



**FRANKLIN COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING  
COURTHOUSE ANNEX, COMMISSION MEETING ROOM**

**DECEMBER 08, 2020**

**6:30 PM**

**AGENDA**

**PLEASE NOTE: PLANNING AND ZONING COMMISSION MAKES RECOMMENDATIONS TO THE FRANKLIN COUNTY BOARD OF COMMISSIONERS REGARDING YOUR APPLICATION. ALL APPLICANT'S ARE NOTIFIED THAT IF YOUR APPLICATION IS DENIED, IT MAY NOT BE RESUBMITTED FOR ONE YEAR. ALSO, ANY PERSON WISHING TO APPEAL THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION OR THE DECISION OF THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONER BOARD ARE RESPONSIBLE TO ENSURE THAT A VERBATIM TRANSCRIPT OF THE PRCEEDINGS IS MADE.**

**PUBLIC NOTICE**

This meeting is being held via Zoom and all attendees are muted by default. To join via computer, use the following link on the meeting date and time: <https://zoom.us/j/96285474766>

If you do not have speakers or a microphone on your computer or prefer to call, you can dial in for audio. Call (301) 715-8592 or (312) 626- 6799 or (929) 205-6099 and enter ID 962 8547 4766#.

If you would like to speak during the public comment portion of the meeting, you have the following options:

Online - select the "raise your hand" icon.

Phone - press \*9 to raise your hand, \*6 to unmute to submit verbal comments.

Public engagement is important to us, and meeting remotely is still a new process. We appreciate everyone's understanding.

**Election of Chairman and Vice Chairman**

**Approval of the Regular and Workshop Minutes:**

**A-** Workshop Minutes 11/04/2020

**B-** Regular Minutes- November 10, 2020

**Building Report:**

**C-** **November 2020 Building Report:**

**R-1 Dwellings:** 7 Total

St. Teresa/Summer Camp- 3

Eastpoint- 2

St. George Island- 2

## **Mobile Homes: 1**

Carrabelle-1

### **Critical Shoreline Applications:**

- D-** Consideration of a request to construct a Single Family Private Dock located at 381 River Road, Carrabelle, Franklin County, Florida. The dock walkway will be 6' x 10' and the dock width is 12' x 16' with a 18' x 32' Boat Slip. The applicant has the DEP self-certification Request submitted by Craig Shearer, applicant. (House has been permitted)
- E-** Consideration of a request to construct a Covered Boat Lift to an existing dock located at 1155 Russell Way, St. George Island, Franklin County, Florida. Applicant will be contingent upon State and Federal Permits. Request submitted by Larry Joe Colson, agent for CLE Properties, LLC, applicant. (Proposed House)
- F-** Consideration of a request to construct a Single Family Private Dock located at 1927 Indian Harbor Road, Lot 7, Indian Bay Village, St. George Island, Franklin County, Florida. The application will be contingent upon receiving State and Federal Permits. The dock walkway will be 176' x 4' and 61' x 4' with a 6' x 26' terminal platform. Request submitted by Garlick Environmental Associates, Jared Orciani, applicant. (Proposed House)

### **Sketch Plat Applications:**

- G-** Consideration of a request for Sketch Plat Approval of a 5.66 acre parcel of land lying in Section 36, Township 8 South, Range 7 West, Eastpoint, Franklin County, Florida. The subdivision will be named "The Bluffs of North Bayshore" and will consist of 5 lots over 1 acre each. Request submitted by Andy Durham, agent for LMKS, LLC.

### **Re-Zoning & Land Use Change Applications:**

- H-** Consideration of a request for a Public Hearing to re-zone a 20 acre parcel lying in Section 30, Township 6 South, Range 7 West, North of Eastpoint, Franklin County, Florida from R-6 Rural Residential to R-1 Single Family Residential. Request submitted by Thomas M. Shuler, applicant.
- I-** Consideration of a request for a Public Hearing for a Large Scale Land Use Change for a 41.64 acre parcel lying in Section 10, Township 6 South, Range 3 West, located at 471 McIntyre Road, West of the Ochlockonee River from A-1 Forestry Agriculture to C-3 Commercial Recreation. Request submitted by Gary West and William McKinney, agents for BB&G Resorts, LLC, applicant.

The County has received letter of opposition concerning this project.

### **Zoning Administrator's Report:**

- I-** **Application was submitted on 9/18/2020 for the October 2020 Planning & Zoning Agenda. That meeting was not held until November and this application was not carried forward.**

Consideration of a request to construct a Single Family Private Dock at Lot 3 Egret Landing, 2514 Egret Lane, West of Apalachicola, Franklin County, Florida. The dock will be 250' x 4' with a 6' x 20' terminal platform with a 2' step down. The applicant has all State and Federal Permits. Request submitted by Garlick Environmental Associates, agent for Dan Guild, applicant.



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**NOVEMBER 10, 2020**

**6:30 PM**

**MINUTES**

**Commission Present:** *Lon Wilkens, Alex Skovronsky, and Jerry Jackson*

**Commission Absent:** *T.J Ward, Joey Taranto, and Collette Odom.*

*Commission was called to order by Member Lon Wilkens at 6:34.*

**Amy Kelly, Zoning Administrator, introduced the new board by listing each board member and the district that they represent. Mrs. Kelly stated that the new board would need to appoint a new Chairman and Vice Chairman. During discussion, it was stated that T.J. Ward is the member to have held a seat for the longest.**

**After discussion, Member Lon Wilkens made a motion to appoint T.J. Ward as Chairman. Member Jerry Jackson seconded the motion. In further discussion, Member Alex Skovronsky suggested waiting to appoint T.J. Ward until he is present.**

**After a brief discussion, Member Lon Wilkens withdrew his motion. The board tabled the appointment of Chairman and Vice Chairman until the December meeting.**

**Building Report:**

A- Monthly Building Report October 2020

**Amy Kelly, Zoning Administrator gave monthly report for October with 1 commercial development and 10 houses permitted.**

**Critical Shoreline Applications:**

B- CONSIDERATION OF A REQUEST TO CONSTRUCT A SINGLE FAMILY PRIVATE DOCK LOCATED AT 1663 EAST GULF BEACH DRIVE, LOT 3, SHELL HARBOUR, ST. GEORGE ISLAND, FRANKLIN COUNTY, FLORIDA. THE DOCK WALKWAY WILL BE 120' X 4' AND HAVE AN 8' X 20' TERMINUS. THIS WILL BE CONTINGENT UPON ALL STATE AND FEDERAL PERMITS. REQUEST SUBMITTED BY LARRY JOE COLSON, AGENT FOR MARK AND LINDA MUSARACA, APPLICANTS. (PROPOSED HOUSE)

**During discussion of item B, it was stated that DEP and CORE permits have not been issued at this time. Mrs. Kelly, Zoning Administrator stated that the request meets all requirements and that a proposed house was included on the site plan.**

**Motion to approve contingent upon DEP and CORE permits by Member Lon Wilkens, seconded by Member Jerry Jackson, all members in favor/no members opposed**

**Commercial Site Plan Applications:**

C- CONSIDERATION OF A REQUEST FOR COMMERCIAL SITE PLAN APPROVAL FOR A MEDICAL CENTER TO BE LOCATED AT 104 HIGHWAY 98, EASTPOINT, FRANKLIN COUNTY, FLORIDA. (PARCEL IS LOCATED ON THE CORNER OF HIGHWAY 98 AND SOUTH BAYSHORE DRIVE) REQUEST SUBMITTED BY SCOTT TUTHERFORD, PE, SCR & ASSOCIATES, AGENT FOR BILLY SHULTZ, BAY AND 98, LLC, APPLICANT.

**In discussion of item C, Amy Kelly, Zoning Administrator stated that this property is already zoned C-2 Commercial Business, it meets all required setbacks, and the site plan shows more than double the required parking spaces. It was stated that DEP permits have already been issued and this will be a private medical facility. Mrs. Kelly stated that there are culverts already in place and water will be routed to a nearby retention pond. Public comment: question from Paul Riegelmayr regarding the type of facility this will be. Mr. Tutherford respond by stating that he is not certain of the exact type of facility that this will be.**

**Member Alex Skovronsky made a motion to approve contingent upon receiving documentation that the master stormwater retention pond would have the capacity to hold the addition runoff, seconded by Member Lon Wilkens, all members in favor/no members opposed, motion carried.**

**Lot Re-Configuration Application:**

D- CONSIDERATION OF A REQUEST TO ADJUST LOT LINES BETWEEN LOTS 26 AND 27, BLOCK D, LANARK BEACH, UNIT 1 TO MAKE LOT 27 MORE BUILDABLE. LOT 26 WILL HAVE THE SAME SQUARE FOOTAGE AS PREVIOUSLY. LOT 27 WILL BE LARGER THAN PREVIOUSLY WITH THE INCLUSION OF PART OF LOT 6, BLOCK D, LANARK BEACH, UNIT 1. THE DUKE ENERGY TRANSMISSION LINE EASEMENT RUNS THROUGH ALL OF THESE LOTS. REQUEST SUBMITTED BY LEONARD SKINNER, APPLICANT.

**Member Lon Wilkens made a motion to table the item for lack of representation. The motion was withdrawn when Mr. Skinner became available on the phone line. During discussion of item D, it was pointed out that lot 6 does not have an area that is buildable due to Duke Energy's Transmission line easement and there is adequate space on both other lots to accommodate a home. The zoning of this property requires a minimum of 450 sq. feet home, and standard county setbacks apply. No public comment on this item.**

**Motion to Approve by Member Jerry Jackson, seconded by Member Alex Skovronsky, all members in favor/no members opposed**



Page Three  
Planning & Zoning Minutes  
November 10, 2020

There being no further business to discuss, Member Lon Wilkens made a motion to adjourn at 7:40p.m., seconded by Member Alex Skovronsky, all members in favor, no members opposed, motion carried.

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Member Lon Wilkens, Member

ATTEST

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Amy M. Kelly, Zoning Administrator



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ATTEST

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Amy M. Kelly, Zoning Administrator

# Monthly Building Report



**Franklin County**

Franklin County Planning & Building Department  
34 Forbes Street, Suite 1, Apalachicola, FL 32320  
Phone (850) 653-9783 Fax (850) 653-9799

PowerLine  
Building Permit  
Software

**Date range:** 10/27/2020 to 11/20/2020

**Total Number of Permits:** 78

**Total Fees Collected:** \$32133.38

Date	Permit	Property Owner	Development	Location	Street Address	Cost	Fee
10/27/2020	29941	Todd Barlow	Electrical Upgrade	Unit 1 Lanark Beach BL W Lot 1	2218 Highway 98 East	\$1,000.00	\$100.00
10/27/2020	29942	Penelope Evanoff	Hvac	Hickory Dip tract 5	141 Hickory Dip Road	\$2,700.00	\$89.00
10/27/2020	29943	Isherwood Properties LLC	Hvac	Lot 5 Willow Pond	1351 Willow Pond	\$5,200.00	\$131.00
10/27/2020	29944	John Gallipoli	Hvac	Lot 39 Beacon Ridge Phase 3	1919 Jonna Drive	\$4,885.00	\$117.00
10/27/2020	29945	William Pate	Hvac	Lot 18 Sunset Beach Phase 1	1856 Sunset Drive	\$5,580.00	\$131.00
10/27/2020	29946	Tim Baker	Hvac	Lot 2 Bay Pine Village	1323 Curlew Way	\$5,100.00	\$131.00

10/27/2020	29947	Carole Adams	HVAC	METES & BC <span style="border: 1px solid black; padding: 2px;">C</span> S	215 River Road	\$5,450.00	\$131.00
10/27/2020	29948	Ramona Loudermilk	Hvac	Lot 27 Plantation Beach	1852 Sea Oat Drive	\$5,000.00	\$117.00
10/27/2020	29949	Sandplover II LLC	HVAC	Lot 12 Block 10E Unit 1	216 East Gorrie Drive	\$12,400.00	\$229.00
10/27/2020	29950	Vicki Papajohn	HVAC	Lot 2 Block 0 Penn Point Unit 4	1435 Alligator Drive	\$5,135.00	\$131.00
10/27/2020	29951	Patrick Kinni	Hvac	Lot 84 Block 10 Southern Dunes Unit 1	669 Bald Point Road	\$4,740.00	\$117.00
10/27/2020	29952	Robert Frankland	Cupola Extension	Lot 34 Sandpiper Village	1659 Gannet Court	\$11,000.00	\$251.25
10/28/2020	29953	300 Ocean Mile K1-K7	Electrical Upgrade	OCEAN MILE	1804 East Gulf Beach Drive	\$1,000.00	\$100.00
10/28/2020	29954	Phillip Craig Carter	Remove and replace handrails and decking	UNIT 1 BL 4 LOT 45 SOUTHERN DUNES	16 Bass Street	\$8,750.00	\$216.25
10/28/2020	29955	ABAJEM LLC	Roof siding enclose porch extend elevator and stairs	Lot 26 Sea Pine Village	1328 Acacia Drive	\$250,000.00	\$2,196.88
10/28/2020	29956	Chad Gunter	Remodel	UNIT 5 BL 54 LOT 5	431 McCloud St	\$47,845.07	\$620.10
10/28/2020	29957	Teresa Boyd	R1 Dwelling	Lot 90 Summercamp	305 Pine Grove Way	\$250,000.00	\$2,130.50

10/28/2020	29958	Benjamin Gunter	R1 Dwelling	Lot 109	C-	301 Seafoam Circle	\$250,000.00	\$2,143.98
10/28/2020	29959	Ritz Andrew	Hvac	METES & BOUNDS		2230 Highway 98 West	\$2,000.00	\$75.00
10/29/2020	29960	Diana Strickland	REPLACING 9 WINDOWS	METES & BOUNDS		197 Rio Vista Drive	\$4,735.00	\$117.00
10/29/2020	29961	Kevin Murray	Replacing 10 windows	Lot 13 Block 89 Unit 5		535 West Sawyer Street	\$8,490.00	\$173.00
10/29/2020	29962	CHRISTOPHER B VARNES	SITE PREP	NA		136 HIGHWAY 98	\$0.00	\$100.00
10/29/2020	29963	THE ARK FAMILY TRUST	R-1 DWELLING	LOT 19 LAS BRISAS		163 LAS BRISAS WAY	\$0.00	\$1,470.03
10/29/2020	29964	Marvin Heyman	electrical upgrade	Lot 5 Block Q Penn Point Unit 4		1393 Alligator Drive	\$1,000.00	\$100.00
10/29/2020	29965	Justin McMillian	Electrical Upgrade	LOTS 10-11 BLOCK 22W UNIT 1		572 West Bayshore Drive	\$1,000.00	\$100.00
10/29/2020	29966	Fairchild Island Properties LLC	ELECTRICAL UPGRADE	METES & BOUNDS		301 Land Street	\$1,000.00	\$100.00
10/30/2020	29967	TOM AND DIANE KRAEMER	REBUILDING STAIRS	LOT 27 HOLIDAY BEACH UNIT 1		31 MARDI GRAS WAY	\$1,650.00	\$93.75
10/30/2020	29968	GERALD C WRIGHT	RE-ROOF	LOTS 3-4, BLK B MAGNOLIA BLUFF		119 NORTH BAYSHORE DRIVE	\$0.00	\$327.00

10/30/2020	29969	SABRA A THORNTON	RE-ROOF	LOT 19 PELI C- BEACH VILLAGE	2152 SEA FERN WAY	\$0.00	\$383.00
11/02/2020	29970	Walton Accommodations 22 LLC	820 sq ft dock	Lot 4 Block 2 Unit 1	612 Mariner Circle	\$22,000.00	\$355.00
11/02/2020	29971	Michelle Darpel	Docks	Lots 5 & 6 Block M Unit 3 Penn Point	1529 Alligator Drive	\$28,000.00	\$439.00
11/02/2020	29972	Jennifer Vrynios	Re Roof	Lot 26 Block 5 Unit 1	1-7 Parker Avenue	\$2,000.00	\$75.00
11/02/2020	29973	Indian Cove LP	re roof	Lot 3 Block Q Penn Point Unit 4	1397 Alligator Drive	\$2,400.00	\$89.00
11/02/2020	29974	Frank McGuyer	re roof	Lot 25 Block 5 Unit 1	1-8 Newman Drive	\$2,200.00	\$89.00
11/02/2020	29975	SYBILLIE JOHNSTONE	REPLACING 6 PILINGS	UNIT H-2 THREE HUNDRED OCEAN MILE	1804 EAST GULF BEACH DRIVE UNIT H-2	\$10,800.00	\$251.25
11/02/2020	29976	ROBERT AND DONNA FRANKLAND	METAL RE- ROOF FL PRODUCT #4595.14R4	LOT 34 SANDPIPER VILLAGE	1659 GANNET COURT	\$0.00	\$271.00
11/03/2020	29977	Tommy Pendelton	R1 Dwelling	Lot 10 Block C Reserve at Magnolia Ridge	359 Lily Circle	\$200,000.00	\$1,591.35
11/03/2020	29978	Curtis Cook	Electrical Upgrade	METES & BOUNDS	453 Highway 98 West	\$1,000.00	\$100.00



11/03/2020	29979	Roger Bryan	R1 Dwelling	Lot 1 Block 8 C- 5	344 Bradford Street	\$150,000.00	\$1,598.08
11/03/2020	29980	FREDERICK AND MARCIA WHITE	SITE PREP W/OUT FILL	LOT 1 TRACT 21 ST GEORGE ISLAND GULF BEACHES	1608 EAST GULF BEACH DRIVE	\$0.00	\$100.00
11/03/2020	29981	Michael Thornburg	Repair existing steps	UNIT J3 OCEAN MILE	1804 East Gulf Beach Drive UNIT J3	\$700.00	\$75.00
11/04/2020	29982	Turtles Nest LLC	Repair existing handrails and decking boards	Lot 22 Block 1 Unit 3	1001 West Gorrie Drive	\$8,000.00	\$159.00
11/04/2020	29983	Rich Deeann	ReRoof	Lot 52 Unit 3	146 Harbor Circle	\$7,650.00	\$159.00
11/05/2020	29938	FRANK AND BUENA BROWN	ELECTRICAL UPGRADE	LOT 57 TURTLE BEACH VILLAGE	1748 MAGNOLIA DRIVE	\$0.00	\$100.00
11/05/2020	29984	Kevin Queen	Power Pole	METES & BOUNDS	255 Highway 98	\$1,000.00	\$100.00
11/06/2020	29985	Zack Thompson	Site Prep	Lot 10 River Bend Plantation	2011 Riverbend plantation	\$0.00	\$100.00
11/06/2020	29986	FLWA HOLDINGS LLC	SITE PREP	NA	204 SMITH ROAD	\$0.00	\$100.00
11/06/2020	29987	CHARLES CANUPP	ELECTRICAL UPGRADE	LOT 1 BLK A UNIT 2	600 EAST GORRIE DRIVE	\$0.00	\$100.00

11/06/2020	29988	LIVIA WHISEHUNT	REPAIR AND REPLACE DECK BOARDS, HANDRAILS, AND JOISTS	LOT 14 OSP C- VILLAGE	1255 AVOCET LANE	\$7,000.00	\$181.25
11/09/2020	29989	DAVID AND LAURA RING	SITE PREP	LOT 1 KINJA BAY	1121 E GULF BEACH DRIVE	\$0.00	\$100.00
11/09/2020	29990	Cynthia Alenxander	Swimming Pool	Lot 40 Pebble Beach	1636 Guava Trail	\$38,700.00	\$666.00
11/09/2020	29992	Shirley Sapp	Pole Barn	Lot 14 Block C The Reserve	349 Lily Circle	\$2,100.00	\$111.25
11/10/2020	29994	DAVID AND LAURA RING	R-1 DWELLING	LOT 1 KINJA BAY	1121 EAST GULF BEACH DRIVE	\$0.00	\$1,820.48
11/10/2020	29995	BOBBY SAPP	MOBILE HOME	NA	230 SAPP ODOM ROAD	\$0.00	\$250.00
11/10/2020	29996	Christopher Varnes	R1 DWELLING	Lot 2 Block 21E	509 East Gulf Beach Drive	\$172,500.00	\$1,995.71
11/10/2020	29997	Jennifer Hill	Electrical Upgrade	Lot 122 Block 11 Southern Dunes Unit 1	40 Lakeview Drive	\$1,000.00	\$100.00
11/10/2020	29998	Brady Harrison	Electrical Upgrade	LOT 1 BLOCK E UNIT 1	1278 Alligator Drive	\$1,000.00	\$100.00
11/13/2020	29999	The Lois Horton Living Trust	Electrical Upgrade	UNIT 2 BL D LOT 9	964 East Gorrie Drive	\$1,000.00	\$100.00

11/13/2020	30000	William and Nancy Scott	New Construction	SOUTH 50'X <span style="border: 1px solid black; padding: 0 2px;">C</span> OF LOT 1 BLOCK G COCHRANS BCH, ALSO THE SOUTH 20' X 170' OF ABANDONED ROAD, ALSO 70' X 130 NORTH OF ST TERESA AVENUE ALSO NORTH 30' X 50' OF LOT 1 BLOCK G, ALSO N 20' X 30' OF ABANDONED ROAD, ALSO 1.01 ACR ES KNOWN AS LOT 9 UNREC PLAT	4088 St Teresa Ave	\$0.00	\$3,410.98
11/13/2020	30001	Marlyn Bryant	Re Roof	Lot 5 Block 21W Unit 1	533 West Gulf Beach Drive	\$5,000.00	\$117.00
11/13/2020	30002	Phillip Vitale	12x16 Shed on pad	Lot 2 Block 90 Unit 5	1172 West Gulf Beach Drive	\$13,489.00	\$303.75
11/16/2020	30003	Sabine Bass	Stucco Replacement	UNIT 5 BL 69 LOT 12	700 West Bayshore Drive	\$20,000.00	\$327.00
11/16/2020	30004	John Pullen	Electrical Upgrade	METES & BOUNDS	39 Bull Street	\$1,000.00	\$100.00
11/17/2020	30005	Andrew Ison	Hvac	METES & BOUNDS	90 Highway 98	\$9,600.00	\$187.00
11/17/2020	30006	Nora Pearce	Electrical Upgrade	UNIT 3 BL E LOT 8	1156 West Gorrie	\$0.00	\$100.00
11/17/2020	30007	Marc Gooch	Interior Reno.	metes & bounds	1602 Alligator Drive	\$89,500.00	\$1,156.59
11/17/2020	30008	CRAIG AND JANE CUMMINGS	REPAIR AND REPLACE BEAMS UNDER EXTERIOR WALLS	LOT 45 SEA PALM VILLAGE	1444 DOGWOOD LANE	\$2,300.00	\$111.25
11/17/2020	30009	Jay Tincher	Siding	METES & BOUNDS	606 Mariner Circle	\$5,000.00	\$234.00

11/18/2020	30010	Helen Spohrer	HVAC Change out	TRACT 4 HIL C- BLUFF EST	1130 Durham Drive	\$9,300.00	\$187.00
11/18/2020	30011	Mike Maggio	HVAC	Lot 41 Sea Palm Village	1428 Dogwood Drive	\$5,360.00	\$131.00
11/19/2020	30012	Robert Whitten	HVAC	Lot 6 Block 9 Unit 1	43-3 Carlton Avenue	\$5,400.00	\$131.00
11/19/2020	30013	Natalie Little	hvac	Lot 8 Block 5 Unit 1	4-1 Parker Avenue	\$3,500.00	\$103.00
11/19/2020	30014	Patrick Haasl	Windows and doors permit	LOT 41 TREASURE BCH VIL	1908 Reed Court East	\$22,150.00	\$369.00
11/19/2020	30015	Beverly Kelley	Solar Panels	METES & BOUNDS	50 26th Avenue	\$86,712.00	\$1,103.70
11/19/2020	30016	James Reeves	Window Replacement	AS DESC IN ORB 111 PG 147- 148	1516 Highway 98 West	\$7,400.00	\$198.75
11/19/2020	30017	Emory and Mary Brock	Re-Roof	UNIT 1 BL A LOTS 26 & 27 LANARK BEACH	180 Alabama Street	\$11,500.00	\$215.00
11/20/2020	30018	Natalie Little	Roof Over	Lot 7 Block 9 Unit 1	43-2 Carlton Avenue	\$3,250.00	\$103.00
11/20/2020	30019	Jeremiah Ard	Adding porch to existing home	BLOCK 105 LOTS 2-3-4-5 VROOMAN EST	322 Old Ferry Dock Road	\$5,000.00	\$146.25

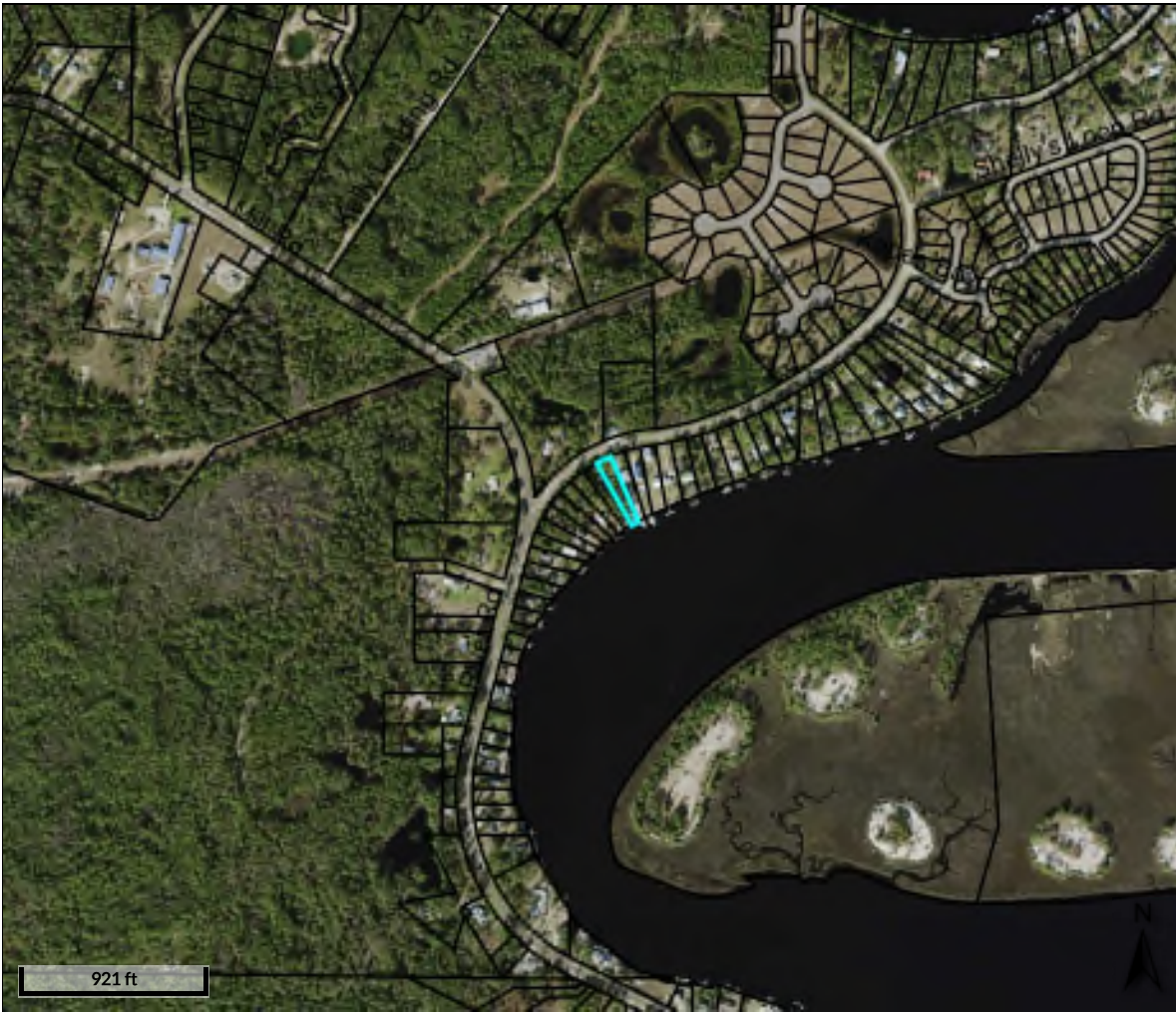


© 2020 - Intact Partners, Inc.

C-



D-



Overview



Legend

-  Parcels
-  Roads
-  City Labels

<b>Parcel ID</b>	24-07S-05W-0180-0001-0130	<b>Alternate ID</b>	05W07S24018000010130	<b>Owner Address</b>	SHEARER CRAIG BRUCE
<b>Sec/Twp/Rng</b>	24-7S-5W	<b>Class</b>	VACANT		AS TRUSTEE
<b>Property Address</b>	381 RIVER RD CARRABELLE	<b>Acreage</b>	1.17		PO.BOX 1355 CARRABELLE, FL 32322
<b>District</b>	1				
<b>Brief Tax Description</b>	BLOCK 1 LOTS 13 & 14				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 11/23/2020  
 Last Data Uploaded: 11/23/2020 7:49:21 AM

Developed by 





**DOCK PERMIT APPLICATION**

**FRANKLIN COUNTY BUILDING DEPARTMENT**  
34 Forbes Street, Suite 1, Apalachicola, Florida 32320  
Phone: 850-653-9783 Fax: 850-653-9799  
[http://www.franklincountyflorida.com/planning\\_building.aspx](http://www.franklincountyflorida.com/planning_building.aspx)

PERMIT # \_\_\_\_\_  
FEE: \$ \_\_\_\_\_  
C.S.I : \$ \_\_\_\_\_  
TOTAL: \$ \_\_\_\_\_

**NOTE TO APPLICANTS AND PERMIT HOLDERS:**  
VIOLATIONS OF THE TERMS AND CONDITIONS OF THIS PERMIT MAY WARRANT A STOP WORK ORDER OR REVOCATION OF THIS PERMIT. THIS PERMIT IS VALID FOR ONE YEAR FROM THE DATE OF ISSUANCE. CONSTRUCTION MUST COMMENCE WITHIN SIX MONTHS OF THIS DATE:  
ISSUANCE DATE: \_\_\_\_\_ EXPIRES: \_\_\_\_\_

**EXISTING HOUSE:**  Yes  No  
**DEP PERMIT:**  Yes  No  
**ARMY COE PERMIT:**  Yes  No  
**APPROVED:**  Yes  No

**APPLICATION MUST BE COMPLETE:**

Property Owner/s: Craig Shearer 770-776-7036  
Contact Information: Home #: 850-697-2461 Cell #: 770-776-7109  
Mailing Address: P.O. Box 1355 City/State/Zip: Carrabelle, FL, 32322  
EMAIL Address: SHEARERL @ BELLSOUTH.NET  
Contractor Name: To Be Determined Business Name: \_\_\_\_\_  
Contact Information: Office #: \_\_\_\_\_ Cell #: \_\_\_\_\_  
State License #: \_\_\_\_\_ County Registration #: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
EMAIL Address: \_\_\_\_\_ @ \_\_\_\_\_

RECEIVED  
NOV 05 2020

**PROPERTY DESCRIPTION:** 911 Address: 381 River Road Carrabelle, FL 32322  
Lot/s: 13+14 Block: 1 Subdivision: Carrabelle River Unit: \_\_\_\_\_  
Parcel Identification #: 24-073-05W-0180-0001-0130

**JURISDICTION:**  Franklin County  City of Apalachicola  City of Carrabelle  
 Apalachicola  Eastpoint  St. George Island  Carrabelle  Dog Island  Lanark/ St. James  St. Teresa  Alligator Point  
 SINGLE FAMILY DOCK/PIER  MULTI-FAMILY DOCK/PIER  COMMERCIAL

**DESCRIPTION:** 356 sq ft dock + 384 sq ft. Boat Lift.

ZONING DISTRICT: R.1 CONTRACT COST: \_\_\_\_\_  
TOTAL SQUARE FOOT: \_\_\_\_\_ FOUNDATION TYPE: \_\_\_\_\_  
ROOF MATERIAL: \_\_\_\_\_

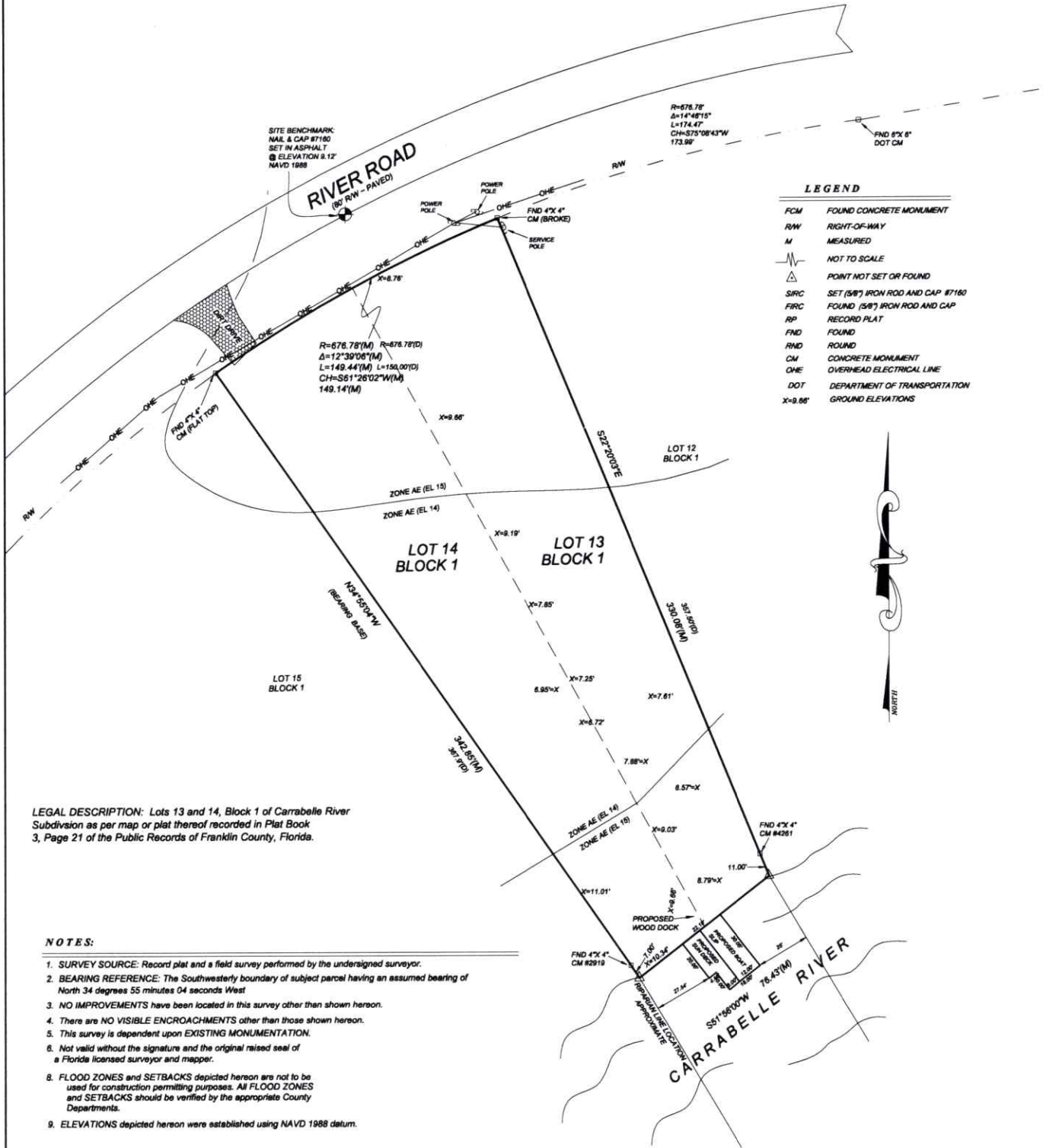
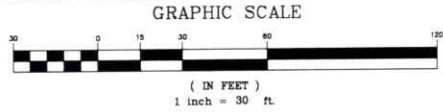
**APPROVED BY:**  Planning & Zoning Date: \_\_\_\_\_  County Commissioners Date: \_\_\_\_\_  
 City of Carrabelle Date: \_\_\_\_\_  City of Apalachicola Date: \_\_\_\_\_

WATER BODY: Carrabelle River  
CRITICAL SHORELINE DISTRICT: YES OR NO CRITICAL HABITAT ZONE: YES OR NO

**BUILDING OFFICIAL** \_\_\_\_\_ **Date** \_\_\_\_\_ **OWNER (Required)** \_\_\_\_\_ **Date** \_\_\_\_\_ **CONTRACTOR (Required)** \_\_\_\_\_ **Date** \_\_\_\_\_

D-

# PLAT OF BOUNDARY SURVEY FOR: CRAIG SHEARER



**LEGEND**

FCM	FOUND CONCRETE MONUMENT
R/W	RIGHT-OF-WAY
M	MEASURED
⋈	NOT TO SCALE
△	POINT NOT SET OR FOUND
SIRC	SET (5/8") IRON ROD AND CAP #7180
FIRC	FOUND (5/8") IRON ROD AND CAP
RP	RECORD PLAT
FND	FOUND
RND	ROUND
CM	CONCRETE MONUMENT
OHE	OVERHEAD ELECTRICAL LINE
DOT	DEPARTMENT OF TRANSPORTATION
X=9.88'	GROUND ELEVATIONS

**LEGAL DESCRIPTION:** Lots 13 and 14, Block 1 of Carrabelle River Subdivision as per map or plat thereof recorded in Plat Book 3, Page 21 of the Public Records of Franklin County, Florida.

**NOTES:**

1. SURVEY SOURCE: Record plat and a field survey performed by the undersigned surveyor.
2. BEARING REFERENCE: The Southwesterly boundary of subject parcel having an assumed bearing of North 34 degrees 55 minutes 04 seconds West
3. NO IMPROVEMENTS have been located in this survey other than shown hereon.
4. There are NO VISIBLE ENCROACHMENTS other than those shown hereon.
5. This survey is dependent upon EXISTING MONUMENTATION.
6. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
8. FLOOD ZONES and SETBACKS depicted hereon are not to be used for construction permitting purposes. All FLOOD ZONES and SETBACKS should be verified by the appropriate County Departments.
9. ELEVATIONS depicted hereon were established using NAVD 1988 datum.

**FLOOD ZONE INFORMATION:**  
Subject property is located in Zone "AE" (EL 14 & 15) as per Flood Insurance Rate Map Community Panel No: 120088 0430F index date: February 5, 2014, Franklin County, Florida.

REVISED 11/19/20; PROPOSED WOOD DOCKS - MD  
REVISED 03/25/20; ADD GROUND ELEVATIONS -BB

**TR & A THURMAN RODDENBERRY & ASSOCIATES, INC**  
PROFESSIONAL SURVEYORS AND MAPPERS  
P.O. BOX 100 • 125 SHELDON STREET • SOPCHOPPY, FLORIDA 32358  
PHONE NUMBER: 850-963-2332 FAX NUMBER: 850-963-1180  
L.S. # 7748

DATE: 03/20/20	DRAWN BY: TR	N.B. PLAT	COUNTY: FRANKLIN
FILE: 20184.DWG	DATE OF LAST FIELD WORK: 03/24/20	CHECKED BY: BB	JOB NUMBER: 20

I hereby certify that this was performed under my responsible direction and supervision and the plat and description are true and accurate to the best of my knowledge and belief. The survey needs to record the monuments for platting for land surveying as established by the Florida Board of Professional Surveyors and Mappers (F.S.C. 55-17.881(8)(5)).

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. If it possible there are deeds of records, unrecorded deeds, easements or other instruments which could affect the boundaries.

