

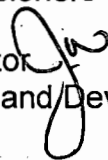


Interoffice Memorandum

AGENDA ITEM

June 11, 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: July 7, 2020 — Consent Item
Environmental Protection Commission Recommendation for
Request for After-the-Fact Variance for Gregory Schreiber
Dock Construction Permit BD-19-08-082

The applicant, Gregory Schreiber, is requesting approval of an after-the-fact variance to Orange County Code (Code), Chapter 15, Article IX, Section 15-342(e) (roof height). The project site is located at 5530 Sail Court, Orlando, Florida 32819. The Parcel ID number is 21-23-28-5938-00-550. The subject property is located on Lake Blanche in District 1.

On September 23, 2019, the Environmental Protection Division (EPD) issued Dock Construction Permit BD-19-08-082 to the applicant to construct a boat dock at the subject property. On November 27, 2019, EPD received the as-built survey of the dock which indicated that the roof height (including the handrails) exceeded the 12-foot maximum allowed by Code, Chapter 15, Article IX, Section 15-342(e). In order to allow the dock to remain as constructed, the applicant is requesting an after-the-fact variance to permit a roof height of 13 feet in lieu of 12 feet as required by Code.

Notification of the after-the-fact Application or Variance was sent to all shoreline property owners within a 300-foot radius of the property. No objections were received.

EPD has not initiated a formal enforcement action; however, a \$799 penalty has been assessed for non-compliance with the permitted plans, permit conditions, and Chapter 15, Article IX during construction of the dock. The penalty will be paid prior to approval of the EPD compliance inspection.

Staff evaluated the request for compliance with the Code criteria. The recommendation of the Environmental Protection Officer (EPO) was to approve the after-the-fact variance based on a finding that the applicant demonstrated that there would be no effect from the proposed variance on abutting shoreline owners pursuant to Section 15-350(a)(1)(2), due to no objections received, that the request is not contrary to the public interest, that granting of the variance would not be contrary to the intent and purpose of this article, and that there is no environmental harm associated with the request.

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July 7, 2020 – Consent Item

Environmental Protection Commission Recommendation for Request for After-the-Fact Variance for Greg Schreiber Dock Construction Permit BD-19-08-082

Based upon evidence and testimony presented at the May 27, 2020 Environmental Protection Commission (EPC) public hearing, the EPC voted to accept the findings and recommendation of the EPO and made a recommendation to approve the after-the-fact request for variance to Section 15-342(e) (roof height) with the condition that the applicant pay an administrative penalty of \$799 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners.

ACTION REQUESTED:

Accept the findings and recommendations of the Environmental Protection Commission and make a finding that the after-the-fact variance request is consistent with Orange County Code, Chapter 15, Article IX, Section 15-350(a)(1) and approve the request for after-the-fact variance to Section 15-342(e) to increase the allowable roof height to 13 feet with the condition the applicant pay an administrative penalty of \$799 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners for the Gregory Schreiber Dock Construction Permit BD-19-08-082. District 1

JVW/DDJ: mg

Attachments

Dock Construction Application for After-the-Fact Variance



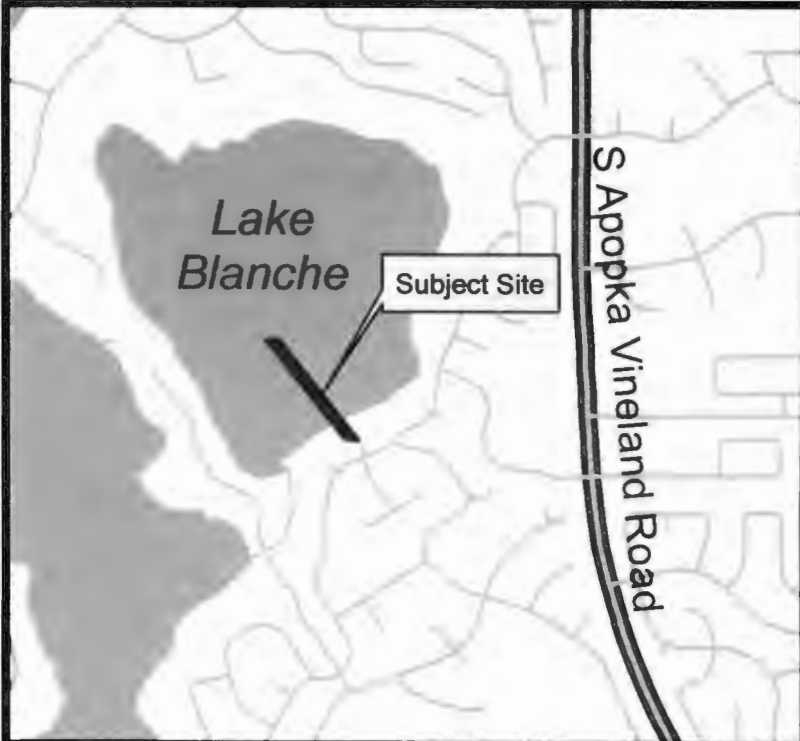
**Dock Construction Application
for After-the-Fact Variance
BD-19-08-082
District #1**

Applicant: Gregory Schreiber
Address: 5530 Sail Court

Parcel ID: 21-23-28-5938-00-550

Project Site 

Property Location 





ENVIRONMENTAL PROTECTION DIVISION
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ENVIRONMENTAL
 PROTECTION
 COMMISSION

**ORANGE COUNTY
 ENVIRONMENTAL PROTECTION COMMISSION**
 May 27, 2020

Jonathan Hueb
 Chairman

Mark Ausley
 Vice Chairman

Oscar Anderson

Florman Blackburn

Billy Butterfield

Mark Corbett

Vacant - Regulated
 Business or
 Municipality

PROJECT NAME: Greg Schreiber
 PERMIT APPLICATION NUMBER: BD-19-08-082
 LOCATION/ADDRESS: 5530 Sail Court, Orlando

RECOMMENDATION: Pursuant to Orange County Code, Chapter 15, Article IX, Section 15-350(b), accept the findings and recommendations of the Environmental Protection Officer and make a finding that the after-the-fact variance request is consistent with Section 15-350(a)(1)(2), and recommend approval of the request for after-the-fact variance to Section 15-342(e) for the Schreiber Dock Construction Permit BD-19-08-082. District 1

EPC AGREES WITH THE ACTION REQUESTED, AS PRESENTED

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

Signature of EPC Chairman: *Jonathan Hueb*

DATE EPC RECOMMENDATION RENDERED: 5/27/20

