



# CAMPBELL SUBDIVISION W/MODIFICATION OF STANDARDS



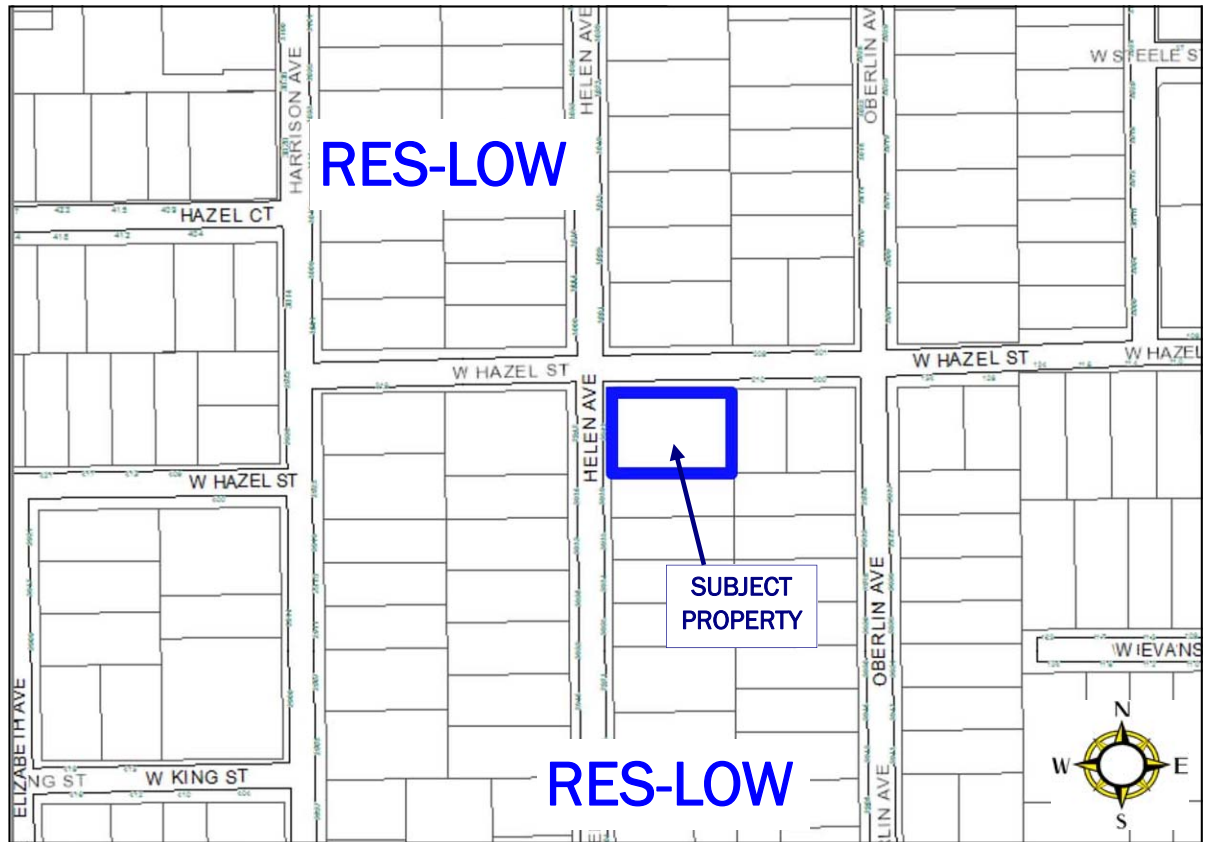
## Location Map

**Subject Site**

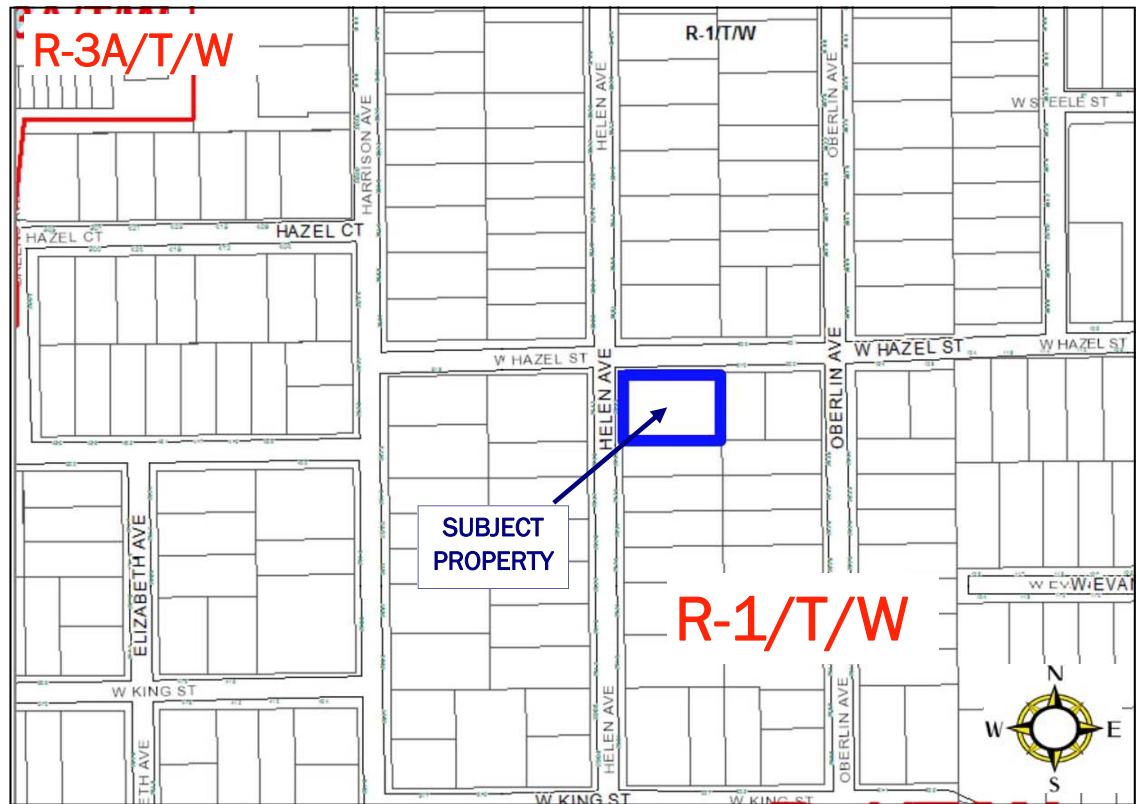
## SUMMARY

<p><b>Applicant</b></p> <p>Cameron Thomas Bloom Group, LLC</p>	<p><b>Property Location:</b> 2943 Helen Ave. (southeast corner of Helen Ave. and W. Hazel St., west of Formosa Ave.) (parcel #14-22-29-0160-09-110; 0.31 acres, District 3).</p>	<p><b>Staff Recommendation:</b> Approval of the Minor Plat with Modification of Standards, per the conditions in this staff report.</p>
<p><b>Property Owner</b></p> <p>Richard Bosserman, Manager 2943 Helen, LLC</p>	<p><b>Applicant's Request:</b> The applicant proposes to replat a developed residential property preparatory to demolishing the existing home and constructing two (2) single-family homes. A Modification of Standards is needed for both lots, both of which will not meet the minimum required 110 ft. lot depth under R-1/T/W zoning. The property is located in the College Park neighborhood.</p>	<p><b>Public Comment:</b> Courtesy notices were mailed to property owners within 300 ft. of the subject property the week of March 31, 2014. As of the mail-out of the staff report, staff has received no public inquiries relative to the replat request.</p>
<p><i>Updated: March 28, 2014</i></p>		