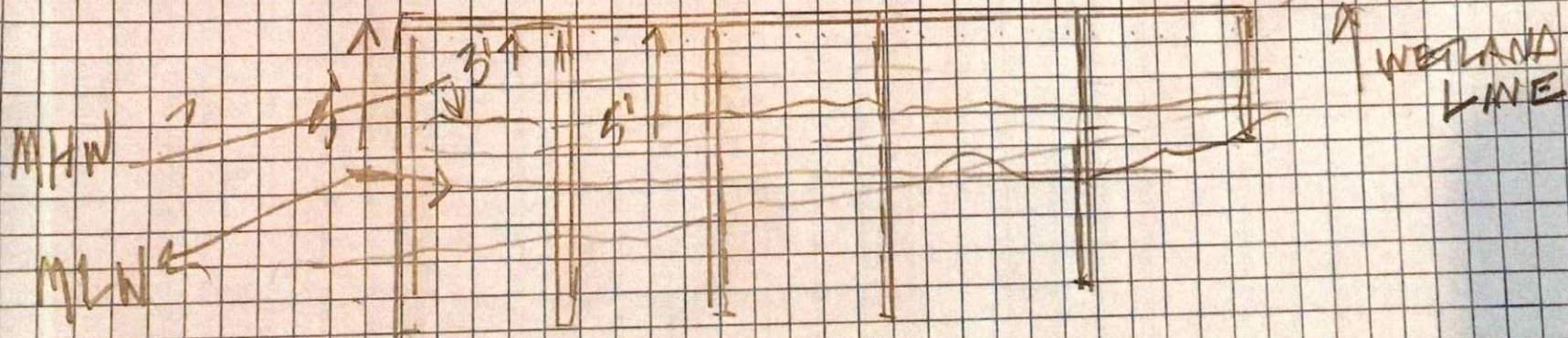
JAMES T. RODDENBERRY  
Surveyor and Mapper  
Florida Certificate No. 4261



SHEARER  
381 River Road

D-

SIDEVIEW







FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Ron DeSantis  
Governor

Jeanette Nuñez  
Lt. Governor

Noah Valenstein  
Secretary

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**TERMS AND CONDITIONS**

Self Certification File No.: **0391221001EE**

**Construction Conditions:**

**Private residential single family docks are subject to the following criteria in accordance with Section 403.813(1)(b), F.S. The dock to be constructed:**

1. Has 1,000 square feet or less over water surface (includes adjacent wetlands) in accordance with Chapter 62-340, F.A.C.;
2. Is constructed on or held in place by pilings and is constructed so as not to involve filling or dredging other than that necessary to install the pilings;
3. Will not substantially impede the flow of water, cause water pollution, or create a navigational hazard;.
4. Is used ONLY for recreational, noncommercial activities associated with the mooring or storage of boats and boat paraphernalia;
5. Is the sole dock on the parcel; and
6. Must not be subject to any conservation easement or restrictive covenant of record prohibiting the activity.

**Boat lifts are subject to the following additional conditions:**

1. Is to be installed in a proposed slip or, at or adjacent to the waterward end of the dock;
2. With other mooring will not result in the mooring of more than two vessels (including jet skis);
3. Will not substantially impede the flow of water, cause water pollution, or create a navigational hazard;
4. Will not be located in areas prohibited for mooring by a previously issued permit or other form of authorization issued by a local government;

**General Conditions for Sovereignty/State-Owned Submerged Lands Authorizations:**

**Any use of sovereignty/state-owned submerged lands is subject to the following general conditions that are binding upon the applicant and are enforceable under Chapters 253, F.S. or 258, F.S.**

1. Sovereignty/state-owned submerged lands may be used only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use will constitute a violation. Violation of the authorization will result in suspension or revocation of the applicant's use of the sovereignty/state-owned submerged lands unless cured to the satisfaction of the Board of Trustees of the Internal Improvement Trust Fund (Board).
2. Authorization under Rule 18-21.005, F.A.C., conveys no title to sovereignty/state-owned submerged

lands or water column, nor does it constitute recognition or acknowledgment of any other person's title to such land or water.

3. Authorizations under Rule 18-21.005, F.A.C., may be modified, suspended or revoked in accordance with its terms or the remedies provided in Sections 253.04, F.S. or Chapter 18-14, F.A.C.
4. Structures or activities will be constructed and used to avoid or minimize adverse impacts to resources.
5. Construction, use, or operation of the structure or activity will not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.;
6. Structures or activities will not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity will be modified in accordance with the court's decision.
7. Structures or activities will not create a navigational hazard.
8. Structures will be maintained in a functional condition and will be repaired or removed if they become dilapidated to such an extent that they are no longer functional.
9. Structures or activities will be constructed, operated, and maintained solely for water dependent purposes.
10. The applicant agrees to indemnify, defend and hold harmless the Board and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty/state-owned submerged lands or the applicant's use and construction of structures on sovereignty/state-owned submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
11. Failure by the Board to enforce any violation of the authorization or waiver by the Board of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure or waiver prevent the Board from enforcing the waived or unenforced provision in the event of a future violation of that provision.
12. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
13. All costs incurred by the Board in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board in writing of any change of address at least ten days before the change becomes effective.
14. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant of record that prohibits the activity.

#### **Manatee Conditions:**

#### **The following conditions are intended to protect manatees from direct project effects; THESE CONDITIONS APPLY ONLY IN WATERS THAT ARE ACCESSIBLE TO MANATEES:**

1. All personnel associated with the project will be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee will advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
2. All vessels associated with the construction project will operate at 'Idle Speed/No Wake' at all times



- while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
3. Siltation or turbidity barriers will be made of material in which manatees cannot become entangled, will be properly secured, and will be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
  4. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
  5. Any collision with or injury to a manatee will be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida.
  6. Temporary signs concerning manatees will be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com). One sign which reads Caution: Boaters must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for 'Idle Speed/No Wake' and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities.

#### **Self-Certification Requirements:**

#### **The user agrees to the following:**

1. The information provided herein is true and accurate.
2. **Construction of the project must be completed within one year from the self-certification date.** If the project cannot be completed within that time frame, or the project is to be modified, the Department must be contacted for authorization requirements.
3. Any substantial modifications in the plans for this project must be submitted to the Department for review, as changes may result in a permit being required.
4. This self-certification will automatically expire if site conditions materially change; if the terms, conditions, and limitations of the self-certification are not followed; or if the governing statutes or rules are amended before the project is completed.
5. Department personnel will be allowed to enter the property for purposes of inspecting the project for compliance with the terms and conditions of this self-certification.

**amyk@franklincountyflorida.com**

---

**From:** Lou Ann Shearer <shearerl@bellsouth.net>  
**Sent:** Monday, November 9, 2020 11:32 AM  
**To:** amyk@franklincountyflorida.com  
**Subject:** SHEARER DOCK  
**Attachments:** SHEARERDOCK1.pdf; SHEARERDOCK2.pdf

AMY:

I REALIZED, UPON COMPLETING THE ARMY CORP APPLICATION, THAT THE DOCK AS DRAWN ON THE COUNTY APPLICATION WILL NOT FIT WITHIN THE 25' RIPARIAN SETBACKS.

SO, ATTACHED IS THE SPECIFICATIONS I SENT TO THE ARMY CORP THAT WILL FIT.

THIS CHANGES THE SQUARE FOOTAGE TO LESS THAN TOTAL 600 SQUARE FEET.

HAS SAVANNA, FROM RODDENBERRY, SENT THE PLOT WITH THE DOCK DRAWN?

THANKS FOR YOUR PATIENCE.

Lou Ann Shearer

D-

U.S. Army Corps of Engineers (USACE)  
**APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT**  
33 CFR 325 The proponent agency is CECW-CO-R

Form Approved -  
OMB No. 0710-0003  
Expires: 01-08-2018

The public reporting burden for this collection of information, OMB Control Number 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at [whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil](mailto:whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR APPLICATION TO THE ABOVE EMAIL.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary; however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned. System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website: <http://dpcid.defense.gov/Privacy/SORNS/Index/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx>

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
--------------------	----------------------	------------------	------------------------------

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME First - <u>LowAnn</u> Middle - Last - <u>Shearer</u> Company - E-mail Address <u>SHEARERL@BELLSOUTH.NET</u>		8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First - Middle - Last - Company - <u>N/A</u> E-mail Address -	
6. APPLICANT'S ADDRESS Address - <u>999 Mill Rd.</u> City - <u>Carrabelle</u> State - <u>FL</u> Zip - <u>32322</u> Country - <u>USA</u>		9. AGENT'S ADDRESS Address - <u>N/A</u> City - State - Zip - Country -	
7. APPLICANT'S PHONE NOS. w/AREA CODE a Residence <u>850-697-2461</u> b Business <u>Cell</u> c Fax <u>770-776-7036</u>		10. AGENT'S PHONE NOS. w/AREA CODE a Residence b Business <u>N/A</u> c Fax	

STATEMENT OF AUTHORIZATION

11. I hereby authorize, \_\_\_\_\_ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

\_\_\_\_\_  
SIGNATURE OF APPLICANT DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

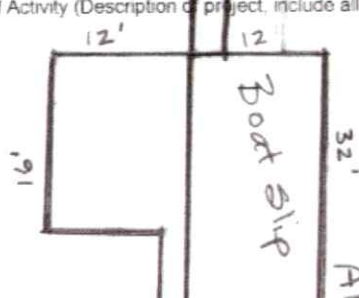
12. PROJECT NAME OR TITLE (see instructions) <u>SHEARER DOCK</u>	
13. NAME OF WATERBODY IF KNOWN (if applicable) <u>CARRABELLE RIVER</u>	14. PROJECT STREET ADDRESS (if applicable) Address <u>381 River Road</u> City - <u>Carrabelle</u> State - <u>FL</u> Zip - <u>32322</u>
15. LOCATION OF PROJECT Latitude - <u>N 29° 51' 29"</u> Longitude - <u>W 84° 41' 04"</u>	
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID <u>24-075-05W-0180-001-0130</u> Municipality <u>Franklin County</u> Section - Township - <u>Carrabelle</u> Range -	

Shearer dock 1



17. DIRECTIONS TO THE SITE  
 East on E 23rd St  
 Left on US-231 N  
 Right on FL-389 S/N E Ave  
 Left on US-98 BUS E/E 5th St  
 Merge onto US-98 E/Tyndall Pkwy  
 Right onto US-98 E/Big Bend Scenic Byway Coastal Trail/Market Street  
 Left onto State Hwy 379/River Rd ... Go 1.3 mi ... Destination on Right

18. Nature of Activity (Description of project, include all features)



Boat Slip and dock (Wood Pilings)  
 Total Width = 24'  
 Maximum Length = 32'  
 Ramp from dock to shore = 6' wide x 10' long  
 One Slip  
 Add'l Notes: No Excavation or Dredging  
 No Backfill Required  
 Existing shoreline stabilized w/oyster shell & coral  
 Dock located 25' from riparian lines.  
 Total Shore line = 76'

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

Personal Recreational Use Boat Slip and Dock

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

N/A

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards. N/A

Type	Type	Type
Amount in Cubic Yards	Amount in Cubic Yards	Amount in Cubic Yards

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions) N/A

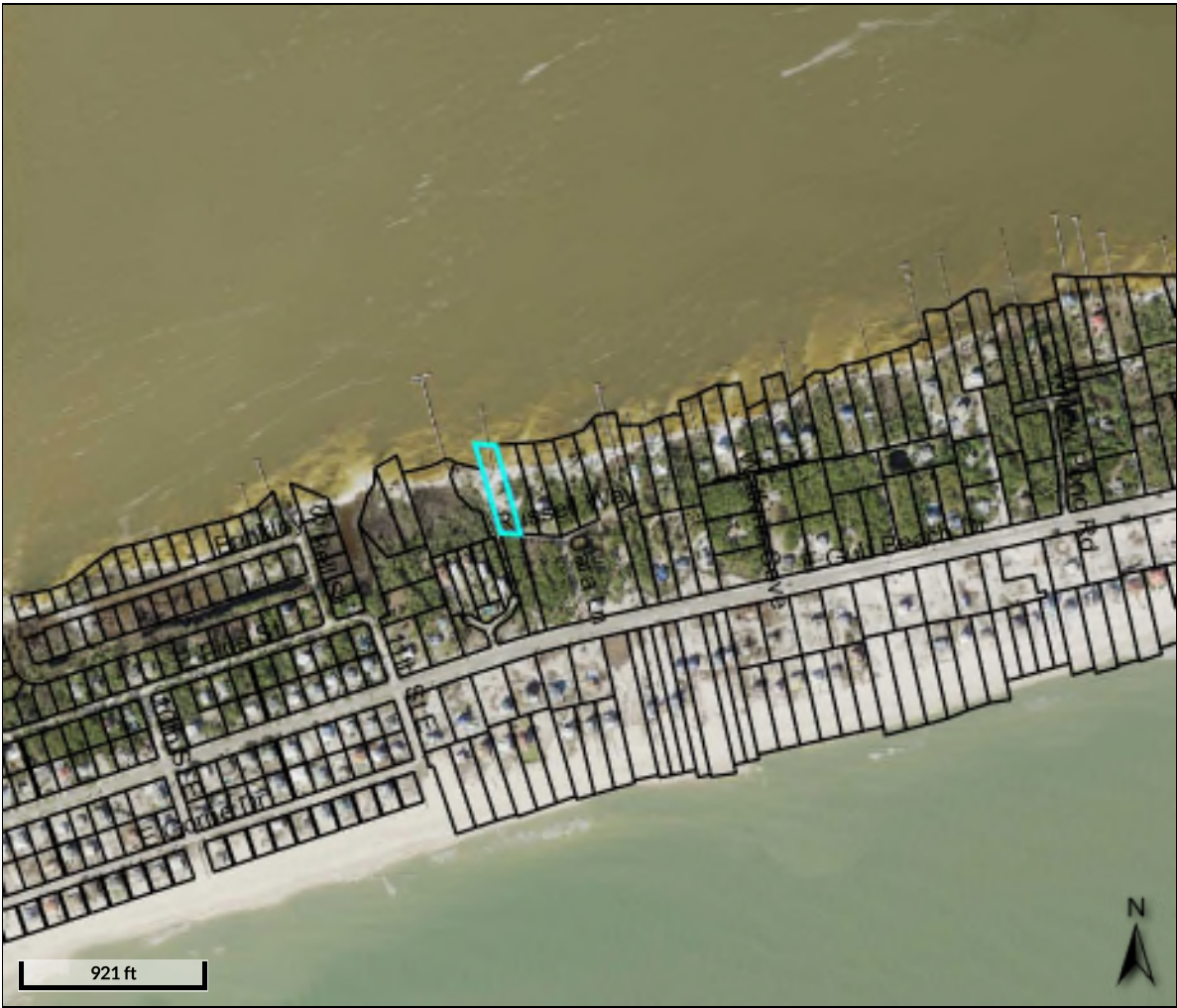
Acres  
 or  
 Linear Feet

23. Description of Avoidance, Minimization, and Compensation (see instructions)

River is wide at this location  
 Total square footage over water less than 600 square ft.



E-



Overview



Legend

-  Parcels
-  Roads
-  City Labels

<b>Parcel ID</b>	29-09S-06W-7317-0000-0351	<b>Alternate ID</b>	06W09S29731700000351	<b>Owner Address</b>	CLE PROPERTIES,LLC
<b>Sec/Twp/Rng</b>	--	<b>Class</b>	MISCELLANE		4249 WHISPERWOOD CIRCLE
<b>Property Address</b>	1155 RUSSELL WAY	<b>Acreage</b>	n/a		VALDOSTA, GA 31602
	CARA BAY ESTATES				
<b>District</b>	1				
<b>Brief Tax Description</b>	LOT 1 CARABAY OR/137/303				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 11/23/2020  
 Last Data Uploaded: 11/23/2020 7:49:21 AM

Developed by 





**DOCK PERMIT APPLICATION**  
**FRANKLIN COUNTY BUILDING DEPARTMENT**  
34 Forbes Street, Suite 1, Apalachicola, Florida 32320  
Phone: 850-653-9783 Fax: 850-653-9799  
[http://www.franklincountyflorida.com/planning\\_building.aspx](http://www.franklincountyflorida.com/planning_building.aspx)

PERMIT # \_\_\_\_\_  
FEE: \$ \_\_\_\_\_  
C.S.I : \$ \_\_\_\_\_  
TOTAL: \$ \_\_\_\_\_

**NOTE TO APPLICANTS AND PERMIT HOLDERS:**  
VIOLATIONS OF THE TERMS AND CONDITIONS OF THIS PERMIT MAY WARRANT A STOP WORK ORDER OR REVOCATION OF THIS PERMIT. THIS PERMIT IS VALID FOR ONE YEAR FROM THE DATE OF ISSUANCE. CONSTRUCTION MUST COMMENCE WITHIN SIX MONTHS OF THIS DATE:  
ISSUANCE DATE: \_\_\_\_\_ EXPIRES: \_\_\_\_\_

**EXISTING HOUSE:**  Yes  No  
**DEP PERMIT:**  Yes  No  
**ARMY COE PERMIT:**  Yes  No  
**APPROVED:**  Yes  No

RECEIVED  
OCT 27 2020  
BY: ACC

**APPLICATION MUST BE COMPLETE:**

Property Owner/s: CLE Properties, LLC  
Contact Information: Home #: \_\_\_\_\_ Cell #: \_\_\_\_\_  
Mailing Address: 4249 Whisper Wood Cr City/State/Zip: Valdosta, GA 31602  
EMAIL Address: \_\_\_\_\_ @ \_\_\_\_\_

Contractor Name: Larry Joe Colson Business Name: Larry Joe Colson Inc / Quality Docks  
Contact Information: Office #: 247-9482 Cell #: 850-653-7633  
State License #: \_\_\_\_\_ County Registration #: 104  
Mailing Address: 387 US Hwy 98 City/State/Zip: Eastpoint, FL 32328  
EMAIL Address: larryjdecolsoninc @ yahoo.com

**PROPERTY DESCRIPTION:** 911 Address: 1155 Russell Way, 361 FL 32328  
Lot/s: 1 Block: \_\_\_\_\_ Subdivision: Cora Bay Estates Unit: \_\_\_\_\_  
Parcel Identification #: 29-095-06w-7317-0000-0351

**JURISDICTION:**  Franklin County  City of Carrabelle  
 Apalachicola  Eastpoint  St. George Island  Carrabelle  Dog Island  Lanark/ St. James  St. Teresa  Alligator Point  
 SINGLE FAMILY DOCK/PIER  MULTI-FAMILY DOCK/PIER  COMMERCIAL

**DESCRIPTION:** 6 Piling Covered Boat Lift 16x38' to existing Dock

ZONING DISTRICT: \_\_\_\_\_ CONTRACT COST: \_\_\_\_\_

TOTAL SQUARE FOOT: \_\_\_\_\_ FOUNDATION TYPE: \_\_\_\_\_  
ROOF MATERIAL: \_\_\_\_\_

**APPROVED BY:**  Planning & Zoning Date: \_\_\_\_\_  County Commissioners Date: \_\_\_\_\_

WATER BODY: \_\_\_\_\_  
CRITICAL SHORELINE DISTRICT  YES  NO CRITICAL HABITAT ZONE  YES  NO

**BUILDING OFFICIAL** \_\_\_\_\_ **Date** \_\_\_\_\_ **OWNER (Required)** \_\_\_\_\_ **Date** \_\_\_\_\_ **CONTRACTOR (Required)** \_\_\_\_\_ **Date** \_\_\_\_\_

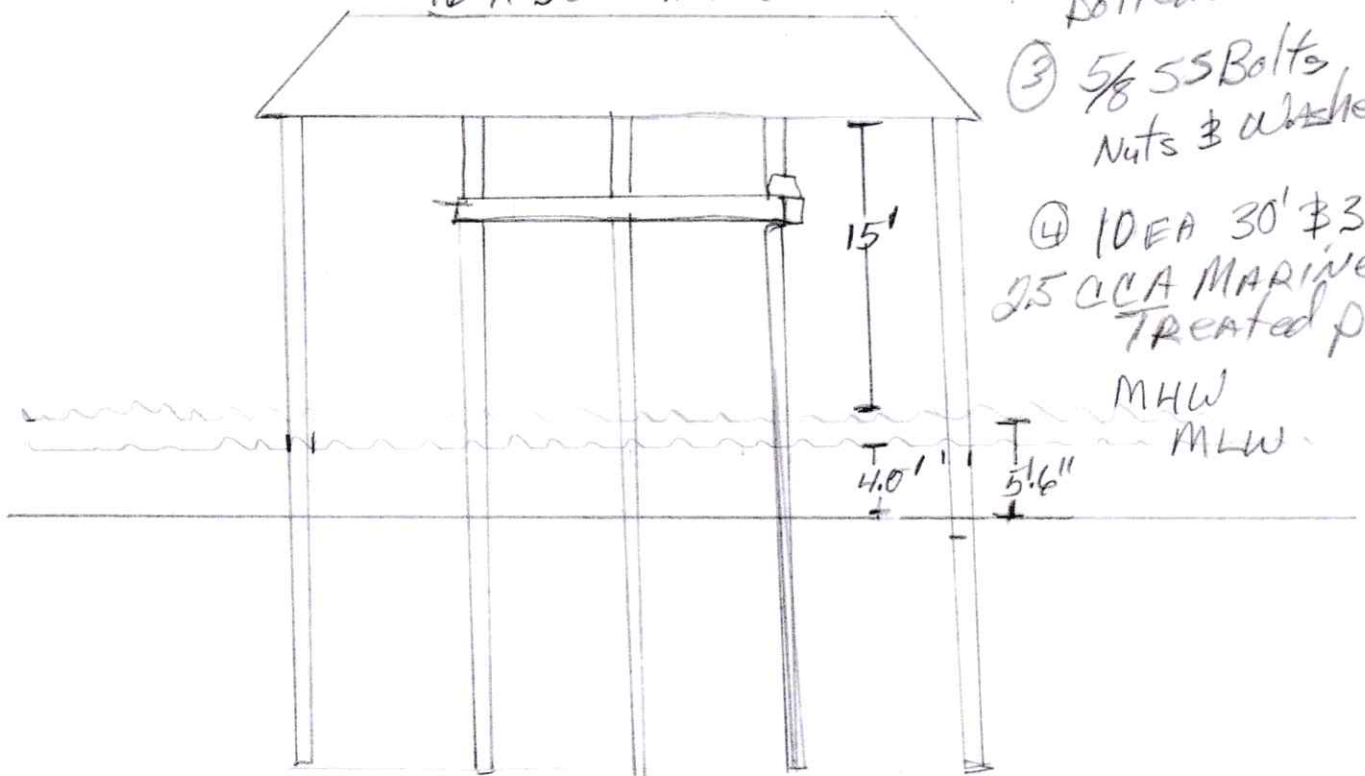
Applicant: CLE properties LLC

10/20/20

1155 Russell Was S.G.I.

Side View Drawing

Proposed  
16' X 38' Hip Roof



- ① 5/8 CDX plywood  
Fastened with  
SS screws
- ② Roof Band  
2EA 2" X 10"  
Treated,  
Bolted with
- ③ 5/8 SS Bolts,  
Nuts & Washers
- ④ 10EA 30' X 35'  
25 CCA Marine  
Treated piling  
MHW  
MLW



E-

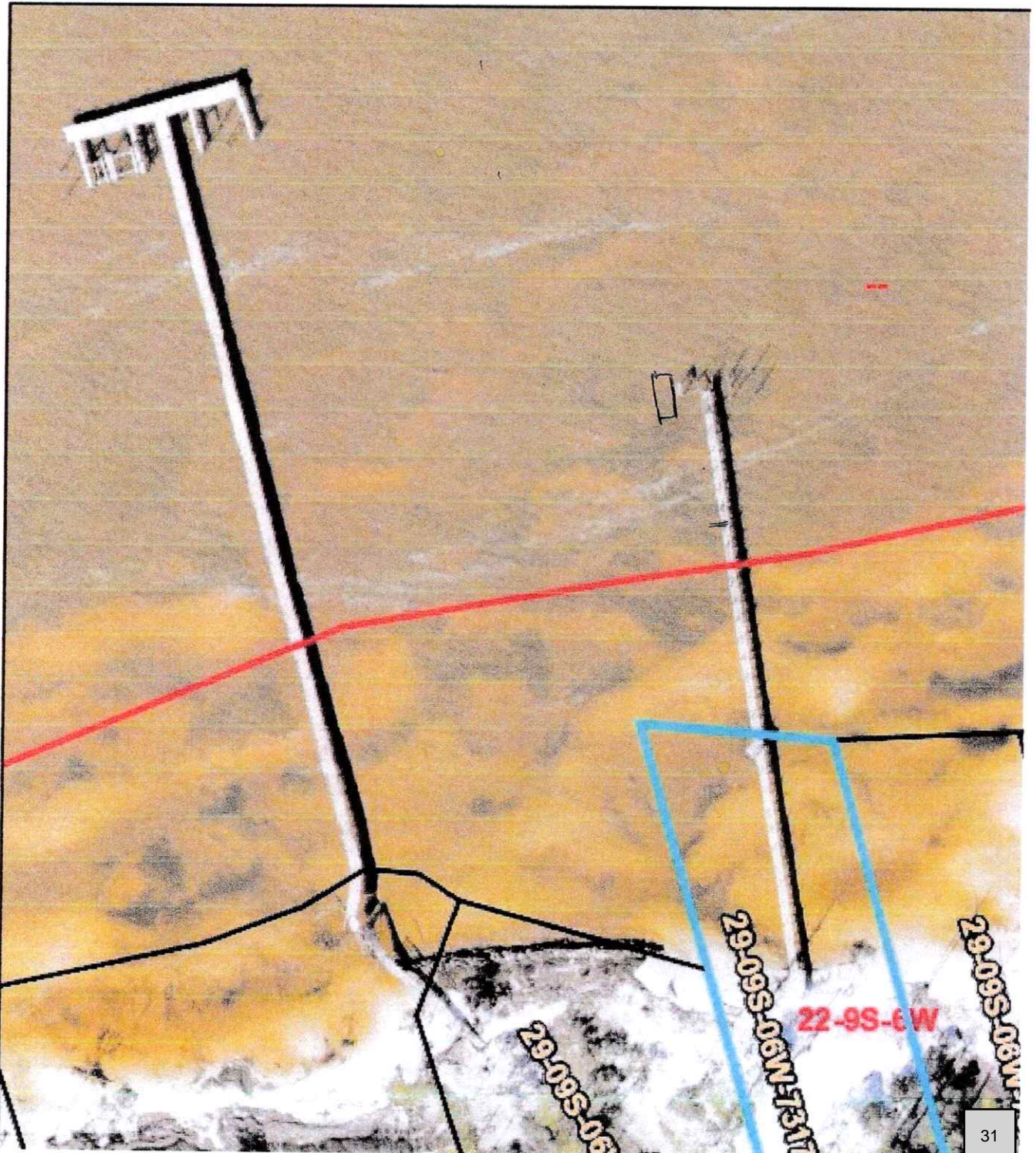
Applicant: CLE Properties LLC  
10/20/2020

1155 Russell Way SE, FL



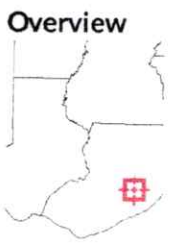
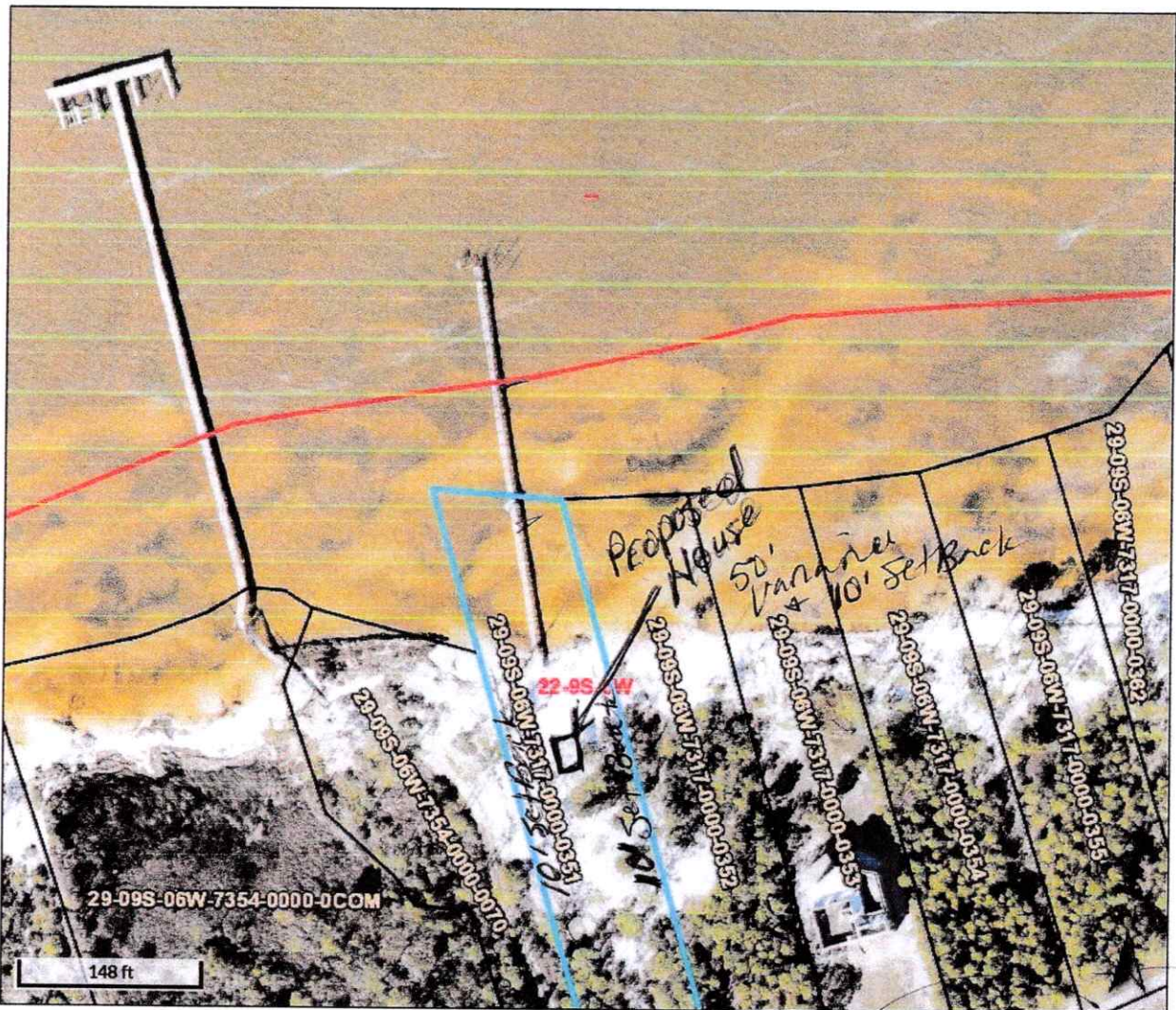
**qPublic.net**<sup>TM</sup>

Franklin Cou





Site Plan



- Legend**
- Parcels
  - Roads
  - City Label
  - Sec-Twn-

Parcel ID	29-09S-06W-7317-0000-0351	Alternate ID	06W09S29731700000351	Owner Address	CLE PROPERTIES,LLC
Sec/Twp/Rng	--	Class	MISCELLANE		4249 WHISPERWOOD CIR
Property Address	1155 RUSSELL WAY	Acreage	n/a		VALDOSTA, GA 31602
	CARA BAY ESTATES				
District	1				
Brief Tax Description	LOT 1 CARA BAY OR/137/303				
	(Note: Not to be used on legal documents)				

Date created: 10/24/2020  
 Last Data Uploaded: 10/24/2020 7:11:42 AM

Developed by Schneider  
 GEOSPATIAL

**permits@franklincountyflorida.com**

---

**From:** Larry joe Colson,inc <larryjoecolsoninc@yahoo.com>  
**Sent:** Tuesday, October 27, 2020 11:01 AM  
**To:** permits@franklincountyflorida.com; permits@franklincountyflorida.com  
**Subject:** Permit for The P&Z Agenda Meeting, CLE Properties  
**Attachments:** CLE Properties, LLC Dock Permit Application.pdf; CLE Properties LLC Overhead Drawing.pdf; CLE Properties, LLC Side View Drawing.pdf; CLE Properties LLC Existing Dock & Boat lift.pdf; CLE Properties LLC Site Plan.pdf

Please find the Permit Package for our client CLE Properties. We are still in the process for the DEP & Corp and will need to beat the agenda deadline , will have these permits issued later before we receive the county permit and also the commencement and proposal cost. Also the Dock Site Plan, Construction & Lighting Affidavit will be turned in before the meeting, please get this client on the agenda for the meeting in November?

Thank you have a bless day.

Your Friends Here @  
Larry Joe Colson, Inc.  
A-1 Quality Docks & Boatlifts  
Larry Joe & Georgette Colson  
Apalachicola Office: 850-653-2098  
The Dock Store 850-670-DOCKS(3625)  
[www.A1QualityDocksBoatliftsandSeawalls.com](http://www.A1QualityDocksBoatliftsandSeawalls.com)  
[www.A1QualityDocks.com](http://www.A1QualityDocks.com)



PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385 (850) 653-8899 FAX (850) 653-9656 garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Jared Orciani  
WATERBODY/CLASS: Apalachicola Bay

PURPOSE: DFA

PROJECT LOCATION / USGS: SGI POA Franklin County

LATITUDE: 29° 37' 44.53"

LONGITUDE: 84° 56' 18.95"

SECTION: 29 TWSHP: 9South RNG: 6 West

JOB: 20-084

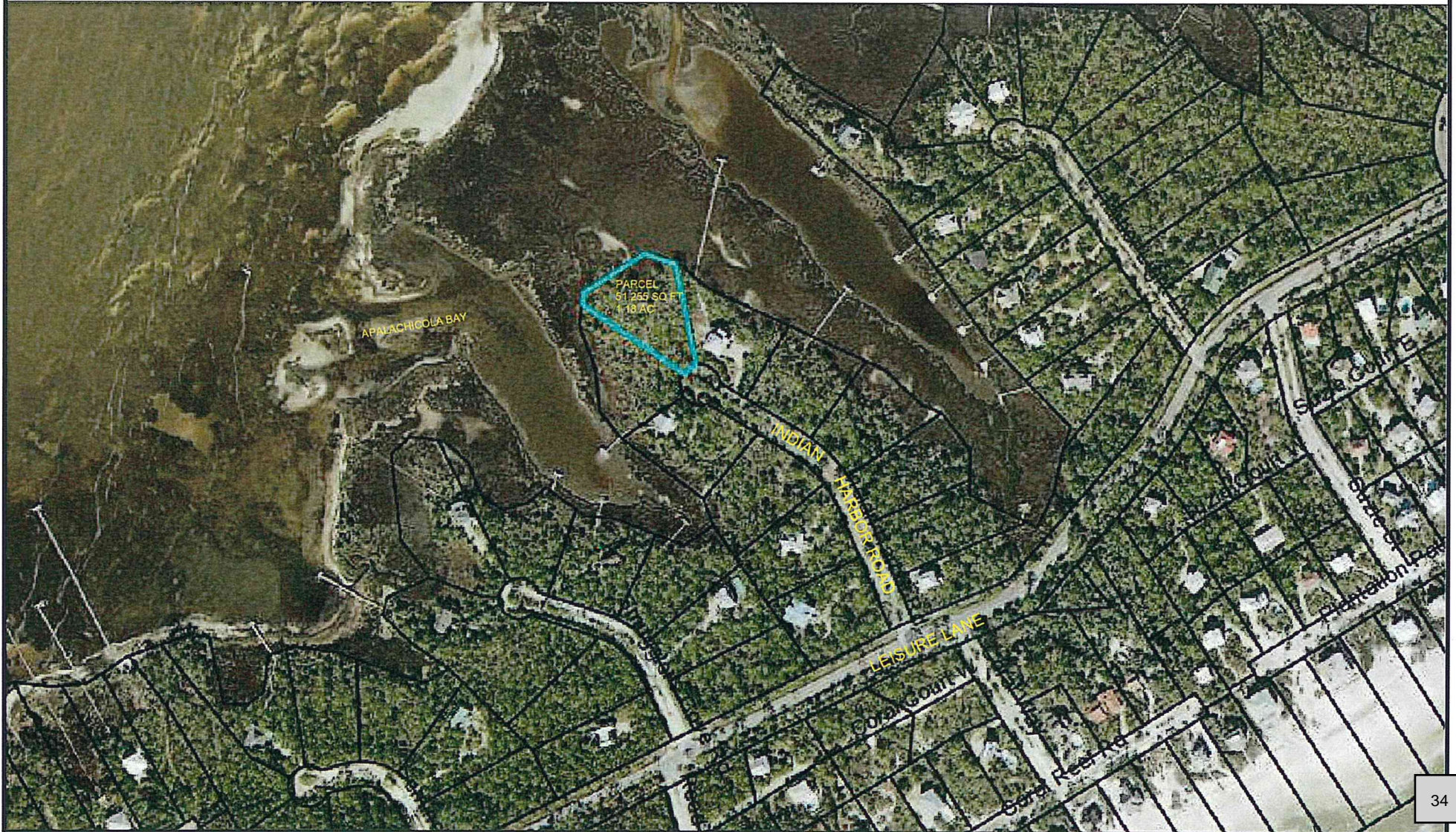
DEP:

COE:

OTHER: Rev. 11-23-20

DATE: October 30, 2020

SHEET: 1/4





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DATE: October 30, 2020

LONGITUDE: 84° 56' 18.95"

SHEET: 2/4

SECTION: 29 TWSHP: 9South

RNG: 6 West





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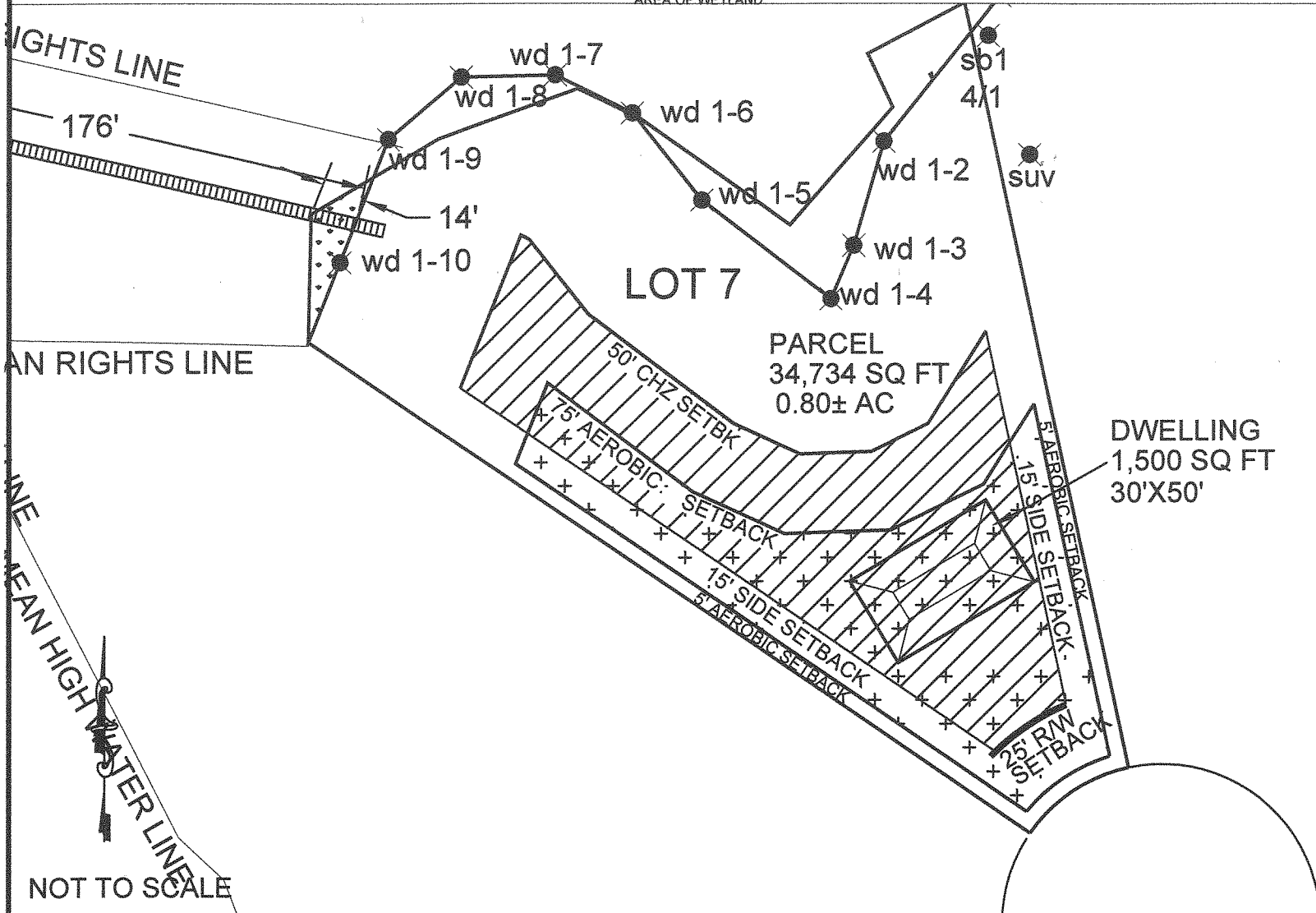
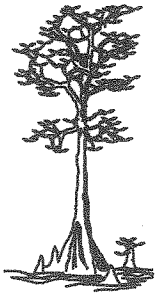
DATE: November 23, 2020

LONGITUDE: 84° 56' 18.95"

SHEET: 1/1

SECTION: 29 TWSHP: 9South

RNG: 6 West





PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

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LB No. 7415

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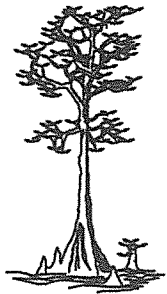
DEP:

COE:

OTHER: Rev. 11-23-20

DATE: October 30, 2020

SHEET: 3/4



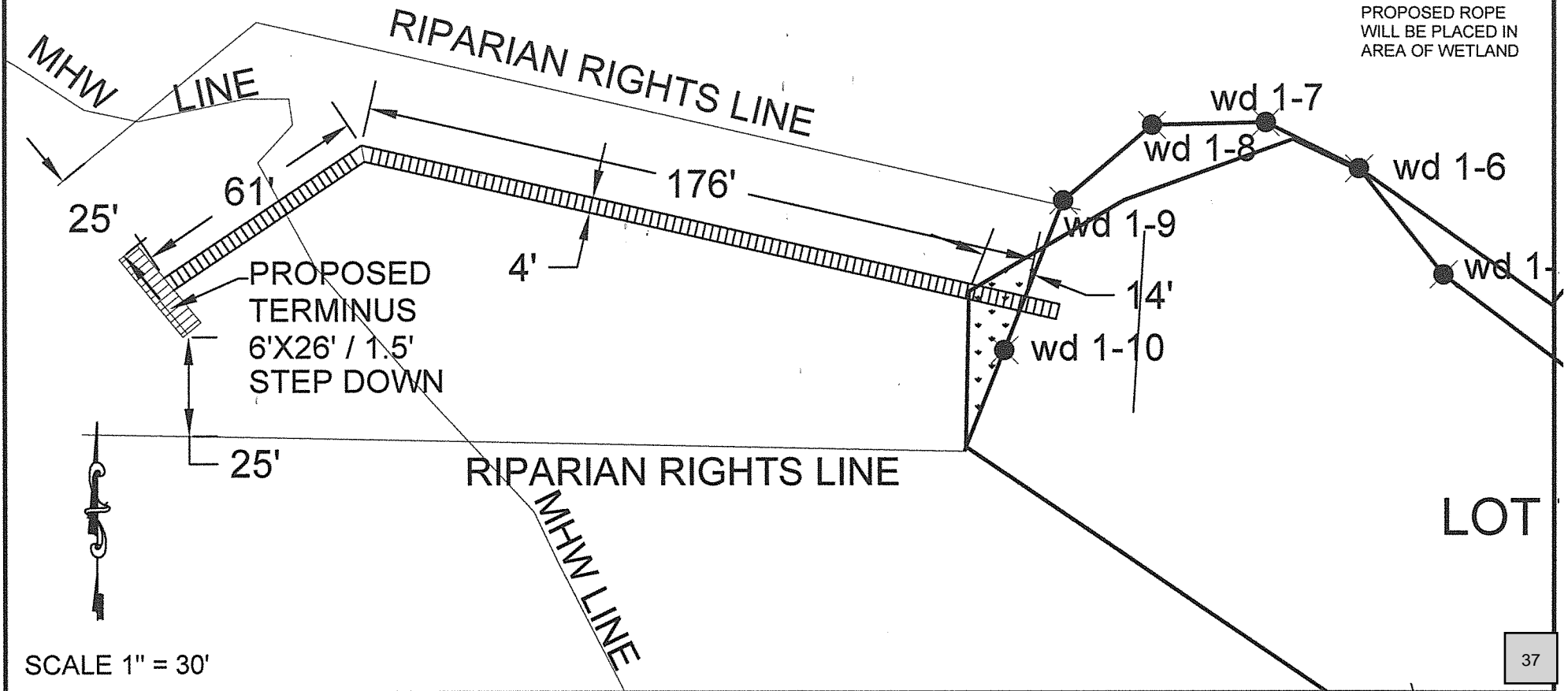
PILINGS WILL BE PLACED A MINIMUM OF 10' APART

PILINGS SIZE WILL BE 6 INCHES

ANY DONUTS/HALOS FORMED DURING LOW PRESSURE JETTING OF PILES WILL BE REMOVED BY HAND

PLANKS WILL BE SPACED 1" APART.

