

# OSTDS VARIANCE COMMITTEE MEETING MINUTES

Thursday, May 7, 2020

Gainesville

**13818 Dade Sergio Duplex, Applicant Cherokee Consulting Inc., Agent**

**STATUTE/RULE CITATION:**

381.0065(4)(g)2.a., FS - Estimated sewage flow exceeds 2500 gpd/acre (400 gpd requested, 323 gpd required )

**RECOMMENDATIONS:**

**Variance Committee: P (SHO-N CHD-N DEP-Y**

**Health Officer: P**

Approved subject to the following conditions:

The onsite sewage treatment and disposal system shall include an NSF 245 aerobic treatment unit as proposed in the application. Each side of the duplex shall have no more than 2-bedrooms and 1,194 square feet of building area.

**13819 Dade Roche, Applicant Cherokee Consulting Inc., Agent**

**STATUTE/RULE CITATION:**

381.0065(4)(g)2.a., FS - Estimated sewage flow exceeds 2500 gpd/acre (400 gpd requested, 345 gpd required )

**RECOMMENDATIONS:**

**Variance Committee: P (SHO-N CHD-N DEP-Y**

**Health Officer: P**

Approved subject to the following conditions:

The onsite sewage treatment and disposal system shall include an NSF 245 aerobic treatment unit as proposed in the application. Each side of the duplex shall have no more than 2-bedrooms and 1,169 square feet of building area.

**13891 Lee Henderson, Applicant Primebid Construction, LLC, Agent**

**STATUTE/RULE CITATION:**

381.0065(4)(a), FS - Lot is not 1/2 acre and 100 ft wide (0.24 ac, 75 ft requested, 0.5 ac, 100 ft required)

**RECOMMENDATIONS:**

**Variance Committee: P (SHO-N CHD-N DEP-Y**

**Health Officer: P**

Approved subject to the following conditions:

The onsite sewage treatment and disposal system shall include an NSF 245 aerobic treatment unit with drip irrigation.

**STI-2 HBI-Y REI-1 ENG-N)**

**STI-2 HBI-Y REI-1 ENG-N)**

**STI-1 HBI-Y REI-2 ENG-Y)**

This variance applies only to the lot size requirements of s. 381.0065(4)(a), FS. The structure shall comply with the authorized sewage flow provisions of s. 381.0065(4)(a), FS.

The single-family residence shall be connected to the public drinking water system within 180 days of notification of the availability of such a system.

**13892 Lee Mixter, Applicant Inkwerks Construction Company, Agent**

**STATUTE/RULE CITATION:**

381.0065(4)(a), FS - Lot is not 1/2 acre and 100 ft wide (0.35 ac, 80 ft requested, 0.5 ac, 100 ft required)

**RECOMMENDATIONS:**

**Variance Committee: O (SHO- CHD- DEP- STI- HBI- REI- ENG-)**

**Health Officer: O**

Took no action because:

You contacted Ed Williams at the Bureau of Onsite Sewage Programs and requested that the variance request be taken off the agenda.

Your variance request has been placed on the agenda for the variance committee meeting scheduled for June 4, 2020.

**13893 Lee Demichael, Applicant J. Patrick Construction, Agent**

**STATUTE/RULE CITATION:**

381.0065(4)(a), FS - Lot is not 1/2 acre and 100 ft wide (0.24 ac, 80 ft requested, 0.5 ac, 100 ft required)

**RECOMMENDATIONS:**

**Variance Committee: P (SHO-Y CHD-Y DEP-Y STI-1 HBI-2 REI-Y**

**ENG-Y)**

**Health Officer: P**

Approved subject to the following conditions:

The onsite sewage treatment and disposal system shall include an NSF 245 aerobic treatment unit with drip irrigation.

This variance applies only to the lot size requirements of s. 381.0065(4)(a), FS. The structure shall comply with the authorized sewage flow provisions of s. 381.0065(4)(a), FS. The single-family residence shall be connected to the public drinking water system within 180 days of notification of the availability of such a system.

