

# **AGENDA**

## **KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING**

Thursday, November 17, 2022 – 9:35 A.M or at the Conclusion of the Public Hearing  
Temporary City Hall & Virtually via Zoom Conferencing

Zoom Meeting ID: 401 598 6999

<https://us02web.zoom.us/j/4015986999>

### **1. Call to Order, Pledge of Allegiance, Prayer, Roll Call**

### **2. Agenda Additions, Changes & Deletions**

### **3. Special Request: Proclamation In Remembrance of Commissioner Ronald A. Sutton – Pg. 1**

### **4. Citizen Comments and Correspondence**

*(Members of the public may speak for three minutes and may only speak once unless waived by a majority vote of the commission)*

### **5. Approval of Minutes**

a. 10-20-2022 Public Hearing Minutes – **Pgs. 2-3**

b. 10-20-2022 Regular & Public Meeting Minutes – **Pgs. 4-8**

### **6. Committee and Department Reports**

*(Only Department/Committees/Boards with submitted reports are listed.)*

a. Marathon Fire/EMS – Marathon Fire Chief Cameron Bucek

b. Police Department – Chief DiGiovanni

c. Building Department – Building Official Leggett

d. Public Works – Public Works Department Head Guarino

e. City Clerk – City Clerk Gransee.

f. Code Enforcement Officer – Code Officer Goldman

g. City Secretary/Treasurer – Jen Johnson from Bishop, Rosasco & Co.

### **7. Items for Discussion/Approval**

a. Approval of Warrant No. 1022 in the amount of \$387,772.17. – **Pg. 9**

b. Discussion/Approval of KCBCA Schedule of Winter Events – City Administrator Turner – **Pg. 10**

c. Discussion/Approval of Installation of a new 40,000 lb. Elevator Boat Lift - 840 12<sup>th</sup> Street  
**Pgs. 11-43**

### **8. City Administrator Items for Discussion**

a. City Hall Update

### **9. City Attorney's Report**

a. Explanation of procedures for filling vacant commission seat and invitation to submit request for consideration to City Clerk – **Pgs. 44-45**

b. Recommendation for establishing “Rules and Procedures for Volunteer Boards/Committees”

### **10. Ordinances & Resolutions**

a. Resolution No. 2022-15 FY21/22 Budget Amendment: A Resolution Of The City Commission Of The City Of Key Colony Beach, Florida, Amending The City's Fiscal Year 2021-2022 Budget; And Providing For An Effective Date. – **Pgs. 46-50**

### **11. Commissioner's Reports & Comments**

### **12. Adjournment**

“Members of the public may speak for three minutes and may only speak once unless waived by a majority vote of the commission.”

Letters submitted to the city clerk to be read at the Commission Meeting will be made part of the record but not read into record. Persons who need accommodations in order to attend or participate in this meeting should contact the city clerk at 305-289-1212 at least 48 hours prior to this meeting in order to request such assistance. If a person decides to appeal any decision made with respect to any matter considered at any meeting, that person will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.



**City of Key Colony Beach**  
**Proclamation**



**IN REMEMBRANCE OF COMMISSIONER RONALD A. SUTTON**

**Whereas**, Ronald A. Sutton was born to the late Alvin Sutton and Alice Sutton-McBane; and,

**Whereas**, Ronald A. Sutton was raised in New Castle, DE, attended Our Lady of Fatima Catholic School and graduated from Wm. Penn High School, Class of 1967; and,

**Whereas**, Roland A. Sutton was a second-generation owner and longtime President of Sutton Bus & Truck Co., Inc. In the school bus and trucking industry, he was known as a successful businessman, a stern boss, and a respected leader with a big heart. Ron expected a lot from his family and employees but also graciously rewarded hard work and dedication. Ron grew the business throughout the 70's, 80's, 90's, and into the early 2000's; and,

**Whereas**, Commissioner Ronald A. Sutton, after retirement, moved to Key Colony Beach, FL, where he became engaged in the politics of Key Colony Beach. He started his 20 years of service to his beloved city as a member of the Planning and Zoning & Utility Board. Ron's elected positions were Commissioner, Secretary-Treasurer, Vice Mayor, and Mayor. Ron's love for the city, the residents, and the staff has always been apparent in all his actions; and,

**Whereas**, on October 25, 2022, Ronald A. Sutton exchanged his life for life eternal. Preceded in death by his parents, Ron leaves behind to cherish his memories his loving wife of 56 years, Kitty Sutton, his 4 children, 18 grandchildren, 2 great grandchildren, and a host of other relatives and friends;

**Now, Therefore, I, Patricia Trefry, Mayor of, and on behalf of, the City of Key Colony Beach, Florida, do hereby issue this Proclamation in honor and remembrance of**

**“Ronald A. Sutton”**

extending condolences to his family and appreciation for allowing us to be a part of the ceremonies honoring the life of this well-respected man.

**In Witness Whereof**, I have hereunto set my hand and caused the Official Seal of the City of Key Colony Beach, Florida to be affixed this 17<sup>th</sup> day of November 2022.

**City of Key Colony Beach, Florida**

**Attested:** \_\_\_\_\_  
Silvia Gransee, City Clerk

\_\_\_\_\_  
Patricia Trefry, Mayor

# MINUTES

## KEY COLONY BEACH CITY COMMISSION PUBLIC HEARING

Thursday, October 20, 2022 – 9:30 a.m.

Temporary City Hall & Virtually Via Zoom Conferencing

**1. Call to Order, Pledge of Allegiance, Prayer, Roll Call:** *The Public Hearing by the City Commission of Key Colony Beach was called to order by Mayor Trefry at 9:30 a.m. followed by the Pledge of Allegiance, Prayer, and Roll Call.*

**Present:** *Mayor Trefry, Vice-Mayor Harding, Commissioner Ramsay-Vickrey, Secretary-Treasurer DeNeale. Excused: Commissioner Sutton. Also Present: City Administrator Dave Turner, City Clerk Silvia Gransee, City Attorney Dirk Smits, City Attorney Janette Smith (virtual), Police Chief Kris DiGiovanni, Public Works Department Head Mike Guarino, Building Official Gerald Leggett, Building Assistant Trish McLeod, Code Enforcement Officer Barry Goldman, Administrative Assistant Christine McLeod, Accountant Jen Johnson, Fire Chief Cameron Bucek.*

**Public:** *15 Marble Hall*

**2. Administration of Oath to Witnesses:** *Mayor Trefry informed that agenda item 6.b. will be tabled since no Special Magistrate recommendation was received.*

*City Clerk Gransee administered the Oath of Witness to all testifying.*

**3. Citizen Comments and Correspondence – *None.***

**4. Disclosure of Ex-Parte Communications – *No Ex-Parte communications were disclosed.***

**5. Proof of Publications, Affidavit of Mailing/Posting Notices – *The City Attorney validated proof of publications and legal notices.***

**6. Variance Request:**

**a. 66 7th Street - Owner: Robert & Gail Adams**

*Applicant requests a Variance to Land Development Regulations Article III., Section 101-26; requesting approval for a 5' setback for an inground pool addition to the property. Current setback requirements are 10'.*

**i. Presentation of Variance Request** – *Building Official Leggett reported to the Commission that the variance request is a typical application with all documents having been submitted and recommended to move forward.*

*Planning & Zoning Board Chair Joey Raspe reported that discrepancies and incomplete numbers in the drawings were corrected and stated that the Planning & Zoning Board unanimously approves the variance application.*

*ii. Updated drawings per Planning & Zoning Board Meeting stipulation – submitted and approved.*

*iii. Statement by Applicant – Mr. Adams addressed the Commission with the request to approve the variance.*

*iv. Planning & Zoning Board Minutes 9/21/2022 & Recommendation – see 3.i.*

*b. 200 15th Circle – Owner: Thomas E. Carden \*\*tabled until 11-17-2022\*\**

*7. Commissioner Comments: Vice-Mayor Harding asked Planning & Zoning Chair Raspe on his opinion on change in setback requirements. Discussion followed on benefits, disadvantages, and percentage calculations, and what streets are included in the zone. The Commission directed Planning & Zoning Chair Raspe to report back with a recommendation.*

*8. Motion to Approve, Deny, or Approve with Conditions: Mayor Trefry asked for a motion.*

*MOTION: Motion made by Commissioner DeNeale, seconded by Commissioner Ramsay-Vickrey, to approve the variance request for 66 7th Street.*

*DISCUSSION: None.*

*ON THE MOTION: Rollcall vote. Unanimous approval.*

*9. Adjournment: The meeting adjourned at 9:37 a.m.*

*Respectfully submitted,  
Silvia Gransee  
City Clerk*

# MINUTES

## KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING

Thursday, October 20, 2022 – 9:38 a.m.

Temporary City Hall & Virtually Via Zoom Conferencing

**1. Call to Order, Pledge of Allegiance, Prayer, Roll Call:** *The Regular Meeting and Public Hearing of the City Commission of Key Colony Beach was called to order by Mayor Trefry at 9:38 a.m. followed by the Pledge of Allegiance, Prayer, and Roll Call.*

**Present:** *Mayor Trefry, Vice-Mayor Harding, Commissioner Ramsay-Vickrey, Secretary-Treasurer DeNeale. Excused: Commissioner Sutton. Also Present: City Administrator Dave Turner, City Clerk Silvia Gransee, City Attorney Dirk Smits, City Attorney Janette Smith (virtual), Police Chief Kris DiGiovanni, Public Works Department Head Mike Guarino, Building Official Gerald Leggett, Building Assistant Trish McLeod, Code Enforcement Officer Barry Goldman, Administrative Assistant Christine McLeod, Accountant Jen Johnson, Fire Chief Cameron Bucek.*

**Public:** *15 Marble Hall*

*Mayor Trefry asked for “Agenda Additions, Changes & Deletions” to be added back to the agenda format. The Commission had no objections.*

*Mayor Trefry further asked for Item 7a. to be moved ahead of Item 2. The Commission agreed to the agenda change.*

*Commissioner DeNeale asked for a Presentation of the Fishing & Boating club to be added to the agenda as Item 5d. The Commission had no objections.*

*City Administrator Turner asked for an agenda addition on the organizational meeting requirements per City Charter 6-2. The Commission had no objections.*

**1.b. (7a.) Presentation on Sunshine Law:** *City Attorney Janette Smith gave a PowerPoint Presentation on Sunshine and Public Records Laws. Part of the presentation was a recommendation by the attorney to implement a best practice policy guideline for public decorum. A brief discussion followed on records retention laws for former public officials, social media records laws, and communication guidelines for the city commission.*

*(Please contact the City Clerk at [cityclerk@keycolonybeach.net](mailto:cityclerk@keycolonybeach.net) for a copy of the presentation).*

**2. Citizen Comments and Correspondence:** *Mr. Reynaldo Angulo, Mrs. Karen McKeehan, Mrs. Laura Salisburg, and Mrs. Elizabeth Barnett addressed the Commission with comments on egress requirements. Vice-Mayor Harding directed staff to work with the citizens that came before the Commission to provide reasonable time to provide changes.*

*(Please contact the City Clerk at [cityclerk@keycolonybeach.net](mailto:cityclerk@keycolonybeach.net) for an audio recording).*

*Discussion followed by the commission and staff on how the egress issue came to light, consequent requirement per Florida Statue and Fire Administrative Code, and re-inspection fees. Code*

Enforcement Officer Goldman further explained legal requirements and the city not having legal authority to grant extensions. City Attorney Smits expressed his agreement with the staff. Further discussion addressed questions on original bedroom configurations and requirements for sprinklers that rent more than 50% of their units. Commissioner DeNeale expressed his concern of the negative conception of residents and his displeasure with the prior Building Officials and the mistakes that were made. Code Enforcement Officer Goldman apologized for any perception of threats and stated that no fines have been issued. Vice-Mayor Harding voiced his support for Commissioner DeNeale's thoughts and directed City Attorney Smith to do a legal review of the matter to address reasonable time per law to enforce a new policy.

