

AGENDA

KEY COLONY BEACH CITY COMMISSION

PUBLIC HEARING

Thursday, June 20th, 2024 – 9:30 am

Located at Marble Hall, 600 W. Ocean Drive, Key Colony Beach

& via Zoom Conferencing

[Zoom Login Information at the end of this Agenda](#)

- 1. Call to Order, Pledge of Allegiance, Prayer & Roll Call**
- 2. Agenda Additions, Deletions, or Changes**
- 3. Citizen Comments & Correspondence**
- 4. Administration of Oath of Witnesses**
- 5. Disclosure of Ex-Parte Communication**
- 6. Discussion/Approval for the installation of a 12,000 pound four post boat lift at the property located at 76 7th Street per the recommendation of the Planning & Zoning Board.**
 - a. Presentation by the Building Department – Pgs. 1-34**
 - b. Statement by Applicant**
 - c. Letters of Consent from Neighbors – Pgs. 35-36**
 - d. Planning & Zoning Board Recommendation – Chair George Lancaster**
 - i. Letter of Recommendation – Pg. 37**
 - ii. Meeting Minutes from May 15th, 2024 – Pgs. 38-39**
 - e. Commission Discussions**
 - f. Motion to approve, deny, or approve with conditions**
- 7. Discussion/Approval for the installation of a 10,000 pound four post boat lift at the property located at 73 7th Street per the recommendation of the Planning & Zoning Board.**
 - a. Presentation by the Building Department – Pgs. 40-47**
 - b. Statement by Applicant**
 - c. Letters of Consent from Neighbors – Pgs. 48-49**
 - d. Planning & Zoning Board Recommendation – Chair George Lancaster**
 - i. Letter of Recommendation – Pg. 50**
 - ii. Meeting Minutes from May 15th, 2024 - (see under 6d)**
 - e. Commission Discussions**
 - f. Motion to approve, deny, or approve with conditions**
- 8. Discussion/Approval of an Architectural Review for the property located at 1000 W. Ocean Drive per the recommendation of the Planning & Zoning Board.**
 - a. Presentation by the Building Department – Pg. 51**
 - b. Statement by Applicant – Pgs. 52-53**
 - c. Planning & Zoning Board Recommendation – Chair George Lancaster**
 - i. Letter of Recommendation - Pg. 54**
 - ii. Meeting Minutes from May 15th, 2024 - (see under 6d)**
 - d. Commission Discussions**
 - e. Motion to approve, deny, or approve with conditions**
- 9. Other Business**
- 10. Adjourn**

“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.

This meeting will be held at Marble Hall, 600 W. Ocean Drive, Key Colony Beach, Florida 33051.

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. <https://us02web.zoom.us/j/86058701802?pwd=VnhCQmFOOExVd3BGcUhnbm9wZFNFRDz09>

Passcode: 094382

Or One tap mobile:

*+13052241968,,86058701802#,,,,*094382# US*

*+16469313860,,86058701802#,,,,*094382# US*

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

*US: +1 305 224 1968 or +1 646 931 3860 or +1 929 205 6099 or +1 301 715 8592 or +1 309 205 3325 or +1 312 626 6799
or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 689 278 1000 or +1
719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 360 209 5623*

Webinar ID: 860 5870 1802

Passcode: 094382

International numbers available: <https://us02web.zoom.us/j/86058701802?pwd=VnhCQmFOOExVd3BGcUhnbm9wZFNFRDz09>

INSTALL 12K 4 POST CRADLE LIFT

76 7TH STREET, KEY COLONY BEACH



SITE DATA / PROJECT LOCATION:

SITE ADDRESS: 76 7TH STREET, KEY COLONY BEACH
PARCEL NO.: 00078280-000100
LEGAL DESC.: N1/2 LOT 39 AND ADJ FILLED LAND AND BAY BTM KEY COLONY BEACH YACHT CLUB SUBD KEY COLONY BEACH FL PB4-68 OR136-151 OR186-349 OR181-220 OR181-222 OR407-375 OR407-376 OR456-823/24 OR1334-1537D/C OR1334-1541/42 OR1887-1562/83 OR3223-0489 OR3223-0491
OWNER / S: MADDEN LAUREN, MADDEN CHARLES R
ZONING: SINGLE FAMILY RESID (0100)

PROJECT LOCATION



A LOCATION MAP
SCALE: NTS.

DRAWING INDEX:

- C-01 PROJECT INFORMATION
- C-02 GENERAL NOTES
- C-03 SITE PLAN
- C-04 DETAILED SECTIONS

DESIGN DATA:

DESIGN LOADS (MINIMUM):

- A. DEAD LOAD FOR UPLIFT CALCULATION 7PSF
- B. FLOOR DEAD LOAD (WOOD FRAMING) 20 PSF
- C. GUARD RAILS / HANDRAILS 200 LBS

SCOPE OF WORK:

NEW CONSTRUCTION
 ·INSTALL 12K 4-POST CRADLE LIFT W/ (4) 12" TIMBER PILING

DESIGN CODE:

- 2020 FLORIDA BUILDING CODE, 7th EDITION, BUILDING, FBC
- 2020 FLORIDA BUILDING CODE, 7th EDITION, RESIDENTIAL, FBC-R
- 2020 FLORIDA MECHANICAL CODE, FBC-M
- 2017 NATIONAL ELECTRICAL CODE, NEC 2017
- 2020 FLORIDA PLUMBING CODE, FBC-P
- 2020 FLORIDA FUEL GAS CODE, FBC-FG
- FLORIDA FIRE PREVENTION CODE, FBC-FG
- NATIONAL FIRE PROTECTION ASSOCIATION, NEBA

WIND DESIGN SPECIFICATIONS:

- A. BUILDING OCCUPANCY CATEGORY II V-B RESIDENTIAL
- B. CONSTRUCTION TYPE
- C. OCCUPANCY CLASSIFICATION D ENCLOSED
- D. WIND SPEED a.) ULTIMATE = 150MPH
- E. WIND EXPOSURE CATEGORY D ENCLOSED
- F. ENCLOSURE CLASSIFICATION YES
- G. INTERNAL PRESSURE COEFFICIENT +/- 0.18
- H. WINDBORNE DEBRIS AREA
- I. REFER TO DRAWINGS FOR STRUCTURE HEIGHT AND AREA
- J. STRUCTURAL LOADS REFER TO DRAWINGS FOR STRUCTURE HEIGHT AND AREA

THESE PLANS ARE ALLOWABLE (ASD) UNLESS NOTED OTHERWISE

44-435666-001 EE



B VICINITY MAP
SCALE: NTS.

PROJECT LOCATION



RAPID PERMITS AND ENGINEERING

ADDRESS: PO Box 510573, Key Colony Beach, FL 33051
 CONTACT: 305-916-1400
 EMAIL: info@rapidpermits.com

PROJECT TITLE:
Southeast District

INSTALL 12K 4 POST CRADLE LIFT
 76 7TH STREET, KEY COLONY BEACH

LOCATION: 76 7TH STREET, KEY COLONY BEACH
 Parcel ID: 00078280-000100

NO.	DESCRIPTION	REV. DATE	SHEET CONTENT:	SHEET NO.:
01	Cover Sheet	5/23/23	PROJECT INFORMATION	C 01
				04

DATE: 5/23/23

GENERAL NOTES

GENERAL REQUIREMENTS

1. Prior to starting any work, the Contractor shall review these plans and site conditions and notify the Engineer if any discrepancies are discovered or conflicts with these plans, specifications, or dimensions which affect the execution of construction or safety.
2. This set of plans is solely intended to be utilized for construction at the specified location.
3. The Contractor shall not start the drawings and shall request additional information required for construction from the Engineer of Record.
4. The Engineer of Record is responsible for calling Florida Utility Locates Service prior to performing any construction activities in any areas which underground utilities may be present. The Engineer of Record is not responsible for providing the location of utilities.
5. The Engineer of Record is not responsible for any conditions or issues arising from the construction process and performs all works in conformance with the standards and requirements of the 2020 Florida Building Code, manufacturer's recommendations, and applicable codes, rules, and city codes and ordinances, and specifications referenced within these plans.
6. Quality of the work must meet or exceed the industry standard practices.
7. Any deviations from these plans shall be reviewed and approved by the Engineer of Record.
8. Install shoring as required for all structural members of the existing structure.
9. Contractor is responsible for all means and methods as required to improve or maintain the existing condition, structural integrity, and safety of the structure including but not limited to the use of means and methods of structural shoring or tie-downs and diligently performing works. The contractor is responsible for the safety of all personnel entering the designated working area.
10. The Contractor shall coordinate with all other trades in order to avoid scheduling conflicts.
11. The Engineer of Record shall not be held liable for any financial or time related damages including but not limited to damages to the structure, personnel, time related delays, and structural losses that result from the construction in accordance with the applicable specifications of this certified document. The Contractor shall notify the Engineer of Record if any conditions or issues arise that do not conform to the applicable specifications of this certified document.
12. The Contractor shall not be held liable for any financial or time related damages including but not limited to damages to the structure, personnel, time related delays, and structural losses that result from the construction in accordance with the applicable specifications of this certified document.
13. All work to be done in compliance with the FBC 2020 7th Edition; Any details not shown on this plans sheet are to be engineered by others. The engineer shall make details not shown as they are not included in the scope of work. The scope of work is limited to the details specified on the included sheets. To verify the validity of specifications of the soil or other conditions, consult the engineer.
14. For the ratings, meet here the provisions of permanent basement, and so retaining piles.



