

After-the-Fact Shoreline Alteration/ Dredge and Fill Permit Modification Request



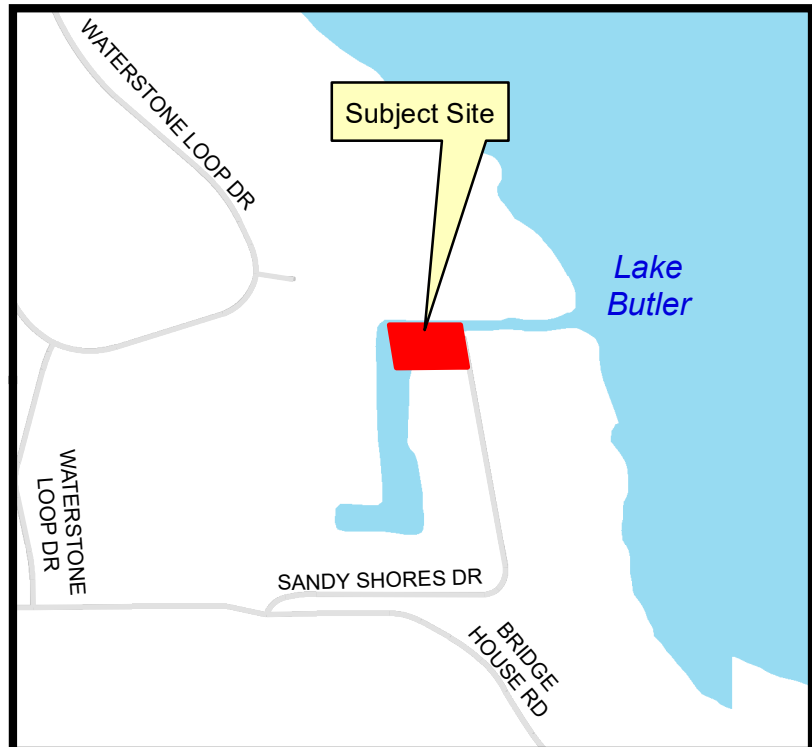
**After-the-Fact Shoreline Alteration /Dredge
and Fill Permit Modification Request
SADF-23-09-022-MOD
District #1**

**Applicants: Eric Powell
Rhonda L. Powell**

Address: 12023 Sandy Shores Drive

Parcel ID: 24-23-27-7808-00-083

Project Site 
Property Location 



received
2/10/2026

-Site Benchmark Information-

#1
Fnd. Magnetic Nail in Asphalt Roadway.
Elevation: 108.12'

#2
Fnd. Nail & Disk "LB 7623", on Asphalt Roadway.
Elevation: 103.35'

-Benchmark Information-

Orange County Datum Elevation: 107.294'

Orange County Benchmark, Designation S1291044
Square Cut in 1 foot Flat Concrete Curb, at
Approximately PC of Curve Pad Turn Out, North Side of
Sandy Shore Drive at Winter Garden Vineland Road.
(Elevations are based upon NAVD 88 Datum)

Boundary Survey

Legal Description:

BEGINNING AT THE NORTHEAST CORNER OF LOT 8 OF SANDY SHORES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK "S", PAGE 57 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, RUN WEST ALONG THE NORTH LINE OF SAID LOT 8 A DISTANCE OF 150.14 FEET; THENCE SOUTH 9 DEGREES 5 MINUTES EAST, PARALLEL TO THE EAST LINE OF LOT 8, A DISTANCE OF 91.14 FEET; THENCE EAST 150.14 FEET TO THE SOUTHWEST CORNER OF LOT 6 OF SAID SANDY SHORES; THENCE NORTH 9 DEGREES 5 MINUTES WEST ALONG THE EAST LINE OF LOT 8, 91.14 FEET TO THE POINT OF BEGINNING.

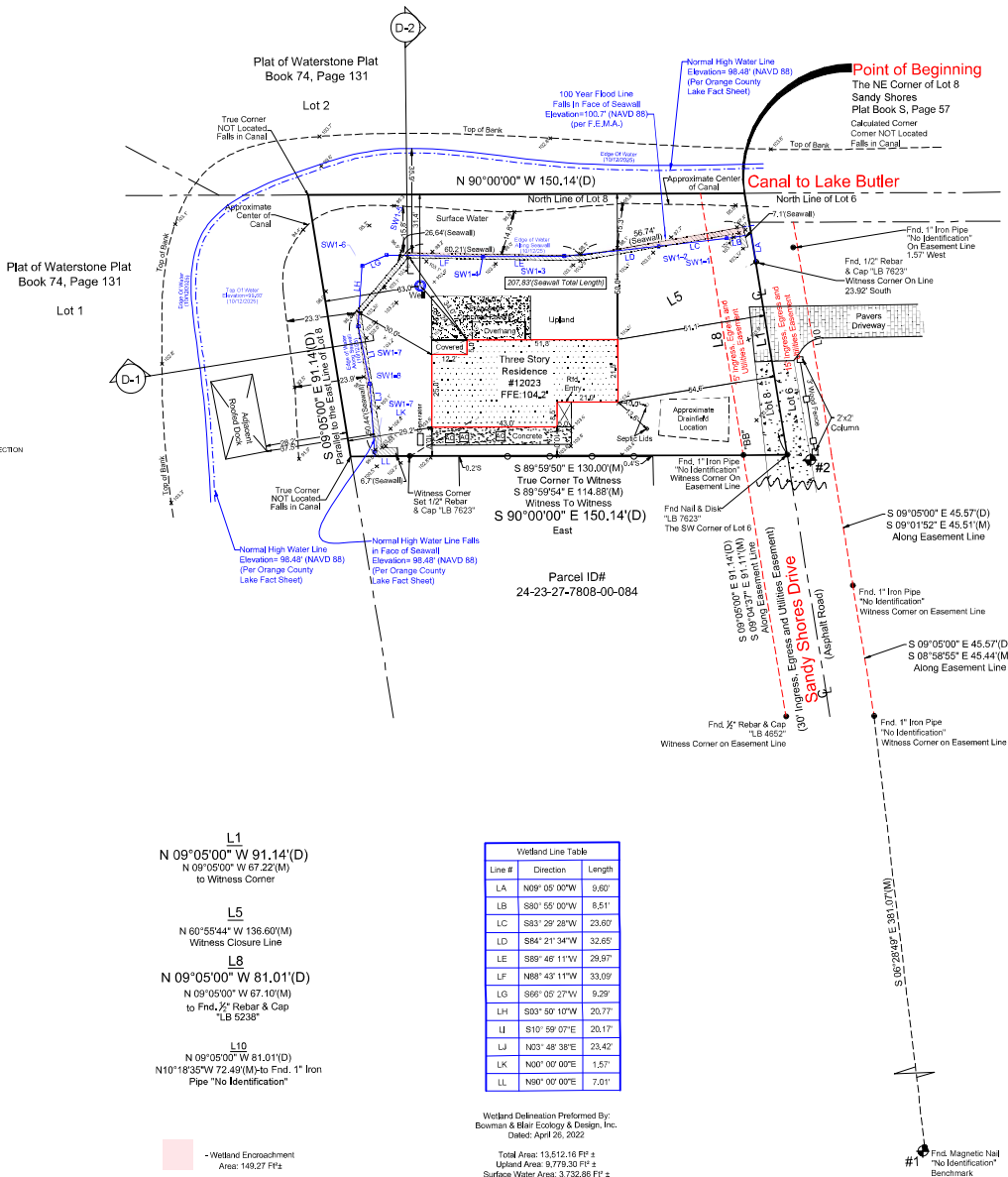
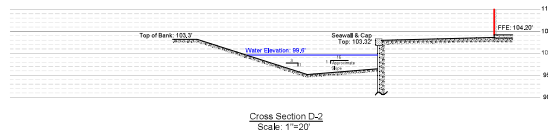
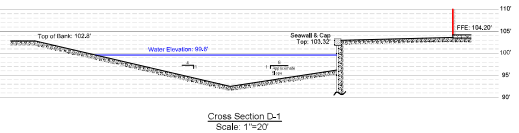
Flood Disclaimer:

By performing a search with the local governing municipality or www.fema.gov, the property appears to be located in zone X.AE. This Property was found in Orange County, community number 120179, dated 9/25/2009.

CERTIFIED TO:

RYKA BUILDERS, ERIC POWELL, RHONDA POWELL

SITE ADDRESS: 12023 SANDY SHORES DRIVE, WINDERMERE, FL 34786



Welland Line Table

Line #	Direction	Length
LA	N09°05'00"W	6.60'
LB	S80°55'00"W	8.51'
LC	S83°29'28"W	23.60'
LD	S84°21'34"W	32.65'
LE	S89°46'11"W	29.97'
LF	N88°43'11"W	33.09'
LG	S86°05'27"W	9.29'
LH	S03°50'10"W	20.77'
LI	S10°59'07"E	20.17'
LJ	N03°48'38"E	23.42'
LK	N00°00'00"E	1.57'
LL	N80°00'00"E	7.01'

Welland Delineation Performed By:
Bowman & Blair Ecology & Design, Inc.
Created: April 26, 2022
Total Area: 13,512.16 SF ±
Upland Area: 8,778.30 SF ±
Surface Water Area: 3,732.86 SF ±

-Legend-

- BOLLARD
- Callabest
- Concrete Block
- Concrete Monument
- Concrete
- Description
- Drainage Easement
- Easement
- F.E.M.A. - Federal Emergency Management Agency
- FFE - Finished Floor Elevation
- Fnd. - Found
- Non Pipe
- Length (Arc)
- Material
- Nail & Disk
- HANDICAP PARKING
- N.R. - Non-Rec'd
- Official Records Book
- P - Pipe
- P.A. - Plat Book
- Wood Fence
- Point of Curvature
- Page
- Point of Intersection
- Point of Beginning
- Point on Line
- Power Pole
- Permanent Reference Monument
- Point of Tangency
- Radius
- Rebar & Cap
- Rebar & Cap
- Recovered
- Recovered
- Set - Set 1/2" Rebar & Cap "LB 7623"
- Sanitary Manhole
- Sanitary Valve
- Typical
- Utility Easement
- Utility (Control Angle)
- Chain Link Fence
- Back Rise Inverter
- Concrete Block
- Cable Rider
- Cleanout
- Curb Inlet
- Curb Inlet
- DOT Inlet
- Electric Box
- Electric Meter
- Air Release Valve
- FDOT Storm Manhole
- FIRE DEPARTMENT CONNECTION
- FIBER OPTIC CABLE
- FIBER OPTIC CABLE BOX
- Fire Hydrant
- Guy Anchor
- HANDICAP PARKING
- Gas Meter
- Gas Valve
- Grabber Trap
- Concrete Light Pole
- Mitered End Section
- SIGN
- PARKING SPACES
- Radius
- Rebar & Cap
- Rebar & Cap
- Wood Power Pole
- Sanitary Manhole
- Sanitary Valve
- Setback
- Storm Inlet
- SIGNAL POLE
- Storm Manhole
- TELEPHONE BOX
- TELEPHONE RIBBER
- TRAFFIC LIGHT POLE
- TRAFFIC SIGNAL BOX
- TRAFFIC PANEL
- Transformer
- Gas Valve
- Water Valve
- Water Meter
- OTHER UTILITIES

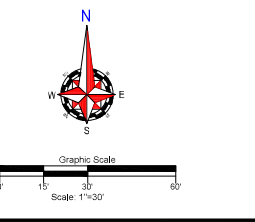
Revision: Added Cross Section - 02/09/26
Revision: Revised Survey - 02/04/25
Revision: Revised Survey - 07/30/25
Revision: Revised Survey Add Adjacent Top of Bank & NHWL - 07/12/25
Revision: Revised Survey - 08/04/25
Revision: Added Proposed Pavers & Dock - 06/02/25
Revision: Dock As-Built Elevations - 05/07/25 - BP
Revision: Dock As-Built - 03/27/25 - JWW
Revision: As-Built Survey - 01/08/25 - JWW
Revision: Updated Survey - 05/30/24 - JTP
Revision: Updated Survey - 05/22/24 - TKC
Revision: Final Survey - 04/17/23 - ADS
Revision: Added Welland Delineation - 05/13/22 - JWW
Revision: Foundation Survey - 05/07/21 - JWW
Revision: Property Line Linetype - 12/21/20 - JRR

Field Date: 05/06/21 Date Completed: 05/07/21
Drawn By: JWW File Number: IS-0255

Legend	PC	Point of Curvature
○ Callabest	PC	Point of Curvature
○ Concrete Block	PC	Point of Intersection
○ Concrete Monument	PC	Point of Beginning
○ Concrete	PC	Point of Beginning
○ Description	PC	Point of Beginning
○ Drainage Easement	PC	Point of Beginning
○ Easement	PC	Point of Beginning
○ F.E.M.A. - Federal Emergency Management Agency	PC	Point of Beginning
○ FFE - Finished Floor Elevation	PC	Point of Beginning
○ Fnd. - Found	PC	Point of Beginning
○ Non Pipe	PC	Point of Beginning
○ Length (Arc)	PC	Point of Beginning
○ Material	PC	Point of Beginning
○ Nail & Disk	PC	Point of Beginning
○ HANDICAP PARKING	PC	Point of Beginning
○ N.R. - Non-Rec'd	PC	Point of Beginning
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○ Point of Beginning	PC	Point of Beginning
○ Point on Line	PC	Point of Beginning
○ Power Pole	PC	Point of Beginning
○ Permanent Reference Monument	PC	Point of Beginning
○ Point of Tangency	PC	Point of Beginning
○ Radius	PC	Point of Beginning
○ Rebar & Cap	PC	Point of Beginning
○ Rebar & Cap	PC	Point of Beginning
○ Recovered	PC	Point of Beginning
○ Recovered	PC	Point of Beginning
○ Set - Set 1/2" Rebar & Cap "LB 7623"	PC	Point of Beginning
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○ Curb Inlet	PC	Point of Beginning
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○ Rebar & Cap	PC	Point of Beginning
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○ Sanitary Valve	PC	Point of Beginning
○ Typical	PC	Point of Beginning
○ Utility Easement	PC	Point of Beginning
○ Utility (Control Angle)	PC	Point of Beginning
○ Chain Link Fence	PC	Point of Beginning
○ Back Rise Inverter	PC	Point of Beginning

Survey is Based upon the Legal Description Supplied by Client. All adjoining Properties Deeds have NOT been Researched for Gaps, Omissions or Errors. This Survey is based upon the Plat of Waterstone Plat Book 74, Page 131. Building Lines are NOT to be used to reconstruct Property Lines. Fence Overlaps are NOT determined. Roof Overlaps, Under Footers and/or Footers have NOT been traced UNLESS otherwise noted. Specific Marks and/or Unidentified Locations are Approximate and MUST be verified by appropriate Utility Location Companies. Use of This Survey, Subsequent to this Plat, Without Liability to the Surveyor. Nothing herein shall be construed to give ANY Rights or Benefits to anyone other than those Certified. Flood Zone Determination Shown Herein is Given as a Courtesy, and is Subject to Approval by F.E.M.A. This Determination may be affected by Flood Factors and/or other information NOT HEREIN known by FDOT given to the Surveyor. Company at the time of this Engineer Ireland & Associates Surveying, Inc. and the signing surveyor assume NO Liability for the Accuracy of this Determination.

Patrick K. Ireland, Surveyor
Ireland & Associates Surveying, Inc.
800 Currency Circle, Suite 1020
Lake Mary, FL 32749
www.irelandsurveying.com
Office-407.878.3366 Fax-407.320.8165



Digitally signed by Patrick K Ireland
Date: 2026.02.10 09:43:07 -05'00'







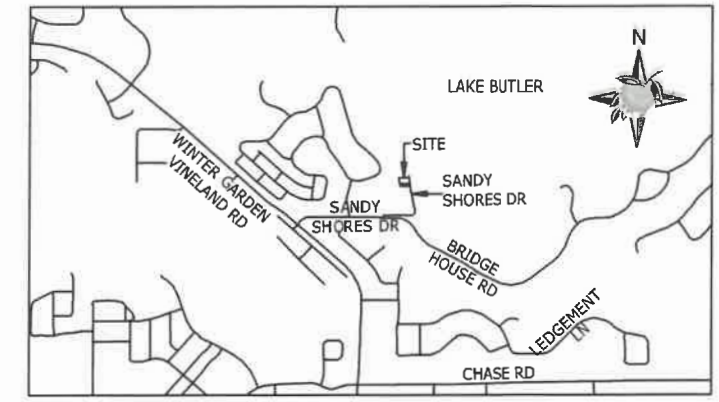
December 2023 - Photo of staked proposed boat dock location. Based on EPD field review of this staked position, the dock was to be shifted approximately three (3) feet to the left (southwest).



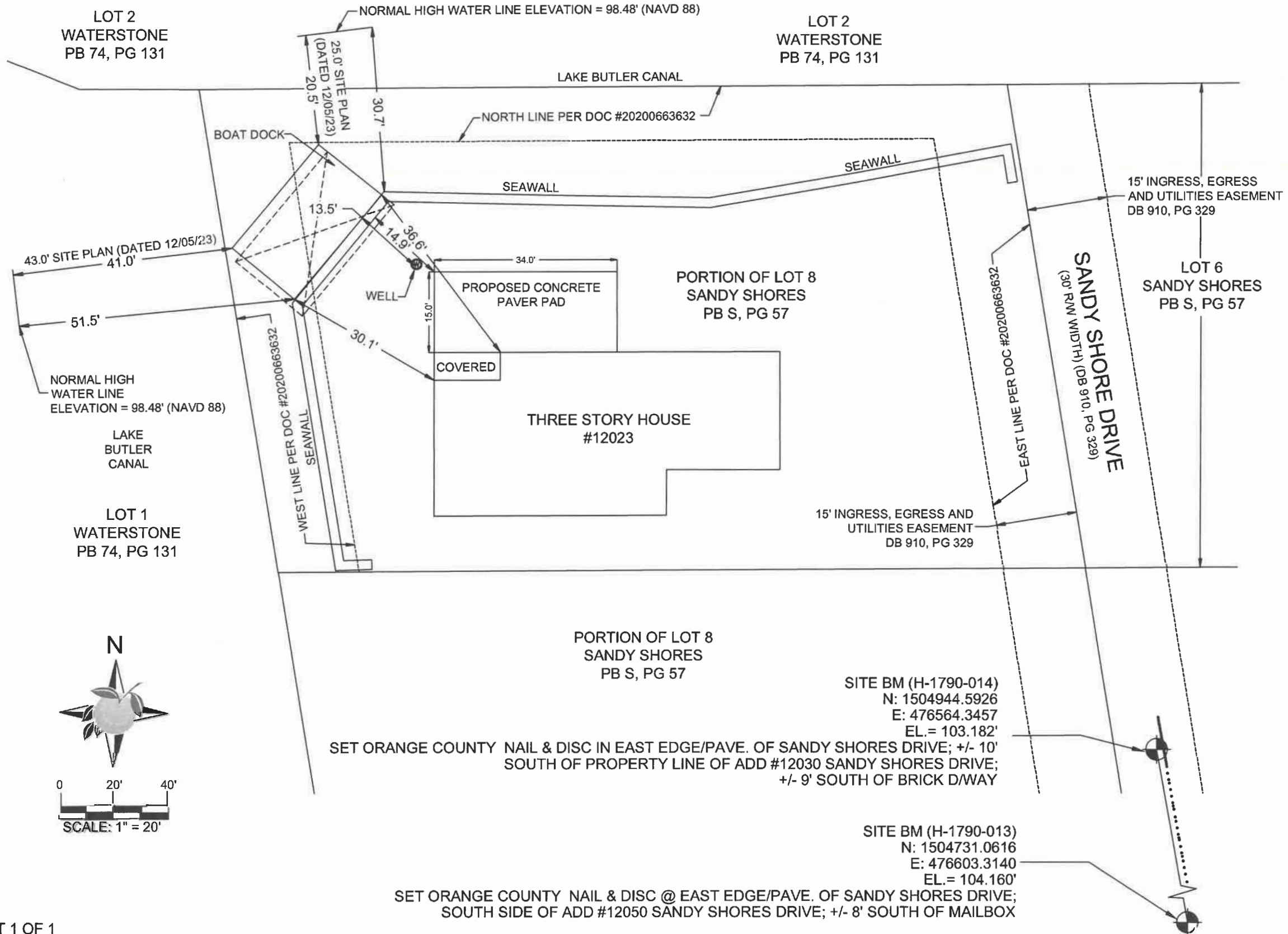
January 2026 - Photo of boat dock and seawall location as constructed.

