

Interoffice Memorandum

DATE: June 5, 2025

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: N/A

FROM: Tanya Wilson, AICP, Director, Planning, Environmental, and Development Services Department

CONTACT: Renée H. Parker, LEP, Manager, Environmental Protection Officer

PHONE: (407) 836-1420

DIVISION: Environmental Protection Division

ACTION REQUESTED:

Acceptance of the findings and recommendation of the Environmental Protection Division staff and denial of Shoreline Alteration/Dredge and Fill Permit Modification SADF-23-01-000-MOD for Federico and Danielle Hollander. District 1. (Environmental Protection Division)

PROJECT: Request for Shoreline Alteration/Dredge and Fill Permit Modification for Federico and Danielle Hollander (SADF-23-01-000-MOD).

PURPOSE: The applicants, Federico and Danielle Hollander, are requesting a Shoreline Alteration/Dredge and Fill (SADF) Permit Modification Application to modify a previously issued permit to remove the requirement to install riprap waterward of a new seawall along the shoreline of Lake Tibet-Butler. The property is located at 10017 Lone Tree Lane, Orlando, FL, 32836 (Parcel ID No. 32-23-28-1874-00-090) in District 1.

Background

On January 11, 2023, the Environmental Protection Division (EPD) received an SADF application to replace a failing seawall on the subject property along the shoreline of Lake Tibet-Butler. The site plans did not depict riprap or plantings in front of the seawall as required pursuant to previous Board direction. Therefore, a Request for Additional Information (RAI) letter was sent to the applicants on January 31, 2023, requesting that riprap and plantings be added to the site plans. EPD received revised plans on February 7, 2023 that depicted riprap and plantings. Due to other outstanding issues with the application and plans, two subsequent RAI letters were sent to the applicants. Upon receipt and review of a complete response by the applicants to the third RAI letter, the

application was deemed complete on July 31, 2023. The final site plan (which included riprap and plantings) was presented to the Board at a public hearing on September 26, 2023 and was unanimously approved. Permit No. SADF-23-01-000 (Permit) was issued on October 18, 2023 for the reconstruction of a 110-foot seawall with riprap and plantings.

The Permit included standard conditions regarding the installation of riprap and plantings:

- Condition No. 5 states in part, “*The installation of riprap must commence within 30 days and be completed within 60 days from the date of completion of construction of the seawall.*”
- Condition No. 6 states in part, “*Installation of plantings must be initiated within 30 days and be completed within 60 days of installation of the riprap...*”

On July 8, 2024, EPD inquired about the status of the seawall construction and was informed by the applicants that the seawall was complete and that they would be “...*appealing the need of rip rap.*” EPD then followed up with a routine site inspection on August 30, 2024, and observed the new seawall without riprap or plantings in place. In response, EPD issued a Notice of Non-Compliance (Notice) on September 11, 2024 to the applicants, citing Condition Nos. 5 and 6 in the Permit and required that riprap and plantings be installed according to the Permit. Based on the applicants’ previous statements in multiple emails regarding their desire to appeal the requirement to install riprap, the Notice also presented an option to apply for a Permit Modification. However, it was noted in the Notice that EPD would not support an application to modify the permit to remove the requirement to install riprap and plantings, and that such an application would ultimately be presented at a new public hearing before the Board.

On November 5, 2024, the applicants submitted an SADF application to modify the Permit to remove the requirement to install riprap. In a November 27, 2024 RAI letter, EPD inquired about the installation of plants, and the applicants confirmed on January 23, 2025 that they agree to install plants (which are depicted on the currently proposed site plans).

Staff Analysis

Vertical seawalls can reduce biodiversity by removing shoreline habitat that provides refuge from predators and foraging area for fish, birds, amphibians, and macroinvertebrates. By altering the contour of the lakeshore, seawalls can also affect the natural movement of sand and sediment during storm events, which can lead to erosion in areas not anticipated. However, seawalls with riprap and plantings can simulate natural shoreline habitat conditions for foraging and refuge. Riprap assists in absorbing wave energy and plantings assist in nutrient pollutant uptake.

On September 30, 2008, EPD provided the Board a Work Session on the potential negative effects of seawalls to the environment and some alternative shoreline protection measures. The presentation included information on how applications to construct

seawalls are evaluated and the benefits of riprap and plantings in front of all new and replacement seawalls. At that time, the Board supported requiring slope replacement with riprap and plantings for permitted seawalls.

Based on this direction, native plantings and riprap have generally been required for new and replacement seawalls, with exceptions when the placement of riprap might damage existing, native, woody vegetation (e.g., cypress knees or other native tree roots) or may cause a navigational hazard (e.g., a shoreline along a canal). Further, consistent with EPD Work Instruction EPD-WI-2000-25, which is used to guide the review of all SADF applications involving proposed seawalls or other shoreline hardening projects, EPD will not accept mitigation in lieu of installing riprap and plantings.

On March 3, 2025, EPD issued a Notice of Intent to Recommend Denial of Permit Modification Application to the applicants. The letter reiterated that EPD was not in support of the modification pursuant to the guidance and policy outline in EPD-WI-2000-25, and requested the applicants either confirm they would like to proceed to public hearing before the Board with a recommendation of denial or withdraw the modification application and install riprap and plantings according to the Permit. On March 6, 2025, the applicants confirmed their intent to move forward with the public hearing.

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

Pursuant to Orange County Code, Chapter 33, Article IV, EPD has evaluated the proposed SADF Permit Modification application and required documents and has made a finding that the request is inconsistent with Section 33-129 and EPD-WI-2000-25.

Staff Recommendation

Denial of the SADF Permit Modification for Federico and Danielle Hollander (SADF-23-01-000-MOD).

Should the Board not accept staff's recommendation of denial and decide to approve the SADF Permit Modification, the approval shall be 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. Installation of plantings must be initiated within 30 days and be completed within 60 days of permit issuance in accordance with the site plans received by EPD on January 23, 2025. After one year, if 80 percent areal coverage of native emergent or aquatic plant species is not established, additional plantings may be required.
4. In the event that 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. The permittees may maintain a clear access corridor below the Normal High Water Elevation (NHWE) of 98.52 feet North American Vertical Datum of 1988 (NAVD88) above mean sea level for Lake Tibet-Butler, 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 native plantings 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(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 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 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 Municipal Separate Storm Sewer System (MS4) require an Orange County Right-of-Way Utilization Permit for Dewatering prior to the start of any discharges.

General Conditions

9. A copy of this permit, along with EPD stamped and approved drawings, should be provided 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.
10. 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. The permittees 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 permittees 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.
12. 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.
13. 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. 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 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.

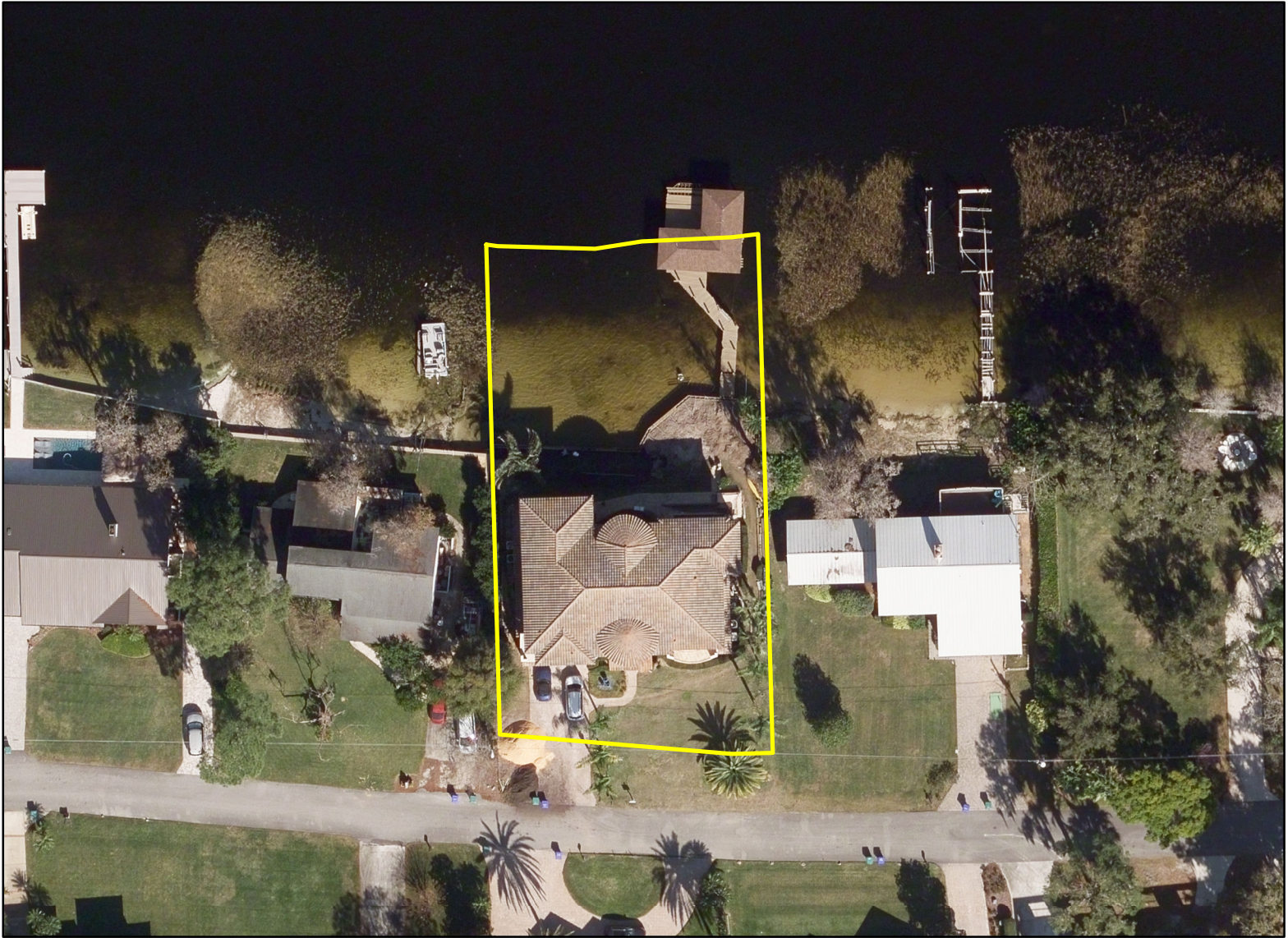
14. This permit does not release the permittees from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start 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.
15. 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 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.
16. 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.
17. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
18. 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.
19. 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.
20. 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 as a result of any permit violations until the permit is legally transferred.