# FUTURE LAND USE MAP



# ZONING MAP



# PROJECT ANALYSIS

## Project Description

The applicant is requesting to replat a partially developed 0.31-acre property for the development of two (2) single-family homes. The property is located at the southeast corner of Helen Ave. and W. Hazel St., in the College Park neighborhood. The proposed two (2) lots will not meet the minimum required 110 ft. lot depth, mandating that the replat be done with a Modification of Standards.

## Previous Actions

1924: Subject property platted as two (2) lots (one (1) 50 ft. (w) x 136.1 ft. (d) and one (1) 45 ft. (w) x 136.1 ft. (d)) within the Anderson Park Subdivision.

1949: 1,160 sq. ft. 1-story single-family home and attached garage constructed on the property.

9/2011: Property acquired by current owner.

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

TABLE 1 - PROJECT CONTEXT			
Direction	Future Land Use	Zoning	Adjacent Uses
North	(Across W. Hazel St.) Residential Low Intensity (RES-LOW)	R-1/T/W (One-Family Residential, Traditional City Overlay, Wekiva Overlay)	Single-Family Home
East	RES-LOW	R-1/T/W	Single-Family Home
South	RES-LOW	R-1/T/W	Single-Family Home
West	(Across Helen Ave.) RES-LOW	R-1/T/W	Single-Family Home

## Minor Subdivision Plat

Minor Subdivision Plat Review (LDC Section 65.420) 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 to allow for the development of two (2) single-family homes via a Modification of Standards.