**13894 Lee Fredrick J. Day Trust, Applicant Pinnacle Building Solutions LLC, Agent**

**STATUTE/RULE CITATION:**

381.0065(4)(a), FS - Lot is not 1/2 acre and 100 ft wide (0.34 ac, X ft requested, 0.5 ac, 100 ft required)

381.0065(4)(e)6., FS - Setback to tidal surface water body (64 ft requested, 75 ft required)

64E-6.005(3), FAC - Same as 381.0065(4)(e)6., FS

64E-6.005(4)(a), FAC - Inadequate unobstructed area available

**RECOMMENDATIONS:**

**Variance Committee: P (SHO-N CHD-N DEP-Y**

**Health Officer: P**

**STI-Y HBI-2 REI-1 ENG-Y)**

Approved subject to the following conditions:

The onsite sewage treatment and disposal system shall be set back from the surface water by the maximum distance attainable but not less than 64 feet when installed.

This variance applies only to the lot size requirements of s. 381.0065(4)(a), FS. The structure shall comply with the authorized sewage flow provisions of s. 381.0065(4)(a), FS.

The single-family residence shall be connected to the public drinking water system within 180 days of notification of the availability of such a system.

**13895 Orange Mangan, Applicant STATUTE/RULE**

**CITATION:**

64E-6.015, Table V, FAC - Setback to private potable well (65 ft requested, 75 ft required)

**RECOMMENDATIONS:**

**Variance Committee: A (SHO-N CHD-Y DEP-Y STI-2 HBI-Y REI-1 ENG-N)**

**Health Officer: A**

Approved

**13896 Marion A Plus Homes, Inc., Applicant STATUTE/RULE CITATION:**

381.0065(4)(a), FS - Lot is not 1/2 acre and 100 ft wide (0.28 acre requested, 0.5 acre required)

**RECOMMENDATIONS:****Variance Committee: P (SHO-Y CHD-Y DEP-Y STI-1 HBI-Y REI-2 ENG-N)****Health Officer: P**

Approved subject to the following conditions:

This variance applies only to the lot size requirements of s. 381.0065(4)(a), FS. The structure shall comply with the authorized sewage flow provisions of s. 381.0065(4)(a), FS.

The single-family residence shall be connected to the public drinking water system within 180 days of notification of the availability of such a system.

**13897 Marion A Plus Homes, Inc., Applicant STATUTE/RULE CITATION:**

381.0065(4)(a), FS - Lot is not 1/2 acre and 100 ft wide (0.29 acre requested, 0.5 acre required)

**RECOMMENDATIONS:****Variance Committee: P (SHO-Y CHD-Y DEP-Y STI-1 HBI-Y REI-2 ENG-N)****Health Officer: P**

Approved subject to the following conditions:

This variance applies only to the lot size requirements of s. 381.0065(4)(a), FS. The structure shall comply with the authorized sewage flow provisions of s. 381.0065(4)(a), FS. The

single-family residence shall be connected to the public drinking water system within 180 days of notification of the availability of such a system.

**13898 Marion Adams Homes of Northwest Riale, Agent Florida, Inc., Applicant****STATUTE/RULE CITATION:**

381.0065(4)(a), FS - Lot is not 1/2 acre and 100 ft wide (0.25 ac, 90 ft requested, 0.5 ac, 100 ft required)

**RECOMMENDATIONS:****Variance Committee: P (SHO-Y CHD-Y DEP-Y STI-1 HBI-Y REI-2 ENG-N)****Health Officer: P**

Approved subject to the following conditions: This variance applies only to the lot size requirements of s. 381.0065(4)(a), FS. The structure shall comply with the authorized sewage flow provisions of s. 381.0065(4)(a), FS. The single-family residence shall be connected to the public drinking water system within 180 days of notification of the availability of such a system.

**13899 Marion Adams Homes of Northwest Riale, Agent Florida, Inc., Applicant****STATUTE/RULE CITATION:**

381.0065(4)(a), FS - Lot is not 1/2 acre and 100 ft wide (0.23 ac, 80 ft requested, 0.5 ac, 100 ft required)

381.0065(4)(a), FS - Estimated sewage flow exceeds 1500 gpd/acre (400 gpd requested, 399 gpd required)

**RECOMMENDATIONS:****Variance Committee: P (SHO-Y CHD-Y DEP-Y STI-1 HBI-Y REI-2 ENG-N)****Health Officer: P**

Approved subject to the following conditions:

The single-family residence shall be connected to the public drinking water system within 180 days of notification of the availability of such a system.

