



City of Mount Dora
510 North Baker Street
Mount Dora, Florida 32757
352-735-7113
Fax: 352-735-7191

Building Height Advisory Committee
City Hall Board Room
Thursday, February 3, 2022 - 1:30 PM

AGENDA

- I. Call to Order
- II. Roll Call
- III. Public Comments
- IV. Approval of Minutes
 - A. Request Approval of Meeting Minutes
 - January 20, 2022, Building Height Advisory Committee Minutes
- V. Discussion Items - Old Business
 - A. Informational - Study Area Map
 - B. City Attorney Optional Ordinance Legal Review
 - C. Thomas Pauls summary on variances
- VI. Discussion Items - New Business
 - A. Building Heights on Alternatives Codes and Options
 - B. Harris Turner Proposed Building Height LDC Draft Revisions
 - C. Frank Kriwin Proposed (working document) Charter Amendment
- VII. VIII. Announcement of next scheduled meeting
 - A. Scheduled Meeting Date/time: Thursday, February 17, 2022 at 1:30 pm
- VIII. Adjournment

NOTICE: For purposes of Section 286.011, Florida Statutes, two or more members of the City Council may be present at this meeting, and this meeting may be considered a City Council meeting.

NOTICE: If any person decides to appeal any decisions made at this meeting with respect to any matter

Development Review Committee Meeting

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considered at this meeting, such person may need a record of these proceedings. For such purpose, a person may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE: In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact the Planning and Development Department no later than seven (7) days prior to the proceedings. Telephone (352) 735-7112 for assistance, if hearing impaired, telephone the Florida Relay Service numbers, (800) 955-8771 (TDD) or (800) 955-8770 (Voice) for assistance.

**CITY OF MOUNT DORA, FLORIDA
BUILDING HEIGHT ADVISORY
COMMITTEE MINUTES**



**January 20, 2022
Community Building
520 N. Baker Street
Mount Dora, FL 32757**

Call to Order

Chairperson Lynn Tipton called the meeting to order at 6:03 p.m.

Roll Call

MEMBERS PRESENT

Lynn Tipton, Chairperson
Joseph Lewis, Vice-Chairperson
Nick Girone
John Tucker
Thomas Pauls
Andrea Lothar
Greg Beliveau
Tom Dring
Frank Kirwin
Kate Ondrasik
Harris Turner

ALSO PRESENT

Vince Sandersfeld, Planning Director
Sherry G. Sutphen, City Attorney
Faith Gibbs, Administrative Coordinator

MEMBERS ABSENT

James Homich

Public Comment

Thomas Cutshaw, 346 E. 6th Avenue, thanked the committee for their service and gave his view on this committee and building heights in the city.

Approval of Minutes

- A. Request Approval of Meeting Minutes
- January 6, 2022 Building Height Advisory Committee Minutes

***MOTION BY COMMITTEE MEMBER JOHN TUCKER TO APPROVE THE
JANUARY 6, 2022 BUILDING HEIGHT ADVISORY COMMITTEE MINUTES;
COMMITTEE MEMBER NICK GIRONE SECONDED THE MOTION. MOTION
WAS APPROVED BY VOICE VOTE UNANIMOUSLY.***

DISCUSSION ITEMS

- A. TAB 1: History of Building Height and Code Amendment Types

Vince Sandersfeld, Planning Director, gave an overview on the history of building heights. Mr. Sandersfeld explained three ways to change building heights which are all within the committee's purview. They include a City Council initiated Land Development Code

amendment by zoning district, a Variance, or a Planned Unit Development.

Committee members discussed the origin of the current building height and the participation of the Fire Department's 35 ft. limitation in case of an emergency. Discussion ensued regarding this committee being commissioned to find the best way to protect the current building height. They also discussed whether to create or limit the boundaries of their purview to within the Historic District.

MOTION BY COMMITTEE MEMBER FRANK KIRWIN THAT THE PURVIEW OF THIS COMMITTEE TO CONSIDER HEIGHT LIMITATIONS WITHIN THE HISTORIC DISTRICTS AND WITHIN 100 FT OF LAKE DORA SHORELINE, 25 FT HEIGHT BOUNDARY TERMINUS OF LAKE DORA ROAD, SOUTH ALONG SHORELINE TO CHARLES AVE AND ENDS AT TREMAIN AS DEPICTED ON THE BOUNDARY MAP ATTACHED. VICE - CHAIRPERSON JOSEPH LEWIS SECONDED THE MOTION. MOTION WAS APPROVED BY VOICE VOTE UNANIMOUSLY.

B. Tabs 2-5: Building Heights Documents for Discussion

- **TAB 2 - Thomas Pauls, summary information**

Committee member Thomas Pauls shared that in his opinion the committee is charged with making the best balanced approach for a common goal and should consider all the facts and ideas. In doing so, he provided the committee with information on the pros and cons of building height limitations.