PROPOSED ROPE WILL BE PLACED IN AREA OF WETLAND



PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899

FAX (850) 653-9656 garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Jared Orciani

JOB: 20-084

WATERBODY/CLASS: Apalachicola Bay

DEP:

PURPOSE: DFA

COE:

PROJECT LOCATION / USGS: SGI POA Franklin County

OTHER: Rev. 11-23-20

LATITUDE: 29° 37' 44.53"

DATE: October 30, 2020

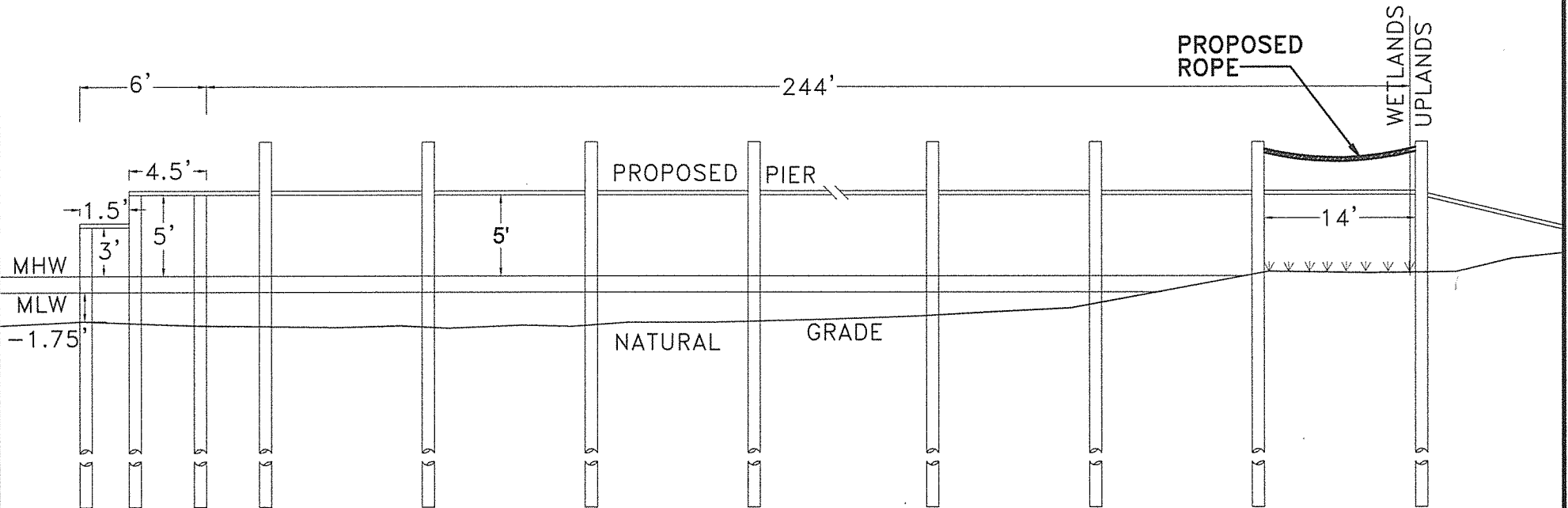
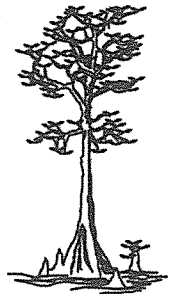
LONGITUDE: 84° 56' 18.95"

SHEET: 4/4

SECTION: 29 TOWNSHIP: 9South

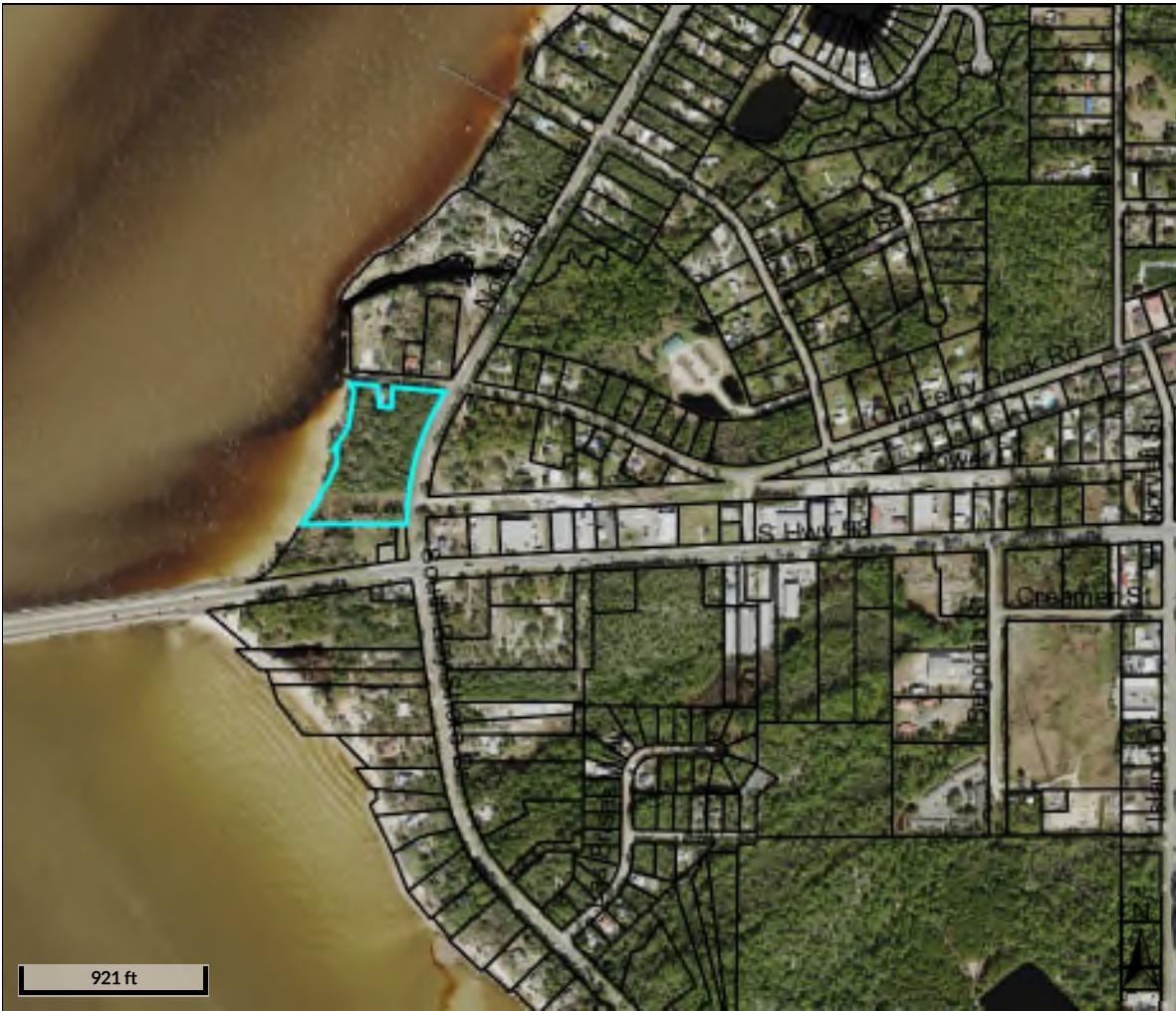
RANGE: 6 West

Cross Section  
of Proposed Pier  
NOT TO SCALE



PILINGS WILL BE PLACED A MINIMUM OF 10' APART  
PILINGS SIZE WILL BE 6 INCHES  
ANY DONUTS/HALOS FORMED DURING LOW PRESSURE JETTING OF PILES WILL BE REMOVED BY HAND

PLANKS WILL BE SPACED 1" APART.  
PROPOSED ROPE WILL BE PLACED IN AREA OF WETLAND



Overview



Legend

-  Parcels
-  Roads
-  City Labels

<b>Parcel ID</b>	36-08S-07W-0000-0090-0000	<b>Alternate ID</b>	07W08S36000000900000	<b>Owner Address</b>	LINDSAY DAVID & ROBERT
<b>Sec/Twp/Rng</b>	36-8S-7W	<b>Class</b>	VACANT		EACH 1/2 INTEREST
<b>Property Address</b>	94 OLD FERRY DOCK	<b>Acreage</b>	n/a		PO BOX 1746
					SARASOTA, FL 34230

**District** 1  
**Brief Tax Description** 5.8 ACRES 2 PARCELS RECD  
 (Note: Not to be used on legal documents)

Date created: 11/23/2020  
 Last Data Uploaded: 11/23/2020 7:49:21 AM

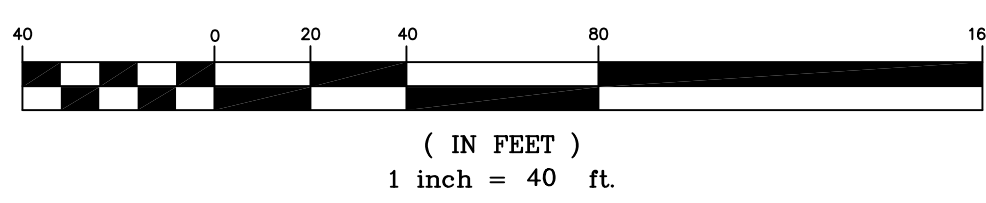
Developed by 



# "THE BLUFFS ON NORTH BAYSHORE"

Parcel ID 36-08S-07W-0000-0090-0000  
 Location Address: 94 OLD FERRY DOCK  
 EASTPOINT, FLORIDA 32328  
 Zoning: R-1 (Residential 1 unit to 1 acres)

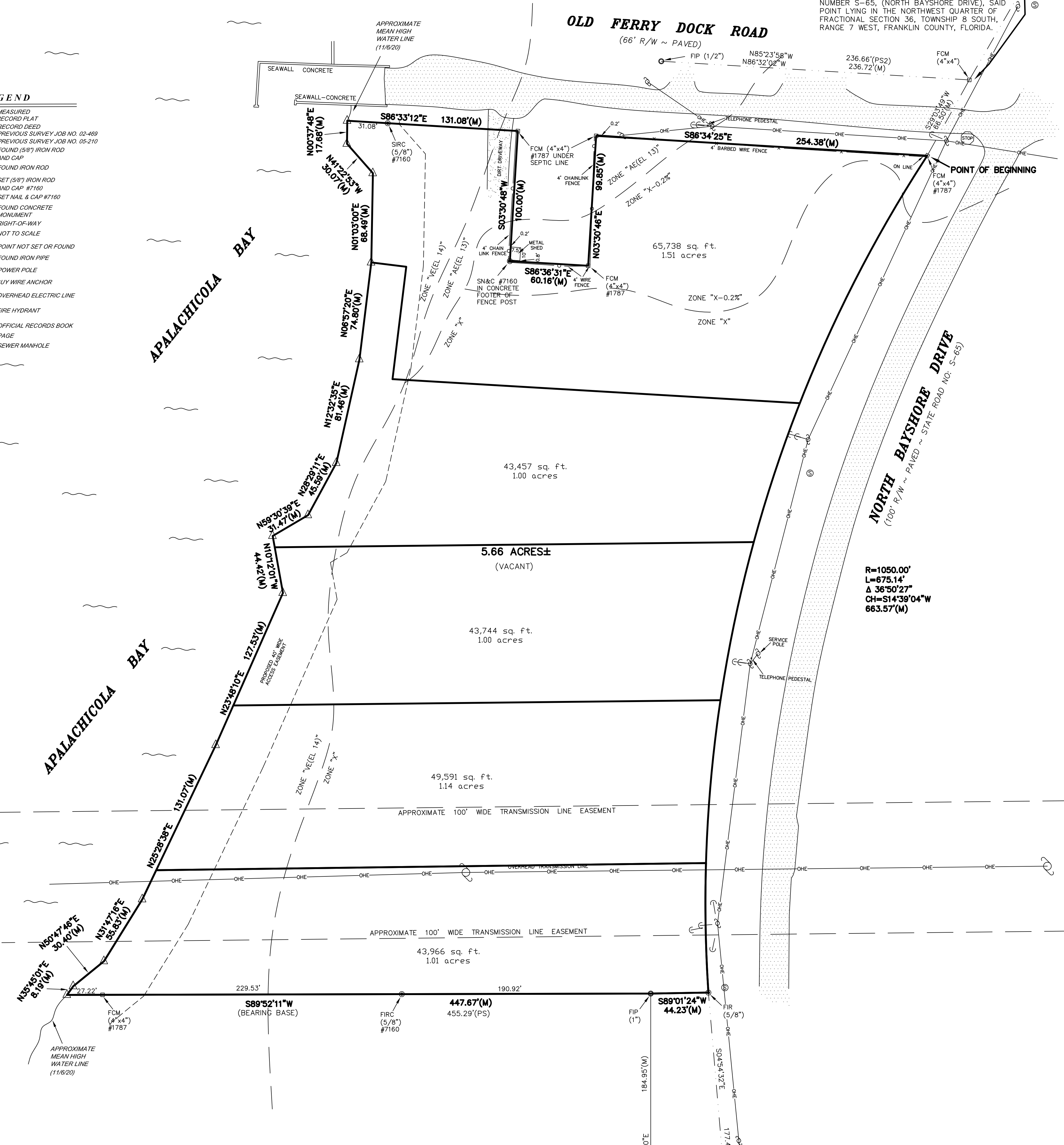
GRAPHIC SCALE



## LEGEND

- M MEASURED
- RP RECORD PLAT
- D RECORD DEED
- PS PREVIOUS SURVEY JOB NO. 02-469
- PS2 PREVIOUS SURVEY JOB NO. 05-210
- FIRC FOUND (S/8") IRON ROD AND CAP
- FIR FOUND IRON ROD
- SIRC SET (S/8") IRON ROD AND CAP #7160
- SMC SET NAIL & CAP #7160
- FCM FOUND CONCRETE MONUMENT
- R/W RIGHT-OF-WAY
- NOT TO SCALE
- POINT NOT SET OR FOUND
- FIP FOUND IRON PIPE
- POWER POLE
- GUY WIRE ANCHOR
- OHE OVERHEAD ELECTRIC LINE
- FIRE HYDRANT
- ORB OFFICIAL RECORDS BOOK
- PG PAGE
- SEWER MANHOLE

**POINT OF COMMENCEMENT:**  
 POINT OF INTERSECTION OF THE NORTHERLY R/W BOUNDARY OF OLD FERRY DOCK ROAD WITH THE WESTERLY R/W BOUNDARY OF STATE ROAD NUMBER S-65, (NORTH BAYSHORE DRIVE), SAID POINT LYING IN THE NORTHWEST QUARTER OF FRACTIONAL SECTION 36, TOWNSHIP 8 SOUTH, RANGE 7 WEST, FRANKLIN COUNTY, FLORIDA.



R=1050.00'  
 L=675.14'  
 Δ 36°50'27\"/>

**LEGAL DESCRIPTION:**  
 Commence at a concrete monument marking the point of intersection of the Northernly right-of-way boundary of Old Ferry Dock Road with the Westernly right-of-way boundary of State Road No. S-65 (North Bayshore Drive), said point lying in the Northwest quarter of Fractional Section 36, Township 8 South, Range 7 West, Franklin County, Florida thence leaving said point of intersection run South 29 degrees 03 minutes 49 seconds West along said Westernly right of way boundary 66.50 feet to a concrete monument (marked 1787) marking a point of intersection with said Westernly right of way boundary with the Southernly right of way boundary of said Old Ferry Dock Road, said point also marking a point of curve concave to the Easterly, said point also marking the POINT OF BEGINNING. From said POINT OF BEGINNING run Southwesterly along said Westernly right of way boundary and said curve with a radius of 1050.00 feet, through a central angle of 36 degrees 50 minutes 27 seconds, for an arc distance of 675.14 feet, chord being South 14 degrees 39 minutes 04 seconds West 663.57 feet to an iron rod, thence leaving said Westernly right of way boundary and said curve run South 89 degrees 01 minute 24 seconds West 44.23 feet to an iron pipe, thence run South 89 degrees 52 minutes 11 seconds West 447.67 feet to the approximate mean high water line of Apalachicola Bay, thence run Northwesterly and Northwesterly along said mean high water line the following thirteen (13) courses: North 35 degrees 45 minutes 01 second East 8.19 feet, North 50 degrees 47 minutes 46 seconds East 30.40 feet, North 31 degrees 47 minutes 16 seconds East 55.63 feet, North 23 degrees 29 minutes 38 seconds East 131.07 feet, North 23 degrees 48 minutes 10 seconds East 127.53 feet, North 10 degrees 12 minutes 01 second West 44.42 feet, North 59 degrees 30 minutes 39 seconds East 31.47 feet, North 28 degrees 29 minutes 11 seconds East 45.59 feet, North 12 degrees 32 minutes 35 seconds East 81.46 feet, North 06 degrees 57 minutes 20 seconds East 74.80 feet, North 01 degree 03 minutes 00 seconds East 68.49 feet, North 41 degrees 22 minutes 53 seconds West 30.07 feet, North 00 degrees 37 minutes 48 seconds East 17.68 feet to a point lying on the Southernly right of way boundary of said Old Ferry Dock Road, thence leaving said mean high water line run South 86 degrees 33 minutes 12 seconds East along said Southernly right of way boundary 131.08 feet to a concrete monument (marked 1787), thence leaving said Southernly right of way boundary run South 03 degrees 30 minutes 48 seconds West 100.00 feet to a nail and cap (marked 7160), thence run South 86 degrees 36 minutes 31 seconds East 60.16 feet to a concrete monument (marked 1787), thence run North 03 degrees 30 minutes 46 seconds East 99.85 feet to a concrete monument (marked 1787) lying on said Southernly right of way boundary, thence run South 86 degrees 34 minutes 25 seconds East along said Southernly right of way boundary 254.38 feet to the POINT OF BEGINNING containing 5.66 acres, more or less.

**EFFECTIVE FLOOD ZONE INFORMATION:**  
 Subject property is located in Zones "X", "X-0.2%", "AE (EL 13)" and "VE (EL 14)" as per Flood Insurance Rate Map Community Panel No: 120088 0532F, index date: February 05, 2014, Franklin County, Florida.

**U.S. HIGHWAY NO. 98**  
 (R/W VARIES ~ PAVED)

- NOTES:**
1. SURVEY SOURCE: Record deed a previous survey by this firm (Job No. 02-469, dated 7/08/14) and a field survey performed by the undersigned surveyor.
  2. BEARING REFERENCE: Southernly boundary of subject parcel being North 88 degrees 48 minutes 12 seconds West as per previous survey mentioned above.
  3. NO IMPROVEMENTS have been located in this survey other than shown hereon.
  4. There are NO VISIBLE ENCROACHMENTS other than those shown hereon.
  5. This survey is dependent upon EXISTING MONUMENTATION.
  6. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
  7. ELEVATIONS depicted hereon were established using NAVD 1988 DATUM.
  8. FLOOD ZONES and SETBACKS depicted hereon are not to be used for construction permitting purposes. All FLOOD ZONES and SETBACKS should be verified by the appropriate County Departments.
  9. See attached sheet for LEGAL DESCRIPTION.

VICINITY MAP (NOT TO SCALE)



I hereby certify that this was performed under my responsible direction and supervision and the plan and description are true and accurate to the best of my knowledge and belief. The survey meets or exceeds the standards for practice for land surveying as established by the Florida Board of Professional Surveyors and Mappers, F.S. 531.05(1)(2).

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of records, unrecorded deeds, easements or other instruments which could affect the boundaries.

JAMES T. RODDENBERRY  
 Surveyor and Mapper  
 Florida Certificate No: 4261

**TR & A THURMAN RODDENBERRY & ASSOCIATES, INC**  
 PROFESSIONAL SURVEYORS AND MAPPERS  
 P.O. BOX 100 • 125 SHILDON STREET • SOPCHOPPY, FLORIDA 32358  
 PHONE NUMBER: 850-962-2518 FAX NUMBER: 850-962-1183  
 LB # 7160

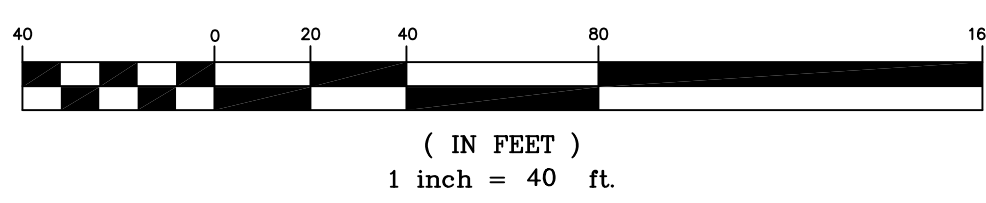
DATE: 11/09/20	DRAWN BY: BB	N.B.640 PG.13	COUNTY: FRANKLIN
FILE: 20908.DWG	DATE OF LAST FIELD WORK: 11/09/20	CHECKED BY:	JOB NUMBER: 20-908



# "THE BLUFFS ON NORTH BAYSHORE"

Parcel ID 36-08S-07W-0000-0090-0000  
 Location Address: 94 OLD FERRY DOCK  
 EASTPOINT, FLORIDA 32328  
 Zoning: R-1 (Residential 1 unit to 1 acres)

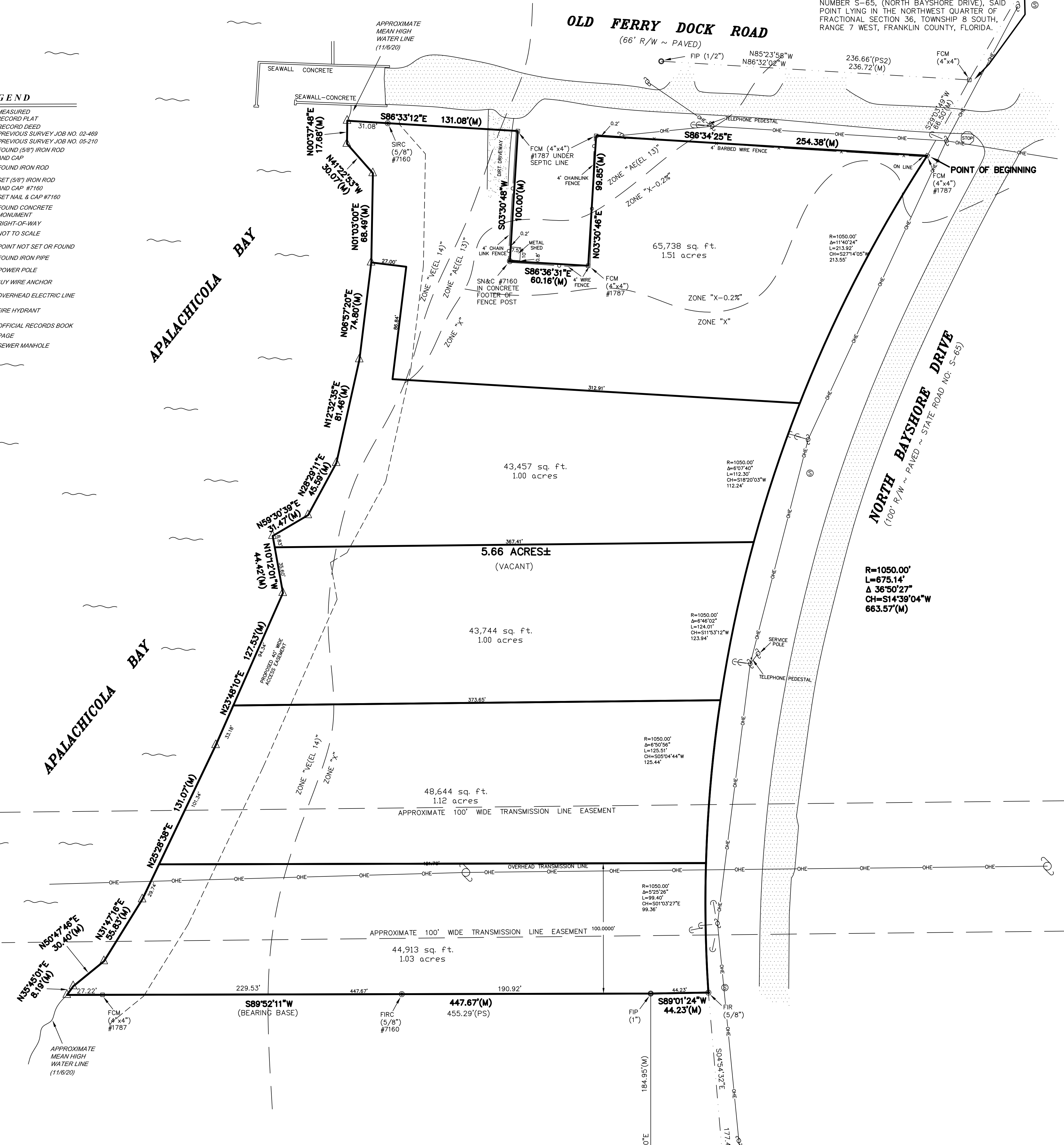
GRAPHIC SCALE



## LEGEND

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- RP RECORD PLAT
- D RECORD DEED
- PS PREVIOUS SURVEY JOB NO. 02-469
- PS2 PREVIOUS SURVEY JOB NO. 05-210
- FIRC FOUND (S/8) IRON ROD AND CAP
- FIR FOUND IRON ROD
- SIRC SET (S/8) IRON ROD AND CAP #7160
- SMSC SET MAIL & CAP #7160
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- R/W RIGHT-OF-WAY
- NOT TO SCALE
- POINT NOT SET OR FOUND
- FIP FOUND IRON PIPE
- POWER POLE
- GUY WIRE ANCHOR
- OHE OVERHEAD ELECTRIC LINE
- FIRE HYDRANT
- ORB OFFICIAL RECORDS BOOK
- PG PAGE
- SEWER MANHOLE

**POINT OF COMMENCEMENT:**  
 POINT OF INTERSECTION OF THE NORTHERLY R/W BOUNDARY OF OLD FERRY DOCK ROAD WITH THE WESTERLY R/W BOUNDARY OF STATE ROAD NUMBER S-65, (NORTH BAYSHORE DRIVE), SAID POINT LYING IN THE NORTHWEST QUARTER OF FRACTIONAL SECTION 36, TOWNSHIP 8 SOUTH, RANGE 7 WEST, FRANKLIN COUNTY, FLORIDA.



R=1050.00'  
 L=675.14'  
 Δ 36°50'27"  
 CH=S14°39'04"W  
 663.57'(M)

**LEGAL DESCRIPTION:**  
 Commence at a concrete monument marking the point of intersection of the Northernly right-of-way boundary of Old Ferry Dock Road with the Westerly right-of-way boundary of State Road No. S-65 (North Bayshore Drive), said point lying in the Northwest quarter of Fractional Section 36, Township 8 South, Range 7 West, Franklin County, Florida thence leaving said point of intersection run South 29 degrees 03 minutes 49 seconds West along said Westerly right of way boundary 66.50 feet to a concrete monument (marked 1787) marking a point of intersection with said Westerly right of way boundary with the Southernly right of way boundary of said Old Ferry Dock Road, said point also marking a point of curve concave to the Easterly, said point also marking the POINT OF BEGINNING. From said POINT OF BEGINNING run Southwesterly along said Westerly right of way boundary and said curve with a radius of 1050.00 feet, through a central angle of 36 degrees 50 minutes 27 seconds, for an arc distance of 675.14 feet, chord being South 14 degrees 39 minutes 04 seconds West 663.57 feet to an iron rod, thence leaving said Westerly right of way boundary and said curve run South 89 degrees 01 minute 24 seconds West 44.23 feet to an iron pipe, thence run South 89 degrees 52 minutes 11 seconds East 447.67 feet to the approximate mean high water line of Apalachicola Bay, thence run Northwesterly and Northwesterly along said mean high water line the following thirteen (13) courses: North 35 degrees 45 minutes 01 second East 8.19 feet, North 50 degrees 47 minutes 46 seconds East 30.40 feet, North 31 degrees 47 minutes 16 seconds East 55.63 feet, North 23 degrees 29 minutes 38 seconds East 131.07 feet, North 23 degrees 48 minutes 10 seconds East 127.53 feet, North 10 degrees 12 minutes 01 second West 44.42 feet, North 59 degrees 30 minutes 39 seconds East 31.47 feet, North 28 degrees 29 minutes 11 seconds East 45.59 feet, North 12 degrees 32 minutes 35 seconds East 81.46 feet, North 06 degrees 57 minutes 20 seconds East 74.80 feet, North 01 degree 03 minutes 00 seconds East 68.49 feet, North 41 degrees 22 minutes 53 seconds West 30.07 feet, North 00 degrees 37 minutes 48 seconds East 17.68 feet to a point lying on the Southernly right of way boundary of said Old Ferry Dock Road, thence leaving said mean high water line run South 86 degrees 33 minutes 12 seconds East along said Southernly right of way boundary 131.08 feet to a concrete monument (marked 1787), thence leaving said Southernly right of way boundary run South 03 degrees 30 minutes 48 seconds West 100.00 feet to a nail and cap (marked 7160), thence run South 86 degrees 36 minutes 31 seconds East 60.16 feet to a concrete monument (marked 1787), thence run North 03 degrees 30 minutes 46 seconds East 99.85 feet to a concrete monument (marked 1787) lying on said Southernly right of way boundary, thence run South 86 degrees 34 minutes 25 seconds East along said Southernly right of way boundary 254.38 feet to the POINT OF BEGINNING containing 5.66 acres, more or less.

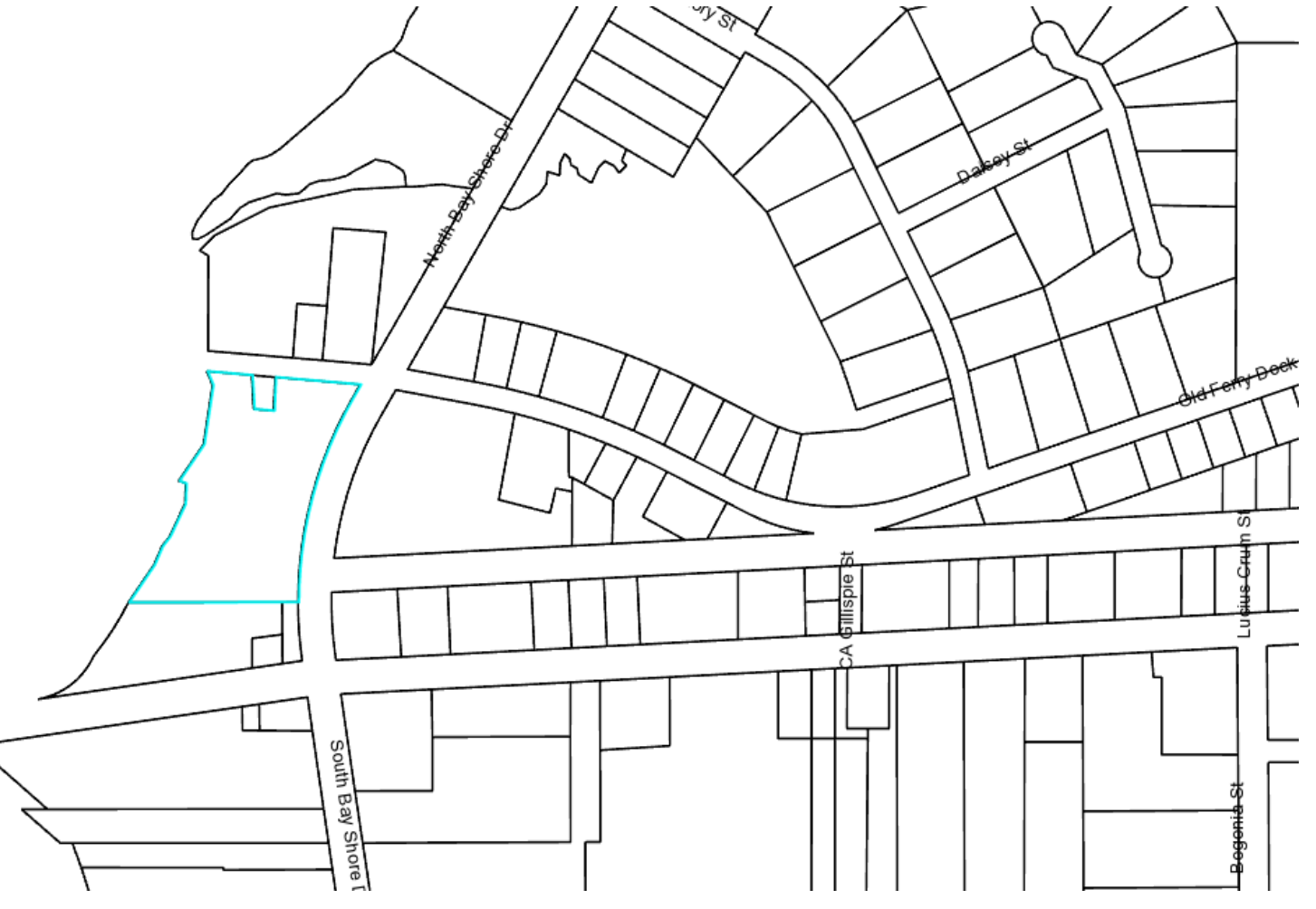
SUBJECT TO: a 100 foot wide Powerline Easement lying over and across the Southernly portion thereof.

**EFFECTIVE FLOOD ZONE INFORMATION:**  
 Subject property is located in Zones "X", "X-0.2%", "AE (EL 13)" and "VE (EL 14)" as per Flood Insurance Rate Map Community Panel No: 120088 0532F, index date: February 05, 2014, Franklin County, Florida.

**U.S. HIGHWAY NO. 98**  
 (R/W VARIES ~ PAVED)

- NOTES:**
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  3. NO IMPROVEMENTS have been located in this survey other than shown hereon.
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  6. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
  7. ELEVATIONS depicted hereon were established using NAVD 1988 DATUM.
  8. FLOOD ZONES and SETBACKS depicted hereon are not to be used for construction permitting purposes. All FLOOD ZONES and SETBACKS should be verified by the appropriate County Departments.
  9. See attached sheet for LEGAL DESCRIPTION.