21. The permittees 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.
22. 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.
23. 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.
24. 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 applicants 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 applicants fail to obtain the requisite approvals or fulfill the obligations imposed by a state or federal agency or undertake actions that result in a violation of state or federal law.
25. Pursuant to Section 125.022 FS, the applicants shall obtain all other applicable state or federal permits before commencement of construction.

BUDGET: N/A

Shoreline Alteration/Dredge and Fill Permit Modification Request



**Shoreline Alteration/
Dredge and Fill Permit
Modification Request
SADF-23-01-000-MOD
District #1**

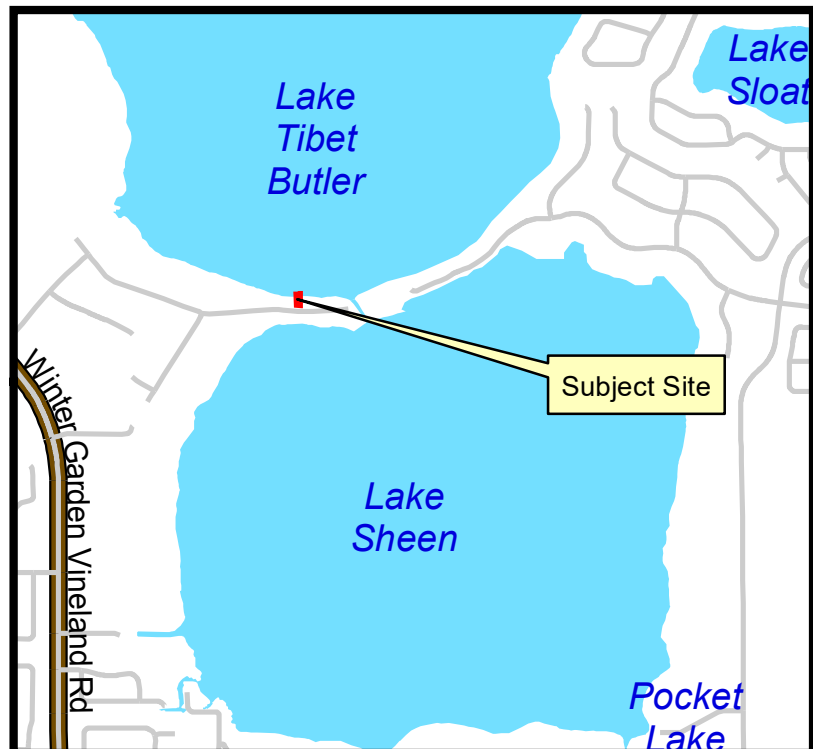
Applicants: Federico and Danielle
Hollander

Address: 10017 Lone Tree Lane

Parcel ID: 32-23-28-1874-00-090

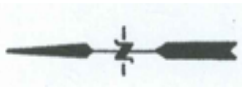
Project Site 

Property Location 

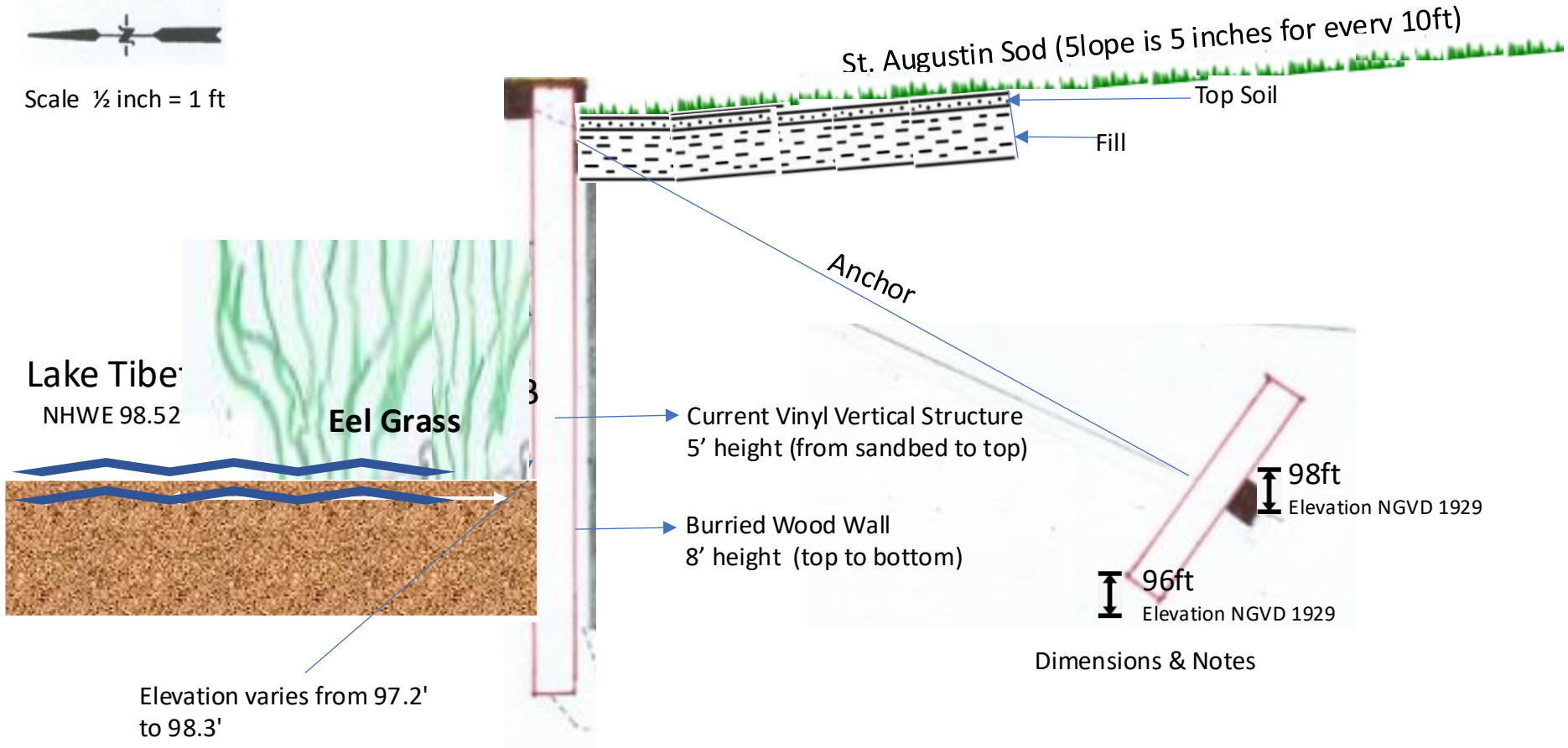


Energy Wave Dissipation – Side View

received
1/23/2025



Scale 1/2 inch = 1 ft



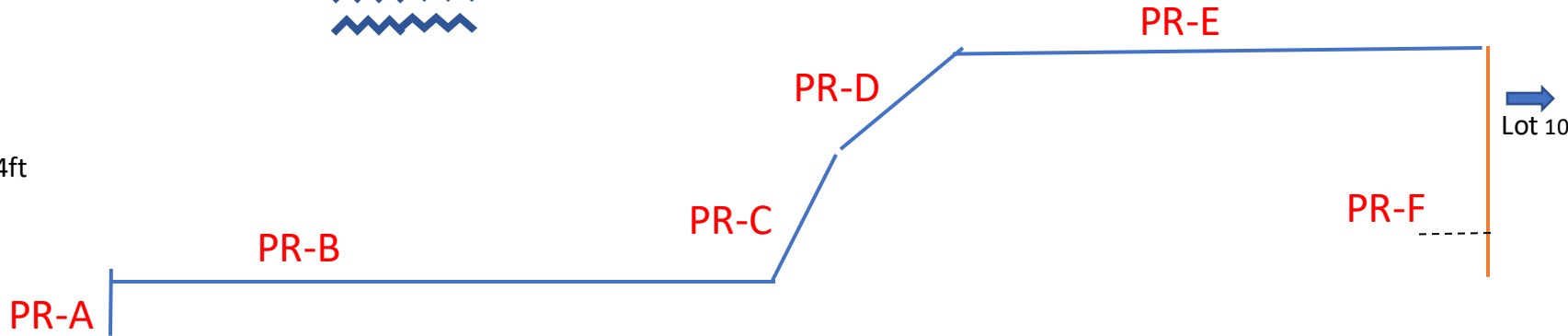
Plantings	100 x American Eel Grass	2 rows of 50 each 18" apart staggered first row 1ft end of vertical structure, second row 18" from first row seaward. Total of 100 plants
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Energy Wave Dissipation – Area Covered by Plantings

