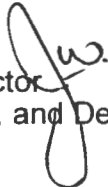





Interoffice Memorandum

March 16, 2021

TO: Mayor Jerry L. Demings  
-AND-  
County Commissioners

FROM: Jon V. Weiss, P.E., Director  
Planning, Environmental, and Development  
Services Department 

CONTACT PERSON: **David D. Jones, P.E., CEP, Manager  
Environmental Protection Division  
(407) 836-1406** 

SUBJECT: April 13, 2021 – Public Hearing  
Shoreline Alteration/Dredge and Fill Permit Application for  
Bruce Knox (SADF-20-06-012)

The Applicant, Mr. Bruce Knox, is requesting a Shoreline Alteration/Dredge and Fill (SADF) permit to authorize the construction of a new seawall along the shoreline of Lake Down, for the property located at 9716 Wildoak Drive, Windermere, FL 34786. The Parcel ID is 04-23-28-9332-00-820. The subject property is located in District 1.

The applicant is proposing to construct approximately 140 feet of vinyl seawall at the Normal High Water Elevation of Lake Down in order to stabilize the shoreline and prevent future erosion. The seawall will be constructed between two existing seawalls located to the north and to the south of the property; however, both adjacent seawalls have small gaps between the property boundary and the wall, which has resulted in some erosion between the properties. To address this, the applicant will install riprap between the properties to prevent future erosion between the walls. The riprap will be limited to the applicant's shoreline. Finally, riprap and plantings will be installed waterward of the new wall.

In accordance with Orange County Code, Chapter 33, Article IV, Section 33-129(d), notification of the public hearing was sent to all property owners within 500 feet of the project site. Environmental Protection Division (EPD) has received no objections to the request.

EPD staff has evaluated the proposed SADF permit application pursuant to Orange County Code, Chapter 33, Article IV, and has made a finding that the request is consistent with Section 33-129.

**Staff Recommendation**

Approval of the SADF permit, subject to the following conditions:

Specific Conditions:

1. This permit shall become final and effective upon expiration of the 30-calendar-day appeal period following the date of issuance, unless an appeal has been filed within this timeframe. Any appeal shall stay the effective date of this permit until all appeals are resolved.
2. Construction activities shall be completed in accordance with the engineered plans signed and sealed by Eduardo Avellaneda, P.E., received by the Environmental Protection Division (EPD) on February 16, 2021. The permitted activity must commence within six months and be completed within two years from the date of issuance of the permit. In the event that the project has not commenced within six months or been completed within two years, this permit shall be void and a new permit application will be required.
3. Any permit extensions for the activities authorized herein may be approved by way of Consent Agenda if there are no changes.
4. This permit does not authorize any dredging or filling except that which is necessary for the installation of the seawall and riprap.
5. The installation of a vertical seawall and riprap rock is limited to the applicant's property and the surface waters of Lake Down. This permit does not authorize the applicant to install material on property owned by others.
6. No impacts to the existing cypress trees located within the surface waters of Lake Down are authorized.

General Conditions:

7. Subject to the terms and conditions herein, the permittee are hereby authorized to perform or cause to be performed, the impacts shown on the application and the approved drawings, plans, and other documents attached hereto or on file with EPD.
8. The permittee bind themselves and any successors to comply with the provisions and conditions of this permit. If EPD determines at any time that activities are not in accordance with the conditions of the permit, work shall cease and the permit may be revoked immediately by the Environmental Protection Officer. Notice of the revocation shall be provided to the permit holders and/or agent promptly thereafter.
9. A copy of this permit, along with EPD stamped and approved drawings, should be taken to the Orange County Zoning Division (OCZD) at 201 South Rosalind Avenue for approval. For further information, please contact the OCZD at (407) 836-5525.
10. After approval by the OCZD, the certified site plans will need to be reviewed by the Orange County Building Safety Division (OCBSD) in order to obtain a building permit. For further information, please contact the OCBSD at (407) 836-5550.
11. Prior to construction, the permittee shall clearly designate the limits of construction on-site. The permittees shall advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.

