

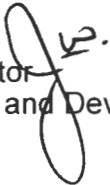



Interoffice Memorandum

AGENDA ITEM

November 2, 2022

TO: Mayor Jerry L. Demings  
-AND-  
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) 836-1406 

SUBJECT: December 13, 2022 — Consent Item  
Environmental Protection Commission Recommendation for  
Request for Waiver and Variance for Garth Becker for Dock  
Construction Permit BD-21-10-150

The applicant, Garth Becker, is requesting 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 Chapter 15, Article IX, Section 15-343(a) (side setback) in order to construct a new boat dock. The project site is located at 12836 Jacob Grace Court, Windermere, FL 34786 (Parcel ID Number 13-23-27-8510-00-580) on Lake William Davis in District 1.

On October 28, 2021, the Environmental Protection Division (EPD) received an Application to Construct a Dock at the subject property. Included with the dock application was an Application for Waiver to Section 15-342(b) requesting a larger than allowed terminal platform of 714 square feet in size (185 square feet over what is allowed) and an Application for Variance to Section 15-343(a) to reduce the side setback from 10 feet to one foot from both the northern and southern property lines was also included with the dock application.

**Terminal Platform Size Waiver**

Chapter 15, Article IX, Section 15-342(b) of the Code states, “the maximum square footage of the terminal platform shall not exceed the square footage of ten times the linear shoreline frontage for the first seventy-five (75) feet of shoreline and five times the linear shoreline frontage for each foot in excess of seventy-five (75) feet, not to exceed a maximum of 1,000 square feet.” According to the recorded plat, the applicant has a shoreline that measures 52.96 feet at the Normal High Water Elevation, which allows for a maximum terminal platform of 529 square feet. The applicant is requesting a terminal platform size of 714 square feet.

**Waiver Criteria**

Pursuant to Section 15-350(a)(2), “the applicant shall describe (1) how this waiver would not negatively impact the environment, and (2) the effect of the proposed waiver on abutting shoreline owners.”

To address Section 15-350(a)(2)(1), the applicant's agent, Mr. Peter Fleck, states, "*The client (Garth Becker) is willing to pay mitigation fees to offset impacts.*"

To address Section 15-350(a)(2)(2), Mr. Fleck states, "*The abutting shoreline owners signed letters of no objection and are supportive of the project.*"

The applicant has agreed to pay \$409.78 to the Conservation Trust Fund (CTF) as mitigation to offset the shading impacts to Lake William Davis associated with the larger terminal platform size, should the waiver request be approved.

### **Side Setback Variance**

Chapter 15, Article IX, Section 15-343(b) of the Code states, "On lots or parcels having a shoreline frontage of less than seventy-five (75) feet, docks including designated mooring areas, shall have a minimum side-setback of ten (10) feet from the projected property line." The applicant has a shoreline that measures approximately 52.96 feet and therefore the dock is required to meet a setback of 10 feet. Lake William Davis is privately owned, and pursuant to Section 15-323, the projected property lines are the actual property lines for purposes of calculating side setbacks. The applicant is proposing a side setback of one foot from the northern real property line and one foot from the southern real property line.

Section 15-350(a)(1) *Variances* states, "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."

### **Variance Criteria**

Pursuant to Section 15-350(a)(1), "the applicant shall also describe (1) 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; and (2) the effect of the proposed variance on abutting shoreline owners."

To address Section 15-350(a)(1)(1), the applicant's agent, Mr. Peter Fleck, states, "*Due to the unique property boundaries, it makes it hard to meet the setback requirements.*"

To address Section 15-350(a)(1)(2), Mr. Fleck states, "*They have signed a letter of no objection.*"

### **Public Notifications and Letters of No Objection**

On May 20, 2022, EPD received the Letters of No Objection from the affected property owners to the north (Gary and Cathy Johnson – 12830 Jacob Grace Court) and to the south (Zakir and Hazra Shaikh – 5401 Marleon Dr.) for the side setback of one foot.

On August 12, 2022, a Notice of Applications for Variance and Waiver was sent via certified mail to all shoreline property owners within a 300-foot radius of the property. EPD did not receive confirmation of delivery for eleven of the notices. Accordingly, EPD requested that the applicant's agent, Mr. Fleck, hand deliver the eleven notices. On September 9, 2022, Mr. Fleck provided documentation that the notices had been delivered.

On September 28, 2022, the applicant and agent were sent notices to inform them of the October 26, 2022, Environmental Protection Commission (EPC) meeting.

### **Enforcement Action**

There is currently an open incident on the subject property (Incident 22-608875) for non-compliance with Lakeshore Protection Permit (LSP-20-09-100). As of August 4, 2022, EPD staff received photographs of the shoreline from the agent, Mr. Fleck, showing that the maintenance of the vegetation along the shoreline has ceased with the exception of an access corridor allowed under Orange County Code, Chapter 15, Article VII, Section 15-255(1). EPD will review the status of the shoreline vegetation for compliance with LSP-20-09-100 during the compliance inspection for the boat dock and either close the incident at that time or follow up with the applicant as appropriate.

### **EPD Staff Evaluation/Recommendation**

Staff evaluated the waiver request for compliance with the criteria for approval. The recommendation of the Environmental Protection Officer (EPO) is to approve the request for waiver to Section 15-342(b) (terminal platform size) based on a finding that the applicant has demonstrated that there will be no negative affect on the abutting shoreline owners pursuant to Section 15-350(a)(2)(2), as no objections have been received. In addition, Section 15-350(a)(2)(1) has been appropriately addressed in that the applicant has agreed to make a payment of \$409.78 to the CTF to address the additional shading impacts associated with the larger terminal platform size.

Staff also evaluated the variance request for compliance with the criteria for approval. The recommendation of the EPO is to approve the request for variance to Section 15-343(a) (side setback) based on a finding that, pursuant to Section 15-350(a)(1)(1), the hardship is not self-imposed due to the narrowing, pie-shape of the lot, and pursuant to Section 15-350(a)(1)(2), the applicant has demonstrated that there will be no negative affect on the abutting shoreline owners, as no objections have been received and letters of no objection were provided by the affected property owners.

### **EPC Public Hearing**

EPC Member Peter Fleck declared a conflict, completed Form 8B, and was present to represent the applicant.

EPD presented the waiver request in a public hearing before the EPC at their October 26, 2022 meeting. Based upon evidence and testimony presented at the hearing, the remaining members of EPC voted unanimously to accept the findings and recommendations of the EPO, and recommended approval of the waiver to Section 15-342(b) (terminal platform size) with the condition that the applicant remit a payment in the amount of \$409.78 to the CTF as mitigation for the additional shading impacts.

Based upon evidence and testimony presented at the hearing, the EPC also voted unanimously to accept the findings and recommendations of the EPO, and recommended approval of the variance to Section 15-343(a) (side setback) to reduce the side setback from the northern and southern projected property lines from 10 feet to one foot.

**ACTION REQUESTED:** Acceptance of the findings and recommendations of the Environmental Protection Commission and approval of the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) to increase the maximum terminal platform size from 529 square feet to 714 square feet with a mitigation payment of \$409.78 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners; and approval of the request for variance to Section 15-343(a) to reduce the side setback from 10 feet to one foot from the northern and southern projected property lines for the Garth Becker Dock Construction Permit BD-21-10-150. District 1

JVW/DDJ: jk

Attachments

# Dock Construction Application for Waiver and Variance



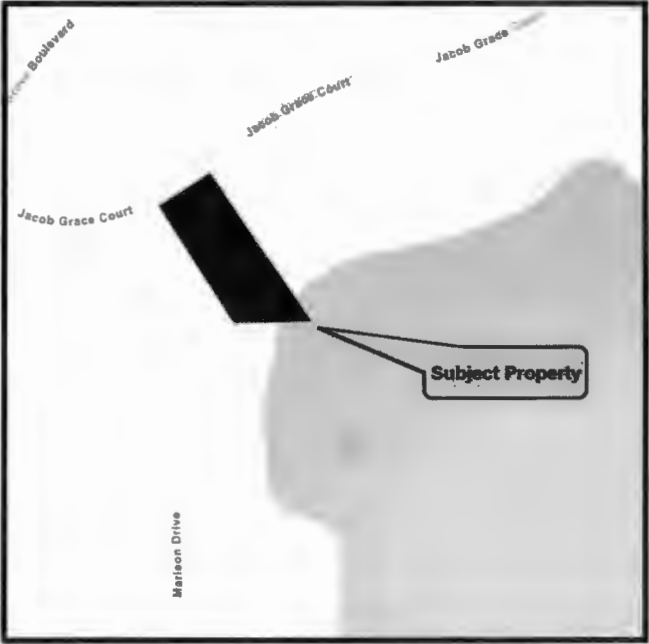
**Dock Construction Application for Waiver and Variance**

