



Interoffice Memorandum

**AGENDA ITEM**

September 7, 2018

TO: Mayor Teresa Jacobs  
-AND-  
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director  
Community, Environmental and Development  
Services Department *J.V.W.*

CONTACT PERSON: **David D. Jones, P.E., CEP, Manager  
Community, Environmental and Development  
Services Department  
(407) 836-1405**

SUBJECT: October 2, 2018 – Consent Item  
Environmental Protection Commission recommendation for a  
variance request for David Leutz and Claire Nardone Dock  
Construction Permit BD-18-03-040

David Leutz and Claire Nardone are requesting approval of a variance to Orange County Code, Chapter 15, Article IX, Section 15-343(a) (side setback distance). The project site is located at 4625 Sloewood Drive in Mt. Dora. The Parcel ID number is 17-20-27-4704-02-101. The subject property is located on Lake Ola in District 2.

On March 29, 2018, the Environmental Protection Division (EPD) received an Application for Maintenance and Repair of a Permitted Dock for David Leutz and Claire Nardone. After further review of aerials and the previously issued permit, it was determined that the dock configuration was changing due to an increase in terminal platform size. Additionally, due to the change in configuration, the existing boat house and new terminal platform would not meet current Orange County Code for side setback. Accordingly, a new Application to Construct a Dock and an Application for Variance to Section 15-343(a) were required. On May 3, 2018, and May 30, 2018, respectively, EPD received a new Application to Construct a Dock and Application for Variance to Section 15-343(a) from the applicant.

A minimum 10-foot side setback is required by Section 15-343(a) Orange County Code. The applicant is seeking authorization to reduce the eastern side setback to 4.5 feet and the western side setback to 6.8 feet. Pursuant to Orange County Code, Chapter 15, Article IX, EPD staff has evaluated the proposed dock and variance applications and other required documents. EPD received signed and notarized letters of no objection from both affected neighbors.

During the August 29, 2018 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 15-343(a) (side setback distance).

Page Two

October 2, 2018 – Consent Item

Environmental Protection Commission recommendation for a variance request for David Leutz and Claire Nardone Dock Construction Permit BD-18-03-040

**ACTION REQUESTED:** Acceptance of recommendation of the Environmental Protection Commission to approve the request for variance to Orange County Code, Chapter 15, Article IX, Section 15-343(a) (side setback distance) for David Leutz and Claire Nardone Dock Construction Permit BD-18-03-040. District 2

JVW/DJ:mg  
Attachments



ENVIRONMENTAL  
PROTECTION  
COMMISSION

Jonathan Huels  
Chairman

Mark Ausley  
Vice Chairman

Oscar Anderson

Perry Barnasi

Flomari Blackburn

Mark Corbett

Theodore Geltz

ENVIRONMENTAL PROTECTION DIVISION

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

3165 McCrory Place, Suite 200  
Orlando, FL 32803-3727  
407-836-1400 • Fax 407-836-1499  
www.ocfl.net

ORANGE COUNTY  
ENVIRONMENTAL PROTECTION COMMISSION  
AUGUST 29, 2018

PROJECT NAME: Leutz and Nardone  
PERMIT APPLICATION NUMBER: BD-18-03-040  
LOCATION/ADDRESS/LAKE: 4625 Sloewood Drive, Lake Ola

RECOMMENDATION:

**PURSUANT TO ORANGE COUNTY CODE, CHAPTER 15, ARTICLE IX, SECTION 15-350(a), APPROVE THE REQUEST FOR VARIANCE TO ORANGE COUNTY CODE, CHAPTER 15, ARTICLE IX, SECTION 15-343(a) (SIDE SETBACK) FOR THE LEUTZ AND NARDONE BOAT DOCK CONSTRUCTION PERMIT BD-18-03-040.**

☒ EPC AGREES WITH THE ACTION REQUESTED, AS PRESENTED

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

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Signature of EPC Chairman:

EPC Recommendation Date:

8/29/18

# Request for Boat Dock Variance



## Request for Boat Dock Variance BD-18-03-040 District #2

Applicants: Claire Nardone and David Leutz

Address: 4625 Sloewood Dr.