VICINITY MAP (NOT TO SCALE)

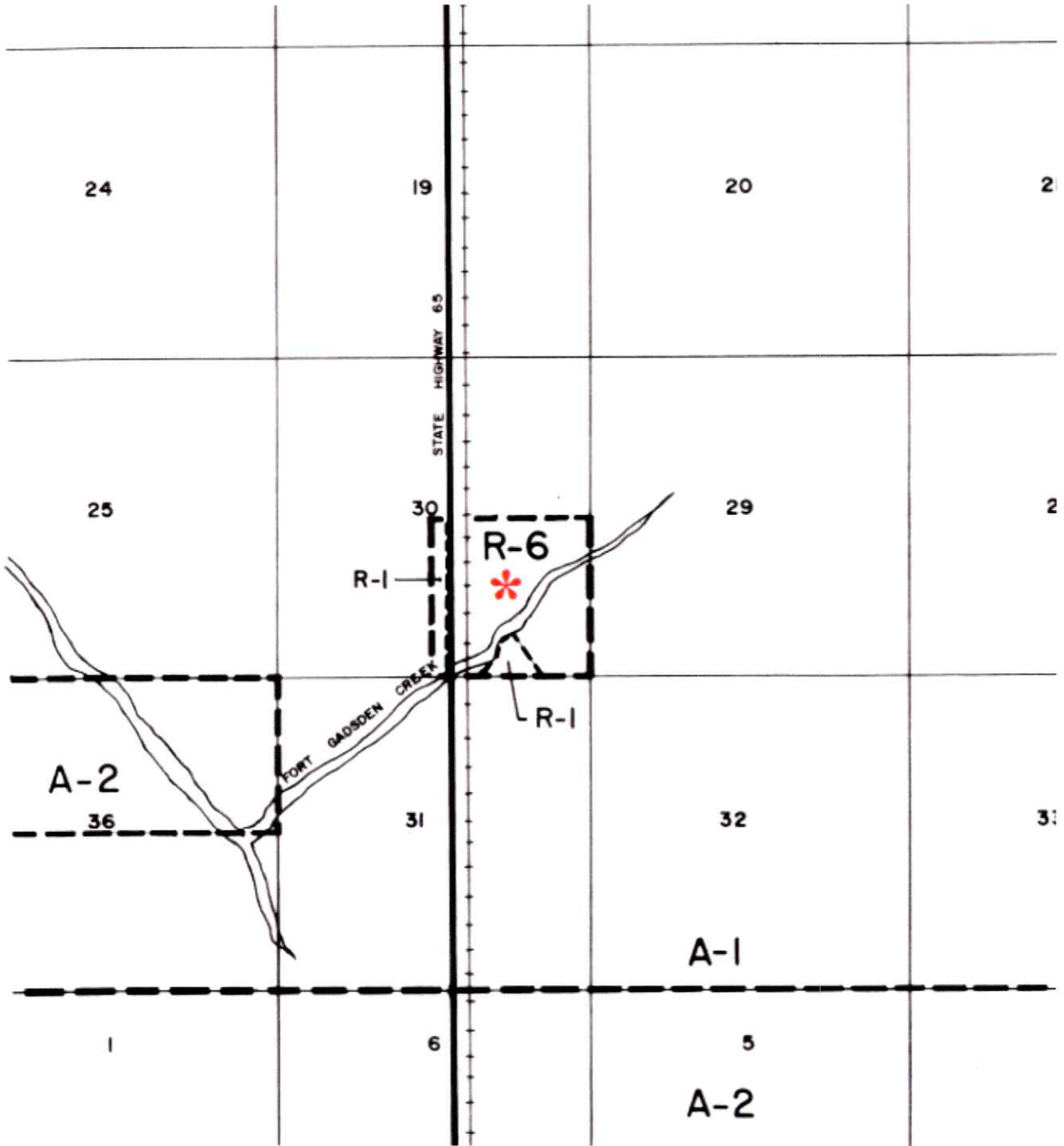


I hereby certify that this was performed under my responsible direction and supervision and the plat and description are true and accurate to the best of my knowledge and belief. The survey meets or exceeds the standards for practice for land surveying as established by the Florida Board of Professional Surveyors and Mappers, F.S.C. 53.17 (05/1/02).

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of records, unrecorded deeds, easements or other instruments which could affect the boundaries.

JAMES T. RODDENBERRY  
 Surveyor and Mapper  
 Florida Certificate No: 4261

<b>TR &amp; A</b>			
<b>THURMAN RODDENBERRY &amp; ASSOCIATES, INC</b>			
PROFESSIONAL SURVEYORS AND MAPPERS			
P.O. BOX 100 • 125 SHILDON STREET • SOPCHOPPY, FLORIDA 32358			
PHONE NUMBER: 850-962-2518		FAX NUMBER: 850-962-1183	
LB # 7160			
DATE: 11/09/20	DRAWN BY: BB	N.B.640 PG.13	COUNTY: FRANKLIN
FILE: 20908.DWG	DATE OF LAST FIELD WORK: 11/09/20	CHECKED BY:	JOB NUMBER: 20-908







# APPLICATION FOR RE-ZONING & LAND USE CHANGE

## FRANKLIN COUNTY BUILDING DEPARTMENT

34 Forbes Street, Suite 1, Apalachicola, Florida 32320

Phone: 850-653-9783 Fax: 850-653-9799

[http://www.franklincountyflorida.com/planning\\_building.aspx](http://www.franklincountyflorida.com/planning_building.aspx)

PROPERTY OWNER'S NAME: Thomas M. Shuler, as trustee of the Alfred O. Shuler, Sr., Trust

MAILING ADDRESS: 34-4th Street City/State/Zip: Apalachicola, FL 32320

PHONE #: 850 653 1757 CELL #: \_\_\_\_\_ EMAIL: Mshuler@shulerlawfl.com

AGENT'S NAME: n/a

MAILING ADDRESS: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

PHONE #: \_\_\_\_\_ CELL #: \_\_\_\_\_ EMAIL: \_\_\_\_\_

PROPERTY DESCRIPTION: 911 Address: 3780 Highway 65, Eastpoint, FL 32328

Lot/s: n/a Block: n/a Subdivision: n/a Unit: n/a

Parcel Identification #: 30-06S-07W-0000-0020-0000

JURISDICTION:  Franklin County

Apalachicola  Eastpoint  St. George Island  Carrabelle  Dog Island  Lanark/ St. James  St. Teresa  Alligator Point

ACREAGE: 20 acres of a 90 acres, M.D.1.

CURRENT ZONING: RL CURRENT LAND USE: Residential

REQUESTED ZONING: RL REQUESTED LAND USE: n/a

LEGAL DESCRIPTION OF THE PROPERTY: (Must Attach Legal Description) Deed attached. OR B953 P149

PLANNING & ZONING DATE: \_\_\_\_\_

RECOMMENDED APPROVAL: \_\_\_\_\_ RECOMMENDED DENIAL: \_\_\_\_\_ RECOMMENDED TO TABLE: \_\_\_\_\_  
CONDITIONS: \_\_\_\_\_

BOARD OF COUNTY DATE: \_\_\_\_\_

RECOMMENDED APPROVAL: \_\_\_\_\_ RECOMMENDED DENIAL: \_\_\_\_\_ RECOMMENDED TO TABLE: \_\_\_\_\_  
CONDITIONS: \_\_\_\_\_

PUBLIC HEARING DATE: \_\_\_\_\_

APPROVED  DENIED  TABLED

CONDITIONS: \_\_\_\_\_

Instructions: Complete application, including proof of ownership in the form of deed, detailed description of request including any necessary information supporting request (site plan/survey) and application fee of \$250.00 for Re-Zoning and \$250.00 for Land Use Change. Return to the following address:

Franklin County  
34 Forbes Street, Suite 1  
Apalachicola, FL 32320

RECEIVED  
OCT 26 2020

BY: ak

over

**FRANKLIN COUNTY, FLORIDA  
REQUIRED ANALYSIS FOR LAND USE OR ZONING CHANGE**

- **Eastpoint Urban Service Area** – Is the property located in the Eastpoint Urban Service Area? **No**
- **Coastal High Hazard Area** – Is the property located in the Coastal High Hazard Area? **No**
- **Critical Shoreline Zone** – Is the property located in the Critical Shoreline Zone? **Yes**
- **Soil Conditions** – Copies of the 1994 Soil Survey of Franklin County are available from the Franklin County Planning Office. **#35 Stilson fine sand on high inland ridges; another map show #1 Albany-Blanton-Stilson. Copies of maps and descriptions attached.**
- **Topography** – What is the topography of the property?  
**See attached Google Earth map - ranges from 19' to 13', before Ft. Gadsden creek, which shows as 13'**
- **Drainage** – Are there any natural drainage features located on the property?  
**Ft. Gadsden Creek**
- **Wetlands** – The only way to definitively know if there are wetlands on the property is to have a qualified individual survey the site for wetlands, but the U. S. Fish and Wildlife Service's National Wetlands Inventory can give a general overview of what potential wetlands might be located on the property. The website can be accessed at: <https://www.fws.gov/wetlands/data/mapper.html>  
**See map - wetlands along Ft. Gadsden Creek**
- **Floodplains** – What flood zone is this property located in? The flood maps for Franklin County can be found at [portal.nfwmdfloodmaps.com](http://portal.nfwmdfloodmaps.com).  
**Map says "A", but it is wrong. See elevations under topography**
- **Potential Wildfire Areas** – Is the property susceptible to wildfires?  
**Level 4 estimated. Map is hard to read.**
- **Historic or Cultural Sites** – Are there any historic or cultural sites located on the property? The Florida Master Site File keeps a list of recorded historic and cultural sites in Florida. They can be reached at 850-245-6440 or [sitefile@dos.myflorida.com](mailto:sitefile@dos.myflorida.com). **Applied for. See attached email.**
- **Endangered Species** – Are there any endangered species located on this property? The Florida Fish and Wildlife Conservation Commission's website showing the location of Bald Eagle nests in the state can be found at: <http://myfwc.maps.arcgis.com/apps/webappviewer/index.html?id=253604118279431984e8bc3ebf1cc8e9> **Checked your website provided as well as [ecos.fwc.gov](http://ecos.fwc.gov) - No critical habitat or bald eagles shown on site.**
- **Traffic Circulation** – How will this development affect traffic on the roads that serve the development? The Florida Department of Transportation traffic counts can be found at <https://tdaappsprod.dot.state.fl.us/fto/> **AADT 1784 at 3780 Hwy. 65, Eastpoint, FL - being intersection Hwy. 65 and Al's Landing Rd.**
- **Affordable Housing** – Will this change increase the supply of affordable housing in Franklin County? **Yes, I think so**



FRANKLIN COUNTY, FLORIDA  
REQUIRED ANALYSIS FOR LAND USE OR ZONING CHANGE

- **Economic Development** – How will this change promote economic development in Franklin County? *It will provide affordable one acre homesites compatible with other surrounding properties presently rezoned to R1.*
- **Water and Sewer** – Will the development be served by central water and sewer or will it be on individual water wells and septic tanks? *Water Wells and Septic or Aerobic tank.*

H-

THIS INSTRUMENT PREPARED BY  
Thomas M. Shuler, Esquire  
Post Office Drawer 850  
Apalachicola, Florida 32329

Send Future Tax Bills To:  
Alfred O. Shuler  
P.O. Box 850  
Apalachicola, Florida 32329

Inst: 200719007102 Date: 11/28/2007 Time: 4:15 PM  
Doc Stamp-Deed: 635.60  
C, Marcia Johnson, Franklin County B: 953 P: 149



Parcel I.D. No: 30-06S-07W-0000-0020-0000

WARRANTY DEED

THIS INDENTURE, Made this 17<sup>th</sup> day of August, 2007, Between **Alfred O. Shuler**, a single man, grantor, whose address is P.O. Box 850, Apalachicola, Florida, 32329, and **Thomas M. Shuler and J. Gordon Shuler, as Co-Trustees of the Alfred O. Shuler Irrevocable Trust dated May 4, 2004**, grantee, with the power to sell, convey, grant or mortgage and property, as provided in said trust, whose address is P.O. Box 850, Apalachicola, Florida, 32329 .

WITNESSETH, That said grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00)-----, and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold grantee, and grantee's heirs and assigns forever a twelve percent interest in, the following described land, situate, lying and being in Franklin County, Florida, to-wit:

**Commence at the Southeast corner of section 30, Township 6 South, Range 7 West, in Franklin County, Florida, and run North along the east line of said section 30 to the Northeast corner of the Southeast Quarter of said section 30, which is the point of beginning of the parcel herein conveyed. Turn left and run thence West along the quarter-section line to the East boundary of State Road 65. Turn left and run thence Southerly along the East boundary of State Road 65 to the center line of Fort Gadsden Creek. Turn left and meander the center line of Fort Gadsden Creek to the East line of section 30, thence turn left and run North along the East line of section 30 to the POINT OF BEGINNING. Being all of the Southeast Quarter of said section 30 East of State Road 65 that is North of the center line of Fort Gadsden Creek.**

*as*

H-

LEGAL DESCRIPTION FURNISHED BY PARTIES AND NOT VERIFIED BY DRAFTER

THIS DOCUMENT PREPARED WITHOUT BENEFIT OF TITLE SEARCH OR SURVEY AND IS BASED SOLELY ON FACTS PROVIDED BY EITHER OF THE PARTIES OR AGENT.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

\*"Grantor" and "grantee" are used for singular or plural, as the context requires.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Alfred O. Shuler (SEAL)  
ALFRED O. SHULER

Signed, sealed and delivered in our presence:

Deborah J. Shiver  
Signature of Witness

Deborah J. Shiver  
Name of Witness  
(Must be typed or printed.)

Melissa Abercrombie  
Signature of Witness

Melissa Abercrombie  
Name of Witness  
(Must be typed or printed.)

STATE OF FLORIDA  
COUNTY OF FRANKLIN

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of August, 2007, by **Alfred O. Shuler** who is either () personally known to me or () produced a valid driver's license as identification and who did not take an oath.



Deborah J. Shiver  
Notary Public, State of Florida.  
My Commission Expires:



## Request for Determination of Historic or cultural sites at 3780 Highway 65, Eastpoint, Florida.

From: Thomas Shuler (mshuler@shulerlawfl.com)

To: sitefile@dos.myflorida.com

Date: Monday, October 26, 2020, 02:17 PM EDT

Good Afternoon:

I am applying for a permit in Franklin County, Florida to rezone approximately 20 acres of land along Ft. Gadsden Creek at 3780 Highway 65, Eastpoint, Florida. Franklin County has required that I contact your office to determine whether there are any historic or cultural sites associated with this address.

If it helps, the parcel ID Number for the property is 30-06S-07W-0000-002-00000

The township, range and section are: Township 6 South, Range 7 West, fractional section 30 east of Highway 65 and North of Fort Gadsden Creek, Franklin County, Florida.

Please advise whether there are any historic or cultural sites associated with this location before Franklin County's Planning and Zoning Commission convenes on December 8, 2020.

Sincerely,

Michael Shuler  
34 4th Street  
Apalachicola, Florida 32320  
850-653-1757



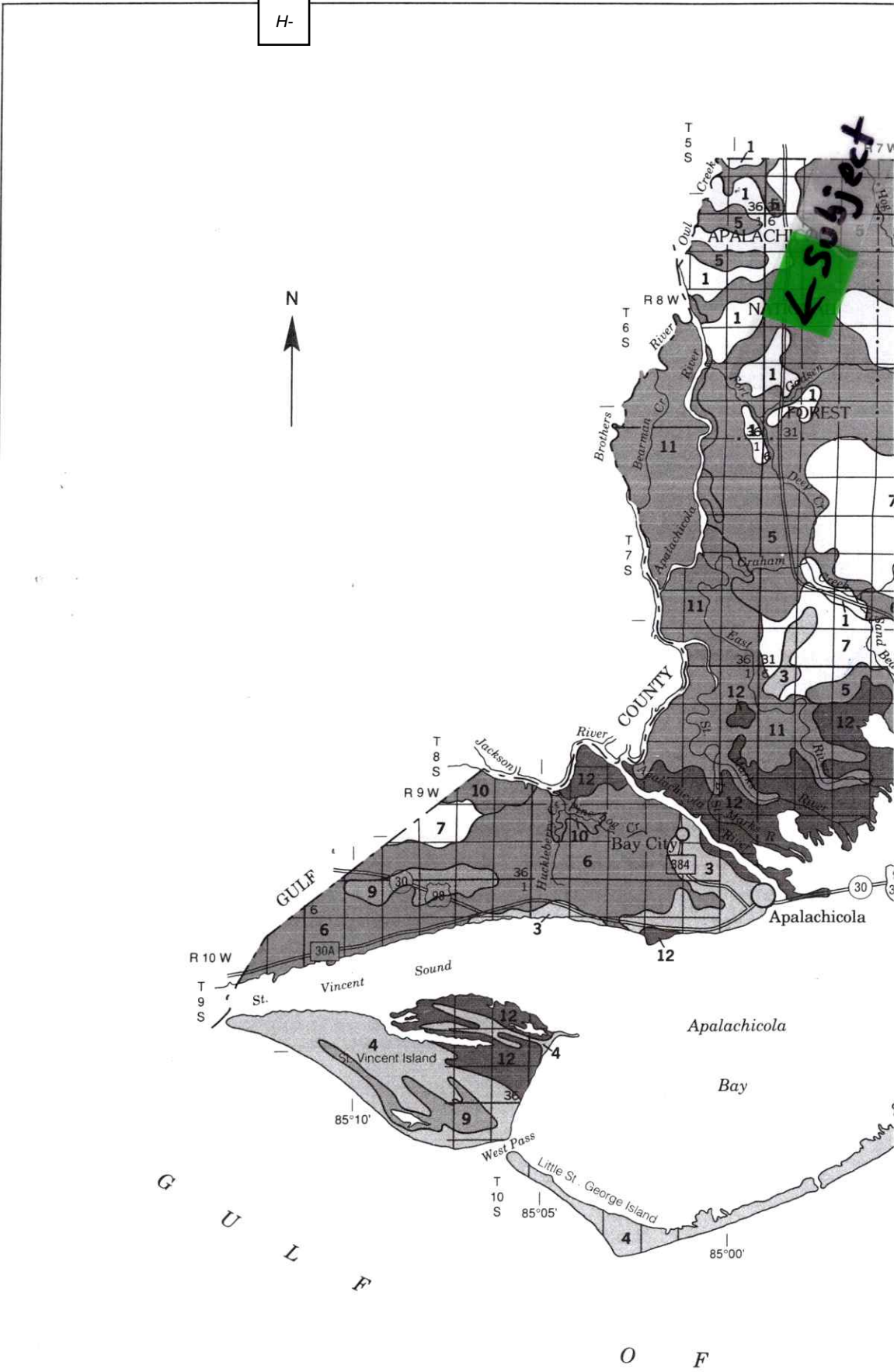
H-

R. 8 W. | R. 7 W.

1:645,000 FEET







Each area outlined on this map consists of more than one kind of soil. The map is thus meant for general planning rather than a basis for decisions on the use of specific tracts.

# General Soil Map Units

The general soil map at the back of this publication shows broad areas that have a distinctive pattern of soils, relief, and drainage. Each map unit on the general soil map is a unique natural landscape. Typically, it consists of one or more major soils and some minor soils. It is named for the major soils. The soils making up one unit can occur in another but in a different pattern.

The general soil map can be used to compare the suitability of large areas for general land uses. Areas of suitable soils can be identified on the map. Likewise, areas where the soils are not suitable can be identified.

Because of its small scale, the map is not suitable for planning the management of a farm or field or for selecting a site for a road or a building or other structure. The soils in any one map unit differ from place to place in slope, depth, drainage, and other characteristics that affect management.

## Soils of the Low Uplands and High Flatwoods

The soils in this group are somewhat poorly drained and moderately well drained and are nearly level or gently sloping. They are in the northwestern part of the county, west of State Road 65 and east of the Apalachicola River.

### 1. Albany-Blanton-Stilson

*Nearly level or gently sloping, somewhat poorly drained and moderately well drained soils that are sandy and loamy or are sandy and have a loamy subsoil that contains plinthite*

This map unit consists of soils on ridges of knolls in the low uplands and in the flatwoods. It occurs as several closely scattered areas in the northwestern part of the county, dominantly west of State Road 65 and east of the Apalachicola River. Individual areas are blocky or irregular in shape.

The landscape is dominantly nearly level or gently sloping. Scattered drainageways, swamps, and flatwoods are common in most areas. The natural vegetation is mostly slash pine, longleaf pine, and

mixed oak trees and an understory of saw palmetto, woody shrubs, and grasses.

This map unit makes up about 5,800 acres, or about 2 percent of the total acreage. It is about 40 percent Albany soils, 20 percent Blanton soils, 14 percent Stilson soils, and 26 percent soils of minor extent.

Albany soils are nearly level and somewhat poorly drained. Typically, the surface layer is dark gray fine sand about 8 inches thick. The subsurface layer is fine sand about 42 inches thick. The upper 14 inches is grayish brown and pale brown. The lower 28 inches is light gray. The upper 12 inches of the subsoil is light brownish gray sandy loam. The lower part to a depth of 80 inches or more is light brownish gray sandy clay loam.

Blanton soils are nearly level and gently sloping and are moderately well drained. Typically, the surface layer is gray fine sand about 6 inches thick. The subsurface layer is fine sand about 66 inches thick. The upper 25 inches is light yellowish brown. The next 30 inches is very pale brown. The lower 11 inches is light gray. The subsoil extends to a depth of 80 inches or more. It is light yellowish brown sandy loam that has many light gray, strong brown, and yellowish red mottles.

Stilson soils are nearly level and moderately well drained. Typically, the surface layer is gray fine sand about 7 inches thick. The subsurface layer is fine sand about 25 inches thick. The upper 6 inches is light yellowish brown. The lower 19 inches is very pale brown and has a few brownish yellow mottles. The upper part of the subsoil, to a depth of about 43 inches, is yellowish brown fine sandy loam that has a few very pale brown mottles. The next 16 inches is yellowish brown sandy clay loam that has very pale brown and light brownish gray mottles and is 5 to 8 percent plinthite. The lower part to a depth of 80 inches or more is sandy clay loam that is mottled in shades of brown, red, and gray.

Of minor extent in this unit are Leefield, Lynchburg, Ortega, Pelham, Plummer, Ridgewood, and Sapelo soils.

Most areas of this unit lie within the Apalachicola



National Forest. They are managed for the production of pine trees, as wildlife habitat, and for recreational uses.

### Soils of the Sand Ridges and Coastal Islands

The soils in this group are excessively drained, moderately well drained, and poorly drained and are nearly level to strongly sloping. They are mainly on coastal ridges, on recent and remnant dunes, and in narrow areas of flatwoods. They are on the coastal islands, on the mainland coast, and in the eastern part of the county on St. James Island, east of Highway 319.

### 2. ~~Kershaw-Ortega-Ridgewood~~

*Nearly level to strongly sloping, excessively drained, moderately well drained, and somewhat poorly drained soils that are sandy throughout*

This map unit consists of soils on high sandy ridges and side slopes. It is in the extreme eastern part of the county and occurs mainly as one large area extending from east of U.S. Highway 319 to the county's north-south segment of U.S. Highway 98. Several smaller areas are along the Gulf Coast and near the Ochlockonee River where it is crossed by U.S. Highway 319.

The landscape is nearly level to strongly sloping. Some areas are interspersed with small depressions and small areas of flatwoods. The natural vegetation consists of longleaf pine, sand pine, slash pine, turkey oak, and scrub live oak and an understory of wiregrass and rosemary. Saw palmetto is scattered throughout the unit but is more abundant in areas of the Ridgewood soils.

This map unit makes up about 11,200 acres, or about 3 percent of the total acreage. It is about 50 percent Kershaw soils, 25 percent Ortega soils, 22 percent Ridgewood soils, and 3 percent soils of minor extent.

Kershaw soils are gently sloping to strongly sloping and are excessively drained. Typically, the surface layer is light gray sand about 5 inches thick. Below this, to a depth of about 58 inches, is light yellowish brown fine sand. The next layer to a depth of 80 inches or more is very pale brown fine sand that has small patches of white, clean sand grains.

Ortega soils are nearly level and gently sloping and are moderately well drained. Typically, the surface layer is grayish brown fine sand about 5 inches thick. Below this is fine sand. The upper 38 inches is brownish yellow. The next 20 inches is very pale brown and has light gray and strong brown mottles. The lower part to a depth of 80 inches or more is light gray and has strong brown and reddish yellow mottles.

Ridgewood soils are nearly level and gently sloping and are somewhat poorly drained. Typically, the surface layer is gray sand about 5 inches thick. Below this is sand. The upper 29 inches is brownish yellow and has light gray mottles. The next 30 inches is very pale brown and has strong brown and brownish yellow mottles. The lower part to a depth of 80 inches or more is light brownish gray and brown.

Of minor extent in this unit are Kureb, Leon, Mandarin, Resota, Rutlege, and Scranton soils.

Most areas of this unit support natural vegetation or are used for the commercial production of pine trees.

### 3. ~~Mandarin-Resota-Leon~~

*Nearly level or gently sloping, poorly drained to moderately well drained soils that are sandy throughout; some are stained with organic matter between depths of 10 and 40 inches*

This map unit consists of soils on the sandy ridge on the mainland along the gulf and coastal bays. It occurs as several narrow, nearly continuous areas broken by rivers and coastal marshes.

The landscape consists of nearly level or gently sloping ridges along the coastline. The natural vegetation consists of sand pine, slash pine, Chapman oak, myrtle oak, turkey oak, and scrub live oak and an understory of woody shrubs, grasses, and saw palmetto.

This map unit makes up about 15,800 acres, or about 5 percent of the total acreage. It is about 30 percent Mandarin soils, 25 percent Resota soils, 20 percent Leon soils, and 25 percent soils of minor extent.

Mandarin soils are nearly level and somewhat poorly drained. Typically, the surface layer is gray fine sand about 4 inches thick. Below this, to a depth of about 25 inches, is light gray fine sand. The subsoil is fine sand about 9 inches thick. It is dark reddish brown grading to dark brown. The substratum is fine sand. The upper 27 inches is brown. The lower part to a depth of 80 inches or more is white and has light yellowish brown and brownish yellow mottles.

Resota soils are nearly level and gently sloping and are moderately well drained. Typically, the surface layer is gray fine sand about 3 inches thick. The subsurface layer, to a depth of about 22 inches, is white fine sand. The subsoil is fine sand and has organic stains at its upper boundary. The upper 22 inches is brownish yellow. The lower 14 inches is yellow and has reddish yellow mottles. The substratum to a depth of 80 inches or more is very pale brown fine sand that has reddish yellow mottles.

Leon soils are nearly level and poorly drained.



Typically, the surface layer is black fine sand about 12 inches thick. The subsurface layer is fine sand about 22 inches thick. The upper 16 inches is dark grayish brown, and the lower 6 inches is grayish brown. The subsoil extends to a depth of 80 inches or more. It is gray sandy loam that grades to sandy clay loam.

Included with this soil in mapping are small areas of Pelham, Plummer, and Rutlege soils. The very poorly drained Rutlege soils are in landscape positions similar to those of the Surrency soil. The poorly drained Pelham and Plummer soils are in the higher areas in the flatwoods and on slight knolls. Also included are soils that have a loamy subsoil below a depth of 40 inches and soils that have a surface layer of muck or mucky sand. These soils are poorly drained and are in landscape positions similar to those of the Surrency soil.

On 80 percent of the acreage mapped as Surrency fine sand, Surrency and similar soils make up 77 to 100 percent of the mapped areas.

The Surrency soil has a seasonal high water table within a depth of 6 inches for 5 months or more in most years. The available water capacity is low in the surface and subsurface layers and moderate in the subsoil. Permeability is rapid or moderately rapid in the surface and subsurface layers and moderate in the subsoil. The content of organic matter is moderate or high in the surface layer and low in the subsurface layer and the subsoil. Natural fertility is high.

Most areas support natural vegetation or are used for the production of pine trees. The natural vegetation consists of slash pine, black titi, swamp cyrilla, cypress, sweetbay, and blackgum and an understory of shrub-sized titi, St Johnswort, and pitcherplant.

This soil is poorly suited to cultivated crops because of the wetness. The number of adapted crops that can be grown is limited unless intensive management practices are applied. A water-control system removes excess water during wet periods. Incorporating crop residue, including that of soil-improving crops, into the soil increases the content of organic matter. Seedbed preparation should include bedding of rows. Applications of fertilizer and lime can increase crop yields.

This soil is poorly suited to pasture and hay. A surface water management system helps to overcome the wetness. Applications of fertilizer and the proper selection of adapted grasses and legumes increase yields. Proper stocking rates, pasture rotation, and restricted grazing during wet periods help to keep the pasture in good condition.

This soil is generally not used for range.

This soil is generally not used for commercial production of pine trees. It is limited mainly by the

seasonal wetness, which can increase the seedling mortality rate, restrict the use of equipment, and cause plant competition. Potential productivity is medium or high for slash pine and loblolly pine and low for longleaf pine. Site preparation, such as chopping, burning, and bedding, removes debris, minimizes plant competition, facilitates planting, and reduces the seedling mortality rate. Using special equipment, such as rubber-tired or crawler machinery, and harvesting during dry periods minimize soil compaction and root damage during thinning activities. Using a harvesting system that leaves plant debris distributed over the site helps to maintain the content of organic matter.

This soil is poorly suited to use as a site for homes, small commercial buildings, and local roads and streets because of the wetness. On sites for septic tank absorption fields, mounding increases the depth to the seasonal high water table and thus helps to overcome the wetness. If adequate outlets are available, a drainage system can lower the water table. Adding suitable fill to elevate roadbeds and building sites helps to overcome the wetness. Installing a drainage system and selecting adapted species can help to establish lawn grasses and landscaping plants.

If areas of this soil are developed for recreational uses, such as playgrounds, picnic areas, and paths or trails, stabilizing the sandy surface layer by adding suitable topsoil or some other material helps to prevent excessive erosion.

The capability subclass is Vlw. The woodland ordination symbol is 11W.

**\* 35—Stilson fine sand.** This moderately well drained, nearly level soil is on high inland ridges and knolls. Slopes range from 0 to 3 percent. Individual areas are elongated or irregularly shaped and range from 3 to 50 acres in size.

Typically, the surface layer is fine sand about 13 inches thick. The upper 7 inches is gray, and the lower 6 inches is light yellowish brown. The subsurface layer is about 19 inches of very pale brown fine sand that has few brownish yellow mottles. The subsoil extends to a depth of 80 inches or more. The upper 11 inches is yellowish brown fine sandy loam that has few very pale brown mottles. The next 16 inches is yellowish brown sandy clay loam that has very pale brown and light brownish gray mottles and contains 5 to 8 percent plinthite. The lower 21 inches or more is mottled brown, red, and gray sandy clay loam.

Included with this soil in mapping are small areas of Blanton and Leefield soils and small areas of soils that are similar to the Blanton soils but contain plinthite. The moderately well drained Blanton soils are in landscape positions similar to those of the Stilson soil. Also



included are soils that are similar to the Stilson soil but have a loamy subsoil within a depth of 20 inches or do not contain plinthite. These soils are in landscape positions similar to those of the Stilson soil.

On 80 percent of the acreage mapped as Stilson fine sand, Stilson and similar soils make up 79 to 100 percent of the mapped areas.

The Stilson soil has a seasonal high water table at a depth of 30 to 42 inches for 1 to 4 months in most years. The water table can be perched above the subsoil for short periods after heavy rains during any part of the year. The available water capacity is low in the surface layer and moderate in the subsoil. Permeability is rapid in the surface and subsurface layers and moderate in the subsoil. The content of organic matter is low, and natural fertility is medium.

Most areas are used for the production of pine trees. The natural vegetation consists of live oak and longleaf pine and an understory of wiregrass, ferns, huckleberry, and scattered saw palmetto.

This soil is moderately suited to cultivated crops. Using an irrigation system may improve the production of some crops by helping to overcome the potential droughtiness during extended dry periods. Applications of fertilizer can increase crop yields. Returning all crop residue to the soil and using a cropping system that includes grasses, legumes, or grass-legume mixtures help to maintain fertility and tilth.

This soil is well suited to pasture and hay. Proper stocking rates and pasture rotation help to keep the pasture in good condition. Forage plants include longleaf uniola, low panicum, low paspalum, switchgrass, and lopsided indiagrass. If the range deteriorates because of poor management practices, the site is dominated by hardwoods and an understory of undesirable range species.

This soil is generally not used for range.

This soil is well suited to the production of pine trees. The main management concern is the occasional droughtiness, which contributes to seedling mortality. Potential productivity is high for slash pine and medium for longleaf pine. Slash pine grows best with an adequate supply of phosphorus. Site preparation, such as chopping and applying herbicide, helps to control competing vegetation and facilitates mechanical planting. Using a harvesting system that leaves debris distributed over the site helps to maintain the content of organic matter.

This soil is only moderately suited to homesite development because of the seasonal wetness and the occasional droughtiness. It is well suited to use as a site for small commercial buildings and local roads and streets. On sites for septic tank absorption fields, mounding increases the depth to the seasonal high

water table and thus helps to overcome the wetness. Mulching, applying fertilizer, and using an irrigation system help to establish lawn grasses and other small-seeded plants.

If areas of this soil are developed for recreational uses, such as playgrounds, picnic areas, and paths or trails, stabilizing the sandy surface layer by adding suitable topsoil or some other material helps to prevent excessive erosion.

The capability subclass is llw. The woodland ordination symbol is 12W.

### ~~36—Pickney-Pamlico complex, depressional.~~

These very poorly drained, nearly level soils are in depressions, freshwater swamps, and poorly defined drainageways. Slopes are generally less than 1 percent. Individual areas are nearly round or are irregularly shaped and range from 10 to several thousand acres in size. They are about 45 percent Pickney soil and 40 percent Pamlico soil.

Typically, the surface layer of the Pickney soil is about 41 inches of black and very dark brown sand that has pockets of gray sand. Below this to a depth of 80 inches or more is grayish brown and light brownish gray sand.

Typically, the surface layer of the Pamlico soil is muck about 27 inches thick. The upper 5 inches is dark brown, and the lower 22 inches is very dark brown. The next layer is about 19 inches of black mucky sand. Below this to a depth of 80 inches or more is sand. The upper 8 inches is very dark grayish brown, and the lower 26 inches or more is grayish brown.

Included with these soils in mapping are small areas of Dorovan, Lynn Haven, Maurepas, Rutlege, and Scranton soils. Also included are soils that are similar to the Pamlico soil but have a loamy substratum. The very poorly drained Dorovan and Maurepas soils are in landscape positions similar to those of the Pickney and Pamlico soils. The very poorly drained Rutlege and Scranton soils are on slightly elevated flats. The poorly drained Lynn Haven and Scranton soils are on low ridges and flats.

On 95 percent of the acreage mapped as Pickney-Pamlico complex, depressional, Pickney, Pamlico, and similar soils make up 89 to 100 percent of the mapped areas.

The Pickney and Pamlico soils have a seasonal high water table within a depth of 18 inches for as much as 5 months each year. The water table is generally within a depth of less than 6 inches for the rest of most years. The available water capacity ranges from very low to very high in the Pamlico soil and from very low to moderate in the Pickney soil. Permeability ranges from moderate to rapid in both soils. The content of organic



# Ft. Gadnden Creek Elevations - per Google Earth

Write a description for your map.

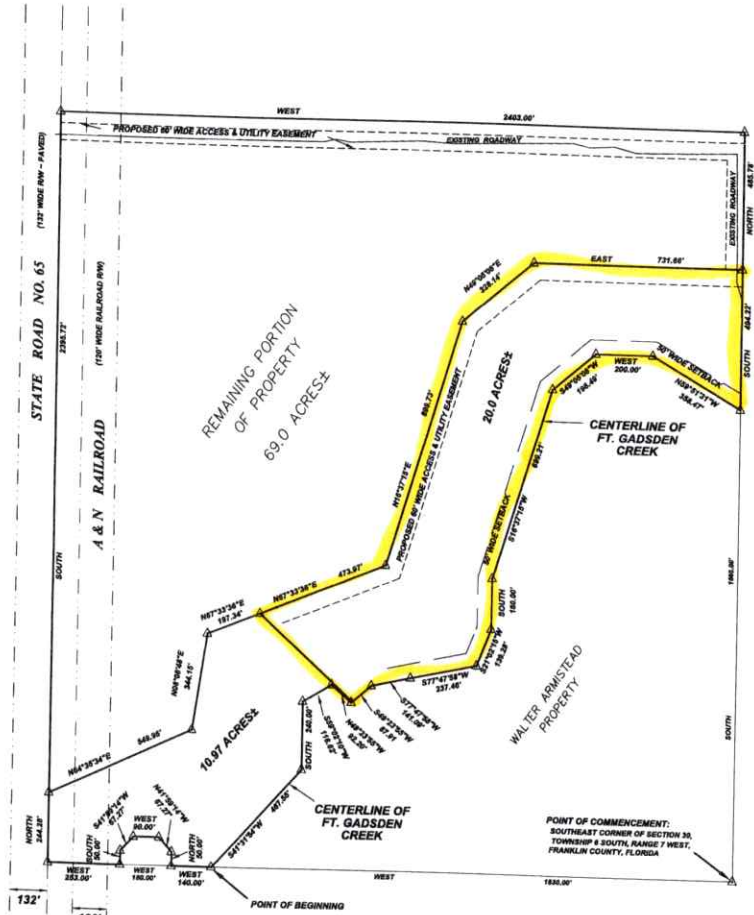
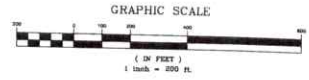
H-

Legend





H-



I hereby certify that this was performed under my responsible direction and supervision and the plat and description are true and accurate to the best of my knowledge and belief. The survey made is complete in accordance with the standards for public land surveying as established by the Florida Board of Professional Surveyors and Mappers P.A.C. 8A17.08(1)(2).

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or ownership in the subject property. It is possible there are deeds of record, unrecorded deeds, easements or other instruments which could affect the boundaries.

JAMES T. RODDENBERRY  
Surveyor and Mapper  
Florida Certificate No. 4381

**NOTES:**

1. SKETCH SOURCE: Deed of record, a previous survey performed by this firm (03-121, dated 1/5/05) and special instructions as per client.
2. BEARING REFERENCE: Southerly boundary of subject parcel being West as per deed.
3. This is NOT A BOUNDARY SURVEY.
4. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
5. See attached sheet for legal description.

<b>REVISIONS:</b> No. Description 1. 10/23/20 2. 10/23/20 3. 10/23/20 4. 10/23/20 5. 10/23/20 6. 10/23/20 7. 10/23/20 8. 10/23/20 9. 10/23/20 10. 10/23/20	<b>LEGEND:</b> 1. 10/23/20 2. 10/23/20 3. 10/23/20 4. 10/23/20 5. 10/23/20 6. 10/23/20 7. 10/23/20 8. 10/23/20 9. 10/23/20 10. 10/23/20	DATE: 10/23/20	FIELD BOOK PAGE	DRAWING NAME: 03121A.DWG	CLIENT: THOMAS SHULER	<b>TR &amp; A</b> <b>THURMAN RODDENBERRY &amp; ASSOCIATES, INC</b> PROFESSIONAL SURVEYORS AND MAPPERS P.O. BOX 100 • 125 SHELDON STREET • SOPCHOPPY, FLORIDA 32358 PHONE NUMBER: 850-963-2038 FAX NUMBER: 850-963-1103 U.S. # 7160	JOB NO. 03-121
		DATE OF LAST FIELD WORK:	COUNTY: FRANKLIN	DRAWN BY: MMD	SHEET NO. 1 OF 1		


**U.S. Fish and Wildlife Service**  
**National Wetlands Inventory**

Wetlands



October 26, 2020

**Wetlands**

- |   |                                |   |                                   |   |          |
|---|--------------------------------|---|-----------------------------------|---|----------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland       |  | Lake     |
|  | Estuarine and Marine Wetland   |  | Freshwater Forested/Shrub Wetland |  | Other    |
|   |                                |  | Freshwater Pond                   |  | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)  
 This page was produced by the NWI mapper





### Wetlands



October 26, 2020

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National Wetlands Inventory (NWI)  
This page was produced by the NWI mapper





**This record search is for informational purposes only and does NOT constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does NOT provide project approval from the Division of Historical Resources. Contact the Compliance and Review Section of the Division of Historical Resources at [CompliancePermits@dos.MyFlorida.com](mailto:CompliancePermits@dos.MyFlorida.com) for project review information.**

October 26, 2020

Michael Shuler  
34 4th Street  
Apalachicola, Florida 32320  
850-653-1757



In response to your request of October 26, 2020, the Florida Master Site File lists no cultural resources recorded for Township 6 South, Range 7 West, fractional section 30 east of Highway 65 and North of Fort Gadsden Creek, Franklin County, Florida.

