

FRANKLIN COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING COURTHOUSE ANNEX, COMMISSION MEETING ROOM

AUGUST 11, 2020

6:30 PM

AGENDA

PLEASE NOTE: PLANNING AND ZONING COMMISSION MAKES RECOMMENDATIONS TO THE FRANKLIN COUNTY BOARD OF COMMISSIONERS REGARDING YOUR APPLICATION. ALL APPLICANT'S ARE NOTIFIED THAT IF YOUR APPLICATION IS DENIED, IT MAY NOT BE RESUBMITTED FOR ONE YEAR. ALSO, ANY PERSON WISHING TO APPEAL THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION OR THE DECISION OF THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONER BOARD ARE RESPONSIBLE TO ENSURE THAT A VERBATIM TRANSCRIPT OF THE PRCEEDINGS IS MADE.

Approval of the Minutes:

A- Until further notice, there are no scheduled Planning and Zoning meetings. All Planning & Zoning requests will be reviewed by staff and decisions made by the Board of County Commissioners. Normal deadlines apply. For deadline date and times please contact our office at 850-653-9783.

PLANNING & ZONING AGENDA ITEMS WILL BE PRESENTED ON TUESDAY, AUGUST 18, 2020 AT 10:00 AM EST.

To comply with CDC and Government social distancing requirements, the general public will not be allowed in the commission meeting room for this meeting; therefore this Board of County Commission regular meeting will be conducted via livestream and conference call. Those wanting to view the meeting can use the livestream link

(https://www.youtube.com/user/SGIBeachLife) or go to Forgotten Coast TV's You Tube Page. The livestream feed will promptly start 5 minutes before the meeting commences.

Those that are representing a Planning & Zoning project on the agenda should use the conference call system by dialing <u>1-844-844-0014</u> and when prompted enter <u>540166#</u> *by 9:50 a.m. (ET)*. Once the agenda items are completed, the conference call will be disconnected.

Any person who wishes to appeal a decision made by the Franklin County Board of County Commissioners, with respect to any matter considered at the meeting, must have a record of the proceedings. He or she may need to ensure that a verbatim record of the proceedings is made.

Building Report:

B- Mobile Homes: 3 (Carrabelle: 2 and Apalachicola: 1)

R-1 Dwellings: 6 (Carrabelle 1, Dog Island 1, Eastpoint 2, Lanark 1 and St. George Island 1)

Critical Shoreline Applications:

Consideration of a request to construct a Single Family Private Dock located at Lot 5 Bay Cove Village, 2031 Sand Dollar Trail, St. George Island, Franklin County, Florida. The dock will be 431' x 4' with a 10' x 20' boat lift and a 6' x 20' terminus. The applicant has both State and Federal Permits. Request submitted by Garlick Environmental Associates, agent for Steve Maxwell, applicant. (Proposed House)

Monthly Building Report



Date range: 6/30/2020 to 7/31/2020
Total Number of Permits: 81

Total Fees Collected: \$25068.14

Date	Permit	Property Owner	Development	Location	Street Address	Cost	Fee
06/30/2020	29666	Nora Pearce	Hvac	Lot 8 Block E Unit 3	1156 West Gorrie Drive	\$5,960.00	\$131.00
06/30/2020	29667	Colleen Collins	hvac	Lot 7 Block 20 Unit 5	122 Carl King Avenue	\$4,200.00	\$117.00
06/30/2020	29668	David and Kristine Daly	Remodel & Electrical Upgrade	UNIT 1 BL 26W LOT 2 672/319 1264/791	608 West Gorrie Drive	\$11,000.00	\$201.00
06/30/2020	29669	Ryan McClain	Single Wide > IH1100078665	Lot 8	326 Paradise Lane	\$0.00	\$125.00
06/30/2020	29670	Ryan McClain	Single Wide > IH1100078665	Lot 8	326 Paradise Lane	\$0.00	\$125.00
06/30/2020	29671	Bobby Hodgson	Electrical Upgrade	UNIT 5 BL 85 LOT 18	215 Brown Street	\$0.00	\$100.00
06/30/2020	29672	Ark Family Trust	Site Prep	Lot 9 Las Brisas	137 Las Brisas Way	\$1,000.00	\$100.00

06/30/2020	29673	Ark Family Trust	SITE PREP	B-	ot 8 Las Brisas	133 Las Brisas Way	\$1,000.00	\$100.00
07/01/2020	29674	Karen Brown	Electrical Upgrade	l	metes & bounds	139 Pogy Road	\$1,800.00	\$100.00
07/01/2020	29675	Waken CO	Electrical Upgrade	l	Jnit 3 Block E Lot 9	1164 West Gorrie Drive	\$1,000.00	\$100.00
07/01/2020	29676	John and Nancy Barnwell	Pole Barn	Ī	MAGNOLIA RIDGE PHASE I PB 7/26 BLOCK B LOTS 17 & 18	144 Shadow Bay Drive	\$2,785.41	\$111.25
07/01/2020	29677	Shannon Kenstegina	R1 Dwelling	I	∟ot 1 Block 36 Unit 4	600 East Pine Avenue	\$300,000.00	\$1,699.18
07/02/2020	29678	David and Kathryn Strunk	New Construction		GRAMERCY PLANTATION PHASE II LOT 72 PB 8/42	273 Gramercy Plantation Blvd	\$396,000.00	\$2,588.7
07/02/2020	29679	ISLAND DOG TOO, LLC	STAIR & PLATFORM REPLACEMENT	I	_OT 31-32, BLK 5E, UNIT 1	156 EAST PINE AVENUE	\$10,000.00	\$280.5
07/02/2020	29680	Chris Christie	Hvac	I	∟ot 2 Unit D	1804 East Gulf Beach Drive Unit D2	\$5,480.00	\$131.0
07/02/2020	29681	Sharon Adams	Re-roof		JNIT 5 BL R LOT 2 PENN POINT	1547 Alligator Drive	\$33,265.00	\$484.3
07/02/2020	29682	Steve Cutchen	New Construction	l	Lot 49 Block A Lanark Beach	2227 Kentucky Ave	\$0.00	\$912.1
07/06/2020	29683	GINA DICKENS	ELECTRICAL UPGRADE		LOT 50 TURTLE BEACH VILLAGE	1720 MAGNOLIA ROAD	\$0.00	\$100.0
07/06/2020	29684	BRENDA J SANBORN	ZONE 3 EXPOSURE D MOBILE HOME		LOT 18 LIGHTHOUSE RIDGE UNIT 2	2052 LIGHTHOUSE ROAD	\$0.00	\$125.0

