

ENVIRONMENTAL PROTECTION COMMISSION
3165 McCrory Place, Suite 200
Orlando, FL 32803
Panther Training Rooms I and II
March 27, 2019

**ENVIRONMENTAL PROTECTION
COMMISSION (EPC)**

MEMBERS PRESENT:

Jonathan Huels - Chairman
Flormari Blackburn - Member
Perry Bamasi - Member
Mark Corbett - Member
Mark Ausley - Vice Chairman
Ted Geltz - Member

ABSENT MEMBERS:
Oscar Anderson - Member

**ENVIRONMENTAL PROTECTION
DIVISION (EPD)**

STAFF PRESENT:

David Jones - Manager, EPD
Liz Johnson - Assistant Manager, EPD
Georgiana Holmes - OC Attorney's Office (OCAO)
Aleas Koos - OC Attorney's Office (OCAO)
Melissia Lofgren - OC Attorney's Office (OCAO)
Tim Hull - EPD
Amanda Walter - EPD
Taina Torres - EPD
Godfrey Dickson - EPD
Ed Rysak - EPD
Mitchell Katz - EPD
Jordan Bentley - EPD
Emily Lawson - EPD
Julie Bortles - EPD
Nicole Salvatico - EPD
Jason Root - EPD
Ruth Armstrong - EPD
Ivy Alomgir - EPD
Neauveax Williams - EPD

GUESTS:

Sheila Cichra
Rick Arnold
Latoya Cotton
Matt Langbehn
John Miklos
Larry Meddlin
Rene Dipasquale
Anthony Dipasquale
Daniel Wolfe

I. Call to Order:

Chairman Huels called the meeting to order at 8:32 a.m. in Panther Training Rooms I & II.

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

None.

III. Public Hearings

1. Roy Snoeblen BD-18-11-112; Request for waiver to Section 15-342(b) (terminal platform size); 7216 Lake Willis Drive, Lake Willis; District 1.

Tim Hull gave a presentation. Chairman Huels opened the floor to public comments. Matt Langbehn, the contractor/agent, spoke in favor of the request. No one else was present to speak in favor or against it. Chairman Huels then closed the public hearing. Board discussion ensued. Mr. Huels indicated since that the impacts to the environment were negligible and being offset by mitigation and that there are no objections, he was comfortable with it.

Upon a motion by Mark Ausley; seconded by Perry Bamasi; with Oscar Anderson being absent and all other members present voting AYE by voice vote; to approve the Roy Snoeblen BD-18-11-112; Request for waiver to Section 15-342(b) (terminal platform size); 7216 Lake Willis Drive, Lake Willis; District 1. Motion passes unanimously.

2. Casey and Jenn Deloach BD-18-10-105; After-the-fact request for variance to Section 15-342(e) (roof height); 2004 Gatlin Avenue, Lake Conway; District 3.

Tim Hull gave a presentation. Chairman Huels opened the floor to public comments. Sheila Cichra spoke in favor of the request. The error was discovered during construction. No one else was present to speak in favor or against it. Chairman Huels then closed the public hearing. Board discussion ensued. Chairman Huels said he does not like the fact that it is after the fact. He acknowledged he was taking into consideration the Letter of No Objection from the affected property owner and that there was a penalty.

Upon a motion by Mark Ausley; seconded by Flormari Blackburn; with Oscar Anderson being absent and all other members present voting AYE by voice vote; to approve the Casey and Jenn Deloach BD-18-10-105; After-the-fact request for variance to Section 15-342(e) (roof height); 2004 Gatlin Avenue, Lake Conway; District 3. Motion passes unanimously.

3. Rick Arnold BD-18-05-058; After-the-Fact request for waiver to Section 15-343(b) (side setback), and after-the-fact variances for Section 15-342(c) (access walkway width) and 15-343(c) (storage locker size); 9001 Spence Court, Lake Rose; District 1.

Tim Hull gave a presentation. Chairman Huels opened the floor to public comments. Rick Arnold spoke in favor of the request reiterating his reasons for why the storage locker and access walkway width should be approved. He admitted that he augmented the shape of the dock over the years. He also clarified why the complaint was made on his dock – citing it was due to a dock that he built a few lots down from his lot and some unhappy neighbors. No one else was present to speak in favor or against it. Chairman Huels then closed the

public hearing. Board discussion ensued. Chairman Huels asked about the storage locker and indicated the size limitation is a Board of County Commissioner (Board) direction and that the EPC cannot change Board direction. He also indicated that the locker is basically below the Normal High Water Elevation (NHWE). He stated that it's after the fact, it's not really a self-imposed hardship to have a storage area that size. He has issues with the locker being over the water and rather large and there is no way to know if hazardous materials are being stored in there. It's not something he would have supported if it were requested before the fact.

