

Variance Criteria : NOT Be Self Created

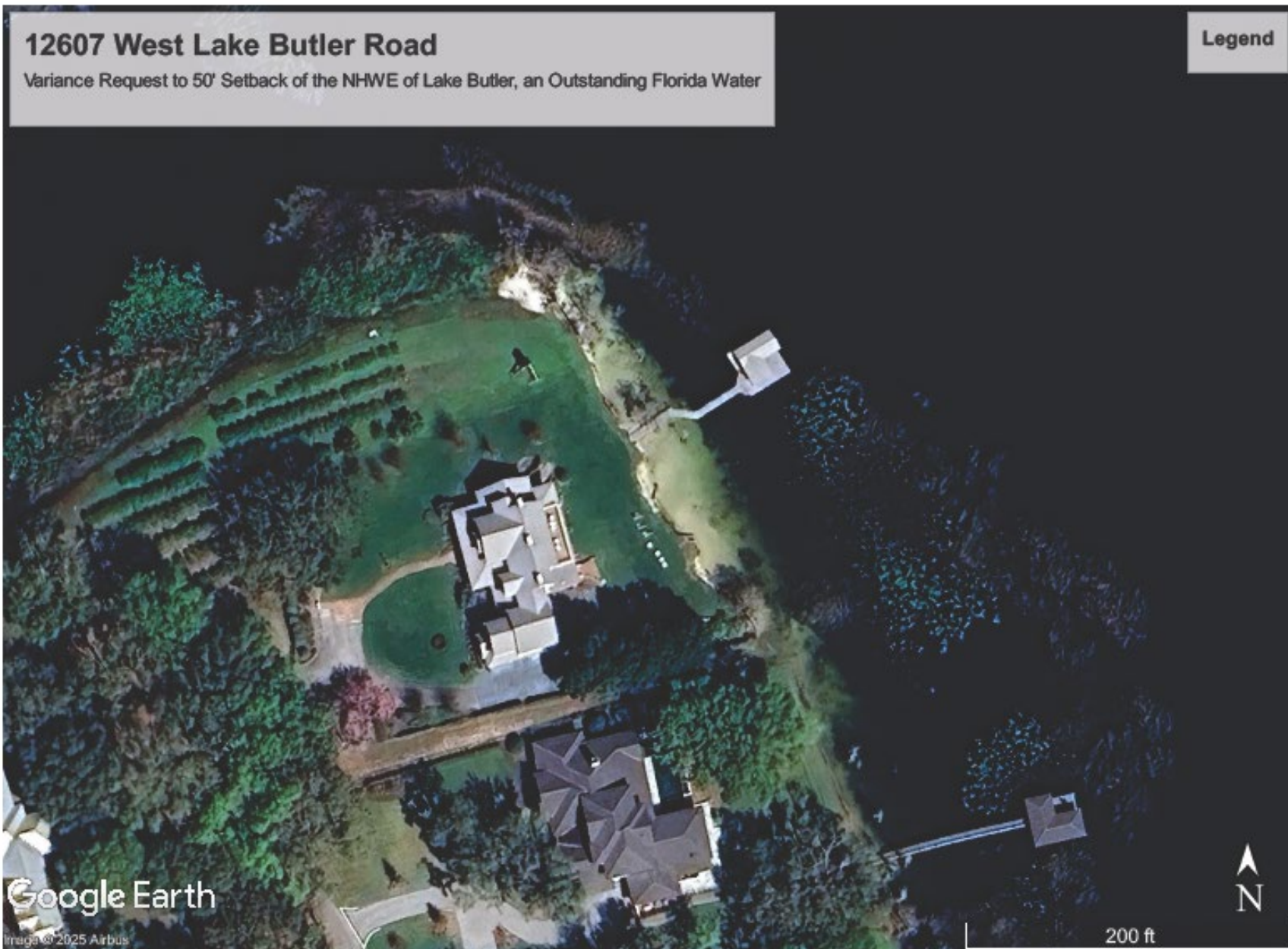
During May 1st BZA hearing #VA-25-06-017

It was stated there was adequate space in side yard.

NOT ELIGIBLE FOR VARIANCE

Variance is Self Created

Pool can be located in side yard or size can be reconfigured to not impact 50' MINIMUM setback from NHWE.