**Permit No.:** BD-21-10-150  
**District #1**

**Applicant:** Garth Becker  
**Address:** 12836 Jacob Grace Court  
**Parcel ID No.:** 13-23-27-8510-00-580

**Project Site**

**Property Location**



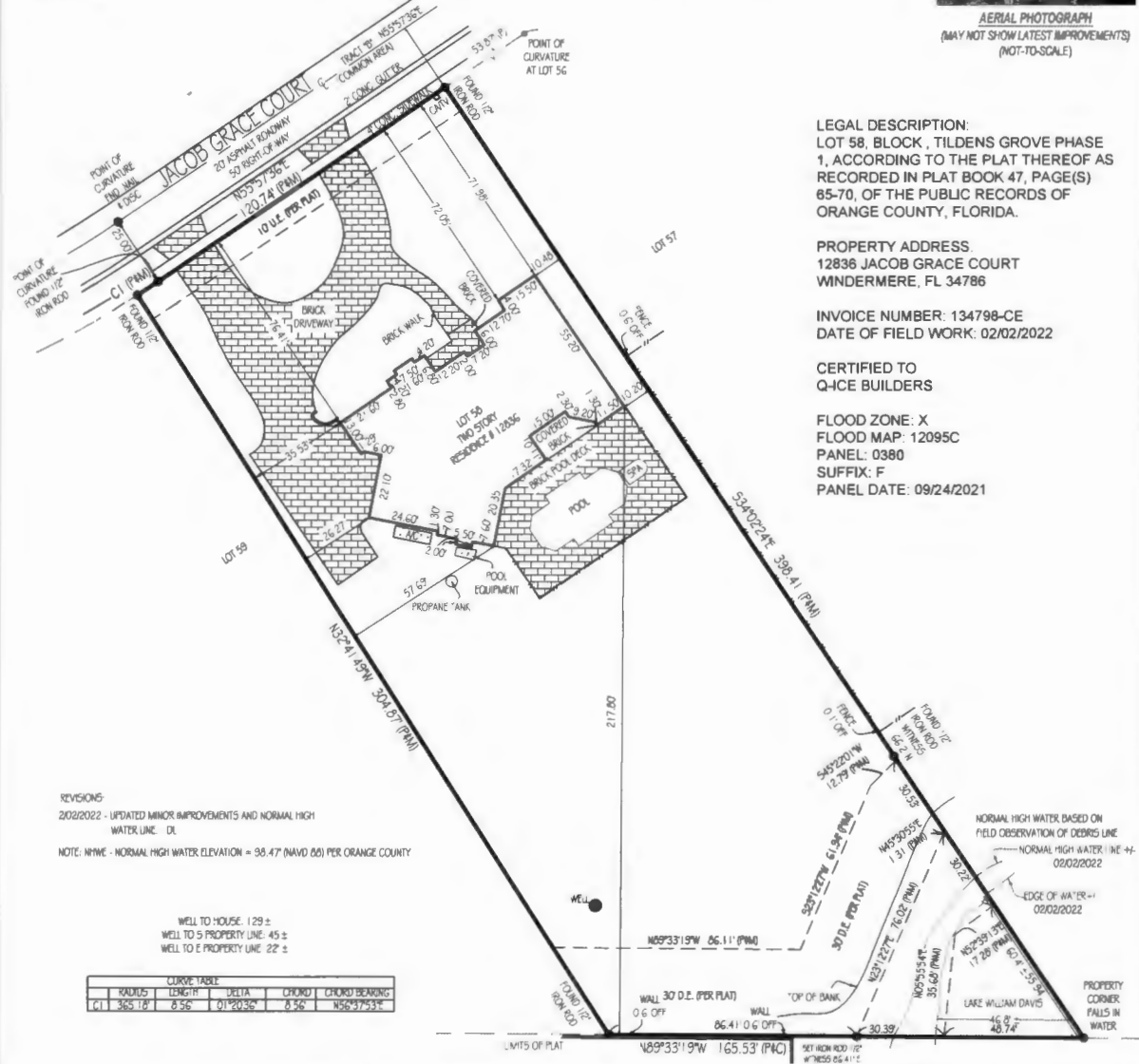
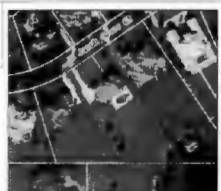


TYPE OF SURVEY:  
 BOUNDARY     CONSTRUCTION     CONDOMINIUM  
 ALTRANSPS     TOPOGRAPHIC     SPECIAL PURPOSE

PURPOSE OF SURVEY (SEE GENERAL NOTES BELOW):

BEARING REFERENCE:

CENTER LINE OF JACOB GRACE COURT AS N 55°57'36" E  
 ALL BEARINGS SHOWN HEREON REFERENCED THERETO.



LEGAL DESCRIPTION:  
 LOT 58, BLOCK 1, TILDENS GROVE PHASE  
 1, ACCORDING TO THE PLAT THEREOF AS  
 RECORDED IN PLAT BOOK 47, PAGE(S)  
 65-70, OF THE PUBLIC RECORDS OF  
 ORANGE COUNTY, FLORIDA.

PROPERTY ADDRESS:  
 12836 JACOB GRACE COURT  
 WINDERMERE, FL 34786

INVOICE NUMBER: 134798-CE  
 DATE OF FIELD WORK: 02/02/2022

CERTIFIED TO  
 Q-ICE BUILDERS

FLOOD ZONE: X  
 FLOOD MAP: 12095C  
 PANEL: 0380  
 SUFFIX: F  
 PANEL DATE: 09/24/2021

REVISIONS:  
 2/02/2022 - UPDATED MINOR IMPROVEMENTS AND NORMAL HIGH  
 WATER LINE. DL

NOTE: N.H.W.E. - NORMAL HIGH WATER ELEVATION = 36.47 (NAVD 80) PER ORANGE COUNTY

WELL TO HOUSE: 1.29 ±  
 WELL TO S PROPERTY LINE: 45 ±  
 WELL TO E PROPERTY LINE: 22 ±

CURVE TABLE	RADIUS	LENGTH	DELTA	CHORD	CHECKED BEARINGS
1	365.10'	8.56'	01°20'36"	8.56'	N56°47'53"

"CP" = CONTROLLING POINT (POINT OF ROTATION) "HFA" = HELD FOR ALIGNMENT - ALL OTHER MONUMENTATION AND IMPROVEMENTS RELATIVE THERETO

**Platted Easements & Notable Conditions (unplatted easements also listed if provided): IF APPLICABLE, RECIPIENTS OF THIS SURVEY SHOULD REVIEW THE POSITION OF ANY FENCE LINES SHOWN AND THEIR RELATIONSHIP TO THE BOUNDARY LINE.**

- 10' U.E. ALONG NORTHERLY BOUNDARY LINE OF SUBJECT LOT.
- 30' D.E. ALONG SOUTHERLY BOUNDARY LINE OF SUBJECT LOT.
- CONCRETE DRIVEWAY EXTENDS THROUGH THE NORTHERLY EASEMENT.

The survey has been issued by the following Landtec Surveying office:  
 700 West Hillsboro Boulevard, Suite 4-100  
 Deerfield Beach, FL 33441  
 Office: (561) 387-3587  
 Fax: (561) 485-3146  
[www.LandtecSurveying.com](http://www.LandtecSurveying.com)

**ABBREVIATION LEGEND (SOME ITEMS IN LEGEND MAY NOT APPEAR ON DRAWING)**

A+P = ARC LENGTH	EL = ELEVATION	RI = POINT OF INTERSECTION	R = RADIUS
CA = CENTRAL ANGLE	EM = ELECTRIC METER	PT = POINT OF TANGENCY	SEC = SECTION
CD = CHORD TO BESS	FR = FOUND REBAR	PC = POINT OF CURVATURE	TWP = TOWNSHIP
CF = CALCULATED FROM FIELD	FR = FOUND REBAR	PRC = POINT OF REVERSE CURVE	RNG = RANGE
CL = CALCULATED FROM RECORD	FR = FOUND REBAR	PRC = POINT OF COMPOUND CURVE	CR = CORNER
CO = CHORD DISTANCE	L = LEGAL DESCRIPTION	PRB = POINT OF BEGINNING	TR = TELEPHONE RISER
CO = CLEARANCE	M = MEASURED	PRC = POINT OF COMBINATION	UB = UTILITY BASEMENT
CO = CONCRETE	OH = OVERHEAD CABLE	PRH = POINT OF HEADING	UP = UTILITY POLE
CP = CONTROLLING POINT	P = PLAT	PP = POOL HEATER	WM = WATER METER
		PP = POOL PUMP	WV = WATER VALVE

**SYMBOLS (SOME ITEMS IN LEGEND MAY NOT APPEAR ON DRAWING - NOT TO SCALE)**

○ = UTILITY POLE	⊙ = WELL
⊙ = LIGHT POLE	⊕ = CENTER LINE
⊕ = CENTER LINE	⊕ = PARTY WALL
⊕ = CENTER BASIN	⊕ = AIR CONDITIONER
⊕ = FIRE HYDRANT	⊕ = SEC. CTR. CORNER
⊕ = MANHOLE	⊕ = SECTION CORNER
⊕ = WATER VALVE	⊕ = ELEV. SHOT
⊕ = SEPTIC LID	
⊕ = WATER METER	

**LINE TYPES**

—	BOUNDARY
—	BUILDING
—	EASEMENT
—	CHAIN LINK FENCE
—	WOOD FENCE
—	PLASTIC FENCE
—	OVERHEAD CABLE

**GENERAL NOTES:**

- THIS SURVEY IS BASED UPON RECORD INFORMATION PROVIDED BY CLIENT. NO SPECIFIC SEARCH OF THE PUBLIC RECORD HAS BEEN MADE BY THIS OFFICE, UNLESS OTHERWISE NOTED.
- AS INDICATED ABOVE, UNDER PURPOSE OF SURVEY IF THIS SURVEY HAS BEEN PREPARED FOR A PURCHASE OR REFERENCE, ITS SCOPE IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES, AND IS NOT INTENDED FOR USE IN DESIGN OR CONSTRUCTION PURPOSES. UNLESS STATED OTHERWISE, THIS SURVEYING OFFICE ASSUMES NO RESPONSIBILITY FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS NOTICE.
- ANY FENCES SHOWN HEREON ARE ILLUSTRATIVE OF THEIR GENERAL POSITION ONLY. FENCE LINES SHOWN ARE TO GENERAL CENTERLINE OF FENCE. THIS OFFICE WILL NOT BE RESPONSIBLE FOR DAMAGES RESULTING FROM THE REMOVAL OF OR CHANGES MADE TO ANY FENCES UNLESS WE HAVE PROVIDED A SURVEY SPECIFICALLY LOCATING SAID FENCES FOR SUCH PURPOSES. DETERMINATION OF FENCE POSITIONS SHOULD BE BASED SOLELY ON THEIR PHYSICAL RELATIONSHIP TO THE MONUMENTED BOUNDARY LINES.
- CONCRETE REPRESENTATIONS MAY HAVE BEEN ENLARGED TO MORE CLEARLY ILLUSTRATE MEASURED RELATIONSHIPS. DIMENSIONS SHALL HAVE PRECEDENCE OVER QUALITY POSITIONS.
- UNDERGROUND IMPROVEMENTS HAVE NOT BEEN LOCATED EXCEPT AS SPECIFICALLY SHOWN.
- ELEVATIONS ARE BASED UPON NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D.) 1989 OR NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) 1988 AS SHOWN ABOVE.
- ALL BOUNDARY AND CONTROL DIMENSIONS SHOWN ARE FIELD MEASURED AND CORROBORATED TO RECORD INFORMATION UNLESS SPECIFICALLY NOTED OTHERWISE.
- ANY CORNERS SHOWN AS "SET" HAVE EITHER BEEN SET ON THE DATE OF FIELD WORK, OR WILL BE SET WITHIN 90 DAYS OF SAID DATE AND ARE IDENTIFIED WITH A CAP NUMBERED AS EXHIBITED SURVEYOR'S BRASS.

Job No: 100753-CW    Date of Field Work: 12/17/2019    Drawn by: A.G.

**Elevations, if shown:**

Benchmark: \_\_\_\_\_  
 Benchmark Elev.: \_\_\_\_\_  
 Benchmark Datum: \_\_\_\_\_

Elevations on Drawing are in:  
 N.G.V.D.29     N.A.V.D.88

Revisions: \_\_\_\_\_    Update: \_\_\_\_\_  
 Job No: 134798-CE  
 Date of Revision: 02/02/2022  
 Revision by: D.G.

