Interoffice Memorandum



June 29, 2023

TO: Mayor Jerry L. Demings

-AND-

County Commissioners

FROM: Tim Boldig, Interim Director

Planning, Environmental, and Development

Services Department

CONTACT PERSON: David D. Jones, P.E., CEP, Manager

Environmental Protection Division

(407) 836-1406

SUBJECT: August 8, 2023 – Public Hearing

Shoreline Alteration/Dredge and Fill Permit Application for Ende

Family Trust (SADF-22-05-018)

The applicant, Ende Family Trust, is requesting a Shoreline Alteration/Dredge and Fill (SADF) Permit to authorize the construction of a new seawall along the shoreline of the Landings Canal off Lake Conway. The property is located at 3802 Quando Drive, Belle Isle, FL 32812 (Parcel ID No. 20-23-30-1646-01-010) in District 3.

The applicant is proposing to construct approximately 168 feet of new, vinyl seawall along the shoreline of the subject property. The seawall will include two 10-foot returns at each end. There are no existing seawalls on the two adjacent properties, but there are other seawalls located on the canal, including directly across from the subject property, and other seawalls located on Lake Conway. Based on prior Board direction, riprap and planting are required for new seawalls; however, riprap and plantings are not being requested for this seawall since it is located on a canal and could potentially create navigational concerns.

In accordance with Orange County Code, Chapter 33, Article II, Section 33-37(d), notification of the public hearing was sent to property owners within 500 feet of the project site. EPD has received no objections to the request.

Pursuant to Orange County Code, Chapter 33, Article II, EPD has evaluated the proposed SADF permit application and required documents and has made a finding that the request is consistent with Section 33-37.

Staff Recommendation

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

Specific Conditions:

1. This permit shall become final and effective upon expiration of the 30-calendar day 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 Andrew J. Noble, P.E. of Noble Structural Group, Inc. that were received by the Environmental Protection Division (EPD) on May 24, 2023 and June 12, 2023. The permitted activity must commence within six months and be completed within one year from the date of issuance of the permit. In the event that the project has not commenced within six months or been completed within one year or extended, this permit shall be void and a new permit application with fee will be required.
- 4. In the event that the permitted activity has not been completed within one year, 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. The permittee may maintain a clear access corridor below the Normal High Water Elevation (NHWE) of 85.85 feet (NAVD88) above mean sea level for Lake Conway, not to exceed 30 feet or 20 percent of the total shoreline length in width, whichever is greater, and 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.
- 6. 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.
- 7. 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, and 62-4.242, 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 permittee 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 29 Nephelometric Turbidity Units (NTU) over background for Class III waters and their tributaries or 0 NTU over background for those surface waters and tributaries designated as Outstanding Florida Waters (OFWs).
- 8. Discharge of groundwater from dewatering operations requires approval from 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:

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.

- After approval by OCZD, the certified site plans will need to be reviewed by the Orange County Building Safety Division (OCBSD) in order to obtain a Building Permit. For further information, please contact the OCBSD at (407) 836-5550.
- 11. 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 approved drawings, plans, and other documents attached hereto or on file with EPD. The permittee binds 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.
- 12. 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 owners' 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.
- 13. 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 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, or convey any rights or privileges other than those specified in the permit and Chapter 33, Article II of the Orange County Code. 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.
- 14. 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.
- 15. 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.
- 16. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.

- 17. The permittee 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.
- 18. 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.
- 19. The permittee 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 permittee shall remain liable for any corrective actions that may be required as a result of any permit violations until the permit is legally transferred.
- 20. The permittee shall hold and save the County harmless from any and all damages, claims or liabilities, which may arise by reason of the activities authorized by the permit.
- 21. 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.
- 22. 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.
- 23. 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.
- 24. Pursuant to Section 125.022 FS, the applicant shall obtain all other applicable state or federal permits before commencement of construction.

ACTION REQUESTED:

Acceptance of the findings and recommendation of the Environmental Protection Division staff and approval of Shoreline Alteration/Dredge and Fill Permit SADF-22-05-018 for Ende Family Trust, subject to the conditions listed in the staff report. District 3