received
1/23/2025



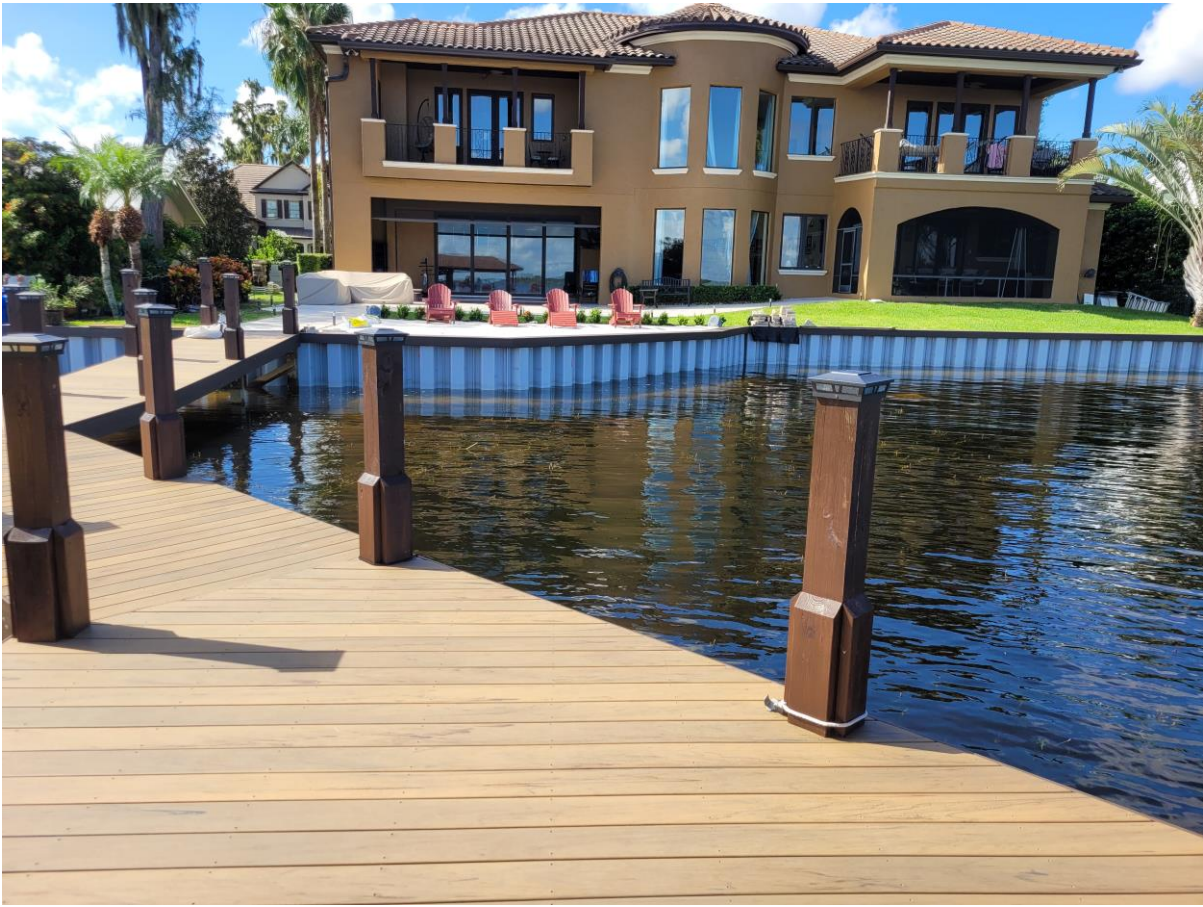
Scale 1cm = 4ft



Lot 9

Section	Length	Area of Plantings
A	2.08ft	No
B	55.14ft	Yes
C	8.38ft	Yes
D	20.00ft	No
E	26.66	No
F	20.00ft	No

← Lot 8
Seawall





Environmental Protection Division

SHORELINE ALTERATION/DREDGE & FILL PERMIT

Permit No.: SADF-23-01-000

Date Issued: October 18, 2023

Date Expires: October 18, 2025

A Permit Authorizing:

The construction of a replacement vinyl seawall with riprap and plantings at the Normal High-Water Elevation (NHWE), along the shoreline of Lake Tibet-Butler. Environmental Protection Division (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:

10017 Lone Tree Lane, Orlando, FL 32836
Parcel ID No.: 32-23-28-1874-00-090
Lake Tibet-Butler
Orange County Commission District: 1

Permittee(s) / Authorized Entity:

Federico and Danielle Hollander
c/o Jason Louche
Creative Construction Solutions
Email: jlouche@ccsboatdocks.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 authorized this permit on September 26, 2023, 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 Daniel Souter, P.E., and received by Environmental Protection Division (EPD) on June 29, 2023, and the plans submitted by Federico Hollander, received by EPD on March 17, 2023. The permitted activity must commence within one year and be completed within two years from the date of issuance of the permit. If the project has not commenced within one year 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. Riprap shall be installed waterward of the new, vinyl seawall in accordance with the engineered plans signed and sealed by Daniel Souter, P.E. and received by EPD on June 29, 2023, and the plans submitted by Federico Hollander, received by EPD on March 17, 2023. The riprap shall be installed at a slope no steeper than two (horizontal) to one (vertical), extend at least halfway up the face of the seawall, and measure between 12 inches to three feet in diameter. The installation of riprap must commence within 30 days and be completed within 60 days from the date of completion of construction of the seawall.
6. Installation of plantings must be initiated within 30 days and be completed within 60 days of installation of the riprap in accordance with the plans submitted by Federico Hollander and received by EPD on March 17, 2023. After one year, if 80 percent areal coverage of native emergent or aquatic plant species is not established, additional plantings may be required.
7. The permittee may maintain a clear access corridor below the NHWE of 98.52 feet (NAVD88) above mean sea level for Lake Tibet-Butler, not to exceed 30 feet in width, 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.
8. This permit does not authorize any dredging or filling except that which is necessary for the installation of the seawall, riprap, and native vegetation plantings, as depicted on the approved plans.
9. 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 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).

10. 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:

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 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.
14. Issuance of this permit does not warrant in any way that the permittee has riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittee. 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 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.
15. This permit does not release the permittee from complying with all other federal, state, and local laws, ordinances, rules, and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property 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 15, Article VI 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.

16. The permittee is 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 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.
17. 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.
18. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
19. 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.
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 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 because of any permit violations until the permit is legally transferred.
22. The permittee 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 permittee.
24. 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.
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 Nicole Salvatico at Nicole.Salvatico@ocfl.net.

Project Manager:



Nicole Salvatico, Senior Environmental Specialist

Authorized for the Orange County Environmental Protection Division by:



FOR

Renée H. Parker, LEP, Environmental Protection Officer

NS/~~KCK~~/TMH/ERJ/RHP: gfdjr

Enclosures: Construction Notice
Board of County Commissioners Decision Letter
Approved Site Plans

c: Federico and Danielle Hollander, federicoahollander@gmail.com
Florida Department of Environmental Protection, DEP_CD@dep.state.fl.us



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: Nicole.Salvatico@ocfl.net

Permit Number and Name: SADF-23-01-000, Hollander - 10017 Lone Tree Lane

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, September 26, 2023

2:00 PM

County Commission Chambers

23-1111

Case # SADF 23-01-000

Federico and Danielle Hollander, Lake Tibet-Butler, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 23-01-000 to authorize the construction of a seawall, with riprap and plantings, on the shoreline of Lake Tibet-Butler, pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigation Control District


Location: District 1; on property located adjacent to Lake Tibet-Butler, located at 10017 Lone Tree Lane, Orlando, FL, 32836 (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-23-01-000) subject to the twenty-six (26) conditions of approval listed in the Staff Report dated August 23, 2023. 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 6TH
DAY OF OCTOBER 2023.

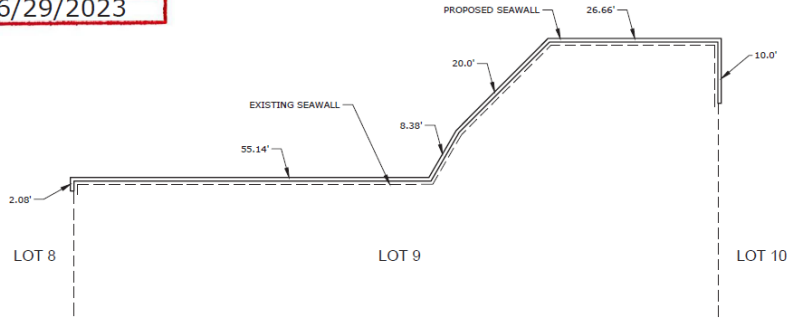


Deputy Clerk
BOARD OF COUNTY COMMISSIONERS
ORANGE COUNTY, FLORIDA

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.

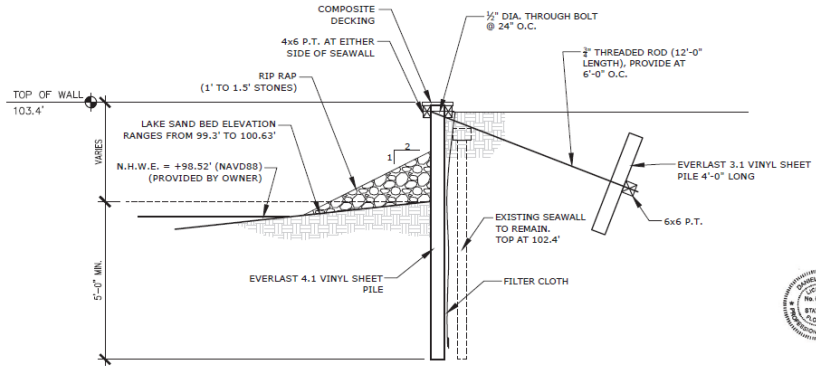
re

received
6/29/2023



1 SEA WALL PLAN VIEW
SW-1 SCALE: 1/16" = 1'-0"

1. BUILDING CODES
- A. ALL CONSTRUCTION SHALL CONFORM WITH THE 2020 (7th EDITION) FLORIDA BUILDING CODE.
 - B. IN ADDITION, ALL CONSTRUCTION SHALL CONFORM WITH THE GOVERNING LOCAL BUILDING CODE OR LOCAL JURISDICTIONAL REQUIREMENTS.



2 SEA WALL SECTION
SW-1 SCALE: NTS

Approved By The
Orange County
Environmental Protection Division
Date: 10/9/2023
Reviewer: N Salvatico
SADF-23-01-000

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.