**PRINTING INSTRUCTIONS:**  
 WHEN PRINTING THIS PDF IN Adobe, SELECT "ACTUAL SIZE" TO ENSURE CORRECT SCALING.  
 DO NOT USE "FIT".

**LANDTEC SURVEYING**  
 Proudly Serving Florida's Land Title & Real Estate Industries  
 LICENSED BUSINESS No. 8007    ... measurably better!

**received**  
7/13/22

# DOCK PLANS

Garth Becker

Prepared For

Q-1 LE Builders

Prepared By

 **THOMPSON ENGINEERING GROUP, INC**

Engineer: Michael Thompson, MSc, P.E. (#47509)  
4401 Vineland Road, Suite A6  
Orlando, Florida 32811  
Ph: 407-734-1450  
Fax: 407-734-1790  
Certificate of Authorization No. 30060  
[www.tegfl.com](http://www.tegfl.com)

October 8th, 2021

TYPE OF SURVEY:

- BOUNDARY
- CONSTRUCTION
- CONDOMINIUM
- ALTA/NSPS
- TOPOGRAPHIC
- SPECIAL PURPOSE

PURPOSE OF SURVEY (SEE GENERAL NOTES BELOW):



BEARING REFERENCE:

CENTER LINE OF JACOB GRACE COURT AS N 55°57'36" E  
ALL BEARINGS SHOWN HEREON REFERENCED THERETO.



AERIAL PHOTOGRAPH  
(MAY NOT SHOW LATEST IMPROVEMENTS)  
(NOT-TO-SCALE)



LEGAL DESCRIPTION:  
LOT 58, BLOCK 1, TILDENS GROVE PHASE  
1, ACCORDING TO THE PLAT THEREOF AS  
RECORDED IN PLAT BOOK 47, PAGE(S)  
65-70, OF THE PUBLIC RECORDS OF  
ORANGE COUNTY, FLORIDA.

PROPERTY ADDRESS:  
12836 JACOB GRACE COURT  
WINDERMERE, FL 34786

INVOICE NUMBER: 134798-CE  
DATE OF FIELD WORK: 02/02/2022

CERTIFIED TO  
Q-ICE BUILDERS

FLOOD ZONE: X  
FLOOD MAP: 12095C  
PANEL: 0380  
SUFFIX: F  
PANEL DATE: 09/24/2021

REVISIONS

2/02/2022 - UPDATED MINOR IMPROVEMENTS AND NORMAL HIGH  
WATER LINE. DL

NOTE: NHWC = NORMAL HIGH WATER ELEVATION = 96.47 (NAVD 85) PER ORANGE COUNTY

WELL TO HOUSE: 1.29 ±  
WELL TO S PROPERTY LINE: 4.5 ±  
WELL TO E PROPERTY LINE: 2.2 ±

STATION	LENGTH	DELTA	CHORD	CHORD BEARING	
C1	365.81	0.56°	101.2034'	0.56°	N56°47'53" E

"CP" = CONTROLLING POINT (POINT OF ROTATION) "HFA" = HELD FOR ALIGNMENT - ALL OTHER MONUMENTATION AND IMPROVEMENTS RELATIVE THERETO  
**Platted Easements & Notable Conditions (unplatted easements also listed if provided): IF APPLICABLE, RECIPIENTS OF THIS SURVEY SHOULD REVIEW THE POSITION OF ANY FENCE LINES SHOWN AND THEIR RELATIONSHIP TO THE BOUNDARY LINE.**

- 10' U.E. ALONG NORTHERLY BOUNDARY LINE OF SUBJECT LOT.
- 30' D.E. ALONG SOUTHERLY BOUNDARY LINE OF SUBJECT LOT.
- CONCRETE DRIVEWAY EXTENDS THROUGH THE NORTHERLY EASEMENT.

This survey has been issued by the following Landtec Surveying office:  
700 West Hillborn Boulevard, Suite 4-100  
Deerfield Beach, FL 33441  
Office: (561) 367-3587  
Fax: (561) 465-3145  
www.LandtecSurvey.com

ABBREVIATION LEGEND (SOME ITEMS IN LEGEND MAY NOT APPEAR ON DRAWING)

A to B = ARC LENGTH	EL = ELEVATION	PI = POINT OF INTERSECTION	R = RADIUS
CA = CENTER ANGLE	EM = ELECTRIC METER	PT = POINT OF TANGENCY	SEC = SECTION
CO = CABLE TIE RINGS	FR = FOUND REBAR	PC = POINT OF CURVATURE	TRIP = TRIP
CR = CALCULATED FROM FIELD	FO = FOUND	PRC = POINT OF REVERSE CURVE	TRIP + SQUARE
CS = CALCULATED FROM RECORD	FRD = FOUND	PCOC = POINT OF COMPOUND CURVE	CR + QUARTER
CO = CHORD	LS = LEGAL DESCRIPTION	PRC = POINT OF BEGINNING	TR = TELEPHONE RINGS
CO = CHORD	MA = MANHOLE	POC = POINT OF COMMENCEMENT	UL = UTILITY GUISARD
CO = CHORD	MS = MANSION	PP = POINT OF BEGINNING	UP = UTILITY POLE
CO = CHORD	MS = MANSION	PP = POINT OF BEGINNING	WM = WATER METER
CO = CHORD	MS = MANSION	PP = POINT OF BEGINNING	WM = WATER METER

SYMBOLS (SOME ITEMS IN LEGEND MAY NOT APPEAR ON DRAWING - NOT TO SCALE)

○ = UTILITY POLE	⊕ = WELL
○ = LIGHT POLE	⊕ = MANDIP PASSING SPACE
○ = CENTER LINE	⊕ = SEC. CTR. CORNER
○ = PARTY WALL	⊕ = SECTION CORNER
○ = FIRE HYDRANT	⊕ = ELEV. SHOT
○ = MANHOLE	
○ = AIR CONDITIONER	
○ = WATER VALVE	
○ = SEPTIC LID	
○ = WATER METER	

LINE TYPES

—	BOUNDARY
—	BUILDING
---	EASEMENT
---	CHAIN LINK FENCE
---	WOOD FENCE
---	PLASTIC FENCE
---	OVERHEAD CABLE

GENERAL NOTES:  
1. THIS SURVEY IS BASED UPON RECORD INFORMATION PROVIDED BY CLIENT. NO SPECIFIC SEARCH OF THE PUBLIC RECORD HAS BEEN MADE BY THIS OFFICE UNLESS OTHERWISE NOTED.  
2. AS INDICATED ABOVE, UNDER "PURPOSE OF SURVEY" IF THIS SURVEY HAS BEEN PREPARED FOR A PURCHASE OR REFERENCE, ITS SCOPE IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES, AND IS NOT INTENDED FOR USE IN DESIGN OR CONSTRUCTION PURPOSES. UNLESS OTHERWISE STATED, THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE.  
3. ANY FENCES SHOWN HEREON ARE ILLUSTRATIVE OF THEIR GENERAL POSITION ONLY. FENCE THIS SHOWN ARE TO GENERAL CENTERLINE OF FENCE. THIS OFFICE WILL NOT BE RESPONSIBLE FOR DAMAGES RESULTING FROM THE REMOVAL OF, OR CHANGES MADE TO, ANY FENCES UNLESS WE HAVE PROVIDED A SURVEY SPECIFICALLY LOCATING AND MARKING FOR SUCH PURPOSES. DETERMINATION OF FENCE POSITIONS SHOULD BE BASED SOLELY ON THEIR PHYSICAL RELATIONSHIP TO THE MONUMENTED BOUNDARY LINES.  
4. GRAPHIC REPRESENTATIONS MAY HAVE BEEN ENLARGED TO MORE CLEARLY ILLUSTRATE MEASURED RELATIONSHIPS - DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED POSITIONS.  
5. UNDERGROUND IMPROVEMENTS HAVE NOT BEEN LOCATED EXCEPT AS SPECIFICALLY SHOWN.  
6. ELEVATIONS ARE BASED UPON NATIONAL GEODETIC VERTICAL DATUM (NAVD 83) OR NORTH AMERICAN VERTICAL DATUM (NAVD 88) AS SHOWN ABOVE.  
7. ALL BOUNDARY AND CONTROL DIMENSIONS SHOWN ARE FIELD MEASUREMENTS CORRESPONDING TO RECORD INFORMATION UNLESS SPECIFICALLY NOTED OTHERWISE.  
8. ANY CORNERS SHOWN AS "SET" HAVE EITHER BEEN SET ON THE DATE OF FIELD WORK, OR WILL BE SET WITHIN 90 DAYS OF SAID DATE AND ARE IDENTIFIED WITH A CAP MARKED LS (LICENSED SURVEYOR) HEREON.

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICES AS OUTLINED IN CHAPTER 44-17.01 & 44-17.02 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.02, FLORIDA STATUTES, AND THAT THE ELECTRONIC SIGNATURE AND SEAL HEREON MEETS PROCEDURES AS SET FORTH IN CHAPTER 44-17.02, PURSUANT TO SECTION 472.02, FLORIDA STATUTES.

Elevations, if shown:  
Benchmark: \_\_\_\_\_  
Benchmark Elev.: \_\_\_\_\_  
Benchmark Datum: \_\_\_\_\_  
Elevations on Drawing are in:  
N.G.V.D.29  N.A.V.D.88

Revisions: Update  
Job No: 134798-CE  
Date of Revision: 02/02/2022  
Revision by: D.G.