DDJ/TB: ik

Attachments

Shoreline Alteration/Dredge and Fill Permit Request



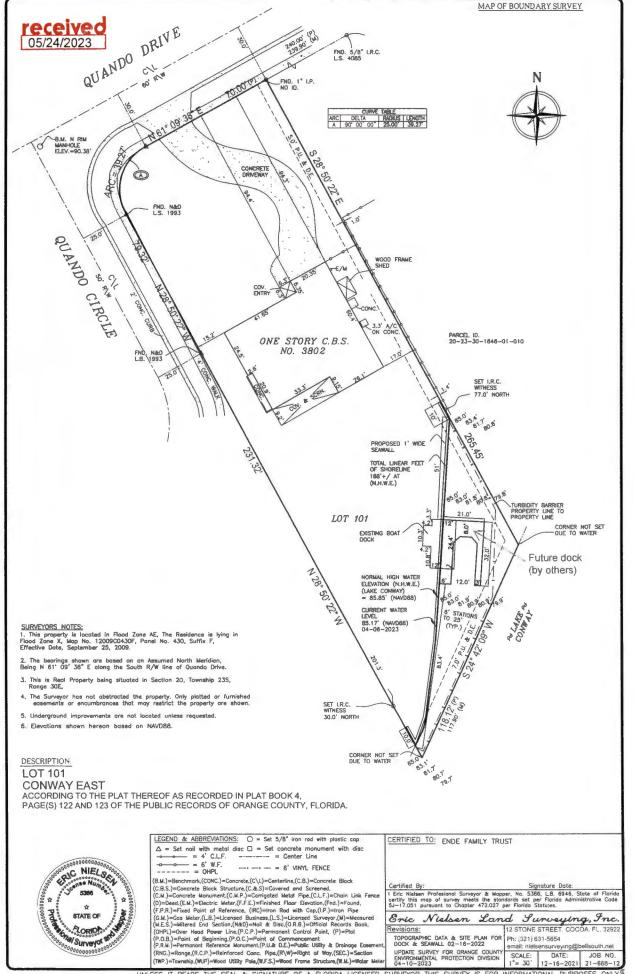
Shoreline Alteration/Dredge and Fill Permit
Request
SADF-22-05-018
District #3

Applicant: Ende Family Trust
Address: 3802 Quando Drive
Parcel ID No.: 20-23-30-1646-01-010

Project Site

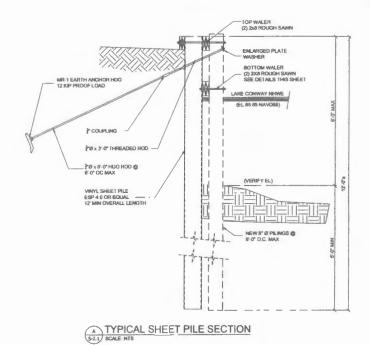
Property Location

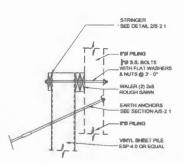


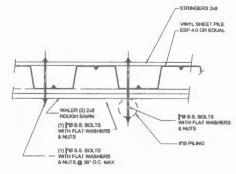






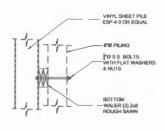




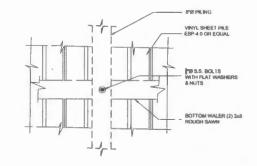


TOP PILING DETAIL





3 BOTTOM WALER DETAIL 5-2 1) SCALE: 1° = 1'-0"



8CALE 1° o 1'-0"

Andrew J Digitally signed by a Andrew J Noble Date: 30 June 11: 44:17 and and a signed by a signed by

ALL TO CAME TO THE PROPERTY OF THE PROPERTY OF

840 N Cocos Blvd S Cocos, Flends 32922 PH 321-635-9344 FAX 321-635-9343 FL EB No. 27956

N. S. C

ENDE SEAWALL 3802 QUANDO DR ORLANDO, FL 32812 L DETAILS AND SECTIONS

TYPICAL

This item has been electronically signed and seeked by Andrew J. Noble, P.E. using a Digital Signature.
Printed copies of this document are not to be considered signed and seeked and the signature must be vaniled on any electronic copies.