When interpreting the results of this search, please consider the following information:

- **This search area may contain *unrecorded* archaeological sites, historical structures or other resources even if previously surveyed for cultural resources.**
- **Because vandalism and looting are common at Florida sites, we ask that you limit the distribution of location information on archaeological sites.**
- **While many of our records document historically significant resources, the documentation of a resource at the Florida Master Site File does not necessarily mean the resource is historically significant.**
- **Federal, state and local laws require formal environmental review for most projects. This search DOES NOT constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333.**

#

Please do not hesitate to contact us if you have any questions regarding the results of this search.

Kind Regards,

Eman M. Vovsi, Ph.D.  
Sr. Data Base Analyst  
Florida Master Site File  
[Eman.Vovsi@DOS.MyFlorida.com](mailto:Eman.Vovsi@DOS.MyFlorida.com)



H-



Gadsden Creek Over...

FT. GADSDEN WEEDEN SITE

USES 92-37, APALACH

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



1-



Overview



Legend

- Parcels
- Roads
- City Labels

<b>Parcel ID</b>	10-06S-03W-0000-0010-0050	<b>Alternate ID</b>	03W06S10000000100050	<b>Owner Address</b>	BB&G RESORTS LLC
<b>Sec/Twp/Rng</b>	10-6S-3W	<b>Class</b>	TIMBERLAND		1219 EAST NORTH STREET
<b>Property Address</b>		<b>Acreage</b>	41.64		TAMPA, FL 33604
<b>District</b>	1				
<b>Brief Tax Description</b>	41.64 AC M/L POB NE2856.52				

(Note: Not to be used on legal documents)

Date created: 6/29/2020  
 Last Data Uploaded: 6/29/2020 7:42:19 AM

Developed by  Schneider  
 GEOSPATIAL





**APPLICATION FOR RE-ZONING & LAND USE CHANGE**  
**FRANKLIN COUNTY BUILDING DEPARTMENT**  
34 Forbes Street, Suite 1, Apalachicola, Florida 32320  
Phone: 850-653-9783 Fax: 850-653-9799  
[http://www.franklincountyflorida.com/planning\\_building.aspx](http://www.franklincountyflorida.com/planning_building.aspx)

PROPERTY OWNER'S NAME: BB + G Resorts LLC  
MAILING ADDRESS: 1219 EAST North ST City/State/Zip: Tampa, Florida, 33604  
PHONE #: \_\_\_\_\_ CELL #: 713-858-7051 EMAIL: westgccc@gmail.com

AGENT'S NAME: Gary West + William McKinney  
MAILING ADDRESS: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
PHONE #: \_\_\_\_\_ CELL #: \_\_\_\_\_ EMAIL: \_\_\_\_\_

**PROPERTY DESCRIPTION:** 911 Address: 471 McIntyre Road Sopchoppy Florida 32358  
Lot/s: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Unit: \_\_\_\_\_  
Parcel Identification #: 10-06S-03W-0000-0010-0050

**JURISDICTION:**  Franklin County  
 Apalachicola  Eastpoint  St. George Island  Carrabelle  Dog Island  Lanark/ St. James  St. Teresa  Alligator Point

ACREAGE: 41.64

CURRENT ZONING: A-1 CURRENT LAND USE: Agricultural/Fish Camp  
REQUESTED ZONING: C-3 REQUESTED LAND USE: Campground

LEGAL DESCRIPTION OF THE PROPERTY: (Must Attach Legal Description)

PLANNING & ZONING DATE: December 8, 2020 @ 6:30pm

RECOMMENDED APPROVAL: \_\_\_\_\_ RECOMMENDED DENIAL: \_\_\_\_\_ RECOMMENDED TO TABLE: \_\_\_\_\_  
CONDITIONS: \_\_\_\_\_

BOARD OF COUNTY DATE: December 15, 2020 @ 10:00am

RECOMMENDED APPROVAL: \_\_\_\_\_ RECOMMENDED DENIAL: \_\_\_\_\_ RECOMMENDED TO TABLE: \_\_\_\_\_  
CONDITIONS: \_\_\_\_\_

PUBLIC HEARING DATE: \_\_\_\_\_

APPROVED  DENIED  TABLED  
CONDITIONS: \_\_\_\_\_

Instructions: Complete application, including proof of ownership in the form of deed, detailed description of request including any necessary information supporting request (site plan/survey) and application fee of \$250.00 for Re-Zoning and \$250.00 for Land Use Change. Return to the following address:

Total: \$540.00  
( \$270 Re-Zoning )  
( \$270 Land Use )

RECEIVED  
NOV 17 2020

Franklin County  
34 Forbes Street, Suite 1  
Apalachicola, FL 32320

BY: AK



## EXHIBIT A

### Legal Description

Commence at a concrete monument marking the Southeast Corner of Section 10, Township 6 South, Range 3 West, Franklin County, Florida, also being the Southwest Corner of Section 11, Township 6 South, Range 3 West, Franklin County, Florida; thence run along the Easterly boundary line of said Section 10 North 00 degrees 25 minutes 56 seconds East 2206.53 feet to a point lying on the centerline of a 60 foot wide ingress/egress easement; thence leaving said Easterly boundary line run along said centerline as follows: North 87 degrees 45 minutes 29 seconds West 521.69 feet to a re-bar; thence North 88 degrees 06 minutes 23 seconds West 364.42 feet to a re-bar; thence North 88 degrees 06 minutes 23 seconds West 19.19 feet to a re-bar; thence North 88 degrees 00 minutes 20 seconds West 874.89 feet to a re-bar; thence North 88 degrees 00 minutes 20 seconds West 392.54 feet to a re-bar; thence North 88 degrees 31 minutes 28 seconds West 153.71 feet; thence North 87 degrees 48 minutes 48 seconds West 245.88 feet to a re-bar; thence North 87 degrees 48 minutes 48 seconds West 172.67 feet to a re-bar; thence North 88 degrees 11 minutes 04 seconds West 478.12 feet to a re-bar; thence North 89 degrees 15 minutes 22 seconds West 9.54 feet to a re-bar marking the Point of Beginning; thence leaving said Point of Beginning and said centerline run North 12 degrees 21 minutes 28 seconds East 2856.52 feet to a point lying on the Mean High Water Line of the Ochlocknee River as located on November 22, 2010; thence run along said Mean High Water Line as follows: North 71 degrees 18 minutes 25 seconds West 22.18 feet; thence North 76 degrees 57 minutes 32 seconds West 103.09 feet; thence North 70 degrees 27 minutes 52 seconds West 103.60 feet; thence North 66 degrees 39 minutes 17 seconds West 65.69 feet; thence North 67 degrees 54 minutes 17 seconds West 100.57 feet; thence North 77 degrees 06 minutes 19 seconds West 17.24 feet; thence North 54 degrees 29 minutes 20 seconds West 21.67 feet; thence South 33 degrees 03 minutes 10 seconds West 25.40 feet; thence South 49 degrees 05 minutes 35 seconds West 20.74 feet; thence North 39 degrees 22 minutes 48 seconds West 7.44 feet; thence North 06 degrees 41 minutes 56 seconds East 23.86 feet; thence North 29 degrees 40 minutes 10 seconds East 12.36 feet; thence North 21 degrees 23 minutes 05 seconds West 9.36 feet; thence North 68 degrees 51 minutes 59 seconds West 10.24 feet; thence North 30 degrees 14 minutes 57 seconds West 13.10 feet; thence South 80 degrees 13 minutes 10 seconds West 16.74 feet; thence South 65 degrees 57 minutes 09 seconds West 11.42 feet; thence North 54 degrees 06 minutes 57 seconds West 25.29 feet; thence South 56 degrees 38 minutes 17 seconds West 16.93 feet; thence North 82 degrees 31 minutes 00 seconds West 42.34 feet; thence North 60 degrees 51 minutes 38 seconds West 35.64 feet; thence North 43 degrees 02 minutes 08 seconds West 25.15 feet; thence North 54 degrees 55 minutes 27 seconds West 25.86 feet; thence North 70 degrees 33 minutes 54 seconds West 1.91 feet to a point marking the intersection of said Mean High Water Line with the Easterly maintained right of way line of McIntyre Road; thence leaving said Mean High Water Line run along said Easterly maintained right of way line as follows: South 19 degrees 22 minutes 39 seconds West 164.73 feet; thence South 51 degrees 45 minutes 38 seconds West 28.04 feet; thence South 17 degrees 52 minutes 44 seconds West 91.61 feet; thence South 16 degrees 25 minutes 16 seconds West 107.20 feet; thence South 16 degrees 05 minutes 49 seconds West 99.20 feet; thence South 18 degrees 16 minutes 07 seconds West 107.86 feet; thence South 20 degrees 24 minutes 03 seconds West 129.12 feet; thence South 08 degrees 56 minutes 35 seconds West 160.27 feet; thence South 08 degrees 24 minutes 56 seconds West 187.69 feet; thence South 04 degrees 50 minutes 41 seconds West 95.77 feet; thence South 00 degrees 28 minutes 10 seconds West 134.81 feet; thence South 01 degrees 20 minutes 06 seconds East 75.90 feet; thence South 04 degrees 11 minutes 45 seconds East 104.02 feet; thence South 03 degrees 33 minutes 27 seconds East 254.77 feet; thence South 04 degrees 36 minutes 24 seconds East 161.63 feet; thence South 02 degrees 22 minutes 01 seconds East 61.46 feet; thence South 01 degrees 52 minutes 10 seconds West 77.32 feet; thence South 10 degrees 56 minutes 25 seconds West 78.57 feet; thence South 15 degrees 33 minutes 38 seconds West 163.26 feet; thence South 16 degrees 23 minutes 09 seconds West 150.54 feet; thence South 13 degrees 56 minutes 12 seconds West 290.63 feet; thence South 15 degrees 50 minutes 33 seconds West 110.97 feet; thence South 09 degrees 22 minutes 01 seconds West 68.53 feet; thence South 01 degrees 41 minutes 37 seconds East 50.11 feet; thence South 11 degrees 58 minutes 58 seconds East 78.47 feet; thence South 15 degrees 58 minutes 19 seconds East 64.43 feet to a point marking the intersection of said Easterly maintained right of way line with the centerline of an ingress/egress easement; thence leaving said Easterly maintained right of way line run along said centerline as follows: South 89 degrees 15 minutes 22 seconds East 296.99 feet to a re-bar; thence South 89 degrees 15 minutes 22 seconds East 160.39 feet to the Point of Beginning.



**FRANKLIN COUNTY, FLORIDA  
REQUIRED ANALYSIS FOR LAND USE OR ZONING CHANGE**


- **Eastpoint Urban Service Area** – Is the property located in the Eastpoint Urban Service Area? **No**
- **Coastal High Hazard Area** – Is the property located in the Coastal High Hazard Area? **No**
- **Critical Shoreline Zone** – Is the property located in the Critical Shoreline Zone? **The 1<sup>st</sup> 150 Feet From River**
- **Soil Conditions** – Copies of the 1994 Soil Survey of Franklin County are available from the Franklin County Planning Office. **The soil types are Leon-Scranton-Lynn Haven and Pamlico-Pickney-Maurepas**
- **Topography** – What is the topography of the property? **See Attached Survey**
- **Drainage** – Are there any natural drainage features located on the property? **Yes**
- **Wetlands** – The only way to definitively know if there are wetlands on the property is to have a qualified individual survey the site for wetlands, but the U. S. Fish and Wildlife Service’s National Wetlands Inventory can give a general overview of what potential wetlands might be located on the property. The website can be accessed at: <https://www.fws.gov/wetlands/data/mapper.html> **See attached Wetlands Inventory Map**
- **Floodplains** – What flood zone is this property located in? The flood maps for Franklin County can be found at [portal.nwfwmd.com](http://portal.nwfwmd.com). **Yes, Most of the property is located in a Shaded X Flood Zone (Not in a Special Flood Hazard Area, and the property closer to the River is in a AE Elevation 13.**
- **Potential Wildfire Areas** – Is the property susceptible to wild fires? **Yes, potentially**
- **Historic or Cultural Sites** – Are there any historic or cultural sites located on the property? The Florida Master Site File keeps a list of recorded historic and cultural sites in Florida. They can be reached at 850-245-6440 or [sitefile@dos.myflorida.com](mailto:sitefile@dos.myflorida.com). **No**
- **Endangered Species** – Are there any endangered species located on this property? The Florida Fish and Wildlife Conservation Commission’s website showing the location of Bald Eagle nests in the state can be found at: <http://myfwc.maps.arcgis.com/apps/webappviewer/index.html?id=253604118279431984e8bc3ebf1cc8e9> **None**
- **Traffic Circulation** – How will this development affect traffic on the roads that serve the development? The Florida Department of Transportation traffic counts can be found at <https://tdaappsprod.dot.state.fl.us/fs to/> **There is one permanent**

**FRANKLIN COUNTY, FLORIDA  
REQUIRED ANALYSIS FOR LAND USE OR ZONING CHANGE**

**resident on McIntyre road and occasional boat launchings that average 3-5 a day. Our project will increase that to 8-10 a day.**

- **Affordable Housing** – Will this change increase the supply of affordable housing in Franklin County? **N/A**
- **Economic Development** – How will this change promote economic development in Franklin County? **This will increase property taxes and sales taxes once the Land Use and Re-Zoning and Site Plan has been approved with the addition of bath houses, store and boat rentals.**
- **Water and Sewer** – Will the development be served by central water and sewer or will it be on individual water wells and septic tanks? **Water and Sewer is not available in this area so the site will be serviced by an approved septic and well source.**



 **U.S. Fish and Wildlife Service**  
**National Wetlands Inventory**

471 McIntyre Road



November 12, 2020

**Wetlands**

- |  |   |  |
|--|---|--|
|  Estuarine and Marine Deepwater |  Freshwater Emergent Wetland       |  Lake     |
|  Estuarine and Marine Wetland   |  Freshwater Forested/Shrub Wetland |  Other    |
|  |  Freshwater Pond                   |  Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

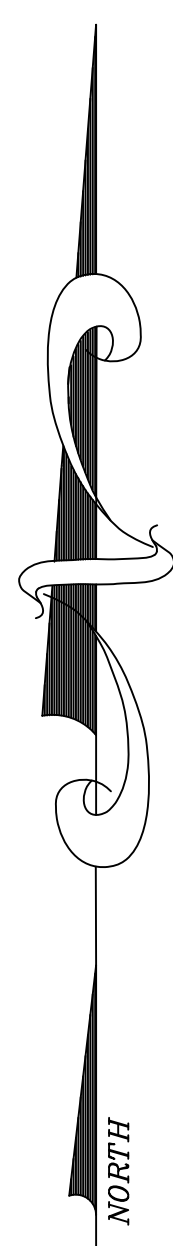
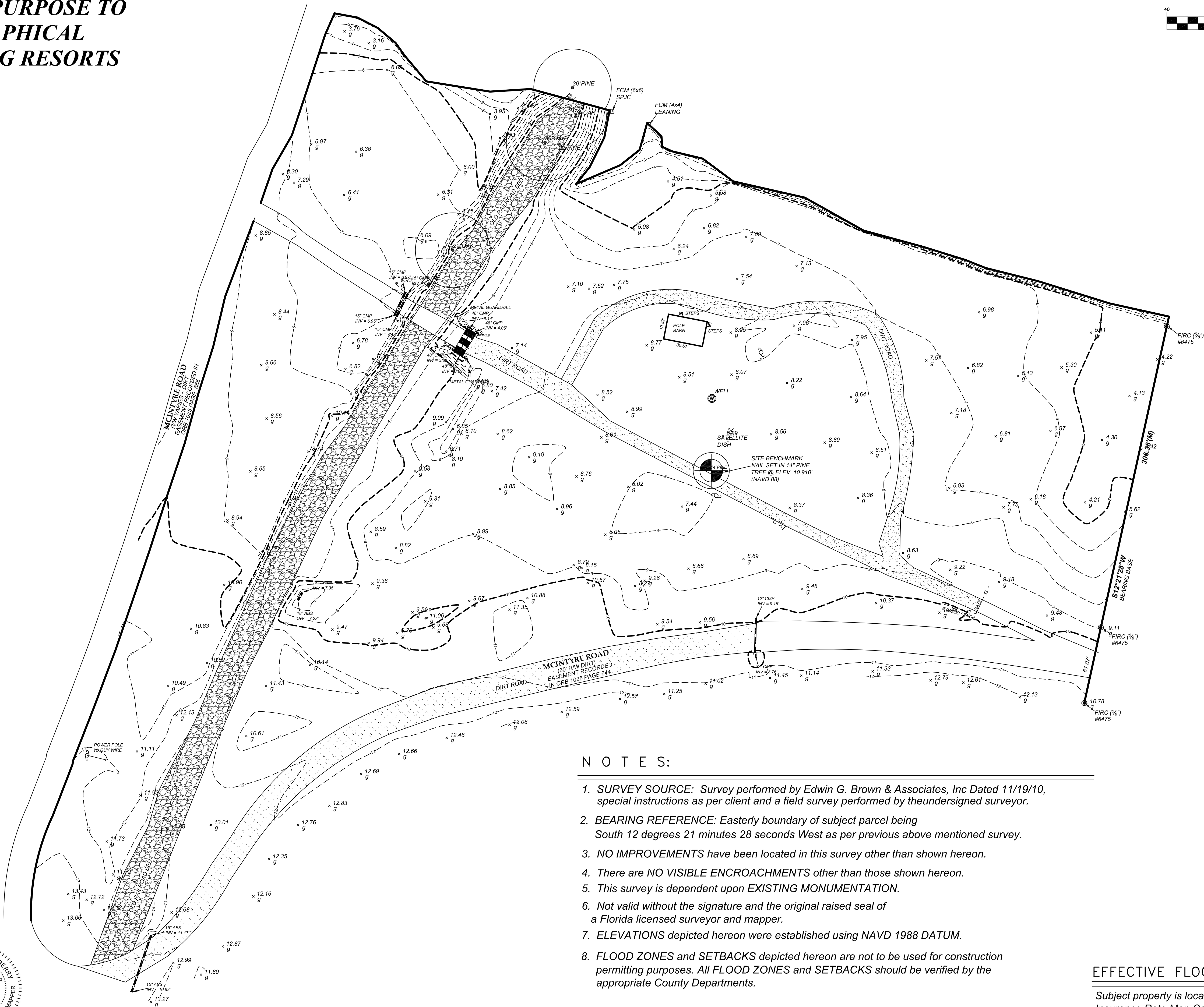
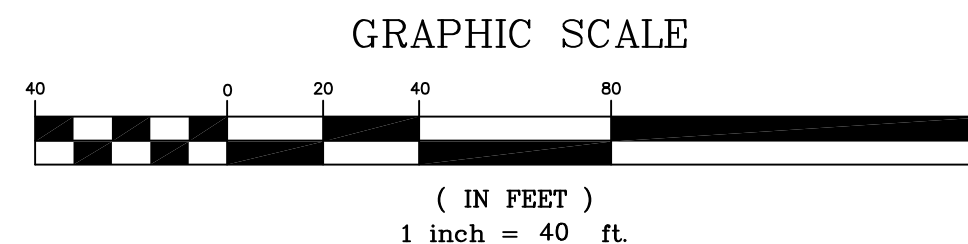
National Wetlands Inventory (NWI)  
This page was produced by the NWI mapper







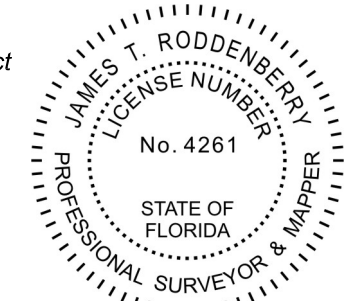
**PLAT OF SPECIFIC PURPOSE TO  
SHOW TOPOGRAPHICAL  
SURVEY FOR: B.B.&G RESORTS**



I hereby certify that this was performed under my responsible direction and supervision and the plat and description are true and accurate to the best of my knowledge and belief. The survey meets or exceeds the standards for practice for land surveying as established by the Florida Board of Professional Surveyors and Mappers (F.A.C. 5J-17.0511,052).

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of records, unrecorded deeds, easements or other instruments which could affect the boundaries.

*James T. Roddenberry*  
**JAMES T. RODDENBERRY**  
 Surveyor and Mapper  
 Florida Certificate No: 4261



**NOTES:**

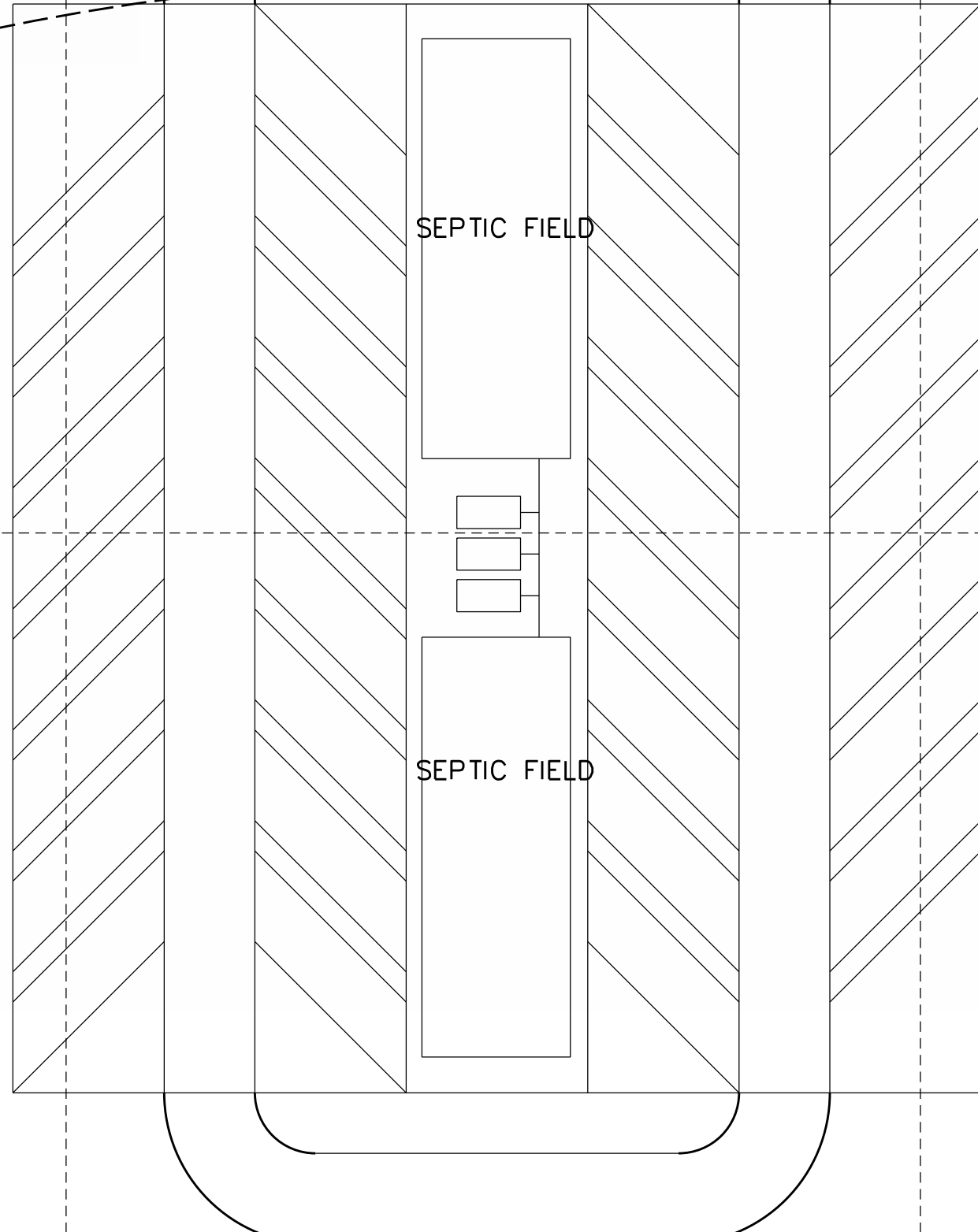
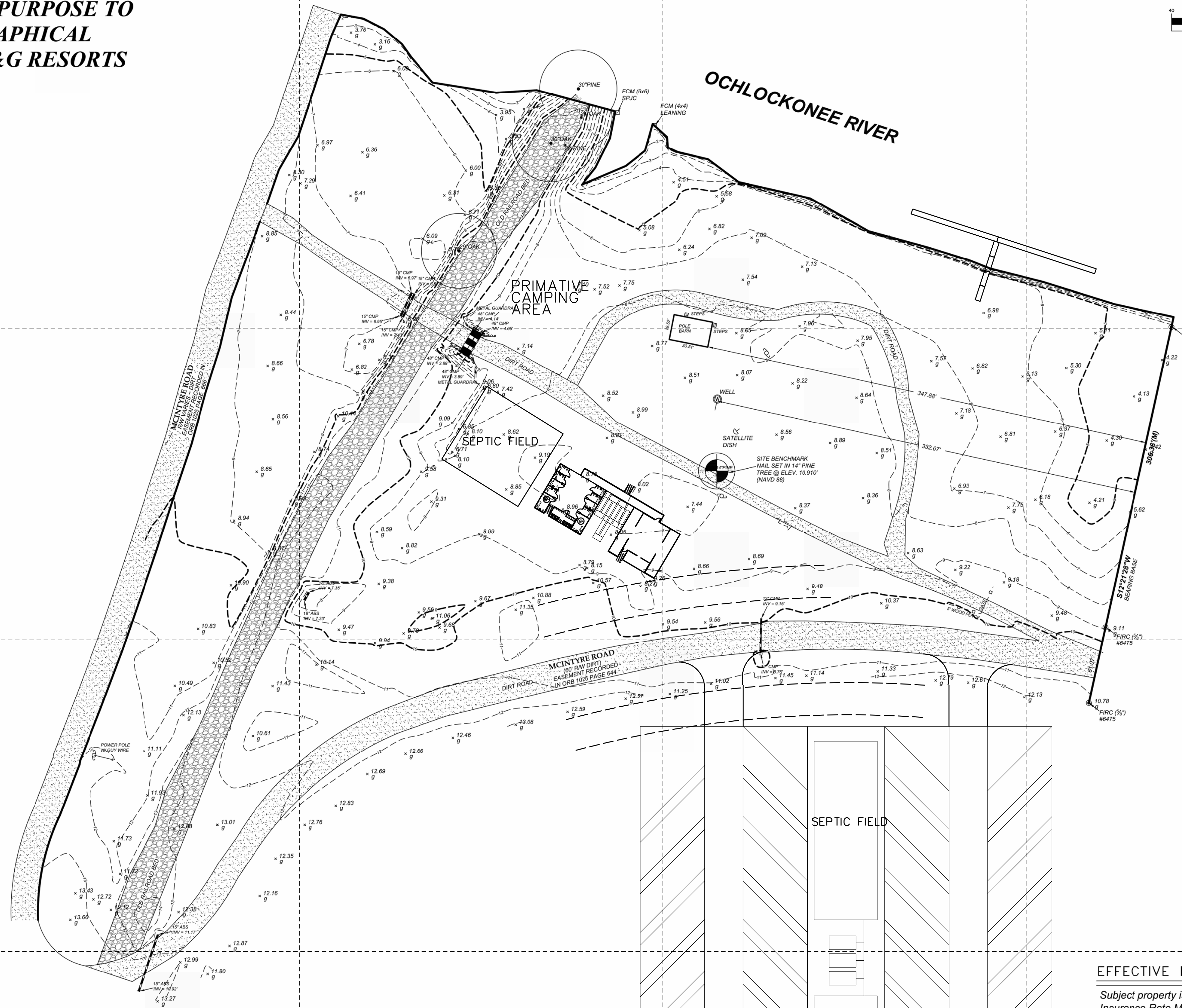
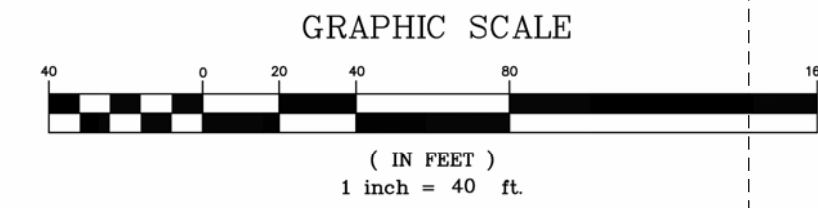
- SURVEY SOURCE:** Survey performed by Edwin G. Brown & Associates, Inc Dated 11/19/10, special instructions as per client and a field survey performed by the undersigned surveyor.
- BEARING REFERENCE:** Easterly boundary of subject parcel being South 12 degrees 21 minutes 28 seconds West as per previous above mentioned survey.
- NO IMPROVEMENTS** have been located in this survey other than shown hereon.
- There are **NO VISIBLE ENCROACHMENTS** other than those shown hereon.
- This survey is dependent upon **EXISTING MONUMENTATION**.
- Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
- ELEVATIONS** depicted hereon were established using NAVD 1988 DATUM.
- FLOOD ZONES** and **SETBACKS** depicted hereon are not to be used for construction permitting purposes. All **FLOOD ZONES** and **SETBACKS** should be verified by the appropriate County Departments.

**EFFECTIVE FLOOD ZONE INFORMATION:**

Subject property is located in Zone "AE" (EL 13) as per Flood Insurance Rate Map Community Panel No: 120088 0275F index date: February 5, 2014, Franklin County, Florida.

<b>REVISIONS:</b> NO. IDENTIFICATION 1. FOUND CONCRETE MONUMENT MORE OR LESS 2. OFFICIAL RECORD BOOK PAGE 3. CENTERLINE 4. RECORD PLAT MEASURED 5. DEED CALL 6. CALCULATED 7. POINT OF BEGINNING 8. POINT OF COMMENCEMENT 9. FLORIDA DEPARTMENT OF TRANSPORTATION DEPARTMENT OF ENVIRONMENT PROTECTION 10. RIGHT-OF-WAY		<b>LEGEND</b> CM CORNER OF CROSSWALK FRC FOUND IRON ROD & CAP SET 1/2" RE-ROD WITH FRC FOUND IRON PIPE FOUND IRON ROD & CAP FCM FOUND CONCRETE MONUMENT SITE BENCHMARK TCU POWER POLE W WELL V VALVE SSM SANITARY SEWER MANHOLE STORM ALLET EDC EDGE OF CONCRETE SIDEWALK CONC CONCRETE GROUND SHOT ELEVATION LINEAR MET INVERT FIRE HYDRANT CURB INLET		DATE: 10/15/20 DATE OF LAST FIELD WORK: 10/13/20	FIELD BOOK _____ PAGE _____ COUNTY: WAKULLA	DRAWING NAME: 20634.DWG DRAWN BY: MMD	CLIENT: <b>B.B.&amp;G RESORTS</b>	<b>TR &amp; A</b> <b>THURMAN RODDENBERRY &amp; ASSOCIATES, INC</b> PROFESSIONAL SURVEYORS AND MAPPERS P.O. BOX 100 • 125 SHELDON STREET • SOPCHOPPY, FLORIDA 32358 PHONE NUMBER: 850-962-2538 FAX NUMBER: 850-962-1103 LB # 7160	JOB NO. 20-634 SHEET NO. 1 OF 1
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**PLAT OF SPECIFIC PURPOSE TO  
SHOW TOPOGRAPHICAL  
SURVEY FOR: B.B.&G RESORTS**



**EFFECTIVE FLOOD ZONE INFORMATION:**  
Subject property is located in Zone "AE" (EL 13) as per Flood Insurance Rate Map Community Panel No: 120088 0275F index date: February 5, 2014, Franklin County, Florida.

**RODDENBERRY & ASSOCIATES**

NO.	DATE	DESCRIPTION	MARK

DESIGNED BY: RMH	DATE: 4-29-15
DRAWN BY: CHD	
SUBMITTED BY:	FILE NUMBER:
PLLOT SCALE: HALF	PLLOT DATE:
SIZE: 22X34	FILE NAME:

MARVIN HEYMANN & ASSOCIATES  
1393 ALLIGATOR DRIVE  
ALLIGATOR POINT, FL 32346

**B. B. & G RESORTS**

SHEET IDENTIFICATION  
SHEET OF XX



## Opposition to the Application for Re-Zoning & Land Use Change requested by BB&G Resorts, LLC

December 4, 2020

Board of County of Commissioners  
Franklin County  
34 Forbes Street  
Apalachicola, Florida 32320

I am writing to strongly oppose the proposed land use change requested by BB&G Resorts, LLC (471 McIntyre Road, Parcel #1-06S-03W-0000-0010-0050 containing 41.64 acres. My name is Wade Brown and I own 41.6-acre tract located at 465 McIntyre Road, directly adjacent to the proposed RV site. While most of the land surrounding the proposed site is now owned by the State, I have spoken with most of the private property owners located nearby and all of them unanimously oppose the proposed development. Opponents include: MJD Ventures, Inc (Parcel ID #10-06S-03W-0000-0010-0030); McIntyre Bluff, LLC (Parcel ID #10-06S-03W-0000-0010-0020); Jimmys Spot, LLC (Parcel ID #10-06S-03W-0000-0010-0010) .

During 2010 myself and four other partners purchased 200+ acres from St. Joe Timberland Co. with the understanding that the existing land use of the property was agriculture and existing zoning was agriculture which allows one single family residence per 40 acres. March 2011, we divided the property amongst us five parties with equal river frontage and equal acreage. The applicant's property being one of the divisions. Each parcel contains approximately 41.6 acres. On 3-17-2020 BB&G Resorts, LLC (the applicant) purchased 471 McIntyre Road, being one of the original divisions, from one of my partners understanding the agriculture land use density being one family residence per 40 acres.

I have constructed a residence on my parcel and have made many property improvements for my family's enjoyment and with the intent on being my permanent retirement residence. Knowing that the surrounding property would only allow one family residence per 40 acres. The 40 acre tracts allow for a nice structure as well as being able to enjoy the remaining acres as recreational use for hunting, farming, silvicultural farming (pine trees).

We embarked on this knowing/trusting the other landowners would have to adhere to the 1 per 40 land use. It is also noteworthy that the state purchased thousands of acres that surround the original 5 parcels on the North, East & west in efforts to conserve the Ochlocknee and Crooked River system and prohibit any future development .

The proposed land use change – which allows the construction of an RV Park in an environmentally sensitive and historically significant area is a very bad idea and is at odds with applicable zoning, land use, and environmental laws. It would also wreak environmental havoc in an area which is largely wetlands, and which has no available potable water system nor available connection to a centralized sewer system that might lessen the impact.

While I am an advocate of private property rights, the public good must sometimes take precedence, especially in situations where a proposed land use change could adversely affect so many. This is such a situation.

The proposed RV Park is adjacent to McIntyre Landing, just off of McIntyre Road, and directly on the Ochlocknee River. The land where BB&G proposes to construct the RV Park is a historical site and once was the center of a struggling company town where McIntyre Mill operated. An old railroad bed crosses the property, and it includes a ditch which provides drainage of thousands of adjacent acres.

The land is of historic significance, not only because of McIntyre Mill, but also because it was used as a camping site for native Americans for thousands of years. Many artifacts, including native American pottery and arrowheads have been uncovered during recreational digs.

Because it is located on the Ochlocknee River and is a drainage port, the environmental impact from an RV Park would be enormous. There is also no public need for such an RV Park, since the Ochlocknee River State Park is about two miles away as the crow flies. In the end, the public would be the victims of the development because of pollution to the River and the aquifer.

The significance of this area is demonstrated by the State's recent acquisition of thousands of acres of surrounding land. It would be a travesty to allow an RV Park to be developed in this gem of an area that the State has purchased to preserve untarnished for future generations.

The proposed land use change should be denied for the foregoing and following reasons:

- The proposed land use of "campground" requested does not exist as a land use designation under the Comprehensive Plan.
- The application notes that the existing land use is "Agriculture/Fishcamp." This is incorrect. The Land Use Map under the Comprehensive Plan designates this property as Agriculture Land Use. Fish camp does not exist.
- The proposed rezoning to C-3 is inconsistent with the existing Agriculture Land Use designation. The proposed Land Use Change failed to comply with Franklin County Land Use Element, Policy 1.1 and 1.2.
  - o Policy 1.1 The Future Land Use Maps will be reviewed to be sure adequate infrastructure is in place before areas are permitted for development. Adequate infrastructure is defined as the infrastructure necessary to maintain the adopted levels of service in this plan. The County shall not issue development orders that will degrade the existing levels of service below that level adopted as the minimum in this Comprehensive Plan.
  - o Policy 1.2 The Future Land Use Maps will be reviewed to ensure that the proposed uses, in the various categories, do not conflict with the prevailing natural conditions including:
    - (a) **SOIL CONDITIONS** – When the US. Soil Conservation Services completes and publishes the maps of their soil survey for Franklin County the County will coordinate the land use maps with the soil survey maps to ensure that areas proposed for development have soils suitable to support the proposed development.
    - (b) **TOPOGRAPHY** – Areas of excessive topographical relief shall be classified for low density development.



- (c) DRAINAGE – Natural drainage features will be protected and preserved to ensure the continuation of their natural function.
- (d) WETLANDS – No development will be allowed within 60 feet of wetlands, except as allowed pursuant to policies 1.6 and 1.7 of this element, Policies 1.1, 1.2, and 1.5 of the Coastal Conservation Element or as provided in paragraphs 1-6 below.
- The proposed rezoning to C-3 constitutes spot zoning. No commercial zonings exist in any close proximity to the subject property.
  - **See attached spot zoning information based on past court cases.**
- The Application does not contain suitable data and analysis to support land use amendment. No field truthing investigations, studies or reports have been provided to substantiate the claims in the application that no endangered species, historical or cultural resources exist on-site. The documents provided are not the best available data nor adequate to ensure compliance and compatibility with the Comprehensive Plan.
- The statement in the application that no historical or cultural resources exist on-site is completely untrue as the historic GF&A railroad bed lies within and through the boundaries of the subject property. Subject property lies within the old McIntyre town site. Additional undiscovered historically significant sites may also exist within this property.
  - Land Use Element, Objective 3 provides that "the County shall ensure the protection of natural and historical resources . . ."
  - Land Use Element, Policy 3.7 "Historic resources shall be protected . . ."
- The applicant did not provide any traffic analysis to support the claim that the project will only increase traffic from 3-5 per day currently to 8-10 a day.
  - Traffic Element Policy 3.2 provides "Land use changes will not be made that will cause the peak hour level of service on the roads that service that area to fall below the level of service . . ." (Application lacks sufficient data to support change and ensure compliance with level of service standards.)
  - McIntyre Road is currently dirt measuring 1.5 miles from US 319 to subject property and cannot support commercial traffic. Furthermore, there is a Franklin County ordinance on McIntyre Road #92-3 that states Road is closed to vehicles having more than two axles. Increased traffic volumes will increase the cost of maintenance on the County would result in a violation of Franklin County ordinance #92-3, which does not allow McIntyre Road to be used by vehicles with tandem axles.
- Studies regarding environmental conditions, endangered species, historical and cultural resources, and traffic impacts should be prepared by licensed professionals and utilizing acceptable methodology.
- The Applicant has not demonstrated consistency with the Comprehensive Plan:
  - The first Goal outlined in the Land Use Element of the Comprehensive Plan is to "Ensure that the character and location of land uses in Franklin County

minimize the threat to the natural environment . . ." Objective 1 directs that "Future development activities shall be directed to appropriate areas as depicted on the Future Land Use Maps to assure that soil conditions, topography, drainage, and natural conditions are suitable for development and adequate public facilities are available . . ." (site is 85% wetlands, that drain into the Ochlocknee and Crooked riverine system, and no public facilities are available).