12. Construction plans shall be submitted to EPD prior to initiating any construction activities for review and approval. The construction plans shall include, but are not limited to, a site plan clearly depicting the location of the seawall.
13. The permittee shall require the contractor to maintain a copy of this permit, complete with all approved drawings, plans, conditions, attachments, exhibits, and modifications in good condition at the construction site. The permittee shall require the contractor to review the permit prior to commencement of the activity authorized by this permit. The complete permit shall be available upon request by Orange County staff.
14. Issuance of this permit does not warrant in any way that the permittee has riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittee. In the event that any part of the structure permitted herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent property owner's riparian or other property rights, the permittees agree to either obtain written consent or remove the offending structure or encroachment within 60 days from the date of adjudication. Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation.
15. This permit does not release the permittee from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property rights, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 33, Article IV of the Orange County Code.
16. If these permit conditions conflict with those of any other regulatory agency, the permittee shall comply with the most stringent conditions. The permittee shall immediately notify EPD of any conflict between the conditions of this permit and any other permit or approval.
17. The permittee is hereby advised that Section 253.77 Florida Statutes (FS) states that a person may not commence any excavation, construction, or other activity involving the use of sovereignty 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 lease, license, easement or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
18. Should any other regulatory agency require changes to the property or permitted activities, the permittee shall provide written notification to EPD of the change prior to implementation so that a determination can be made whether a permit modification is required.
19. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.

20. The permittee shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.
21. EPD staff shall have permission to enter the site at any reasonable time to inspect the property for conformity with the plans and specifications approved by the permit.
22. The permittee shall hold and save the County harmless from all damages, claims or liabilities, which may arise because of the activities authorized by the permit.
23. All costs, including attorney's fees, incurred by the County in enforcing the terms and conditions of this permit shall be required to be paid by the permittee.
24. The permittee agree that any dispute arising from matters relating to this permit shall be governed by the laws of Florida, and initiated only in Orange County.
25. Turbidity and sediments shall be controlled to prevent violations of water quality pursuant to Rules 62-302.500, 62-302.530(70) and 62-4.242 Florida Administrative Code. Best Management Practices, as specified in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual, shall be installed and maintained at all locations where the possibility of transferring suspended solids into wetlands and/or surface waters may occur due to the permitted activity. If site specific conditions require additional measures, then the permittees shall implement them as necessary to prevent adverse impacts to wetlands and/or surface waters.
26. Pursuant to Section 125.022 FS, issuance of this permit by the County does not in any way create any rights on the part of the permittee to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the permittees fail to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertake actions that result in a violation of state or federal law.
27. Pursuant to Section 125.022 FS, the permittee shall obtain all other applicable state or federal permits before commencement of the activity authorized herein.

**ACTION REQUESTED: Acceptance of the findings and recommendation of the Environmental Protection Division staff and approval of Shoreline Alteration/Dredge and Fill Permit SADF-20-06-012 for Bruce Knox, subject to the conditions listed in the staff report. District 1**

DDJ/JW: mg

Attachments

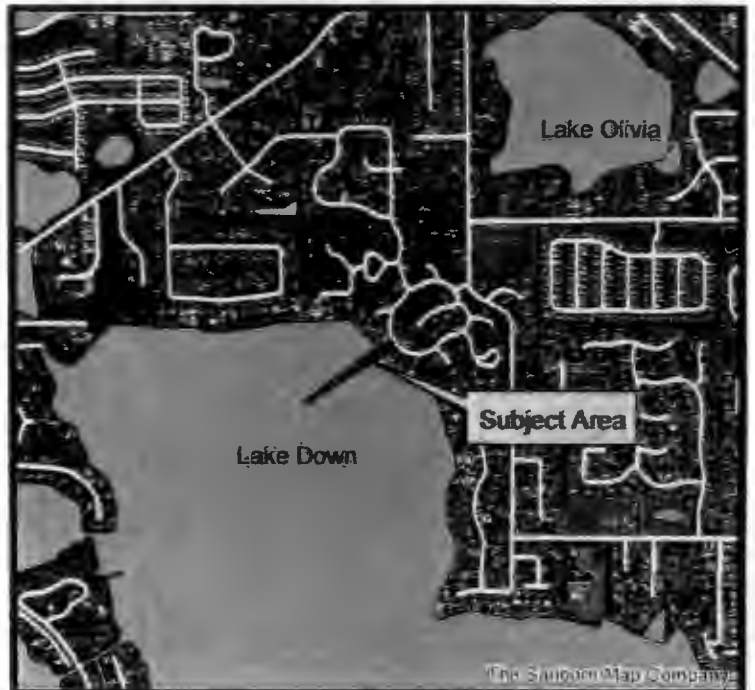
# Shoreline Alteration/Dredge and Fill Permit Request



