



Lake Killarney Board Regular Meeting Minutes

March 6, 2024 at 10:00 AM

City Hall Commission Chambers
401 S. Park Avenue

Present

Jeanne Wall (virtual), David L. Dickerson, Carolyn Minear, Ellen Hencken, Jason K. Ellison, Joyce D. Cunningham, William Voecks.

Staff Present

Director of Natural Resources and Sustainability Gloria Eby, Director of Public Works and Transportation Charles Ramdatt, Assistant Director of Public Works Don Marcotte, Public Works Engineer Shannon Monahan, City Attorney Dan Langley, Administrative Coordinator Victoria Tabor

Also Present

Orange County Senior Environmental Specialist Nidia Volepe (virtual), Orange County Lake Killarney Board Member Langdon Stanley, Senior Principal at Terracon Consultant Jay Casper.

1. Call to Order

Vice Chair Dickerson chaired the meeting due to Chair Wall's virtual participation and called the meeting to order at 10:02.

2. Consent Agenda

- a. Approve the minutes of the regular meeting, February 7, 2024

The following amendments were made to the minutes:

- Page 3 of 5 – change "slipway" to "spill way" in the last paragraph.
- Page 4 of 5 CIP Updates – add separate bullet point for Lake Bell weir
- On the same page under follow-up items, Mrs. Wall asked for clarification and Mr. Marcotte explained the commission will discuss the board's request for a separate line item for all lake dredging will be in the next five-year CIP cycle, which would be approximately six years from now. Ms. Wall requested to have the commission's motion and vote inserted into the minutes.

Staff clarified the first paragraph under Upcoming Agenda Items.

3. Public Comments (for items not on the agenda)

Laura Kunzweiler, 2000 Lake Drive, (on the canal where dredging is underway), directly impacted by the canal beautification project. She is concerned about the impact of the

beautification project with the removal of a Brazilian Pepper Tree that provided safety and privacy for their property. Ms. Kunzweiler is concerned about what the final product is going to be for the safety of her family. She informed staff and board members that a landscaping company across the canal was blowing the clippings in the direction of the canal.

4. Public Hearings

a. Boathouse/Dock Application (BLDR-2023-0720) 2054 Lake Dr.

Mrs. Eby reviewed the request for a boathouse application for 2054 Lake Drive. The applicant, David Wolf, was not present. She said this has been tabled and action needs to be taken in this meeting. Attorney Dan Langley, the board can reorganize the agenda to postpone the item for later in the agenda, it could continue.

Motion made by Mrs. Wall to move the public hearing to after staff updates on the agenda; second by Mr. Ellison. Motion unanimously with a 7-0 vote.

Motion made by Mr. Ellison to move the public hearing to before staff updates on the agenda; second by Mrs. Cunningham. Motion unanimously with a 7-0 vote.

Mrs. Eby reopened the public hearing, she reviewed the dock parameters, proposed and allowed, which meets criteria and no variances are required. Staff is recommending approval. She showed area views of the location and property and images, survey and site plan showing the dock configuration. Mrs. Wall asked about side setbacks. Mrs. Eby said no side setbacks are required since the adjacent property is owned by the applicant. Mrs. Wall suggested clarifying a variance is required, but approval of the adjacent property owner was received.

Applicant David Wolf said he understands the major concerns of the board are navigation and sight lines. He explained University of Florida findings on navigation clear path to navigable water is not entitled to navigable water, which his dock. If Mr. Wolf put his dock where the board suggested it would limit the only lake view from the house and would diminish his property value if placed in that location. He addressed allocation of riparian rights and the location of the dock and would not violate the rule (affecting his navigation, but not legal rights). Mr. Wolf continued with the second major concern, which is sight line. The concern of the sight line view of the new dock would impact their "view of the water." If this dock was built the neighbors would see the backyard of a vacant lot past Mr. Wolf's dock. When living in a cove there is no expectation of privacy across the water/cove. He clarified that the current plan is revised plan. Mrs. Wall asked who is the contractor and Mr. Wolf responded that will pull permit as owner/builder with intent to build himself.

