

File



Orange Co FL 2001-0504388
11/06/2001 09:43:39am
OR Bk 6385 Pg 1109
ESTABLISHING THESE

AN ORDINANCE OF THE CITY OF ORLANDO COLONIALTOWN SOUTH HISTORIC DISTRICT, SETTING EXCEPTIONS AND GUIDELINES FOR REVIEW BY THE HISTORIC PRESERVATION BOARD, SPECIFYING THE LEGAL DESCRIPTION OF SAID DISTRICT, AND PROVIDING FOR SEVERANCE AND AN EFFECTIVE DATE.

WHEREAS, the City of Orlando has provided a procedure to establish a Historic Preservation Overlay District. The purpose of such District is to promote the educational, cultural, and economic welfare of the public of the City by preserving and protecting historic structures, sites, monuments, streets, areas and neighborhoods which serve as visible reminders of the history and cultural heritage of the City, state or nation. Further it is the purpose of these Districts to strengthen the economy of the City by stabilizing and improving property values in historic areas, and to encourage new construction and development that will be harmonious with existing historic structures and areas; and

WHEREAS, the neighborhood known as Colonialtown South contains a distinctive collection of historic buildings, a majority of which display formal styling, including, but not limited to Craftsman; Prairie; Neoclassical, Colonial, Mediterranean, Tudor and Mission Revivals; Minimal

Return to: → CITY OF ORLANDO
CITY CLERKS OFFICE/2ND FLOOR
400 SOUTH ORANGE AVENUE
ORLANDO, FLORIDA 32801

City Council Meeting: 1-24-00
Item: 24 Documentary: 32635

Traditional; and early Ranch styles. The significant period of development for this neighborhood starts in the 1910s and ends in 1949; and

WHEREAS, this ordinance seeks to protect and preserve the elements which contribute to the architectural and historic significance of the neighborhoods, including, but not limited to, distinguishing historic material, distinctive stylistic architectural features, examples of skilled craftsmanship, and significant historical, architectural or cultural material; and

WHEREAS, this ordinance seeks to protect and preserve the tree canopy that is a distinct character-defining element of the historic district; and

WHEREAS, the historic and architectural significance of the neighborhood has been achieved over time and the growth and development of this neighborhood is part of the history of the City of Orlando, which is worthy of protection. This ordinance seeks to maintain and preserve what is unique to the neighborhood by providing for future growth and development that is compatible with the surrounding structures and neighborhood and assure that changes will be compatible with the historic character of the structures and of the neighborhood; and

WHEREAS, pursuant to Chapter 58, Part 2U of the Orlando Land Development Code, the City Council, upon



recommendation of the Historic Preservation Board and Municipal Planning Board, determines that the property described in Exhibit "A" should be established as a Historic Preservation Overlay district; and

WHEREAS, the prerequisites to establishment of the Historic Preservation Overlay district are set in Chapter 58, Part 2U, and have been accomplished as follows:

1. A citizen Initiate signed by fifteen percent (15%) of the property owners in the proposed district was submitted to the Historic Preservation Board on July 1, 1998.

2. A comprehensive survey to record and document the historic and architectural significance of the buildings, structures, features, sites, or objects in the area was prepared by Historic Property Associates, Inc. of St. Augustine, and the final survey report was submitted to the Historic Preservation Board on May 5, 1999.

3. The Historic Preservation Officer has prepared a report, dated October 25, 1999, as required.

4. The Historic Preservation Board held a public hearing on October 6, 1999, following written notice to the last known address of all property owners in the proposed district. At the public hearing, the Board: determined that the area qualified as a historic district; and recommended the boundaries of the district as set forth herein.

5. The Municipal Planning Board held a public hearing on October 19, 1999, with written notice to all property owners in the proposed district. At the public hearing, the Board determined that the proposed district is consistent with the Growth Management Plan and that the allowed intensity of the MU-2/T zoned properties may be inconsistent with the proposed district.

