



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 Waiver and Variance for Anthony and Ingrid
Mellone Dock Construction Permit BD-20-04-059

The applicants, Anthony and Ingrid Mellone, are requesting approval of a dock construction permit with a waiver to Orange County Code (Code), Chapter 15, Article IX, Section 15-342(b) (terminal platform size) and a variance to Section 15-343(a) (side setback). The project site is located at 2408 Overlook Avenue, Orlando, Florida 32806. The Parcel ID number is 07-23-30-9052-05-050. The subject property is located on the Overlook Canal leading to Lake Conway in District 3. The proposed dock will be shared with the neighbor to the south, Mr. Jason Borsdorf, located at 4009 Bayfront Parkway, Parcel ID Number 07-23-30-9052-05-060. The Mellones have recorded an easement agreement with Mr. Borsdorf 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 waiver request to increase the terminal platform size to a total of 515 square feet (235 square feet larger than allowed) and a variance request to reduce the side setback from the required ten feet to zero feet from both projected property lines.

Notifications of the application for waiver and variance were sent to all shoreline property owners within 300 feet of the property. EPD did not receive any objections to the requests. Staff did, however, receive Letters of No Objection (LONO) to the requests from the adjacent property owners Mr. Sean Seyler at 2416 Overlook Avenue and Mr. Borsdorf.

Staff evaluated the requests for compliance with the Code criteria, including how the additional shading impacts from the larger-than-allowed terminal platform could be offset by application of the Uniform Mitigation Assessment Method. The applicants have agreed to provide mitigation for the additional shading with a payment of \$585 to the Conservation Trust Fund (CTF). Additionally, since the applicants' lot is only 28 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 waiver and variance requests based on findings that the applicants have demonstrated that there will be no effect from the proposed waiver and variance on abutting shoreline owners pursuant to Section 15-350(a)(2)(2) and Section 15-350(a)(1)(2), respectively, as no objections were received and LONOs were provided. Additionally, any impact to the environment pursuant to Section 15-350(a)(2)(1) will be offset as the applicants have agreed to provide a payment of \$585 to the CTF as mitigation for the additional shading. Finally, 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 waiver to Section 15-342(b) (terminal platform size) with the condition that the applicants pay \$585 to the Conservation Trust Fund in order to offset the negative environmental effects due to shading of the oversized terminal platform and to approve the request for variance to Section 15-343(a) (side setback).