**3. Approval of Minutes:** The Final Budget, Public Hearing, and Regular & Public Meeting Minutes from 09-22-2022 were accepted as written.

#### **4. Committee and Department Reports**

*(Only Department/Committees/Boards with submitted reports are listed.)*

- a. Marathon Fire/EMS** – Marathon Fire Chief Cameron Bucek reported 4 EMS calls, 4 fire alarms, and 1 powerline call. The Fire Chief shared a report with the Commission that provides detailed information on calls and the benefit of having this knowledge.
- b. Police Department** – Chief DiGiovanni updated the Commission that an application for the open Police Officer position has been received.
- c. Building Department** – Building Official Leggett
- d. Public Works** – Public Works Department Head Guarino
- e. City Clerk** – City Clerk Gransee.
- f. Code Enforcement Officer** – Code Officer Goldman
- g. City Secretary/Treasurer** – Jen Johnson gave a review of the September financials and final month in the fiscal year. Jen Johnson informed that some funds are over budget which will be amended next month. Commissioner DeNeale gave Jen Johnson direction to move monies into the infrastructure fund. Discussion followed on rules on ad valorem taxes, infrastructure funding and sales tax revenue, rollover funds, and finance laws.

#### **5. Items for Discussion/Approval**

- a. Approval for ~~24,000 lb.~~ 32,000 lb. Cradle Boat Lift Installation for 431 2nd Street:** Mayor Trefry asked for correction on the weight of the boat lift, which Building Official Leggett confirmed as being incorrect on the agenda but correct in the permit. The Commission had no objections to the request after brief discussion. Mayor Trefry asked for a motion.

**MOTION:** Motion made by Commissioner DeNeale, seconded by Commissioner Ramsay-Vickrey, to approve the boat lift.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

- b. Approval of Property Insurance Invoice from Brown & Brown in the amount of \$6,000.00.**

*City Administrator Turner gave a brief explanation of the invoice.*

**MOTION:** *Motion made by Commissioner Ramsay-Vickrey, seconded by Commissioner DeNeale, to approve the invoice from Brown & Brown in the amount of \$6,000.00.*

**DISCUSSION:** *None.*

**ON THE MOTION:** *Rollcall vote. Unanimous approval.*

**c. Approval of Warrant No. 0922 in the amount of \$797,950.23**

**MOTION:** *Motion made by Commissioner DeNeale, seconded by Commissioner Ramsay-Vickrey, to approve Warrant No. 0922 in the amount of \$797,950.23*

**DISCUSSION:** *None.*

**ON THE MOTION:** *Rollcall vote. Unanimous approval.*

**d. Discussion/Approval - Key Colony Beach Fishing & Boating Club:** *Commissioner DeNeale reported on the request from the Key Colony Beach Fishing & Boating Club to use the Public Works facility. After a brief presentation and a report by City Administrator Turner, the Commission voted on the consumption of alcohol and usage of the facility through April 30, 2023.*

*Commissioner DeNeale excused himself from the vote. Form 8B, Memorandum of voting conflict for county, municipal, and other local public officers, has been provided to the City Clerk.*

**MOTION:** *Motion made by Commissioner Ramsay-Vickrey, seconded by Vice-Mayor Harding, to allow the Key Colony Beach Fishing & Boating Club the use of the Public Work facility as well as the consumption of alcohol through April 2023.*

**DISCUSSION:** *None.*

**ON THE MOTION:** *Rollcall vote. Unanimous approval.*

*City Administrator Turner reminded of the new smoking ordinance that was passed and brief discussion followed. Further discussion followed on overtime pay for staff during events. City Attorney Smith further provided legal advice on questions on legal privilege conveyed to the general public.*

**e. Discussion/Approval – Election Charter Regulations Chapter 6-2:** *City Administrator Turner explained rules set in the charter with City Attorney Smith giving additional legal review. Discussion briefly followed on previous set meeting dates.*

**MOTION:** *Motion made by Commissioner Ramsay-Vickrey, seconded by Commissioner DeNeale, to move the Organization Meeting to December 1<sup>st</sup>, 2022, which also represents the only commission meeting being held in December.*

**DISCUSSION:** *Vice-Mayor clarified that there will be only one (1) meeting in December with the next Commission meeting being held in the third week in January. Brief discussion followed with legal reminding, that an additional meeting can always be held.*

**ON THE MOTION:** Rollcall vote. Unanimous approval.

**6. City Administrator Items for Discussion**

a. *City Hall Update* – City Administrator Turner gave an update on the city hall drawings and electrical updates that were made. The City Administrator further explained upcoming timelines and anticipated costs as well as what the new building will look like. The continued report included explanations on the new structure being the EOC building for Key Colony Beach, flood map lines, and building to the 500-year flood. Brief discussion on the use of the new marble hall followed.

Trish McLeod was introduced to the Commission and Public as Lenny's new assistant.

**7. City Attorney's Report**

a. ~~Presentation on Sunshine Law~~ **\*\*moved to the beginning of the meeting\*\***

City Attorney Dirk Smits had no further report.

**8. Ordinances & Resolutions – None**

**9. Commissioner's Reports & Comments**

**Commissioner Ramsay-Vickrey** reported on attending the Beautification Meeting, the Chamber of Commerce Candidate Forum, the Marathon City Council Meeting, accepting a check from the 'Friends of the Sanctuary' for Marine Conversation Projects, attending the South Florida Regional Planning Committee, and thanked Sandy Bachman for hosting a Meet & Greet. The Commissioner further reported attending the EOC groundbreaking ceremony and informed on the Halloween Costume Party at Havana Jacks on October 28<sup>th</sup> with herself, John Bartus, as well as Sherriff Rick Ramsay attending as costume judges. The Commissioner further informed on early voting times, locations, and open commission seats.

**Vice-Mayor Harding** reported on attending the EOC meetings during Hurricane Ian as well as the city having some minor flooding during the event. The Vice-Mayor further reported that CRS provided good feedback and having attended the CRS meeting the day prior.

**Commissioner DeNeale** reported on a drafted letter intended for the Florida Director of Emergency Management and gave the intended purpose of the letter. Commissioner DeNeale further recalled the history of Mexico Beach after Hurricane Michael and what corrections were made in allocations for that area. Commissioner DeNeale gave further details and intentions on the letter.

(Please contact the City Clerk at [cityclerk@keycolonybeach.net](mailto:cityclerk@keycolonybeach.net) for a copy of the letter).

City Attorney Dirk Smits recommended for a motion for staff to work with the Commission to finalize the letter.

**MOTION:** Motion made by Commissioner DeNeale, seconded by Commissioner Ramsay-Vickrey, for staff to work with the Commission to finalize the letter to the Florida Director of Emergency Management.



**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

**Commissioner DeNeale** closed his report by stating that this is his last meeting prior to the elections, and stated his thoughts and thanks for staff, citizens, and the commission for allowing him to serve.

**City Administrator Dave Turner** gave a follow-up on Hurricane Ian and reported on debris, some water damage, and thanked the Police Officers, Brightview Landscaping, and Public Works Department for the work they provided. Brief discussion followed on the upgraded police truck. The City Administrator further updated on progress being made with the post office regarding a new lease agreement.

**Mayor Trefry** reported on attending a luncheon for the Domestic Abuse Shelter which was destroyed during Hurricane Irma. The Mayor gave a brief overview on statistics on victims of domestic abuse and why a new shelter is needed. Mayor Trefry informed that information will be given to City Hall to be made available to the public. Mayor Trefry further reported on meeting Representative Jim Mooney during the luncheon and city hall discussions.

**10. Adjournment:** The meeting adjourned at 11:34 a.m.

Respectfully submitted,  
**Silvia Gransee**  
City Clerk

**CITY OF KEY COLONY BEACH**

Warrant Number 1022

Items paid for the month ended October 31, 2022

General Fund Checking Account - 6871	\$218,578.72
Escrow Account - 5537	-
Payroll Account - 2942	\$84,613.25
Infrastructure Account - 8644	-
Road Reserve Account - 8677	-
Impact Fees Account - 8669	\$1,300.00
First State Bank - 3703	-
Sewer Money Mkt - 0301	-
Stormwater Account - 0128	\$79,297.57
Sewer Account - 6006	<u>\$3,982.63</u>
<b>TOTAL DISBURSEMENTS</b>	<b><u><u>\$387,772.17</u></u></b>

## KCBCA 2022/23

Thursday, Nov. 17	<b>Welcome Back Party &amp; HH</b>
Sunday, Dec. 11	<b>Fishing &amp; Boating Club Boat Parade</b>
Christmas Eve	<b>Santa Comes to Town</b>
Saturday, Jan. 21	<b>Coconut Crawl</b>
Sunday, Feb. 12	<b>Concerts in Sunset Park</b>
Sunday, Mar. 5	<b>66th Annual KCB Day</b>

## Season Events

**APPLICATION FOR BUILDING PERMIT  
CITY OF KEY COLONY BEACH  
P.O. BOX 510141 - KEY COLONY BEACH, FL 33051-0141  
PHONE 305-289-1212 FAX 305-289-1767**

DATE FILED \_\_\_\_\_ DATE GRANTED \_\_\_\_\_ PERMIT \_\_\_\_\_

NOTE: THIS PERMIT IS VALID FOR A ONE YEAR PERIOD MAXIMUM FROM DATE GRANTED.

PROPERTY OWNER Jeff Grady Harvey PHONE \_\_\_\_\_  
ADDRESS OF RECORD (MAIL) 66 Wood Place,  
CITY, STATE, ZIP Roswell, GA 30075

**Property Description:**

LOT 39 BLOCK 12 SUBD KCB 2nd AD ZONING DISTRICT \_\_\_\_\_ TAX FOLIO# 00077340-000000  
STREET ADDRESS: \_\_\_\_\_

840 12th ST STREET FLOOD ZONE & ELEVATION \_\_\_\_\_

PROPOSED CONSTRUCTION: (Specify, alteration, seawall, etc.)  
Installation of 2 new 40K elevator boat lift attached to four (4)  
new 10" O.D. x 25' wood pilings

Check applicable line for roofing permit: New Roof  Re-Roof  Re-Cover

CONTRACTOR Nephe Atlantic Boat Lifts LICENSE 06C1521567  
BUSINESS ADDRESS 9401 Overseas Hwy., Tavernier, FL PHONE (305) 853-2400  
BONDING COMPANY NAME/ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_  
ARCHITECT/ ENGINEER NAME/ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_  
MORTGAGE LENDER NAME/ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

**LIST ALL SUBCONTRACTORS, COUNTY & STATE LICENSE NUMBER AND COST:**

TYPE	NAME	LICENSE #	COST
ELECTRICAL	<u>TED</u>	_____	<u>1900</u>
PLUMBING	_____	_____	_____
MECHANICAL	_____	_____	_____
CONCRETE/MASONRY	_____	_____	_____
CARPENTRY	_____	_____	_____
ROOFING	_____	_____	_____


In consideration of the granting of the above requested permit, you do hereby agree that you will in all respects construct the work in accordance with the above description and any plans and specifications herewith submitted and filed in the office of the Building Official in compliance with all laws and ordinances of the City of Key Colony Beach, Florida.


