

Marion Rayburn
Chair

David Gragg
Vice-Chair

Steve Kreidt
Board Member

Ryan Santurri
Board Member

Dr. Aileen Trivedi
Board Member

PUBLIC NOTICE
PLANNING AND ZONING BOARD MEETING – October 14, 2019

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 Bagshaw Way, Edgewood, Florida, to consider the items of business listed herein at the time and date indicated below.

Monday, October 14, 2019 at 6:30 pm

- Call to Order
- Pledge of Allegiance
- Roll Call and Determination of Quorum
- Approval of Minutes
September 9, 2019 – Regular P&Z Meeting
- New Business
 - **Variance Requests for boat dock located at 1411 Windsong Drive**
 - **Variance 2019-02** - to allow a boat dock exceeding more than 25% of the canal width. Sec. 14-11(b)(3) Length of boat docks.
 - **Variance 2019-03** - to allow a boat dock exceeding more than 1,000 square feet. Sec. 14-11(b)(3) Square *footage of boat docks*.
- 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)*

- November 11, 2019
- December 9, 2019

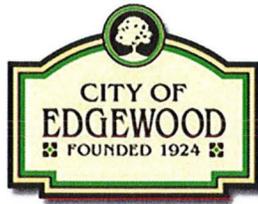
GENERAL RULES OF ORDER

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
September 9, 2019

Planning and Zoning Board Members:

Marion Rayburn, Chair (Quorum)
David Gragg, Vice-Chair
Steve Kreidt, Board Member
Ryan Santurri, Board Member
Aileen Trivedi, Board Member

Staff:

Attorney Smith, City Attorney
Planner Hardgrove, City Planner
David Mahler, City Engineer
Allen Lane, City Engineer
Sandra Riffle, Deputy City Clerk
John Freeburg, Police Chief

Applicants

Sam Sebaali, P.E. FEG
Jose Neto, applicant for 302 Mandalay Road
Kim Fischer, P.E., Cycorp Engineering, Inc.
Keith Eaker, Manager, Comtek Construction, LLC.

CALL TO ORDER

Chair Rayburn called the Planning & Zoning Board meeting to order at 6:30 pm and led the Pledge of Allegiance.

Deputy City Clerk Riffle announced that there was a quorum with all Board Members present.

ADMINISTER OATH OF OFFICE

- **Oath of Office**

Steve Board Member Kreidt was sworn in as a new board member.

Board Member Kreidt took his seat at the dais.

- **Selection of Board Chair and Vice-Chair**

Board Member Gragg made the motion to nominate Chair Rayburn as Chair; second by Board Member Trivedi. The motion approved (5/0).

Board Member Trivedi nominated Board Member Gragg as Vice-Chair; second by Board Member Santurri. Motion approved 5/0.



APPROVAL OF MINUTES

- **March 11, 2019**
Vice-Chair Gragg moved to approve the minutes as presented; second by Board Member Trivedi. The motion passed (5/0).
- **August 12, 2019**
Board Member Santurri moved to approve the minutes as presented; second by Board Member Trivedi. The motion passed (5/0).

NEW BUSINESS

- **5156 S Orange Avenue – Edgewood Central District (ECD)**

Planner Hardgrove explained to the Board that this review is not for site approval, but the proposed site layout needs to be considered due to the proposal of waivers and a variance from ECD standards.

Waiver Requests:

- Code Section 134-458(g)(2) a. Building Placement in the Road View Area
- Code Section 134-458(h)(2) b. Tree location/on center spacing
- Code Section 134-458(f) Minimum percentage of lot width occupied by building at build line
- Code Section 134-460(f)(3) Access/Parking design
- Code Section 134-461 (b) Drive up windows designed on the rear of the building

Variance Request:

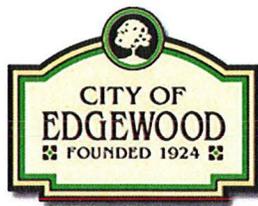
Variance Application No. 2019-01 [Sec. 134-460(f) Access/Parking Design]. To not comply with the Edgewood Central District's requirement for the public sidewalk width and location

Planner Hardgrove reviewed the history of the ECD, which was put in effect in 2018. The ECD is a design-zoned district to revitalize Orange Avenue while making it more pedestrian-friendly and architecturally aesthetic.

The applicant is proposing to demolish and rebuild a pharmacy with medical equipment. The driveways are to remain for the new development.

The proposed new building includes a drive-up window on the south side, which is not in the rear of the building as required by the Code. Per Planner Hardgrove, a waiver for a side drive-thru is a reasonable request as it is not a fast-food restaurant with a lot of traffic, but the intent of the ECD is to be pedestrian-oriented with parking in the rear, and this creates a domino effect with two driveways.

In addition to the driveway location, there was a waiver request for minimum width building to lot ratio. The other issue is the tree location requirement, and two one-way driveways will not allow that count. The applicant is also requesting a variance in the provision of the ECD standard sidewalk, which is required to include an 8-foot wide sidewalk separated from the curb by 6 feet, which the proposed driveway would not allow. As it is a complete redevelopment, there is no reason why the ECD standards cannot be met.



Planner Hardgrove showed a sample of ECD standards diagram of proposed development Planner Hardgrove summarized that staff is recommending denial of the waiver applications except for allowing the 15-foot build to line instead of 25 feet.

Discussion ensued amongst the Board regarding the sidewalk connection, green space and the possibility of FDOT support of streetscaping.

Chair Rayburn asked the applicants to the podium.

Engineer Kim Fischer and Keith Eaker approached the podium and explained the needs of the applicant. Issues center on meeting emergency vehicle circulation, lack of frontage. Engineer Fischer expressed concerns about the pharmacy issues and the potential for loitering in the rear. Board Member Kreidt said Edgewood's ability to enforce would be higher than other localities.

Engineer Fisher responded said she was surprised at the recommendation of denial by staff. They could not keep the existing building because it could not come close to meeting ECD standards, and this was the best iteration. She said the queuing is not like a Walgreens, and the design can support the six-car queuing requirement. It's not high traffic, but they have to provide enough for six cars to meet Code.

Further discussion included possible cures for two-way movement and circulation, curb cut requirements, location, and angle of the drive-thru window. Board Member Kreidt asked about issues of connecting the sidewalks, and Attorney Smith gave the example that in other cities, there would be an escrow account for future sidewalk work.

Chair Rayburn asked for public comments:

Susan Lomas – a resident, asked for clarification that this might bring transients and if this is something the City wants to bring in.

Jim Worthen, a resident, said that the City spent a lot of time and effort approving the ECD. If something is not unfair, then there are standards and regulations. The City needs to move forward.

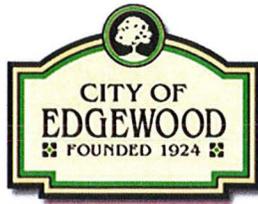
Engineer Fischer responded that there is not a transient community. All Code can't apply to everyone. This property is a small site, and they have to work with the constraints. They have worked with staff throughout the project.

Planner Hardgrove came back to the podium and reviewed the waiver requests. Chair Rayburn asked if the Board was ready to make motions on the waiver and variance requests.

○ **A REQUEST FOR A WAIVER TO Code Section 134-458(h)(2) b. Tree location on center spacing.**

Board Member Kreidt moved to recommend denial of this waiver because it does not meet the intent and design standards of the Edgewood Central District, and it is the most effective way to eliminate two driveways. Second by Board Member Trivedi because the design would not be illogical to maintain the tree spacing. Motion passed (4/1 with Board Member Santurri voting against denial.

