

Regina Dunay
Chairwoman

Chris Rader
Co-Chair

David Gragg
Board Member

Marion Rayburn
Board Member

Dr. Aileen Trivedi
Board Member

PUBLIC NOTICE
PLANNING AND ZONING BOARD MEETING – April 9, 2018

WELCOME! We are very glad you have joined us for today's Planning and Zoning meeting. The Planning and Zoning Board is an advisory board to City Council comprised of citizen members who voluntarily and without compensation devote their time and talents to a variety of zoning and land development issues in the community. All P&Z recommendations are subject to final action by City Council. The results of today's meeting will be presented at the noted City Council meeting for approval of recommended actions. Any person desiring to appeal a recommended action of the Board should observe the notice regarding appeals below. **CAUTION:** Untimely filing by any appellant shall result in an automatic denial of the appeal.

The Planning and Zoning Board as the Local Planning Agency for the City of Edgewood will meet at 405 Larue Avenue, Edgewood, Florida, to consider the items of business listed herein at the time and date indicated below.

Monday, April 9, 2018 at 6:30 pm

1. Call To Order
2. Pledge of Allegiance
3. Roll Call and Determination of Quorum
4. Approval of Minutes
 - February 12, 2018 – Regular P&Z Meeting
5. New Business
 - Variance 2018-02 – Miller Boat dock length
 - Variance 2018-03 – Miller Boat dock square footage
 - Variance 2018-04 – Schroeder Porch
6. Unfinished Business
 - 2018-RZ-01 Orange County Public Schools rezoning request
7. Comments/Announcements

FUTURE MEETINGS: *(SCHEDULE CONTINGENT UPON SUBMITTAL OF ITEMS THAT REQUIRE CONSIDERATION OF THE PLANNING & ZONING BOARD AS THE LOCAL PLANNING AGENCY FOR THE CITY OF EDGEWOOD)*

- May 14, 2018
- June 11, 2018

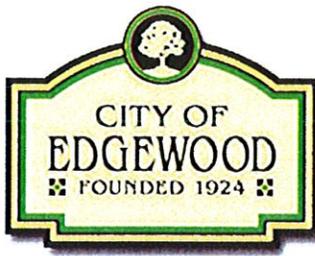
GENERAL RULES OF ORDER

The Board is pleased to hear non-repetitive comments related to business before the Board; however, a five (5) minute time limit per person has been set by the Board. Large groups are asked to name a spokesperson. If you wish to appear before the Board, please fill out an Appearance Request Registration Form and give it to the City Clerk. When recognized, state your name and speak directly into the microphone. The City is guided by ROBERTS RULES OF ORDER in governing the conduct of the meeting. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at 407-851-2920 at least 24 hours in advance of the meeting.

WE ASK THAT ALL ELECTRONIC DEVICES (IE. CELL PHONES, PAGERS) BE SILENCED DURING OUR MEETING!

Thank you for participating in your government!

APPEALS: According to Edgewood City Code Section 26-24 (2), "any person aggrieved by any recommendation of the Board acting either under its general powers or as a Board of Adjustment may file a notice of appeal to the City Council within seven (7) days after such recommendation is filed with the City Clerk.



PLANNING & ZONING BOARD DRAFT MINUTES
February 12, 2018

Planning and Zoning Board Members:

Regina Dunay, Chairperson (Quorum)
Chris Rader, Co-Chair
David Gragg, Board Member
Marion Rayburn, Board Member
Aileen Trivedi, Board Member

Staff:

Drew Smith, City Attorney
Ellen Hardgrove, City Planner
David Mahler, City Engineer
Bea Meeks, City Clerk
John Freeburg, Police Chief
Sandra Repp, Deputy City Clerk

Applicants:

Sheila Cichra, Streamline Permitting (boat dock)
Kat Gordon, OCPS School Board District 5
Tyrone Smith, OCPS
Laura Kelly, OCPS
Robert Stagliano, OCPS
Jeremy Anderson, OCPS
Mohammed Abdallah, Traffic and Mobility Consultants/OCPS

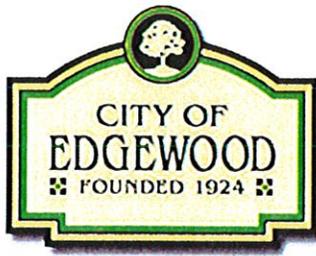
CALL TO ORDER

Chairwoman Dunay called the Planning & Zoning Board meeting to order at 6:30 p.m. Chairwoman Dunay requested a moment of silence in respect to the Orange County Deputy shooting event earlier in the day followed by the Pledge of Allegiance. Administrative Assistant, Sandy Repp, announced that there was a quorum with all members present.

ADMINISTER OATH OF OFFICE

Administration of oath of office
○ Marion Rayburn
○ Dr. Aileen Trivedi

Board Members Rayburn and Trivedi are now seated at the dais.



APPROVAL OF MINUTES

- December 11, 2017

Chairwoman Dunay asked for a motion to approve minutes as presented.

Board Member Rayburn made the Motion to approve the January 8, 2018 minutes; second by Board Member Trivedi. The motion was unanimously approved (5/0).

NEW BUSINESS

- **Select Planning and Zoning Chair and Co-Chair**

Attorney Smith explained the process for nominations for chair and co-chair. Chairwoman Dunay asked for a motion to nominate the Planning and

Board Member Rayburn made a motion to nominate Chairwoman Dunay; second by Board Member Rader. The motion was unanimously approved (5/0).

Chairwoman Dunay made a motion to nominate Board Member Rader for co-chair; second by Board Member Gragg. The motion was unanimously approved (5/0).

- **Variance 2018-01 Boat Dock Variance at 667 Lake Harbor Circle**

City Engineer Mahler introduced the proposed boat dock for which the applicant is requesting a variance to exceed the allowable 65 foot length due to water depth. This is a replacement boat dock. City Engineer Mahler confirmed that CPH has received the appropriate documentation to justify the water elevations to show the length needed for the water depth of 4.5 feet. The proposed boat dock would not change the navigational impacts in the area as there are longer docks in the area. The applicant has addressed the conditions for approval of the requested for the extended length. The proposed dock meets the square footage and height requirements as required by Code.

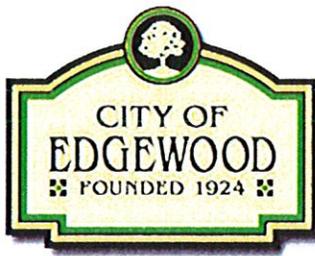
Discussion ensued amongst Board Members regarding the application including verification of adequate water depth. In response to Board Member Trivedi, City Engineer Mahler said that dredging, if it were allowed, would be only a short term solution as the sediment would resettle.

Deputy City Clerk Repp confirmed that there were no returned letters and no comments about the proposed boat dock received at City Hall.

Contractor Sheila Cichra with Streamline Permitting came to the podium and said that they are requesting the length to make the boat slip functional. In response to Chairwoman Dunay, Ms. Cichra said that the present dock was taken down by the hurricane.

As there was no further discussion, Chairwoman Dunay asked for a motion.

Board Member Rader made the motion to recommend approval of the variance request to City Council; second by Chairwoman Dunay. The motion was unanimously approved (5/0).



Per Deputy City Clerk Repp, the variance will be heard at City Council on March 20, 2018.

Chairwoman Dunay changed the order of New Business so that consideration of Ordinance 2018-05 and Ordinance 2018-06 could be heard before the OCPS presentation.

- *Ordinance No 2018-05 – Allowing Bars within the C-1 Zoning District and Ordinance No 2016-06 – Dog Friendly Dining*

Planner Hardgrove introduced proposed Ordinance No 2018-05 to allow a standalone bar in C-1 zoning district. It is recommended to add “bar” to definitions and as a permitted use. Outdoor seating is not permitted with restaurants and language will have to be added to change the definition of a restaurant. Consumption and parking in a designated area outside of a building will also need to be added. Per Planner Hardgrove, with these changes a dog bar can be allowed. “Dog” bar as a specific use should not have to be added to the language. A playground for dogs would be an accessory to the bar.

Discussion included, noise restrictions, operating hours and requirements of delineating the outdoor areas for the purposes of licensing to serve alcohol. City Clerk Meeks said that it is a requirement for licensing by the State for a liquor license to have a delineated area and to show where they are actually serving; it will be part of the inspection area. A special event permit would be pulled by the city and DBPR for events in parking lots, which is required even if you have a liquor license

Chairwoman Dunay asked if there was further comment. Seeing as there was none, Planner Hardgrove introduced Ordinance 2018-06 which is for “Doggie Dining”, allowing dogs to be in the outdoor areas of restaurants. Attorney Smith said that under state law this is an opt-in for local jurisdictions.

In response to Chairwoman Dunay, Attorney Smith said that the dog bar came before council in order to determine how this use would be allowed. An application will depend on what is allowed under the code to determine how the Board receives the site plan with the permitted use.

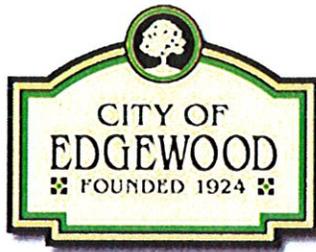
In response to Board Member Rayburn, Planner Hardgrove said there would be a site plan review for a dog park and the Board would review based on topics including land use compatibility, stormwater management, screening and demarcation of the area, landscaping.

Attorney Smith responded to Board Member Rader by confirming that requirements for health and safety will be part of a site plan but an existing restaurant does not have to come for site plan review.

Chairwoman Dunay opened the floor for public comment:

City Clerk Meeks left the meeting.

Lainie Pekich and Paul Jaszczenski – spoke in support of the ordinances as potential dog bar applicants. Per Mr. Jaszczenski, the goal is to have a friendly place for people and dogs to gather and



enjoy Florida outdoor weather. Ms. Pekich added that it is a great social environment and that people drive all the way to St. Petersburg in order to have this experience.

The motions were made as follows:

Ordinance No 2018-05 - Bars in C-1 Zoning

Board Member Rayburn moved that the Planning and Zoning Board recommend approval of Ordinance 2018-05 to allow bars within the C-1 Zoning District; second by Board Member Gragg. The motion was unanimously passed (5/0).

Ordinance No 2018-06 – Dog Friendly Dining

Board Member Rader moved that the Planning and Zoning Board recommend approval of Ordinance 2018-06, City of Edgewood Dog Friendly Dining program; second by Board Member Rayburn. The motion was unanimously passed (5/0).

- **Ordinance No 2018-04 - Rezoning property on Holden Avenue to a Proposed Planned Development for Elementary School**

Planner Hardgrove opened the discussion of the proposed ordinance and said by State Statute, all development approvals must be in compliance with the Comprehensive Plan. Planner Hardgrove listed the items that set the direction to guide development approvals. This is a request to establish PD zoning on 13.72 acres located on the south side of Holden Ave.

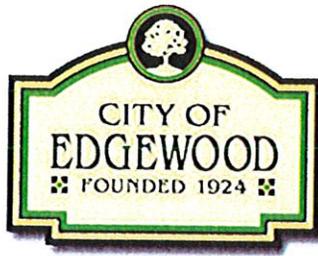
The PD would not change the low density population designation as specified by the Future Land Use Map (FLUM). Per Planner Hardgrove, the policies that are in the comprehensive plan guide the development of that map. The school has a residential low density zoning by a policy that says a school is allowed in every future land use designation. A school is consistent with the comprehensive plan.

Planner Hardgrove explained the parcel/lot area with R-1A and R-1AA to be rezoned to a PD. All use area except to the south is low density, to the south it is medium density residential.

This application is a Planned Development (PD) request for an elementary school with ancillary uses as the pertain to functions and events that are related to schools and community occasions including but not limited to after school events, Head Start, churches, sports, and summer camp. It is projected that in the physical school building there will be 830 school children with approximately 85 employees; this is not a maximum because OCPS has the ability to put in portables.

Planner Hardgrove explained the 3 stages of how a PD is approved: Staff review, approval of the Land Use Plan (LUP) and site plan approval. Planner Hardgrove also explained the standards of approval that must be considered for approval or denial per City Code. The Board can attached conditions of approval to make it compatible.

Planner Hardgrove reviewed the relevant policies for standards for approval. Standards of approval include: schools are allowed in all zoning districts, institutional activities are low to moderate intensity,



and new development must be compatible with the overall character of the community, transportation and a safe traffic system.

As the LUP does not contain a lot of detail, the compatibility was difficult to assess with adjacent land uses. Orange County government (not schools) will provide where there is a lack of sidewalks, to correct the sidewalk or add curbs. Orange County government has confirmed with Planner Hardgrove that OCPS' requests for Orange County will become a priority.

Planner Hardgrove continued to standards of approval and conformance with requirements of the zoning code. She said that there are nine purposes for using a PD and said that the question is if they meet the standards for a PD.

Board Member Rader requested information from City Engineer Mahler. Per Engineer Mahler, all details are not yet available. The size and capacity of the school will dictate what needs to be done on the roadway to accommodate the students. The final study will be done if they get approval of the land use. CPH general recommendations on items, such as sidewalks, turn lanes, parking, and bus stacking areas will come down to the final site plan review.

Chairwoman Dunay invited the applicants to the podium.

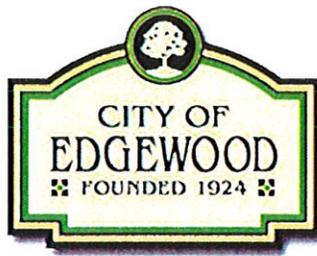
Tyrone Smith from OCPS came to the podium and introduced District 5 School Board Member Kat Gordon, and the OCPS staff in attendance. Mr. Smith referred to a PowerPoint presentation with development data. Mr. Smith discussed the timeline and requested two waivers from the City Code: electronic messaging and greater setback requirement.

Mr. Smith explained the timeline for an August 2020 opening, the proposed conditions of approval, factors supporting the request, changed conditions, conformance with City Code, Land Use Plan consistency with the comprehensive plan, land use compatibility, prototypes and impact on setbacks, buffers, landscaping, exterior finishes, bus loop, portables, adequate public facilities, transportation and queuing.

Mr. Smith discussed why OCPS decided to go with a PD application as this provides for a framework and gives the city more negotiation and influence and a Developer's Agreement. Mr. Smith showed some school concepts and how they would fit on the property as well as other local school designs. A prototype will be refined.

Discussion included estimating the percentage of students that will be bused, walkers and personal drop-offs. Other points of conversation included parking of buses, palette, fencing and landscaping.

There is no maximum or restrictions on portables. They do not require municipal permission and school sites are all evaluated for capital improvement needs annually. If the school gets too many students then OCPS would look for a solution. The Board stated concerns about traffic, particularly during morning rush.



Mr. Smith invited Mohammed Abdallah, of Traffic and Mobility Consultants, to the podium who discussed the traffic study and recommendations to Holden Avenue. Discussion included student capacity and east west trips on Holden Avenue, turn lanes, impact of the trains and student crossing.

In response to Chairwoman Dunay regarding peak hour in the morning and relationship to 1200 students, Mr. Abdallah projected the morning would be at 88% of capacity with current projected growth. The school related traffic would add 15-20% of the road's capacity in the morning.

Mr. Smith explained that crossing guards are privately hired. Law enforcement would run the program.

Board Member Trivedi stated her concern that the change of conditions is not because of Edgewood or about Edgewood demographics. Mr. Smith responded that there would be no schools if that is now they operated or if it were just about Edgewood students. Board Member Trivedi stated that the Board looks at how this affects the residents and OCPS is asking Edgewood to make sacrifices with no gain. Mr. Smith responded that based on the zones, this is where the school is needed.

Chairwoman Dunay called for a recess. Meeting resumed at 8:55 pm,

Further discussion included sidewalks and safety and adequate crossing as well as parking overflow. Planner Hardgrove replied that because it is a PD that condition can be written into the developer's agreement. Mr. Smith responded that the need for overflow parking is rare; they would stabilize the play fields. Laura Kelly said it is uncommon for elementary schools to host churches because of the lack of facilities.

OCPS is requesting a waiver from code so that they can use an electronic sign. Per Planner Hardgrove, this would be a condition of approval as the sign would be part of the PD. Signage will not be used to advertising, no animation or blinking and it can be turned off from 9 pm to 6 am.

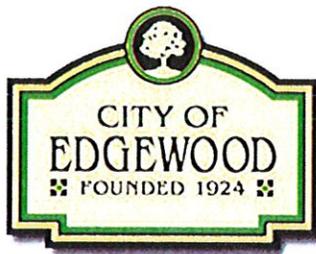
Chairwoman Dunay opened the floor for public comment.

Sandy DePorter –Edgewood resident, asked that the school blend in with the neighborhood and if the Edgewood Police will patrol the school property. She stated concerns about debris and the existing fence.

Linda Baldwin – Edgewood resident, spoke about the impact on traffic, the turn lane on Holden Ave, and traffic issues while the bus is turning back to Orange Blossom Trail. She expressed concern about school population, portable maximum and that there will be no tax dollars for Edgewood.

Jim Worthen – with HAINC that represents neighborhoods along Holden Ave, spoke about the impact on the area including loss of trees, traffic safety, congestion, pedestrian safety, compatibility and buses. Per Mr. Worthen, the PD meets 2 of 9 required points for a PD and the LUP is insufficient.

Mike Teague – Edgewood resident, spoke about the reasons Orange County is using a PD, including maximizing the use of the property, allowing for negotiation, adherence to Edgewood's zoning requirements, landscaping, and additional traffic that will handicap Holden Avenue.



Board Member Rader asked for clarification regarding zoning requirements and that he understands that they are exempt from building permit requirements but that zoning resides with the municipality. They are not exempt from any zoning requirements.

Brett Barner – Edgewood resident, spoke about how a special exception could work and that the City and OCPS needs to loop in Orange County for sidewalks, improvements and beautification down Holden Avenue.

Chairwoman Dunay read public comment from an email received by Edgewood resident, Brian Darkes. Mr. Darkes stated his concern regarding the traffic and the need to protect quality of life for residents.

Mr. Smith responded to the concerns which included information that OCPS has a uniformed service with a security package coordinated with OCSO and Edgewood Police Department. Edgewood Police Department has jurisdiction. A fence would be removed that is on the property and replaced. OCPS tried to get access from Randall but was unsuccessful.

Per Attorney Smith, there is no level of detail yet as the school has to be designed. It is not uncommon for a school to rezone as a PD. The Developmental Review Committee found the LUP to be complete.

Chairwoman Dunay asked for discussion from the Board.

Board Member Trivedi stated her concerns about traffic and compared traffic from events at Cypress Grove Park that have caused backups on Holden Avenue.

Board Member Rader stated his concerns for the lack of detail and reducing standards in R-1AA zoning. Planner Hardgrove responded that OCPS does meet the checklist in City Code for a PD.

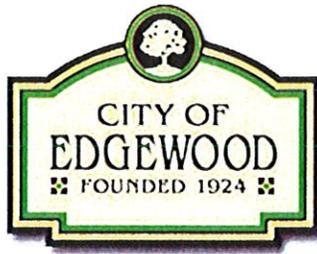
School Board Member Gordon for District 5 approached the podium. She understands that Edgewood was blindsided and asked if there is a way to postpone a vote tonight. She expressed her concern about the children in this community as they have a right to an education and they need to stop being bused out of the neighborhood. She continued that there are policies and plan for every step but it is the residents' tax dollars. She reminded the Board that they have the right to meet with the staff regardless of how they will vote. School Board Member Gordon said the Board does not have all the information.

Further discussion included the potential actual attendance and where students reside, lack of details about portables and not meeting the standards of a PD per the Comprehensive Plan. Landscaping is not included in the Developers Agreement.

Board Member Rader said that he would make a motion for a continuance in order to receive more information and Chairwoman Dunay expressed her concern that this is not possible due to the timeline.

Chairwoman Dunay asked for a motion; a motion was not made.

Board Members discussed the lack of benefits for Edgewood and conditions of the Developer's Agreement. Board Member Trivedi asked if Holden Avenue would be at 88% capacity, then what would



100% be when the traffic is not moving. Per Attorney Smith, Board can give OCPS the opportunity to provide more details.

Chairwoman Dunay asked for a motion; a motion was not made.

Resident Mike Teague said that engineering is based on averages. Holden has been impacted negatively due to construction projects.

Attorney Smith explained that if the Board recommends denial it goes to City Council and if the School Board changes information, P&Z and Council will make a decision without the benefit of P&Z's review. Board Member Dunay said that it sounds like P&Z is torn. Gragg responded that it is black and white. If it does not meet the comprehensive plan then it is likely that Council will not approve it.

Board Member Rader moved for a continuance to move further discussion of Ordinance 2018-04 to the March 12th Planning and Zoning meeting at 6:30 pm; second by Board Member Rayburn. Chairwoman Dunay opposed. Motion passed (4/1).

Attorney Smith said this will be on March agenda and has to be re-noticed.

Board Member Rader made a motion to reconsider the previous motion; second by Board Member Rayburn. Chairwoman Dunay opposed. Motion passed (4/1).

To give OCPS time to respond, Board Member Rader made a motion.

Board Member Rader moved for a continuance to the P&Z meeting on April 9, 2018 at 6:30 pm; second by Board Member Gragg. Chairwoman Dunay opposed. Motion passed (4/1).

- **Discussion: Section 134-606 off-street parking - Consideration of location of shared parking**

Planner Hardgrove explained that Edgewood's off street parking allows for satellite parking if it is within 300 feet. Staff is requesting direction to see if P&Z would like to consider amending this section of Code and adding additional criteria for satellite parking to become safer.

Board Member Dunay agreed with an amendment; particularly as Discovery Church is changing hands it would prohibit continued crossings. Planner Hardgrove said that was the precursor but it will apply to anyone with satellite parking.

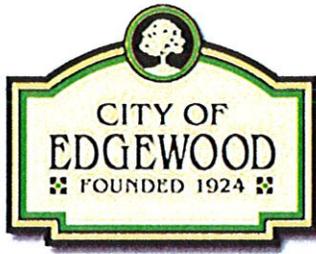
Chairwoman Dunay asked for a motion.

Board Member Rayburn moved that staff produce an ordinance change for satellite parking; second by Chairwoman Dunay. Motion passed (5/0).

