

- (b) *Public meeting.* ARHPB shall hold a public meeting, and based upon the application and the requirements of this article and the design standards and guidelines manual, ARHPB shall approve, deny or approve with conditions. If the application is approved with conditions, the certificate of approval shall be issued with the conditions noted, and the applicant must meet all such conditions. Failure to comply with all conditions may void the architectural approval and further subject the applicant to enforcement pursuant to section 98-198 of this Code.
- (c) *Posting.* Public notice in the form of a property posting shall be required only if the ARHPB is considering a request for demolition, relocation, variance, or deviation from these requirements. Notice of the time, place, and date of the ARHPB meeting at which such request will be considered shall be posted on a sign in a location where such sign may be readily observed and easily read from the street. Such sign shall be posted for at least ten consecutive days prior to the ARHPB meeting.

(Ord. No. 10-05, § 2(Exh. 1), 1-14-10)

Sec. 98-192. General criteria and standards.

(1) *Maintenance required.* The city shall require commercial buildings and structures to be properly maintained. The following information is intended to complement the criteria and standards as listed in article II, division 7 of chapter 18 of this Code.

(2) *Standards for new construction, additions and alterations.* When considering an application for certificate of approval, ARHPB shall adhere to the standards contained in this section and as set forth in the adopted design standards and guidelines manual. The purpose of these design standards is to ensure that all new construction, maintenance, alterations, and additions to structures in the historic district or to a historic landmark is in accordance with the character of the landmark or district.

Any request requiring a building permit and determined by the administrative official to have an impact on an historic landmark or the exterior of a structure in the historic district shall be reviewed by ARHPB using the standards set forth in this article and in the design standards and guidelines manual.

The design standards and guidelines manual identifies both residential and commercial design standards and guidelines in the historic downtown overlay district. This manual is on file in the planning and zoning division of the community development department and shall be posted on the city's website. The manual shall be adopted by resolution.

(3) *Federal standards.* The United States Secretary of the Interior's Standards for Rehabilitation, as revised in 1995 or subsequently, are available for use as a guide for building renovations and remodeling. These standards are on file in the planning and zoning office of the city and are also available on the Federal Government website at www.nps.gov/history/hps/tps/standguide/. A property owner must follow these standards for rehabilitation to obtain federal tax credits, incentives, or other program benefits for the purpose of furthering historic preservation. The standards and guidelines of this article shall continue to apply in addition to aforementioned standards for rehabilitation.

(4) *Architectural styles.* Any alteration to an existing historic landmark or a contributing structure within the historic downtown district shall be consistent with its architectural style. Minor alterations to noncontributing structures within the historic districts shall be consistent with the structure's present style. Major alterations that would substantially restore or otherwise change the appearance of a noncontributing structure shall be consistent with the design standards and guidelines manual and based upon one of the residential styles identified therein. Part I of the design standards and guidelines manual shows the main characteristics of the styles found in the City of Winter Garden Historic Downtown District. To determine whether an alteration to a noncontributing structure is major or minor, the following factors shall be considered:

- (a) The proportionate impact of the alteration to the appearance of the structure as a whole;

- (b) When, given the scope of the alteration proposed, it would be practical or cost-effective to require adherence to a new or different style identified in the standards and guidelines manual.

Regardless of the foregoing, any alteration proposing to renovate, add, or remove more than 50 percent of the square footage of the structure shall be considered a major alteration for the purposes of this section.

(5) *General standards for all properties.* In order to ensure compliance with the objectives to both preserve existing properties, and promote redevelopment and new development when necessary, the standards contained in the following sections have been established to assist property owners when designing; and ARHPB when reviewing alterations to local historic landmarks or to existing structures within the city's historic downtown districts. The standards apply to new construction as well as alterations to existing structures.

(6) *Lot layout.* New buildings, additions and alterations shall be designed so that the front facades of the buildings are closely aligned with other buildings on the block to maintain a uniform setback.

(a) *Residential lot layout.*

- i. *Setbacks:* Setbacks apply to both principal and accessory structures. Residential lot development shall have the following setbacks:
1. Front yard: 20 feet;
 2. Rear yard: 25 feet or 15 feet from center of alley;
 3. Side yard: Five feet; when a side yard is located adjacent to a street, the side yard setback shall be seven and one-half feet.

