



Interoffice Memorandum

July 24, 2019

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

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

CONTACT PERSON: David D. Jones, P.E., CEP, Manager
Environmental Protection Division
(407) 836-1405

SUBJECT: August 20, 2019 – Public Hearing
Shoreline Alteration/Dredge and Fill Permit Application for
Donald and Marion Dawson (SADF-19-03-003)

The applicants, Donald and Marion Dawson, are requesting a Shoreline Alteration/Dredge and Fill Permit (SADF) to construct a new seawall on their property.

The project site is located at 616 Viscaya Avenue, Edgewood, FL 32839 on Lake Jessamine. The Parcel ID for the site is 14-23-29-3963-00-610. The subject property is located in District 3.

The Dawsons are proposing to construct a new vinyl seawall along 60' of their shoreline in order to prevent erosion on their property. The applicants have submitted a letter from a Professional Engineer stating that a vertical seawall is the only way to address the erosion. Riprap and plantings shall be installed waterward of the new seawall. There are no seawalls on the adjacent properties; however, there are other seawalls on Lake Jessamine. There has been no enforcement action taken by EPD on the subject property.

In accordance with Orange County Code, Chapter 15, Article VI, Section 15-218(d), notification of the public hearing was sent to property owners within 500 feet of the project site.

Pursuant to Orange County Code, Chapter 15, Article VI, EPD staff has evaluated the proposed SADF application and required documents.

Staff Recommendation

Approval of the Shoreline Alteration/Dredge and Fill Permit, subject to the following conditions:

Specific Conditions:

1. This permit shall become final and effective upon expiration of the 30 calendar-day appeal period following the date of issuance, unless an appeal has been filed within

this timeframe. Any appeal shall stay the effective date of this permit until all appeals are resolved.

2. Riprap and plantings shall be installed waterward of the new seawall in accordance with the plans submitted by Streamline Permitting, received by the Environmental Protection Division (EPD) on March 11, 2019.
3. Riprap shall be installed at a 2 (horizontal): 1 (vertical) slope, and extend at least halfway up the face of the seawall.
4. The installation of riprap must commence within 60 days and be completed within 90 days from the date of issuance of the permit. In the event the installation of the riprap has not commenced within 60 days or been completed within 90 days, this permit is void and a new permit application with fee will be required.
5. Installation of aquatic plantings must be initiated within 30 days of the installation of the riprap. After one year, if 80% coverage of native, emergent or aquatic plant species is not established, additional replanting may be required.
6. This permit does not authorize any dredging or filling, except that which is necessary for the installation of the riprap and plantings.
7. The permittee may maintain a clear access corridor below the Normal High Water Elevation of 91.36 feet (NAVD 88) above mean sea level for Lake Jessamine, not to exceed 30 feet in width, of sufficient length waterward from the shoreline, to allow access to open water. Any existing or future structures, such as a boat dock, must be located within this corridor.
8. Native vegetation may not be removed from the shoreline outside of the access corridor.
9. Any permit extensions for the activities authorized herein may be approved by way of Consent Agenda if there are no changes.

General Conditions:

10. Subject to the terms and conditions herein, the permittee is hereby authorized to perform or cause to be performed, the impacts shown on the application and the approved drawings, plans, and other documents attached hereto or on file with EPD.
11. The permittee binds itself and its successors to comply with the provisions and conditions of this permit. If EPD determines at any time that activities, including without limitation the performance of the required mitigation, 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 and/or agent promptly thereafter.
12. A copy of this permit, along with EPD stamped and approved drawings, should be taken to the Orange County Zoning Division (OCZD) at 201 South Rosalind Avenue for approval. For further information, please contact the OCZD at (407) 836-5525.