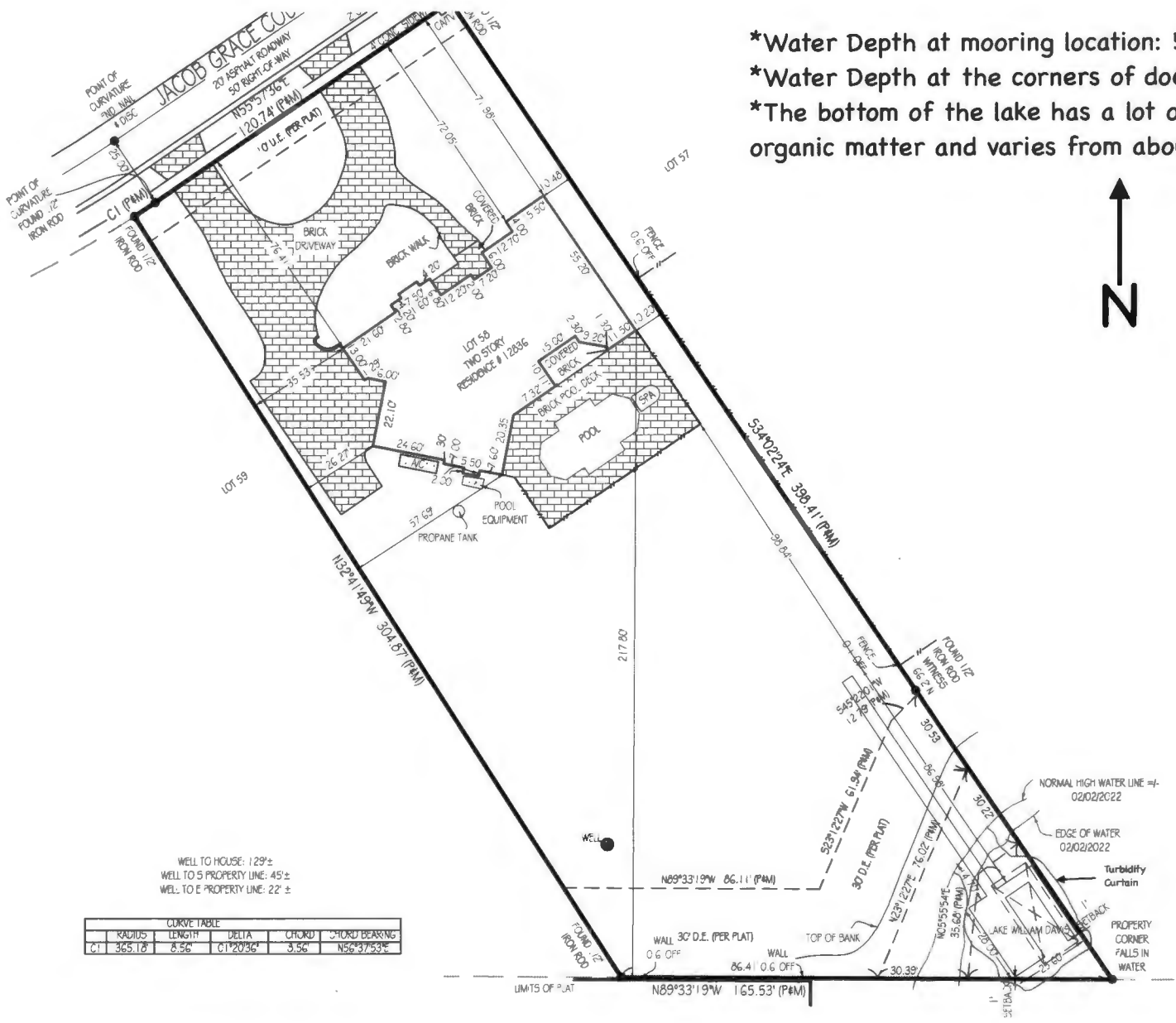
Job No: 100753-CW Date of Field Work: 12/17/2019 Drawn by: A.G.

PRINTING INSTRUCTIONS:  
WHEN PRINTING THIS PDF IN Adobe SELECT "ACTUAL SIZE" TO ENSURE CORRECT SCALING.  
DO NOT USE "FIT".

**LANDTEC**  
SURVEYING  
Proudly Serving Florida's Land Title & Real Estate Industries  
LICENSED BUSINESS No. 8007 ... measurably better!

SIGNATURE:  
DATE: 2/13/2022  
ANDREW BINDER - PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA REGISTRATION NO. 9038 (NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR THE ELECTRONIC SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER SHOWN ABOVE)





- \*Water Depth at mooring location: 5'
- \*Water Depth at the corners of dock: 5'
- \*The bottom of the lake has a lot of organic matter and varies from about 1'

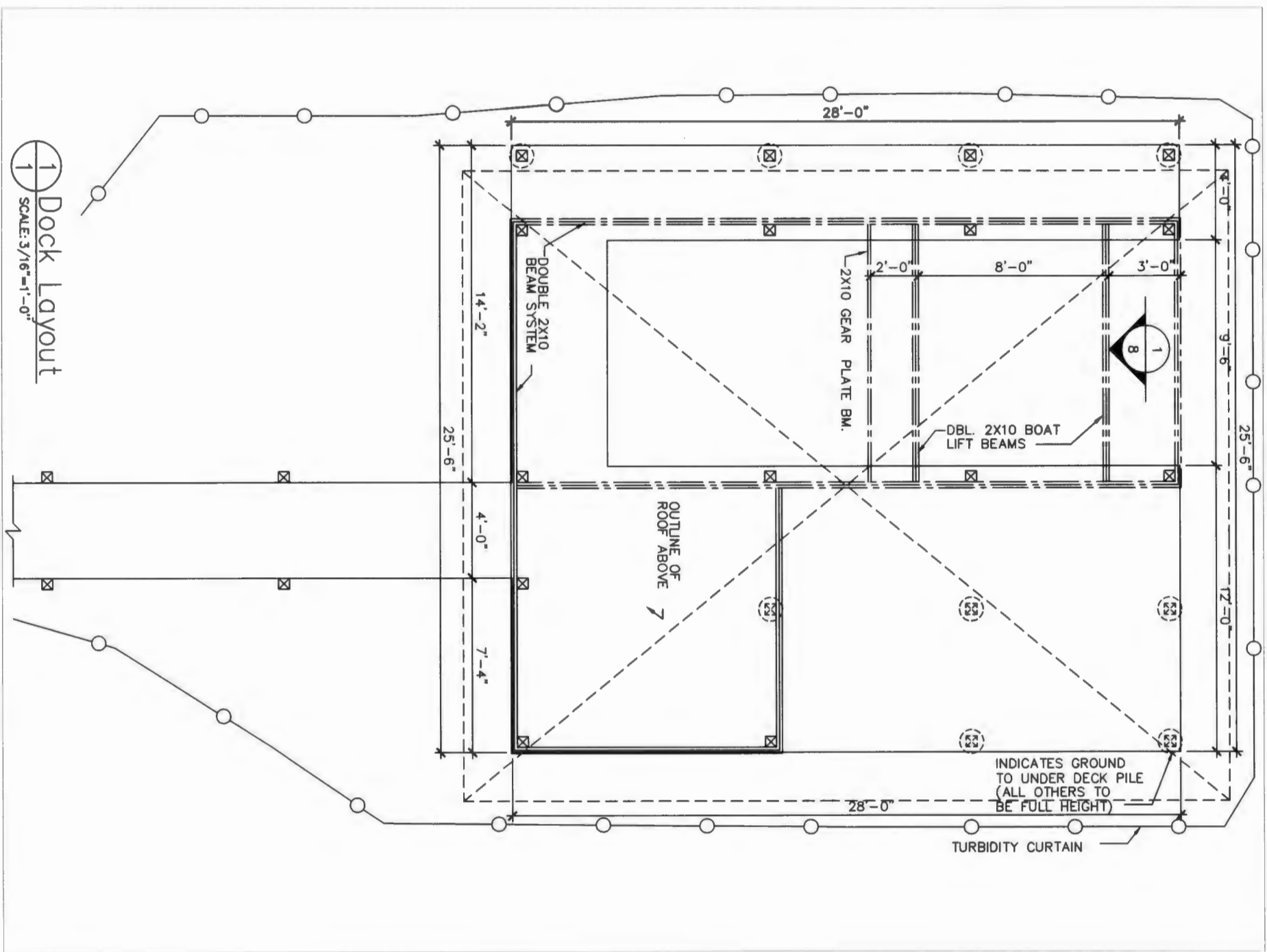


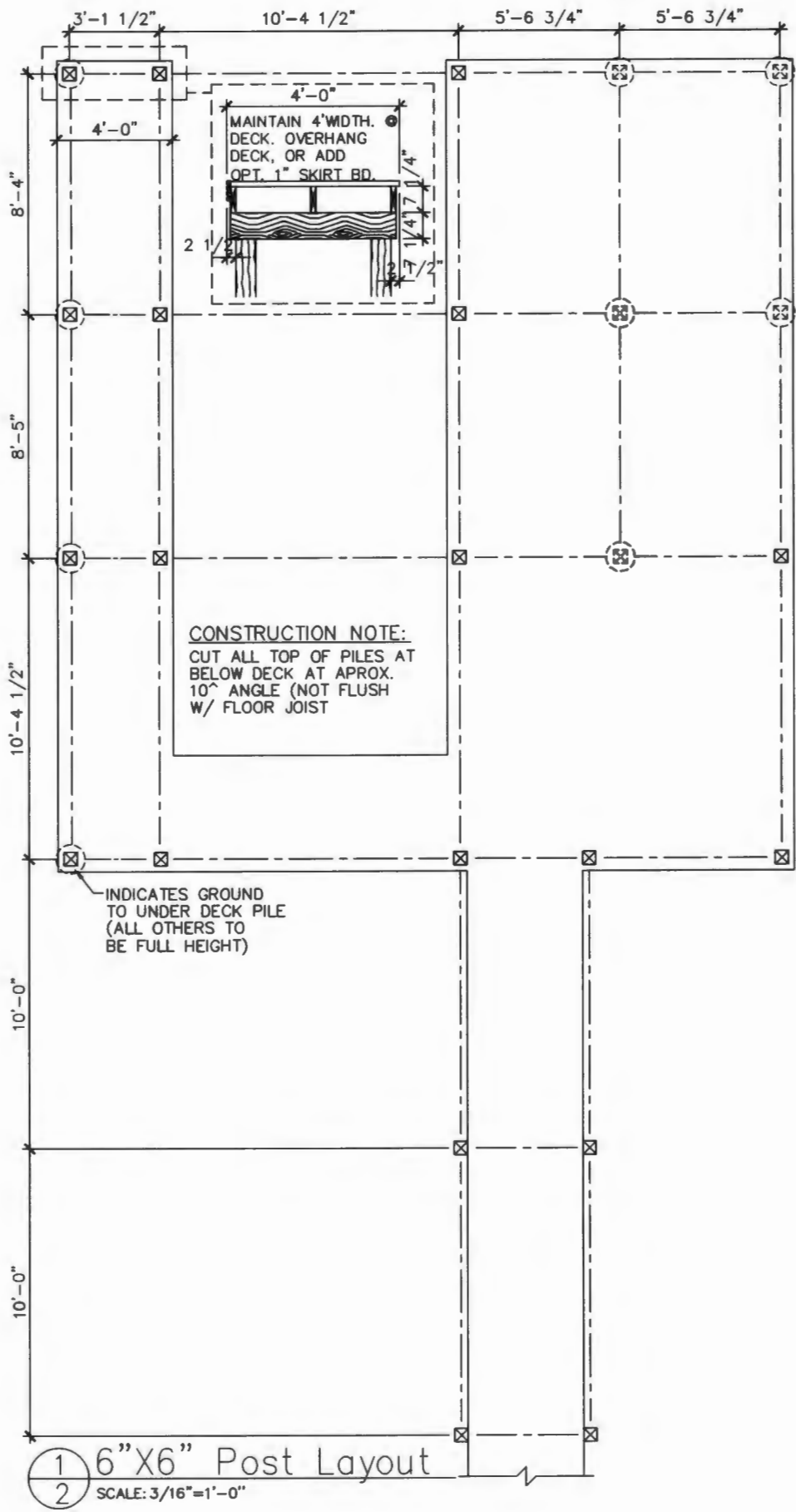
WELL TO HOUSE: 1.29'±  
 WELL TO S PROPERTY LINE: 45'±  
 WELL TO E PROPERTY LINE: 22'±