In the case of an infill lot, the setbacks shall match one or more of the existing setbacks on adjacent properties.

- (b) New open porches, balconies, stoops and bay windows shall be permitted to en-

croach into the front yard by a maximum of ten feet or half the distance of the side setback.

- (c) *Garages.* Garages shall be detached and located behind the principal structure. Shared driveways are encouraged. Adjacent single-wide garage doors are preferable to a double-wide garage door when visible from the street. Driveways shall not exceed ten feet in width at the side-walk. When an alley to the rear of the structure is present, garages shall be positioned so as to open onto such alley. A roof extension or covered walkway from residence to a garage is permitted, provided that such extension or cover is compatible and consistent with the architectural style of the roof of the principal structure.

- (d) Vehicles shall not be parked in the front or side yards or in the right-of-way adjacent to any street unless on an approved driveway with a permitted curb cut.

(7) *Commercial lot layout.*

(a) *Setbacks:*

- i. *New buildings.* New buildings within the commercial district shall have a zero- to five-foot setback from the front property line. When fronting on a secondary street other than West Plant Street, new buildings shall have a setback of two to 12 feet. Side setbacks shall have a zero- to 24-foot setback. Rear setbacks shall be at least a three-foot minimum.
- ii. *New accessory buildings.* New accessory buildings shall have a setback of at least 40 feet from the front property line. The front setback from a secondary street corner shall be zero to two feet at the corner. Side setbacks shall be a maximum of three feet.

- (b) *Front buildout.* Building facades within the commercial historic downtown district shall extend along the street to a

minimum of 90 percent of the lot width for interior lots, and 60 percent for corner lots.

(c) *Parking areas and standards.*

- i. *Parking areas.* Parking areas shall be located to the side and rear of the building, at least 25 feet behind the frontage line. Properly landscaped berms may be approved for installation around a surface parking area. A secondary pedestrian entrance may be provided in the back of the business to provide direct customer access to the store from parking areas, or a walkway shall be provided to improve circulation between the parking lots and the street. Architectural embellishments, awnings, landscaping and signs shall be used to mark the secondary entrance. The design of the rear of the building shall be consistent with the front façade.
- ii. *Parking standards.* Parking standards for new building square footage shall be consistent with city parking regulations. Shared parking, where permitted, is encouraged. As an alternative to providing project parking, a project may contribute into the city's downtown parking fund, in accordance with section 118-1389 (Ordinance 09-04) as amended.
- iii. *Building functions.* Building functions and uses shall be limited to commercial retail or office on the first floor; residential, commercial, office, parking or lodging on the second floor; and, office, residential, parking or lodging above. Civic and religious assembly functions are permitted on the ground and upper floors.
- iv. *Drive-through facilities.* Drive-through facilities are prohibited within the historic district.

(8) *Standards for all structures.*

- (a) To maintain the predominant scale and proportion in the historic district, new

buildings, additions, and alterations shall be designed so that elements of the building façade are aligned with the façade elements of the neighboring structures (e.g., windows, doors, canopies, store-fronts, awnings, etc.).

- (b) New construction shall be compatible with the size and scale of the property, neighborhood, and immediate environment.
- (c) All new buildings shall have the main entrance oriented to the principal street and in full view from the public right-of-way.
- (d) Alterations to historic landmarks and contributing structures within the historic district shall be consistent with the design, massing and scale of the existing structure and the surrounding area. Physical size and scale shall be compatible to existing contributing structures without overwhelming them.
- (e) Alterations to the façade of noncontributing structures should adopt historical references and compatible architectural forms as set forth in the design standards and guidelines manual. Physical size and scale shall be compatible to existing contributing structures without overwhelming them.
- (f) When practicable, restoration of a contributing structure should use original construction techniques and materials. The replacement of missing parts or parts in disrepair must integrate harmoniously with the entire structure. The historic character and unity of the structure shall be preserved.
- (g) Additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure would be unimpaired.

