RESOLUTION 86 - M-10

A RESOLUTION RELATING TO PETITION FOR REHEARING CONCERNING NASSOFEI APPLICATION FOR SHORELINE ALTERATION PERMIT

RECITALS:

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

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

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

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

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

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

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

By: [Signature]
Deputy Clerk

SEW/da - 03/25/86 0140e