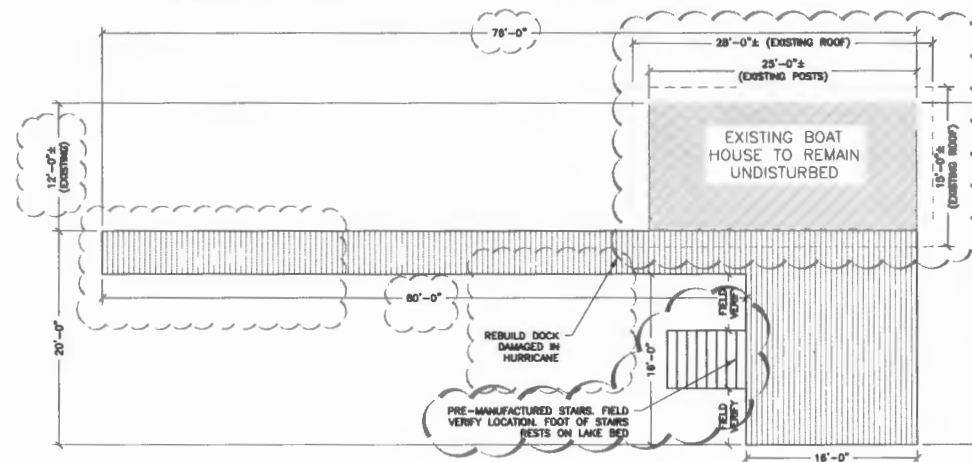
Parcel ID: 17-20-27-4704-02-101

Project Site 

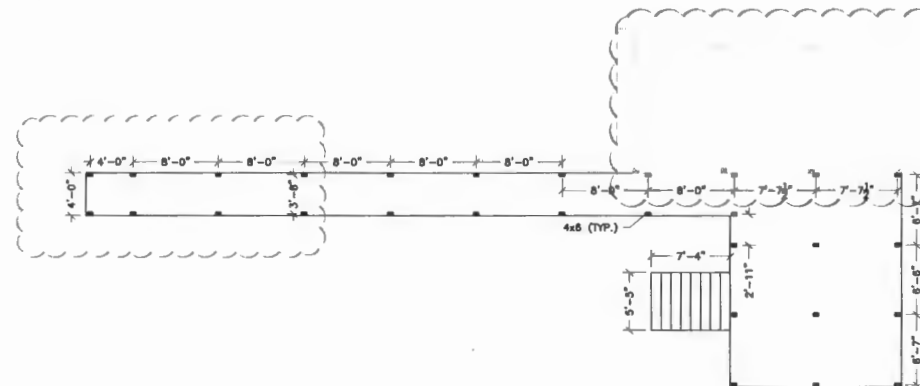
Property Location 



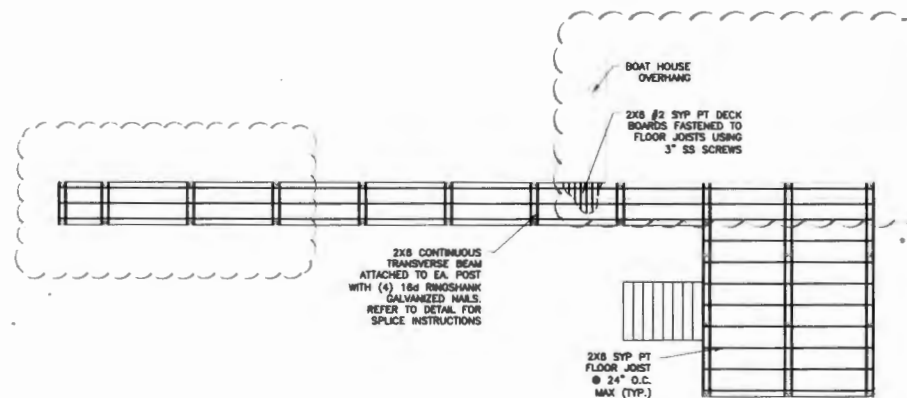
STRUCTURE SQ.FT. AREAS	
SPACE	SQ. FT.
EXG BOAT HOUSE - PIER AREA	300
RECONSTRUCTED DECK	320
PRE-MANUF. STAIRS	40.7
TOTAL (NEAREST FT)	661



FLOOR PLAN  
1/8" = 1'-0"