CURVE TABLE				
RADIUS	LENGTH	DELTA	CHORD	CHORD BEARING
C1	365.18'	8.56°	1120.36'	3.56°
				N56°37'53"E

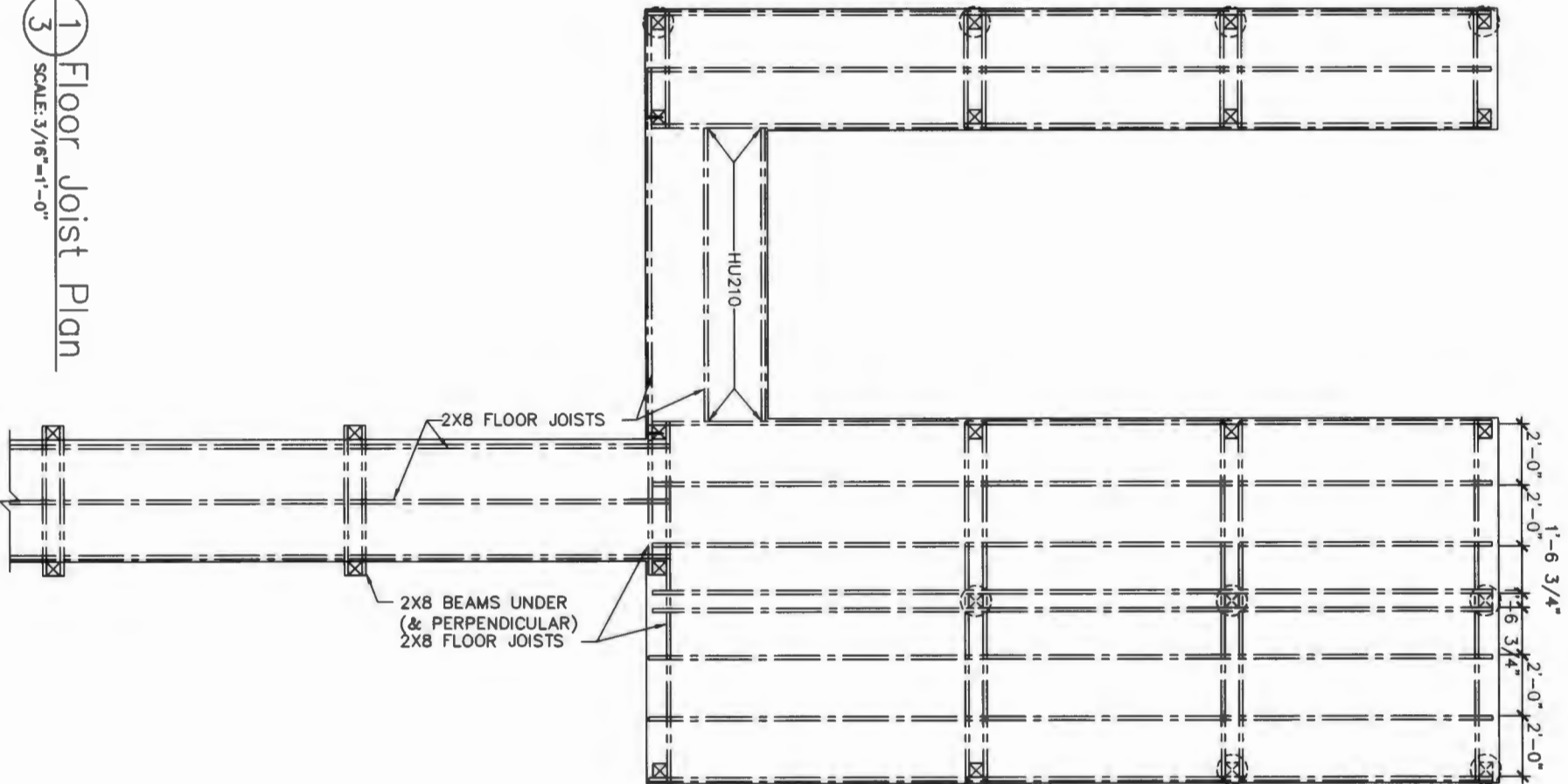
WELL TO HOUSE: 1.29'±  
 WELL TO S PROPERTY LINE: 45'±  
 WELL TO E PROPERTY LINE: 22'±

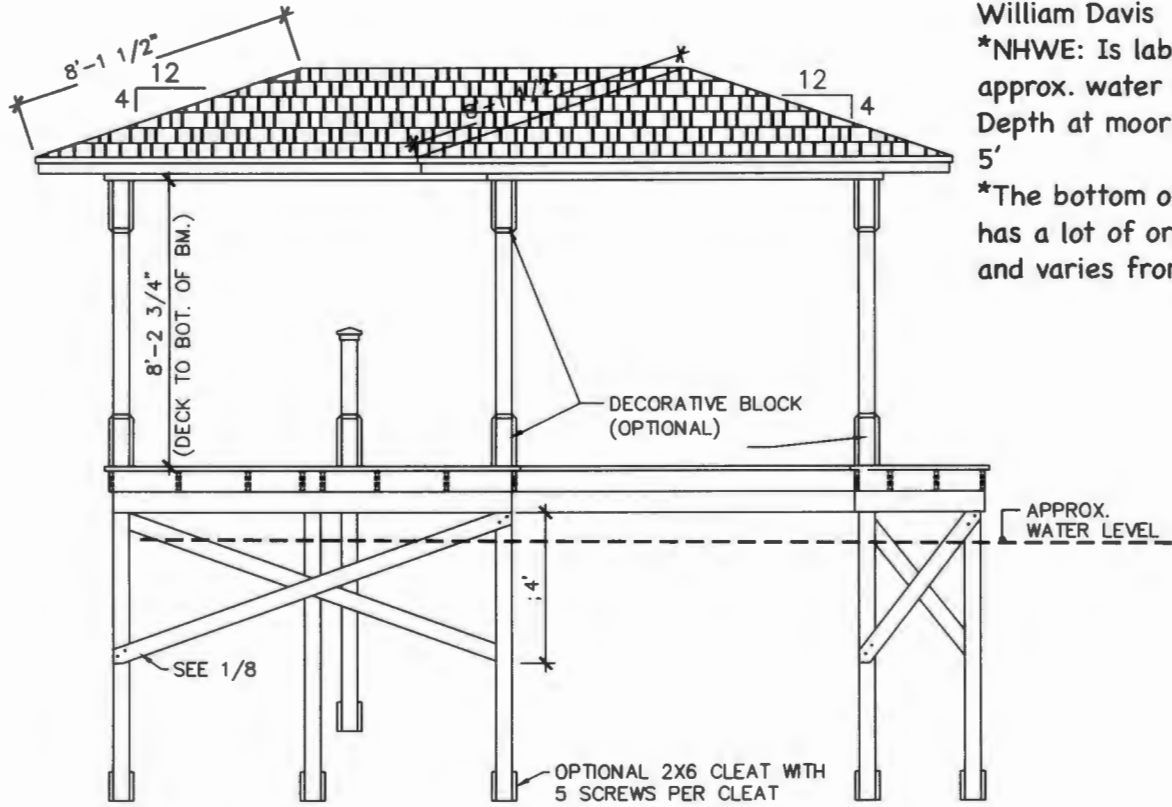
1 Dock Layout  
 SCALE: 3/16"=1'-0"





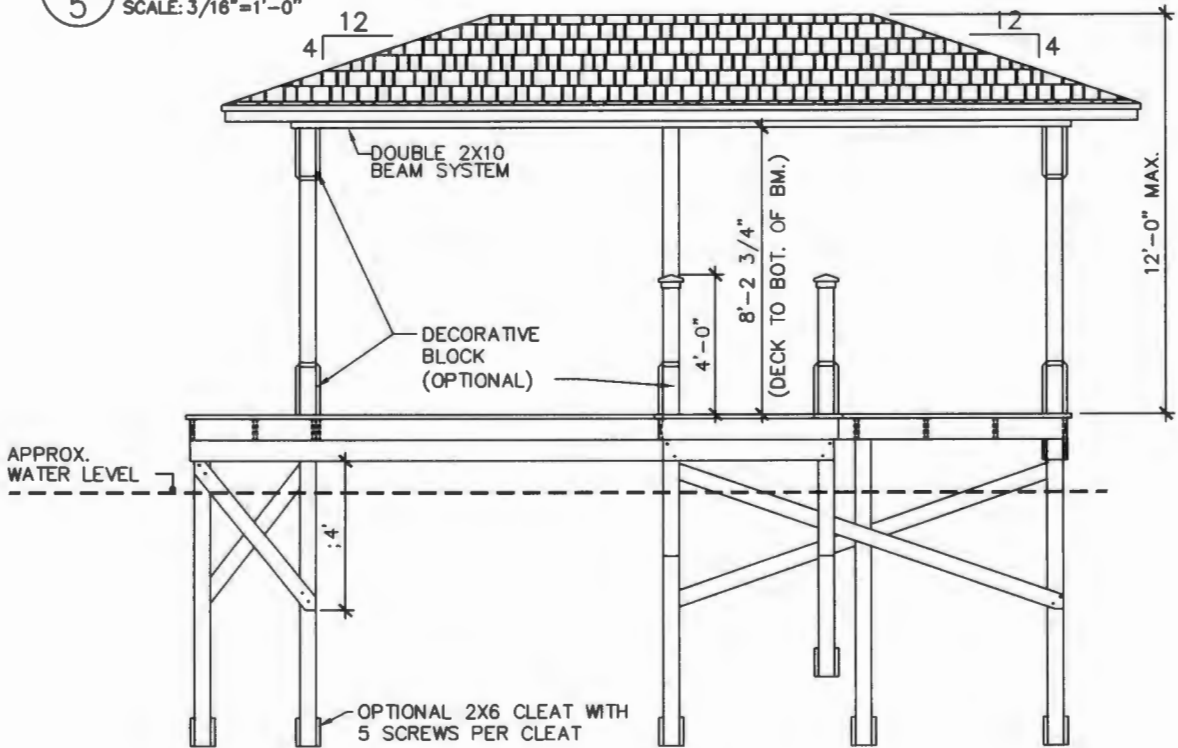
1 Floor Joist Plan  
3 SCALE: 3/16" = 1'-0"



