





Interoffice Memorandum

AGENDA ITEM

September 8, 2020

TO: Mayor Jerry L. Demings  
-AND-  
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director   
Planning, Environmental, and Development  
Services Department

CONTACT PERSON: David Jones, P.E., CEP, Manager   
Environmental Protection Division  
(407) 836-1406

SUBJECT: October 13, 2020 — Consent Item  
Environmental Protection Commission Recommendation for  
Request for Waiver for Kenny and Laura Thomas Dock  
Construction Permit BD-20-05-083

The applicants, Kenny and Laura Thomas, are requesting a new dock construction permit with approval of a waiver to Orange County Code (Code), Chapter 15, Article IX, Section 15-343(b) (side setback). The project site is located at 4358 Tidewater Drive, Orlando, Florida 32812. The Parcel ID number is 17-23-30-4391-21-040. The subject property is located adjacent to Lake Conway in District 3.

On May 15, 2020, the Environmental Protection Division received an Application to Construct a Dock at the subject property. Included with the application was an Application for Waiver to Section 15-343(b) to reduce the side setback from 25 feet to 10.1 feet from the southeastern projected property line. There is an existing grandfathered dock built around 1981 in the same location that the applicants wish to replace with a new dock.

Notification of the Application for Waiver was sent to the affected adjacent shoreline owner. No objection was received.

Staff has evaluated the waiver request for compliance with the criteria for approval. The recommendation of the Environmental Protection Officer (EPO) is to approve the request for the waiver to Section 15-343(b) (side setback) based on a finding that the applicants have demonstrated there will be no negative effect on the abutting shoreline owner pursuant to Section 15-350(a)(2)(2) as no objection was received, and maintaining the new dock in the same location as the existing dock will limit any environmental impact pursuant to Section 15-350(a)(2)(1).

Based upon evidence and testimony presented at the August 26, 2020 Environmental Protection Commission (EPC) public hearing, the EPC voted to accept the findings and recommendation of the EPO and made a finding that the request for waiver was

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consistent with Section 15-350(a)(2) and made a recommendation of approval of the request for waiver to Section 15-343(b) to reduce the side setback from 25 feet to 10.1 feet from the southeastern projected property line.

**ACTION REQUESTED:**            **Accept the findings and recommendations of the Environmental Protection Commission and approve the request for waiver to Section 15-343(b) to reduce the side setback from 25 feet to 10.1 feet from the southeastern projected property line for the Thomas Dock Construction Permit BD-20-05-083. District 3**

JVW/DDJ: mg

Attachments

# Dock Construction Application for Waiver



**Dock Construction  
Application for Waiver  
BD-20-05-083  
District #3**

**Applicant:** Kenny and Laura Thomas  
**Address:** 4358 Tidewater Drive

**Parcel ID:** 17-23-30-4391-21-040

**Project Site** 

**Property Location** 







ENVIRONMENTAL PROTECTION DIVISION

David D. Jones, P.E., CEP, Manager

3465 Metcreek Place, Suite 200

Orlando, FL 32803

407-836-1400 • Fax 407-836-1499

www.ocfd.net

ORANGE COUNTY ENVIRONMENTAL PROTECTION COMMISSION August 26, 2020

ENVIRONMENTAL PROTECTION COMMISSION

Jonathan Hueis Chairman

Mark Ausley Vice Chairman

Oscar Anderson

Flornati Blackburn

Billy Butterfield

Mark Corbett

Vacancy - Regulated Business or Municipality

APPLICANTS: Kenny and Laura Thomas
PERMIT APPLICATION NUMBER: BD-20-05-083
LOCATION/ADDRESS: 4358 Tidewater Drive, Orlando

RECOMMENDATION: Accept the findings and recommendations of the Environmental Protection Officer, and make a finding that the request for waiver is consistent with Section 15-350(a)(2) and recommend approval of the request for waiver to 15-343(b) to reduce the side setback from 25 to 10.1 feet from the southeastern projected property line for the Thomas Dock Construction Permit BD-20-05-083. District 3

[X] EPC AGREES WITH THE ACTION REQUESTED, AS PRESENTED.

[ ] EPC DISAGREES WITH THE ACTION REQUESTED, AS PRESENTED AND HAS MADE THE FOLLOWING RECOMMENDATION:

Blank lines for additional recommendations

Signature of EPC Chairman: [Handwritten Signature]

DATE EPC RECOMMENDATION RENDERED: 8/26/20