Example of pool built in side yard of home post construction of house on western shoreline of Lake Butler-maintaining minimum 50' setback



Letter of OBJECTION from:
Butler Chain of Lakes Advisory Board for the
Windermere Water & Navigation District

- 1. Not consistent with the Orange County Comp Plan. Lake Butler is an Outstanding Florida Water, “Special Water” protected by Florida laws and County code from degradation to its water quality. Orange County should fulfill its obligation by strict adherence to the MINIMUM 50’ setback from the NHWE providing the Butler Chain of Lakes with the highest protection from degradation.**
- 2. Request is SELF CREATED – Violates Variance Criteria**
- 3. Negatively impacts thousands of existing homes built to 50’ setback. Builders and investors will seize the opportunity to put accessory structures, pool, decks etc. in this setback to increase property value upon resale and it is the lakes’ water quality that will suffer.**

Please accept this letter requesting DENIAL of variance request #VA-25-06-017 for Thomas Karr based on the following:

1. The request is not consistent with the Orange County Comp Plan, FLU6.4.13 that states “Orange County shall maintain the quality of lakes, including the Butler Chain of Lakes, that are designated Outstanding Florida Waters.” The 50’ setback from the NHWE is CRUCIAL for managing stormwater runoff by preventing harmful nutrients like phosphorus and nitrogen from entering water bodies that degrade water quality. Lake Butler is an Outstanding Florida Water, “Special Water” protected by Florida laws and County code from degradation to its water quality. Orange County should fulfill its obligation by strict adherence to the MINIMUM 50’ setback from the NHWE providing the Butler Chain of Lakes with the highest protection from degradation.
2. This request is SELF-CREATED and therefore must be DENIED according to Zoning criteria. The pool designer stated during the BZA hearing that there is adequate space in the side-yard for this pool and deck that would NOT encroach into the MINIMUM 50’ SETBACK from the NHWE. Further, a pool and deck are not a necessity and therefore there is no hardship for the applicant making this request.
3. There are thousands of lakefront homes that this request negatively impacts if approved. Builders and investors will seize the opportunity to put accessory structures, pools, decks etc. in this setback to increase property value upon resale and it is the lakes’ water quality that will suffer.

Please deny this variance request and prioritize protecting the water quality of the Butler Chain of Lakes.

Approved 3-0 at the May 19, 2025 Butler Chain of Lakes Advisory Board meeting

Signed:



Ijaz Ahmed

Chair of the Butler Chain of Lakes Advisory Board


U. S. FISH & WILDLIFE



















































VEGETATED BUFFERS:

Chart reflects a MINIMUM of 50' necessary for water quality protection.

Orange County recently revised the Wetland and Surface Water Protection Ordinance significantly increasing the size of buffers to protect and preserve water quality.

Buffer Width: Bigger is Better

Choosing a buffer width depends on your planning goals. As buffer width increases, the buffer provides greater benefits. As seen in the table below, a 30-foot buffer provides minimal service. At 50 feet, the buffer meets minimum water quality protection recommendations and gives some aquatic habitat benefits. For effective water quality and aquatic habitat protection, a buffer width of 100 feet is needed. Buffers to enhance riparian wildlife should be 300 feet or greater. Special buffer zones may be required to protect vulnerable species.  Width should be increased where slope, impervious surface, and soil type reduce buffer effectiveness. The consequences of an inadequate buffer may be an increased need for stormwater ponds, increased flooding, decreased abundance of sportfish, and/or loss of certain species such as some salamanders or crayfish.

Benefit Provided:	Buffer Width:					
	30 ft	50 ft	100 ft	300 ft	1,000 ft	1,500 ft
Sediment Removal - Minimum						
Maintain Stream Temperature						
Nitrogen Removal - Minimum						
Contaminant Removal						
Large Woody Debris for Stream Habitat						
Effective Sediment Removal						
Short-Term Phosphorus Control						
Effective Nitrogen Removal						
Maintain Diverse Stream Invertebrates						
Bird Corridors						
Reptile and Amphibian Habitat						
Habitat for Interior Forest Species						
Flatwoods Salamander Habitat – Protected Species						