



Interoffice Memorandum

AGENDA ITEM

April 10, 2019

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 D. Jones, P.E., CEP, Manager
Environmental Protection Division
(407) 836-1405

SUBJECT: May 7, 2019 – Consent Item
Environmental Protection Commission Recommendation
Request for an After-the-Fact Variance for Casey and
Jennifer Deloach; Dock Construction Permit BD-18-10-105

The applicants, Casey and Jennifer Deloach, are requesting approval of an after-the-fact variance to Orange County Code, Chapter 15, Article IX, Section 15-342(e) (roof height). The project site is located at 2004 Gatlin Avenue, Orlando, Florida 32806. The Parcel ID number is 13-23-29-2964-00-671. The subject property is located on Lake Conway in District 3.

On November 20, 2018 the Environmental Protection Division (EPD) issued Dock Construction Permit BD-18-10-105 with a maximum roof height of 12 feet. On January 18, 2019 EPD received a Notice of Completion and an as-built survey showing that the dock was constructed with a roof height 13 feet above the floor elevation.

In an effort to keep the dock as constructed, the agent for the original dock permit provided a new Application for Dock Construction along with an Application for Variance to Section 15-342(e) (roof height). The affected adjacent property owner provided a written letter of support for the 13-foot roof height via email on January 22, 2019.

Pursuant to Orange County Code, Chapter 15, Article IX, EPD staff evaluated the proposed variance application and required documents. Notifications of the application for variance were sent to all shoreline owners within 300 feet of the subject property on January 30, 2019. EPD did not receive any written objections to the variance request.

During the March 27, 2019 Environmental Protection Commission (EPC) public hearing, the EPC voted to uphold the recommendation of the Environmental Protection Officer and approve the request for variance to Orange County Code, Chapter 15, Article IX, Section 15-342(e) (roof height).

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Environmental Protection Commission Recommendation for an After-the-Fact Variance for Casey and Jennifer Deloach; Dock Construction Permit BD-18-10-105

A \$200 penalty has been paid to the Conservation Trust Fund for failure to comply with the approved permit conditions and drawings.

ACTION REQUESTED: **Acceptance of the recommendation of the Environmental Protection Commission to approve the after-the-fact request for variance to Orange County Code, Chapter 15, Article IX, Section 15-342(e) (roof height) for the Casey and Jennifer Deloach Dock Construction Permit BD-18-10-105. District 3**