UNFINISHED BUSINESS

- **Discussion of the Edgewood District**

Planner Hardgrove reviewed that the City is working on development regulations for development along Orange Ave as well as Hoffner, Gatlin and Holden Avenues. The work stopped in April 2017 because the City hired the Little Group who provided a survey and charrette with resident and



business input for Orange Avenue beautification. The report is complete and Mayor Bagshaw has asked that the Board to return to work on the Orange Ave District. Planner Hardgrove asked how the Board would like to proceed.

Board Member Rader said that the point of this is to provide tools that do not exist in our current code and encourage a different development pattern

Hardgrove's recommendation is to set up a meeting with the Little group and the details they have. A workshop setting may be more beneficial to complete the design criteria. She would like to publish what she has so that the Board can go through it and then go to workshop format.

Attorney Smith suggested that staff coordinate the availability for a joint workshop with City Council and Little. Little will still make their presentation.

COMMENTS/ANNOUNCEMENTS

Chairwoman Dunay asked Administrative Assistant, Sandy Repp for the next meetings who confirmed that the next Planning and Zoning dates would be

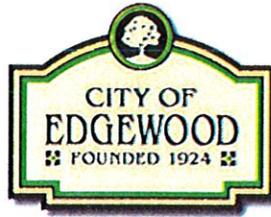
- March 12, 2018
- April 9, 2017

ADJOURNMENT:

With no further business or discussion, Board Member Gragg made the Motion to adjourn the Planning and Zoning Board meeting; seconded by Board Member Trivedi; motion unanimously approved (5/0). The meeting adjourned at 10:35 p.m.

Regina Dunay, Chairwoman

Sandra Repp, Deputy City Clerk



Memo

To: Planning and Zoning Board Members
From: Sandy Repp, Deputy City Clerk
Date: April 3, 2018
Re: New Business Items

The following applications are provided in your agenda packet for your review:

1. Variances: 5160 Stratemeyer Drive 2018-VAR-02 and 2018-VAR-03

- Staff report from City Engineering Firm CPH dated February 6, 2018
- Application for Variance 2018-VAR-02. Requesting to allow a boat dock that exceeds 1,000 square feet.
- Application for Variance 2018-VAR-03. Requesting to allow a boat dock that exceeds the allowable 65 feet in length.
- Application for Boat Dock
- Supporting documentation
 - Justification of Variance Request submitted by applicant, dated January 31, 2018
 - Approval letter from Florida Department of Environmental Protection.
 - Aquatic Plant Control Permit from Florida Fish and Wildlife Conservation Commission
 - Notice of Public Hearing dated March 29, 2018 sent to property owners within 500 feet (Addresses with address and map matrix were generated from Orange County Property Appraiser Website).
 - Sign Affidavit dated March 28, 2018
 - Site Plan received February 22, 2018 – provided in gold envelope
 - Boat dock plans dated 1/30/2018 – provided in gold envelope

Deputy City Clerk Comments:

There were 33 letters mailed to property owners within 500 feet of 5156 Stratemeyer Drive. No letters were returned to City Hall as undeliverable. No objections or comments were received at City Hall as of the date of this memo.

405 Larue Avenue • Tel: 407-851-2920 • Fax: 407-851-7361 • www.edgewood-fl.gov

2. Variance: 673 Lake Harbour Circle 2018-VAR-04

- Staff report from Ellen Hardgrove dated March 26, 2018
- Staff report from CPH dated March 30, 2018
- Application for Variance 2018-VAR-04 requesting to allow a building and deck to remain within the lake setback.
- Justification for Variance Request
- Photos of porch and swale
- Memo from Arthur Miller (former Edgewood Engineer Consultant) dated May 22, 2002 with approval for original structure
- Letters of no objection received from abutting property owners
- Notice of Public Hearing dated January 28, 2018 sent to property owners within 500 feet (Addresses with address and map matrix were generated from Orange County Property Appraiser Website).
- Sign Affidavit dated March 29, 2018
- Site Plan received February 22, 2018 – provided in gold envelope

Deputy City Clerk Comments:

There were 36 letters mailed to property owners within 500 feet of 673 Lake Harbor Circle. One letter was returned to City Hall as undeliverable. No objections or comments were received at City Hall as of the date of this memo.

3. Orange County Public Schools Rezoning Application 2-18-RZ-01

- Memo to OCPS from Planning and Zoning Board



February 6, 2018

Ms. Sandy Repp
Administrative Assistant
City of Edgewood
405 Laure Avenue
Edgewood, FL 32809-3406

**RE: 5160 Stratemeyer Drive - Boat Dock Application & Variance Request Review
CPH project number E7601**

Dear Ms. Repp;

We have received the new survey, revised plans and new application and narrative for the above listed address. The updated plans are dated February 5, 2018. We compared the new information to the previously received plans and applications to verify all our comments have been addressed.

1. Based on February 5 application, the proposed dock area 1,300.43 square feet. The applicant is aware that if the boat dock is greater than 1,000 square feet, the dock will require an additional FDEP permit and a variance from the City. We have no objections to the applicant submitting for a variance for the dock area.
2. The proposed dock is shown to be 163.75 feet long on the survey and application. The applicant is aware that if the dock is greater than 65 feet in length, a variance will be required. We have no objections to the applicant submitting for a variance for the dock length.
3. The applicant has also submitted a narrative addressing the required City Code for variance request. We have revised their descriptions for variance request and have no objections.

Based on our review of the variance items from Section 14-11 of the City Code, we have no objections to approving the variance. We understand this will still need to be submitted to the City Council for their review and final approval

Please contact us with any additional questions.

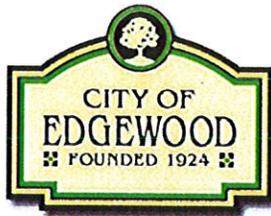
Sincerely,
CPH, Inc.

A handwritten signature in blue ink, appearing to read 'Allen C. Lane', is written over a light blue horizontal line.

Allen C. Lane, P.E.
Project Engineer

CC: David Mahler, P.E., file

J:\E7601\Civil\Documents\Letter\5160 Stratemeyer Drive -final approval 2-5-18.docx



2018-VAR-02

APPLICATION FOR VARIANCE

Reference: City of Edgewood Code of Ordinances, Section 126-588

REQUIRED FEE: \$350 RESIDENTIAL \$750 COMMERCIAL
(+Applicable Pass-Through Fees - Ordinance 2013-01)

Please note this fee is non-refundable

PLANNING AND ZONING MEETING DATE:	4/9/2018
CITY COUNCIL MEETING DATE:	5/15/2018

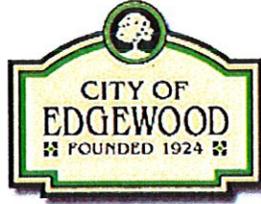
IMPORTANT: A COMPLETE application with all required attachments and ten (10) copies must be submitted to the City Clerk _____ days before the next Planning & Zoning meetings. No application shall be deemed accepted unless it is complete and paid for.

Notarized letter of authorization from Owner **MUST** be submitted if application is filed by anyone other than property owner.

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

Applicant's Name:	Marc Miller	Owner's Name:	Marc Miller
Address:	5160 Stratemeyer Dr. Orlando, FL	Address:	5160 Stratemeyer Dr. Orlando, FL
Phone Number:	(407) 818-3902	Phone Number:	(407) 818-3902
Fax:		Fax:	
Email:	mmiller@pcl.com	Email:	mmiller@pcl.com
Legal Description:	Lot 104 Lake Jessamine Estates Plat Book 18, pages 17-18 Community Number: 120183 Panel: 0410		
Zoned:	R-1A 0103 – Single fam Class III		
Location:	13-23-29-4527-01-040		
Tract Size:	52,686 sqft (+/-)		
City section of the Zoning Code from which Variance is requested:	Section 14-11 (b)(6) square footage of boat docks		
Request:	Exceed 1,000 SF		
Existing on Site:	N/A		

The applicant hereby states that this request for Variance does not violate any deed restrictions on the property.
Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached.



To justify this variance, applicant must demonstrate the following:

1. That special condition and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or building in the same zoning classification
2. the special conditions and circumstances do no result from the action of the applicant
3. literal interpretation or enforcement of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification under the terms of the Ordinance
4. the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible for the regulation at issue
5. the variance sought will not authorize or extend any non-conforming use or other non-conformity with respect to the land or structures in questions
6. the granting of the variance will be in harmony with the general intent and purpose of this Ordinance, will not be injurious to the area involved, or surrounding properties, and will no authorize a use of the property not permitted by its zoning classification
7. the variance sought will be consistent with the Edgewood Comprehensive Plan

Applicant must agree that:

1. In granting any variance, the City may prescribe appropriate conditions and safeguards in conformity with the Ordinances, and any regulations enacted under its authority. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of Edgewood ordinances.

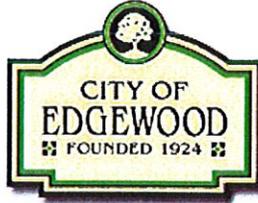
AGREE:	X	DISAGREE:	
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2. The variance recommended by the Planning and Zoning Board and approved by the City Council shall expire in 12 months in accordance with Chapter 134-104 (3) (e).

AGREE:	X	DISAGREE:	
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The applicant hereby states that the above request for Variance does not violate any deed restrictions on the property.

Applicant's Signature:	<i>Marc Miller</i>	Date:	1/31/18
Applicant's Printed Name:	Marc Miller		
Owner's Signature:	<i>Marc Miller</i>	Date:	1/31/18
Owner's Printed Name:	Marc Miller		



Please submit your completed application to City Hall via email at bmeeks@edgewood-fl.gov or srepp@edgewood-fl.gov, via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Larue Ave. For additional questions, please contact City Hall at 407-851-2920.

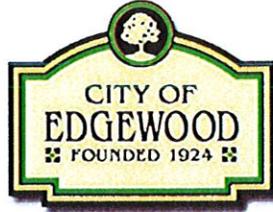
Office Use Only:	
Received Date	1/31/2018 - Reuben
Received By:	S. Repp
Forwarded To:	CPH
Notes:	

Revised 06/13/2016

Page 4 of 4

405 Larue Avenue, Edgewood, Florida, 32809-3406
Phone: 407-851-2920 / Fax: 407-851-7361
www.edgewood-fl.gov

Revised 1/31/2018



2018-VAR-03

APPLICATION FOR VARIANCE

Reference: City of Edgewood Code of Ordinances, Section 126-588

REQUIRED FEE: \$350 RESIDENTIAL \$750 COMMERCIAL

(+Applicable Pass-Through Fees - Ordinance 2013-01)

Please note this fee is non-refundable

PLANNING AND ZONING MEETING DATE:	4/9/2018
CITY COUNCIL MEETING DATE:	5/13/2018

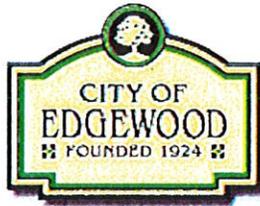
IMPORTANT: A COMPLETE application with all required attachments and ten (10) copies must be submitted to the City Clerk ___ days before the next Planning & Zoning meetings. No application shall be deemed accepted unless it is complete and paid for.

Notarized letter of authorization from Owner MUST be submitted if application is filed by anyone other than property owner.

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

Applicant's Name:	Marc Miller	Owner's Name:	Marc Miller
Address:	5160 Stratemeyer Dr. Orlando, FL	Address:	5160 Stratemeyer Dr. Orlando, FL
Phone Number:	(407) 818-3902	Phone Number:	(407) 818-3902
Fax:		Fax:	
Email:	mmmiller@pcl.com	Email:	mmmiller@pcl.com
Legal Description:	Lot 104 Lake Jessamine Estates Plat Book 18, pages 17-18 Community Number: 120183 Panel: 0410		
Zoned:	R-1A 0103 – Single fam Class III		
Location:	13-23-29-4527-01-040		
Tract Size:	52,686 sqft (+/-)		
City section of the Zoning Code from which Variance is requested:	Section 14-11 (b)(3) length of boat docks		
Request:	Build beyond 65' length		
Existing on Site:	N/A		

The applicant hereby states that this request for Variance does not violate any deed restrictions on the property. **Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached.**



To justify this variance, applicant must demonstrate the following:

1. That special condition and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or building in the same zoning classification
2. the special conditions and circumstances do no result from the action of the applicant
3. literal interpretation or enforcement of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification under the terms of the Ordinance
4. the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible for the regulation at issue
5. the variance sought will not authorize or extend any non-conforming use or other non-conformity with respect to the land or structures in questions
6. the granting of the variance will be in harmony with the general intent and purpose of this Ordinance, will not be injurious to the area involved, or surrounding properties, and will no authorize a use of the property not permitted by its zoning classification
7. the variance sought will be consistent with the Edgewood Comprehensive Plan

Applicant must agree that:

1. In granting any variance, the City may prescribe appropriate conditions and safeguards in conformity with the Ordinances, and any regulations enacted under its authority. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of Edgewood ordinances.

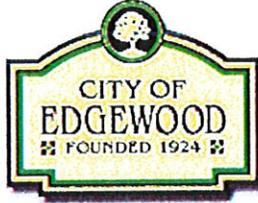
AGREE:	X	DISAGREE:	
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2. The variance recommended by the Planning and Zoning Board and approved by the City Council shall expire in 12 months in accordance with Chapter 134-104 (3) (e).

AGREE:	X	DISAGREE:	
---------------	---	------------------	--

The applicant hereby states that the above request for Variance does not violate any deed restrictions on the property.

Applicant's Signature:		Date:	1/31/18
Applicant's Printed Name:	Marc Miller		
Owner's Signature:		Date:	1/31/18
Owner's Printed Name:	Marc Miller		



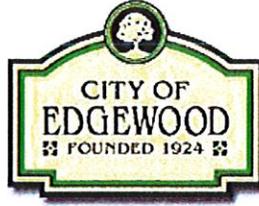
Please submit your completed application to City Hall via email at bmeeks@edgewood-fl.gov or srepp@edgewood-fl.gov, via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Larue Ave. For additional questions, please contact City Hall at 407-851-2920.

Office Use Only:	
Received Date	1/3/2018 - Received
Received By:	Sf Rupp
Forwarded To:	CPH
Notes:	

Revised 06/13/2016

Page 4 of 4

405 Larue Avenue, Edgewood, Florida, 32809-3406
Phone: 407-851-2920 / Fax: 407-851-7361
www.edgewood-fl.gov



Revised:
Rec. 1/31/2018

APPLICATION FOR BOAT DOCK

Reference: City of Edgewood Code of Ordinances, Section 14-11
REQUIRED FEE: \$350 and \$1,000 Deposit Towards Pass-Through Fees
(Pass-Through Fees - Ordinance 2013-01)
 Please note this fee is non-refundable

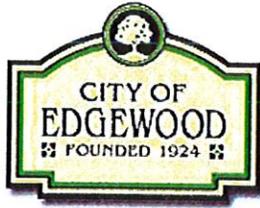
IMPORTANT:

1. A COMPLETE application with all required attachments and three (3 copies must be submitted to the City Clerk's office. **An application is considered complete based upon the City Engineer's determination and when the fee is paid at Edgewood City Hall.**
2. Applications that are deemed incomplete and/or unaccompanied by fees will be deferred to the next posted deadline date.
3. **Notarized letter of authorization from Owner MUST be submitted if application is filed by anyone other than property owner.**
4. In the event that the application goes before Planning and Zoning or City Council, **the application will not be considered unless the applicant or representative is in attendance.** The applicant is advised that the individual board and council members can only be addressed during board proceedings.

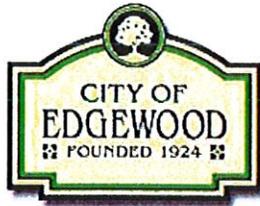
Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

Applicant's Name:	Marc Miller	Owner's Name:	Marc Miller
Address:	5160 Stratemeyer Dr. Orlando, FL	Address:	5160 Stratemeyer Dr. Orlando, FL
Phone Number:	(407) 818-3902	Phone Number:	(407) 818-3902
Fax:		Fax:	
Email:	mmmiller@pcl.com	Email:	mmmiller@pcl.com
Name of Lake or Body of Water:	Lake Jessamine	NHWE:	NHWE=92.40 (NGVD 29) NHWE=91.48 (NAVD 88)
Parcel ID/Legal Description:	13-23-29-4527-01-040	Lot 104 Lake Jessamine Estates Plat Book 18, Pages 17-18 Community Number: 120183 Panel: 0410	

Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached.



Names and addresses of adjoining property owners:									
1.	Bruce Chisholm - 5156 Stratemeyer Dr. Orlando, FL 32839								
2.	Daniel Pavlik - 5164 Stratemeyer Dr. Orlando, FL 32839								
3.									
4.									
5.									
6.									
7.									
<p>Notarized consent forms shall be provided from adjoining property owners if the side setback is less than 15 feet.</p>									
<p>1. Exact distance of setbacks from adjacent property lines:</p>									
<p>2. NOTE: A variance is required for rear setback less than 25 ft. and/or side setback is less than 10 ft. Section 14-11(b)(1)(2)</p>									
A. (side)	30'-0"	B. (side)	86'-5"	C. (Rear)	64'-8"				
<p>3. Brief description of work to be done (dock and site plans must be attached):</p> <p><u>New dock construction.</u></p> <p>_____</p> <p>_____</p> <p>_____</p>									
<p>4. Electric power to dock:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 2px;">Yes:</td> <td style="width: 40px;"></td> <td style="padding: 2px;">No:</td> <td style="width: 40px; text-align: center;">X</td> </tr> </table>						Yes:		No:	X
Yes:		No:	X						
<p>5. Total area of structure:</p> <p style="margin-left: 40px;">Area lakeward of NHWL: 1,000 sq. ft. maximum allowed. Section 14-11(b)(3)</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 2px;">1300.43</td> <td style="padding: 2px;">Square feet</td> </tr> </table>						1300.43	Square feet		
1300.43	Square feet								
<p>6. Length extending lakeward from NHWE shoreline</p> <p style="margin-left: 40px;">65 feet maximum allowed. Section 14-11(b)(6)</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 2px;">163.75</td> <td style="padding: 2px;">Feet</td> </tr> </table>						163.75	Feet		
163.75	Feet								
<p><i>Page 2 of 5</i></p>									



7. Depth of water on date of application at end of proposed dock:
 Feet

8. Height of structure above NHWE contour:

8. Is width of water body less than 200 feet?
 Yes: No:

If yes, width of water body (from the NHWL) at proposed dock:
 Feet

9. Type of materials to be used:
ALL TIMBER SHALL BE PRESSURE TREATED SOUTHERN LUMBER #1 GRADE.
ALL BOLTS, NUTS, WASHERS, AND NAILS SHALL BE 316 STAINLESS STEEL.
ALL WOOD FOR DECKING SHALL BE PRESSURE TREATED SOUTHERN PINE #1 DENSE WITH EXTREME FIBER STRENGTH 1500PSI
STANDING SEAM METAL ROOF ON THERMAL PROTECTANT PEEL AND STICK ROOFING UNDERLAYMENT

I have complied with all requirements and procedures and proclaim this application to be complete. I understand that an incomplete application will be deferred to the next posted deadline date.

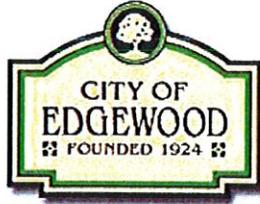
I also understand that following the administrative approval by the City Council (when applicable), an approved building permit from the Orange County Building Department is required before any construction shall commence.

The application fees are established by the City Council. The application fee does not, in any way, ensure the applicant a favorable decision. All applications will be reviewed on the merits of the request alone, regardless of the application fee. All fees are nonrefundable.

Following approval from the City Engineer and the City Council (when applicable), the following must be submitted for zoning stamp approval from the City of Edgewood

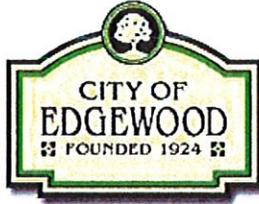
- Completed building permit application
- Recorded notice of commencement
- Proof of contractor's worker's compensation, naming the City of Edgewood as certificate holder

Applicant's Signature:		Date:	1/31/18
Applicant's Printed Name:	Marc Miller		
Owner's Signature:		Date:	1/31/18
Owner's Printed Name:	Marc Miller		



BOAT DOCK APPLICATION PROCESS

1. Submit application with:
Three (3) site plans **AND** Three (3) sets of engineered construction plans (note: plans will be retained by City Hall and consultants)
2. Application will be forwarded to the City Engineer
3. If a variance from the provisions is requested or required, the City Engineer is not authorized to approve the application.
4. Notices will be mailed to the neighboring property owners who have a legal interest in the shoreline within 300' of the property via mail
5. Written comments from neighboring property owners are due within 15 calendar days after mailing.
6. If **NO** written objections are received, it shall be deemed that property owners have given consent and have waived their right to object to the construction to the dock. The application is then approved based on recommendation by the City Engineer 15 calendar days from the date notices are sent as long as the application is complete in all other aspects.
7. If one written objection is received, or if the City Engineer believes the application should be approved by City Council, the Council will consider the application during a regularly scheduled council meeting with: **Additional site plans and engineered construction plans with quantify specified by City Clerk's office.**
8. When City Council must decide the application, it shall approve, deny or approve with conditions taking into consideration comments or objections from all parties who were previously notified and staff's review of the proposed boat dock.
9. Copies of City Council's decision shall be sent to the applicant and those who filed written objections with the date of the decision.
10. If **NO** objections have been filed and City Council approves the application, the application will be effective immediately.
11. Following City Council's action and within 15 days, applicant or parties who have submitted written objections may submit written Notice of Appeal to the City Clerk.
12. If a Notice of Appeal is filed, it shall be heard by City Council during a regular council meeting. Notice of Appeal shall be provided to the applicant and parties who previously objected in writing.
13. During Notice of Appeal hearing, City Council may affirm, reverse or modify their previous decision.
14. If **NO** Notice of Appeal is received, City Council's ruling is final
15. City Council's decision on appeal is final.



