

1 AN ORDINANCE OF THE CITY OF ORLANDO ESTABLISHING THE
 2 LAKE EOLA HEIGHTS HISTORIC DISTRICT, AND SETTING THE
 3 CRITERIA FOR CONSIDERING A CERTIFICATE OF
 4 APPROPRIATENESS FOR SUCH DISTRICT AND SPECIFYING THE
 5 LEGAL DESCRIPTION OF SAID DISTRICT.
 6

7 WHEREAS, the neighborhood of Lake Eola Heights is one of
 8 Orlando's oldest and most architecturally diverse
 9 neighborhoods having been subdivided for residential
 10 development from a citrus grove after the big citrus freeze
 11 of 1894-95 and ranging in significant architectural styles
 12 including but not limited to clapboard farmhouses built
 13 between 1890-1911, Arts and Crafts style architecture from
 14 1910-1940, cluster housing developments from the 1920s Land
 15 Boom, Revival styles popular in Orlando from 1915-1940 and
 16 Bungalow building types with stylistic variations of the
 17 1920s-1940s; and

18 WHEREAS, this ordinance seeks to protect and preserve
 19 the elements which contribute to the architectural and
 20 historic significance of the neighborhood including but not
 21 limited to distinguishing historic material, distinctive
 22 stylistic architectural features, examples of skilled
 23 craftsmanship, and significant historical, architectural or
 24 cultural material; and

25 Rec Fee \$ 49.00 MARTHA O. HAYNIE,
 26 Add Fee \$ 6.50 Orange County
 27 Doc Tax \$ _____ Comptroller
 Int Tax \$ _____ By _____
 Total \$ 55.50 Deputy Clerk

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 10:03:20AM 05/25/89

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COUNCIL DATE 5-22-89
 MB 69 Pg 70 ITM 8
 DOCUMENTARY # 23035

Grace A. Channing, City Clerk
 400 S. Orange Avenue
 Orlando, FL 32837

1 WHEREAS, the historic and architectural significance of
 2 the Lake Eola Heights neighborhood has been achieved over
 3 time and the growth and development of this neighborhood is
 4 part of the history of the City of Orlando which is worthy
 5 of protection, this ordinance seeks to maintain and preserve
 6 what is unique to the neighborhood by preventing future
 7 growth and development that is incompatible with the
 8 surrounding structures and neighborhood and assure that
 9 changes within the neighborhood will be compatible with the
 10 historic character of the structures and environment of the
 11 Lake Eola Heights neighborhood; and

12 WHEREAS, pursuant to Chapter 58 Section 58.2333 of the
 13 Orlando City Code, the City Council, upon recommendation of
 14 the Historic Preservation Board and Municipal Planning
 15 Board, determines that the following described property
 16 should be established as an historic district; and

17 WHEREAS, all prerequisites to the establishment of the
 18 Lake Eola Heights Historic District have been met.

19 NOW, THEREFORE, be it ordained by the City Council of
 20 the City of Orlando, Florida and the same is adopted to read
 21 as follows:

22 SECTION ONE: After due public notice and public
 23 hearing, the following described property is hereby
 24 designated an historic district pursuant to Section 58.2333,
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1 Orlando City Code, to be call Lake Eola Heights Historic
2 District:

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4 SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A"
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6 SECTION TWO: A Certificate of Appropriateness shall be
7 required when a building permit is required for the exterior
8 alteration, construction, or demolition of a structure in an
9 historic district according to Chapter 58 of the Orlando
10 City Code, with the following exceptions:

11 1. Walkways and patios within the Lake Eola
12 Heights Historic District which are not subject to view from
13 one or more designated public streets or public ways, or
14 public parks.

15 2. Landscaping.

16 3. The emergency repair with no changes in
17 exterior design, of a building, structure or exterior
18 architectural feature damaged or destroyed by fire, storm or
19 other disaster.

20 4. Paint color.

21 The authority of the Historic Preservation Board shall not
22 extend to the review of the above exceptions nor to the
23 interior arrangement of any structure.

