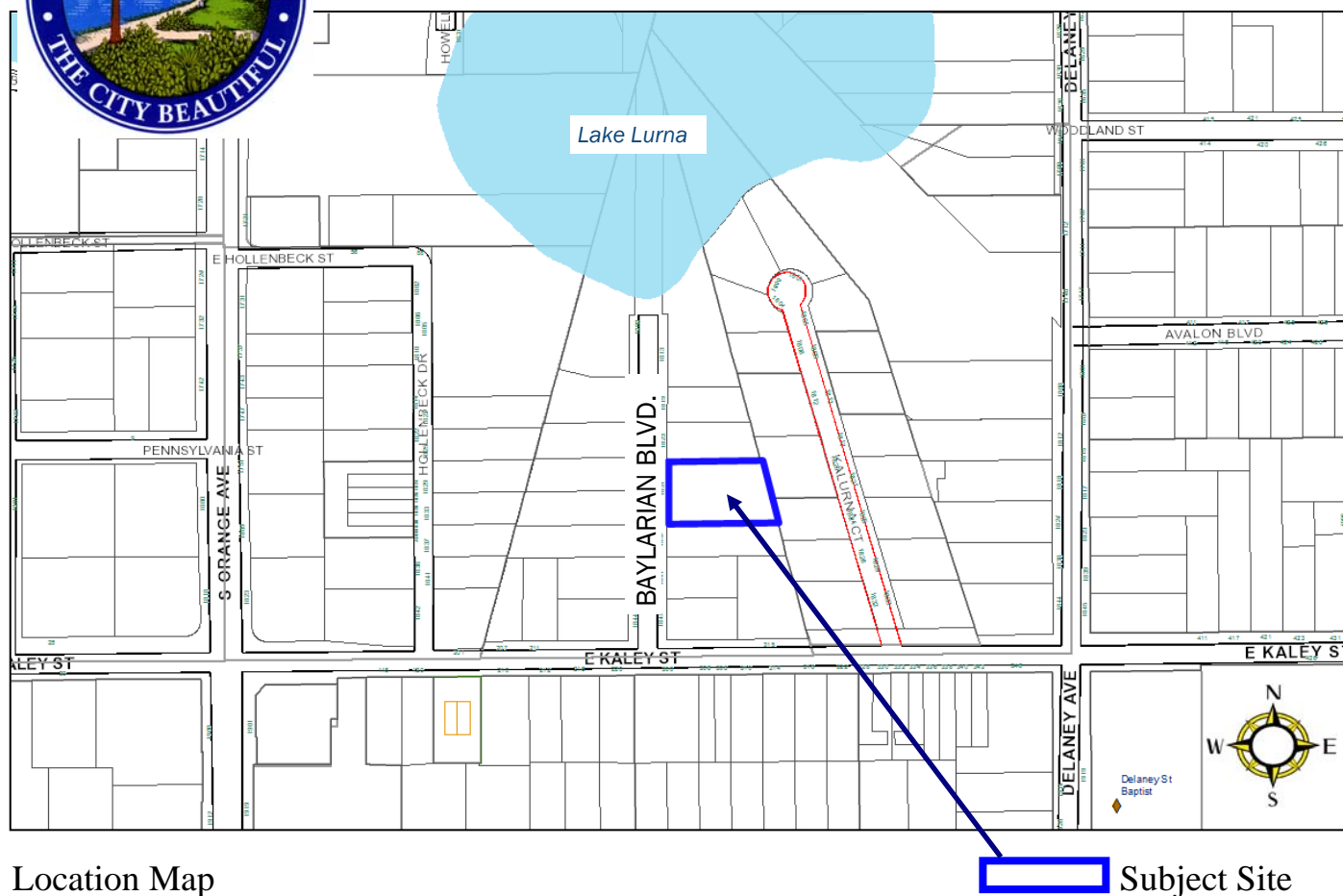




BAYLARIAN PLAT W. MODS 1831 BAYLARIAN BLVD.



Location Map

Subject Site

SUMMARY

Applicant/Owner

Manuel Barrio
Pidko, LLC

Project Planner

Jim Burnett, AICP

Property Location: 1831 Baylarian Blvd.
(east side of Baylarian Blvd., north of E.
Kaley St. and east of S. Orange Ave.)
(parcel #01-23-29-6648-02-051; ± 0.37
acres, District 4).