\*Notice: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of Monroe County, and there may be additional permits required from other governmental entities such as state agencies or federal agencies."

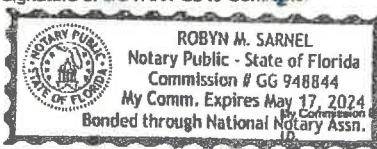
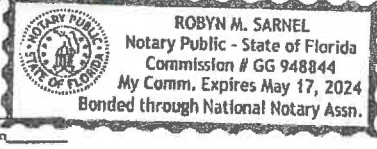
**OWNER'S AFFIDAVIT:**

I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

**WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.**

 7/11/22  
Signature of Print Owner/Agent (including Contractor) Date Signed  
Robyn M. Sarnel  
Signature of NOTARY as to Owner

 7/22/2022  
Signature of Contractor (printed name) Date Signed  
Robyn M. Sarnel  
Signature of NOTARY as to Contractor



**BUILDING PERMIT FEES:**

Costs up to \$2000.00 Flat Fee \$100.00   
Costs greater than \$2000.00 \$40.00 per \$1000.00 or any part of \_\_\_\_\_  
Surcharge \_\_\_\_\_  
Other \_\_\_\_\_  
Fire Safety \_\_\_\_\_  
Clean-Up Bond \_\_\_\_\_  
FINAL INSPECTION FEE: (separate check) (REFUNDABLE UP TO 1 YEAR AFTER PERMIT IS ISSUED)

DATE PAID \_\_\_\_\_ PAID CHECK # \_\_\_\_\_

Signature of Building Official \_\_\_\_\_ Date Issued \_\_\_\_\_

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**From:** Harry Knopp <[harryjknopp@gmail.com](mailto:harryjknopp@gmail.com)>  
**Date:** Wednesday, November 9, 2022 at 11:00 AM  
**To:** Jeff Harvey <[jeff.harvey@biascorp.com](mailto:jeff.harvey@biascorp.com)>  
**Subject:** Re: Key Colony Beach neighbors - Jeff & Kathryn - 840 12th street

Hello Jeff you certainly have my approval to install a new boatlift I wish you luck see you soon

Sent from my iPhone

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**From:** Alberda, Michelle R <[michelle.r.alberda@ampf.com](mailto:michelle.r.alberda@ampf.com)>  
**Date:** Monday, November 7, 2022 at 8:59 AM  
**To:** Jeff Harvey <[jeff.harvey@biascorp.com](mailto:jeff.harvey@biascorp.com)>  
**Cc:** Michelle Alberda <[dutchbroker@yahoo.com](mailto:dutchbroker@yahoo.com)>  
**Subject:** RE: Key Colony Beach neighbors - Jeff & Kathryn

Hi Jeff,

Thank you again for your time last week!

Yes, an introduction would be nice. You can use my personal email which is [dutchbroker@yahoo.com](mailto:dutchbroker@yahoo.com)

In regards to the boat lift, I am aware that you are adding a boat lift on your property and I am ok with it. I appreciate you answering my questions on our call last week and am comfortable with you moving forward.

My fiance David and I look forward to meeting you and Kathryn in December!

Sincerely,

Michelle

**qPublic.net™ Monroe County, FL**

**Disclaimer**

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

**Summary**

Parcel ID 00077340-000000  
 Account# 1083071  
 Property ID 1083071  
 Millage Group 50KC  
 Location 840 12TH ST, KEY COLONY BEACH  
 Address  
 Legal BK 12 LT 39 KEY COLONY BEACH SECOND ADDN SHELTER KEY PB4-94 OR248-46  
 Description OR427-740 OR1123-73 OR1125-1293 OR1114-2408 OR1038-490 OR2036-481 OR2150-631 OR2601-2110 OR2885-2379 OR3143-1085  
 (Note: Not to be used on legal documents.)  
 Neighborhood 5045  
 Property SINGLE FAMILY RESID (0100)  
 Class  
 Subdivision KEY COLONY BEACH 2ND ADD  
 Sec/Twp/Rng 05/66/33  
 Affordable No  
 Housing



24.725822  
 - 81.026567  
 Oceanside

**Owner**

HARVEY JEFF GRADY  
 66 Wood Pl  
 Roswell GA 30075

HARVEY KATHRYN SCOGIN  
 66 Wood Pl  
 Roswell GA 30075

**Valuation**

	2022 Working Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
+ Market Improvement Value	\$1,105,929	\$643,869	\$651,270	\$666,071
+ Market Misc Value	\$147,015	\$110,062	\$113,424	\$116,779
+ Market Land Value	\$900,900	\$577,500	\$536,250	\$531,094
= Just Market Value	\$2,153,844	\$1,331,431	\$1,300,944	\$1,313,944
= Total Assessed Value	\$2,153,844	\$1,331,431	\$1,300,944	\$1,313,944
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$2,153,844	\$1,331,431	\$1,300,944	\$1,313,944

**Land**

Land Use	Number of Units	Unit Type	Frontage	Depth
RESIDENTIAL CANAL (010C)	8,250.00	Square Foot	75	110

**Buildings**

Building ID 6342  
 Style 2STORY ON GRADE  
 Building Type S.F.R. - R1 / R1  
 Gross Sq Ft 7675  
 Finished Sq Ft 4224  
 Stories 2 Floor  
 Condition AVERAGE  
 Perimeter 368  
 Functional Obs 0  
 Economic Obs 0  
 Depreciation % 7  
 Interior Walls DRYWALL

Exterior Walls C.B.S.  
 Year Built 1992  
 Effective Year Built 2013  
 Foundation CONC PILINGS  
 Roof Type GABLE/HIP  
 Roof Coverage METAL  
 Flooring Type CONC S/B GRND  
 Heating Type FCD/AIR DUCTED  
 Bedrooms 6  
 Full Bathrooms 5  
 Half Bathrooms 0  
 Grade 600  
 Number of Fire Pl 0

Code	Description	Sketch Area	Finished Area	Perimeter
OPX	EXC OPEN PORCH	903	0	458
SPX	EXEC SC PORCH	708	0	142
FLA	FLOOR LIV AREA	4,224	4,224	368
CBP	CAR FIN BLOCK	1,600	0	180
OUU	OP PR UNFIN UL	40	0	26
TOTAL		7,675	4,224	1,174

**Yard Items**

Description	Year Built	Roll Year	Quantity	Units	Grade
HOTTUB	2007	2008	1	1 UT	1
CONC PATIO	2007	2008	1	400 SF	2
CONC PATIO	2007	2008	1	824 SF	2
FENCES	2008	2009	1	288 SF	5
CONCRETE DOCK	1999	2000	1	375 SF	5
WOOD DOCKS	1991	1992	1	300 SF	3
BRICK PATIO	2006	2007	1	1736 SF	3
BRICK PATIO	2006	2007	1	225 SF	3
AIR COND	2011	2012	1	1 UT	2
SEAWALL	1991	1992	1	450 SF	5
RES POOL	2007	2008	1	240 SF	5

**Sales**

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
12/15/2021	\$2,820,000	Warranty Deed	2353072	3143	1085	01 - Qualified	Improved
12/28/2017	\$1,600,000	Warranty Deed	2149910	2885	2379	01 - Qualified	Improved
11/29/2012	\$100	Quit Claim Deed		2601	2110	11 - Unqualified	Improved
8/19/2005	\$2,250,000	Warranty Deed		2150	631	Q - Qualified	Improved
8/18/2004	\$1,500,000	Warranty Deed		2036	481	Q - Qualified	Improved
3/1/1990	\$180,000	Warranty Deed		1125	1293	U - Unqualified	Vacant
3/1/1990	\$125,000	Warranty Deed		1123	73	Q - Qualified	Vacant

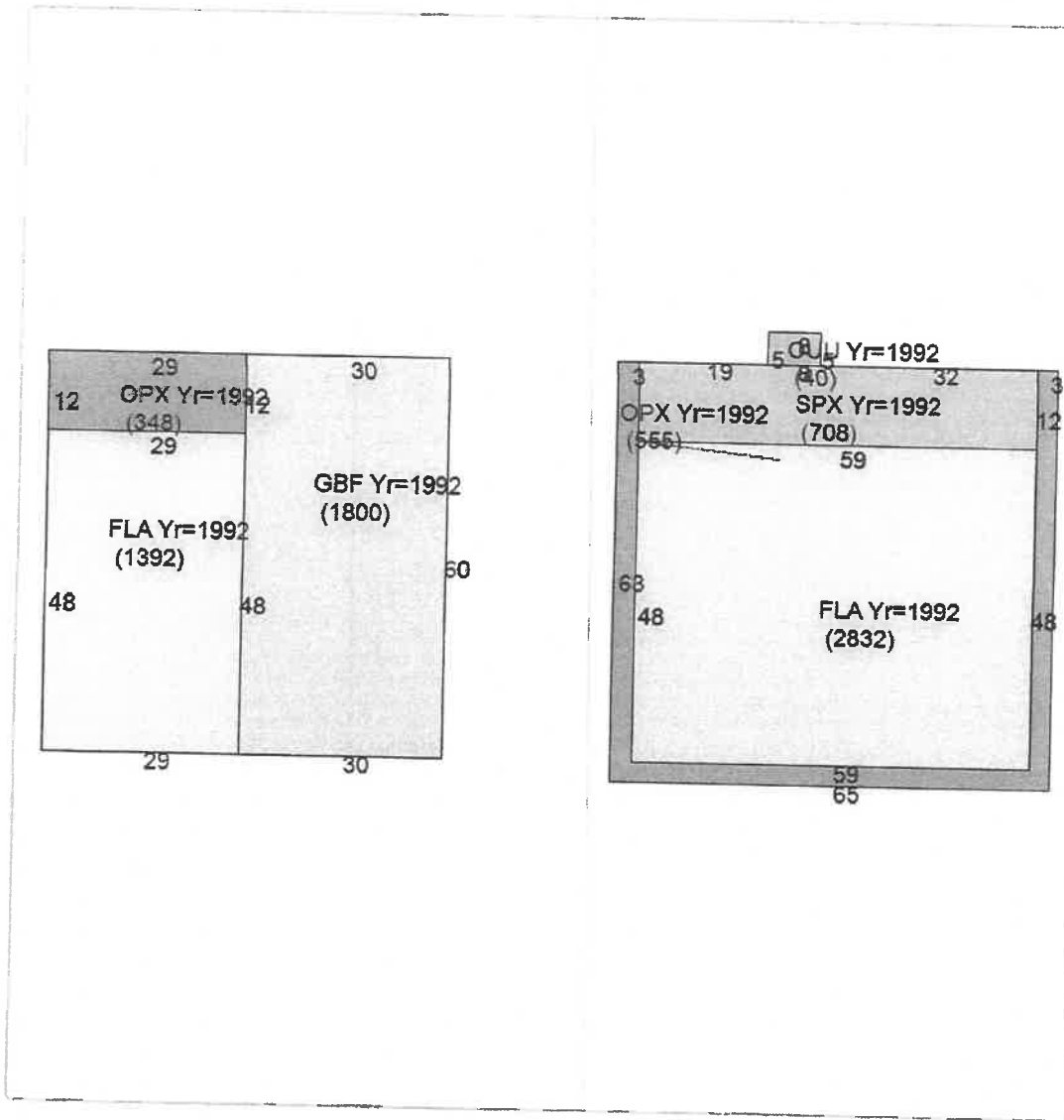
**Permits**

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
10241	12/18/2017	9/18/2018	\$20,000	Residential	REMODEL KITCHEN
8246	9/18/2013	11/15/2013	\$14,000	Residential	IMPACT WINDOW INSTALLATION
7604	1/9/2012	1/10/2013	\$28,450	Residential	REROOF - REMOVE EXISTING TILE ROOF AND RE-NAIL DECK AND INSTALL METAL ROOF
7582	12/8/2011	1/10/2013	\$10,000	Residential	Dock and seawall repair
7369	5/2/2011	11/30/2011	\$3,975	Residential	REPLACE 3 TON AIR HANDLER AND CONDENSOR
7183	10/4/2010	12/30/2010	\$12,000	Residential	REPAIR DOCK
6469	5/22/2008	12/8/2008	\$1,000	Residential	FENCE
5727	2/27/2007	6/18/2007	\$11,000	Residential	REPLACE CONCRETE DRIVE WITH BRICK DRIVE
5671	1/19/2006	6/18/2007	\$2,880	Residential	DOCKSIDE SHELTER
5575	9/15/2005	6/18/2007	\$34,000	Residential	SWIMMING POOL AND SPA