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07/06/2020	29685	Nola Beehler & Eiji Nishiji Ricky Gaff	HVAC CHANGE OUT	B- HE BACK 1/2 LOTS 27 & 28 LIGHTHOUSE UNIT 1 236/187 237/207 245/43-47 309/347 405/140 1023/612 1260/47	1944 Cape Street	\$3,814.00	\$103.00
07/08/2020	29686	GEORGE MAHR	ELECTRICAL UPGRADE	NA	724 CAMP ROAD	\$0.00	\$100.00
07/08/2020	29687	Margaret Trammell	HVAC Change out	UNIT 3 REVISED LOT 28 LYING NORTH & SOUTH OF HARRY MORRISONS ISLAND ROAD ALLIGATOR HARBOUR	21 Harry Morrison Road	\$5,565.00	\$131.00
07/08/2020	29688	Katrina Barron	HVAC Changeout	UNIT 3 BLOCK G LOT 12	881 West Gorrie Drive	\$5,960.00	\$131.00
07/08/2020	29689	Barbara Graves	Reroof	LOT 5 BL N UN RECD PL	3976 St Teresa Ave	\$9,900.00	\$187.00
07/08/2020	29690	JAMEY & BEVERLY SAPP	R-1 DWELLING	N/A	2528 HIGHWAY 67	\$0.00	\$1,847.44
07/08/2020	29691	Paul Cromp	Carport and Storage room	LOT 42 LIGHTHSE RIDGE ESTATES UNIT 1 UNREC SUB	142 Beacon Street	\$5,000.00	\$146.25
07/09/2020	29692	Robert Chrysler	R1 Dwelling	Lot 9 Las Brisas	137 Las Brisas Way	\$162,964.89	\$1,665.47
07/09/2020	29693	CHARLES BENTON	SITE PREP	LOT 14 VILLAGE GREEN BY THE SEA	2523 OAK STREET	\$0.00	\$100.00
07/09/2020	29694	Patrick Keith	408 sq. ft. portable shed	Lots 26-28 Block N Unit 1	127 Georgia Street	\$9,600.00	\$233.75
07/09/2020	29695	CLAUDE C NARDY	R-1 DWELLING	LOT 22 BLK 7 DOG ISLAND UNIT 2	372 LUBBERS LANE	\$0.00	\$1,860.92
07/09/2020	29699	William Snyder	Electrical Upgrade	LOT 453 BL 84 IN OLD PL LANARK BY THE SEA	2332 Enabob Street	\$0.00	\$100.00

07/09/2020	29700	John Blanchard	Electrical Upgrade	³⁻ ot 56	1432 Elm Court	\$1,000.00	\$100.00
07/09/2020	29701	John Johnson	Electrical Upgrade	Lot 3 Block C	135 North Bayshore Drive	\$1,000.00	\$100.00
07/09/2020	29702	Dacia RV Adventires Fund	Electrical Upgrade	LANARK BEACH UNIT 1 BLOCK Z LOTS 1,2,3,4,5,6,7,8,9,10,11, AND 12	2132 Highway 98 East	\$0.00	\$100.00
07/09/2020	29703	Dacia RV Adventires Fund	Electrical Upgrade	LANARK BEACH UNIT 1 BLOCK Z LOTS 1,2,3,4,5,6,7,8,9,10,11, AND 12	2132 Highway 98 East	\$0.00	\$100.00
07/10/2020	29704	Barbara Graves	HVAC CHangeout	LOT 5 BL N UN RECD PL	3976 St Teresa Ave	\$9,500.00	\$187.00
07/10/2020	29705	Tally Mark Jr and Carol Wisenbaker	Roof Over	UNIT 1 LOT 3	35 Carousel Ter	\$13,125.00	\$243.00
07/10/2020	29706	Lee Brown	HVAC	Lots 163&164 Block 12 Unit 1	9 Lakeview Drive	\$4,700.00	\$117.00
07/10/2020	29707	SHARON Y POWELL	Add 232 sq ft screen porch and 164 sq ft deck with stairs and new metal roof	UNIT 5 BL 64 LOT 4	720 BUCK STREET	\$80,000.00	\$1,072.28
07/13/2020	29708	MARY PEARCE	METAL ROOF OVER FL PRODUCT #4595.18	LOT 27 BLK H LANARK BEACH UNIT 1	131 CALIFORNIA STREET	\$5,800.00	\$131.00
07/13/2020	29709	MARK PARSELY	ELECTRICAL UPGRADE	NA	60 HATHCOCK ROAD	\$0.00	\$100.00
07/13/2020	20710	Robert and	Siding Replacement	UNIT 2 BL H LOT 19	825 East	\$1,550.00	\$100.00

07/13/2020	29711	Ed Maywald	Replace 5 damaged pilings	HREE HUNDRED OCEAN MILE PHASE II BLDG J-13	1804 East Gulf Beach Drive unit J13	\$9,000.00	\$173.00
07/14/2020	29712	FRANKLIN COUNTY SCHOOL BOARD	WELDING CLASSROOM	NA	1250 HIGHWAY 98	\$0.00	\$0.00
07/15/2020	29713	DAVID POOLE	RENOVATION: PLUMBING, ROOFING, HVAC, ELECTRICAL, SHEETROCK, DOORS, WINDOWS	LOT 5 BLK 13E UNIT 1 ST GEORGE ISLAND GULF BEACHES	333 EAST GULF BEACH DRIVE	\$0.00	\$0.00
07/15/2020	29714	Gale Bouington	Electrical Upgrade	18 AC IN SW 1/4	130 Bouington Blvd	\$200.00	\$100.00
07/15/2020	29715	SKIMMERS 98 LLC	METAL ROOF OVER	NA	518 US HIGHWAY 98	\$6,875.00	\$145.00
07/16/2020	29716	James and Pamela Lycett	Window Replacement	UNIT 1 BL 10 LOT 3A LANARK VILLAGE	44C-1 Carlton Street	\$4,300.00	\$117.00
07/16/2020	29717	Michael and Connie Roehr	Window Replacement	LOT 4 OF TRACT 5 ST GEO IS A.K.A. LOT 4 BRIGHT WATER UNRECORDED BEING 1.10 AC	1204 East Gulf Beach Drive	\$7,365.00	\$159.00
07/16/2020	29718	Marais Leon	Window Replacement	THREE HUNDRED OCEAN MILE PHASE II BLDG L-2	1804 L-2 East Gulf Beach Drive	\$8,600.00	\$173.00
07/16/2020	29719	Gregg and Ladonna Brown	Window Replacement	ALLIGATOR HARBOR UNIT 1 BLOCK C LOT 7	15 George Vause Road	\$16,000.00	\$271.00
07/17/2020	29720	Mark Parsley	Solar Panels	A PARCEL IN SEC 10 9S 8W BEING 1.00 ACRESM/L 829/628 1077/227 1082/604 1168/508 1173/259	60 Hathcock Road	\$26,416.00	\$520.50

