

**ENVIRONMENTAL PROTECTION COMMISSION**  
**3165 McCrory Place, Suite 200**  
**Orlando, FL 32803**  
**Panther Training Rooms I and II**  
**May 30, 2018**

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**ENVIRONMENTAL PROTECTION  
COMMISSION (EPC)**

**MEMBERS PRESENT:**

**Jonathan Huels - Chairman**  
**Mark Ausley - Vice Chairman**  
**Flormari Blackburn - Member**  
**Perry Bamasi - Member**  
**Mark Corbett - Member**  
**Oscar Anderson - Member**

**ABSENT MEMBERS:**

**Ted Geltz - Member**

**ENVIRONMENTAL PROTECTION  
DIVISION (EPD)**

**STAFF PRESENT:**

**David Jones - Manager, EPD**  
**Liz Johnson - Assistant Manager, EPD**  
**Georgiana Holmes - OC Attorney's Office (OCAO)**  
**Melessia Lofgren - OC Attorney's Office (OCAO)**  
**Tim Hull - EPD**  
**Neal Thomas - EPD**  
**Godfrey Dickson - EPD**  
**Aimee Krivan - EPD**  
**Renee Parker - EPD**  
**Arnaldo Mercado - EPD**  
**Jane Gregory - EPD**  
**Julee Sims - EPD**  
**Jason Root - EPD**  
**Taina Torres - EPD**

**GUESTS:**

**Peter Maloney**  
**Patryk Ozim**  
**Rick Faloh**  
**Monica Gould**  
**Bob Olsen**  
**Robin Bunch**

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**I. Call to Order:**

Chairman Huels called the meeting to order at 8:37 a.m. in Panther Training Rooms I & II.

## II. Outgoing and Incoming EPC Members

- i. Appreciation of Service to David Ward. Mr. Ward was unable to attend. Ms. Johnson will hand deliver his appreciation bag in person.
- ii. Welcome to Theodore Geltz. Mr. Geltz was unable to attend. He will be welcomed at the June 27, 2018 EPC meeting.

## III. Public Comment(s) (Resolution No. 2013-M-41)

None.

## III. Approval of March 28, 2018 Meeting Minutes:

**Upon a motion to approve the March 28, 2018 EPC Minutes by Mark Corbett; seconded by Oscar Anderson; with Ted Geltz being absent and all members present voting AYE by voice vote; the March 28, 2018 Meeting Minutes were approved.**

## V. Public Hearings

1. Monica Gould; Request for Waiver to Section 15-343(b) (side setback distance). BD-17-10-114. 15526 Avenue of the Arbors (Lot 991); Lake Hancock, District 1

Neal Thomas gave a presentation. Monica Gould and Robin Bunch spoke in favor, and gave their reasons for why the dock should be approved. Some of the reasons included: they had the approval from the Architectural Review Committee (ARC) of their neighborhood, the configuration of their lot which converges into a wedge-shape onto a cove area of the lake, that the dock meets all of the review criteria per Orange County Code with the exception of the side setback, and the relatively shallow water depth in the area making the proposed location the only practical location for the dock. In addition, the dock is being placed within the Riparian Lines, as depicted on their survey, which will be the required location in order to obtain a permit for the dock from the Florida Department of Environmental Protection or South Florida Water Management District. She further said that the parcel owned by the HOA is a park and that they already have a dock and ramp on another parcel across the lake. Patryk Ozim, Esquire, spoke on behalf of his client, the Independence Community Association, LLC (HOA). He stated that the objections of the HOA are really more of an issue with the community covenants and restrictions that require a 2/3 approval by proxy vote of all residents and not the actual position of the dock. He reiterated that the placement of the dock could create a future title issue, and that Mr. and Mrs. Gould could construct a dock within their riparian lines so they should consider alternative dock designs. The President of the HOA (present but not signed in) stated they do not have an issue with the proposed location of the dock and are not challenging the riparian rights of Mr. & Mrs. Gould. He also indicated that they are willing to work towards a reasonable resolution. Resident Bob Olsen questioned why the County uses projected property lines rather than riparian lines. County Attorney Holmes said that the applicant has riparian rights and our Dock Code does not assess conveyance of rights. EPC is not the right forum for that discussion. EPC discussion ensued. Issues over riparian lines (used by the State of Florida) vs. projected property lines (used by Orange County) were discussed at length. The EPC Chairman stated that this was not the correct forum for discussion of the HOA restrictions/approval process and that the EPC members should strictly adhere to the County Code and the requirements for approval of the waiver request. He also said that EPC

does not weigh in on contractual issues or private property rights. He also reviewed the waiver criteria. He said: the HOA parcel has 620-feet of shoreline; plenty to build a dock if they wanted one, the HOA already has a dock on another parcel, there is no visual impact of the proposed dock to the HOA, and that there is no negative effect on the HOA.

**Upon a motion by Oscar Anderson; seconded by Perry Bamasi; with Ted Geltz being absent and all members present voting AYE by voice vote; to overturn the recommendation of the Environmental Protection Officer and approve the Monica Gould; Request for Waiver to Section 15-343(b) (side setback distance). BD-17-10-114. 15526 Avenue of the Arbors (Lot 991); Lake Hancock, District 1. Motion passes unanimously.**

2. Ronald Karpiuk BD; Request for Variance to Section 15-342 (a) (water depth). BD-18-04-042. 11458 Lake Butler Boulevard; Lake Butler, District 1.

Neal Thomas gave a presentation. Chairman Huels opened the floor to public comments and Mr. Rick Faloh spoke in favor of the request. No discussion ensued.

**Upon a motion by Oscar Anderson; seconded by Mark Ausley; with Ted Geltz being absent and all members present voting AYE by voice vote; to approve the Ronald Karpiuk BD; Request for Variance to Section 15-342 (a) (water depth). BD-18-04 042. 11458 Lake Butler Boulevard; Lake Butler, District 1. Motion passes unanimously.**

## VI. Environmental Protection Division Report

1. State of the Environment - David Jones, EPD Manager. This item was continued to the June 27, 2018 Meeting of the EPC.

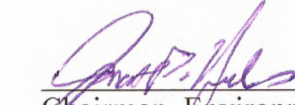
## VII. Open Discussion

The next EPC meeting will be June 27, 2018.

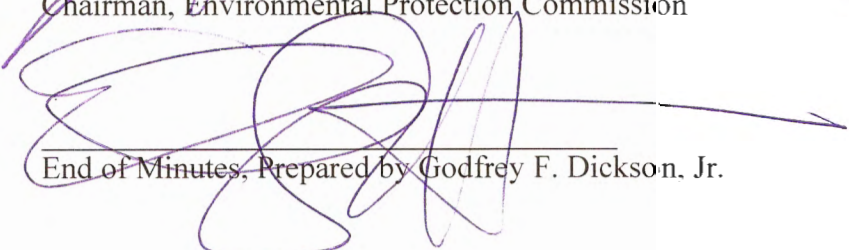
## VIII. Non-Agenda Items

## IX. Adjournment

The May 30, 2018 meeting adjourned at 9:28 a.m.

  
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Chairman, Environmental Protection Commission

6/27/18  
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Date

  
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End of Minutes, Prepared by Godfrey F. Dickson, Jr.