**View Tax Info**

[View Taxes for this Parcel](#)

[Sketches \(click to enlarge\)](#)

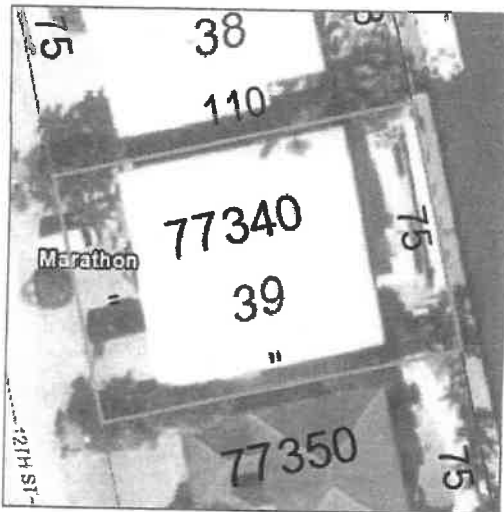


Photos





Map



TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

2021 Notices Only

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the

[User Privacy Policy](#)  
[GDPR Privacy Notice](#)

Last Data Upload: 8/10/2022, 9:19:40 AM

Developed by  
 Schneider  
 GEOSPATIAL

Version 2.3.2.11



# FLORIDA DEPARTMENT OF Environmental Protection

South District Branch Office  
2796 Overseas Highway, Suite 221  
Marathon, Florida 33050  
[SouthDistrict@FloridaDEP.gov](mailto:SouthDistrict@FloridaDEP.gov)

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

September 12, 2022

Jeff Harvey  
c/o Renee Coleman  
Neptune Atlantic Boat Lifts  
94401 Overseas Highway  
Tavernier, Florida 33070  
[Renee@NeptuneAtlanticBoatLifts.com](mailto:Renee@NeptuneAtlanticBoatLifts.com)

File No.: 0425192-001-EE, Monroe County

Dear Jeff Harvey:

On August 16, 2022, we received your request for verification of exemption to perform the following activities:

To install a boat lift at a private residential single-family dock at 840 12th Street, Key Colony Beach, Florida 33051, Parcel ID No. 00077340 000000 in a canal, Class III Waters, Section 05, Township 66 South, Range 33 East, Monroe County.

Your request has been reviewed to determine whether it qualifies for (1) a regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

**Your project either qualifies or was not applicable for all three authorizations types.** 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 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.

If you have any questions regarding this matter, please contact us by telephone at (239) 344-5600 or by e-mail at [SouthDistrict@floridadep.gov](mailto:SouthDistrict@floridadep.gov).

[www.floridadep.gov](http://www.floridadep.gov)

**1. Regulatory Review – VERIFIED**

Based on the information submitted, the Department has verified that the activity as proposed is exempt under Chapter 62-330.051(5)(h), Florida Administrative Code from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

**2. Proprietary Review - NOT REQUIRED**

The activity does not appear to be located on sovereign submerged lands, and does not require further authorization under Chapter 253 of the Florida Statutes, or Chapters 18-20 or 18-21 of the Florida Administrative Code.

**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 VI-R1, and a SEPARATE permit or authorization will not be required from the Corps. Please note that the Federal authorization expires on July 27, 2026. However, your authorization may remain in effect for up to 1 additional year, if provisions of Special Condition 15 of the SPGP VI-R1 permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project (attached). A copy of the SPGP VI-R1 with all terms and conditions and the General Conditions may be found 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 letter. 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 21 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 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

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

#### 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.

Executed in Orlando, Florida

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Megan Mills  
Permitting Program Administrator  
South District

**Enclosures:**

6 Project drawings  
62-330.051(5)(h), F.A.C.  
Special and General Conditions for Federal Authorization for SPGP VI-R1

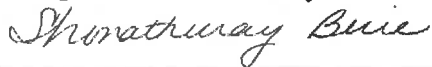
**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments, including all copies, were sent to the addressee and to the following listed persons:

None

**FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated Department clerk, receipt of which is hereby acknowledged.

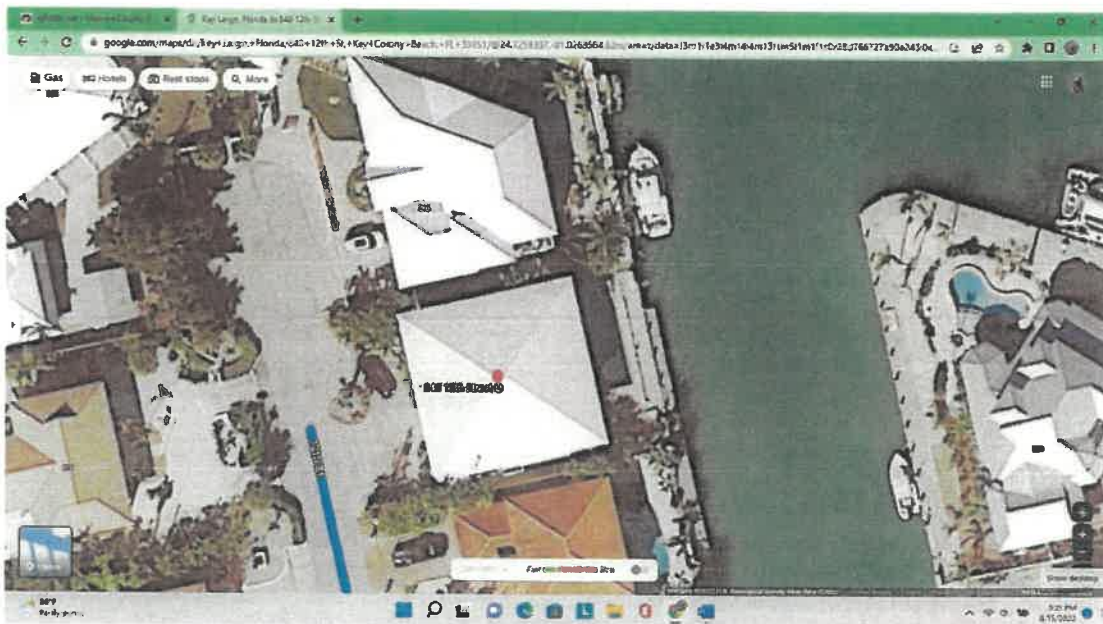
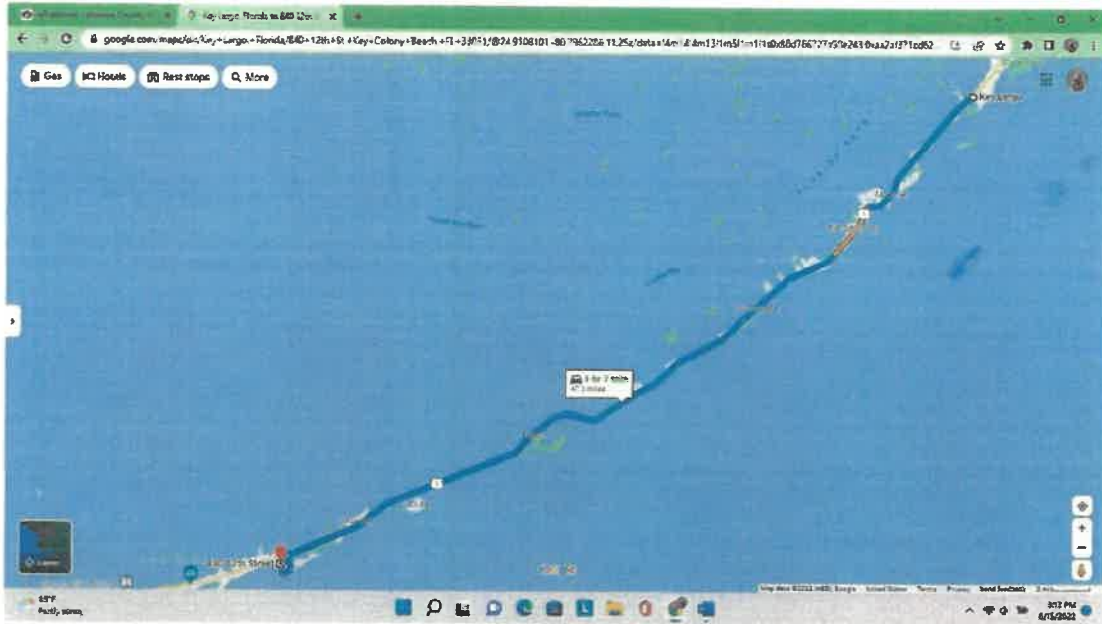


Clerk

September 12, 2022

Date

Jeff G. Harvey  
840 12<sup>th</sup> Street, Key Colony Beach, FL 33051  
Latitude: 24.725822 Longitude: -81.026567



Directions: From Key Largo, head south on U.S. Hwy. 1 for approximately 45.1 miles. Turn left onto Sadowski Causeway. Turn right onto W. Ocean Drive. Turn right onto 12<sup>th</sup> Street. Destination will be on the right.

---

Neptune Atlantic Boat Lifts, LLC  
94401 Overseas Highway Tavernier, Florida 33070 Phone 305-853-9400, Fax 305-853

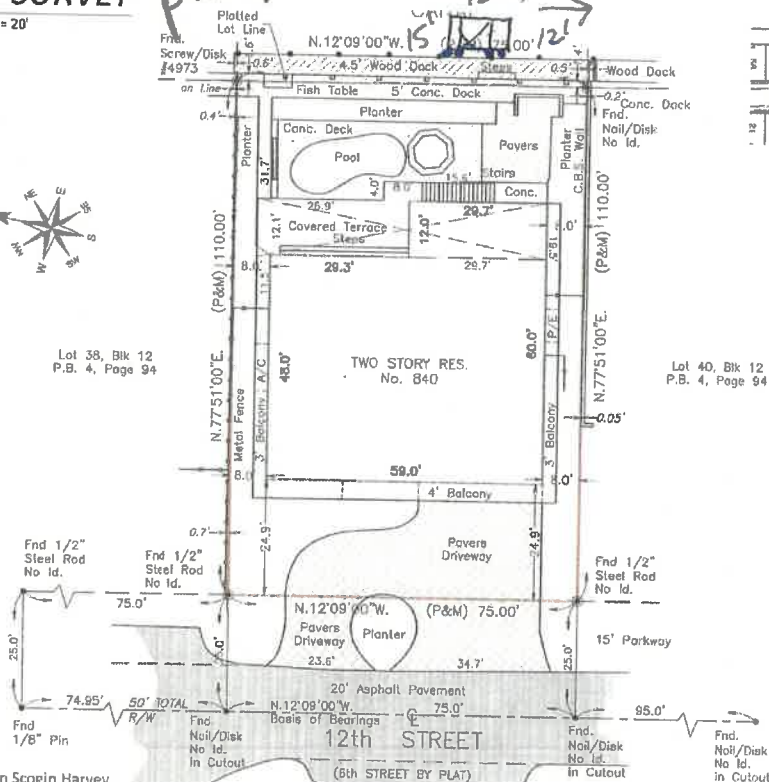
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# SKETCH OF SURVEY

SCALE: 1" = 20'

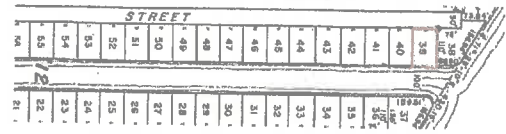


Lot 38, Blk 12  
P.B. 4, Page 94



# LOCATION MAP

SCALE: N.T.S.