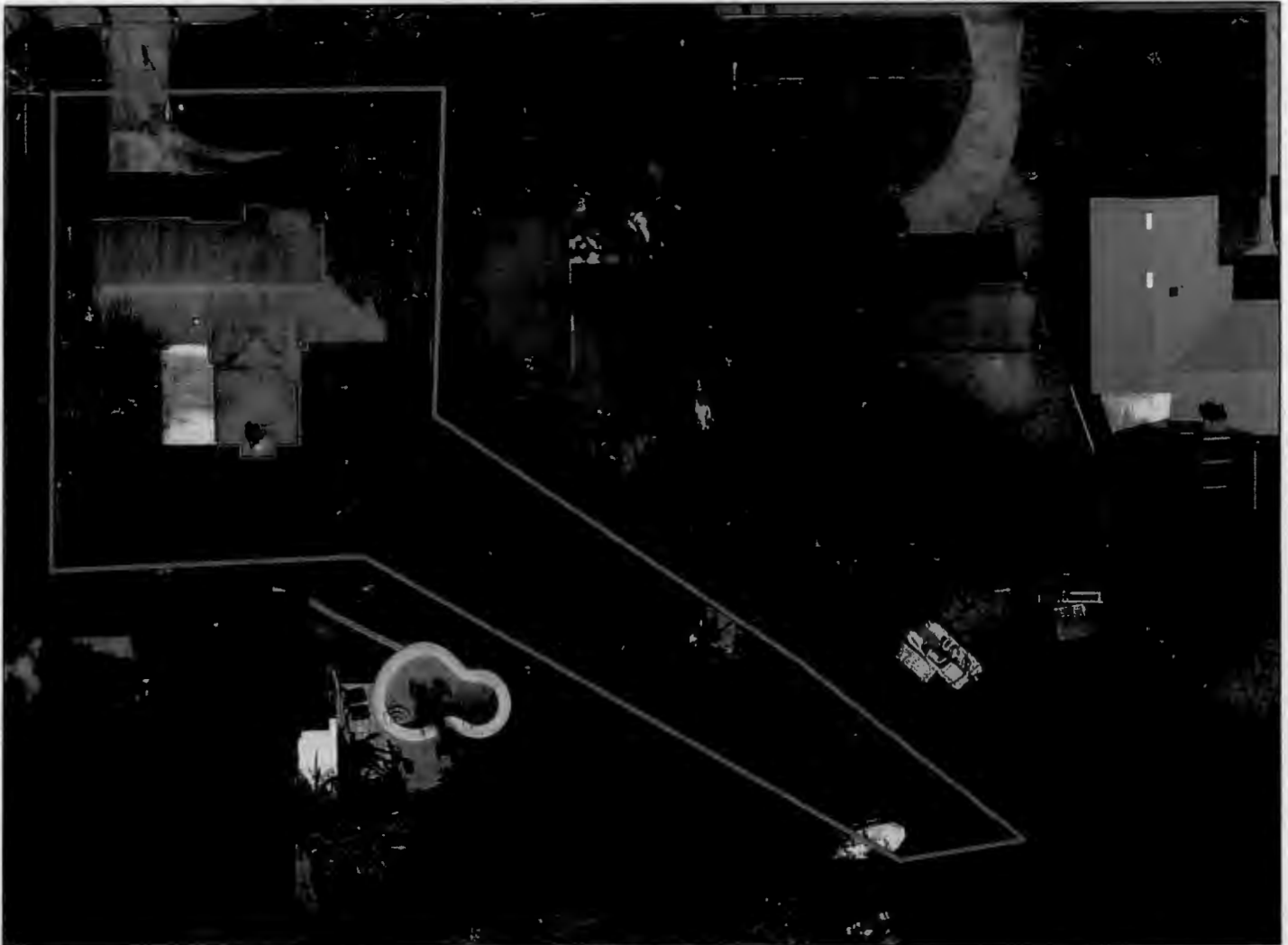
ACTION REQUESTED:

Accept the findings and recommendations of the Environmental Protection Commission and approve the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) to increase the allowable terminal platform size from 280 square feet to 515 square feet with a payment of \$585 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners, and approve the request for variance to Section 15-343(a) to reduce the required setback from 10 feet to 0 feet from both projected property lines for the Mellone Dock Construction Permit BD 20-04-059. District 3

JWW/DDJ: mg

Attachments

Dock Construction Application for Waiver and Variance



Dock Construction Application for Waiver and Variance

BD-20-04-059

District #3

Applicant: Anthony and Ingrid Mellone

Address: 2408 Overlake Avenue

Parcel ID: 07-23-30-9052-05-050

Project Site



Property Location



PROPERTY DESCRIPTION:
 WATERFRONT ESTATES 1ST ADDITION U/68 LOT 5 (LESS
 BEG 70 FT S OF NW COR LOT 4 S 12.67 FT S 56 DEG E 112.35
 FT N 51 DEG W 119.9 FT TO POB) BLK E