Before the roll call vote, Engineer Fischer said they could increase number of trees. Roll call was as follows:



<i>Board Member Trivedi</i>	<i>Favor</i>
<i>Board Member Kreidt</i>	<i>Favor</i>
<i>Chair Rayburn</i>	<i>Favor</i>
<i>Board Member Santurri</i>	<i>Against</i>
<i>Vice-Chair Gragg</i>	<i>Favor</i>

- **A REQUEST FOR A WAIVER TO Code Section 134-458(f). Minimum percentage of lot width occupied by building at build line.**

Attorney Smith reminded the Board that they are charged to enforce the Code as it is written and if it would be impossible or illogical to develop and apply the ECD standards? Staff recommends allowing a 15-foot build-to line.

Board Member Kreidt made the motion to recommend denial because it is inconsistent with the required criteria to grant a waiver as stated in Code Section 134-464; second by Chair Rayburn. Motion passed (4/1) with Board Member Santurri voting against denial.

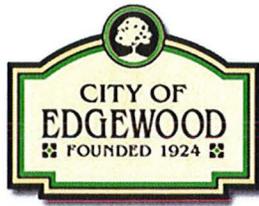
<i>Vice-Chair Gragg</i>	<i>Favor</i>
<i>Board Member Santurri</i>	<i>Against</i>
<i>Chair Rayburn</i>	<i>Favor</i>
<i>Board Member Kreidt</i>	<i>Favor</i>
<i>Board Member Trivedi</i>	<i>Favor</i>

- **A REQUEST FOR A WAIVER TO Code 134-460(f) 3. Access/parking Design.**

Planner Hardgrove reminded the Board that the purpose is to look like a street with trees with a separation for pedestrian safety. The applicant is requesting no adjacent landscaping and only 5 feet of separation. Staff is recommending denial.

Board Member Kreidt moved to recommended approval to allow a 5 feet wide sidewalk on only one side of the driveway and no tree zone; second by Vice-Chair Board Member Board Member Gragg. Motion passed (5/0).

Chair Rayburn	Favor
Board Member Kreidt	Favor
Board Member Trivedi	Favor
Board Member Santurri	Favor



Vice-Chair Gragg	Favor
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- **A REQUEST FOR A WAIVER TO CODE 134-461(b)**. Drive-up windows designed on the rear of the building.

Attorney Smith reminded that a use may change in a building over time and that this use may not apply with a future owner. Board Member Trivedi said that rear windows were a cornerstone of the ECD, and it seems possible.

Chair Rayburn moved to recommend denial for the request to place drive-up windows on the rear of the building as it is not consistent with the Edgewood Central District requirements, and the criteria to grant a waiver are not met; second by Board Member Kreidt. Motion passed (5/0).

Board Member Santurri	Favor
Vice-Chair Gragg	Favor
Board Member Trivedi	Favor
Board Member Kreidt	Favor
Chair Rayburn	Favor

- **Variance Application No. 2019-01** [Sec. 134-460(f) Access/Parking Design]. To not comply with the Edgewood Central District’s requirement for the public sidewalk width and location.

Planner Hardgrove read the justifications for a variance. Approval of the request would keep the 5-foot sidewalk on Orange Avenue where it is.

Board Member Kreidt made the motion to recommend denial based on not meeting the intent of the Edgewood Central District nor criteria for approval of a variance as stated in Sec. 134-104(3)(b); second by Chair Rayburn. Motion passed (5/0).

Board Member Kreidt	Favor
Board Member Trivedi	Favor
Chair Rayburn	Favor
Vice-Chair Gragg	Favor
Board Member Santurri	Favor

- **A REQUEST FOR A WAIVER TO Code Section 134-458(g)(2) a**. Building placement in the road view area.

Board Member Kreidt made a motion to recommend approval of the proposed waiver for building placement in the road view area; second by Board Member Gragg. Motion passed (5/0).



Vice Chair Gragg	Favor
Board Member Santurri	Favor
Chair Rayburn	Favor
Board Member Kreidt	Favor
Board Member Trivedi	Favor

The Board requested a short recess at 8:30 pm.
 Back on the record at 8:40 pm.

o **Ordinance No. 2019-03 Small Scale Comprehensive Plan Amendment for 302 Mandalay Road**

ORDINANCE NO. 2019-03

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, TO AMEND THE FUTURE LAND USE MAP OF THE EDGEWOOD COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL TO COMMERCIAL ON APPROXIMATELY 0.28 ACRES LOCATED AT 302 MANDALAY ROAD; FINDING THAT SUCH CHANGE IN THE FUTURE LAND USE MAP IS A SMALL SCALE AMENDMENT UNDER SECTION 163.3187, *FLORIDA STATUTES*; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Planner Hardgrove introduced the proposed amendment and history of the property. She said that staff recommended approval based on the changes since the original subdivision was platted.

Per Planner Hardgrove, 302 Mandalay Road is oriented to face commercial in two directions. From a Use compatibility perspective, there are public facilities, compatibility with surrounding land use, and they would have to have ECD standards that are set up to be compatible with residential use. This request is ECD consistent with and meets the intent of the Comprehensive Plan. The Future Land Use (FLUM) is the basis for zoning on the property, which would not be changed tonight.

Attorney Smith said that rezoning is quasi-judicial. The comprehensive plan change is a lower standard of review.

The discussion began amongst the Board, including proximity and uses of the lots on all sides of the property. Planner Hardgrove said a resident would most likely require a variance to build on this property.

Engineer Sam Sebaali, with FEG, came to the podium and discussed the challenges of the lot, which he said is not a good location for a single-family residence and has been vacant for a long time. He described the applicant's business, which is cybersecurity. He proposes to build a two-story office building, on the same scale as a residence, with about a 1,700 square-foot footprint. The ECD provides protection for the residents. Orange Avenue is all commercial except for five lots. This lot is challenged by access, and a residence on a principal road is not suitable.



Jose Neto, the owner, came to the podium. He has a cybersecurity business, and there would be no additional traffic as there is not face-to-face clientele.

Chair Rayburn asked for public comment.

Sandy McMillan – a resident directly to the east of the property, spoke as an opponent Ms. McMillan stated concerns about privacy, law enforcement, and the devaluation of her home.

Tina Baker – 6-year resident spoke as an opponent. Ms. Baker said that this is against the FLUM and is concerned about the dangerous intersection and the potential of the changing use.

Mark Crain – a resident, spoke as an opponent. Mr. Crain spoke about traffic concerns with only one outlet.

Tim Lavey – a resident spoke as an opponent. He stated concerns about the location and the danger for children on the street.

Jose Neto – said that his business is remote.

Nathan Horton – a resident, spoke as an opponent. He said that commercial use would ruin the neighborhood.

Christopher Pashley - a resident, spoke as an opponent. He agreed with previous speakers and has safety concerns about the intersection.

Dan Drummond – resident since 1973 spoke as an opponent. Mr. Drummond does not want a commercial neighbor. He has concerns about impervious surface requirements, lack of a contingency clause, and the sensitivity of the proposed use.

In response to Mr. Drummond, Planner Hardgrove said the comprehensive plan is under 7-year evaluation and can be updated twice a year. Attorney Smith added that it is a living document.

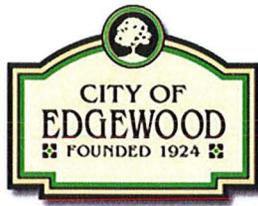
David Cohen – a resident for 16 years, spoke as an opponent. Mr. Cohen discussed the quaint character of the neighborhood and the dangerous intersection. He suggested that a commercial use could move to the lot on Oak Lynn.

