



## Interoffice Memorandum

March 18, 2020

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

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

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

SUBJECT: April 21, 2020 – Public Hearing  
Shoreline Alteration/Dredge and Fill Permit Application for  
John and Rebecca Madonna (SADF-20-02-003)

John and Rebecca Madonna are requesting a Shoreline Alteration/Dredge and Fill Permit (SADF) to construct a new seawall with riprap and plantings along the shoreline of the property located at 3324 Carla Street, Orlando, FL 32806, adjacent to Lake Conway. The parcel identification number for this site is 08-23-30-7112-04-090. The subject property is located in District 3.

The shoreline is experiencing erosion; therefore, the homeowners are proposing to construct a new 110-foot vinyl seawall along the entire length of their shoreline at the Normal High Water Elevation of Lake Conway. The wall will have 10-foot returns at each end. Riprap and plantings will be installed waterward of the new seawall. There are no existing seawalls on the adjacent properties, but there are numerous other seawalls on Lake Conway. Environmental Protection Division (EPD) staff received a letter from a Professional Engineer stating the construction of a new vertical seawall is the only practical method to stabilize and prevent further erosion of the shoreline.

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.

Pursuant to Orange County Code, Chapter 33, Article II, EPD staff has evaluated the proposed SADF 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 appeal period following the date of issuance, unless an appeal has been filed within

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

2. Construction activities shall be completed in accordance with the engineered plans signed and sealed by Pavol Stankay, P.E. and received by the Environmental Protection Division (EPD) on February 23, 2020. 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, this permit shall be void and a new permit application with fee will be required.
3. Riprap and plantings shall be installed waterward of the new seawall in accordance with the plans signed and sealed by Pavol Stankay, P.E., received by EPD on February 23, 2020.
4. Riprap shall be installed at a two (horizontal) to one (vertical) slope and extend at least halfway up the face of the seawall. The riprap shall be a minimum of six inches in diameter.
5. 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. After one year, if 80 percent areal coverage of native, emergent or aquatic plant species is not established, additional replanting may be required.
7. This permit does not authorize any dredging or filling except that which is necessary for the installation of the seawall and riprap.
8. The permittees may maintain a clear access corridor below the Normal High Water Elevation (NHWE) of 85.85 feet (NAVD 88) above mean sea level for Lake Conway, not to exceed 30 feet in width, of sufficient length waterward from the shoreline, to allow access to open water. Any existing or future structures, such as a boat dock, must be located within this corridor.
9. Native vegetation may not be removed from the shoreline outside of the access corridor.
10. Any permit extensions for the activities authorized herein may be approved by way of Consent Agenda if there are no changes.

General Conditions:

11. 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 the approved drawings, plans, and other documents attached hereto or on file with EPD.
12. The permittees binds themselves and their 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

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be revoked immediately by the Environmental Protection Officer. Notice of the revocation shall be provided to the permit holder and/or agent promptly thereafter.

13. A copy of this permit, along with EPD stamped and approved drawings, should be taken to the Orange County Zoning Division (OCZD) at 201 South Rosalind Avenue for approval. For further information, please contact the OCZD at (407) 836-5525.
14. After approval by the OCZD, the certified site plans will need to be reviewed by the Orange County Building Safety Division (OCBSD) in order to obtain a building permit. For further information, please contact the OCBSD at (407) 836-5550.
15. Prior to construction, the permittees shall clearly designate the limits of construction on-site. The permittees shall advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
16. Construction plans shall be submitted to EPD prior to initiating any construction activities for review and approval. The construction plans shall include, but are not limited to, a site plan clearly depicting the location of the seawall.
17. 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.
18. 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 owner's riparian or other property rights, the permittees agree to either obtain written consent or remove the offending structure or encroachment within 60 days from the date of adjudication. Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation.
19. 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 rights, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittees, or convey any rights or privileges other than those specified in the permit and Chapter 33, Article II of the Orange County Code.
20. 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.