BOAT DOCK VARIANCE APPLICATION PROCESS

1. Applicant must apply for a variance to the Edgewood Planning and Zoning Board, simultaneous with the submission of the Boat Dock Application and the required processing fees.
2. When a variance is requested the applicant shall submit to the City Clerk's office
Additional site plans and engineered construction plans with quantify specified by City Clerk's office.
3. Applications for a variance shall follow the variance procedures as outlined in the Code (See Chapter 126, Section 126-588)
4. Following the approval of a boat dock application, either by the City Engineer or by the City Council, the applicant is also required to obtain a building permit prior to commencing construction.
5. In the event electricity is run to the boat dock, the proper electrical permit must also be obtained by the City of Edgewood.
6. The applicant is responsible for all fees associated with the procurement of necessary permits.
7. Approval of a boat dock permit by the City of Edgewood does not eliminate the applications of any other government requirements or the necessity for required other permits or fees.

Please submit your completed application to City Hall via email at bmeeks@edgewood-fl.gov or srepp@edgewood-fl.gov, via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Larue Ave. Please contact City Hall at 407-851-2920 with additional questions.

Office Use Only:	
<input checked="" type="checkbox"/>	Three (3) Site Plans
<input type="checkbox"/>	Signed and sealed survey with Normal High Water Elevation (NHWE) as established by Orange County and performed by a Florida Registered Surveyor or mapper
<input type="checkbox"/>	Three (3) sets of engineered construction plans (signed and sealed)
<input type="checkbox"/>	Non-refundable application fee of \$350.00 and \$1,000 Deposit Towards Pass Through fee (per Ordinance 2013-01)
Received Date:	11/31/2015 - Revised
Received By:	S. J. Repp
Forwarded To:	CPH
Notes:	

Revised 10/27/2016

Page 5 of 5

405 Larue Avenue, Edgewood, Florida, 32809-3406
 Phone: 407-851-2920 / Fax: 407-851-7361
www.edgewood-fl.gov

January 31, 2018

City of Edgewood
405 Laure Ave
Orlando, FL 32789

Re: Application for Variance – Boat Dock Construction

To Whom It May Concern,

My name is Marc Miller, property owner of 5160 Stratemeyer Drive, and I am requesting a variance to the boat dock regulations set forth by the City of Edgewood.

In reference to Section 14 of the Zoning Code, 11(b)(3) restricts the total length of boat docks to 65'. I have a special condition to which I believe constitutes and justifies the securing of a variance from the city council. Starting from the edge of water, there is an excess of vegetation, muck and shallow depth protruding out roughly 170' due west. I am requesting to build the dock at a total length of 163.75' measured lakeward from the Normal High-Water Line. The use of the proposed boat dock is to: 1) Approach/operate a deep-V inboard wakeboard boat with 25" draft up to proposed boat dock slip in reasonable water depth free of vegetation and muck (4' from top of muck elevation to top of water elevation) Anything less than 4' risks engine damage from the muck infiltration through the impeller into the engine. At the top of muck elevation, the muck sediment is very fine and stirs with little movement from outside sources, such as propellers and even paddles and boat wakes. This sediment then gets impelled into the interior of the engine, causing over-heating and engine damage, which has already proved to be a costly experience to me in September of 2017. 2) Moor deep-V inboard engine wakeboard boat with 25" draft in slip with mechanical vertical boat lift requiring minimum 3' depth (typical per ShoreMaster brand vertical lift specifications from top of bunk to bottom of rack. Bunks will require extra space for shaft and propeller clearance.)

The total dock length, measured from the Normal High-Water Line, at 163.75' is also similar in length with the neighboring dock, with a total length exceeding 180', at 5156 Stratemeyer Drive., and has proven safe boat navigation and traffic on the lake. As shown on the attached lake bottom and elevation survey, the muck slowly recedes up to roughly 170' thereafter terminating. To achieve the 4' minimum recommended requirements for reasonable use as described above, the length of dock has been determined based on the calculated depth from top of actual/recent water and to top of muck.

Lake Jessamine's latest value elevation on January 28, 2018 per Orange County Water Atlas is 89.82', which is 2.58' shallower than what the current Normal High-Water Elevation (92.40 NGVD 29). Data samples of the recent 2 years show an average of 90.03476' water elevation, with low of 88.4633' and high of 91.3529'. The ten-year time series graph of elevation water surface for Lake Jessamine show similar data with extreme low and high outliers but average roughly 90.5' water elevation. As you can see, the NHWE does not depict actual or realistic water elevation conditions in recent years. Therefore, it is reasonable and prudent to determine the total length of dock based on top of muck elevation and recent actual water elevations.

With these calculations, the total length of dock, from the survey established normal high-water line, is 163.75 with an end of dock depth currently at 3.02' (based on January 28, 2018 per Orange County Water Atlas is 89.82') or 3.6' (based on the provided lake bottom survey of November 29, 2017). Both values are below the recommended usage for the reasonable uses, but historic data norm for this time of year (as shown on Orange County Water Atlas) is 90.54' with the expected levels to rise (based on 2-10 year data as mentioned above) between 6" to a 1.5' at high season starting in the summer months. We can reasonably conclude based on the data that the foreseeable water elevation will rise to roughly to the 2 year high of 91.3529', which is still 1.0471' lower than the NHWE.

On the other extreme, 2017 months of April, May, June and July recorded low elevations averaging 89.04995' with multiple weeks ranging from 88.4633' to 88.9846'. With these elevations, significant hardships occur due to the inability to navigate to the dock and completely denies proper usage of the lift. The financial commitment I am investing in the property, which in turn benefits the community by the increase of property value from this property improvement, will potentially go to waste for multiple months out of the year if the total length of dock of 163.75' is not achieved.

The second variance I am currently seeking is in relation to Section 14(11)(b), which pertains to the maximum square footage of a dock at 1000 square-feet. Directly resulting from the above-mentioned request for variance, the total square footage of the proposed dock exceeds the allowed amount by 300.43 square feet, for a proposed total of 1,300.43 square feet including roof overhang. The reason for the excess of square footage is directly caused by the proposed length of the walk way to extend past the shallow water, muck and vegetation.

With the unique geographical limitations of the lake at my property taken in to consideration, I believe the proposed dock requires the minimum modification and variance to the regulations set forth by the City of Edgewood. The proposed dock will also not cause any effects to the normal boating usage of the lake, nor obstruct the view of any neighboring properties. Please feel free to contact me directly if you find any insufficient information in this application or simply wish to discuss further. Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink that reads "Marc Miller". The signature is fluid and cursive, with a long horizontal stroke at the end.

Marc Miller
(407) 818-3902
5160 Stratemeyer Drive
Orlando, FL 32839



Florida Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

March 30, 2018

Marc Miller
5160 Stratemeyer Drive
Orlando, FL 32839
Millerm415@gmail.com

File No. 361959-001-EG Orange County

Dear Mr. Miller:

On March 2, 2018, we received your notice of intent to use a General Permit (GP), pursuant to Rule 62-330.427, Florida Administrative Code (F.A.C.) to construct a single-family dock, on Lake Jessamine, Class III Florida waterbody. The project is located at 5160 Stratemeyer Drive, 32839.

Your intent to use a general permit has been reviewed by Department staff for three types of authorizations: (1) regulatory authorization, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal authorization. The authority for review and the outcomes of the reviews are listed below. Please read each section carefully.

Your project qualifies for all three authorizations. However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

1. Regulatory Review – Approved

Based on the forms, drawings, and documents submitted with your notice, it appears that the project meets the requirements for the General Permit under Rule 62-330.427, F.A.C. Any activities performed under a general permit are subject to general conditions required in Rule 62-330.405, F.A.C. (attached), and the specific conditions of Rule 62-330.427, F.A.C. (attached). Any deviations from these conditions may subject the permittee to enforcement action and possible penalties.

www.dep.state.fl.us

Please be advised that the construction phase of the GP must be completed within five years from the date the notice to use the GP was received by the Department. If you wish to continue this GP beyond the expiration date, you must notify the Department at least 30 days before its expiration.

Authority for review- Part IV of Chapter 373, F.S., Title 62, F.A.C. and in accordance with the operating agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C.

2. Proprietary Review – Granted

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapter 253 of the Florida Statutes (F.S.) and 258, F.S. if located within an aquatic preserve, and Chapters 18-20 and 18-21 of the Florida Administrative Code.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity qualifies for a letter of consent under Section 253.77, Florida Statutes, to construct and use the activity on the specified sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein.

During the term of this Letter of Consent you shall maintain satisfactory evidence of sufficient upland interest as required by paragraph 18-21.004(3)(b), Florida Administrative Code. If such interest is terminated or the Board of Trustees determines that such interest did not exist on the date of issuance of this Letter of Consent, this Letter of Consent may be terminated by the Board of Trustees at its sole option. If the Board of Trustees terminates this Letter of Consent, you agree not to assert a claim or defense against the Board of Trustees arising out of this Letter of Consent.

Please be advised that any use of sovereign submerged lands without specific prior authorization from the Board of Trustees will be considered a violation of Chapter 253, Florida Statutes and may subject the affected upland riparian property owners to legal action as well as potential fines for the prior unauthorized use of sovereign land.

Authority for review - Chapter 253 F.S., and Chapter 18-21, F.A.C. and, and Section 62-330.075, F.A.C. as required.

3. Federal Review- SPGP Approved

Your proposed activity as outlined in your application and attached drawings qualifies for Federal authorization pursuant to the State Programmatic General Permit V, and a **SEPARATE permit** or authorization **will not be required** from the Corps. Please note that the Federal authorization expires on July 26, 2021. However, your authorization may remain in effect for up to 1 additional year, if provisions of Special Condition B.27 of the SPGP V permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project." Special conditions required for your project are attached. A copy of the SPGP V with all terms and conditions and the General Conditions may be found online in the Jacksonville District Regulatory Division Sourcebook.

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection, or Duly Authorized Designee, State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this general permit. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;

- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for

extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Kimberly Eisele
Environmental Specialist
Submerged Lands and Environmental
Resource Permitting
Central District

Enclosures:

Ch. 62-330.427, F.A.C.

General Conditions for All General Permits, Ch. 62-330.405, F.A.C.

Special Consent Conditions

General Conditions for Authorizations for Activities on State-Owned Submerged Lands

General Conditions for Federal Authorization for SPGP V

Department of the Army Permit Transfer for SPGP V

Project drawings, 7 Pages

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies were sent on the filing date below to the following listed persons:

Copies furnished to:

Orange County, neal.thomas@ocfl.net

Marah Green, FDEP, Marah.E.Green@dep.state.fl.us

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

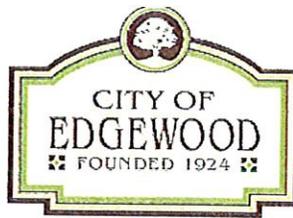

Clerk

March 30, 2018
Date

PERMIT CONDITIONS AND PROVISIONS:

- 1 Permittee must manage the above listed aquatic plants in accordance with the attached site plan which is made part of this permit.
- 2 Permittee may maintain clear the above listed aquatic plants from within an access corridor not to exceed 30 feet in width, of sufficient length waterward from the shore to allow access to open water.
- 3 All aquatic vegetation removed pursuant to this permit shall be deposited on a self-contained upland site which shall be located so as to prevent the reintroduction of the removed vegetation into waters of the State.
- 4 Permittee shall not disturb or destabilize the shoreline substrate while using any mechanical equipment. If substrate will/may be disturbed or removed while using a tractor/mower, bush-hog or other mechanical equipment, then a dredge & fill permit may be required by the Department of Environmental Protection.
- 5 Permittee may remove entire plant (including roots) from the site, as long as no offsite turbidity occurs or sediment is removed. If substrate is removed while conducting the above permitted activities then a dredge & fill permit may be required by the Department of Environmental Protection.
- 6 Issuance of this permit does not relieve the permittee of the responsibility to comply with all applicable federal, state, county, and municipal law, ordinances, or rules; nor is the permittee relieved of the responsibility to obtain any other license or permits. Please contact the Orange County Environmental Protection Department at (407) 836-1400 for information on County Permitting requirements.
- 7 The permit or a copy of the permit must be present and available for review on site during the time of any aquatic plant control activities.
- 8 This permit is valid for only the activities printed on the front of this document.
- 9 If an aquatic herbicide(s) is authorized for use by this permit, the permittee is required to use the permitted herbicide(s) in a manner that is consistent with the application directions on the product label.
- 10 The Permittee agrees to hold and save the State of Florida, the Fish and Wildlife Conservation Commission, its inspectors and employees, harmless from any damage, no matter how occasioned and no matter what the amount, to persons or property, which might result from the aquatic plant management activities pursuant to the permit. [If the Permittee is a Florida "state agency or subdivision" as defined in 768.28, F.S., this provision does not constitute a waiver of the Permittee's sovereign immunity or extend the Permittee's liability beyond the limits established in Section 768.28, F.S.]
- 11 The Permittee is responsible for complying with the restrictions/requirements of any recorded conservation easement along the shoreline. If the activities authorized by this permit are inconsistent or contrary with the restrictions/requirements of a conservation easement, then the permittee must obtain authorization from the conservation easement holder prior to conducting any aquatic plant control activities at the site.
- 12 The removal of aquatic plants is exempt from chapters 373 and 403, Florida Statutes, dredge and fill permitting requirements, provided the activities are performed in compliance with the conditions of paragraph 403.813(1)(r), Florida Statutes (copy attached). Turbidity caused by aquatic plant control activities must be contained on site so as to prevent violation of state water quality standards.

A person whose substantial interests are affected by FWC's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. A person seeking a hearing on FWC's action shall file a petition for hearing with the agency within 21 days of receipt of written notice of the decision. The petition must contain the information and otherwise comply with section 120.569, Florida Statutes, and the uniform rules of the Florida Division of Administration, chapter 28-106, Florida Administrative Code. If the FWC receives a petition, FWC will notify the Permittee. Upon such notification, the Permittee shall cease all work authorized by this permit until the petition is resolved. The enclosed Explanation of Rights statement provides additional information as to the rights of parties whose substantial interests are or may be affected by this action.

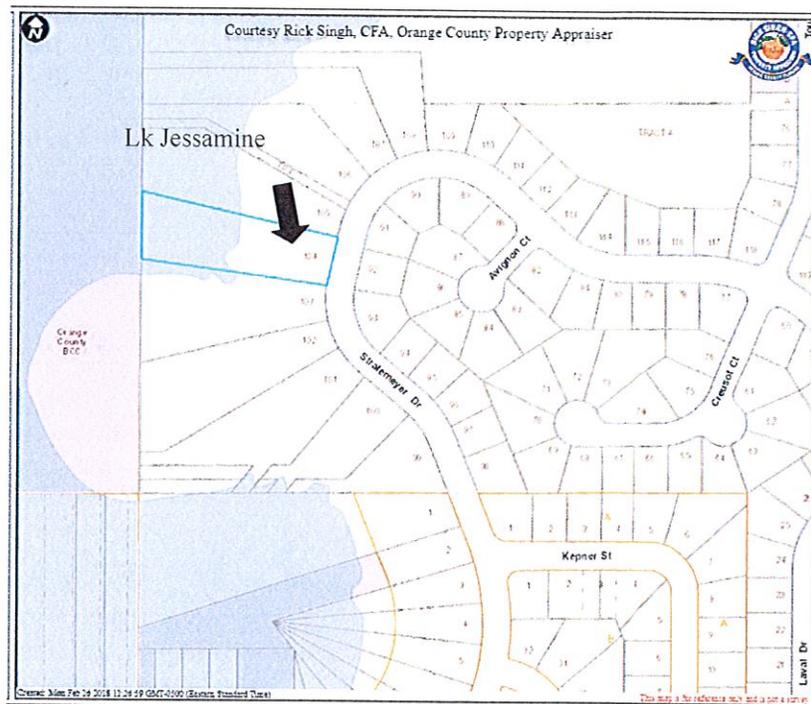


NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that at its Planning & Zoning meeting on **Monday, April 9, 2018** the Planning and Zoning Board of the City of Edgewood, will consider **Variance Application VAR 2018-02** to allow a variance request for construction of a boat dock exceeding 1,000 square feet and **Variance 2018-03** to allow a boat dock exceeding 65 feet in length, located at 5160 Stratemeyer Road which is currently in R-1A zoning district. (City of Edgewood Resolution 2005-R002 City Code of Ordinances, Reference Section 134-104 [Variance]) The application was submitted by property owner Marc Miller. The meeting will be held in the Council Chambers of City Hall, 405 Larue Avenue, Edgewood, Florida beginning at **6:30 p.m. or as soon thereafter as the matter may be heard.**

The Planning and Zoning Board's recommendation will be forwarded to City Council on Tuesday, May 15, 2018 at 6:30 p.m. for final action.

The subject property for variance is legally described as LAKE JESSAMINE ESTATES 18/17 LOT 104.



Interested parties may attend this meeting and be heard with respect to this variance application. In addition, the application(s) may be inspected by the public at the City Clerk's Office, 405 Larue Avenue, Edgewood, Florida.

You may reach City Hall at 407-851-2920; City Hall is open Monday – Thursday 8 a.m. to 4 p.m. and Friday 8 a.m. to noon. Should you have any questions or concerns please do not hesitate to come to City Hall to review the file.

405 Larue Avenue • Tel: 407-851-2920 • Fax: 407-851-7361 • www.edgewood-fl.gov

This matter is subject to quasi-judicial rules of procedure. Interested parties should limit contact with the Planning and Zoning Board and City Council on this topic to properly noticed hearings or to written communication to the City Clerk's Office.

Any person aggrieved by a recommendation of the Planning and Zoning Board may file a notice of appeal to the City Council within seven days after such recommendation is filed with the city clerk.

The City of Edgewood desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26, *Florida Statutes*, should, at least 48 hours prior to the meeting, submit a written request that the physically handicapped person desires to attend the meeting to the City Clerk's Office.

This public hearing may be continued to a future date or dates. Any interested party is advised that the date, time, and place of any continuation shall be announced during the public hearing and that no further notices regarding this matter will be published.

Should you desire additional information, regarding this application, please feel free to contact the City Clerk's Office at 407-851-2920, or e-mail at bmeeks@edgewood-fl.gov.

Bea L. Meeks, MMC, CPM, CBTO
City Clerk
Dated: March 29, 2018

You may either mail in your comments and concerns on the space provided below or submit directly to City Hall. Please see above our hours of operation. We thank you for your participation.

Application: 2018-VAR-02

Owner/Applicant Name: Marc Miller

Public Hearing Date: 4/9/2018

This affidavit is to be presented at the public hearing before the Planning and Zoning Board.

SIGN AFFIDAVIT

STATE OF FLORIDA
ORANGE COUNTY

Before me, the undersigned authority, personally appeared Marc Miller, to me well known and known to me to be the person described in and who executed the foregoing affidavit, after being first duly sworn, says:

1. That the affiant posted the notice provided by the City of Edgewood, which contains the time and dated of the public hearings involved (i.e. Planning and Zoning Board and/or City Council).
2. That said posted notice also contained the relevant facts pertaining to the application.
3. That said notice was posted was posted in a conspicuous and easily visible place on the subject property not less than ten days prior to the date of public hearing. Date posted: 3/28/2018
4. That the affiant understands that this affidavit is intended to be submitted as a prerequisite for a public hearing, and as such will be officially filed with the City of Edgewood, Florida.

[Signature]

Signature of owner or authorized representative

Sworn to and subscribed before me this 28 day of March 20 18.

Sandra J Repp
Print, type, or stamp commissioned name of Notary Public

[Signature]
Notary Public, State of Florida

Personally Known OR Produced Identification
Type of I.D. Produced _____

rev. 07.21.11



Application: 2018-VAR-03
Owner/Applicant Name: Marc Miller
Public Hearing Date: 4/9/2018

This affidavit is to be presented at the public hearing before the Planning and Zoning Board.

SIGN AFFIDAVIT

STATE OF FLORIDA
ORANGE COUNTY

Before me, the undersigned authority, personally appeared Marc Miller, to me well known and known to me to be the person described in and who executed the foregoing affidavit, after being first duly sworn, says:

- 1. That the affiant posted the notice provided by the City of Edgewood, which contains the time and dated of the public hearings involved (i.e. Planning and Zoning Board and/or City Council).
- 2. That said posted notice also contained the relevant facts pertaining to the application.
- 3. That said notice was posted was posted in a conspicuous and easily visible place on the subject property not less than ten days prior to the date of public hearing. Date posted: 3/28/2018
- 4. That the affiant understands that this affidavit is intended to be submitted as a prerequisite for a public hearing, and as such will be officially filed with the City of Edgewood, Florida.

[Signature]
Signature of owner or authorized representative

Sworn to and subscribed before me this 28 day of March, 20 18.