GENERAL NOTES

- GOVERNING BUILDING CODE FLORIDA BUILDING CODE 2020 EDITION
- 2 REFER TO CIVIL, SITE, AND ELECTRICAL DRAWINGS FOR OTHER PERTINENT INFORMATION RELATED TO STRUCTURAL WORK
- 3 THE MOST STRINGENT REQUIREMENTS APPLY IN CASE OF CONFLICT ON THE CONTRACT DRAWINGS
- VERIFY DIMENSIONS AND CONDITIONS RELATING TO SITE, EXISTING CONSTRUCTION AND EXISTING UTILITIES AND SERVICES PRIOR TO START OF CONSTRUCTION
- THE DRAWINGS ARE INTENDED TO SHOW THE GENERAL ARRANGEMENT, DESIGN AND EXTENT OF THE WORK AND ARE PARTIALLY DIAGRAMMATIC. THEY ARE NOT INTENDED TO BE SCALED FOR ROUGH-IN MEASUREMENTS, OR TO SERVE AS SHOP DRAWINGS OR PORTIONS THEREOF
- 6 ALL DETAILS AND SECTIONS SHOWN ON THE DRAWINGS ARE INTENDED TO BE TYPICAL AND SHALL BE CONSTRUED TO APPLY TO ANY SIMILAR SITUATION ELSEWHERE ON THE PROJECT, EXCEPT WHERE A DIFFERENT DETAIL OR SECTION IS SHOWN.
- PRIOR TO START OF CONSTRUCTION, THE CONTRACTOR AND ALL THE SUBCONTRACTORS SHALL VERHEY ALL GRADES, UNBES, DIMENSIONS AND COORDINATE EXISTING CONSTITIONS AT THE JOSS SITE WITH THE PLANS AND SPECIFICATIONS THEY SHALL REPORT ANY INCONSISTENCES OF REPRORS THE ADOVE TO THE ENGINEER BEFORE COMMERCIAND WORK. THE CONTRACTOR AND HIS SUBCONTRACTOR SHALL AND OUT THEIR WORK FROM ESTABLISHED REFERENCE FOUNTS AND BE RESPONSIBLE FOR ALL LINES, ELEVATIONS AND MEASUREMENTS IN CONNECTION WITH THEIR WORK
- 8 SURFACE FINISH FOR ALL CONCRETE SURFACES SHALL BE A GENERAL SURFACE FINISH

SURFACE AND SUBSURFACE SOILS

- NOTIFY ENGINEER OF ARY UNUSUAL SITE SUB-SURFACE CONDITION WHICH IS IN VARIANCE WITH TEST BORNING, SUCH AS DIFFERENT SOILS ENCOUNTERED, SEEPAGE OR PRESENCE OF WATER, OR WHEN THERE IS A QUESTION OF BEARING CAPACITY
- 2 DEWATER EXCAVATIONS BEFORE PLACING CONCRETE
- 3 REMOVE AND DISPOSE ALL ORGANIC AND UNBATISFACTORY SOIL
- COMPACT ALL SOIL TO BE USED IN BACK FILL MATERIAL TO 90 PERCENT OF THE MAXIMUM DENSITY PER ASTM D698, "MODIFIED PROCTOR COMPACTION TEST"
- 5 BACKFILL MATERIAL SHALL BE FREE DRAINING AND RESTRICTED TO GW, QP, SW OR SPIPER ASTM
- 6 NOTIFY ENGINEER IF FIRM BEARING MATERIAL OF DESIGN CAPACITY IS NOT ATTAINED
- DESIGN, INSTALLATION AND FINAL CLEARANCE OF TEMPORARY BRACING IS THE RESPONSIBILITY OF
- 8 BULKHEADS AND HEADWALLS ARE DESIGNED TO SUPPORT WELL COMPACTED GRADE OR CLEAN FILL A CERTIFIED TEST NO L'ABORATORY SHALL BE ENGAGED BY THE OWNER TO VERIFY THAT THE REQUIRED COMPACTION REQUIREMENTS WAS OSTANIED

VINYL SHEET PILE

- VINYL SHEET PILES SHALL BE TYPE ESP 4 0 OR APPROVED EQUIVALENT MINIMUM SECTION AND VINTL SHEET PILES SHALL BE TYPE ESP 4 0 OH I MATERIAL PROPERTIES SHALL BE AS FOLLOWS a MOMENT OF INERTIA

 b. SECTION MODULUS

 #
- 50.6 IN⁴4 / FOOT 14.5 IN⁴3 / FOOT
- MODULUS OF ELASTICITY
- 380,000 PSI d. MINIMUM WALL THICKNESS 0.30 IN ULTIMATE TENSALE STRESS 6300 PSI
- ALL STEEL NOT ENTIRELY ENCASED IN CONCRETE SHALL BE EITHER ALL TYPE 304 OR 318 STAINLESS STEEL OR ALL HOT DIP GALVANIZED STEEL PER ASTM A136. MIXING OF STEEL TYPES IS NOT
- 3 TE-BACK ANCHORS SHALL BE AS NOTED ON PLAN. SUBSTITUTIONS MUST BE SUBMITTED FOR ENGINEER'S APPROVAL
- 4 VINYL SHEET PILES SHALL BE INSTALLED PER CONTRACTOR'S STANDARD PRACTICE MEETING THE REQUIREMENTS AND SPECIFICATIONS OF THE MANUFACTURER. IN THE CASE OF CONFLICTING INFORMATION, THE MOST STRINGENT CASE SHALL BE USED. SHEET PILES SHALL BE PLACED LEVEL AND PLUMB (NO MORE THAN IT PER FOOT OUT OF PLUMB), EMBEDDED INTO SOUND SOILS TO THE MINIMUM DEPTH INDICATED IN THE CONSTRUCTION DOCUMENTS DRIVE SHEET PLING BY THRVING IN STEPS" OR "GANG DRIVING". DIRECTION OF INSTALLATION SHOULD BE WITH THE MALE BIDE OF THE SHEET WHEN POSSIBLE
- 5 PILES DRIVEN OUT OF INTERLOCK WITH ADJACENT PILES OR OTHERWISE DAMAGED SHALL BE REMOVED OR REPLACED WITH NEW PILES AT CONTRACTOR'S EXPENSE
- CARE SHALL BE GIVEN TO ENSURE SHEET PILES ARE NOT DAMAGED DURING SHIPMENT AND FIELD PLACEMENT CONTRACTOR SHALL MSPECT EACH SHEET PILE BECMENT AND ACCESSORIES PRIOR TO START OF RISTALLATION FOR ANY DEFORMED, BROKEN, CRACKED, OR OTHERWISE DAMAGED MATERIAL IF SUCH MATERIAL IS DAMAGED, IT SHALL BE REMOVED FROM SERVICE AND REPLACED
- FULLY DETAILED SHOP DRAWINGS CONTAINING ALL DE TAILS AND DIMENSIONS NECESSARY TO
 CONSTRUCT THE WALLS SHALL BE SUBMITTED FOR REVIEW AND APPROVAL. AT A MINIMUM THE SHOP
 DRAWINGS SHALL INCLUDE

