



Interoffice Memorandum

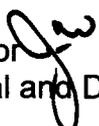
APPROVED BY ORANGE
COUNTY BOARD OF COUNTY
COMMISSIONERS

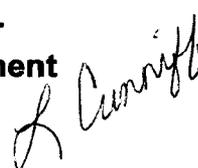
BCC Mtg. Date: Aug. 02, 2016

AGENDA ITEM

July 11, 2016

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

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

CONTACT PERSON: Lori Cunniff, CEP, CHMM, Deputy Director 
Community, Environmental and Development
Services Department
(407) 836-1405

SUBJECT: August 2, 2016 – Consent Item
Environmental Protection Commission Recommendation for a
Variance to Roof Height for Michael Thompson

The project site is located at 5518 Isleworth Country Club Drive on Lake Butler. The Parcel ID is 16-23-28-3899-01-480. The subject property is located in Orange County Commission District 1.

On March 14, 2016, the Environmental Protection Division (EPD) received an Application to Construct a Dock with an Application for Variance to Section 15-342 (e) (roof height). The Code allows a maximum of 12 feet above the floor elevation of the deck. The Applicant is requesting a roof height of 14 feet above the floor elevation.

In addition, as part of this Boat Dock permit, the Applicant requested a waiver to Section 15-343(b) (side setback) to construct the new access walkway following the same alignment as the existing walkway, which places the side setback at 12 feet from the eastern projected property limits. This waiver request has been approved by the Environmental Protection Officer (EPO) pursuant to Section 15-343(b) since there was no objection from the affected adjacent neighbor; therefore, no action is required by the Board of County Commissioners for this request.

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August 2, 1016 – Consent Item

Environmental Protection Commission Recommendation for a Variance to Roof Height for Michael Thompson

Roof Height Variance

Section 15-342(e) states, "The maximum roof height shall be no higher than twelve (12) feet above the floor elevation." The current plan is for the dock roof height to be 14 feet above the deck.

Pursuant to Section 15-350(a)(1), Variances, "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 has stated, "*this boathouse is being constructed on the shoreline of a very large house on a double lot in Isleworth. The additional height is necessary to give the boathouse a more appropriate visual appearance and to allow the roof pitch to be adequate for a tile roof, matching the main house.*"

To address Section 15-350(a)(1)(2), the applicant has stated, "*The additional height will not negatively impact the view from the adjacent property.*"

Pursuant to Section 15-347(a), notices of the variance request for the roof height were sent to the neighboring shoreline property owners within 300 feet. No objections have been received.

Environmental Protection Commission (EPC) Recommendation

Although the Applicant has not clearly demonstrated that the hardship is not self-imposed, he believes there is a unique hardship for a tile roof to match the façade of the new home on a double-lot and this requires a roof height of 14-feet. It was determined that this will not negatively impact the environment and there have been no objections to the variance request. Therefore, the recommendation of the EPO was to approve the request for variance to Section 15-342 (e) (roof height). Based on the evidence and testimony presented at the June 29, 2016 public hearing, the EPC made a recommendation to approve the request for variance to Orange County Code, Chapter 15, Article IX, Section 15-342(e) (roof height) for the Thompson Boat Dock permit BD-16-02-016.

ACTION REQUESTED: Acceptance of the Recommendation of the Environmental Protection Commission to approve the request for variance to Orange County Code, Chapter 15, Article IX, Section 15-342(e) (roof height) for the Thompson Boat Dock Construction Permit BD-16-02-016. District 1

JWW/LC: mg

Attachments



ENVIRONMENTAL
PROTECTION
COMMISSION

David Ward
Chairman

Jonathan Huels
Vice Chairman

Neddy Arnold

Lee Prasser

Tommy Dunkelberger

Mark Corbett

Mark Lister

ENVIRONMENTAL PROTECTION DIVISION
Lori Cunniff, CEP, CHMM, Deputy Director
Community, Environmental and Development Services Department
3165 McKinley Place, Suite 200
Orlando, FL 32803-3727
407 836 1400 • Fax: 407 836 1499
www.ocfd.net