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21. The permittees are 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 of the Internal Improvement Trust Fund prior to commencing activity on sovereignty lands or other state-owned lands.
22. 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.
23. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
24. The permittees shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.
25. EPD staff shall have permission to enter the site at any reasonable time to inspect the project for conformity with the plans and specifications approved by the permit.
26. The permittees shall hold and save the County harmless from all damages, claims or liabilities, which may arise because of the activities authorized by the permit.
27. 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.
28. 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.
29. Turbidity and sediments shall be controlled to prevent violations of water quality pursuant to Rules 62-302.500, 62-302.530(70) and 62-4.242 Florida Administrative Code. Best Management Practices, as specified in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual, shall be installed and maintained at all locations where the possibility of transferring suspended solids into wetlands and/or surface waters may occur due to the permitted activity. If site specific conditions require additional measures, then the permittees shall implement them as necessary to prevent adverse impacts to wetlands and/or surface waters.
30. 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 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.

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

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**ACTION REQUESTED:**     **Acceptance of the findings and recommendation of the Environmental Protection Division staff and approval of Shoreline Alteration/Dredge and Fill Permit SADF-20-02-003 for John and Rebecca Madonna, subject to the conditions listed in the staff report. District 3**

DDJ/JW: mg

Attachments

# Shoreline Alteration/Dredge and Fill Permit Request



**Shoreline Alteration/Dredge and  
Fill Permit Request**  
**SADF-20-02-003**  
**District #3**

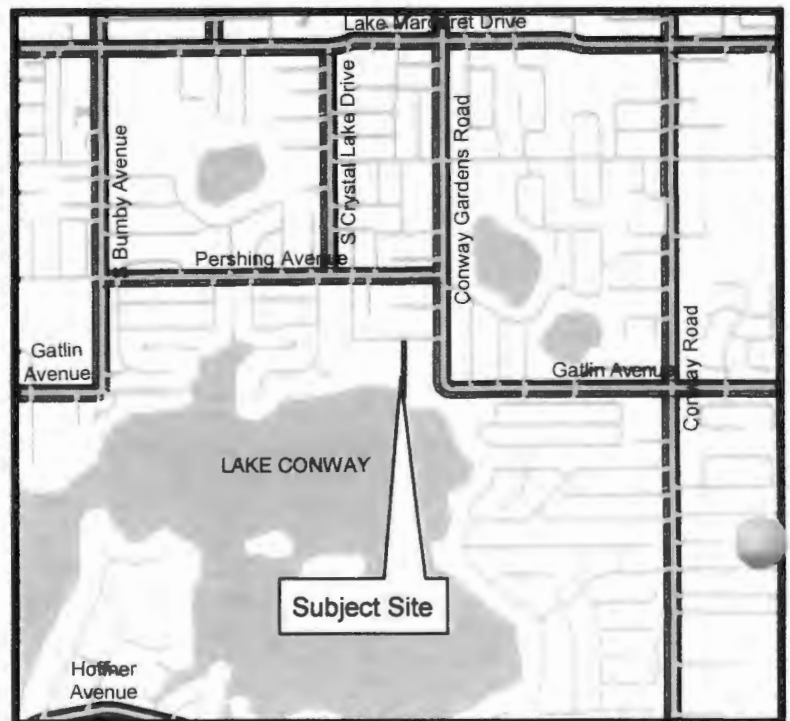
**Applicants:** John and Rebecca  
Madonna

