

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 W. HA-**  
5                   **ZEL ST., EAST OF EAGLE BLVD., SOUTH OF W. PAR**  
6                   **ST., AND WEST OF GREENS AVE., BEING COMPRISED**  
7                   **OF 1.5 ACRES OF LAND, MORE OR LESS, AND AD-**  
8                   **DRESSED AS 3206 GREENS AVE., AS AN ORLANDO**  
9                   **HISTORIC LANDMARK; PROVIDING FINDINGS, PERMIT**  
10                   **DISCLAIMER, FOR SEVERABILITY, CORRECTION OF**  
11                   **SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.**  
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13                   **WHEREAS**, section 65.720, Code of the City of Orlando, Florida (“Orlando City  
14 Code”), provides for the designation of a “site, building, structure[,] or object as an His-  
15 toric Landmark [ ] when appropriate documentation demonstrates significance in history,  
16 architecture, archeology, engineering[,] or culture and it possesses integrity of location,  
17 design, setting, materials, workmanship, feeling[,] and association...”; and  
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19                   **WHEREAS**, section 65.720, Orlando City Code, further requires that a site, build-  
20 ing, structure, or object proposed for designation as an Orlando Historic Landmark  
21 demonstrate “[association] with events that have made a significant contribution to the  
22 broad patterns of our history”, or “[association] with the lives of persons significant in our  
23 past”, or “[t]hat embodies the distinctive characteristics of a type, period or method of  
24 construction, or that represents the work of a master, or that possesses high artistic val-  
25 ues”, or “[t]hat has yielded or may be likely to yield, information important in prehistory or  
26 history”; and  
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28                   **WHEREAS**, based upon the evidence presented to the City of Orlando Historic  
29 Preservation Board (the “HPB”) at its regular meeting of September 7, 2016, including  
30 the information and analysis contained in the “Staff Report” to the HPB for application  
31 case number HPB2016-00146 (entitled “3206 Greens Avenue”), the HPB found that the  
32 real property located at 3206 Greens Avenue (hereinafter referred to as the “Dann  
33 House”) was eligible for designation as an Orlando Historic Landmark under subsection  
34 65.720(a), Orlando City Code, because the property “is associated with events that have  
35 made a significant contribution to the broad patterns of our history,” and under subsec-  
36 tion 65.720(b), Orlando City Code, because the property “is associated with the lives of  
37 persons significant in our past,” and also under subsection 65.720(c), Orlando City  
38 Code, because the property “embodies the distinctive characteristics of” Frame Vernacu-  
39 lar residential architecture designed by artist, builder, and decorator Sam Stoltz (1876-  
40 1952); 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 Dann House as an Orlando Historic Land-  
45 mark; and  
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47       **WHEREAS**, based upon the evidence presented to the MPB at its regular meet-  
48 ing of November 15, 2016, including the information and analysis contained in the “Staff  
49 Report” to the MPB for application case number HPB2016-00146 (entitled “3206 Greens  
50 Avenue”), the MPB found that the Dann House was eligible for designation as an Or-  
51 lando 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” Frame Vernacular residential architecture designed by artist,  
57 builder, and decorator Sam Stoltz (1876-1952); and

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

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62       **WHEREAS**, Dann House is a Frame Vernacular residential architecture de-  
63 signed by artist, builder, and decorator Sam Stoltz (1876-1952) and is generally located  
64 in the College Park neighborhood, north of W. Hazel Street, east of Eagle Boulevard,  
65 south of W. Par Street, and west of Greens Avenue, being more particularly described  
66 by the legal description of the property by metes and bounds attached to this ordinance  
67 as **Exhibit A** (the “property”); and

