



City Clerk Department
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Mount Dora, Florida 32757
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**Building Height Advisory Committee
City Hall Board Room
Thursday, November 18, 2021 - 1:30 PM**

AGENDA

- I. Call to Order
- II. Roll Call
- III. ELECTION OF CHAIRPERSON
- IV. ELECTION OF VICE CHAIRPERSON
- V. DISCUSSION ITEMS
 - A. Background Building Height Code Summary Report (Informational)
- VI. Adjournment

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CITY OF MOUNT DORA

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E-mail: wisniewskin@cityofmountdora.com

DATE: November 18, 2021

TO: Building Height Advisory Committee

FROM: Vince Sandersfeld, Planning
Director

SUBJECT: Background Building Height Code Summary Report (Informational)

Discussion

As directed by the City Manager, Planning and Development Department staff prepared a summary report of building height for additional background information on this topic. The attached report summarizes various Land Development Code provisions and land use policies. Staff included building examples to provide visual references. The summary information intended

Budget Impact

N/A

Strategic Impact

To increase engagement and collaboration with residents

Recommendation

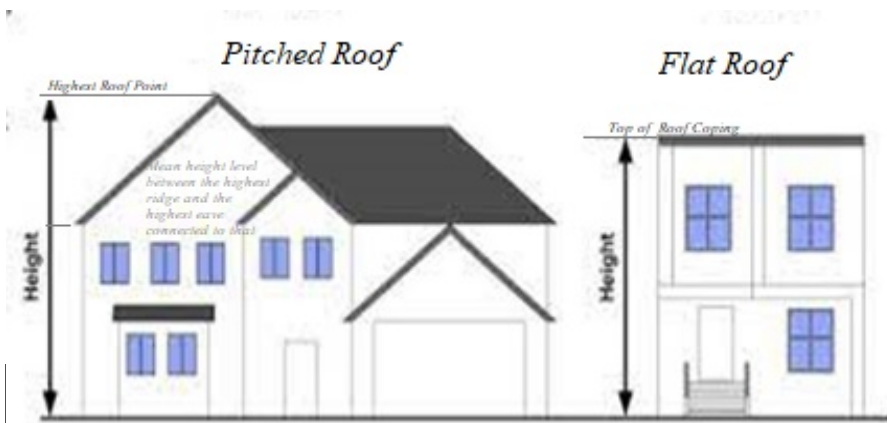
To discuss

Attachment(s):

1. Building Height Committee Background Report

Prepared by: Jessica Burnham, City Clerk
Reviewed by: Nicole Wisniewski, Deputy City Clerk
Emily Ragusa, Administrative Coordinator

Approved - 11/10/2021
Final Approval - 11/10/2021



BUILDING HEIGHT

Background

1. Introduction

1.1 Overview

The City of Mount Dora, as part of its ongoing planning efforts, is evaluating the maximum building heights with focus on the downtown area. City Council passed Resolution No. 2021-115 on September 21, 2021, creating the Building Heights Advisory Committee ("Advisory Committee") to review and evaluate the existing City of Mount Dora building height codes, restrictions, and to make recommendations. The recommendations, as cited in the Resolution, may include revisions to the building height regulations and/or the ability or inability to secure a variance, planned unit developments (PUD's) zoning, or other conditions for deviation from building height limitations, which would result in a development order upon approval or denial of a request.

This summary provides background information for understanding current codes and polices.

Figure 1 is a zoning map (<https://ci.mount-dora.fl.us/316/Maps>) of the downtown area, which includes Donnelly Street, 5th Avenue, and Highland Avenue. Additional Maps are attached to this building height background summary report (end of report).

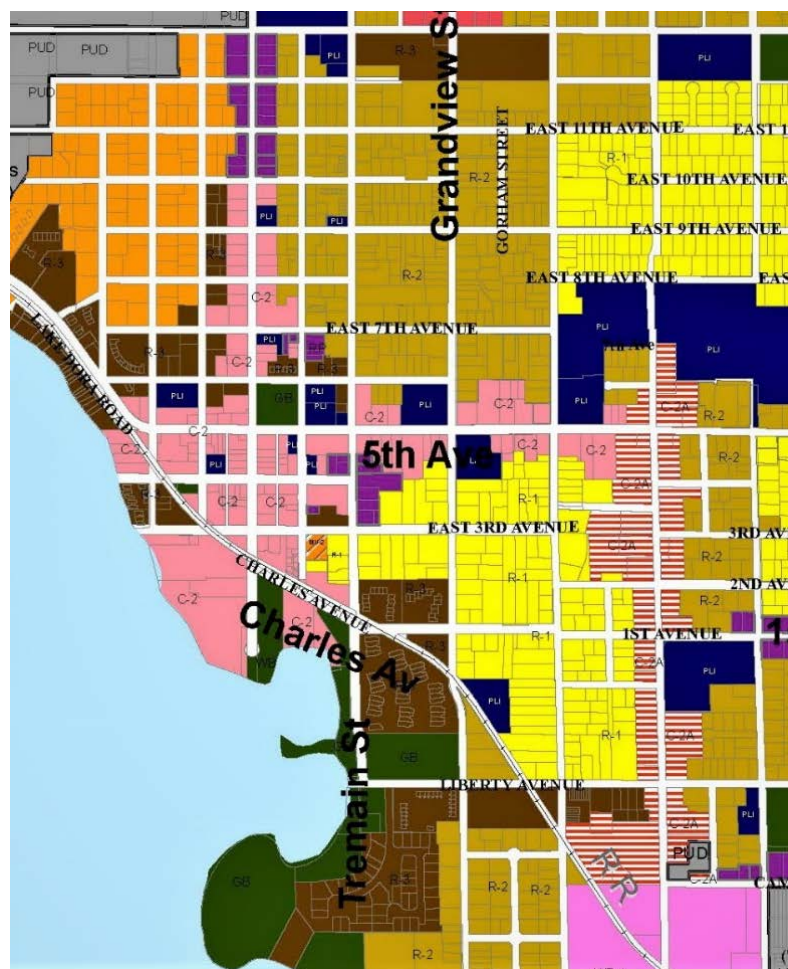


Figure 1: Mount Dora Zoning Map

2. Context

2.1 Overview

Mount Dora has a strong identity as a quaint lakeside destination. Art festivals, music events, and other recurring activities draw visitors to the city on a continuing basis. The City has a unique sense of character and charm that is unrivaled in the region. That character and charm are a critical component to the economic wellbeing and success of the city.

Existing city policies that speak to building heights, either directly or indirectly, include the following:

2.2 Comprehensive Plan 2045

Comp. Plan City web page (documents) link:

<https://ci.mount-dora.fl.us/1169/Comprehensive-Plan-2045>

Future Land Use Element

- Goal: To promote, protect and improve the public health, safety, general welfare and retain the quaint character of Mount Dora in a controlled growth environment while protecting the welfare and aesthetics of the community of the community through the provision of appropriate land uses.
- Objective 12(a) Downtown: The character, scale, and historic value of the downtown should not only be preserved but enhanced where possible. As the core of the community, the downtown should be well connected, by multiple means of mobility, to all other parts of the city. The downtown has a unique relationship with the lakefront and the connection between the two should be strengthened, both visually and physically, wherever possible.
- Objective 12(e) Highland Street: Although redevelopment has been actively pursued in this area, there are still vacant and underutilized sites along the street frontage.

2.3 Land Development Code (LDC)

LDC web page (document) link:

https://library.municode.com/fl/mount_dora/codes/land_development_code

General

- 2.1(4) Avoid undue concentration of population by regulating and limiting the density, intensity, height and bulk of buildings.