PILING PLAN  
1/8" = 1'-0"

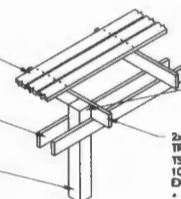


JOIST / FRAMING LAYOUT  
1/8" = 1'-0"

DATE	REVISION DESCRIPTION	REVIEW
4/17/78	REV. MALESHIP LENGTH, ADDED ENG. BOAT HOUSE & ADDED AREA CHART FOR PLAN REVIEW	MRH
	REMARKS	
5/1/78	ADDED BOAT HOUSE OVERHUNG AND OVERALL TERMINAL WIDTH	MRH
5/17/78	SHOWED LOCATION OF EXISTING STAMPS	MRH
5/20/78	REVISED LOCATION OF EXISTING STAMPS	MRH

1. ALL DETAILS, SECTIONS, AND NOTES SHOWN ON DRAWINGS ARE INTENDED TO BE TYPICAL, AND SHALL APPLY TO SIMILAR SITUATIONS UNLESS OTHERWISE NOTED. UNLESS NOTED OTHERWISE.
2. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AT SITE BEFORE START OF WORK.
3. THE DETAILS ON DRAWINGS SHALL BE USED WHENEVER CONFLICTS OR DISCREPANCIES ARE NOTED BETWEEN THE DRAWINGS, NOTES AND DETAILS ON DRAWINGS SHALL, USE PRECEDENCE OVER GENERAL NOTES AND TYPICAL DETAILS.
4. ALL CONSTRUCTION, WORKMANSHIP AND MATERIALS SHALL CONFORM TO THE REQUIREMENTS OF THE FLORIDA BUILDING CODE 2017 SIXTH EDITION.
5. ALL ASR DESIGNATIONS SHALL BE AS AMENDED TO DATE, UNLESS NOTED OTHERWISE.
6. ALL QUESTIONS OR CONFLICTS BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND/OR SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER BEFORE PROCEEDING WITH ANY WORK.
7. CONTRACTOR SHALL BE RESPONSIBLE FOR SAFETY AND PROTECTION IN AND AROUND JOB SITE AND/OR ADJACENT PROPERTIES.
8. OBSERVATION NOTED TO THE SITE BY AN ENGINEERING FIELD INSPECTOR SHALL BE CONSIDERED AS A CORRECTION OF THE ERECTION NOR APPROVAL OF CONSTRUCTION UNLESS WRITTEN CONFIRMATION IS PROVIDED BY THE ENGINEER.
9. DURING AND AFTER CONSTRUCTION, BUILDER AND/OR OWNER SHALL KEEP LOADS ON STRUCTURE WITHIN THE LIMITS OF DESIGN LOADS.
10. U/L/O.S. MEANS UNLESS NOTED OR SHOWN OTHERWISE.
11. DURING THE CONSTRUCTION PERIOD THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF THE BUILDING. THE CONTRACTOR SHALL BE RESPONSIBLE ACCORDING TO THE FOLLOWING: IN ACCORDANCE WITH ALL NATIONAL, STATE, AND LOCAL SAFETY REGULATIONS. ANY DEVIATION MUST BE APPROVED PRIOR TO ERECTION.
12. ALL ERECTION PROCEDURES SHALL CONFORM TO OSHA STANDARDS. ANY DEVIATION MUST BE APPROVED BY OSHA PRIOR TO ERECTION.
13. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL EXAMINATION PROCEDURES INCLUDING LADING, SHORING AND PROTECTION OF ADJACENT PROPERTY, STRUCTURES, UTILITIES AND UTILITIES IN ACCORDANCE WITH ALL NATIONAL, STATE AND LOCAL SAFETY REGULATIONS.