13. After approval by the OCZD, the certified site plans will need to be reviewed by the Orange County Building Safety Division (OCBSD) in order to obtain a building permit. For further information, please contact the OCBSD at (407) 836-5550.
14. Prior to construction, the permittees shall clearly designate the limits of construction on-site. The permittee shall advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
15. The permittee shall require the contractor to maintain a copy of this permit, complete with all approved drawings, plans, conditions, attachments, exhibits, and modifications in good condition at the construction site. The permittee shall require the contractor to review the permit prior to commencement of the activity authorized by this permit. The complete permit shall be available upon request by Orange County staff.
16. Issuance of this permit does not warrant in any way that the permittee has riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittee. In the event that any part of the structure permitted herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent property owner's riparian or other property rights, the permittee agrees 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.
17. This permit does not release the permittee from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property rights, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 15, Article VI of the Orange County Code.
18. If these permit conditions conflict with those of any other regulatory agency, the permittee shall comply with the most stringent conditions. The permittee shall immediately notify EPD of any conflict between the conditions of this permit and any other permit or approval.
19. The permittee is hereby advised that Section 253.77, Florida Statutes (FS), states that a person may not commence any excavation, construction, or other activity involving the use of sovereignty or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, without obtaining the required lease, license, easement or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

20. Should any other regulatory agency require changes to the property or permitted activities, the permittee shall provide written notification to EPD of the change prior to implementation so that a determination can be made whether a permit modification is required.
21. The permittee shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.
22. EPD staff shall have permission to enter the site at any reasonable time to inspect the property for conformity with the plans and specifications approved by the permit.
23. The permittee shall hold and save the County harmless from all damages, claims or liabilities, which may arise because of the activities authorized by the permit.
24. 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.
25. The permittee 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.
26. 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 shall implement them as necessary to prevent adverse impacts to wetlands and/or surface waters.
27. 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 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.
28. Pursuant to Section 125.022, FS, the applicants shall obtain all other applicable state or federal permits before commencement of the activity authorized herein.

ACTION REQUESTED: Approval of Shoreline Alteration/Dredge and Fill Permit SADF-19-03-003 for Donald and Marion Dawson, subject to the conditions listed in the staff report. District 3

DDJ/JW: mg

Attachments

Shoreline Alteration/Dredge and Fill Permit Request





Shoreline Alteration/Dredge and Fill Permit Application Request District #3

Applicant: Donald & Marion Dawson

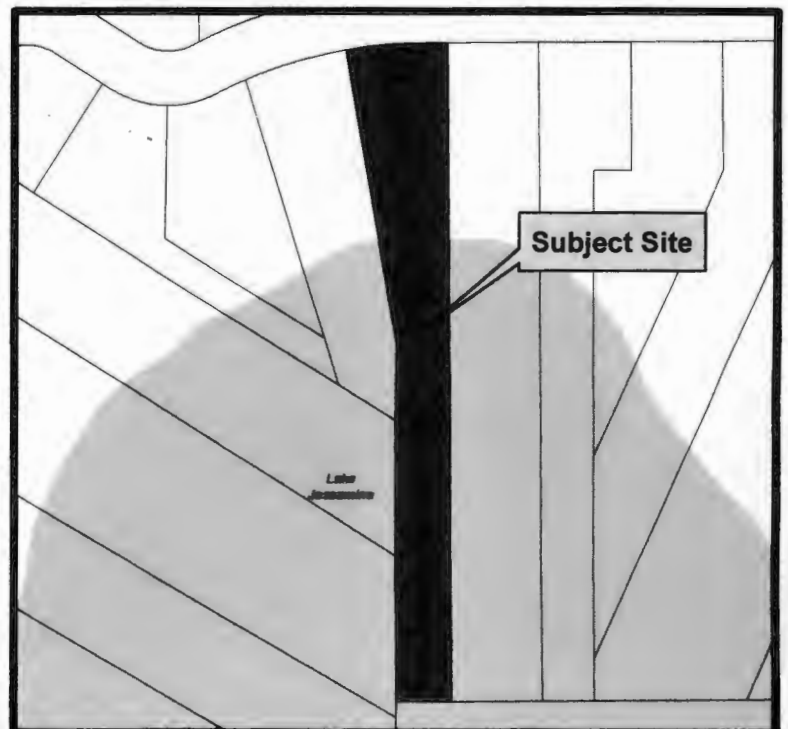
Address: 616 Viscaya Avenue
Edgewood, FL 32839