RAPID PERMITS AND ENGINEERING

ADDRESS: PO Box 510573, Key Colony Beach, FL 33051
 CONTACT: 395-5116-1400
 EMAIL: info@rapidpermitting.com

PROJECT TITLE:

**INSTALL 12K 4 POST CRADLE LIFT
 76 7TH STREET, KEY COLONY BEACH**

LOCATION: 76 7TH STREET, KEY COLONY BEACH
 Parcel ID - 00078290-000100

NO. DESCRIPTION

01 General Notes

REV. DATE 5/23/23

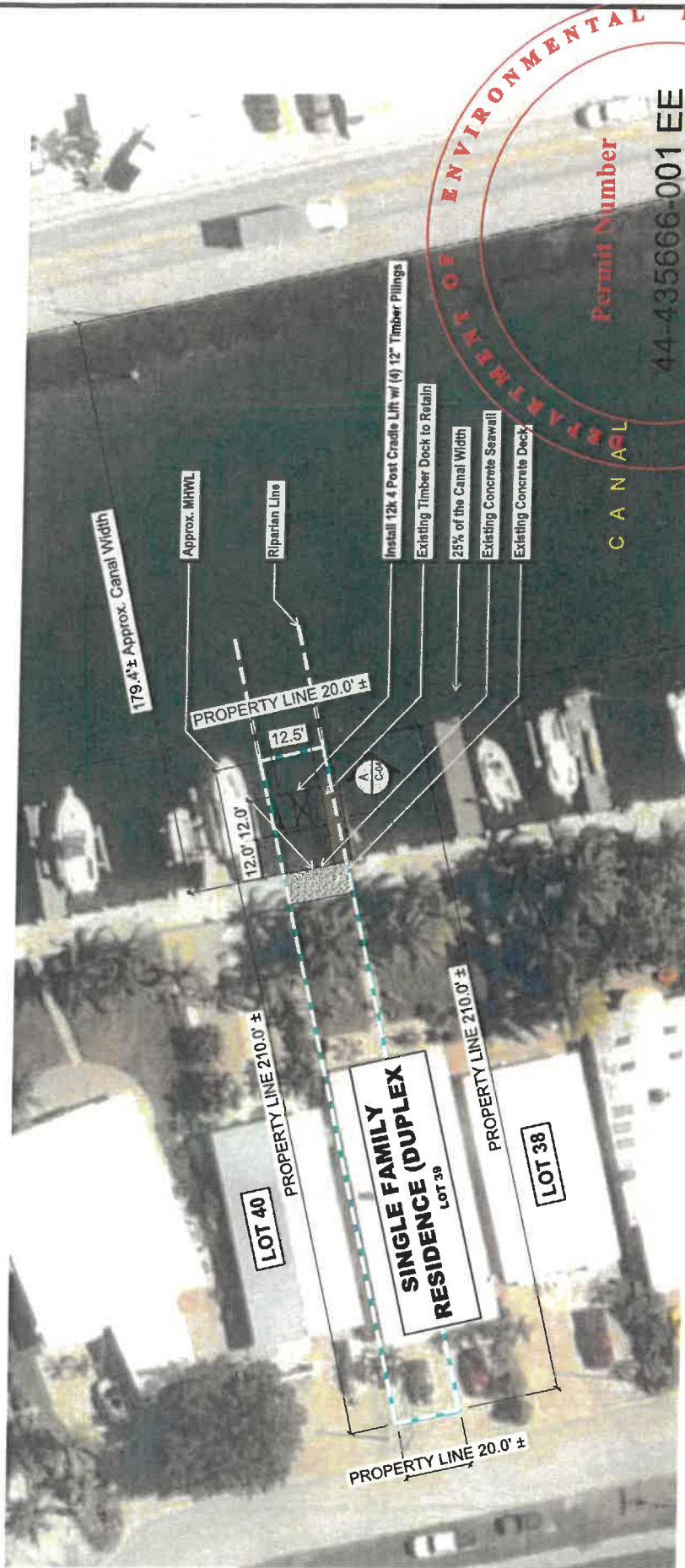
SHEET CONTENT:

GENERAL NOTES

SHEET NO.:



DATE: 5/23/23



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Permit Number
44-435666-001 EE

Southeast District



76 7TH STREET
SITE PLAN
SCALE: 1" = 50'

A
C-03

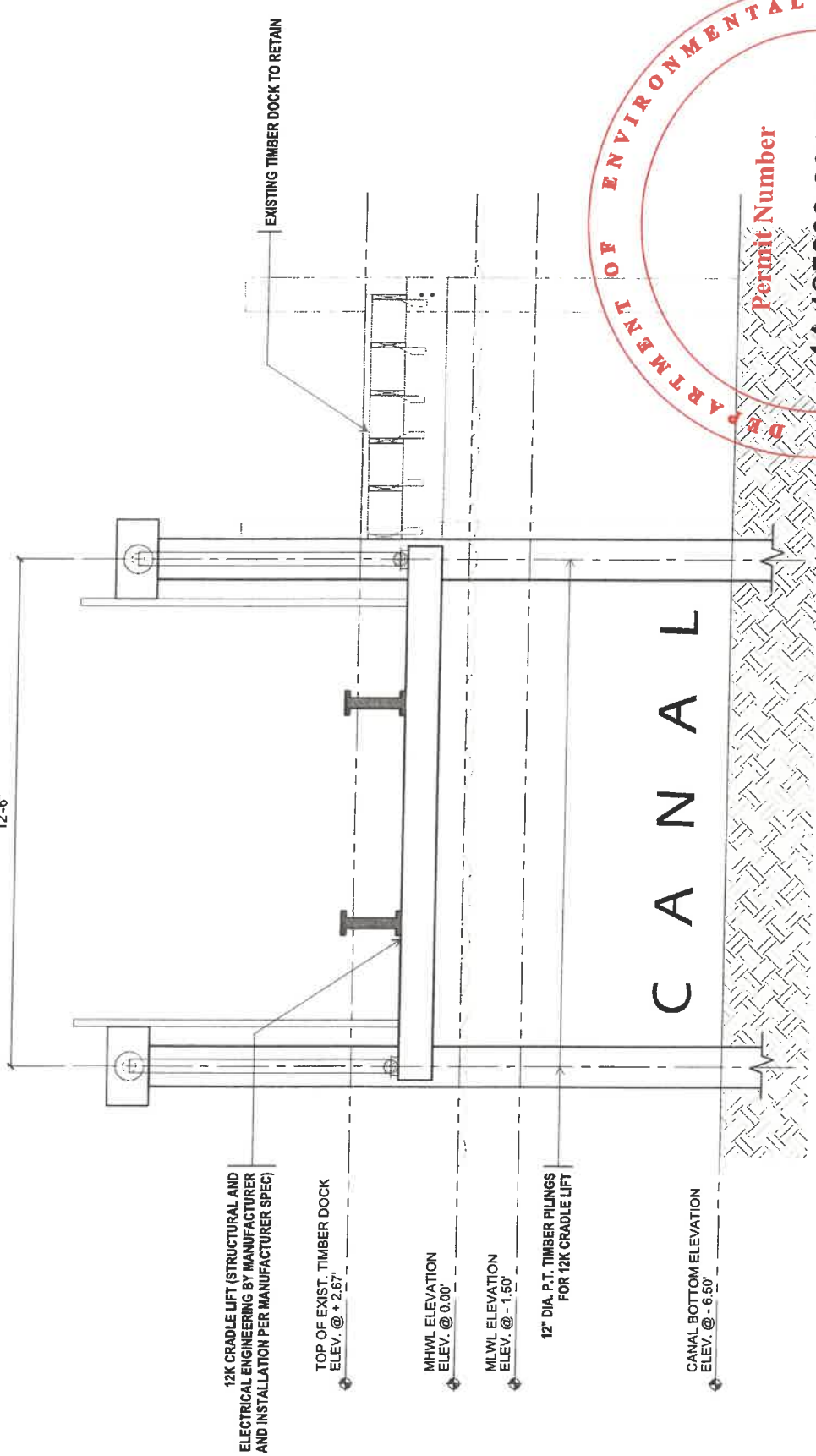


SCALE: 1" = 50'