DANIEL SOUTER, P.E.
P.O. BOX 54777A
ORLANDO, FL 32854
PHONE: (407) 467-4886

alba
ENGINEERING
c/o 800686

HOLLANDER SEAWALL
10017 LONE TREE LANE
ORLANDO, FL 32836

SEAWALL
DETAIL



Seal of Engineer:
This item has been digitally signed and sealed by Daniel Souter, P.E. on the date shown below. Printed copies of this document are not considered signed and sealed and the signature must be verified on electronic copies.
2023.06.29 14:47:00-04'00'
Daniel Souter, P.E.
FL Reg No. 63901

Job Number: 23-135
Date: 06.29.23
Drawn: EL
Checked: DS

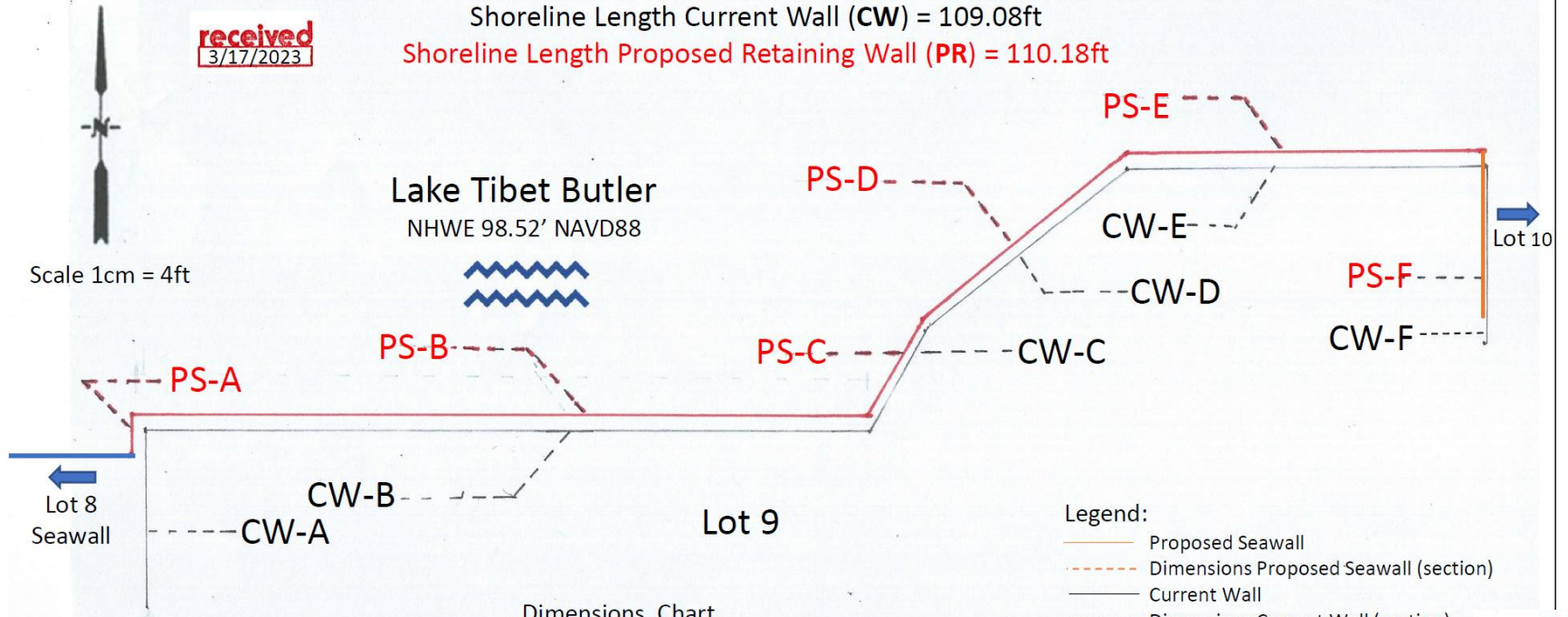
Sheet No.
SW-1

Shoreline Length & Maximum Distance between Current Wall & Proposed Retaining Wall

Shoreline Length Current Wall (CW) = 109.08ft

Shoreline Length Proposed Retaining Wall (PR) = 110.18ft

received
3/17/2023



Dimensions Chart

CW= Current Wall / PS= Proposed Seawall

Section	Current Wall (CW)	Proposed Seawall (PS)	Distance between Current to End of Proposed Seawall
A	13.27ft	2.08ft	12 inches
B	54.17ft	55.14ft	10 inches
C	8.66ft	8.38ft	9.75 inches
D	19.25ft	20.00ft	9.75 inches
E	27.00ft	26.66	12 inches
F	13.00ft	10.00ft	1 inch
Shoreline	109.08ft	110.18ft	

Legend:

- Proposed Seawall
- - - Dimensions Proposed Seawall (section)
- Current Wall
- - - Dimensions Current Wall (section)
- Existing Neighboring Wall (Lot 8)

9 of 11

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.

Approved By The
 Orange County
 Environmental Protection Division
 Date: 10/9/2023
 Reviewer: N Salvaico
 SADF-23-01-000

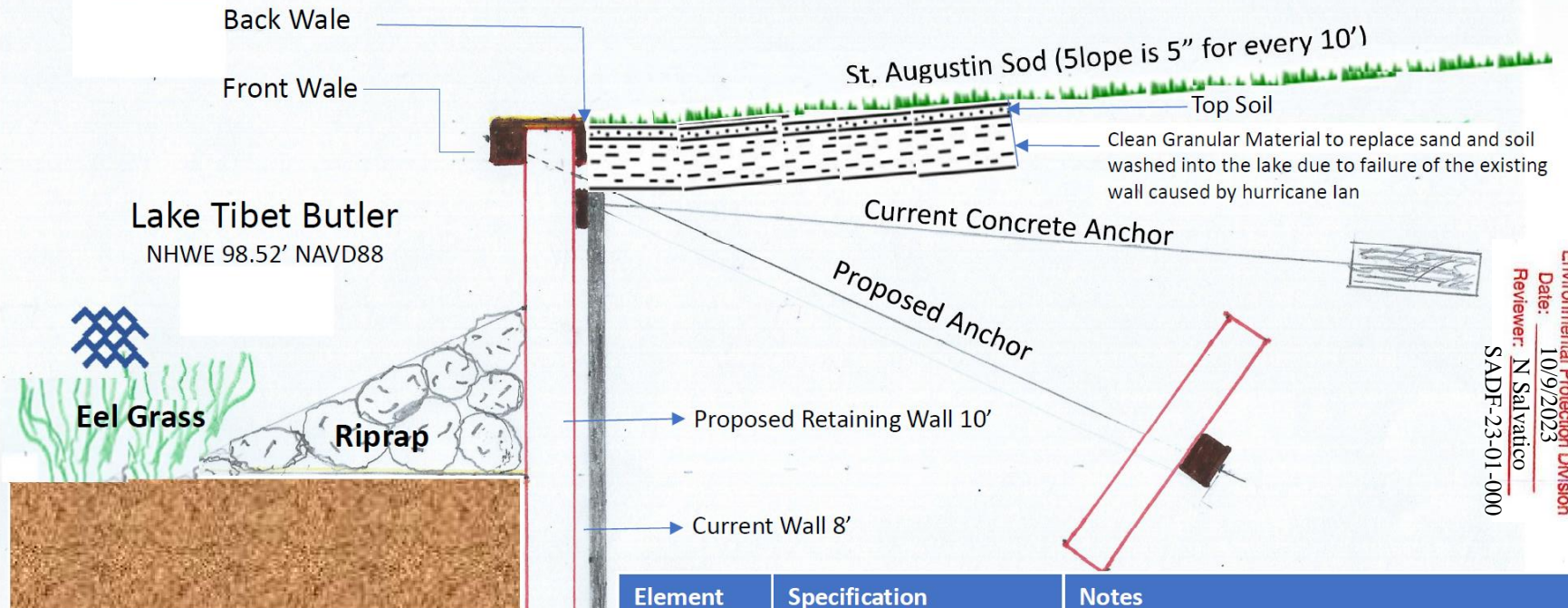
Federico and Danielle Hollander
 10017 Lone Tree Ln.
 Orlando, FL. 32836
 Application No.: SADF-23-01-00
 Date: March 10, 2023

Scale 1/2 inch = 1 ft



Proposed Retaining Wall - Materials Specifications

received
3/17/2023



Lake Tibet Butler
NHWE 98.52' NAVD88



Eel Grass

Riprap

Proposed Retaining Wall 10'

Current Wall 8'

Proposed Anchor

Current Concrete Anchor

St. Augustin Sod (5lope is 5" for every 10')

Top Soil

Clean Granular Material to replace sand and soil washed into the lake due to failure of the existing wall caused by hurricane Ian