Sandra J. Repp
Print, type, or stamp commissioned name of Notary Public

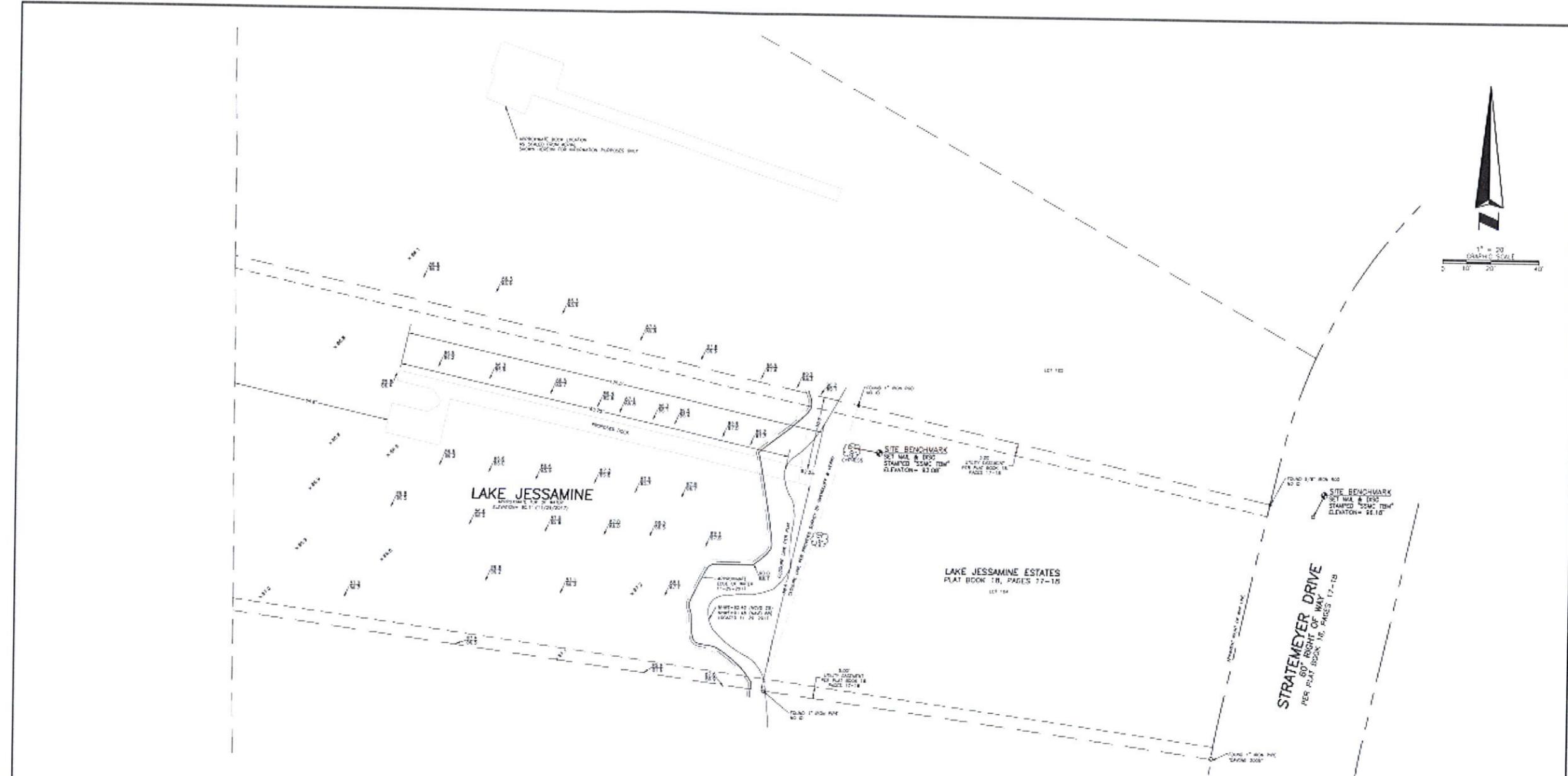
[Signature]
Notary Public, State of Florida

Personally Known Produced Identification
Type of I.D. Produced _____

rev. 07.21.11



Received:
1/31/2018



LEGEND & ABBREVIATIONS:

- = 60# PVC
- = 60# DOD
- = 1/4" 4x5/8"
- NAD = NORTH AMERICAN DATUM
- NVAD = NORTH AMERICAN VERTICAL DATUM
- TRK/PNT = TRANSVERSE POINT
- SYMBL = SOUTHEASTERN SURVEYING & MAPPING CORPORATION
- BL/TH = TOP OR MOUNTAIN
- BL/TH = BOTTOM OF LAKE
- SOY SHOWN IS TRUNK DIAMETER IN INCHES MEASURED AT CHEST
- = TREE
- = STRESS

DESCRIPTION:
A portion of Lot 124, Lake Jessamine Estates, according to the plat thereof, as recorded in Plat Book 18, Pages 17 and 18, Public Records of Orange County, Florida.

SURVEYOR'S REPORT:

- Utility locations shown herein are based on field location of markers by utility company representatives, surface features and construction plans furnished to the surveyor. Additional subsurface utilities may exist that have not been fully located.
- Easements or rights of way that appear on recorded plats or that have been furnished to the surveyor by others have been incorporated into this drawing with appropriate notation. Other easements may be discovered by a search of the Public Records.
- Minimum Horizontal Accuracy for this survey is in accordance with the STANDARDS OF PRACTICE set forth by the Board of Professional Surveyors and Mapmakers in Chapter 54-17, requirements of Florida Administrative Code. The map and measurement methods used for this survey meet or exceed the requirement. The dimensions shown herein are in United States standard feet and rounded (nearest).
- The survey does not determine ownership of the lands shown herein.
- Boundary information shown herein is based on the recorded plat and boundary survey number S, 178899, dated 6/2/2017 performed by Swadlow and Perry and provided by the client, and is shown for informational purposes only.
- Underground boundaries have not been located.
- Survey map and report of the copies thereof are not valid without the signature and the original red seal of a Florida Licensed Surveyor and Mapper.
- Features shown by symbol as indicated in the legend are not to scale.
- Abandon or deletion to survey right or results by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- Vertical information shown herein refers to the Orange County Benchmark, PD #A1524008, having a published elevation of 95.706 feet based on the North American Vertical Datum of 1988 (NAVD88).
- Horizontal features shown on the map refer to a National Geodetic Survey point with designator TOS 2121 KAREN WICKERT, PD number A67123 and is relative to North American Datum of 1983 (NAVD83), 2011 adjustment, State Plane Coordinate System, Florida East Zone. Distances shown are SPO Distances.
- Improvements & Topographic features shown herein are limited to areas per specific instructions of the client.
- Right of Way information shown herein was determined by field measurement, recorded plats and information obtained on the Orange County Property Appraiser web site. No Right of Way documentation was provided by client.
- Normal High Water Elevation for Lake Jessamine is 22.40', National Geodetic Vertical Datum of 1985 (NGVD 85), per Lake Lake Incorporated Orange County, Florida presented by Orange County Stormwater Management Division, June 2009. This figure has been converted to an elevation of 91.48', North American Vertical Datum of 1988 (NAVD 88) using Arma Corp's of Engineers "Corsscan" software.

NOTICE OF LIABILITY:
This survey is confined to those individuals shown on the face hereof. Any other use, benefit or reliance by any other party is strictly prohibited and prohibited. Surveyor is responsible only to those certified and hereby absolving any other liability and hereby releases the rights of any other individual or party to use this survey, without written consent of the surveyor.

P:\COMMON - NEW PROJECTS\18-0001\18001-001.DWG





SOUTHEASTERN SURVEYING AND MAPPING CORPORATION
4555 Alvarado Boulevard
Orlando, FL 32839
Tel: (407) 242-3333
Fax: (407) 242-3333
e-mail: info@southernsurveying.com
Certificate Number: 18100

DATE	BY	REVISION	SHEET NUMBER 1 OF 1	JOB NO. & ADDRESS SHEETS 1 THROUGH 1
Topographic Survey 6860 Stratemeyer Drive Orlando, FL 32839 Date: November 26, 2017 Scale: 1" = 20' Sheet No: 01				
Mark Miller				
DRAWING NUMBER 61828001C SHEET NUMBER 1 OF 1				

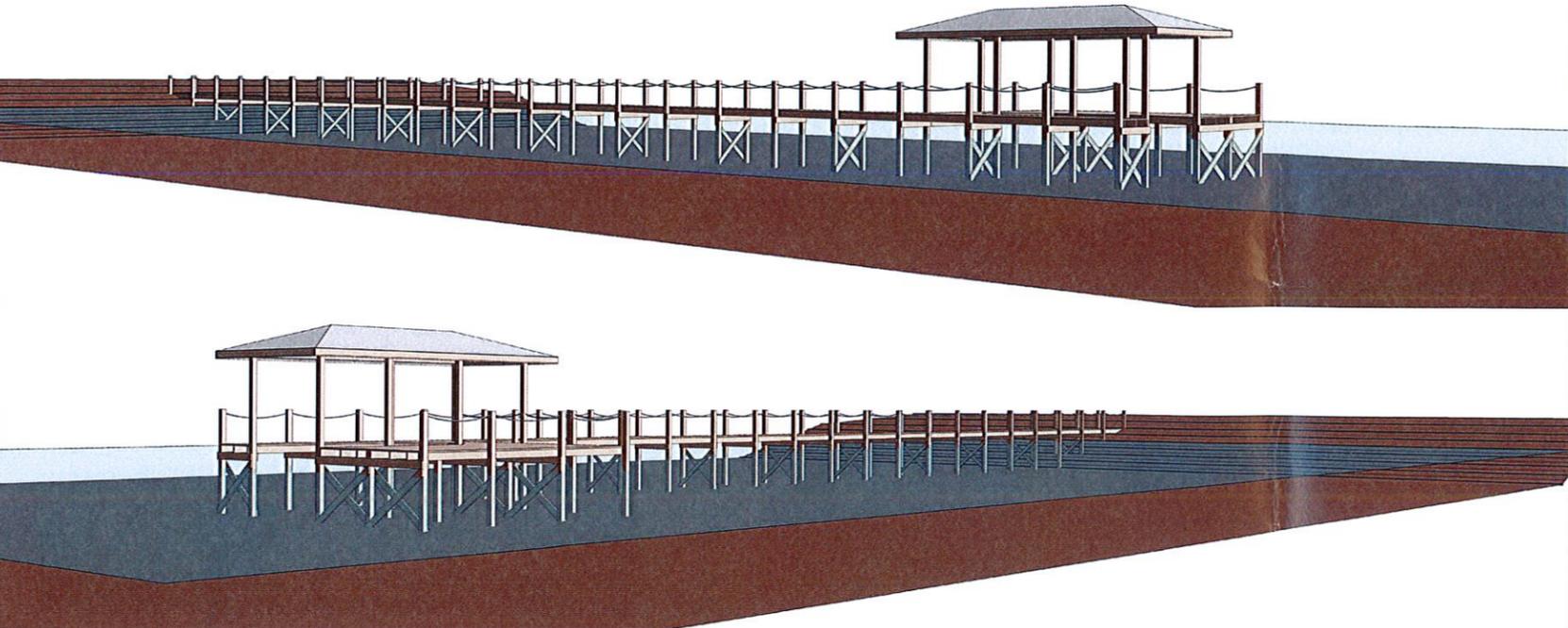
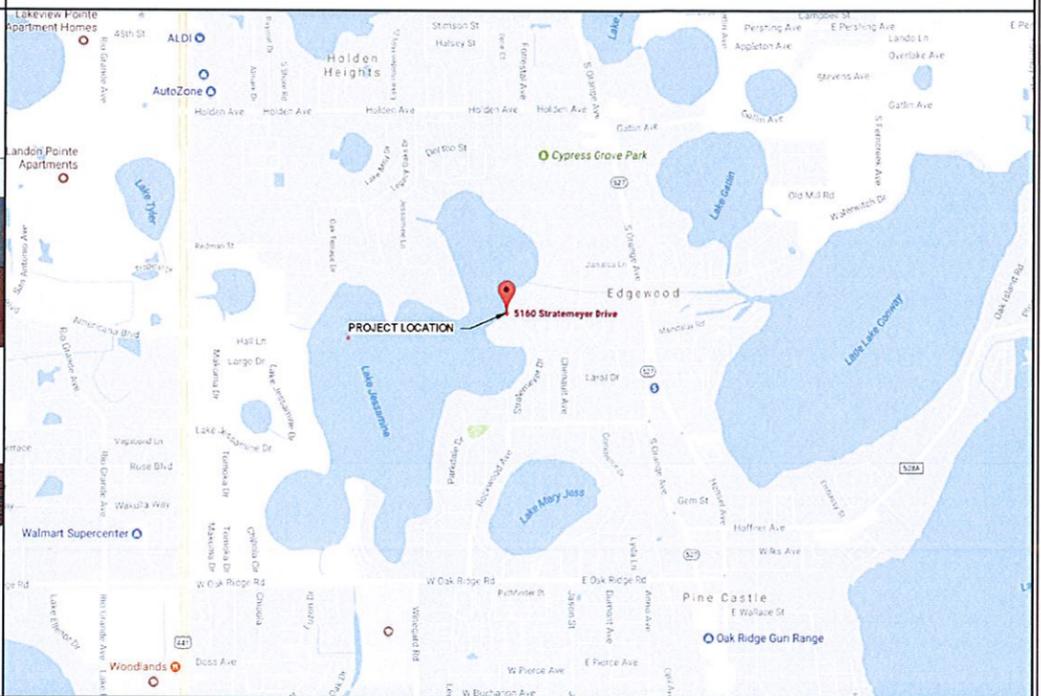
10/24/2017 8:54:11 PM
X:\Residential Design\Mike Miller Dock\Mike Miller Dock.rvt

Boat Dock for Marc Miller

5160 Stratemeyer Drive
Orlando, Florida 32839

For Permitting

LOCATION MAP



PROJECT TYPE	Boat Dock
MUNICIPALITY	Orange County
ZONING TYPE	R-1A, Single Family High Density

SHEET INDEX

G001	Cover Page
A101	Dock Plan
A102	Enlarged Plans
A201	Dock Elevations
S101	Structural Sections

GENERAL NOTES

- DESIGN LOADS ARE BASED ON FBC BUILDING CODE, 5th EDITION (2014) REVISIONS.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, CONNECTIONS AND ANCHOR BOLT LOCATIONS FROM CERTIFIED DRAWINGS.
- DETAILS LABELED "TYPICAL DETAILS" ON THE DRAWINGS SHALL APPLY TO ALL SITUATIONS OCCURRING ON THE PROJECT THAT ARE THE SAME OR SIMILAR TO THOSE SPECIFICALLY DETAILED. THE APPLICABILITY OF THE DETAIL TO ITS LOCATION ON THE PLANS CAN BE DETERMINED BY THE TITLE OF THE DETAIL. SUCH DETAILS SHALL APPLY WHETHER OR NOT THEY ARE KEYED IN AT EACH LOCATION. QUESTIONS REGARDING APPLICABILITY OF TYPICAL DETAILS SHALL BE DETERMINED BY THE ENGINEER.
- THE STRUCTURAL INTEGRITY OF THE COMPLETED STRUCTURE DEPENDS UPON THE INTERACTION OF VARIOUS CONNECTED COMPONENTS. PROVIDE ADEQUATE BRACING, SHORING, AND OTHER TEMPORARY SUPPORTS AS REQUIRED TO SAFELY COMPLETE THE WORK.
- THE CONTRACT STRUCTURAL DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE AND DO NOT INDICATE THE METHOD OR MEANS OF CONSTRUCTION. THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK AND SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, PROCEDURES, TECHNIQUES, SEQUENCE, AND SAFETY. THE ENGINEER DOES NOT HAVE CONTROL OR CHARGE OF, AND SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, OR PROCEDURES, SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK, THE ACTS OR OMISSION OF THE CONTRACTOR, SUBCONTRACTOR, OR ANY OTHER PERSONS PERFORMING ANY OF THE WORK, OR FOR THE FAILURE OF ANY OF THEM TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DRAWINGS.
- ALL WORK SHALL CONFORM TO ANY REQUIRED PERMITS. THE CONTRACTOR WHO PERFORMS THE WORK SHALL POST ON THE JOB SITE ALL PERMIT PLACARDS AND THE CONTRACTOR SHALL COMPLY WITH ALL TERMS OF THE PERMITS AS PERTAINING TO PERFORMANCE OF THE WORK.
- ANY DAMAGE TO EXISTING UPLAND FEATURES BY THE CONTRACTOR SHALL BE REPAIRED BY THE CONTRACTOR AT NO COST TO THE OWNER AND RESTORED TO PRE-CONSTRUCTION CONDITION OR BETTER, AS APPROVED BY THE ENGINEER.
- ALL TIMBER FRAMING SHALL BE AS INDICATED IN THE SPECIFICATIONS, DRAWINGS, SECTIONS, DETAILS AND NOTES.
- ALL FASTENERS AND HARDWARE (BOLTS, SCREWS, WASHERS, AND NAILS) SHALL BE 316 STAINLESS STEEL.
- SEE FRAMING PLANS, SECTIONS, AND DETAILS FOR DECKING REQUIREMENTS.
- ALL TIMBER SHALL BE PRESSURE TREATED WITH WATER BORNE PRESERVATIVES AS FOLLOWS:
 - A. DECKING - 0.4 ALKALINE COPPER QUATERNARY (ACQ)
 - B. STRINGERS/PILE CAPS - 0.6 CHROMATED COPPER ARSENATE (CCA)
 - C. PILES - 2.5 CHROMATED COPPER ARSENATE (CCA)
 - D. CANOPY - 0.4 ALKALINE COPPER QUATERNARY (ACQ)
- ALL WOOD SHALL BE NOMINAL SIZES SHOWN, DRESSED SIZES SHALL BE AS PUBLISHED BY THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY, VOLUNTARY PRODUCT STANDARD PS-20-15 AMERICAN SOFTWOOD LUMBER STANDARD.
- ALL WOOD FOR DECKING SHALL BE SOUTHERN PINE NO. 1 DENSE WITH EXTREME FIBER STRENGTH OF 1500 PSI. ALL WOOD SHALL BE TREATED WITH A MINIMUM CCA (COPPER CHROMIUM ARSENATE) CONTENT OF 0.40 PCF AND SHALL BE KILN DRIED AFTER TREATMENT. MOISTURE CONTENT AFTER TREATMENT NOT TO EXCEED 19%. EACH PIECE OF LUMBER SHALL BE IDENTIFIED BY THE GRADE AND TREATMENT MARK OF A RECOGNIZED ORGANIZATION APPROVED BY THE AMERICAN LUMBER STANDARD COMMITTEE. ALL TREATMENT SHALL BE IN CONFORMANCE WITH THE REQUIREMENTS OF THE AMERICAN WOOD PRESERVATION ASSOCIATION STANDARD U1.
- STRINGERS MAY NOT BE SPLICED BETWEEN PILE CAPS. ALL SPLICES MUST OCCUR OVER SUPPORTS.
- ALL BOLTS, NUTS, WASHERS, AND NAILS SHALL BE 316 STAINLESS STEEL. ALL OUTSIDE STRINGERS SHALL BE BOLTED TO PILES. ALL OUTSIDE BOLTS ON PILES SHALL BE COUNTERSTRUCK TO PREVENT DAMAGE TO VESSELS.
- ALL EXPOSED EDGES OF THE STRUCTURAL MEMBERS OF DECK PLANKS SHALL BE BEVELED AND SANDED SMOOTH TO REMOVE SPLINTERS AND SHARP EDGES.

BUILDING CODE DATA

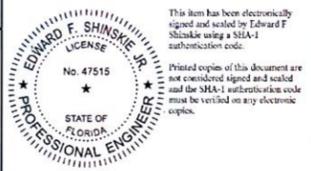
CONSTRUCTION TO BE IN ACCORDANCE WITH THE FOLLOWING NATIONAL AND STATE CODES:
 FLORIDA BUILDING CODE 2014; 5th Edition
 FLORIDA BUILDING CODE RESIDENTIAL 2014; 5th Edition
 FLORIDA PLUMBING CODE 2014; 5th Edition
 FLORIDA MECHANICAL CODE 2014; 5th Edition
 FLORIDA ELECTRIC CODE 2014; 5th Edition
 FLORIDA FIRE PREVENTION CODE 2014; 5th Edition
 NFPA 70 NATIONAL ELECTRIC CODE 2011
 NFPA 101 LIFE SAFETY CODE 2015

CONSTRUCTION TO BE IN ACCORDANCE WITH THE FOLLOWING LOCAL CODES:
 ORANGE COUNTY LAND DEVELOPMENT CODE

CONSTRUCTION TO BE IN ACCORDANCE WITH THE FOLLOWING NATIONAL STANDARDS:
 AMERICAN WOODWORKING INSTITUTE
 TILE COUNCIL OF AMERICA

BUILDING CONSTRUCTION DATA

FLORIDA BUILDING CODE 2014, 5TH EDITION	
OCCUPANCY TYPE	R-3 SINGLE FAMILY RESIDENCE
CONSTRUCTION TYPE	TYPE V-B UNPROTECTED
FIRE PROTECTION	NON-SPRINKLERED
BUILDING HEIGHT	12'-2"
NUMBER OF STORIES	1
LAND DEVELOPMENT CODE	
MUNICIPALITY	Orange County
ZONING TYPE	SINGLE FAMILY HIGH DENSITY R-1C
MAX HEIGHT	35'-0"
FRONT/REAR SETBACKS	20'-0"/25'-0"
SIDE SETBACKS	7'-6"



Digitally signed by
 PAR150336_eshinskie
 Date: 2017.10.26
 11:43:52 -04'00'

Ed Shinskie, P.E.
 4707 Wild Turkey Rd.
 Mims, Florida 32754



No.	Description	Date

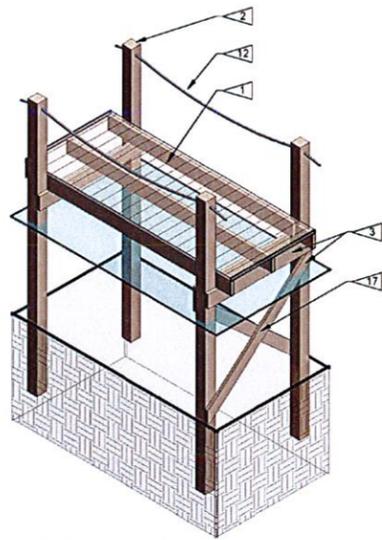
Boat Dock for Marc Miller
 5160 Stratemeyer Drive
 Orlando, Florida 32839

Cover Page

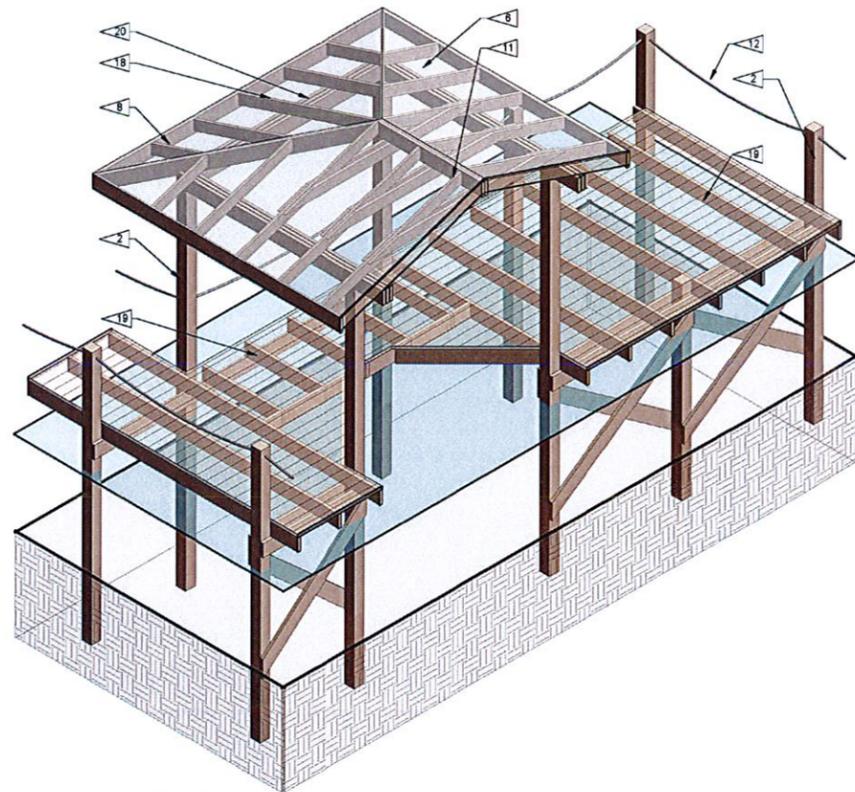
Project number	17-0916
Date	Issue Date
Drawn by	J. Kelley
Checked by	E. Shinskie