- **TAB 3 - John Tucker, Florida City Building Heights**

Committee member John Tucker gave an overview of the cities he reviewed. The building height requirements were within the Land Development Code for most of the cities, and only approximately 10% of the cities have building height requirements within their charter. Committee member Tucker mentioned that in reviewing these cities, the word "compatible" was consistently used. Committee member Tucker explained that some of the cities had visions and if you were going above the normal height then it had to be compatible to that area.

- **TAB 4 - Kate Ondrasik , Building Heights in Downtown Historic Districts**

Committee Member Kate Ondrasik spoke about the building boom in Florida that took place between 1918-1926 and how many of the historic cities were developed during that time. Committee member Ondrasik researched eight cities. Of those eight cities, six allow building heights beyond 35ft. Increasing building heights will not be detrimental to the city's tourist industry or damage the appearance of Mount Dora, as there are currently

buildings within the city that exceed 35 ft.

- **TAB 5 - Frank Kirwin, Building Heights in Aspen and Key West**

Committee member Frank Kirwin provided information about two cities that have height preservation within their charters. Although the charters were presented in different ways, both are legal and are within the realm of possibility for this committee to consider. Committee member Kirwin mentioned that it is possible to construct a three-story building within 35ft.

Sherry Sutphen, City Attorney, informed the committee that the city of Jacksonville Beach has a height limitation requirement within their charter. At their city council meeting tonight, they are attempting to remove it from their charter via referendum. Ms. Sutphen said that this can still be accomplished through the code by making stricter requirements in the codes as opposed to putting it in the charter.

Announcement of Next Scheduled Meeting

A. Scheduled Meeting Date/Time: Thursday, February 3, 2022 at 1:30 pm

Chairperson Lynn Tipton asked the committee what they would like to see on the agenda for the February 3, 2022 meeting.

Old Business -

- Thomas Pauls summary on Shadow Harbor and variances
- City Attorney optional Ordinance legal review.

New Business -

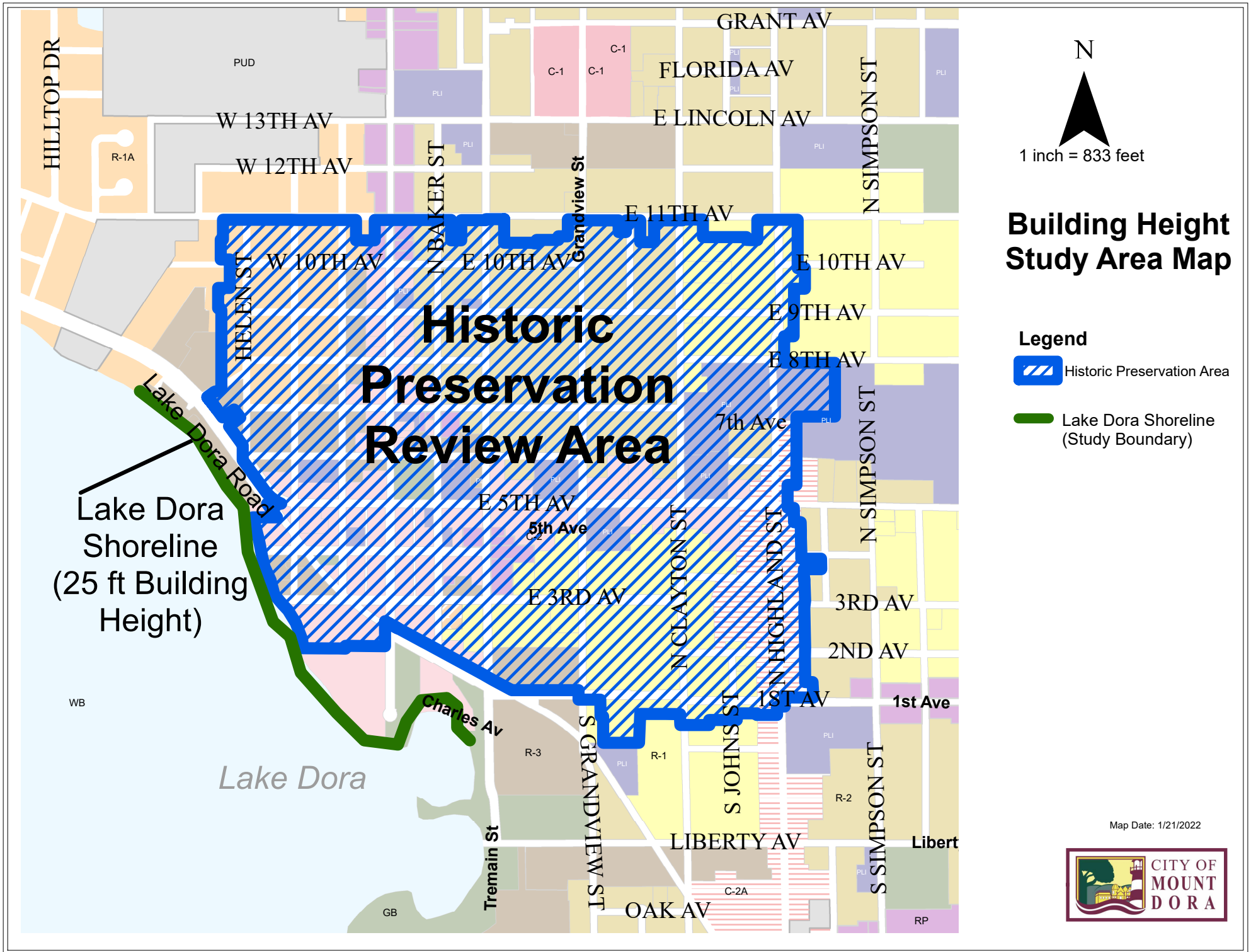
- Committee members to offer concrete recommendations for discussion
- Harris Turner proposed Building Height LCD revisions