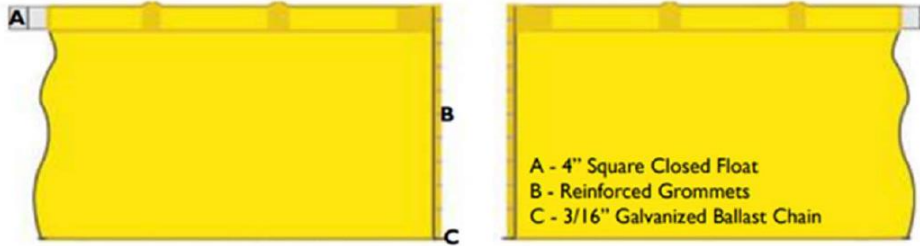
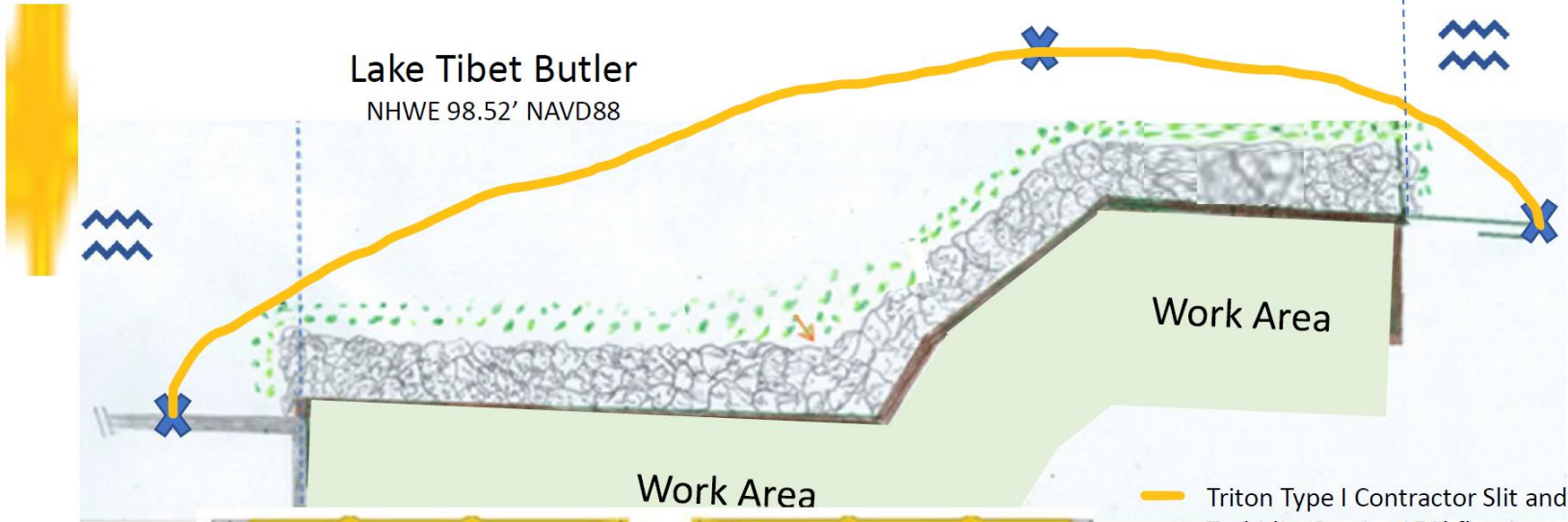
Approved By The
Orange County
Environmental Protection Division
Date: 10/9/2023
Reviewer: N Salvarico
SADF-23-01-000

Element	Specification	Notes
Wall	Vinyl Sheet ESP 4.1	10' long 8 "wide, 5' min. into sand bed
Wall Wales	6"x6" front, 6"x2" back	Pressure treated marine grade, staggered
Anchor	Vinyl Sheet ESP 3.1	20 x 4' long 40 "wide; waler 6"x6 "
Anchor Rod	3/4 SS Tie Rod	20 x 12' long 6' apart starting 3' from West
Riprap	1- 1.5' in diameter	Ordovician Dolomitic Limestone
Plantings	100 x American Eel Grass	2 rows of 50 each 18" apart staggered first row 1ft end of riprap 3' underwater, second row 18" from first row seaward. Total of 100 plants
Landward fill	Clean granular material compacted to 95%, 1' deep soil, St. Augustin sod	
Drainage	12 x S/O Everdrain Weep Hole 10' apart 2' from top of Proposed Retaining Wall	

Federico and Danielle Hollander
10017 Lone Tree Ln.
Orlando, FL. 32836
Application No.: SADF-23-01-00
Date: March 10, 2023

received
3/17/2023

Sediment and Erosion Control Using a Floating Turbidity Curtain



Triton Type I Contractor Slit and Turbidity Barrier Specifications

Length	150' in sections of 50'
Depth	3'
Fabric	13 oz. PVC
Flotation	Square Foam Filled Flotation (A)
Flotations Size	4"
Bottom Ballast Chain	3/16" Galvanized Chain (C)
Section Connectors	Grommets (B)
Color	Yellow

- Triton Type I Contractor Slit and Turbidity Barrier 150' floating turbidity curtain. In 50'x3' sections
- ✕ Anchor Points . Since the water is shallow manufacturer recommends using rebar or wooden stake at both ends and somewhere near the middle to hold the curtain in place so it doesn't wash up to job site

Approved By The
Orange County
Environmental Protection Division
Date: 10/9/2023
Reviewer: N Salvatico
SADF-23-01-000

Federico and Danielle Hollander
10017 Lone Tree Ln.
Orlando, FL. 32836
Application No.: SADF-23-01-00
Date: Feb 07, 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.

**ORANGE COUNTY ENVIRONMENTAL PROTECTION DIVISION
WORK INSTRUCTION**

Title: Permitting of Vertical Seawalls
Number: EPD-WI-2000-25

Effective Date: 06/22/2022 Revision Number: 6
Renewal Date: 06/22/2025 Revision Date: 06/22/2022
Approved By: Elizabeth R. Johnson, Assistant Manager

Purpose: The purpose of this Work Instruction is to provide guidance when reviewing a Shoreline Alteration/Dredge and Fill permit application to construct a vertical seawall received by the Environmental Protection Division (EPD).

I. Background

The installation of vertical seawalls falls under the regulation of Chapter 15, Article VI “Pumping and Dredging Control” and Chapters 33-37 and Chapters 33-129 “Dredging and pumping, filling and construction, creating of obstructions; permits, regulations.”

II. Procedures

A permit under Chapter 15, Article VI, Chapter 33-37, or Chapter 33-129 is required for:

Applications that propose construction of a NEW, stand-alone seawall

First, the applicant must demonstrate that there is significant erosion and that measures must be taken to stabilize the shoreline. Additionally, a letter from a registered professional engineer shall be required stating that a vertical seawall is the **only** practicable method available to stabilize the shoreline. Notwithstanding the foregoing, EPD will not require a letter from an engineer for after-the-fact applications and projects on canals; however, the applicant must still demonstrate that there is/was significant erosion and that a seawall is/was the best method for stabilization. The seawall must have returns on each end if it is not connecting to an adjoining seawall. The purpose of a return is to minimize erosion to the adjacent properties.

The placement of rip-rap is generally required for all new seawalls, unless the placement of the rip-rap will cause damage to existing vegetation (e.g., cypress knees) or the proposed wall is located on a canal where the rip-rap may cause navigational concerns. In addition, planting of native aquatic plants in front of the wall is also generally required, unless there is already an abundant amount of lakeshore vegetation that will remain post construction, or the proposed wall is on a canal and may cause navigational concerns.

Rip-rap:

1. shall consist of natural stone or clean concrete rubble;
2. shall be twelve (12) inches to three (3) feet in diameter in average dimensions;

EPD-WI-2000-25	Effective Date: 06/22/2022
The only official copy of this document is on the EPD intranet.	Page 1 of 3

**ORANGE COUNTY ENVIRONMENTAL PROTECTION DIVISION
WORK INSTRUCTION**

3. shall be no steeper than a 2:1 slope;
4. shall cover at least 50 percent of the vertical face of the seawall;
5. shall be placed along the entire length of the seawall; and,
6. shall be installed with turbidity curtains securely in place and maintained until all suspended sediment has settled and turbidity matches background conditions.

Applications that propose construction of a new seawall connecting one or more existing seawall(s) on adjacent properties

The applicant must demonstrate that there is significant erosion on the site; however, a letter from a professional engineer is not required. The placement of rip-rap is generally required, unless the placement of the rip-rap will cause damage to existing vegetation (e.g., cypress knees) or the proposed wall is located on a canal where the rip-rap may cause navigational concerns. In addition, planting of native aquatic plants waterward of the wall is also generally required unless there is already an abundant amount of lakeshore vegetation that will remain post construction, or the proposed wall is on a canal and may cause navigational concerns. The seawall must have returns on each end if it is not connecting to an adjoining seawall. The purpose of a return is to minimize erosion to the adjacent properties.

Existing seawalls that require repair or reconstruction also require a permit

The placement of rip-rap waterward of the replacement wall is required, unless the placement of the rip-rap will cause damage to existing vegetation (e.g., cypress knees) or the proposed wall is located on a canal where the rip-rap may cause navigational concerns. In addition, planting of native aquatic plants waterward of the wall is also generally required unless there is already an abundant amount of lakeshore vegetation that will remain post construction, or the proposed wall is on a canal and may cause navigational concerns.

Per direction of County Senior Administration Staff on September 13, 2018, applicants cannot provide mitigation in lieu of providing rip-rap and plantings, notwithstanding the exceptions above.

III. Scope

This Work Instruction will be effective within Orange County and within the Lake Conway and Windermere Water and Navigation Control Districts as required by Orange County Code Chapters 15 and 33. This guideline is not effective within Eatonville, Maitland, Ocoee, Orlando, the Reedy Creek Improvement District, Winter Garden and Winter Park.

Related Documents:

EPD-WI-2000-26: Definition of a Vertical Seawall and Retaining Wall

EPD-WI-2000-25	Effective Date: 06/22/2022
The only official copy of this document is on the EPD intranet.	Page 2 of 3

**ORANGE COUNTY ENVIRONMENTAL PROTECTION DIVISION
WORK INSTRUCTION**

History of Revisions:

Revision No.	Revision Date	Summary of Revision(s)
0	06/04/2010	Original DOG
1	03/16/2015	Converted from DOG to WI
2	01/19/2017	Updated and renewed
3	02/12/2019	Updated and renewed
4	02/20/2020	Updated and renewed
5	03/16/2020	Updated and renewed
6	06/22/2022	Updated and renewed (removed Apopka, Edgewood, & Oakland from exempt list in Section III)



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 11, 2024

NOTICE OF NON-COMPLIANCE

VIA EMAIL AND CERTIFIED MAIL:

Federico and Danielle Hollander

10017 Lone Tree Lane

Orlando, FL 32836

federicoahollander@gmail.com

Subject: Notice of Non-Compliance
Subject Site Address: 10017 Lone Tree Lane
Parcel ID No.: 32-23-28-1874-00-090
Permit No.: SADF-23-01-000
Lake Tibet-Butler; Orange County Commission District: 1

Dear Property Owners:

As you already know, the Orange County Environmental Protection (EPD) issued a Shoreline Alteration / Dredge and Fill permit (SADF-23-01-000) to you on October 18, 2023. On August 30, 2024, EPD conducted a routine inspection for compliance with the permit conditions and documented that the seawall construction is complete, but neither riprap nor plantings have been installed.

