

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, DESIGNATING CERTAIN LAND GENERALLY LOCATED NORTH OF E. ORLANDO ST., EAST OF DEPAUW AVE., SOUTH OF E. WINTER PARK ST., AND WEST OF MUSSELWHITE AVE., AND COMPRISED OF 0.15 ACRES OF LAND, MORE OR LESS, AS PLANNED DEVELOPMENT DISTRICT WITH THE TRADITIONAL CITY AND WEKIVA OVERLAY DISTRICTS, ON THE CITY'S OFFICIAL ZONING MAPS; PROVIDING SPECIAL LAND DEVELOPMENT REGULATIONS OF THE PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, at its regularly scheduled meeting of May 20, 2014, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "City"), considered zoning application case number ZON2014-00009, requesting the Planned Development zoning district designation, along with the Traditional City zoning overlay and the Wekiva zoning overlay districts, for approximately 0.15 acres of land, generally located north of E. Orlando Street, east of Depauw Ave., south of E. Winter Park Street, and west of Musselwhite Ave., and more precisely described by the legal description attached to this ordinance as **Exhibit "A"** (hereinafter the "Property"); and

WHEREAS, based upon the evidence presented to the MPB, including the information and analysis contained in the "Staff Report to the Municipal Planning Board" for application case number ZON2014-00009 (entitled "Item #5 – Depauw Duplex PD" and hereinafter referred to as the "Staff Report"), and subject to certain conditions contained within the Staff Report, the MPB recommended that the City Council of the City of Orlando, Florida (the "Orlando City Council"), approve said zoning application and adopt an ordinance in accordance therewith; and

WHEREAS, zoning application case number ZON2014-00009 is requesting the Planned Development zoning district designation for the purpose of permitting the development of a residential duplex (the "Project"); and

WHEREAS, the MPB found that the Project is consistent with the City's adopted Growth Management Plan (the "GMP") including the applicable goals, objectives, and policies associated with the Property's Future Land Use Map designation of Residential-Low; and

WHEREAS, the Orlando City Council hereby finds that the Project is consistent with the intent and purpose of the planned development district zoning designation as established by Part 2Q, Chapter 58, Code of the City of Orlando, Florida (the "Orlando City Code"); and

47 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
48 **OF ORLANDO, FLORIDA, AS FOLLOWS:**

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50 **SECTION 1. ZONING.** After due notice and public hearing, and pursuant to part
51 2Q, Chapter 58, Orlando City Code, and other relevant portions of the Orlando City
52 Code, the Property is hereby designated as Planned Development district with the
53 Traditional City zoning overlay and the Wekiva zoning overlay districts, on the City's
54 official zoning maps (to be denoted as "PD/T/W" on the official maps of the City), as
55 depicted in **Exhibit "B"** to this ordinance. The minimum required development site area
56 for a planned development district as provided by section 58.362, Orlando City Code, is
57 hereby waived for the Property and for this ordinance. This planned development zoning
58 district may be known as the "Depauw Duplex Planned Development."

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60 **SECTION 2. OTHER DEVELOPMENT LAWS.** In accordance with section
61 58.367, Orlando City Code, except as expressly provided in this ordinance, the Depauw
62 Duplex Planned Development zoning district remains subject to all applicable federal,
63 state, and local laws, and nothing in this ordinance shall be construed to exempt the
64 Property from the lawful authority or jurisdiction of any federal, state, or local agency.

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66 **SECTION 3. DEFAULT ZONING DISTRICT.** Except as expressly provided
67 otherwise by this ordinance, the Property shall be governed by the land development
68 regulations of the "R-2A 1-2 Family District" zoning district along with the Traditional City
69 and Wekiva overlay zoning districts (denoted as "R-2A/T/W" on the official maps of the
70 City).

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72 **SECTION 4. SPECIAL LAND DEVELOPMENT REGULATIONS.** The Planned
73 Development zoning district for the Property is subject to the following special land
74 development regulations:

75
76 **1) Land Development**

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78 a) *Development Plan.* Subject to any modifications expressly contained in the text
79 of this ordinance, development and maintenance of the Property must be
80 consistent with the development plan attached to this ordinance as **Exhibit "C"**
81 (hereinafter the "Development Plan"). In the event of a conflict between the text
82 of this ordinance and the Development Plan, the text of this ordinance shall
83 control. References in this ordinance to lots, parcels, buildings, phases, and
84 other development features refer to such features as identified on the
85 Development Plan.

86
87 b) *Variances and modifications.* Zoning variances and modification of standards
88 may be approved pursuant to the procedures set forth in Part 2J and Part 2F,
89 Chapter 65, Orlando City Code, respectively. The zoning official may also

approve minor modifications and design modifications to fences, walls, landscaping, accessory structures, signs, and bufferyard requirements.

- c) *Front yard setback.* The front façade of the principal structure must be built on the 25' front yard setback line.
- d) *Maximum floor to area ratio.* The floor to area ratio may not exceed 0.7.
- e) *Driveway separation.* The driveways depicted on the Development Plan must be separated from each other by at least 20'.

2) Urban Design

- a) *Architecture.* Architectural elevations for the Project are subject to review and approval for consistency with this ordinance and applicable Orlando City Code as part of the final site plan. The Property must be developed and maintained in accordance with the final approved architectural elevations. All approved elevations must, without limitation, conform to the following minimum requirements:
 - i) Architecture must be substantially consistent with the elevations attached to this ordinance as **Exhibit "D."**
 - ii) Traditional City design standards as provided by section 62.600, Orlando City Code.
 - iii) *Façade transparency.* Each facade of each floor below the roofline must be at least 15% transparent. The garage portion of the ground floor shall not be included in the calculation.
 - iv) *Building orientation.* Each duplex unit must provide a main entry facing the street. The doors of the main entry must be substantially full glass panels in order to meet or help meet the minimum transparency requirement.
 - v) *Facade articulation and treatment.* The second level lap-siding should be wrapped to the side elevations for at least 20' behind the front elevation. Windows and doors must be detailed with a sill, header, and trim appropriate to the style of the building.
 - vi) *Roof articulation and treatment.* The roofline of the entry porches must be separate from the main massing of the house as proposed in the elevations attached to this ordinance as Exhibit "D."

vii) *Garage doors.* Both garage doors must be recessed at least 1' and 4" from the front facade.

b) *Landscaping.* Landscaping must comply with applicable provisions of Chapter 60, Orlando City Code. At least one approved street tree must be installed and maintained between the driveway curb cuts.

c) *Utilities.* Air conditioning units and other mechanical equipment must be located in the back yard and may not be visible from the public right-of-way.

SECTION 5. SCRIVENER'S ERROR. The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

SECTION 6. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 7. EFFECTIVE DATE. This ordinance takes effect upon adoption.

DONE, THE FIRST READING, by the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2014.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this _____ day of _____, 2014.

DONE, THE SECOND READING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2014.

BY THE MAYOR/MAYOR PRO TEMPORE
OF THE CITY OF ORLANDO, FLORIDA:

Mayor / Mayor Pro Tempore

ATTEST, BY THE CLERK OF THE
CITY COUNCIL OF THE CITY OF
ORLANDO, FLORIDA:

179 City Clerk

180
181 APPROVED AS TO FORM AND LEGALITY
182 FOR THE USE AND RELIANCE OF THE
183 CITY OF ORLANDO, FLORIDA:

184
185
186 _____
187 City Attorney

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