Kelly Rodda – a resident, spoke as an opponent. Ms. Rodda said the lot is meant to be residential, and trees need to be preserved.

Randy Baker – a resident, spoke as an opponent. Mr. Baker said there would be no room for trees on this lot and that the lot to the north should not be commercial either. He stated concerns about the power grid and intersection, and offered a class action lawsuit if this happens.

Jenn Fine – a resident, spoke as an opponent. This use would not be the intention of the former owners who passed away, and there are concerns for children and pets. She suggested a park.

Gregory Levan – a resident, spoke as an opponent. Mr. Levan asked the Board to think about it as if it were their neighborhood.



Engineer Sebaali returned to the podium. The lot has been vacant for a long time. He compared Mandalay Road to Harbour Island, which is also a very nice road. There are even more expensive homes on the lake, and they have to access commercial and Orange Avenue. Orange Avenue has changed since it was built. He understands the concern, but it is not a suitable lot for a single-family residence. He asked for Board's support.

Discussion ensued amongst the Board: Board Member Kreidt asked about access from Orange Avenue. Planner Hardgrove said that is a DOT requirement; Orange Avenue curb cuts are minimized.

Vice Chair Gragg asked when the north lot was rezoned for commercial use. Planner Hardgrove said this has been the zoning for as long as she has been here. Attorney Smith said that once it is commercial, it gives them the ability to apply for rezoning for commercial.

Board Member Kreidt said he was not comfortable with a proposal incompatible with adjacent lots.

Vice-Chair Gragg said this property cannot be compared to those across Orange Avenue, and they need to balance pro-business with protecting residents.

Vice-Chair Gragg made the motion to recommend denial due to the uses on the east, south and west sides of the property; second by Board Member Kreidt. Motion passed (5/0).

Board Member Trivedi	Favor
Board Member Kreidt	favor
Vice-Chair Gragg	Favor
Board Member Santurri	Favor
Chair Rayburn	Favor

• **Ordinance No. 2019-04**

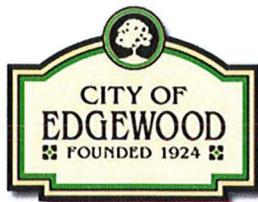
AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, RELATING TO TREES; AMENDING CHAPTERS 50 AND 130 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES TO CLARIFY AND CONSOLIDATE REQUIREMENTS RELATED TO TREES, SHRUBS, AND PLANTS; AMENDING PROVISIONS RELATED TO MAINTENANCE AND RESPONSIBILITY FOR TREES AND TREE BRANCHES LOCATED WITHIN AND ADJACENT TO RIGHTS-OF-WAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

Attorney Smith introduced and read the title of the ordinance. He explained that this came about due to a couple of tree incidences when Mayor Dowless became Mayor. This ordinance is to clarify responsibility.

Topics for discussion by the Board included a suitable amount of time for tree removal and removal fees.

Chair Rayburn asked for public comment.

Susan Lomas, a resident, asked for clarification about trees in the right-of-way. Attorney Smith explained that it is the City's responsibility unless given notice that the tree has issues.



Jim Worthen, a resident, said this shifts responsibility and safety traditionally by City. Tree maintenance should remain public works and proposed changes.

Board Member Kreidt asked about maintenance in the right-of-way maintenance. Mr. Worthen said he is talking about arterial roads and trees over roads. Attorney Smith said he understands the request and can incorporate the changes.

Vice-Chair Gragg agreed with the changes but he is not sure about the proposed verbiage about the property line.

With no further discussion, Board Member Santurri made the motion to recommend approval of Ordinance 2019-04, with proposed language; second by Board Member Trivedi. Motion passed (5/0).

- **Ordinance No. 2019-XX**

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 134 – “ZONING” BY CLARIFYING LOCATION STANDARDS FOR ACCESSORY STRUCTURES, INCLUDING SCREEN ENCLOSURES AND POOLS; DEFINING TERMS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Planner Hardgrove introduced the proposed ordinance and that there is a question on if there is a difference for a screen with or without a pool. She suggested changing the Code so that it does not distinguish between whether or not there is a pool on the property.

Deputy City Clerk Riffle gave a current example of two residences that have requested screen covers. One property has a pool, and the other does not.

Attorney Smith asked what difference would it make whether or not people wanted to put up screens without pools. Board Member Kreidt said he was inclined to agree with that.

As there was no further discussion, Chair Rayburn moved to recommend that City Council approve Ordinance 2019-06 to amend Chapter 134; second by Board Member Santurri. Motion passed (5/0).

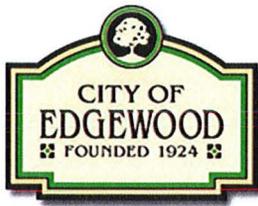
- **Ordinance No. 2019-XX**

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 14-11 REGARDING RULES AND REGULATIONS FOR BOAT DOCK CONSTRUCTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

Planner Hardgrove introduced the proposed ordinance, and Attorney Smith explained striking of the rear setback for lots that back to canals and whose rear yard is the edge of the water. The purpose was to keep the navigability of the canals. However, there is still code to protect the navigability with a required open area of 25% of the width of canals.

Attorney Smith said that you cannot build on someone else's property. This pulls Code out of the way, and an easement can be granted.

There was no public comment.



Board Member Santurri made the motion to approve Ordinance 2019-07 and amend Chapter 14-11; second by Chair Rayburn. Motion was passed (5/0).

COMMENTS/ANNOUNCEMENTS

None

ADJOURNMENT

As there was no further discussion, Chair Rayburn asked for a motion to adjourn:

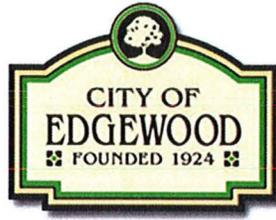
Board Member Trivedi made the motion to adjourn the meeting; Second by Vice-Chair Gragg. The motion passed (5/0).

The meeting adjourned at 10:25 pm.

Marion Rayburn, Vice Chair

Sandra Riffle, Deputy City Clerk

DRAFT



Memo

To: Planning and Zoning Board Members
CC: Drew Smith, Ellen Hardgrove
From: Sandy Riffle, Deputy City Clerk
Date: October 9, 2019
Re: New Business Items

During the October 14, 2019 Planning and Zoning Board meeting, you will consider two (2) variance applications for a boat dock located at 1141 Windsong Road. The boat dock is located on a canal to Lake Gatlin.

I have included for your review the following information that has been received by City Hall.

- Staff Report from Project Engineer Allen Lane, dated September 30, 2019
- Variance application 2019-02 to allow a boat dock exceeding more than 25% of the canal width
- Variance application 2019-03 to allow a boat dock exceeding the allowable 1,000 square feet
- Letter from property owner and applicant Melinda Elannan, dated September 19, 2019
- As-built survey dated September 20, 2019
- Revised as-built survey dated October 3, 2019 with email from Robin Lopez at Summertime Deck and Dock and email response from Allen Lane at CPH.

CPH's report was based off of the September 20, 2019 survey. The revised as-builts were submitted after the public notice letters were mailed. The CPH engineer will address this during the presentation.

- Aerial view of boat dock
- Notice of Public Hearing dated October 3, 2019

Notice of Public Hearing letter was sent on October 3, 2019 to those property owners within 500 feet of the subject property. There were 44 Notices provided by U.S. Mail.

As of the date of this memo, City Hall received one comment from a resident to check the building materials for the health of the lake. Builder Summertime Deck sent a response on October 4, 2019 that all of the wood is intended for ground and marine contact.

- The City Engineer is prepared to respond to any questions you may have regarding the variance requests.



