



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

**MARCH 09, 2021**

**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:**

This meeting is being held via Zoom and all attendees are muted by default. To join via computer, use the following link on the meeting date and time: <https://zoom.us/j/98126691714> If you do not have speakers or a microphone on your computer or prefer to call, you can dial in for audio. Call (301) 715-8592 or (312) 626- 6799 or (929) 205-6099 and enter Webinar ID: 981 2669 1714# If you would like to speak during the public comment portion of the meeting, you have the following options: Online - select the "raise your hand" icon. Phone - press \*9 to raise your hand, \*6 to unmute to submit verbal comments. Public engagement is important to us, and meeting remotely is still a new process. We appreciate everyone's understanding

**Building Report:**

**February 2021 Building Report**

**R-1 Dwellings: 5 Total**

St. George Island - 1

Eastpoint - 1

St. Theresa - 1

St. James Bay - 1

**Mobile Homes: 2 Total**

Eastpoint - 2

**Critical Shoreline Applications:**

- A-** Consideration of a request to construct a Single Family Private Dock located at 1545 Alligator Drive, Lot 3, Block R, Peninsular Point, Unit 5, Alligator Point, Franklin County, Florida. The applicant has both State and Federal Permits. The dock will be 229' x 4' with a 6' x 20' terminal platform and a 12' x 20' proposed boatlift. Request submitted by Robert Kirby, applicant. (House Under Construction- #29097)

- B- Consideration of a request to construct a Roof over an existing Boatlift and Redesign of existing Terminus located at 71 Fiesta Drive, Unit 1, Lot 80 Holiday Beach, Alligator Point, Franklin County, Florida. The applicant has State and Federal Permits. The roof will be 29'x14' and the redesigned terminus will be 20'x8'. Request submitted by Better Built Docks, agent for Travis Fink, applicant.
- C- Consideration of a request to construct a Single Family Residential Dock located at 1530 Highway 98, Carrabelle, Franklin County, FL. The proposed dock will be 12' x 4' with a 12' x 24' terminus. Applicant will be contingent upon State and Federal Permits. Request submitted by Garlick Environmental, agent for Charles W. Smith, applicant.
- D- Consideration of a request to construct a Single Family Residential Dock and Boat Lift located at 2023 Turpentine Trail, Lot 12 Bay Cove Village, St. George Island, Franklin County, Florida. The proposed Dock will be 493' x 4' with a 20' x 6' terminus and a 11' x 20' Boat Lift. Applicant will be contingent upon State and Federal Permits. Request submitted by Garlick Environmental, agent for Gina Miller (GKM, LLC), applicant. (House under construction # 29881)

**Sketch Plat Applications:**

- E- Consideration of a request for Sketch Plat Approval of a 21 acres of land lying in Sections 25 and 35, Township 7 South, Range 5 West, Carrabelle, Franklin County, Florida. The subdivision will be named "St George Bay" and will consist of 16 Lots over 1 acre each. Request submitted by Elaine Boone, agent for Ed Simmons, applicant.

**Zoning Administrator's Report:**

# Monthly Building Report



**Franklin County**  
Franklin County Planning & Building Department  
24 Forbes Street, Suite 1, Apalachicola, FL 32320  
Phone (850) 653-9783 Fax (850) 653-9799

PowerLine  
Building Permit  
Software

**Date range:** 2/1/2021 to 2/26/2021

**Total Number of Permits:** 64

**Total Fees Collected:** \$36429.40

Date	Permit	Property Owner	Development	Location	Street Address	Cost	Fee
02/01/2021	30224	LEONARD B SPARKS JR	SHED	LOT 18 PEGGY BCH 100' X 450'	2341 HWY 98	\$0.00	\$229.00
02/01/2021	30225	New Cingular Wireless PCS	Upgrade LTE Equipment on an existing tower	UNIT 1 BL 5W LOTS 21 & 22	116 West Pine Avenue	\$30,000.00	\$668.25
02/02/2021	30226	Garber Coastal Investments ,LLI	METER REPLACEMENT	LOT 22 TURTLE BEACH 100X355X100X355	1724 KUMQUAT COURT	\$0.00	\$0.00
02/02/2021	30229	Beach Fever,LLC	N/A	LOT 3 GULF BEACH ESTATES	1564 E GULF BCH DR	\$0.00	\$100.00
02/04/2021	30230	Christopher & Phan Anderson	Passenger Lift Installation	UNIT 3 BL O LOT 6 648/106 694/20 980/81 989/204 1077/274 1077/278	1141 West GULF Beach DR	\$22,000.00	\$443.75
02/04/2021	30248	MARLINDA BULLOCK	NEW ROOF, HVAC, SCREENED PORCH, BATH, PAINT, FLOORING	LOT-5A, BLOCK-10, LANARK VILLAGE, UNIT-1	441A-1 CARLTON AVENUE	\$0.00	\$347.22

02/04/2021	30249	John and Rachel Glass	Electrical Upgrade	100 FT X 149.28 FT X 100 FT X 163.5 FT IN NE 1/4 105/113 112/327 1103/598 1283/45	354 OLD FERRY DOCK ROAD	\$0.00	\$100.00
02/04/2021	30250	Hawkins Kathryn Hall- & Hall William Henry Hall James Clinton Jr	N/A	UNIT 1 BLK 12E LOT 2 ST GEORGE ISLAND OR 293/272 1275/82	309 East Gorrie	\$0.00	\$100.00
02/05/2021	30251	MARK YEALDHALL	N/A	LOT 64A ALLIGATOR POINT SUB	1678 ALLIGATOR DRIVE	\$0.00	\$100.00
02/05/2021	30252	RICHARD L. KINCL	N/A	BL F LOT 1 AND THE W1/2 OF LOT 19 ALSO LOT 20	2760 HIGHWAY 98 WEST	\$0.00	\$100.00
02/05/2021	30253	ROBERT R. MEYER	REPLACING 4 DAMAGED PILINGS	THREE HUNDRED OCEAN MILE PHASE II BLDG H-9	1804 EAST GULF BEACH DRIVE	\$0.00	\$197.75
02/05/2021	30254	DAVID AND LAURA RING		UNIT 1 BL 1W LOTS 7 8 9	1121 EAST GULF BEACH DRIVE	\$0.00	\$100.00
02/05/2021	30255	Lindley Management, LLC	CONCRETE SLAB	UNIT 1 BL 1W LOTS 7 8 9 OR/124/151 153/206 166/182	28 WEST BAYSHORE DRIVE	\$0.00	\$146.25
02/08/2021	30256	Matthews Sandra Virda Marvin W Heymann	METAL ROOFOVER AND SIDING	UNIT 4 BL Q LOT 5 PENN POINT	1393 Alligator Drive	\$0.00	\$215.00
02/08/2021	30257	JUAN J FERRADA	N/A	A PARCEL KNOWN AS LOT 1 SANDY SHORES ESTATES	1761 HIGHWAY 98	\$0.00	\$898.08
02/09/2021	30259	EARL AND LINDA DUKES	RE-ROOF SINGLE FAMILY DWELLING	FRM POB RUN SE 84.62 TO OLD CO N MON TH SE 41.77	2320 HWY 98 EAST	\$0.00	\$229.00

02/09/2021	30260	EUGENE & SHERYL CHAMBERS	RE-ROOF SINGLE FAMILY DWELLING	UNIT 1 BL U LOTS 14,& 15	2290 HWY 98 EAST	\$0.00	\$229.00
02/10/2021	30261	Murphy Turtle Bay LLC	Addition	TRACT 27 OF LOT 1 EAST END ST GEORGE ISLAND	1740 East Gulf Beach Drive	\$190,000.00	\$1,847.44
02/10/2021	30262	WILLIAM FLYNN	NEW ADDITION	UNIT 1 BL 19W LOT 9	564 WEST GORRIE DRIVE	\$0.00	\$2,150.00
02/10/2021	30263	TIITF/DEP-REC AND PARKS	N/A	PARCELS IN	1900 EAST GULF BEACH DRIVE	\$0.00	\$145.00
02/10/2021	30264	VACATION RENTAL SERVICES	METER UPGRADE	A PARCEL IN SEC 31-08S-06W CONTAINING 1.03 AC M/L	48 ISLAND DRIVE	\$0.00	\$100.00
02/11/2021	30265	Phillip Holian	CDBG Mobile Home Grant	LOT 94 SOUTH OF RIDGE RD A.K.A. LOT 39 TARPON SHORES UNIT 2	686 Ridge Road	\$0.00	\$0.00
02/11/2021	30266	MARIE TALBOT HODGES	BUILDING WALK PATH ON WEST SIDE OF HOUSE.	UNIT 1 BL 10 E LOT 22	152 EAST GORRIE	\$0.00	\$181.25
02/11/2021	30267	TIM AND SANDY ALEXANDER	DECK ADDITION TO THE PORCH (WEST SIDE) 46.6*5.3	BLOCK B LOT 25 MAGNOLIA BAY RE-PLAT OF TURTLE COVE	283 MAGNOLIA BAY DRIVE	\$0.00	\$198.75
02/11/2021	30268	ALBERT THOMAS DONNON AND AMY CORRINNE DONNON	NEW HOME	UNIT 1 BL 22E LOT 13	557 EAST PINE AVENUE	\$0.00	\$2,137.23
02/11/2021	30269	BRAMLETTE PAMELA	NEW CONSTRUCTION	UNIT 1 BL C E 1/2 LOT 14 OR 128/12 OR 170/28	2866 HIGHWAY 98 EAST	\$0.00	\$2,925.74

02/11/2021	30270	SHAILAJA SAPPATI	INSTALLATION OF 55 SOLAR PANELS ON EXHISTING ROOF, ELECTRICAL SERVICE UPGRADE.	LOT 63 1.00 AC PEBBLE BCH	1604 IVY WAY	\$0.00	\$914.53
02/12/2021	30271	GARY AND CHRISTY BARCO	N/A	UNIT 2 BLOCK 3 LOT 39 SUN-N-SANDS	661 PINE STREET	\$0.00	\$163.75
02/12/2021	30272	ANDE NAZAR	ADD PORCH TO EXISTING HOUSE	LOTS 22, 24, 25, 26, 27, & 28 LIGHTHOUSE POINT ESTATES UNREC	234 FRANK MCKAMEY WAY	\$1,500.00	\$100.00
02/12/2021	30274	HEIDE ROBERT AND MARY JEAN	METER SWAP	LOTS 2-3 GULF-SIDE SUBDIVISION 324/162 532/67 1024/350 1024/350 1032/299	1664 EAST GULF BEACH DRIVE	\$0.00	\$100.00
02/12/2021	30275	4060 RITZ CRACKER LLC	DEMO EXISTING STRUCTURE	BL H COCHRANS BEACH LOT 6	4060 ST. TERESA AVENUE	\$0.00	\$100.00
02/12/2021	30276	RICHARD MARTIN HACKNEY	REPLACE SIDING	UNIT 2 LOT 5 RESUB OF BL J PENN POINT	1453 ALLIGATOR DRIVE	\$0.00	\$445.50
02/12/2021	30277	SEA AIR RV PARK	CHANGE ABOVE GROUND TO UNDER GROUND SERVICE	A PARCEL FRONTING 100 FT ON THE N SIDE OF US 98 AND RUNNING BACK 200 FT OR/143/343	965 US HIGHWAY 98	\$0.00	\$100.00
02/15/2021	30278	4060 RITZ CRACKER LLC	New House	BL H COCHRANS BEACH LOT 6	4060 ST. TERESA AVENUE	\$0.00	\$2,009.18
02/16/2021	30279	TOM AND LUCINDA ROENICKE	REPAIR RAILS, REBUILD STEPS, REBUILD DECK/INTERIOR	UNIT 3 BL E LOT 5	1132 WEST GORRIE DRIVE	\$0.00	\$957.50



02/17/2021	30281	VON YORX SUSANA	METAL ROOF	LOT 14 SHELL HARBOUR 640.55X100X544.54X51.25X 68.36X63.34X35.62X33.38X 33.32X93.67	1734 EAST GULF BEACH DRIVE	\$0.00	\$355.00
02/17/2021	30282	MILFORD MOSES	NEW METER AND PANEL	TRACT 11 HICKORY DIP OR/161/200 1.01 ACRES OR 274/15	158 HICKORY DIP	\$0.00	\$100.00
02/17/2021	30283	STEPHEN AND JENNIFER STRADTMAN	SUBSTANTIAL DEVELOPMENT	UNIT 3 BL C LOT 8 654/532 785/717 1279/370	956 WEST GORRIE	\$0.00	\$1,368.43
02/17/2021	30284	JASON PATRICK SPARKS; HAROLD DENTON	ADDITION	UNIT 5 BL 79 LOT 22	965 WEST PINE AVENUE	\$0.00	\$1,712.65
02/18/2021	30285	West Haven Mortgage, LLC	CLEARING AND GRUBBING	UNIT 5 BL 51 LOT 5	309 GANDER STREET	\$0.00	\$100.00
02/18/2021	30286	EARL AND LINDA DUKES	15'X12' PORCH ADDITION	LOT 453 BL 84 IN OLD PL LANARK BY THE SEA	2332 Enabob Street	\$0.00	\$286.25
02/18/2021	30287	WALLACE NUNN	METAL ROOF OVER	UNIT 2 LOT 7 OF LOT 9 BL L PENN POINT SUB	1466 ALLIGATOR DRIVE	\$0.00	\$313.00
02/18/2021	30289	BRENDA LEWIS	SINGLE WIDE MOBILE HOME	THE WEST HALF OF LOT 80 UNIT 2 TARPON SHORES BEING 1 AC M/L IN SEC 29-08S-06W	659 WILDERNESS ROAD	\$0.00	\$125.00
02/18/2021	30290	CHRISTOPHER VARNES	STORAGE UNITS	8.47 AC M/L IN SEC 36-08S-07W	132 HIGHWAY 98	\$0.00	\$1,650.82
02/19/2021	30291	ERNEST PAUL	NEW 200 AMP BREAKER BOX	NONE AVIALABLE PROPERTY APPRAISOR	1046 ROSEMONT STREET	\$0.00	\$100.00

02/19/2021	30292	KRISTINE HOUTMAN	WINDOW AND DOOR REPLACEMENT FPAN:11103.1; 15816.14; 15819.2	UNIT 1 BL Y LOT 9 LANARK BEACH	2164 HIGHWAY 98	\$0.00	\$313.00
02/19/2021	30293	JACK AND LINDA MURNANE	New House	ST JAMES BAY SUB PB 7/39 BLOCK I LOT 7 PHASE 1-A	109 LAUGHING GULL LANE	\$0.00	\$2,130.50
02/19/2021	30299	GAGE INVESTORS LLC	New House	ST JAMES BAY SUB PB 7/39 BLOCK B LOT 3 PHASE 1-A 757/778 1022/114 1206/219	107 ROYAL TERN WAY	\$0.00	\$1,759.82
02/19/2021	30300	DAVE SNOW	RE-ROOF	UNIT 5 BL 90 LOT 5	1148 WEST PINE AVENUE	\$0.00	\$201.00
02/19/2021	30301	LYDA ELIZABETH SHULTS	RE-ROOF	UNIT 1 BL 6 LOT 1 LANARK VILLA	2390 OAK STREET	\$0.00	\$523.10
02/22/2021	30302	BRADLEY CRAIG ANDERSON	SIDIND AND WINDOW REPLACEMENT	UNIT 2 BL B LOT 4 OR/106/349	724 EAST GORRIE DRIVE	\$0.00	\$159.00
02/22/2021	30303	CRAIG AND JANE CUMMINGS	REPLACE BEAMS UNDER EXTERIOR WALLS	LOT 45 SEA PALM VILLAGE 1.01 AC 270X162.50X 270X162.50 152/495 157/415 859/797 899/181 1101/17 1146/463-EASMENT	1444 DOGWOOD DRIVE	\$0.00	\$268.75
02/22/2021	30304	JOHN C. KUENZI	REPAIR/REPLACE BEAMS ON UPPER DECK, SOUTH SIDE OF DWELLING	LOT 15 SCHOONER LANDING PHASE 2 OR 463/152 540/205-10	2311 Tally Ho	\$0.00	\$556.88
02/22/2021	30305	WALL KEVIN & LISA DANIELLE	REPLACING SIDING AND WINDOWS	LOT 32 ALLIGATOR POINT OR/159/570	1613 ALLIGATOR DRIVE	\$0.00	\$591.00
02/22/2021	30306	STAN JOHNSON	N/A	LOT 45 BRE INC OR 340/320	1452 ALLIGATOR DRIVE	\$0.00	\$201.00

02/23/2021	30307	DANIEL MULCACAHY & DONNIS HEFNER	N/A	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
02/23/2021	30308	MARK OLDHAM	METAL RE ROOF	LOT 44 PELICAN BCH VILL	2032 WHELK WAY	\$0.00	\$464.90
02/24/2021	30309	DELTA GULF, LLC	METER UPGRADE	LOT 10 DOLPHIN BCH VILL	2116 PALMETTO WAY (TWISTED PINE DRIVE)	\$0.00	\$100.00
02/24/2021	30310	RICHARD & DEBORAH BOWMAN	INSTALLATION OF NEW 200 AMP SERVICE	LOT 10 GULF VIEW WOODS	144 APALACHEE STREET	\$0.00	\$100.00
02/24/2021	30311	EMILY CASH	NEW CONSTRUCTION	MAGNOLIA RIDGE PHASE I PB 7/26 BLOCK B LOT 4	180 RIDGECREST PARKWAY	\$133,528.57	\$1,470.03
02/25/2021	30312	Recharge By The Sea LLC	N/A	LOT 1 OF TRACT 16 EAST END OF ISLAND BEING 190.76 X 228.36 X 190.76 X 228.36	1460 EAST GULF BEACH DRIVE	\$0.00	\$2,056.35
02/25/2021	30313	David Ericks and Claudia Davant	service change out	5,W, Penn Point	1373 Chip Morrison Dr	\$500.00	\$100.00
02/26/2021	30317	John and Susan Buckley	N/A	UNIT 3 BL L LOT 6	841 West Gulf Beach Dr	\$0.00	\$0.00
02/26/2021	30319	Michael Pollack	Passenger lift	PARCEL 5 OF TRACT 17 571/713 613/74 976/284 983/222 1091/31 1205/747 1205/748 1253/645 1259/176	1516 East Gulf Beach Dr	\$0.00	\$443.75



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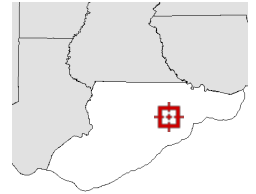
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Franklin County, FL

A-



#### Overview



#### Legend

- Parcels
- Roads
- City Labels

Parcel ID	02-07S-02W-1045-000R-0030	Alternate ID	02W07S021045000R0030	Owner Address	KIRBY ROBERT H
Sec/Twp/Rng	2-7S-2W	Class	SINGLE FAM		2755 MILLSTONE PLANTATION RD
Property Address	1545 ALLIGATOR DR	Acreage	0.568		TALLAHASSEE, FL 32312
District	7				
Brief Tax Description	UNIT 5 BL R LOT 3				

(Note: Not to be used on legal documents)

Date created: 3/3/2021

Last Data Uploaded: 3/3/2021 7:41:34 AM

Developed by  Schneider  
GEOSPATIAL



## GARLICK ENVIRONMENTAL ASSOCIATES, INC.

SPECIALIZING IN: REGULATORY PERMITS • WETLANDS/UPLAND JURISDICTIONAL  
DELINEATIONS • SUBMERGED LAND LEASES • ECOLOGICAL INVENTORY ASSESSMENTS •  
CONSERVATION AND OTHER EASEMENTS • EXPERT WITNESS AND ENVIRONMENTAL  
LITIGATION SERVICES • MITIGATION • CULTURAL RESOURCE ANALYSIS • CREATIVE  
MARINA, DOCK, AND SUBDIVISION DESIGN

June 9, 2020

Ms Amy Kelly  
Franklin County Planning & Zoning  
33 Commerce Street  
Apalachicola, FL 32320

JUN 09 2020

BY: ..... *ak* .....

Re: Dock Approval  
GEA File No. 20-035 / Robert (Rip) Kirby  
FDEP File No. 0369382-001-EG/19

Dear Ms. Kelly:

By this letter, we are requesting you place the referenced project on the next Franklin County Planning and Zoning meeting to be held on July 14, 2020, as well as, the Franklin County Board of County Commissioners meeting to be held on July 21, 2020 for the construction of a Single Family Residential Dock. Attached is a copy of the permit for the referenced project. Please note the FDEP permit also includes approval from the COE.

Also, attached is a request to FDEP/COE for a 40 ft. extension of the proposed permitted dock. We have not as of this date received approval for the extension, however, I have received an email from FDEP stating that she is working on the permit draft for Kirby. Hopefully it will be here by the meeting date.

If you have any questions, please let us know.

Sincerely,

*[Signature]*  
Dan Garlick, President  
Garlick Environmental Associates, Inc.

Attachments

P.O. BOX 385  
APALACHICOLA, FL 32329-0385  
(850) 653-8899 FAX (850) 653-9656  
garlick@garlickenv.com





## **GARLICK ENVIRONMENTAL ASSOCIATES, INC.**

SPECIALIZING IN: REGULATORY PERMITS • WETLANDS/UPLAND JURISDICTIONAL  
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LITIGATION SERVICES • MITIGATION • CULTURAL RESOURCE ANALYSIS • CREATIVE  
MARINA, DOCK, AND SUBDIVISION DESIGN

### LETTER OF TRANSMITTAL

April 16, 2020

Mr. Wade Dandridge  
FDEP / Pensacola Office  
160 West Government Street  
Suite 308  
Pensacola, FL 32502

RE: Extension of an Existing Dock  
Additional Boat Lift  
Alligator Drive / Franklin County  
GEA File No. 18-113 – Robert Kirby  
FDEP 0369382-001-EG-19, Franklin County

The proposed project is located in Section 2, Township 7 South, Range 2 West, in Franklin County, FL. The waterbody at the project site is Alligator Harbor, Class II, an OFW, and an Aquatic Preserve.


The attached application is for an extension of 40 ft. to the already permitted access walkway of the dock, as well as, an additional boat lift, 11 ft. in width and 25 ft. in length. The extension also includes increasing the size of the already permitted boat lift to 12'x30', as well as, increasing the terminus to 8 ft. by 20 ft. The purpose of extending the access walkway is to allow our client additional room to access his boat lift without encroaching into the existing neighbor's dock. Please see Sheet 3A/4 for further clarification.

The materials to be used to construct the proposed dock and boat lifts will be transported to the site by truck. The piles will be jetted. However, provisions will include maintaining State Water Quality standards for turbidity by installing turbidity curtains. A barge will assist in the construction of the proposed boat lift and dock. The depth of water at the location of the proposed dock and boatlifts is -3.00 feet at Mean Low Water (MLW). The Mean High Water and Mean Low Water Lines are indicated on the attached drawings. No emergent nor submerged vegetation exists within the alignment of the proposed dock, nor the boat lifts.

Evidence of title to the subject riparian upland property is attached in the form of a Warranty Deed. The upland area is presently zoned as residential and no changes are proposed.

If you have any questions or need any additional assistance, please do not hesitate to call us at (805) 653-8899 or email us [dan@garlickenv.com](mailto:dan@garlickenv.com) or [maryann@garlickenv.com](mailto:maryann@garlickenv.com),

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mary Ann Wasmund', with a large, stylized loop at the end.

Mary Ann Wasmund, Permit Specialist  
Garlick Environmental Associates, Inc.

Attachments

cc: Robert Kirby



PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899

FAX (850) 653-9656 garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Robert Kirby

WATERBODY/CLASS: Alligator Harbor / ClassII / OFW / AP

PURPOSE: Environmental Permitting

PROJECT LOCATION / USGS: Alligator Point / Franklin County

LATITUDE:

LONGITUDE:

SECTION: 2 TWSHP: 7 South RNG: 2 West

JOB: 18-113

DEP:

COE:

OTHER:

DATE: April 15, 2020

SHEET: 1/4





# PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.



APPLICANT/CLIENT: Robert Kirby  
 WATERBODY/CLASS: Alligator Harbor / ClassII / OFW / AP  
 PURPOSE: Environmental Permitting  
 PROJECT LOCATION / USGS: Alligator Point / Franklin County  
 LATITUDE:  
 LONGITUDE:  
 SECTION: 2 TOWNSHIP: 7 South RNG: 2 West

JOB: 18-113  
 DEP:  
 COE:  
 OTHER:  
 DATE: April 15, 2020  
 SHEET: 2/4





JOB: 18-113  
DEP:  
COE:  
OTHER:  
DATE: April 15, 2020  
SHEET: 3/4



ALLIGATOR DRIVE CR 370

# PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

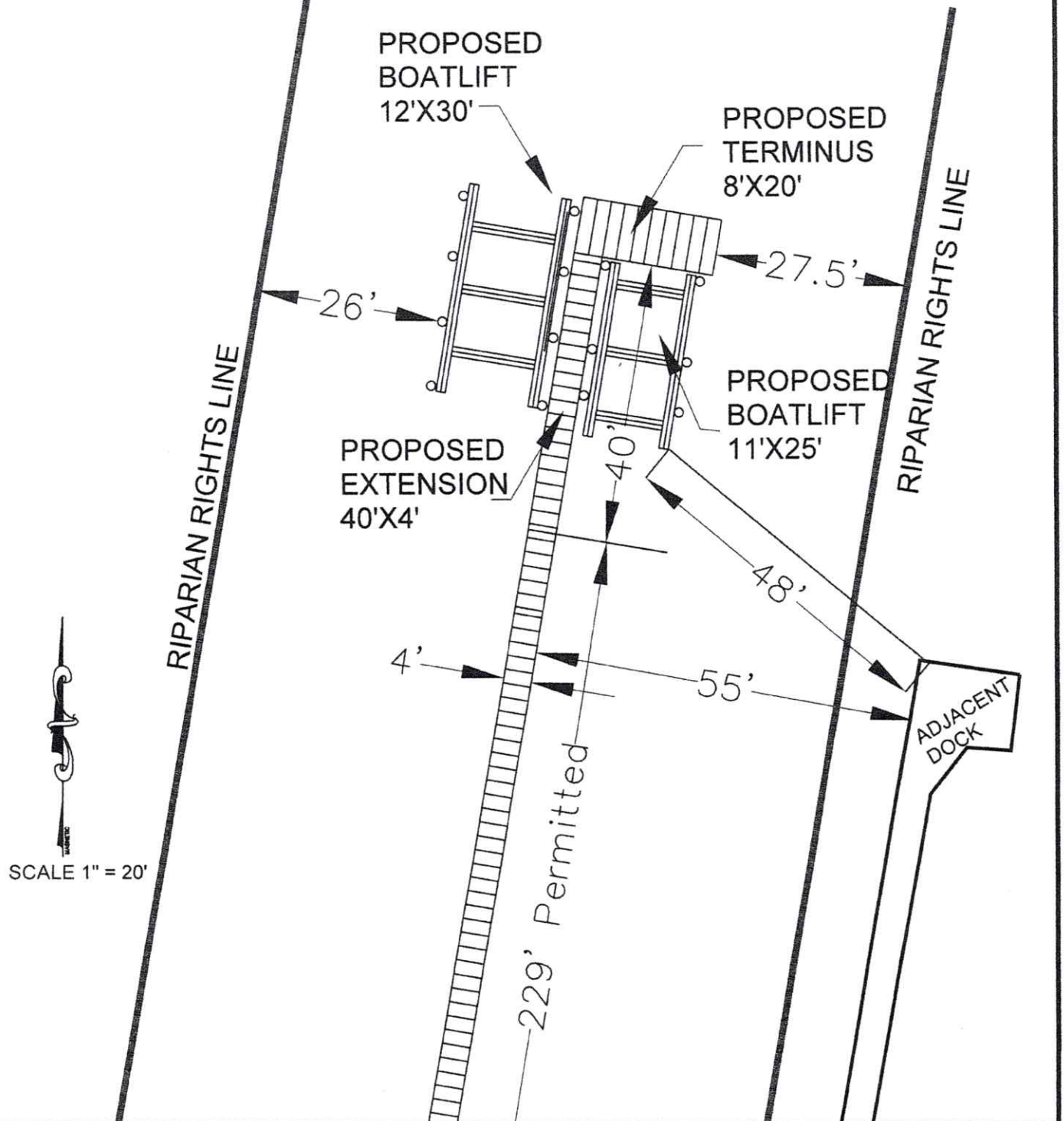
APPLICANT/CLIENT: Robert Kirby  
 WATERBODY/CLASS: Alligator Harbor / ClassII / OFW / AP  
 PURPOSE: Environmental Permitting  
 PROJECT LOCATION / USGS: Alligator Point / Franklin County  
 LATITUDE:  
 LONGITUDE:

JOB: 18-113  
 DEP:  
 COE:  
 OTHER:  
 DATE: April 15, 2020  
 SHEET: 3A/4



SECTION: 2 TOWNSHIP: 7 South

RNG: 2 West



# PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899

FAX (850) 653-9656

garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Robert Kirby

WATERBODY/CLASS: Alligator Harbor / ClassII / OFW / AP

PURPOSE: Environmental Permitting

PROJECT LOCATION / USGS: Alligator Point / Franklin County

LATITUDE:

LONGITUDE:

SECTION: 2 TWSHP: 7 South

RNG: 2 West

JOB: 18-113

DEP:

COE:

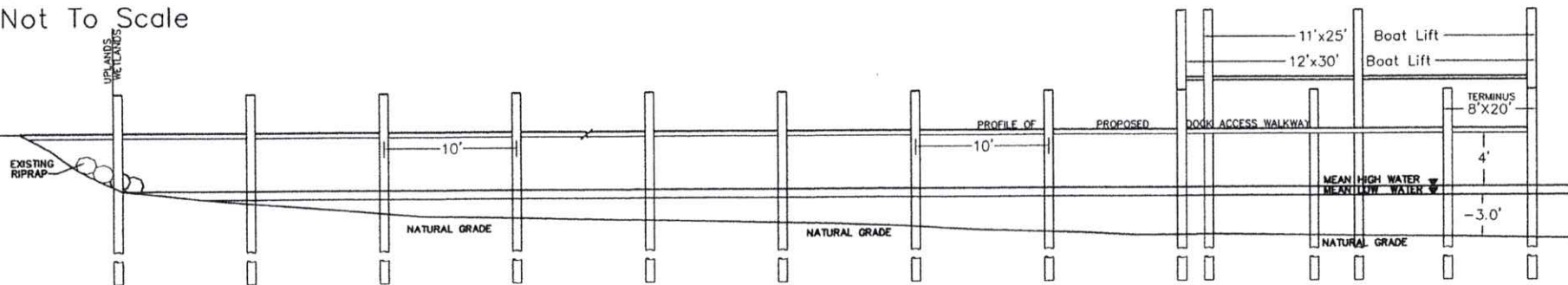
OTHER:

DATE: April 15, 2020

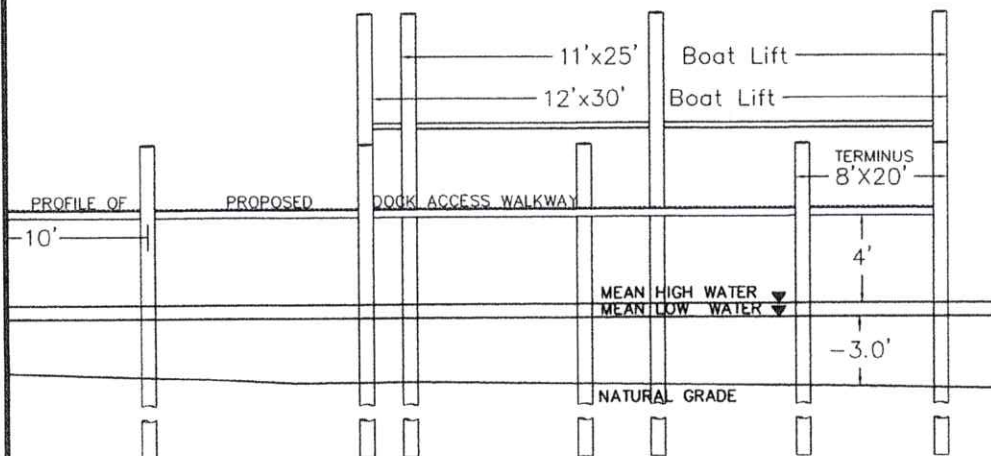
SHEET: 4/4



## CROSS SECTION OF PROPOSED DOCK Not To Scale



These drawings are for permitting purposes only. Not intended for construction purposes



These drawings are for permitting purposes only. Not intended for construction purposes





Overview



Legend

-  Parcels
-  Roads
-  City Labels

Parcel ID	02-07S-02W-1045-000R-0030	Alternate ID	02W07S021045000R0030	Owner Address	KIRBY ROBERT H
Sec/Twp/Rng	2-7S-2W	Class	VACANT		2755 MILLSTONE PLANTATION RD
Property Address	1545 ALLIGATOR DR	Acreage	0.568		TALLAHASSEE, FL 32312
District	7				
Brief Tax Description	UNIT 5 BL R LOT 3				
	(Note: Not to be used on legal documents)				

Date created: 4/17/2020  
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### Parcel Summary

**Parcel ID** 02-075-02W-1045-000S-0040  
**Location Address** 1544 ALLIGATOR DR  
 32346  
**Brief Tax Description\*** UNIT 5 BL 5 LOT 4 OR 171/62 OR 171/69 PENN POINT 647/477 1179/192  
\*The Description above is not to be used on legal documents.  
**Property Use Code** VACANT (000000)  
**Sec/Twp/Rng** 2-7S-2W  
**Tax District** Alligator Point (District 7)  
**Millage Rate** 13.4617  
**Acreage** 0.000  
**Homestead** N

[View Map](#)

### Owner Information

**Primary Owner**  
Kirby, Robert H  
 2755 Millstone Plantation Rd  
 Tallahassee, FL 32312

### Land Information

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
999910	DOCK PERMISSIV	1.00	UT	0	0

### Sales

Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	10/20/2016	\$390,000	WD	1179	192	Qualified (Q)	Vacant	THORNBERRY AKA DEEB LONG	KIRBY

### Valuation

	2019 Preliminary Certified	2019 Certified	2018 Certified	2017 Certified	2016 Certified
Building Value	\$0	\$0	\$0	\$0	\$0
Extra Features Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$35,000	\$35,000	\$25,000	\$15,000	\$15,000
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$35,000	\$35,000	\$25,000	\$15,000	\$15,000
Assessed Value	\$18,150	\$19,965	\$16,500	\$15,000	\$5,500
Exempt Value	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$18,150	\$19,965	\$16,500	\$15,000	\$5,500
Maximum Save Our Homes Portability	\$16,850	\$0	\$8,500	\$0	\$9,500

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

### TRIM Notices

2019 TRIM Notice

No data available for the following modules: Residential Buildings, Commercial Buildings, Extra Features, Sketches.