Mrs. Wall asked for the total square footage of the dock permitted on Country Club/ Killarney Estates homes. Mrs. Eby said restrictions were made in the plat. Mr. Langley provided the verbiage for the code regarding Lake Killarney that boat houses in the canal/cove can be no more than 30' into the lake. Mrs. Monahan provided that the square footage is 480 sq. ft. Mrs. Eby requirements for Killarney are not applicable to

the codes applicable to this request. Discussion followed on basis for establishing different regulations for the Killarney Estates.

Mrs. Wall continued to speak about the docks being built at Killarney Estates being R-2 lots had them next to each other to preserve line of sight (Mr. Wolf is an R-1 lot). Mrs. Wall concern about safety in navigating around that dock, she asked if Mr. Wolf would consider reducing the width. Mr. Wolf would be willing to consider if there wouldn't be a negative impact our property values and enjoyment of the lake as a lake front property owner.

Discussion continued regarding the ability for the neighbors and staff to navigate. Staff confirmed that it would not be an issue and John Gumbrell, 2040 Lake Drive, said he would be comfortable that there will be no safety hazard and be able to dock without undue difficulty. No objection with the dock but concerns the boathouse is oversize for this location. Mr. Wolf thanked the board members and staff for their diligence in listening to information before a motion being made to whether or not to approve the permit or not.

Motion made by Jason Ellison to approve the permit (applicant is within his rights and has done everything the city has requested as far as sizing); second by Joyce Cunningham. Motion carried with a 7-1 vote. Mr. Voecks voted no.

After the motion, Mr. Dickerson asked navigation would be impeded if either of the neighbors that sit on the lobe decided to tear down their current dock and build a new dock off of the same parameters. Mrs. Eby confirmed that there would still would be access available. She not prepared to evaluate all of the docks dimension in the area. From a navigational perspective a dock perpendicular to the shoreline would make it more difficult to navigate.

5. Action Items

6. Non-Action Items

a. MLK Jr. Park Sinkhole Risk Evaluation

Mr. Marcotte introduced Jay Casper, geotechnical engineer at Terracon. Staff is looking to add a small parking lot south of the existing parking lot. Mr. Voecks asked if the city is adding a new parking lot, and Mr. Marcotte responded that it is being considered and reassured that all the necessary steps will be taken before it is built. They will mitigate in order to meet city and St. John's River Water Management District (SJWMD) requirements if the commission approves the project.

Mr. Casper reviewed his and his company's experience with soil studies. He showed images of the sinkhole in 1981, now Lake Rose, and subsequent images over the years. He noted the location of soil boring done in the area and the location of the most recent soil boring tests. He explained how tests are performed and the standards for testing. He referenced the sinkhole study from March 1982, reviewing boring locations and testing. He acknowledged Mr. Voecks notation of a small sinkhole on 17-92 - now the

location of Sleep Number business. Mr. Casper showed water flow and water level fluctuations of the sinkhole, which had not changed since the late 1980s. Soil boring at the softball field did not indicate any sinkholes, but suggested a limited grounding program at the top of the limestone layer sealed off, monitoring the softball stadium and just north of the stadium, which is in the area being considered for a small parking lot. Borings in this area and prior to construction of the library and event center were much deeper than normal (20 feet). He showed soil boring locations for the library and event center, which look quite good, but had to remove old landfill trash. He showed a boring comparison of boring and said he found nothing of concern in recent boring results.

Mr. Ramdatt summarized key points – there is general surface outfall to Lake Killarney, but the actual groundwater is flowing to the east. Mr. Casper confirmed that the boring within the last three months for the parking lot was at 100 feet and there is no risk for a parking lot. Mr. Ramdatt explained the 100-foot boring was done to alleviate concerns about the parking lot.

Mrs. Wall addressed concerns about increasing the size of Lake Mendsen. Mr. Ramdatt said at the moment staff is only contemplating the small parking lot, need to do additional investigation to mitigate risk. Staff responded to questions regarding exfiltration systems and concerns about water in the existing parking area after heavy rainfall and reported little fluctuation in the lake level in recent years.

Mrs. Wall noted the collapse of condominiums on Lake Killarney. Mr. Casper said they usually find muck under homes and buildings along Lake Killarney. Discussion followed on soil conditions on the shoreline of Lake Killarney.