**Shoreline Alteration/Dredge  
and Fill Permit Request  
SADF-20-06-012  
District #1**

**Applicants: Bruce Knox  
Address: 9716 Wildoak Drive  
Parcel ID: 04-23-28-9332-00-820**

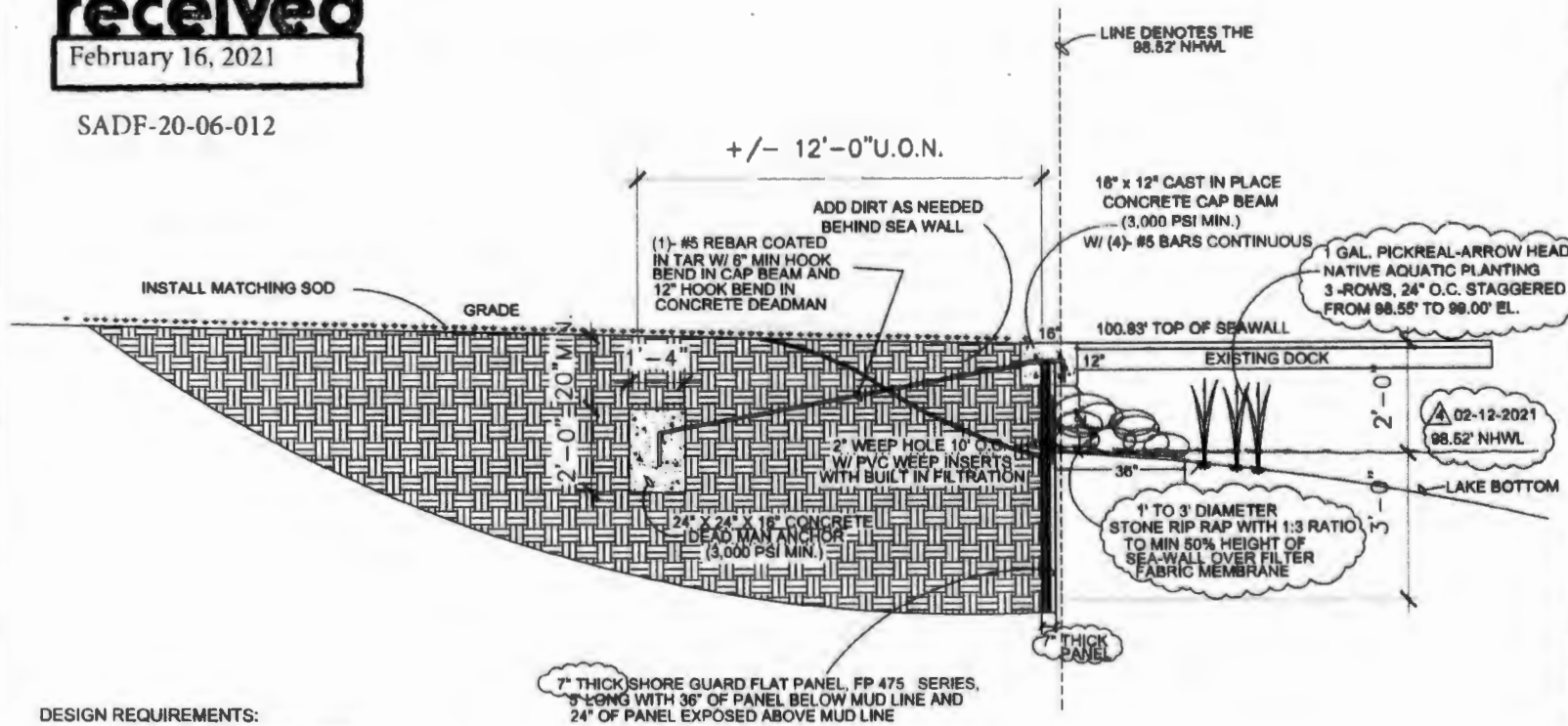
**Project Site**   
**Property Location** 



