

MEETING DATE
December 11, 2017
Subject: 2035 Summerland Ave Waterfront Structure Variance Request Appeal



AGENDA REPORT

AGENDA
Section: Public Hearings
Item #: 1

Department/Office: Public Works

Requested Action or Motion: Move to deny the waterfront structure permit for the property located at 2035 Summerland Ave.

Summary Explanation & Background:

Mr. Kevin Wendelburg of 2035 Summerland Ave, Maitland, FL., has re-submitted a Waterfront Structure Permit application to construct a dock at his property on Lake Maitland. The original dock structure for that permit application included a walkway, boatlift and upper deck platform which encroached in to the setback. The request for appeal of the original permit was denied at the July 24, 2017 City Council meeting.

The current application (WSP-9-17-31039) includes a single walkway, 44 inches wide and 30 feet long (see attached). There is no platform or boatlift. The length of the property's waterfront is 23 feet. City Ordinance calls for at least a ten-foot setback from each property riparian line, which leaves a 3-foot wide area for a dock. The ordinance also calls for a walkway to be a minimum of 44 inches wide. Mr. Wendelburg opted to design the dock at 44 inches wide knowing it would intrude into the setback limitations 4 inches on each side. Because the proposed dock does not meet the setback requirements, the permit was denied.

Mr. Wendelburg is requesting that City Council grant a waiver to the setback requirement of the current ordinance (Chapter 11, Article II, Division 4 - Construction of Boat Docks, Boathouses, Boat Ramps, Boardwalks and Seawalls, Section 11-80(1)).

As required by the ordinance, letters were sent out to eight adjoining property owners (see attached). Four of the eight have responded with letters in opposition to the proposed dock (see attached).

The Waterfront Structure Permit application, WSP-9-17-31039, does not meet City Code. Based upon this, staff recommends denial of the request for waiver..

Fiscal Impact:

NA

- Exhibits: Second Dock Permit Application (PDF)
- Second Dock Plans (PDF)
- Second App-Letter to Neighbors 9-19-17 (PDF)
- Notice of denial 10-18-17 (PDF)
- Applicant Notice of Appeal 11-6-17(PDF)
- Letter of Response-H. Kresge (PDF)
- Letter of Respense-S. Kresge (PDF)

Contact Person: Paul Ritter, Lakes Management Coordinator

Letter of Response-Wilson (PDF) Letter of Response-Miller (PDF) Appeal Notice to Property Owners Letter 11-13-17 (PDF)	
Commission/Board:	Phone #: 407-539-6203
Reviewed by City Attorney <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A	