**13900 Marion Anderson, Applicant Locay, Agent STATUTE/RULE CITATION:**

381.0065(4)(a), FS - Lot is not 1/2 acre and 100 ft wide (0.23 ac, 80 ft requested, 0.5 ac, 100 ft required)

**RECOMMENDATIONS:****Variance Committee: P (SHO-Y CHD-Y DEP-2 STI-1 HBI-N REI-N ENG-Y)****Health Officer: P**

Approved subject to the following conditions:

The onsite sewage treatment and disposal system shall include either an in-ground nitrogen reducing biofilter (INRB), an NSF 245 aerobic treatment unit, or nitrogen-reducing performance-based treatment system. This variance applies only to the lot size requirements of s. 381.0065(4)(a), FS. The structure shall comply with the authorized sewage flow provisions of s. 381.0065(4)(a), FS. The single-family residence shall be connected to the public drinking water system within 180 days of notification of the availability of such a system.

**13901 Marion Southern Impression Homes, Ream, Agent Applicant****STATUTE/RULE CITATION:**

381.0065(4)(a), FS - Lot is not 1/2 acre and 100 ft wide (0.24 ac, 85 ft requested, 0.5 ac, 100 ft required)

64E-

6.005(4)(a), FAC - Inadequate unobstructed area available

**RECOMMENDATIONS:****Variance Committee: P (SHO-N CHD-N DEP-Y****STI-1 HBI-2 REI-Y****ENG-N)****Health Officer: P**

Approved subject to the following conditions:

The onsite sewage treatment and disposal system drainfield shall be installed in a bed configuration.

This variance applies only to the lot size requirements of s. 381.0065(4)(a), FS. The structure shall comply with the authorized sewage flow provisions of s. 381.0065(4)(a), FS. The single-family residence shall be connected to the public drinking water system within 180 days of notification of the availability of such a system.

**13902 Marion Drake Construction Services, Inc., Applicant****STATUTE/RULE CITATION:**

381.0065(4)(a), FS - Lot is not 1/2 acre (0.45 acre requested, 0.5 acre required)

**RECOMMENDATIONS:****Variance Committee: P (SHO-Y****CHD-Y DEP-N STI-2 HBI-1 REI-Y****ENG-Y)****Health Officer:****P**

Approved subject to the following conditions:

This variance applies only to the lot size requirements of s. 381.0065(4)(a), FS. The structure shall comply with the authorized sewage flow provisions of s. 381.0065(4)(a), FS. The single-family residence shall be connected to the public drinking water system within 180 days of notification of the availability of such a system.

**13903 Marion Worldwide Alliance LLC, Applicant Kilcrease-Exel, Agent****STATUTE/RULE CITATION:**

381.0065(4)(a), FS - Lot is not 1/2 acre and 100 ft wide (0.25 ac, 80 ft requested, 0.5 ac, 100 ft required)

**RECOMMENDATIONS:****Variance Committee: P (SHO-Y****CHD-Y DEP-Y STI-1 HBI-Y REI-2 ENG-N)****Health Officer: P**

Approved subject to the following conditions:

This variance applies only to the lot size requirements of s. 381.0065(4)(a), FS. The structure shall comply with the authorized sewage flow provisions of s. 381.0065(4)(a), FS. The single-family residence shall be connected to the public drinking water system within 180 days of notification of the availability of such a system.

**13904 Marion Worldwide Alliance LLC, Applicant Kilcrease-Exel, Agent****STATUTE/RULE CITATION:**

381.0065(4)(a), FS - Lot is not 1/2 acre and 100 ft wide (0.23 ac, 80 ft requested, 0.5 ac, 100 ft required)

**RECOMMENDATIONS:****Variance Committee: P (SHO-2 CHD-Y****DEP-1 STI-Y HBI-N REI-N ENG-Y)****Health Officer:****P**

Approved subject to the following conditions:

The onsite sewage treatment and disposal system shall include either an in-ground nitrogen reducing biofilter (INRB), an NSF 245 aerobic treatment unit, or a nitrogen-reducing performance-based treatment system.