**ORANGE COUNTY
ENVIRONMENTAL PROTECTION COMMISSION
June 29, 2016**

PROJECT NAME: Michael Thompson BD
PERMIT APPLICATION NUMBER: BD-16-02-016
LOCATION/ADDRESS: 5518 Isleworth Country Club Drive

RECOMMENDATION:

PURSUANT TO ORANGE COUNTY CODE, CHAPTER 15, ARTICLE IX, SECTION 15-350(b), APPROVE THE REQUEST FOR VARIANCE TO SECTION 15-342(e) (ROOF HEIGHT) FOR THE THOMPSON BOAT DOCK PERMIT# BD-16-02-016.

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: David R Ward

EPC RECOMMENDATION DATE: 6/29/16



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
800 Mercy Drive, Suite 4
Orlando, Florida 32808
(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 Michael Thompson (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):

This boathouse is being constructed on the shoreline of a very large house on a double lot in Isleworth. The additional height is necessary to give the boathouse a more appropriate visual appearance and to allow the roof pitch to be adequate for a tile roof, matching the main house.

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

The additional height will not negatively impact the view from the adjacent property.

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 *Sheila Cichra*

Date: 02/08/2016

Corporate Title (if applicable): President, Streamline Permitting, Inc.

Boat Dock Variance Request



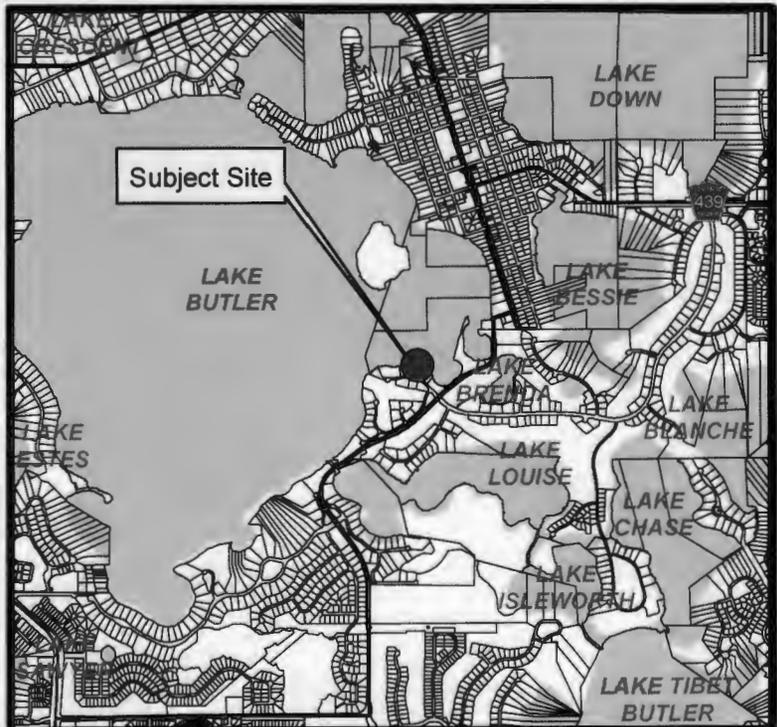
Boat Dock Variance Request

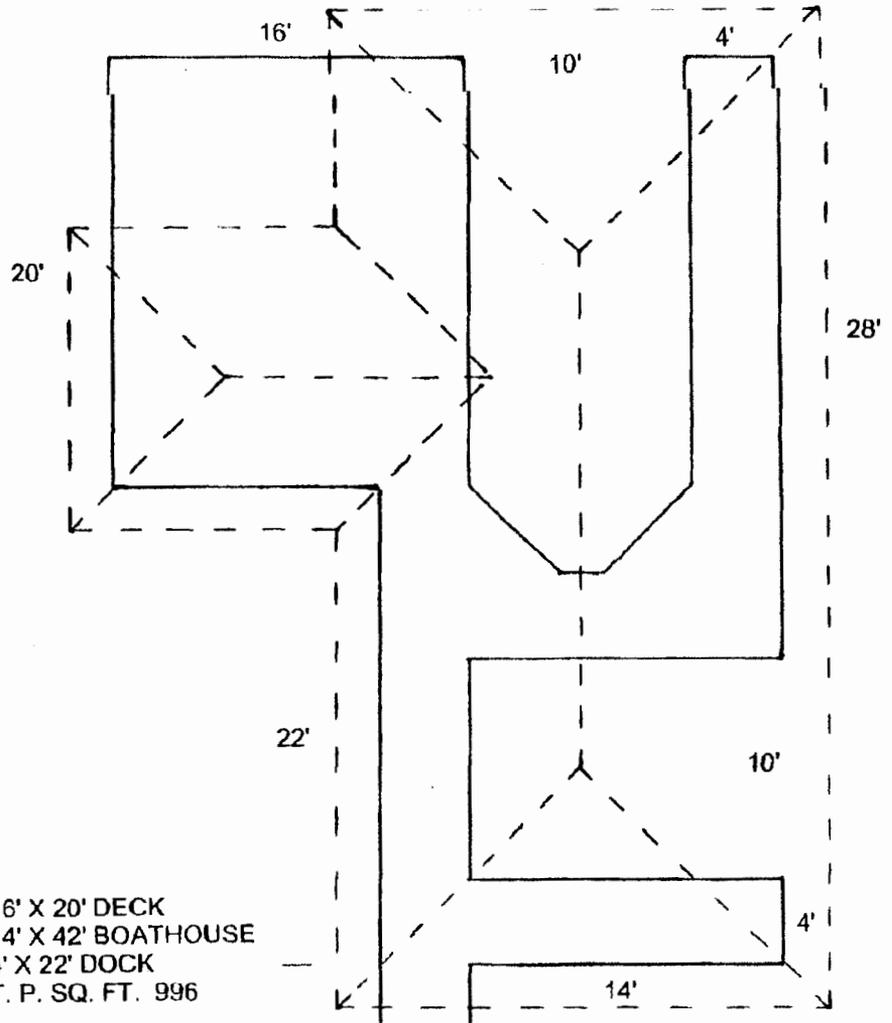
District #1

Applicant: Michael Thompson
Parcel IDs: 16-23-28-3899-01-480

Project Site

Property Location ●





16' X 20' DECK
 14' X 42' BOATHOUSE
 4' X 22' DOCK
 T. P. SQ. FT. 996

THOMPSON FLOOR PLAN
 5518 ISLEWORTH COUNTRY CLUB DR
 WINDERMERE, FL 34786

LAKE BUTLER

165'

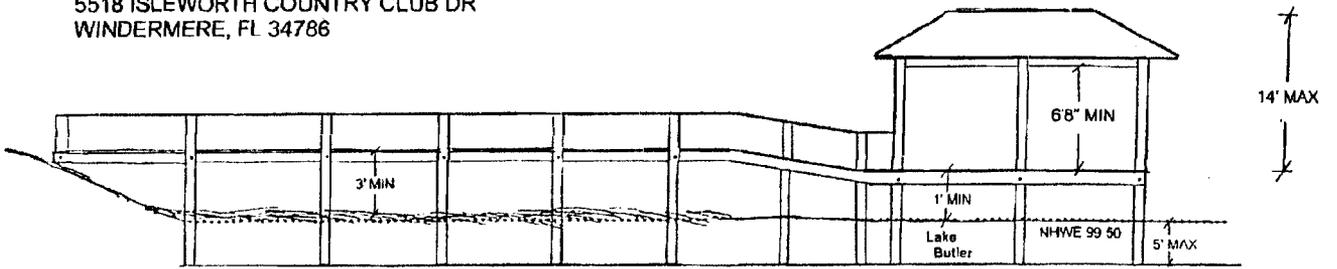
NHWE 99.50

CONSERVATION EASEMENT

24'



THOMPSON ELEVATION
5518 ISLEWORTH COUNTRY CLUB DR
WINDERMERE, FL 34786



CONSERVATION AREA