Zoning Regulations, Building Height Definitions

- 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.

- Chapter VIII – Definitions. *Building, height of:* The vertical distance from the finished grade to the highest point of a flat roof or a mansard roof, or, for gable, hip and gambrel roofs or other pitched roofs, to the mean height level between the highest ridge and the highest eave connected to that ridge.
- Below is a zoning district Table with current building heights (maximums):

<u>Zoning District/Area</u>	<u>Current Height (Feet)</u>	<u>Notes</u>
Within 100 ft. of Lake Dora	25	All Zoning Districts
GB	35	Green Belt Zoning District
R-1, R-1AAA, R-1AA, R-1A, R-1AAAA, & R-1B	35	Single-Family only
R-2	35	Single-Family or Duplex
R-3	35	Multiple-Family
MHP	35	Currently, there is only one Mobile Home Park in the City
PUD	35	Applicants can make proposals for building heights depending upon the project design and at the sole discretions of the City Council
C-1	35	Grandview St. at Lincoln Av.

Building Height - Background



<u>Zoning District/Area</u>	<u>Current Height (Feet)</u>	<u>Notes</u>
C-2	35	Downtown Commercial
C-2A	35	Predominantly located along Highland Street
C-3	65	Predominantly located along US 441
RP	35	Residential Professional
OP	35	Office Professional
WP-1	35	Work Place (Light Industrial)
WP-2	35	Work Place (Heavy Industrial)
WBI-E and WBI-G	100	Wolf Branch Innovation Districts
PLI	35	Public Lands Institution
MU-1	60	Mixed Use One Traditional Golden Triangle & Highland/Camp
MU-1 (Parking Garages)	50	Mixed Use One Traditional
MU-2	35	Mixed Use Two Downtown South of 3 rd and West of Tremain St.
MU-2 (Parking Garages)	55	Mixed Use Two Downtown

Zoning Regulations, C-2 (Downtown Commercial)

- 3.4.7(1) Description of district: This district is established to provide the primary commercial area to meet the retail and service needs of the city and to provide a unique and enjoyable shopping and activity center for the region.
- 3.4.7(5) Site development standards: Within the downtown area, development will generally be required to be compatible with the existing downtown character.
- 3.4.7(5)(b) Maximum building heights: 35 feet; within 100 feet of Lake Dora, 25 feet.
- 3.4.7(5)(i)(1) Architectural style is not restricted. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings.
- 3.4.7(5)(i)(2) Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.

Zoning Regulations, C-2A (Peripheral Commercial)

- 3.4.7-A(1) Description of district: This district is established to provide a commercial area for the retail and service needs of the overall community in addition to those uses permitted in the C-2 Downtown Commercial District.
- 3.4.7-A(5)(b) Maximum building heights: 35 feet; within 100 feet of Lake Dora, 25 feet.

Zoning Regulations, MU-2 (Downtown Mixed Use)

- 3.4.16(7)(c)(2) Building height is limited to 35 feet and cannot exceed 25 feet in height for buildings that are located within 100 feet of Lake Dora or in any other location in the MU-2 district where surrounding scenic views of Lake Dora cannot be maintained.

Design Standards, Commercial Architectural and Site Design Requirements

- 6.13.3(2)(a) Purpose and intent: Variations in roof lines shall be used to add interest to and reduce the massing of buildings. Roof features shall be in scale with the building's mass and complement the character of adjoining and/or adjacent buildings and neighborhoods.

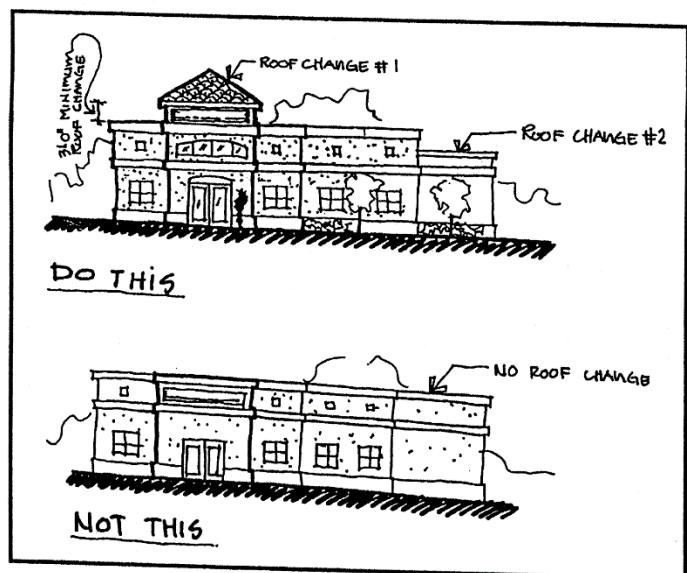
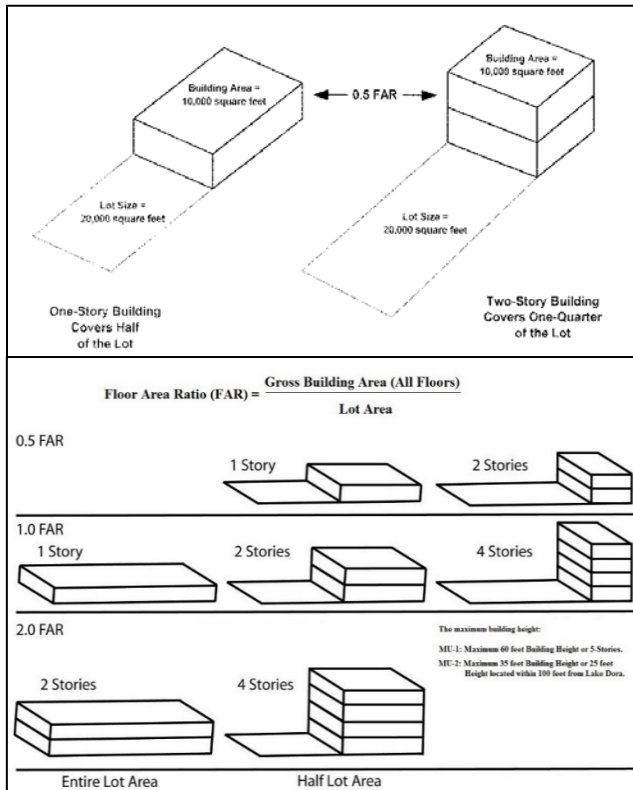


Illustration 12

Building Height - Background

■ Floor Area Ratio



$$\text{F.A.R} = \frac{\text{floor area}}{\text{lot area}}$$

Floor Area Ratio (FAR) is the size of a building divided by the size of its parcel, expressed as a decimal number.

For example, a 5000 square foot building on a 5000 square foot lot has a floor area ratio of 1.00 or 100%. While the same building on a 10,000 square foot lot would have a floor area ratio of 0.50 or 50%. The FAR is used in calculating the building intensity of a development project.

Refer to each commercial zoning district for maximum FAR.