## 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-1/T/W (One-Family Residential, Traditional City Overlay, Wekiva Overlay). Per Table 2 at right, the replat request

does not comply with standards for platting of lands as contained in LDC Chapter 65 Part 3G and needs a Modification of Standards relative to lot depth for both lots.

## Proposed Development/Modification of Standards

Via the Replat with Modification of Standards process (LDC Section 65.452), the applicant seeks to divide the property into two nearly equal parcels, at 70.56 ft. wide x 95.6 ft. deep (6,747 sq. ft.), where the minimum required 110-ft. lot depth will not be met.

## Non-conforming Lot Requirements

LDC Section 58.1152, Permitted Uses of Nonconforming Lots, states "when a platted residential lot or Lot of Record is non-conforming in lot area, lot width, or lot depth, the following regulations shall apply (staff responses following in **bold**)

- Height.** The maximum building height shall be two (2) -stories. **Proposed homes will be 1-story in height.**
- Floor Area Ratio (FAR).** The maximum floor area ratio shall be 0.50. **Proposed FARs will be 0.25 & 0.26, respectively.**
- 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 com-

**Table 2 - Development Standards & Proposed (R-1/T/W)**

Use & Proposed Lot	Lot Size (sq. ft.)	Floor Area Ratio (FAR)	Lot Dimensions (minimums)
Single-Family Homes	6,000	na	55 ft. (w) x 110 ft. (d)
Lot 1 - 1,642 sq. ft. house	6,747	0.24 (prop.)	70.56 ft. (w) x <b>95.62</b> ft. (d)
Lot 2 - 1,733 sq. ft. house	6,748	0.26 (prop.)	70.56 ft. (w) x <b>95.64</b> ft. (d)

bined 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. **Garages will need to be recessed 5 ft. from the building façade.**

D. Appearance Review Required. Appearance Review shall be required pursuant to the requirements and procedures provided in LDC Section 62.300.

E. Modification of Standards Prohibited. Modifications to development standards on nonconforming residential lots under Chapter 65 of this Code are prohibited. Only variances approved by the Board of Zoning Adjustment (BZA) shall be allowed.

Staff looked at the prevailing development pattern along the W. Hazel St. block face (north and south sides, between Helen Ave. and 2 lots east of Oberlin Ave. (see Table 3 below and map on page 5) and determined that building living area and FARs were considerably lower than the maximum allowed 0.50 FAR and lower than the applicant's proposed average 1,687 sq. ft. of living area and average 0.25 FAR. The applicant has provided the required development plan and building elevations for the two (2) new homes (pages 7-8).

#### Plat w. Modification of Standards

LDC Section 65.452 provides the following four (4) criteria for approving plat with Modification of Standards applications:

(A) *Purpose and Intent of GMP.* The modification would be consistent with the stated purpose and intent of this Code and with the City's adopted GMP;

(B) *Public Interest.* The modification would not have a significantly adverse impact on the public interest;

(C) *Public Facilities.* The modification would not overburden or otherwise adversely impact public facilities; and

(D) *Hardship.* Strict application of the development standard would create a legal hardship due to the unusual size, shape, topography, natural conditions, or location of the subject property (provided that such conditions were not existing at the time of the property owner's purchase of the property or created by the property owner or their agent); due to best engineering, design, or construction practices; or due to required preservation of existing environmental or cultural features.

<b>Table 3 - W. Hazel St. Face Lot Comparisons</b>				
<i>Proposed</i>	<i>House Built</i>	<i>Area (sq. ft.)</i>	<i>Living Area</i>	<i>FAR</i>
Lot 1	—	6,747 (70.5 w x 95.6 d)	1,642	0.24
Lot 2	—	6,748 (70.5 w x 95.6 d)	1,733	0.26
<i>Existing</i>				
210	1952	5,933 (62 w x 95.7 d)	1,003	0.17
209	1950	6,512 (65.1 w x 100 d)	1,360	0.21
201	1950	7,600 (76 w x 100 d)	1,000	0.13
200	1952	7,560 (79 w x 95.7 d)	1,008	0.13
134	1951	7,273 (76 w x 95.7 d)	1,217	0.17
128	1950	6,125 (64 w x 95.7 d)	1,133	0.18
<i>Average (not including two (2) proposed lots)</i>		<i>6,834 sq. ft.</i>	<i>1,120</i>	<i>0.16</i>

Generally, Planning staff supports Plat with Modification of Standard requests when all lots meet the minimum required lot area under the applicable zoning designation. In this case, both proposed lots meet both the minimum required lot area and the minimum required lot width under R-1/T/W zoning.

#### **School Impacts**

The replatting would re-activate the 2nd lot and the increase of 1 dwelling unit would result in a *diminimus* increase to area school capacity. Thus, no further school impact analysis is needed.