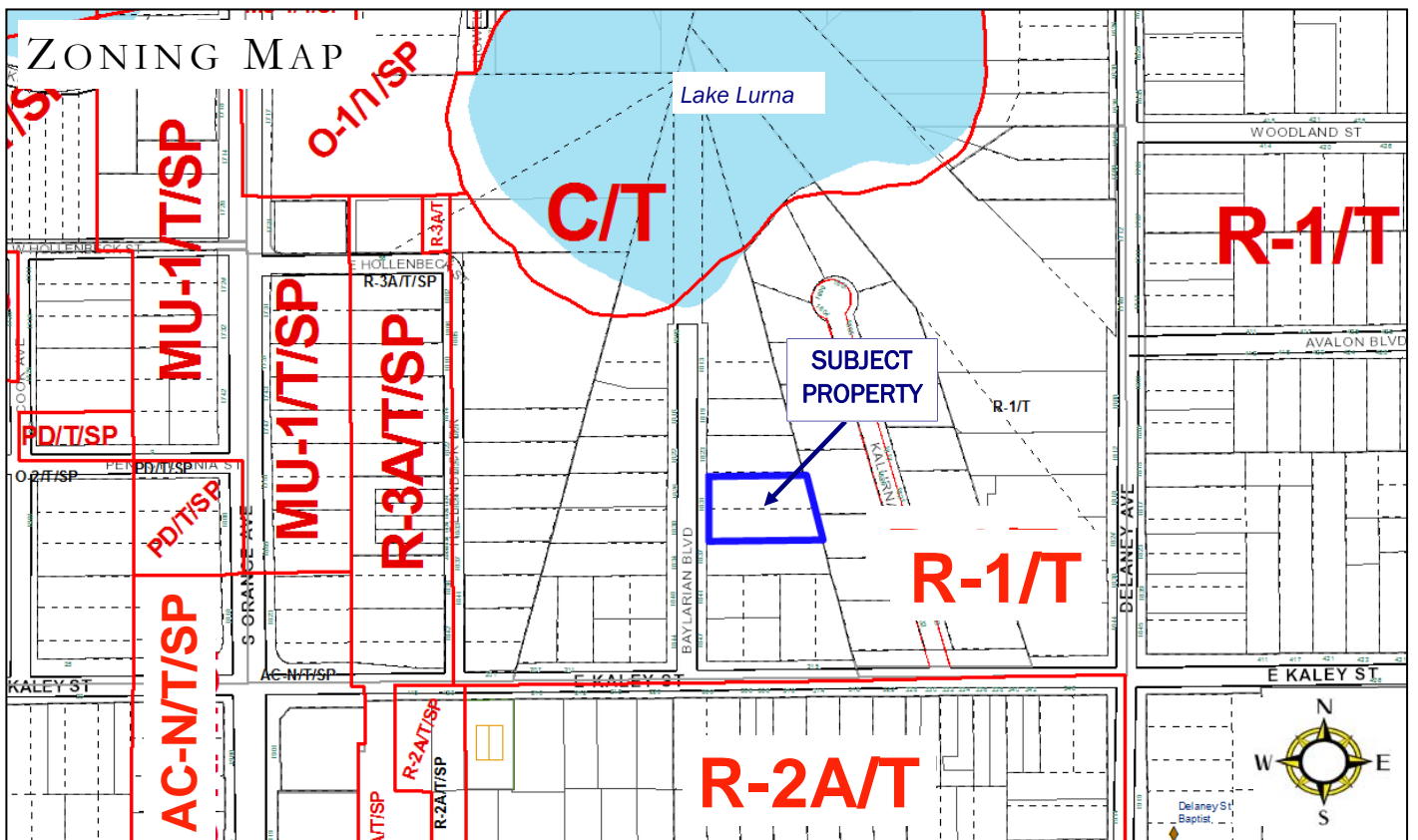
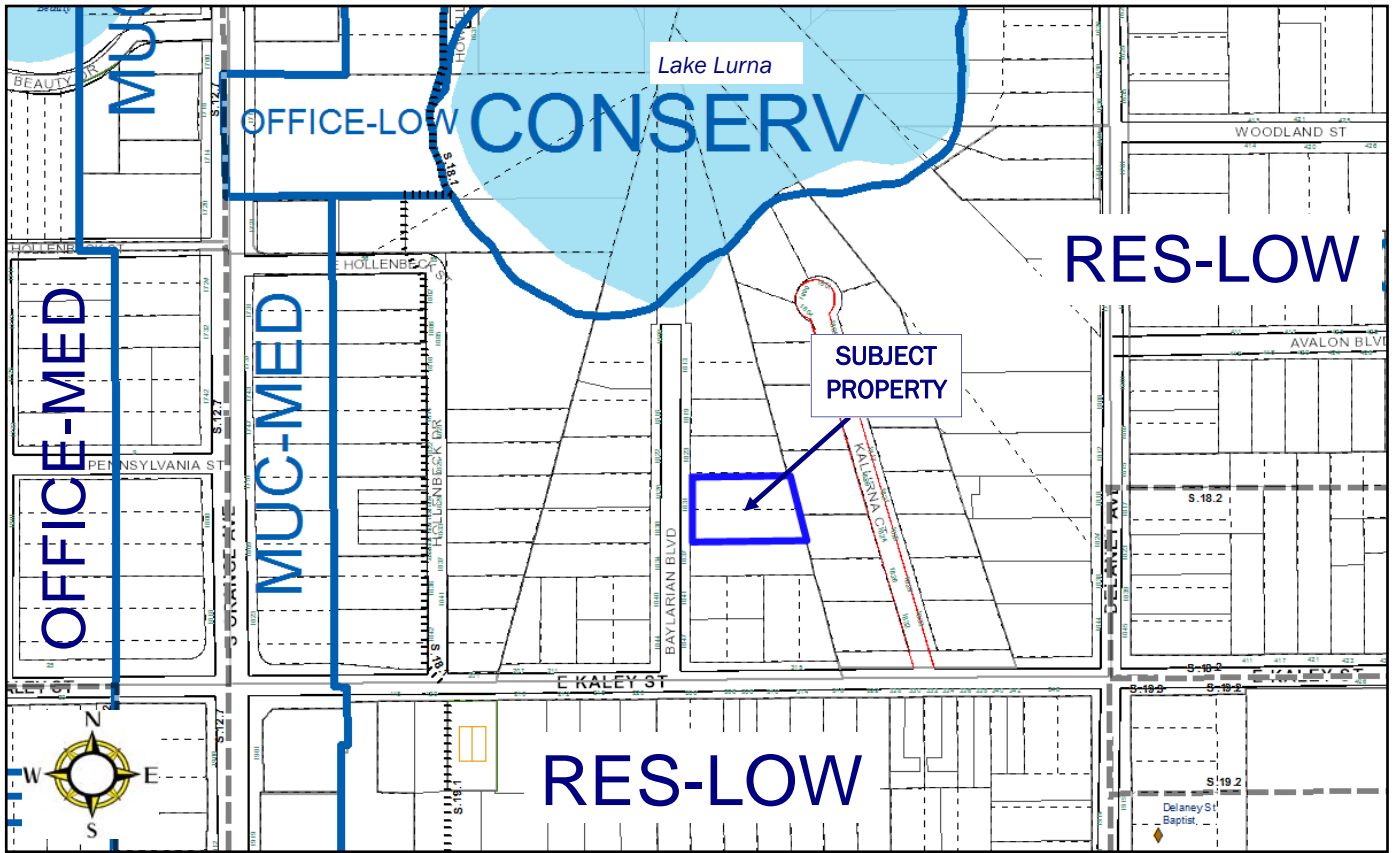
Applicant's Request: The applicant pro-
poses to replat a developed residential prop-
erty into two (2) ± 50 ft. wide by ± 159 ft.
(average) deep lots, where a minimum 55 ft.
lot width is required in the R-1/T zoning
district, requiring a plat with Modification of
Standards (due to nonconforming lot width).
The property is located in the Wadeview
Park neighborhood.

