

ENVIRONMENTAL PROTECTION COMMISSION
3165 McCrory Place, Suite 200
Orlando, FL 32803
Panther Training Rooms I and II and Via WebEx
May 26, 2021

**ENVIRONMENTAL PROTECTION
COMMISSION (EPC)**

MEMBERS PRESENT:

Mark Ausley - Chairman
Oscar Anderson* - Vice Chairman
Flormari Blackburn - Member
Billy Butterfield - Member
Elaine Imbruglia - Member

ABSENT MEMBERS:

Mark Corbett - Member

VACANT POSITION:

Regulated Business or Municipality

***Denotes attending via WebEx**

**ENVIRONMENTAL PROTECTION
DIVISION (EPD)**

STAFF PRESENT:

David Jones*, Manager - EPD
Elizabeth R. Johnson, Assistant Manager – EPD
Georgiana Holmes* - OC Attorney's Office (OCAO)
Aleas Koos* - OCAO
Tim Hull - EPD
Neal Thomas* - EPD
Nicole Salvatico - EPD
Katherine Grablow - EPD

GUESTS:

Sheila Cichra*
Dr. Reeves*
Patrick Beach*
Sara Slocum*

I. Call to Order:

Chairman Ausley 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. Approval of Meeting Minutes – April 28, 2021

Upon a motion by Billy Butterfield; with a second by Oscar Anderson; with Mark Corbett being absent and members being present voting AYE by voice vote; the April 28, 2021 Meeting Minutes were approved.

IV. Public Hearings

1. Christopher Reeves– BD-21-02-019; Request for waiver to Section 15-342(b) (terminal platform size) and variance to Section 15-342(e) (roof height); 1614 Lakeside Drive, Lake Rowena; District 5

Neal Thomas gave a presentation. Oscar Anderson asked if the dock shown in the aerial images is still existing onsite; the applicant’s agent, Sheila Cichra, stated that it has been removed. Chairman Ausley asked Ms. Cichra if she has anything else to add; she replied that the terminal platform is only over-sized due to the inclusion of kayak lifts, pointed out that there are longer and just as large docks in the area, pointed out that the slope of the property is so extreme that the extra roof height will not be noticeable (the roof will be near the grade of the lot), stated that a double-wide boathouse such as this cannot be constructed without extra pitch to the roof, and stated that EPC is only recommending denial of the variance due to a neighbor objection while the roof height will not actually have an environmental impact. Chairman Ausley asked if the kayak racks will be enclosed and if the three foot by eight foot “step down” area on the site plan is included in the terminal platform size, to which Ms. Cichra responded yes to both. Oscar Anderson stated that he cannot see any other double boat slip docks on the lake and asks why the applicant is proposing one. Ms. Cichra responded that the previous dock was not large enough to accommodate the applicant’s two boats. Chairman Ausley asked if only a small portion of the roof is proposed to exceed the maximum height requirement, and Ms. Cichra confirmed. Elaine Imbruglia asked for the size and condition of the previous dock that was onsite. Ms. Cichra stated again that it was too small (roughly 800 square feet) to accommodate both of the applicant’s boats, and the applicant (Dr. Reeves) stated that the previous dock required renovations. Liz Johnson asked if the objector was on the call, to which no one responded. Chairman Ausley closed the public hearing; he stated he has no issue with the requests and that the mitigation offered is sufficient to offset shading impacts for the larger terminal platform size. Billy Butterfield pointed out that they did receive an objection and he understands how the extra roof height may be an issue to neighbors.

Upon a motion by Flormari Blackburn; with a second by Elaine Imbruglia; with Mark Corbett being absent; with Flormari Blackburn, Elaine Imbruglia, and Mark Ausley voting AYE by voice vote, and Oscar Anderson and Billy Butterfield voting NAY by voice vote; EPC voted to overturn the findings and recommendations of the Environmental Protection Officer, and make a finding that the waiver and variance requests are consistent with Orange County Code, Chapter 15, Article IX, Section 15-350(a) and recommend approval of the request for waiver to Section 15-342(b) (terminal platform size) and recommend approval of the request for variance to Section 15-342(e) (roof height), with a mitigation payment of \$725 to the Conservation Trust Fund for the Christopher Reeves Dock Construction Permit BD-21-02-019. District 5. The motion passed 3-2.

V. Environmental Protection Division Report

Liz Johnson presented a sunset review letter from the MMRB and asked the EPC members how they would like to address it. Mrs. Johnson and the EPC members agreed that Mrs. Johnson will draft a response letter and compile resources that may assist the EPC in review of the draft

response. Discussion of the draft response is expected to occur during the June and July EPC hearings.

Regarding the MMRB letter, Flormari Blackburn asked Liz Johnson why EPC only seems to hear boat dock cases. Liz Johnson responded that boat docks are the majority of cases, but EPC is also involved with ordinance review and code revisions.

Two graduate students from the University of Denver (Patrick Beach and Sarah Slocum) were in attendance, each pursuing a degree in Environmental Policy and Management. Ms. Slocum stated that her attendance is based on a desire to get involved in community issues, and Mr. Beach stated that he will be writing a report on the hearing for one of his graduate classes.

VI. Open Discussion

Next EPC Meeting – June 30, 2021. The meeting will be a blended meeting again with a requirement for an in-person quorum. Members Ausley, Blackburn, Butterfield and Imbruglia have agreed to attend in person at EPD.

VII. Non-Agenda Items

None

VIII. Adjournment

The May 26, 2021 meeting adjourned at 9:15 a.m.

Chairman, Environmental Protection Commission

Date



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