Mr. Ramdatt responded to questions - staff have not determined the size of the parking area but will accommodate between 30-60 cars. Plans will be subject to city and SJRWMD regulations. Staff monitors and ensures the facilities work well. Mrs. Wall asked for the last inspection and maintenance report for the Library and Event Center. Ms. Monahan explained the inspection of the functionality and maintenance process, if required.

Mr. Ramdatt reassured the board that the staff are dedicated and passionate about following the best engineering practices and in conjunction with all regulatory agency rules. Primary location is the current parking area north of croquet area between Harper Street and the existing maintenance building.

7. Staff Updates

a. Orange County Update

- Storm Pipe Update
- Orange County Lake Killarney Newsletter 2024

Nidia Volpe started the Orange County Update by informing that the Lake Killarney newsletter had been released and sent out to all of the board members. Killarney Drive

Drainage Improvements is still in the preliminary phase of getting the easement. Mrs. Volpe will keep Winter Park informed on the progress. Blue Heron sandbar removal, the issue with insurance was resolved and PO was released on Friday, February 16th. The project is completed, the material removed was near expectation. Grading and seeding of the staging area are nearing completion.

b. Lakes Management

- Natural Resources Conservation Services Update
- Maintenance & Efforts
- Dock Violation
- Water Quality

Follow-Up Items

- Summary of Work Session

Mrs. Eby started Lakes Management update with the NRCS Update. Chuck Robinson is hoping to finish sediment removal in the Killarney Canal within a week. Waiting for the stabilization period to let the sediment and material to settle. Staff will work with residents on the canal during the duration of the rest of the project. There is not a landscape plan/design, but staff will be planting native vegetation. Staff can complete it without expending funds for a formal landscape plan. Staff will be responsible for maintenance. Mr. Ellison asked for assurance that the project is complete within the scope of work. If residents have any questions in regards of the project, staff encourages them to come speak with them.

Langdon Stanley, virtual panelist, had questions in regards of the depth of the canal. He said his boat propeller was scraping the bottom two weeks ago. Mrs. Eby confirmed that the vendor dredged more within the last two weeks.

Mr. Ellison left at 12:22 p.m.

Staff responded to questions regarding canal depth and depth standards.

After Mrs. Volpe gave the Orange County Update, Mr. Dickerson directed back to Lakes Management to get an update on dock violation. The update is that the case is in the code compliance process. Mr. Dickerson said he has seen some activity.

c. Stormwater Management

- CIP Update
- Nicolette Pond, Killarney Dr. Pipe Replacement, & Lake Bell Weir Project Timeline
- Lake Front Construction Updates

Follow-Up Items:

- BMP Feasibility Study for Killarney Dr Outfall Consolidation

- Outfall Condition Update
- Exfiltration System Maintenance Agreement Update

Due to the time, Ms. Monahan informed the board that all the information is in the packet. She pushed the meeting to board comments.

8. Board Comments

a. Discussion of Public Comments Received

Mrs. Wall asked how did Stormwater get the CDS Unit for Fawsett and Ms. Monahan informed Mrs. Wall that it was funded through CIP for stormwater. Mrs. Wall asked about the pipe replacement on Arbor Park Drive and ask Ms. Monahan if it went through SJRWMD and Ms. Monahan responded with anything requiring a permit must go through SJRWMD. She clarified that anytime an outfall pipe that discharges into a lake always requires a permit and that's not what is being done at Arbor Park Drive.

9. Upcoming Agenda Items

a. Upcoming Agenda Items

b. Summary of Meeting Action Items

- Add the Commission's motion to minutes (separate line item) for February 7th.
- Correction will be added to the Stormwater CIP.
- Clarification to be added to the dock application to edit parameters.
- Stormwater to bring the exfiltration reports for Library and Event Center parking lot.
- Summary of work session - follow up items (will remain on agenda)

Mrs. Minear left at 12:34 p.m.

Mrs. Cunningham asked Mrs. Eby where she could access code for dock violations and specs for canals. Mrs. Eby informed her that it is in Chapter 114 of the city code, and she will send a link.

10. Adjournment

The meeting was adjourned 12:35

Approved with corrections by the board on June 5, 2024
/s/ Victoria Tabor, Administrative Coordinator