Condition No. 5 of SADF-23-01-000 states, *“Riprap shall be installed waterward of the new, vinyl seawall in accordance with the engineered plans signed and sealed by Daniel Souter, P.E. and received by EPD on June 29, 2023, and the plans submitted by Federico Hollander, received by EPD on March 17, 2023. The riprap shall be installed at a slope no steeper than two (horizontal) to one (vertical), extend at least halfway up the face of the seawall, and measure between 12 inches to three feet in diameter. The installation of riprap must commence within 30 days and be completed within 60 days from the date of completion of construction of the seawall.”*

Further, Condition No. 6. of SADF-23-01-000 states, *“Installation of plantings must be initiated within 30 days and be completed within 60 days of installation of the riprap in accordance with the plans submitted by Federico Hollander and received by EPD on March 17, 2023. After one year, if 80 percent areal coverage of native emergent or aquatic plant species is not established, additional plantings may be required.”*

To bring the seawall in compliance with SADF-23-01-000 and to avoid formal enforcement:

- 1) Within 60 days of the date of this Notice of Non-Compliance (NONC), install riprap and plantings consistent with the approved plans and conditions of SADF-23-01-000.

OR

- 2) Within 60 days of the date of this NONC, you may instead reapply for a new Shoreline Alteration / Dredge and Fill Permit (as you have indicated via email) to

Serving our community by conserving, protecting, and enhancing the environment for current and future generations.

Page 2 of 13

Notice of Non-Compliance

Subject Site Address: 10017 Lone Tree Lane

Permit No.: SADF-23-01-000

attempt to permit the seawall without riprap and plantings. You can find the application and fee information here: <https://www.orangecountyfl.net/PermitsLicenses/Permits/ShorelineAlterationDredgeandFillPermit.aspx>. Please be aware that that EPD will not support the construction of the seawall without riprap and plantings and the request will ultimately be presented and voted on at a public hearing before the Board of County Commissioners.

Please be advised that if your property is not brought into compliance, this incident will be referred for formal enforcement, which may then include additional corrective actions and administrative penalties.

Should you have any questions, please feel free to contact me at Nicole.Salvatico@ocfl.net.

Sincerely,



Nicole Salvatico
Senior Environmental Specialist



NS/KGK/ERJ/gfdjr

Attachments: SADF-23-01-000

c: Tim Hull, OC EPD, Tim.Hull@ocfl.net
Florida Department of Environmental Protection, DEP_CD@dep.state.fl.us
Jason Louche, Creative Construction Solutions, jlouche@ccsboatdocks.comFWC

Notice of Non-Compliance

Subject Site Address: 10017 Lone Tree Lane

Permit No.: SADF-23-01-000



Environmental Protection Division

**SHORELINE
ALTERATION/DREDGE &
FILL PERMIT**

Permit No.: SADF-23-01-000

Date Issued: October 18, 2023

Date Expires: October 18, 2025

A Permit Authorizing:

The construction of a replacement vinyl seawall with riprap and plantings at the Normal High-Water Elevation (NHWE), along the shoreline of Lake Tibet-Butler. Environmental Protection Division (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:

10017 Lone Tree Lane, Orlando, FL 32836
Parcel ID No.: 32-23-28-1874-00-090
Lake Tibet-Butler
Orange County Commission District: 1

Permittee(s) / Authorized Entity:

Federico and Danielle Hollander
c/o Jason Louche
Creative Construction Solutions
Email: jlouche@ccsboatdocks.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

Subject Site Address: 10017 Lone Tree Lane

Permit No.: SADF-23-01-000

The Board of County Commissioners authorized this permit on September 26, 2023, 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 Daniel Souter, P.E., and received by Environmental Protection Division (EPD) on June 29, 2023, and the plans submitted by Federico Hollander, received by EPD on March 17, 2023. The permitted activity must commence within one year and be completed within two years from the date of issuance of the permit. If the project has not commenced within one year 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. Riprap shall be installed waterward of the new, vinyl seawall in accordance with the engineered plans signed and sealed by Daniel Souter, P.E. and received by EPD on June 29, 2023, and the plans submitted by Federico Hollander, received by EPD on March 17, 2023. The riprap shall be installed at a slope no steeper than two (horizontal) to one (vertical), extend at least halfway up the face of the seawall, and measure between 12 inches to three feet in diameter. The installation of riprap must commence within 30 days and be completed within 60 days from the date of completion of construction of the seawall.
6. Installation of plantings must be initiated within 30 days and be completed within 60 days of installation of the riprap in accordance with the plans submitted by Federico Hollander and received by EPD on March 17, 2023. After one year, if 80 percent areal coverage of native emergent or aquatic plant species is not established, additional plantings may be required.
7. The permittee may maintain a clear access corridor below the NHWE of 98.52 feet (NAVD88) above mean sea level for Lake Tibet-Butler, not to exceed 30 feet in width, 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.
8. This permit does not authorize any dredging or filling except that which is necessary for the installation of the seawall, riprap, and native vegetation plantings, as depicted on the approved plans.
9. 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

Notice of Non-Compliance

Subject Site Address: 10017 Lone Tree Lane

Permit No.: SADF-23-01-000

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).

10. 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:

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 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.
14. Issuance of this permit does not warrant in any way that the permittee has riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittee. 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 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.
15. This permit does not release the permittee from complying with all other federal, state, and local laws, ordinances, rules, and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property 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 15, Article VI 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.

Notice of Non-Compliance

Subject Site Address: 10017 Lone Tree Lane

Permit No.: SADF-23-01-000

16. The permittee is 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 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.
17. 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.
18. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
19. 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.
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 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 because of any permit violations until the permit is legally transferred.
22. The permittee 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 permittee.
24. 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.
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

Subject Site Address: 10017 Lone Tree Lane

Permit No.: SADF-23-01-000

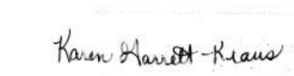
If you should have any questions concerning this permit, please contact Nicole Salvatico at Nicole.Salvatico@ocfl.net.

Project Manager:



Nicole Salvatico, Senior Environmental Specialist

Authorized for the Orange County Environmental Protection Division by:



FOR

Renée H. Parker, LEP, Environmental Protection Officer

NS/~~KK~~/TMH/ERJ/RHP: gfdjr

Enclosures: Construction Notice
Board of County Commissioners Decision Letter
Approved Site Plans

c: Federico and Danielle Hollander, federicoahollander@gmail.com
Florida Department of Environmental Protection, DEP_CD@dep.state.fl.us

Notice of Non-Compliance

Subject Site Address: 10017 Lone Tree Lane

Permit No.: SADF-23-01-000



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: Nicole.Salvatico@ocfl.net

Permit Number and Name: SADF-23-01-000, Hollander - 10017 Lone Tree Lane

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.

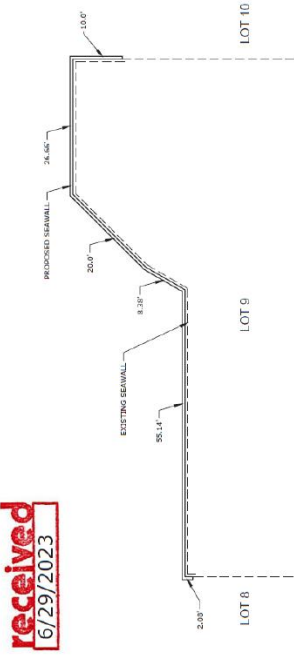
Signature of Permittee: _____

Printed name of Permittee: _____

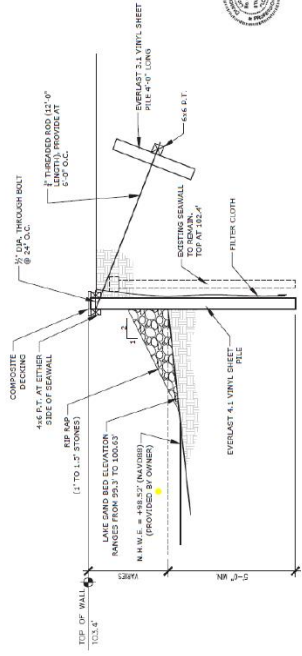
Date: _____

CA 80068 alba ENGINEERING DANIEL SCALFARO, P.E. 1400 S. BOCA RATON PALM BEACH, FL 33408 PHONE (407) 487-4898	HOLLANDER SEAWALL 10017 LONE TREE LANE ORLANDO, FL 32836	SEAWALL DETAIL	Seal of Engineer: Daniel Scalfaro, P.E. FL Reg. No. 12561	Job Number: 23-105 Date: 06/29/23 Drawn: EL Checked: DS	Sheet No. SW-1
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1. BUILDING CODES
 A. ALL CONSTRUCTION SHALL CONFORM WITH THE 2020 (7th EDITION) FLORIDA BUILDING CODE.
 B. IN ADDITION, CONSTRUCTION SHALL CONFORM WITH THE GOVERNING LOCAL BUILDING CODE OR LOCAL SUBSTITUTIONAL REQUIREMENTS.