This variance applies only to the lot size requirements of s. 381.0065(4)(a), FS. The structure shall comply with the authorized sewage flow provisions of s. 381.0065(4)(a), FS.

The single-family residence shall be connected to the public drinking water system within 180 days of notification of the availability of such a system.

**13905 Duval Baker, Applicant****STATUTE/RULE CITATION:**

381.0065(4)(a), FS - Lot is not 1/2 acre and 100 ft wide (0.43 ac, 75 ft requested, 0.5 ac, 100 ft required)

**RECOMMENDATIONS:**

**Variance Committee: T (SHO-1 CHD-Y DEP-Y STI-Y HBI-Y REI-2 ENG-Y)**

**Health**

**Officer:**

Tabled and asked to provide the following information

A site plan prepared in accordance with s. 64E-6.004(3)(a), Florida Administrative Code, drawn to scale and showing all required features including pertinent features on contiguous or

**13906 Volusia Calico Properties LLC, Applicant John C Cascio Septic Service, Inc., Agent T**

**STATUTE/RULE CITATION:**

381.0065(4)(g)2.b., FS - Estimated sewage flow exceeds 1500 gpd/acre (300 gpd requested, 297 gpd required )

**RECOMMENDATIONS:**

**Variance Committee: A (SHO-2 CHD-Y DEP-Y STI-1 HBI-Y REI-Y ENG-Y)**

Approved

**13907 Volusia The Eco Home Company LLC, Applicant John C Cascio Septic Services Inc., Agent A**

**STATUTE/RULE CITATION:**

64E-6.005(2), FAC - Setback to property line (2 ft requested, 5 ft required ) 64E6.005(4)(a),  
FAC - Inadequate unobstructed area available

**REI-Y ENG-**

**RECOMMENDATIONS:**

**Variance Committee: P (SHO-1 CHD-Y**

**Y)**

Approved subject to the following conditions:

The onsite sewage treatment and disposal system shall include an NSF 245 aerobic treatment unit with drip irrigation.

**P**

**13908 Pasco Whitworth, Applicant Caesar Environmental Services, LLC, Agent DEP-Y STI-2 HBI-Y**

**STATUTE/RULE CITATION:**

381.0065(4)(e)2., FS - Setback to a public well producing >2000 gpd (110 ft requested, 200 ft required)

64E-6.005(1)(c), FAC - Same as 381.0065(4)(e)2., FS

64E-6.005(4)(a), FAC - Inadequate unobstructed area available

**RECOMMENDATIONS:**

**Variance Committee: P (SHO-Y CHD-Y DEP-Y STI-Y HBI-1 REI-2 ENG-Y)**

Approved subject to the following conditions:

**Health Officer: Health Officer:**

**P**

**Health Officer:**

The onsite sewage treatment and disposal system shall be set back from the public drinking water well by the maximum distance attainable but not less than 110 feet when installed.

**13909 Osceola Hernandez, Applicant STATUTE/RULE CITATION:**

381.0065(4)(g)2., FS - Setback to surface water body (43 ft requested, 50 ft required)  
64E-6.005(4)(a), FAC - Inadequate unobstructed area available  
64E-6.005(2), FAC - Setback to property line/building foundation (2 ft requested, 5 ft required )

**RECOMMENDATIONS: Variance Committee: P (SHO-N CHD-Y DEP-Y STI-1 HBI-Y REI-2 ENG-Y)**  
**Health Officer: P**

Approved subject to the following conditions:

The onsite sewage treatment and disposal system shall be set back from the surface water by the maximum distance attainable but not less than 43 feet when installed.

**13910 Volusia Brigadoon's on Rose Bay LLC, Applicant**

**STATUTE/RULE CITATION:**

64E-6.001(4)(f), FAC - Commercial sewage flow increase without system upgrade (existing system requested, current standards required)  
381.0065(4)(i), FS - System likely to dispose of hazardous/toxic/industrial waste (Ind, tox, haz waste requested, Domestic, Commercial required)

**RECOMMENDATIONS: Variance Committee: T (SHO-1 CHD-Y DEP-Y STI-2 HBI-Y REI-Y ENG-Y)**

Tabled and asked to provide the following information: A description of the proposed fish market operation. This should include a description of each step in the process from receiving to clean-up procedures.