JVW/DJ: mg
Attachments

After-the-Fact Boat Dock Application for Variance



After-the-Fact Boat Dock Application for Variance District #3

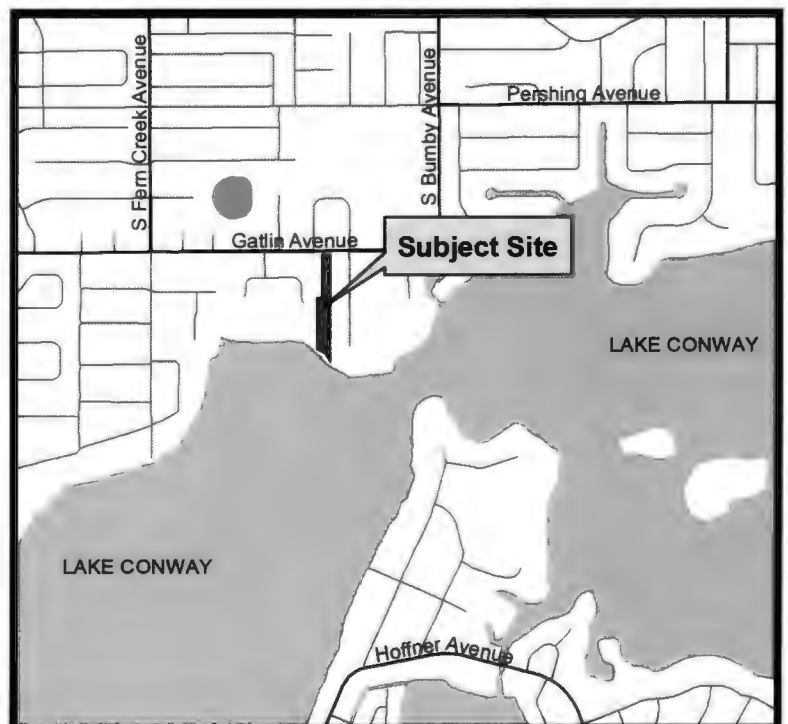
Permit No.: BD-18-10-105

Applicant: Casey and Jennifer Deloach

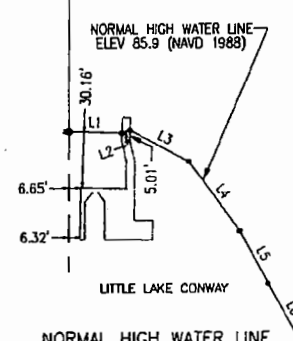
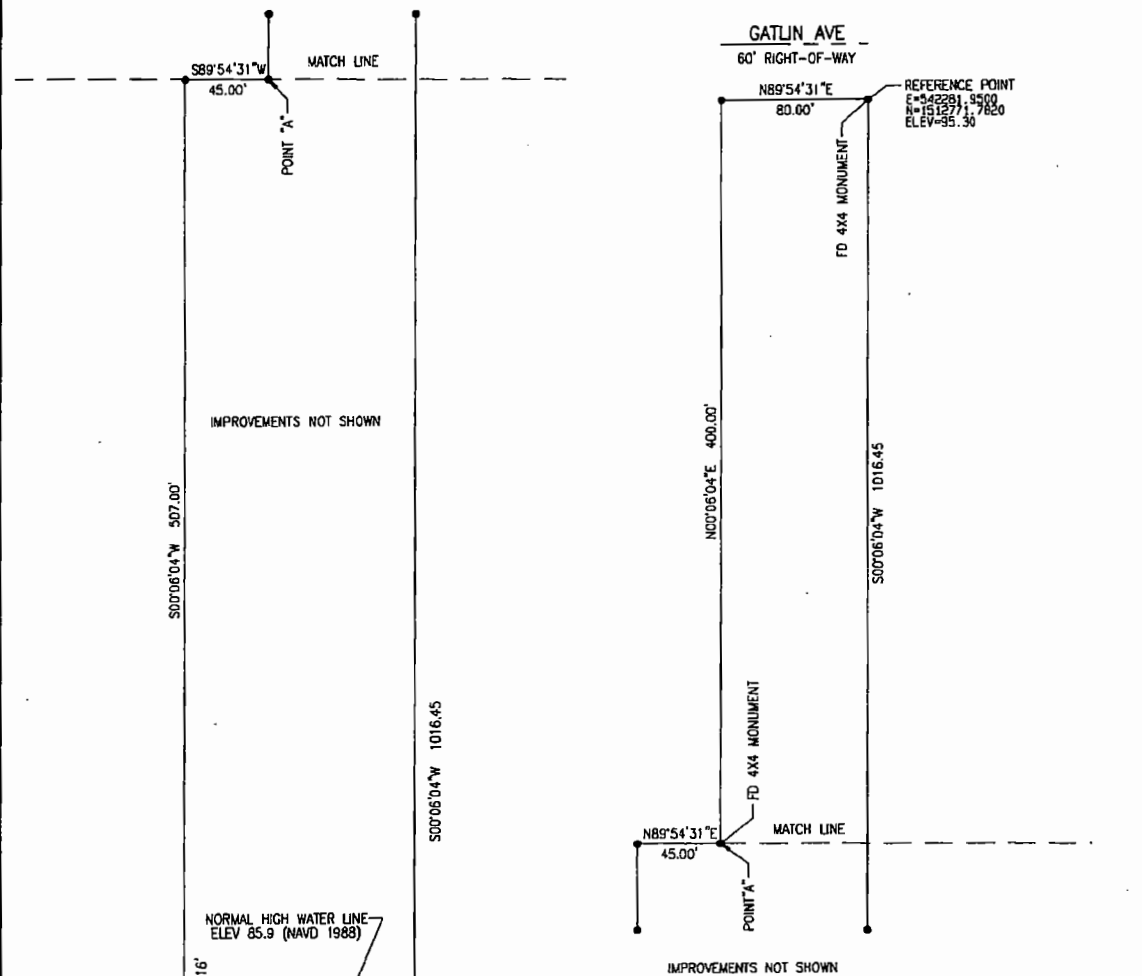
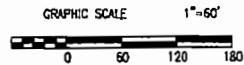
Parcel ID: 13-23-29-2964-00-671