# received

February 16, 2021

SADF-20-06-012



**DESIGN REQUIREMENTS:**

- A. FLOORS LIVE LOAD IS 40 PSF. BALCONIES, DECKS, STAIRS, LIVE LOAD IS 60 PSF.
- B. ROOF LIVE LOAD IS 30 PSF

NOTE: THIS STRUCTURE HAS BEEN DESIGNED TO MEET OR EXCEED REQUIREMENTS OF THE FLORIDA BUILDING CODE 8th EDITION RESIDENTIAL (2017) PER ASCE 7-10

- 1. NOMINAL WIND SPEED - 108MPH/ ULTIMATE WIND SPEED - 140MPH
- 2. RISK FACTOR II
- 3. WIND EXPOSURE - CATEGORY (D)
- 4. INTERNAL PRESSURE COEFFICIENT- (ASCE 7-10)  
OPEN BUILDINGS= 0.00  
HEIGHT AND EXPOSURE ADJUSTMENT COEF. -(+1.0)
- 5. COMPONENTS AND CLADDING : PER FBCR 8th EDITION 2017

**SEA WALL CROSS SECTION**



Specialty Marine  
Knox Seawall  
9716 Wild Oak Dr. Windermere, FL.

DESIGNED BY: EDUARDO AVELLANEDA  
DATE: 02-12-2021  
PROJECT: SADF-20-06-012

Job No.	REVISION
PR-130	01-03-2020
Drawn By	28-08-2020
10	11-26-2020
Date	02-12-2021
08/28/20	
Scale	
1/8" = 1'-0"	

**Eduardo Avellaneda**  
Professional Engineer  
State of Florida  
No. 12512  
Exp. 12/31/2024

SEA WALL CROSS SECTION

SW1



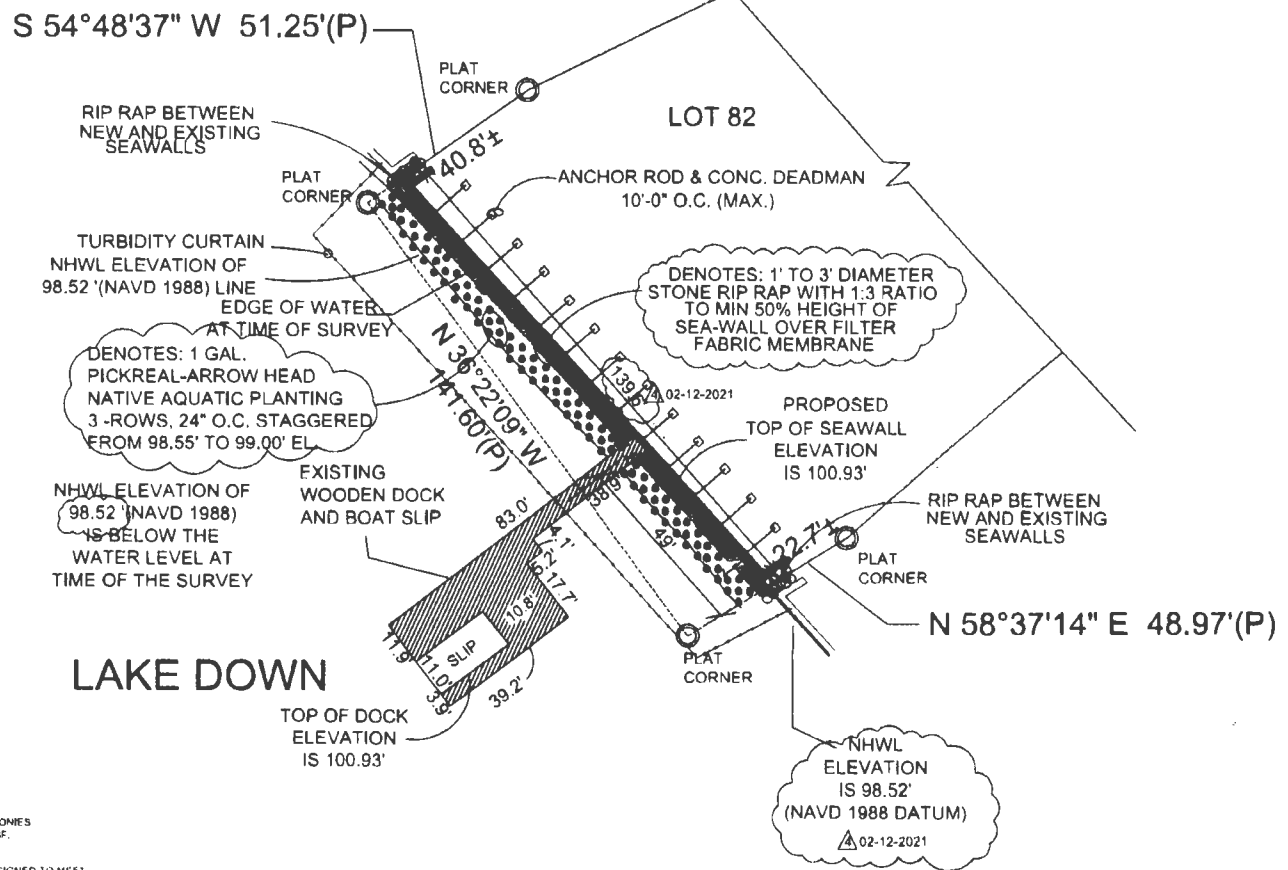
Specialty Marine  
Knox Seawall  
9716 Wild Oak Dr. Windermere, Fl.