(9) *Residential building form.* Refer to the design standards and guidelines manual for the "encouraged" and "strongly discouraged" standards.

- (a) *New construction.* New building placement, heights, parking, and massing should

relate to nearby buildings and to the historic urban context. New construction shall allow for infill development or redevelopment of individual residential lots that is consistent with either the architectural styles of surrounding homes, if not discouraged by the design standards and guidelines manual, or the residential architectural styles that are predefined in the historic district as set forth in the design standards and guidelines manual. The predefined historic architectural styles are: Frame vernacular, bungalow mission, classic revival, gothic revival, minimal traditional, masonry vernacular, prairie, tudor revival, and such other authentic architectural styles from the late 19th Century and early 20th Century as may be identified and incorporated into the design standards and guidelines manual.

- i. In the residential historic district, the scale and massing of new structures and their architectural elements shall be similar to the contributing structures of similar use in the historic district.
 - ii. In the residential historic district, new buildings shall not exceed 35 feet in height measured to the top of the roofline.
 - iii. Primary residential entries for new structures shall face the street and shall not be recessed more than six feet from the face of the primary façade.
- (b) *Additions.* Additions and minor alterations to houses shall respect and adhere to the existing architectural style. A major alteration to the façade of a noncontributing structure should adopt historical references and architecture compatible with contributing structures as set forth in the design standards and guidelines.
- (c) *Garages, accessory structures, and swimming pools.* Garages, accessory structures, swimming pools, and pool decks shall maintain the existing character of

residential structures through appropriate design, construction, and maintenance.

- (d) *Building colors.* All structures shall use paint color that is appropriate for the predominant architecture of the structure and the historic district. Colors shall relate attractively to the predominant colors of adjacent and visually-related contributing structures. Bright colors, florescent colors, primary colors, highly contrasting color combinations, and uneven paint application without an historic reference in late nineteenth century and early twentieth century Florida vernacular architecture are not allowed. Paint manufacturers have historic color palettes to choose from a wide range of colors for historic structures. Photographs of structures in the design standards and guidelines manual provide examples of colors acceptable in the historic district.
- (e) *Porches and balconies.* Porches and balconies shall provide for the use and enjoyment of property for both viewing and seating areas as appropriate and shall complement the architectural style of the structure.
- (f) *Fences and walls.* Fences and walls shall provide necessary screening and security using aesthetic materials compatible with the historic district, either at the property boundary or other designated locations on a site. New chain-link fences are prohibited.

(10) *Commercial building form.* Refer to the design standards and guidelines manual for the "encouraged" and "strongly discouraged" standards.

- (a) New and restored buildings shall be designed with architectural features and patterns that provide visual interest from the perspective of the pedestrian, bicyclist, as well as vehicular traffic. New buildings shall be designed in the mercantile/masonry vernacular or such other authentic architectural styles from the late 19th Century and early 20th Century as

may be identified and incorporated into the design standards and guidelines manual.

(b) *Building heights.*

1. The height of buildings in the commercial historic district shall not exceed 60 feet, including roof, parapet or cornice. Buildings at the corner of two streets may have embellishments at the corner that are proportionately higher, not to exceed five additional feet for a total of 65 feet. Buildings in the commercial historic district shall not exceed four stories. To minimize a "canyon" effect, the fourth story of buildings in the commercial historic district shall be set back between five to ten feet from any street side façade of the building.
2. Buildings in the residential-neighborhood commercial district may not exceed three stories or 40 feet in height.

(c) *Storefronts and facades.* Primary customer entrances shall be clearly defined and highly visible through the use of architectural detail for all structures. Storefronts and facades shall provide an appropriate exterior elevation to the street or other property exposures that complements the architectural style and building function.

1. *Windows and doors.* Windows and doors shall maximize visibility to street on the ground floor. The height of storefront openings in new buildings shall be similar to the storefront openings of other contributing structures within the district.
2. *Overhangs and awnings.* Entranceways shall provide protection from the sun and adverse weather conditions for patrons. Overhangs and awnings shall be no less than three feet deep to function and protect pedestrians from inclement weather

and bright sunlight. Awnings should fit into the storefront's overall architecture and appearance.