PROPOSED SCOPE OF WORK
NEW CONSTRUCTION
INSTALL 12K 4-POST CRADLE LIFT W/ (4) 12" TIMBER PILING

	RAPID PERMITS AND ENGINEERING <small>ADDRESS: PO Box 510573, Key Colony Beach, FL 33951 CONTACT: 305-516-1400 EMAIL: info@rapidpermitting.com</small>		PROJECT TITLE: INSTALL 12K 4 POST CRADLE LIFT 76 7TH STREET, KEY COLONY BEACH <small>LOCATION: 76 7TH STREET, KEY COLONY BEACH Parcel ID - 00075230-000100</small>	NO. 01 DESCRIPTION Site Plan REV. DATE 5/23/23 SHEET CONTENT:	SHEET NO.: <div style="border: 1px solid black; padding: 5px; text-align: center;"> C 03 04 </div>
	DATE: 5/23/23		SITE PLAN		

12'-6"



12K CRADLE LIFT (STRUCTURAL AND ELECTRICAL ENGINEERING BY MANUFACTURER AND INSTALLATION PER MANUFACTURER SPEC)

TOP OF EXIST. TIMBER DOCK ELEV. @ + 2.67'

MHWL ELEVATION ELEV. @ 0.00'

MLWL ELEVATION ELEV. @ - 1.50'

12" DIA. P.T. TIMBER PILINGS FOR 12K CRADLE LIFT

CANAL BOTTOM ELEVATION ELEV. @ - 6.50'

CANAL

EXISTING TIMBER DOCK TO RETAIN



76 7TH STREET
SECTION DETAIL A
SCALE 1/4" = 1'



RAPID PERMITS AND ENGINEERING

ADDRESS: PO Box 510573, Key Colony Beach, FL 33051
CONTACT: 305-816-1400
EMAIL: info@rapidpermitting.com

PROJECT TITLE:

**INSTALL 12K 4 POST CRADLE LIFT
76 7TH STREET, KEY COLONY BEACH**

LOCATION: 76 7TH STREET, KEY COLONY BEACH
Parcel ID - 0007250-000100

NO. DESCRIPTION

01	Detailed Sections
----	-------------------

REV. DATE

5/23/23

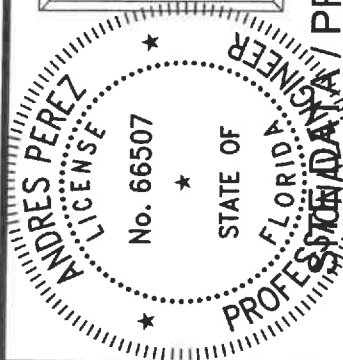
SHEET CONTENT:

DETAILED SECTIONS

SHEET NO.:

C	04
04	04

DATE: 5/23/23



INSTALL 12K 4 POST CRADLE LIFT 76 7TH STREET, KEY COLONY BEACH



PROJECT LOCATION

PROJECT LOCATION:

SITE ADDRESS: 76 7TH STREET, KEY COLONY BEACH
PARCEL NO.: 00078280-000100
LEGAL DESC.: N1/2 LOT 39 AND ADJ FILLED LAND AND BAY BTM KEY COLONY BEACH YACHT CLUB SUBD KEY COLONY BEACH FL PB4-88 OR136-151 OR166-349 OR181-220 OR181-222 OR407-375 OR407-376 OR466-823/24 OR1334-1537/D/C OR1334-1541/A2 OR1887-1582/83 OR3223-0489 OR3223-0491
OWNER / S: MADDEN LAUREN, MADDEN CHARLES R
ZONING: SINGLE FAMILY RESID (0100)



A LOCATION MAP
C-01 SCALE: NTS.

DRAWING INDEX:

- C - 01 PROJECT INFORMATION
- C - 02 GENERAL NOTES
- C - 03 SITE PLAN
- C - 04 DETAILED SECTIONS

DESIGN DATA :

- DESIGN LOADS (MINIMUM):**
- A. DEAD LOAD FOR UPLIFT CALCULATION 7PSF
 - B. FLOOR DEAD LOAD (WOOD FRAMING) 20 PSF
 - C. GUARD RAILS / HANDRAILS 200 LBS

SCOPE OF WORK:

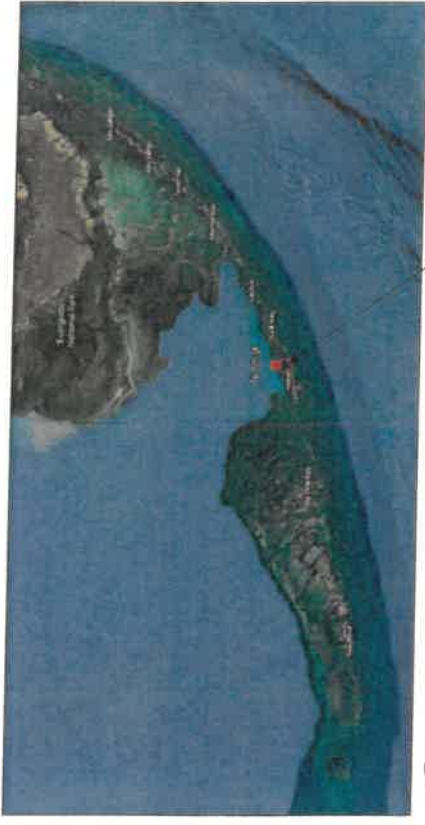
NEW CONSTRUCTION
 *INSTALL 12K 4-POST CRADLE LIFT W/ (4) 12" TIMBER PILLINGS

DESIGN CODE:

- 2020 FLORIDA BUILDING CODE, 7th EDITION, BUILDING, FBC
- 2020 FLORIDA BUILDING CODE, 7th EDITION, RESIDENTIAL, FBC-R
- 2020 FLORIDA MECHANICAL CODE FBC-M
- 2017 NATIONAL ELECTRICAL CODE, NEC 2017
- 2020 FLORIDA PLUMBING CODE, FBC-P
- 2020 FLORIDA FUEL GAS CODE, 7th EDITION, FPGC
- FLORIDA FIRE PREVENTION CODE, FBC-FG
- NATIONAL FIRE PROTECTION ASSOCIATION, NEBA

WIND DESIGN SPECIFICATIONS:

- A. BUILDING OCCUPANCY CATEGORY II V-B RESIDENTIAL
- B. CONSTRUCTION TYPE
- C. OCCUPANCY CLASSIFICATION 180 MPH
- D. WIND SPEED D ENCLOSED
- E. WIND EXPOSURE CATEGORY YES
- F. ENCLOSURE CLASSIFICATION YES
- G. INTERNAL PRESSURE COEFFICIENT +/- 0.18
- H. WIND-BORNE DEBRIS AREA
- I. REFER TO DRAWINGS FOR STRUCTURE HEIGHT AND AREA
- J. STRUCTURAL LOADS AND DESIGN PRESSURES LISTED IN THESE PLANS ARE ALLOWABLE (ASD) UNLESS NOTED OTHERWISE



B VICINITY MAP
C-01 SCALE: NTS.

Andres Perez 2023.07.16 13:49:50 -04'00'



RAPID PERMITS AND ENGINEERING

ADDRESS: PO Box 510573, Key Colony Beach, FL 33051
 CONTACT: 305-816-1400
 EMAIL: info@rapidpermits.com

CiviTech Solution, Inc.