#### **Findings/Recommendation**

The Campbell Subdivision Replat with Modification of Standards is consistent with the requirements for approval of a Minor Subdivision Plat with Modification of Standards as contained in Section 65 Part 3G of the Land Development Code (LDC), per the findings below:

1. The modification is consistent with the stated purpose and intent of the Code and with the City's adopted GMP;
2. The modification would not have a significant adverse impact on the public interest;
3. The modification would not overburden or otherwise adversely impact public facilities; and
4. In terms of hardship, staff and the applicant collectively determined it was best to split the property north-south, rather than the existing east-west configuration, as the northern-most lot would only be 45 feet wide and on the corner, making it extremely difficult to build a home and meet required setbacks. The rub is that with a north-south plat with modification of standards, the lots wind up 95.6 feet deep, when Code requires them to be 110 feet deep.

Based on the information provided in the staff report and the findings noted above, staff recommends **approval** of the Campbell Subdivision Replat with Modification of Standards, per the conditions in this staff report.



W. HAZEL ST.

HELEN AVE.

OBERLIN AVE.

141.12

140.03

134

128

146.2

51.75

61.02

SUBJECT PROPERTY

W. HAZEL ST.

HELEN AVE.

SUBJECT PROPERTY

House will be demolished

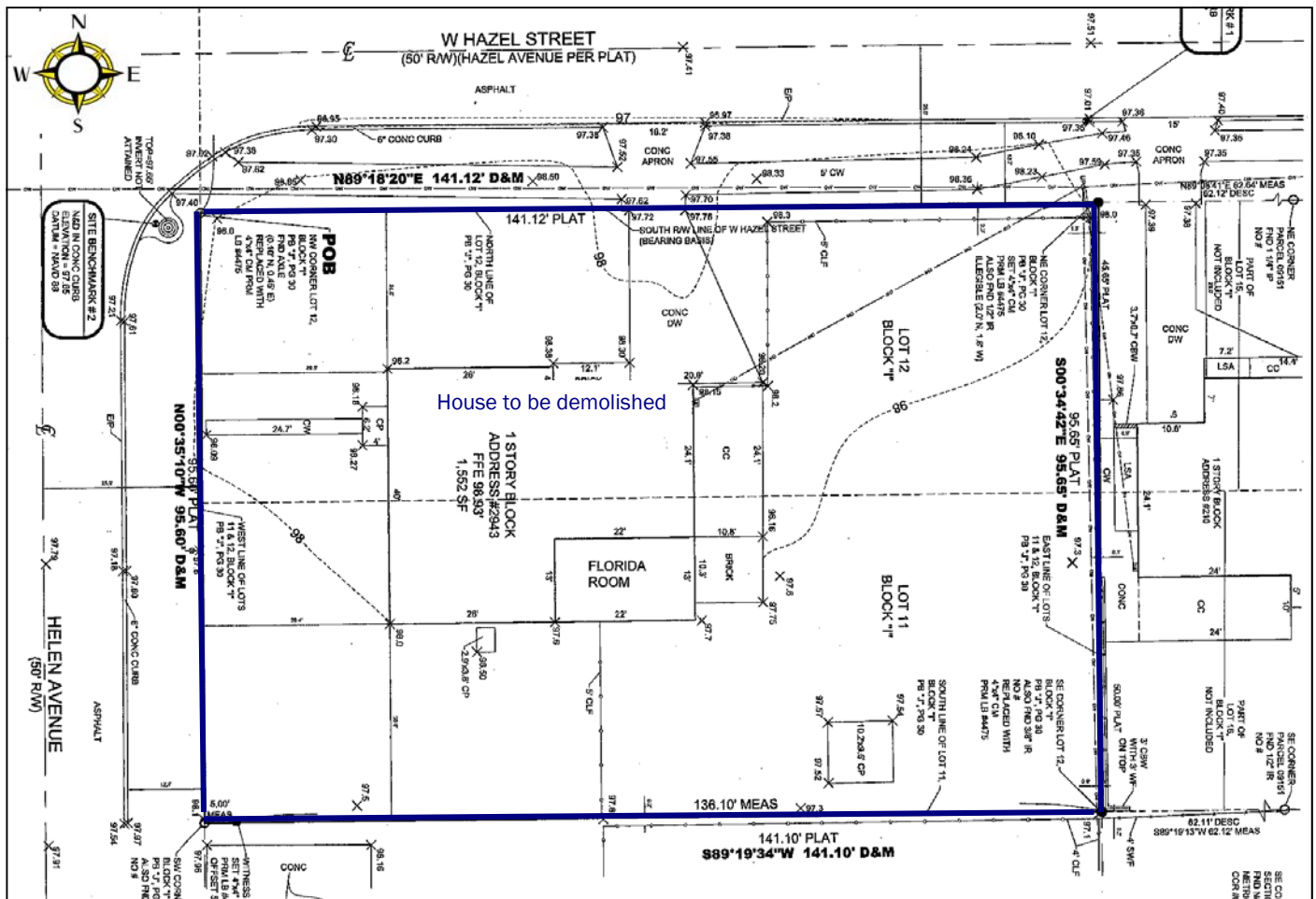


## SITE PHOTOS

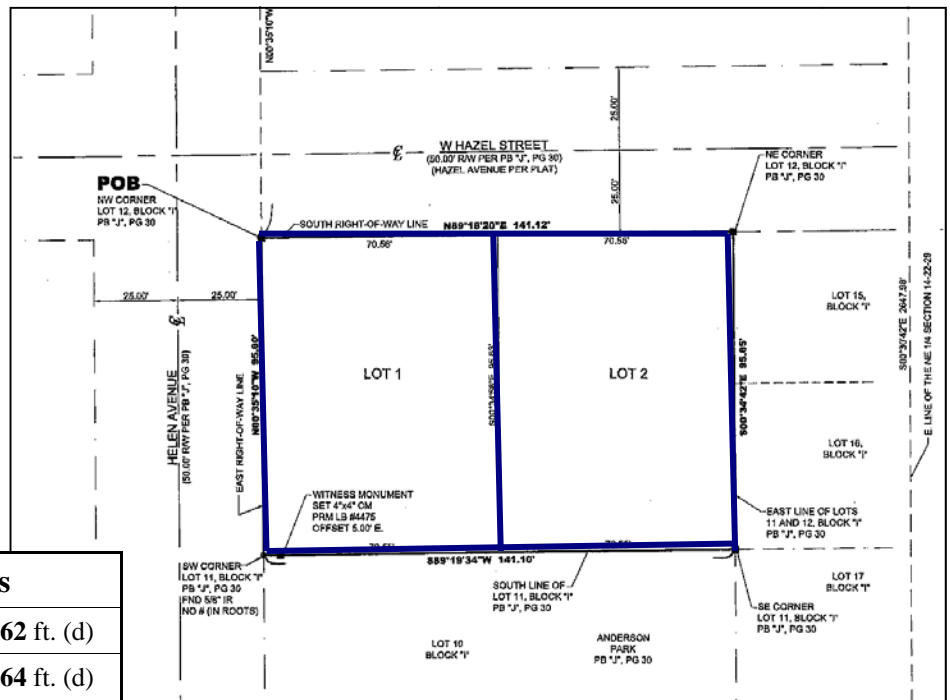




# 2014 SURVEY



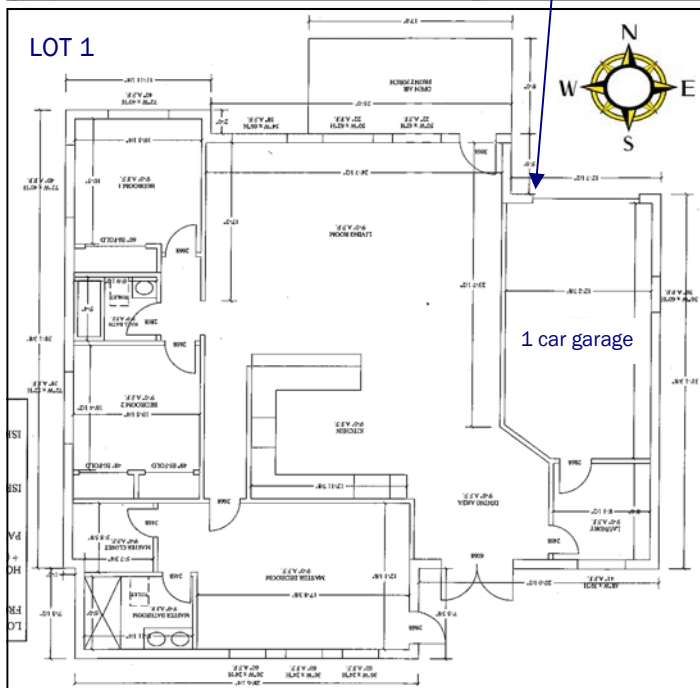
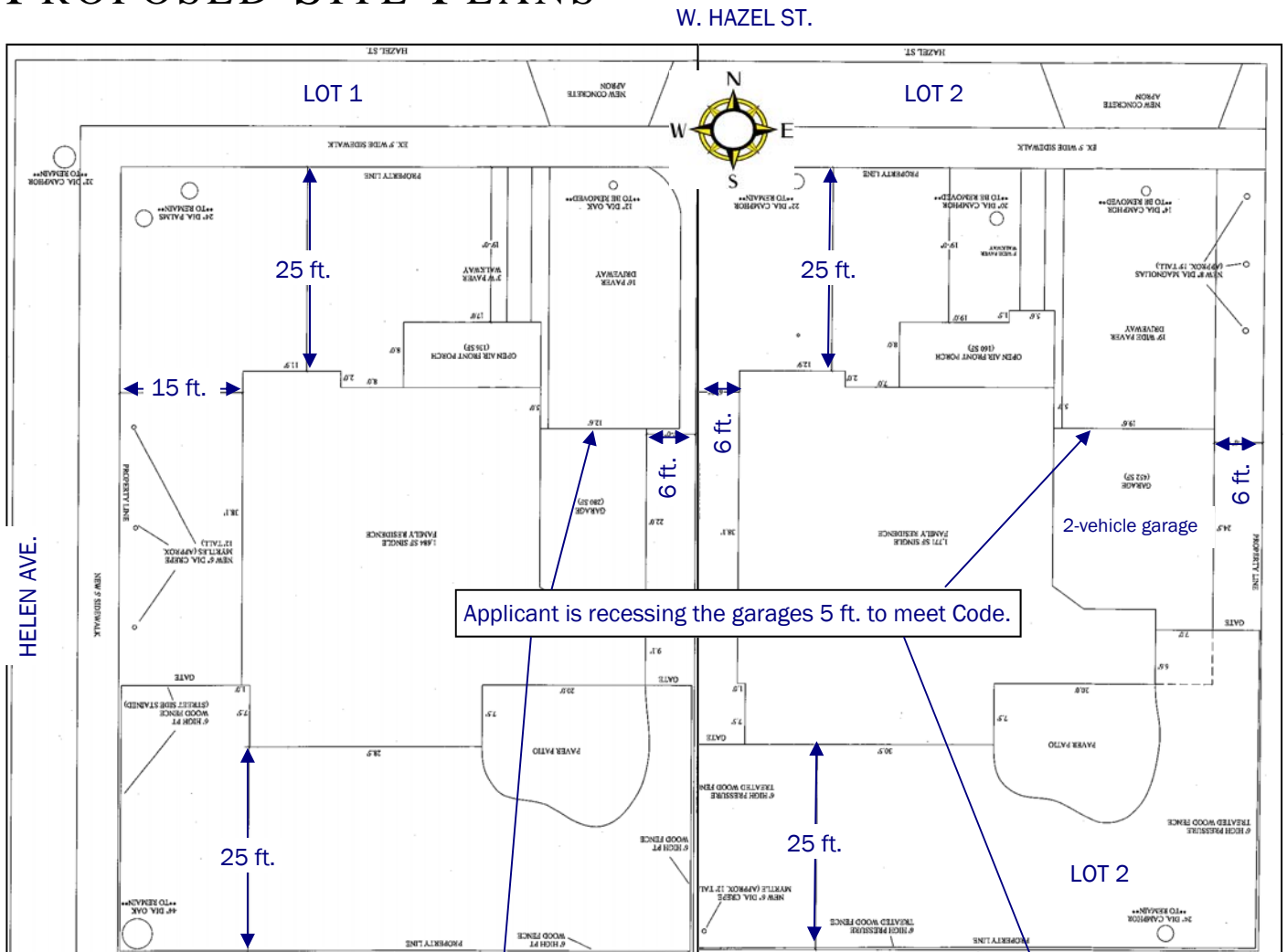
## PROPOSED DEVELOPMENT PLAN



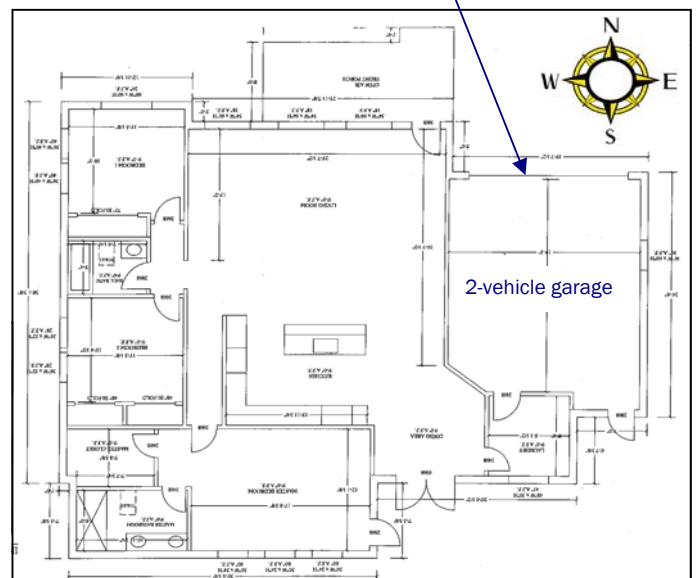
### Proposed Lot Dimensions

Lot 1	6,747 sq. ft. 70.56 ft. (w) x 95.62 ft. (d)
Lot 2	6,748 sq. ft. 70.56 ft. (w) x 95.64 ft. (d)

