

1 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**
2 **OF ORLANDO, FLORIDA, RELATING TO HISTORIC**
3 **PRESERVATION; DESIGNATING CERTAIN REAL**
4 **PROPERTY GENERALLY LOCATED NORTH OF E.**
5 **CENTRAL BLVD., EAST OF LAKE EOLA, SOUTH OF E.**
6 **WASHINGTON ST., AND WEST OF N. EOLA DR., BE-**
7 **ING COMPRISED OF 0.3 ACRES OF LAND, MORE OR**
8 **LESS, AND ADDRESSED AS 512 E. WASHINGTON ST.,**
9 **AS AN ORLANDO HISTORIC LANDMARK; PROVIDING**
10 **FINDINGS, PERMIT DISCLAIMER, FOR SEVERABILITY,**
11 **CORRECTION OF SCRIVENER'S ERRORS, AND AN**
12 **EFFECTIVE DATE.**

13
14 **WHEREAS**, section 65.720, Code of the City of Orlando, Florida ("Orlando City
15 Code"), provides for the designation of a "site, building, structure[,] or object as an His-
16 toric Landmark [] when appropriate documentation demonstrates significance in history,
17 architecture, archeology, engineering[,] or culture and it possesses integrity of location,
18 design, setting, materials, workmanship, feeling[,] and association..."; and

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20 **WHEREAS**, section 65.720, Orlando City Code, further requires that a site, build-
21 ing, structure, or object proposed for designation as an Orlando Historic Landmark
22 demonstrate "[association] with events that have made a significant contribution to the
23 broad patterns of our history", or "[association] with the lives of persons significant in our
24 past", or "[t]hat embodies the distinctive characteristics of a type, period or method of
25 construction, or that represents the work of a master, or that possesses high artistic val-
26 ues", or "[t]hat has yielded or may be likely to yield, information important in prehistory or
27 history"; and

28
29 **WHEREAS**, based upon the evidence presented to the City of Orlando Historic
30 Preservation Board (the "HPB") at its regular meeting of May 4, 2016, including the in-
31 formation and analysis contained in the "Staff Report" to the HPB for application case
32 number HPB2016-00057 (entitled "512 East Washington Street"), the HPB found that
33 the real property located at 512 E. Washington Street (hereinafter referred to as the
34 "Eola House") was eligible for designation as an Orlando Historic Landmark under sub-
35 section 65.720(a), Orlando City Code, because the property "is associated with events
36 that have made a significant contribution to the broad patterns of our history," and under
37 subsection 65.720(b), Orlando City Code, because the property "is associated with the
38 lives of persons significant in our past," and also under subsection 65.720(c), Orlando
39 City Code, because the property "embodies the distinctive characteristics of" the Medi-
40 terranean Revival style in Orlando; and

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42 **WHEREAS**, based upon these findings, the HPB recommended to the City Mu-
43 nicipal Planning Board (the "MPB") that the City Council of the City of Orlando, Florida
44 (the "Orlando City Council"), designate the Eola House as an Orlando Historic Land-
45 mark; and
46

47 **WHEREAS**, based upon the evidence presented to the MPB at its regular meet-
 48 ing of July 19, 2016, including the information and analysis contained in the “Staff Re-
 49 port” to the MPB for application case number HPB2016-00057 (entitled “512 East Wash-
 50 ington Street”), the MPB found that the Eola House was eligible for designation as an
 51 Orlando Historic Landmark under subsection 65.720(a), Orlando City Code, because the
 52 property “is associated with events that have made a significant contribution to the broad
 53 patterns of our history,” and under subsection 65.720(b), Orlando City Code, because
 54 the property “is associated with the lives of persons significant in our past,” and also un-
 55 der subsection 65.720(c), Orlando City Code, because the property “embodies the dis-
 56 tinctive characteristics of” the Mediterranean Revival style in Orlando; and

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 58 **WHEREAS**, based upon these findings, the MPB recommended that the Orlando
 59 City Council designate the Eola House as an Orlando Historic Landmark; and

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 61 **WHEREAS**, Eola House is a Mediterranean Revival Style historic home built in
 62 1924 and is generally located in Lake Eola Park, north of E. Central boulevard, east of
 63 Lake Eola, south of E. Washington Street, and west of N. Eola Drive, being more par-
 64 ticularly described by the legal description of the property by metes and bounds attached
 65 to this ordinance as **Exhibit A** (the “property”); and

66
 67 **WHEREAS**, based upon the findings of the City Historic Preservation Officer, the
 68 Historic Preservation Board, the Municipal Planning Board, and the testimony and evi-
 69 dence provided by city staff and the public, the Orlando City Council hereby finds and
 70 determines that, in accordance with the criteria provided in section 65.720, Orlando City
 71 Code, appropriate documentation has been provided to demonstrate that the property is
 72 “significan[t] in history, ...or culture and [] possesses integrity of location, design, set-
 73 ting...feeling[,] and association...”, that the property is “associated with events that have
 74 made a significant contribution to the broad patterns of our history,” that the property is
 75 “associated with the lives of persons significant in our past,” and that the proper-
 76 ty “embodies the distinctive characteristics of” the Mediterranean Revival style in Orlan-
 77 do; and

78
 79 **WHEREAS**, based upon the findings of the City Historic Preservation Officer, the
 80 Historic Preservation Board, the Municipal Planning Board, and the testimony and evi-
 81 dence provided by city staff and the public, the Orlando City Council hereby finds and
 82 determines that, in accordance with the criteria provided in section 65.720, Orlando City
 83 Code, the property is, in fact “significan[t] in history, ...or culture and [] possesses integ-
 84 rity of location, design, setting...feeling[,] and association...”, that the property is “asso-
 85 ciated with events that have made a significant contribution to the broad patterns of our
 86 history,” that the property is “associated with the lives of persons significant in our past,”
 87 and that the property “embodies the distinctive characteristics of” the Mediterranean Re-
 88 vival style in Orlando; and

89
 90 **WHEREAS**, the Orlando City Council hereby finds and determines that this ordi-
 91 nance is in the best interest of the public health, safety, and welfare; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA:

SECTION 1. DESIGNATION OF ORLANDO HISTORIC LANDMARK. In accordance with section 65.720, Orlando City Code, the property (including the Eola House located thereon) is hereby designated an Orlando Historic Landmark, and is henceforth subject to all the laws and benefits applicable to said designation.

SECTION 2. OTHER STATE AND FEDERAL PERMITS. As provided by subsection 166.033(5), Florida Statutes, issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. In accordance with subsection 166.033(5), Florida Statutes, it is hereby made a condition of this ordinance that all other applicable state or federal permits be obtained before commencement of development work on the property.

SECTION 3. 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 4. 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 5. 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 _____, 2016.

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 _____, 2016.

DONE, THE SECOND READING AND A PUBLIC HEARING, 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 _____, 2016.

BY THE MAYOR OF THE CITY OF
ORLANDO, FLORIDA:

ORDINANCE NO. 2016-78

Mayor

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

City Clerk

THIS ORDINANCE WAS DRAFTED AND
IS APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND RELIANCE OF THE
CITY OF ORLANDO, FLORIDA, BY:

City Attorney

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