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07/20/2020	29721	JOHN AND DIANE BELL	METAL RE-ROOF	B- OT 18 BRE INC	1449 DONAX PLACE	\$0.00	\$100.00
07/20/2020	29722	DARRELL SMITH	ROOF OVER	LOT 1	1365 EAST GULF BEACH DRIVE	\$0.00	\$215.00
07/20/2020	29723	JAMES AND LORI PETITT	WINDOW REPLACEMENT/DOOR/REPLACE SIDING	LOT 10 BLK 37 UNIT 4	725 EAST PINE AVENUE	\$0.00	\$646.08
07/20/2020	29724	WATER STREET SEAFOOD	8' x 8' SCREENED ENCLOSURE	NA	564 HIGHWAY 98 WEST	\$3,795.00	\$154.50
07/20/2020	29725	JAMES REEVES	HVAC CHANGEOUT	NA	1516 WEST HIGHWAY 98	\$6,272.50	\$145.00
07/20/2020	29726	GEORGE HACKNEY	HVAC CHANGEOUT	LOT 2 BRE INC	1444 BAYFRONT DRIVE	\$6,900.00	\$145.00
07/20/2020	29727	Coastline RV	Electrical Upgrade	3.23 Acres in NE 1/4	889 US Hwy 98 (Meter # 3388370)	\$500.00	\$100.00
07/20/2020	29728	JOHN BUENTING	REPLACE SIDING, IMPACT WINDOWS, DOORS, ROOF & ADD 2ND LEVEL DECK	SEA PINE VILLAGE	1360 ACACIA DRIVE	\$0.00	\$1,697.18
07/21/2020	29729	MICHAEL SHAWN LANGLEY	MOBILE HOME	LOT 84 TARPON SHORES UNIT 3	709 WILDERNESS ROAD	\$0.00	\$250.00
07/21/2020	29730	ED & SANDRA CARMAN	ELECTRICAL UPGRADE	LOT 4 DRIFTWOOD POINT	2412 DRIFTWOOD POINT ROAD	\$0.00	\$100.00
07/22/2020	29731	Teresa Boyd	Site Prep	Lot 90 Summer camp	305 Pine Grove Way	\$1,000.00	\$100.00
07/23/2020	29732	John Waitcus	Building stairs to the deck	Lots 2&3 Block G City Of St George	2714 Highway 98 West	\$6,500.00	\$185.97

APPROX. 100.00 AC Odom Road								
MILE PHASE I BLDG L-10 East Gulf Beach BLVD	07/23/2020	29733	Bobby Sapp	Power Pole		• •	\$0.00	\$100.00
Gorrie Drive 07/24/2020 29736 Defiant Properties LLC Electrical Upgrade Properties LLC BL A LOTS 1-2 COCHRANS BEACH 4200 St Teresa Ave \$0.00 \$1 07/27/2020 29737 300 Ocean Mile Building F1 Electrical Upgrade Mile PhASE I BLDG F LOT 1 1760 East Gulf Beach Drive \$0.00 \$1 07/27/2020 29738 Garrett Creamer Pole Barn 1 AC M/L IN SEC 28-08S-06W 910 CC Land Road \$0.00 \$2 07/27/2020 29739 Hugh Hartsfield Electrical Upgrade Point Lot 7 Block I Unit 2 Penn Point 1467 Alligator Drive \$1,000.00 \$1 07/27/2020 29740 Courtney Chasen Power Pole East 2/3 of lot 81 block c St. James Island Park 3142 Highway 98 East \$0.00 \$2 07/28/2020 29741 Jacquelyn Gillis Screen Porch 240 sq. ft. Lot 9 Block 13 Unit 2 55-8 Parker Avenue \$8,350.00 \$2 07/28/2020 29742 Christopher Creamer Portable Building LAKES ON THE BLUFF LOT 192 Lakes on the Bluff Drive \$5,495.00 \$1 07/29/2020 29743 Barrett Pea	07/24/2020	29734	Ronald Rice	HVAC CHANGEOUT		East Gulf	\$5,749.00	\$131.00
Properties Pro	07/24/2020	29735	David Goslin	HVAC	Lot 8 Block 20W Unit 1		\$5,600.00	\$131.00
Mille Building F1 Mille PHASE I BLDG F LOT Interpretation Beach Drive Mille PHASE I BLDG F LOT Interpretation Beach Drive Action of Miller Phase I BLDG F LOT Interpretation Beach Drive Action of Miller Phase I BLDG F LOT Interpretation Beach Drive Action of Miller Phase I BLDG F LOT Interpretation Beach Drive Action of Miller Phase I BLDG F LOT Interpretation Action of Miller Phase I BLDG F LOT Interpretation Action of Miller Phase I BLDG F LOT Interpretation Action of Miller Phase I BLDG F LOT Interpretation Action of Miller Phase I BLDG F LOT Interpretation Action of Miller Phase I BLDG F LOT Interpretation Action of Miller Phase I BLDG F LOT Interpretation Action of Miller Phase I BLDG F LOT Interpretation Action of Miller Phase I BLDG F LOT Interpretation Action of Miller Phase I BLDG F LOT Interpretation Action of Miller Phase I BLDG I Interpretation Action of Miller Phase Interpretation Action of Miller Phase Interpretation Acti	07/24/2020	29736	Properties	Electrical Upgrade			\$0.00	\$100.00
Offeramer O6W Road 07/27/2020 29739 Hugh Hartsfield Electrical Upgrade Lot 7 Block I Unit 2 Penn Point 1467 Alligator Drive \$1,000.00 \$1 07/27/2020 29740 Courtney Chasen Power Pole Pole Device East 2/3 of lot 81 block c St. James Island Park 3142 Highway 98 East \$0.00 \$1 07/28/2020 29741 Jacquelyn Gillis Screen Porch 240 sq. ft. Lot 9 Block 13 Unit 2 55-8 Parker Avenue \$8,350.00 \$2 07/28/2020 29742 Christopher Creamer Portable Building LAKES ON THE BLUFF LOT Portable Building 192 Lakes on the Bluff Drive \$5,495.00 \$1 07/29/2020 29743 Barrett Pearce Re Roof UNIT 1 BLOCK 17W LOT 6 441 West Gorrie Drive \$14,000.00 \$2 07/29/2020 29744 Marsha Reid ReRoof Lot 4 Block 54 Unit 5 435 McCloud Street \$29,000.00 \$6 07/30/2020 29745 Ed and Sandy Replacement of bad siding and wood Lot 4 driftwood point 2412 Driftwood \$20,000.00 \$6	07/27/2020	29737	Mile Building	Electrical Upgrade	MILE PHASE I BLDG F LOT		\$0.00	\$100.00
Hartsfield	07/27/2020	29738		Pole Barn			\$0.00	\$216.25
O7/28/2020 29741 Jacquelyn Gillis Screen Porch 240 sq. ft. Lot 9 Block 13 Unit 2 55-8 Parker Avenue \$8,350.00 \$2 07/28/2020 29742 Christopher Creamer Portable Building LAKES ON THE BLUFF LOT 20 PB 8/34 192 Lakes on the Bluff Drive \$5,495.00 \$1 07/29/2020 29743 Barrett Pearce Re Roof UNIT 1 BLOCK 17W LOT 6 Gorrie Drive 441 West Gorrie Drive \$14,000.00 \$2 07/29/2020 29744 Marsha Reid ReRoof Lot 4 Block 54 Unit 5 435 McCloud Street \$29,000.00 \$4 07/30/2020 29745 Ed and Sandy Replacement of bad siding and wood lot 4 driftwood point 2412 S20,000.00 \$20,000.00 \$6	07/27/2020	29739	•	Electrical Upgrade		•	\$1,000.00	\$100.00
Gillis Avenue 07/28/2020 29742 Christopher Creamer Portable Building LAKES ON THE BLUFF LOT 20 PB 8/34 192 Lakes on the Bluff Drive \$5,495.00 \$1 07/29/2020 29743 Barrett Pearce Re Roof UNIT 1 BLOCK 17W LOT 6 Gorrie Drive 441 West Gorrie Drive \$14,000.00 \$2 07/29/2020 29744 Marsha Reid ReRoof Lot 4 Block 54 Unit 5 435 McCloud Street \$29,000.00 \$4 07/30/2020 29745 Ed and Sandy Replacement of bad siding and Wood lot 4 driftwood point 2412 Driftwood \$20,000.00 \$6	07/27/2020	29740	•	Power Pole			\$0.00	\$100.00
O7/29/2020 29743 Barrett Pearce Re Roof UNIT 1 BLOCK 17W LOT 6 Gorrie Drive 441 West Gorrie Drive \$14,000.00 \$2 07/29/2020 29744 Marsha Reid ReRoof Lot 4 Block 54 Unit 5 Street 435 McCloud Street \$29,000.00 \$4 07/30/2020 29745 Ed and Sandy Replacement of bad siding and wood lot 4 driftwood point 2412 Driftwood \$20,000.00 \$6	07/28/2020	29741	• •	Screen Porch 240 sq. ft.	Lot 9 Block 13 Unit 2		\$8,350.00	\$221.65
Pearce Gorrie Drive 07/29/2020 29744 Marsha Reid ReRoof Lot 4 Block 54 Unit 5 435 McCloud Street \$29,000.00 \$4 07/30/2020 29745 Ed and Sandy Replacement of bad siding and wood lot 4 driftwood point 2412 Driftwood \$20,000.00 \$6	07/28/2020	29742	·	Portable Building			\$5,495.00	\$131.00
07/30/2020 29745 Ed and Replacement of bad siding and lot 4 driftwood point 2412 \$20,000.00 \$60 Sandy wood Driftwood	07/29/2020	29743		Re Roof	UNIT 1 BLOCK 17W LOT 6		\$14,000.00	\$243.00
Sandy wood Driftwood	07/29/2020	29744	Marsha Reid	ReRoof	Lot 4 Block 54 Unit 5		\$29,000.00	\$435.80
Carman Point Lane	07/30/2020	29745		•	lot 4 driftwood point		\$20,000.00	\$654.00