5982 S.W. 147th Pkwy, Miami, FL 33193
 License No. 34820

PROJECT TITLE:

**INSTALL 12K 4 POST CRADLE LIFT
76 7TH STREET, KEY COLONY BEACH**

LOCATION: 76 7TH STREET, KEY COLONY BEACH
 Parcel ID - 00078280-000100

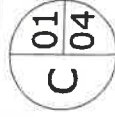
NO. 01
DESCRIPTION Cover Sheet

REV. DATE 5/23/23

SHEET CONTENT: PROJECT INFORMATION

DATE: 7/12/23

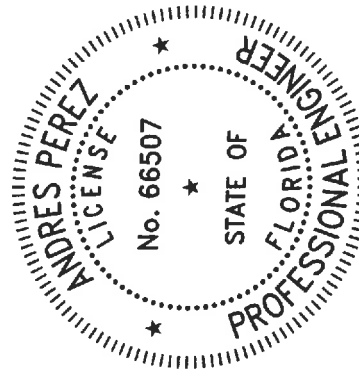
SHEET NO.:



GENERAL NOTES

GENERAL REQUIREMENTS

1. Prior to starting any work, the Contractor shall review these plans and site conditions and verify the Engineer if any discrepancies are discovered or conflicts with these plans, conditions, or specifications which affect the execution of construction or safety.
2. This set of plans is valid only to be utilized for construction at the specified location.
3. The Contractor shall be responsible for calling Florida Utility Locating System (FLULS) for information required for construction from the Engineer of Record.
4. The Contractor shall be responsible for providing the factor of safety for any construction activities in any areas which underground utilities may be present. The Engineer of Record shall not be responsible for providing the factor of safety for any construction activities during the construction.
5. The Contractor is responsible for providing and implementing the means and methods for the construction process and perform all work in accordance with the standards and requirements of the 2020 Florida Building Code, manufacturer's recommendations, local county and city codes and ordinances, and specifications referenced within these plans.
6. The Contractor must complete the construction in accordance with the Building Envelope Energy Requirements of the Florida Model Energy Code.
7. Quality of the work must meet or exceed the industry standard practices.
8. Any variations from these plans shall be reviewed and approved by the Engineer of Record.
9. The Engineer of Record is responsible for all structural members of the existing structure.
10. The Contractor shall coordinate their work with all other trades including utility workers.
11. The Contractor shall coordinate their work with all other trades including utility workers.
12. The Contractor shall coordinate their work with all other trades including utility workers.
13. The Contractor shall coordinate their work with all other trades including utility workers.
14. The Contractor shall coordinate their work with all other trades including utility workers.
15. The Contractor shall coordinate their work with all other trades including utility workers.
16. The Contractor shall coordinate their work with all other trades including utility workers.
17. The Contractor shall coordinate their work with all other trades including utility workers.
18. The Contractor shall coordinate their work with all other trades including utility workers.
19. The Contractor shall coordinate their work with all other trades including utility workers.
20. The Contractor shall coordinate their work with all other trades including utility workers.
21. The Contractor shall coordinate their work with all other trades including utility workers.
22. The Contractor shall coordinate their work with all other trades including utility workers.
23. The Contractor shall coordinate their work with all other trades including utility workers.
24. For the utility, meet with the provider of permit handoff, not so marking job.

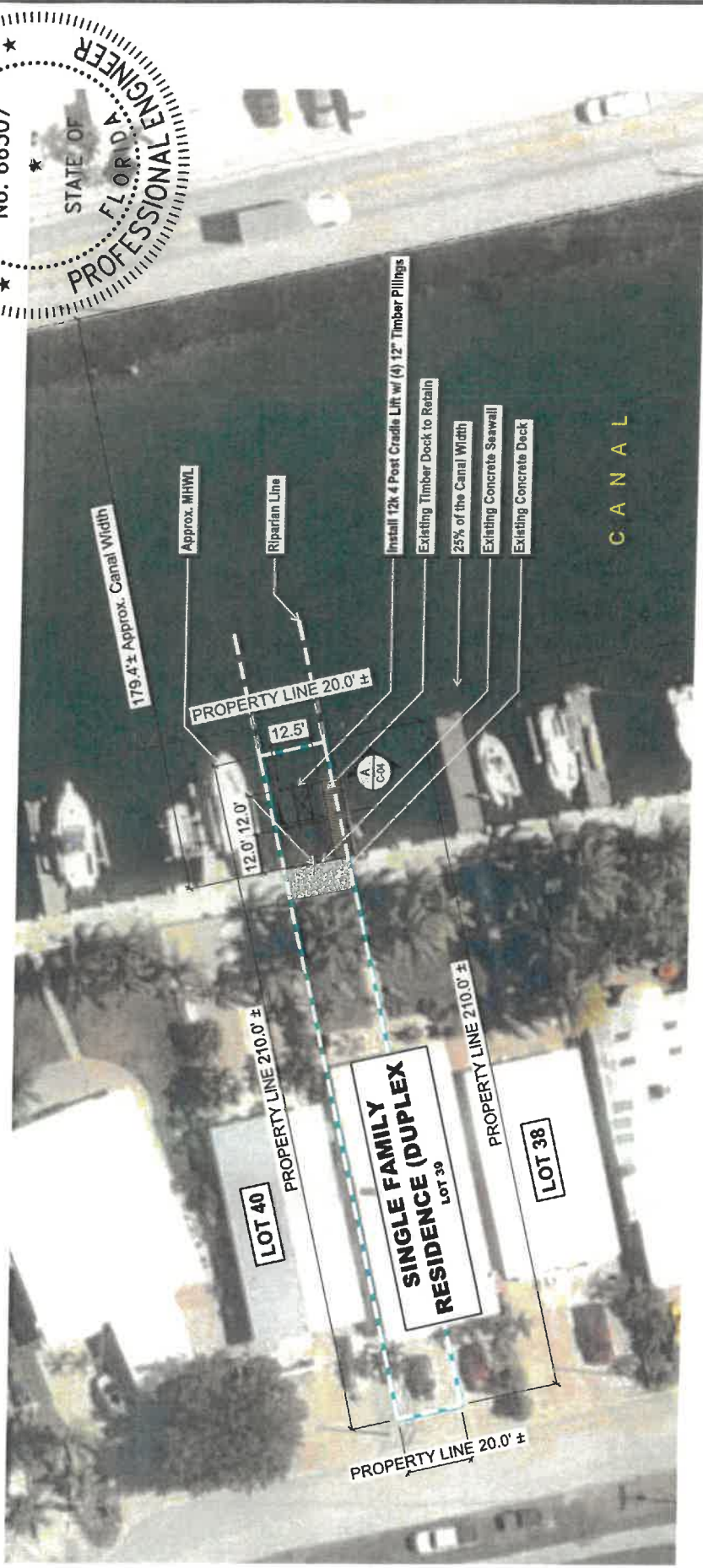


RAPID PERMITS AND ENGINEERING
ADDRESS: PO Box 510573, Key Colony Beach, FL 33951
CONTACT: 305-816-1400
EMAIL: info@rapidpermitting.com

CiviTech Solution, Inc.
5802 S.W. 147th Place, Miami, FL 33183
Licence No. 34820

PROJECT TITLE:
INSTALL 12K 4 POST CRADLE LIFT
76 7TH STREET, KEY COLONY BEACH
LOCATION: 76 7TH STREET, KEY COLONY BEACH
Parcel ID - 00079280-000100

NO.	DESCRIPTION	REV. DATE	SHEET CONTENT:	SHEET NO.:
01	General Notes	5/23/23	GENERAL NOTES	C 02 / 04
			DATE: 7/12/23	



PROPOSED SCOPE OF WORK
 NEW CONSTRUCTION
 · INSTALL 12K 4-POST CRADLE LIFT W/ (4) 12" TIMBER PILINGS

A
 C-03
 76 7TH STREET
SITE PLAN
 SCALE: 1" = 50'



SCALE: 1" = 50'



RAPID PERMITS AND ENGINEERING
 ADDRESS: PO Box 810573, Key Colony Beach, FL 33051
 CONTACT: 305-816-1400
 EMAIL: info@rapidpermitsandengineering.com