6. A final report was submitted to the City Council on November 1, 1999. The final report was based on the recommendations of the Historic Preservation Board, the Historic Preservation Officer and staff, and the recommendation of the Municipal Planning Board. Copies of the adopted report have also been sent to the State of Florida, Department of State, Division of Historical Resources, Bureau of Historic Preservation.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Orlando, Florida, that an ordinance establishing the Colonialtown South Historic District is adopted to read as follows:

SECTION ONE: After due public notice and public hearing, the following described property is hereby designated a historic district pursuant to Section 58, Part 2U, Orlando Land Development Code, to be called the Colonialtown South Historic District:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND INCORPORATED HEREIN, BY REFERENCE AS EXHIBIT "A"

SECTION TWO: A Certificate of Appropriateness shall be required when a building permit is required for the exterior alteration, construction, relocation, or demolition of a structure in the Colonialtown South Historic District according to Chapter 65, Part 4B of the Orlando Land Development Code, with the following exceptions:

1. Features within the Colonialtown South Historic District which are not subject to view from one or more designated public streets or public parks.

2. Landscaping.

3. The emergency repair of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster which causes no change in exterior design.

4. Paint, awning and roof color.

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

SECTION THREE: Additional Guidelines.

1. If front porches are screened, the new screening shall be placed in a manner that does not obscure the architectural elements of the porch.

2. Construction of chain link fences shall be prohibited in the street side yard and the front yard.

3. Protection of the tree canopy shall be considered for all public and private projects.

4. Vinyl clad windows may be installed in a manner similar to enameled aluminum windows.

5. The front, side, street side and rear yard setbacks for all existing structures shall be considered conforming setbacks. In the event a structure is demolished and reconstructed, the new structure may have the same setbacks as the demolished structure. This provision shall not apply to new additions.

6. Structures constructed before January 1, 1950, which maintain their architectural integrity are considered to be contributing structures. Structures are considered to be built before January 1, 1950 if the original building permit for construction of the structure was dated before January 1, 1950. Structures shown as contributing on Exhibit "B", attached hereto and incorporated herein, by reference, shall be presumed to maintain their architectural integrity unless otherwise determined by the Historic Preservation Officer, or by the Historic Preservation Board upon appeal.

7. In areas zoned for residential use, the scale and massing of new structures and their architectural elements shall be similar to the contributing structures in the HP Overlay district with a similar use.

SECTION FOUR: In considering an application for a Certificate of Appropriateness pursuant to Section 65.470 of the Orlando Land Development Code in the Colonialtown South Historic District, the Historic Preservation Board shall adhere to and seek compatibility of structures in the district, and in so doing, follow the U.S. Secretary of the Interior's Standards for Rehabilitation, which are incorporated herein by this reference, and the Design and Demolition Standards for Historic Landmarks and Properties in HP Overlay Districts, contained in Chapter 62, Part 7 of the Orlando Land Development Code.

SECTION FIVE: Any changes to this ordinance and the standards included herein shall be reviewed by the Historic Preservation Board, and approved by ordinance adopted by the City Council.

SECTION SIX: If any section, sub-section, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereto.

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

ADVERTISED: September 20, 1999, 1999, and
January 16, 2000

READ FIRST TIME: November 1, 1999.

READ SECOND TIME AND ADOPTED: January 24, 2000.

Bill Bagley
Mayor/Pro Tem: Bill Bagley
400 S. Orange Avenue
Orlando, FL 32801

ATTEST:
Grace A. Chewning
Grace A. Chewning, City Clerk
400 S. Orange Avenue
Orlando, FL 32801

APPROVED AS TO FORM AND LEGALITY
for the use and reliance of the
City of Orlando, Florida, only.
January 28, 2000.
Samuel D. Burnett
Assistant City Attorney
Orlando, Florida

STATE OF FLORIDA
COUNTY OF ORANGE

PERSONALLY appeared before me, the undersigned authority, Bill Bagley and Grace A. Chewning, well known to me and known by me to be the Mayor/Pro Tem and City Clerk, respectively, of the CITY OF ORLANDO, and acknowledged before me that they executed the foregoing instrument on behalf of the CITY OF ORLANDO, as its true act and deed, and that they were duly authorized so to do.

WITNESS my hand and official seal this 28 day of January, 2000.

Fay W. Craig
Notary Public
My Commission Expires:





THIS INSTRUMENT PREPARED BY:
Jean A. Roush-Burnett
Chief Assistant City Attorney
City of Orlando
400 S. Orange Avenue
Orlando, Florida 32801
(407) 246-2295



VERIFIED LEGAL DESCRIPTION FORM

MUNICIPAL PLANNING BOARD

The following legal description has been prepared
MARK DAYNES and submitted
to the City Planning Bureau for verification.