PARCEL ID: 07-23-30-9052-05-050



SITE PLAN
 for
BORSDFORF/MELLONE SHARED DOCK
 at
2408 OVERLAKE AVE.
ORLANDO, FL

JENNIFER L. TELIGA, P.E.
 P.E. # 64821
 11534 BRIAR HOLLOW LANE
 CLERMONT, FL 34711
 PHONE (321)662-7503

JOB: BORSDFORF DOCK

DATE: 1/16/2020

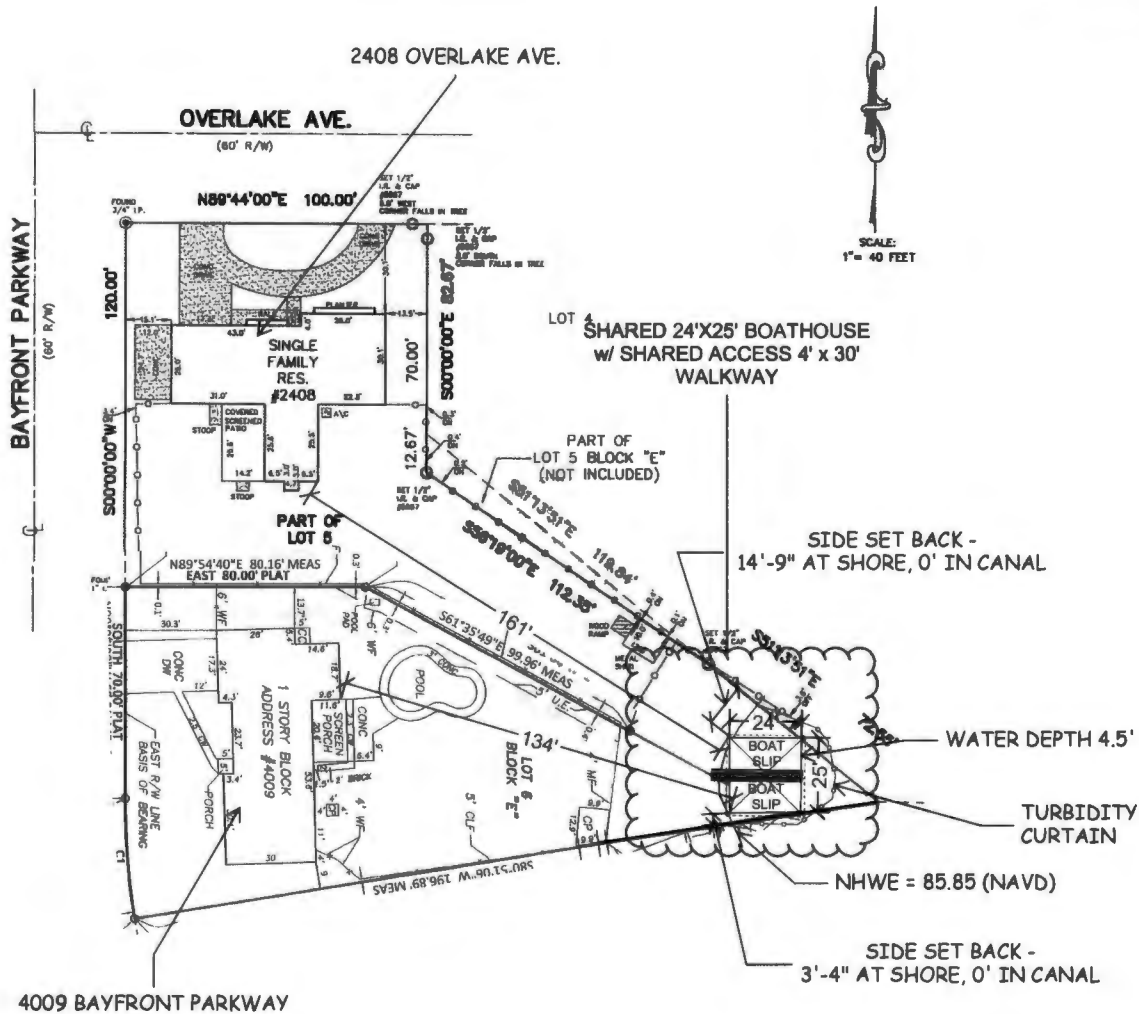
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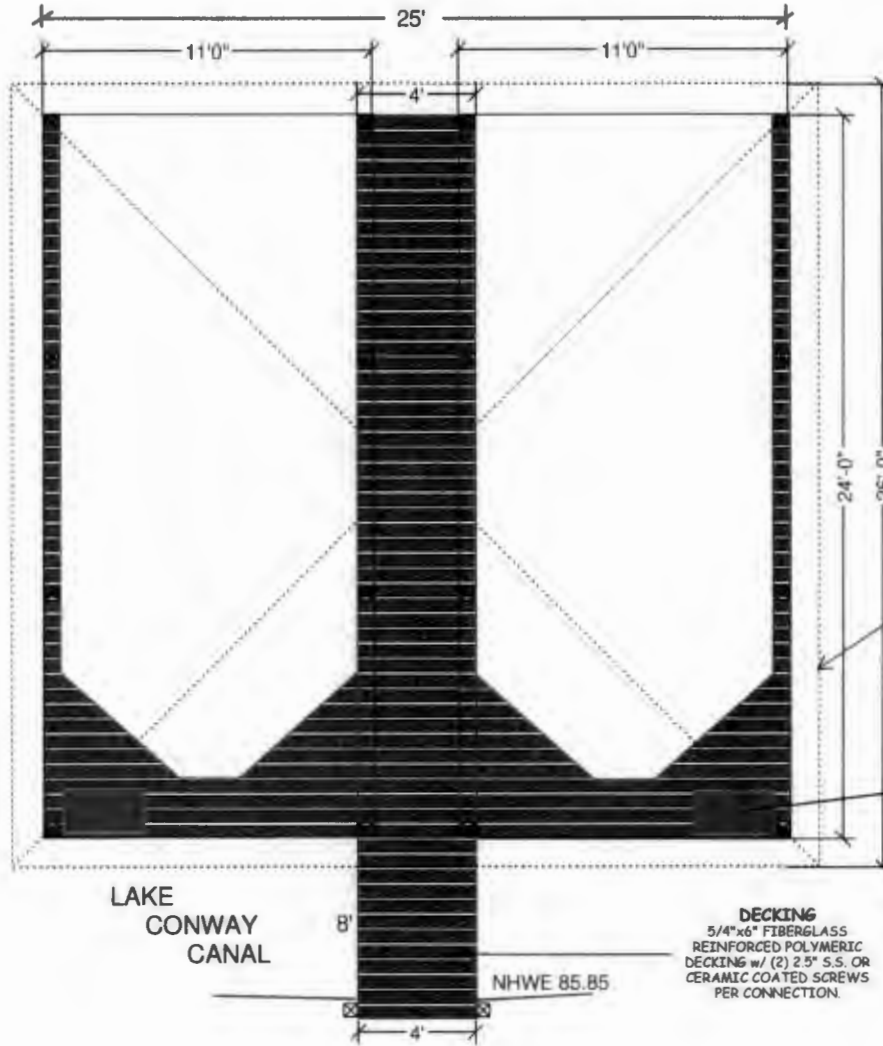
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DRAWN BY: R.A.H.