SPECIFIC PURPOSE SURVEY

received
3/2/2026

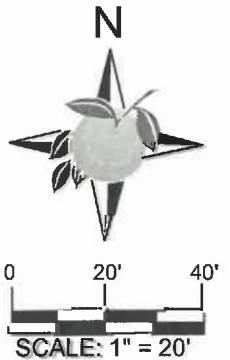


VICINITY MAP NOT TO SCALE



SURVEY NOTES:

- THIS IS NOT A BOUNDARY SURVEY.
- THE PURPOSE OF THIS SURVEY IS TO MEASURE THE DISTANCE OF THE BOAT DOCK IN RELATION TO THE NORMAL HIGH WATER ELEVATION (NHWE), BUILDING AND WATER WELL.
- MEASUREMENTS SHOWN HEREON ARE EXPRESSED IN U.S. FEET.
- MEASUREMENT METHODS FOR THIS SURVEY MEET THE REQUIREMENTS OF CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE FOR LAND SURVEYING.
- THE HORIZONTAL DATUM IS FLORIDA STATE PLANE COORDINATES, FLORIDA EAST ZONE, NAD 83 (2011 ADJUSTMENT) ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
- VERTICAL CONTROL FOR THIS SURVEY IS BASED A CLOSED LOOP TRAVERSE OBSERVATIONS OF ORANGE COUNTY BENCHMARKS STARTING AT BENCHMARK C-1399-002 (3 1/4" ALUM. ORANGE COUNTY PUBLIC WORKS DISC IN TOP OF (CONC) CURB INLET ON NORTH SIDE OF LAKE SAWYER DRIVE; +/- 837' WEST OF WINTER GARDEN VINELAND ROAD; ACROSS FROM 12466 & 12472 (LAKE SAWYER DRIVE) WITH AN ELEVATION OF 113.773' AND ENDING AT BENCHMARK S-1291-041 (3 1/4" ORANGE COUNTY ALUM. DISC IN CONC CURB MEDIAN OF GLENMUIR HOMES (BLVD) ON EAST SIDE OF WINTER GARDEN VINELAND ROAD; @ APPROXIMATELY R/WAY LINE; +/- 100' WEST OF GATE @ GLENMUIR BLVD WITH AN ELEVATION OF 111.386'. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NAVD 1988 DATUM.
- NO CORNER FOUND OR SET.
- FIELD DATES: FEBRUARY 10, 2026.



Daniel L. Whittaker
2/26/2026
DANIEL L. WHITTAKER DATE
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NO. 5048
NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

REVISIONS			ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7908	SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7717	SPECIFIC PURPOSE SURVEY 12023 SANDY SHORE DRIVE SEC 24, TWP 23S, RNG 27E	DATE	DATE	DRAWING SCALE:	DRAWING PROJECT
DATE	BY	DESCRIPTION				DATE	DATE	AS NOTED	NUMBER:
02/25/2026	JDB	ADDED DIMENSIONS AND PROPOSED CONCRETE PAVER PAD				02/20/2026	02/20/2026		9492
						DRAWN BY: W. SAMALOT		ORANGE COUNTY PUBLIC WORKS	
						APPROVED BY: D. WHITTAKER		Environmental Protection Division	



Environmental Protection Division

SHORELINE ALTERATION/DREDGE & FILL PERMIT

Permit No: SADF-23-09-022

Date Issued: April 25, 2024

Date Expires: April 25, 2026

Associated Incident No.: 23-625669

Associated Permit No.: BD-23-09-122

A Permit Authorizing:

The construction of a new vinyl seawall and dredging adjacent to and within the shoreline of the Lake Butler/Sandy Shores Canal, as depicted on the construction plans signed and sealed by Darcy Unroe, P.E. and received by the Environmental Protection Division (EPD) on February 2, 2024, and February 19, 2024. A 0.084-acre area of the canal bank at the corner of the property will be dredged to construct a boat dock, previously permitted by EPD Dock Construction Permit No. BD-23-09-122. Dredging will be conducted in accordance with the dredging plan narrative provided by Sheila Cichra and received by EPD on November 27, 2023. Water quality sampling shall be completed in accordance with the 'Water Quality Monitoring Program' provided by Bio-Tech Consulting, Inc., received by EPD on February 2, 2024.

EPD staff has evaluated the proposed activity and has made a finding that the request is consistent with Orange County Code, Chapter 33, Article IV, Section 33-129, and is subject to the permit conditions provided on the following pages:

Activity Location:

12023 Sandy Shores Drive, Windermere, FL 34786

Parcel ID: 24-23-27-7808-00-083

Orange County Commission District: 1

Permittee(s) / Authorized Entity:

Rhonda and Eric Powell

c/o Sheila Cichra

Streamline Permitting, Inc.

E-mail: sheilacichra@gmail.com

Orange County Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, Florida 32803
407-836-1400/ Fax: 407-836-1499
www.OCEPD.org

The Board of County Commissioners (BCC) approved this permit on April 9, 2024, subject to the following conditions:

Specific Conditions

1. This permit shall become final and effective upon expiration of the 30-calendar day period following the date of rendition of the Board's decision approving the permit unless a petition for writ of certiorari or other legal challenge has been filed within this timeframe. Any timely filed petition or other challenge shall stay the effective date of this permit until the petition or other challenge is resolved in favor of the Board's decision.
2. The operational phase of this permit is effective upon the completion of construction and continues in perpetuity.
3. Construction activities shall be completed in accordance with the engineered plans signed and sealed by Darcy Unroe, P.E., and received by EPD on February 2, 2024, and February 19, 2024. The permitted activity must commence within six months and be completed within two years from the date of issuance of the permit. If the project has not commenced within six months or been completed within two years or extended, this permit shall be void and a new permit application with fee will be required.
4. If the permitted activity has not been completed within two years, the Environmental Protection Officer may grant a permit extension of up to one additional year. Requests for permit extension must be submitted to EPD prior to the expiration date. No changes to the approved plans will be authorized with a permit extension.
5. This permit does not authorize any dredging or filling except that which is necessary for the installation of the seawall, as depicted on the approved plans.
6. Dredged material shall be handled and disposed of in accordance with the dredging plan narrative and site plan provided by Sheila Cichra and received by EPD on November 27, 2023, and February 19, 2024, respectively.
7. Water quality sampling shall be completed in accordance with the 'Water Quality Monitoring Program' provided by Bio-Tech Consulting, Inc., received by EPD on February 2, 2024. The sampling stations should be located per 'Figure 1' of the 'Surface Water Quality Monitoring Program.'
8. Turbidity and sediment shall be controlled to prevent off-site, unpermitted impacts and violations of water quality standards pursuant to Rules 62-302.500, 62-302.530(70), and 62-4.242, Florida Administrative Code (F.A.C.). Best Management Practices (BMPs), as specified in the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (2013, or most current version), shall be installed, and maintained at all locations where there is the possibility of transferring sediment, turbidity, or other pollutants into wetlands and/or surface waters due to the permitted activities. BMPs are performance based; if selected BMPs are ineffective or if site-specific conditions require additional measures, then the permittees shall implement additional or alternative measures as necessary to prevent adverse impacts to wetlands and/or surface waters. Turbidity discharging from a site must not exceed 0 NTU over background for those surface waters and tributaries designated as Outstanding Florida Waters (OFWs), such as Lake Butler. If turbidity samples collected at the background sampling station exceed 0 NTU, dredging shall be stopped and EPD notified immediately.

9. Turbidity and erosion control measures shall remain in place until EPD has verified that the post-activity water quality monitoring results indicate the project area meets the baseline monitoring results.
10. Discharge of groundwater from dewatering operations requires approval from the Florida Department of Environmental Protection (FDEP) and the applicable Water Management District. The operator/contractor shall obtain an FDEP Generic Permit for the Discharge of Ground Water from Dewatering Operations pursuant to the requirements of Chapters 62-621.300(2)(a) and 62-620, F.A.C., and Chapter 403 FS. Discharges directed to the County's MS4 require an Orange County Right-of-Way Utilization Permit for Dewatering prior to the start of any discharges.

General Conditions

11. 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 review prior to applying for a Building Permit. For further information, please contact the OCZD at (407) 836-5525.
12. After approval by OCZD, the certified site plans will need to be reviewed by the Orange County Building Safety Division (OCBSD) to obtain a Building Permit. For further information, please contact the OCBSD at (407) 836-5550.
13. Subject to the terms and conditions herein, the permittees are hereby authorized to perform or cause to be performed, the impacts shown on the application and approved drawings, plans, and other documents attached hereto or on file with EPD. The permittees 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 holder promptly thereafter.
14. Issuance of this permit does not warrant in any way that the permittees have riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittees. If 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 owners' riparian or other property rights, the permittees agree to either obtain written consent or to remove the offending structure or encroachment within 60 days from the date of the 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 permittees 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 permittees or create in the permittees any property right, 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 permittees or convey any rights or privileges other than those specified in the permit and Chapter 33, Article IV of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency, the permittees shall comply with the most stringent conditions. The permittees shall immediately notify EPD of any conflict between the conditions of this permit and any other permit or approval.
16. The permittees are hereby advised that Section 253.77 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 permittees are responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

17. Should any other regulatory agency require changes to the property or permitted activities, the permittees 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.
18. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
19. The permittees shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate. EPD may revoke the permit upon discovery of information that may cause pollution to water bodies, cause an adverse impact on the riparian rights of other waterfront property owners, or impede the traditional use and enjoyment of the waterbody by the public.
20. EPD staff, with proper identification, shall have permission to enter the site at any reasonable time to ensure conformity with the plans and specifications approved by the permit.
21. The permittees shall notify EPD, in writing, within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. The permittees shall remain liable for any corrective actions that may be required because of any permit violations until the permit is legally transferred.
22. The permittees shall hold and save the County harmless from all damages, claims or liabilities, which may arise by reason 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 permittees.
24. The permittees 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. 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 applicant 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 applicant fails to obtain the requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.
26. Pursuant to Section 125.022 FS, the applicant shall obtain all other applicable state or federal permits before commencement of construction.

If you should have any questions concerning this permit, please contact Caroline Dragiev at 407-429-9887 or Caroline.Dragiev@ocfl.net.

Project Manager:



Caroline Dragiev, Senior Environmental Specialist

Authorized for the Orange County Environmental Protection Division by:

 for

Renée H. Parker, LEP, Environmental Protection Officer

CD/~~KCK~~/TMH/ERJ: gfdjr

Enclosure(s): Construction Notice
Board of County Commissioners Decision Letter
Approved Site Plans
Approved Dredging Plan
Approved Water Quality Monitoring Plan

c: Eric and Rhonda Powell, RykaOffice@gmail.com
Lisa Prather, South Florida Water Management District, lprather@sfwmd.gov
Miola Aganovic, OCEPD, Miola.Aganovic@ocfl.net
Jonathan Dressler, OCEPD, Jonathan.Dressler@ocfl.net



Construction Notice

- BEGINNING OF CONSTRUCTION
- COMPLETION OF CONSTRUCTION

Mail to: Orange County Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, FL 32803
Or Fax to: 407-836-1499
Or E-Mail to: WetlandPermitting@ocfl.net

Permit Number and Name: SADF-23-09-022, 12023 Sandy Shores Dr - Powell

Permit Type: Shoreline Alteration/Dredge and Fill

Approximate Starting Date: _____

Approximate Completion Date: _____

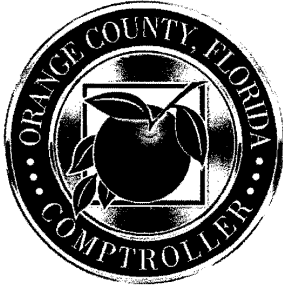
Remarks or any additional information:

I certify I am the permittee / Authorized Entity of the above permit issued by the Orange County Environmental Protection Division and in accordance with the terms of such permit will begin or have completed the actual construction of the work described in the permit.

Signature of Permittee: _____

Printed name of Permittee: _____

Date: _____



Orange County Government

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Decision Letter

Board of County Commissioners

Tuesday, April 9, 2024

2:00 PM

County Commission Chambers

24-424 Case # SADF-23-09-022

Rhonda and Eric Powell, Lake Butler (aka Sandy Shores Canal), permit;
District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 23-09-022 to authorize the construction of a new vinyl seawall along the shoreline of a canal leading to Lake Butler (aka Sandy Shores Canal), pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigational Control District

Location: District 1; on property located adjacent to Lake Butler (aka Sandy Shores Canal), located at 12023 Sandy Shores Drive, Windermere, Florida 34786; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-23-09-022) subject to the twenty-six (26) conditions of approval listed in the Staff Report dated March 8, 2024. The motion carried by the following vote:

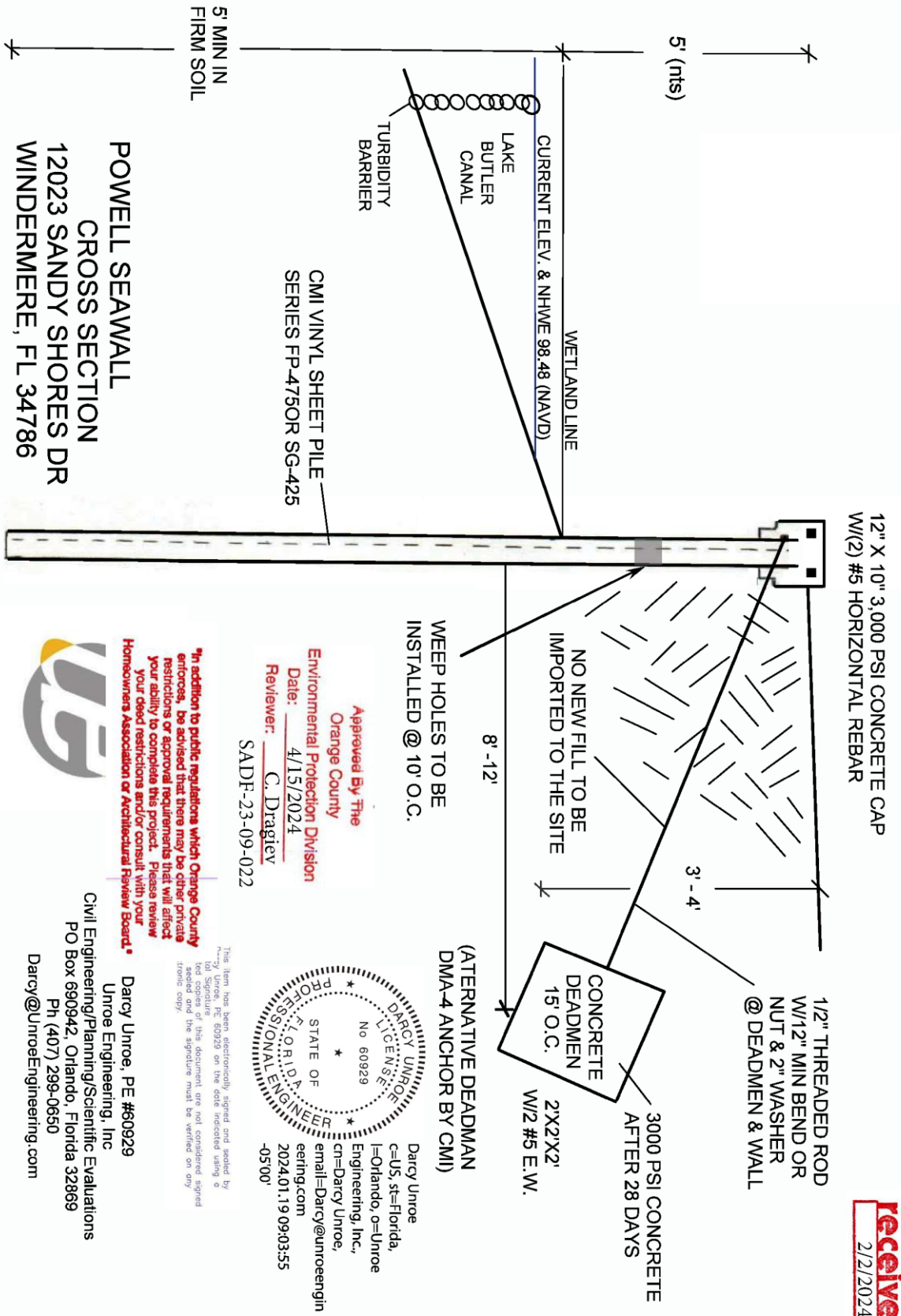
Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

**THE FOREGOING DECISION HAS BEEN FILED
WITH ME THIS 18TH DAY OF APRIL 2024.**

J. Knight
for _____
DEPUTY CLERK
BOARD OF COUNTY COMMISSIONERS
ORANGE COUNTY, FLORIDA

Note: This document constitutes the final decision of the Board of County Commissioners on this matter. If, upon the Board's subsequent review and approval of its minutes, an error affecting this final decision is discovered, a corrected final decision will be prepared, filed, and distributed.
th

180' VINYL SEAWALL W/(2) 10' RETURNS INSTALLED AT THE WETLAND LINE



12" X 10" 3,000 PSI CONCRETE CAP
W/(2) #5 HORIZONTAL REBAR

1/2" THREADED ROD
W/1/2" MIN BEND OR
NUT & 2" WASHER
@ DEADMEN & WALL

NO NEW FILL TO BE
IMPORTED TO THE SITE

CONCRETE
DEADMEN
15' O.C.
3000 PSI CONCRETE
AFTER 28 DAYS
2X2X2'
W/2 #5 E.W.

WEEP HOLES TO BE
INSTALLED @ 10' O.C.

(ALTERNATIVE DEADMAN
DMA-4 ANCHOR BY CMI)

CMI VINYL SHEET PILE
SERIES FP-4750R SG-425

Approved By The
Orange County
Environmental Protection Division
Date: 4/15/2024
Reviewer: C. Dragiev
SADF-23-09-022



Darcy Untroe
c=US, st=Florida,
l=Orlando, o=Untroe
Engineering, Inc.,
cn=Darcy Untroe,
email=Darcy@unroeengin
eering.com
2024.01.19 09:03:55
-05'00"

This item has been electronically signed and sealed by
Darcy Untroe, PE #60929 on the date indicated using e
-Signatures, Inc. Signature
seal and the signature must be verified on the
original copy.