Upon a motion by Flormari Blackburn seconded by Perry Bamasi; with Oscar Anderson being absent and all other members present voting AYE by voice vote; to deny Arnold BD-18-05-058; After-the-fact variances for Section 15-342(c) (access walkway width) and 15-343(c) (storage locker size); 9001 Spence Court, Lake Rose; Motion passes unanimously.

4. Martin Krytus BD-18-08-092; Request for waiver to Section 15-342(b) (terminal platform size), waiver to Section 15-343(b) (side setback), variance to Section 15-342(g) (enclosed docks), and variance to Section 15-342(a) (water depth); 803 West 2nd Avenue, Lake Butler; District 1.

Tim Hull gave a presentation. John Miklos, agent for the applicant, spoke in favor of the waiver and variance requests. He stated the applicant owns the subject parcel and the adjacent parcel to the east, and the plan is to combine the lots into one. The dock on the adjacent parcel will be demolished and this proposed dock will be the only dock for the newly combined parcel. Mr. Miklos went over each objection and provided data to support why the residents would not be negatively affected. The Orange County Sheriff's Office confirmed that the location of the proposed dock would not be a navigation hazard. He also indicated that the applicant can reduce the length of the dock to 62 feet long, as measured from the NHWE, if the EPC is favorable to the rest of the requests.

Mrs. LaToya Cotton, an objector residing at 805 West 2nd Avenue, spoke against the project. She stated that they did not have an objection to the size of the terminal platform, but they were still concerned about how far the dock was being proposed into the lake.

No one else was present to speak in favor or against it. Chairman Huels then closed the public hearing. Mark Ausley declared a conflict with this item. The proper forms will be filed (Commission on Ethics Form 8B) to reflect this conflict. Board discussion ensued. The Chairman mentioned that combining the two lots would help the effect on neighbors. He expressed his support for the historic enclosed dock to remain. He also said that it was a reasonable compromise to reduce the dock length by 10 feet.

Upon a motion by Jonathan Huels, seconded by Perry Bamasi, with Oscar Anderson being absent and Mark Ausley abstaining, and all other members present voting AYE by voice vote; to approve the request for waiver to Section 15-343(b) (side setback); approve the request for variance to Section 15-342(g) (enclosed docks); approve the request for waiver to Section 15-342(b) (terminal platform size) with the condition the applicant pay \$1,160 to the Conservation Trust Fund; and approve the request for variance to Section 15-342(a) (water depth) subject to the added conditions that (1) the existing dock on the adjacent, eastern parcel owned by the applicant is removed prior to the certificate of completion of the new dock, and (2) the new dock should extend no more than 62 feet waterward from the NHWE for the Martin Krytus Dock Construction Permit BD-18-08-092.

IV. Approval of Meeting Minutes - January 30, 2019

Upon a motion by Formari Blackburn (with the correction of "about" to "above" as identified below); with a second by Mark Corbett; with Oscar Anderson being absent, all other members being present voting AYE by voice vote; the January 30, 2019 Meeting Minutes were approved.

above Chairman Huels asked about why the height is required at 3 feet. Staff replied shading impacts and to allow for wildlife to move along the water's edge. Sheila said that the lower walkway wouldn't impact either. Sheila said that she told the applicant that the walkway had to be elevated 3 feet above the Normal High Water Elevation. Liz Johnson confirmed that Code says that the walkway must be 3 feet above ground surface. The Commission also asked how pilings are removed. Jetting vs. cutting them off at the lakebed was discussed.

Chairman Huels left the meeting at 9:50AM.

V. Environmental Protection Division Report

1. Lake Lawne Stormwater Reuse Facility - Mitch Katz, Ph.D, Technical Program Supervisor
A presentation was given by Dr. Katz. No action was taken

VI. Open Discussion

Next EPC Meeting – April 24, 2019

VII. Non-Agenda Items

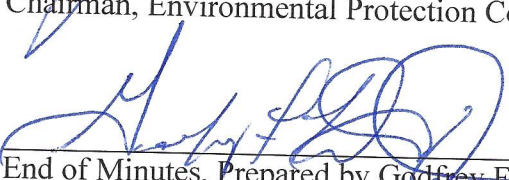
VIII. Adjournment

The March 27, 2019 meeting adjourned at 10:05 a.m.



Chairman, Environmental Protection Commission

5/29/18
Date



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