G001

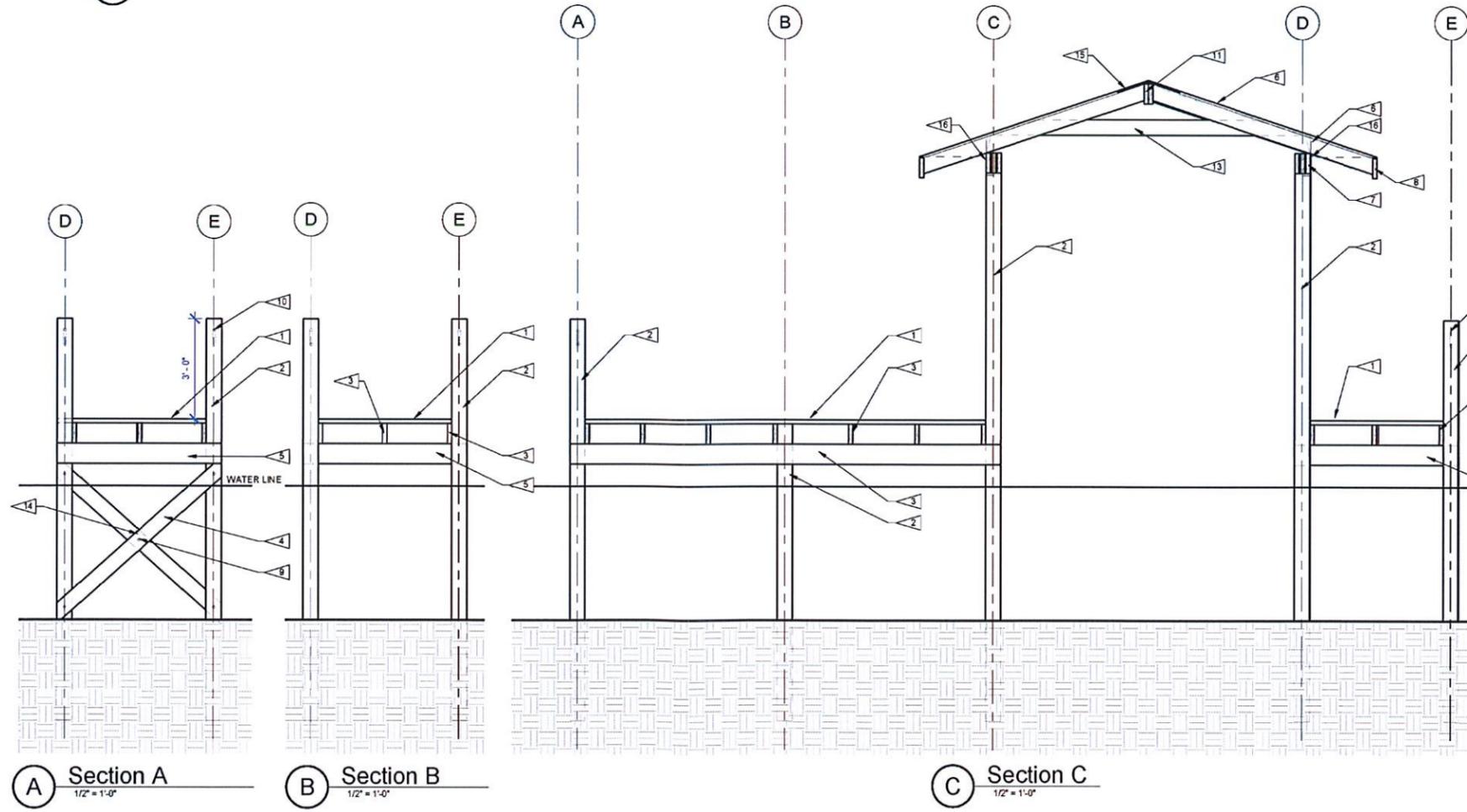
ISSUE DATE: 9/16/17



1 Typical Dock Section



2 Typical Roof Section



A Section A
1/2" = 1'-0"

B Section B
1/2" = 1'-0"

C Section C
1/2" = 1'-0"

Keynotes	
1	2X6 #1 DECKING P.T. 40-CCA DECKING HAND NAILED WITH S.S. #10 DECK SCREWS
2	6X6 POST P.T. WITH 60 PCF CCA SUNK AT LEAST 3'-0" INTO GROUND. POST ATTACHED WITH ONE 1/2" STAINLESS STEEL BOLT AT EACH CONNECTION, 2 BOLTS AT BEAM SPLICES
3	2X8 FRAMING P.T. 40-CCA FRAMING ATTACHED WITH 1/2" BOLTS AT EACH CONNECTION
4	2X8 WOOD BLOCKING @48" O.C.
5	DBL 2X8 BEARING PLATE INSTALLED AROUND PERIMETER OF EXISTING FLAT ROOF WITH 20" ALL-THREAD EXPOSED 8" INTO EXISTING TIE BEAM AT 48" O.C. WITH A NUT AND 2" WASHER
6	STANDING SEAM METAL ROOF ON THERMAL PROTECTANT PEEL & STICK ROOFING UNDERLAYMENT ON 5/8" CDX PLYWOOD SHEETING ON WOOD JOISTS @ 24" O.C. - NAIL DECKING @ 4" O.C. ON EDGES AND 8" O.C. INSIDE W #8D
7	2X8 PT SILL PLATE
8	2X8 FASCIA
9	1/2" DIA. THREADED ROD WITH NUT AND WASHER EACH END
10	2X6 PT CAP
11	2X8 P.T. RIDGE BEAM
12	1" ROPE RAILING
13	2X8 COLLIER TIES ON EACH SIDE OF RAFTER W 3/10 STAINLESS STEEL DECK SCREWS AT EACH RAFTER END
14	WOOD BLOCKING AS REQUIRED
15	SIMPSON LSTG6 RAFTER TO RAFTER CONNECTION (STAINLESS STEEL)
16	SIMPSON HTS20 TWIST STRAP
17	2X6 P.T. 40-CCA DIAGONAL BRACING ATTACHED TO POST WITH 3/8" H.D. STAINLESS STEEL LAG SCREWS
18	2X6 FRAMING @ 24" O.C.
19	2X8 FRAMING P.T. 40-CCA FRAMING @ 24" O.C.
20	(3) 2X8 P.T. WOOD BEAM

This item has been electronically signed and sealed by Edward F. Shinskie using a SHA-1 authentication code.
 Printed copies of this document are not considered signed and sealed and the SHA-1 authentication code must be verified on any electronic copies.

Digitally signed by
 PAR150336_eshinskie
 Date: 2017.10.26
 11:45:16 -04'00'

Ed Shinskie, P.E.
 4707 Wild Turkey Rd.
 Mims, Florida 32754



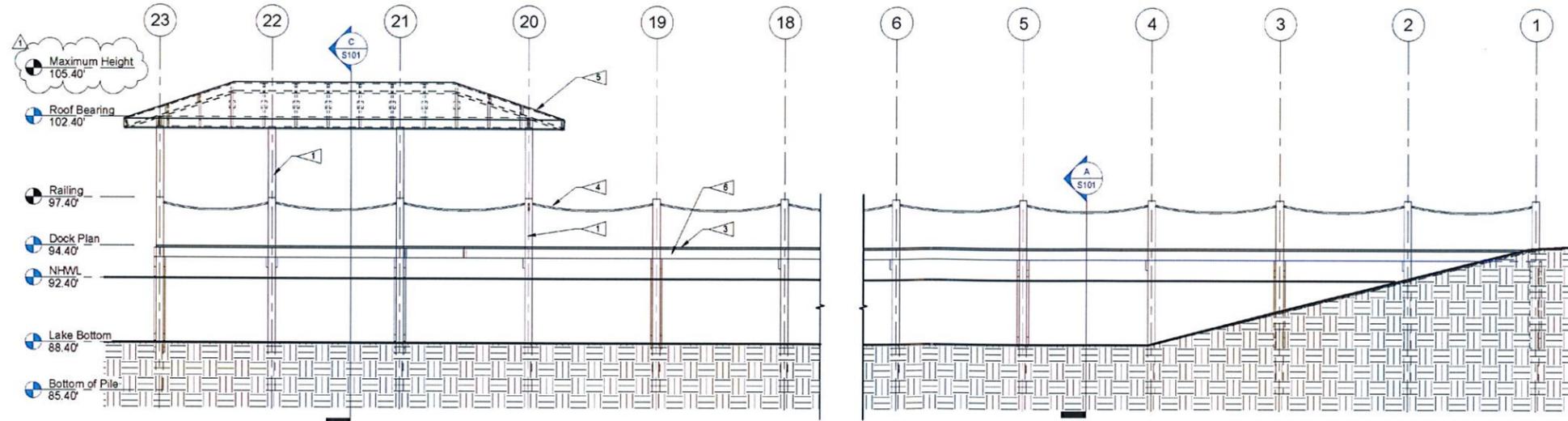
No.	Description	Date

Boat Dock for Marc Miller
 5160 Stratemeyer Drive
 Orlando, Florida 32839

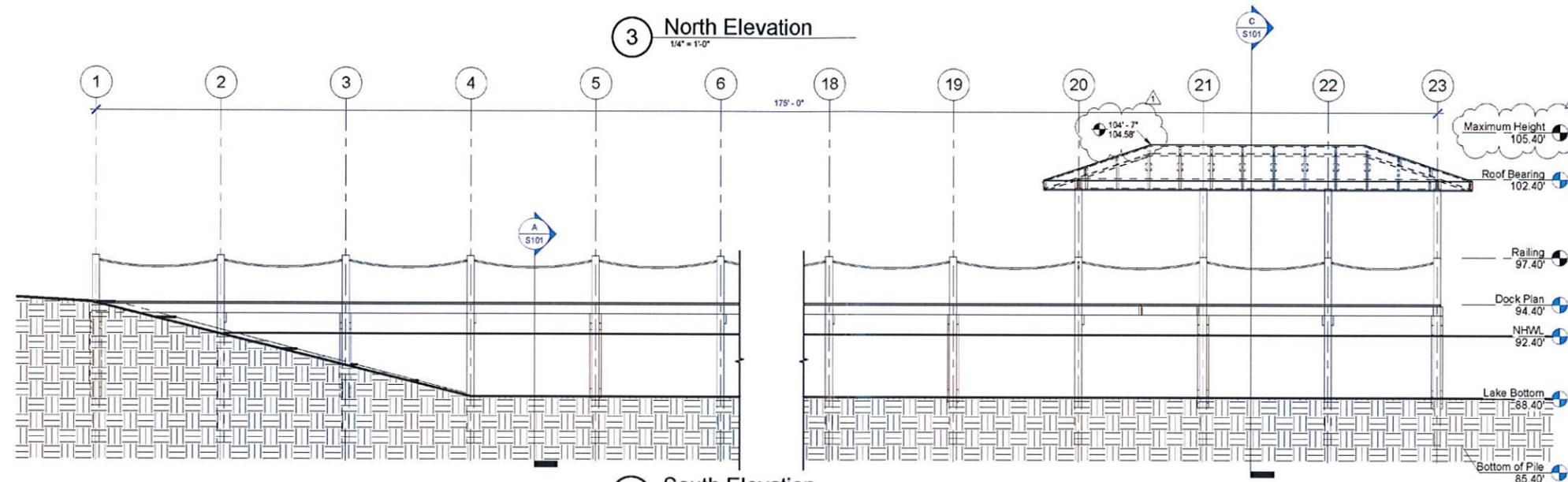
Structural Sections

Project number	17-0916
Date	Issue Date
Drawn by	J. Kelley
Checked by	E. Shinskie

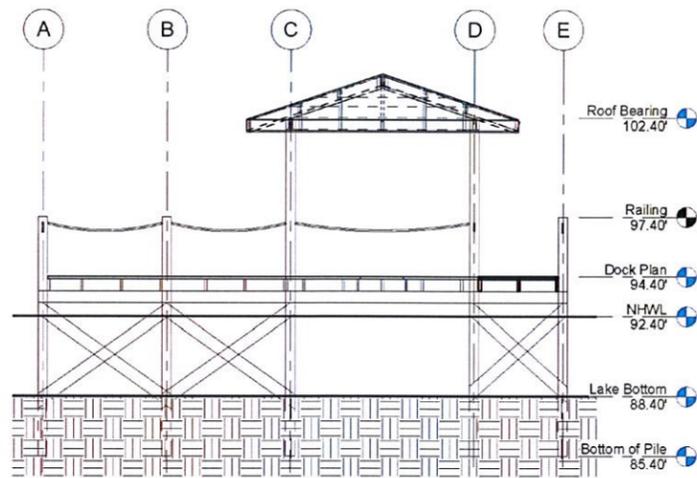
S101
 Scale 1/2" = 1'-0"



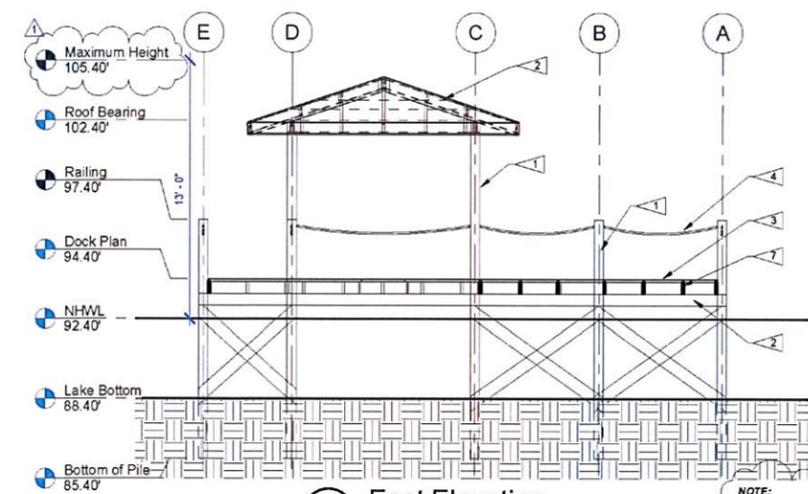
3 North Elevation
1/4" = 1'-0"



4 South Elevation
1/4" = 1'-0"



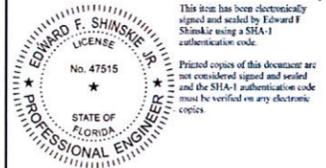
2 West Elevation
1/4" = 1'-0"



1 East Elevation
1/4" = 1'-0"

NOTE:
1. THE MAXIMUM HEIGHT OF THE PROPOSED BOAT DOCK AS MEASURED FROM THE NHWL SHALL NOT EXCEED 13 FEET INCLUDING ANY SIDING, ROOFING TILES AND ARCHITECTURAL FEATURES.

Keynotes	
1	6X8 POST P.T. WITH 60 PCF CCA SUNK AT LEAST 3'-0" INTO GROUND. POST ATTACHED WITH ONE 1/2" STAINLESS STEEL BOLT AT EACH CONNECTION. 2 BOLTS AT BEAM SPLICES.
2	2X8 FRAMING P.T. 40-CCA FRAMING ATTACHED WITH 1/2" BOLTS AT EACH CONNECTION
3	2X8 #1 DECKING P.T. 60-CCA DECKING HAND NAILED WITH S.S. #10 DECK SCREWS
4	1" ROPE RAILING
5	STANDING SEAM METAL ROOF ON THERMAL PROTECTANT FEEEL & STICK ROOFING UNDERLAYMENT ON 5/8" CDX PLYWOOD SHEETING ON WOOD JOISTS @ 24" O.C. - NAIL DECKING @ 4" O.C. ON EDGES AND 6" O.C. INSIDE W/ #8
6	2X8 P.T. 40-CCA DIAGONAL BRACING ATTACHED TO POST WITH 3/8" H.D. STAINLESS STEEL LAG SCREWS
7	2X8 FRAMING P.T. 40-CCA FRAMING @ 24" O.C.



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Date: 2017.10.26
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Ed Shinskie, P.E.
4707 Wild Turkey Rd.
Mims, Florida 32754



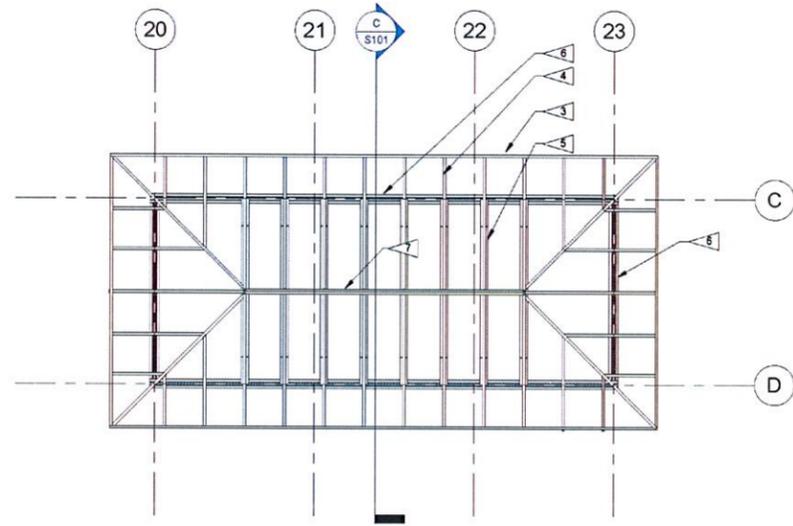
No.	Description	Date
1	Revised per Bldg Dept. comments dated 8/15/17	10/24/2017

Boat Dock for Marc Miller
5160 Stratemeyer Drive
Orlando, Florida 32839

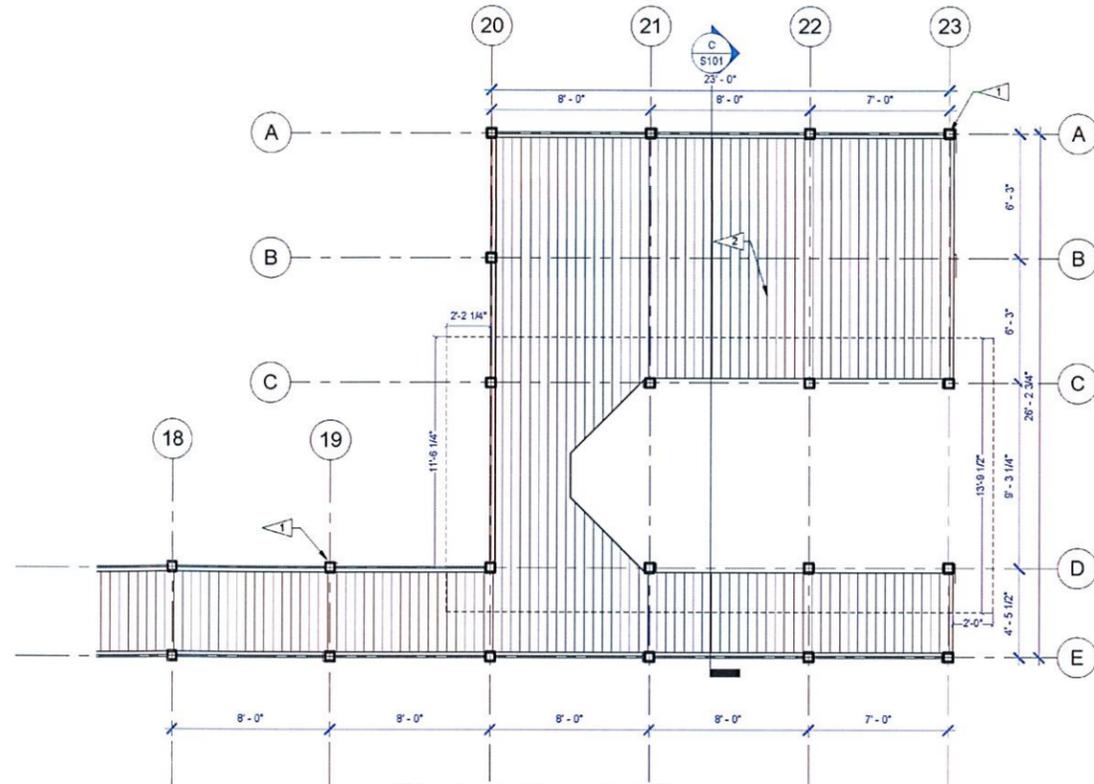
Dock Elevations

Project number	17-0916
Date	Issue Date
Drawn by	J. Kelley
Checked by	E. Shinskie

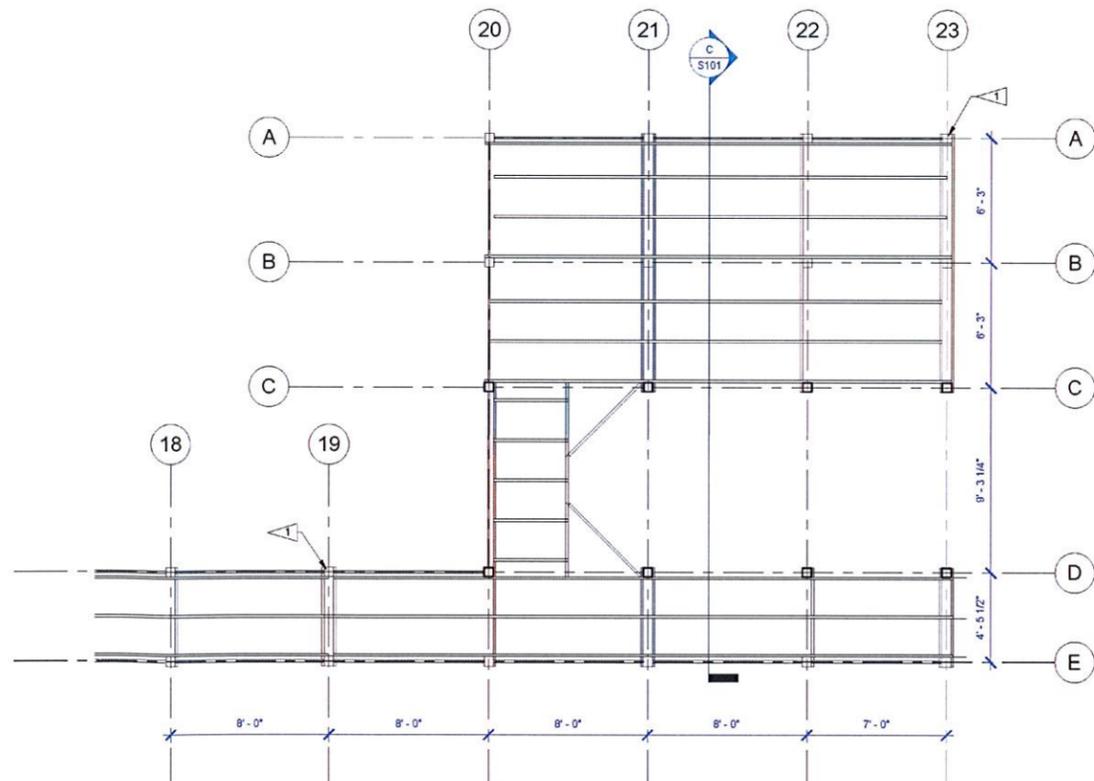
A201
Scale 1/4" = 1'-0"