**Address:** 3324 Carla Street

**Parcel ID:** 08-23-30-7112-04-090

**Project Site**

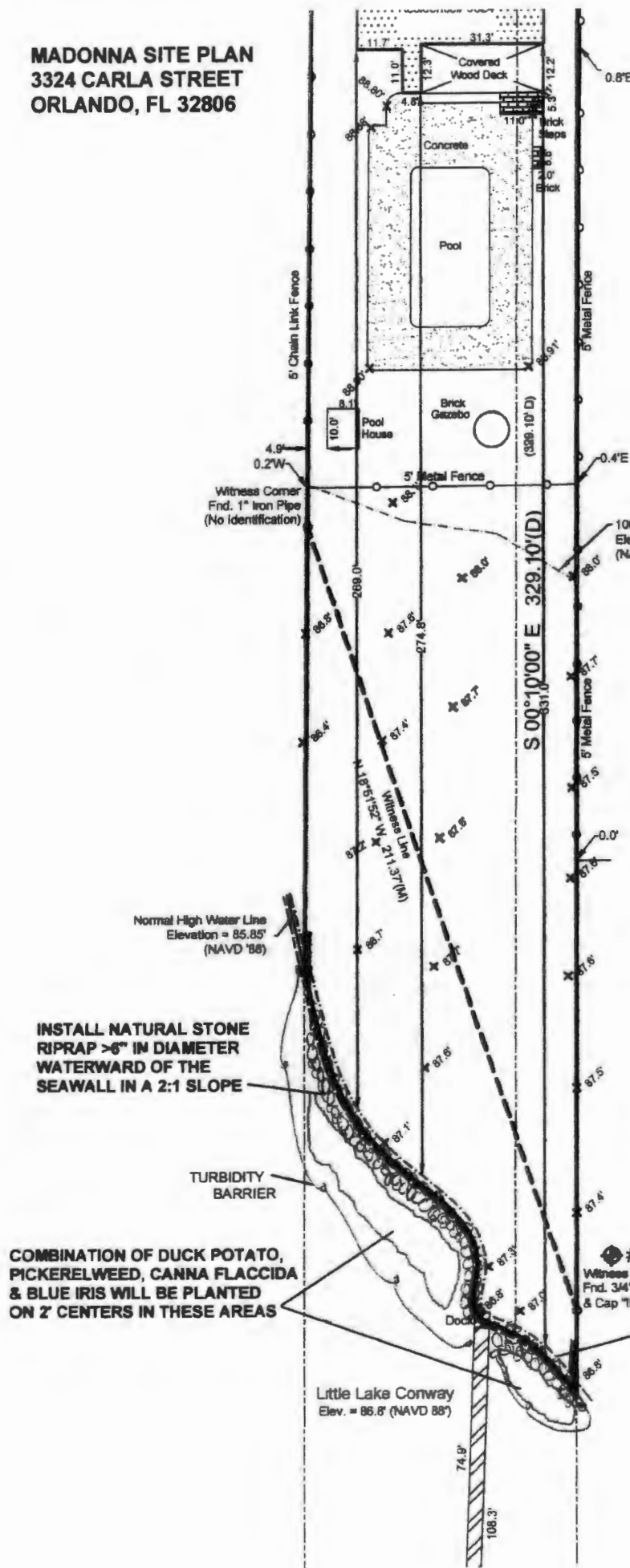
**Property Location**



**MADONNA SITE PLAN  
3324 CARLA STREET  
ORLANDO, FL 32806**



**RECEIVED**  
FEB 23 2020  
BY: *NS*



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

**INSTALL NATURAL STONE RIPRAP >6" IN DIAMETER WATERWARD OF THE SEAWALL IN A 2:1 SLOPE**

**TURBIDITY BARRIER**

**COMBINATION OF DUCK POTATO, PICKERELWEED, CANNA FLACCIDA & BLUE IRIS WILL BE PLANTED ON 2' CENTERS IN THESE AREAS**

Digitally signed by Pavol Stankay  
DN: c=US, o=IdenTrust ACES  
Unaffiliated Individual, cn=Pavol Stankay,  
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097C00000161F804505700000  
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Date: 2020.02.22 14:48:12 -05'00'

**CONSTRUCT 110' OF VINYL SEAWALL W/(2) 10' RETURNS @ THE NHWE**

Little Lake Conway  
Elev. = 86.8' (NAVD 88')

CAP - 4"X4" P.T. SIDE BRACING  
 W/ (1) 1/2" THRU BOLTS 2' O.C. & 1"X6"  
 OR 2"X6" CAP W/ (2) 3" SCREWS 1' O.C.



**2' HIGH X 110' LONG VINYL  
 SEAWALL W/ TREX CAP**

**Pavol Stankay, P.E.**

#29059  
 2227 Mercator Drive  
 Orlando, FL 32807  
 Pavol@SEGco.net  
 (407) 701-2145