Project Site 

Property Location 



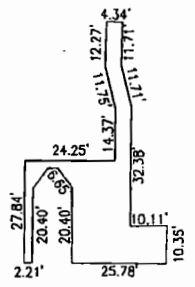
SPECIAL PURPOSE SURVEY
AS-BUILT DOCK
2004 GATLIN AVE



NORMAL HIGH WATER LINE

LINE	BEARING	DISTANCE
L1	N88°03'38\"W	30.10'
L2	N69°55'42\"E	4.63'
L3	N61°51'40\"W	35.88'
L4	N36°08'16\"W	46.97'
L5	N28°34'01\"W	32.51'
L6	N28°34'01\"W	35.93'

DOCK DETAIL SCALE 1" = 30'
DECK AND WALKWAY ELEV = 87.50
ROOF HEIGHT FROM DECK = 13'
DEPTH OF LAKE BOTTOM FROM DECK = 7.2'



- SURVEYORS NOTES:
1. BEARINGS SHOWN HEREON ARE BASED ON THE AFORESAID PLAT
 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 SJ-17.
 4. ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 88 DATUM.
- I HEREBY CERTIFY THAT THIS AS-BUILT SURVEY OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS RECENTLY SURVEYED UNDER MY DIRECTION ON THE DATE SHOWN, BASED ON INFORMATION FURNISHED TO ME AS NOTED AND CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA IN ACCORDANCE WITH CHAPTER 39-17.052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

EDWARD J. MIZO
PROFESSIONAL LAND SURVEYOR AND MAPPER NO. 3376
THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

EDWARD MIZO PROFESSIONAL LAND SURVEYOR 2625 LEGACY VILLAS DR MAITLAND, FL 32751 321-436-9391	AS-BUILT DOCK SURVEY	JANUARY 10, 2019
	AS-BUILT DOCK SURVEY	JANUARY 10, 2019



APPLICATION TO CONSTRUCT A DOCK APPLICATION FOR VARIANCE

(Pursuant to Orange County Code, Chapter 15, Article IX, Section 15-350(a)(1))

Mail or Deliver To: Orange County Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, Florida 32803
(407) 836-1400, Fax (407) 836-1499

Enclose a check for \$409.00 payable to The Board of County Commissioners

I Sheila Cichra on behalf of Casey Deloach (if applicable) pursuant to Orange County Code Chapter 15, Article IX, Section 15-350(a)(1) am requesting a variance to section 15 - 342 (e) of the Orange County Dock Construction Ordinance.

1. Describe how strict compliance with the provisions from which a variance is sought would impose a unique and unnecessary hardship on the applicant (the hardship cannot be self-imposed):

The boathouse roof is larger than normal, so in order to obtain the optimum aesthetic roof pitch, the roof height needs be increased slightly (1').

2. Describe the effect of the proposed variance on abutting shoreline owners:

The additional height will not adversely affect the adjacent property owner's view. As evidenced by the attached letter of no objection.

Notice to the Applicant:

The environmental protection officer, environmental protection commission and the Board of County Commissioners may require additional information necessary to carry out the purposes of this article.

A variance application may receive an approval or approval with conditions when such variance: (1) would not be contrary to the public interest; (2) where, owing to special conditions, compliance with the provisions herein would impose an unnecessary hardship on the permit applicant; (3) that the hardship is not self-imposed; and (4) the granting of the variance would not be contrary to the intent and purpose of this article.

By signing and submitting this application form, I am applying for a variance to the Orange County Dock Construction Ordinance identified above, according to the supporting data and other incidental information filed with this application. I am familiar with the information contained in this application, and represent that such information is true, complete, and accurate. I understand this is an application and not a permit, and that work conducted prior to approval is a violation. I understand that this application and any permit issued pursuant thereto, does not relieve me of any obligation for obtaining any other required federal, state, or local permits prior to commencement of construction. I understand that knowingly making any false statements or representation in this application is a violation of Sections 15-341 & 15-342, Orange County Code.

Name of Applicant: Sheila Cichra
Signature of Applicant/Agent: [Signature] Date: 01/17/2019
Corporate Title (if applicable): President, Streamline Permitting, Inc.