Franklin County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

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## Overview



## Legend

-  Parcels
-  Roads
-  City Labels

Parcel ID	02-075-02W-1045-000S-0040	Alternate ID	02W075021045000S0040	Owner Address	KIRBY ROBERT H
Sec/Twp/Rng	2-7S-2W	Class	VACANT		2755 MILLSTONE PLANTATION RD
Property Address	1544 ALLIGATOR DR	Acreage	n/a		TALLAHASSEE, FL 32312
District	7				
Brief Tax Description	UNIT 5 BL 5 LOT 4				
	(Note: Not to be used on legal documents)				

Date created: 4/17/2020

Last Data Uploaded: 4/17/2020 7:38:29 AM

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### Parcel Summary

**Parcel ID** 02-07S-02W-1045-000R-0030  
**Location Address** 1545 ALLIGATOR DR  
 32346  
**Brief Tax Description\*** UNIT 5 BL R LOT 3 OR 171/62 PENN POINT 774/579 1179/192  
\*The Description above is not to be used on legal documents.  
**Property Use Code** VACANT (000000)  
**Sec/Twp/Rng** 2-7S-2W  
**Tax District** Alligator Point (District 7)  
**Millage Rate** 13.4617  
**Acreage** 0.568  
**Homestead** N

[View Map](#)

### Owner Information

**Primary Owner**  
[Kirby Robert H](#)  
 2755 Millstone Plantation Rd  
 Tallahassee, FL 32312

### Land Information

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
000125	GULF FRONT ALLI PT	24,750.00	SF	90	275

### Sales

Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	10/20/2016	\$390,000	WD	1179	192	Qualified (Q)	Vacant	THORNBERRY	KIRBY
N	02/02/2004	\$100	WD	774	579	Unqualified (U)	Vacant	LONG	THORNBERRY

### Valuation

	2019 Preliminary Certified	2019 Certified	2018 Certified	2017 Certified	2016 Certified
Building Value	\$0	\$0	\$0	\$0	\$0
Extra Features Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$371,250	\$371,250	\$297,000	\$228,937	\$228,937
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$371,250	\$371,250	\$297,000	\$228,937	\$228,937
Assessed Value	\$277,014	\$304,715	\$251,831	\$228,937	\$228,937
Exempt Value	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$277,014	\$304,715	\$251,831	\$228,937	\$228,937
Maximum Save Our Homes Portability	\$94,236	\$0	\$45,169	\$0	\$0

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

### TRIM Notices

[2019 TRIM Notice](#)

No data available for the following modules: Residential Buildings, Commercial Buildings, Extra Features, Sketches.

Franklin County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data here and use or interpretation. The assessment information is from the last certified tax roll. All data is subject to change before the next certified tax roll.

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Inst. Number: 201619005057 Book: 1179 Page: 192 Page 1 of 2 Date: 10/24/2016 Time: 4:00 PM  
 Marcia Johnson Clerk of Courts, Franklin County, Florida Doc Deed: 2,730.00

This Instrument Prepared by & return to:

Name: W. Crit Smith, Esq.  
 Susan S. Thompson, Esq.  
 Frank S. Shaw, III, Esq.

Address: Smith, Thompson & Shaw  
 Fourth Floor, 3520 Thomasville Rd.

20163245ANH  
 Parcel I.D. #: 02-07S-02W-1045-000R-0030  
 02-07S-02W-1045-000S-0040

Inst: 201619005057 Date: 10/24/2016 Time: 4:00PM  
 Page 1 of 2 B: 1179 P: 192, Marcia Johnson, Clerk of Court  
 Franklin County, By: SM Deputy Clerk  
 Doc Stamp-Deed: 2730.00

SPACES ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

**THIS WARRANTY DEED** Made the 20th day of October, A.D. 2016, by **MARCIA DEEB THORNBERRY, a/k/a MARCIA DEEB LONG, A MARRIED WOMAN**, hereinafter called the grantor, to **ROBERT H. KIRBY, A MARRIED MAN**, whose post office address is 2755 MILLSTONE PLANTATION ROAD, TALLAHASSEE, FL 32312, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument, singular and plural, and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

**Witnesseth:** That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee all that certain land situate in Franklin County, State of Florida, viz:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

The grantor does herein affirm that the above described property is not homestead property.


Subject to taxes for the year 2016 and subsequent years, restrictions, reservations, covenants and easements of record, if any.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.  
**To Have and to Hold** the same in fee simple forever.


**And** the grantor hereby covenants with said grantee that she is lawfully seized of said land in fee simple; that she has good right and lawful authority to sell and convey said land, and hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2015.

**In Witness Whereof**, the said grantor has signed and sealed these presents, the day and year first above written.

Signed, sealed and delivered in the presence of:

  
 Witness Signature

Susan S. Thompson  
 Printed Name

  
 Witness Signature

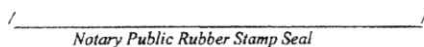
Cindy Jordan  
 Printed Name


State of Florida  
 County of Leon

I hereby Certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgements, personally appeared **MARCIA DEEB THORNBERRY, A MARRIED WOMAN**, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that he/she executed the same, and that I relied upon the following form of identification of the above-named person:

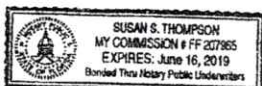
and that an oath was not taken.

Witness my hand and official seal in the County and State last aforesaid this 20th day of October, A.D. 2016.

  
 Notary Public Rubber Stamp Seal

  
 Notary Signature

Printed Notary Signature





Inst. Number: 201619005057 Book: 1179 Page: 193 Page 2 of 2 Date: 10/24/2016 Time: 4:00 PM  
Marcia Johnson Clerk of Courts, Franklin County, Florida Doc Deed: 2,730.00

EXHIBIT "A"

The land referred to herein below is situated in the County of Franklin, State of Florida,  
and is described as follows:

Parcel 1

Lot 3, Block "R" of PENINSULAR POINT UNIT NO. 5, according to the Plat thereof as  
recorded in Plat Book 1, Page(s) 29, of the Public Records of Franklin County, Florida.

Parcel 2

Lot 4, Block "S" of PENINSULAR POINT UNIT NO. 5, according to the Plat thereof as  
recorded in Plat Book 1, Page(s) 29, of the Public Records of Franklin County, Florida.



## Overview



## Legend

-  Parcels
-  Roads
-  City Labels

Parcel ID	02-07S-02W-1045-0005-0050	Alternate ID	02W07S02104500050050	Owner Address	RB ASSET MANAGEMENT,LLC
Sec/Twp/Rng	2-7S-2W	Class	VACANT		1843 COMMERCE BLVD
Property Address	1542 ALLIGATOR DR	Acreage	n/a		MIDWAY, FL 32343
District	7				
Brief Tax Description	UNIT 5 BL S LOT 5 PEN POINT				
	(Note: Not to be used on legal documents)				

Date created: 4/17/2020  
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*This is Mr Deeb's Dock -  
Property Appraiser's drawing indicates  
it's on Mr Kirby's parcel -  
Spoke w/ Wade Dandridge - He said  
it is okay, they deal with this from  
time to time -*

### Parcel Summary

**Parcel ID** 02-07S-02W-1045-000S-0050  
**Location Address** 1542 ALLIGATOR DR  
 32346  
**Brief Tax Description\*** UNIT 5 BL S LOT 5 PEN POINT OR 171/69 647/477 1237/288  
*\*The Description above is not to be used on legal documents.*  
**Property Use Code** VACANT (000000)  
**Sec/Twp/Rng** 2-7S-2W  
**Tax District** Alligator Point (District 7)  
**Millage Rate** 13.4617  
**Acreage** 0.000  
**Homestead** N

[View Map](#)

### Owner Information

**Primary Owner**  
[Rb Asset Management, LLC](#)  
 1843 Commerce Blvd  
 Midway, FL 32343

### Land Information

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
999910	DOCK PERMISSIV	1.00	UT	0	0

### Sales

Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	03/07/2019	\$50,000	WD	1237	288	Qualified (Q)	Vacant	LONG	RB ASSET MANAGEMENT, LLC

### Valuation

	2019 Preliminary Certified	2019 Certified	2018 Certified	2017 Certified	2016 Certified
Building Value	\$0	\$0	\$0	\$0	\$0
Extra Features Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$35,000	\$35,000	\$25,000	\$15,000	\$15,000
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$35,000	\$35,000	\$25,000	\$15,000	\$15,000
Assessed Value	\$7,321	\$8,053	\$6,655	\$6,050	\$5,500
Exempt Value	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$7,321	\$8,053	\$6,655	\$6,050	\$5,500
Maximum Save Our Homes Portability	\$27,679	\$0	\$18,345	\$8,950	\$9,500

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

### TRIM Notices

2019 TRIM Notice

No data available for the following modules: Residential Buildings, Commercial Buildings, Extra Features, Sketches.

Franklin County, Florida, is an equal opportunity and fair housing community. It is the policy of the County to provide equal access to all services and facilities. The County does not discriminate on the basis of race, color, sex, religion, national origin, or age. All services and facilities are provided to all residents on an equal basis.

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Version 2.3.54

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**Schneider**  
 GEOSPATIAL





# FLORIDA DEPARTMENT OF Environmental Protection

Northwest District  
160 W. Government Street, Suite 308  
Pensacola, Florida 32502

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Noah Valenstein  
Secretary

November 28, 2018

Robert Kirby  
2755 Millstone Road  
Tallahassee, Florida 32312  
[ripkirby@rhmgmt.us](mailto:ripkirby@rhmgmt.us)

File Name: Kirby Single-Family Dock  
File No.: 0369382-001-EG-19, Franklin County

Dear Mr. Kirby:

On October 5, 2018, we received your notice of intent to use a General Permit (GP) pursuant to Rule 62-330.427, Florida Administrative Code (F.A.C.) to construct a 1,036 square-foot single-family dock consisting of a 229-foot by 4-foot access walkway and a 6-foot by 20-foot terminal platform with a single uncovered boatlift within Alligator Harbor, Class II Outstanding Florida Waters, Alligator Harbor Aquatic Preserve, Prohibited Shellfish Harvesting Area. The project is located at 1544 Alligator Drive, Alligator Point, Florida, 32346, Parcel No. 02-07S-02W-1045-000S-0040, in Section 2, Township 7 South, Range 2 West of Franklin County; at approximately 29°54'5.0" North Latitude, 84°24'4.68" West Longitude.

Your intent to use a general permit has been reviewed by Department staff for three types of authorization: (1) regulatory authorization, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal authorization. The authority for review and the outcomes of the reviews are listed below. Please read each section carefully.

**Your project qualifies for all three authorizations.** However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity.

If you change the project from what you submitted, the authorizations granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

## 1. **Regulatory Review – Approved**

Based on the forms, drawings, and documents submitted with your notice, it appears that the project meets the requirements for the General Permit under Rule 62-330.427, F.A.C. Any activities performed under a general permit are subject to general conditions required in Rule 62-330.405, F.A.C. (attached) and the specific conditions of Rule 62-330.427, F.A.C. (attached). Any deviations from these conditions may subject the permittee to enforcement action and possible penalties.

Please be advised that the construction phase of the GP must be completed within five years from the date the notice to use the GP was received by the Department. If you wish to continue this GP beyond the expiration date, you must notify the Department at least 30 days before its expiration.

Authority for review – Part IV of Chapter 373, Florida Statutes (F.S.), Title 62, F.A.C., and in accordance with the operating agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C.

## **2. Proprietary Review – Granted**

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapters 253 and 258, F.S. and Chapters 18-20 and 18-21, F.A.C.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above and has determined that the activity qualifies for a Letter of Consent under Section 253.77, F.S. to construct and use the activity on the specified sovereign submerged lands, as long as the work performed is located within the boundaries as described herein 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.

Authority for review – Chapters 253 and 258, F.S., Chapters 18-20 and 18-21, F.A.C., and Section 62-330.075, F.A.C., as required.

## **3. Federal Review – SPGP Approved**

Your proposed activity as outlined in your application and attached drawings qualifies for federal authorization pursuant to the State Programmatic General Permit (SPGP) V, and a **SEPARATE permit** or authorization **will not be required** from the U.S. Army Corps of Engineers (Corps). Please note that the federal authorization expires on July 26, 2021. However, your authorization may remain in effect for up to one (1) additional year if provisions of Special Condition B.27 of the SPGP V permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project are attached. A copy of the SPGP V with all terms and conditions and the General Conditions may be found online in the Jacksonville District Regulatory Division Sourcebook.



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.

#### **Additional Information**

Please retain this general permit. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S. and Chapter 18-14, F.A.C.

#### **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 further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

#### Petition for Administrative Hearing

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@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us). 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. 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.

### Extension of Time

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@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us), 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.

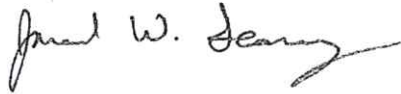
If you have any questions regarding this matter, please contact Jared Searcy at the letterhead address or at (850) 245-7625 or via email at [Jared.Searcy@dep.state.fl.us](mailto:Jared.Searcy@dep.state.fl.us).



**EXECUTION AND CLERKING**

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Jared Searcy  
Environmental Specialist II  
Submerged Lands and Environmental Resources Program

**Attachments:**

1. Rule 62-330.427, F.A.C., 2 pages
2. General Conditions for All General Permits, Rule 62-330.405, F.A.C., 3 pages
3. General Consent Conditions for Use of Sovereignty Submerged Lands, 2 pages
4. General Conditions for Federal Authorization for SPGP V, 2 pages
5. SPGP V: Special Conditions Related to All Review and Authorizations, 6 pages
6. Department of the Army Permit Transfer for SPGP V, 1 page
7. Project Drawings, 4 pages

**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:

Tanya McHale, FDEP Northwest District, [Tanya.McHale@dep.state.fl.us](mailto:Tanya.McHale@dep.state.fl.us)

Michael Fuller, FDEP Northwest District, [Michael.Fuller@dep.state.fl.us](mailto:Michael.Fuller@dep.state.fl.us)

Dan Garlick, Garlick Environmental Associates, Inc., [dan@garlickenv.com](mailto:dan@garlickenv.com)

Mary Ann Wasmund, Garlick Environmental Associates, Inc., [maryann@garlickenv.com](mailto:maryann@garlickenv.com)

**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.



November 28, 2018

Clerk

Date



### **62-330.427 General Permit for Docks, Piers and Associated Structures.**

(1) A general permit is granted to any person to construct, extend, or remove a dock or pier and associated structures as described below:

(a) A private, single-family pier or dock with up to two boat lifts that, together with all existing structures on the shoreline of the property, does not exceed a total area of 2,000 square feet over surface waters. Such a structure:

1. Shall not accommodate the mooring of more than two vessels, either in the water or on a boat lift. Solely for purposes of this general permit, up to two personal watercraft as defined in section 327.02(33), F.S., may be moored in lieu of either or both allowable vessels of another type. These limits shall not apply to the mooring, storage or other use of the dock or pier by:

a. Non-motor-powered vessels less than 16 feet in length that are stored on or under the dock or pier, or within an authorized mooring area; or

b. Personal watercraft, dinghies or similar small vessels that are stowed out of the water, upon a larger parent vessel that is moored at the dock in compliance with this general permit.

2. Shall be located such that all areas used for vessel mooring and navigational access already provide a minimum depth of two feet below the mean low water level for tidal waters, or two feet below the expected average low water depth for non-tidal waters as determined based on best available information for the water body at the project location; and

3. May include a roof over the vessel mooring areas, boat lifts, and terminal platform, or any portions thereof, subject to the applicable provisions of chapters 253 and 258, F.S., and the rules adopted thereunder. Portions of such roofs that overhang beyond the edge of decked portions of the pier or dock shall be included in the calculation of the total square footage of over-water structure allowed under paragraph (1)(a), above.

(b) A public fishing pier that does not exceed a total area of 2,000 square feet provided the structure is designed and built to discourage boat mooring by elevating the fishing pier to a minimum height of five feet above mean high water or ordinary high water, surrounding the pier with handrails, and installing and maintaining signs that state "No Boat Mooring Allowed."

(2) This general permit shall be subject to the following specific conditions:

(a) Construction or extension of the boat lift, boat mooring locations, or terminal platform, shall not occur over submerged grassbeds, coral communities or wetlands. However, the access walkway portion of the pier may traverse these resources provided it is elevated a minimum of five feet above mean high water or ordinary high water, contains handrails that are maintained in such a manner as to prevent use of the access walkways for boat mooring or access, and does not exceed a width of six feet, or a width of four feet in Aquatic Preserves;

(b) There shall be no structures enclosed by walls, screens, or doors on any side;

(c) The dock or pier will not facilitate vessel rentals, charters, or serve any other commercial purpose;

(d) There shall be no fish cleaning facilities, boat repair facilities or equipment, or fueling facilities on the structures authorized by this general permit. In addition, no overboard discharges

of trash, human or animal waste, or fuel shall occur from any structures authorized by this general permit;

(e) This general permit shall not authorize the construction or extension of more than one dock or pier per parcel of land or individual lot. For the purposes of this general permit, multi-family living complexes shall be treated as one parcel of property regardless of the legal division of ownership or control of the associated property; and

(f) Notwithstanding any other provisions of this general permit, the design, construction and operation of the dock or pier and associated vessels shall not conflict with any manatee protection plan approved and adopted under section 379.2431(2)(t), F.S.

*Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 373.426, 403.814(1) FS. History—New 10-3-95, Formerly 62-341.427, Amended 10-1-13, 6-1-18.*



### **62-330.405 General Conditions for All General Permits.**

The following general permit conditions are binding upon the permittee and are enforceable under chapter 373, F.S. These conditions do not apply to the general permit for stormwater management systems under section 403.814(12), F.S.

(1) The general permit is valid only for the specific activity indicated. Any deviation from the specified activity and the conditions for undertaking that activity shall constitute a violation of the permit and may subject the permittee to enforcement action and revocation of the permit under chapter 373, F.S.

(2) The general permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any construction, alteration, operation, maintenance, removal or abandonment authorized by this permit; and it does not authorize any violation of any other applicable federal, state, local, or special district laws (including, but not limited to, those governing the "take" of listed species).

(3) The general 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 on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the general permit.

(4) The general permit does not relieve the permittee from liability and penalties when the permitted activity causes harm or injury to: human health or welfare; animal, plant or aquatic life; or property. It does not allow the permittee to cause pollution that violates state water quality standards.

(5) Section 253.77, F.S., provides that a person may not commence any excavation, construction, or other activity involving the use of state-owned 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 consent, lease, easement, or other form of authorization authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on state-owned lands.

(6) The authorization to conduct activities under a general permit may be modified, suspended or revoked in accordance with chapter 120, F.S., and section 373.429, F.S.

(7) The general permit is not transferable to a new third party. To be used by a different permittee, a new notice to use a general permit must be submitted in accordance with rule 62-330.402, F.A.C. Activities constructed in accordance with the terms and conditions of a general permit are automatically authorized to be operated and maintained by the permittee and subsequent owners in accordance with subsection 62-330.340(1), F.A.C. Any person holding the general permit, persons working under the general permit, and owners of land while work is conducted under the general permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to sale, conveyance, or other transfer of ownership or control of the permitted project, activity, or the real property at which the permitted project or activity is located.

(8) Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the permitted system to ensure conformity with the plans and specifications approved by the general permit.

(9) The permittee shall maintain any permitted project or activity in accordance with the plans submitted to the Agency and authorized in the general permit.

(10) A permittee's right to conduct a specific activity under the general permit is authorized for a duration of five years.



(11) 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 implemented and maintained immediately prior to, during, and after construction as needed to stabilize all disturbed areas, including other measures specified in the permit to prevent adverse impacts to the water resources and adjacent lands. Erosion and sediment control measures shall be installed and maintained 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), available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-04227>, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual* (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), available at [http://publicfiles.dep.state.fl.us/DEAR/Stormwater\\_Training\\_Docs/erosion-inspectors-manual.pdf](http://publicfiles.dep.state.fl.us/DEAR/Stormwater_Training_Docs/erosion-inspectors-manual.pdf).

(12) Unless otherwise specified in the general permit, temporary vehicular access within wetlands during construction shall be performed using vehicles generating minimum ground pressure to minimize rutting and other environmental impacts. Within forested wetlands, the permittee shall choose alignments that minimize the destruction of mature wetland trees to the greatest extent practicable. When needed to prevent rutting or soil compaction, access vehicles shall be operated on wooden, composite, metal, or other non-carthen construction mats. In all cases, access in wetlands shall comply with the following:

- (a) Access within forested wetlands shall not include the cutting or clearing of any native wetland tree having a diameter four inches or greater at breast height;
- (b) The maximum width of the construction access area shall be limited to 15 feet;
- (c) All mats shall be removed as soon as practicable after equipment has completed passage through, or work has been completed, at any location along the alignment of the project, but in no case longer than seven days after equipment has completed work or passage through that location; and
- (d) Areas disturbed for access shall be restored to natural grades immediately after the maintenance or repair is completed.

(13) Barges or other work vessels used to conduct in-water activities shall be operated in a manner that prevents unauthorized dredging, water quality violations, and damage to submerged aquatic communities.

(14) The construction, alteration, or use of the authorized project shall not adversely impede navigation or create a navigational hazard in the water body.

(15) Except where specifically authorized in the general permit, activities must not:

- (a) Impound or obstruct existing water flow, cause adverse impacts to existing surface water storage and conveyance capabilities, or otherwise cause adverse water quantity or flooding impacts to receiving water and adjacent lands; or

- (b) Cause an adverse impact to the maintenance of surface or ground water levels or surface water flows established pursuant to section 373.042, F.S., or a Works of the District established pursuant to section 373.086, F.S.

(16) If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or

other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities 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 the proper authorities notified in accordance with section 872.05, F.S.

(17) The activity must be capable, based on generally accepted engineering and scientific principles, of being performed and of functioning as proposed, and must comply with any applicable District special basin and geographic area criteria.

(18) The permittee shall comply with the following when performing work within waters accessible to federally- or state-listed aquatic species, such as manatees, marine turtles, smalltooth sawfish, and Gulf sturgeon:

(a) All vessels associated with the project shall operate at "Idle Speed/No Wake" at all times while in the work area and where the draft of the vessels provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.

(b) All deployed siltation or turbidity barriers shall be properly secured, monitored, and maintained to prevent entanglement or entrapment of listed species.

(c) All in-water activities, including vessel operation, must be shut down if a listed species comes within 50 feet of the work area. Activities shall not resume until the animal(s) has moved beyond a 50-foot radius of the in-water work, or until 30 minutes elapses since the last sighting within 50 feet. Animals must not be herded away or harassed into leaving. All onsite project personnel are responsible for observing water-related activities for the presence of listed species.

(d) Any listed species that is killed or injured by work associated with activities performed shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1(888)404-3922 and [ImperiledSpecies@myFWC.com](mailto:ImperiledSpecies@myFWC.com).

(e) Whenever there is a spill or frac-out of drilling fluid into waters accessible to the above species during a directional drilling operation, the FWC shall be notified at [ImperiledSpecies@myfwc.com](mailto:ImperiledSpecies@myfwc.com) with details of the event within 24 hours following detection of the spill or frac-out.

(19) The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any activity authorized by the general permit.

(20) The permittee shall immediately notify the Agency in writing of any submitted information that is discovered to be inaccurate.

*Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.044, 373.118(1), 373.129, 373.136, 373.406(5), 373.413, 373.4131, 373.414(9), 373.4145, 373.416, 373.422, 373.423, 373.429, 403.814(1) FS. History—New 10-3-95, Amended 10-1-07, Formerly 62-341.215, Amended 10-1-13, 6-1-18.*



**GENERAL CONSENT CONDITIONS FOR  
USE OF SOVEREIGNTY SUBMERGED LANDS**

Any use of sovereignty submerged lands is subject to the following general conditions are binding upon the applicant and are enforceable under Chapters 253 and 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.
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.

### **General Conditions for Federal Authorization for SPGP V**

1. The time limit for completing the work authorized ends on July 26, 2021.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

#### **Further Information:**

1. Limits of this authorization.
  - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
  - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
  - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
  - c. Damages to persons, property, or to other permitted or unpermitted activities or



- structures caused by the activity authorized by this permit.
- d. Design or Construction deficiencies associated with the permitted work.
  - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
  4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
    - a. You fail to comply with the terms and conditions of this permit.
    - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
    - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
  5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.
  6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.
  7. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation or alteration.

### **Special Conditions Related to All Review and Authorizations**

In addition to the conditions specified above, the following Special Conditions apply to all projects reviewed and/or authorized under the SPGP V.

1. The District Engineer reserves the right to require that any request for authorization under this SPGP V be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP V does not automatically guarantee Federal authorization.
2. On a case-by-case basis the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.
3. Failure to comply with all conditions of the Federal authorizations under the SPGP V would constitute a violation of the Federal authorization.
4. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant's/Permittee's behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or [SiteFile@dos.state.fl.us](mailto:SiteFile@dos.state.fl.us). The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at <http://www.cr.nps.gov/nr/research>.
  - a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, 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), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245-6333 and the Corps Regulatory Project Manager to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7.
  - b. In the unlikely event that human remains are identified, they will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, the State Archaeologist (850-245-6444), and the Corps Regulatory Project Manager shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.
5. No work shall be authorized under the SPGP V which proposes the use of prefabricated modules for habitat creation, restoration, or enhancement except as allowed in Special Condition 17 for *Living Shorelines* of the *Shoreline Stabilization* category.
6. The Design and construction of a Project must comply with the following.
  - a. Where aquatic vegetation is present, adverse impacts to aquatic vegetation from construction of piling-supported structures may be avoided/minimized by adherence to, or employing alternative construction techniques that provide a higher level of protection than, the



protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "*Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*," U.S. Army Corps of Engineers/National Marine Fisheries Service August 2001 (updated June 2008). Unless otherwise specifically approved by the National Marine Fisheries Service, where aquatic vegetation is present, piling-supported structures authorized under the SPGP V must comply with, or provide a higher level of protection than, the criteria contained in the referenced construction guidelines. Mangrove impacts are limited to the removal of mangroves along 4 linear feet of shoreline to accommodate a 4-ft-wide access walkway associated with a dock that meets the above guidelines.

b. Additionally, because of concerns about adverse impacts to the endangered Johnson's seagrass (*Halophila johnsonii*) in the lagoon and canal systems on Florida's east coast from Sebastian Inlet (Brevard County) south to and including central Biscayne Bay (Miami-Dade County), the following requirements must be met:

(1) Piling-supported structures must comply with, or provide a higher level of protection than, the criteria contained in the construction guidelines titled "*Key for Construction Conditions for Docks or Other Minor Structures Constructed in or Over Johnson's seagrass (Halophila johnsonii)*," National Marine Fisheries Service/U.S. Army Corps of Engineers – February 2002 (updated October 2002).

(2) Removal of derelict vessels must comply with the practices of Special Condition 19.

(3) All other activities will have no effect on Johnson's seagrass, i.e., no seagrass is present.

c. The presence of seagrass will be determined utilizing the attached "*Submerged Aquatic Vegetation Survey Guidelines*."

7. For projects in waters accessible to sea turtles, Smalltooth sawfish, Gulf sturgeon, or Shortnose sturgeon, the Permittee will utilize the "*Sea Turtle and Smalltooth Sawfish Construction Conditions*" and the following additions:

a. Any collision(s) with and/or injuries to any whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (727-824-5312).

b. Reports to NMFS's Protected Resources Division (PRD) may be made by email to [takereport.nmfsser@noaa.gov](mailto:takereport.nmfsser@noaa.gov).

c. Sea turtle and marine mammal stranding/rescue organizations' contact information is available by region at <http://www.nmfs.noaa.gov/pr/health/networks.htm>.

d. Smalltooth sawfish encounters shall be reported to <http://www.flmnh.ufl.edu/fish/sharks/sawfish/sawfishencounters.html>.

e. All work must occur during daylight hours.

8. The Permittee is responsible for obtaining any "take" permits required under the U.S. Fish and Wildlife Service's regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such "take" permits are required for a particular activity.



9. The Permittee is responsible for compliance with 50 CFR 224.103(c) prohibiting approach within 500 yards of a right whale, with limited exceptions.

10. Turbidity control measures shall be used throughout construction to control erosion and siltation to ensure there are no violations of state or federal water quality standards. Turbidity control measures shall be: (1) for the smallest practicable area; (2) monitored daily to ensure listed species are not entangled or trapped in the project area; (3) shall be removed promptly upon project completion and the return of water quality conditions; (4) and shall not block entry to or exit from designated critical habitat. Siltation barriers shall be made of material in which listed species cannot become entangled (i.e., reinforced impermeable polycarbonate vinyl fabric [PVC]).

a. Turbidity curtains are not required where not practical in dynamic systems such as surf zones and could actually do more harm than good if the curtains become detached (e.g., they could entrap pelagic organisms and become entangled around benthic organisms, such as coral).

b. Turbidity barriers are not required if installation of single piling in deep water since is unlikely to adversely affect water quality.

11. In-water rope or chain must meet the following requirements: Industrial grade metal chains or heavy cables that do not readily loop and tangle; All in-water lines (rope and cable) must be thick and taut and cannot have excess line in the water; Lines can be enclosed in a plastic or rubber sleeve/tube to add rigidity.

12. No work shall occur where hard bottom or any hard or coral including ESA-listed coral species are present within the footprint of the project.

13. No work shall occur that results in removal of mangroves (including prop roots), except:

a. as provided by Special Condition 6.a.; or,

b. for removal of mangroves growing at the foot or from an existing seawall whose removal needed to repair the seawall.

14. No work shall occur that results in impacts to seagrass except as provided by Special Condition 6.

15. (For *Docks, Piers, Associated Facilities, and Other Minor Piling-Supported Structures and Boat Ramps and Boat Launch Areas and Structures Associated with Such Ramps or Launch Areas.*)

a. Aids to Navigation and Private Aids to Navigation (e.g., attached to the structures authorized by the SPGP) must be approved by and installed in accordance with U.S. Coast Guard requirements.

b. Temporary structures associated with marine events will be removed and the site restored upon completion of the event.

c. (For *multi-family residential docks (e.g., condos, trailer parks, apartment complexes) designated for fishing or vessel storage, for temporary marine event pile-supported structures involving high speed vessel traffic or fishing, and for commercial or public boat ramps.*) Install educational signs as follows in a visible location to alert boaters of listed species in the area susceptible to vessel strikes or hook-and-line captures. NMFS website

([http://sero.nmfs.noaa.gov/protected\\_resources/section\\_7/protected\\_species\\_educational\\_signs/index.html](http://sero.nmfs.noaa.gov/protected_resources/section_7/protected_species_educational_signs/index.html)) provides sign installation guidance and most current version of the signs.

(1) All commercial and public boat ramps shall install the Save Sea Turtle, Sawfish, and Dolphin sign.

(2) If the Project occurs within the range of Gulf, Atlantic, or Shortnose sturgeon, the Permittee will install and maintain the *Report Sturgeon* sign.

(3) If the Project occurs within 14 miles of North Atlantic Right Whale critical habitat, the Permittee will install and maintain the *Help Protect North Atlantic Right Whales* sign.

d. Project construction will take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited.

16. (For *Transient activities*.)

a. Temporary structures shall not block access of species to an area such as preventing movement in or out of a river or channel.

b. (For *scientific sampling, measurement, and monitoring devices*.) No later than 24 months from initial installation, or upon completion of data acquisition, whichever comes first, the measuring device and any other structure or fills associated with that device (e.g., anchors, buoys, lines) must be removed and the site must be restored to pre-construction elevations.

17. (For *Living Shorelines* of the *Shoreline Stabilization* category.)

a. Only native plant species will be planted.

b. Not more than 500 linear feet in length, not more than 35 ft waterward of the high tide line (note that FAC 62-330 limits to 10 feet of the mean high water line) or result in more than 0.5 ac area between the natural shoreline and the structure.

c. No discharge of earthen fill material, other than earthen material associated with vegetative planting, is not authorized.

d. Construction, maintenance, and removal of approved permanent, shore-parallel wave attenuation structures are authorized. Approved permanent wave attenuation materials include oyster breakwaters (described below), clean limestone boulders, and prefabricated structures made of concrete and rebar that are designed in a manner that cannot trap sea turtles, Smalltooth sawfish, or sturgeon. Reef balls that are not open on the bottom, triangle structures with a top opening of at least 3 feet between structures, and reef discs stacked on a pile may be used.

e. (For oyster breakwaters.)

(1) Reef materials shall be placed in a manner to ensure that materials (e.g., bagged oyster shell, oyster mats, loose cultch surrounded and contained by a stabilizing feature, reef balls, and reef cradles) will remain stable and prevent movement of materials to surrounding areas.

(2) Materials must be placed in designated locations (i.e., shall not be indiscriminately/randomly dumped) and shall not be placed outside of the total project limits.

18. (For *Subaqueous Utility Lines* of the *Transient Activities* category.)

a. A Frac-out Contingency Plan similar to the attached plan will be developed, submitted with the application and then followed.

b. All subaqueous transmission lines crossing over, under, or in flood control channels/canals in Federal projects (either federally or locally maintained) which are installed with horizontal direction drilling (HDD) shall comply with the following:



(1) The project shall ensure the top of the HDD boring is a minimum of 10 feet beneath the bottom of the channel including a minimum 25 feet outside the channel edges and the estimated total drilling fluid pressure is less than 10 psi.

(2) Construction of directional boring vaults, junction boxes, and/or pads are not allowed within 25 feet of the top of the bank of any federal project.

(3) Projects not in compliance with these criteria shall not be eligible for authorization under SPGP V.

(4) Any activity within a Federal right-of-way shall require the Permittee to enter into a consent-to-easement with the Real Estate Division, U.S. Army Corps of Engineers, Jacksonville or Mobile District, as appropriate, prior to the commencement of any construction activity.

(5) The Permittee shall, upon completion of work, provide an as-built survey showing the horizontal and vertical location (X-Y-Z coordinates in NAD 83 and NAVD 88) of the object below the channel as it enters and exits the design edges of the authorized width of the channel, plus a minimum of 25 feet outside the channel edges.

c. Where the proposed subaqueous utility or transmission line is to be installed in navigable waters of the United States, at least 2 weeks prior to the start of the authorized work, the permittee must notify the National Oceanic and Atmospheric Administration (NOAA) and the Corps in writing that the work is commencing; and, again, upon completion of the work. The permittee shall notify the District Engineer in writing at the letterhead address, attention Regulatory Division; and, the NOAA, either in mailed correspondence to Nautical Data Branch Office of Coast Survey N/CS26, 1315 East-West Highway, Silver Spring, MD 20910-3282 or by electronic mail correspondence, with scans of the requisite documents attached, through [osc.ndb@noaa.gov](mailto:osc.ndb@noaa.gov) and [spgp@usace.army.mil](mailto:spgp@usace.army.mil). The postconstruction notification will include "as-built plans," signed and sealed by a registered surveyor/engineer licensed in the State of Florida, that certify the project is constructed as authorized; and must include an accurate depiction of the location and configuration of the completed activity in relation to the mean high water of the navigable water.