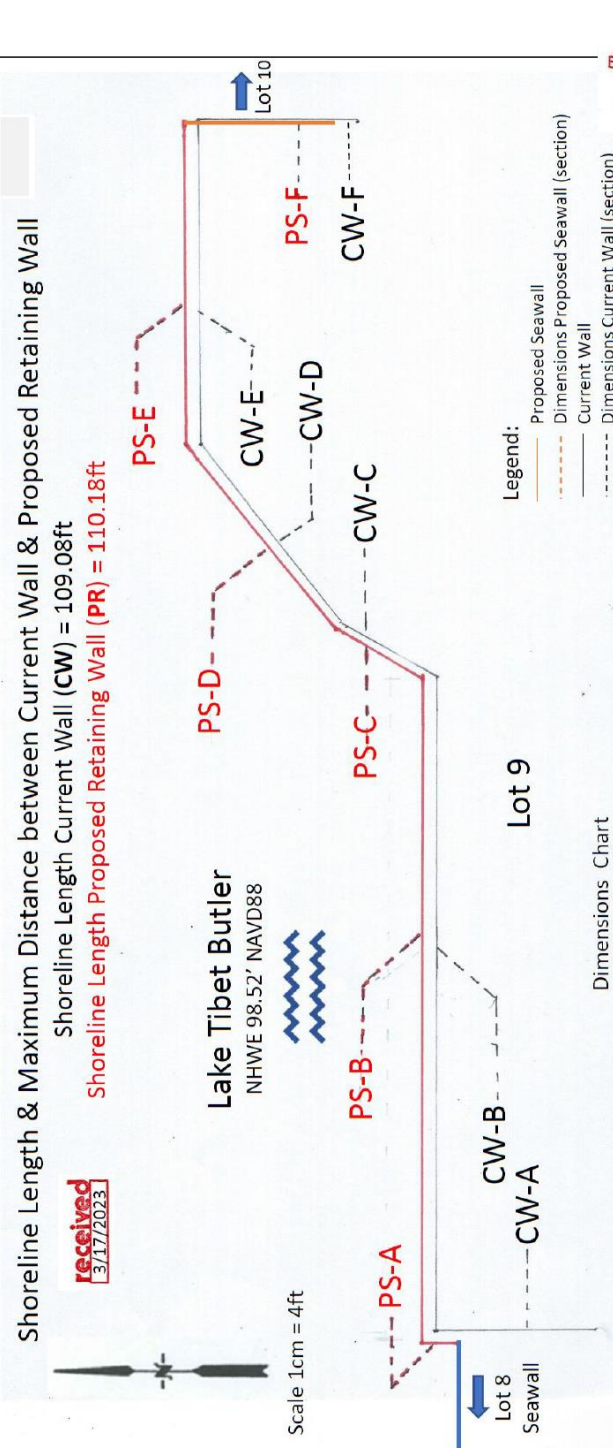
1. SEA WALL PLAN VIEW
 SCALE: 1/8\"/>



2. SEA WALL SECTION
 SCALE: 1/8\"/>

Approved By The
 Orange County
 Environmental Protection Division
 Date: 10/9/2023
 Reviewer: N Salvatico
 SADF-23-01-000

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.



Approved By The
 Orange County
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 Date: 10/9/2023
 Reviewer: N Salvatico
 SADF-23-01-000

Federico and Danielle Hollander
 10017 Lone Tree Ln.
 Orlando, FL 32836
 Application No.: SADF-23-01-00
 Date: March 10, 2023

Legend:
 Proposed Seawall
 Dimensions Proposed Seawall (section)
 Current Wall
 Dimensions Current Wall (section)
 Existing Neighboring Wall (Lot 8)

Dimensions Chart
 CW= Current Wall / PS= Proposed Seawall

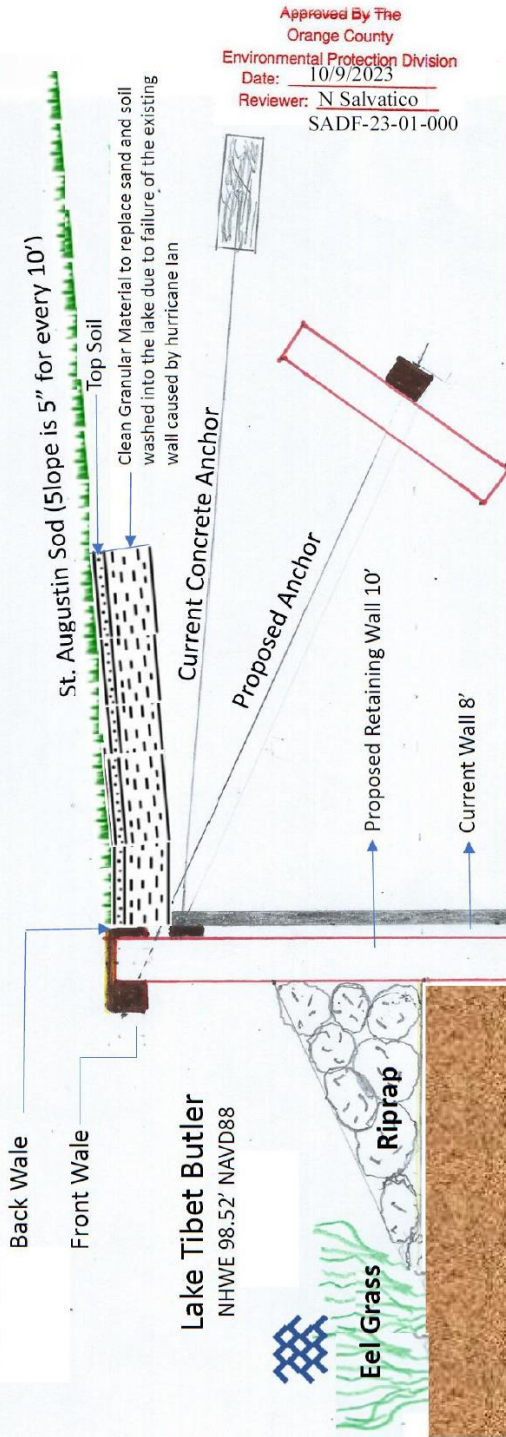
Section	Current Wall (CW)	Proposed Seawall (PS)	Distance between Current to End of Proposed Seawall
A	13.27ft	2.08ft	12 inches
B	54.17ft	55.14ft	10 inches
C	8.66ft	8.38ft	9.75 inches
D	19.25ft	20.00ft	9.75 inches
E	27.00ft	26.66	12 inches
F	13.00ft	10.00ft	1 inch
Shoreline	109.08ft	110.18ft	

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received
 3/17/2023

Proposed Retaining Wall - Materials Specifications

Scale 1/2 inch = 1 ft

Approved By The
 Orange County
 Environmental Protection Division
 Date: 10/9/2023
 Reviewer: N Salvatico
 SADF-23-01-000

Element	Specification	Notes
Wall	Vinyl Sheet ESP 4.1	10' long 8" wide, 5' min. into sand bed
Wall Wales	6"x6" front, 6"x2" back	Pressure treated marine grade, staggered
Anchor	Vinyl Sheet ESP 3.1	20 x 4' long 40" wide; waler 6"x6"
Anchor Rod	3/4 SS Tie Rod	20 x 12' long 6' apart starting 3' from West
Riprap	1- 1.5' in diameter	Ordovician Dolomitic Limestone
Plantings	100 x American Eel Grass	2 rows of 50 each 18" apart staggered first row 1ft end of riprap 3' underwater, second row 18" from first row seaward. Total of 100 plants
Landward fill	Clean granular material compacted to 95%, 1' deep soil, St. Augustine sod	
Drainage	12 x S/O Everdrain Weep Hole 10' apart 2' from top of Proposed Retaining Wall	

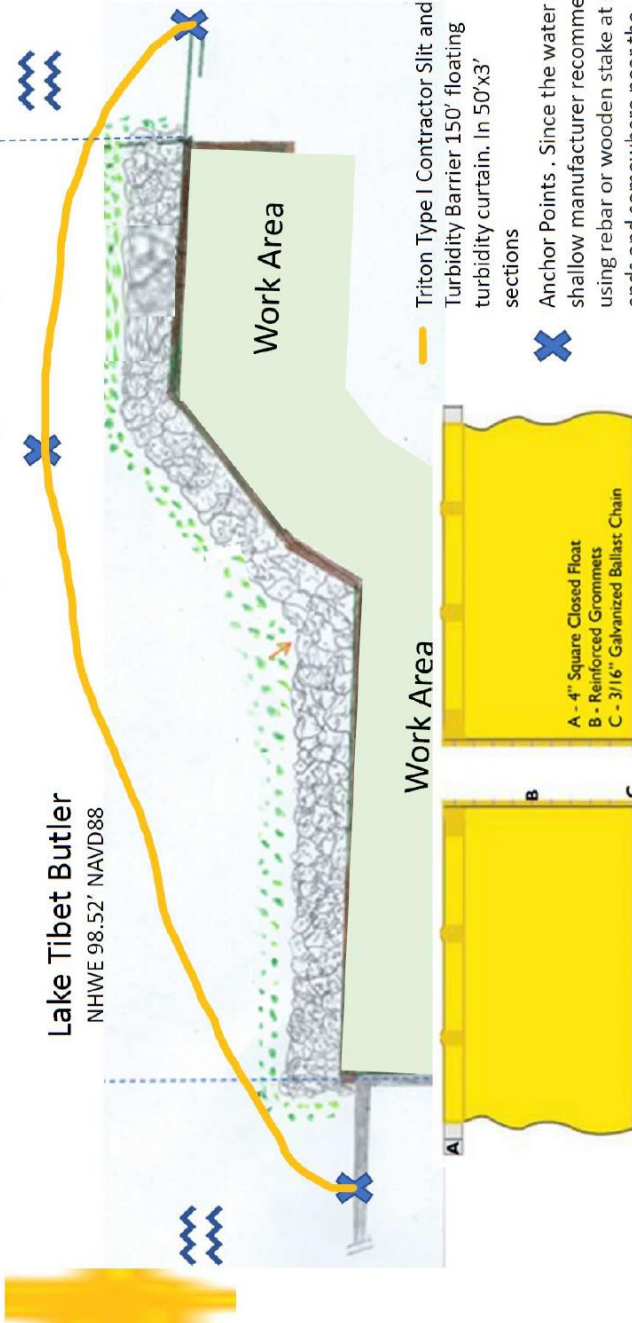
Federico and Danielle Hollander
 10017 Lone Tree Ln.
 Orlando, FL, 32836
 Application No.: SADF-23-01-00
 Date: March 10, 2023