- o Land Use Element, Policy 1.2(d) provides "No development will be allowed within 50 feet of wetlands..." (the entire site lying south of McIntyre Road is a wetland (85%) of the project and a riverine system exists on the north side of McIntyre Road)
- o Land Use Element, Policy 3.1 provides "Development, alteration of native vegetation, and habitable structures within 50 feet landward of wetlands or waters of the State, is prohibited..." (site is all wetland lying south of McIntyre Road)
- o Coastal/Conservation Element, Objective 1 states, "The wetlands of Franklin County shall be conserved and protected such that no net loss (after mitigation) shall occur." Further, Policy 1.6 (c) provides for the discouragement of altering wetlands but requires mitigation. The application fails to demonstrate conservation, protection and/or mitigation of wetlands and therefore also violates Objective 2 of this Element.
- o Coastal/Conservation Element Policy 2.2 prohibits high density development adjacent to sensitive wetlands and prohibits destruction of wetland vegetation.
- o Failed to provide documentation of compliance with Land Use Element, Policy 1.6.
- o Land Use Element, Policy 3.10, Infrastructure Element, Policy 2.2, and Coastal/Conservation Element Policy 4.3 prohibits installation of septic tanks within 150 feet of wetlands and shorelines. Applicant proposes to install multiple septic systems within wetlands.
- o Land Use Element, Policy 6.1 provides "...replacement of land uses which are incompatible with the Future Land Use Plan shall be prohibited." Changing the land use on this site for commercial uses is incompatible with the nature of the area, existing surrounding uses and inconsistent with the Land Use Element of the Comprehensive Plan.
- Land Use Element, Objective 8 states "to prevent urban sprawl the County shall encourage infill in already developed area..." Further, Policy 8.2 provides that the County should "encourage infill in already developed areas through the



provision of existing infrastructure. "Policy 8.1 requires urban sprawl factors to be considered during the review of map and plan amendments. (Subject property is outside of any urban service area, surrounded by conservation land use as per the land use map and nowhere near any other developed lands or commercial uses.)

- Coastal/Conservation Element Policy 13.9 requires "Any Future Land Use Map amendments and corresponding density and intensity assignments shall be consistent with the requirements of Chapter 163, Part II, of the Florida Statutes, and the Franklin County Comprehensive Plan . . . and must and must be supported by the best available data and analysis..."
- **Finally, the Applicant has not demonstrated consistency with Chapter 163, Part II, Florida Statutes which is required on a large scale map amendment that the State of Florida will review.**

In view of all of the above, the proposed land use change should be denied.

I would like to further comment on the Topographical Survey and the Site Plan provided by applicant as part of application and how it is inconsistent with Franklin County Comprehensive plan.

#### Topographical Survey prepared by Thurman Roddenberry & Associates provided by applicant

- Has only been performed in the area lying north of McIntyre Road (approximately 15% of property)
- The entire property has a significant slope from the McIntyre Road to the edge of Ochlocknee River
- There are 3 natural drainage areas to the Ochlocknee River which drain the area lying south of McIntyre Road via culverts lying under the road as well as sheet flow drainage across the road
- Shows the railroad bed of the historic GF&A Railroad
- This parcel contains the historic Ochlocknee River trussel crossing an abutment on the Franklin County side
- Fails to show mean high water line along the Ochlocknee River as well as any wetlands along the riverbank
- Shows the entire property lying within a Zone AE elevation 13 flood zone

#### Site Plan prepared by Marvin HeyMann & Associates provided by applicant

The applicants site plan and data exhibits provided show the following:

- Site map of the National Wetlands Inventory of subject property shows the entire parcel lying south of McIntyre Road is a fresh water emergent wetland which encompasses (makes up) approximately 85% of subject property. The remaining 15% of property that is located entire river frontage is in a Riverine system located at the confluence of Crooked River and Ochlocknee River, both tidal water bodies.

- Site plan shows approximately 32 RV sites, roadway system, 3 septic tanks and 2 large septic drain fields lying on the south side of McIntyre Road. As illustrated on the National Wetlands Inventory Map it is entirely within wetlands. Furthermore, based on the site plan the easterly side of the 32 sites would encroach over my property line in a triangular shape approximately 40 feet on the south side by 160 feet heading back north.
- On the northerly side of McIntyre road, it appears that an approximately 1,225 square foot shower/bath facility, a 1,225 square foot store, as well as a 3,600 square foot septic field is proposed.
- There is also an undesignated area for primitive camping, it is unclear how many camping sites are proposed.
- Proposed dock is also shown without any riparian rights lines determined.
- No proposed storm water management facilities or demonstration of how storm water runoff would be diverted from draining directly into the river on this excessive natural slope.
- Proposed septic field on the north side of McIntyre lies within one of the natural drains, draining the southerly lands to the river.
- The septic field, shower/bathroom facility, store and primitive camping are located around the natural ground contour elevation between 8 and 6 feet, which lies anywhere between 7 to 5 feet below the base flood elevation of AE-13 feet.
- Fails to provide any type of shoreline revetment plan to prevent erosion along the river bank.

If you need further information or would like to otherwise discuss this matter, I can be reached at [wadebrown@embarqmail.com](mailto:wadebrown@embarqmail.com) or 850-524-2413.

I will attend the Planning & Zoning meeting scheduled for December 8, 2020, as well as the Board of County Commission meeting scheduled for December 15, 2020 and will be available for questions.

Sincerely,

Wade Brown



## Spot Zoning Attachment

A rezoning that is inconsistent with the zoning of surrounding parcels and results primarily in a benefit or favorable treatment to a particular property owner may be invalidated by a reviewing court upon review as illegal spot zoning.

When considering whether a local government's zoning decision constitutes illegal spot zoning, courts often look at the following four factors: 1) the size of the spot 2) the compatibility with the surrounding area 3) the benefit to the owner and 4) the detriment to the immediate neighborhood.<sup>1</sup> The size of an illegal spot zoning is generally a single parcel.<sup>2</sup>

When considering the compatibility with the surrounding area, courts look at the current zoning of the surrounding area and the proposed zoning of the parcel at issue. Where the zoning of the surrounding parcels are of a much different density or type than the rezoning applicant's parcel, a court is likely to find illegal spot zoning.<sup>3</sup> Where the rezoning would allow the parcel to be developed more like the surrounding parcels, a court is likely to uphold the rezoning.<sup>4</sup> For example, where commercial zoned parcels have grown around a residential parcel, rezoning the residential parcel to match is not considered illegal spot zoning.<sup>5</sup> On the other hand, where residentially zoned parcels surround a parcel proposed to become a multifamily zone, Florida's Third District Court of Appeal found that such a change would constitute illegal spot zoning.<sup>6</sup>

Courts often look at the benefit to the owner of the parcel and detriment to the immediate neighborhood to decide whether a local government's rezoning constitutes spot zoning. Spot zoning "creates a small island of property with restrictions on its use different from that of surrounding properties-solely for the benefit of a particular property owner."<sup>7</sup> Where rezoning benefits accrue only to the owner at substantial cost to the neighborhood, zoning is generally found illegal.<sup>8</sup> Even where the rezoning could grant the surrounding neighborhood some benefit if the rezoning would have negative impact as well, the rezoning may be struck down by a reviewing court. In the case of a rezoning for a parking structure with space for businesses planned for a neighborhood in need of parking, the commercial zoning was not allowed because it "could well spread and destroy the character of the neighborhood."<sup>9</sup>

Further, the existence of a non-conforming use does not create an entitlement to a rezoning. On the contrary, zoning are generally intended to "look forward to the eventual elimination of all non-conforming structures and uses as speedily as is consistent with the safeguards for the rights of those persons affected." See e.g., Jpm Inv. Group v. Brevard County, 818 So. 2D 595 (Fla. 5<sup>th</sup> DCA 2002); 12A Fla. Jur. 2d, Counties and Municipal Corporations 203.

1 Bird-Kendall Homeowners Ass'n v. Metro. Dade County Bd. of County Com'rs, 695 So. 2d 908,910 (Fla. 3d DCA 1997) (citing Parking Facilities, Inc. v. City of Miami Beach, 88 So.2d 141 (Fla.1956) and Dade County v. Inversiones Rafamar S.A., 360 So.2d 1130 (Fla. 3d DCA 1978)).

2 See Parking Facilities, Inc. v. City of Miami Beach, 88 So.2d 141 (Fla.1956) and Bird-Kendall Homeowners Ass'n v. Metro. Dade Cnty. Bd. of Cnty. Comm'rs, 695 So. 2d 908 (Fla. Dist. Ct. App. 1997).

3 See, e.g., Bird-Kendall Homeowners Ass'n v. Metro. Dade Cnty. Bd. Of Cnty. Comm'rs, 695 So. 2d 908 (Fla. Dist. Ct. App. 1997); Allapattah Cmty. Ass'n, Inc. of Florida v. City of Miami, 379 So. 2d 387, 388 (Fla. 3d DCA 1980); and Parking Facilities, Inc. v. City of Miami Beach, 88 So. 2d 141, 143 (Fla. 1956).

4 See Town of Juno Beach v. McLeod, 832 So. 2d 864 (Fla. Dist. Ct. App. 2002) and City Comm'n of City of Miami v. Woodlawn Park Cemetery Co., 553 So. 2d 1227 (Fla. Dist. Ct. App. 1989) (upholding the rezoning of residential parcels to match surrounding commercially zoned parcels in order to remedy 'reverse spot zoning').

5 See id.

6 Donch v. City of Miami, 214 So. 2d 503 (Fla. 3d DCA 1968).

7 City Commission of the City of Miami v. Woodlawn Park Cemetery Co., 553 So.2d 1227, 1240 (Fla. 3d DCA 1989).

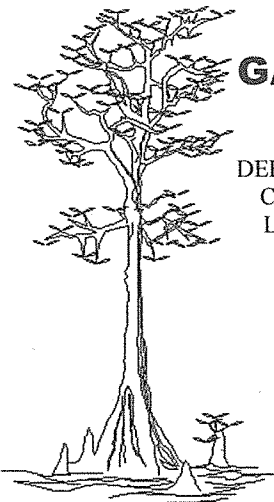
8 See Bird-Kendall Homeowners Ass'n v. Metro. Dade County Bd. of County Com'rs, 695 So. 2d 908, 910 (Fla. 3d DCA 1997) (citing Parking Facilities, Inc. v. City of Miami Beach, 88 So.2d 141 (Fla.1956) and Dade County v. Inversiones Rafamar S.A., 360 So.2d 1130 (Fla. 3d DCA 1978)).

9 Parking Facilities, Inc. v. City of Miami Beach, 88 So. 2d 141, 143 (Fla. 1956).



# GARLICK ENVIRONMENTAL ASSOCIATES, INC.

SPECIALIZING IN: REGULATORY PERMITS • WETLANDS/UPLAND JURISDICTIONAL DELINEATIONS • SUBMERGED LAND LEASES • ECOLOGICAL INVENTORY ASSESSMENTS • CONSERVATION AND OTHER EASEMENTS • EXPERT WITNESS AND ENVIRONMENTAL LITIGATION SERVICES • MITIGATION • CULTURAL RESOURCE ANALYSIS • CREATIVE MARINA, DOCK, AND SUBDIVISION DESIGN



September 17, 2020

Ms Amy Kelly  
Franklin County Planning & Zoning  
33 Commerce Street  
Apalachicola, FL 32320


Re: Dock Approval  
GEA File No. 20-103 / Dan Guild

Dear Ms. Kelly:

By this letter, we are requesting you place the referenced project on the next Franklin County Planning and Zoning meeting to be held on October 12, 2020, as well as, the Franklin County Board of County Commissioners meeting to be held on October 20, 2020, for the construction of a Single Family Residential Dock. Attached is a copy of the permit application to the agencies, as well as the drawings indicating the location of the proposed dock for the referenced project.

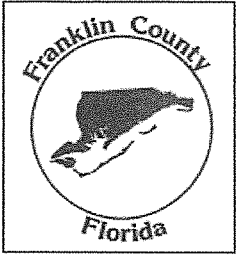
If you have any questions, please let us know.

Sincerely,

  
Dan Garlick, President  
Garlick Environmental Associates, Inc.

Attachments

P.O. BOX 385  
APALACHICOLA, FL 32329-0385  
(850) 653-8899 FAX (850) 653-9656  
garlick@garlickenv.com



**DOCK PERMIT APPLICATION**  
**FRANKLIN COUNTY BUILDING DEPARTMENT**  
34 Forbes Street, Suite 1, Apalachicola, Florida 32320  
Phone: 850-653-9783 Fax: 850-653-9799  
[http://www.franklincountyflorida.com/planning\\_building.aspx](http://www.franklincountyflorida.com/planning_building.aspx)

PERMIT # \_\_\_\_\_  
FEE: \$ \_\_\_\_\_  
C.S.I : \$ \_\_\_\_\_  
TOTAL: \$ \_\_\_\_\_

**NOTE TO APPLICANTS AND PERMIT HOLDERS:**  
VIOLATIONS OF THE TERMS AND CONDITIONS OF THIS PERMIT MAY WARRANT A STOP WORK ORDER OR REVOCATION OF THIS PERMIT. THIS PERMIT IS VALID FOR ONE YEAR FROM THE DATE OF ISSUANCE. CONSTRUCTION MUST COMMENCE WITHIN SIX MONTHS OF THIS DATE:  
ISSUANCE DATE: \_\_\_\_\_ EXPIRES: \_\_\_\_\_

**EXISTING HOUSE:**  Yes  No  
**DEP PERMIT:**  Yes  No  
**ARMY COE PERMIT:**  Yes  No  
**APPROVED:**  Yes  No

**APPLICATION MUST BE COMPLETE:**

Property Owner/s: Dan Guild  
Contact Information: Home #: 724-366-0300 Cell #: \_\_\_\_\_  
Mailing Address: 2514 Egret Lane City/State/Zip: Port St Joe, FL 32456  
EMAIL Address: dan@dlguild.com @ \_\_\_\_\_  
Contractor Name: \_\_\_\_\_ Business Name: \_\_\_\_\_  
Contact Information: Office #: \_\_\_\_\_ Cell #: \_\_\_\_\_  
State License #: \_\_\_\_\_ County Registration #: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
EMAIL Address: \_\_\_\_\_ @ \_\_\_\_\_

**PROPERTY DESCRIPTION:** 911 Address: 2514 Egret Lane  
Lot/s: 3 Block: --- Subdivision: Egret Landing @ Unit: \_\_\_\_\_  
Parcel Identification #: 09-095-09w-1000-0000-0030 St Vincent

**JURISDICTION:**  Franklin County  City of Carrabelle  
 Apalachicola  Eastpoint  St. George Island  Carrabelle  Dog Island  Lanark/ St. James  St. Teresa  Alligator Point  
 SINGLE FAMILY DOCK/PIER  MULTI-FAMILY DOCK/PIER  COMMERCIAL

**DESCRIPTION:** Access walkway 250' x 4' w/terminus 6'x26' w/2' steps

ZONING DISTRICT: \_\_\_\_\_ CONTRACT COST: \_\_\_\_\_  
TOTAL SQUARE FOOT: \_\_\_\_\_ FOUNDATION TYPE: \_\_\_\_\_  
ROOF MATERIAL: \_\_\_\_\_

**APPROVED BY:**  Planning & Zoning Date: \_\_\_\_\_  County Commissioners Date: \_\_\_\_\_

**WATER BODY:** St Vincent Sound - Class II, OFW, NOT an A.P.  
**CRITICAL SHORELINE DISTRICT:** YES OR NO **CRITICAL HABITAT ZONE:** YES OR NO

**FLOOD ZONE INFORMATION:** EFFECTIVE DATE: February 5, 2014

**PANEL NUMBER:** \_\_\_\_\_ **FIRM ZONE/S:** \_\_\_\_\_  
**ELEVATION REQUIREMENTS AS PER SURVEY:**

Requires V-Zone Certification  Requires Elevation Certificates  Requires Smart Vents  Requires Breakaway Walls

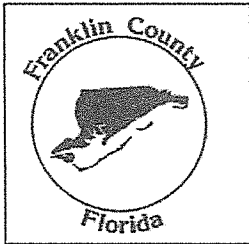
**BUILDING OFFICIAL** \_\_\_\_\_ **Date** \_\_\_\_\_ **OWNER (Required)** \_\_\_\_\_ **Date** \_\_\_\_\_ **CONTRACTOR (Required)** \_\_\_\_\_ **Date** \_\_\_\_\_



FRANKLIN COUNTY DOCK CHECKLIST & FEE SCHEDULE

CHECKLIST:

- Application
- DEP
- Army CORPS
- Site Plan
- Lighting Plan
- Drawings (Approved by all entities)
- Approvals from local jurisdictions
- Dock Site Plan, Construction & Lighting Affidavit
- Copy of Signed Contract Cost



**DOCK SITE PLAN, CONSTRUCTION  
AND LIGHTING AFFIDAVIT**

**FRANKLIN COUNTY BUILDING DEPARTMENT**  
 34 Forbes Street, Suite 1, Apalachicola, Florida 32320  
 Phone: 850-653-9783 Fax: 850-653-9799  
[http://www.franklincountvflorida.com/planning\\_building.aspx](http://www.franklincountvflorida.com/planning_building.aspx)

PERMIT  
# \_\_\_\_\_

**ORDINANCE  
No. 2004-17  
Dock Ordinance**

**DOCK CONSTRUCTION STANDARDS & LIGHTING AFFIDAVIT**

**APPLICATION MUST BE COMPLETE:** (We will no longer accept incomplete applications)

Property Owner/s: Dan Guild  
 Contact Information: Home #: 724-366-0300 Cell #: \_\_\_\_\_  
 Mailing Address: 2514 Egret Lane City/State/Zip: Port St Joe, FL 32456  
 EMAIL Address: dan@dlguild.com

**PROPERTY DESCRIPTION:** 911 Address: 2514 Egret Lane  
 Lot/s: 3 Block: — Subdivision: Egret Landing @ ST Vincent Unit: —  
 Parcel Identification #: 09-095-09W-1000-0000-0030

**JURISDICTION:**  Franklin County  City of Carrabelle  
 Apalachicola  Eastpoint  St. George Island  Carrabelle  Dog Island  Lanark/ St. James  St. Teresa  Alligator Point

**SITE PLAN & CONSTRUCTION STANDARDS:**

- I understand that applications for dock or piers must contain a survey prepared by a professional surveyor which indicates riparian rights, unless the dock is built at least 25 feet from existing property lines. INITIAL: [Signature]
- I understand that Docks built on canals are permitted to be no larger that 25% of the width of the canal including the boat mooring site. INTIAL: [Signature]
- I understand that the lot must be large enough to accommodate a single-family dwelling; or be a lot separated from the single family dwelling by a right-of-way and owned by the same owner; or the lot may be eligible for a hardship variance from the Board of Adjustment. INITIAL: [Signature]
- I understand that no dry dock facilities, gasoline or fuel pumps are allowed on a residential lot other than boat lifts connected to a dock. INITIAL: [Signature]
- I understand that boat ramps may be allowed so long as the property contains adequate size for the parking of trailers on the property. No commercial boat docking or launching allowed. INITIAL: [Signature]
- I understand that no parking of vehicles is allowed within the Critical Habitat Zone, which is the first 50 feet from mean high water. INITIAL: [Signature]
- I understand that the lot must be kept in natural vegetation within the Critical Habitat Zone. INITIAL: [Signature]
- I understand that I must comply with the permitting requirements for all other governmental agencies having jurisdiction over the project. (Evidence of an exemption from such compliance must be furnished by the homeowner before approval can be granted. INITIAL: [Signature]
- I understand that the dock must be elevated a minimum of five (5) feet above mean high water, except that the terminal platform may be lower at the owner's discretion. This requirement shall not apply to docks running parallel to the shoreline provided they extend no further than 25 feet from the edge of the water. (\*This will allow pedestrians to cross under the dock at the water's edge) INITIAL: [Signature]



- I understand that the dock must be constructed on pilings set a minimum of eight (8) feet apart center to center. INITIAL: [Signature]
- I understand that no dusk to dawn lights. Must be able to switch off or on by motion detector, or be activated by a 3-way switch. INITIAL: [Signature]
- I understand that lights limited to one on the terminal platform and one on the landward end of the dock or pier, and one every 100 feet between the terminal platform and the landward end of the dock, except where a hardship exists. INITIAL: [Signature]
- I understand that all lights must be downward directed and have adequate shielding to prevent light trespass and minimize light pollution from light scatter. INITIAL: [Signature]
- I understand the type and location of fixtures must be included on a diagram of dock or pier and submitted with permit application. INITIAL: [Signature]
- I understand that the dock must have amber colored night time reflectors set at a minimum of one at each side in the middle and one at each side of the terminal. INITIAL: [Signature]

I have read and understood that construction and lighting standards of the Franklin County Dock Ordinance No. 2004-17 and will practice these standards.

[Signature]                      9-14-2020                      DANIEL L. GUILD  
 Contractor/Owner Signature:                      Date                      Contractor/Owner Printed Name:

State of Florida  
 County of Franklin

I, \_\_\_\_\_, who is personally known or provided the following identification \_\_\_\_\_, on this day \_\_\_\_ of \_\_\_\_\_, 20\_\_ understand that I have read and understood the above statement and will comply or the Final Certificate of Occupancy will be held up until the above has been documented.

NOTARY: \_\_\_\_\_

SEAL:

\_\_\_\_\_  
 Printed Name



PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899

FAX (850) 653-9656 garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Dan Guild

WATERBODY/CLASS: St Vincent Sound

PURPOSE: EP-DOCK

PROJECT LOCATION / USGS: Franklin County / St Vincent Sound

LATITUDE: 29° 42' 31.11"

LONGITUDE: 85° 9' 9.00"

SECTION: 9 TOWNSHIP: 9 South RANGE: 9 West

JOB: 20-103

DEP: 19-0329939-001-EG

COE: SAJ-2014-03025(GP-SRM)

OTHER:

DATE: September 8, 2020

SHEET: 1/4





# PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8800



FAX (850) 653-9656 garlick@garlickenv.com

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COE: SAJ-2014-03025(GP-SRM)

OTHER:

DATE: September 8, 2020

SHEET: 2/4



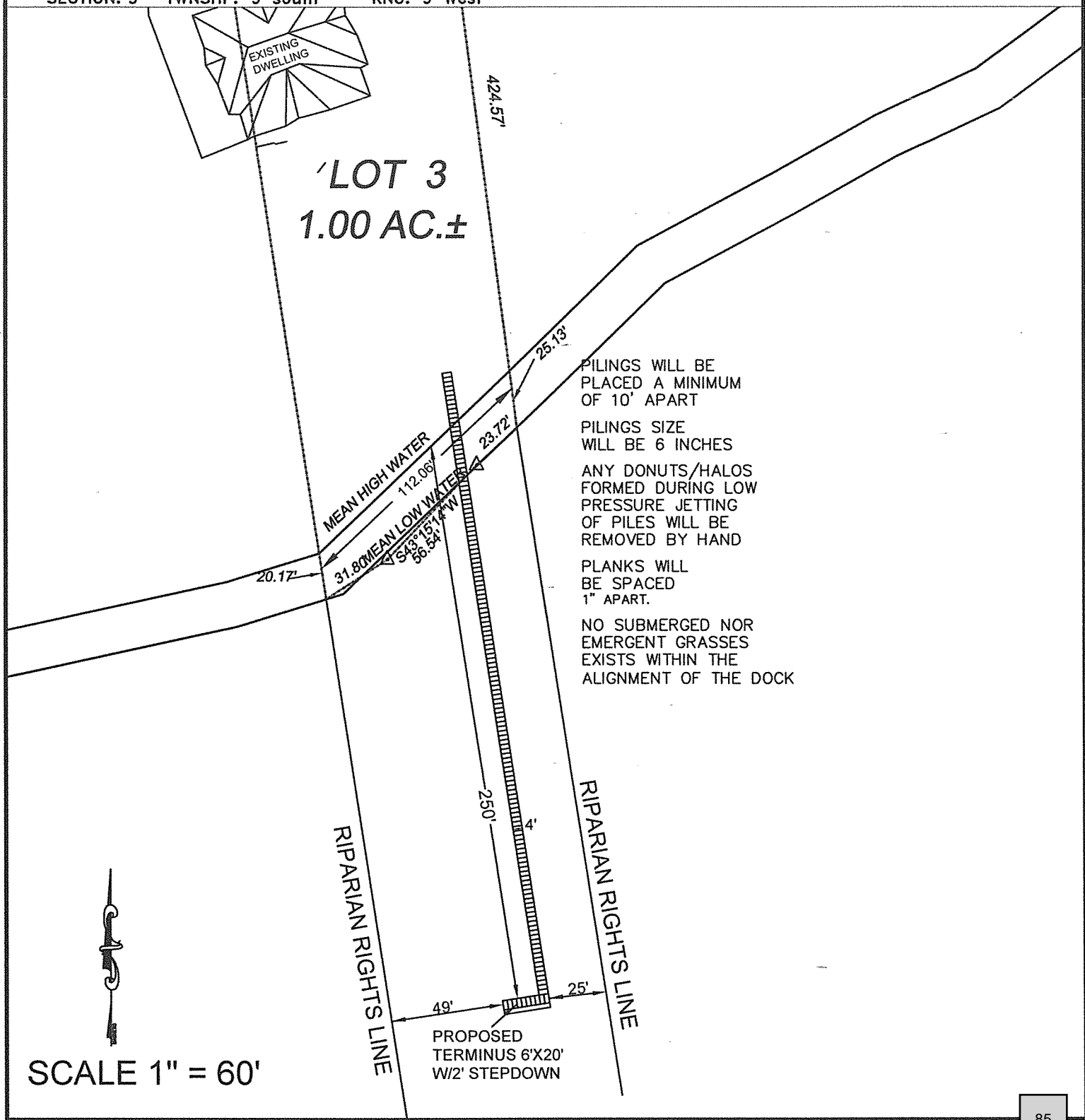


PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.



APPLICANT/CLIENT: Don Guild  
 WATERBODY/CLASS: St Vincent Sound  
 PURPOSE: EP-Dock  
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 LATITUDE: 29° 42' 31.11"  
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 SECTION: 9 TOWNSHIP: 9 south RNG: 9 West

J-  
 JOB: 20-103  
 DEP:  
 COE:  
 OTHER:  
 DATE: September 8, 2020  
 SHEET: 3/4



PILINGS WILL BE PLACED A MINIMUM OF 10' APART  
 PILINGS SIZE WILL BE 6 INCHES  
 ANY DONUTS/HALOS FORMED DURING LOW PRESSURE JETTING OF PILES WILL BE REMOVED BY HAND  
 PLANKS WILL BE SPACED 1" APART.  
 NO SUBMERGED NOR EMERGENT GRASSES EXISTS WITHIN THE ALIGNMENT OF THE DOCK



SCALE 1" = 60'

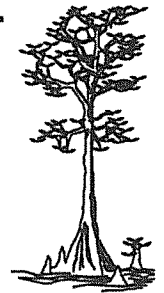


PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8800

FAX (850) 653-9656 garlick@garlickenv.com



LB No. 7415

APPLICANT/CLIENT: Dan Guild

WATERBODY/CLASS: St Vincent Sound

PURPOSE: EP-DOCK

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LATITUDE: 29° 42' 31.11"

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SECTION: 9 TWSHP: 9 South RNG: 9 West

JOB: 20-103

DEP: 19-0329939-001-EG

COE: SAJ-2014-03025(GP-SRM)

OTHER:

DATE: September 8, 2020

SHEET: 4/4

Cross Section  
of Proposed DOCK  
NOT TO SCALE

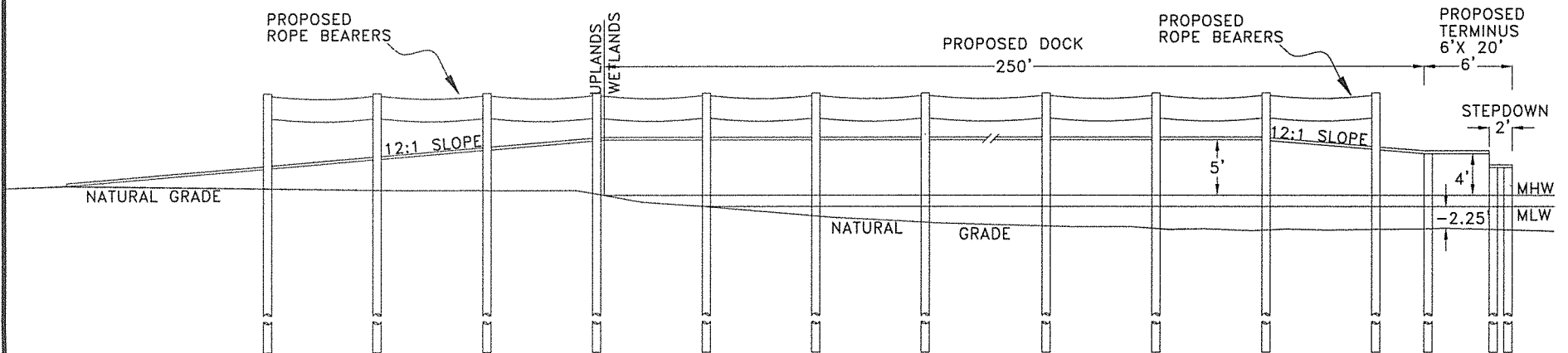
PILINGS WILL BE  
PLACED A MINIMUM  
OF 10' APART

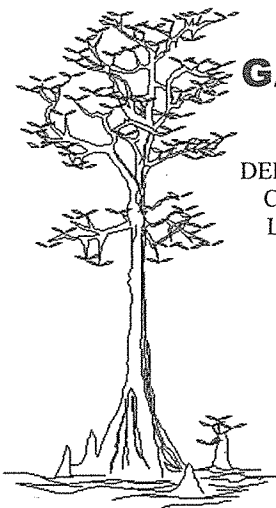
PILINGS SIZE  
WILL BE 6 INCHES

ANY DONUTS/HALOS  
FORMED DURING LOW  
PRESSURE JETTING  
OF PILES WILL BE  
REMOVED BY HAND

PLANKS WILL  
BE SPACED  
1" APART.

NO SUBMERGED NOR  
EMERGENT GRASSES  
EXISTS WITHIN THE  
ALIGNMENT OF THE DOCK





# GARLICK ENVIRONMENTAL ASSOCIATES, INC.

SPECIALIZING IN: REGULATORY PERMITS • WETLANDS/UPLAND JURISDICTIONAL DELINEATIONS • SUBMERGED LAND LEASES • ECOLOGICAL INVENTORY ASSESSMENTS • CONSERVATION AND OTHER EASEMENTS • EXPERT WITNESS AND ENVIRONMENTAL LITIGATION SERVICES • MITIGATION • CULTURAL RESOURCE ANALYSIS • CREATIVE MARINA, DOCK, AND SUBDIVISION DESIGN

## LETTER OF TRANSMITTAL

September 9, 2020

Mr. Wade Dandridge  
FDEP / Pensacola  
160 West Government Street  
Suite 308  
Pensacola, FL 32502

RE: Construction of a Single Family Pier  
Egret Landing / Franklin County  
GEA File No. 20-103

The proposed project is located in Section 9, Township 9 South, Range 9 West, in Franklin County, FL. The waterbody at the project site is St Vincent Sound, Class II, an OFW, not an Aquatic Preserve. The existing conditions at the project is a developed parcel.

The attached application is for the construction of a single family residential dock. The following information should aid you in your review:

The linear footage of the shoreline for the referenced project is 112.06 ft. The construction of the access walkway will be 250' in length and 4 ft. in width (1000 Sq. Ft). The terminus will be constructed 6 ft. in width and 20 ft in length, with a 2 ft. wide step down (120 Sq. Ft) for a total of 1120 Sq. Ft. No emergent nor submerged vegetation exist within the alignment of the proposed dock.

The spacing between pilings will be a minimum of 10 ft. apart. The type of wood that will be used for the decking will consist of treated wood, no more than 8 inches wide, and spaced no less than one-half inch apart after shrinkage;

The materials to be used to construct the proposed dock will be transported to the site by truck. The piles will be jetted. However, provisions will include maintaining State Water Quality standards for turbidity by installing turbidity curtains. A barge will not assist in the construction of the proposed dock. The depth of water at the location of the proposed dock and boatlifts is -2.50 feet at Mean Low Water (MLW). The Mean High Water and Mean Low Water Lines are indicated on the attached drawings. No emergent nor submerged vegetation exists within the alignment of the proposed dock, nor the boat lifts.

Evidence of title to the subject riparian upland property is attached in the form of a Warranty Deed. The upland area is presently zoned as residential and no changes are proposed.



If you have any questions or need any additional assistance, please do not hesitate to call us at (805) 653-8899 or email us [dan@garlickenv.com](mailto:dan@garlickenv.com) or [maryann@garlickenv.com](mailto:maryann@garlickenv.com).

Sincerely,



Mary Ann Wasmund, Permit Specialist  
Garlick Environmental Associates, Inc.

Attachments

cc: Dan Guild

# Notice of Intent to Use an Environmental Resource General Permit

**Instructions:** This form is for projects that qualify for a General Permit in accordance with Chapter 62-330 F.A.C. General Permits (GP) are provided for certain activities that have been determined to have minimal impacts to the water resources of the state when conducted in compliance with the terms and conditions of the general permit. Complete and submit this form to the appropriate agency as identified in Part 3 below.

If activity is located on, or has the potential to be located on, state-owned sovereignty submerged lands (SSL), the reviewing Agency will begin processing the request for state-owned sovereignty submerged lands authorization. If you know that your project is located on SSL, (i.e., waterward of the line of mean or ordinary high water of rivers, streams, bays, bayous, sounds, the Gulf of Mexico, the Atlantic Ocean, or certain natural lakes, we recommend completing Section F of the Environmental Resource Permit Application. You are not required to complete Section F to receive a General Permit, but it will help the agency process the SSL authorization. Both authorizations are required prior to construction on SSL.

**Part 1: General Information**

**A. Rule section number of the GP or which you are applying: 62-330.      , F.A.C.**

**We recommend contacting your local Corps district office if your project does not qualify for the State Programmatic General Permit (SPGP) and you are not sure whether the project requires separate Corps authorization. If Corps authorization is required, you will need to submit the appropriate federal application form separately to the Corps. Corps contact information may be found online at the Jacksonville District Regulatory Division website.**

**B. Applicant  This is a Contact Person for Additional Information**

Name: Last: Guild    First: Dan    Middle:

Title:    Company:

Address: 2514 Egret Lane

City: Port St Joe                          State: FL                          Zip: 32456

Home Telephone: 724-366-0300                                  Work Telephone:

Cell Phone:

E-mail Address: dan@dlguild.com

**Correspondence will be sent via email, unless you check here to receive it via  US Mail**





**C. Consultant/Agent**  This is a Contact Person for Additional Information

Name: Last: Garlick First: Dan Middle:  
Title: President Company: Garlick Environmental Assoc., Inc  
Address: Post Office Box 385  
City: Apalachicola State: FL Zip: 32329  
Home Telephone: Work Telephone: 850-653-8899  
Cell Phone: 850-899-5252  
E-mail Address: dan@garlickenv.com/maryann@garlickenv.com

Correspondence will be sent via email, unless you check here to receive it via  US Mail

**D. Land Owner(s) (If Different or in Addition to Applicant Identified Above)**

Name: Last: Guild First: Dan Middle:  
Title: Company:  
Address: 2514 Egret Lane  
City: Port St Joe State: FL Zip: 32456  
Home Telephone: 724-366-0300 Work Telephone:  
Cell Phone:  
E-mail Address: dan@dlguild.com

Correspondence will be sent via email, unless you check here to receive it via US Mail:

**E. Location of proposed activities:**

Tax Parcel Identification Number: 09-09S-09W-1000-0000-0030  
Address: 2514 Egret Lane  
City: Apalachicola County: Franklin Zip: 32320  
Latitude (DMS) 29 ° 42 ' 31.11 " Longitude (DMS) 85 ° 9 ' 9.00 "

**F. Date activity is proposed:** To Commence: Upon Permit Issuance To be Completed: Within 2 years

**G. Describe in general terms the proposed project, system, or activity:**

Construction of a Single Family Residential Dock

**H. Describe wetland and aquatic habitats to be affected:**

No wetlands exist within the alignment of the proposed dock, nor aquatic habitats.

**I. Construction methods and schedule:**

The proposed dock will be constructed from itself.

**J. Additional information that demonstrates that you qualify for the general permit, addressing all the parameters, thresholds, and conditions required in the general permit.**

**Part 2: Certification**

I hereby certify I have read and will conduct the above activities in accordance with the criteria, limitations, and specific conditions of the general permit identified in Part 1 Section A, and in accordance with the general conditions of Rule 62-330.405, F.A.C. Unless otherwise provided in Chapter 62-330, F.A.C., activities conducted pursuant to the above general permit may commence thirty (30) days after providing written notice to the Department of Environmental Protection or the Water Management District, along with any required additional documentation which may be required to fulfill the requirements of the general permit, unless the Agency responds that the proposed work does not qualify for a general permit.

I understand I may have to provide any additional information/data that may be necessary to provide reasonable assurance or evidence that the proposed project will comply with the applicable state water quality standards or other environmental standards both before construction and after the process is completed.

I further acknowledge that work done under this general permit may also require the review and approval of other federal, state, or local agencies, and that commencement of construction before such federal, state, or local agency approvals or permits are obtained may subject me to enforcement action and fines or penalties by such agencies. Further, the work shall be conducted in a manner that does not violate applicable water quality standards.

**Dan Garlick**



09/08/20  
Date

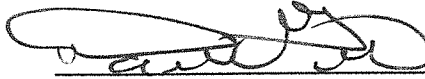
Typed/Printed Name of Applicant or Agent

Signature of Applicant or Agent

An Agent May Sign Above If Applicant Completes the Following:

I hereby designate and authorize the agent listed in Item Part 1 Section C to act on my behalf as my agent in the processing of this permit application and to furnish on request, supplemental information in support of the application.

**Dan Guild**



9-7-2020  
Date

Typed/Printed Name of Applicant  
(And corporate title, if applicable)

Signature of Applicant

Date

**Certification of Sufficient Real Property Interest and Authorization for Staff to Access the Property:**

I certify that:

I possess sufficient real property interest in or control, as defined in Section 4.2.3 (d) of Applicant's Handbook Volume I, over the land upon which the activities described in this application are proposed and I have legal authority to grant permission to access those lands. I hereby grant permission, evidenced by my signature below, for staff of the Agency to access, inspect, and sample the lands and waters of the property as necessary for the review of the proposed works and other activities specified in this application. I authorize these agents or personnel to enter the property as many times as may be necessary to make such review, inspection, and/ or sampling. Further, I agree to provide entry to the project site for such agents or personnel to monitor and inspect permitted work if a permit is granted.

OR

I represent an entity having the power of eminent domain and condemnation authority, and I/we shall make appropriate arrangements to enable staff of the Agency to access, inspect, and sample the property as described above.

**Dan Guild**



9-7-2020  
Date

Typed/Printed Name of Applicant  
(And corporate title, if applicable)

Signature of Applicant

Date



### **Part 3: Submittal**

In addition to the information described in this form, any Notice of Intent to use a General Permit must also include the following, as described in Section 4.2.2 of the Applicant's Handbook, Volume I:

- Location map(s) of sufficient detail to allow someone who is unfamiliar with the site to travel to and locate the specific site of the activity.
- One set of plans and drawings, calculations, environmental information, and other supporting documents that clearly and legibly depict and describe the proposed activities in sufficient detail to demonstrate that the work qualifies for the specified General Permit.
- The required fee, made payable to the appropriate agency.