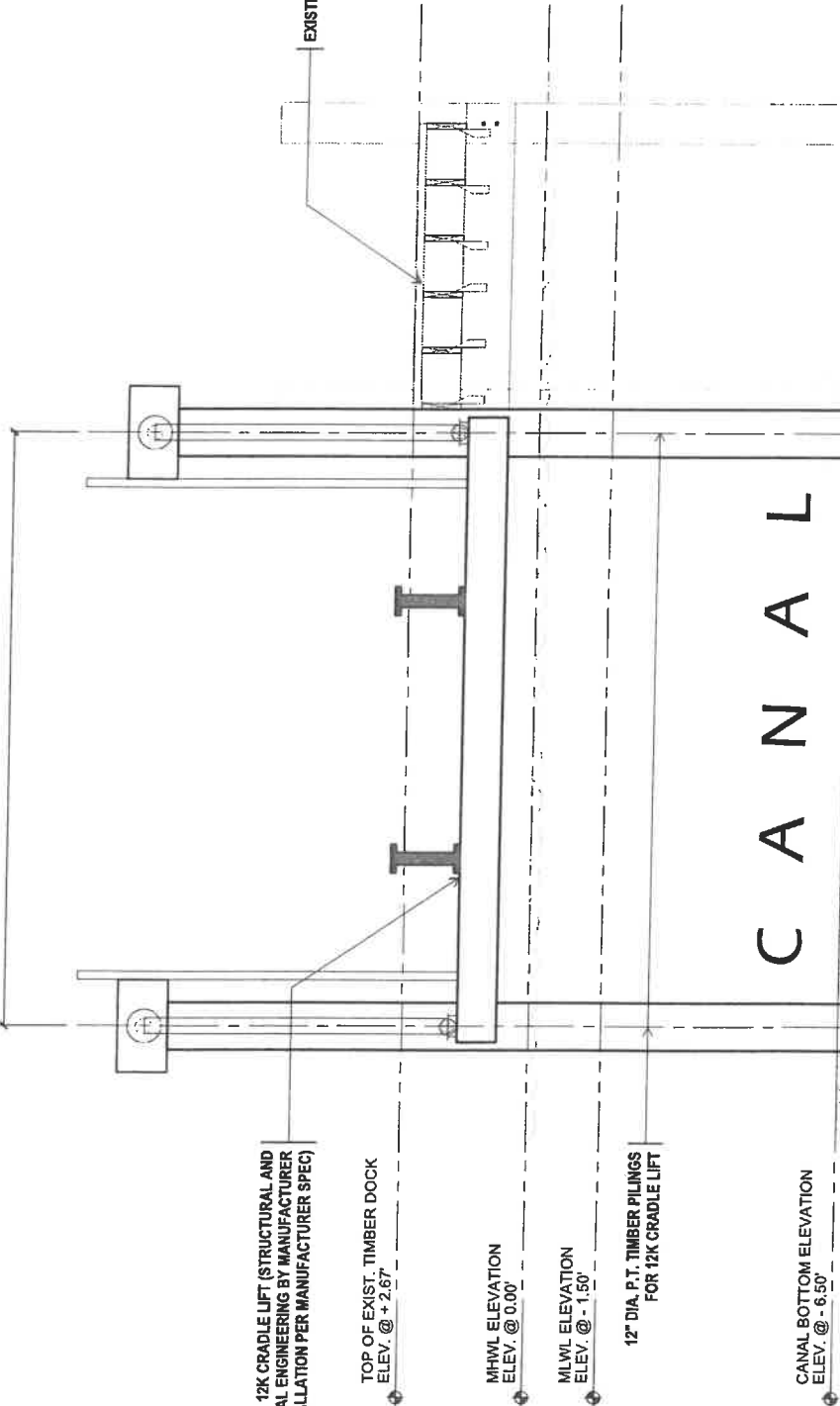
CiviTech Solution, Inc.
 5882 S.W. 147th Place, Miami, FL 33163
 License No. 34820

PROJECT TITLE:
 INSTALL 12K 4 POST CRADLE LIFT
 76 7TH STREET, KEY COLONY BEACH
 LOCATION: 76 7TH STREET, KEY COLONY BEACH
 Parcel ID - 00078280-00100

NO.	DESCRIPTION	REV. DATE	SHEET CONTENT:	SHEET NO.:
01	Site Plan	5/23/23	SITE PLAN	C 03 C 04

DATE: 7/12/23

12'-6"



12K CRADLE LIFT (STRUCTURAL AND ELECTRICAL ENGINEERING BY MANUFACTURER AND INSTALLATION PER MANUFACTURER SPEC)

TOP OF EXIST. TIMBER DOCK ELEV. @ + 2.67'

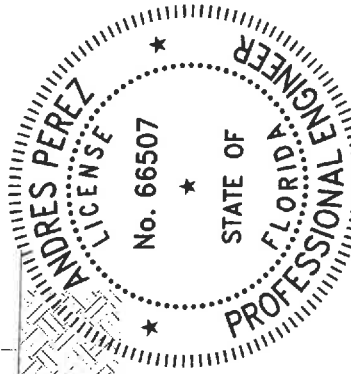
MHWL ELEVATION ELEV. @ 0.00'

MLWL ELEVATION ELEV. @ - 1.50'

12" DIA. P.T. TIMBER PILING FOR 12K CRADLE LIFT

CANAL BOTTOM ELEVATION ELEV. @ - 6.50'

CANAL



76 7TH STREET
SECTION DETAIL A
 SCALE: 1/4" = 1'



RAPID PERMITS AND ENGINEERING
 ADDRESS: PO Box 510573, Key Colony Beach, FL 33051
 CONTACT: 305-916-1400
 EMAIL: info@rapidpermitting.com

CiviTech Solution, Inc.
 5982 S.W. 147th Place, Miami, FL 33193
 License No. 34420

PROJECT TITLE:
 INSTALL 12K 4 POST CRADLE LIFT
 76 7TH STREET, KEY COLONY BEACH
 LOCATION: 76 7TH STREET, KEY COLONY BEACH
 Parcel ID - 00076280-00100

NO.	DESCRIPTION	REV. DATE	SHEET CONTENT:	SHEET NO.:
01	Detailed Sections	5/23/23	DETAILED SECTIONS	C 04
				04

DATE: 7/12/23



FLORIDA DEPARTMENT OF Environmental Protection

South District
PO Box 2549
Fort Myers FL 33902-2549
SouthDistrict@FloridaDEP.gov

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

June 20, 2023

Charles Madden
76 7th St.
Key Colony Beach FL 33051
chuck.madden5@gmail.com

File No.:44-435666-001 EE, Monroe County

Dear Charles Madden:

On May 5, 2023, we received your request for verification of exemption to perform the following activities: install a boat lift at a single-family residence. The project is located on a canal, Class III Waters, adjacent to 76 7th St, Key Colony Beach (Section 08, Township 66 South, Range 33 East), in Monroe County Latitude 24° 43' 33.6077"N, Longitude 81° 1' 11.5281"W).

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 qualifies for all three. 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 Danielle Sattelberger at 561-681-6783 or Danielle.Sattelberger@FloridaDEPgov.

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 of the Florida Statutes 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 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 - 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. 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, 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.

EXECUTION AND CLERKING

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Norva Blandin, MSEM
Permitting Program Administrator
Southeast District

Enclosures:

Attachment A- Specific Exemption Rule
Special Conditions for Federal Authorization for SPGP VI-R1
General Conditions for Federal Authorization for SPGP VI-R1
Project drawings, 4 pages

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:

FDEP – Norva Blandin, Danielle Sattelberger, Gloria Aldama-Harmon
Agent: Kristin Erickson kristie@rapidpermitting.com

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

June 20, 2023
Date

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., and Chapters 18-18, 18-20, and 18-21, F.A.C., 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.

Rulemaking Authority 373.026(7), 373.043, 373.4131, 373.4145, 403.805(1) FS. Law Implemented 373.406, 373.4131, 373.4145, 373.415, 403.813(1) FS. History—New 10-1-13, Amended 6-1-18.

Special Conditions for Federal Authorizations for SPGP VI-R1

1. Authorization, design and construction must adhere to the terms of the SPGP VI 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>.

- 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.

(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 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, 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, 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 be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP VI 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 constitutes a violation of the Federal authorization.
14. The SPGP VI 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 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 will be evaluated by the Corps.
15. If the SPGP VI 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 will remain in effect provided the activity is completed within 12 months of the date the SPGP VI 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 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 (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 ft² and support no more than 2 slips (Reference: JAXBO PDC A2.1.6.).
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

(2) 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 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.

(d) A pile supported structure

(i) 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

(ii) 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:

(iii) 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.

(e) 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.

(f) 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.

