



**AGENDA
HARBOR AND WATERWAYS BOARD MEETING
THURSDAY, FEBRUARY 27, 2025
5:30 PM
DESTIN CITY HALL ANNEX CHAMBERS**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL**
- 2. APPROVAL OF MINUTES**
 - A) October 24, 2024 Harbor & Waterways Board Meeting Minutes**
- 3. CURRENT BUSINESS**
 - A) 711 Sixth St, Residential Marine Construction, HWB-001506-2024**
 - B) 3815 Indian Trail, Residential Marine Construction, HWB-001514-2024**
 - C) 925 Peacock's Point Dr, Residential Marine Construction, HWB-001489-2024**
 - D) 127 Calhoun Ave, Non Residential Marine Construction, HWB-001531-2025**
- 4. PUBLIC COMMENTS (Comments from the public on any matters considered at the meeting, or on any matters not on the agenda)**
- 5. NEXT MEETING DATE: March 27, 2025**

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the City Clerk at (850) 837-4242 at least 48 hours prior to the hearing. If a person decides to appeal any decision made with respect to any matter considered at such meeting, such person will need a record of the proceeding and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. (Sec. 286.0105, Florida Statutes)

**MINUTES OF THE
HARBOR AND WATERWAYS BOARD MEETING
DESTIN CITY HALL, OCTOBER 24, 2024 - 5:30 P.M.**

1. CALL TO ORDER:

Chairman Green called the Destin Harbor and Waterways Board meeting to order at approximately 5:30 p.m. on Thursday, October 24, 2024, at Destin City Hall, with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Member Present:

Jim Green
Bill McKissick
Richard Hoey
Guy Tadlock
Jerod Hayden

Members Absent

Casey Jones

Staff:

Kim Montgomery Deputy City Clerk
Steven O'Connor Principal Planner
Daniel Butler Senior Planner
Jesse Hernandez Planner
Ashley Dominguez Planner
Sherry Burney Planner

3. APPROVAL OF MINUTES:

➤ **June 27, 2024 Minutes**

Motion by Board member Hoey, seconded by Board member Tadlock, to approve the June 27, 2024 minutes as written. The motion passed 5-0.

4. OLD BUSINESS:

A) 503 Norriego Road, Residential Marine Construction, HWB-001463-2024

City Planner Ashley Dominguez provided the members of the Harbor & Waterways Board the background information on this request.

Board member McKissick moved to recommend City Council approve the request at 503 Norriego Road, Residential Marine Construction, HWB-001463-2024 for the removal of an existing boat lift and surrounding catwalk (totaling approximately 117 sq. ft.) and replacing that area with a newly constructed 3' x 36' (approximately 108 sq. ft.) straight catwalk, with the installation of five (5) new tie off piles.

Board member Tadlock provided the second for discussion. According to board member Tadlock, he is very familiar with the project dock, and spoke of how the owner has purchased a larger boat so, the existing boat slip is being removed and moved over to the right side of the dock and it will be larger to accommodate the new larger boat.

Board member Hoey questioned the applicant about the total square footage of the project noting that self-certifications are only allowed for projects that are under 1,000 square feet and how it looks to him to be a larger project.

The applicant representative, Scott Shakely stated that they are only removing the current boatlift and catwalk and relocating it boat lift to the other side of the original dock to accommodate the owner's larger boat and installing a lesser catwalk than the original one, and nothing more to the original dock.

Chairman Green noted for the record the applicant has to pass all the Federal and State procedures in order to get the required permits, and the onus is on staff to ensure those are obtained, not this board.

Board member Tadlock spoke up and pointed out that this dock was originally built in the late 70's and has been grandfathered in from FDEP, and is greater than 1,000 sq. feet.

Mr. O'Connor, Deputy Community Development Director explained the proposed project, is in fact an existing nonconforming dock and the project is being rebuilt within the existing three piles but also, the project will be reducing the existing coverage. Therefore, as long as they are reducing the nonconformity, it is allowed.

Chairman Green spoke up and noted for the record that he added up the total square footage of the project, and it totaled 770 square feet.

Committee member Hoey stated for the record and to the applicant that he should make sure that everything is properly documented for the record in case there is ever a problem in the future with an adjacent property owner.