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

September 30, 2019

Ms. Sandy Riffle
Deputy City Clerk
City of Edgewood
405 Bagshaw Way
Edgewood, FL 32809-3406

**RE: 1141 Windsong Road – revised boat dock as-built review
CPH Project No. E7601**

Dear Ms. Riffle;

This is regarding a request to allow two variances for a boat dock located at 1141 Windsong Road, which is currently in the R-1AA zoning district. The applicant is requesting to allow the construction of a boat dock that exceeds the allowable 1,000 square footage and to exceed the allowable amount of 25% of the canal width.

Below is a summary of information regarding the review of the original construction plans and as-builts for a dock constructed at the above address. The address is zoned as lakefront per the Orange County Property Appraisers web site. The subject property is also at the mouth of a canal that connects both Lake Gatlin and Little Lake Conway. For our review, we reviewed the application based on City code for a dock being constructed on a canal, Section 14-11, Boat Dock Construction Rules and Regulations as part of the as-built review. The code is referenced below:

Sec. 14-11(b)(3) Length of boat docks. The maximum permitted length of boat docks and other structures which shall include walkways, boat house and terminal platforms shall not exceed 65 feet as measured from the normal high water line as established by Orange County, Florida, as marked by a registered surveyor and mapper, unless a variance is secured from the city council. No dock on a canal or otherwise shall extend waterward of the mean or ordinary high water line more than 25 percent of the width of the water body at the location of the dock. This is to assure that other property owners will retain their rights or reasonable use of, and access to, the lake.

Sec. 14-11(b)(3) Square footage of boat docks. No boat dock shall exceed 1,000 square feet in total area. The total area of the dock is that portion of the dock lying waterward of the normal high water line of the applicable lake or water body.

CPH performed a follow up review of the revised dock as-builts, dated "Received City of Edgewood, 8/23/2019." The copy of the as-builts we reviewed are signed and sealed by Mr. William F. Menard, Professional Surveyor and Mapper, with a revision date of 7/30/19. These as-builts superseded the previous as-builts dated July 8, 2019. The revised as-builts were submitted due to repairs made to the dock after the initial dock was constructed. We reviewed the new as-builts and compared that information to the original application plans to verify the dock was built to per the original plans.



As part of the review, we reviewed the length, width and height of the dock to verify if the constructed dock meets or exceeds the permitted dimensions and for the allowable shaded area over water. We also reviewed the location of the dock with respect to the Normal High Water Elevation (NHWE) to verify if the dock encroaches more than 25% into the width of the canal.

The shaded area of water for the dock is 1,021.85 SF which is greater than the allowable 1,000 SF (Sec 14-11(b)(6)). We understand the difference in area is a result of the repairs that were made to the previously constructed dock.

The distance the dock extends into the canal from the NHWE is 37.2 feet, per the as-builts. The width of the canal at this same location is 145.08 feet, per an aerial exhibit provided with the application. As noted in the code section above, the dock is not allowed to extend more than 25% of the width of the canal. That distance is 36.27 feet. The as-builts show the distance is 37.2 feet, which is greater than the allowable distance (Sec 14-11(b)(3)). The total difference in distance is 0.93 feet, or 11.16 inches.

The owner of the dock has submitted a variance request for both the encroachment into the width of the canal and for the shaded area of the dock. To date, CPH has not received any information or documentation stating the dock location is a nuisance or directly impacts the safe and navigable waters of the canal.

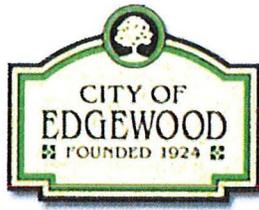
We have reviewed the variance requests and do not have any objections to the City approving the requests.

Sincerely,
CPH, Inc.

A handwritten signature in black ink that reads "Allen C. Lane, Jr." in a cursive script.

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

J:\E7601\Civil\Documents\City Plans-Application Review\1-completed projects\1141 Windsong Rd - Boat Dock\letters\1141 Windsong Road - variance letter to Cty 9-30-19.doc



RECEIVED
 SEP 20 2019
 CITY OF EDGEWOOD

APPLICATION FOR VARIANCE

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

REQUIRED FEE: \$350 RESIDENTIAL \$750 COMMERCIAL

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

Please note this fee is non-refundable

Office Use Only:	
VARIANCE APPLICATION #:	2019-02
PLANNING AND ZONING MEETING DATE:	10/14/2019
CITY COUNCIL MEETING DATE:	11/19/2019

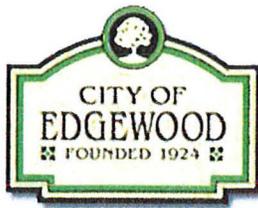
IMPORTANT: A COMPLETE application with all required attachments and ten (10) copies must be submitted to the City Clerk ____ days before the next Planning & Zoning meetings. No application shall be deemed accepted unless it is complete and paid for. Notarized letter of authorization from Owner MUST be 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:	Melinda Elannan	Owner's Name:	Melinda Elannan
Address:	1141 Windsong Rd, Orlando FL 32809	Address:	1141 Windsong Rd, Orlando FL 32809
Phone Number:	305-778-9861	Phone Number:	305-778-9861
Fax:		Fax:	
Email:	1141windsong@gmail.com	Email:	1141windsong@gmail.com
Legal Description:	HARBOUR ISLAND SUB 1/131 LOT 29 & LOT 30 (LESS BEG NE COR LOT 30 RUN SWLY ALONG RD 51.61 FT N 68 DEG W 298.33 FT NELY TO NW COR LOT 30 S 66 DEG E 327 FT TO POB)		
Zoned:	R-1AA 0104 - Single Fam Class IV		
Location:	13-23-29-3380-00-290		
Tract Size:	58,417 sqft (+/-)		
City section of the Zoning Code from which Variance is requested:	Zoning Code Section 14-11(b)(3)		
Request:	Exceeds 25% of Canal Width		
Existing on Site:	25.6% Into Canal		

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 Bagshaw Way, 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.

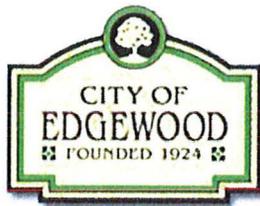
AGREE:		DISAGREE:	
---------------	--	------------------	--

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:	
Applicant's Printed Name:	Melinda Elannan		
Owner's Signature:		Date:	
Owner's Printed Name:	Melinda Elannan		

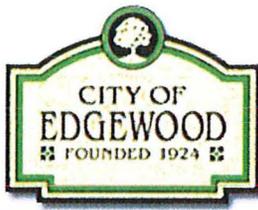


Please submit your completed application to City Hall via email at bmeeks@edgewood-fl.gov or sriffle@edgewood-fl.gov, via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Larue Ave. For additional questions, please contact City Hall at 407-851-2920.

Office Use Only:	
Variance #:	2019-02
Received Date:	9/20/2019
Received By:	Brian Meeks
Forwarded To:	CPH
Notes:	

Revised 6/24/2019

Page 4 of 4



RECEIVED
 SEP 20 2019
 CITY OF EDGEWOOD

APPLICATION FOR VARIANCE

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

REQUIRED FEE: \$350 RESIDENTIAL \$750 COMMERCIAL

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

Please note this fee is non-refundable

Office Use Only:	
VARIANCE APPLICATION #:	2019-03
PLANNING AND ZONING MEETING DATE:	10/14/2019
CITY COUNCIL MEETING DATE:	11/19/2019

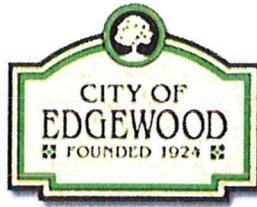
IMPORTANT: A COMPLETE application with all required attachments and ten (10) copies must be submitted to the City Clerk ____ days before the next Planning & Zoning meetings. No application shall be deemed accepted unless it is complete and paid for. Notarized letter of authorization from Owner MUST be submitted if application is filed by anyone other than property owner.