19. (For *Removal of Derelict Vessels* of the *Transient Activities* category.)

a. Removal of marine debris shall require visual confirmation (e.g., divers, swimmers, camera) that the item can be removed without causing further damage to aquatic resources.

b. If an item cannot be removed without causing harm to surrounding coral, the item will be disassembled as much as practicable so that it no longer can accidentally harm or trap species.

c. Monofilament debris will be carefully cut loose from coral so as not to cause further harm. Under no circumstance will line be pulled through coral since this could cause breakage of coral.

d. Marine debris shall be lifted straight up and not be dragged through seagrass beds, coral, or hard bottom habitats. Debris shall be properly disposed of in appropriate facilities in accordance with applicable federal and state requirements.

20. For concrete piles installed by impact hammer:

a. The piles will be less than or equal to than 24 inches in diameter; and

b. Not more than 10 piles will be installed per day if in open water; or,

c. Not more than 5 piles will be installed per day in a *confined space*. A *confined space* is defined as any area that has a solid object (e.g., shoreline, seawall, jetty) or structure within



150 feet of the pile installation site that would effectively serve as a barrier or otherwise prevent animals from moving past it to exit the area. This does not include objects such as docks or other pile-supported structures that would not stop animal movement or significantly reflect noise.

21. Metal piles will NOT be installed by impact hammer.

22. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary.

23. The Permittee shall use only clean fill material. The fill material shall be upland sources and be free of items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act.

24. No blasting is authorized.

25. For Projects authorized under this SPGP V in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

26. The SPGP V will be valid for five (5) years from the date of issuance unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the five-year authorization period is not contrary to the public interest. If revocation occurs, all future applications for activities covered by the SPGP V will be evaluated by the Corps.

27. If the SPGP V expires or is revoked prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP V will remain in effect provided the activity is completed within twelve (12) months of the date the SPGP V expired or was revoked.

28. The General Conditions attached hereto are made a part of this SPGP V and must be attached to all authorizations processed under this SPGP V.

Department of the Army Permit Transfer for SPGP V

PERMITEE: \_\_\_\_\_

PERMIT NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

ADDRESS/LOCATION OF PROJECT:

\_\_\_\_\_

\_\_\_\_\_  
(Subdivision) (Lot) (Block)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

\_\_\_\_\_  
(Transferee Signature) (Date)

\_\_\_\_\_  
(Name Printed)

\_\_\_\_\_  
(Street address)

\_\_\_\_\_  
(Mailing address)

\_\_\_\_\_  
(City, State, Zip Code)





A-

PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

PO BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899

FAX (850) 653-9656

garlick@garlickenv.com

7415

APPLICANT/CLIENT: Robert Kirby

WATERBODY/CLASS: Alligator Harbor / ClassII / OFW / AP

PURPOSE: Environmental Permitting

PROJECT LOCATION / USGS: Alligator Point / Franklin County

LATITUDE:

LONGITUDE:

SECTION: 2 TOWNSHIP: 7 South

RANGE: 2 West

JOB: 18-113

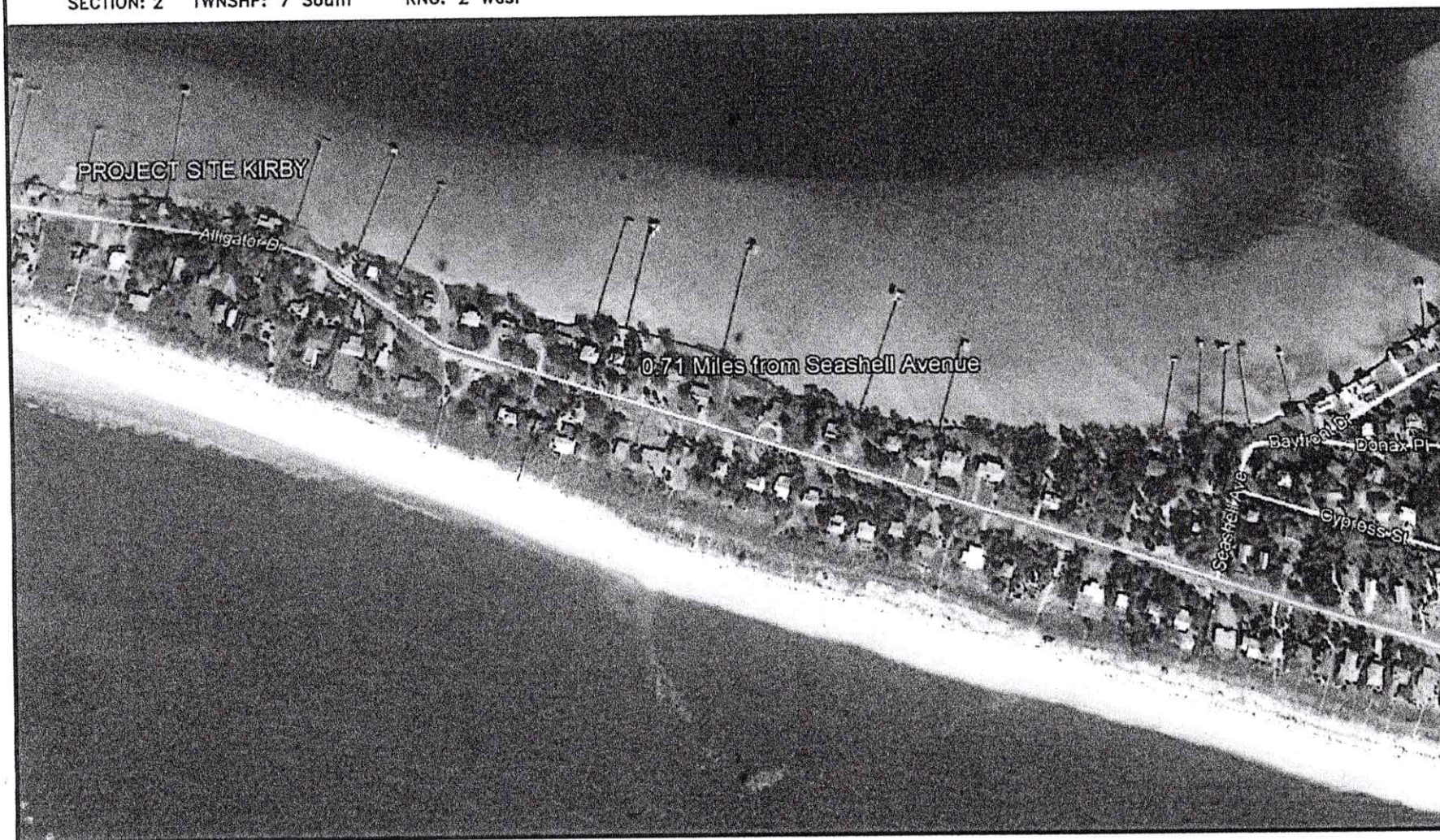
DEP:

COE:

OTHER:

DATE: October 2, 2018

SHEET: 1/4





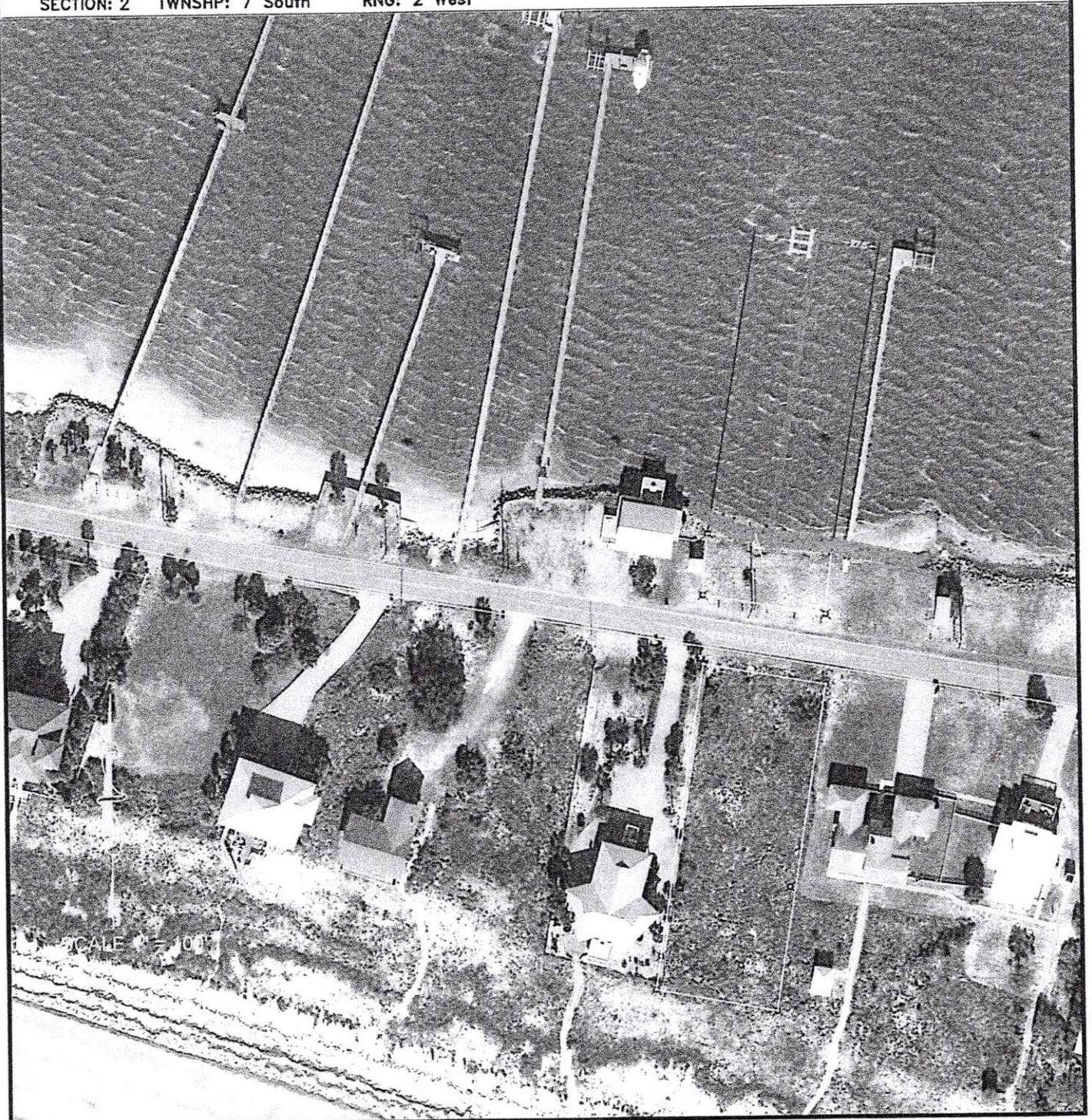


## PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

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LONGITUDE:

JOB: 18-113  
DEP:  
COE:  
OTHER:  
DATE: October 2, 2018  
SHEET: 2/4

SECTION: 2 TOWNSHIP: 7 South RANGE: 2 West





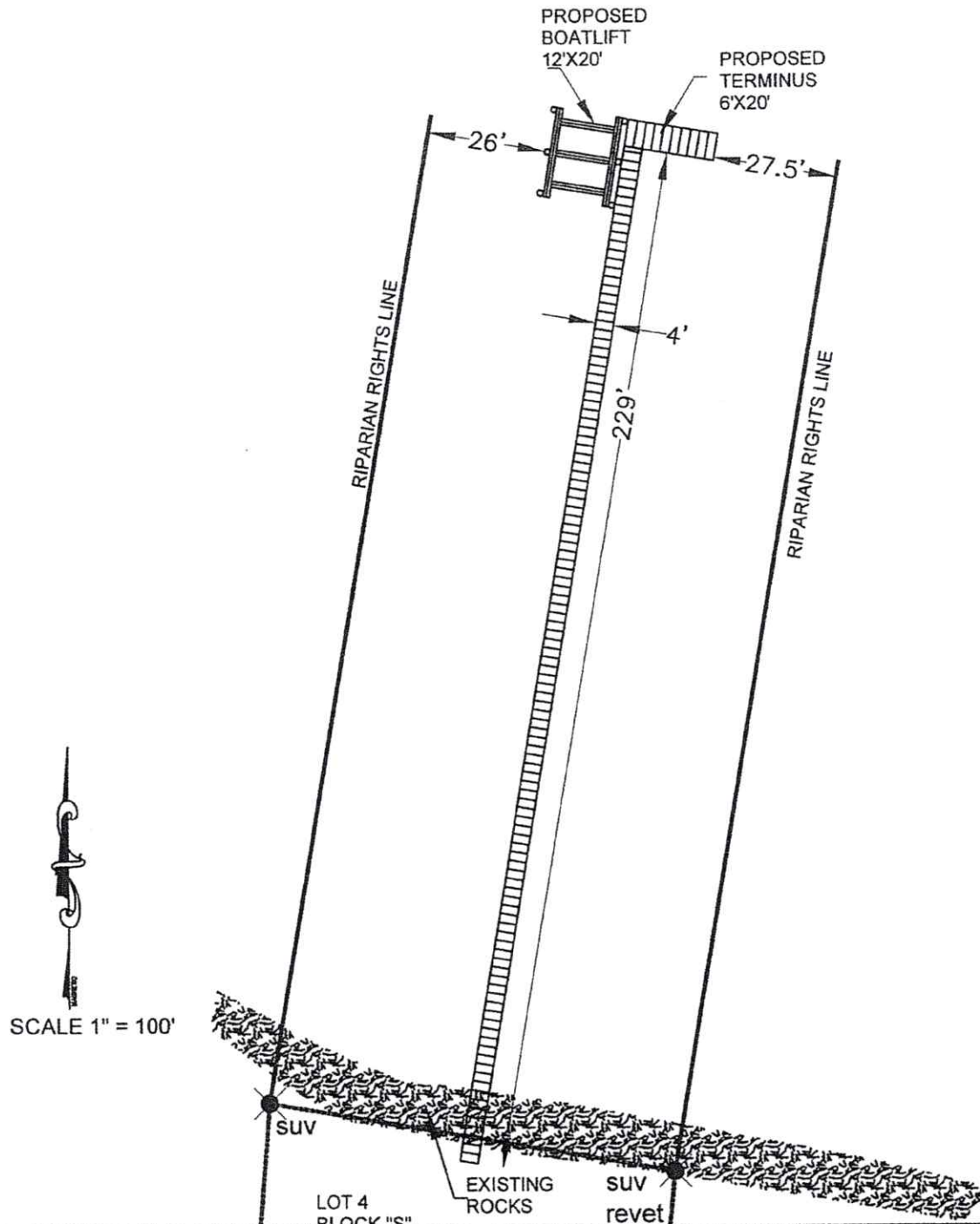


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 LONGITUDE:

JOB: 18-113  
 DEP:  
 COE:  
 OTHER:  
 DATE: October 2, 2018  
 SHEET: 3/4

SECTION: 2 TWSHP: 7 South RNG: 2 West





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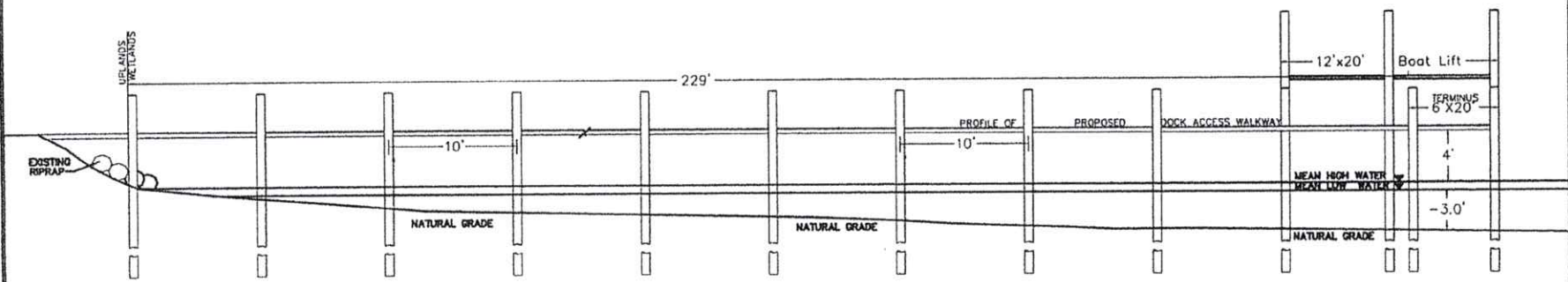
PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.  
BOX 385, APALACHICOLA FLORIDA 32329-0385 (850) 653-8899 FAX (850) 653-9656 garlick@garlickenv.com



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DEP:  
COE:  
OTHER:  
DATE: October 2, 2018  
SHEET: 4/4

CROSS SECTION  
OF PROPOSED DOCK  
Not To Scale



These drawings





DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS JACKSONVILLE DISTRICT,  
415 RICHARD JACKSON BOULEVARD, SUITE 411  
PANAMA CITY BEACH, FLORIDA 32407

July 17, 2020

Regulatory Division  
North Permit Branch  
Panama City Permits Section  
SAJ-2020-02336(GP-LSL)

Mr. Robert Kirby  
2755 Millstone Road  
Tallahassee, Florida 32312

Dear Mr. Kirby:

The U.S. Army Corps of Engineers (Corps) assigned your application for a Department of the Army permit, which the Corps received on June 16, 2020, the file number SAJ-2020-02336. A review of the information and drawings provided indicates that the proposed work will result in the construction of a single family dock. Specifically, a 4' by 269' access walkway, 8' by 20' terminal platform, 2' by 20' step down, and 2 boat lifts, 12' by 30' and 11' by 25', will be constructed. Turbidity curtains will be used. The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The project is located at 1544 Alligator Drive in Section 2, Township 7 south, Range 2 west, Alligator Point, Franklin County, Florida.

Your project, as depicted on the enclosed drawings, is authorized by Regional General Permit (GP) SAJ-20. This authorization is valid until **March 27, 2023**. Please access the Corps' Jacksonville District Regulatory Division Internet page to view the special and general conditions for SAJ-20, which apply specifically to this authorization. The Internet URL address is:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Once there you will need to click on "Source Book"; and, then click on "General Permits." Then you will need to click on the specific SAJ permit noted above. You must comply with all of the special and general conditions of the permit; and, any project-specific conditions noted below, or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

**1. Reporting Address:** The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:

a. For electronic mail (preferred): [SAJ-RD-Enforcement@usace.army.mil](mailto:SAJ-RD-Enforcement@usace.army.mil) (not to exceed 15 MB).

b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

The Permittee shall reference this permit number, SAJ-2020-02336( GP - LSL), on all submittals.

**2. Commencement Notification:** Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" Form (Attachment A).

**3. Self-Certification:** Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form (Attachment B) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.

**4. Agency Changes/Approvals:** Should any other agency require and/or approve changes to the work authorized or obligated by this permit, the Permittee is advised a modification to this permit instrument is required prior to initiation of those changes. It is the Permittee's responsibility to request a modification of this permit from the Panama City Permits Section. The Corps reserves the right to fully evaluate, amend, and approve or deny the request for modification of this permit.

**5. Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to

the United States. No claim shall be made against the United States on account of any such removal or alteration.

**6. Posting of Permit:** The Permittee shall have available and maintain for review a copy of this permit and approved plans at the construction site.

**7. Cultural Resources/Historic Properties:**

a. No structure or work shall adversely affect impact or disturb properties listed in the *National Register of Historic Places* (NRHP) or those eligible for inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition ; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33



CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

**8. Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend to the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all suspended and erodible materials have been stabilized. Turbidity barriers shall be removed upon stabilization of the work area.

**9. Manatee Conditions:** The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work – 2011" (Attachment C).

**10. Jacksonville District Programmatic Biological Opinion (JAXBO), November 2017, Project Design Criteria (PDCs):** Structures authorized under this permit must comply with all applicable PDCs, based on the permitted activity, as required by JAXBO. Please note that failure to comply with the applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take, and noncompliance with this permit. The NMFS is the appropriate authority to enforce the terms and conditions of JAXBO. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division internet webpage in the Endangered Species section of the Sourcebook located at:

<http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>

**Note** - JAXBO may be subject to revision at any time. The most recent version of these conditions must be utilized during the design and construction of the permitted work. In accordance with the Endangered Species Act, and for those projects which do not comply with JAXBO, the Corps will seek individual consultation with the NMFS.

**Note** - some authorized activities may deviate from the PDCs. In cases, where the activity (i.e., structure dimensions, length, etc.) deviates from the PDCs, the permit drawings shall supersede the PDCs.

For each of the following authorized activities subject of this permit, the permittee shall adhere to the following PDCs, which are attached to, and made part of, this authorization/verification letter:

Activity 2 - Pile-supported Structures and Anchored Buoys: (AP.1-14; A2.1-16; S.1; S.2; S.4) (Attachment D)

**11. Dock Construction Guidelines:** The Permittee shall comply with the “Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation, Marsh or Mangrove Habitat – U.S. Army Corps of Engineers/National Marine Fisheries Service – November 2017 (Attachment E).

This authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. Prior to the initiation of any construction, projects qualifying for this NWP/RGP permit must qualify for an exemption under section 403.813(1), F.S. or 373.406, F.S., or otherwise be authorized by the applicable permit required under Part IV of Chapter 373, F.S., by the Department of Environmental Protection, a water management district under section 373.069, F.S., or a local government with delegated authority under section 373.441, F.S., and receive Water Quality Certification (WQC) and applicable Coastal Zone Consistency Concurrence (CZCC) or waiver thereto, as well as any authorizations required for the use of state-owned submerged lands under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

This authorization does not include conditions that would prevent the ‘take’ of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

This authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above RGP(s), please contact Mrs. Lisa S. Lovvorn by telephone at 850-285-9533.



Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey). Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Sincerely,



Lisa S. Lovvorn  
Project Manager

Digitally signed by  
LOWVORN.LISA.SMITH  
H.1260961310  
Date: 2020.07.17  
15:24:31 -05'00'

Enclosures

cc:

Mr. Dan Garlick, Garlick Environmental Associates, Inc.

GENERAL CONDITIONS  
33 CFR PART 320-330

1. The time limit for completing the work authorized ends on the **dates identified in the letter.**
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST**

**PERMIT NUMBER: SAJ-2020-02336(GP-LSL)**

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019 or by electronic mail at [saj-rd-enforcement@usace.army.mil](mailto:saj-rd-enforcement@usace.army.mil).

<div>(TRANSFeree-SIGNATURE)</div>	<div>(SUBDIVISION)</div>	
<div>(DATE)</div>	<div>(LOT)</div>	<div>(BLOCK)</div>
<div>(NAME-PRINTED)</div>	<div>(STREET ADDRESS)</div>	
<div></div>		
<div>(MAILING ADDRESS)</div>		
<div></div>		
<div>(CITY, STATE, ZIP CODE)</div>		



PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385 (850) 653-8899 FAX (850) 653-9656 garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Robert Kirby

JOB: 20-035

WATERBODY/CLASS: Alligator Harbor / Class II / OFW / AP

DEP:

PURPOSE: Environmental Permitting

COE:

PROJECT LOCATION / USGS: Alligator Point / Franklin County, 32346 OTHER: Rev. 6-16-20

LATITUDE: 29.9013889

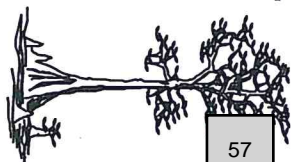
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LONGITUDE: 84.40111111

SHEET: 1/4

SECTION: 2 TOWNSHIP: 7 South

RNG: 2 West



A-





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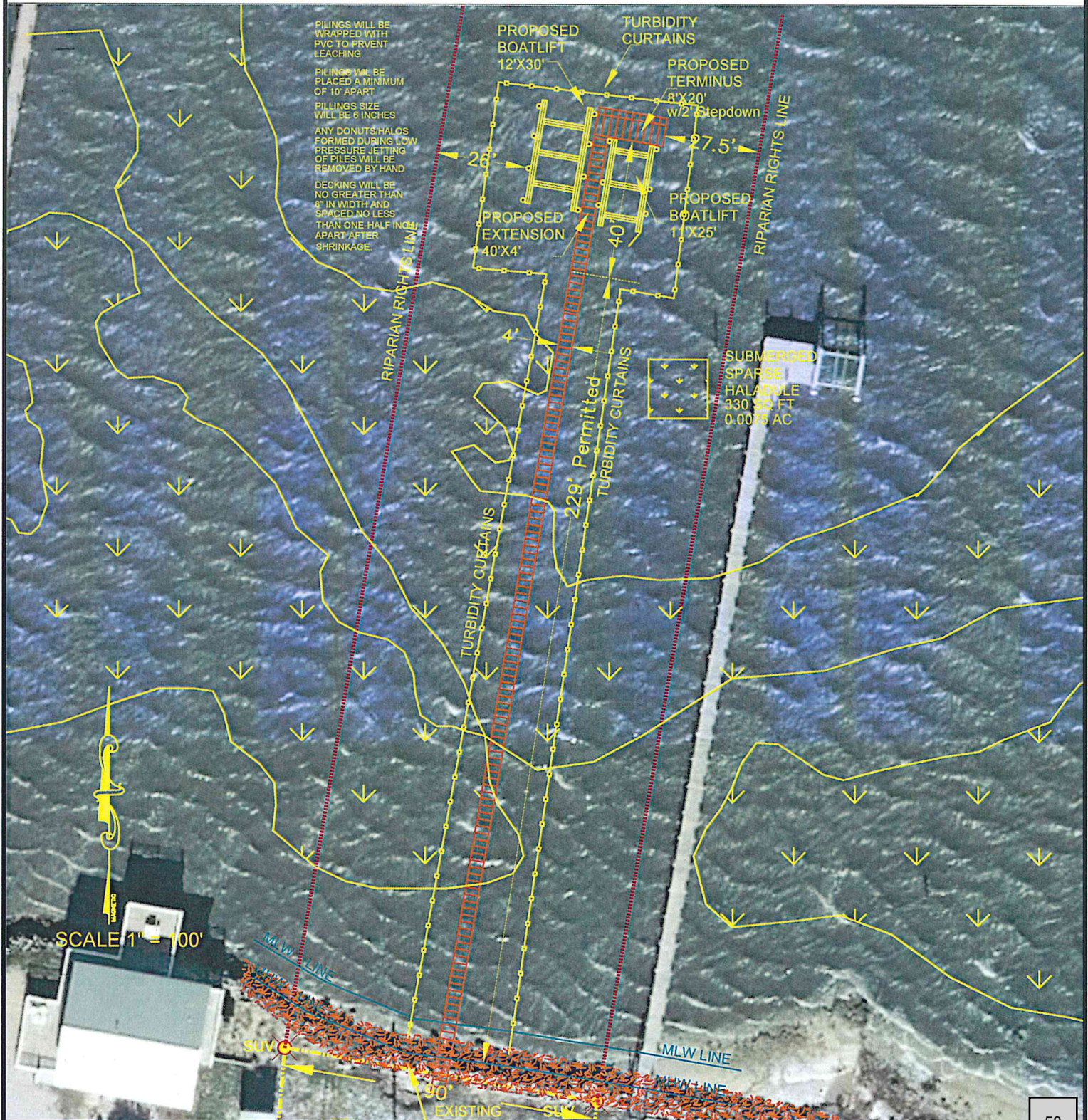
COE:

OTHER: Rev. 5-18-20

DATE: May 13, 2020

SHEET: 2/4

SECTION: 2 TWSHP: 7 South RNG: 2 West





## PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.



APPLICANT/CLIENT: Robert Kirby

JOB: 20-035

WATERBODY/CLASS: Alligator Harbor / ClassII / OFW / AP

DEP:

PURPOSE: Environmental Permitting

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OTHER: Rev. 5-18-20

LATITUDE: 29.9013889

DATE: May 13, 2020

LONGITUDE: 84.40111111

SHEET: 3/4

SECTION: 2 TOWNSHIP: 7 South

RNG: 2 West

PILINGS WILL BE  
WRAPPED WITH  
PVC TO PREVENT  
LEACHING

PILINGS WILL BE  
PLACED A MINIMUM  
OF 10' APART

PILINGS SIZE  
WILL BE 6 INCHES

ANY DONUTS/HALOS  
FORMED DURING LOW  
PRESSURE JETTING  
OF PILES WILL BE  
REMOVED BY HAND

DECKING WILL BE  
NO GREATER THAN  
8" IN WIDTH AND  
SPACED NO LESS  
THAN ONE-HALF INCH  
APART AFTER  
SHRINKAGE.

PROPOSED  
BOATLIFT  
12'X30'

TURBIDITY  
CURTAINS

PROPOSED  
TERMINUS  
8'X20'  
w/2' Stepdown

PROPOSED  
EXTENSION  
40'X4'

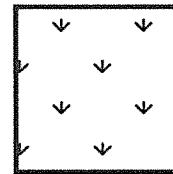
PROPOSED  
BOATLIFT  
11'X25'

RIPARIAN RIGHTS LINE

RIPARIAN RIGHTS LINE

SUBMERGED  
SPARSE  
HALADULE  
330 SQ FT  
0.0075 AC

229' Permitted  
TURBIDITY CURTAINS



SCALE 1" = 20'



# PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

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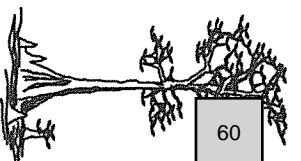
DEP:

COE:

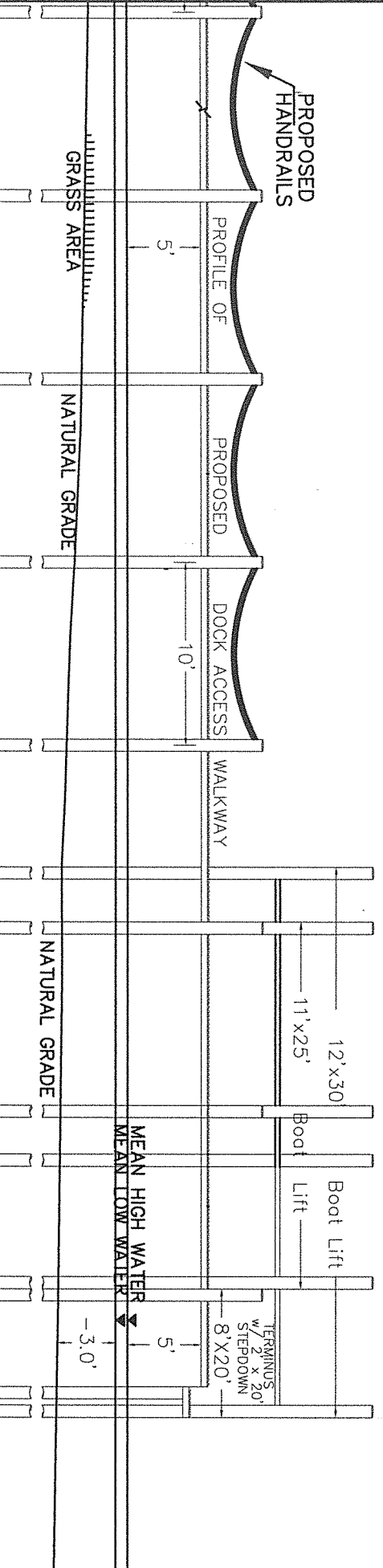
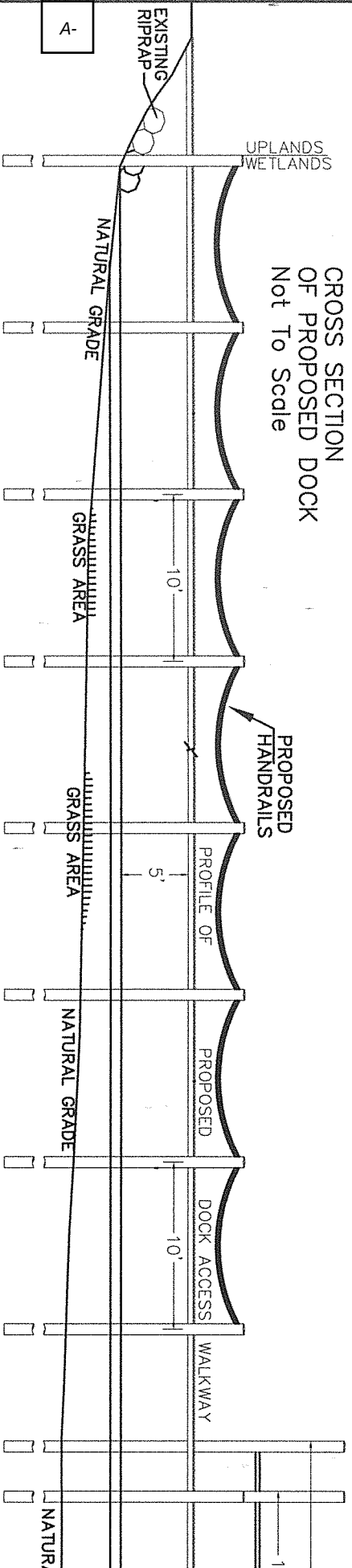
OTHER: Rev. 5-18-20 - 6-9-20 - 7-17-20

DATE: May 13, 2020

SHEET: 4/4



## CROSS SECTION OF PROPOSED DOCK Not To Scale



SUBMERGED

SPARSE  
HALADULE  
330 SQ FT  
0.0075 AC

These drawings are for  
permitting purposes  
only. Not intended for  
construction purposes.

**COMMENCEMENT NOTIFICATION**

*Within ten (10) days of initiating the authorized work, submit this form via electronic mail to [saj-rd-enforcement@usace.army.mil](mailto:saj-rd-enforcement@usace.army.mil) (preferred, not to exceed 15 MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.*

**1. Department of the Army Permit Number:** SAJ-2020-02336 (GP-LSL)

**2. Permittee Information:**

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

**3. Construction Start Date:** \_\_\_\_\_

**4. Contact to Schedule Inspection:**

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Printed Name of Permittee

\_\_\_\_\_  
Date



**SELF-CERTIFICATION STATEMENT OF COMPLIANCE**

*Within sixty (60) days of completion of the authorized work, submit this form via electronic mail to [saj-rd-enforcement@usace.army.mil](mailto:saj-rd-enforcement@usace.army.mil) (preferred, not to exceed 15MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.*

1. **Department of the Army Permit Number:** SAJ-2020-02336(GP-LSL)
2. **Permittee Information:** Name: \_\_\_\_\_  
Email: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_
3. **Date Authorized Work Started:** \_\_\_\_\_ **Completed:** \_\_\_\_\_
4. **Contact to Schedule Inspection:** Name: \_\_\_\_\_  
Email: \_\_\_\_\_  
Phone: \_\_\_\_\_

5. **Description of Authorized Work (e.g. bank stabilization, fill placed within wetlands, docks, dredging, etc.):** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. **Acreage or Square Feet of Impacts to Waters of the United States:** \_\_\_\_\_
7. **Describe Mitigation completed (if applicable):** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. **Describe any Deviations from Permit (attach drawing(s) depicting the deviations):**  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

I certify that all work and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Printed Name of Permittee

\_\_\_\_\_  
Date

## STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

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The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or in Vero Beach (1-772-562-3909) for south Florida, and emailed to FWC at [ImperiledSpecies@myFWC.com](mailto:ImperiledSpecies@myFWC.com).
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at [http://www.myfwc.com/WILDLIFEHABITATS/manatee\\_sign\\_vendors.htm](http://www.myfwc.com/WILDLIFEHABITATS/manatee_sign_vendors.htm). Questions concerning these signs can be forwarded to the email address listed above.