APPROVED BY:

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ROOF LINE
4:12 PITCH HIP ROOF LINE

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

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



FenderMarineConstruction
FENDERMARINE CONSTRUCTION
1201 W. JACKSON ST.
ORLANDO, FL 32805
(407)481-2750
WWW.FENDERMARINE.COM
SCC131150816

PLAN VIEW
for
BORSDF/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: BORSDF DOCK

DATE: 1/16/2020

SCALE: 1"=4'

DESIGNED BY:

DRAWN BY: R.A.H.

APPROVED BY:

PAGE NO.:
A-01

SOUTH ELEVATION
 for
BORSDORF/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) 662-7503

JOB: BORSDORF DOCK

DATE: 1/16/2020

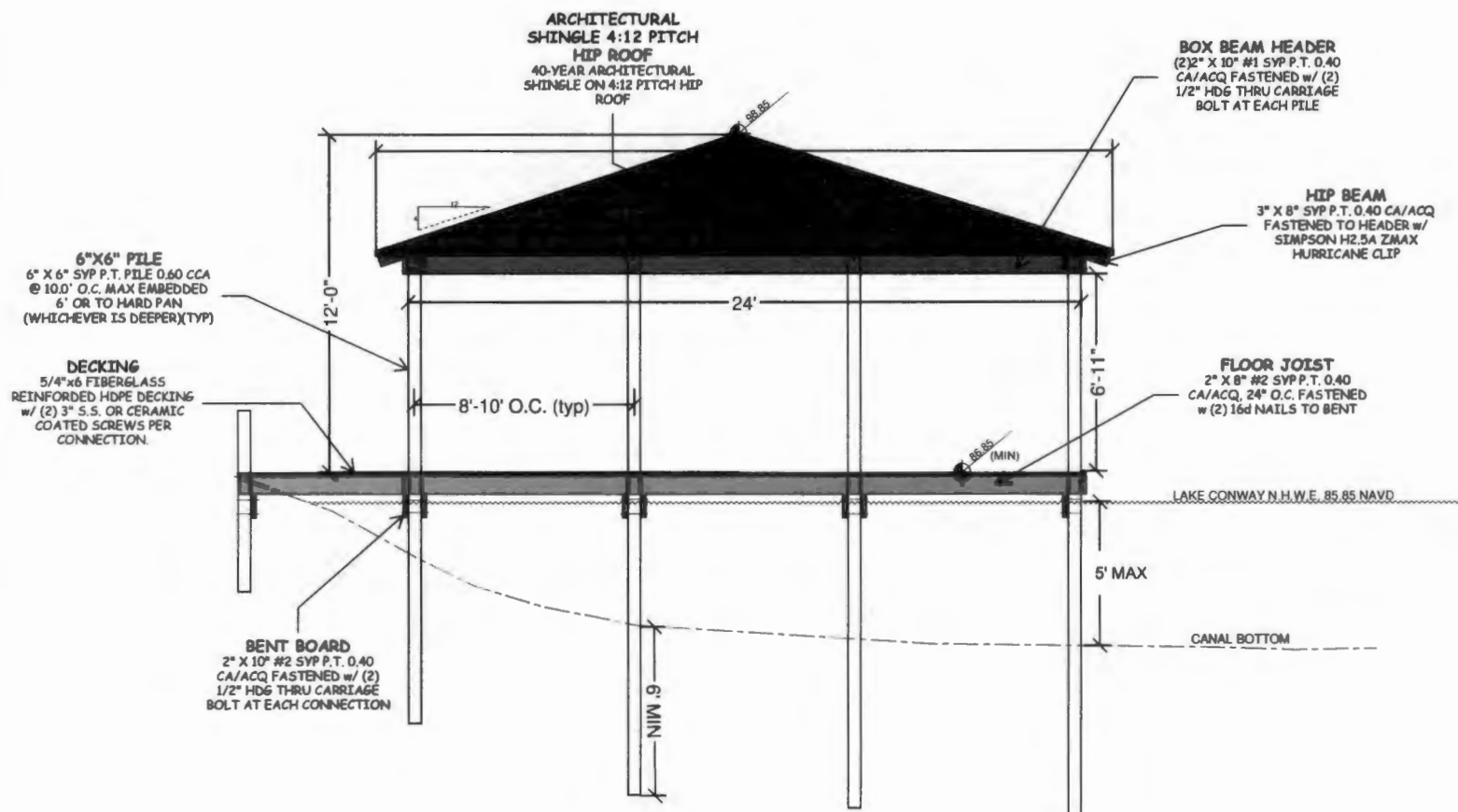
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DESIGNED BY:

DRAWN BY: R.A.H.

APPROVED BY:

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ENVIRONMENTAL PROTECTION DIVISION

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www.ocfl.net

ENVIRONMENTAL
PROTECTION
COMMISSION

ORANGE COUNTY
ENVIRONMENTAL PROTECTION COMMISSION
June 24, 2020

Jonathan Huels
Chairman

Mark Ausley
Vice Chairman

Christy Anderson

Flores Blackburn

Billy Butterfield

Mark Corbett

Vacant - Regulated
Business or
Municipality

APPLICANT NAME: Anthony and Ingrid Mellone
PERMIT APPLICATION NUMBER: BD-20-04-059
LOCATION/ADDRESS: 2408 Overlook Avenue, 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 variance request is consistent with Section 15-350(a)(1) and that the request for waiver is consistent with Section 15-350(a)(2), 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, and recommend approval of the request for waiver to 15-342(b) to increase the allowable terminal platform from 280 square feet to 515 square feet with the payment of \$585 to the Conservation Trust Fund for the Mellone Dock Construction Permit BD-20-04-059. 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: _____

DATE EPC RECOMMENDATION RENDERED: _____

6/24/20