RECEIVED  
 FEB 23 2020  
 NS



RIPRAP > 6" IN  
 DIAMETER INSTALLED  
 @ A 2:1 SLOPE

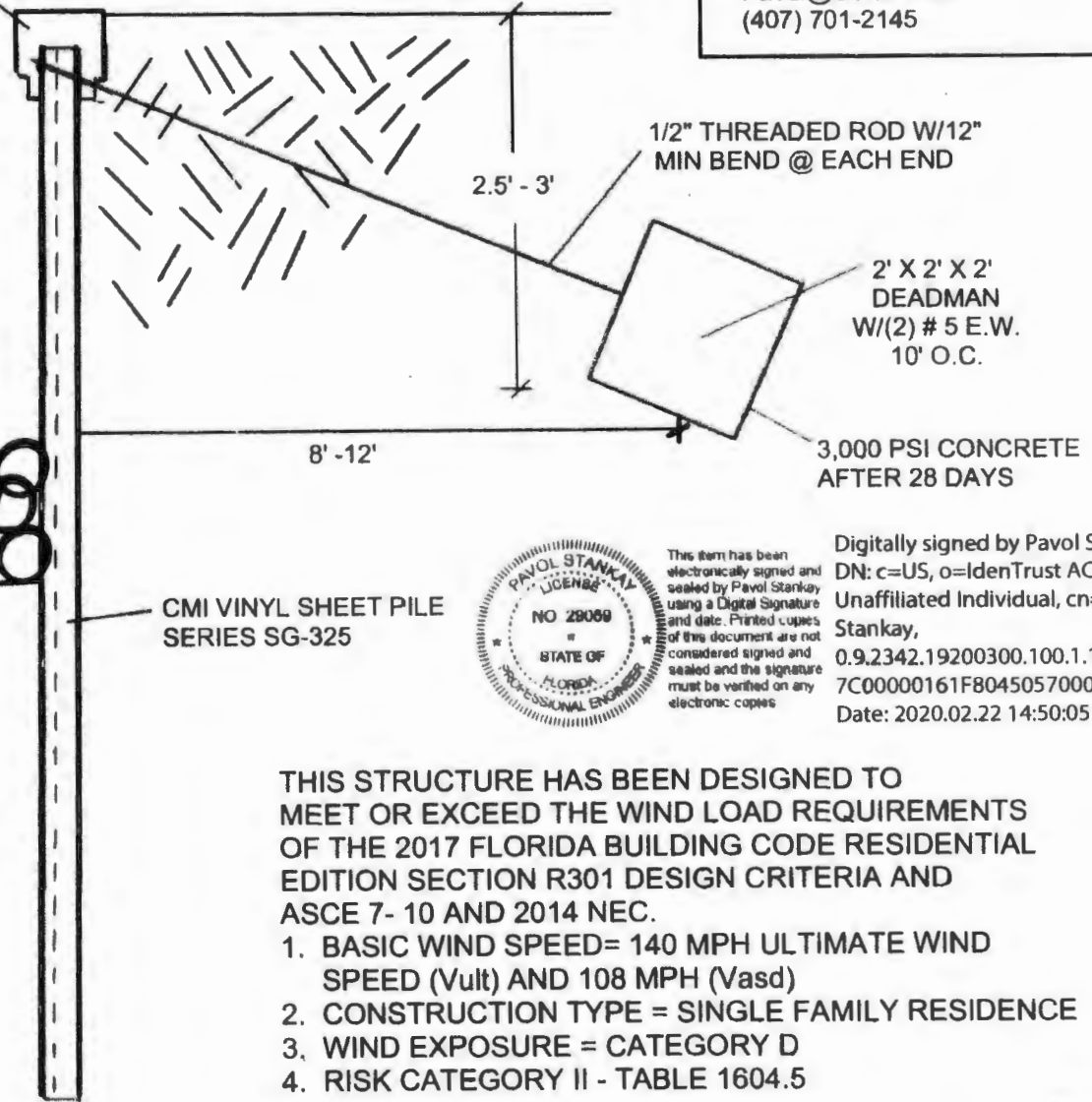
NHWE 85.85  
 (CURRENT ELEV.)

LAKE CONWAY

TURBIDITY  
 BARRIER

3' MIN IN  
 FIRM SOIL

MADONNA SEAWALL  
 CROSS SECTION  
 3324 CARLA STREET  
 ORLANDO, FL 32806



CMI VINYL SHEET PILE  
 SERIES SG-325



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

Digitally signed by Pavol Stankay  
 DN: c=US, o=IdenTrust ACES  
 Unaffiliated Individual, cn=Pavol  
 Stankay,  
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 7C00000161F804505700000D8E  
 Date: 2020.02.22 14:50:05 -05'00'

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

1. BASIC WIND SPEED= 140 MPH ULTIMATE WIND SPEED (Vult) AND 108 MPH (Vasd)
2. CONSTRUCTION TYPE = SINGLE FAMILY RESIDENCE
3. WIND EXPOSURE = CATEGORY D
4. RISK CATEGORY II - TABLE 1604.5





