





Interoffice Memorandum

**AGENDA ITEM**

July 1, 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:** August 11, 2020 — Consent Item  
Environmental Protection Commission Recommendation for  
Request for Variance for Borsdorf Dock Construction Permit  
BD-20-04-060

The applicant, Mr. Jason Borsdorf, 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 4009 Bayfront Parkway, Orlando, Florida 32806. The Parcel ID Number is 07-23-30-9052-05-060. The subject property is located on the Overlook Canal leading to Lake Conway in District 3. This will be a shared dock with the neighbors to the north, Anthony and Ingrid Mellone, located at 2408 Overlook Avenue, Parcel ID number 07-23-30-9052-05-050. Mr. Borsdorf has recorded an easement agreement with the Mellones allowing each owner the right to construct, repair, replace and access the proposed shared dock. Two separate applications are being processed for each portion of the shared dock on each respective owner's property and are being reviewed concurrently.

On April 8, 2020, the Environmental Protection Division (EPD) received an Application to Construct a Dock at the subject property. Included with the application was a variance request to reduce the required side setback from 10 feet to zero feet from both projected property lines.

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 Letters of No Objection (LONOs) from the adjacent property owners, Joseph and Melinda Onderick, at 4019 Bayfront Parkway and the Mellones.

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August 11, 2020 – Consent Item

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Staff evaluated the request for compliance with the Code criteria. Since the applicant's lot is only 15 feet wide at the shoreline, staff concluded that the width of the lot creates a non-self-imposed hardship to construct a dock that meets the requirements of Article IX. 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 LONOs were 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 June 24, 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 both projected property lines for the Borsdorf Dock Construction Permit BD 20-04-060. District 3**