***In addition to public regulations which Orange County
enforces, be advised that there may be other private
restrictions or approval requirements that will affect
your ability to complete this project. Please review
your deed restrictions and/or consult with your
Homeowners Association or Architectural Review Board.***

POWELL SEAWALL
CROSS SECTION
12023 SANDY SHORES DR
WINDERMERE, FL 34786



Darcy Untroe, PE #60929
Untroe Engineering, Inc
Civil Engineering/Planning/Scientific Evaluations
PO Box 690942, Orlando, Florida 32869
Ph (407) 299-0650
Darcy@UntroeEngineering.com

Received
2/2/2024

received
11/27/2023

**DREDGING NARRATIVE
SADF-23-09-022**

THE AREA TO BE DREDGED WILL BE COMPLETELY ENCLOSED BY A VINYL SEAWALL ON ALL FOUR SIDES PRIOR TO ANY EXCAVATING BEING DONE. BETWEEN THE COFFERDAM, THE SEAWALL AND THE DOUBLE TURBIDITY BARRIER, THERE WON'T BE ANY WATER QUALITY ISSUES. THIS SAME CONTRACTOR WAS FINED \$4,000 A FEW MONTHS AGO FOR WATER QUALITY ISSUES. HE'S GOING TO BE SUPER DILIGENT!

"DREDGING PLAN"

- 1) INSTALL VINYL SEAWALL AROUND BOAT SLIP.**
- 2) INSTALL COFFERDAM AROUND DREDGING SITE.**
- 3) REMOVE DIRT FROM INSIDE BOAT SLIP AND COFFERDAM.**
- 4) CONSTANTLY VISUALLY MONITOR TO MAKE SURE THAT THE COFFERDAM ISN'T LEAKING.**

3. The narrative response to the initial RAI noted that dredged material will be placed in a lined container in uplands and disposed of off-site to ensure that the dredged material and spoiled water will not erode or flow back into the canal. Please add a note to this effect on the site plan.

DONE.

--

Sheila Cichra
Streamline Permitting, Inc.

Approved By The
Orange County
Environmental Protection Division
Date: 4/15/2024
Reviewer: C. Dragiev
SADF-23-09-022

In addition to public regulations which Orange County enforces, be advised that there may be other private restrictions or approval requirements that will affect your ability to complete this project. Please review your deed restrictions and/or consult with your Homeowners Association or Architectural Review Board.



received
2/2/24

Approved By The
Orange County
Environmental Protection Division
Date: 4/15/2024
Reviewer: C. Dragiev
SADF-23-09-022

In addition to public regulations which Orange County enforces, be advised that there may be other private restrictions or approval requirements that will affect your ability to complete this project. Please review your deed restrictions and/or consult with your Homeowners Association or Architectural Review Board.

February 2, 2024

Caroline Dragiev
Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, Florida 32803

Proj: 12023 Sandy Shores Drive – Orange County, Florida
SADF-23-09-022
(BTC File #1215-
Re: Request for Additional Information
Surface Water Quality Monitoring Program

Dear Ms. Dragiev:

BTC proposes the following Surface Water Quality Monitoring Program for the above referenced project:

WATER QUALITY MONITORING PROGRAM

As part of the dredge work, the applicant will implement a program to monitor the background water quality conditions, as well as work area water quality conditions during the dredging activities within the canal. The data collected during this monitoring program will be utilized to compare subsequent conditions to background conditions, as well as calculated State water quality standards, to determine the effects, if any, of the maintenance dredging within the canal. This monitoring plan is proposed to commence upon acceptance from the Orange County Environmental Protection Division (OCEPD).

Orlando: Main Office
3025 East South Street
Orlando, FL 32803

Jacksonville Office
11235 St Johns Industrial Pkwy N
Suite 2
Jacksonville, FL 32246

Tampa Office
6011 Benjamin Road
Suite 101-B
Tampa, FL 33634

Vero Beach Office
4445 North A1A
Suite 221
Vero Beach, FL 32963

Key West Office
1107 Key Plaza
Suite 259
Key West, FL 33040

Land & Aquatic Management
3825 Rouse Road
Orlando, FL 32817

407.894.5969
877.894.5969
407.894.5970 fax

info@bio-techconsulting.com

www.bio-techconsulting.com

received
2/2/2024

Approved By The
Orange County
Environmental Protection Division
Date: 4/15/2024
Reviewer: C. Dragiev
SADF-23-09-022

Collection of surface water samples and data associated with the monitoring program will be collected at least 30 days prior to conducting the dredge; at least once a day during the dredge; and at least twice during the 60 days following completion of the dredge project, or until water quality parameters post-dredging meets the parameters of pre-dredging. The dredge work is expected to be completed within 1 week. If the collected data are indicative of atypical conditions or violations of water quality standards or criteria, OCEPD will be notified immediately. Any potential activities associated with corrective actions will be conducted in accordance and coordination with the OCEPD.

The following sections provide particular information associated with the proposed collection and analysis of water quality samples and data for the Surface Water Quality Monitoring Program:

WATER QUALITY METHODS AND MATERIALS

The water quality plan will consist of field data and surface water sample collection, as well as analysis of samples by an approved laboratory. The data and samples will be collected from three (3) water quality monitoring stations to be established on and in the vicinity of the site (Figure 1) by the BTC project biologist. Collection of surface water samples and data associated with the monitoring program will be collected at least 30 days prior to conducting the dredge; at least once a day during the dredge, and at least twice during the 60 days following completion of the dredge project, or until water quality parameters post-dredging meets the parameters of pre-dredging. During the dredging activities, samples will be taken within the work area, outside the work area, and a sample downstream. If the sample outside the work area rises too high above the background, the dredging will be stopped and corrective actions will be coordinated with OCEPD.

PROPOSED SAMPLING STATIONS

The data and samples gathered as part of this plan will be collected from the following proposed water quality monitoring stations:

<u>Station</u>	<u>Location</u>
Station #1	Within Work Area
Station #2	Outside Work Area
Station #3	Background

The locations of these stations are depicted on the attached exhibit. We believe these locations will be sufficient to assess the project's contributions to the water quality of the canal and to downstream habitats.

In addition to public regulations which Orange County enforces, be advised that there may be other private restrictions or approval requirements that will affect your ability to complete this project. Please review your deed restrictions and/or consult with your Homeowners Association or Architectural Review Board.





WATER QUALITY FIELD MEASUREMENTS

Field parameters to be obtained during each monitoring event will include the following:

<i>Time</i>	<i>Water Temperature</i>
<i>Dissolved Oxygen</i>	<i>Specific Conductivity</i>
<i>Turbidity (NTU)</i>	<i>pH</i>

Field instruments to be utilized will be calibrated prior to each monitoring event. Upon arrival at the sampling destination, instruments will be calibrated prior to the collection of samples. During both calibration events standard EPA methods and manufacturer's instructions will be followed.

In situ measurements of dissolved oxygen, temperature, specific conductance, and pH will utilize a calibrated Hanna Multi-Parameter meter. Results of the in-field parameter monitoring events will be compiled and outlined in a letter report submitted to the OCEPD within 1 week of the sampling. A report of monitoring results will be prepared and submitted to the OCEPD following the 30 days prior to the dredge sampling event, weekly during the dredge activities, and twice after the dredging events. The letter reports will include methods, field data, laboratory data, and comparisons of gathered data to baseline/background information, as well as State water quality standards.

WATER QUALITY SAMPLING PARAMETERS

In order to further assess the quality of the designated surface waters, the following sampling parameters will be monitored:

General Chemistry Parameters:
Total Nitrogen (mg/L)
Total Phosphorus (mg/L)
Total Suspended Solids (mg/L)
Turbidity (NTU)

Field activities conducted as part of this program will be in accordance with Florida Department of Environmental Protection (FDEP) Standard Operating Procedures (SOP) listed in FT1000 (rev 1/2017). Laboratory analysis will be conducted by a NELAC certified laboratory (TestAmerica – DOH Certification #E83012 Orlando, DOH Certification #E84282 Tampa and DOH Certification #E84282 Nashville). Sample containers utilized in laboratory analysis will be obtained from the laboratory to be utilized prior to each sampling event. The containers will be labeled to indicate the type of analysis (nutrients, metals, etc...) and the type of preservative (if appropriate) for each

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Approved By The
Orange County
Environmental Protection Division
Date: 4/15/2024
Reviewer: C. Dragiev
SADF-23-09-022

container. Quality assurance objectives for laboratory analysis of listed parameters will be as per methods listed within Section 5 of the analyzing laboratory's QAP (available upon request).

The BTC project biologist will be responsible for sample custody until sample containers are dropped off at the analyzing laboratory. The project biologist will physically collect samples and operate field equipment. The project biologist will be responsible for recording all data and logging information on data sheets and labels in the field. Samples will be transported from the field to the laboratory by the project biologist. When samples are dropped off at the analyzing laboratory, a chain of custody form will be transferred from the project biologist to the laboratory project manager for each set of samples collected. The laboratory will verify the sample location identification, number of samples and types of samples collected. Samples will be logged in and processed per Section 7 of the analyzing laboratory's QAP.

MONITORING PROGRAM REPORT PREPARATION

Upon receipt of the results of the laboratory analysis, all data will be collated, reviewed and compared to baseline data as well as calculated Class III Water Quality Standards established by the Florida Department of Environmental Protection (FDEP) [F.A.C. 62-302.560 Criteria: Class III Waters]. A report of monitoring results will be prepared and submitted to the OCEPD following the 30 days prior to the dredge sampling event, weekly during the dredge activities, and twice after the dredging events. Data and conclusions drawn from the reports will be utilized to determine the effects, if any, of maintenance dredging on the selected surface waters located in the vicinity of the project.

If you have any questions, comments, or require any additional information do not hesitate to contact me at (407) 894-5969 or at larry@bio-techconsulting.com. Thank you.

Regards,

Larry Medlin
Project Manager

attachments

In addition to public regulations which Orange County enforces, be advised that there may be other private restrictions or approval requirements that will affect your ability to complete this project. Please review your deed restrictions and/or consult with your Homeowners Association or Architectural Review Board.



received

2/2/2024

Approved By The
Orange County
Environmental Protection Division
Date: 4/15/2024
Reviewer: C. Dragiev

SADF-23-09-022

In addition to public regulations which Orange County enforces, be advised that there may be other private restrictions or approval requirements that will affect your ability to complete this project. Please review your deed restrictions and/or consult with your Homeowners Association or Architectural Review Board.



Legend

- Boundary
- Turbidity Barrier

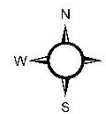
Station_ID, Area

- #1, Work Area
- #2, Outside work Area
- #3, Downstream

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Bio-Tech Consulting
Environmental and Permitting
3025 East South Street Orlando, FL 32803
Phone (407) 894-5969 Fax (407) 894-5970
www.bio-techconsulting.com

12023 Sandy Shores Drive
Orange County, Florida
Figure 1
WQ Monitoring Stations



90 Feet
Project #:
Produced By: LPM
Date: 2/2/2024



ENVIRONMENTAL PROTECTION DIVISION

Renée H. Parker, LEP, Manager

3165 McCrory Place, Suite 200
Orlando, FL 32803
407-836-1400 ▪ Fax 407-836-1499
www.ocfl.net

May 14, 2025

NOTICE OF NON-COMPLIANCE

VIA EMAIL AND CERTIFIED MAIL: 9489 0090 0027 6389 0112 13

Property Owners: Rhonda and Eric Powell
12023 Sandy Shores Drive
Windermere, Florida 34786
Email: RykaOffice@gmail.com

VIA EMAIL:

Agent: Sheila Cichra
Streamline Permitting, Inc.
Email: sheilacichra@gmail.com

**RE: Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Drive
Parcel ID No.: 24-23-27-7808-00-083
Sandy Shores Canal; Orange County Commission District: 1**

Dear Mr. and Mrs. Powell and Ms. Cichra:

On December 18, 2023, the Environmental Protection Division (EPD) issued a Dock Construction Permit (BD-23-09-122) for the subject property. On April 25, 2024, EPD issued a Shoreline Alteration / Dredge and Fill permit, (SADF-23-09-022), to dredge a portion of the canal bank and install a vinyl seawall. EPD received a request to extend the expiration date of BD-23-09-122 on January 27, 2025, pursuant to 252.363(1)(a), Florida Statutes, and Executive Order No. 24-214/215. The extension was granted on February 17, 2025.

On May 8, 2025, EPD received an as-built survey for the dock. Based on EPD staff's review of the as-built survey and a routine compliance visit completed on May 6, 2025, it appears the location of the dock and the section of seawall adjacent to the dock do not match the approved plans. The approved plans include a reference point showing 10.64 feet from the northwest corner of the patio to the dock. This reference point was not depicted on the as-built survey, however, during the compliance inspection, EPD staff measured the distance from the northwest corner of the patio to the constructed dock as 16 feet and 11 inches. As a result, the dock extends further into the canal than depicted on the approved plans. The dock and seawall are not in compliance with the following permit conditions.

General Condition 3 of BD-23-09-122-EXT states in part, *"Construction activities shall be completed in accordance with the approved site plans included with this permit. Construction shall not exceed the measurements identified on the stamp on the plans."*

General Condition 6 of BD-23-09-122-EXT states, *"The structure and its use shall not significantly impede navigability in the waterbody."*

Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083

Specific Condition 3 of SADF-23-09-022 states, “*Construction activities shall be completed in accordance with the engineered plans signed and sealed by Darcy Unroe, P.E., and received by EPD on February 2, 2024, and February 19, 2024.*”

In order to bring the property into compliance and prevent further enforcement proceedings, including administrative penalties, please complete the following Corrective Actions:

CORRECTIVE ACTIONS:

1. A. Within 60 days of receipt of this NONC, rebuild the dock and seawall in accordance with the approved plans. Be advised that the conditions pertaining to implementing Best Management Practices and the water quality sampling specified in permit SADF-23-09-022 must be provided. An updated as-built survey will be required to confirm compliance.

OR

B. Within 30 days of receipt of this letter, submit an after-the-fact dock permit modification application and an after-the-fact seawall permit modification application. As part of the application, the applicant will be required to demonstrate that the dock as constructed is not a navigational hazard.

Please note that the dock may not be able to be approved in the current location if deemed a navigational hazard by EPD. If the permit modifications are denied by EPD, the dock and seawall shall be reconstructed to match the permitted plans. If an appeal to the decision is received, the modifications will require consideration by the Orange County Environmental Protection Commission (EPC) and the Board of County Commissioners (BCC). If the permit modifications are not ultimately approved by the BCC, the boat dock and seawall must be rebuilt to the permitted specifications.

Informational Notes:

1. *Section 15-353 states in part, “Any person determined to have violated section 15-324 for failure to obtain a permit prior to constructing a dock or modifying an existing dock such that a variance or waiver would be required, may be subject to an additional administrative penalty in the amount of one dollar (\$1.00) per square foot of the entire structure.”*

Based on the provided as-built survey, EPD estimates the square footage of the dock over the surface water is approximately 375 square feet. Therefore, a \$375.00 penalty will be assessed.

2. ***EPD has received several letters from neighboring parcels regarding the current location of the boat dock citing concerns about navigation within the canal.***

Should you decide to not comply with our Corrective Actions listed above, EPD will elevate the non-compliance issues to a Notice of Violation, including a penalty. EPD reserves the right to modify or require additional corrective actions or administrative penalties should we need to proceed to formal enforcement proceedings with the Orange County Special Magistrate.

Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083

If you require more time to complete the Corrective Actions, please stay in contact with EPD staff so that we can monitor your progress and stay on track towards bringing the site into compliance. Should you have questions or concerns related to this matter, you may contact Caroline Dragiev either by email at Caroline.Dragiev@ocfl.net or by phone at 407-429-9887.

Sincerely,



Caroline Dragiev
Senior Environmental Specialist

CD/KGK/^{KGK}ERJ: gfdjr:

Attachments: BD-23-09-122-EXT
SADF-23-09-022
May 8, 2025, As-Built Survey
EPD photograph of the staked dock location on November 14, 2023
EPD photographs from compliance inspection on May 6, 2025

c: Tim Hull, OCEPD, Tim.Hull@ocfl.net
Luciana Orindas, OCEPD, Luciana.Orindas@ocfl.net
Lisa Prather, SFWMD, lprather@sfwmd.gov

Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083

EPD photograph of the staked dock location on November 14, 2023



EPD photograph from compliance inspection on May 6, 2025



Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
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EPD photograph from compliance inspection on May 6, 2025



Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083



Environmental Protection Division

F.S. 24-214/215 DOCK CONSTRUCTION PERMIT TIME EXTENSION

Permit No.: BD-23-09-122-EXT
Date Originally Issued: December 18, 2023
Date of Extension: February 17, 2025
New Expiration Date: December 30, 2026
Associated Incident: 23-625669 (Closed)
Associated Permit No.: SADF-23-09-022

Permit History:

On December 18, 2023, the Environmental Protection Division (EPD) issued a Dock Construction Permit (BD-23-09-122) for the subject property. On January 27, 2025, EPD received a request to extend the expiration date of BD-23-09-122, pursuant to 252.363(1)(a), Florida Statutes, and Executive Order No. 24-214/215, issued by Florida Governor Ron DeSantis for a State of Emergency declared on October 5, 2024. This timeframe extension is hereby granted, and the new expiration date is December 30, 2026.

A Permit Authorizing:

The construction of a dock not to exceed the measurements identified on the Environmental Protection Division (EPD) stamp on the plans dated as received by EPD on September 11, 2023, and November 27, 2023.

EPD has evaluated the proposed activity and has made a finding that the request is consistent with Orange County Code, Chapter 15, Article IX, Construction of Dock Ordinance of Orange County and is subject to the permit conditions provided on the following pages:

Activity Location:

12023 Sandy Shores Drive, Windermere, FL 34786
Parcel ID No.: 24-23-27-7808-00-083
Lake Name: Lake Butler Canal
Orange County Commission District: 1

Permittee(s) / Authorized Entity:

Rhonda and Eric Powell
c/o Sheila Cichra
Streamline Permitting, Inc.
Email: sheilacichra@gmail.com

Orange County Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, Florida 32803
407-836-1400/ Fax: 407-836-1499
www.OCEPD.org

Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083

As the permit holder, you are responsible for ensuring that all the conditions are met. If you are using a contractor to perform the activities authorized within the permit you are both responsible for meeting the conditions of your permit. If you fail to meet any of the conditions, you and/or your contractor may be subject to formal enforcement which may include administrative penalties.

Approval of this permit is subject to the following conditions:

General Conditions for Dock Construction Permits:

1. This permit shall become final and effective upon expiration of the 15-calendar day appeal period following the date of issuance unless an appeal has been filed within this timeframe. For permits that required approval by the Board of County Commissioners (BCC), the permit shall become final and effective upon expiration of the 30-calendar day period following the date of rendition of the BCC's decision approving the permit, unless a petition for writ of certiorari or other legal challenge has been filed within this timeframe. Any appeal shall stay on the effective date of this permit until all appeals are resolved.
2. The operational phase of this permit is effective upon the completion of construction and continues in perpetuity.
3. Construction activities shall be completed in accordance with the approved site plans included with this permit. Construction shall not exceed the measurements identified on the stamp on the plans. The permitted work must be completed within one year of the date of issuance of the permit. Requests for permit extension must be submitted to the EPD prior to the expiration date.
4. Approval of this Boat Dock Construction Permit does not authorize seawall construction or dredging on the subject property. This Boat Dock Construction Permit is void if the proposed seawall and dredging are not approved by the Orange County Board of County Commissioners. The proposed seawall and dredging are being permitted separately through a Shoreline Alteration/Dredge and Fill Permit (#SADF-23-09-022).
5. The dock must be constructed within an access corridor pursuant to Chapter 15, Article VII, Section 15-255(1). No access corridor is allowed through any conservation area and/or easement.
6. The structure and its use shall not significantly impede navigability in the waterbody.
7. There shall be no dredging or filling associated with construction of the structure(s) authorized herein, other than that required for installation of structural pilings.
8. Dock 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. The dock must be constructed to meander around native trees to minimize impacts to natural resources. If any trees are removed (dead or alive), EPD must be notified immediately, and a restoration plan must be submitted to EPD for approval. At a minimum, the plan must consist of native wetland plants on 2-foot centers and native wetland trees on 10-foot centers. The ratio will be at least 4:1 ratio for any trees that are removed.
10. If any fallen trees are located within the proposed dock location, they may be cut in place and left within the wetland/conservation area. If trees must be removed, only hand removal is permitted; no heavy equipment or machinery may be utilized. Debris must be removed without displacing soil.

Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083

11. Any existing dock shall be completely removed before construction of the new dock can begin. Appropriate erosion and sediment control measures shall be installed around the work area and shall remain in place until all sediments have settled out of the water column. Pilings associated with the existing dock shall be cut at the substrate line or jetted out. All removed materials shall be disposed of at an appropriate offsite location. If the new dock is to be constructed in a different location along the shoreline, the previously cleared access corridor shall be allowed to naturally revegetate for one year. Should the area not be re-established with appropriate native aquatic or wetland vegetation, invasive species removal and replanting may be required.
12. Unless expressly authorized by this permit and approved site plans, no floating platform structure has been approved with the issuance of this permit. If, at any time, any addition to the terminal platform (including, but not limited to, a floating platform) is proposed, the permittee(s) or future owners of the property may be required to apply for, and obtain, a new Dock Construction Permit.
13. All excess lumber, scrap wood, trash, garbage, and similar materials shall be removed from the project area immediately.
14. The permit holder and/or designated agent must submit a notice of completion to EPD within 30 days of completion of the construction or repair of the permitted structure so that a compliance check may be performed by EPD staff. The permittee(s) must provide as-built drawings on a final survey, signed, and sealed by an appropriate professional licensed by the State of Florida, with the notice of completion. The signed and sealed as-built survey shall consist of an aerial view and a side view of the dock as well as any other information required to demonstrate compliance with the permit. The following items must be included on the survey:
 - a. North arrow;
 - b. Name of water body;
 - c. Reference point;
 - d. Setback distance from all portions of the boat dock;
 - e. The Normal High Water Elevation (NHWE);
 - f. Floor elevation (measured from the NHWE);
 - g. Roof elevation (measured from the top of the floor to the top of the roof);
 - h. Length of the dock below the NHWE;
 - i. Access walkway width;
 - j. Conservation easements, wetlands, buffers, berm and swale/drainage easements;
 - k. Floor elevation of the dock through wetlands;
 - l. Complete dimensions of the terminal platform; and
 - m. Elevation of the lake bottom at the waterward end of the terminal platform.
15. Upon completion of construction, the permittee(s) shall provide EPD with photographs of the dock to wetlandpermitting@ocfl.net from the following locations:
 - a. From the shoreline or backyard looking out towards the lake and dock;
 - b. View of the terminal platform from access walkway;
 - c. The end of the terminal platform looking back towards the shoreline;
 - d. View from each property corner looking towards the dock;
 - e. View of the access walkway with a tape measure in frame to show the height of the top of the access walkway deck over wetlands (if applicable); and,
 - f. View of the water depth at the waterward end of the terminal platform with a tape measure in frame that is flush with the top of the deck so a dimension is clearly visible.
16. At least 48-hours prior to commencement of activity authorized by this permit, the permittee(s) shall submit to EPD at wetlandpermitting@ocfl.net, a Construction Notice indicating the actual start date and expected completion date.

Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083

17. The permittee(s) shall notify EPD, in writing, within 30 days of any sale, conveyance, or other transfer of ownership or control of the real property subject to this permit. The permittees shall remain liable for all permit conditions and corrective actions that may be required because of any permit violations which occur prior to the transfer of the permit by Orange County to a subsequent owner. If applicable, no permit shall be transferred unless and until adequate financial assurance has been provided and approved by Orange County.
18. 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 to obtain a building permit. For further information, please contact the OCZD at (407) 836-5525. After approval by OCZD, the certified site plans will need to be reviewed by the Orange County Building Safety Division (OCBSD) to obtain a building permit. For further information, please contact the OCBSD at (407) 836-5550.
19. If the property is within the Town of Windermere, a copy of this permit, along with EPD stamped and approved drawings should be taken to the Town of Windermere at 614 Main Street to obtain a building permit. For further information, please contact the Town of Windermere at 407-876-2563.
20. Some lakes experience a wide fluctuation of water levels. There may be times during the year that the dock authorized herein may not be usable to access the water.
21. Subject to the terms and conditions herein, the permittee(s) is hereby authorized to perform or cause to be performed, the impacts shown on the application and approved drawings, plans, and other documents attached hereto or on file with EPD. The permittee(s) binds itself and its 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 holder promptly thereafter.
22. Prior to construction, the permittee(s) shall clearly designate the limits of construction on-site. The permittee(s) shall advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
23. The projected property lines, as identified on the stamped permit drawings, should be field staked by a professional land surveyor prior to the start of construction to be sure that the dock is constructed in the permitted location. Utilizing an adjacent boat dock or fence line is not sufficient for accurate placement of the dock and may result in the placement of the dock in the wrong location. It is extremely important to build the dock in the approved location. Upon completion of construction, if an unauthorized encroachment into the required minimum setback occurs, you may be required to relocate the dock.
24. The permittee(s) 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(s) 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.
25. Issuance of this permit does not warrant in any way that the permittee(s) has riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittee(s). If any part of the structure(s) 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 permittee(s) agrees to either obtain written consent or to remove the offending structure or encroachment within 60 days from the date of the adjudication.

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Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation.

26. This permit does not release the permittee(s) 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(s) or create in the permittee(s) any property right, 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(s), or convey any rights or privileges other than those specified in the permit and Chapter 15, Article IX of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency the permittee(s) shall comply with the most stringent conditions. The permittee(s) shall immediately notify EPD of any conflict between the conditions of this permit and any other permit or approval.
27. The permittee(s) 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(s) is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
28. Should any other regulatory agency require changes to the permitted activities, the permittee(s) 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.
29. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
30. The permittee(s) shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.
31. EPD staff, with proper identification, shall have permission to enter the site at any reasonable time to ensure conformity with the plans and specifications approved by the permit.
32. The permittee(s) shall hold and save the County harmless from all damages, claims or liabilities, which may arise by reason of the activities authorized by the permit.
33. 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(s).
34. The permittee(s) agrees that any dispute arising from matters relating to this permit shall be governed by the laws of Florida and initiated only in Orange County.
35. 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 permittee(s) shall implement them as necessary to prevent adverse impacts to wetlands and/or surface waters.
36. 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 applicant to obtain a permit from a state or federal agency and does not

Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
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create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

37. Pursuant to Section 125.022 FS, the applicant shall obtain all other applicable state or federal permits before commencement of the activity authorized herein.

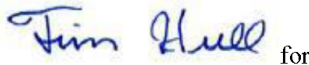
If you should have any questions concerning this permit, please contact Caroline Dragiev at 407-429-9887 or Caroline.Dragiev@ocfl.net.

Project Manager:



Caroline Dragiev, Senior Environmental Specialist

Authorized for the Orange County Environmental Protection Division by:

 for

Renée H. Parker, LEP, Environmental Protection Officer

CD/~~K~~/TMH: gfdjr

Enclosure(s): Construction Notice
 Approved Plans

c: Eric and Rhonda Powell, RykaOffice@gmail.com
Lisa Prather, South Florida Water Management District, lprather@sfwmd.gov
Elizabeth Johnson, EPD, Liz.Johnson@ocfl.net

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Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083



Construction Notice

- BEGINNING OF CONSTRUCTION
- COMPLETION OF CONSTRUCTION

Mail to: Orange County Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, FL 32803
Or Fax to: 407-836-1499
Or E-Mail to: WetlandPermitting@ocfl.net

Permit Number and Name: BD-23-09-122, 12023 Sandy Shores Dr - Powell

Permit Type: BOAT DOCK

Approximate Starting Date: _____

Approximate Completion Date: _____

Remarks or any additional information:

I certify I am the permittee / Authorized Entity of the above permit issued by the Orange County Environmental Protection Division and in accordance with the terms of such permit will begin or have completed the actual construction of the work described in the permit.

Signature of Permittee: _____

Printed name of Permittee: _____

Date: _____

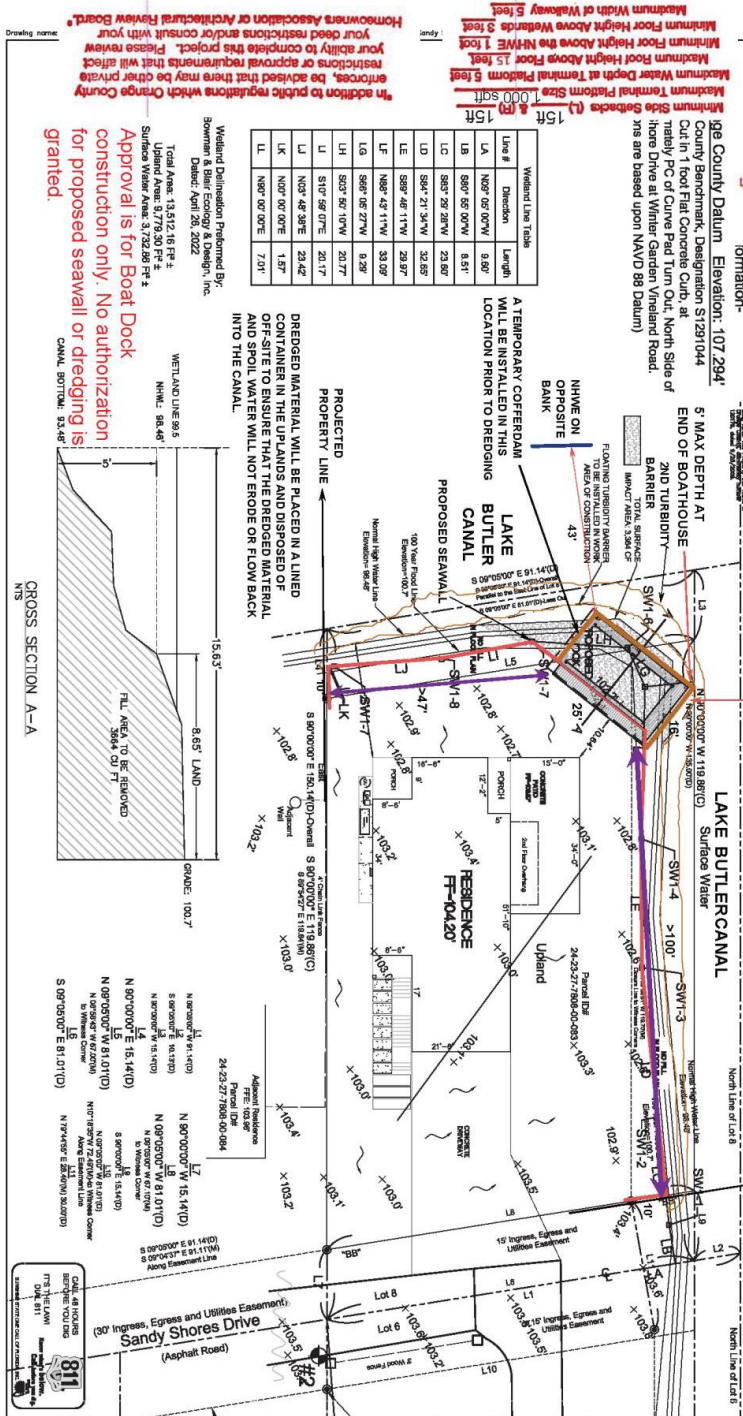
Notice of Non-Compliance
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Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083

Received
 11/27/2023

For: [Redacted]
 Reviewer: C. Dragley
 Date: 12/5/2023
 Environmental Protection Division
 Orange County
 Approved By The [Redacted]

Information:
 Asphalt Roadway:
 2' or Asphalt Roadway:
 23' on Asphalt Roadway

Orange County Datum: Elevation: 107.294'
 County Benchmark: Designation: S1291044
 Call to 1 foot Flat Concrete Curb at
 Property PC of Curved Pad Turn Out, North Side of
 Home Drive at Winter Garden Vineyard Road.
 Measurements are based upon NAVD 88 Datum)



SCALE AS SHOWN 0 20 40 NORTH	PROWELL SITE PLAN FOR: PROPOSED 16' X 25' BOATHOUSE & 180' SEAWALL W/2) 10' RETURNS	12023 SANDY SHORES DR. WINDERMERE, FL ORANGE COUNTY, FLORIDA	CHAD S. LINN, P.E. P.O. BOX 140024 ORLANDO, FL 32814 PHONE: 407-252-6433	DESIGN ENGINEER: CHAD S. LINN FLORIDA REGISTRATION NUMBER: 57524	SCALE: AS NOTED DESIGNED BY: CS DRAWN BY: CS CHECKED BY: CS
------------------------------------	--	---	--	--	--

811 Call before you dig 811 or visit www.floridaclear.com	PROJECT NO.: [Redacted]	DATE: [Redacted]	REVISIONS: [Redacted]
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Notice of Non-Compliance
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Parcel ID No.: 24-23-27-7808-00-083

File Name: Sandy Shores
 File No.: 0428252-001-E
 FICP Page: 7 of 9

PLAN VIEW
 SCALE: 1/4" = 1'-0"

DOCK JOIST PLAN
 SCALE: 1/4" = 1'-0"

ROOF PLAN
 SCALE: 1/4" = 1'-0"

FRONT ELEVATION
 SCALE: 1/4" = 1'-0"

SIDE ELEVATION
 SCALE: 1/4" = 1'-0"

MINIMUM SIDE SLOPES: 0.15ft/1ft
MINIMUM TERMINAL PAVEMENT SIZE: 1000 sqft
MINIMUM WATER DEPTH AT TERMINAL PAVEMENT: 5 feet
MINIMUM FLOOR HEIGHT ABOVE FLOOR: 1.5 feet
MINIMUM FLOOR HEIGHT ABOVE WALKWAY: 3 feet
MINIMUM WIDTH OF WALKWAY: 5 feet

Approval is for Boat Dock construction only. No authorization for seawall or dredging is granted.

INENERS NOTES

Approved By The
Orange County
Environmental Protection Division
Date: 12/9/2023
Reviewer: C. Draglev
BD-23-09-122

Dock Addition
for
12023 Sandy Shores Dr.
Windermere, FL

AREA SUMMARY

CONSTRUCTION PLAN

12023 SANDY SHORES DR.
 WINDERMERE, FL

SCALE: 1/4" = 1'-0"

received
 9/11/2023

In addition to public regulations which Orange County enforces, be advised that there may be other private restrictions or approval requirements that will affect your ability to complete this project. Please review your deed restrictions and/or consult with your Homeowners Association or Architectural Review Board.

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	1/2" x 4" x 8" LVL	100	LINEAL FEET	1.50	150.00
2	2" x 4" x 8" LVL	50	LINEAL FEET	2.00	100.00
3	2" x 6" x 8" LVL	20	LINEAL FEET	2.50	50.00
4	2" x 8" x 8" LVL	10	LINEAL FEET	3.00	30.00
5	2" x 10" x 8" LVL	5	LINEAL FEET	4.00	20.00
6	2" x 12" x 8" LVL	2	LINEAL FEET	5.00	10.00
7	2" x 14" x 8" LVL	1	LINEAL FEET	6.00	6.00
8	2" x 16" x 8" LVL	1	LINEAL FEET	7.00	7.00
9	2" x 18" x 8" LVL	1	LINEAL FEET	8.00	8.00
10	2" x 20" x 8" LVL	1	LINEAL FEET	9.00	9.00
11	2" x 22" x 8" LVL	1	LINEAL FEET	10.00	10.00
12	2" x 24" x 8" LVL	1	LINEAL FEET	11.00	11.00
13	2" x 26" x 8" LVL	1	LINEAL FEET	12.00	12.00
14	2" x 28" x 8" LVL	1	LINEAL FEET	13.00	13.00
15	2" x 30" x 8" LVL	1	LINEAL FEET	14.00	14.00
16	2" x 32" x 8" LVL	1	LINEAL FEET	15.00	15.00
17	2" x 34" x 8" LVL	1	LINEAL FEET	16.00	16.00
18	2" x 36" x 8" LVL	1	LINEAL FEET	17.00	17.00
19	2" x 38" x 8" LVL	1	LINEAL FEET	18.00	18.00
20	2" x 40" x 8" LVL	1	LINEAL FEET	19.00	19.00
21	2" x 42" x 8" LVL	1	LINEAL FEET	20.00	20.00
22	2" x 44" x 8" LVL	1	LINEAL FEET	21.00	21.00
23	2" x 46" x 8" LVL	1	LINEAL FEET	22.00	22.00
24	2" x 48" x 8" LVL	1	LINEAL FEET	23.00	23.00
25	2" x 50" x 8" LVL	1	LINEAL FEET	24.00	24.00
26	2" x 52" x 8" LVL	1	LINEAL FEET	25.00	25.00
27	2" x 54" x 8" LVL	1	LINEAL FEET	26.00	26.00
28	2" x 56" x 8" LVL	1	LINEAL FEET	27.00	27.00
29	2" x 58" x 8" LVL	1	LINEAL FEET	28.00	28.00
30	2" x 60" x 8" LVL	1	LINEAL FEET	29.00	29.00
31	2" x 62" x 8" LVL	1	LINEAL FEET	30.00	30.00
32	2" x 64" x 8" LVL	1	LINEAL FEET	31.00	31.00
33	2" x 66" x 8" LVL	1	LINEAL FEET	32.00	32.00
34	2" x 68" x 8" LVL	1	LINEAL FEET	33.00	33.00
35	2" x 70" x 8" LVL	1	LINEAL FEET	34.00	34.00
36	2" x 72" x 8" LVL	1	LINEAL FEET	35.00	35.00
37	2" x 74" x 8" LVL	1	LINEAL FEET	36.00	36.00
38	2" x 76" x 8" LVL	1	LINEAL FEET	37.00	37.00
39	2" x 78" x 8" LVL	1	LINEAL FEET	38.00	38.00
40	2" x 80" x 8" LVL	1	LINEAL FEET	39.00	39.00
41	2" x 82" x 8" LVL	1	LINEAL FEET	40.00	40.00
42	2" x 84" x 8" LVL	1	LINEAL FEET	41.00	41.00
43	2" x 86" x 8" LVL	1	LINEAL FEET	42.00	42.00
44	2" x 88" x 8" LVL	1	LINEAL FEET	43.00	43.00
45	2" x 90" x 8" LVL	1	LINEAL FEET	44.00	44.00
46	2" x 92" x 8" LVL	1	LINEAL FEET	45.00	45.00
47	2" x 94" x 8" LVL	1	LINEAL FEET	46.00	46.00
48	2" x 96" x 8" LVL	1	LINEAL FEET	47.00	47.00
49	2" x 98" x 8" LVL	1	LINEAL FEET	48.00	48.00
50	2" x 100" x 8" LVL	1	LINEAL FEET	49.00	49.00

ROOF PLAN NOTES

1. ALL ROOFING SHALL BE INSTALLED IN ACCORDANCE WITH LOCAL BUILDING CODES AND THE EXISTING ROOF.

2. ROOF SHALL BE MAINTAINED AND REPAIRED AS NECESSARY TO PREVENT WEATHER DAMAGE TO THE STRUCTURE.

3. ROOF SHALL BE MAINTAINED AND REPAIRED AS NECESSARY TO PREVENT WEATHER DAMAGE TO THE STRUCTURE.

4. ROOF SHALL BE MAINTAINED AND REPAIRED AS NECESSARY TO PREVENT WEATHER DAMAGE TO THE STRUCTURE.

5. ROOF SHALL BE MAINTAINED AND REPAIRED AS NECESSARY TO PREVENT WEATHER DAMAGE TO THE STRUCTURE.

6. ROOF SHALL BE MAINTAINED AND REPAIRED AS NECESSARY TO PREVENT WEATHER DAMAGE TO THE STRUCTURE.

7. ROOF SHALL BE MAINTAINED AND REPAIRED AS NECESSARY TO PREVENT WEATHER DAMAGE TO THE STRUCTURE.

8. ROOF SHALL BE MAINTAINED AND REPAIRED AS NECESSARY TO PREVENT WEATHER DAMAGE TO THE STRUCTURE.

9. ROOF SHALL BE MAINTAINED AND REPAIRED AS NECESSARY TO PREVENT WEATHER DAMAGE TO THE STRUCTURE.

10. ROOF SHALL BE MAINTAINED AND REPAIRED AS NECESSARY TO PREVENT WEATHER DAMAGE TO THE STRUCTURE.

DATE: 12/9/2023	SCALE: 1/4" = 1'-0"
SHEET NUMBER: 0.1	

Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083



Environmental Protection Division

**SHORELINE
ALTERATION/DREDGE &
FILL PERMIT**

Permit No: SADF-23-09-022
Date Issued: April 25, 2024
Date Expires: April 25, 2026
Associated Incident No.: 23-625669
Associated Permit No.: BD-23-09-122

A Permit Authorizing:

The construction of a new vinyl seawall and dredging adjacent to and within the shoreline of the Lake Butler/Sandy Shores Canal, as depicted on the construction plans signed and sealed by Darcy Unroe, P.E. and received by the Environmental Protection Division (EPD) on February 2, 2024, and February 19, 2024. A 0.084-acre area of the canal bank at the corner of the property will be dredged to construct a boat dock, previously permitted by EPD Dock Construction Permit No. BD-23-09-122. Dredging will be conducted in accordance with the dredging plan narrative provided by Sheila Cichra and received by EPD on November 27, 2023. Water quality sampling shall be completed in accordance with the 'Water Quality Monitoring Program' provided by Bio-Tech Consulting, Inc., received by EPD on February 2, 2024.

