



Interoffice Memorandum

AGENDA ITEM

August 6, 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: September 22, 2020 — Consent Item  
Environmental Protection Commission Recommendation for  
Request for Variance for Weber Dock Construction Permit  
BD-20-03-042

The applicant, Ms. Kathleen Weber, is requesting approval of a dock construction permit with a variance to Orange County Code (Code), Chapter 15, Article IX, Section 15-343(a) (side setback). The project site is located at 8623 Sand Lake Drive, Orlando, Florida 32836. The Parcel ID Number is 03-24-28-0553-01-160. The subject property is located on Big Sand Lake in District 1.

There is an existing dock shared with the neighbor to the south, Ms. Nisrine Cabani, located at 8615 Sand Lake Shores Drive (Parcel ID No. 03-24-28-0553-01-170). The existing shared dock was previously permitted under Dock Construction Permit No. 99-225. Portions of the dock lay on the applicant's and the neighbor's lots, across the shared projected property line. The applicant and the neighbor propose to modify the dock, which requires a new permit since the original design and footprint will be changed. Ms. Weber has recorded an easement agreement with Ms. Cabani allowing each owner the right to construct, repair, replace and access the proposed shared dock. The Orange County Attorney' Office has approved the easement agreement as to its form. Two separate applications are being processed for each portion of the shared dock on each respective owner's property and are being reviewed concurrently.

The applicant is requesting a variance to reduce the required side setback from 10 feet to zero feet from the southern projected property line. The applicant's lot is only 33 feet wide at the shoreline. Staff has determined that the width of the lot creates a non-self-imposed hardship to construct a dock that meets the requirements of Article IX.

Notifications of the application for variance were sent to all shoreline property owners within 300 feet of the property. EPD has not received any objections to the reduced side setbacks. Staff did, however, receive a Letter of No Objection (LONO) from Ms. Cabani.

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The recommendation of the Environmental Protection Officer (EPO) is to approve the variance based on a finding that the applicant has demonstrated that there will be no effect from the proposed variance on abutting shoreline owners pursuant to Section 15-350(a)(1)(2) as no objections were received and a LONO was provided, and a finding that the hardship for which the variance is sought is not self-imposed pursuant to Section 15-350(a)(1)(1).

Based upon evidence and testimony presented at the July 29, 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 request for variance to Orange County Code Chapter 15, Article IX, Section 15-343(a) (side setback).

**ACTION REQUESTED:**            **Accept the findings and recommendations of the Environmental Protection Commission and approve the request for variance to Orange County Code, Chapter 15, Article IX, Section 15-343(a) to reduce the side setback from 10 feet to zero feet from the southern projected property line for the Weber Dock Construction Permit BD 20-03-042. District 1**

