

MAR 31 1986

1 RESOLUTION 86 - M-10

2
3 A RESOLUTION RELATING TO PETITION FOR
4 REHEARING CONCERNING NASSOFER APPLICATION
5 FOR SHORELINE ALTERATION PERMIT

6 RECITALS:

7 1. The Board of County Commissioners of Orange County,
8 Florida ("Board") on February 10, 1986 conducted a public
9 hearing pursuant to and in accordance with Section 36-32.14,
10 Orange County Code, concerning an application for shoreline
11 alteration permit filed by Lorrie Nassofer.

12 2. The Board acted ex officio as the governing board
13 of the Windermere Water and Navigation Control District.

14 3. The Board denied the application because
15 Nassofer's, proposal to enclose a portion of Lake Sheen would
16 materially affect adversely the rights and interests set out
17 in the Code.

18 4. Such enclosure would deprive public riparian rights
19 to that portion of the lake enclosed, would obstruct and
20 prevent navigation and free use of that portion of the lake
21 enclosed, would materially interfere with the flow of waters
22 in the lake and pose an opportunity for and possibility for
23 the collection of debris and creation of stagnant pockets
24 within Lake Sheen, would adversely affect the natural beauty
25 of and recreational advantage of the lake, and, finally,
26 would establish a precedent with respect to such enclosures
27 because no similar structure exists or has ever been
28 permitted on or within Lake Sheen nor on any other lake
29 within the Windermere Water and Navigation Control District.

30 5. On March 3, 1986, Nassofer filed a petition for
31 rehearing pursuant to and in accordance with Section
32 36-32.14, Orange County Code.

33 6. The Petition reargues the merits and the same
34 matters presented during the February 10, 1986 public hearing
35 and does not demonstrate that the Board overlooked or
36 misapprehended any points of law or fact nor offer any new
evidence for consideration.

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BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

Section 1. Denial of Rehearing. The Board denies the petition for rehearing and reaffirms its findings as stated above and its denial of the application for shoreline alteration permit.

Section 2. Effective Date. This Resolution takes effect immediately upon its adoption.

ADOPTED THIS 31st day of March, 1986.

BOARD OF COUNTY COMMISSIONERS
OF ORANGE COUNTY

By: Tom Deerman
Chairman

ATTEST: Thomas H. Locker
Clerk to the Board of
County Commissioners

By: Mary Jo Garrison
Deputy Clerk