EPD staff has evaluated the proposed activity and has made a finding that the request is consistent with Orange County Code, Chapter 33, Article IV, Section 33-129, and is subject to the permit conditions provided on the following pages:

Activity Location:

12023 Sandy Shores Drive, Windermere, FL 34786
Parcel ID: 24-23-27-7808-00-083
Orange County Commission District: 1

Permittee(s) / Authorized Entity:

Rhonda and Eric Powell
c/o Sheila Cichra
Streamline Permitting, Inc.
E-mail: sheilacichra@gmail.com

Orange County Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, Florida 32803
407-836-1400/ Fax: 407-836-1499
www.OCEPD.org

Notice of Non-Compliance
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Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083

The Board of County Commissioners (BCC) approved this permit on April 9, 2024, subject to the following conditions:

Specific Conditions

1. This permit shall become final and effective upon expiration of the 30-calendar day period following the date of rendition of the Board's decision approving the permit unless a petition for writ of certiorari or other legal challenge has been filed within this timeframe. Any timely filed petition or other challenge shall stay the effective date of this permit until the petition or other challenge is resolved in favor of the Board's decision.
2. The operational phase of this permit is effective upon the completion of construction and continues in perpetuity.
3. Construction activities shall be completed in accordance with the engineered plans signed and sealed by Darcy Unroe, P.E., and received by EPD on February 2, 2024, and February 19, 2024. The permitted activity must commence within six months and be completed within two years from the date of issuance of the permit. If the project has not commenced within six months or been completed within two years or extended, this permit shall be void and a new permit application with fee will be required.
4. If the permitted activity has not been completed within two years, the Environmental Protection Officer may grant a permit extension of up to one additional year. Requests for permit extension must be submitted to EPD prior to the expiration date. No changes to the approved plans will be authorized with a permit extension.
5. This permit does not authorize any dredging or filling except that which is necessary for the installation of the seawall, as depicted on the approved plans.
6. Dredged material shall be handled and disposed of in accordance with the dredging plan narrative and site plan provided by Sheila Cichra and received by EPD on November 27, 2023, and February 19, 2024, respectively.
7. Water quality sampling shall be completed in accordance with the 'Water Quality Monitoring Program' provided by Bio-Tech Consulting, Inc., received by EPD on February 2, 2024. The sampling stations should be located per 'Figure 1' of the 'Surface Water Quality Monitoring Program.'
8. Turbidity and sediment shall be controlled to prevent off-site, unpermitted impacts and violations of water quality standards pursuant to Rules 62-302.500, 62-302.530(70), and 62-4.242, Florida Administrative Code (F.A.C.). Best Management Practices (BMPs), as specified in the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (2013, or most current version), shall be installed, and maintained at all locations where there is the possibility of transferring sediment, turbidity, or other pollutants into wetlands and/or surface waters due to the permitted activities. BMPs are performance based; if selected BMPs are ineffective or if site-specific conditions require additional measures, then the permittees shall implement additional or alternative measures as necessary to prevent adverse impacts to wetlands and/or surface waters. Turbidity discharging from a site must not exceed 0 NTU over background for those surface waters and tributaries designated as Outstanding Florida Waters (OFWs), such as Lake Butler. If turbidity samples collected at the background sampling station exceed 0 NTU, dredging shall be stopped and EPD notified immediately.

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Parcel ID No.: 24-23-27-7808-00-083

9. Turbidity and erosion control measures shall remain in place until EPD has verified that the post-activity water quality monitoring results indicate the project area meets the baseline monitoring results.
10. Discharge of groundwater from dewatering operations requires approval from the Florida Department of Environmental Protection (FDEP) and the applicable Water Management District. The operator/contractor shall obtain an FDEP Generic Permit for the Discharge of Ground Water from Dewatering Operations pursuant to the requirements of Chapters 62-621.300(2)(a) and 62-620, F.A.C., and Chapter 403 FS. Discharges directed to the County's MS4 require an Orange County Right-of-Way Utilization Permit for Dewatering prior to the start of any discharges.

General Conditions

11. 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 review prior to applying for a Building Permit. For further information, please contact the OCZD at (407) 836-5525.
12. After approval by OCZD, the certified site plans will need to be reviewed by the Orange County Building Safety Division (OCBSD) to obtain a Building Permit. For further information, please contact the OCBSD at (407) 836-5550.
13. Subject to the terms and conditions herein, the permittees are hereby authorized to perform or cause to be performed, the impacts shown on the application and approved drawings, plans, and other documents attached hereto or on file with EPD. The permittees 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 holder promptly thereafter.
14. Issuance of this permit does not warrant in any way that the permittees have riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittees. If 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 owners' riparian or other property rights, the permittees agree to either obtain written consent or to remove the offending structure or encroachment within 60 days from the date of the 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 permittees 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 permittees or create in the permittees any property right, 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 permittees or convey any rights or privileges other than those specified in the permit and Chapter 33, Article IV of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency, the permittees shall comply with the most stringent conditions. The permittees shall immediately notify EPD of any conflict between the conditions of this permit and any other permit or approval.
16. The permittees are hereby advised that Section 253.77 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

Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083

Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittees are responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

17. Should any other regulatory agency require changes to the property or permitted activities, the permittees 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.
18. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
19. The permittees shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate. EPD may revoke the permit upon discovery of information that may cause pollution to water bodies, cause an adverse impact on the riparian rights of other waterfront property owners, or impede the traditional use and enjoyment of the waterbody by the public.
20. EPD staff, with proper identification, shall have permission to enter the site at any reasonable time to ensure conformity with the plans and specifications approved by the permit.
21. The permittees shall notify EPD, in writing, within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. The permittees shall remain liable for any corrective actions that may be required because of any permit violations until the permit is legally transferred.
22. The permittees shall hold and save the County harmless from all damages, claims or liabilities, which may arise by reason 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 permittees.
24. The permittees 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. 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 applicant 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 applicant fails to obtain the requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.
26. Pursuant to Section 125.022 FS, the applicant shall obtain all other applicable state or federal permits before commencement of construction.

Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083

If you should have any questions concerning this permit, please contact Caroline Dragiev at 407-429-9887 or Caroline.Dragiev@ocfl.net.

Project Manager:



Caroline Dragiev, Senior Environmental Specialist

Authorized for the Orange County Environmental Protection Division by:

 for

Renée H. Parker, LEP, Environmental Protection Officer

CD/K~~CK~~/TMH/ERJ: gfdjr

Enclosure(s): Construction Notice
Board of County Commissioners Decision Letter
Approved Site Plans
Approved Dredging Plan
Approved Water Quality Monitoring Plan

c: Eric and Rhonda Powell, RykaOffice@gmail.com
Lisa Prather, South Florida Water Management District, lprather@sfwmd.gov
Miola Aganovic, OCEPD, Miola.Aganovic@ocfl.net
Jonathan Dressler, OCEPD, Jonathan.Dressler@ocfl.net

Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083



Construction Notice

- BEGINNING OF CONSTRUCTION
- COMPLETION OF CONSTRUCTION

Mail to: Orange County Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, FL 32803
Or Fax to: 407-836-1499
Or E-Mail to: WetlandPermitting@ocfl.net

Permit Number and Name: SADF-23-09-022, 12023 Sandy Shores Dr - Powell

Permit Type: Shoreline Alteration/Dredge and Fill

Approximate Starting Date: _____

Approximate Completion Date: _____

Remarks or any additional information:

I certify I am the permittee / Authorized Entity of the above permit issued by the Orange County Environmental Protection Division and in accordance with the terms of such permit will begin or have completed the actual construction of the work described in the permit.

Signature of Permittee: _____

Printed name of Permittee: _____

Date: _____

Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083



Orange County Government

Decision Letter

Board of County Commissioners

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Tuesday, April 9, 2024

2:00 PM

County Commission Chambers

24-424

Case # SADF-23-09-022

Rhonda and Eric Powell, Lake Butler (aka Sandy Shores Canal), permit;
District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 23-09-022 to authorize the construction of a new vinyl seawall along the shoreline of a canal leading to Lake Butler (aka Sandy Shores Canal), pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigational Control District

Location: District 1; on property located adjacent to Lake Butler (aka Sandy Shores Canal), located at 12023 Sandy Shores Drive, Windermere, Florida 34786; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-23-09-022) subject to the twenty-six (26) conditions of approval listed in the Staff Report dated March 8, 2024. The motion carried by the following vote:

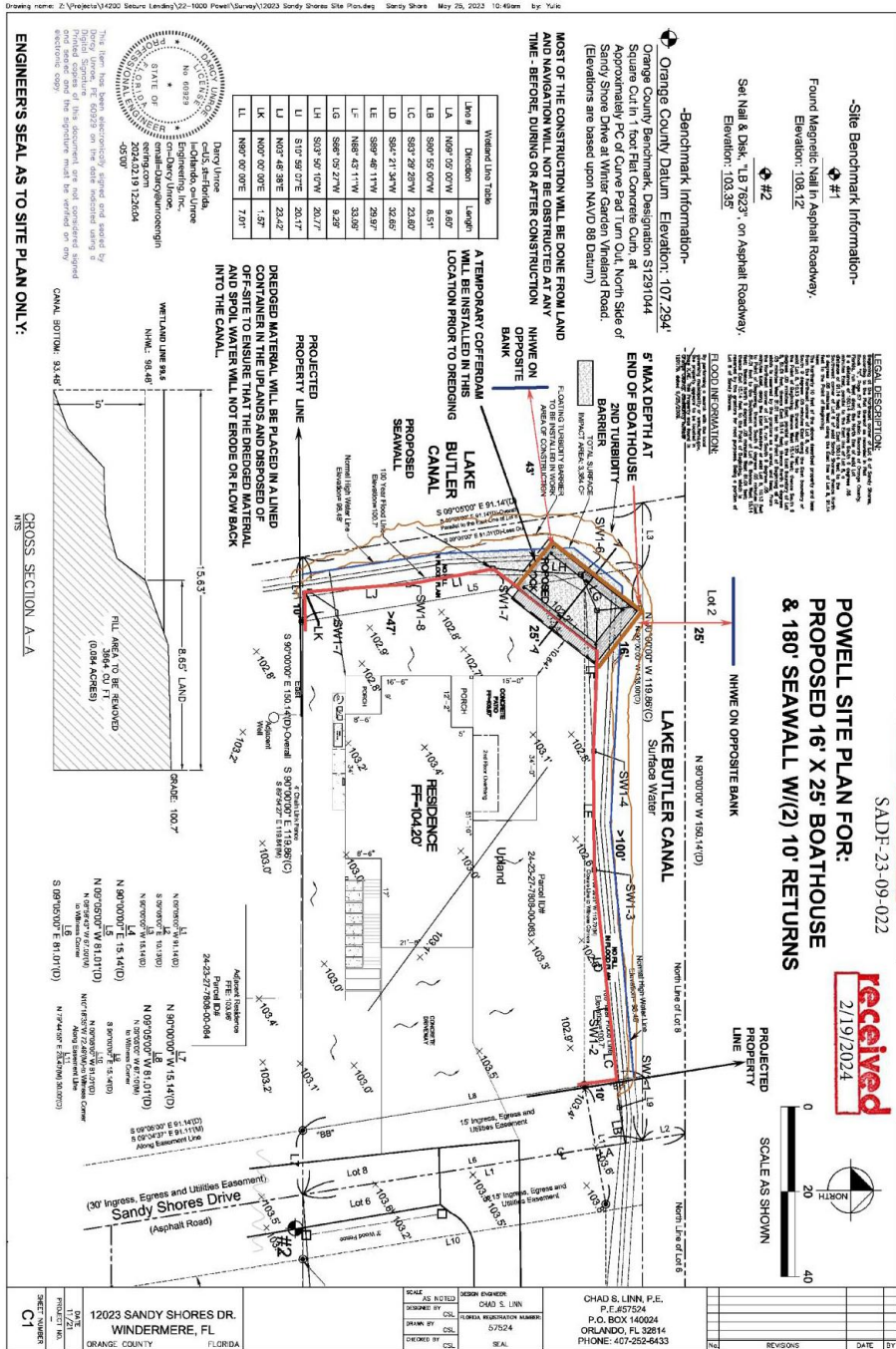
Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

**THE FOREGOING DECISION HAS BEEN FILED
WITH ME THIS 18TH DAY OF APRIL 2024.**

J. Knight
for DEPUTY CLERK
BOARD OF COUNTY COMMISSIONERS
ORANGE COUNTY, FLORIDA

Note: This document constitutes the final decision of the Board of County Commissioners on this matter. If, upon the Board's subsequent review and approval of its minutes, an error affecting this final decision is discovered, a corrected final decision will be prepared, filed, and distributed.
th

Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083



Approved By The
 Orange County
 Environmental Protection Division
 Date: 4/15/2024
 Reviewer: C. Diabrey
 SADF-23-09-022

received
 2/19/2024

SCALE AS SHOWN

PROPOSED PROPERTY LINE

0 20 40

In addition to public regulations which Orange County enforces, be advised that there may be other private ordinances or approval requirements that will affect your ability to complete the project. It is your responsibility to obtain all necessary approvals and to obtain your deed restrictions and/or consult with your Homeowners Association or Architectural Review Board.

Site Benchmark Information-
 #1
 Found Magnetic Nail in Asphalt Roadway.
 Elevation: 108.12'
 #2
 Set Nail & Disk, "LB 7623" on Asphalt Roadway.
 Elevation: 103.35'

Benchmark Information-
 Orange County Datum Elevation: 107.294'
 Orange County Benchmark, Designation S1291044 Square Cut in 1 foot Flat Concrete Curb, at Approximately PC of Curve Pad Turn Out, North Side of Sandy Shores Drive at Winter Garden Wetland Road. (Elevations are based upon NAVD 88 Datum)

NOTE: MOST OF THE CONSTRUCTION WILL BE DONE FROM LAND AND NAVIGATION WILL NOT BE INTERRUPTED AT ANY TIME - BEFORE, DURING OR AFTER CONSTRUCTION

LOCAL REGULATIONS:
 1. THIS PLAN HAS BEEN APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, ON 04/15/2024.
 2. THIS PLAN HAS BEEN APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, ON 04/15/2024.
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 20. THIS PLAN HAS BEEN APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, ON 04/15/2024.

POWELL SITE PLAN FOR:
PROPOSED 16' X 25' BOATHOUSE
& 180' SEAWALL W/ 10' RETURNS

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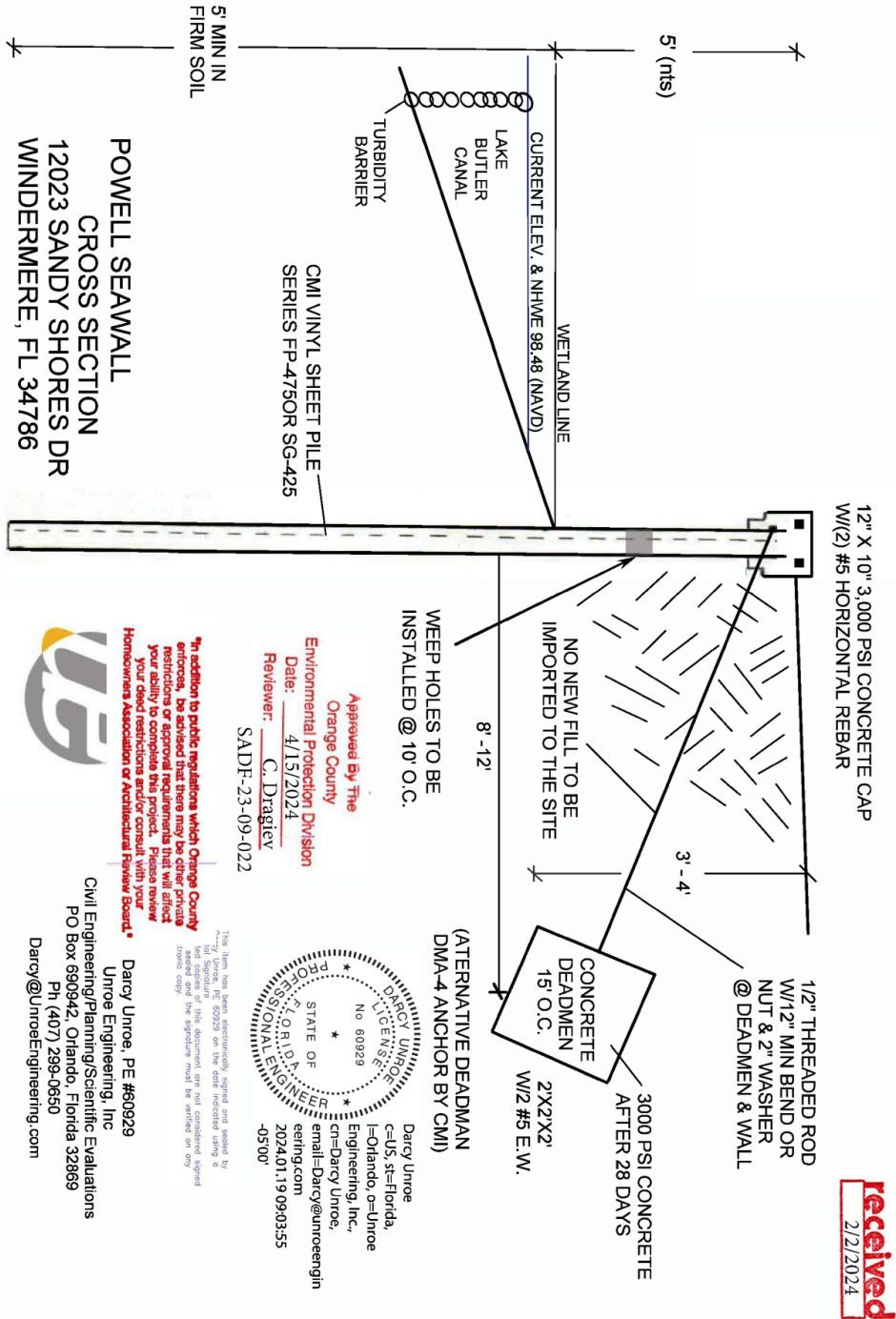
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CHAD S. LINN, P.E.
 P.E.#57504
 P.O. BOX 140024
 ORLANDO, FL 32814
 PHONE: 407-260-9433

Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083

180' VINYL SEAWALL W/ (2) 10' RETURNS INSTALLED AT THE WETLAND LINE



Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083

received
11/27/2023

DREDGING NARRATIVE
SADF-23-09-022

THE AREA TO BE DREDGED WILL BE COMPLETELY ENCLOSED BY A VINYL SEAWALL ON ALL FOUR SIDES PRIOR TO ANY EXCAVATING BEING DONE. BETWEEN THE COFFERDAM, THE SEAWALL AND THE DOUBLE TURBIDITY BARRIER, THERE WON'T BE ANY WATER QUALITY ISSUES. THIS SAME CONTRACTOR WAS FINED \$4,000 A FEW MONTHS AGO FOR WATER QUALITY ISSUES. HE'S GOING TO BE SUPER DILIGENT!