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Email:	1141windsong@gmail.com	Email:	1141windsong@gmail.com
Legal Description:	HARBOUR ISLAND SUB 1/131 LOT 29 & LOT 30 (LESS BEG NE COR LOT 30 RUN SWLY ALONG RD 51.61 FT N 68 DEG W 298.33 FT NELY TO NW COR LOT 30 S 66 DEG E 327 FT TO POB)		
Zoned:	R-1AA 0104 - Single Fam Class IV		
Location:	13-23-29-3380-00-290		
Tract Size:	58,417 sqft (+/-)		
City section of the Zoning Code from which Variance is requested:	Zoning Code Section 14-11(b)(6)		
Request:	Exceeds 1,000 SF		
Existing on Site:	Dock is 1,021.85 square feet		

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 Bagshaw Way, 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
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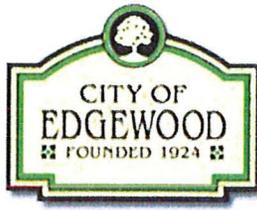
AGREE:	<i>[Handwritten Signature]</i>	DISAGREE:	
---------------	--------------------------------	------------------	--

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:	<i>[Handwritten Signature]</i>	DISAGREE:	
---------------	--------------------------------	------------------	--

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

Applicant's Signature:	<i>[Handwritten Signature]</i>	Date:	<i>9/20/19</i>
Applicant's Printed Name:	Melinda Elannan		
Owner's Signature:	<i>[Handwritten Signature]</i>	Date:	<i>9/20/19</i>
Owner's Printed Name:	Melinda Elannan		



Please submit your completed application to City Hall via email at bmeeks@edgewood-fl.gov or sriffle@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:	
Variance #:	2019-01
Received Date:	9/20/2019
Received By:	Bee Meeks
Forwarded To:	CPH
Notes:	

Revised 6/24/2019

Page 4 of 4

September 19, 2019

City of Edgewood
405 Bagshaw Way
Orlando, FL 32809

RECEIVED
SEP 20 2019
CITY OF EDGEWOOD

Re: Application for Variances- Boat Dock Placement and Square Footage

Attn: Edgewood Planning and Zoning Board & City Council Members

To All Municipal Leaders,

I, Melinda Elannan, property owner and sole resident of 1141 Windsong Road, am writing to request a variance to the existing dock on my lake-front zoned property regarding a) total square footage and b) canal extension. Both will be outlined in detail below.

The dock was constructed in 2017. Due to issues with the decking and delays in the repairs due to a responsibility/liability dispute between the decking provider and my dock builder, the decking was repaired in spring 2019. The framing and location of the dock has remained constant since original construction in spring 2017, and the dock has been signed off by the city and the county and the permit has been closed. There have been no reported incidents involving my dock in the 2 years since construction, nor have the Orange County Sheriffs or other waterway patrolling entities recorded concerns with the dock placement.

After initial conversations and renderings with Summertime Deck and Dock, I was notified that the gentleman with whom I had worked was no longer with the company and another gentleman would be assuming my project. Upon a site visit, it was determined that the initial dock rendering was incorrectly placed by the original Summertime representative, as the placement would render my boat slip unusable during dryer seasons due to proximity to the shore. The purpose of the boat dock was to accommodate a deep-V inboard wakeboat in reasonable water depth, 4' from muck, as anything less than 4' risks engine damage. Additionally, the necessary lift to accommodate a deep-V inboard motor wakeboat (Aluminum Boat Cradles HSK 7500SV) requires a minimum of 3' per specification of the manufacturer. We explored moving the boat dock to the opposite side of my shoreline- near the live oak along the property line I share with the other half of Lot 30. However, due to low water depths that extend sufficiently offshore, the walkway/square footage necessary to reach adequate depths would have placed the dock as a significant visual impedance to both my neighbors' and my own views of Lake Gatlin.

Spring 2017 also presented historic water level lows on Lake Gatlin. According to the Orange County Water Atlas, Lake Gatlin NAVD88 NWHE was 83.71, while 39 year averages are at 86.12. Based on boat accommodation requirements that would be necessary so that I may enjoy the benefits of lake-front living in conjunction with a season of historic water level lows, I instructed Summertime to adjust accordingly, and trusted- based on their professional standing as dock builders- that necessary matters would be handled to accommodate any adjustment. Based on what I am discovering, those necessary matters were not fully handled, the dock builder cannot be trusted, and thus I am taking it upon myself to submit this current request for the aforementioned variances with variance justifications that follow.

- A) Current boat dock square footage: 1,021.85 square feet according to CPH. This is 21.85 SF larger than the 1,000 SF parameter set forth by Zoning Code Section 14-11(b)(6). The current dock, minus walkway, is 23.7x40.3. The originally submitted as-built that has been brought to my attention placed my dock at 23.1x40.2; a variance of 0.6' larger width (7.2 inches, 3.6 inches per side) and 0.1' smaller length from the original as-built. Additionally, extra square footage was added when the walkway was widened, though the dock builder apparently did not reflect this in their original as-built.
- B) Canal extension: As per the CPH report, the dock extends a distance of 37.2 feet into the canal which is 145.08 feet wide at the same location. This equates to 25.6% of the canal width. Zoning Code Section 14-11(b)(3)

states that the extension into the lake is to be 25%, which would be 36.27 feet. With the adjustment that was made to accommodate the necessary water depths to render my dock and boat slip functional in both high and low water seasons (please see aforementioned lake levels, as per Orange County Water Atlas reporting, and boat/boat lift requirements), the dock builder's rotation of the rendering placed the dock 0.6% beyond the 25% stipulation. Without the adjustment, the boat slip and dock would have been rendered useless for the intended purposes during select months of the year, and even moreso during dryer years. This shift was apparently not addressed in the permitting stage by the dock builder. However, per a previously recorded zoning hold, this issue has been addressed in past months with the city of Edgewood by the dock builder. As mentioned, I ask that the council please take into consideration that the dock has been present at its current location- 0.6% beyond the 25% stipulation- for 2 years with no recorded issues.

At the time of this letter being drafted, the construction of my dock has been a 2 year & 5 month saga. Unfortunately, along the way, I have dealt with a difficult and unprofessional dock builder and a rollercoaster of approvals/denials/reviews. I have received a final approval from the city engineer, had the engineer return for another inspection and again received the all-clear from that follow-up inspection (see attached letter), and now I am re-facing the same issues yet again. I have also endured a harassing neighbor. Said neighbor, Doug Langford, has created a hostile canal-neighbor environment over the last 9 months, despite my attempt to have a neighborly discussion with him regarding the matter. He took it upon himself to willfully and knowingly break the law by trespassing on my property (please refer to official trespass filed with the Edgewood Police Department) to illegally gather measurements, thus leaving me with a shaken sense of security as I- a single female living alone- ponder the extents to which he would go if he disagrees with how I handle any other matters on my personal property.