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

(i) 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.

(ii) 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

1. A dock replacement in the same footprint, no design restrictions are required.
2. 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.

(iii) 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 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/> (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 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.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.

- c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or Construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order

requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.

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

Department of the Army Permit Transfer for SPGP VI-R1

PERMITEE: _____

PERMIT NUMBER: _____ DATE: _____

ADDRESS/LOCATION OF PROJECT:

(Subdivision)

(Lot)

(Block)

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

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

(Transferee Signature)

(Date)

File Name: Charles Madden
File No: 44-435666-001 EE
Page 22 of 26

(Name Printed)

(Street address)

(Mailing address)

(City, State, Zip Code)

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK
2011

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

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com/manatee). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.
- h. Any collision(s) with and/or injuries to any whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (727-824-5312).
- i. Reports to NMFS's Protected Resources Division (PRD) may be made by email to takereport.nmfs@noaa.gov.
- j. Sea turtle and marine stranding/rescue organizations' contact information is available by region at <http://www.nmfs.noaa.gov/pr/health/networks.htm>.

File Name: Charles Madden

File No: 44-435666-001 EE

Page 26 of 26

- k. Smalltooth sawfish encounters shall be reported to <http://www.flmnh.ufl.edu/fish/sharks/sawfish/sawfishencounters.html>.
- l. All work must occur during daylight hours.



LETTER OF CONSENT

To:
Paul & Dorothy Eville
43 Dogwood Grove
Asheville NC 28805

From:
Upper Keys Marine
Construction, LLC
97674 Overseas Hwy
Key Largo, FL 33037

RE: Section 5-43 – Elevator lifts, Key Colony Beach Administrative Code:
76 7TH ST KEY COLONY BEACH

Salutations,

A Neighbor Consent Letter has been requested by the City of Key Colony Beach for our applicant at address at (76 7th Street) who is wishing to submit a Boat Lift application that is a four (4) post 12,000 LBS boat lift.

We are writing you to request consent to build this boat lift as required under Section 5-43 in the Key Colony Beach Building Code for both adjacent property owners.

We respectfully request your consent to move forward with our project.

I hereby state that I am the owner of the adjacent property located next to the activity proposed to be constructed. I understand that the subject project will be located entirely within the applicant's property, and I do not object to the proposed structure.

Signature Dorothy Eville

(DATE)

9/30/24

Dorothy Eville
(Printed Name of Adjacent Owner)

Cordially,

Adam Foley
UKMC, LLC.
adam@ukmc.com

LETTER OF CONSENT

To
GRAVES JONATHAN & MARY LYNN TRUST 10/09/2018
2982 Grand Ave
Kearney City MO 64108

From
Upper Keys Marine
Construction, LLC
67674 Overseas Hwy
Key Largo, FL 33037

RE: Section 5-43 - Elevator lifts, Key Colony Beach Administrative Code
76 7TH ST, KEY COLONY BEACH

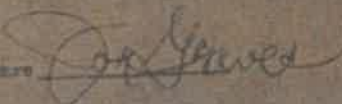
Salutations,

A Neighbor Consent Letter has been requested by the City of Key Colony Beach for our applicant at address at 76 7th Street who is wishing to submit a Boat Lift application that is a four (4) post 12 000 LBS boat lift.

We are writing you to request consent to build this boat lift as required under Section 5-43 in the Key Colony Beach Building Code for both adjacent property owners.

We respectfully request your consent to move forward with our project.

I hereby state that I am the owner of the adjacent property located next to the activity proposed to be constructed. I understand that the subject project will be located entirely within the applicant's property, and I do not object to the proposed structure.

Signature 

(DATE) 4/30/24

JONATHAN GRAVES
(Printed Name of Adjacent Owner)

Cordially,

Adam Foley
UKMC, LLC
adam@ukmc.com

City of Key Colony Beach

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



May 15th, 2024

To: The City of Key Colony Beach Board of Commissioners

From: The Key Colony Beach Planning & Zoning Board

Re: Discussion/Approval for the installation of a 12,000 pound four post boatlift at the property located at 76 7th Street:

The Planning & Zoning Board heard the applicant's request for approval to install a 12,000 pound four post boatlift at the property located at 76th 7th Street.

MOTION: Motion made by Bob Goldman to approve. Chair Lancaster asked for a second. Vice-Chair Walsh seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

Final Recommendation: The Planning & Zoning Board recommends to the City of Key Colony Beach Board of Commissioners to approve the requested four post boatlift at the property located at 76 7th Street.

A handwritten signature in black ink, appearing to read "George Lancaster", written over a horizontal line.

George Lancaster, Chair

MINUTES
PLANNING & ZONING BOARD
REGULAR MEETING & PUBLIC HEARING

Wednesday, May 15th, 2024 - 9:30 a.m.

Marble Hall, 600 W. Ocean Drive, Key Colony Beach, Florida 33051 & via Zoom Conferencing

1. **Call to Order, Pledge of Allegiance & Roll Call:** The Key Colony Beach Planning & Zoning Board Meeting was called to order by Chair George Lancaster at 9:30 am followed by the Pledge of Allegiance and Rollcall. **Present:** Chair George Lancaster, Vice-Chair Lin Walsh, Bob Glassman. **Absent:** 1st Alternate Carman Slusher. **Also present:** Mayor/City Administrator Joey Raspe, Building Official Ed Borysiewicz, City Attorney Dirk Smits (via Zoom), Administrative Assistant Tammie Anderson, City Clerk Silvia Gransee.
2. **Agenda Additions, Deletions, or Changes:** City Clerk Gransee asked for the addition of a discussion on a change in meeting dates under 'Other Business'. The Board had no objections.
3. **Citizen Comments & Correspondence:** None.
4. **Approval of Minutes:**
 - a. **Planning & Zoning Board Meeting Minutes April 17th, 2024:** Chair Lancaster asked for any additions or changes to the minutes. There were none and Chair Lancaster accepted the minutes as written.
5. **Administration of Oath of Witnesses:** City Clerk Gransee administered the Oath of Witness to all planning on testifying.
6. **Disclosure of Ex-Parte Communication:** None.
7. **Discussion/Approval for the installation of a 16,000 lb. cradle-style Boat Lift at the property located at 948 W. Ocean Drive** (Directed back to the Planning & Zoning Board per City Commission meeting on April 18th, 2024)
 - a. **Statement by Applicant: Request to withdraw:** Chair Lancaster informed for the applicant having requested to withdraw the application for a boatlift. The Board had no objections and the request was withdrawn.
 - b. ~~Building Department~~
 - c. ~~Planning & Zoning Board Discussion~~
 - d. ~~Motion to approve, deny, or approve with conditions~~
8. **Discussion/Approval for the installation of a 12,000 pound four post boat lift at the property located at 76 7th Street.**
 - a. **Presentation by the Building Department:** Chair Lancaster introduced the agenda item and asked Building Official Borysiewicz to elaborate. Building Official Borysiewicz presented the request for the installation of a 12,000 pound boatlift and informed for the request to fall within the allowed parameters for the City, having received all required approvals, and recommended approval to the Board.
 - b. **Statement by Applicant:** None.
 - c. **Letters of Consent from Neighbors:** Included in the agenda packet.
 - d. **Planning & Zoning Board Discussion:** No questions from the Board.
 - e. **Motion to approve, deny, or approve with conditions:** Chair Lancaster asked for a motion.

MOTION: Motion made by Bob Goldman to approve. Chair Lancaster asked for a second. Vice-Chair Walsh seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

9. Discussion/Approval for the installation of a 10,000 pound four post boat lift at the property located at 73 7th Street.

- a. Presentation by the Building Department:** Chair Lancaster introduced the agenda item and asked Building Official Borysiewicz to elaborate. Building Official Borysiewicz presented the request for the installation of the boatlift and explained for the request to fall within the parameters of the City, having received all required approvals, and recommended approval from the Building Department.
- b. Statement by Applicant:** None.
- c. Letters of Consent from Neighbors:** Included in the agenda packet.
- d. Planning & Zoning Board Discussion:** No questions from the Board.
- e. Motion to approve, deny, or approve with conditions:** Chair Lancaster asked for a motion to approve.

MOTION: Motion made by Vice-Chair Walsh to approve. Chair Lancaster asked for second. Bob Glassman seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

City Clerk Gransee informed for both recommendations on the boatlifts to be presented to the City Commission at their June meeting.