"DREDGING PLAN"

- 1) INSTALL VINYL SEAWALL AROUND BOAT SLIP.**
- 2) INSTALL COFFERDAM AROUND DREDGING SITE.**
- 3) REMOVE DIRT FROM INSIDE BOAT SLIP AND COFFERDAM.**
- 4) CONSTANTLY VISUALLY MONITOR TO MAKE SURE THAT THE COFFERDAM ISN'T LEAKING.**

3. The narrative response to the initial RAI noted that dredged material will be placed in a lined container in uplands and disposed of off-site to ensure that the dredged material and spoiled water will not erode or flow back into the canal. Please add a note to this effect on the site plan.

DONE.

--
Sheila Cichra
Streamline Permitting, Inc.

Approved By The
Orange County
Environmental Protection Division
Date: 4/15/2024
Reviewer: C. Dragiev
SADF-23-09-022

In addition to public regulations which Orange County enforces, be advised that there may be other private restrictions or approval requirements that will affect your ability to complete this project. Please review your deed restrictions and/or consult with your Homeowners Association or Architectural Review Board.

Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083



received
2/2/24

Approved By The
Orange County
Environmental Protection Division
Date: 4/15/2024
Reviewer: C. Dragiev
SADF-23-09-022

In addition to public regulations which Orange County enforces, be advised that there may be other private restrictions or approval requirements that will affect your ability to complete this project. Please review your deed restrictions and/or consult with your Homeowners Association or Architectural Review Board.

February 2, 2024

Caroline Dragiev
Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, Florida 32803

Proj: 12023 Sandy Shores Drive – Orange County, Florida
SADF-23-09-022
(BTC File #1215-
Re: Request for Additional Information
Surface Water Quality Monitoring Program

Dear Ms. Dragiev:

BTC proposes the following Surface Water Quality Monitoring Program for the above referenced project:

WATER QUALITY MONITORING PROGRAM

As part of the dredge work, the applicant will implement a program to monitor the background water quality conditions, as well as work area water quality conditions during the dredging activities within the canal. The data collected during this monitoring program will be utilized to compare subsequent conditions to background conditions, as well as calculated State water quality standards, to determine the effects, if any, of the maintenance dredging within the canal. This monitoring plan is proposed to commence upon acceptance from the Orange County Environmental Protection Division (OCEPD).

Orlando: Main Office
3025 East South Street
Orlando, FL 32803

Jacksonville Office
11235 St Johns Industrial Pkwy N
Suite 2
Jacksonville, FL 32246

Tampa Office
6011 Benjamin Road
Suite 101-B
Tampa, FL 33634

Vero Beach Office
4445 North A1A
Suite 221
Vero Beach, FL 32963

Key West Office
1107 Key Plaza
Suite 259
Key West, FL 33040

Land & Aquatic Management
3825 Rouse Road
Orlando, FL 32817

407.894.5969
877.894.5969
407.894.5970 fax

info@bio-techconsulting.com www.bio-techconsulting.com

Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083

OCEPD, SADF-23-09-022
 12023 Sandy Shores Drive (BTC File # 1215-)
 Page 2 of 4

received
 2/2/2024

Approved By The
 Orange County
 Environmental Protection Division
 Date: 4/15/2024
 Reviewer: C. Dragiev
 SADF-23-09-022

Collection of surface water samples and data associated with the monitoring program will be collected at least 30 days prior to conducting the dredge; at least once a day during the dredge; and at least twice during the 60 days following completion of the dredge project, or until water quality parameters post-dredging meets the parameters of pre-dredging. The dredge work is expected to be completed within 1 week. If the collected data are indicative of atypical conditions or violations of water quality standards or criteria, OCEPD will be notified immediately. Any potential activities associated with corrective actions will be conducted in accordance and coordination with the OCEPD.

The following sections provide particular information associated with the proposed collection and analysis of water quality samples and data for the Surface Water Quality Monitoring Program:

WATER QUALITY METHODS AND MATERIALS

The water quality plan will consist of field data and surface water sample collection, as well as analysis of samples by an approved laboratory. The data and samples will be collected from three (3) water quality monitoring stations to be established on and in the vicinity of the site (Figure 1) by the BTC project biologist. Collection of surface water samples and data associated with the monitoring program will be collected at least 30 days prior to conducting the dredge; at least once a day during the dredge, and at least twice during the 60 days following completion of the dredge project, or until water quality parameters post-dredging meets the parameters of pre-dredging. During the dredging activities, samples will be taken within the work area, outside the work area, and a sample downstream. If the sample outside the work area rises too high above the background, the dredging will be stopped and corrective actions will be coordinated with OCEPD.

PROPOSED SAMPLING STATIONS

The data and samples gathered as part of this plan will be collected from the following proposed water quality monitoring stations:

<u>Station</u>	<u>Location</u>
Station #1	Within Work Area
Station #2	Outside Work Area
Station #3	Background

The locations of these stations are depicted on the attached exhibit. We believe these locations will be sufficient to assess the project’s contributions to the water quality of the canal and to downstream habitats.

In addition to public regulations which Orange County enforces, be advised that there may be either private restrictions or approval requirements that will affect your ability to complete this project. Please review your deed restrictions and/or consult with your Homeowners Association or Architectural Review Board.



Notice of Non-Compliance
Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
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Parcel ID No.: 24-23-27-7808-00-083

OCEPD, SADF-23-09-022
12023 Sandy Shores Drive (BTC File #1215-)
Page 3 of 4

received
2/2/2024

Approved By The
Orange County
Environmental Protection Division
Date: 4/15/2024
Reviewer: C. Dragiev
SADF-23-09-022

WATER QUALITY FIELD MEASUREMENTS

Field parameters to be obtained during each monitoring event will include the following:

<i>Time</i>	<i>Water Temperature</i>
<i>Dissolved Oxygen</i>	<i>Specific Conductivity</i>
<i>Turbidity (NTU)</i>	<i>pH</i>

Field instruments to be utilized will be calibrated prior to each monitoring event. Upon arrival at the sampling destination, instruments will be calibrated prior to the collection of samples. During both calibration events standard EPA methods and manufacturer's instructions will be followed.

In situ measurements of dissolved oxygen, temperature, specific conductance, and pH will utilize a calibrated Hanna Multi-Parameter meter. Results of the in-field parameter monitoring events will be compiled and outlined in a letter report submitted to the OCEPD within 1 week of the sampling. A report of monitoring results will be prepared and submitted to the OCEPD following the 30 days prior to the dredge sampling event, weekly during the dredge activities, and twice after the dredging events. The letter reports will include methods, field data, laboratory data, and comparisons of gathered data to baseline/background information, as well as State water quality standards.

WATER QUALITY SAMPLING PARAMETERS

In order to further assess the quality of the designated surface waters, the following sampling parameters will be monitored:

General Chemistry Parameters:
Total Nitrogen (mg/L)
Total Phosphorus (mg/L)
Total Suspended Solids (mg/L)
Turbidity (NTU)

Field activities conducted as part of this program will be in accordance with Florida Department of Environmental Protection (FDEP) Standard Operating Procedures (SOP) listed in FT1000 (rev 1/2017). Laboratory analysis will be conducted by a NELAC certified laboratory (TestAmerica – DOH Certification #E83012 Orlando, DOH Certification #E84282 Tampa and DOH Certification #E84282 Nashville). Sample containers utilized in laboratory analysis will be obtained from the laboratory to be utilized prior to each sampling event. The containers will be labeled to indicate the type of analysis (nutrients, metals, etc...) and the type of preservative (if appropriate) for each

In addition to public regulations which Orange County enforces, be advised that there may be other private restrictions or approval requirements that will affect your ability to complete this project. Please review your deed restrictions and/or consult with your Homeowners Association or Architectural Review Board.



Notice of Non-Compliance
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OCEPD, SADF-23-09-022
12023 Sandy Shores Drive (BTC File #1215-)
Page 4 of 4



Approved By The
Orange County
Environmental Protection Division
Date: 4/15/2024
Reviewer: C. Dragiev
SADF-23-09-022

container. Quality assurance objectives for laboratory analysis of listed parameters will be as per methods listed within Section 5 of the analyzing laboratory's QAP (available upon request).

The BTC project biologist will be responsible for sample custody until sample containers are dropped off at the analyzing laboratory. The project biologist will physically collect samples and operate field equipment. The project biologist will be responsible for recording all data and logging information on data sheets and labels in the field. Samples will be transported from the field to the laboratory by the project biologist. When samples are dropped off at the analyzing laboratory, a chain of custody form will be transferred from the project biologist to the laboratory project manager for each set of samples collected. The laboratory will verify the sample location identification, number of samples and types of samples collected. Samples will be logged in and processed per Section 7 of the analyzing laboratory's QAP.

MONITORING PROGRAM REPORT PREPARATION

Upon receipt of the results of the laboratory analysis, all data will be collated, reviewed and compared to baseline data as well as calculated Class III Water Quality Standards established by the Florida Department of Environmental Protection (FDEP) [F.A.C. 62-302.560 Criteria: Class III Waters]. A report of monitoring results will be prepared and submitted to the OCEPD following the 30 days prior to the dredge sampling event, weekly during the dredge activities, and twice after the dredging events. Data and conclusions drawn from the reports will be utilized to determine the effects, if any, of maintenance dredging on the selected surface waters located in the vicinity of the project.

If you have any questions, comments, or require any additional information do not hesitate to contact me at (407) 894-5969 or at larry@bio-techconsulting.com. Thank you.

Regards,

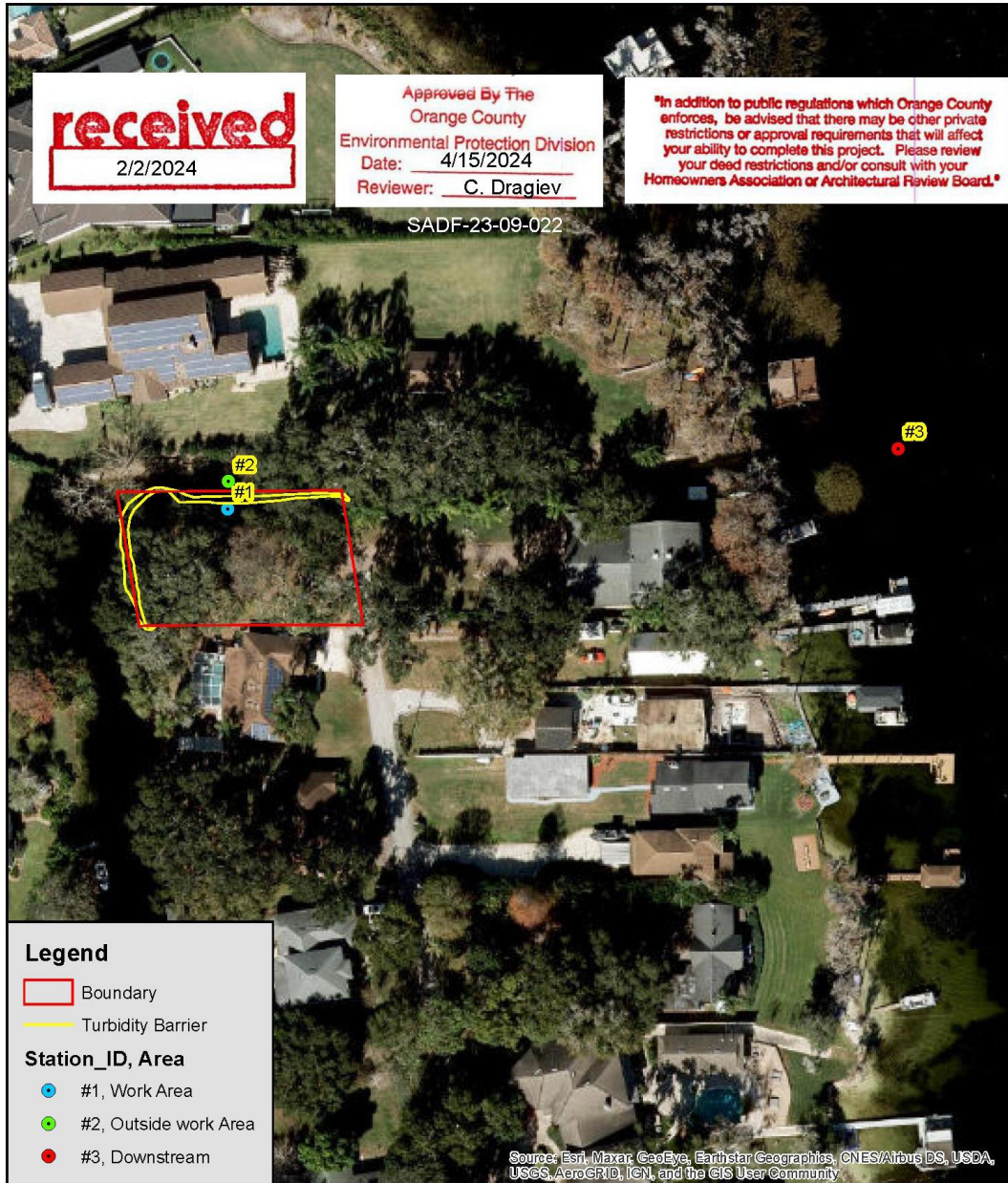
Larry Medlin
Project Manager

attachments

In addition to public regulations which Orange County enforces, be advised that there may be other private restrictions or approval requirements that will affect your ability to complete this project. Please review your deed restrictions and/or consult with your Homeowners Association or Architectural Review Board.



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Boat Dock and Seawall Permit Condition Violations
Permit Nos.: BD-23-09-122-EXT and SADF-23-09-022
Site Address: 12023 Sandy Shores Dr.
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Bio-Tech Consulting
 Environmental and Permitting
 3025 East South Street Orlando, FL 32803
 Phone (407) 891-5969 Fax (407) 891-5970
 www.bio-techconsulting.com

12023 Sandy Shores Drive
 Orange County, Florida
 Figure 1
 WQ Monitoring Stations

90
 Feet
 Project #:
 Produced By: LPM
 Date: 2/2/2024



ENVIRONMENTAL PROTECTION DIVISION

Renée H. Parker, LEP, Manager

3165 McCrory Place, Suite 200 | Orlando, FL 32803

o: 407-836-1400 | f: 407-836-1499

www.ocfl.net

SENT VIA REGULAR, CERTIFIED MAIL AND EMAIL: 9489 0090 0027 6563 5991 79

March 30, 2026

TO: Rhonda and Eric Powell
52 Riley Rd.
Celebration, FL 34747
Email: rykaoffice@gmail.com

SUBJECT: Chapter 2019-125.022 FS – Notice
Subject Site Address: 12023 Sandy Shores Dr.
Parcel ID: 24-23-27-7808-00-083
Application No.: SADF-23-09-022-MOD
Sandy Shores Canal; Orange County Commission District: 1

Dear Mr. and Mrs. Powell:

The Orange County Environmental Protection Division (EPD) has reviewed your Shoreline Alteration/Dredge and Fill (SADF) application for the above-referenced project. In accordance with a newly signed law under Chapter 2019-125.022, Florida Statutes (FS), EPD is hereby providing notice that all the required information has been received, and the application is complete.

Based on a review of the application and supplemental information provided, EPD staff have determined that the modification cannot be supported pursuant to the criteria listed in Chapter 33, Article IV, Section 33-129(e).

Chapter 33, Article IV, Section 33-129(e) criteria:

1. Section 33-129(e)(1), *“The effect of the proposed plan or development on the use of said waters in said district for transportation and recreational or other public purposes and public conveniences.”*
2. Section 33-129(e)(2), *“The effect of the proposed plan or development on the free use of waters and waterways within the district.”*

EPD staff finds that the placement of the northwest section of the seawall, located adjacent to the boat dock, in a location more waterward than authorized on the approved plans, contributes to the restriction of navigation through the canal. Additionally, EPD staff finds that the applicant has failed to demonstrate that the structure does not affect

Notice of Intent to Recommend Denial of Permit Modification Application

Subject Site Address: 12023 Sandy Shores Dr.

Parcel ID: 24-23-27-7808-00-083

Application No.: SADF-23-09-022-MOD

the public's use of the waterways, as several objections to the seawall permit modification have been received, citing navigational and safety issues resulting from the compound effects of the seawall and dock placement on the corner of the subject property further waterward than authorized.

For these reasons, EPD cannot support the subject SADF Permit modification application. Therefore, you can choose to either withdraw the SADF Permit modification application (without refund of the application fee) and reconstruct the seawall to match the approved plans in Permit No. SADF-23-09-022, or move forward with a public hearing before the Orange County Board of County Commissioners (Board). If you choose to move forward with a public hearing, EPD will recommend denial of the application to the Board. Please provide a written response to EPD as to whether you would like to withdraw the application or move forward to the public hearing before the Board within 30 days of the date of this letter. Should you choose to move forward, pursuant to 2019-125.022 FS, within 180 days of this letter EPD will schedule a public hearing before the Board for a decision on the application, resulting in either approval or denial.

No construction, dredging/excavating, clearing, filling, alterations, or grading is allowed within or immediately adjacent to conservation area without first obtaining proper authorization from EPD. If you should have any questions concerning this permit, please contact Caroline Dragiev at 407-429-9887 or Caroline.Dragiev@ocfl.net.

Sincerely,



Caroline Dragiev
Senior Environmental Specialist

Authorized for the Orange County Environmental Protection Division by:



for

Renée H. Parker, LEP, Environmental Protection Officer

CD/KRR/TMH/ERJ/gfdjr:

c: Kyle Goonen, Prestige Deck and Dock, kyle@prestigedekanddock.com
Lisa Prather, South Florida Water Management District, lprather@sfwmd.gov

Dear EPD,

This letter concerns the dock and seawall built at 12023 Sandy Shores Drive with parcel number 24-23-27-7808-00-083. Our concerns dating back to November of 2021 regarding navigational impediments before you permitted this dock/seawall have now become a nightmare for all of those who have lived on this canal prior to the Powells erecting this deckhouse. In June of 2021 stakes that were placed on the 80-degree corner marking the proposed dock site were hit multiple times with vessels trying to navigate the already difficult corner. Then in 2023 you approved the dock plans anyway.