Staff Recommendation: Approval of
the Plat with Modification of Standards,
subject to conditions in this staff report.

Public Comment: Courtesy notices
were mailed to property owners within
300 ft. of the subject property the week
of January 3, 2017. As of the mail-out of
the staff report, staff has not received
any inquiries relative to the Replat with
Modification of Standards request.

Updated: January 10, 2017

FUTURE LAND USE MAP



PROJECT ANALYSIS

Project Description

The applicant is requesting to replat a residential property, with the goal of removal of the existing 1,573 sq. ft. house and construction of two (2) new houses, with each of the new homes to be on 50 ft. wide x \pm 159 ft. deep (average) lots. A Replat with Modification of Standards is needed due to the nonconforming lot width - a minimum 55 ft. lot width is required in the R-1/T zoning district. The property is located in the Wadeview Park neighborhood.

Previous Actions

1924: Property platted as one 50 ft. wide x \pm 166.5 ft. deep and one 55 ft. wide x \pm 153 ft. deep lots as part of Paradise Park Subdivision.

1940: Existing 1,573 sq. ft. 1-story single-family home and attached garage constructed.

2016: Property acquired by current owner.

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

TABLE 1 - PROJECT CONTEXT			
<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Adjacent Uses</i>
North	Residential Low Intensity (RES-LOW)	R-1/T (One-Family Residential, Traditional City Overlay)	Single-Family Home
East	RES-LOW	R-1/T	Single-Family Homes
South	RES-LOW	R-1/T	Single-Family Home
West	(Across Baylarian Blvd.) RES-LOW	R-1/T	Single-Family Homes

Minor Subdivision Plat w. Modification of Standards

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 establishment of two (2) new single-family homes on 50-ft. wide x \pm 149 ft. deep (average) lot via a Modification of Standards, per Table 2 below.

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 (One-Family Residential, Traditional City Overlay). The replat request fails to comply with standards for platting of lands as contained in LDC Chapter 65 Part 3C; hence, a Modification of Standards is needed to allow a reduced 50 ft. wide lot for both lots, where a minimum 55 ft. lot width is required under R-1/T zoning.

Table 2 - Development Standards (R-1/T)		
<i>Proposed Use & Lot #</i>	<i>Minimum Proposed Lot Size (sq. ft.)</i>	<i>Lot Dimensions (minimum/proposed w. difference)</i>
Single-Family Home	6,000 (required)	55 ft. x 110 ft.
Lot 5 (north lot)	\pm 7,644	50 ft. x \pm 152.8 ft. (-5 ft. w)
Lot 6 (south lot)	\pm 8,327	50 ft. x \pm 166.5 ft. (-5 ft. w)

Proposed Development

Via the Replat with Modification of Standards process (LDC Section 65.452), the applicant seeks to divide the property into two (2) parcels (see Table 2 above), where the minimum required 55-ft. lot width will not be met for the two (2) proposed lots but the required 110 ft. lot depth and minimum lot area (6,000 sq. ft.) will be more than adequately met for both lots.

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-con-forming in lot area, lot width, or lot depth, the following regulations shall apply (staff responses following

in **bold**)

- A. Height. The maximum building height shall be two (2) -stories. **The existing home (to be demoed) is 1-story. The future homes on both lots will be limited to not more than 2 stories.**
- B. Floor Area Ratio (FAR). The maximum floor area ratio shall be 0.50. **Per the block analysis provided by the applicant and also done by staff (shown in Table 3 below), the proposed FARs will be ±0.34 & 0.38, respectively (heated/air-conditioned space of the new homes would be no more than 2,900 and 2,850 sq. ft., respectively).**
- C. Location of Required Parking. All required parking spaces and garage door elevations shall be set back a minimum of five (5) ft. from the principal facade of the home. For each lot, the combined width of all garage door(s) facing a street shall not exceed 50% of the combined width of all building elevations facing the same street. 1-story non-habitable garage and accessory structures in the rear half of the lot shall not be included in this calculation. **The new lots will each have a home with a detached rear garage.**
- D. Appearance Review shall be required pursuant to the requirements and procedures provided in LDC Section 62.300. **Site plan and elevations were provided for the proposed homes, which both display traditional detailing, reflecting the positive design characteristics of Orlando's Traditional City Overlay district.**
- E. Modification of Development (MOD) 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 (via public hearing process).