10. Discussion/Approval of an Architectural Review for the property located at 1000 W. Ocean Drive, Key Colony Beach, Florida (tabled at the 03-20-2024 Hearing)

- a. Presentation by the Building Department**
- b. Statement by Applicant**
- c. Planning & Zoning Board Discussion**
- d. Motion to approve, deny, or approve with conditions**

Chair Lancaster introduced the agenda item and asked if a representative for the applicant was present. There was none. City Clerk Gransee informed having received no replies on two requests for supporting documentation for the architectural review. Chair Lancaster stated his belief to dismiss the application for lack of response.

Building Official Borysiewicz informed that the applicant did not submit any information for the architectural review which resulted in the inability of a review for the Building Department. Building Official Borysiewicz recommended dismissal for the review.

Chair Lancaster asked for a motion for approval or denial of the application.

MOTION: Motion made by Bob Glassman to deny the application. Chair Lancaster asked for second. Vice-Chair Walsh seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

11. Other Business:

- a. Discussion on a change in meeting date from the third Wednesday a month to the second Monday a month**
****addendum**:** The Board discussed the proposed meeting date change and agreed on a change for the benefit of expediting recommendations to the City Commission.

The Board confirmed no meeting in June and after further discussion decided to keep the original meeting date to July 17th and to start the new meeting schedule in August. Chair Lancaster confirmed the requirement of three members being physically present for quorum.

There was no other business.

12. Adjourn: The meeting adjourned at 9:43 am.

Respectfully submitted,

Silvia Gransee

City Clerk

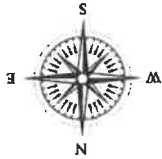
LIFETIME DOCK & LUMBER, INC

PCN: 00078270-000000
THIS IS NOT A SURVEY

Site Plan For:

Cully Kinnick
73 7th Street

Key Colony Beach, FL 33051



Scale: 1" = 10'
 Lat: 24°43'33" Long: -81°01'12"
 Width of Waterway: 165' +/-
 Depth of Waterway: 10' 10" +/-
 Width of Lift: 14'
 Max. Extension of Lift into Waterway: 14'
 Wetland Classification Code: E1UBLX
 MHWL: 1.85' MLWL: 0.19' ELEVATION: 4.85'

● = (4) 4.5" Alum
Pile Support
Structure

Prepared By:

Lifetime Dock & Lumber, Inc.

24536 Overseas Hwy, Summerland Key FL 33042, (305) 745-2840

Doug Scheele

Doug Scheele, SCC 131151403

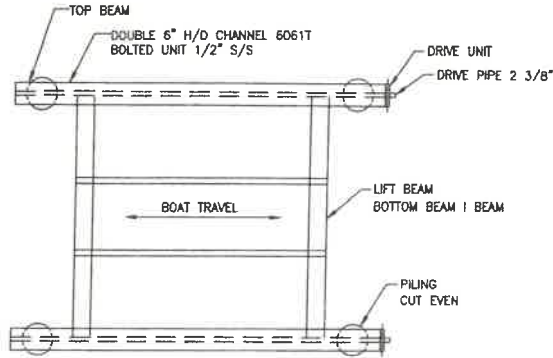
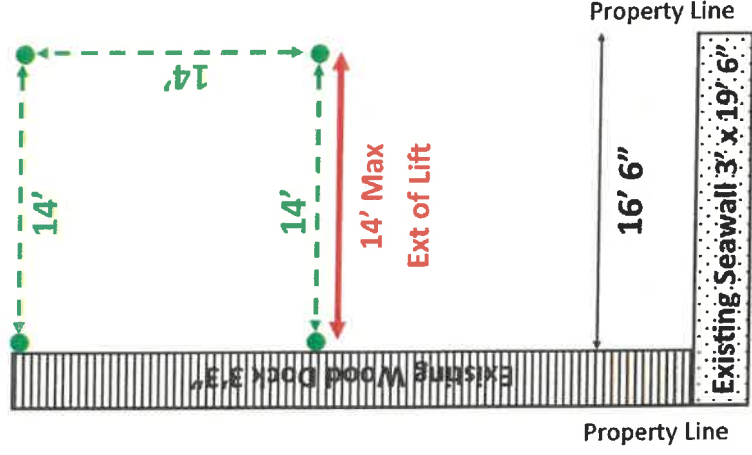
Date: 01/22/2024

Canal Width: 165'

NOTE:

MHW measurement was collected through NOAA Datum records.

Source: Datums - NOAA Tides & Currents
tidesandcurrents.noaa.gov/datums



4 POST BOATLIFT FRAME
* ALL MODELS 4500 TO 13000

NO SCALE

NO 6

SFR: Lot Width 19' 6"



PERMIT PROJECT

FILE #: 24-000242

73 7TH ST KEY COLONY BEACH FL 33051

INSTALLATION OF A 10,000# CAPACITY VERTICAL BOAT LIFT W/ (4) 4.5" OD ALUMINUM STRUCTURAL PILES. NO ELECTRIC ON THIS PERMIT. A LICENSED ELECTRICIAN IS TO APPLY FOR A SEPARATE ELECTRICAL PERMIT IF NEEDED ON THIS PROJECT.



PERMIT #: B24-000129

Permit Type
Building Permit

Subtype
Boat Lift

Work Description:
Installation of a 10,000# capacity vertical boat lift w/ (4) 4.5" OD aluminum structural piles. No electric on this permit. A licensed electrician is to apply for a separate electrical permit if needed on this project.

Applicant
Lifetime Dock & Lumber, Inc. - Douglas Scheele

Status
Payment Required

Valuation
0.00



FEES & PAYMENTS

Plan Check Fees	0.00
Permit Fees	947.50
Total Amount	947.50
Amount Paid	0.00
Balance Due	947.50

Non-Billable



PERMIT DATES

Application Date
04/12/2024

Approval Date

Issue Date:

Expiration Date:

Close Date

Last Inspection

Are you the property owner?

No



PROJECT INFORMATION

Type of Structure

Single Family



Intended Use (Specify Residential or Business)

Residential

Type of Construction (Specify concrete block, frame, etc.)

Marine Boat Lift

Cost of Construction

\$22,000.00

SUBMITTAL REQUIREMENTS

Please upload all supporting documents here

- Kinnick - (Signed) KCB Application.pdf
- Kinnick - (Signed) Trust Affidavit.pdf
- Kinnick - DEP (SPGP) Exemption Letter ~ 2-21-24.pdf
- Kinnick - Property Record.pdf
- Kinnick - (Signed) 4-Post Lift Drawings.pdf
- Kinnick - Site Plan for Permit.pdf



Florida Product Approval or NOA

Florida Product Approval or NOA search [Click this Link](#)

Upload Installation Instructions



As of 3/1/2024 the new notice of commencement will be required.

Notice of Commencement

download here

- Kinnick - NOC Recorded Letter.pdf



NOC Checked

Private Provider Notice Form
download here



Private Provider Form



Owner Builder Disclosure Statement
download here



Owner Builder Disclosure Form



Contractor Registration Form
download here



Contractor Registration Form



Substantial Improvement/Substantial Damage Worksheet
download here



Substantial Improvement/Substantial Damage Worksheet



A Notice of Commencement is required prior to scheduling inspections. Please download and complete the Notice of Commencement document. This form needs to be recorded with the Monroe County Clerk of Court and filed with our office.

CONTACTS

Contractor

Lifetime Dock & Lumber, Inc. - Douglas Scheele



Bonding Company Name/Address



Architect/Engineer Name/Address



LIST ALL SUBCONTRACTORS, COUNTY & STATE LICENSE NUMBER AND COST

Starting March 1, 2024, the new sub-contractor letter of intent needs to be uploaded for each sub-contractor on the job before any permit will be issued.

Electrical Subcontractor Form



Electrical



Plumbing Subcontractor Form



Plumbing



Mechanical Subcontractor Form



Mechanical



Concrete/Masonry Subcontractor Form



- Concrete/Masonry ▼ ...
- Carpentry Subcontractor Form ▼
- Carpentry ▼ ...
- Roofing Subcontractor Form ▼
- Roofing ▼ ...
- Swimming Pool Subcontractor Form ▼
- Swimming Pool ▼ ...
- Other Subcontractor Form ▼
- Other ▼ ...

ACKNOWLEDGEMENT

Once you click submit you will be directed to our secure payment processor. Failure to pay the application fees will result in a delay in permit review.