The East to West portion of the canal that runs out into Lake Butler is the narrow portion of the canal. At widest point, which is near the Powell's, in normal high water elevation is BEST 21 feet wide and is the deepest in the center of the canal with depths of 5 feet. The canal is V shaped in depth with edges being unusable water. The corner was already hard to navigate, being a 80-degree corner. The canal then opens wider just after corner to 40 feet wide at North end and further widening as one navigates south.

The Powell's dock has now been completed and is jutting out into the narrowest and tightest part of the canal to navigate in. This dock and sea wall need to be reassessed and compared to your approved plan. Clearly the dock is NOT built per plan and is further obstructing the canal with the worst obstruction infringing on the narrowest portion of the canal by another 5 feet!

There are a variety of homeowners whose boats include Pontoon boats that have a wide beam of upwards of 12 feet and require a draft of 2 1/2 feet as well as inboard ski boats with 9-foot beams but require 3 feet of draft due to fixed underwater gear. The dock where it is currently situated impedes upon the navigation of the canal by requiring the vessels to move out of the channel closer to the bank thus increasing the chance of collision or running aground. Not to mention, navigating the 80-degree corner would require veering towards shore to avoid dock then hard turn (with possible three point turn as boats don't have brakes) to successfully maneuver corner but then must avoid next dock across from Powell's depending on length of vessel. The second dock is not pictured in permitted dock plans but was built first. This creates a situation where a vessel's movement is potentially restricted and could cause collisions. Also need to point out that the water levels are dropping therefore the combined two situations have the potential to block all boat owners from being able to access the Butler Chain.

The loss of access to the Butler Chain will have a negative impact on our property values.

The current dock is not acceptable. It needs to be rebuilt as drawn up on approved plans.

Attached are pictures of the Powell's property pre dock build.

The first photo is from June 16, 2021, showing the stake placed at 80-degree corner had already been run over due to difficulty navigating 80 degree corner after it had been placed. Email dated June 24, 2021, to Jason Root and CC to Rebecca Bowden from Albert Gallof addresses as such. Photo also shows the boat dock opposite of Powell's built first that also must be navigated around but is not shown in your approved drawing plan.

The second photo is from October 31, 2024, after seawall built showing the stake put back and you can see how close it is to opposite bank on corner.

Sincerely,

Camie Ogren-Jessen

12050 Sandy Shores Drive





kellikenobi@gmail.com; cindi.brasch@gmail.com; nicolefmonteleone@gmail.com;
mjessen@tds.net; theinsurance-school@gmail.com; flagallof@gmail.com;
john.mccall@nordanglia.com; Allen, Thomas B <Thomas.Allen@ocfl.net>; Bass, Lonnie
<Lonnie.Bass@ocfl.net>; Koch, Amanda M <Amanda.Koch@ocfl.net>; Jones, Taylor S
<Taylor.Jones@ocfl.net>; Santos, Maria <Maria.Santos2@ocfl.net>; Driggers, Brandy
<Brandy.Driggers@ocfl.net>; Wilson, Nicole H (Commissioner) <Nicole.Wilson@ocfl.net>;
daniellemccall2@gmail.com

Subject: RE: Sandy Shores Drive Concern regarding improper construction of seawall and dock

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Caroline and Karen,

The Canal Owners on Sandy Shores have reviewed the Powell's application for Permit modification for the seawall and dock construction at 12023 Sandy Shores Drive attached find the permit questions with Mr. Powell's responses followed by a collaborative response from the other Sandy Shores Canal Owners-Residents to outline our position regarding the Permit Modification. We as a group strongly agree that the Permit Modification should be "REJECTED" and the seawall and dock be re-installed in accordance with agreed upon locations and County Permitted plans.

Your continued attention to this issue is greatly appreciated and should you have any questions for any of the Sandy Shores group do not hesitate to reach out.

Dave

From: [Ryka Office](#)
To: [Dragiev, Caroline M](#)
Subject: Re: Non-Compliance - 12023 Sandy Shores Drive - BD-23-09-122-EXT and SADF-23-09-022
Date: Thursday, June 19, 2025 11:03:48 AM

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Correction.... The video of the large pontoon DOES have a bimini top (both boats do) the difference is the larger boat has 2 tops.

Looking at your checklist of items that you review:

The Powell's checklist answers are in red, and the blue text is the collaborative comments from the other Sandy Shores Residents.

Primary:

- Does the proposed dock extend out significantly further than the existing dock or any adjacent or permitted docks? **Our Dock is cut into the side of our property versus anyone else dock butts up to their property line**

The Powell seawall/dock does extend farther into the center of the canal more than any other seawall/dock on the canal. Current seawall/dock extends a minimum of 5'-7' farther into the center of the canal than the approved plans. Members of the Sandy Shores homeowners (Brasch, Thompson, Gallof, Villar) met with the county and Mr. Powell prior to the dock and seawall being built, we were shown where and how far the seawall/dock would stick out into the canal, as we had reservations about it at that time. There was a PVC pipe in the water that showed where the outside edge of the dock would be and stakes on the land showing how much land would be cut out for the seawall, we all agreed we could accept the position. The current position of the seawall is much nearer the original corner of the land with limited cut into the land, which caused the position of the dock to be located in a position that is unacceptable and impacts navigation in the canal.

- If on a canal, will the dock extend out more than one-third of the canal width (as measured at NHWE)? **No**

Yes, is the correct answer. The Powell seawall/dock extends approximately 12 feet into the canal where the total canal width is less than 30' wide, so yes it does extend more than 1/3 of the canal width. In addition, since the current owner on the north side of the canal does not have a seawall there is on-going erosion into the canal that limits the water depth on north side to about one foot or less for the first approximately 2-3 feet of the northern canal edge. With current location of seawall/dock in the center of canal is not open to navigation of many boat types, with ski-wakeboard boats being the most impacted (two of these type boats are owned by residents). On the current survey

the northern side is not properly shown, it implies a much wider canal and with the erosion from the northside the navigation will only get more difficult.

- Is a neighboring property owner objecting based on navigation issues? There are 6 property owners on the canal, of those 6 only 1 regularly uses their boat or jet skies more than 1 time per month, 1 uses once every 2 months and the other 4 probably twice per year. The complaining owner doesn't actually live on the canal they own 2 houses, 1 across from me that they live in (direct lakefront) and 1 that is 2 houses down that he rents. His renter has a couple jet skies and a pontoon, they use the canal the most out of anyone and they have never had an issue navigating. There may be 1 other person complaining (the neighbor directly behind me that uses their boat once every 2 months) They have complained about anything and everything from the time we started the house 3 years ago. Originally 3 years we were granted a permit to build the dock on the rear property line furthest away from the corner which was subsequently revoked 10 days later because the county determined it was over the property line, we then asked the neighbor if we could get a letter to OK us being on their property (in the water) and they refused.

Yes, all property owners on the canal are objecting based on navigational issues, safety issues and property value issues. Everyone on the canal purchased their property with the goal of utilizing the lake for recreational uses. The current placement of the Powell seawall/dock reaches too far out and hinders navigation through the canal and ability to gain access to the lakes. Mr. Powell's statements as to the amount of use are inaccurate and irrelevant to the issue as he does not see all the activity. There are seven (7) property owners (not 6) who have had their access impacted by the improper construction of the Powell seawall/dock. All homeowners bought on this canal to have navigable waters to the lake no matter how much or little they use it and in both high, normal and low water conditions. Rejection of prior seawall/dock locations has no relevance to the current issue. The question is, is the Powell seawall/dock maintaining the appropriate setbacks from adjacent property lines and not impacting navigation through the canal?

Navigation is difficult with larger pontoons even though they draw less water than other types of boats as their motors can be trimmed up, the documentation Mr. Powell provided is for smaller pontoon boats in the neighborhood. Ski and Wakeboard boats have the prop, rudder and scags underneath them and draw 27-35 inches of water depth, and cannot get through because the deepest part of the canal is in the middle and the Powell's dock pushes all boats to the North side of the canal, which is the shallowest side because of the erosion and lack of maintenance on that side.

- Is the proposed dock located in a high traffic congested/restricted area? **As I mentioned in the paragraph above the canal is a dead end and is barely used,**

Amount of use is irrelevant, if anyone of the other seven property owners is impacted one time it is not acceptable. The canal is actually used quite often by the canal homeowners, family, friends and fishermen who frequent it to catch some bass.

The seawall/dock also is a safety hazard, which was told to Mr. Powell on numerous occasions and as advised to county in the letters-emails sent to the county in opposition to the final placement of the Powell's dock. Jason and Kelli Perez have indicated that to Mr. Powell whenever they have seen him while going in or out of the canal that it is a dangerous and tight corner. The week of Father's Day, Vickie deTorres and her family took their pontoon out many times, (video Mr. Powell provided to you), when they came in Mr. Powell asked if they had any problem getting by the dock, Vickie's son-in-law told Mr. Powell not really because the water is high, but he should have a light or reflector on the corner, because the at the end of the dock which is sticking out too far and is very dangerous. Mr. Powell put caution tape up for the weekend, but removed a couple of days later. The return from the lake into the canal is the easier direction, as there is a wide area to the west of the Powell property that allows more turning radius. [See Pictures Below:](#)



At dusk picture shows how difficult it is to see the corner of the dock protruding out into the canal.



In the sunny part of the day, you can see how far you have to go to the North side of the canal to get past the dock.

The Powell's seawall/dock is the only one on that portion of the canal, all others on canal are located where the canal is much wider. Because the canal is narrow and makes a 90-degree corner, we met with the county and Mr. Powell prior to the dock and seawall being built and permitted. We were told and shown by the county and Mr. Powell where the seawall and dock would be placed (a PVC pipe was put in the canal to show us the farthest point out) and that it would not impede navigation for the rest of us.

Mr. Powell's survey clearly shows the seawall placement and dock placement are not where they were permitted to be, thus making navigation a problem for all other homeowners.

- Are there existing docks on adjacent properties within 10 feet of the proposed dock? **There is only 1 adjacent dock and its 30' plus away**

No, the Powell's dock is the only one on that portion of the canal, which is why we met with the county and Mr. Powell prior to the dock and seawall being built and permitted as we had concerns about the placement on the corner. We were assured by both the County and Mr. Powell that the seawall/dock placement wouldn't impede navigation for the other homeowners. The Powell dock and seawall are not close to what was permitted and agreed upon, which is shown on the survey Mr. Powell included with his responses to the county in applying for a modification to his permit.

In the picture below, it clearly shows where the property was supposed to cut into and how far it was supposed to protrude into the canal. You can see navigation would be much less of an issue.

EPD photograph of the staked dock location on November 14, 2023



Approximate approved location for seawall

EPD photograph from compliance inspection on May 6, 2025



Approximate permitted location of seawall

EPD photograph from compliance inspection on May 6, 2025



View traveling into canal from the lake

- Is the proposed dock on the end of a peninsula? **No**

No, however it is on the corner making it difficult to navigate around.

- Will the visibility of the dock be obstructed by tall vegetation? **There is no vegetation on the dock side.**

No, is the correct answer to vegetation. However, the canal is narrow; with the east-west section being the narrowest part and the north-south section much wider the seawall/dock does obstruct view of boats going in or out of the canal. If vessel #1 is heading north out of the north-south part into the narrow east-west, and vessel #2 is heading west (coming in) the dock creates an obstruction and dangerous collision potential.

Secondary

- Will the dock cross projected property lines? **I am inside my property line, a survey has been provided**

No, but the seawall/dock protrudes out near property lines. Are setbacks from adjacent property lines followed? The seawall and dock may be on the Powell's property, but DOES impede navigation by all property owners on the canal, and will impede navigation to the Powell's as well when the water is lower during dry season. The water level has not been lower than normal yet this year.

- Does the lot significantly narrow (e.g., wedge-shaped) at the shoreline? **No**

No, but the seawall/dock causes a conflict because it is located on the corner of the canal where it makes a 90 degree turn and narrows.

- Is the proposed dock in a cove setting? **No**

Structure is not in cove setting, but the fact that the Powell's seawall/dock is on small narrow canal on the corner, which requires good room for boat passage and is used regularly by 7 other property owners. A fact that should be clearly stated and understood.

Navigation would be much easier if the dock and seawall would have followed the permitted plan that was agreed upon when we met with the county and Mr. Powell.

From: [Kristin Ogren](#)
To: [District1, Mail](#); [Hull, Tim M](#); [Dragiev, Caroline M](#); Karen.Garret-Kraus@ocfl.net
Cc: [Kristin Ogren](#); bradthom1000@gmail.com; kellikenobi@gmail.com; nicolefmonteleone@gmail.com; davebrasch@embarqmail.com; theinsurance-school@gmail.com; cindi.brasch@gmail.com; vdetorres@cfl.rr.com; john.mccall@nordanglia.com; mjessen@tds.net; [Albert Gallof](#)
Subject: Sandy Shores Drive Concern regarding improper construction of dock
Date: Tuesday, June 24, 2025 2:56:35 PM
Attachments: [FL Canal.docx](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Nicole Wilson, Tim Hull, Caroline Dragiev, & Karen Garrett-Kraus

I am writing to convey my concern regarding the dock constructed improperly at 12023 Sandy Shores Drive / by Mr. Eric Powell.

It appears that the current constructed configuration shown on the proposed plans does not appear to be the same as the current location. The current construction of the dock will impede boat navigation in and out of the canal to Lake Butler as well as a safety hazard. The dock looks to be constructed extending beyond allowable limits. Not only will this affect property values on the canal but will also impact erosion into the canal which was noted when this dock, sea wall and pool were in the permitting phases. (A letter was sent from my sister Marea Camile Ogren Jessen) As a longtime resident of Sandy Shores and on the canal, we are all deeply disappointed that this was approved and constructed purposefully in the wrong location. Thus, the location on the curve of the canal affects the ability to safely navigate and possibly exit the canal during the dry season and ultimately prohibit us from enjoying the Butler chain of lakes which we have done for so many years. Not only is this dock a safety hazard for the rest of the canal owners, it also pushes beyond the limits of a very small property which has been a vacant lot for so many years. It seems that the Powells expectations exceeded what that lot could offer.

I personally was interested in purchasing that lot back in the early 2000's, it had a magnificent oak and lush vegetation along the canal side, but at that time codes did not allow septic systems in close approximations of wells or bodies of water in fear of contaminating both. Granted it appears technology and ingenuity have afforded the Powells the opportunity to do both. Note the lot no longer has any of the vegetation surrounding it nor the oak, it was all cut down and removed.

The Powells posts for their dock as well as the walkway are located or hung over the deepest parts of the canal, so most boat owners to navigate need to drive in the center of the canal in order not to damage any underwater gear, i.e. props / shafts, etc. The Powells dock also is in the narrowest portion and on the curve to exit out on the lake which is another reason it's a

safety and navigational hazard.

Another continued worry is that the Powells have planned for the small lot a pool. If the dock has squeezed through the cracks and pushed the limits what will a pool do?

I am urging immediate compliance as well as a comprehensive investigation into how our concerns have continued to be ignored as well as to have your assurance that this dock / and seawall locations be rectified in accordance with the original submitted plans. I am so inclined to suggest that they tear it down. By tearing it down, that not only ensures the safety of all neighboring canal users but also those who frequent it from the lake. Fisherman

have been known to catch or bass or two as well as the county spray's the invasive vegetation. Although this canal does not lead out into another body of water it is, however, used frequently. The notion that because it dead ends and a boater must turn around and exit the same way it came in does not deem it less worthy than a owner on the lake or a owner that lives on a canal that leads to another lake.

I have attached a few photos with descriptions to help you visualize how long we have enjoyed the use of our canal and love our small community. Those that have been impacted by the ongoing construction and now the blocking of use. Noted in the photos that the canal does fluctuate in depth due to droughts, so the correct location is just so critical.

Thank you for your attention to this matter. Please let us know if you need additional information.

Sincerely,

Kristin Ogren

12050 Sandy Shores Drive, Windermere 34786

Sent: Tuesday, June 24, 2025 6:25 PM

To: District1, Mail <District1@ocfl.net>

Cc: Hull, Tim M <Tim.Hull@ocfl.net>; Hetherman, Tom <Tom.Hetherman@ocfl.net>; 'Kristin Ogren' <kristinogren@hotmail.com>; District1Commissioner'sOffice@ocfl.net; District1, Mail <District1@ocfl.net>; Dragiev, Caroline M <Caroline.Dragiev@ocfl.net>; Karen.Garret-Kraus@ocfl.net; bradthom1000@gmail.com; kellikenobi@gmail.com; nicolefmonteleone@gmail.com; davebrasch@embarqmail.com; theinsurance-school@gmail.com; cindi.brasch@gmail.com; vdetorres@cfl.rr.com; john.mccall@nordanglia.com; mjessen@tds.net; 'Albert Gallof' <flagallof@gmail.com>

Subject: Sandy Shores Drive Concern regarding improper construction of dock

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Hi Ms Wilson,

I am Victoria De Torres, a resident of Orange County on Sandy Shores Dr, 12043. I have owned my lot since 1976 and lived here since 1980. I spoke to Jessica today (she is truly wonderful!) and relayed an abbreviated version of the issues outlined below. I have also reached out to Mr. Hetherman to discuss the inspection for construction to plan/process. We have also received a notice from Ms Caroline Dragiev the Powell's have applied for permit modifications of the boat dock and seawall located at 12023 Sandy Shores Drive. The permit application numbers are SADF-23-09-022-MOD and BD-23-09-122-MOD. EPD is currently reviewing the applications for code compliance.

We, the owners living on the Canal (Sandy Shores Dr) object to the current Dock at 12023 SS Dr, extending into the Canal and impeding Safe navigation to and from Lake Butler. This begins with the improper construction of the Seawall. Why was this allowed when it did not conform to the approved plans?

We are asking this modification to the permits **not** be approved, and the situation remedied to the approved permit/plans. A Fine will not make our canal safe and navigable.

I urge you to review this matter closely, please reach out with questions. Thanks to You and Jessica for all your help.