 a. SHEET PLE LAYOUT SHOWING STATIONS AND OFFSETS AT CRITICAL POINTS ALONO THE WALL.
- - SHAPES AND SIZES OF MEMBERS USED ALONG WITH MATERIAL PROPERTIES

 - STOPPES AND SUCES OF DISCRESS USED ALLOYD WITH AN TERM. PROPERTIES
 TOP OF WALL AND THE ELEVATION SOCIATION OF ALL EXISTING UTILITIES PRIOR TO INSTALLING
 SCHEET PLES A REPERT OF UTILITY PLANS FOR UTILITY LOCATIONS
 WHERE SHEET PLES A VIBE PLACED NEAR AN EXISTING STRUCTURE OR UTILITY, CARE SHALL BE
 TAKEN SO AS NOT TO DAMAGE THE EXISTING STRUCTURE OR UTILITY.





PLAN VIEW

STRUCTURAL TIMBER

- 1 LOAD BEARING FRAMING SHALL BE #2 SOUTHERN YELLOW PINE (SYP) OR BETTER, 19% MOISTURE CONTENT, UNLESS SPECIFICALLY NOTED OTHERWISE
- 2 NON-BEARING FRAMING SHALL BE I/3 SOUTHERN YELLOW PINE (SYP) OR BETTER. 19% MOISTURE CONTENT
- TIMBER FRAMING NOTED AS PRESSURE TREATED, SHALL BE #2 SYP, AND TREATED IN ACCORDANCE WITH AWPA STANDARDS U1 AND UC5C
- 4 ALL EXTERIOR WOOD FRAMINO SHALL BE PRESSURE TREATED
- 5. TIMBER CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION (NDS), 2001 EDITION WITH
- 6. ALL SPECIFIED STEEL CONNECTION HARDWARE THAT IS NOT PRE-ENGINEERED SHALL BE STAINLESS STEEL PER APPROPRIATE SPECIFICATIONS
- 7. LARGE FLAT S.S. WASHERS MAY BE SUBSTITUTED WITH OGEE WASHERS

ABBREVIATIONS LEGEND

AB	ANCHOR BOLT
B/	BOTTOM OF
BL	BUILDING LINE
BM	BEAM
CCA	WOOD TREATED WITH CHROMATED COPPER ARSENATE
CJ	CONTROL JOINT
COL	COLUMN
COMP	COMPACTED
CONTR	COMPRESE

DIAMETER DOWEL FINISHED DIA DWL FIN FTG **FOOTING** GALV GD GRTG HCA HR GALVANIZED GRADE

GRATING HEADED CONCRETE ANCHOR ISOLATION JOINT

N.I.C NOT INCLUDED IN CONTRACT PEMB PRE-ENGINEERED METAL BUILDING SELF DRILLING/TAPPING

PL SD/T SQ S.S. STL SQUARE STAINLESS STEEL STEEL TOP OF

d I I I I I F40 N Cocos Bird S Cocos, Fands 32922 FB 321-635-9344 FAX 321-635-9343 FL EB No 27956 2

E SEAWALL
QUANDO DR RAL ш ENDE 3802

P

GENE

7.J.J



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211614

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This item has been electronically signed and seafed by Andrew J. Noble, P.E. using a Digital Signature.

Printed copies of this document are not to be considered signed and seafled and the signature must be verified on any electronic co