OFFICIAL USE

After the fact

Charge Fire Safety Fees ▼

Charge Clean Up Bond Fees ▼

Charge Type of Structure Fee

FEES

FEE	▼	DI ▼	QUANTITY	AMOUNT	TOTAL
Permit Fee - Add/Alt/Conv					900.00
Building Surcharge Fee					22.50
Education fee					25.00
				Plan Check Fees	0.00
				Permit Fees	947.50
				Total Fees	947.50



PAYMENTS

DATE	TYPE	REFERENCE	NOTE	RECEIPT #	RECEIVED FROM	AMOUNT
					Amount Paid	0.00
					Balance Due	947.50

Lifetime Dock & Lumber, Inc.

24536 Overseas Highway · P. O. Box 420794 · Summerland Key, FL 33042
Phone: 305-745-2840 Fax: 305-745-9111
www.lifetimeboatlifts.com Nick@LifetimeBoatLifts.com

LETTER OF CONSENT

To:
Fernando & Ana Zayas
12451 Shady Bridge Trail
Jacksonville FL 32258

From:
Lifetime Dock & Lumber, Inc.
24536 Overseas Hwy
Summerland Key, FL 33042

RE: Section 5-43 – Elevator lifts, Key Colony Beach Administrative Code:
74 7TH St, KEY COLONY BEACH

Salutations,

A Neighbor Consent Letter has been requested by the City of Key Colony Beach for our applicant at address at (73 7th Street) who is wishing to submit a Boat Lift application that is a four (4) post 10,000 LBS vertical boat lift.

We are writing you to request consent to build this boat lift as required under Section 5-43 in the Key Colony Beach Building Code for both adjacent property owners.

We respectfully request your consent to move forward with our project.

I hereby state that I am the owner of the adjacent property located next to the activity proposed to be constructed. I understand that the subject project will be located entirely within the applicant's property, and I do not object to the proposed structure.


(Signature of Adjacent Owner)

Fernando Zayas-Bazan
(Printed Name of Adjacent Owner)

04/15/2024
(Date Signed)

Cordially,

Nicholas Agrusa
Lifetime Dock & Lumber, Inc.
24536 Overseas Hwy
Summerland Key, FL 33042



Lifetime Dock & Lumber, Inc.

24536 Overseas Highway · P. O. Box 420794 · Summerland Key, FL 33042
Phone: 305-745-2840 Fax: 305-745-9111
www.lifetimeboatlifts.com Nick@LifetimeBoatLifts.com

LETTER OF CONSENT

To:
Jane & James Byland
PO Box 510605
Key Colony Beach, FL 33051

From:
Lifetime Dock & Lumber, Inc.
24536 Overseas Hwy
Summerland Key, FL 33042

RE: Section 5-43 – Elevator lifts, Key Colony Beach Administrative Code:
72 7TH ST. KEY COLONY BEACH

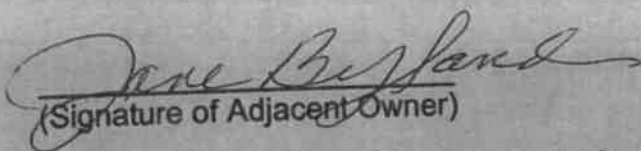
Salutations,

A Neighbor Consent Letter has been requested by the City of Key Colony Beach for our applicant at address at (73 7th Street) who is wishing to submit a Boat Lift application that is a four (4) post 10,000 LBS vertical boat lift.

We are writing you to request consent to build this boat lift as required under Section 5-43 in the Key Colony Beach Building Code for both adjacent property owners.

We respectfully request your consent to move forward with our project.

I hereby state that I am the owner of the adjacent property located next to the activity proposed to be constructed. I understand that the subject project will be located entirely within the applicant's property, and I do not object to the proposed structure.


(Signature of Adjacent Owner)

1-15-24
(Date Signed)

JANE BYLAND
(Printed Name of Adjacent Owner)

Cordially,

Nicholas Agrusa
Lifetime Dock & Lumber, Inc.
24536 Overseas Hwy
Summerland Key, FL 33042



City of Key Colony Beach

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



May 15th, 2024

To: The City of Key Colony Beach Board of Commissioners

From: The Key Colony Beach Planning & Zoning Board

Re: Discussion/Approval for the installation of a 10,000 pound four post boatlift at the property located at 73 7th Street:

The Planning & Zoning Board heard the applicant's request for approval to install a 10,000 pound four post boatlift at the property located at 73 7th Street.

MOTION: Motion made by Vice-Chair Walsh to approve. Chair Lancaster asked for second. Bob Glassman seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollicall vote. Unanimous approval.

Final Recommendation: The Planning & Zoning Board recommends to the City of Key Colony Beach Board of Commissioners to approve the requested four post boatlift at the property located at 73 7th Street.

A handwritten signature in cursive script that reads "George Lancaster". The signature is written in black ink and is positioned above a horizontal line.

George Lancaster, Chair

05-15-2024 Planning & Zoning Board Meeting

- 10. Discussion/Approval of an Architectural Review for the property located at 1000 W. Ocean Drive, Key Colony Beach, Florida (tabled at the 03-20-2024 Hearing)**

No supporting documentation was provided.

June 13, 2024

City Commission
City of Key Colony Beach
P.O. Box 510141
Key Colony Beach, FL 33051

RE: China Beach USA, LLC - Building Permit Application for 1000 W. Ocean Drive

Dear City Commission of Key Colony Beach,

I am writing on behalf of my client, China Beach USA, LLC, regarding their application for a building permit to construct a new single-family residence at 1000 W. Ocean Drive. We respectfully request that the City Commission send the application back to the Planning & Zoning (P&Z) Committee for review, considering the revised plans that have been prepared in response to the concerns raised in the staff report.

As you may be aware, the building department initially approved the permit, but the application was subsequently referred to the P&Z Committee. The staff report voiced concerns about the proposed building's ultra-modern design being out of character with the surrounding residential areas. In particular, the report noted issues with the building's height, materials, and lack of harmony with the adjacent half-duplex structure.

Upon receiving this feedback, my client diligently worked with their architect to modify the plans and address the concerns outlined in the staff report. The revised plans aim to bring the proposed building more in line with the character of the city's residential areas, taking into account the specific architectural review criteria mentioned in the report.

However, due to an unfortunate misunderstanding, my client believed that if the revised plans were not submitted in time for the May 15, 2024 P&Z meeting, the application would simply be continued to the next meeting. Regrettably, this was not the case, and the P&Z Committee recommended dismissal of the application due to the absence of revised materials to review.

We acknowledge and take full responsibility for this oversight. Nevertheless, we kindly request that the City Commission consider the good faith efforts made by my client to address the concerns raised and send the application back to the P&Z Committee for a proper review of the revised plans.

My client is committed to working collaboratively with the city to ensure that the proposed building harmonizes with the surrounding neighborhood while still meeting their needs. We have attached the revised plans for the proposed single-family residence at 1000 W. Ocean Drive for your review. These plans have been amended to address the concerns outlined in the staff report and to better align with the architectural character of the surrounding neighborhood. By allowing the P&Z Committee to review the revised plans, the City Commission would provide an opportunity for a fair and thorough evaluation of the project's merits.

Thank you for your consideration of this request. We believe that sending the application back to the P&Z Committee is in the best interest of all parties involved and aligns with the city's goal of maintaining the beauty and character of Key Colony Beach.

Sincerely,

/s/ Theron Simmons, Esq.
Theron Simmons attorney at law
(954) 332 - 3706
101 NE 3rd Ave., Suite 1500
Fort Lauderdale, FL 33301

theron@simmonsattorney.com

<https://simmonsattorney.com/>

cc: China Beach USA, LLC

City of Key Colony Beach

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



May 15th, 2024

To: The City of Key Colony Beach Board of Commissioners

From: The Key Colony Beach Planning & Zoning Board

Re: Discussion/Approval of an Architectural Review for the property located at 1000 W. Ocean Drive, Key Colony Beach, Florida

The Planning & Zoning Board followed the recommendation from the Building Department to dismiss the request for an architectural review due to a lack of supporting documentation to review.

MOTION: Motion made by Bob Glassman to deny the application. Chair Lancaster asked for second. Vice-Chair Walsh seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

Final Recommendation: The Planning & Zoning Board recommends to the City of Key Colony Beach Board of Commissioners to deny the request for an architectural review.


George Lancaster, Chair