Adjournment

COMMITTEE MEMBER FRANK KIRWIN MOTIONED TO ADJOURN THE MEETING. COMMITTEE MEMBER TOM DRING SECONDED THE MOTION AND IT WAS APPROVED UNANIMOUSLY. THE MEETING WAS ADJOURNED AT 7:55 PM.

Lynn Tipton, Chairperson

Jessica Burnham, City Clerk

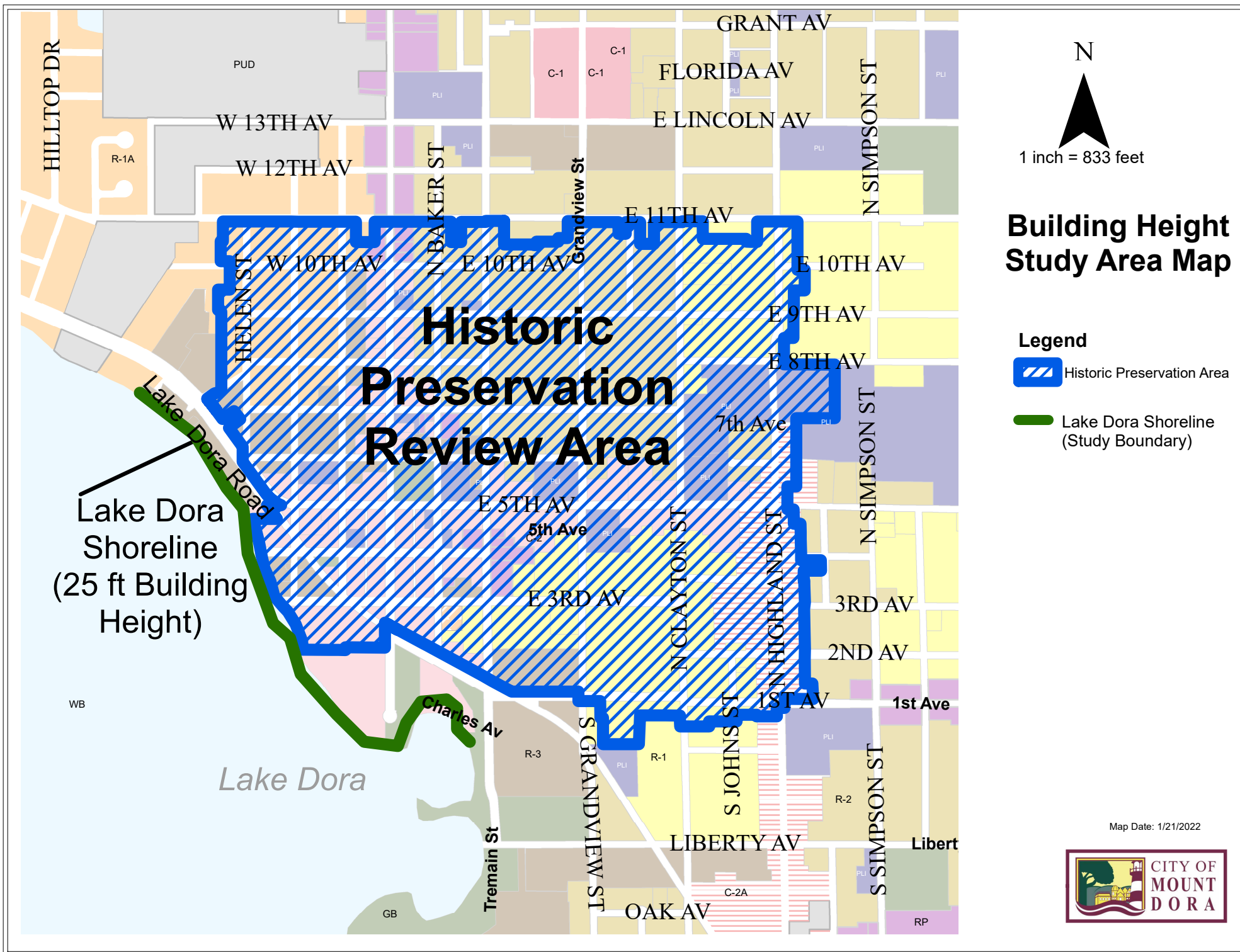


Building Height Study Area Map



1 inch = 833 feet

Lake Dora Shoreline
(25 ft Building Height)



1/20/2022

Hand Out Committee Member

Suggested recommendations for revisions to the Land Development Code of Mount Dora to strengthen the requirements to exceed the building height limitations of 35 feet.

1. Section 3.5.6 of the Land Development Code of Mount Dora should be changed to eliminate the underlined provision. This provision is probably illegal because it contains no standards and is completely open ended. It has already allowed the staff to include stairwells as part of the structure to exceed 35 feet.

If any part of a structure exceeds 35 feet it should be subject to the approval process.

Land Development Code of Mount Dora

Section 3.5.6

Height. Building heights may not exceed 35 feet for all zoning districts, except 60 feet within the MU-1 district, 65 feet within the C-3 district, 100 feet within the WBI-E and WBI-G districts; and maximum 55 height for parking garages within the C-2, C2A, PLI and MU-2 zoning districts. Chimneys, water, fire, telecommunication, radio and television towers, church spires, cooling towers, elevator bulkheads, smokestacks, and similar structures, and their necessary mechanical appurtenances may exceed 35 feet, subject to the restrictions herein, and any height limitations placed on such structures by the Federal Aviation Administration. No building, parking garage, or other structure shall exceed 25 feet if such building or structure is to be located within 100 feet of Lake Dora, or in any other location where surrounding scenic views of Lake Dora would be destroyed. Flagpoles may not exceed 45 feet in height in all zoning districts.

Section 3.5.6 (revised)

Height. Building heights may not exceed 35 feet for all zoning districts, except 60 feet within the MU-1 district, 65 feet within the C-3 district, 100 feet within the WBI-E and WBI-G districts; and maximum 55 height for parking garages within the C-2, C2A, PLI and MU-2 zoning districts. No building, parking garage, or other structure shall exceed 25 feet if such building or structure is to be located within 100 feet of Lake Dora, or in any other location where surrounding scenic views of Lake Dora would be destroyed. Flagpoles may not exceed 45 feet in height in all zoning districts.