Table 3 - Baylarian Blvd. Block Face Comparisons					
<i>Proposed</i>	<i>Stories</i>	<i>Garage</i>	<i>Lot Area (sq. ft.)</i>	<i>Living Area</i>	<i>FAR</i>
Lot 5 (north)	2	Rear	7,644 (proposed)	2,877 sq. ft.	0.38
Lot 6 (south)	2	Rear	8,327 (proposed)	2,845 sq. ft.	0.34
<i>Existing (non-conforming is in bold)</i>					
1808 Baylarian	1	Side	26,876.5 (97 w x 150+ d)	2,176 sq. ft.	0.08
1816	2	Rear	9,146.7 (71 w x 125.6 d)	3,451 sq. ft.	0.37
1822	1	Rear	7,840.8 (55 w x 140 d)	1,475 sq. ft.	0.19
1826	1	Front	8,276.4 (52 w x 154.4 d)	1,359 sq. ft.	0.16
1830	1	Rear	9,147.6 (53 w x 168.6 d)	1,933 sq. ft.	0.21
1834	1	None	9,147.6 (50 w x 182.8 d)	1,242 sq. ft.	0.13
1840	1	Rear	7,150 (65 w x 110 d)	1,850 sq. ft.	0.26
1841	1	Side	7,150 (65 w x 110 d)	1,317 sq. ft.	0.18
1837	2	Rear	9,147.6 (50 w x 180.5 d)	3,659 sq. ft.	0.40
1823	1	Rear	8,276.4 (60 w x 136.8 d)	1,080 sq. ft.	0.13
1819	2	Side	6,534 (55 w x 121.7 d)	3,848 sq. ft.	0.59
1813	2	Rear	26,571.6 (123 w x 200+ d)	2,741 Sq. ft.	0.10
<i>Average (not including the 2 proposed lots)</i>			11,271.8 sq. ft.	2,177 sq. ft.	0.23

Staff looked at the prevailing development pattern along the Baylarian Blvd. block face (east & west sides, extending north from E. Kaley St. (see Table 3 above). Existing lots generally get smaller from south to north, with a mix of older and newer houses and fluctuating FARs throughout the subdivision. The proposed FARs for the two (2) new homes are commensurate with the FARs of newer established homes on the block face.

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.

Generally, Planning staff supports Plat with Modification of Standard requests when the proposed lots meet the minimum required lot area and required lot depth or width under the applicable zoning designation. In this case, both pro-

posed lots meet both the minimum required lot area and minimum required lot depths under R-1/T zoning.

School Impacts

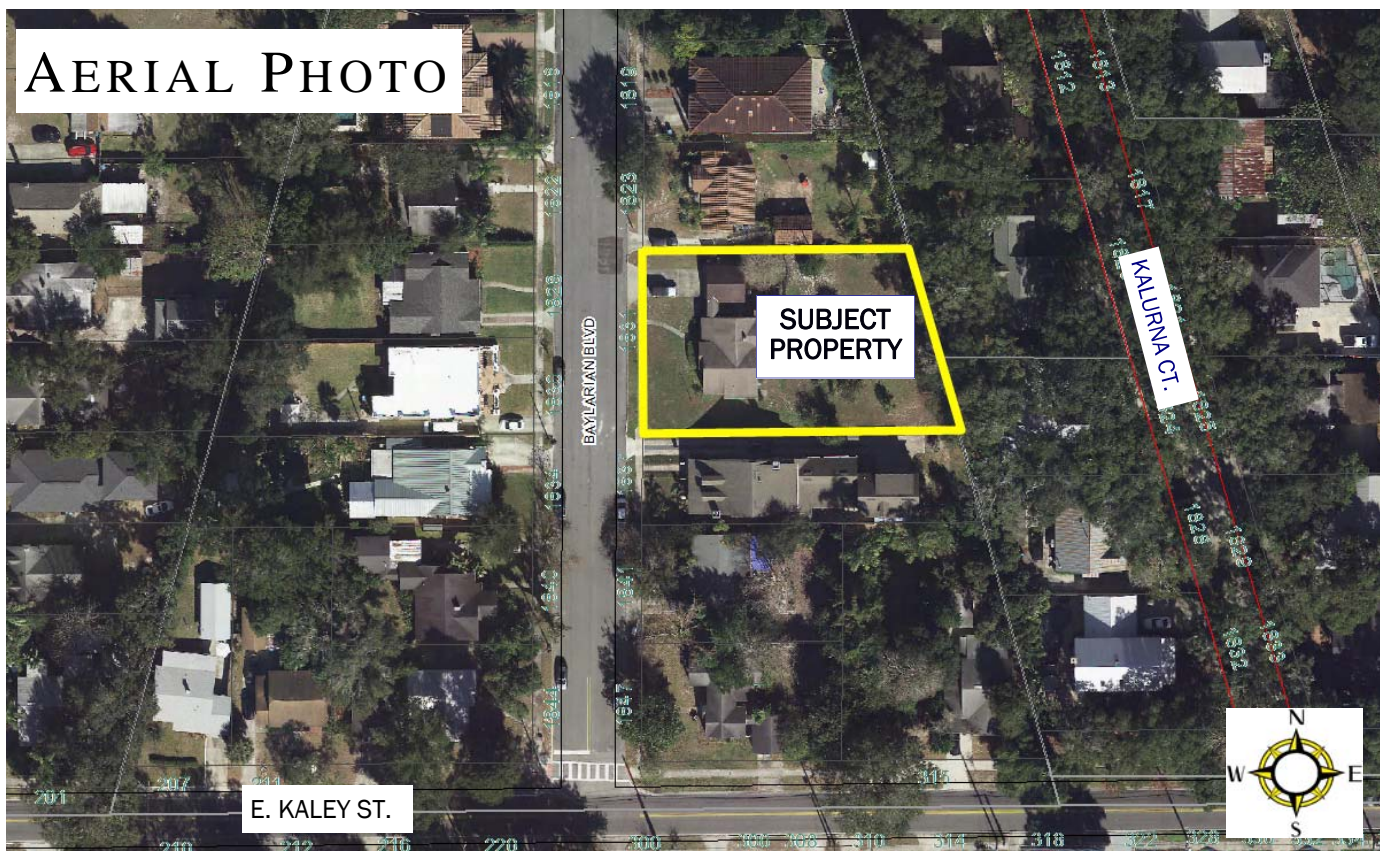
The replatting would add one new lot with one new dwelling unit, which would result in a *diminimus* increase to area school capacity. Thus, no further school impact analysis is needed.