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69       **WHEREAS**, based upon the findings of the City Historic Preservation Officer, the  
70 Historic Preservation Board, the Municipal Planning Board, and the testimony and evi-  
71 dence provided by city staff and the public, the Orlando City Council hereby finds and  
72 determines that, in accordance with the criteria provided in section 65.720, Orlando City  
73 Code, appropriate documentation has been provided to demonstrate that the property is  
74 “significan[t] in history, ...or culture and [ ] possesses integrity of location, design, set-  
75 ting...feeling[,] and association...”, that the property is “associated with events that have  
76 made a significant contribution to the broad patterns of our history,” that the property is  
77 “associated with the lives of persons significant in our past,” and that the property “em-  
78 bodies the distinctive characteristics of” Frame Vernacular residential architecture de-  
79 signed by artist, builder, and decorator Sam Stoltz (1876-1952); and

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81       **WHEREAS**, based upon the findings of the City Historic Preservation Officer, the  
82 Historic Preservation Board, the Municipal Planning Board, and the testimony and evi-  
83 dence provided by city staff and the public, the Orlando City Council hereby finds and  
84 determines that, in accordance with the criteria provided in section 65.720, Orlando City  
85 Code, the property is, in fact “significan[t] in history, ...or culture and [ ] possesses integ-  
86 rity of location, design, setting...feeling[,] and association...”, that the property is “associ-  
87 ated with events that have made a significant contribution to the broad patterns of our  
88 history,” that the property is “associated with the lives of persons significant in our past,”  
89 and that the property “embodies the distinctive characteristics of” Frame Vernacular resi-  
90 dential architecture designed by artist, builder, and decorator Sam Stoltz (1876-1952);  
91 and

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

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

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99           **SECTION 1. DESIGNATION OF ORLANDO HISTORIC LANDMARK.** In ac-  
100 cordance with section 65.720, Orlando City Code, the property (including the Dann  
101 House located thereon) is hereby designated an Orlando Historic Landmark, and is  
102 henceforth subject to all the laws and benefits applicable to said designation.  
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104           **SECTION 2. OTHER STATE AND FEDERAL PERMITS.** As provided by sub-  
105 section 166.033(5), Florida Statutes, issuance of a development permit by a municipality  
106 does not in any way create any right on the part of an applicant to obtain a permit from a  
107 state or federal agency and does not create any liability on the part of the municipality for  
108 issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obli-  
109 gations imposed by a state or federal agency or undertakes actions that result in a viola-  
110 tion of state or federal law. In accordance with subsection 166.033(5), Florida Statutes, it  
111 is hereby made a condition of this ordinance that all other applicable state or federal per-  
112 mits be obtained before commencement of development work on the property.  
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114           **SECTION 3. SEVERABILITY.** If any provision of this ordinance or its applica-  
115 tion to any person or circumstance is held invalid, the invalidity does not affect other pro-  
116 visions or applications of this ordinance which can be given effect without the invalid pro-  
117 vision or application, and to this end the provisions of this ordinance are severable.  
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119           **SECTION 4. SCRIVENER'S ERROR.** The city attorney may correct scrivener's  
120 errors found in this ordinance by filing a corrected copy of this ordinance with the city  
121 clerk.  
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123           **SECTION 5. EFFECTIVE DATE.** This ordinance takes effect upon adoption.  
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125           **DONE, THE FIRST READING**, by the City Council of the City of Orlando, Flor-  
126 ida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.  
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128           **DONE, THE PUBLIC NOTICE**, in a newspaper of general circulation in the City  
129 of Orlando, Florida, by the city clerk of the City of Orlando, Florida, this \_\_\_\_\_ day of  
130 \_\_\_\_\_, 2017.  
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132           **DONE, THE SECOND READING AND A PUBLIC HEARING, AND ENACTED**  
133 **ON FINAL PASSAGE**, by an affirmative vote of a majority of a quorum present of the  
134 City Council of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of  
135 \_\_\_\_\_, 2017.  
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ORDINANCE NO. 2017-5

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BY THE MAYOR OF THE CITY OF ORLANDO, FLORIDA:

\_\_\_\_\_  
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

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