24 SECTION THREE: No neighborhood review board shall be
25 established to review the Lake Eola Heights Historic
26

1 District as outlined in applications for Certificates of
2 Appropriateness in this ordinance. A Certificate of
3 Appropriateness shall be reviewed and acted upon pursuant to
4 Section 58.6812, Orlando City Code.

5 SECTION FOUR: In considering an application for a
6 Certificate of Appropriateness pursuant to Section 58.6812
7 of the Orlando City Code in the Lake Eola Heights Historic
8 District, the Historic Preservation Board shall adhere to
9 and seek compatibility of structures in the district in
10 terms of size, texture, scale and site plan, and in so
11 doing, the following U. S. Secretary of the Interior's
12 "Standards for Rehabilitation," which are incorporated
13 herein by this reference, shall be considered by the Board
14 in review of applications:

15 A. Basic Standards

16
17 1. Every reasonable effort shall be made to
18 provide a compatible use for a property which requires
19 minimal alteration of the distinctive historically
20 significant features of the building, structure, or site and
21 its environment, or to use a property for its originally
22 intended purpose.

23 2. The distinguishing original qualities or
24 character of a building, structure, or site and its
25 environment should not be destroyed. The removal or
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1 alteration of any historic material or distinctive
2 architectural features should be avoided when possible.

3 3. All buildings, structures, and sites shall be
4 recognized as products of their own time. Alterations to
5 individual buildings, structures and sites that have no
6 historical basis for that individual building, structure or
7 site and which seek to create an earlier appearance shall be
8 discouraged.

9 4. Changes which may have taken place in the
10 course of time are evidence of the history and development
11 of a building, structure, or site and its environment.
12 These changes may have acquired significance in their own
13 right, and this significance shall be recognized and
14 respected.

15 5. Distinctive stylistic features or examples of
16 skilled craftsmanship which characterize a building,
17 structure, or site shall be treated with sensitivity.

18 6. Deteriorated architectural features shall be
19 repaired rather than replaced, wherever possible. In the
20 event replacement is necessary, the new material should
21 match the material being replaced in composition, design,
22 color, texture, and other visual qualities. Repair or
23 replacement of missing architectural features, should be
24 substantiated by historic, physical, or pictorial evidence
25 rather than on conjectural designs or the availability of
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1 different architectural elements from other buildings or
2 structures.

3 7. The surface cleaning of structures shall be
4 undertaken with the gentlest means possible. Sandblasting
5 and other cleaning methods that will damage the historic
6 building materials shall not be undertaken.

7 8. Every reasonable effort shall be made to
8 protect and preserve archeological resources affected by, or
9 adjacent to any project.

10 9. Contemporary design for alterations and
11 additions to existing properties shall not be discouraged
12 when such alterations and additions do not destroy
13 significant historical, architectural or cultural material,
14 and such design is compatible with the size, scale, color,
15 material, and character of the property, neighborhood or
16 environment.

17 10. Wherever possible, new additions or
18 alterations to structures shall be done in such a manner
19 that if such additions or alterations were to be removed in
20 the future, the essential form and integrity of the
21 structure would be unimpaired.

22 B. Demolition

23 In considering an application for demolition of a
24 landmark or a building in an historic district, the
25 following shall be considered:
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1 1. The historic or architectural significance of
2 the building.

3 2. The importance of the building to the overall
4 ensemble of buildings within the district.

5 3. The special character and aesthetic interest
6 that the building adds to the district.

7 4. The difficulty of impossibility of reproducing
8 such a building because of its design, texture, material, or
9 detail.

10 5. The future utilization of the site.

11 C. Signs/Wall Graphics

12 1. The scale and design of any sign or wall
13 graphic should be compatible with the buildings and
14 environment with which it is related.

15 2. The materials, style, and patterns used in any
16 sign or wall graphic should be compatible with the buildings
17 and environment with which it is related.

18 D. Additional Guidelines

19 1. Chain link fences shall not be permitted in
20 the front yard or within the side yard setback.