Fees for the appropriate agency are established in the rules adopted in subsection 62-330.071(1), F.A.C., as listed below:

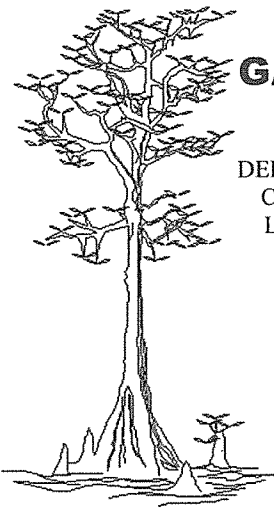
- Rule 62-4.050, F.A.C. (Department of Environmental Protection or the Northwest Florida Water Management District)
- Rule 40B-1.706, F.A.C. (Suwannee River Water Management District)
- Rule 40C-1.603, F.A.C. (St. Johns River Water Management District)
- Rule 40D-1.607, F.A.C. (Southwest Florida Water Management District)
- Rule 40E-1.607, F.A.C. (South Florida Water Management District)

Operating Agreements between the Department and the water management districts specify which agency will process any given application. For copies of the operating agreements, go to <https://floridadep.gov/ogc/ogc/content/operating-agreements>

This application form may be submitted online; to do so, follow the on-line submittal requirements of the agency:

- o **Florida Department of Environmental Protection:** <http://www.fldepportal.com/go/>
- o **Northwest Florida Water Management District:** <https://permitting.sjrwmd.com/nwepmitting/jsp/start.jsp>
- o **Suwannee River Water Management District:** <https://permitting.sjrwmd.com/srepermitting/jsp/start.jsp>
- o **St. Johns River Water Management District:** <https://permitting.sjrwmd.com/epermitting/jsp/AccountOverview.do?command=init>
- o **Southwest Florida Water Management District:** <http://www.swfwmd.state.fl.us/permits/epermitting/>
- o **South Florida Water Management District:** <http://my.sfwmd.gov/ePermitting/MainPage.do>

If submitting a paper application, please see Appendix A of Applicant's Handbook, Volume I for submittal locations.



# GARLICK ENVIRONMENTAL ASSOCIATES, INC.

SPECIALIZING IN: REGULATORY PERMITS • WETLANDS/UPLAND JURISDICTIONAL DELINEATIONS • SUBMERGED LAND LEASES • ECOLOGICAL INVENTORY ASSESSMENTS • CONSERVATION AND OTHER EASEMENTS • EXPERT WITNESS AND ENVIRONMENTAL LITIGATION SERVICES • MITIGATION • CULTURAL RESOURCE ANALYSIS • CREATIVE MARINA, DOCK, AND SUBDIVISION DESIGN

## LETTER OF TRANSMITTAL

September 9, 2020

Ms Lisa Lovvorn  
COE North Permits Branch  
415 North Richard Jackson Blvd.  
Suite 411  
Panama City, FL 32407

RE: Construction of a Single Family Pier  
Egret Landing / Franklin County  
GEA File No. 20-103

The proposed project is located in Section 9, Township 9 South, Range 9 West, in Franklin County, FL. The waterbody at the project site is St Vincent Sound, Class II, an OFW, not an Aquatic Preserve. The existing conditions at the project is a developed parcel.

The attached application is for the construction of a single family residential dock. The following information should aid you in your review:

The linear footage of the shoreline for the referenced project is 112.06 ft. The construction of the access walkway will be 250' in length and 4 ft. in width (1000 Sq. Ft). The terminus will be constructed 6 ft. in width and 20 ft in length, with a 2 ft. step down (120 Sq. Ft) for a total of 1120 Sq. Ft. No emergent nor submerged vegetation exist within the alignment of the proposed dock.

The spacing between pilings will be a minimum of 10 ft. apart. The type of wood that will be used for the decking will consist of treated wood, no more than 8 inches wide, and spaced no less than one-half inch apart after shrinkage;

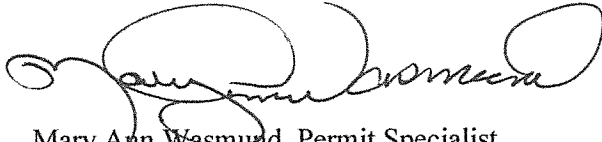
The materials to be used to construct the proposed dock will be transported to the site by truck. The piles will be jetted. However, provisions will include maintaining State Water Quality standards for turbidity by installing turbidity curtains. A barge will not assist in the construction of the proposed dock. The depth of water at the location of the proposed dock and boatlifts is -2.25 feet at Mean Low Water (MLW). The Mean High Water and Mean Low Water Lines are indicated on the attached drawings. No emergent nor submerged vegetation exists within the alignment of the proposed dock, nor the boat lifts.

Evidence of title to the subject riparian upland property is attached in the form of a Warranty Deed. The upland area is presently zoned as residential and no changes are proposed.



If you have any questions or need any additional assistance, please do not hesitate to call us at (805) 653-8899 or email us [dan@garlickenv.com](mailto:dan@garlickenv.com) or [maryann@garlickenv.com](mailto:maryann@garlickenv.com).


Sincerely,



Mary Ann Wasmund, Permit Specialist  
Garlick Environmental Associates, Inc.

Attachments

cc: Dan Guild

<p align="center"><b>U.S. Army Corps of Engineers (USACE)</b>  <b>APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT</b>                  33 CFR 325. The proponent agency is CECW-CO-R.</p>		<p align="center"><i>Form Approved -</i>  <b>OMB No. 0710-0003</b>  <i>Expires: 02-28-2022</i></p>	
<p>The public reporting burden for this collection of information, OMB Control Number 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at <a href="mailto:whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil">whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil</a>. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR APPLICATION TO THE ABOVE EMAIL.</p>			
PRIVACY ACT STATEMENT			
<p>Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned. System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website: <a href="http://dpcl.d.defense.gov/Privacy/SORNs/Index/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx">http://dpcl.d.defense.gov/Privacy/SORNs/Index/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx</a></p>			
(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)			
1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
(ITEMS BELOW TO BE FILLED BY APPLICANT)			
5. APPLICANT'S NAME		8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required)	
First - Daniel	Middle -	Last - Guild	First - Dan
			Middle -
			Last - Garlick
Company -		Company - Garlick Environmental Associates, Inc.	
E-mail Address - dan@diguild.com		E-mail Address - dan@garlickenv.com	
6. APPLICANT'S ADDRESS:		9. AGENT'S ADDRESS:	
Address- 2514 Egret Lane		Address- Post Office Box 385	
City - Apalachicola	State - FL	Zip - 32320	Country - USA
City - Apalachicola	State - FL	Zip - 32329	Country - USA
7. APPLICANT'S PHONE NOS. w/AREA CODE		10. AGENTS PHONE NOS. w/AREA CODE	
a. Residence	b. Business	c. Fax	a. Residence
724-366-0300			b. Business
			850-653-8899
			c. Fax
			850-653-9656
<b>STATEMENT OF AUTHORIZATION</b>			
11. I hereby authorize, <u>Garlick Environmental Asso. Inc</u> to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.			
			9-7-2020
SIGNATURE OF APPLICANT			DATE
<b>NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY</b>			
12. PROJECT NAME OR TITLE (see instructions)			
Guild Single Family Dock			
13. NAME OF WATERBODY, IF KNOWN (if applicable)		14. PROJECT STREET ADDRESS (if applicable)	
Saint Vincent Sound / ClassII / OFW / not an aquatic preserve		Address 2514 Egret Lane	
15. LOCATION OF PROJECT		City - Apalachicola	
Latitude: +N 29.685242	Longitude: -W 85.331608	State- FL	Zip- 32320
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)			
State Tax Parcel ID	09-09S09W-1000-0000-0030	Municipality	
Section - 9	Township - 9 South	Range - 9 West	

17. DIRECTIONS TO THE SITE  
See Attached Location Map

18. Nature of Activity (Description of project, include all features)  
Construction of a Single Family Residential Dock

19. Project Purpose (Describe the reason or purpose of the project, see instructions)  
The purpose for the dock is to allow access to the water.

**USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED**

20. Reason(s) for Discharge  
N/A

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type Amount in Cubic Yards	Type Amount in Cubic Yards	Type Amount in Cubic Yards
N/A		

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres N/A  
or  
Linear Feet N/A

23. Description of Avoidance, Minimization, and Compensation (see instructions)  
N/A



24. Is Any Portion of the Work Already Complete?  Yes  No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

a. Address- Robert M. Johnson & Lisa L. Johnston 2526 Egret Lane

City - Port ST Joe State - FL Zip - 32456

b. Address-

City - State - Zip -

c. Address-

City - State - Zip -

d. Address-

City - State - Zip -

e. Address-

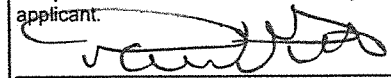

City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
FDEP	General Permit	19-0329939-001-EG		October 17 2014	
COE	General Permit	SAJ-2014-03025(GP-SRM)		December 5, 2014	

\* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT      DATE: 9-7-2020      SIGNATURE OF AGENT      DATE: 09/06/20

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.



Project Design Criteria Checklist for the U.S. Army Corps of Engineers Jacksonville District's Programmatic Biological Opinion (JAXBO)

Activity 2: Pile Supported

<b>Agency internal use:</b>			
<input type="text"/>	Date checklist sent to NMFS (MM/DD/YY)	<input type="text"/>	PM Last Name
<input type="text"/>		<input type="text"/>	Application #
<input type="text"/>		<input type="text"/>	Checklist Version

Proposed Activity (Select all that apply):

- Dock New
- Dock Repair
- Dock Replacement
- Mooring/Dolphin piles
- Mooring buoys
- Mooring fields
- Chickees
- ATONS/PATONS
- Boatlift
- Temporary structures/buoys
- Other (Provide description in Comments box at bottom)

Select the type/use of the structure

Enter information about the proposed activity:

<input type="text"/>	Total number of existing dry slips	<input type="text"/>	Total number of existing wet slips
<input type="text"/>	Total number of proposed dry slips	<input type="text"/>	Total number of proposed wet slips

Piling Installation Data: Enter data as appropriate for different pile types used. JAXBO does not cover installation of metal piles or sheet piles with impact hammer (AP 2; Section 2.2).

Pile	Pile Type 1	Pile Type 2	Pile Type 3	Pile Type 4
55	Number of Piles	Number of Piles	Number of Piles	Number of Piles
0	Size of each Pile (sq.ft.)	Size of each Pile (sq.ft.)	Size of each Pile (sq.ft.)	Size of each Pile (sq.ft.)
Wood	Pile Material	Pile Material	Pile Material	Pile Material
Jetting	Installation Method	Installation Method	Installation Method	Installation Method

Open-Water Project in Open-Water or Confined-Space Environment (AP.2; Section 2.2)?

NA Select Noise PDC Category (AP.2.) as detailed in (Section 2.2).

For commercial/multi-family/public facilities and marine events which of the following signs will be posted (A2.2.) Select all that apply:

- Save Sea Turtle/ Sawfish/ and Dolphin Sign
- Help Protect North American Right Whale
- Report Sturgeon
- U.S. Caribbean

- For commercial/multi-family/public docking facilities/monofilament recycling bins will be installed. (A2.3)
- North Atlantic Right Whale Educational Sign Zone: Is the North Atlantic right whales handout included as special condition of permit (A2.4)?
- Does the project include a municipal or commercial fishing pier?
- Is dock within visible distance of an ocean beach?  If yes, is turtle-friendly lighting installed as required by JAXBO (A2.8)?
- Will project construction take place from uplands or from floating equipment (e.g. barge) as required (A2.9)?
- Dock Construction Scenario included as a special condition (A2.17)?

For projects located in Designated Critical Habitat; please complete applicable section below:

No Is the project located in the geographic area of Smalltooth Sawfish Critical Habitat?

Is project located in smalltooth sawfish limited exclusion zone?

Yes Is the project located in the geographic area of Gulf Sturgeon Critical Habitat?

NA Enter width of the area (e.g. channel/ bay) if in a the Gulf sturgeon critical habitat migratory restriction zone (Section 2.1.1.2)

NA Select additional noise restrictions required as special condition in Gulf sturgeon critical habitat migratory restriction zones (A2.11).

No Is the project located in the geographic area of Acropora Critical Habitat?

Are essential features present?

Is hardbottom present in project footprint? (AP.14).

No Is the project located in the geographic area of Johnson's Seagrass Critical Habitat?

Water depths (insert range of water depths where project will occur as minus MLW)

Project includes a new marina or multifamily facility (A2.14)?

Does the project include repair/replacement and reconfiguration of existing marinas or multi-family facilities?

If project is repair/replacement and reconfiguration of existing marinas or multi-family facilities then select all that apply under JAXBO (A2.14):

Occurs within same overall footprint (out to the perimeter of the facility including the outer limits of the structure and permitted mooring locations).

Does not increase the total aerial extent (i.e. area of coverage from the dock structures) of the existing facility.

Does not affect Johnson's seagrass.

No Is the project located in the geographic area of Nearshore Reproductive Habitat of NWA DPS of Loggerhead Sea Turtle Critical Habitat?

Does the project include the installation of a structure other than ATONs (A2.15)?

No Is the project located near sea turtle nesting beaches in the geographic area of U.S. Caribbean Sea Turtle Critical Habitat?

Does the project include the installation of a structure other than ATONs near sea turtle nesting beaches (A2.16)?

Comments:

Construction of a single family residential dock.



Permitting Agency's Internal Use Only:

Date checklist sent to NMFS (MM/DD/YY)  Reviewer Last Name  Application # (for Corps: SAJ-XXXX-XXXX)  Checklist Version<sup>1</sup>

Indicate the agency issuing the permit/authorization.

Yes  No Is this a re-verification, edit, or modification to a consultation previously submitted under JaxBO?

If yes to above, enter date of previous Tier II consultation

If another NMFS programmatic BO was used for the proposed project, please select name of programmatic BO used.

The Corps Project Manager or Delegated Authority has reviewed and confirmed that the proposed project meets all PDCs. It is the responsibility of the reviewer to ensure the proposed project complies with all the applicable PDCs. Please enter initials of reviewer.

2514 Egret Lane Project Street Address  29 42' 31.11" Latitude (decimal degrees, centroid of the project)

Apalachicola City  85 9' 9.00" Longitude (decimal degrees, centroid of the project. Please include the negative symbol)

Franklin County (Florida)  N/A Municipality (Puerto Rico & USVI)

Select all activities used for the entire proposed project:

1  2  3  4  5  6  7  8  9  10  Superseding Process

Geographic Area	Is the project located in the geographic area?	Select DCH Unit	Are Essential Features Present?	If Essential Features are present, enter area of impact
Smalltooth Sawfish DCH Limited Exclusion Zones (AP.4)	<input type="radio"/> Yes <input checked="" type="radio"/> No	N/A	N/A	N/A
Gulf Sturgeon DCH Migratory Restriction Zones (AP.4)	<input type="radio"/> Yes <input checked="" type="radio"/> No	N/A	N/A	N/A
Atlantic Sturgeon DCH Exclusion Zone (AP.4)	<input type="radio"/> Yes <input checked="" type="radio"/> No	N/A	N/A	No activities allowed here!
North Atlantic Right Whales Educational Sign Zones (AP.4)	<input type="radio"/> Yes <input checked="" type="radio"/> No	N/A	N/A	N/A
U.S. Caribbean Sea Turtle Critical Habitat Restriction Zones (AP.4)	<input type="radio"/> Yes <input checked="" type="radio"/> No	N/A	N/A	N/A
Bryde's Whale Exclusion Zone (AP.4)	<input type="radio"/> Yes <input checked="" type="radio"/> No	N/A	N/A	No activities allowed here!
Smalltooth sawfish DCH	<input type="radio"/> Yes <input checked="" type="radio"/> No		<input type="radio"/> Yes <input type="radio"/> No	<input type="text"/> LF of Red Mangroves <input type="text"/> SF of shallow euryhaline water
Gulf sturgeon DCH	<input checked="" type="radio"/> Yes <input type="radio"/> No		<input type="radio"/> Yes <input type="radio"/> No	<input type="text"/> SF of essential features
Loggerhead sea turtle (NWA DPS) DCH <sup>2</sup>	<input type="radio"/> Yes <input checked="" type="radio"/> No		<input type="radio"/> Yes <input type="radio"/> No	<input type="text"/> SF of essential features
Green sea turtle (NA DPS) DCH	<input type="radio"/> Yes <input checked="" type="radio"/> No	N/A	<input type="radio"/> Yes <input type="radio"/> No	<input type="text"/> SF of essential features
Hawksbill sea turtle DCH	<input type="radio"/> Yes <input checked="" type="radio"/> No	N/A	<input type="radio"/> Yes <input type="radio"/> No	<input type="text"/> SF of essential features
Leatherback sea turtle DCH	<input type="radio"/> Yes <input checked="" type="radio"/> No	N/A	<input type="radio"/> Yes <input type="radio"/> No	<input type="text"/> SF of essential features
Staghorn and elkhorn (Acropora) coral DCH	<input type="radio"/> Yes <input checked="" type="radio"/> No		<input type="radio"/> Yes <input type="radio"/> No	No impacts to essential features allowed.
Johnson's seagrass DCH	<input type="radio"/> Yes <input checked="" type="radio"/> No		<input type="radio"/> Yes <input type="radio"/> No	<input type="text"/> SF of essential features
North Atlantic right whale DCH	<input type="radio"/> Yes <input checked="" type="radio"/> No		<input type="radio"/> Yes <input type="radio"/> No	<input type="text"/> SF of essential features
Atlantic sturgeon DCH	<input type="radio"/> Yes <input checked="" type="radio"/> No		N/A	No activities allowed here!

No/No Is the Project in or near areas with mangroves, seagrasses, corals, or hard bottom habitat? Does it comply with PDCs for Mangroves, Seagrasses, Corals, and Hard Bottom for All Projects (AP.3)

Resource	Present in the project footprint?	Square Feet of Impact
Mangroves	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Nonlisted Seagrass	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Johnson's Seagrass	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Listed Corals	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Nonlisted Corals	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Hardbottom	<input type="radio"/> Yes <input checked="" type="radio"/> No	

1,560.00 SF of Overwater Impacts (area of structure over/above the water surface, e.g., docks or canopies)

13.75 SF of Total In-water Impacts (area of substrate that is permanently changed below MHW, e.g., by seawall, riprap, or cross-sectional area of piles)

Yes Applicant agrees to adhere to PDCs for In-Water Activities (AP.1) as described in AP.7 through AP.11

Yes Applicant agrees to perform all activities during daylight hours (AP.6).

Yes  No Is the project within the boundary of the Florida Keys National Marine Sanctuary (FKNMS)?

Yes If within the boundaries of FKNMS, received NOAA authorization?

To be completed by applicant or agent if permit is issued by a delegated authority (FDEP, Miami-Dade, etc.) Please enter full name of applicant or applicant's representative:

Dan Garlick The applicant or applicant's representative ensures the project complies with the PDCs and all information in this form and individual checklist(s) is correct

Comments:

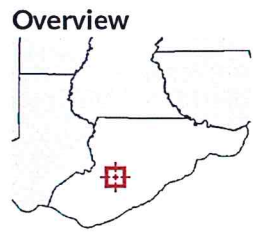
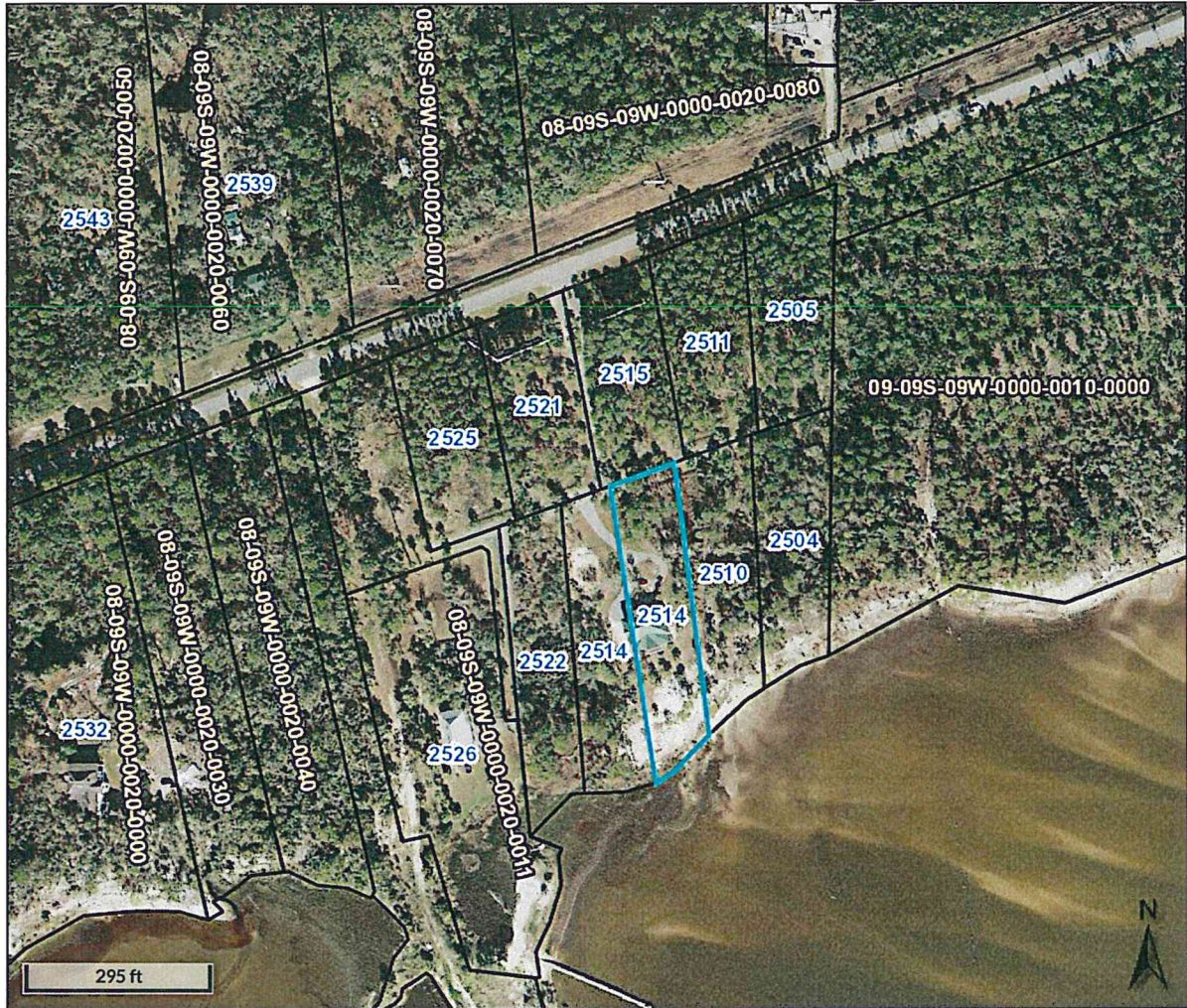
The permitted dock will be constructed within the 5 year period of the permit. Turbidity curtains will be deployed around the construction site and will remain until water quality has returned to normal. The proposed dock will be constructed during daylight hours only.

<sup>1</sup> Checklist Version: Select 1 if it is the first time you are submitting the consultation. Select 2 if you made an error or the project has changed and you need to resubmit the checklist.  
<sup>2</sup> The project may be located in two different Loggerhead DCH Units. Select all that apply. If there are more than two, please add to the Comments section.



J-

*Owner*



- Legend**
- Parcels
  - Roads
  - City Labels

Parcel ID	09-09S-09W-1000-0000-0030	Alternate ID	09W09S09100000000030	Owner Address	GUILD DANIEL L & CAROL G
Sec/Twp/Rng	--	Class	VACANT		2514 EGRET LANE
Property Address	2514 EGRET LN	Acreage	n/a		PORT ST JOE, FL 32456
District	1				
Brief Tax Description	EGRET LANDING AT ST VINCENT				
	(Note: Not to be used on legal documents)				

Date created: 8/25/2020  
 Last Data Uploaded: 8/25/2020 7:51:04 AM

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 GEOSPATIAL



**Parcel Summary**

Parcel ID 09-095-09W-1000-0000-0030  
 Location Address 2514 EGRET LN  
 32320  
 Brief Tax Description\* EGRET LANDING AT ST VINCENT SOUND LOT 3 995/256 1000/570 1094/342 1147/193 1204/255  
\*The Description above is not to be used on legal documents.  
 Property Use Code VACANT (000000)  
 Sec/Twp/Rng --  
 Tax District County (District 1)  
 Millage Rate 11.5391  
 Acreage 0.000  
 Homestead N

[View Map](#)

**Owner Information**

Primary Owner  
 Guild Daniel L & Carol G  
 2514 Egret Lane  
 Port St Joe, FL 32456

**Land Information**

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
000121	BAY FRONT	1.00	UT	0	0

**Sales**

Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	10/12/2017	\$100	WD	1204	255	Unqualified (U)	Vacant	GUILD/AUBITZ-GUILD	GUILD
N	06/25/2015	\$100	WD	1147	193	Unqualified (U)	Vacant	GUILD	GUILD
N	06/05/2013	\$1,010,000	WD	1094	342	Qualified (Q)	Vacant	ANDRADE ASSOCIATES LIMITED PARTNERSHIP	GUILD
N	11/12/2009	\$650,000	WD	1000	570	Unqualified (U)	Vacant	BRANCH BANKING & TRUST CO	ANDRADE ASSOCIATES LIMITED PAT
N	08/17/2009	\$100	CT	995	256	Unqualified (U)	Vacant	GOLDEN COAST DEVEL.LLC	BRANCH BANKING & TRUST CO.

**Valuation**

	2020 Preliminary	2019 Certified	2018 Certified	2017 Certified	2016 Certified
Building Value	\$0	\$0	\$0	\$0	\$0
Extra Features Value	\$0	\$0	\$6,800	\$0	\$0
Land Value	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$150,000	\$150,000	\$156,800	\$150,000	\$150,000
Assessed Value	\$150,000	\$150,000	\$156,800	\$150,000	\$150,000
Exempt Value	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$150,000	\$150,000	\$156,800	\$150,000	\$150,000
Maximum Save Our Homes Portability	\$0	\$0	\$0	\$0	\$0

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

**TRIM Notice 2020**

[2020 TRIM Notice\(PDF\)](#)

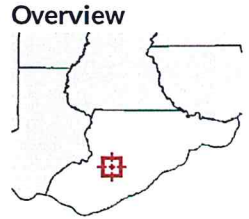
**TRIM Notice 2019**

[2019 TRIM Notice\(PDF\)](#)

No data available for the following modules: Residential Buildings, Commercial Buildings, Extra Features, Sketches.



*Adjacent Neighbor*



Legend

- Parcels
- Roads
- City Labels

Parcel ID	08-09S-09W-0000-0020-0011	Alternate ID	09W09S08000000200011	Owner Address	JOHNSTON ROBERT M & LISAL
Sec/Twp/Rng	--	Class	SINGLE FAM		2526 EGRET LN
Property Address	2526 EGRET LANE	Acreage	2.8		PORT SAINT JOE, FL 32456-7768
District	1				
Brief Tax Description	A PARCEL IN SEC 8 BEING 2.8 AC				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 9/2/2020  
 Last Data Uploaded: 9/2/2020 7:37:35 AM

Developed by  Schneider  
 GEOSPATIAL





**Parcel Summary**

Parcel ID 08-09S-09W-0000-0020-0011  
 Location Address 2526 EGRET LANE  
 32320  
 Brief Tax Description\* A PARCEL IN SEC 8 BEING 2.8 AC M/L 1010/767 1094/339 1095/443  
 \*The Description above is not to be used on legal documents.  
 Property Use Code SINGLE FAM (000100)  
 Sec/Twp/Rng --  
 Tax District County (District 1)  
 Millage Rate 11.5391  
 Acreage 2.800  
 Homestead Y

[View Map](#)

**Owner Information**

Primary Owner  
 Johnston Robert M & Lisa L  
 2526 Egret Ln  
 Port Saint Joe, FL 324567768

**Land Information**

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
000000	VAC RES	2.00	AC	0	0
011000	WET LANDS	0.80	AC	0	0

**Residential Buildings**

Building 1  
 Type SFR PILING  
 Total Area 2,973  
 Heated Area 1,760  
 Exterior Walls BD/BTN AVG  
 Roof Cover MODULAR MT  
 Interior Walls DRYWALL  
 Frame Type WOOD FRAME  
 Floor Cover SHT VINYL; HARDWOOD  
 Heat AIR DUCTED  
 Air Conditioning CENTRAL  
 Bathrooms 3  
 Bedrooms 3  
 Stories 0  
 Effective Year Built 2011

**Extra Features**

Code	Description	Number of Items	Length x Width x Height	Units	Unit Type	Effective Year Built
0320	CONCRETE	1	0x0x0	2,195	SF	2011
0130	CL FENCE 5	1	0x0x5	488	LF	2011
0665	STEPS W/RAILS	1	0x0x0	80	SF	2011
0080	DECK	1	0x0x0	25	SF	2011
1000	BOATLIFT	1	0x0x0	1	UT	2011
0430	DOCK	1	0x0x0	978	SF	2011
0010	ASPH DRIVE	1	0x0x0	1,353	SF	2011
0130	CL FENCE 5	1	0x0x5	488	LF	2011
0279	POOL RES AVERAGE	1	0x0x0	1	UT	2017
0430	DOCK	1	0x0x0	978	SF	2017
0320	CONCRETE	1	0x0x0	340	SF	2017

**Sales**

Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	07/01/2013	\$552,500	WD	1095	443	Qualified (Q)	Improved	WILLIS	JOHNSTON
N	05/17/2013	\$100	CD	1094	339	Unqualified (U)	Improved	ANDRADE ASSOCIATES LIMITED PARTNERSHIP	WILLIS
N	05/06/2010	\$75,000	QC	1010	769	Unqualified (U)	Vacant	ANDRADE ASSOCIATES	WILLIS

J-

### Valuation

	2020 Preliminary	2019 Certified	2018 Certified	2017 Certified	2016 Certified
Building Value	\$184,824	\$164,364	\$166,932	\$166,932	\$168,644
Extra Features Value	\$59,951	\$59,951	\$59,951	\$21,970	\$21,970
Land Value	\$242,000	\$242,000	\$242,000	\$242,000	\$242,000
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$486,775	\$466,315	\$468,883	\$430,902	\$432,614
Assessed Value	\$477,040	\$466,315	\$468,883	\$430,902	\$432,614
Exempt Value	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Taxable Value	\$427,040	\$416,315	\$418,883	\$380,902	\$382,614
Maximum Save Our Homes Portability	\$9,735	\$0	\$0	\$0	\$0

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

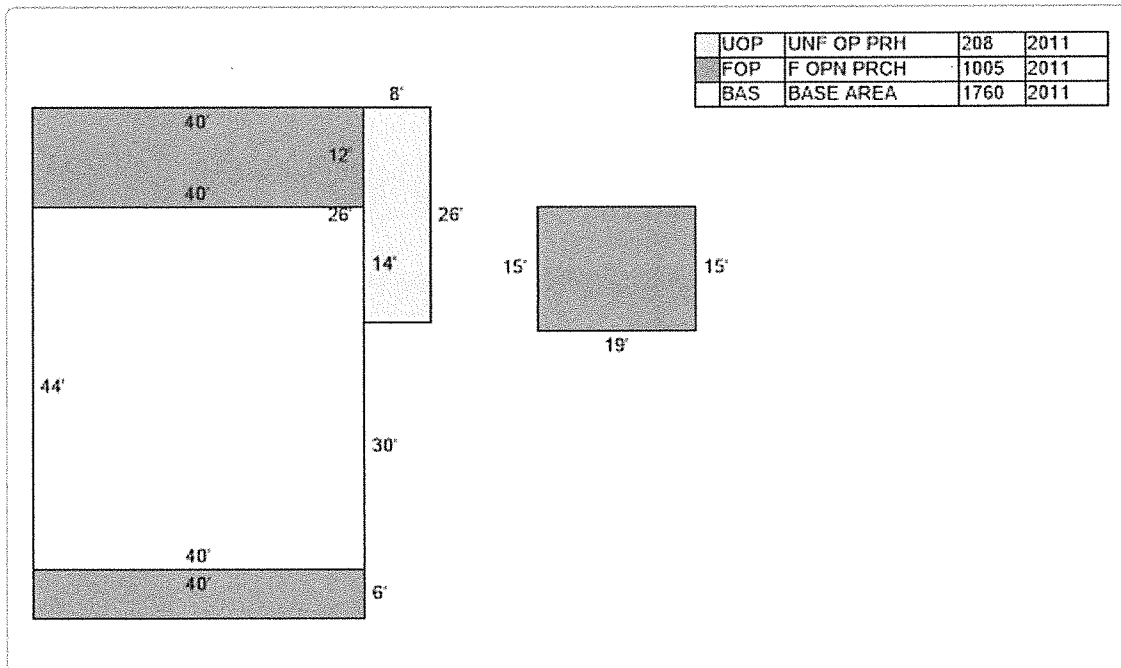
### TRIM Notice 2020

[2020 TRIM Notice\(PDF\)](#)

### TRIM Notice 2019

[2019 TRIM Notice\(PDF\)](#)

### Sketches



No data available for the following modules: Commercial Buildings.

Franklin County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

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[GDPR Privacy Notice](#)

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Version 2.3.82

Developed by  
**Schneider**  
GEOSPATIAL



J-

# FLORIDA DEPARTMENT OF Environmental Protection

Northwest District  
160 W. Government Street, Suite 308  
Pensacola, FL 32502

Ron DeSantis  
Governor

Jeanette Nuñez  
Lt. Governor

Noah Valenstein  
Secretary

October 2, 2020

Dan Guild  
2514 Egret Lane  
Apalachicola, Florida 32320  
[dan@dlguild.com](mailto:dan@dlguild.com)

File No.: 0329939-002-EG/19, Franklin County

Dear Mr. Guild:

On September 11, 2020, we received your notice of intent to use a General Permit (GP) pursuant to Rule 62-330.427, Florida Administrative Code (F.A.C.) to construct a single-family dock no larger than 2,000 square feet within St. Vincent Sound, Class II Outstanding Florida Waters, Unclassified Shellfish Harvesting Area. The project is located at 2514 Egret Lane, Apalachicola, Florida 32320, Parcel No. 09-09S-09W-1000-0000-0030, in Section 09, Township 09 South, Range 09 West of Franklin County; at approximately 29°42'33.3198" North Latitude, 85°9'9.7302" West Longitude.

Your intent to use a general permit has been reviewed by Department staff for three types of authorization: (1) regulatory authorization, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal authorization. The authority for review and the outcomes of the reviews are listed below. Please read each section carefully.

**Your project qualifies for all three authorizations.** However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

## 1. Regulatory Review – Approved

Based on the forms, drawings, and documents submitted with your notice, it appears that the project meets the requirements for the General Permit under Rule 62-330.427, F.A.C. Any activities performed under a general permit are subject to general conditions required in Rule 62-330.405, F.A.C. (attached) and the specific conditions of Rule 62-330.427, F.A.C. (attached). Any deviations from these conditions may subject the permittee to enforcement action and possible penalties.



Please be advised that the construction phase of the GP must be completed within five years from the date the notice to use the GP was received by the Department. If you wish to continue this GP beyond the expiration date, you must notify the Department at least 30 days before its expiration.

Authority for review – Part IV of Chapter 373, Florida Statutes (F.S.), Title 62, F.A.C., and in accordance with the operating agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C.

## 2. Proprietary Review – Granted

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapters 253 and 258, F.S. and Chapters 18-20 and 18-21, F.A.C.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above and has determined that the activity qualifies for a Letter of Consent under Section 253.77, F.S. to construct and use the activity on the specified sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein.

During the term of this Letter of Consent you shall maintain satisfactory evidence of sufficient upland interest as required by paragraph 18-21.004(3)(b), F.A.C. If such interest is terminated or the Board of Trustees determines that such interest did not exist on the date of issuance of this Letter of Consent, this Letter of Consent may be terminated by the Board of Trustees at its sole option. If the Board of Trustees terminates this Letter of Consent, you agree not to assert a claim or defense against the Board of Trustees arising out of this Letter of Consent.

Please be advised that any use of sovereign submerged lands without specific prior authorization from the Board of Trustees will be considered a violation of Chapter 253, F.S. and may subject the affected upland riparian property owners to legal action as well as potential fines for the prior unauthorized use of sovereign land.

Authority for review – Chapter 253, F.S., Chapter 18-21, F.A.C., and Section 62-330.075, F.A.C., as required.

## 3. Federal Review – SPGP Approved

Your proposed activity as outlined in your application and attached drawings qualifies for Federal authorization pursuant to the State Programmatic General Permit V-R1, and a **SEPARATE permit** or authorization **will not be required** from the Corps. Please note that the Federal authorization expires on July 26, 2021. However, your authorization may remain in effect for up to 1 additional year, if provisions of Special Condition 19 of the SPGP V-R1 permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project

are attached. A copy of the SPGP V-R1 with all terms and conditions and the General Conditions may be found at <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book>.

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

**Additional Information**

Please retain this general permit. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S. and Chapter 18-14, F.A.C.

**NOTICE OF RIGHTS**

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing process is designed to formulate final agency action, the subsequent order may modify or take a different position than this action.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at [Agency\\_Clerk@FloridaDEP.gov](mailto:Agency_Clerk@FloridaDEP.gov). Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver may not apply to persons who have not received a clear point of entry.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at [Agency\\_Clerk@FloridaDEP.gov](mailto:Agency_Clerk@FloridaDEP.gov), before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.



Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S. by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

If you have any questions regarding this matter, please contact Jacob Hullett at the letterhead address, at (850)595-0638, or at [Jacob.Hullett@FloridaDEP.gov](mailto:Jacob.Hullett@FloridaDEP.gov)

**EXECUTION AND CLERKING**

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



\_\_\_\_\_  
Jacob Hullett  
Environmental Specialist  
Submerged Lands and Environmental Resources Program

**Attachments:**

1. Rule 62-330.427, F.A.C., 2 pages
2. General Conditions for All General Permits, Rule 62-330.405, F.A.C., 3 pages
3. Special Consent Conditions for Use of Sovereignty Submerged Lands, 1 page
4. General Consent Conditions for Use of Sovereignty Submerged Lands, 2 pages
5. Special Conditions for Federal Authorization for SPGP V-R1, 7 pages
6. General Conditions for Federal Authorization for SPGP V-R1, 2 pages
7. Standard Manatee Conditions for In-Water Work, 2 pages
8. Project Drawings, 4 pages

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Wade Dandridge, DEP, [Wade.Dandridge@FloridaDEP.gov](mailto:Wade.Dandridge@FloridaDEP.gov)  
Dan Garlick, Agent, Garlick Environmental Associates, Inc., [dan@garlickenv.com](mailto:dan@garlickenv.com)  
Mary Ann, Agent, Garlick Environmental Associates, Inc., [maryann@garlickenv.com](mailto:maryann@garlickenv.com)  
Franklin County, [twade@cityofapalachicola.com](mailto:twade@cityofapalachicola.com), [michael@franklincountyflorida.com](mailto:michael@franklincountyflorida.com)

**FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Mandakini Patel      October 2, 2020  
Clerk                              Date

**62-330.427 General Permit for Docks, Piers and Associated Structures.**

(1) A general permit is granted to any person to construct, extend, or remove a dock or pier and associated structures as described below:

(a) A private, single-family pier or dock with up to two boat lifts that, together with all existing structures on the shoreline of the property, does not exceed a total area of 2,000 square feet over surface waters. Such a structure:

1. Shall not accommodate the mooring of more than two vessels, either in the water or on a boat lift. Solely for purposes of this general permit, up to two personal watercraft as defined in section 327.02(33), F.S., may be moored in lieu of either or both allowable vessels of another type.