3 Roof Framing Plan
1/4" = 1'-0"



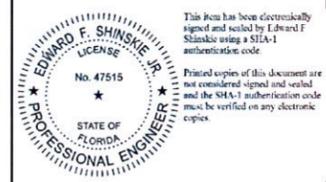
1 Dock Plan - Detail
1/4" = 1'-0"



2 Dock Framing Plan - Detail
1/4" = 1'-0"

Keynotes

- 6X8 POST P.T. WITH 80 PCF CCA SUNK AT LEAST 3'-0" INTO GROUND. POST ATTACHED WITH ONE 1/2" STAINLESS STEEL BOLT AT EACH CONNECTION, 2 BOLTS AT BEAM SPLICES.
- 2X8 #1 DECKING P.T. 60-CCA DECKING HAND NAILED WITH S.S. #10 DECK SCREWS
- 2X8 FASCIA
- STANDING SEAM METAL ROOF ON THERMAL PROTECTANT PEEL & STICK ROOFING UNDERLAYMENT ON 5/8" CDX PLYWOOD SHEETING ON WOOD JOISTS @ 24" O.C. - NAIL DECKING @ 4" O.C. ON EDGES AND 6" O.C. INSIDE W #9D
- 2X8 COLLIER TIES ON EACH SIDE OF RAFTER W/ #10 STAINLESS STEEL DECK SCREWS AT EACH RAFTERZED
- (3) 2X8 P.T. WOOD BEAM
- 2X8 P.T. RIDGE BEAM



Digitally signed by
PAR150336_eshinski
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Date: 2017.10.26
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Ed Shinskie, P.E.
4707 Wild Turkey Rd.
Mims, Florida 32754



No.	Description	Date

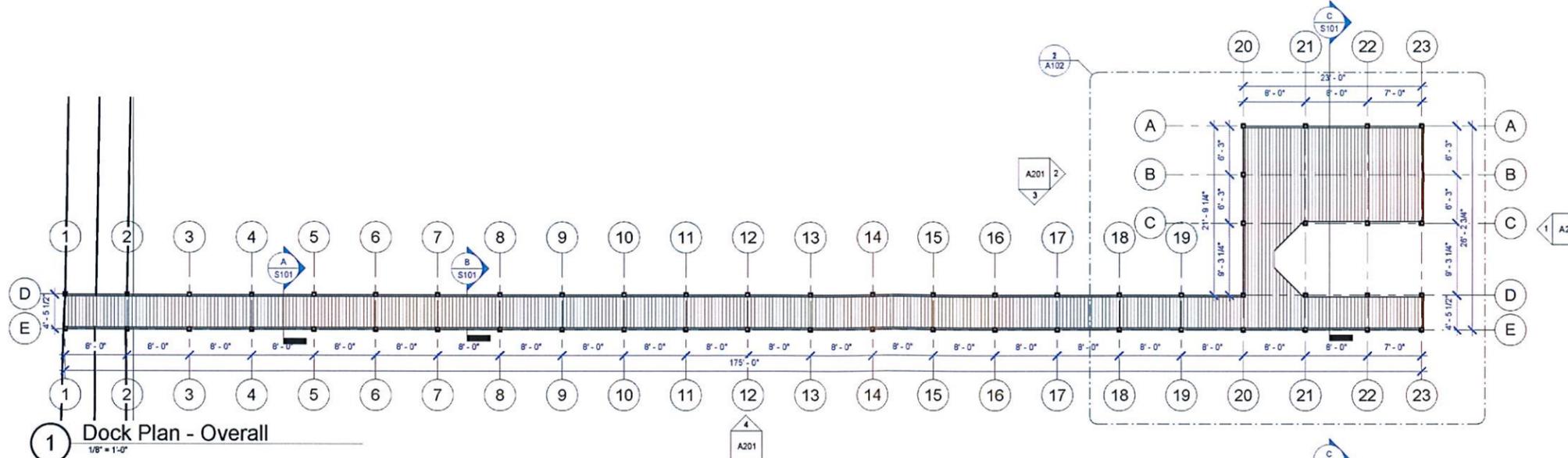
Boat Dock for Marc Miller
5160 Stratemeyer Drive
Orlando, Florida 32839

Enlarged Plans

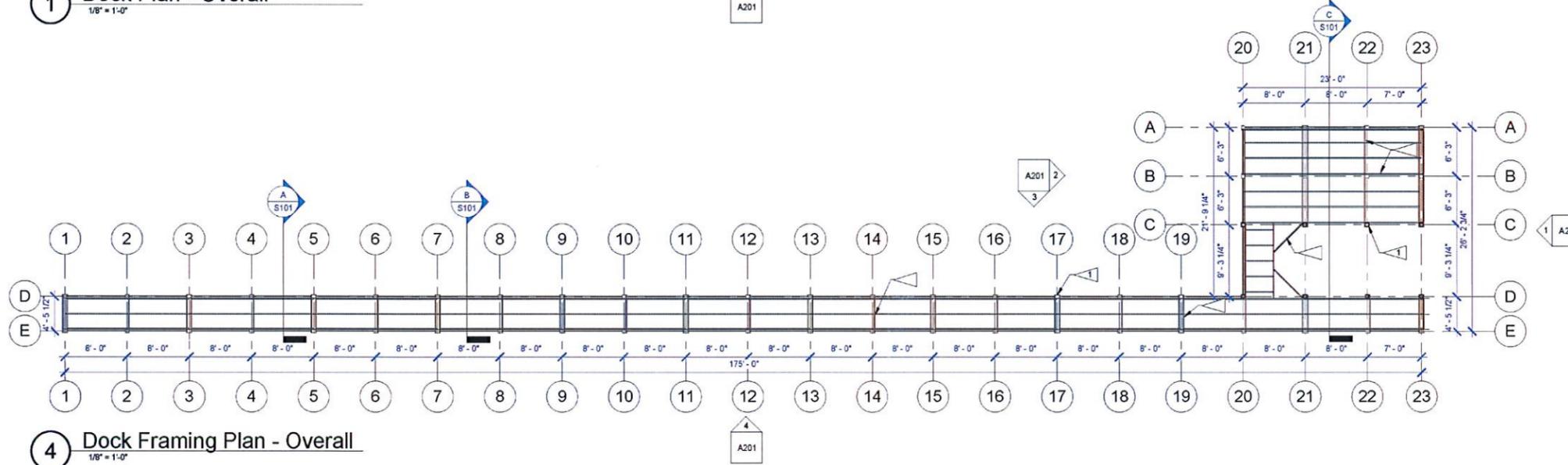
Project number	17-0916
Date	Issue Date
Drawn by	J. Kelley
Checked by	E. Shinskie

A102

Scale 1/4" = 1'-0"

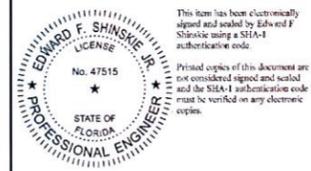


1 Dock Plan - Overall
1/8" = 1'-0"



4 Dock Framing Plan - Overall
1/8" = 1'-0"

Keynotes
1 6X8 POST P.T. WITH 60 PCF CCA SUNK AT LEAST 3'-0" INTO GROUND. POST ATTACHED WITH ONE 1/2" STAINLESS STEEL BOLT AT EACH CONNECTION, 2 BOLTS AT BEAM SPLICES.



Digitally signed by
PAR150336_eshin
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Date: 2017.10.26
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Ed Shinskie, P.E.
4707 Wild Turkey Rd.
Mims, Florida 32754
PE 47515
Seal



No.	Description	Date

Boat Dock for Marc Miller
5160 Stratemeyer Drive
Orlando, Florida 32839

Dock Plan

Project number	17-0916
Date	Issue Date
Drawn by	J. Kelley
Checked by	E. Shinskie

A101
Scale 1/8" = 1'-0"

**405 Larue Avenue - Edgewood, Florida 32809-3406
(407) 851-2920**

To: Planning and Zoning Board
XC: Sandy Repp, Deputy City Clerk
Bea Meeks, City Clerk
Drew Smith, City Attorney
David Mahler, City Engineer

From: Ellen Hardgrove, AICP, City Planning Consultant

Date: March 26, 2018

Re: Variance request to allow a building and deck to remain within the lake setback, instead of code required 50 feet from the Normal Highwater Elevation, at 673 Lake Harbor Circle.

I. Requested Action by Board:

Consideration of approval (with or without conditions) or denial of all or part of the requested variance in Section 134-579 to allow structural encroachment of 5 feet into the required minimum 50 feet setback from the normal high water elevation of Little Lake Conway:

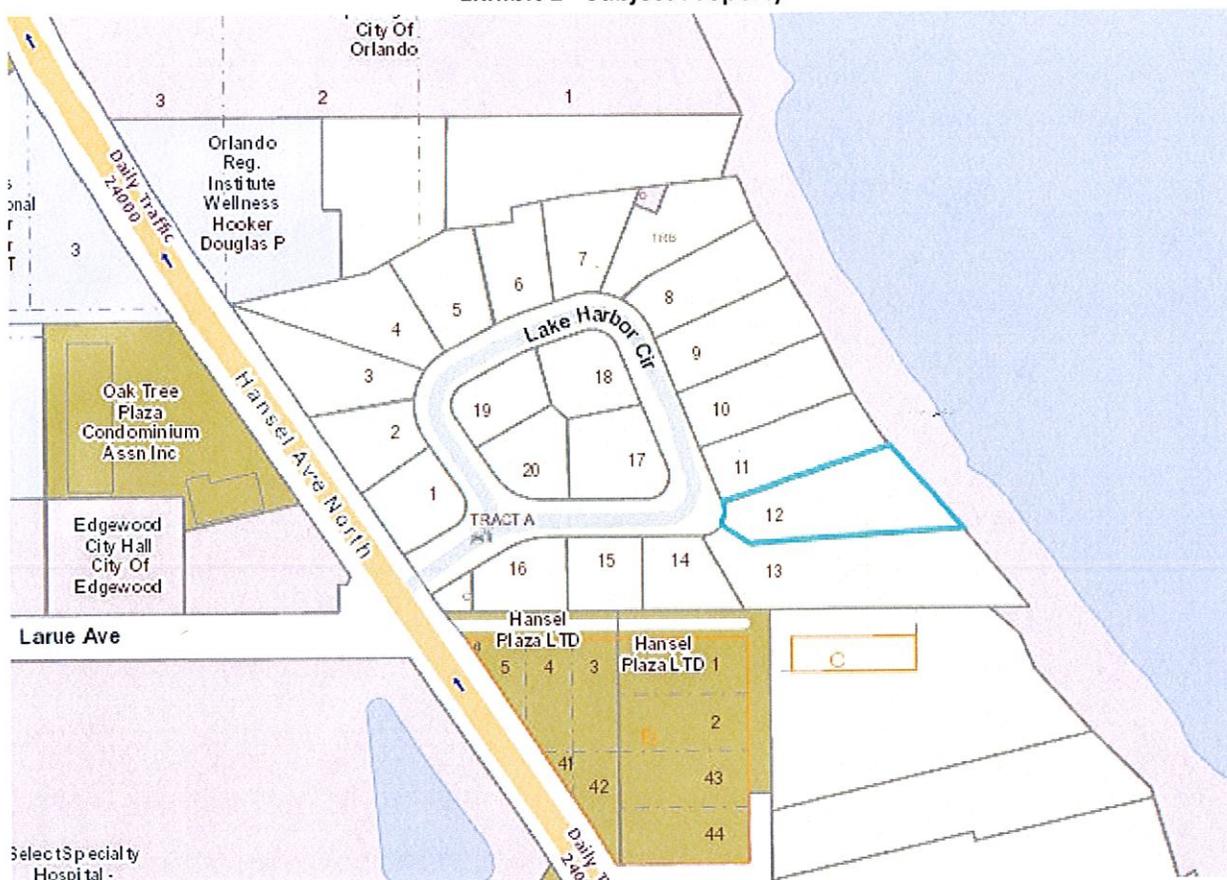
Sec. 134-579. - Table of bulk regulations and setbacks

Setbacks from every natural surface water body shall be a minimum of 50 feet, measured from the NHWE.

II. Relevant Facts

Owner:	Peter and Jennifer Schroeder
Property Address:	673 Lake Harbor Circle, Orlando, Florida 32809
Legal Description:	Lot 12 Edgewood Village on Lake Conway, Plat Book 30, Page 80
Tax Parcel #:	24-23-29-2446-00-120 (see Exhibit 1)
Parcel Size:	0.38 acre (source: Orange County Property Appraiser)
Zoning:	R-3, surrounded by R-3
Existing Land Use:	Single family residence on a lakefront lot

Exhibit 1 - Subject Property



III. Development History/Variance Request Analysis

A single family house was built on the subject lot in 2003. As part of the approval, a signed and sealed survey of the foundation was required at the slab inspection; the survey shown in Exhibit 2 is that slab inspection survey. For some reason, the northeast corner of the slab was not included; the property owner has stated this was an error since the existing northeast corner of the slab, as highlighted in Exhibit 3, is part of the original construction. According to the property owner, this error was not realized until recently, in preparation for selling the house; to ensure clear title, the owner is requesting the variance.

Exhibit 2 - 2003 Slab Survey

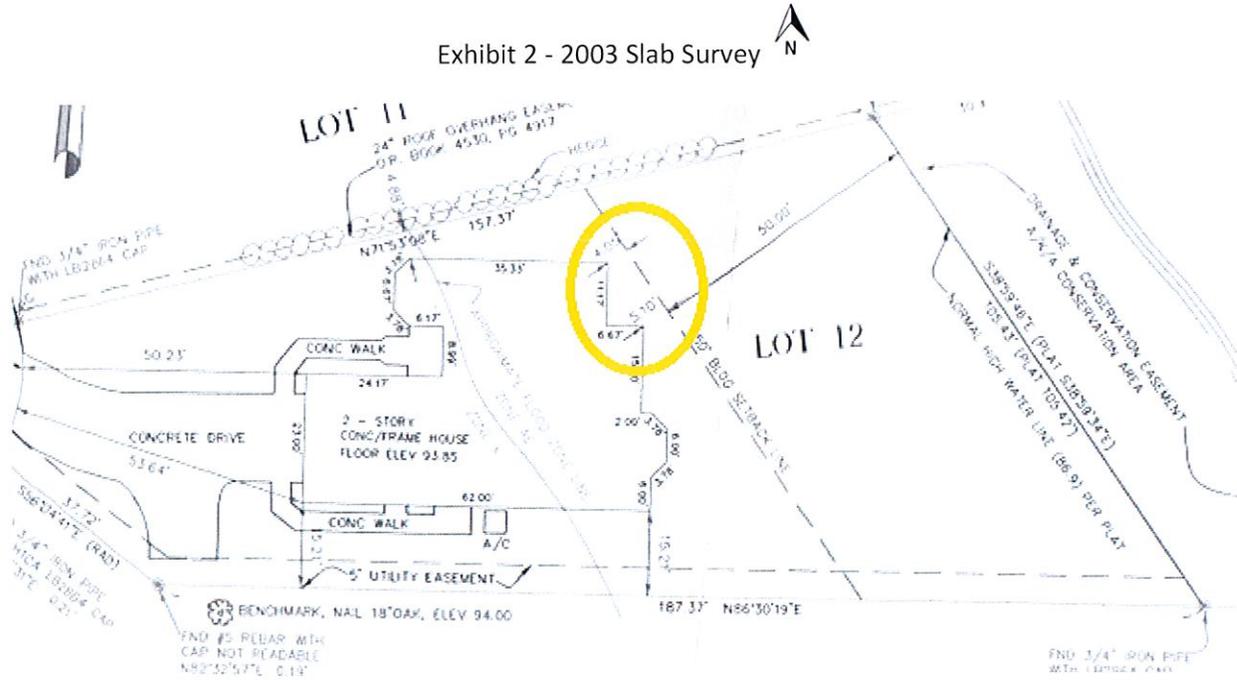
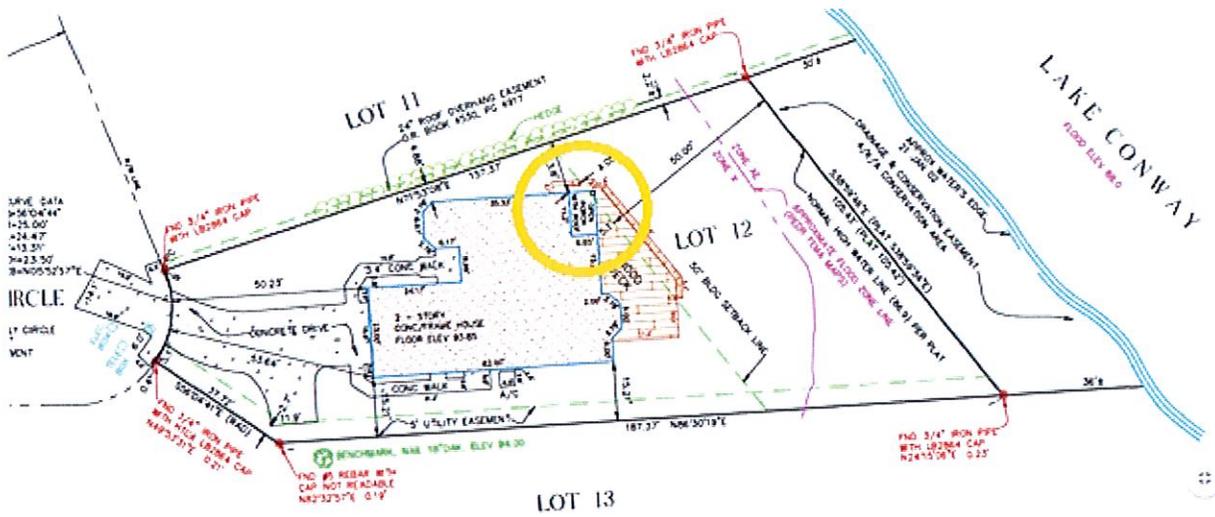
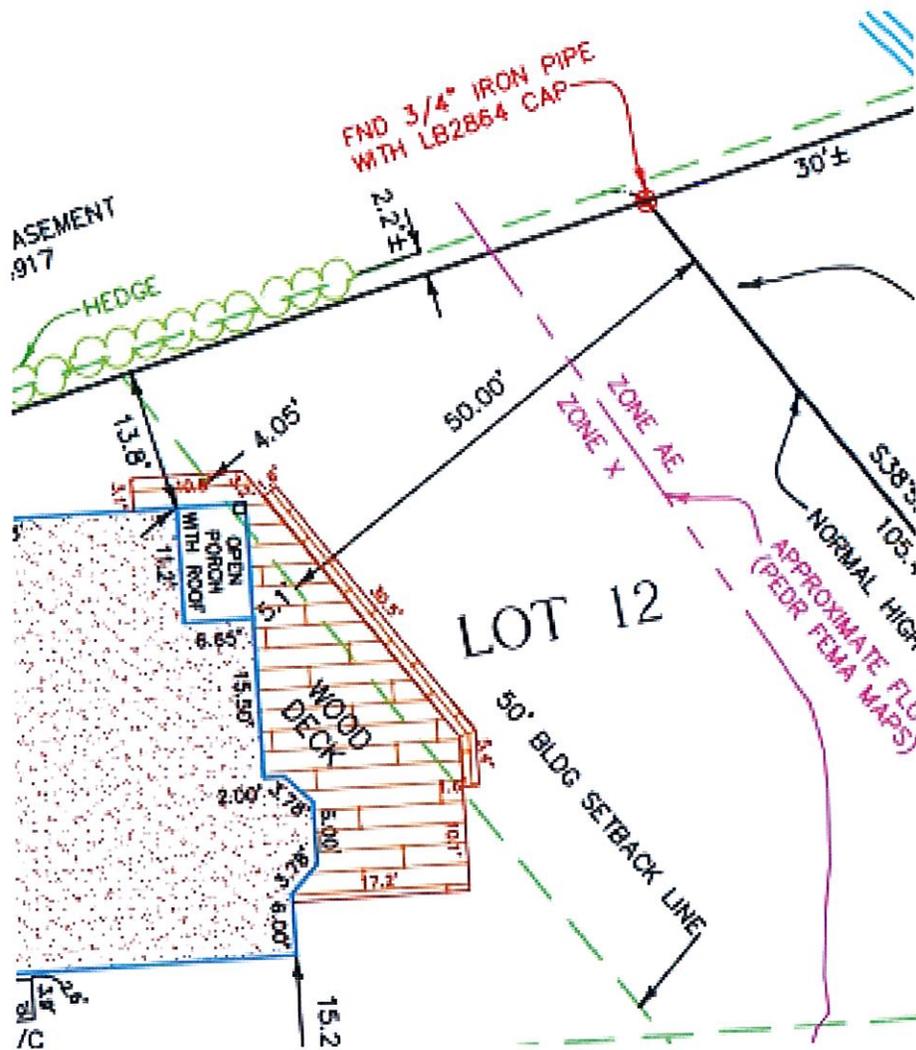


Exhibit 3 - 2018 Survey



The green dashed line on the 2018 survey shows the required lake setback; i.e., 50 feet from the Normal High Water Elevation (NHWE) of Little Lake Conway. As shown clearly on Exhibit 4, the northeast corner intrudes into the setback ± 2 feet; the wood deck intrudes into the setback ± 5 feet.