## LEGAL DESCRIPTION:

Lot 39, Block 12, KEY COLONY BEACH, SECOND ADDITION, According to the Plat thereof, as recorded in Plat Book 4, at Page 94, of the Public Records of Monroe County, Florida.

## NOTES:

- Lands shown hereon were not researched by the surveyor for easement, legal overlaps, or any other instruments of record.
- No utilities located.
- Fence ownership not determined by this survey.
- There may be additional restrictions/Easements that are not shown on this survey that may be found in the public records of this county.
- Surveyor makes no claims to subsurface features other than evidence of same as shown hereon.
- This drawing is the property of LINCOLN ITURREY, P.A. and shall not be used in whole or part without the written permission of LINCOLN ITURREY, P.A.
- Liability limited to survey fee charged.
- Legal description provided by client.
- Elevations when shown Refer to N.G.M.D. 1929.
- Riparian rights not determined by this survey.
- All Measurements and Distances are in U.S. Standard Feet.
- Examination of the abstract of title will have to be made to determine recorded instruments, if any, affecting the property.
- Location and identification of utilities on and/or adjacent to the property were not secured, as such information was not requested.
- Ownership is subject to opinion of title.
- This survey is performed for: JEFF GRADY HARVEY and KATHRYN SCOGIN HARVEY, for the singular purpose of obtaining MORTGAGE and TITLE INSURANCE, and does not extend to any unnamed party.

## WE HEREBY CERTIFY:

That the attached boundary survey of the above described property is true and correct to the best of our knowledge and meets standards of practice set forth by the FLORIDA BOARD OF LAND SURVEYORS. Pursuant to Chapter 5J-17 Florida Administrative Code.

*Lincoln Iturrey*  
LINCOLN ITURREY, P.S.M. No. 5735

This survey not valid without the original signature and seal of the appropriate registered Land Surveyor and Mapper.

## CERTIFIED TO:

Jeff Grady Harvey and Kathryn Scogin Harvey.  
Wolfe Stevens PLLC.  
Georgia's Own Credit Union, ISAOA.  
Old Republic National Title Insurance Company.

## ABBREVIATIONS & LEGEND

AS - ALUMINUM SPIRE	EL - ELEVATION	FA - FENCED AREA	MA - MANDATORY	REC - RECORDED	1 - CENTER LINE
AC - AIR CONDITIONING PAD	CL - CURB	FAD - FENCED AREA, DRAINAGE	MW - MIDDLE WALL	RES - RESURVEY	2 - SIDEWALK
BM - BENCH MARK	CMC - CONCRETE	FAD - FENCED AREA, DRAINAGE	MW - MIDDLE WALL	SLP - SLOPE FROM PLY TO 1:10	3 - DRIVEWAY
BN - BOUNDARY NAIL	DN - DRAINAGE	FAD - FENCED AREA, DRAINAGE	MW - MIDDLE WALL	SLP - SLOPE FROM PLY TO 1:10	4 - DRIVEWAY
CB - CONCRETE BLOCK STRUCTURE	EL - ELEVATION	FAD - FENCED AREA, DRAINAGE	MW - MIDDLE WALL	SLP - SLOPE FROM PLY TO 1:10	5 - DRIVEWAY
CD - CURB & GUTTER	EL - ELEVATION	FAD - FENCED AREA, DRAINAGE	MW - MIDDLE WALL	SLP - SLOPE FROM PLY TO 1:10	6 - DRIVEWAY
CS - CONCRETE SLAB	EL - ELEVATION	FAD - FENCED AREA, DRAINAGE	MW - MIDDLE WALL	SLP - SLOPE FROM PLY TO 1:10	7 - DRIVEWAY
	EL - ELEVATION	FAD - FENCED AREA, DRAINAGE	MW - MIDDLE WALL	SLP - SLOPE FROM PLY TO 1:10	8 - DRIVEWAY
	EL - ELEVATION	FAD - FENCED AREA, DRAINAGE	MW - MIDDLE WALL	SLP - SLOPE FROM PLY TO 1:10	9 - DRIVEWAY
	EL - ELEVATION	FAD - FENCED AREA, DRAINAGE	MW - MIDDLE WALL	SLP - SLOPE FROM PLY TO 1:10	10 - DRIVEWAY

PREPARED BY: **LINCOLN ITURREY, P.A.**  
Professional Land Surveyors and Mappers I.B. 8190  
Mailing Address: P.O. BOX 755, LONG KEY, FLORIDA, 33001.  
Office Address: 65821 OVERSEAS HIGHWAY, No. 255, LONG KEY, FLORIDA, 33001.  
PHONE: (305) 664-2727 / (305) 975-3141 (CEL.) Email: liturrey@gmail.com

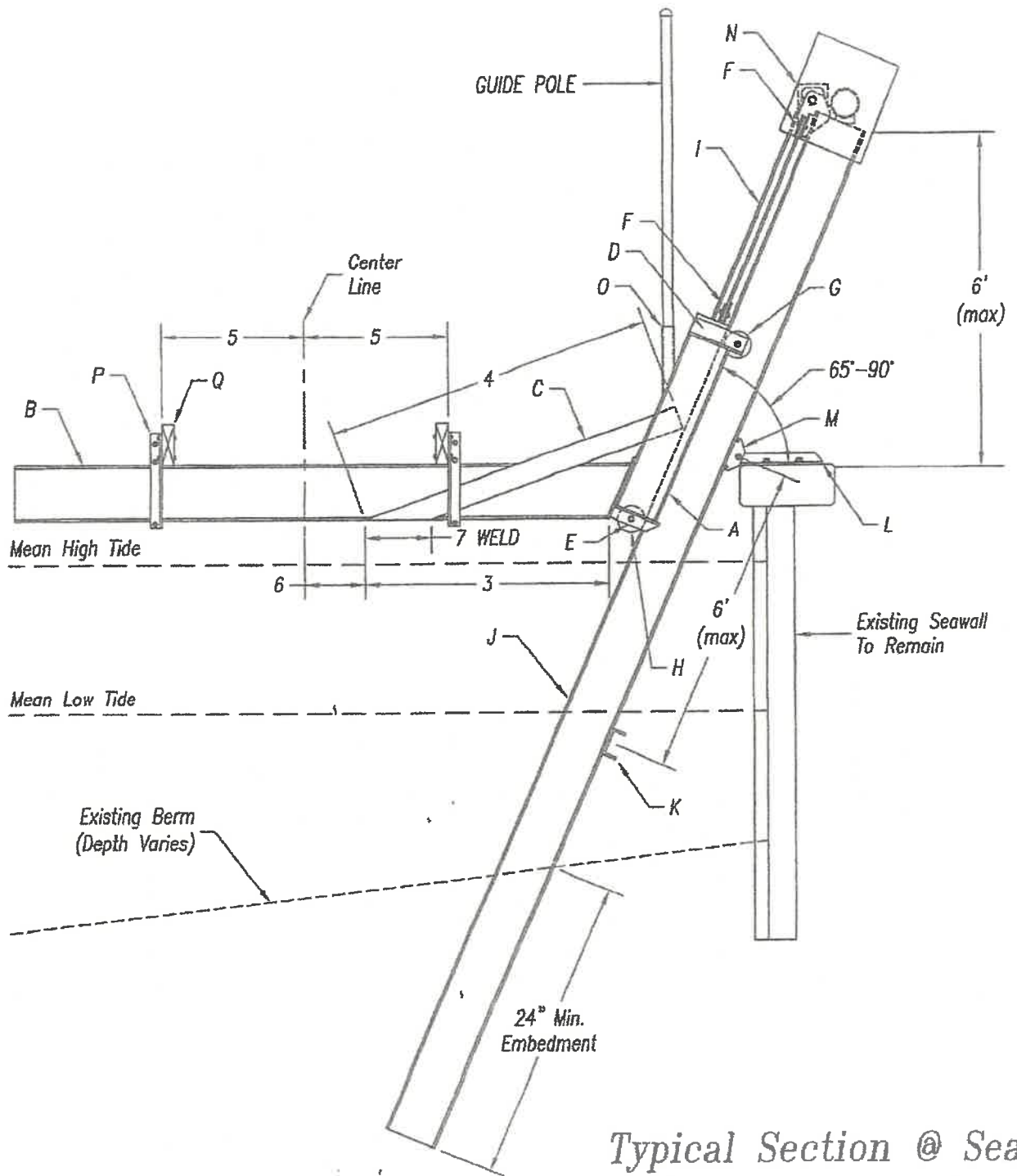
DATE: 11-19-2021 SCALE: 1" = 20' PB: FILE PG: FILE

PREPARED FOR: JEFF GRADY HARVEY and KATHRYN SCOGIN HARVEY.  
ADDRESS: 840 12th STREET, KEY COLONY BEACH, FLORIDA, 33051.

COMMUNITY No:	PANEL No:	SUFFIX:	DATE OF FIRM:	ZONE:	BASE ELEVATION:
120121	1382	K	02-18-2005	AE	7/B

CLOSURE AT LEAST 1:7500 DRAWN BY: J.M. DRAWING No. 21-9465






Typical Section @ Seaw

Scale: 3/8" = 1'-0"

JAN 26 2018

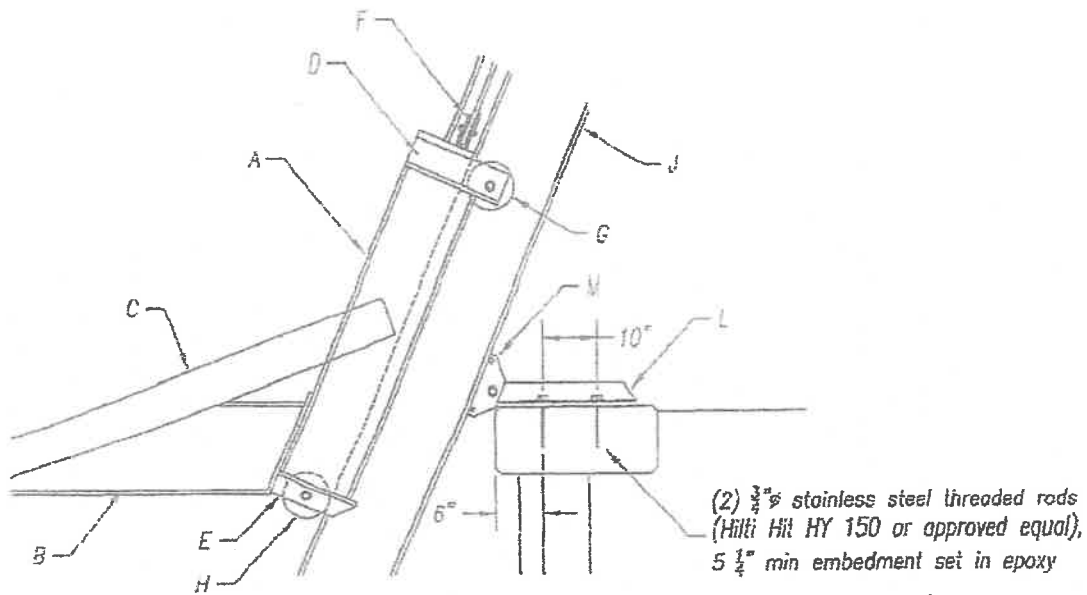
DATE	NOTES/REVISIONS

NOT VALID UNLESS SIGNED WITH ORIGINAL ENGINEER'S SIGNATURE AND RAISED EMBOSSED SEAL

  
 MARK E. WEBER, P.E.  
 LICENSE #53895 | CA 30702

MW, ENGINEER  
 6810 NORTH STATE  
 COCONUT CREEK,  
 Ofc: 954-617-8  
 WWW.MwEngineer