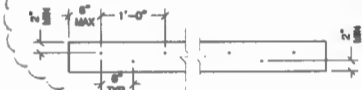
4. ALTHOUGH A SPECIFIC SPECIES AND GRADE IS GIVEN, SPECIES AND GRADE ARE NOT TO BE CONSIDERED A LIMITATION. THE DESIGN VALUES CONTAINED IN DESIGN VALUES FOR WOOD PERMITTED. THE DESIGN VALUES CONTAINED IN DESIGN VALUES FOR WOOD PERMITTED. THE DESIGN VALUES CONTAINED IN DESIGN VALUES FOR WOOD PERMITTED.
5. ALL WOOD EXPOSED TO WEATHER SHALL BE PRESERVED TO RESIST WEATHERING. ALL WOOD EXPOSED TO WEATHER SHALL BE PRESERVED TO RESIST WEATHERING. ALL WOOD EXPOSED TO WEATHER SHALL BE PRESERVED TO RESIST WEATHERING.
6. ALL WOOD EXPOSED OR IN CONTACT WITH EARTH OR WEATHER SHALL BE PRESERVED TO RESIST WEATHERING. ALL WOOD EXPOSED OR IN CONTACT WITH EARTH OR WEATHER SHALL BE PRESERVED TO RESIST WEATHERING. ALL WOOD EXPOSED OR IN CONTACT WITH EARTH OR WEATHER SHALL BE PRESERVED TO RESIST WEATHERING.
7. METAL PLATES, CONNECTORS, SCREWS, BOLTS AND NAILS EXPOSED TO WEATHER SHALL BE PRESERVED TO RESIST WEATHERING. METAL PLATES, CONNECTORS, SCREWS, BOLTS AND NAILS EXPOSED TO WEATHER SHALL BE PRESERVED TO RESIST WEATHERING. METAL PLATES, CONNECTORS, SCREWS, BOLTS AND NAILS EXPOSED TO WEATHER SHALL BE PRESERVED TO RESIST WEATHERING.
8. FRAMING LUMBER SHALL BE GRADE-MARKED SUFFICIENTLY FOR ALL SPECIES AND GRADES. FRAMING LUMBER SHALL BE GRADE-MARKED SUFFICIENTLY FOR ALL SPECIES AND GRADES. FRAMING LUMBER SHALL BE GRADE-MARKED SUFFICIENTLY FOR ALL SPECIES AND GRADES.
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10. ALL UNPAINTED WOOD SHALL BE PRESERVED TO RESIST WEATHERING. ALL UNPAINTED WOOD SHALL BE PRESERVED TO RESIST WEATHERING. ALL UNPAINTED WOOD SHALL BE PRESERVED TO RESIST WEATHERING.



CONNECT TWIST STRAP TO  
EITHER SIDE OF BEAM.

USE THE FOLLOWING  
FASTENERS:

- TS9 - 8-18d
- TS12 - 10-18d
- TS18 - 14-18d
- TS22 - 18-18d



80'-0"±  
WALKWAY (NO HANDRAIL REQUIRED)

16'-0"  
DOCK ENJOYMENT AREA

EXISTING BOAT HOUSE TO REMAIN UNDISTURBED

1'-8" (TYP.) (EXISTING)

4'-0" MIN. EMBEDMENT (TYP.)

POST EMBEDMENT MAY BE SHALLOWER THAN 4' UPON REACHING HARDPAN

WATER DEPTH VERIFIED 5/30/18 AS SHOWN (NOT SHOWN TO SCALE)

ELEVATION  
N.T.S.

DATE	REVISION DESCRIPTION	INITIAL
4/7/78	CHANGED ELEVATION TO REFLECT CHANGES ON PG 1	MMH
6/7/78	ADDED CONTRACTION TREATMENT AS REQUIRED TO INCREASE DEPTH	MMH
6/8/78	ADDED ELEVATION HEIGHTS AS REQUESTED BY PLAN REVIEW	MMH
6/29/78	ADDED DETAIL FOR STAIR TO DOCK CONNECTION PER PLAN REVIEW REQUEST	MMH

# BOUNDARY SURVEY

4625 Sloewood Drive, Mount Dora, Florida 32757

## LEGAL DESCRIPTION:

FROM THE SOUTHWESTERLY CORNER OF LOT 10, BLOCK "B", OF LAKE OLA FARMS AND GROVES, IN SECTION 18, TOWNSHIP 20 SOUTH, RANGE 27 EAST, AS RECORDED IN PLAT BOOK "G", PAGE 104, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD, RUN THENCE SOUTH 37 DEGREES 16 MINUTES EAST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 10, 98.0 FEET TO THE POINT OF BEGINNING; RUN THENCE NORTH 14 DEGREES 30 MINUTES EAST 657 FEET MORE OR LESS TO THE WATERS OF LAKE OLA BEGIN AGAIN AT THE POINT OF BEGINNING AND RUN THENCE SOUTH 37 DEGREES 16 MINUTES EAST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 10, 98.0 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 10; THENCE NORTH 12 DEGREES 00 MINUTES EAST ALONG THE EASTERLY LINE OF SAID LOT 10, 608 FEET MORE OR LESS TO THE WATERS OF SAID LAKE OLA, THENCE NORTHWESTERLY ALONG AND WITH THE WATERS OF SAID LAKE OLA TO INTERSECT FIRST LINE ABOVE DESCRIBED