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received
 3/17/2023

Sediment and Erosion Control Using a Floating Turbidity Curtain

Lake Tibet Butler
 NHWE 98.52' NAVD88



Triton Type I Contractor Slit and Turbidity Barrier Specifications

Length	150' in sections of 50'
Depth	3'
Fabric	13 oz. PVC
Flotation	Square Foam Filled Flotation (A)
Flotations Size	4"
Bottom Ballast Chain	3/16" Galvanized Chain (C)
Section Connectors	Grommets (B)
Color	Yellow

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Approved By The
 Orange County
 Environmental Protection Division
 Date: 10/9/2023
 Reviewer: N Salvatico
 SADF-23-01-000

Federico and Danielle Hollander
 10017 Lone Tree Ln.
 Orlando, FL 32836
 Application No.: SADF-23-01-00
 Date: Feb 07, 2023



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

SENT REGULAR, CERTIFIED MAIL AND EMAIL: 9489 0090 0027 6389 0083 81

March 3, 2025

Federico and Danielle Hollander
10017 Lone Tree Lane
Orlando, FL 32836

Email: federicoahollander@gmail.com

Subject: Notice of Intent to Recommend Denial of Permit Modification Application
Subject Site Address: 10017 Lone Tree Lane
Parcel ID No.: 32-23-28-1874-00-090
Application No.: SADF-23-01-000-MOD
Lake Tibet-Butler; Orange County Commission District: 1

Dear Mr. and Mrs. Hollander:

Environmental Protection Division (EPD) staff has reviewed the application for modification of Shoreline Alteration/Dredge and Fill (SADF) permit SADF-23-01-000 for the subject property consistent with Chapter 33, Article IV, Orange County Code. Based on a review of the application and supplemental information provided, EPD cannot support this project pursuant to policy (EPD Work Instruction No. EPD-WI-2000-25) as discussed below. The Work Instruction was developed based on direction received from the Board of County Commissioners following a 2008 meeting that included a discussion of seawalls and shoreline hardening.

1. Per EPD Work Instruction No. EPD-WI-2000-25 (see attached), an application to repair or replace an existing seawall must include the placement of riprap waterward of the replacement wall. The Work Instruction also allows for circumstances where riprap may not be required, such as if the placement of riprap would harm existing vegetation or cause a navigational concern.

Staff analysis: During the review of the original application to construct the replacement seawall (Application No. SADF-23-01-000, received on January 11, 2023), EPD Staff reviewed the application, site plans, and subject shoreline and determined that placement of riprap would neither harm existing vegetation nor cause a navigational issue. Therefore, in the Request for Additional Information (RAI) dated January 31, 2023, EPD stated that riprap was required to be included in the proposed project. The application was determined to be complete on July 31, 2023, was presented to and approved by the Board of County Commissioners (Board) at a public hearing on September 26, 2023, and the final SADF Permit (#SADF-23-01-000) issued on October 18, 2023. The site plans included in the presentation to the Board and stamped as approved in the final permit included the installation of riprap.

Serving our community by conserving, protecting, and enhancing the environment for current and future generations.

Page 2 of 5

Notice of Intent to Recommend Denial of Permit Modification Application

Subject Site Address: 10017 Lone Tree Lane

Parcel ID No.: 32-23-28-1874-00-090

Application No.: SADF-23-01-000-MOD

EPD Staff has reviewed the after-the-fact application you submitted to modify permit SADF-23-01-000 (filed as #SADF-23-01-000-MOD, received on November 5, 2024) to remove the requirement to install riprap, and has reached the same conclusions that were determined during the original permit review; that the placement of riprap would not harm existing vegetation or cause a navigational hazard. On November 27, 2024, EPD issued a RAI letter that again stated the requirement to install riprap and included the full Work Instruction No. EPD-WI-2000-25 document. EPD received a response on January 23, 2025, however, sufficient information as to why riprap cannot be installed (either due to existing vegetation or navigational concerns) has not been provided.

For the above reason, EPD cannot support the subject permit modification application. Therefore, you can choose to either withdraw the SADF Permit modification application (without refund of the application fee) or move forward with a public hearing before the 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.

If you should have any questions concerning this review, please contact me at Nicole.Salvatico@ocfl.net.

Sincerely,



Nicole Salvatico
Senior Environmental Specialist

NS/KAK/TMH/ERJ/gfdjr:

Attachment: EPD-WI-2000-25: Permitting of Vertical Seawalls

c: Florida Department of Environmental Protection, DEP_CD@dep.state.fl.us

Notice of Intent to Recommend Denial of Permit Modification Application

Subject Site Address: 10017 Lone Tree Lane

Parcel ID No.: 32-23-28-1874-00-090

Application No.: SADF-23-01-000-MOD

ORANGE COUNTY ENVIRONMENTAL PROTECTION DIVISION
WORK INSTRUCTION

Title: Permitting of Vertical Seawalls
Number: EPD-WI-2000-25

Effective Date: 06/22/2022 Revision Number: 6
Renewal Date: 06/22/2025 Revision Date: 06/22/2022
Approved By: Elizabeth R. Johnson, Assistant Manager

Purpose: The purpose of this Work Instruction is to provide guidance when reviewing a Shoreline Alteration/Dredge and Fill permit application to construct a vertical seawall received by the Environmental Protection Division (EPD).

I. Background

The installation of vertical seawalls falls under the regulation of Chapter 15, Article VI “Pumping and Dredging Control” and Chapters 33-37 and Chapters 33-129 “Dredging and pumping, filling and construction, creating of obstructions; permits, regulations.”

II. Procedures

A permit under Chapter 15, Article VI, Chapter 33-37, or Chapter 33-129 is required for:

Applications that propose construction of a NEW, stand-alone seawall

First, the applicant must demonstrate that there is significant erosion and that measures must be taken to stabilize the shoreline. Additionally, a letter from a registered professional engineer shall be required stating that a vertical seawall is the **only** practicable method available to stabilize the shoreline. Notwithstanding the foregoing, EPD will not require a letter from an engineer for after-the-fact applications and projects on canals; however, the applicant must still demonstrate that there is/was significant erosion and that a seawall is/was the best method for stabilization. The seawall must have returns on each end if it is not connecting to an adjoining seawall. The purpose of a return is to minimize erosion to the adjacent properties.

The placement of rip-rap is generally required for all new seawalls, unless the placement of the rip-rap will cause damage to existing vegetation (e.g., cypress knees) or the proposed wall is located on a canal where the rip-rap may cause navigational concerns. In addition, planting of native aquatic plants in front of the wall is also generally required, unless there is already an abundant amount of lakeshore vegetation that will remain post construction, or the proposed wall is on a canal and may cause navigational concerns.

Rip-rap:

1. shall consist of natural stone or clean concrete rubble;
2. shall be twelve (12) inches to three (3) feet in diameter in average dimensions;

EPD-WI-2000-25	Effective Date: 06/22/2022
The only official copy of this document is on the EPD intranet.	Page 1 of 3

Notice of Intent to Recommend Denial of Permit Modification Application

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Parcel ID No.: 32-23-28-1874-00-090

Application No.: SADF-23-01-000-MOD

ORANGE COUNTY ENVIRONMENTAL PROTECTION DIVISION
WORK INSTRUCTION

3. shall be no steeper than a 2:1 slope;
4. shall cover at least 50 percent of the vertical face of the seawall;
5. shall be placed along the entire length of the seawall; and,
6. shall be installed with turbidity curtains securely in place and maintained until all suspended sediment has settled and turbidity matches background conditions.

Applications that propose construction of a new seawall connecting one or more existing seawall(s) on adjacent properties

The applicant must demonstrate that there is significant erosion on the site; however, a letter from a professional engineer is not required. The placement of rip-rap is generally required, unless the placement of the rip-rap will cause damage to existing vegetation (e.g., cypress knees) or the proposed wall is located on a canal where the rip-rap may cause navigational concerns. In addition, planting of native aquatic plants waterward of the wall is also generally required unless there is already an abundant amount of lakeshore vegetation that will remain post construction, or the proposed wall is on a canal and may cause navigational concerns. The seawall must have returns on each end if it is not connecting to an adjoining seawall. The purpose of a return is to minimize erosion to the adjacent properties.

Existing seawalls that require repair or reconstruction also require a permit

The placement of rip-rap waterward of the replacement wall is required, unless the placement of the rip-rap will cause damage to existing vegetation (e.g., cypress knees) or the proposed wall is located on a canal where the rip-rap may cause navigational concerns. In addition, planting of native aquatic plants waterward of the wall is also generally required unless there is already an abundant amount of lakeshore vegetation that will remain post construction, or the proposed wall is on a canal and may cause navigational concerns.

Per direction of County Senior Administration Staff on September 13, 2018, applicants cannot provide mitigation in lieu of providing rip-rap and plantings, notwithstanding the exceptions above.

III. Scope

This Work Instruction will be effective within Orange County and within the Lake Conway and Windermere Water and Navigation Control Districts as required by Orange County Code Chapters 15 and 33. This guideline is not effective within Eatonville, Maitland, Ocoee, Orlando, the Reedy Creek Improvement District, Winter Garden and Winter Park.

Related Documents:

EPD-WI-2000-26: Definition of a Vertical Seawall and Retaining Wall

EPD-WI-2000-25	Effective Date: 06/22/2022
The only official copy of this document is on the EPD intranet.	Page 2 of 3

Notice of Intent to Recommend Denial of Permit Modification Application

Subject Site Address: 10017 Lone Tree Lane

Parcel ID No.: 32-23-28-1874-00-090

Application No.: SADF-23-01-000-MOD

ORANGE COUNTY ENVIRONMENTAL PROTECTION DIVISION
WORK INSTRUCTION

History of Revisions:

Revision No.	Revision Date	Summary of Revision(s)
0	06/04/2010	Original DOG
1	03/16/2015	Converted from DOG to WI
2	01/19/2017	Updated and renewed
3	02/12/2019	Updated and renewed
4	02/20/2020	Updated and renewed
5	03/16/2020	Updated and renewed
6	06/22/2022	Updated and renewed (removed Apopka, Edgewood, & Oakland from exempt list in Section III)