With no further discussion, **the motion passed with a 5-0 for approval.**

B) 526 Norriego Road, Residential Marine Construction, HWB-001441-2024

City Planner Ashley Dominguez provided the members of the Harbor & Waterways Board the background information on this request.

Motion by Board member Tadlock, seconded by Board member McKissick to recommend for the Harbor and Waterways Board to recommend City Council approval of the marine construction project proposed at 531 Norriego Road, for the replacement and partial expansion of an existing seawall, with a portion of the new seawall to be moved 8'9" waterward of the existing seawall, with the following conditions:

- 1. All applicable Federal or State approvals shall be submitted with the Marine**

**Construction Permit application; and
2. All regulations of the City’s Marina Siting LDC Section 11.05.00 shall be adhered to and followed at all times.**

With no discussion by any of the Board members for this project request, **the motion passed with a unanimous vote of 5-0.**

C) 531 Norriego Road, Residential Marine Construction, HWB-001398-2024

Senior Planner, Daniel Butler explained the details of the request to the Board, adding that on the west side of the project, the applicant will be adding sand to the spoils in order to be able to tie the seawall to the one that is on the adjacent property.

Motion by Board member Hoey to recommend approval of the request at 531 Norriego Road, Residential Marine Construction project proposed at 531 Norriego Road, for the replacement and partial expansion of an existing seawall, with a portion of the new seawall to be moved 8’9” waterward of the existing seawall, with the following conditions:

- 1. All applicable Federal or State approvals shall be submitted with the Marine Construction Permit application; and**
- 2. All regulations of the City’s Marina Siting LDC Section 11.05.00 shall be adhered to and followed at all times.**

In discussion, Board member Hoey asked for clarification if the owner is requesting to build the seawall upland above the Highwater Tide Line for the western side of the project. According to Mr. Butler, confirmed his question.

With no further discussion, the motion passed 5-0.

5. PUBLIC COMMENTS:

Mr. Shackley asked Board member Hoey why he have such issues with the second project when it does not have their state permits, was denied by HIA, but it was passed with no opposition.

Mr. O'Connor spoke up and informed Mr. Shackley that this board does not base their recommendations on projects that do not have their state permits, that is solely left up to staff when the permit for marine construction is pulled and it is in the review process.

6. DIRECTOR'S REPORT:

Mr. O'Connor informed the board that he recently got promoted to Deputy Community Development Director and therefore, he would not be attending so many meeting as in the past, he

further explained Mr. Butler would be attending them going forward until they have filled the position for Principal Planner, for which, Mr. Butler has applied for.

7. MEMBER COMMENTS:

Board member Tadlock asked for any updates on the operational information of the Harbor Pump. According to Mr. O'Connor, the annual report is currently being generated, which are done quarterly not monthly as requested by the Board. Therefore, staff will provide the Annual Report at their next meeting and then from there, it will be provided to them quarterly, or as soon after that they can get the information out.

Mr. O'Connor also informed the members that the Choctawhatchee Bay Alliance is in the process of attempting to get the Choctawhatchee Bay established as a Federal Estuary and how there is a particular type of native oyster to Choctawhatchee Bay that may help get that designation.

Board member Tadlock revisited the self-certification process regarding 503 Norriego Point and spoke of how in his initial review of the project, it did seem to be over 1,000 sq. feet, but what he looked at and based his review, it is basically a reconfiguration of the original boatlift.

Mr. O'Connor added that once the applicant submits for their marine construction permit, as part of the review process, staff checks the total square footage and if it exceeds the 1,000 square feet, they contact the FDEP for confirmation that it does meet their definition for self-certification before going forward. Additionally, he recently checked into self-certification, it started in 1993, and this particular dock was built in 1983 and is part of the legal nonconforming group of docks in the city. Further, any legal nonconforming dock can be within the same developable area, and can be the constructed the same as existing or less, but cannot be more.

8. ADJOURNMENT:

With there being no further discussion, the meeting adjourned at 6:50 p.m.

Adopted and approved this _____ day of _____ 2024.

Jim Green, Chairman

Kim Montgomery, Deputy City Clerk

CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: February 27, 2025
BOARD/COMMITTEE: Harbor & Waterways Board
TYPE OF AGENDA ITEM: Action Item
OUTLINE NUMBER: 3.A.