27K-40K



**General Notes:**


- Design in accordance with Florida Building Code, 5th Edition (2014).
- This lifting structure has been designed to withstand wind loads associated with speeds of  $V (ult) = 175$  MPH. (3 Second Gust) Exposure 'D' without a boat on the lift per ASCE 7-10 using above ground sign/wall method. The lifting structure including boat has been designed to withstand wind speeds of  $V (ult) = 73$  MPH in Exposure 'D'.
- Boats shall not be stored on lift during high wind events.
- Do not scale drawings for dimensions.
- Licensed Contractor to verify location of existing utilities prior to commencing work.
- The Licensed contractor to install and remove all shoring and bracing as required for the proper installation of the work.
- Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
- Aluminum: Material 6061 T6 Aluminum, all welds are min.  $\frac{1}{4}$ " full fillet weld using 5556 filler alloy, all welding must conform to AISC steel construction manual 14th ED as inspected and verified by others. The contractor is responsible to insulate aluminum members from dissimilar metals to prevent electrolysis.
- Aluminum members in contact with concrete and wood shall be protected by "Koppers Bituminous Point" or Polyethylene Tape UHMW (ultra high molecular weight). 11.7 mils (0.30 mm) min. total thickness in accordance with current Florida Building Code.
- All anchors to be Hilti Brand or Approved Equal. All bolts shall be hot dipped galvanized or stainless steel & meet the requirements of ASTM A304 with hardened washers and hex nuts. Washers shall be used between wood & bolt head & between wood & nut. Where generic fasteners are labeled in details, capacities shall be equal to or greater than Hilti Kwik Bolt II or Red Head thru bolts SAE Grade 5 or better. Embedment depths specified herein are depths into solid substrate and do not include thickness of other finishes.
- MW Engineering has no control of the manufacturing, performance or installation of this product. These generic plans were engineered in accordance with accepted engineering practices and data provided by the manufacturer.

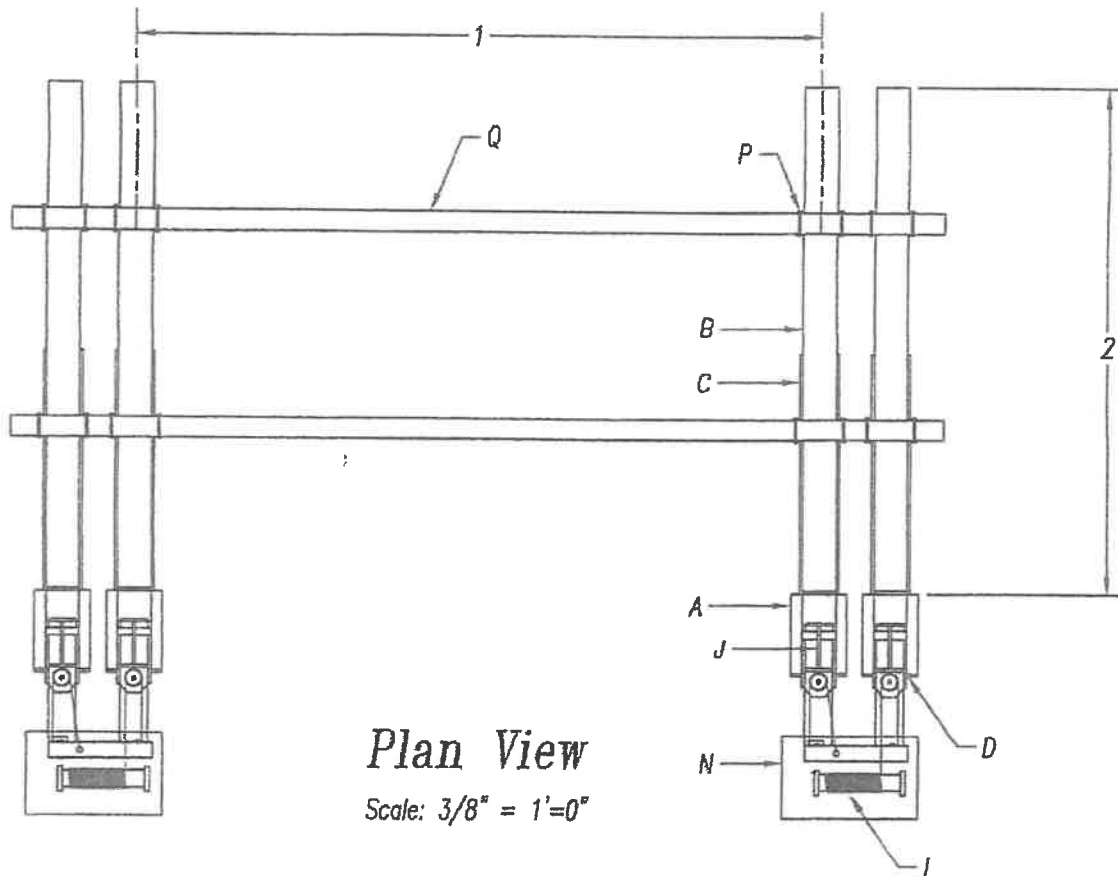
INC 07 73 t.	Proposed Elevators 27,000 lb to 40,000 lb	NEPTUNE BOAT LIFTS 228 SW 21 Terrace Fort Lauderdale, Florida 33312 Phone: 954-524-3816 Fax: 954-524-3604	SCALE: 3/2
			DATE: 05.12.2015
			DRAWN BY: WRT
			CHECKED BY: WJM
			JOB No: Elevator 32.dwg
			Sheet 1

# Components

	Lift Capacity (In Pounds)	27,000	33,000	40,000
A	Carriage Boom (2 Required per Lift Arm)	AS C 10"x5.3	AS C 12"x7.4	AS C 12"x7.4
B	Cradle Arm	AA I 10"x10.286	AA I 12"x11.7	AA I 12"x14.3
C	Gusset Plate (2 Required per Lift Arm)	$\frac{1}{2}$ "x5" Flat Bar	$\frac{1}{2}$ "x6" Flat Bar	$\frac{1}{2}$ "x6" Flat Bar
D	Upper Carriage Angle (2 Required per Lift Arm)	$\frac{3}{8}$ "x3"x4" Angle		
E	Lower Carriage Angle (2 Required per Lift Arm)	$\frac{3}{8}$ "x3"x4" Angle	$\frac{3}{8}$ "x4"x6" Angle	
F	Pulley Plate (2 Required per Lift Arm)	$\frac{1}{2}$ "x7" Flat Bar	$\frac{1}{2}$ "x8" Flat Bar	
G	Upper Guide Wheel (4 Required per Lift Arm)	6" Diameter		
H	Lower Guide Wheel (1 Required per Lift Arm)	6" Diameter		
I	Cable Size (Stainless Steel)	7/16" Diameter 7x19 SS 304		
J	Guide Track	AA I 10"x10.286	AA I 12"x11.7	AA I 12"x14.3
K	Guide Track To Guide Track Brace	AA CS 6"x2.8		
L	Attachment Bracket	(2) $\frac{3}{8}$ "x3"x3" Angles with welded $\frac{1}{2}$ " Thick Inner Plate	(1) $\frac{3}{8}$ "x3"x3" Angle and (1) $\frac{3}{8}$ "x3"x4" Angle Welded Together with Welded $\frac{1}{2}$ " Thick Inner Plate	
M	Track Mount Connector (2 Required per Lift Arm)	$\frac{3}{8}$ "x3"x4" Angle & $\frac{3}{8}$ " Bolts	$\frac{1}{2}$ "x3"x6" Angle & $\frac{3}{8}$ " Bolts	
N	Motor Size (Horse Power/Voltage)	Aluminum Housing		
O	Guide Post Socket	3" Diameter Schedule 80 Pipe		
P	Bunk Bracket Support (2 Each Side of Lift Arm)	$\frac{1}{2}$ "x2"x2"		
Q	Bunk Boards	3"x12" Pressure Treated Southern Yellow Pine #1		

JAN 26 2018

DATE	NOTES/REVISIONS	NOT VALID UNLESS SIGNED WITH ORIGINAL ENGINEER'S SIGNATURE AND RAISED EMBOSSED SEAL	MW, ENGINEER
		 MARK E. WEBER, P.E. LICENSE #53895   CA 30702	6810 NORTH STAT COCONUT CREEK, Ofc: 954-617- WWW.MwEngineer



INC  
D7  
073  
si

Proposed Elevators  
27,000 lb  
to  
40,000 lb

NEPTUNE BOAT LIFTS  
228 SW 21 Terrace  
Fort Lauderdale, Florida 33312  
Phone: 954-524-3616  
Fax: 954-524-3604

SCALE:	32
DATE:	05.12.2015
DRAWN BY:	WRT
CHECKED BY:	WM
JOB No:	Elevator 32.dwg
Sheet 3 of 3	

**62-330.051 Exempt Activities.**

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under chapters 253 and 258, F.S., as applicable.

(5) Dock, Pier, Boat Ramp and Other Boating-related Work –

(h) The installation of a pile-supported boat lift within an existing mooring area at a docking facility that is legally in existence, provided:

1. Such installation does not conflict with a condition of a permit issued thereunder;
2. The boat lift does not include additional structures, such as platforms, cat walks, and roofs.