3. *Porches and balconies.* Porches and balconies shall provide for the use and enjoyment of property for both viewing and seating areas as appropriate to complement the architectural style of the structure.
4. *Expression line.* For new construction, there shall be a visual differentiation, such as a change in material or texture, or a limited projection such as a molding or balcony between the first and second story on a two-story building or between the two lower floors and the rest of the building on a building taller than two stories. The differentiation shall be at a height similar to the cornice lines or stringcourses of contributing structures in the historic district.

(d) *Scale and massing.*

1. The scale and massing of the lower floors of new structures and their architectural elements shall be similar to contributing structures in the historic district. Any new structure that exceeds 50 linear feet along any street frontage shall break up the appearance of the façade's mass by adding projections and recesses to make the structure similar in scale to contributing structures in the historic district.
2. New buildings and additions shall include substantial variations in massing such as changes in height and the horizontal plane.
3. Horizontal masses shall not exceed a height/width ratio of 1:3 without a substantial architectural element that either projects up or away from the building such as a tower bay, lattice, or other architectural feature (e.g., a substantial architectural ele-

ment shall be added to a building exceeding 30 feet in height, with 90 feet of frontage).

4. New building walls shall be enhanced by the use of vertical elements, articulation and landscaping to avoid architectural monotony.

(e) *Roofs and mechanical equipment.*

1. New and restored buildings shall have a recognizable top consisting of either pitched roofs or varying roof lines, including but not limited to, cornice treatments, roof overhangs with brackets, steeped parapets, richly textured materials and/or differently colored materials. However, existing buildings originally designed with flat-top roofs shall be permitted to maintain such roofs in keeping with the building's original design. Colored stripes are not acceptable as the only treatment. Mansard roofs are prohibited as the predominant roof style.
2. Rooftop mechanical equipment shall be integrated into the overall mass of a building by screening it behind parapets or by integrating equipment into roof forms. Plain boxes are not acceptable as screening devices.
3. Any structures placed on the roof shall be located at least ten feet from the perimeter or edge of the structure.

- (f) *Retail to cover structured parking garages.* The first floors of new buildings, including structured parking, should be designed to encourage pedestrian scale activity. First-floor retail or other building functions allowed by this article shall cover structured parking garages when fronting West Plant Street or Dillard Street.

- (g) Reserved.

- (h) *Signs.* Signs shall be used to communicate one or more business names and may provide other necessary informa-

tion such as identification of the type of business. Signs shall relate harmoniously to exterior building material, texture and color; express a simple, clear message; and contain a minimum number of words. Signs shall comply with chapter 102 of this Code.

1. New neon signs are prohibited unless the community development director or his/her designee determines there is a clear historic precedent for neon signage on a particular building façade or that such signage does not detract from the historic character of the building or area.

- (i) *Utility and refuse area.* Above ground utilities and refuse storage areas shall have necessary screening. Trash receptacles shall be accessible by appropriate vehicles for maneuvering and disposal of refuse.

- (j) *Fences or garden walls.* Perimeter fences or walls shall not disrupt or hide the front elevation of structures.

- (k) *Landscaping.* Landscaping should predominantly use plant species indigenous to the State of Florida.

(Ord. No. 10-05, § 2(Exh. 1), 1-14-10; Ord. No. 21-05, § 2, 1-28-21)

Sec. 98-193. Administrative review/exempt from board review.

The city will provide for procedures for administrative reviews as stated below that only require staff review.

- (1) *Approval of the administrative official.* The designated administrative official of the city's architectural staff is authorized to issue certificates of approval for construction and alteration of a historic landmark or property in the historic district that have been deemed by ARHPB to be routine alterations. All other construction and alterations within the historic district shall be submitted for ARHPB review.

- (2) The ARHPB shall maintain a list of routine alterations that may receive approval from the planning and zoning division and permit from the building division without board review when an applicant complies with the design guidelines of ARHPB. These routine alterations shall initially include the following but may be subsequently amended or expanded upon by ARHPB:
 - a. Repair of cornices using existing materials and duplicating the original design.