TO: Harbor & Waterways Board

THRU: Steve O'Connor, Deputy Community Development Director
Kimberly Kopp, City Attorney
Daniel Butler, Principal Planner

FROM: Ashley Dominguez, Planner

DATE: January 16, 2025

SUBJECT: 711 Sixth St, Residential Marine Construction, HWB-001506-2024

I. BACKGROUND: Complete Site Source LLC., on behalf of Joshua Livingston, has applied for Harbor and Waterways Board review for the construction of a new single-family dock with covered boat slip.

The applicant seeks a recommendation of approval from the Harbor and Waterways Board for a Residential Marine Construction project proposing a new dock and covered boat slip with:

- Total Square Feet: 1,328
- Total Number of Piers or Docks: 1 Dock
- Total Length: 88'
- Total Slip Density: 1
- Located in the Destin Harbor: No

II. DISCUSSION: The applicant requests Harbor and Waterways Board review for residential marine construction located at 711 Sixth St., within Joe’s Bayou.

The Harbor and Waterways Board is being asked to review the proposed marine project per Land Development Code **Section 11.05.01 - General regulations; prohibitions** and **Section 11.05.02 – Permitting procedures**. Below are Staff’s findings with respect to **Section 11.05.01** and **Section 11.05.02**; items not applicable to this project are marked “Not Applicable.”

11.05.01. General regulations; prohibitions. *This article establishes and regulates procedures and standards by which the City controls and regulates development, construction and activities within and contiguous to the Harbor and waterways of Destin. The following regulations and prohibitions shall apply to the Harbor and waterways of Destin:*

A. No person shall construct or add to an existing dock, seawall, bulkhead, mooring or piling, modify an existing submerged land lease, or conditions thereto, or conduct dredge or fill operations in, or contiguous to, the Harbor or waterways of Destin without first obtaining the proper authorization from the appropriate federal, state and City agencies.

Staff response: *The applicant has submitted for authorization from all appropriate agencies.*

B. The addition or modification of a boat lift or pilings within an existing legal and conforming boat slip shall not require the review of the Harbor and Waterways Board or the City Council. Rather, a copy of the U.S. Army Corps of Engineers permit, DEP permit, and a homeowner's association approval (if applicable) shall accompany a completed application for a building permit, provided no additional slips are created.

Staff response: *Not applicable.*

C. No fish carcasses and debris shall be discharged into the Harbor or waterways of Destin.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

D. No person who maintains or operates a dock shall allow or permit the disposal of fish carcasses, litter, waste petroleum products or other pollutants into the Harbor or waterways of Destin. Trash disposal receptacles shall be anchored to each dock to ensure compliance with the provisions of this article.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

E. No fuel or oil shall be willfully or knowingly discharged in the Harbor or waterways of Destin. No dock which sells fuel or oil shall be constructed, operated or maintained in the Harbor or waterways of Destin unless an oil abatement plan, in accordance with Coast Guard guidelines, is available at each dock. The Destin Harbor and Waterways Board shall review and recommend approval or disapproval of each oil abatement plan to the City Council, which shall have approval authority. Each existing dock which sells fuel or oil shall develop and have approved an oil abatement plan acceptable to the City. All new docks which sell fuel or oil shall develop and have an approved oil abatement plan, which is acceptable to the City, prior to receiving a building permit from the City.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to. This is a residential dock; therefore, no fuel or oil will be sold, and an oil abatement plan is not required.*

F. No new or existing dock shall be constructed or modified such that the length of any

pier as completed is greater than 20 percent of the width of the Harbor or waterway at the place where the pier is located, or out 200 feet, whichever is less, except in Choctawhatchee Bay.

Staff response: Proposed construction complies with this regulation. 20% of 440 LF would be 88 LF. Please see associated graphic and plans provided for further details.

G. No piling(s) shall be added to the waterward end of any pier which piling(s) would make the total length of the dock more than 200 feet, or 20 percent of the waterway, whichever is less, except in Choctawhatchee Bay.

Staff response: Proposed construction complies with this regulation. 20% of 440 LF would be 88 LF. Please see associated graphic and plans provided for further details.