JVW/DDJ: mg

Attachments

# Dock Construction Application for Variance



## Dock Construction Application for Variance

BD-20-04-060

District #3

Applicant: Jason Borsdorf

Address: 4009 Bayfront Parkway

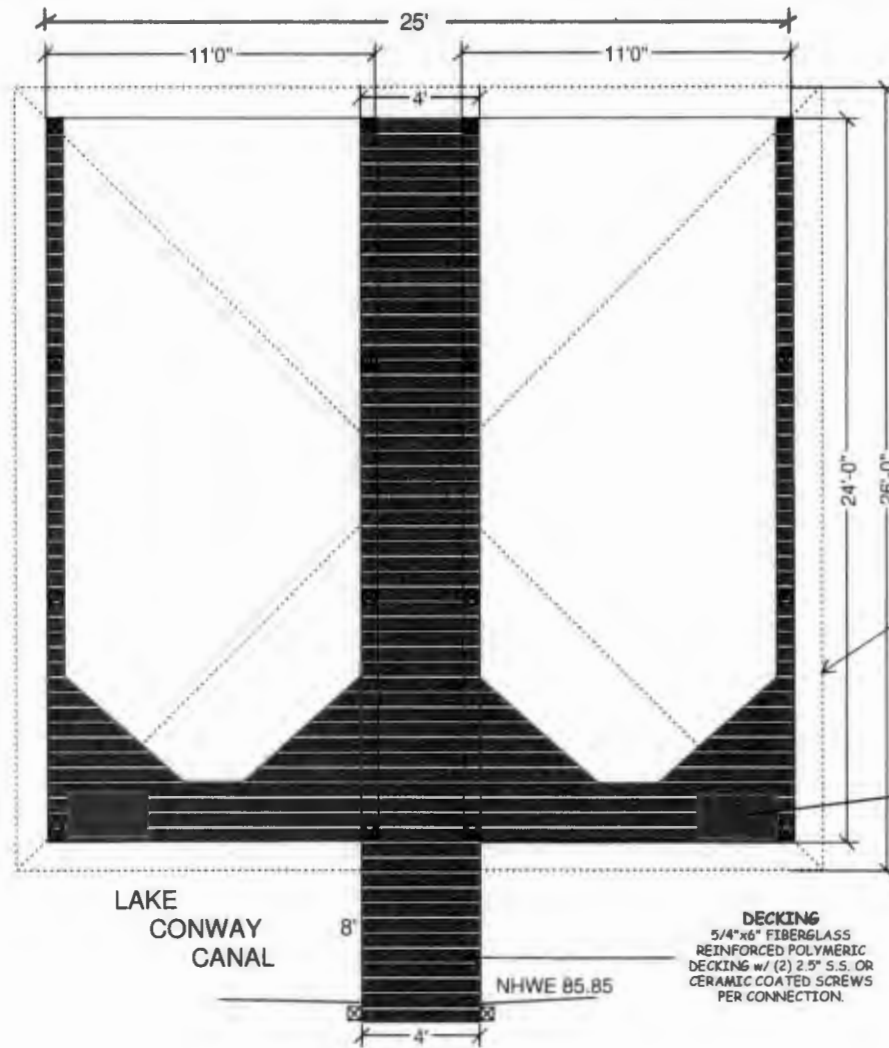
Parcel ID: 07-23-30-9052-05-060

Project Site

Property Location







FenderMarineConstruction  
**FENDERMARINE CONSTRUCTION**  
 1201 W. JACKSON ST.  
 ORLANDO, FL 32805  
 (407) 481-2750  
 WWW.FENDERMARINE.COM  
 SCC131150916

**PLAN VIEW**  
 for  
**BORSDFORF/MELLONE SHARED DOCK**  
 at  
**4009 BAYFRONT PARKWAY**  
**ORLANDO, FL**

JENNIFER L. TELIGA, P.E.  
 P.E. # 64621  
 11534 BRIAR HOLLOW LANE  
 CLERMONT, FL 34711  
 PHONE (321) 662-7503

JOB: BORSDFORF DOCK

DATE: 1/16/2020

SCALE 1"=4'

DESIGNED BY:

DRAWN BY: R.A.H.

APPROVED BY:

PAGE NO.:  
 A-01

**DECKING**  
 5/4"x6" FIBERGLASS  
 REINFORCED POLYMERIC  
 DECKING w/ (2) 2.5" S.S. OR  
 CERAMIC COATED SCREWS  
 PER CONNECTION.

**ROOF LINE**  
 4:12 PITCH HIP ROOF LINE

1.5' X 2' X 3' DOCK BOX (TYP)