21 2. The Historic Preservation Board may adopt
22 additional legally valid guidelines and criteria as it deems
23 appropriate with approval of City Council by Resolution.

24 SECTION FIVE: Procedure for Issuance of Certificate of
25 Appropriateness.

1 A. Review

2 There are established for the Lake Eola Heights Historic
3 District two Certificate of Appropriateness review
4 procedures for construction, alterations, restorations,
5 relocations, or demolitions of a landmark or a building.

6 One procedure shall be a Major Review procedure pursuant
7 to Section 58.6812, Orlando City Code.

8 One procedure shall be a Minor Review procedure and
9 shall apply to the following:

10 1. Fences and gates not subject to view from one
11 or more designated public streets or public ways, or public
12 parking.

13 2. Awnings.

14 3. Signage painted on or attached to window
15 surface, including wall graphics painted on facade(s) and
16 name plaques one square foot or smaller.

17 4. Replacement of same or like materials for
18 gates, fences, driveways, walkways, steps, siding, roofs,
19 doors or windows. Changes in existing door and window
20 openings shall require Major Review.

21 5. Mechanical systems including heat and cooling
22 equipment and irrigation systems.

23 It shall be the responsibility of the Historic
24 Preservation Officer to institute the Minor Review process
25 where applicable and appropriate.

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1 B. Appeals: Any substantially affected person may
2 appeal a decision Minor Review to the Historic Preservation
3 Board for Major Review.

4 SECTION SIX: Any changes to this ordinance and the
5 standards included herein shall be reviewed by the Historic
6 Preservation Board, and approved by ordinance by the City
7 Council.

8 SECTION SEVEN: If any section, subsection, sentence,
9 clause, phrase or portion of this ordinance is for any
10 reason held invalid or unconstitutional by any court of
11 competent jurisdiction, such portion shall be deemed a
12 separate, distinct, and independent provision and such
13 holding shall not affect the validity of the remaining
14 portion hereto.

15 SECTION EIGHT: This ordinance shall take effect upon
16 its passage and as provided by law.

17 ADVERTISED April 21, 1989.

18 READ FIRST TIME April 24, 1989.

19 READ SECOND TIME AND ADOPTED May 22, 1989.

20
21 Map Lee
22 Mayor pro Tem

23 ATTEST:

24 Grace A. Churning
25 Grace A. Churning, City Clerk

26 APPROVED AS TO FORM AND LEGALITY
27 for the use and reliance of the
City of Orlando, Florida, only.

May 22, 1989.
Robert L. Hamilton
City Attorney
Orlando, Florida

LAKE EOLA HEIGHTS
BOUNDARY AND LEGAL

Begin at the southeast corner of lot 5, Park Lake Subdivision as recorded in Plat Book "F", page 128, Public Records of Orange County, Florida; thence east 662.79 ft. to the southeast corner of lot 9 of Block "B" of Amended Plat of Portion of Mrs. Norman Robinsons Addition as recorded in Plat Book "F", Page 122, Public Records of Orange County, Florida; thence north 135.0 ft. to the northeast corner of said lot 9; thence east 662.95 ft. to the northeast corner of lot 16, Block "A" of Mrs Norman Robinson, Add. to Orlando, as recorded in Plat Book "E", Page 17, Public Records of Orange County, Florida; thence continue east 725.7 ft. to a point on the west line of lot 5, Block "A", Carl Jansen's Addition to Orlando, as recorded in Plat Book "F", Page 59, Public Records of Orange County, Florida; thence south 35.0 ft. to the southwest corner of said lot 5; thence east 136.62 ft. to the northeast corner of lot 6, Block "A", of said Sub.; thence south 521.52 ft. to the northeast corner of lot 3 of O. L. Smith's Addition to Orlando, as recorded in Plat Book "H", Page 110, Public Records of Orange County, Florida; thence west 150.0 ft. to the northwest corner of lot 5 of said Sub.; thence south 270.0 ft. to the southwest corner of lot 6, of said Sub.; thence east 440.0 ft. to a point 10.0 ft. west of the southeast corner of lot 7, First Addition to Colonial Park, as recorded in Plat Book "H", Page 4, Public Records of Orange County, Florida; thence south 57.0 ft. to the northeast corner of lot 1, of J. W. Reeder Sub. as recorded in Plat Book "K", Page 38, Public Records of Orange County, Florida; thence continue south 115.0 ft.; thence west 10.0 ft.; thence south 220.0 ft. to a point on the