DESIGNED BY  
EDUARDO AVELLANEDA, P.E.  
REGISTERED PROFESSIONAL ENGINEER  
12000 W. BAYVIEW BLVD., SUITE 100  
DADE COUNTY, FL 33147  
TEL: 305-444-1111  
WWW.EAVELLANEDA.COM

Job No.	REVISIONS
08330	07-08-20
Drawn By	12-24-20
Date	02-12-2021
Scale	
	1" = 40'-0"

SEA WALL  
TOP VIEW

SW2



- DESIGN REQUIREMENTS:
- A. FLOORS + LIVE LOAD IS 40 PSF RAI CONES
  - DECKS STAIRS LIVE LOAD IS 80 PSF.
  - B. ROOF LIVE LOAD IS 30 PSF
- NOTE: THIS STRUCTURE HAS BEEN DESIGNED TO MEET OR EXCEED REQUIREMENTS OF THE FLORIDA BUILDING CODE 6th EDITION RESIDENTIAL (2017) PER ASCE 7-10
- 1. NOMINAL WIND SPEED - 100MPH ULTIMATE WIND SPEED - 140MPH
  - 2. RISK FACTOR II
  - 3. WIND EXPOSURE - CATEGORY (D)
  - 4. INTERNAL PRESSURE COEFFICIENT - (ASCE 7-10)  
OPEN BUILDINGS= 0.00  
HEIGHT AND EXPOSURE ADJUSTMENT COEF - (-1.0)
  - 5. COMPONENTS AND CLADDING - PER FBCR 6th EDITION 2017

**Eduardo Avellaneda**  
REGISTERED PROFESSIONAL ENGINEER  
12000 W. BAYVIEW BLVD., SUITE 100  
DADE COUNTY, FL 33147  
TEL: 305-444-1111  
WWW.EAVELLANEDA.COM



PROPERTY ADDRESS: 4716 WILCOX DR WINDERMERE, FLORIDA 32789

DATE: 01/17/21

CLIENT ORDER NUMBER: 21020001

CERTIFIED TO: BRUCE R KNOX

LEGAL DESCRIPTION: LOT 82 WINDERMERE DOWNS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 12-13 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA

POINTS OF INTEREST: ALL ELEVATIONS ARE BASED ON ORANGE COUNTY BENCHMARK DESIGNATION 1144 WITH AN ELEVATION OF 111.11 (NAVD 88 DATUM). NORMAL HIGH WATER LINE ELEVATION OF 98.52 IS PUBLISHED IN THE ORANGE COUNTY WATER ATLAS (NAVD 88 DATUM).

FLOOD INFORMATION: BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X & AE (WITH A BASE FLOOD ELEVATION OF 100.7). THIS PROPERTY WAS FOUND IN ORANGE COUNTY, COMMUNITY NUMBER 120179, DATED 9/25/2009.

