

**WORK SESSION**

**DATE:** JANUARY 26, 1998

**ITEM NO.:** 2

**SUBJECT:** DISCUSSION OF REQUEST TO AMEND THE ZONING CODE  
RELATED TO FLOOR AREA RATIO ON LAKE FRONT LOTS

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Attached is a letter and petition requesting consideration for a change to the Zoning Code involving the method of calculating the floor area ratio and impervious coverage for about 55 lakefront properties on Fawsett Road, Lakeview Drive, Osceola Avenue, Alabama Drive and Killarney Drive where the lake frontage is separated by an intervening street. The current zoning code text says that the lake frontage area separated from the property where the house sits cannot be used in calculating the allowable house size (floor area ratio) and other impervious coverage.

The reason stated in the letter for this request is that the land owners are paying taxes on this land and thus should be able to use that land toward the size of their building improvements. There may well be other points in favor that will be presented at the work session. The petition represents a significant number of such owners that are in favor of this change. This is understandable since it potentially represents a significant increase in value to their property.

The City Commission adopted this zoning regulation in 1988 at the same time that we adopted the floor area ratio. The City was struggling at that time with the public outcry concerning the overbuilding of residential properties and the new homes that appeared to be too big for the lots and out of character with the neighborhood. Winter Park was one of the first cities in Florida and the Nation to adopt a floor area ratio for single family homes. However, many other cities facing the same issue since that time have also adopted the floor area ratio method in order to balance the size and physical mass of the house with the size of the property upon which it is built. That is the key to the effectiveness of the floor area ratio. It needs to be tied to the size of the building site. That is the reason why these lakefront parcels were excluded from the calculation in 1988 because they are not part of the building site.

Over the past nine years, the City has been criticized that the floor area ratio is too restrictive and that it is too lenient. There have been about 20 variance requests for relief from the floor area ratio and almost everyone of them has been denied by the Zoning Board of Adjustment. They have felt that the rules are clear and uniform for everyone and there really is no "hardship" other than the desire for a larger house than the code will permit.