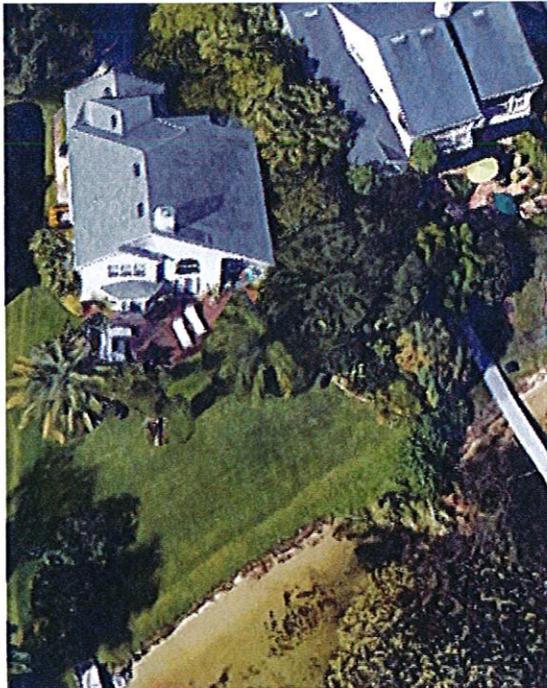
Exhibit 4



Thus, the applicant is requesting a rear yard setback of 45 feet from the NHWE of Little Lake Conway in lieu of the required 50 feet from the NHWE to establish legal conformity of both the house and deck.

The photos in Exhibit 5 show the subject corner of the house as well as an aerial view of the house.

Exhibit 5



The rationale for a NHWE setback is to ensure adequate spacing between structures and public waters to protect against runoff and pollution, and to preserve the natural shoreline. The setback is also

intended to protect structures on the property from flooding. According to the variance application, the house and the existing wooden deck across the rear of the house are 5+ feet above the NHWE.

An environmental swale landward of the NHWE was created when the subdivision was originally platted. If findings support granting the variance, consideration must be given to potential impacts on the lake and appropriate conditions to mitigate them. Confirmation of the original swale's existence and effectiveness is necessary. The swale becomes even more important if the variance is granted to capture the first flush of runoff generated by the increased impervious surface coverage.

IV. Variance Approval Criteria

Per Section 134-104 (3)b. of the City's Code, approval of the requested variance requires the board to find the following six (6) criteria (in bold below) to be true. Analysis of each criterion follows the listed criterion.

1. **That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.** The house was constructed not according to the slab survey. The house has not been altered since the original construction.
2. **That the special conditions and circumstances do not result from the actions of the applicant.** The applicant has stated he was unaware of the nonconforming situation of the slab and deck, trusting the contractor and surveyor to adhere to the code standards.
3. **That approval of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district.** Other variances from the NHWE setback have been granted. I am unaware of any that were approved due to a survey error. Variances for covered patios have been approved conditioned on no enclosure/conversion of the patio into indoor living area of the house and creation of a swale.
4. **That literal interpretation of the provisions contained in this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.** Other rear yard setback variances for covered patios have been approved throughout the City conditioned on no enclosure/conversion of the patio into indoor living area of the house.
5. **That the variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure.** The 2-foot dimension would be the minimum needed to avoid reconstruction of the house and roof. The deck could be modified to conform to the NHWE setback.
6. **That approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.** The triangle area of the necessary 2-foot setback variance for the house

could be considered a de minimus impact. With conditions of approval the public welfare will be protected.

V. Staff Findings/Recommendation

Staff recommends approval of the request for the house finding the six criteria per Section 134-104 (3)b. of the City's Code have been met subject to establishing conditions to mitigate potential impacts on the lake and ensuring the intent of the regulation is maintained. Related to the deck, consistency with the six criteria has not been demonstrated; unless additional information is provided at the public hearing.

The recommended conditions for approving the variance for the house are as follows.

- 1) Assurance that the swale along the lake is maintained in order to infiltrate and/or reduce additional runoff before entering the lake; and,
- 2) Building permits to enclose the covered patio to incorporate the area into the formal/air conditioned living area of the dwelling shall not be permitted.

ESH



1117 East Robinson St.
Orlando, FL 32801
Phone: 407.425.0452
Fax: 407.648.1036

March 30, 2018

Ms. Sandy Repp
Administrative Assistant
City of Edgewood
405 Laure Avenue
Edgewood, FL 32809-3406

**RE: 673 Lake Harbour Circle – rear yard swale inspection
CPH project number E7601**

Dear Ms. Repp;

We visited the site on this day to inspect the rear yard swale and to verify the swale is graded all across the rear of the yard as originally designed and constructed. We also specifically looked at each end of the swale where it meets the adjacent properties to verify the ends of swale are sloped up so that the swale does not allow the runoff from the lot to bypass the swale before draining into the adjacent lake. The swale appears to be sufficient at this time and appears to be working as designed. We did not see any signs of erosion or runoff bypassing the swale.

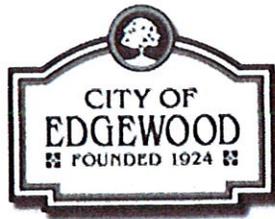
Sincerely,
CPH, Inc.



Allen C. Lane, Jr., P.E.
Project Engineer

CC: David Mahler, P.E., CPH,
File

J:\E7601\Civil\Documents\Letter\673 Lake Harbour Circle swale inspection 3-30-18.docx



RECEIVED
 FEB 22 2018
 CITY OF EDGEWOOD

APPLICATION FOR VARIANCE

2018-VAR-04

Reference: City of Edgewood Code of Ordinances, Section 126-588
REQUIRED FEE: \$350 RESIDENTIAL \$750 COMMERCIAL
 (+Applicable Pass-Through Fees - Ordinance 2013-01)
 Please note this fee is non-refundable

PLANNING AND ZONING MEETING DATE:	4/9/2018
CITY COUNCIL MEETING DATE:	5/15/2018

IMPORTANT: A COMPLETE application with all required attachments and ten (10) copies must be submitted to the City Clerk ____ days before the next Planning & Zoning meetings. No application shall be deemed accepted unless it is complete and paid for.

Notarized letter of authorization from Owner MUST be submitted if application is filed by anyone other than property owner.

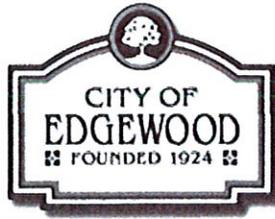
Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

Applicant's Name:	Peter Schroeder	Owner's Name:	Same
Address:	138 33rd Avenue S. Jacksonville Beach, FL 32250	Address:	673 Lake Harbor Cir
Phone Number:	407-232-3228	Phone Number:	
Fax:		Fax:	
Email:	chris@pcsfirm.com	Email:	
Legal Description:	Lot 12, Edgewood Village on Lake Zanway, as recorded in Plat Book 30, Page 80, Public Records of Orange County, Florida.		
Zoned:	R-3		
Location:	673 Lake Harbor Circle, Edgewood, FL 32809		
Tract Size:	.38 acres		
City section of the Zoning Code from which Variance is requested:	Section 134-579 Table of bulk regulations and setbacks - Lake Setback		
Request:	Lake setback of 45' in lieu of 50' allowed		
Existing on Site:	NE corner of house and deck encroach by approx 4'		

The applicant hereby states that this request for Variance does not violate any deed restrictions on the property.
Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached.

Page 2 of 4

405 Larue Avenue, Edgewood, Florida, 32809-3406
 Phone: 407-851-2920 / Fax: 407-851-7361
www.edgewood-fl.gov



To justify this variance, applicant must demonstrate the following:

1. That special condition and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or building in the same zoning classification
2. the special conditions and circumstances do no result from the action of the applicant
3. literal interpretation or enforcement of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification under the terms of the Ordinance
4. the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible for the regulation at issue
5. the variance sought will not authorize or extend any non-conforming use or other non-conformity with respect to the land or structures in questions
6. the granting of the variance will be in harmony with the general intent and purpose of this Ordinance, will not be injurious to the area involved, or surrounding properties, and will no authorize a use of the property not permitted by its zoning classification
7. the variance sought will be consistent with the Edgewood Comprehensive Plan

Applicant must agree that:

1. In granting any variance, the City may prescribe appropriate conditions and safeguards in conformity with the Ordinances, and any regulations enacted under its authority. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of Edgewood ordinances.

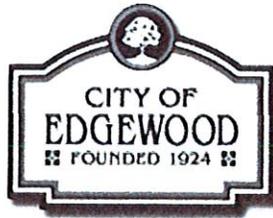
AGREE:		DISAGREE:	
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2. The variance recommended by the Planning and Zoning Board and approved by the City Council shall expire in 12 months in accordance with Chapter 134-104 (3) (e).

AGREE:		DISAGREE:	
---------------	--	------------------	--

The applicant hereby states that the above request for Variance does not violate any deed restrictions on the property.

Applicant's Signature:		Date:	2/22/18
Applicant's Printed Name:	Peter Schweder		
Owner's Signature:		Date:	2/22/18
Owner's Printed Name:	Peter Schweder		



Please submit your completed application to City Hall via email at bmeeks@edgewood-fl.gov or srepp@edgewood-fl.gov, via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Larue Ave. For additional questions, please contact City Hall at 407-851-2920.

Office Use Only:	
Received Date	2/22/2018
Received By:	Sg Repp
Forwarded To:	CPH
Notes:	

Revised 06/13/2016

Page 4 of 4

405 Larue Avenue, Edgewood, Florida, 32809-3406
Phone: 407-851-2920 / Fax: 407-851-7361
www.edgewood-fl.gov

**Justification for Variance
673 Lake Harbor Circle
Section 134-579 Lake Setback**

1. The existing house was built in 2003 and has not been altered since that time. The Northeast corner of the house encroaches over the 50 foot Lake Setback line by approximately 1 foot and the back deck encroaches over the 50 foot Lake Setback line by approximately 4 feet.
2. The special conditions do not result from the action of the owner/applicant. Upon review of the 2003 Final Survey, owner discovered that the NE corner porch of the house had been excluded. With the porch excluded the house does not show as encroaching on the setback line. Suspecting an encroachment, owner ordered an updated survey, which confirmed the above encroachments.
3. Literal interpretation or enforcement of the Ordinance provisions would deprive the owner/applicant of rights enjoyed by other property owners as this would require substantial and costly demolition or alteration of the house and deck.
4. The 5 foot variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible for the regulation at issue. Owner/applicant does not plan to add any additional structures.
5. The variance sought will not authorize any intended non-conforming use. Current encroachments are the result of faults in 2003 survey.
6. The granting of the variance will be in harmony with the general intent and purpose of the Ordinance, will not be injurious to the area involved or surrounding properties, and will not authorize a use of the property not permitted by its zoning classification. Home has been used as single-family residence since 2003 with no disturbance to surrounding area as a result of unintentional encroachment.
7. The variance sought will be consistent with the Edgewood Comprehensive Plan.

RECEIVED

MAR 02 2018

CITY OF EDGEWOOD



673 Lake Harbor Circle Swales





CITY OF EDGEWOOD

405 Larue Avenue - Edgewood, Florida 32809-3406
(407) 851-2920

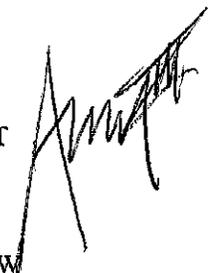
MEMORANDUM

TO: MR. STEVE NEWMAN, BUILDING INSPECTOR (IIL)
MS. GINA TREADWAY, ASSISTANT CITY CLERK

FROM: ARTHUR R. MILLER, III, PE, PLS - CITY ENGINEER CONSULTANT

DATE: MAY 22, 2002

SUBJECT: LOT 12, EDGEWOOD VILLAGE - RESIDENTIAL SITE PLAN REVIEW
CHRIS SCHROEDER, APPLICANT



Pursuant to your request, we have reviewed the plot plan for a single family residence at the above referenced location. We have reviewed the plan for compliance with setbacks and drainage issues. We recommend approval subject to the conditions and comments listed below:

1. Setbacks: This is a zero lot line development and this lot has been approved for a 0' setback on the north line and a 15' setback along the south property line (as approved by City Council previously).
- The finished floor elevation from the Developer's Lot Grading Plan has been shown on the drawing (elevation 93.6). Lot grading shall conform to the approved lot grading plan. Finished floor elevations shall be no more than 12 inches above or 2 inches below the elevation specified by the developer's design engineer, unless a revised lot grading plan has been submitted by a Professional Engineer. Providing positive drainage is the Builder's responsibility.
- A signed and sealed survey of the foundation will be required at the slab inspection showing that all setback dimensions are met and that the finished floor elevation meets the criteria set by the developer's engineer. This shall include the distance to the Normal High Water Line.
- No fill or runoff will be allowed to encroach onto adjacent lots. Existing drainage patterns and swales shall be maintained. No fill is allowed below the 100 year flood elevation without providing compensating storage.
- It is the Builder's responsibility to ensure that erosion and sediment runoff are contained on site pursuant to Edgewood's Erosion & Sediment Control Ordinance (see City requirements). Erosion control barriers shall be placed prior to construction are to remain in place throughout the earthwork and construction activities and are not to be removed until all bare soil areas are stabilized with an acceptable surface (i.e. sod, etc.) and approved by the Building Official or City Engineer.
- Approval from Orange County Public Utilities for connection to the sanitary system is required prior to issuance of Building Permit. Final inspection and approval of sanitary connection is required prior to issuance of certificate of occupancy.
- No excavation or fill shall take place waterward of the 100 year flood elevation. All requirements of the SJRWMD, Florida Department of Environmental Protection and Orange County EPD shall be met. No lakeshore alterations, excavation, filling, clearing, etc. are authorized by this approval. No clearing or earthwork is to take place waterward of the Normal High Water Line (NHWL).

(See page 2)

Mr. Steve Newman (Lot 12, Edgewood Village), page 2
May 22, 2002

8. The roadside swales shall remain in place and shall not be altered or changed without prior approval. The lakeside environmental swale shall not be altered and shall conform to the design prepared by the subdivision engineer. The condition of these swales will be checked upon final completion of the house construction and shall be approved prior to issuance of the certificate of occupancy. Driveway construction shall adhere to the original design as submitted by the Developer (see attached - swale required in driveway).

9. The applicant or his contractors, subcontractors, agents or employees shall be responsible for any damage incurred to public or private property due to the performance of this work. This will include City streets and rights-of-way and Homeowners Association improvements (roadway, curb, swales, pipes, inlets, utilities, etc.). These items will be checked throughout the project and inspected at final completion. Any damage will be corrected prior to the issuance of a certificate of occupancy.

10. This recommendation of approval applies only to the City's requirements for grading and setbacks and does not grant authority to enter, construct or otherwise alter the property of others, nor does it waive any permits that may be required by federal, state, regional, county, municipal or other agencies that may have jurisdiction.

11. Any dock construction will require a separate review and approval pursuant to the City Code.

12. Any tree removal will require a separate Tree Removal Permit pursuant to City Code.

Please review this information and contact our office if you have any questions. Thank you.

END OF MEMORANDUM

cc: City Council/Mayor ✓
City Clerk ✓ 5/23/02

FILE: WPS\ARM\EDGEWD56

John Antoon
Nancy Antoon
667 Lake Harbor Circle
Edgewood, FL 32809
321.663.5947

March 28, 2018

City of Edgewood
Attn: Sandy Repp, Deputy City Clerk
City of Edgewood
405 Larue Avenue
Edgewood, Florida 32809

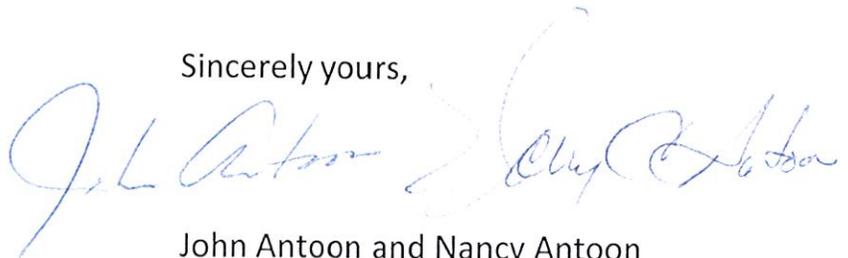
Dear Ms. Repp:

Peter and Jennifer Schroeder are seeking a variance from the City of Edgewood. Based on the application we reviewed, the variance would allow the existing house to remain in place even though it encroaches approximately 1 foot into the required setback from the lake. It also appears that the wooden deck encroaches approximately an additional 4 feet.

It is our understanding that if the variance is granted, the Schroeders will not build any other structures within the setback. It is also our understanding that the encroachment was due to an innocent mistake. Based on these understandings and representations made in the Schroeders' application, we have no objection to the City of Edgewood granting of a variance allowing the house to remain in place, even though it is 1 foot within the required setback. As far as we can determine, removing the encroaching corner of the house would serve no interest, including environmental concerns.

Please let us know if the City desires further input from us.

Sincerely yours,



John Antoon and Nancy Antoon

Joey Pozo
679 Lake Harbor Circle
Edgewood, FL 32809
joeypozo@boattree.com

March 29, 2018

Sandy Repp
Deputy City Clerk
City of Edgewood
405 Larue Avenue
Edgewood, FL 32809

Re: Variance for 673 Lake Harbor Circle

To Whom It May Concern:

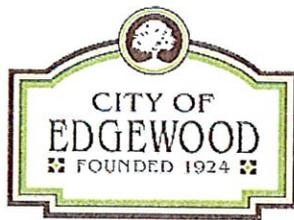
I am in receipt of a copy of the variance application filed by Peter & Jennifer Schroeder for the above property. As the owner of the adjoining property to the immediate South, I can attest that the mistaken encroachment has had no disturbance on the surrounding areas and I have no objection to the granting of the lakeside setback variance as requested.

Should you have any questions, please feel free to contact me at the above address or (407) 595-4646.

Regards,

A handwritten signature in black ink, appearing to read "Joey Pozo", written over a diagonal line.

Joey Pozo

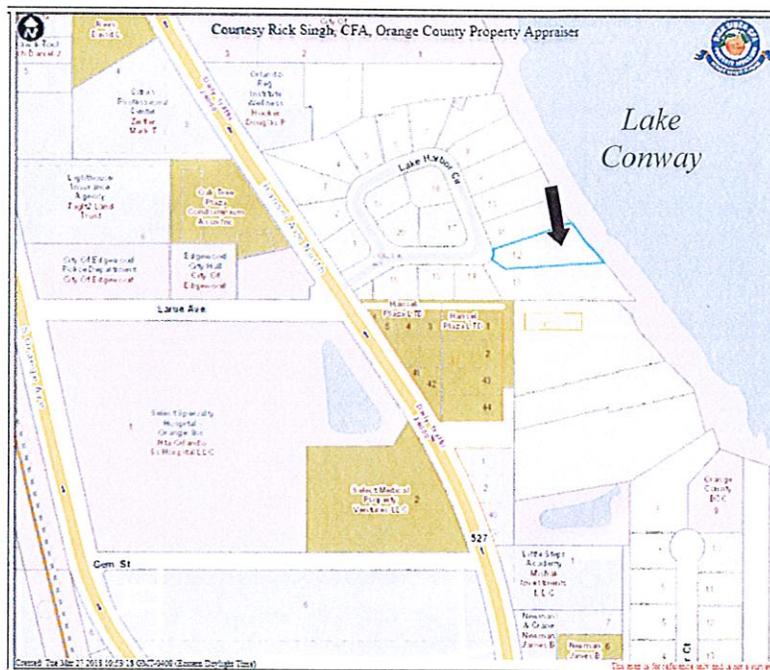


NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that at its Planning & Zoning meeting on **Monday, April 9, 2018** the Planning and Zoning Board of the City of Edgewood, will consider **Variance Application VAR 2018-04** to allow a building and deck to remain within the lake setback instead of code required 50 feet from the normal high water elevation (NHWE), located at 673 Lake Harbor Circle which is currently in a R-3 zoning district. (City of Edgewood Resolution 2005-R002 City Code of Ordinances, Reference Section 134-104 [Variance]) The application was submitted by property owner Peter Schroeder. The meeting will be held in the Council Chambers of City Hall, 405 Larue Avenue, Edgewood, Florida beginning at **6:30 p.m. or as soon thereafter as the matter may be heard.**

The Planning and Zoning Board's recommendation will be forwarded to City Council on Tuesday, May 15, 2018 at 6:30 p.m. for final action.

The subject property for variance is legally described as EDGEWOOD VILLAGE ON LAKE CONWAY 30/80 LOT 12.



Interested parties may attend this meeting and be heard with respect to this variance application. In addition, the application(s) may be inspected by the public at the City Clerk's Office, 405 Larue Avenue, Edgewood, Florida.

You may reach City Hall at 407-851-2920; City Hall is open Monday – Thursday 8 a.m. to 4 p.m. and Friday 8 a.m. to noon. Should you have any questions or concerns please do not hesitate to come to City Hall to review the file.

405 Larue Avenue • Tel: 407-851-2920 • Fax: 407-851-7361 • www.edgewood-fl.gov

This matter is subject to quasi-judicial rules of procedure. Interested parties should limit contact with the Planning and Zoning Board and City Council on this topic to properly noticed hearings or to written communication to the City Clerk's Office.

Any person aggrieved by a recommendation of the Planning and Zoning Board may file a notice of appeal to the City Council within seven days after such recommendation is filed with the city clerk.

The City of Edgewood desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26, *Florida Statutes*, should, at least 48 hours prior to the meeting, submit a written request that the physically handicapped person desires to attend the meeting to the City Clerk's Office.