JWW/DDJ: mg

Attachments

# Dock Construction Application for Variance



## Dock Construction Application for Variance

Permit No. BD-20-03-042

District # 1

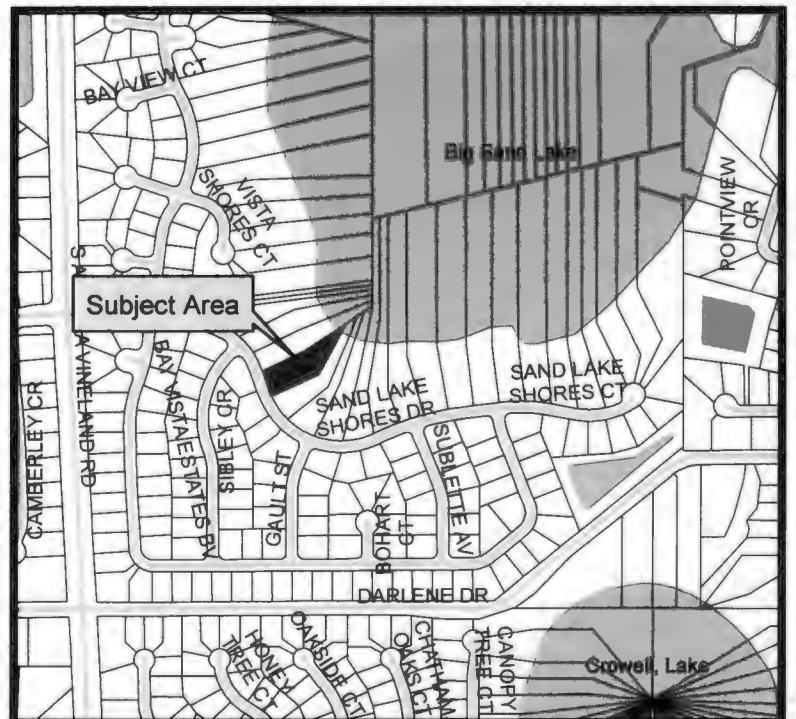
Applicant: Kathleen Weber

Address: 8623 Sand Lake Shores Drive

Parcel ID: 03-24-28-0553-01-160

Project Site 

Property Location 

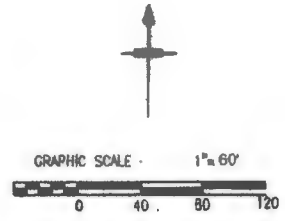
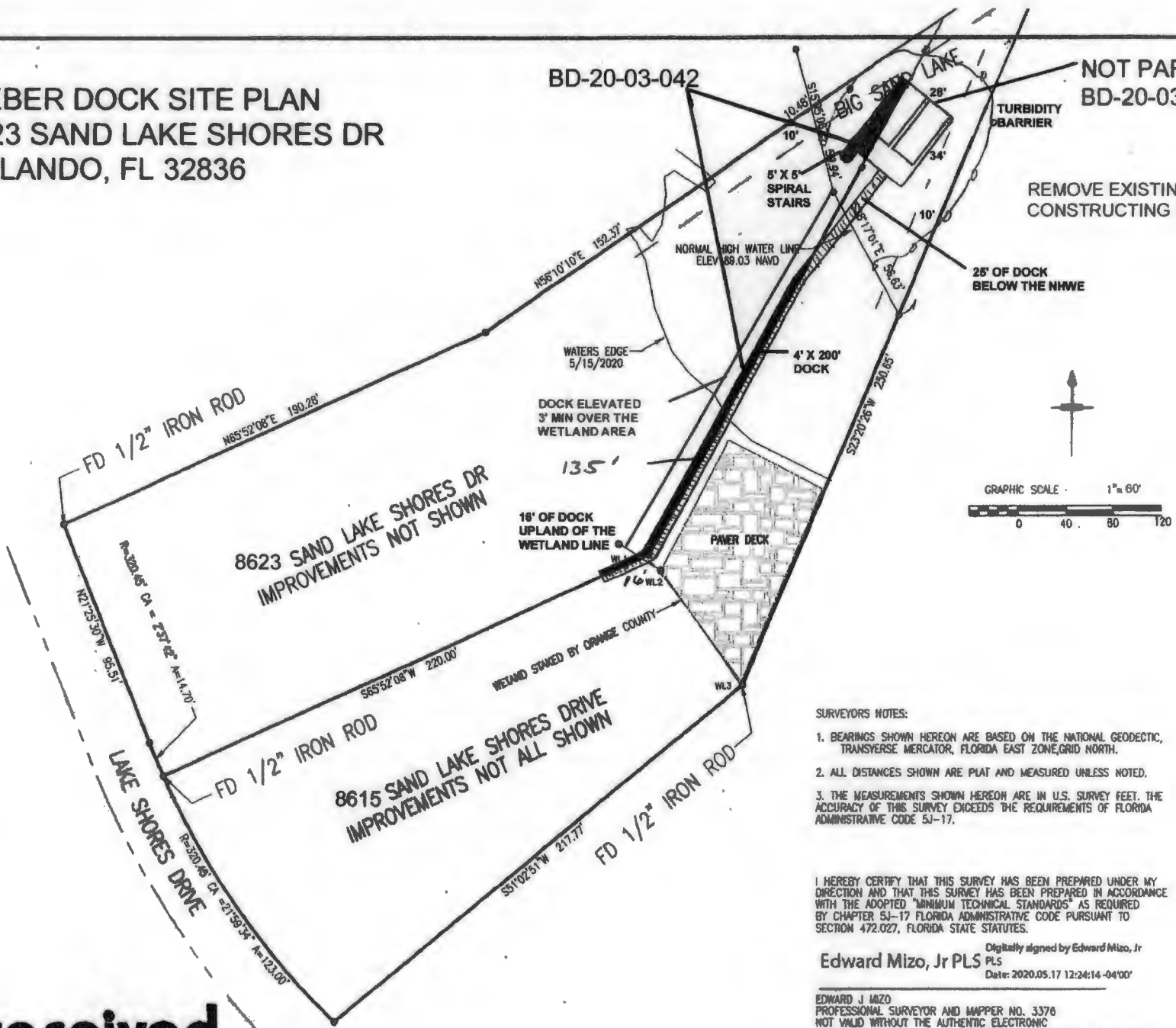