**Special Conditions for all Projects:**

1. Authorization, design and construction must adhere to the terms of the SPGP VI-R1 instrument including the General Conditions for All Projects, Special Conditions for All Projects, Applicable activity-specific special conditions, Procedure and Work Authorized sections.
2. Design and construction must adhere to the PDCs for In-Water Activities (Attachment 28, from PDCs AP.7 through AP11, inclusive, of JAXBO) (Reference: JAXBO PDC AP.1.).
3. All activities must be performed during daylight hours (Reference: JAXBO PDC AP.6.).
4. For all projects involving the installation of piles, sheet piles, concrete slab walls or boatlift I-beams (Reference Categories A, B and C of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86):
  - a. Construction methods limited to trench and fill, pilot hole (auger or drop punch), jetting, vibratory, and impact hammer (however, impact hammer limited to installing no more than 5 per day).
  - b. Material limited to wood piles with a 14-inch diameter or less, concrete piles with a 24-inch diameter/width or less, metal pipe piles with a 36-inch diameter or less, metal boatlift I-beams, concrete slab walls, vinyl sheet piles, and metal sheet piles.
  - c. Any installation of metal pipe or metal sheet pile by impact hammer is not authorized (Reference: Categories D and E of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86.).
  - d. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary (Reference: JAXBO PDCs AP.14 and A1.6).
5. The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work – 2011" (Attachment 29).
6. 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. 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>.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI-R1

- 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 Archeologist at 904-232-3270 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 C.F.R. § 325.7.
  - b. In the unlikely event that human remains are identified, the remains will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, and the State Archaeologist (850-245-6444) and the Corps Regulatory Archeologist at 904-232-3270 shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.
7. The Permittee is responsible for obtaining any "take" permits required under the U.S. Fish and Wildlife Service's regulations governing compliance with these laws. 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.
8. Mangroves. The design and construction of a Project must comply with the following (Reference: JAXBO PDCs AP.3 and AP.12.):
  - a. 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:
    - (1) Removal to install up to a 4-ft-wide walkway for a dock.
    - (2) Removal of mangroves above the mean high water line (MHWL) provided that the tree does not have any prop roots that extend into the water below the MHWL.
    - (3) Mangrove trimming. 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.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI-R1

(a) Projects with associated mangrove trimming waterward of the MHWL are authorized if the trimming: (a) occurs within the area where the authorized structures are placed or will be placed (i.e., removal of branches that overhang a dock or lift), (b) is necessary to provide temporary construction access, and (c) is conducted in a manner that avoids any unnecessary trimming.

(b) Projects proposing to remove red mangrove prop roots waterward of the MHWL are not authorized, except for removal to install the dock walkways as described above.

9. For Projects authorized under this SPGP VI-R1 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.

10. Notifications to the Corps. For all authorizations under this SPGP VI-R1, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:

a. 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 8).

b. Corps *Self-Certification Statement of Compliance* form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (Attachment 9) 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.

c. Permit Transfer. 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 (Attachment 10).

d. Reporting Address. The Permittee shall submit all reports, notifications,



DEPARTMENT OF THE ARMY PERMIT: SPGP VI-R1

documentation, and correspondence required by the general and special conditions of this permit to the following address.

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

(2) For electronic mail: SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-2575 on all submittals.

11. The District Engineer reserves the right to require that any request for authorization under this SPGP VI-R1 be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP VI-R1 does not automatically guarantee Federal authorization.
12. On a case-by-case basis, the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.
13. Failure to comply with all conditions of the SPGP VI-R1 constitutes a violation of the Federal authorization.
14. The SPGP VI-R1 will be valid through the expiration date 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 period ending expiration date, is not contrary to the public interest. The SPGP VI-R1 will not be extended beyond the expiration date but may be replaced by a new SPGP. If revocation occurs, all future applications for activities covered by the SPGP VI-R1 will be evaluated by the Corps.
15. If the SPGP VI-R1 expires, is revoked, or is terminated prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP VI-R1 will remain in effect provided the activity is completed within 12 months of the date the SPGP VI-R1 expired or was revoked.

**Special Conditions for Shoreline Stabilization activities.**

16. Shoreline stabilization structures other than vertical seawalls shall be no steeper than a 2 horizontal:1 vertical slope (Reference: JAXBO PDC A1.1.4.).
17. Placement of backfill is limited to those situations where it is necessary to level the land behind seawalls or riprap.
18. Living shoreline structures and permanent wave attenuation structures can only be

DEPARTMENT OF THE ARMY PERMIT: SPGP VI-R1

constructed out of the following materials: oyster breakwaters, clean limestone boulders or stone (sometimes contained in metal baskets or cages to contain the material), small mangrove islands, biologs, coir, rock sills, and pre-fabricated structures made of concrete and rebar that are designed in a manner so that they do not trap sea turtles, smalltooth sawfish, or sturgeon (Reference: JAXBO PDC A7.5.).

a. Reef balls or similar structures are authorized if they are not open on the bottom, are open-bottom structures with a top opening of at least 4 ft, or are pre-fabricated structures, such as reef discs stacked on a pile, and are designed in a manner that would not entrap sea turtles.

b. Oyster reef materials shall be placed and constructed in a manner that ensures that materials will remain stable and that prevents movement of materials to surrounding areas (e.g., oysters will be contained in bags or attached to mats and loose cultch must be surrounded by contained or bagged oysters or another stabilizing feature) (Reference: JAXBO PDC A7.2.).

c. Oyster reef materials shall be placed in designated locations only (i.e., the materials shall not be indiscriminately dumped or allowed to spread outside of the reef structure) (Reference: JAXBO PDC A7.3.).

d. Wave attenuation structures must have 5 ft gaps at least every 75 ft in length as measured parallel to the shoreline and at the sea floor, to allow for tidal flushing and species movement (Reference: JAXBO PDC A7.6.).

e. Other materials are not authorized by this SPGP VI-R1 (Reference: JAXBO PDC A7.5.).

**Special Conditions for Boat Ramp activities.**

19. Restrictions on Dredged Material and Disposal: Excavation is limited to the area necessary for site preparation. All excavated material shall be removed to an area that is not waters of the United States, as that term is defined and interpreted under the Clean Water Act, including wetlands (Reference: JAXBO PDC A6.2.).

20. Turbidity: The length of new boat ramps and repair and replacement of existing boat ramps to make them longer should ensure a water depth at the end of the ramp is deep enough to minimize sediment resuspension associated with launching vessels in shallow water (Reference: JAXBO PDC A6.5.).

**Special Conditions for Docks, Piers, Associated Facilities, and other Minor Piling-Supported Structures.**

21. Chickees must be less than 500 ft<sup>2</sup> and support no more than 2 slips (Reference: JAXBO PDC A2.1.6.).

DEPARTMENT OF THE ARMY PERMIT: SPGP VI-R1

22. The design and construction of a Project over marsh (emergent vegetation) must comply with the following:
- a. The piling-supported structure shall be aligned so as to have the smallest over-marsh footprint as practicable.
  - b. The over-marsh portion of the piling-supported structure (decking) shall be elevated to at least 4 feet above the marsh floor.
  - c. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.
23. Mangroves. For pile-supported structures, the following additional requirements for mangroves found 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 updated November 2017 (Attachment 11) shall apply:
- a. The width of the piling-supported structure is limited to a maximum of 4 feet.
  - b. Mangrove clearing is restricted to the width of the piling-supported structure.
  - c. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.
24. Regarding SAV, the design and construction of a Project must comply with the following:
- a. A pile supported structure
    - (1) ~~that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and~~
    - (1) that is within the range of seagrass (estuarine waters within all coastal counties except for Nassau, Duval, St Johns, Flagler and Volusia north of Ponce Inlet), but outside of the range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) will be constructed to the following standards:
      - (a) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then SAV is presumed present and

DEPARTMENT OF THE ARMY PERMIT: SPGP VI-R1

the pile-supported structure must comply with, or 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 updated November 2017 (Attachment 11). For the purposes of SPGP, two uncovered boatlifts are allowed.

(i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.

(ii) Boatlifts and minor structures in Monroe County may be installed within existing boat slips without completion of a SAV survey. Boatlift accessory structures, like catwalks, shall adhere to *"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 updated November 2017 (Attachment 11) if a SAV survey has not been completed.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(b) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then the pile-supported structure must comply with, or 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 updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.

(ii) Boatlifts may be installed within existing boat slips without completion of a SAV survey.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(c) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), then no design restrictions are required and boatlifts may include a cover.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI-R1

b. A pile supported structure

(1) ~~that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and~~

(1) that is within the range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) but not within Johnson's seagrass critical habitat will be constructed to the following standards:

(a) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or 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 updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(b) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), THEN pile-supported structure must comply with or 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 updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(c) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), THEN no design restrictions are required and boatlifts may include a cover.

c. A pile supported structure located within Johnson's seagrass critical habitat will be constructed to the following standards:

(1) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of

DEPARTMENT OF THE ARMY PERMIT: SPGP VI-R1

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 updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(2) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent and the project is

(a) A dock replacement in the same footprint, no design restrictions are required.

(b) A new dock or dock expansion THEN pile-supported structure must comply with or 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 updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(3) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then pile-supported structure must comply with or 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 updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

25. North Atlantic Right Whale. The attached North Atlantic Right Whale Information Form (Attachment 30) describes the presence of North Atlantic right whales in the area and the Federal regulations governing the approach to North Atlantic right whales. The FDEP or Designee will attach the North Atlantic Right Whale Information Form to their authorizations for any dock project (new construction, repair, or replacement) at a private residence located within 11 nautical miles of an inlet that leads to areas within the known range of North Atlantic right whale. These zones, with an 11 nm radius, are described by the North Atlantic Right Whale Educational Sign Zones, Attachment 7 (from Section 2.1.1.4 of JAXBO, pages 31 and 32, inclusive). (Reference JAXBO PDC A2.4).

26. Educational Signs. For commercial, multi-family, or public facilities, and marine

DEPARTMENT OF THE ARMY PERMIT: SPGP VI-R1

events, signs must be posted as described below (Reference: These replicate JAXBO PDCs A.2.2 and A.2.2.1 to A.2.2.3., inclusive, within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, starting on page 112.):

a. 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: (<https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>). The signs required to be posted by area are stated below: <https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>

(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.

(2) Projects within the North Atlantic right whale educational sign zone shall post the Help Protect North Atlantic Right Whales sign.

(3) On the east coast of Florida, projects located within the St. Johns 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.

27. Monofilament Recycling Bins. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided as described below (Reference: The below replicates PDC A.2.3 within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, the PDC itself on page 113 of the JAXBO.):

a. 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:

(1) Be constructed and labeled according to the instructions provided at <http://mrrp.myfwc.com>.

(2) Be maintained in working order and emptied frequently (according to <http://mrrp.myfwc.com> standards) so that they do not overflow.

28. Lighting for docks installed within visible distance of ocean beaches. If lighting is necessary, then turtle-friendly lighting shall be installed. 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/>

DEPARTMENT OF THE ARMY PERMIT: SPGP VI-R1

(Reference: JAXBO PDC A2.8.).

29. Construction Location. Project construction shall take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited (Reference: JAXBO PDC A2.9.).
30. Aids to Navigation (ATONs). ATONs must be approved by and installed in accordance with the requirements of the U.S. Coast Guard (i.e., 33 C.F.R., chapter I, subchapter C, part 66, Section 10 of the Rivers and Harbors Act, and any other pertinent requirements) (Reference: JAXBO PDC A2.5.).
31. Aids to Navigation (ATONs) in Acropora critical habitat. The distance from ATONs to ESA-listed corals and Acropora critical habitat (Attachment 20) 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 the 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 (Reference: JAXBO PDC A2.10.).
32. Within Loggerhead sea turtle critical habitat (Reference: JAXBO PDC A2.15.):
  - (1) ATONs (pile-supported and anchored buoys) are allowed in nearshore reproductive habitat of the Northwest Atlantic Distinct Population Segment (NWA DPS) of loggerhead sea turtle critical habitat.
  - (2) No other pile-supported structures are allowed in nearshore reproductive habitat.

**Special Conditions for Derelict vessels**

33. Visual confirmation (e.g., divers, swimmers, and camera) will be completed prior to removal to ensure that the item can be removed without causing further damage to aquatic natural resources.
34. Coral. If an item cannot be removed without causing harm to surrounding coral (ESA listed or non-listed), the item will be disassembled as much as practicable so that it no longer can accidentally harm or trap species.
35. Monofilament debris will be carefully cut loose from coral (ESA listed or non-listed) so as not to cause further harm. Under no circumstance will line be pulled through coral since this could cause breakage of coral.
36. Marine debris removal methods. Marine debris shall be lifted straight up and not be dragged through seagrass beds, coral reefs, coral, or hard bottom habitats. Trawling



DEPARTMENT OF THE ARMY PERMIT: SPGP VI-R1

also cannot be used as a means of marine debris removal. Debris shall be properly disposed of in appropriate facilities in accordance with applicable federal and state requirements.