Development Application Types

- 5.1 A site plan review is required for projects involving new construction, the alteration or conversion of any existing structure into an office, commercial, industrial or multi-family; public buildings and facilities and private utility buildings. Site Plan application filed with City's Planning and Development Department. Complete site plans with review and approval time-frame is 45 days. Site plans are reviewed by the Development Review Committee (DRC) and Planning and Zoning Commission (PZC). Projects located within the Historic Preservation Review Board Area are required to obtain a Certificate of Appropriateness with review and approval by Historic Preservation Board. Appeals are considered by City Council. A Site Development Permit is issued, which authorized the site work.
- 2.5.1(6) Variance Applications: A variance (*Definition Chapter VIII, LDC*) allows property owners to request minor alterations to development standards in the zoning ordinance, which would include standards such as; height, area and size of structures or size of yards and open spaces. A variance will not allow for a use which is prohibited within a certain zoning district. Variance time-frame for review and PZC consideration is 45 days. Legal notice is published in newspaper and mailing to surrounding owners (within 300 feet). Development Order are then prepared and recorded in the Official Records of Lake County. Appeals are considered by City Council.

- 1) Application submittals are reviewed by the Development Review Committee with recommendations forwarded to the Planning and Zoning Commission.
- 2) The planning and zoning commission shall hear and decide requests for variances from the terms of the zoning regulations where, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship upon, and personal to, the applicant therefor, and not surrounding properties. In order to authorize a variance, the commission must find:
 - a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district; such on-site conditions may include, but are not limited to, topography, preservation of vegetation, access, vehicular and pedestrian safety and preservation of scenic views;
 - b. That the special conditions and circumstances do not result from the actions of the applicant;
 - c. That granting the variance requested will not confer on the applicant any special privilege that is denied by the chapter to other lands, buildings or structures in the same zoning district;
 - d. That literal interpretation of the provisions would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work [incur] unnecessary and undue hardship on the applicant;
 - e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
 - f. That the grant of the variance will be in harmony with the general intent and purpose of this code and the comprehensive plan, will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and
 - g. The granting of the variance will not be detrimental to the property or improvements in the area in which the property is located.

In granting any variance, the commission may prescribe appropriate conditions and safeguards, the violation of which shall be deemed a violation of this code. The commission may also prescribe a reasonable time limit within which the action for which the variance was requested shall be begun, completed or both.

Under no circumstances shall the commission grant a variance which permits a use not generally, or by conditional use, permitted in the zoning district involved, or any use expressly or by implication prohibited, by the terms of this code in the zoning district involved. Nonconforming uses of neighboring lands, structures or buildings in the same zoning classifications or district, and permitted uses of lands, structures or buildings in

other zoning classifications or districts shall not be considered grounds for the authorization of a variance.

- 3) Planning staff has researched zoning archive records and found one site was granted a building height variance in 1992:

Shadow Harbor - Variance Lake Dora Frontage
4th Avenue & McDonald
From 25 feet (*Lake Dora Frontage*) to 35 feet
PZC Approved on August 11, 1992

■ 3.4.5 Planned Units Developments (PUD)

A Planned Unit Development (PUD) zoning district is established to provide for an innovative development often times including mixed zoning classifications, densities, and uses under a common classification. It is not subject to standard zoning requirements, however PUDs often use the Zoning Ordinance as a foundation and must not violate the general purposes, goals, and objectives of the Land Development Code and the City's Comprehensive Plan. Minimum PUD site area is five (5) acres, except for PUDs located in both CRA and NE-CRA the minimum site area is one (1) acre.

The following PUD projects have been approved with building heights greater than 35 feet:

PUD Name	Building Height (maximum)	Action	Date
Donnelly Woods Multi-Family	45' (3-stories)	Ord #2020-02	05-05-2020
Eudora Reserve Apartments	37'	Ord #2020-13	08-18-2020
Mount Dora Christian Academy	50' (min. 75 feet setback)	Ord #797	10-02-2001
Waterman Village	60'	Ord #2018-08	07-31-2018

■ 3.5.7.2 Nonconforming structures.

A nonconforming structure is a structure that complied with zoning and development regulations at the time it was built but which, because of subsequent changes to the zoning and/or development regulations, no longer fully complies with those regulations. In terms of building heights, there are several existing commercial buildings, particular to the downtown area, which exceed the 35 feet building height limitation. Examples shown in Section 3 of the report.

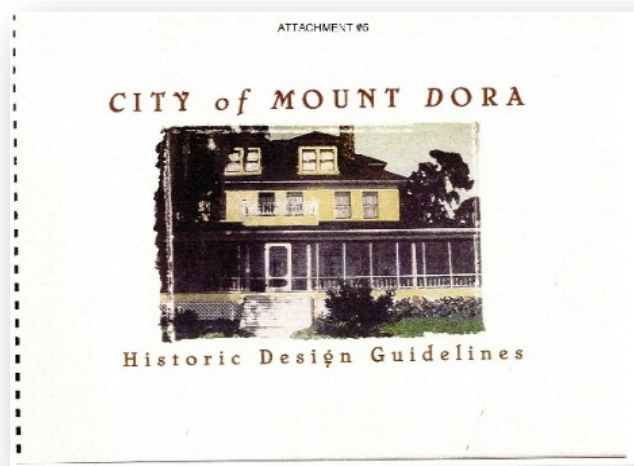
Nonconforming structures may remain provided that:

- 1) Enlargement, increase, intensification, alteration. A nonconforming structure may be enlarged, intensified, increased in height, or extended to occupy a greater area of land or water than was occupied at the effective date of adoption or amendments of these zoning regulations provided that the enlargement, intensification, increase in height, alteration or extension is consistent with all applicable codes and regulations.

- 2) Except as provided in subparagraph above, no nonconforming structure shall be enlarged, intensified, increased in height, or extended to occupy a greater area of land or water than was occupied at the effective date of adoption or amendments of these zoning regulations.
- 3) Notwithstanding paragraphs 1 and 2 above, a nonconforming structure may be maintained and repairs and alterations may be made, except that in a building which is nonconforming as to the regulations, no structural alterations shall be made except those required by law. Repairs such as plumbing or the changing of partitions or other interior alterations are permitted.
- 4) Movement. No nonconforming structure shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by the use at the effective date of adoption or amendment of these zoning regulations.
- 5) Destruction. Should any nonconforming structure or nonconforming portion of a structure be destroyed by any means to an extent of more than 50 percent of its replacement value based upon property appraisal records at time of destruction, it shall not be reconstructed except in conformity with the provisions of these zoning regulations.
- 6) Unsafe nonconforming structures because of lack of maintenance. If a nonconforming structure or portion of a structure, or any structure containing a nonconforming use, becomes physically unsafe or unlawful due to lack of repairs or maintenance, and is declared by the duly authorized official of the city to be unsafe or unlawful by reason of its physical condition, it shall not be thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the district in which it is located.
- 7) If application for any zoning or development approval is requested, all nonconforming uses must be brought into compliance with this code.

■ Historic Preservation Guidelines

The City's Historic Preservation Board has regulations under Section 3.6 of the City's Land Development Code and reviews all building changes through the Certificate of Appropriateness application process; which apply to building size and appropriateness in relation to existing building height, building massing, scale, and design. Commercial design standards are further required by Section 6.13. *Commercial architectural and site design requirements* of the City's Land Development Code. Below Figure 2 is a portion of the HPB Guidelines with illustration of appropriate



building height. It should be noted, there are no dimensions within the historic guidelines, as the Historic Preservation Board focus is related to appropriate review design elements and features specific to new constructions and additions. For commercial buildings, there are no specifics architectural styles that are required for new commercial/office buildings. The design is a function of the building elements, features, materials, mass, roof-lines, etc.