As an Edgewood resident who loves my Harbour Island neighborhood, regularly utilizes our beautiful waterways, and has already submitted plans to build a brand new home that will add to the beautification and property values of the city, I kindly and heartfully ask the council to consider the aforementioned factors in approval of my variance requests. Please recall the lack of incidents in relation to the current location of my dock, the necessity of placing the dock in slightly deeper water to render the dock/boat slip functional, and consider that much of the square footage overage comes due to the addition of width to the walkway (which does not affect canal passage). I have learned several lessons during the course of this dock saga, including taking personal responsibility to better understand code and placing a bit less trust in "professionals"; I can assure you these lessons will be put into action as I build my new home! I am willing and happy to add visual cues/lights at the corners of my dock which face the canal if the council feels that it would enhance the safety of canal passerby. While I would like to put this saga to rest with the approval of the requested variances, I also want to ensure that I am acting as a good neighbor in the interest of ongoing safety for my fellow boaters. Thank you for your consideration in the matter, and please feel free to contact me with any questions.

Sincerely,

Melinda Elannan
1141 Windsong Road
Orlando, FL 32809
305-778-9861

LEGAL DESCRIPTION:

LOT 29, HARBOUR ISLAND SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE(S) 131, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

AND

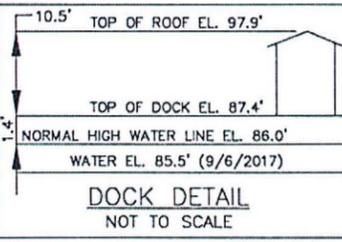
LOT 30, HARBOUR ISLAND SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 131, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

LESS AND EXCEPT: BEGIN AT THE NORTHEASTERLY CORNER OF SAID LOT 30, SAID CORNER IS SITUATED ON THE WESTERLY RIGHT-OF-WAY LINE OF WINDSONG ROAD, RUN THENCE SOUTHWESTERLY ON THE EASTERLY LINE OF SAID LOT 30 AND ON THE WESTERLY RIGHT-OF-WAY LINE OF WINDSONG ROAD A DISTANCE OF 51.61 FEET; RUN THENCE NORTH 68 DEGREES 59' 54" WEST 298.33 FEET TO THE WESTERLY (REAR) LOT LINE OF SAID LOT 30; RUN THENCE NORTHEASTERLY ON THE WESTERLY (REAR) LOT LINE OF SAID LOT 30 TO THE NORTHWESTERLY CORNER OF SAID LOT 30; RUN THENCE SOUTH 66 DEGREES 44' 55" EAST ON THE NORTHERLY LOT LINE OF SAID LOT 30 A DISTANCE OF 327 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SPECIFIC PURPOSE SURVEY FOR SUMMERTIME DECK & DOCK

LEGEND:

- BM BENCHMARK
- CONC. CONCRETE
- COVD COVERED
- D PER DEED
- EJB ELECTRIC JUNCTION BOX
- EL ELEVATION
- ID IDENTIFICATION
- IP IRON PIPE
- IRR IRRIGATION PUMP
- L LENGTH
- LB LICENSED BUSINESS MEASURED
- M NORTH AMERICAN VERTICAL DATUM
- NAVD NORMAL HIGH WATER LINE
- NHWL PER PLAT
- P POINT OF COMPOUND CURVATURE
- P.O.L. POINT ON LINE
- REC. RECOVERED
- SQ. FT. SQUARE FEET
- 00-00 CONTOUR LINE
- +00.00 SPOT ELEVATION



SURVEYOR'S NOTES:

- The lands as shown hereon lie within Section 13, Township 23 S., Range 29 E., Orange County, Florida.
- This survey represents a survey made on the ground under the supervision of the signing surveyor, unless otherwise noted.
- Underground improvements or underground foundations have not been located except as noted.
- This survey does not reflect or determine ownership.
- All easements of which the surveyor has knowledge of, or has been furnished, have been noted on this map.
- No title data has been provided to this surveyor unless otherwise noted.
- Bearings shown hereon are assumed relative to the South line of Lot 29; said bearing being N75°24'05"W per plat.
- According to the Federal Insurance Rate Map, this property lies in Zones "AE" and "X", Community Panel number 12095C0430 F, Dated: 9/25/2009. Zone "AE" has an elevation of 88.
- Elevations shown hereon are based on Orange County benchmark #EW-2, having an elevation of 95.70' relative to NAVD 88.
- Normal High Water Line elevation is 86.90' relative to NCGVD 29 per Unincorporated Orange County, Florida Lake Index (REV. Jan 2005).
- Interior improvements not located per the client's request.
- Acres and square feet as depicted calculated to edge of water.
- Legal Description per Warranty Deed recorded Document 20160446297.
- The purpose of this survey is to show the condition of the dock as-built.

CURVE TABLE

CURVE	LENGTH	RADIUS	TANGENT	DELTA
C1(P)	148.60'	222.00'	77.20'	38°21'07"
C1(M)	148.64'	222.00'	77.23'	38°21'45"
C2(P)	99.20'	222.00'	50.44'	25°36'09"
C2(M)	98.63'	222.00'	50.14'	25°27'19"
C3(P)	101.01'	222.00'	51.39'	26°04'10"
C4(P)	51.61'	222.00'	25.92'	13°19'12"

REVISIONS

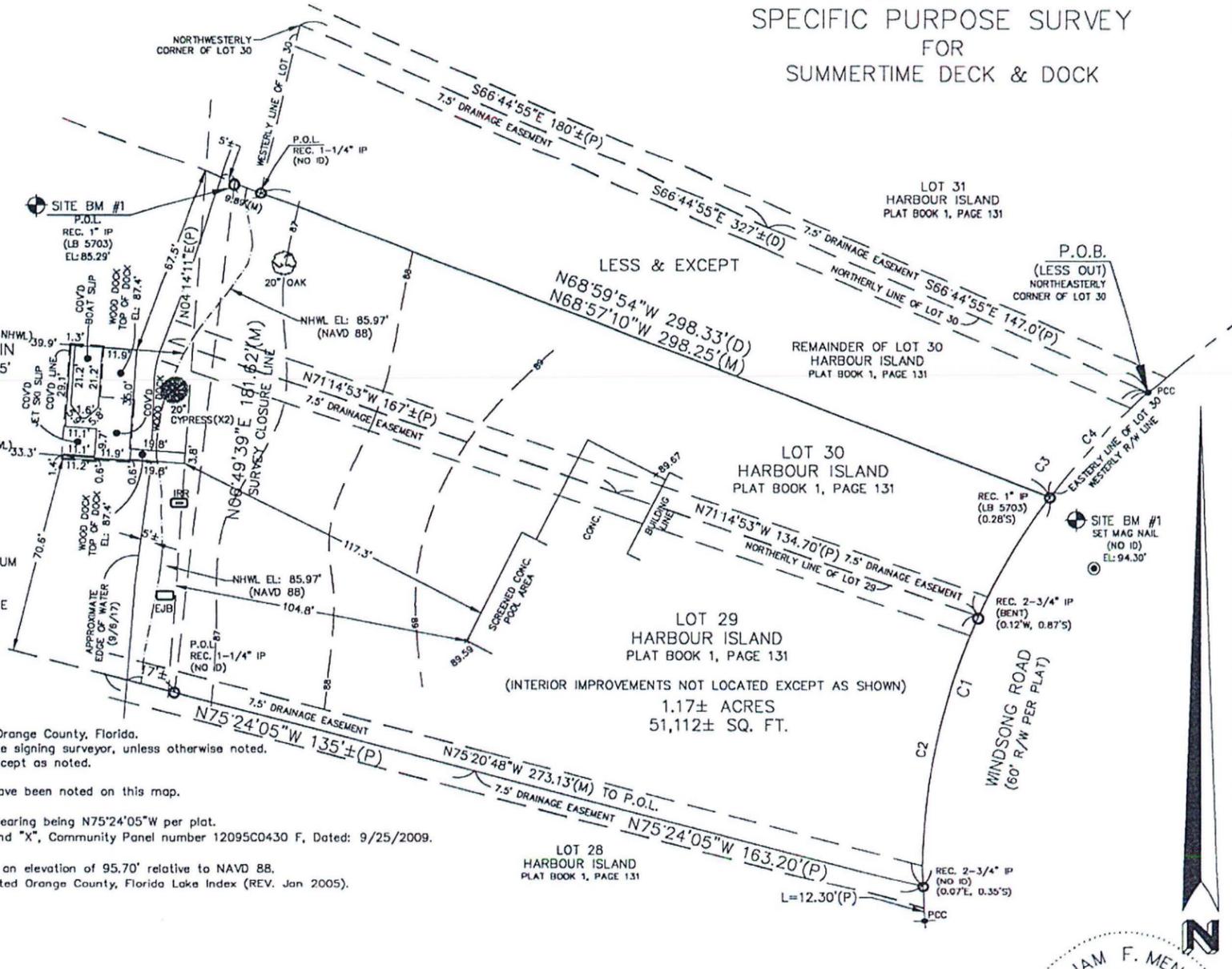
Rev.	Date:
Rev. _____	Date: _____
Rev. REVISED NHWL	Date: 11/20/17
Rev. DOCK AS-BUILT	Date: 9/6/17