Parcel ID: 14-23-29-3963-00-610

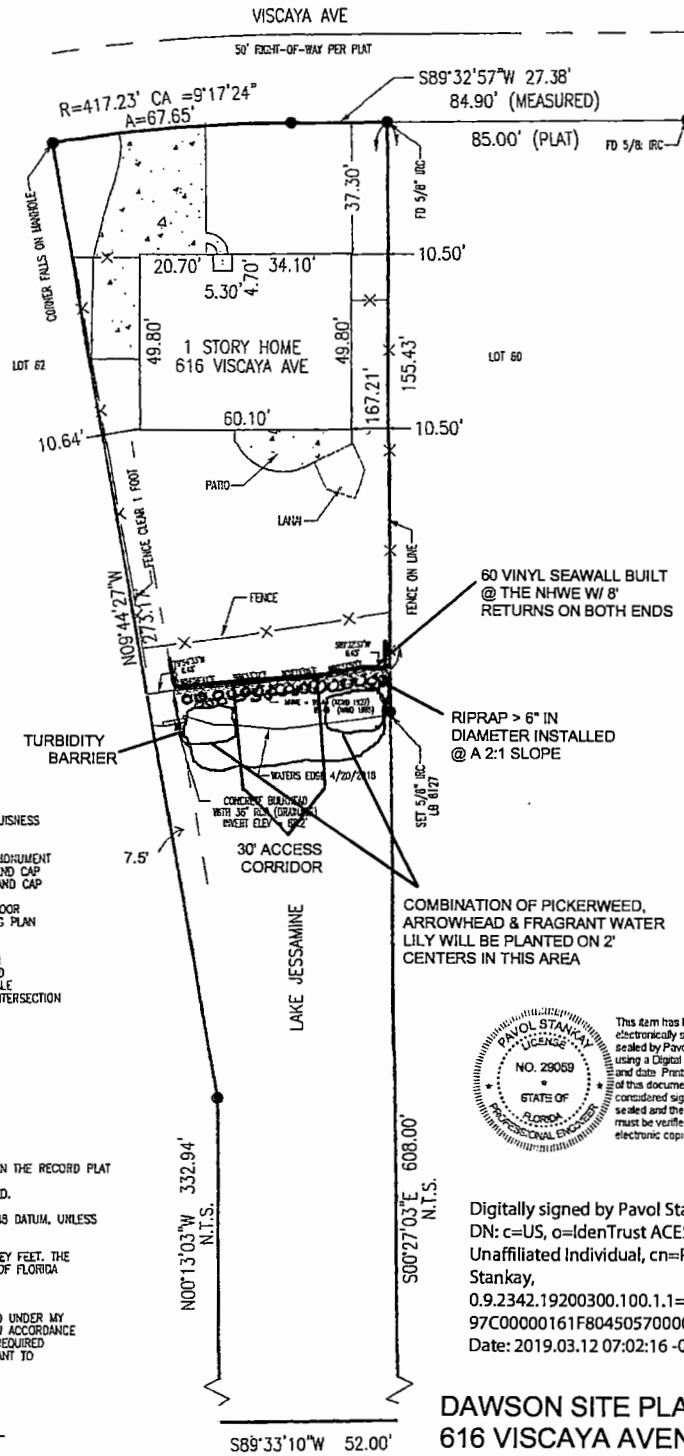
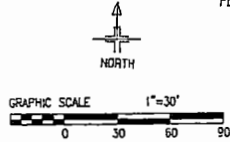
**Shoreline Alteration/Dredge and Fill
Permit No.:** SADF-19-03-003

 Project Site 

Property Location 



LEGAL DESCRIPTION:
 LOT 61, "GRANADA WOODS UNIT FOUR" ACCORDING TO THE PLAT THEREOF, AS
 RECORDED IN PLAT BOOK 2 PAGE 129, OF THE PUBLIC RECORDS OF ORANGE COUNTY,
 FLORIDA.



