fertilizers, herbicides and pesticides used at the construction site; the storage, application, generation and migration of all toxic substances.
- m. Provide a detailed description of the maintenance plan for all structural and non-structural controls to assure that they remain in good and effective operating condition.
- n. Describe the inspection and inspection documentation procedures. Inspections must occur at least once a week and within 24 hours of the end of a storm event that is 0.5 inches or greater.
- o. Identify and describe all sources of non-storm water discharges.

### Parks

Tree Encroachment or Removal - Contact the Bureau of Parks at (407) 246-2283 for a tree encroachment or removal permit before encroaching within 6 ft. or removing any existing 4" caliper or larger trees, per LDC Section 60.211.

### Police

We encourage the developers to incorporate CPTED (Crime Prevention Through Environmental Design) strategies into this project. A brochure entitled CPTED, Your Guide to Creating a Safe Environment is available on-line at: [http://www.cityoforlando.net/planning/cityplanning/Policy%20Document/cpted\\_2008.pdf](http://www.cityoforlando.net/planning/cityplanning/Policy%20Document/cpted_2008.pdf) and includes crime prevention techniques for various land uses.

## CONTACT INFORMATION

### **Land Development**

For questions regarding Land Development review, contact Jim Burnett at 407-246-3609 or at [james.burnett@cityoforlando.net](mailto:james.burnett@cityoforlando.net).

### **Engineering/Zoning**

For questions regarding Plat & Engineering/Zoning review, contact Shirley Weekley at 407-246-3234 or at [Shirley.weekley@cityoforlando.net](mailto:Shirley.weekley@cityoforlando.net). To obtain plan review status, schedule/cancel an inspection or obtain inspection results, please call PROMPT, our Interactive Response System at 407.246.4444.

### **Transportation Engineering**

For questions and information regarding Transportation Engineering review, contact Lauren Torres at 407-246-3322 or at [Lauren.Torres@cityoforlando.net](mailto:Lauren.Torres@cityoforlando.net).

### **Transportation Planning**

For questions regarding Transportation Planning review, contact Ian Sikonia at 407-246-3325 or at [ian.sikonia@cityoforlando.net](mailto:ian.sikonia@cityoforlando.net).

### **Police**

For questions regarding Orlando Police review, contact Audra Nordaby at 407-246-2454 or at [audry.nordaby@cityoforlando.net](mailto:audry.nordaby@cityoforlando.net).

## REVIEW/APPROVAL PROCESS-NEXT STEPS

1. Minutes from the July 16, 2013 MPB meeting are scheduled for review and approval by City Council on Mon. Aug. 26, 2013.
2. Following the MPB meeting, submit ten (10) folded and collated sets to Engineering/Zoning per the instructions provided on page 8 of this report. Engineering/ Zoning will handle the remainder of the plat review process, including scheduling City Council approval of the plat (date to be determined by Engineering/Zoning).