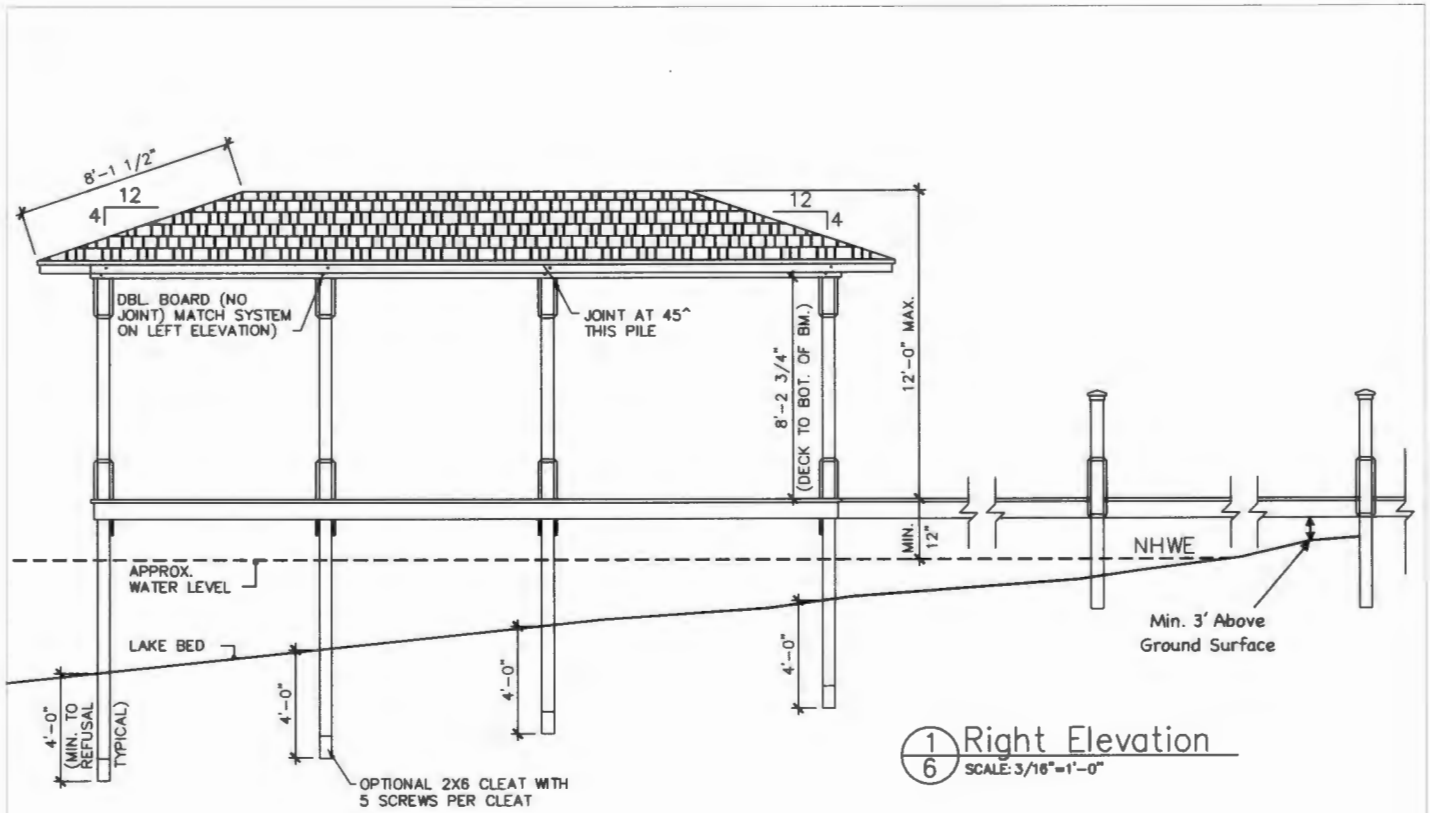


\*WaterBody Name: Lake William Davis  
 \*NHWE: Is labeled at the approx. water level  
 Depth at mooring location: 5'  
 \*The bottom of the lake has a lot of organic matter and varies from about 1'

1 Front Elevation  
 5 SCALE: 3/16"=1'-0"



2 Rear Elevation  
 5 SCALE: 3/16"=1'-0"

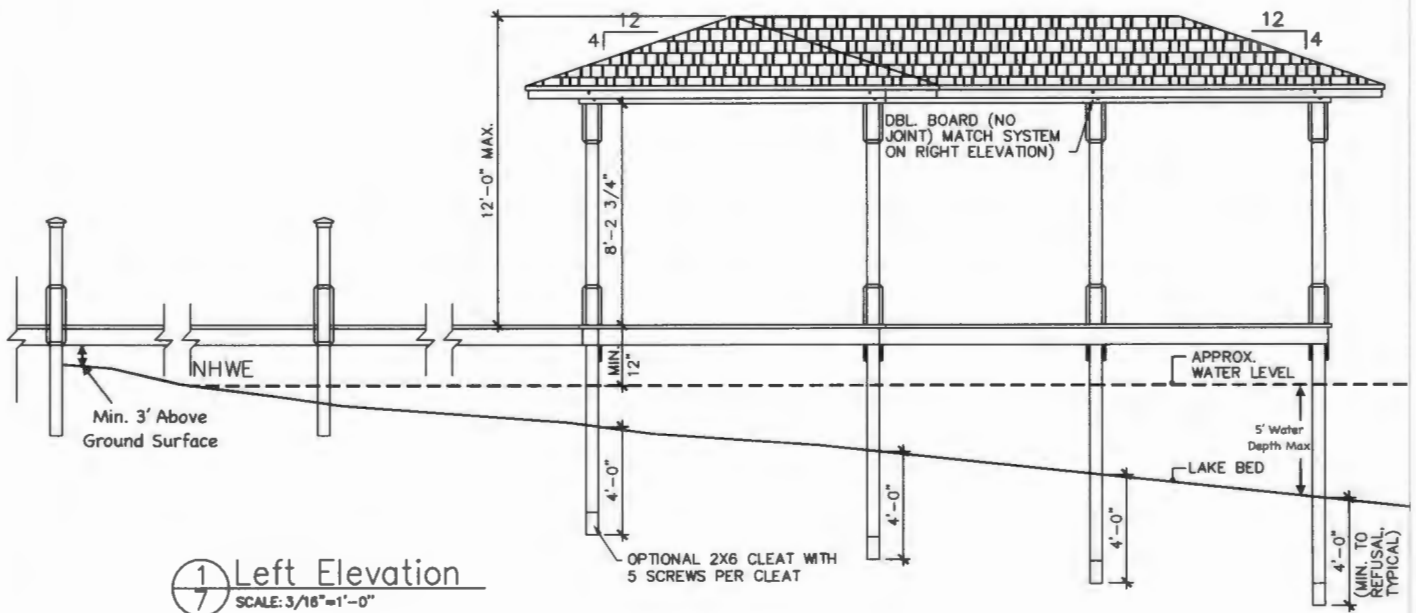


\*WaterBody Name: Lake William Davis

\*NHWE: Is labeled at the approx. water level

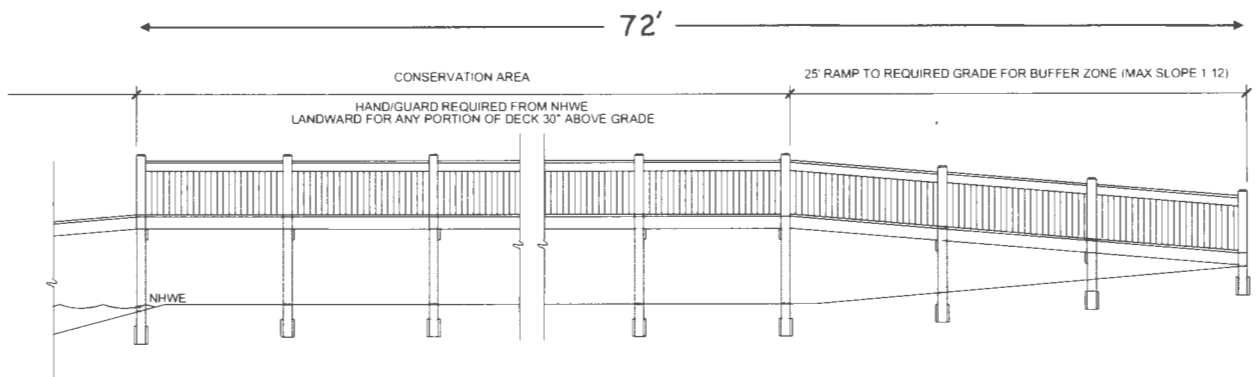
Depth at mooring location: 5'

\*The bottom of the lake has a lot of organic matter and varies from about 1'



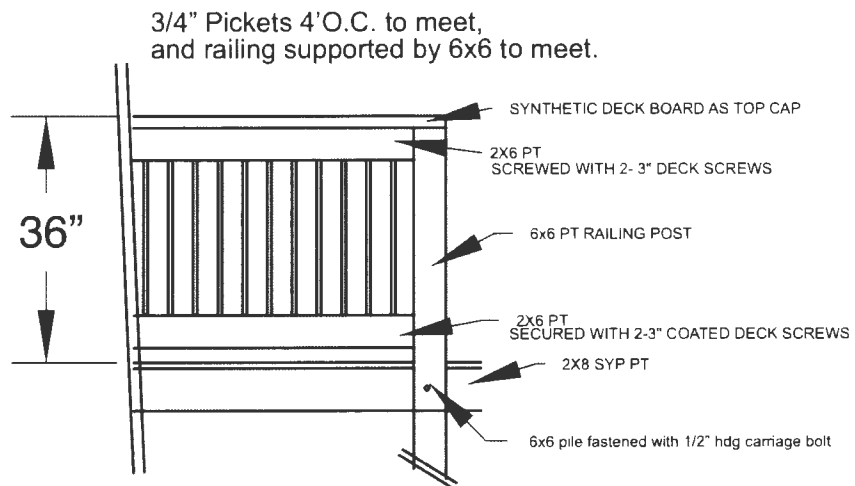
1 Left Elevation  
 SCALE: 3/16"=1'-0"