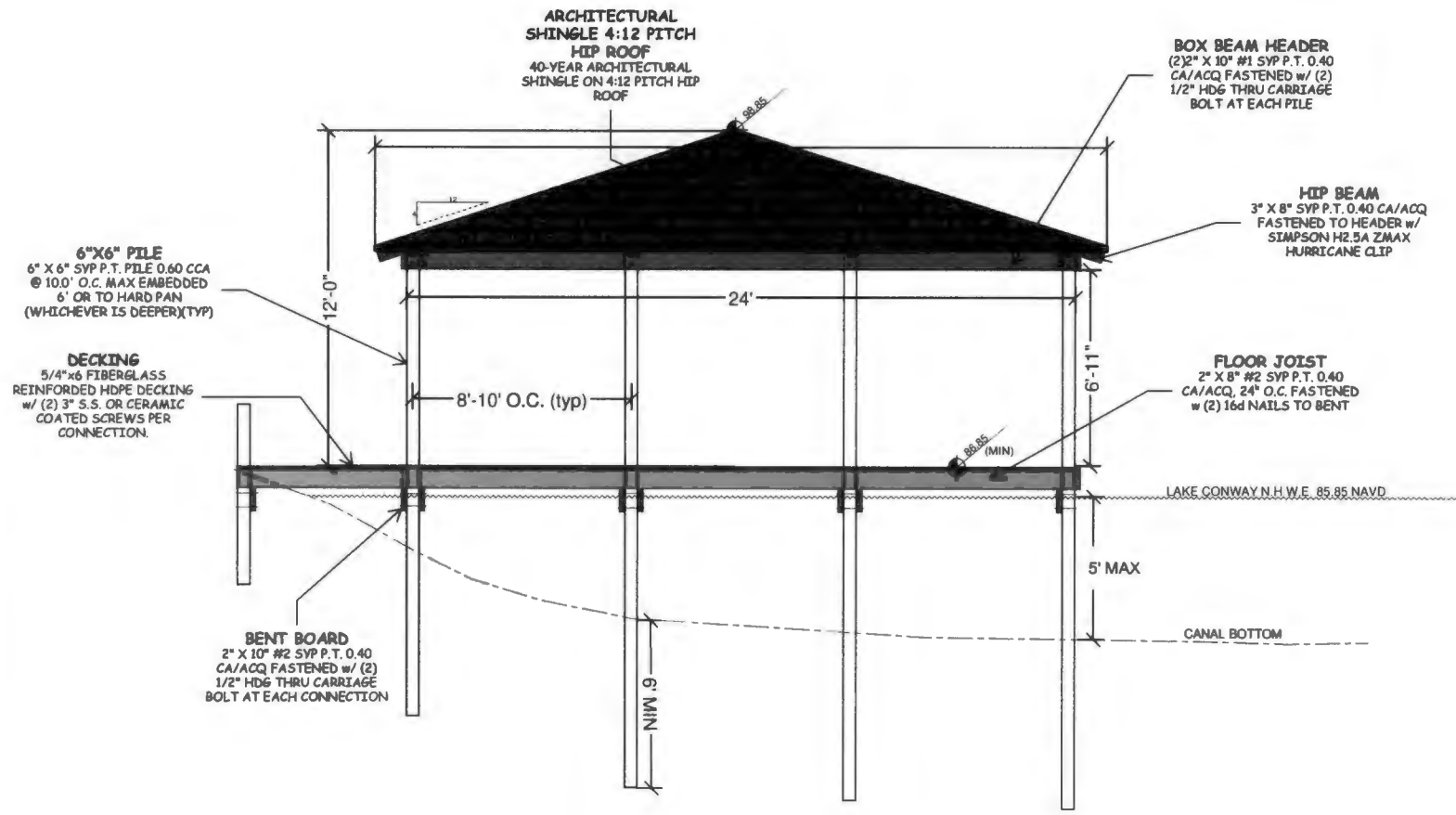
LAKE  
 CONWAY  
 CANAL

NHWE 85.85

**SOUTH ELEVATION**  
 for  
**BORSDFORF/MELLONE SHARED DOCK**  
 at  
**4009 BAYFRONT PARKWAY**  
**ORLANDO, FL**

**JENNIFER L. TELIGA, P.E.**  
 P.E. # 64821  
 11534 BRIAR HOLLOW LANE  
 CLERMONT, FL 34711  
 PHONE (321) 682-7503

JOB: BORSDFORF DOCK
DATE: 1/16/2020
SCALE: 1"=4'
DESIGNED BY:
DRAWN BY: R.A.H.
APPROVED BY:
PAGE NO.: A-02





**ENVIRONMENTAL PROTECTION DIVISION**  
**David D. Jones, P.E., CEP, Manager**  
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 Orlando, FL 32803  
 407-836-1400 • Fax 407 836 1499  
 www.ocfl.net

ENVIRONMENTAL  
 PROTECTION  
 COMMISSION

**ORANGE COUNTY  
 ENVIRONMENTAL PROTECTION COMMISSION**  
 June 24, 2020

Jonathan Hueis  
 Chairman

APPLICANT NAME: Jason Borsdorf  
 PERMIT APPLICATION NUMBER: BD-20-04-060  
 LOCATION/ADDRESS: 4009 Bayfront Parkway, Orlando

Mark Ashley  
 Vice Chairman

Oscar Anderson

Flommi Blackburn

Billy Butterfield

Mark Corbett

Vacant Registered  
 Business or  
 Municipal

**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 variance request is consistent with Section 15-350(a)(1), and recommend approval of the request for the variance to Section 15-343(a) to reduce the required setback from the both projected property lines from 10 feet to 0 feet, for the Borsdorf Dock Construction Permit BD-20-04-060. District 3**

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 Hueis*

DATE EPC RECOMMENDATION RENDERED: 6/24/20