# PROPOSED SITE PLANS

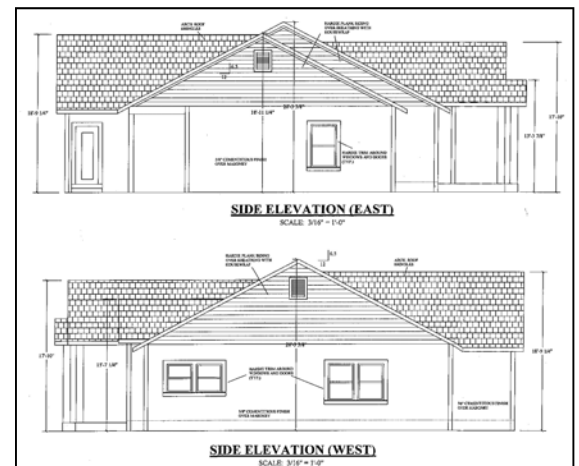
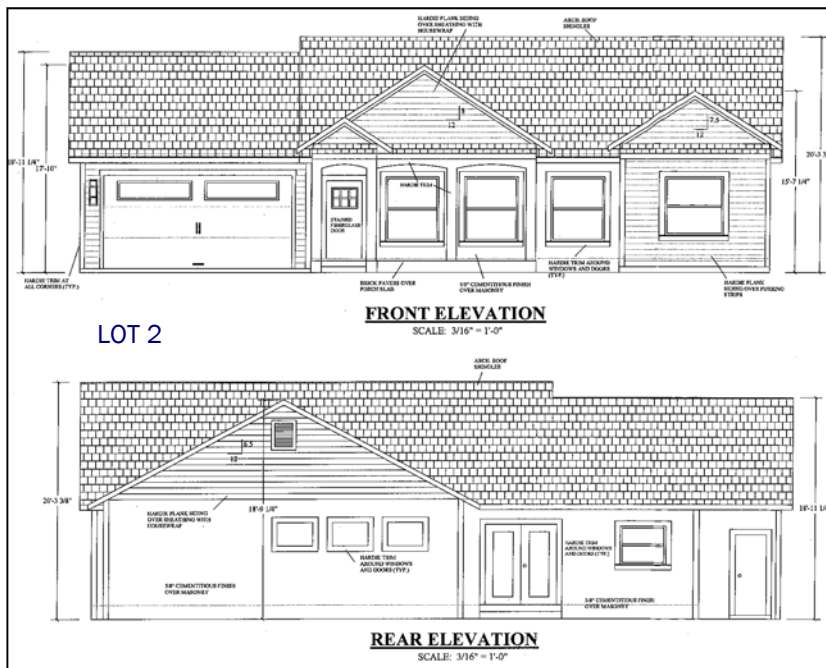


## FLOORPLANS





# PROPOSED BUILDING ELEVATIONS



# CONDITIONS OF APPROVAL - REQUIRED

## Land Development

1. Maximum FAR - In order for the proposed houses to “blend” with the existing neighborhood development pattern, the maximum living area of the houses, as provided in this report, shall not exceed 1,750 sq. ft. living area (FAR of 0.26).
2. Nonconforming Lots - The attached garages for both units shall be recessed at least 5 ft., in accordance with LDC Section 58.1152.
3. Consistency with Staff Report - Building permits shall match the development plan and building elevations for the two (2) new homes provided in this staff report. Modifications to the site plan not meeting Code shall require approval of a variance prior to 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. Corner Clip Dedication - A triangular corner clip, 10 ft. x 10 ft., shall be dedicated as City Road Right-Of-Way (R-O-W) or as a City Services Easement at the SE corner of W. Hazel St. and Helen Ave. (Refer to ESM Chapter 8). The Road R-O-W or City Services Easement area shall be shown and noted on the plat, construction plans and any future site plans. The City Services Easement dedication forms are posted on the City's website at [www.cityoforlando.net/permits](http://www.cityoforlando.net/permits) and click on the left menu “Forms, Fees & Information”. From there select “General Documents” and the appropriate City Services Easement document. Return this document to the Transportation Plans Examiner along with the legal description of the easement and the signed and sealed sketch of description of the easement (Exhibit A). This document will be sent to the City Legal Department for review as to form and legality. When it is in the approvable state, it must be recorded at Orange County Public Records by the Owner/Applicant. Upon receiving a copy of the Recorded Document(s), the condition will be made “MET”. Alternatively, if the Applicant wishes, the permit may be issued with a hold placed on the final inspection until the required document(s) are approved and recorded.