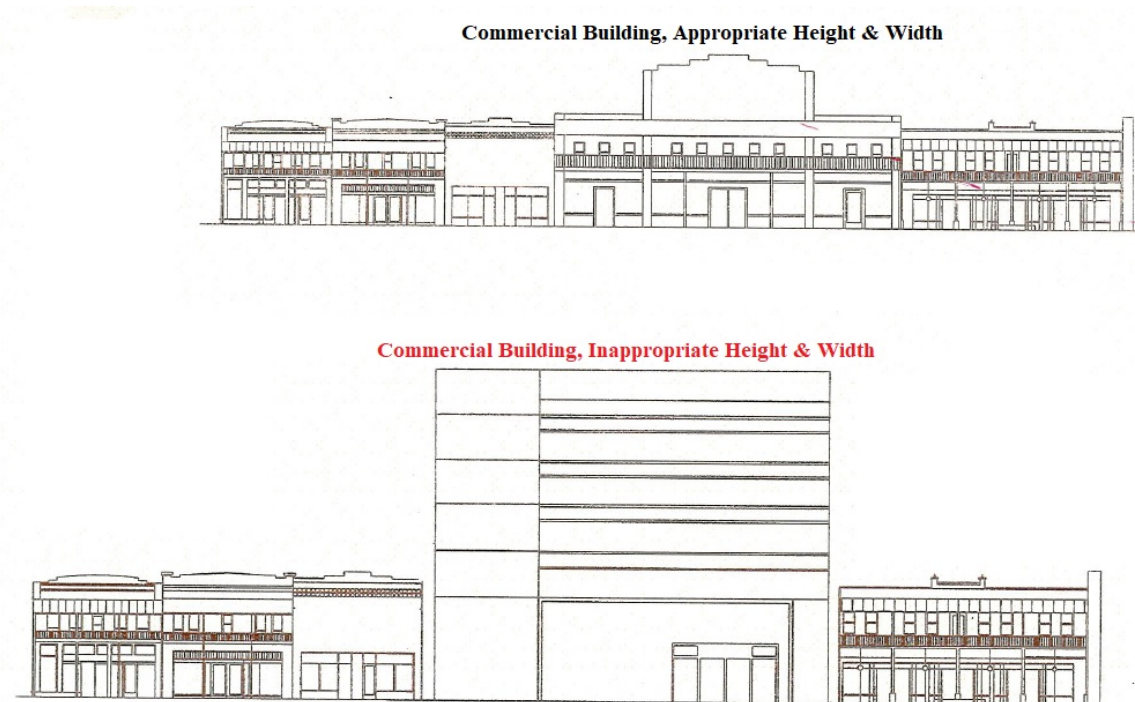


Figure 2: Page 107 Historic Preservation Guidelines

3. Visual Reference

3.1 Building Height

A sampling of building heights has been provided below to give a general reference for this discussion.

3.2 Mount Dora Buildings



Figure 3: Block, from south to north (16, 40, 25, 12, 25, 40-ft.)



Figure 4: Regency Villas, 35-ft. ht. (1961)

Building Height - Background



Figure 5: Dora Villas, 70-ft. ht. (1973)



Figure 6: 301 Sunset Building, 45-ft. ht. (1997)



Figure 7: Southern Oaks Condos, 61 ft. (1972)



Figure 8: Renaissance Building, 42 ft. (1922)



Figure 9 City Hall, 28 ft.

Building Height - Background

3.3 Building Height Examples by Zoning District

The following images are illustration purposes only and do not necessarily represent City Land Development Code architectural design (or Historic) requirements. These are maximum height.

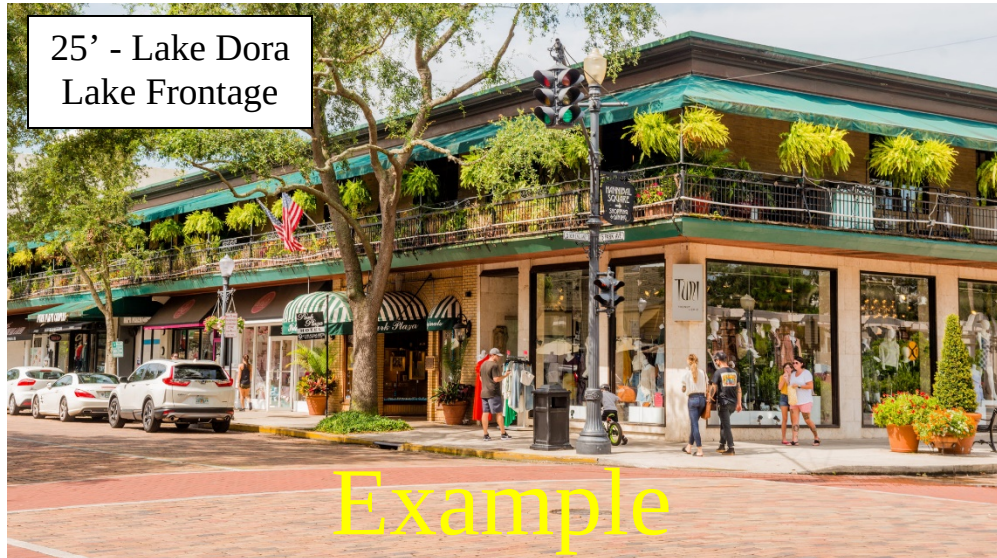


Figure 10 Example Max. 25 Feet Building (Lake Dora Frontage)



Figure 11 Example Max. 35 feet Building (Residential Zoning, Downtown Commercial Zoning)



Figure 10 Example Max. 65 Feet Building



Figure 12 Example Max. 100 feet Building

4. Map Series

Attachments - Various maps and district overlays:

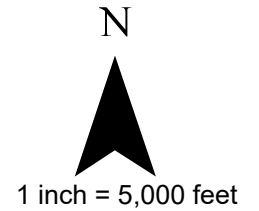
- General Building Height Map
- Zoning Map
- Mixed Use Land Use Area Map (Golden Triangle, Highland/Camp, and 3rd/Lake Front)
- C-3 Zoning Districts Map
- Downtown (C-2 and C-2A) Zoning Map
- Wolf Branch Innovation Districts Map (Employment and Gateway)
- Historic Preservation Review Boundary Area Map
- CRA/NE-CRA Map (Community Redevelopment Agencies)
- Exempt Area Map (parking and drainage)