A completed business survey form.

The committee requests that the applicant attend the committee meeting to explain the request and to answer the committee's questions.

T

**13911 Nassau Grooms, Applicant Osborne, Agent STATUTE/RULE CITATION:**

381.0065(4)(g)2.a., FS - Estimated sewage flow exceeds 2500 gpd/acre (400 gpd requested, 330 gpd required )

**RECOMMENDATIONS: Variance Committee: A (SHO-Y CHD-Y DEP-Y STI-2 HBI-Y REI-1 ENG-Y) Health Officer:**  
Approved

**13912 Marion Burch, Applicant McRae and Company LLC, A Agent**

**STATUTE/RULE CITATION:**

381.0065(4)(a), FS - Lot is not 1/2 acre and 100 ft wide (0.26 ac, 80 ft requested, 0.5 ac, 100 ft required)

**RECOMMENDATIONS: Variance Committee: P (SHO-Y CHD-Y DEP-1 STI-Y HBI-N REI-N ENG-2)**

**Health Officer:**

Approved subject to the following conditions:

To maximize the setback to the surface water, the onsite sewage treatment and disposal system shall be allowed to maintain a two-foot setback to property lines and building foundations.

**Health Officer: P**

**Mathis & Sons Septic LLC, Agent**  
**13913 Marion Burch, Applicant STATUTE/RULE CITATION:**  
**McRae and Company LLC, Agent**

381.0065(4)(a), FS - Lot is not 1/2 acre and 100 ft wide (0.25 ac, 80 ft requested, 0.5 ac, 100 ft required)

**RECOMMENDATIONS: Variance Committee: P (SHO-Y CHD-Y DEP-1 STI-Y HBI-N REI-N ENG-2) Health Officer: P**

Approved subject to the following conditions:

The onsite sewage treatment and disposal system shall include either an NSF 245 aerobic treatment unit or a nitrogen-reducing performance-based treatment system.

This variance applies only to the lot size requirements of s. 381.0065(4)(a), FS. The structure shall comply with the authorized sewage flow provisions of s. 381.0065(4)(a), FS. The single-family residence shall be connected to the public drinking water system within 180 days of notification of the availability of such a system.

**13914 Polk Harborside Restaurant, Applicant Averett Septic Tank Company, Inc., Agent**

**STATUTE/RULE CITATION:**

381.0065(3)(b), FS - Take jurisdiction for commercial flow > 5,000 gpd (6920 gpd requested, <=5,000 gpd required)

64E-6.001(4)(f), FAC - Commercial sewage flow increase without system upgrade (repair standards requested, current standards required ) 64E-6.001(g), FAC - Addition exceeds authorized lot sewage flow (6920 gpd requested, 3700 gpd required )

**RECOMMENDATIONS: Variance Committee: D (SHO-1 CHD-Y DEP-Y STI-2 HBI-Y REI-Y ENG-Y) Health Officer: D**

Failure to satisfy the department that:

The Department of Environmental Protection is authorized to permit treatment facilities for commercial wastewater flows exceeding 5,000 gallons per day.

No hardship exists in that the building can be used as originally permitted provided the improperly maintained system is repaired.

The increase in sewage flow is a hardship intentionally created by the applicant's own action. The proposed facility is too large for the volume of sewage the lot can handle on-site.

The variance proposal would create a likelihood that the onsite system discharge may adversely affect the health of the applicant or the public and may significantly degrade the groundwater.

**13915 Pasco Padro, Applicant Tampa Septic, Inc., Agent STATUTE/RULE CITATION:**

64E-6.015, Table V, FAC - Setback to private potable well (72 ft requested, 75 ft required)

**RECOMMENDATIONS: Variance Committee: A (SHO-Y CHD-Y DEP-Y STI-1 HBI-Y REI-2 ENG-Y) Health Officer: A**

Approved