## Transportation Impact Fees

1. An estimated Transportation Impact Fee in the amount of \$7,636.00, based on the construction of two (2) single family residential 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>
2. Any exemptions or credits against the Transportation Impact Fee (from the existing/previous house) 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 existing use located on the subject site.
3. 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, and that the potential impacts on public facilities and services are mitigated.  
All new construction, changes in use, additions or redevelopment 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: <http://www.cityoforlando.net/permits/forms/concurrency.htm>.

## **INFORMATIONAL** (pertains more to development/permitting of the new uses)

### 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 state regulatory agencies. Any applicable state or federal permits must also be obtained before commencing development.

Sewer - The project consists of 2 new single family homes where one house already exists. Each new house shall have a separate sanitary sewer lateral connection to the sanitary sewer main.. This may require installation of one or more new lateral connections from the sewer main in the street to the property line at no cost to the City. The owner, architect, and/or contractor shall

contact the Wastewater Division prior to the start of construction to coordinate sanitary sewer connection.

#### Engineering

1. Concurrency Management - Please be advised that the development of this project/property is subject to the terms and provisions of LDC Chapter 59 Concurrency Management and the Committed Trip Allocation Policy.
2. Engineering Standards Manual - The City Council adopted the Engineering Standards Manual (ESM), 4th Edition, on March 9, 2009. All plans must conform to the ESM and all construction must be accomplished in accordance with the ESM.
3. Sidewalk - Per LDC Section 61.225, a 5 ft. wide concrete sidewalk is required along both Helen Ave. and W. Hazel St. Any existing sidewalk damaged or broken is to be repaired.
4. Stormwater - For redevelopment - Provide water quality for areas where there is alteration of surface drainage or change of drainage patterns. Refer to website, Engineering Standards Manual, Chapter 7.01B.
5. Stormwater System - 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 system is to be privately owned and maintained.
6. 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.
7. Tree Removal Permit - At time of redevelopment, a Tree Removal/Encroachment permit will be required. Contact the Bureau of Parks at (407) 246-2283 for a Tree Encroachment / removal permit prior to encroaching within 10 ft. of or removing any existing 4 inch caliper or larger tree per LDC Section 60.211.
8. Street Tree Fund - LDC Section 61.226 provides for a Street Tree Trust Fund, wherein the developer is required to contribute funds to the Trust Fund prior to issuance of the building permit. The cost is \$350 for each 12-14 ft. height of canopy tree. The City is responsible for installation of the trees, but the developer may install the street trees in lieu of contributing to the Trust Fund.
9. Erosion Control Plan - All building site plans submitted for review should include a detailed erosion and sedimentation control plan. Storm water control measures to minimize the impact of the erosion/sedimentation shall be incorporated in the plan and a detailed description of these measures are to be included with the final engineering submittal.
10. Driveways - The minimum spacing between adjacent driveways accessing local public streets is 42 ft.
11. Residential Plans Submittal - Construction plans shall include a site plan (prepared to a standard engineering scale) showing the following: driveway approach, curb, street pavement edge, public sidewalk, etc. (Please see the Residential Plans Submittal Checklist: <http://www.cityoforlando.net/permits>) (LDC Chapters 60 and 65, and Engineering Standards Manual (ESM), Article Section 1).

## 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 Green at 407-246-2134 or at [Shirley.green@cityoforlando.net](mailto:Shirley.green@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 Impact Fees**

For questions and information regarding Transportation Impact Fee rates, contact Nancy Ottini at (407) 246-3529 or at [nancy.jurus-ottini@cityoforlando.net](mailto:nancy.jurus-ottini@cityoforlando.net).

#### **Sewer**

For questions regarding Sewer review, contact David Breitrick at 407-246-3525 or at [david.breitrick@cityoforlando.net](mailto:david.breitrick@cityoforlando.net).

## REVIEW/APPROVAL PROCESS-NEXT STEPS

1. Following the MPB meeting, the City Council will review and approve the MPB meeting minutes on Mon. June 2, 2014.
2. Following the April MPB meeting, the applicant can re-submit plat and subdivision revisions to Engineering/Zoning (1st floor), who will coordinate the remainder of the plat review process, including scheduling City Council approval of the plat (date to be determined by Engineering/Zoning). The applicant may elect to provide a Hold Harmless Agreement at time of plat resubmittal to allow building permits for the two (2) houses to be issued (if ready for issuance).