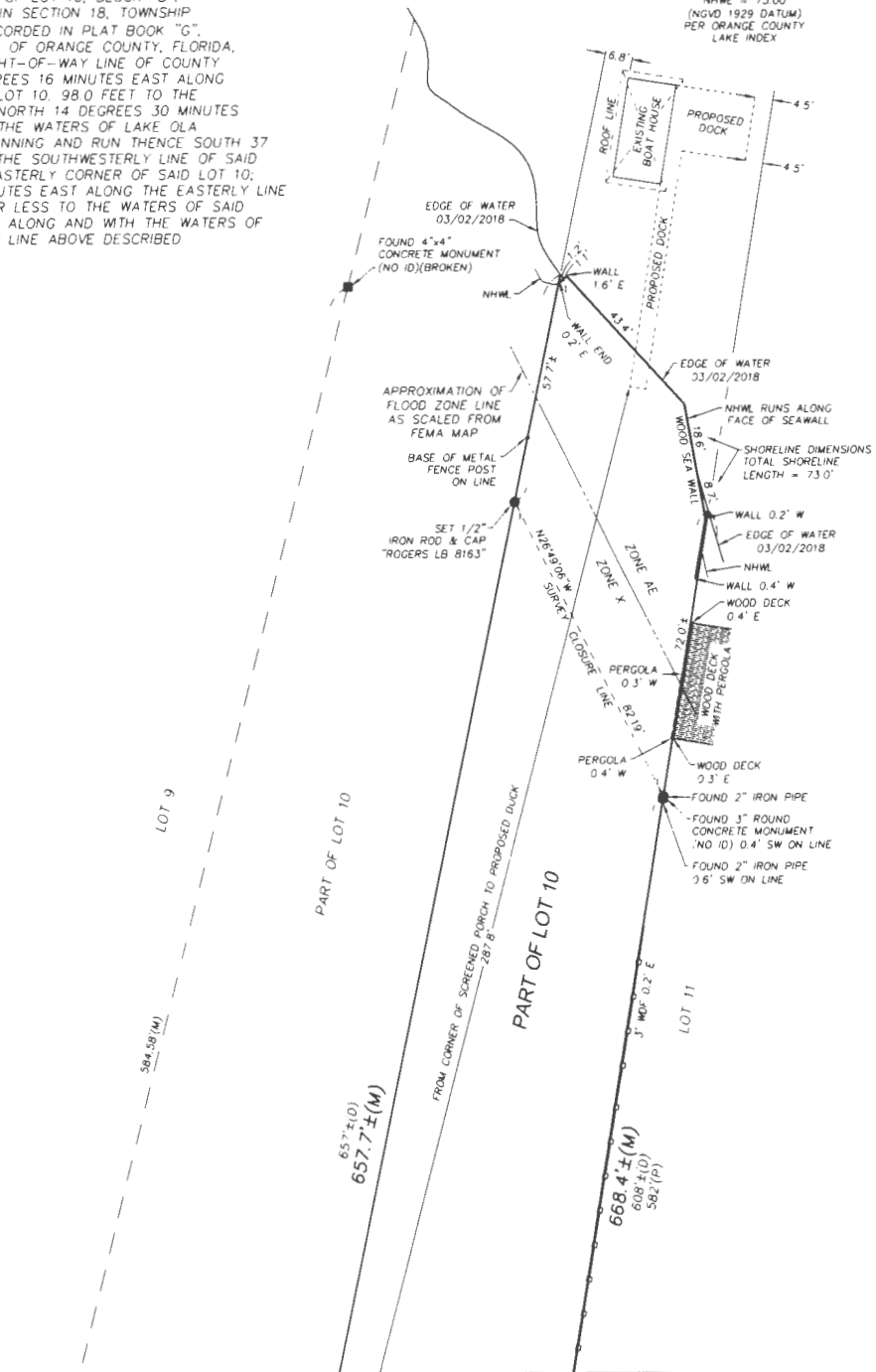
## LAKE OLA

NHME = 73.00  
(NGVD 1929 DATUM)  
PER ORANGE COUNTY  
LAKE INDEX



## LEGEND:

- ⊙ WELL
- ⊕ WATER VALVE
- ⊕ TELEPHONE RISER
- ⊕ ELECTRIC BOX
- ⊕ ELECTRIC METER
- ⊕ AIR CONDITIONER
- ⊕ WOOD UTILITY POLE
- ⊕ GUY ANCHOR
- OH— OVERHEAD UTILITY LINE(S)
- ⊕ COVERED AREA
- ⊕ CONCRETE
- CONC CONCRETE
- WDF WOOD FENCE
- R/W RIGHT OF WAY
- LB LICENSED BUSINESS
- LS LICENSED SURVEYOR
- PSM PROFESSIONAL SURVEYOR AND MAPPER
- ID IDENTIFICATION
- ORB OFFICIAL RECORDS BOOK
- PG PAGE
- (P) PER PLAT
- (M) MEASURED
- (C) CALCULATED
- (D) DESCRIPTION
- NHME NORMAL HIGH WATER ELEVATION
- NHML NORMAL HIGH WATER LINE



MATCH-LINE SEE SHEET 1 OF 2

## SURVEYOR'S NOTES:

- North and the bearings shown hereon are referenced to the plat bearing of S40°30'00"E, along the east right of way line of Sloewood Drive
- An abstract of title was not performed by or furnished to the undersigned. Any easements or encumbrances that may appear as a result of said abstract is not certified hereon
- Underground improvements, if existing, were not located as a part of this survey, except as may be shown
- Based upon a graphic determination, this property is located in Zone X and Zone AE according to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) for Orange County, Florida; Map Number 12095C0020F, dated September 25, 2009. This note is provided for information purposes only, and the undersigned assumes no liability for the correctness of the cited map.