Height General Area/Other

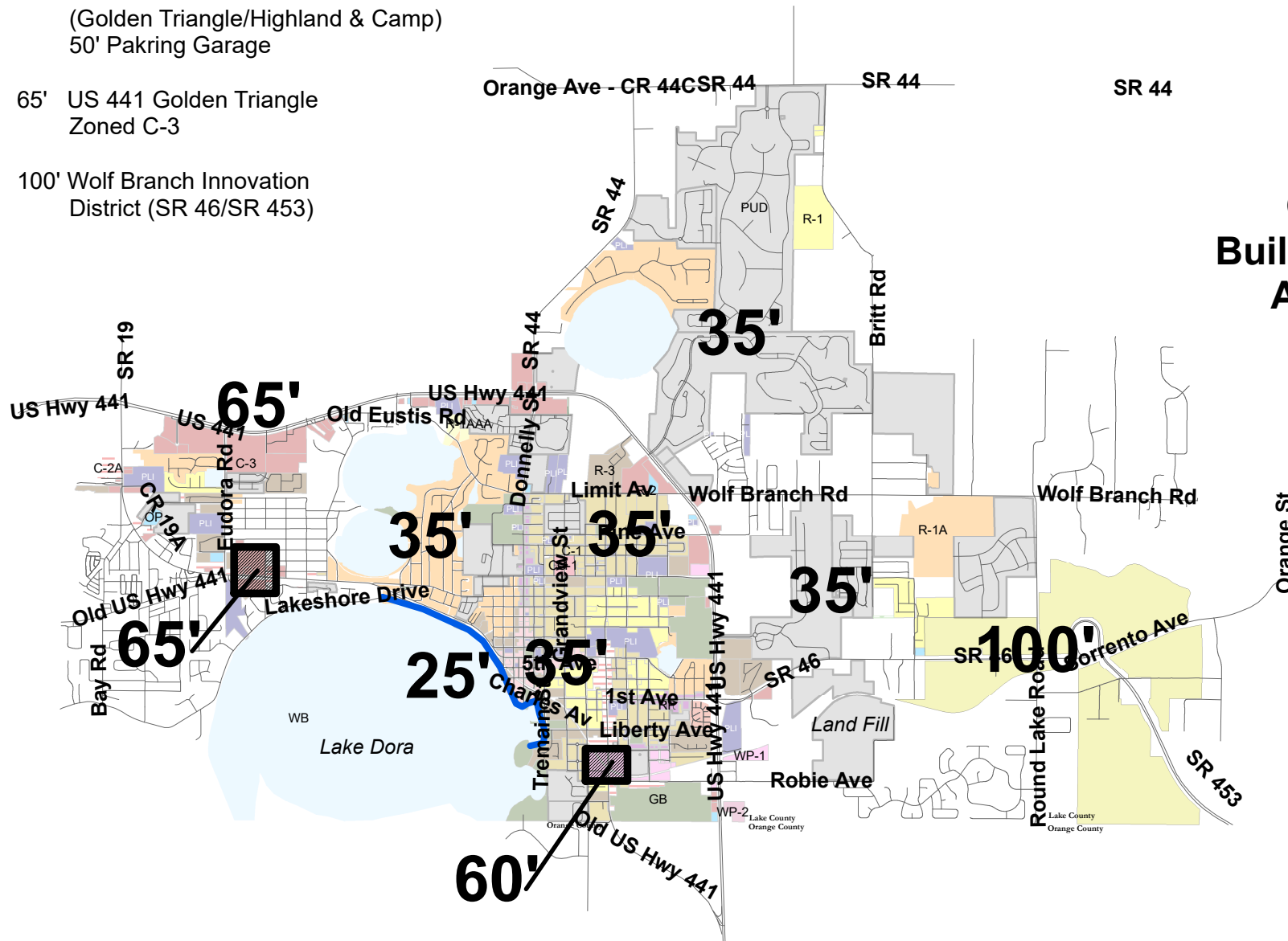
- 25' Along Lake Dora
- 35' Commercial and Residential
Mixed-Use Downtown
55' Parking Garage
- 60' Mixed-Use One
(Golden Triangle/Highland & Camp)
50' Parking Garage
- 65' US 441 Golden Triangle
Zoned C-3
- 100' Wolf Branch Innovation
District (SR 46/SR 453)

Notes:

- * Heights are listed as maximums
- * PUD's May have different Heights
- * Building Heights are by individual
Zoning Districts