H. No vessel shall be moored or docked on the waterward end of any pier of the maximum legal length, as determined pursuant to subsection F above, for more than 72 hours.

Staff response: This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.

I. No dock shall be constructed which permits the commercial docking of boats with on-board toilets unless such the dock is equipped with a sewage pump-out.

Staff response: Not applicable.

J. No dock shall be constructed which permits the docking of a live-aboard unless such vessel has an operable holding tank.

Staff response: This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.

K. No boat shall be moored in the Harbor or waterways of Destin such that it constitutes a hazard to navigation.

Staff response: This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.

L. No dock shall be constructed such that it constitutes a hazard to navigation.

Staff response: This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.

M. Excepting docks connected to uplands zoned SHMU, or those located on Choctawhatchee Bay, no dock shall be longer than the width, at the mean high-water line, of the lot to which the dock is attached.

Staff response: Not applicable.

1. For those docks connected to uplands zoned SHMU, or those located on Choctawhatchee Bay, a dock may be constructed to a length of 1.5 times the width of the property at the mean high-water line, provided the length of the dock does not

exceed the maximum length established by paragraphs F and G above.

Staff response: *Not applicable.*

2. For the purpose of this subsection, lots may be combined with neighboring lots. However, no dock may exceed the limitations specified in subsection F above.

Staff response: *Not applicable.*

N. No dock shall be constructed or modified such that slip density exceeds one slip per eight linear feet of waterfront footage except that, on canals, no lot may have more than one slip per 45 linear feet of waterfront. However, all lots riparian to a canal shall be entitled to at least two slips on the canal.

Staff response: *The proposed dock complies with this regulation, as there is only one (1) slip proposed.*

O. No boat or vessel, entering into, exiting or operating within the Destin Harbor shall operate at such speed that would create a wake that endangers other boats or vessels, swimmers or other persons within the Destin Harbor, or would contribute to any adjacent land erosion.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

P. No heated or cooled water may be emitted into the Harbor, waterways, or the Harbor canals other than from a boat.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

Q. No pier shall extend more than six feet into a canal right-of-way.

Staff response: *Not Applicable.*

R. No discharge of water shall contain phosphorous or any other substance likely to cause a violation of the water quality standards specified in Chapter 17-302, Florida Administrative Code.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

S. No dock or vessel shall be placed within the 25-foot setback of a property line without providing prior written notification to the adjoining landowners and requesting their response. Any objections received from the adjoining property owners will be considered by the Harbor and Waterways Board in their recommendations to the City Council.

Staff response: *Staff sent the attached Property Owner's Notice on December 9, 2024.*

T. No dock shall unreasonably interfere with the riparian rights of others.

Staff response: *Staff sent the attached Property Owner's Notice on December 9, 2024. As proposed, the riparian rights of others are not interfered with.*

U. No dock of 100 feet or longer shall be constructed unless a white navigation/security night-light is installed at the furthest point seaward on said dock and such light is to be illuminated continuously from dusk to dawn every night of the year. All existing docks 100 feet or longer shall install and operate a navigation/security light pursuant to this subsection. Each light shall be installed within 90 days after adoption of this Code.

Staff response: *Not applicable.*

V. No commercially operated boat docking facilities shall be permitted or operated unless equipped with firefighting facilities as specified by the City.

Staff response: *Not applicable.*

W. No construction shall be allowed which violates any provision of the Standard Building Code, as adopted by the City.

Staff response: *Applicant must obtain an approved Marine Construction Permit prior to any construction.*

X. No electrical or water service upon any dock shall be installed unless a permit is obtained from the Planning Department and Building Department for that service.

Staff response: *Applicant must obtain an approved Marine Construction Permit prior to any construction.*

Y. No person, while operating a boat within the or waterways of Destin shall allow or permit the disposal of fish carcasses, litter, waste, petroleum products or other pollutants into the Harbor or waterways of Destin from such boats.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

Z. No lot, or multi-contiguous lots, with less than 50 feet of waterfront footage shall be allowed individual docks, unless they are parallel to the shoreline. However, docks may be allowed under the provisions of subsection 11.05.01.M.2.