**WEBER DOCK SITE PLAN**  
**8623 SAND LAKE SHORES DR**  
**ORLANDO, FL 32836**

BD-20-03-042

NOT PART OF  
 BD-20-03-042

REMOVE EXISTING DOCK PRIOR TO  
 CONSTRUCTING PROPOSED DOCK



**SURVEYORS NOTES:**

1. BEARINGS SHOWN HEREON ARE BASED ON THE NATIONAL GEODETIC, TRANSVERSE MERCATOR, FLORIDA EAST ZONE, GRID NORTH.
2. ALL DISTANCES SHOWN ARE PLAT AND MEASURED UNLESS NOTED.
3. THE MEASUREMENTS SHOWN HEREON ARE IN U.S. SURVEY FEET. THE ACCURACY OF THIS SURVEY EXCEEDS THE REQUIREMENTS OF FLORIDA ADMINISTRATIVE CODE 5J-17.

I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN PREPARED UNDER MY DIRECTION AND THAT THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE ADOPTED "MINIMUM TECHNICAL STANDARDS" AS REQUIRED BY CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATE STATUTES.

Edward Mizo, Jr PLS  
 Digitally signed by Edward Mizo, Jr  
 Date: 2020.05.17 12:24:14 -04'00'

EDWARD J MIZO  
 PROFESSIONAL SURVEYOR AND MAPPER NO. 3376  
 NOT VALID WITHOUT THE AUTHENTIC ELECTRONIC  
 SIGNATURE AND SEAL OF A PROFESSIONAL SURVEYOR AND MAPPER.