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07/30/2020	29746	Loretta L Chisholm	Mobile Home	EACON RIDGE PHASE II LOT 26 CONTAINING 1.00 M/L PB 6/37	1949 Cape Street	\$0.00	\$0.00
07/31/2020	29747	R.E. Bass	Electrical Upgrade	Lot 14 Rio Vista	253 Rio Vista Drive	\$1,500.00	\$100.00
07/31/2020	29748	John Sullivan	Vinyl Siding	Lot 11	1446 Donax	\$1,900.00	\$75.00
07/31/2020	29749	RFT Asset Management	Roof, windows, siding, & door	Lot 17	1583 Alligator Drive	\$6,500.00	\$145.00



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FLORIDA DEP c IMENT OF Environmental Protection

Northwest District 160 W. Government Street, Suite 308 Pensacola, FL 32502 Ron DeSantis Governor

Jeanette Nuñez Lt. Governor

Noah Valenstein Secretary

Permittee/Authorized Entity:

MJM Real Estate Investments LLC c/o Steve Maxwell 4427 Sheppard Place Nashville, Tennessee 37205, Franklin County smaxwell@mjmrellc.com

Maxwell Dock

Authorized Agent:

Dan Garlick
P.O. box 385
Apalachicola, Florida 32329
dan@garlickenv.com

Environmental Resource Permit State-owned Submerged Lands Authorization – Granted

U.S. Army Corps of Engineers Authorization – Separate Corps Authorization Required

Franklin County
Permit No.: 0375155-002-EI/19

Permit Issuance Date: November 1, 2019 Permit Construction Phase Expiration Date: November 1, 2024

Consolidated Environmental Resource Permit and Sovereignty Submerged Lands Authorization

Permittee/Grantee: MJM Real Estate Investments LLC Permit No: 0375155-002-EI/19

PROJECT LOCATION

The activities authorized by this permit and sovereignty submerged lands authorization are located at 2031 Sand Dollar Trail, Saint George Island, Florida 32320, Parcel ID 29-09S-06W-7338-0000-0050, in Section 09, Township 10 South, Range 07 West in Franklin County, at 29°37′32.48″ North Latitude, 84°56′36.32″ West Longitude.

PROJECT DESCRIPTION

The permittee is authorized to install a single-family dock that consists of a 431 foot by 4 foot access pier and an 8 foot by 20 foot terminal platform. The project is located in the Apalachicola Bay Aquatic Preserve, a Class II Outstanding Florida Waterbody, Approved Shellfish Harvesting Area. Those activities include the construction and use of 1,844 square feet of preemption of state-owned sovereignty submerged lands. Authorized activities are depicted on the attached exhibits.

AUTHORIZATIONS Maxwell Dock

Environmental Resource Permit

The Department has determined that the activity qualifies for an Environmental Resource Permit. Therefore, the Environmental Resource Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.).

Sovereignty Submerged Lands Authorization

The activity is located on sovereignty submerged lands owned by the State of Florida. It therefore also requires authorization from the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), pursuant to Article X, Section 11 of the Florida Constitution, and Section 253.77, F.S., and Chapter 258, F.S. As staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) under Sections 253.002, F.S., the Department has determined that the activity qualifies for and requires a Letter of Consent, as long as the work performed is located within the boundaries as described and is consistent with the terms and conditions herein.