Staff response: *Not applicable.*

Pursuant to **Section 11.05.03, Land Development Code (LDC)**, all construction shall be inspected by the City Building Inspector for compliance with applicable building codes. The applicant shall be responsible for the condition and repair of permitted docks and failure to maintain said docks in a safe condition shall constitute grounds for revocation of the permit.

A. Link to Strategic Goals / Objectives: IV. Enhanced quality of life and

safety for families

B. Effect on Budget (EOB): n/a

C. Level of Service (LOS): n/a

D. Legislative Sponsor:

E. Business Impact Statement:

III. CONCLUSION: The applicant requests Harbor and Waterways Board approval for a residential marine construction project located at 711 Sixth St. The applicant has provided an approval from the Florida Department of Environmental Protection (FDEP), Permit No.: 0444565-001-EI/46. Additionally, the applicant has provided United States Army Corps of Engineer (USACE) Approval, Permit No: SAJ-2024-00075.

City Staff reviewed the application and determined that the plans comply with ***LDC Section 11.05.00, Marina Siting***, and the Coastal Management Element of the City's Comprehensive Plan (***Coastal Management Element Policy 6-1.1.6***).

IV. RECOMMENDED MOTION: I move that the Harbor and Waterways Board approve the marine construction project proposed at 711 Sixth Street, for the construction of a new single-family dock and covered boat slip, with the following conditions:

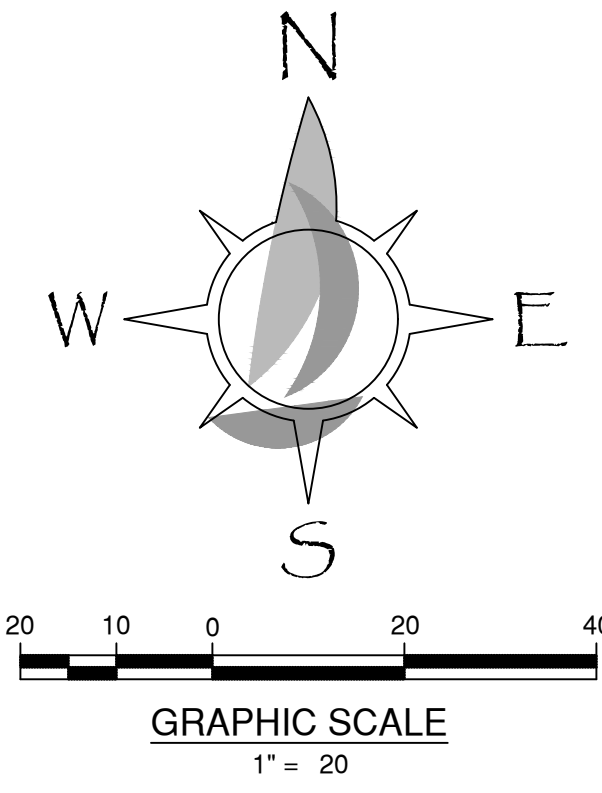
- 1. At time of Building Permit submittal, the applicant shall provide Staff with the FDEP & USACE approval of the revised project scope (88' dock), rather than the 94' dock; and**
- 2. All other applicable Federal or State approvals shall be submitted with the Marine Construction Permit application; and**
- 3. All regulations of the City's Marina Siting *LDC Section 11.05.00* shall be adhered to and followed at all times.**

ALTERNATIVE MOTION:

I move that the Harbor and Waterways Board deny the proposed marine construction project at 711 Sixth St.

Attachments:

1. 1. Boundary Survey - Existing Conditions
2. 2. Existing Conditions - Image
3. 3. Scaled & Dimensioned Plans
4. 4. Proof of Ownership
5. 5. Agent Affidavit
6. 6. FDEP Approval
7. 7. USACE Approval
8. 8. Adjacent Property Notification



Survey Notes:

