

## Legislation Text

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File #: 2024-0463, Version: 1

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### Title:

5819 Bear Lake Circle - Consider approval of a 1,725 square foot boat dock/house on the north side of Bear Lake Circle, approximately 418 feet west of Linneal Beach Drive, more particularly known as 5819 Bear Lake Circle; (Alan Horn, Applicant).  
District3 - Constantine (**Mary Robinson, Planner**)

### Division:

Development Services - Planning and Development

### Authorized By:

Rebecca Hammock, Development Services Director

### Contact/Phone Number:

Mary Robinson/407-665-7339

### Background:

The Applicant is proposing to construct a new 1,725 square foot boat dock/house. This new boat dock/house is a replacement for the previous dock which has been removed (Exhibit A). On December 2, 2023, a building inspector observed a load of wood on the site and the contractor stated siding had been replaced on the boathouse. The building inspector posted a stop work order. The property owner subsequently applied for a building permit and the permit review revealed the need for Board of County Commission Approval.

Section 70.6 (g) of the Land Development Code of Seminole County (LDCSC) requires a public hearing before the Board of County Commissioners on building permit requests for boat docks that exceed 1,000 square feet.

Section 70.7 of the LDCSC requires the following items to be considered prior to the issuance of a boat dock permit (*italicized text indicates the response and analysis*):

- a) Turbidity in streams, wetlands, and estuarine areas must be minimized.

*Turbidity barriers are required to contain the impacts of construction and will be required to be shown on the Site Plan at the time the building permit is submitted.*

- b) The possible effect on the quality of waters on the County.

*As the surface area of Bear Lake is 311 acres and the proposed construction of the new dock will be 35 feet +/- from the shoreline, of the subject property, any additional impact on water quality, if any, should be minimal.*

- c) The possible effect on the propagation of wildlife, fish, and aquatic plants and animals.

*Bear Lake at 311 acres, provides an adequate environment for the propagation of wildlife, fish, aquatic plants, and animals.*

- d) The possible effect on all property owners fronting the body of water involved.

*The shoreline of the subject lot is 81.42 feet +/- wide. The boat dock is placed approximately on the easterly side of the lot, and there are boat docks on adjacent lots. The boat dock will also meet the ten (10) foot height to the ridge line and ten-foot (10) side yard setback requirements which should have minimal additional impacts on other property owners. (Exhibit A)*

- e) The possible effect upon the public health, safety, comfort, good order, appearance, prosperity, and general welfare.

*For the reasons noted above, there should be no negative effect upon the public health, safety, comfort, good order, appearance, prosperity, and general welfare of the area.*

- f) The recommendations of any governmental and/or professional agencies.

*The Applicant was issued a General Permit for a boat dock/house by the Florida Department of Environmental Protection, attached as Exhibit B.*

- g) The possible effect upon the safe navigation of vessels and watercraft.

*The opposite shoreline is approximately 3,781 feet +/- away, and the length of the proposed boat dock/house is approximately 39 feet +/- waterward of the mean high-water line. The proposed boat dock meets the code requirement of projecting not more than twenty-five percent (25%) of the width of the water body and, therefore, does not create a navigational hazard.*

### **Requested Action:**

Staff requests that the Board of County Commissioners approve the request for a 1,725 square foot boat dock/house located on the north side of Bear Lake Circle, approximately 418 feet west of Linneal Beach Dr., more particularly known as 5819 Bear Lake Circle.