- The subject property as depicted hereon contains 0.941 acres, more or less.

REVISED 05/03/2018  
- ADDED NHME & NHML  
- ADDED SHORELINE LENGTH  
- ADDED PROPOSED DOCK  
WITH DISTANCE TO PORCH  
REVISED 06/21/2018  
- ADDED DISTANCES FROM  
PROPOSED DOCK TO EAST  
PROPERTY LINE EXTENDED

**ROGERS SURVEYING  
AND MAPPING, INC.** ☎ 352-735-8734  
357 E 7TH AVE, MOUNT DORA, FL 32757 ☎ LB 8163

SURVEY DATE: 03/02/2018 FIELD BY: B. ROGERS  
SCALE: 1" = 30' DRAWN BY: L. GRIFFIN  
PROJECT ID: 18-560  
FILE NAME: PBGP104 BLKB LOT10 EAST 18-560 REV2

SHEET 2 OF 2  
(SURVEY) NOT VALID  
WITHOUT ALL SHEETS)

CERTIFIED TO:  
David Leutz



**Brian S.  
Rogers**

BRIAN S. ROGERS, PSM ☎ LS 7067  
FLORIDA LICENSED SURVEYOR AND MAPPER

4625 Sloewood Drive, Mount Dora, Florida 32757



SCALE:  
1" = 30'

(H)	WELL
M	WATER VALVE
T	TELEPHONE RISER
E	ELECTRIC BOX
V	ELECTRIC METER
A	AIR CONDITIONER
U	WOOD UTILITY POLE
G	GUY ANCHOR
-OH-	OVERHEAD UTILITY LINE(S)
	COVERED AREA
	CONCRETE
CONC	CONCRETE
WDF	WOOD FENCE
R/W	RIGHT OF WAY
LB	LICENSED BUSINESS
LS	LICENSED SURVEYOR
PSM	PROFESSIONAL SURVEYOR AND MAPPER
ID	IDENTIFICATION
ORB	OFFICIAL RECORDS BOOK
PG	PAGE
(P)	PER PLAT
(M)	MEASURED
(C)	CALCULATED
(D)	DESCRIPTION
NHME	NORMAL HIGH WATER ELEVATION
NHML	NORMAL HIGH WATER LINE