During the term of this Letter of Consent you shall maintain satisfactory evidence of sufficient upland interest as required by paragraph 18-21.004(3)(b), F.A.C. If such interest is terminated or the Board of Trustees determines that such interest did not exist on the date of issuance of this Letter of Consent, this Letter of Consent may be terminated by the Board of Trustees at its sole option. If the Board of Trustees terminates this Letter of Consent, you agree not to assert a claim or defense against the Board of Trustees arising out of this Letter of Consent.

Permittee: MJM Real Estate Investments, LLC

Permit No.: 0375155-002-EI/19

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Federal Authorization

Your proposed activity as outlined on your application and attached drawings **does not qualify** for federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **shall be required** from the U.S. Army Corps of Engineers (Corps). You must apply separately to the Corps using the federal application form (ENG 4345). More information about Corps permitting may be found online in the Jacksonville District Regulatory Division Sourcebook. **Failure to obtain Corps authorization prior to construction could subject you to federal enforcement action by that agency.**

Authority for review – an agreement with the Corps entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection, or Duly Authorized Designee, State Programmatic General Permit," Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Coastal Zone Management

Issuance of this authorization also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act.

Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

You are advised that authorizations or permits for this activity may be required by other federal, state, regional, or local entities including but not limited to local governments or municipalities. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

The activity described may be conducted only in accordance with the terms, conditions and attachments contained in this document. Issuance and granting of the permit and authorizations herein do not infer, nor guarantee, nor imply that future permits, authorizations, or modifications will be granted by the Department.

PERMIT / SOVEREIGNTY SUBMERGED LANDS CONDITIONS

The activities described must be conducted in accordance with:

- The Specific Conditions
- The General Conditions
- The Special Consent Conditions
- The General Conditions for Sovereignty Submerged Lands Authorization
- The limits, conditions and locations of work shown in the attached drawings
- The term limits of this authorization

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the

Permittee: MJM Real Estate Investments, LLC

Permit No.: 0375155-002-EI/19

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Department to revoke the permit and authorization and to take appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit and sovereignty submerged lands authorization, as described.

SPECIFIC CONDITIONS - ADMINISTRATIVE/EMERGENCIES

- 1. The construction phase expires at 11:59 p.m. on the date indicated on the cover page of this permit.
- 2. For emergencies involving a serious threat to the public health, safety, welfare, or environment, the emergency telephone contact number is (800) 320-0519 (State Warning Point). The Department telephone number for reporting nonthreatening problems or system malfunctions is (850) 595-0663, day or night.
- 3. The mailing address for submittal of forms for the "Construction Commencement Notice", "As-Built Certification ...", "Request for Conversion of Stormwater Management Permit Construction Phase to Operation and Maintenance Phase", or other correspondence is FDEP, SLERP, 160 W. Government Street, Suite 308 Pensacola, Florida 32502.

SPECIFIC CONDITIONS - PRIOR TO ANY CONSTRUCTION

4. Prior to the initiation of any work authorized by this permit, floating turbidity screens with weighted skirts that extend to within 1 ft. of the bottom shall be placed around the active construction areas of the site. The screens shall be maintained and shall remain in place for the duration of the project construction to ensure that turbidity levels outside the construction area do not degrade the ambient water quality of Outstanding Florida Waters. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order so that there are no violations of state water quality standards outside of the turbidity screens.

SPECIFIC CONDITIONS - CONSTRUCTION ACTIVITIES

- 5. Best management practices for erosion control shall be implemented and maintained at all times during construction to prevent siltation and turbid discharges in excess of State water quality standards pursuant to Rule 62-302, F.A.C. Methods shall include, but are not limited to the use of staked hay bales, staked filter cloth, sodding, seeding, and mulching; staged construction; and the installation of turbidity screens around the immediate project site.
- 6. The following measures shall be taken by the permittee whenever turbidity levels within waters of the State surrounding the project site exceed the ambient water quality levels of the Outstanding Florida Waters:
 - a. Immediately cease all work contributing to the water quality violation.
 - b. Modify the work procedures that were responsible for the violation, and install more turbidity containment devices and repair any non-functioning turbidity containment devices.
 - c. Notify the Department of Environmental Protection, Submerged Lands & Environmental Resources Program, Compliance and Enforcement Section, Northwest District Office, 160 W Government Street, Pensacola, Florida 32502-5794, in writing or by telephone at (850)595-8300 within 24 hours of the time the violation is first detected.

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- 7. Any damage to wetlands outside of the authorized impact area as a result of construction shall be immediately reported to the Department at (850)595-8300, and repaired by reestablishing the pre-construction elevations and replanting vegetation of the same species, size, and density as that in the adjacent areas. The restoration shall be completed within 30 days of completion of construction, and the Department shall be notified of its completion within that same 30 day period.
- 8. This permit does not authorize the construction of any additional structures not illustrated on the permit drawings. Examples of additional structures include but are not limited to walkways, awnings, enclosed sides and covers over slip areas, finger piers, step-down stairs, storage closets and decking.
- 9. There shall be no stock piling of tools, materials, (i.e., lumber, pilings, riprap, and debris) within wetlands, along the shoreline within the littoral zone, or elsewhere within waters/waters of the state.
- 10. Construction equipment shall not be repaired or refueled in wetlands or elsewhere within waters of the state.
- 11. All chemically-treated pilings associated with the permitted docking structures and mooring piles shall be wrapped with impermeable plastic or PVC sleeves in such a manner as to reduce the leaching of deleterious substances from the pilings. The sleeves shall be installed concurrently with the installation of the pilings, shall extend from at least 6" below the level of the substrate to at least 2' above the seasonal high water line and shall be maintained over the life of the structure.
- 12. All cleared vegetation, excess lumber, scrap wood, trash, garbage and any other type of debris shall be removed from wetlands/waters of the state within 14 days of completion of the work authorized in this permit.
- 13. The dock must be built progressively. No more than three sets of pilings at a time shall be installed. The decking shall be installed on those pilings and then finished decking shall be used to transport the remaining tools and materials. No impacts shall occur outside the footprint of the permitted boardwalk and dock.
- 14. Pilings within areas containing seagrasses shall be spaced at least ten feet apart and shall be installed by vibrating, pounding or hand-auguring them in place. Jetting of pilings within seagrass areas shall be prohibited.
- 15. To protect benthic and wetland resources when present, the elevation of the decking shall be a minimum of five feet above mean high water or above wetland grade. If planks are used, there shall be a minimum of 1/2-inch spacing between deck planks.
- 16. Any wood planking used to construct the walkway surface of a facility shall be no more than eight inches wide and spaced no less than one-half inch apart after shrinkage. Walkway surfaces constructed of material other than wood shall be designed to provide light penetration which meets or exceeds the light penetration provided by wood construction.
- 17. The main access dock shall be no more than four (4) feet wide.

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- 18. The main access dock shall be elevated a minimum of five (5) feet above mean or ordinary high water.
- 19. The terminal platform shall be elevated to a minimum height of five (5) feet above mean or ordinary high water.