[Signature]
Signature

13-Jan-00
Date

te

"This description has been
reviewed by the Bureau of
Engineering and is acceptable
based on a comparison with:

running traverse &
calculations

By [Signature] Date 1/18/2000

Application Request (Office Use Only):



OR Bk 6385 Pg 11 J
Orange Co FL 2001-050

Legal Description Including Acreage (To be Typed By Applicant):

Page 1 of 2

Begin at the intersection of Altaloma Avenue and Hillcrest Street; Thence West along the centerline of Hillcrest Street a distance of 363.00 feet; Thence South 165.00 feet; Thence West 45.00 feet; Thence South 165.00 feet to the centerline of Concord Street; Thence East along said centerline of Concord Street a distance of 43.60 feet; Thence South 152.00 feet; Thence West 70.00 feet; Thence South 178.70 feet to the centerline of Mount Vernon Street; Thence West 213.50 feet to the intersection of Mount Vernon Street and Fern Creek Avenue; Thence North along the centerline of Fern Creek Avenue a distance of 166.75 feet; Thence West 690.16 feet to the Southwest corner of Lot 13, Block E, COLONIAL PARK, as recorded in Plat Book E, Page 25, Public Records of Orange County, Florida; Thence North 169.00 feet to the centerline of Concord Street; Thence West 80.53 feet to the intersection of Concord Street and Shine Avenue; Thence South 676.00 feet to the intersection of Shine Avenue and Amelia Street; Thence East 80.00 feet to the intersection of the centerline of Amelia Street and the centerline of Shine Avenue; Thence South 462.00 feet along the said centerline of Shine Avenue to a point 30.00 feet East of the Northeast corner of Lot 6, Block B, J.E. GROVES SUBDIVISION, as recorded in Plat Book F, Page 62, Public Records of Orange County, Florida; Thence West a distance of 211.50 feet; Thence South 201.92 feet to the centerline of Livingston Street; Thence West 169.65 feet along the centerline of Livingston Street to the intersection of the West line of Lot 5, Block C of aforementioned Plat Book F, Page 62 and the centerline of Livingston Street; Thence South 333.35 feet to the centerline of Ridgewood Street; Thence West 28.23 feet to a point

30.00 feet North of the Northwest corner of Lot 5, C.A. COSTA'S SUBDIVISION, as recorded in Plat Book F, Page 60, Public Records of Orange County, Florida; Thence South 166.75 feet to the Southwest corner of said Lot 5; Thence East a distance of 721.32 feet to the Southeast corner of Lot 1, Block E, J.E. GROVES SUBDIVISION, as recorded in Plat Book F, Page 62, Public Records of Orange County, Florida; Thence North 165.72 feet to the centerline of Ridgewood Street; Thence West along the centerline of Ridgewood Street a distance of 224.50 feet; Thence North 121.00 feet; Thence East 22.00 feet to the East line of Lot 5, Block D of aforementioned Plat Book F, Page 62; Thence North along said East line of Lot 5 a distance of 45.00 feet to the Northeast corner of Lot 5, Block D of aforementioned Plat Book F, Page 62; Thence East 567.62 feet to the centerline of Fern Creek Avenue; Thence North along the centerline of Fern Creek Avenue 1,042.95 feet to a point 30.00 feet West of the Northwest corner of Lot 2, AMELIA GROVE, as recorded in Plat Book L, Page 140, Public Records of Orange County, Florida; Thence East 181.49 feet to the Northeast corner of said Lot 2; Thence South a distance of 77.68 feet to the Southwest corner of Lot 23 of the aforementioned Plat Book L, Page 140; Thence East a distance of 480.00 feet to the centerline of Altaloma Avenue; Thence North 867.30 feet along said centerline of Altaloma Avenue to the Point of Beginning.

Containing 37.9 acres (MORE or LESS).

Note: Legal Description was prepared using a Map provided by client, Jodi Rubin, Planner III, the City of Orlando G.I.S. Plat Sheets and the City of Orlando Knowledge Base Information System for the acreage calculations on January 18, 2000 by City of Orlando Survey Services.





ColoniaItown South Historic District




DR Bk 6385 Pg 11
 Orange Co FL 2001-050
 Recorded - Martha D. Ha



LEGEND

-  Contributing
-  Non Contributing

 Historic District Boundary

January 24, 2000