**ROGERS SURVEYING**  
AND MAPPING, INC. ☎ 352-735-8734  
357 E 7TH AVE, MOUNT DORA, FL 32757 ☎ LB 8163

SURVEY DATE: 03/02/2018	FIELD BY: B. ROGERS
SCALE 1" = 30'	DRAWN BY: L. GRIFFIN
PROJECT ID: 18-560	
FILE NAME: PBGP104 BLKB LOT10 EAST 18-560 REV2	

SHEET 1 OF 2  
SURVEY NOT VALID  
(WITHOUT ALL SHEETS)



## APPLICATION TO CONSTRUCT A DOCK APPLICATION FOR VARIANCE

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

Mail or Orange County Environmental Protection Division  
Deliver To: 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, Todd Faden on behalf of David Ieutz & Claire Nardone (if applicable) pursuant to Orange County Code Chapter 15, Article IX, Section 15-350(a)(1) am requesting a variance to section shore line set back 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):

This is an exsisting Dock and boat slip permitted in 1993 we are only replacing the walk way and deck : area. The owner does not need the boat slip area replaced and would add expense to the repair. The set back would require total removal of entire structure

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

this will have no affect on abutting shore line owners

### 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: Todd M. Faden

Signature of Applicant/Agent: Todd M. Faden

Date: May 30, 2018

Corporate Title (if applicable): President



**AFFECTED ADJACENT PROPERTY OWNER  
NOTARIZED STATEMENT OF  
NO OBJECTION TO BOAT DOCK**

As required by Section 15-343 of Orange County Code, the Environmental Protection Officer shall send notices by certified mail to the owners of the shoreline properties abutting the property on which the proposed boat dock is to be located. In cases where the nature of the shoreline is such that additional property owners will be affected, the environmental protection officer may send notices to those property owners as well. In the alternative, the applicant, at his option, may supply notarized letters of no objection from each of the affected adjacent property owners.

The following is to be completed by the affected adjacent property owner as required by Section 15-343, Orange County Code.

I, Scott Van Fleet, residing at 4627 Shorewood Dr, on  
(Affected Adjacent Property Owner Name) (Address)

Lake DLA, have reviewed my adjacent property owner's proposed  
(Name of Lake)  
boat dock construction plan and have no objection to the project.

Scott Van Fleet  
(Signature)

4/5/2018  
(Date)

Scott Van Fleet  
(Print Name)

**ACKNOWLEDGEMENT:**

STATE OF FLORIDA  
COUNTY OF Osceola



The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of April 2018 01, by  
Scott Van Fleet

(NOTARY SEAL)

Teresa J. Kiggans  
(Signature of Notary Public - State of Florida)

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced \_\_\_\_\_



**AFFECTED ADJACENT PROPERTY OWNER  
NOTARIZED STATEMENT OF  
NO OBJECTION TO BOAT DOCK**

As required by Section 15-343 of Orange County Code, the Environmental Protection Officer shall send notices by certified mail to the owners of the shoreline properties abutting the property on which the proposed boat dock is to be located. In cases where the nature of the shoreline is such that additional property owners will be affected, the environmental protection officer may send notices to those property owners as well. In the alternative, the applicant, at his option, may supply notarized letters of no objection from each of the affected adjacent property owners.

The following is to be completed by the affected adjacent property owner as required by Section 15-343, Orange County Code.

I, Richard & Janet Kolb, residing at 4611 Stowood Dr., on  
(Affected Adjacent Property Owner Name) (Address)

Lake Ola, have reviewed my adjacent property owner's proposed  
(Name of Lake)  
boat dock construction plan and have no objection to the project.

Richard Kolb  
(Signature)

Janet Kolb  
(Signature)



Richard Kolb  
(Print Name)

Janet Kolb  
(Print Name)

**ACKNOWLEDGEMENT:**

STATE OF FLORIDA  
COUNTY OF Lake

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of April 2018 01, by  
Richard Kolb

(NOTARY SEAL)

Teresa J. Kiser  
(Signature of Notary Public - State of Florida)

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced \_\_\_\_\_