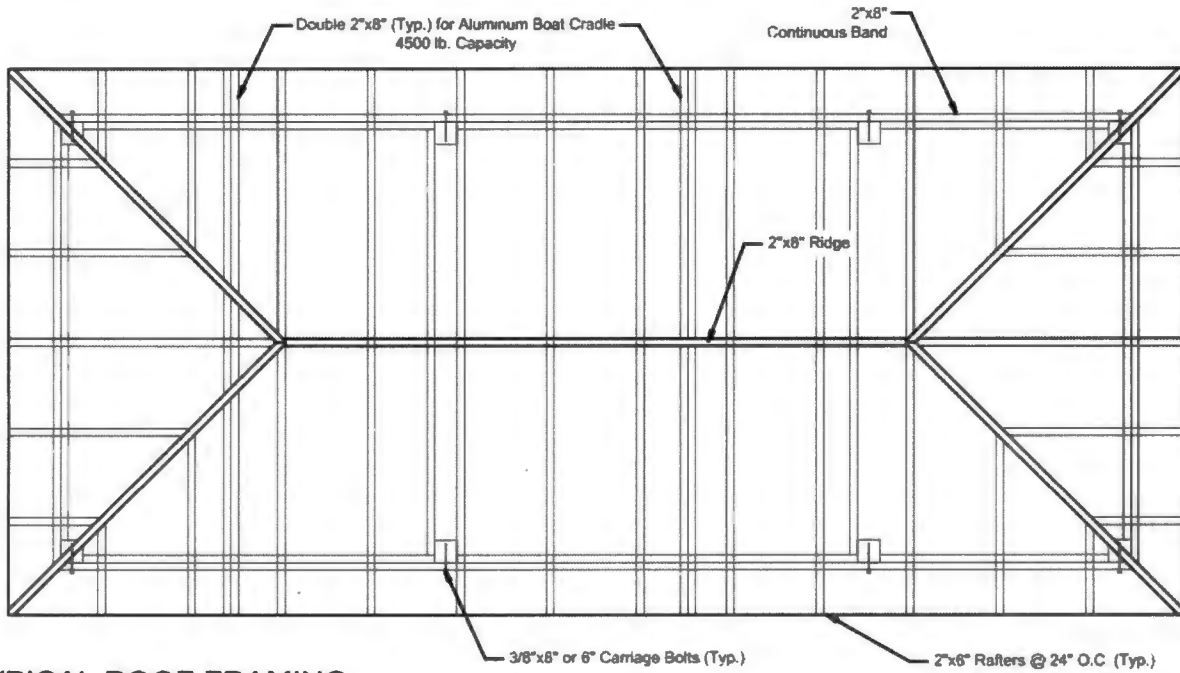
- \*WaterBody Name: Lake William Davis
- \*NHWE: Is labeled at the approx. water level
- Depth at mooring location: 5'
- \*The bottom of the lake has a lot of organic matter and varies from about 1'





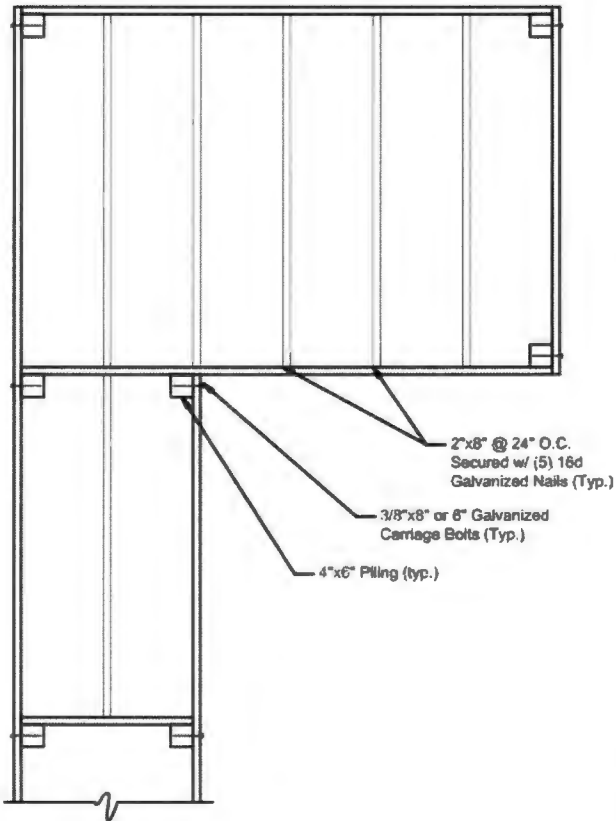
Railing to be used when decking is 30" above grade.





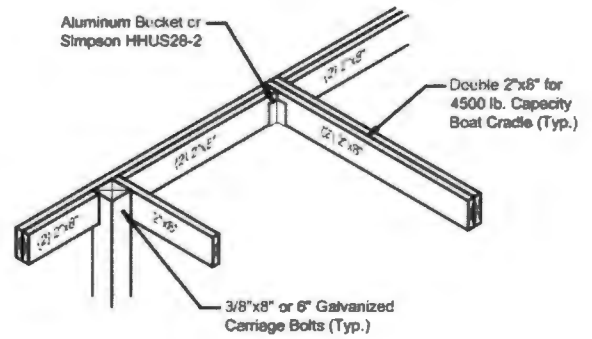
**TYPICAL ROOF FRAMING**

SCALE: 1/4" = 1'-0"



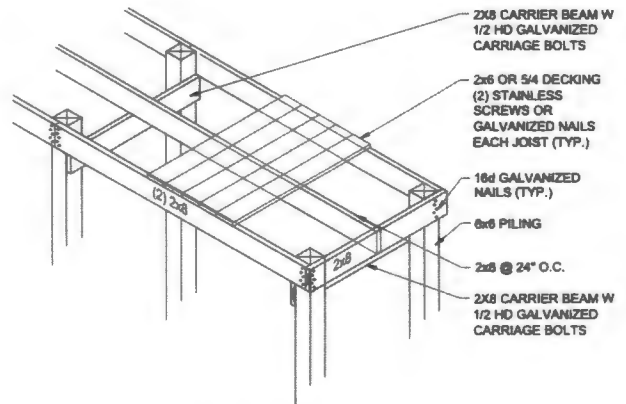
**TYPICAL DECK & DOCK FRAMING**

SCALE: 1/4" = 1'-0"



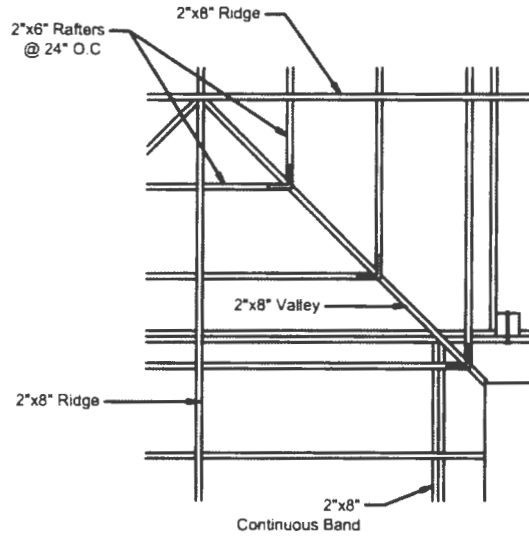
**ROOF BEAMS & BOAT CRADLE**

SCALE: N.T.S.



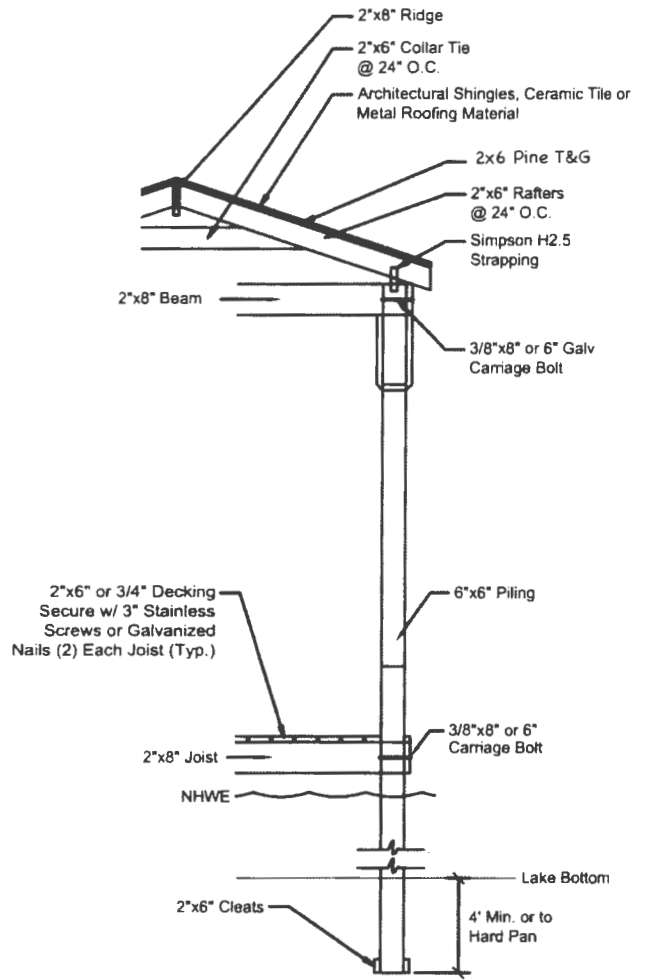
**DOCK FRAMING**

N.T.S.



**TYPICAL VALLEY FRAMING**

SCALE: 1/4" = 1'-0"



**TYPICAL SECTION**

SCALE: 1/4" = 1'-0"

# Design Standards

The following are general design standards. More stringent design standards may be noted on the plans.

## **General Requirements:**

Reproductions of contract drawings by contractor in lieu of preparation of shop drawings signifies acceptance of information shown as correct and obligates himself to any expense, real or implied, arising from their use. A change to the structural drawings due to the acceptance of alternates and/or substitutes is the responsibility of the contractor and must be submitted to the engineer for approval. The general contractor and each subcontractor shall verify all existing conditions prior to the start of any work. All inconsistencies shall be reported to the designer and/or structural engineer, if needed. Should contractor construct the premises in a fashion not consistent with the plans prepared by the designer and/or structural engineer, or in any fashion, change the plans and drawing without the review and approval from the designer and/or structural engineer. Then designer and/or structural engineer shall bear no responsibility or liability for the construction of premises and accuracy of the drawings.