## Project Design Criteria (PDCs) Applicable to All Projects

**NOTE** - You are required to comply with the following PDCs, which serve to address requirements pursuant to Section 7, Endangered Species Act (ESA) for those listed species and designated critical habitat under purview of the National Marine Fisheries Service Protected, Resources Division. These PDCs are taken from the Programmatic Biological Opinion (PBO) referred to as JaxBO. These criteria serve to address ESA requirements only, and additional conditions may be required to address other Federal laws, including the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act. Authorization under this permit is conditional upon your compliance with all applicable PDCs, which are made part of this permit. You are reminded that you must complete the attached self-certification statement of compliance following completion of the authorized work. Your statement of compliance does not obviate the need to satisfy all PDCs, including those requirements (e.g., such as structural dimensions and educational signs) that are observable post-construction, and those requirements (e.g., construction methods or procedures to be followed) that are not observable post-construction. Please note that failure to comply with the applicable PDCs of this PBO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute noncompliance with this permit. The NMFS is the appropriate authority to determine compliance with the terms and conditions of this PBO.

**AP.1.** The applicant must agree to adhere to PDCs for *In-Water Activities* (provided below).

**AP.2.** All projects involving the installation of piles or sheet piles shall follow the PDCs for *In-Water Noise from Pile and Sheet Pile Installation* (Section 2.2). This Opinion does not cover projects that use seismic surveys, low frequency sonar, explosions, and seismic air guns.

**AP.3.** All projects proposed in or near areas with mangroves, seagrasses, corals, or hard bottom habitat must refer to PDCs for *Mangroves, Seagrasses, Corals, and Hard Bottom for All Projects* (provided below) to determine whether the project is covered under the Opinion and, if it is covered, to ensure it is sited, designated, and implemented following all of the PDCs in that section.

**AP.4.** For every project, the USACE must determine if the project is located within:

- a) Smalltooth sawfish critical habitat limited exclusion zones (Section 2.1.1.1)
- b) Gulf sturgeon critical habitat migratory restriction zones (Section 2.1.1.2)
- c) Atlantic sturgeon critical habitat exclusion zone (St. Marys River) (Section 2.1.1.3)
- d) North Atlantic right whale educational sign zones (Section 2.1.1.4)
- e) U.S. Caribbean sea turtle critical habitat restriction zones (Section 2.1.1.5)
- f) Bryde's whale exclusion zone (Section 2.1.1.6)

Where the activity is excluded from the Opinion within a particular zone, the application must be processed under a separate consultation. Where additional restrictions apply to activities within that zone, the USACE or other authorizing entity must ensure that the project meets the requirements for that zone.

**AP.5.** This Opinion only covers new construction (i.e., installation, repair, replacement) and does not apply to after-the-fact consultations or enforcement actions handled by the Corps.

**AP.6.** All activities must be completed during daylight hours.



## Project Design Criteria (PDCs) for In-Water Activities

**AP.7. Education and Observation:** The permittee must ensure that all personnel associated with the project are instructed about the potential presence of species protected under the ESA and the Marine Mammal Protection Act (MMPA). All on-site project personnel are responsible for observing water-related activities for the presence of protected species. All personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing ESA-listed species or marine mammals. To determine which species may be found in the project area, please review the relevant Protected Species List at:

[http://sero.nmfs.noaa.gov/protected\\_resources/section\\_7/threatened\\_endangered/index.html](http://sero.nmfs.noaa.gov/protected_resources/section_7/threatened_endangered/index.html)

**AP.8. Reporting Interactions with Protected Species:**

- a) Any collision(s) with and/or injury to any sea turtle, sawfish, whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (1-727-824-5312) or by email to: [takereport.nmfs@noaa.gov](mailto:takereport.nmfs@noaa.gov) and [SAJ-RD-Enforcement@usace.army.mil](mailto:SAJ-RD-Enforcement@usace.army.mil).
- b) Smalltooth sawfish: Report sightings to 1-844-SAWFISH or email: [Sawfish@MyFWC.com](mailto:Sawfish@MyFWC.com)
- c) Sturgeon: Report dead sturgeon to 1-844-STURG 91 (1-844-788-7491) or email: [nmfs.ser.sturgeonnetwork@noaa.gov](mailto:nmfs.ser.sturgeonnetwork@noaa.gov)
- d) Sea turtles and marine mammals: Report stranded, injured, or dead animals to 1-877-WHALE HELP (1-877-942-5343).
- e) North Atlantic right whale: Report injured, dead, or entangled right whales to the USCG via VHF Channel 16.

**AP.9. Vessel Traffic and Construction Equipment:** All vessel operators must watch for and avoid collision with species protected under the ESA and MMPA. Vessel operators must avoid potential interactions with protected species and operate in accordance with the following protective measures:

- a) *Construction Equipment*:
  - i) All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while operating in water depths where the draft of the vessel provides less than a 4-foot (ft) clearance from the bottom, and in all depths after a protected species has been observed in and has departed the area.
  - ii) All vessels will follow marked channels and/or routes using the maximum water depth whenever possible.
  - iii) Operation of any mechanical construction equipment, including vessels, shall cease immediately if a listed species is observed within a 50-ft radius of construction equipment and shall not resume until the species has departed the area of its own volition.
  - iv) If the detection of species is not possible during certain weather conditions (e.g., fog, rain, wind), then in-water operations will cease until weather conditions improve and detection is again feasible.

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- b) *All Vessels:*
  - i) Sea turtles: Maintain a minimum distance of 150 ft.
  - ii) North Atlantic right whale: Maintain a minimum 1,500-ft distance (500 yards).
  - iii) Vessels 65 ft in length or longer must comply with the Right Whale Ship Strike Reduction Rule (50 CFR 224.105) which includes reducing speeds to 10 knots or less in Seasonal Management Areas (<http://www.fisheries.noaa.gov/pr/shipstrike/>).
  - iv) Mariners shall check various communication media for general information regarding avoiding ship strikes and specific information regarding right whale sightings in the area. These include NOAA weather radio, USCG NAVTEX broadcasts, and Notices to Mariners.
  - v) Marine mammals (i.e., dolphins, whales [other than North Atlantic right whales], and porpoises): Maintain a minimum distance of 300 ft.
  - vi) When these animals are sighted while the vessel is underway (e.g., bow-riding), attempt to remain parallel to the animal's course. Avoid excessive speed or abrupt changes in direction until they have left the area.
  - vii) Reduce speed to 10 knots or less when mother/calf pairs or groups of marine mammals are observed, when safety permits.

- AP.10. Turbidity Control Measures during Construction:** Turbidity must be monitored and controlled. Prior to initiating any of the work covered under this Opinion, the Permittee shall install turbidity curtains as described below. In some instances, the use of turbidity curtains may be waived by the USACE project manager if the project is deemed too minimal to generate turbidity (e.g., certain ATON installation, scientific survey device placement, marine debris removal) or if the current is too strong for the curtains to stay in place. Turbidity curtains specifications:
- a) Install floating turbidity barriers with weighted skirts that extend to within 1 ft of the bottom around all work areas that are in, or adjacent to, surface waters.
  - b) Use these turbidity barriers throughout construction to control erosion and siltation and ensure that turbidity levels within the project area do not exceed background conditions.
  - c) Position turbidity barriers in a way that does not block species' entry to or exit from designated critical habitat.
  - d) Monitor and maintain turbidity barriers in place until the authorized work has been completed and the water quality in the project area has returned to background conditions.
  - e) In the range of ESA-listed corals (St. Lucie Inlet, Martin County south to the Dry Tortugas and the U.S. Caribbean) and Johnson's seagrass (Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida):
    - i. Projects that include upland earth moving (e.g., grading to install a building or parking lot associated with a dock and seawall project), must install sediment control barriers to prevent any upland sediments from reaching estuarine or marine waters.
    - ii. The turbidity curtain requirement cannot be waived for any project that moves or removes sediment (e.g., dredging, auger to create a pile, trenching to install a cable



line). If turbidity curtains are not feasible in an area based on site conditions such as water current, high wave action, or stormy conditions, the project must undergo individual Section 7 consultation and is not covered under this Programmatic Opinion.

**AP.11. Entanglement:** All turbidity curtains and other in-water equipment must be properly secured with materials that reduce the risk of entanglement of marine species (described below). Turbidity curtains likewise must be made of materials that reduce the risk of entanglement of marine species.

- a) In-water lines (rope, chain, and cable, including the lines to secure turbidity curtains) must be stiff, taut, and non-looping. Examples of such lines are heavy metal chains or heavy cables that do not readily loop and tangle. Flexible in-water lines, such as nylon rope or any lines that could loop or tangle, must be enclosed in a plastic or rubber sleeve/tube to add rigidity and prevent the line from looping and tangling. In all instances, no excess line is allowed in the water.
- b) Turbidity curtains and other in-water equipment must be placed in a manner that does not entrap species within the construction area or block access for them to navigate around the construction area.

## Project Design Criteria (PDCs) for Mangroves, Seagrasses, Corals and Hard Bottom for All Projects

Note: **For projects authorized in reliance on this Opinion only**, the PDCs below supercede any other guidance documents otherwise applicable to reduce or avoid impacts to mangroves, seagrasses, and corals. This includes the NMFS's *Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation, Marsh, or Mangrove Habitat* dated August 2001, and NMFS's *Key for Construction Conditions for Docks or Other Minor Structures Constructed in or over Johnson's Seagrass (Halophila johnsonii)*, dated October 2002. NMFS may still apply these guidance documents in other consultations, including consultations on Essential Fish Habitat under the Magnuson-Stevens Fishery Conservation and Management Act, as appropriate.

### **AP.12. Mangroves:**

- a) To qualify for coverage under this Opinion, all projects must be sited and designed to avoid or minimize impacts to mangroves.
- b) Mangrove removal must be conducted in a manner that avoids any unnecessary removal and is limited to the following instances:
  - i. Removal to install up to a 4-ft-wide walkway for a dock.
  - ii. Removal to install up to an 8-ft-wide walkway for public docks, where the walkway is necessary to address compliance with the Americans with Disability Act (ADA).
  - iii. Removal to install culverts necessary to improve water quality or restore hydrology between 2 water bodies. Such mangrove removal is limited to a maximum of 20 linear feet (lin ft) of shoreline per culvert opening.
  - iv. Removal of mangroves above mean high water (MHW) provided that the tree does not have any prop roots that extend into the water below the MHWL.
- c) Mangrove Trimming. Mangrove trimming is regulated by FDEP, Puerto Rico Department of Natural and Environmental Resources, and U.S. Virgin Islands Department of Planning and Natural Resources. Consistent with those authorities, when used in this Opinion, mangrove trimming refers to the removal (using hand equipment such as chain saws and/or machetes) of lateral branches (i.e., no alteration of the trunk of the tree) in a manner that ensures survival of the tree. This Opinion does not limit or supersede any restrictions on mangrove removal required under any federal, state, or local law.
  - i. This Opinion only covers projects with associated mangrove trimming occurring waterward of MHW if such trimming (1) occurs within the area where the authorized structures are placed or will be placed (e.g., removal of branches that overhang a dock),
  - ii. (2) is necessary to provide temporary construction access, and (3) is conducted in a manner that avoids any unnecessary trimming.

- iii. The Opinion does not apply to projects proposing to remove red mangrove props roots waterward of MHW, except for removal to install the dock walkways, as described above (up to a 4-ft walkway and up to a 8-ft ADA compliant walkway) and to install culverts necessary to improve water quality or restore hydrology between 2 water bodies.

**AP.13. Seagrass:**

- a) Pile-supported structures must follow the PDCs for *Docks or Other Minor Structures* (PDC A2.17, Section 2.2.2)

**Johnson's seagrass:**

- b) This Opinion does not apply to projects where Johnson's seagrass is found within the project footprint except for:
  - i. Installation of pile-supported structures that meet the PDCs for *Docks or Other Minor Structures* (PDC A2.17, Section 2.2.2).
  - ii. Maintenance dredging of previously authorized areas. This is limited to the removal of no more than 0.1 acre (ac) (4,356 ft<sup>2</sup>) of Johnson's seagrass per year (Activity 3; see Section 2.2.3).
  - iii. Transmission/utility line repairs within the same footprint of the lines being repaired (Activity 8; see Section 2.2.8).

**Non-listed seagrasses:**

- a) All impacts to non-ESA listed native, non-invasive seagrasses should be avoided and minimized to the extent practicable.
- b) This Opinion does not apply to projects located within the geographic boundary of U.S. Caribbean sea turtle critical habitat (hawksbill, leatherback, and the NA DPS of green sea turtle critical habitat identified in Section 2.1.1.5) if non-ESA listed, native, non-invasive seagrasses are found within the project footprint.
- c) This Opinion does not apply to projects that may affect, directly or indirectly, ESA-listed corals.
- d) Projects occurring within in the Florida Keys National Marine Sanctuary (FKNMS) may require separate consultation or authorization from NOAA's FKNMS. Projects authorized to occur in the FKNMS shall comply with any measures NOAA FKNMS has developed to avoid, minimize, and/or mitigate any effects on non-listed corals. For projects occurring outside of the FKNMS, if non-listed corals are found within the project footprint, we recommend relocating all non-listed corals, when possible, in a manner that is protective of the corals.



**AP.14. Coral and Hard Bottom Habitat:**

- a) This Opinion does not apply to projects that may affect, directly or indirectly, ESA-listed corals.
- b) Projects occurring within in the Florida Keys National Marine Sanctuary (FKNMS) may require separate consultation or authorization from NOAA's FKNMS. Projects authorized to occur in the FKNMS shall comply with any measures NOAA FKNMS has developed to avoid, minimize, and/or mitigate any effects on non-listed corals. For projects occurring outside of the FKNMS, if non-listed corals are found within the project footprint, we recommend relocating all non-listed corals, when possible, in a manner that is protective of the corals.
- c) This Opinion does not apply to projects where hard bottom habitat is found within the project footprint, except for the temporary placement (up to 24 months) of scientific survey devices (Activity 5) that have a footprint of less than 1 square foot (ft<sup>2</sup>) per device and are installed in a manner that does not permanently alter the hardbottom (e.g., the devices are not installed by drilling). For this Opinion, we define hard bottom in 2 ways:
  - i. Natural consolidated hard substrate that is suitable to support corals, coral larval settlement, reattachment and recruitment of asexual coral fragments. These areas of hard bottom or dead coral skeleton must be free from fleshy or turf macroalgae cover and sediment cover.
  - ii. Nearshore and surf-zone, low-profile hard bottom outcroppings (e.g., worm-rock reef [sabellariid worm reefs] and eolianite, granodiorite). This habitat can be persistent or ephemeral, cycling through periods of exposure and cover by sand. The range of this hard bottom habitat extends along the southeastern coast of Florida from Cape Canaveral to Miami-Dade County and in the U.S. Caribbean. It is an important developmental habitat for juvenile hawksbill and green sea turtles, which use it for both foraging and refuge.

## **Project Design Criteria (PDCs) Specific to Activity 2 for Pile-Supported Structures and Anchored Buoys**

**A2.1.** Activities covered by this Opinion include the installation, repair, replacement, and removal of structures as described below:

- A2.1.1. The pile-supported and anchored structures included in this Opinion are: docks and piers, boatlifts, mooring piles and dolphin piles associated with docks/piers; ATONs and PATONs; floating docks; pile-supported chickees (i.e., small, back-country, over-water, pile-supported, primitive camping shelters); boardwalks (as long as they are designed and clearly marked to prohibit fishing and vessel mooring); mooring fields and buoys; and other minor pile-supported structures. This does not include structures that support large commercial vessels including ferries, tankers, and cargo ships such as ferry terminals and large ports.
- A2.1.2. Pile-supported docks/piers for a single-family residential lot are limited to 4 slips for motorized vessels. Slips for non-motorized vessels (e.g., kayak, canoe, and paddleboard) and associated launching areas do not count toward the total slip number.
- A2.1.3. Pile-supported structures for marinas, multi-family facilities (e.g., condo complexes, trailer parks, subdivisions when the homeowners association owns and controls the in-water structures). Docks and piers for multi-family residential properties (e.g., condos, trailer parks, apartment complexes), and marinas are limited to a maximum of 50 total slips (i.e., combination of wet and dry slips for existing plus proposed slips).
- A2.1.4. Anchored buoys and temporary pile-supported structures associated with marine events. Upon completion of the event, these structures must be removed and, to the maximum extent practical, the site must be restored to pre-construction elevations. Water depths in the area of marine events must be deep enough to support at least 5 ft of water depth under the keel of a vessel and between the keel of a vessel and ESA-listed coral colonies when transiting to the mooring areas. There is no limit on the number of vessel slips allowed for temporary structures associated marine events such as boat shows.
- A2.1.5. Mooring fields are limited to a maximum of 50 motorized vessels (there is no limit on the number of non-motorized vessels).
- A2.1.6. All pile-supported structures constructed must comply with PDC 2.17 for *Docks or Other Minor Structures Constructed in Florida Under this Opinion* (see below).

**The following PDCs apply to all the activities described in PDC A2.1 above:**

**A2.2.** For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at:

([http://sero.nmfs.noaa.gov/protected\\_resources/section\\_7/protected\\_species\\_educational\\_signs/index.html](http://sero.nmfs.noaa.gov/protected_resources/section_7/protected_species_educational_signs/index.html)). The signs required to be posted by area are stated below:

- A2.2.1. All projects in Florida shall use the Save Sea Turtle, Sawfish, and Dolphin sign. These signs shall include contact information to the sea turtle and marine

- mammal stranding networks and smalltooth sawfish encounter database.
- A2.2.2. Projects within the North Atlantic right whale educational sign zone (as defined in Section 2.1.1.4) shall post the Help Protect North Atlantic Right Whales sign.
  - A2.2.3. On the east coast of Florida, projects located within the St. John's River and those occurring north of the St. Johns River to the Florida-Georgia line shall post the Report Sturgeon sign. On the west coast of Florida, projects occurring from the Cedar Key, Florida north to the Florida-Alabama line.
  - A2.2.4. We are still developing the signs to be used in the U.S. Caribbean. Once developed, those signs will be included at the website above.
- A2.3.** For commercial, multi-family, or public facilities, monofilament recycling bins must be provided at the docking facility to reduce the risk of turtle or sawfish entanglement in, or ingestion of, marine debris. Monofilament recycling bins must:
- A2.3.1. Be constructed and labeled according to the instructions provided at <http://mrrp.myfwc.com>.
  - A2.3.2. Be maintained in working order and emptied frequently (according to <http://mrrp.myfwc.com> standards) so that they do not overflow.
- A2.4.** For any dock project (new construction, repair, or replacement) at a private residence located within 11 nautical miles of North Atlantic right whale critical habitat (as measured in a radius from the center of the nearest inlet to open ocean and described in Section 2.1.1.4), the property owner will be provided a handout with their USACE permit describing the presence of North Atlantic right whales in the area and the Federal regulations governing the approach to North Atlantic right whales (Appendix C).
- A2.5.** ATONs and PATONs must be approved by and installed in accordance with the requirements of the USCG (see 33 CFR, chapter I, subchapter C, part 66 and RHA Section 10 and any other pertinent requirements).
- A2.6.** Chickees must be less than 500 ft<sup>2</sup> and support no more than 2 slips.
- A2.7.** No activities associated with municipal or commercial fishing piers are covered under this Opinion.
- A2.8.** Docks installed within visible distance of ocean beaches are required to comply with turtle-friendly lighting, if lighting is necessary to the project. Turtle-friendly lighting is explained and examples are provided on the Florida Fish and Wildlife Conservation Commission website:  
<http://myfwc.com/wildlifehabitats/managed/sea-turtles/lighting/>
- A2.9.** Project construction will take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited.



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### Additional PDCs for Activity 2 applicable in Critical Habitat

- A2.10.** *Acropora* critical habitat and the U.S. Caribbean: This Opinion does not cover new and expanded pile-supported structures in *Acropora* critical habitat where the essential features are present. The distance from ATONs to ESA-listed corals and *Acropora* critical habitat shall ensure there are no impacts to the corals or the essential feature of *Acropora* critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom.
- A2.11.** Gulf sturgeon critical habitat: Additional noise restrictions are required for pile and sheet pile installation in the Gulf sturgeon critical habitat migratory restriction zones defined in Section 2.1.1.2. The noise restrictions are described in that section.
- A2.12.** Smalltooth sawfish critical habitat: This Opinion does not cover activities occurring in areas identified as smalltooth sawfish limited exclusion zones defined in Section 2.1.1.1.
- A2.13.** North Atlantic right whale critical habitat: This Opinion does not cover installation of anchored ATONs and permanent buoys in North Atlantic right whale critical habitat; temporary buoys for marine events are allowed in North Atlantic right whale critical habitat.
- A2.14.** Johnson's seagrass critical habitat: This Opinion does not cover new marinas or multi-family facilities in Johnson's seagrass critical habitat. Repair, replacement, and reconfiguration of existing marinas or multi-family facilities may be covered if it (1) occurs within same overall footprint (out to the perimeter of the facility, including the outer limits of the structure and permitted mooring locations), (2) does not increase the total aerial extent (i.e., area of coverage from the dock structures) of the existing facility, and (3) does not affect Johnson's seagrass. Mooring fields are allowed in Johnson's seagrass critical habitat and within the range of Johnson's seagrass so long as they occur in waters deeper than -13 ft (-4 m).
- A2.15.** NWA DPS of loggerhead sea turtle critical habitat: ATONs (pile-supported and anchored buoys) are allowed in nearshore reproductive habitat of the NWA DPS of loggerhead sea turtles under this Opinion. No other pile-supported structures are allowed in nearshore reproductive habitat under this Opinion.
- A2.16.** U.S. Caribbean sea turtle critical habitat (hawksbill, leatherback, and the NA DPS of green sea turtle critical habitat): ATONs (pile-supported and anchored buoys) are allowed near sea turtle nesting beaches under this Opinion. No other pile-supported structures are allowed near sea turtle nesting beaches under this Opinion.

### **Project Design Criteria (PDCs) for Gulf Sturgeon Critical Habitat Migratory Restriction Zones**

1. This Opinion does not apply to the placement of living shoreline, oyster reef, and artificial reef materials (Activity 7, PDC A7.26) and temporary platform, fill, and cofferdams (Activity 10, PDC A10.11) in Gulf sturgeon critical habitat migratory restriction zones.
2. This Opinion does not apply to new transmission and utility line installation in the Gulf sturgeon critical habitat migratory restriction zones between September and March, when sturgeon are likely to be present in these areas. Emergency repair/replacement of transmission and utility lines may occur in these areas during this time frame if the work is conducted without the use of heavy in-water equipment (e.g., dredging equipment) (Activity 8, PDC A8.10).
3. This Opinion does not apply to the installation of metal piles and metal sheet piles by impact hammer in the areas identified as Gulf sturgeon critical habitat migratory restriction zones.
4. The allowable pile and sheet pile driving activities vary depending on the width of the project action area, as described below.
5. Areas that are 0-500 ft wide: In areas up to 500 ft wide, the allowable pile or sheet pile driving activities within the Gulf sturgeon critical habitat migratory restriction zones are:
  - a. Creating a pilot hole for any type of pile using an auger or drop punch
  - b. Trenching a shoreline with mechanical equipment to create a space to install any type of sheet pile and backfilling behind it
  - c. Installing any type of piles and sheet piles by jetting.
6. Areas that are 501-1,400 ft wide: In areas over 500 ft wide, but less than 1,400 ft wide, the allowable pile or sheet pile driving activities within the Gulf sturgeon critical habitat migratory restriction zones are:
  - a. The activities described in 1-3 above, and
  - b. Installing any type of piles and sheet piles by vibratory hammer.
7. Areas over 1,401 ft wide: In areas 1,401 ft wide or wider, the allowable pile or sheet pile driving activities within the Gulf sturgeon critical habitat migratory restriction zones are:
  - a. The activities described in 1-4 above, and
  - b. Installing wood, vinyl, and concrete piles and sheet piles by impact hammer.



## Project Design Criteria (PDCs) for In-Water Noise from Pile and Sheet Pile Installation

### Open Water

The letters A-E in the tables below specify the PDC category. Activities labeled A-D must follow the corresponding PDCs for labeled Category A-D below. Activities labeled E are excluded from this Opinion, as stated in Category E below.

	Trench and	Pilot hole (auger or	Jetting	Vibratory	Impact hammer
Wood piles 14-inch (in) diameter or less when installed via impact hammer and 36-in or less for all other installation methods	A	A	A	A	B
Concrete pile 24-in diameter/width or less in open	A	A	A	A	B
Metal pipe pile 36-in diameter or less	A	A	A	A	E
2 metal boatlift I-beams	A	A	A	A	B
Concrete slab wall- any size	A	A	A	A	B
Vinyl sheet pile- any size	A	A	A	A	B
Metal sheet pile- any size	A	A	A	A	E

### Confined Space

In Florida, we consider the confined space to be any area that has a solid object (e.g., shorelines or seawalls) within 150 ft of the pile installation site and in the U.S. Caribbean we consider confined space to be any area that has a solid object within 260 ft of the pile installation site.

	Trench and	Pilot hole (auger or	Jetting	Vibratory	Impact hammer
Wood pile 14-in diameter or less when installed via impact hammer and 36-in or less for all other installation methods	A	A	A	A	B
Concrete pile 24-in diameter/width or less (5 piles	A	A	A	A	C
Concrete pile 24-in diameter/width or less (6-10	A	A	A	A	D
Metal pipe pile 36-in diameter or less	A	A	A	A	E
2 metal boatlift I-beams	A	A	A	A	B
Vinyl sheet pile – any size	A	A	A	A	B
Concrete slab wall- any size (5 slabs or less	A	A	A	A	C
Concrete slab wall- any size (6-10 slabs installed/day)	A	A	A	A	D
Metal sheet pile- any size	A	A	A	A	E

- A. The Projects identified as A above must comply with PDCs identified for all projects in this Opinion. Specific PDCs related to noise include:**
1. All work must occur during daylight hours only (PDC AP.6).
  2. All construction personnel are responsible for observing water-related activities to detect the presence of these species and avoid them (PDC AP.7).
- B. The projects identified as B above must follow all of the conditions under A, above, AND also must limit the maximum number of piles installed per day to no more than 10 piles per day.**
- C. The projects identified as C above must follow all of the conditions under A, above, AND also must limit the maximum number of piles installed per day to no more than 5 piles per day.**
- D. The projects identified as D above must follow all of the conditions under A and B, above, AND also must abide by one of the noise abatement measures below, as chosen by the applicant:**
1. Bubble curtain: The bubble curtain design must adhere to the guidelines for unconfined and confined bubble curtains described in Appendix B.
  2. Temporary noise attenuation pile (TNAP) also known as a pile isolation casing: The TNAP design must be constructed of a double-walled tubular casing (a casing within a larger casing), with at least a 5-in-wide area between the casings that is dewatered to create a hollow space or 5-in wide area between the casings completely filled with closed-cell foam or other noise dampening material between the walls. The TNAP must be long enough to be seated firmly on the sea bottom, fit over the pile being driven, and extend at least 3 ft above the surface of the water.
  3. The use of any other alternative noise control method must receive prior approval by NMFS and the USACE, as described in Section 2.3.
- E. The projects identified as E are not covered under this Opinion.**

## Attachment X

## North Atlantic Right Whale Federal Regulations Information Handout

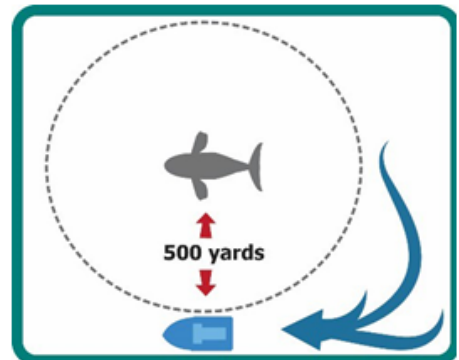
## Federal Regulations Governing the Approach to North Atlantic Right Whales



1. Federal regulations governing the approach to North Atlantic right whales can be found at 50 CFR 224.103(c). It is illegal to approach and remain within 500 yards of right whales; 500 yards is equal to the distance of 5 football fields.

Prohibitions on approaching right whales are as follows (Excerpts from 50 CFR 224.103(c), available at [www.ecfr.gov](http://www.ecfr.gov)): Unless otherwise lawfully allowed or unless doing so would create an imminent and serious threat to a person or vessel, it is unlawful to:

- (i) *Approach (including by interception) within 500 yards (460 m) of a right whale by vessel*
- (ii) *Fail to undertake required right whale avoidance measures. If underway, a vessel must steer a course away from the right whale and immediately leave the area at a slow safe speed.*



2. Updates can be downloaded from:
  - a. [http://www.nmfs.noaa.gov/pr/species/mammals/cetaceans/rightwhale\\_northatlantic.htm](http://www.nmfs.noaa.gov/pr/species/mammals/cetaceans/rightwhale_northatlantic.htm), or
  - b. [www.ecfr.gov](http://www.ecfr.gov)



**Dock Construction Guidelines in Florida for Docks or Other Minor Structures  
Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat  
U.S. Army Corps of Engineers/National Marine Fisheries Service  
August 2001**

**Submerged Aquatic Vegetation:**

1. Avoidance. The pier shall be aligned so as to minimize the size of the footprint over SAV beds.
2. The height of pier shall be a minimum of 5 feet above MHW/OHW as measured from the top surface of the decking.
3. The width of the pier is limited to a maximum of 4 feet. A turnaround area is allowed for piers greater than 200 feet in length. The turnaround is limited to a section of the pier no more than 10 feet in length and no more than 6 feet in width. The turnaround shall be located at the midpoint of the pier.
4. Over-SAV bed portions of the pier shall be oriented in a north-south orientation to the maximum extent that is practicable.
5. a. If possible, terminal platforms shall be placed in deep water, waterward of SAV beds or in an area devoid of SAV beds.  
  
 b. If a terminal platform is placed over SAV areas and constructed of grated decking, the total size of the platform shall be limited to 160 square feet. The grated deck material shall conform to the specifications stipulated below. The configuration of the platform shall be a maximum of 8 feet by 20 feet. A minimum of 5 feet by 20 feet shall conform to the 5-foot height requirement; a 3 feet by 20 feet section may be placed 3 feet above MHW to facilitate boat access. The long axis of the platform should be aligned in a north-south direction to the maximum extent that is practicable.  
  
 c. If the terminal platform is placed over SAV areas and constructed of planks, the total size of the platform shall be limited to 120 square feet. The configuration of the platform shall be a maximum of 6 feet by 20 feet of which a minimum 4-foot wide by 20-foot long section shall conform to the 5-foot height requirement. A section may be placed 3 feet above MHW to facilitate boat access. The 3 feet above MHW section shall be cantilevered. The long axis of the platform should be aligned in a north-south direction to the maximum extent that is practicable. If the 3 feet above MHW section is constructed with grating material, it may be 3 feet wide.
6. One uncovered boat lift area is allowed. A narrow catwalk (2 feet wide if planks are used, 3 feet wide if grating is used ) may be added to facilitate boat maintenance along the outboard side of the boat lift and a 4-foot wide walkway may be added along the stern end of the boat lift, provided all such walkways are elevated 5 feet above MHW. The catwalk shall be cantilevered from the outboard mooring pilings (spaced no closer than 10 feet apart).
7. Pilings shall be installed in a manner which will not result in the formation of sedimentary deposits("donuts" or "halos") around the newly installed pilings. Pile driving is the preferred method of installation, but jetting with a low pressure pump may be used.
8. The spacing of pilings through SAV beds shall be a minimum of 10 feet on center.
9. The gaps between deckboards shall be a minimum of ½ inch.

Grid Specifications and Suppliers Section modified in October 2002 to add an additional vendor of materials.  
February 2003 -Vendor name changed from ChemGrate to FiberGrate

**Marsh:**

1. The structure shall be aligned so as to have the smallest over-marsh footprint as practicable.
2. The over-marsh portion of the dock shall be elevated to at least 4 feet above the marsh floor.
3. The width of the dock is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.

**Mangroves.**

1. The width of the dock is limited to a maximum of 4 feet.
2. Mangrove clearing is restricted to the width of the pier.
3. The location and alignment of the pier should be through the narrowest area of the mangrove fringe.

**Grid Specifications and Suppliers**

The following information does not constitute a U.S. Army Corps of Engineers endorsement or advertisement for any particular provider and is provided only as an example for those interested in obtaining these materials for dock construction. A type of fiberglass grate panel is manufactured by SeaSafe (Lafayette, LA; phone: 1-800-326-8842) and FiberGrate (1-800-527-4043). Plastic grate panels are also available from Southern Pine Lumber Company (Stuart, FL; phone: 772-692-2300). Panels are available in a variety of sizes and thicknesses. For safety, the grate should contain an anti-slip texture which is integrally molded into the top surface. The manufacturer or local distributor should be consulted to ensure that the load-bearing capacity of the selected product is sufficient to support the intended purpose. Contact the manufacturer(s) for product specifications and a list of regional distributors.

A-

**REVIEW OF PLANNING AND ZONING COMMISSION APPLICATIONS**

- Consideration of a request to construct a Single Family Private Dock located at Lot 3, Block R, Peninsular Point, Unit 5, 1545 Alligator Drive, Alligator Point, Franklin County, Florida. The applicant has both State and Federal Permits. The dock will be 229' x 4' with a 6' x 20' terminal platform and a 12' x 20' proposed boatlift. Request submitted by Garlick Environmental Associates, agent for Robert Kirby, applicant. (House Under Construction- #29097)

This dock will extend into Alligator Harbor. The FDEP permit for the 40' extension has been received.