LEGEND:

- | | |
|-------------------------------|----------------------------|
| (M) = MEASURED | LB = LICENSED BUSINESS |
| (P) = PLAT | FND = FOUND |
| (C) = CALCULATED | IR = IRON ROD |
| LB = LICENSED BUSINESS | CM = CONCRETE ALIGNMENT |
| ORB = OFFICIAL RECORD BOOK | IRC = IRON ROD AND CAP |
| PB = PLAT BOOK | IPC = IRON PIPE AND CAP |
| PG = PAGE | CDR = CORNER |
| DE = DRAINAGE EASEMENT | FF = FINISHED FLOOR |
| SB = SETBACK | LGP = LOT GRADING PLAN |
| UE = UTILITY EASEMENT | R = RADIUS |
| WLE = WALL/LANDSCAPE EASEMENT | CA = DELTA |
| SFR = SINGLE FAMILY RESIDENCE | A = ARC LENGTH |
| PR = PROPOSED | LC = LONG CHORD |
| POC = POINT ON CURVE | NTS = NOT TO SCALE |
| PC = POINT OF CURVATURE | PI = POINT OF INTERSECTION |

ND = NAIL AND DISC

NHWE = NORMAL HIGH WATER ELEVATION

NTS = NOT TO SCALE

SURVEYORS NOTES:

1. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE RECORD PLAT
2. ALL DISTANCES ARE PLAT AND MEASURED UNLESS NOTED.
3. ELEVATIONS SHOWN HERE ON ARE BASED ON NAVD 1988 DATUM, UNLESS OTHERWISE DENOTED.
4. THE MEASUREMENTS SHOWN HEREON ARE IN U.S. SURVEY FEET. THE ACCURACY OF THIS SURVEY EXCEEDS THE REQUIREMENTS OF FLORIDA ADMINISTRATIVE CODE SJ-17.

I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN PREPARED UNDER MY DIRECTION AND THAT THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE ADOPTED "MINIMUM TECHNICAL STANDARDS" AS REQUIRED BY CHAPTER SJ-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATE STATUTES.

XXXXXXXXXX

EDWARD J. HOTO
 PROFESSIONAL SURVEYOR AND MAPPER NO. 3376
 THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



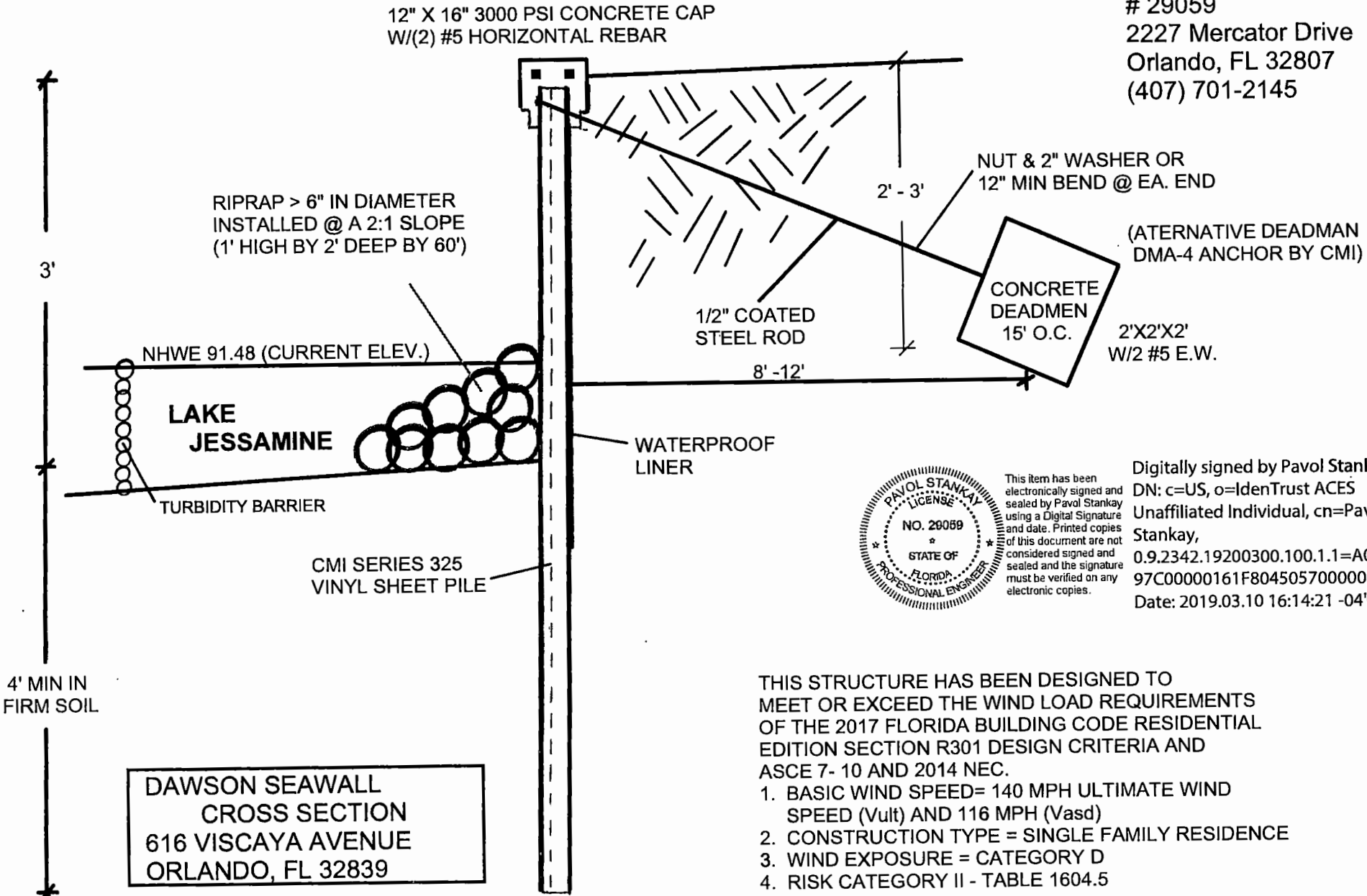
This form has been electronically signed and sealed by Pavol Stankay using a Digital Signature and date. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally signed by Pavol Stankay
 DN: c=US, o=IdenTrust ACES
 Unaffiliated Individual, cn=Pavol Stankay,
 0.9.2342.19200300.100.1.1=A010
 97C0000161F804505700000D8E
 Date: 2019.03.12 07:02:16 -04'00"