These limits shall not apply to the mooring, storage or other use of the dock or pier by:

a. Non-motor-powered vessels less than 16 feet in length that are stored on or under the dock or pier, or within an authorized mooring area; or

b. Personal watercraft, dinghies or similar small vessels that are stowed out of the water, upon a larger parent vessel that is moored at the dock in compliance with this general permit.

2. Shall be located such that all areas used for vessel mooring and navigational access already provide a minimum depth of two feet below the mean low water level for tidal waters, or two feet below the expected average low water depth for non-tidal waters as determined based on best available information for the water body at the project location; and

3. May include a roof over the vessel mooring areas, boat lifts, and terminal platform, or any portions thereof, subject to the applicable provisions of chapters 253 and 258, F.S., and the rules adopted thereunder. Portions of such roofs that overhang beyond the edge of decked portions of the pier or dock shall be included in the calculation of the total square footage of over-water structure allowed under paragraph (1)(a), above.

(b) A public fishing pier that does not exceed a total area of 2,000 square feet provided the structure is designed and built to discourage boat mooring by elevating the fishing pier to a minimum height of five feet above mean high water or ordinary high water, surrounding the pier with handrails, and installing and maintaining signs that state "No Boat Mooring Allowed."

(2) This general permit shall be subject to the following specific conditions:

(a) Construction or extension of the boat lift, boat mooring locations, or terminal platform, shall not occur over submerged grassbeds, coral communities or wetlands. However, the access walkway portion of the pier may traverse these resources provided it is elevated a minimum of five feet above mean high water or ordinary high water, contains handrails that are maintained in such a manner as to prevent use of the access walkways for boat mooring or access, and does not exceed a width of six feet, or a width of four feet in Aquatic Preserves;

(b) There shall be no structures enclosed by walls, screens, or doors on any side;

(c) The dock or pier will not facilitate vessel rentals, charters, or serve any other commercial purpose;

(d) There shall be no fish cleaning facilities, boat repair facilities or equipment, or fueling facilities on the structures authorized by this general permit. In addition, no overboard discharges of trash, human or animal waste, or fuel shall occur from any structures authorized by this general permit;

(e) This general permit shall not authorize the construction or extension of more than one dock or pier per parcel of land or individual lot. For the purposes of this general permit, multi-family living complexes shall be treated as one parcel of property regardless of the legal division of ownership or control of the associated property; and



(f) Notwithstanding any other provisions of this general permit, the design, construction and operation of the dock or pier and associated vessels shall not conflict with any manatee protection plan approved and adopted under section 379.2431(2)(t), F.S.

*Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 373.426, 403.814(1) FS. History—New 10-3-95, Formerly 62-341.427, Amended 10-1-13, 6-1-18.*

**62-330.405 General Conditions for All General Permits.**

The following general permit conditions are binding upon the permittee and are enforceable under chapter 373, F.S. These conditions do not apply to the general permit for stormwater management systems under section 403.814(12), F.S.

- (1) The general permit is valid only for the specific activity indicated. Any deviation from the specified activity and the conditions for undertaking that activity shall constitute a violation of the permit and may subject the permittee to enforcement action and revocation of the permit under chapter 373, F.S.
- (2) The general permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any construction, alteration, operation, maintenance, removal or abandonment authorized by this permit; and it does not authorize any violation of any other applicable federal, state, local, or special district laws (including, but not limited to, those governing the “take” of listed species).
- (3) The general permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the general permit.
- (4) The general permit does not relieve the permittee from liability and penalties when the permitted activity causes harm or injury to: human health or welfare; animal, plant or aquatic life; or property. It does not allow the permittee to cause pollution that violates state water quality standards.
- (5) Section 253.77, F.S., provides that a person may not commence any excavation, construction, or other activity involving the use of state-owned or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required consent, lease, easement, or other form of authorization authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on state-owned lands.
- (6) The authorization to conduct activities under a general permit may be modified, suspended or revoked in accordance with chapter 120, F.S., and section 373.429, F.S.
- (7) The general permit is not transferable to a new third party. To be used by a different permittee, a new notice to use a general permit must be submitted in accordance with rule 62-330.402, F.A.C. Activities constructed in accordance with the terms and conditions of a general permit are automatically authorized to be operated and maintained by the permittee and subsequent owners in accordance with subsection 62-330.340(1), F.A.C. Any person holding the general permit, persons working under the general permit, and owners of land while work is conducted under the general permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to sale, conveyance, or other transfer of ownership or control of the permitted project, activity, or the real property at which the permitted project or activity is located.
- (8) Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the permitted system to ensure conformity with the plans and specifications approved by the general permit.
- (9) The permittee shall maintain any permitted project or activity in accordance with the plans submitted to the Agency and authorized in the general permit.
- (10) A permittee’s right to conduct a specific activity under the general permit is authorized for a duration of five years.

(11) Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be implemented and maintained immediately prior to, during, and after construction as needed to stabilize all disturbed areas, including other measures specified in the permit to prevent adverse impacts to the water resources and adjacent lands. Erosion and sediment control measures shall be installed and maintained in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007)*, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-04227>, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008)*, available at [http://publicfiles.dep.state.fl.us/DEAR/Stormwater\\_Training\\_Docs/erosion-inspectors-manual.pdf](http://publicfiles.dep.state.fl.us/DEAR/Stormwater_Training_Docs/erosion-inspectors-manual.pdf).

(12) Unless otherwise specified in the general permit, temporary vehicular access within wetlands during construction shall be performed using vehicles generating minimum ground pressure to minimize rutting and other environmental impacts. Within forested wetlands, the permittee shall choose alignments that minimize the destruction of mature wetland trees to the greatest extent practicable. When needed to prevent rutting or soil compaction, access vehicles shall be operated on wooden, composite, metal, or other non-earthen construction mats. In all cases, access in wetlands shall comply with the following:

- (a) Access within forested wetlands shall not include the cutting or clearing of any native wetland tree having a diameter four inches or greater at breast height;
- (b) The maximum width of the construction access area shall be limited to 15 feet;
- (c) All mats shall be removed as soon as practicable after equipment has completed passage through, or work has been completed, at any location along the alignment of the project, but in no case longer than seven days after equipment has completed work or passage through that location; and
- (d) Areas disturbed for access shall be restored to natural grades immediately after the maintenance or repair is completed.

(13) Barges or other work vessels used to conduct in-water activities shall be operated in a manner that prevents unauthorized dredging, water quality violations, and damage to submerged aquatic communities.

(14) The construction, alteration, or use of the authorized project shall not adversely impede navigation or create a navigational hazard in the water body.

(15) Except where specifically authorized in the general permit, activities must not:

- (a) Impound or obstruct existing water flow, cause adverse impacts to existing surface water storage and conveyance capabilities, or otherwise cause adverse water quantity or flooding impacts to receiving water and adjacent lands; or
- (b) Cause an adverse impact to the maintenance of surface or ground water levels or surface water flows established pursuant to section 373.042, F.S., or a Works of the District established pursuant to section 373.086, F.S.

(16) If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee



shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S.

(17) The activity must be capable, based on generally accepted engineering and scientific principles, of being performed and of functioning as proposed, and must comply with any applicable District special basin and geographic area criteria.

(18) The permittee shall comply with the following when performing work within waters accessible to federally- or state-listed aquatic species, such as manatees, marine turtles, smalltooth sawfish, and Gulf sturgeon:

(a) All vessels associated with the project shall operate at “Idle Speed/No Wake” at all times while in the work area and where the draft of the vessels provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.

(b) All deployed siltation or turbidity barriers shall be properly secured, monitored, and maintained to prevent entanglement or entrapment of listed species.

(c) All in-water activities, including vessel operation, must be shut down if a listed species comes within 50 feet of the work area. Activities shall not resume until the animal(s) has moved beyond a 50-foot radius of the in-water work, or until 30 minutes elapses since the last sighting within 50 feet. Animals must not be herded away or harassed into leaving. All onsite project personnel are responsible for observing water-related activities for the presence of listed species.

(d) Any listed species that is killed or injured by work associated with activities performed shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1(888)404-3922 and [ImperiledSpecies@myFWC.com](mailto:ImperiledSpecies@myFWC.com).

(e) Whenever there is a spill or frac-out of drilling fluid into waters accessible to the above species during a directional drilling operation, the FWC shall be notified at [ImperiledSpecies@myfwc.com](mailto:ImperiledSpecies@myfwc.com) with details of the event within 24 hours following detection of the spill or frac-out.

(19) The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any activity authorized by the general permit.

(20) The permittee shall immediately notify the Agency in writing of any submitted information that is discovered to be inaccurate.

*Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.044, 373.118(1), 373.129, 373.136, 373.406(5), 373.413, 373.4131, 373.414(9), 373.4145, 373.416, 373.422, 373.423, 373.429, 403.814(1) FS. History—New 10-3-95, Amended 10-1-07, Formerly 62-341.215, Amended 10-1-13, 6-1-18.*

**Special Consent Conditions**

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
  
2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.
  
3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
  
4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
  
5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

**General Conditions for Authorizations for Activities on State-Owned Submerged Lands:**

All authorizations granted by rule or in writing under rule 18-21.005, F.A.C., except those for geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (j) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under chapter 253 or 258, part II, F.S.

- (a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.
- (b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.
- (c) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in sections 253.04 and 258.46, F.S., or chapter 18-14, F.A.C.
- (d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.
- (e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in rules 68A-27.003, 68A-27.004 and 68A-27.005, F.A.C.
- (f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.
- (g) Structures or activities shall not create a navigational hazard.
- (h) Activities shall not interfere with the public easement for traditional uses of the sandy beaches provided in section 161.141, F.S.
- (i) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.
- (j) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(g), F.A.C., or any other applicable law.

*Rulemaking Authority 253.03(7), 253.73 FS. Law Implemented 253.001, 253.03, 253.141, 253.0347, 253.665, 253.71, 253.68, 253.72, 253.74, 253.75, 253.77 FS. History—New 3-27-82,*



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*Amended 8-1-83, Formerly 16Q-21.04, 16Q-21.004, Amended 12-25-86, 1-25-87, 3-15-90, 8-18-92, 10-15-98, 12-11-01, 10-29-03, 12-16-03, 3-8-04, 10-27-05, 4-14-08, 9-1-09, 3-21-19.*

**Special Conditions for Federal Authorization for SPGP V-R1**

**Note:** JAXBO (Jacksonville District’s Programmatic Biological Opinion), referenced throughout, may be found online in the Jacksonville District Regulatory Division Sourcebook, or at <http://cdm16021.contentdm.oclc.org/utis/getfile/collection/p16021coll3/id/577>. The SPGP V-R1 instrument and all attachments may be found online through the Sourcebook, or at <https://www.saj.usace.army.mil/SPGP/>

In addition to the conditions specified above, the following Special Conditions apply to all projects reviewed and/or authorized under the SPGP V-R1.

**Special Conditions for All Projects**

1. Authorization, design and construction must adhere to the terms of the SPGP V-R1 instrument including the Procedure and Work Authorized sections.
2. Design and construction must adhere to the PDCs for In-Water Activities ([Attachment 6](#), from PDCs AP.7 through AP11, inclusive, of JAXBO) (Reference: JAXBO PDC AP.1.).
3. All activities performed during daylight hours (Reference: JAXBO PDC AP.6.).
4. For all projects involving the installation of piles or sheet piles, the maximum number of piles, sheet piles or concrete slab walls or boatlift I-beams installed by impact hammer per day is limited to no more than 5 per day. Any installation of metal pipe or metal sheet pile by impact hammer is not authorized (Reference: Categories D and E of JAXBO PDCs for In-Water Noise from Pile and Sheet Pile Installation, page 86.).
5. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary (Reference: JAXBO PDCs AP.14 and A1.6).
6. Notifications to the Corps. For all authorizations under this SPGP V-R1, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:
  - a. Commencement Notification. Within 10 days before the date of initiating the work authorized by this permit or for each phase of the authorized project, the Permittee shall provide a written notification of the date of commencement of authorized work to the Corps.
  - b. Corps Self-Certification Statement of Compliance form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the “Self-Certification Statement of Compliance” form ([Attachment 32](#)) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the “Self-Certification Statement of Compliance” form. The description of any deviations on the “Self-Certification Statement of Compliance” form does not constitute approval of any deviations by the Corps.
  - c. Permit Transfer. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit

will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form ([Attachment 2](#)).

- d. Reporting Address. The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to the following address.
- (1) For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.
  - (2) For electronic mail: [SAJ-RD-Enforcement@usace.army.mil](mailto:SAJ-RD-Enforcement@usace.army.mil) (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ- 2015-02575 on all submittals.
7. The District Engineer reserves the right to require that any request for authorization under this SPGP V-R1 be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP V-R1 does not automatically guarantee Federal authorization.
  8. On a case-by-case basis, the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.
  9. Failure to comply with all conditions of the SPGP V-R1 constitutes a violation of the Federal authorization.
  10. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant's/Permittee's behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or [SiteFile@dos.state.fl.us](mailto:SiteFile@dos.state.fl.us). The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at <http://www.cr.nps.gov/nr/research>.
    - a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245-6333 and the Corps Regulatory Project Manager to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 C.F.R. § 325.7.



- b. In the unlikely event that human remains are identified, the remains will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, and the State Archaeologist (850-245-6444) and the Corps Regulatory Project Manager shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.
11. The Permittee is responsible for obtaining any “take” permits required under the U.S. Fish and Wildlife Service’s regulations governing compliance with these laws. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such “take” permits are required for a particular activity.
12. For Projects authorized under this SPGP V-R1 in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
13. The SPGP V-R1 will be valid through July 26, 2021 unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the period ending July 26, 2021, is not contrary to the public interest. The SPGP V-R1 will not be extended beyond July 26, 2021, but may be replaced by a new SPGP. If revocation occurs, all future applications for activities covered by the SPGP V-R1 will be evaluated by the Corps.
14. If the SPGP V-R1 expires, is revoked, or is terminated prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP V-R1 will remain in effect provided the activity is completed within 12 months of the date the SPGP V-R1 expired or was revoked.

**Special Conditions for Docks, Piers, Associated Facilities, and other Minor Piling-Supported Structures**

1. For temporary structures associated with marine events. Upon completion of the event, these structures must be removed and, to the maximum extent practical, the site must be restored to pre-construction elevations. Water depths in the area of marine events must be deep enough to support at least 5 ft of water depth under the keel of a vessel and between the keel of a vessel and Endangered Species Act listed coral colonies, if present, when transiting to the mooring areas (Reference: JAXBO PDC A2.1.4.).

2. Educational Signs. For commercial, multi-family, or public facilities, and marine events, signs must be posted as described below (Reference: These replicate JAXBO PDCs A.2.2 and A.2.2.1 to A.2.2.3., inclusive, within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, starting on page 112.):
- a. (A2.2.) For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at: ([http://sero.nmfs.noaa.gov/protected\\_resources/section\\_7/protected\\_species\\_educational\\_signs/index.html](http://sero.nmfs.noaa.gov/protected_resources/section_7/protected_species_educational_signs/index.html)). The signs required to be posted by area are stated below:
    - (1) (A2.2.1.) All projects in Florida shall use the Save Sea Turtle, Sawfish, and Dolphin sign. These signs shall include contact information to the sea turtle and marine mammal stranding networks and smalltooth sawfish encounter database.
    - (2) (A2.2.2.) Projects within the North Atlantic right whale educational sign zone shall post the Help Protect North Atlantic Right Whales sign.
    - (3) (A2.2.3.) On the east coast of Florida, projects located within the St. Johns River and those occurring north of the St. Johns River to the Florida-Georgia line shall post the Report Sturgeon sign. On the west coast of Florida, projects occurring from the Cedar Key, Florida north to the Florida-Alabama line.
3. Monofilament Recycling Bins. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided as described below (Reference: The below replicates PDC A.2.3 within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, the PDC itself on page 113 of the JAXBO.):
- a. (A2.3.) For commercial, multi-family, or public facilities, monofilament recycling bins must be provided at the docking facility to reduce the risk of turtle or sawfish entanglement in, or ingestion of, marine debris. Monofilament recycling bins must:
    - (1) (A2.3.1.) Be constructed and labeled according to the instructions provided at <http://mrrp.myfwc.com>.
    - (2) (A2.3.2.) Be maintained in working order and emptied frequently (according to <http://mrrp.myfwc.com> standards) so that they do not overflow.
4. North Atlantic Right Whale. The attached North Atlantic Right Whale Information Form ([Attachment 27](#)) describes the presence of North Atlantic right whales in the area and the Federal regulations governing the approach to North Atlantic right whales. (The FDEP or Designee will attach this document to their authorizations for a dock project (new construction, repair, or replacement) at a private residence located within 11 nautical miles of North Atlantic right whale critical habitat as measured in a radius from the center of the nearest inlet to open ocean described by [Attachment 29](#), the North Atlantic Right Whale Educational Sign Zones (from Section 2.1.1.4 of JAXBO, pages 31 and 32, inclusive) (Reference: JAXBO PDC A2.4.).

5. Aids to Navigation. Aids to navigation must be approved by and installed in accordance with the requirements of the U.S. Coast Guard (i.e., 33 C.F.R., chapter I, subchapter C, part 66, Section 10 of the Rivers and Harbors Act, and any other pertinent requirements) (Reference: JAXBO PDC A2.5.).
6. Lighting for docks installed within visible distance of ocean beaches. If lighting is necessary, then turtle-friendly lighting shall be installed. Turtle-friendly lighting is explained and examples are provided on the Florida Fish and Wildlife Conservation Commission website: <http://myfwc.com/wildlifehabitats/managed/sea-turtles/lighting/> (Reference: JAXBO PDC A2.8.).
7. Construction Location. Project construction shall take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited (Reference: JAXBO PDC A2.9.).
8. Regarding submerged and emergent aquatic vegetation, the design and construction of a Project must comply with the following:
  - a. A pile supported structure (i) that is located on a natural waterbody (i.e., outside an artificial waterway that was excavated for boating access and is bordered by residential properties) and (ii) that is within the range of seagrass (estuarine waters within all coastal counties except for Nassau, Duval, St Johns, Flagler and Volusia north of Ponce Inlet), will be constructed to the following standards:
    - (1) Must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" updated November 2017 ([Attachment 5](#)).
    - (2) In addition to (1), above, IF the project is within range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida), THEN the design and construction shall comply with, in some cases, the more restrictive requirements within paragraph 8.c., below (Reference: JAXBO PDC A2.17).
  - b. For all other Projects,
    - (1) Within the range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida), the presence of submerged aquatic vegetation will be determined utilizing the "Submerged Aquatic Vegetation Survey Guidelines" ([Attachment 7](#)). If no survey performed, aquatic vegetation, including Johnson's seagrass, will be presumed to be present for purposes of this Special Condition.
    - (2) Outside the range of Johnson's seagrass but within the range of seagrass (estuarine waters within all coastal counties except for Nassau, Duval, St Johns, Flagler and Volusia County north of Ponce Inlet) and within tidal waters, the presence of seagrass and tidal freshwater submerged aquatic vegetation will be determined using the



- “Submerged Aquatic Vegetation Survey Guidelines” ([Attachment 7](#)) unless a site visit or aerial photography observes absence during the growing season (if water depth and clarity allows) or aquatic vegetation has not been found in the vicinity in the past.
- (3) Pile-supported structures, IF aquatic vegetation is present (including seagrass, tidal freshwater submerged aquatic vegetation and emergent vegetation), THEN must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers’/National Marine Fisheries Service’s “Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat” updated November 2017 ([Attachment 5](#)).
- (4) In addition to (1) to (3) above, IF the proposed dock or proposed structure is within range of Johnson’s seagrass (the range of Johnson’s seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida), and IF the proposed dock or proposed structure falls within the following scenarios, THEN the design and construction shall comply with, in some cases, the more restrictive requirements within paragraph 8.c.,below. (Reference: The following replicates “Scenario B” as defined within A2.17., PDCs for Docks or Other Minor Structures of JAXBO.):
- (i) Dock replacement in the exact footprint (i.e., same location/configuration/size) as the previous dock and:
- (a) within Johnson’s seagrass critical habitat with No current seagrass survey (completed no earlier than 1 year before submitting the application); or, Johnson’s seagrass under the dock; or, Native seagrass, other than Johnson’s seagrass, under the dock; or,
- (b) within the Range of Johnson’s seagrass (outside of critical habitat) with No current seagrass survey or, Johnson’s seagrass under the dock,
- (ii) New docks or dock expansions and:
- (a) within Johnson’s seagrass critical habitat; or,
- (b) within the Range of Johnson’s seagrass (outside of critical habitat) with: No current seagrass survey (completed no earlier than 1 year before submitting the application) or, Johnson’s seagrass within property limit.
- c. The following additional restrictions apply when required by paragraphs 8.a.(2) or 8.b.(4), above (Reference: The following replicates the “Dock PDCs for Scenario B” within A2.17. PDCs for Docks or Other Minor Structures of JAXBO.):
- (1) To avoid and minimize impacts to Johnson’s seagrass and native, non-listed seagrasses to the maximum extent practicable:
- (i) The dock must be positioned to avoid and minimize effects to Johnson’s seagrass.
- (ii) Over any area that contains Johnson’s seagrass or native, non- listed seagrasses, the dock shall be oriented in a north-south orientation to the maximum extent that is practicable to allow maximum sunlight under the structure.
- (iii) If practicable, terminal platforms shall be placed in deep water, waterward of Johnson’s seagrass beds or native, non-listed seagrasses beds or in an area devoid of Johnson’s seagrass or native, non-listed seagrasses.

- (iv) Piles must be spaced a minimum of 10 ft apart in any area that contains Johnson's seagrass to minimize direct impacts.
  - (v) Piles shall be installed in a manner that will not result in the formation of sedimentary deposits (e.g., donuts or halos) around the newly installed pilings.
  - (vi) No covered boat lifts are allowed over any Johnson's seagrass.
- (2) Decking options: Deck surfaces (parallel with the water) that are located waterward of the MHWL must be constructed of grated materials or plank construction or a combination of the both methods (e.g. plank decking on the walkway and grated decking on the terminal platform). These decking options are described below:
- (i) For grated decking:
    - (a) Height requirement: The surface of the structure, including the dock walkway (the over- water narrow portion connecting the terminal platform to the shore and any over-water ramp required for access) and the dock, must be a minimum of 3 ft above MHW when constructed with grated decking.
    - (b) Size limitations: The dock walkway is limited to a width of 4 ft. The terminal platform is limited to a total area of 160 ft<sup>2</sup>. Marginal docks are limited to a width of 5 ft. The 5 ft width restriction is measured from wet side of the seawall. For example, if a seawall cap is 3 feet overwater then the dock would be limited to 2 feet.
    - (c) Material description: Decking materials shaped in the form of grids, grates, lattices, etc., to allow the passage of light through the open spaces. These materials must provide a minimum of 43% open space.
  - (ii) For plank decking:
    - (a) Height requirement: The surface of the structure, including the dock walkway (the over- water narrow portion connecting the terminal platform to the shore and any over-water ramp required for access) and the dock, must be a minimum of 5 ft above MHW when constructed of plank decking.
    - (b) Size limitations: The dock walkway is limited to a width of 4 ft. The terminal platform is limited to a total area of 120 ft<sup>2</sup>. Marginal docks are limited to a width of 5 ft.
    - (c) Material description: Deck boards may be constructed of any material. Deck Boards must be installed to provide a minimum of a 0.5-in gap between individual deck boards.
- d. Aids to Navigation in Acropora critical habitat. The distance from Aids to Navigation (ATONs) to ESA-listed corals and Acropora critical habitat shall ensure there are no impacts to the corals or the essential feature of Acropora critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit the contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom (Reference: JAXBO PDC A2.10.).

**General Conditions for Federal Authorization for SPGP V-R1**

1. The time limit for completing the work authorized ends on July 26, 2021.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. Limits of this authorization.
  - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
  - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
  - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
  - c. Damages to persons, property, or to other permitted or unpermitted activities or



- structures caused by the activity authorized by this permit.
- d. Design or Construction deficiencies associated with the permitted work.
  - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
  4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
    - a. You fail to comply with the terms and conditions of this permit.
    - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
    - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
  5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.
  6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.
  7. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation or alteration.

**STANDARD MANATEE CONDITIONS FOR IN-WATER WORK**  
2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at [ImperiledSpecies@myFWC.com](mailto:ImperiledSpecies@myFWC.com)
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at [MyFWC.com/manatee](http://MyFWC.com/manatee). Questions concerning these signs can be sent to the email address listed above.

**CAUTION: MANATEE HABITAT**


**All project vessels**

**IDLE SPEED / NO WAKE**

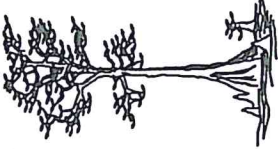
When a manatee is within 50 feet of work  
all in-water activities must

**SHUT DOWN**

Report any collision with or injury to a manatee:  
**Wildlife Alert:**  
**1-888-404-FWCC(3922)**  
cell \*FWC or #FWC







**PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.**

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385 (850) 653-8899 FAX (850) 653-9656 garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Dan Guild

WATERBODY/CLASS: St Vincent Sound

PURPOSE: EP-DOCK

JOB: 20-103

DEP: 19-0329939-001-EG

COE: SAJ-2014-03025(GP-SRM)

OTHER:

DATE: September 8, 2020

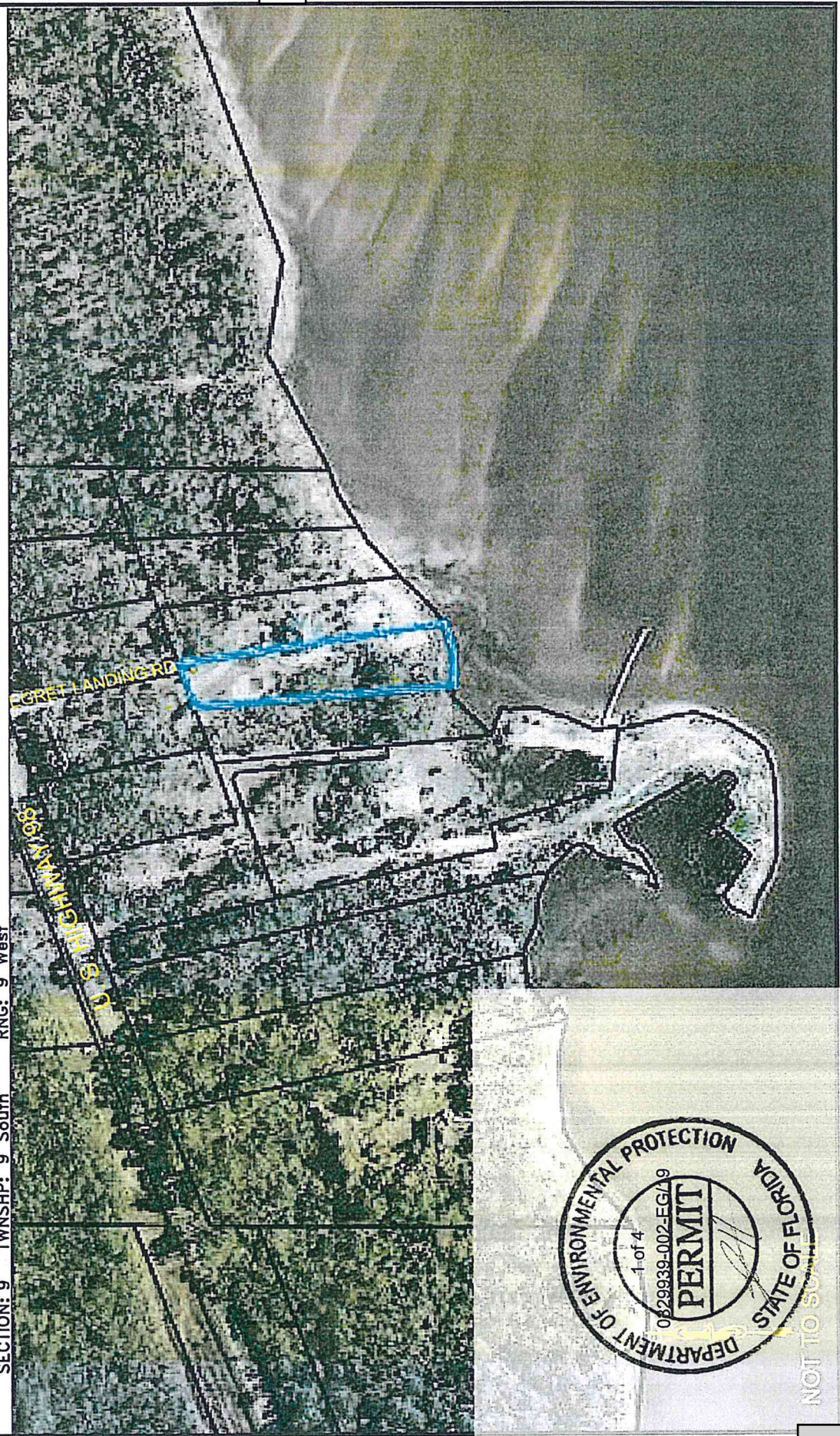
SHEET: 1/4

PROJECT LOCATION / USGS: Franklin County / St Vincent Sound

LATITUDE: 29° 42' 31.11"

LONGITUDE: 85° 9' 9.00"

SECTION: 9 TWSHP: 9 South RNG: 9 West



NOT TO SCALE

J-





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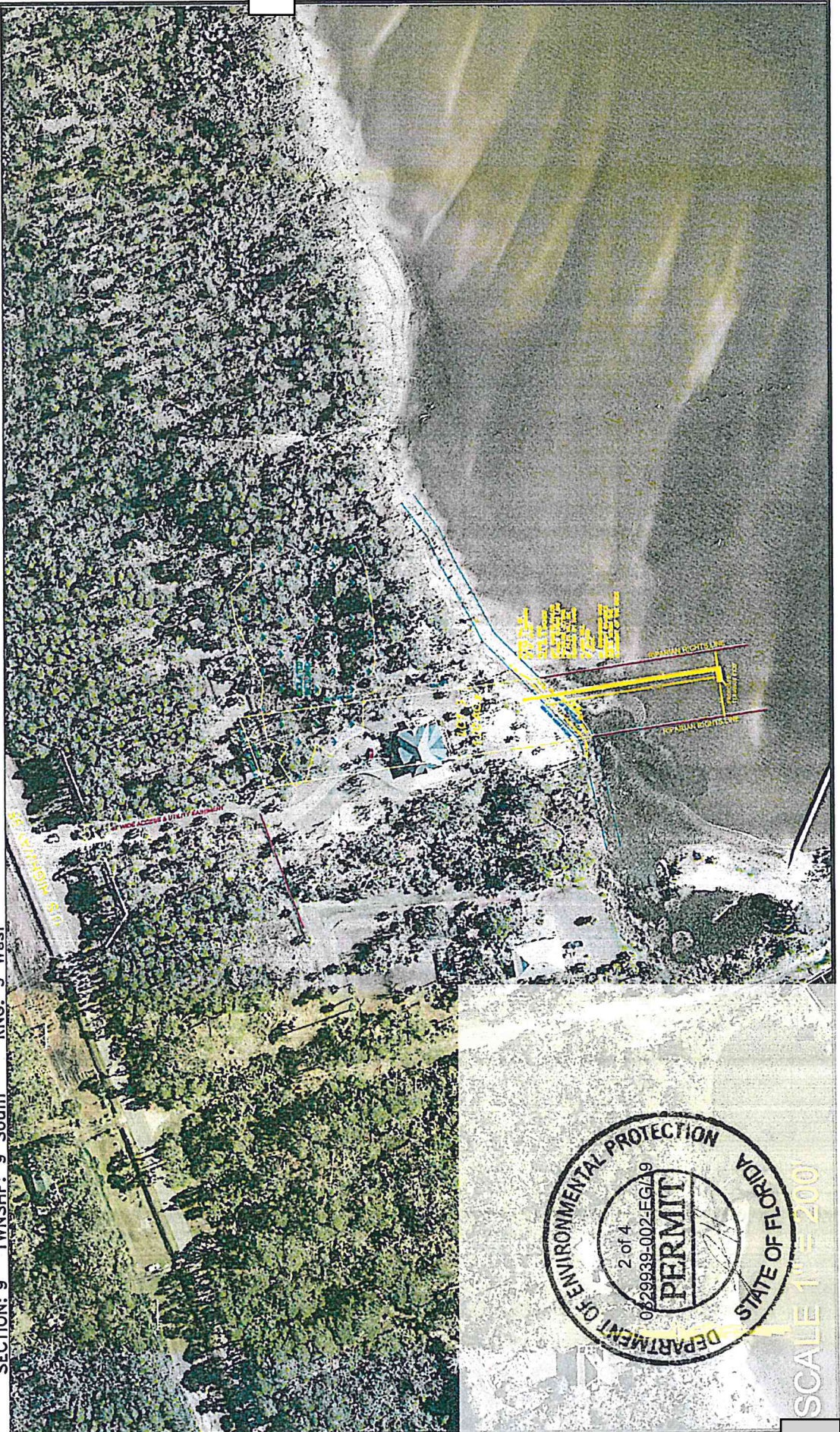
PROJECT LOCATION / USGS: Franklin County / St Vincent Sound

LATITUDE: 29° 42' 31.11"

LONGITUDE: 85° 9' 9.00"

SECTION: 9 TOWNSHIP: 9 South RANGE: 9 West

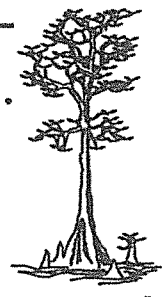
JOB: 20-103  
DEP: 19-0329939-001-EG  
COE: SAJ-2014-03025(GP-SRM)  
OTHER:  
DATE: September 8, 2020  
SHEET: 2/4



SCALE 1" = 200'



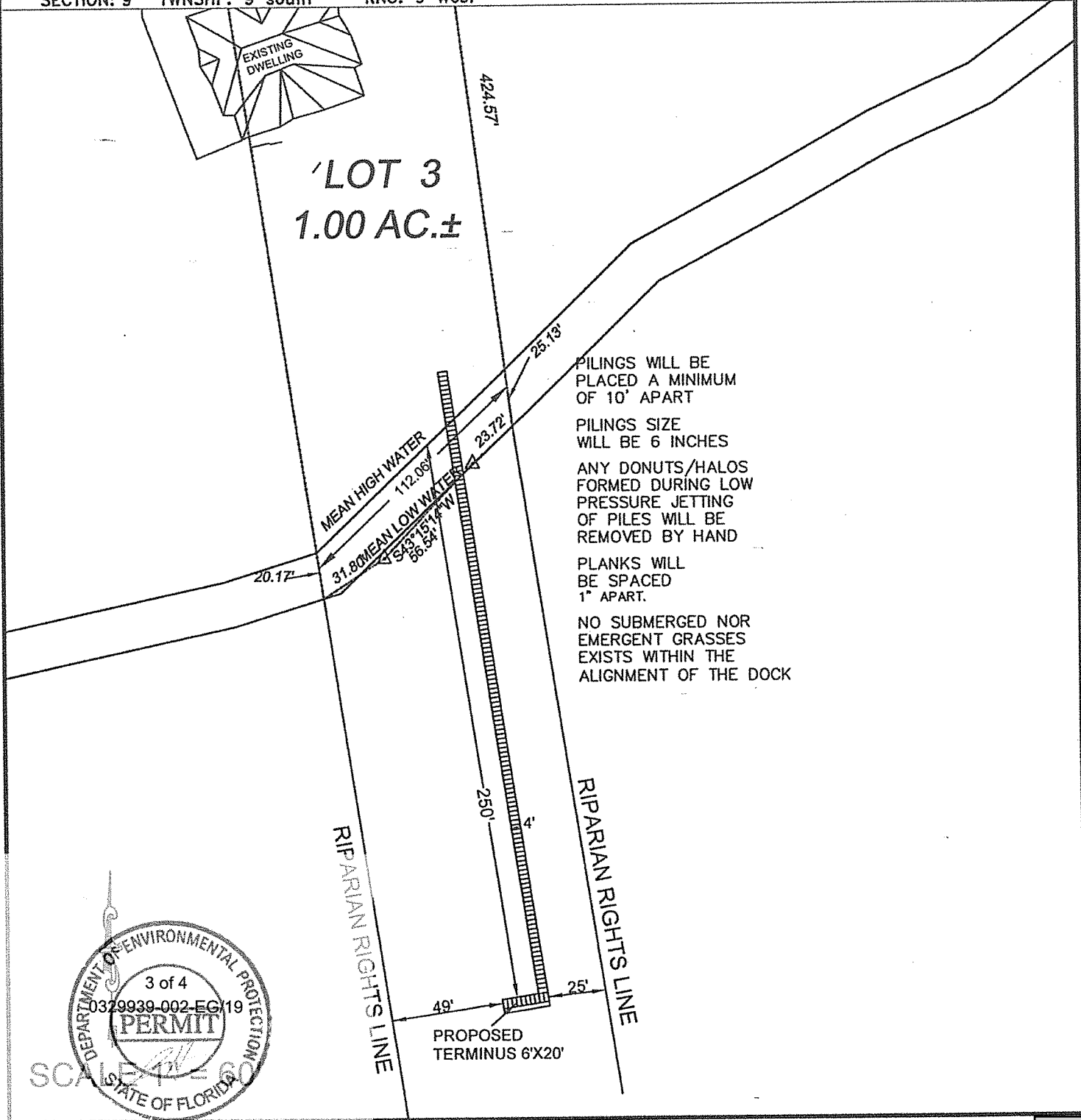
PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.



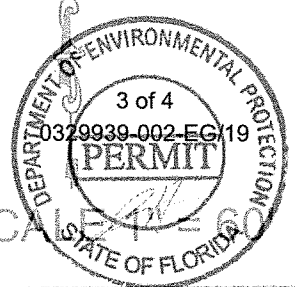
APPLICANT/CLIENT: Don Guild  
WATERBODY/CLASS: St Vincent Sound  
PURPOSE: EP-Dock  
PROJECT LOCATION / USGS: Franklin / St Vincent Sound  
LATITUDE: 29° 42' 31.11"  
LONGITUDE: 85° 9' 9.00"

JOB: 20-103  
DEP:  
COE:  
OTHER:  
DATE: September 8, 2020  
SHEET: 3/4

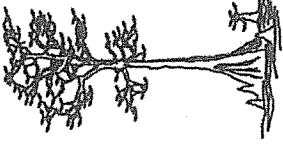
SECTION: 9 TWSHP: 9 south RNG: 9 West



PILINGS WILL BE PLACED A MINIMUM OF 10' APART  
PILINGS SIZE WILL BE 6 INCHES  
ANY DONUTS/HALOS FORMED DURING LOW PRESSURE JETTING OF PILES WILL BE REMOVED BY HAND  
PLANKS WILL BE SPACED 1" APART.  
NO SUBMERGED NOR EMERGENT GRASSES EXISTS WITHIN THE ALIGNMENT OF THE DOCK







**PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.**

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LB No. 7415

APPLICANT/CLIENT: Dan Guild

WATERBODY/CLASS: St Vincent Sound

PURPOSE: EP-DOCK

PROJECT LOCATION / USGS: Franklin County / St Vincent Sound

LATITUDE: 29° 42' 31.11"

LONGITUDE: 85° 9' 9.00"

SECTION: 9 TOWNSHIP: 9 South      RANG: 9 West

JOB: 20-103

DEP: 19-0329939-001-EG

COE: SAJ-2014-03025(GP-SRM)

OTHER: Revised 9-29-20

DATE: September 8, 2020

SHEET: 4/4

PILINGS WILL BE PLACED A MINIMUM OF 10' APART

PILINGS SIZE WILL BE 6 INCHES

ANY DONUTS/HALOS FORMED DURING LOW PRESSURE JETTING OF PILES WILL BE REMOVED BY HAND

PLANKS WILL BE SPACED 1" APART.

NO SUBMERGED NOR EMERGENT GRASSES EXISTS WITHIN THE ALIGNMENT OF THE DOCK

Cross Section of Proposed DOCK NOT TO SCALE