**I recommend approving this Critical Shoreline Application, subject to receiving the Corps of Engineers permit for the 40' extension**

*Mark C. Curenton*

Mark C. Curenton  
County Planner  
July 10, 2020

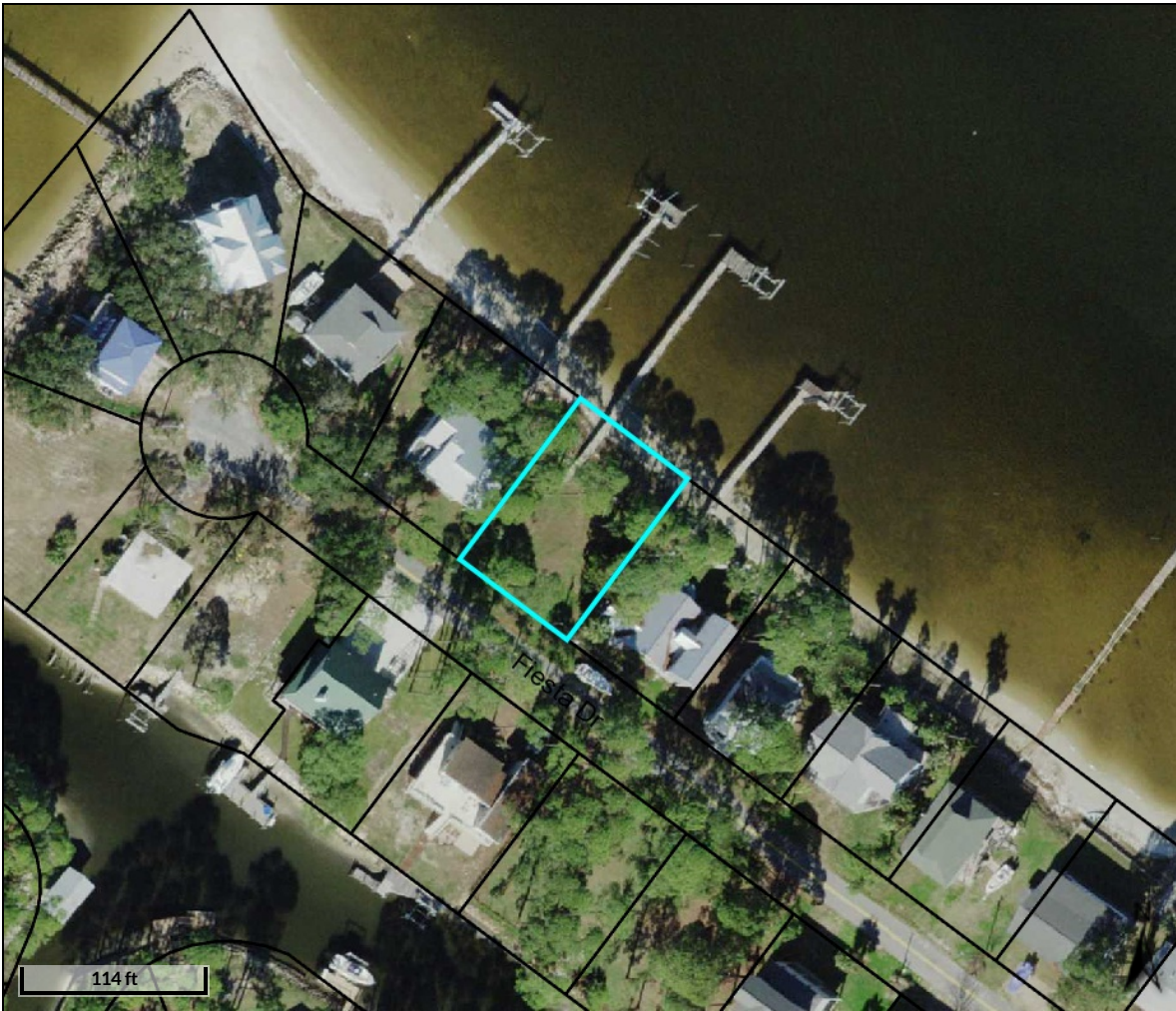




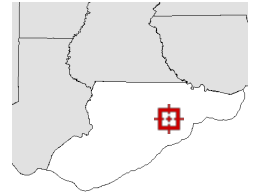
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Franklin County, FL

B-



#### Overview



#### Legend

-  Parcels
-  Roads
-  City Labels

Parcel ID	01-07S-02W-1031-0000-0800	Alternate ID	02W07S01103100000800	Owner Address	TCB VENTURES,FL,LLC
Sec/Twp/Rng	1-7S-2W	Class	VACANT		14945 FISHER ROAD
Property Address	71 FIESTA DR	Acreage	0.268		FAYETTEVILLE, AR 72701
District	7				
Brief Tax Description	UNIT 1 LOT 80 HOLIDAY BCH				
	(Note: Not to be used on legal documents)				

Date created: 3/3/2021

Last Data Uploaded: 3/3/2021 7:41:34 AM

Developed by 

**DOCK PERMIT APPLICATION****FRANKLIN COUNTY BUILDING DEPARTMENT**

34 Forbes Street, Suite 1, Apalachicola, Florida 32320

Phone: 850-653-9783 Fax: 850-653-9799

[http://www.franklincountvflorida.com/planning\\_building.aspx](http://www.franklincountvflorida.com/planning_building.aspx)

PERMIT # \_\_\_\_\_

FEE: \$ \_\_\_\_\_

C.S.I : \$ \_\_\_\_\_

TOTAL: \$ \_\_\_\_\_

**NOTE TO APPLICANTS AND PERMIT HOLDERS:**

**VIOLATIONS OF THE TERMS AND CONDITIONS OF THIS PERMIT MAY WARRANT A STOP WORK ORDER OR REVOCATION OF THIS PERMIT. THIS PERMIT IS VALID FOR ONE YEAR FROM THE DATE OF ISSUANCE. CONSTRUCTION MUST COMMENCE WITHIN SIX MONTHS OF THIS DATE:**

ISSUANCE DATE: \_\_\_\_\_ EXPIRES: \_\_\_\_\_

**EXISTING HOUSE:** ☐ Yes ☐ No**DEP PERMIT:** ☐ Yes ☐ No**ARMY COE PERMIT:** ☐ Yes ☐ No**APPROVED:** ☐ Yes ☐ No**APPLICATION MUST BE COMPLETE:**

Property Owner/s: TCB VENTURES, FL LLC (Travis Fink)  
Contact Information: Home #: \_\_\_\_\_ Cell #: \_\_\_\_\_  
Mailing Address: 14945 Fisher Rd City/State/Zip: Fayetteville, AR 72701  
EMAIL Address: \_\_\_\_\_ @ \_\_\_\_\_

Contractor Name: Reid Hicks Business Name: Better Built Docks  
Contact Information: Office #: 850.519.7396 Cell #: 850.899.5313  
State License #: \_\_\_\_\_ County Registration #: 1429  
Mailing Address: 1208 NW 3rd ST City/State/Zip: Carrabelle, FL  
EMAIL Address: betterbuilt docks @ aol.com

**PROPERTY DESCRIPTION:** 911 Address: 71 FIESTA DR  
Lot/s: 80 Block: \_\_\_\_\_ Subdivision: HOLIDAY BEACH Unit: 1  
Parcel Identification #: 01-075-02W-1031-0000-0800

**JURISDICTION:** ☐ Franklin County ☐ City of Carrabelle  
☐ Apalachicola ☐ Eastpoint ☐ St. George Island ☐ Carrabelle ☐ Dog Island ☐ Lanark/ St. James ☐ St. Teresa ☒ Alligator Point

☐ SINGLE FAMILY DOCK/PIER ☐ MULTI-FAMILY DOCK/PIER ☐ COMMERCIAL

**DESCRIPTION:** CONSTRUCT ROOF OVER EXISTING  
BOATLIFT. REDESIGN EXISTING TERMINUS

ZONING DISTRICT: \_\_\_\_\_ CONTRACT COST: \$ 7,500.00

TOTAL SQUARE FOOT: \_\_\_\_\_ FOUNDATION TYPE: \_\_\_\_\_

ROOF MATERIAL: \_\_\_\_\_

**APPROVED BY:** ☐ Planning & Zoning Date: \_\_\_\_\_ ☐ County Commissioners Date: \_\_\_\_\_

**WATER BODY:** \_\_\_\_\_

**CRITICAL SHORELINE DISTRICT** ☐ YES ☐ NO **CRITICAL HABITAT ZONE** ☐ YES ☐ NO

**BUILDING OFFICIAL** \_\_\_\_\_ **Date** \_\_\_\_\_

**OWNER (Required)** \_\_\_\_\_ **Date** \_\_\_\_\_

**CONTRACTOR (Required)** Reid Hicks \_\_\_\_\_ **Date** \_\_\_\_\_

RECEIVED  
FEB 08 2020

BY: .....



# NOTICE OF COMMENCEMENT

Space Reserved For Recording:

B-

Inst: 202119000664 Date: 02/08/2021 Time: 11:15AM  
Page 1 of 1 B: 1289 P: 200. Michele Maxwell,  
Clerk of Court Franklin County, By: SM  
Deputy Clerk

PERMIT # \_\_\_\_\_ PARCEL ID # 01-075-02W-1031-0000-0800

STATE OF FLORIDA, COUNTY OF FRANKLIN

The **UNDERSIGNED** hereby gives notice that improvements will be made to certain real property, an in accordance with Chapter 713, Florida Statutes, the following information is provided in the Notice of Commencement.

**LEGAL DESCRIPTION OF PROPERTY:** (Include Street Address)

71 FIESTA DR ALLIGATOR POINT, FL.  
UNIT 1 LOT 80 Holiday Beach

**General Description of Improvements:** \_\_\_\_\_

**Owner Information or Lessee Information Contracted For The Improvements:**

Name: TCB VENTURES, LLC

Phone Number: \_\_\_\_\_

Address: 14945 FISHER RD FAYETTEVILLE, AR 72701

**Owner's Interest In Site Of The Improvement:** \_\_\_\_\_

**Name & Address Of Fee Simple Titleholder:** \_\_\_\_\_

(If Different From Owner Listed Above):

BETTER BUILT DOCKS

Contractor's Name: REID HICKS

Phone Number: 850-899-5313

Address: 1208 NW 3RD ST CARRABELLE, FL 32322

**Surety: (If Applicable, A Copy Of The Payment Bond Is Attached):** \_\_\_\_\_

Name & Address: \_\_\_\_\_

Amount: \$ \_\_\_\_\_

**Lender Name:** \_\_\_\_\_

Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

**PERSONS WITH IN THE STATE OF FLORIDA DESIGNATED BY THE OWNER UPON WHOM NOTICES OR OTHER DOCUMENTS MAY BE SERVED AS PROVIDED FOR BY FLORIDA STATUTE 713.13(1) (A) 7.**

NAME: \_\_\_\_\_

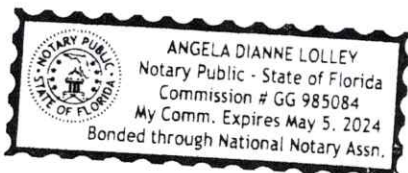
ADDRESS: \_\_\_\_\_

**IN ADDITION TO HIMSELF OR HERSELF, OWNER DESIGNATES THE FOLLOWING PERSON(S) TO RECEIVE A COPY OF THE LEINOR'S NOTICE AS PROVIDED IN SECTION 713.13 (1)(B) FLORIDA STATUTES:**

**EXPIRATION DATE OF NOTICE OF COMMENCEMENT (THE EXPIRATION DATE IS ONE (1) YEAR FROM THE DAT OF RECORDING UNLESS A DIFFERENT DATE IS SPECIFIED.)** \_\_\_\_\_

**WARNING TO OWNER: ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART I, SECTION 713.13, FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOBSITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.**

**NOTARY SEAL:**



**Owner/Agent Signature:** Michele Hill

**Printed Name:** MICHELLE HICKS

**Sworn to me this** 8 **day of** Feb **In the year of 20** 21

**Notary Signature:** Angela D. Lolley

**Printed Name:** Angela D. Lolley



B-



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Franklin County, FL

Parcel ID 01-07S-02W-1031-0000-0800  
 Location Address 71 FIESTA DR  
 32346  
 Brief Tax Description\* **UNIT 1 LOT 80 HOLIDAY BCH** OR 273/225 615/216 644/463 644/463 760/312 765/253 799/363 1168/126 1168/128 1216/518  
 \*The Description above is not to be used on legal documents.  
 Property Use Code VACANT (000000)  
 Sec/Twp/Rng 1-7S-2W  
 Tax District Alligator Point (District 7)  
 Millage Rate 13.022  
 Acreage 0.268  
 Homestead N

[View Map](#)

Primary Owner  
 Tcb Ventures,FL,LLC  
 14945 Fisher Road  
 Fayetteville, AR 72701

### Land Information

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
000121	BAY FRONT	11,700.00	SF	90	130

### Extra Features

Code	Description	Number of Items	Length x Width x Height	Units	Unit Type	Effective Year Built
	BOAT LIFT	1	0 x 0 x 0	1	UT	2003
	TERMINUS	1	0 x 0 x 0	200	SF	2003
	DOCK W/ROPE RAILS	1	0 x 0 x 0	616	SF	2000
	WD WALK	1	0 x 0 x 0	36	SF	2000

### Sales

Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	04/06/2018	\$165,000	WD	1216	518	Qualified (Q)	Improved	BROOKS	TCB VENTURES,FL LLC
N	04/28/2016	\$100	QC	1168	128	Unqualified (U)	Vacant	BROOKS/DELEON	BROOKS
N	04/28/2016	\$100	PR	1168	126	Unqualified (U)	Vacant	BROOKS	BROOKS/DELEON
N	07/07/2004	\$525,000	WD	799	363	Qualified (Q)	Vacant	WILEY	BROOKS
N	11/24/2003	\$100	WD	765	253	Unqualified (U)	Vacant	PRINCETON	WILEY
N	10/16/2003	\$100	WD	760	312	Unqualified (U)	Vacant	EDWARDS	PRINCETON
N	07/27/2000	\$100,000	WD	644	463	Unqualified (U)	Vacant	RASMUSSEN	EDWARDS
N	04/08/1999	\$62,500	WD	615	216	Unqualified (U)	Vacant	MOONEY PAUL F & PALMLEAF	RASMUSSEN JAY & LORRIE
N	05/04/1988	\$19,550	WD	273	225	Qualified (Q)	Vacant	SABOURIN	MOONEY

### Valuation

	2020 Certified	2019 Certified	2018 Certified	2017 Certified	2016 Certified
Building Value	\$0	\$0	\$0	\$0	\$0
Extra Features Value	\$22,218	\$22,218	\$7,047	\$7,047	\$7,047
Land Value	\$93,600	\$117,000	\$76,800	\$76,800	\$67,200
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$115,818	\$139,218	\$83,847	\$83,847	\$74,247
Assessed Value	\$115,818	\$139,218	\$82,851	\$75,319	\$68,472
Exempt Value	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$115,818	\$139,218	\$82,851	\$75,319	\$68,472
Maximum Save Our Homes Portability	\$0	\$0	\$996	\$8,528	\$5,775

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

### TRIM Notice 2020

[2020 TRIM Notice \(PDF\)](#)

### TRIM Notice 2019

[2019 TRIM Notice \(PDF\)](#)



B-

DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS JACKSONVILLE DISTRICT,  
415 RICHARD JACKSON BOULEVARD, SUITE 411  
PANAMA CITY BEACH, FLORIDA 32407

August 19, 2020

Regulatory Division  
North Permit Branch  
Panama City Permits Section  
SAJ-2020-02955(GP-LSL)

Mr. Travis Fink  
1431 Alligator Drive  
Alligator Point, Florida 32346

Dear Mr. Fink:

The U.S. Army Corps of Engineers (Corps) assigned your application for a Department of the Army permit, which the Corps received on July 23, 2020, the file number SAJ-2020-02955. A review of the information and drawings provided indicates that the proposed work will result in the after-the-fact authorization for a 676 square foot single family dock. The dock structure includes a 4' by 129' access walk, 8' by 20' terminal platform, and 12' by 27' covered boat lift. The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The project is located at 71 Fiesta Drive, Alligator Point, Franklin County, Florida.

Your project, as depicted on the enclosed drawings, is authorized by Regional General Permit (GP) SAJ-20. This authorization is valid until **March 27, 2023**. Please access the Corps' Jacksonville District Regulatory Division Internet page to view the special and general conditions for SAJ-20, which apply specifically to this authorization. The Internet URL address is:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Once there you will need to click on "Source Book"; and, then click on "General Permits." Then you will need to click on the specific SAJ permit noted above. You must comply with all of the special and general conditions of the permit; and, any project-specific conditions noted below, or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

**1. Reporting Address:** The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:



**4. Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

**5. Cultural Resources/Historic Properties:**

a. No structure or work shall adversely affect impact or disturb properties listed in the *National Register of Historic Places* (NRHP) or those eligible for inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition ; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical



GENERAL CONDITIONS  
33 CFR PART 320-330

1. The time limit for completing the work authorized ends on the **dates identified in the letter.**
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

PREPARED BY: GARLICK ENVIRONMENTAL B- ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899

FAX (850) 653-9656

garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Travis Fink

WATERBODY/CLASS: Alligator Harbor / ClassII / OFW / AP

PURPOSE: DFA - EP Boat Roof

PROJECT LOCATION / USGS: Franklin County / Alligator Point

LATITUDE: 29.900258

LONGITUDE: 84.386275

JOB: 20-071

DEP:

COE:

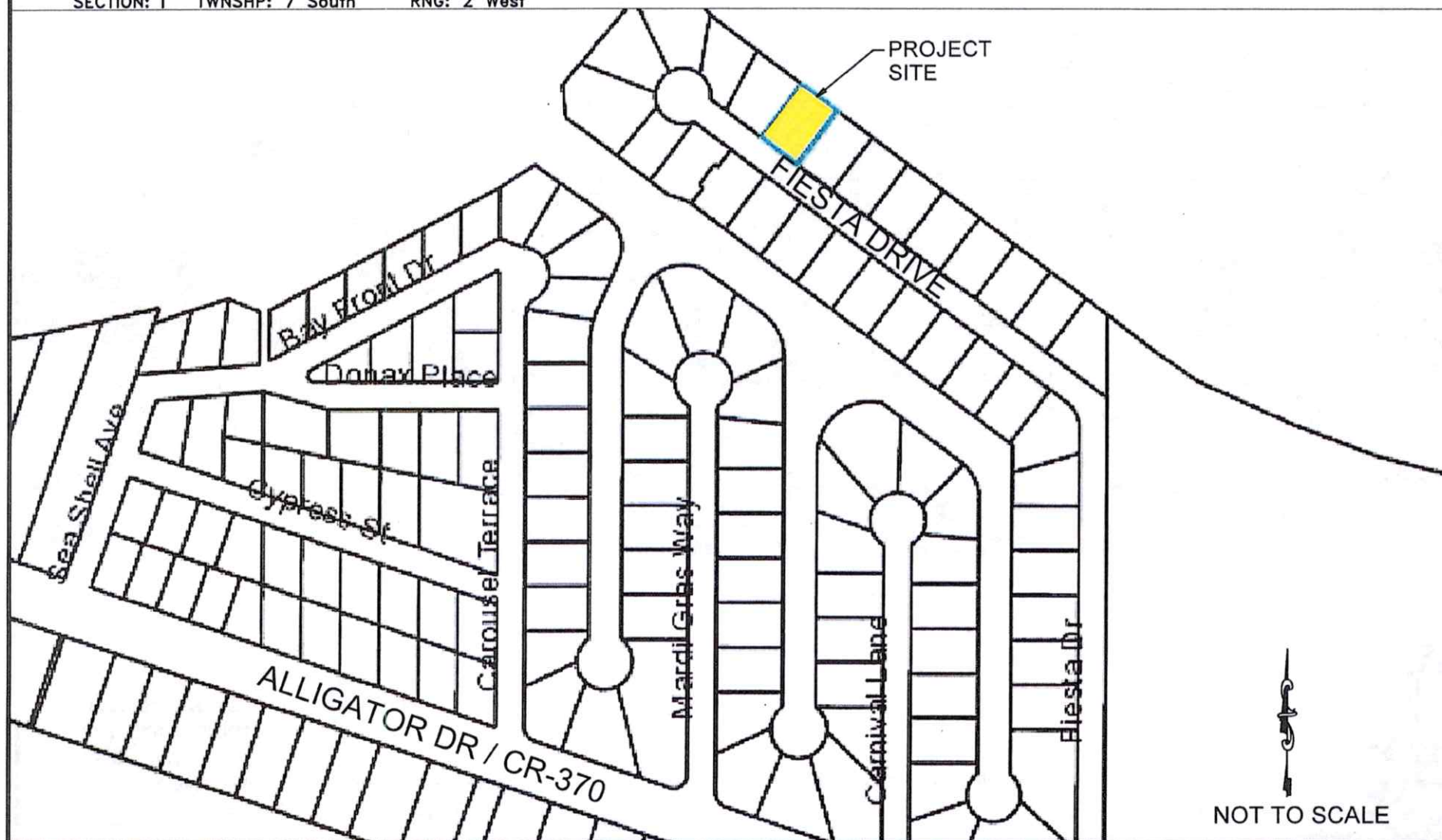
OTHER:

DATE: July 22, 2020

SHEET: 1/4



SECTION: 1 TOWNSHIP: 7 South RANG: 2 West



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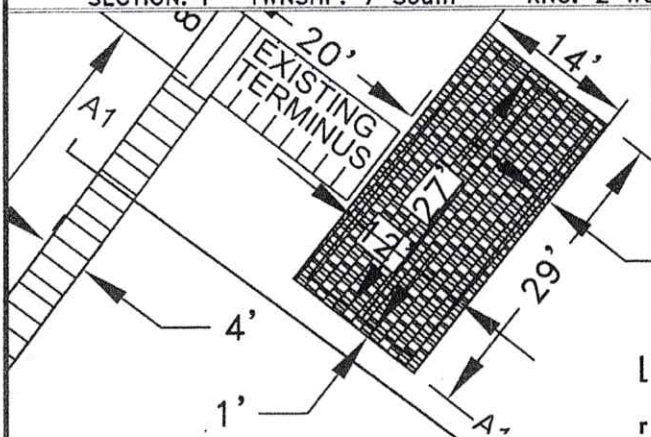
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SHEET: 3/4

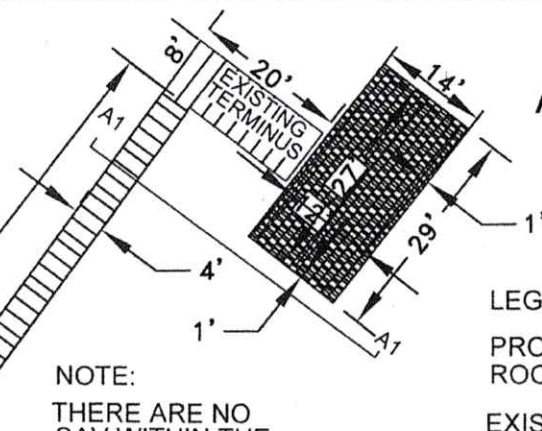


SECTION: 1 TOWNSHIP: 7 South RANG: 2 West



CLOSEUP OF PROPOSED ROOF  
NTS

NOTE:  
THERE ARE NO  
SAV WITHIN THE  
DOCK OR BOAT  
ROOF ALIGNMENT  
SAV STUDY  
COMPLETED 7-7-20



## ALLIGATOR HARBOR

### LEGEND:

PROPOSED  
ROOF ----- 411 Sq Ft

EXISTING AREA  
OF DOCK ----- 676 Sq Ft

TOTAL ----- 1087 Sq Ft  
COMBINED

SIZE OF PROPOSED BOAT  
WILL BE 27' LENGTH/12' WIDTH



SCALE 1" = 50'



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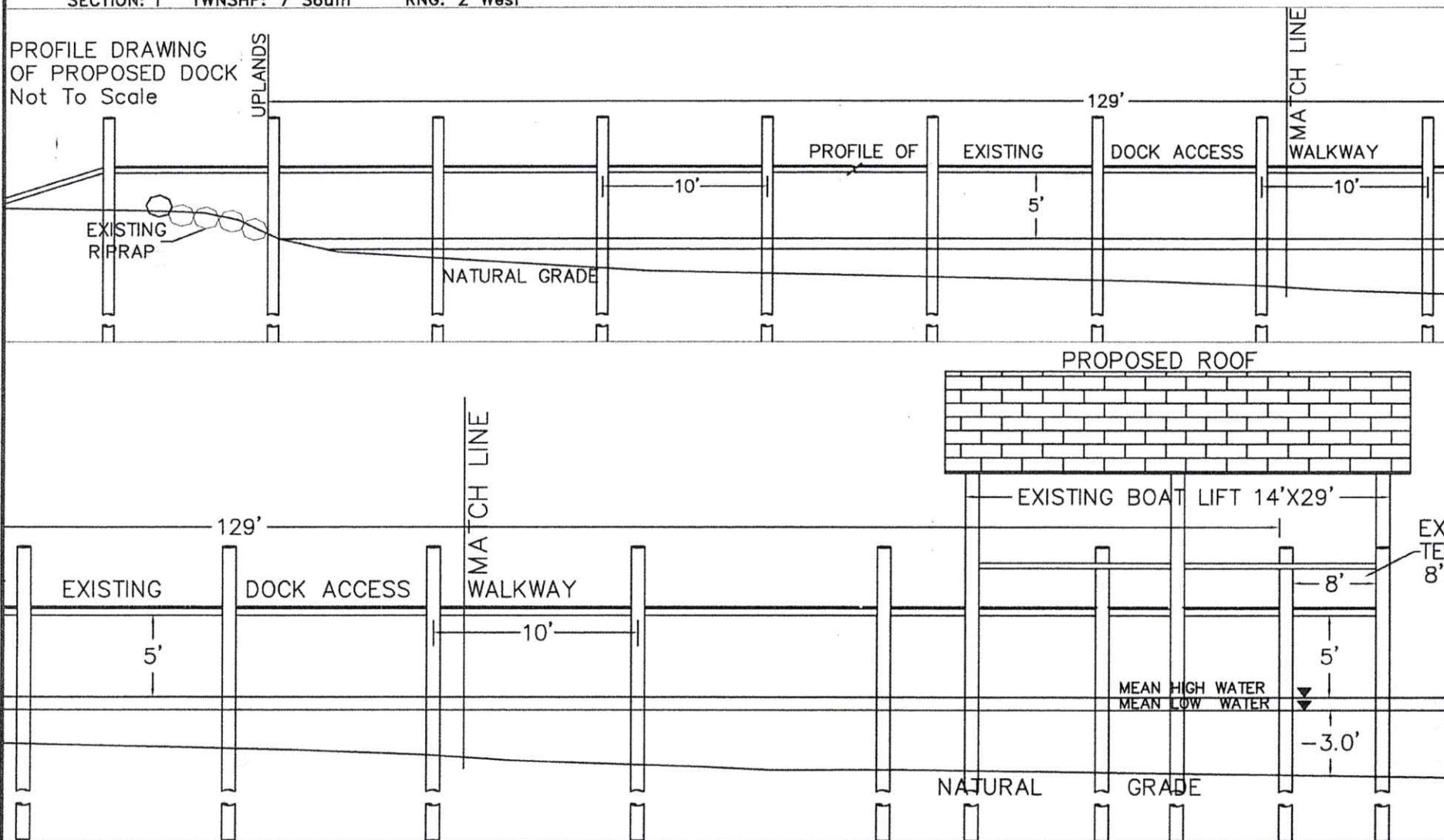
DATE: July 22, 2020

SHEET: 4A/4



SECTION: 1 TWSHP: 7 South RNG: 2 West

PROFILE DRAWING  
OF PROPOSED DOCK  
Not To Scale



Date Work Started: \_\_\_\_\_ Date Work Completed: \_\_\_\_\_

Identify any deviations from the approved permit drawings and/or special conditions (attach additional pages if necessary):

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.



B-

# FLORIDA DEPARTMENT OF Environmental Protection

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

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Noah Valenstein**  
Secretary

Tuesday, July 21, 2020

TCB Ventures FL, LLC.  
c/o Travis Fink  
1431 Alligator Dr.  
Alligator Point, Florida 32346  
[travis@nationalcrimesearch.com](mailto:travis@nationalcrimesearch.com)

File No.: 0390091-001-EG/19, Franklin County

Dear Mr. Fink:

On July 14, 2020, we received your notice of intent to use a General Permit (GP) pursuant to Rule 62-330.427, Florida Administrative Code (F.A.C.) to construct a roof over an existing boatlift and redesign an existing terminal platform within Alligator Harbor Aquatic Preserve, Class II Outstanding Florida Waters, Prohibited Shellfish Harvesting Area. The project is located at 71 Fiesta Dr., Alligator Point, Florida 32346, Parcel No. 01-07S-02W-1031-0000-0800, in Section 01, Township 07 South, Range 02 West of Franklin County; at approximately 29°54'01" North Latitude, 84°23'10" West Longitude.

Your intent to use a general permit has been reviewed by Department staff for three types of authorization: (1) regulatory authorization, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal authorization. The authority for review and the outcomes of the reviews are listed below. Please read each section carefully.

**Your project did not qualify for the federal authorization, therefore additional authorization must be obtained prior to commencement of the proposed activity.** This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

### **1. Regulatory Review – Approved**

Based on the forms, drawings, and documents submitted with your notice, it appears that the project meets the requirements for the General Permit under Rule 62-330.427, F.A.C. Any activities performed under a general permit are subject to general conditions required in Rule 62-330.405, F.A.C. (attached) and the specific conditions of Rule 62-330.427, F.A.C. (attached). Any deviations from these conditions may subject the permittee to enforcement action and possible penalties.



permitting may be found online in the Jacksonville District Regulatory Division Source Book at: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book>.

Authority for review - an agreement with the USACOE 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.

### **Additional Information**

Please retain this general permit. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S. and Chapter 18-14, F.A.C.

### **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

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.

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.



### **62-330.427 General Permit for Docks, Piers and Associated Structures.**

(1) A general permit is granted to any person to construct, extend, or remove a dock or pier and associated structures as described below:

(a) A private, single-family pier or dock with up to two boat lifts that, together with all existing structures on the shoreline of the property, does not exceed a total area of 2,000 square feet over surface waters. Such a structure:

1. Shall not accommodate the mooring of more than two vessels, either in the water or on a boat lift. Solely for purposes of this general permit, up to two personal watercraft as defined in section 327.02(33), F.S., may be moored in lieu of either or both allowable vessels of another type.

These limits shall not apply to the mooring, storage or other use of the dock or pier by:

a. Non-motor-powered vessels less than 16 feet in length that are stored on or under the dock or pier, or within an authorized mooring area; or

b. Personal watercraft, dinghies or similar small vessels that are stowed out of the water, upon a larger parent vessel that is moored at the dock in compliance with this general permit.

2. Shall be located such that all areas used for vessel mooring and navigational access already provide a minimum depth of two feet below the mean low water level for tidal waters, or two feet below the expected average low water depth for non-tidal waters as determined based on best available information for the water body at the project location; and

3. May include a roof over the vessel mooring areas, boat lifts, and terminal platform, or any portions thereof, subject to the applicable provisions of chapters 253 and 258, F.S., and the rules adopted thereunder. Portions of such roofs that overhang beyond the edge of decked portions of the pier or dock shall be included in the calculation of the total square footage of over-water structure allowed under paragraph (1)(a), above.

(b) A public fishing pier that does not exceed a total area of 2,000 square feet provided the structure is designed and built to discourage boat mooring by elevating the fishing pier to a minimum height of five feet above mean high water or ordinary high water, surrounding the pier with handrails, and installing and maintaining signs that state "No Boat Mooring Allowed."

(2) This general permit shall be subject to the following specific conditions:

(a) Construction or extension of the boat lift, boat mooring locations, or terminal platform, shall not occur over submerged grassbeds, coral communities or wetlands. However, the access walkway portion of the pier may traverse these resources provided it is elevated a minimum of five feet above mean high water or ordinary high water, contains handrails that are maintained in such a manner as to prevent use of the access walkways for boat mooring or access, and does not exceed a width of six feet, or a width of four feet in Aquatic Preserves;

(b) There shall be no structures enclosed by walls, screens, or doors on any side;

(c) The dock or pier will not facilitate vessel rentals, charters, or serve any other commercial purpose;

(d) There shall be no fish cleaning facilities, boat repair facilities or equipment, or fueling facilities on the structures authorized by this general permit. In addition, no overboard discharges of trash, human or animal waste, or fuel shall occur from any structures authorized by this general permit;

(e) This general permit shall not authorize the construction or extension of more than one dock or pier per parcel of land or individual lot. For the purposes of this general permit, multi-family living complexes shall be treated as one parcel of property regardless of the legal division of ownership or control of the associated property; and



### **62-330.405 General Conditions for All General Permits.**

The following general permit conditions are binding upon the permittee and are enforceable under chapter 373, F.S. These conditions do not apply to the general permit for stormwater management systems under section 403.814(12), F.S.

- (1) The general permit is valid only for the specific activity indicated. Any deviation from the specified activity and the conditions for undertaking that activity shall constitute a violation of the permit and may subject the permittee to enforcement action and revocation of the permit under chapter 373, F.S.
- (2) The general permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any construction, alteration, operation, maintenance, removal or abandonment authorized by this permit; and it does not authorize any violation of any other applicable federal, state, local, or special district laws (including, but not limited to, those governing the "take" of listed species).
- (3) The general 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 on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the general permit.
- (4) The general permit does not relieve the permittee from liability and penalties when the permitted activity causes harm or injury to: human health or welfare; animal, plant or aquatic life; or property. It does not allow the permittee to cause pollution that violates state water quality standards.
- (5) Section 253.77, F.S., provides that a person may not commence any excavation, construction, or other activity involving the use of state-owned 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 consent, lease, easement, or other form of authorization authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on state-owned lands.
- (6) The authorization to conduct activities under a general permit may be modified, suspended or revoked in accordance with chapter 120, F.S., and section 373.429, F.S.
- (7) The general permit is not transferable to a new third party. To be used by a different permittee, a new notice to use a general permit must be submitted in accordance with rule 62-330.402, F.A.C. Activities constructed in accordance with the terms and conditions of a general permit are automatically authorized to be operated and maintained by the permittee and subsequent owners in accordance with subsection 62-330.340(1), F.A.C. Any person holding the general permit, persons working under the general permit, and owners of land while work is conducted under the general permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to sale, conveyance, or other transfer of ownership or control of the permitted project, activity, or the real property at which the permitted project or activity is located.
- (8) Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the permitted system to ensure conformity with the plans and specifications approved by the general permit.
- (9) The permittee shall maintain any permitted project or activity in accordance with the plans submitted to the Agency and authorized in the general permit.
- (10) A permittee's right to conduct a specific activity under the general permit is authorized for a duration of five years.

shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities 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 the proper authorities notified in accordance with section 872.05, F.S.

(17) The activity must be capable, based on generally accepted engineering and scientific principles, of being performed and of functioning as proposed, and must comply with any applicable District special basin and geographic area criteria.

(18) The permittee shall comply with the following when performing work within waters accessible to federally- or state-listed aquatic species, such as manatees, marine turtles, smalltooth sawfish, and Gulf sturgeon:

(a) All vessels associated with the project shall operate at “Idle Speed/No Wake” at all times while in the work area and where the draft of the vessels provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.