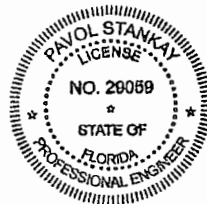
DAWSON SITE PLAN
616 VISCAYA AVENUE
ORLANDO, FL 32839

SHEET 1 OF 1	OPTIMUM LAND SERVICES, LLC PROFESSIONAL LAND SURVEYORS 17 N. SUMNERLIN AVE ORLANDO, FL 32801 SUITE 200 (321) 200-4904	BOUNDARY SURVEY/NHWL LOCATION	SURVEY/TOPO	4/19/2018
	616 VISCAYA AVENUE ORANGE COUNTY, FLORIDA			

Pavol Stankay, PE
 # 29059
 2227 Mercator Drive
 Orlando, FL 32807
 (407) 701-2145



(ALTERNATIVE DEADMAN
 DMA-4 ANCHOR BY CMI)
 CONCRETE DEADMEN
 15' O.C.
 2'X2'X2'
 W/2 #5 E.W.



This item has been electronically signed and sealed by Pavol Stankay using a Digital Signature and date. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally signed by Pavol Stankay
 DN: c=US, o=IdenTrust ACES
 Unaffiliated Individual, cn=Pavol
 Stankay,
 0.9.2342.19200300.100.1.1=A010
 97C00000161F804505700000D8E
 Date: 2019.03.10 16:14:21 -04'00'

THIS STRUCTURE HAS BEEN DESIGNED TO MEET OR EXCEED THE WIND LOAD REQUIREMENTS OF THE 2017 FLORIDA BUILDING CODE RESIDENTIAL EDITION SECTION R301 DESIGN CRITERIA AND ASCE 7- 10 AND 2014 NEC.

1. BASIC WIND SPEED= 140 MPH ULTIMATE WIND SPEED (Vult) AND 116 MPH (Vasd)
2. CONSTRUCTION TYPE = SINGLE FAMILY RESIDENCE
3. WIND EXPOSURE = CATEGORY D
4. RISK CATEGORY II - TABLE 1604.5

DAWSON SEAWALL
 CROSS SECTION
 616 VISCAYA AVENUE
 ORLANDO, FL 32839