Victoria De Torres

407.256.1086

From: Hull, Tim M [<mailto:Tim.Hull@ocfl.net>]

Sent: Tuesday, June 24, 2025 3:37 PM

To: Kristin Ogren <kristinogren@hotmail.com>; District1, Mail <District1@ocfl.net>; Dragiev, Caroline M <Caroline.Dragiev@ocfl.net>; Karen.Garret-Kraus@ocfl.net

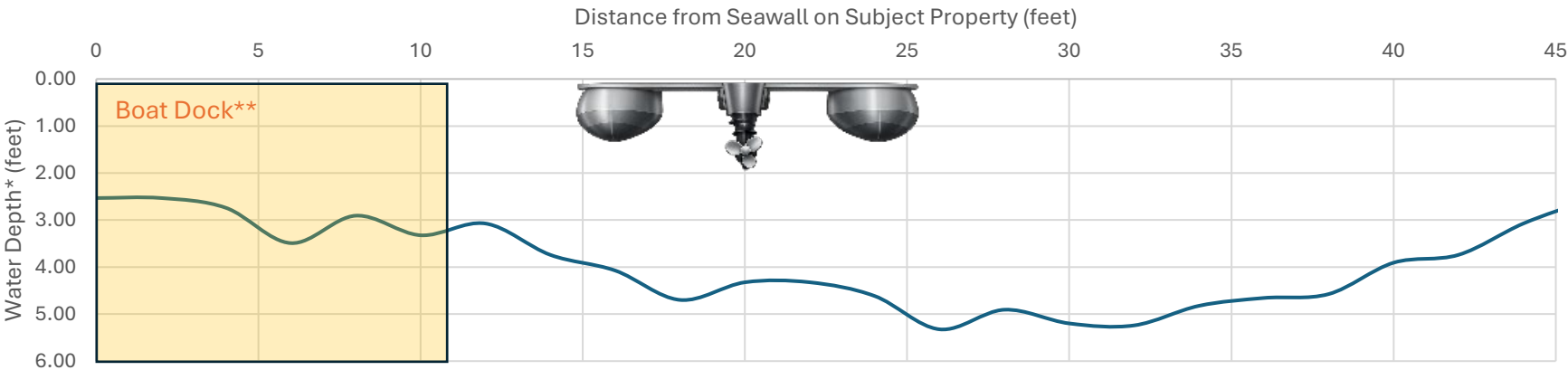
Cc: bradthom1000@gmail.com; kellikenobi@gmail.com; nicolefmonteleone@gmail.com; davebrasch@embarqmail.com; theinsurance-school@gmail.com; cindi.brasch@gmail.com; vdetorres@cfl.rr.com; john.mccall@nordanglia.com; mjessen@tds.net; Albert Gallof <flagallof@gmail.com>

Subject: RE: Sandy Shores Drive Concern regarding improper construction of dock

Transect Locations on 2025 Aerial Photograph



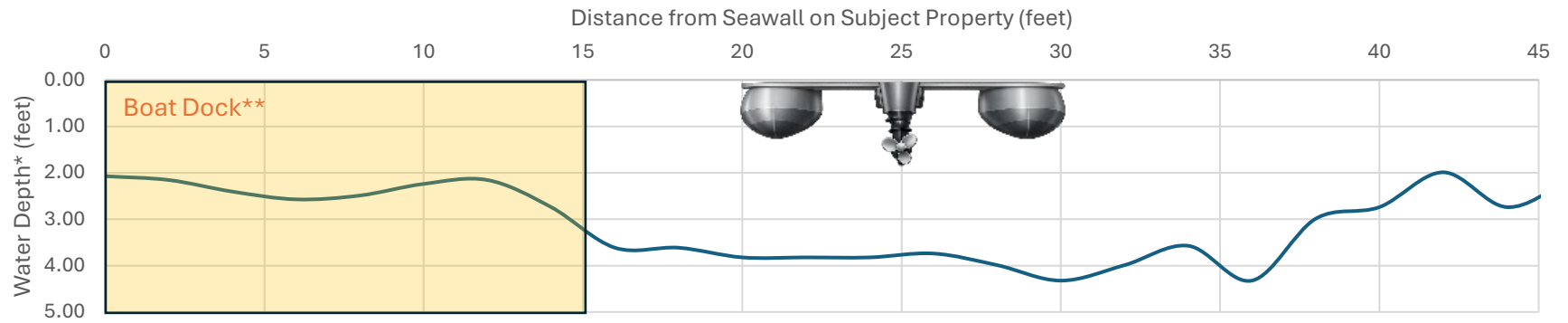
Sandy Shores Canal Depth Profile Transect 1 - Southwest of Powell Dock



*Water depth measurements collected by EPD staff on May 20, 2025, have been normalized to the Normal High Water Elevation of 98.48ft NAVD88 for Lake Butler.

**Based on the Orange County survey completed on February 19, 2026, the dock as constructed extends approximately 10.5 feet from the seawall in this area.

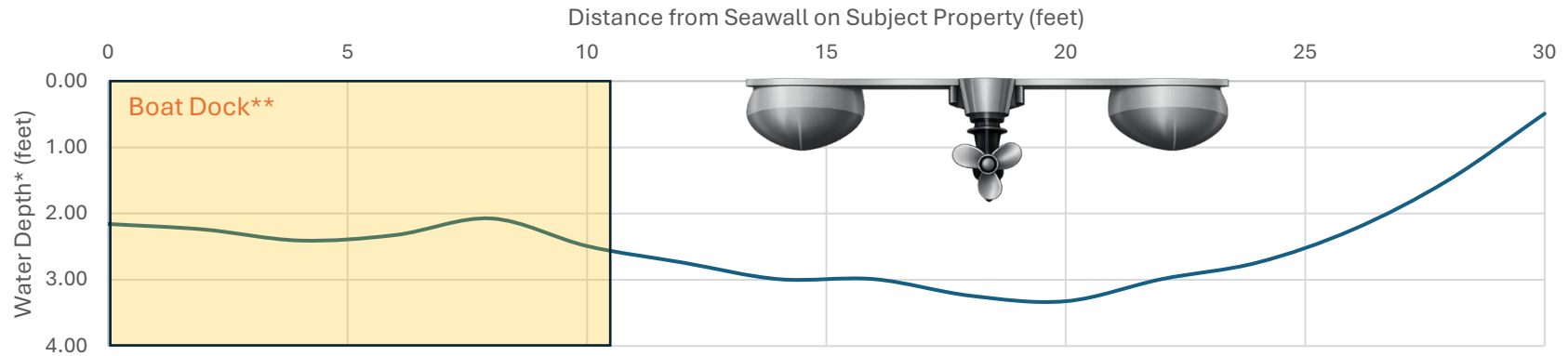
Sandy Shores Canal Depth Profile Transect 2 - Canal Corner



*Water depth measurements collected by EPD staff on May 20, 2025, have been normalized to the Normal High Water Elevation of 98.48ft NAVD88 for Lake Butler.

**Based on the as-built survey received by EPD on May 8, 2025, the dock as constructed extends 15 feet from the seawall in this area.

Sandy Shores Canal Depth Profile Transect 3 - Northeast of Powell Dock



*Water depth measurements collected by EPD staff on May 20, 2025, have been normalized to the Normal High Water Elevation of 98.48ft NAVD88 for Lake Butler.

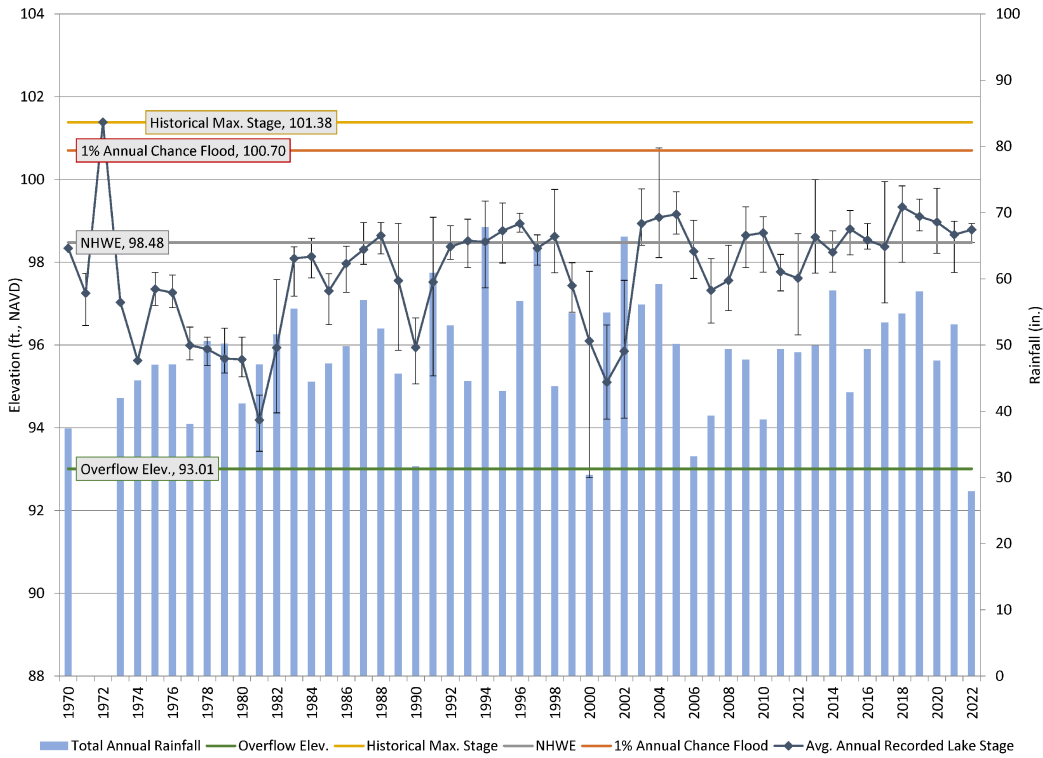
**Based on the Orange County survey completed on February 19, 2026, the dock as constructed extends approximately 10.2 feet from the seawall in this area.

Lake Informational Sheet

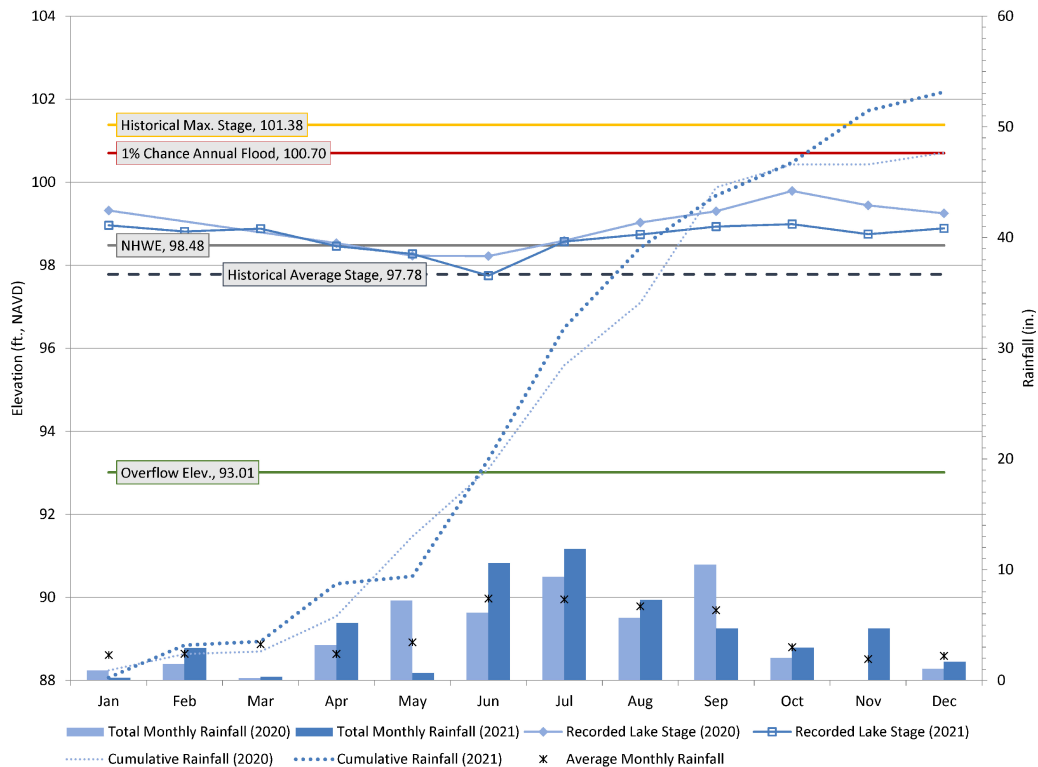
Lake Butler



Historical Lake Levels



Monthly Data



From: [Dragiev, Caroline M](#)
To: [Ryka Office](#)
Cc: [Garrett-Kraus, Karen L](#)
Subject: Penalty for project SADF-23-09-022-MOD
Date: Thursday, August 28, 2025 11:26:00 AM

Good morning,

Please be advised that EPD is applying a penalty fee for failure to complete seawall construction activities in accordance with the plans permitted in SADF-23-09-022. The amount of \$4,998.75 will be due to the Conservation Trust Fund prior to presenting the project at a public hearing with the Board of County Commissioners.

The penalty may be paid via Fast Track or via a check mailed to 3165 McCrory Place, Suite 200, Orlando, FL 32803 made out to the Orange County Board of County Commissioners with a notation to be for the Conservation Trust Fund. Please email wetlandpermitting@ocfl.net if you would like to pay via Fast Track, and the penalty will be linked to your permit application SADF-23-09-022-MOD.

Thank you,
Caroline

Caroline Dragiev
Senior Environmental Specialist
Orange County Environmental Protection Division
Environmental Permitting and Compliance
phone: 407-429-9887
email: Caroline.Dragiev@ocfl.net



Did you know that our Environmental Permit information is available online?

<https://fasttrack.ocfl.net/OnlineServices/Permit-Environmental.aspx>

Do you have questions about the WD or NRIP Process? Please click the link below:

[Draft_Final_Applicants_Handbook_06-12-2024.pdf](#)

Visit our Healthy Lakes Need Living Lakeshores Website:

www.ocfl.net/LivingLakeshores



ENVIRONMENTAL PROTECTION DIVISION

Renée H. Parker, LEP, Manager

3165 McCrory Place, Suite 200

Orlando, FL 32803

407-836-1400 • Fax 407-836-1499

www.ocfl.net

September 19, 2025

Rhonda and Eric Powell

Email: rykaoffice@gmail.com

**Subject: 2nd Request for Additional Information
Boat Dock Facility Permit and Shoreline Alteration / Dredge and
Fill Modification Applications
Subject Site Address: 12023 Sandy Shores Dr.
Parcel ID No.: 24-23-27-7808-00-083
Application Nos.: BD-23-09-122-MOD and SADF-23-09-022-MOD
Sandy Shores Canal; Orange County Commission District: 1**

Dear Mr. and Mrs. Powell:

The Orange County Environmental Protection Division (EPD) has received your application for the above-referenced projects, dated as received on June 19, 2025. A Request for Additional Information dated July 16, 2025, was sent. A response for SADF-23-09-022-MOD was received on August 22, 2025, and a response for BD-23-09-122-MOD was received on September 2, 2025. The following technical information is requested (pursuant to the authority vested in Orange County under Chapter 33, Article IV and Chapter 15, Article IX) to completely review the possible impacts the projects may have on the surrounding area:

Seawall Application: SADF-23-09-022-MOD

1. No application fee was submitted. Submit a check for \$182 payable to the Board of County Commissioners or provide an email address associated with an Orange County Fast Track Account that will be linked to your application in order to pay online.
2. Provide a revised cross-section plan or as-built survey that includes the following:
 - a. An updated depiction of "Cross Section A-A" as shown on the approved site plan from SADF-23-09-022 that depicts the approximate area and dimensions that were dredged.
 - b. Canal bottom elevations and water depth within the area where the dredging occurred.
 - c. Total length of the seawall.
3. In accordance with the Local Ethics Code (ord. 2005-15, effective January 1, 2009), the Board of County Commissioners (BCC) has implemented a requirement that a Relationship Disclosure Form (RDF) for use with procurement or development related items be submitted for all development-related project applications. In addition, an Orange County Specific Project Expenditure Report (SPR) shall also

Request for Additional Information

Subject Site Address: Powell - 12023 Sandy Shores Dr

Application No.: BD-23-09-122-MOD

be submitted for most projects that will be presented to the BCC. Please submit an original, notarized RDF and SPR. These items must be submitted to EPD no later than seven (7) days prior to the scheduled BCC hearing date or the item shall be pulled from the BCC Agenda and re-scheduled for a later date.

RDF:<https://www.orangecountyfl.net/Portals/0/resource%20library/permits%20-%20licenses/Relationship%20Disclosure%20Form%20ADA-CERT.pdf>

SPR:<https://www.orangecountyfl.net/Portals/0/resource%20library/permits%20-%20licenses/Specific%20Project%20Expenditure%20Form%20ADA-CERT.pdf>

4. (Informational) On August 28, 2025, EPD notified you that a penalty fee of \$4,998.75 has been applied for failure to complete seawall construction activities in accordance with the approved plans in SADF-23-09-022, and that the penalty payment was due prior to public hearing with the BCC. On August 29, 2025, EPD received your request to reduce the penalty. The request was reviewed by senior staff, and the penalty reduction has not been granted at this time. However, payment of the penalty has been deferred until after the BCC public hearing.
5. (Informational) The seawall permit modification request must be heard as a public hearing before the BCC. Once the seawall permit modification application is complete, EPD will determine whether to recommend approval or denial of the application to the BCC.
6. (Informational) Please note, all seawall plans will need to be signed and sealed by an accredited Professional Engineer or land surveyor once they have been finalized.

Boat Dock Application: BD-23-09-122-MOD

7. No application fee was submitted. Submit a check for the amount of \$119 payable to the Board of County Commissioners or provide an email address associated with an Orange County Fast Track Account that will be linked to your application in order to pay online.
8. Provide a revised site plan or as-built survey to address the following:
 - a. Include the name of the waterbody.
 - b. Depict the same reference points used on the approved site plan for the original permit, BD-23-09-122, and show the distance to the boat dock. This includes the distance from the “concrete patio” as depicted on the approved site plan to the dock, and the distance from the NHWE on the opposite banks to the outer corners of the dock. As the “concrete patio” depicted on the approved site plan was not an existing structure and was not constructed, measure 15 feet north from the northwest corner of the existing porch to locate the reference point. Refer to the enclosed figure.
9. Section 15-353 states in part, “Any person determined to have violated section 15-324 for failure to obtain a permit prior to constructing a dock or modifying an existing dock such that a variance or waiver would be required, may be subject to an additional administrative penalty in the amount of one dollar (\$1.00) per square foot of the entire structure.” Based on the provided as-built survey, EPD estimates the square footage of the dock over the

Page 3

Request for Additional Information

Subject Site Address: Powell - 12023 Sandy Shores Dr

Application No.: BD-23-09-122-MOD

surface water is approximately 375 square feet. Therefore, a \$375.00 penalty has been assessed.

Please remit the penalty amount via Fast Track or via a check mailed to 3165 McCrory Place, Suite 200, Orlando, FL 32803 made out to the Orange County Board of County Commissioners with a notation to be for the Conservation Trust Fund. Please email wetlandpermitting@ocfl.net if you would like to pay via Fast Track, and the penalty will be linked to your permit application.

10. (Informational) Once the seawall permit modification request is approved or denied by the BCC, the boat dock permit modification request will be approved or denied by staff accordingly, as the boat dock location is dependent upon the outcome of the seawall modification request.

Please be advised that the above requested items must be submitted before any further processing of this permit application will take place. In accordance with the Chapter 125.022, Florida Statutes (FS), the applicant has 30 days from the date of this letter to provide a response to this RAI; however, Chapter 125.022, FS, includes an option for the applicant to provide a written request to EPD for an extension to time to respond and to waive the mandatory timeframes established by law. If we do not receive a response to this RAI within 30 days, or you do not request and receive approval to extend/waive the response times, then the application shall be administratively denied and closed.

No construction or repair of a boat dock is allowed without first obtaining a permit approved by EPD. In addition, no dredging/excavating, clearing, filling, alterations or grading is allowed within or immediately adjacent to any conservation area without first obtaining authorization from EPD.

If you should have any questions concerning this review, please contact me at 407-429-9887 or Caroline.Dragiev@ocfl.net.

Sincerely,



Caroline Dragiev

Senior Environmental Specialist

CD/~~KJK~~/TMH/gfdjr:

Enclosure: Figure Showing Reference Points

- c: Lisa Prather, South Florida Water Management District, lprather@sfwmd.gov
- Elizabeth Johnson, EPD, Liz.Johnson@ocfl.net
- Kyle Goonen, Prestige Deck and Dock, kyle@prestigedeckanddock.com

Figure showing reference points in yellow to be depicted on plans for BD-23-09-122-MOD