Findings/Recommendation

The Baylarian Replat with Modification of Standards request 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, the applicant determined it was best to divide the property to create lots of similar sizes, generally consistent with the configuration along Baylarian Blvd

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

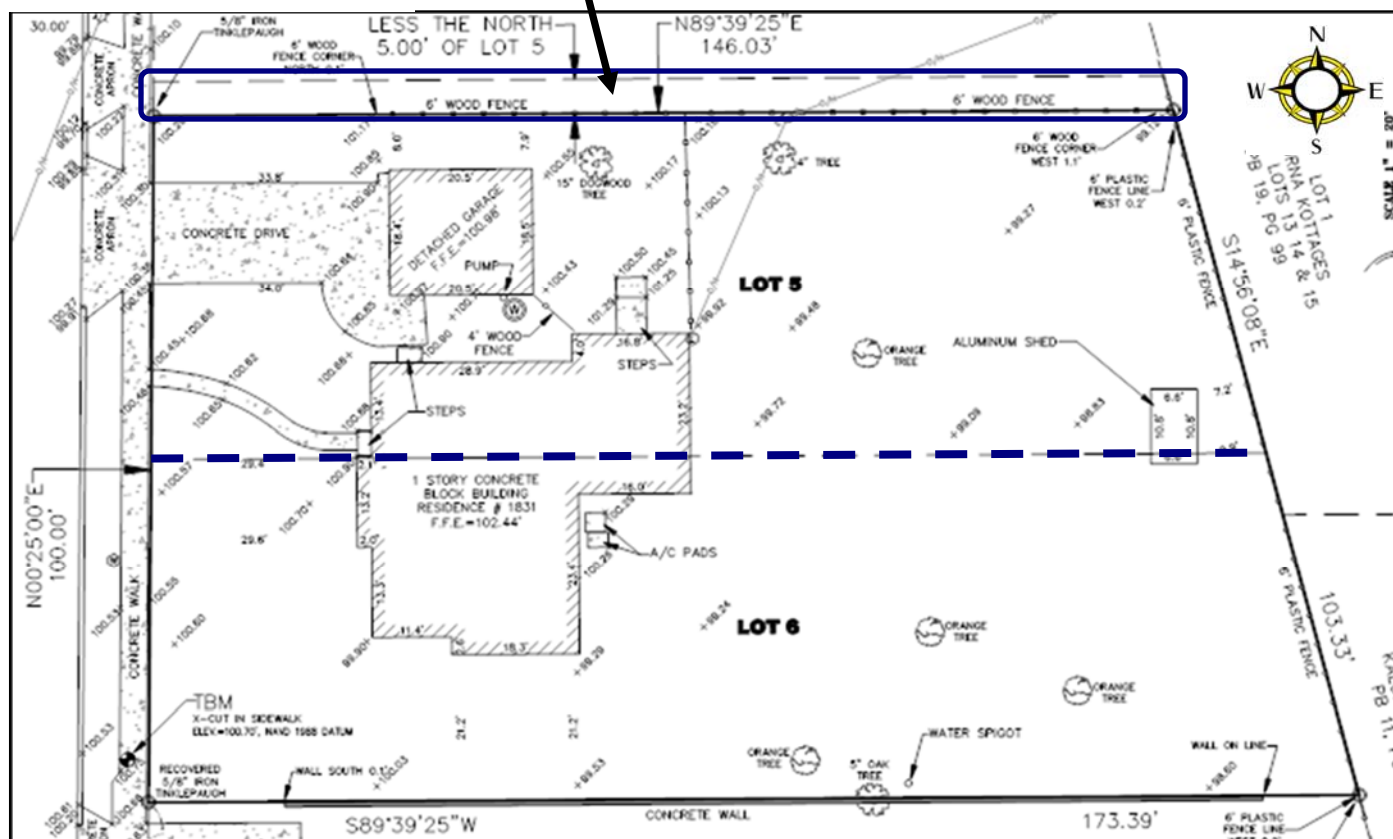


SITE PHOTO (GOOGLE STREETVIEW)

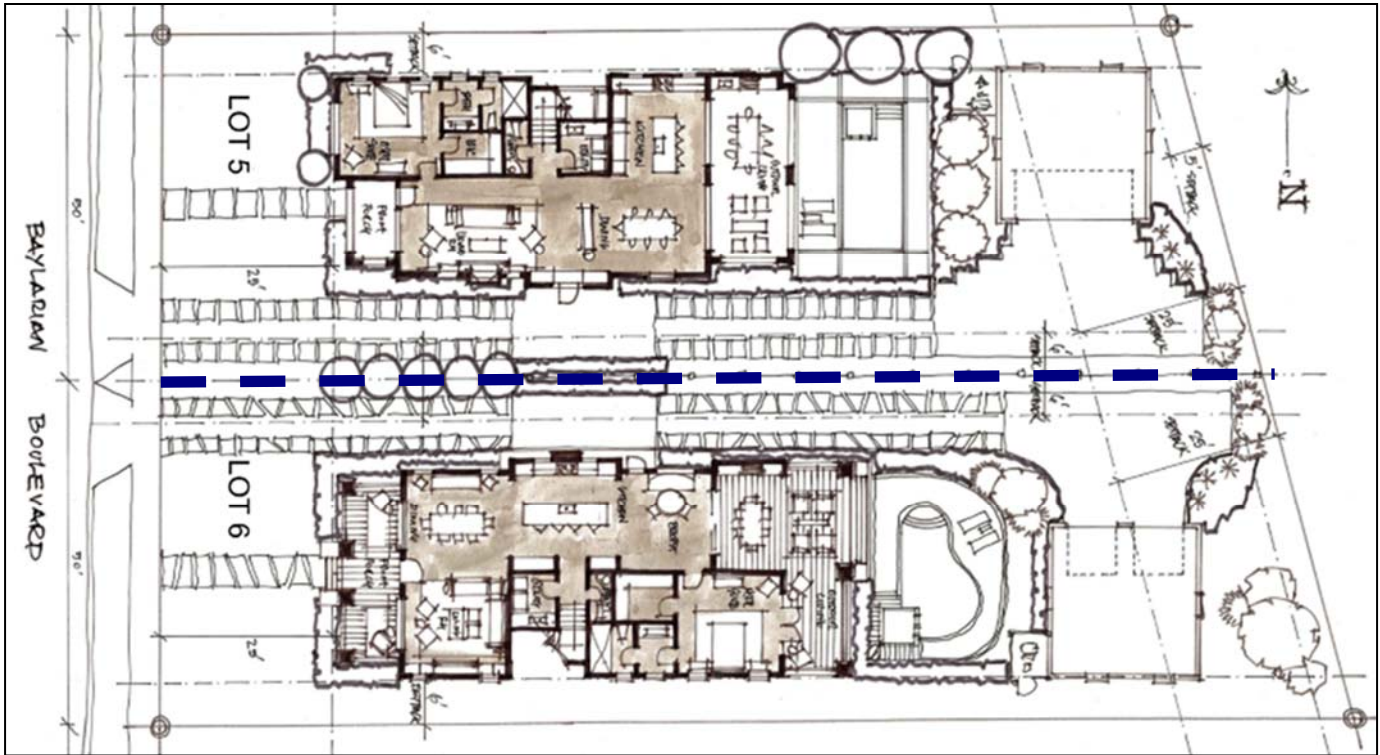


2016 SURVEY

Northerly 5 ft. of Lot 5 part of Lot 4 prior to 1959 (negates possible revert to plat)



