

1           **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**  
2           **OF ORLANDO, FLORIDA, DESIGNATING CERTAIN**  
3           **LAND GENERALLY LOCATED NORTH OF E.**  
4           **ORLANDO ST., EAST OF DEPAUW AVE., SOUTH OF E.**  
5           **WINTER PARK ST., AND WEST OF MUSSELWHITE**  
6           **AVE., AND COMPRISED OF 0.15 ACRES OF LAND,**  
7           **MORE OR LESS, AS PLANNED DEVELOPMENT**  
8           **DISTRICT WITH THE TRADITIONAL CITY AND WEKIVA**  
9           **OVERLAY DISTRICTS, ON THE CITY'S OFFICIAL**  
10          **ZONING MAPS; PROVIDING SPECIAL LAND**  
11          **DEVELOPMENT REGULATIONS OF THE PLANNED**  
12          **DEVELOPMENT DISTRICT; PROVIDING FOR**  
13          **SEVERABILITY, CORRECTION OF SCRIVENER'S**  
14          **ERRORS, AND AN EFFECTIVE DATE.**  
15

16           **WHEREAS**, at its regularly scheduled meeting of May 20, 2014, the Municipal  
17          Planning Board (the "MPB") of the City of Orlando, Florida (the "City"), considered  
18          zoning application case number ZON2014-00009, requesting the Planned Development  
19          zoning district designation, along with the Traditional City zoning overlay and the Wekiva  
20          zoning overlay districts, for approximately 0.15 acres of land, generally located north of  
21          E. Orlando Street, east of Depauw Ave., south of E. Winter Park Street, and west of  
22          Musselwhite Ave., and more precisely described by the legal description attached to this  
23          ordinance as **Exhibit "A"** (hereinafter the "Property"); and  
24

25           **WHEREAS**, based upon the evidence presented to the MPB, including the  
26          information and analysis contained in the "Staff Report to the Municipal Planning Board"  
27          for application case number ZON2014-00009 (entitled "Item #5 – Depauw Duplex PD"  
28          and hereinafter referred to as the "Staff Report"), and subject to certain conditions  
29          contained within the Staff Report, the MPB recommended that the City Council of the  
30          City of Orlando, Florida (the "Orlando City Council"), approve said zoning application and  
31          adopt an ordinance in accordance therewith; and  
32

33           **WHEREAS**, zoning application case number ZON2014-00009 is requesting the  
34          Planned Development zoning district designation for the purpose of permitting the  
35          development of a residential duplex (the "Project"); and  
36

37           **WHEREAS**, the MPB found that the Project is consistent with the City's adopted  
38          Growth Management Plan (the "GMP") including the applicable goals, objectives, and  
39          policies associated with the Property's Future Land Use Map designation of Residential-  
40          Low; and  
41

42           **WHEREAS**, the Orlando City Council hereby finds that the Project is consistent  
43          with the intent and purpose of the planned development district zoning designation as  
44          established by Part 2Q, Chapter 58, Code of the City of Orlando, Florida (the "Orlando  
45          City Code"); and  
46

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

49  
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."

59  
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.

65  
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).

71  
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**

77  
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

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

- 92
- 93 c) *Front yard setback.* The front façade of the principal structure must be built on  
94 the 25' front yard setback line.
- 95
- 96 d) *Maximum floor to area ratio.* The floor to area ratio may not exceed 0.7.
- 97
- 98 e) *Driveway separation.* The driveways depicted on the Development Plan must be  
99 separated from each other by at least 20'.

100

101 **2) Urban Design**

102

- 103 a) *Architecture.* Architectural elevations for the Project are subject to review and  
104 approval for consistency with this ordinance and applicable Orlando City Code as  
105 part of the final site plan. The Property must be developed and maintained in  
106 accordance with the final approved architectural elevations. All approved  
107 elevations must, without limitation, conform to the following minimum  
108 requirements:
- 109
- 110 i) Architecture must be substantially consistent with the elevations attached to  
111 this ordinance as **Exhibit "D."**
- 112
- 113 ii) Traditional City design standards as provided by section 62.600, Orlando City  
114 Code.
- 115
- 116 iii) *Façade transparency.* Each facade of each floor below the roofline must be at  
117 least 15% transparent. The garage portion of the ground floor shall not be  
118 included in the calculation.
- 119
- 120 iv) *Building orientation.* Each duplex unit must provide a main entry facing the  
121 street. The doors of the main entry must be substantially full glass panels in  
122 order to meet or help meet the minimum transparency requirement.
- 123
- 124 v) *Facade articulation and treatment.* The second level lap-siding should be  
125 wrapped to the side elevations for at least 20' behind the front elevation.  
126 Windows and doors must be detailed with a sill, header, and trim appropriate  
127 to the style of the building.
- 128
- 129 vi) *Roof articulation and treatment.* The roofline of the entry porches must be  
130 separate from the main massing of the house as proposed in the elevations  
131 attached to this ordinance as Exhibit "D."
- 132

133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178

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:

\_\_\_\_\_

ORDINANCE NO. 2014-26

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 \_\_\_\_\_  
City Attorney

187

\*\*[Remainder of page intentionally left blank.]\*\*