SPECIFIC CONDITIONS – OTHER LISTED SPECIES

20. This permit does not authorize the permittee to cause any adverse impact to or "take" of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of "take" and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a "take" permit cannot be issued. Requests for further information or review can be sent to FWCConservationPlanningServices@MyFWC.com.

SPECIFIC CONDITIONS - OPERATION AND MAINTENANCE ACTIVITIES

- 21. Vessels are prohibited from mooring at the facility, unless structures with functioning toilet facilities have been constructed on the upland parcel. There shall be a minimum 12-inch clearance between the deepest draft of the vessel (with the motor in the down position) and the top of any submerged resources at mean low water so as to preclude bottom scouring or prop dredging.
- 22. To protect benthic and wetland resources when present, the elevation of the decking shall be maintained at a minimum of five feet above mean high for the life of the facility. If planks are used, there shall be a minimum of 1/2-inch spacing between deck planks maintained for the life of the facility.
- 23. All future replacement pilings for support of the docking structures and for boat mooring shall be non-chemical-leaching (recycled plastic, concrete, greenheart, or wrapped with impermeable plastic or PVC sleeves in such a manner as to eliminate the leaching of deleterious substances from the pilings into the water column and sediments). The sleeves shall be installed concurrently with the installation of the pilings, shall extend from at least 6" below the level of the substrate to at least 1' above the seasonal high water line and shall be maintained over the life of the structure.
- 24. All future authorized replacement pilings for support of the docking structures shall be spaced at least ten feet apart and shall be installed by vibrating, pounding or hand-auguring them in place. Jetting of pilings within seagrass areas shall be prohibited.
- 25. Overboard discharges of trash, human or animal waste, or fuel shall not occur at the dock.
- 26. The waterward corners of the dock shall be marked by a sufficient number of reflectors so as to be visible from the water at night by reflected light. The reflectors shall not be green or red in color.

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GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

- 1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
- 2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
- 3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual* (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
- 4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," [October 1, 2013], which is incorporated by reference in paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.
- 5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
- 6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
 - b. For all other activities "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

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- 7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as- built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
- 8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
- 9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
- 10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
- 11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
- 12. The permittee shall notify the Agency in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
- 13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

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- 14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.
- 15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
- 16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
- 17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
- 18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

SPECIAL CONSENT CONDITIONS

- 1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
- 2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.

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- 3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
- 4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
- 5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

GENERAL CONDITIONS FOR SOVEREIGNTY SUBMERGED LANDS AUTHORIZATION

Any use of sovereignty submerged lands is subject to the following general conditions, which are binding upon the applicant and are enforceable under Chapter 253, F.S. and Chapter 258, F.S.

- 1. Sovereignty submerged lands may be used only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use will constitute a violation. Violation of the authorization will result in suspension or revocation of the applicant's use of the sovereignty submerged lands unless cured to the satisfaction of the Board of Trustees.
- 2. Authorization under Rule 18-21.005, F.A.C., conveys no title to sovereignty submerged lands or water column, nor does it constitute recognition or acknowledgment of any other person's title to such land or water.
- 3. Authorizations under Rule 18-21.005, F.A.C., may be modified, suspended or revoked in accordance with its terms or the remedies provided in Sections 253.04, F.S. and Chapter 18-14, F.A.C.
- 4. Structures or activities will be constructed and used to avoid or minimize adverse impacts to resources.
- 5. Construction, use, or operation of the structure or activity will not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.
- 6. Structures or activities will not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity will be modified in accordance with the court's decision.
- 7. Structures or activities will not create a navigational hazard.

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- 8. Structures will be maintained in a functional condition and will be repaired or removed if they become dilapidated to such an extent that they are no longer functional.
- 9. Structures or activities will be constructed, operated, and maintained solely for water dependent purposes.
- 10. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
- 11. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.
- 12. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
- 13. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
- 14. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing process is designed to formulate final agency action, the subsequent order may modify or take a different position than this action.

Petition for Administrative Hearing

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A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@FloridaDEP.gov. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant to Rule 62-110.106(10)(a), F.A.C.

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver may not apply to persons who have not received a clear point of entry.

Extension of Time

Permittee: MJM Real Estate Investments, LLC

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Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@FloridaDEP.gov, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S. by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

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Thank you for applying to the Submerged Lands and Environmental Resource Permit Program. If you have any questions regarding this matter, please contact Lyndsey Benton at the letterhead address, at (850)595-0603, or at Lyndsey.Benton@FloridaDEP.gov

EXECUTION AND CLERKING

Executed in Orlando, Florida.

Kimberly RAlle

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Kimberly R. Allen

Permitting Program Administrator

KRA:lb

Attachment:

Exhibit 1, Project Drawings and Design Specs., 6 pages

Copies of 62-330 forms may be obtained at: https://floridadep.gov/water/submerged-lands-environmental-resource

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Kim Allen, DEP, Kim.Allen@FloridaDEP.gov

Tanya McHale, DEP, Tanya.McHale@FloridaDEP.gov

Dan Garlick, dan@garlickenv.com

Franklin County, michael@franklincountyflorida.com, amyh@fairpoint.net

Jonathan Brucker, FDEP, Jonathan.Brucker@dep.state.fl.us

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk

Linda & Harrieton

November 1, 2019

k Date

Permittee: MJM Real Estate Investments, LLC

Permit No.: 0375155-002-EI/19

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PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

APPLICANT/CLIENT: Steve Maxwell

WATERBODY/CLASS: Apalachicola Bay / Class II / OFW/ AP

PURPOSE: Residential Dock

PROJECT LOCATION / USGS: St George Island

LATITUDE: 29° 37' 33.24" LONGITUDE: 84° 56' 36.26"