north line of lot 9, Block "A", of Eola Park Heights. as recorded in Plat Book "H", Page 33, Public Records of Orange County, Florida; thence west 7.0 ft. to the northeast corner of lot 8 of said Sub. thence south 331.9 ft. to a point on the north line of lot 5, Block "B" of said Sub. thence west 9.06 ft. to the northeast corner of lot 4, Block "C", W.A. Shelby's Addition to Orlando, as Recorded in Plat Book "C", Page 72, Public Records, Orange County, Florida; thence south 334.23 ft. to a point 8.94 ft. west of the northeast corner of lot 8, Block "E" of said Eola Park Heights; thence east 8.94 ft. to the northeast corner of said lot 8; thence south 470.65 ft. to the southeast corner of lot 8, Block "F" of said Eola Park Heights; thence west 464.0 ft. to the southeast corner of lot 12, Block "G" of said Sub.; thence north 135.85 ft. to the northeast corner of said lot 12; thence west 605.84 ft. to the northwest corner of lot 1, Block "G" of said Sub.; thence south 138.0 ft. to the southwest corner of said lot 1 of said Sub.; thence west 186.0 ft. to the southeast corner of lot 3, Block "B" of said Sub.; thence north 138.0 ft. to the northeast corner of lot 3, Block "B" of said Sub.; thence west 857.6 ft. to the northeast corner of lot 12 of Hillman's Addition to Orlando, as recorded in Plat Book "D", Page 56, Public Records of Orange County, Florida; thence south 137.0 ft. to the southeast corner of said lot 12; thence west 140.50 ft to the southeast corner of lot 10, of said Sub.; thence north 137.0 ft. to the northeast corner of said lot 10; thence west 350.5 ft.; thence north 198.0 ft. to the northeast corner of lot 26, Hillmans Second Add. to Orlando as recorded in Plat Book "D", Page 85, Public Records of Orange County, Florida; thence west 71.0 ft. to the southeast corner of lot 4, of said Sub.; thence north 138.0 ft. to the northeast corner of said lot 4; thence west 71.0 ft. to the

northwest corner of said lot 4; thence south 5.0 ft. to the northeast corner of lot 5, of said Sub.; thence west 738.5 ft.; thence north 403.45 ft.; thence west 25.0 ft. to the southeast corner of lot 12, Speir's Addition to Orlando, as recorded in Plat Book "B", Page 124, Public Records of Orange County, Florida; thence north 900.91 ft. to a point on the south line of lot "M", of Plat of Chauncey Holts Subdivision of C. Holt's Addition to Orlando, as recorded in Plat Book "F", Page 99, Public Records of Orange County, Florida; thence east 73.0 ft. to the southwest corner of lot "H", of said Sub.; thence north 150.0 ft. to the northwest corner of said lot; thence east 350.0 ft. to the northeast corner of lot "L" of said Sub.; thence north 53.90 ft. along the west line of lot 32, of Bailey Heights, as recorded in Plat Book "J", Page 72, Public Records of Orange County, Florida to the northwest corner of said lot 32; thence east 500.0 ft. to the northwest corner of lot 17, of said Sub.; thence south 50.0 ft. to the southwest corner of said lot 17; thence east 130.0 ft.; thence north 312.0 ft. to the Point of Beginning. Containing 158.5 acres more or less.

"This description has been prepared by the Bureau Of Engineering and is acceptable for legal instruments.

Milt Osborn

~~RECEIVED~~

DATE 5/3/89

OR 4083 PG 1933

RECORDED & RECORD VERIFIED

Martha O. Haynie
County Comptroller, Orange Co., FL