PROPOSED SITE PLAN W. NEW HOMES



RENDERING OF NEW HOMES



PROPOSED ELEVATIONS OF NEW HOMES



Lots 5 & 6 FRONT ELEVATIONS



Lots 5 & 6 REAR ELEVATIONS



Lot 5 North Side Elevation



Lot 6 North Side Elevation

PROPOSED BUILDING ELEVATIONS



Lot 6 South Side Elevation



Lot 5 South Side Elevation

CONDITIONS OF APPROVAL - REQUIRED

Land Development

1. *Maximum Floor Area Ratio (FAR)* - To "blend" with the existing neighborhood development pattern, the maximum living area of the new houses shall not exceed **3,057 sq. ft. (lot 5)** and **3,330 sq. ft. (lot 6)** of living area (**FAR of 0.40**) (not including garages, porches and non-heated/air-conditioned space).
2. *Nonconforming Lots* - Per the site plans provided within the staff report, the garages for the two (2) lots shall be detached and located at least 5 ft. wall to wall or eave to eave, whichever is greater, east of the new homes.
3. *Garage Setbacks* - The detached single-story garages for both lots shall be setback at least 5 ft. from the rear lot line and at least 6 ft. from the north or south side lot lines.
4. **VERY IMPORTANT** - *Consistency with Staff Report Conditions* - Building permits shall comply with conditions within this report, in addition to Traditional City (T) Overlay requirements. Modifications of Standards are not allowed; Any site or building relief not meeting Code will require approval of a variance prior to permitting.

Permitting - Stormwater retention shall be provided on-site per the City's Engineering Standards Manual (ESM).

NEXT STEP - Upon Municipal Planning Board (MPB) approval of the Modification portion of the plat, the applicant must submit the 2nd portion of the replat in digital format, with the following items to be part of the upload):

- > Proposed replat (2 lot layout)
- > Title opinion, no more than 90 days old with 1 set of supporting documents.
- > Joinder and Consent (1 original) (tied to existing mortgage, if applicable).
- > Boundary & Topographic Survey.
- > Signed and Sealed Appendix C (plat checklist) and lot closure report.
- > Page 1 of the subdivision report making reference to the case # previously assigned by Planning.
- > Any other documents required in the Planning staff report.

INFORMATIONAL

Transportation Engineering

1. The two driveway throats must be separated by at least 10-ft. at the property line.

2. The distance between the face of the garage door(s) and the far side of the driveway shall be no less than 20-ft. plus a minimum 2-ft. landscaped buffer beyond, for vehicle overhang for the purpose of backing and turning by vehicles entering or exiting the rear garage or parking space. Where a driveway terminates at a dead end, the traveled way shall extend no less than 10 ft. beyond the garage to provide adequate backing and maneuvering space.

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 be obtained before initiating development.

Sewer - Prior to permitting of new homes, applicant shall verify with the Wastewater Division that a sewer lateral will be available for connection of all newly created lots.

CONTACT INFORMATION

Land Development

For questions regarding Land Development review, contact Jim Burnett at 407-246-3609 or at james.burnett@cityoforlando.net.

Engineering/Zoning

For questions regarding Plat & Engineering/Zoning review, contact John Groenendaal at 407-246-3437 or at john.groenendaal@cityoforlando.net. To obtain plan review status, please call PROMPT, our Interactive Response System at 407.246.4444.

Urban Design

For questions regarding Urban Design review, please contact Jason Burton at 407-246-3389 or at jason.burton@cityoforlando.net.

REVIEW/APPROVAL PROCESS-NEXT STEPS

1. Following the MPB meeting, the City Council will review and approve the MPB meeting minutes on Monday February 27, 2017.
2. As previously noted, following the MPB meeting, the applicant MUST resubmit the items listed under NEXT STEP above. City Engineering/Zoning will coordinate the remainder of the plat review process, including scheduling City Council approval of the plat (date to be determined by Engineering/Zoning). At some point, the applicant may elect to provide a Hold Harmless Agreement and deposit to allow issuance of building permits for lot preparation or for the new houses to be built.