**received**  
 6/1/20

MAY 14, 2020

LOCATE WETLAND FLAGS & NPWL

SPECIAL PURPOSE SURVEY

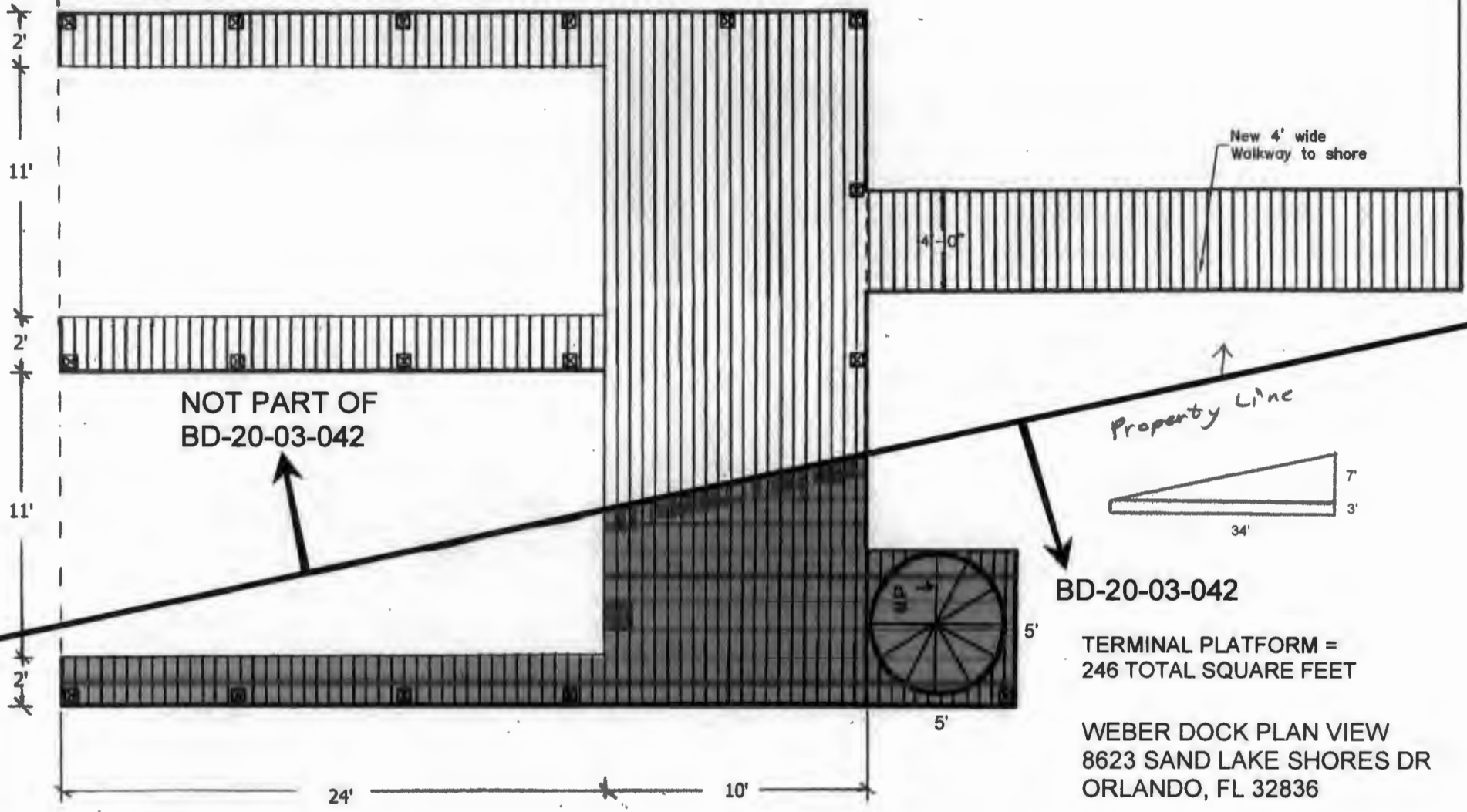
EDWARD MIZO  
 PROFESSIONAL LAND SURVEYOR

received

6/17/20

34'

216'

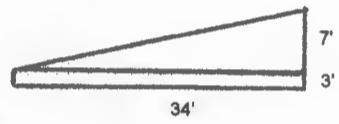


NOT PART OF  
BD-20-03-042

New 4' wide  
Walkway to shore

4'-0"

Property Line



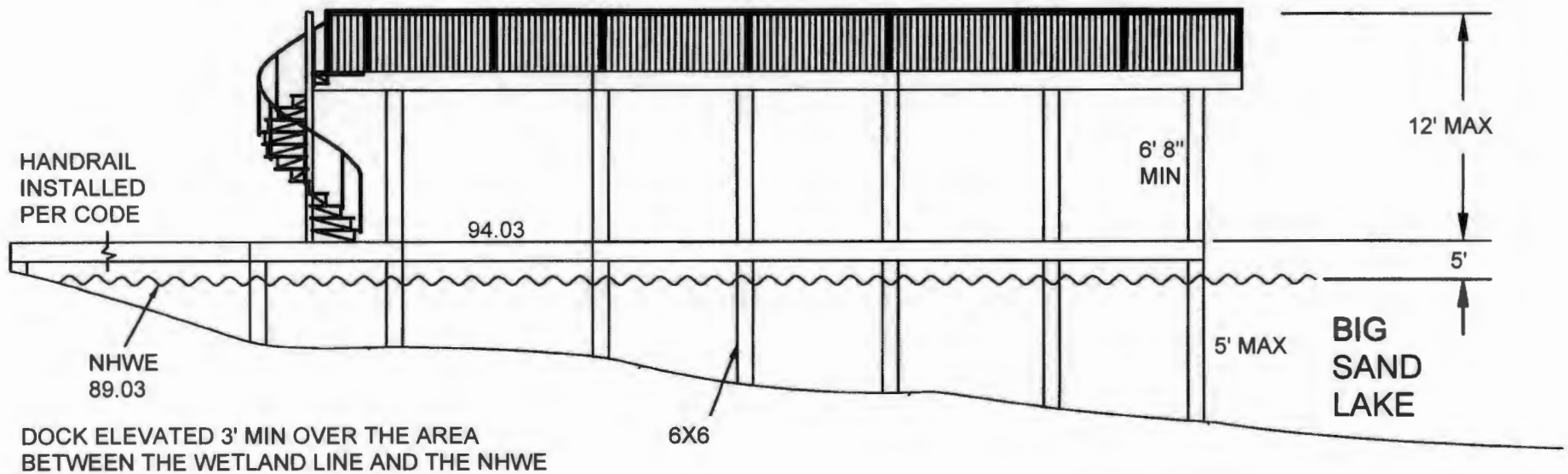
BD-20-03-042

TERMINAL PLATFORM =  
246 TOTAL SQUARE FEET

WEBER DOCK PLAN VIEW  
8623 SAND LAKE SHORES DR  
ORLANDO, FL 32836

**received**  
6/17/20

Aloussi - Weber Shared Boat Dock Elevation - 8615 & 8623 Sand Lake Shores Drive, Orlando



DOCK ELEVATED 3' MIN OVER THE AREA  
BETWEEN THE WETLAND LINE AND THE NHWE

THERE WILL NOT BE ANY STORAGE BOXES ON THE TERMINAL PLATFORM