HLSM, LLC
 Henrich-Luke-Swaggerty-Menard
 Professional Surveyors & Mappers
 Licensed Business No. 7276
 794 Big Tree Drive, Suite 108
 Longwood, Florida 32750
 P. (407) 647-7346
 F. (407) 982-7166
 Survey@HLSM.US

Job No: H-557
 Field Date: 4/27/17
 Drawn By: JJR
 Field By: WKP/TH
 Scale: 1"=40'

THIS SURVEY MAP AND REPORT OR ANY COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEALED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

William F. Menard
 WILLIAM F. MENARD
 Professional Surveyor & Mapper
 Florida Registration #5625



RECEIVED
 SEP 20 2019
 CITY OF EDGEWOOD

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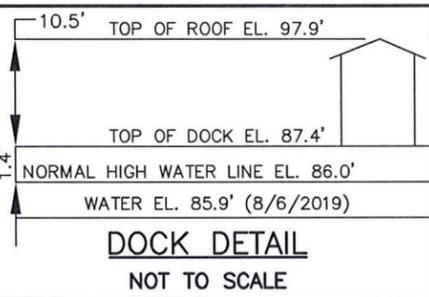
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LEGEND:

- | | |
|---------|-------------------------------|
| BM | BENCHMARK |
| CONC. | CONCRETE |
| COV'D | COVERED |
| D | PER DEED |
| EJB | ELECTRIC JUNCTION BOX |
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| NHWL | NORMAL HIGH WATER LINE |
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| P.O.B. | POINT OF BEGINNING |
| P.O.L. | POINT ON LINE |
| REC. | RECOVERED |
| SQ. FT. | SQUARE FEET |
| --00-- | CONTOUR LINE |
| +00.00 | SPOT ELEVATION |

LAKE GATLIN
WATER EL: 85.9'
(8/6/19)



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- Legal Description per Warranty Deed recorded Document 20160446297.
- The purpose of this survey is to show the dock as-built.
- The two (2) dock ties to the NHWL were changed to perpendicular ties.

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C1(M)	148.64'	222.00'	77.23'	38°21'45"
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C2(M)	98.63'	222.00'	50.14'	25°27'19"
C3(P)	101.01'	222.00'	51.39'	26°04'10"
C4(P)	51.61'	222.00'	25.92'	13°19'12"

REVISIONS

Rev. SEE NOTE 15	Date: 9/23/19
Rev. REVISED DOCK	Date: 7/30/19
Rev. REVISED NHWL	Date: 11/20/17
Rev. DOCK AS-BUILT	Date: 9/6/17

HLSM, LLC
Henrich-Luke-Swaggerty-Menard
Professional Surveyors & Mappers

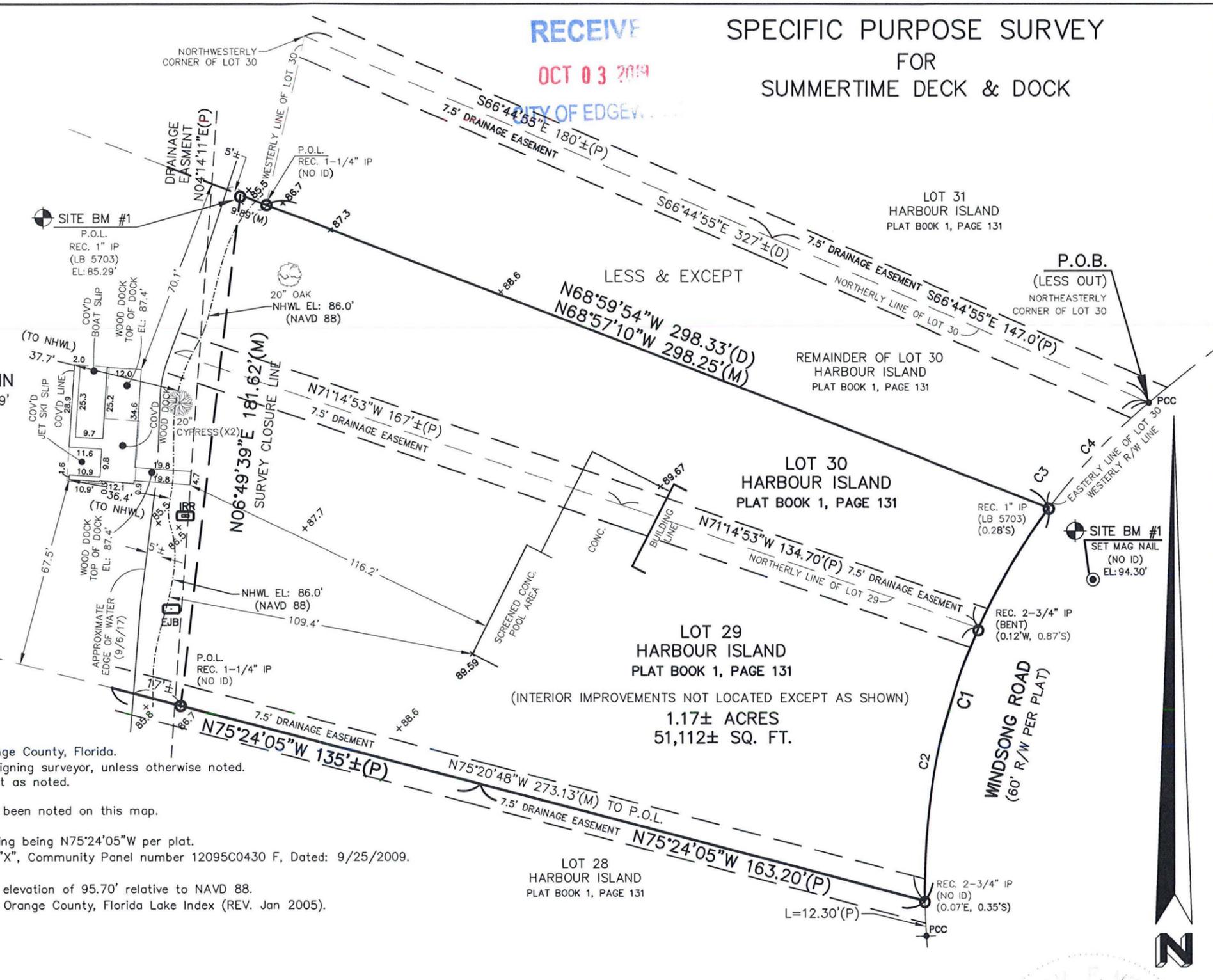
Licensed Business No. 7276
302 Live Oaks Boulevard
Casselberry, Florida 32707
P. (407) 647-7346
F. (407) 982-7166
Survey@HLSM.US