## **Design Code:**

### **Florida Building Code 2020**

The Aluminum Association, latest edition

ASCE 7-16

## **Galvanized Bolts:**

All bolts shall be galvanized be ASTM A572, grade 50 threaded round stock with a minimum yield stress of 50,000 psi.

## **Timber:**

Design in accordance with the National Design specification for wood construction, with loading in accordance with the Florida Building Code. All graded structural lumber shall be pressure treated and meet the following minimum requirements:

Minimum bending stress = 1250 psi (No. 1 Dense So. Pine)

Young Modulus = 1600 ksi

Maximum of 15% moisture content

Contractor may use Southern Yellow Pine No. 1 or U.O.N.

Lumber sizes shown are nominal sizes. Lumber shall be furnished in finished sizes meeting the requirement of the American Softwood Lumber Standard.

## **Structural Aluminum:**

Conform to latest edition of Aluminum Association of Florida standard practice for aluminum design.

All aluminum shall be 6061-T6 (E= 10,000 ksi; Fy = 35 ksi)

## **Concrete**

Conform to ACI 318, latest edition and ACI 301

Compressive Ultimate Strength (Minimum at 28 days) shall be 3,000 psi

Exposed chamfer edges shall be 3/4"

## **Reinforcing Steel:**

Conform to ACI 318 and 315. Latest edition

All reinforcement steel shall be ASTM A615 Grade 60. Min footing cover 3"

Smooth dowels & ties shall be ASTM A185

## **Design Loads:**

Ultimate Wind: 140 mph at 3 second gust (30 psf minimum)

**Pursuant to Chapter 1609 LL (-Table 1607; WL- Section 1609)**

Risk Category II (Table 1604.5)

Exposure Category: "D" (FBC 1609.4.3 & ASCE 7-16, Section 26.7.2)

Deck Live Load: 60 psf Guardrail: 50 plf and 200 lbs (concentrated load)

Dead Load: 10 psf

Roof Live Load: 20 psf

Components and cladding, design wind pressures + 38psf/-38psf

## **Structural Steel:**

Conform to latest edition of AISC "Specification for structural steel building" and AISC "Code of standard practice for steel buildings and bridges".

All structural steel shall be ASTM A36, (E= 29,000 ksi; Fy = 36 ksi)

Splicing prohibited without prior approval as to location and type.

Burning of holes in steel members is prohibited. Any member with burned holes must be replaced.

## **Welding:**

Conformed to "code for welding in building construction" by the American Welding Society, latest edition.

Steel Weld IAW AWS D1.1 (latest edition) -E70XX electrodes

Aluminum Weld IAW AWS D1.2 (latest edition)-Filler Alloy 5356 or equal.

Connection welds to be sized for forces and reactions indicated.

All steel welds shall be E70XX low hydrogen, 250 degrees min.

Welds shall be full penetration welds at all points of contact

**Screws: Use 3-6d Nails or 2- 3" deck screws per T&G to secure to roof trusses.**



**APPLICATION TO CONSTRUCT A BOAT DOCK  
APPLICATION FOR WAIVER**

(Pursuant to Orange County Code, Chapter 15, Article IX, Section 15-350(a)(2))

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

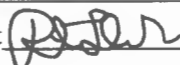
I Peter Fleck on behalf of Garth Becker (if applicable) pursuant to Orange County Code Chapter 15, Article IX, Section 15-350(a)(2) am requesting a waiver to section (choose and circle from the following: 15-342(b), 15-343(b), 15-344(a) and 15-345(a)) of the Orange County Dock Construction Ordinance.

1. Describe how this waiver would not negatively impact the environment:  
The client (Garth Becker) is willing to pay mitigation fees to offset impacts.

2. Describe the effect of the proposed waiver on abutting shoreline owners:  
The abutting shoreline owners signed letters of no objection and are supportive of the project.

The environmental protection officer and the board may require of the applicant information necessary to carry out the purposes of this article.

By signing and submitting this application form, I am applying for a waiver to the Section indicated of 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: Peter Fleck  
Signature of Applicant/Agent  Date: 5.20.22  
Corporate Title (if applicable): \_\_\_\_\_



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 PETER FLECK on behalf of Garth Becker (if applicable) pursuant to Orange County Code Chapter 15, Article IX, Section 15-350(a)(1) am requesting a variance to section 15-343(a) 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):

Due to the unique property boundaries, it makes it hard to meet the setback requirements.

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

They have signed a 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: Peter Fleck

Signature of Applicant/Agent [Handwritten Signature]

Date: 7.1.22

Corporate Title (if applicable):





AFFECTED ADJACENT PROPERTY OWNER
NOTARIZED STATEMENT OF NO OBJECTION
TO BOAT DOCK SIDE-SETBACK WAIVER REQUEST

The following is to be completed by the affected adjacent property owner as required by Section 15-343, Orange County Code. Section 15-343(b) states: "On lots or parcels having a shoreline frontage of seventy-five (75) feet or greater, docks shall have a minimum side setback of twenty-five (25) feet from the projected property line, unless such requirement is reduced by an appropriate waiver which shall be reviewed by the environmental protection division. Waivers from side-setback requirements may be granted by the environmental protection officer if a notarized letter of no objection to the waiver is received from the shoreline property owner abutting the applicant's property line affected by the waiver."

I, Zakir and Hazra Shaikh, a legal property owner of property located at 5401 Marleon Dr Windermere, Fl 34786 (Adjacent Property Owner Name) (Address) have reviewed the dock construction plans dated 3.10.22, for the property located at 12836 Jacob Grace Ct Windermere, Fl 34786, and have no objections.

The dock construction plans include a side setback waiver request of 1 feet, in lieu of the minimum 25 feet required by Code.

Handwritten signature of Hazra Hina Shaikh (Signature - Adjacent Affected Property Owner) and date 4/19/22 (Date). Below it is the printed name Hazra Hina Shaikh (Print Name - Adjacent Affected Property Owner).

ACKNOWLEDGEMENT:

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing was acknowledged before me this 9 April day of 2022 by HAZRA Hina Shaikh



Handwritten signature of the Notary Public (Signature of Notary Public - State of Florida)

Personally OR Produced Identification

Type of Identification Produced





AFFECTED ADJACENT PROPERTY OWNER
NOTARIZED STATEMENT OF NO OBJECTION
TO BOAT DOCK SIDE-SETBACK WAIVER REQUEST

The following is to be completed by the affected adjacent property owner as required by Section 15-343. Orange County Code. Section 15-343(b) states: "On lots or parcels having a shoreline frontage of seventy-five (75) feet or greater, docks shall have a minimum side setback of twenty-five (25) feet from the projected property line, unless such requirement is reduced by an appropriate waiver which shall be reviewed by the environmental protection division. Waivers from side-setback requirements may be granted by the environmental protection officer if a notarized letter of no objection to the waiver is received from the shoreline property owner abutting the applicant's property line affected by the waiver."

I, GARY Lynn and Cathy Johnson, a legal property owner of property located at 12830 Jacob Grace Ct Windermere, Fl 34786 (Adjacent Property Owner Name) (Address) have reviewed the dock construction plans dated 3.10.22, for the property located at 12836 Jacob Grace Ct Windermere, Fl 34786, and have no objections.

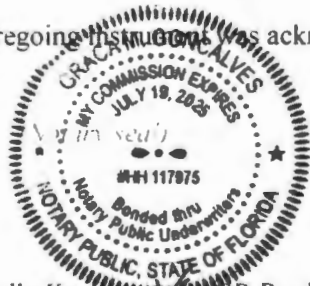
The dock construction plans include a side setback waiver request of 1 feet, in lieu of the minimum 25 feet required by Code.

(Signature - Adjacent Affected Property Owner) 4/12/22 (Date) GARY JOHNSON (Print Name - Adjacent Affected Property Owner)

ACKNOWLEDGEMENT:

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing was acknowledged before me this 12th day of 2022 by Graca M Goncalves



(Signature of Notary Public - State of Florida)

Personally Known OR Produced Identification

Type of Identification Produced



**ENVIRONMENTAL PROTECTION DIVISION**

**David D. Jones, P.E., CEP, Manager**

3165 McCrory Place, Suite 200  
Orlando, FL 32803  
407-836-1400 • Fax 407-836-1499  
www.ocfl.net

ENVIRONMENTAL  
PROTECTION  
COMMISSION

**ORANGE COUNTY  
ENVIRONMENTAL PROTECTION COMMISSION  
October 25, 2022**

Mark Ausley  
*Chairman*

**Applicant: Garth Becker**

R. Alan Horn  
*Vice Chairman*

**Permit Application Number: BD-21-10-150**

Flormari Blackburn

**Location/Address: 12836 Jacob Grace Court, Windermere, FL 34786**

Billy Butterfield

**RECOMMENDATION:** **Accept the findings and recommendation of the Environmental Protection Officer, and make a finding that the request for waiver is consistent with Orange County Code, Chapter 15, Article IX, Section 15-350(a)(2) and recommend approval of the request for waiver to Section 15-342(b) to increase the maximum terminal platform size from 529 square feet to 714 square feet with a mitigation payment of \$409.78 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners; and**

Peter Fleck

**Accept the finding and recommendation of the Environmental Protection Officer and make a finding that the request for variance is consistent with Section 15-350(a)(1) and recommend approval of the request for variance to 15-343(a) to reduce the side setbacks from the adjacent northern and southern projected property lines from 10 feet to one foot for the Garth Becker Dock Construction Permit BD-21-10-150. District 1**

Elaine Imbruglia

Oscar Anderson

**EPC AGREES WITH THE ACTION REQUESTED, AS PRESENTED**

**EPC DISAGREES WITH THE ACTION REQUESTED, AS PRESENTED AND HAS MADE THE FOLLOWING RECOMMENDATION:**

**Reject the findings and recommendation of the Environmental Protection Officer, and make a finding that the request for waiver is not consistent with Orange County Code, Chapter 15, Article IX, Section 15-350(a)(2) and recommend denial of the request for waiver to Section 15-342(b) to increase the maximum terminal platform size from 529 square feet to 714 square feet with a mitigation payment of \$409.78 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners; and**

**Reject the finding and recommendation of the Environmental Protection Officer and make a finding that the request for variance is not consistent with Section 15-350(a)(1) and recommend denial of the request for variance to 15-343(a) to reduce the side setbacks from the adjacent northern and southern projected property lines from 10 feet to one foot for the Garth Becker Dock Construction Permit BD-21-10-150. District 1**

Signature of EPC Chairman: Mark Ausley

DATE EPC RECOMMENDATION RENDERED: 10-22-22