(b) All deployed siltation or turbidity barriers shall be properly secured, monitored, and maintained to prevent entanglement or entrapment of listed species.

(c) All in-water activities, including vessel operation, must be shut down if a listed species comes within 50 feet of the work area. Activities shall not resume until the animal(s) has moved beyond a 50-foot radius of the in-water work, or until 30 minutes elapses since the last sighting within 50 feet. Animals must not be herded away or harassed into leaving. All onsite project personnel are responsible for observing water-related activities for the presence of listed species.

(d) Any listed species that is killed or injured by work associated with activities performed shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1(888)404-3922 and [ImperiledSpecies@myFWC.com](mailto:ImperiledSpecies@myFWC.com).

(e) Whenever there is a spill or frac-out of drilling fluid into waters accessible to the above species during a directional drilling operation, the FWC shall be notified at [ImperiledSpecies@myfwc.com](mailto:ImperiledSpecies@myfwc.com) with details of the event within 24 hours following detection of the spill or frac-out.

(19) The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any activity authorized by the general permit.

(20) The permittee shall immediately notify the Agency in writing of any submitted information that is discovered to be inaccurate.

*Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.044, 373.118(1), 373.129, 373.136, 373.406(5), 373.413, 373.4131, 373.414(9), 373.4145, 373.416, 373.422, 373.423, 373.429, 403.814(1) FS. History—New 10-3-95, Amended 10-1-07, Formerly 62-341.215, Amended 10-1-13, 6-1-18.*



**General Conditions for Authorizations for Activities on State-Owned Submerged Lands:**

All authorizations granted by rule or in writing under rule 18-21.005, F.A.C., except those for geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (j) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under chapter 253 or 258, part II, F.S.

(a) Authorizations are valid 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 shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.

(b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.

(c) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in sections 253.04 and 258.46, F.S., or chapter 18-14, F.A.C.

(d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.

(e) Construction, use, or operation of the structure or activity shall 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.

(f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.

(g) Structures or activities shall not create a navigational hazard.

(h) Activities shall not interfere with the public easement for traditional uses of the sandy beaches provided in section 161.141, F.S.

(i) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

(j) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(g), F.A.C., or any other applicable law.

*Rulemaking Authority 253.03(7), 253.73 FS. Law Implemented 253.001, 253.03, 253.141, 253.0347, 253.665, 253.71, 253.68, 253.72, 253.74, 253.75, 253.77 FS. History—New 3-27-82,*



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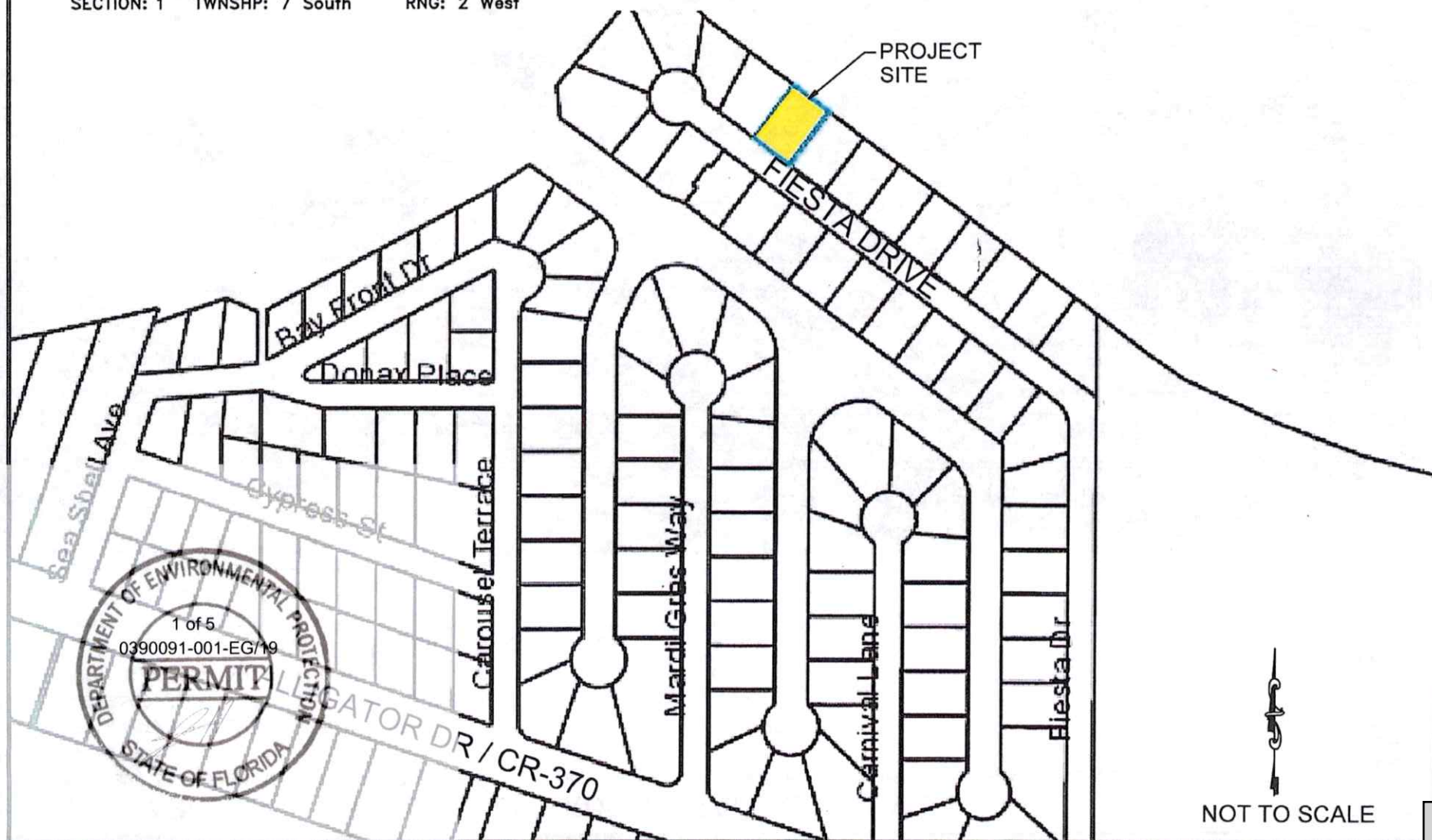
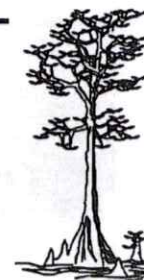
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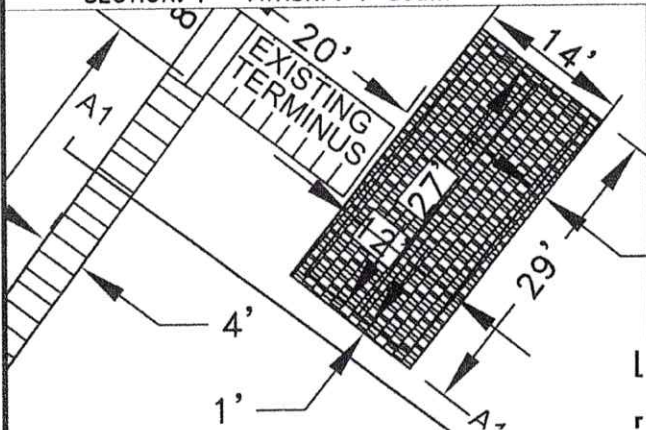
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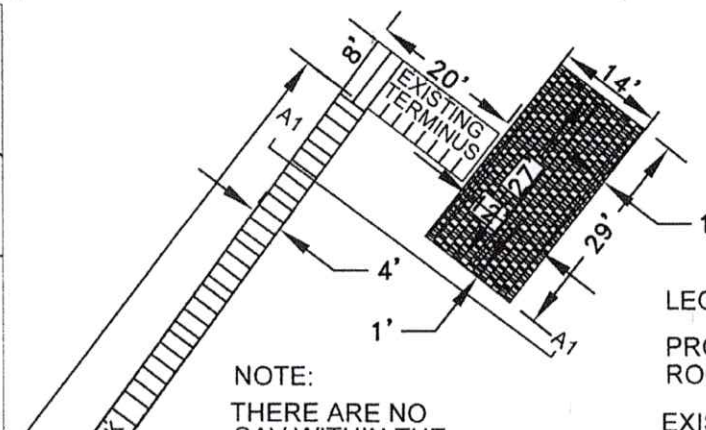
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CLOSEUP OF PROPOSED ROOF  
NTS



NOTE:  
THERE ARE NO  
SAV WITHIN THE  
DOCK OR BOAT  
ROOF ALIGNMENT  
SAV STUDY  
COMPLETED 7-7-20

## ALLIGATOR HARBOR

### LEGEND:

PROPOSED  
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716 SQ FT

TOTAL ----- 1087 Sq Ft  
COMBINED

SIZE OF PROPOSED BOAT  
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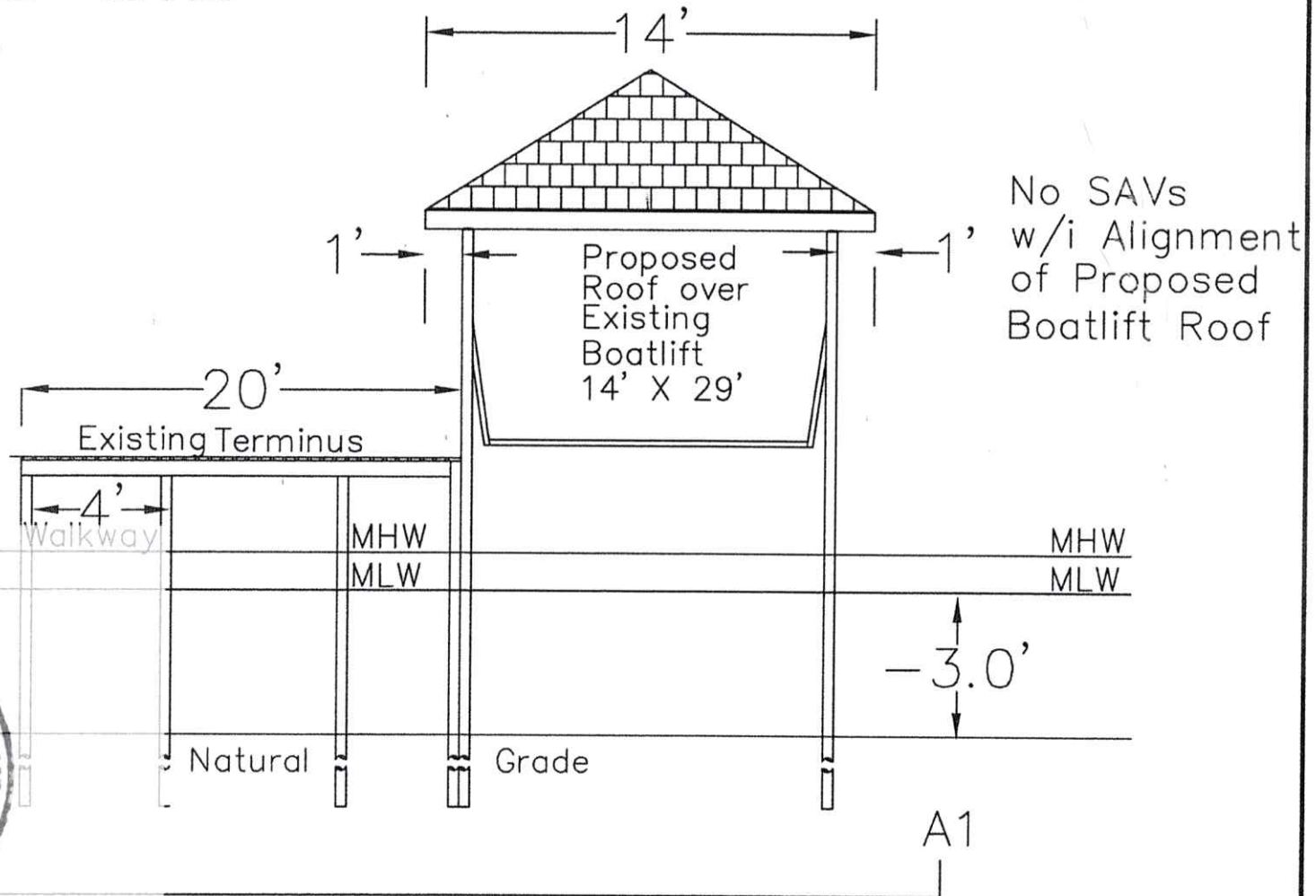
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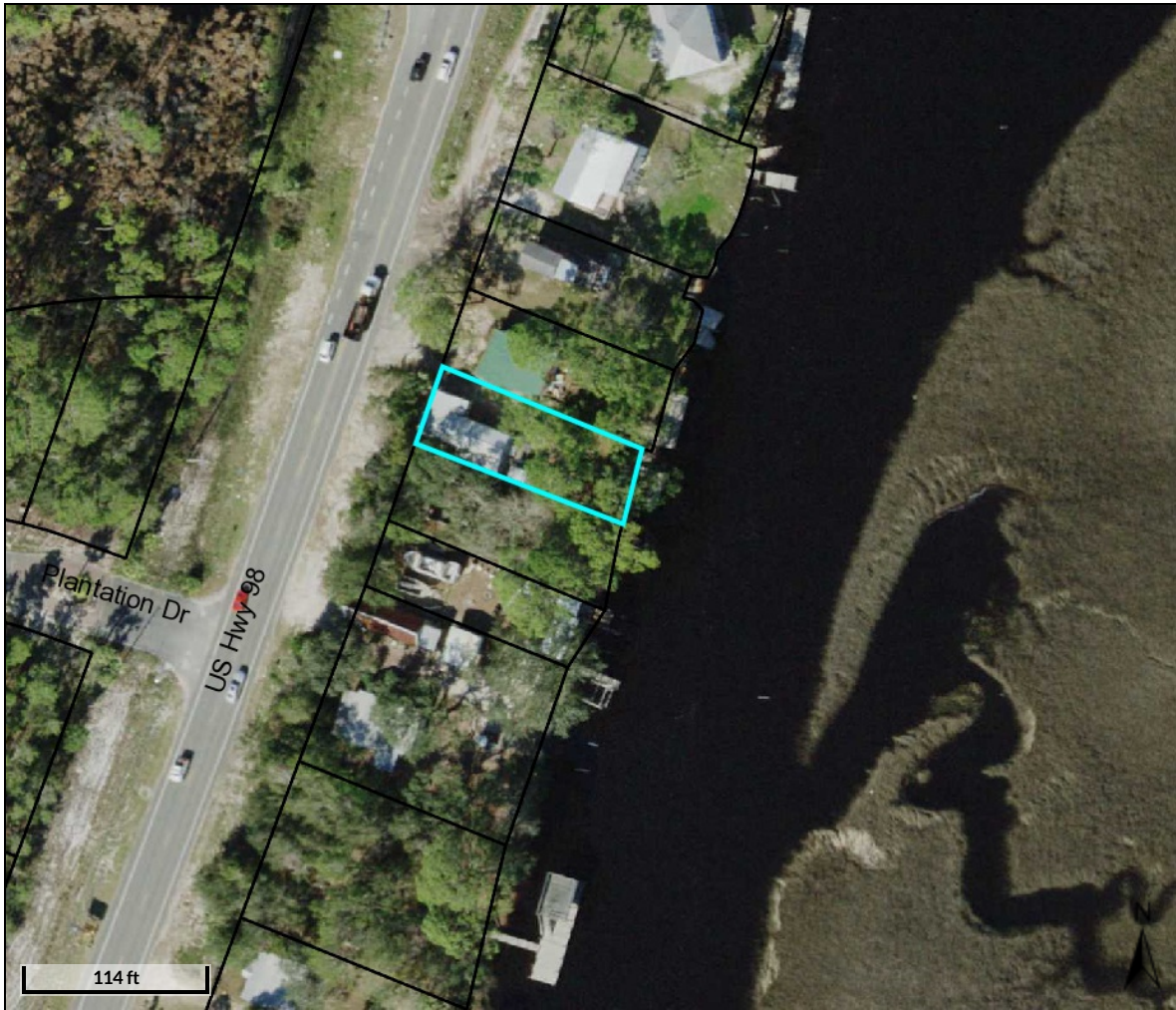
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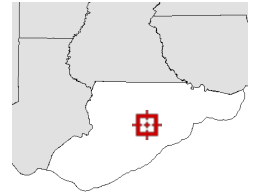
CROSS SECTION A-A  
PROPOSED COVERED  
BOATLIFT  
NOT TO SCALE







Overview



Legend

- Parcels
- Roads
- City Labels

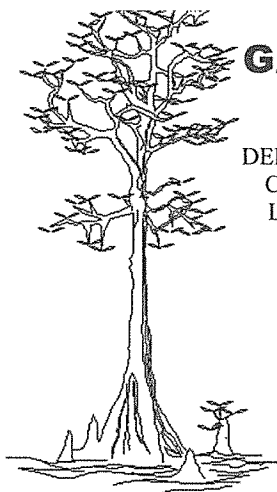
Parcel ID	19-07S-04W-0000-0160-0000	Alternate ID	04W07S19000001600000	Owner Address	SMITH CHARLES W JANICE MARLENE
Sec/Twp/Rng	19-7S-4W				4 MELISSA CIRCLE
Property Address	1530 HWY 98	Class	SINGLE FAM		GRIFFIN, GA 30224
District	1	Acreage	0.179		
Brief Tax Description	50 FT FACING HWY 98 319				

(Note: Not to be used on legal documents)

Date created: 3/3/2021

Last Data Uploaded: 3/3/2021 7:41:34 AM

Developed by Schneider  
GEOSPATIAL



## GARLICK ENVIRONMENTAL ASSOCIATES, INC.

C-

SPECIALIZING IN: REGULATORY PERMITS • WETLANDS/UPLAND JURISDICTIONAL  
DELINEATIONS • SUBMERGED LAND LEASES • ECOLOGICAL INVENTORY ASSESSMENTS •  
CONSERVATION AND OTHER EASEMENTS • EXPERT WITNESS AND ENVIRONMENTAL  
LITIGATION SERVICES • MITIGATION • CULTURAL RESOURCE ANALYSIS • CREATIVE  
MARINA, DOCK, AND SUBDIVISION DESIGN

February 9, 2021

Ms Amy Kelly  
Franklin County Planning & Zoning  
33 Commerce Street  
Apalachicola, FL 32320

Re: Planning and Zoning Agenda  
GEA File No. 20-173  
Charles Smith

Dear Ms. Kelly:

Please find attached an Application for Development for the referenced project. The proposed project consists of construction of a Single Family Residential Dock. The application has been submitted to the agencies for permitting. Upon receipt of the permits from FDEP and COE, we will send a copy of each to you.

As shown on the attached drawings, the access walkway for the proposed dock will be constructed 12 ft. in length and 4 ft. in width. A terminus 12' by 24' will be constructed at the end of the proposed dock. The total square footage of the proposed dock will be 336 sq. ft. The area of the proposed dock and terminus is absent of vegetation.

If you have any questions, please let us know.

Sincerely,

Kevin Burdette, Project Manager  
Garlick Environmental Associates, Inc.

Attachments

GARLICK ENVIRONMENTAL ASSOCIATES, INC. POST OFFICE BOX 385 APALACHICOLA, FL 32329-0385  
PHONE: (850) 653-8899 FAX: (850) 653-9656  
BRANCH OFFICE IN PORT ST JOE



## DOCK PERMIT APPLICATION

**FRANKLIN COUNTY BUILDING DEPARTMENT**  
34 Forbes Street, Suite 1, Apalachicola, Florida 32320  
Phone: 850-653-9783 Fax: 850-653-9799  
[http://www.franklincountyflorida.com/planning\\_building.aspx](http://www.franklincountyflorida.com/planning_building.aspx)

PERMIT # \_\_\_\_\_  
FEE: \$ \_\_\_\_\_  
C.S.I : \$ \_\_\_\_\_  
TOTAL: \$ \_\_\_\_\_

**NOTE TO APPLICANTS AND PERMIT HOLDERS:**  
VIOLATIONS OF THE TERMS AND CONDITIONS OF THIS PERMIT MAY  
WARRANT A STOP WORK ORDER OR REVOCATION OF THIS PERMIT. THIS  
PERMIT IS VALID FOR ONE YEAR FROM THE DATE OF ISSUANCE.  
CONSTRUCTION MUST COMMENCE WITHIN SIX MONTHS OF THIS DATE:  
ISSUANCE DATE: \_\_\_\_\_ EXPIRES: \_\_\_\_\_

**EXISTING HOUSE:** ☐ Yes ☐ No  
**DEP PERMIT:** ☐ Yes ☐ No  
**ARMY COE PERMIT:** ☐ Yes ☐ No  
**APPROVED:** ☐ Yes ☐ No

### APPLICATION MUST BE COMPLETE:

Property Owner/s: Charles W. Smith  
Contact Information: Home #: 770-364-6399 Cell #: \_\_\_\_\_  
Mailing Address: 4 Melissa Circle City/State/Zip: Griffin, GA 30224  
EMAIL Address: klcd@comcast.net

Contractor Name: \_\_\_\_\_ Business Name: \_\_\_\_\_  
Contact Information: Office #: \_\_\_\_\_ Cell #: \_\_\_\_\_  
State License #: \_\_\_\_\_ County Registration #: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
EMAIL Address: \_\_\_\_\_ @ \_\_\_\_\_

**PROPERTY DESCRIPTION:** 911 Address: 1530 Highway 98  
Lot/s: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Unit: \_\_\_\_\_  
Parcel Identification #: 19-07S-04W-0000-0160-0000

**JURISDICTION:** ☒ Franklin County ☐ City of Apalachicola ☐ City of Carrabelle  
☐ Apalachicola ☐ Eastpoint ☐ St. George Island ☐ Carrabelle ☐ Dog Island ☐ Lanark/ St. James ☐ St. Teresa ☐ Alligator Point  
☒ SINGLE FAMILY DOCK/PIER ☐ MULTI-FAMILY DOCK/PIER ☐ COMMERCIAL

**DESCRIPTION:** Single Family Dock . The Access Walkway will be constructed 4' X 12' and a  
terminus 12'x24' for a total of 336 Sq FT

ZONING DISTRICT: \_\_\_\_\_ CONTRACT COST: \_\_\_\_\_

TOTAL SQUARE FOOT: \_\_\_\_\_ FOUNDATION TYPE: \_\_\_\_\_  
ROOF MATERIAL: \_\_\_\_\_

**APPROVED BY:** ☐ Planning & Zoning Date: \_\_\_\_\_ ☐ County Commissioners Date: \_\_\_\_\_  
☐ City of Carrabelle Date: \_\_\_\_\_ ☐ City of Apalachicola Date: \_\_\_\_\_

WATER BODY: Postum Bayou  
CRITICAL SHORELINE DISTRICT: YES OR NO CRITICAL HABITAT ZONE: YES OR NO

**BUILDING OFFICIAL** \_\_\_\_\_ **Date** \_\_\_\_\_ **OWNER (Required)** \_\_\_\_\_ **Date** \_\_\_\_\_ **CONTRACTOR (Required)** \_\_\_\_\_ **Date** \_\_\_\_\_



C-

**CHECKLIST:**☒ Application☐ DEP☐ Army CORPS☒ Site Plan☐ Drawings (Approved by all entities)☐ Approvals from local jurisdictions**FEE SCHEDULE:**

DOCKS	SQUARE FOOT		X	\$5.00	=	\$
BOAT LIFTS	SQUARE FOOT		X	\$5.00	=	\$
TOTAL VALUATION:						\$
Critical Shoreline Fee:						\$ 100.00
PERMIT FEE:						\$



# PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899

FAX (850) 653-9656 garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Charles W. Smith

WATERBODY/CLASS: Postom Bayou/ not an OFW or AQ Preserve

PURPOSE: Development Feasibility Assessment

PROJECT LOCATION / USGS: Carrabelle / Franklin County

LATITUDE: 29° 50' 47.20"

LONGITUDE: 84° 40' 38.31"

SECTION: 19 TWSHP: 7 South

RNG: 4 West

JOB: 20-173

DEP:

COE:

OTHER:

DATE: January 14, 2021

SHEET: 1/4



NOT TO SCALE



# PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899

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RNG: 4 West

JOB: 20-173

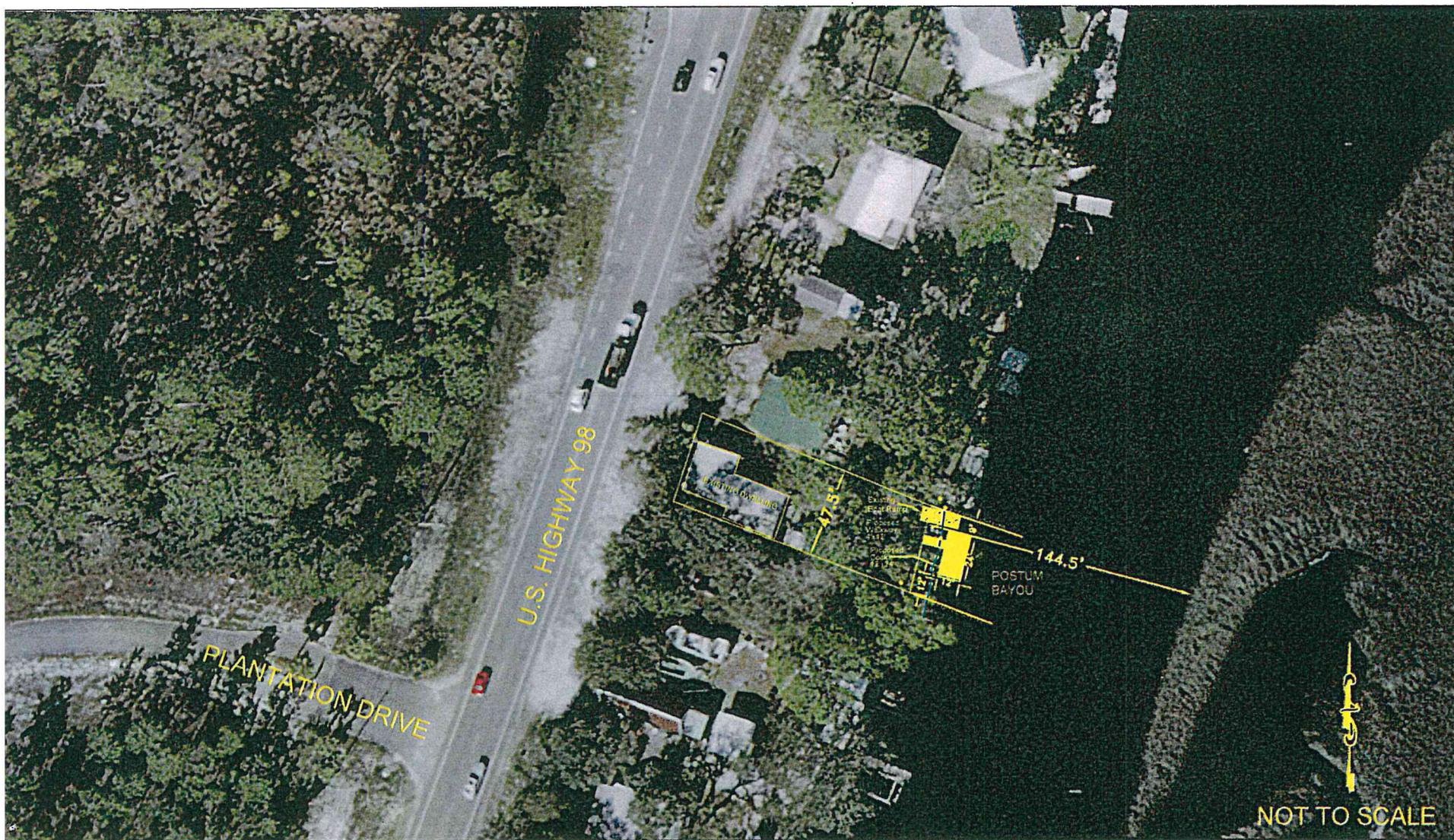
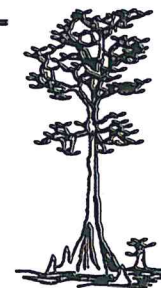
DEP:

COE:

OTHER:

DATE: January 14, 2021

SHEET: 2/4





PREPARED BY: GARLICK ENVIRONMENTAL C ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899

FAX (850) 653-9656

garlick@garlickenv.com

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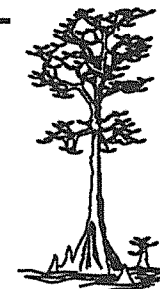
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COE:

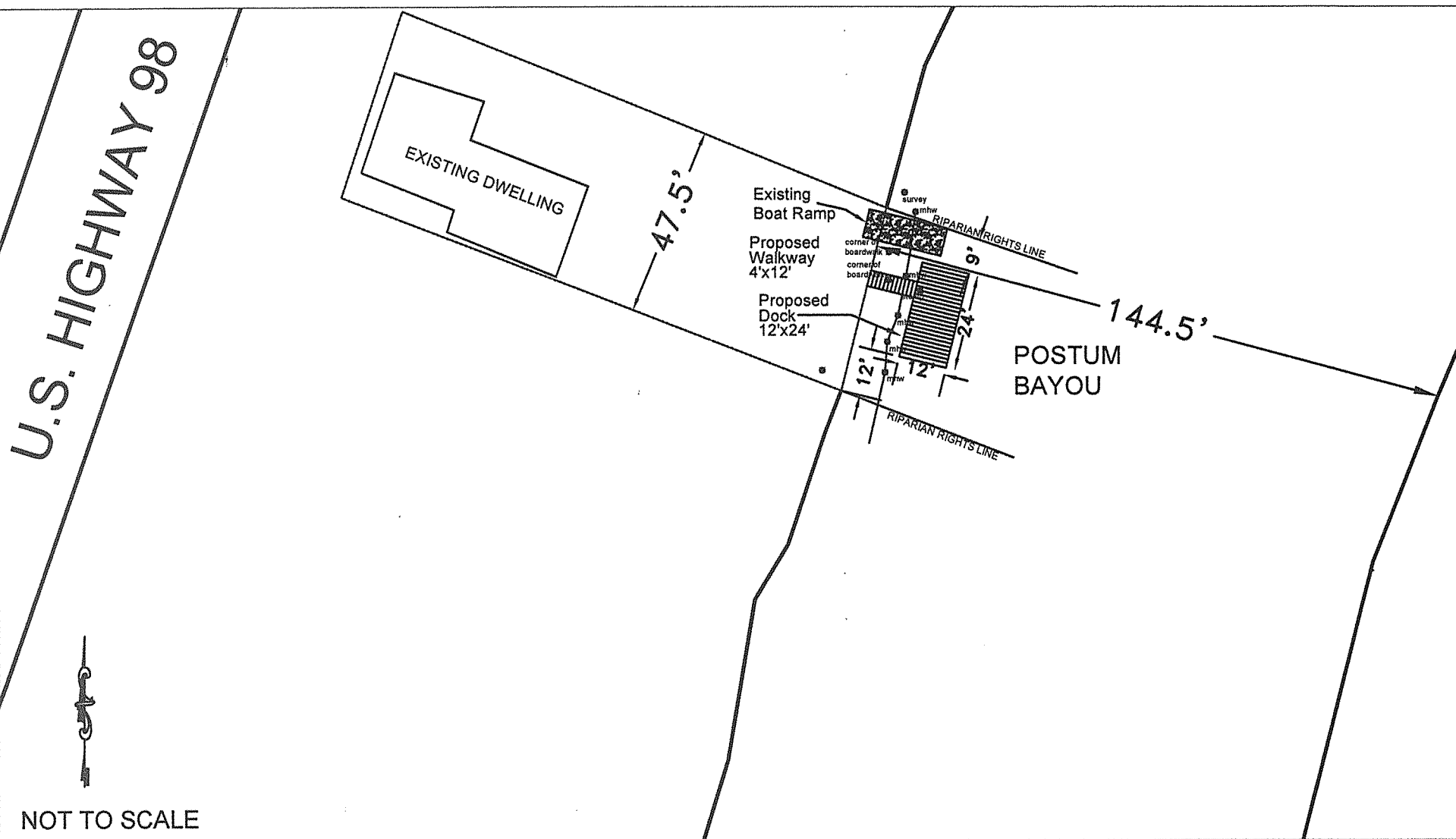
OTHER:

DATE: January 14, 2021

SHEET: 3/4



SECTION: 19 TWSHP: 7 South RNG: 4 West



PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899

FAX (850) 653-9656

garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Charles W. Smith

WATERBODY/CLASS: Postum Bayou/ not an OFW or AQ Preserve

PURPOSE: Development Feasibility Assessment

PROJECT LOCATION / USGS: Carrabelle / Franklin County

LATITUDE: 29° 50' 47.20"

LONGITUDE: 84° 40' 38.31"

JOB: 20-173

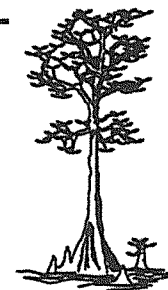
DEP:

COE:

OTHER:

DATE: January 14, 2021

SHEET: 3A/4

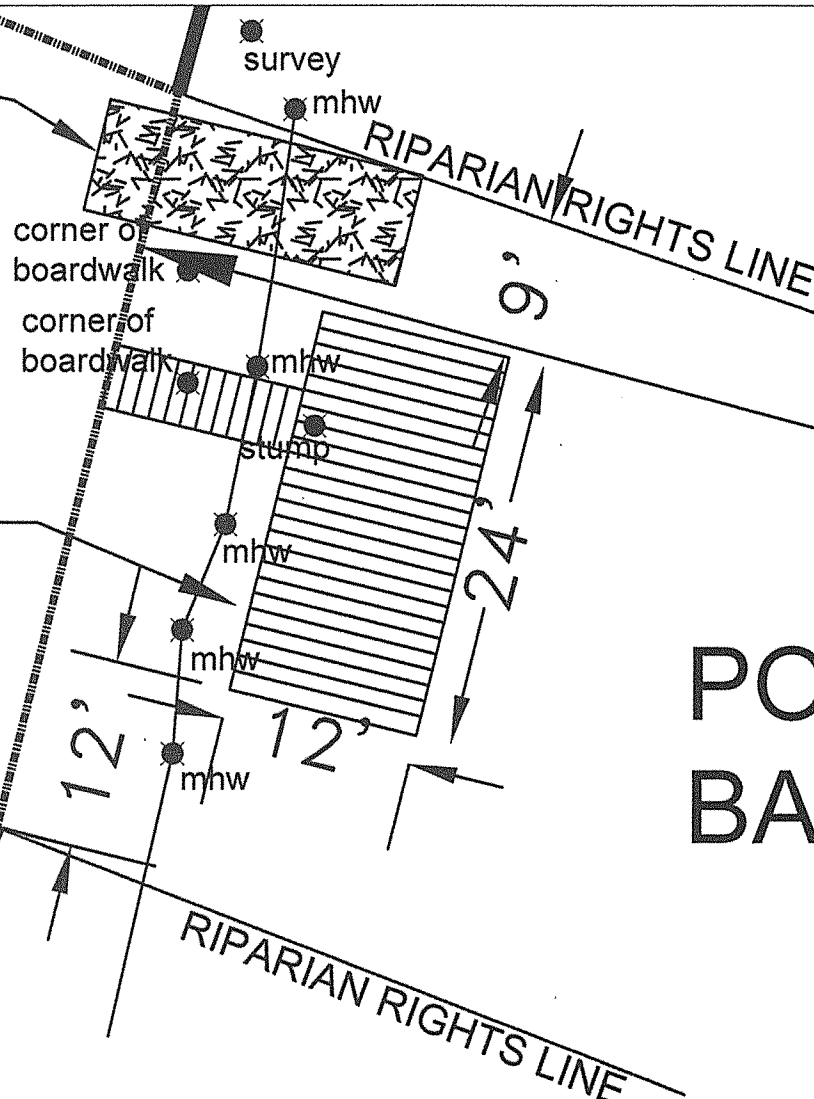


SECTION: 19 TWSHP: 7 South RNG: 4 West

Existing  
Boat Ramp

Proposed  
Walkway  
4'x12'