37. An absorbent blanket or boom shall be immediately deployed on the surface of the water around any derelict vessel to be removed if fuel, oil, or other free-floating pollutants are observed during the work.

**Special Conditions for Scientific Devices**

38. Aquatic Life Passage. The scientific survey device, including any related equipment and anchors, shall not block access of species to an area. For example, the structures shall not prevent movement in or out of a river or channel.
39. Restoring Affected Area. No later than 24 months after 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 conditions.
40. Preventing Device Relocation. The scientific survey device, including any related equipment and anchors, shall be inspected and any required maintenance performed at least twice a year and following storm events that may have moved or dislodged the structure to ensure that equipment and anchors are still in place and have not moved to areas containing ESA-listed corals.

**General Conditions for All Projects:**

1. The time limit for completing the work authorized ends on July 27, 2026.
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 (Attachment 10) and forward a copy of the permit to this office to validate the transfer of this authorization.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI-R1

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

DEPARTMENT OF THE ARMY PERMIT: SPGP VI-R1

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.



# City of Key Colony Beach

PO Box 510141 Key Colony Beach, Florida • Phone # 305-289-1212 • Fax# 305-289-1767



**The City of Key Colony Beach** invites all full-time residents to apply for the vacant commission seat left open due to Commissioner Ronald A. Sutton's sudden passing.

The City will hold a Special Meeting on **December 1, 2022, 11:00 am. OR at the end of the Regular Commission Meeting**, for the appointment by City Commission to fill the vacancy for the remainder of the unexpired term until the next election in 2024. If majority of remaining commission members are unable to agree upon a person to fill said vacancy, the commission shall call a special election for that purpose.

Please submit a letter of interest with your qualifications to [cityclerk@keycolonybeach.net](mailto:cityclerk@keycolonybeach.net) no later than **Wednesday, November 23, 2022, 12:00 p.m.**

**Applicants must be full-time residents of the City of Key Colony Beach and be registered voters eligible to vote in Key Colony Beach elections.**



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## **Sec. 2-64. Vacancies on city commission.**

When the office of a commissioner for the City of Key Colony Beach becomes vacant upon death, disability, resignation, removal from office, forfeiture of office, or any reason or manner whatsoever authorized by law, the

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- (1) The commission, by a majority vote of all remaining members shall appoint a qualified person to fill the vacancy until the next regular municipal election or for all the remainder of the unexpired term, whichever occurs first. In the event an unexpired term is filled at a regular municipal election, said election shall be only for the final year of the term.
  - (2) If a majority of said remaining members are unable to agree upon a person to fill said vacancy after forty-five (45) days, the city commission shall call a special election for that purpose. However, no special election shall be held within six (6) months prior to a regularly scheduled municipal election.
  - (3) When there are less candidates than positions to be filled caused by an insufficient number of candidates, death, withdrawal, or removal from the ballot of a qualified candidate following the end of the qualifying period, said vacancies shall be filled by appointment of the city commission in the same manner as filling a vacancy of a sitting commissioner.

(Ord. No. 353-2003, 2-13-03; Ord. No. 356-2003, 4-10-03)

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**Anticipated Costs** for a Special Election to the City of Key Colony Beach are between \$5,500.00 and \$8,000.00 per the Supervisor of Elections Office.

A special election would be held in the early Spring of 2023.

## **RESOLUTION NO. 2022-15**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING THE CITY'S FISCAL YEAR 2021-2022 BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Key Colony Beach adopted a budget for Fiscal Year 2021-2022 via Resolution 2021-13; and

**WHEREAS**, in accordance with Florida Statutes it is necessary for the City Commission to adjust the budget to reflect unanticipated year end revenues and expenditures for Fiscal Year 2021-2022.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, AS FOLLOWS:**

**Section 1.** The above recitals are true and correct and are incorporated herein.

**Section 2.** The budget amendment for Fiscal Year 2021-2022, beginning October 1, 2021, and ending September 30, 2022, attached as Exhibit 'A' is approved.

**Section 3.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, THIS 17th DAY OF NOVEMBER 2022.**

**THE CITY OF KEY COLONY BEACH,  
FLORIDA**

\_\_\_\_\_  
**Patricia Trefry, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Silvia Gransee, City Clerk**

**City of Key Colony Beach  
FY22 Budget Amendment  
Exhibit A**

**GENERAL FUND**

Acct. No.	REVENUES	BUDGET FY 2021-2022	AMENDMENT FY 2021-2022	AMENDED BUDGET FY 2021-2022
	<b>Millage 2.8726</b>			
311-100	Ad Valorem Tax	2,300,383	-	2,300,383
315-100	Communication Service Tax	69,000	-	69,000
321-000	Occupational License Fees	420,000	-	420,000
334-500	State Grant/Disaster Relief	164,601	-	164,601
335-000	Revenue Sharing Proceeds	165,000	-	165,000
347-000	Parks & Recreation	39,000	-	39,000
349-000	Boat Trailer Parking	75,500	-	75,500
351-000	County & City Fines	31,660	-	31,660
360-000	Insurance Settlements	131,616	-	131,616
361-000	Interest Income	4,200	-	4,200
369-000	Miscellaneous Income	5,000	-	5,000
381-060	Transfer from Utility Fund	37,000	-	37,000
NEW	Transfer from Building Fund	80,000	-	80,000
	<b>Total General Fund Revenues</b>	<b>3,522,960</b>	<b>-</b>	<b>3,522,960</b>
	<b>Use of Reserves</b>	<b>1,000,000</b>	<b>-</b>	<b>1,000,000</b>
	<b>Total General Fund Revenues</b>	<b>4,522,960</b>	<b>-</b>	<b>4,522,960</b>
	<b>EXPENSES</b>			
511-000	Legislative	151,249	-	151,249
513-000	Finance & Administration	866,884	-	866,884
514-000	Legal Counsel	109,000	-	109,000
515-000	Comprehensive Planning	31,500	-	31,500
516-000	Judicial	5,000	-	5,000
519-000	City Hall	222,170	-	222,170
521-000	Law Enforcement	813,819	-	813,819
526-000	Fire/EMS	550,000	-	550,000
539-000	Public Works	392,682	-	392,682
572-000	Parks & Recreation	162,003	-	162,003
575-000	Beautification	13,500	-	13,500
587-000	Reserves	33,500	-	33,500
588-000	Contingency Fund	25,000	-	25,000
589-000	Transfer to Infrastructure Fund (City Hall Construction Reserve)	-	1,000,000	1,000,000
	City Hall building	1,000,000	(1,000,000)	-
	<b>Total General Fund Expenses</b>	<b>4,376,308</b>	<b>-</b>	<b>4,376,308</b>
	<b>Addition to Reserves</b>	<b>146,652</b>	<b>-</b>	<b>146,652</b>
	<b>Total</b>	<b>4,522,960</b>	<b>-</b>	<b>4,522,960</b>



**City of Key Colony Beach  
FY22 Budget Amendment  
Exhibit A**

**BUILDING DEPARTMENT FUND**

Acct. No.	REVENUES	BUDGET FY 2021-2022	AMENDMENT FY 2021-2022	AMENDED BUDGET FY 2021-2022
322-000	Building Permits	\$ 429,010	\$ 48,000	\$ 477,010
361-000	Interest Income			
	<b>TOTAL</b>	<b>\$ 429,010</b>	<b>\$ 48,000</b>	<b>\$ 477,010</b>
	<b>Use of Fund Reserves</b>			
	<b>Total Building Fund Revenues</b>	<b>\$ 429,010</b>	<b>\$ 48,000</b>	<b>\$ 477,010</b>

Acct. No.	EXPENSES	BUDGET FY 2021-2022	AMENDMENT FY 2021-2022	AMENDED BUDGET FY 2021-2022
254-040	Salaries	194,202		194,202
524-042	Payroll Taxes	15,085		15,085
524-043	Overtime	3,000		3,000
524-045	Retirement Benefits	21,005		21,005
524-050	Medical Coverage	35,632		35,632
524-055	Contingency total budget	8,708		8,708
524-052	Workers Compensation	7,478		7,478
524-010	Inspection Fees - Other	1,000		1,000
524-060	Conference Expenses	7,500		7,500
524-065	Telephone	4,000		4,000
524-070	Miscellaneous	13,000		13,000
524-075	Citizen Serve Software	8,400		8,400
524-080	Disaster Preparation	5,000		5,000
524-602	Capital Outlay Vehicles	-	48,000	48,000
NEW	Transfer to General Fund	80,000		80,000
	<b>TOTAL</b>	<b>\$ 404,010</b>	<b>\$ 48,000</b>	<b>\$ 452,010</b>
	<b>Addition to Fund Reserves</b>	<b>25,000</b>	<b>-</b>	<b>25,000</b>
	<b>Total Road Fund</b>	<b>\$ 429,010</b>	<b>\$ 48,000</b>	<b>\$ 477,010</b>

**City of Key Colony Beach  
FY22 Budget Amendment  
Exhibit A**

**INFRASTRUCTURE FUND**

Acct. No.	REVENUES	BUDGET FY 2021-2022	AMENDMENT FY 2021-2022	AMENDED BUDGET FY 2021-2022
312-600	Infrastructure Tax	292,737	130,000	422,737
331-000	Federal Grants	-	201,000	201,000
334-xxx	TDC Grant	10,572	-	10,572
361-120	Interest Income	250	-	250
381-000	Transfer In from General Fund - for City Hall	-	1,000,000	1,000,000
	<b>Total Infrastructure Revenues</b>	<b>303,559</b>	<b>1,331,000</b>	<b>1,634,559</b>

Acct. No.	EXPENSES	BUDGET FY 2021-2022	AMENDMENT FY 2021-2022	AMENDED BUDGET FY 2021-2022
582-000	Long Term Debt Payments	161,365	-	161,365
589-000	City Hall Renovation	-	220,000	220,000
587-000	Infrastructure Projects	92,097	-	92,097
589-000	Reserves Funding	26,200	-	26,200
589-100	City Hall Construction Reserve	-	1,000,000	1,000,000
	<b>Total</b>	<b>279,662</b>	<b>1,220,000</b>	<b>1,499,662</b>
	<b>Addition to/(Use of) Reserves</b>	<b>23,897</b>	<b>111,000</b>	<b>134,897</b>
	<b>Total Infrastructure Expenses</b>	<b>303,559</b>	<b>1,331,000</b>	<b>1,634,559</b>

**City of Key Colony Beach  
FY22 Budget Amendment  
Exhibit A**

**IMPACT FEES FUND**

Acct. No.	REVENUES	BUDGET FY 2021-2022	AMENDMENT FY 2021-2022	AMENDED BUDGET FY 2021-2022
361-110	Interest	150	-	150
363-000	Impact Fees	2,468	2,468	4,936
363-210	Development Fees	4,000	4,000	8,000
	<b>TOTAL</b>	6,618	6,468	13,086

Acct. No.	EXPENSES	BUDGET FY 2021-2022	AMENDMENT FY 2021-2022	AMENDED BUDGET FY 2021-2022
589-075	Impact Fund Expenditures	6,566	8,000	14,566
	Impact Fund Change in Reserves	52	(1,532)	(1,480)
	<b>TOTAL</b>	6,618	6,468	13,086