2. Any property for which a application is received to exceed 35 feet in height shall be required to have a placard placed on all street, alley or public viewed sides setting out the request and time and date of the hearing before the Planning and Zoning Commission, and then a new placard placed setting out the time and date of the hearing before the City Commission.

3. The public notice of all public hearings shall be in place for a minimum of 90 days prior to any public hearing to exceed 35 feet in height.

4. Any request to exceed 35 feet in height shall require a super majority vote for approval, or it shall be deemed to be denied.

Respectfully submitted

Harris Turner

January 20, 2022

Proposed Charter Amendment

Building height restrictions, in the defined historic district of Mount Dora plus within 100 feet of Lake Dora from Grantham Point Lighthouse on the South to Lake Dora Road on the Northwest, contained in the city's land development regulations and building codes shall be amended to reflect maximum heights of no greater than 35 feet and no greater than 25 feet within 100 feet of Lake Dora for all zoning districts within the above defined area. These restrictions, with no exceptions will apply to all structures including parking garages within this district. These restrictions will become effective as of the adoption of this charter amendment and approval by the majority of the registered voters in the next general election. They will subsequently become subject to change only upon approval of a majority of the registered voters casting ballots at a general municipal election.

Height variances approved for non-habitable purposes including, but not limited to radio and television towers, church spires and necessary antennae shall be final and not subject to public referendum. Variances for mechanical appurtenances including heating/cooling and elevators are disallowed.

Any existing, legal non-conforming structure if involuntarily destroyed, as defined by Section 3.5.7 of the City's Land Development Code, may be rebuilt to the same height, dimensions and exterior façade, if possible, as the legal non-conforming structure prior to destruction. If the exterior façade is not replaceable the new construction shall make every effort to be compatible with the surrounding buildings and historic area.

Submitted by

Frank Kirwin

January 26, 2022