Proposed  
Dock  
12'x24'



POSTUM  
BAYOU

NOT TO SCALE

LB No. 7415

APPLICANT/CLIENT: Charles W. Smith

WATERBODY/CLASS: Postom Bayou / not an OFW or AQ Preserve

PURPOSE: Single Family Dock

PROJECT LOCATION / USGS: Carrabelle / Franklin County

LATITUDE: 29° 50' 47.20"

LONGITUDE: 84° 40' 38.21"

JOB: 20-173

DEP:

COE:

OTHER:

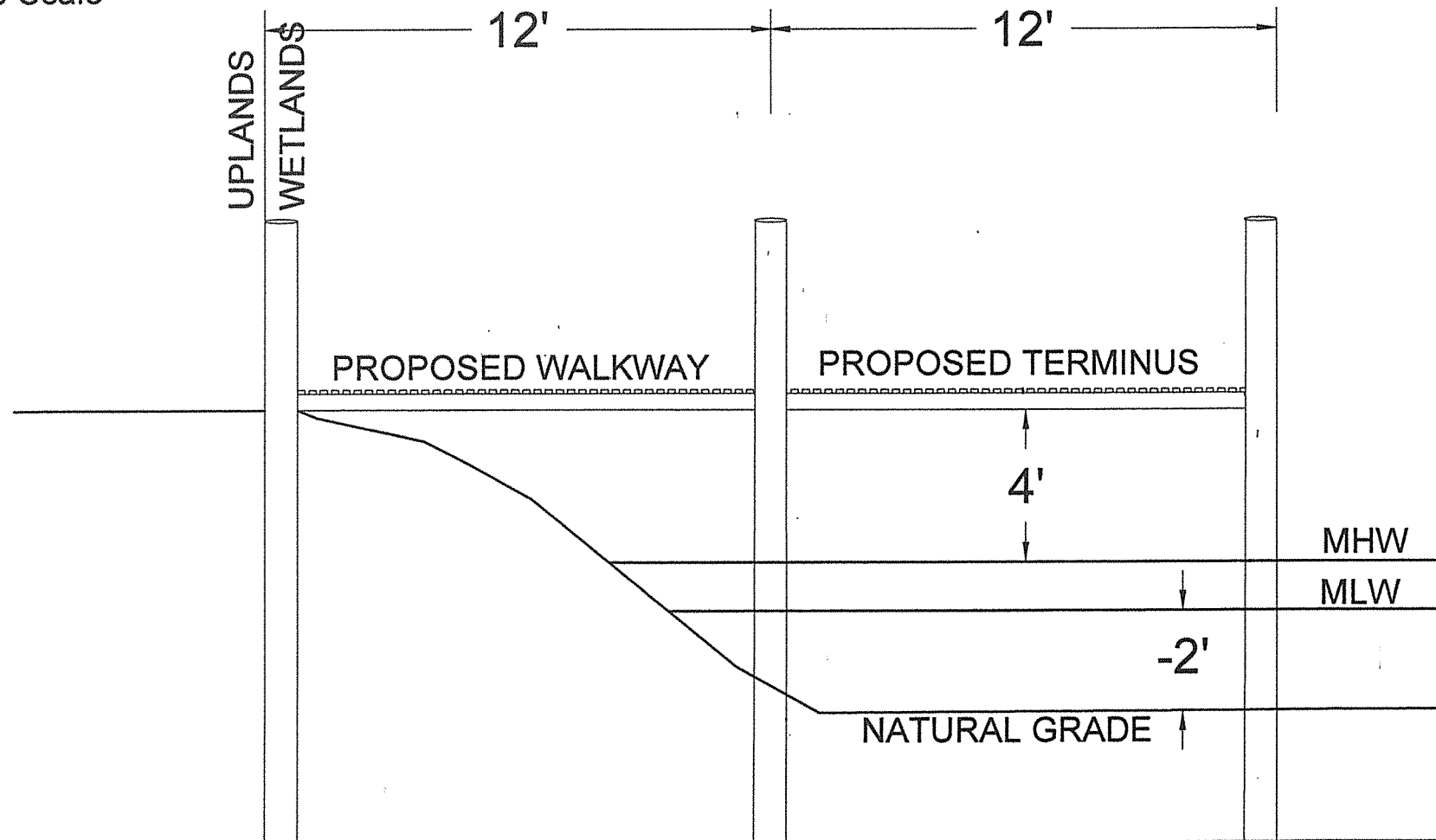
DATE: February 8, 2021

SHEET: 4/4



SECTION: 19 TOWNSHIP: 7 South      RANG: 4 West

Cross Section  
of Proposed Dock  
Not to Scale



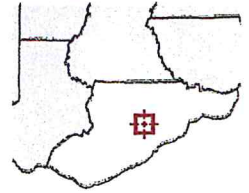




Owner



Overview



Legend

- ☐ Parcels
- ☐ Roads
- ☐ City Labels

Parcel ID	19-07S-04W-0000-0160-0000	Alternate ID	04W07S190000001600000	Owner Address	SMITH CHARLES W JANICE MARLENE
Sec/Twp/Rng	19-7S-4W				4 MELISSA CIRCLE
Property Address	1530 HWY 98	Class	SINGLE FAM		GRIFFIN, GA 30224
District	1	Acreage	0.179		
Brief Tax Description	50 FT FACING HWY 98 319				
	(Note: Not to be used on legal documents)				

Date created: 1/6/2021

Last Data Uploaded: 1/6/2021 8:31:57 AM

Developed by  Schneider  
GEOSPATIAL



## Parcel Summary

**Parcel ID** 19-07S-04W-0000-0160-0000  
**Location Address** 1530 HWY 98  
 32322  
**Brief Tax Description\*** 50 FT FACING HWY 98 319 LESS HWY RIGHT OF WAY OR HH/193 279/271 674/18 1024/222  
 \*The Description above is not to be used on legal documents.  
**Property Use Code** SINGLE FAM (000100)  
**Sec/Twp/Rng** 19-7S-4W  
**Tax District** County (District 1)  
**Millage Rate** 11.5391  
**Acreage** 0.179  
**Homestead** N

[View Map](#)

## Owner Information

**Primary Owner**  
 Smith Charles W Janice Marlene  
 4 Melissa Circle  
 Griffin, GA 30224

## Land Information

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
000182	BAYOU FRONTAGE	7,800.00	SF	60	130

## Residential Buildings

**Building 1**  
**Type** SINGLE FAM  
**Total Area** 1,441  
**Heated Area** 1,000  
**Exterior Walls** VINYL SIDE  
**Roof Cover** MODULAR MT  
**Interior Walls** WALL BD/WD  
**Frame Type** N/A  
**Floor Cover** PINE WOOD  
**Heat** NONE  
**Air Conditioning** WINDOW  
**Bathrooms** 1  
**Bedrooms** 0  
**Stories** 1  
**Effective Year Built** 1960

## Extra Features

Code	Description	Number of Items	Length x Width x Height	Units	Unit Type	Effective Year Built
0665	STEPS W/RAILS	1	0x0x0	41	SF	2011
0430	DOCK	1	0x0x0	164	SF	1982
0610	SHED WD	1	0x0x0	96	UT	1982
0620	SHED MT	1	0x0x0	36	UT	1982

## Sales

Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	11/23/2010	\$100	WD	1024	222	Unqualified (U)	Improved	SMITH	SMITH
N	08/27/2001	\$100	WD	674	18	Unqualified (U)	Improved	SMITH	SMITH
N	08/19/1988	\$25,500	WD	279	271	Qualified (Q)	Improved	CAMPBELLE	SMITH

## Valuation

	2020 Certified	2019 Certified	2018 Certified	2017 Certified	2016 Certified
Building Value	\$29,822	\$30,125	\$26,340	\$26,340	\$26,859
Extra Features Value	\$2,235	\$2,235	\$2,235	\$2,235	\$2,235
Land Value	\$29,250	\$29,250	\$29,250	\$40,000	\$40,000
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$61,307	\$61,610	\$57,825	\$68,575	\$69,094
Assessed Value	\$61,307	\$61,610	\$57,825	\$68,575	\$69,094
Exempt Value	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$61,307	\$61,610	\$57,825	\$68,575	\$69,094
Maximum Save Our Homes Portability	\$0	\$0	\$0	\$0	\$0

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

## TRIM Notice 2020

[2020 TRIM Notice \(PDF\)](#)

## TRIM Notice 2019

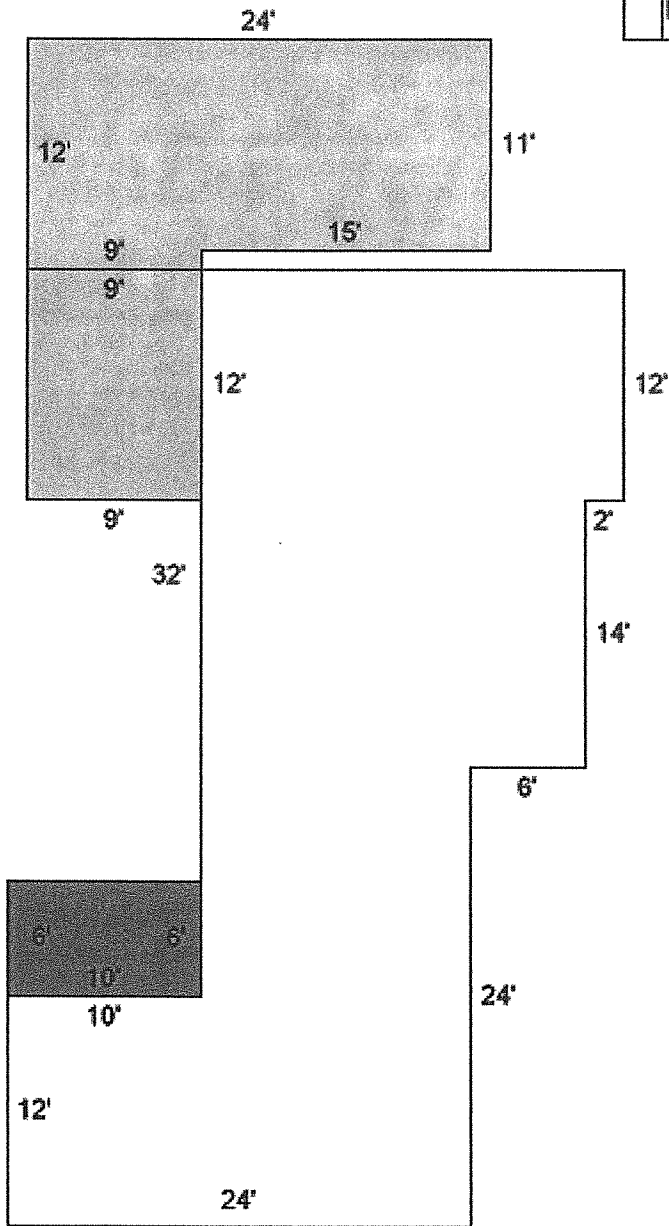
[2019 TRIM Notice \(PDF\)](#)

## Sketches



C-

FOP	F OPN PRCH	60	196
UOP	UNF OP PRH	108	196
UOP	UNF OP PRH	273	201
BAS	BASE AREA	1000	196



No data available for the following modules: Commercial Buildings.

This Deed Prepared By:  
Janice Smith  
P.O. Box 1184  
Carrabelle, FL 32322

Inst: 201019007677 Date: 11/23/2010 Time: 11:35 AM  
Doc Stamp-Deed: 0.70  
CBS DC, Marcia Johnson, Franklin County B: 1024 P: 222

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

**This Warranty Deed**, Made the 23rd day of November, 2010, by Janice Marlene Smith, a married woman

hereinafter called the Grantor, to Charles W. Smith and Janice Marlene Smith, husband and wife, with rights of survivorship and not as tenants in common

hereinafter called the Grantee.

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and their heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

**Witnesseth**, That the Grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, allens, remises, releases, conveys and confirms unto the Grantee all that certain land, situate in Franklin County, State of Florida, viz:

Commence at an iron stake on the Eastern side and foot of the Carrabelle River Bridge, (West side of River) and thence run South 18 degrees 15 minutes 10 seconds West along the Easterly right-of-way boundary of State Road No. 30 a distance of 741.00 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING continue South 18 degrees 15 minutes 10 seconds West along said Easterly right-of-way boundary 50.00 feet, thence run South 70 degrees 04 minutes 50 second East 136.68 feet to the edge of Poston Bayou; thence run North 13 degrees 14 minutes 19 seconds East along the edge of said Bayou 50.32 feet, thence run North 70 degrees 04 minutes 50 seconds West 132.28 feet to the POINT OF BEGINNING containing 0.15 of an acre, more or less, situate, lying and being in Section 19, Township 7 South, Range 4 West, Franklin County, Florida.

Together, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining. **To Have and to Hold**, the same in fee simple forever.

And the Grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 19

In Witness Whereof, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness Signature (as to first Grantor)  
James Rich (DEPUTY)  
Printed Name

Witness Signature (as to first Grantor)  
Blenda Benjamin  
Printed Name

Witness Signature (as to Co-Grantor, if any)

Printed Name

Witness Signature (as to Co-Grantor, if any)

Printed Name

STATE OF Florida

COUNTY OF Franklin

Janice Marlene Smith

known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, and an oath was not taken. (Check one.) ☐ Said person(s) is/are personally known to me. ☒ Said person(s) provided the following type of identification: DL# 5530 433 39 663 0

NOTARY RUBBER STAMP SEAL



Witness my hand and official seal in the County and State last aforesaid this 23rd day of November, A.D. 2010

Rita Ann Millender  
Notary Signature  
Rita Ann Millender  
Printed Name

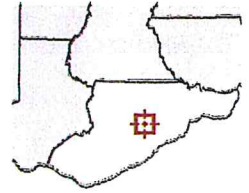




*Adjacent Neighbor*



Overview



Legend

- Parcels
- Roads
- City Labels

Parcel ID 19-07S-04W-0000-0170-0000

Sec/Twp/Rng 19-7S-4W

Property Address 1532 HWY 98 WEST

District 1

Brief Tax Description 49 FT FACING HWY 98 319

(Note: Not to be used on legal documents)

Alternate ID 04W07S19000001700000

Class SINGLE FAM

Acreage 0.179

Owner Address ABBOTT RAY E

3911 VANDERBILT DR

ALBANY, GA 31707

Date created: 1/15/2021

Last Data Uploaded: 1/15/2021 8:05:42 AM

Developed by Schneider  
GEOSPATIAL





*Adjacent Neighbor*



Overview



Legend

- ☐ Parcels
- Roads
- City Labels

Parcel ID 19-075-04W-0000-0150-0000

Sec/Twp/Rng 19-7S-4W

Property Address

District 2

Brief Tax Description N 50 FT FACING HWY 98 319

(Note: Not to be used on legal documents)

Alternate ID 04W07519000001500000

Class SINGLE FAM

Acreage 0.179

Owner Address SIMMONS NATHAN W  
496 DOGWOOD TRAIL  
QUINCY, FL 32352

Date created: 1/15/2021

Last Data Uploaded: 1/15/2021 8:05:42 AM

Developed by Schneider  
GEOSPATIAL





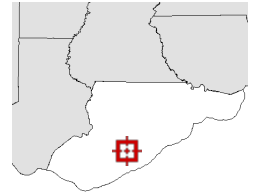
qPublic.net™

Franklin County, FL

D-



#### Overview



#### Legend

- Parcels
- Roads
- City Labels

Parcel ID 29-09S-06W-7338-0000-0120

Sec/Twp/Rng 29-9S-6W

Property Address 2023 TURPENTINE TRAIL  
ST GEORGE ISLAND

District 1

Brief Tax Description LOT 12 BAY COVE VILL

(Note: Not to be used on legal documents)

Alternate ID 06W09S29733800000120

Class VACANT

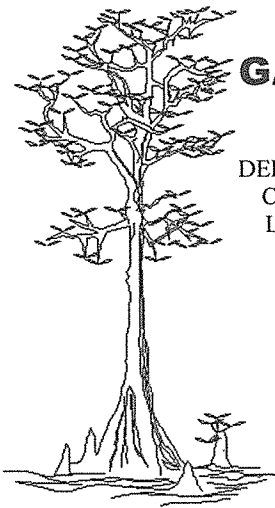
Acreage n/a

Owner Address MILLER GINA O  
13605 RUTLAND ROAD  
GOSHEN, KY 40026

Date created: 3/3/2021

Last Data Uploaded: 3/3/2021 7:41:34 AM

Developed by Schneider  
GEOSPATIAL



D-

## GARLICK ENVIRONMENTAL ASSOCIATES, INC.

SPECIALIZING IN: REGULATORY PERMITS • WETLANDS/UPLAND JURISDICTIONAL  
DELINEATIONS • SUBMERGED LAND LEASES • ECOLOGICAL INVENTORY ASSESSMENTS •  
CONSERVATION AND OTHER EASEMENTS • EXPERT WITNESS AND ENVIRONMENTAL  
LITIGATION SERVICES • MITIGATION • CULTURAL RESOURCE ANALYSIS • CREATIVE  
MARINA, DOCK, AND SUBDIVISION DESIGN

February 5, 2021

Ms Amy Kelly  
Franklin County Planning & Zoning  
33 Commerce Street  
Apalachicola, FL 32320

Re: Planning and Zoning Agenda  
GEA File No. 20-177  
GKM, LLC

Dear Ms. Kelly:

Please find attached an Application for Development for the referenced project. The proposed project consists of construction of a Single Family Residential Dock. The application has been submitted to the agencies for permitting. Upon receipt of the permits from FDEP and COE, we will send a copy of each to you.

As shown on the attached drawings, the access walkway for the proposed dock will be constructed 493 ft. in length and 4 ft. in width. A terminus will be constructed at the end of the proposed dock, which will be constructed 20 ft. in length and 6 ft. in width. The total square footage of the proposed dock will be 499 sq. ft. A boat lift will also be constructed at the proposed dock. The boat lift will be built 11' by 20'. The area of the proposed boat lift and terminus is absent of vegetation.

If you have any questions, please let us know.

Sincerely,

Kevin Burdette, Project Manager  
Garlick Environmental Associates, Inc.





# DOCK PERMIT APPLICATION

## FRANKLIN COUNTY BUILDING DEPARTMENT

34 Forbes Street, Suite 1, Apalachicola, Florida 32320

Phone: 850-653-9783 Fax: 850-653-9799

[http://www.franklincountyflorida.com/planning\\_building.aspx](http://www.franklincountyflorida.com/planning_building.aspx)

PERMIT # \_\_\_\_\_

FEE: \$ \_\_\_\_\_

C.S.I. : \$ \_\_\_\_\_

TOTAL: \$ \_\_\_\_\_

### NOTE TO APPLICANTS AND PERMIT HOLDERS:

VIOLATIONS OF THE TERMS AND CONDITIONS OF THIS PERMIT MAY WARRANT A STOP WORK ORDER OR REVOCATION OF THIS PERMIT. THIS PERMIT IS VALID FOR ONE YEAR FROM THE DATE OF ISSUANCE.

CONSTRUCTION MUST COMMENCE WITHIN SIX MONTHS OF THIS DATE:

ISSUANCE DATE: \_\_\_\_\_ EXPIRES: \_\_\_\_\_

**EXISTING HOUSE:** ☐ Yes ☐ No

**DEP PERMIT:** ☐ Yes ☐ No

**ARMY COE PERMIT:** ☐ Yes ☐ No

**APPROVED:** ☐ Yes ☐ No

### APPLICATION MUST BE COMPLETE:

Property Owner/s: Gina O Miller

Contact Information: Home #: 502-767-9381 Cell #: \_\_\_\_\_

Mailing Address: 13605 Fruitland Road BS City/State/Zip: Goshen, KY 40036

EMAIL Address: keary.miller@gmail.com

Contractor Name: \_\_\_\_\_ Business Name: \_\_\_\_\_

Contact Information: Office #: \_\_\_\_\_ Cell #: \_\_\_\_\_

State License #: \_\_\_\_\_ County Registration #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

EMAIL Address: \_\_\_\_\_ @ \_\_\_\_\_

**PROPERTY DESCRIPTION:** 911 Address: 2023 Turpentine Trail

Lot/s: 12 Block: \_\_\_\_\_ Subdivision: Bay Cove Village Unit: \_\_\_\_\_

Parcel Identification #: 29-09S-06W-7338-0000-0120

**JURISDICTION:** ☒ Franklin County ☐ City of Apalachicola ☐ City of Carrabelle

☐ Apalachicola ☐ Eastpoint ☒ St. George Island ☐ Carrabelle ☐ Dog Island ☐ Lanark/ St. James ☐ St. Teresa ☐ Alligator Point

☒ SINGLE FAMILY DOCK/PIER ☐ MULTI-FAMILY DOCK/PIER ☐ COMMERCIAL

**DESCRIPTION:** Single Family Dock with a boat lift. The Access Walkway will be constructed 493' X 4' and a terminus 20'x6' for a total of 499 Sq FT

ZONING DISTRICT: \_\_\_\_\_ CONTRACT COST: \_\_\_\_\_

TOTAL SQUARE FOOT: \_\_\_\_\_ FOUNDATION TYPE: \_\_\_\_\_

ROOF MATERIAL: \_\_\_\_\_

**APPROVED BY:** ☐ Planning & Zoning Date: \_\_\_\_\_ ☐ County Commissioners Date: \_\_\_\_\_

☐ City of Carrabelle Date: \_\_\_\_\_ ☐ City of Apalachicola Date: \_\_\_\_\_

WATER BODY: \_\_\_\_\_

CRITICAL SHORELINE DISTRICT: YES OR NO CRITICAL HABITAT ZONE: YES OR NO

BUILDING OFFICIAL \_\_\_\_\_ Date \_\_\_\_\_ OWNER (Required) \_\_\_\_\_ Date \_\_\_\_\_ CONTRACTOR (Required) \_\_\_\_\_ Date \_\_\_\_\_

# FRANKLIN COUNTY DOCK D- CHECKLIST & FEE SCHEDULE

## CHECKLIST:

☒ Application

☐ DEP

☐ Army CORPS

☒ Site Plan

☐ Drawings (Approved by all entities)

☐ Approvals from local jurisdictions

## FEE SCHEDULE:

DOCKS	SQUARE FOOT		X	\$5.00	=	\$
BOAT LIFTS	SQUARE FOOT		X	\$5.00	=	\$
TOTAL VALUATION:						\$
Critical Shoreline Fee:						\$ 100.00
PERMIT FEE:						\$



PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899

FAX (850) 653-9656

garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Keary Miller

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

PURPOSE: Environmental Permitting

PROJECT LOCATION / USGS: St George Island / Franklin County

LATITUDE: 29° 37' 28.66"

LONGITUDE: 84° 56' 43.15"

SECTION: 29 TOWNSHIP: 9 South

RANGE: 6 West

JOB: 20-177

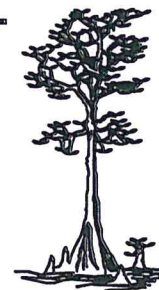
DEP:

COE:

OTHER:

DATE: January 28, 2021

SHEET: 1/4





# PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.



APPLICANT/CLIENT: Keary Miller

WATERBODY/CLASS: Apalachicola Bay / ClassII / OFW / AP

PURPOSE: EP

PROJECT LOCATION / USGS: St George Island / Franklin County

LATITUDE: 29° 37' 28.66"

LONGITUDE: 84° 56' 43.15"

JOB: 20-177

DEP:

COE:

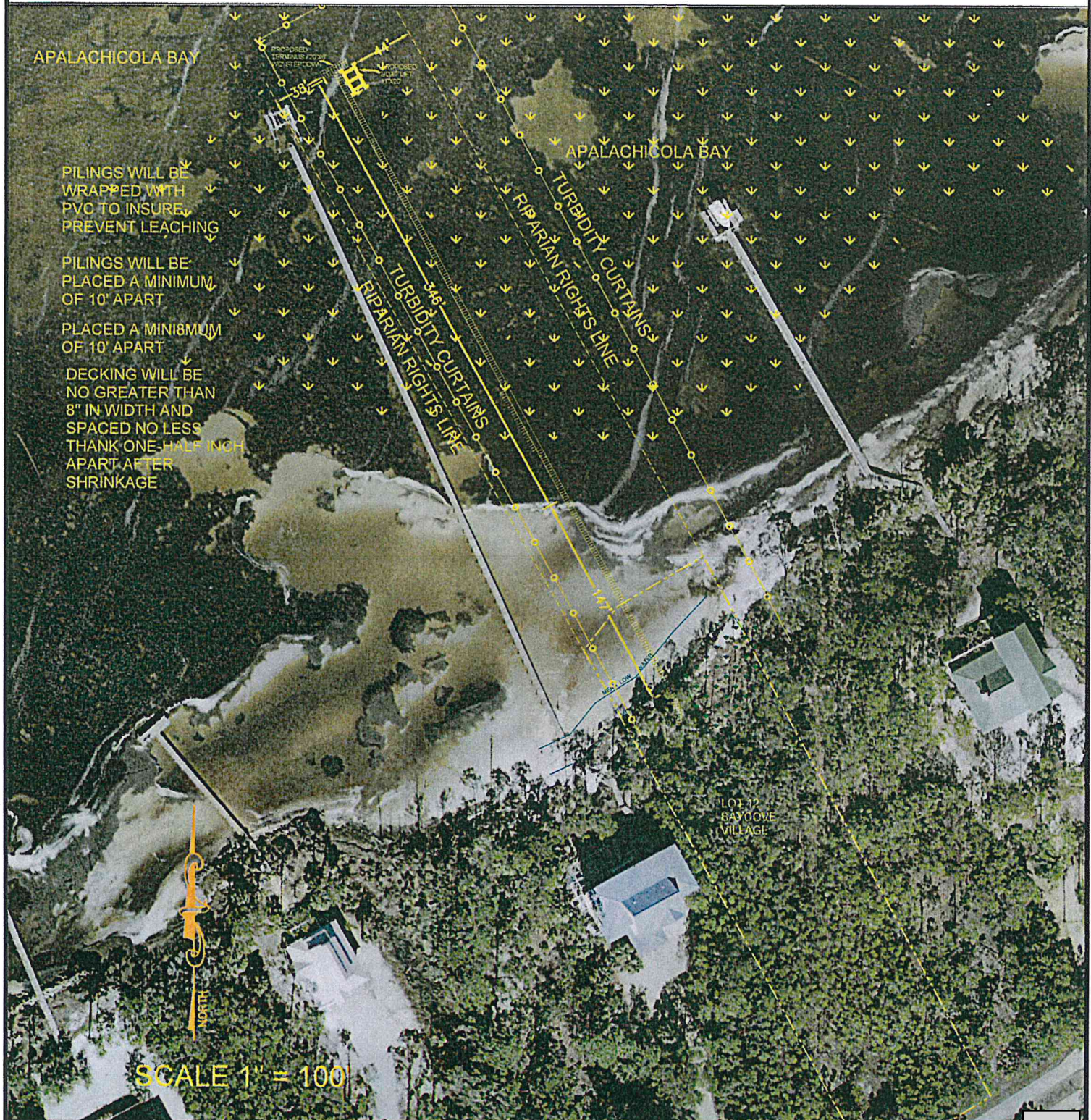
OTHER: -

DATE: January 28, 2021

SHEET: 2/4

SECTION: 29 TNSHP: 9 South

RNG: 6 West





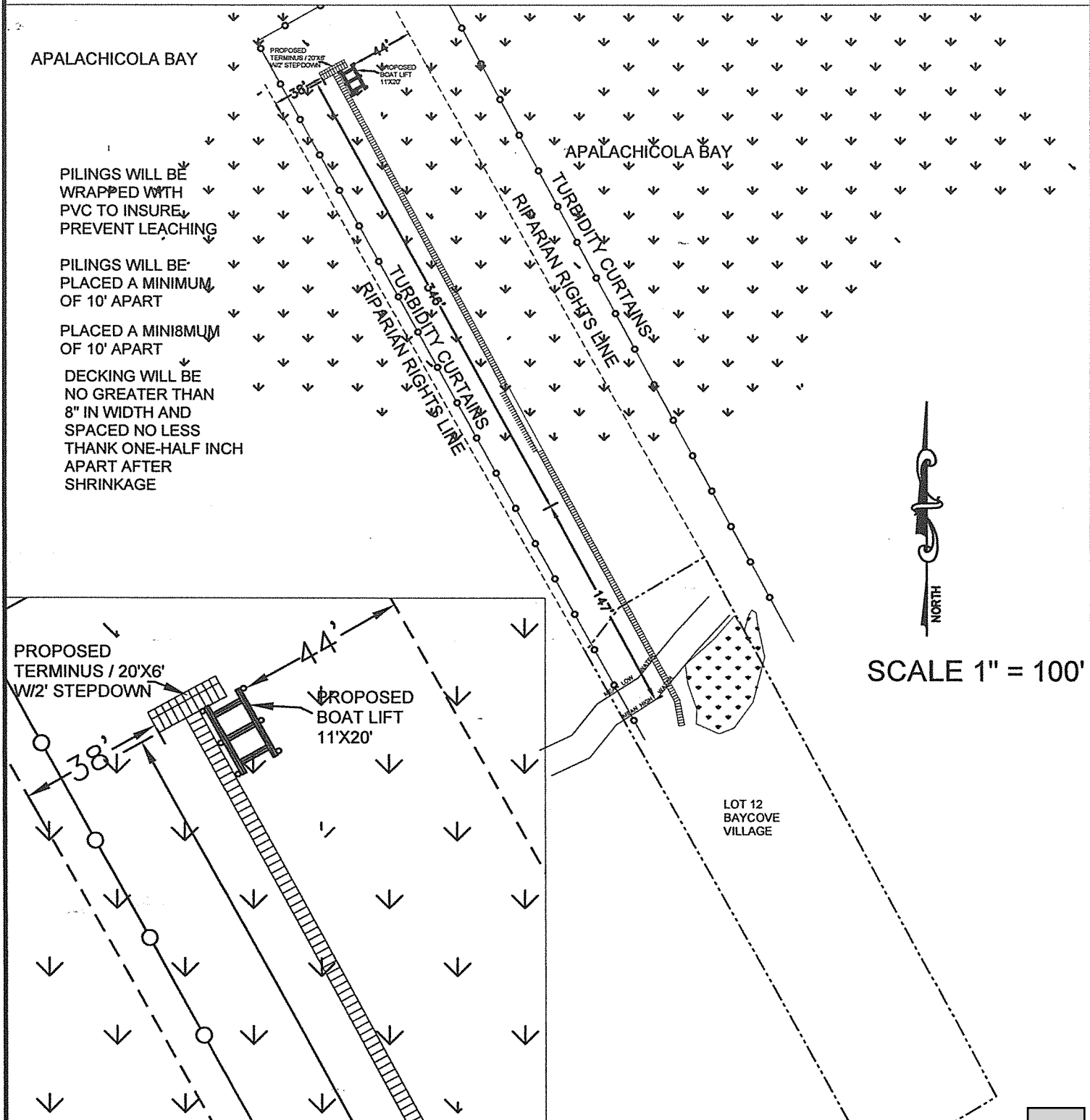
# PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

APPLICANT/CLIENT: Keary Miller  
 WATERBODY/CLASS: Apalachicola Bay / Class II / OFW / AP  
 PURPOSE: EP  
 PROJECT LOCATION / USGS: St George Island / Franklin County  
 LATITUDE:  
 LONGITUDE:

JOB: 20-177  
 DEP:  
 COE:  
 OTHER:  
 DATE: January 29, 2021  
 SHEET: 3/4



SECTION: 29 TWSHP: 9 South RNG: 6 West



# PREPARED BY: GARLICK ENVIRONMEN<sup>D-</sup> ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899 FAX (850) 653-9656 garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Keary Miller

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

PURPOSE: Environmental Permitting

PROJECT LOCATION / USGS: St George Island / Franklin County

LATITUDE: 29° 37' 28.66"

LONGITUDE: 84° 56' 43.15"

JOB: 20-177

DEP:

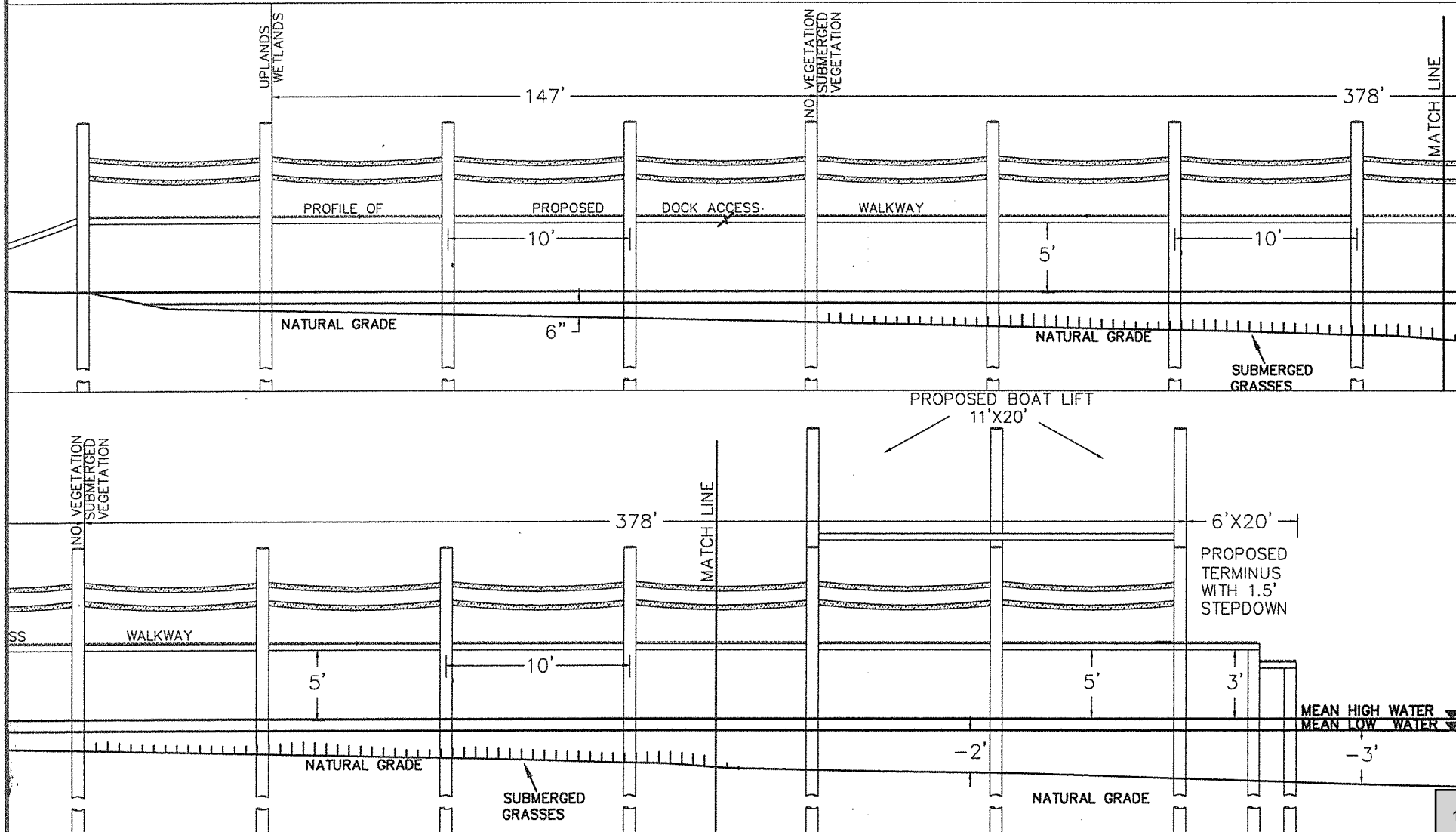
COE:

OTHER:

DATE: January 29, 2021

SHEET: 4/4

SECTION: 29 TOWNSHIP: 9 South RANG: 6 West





*Owner*



**Legend**

-  Parcels
-  Roads
-  City Labels

Parcel ID 29-09S-06W-7338-0000-0120  
Sec/Twp/Rng 29-9S-6W  
Property Address 2023 TURPENTINE TRAIL  
ST GEORGE ISLAND

Alternate ID 06W09S29733800000120  
Class VACANT  
Acreage n/a

Owner Address MILLER GINA O  
13605 RUTLAND ROAD  
GOSHEN, KY 40026

District 1  
Brief Tax Description LOT 12 BAY COVE VILL  
(Note: Not to be used on legal documents)

Date created: 12/22/2020  
Last Data Uploaded: 12/22/2020 7:48:54 AM

Developed by  **Schneider**  
GEOSPATIAL

**Parcel Summary**

**Parcel ID** 29-09S-06W-7338-0000-0120  
**Location Address** 2023 TURPENTINE TRAIL  
 ST GEORGE ISLAND 32328  
**Brief** LOT 12 BAY COVE VILL OR 228/154 232/222 234/606 271/298 318/239 423/300 603/175 1146/463-EASEMENT  
**Tax Description\*** 1231/688 1256/676  
 \*The Description above is not to be used on legal documents.  
**Property Use** VACANT (000000)  
**Code**  
**Sec/Twp/Rng** 29-9S-6W  
**Tax District** County (District 1)  
**Millage Rate** 11.5391  
**Acreage** 0.000  
**Homestead** N

[View Map](#)**Owner Information**

**Primary Owner**  
 Miller Gina O  
 13605 Rutland Road  
 Goshen, KY 40026

**Land Information**

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
000121	BAY FRONT	1.00	UT	0	0

**Sales**

Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	12/12/2019	\$310,000	WD	1256	676	Qualified (Q)	Vacant	DEANE FRANCIS/NORAH C	MILLER
N	12/04/2018	\$100	WD	1231	688	Unqualified (U)	Vacant	DEANE NORAH	DEANE FRANCIS/NORAH C
N	08/28/1998	\$155,900	WD	603	175	Qualified (Q)	Vacant	DETEMPLE RICHARD & ANNE	DEANE NORAH
N	08/18/1993	\$48,450	WD	423	300	Qualified (Q)	Vacant	KIM & HWANG	DETEMPLE

## Valuation

	2020 Certified	2019 Certified	2018 Certified	2017 Certified	2016 Certified
Building Value	\$0	\$0	\$0	\$0	\$0
Extra Features Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$250,000	\$250,000	\$250,000	\$180,000	\$180,000
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$250,000	\$250,000	\$250,000	\$180,000	\$180,000
Assessed Value	\$250,000	\$250,000	\$198,000	\$180,000	\$180,000
Exempt Value	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$250,000	\$250,000	\$198,000	\$180,000	\$180,000
Maximum Save Our Homes Portability	\$0	\$0	\$52,000	\$0	\$0

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

### TRIM Notice 2020

[2020 TRIM Notice \(PDF\)](#)

### TRIM Notice 2019

[2019 TRIM Notice \(PDF\)](#)

No data available for the following modules: Residential Buildings, Commercial Buildings, Extra Features, Sketches.

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[GDPR Privacy Notice](#)

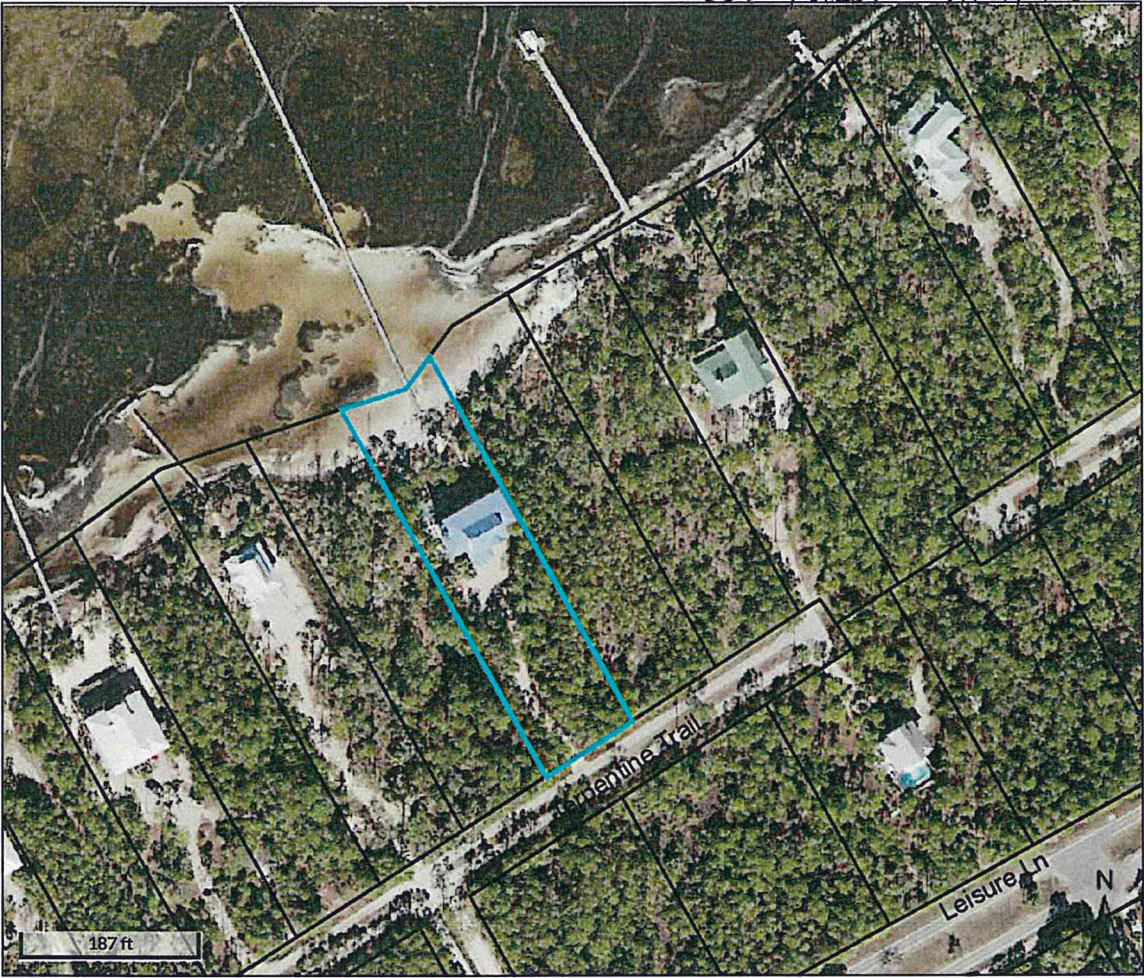
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*Adjacent Neighbor*



- Legend**
- ☐ Parcels
  - ☐ Roads
  - ☐ City Labels

Parcel ID	29-09S-06W-7338-0000-0130	Alternate ID	06W09S29733800000130	Owner Address	ENWRIGHT BYRON RANDALL
Sec/Twp/Rng	29-9S-6W	Class	SINGLE FAM		KARLA ANN ENWRIGHT
Property Address	2027 TURPENTINE TRAIL	Acreage	n/a		6740 VISALIA PLACE
	FISH TALES				TALLAHASSEE, FL 32317
District	1				
Brief Tax Description	LOT 13 BAY COVE VILL				
	(Note: Not to be used on legal documents)				

Date created: 12/23/2020  
Last Data Uploaded: 12/23/2020 7:41:22 AM

Developed by  **Schneider**  
GEOSPATIAL

**Parcel Summary**

**Parcel ID** 29-09S-06W-7338-0000-0130  
**Location** 2027 TURPENTINE TRAIL  
**Address** FISH TALES 32328  
**Brief** LOT 13 BAY COVE VILL OR 228/154 OR 232/222 OR 271/298 ORB 234 PAGE 553 ORB 322/022 674/217 784/655  
**Tax Description\*** 811/621 876/722 990/697 1146/463-EASEMENT  
 \*The Description above is not to be used on legal documents.  
**Property Use** SINGLE FAM (000100)  
**Code**  
**Sec/Twp/Rng** 29-9S-6W  
**Tax District** County (District 1)  
**Millage Rate** 11.5391  
**Acreage** 0.000  
**Homestead** N

[View Map](#)**Owner Information**

**Primary Owner**  
 Enwright Byron Randall  
 Karla Ann Enwright  
 6740 Visalia Place  
 Tallahassee, FL 32317

**Land Information**

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
000121	BAY FRONT	1.00	UT	0	0

**Residential Buildings**

**Building 1**  
**Type** SGI SF  
**Total Area** 4,626  
**Heated Area** 2,970  
**Exterior Walls** VINYL SIDE  
**Roof Cover** MODULAR MT  
**Interior Walls** DRYWALL  
**Frame Type** WOOD FRAME  
**Floor Cover** CLAY TILE; HARDWOOD  
**Heat** AIR DUCTED  
**Air Conditioning** CENTRAL  
**Bathrooms** 4  
**Bedrooms** 5  
**Stories** 2  
**Effective Year Built** 2005

## Extra Features

Code	Description	Number of Items	Length x Width x Height	Units	Unit Type	Effective Year Built
	FINGER PIERS	1	0 x 0 x 0	80	SF	2002
	DOCK	1	515 x 4 x 0	2,060	SF	2002
	SHOWER	1	0 x 0 x 0	1	UT	2005
	SINK	1	0 x 0 x 0	1	UT	2005
	DECK W/R	1	0 x 0 x 0	92	SF	2005
	STEPS W/R	1	0 x 0 x 0	214	SF	2005
	CONCRETE	1	0 x 0 x 0	1,768	SF	2005
	POOL ENCLOSURE	1	0 x 0 x 0	1	UT	2005
	WD LOUVERS	1	80 x 0 x 0	80	LF	2005
	POOL/SPA	1	0 x 0 x 0	1	UT	2005

## Sales

Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	06/25/2009	\$860,000	WD	990	697	Qualified (Q)	Improved	SGI INVESTMENTS,LLC	ENWRIGHT
N	10/25/2005	\$100	QC	876	722	Unqualified (U)	Improved	PEARSON	SGI INVESTMENTS LLC
N	09/09/2004	\$100	WD	811	621	Unqualified (U)	Vacant	COLE	PEARSON
N	04/14/2004	\$770,000	WD	784	655	Qualified (Q)	Vacant	MARTIN	COLE
N	08/28/2001	\$290,000	WD	674	217	Qualified (Q)	Vacant	WEIDENBENNER	MARTIN
N	07/12/1990	\$42,500	WD	322	22	Qualified (Q)	Vacant	MOORE	WEIDENBENNER

## Valuation

	2020 Certified	2019 Certified	2018 Certified	2017 Certified	2016 Certified
Building Value	\$319,985	\$325,001	\$280,865	\$280,865	\$288,890
Extra Features Value	\$48,669	\$48,669	\$55,059	\$55,059	\$55,059
Land Value	\$250,000	\$250,000	\$250,000	\$180,000	\$180,000
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$618,654	\$623,670	\$585,924	\$515,924	\$523,949
Assessed Value	\$618,654	\$620,638	\$567,516	\$515,924	\$523,949
Exempt Value	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$618,654	\$620,638	\$567,516	\$515,924	\$523,949
Maximum Save Our Homes Portability	\$0	\$3,032	\$18,408	\$0	\$0

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

## TRIM Notice 2020

[2020 TRIM Notice \(PDF\)](#)

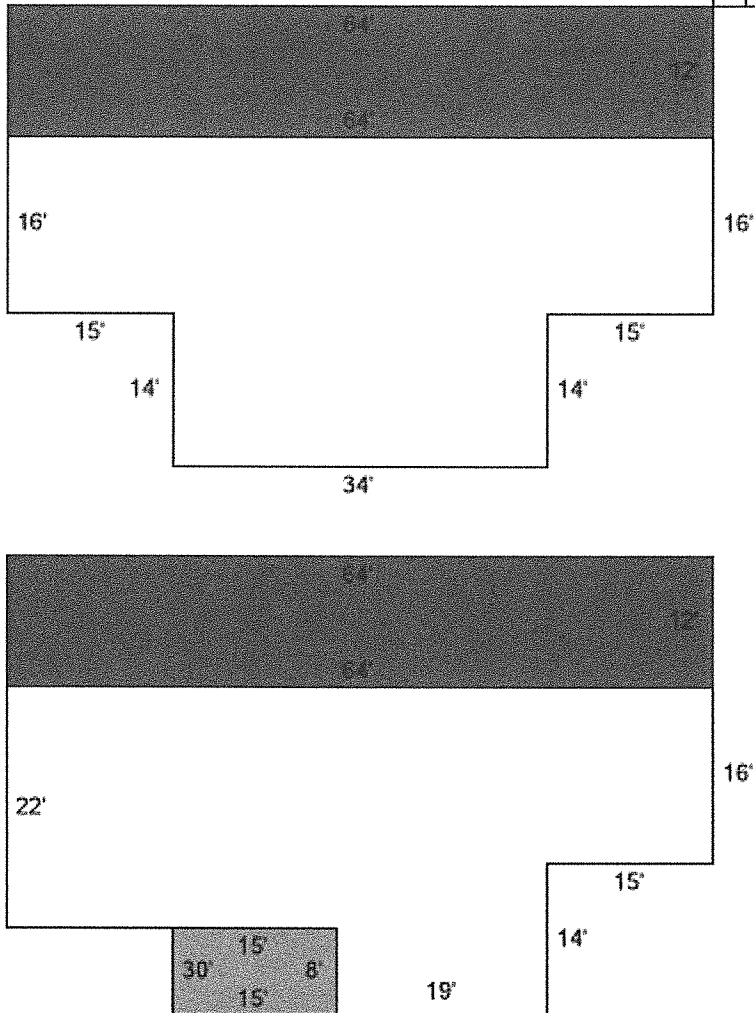
## TRIM Notice 2019

[2019 TRIM Notice \(PDF\)](#)

## Sketches



FOP	F OPN PRCH	120	2005
FSP	F SCR N PCH	1536	2005
BAS	BASE AREA	2970	2005



No data available for the following modules: Commercial Buildings.

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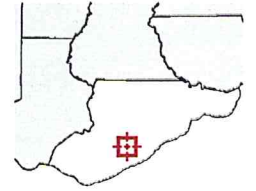
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 Schneider  
 GEOSPATIAL



*Adjacent Neighbor*



Overview



Legend

- ☐ Parcels
- ☐ Roads
- ☐ City Labels

Parcel ID	29-09S-06W-7338-0000-0110	Alternate ID	06W09S29733800000110	Owner Address	RASH STEVEN C & HEATHER A
Sec/Twp/Rng	29-9S-6W	Class	VACANT		P.O. BOX 121
Property Address	2019 TURPENTINE TRAIL	Acreage	n/a		APALACHICOLA, FL 32329
	ST GEORGE ISLAND				

District 1  
 Brief Tax Description LOT 11 BAY COVE VILL  
 (Note: Not to be used on legal documents)

Date created: 12/23/2020  
 Last Data Uploaded: 12/23/2020 7:41:22 AM

Developed by Schneider  
 GEOSPATIAL

**Parcel Summary**

**Parcel ID** 29-09S-06W-7338-0000-0110  
**Location** 2019 TURPENTINE TRAIL  
**Address** ST GEORGE ISLAND 32328  
**Brief** LOT 11 BAY COVE VILL OR 228/154 OR 232/222 OR 271/298 ORB 241 PAGE 16 ORB 380/283-285 543/01  
**Tax Description\*** 1146/463-EASEMENT 1228/313  
 \*The Description above is not to be used on legal documents.  
**Property Use** VACANT (000000)  
**Code**  
**Sec/Twp/Rng** 29-9S-6W  
**Tax District** County (District 1)  
**Millage Rate** 11.5391  
**Acreage** 0.000  
**Homestead** N

[View Map](#)**Owner Information**

**Primary Owner**  
Rash Steven C & Heather A  
 P.O. Box 121  
 Apalachicola, FL 32329

**Land Information**

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
000121	BAY FRONT	1.00	UT	0	0

**Sales**

Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	09/18/2018	\$275,000	WD	1228	313	Qualified (Q)	Vacant	HEARN	RASH
N	04/10/1996	\$145,000	WD	543	1	Unqualified (U)	Vacant	LESKOSKY	HEARN
N	06/11/1992	\$17,510	WD	380	284	Unqualified (U)	Vacant	KOUN	LESKOSKY



## Valuation

	2020 Certified	2019 Certified	2018 Certified	2017 Certified	2016 Certified
Building Value	\$0	\$0	\$0	\$0	\$0
Extra Features Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$250,000	\$250,000	\$250,000	\$180,000	\$180,000
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$250,000	\$250,000	\$250,000	\$180,000	\$180,000
Assessed Value	\$250,000	\$250,000	\$250,000	\$180,000	\$180,000
Exempt Value	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$250,000	\$250,000	\$250,000	\$180,000	\$180,000
Maximum Save Our Homes Portability	\$0	\$0	\$0	\$0	\$0

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

### TRIM Notice 2020

[2020 TRIM Notice \(PDF\)](#)

### TRIM Notice 2019

[2019 TRIM Notice \(PDF\)](#)

No data available for the following modules: Residential Buildings, Commercial Buildings, Extra Features, Sketches.

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Version 2.3.99

## APPLICATION FOR SUBDIVISION SKETCH PLAT APPROVAL

DATE:

2/2/2021

PROPOSED SUBDIVISION NAME:

St George Bay

AGENT'S NAME:

ADDRESS:

TELEPHONE NUMBER:

404-964-1581

OWNER'S NAME:

Ed Simmons

ADDRESS:

1105 GRAY AveCarrabelle Fl 32322

TELEPHONE NUMBER:

404 964 1581

WHAT IS THE RELATIONSHIP OF APPLICANT TO OWNER?

SAME

LOCATION OF PROPOSED SUBDIVISION:

Franklin County

AREA OF PROPOSED SUBDIVISION:

ACRES: 21

CURRENT ZONING:

R1

CURRENT LAND USE CLASSIFICATION:

Residential Single family

CURRENT USE OF THE SITE:

Unimproved land

**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 SHALL 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 COMMISSION ARE RESPONSIBLE TO ENSURE THAT A VERBATIM TRANSCRIPT OF THE PROCEEDINGS IS MADE.

I hereby certify, as a representative for \_\_\_\_\_,  
that the information given is true and accurate to the best of our knowledge.

Agent's Signature

Owner's Signature

Edward William Simmons

.....  
TO BE FILLED IN BY PLANNING OFFICIAL

Major or Minor Subdivision: \_\_\_\_\_

Planning &amp; Zoning Commission Recommendation: \_\_\_\_\_

Date: \_\_\_\_\_

Board of County Commissioners Action: \_\_\_\_\_

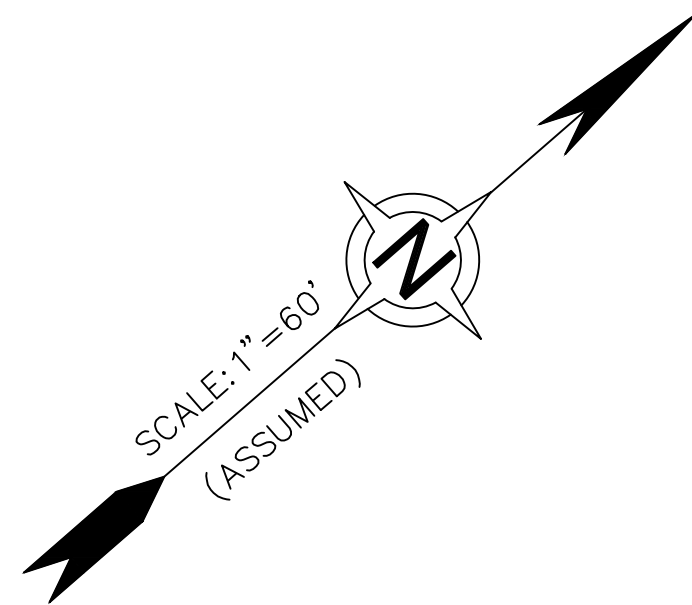
Date: \_\_\_\_\_

Comments: \_\_\_\_\_

# ST. GEORGE BAY SUBDIVISION

A RE-PLAT OF LOTS 1 THRU 4 AND 6 THRU 10 OF SHELL BAY, A SUBDIVISION RECORDED IN PLAT BOOK 8, PAGE 38  
AND ADJOINING LAND LYING IN SECTION 35, TOWNSHIP 7 SOUTH, RANGE 5 WEST FRANKLIN COUNTY, FLORIDA

PLAT BOOK \_\_\_\_\_ PAGE NUMBER \_\_\_\_\_



Line Table(M)			Line Table(M)		
Line #	Bearing	Length	Line #	Bearing	Length
L1	N44°48'38"W	17.00'	L21	N41°27'37"E	22.84'
L2	S40°05'46"W	59.89'	L22	N41°27'37"E	17.33'
L3	N44°30'22"W	73.20'	L23	N44°41'46"W	31.33'
L4	S39°59'49"W	70.09'	L24	S40°20'44"W	62.83'
L5	S39°17'13"W	3.45'	L25	S40°20'44"W	51.65'
L6	S40°08'51"W	17.80'	L26	S40°20'44"W	59.35'
L7	N41°24'30"W	73.84'	L27	S40°20'44"W	24.89'
L8	N40°26'31"E	9.98'	L28	S44°44'30"W	15.51'
L9	N41°09'11"E	30.22'	L30	S82°02'19"E	8.94'
L10	N41°21'30"E	67.98'	L31	N46°42'20"E	19.89'
L11	N41°14'04"E	27.21'	L32	N46°42'20"E	40.11'
L12	N41°12'43"E	46.48'	L33	S82°02'19"E	18.62'
L13	N41°16'10"E	90.17'	L34	S44°45'13"E	29.52'
L14	N41°19'30"E	51.53'	L35	S82°02'19"E	18.58'
L15	S43°14'08"E	54.81'	L36	S46°42'20"W	30.00'
L16	S43°15'59"E	66.11'	L37	S46°42'20"W	30.00'
L17	S38°39'33"E	75.37'			
L18	S41°26'00"E	18.91'			
L19	N41°27'37"E	19.59'			
L20	N41°27'37"E	24.72'			

Wetland Line Table		
Line #	Bearing	Length
L39	N3°35'29"E	40.62'
L40	N20°42'11"W	54.02'
L41	N15°21'25"E	104.89'
L42	N6°38'13"E	29.84'
L43	N33°42'07"E	34.95'
L44	N11°23'36"E	18.65'
L45	N10°49'40"W	27.96'
L46	N4°45'47"W	24.43'
L47	N10°55'39"E	23.45'
L48	N24°55'53"E	44.09'
L49	N11°49'36"E	5.99'

Curve Table(M)				
Curve #	Radius	Delta	Length	Chord Length
C1	2897.70'	0°24'34"	20.71'	S45°26'09"W 20.71'
C2	2897.70'	0°11'01"	9.29'	S45°12'18"W 9.29'
C3	2897.70'	0°35'36"	30.00'	S44°49'00"W 30.00'
C4	2897.70'	0°23'44"	20.00'	S44°19'20"W 20.00'
C5	2914.70'	1°45'53"	89.77'	S40°53'48"W 89.76'
C6	2914.70'	2°10'39"	110.77'	S42°52'04"W 110.76'

## SURVEYOR'S CERTIFICATE:

I hereby certify that this survey was made under my responsible direction and supervision, is a correct representation of the lands surveyed, that the permanent reference monuments and permanent control points have been set, and that the survey data and monumentation complies with Chapter 177 of the Florida Statutes and with Chapter 5J-17, Florida Administrative Code.

WADE G. BROWN, PSM  
FLORIDA CERTIFICATE NO. 5959 LB#6475  
EDWIN G. BROWN AND ASSOCIATES, INC.  
SURVEYORS AND MAPPERS  
P.O. BOX 625, CRAWFORDVILLE, FLORIDA 32327

EDWIN BROWN & ASSOCIATES

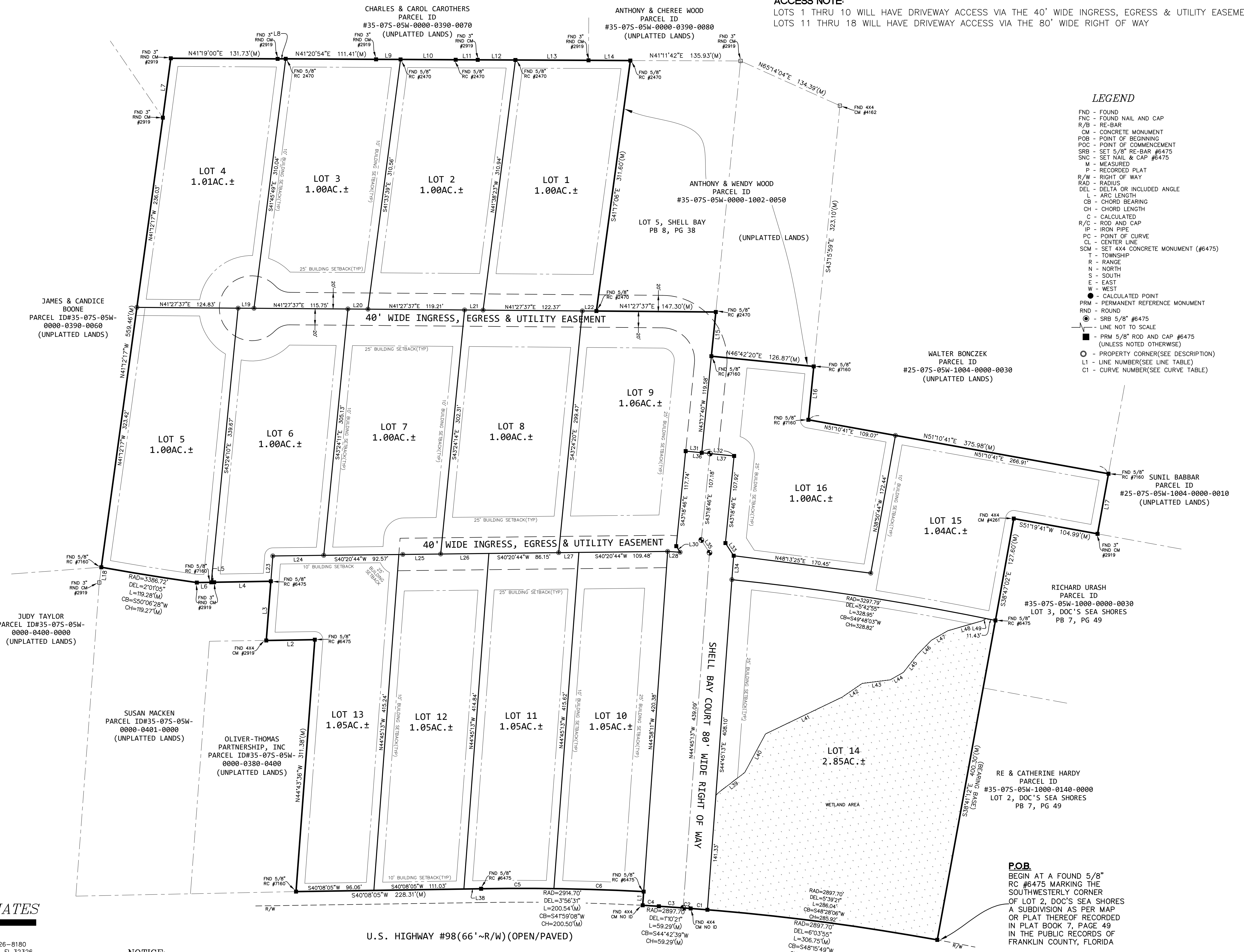
SURVEYORS \* MAPPERS  
(850) 926-3016 888-433-4436 FAX (850) 926-8180  
P.O. Box 625 2813 Crawfordville Hwy. Crawfordville, FL 32326

LB #6475

JOB: 13-015 \* PSC: 41387  
MARCH 31, 2020

PAGE 2 OF 2

CHECKED BY: WADE G. BROWN DRAWN BY: ADRON ANDERSON



## NOTICE:

THIS PLAT AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THIS PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

**POB**  
BEGIN AT A FOUND 5/8" RC #6475 MARKING THE SOUTHWESTERLY CORNER OF LOT 2, DOC'S SEA SHORES A SUBDIVISION AS PER MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 49 IN THE PUBLIC RECORDS OF FRANKLIN COUNTY, FLORIDA





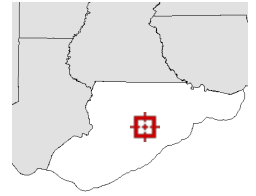
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Franklin County, FL

E-



#### Overview



#### Legend

- Parcels
- Roads
- City Labels

Date created: 2/1/2021  
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## Search Results

16 Results

Parcel ID ↕	Owner ↕	Property Address ↕	Homestead ↕	Last Sale ↕	Legal Description ↕	Map
<a href="#">25-07S-05W-1004-0000-0031</a>	SIMMONS WILLIAM E, ETAL		N	2018-02-26	A PARCEL OUT OF TRACTS 3, 4, &	<a href="#">Map</a>
<a href="#">35-07S-05W-0000-0010-0020</a>	SIMMONS WILLIAM E, ETAL		N	2018-02-26	A PARCEL CONTAINING 3.00	<a href="#">Map</a>
<a href="#">35-07S-05W-0000-0380-0010</a>	SIMMONS WILLIAM E, ETAL		N	2018-02-26	A PARCEL 104.86 FT X 417 FT	<a href="#">Map</a>
<a href="#">35-07S-05W-0000-0380-0020</a>	SIMMONS WILLIAM E, ETAL	2163 HWY 98	N	2018-02-26	A PARCEL BEING 180' X 319.07'	<a href="#">Map</a>
<a href="#">35-07S-05W-0000-0380-0030</a>	SIMMONS WILLIAM E, ETAL		N	2018-02-26	A PARCEL IN SECTION 35 07S 05W	<a href="#">Map</a>
<a href="#">35-07S-05W-0000-0392-0000</a>	SIMMONS WILLIAM E, ETAL		N	2018-03-02	A PARCEL IN SEC 35 07S 05W	<a href="#">Map</a>
<a href="#">35-07S-05W-0000-0393-0000</a>	SIMMONS WILLIAM E, ETAL		N	2018-02-26	A PARCEL IN SEC 35 07S 05W	<a href="#">Map</a>
<a href="#">35-07S-05W-1002-0000-0010</a>	SIMMONS WILLIAM E, ETAL	141 SHELL BAY CT	N	2018-02-26	SHELL BAY LOT 1 PB 8/38	<a href="#">Map</a>
<a href="#">35-07S-05W-1002-0000-0020</a>	SIMMONS WILLIAM E, ETAL	139 SHELL BAY CT	N	2018-02-26	SHELL BAY LOT 2 PB 8/38	<a href="#">Map</a>
<a href="#">35-07S-05W-1002-0000-0030</a>	SIMMONS WILLIAM E, ETAL	135 SHELL BAY CT	N	2018-02-26	SHELL BAY LOT 3 1108/289	<a href="#">Map</a>
<a href="#">35-07S-05W-1002-0000-0040</a>	SIMMONS WILLIAM E, ETAL	131 SHELL BAY CT	N	2018-02-26	SHELL BAY LOT 4 PB 8/38	<a href="#">Map</a>
<a href="#">35-07S-05W-1002-0000-0060</a>	SIMMONS WILLIAM E, ETAL	120 SHELL BAY CT	N	2018-02-26	SHELL BAY LOT 6 PB 8/38	<a href="#">Map</a>
<a href="#">35-07S-05W-1002-0000-0070</a>	SIMMONS WILLIAM E, ETAL	130 SHELL BAY CT	N	2018-02-26	SHELL BAY LOT 7 PB 8/38	<a href="#">Map</a>
<a href="#">35-07S-05W-1002-0000-0080</a>	SIMMONS WILLIAM E, ETAL	134 SHELL BAY CT	N	2018-02-26	SHELL BAY LOT 8 PB 8/38	<a href="#">Map</a>
<a href="#">35-07S-05W-1002-0000-0090</a>	SIMMONS WILLIAM E, ETAL	138 SHELL BAY CT	N	2018-02-26	SHELL BAY LOT 9 PB 8/38	<a href="#">Map</a>
<a href="#">35-07S-05W-1002-0000-0100</a>	SIMMONS WILLIAM E, ETAL	140 SHELL BAY CT	N	2018-02-26	SHELL BAY LOT 10 PB 8/38	<a href="#">Map</a>

Franklin County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

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