Job No: J-486
Field Date: 4/27/17
Drawn By: RM
Field By: WKP/GR
Scale: 1"=40'

THIS SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

William F. Menard
William F. Menard
Professional Surveyor & Mapper
Florida Registration #5625

\\SERVER\Projects\Harbour Island\dwg\Lot 29-30 dock 2019.dwg



Sandy Riffle

Subject: FW: Boat dock condition - 1141 Windsong Rd.
Attachments: Lot 29-30 dock 092319.pdf
Importance: High

From: Robin Lopez [<mailto:robin@summertimedocks.com>]
Sent: Wednesday, October 2, 2019 11:01 AM
To: Sandy Riffle <sriffle@edgewood-fl.gov>
Subject: Re: Boat dock condition - 1141 Windsong Rd.
Importance: High

Sandy,

Good morning. I know that the communication is between Edgewood and Ms. Elannan, but in reviewing another client's survey with the surveyor, we realized that on this project the distance to the NHWE was not measured in a perpendicular fashion, resulting in a longer than actual distance from the NHWE. While it does not completely resolve the matter, it reduces the infraction to 0.12' (less than an inch and a half). The surveyor revised the survey accordingly, and I am attaching it for reference by all parties.

Additionally, when the square footage is calculated in the CAD program, the square footage number that results water ward of the NHWE is 1,013 sq. ft. Again, not resolving the matter, but reducing the impact of things.

Attached is the survey for reference.

Thanks.
RL



SUMMERTIME
DECK & DOCK Robin Lopez | Owner
Florida License #CGC1511647
Ph: 407-583-6251 | Fax: 866-649-9449
5968 Lakehurst Drive | Orlando, FL | 32819
On the Web | Facebook | Our Work

Sandy Riffle

Subject: FW: Survey - 1141 windsong boat dock - area review

From: Lane, Allen C. (P.E.) [mailto:alane@cphcorp.com]

Sent: Tuesday, October 8, 2019 11:34 AM

To: Sandy Riffle <sriffle@edgewood-fl.gov>

Cc: Mahler, David E. (P.E.) <dmahler@cphcorp.com>; Virginia Renteria <vrenteria@edgewood-fl.gov>

Subject: RE: Survey - 1141 windsong boat dock - area review

Sandy,

The dimensions of the dock have not changed. Depending on which "as-built" we review, the area is still about 1,020 SF of shaded area over water. Our last letter stated 1,021.85 SF. Based on the new as-built, that is still correct. And we are subtracting out 5.6 feet of the dock walkway that is over land. Based on the e-mails below, that appeared to be a concern.

If we did not subtract the 5.6 feet, the area would be 1,047.17 SF.

The other part of the as-built is the distance the dock extends into the canal. They keep moving the dimension line. On the new "as-built" the distance is now 36.4' from the NHWE. The canal is still 145.1 feet wide. 25% is 36.275 feet. The as-builts state 36.4 feet. The dock is still beyond the allowable limit.

Our variance letter still stands. They are over on the shaded area and they are over on the allowable distance into the canal.

Allen

Allen C. Lane, Jr., PE
Project Engineer

o 407-425-0452 (Ext.2008)
c 407-721-3097

alane@cphcorp.com

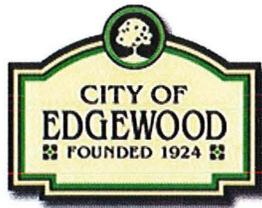


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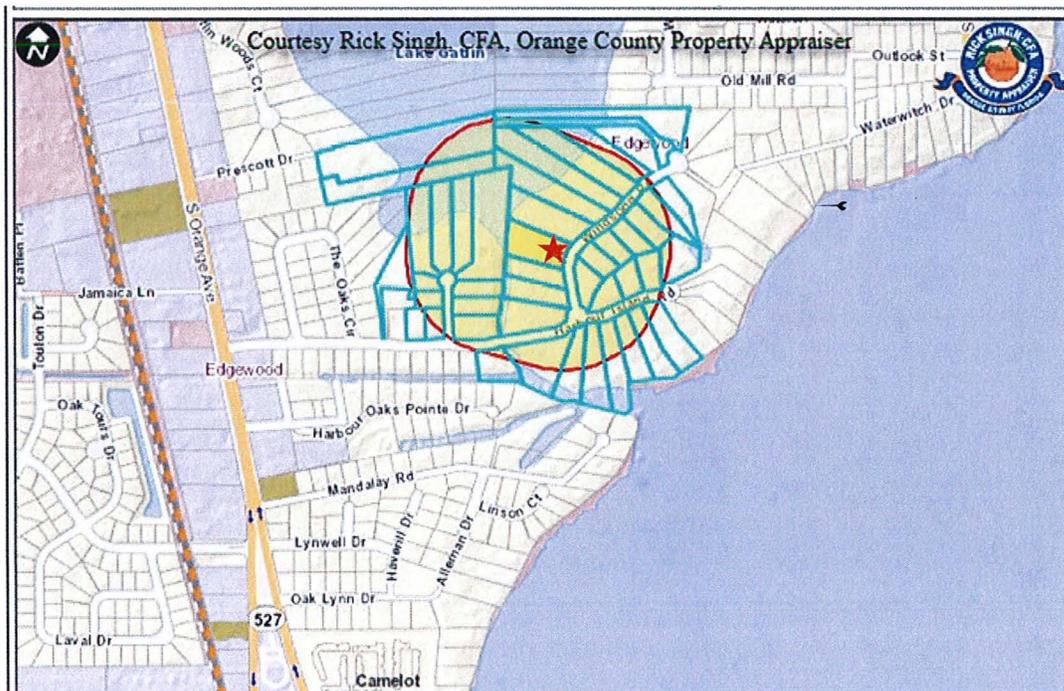
NOTICE OF PUBLIC HEARING

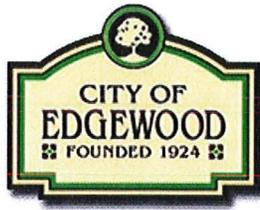
PLEASE TAKE NOTICE that at its Planning & Zoning meeting on **Monday, October 14, 2019**, the Planning and Zoning Board of the City of Edgewood, will consider 2 variance applications for a boat dock located at 1141 Windsong Road, which is currently in R-1AA zoning district (City of Edgewood Resolution 2005-R002 City Code of Ordinances, Reference Section 134-104 [Variance]).

- **Variance Application No. 2019-02** to allow the construction of a boat dock that exceeds the allowable square footage of [Sec. 14-11(b)(6) square footage of boat docks] and;
- **Variance Application No. 2019-03** to allow the construction of a boat dock that exceeds 25% of the canal width [Sec. 14-11(b)(3) length of boat docks].

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 as possible thereafter. **The Planning and Zoning Board's recommendation will be forwarded to City Council on Tuesday, November 19, 2019 at 6:30 p.m. for final action.**

The subject property for variance is legally described HARBOUR ISLAND SUB 1/131 LOT 29 & LOT 30 (LESS BEG NE COR LOT 30 RUN SWLY ALONG RD 51.61 FT N 68DEG W 298.33 FT NELY TO NW COR LOT 30 S 66 DEG E 327 FT TO POB)





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.

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.

Sandra J. Riffle, Deputy City Clerk
Dated: 10/3/2019

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.