This public hearing may be continued to a future date or dates. Any interested party is advised that the date, time, and place of any continuation shall be announced during the public hearing and that no further notices regarding this matter will be published.

Should you desire additional information, regarding this application, please feel free to contact the City Clerk's Office at 407-851-2920, or e-mail at bmeeks@edgewood-fl.gov.

Bea L. Meeks, MMC, CPM, CBTO
City Clerk
Dated: March 28, 2018

You may either mail in your comments and concerns on the space provided below or submit directly to City Hall. Please see above our hours of operation. We thank you for your participation.

Application:	<u>2018-VAR-04</u>
Owner/Applicant Name:	<u>Peter and Jennifer Schroeder</u>
Public Hearing Date:	<u>April 9, 2018</u>

This affidavit is to be presented at the public hearing before the Planning and Zoning Board.

SIGN AFFIDAVIT

STATE OF FLORIDA
ORANGE COUNTY

Before me, the undersigned authority, personally appeared P. Chris Schroeder to me well known and known to me to be the person described in and who executed the foregoing affidavit, after being first duly sworn, says:

1. That the affiant posted the notice provided by the City of Edgewood, which contains the time and dated of the public hearings involved (i.e. Planning and Zoning Board and/or City Council).
2. That said posted notice also contained the relevant facts pertaining to the application.
3. That said notice was posted was posted in a conspicuous and easily visible place on the subject property not less than ten days prior to the date of public hearing. Date posted: _____.
4. That the affiant understands that this affidavit is intended to be submitted as a prerequisite for a public hearing, and as such will be officially filed with the City of Edgewood, Florida.

[Signature]

Signature of owner or authorized representative

Sworn to and subscribed before me this 29th day of March, 2018.

Sandra Repp
Print, type, or stamp commissioned name of Notary Public

[Signature]
Notary Public, State of Florida

Personally Known OR Produced Identification
Type of I.D. Produced _____

rev. 07.21.11



RECEIVED

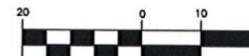
FEB 22 2018

CITY OF EDGEWOOD

PLAT OF SURVEY



GRAPHIC SCALE

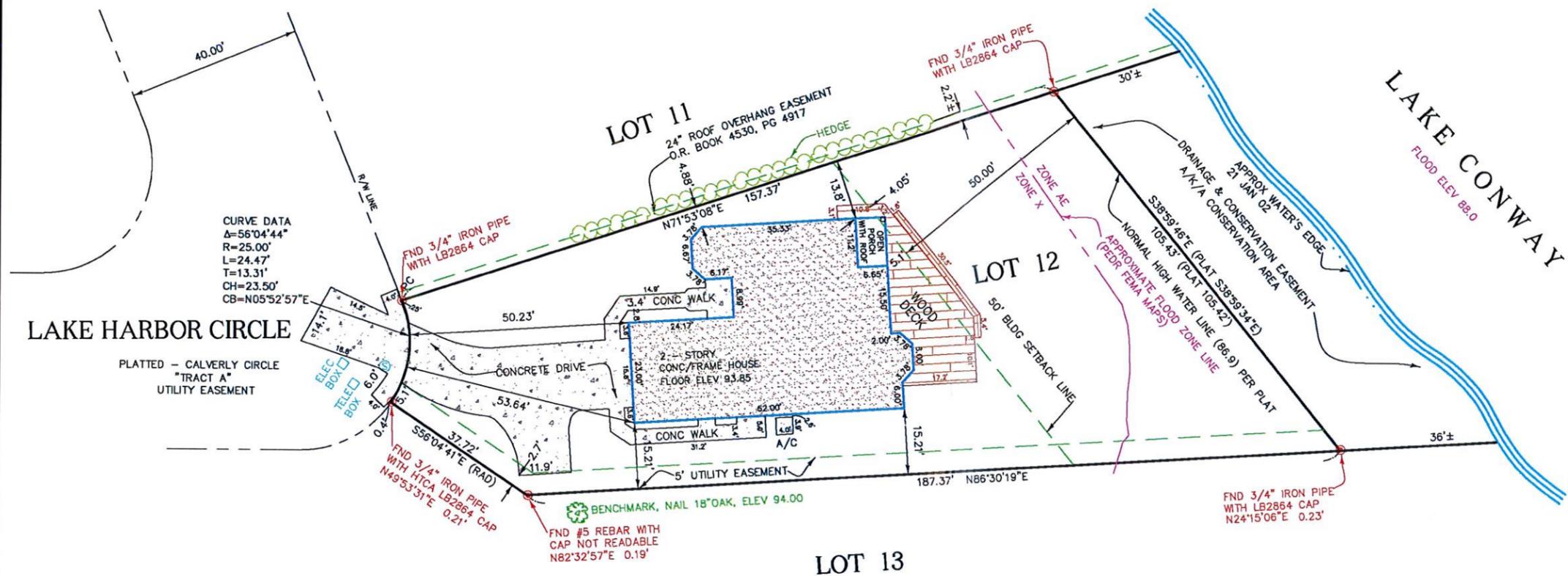


(IN FEET)
1 inch = 20 ft.

ABBREVIATIONS:

CONC = CONCRETE
 ASPH = ASPHALT
 Δ = DELTA
 R = RADIUS
 L = LENGTH
 CH = CHORD
 CB = CHORD BEARING
 O.R. = OFFICIAL RECORDS
 BK = BOOK
 PC = POINT OF CURVATURE
 PT = POINT OF TANGENT
 POC = POINT ON CURVE
 STA = STATION
 PG = PAGE
 S = SOUTH
 E = EAST
 W = WEST
 N = NORTH
 A/C = AIR CONDITIONER
 TELE = TELEPHONE
 C = CENTERLINE

⊙ = SANITARY MANHOLE
 BLDG = BUILDING
 APPROX = APPROXIMATE
 FND = FOUND
 A/K/A = ALSO KNOWN AS
 ELEV = ELEVATION



CURVE DATA
 Δ=56°04'44"
 R=25.00'
 L=24.47'
 T=13.31'
 CH=23.50'
 CB=N05°52'57"E

LAKE HARBOR CIRCLE

PLATTED - CALVERLY CIRCLE
"TRACT A"
UTILITY EASEMENT

LOT 13

SURVEYOR'S NOTES:

1.) BEARINGS BASED ON FOUND PCP'S CENTERLINE KINGSLEY PL., BEING N89°01'51"E.
2.) UNDERGROUND UTILITIES, IF ANY, NOT LOCATED OR SHOWN.
3.) NO IMPROVEMENTS LOCATED OTHER THAN SHOWN.
4.) THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
5.) THIS SURVEY PERFORMED WITHOUT A TITLE SEARCH BEING PROVIDED.
6.) THIS PROPERTY LIES IN FLOOD ZONE "X", PER MAP NUMBER 12127C0610J, MAP REVISED FEBRUARY 19, 2014.
7.) THIS SURVEY CERTIFIED TO:

NOTES:

1. BEARING STRUCTURE BASED ON MOST EASTERLY LINE OF CALVERLY CIRCLE BEING S22°09'25"E
2. THIS PROPERTY LIES IN FLOOD ZONE "AE", & "X", PER FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER, 12095C0430F, EFFECTIVE DATE: SEP 25, 2009
3. UNDERGROUND UTILITIES, IF ANY, NOT LOCATED OR SHOWN
4. THIS SURVEY PERFORMED WITHOUT A TITLE SEARCH BEING PROVIDED.
5. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
6. NO IMPROVEMENTS LOCATED OTHER THAN SHOWN.
7. THIS SURVEY CERTIFIED TO: PETER C. SCHROEDER & JENNIFER SCHROEDER

LOT 12, EDGEWOOD VILLAGE ON LAKE CONWAY. AS RECORDED IN PLAT BOOK 30, PAGE 80, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA

ADDRESS: 673 LAKE HARBOR CIRCLE
ORLANDO, FLORIDA 32809

PARCEL I.D.: 2923242441600120

GEO POSITION:
Latitude: 28.478459028°
Longitude: -81.367762081°

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING IS FOR INFORMATIONAL PURPOSES AND IS NOT VALID.

I HEREBY CERTIFY THAT THIS SURVEY IS IN ACCORDANCE WITH THE TECHNICAL STANDARDS ESTABLISHED BY RULE 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO FLORIDA STATUTES

Walter T. Mims

WALTER T. MIMS, LS2494 20 FEB 18



20 FEB 18: SURVEY UPDATE
 24 APR 03: FINAL SURVEY
 BMAY 02: ADDED PROPOSED HOUSE LOCATION
 1 APR 02: CORRECTED GRAPHIC SCALE
 REVISIONS:

Boundary Survey for: MR. CHRIS SCHROEDER		
SCALE: 1" = 20'	SECTION 24, T23S, R29E ORANGE COUNTY, FLORIDA	DRAWN BY: WTM
DATE: ORIGINAL: 21 JAN 02 UPDATE: 20 FEB 18	MIMS SURVEYING & MAPPING - LB7076 8238 FORT THOMAS WAY ORLANDO, FLORIDA 32822 PH (407) 275-6691	
DRAWING NUMBER M0208C		



To: OCPS Representatives
XC: Sandy Repp, Deputy City Clerk
Bea Meeks, City Clerk
Drew Smith, City Attorney
David Mahler, City Engineer
Ellen Hardgrove, AICP, City Planning Consultant
From: Planning and Zoning Board
Date: March 27, 2018
Re: Pending Rezoning Request

In order to ensure efficiency and effectiveness of the upcoming OCPS rezoning request public hearing, please be prepared to respond to the following issues related to the request.

MEETS THE INTENT OF ESTABLISHING PD ZONING

How does the school proposal qualify as a PD, instead of a special exception request? From the last public hearing, it seems the proposal meets only two of the nine reasons PD Zoning should be used for the school.

STANDARDS FOR APPROVAL

In addition to the questionable use of the PD district, the information provided at the initial public hearing was insufficient to address the factors that must be taken into consideration for rezoning. These factors are identified in Section 134-121(f) of the City Code. Specifically, additional information is needed from the OCPS representatives related to the following factors: Changed Conditions, Land Use Compatibility, and Available Public Facilities.

Factor (3) *changed conditions.*

This factor relates to whether and the extent to which land use and development conditions have changed since the effective date of the existing zoning district. What conditions have changed in Edgewood to warrant a rezoning to PD.

Factor (4) *land use compatibility.*

There was a complete lack of substantial detail in the initial submittal resulting in many concerns related to land use compatibility. With the level of details presented thus far, compatibility cannot be determined.

One example is the necessary vehicle stacking area onsite. To date, the OCPS has not presented the number of buses that will be associated with the school population, including the number of buses that will be needed due to hazardous walking conditions. At the previous meeting it was stated that only 7 or 8 buses would serve the school. This seems unreasonable based on 830 - 1000 students and previous public statements that suggest many students will be bused to this school. The number of buses is essential in determining the necessary stacking area onsite and the placement of such, which seems to have a high probability of location adjacent to existing residences, creating land use compatibility issues; the anticipated vehicle drop off/pick up traffic and location are also important for the same reason.

Given that the OCPS has not identified an enrollment cap, it is difficult to identify the real impacts of the school. Who will be responsible for constructing additional improvements to eliminate future problems if the numbers are incorrect? A condition of approval should be that any addition of buildings or structures not specifically identified on the plan shall require an amendment to the PD.

For determining land use compatibility, a detailed land use plan of the proposed property is essential including access points, buildings, driveways, parking areas, setbacks, buffers and all offsite improvements.

Architectural standards are also needed to ensure land use compatibility with the surrounding community, including, but not limited to, perimeter fencing. Perimeter fencing should be consistent with other fencing along Holden Avenue and other public facilities, e.g., brick columns with black aluminum picket fencing (like adjacent neighborhoods, city hall and Cypress Grove Park). Chain link fencing should be prohibited where visible from Holden Avenue; such is not compatible with the community. If see-through fencing is desired to be utilized on the interior of the property for bike racks, playgrounds, stormwater, or other, said fencing should be either black aluminum picket or black vinyl coated chain link fence.

The land use plan should also include a landscape plan which is, as presented by the Planner, consistent with the Type B buffer requirements and consistent with the City's parking lot standards: maximum 10 spaces in a row with landscape break, including canopy tree installed and maintained in good health with 6' clear trunk. A tree survey should be done to determine the number of live oaks and which will be preserved.

There also needs to be a financial mechanism established to ensure that all landscape plantings, buildings, fences, and other improvements shall be maintained consistent with the approved PD land use plan and the intent of the zoning district to ensure healthy growth of trees and plants.

The land use plan must equally demonstrate that the property to the east (not just west) is protected. Zoning is similar and the school could negatively impact the property value of the land if not equally protected.

Based on the information presented the mass of the building is too large to be compatible with the surrounding community.

Factor (5) *adequate public facilities.*

This factor relates to whether and the extent to which the proposal would result in demands on public facilities and services (both on-site and off-site) exceeding the capacity of such facilities and services, existing or programmed, including transportation, utilities, drainage, recreation, education, emergency services and similar necessary facilities and services.

Police Department Services

Please identify the specific city police service needs of the elementary school if constructed in this location; e.g., traffic control during drop-off and pick-up times.

Transportation

Please be prepared to address the following comments related to the October 2017 traffic analysis report.

- **Were the traffic counts taken on a typical day?** It appears one count was taken on December 15th, a day before a holiday break. The August 31st count was taken the day before Labor Day break. The “close to holiday” counts may have resulted in lower traffic. Additional counts on a typical school day should be performed to validate the counts. Further, the FDOT count factor should be used to ensure the traffic data is normalized.
- **Do the timings/phases for the signalized intersections used in the analysis reflect the current conditions?** If not, the analysis needs to be revised to use existing timing and phasing. Additionally, it appears that more favorable timings and phasing were utilized in the future condition; some of the directional movements have improved in level of service despite an increase in background and the addition of project traffic. An explanation is needed for this improved condition.
- **Is the trip generation calculation valid?** First, it is noted that the trip generation was based on the 9th Edition of ITE, and the 10th Edition is now available. Also noted is that the trip generation analysis was calculated based on students. While trip generation can be calculated based on students, using the available employee factor in the analysis would be better to ensure the site is not under-designed.

Case in point, if the trip generation (using the 9th Edition) was based on the number of employees, the estimated number of daily trips is almost double that if based on students and the peak hour trips increase by 150 to 165% (see table at the end of the report). If the 10th Edition ITE trip rates are used, the increase between students and employees is not as great, but the student trip generation calculations are higher in the 10th Edition over the 9th Edition.

An updated traffic study should be performed to include the more conservative use of the ITE 10th Edition trip generation as well as using the higher employee based approach.

Furthermore, when using the employee factor, the stated number of employees needs to be evaluated. Is the stated number of employees (135) based on 830 students or the anticipated number of students with the use of portables? A more accurate representation of future traffic is necessary so impacts can be mitigated.

The updated traffic study should also provide analysis of the southerly roads along Holden. These roads are Jessamine Lane, Holden Ridge Ave and Casa Grande Drive.

- **Will the growth rate used in the Traffic Analysis reasonably predict the future condition?** The traffic engineer used FDOT 2011 to 2016 historical counts to estimate the annual growth rate. The counts from 2011 to 2013 are questionable in that the counts for 2011, 2012 and 2013 have the same AADT (13,600), which is unusual. Using these three years, with the same number, in the growth rate calculation results in a lower growth rate compared to a rate calculated using only 2013 to 2016. The future would be better predicted using the last three years to create a growth rate.

Furthermore, verification is needed as to whether the Holden Avenue road improvement west of OBT was used in the future condition. This improvement consists of extension of Holden Avenue from Texas Avenue John Young Parkway (JYP) in a four lane configuration, providing a direct connection between JYP and Orange Avenue, and widening the existing segment from Texas to OBT from two to four lanes. Construction is planned to begin in September 2018, with completion in 2020. Funneling the projected traffic on the improved Holden Avenue into the two lane segment east of OBT will have a significant impact on the future condition.

- **Trip Distribution.** It seems that the trip distribution used in the Traffic Analysis contradicts statements made by the OCPS staff. Whereas the OCPS represented that a significant number of students would be from Edgewood, the traffic analysis shows at least 60% of the school users will be from the west, not from within the City.

Accurate information as to where the students are coming from is essential to effectively determine the adequacy of the existing transportation network and the necessary improvements, including, but not limited, length of turn lanes for stacking. How many students will walk vs. take a bus vs. be driven needs to be answered.

- **Is the road capacity used in the traffic analysis valid?** Since the posted speed is 35 mph, the maximum roadway service volume would be 800, not 850 as apparently used in the Traffic Analysis. Additionally, since Holden Avenue is not a state road, the non-state roadway adjustment factor should have been applied ($800 \times 0.9 = 720$), thus, the correct service volume capacity is 720. This capacity would actually be even less when the school is operational since the future posted speed will be 25 mph, as noted by the traffic engineer.

Using 720 as the correct service volume, Holden Avenue is currently over capacity during the PM peak hour. Existing eastbound traffic ranges from 792 east of US 441 to 789 west of Orange Avenue. Using the correct service volume (720), the road will also be over capacity in the future not only in the PM peak hour, but also during the mid-day. Furthermore, if a more realistic growth rate is applied as explained earlier in this memo, the AM peak hour will most likely be over capacity. Mid-day and AM peak hour conditions are significantly relevant to the school.

The road capacity in the mid-day and AM peak may be further reduced with the effect of crossing guards stopping traffic (mimicking a traffic signal).

- While vehicle queues on Holden do not currently create congestion issues as noted by the traffic engineer, when the school is operational, with the posted speed at 25 mph, with an anticipated ± 10 buses arriving and departing in each direction, with the traffic personnel directing drop-off/pick-up traffic at the entrance, and pedestrians crossing at multiple locations, queuing will become a significant issue.
- Please identify the significance of the asterisk in Table 2 under the Sidewalks column references.
- The site plan shows parking for 133 vehicles. Is this enough for the 135+ employees and potential visitors? As stated earlier in this memo, there is concern that the number of employees is understated given the anticipated use of portables. It should be noted that, by Code, parking is required to be on impervious surfaces except for churches which are allowed overflow parking by code.
- Please identify what events will be held, how many cars will be generated and where will they park?
- The westbound left turn lane for the bus entrance assumed a queue length of 25 feet (or one passenger vehicle). However, it might be better to base the queue length on the length of a school bus and not a typical passenger vehicle. The westbound bus lane will need to be longer.
- An estimated number of buses is needed as well as an analysis of the bus arrivals and movements at the bus entrance.
- The turning radius for the bus entrance looks like it is too tight and should be larger.

- The report appears to utilize parking aisles in the calculation for onsite queuing, but the site is not one-way restricted to prevent short-cutting of the proposed que-length. Also, the operation of the queuing line for parking operations must be demonstrated. The proposed que length is not restricted to use for that purpose.
- A question was asked at the public hearing if the school trip generation was compared to the prior proposed development (45 single family dwellings). The trip generation for the residential development previously proposed on the subject property would be 504 daily trips, 51 PM peak hour, and 41 AM peak hour. Comparatively, the school is projected to generate at least 1290 daily trips, 150 PM peak hour trips, and 450 AM peak hour trips as reported in the traffic study. As stated above, the school trip generation would be higher if calculated based on employment and/or the current ITE manual; the table below provides for a comparison.

	Previously Proposed Single Family Development	School with 9 th Edition based on students	School with 10 th Edition based on students	School with 9 th Edition based on employment	School with 10 th Edition based on employment
Daily Trips	504	1290	1946	2474	2381
AM Peak Hour	41	450	670	720	974
PM Peak Hour	51	150	170	237	240

Estimated Trip Generation Comparison (Students Vs Employees) (9th Ed ITE)

Land Use	Size	ITE Code (2)	Trip Generation Rates (1)									
			Daily	A.M. Peak Hour			P.M. Peak Hour of Generator			P.M. Peak Hour		
				Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
School	1,000 Students	520 / R	1.29	0.45	0.25	0.20	0.28	0.13	0.15	0.15	0.07	0.08
School	135 Employees	520 / E/R	18.33	5.33	2.88	2.45	3.41	1.50	1.91	1.76	0.86	0.90
Land Use	Size	ITE Code (2)	Traffic Volumes									
			Daily	A.M. Peak Hour			P.M. Peak Hour of Generator			P.M. Peak Hour		
				Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
School	1,000 Students	520 / R	1,290	450	248	202	280	126	154	150	74	76
School	135 Employees	520 / E/R	2,474	720	389	331	461	203	258	237	116	121

(1) Trip generation calculations from 9th Edition of ITE Trip Generation Report.
(2) ITE Land Use Code Number / R= Average Trip Rate or E=Pitfall Curve Equation

Estimated Trip Generation Comparison (Students Vs Employees) (10th Ed ITE)

Land Use	Size	ITE Code (2)	Trip Generation Rates (1)									
			Daily	A.M. Peak Hour			P.M. Peak Hour of Generator			P.M. Peak Hour		
				Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
School	1,000 Students	520 / E/R	1.95	0.67	0.36	0.31	0.34	0.15	0.19	0.17	0.08	0.09
School	135 Employees	520 / E/R	17.64	7.21	3.82	3.39	3.57	1.57	2.00	1.78	0.85	0.93
Land Use	Size	ITE Code (2)	Traffic Volumes									
			Daily	A.M. Peak Hour			P.M. Peak Hour of Generator			P.M. Peak Hour		
				Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
School	1,000 Students	520 / R	1,946	670	362	308	340	153	187	170	82	88
School	135 Employees	520 / E/R	2,381	974	516	458	482	212	270	240	115	125

(1) Trip generation calculations from 10th Edition of ITE Trip Generation Report, 2017.
(2) ITE Land Use Code Number / R= Average Trip Rate or E=Pitfall Curve Equation

Pedestrian Routes

The lack of sidewalks along the north side of Holden Ave is insufficient to support a safe walkable network and encourages unauthorized mid-block crossings throughout the corridor.

OTHER QUESTIONS/COMMENTS

What is the minimum student count that would warrant the school?

Light pollution will be a major concern. Light pole height must be limited with full cutoff fixtures and shields anywhere visible to single-family residences.

A sign waiver cannot be supported. The City has just worked extensively to update and enforce its sign code. No waiver is justified for a digital message board. Sign limits must be written into zoning approval.

END