JOB SPECIFIC SURVEYOR NOTES: THE BEARING REFERENCE OF NORTH 64 DEGREES 09 MINUTES 32 SECONDS EAST IS BASED ON THE NORTHERLY PROPERTY LINE OF LOT 82, LOCATED WITHIN WINDERMERE DOWNS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGES 12 & 13 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

### Robinson Surveying

564 S Ronald Reagan Blvd | Suite B  
Longwood, Florida 32750  
407 637 5961

### 2102 0001 BOUNDARY SURVEY ORANGE COUNTY

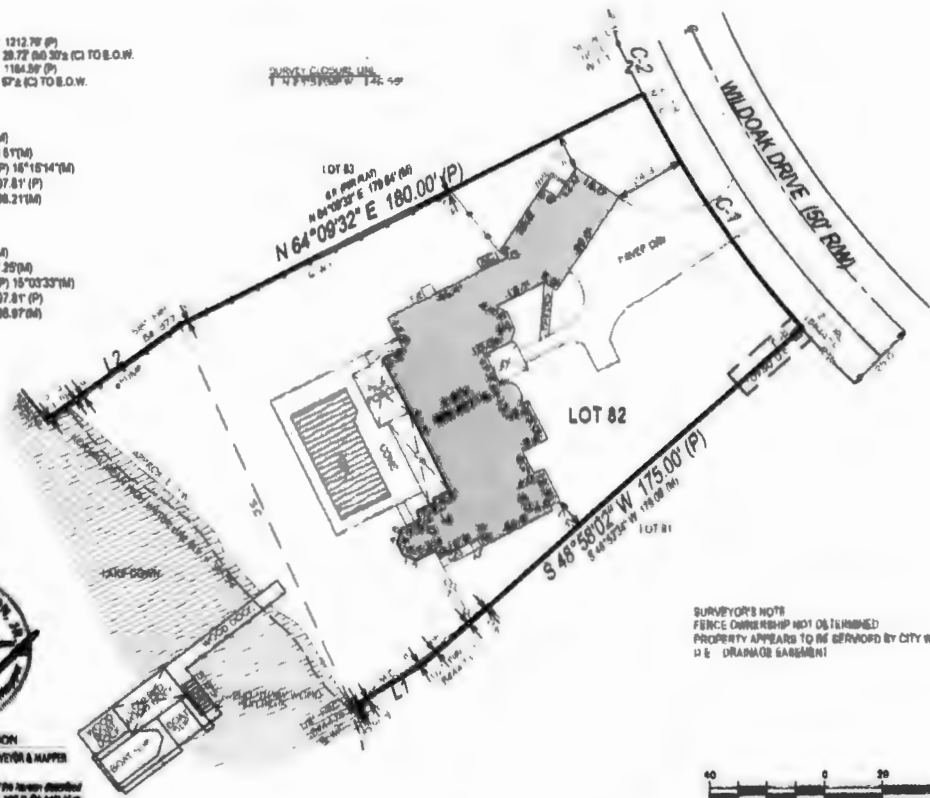
LINE TABLE  
L1 S 88°37'14" W 1212.70' (P)  
S 68°20'05" W 28.72' (A) TO E.O.W.  
L2 N 64°09'32" E 188.50' (P)  
N 64°09'32" E 178.84' (A) TO E.O.W.

C-1  
R= 370.00'(P&M)  
L= 98.10'(P) 98.51'(M)  
Δ= 18°11'20"(P) 16°15'14"(M)  
S 33°26'19" E, 97.81' (P)  
S 33°23'10" E, 98.21'(M)

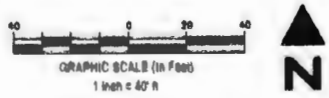
C-2  
R= 370.00'(P&M)  
L= 98.10'(P) 97.25'(M)  
Δ= 15°11'20"(P) 15°03'33"(M)  
S 18°14'30" E, 97.81' (P)  
S 18°32'44" E, 98.97'(M)



PHILLIP R. ROBINSON  
STATE OF FLORIDA PROFESSIONAL SURVEYOR & MAPPER  
LICENSE NO. 7190  
I hereby certify that the Boundary Survey of the herein described property has been made under my direction, and to the best of my knowledge and belief, a true and accurate representation of a survey that meets the standards of practice set forth in the Florida Statute of Professional Surveyors & Mappers in Chapter 461-17 of the Florida Administrative Code.



SURVEYOR'S NOTE:  
FENCE CORRESPONDENCE NOT OBTAINED.  
PROPERTY APPEARS TO BE SERVED BY CITY WATER  
& DRAINAGE EASEMENT!



received

February 9, 2021

SADF-20-06-012

Vertical column of text on the right side of the page, containing various notes, signatures, and administrative markings.