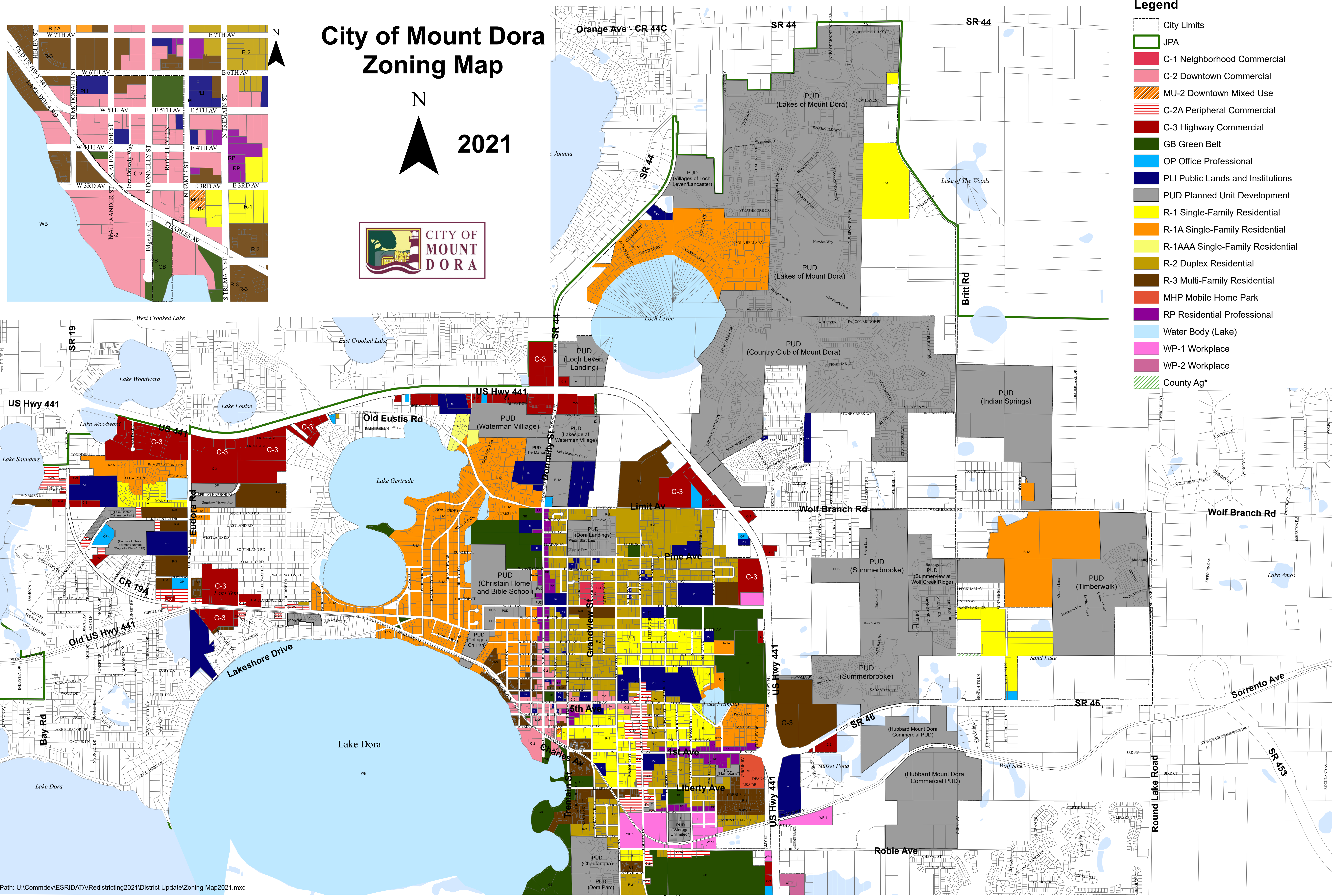


General Building Height Area Map



Map Date: 11/3/2021

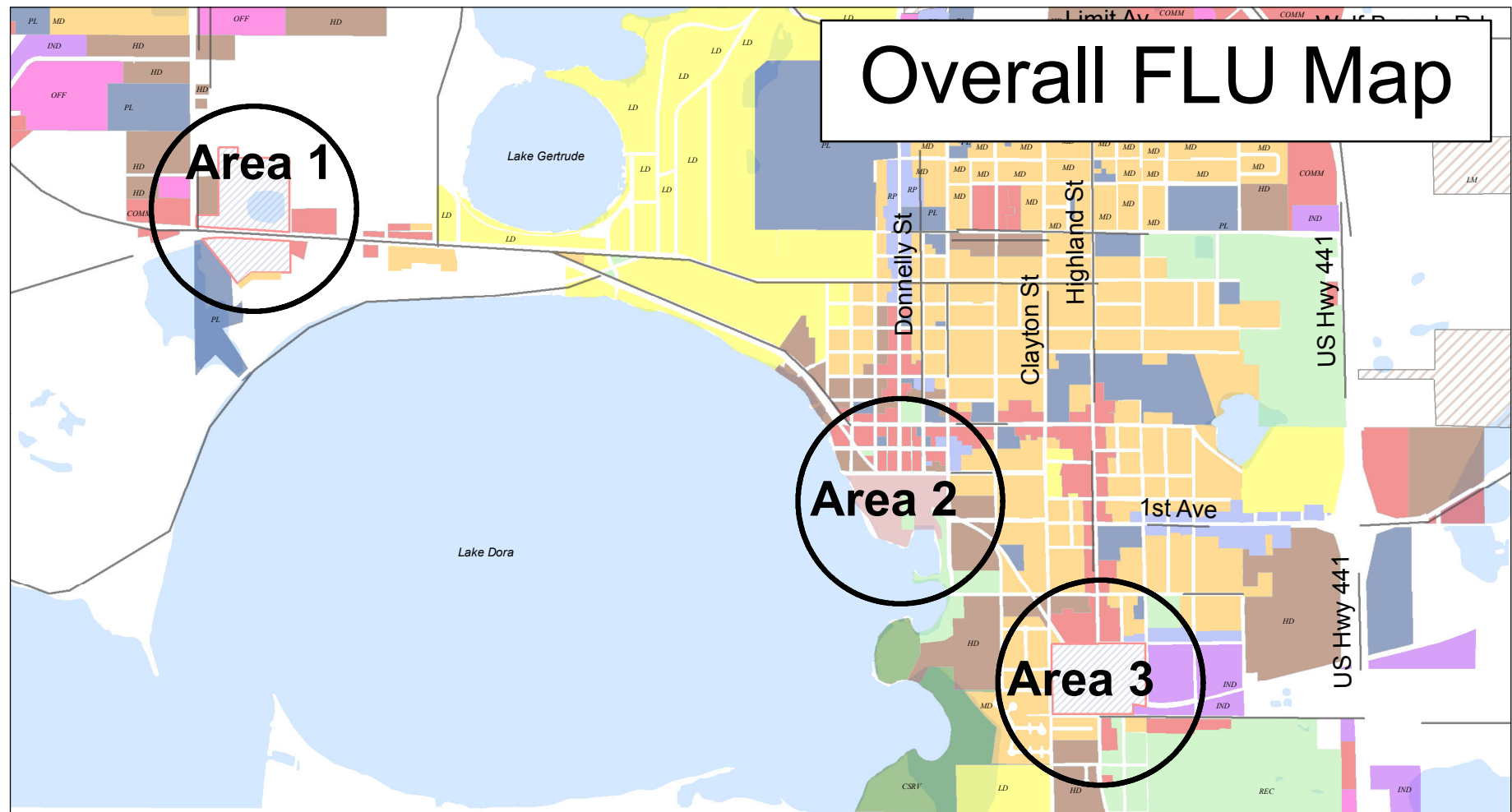