SECTION: 29 TWNSHP: 9 South RNG: 6 West JOB: 19-004

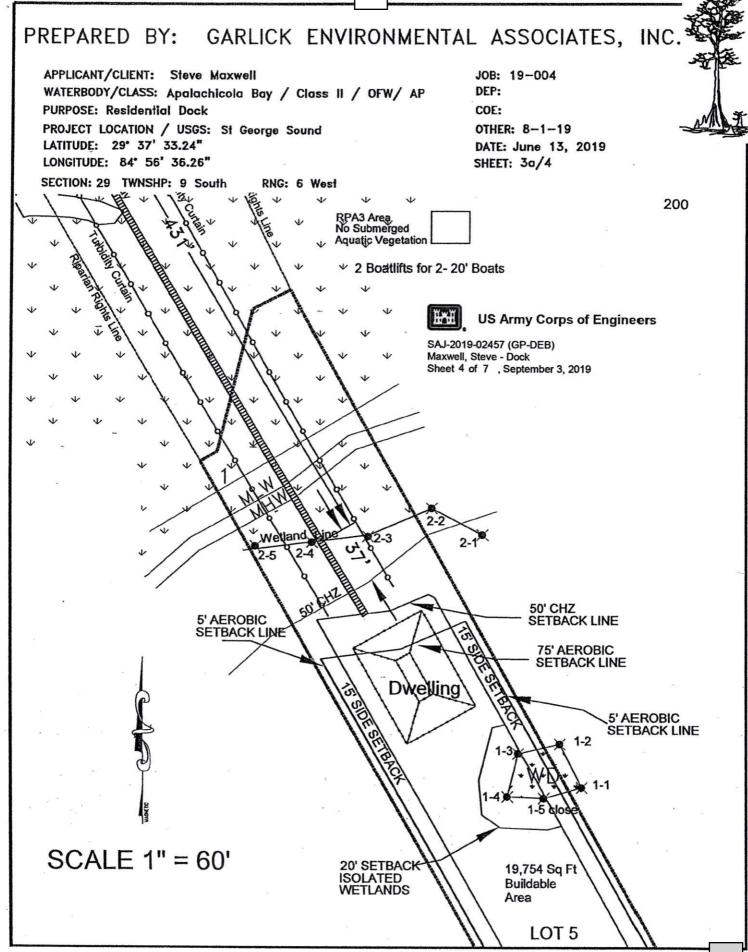
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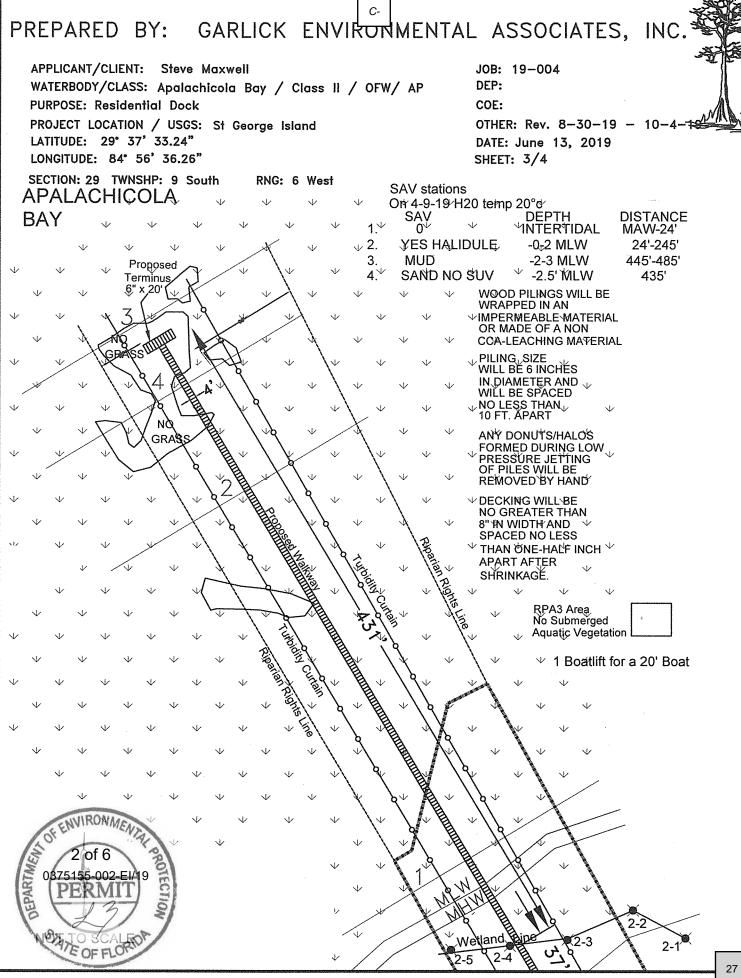
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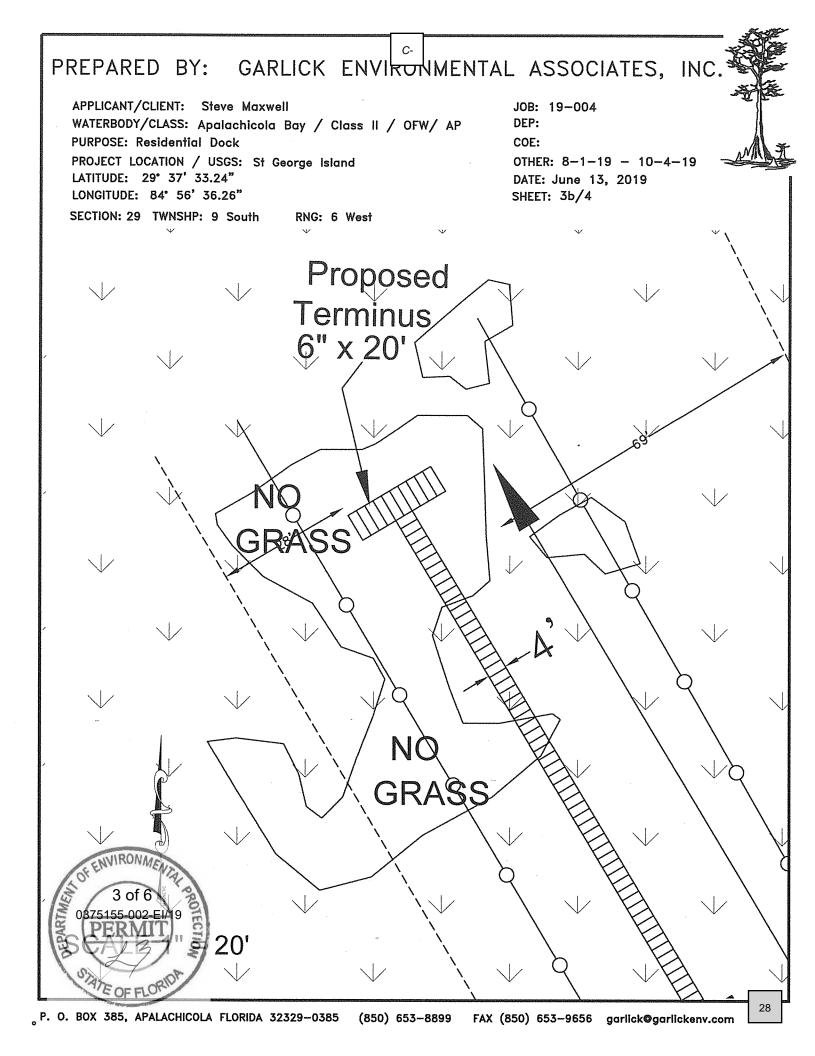
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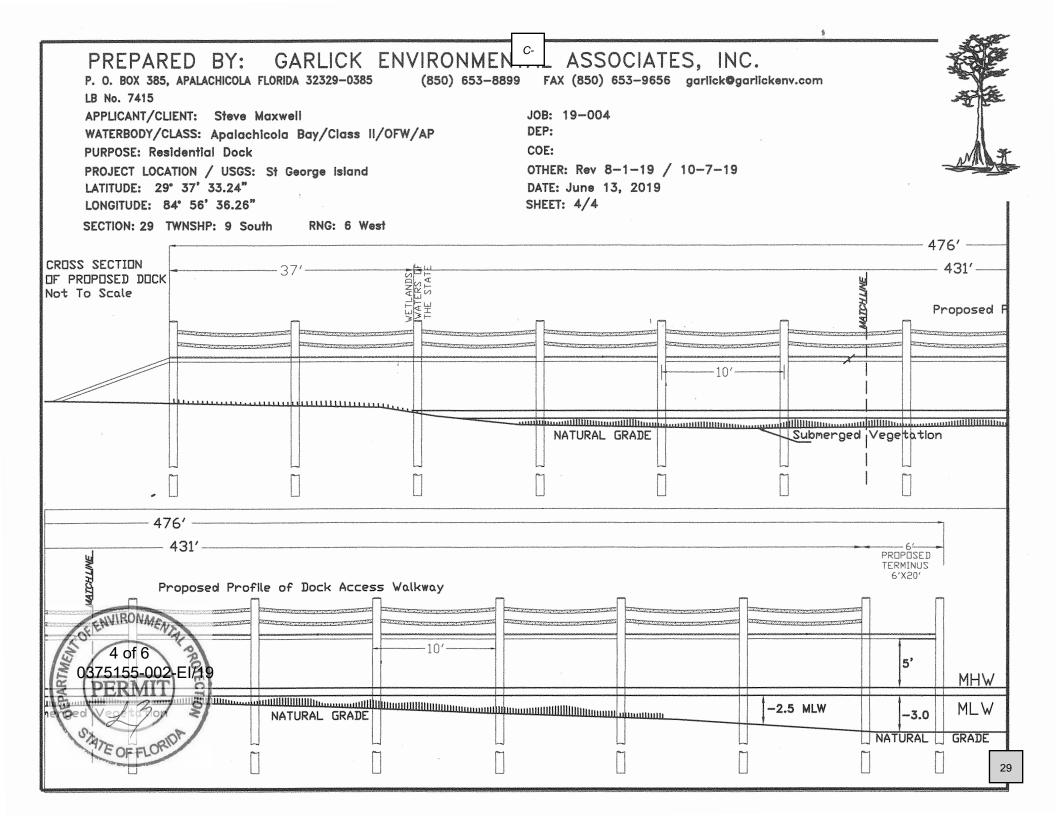
SHEET: 2/4











PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

APPLICANT/CLIENT: Steve Maxwell

WATERBODY/CLASS: Apalachicola Bay / Class II / OFW/ AP

PURPOSE: Residential Dock PROJECT LOCATION / USGS:

LATITUDE: LONGITUDE:

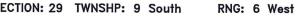
SECTION: 29 TWNSHP: 9 South

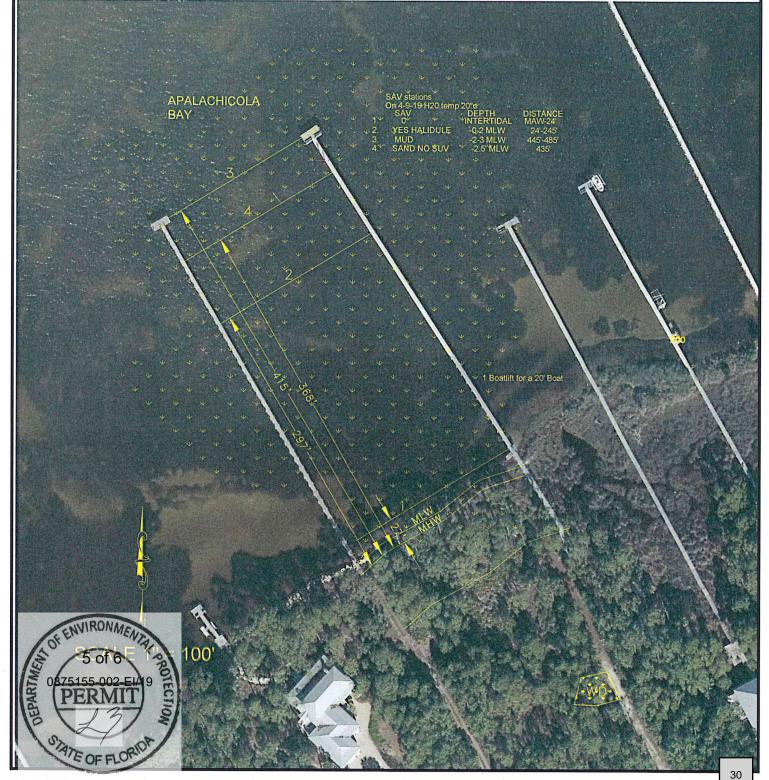
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DEP: COE:

OTHER: REV. 8-1-19 DATE: June 13, 2019

SHEET:





PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

APPLICANT/CLIENT: Steve Maxwell

WATERBODY/CLASS: Apalachicola Bay / Class II / OFW/ AP

RNG: 6 West

PURPOSE: Residential Dock PROJECT LOCATION / USGS:

BAY

LATITUDE: LONGITUDE:

SECTION: 29 TWNSHP: 9 South

JOB: 19-004

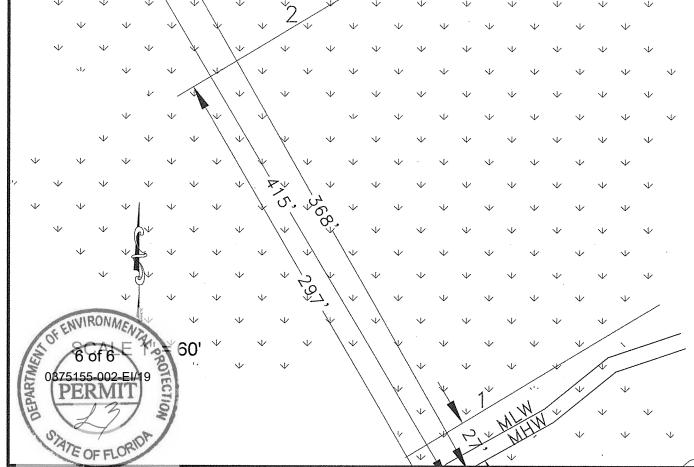
DEP: COE:

OTHER: REV. 8-1-19 DATE: June 13, 2019

SHEET:



SAV stations On 4-9-19 H20 temp 20°c/ DEPTH DISTANCE MNTERTIDAL MAW-24' 2. YES HALIDULE 24'-245' -0_t2 MLW 3. MUD -2-3 MLW 445'-485' -2.5' MLW SAND NO SUV



435'