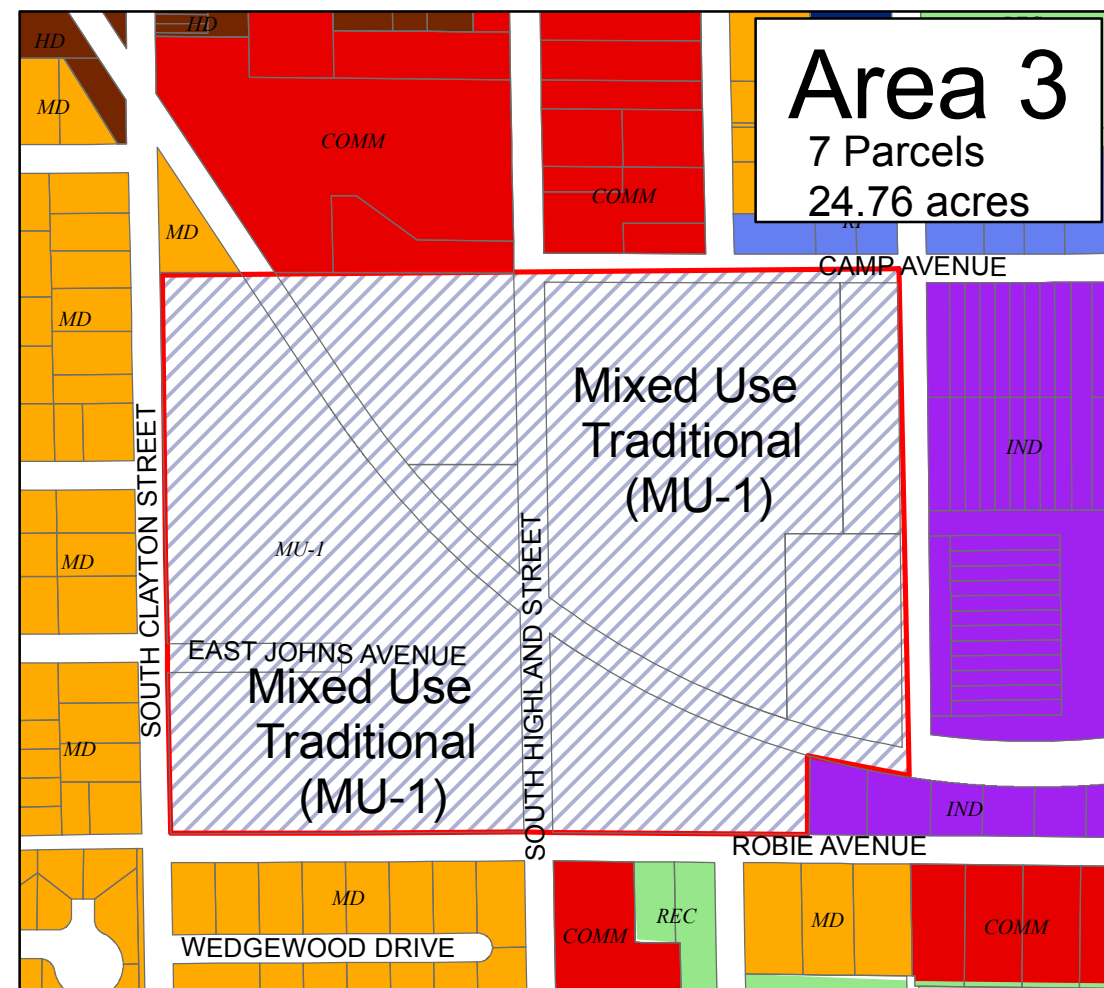
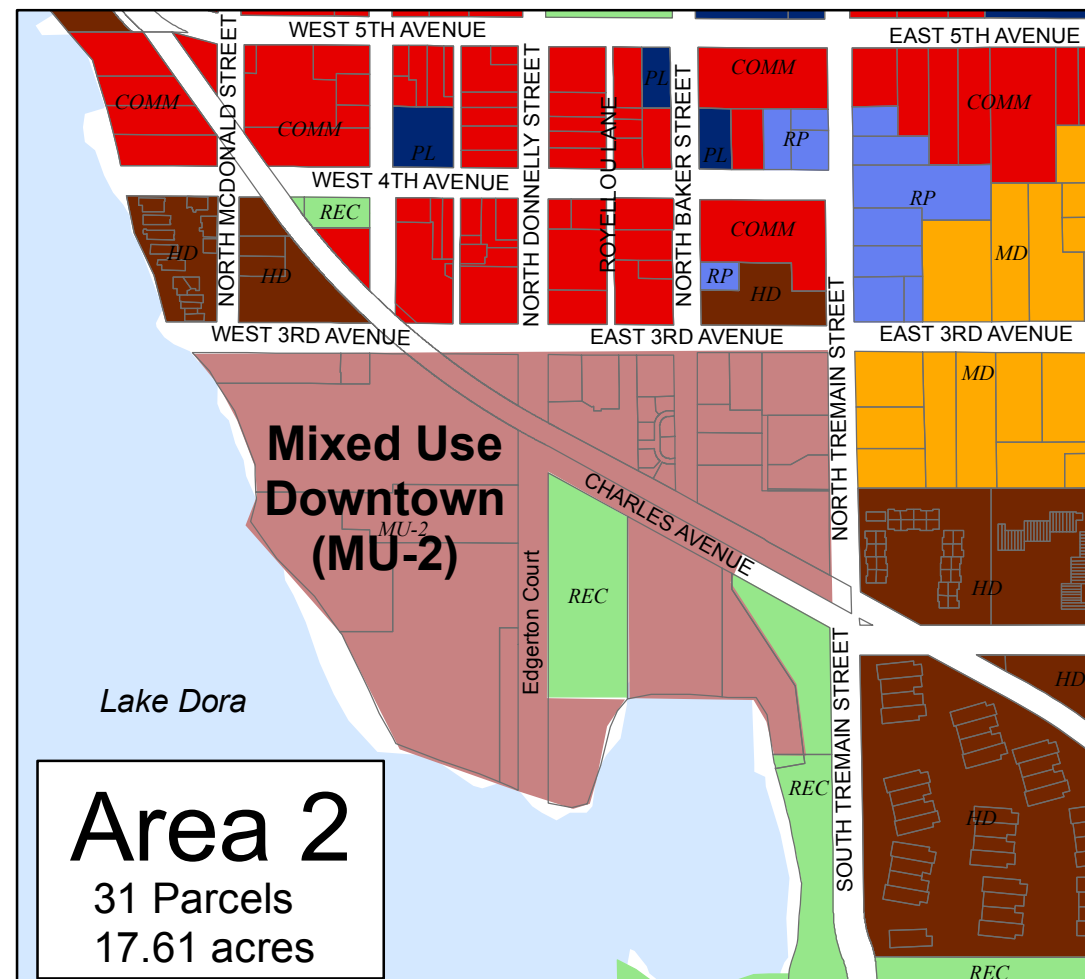
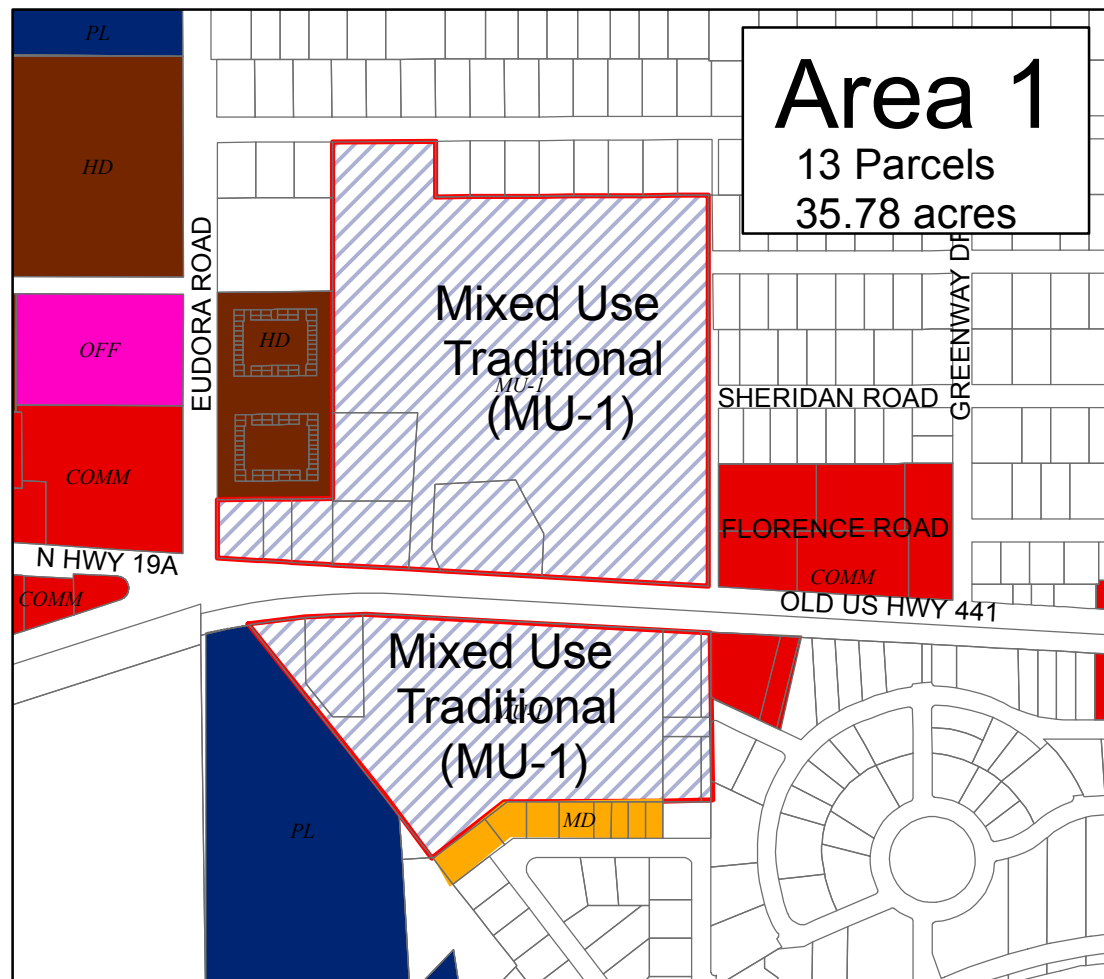




Revised City of Mount Dora Proposed Future Land Use Mixed Use Areas

Legend

-  Mixed Use Traditional (MU-1)
-  Mixed Use Downtown (MU-2)
-  Employment Center
-  Residential Professional/Office
-  Low Density Residential (2.5 DU/AC or Less)
-  Low/Medium Density Residential (4 DU/AC or Less)
-  Medium Density Residential (6 DU/AC or Less)
-  High Density Residential (12 DU/AC or Less)
-  Industrial
-  Commercial
-  Office
-  Recreation
-  Public Lands/Institutions
-  Conservation
-  Water Bodies/Lakes



Wolf Branch Rd

City Limits

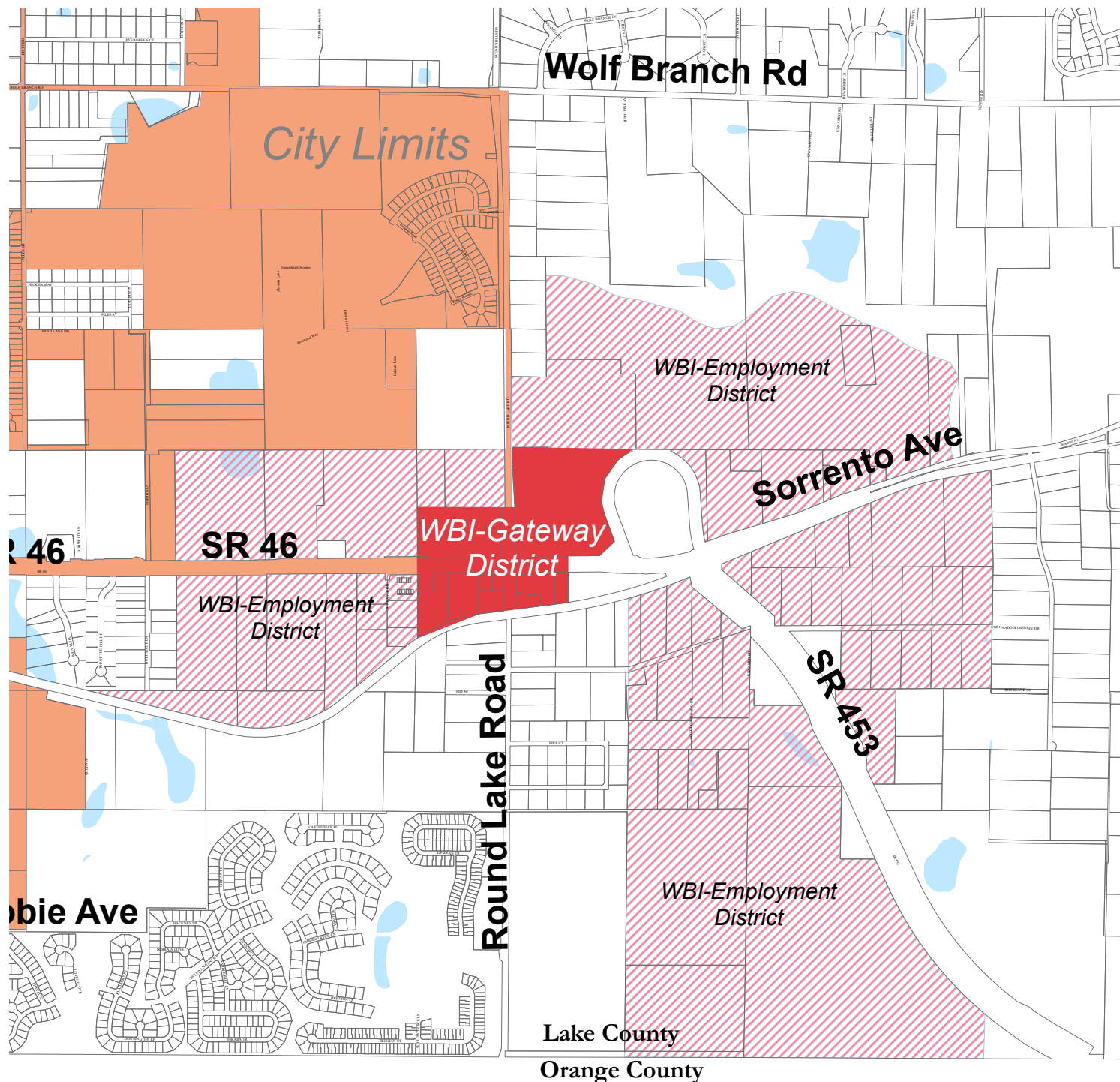
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1 inch = 1,584 feet

Wolf Branch Innovation Districts Area Map

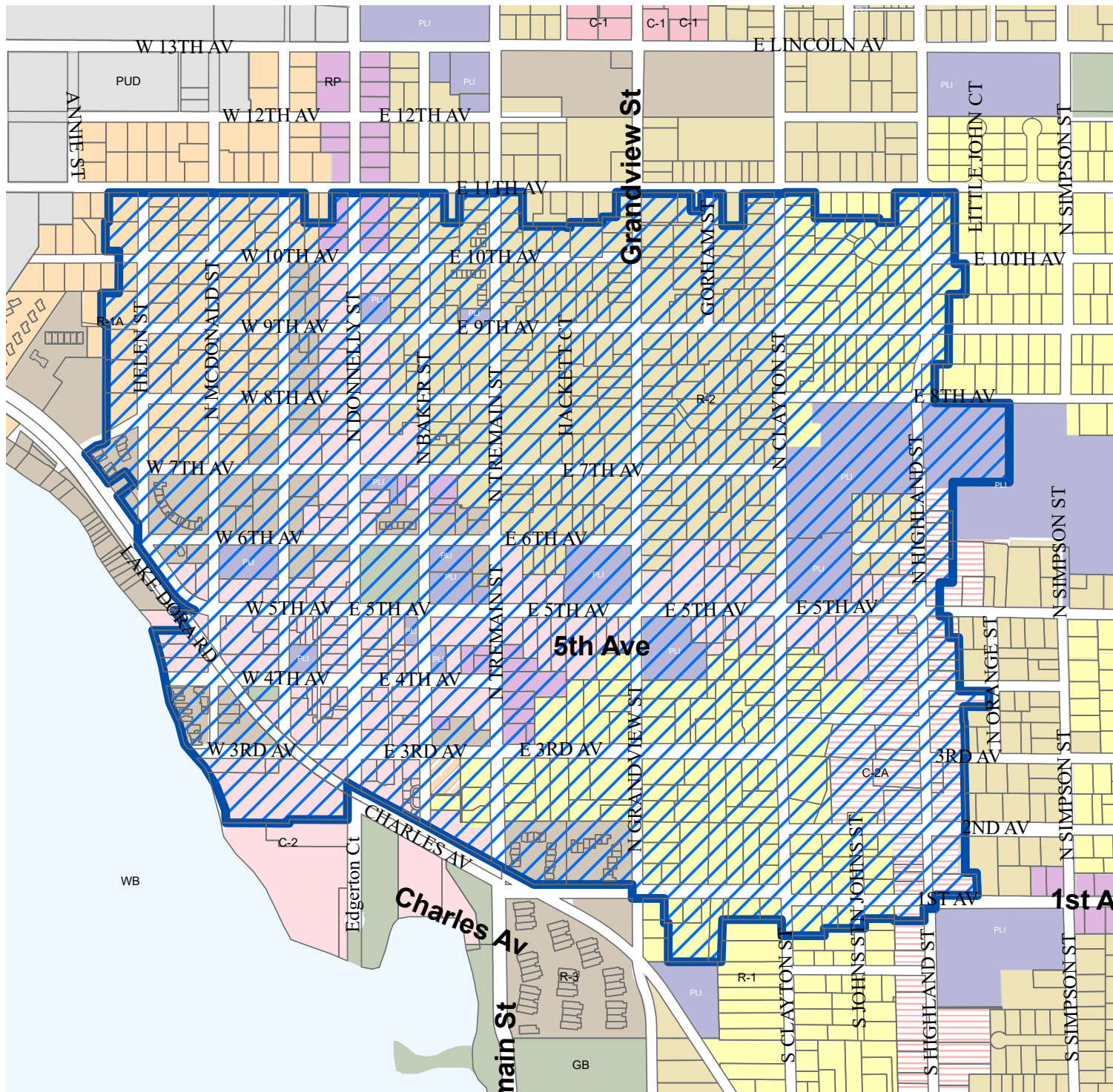
Legend

-  WBI-G District
-  WBI-E District
-  City Limits



Map Date: 10/13/2021





N

1 inch = 667 feet

Historic Preservation MAP

Legend

- Historic Preservation Review Boundary Area

Map Date: 10/13/2021