- SEASIDE ENGINEERING AND SURVEYING, LLC (SEAS) HAS NOT BEEN PROVIDED A TITLE OPINION OR ABSTRACT OF THE PROPERTY SHOWN HEREON, NOR HAS SEAS PERFORMED A SEARCH OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.
- FIELD BEARINGS ARE STATE PLANE COORDINATE SYSTEM, FLORIDA NORTH ZONE, NORTH AMERICAN DATUM OF 1983, NAD83.
- A 6 HOUR AND 12 MINUTE GLOBAL POSITIONING SYSTEM (GPS) STATIC SESSION WAS OBSERVED ON AUGUST 13, 2021 TO ESTABLISH GEODETIC CONTROL AT THE SURVEY HEREON. THE GPS DATA WAS PROCESSED USING NATIONAL GEODETIC SURVEY (NGS) ONLINE POSITIONING USER SERVICE (OPUS). THE CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) LOCATED IN NEW BROCKTON, ALABAMA; EAST FOLEY, ALABAMA; AND PENSACOLA, FLORIDA WERE UTILIZED DURING SAID OBSERVATION TO DERIVE THE COORDINATE SYSTEM AND VERTICAL DATUM FOR THE SURVEY CONTROL USED ON THE SURVEY SHOWN HEREON.
- LOT LINES DEPICTED HEREON ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY.
- THERE MAY BE ADDITIONAL RESTRICTIONS AND EASEMENTS NOT SHOWN ON THIS DRAWING THAT MAY BE FOUND IN THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.
- UNDERGROUND ENCROACHMENTS, IF ANY, WERE NOT LOCATED.
- SURVEY DATA DEPICTED HEREON WHICH IS OUTSIDE OF THE DESCRIBED PROPERTY DOES NOT IMPLY OWNERSHIP AND IS SHOWN STRICTLY FOR INFORMATIONAL PURPOSES ONLY.
- BEARINGS AND DISTANCES SHOWN HEREON ARE FIELD MEASUREMENTS UNLESS OTHERWISE NOTED.
- GRAPHICAL REPRESENTATION OF UTILITIES, SIGNAGE, AND SURVEY MONUMENTS MAY BE EXAGGERATED IN SCALE FOR CLARITY.
- THE PURPOSE OF THIS SURVEY IS TO SHOW THE APPROXIMATE RIPARIAN LINES OF THE SUBJECT PROPERTY. THIS IS NOT A BOUNDARY SURVEY.
- ELEVATIONS SHOWN HEREON ARE REFERENCED TO TIDAL BENCHMARK DESIGNATION 872 9511 C AND ARE NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88).

Legend:

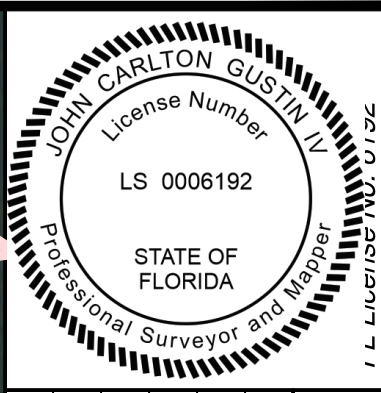
- FOUND IRON ROD/PIPE
- SET IRON ROD LB #7191
- PROPERTY LINE
- - - RIPARIAN LINE

Abbreviations:

- # = NUMBER
- & = AND
- A/C = AIR CONDITIONER
- BOC = BACK OF CURB
- C = CALCULATED
- C/L = CENTERLINE
- C1 = CURVE NUMBER TO CURVE TABLE
- D = DEED
- DOC. = DOCUMENT
- ELEV. = ELEVATION
- F = FIELD
- F/L = FLOW LINE
- FDEP = FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
- FIP = FOUND IRON PIPE
- FIR = FOUND CAPPED IRON ROD
- GPS = GLOBAL POSITIONING SYSTEM
- ID. = IDENTIFICATION
- INC. = INCORPORATED
- LB = LICENSED SURVEYING AND MAPPING BUSINESS
- LLC = LIMITED LIABILITY COMPANY
- LS = LICENSED SURVEYOR AND MAPPER
- MHWL = MEAN HIGH WATER LINE
- NAD83 = NORTH AMERICAN DATUM OF 1983
- NAVD88 = NORTH AMERICAN VERTICAL DATUM OF 1988
- NO. = NUMBER
- O.R. = OFFICIAL RECORDS BOOK
- OHE = OVERHEAD ELECTRIC LINE
- P. = PLAT
- P.B. = PLAT BOOK
- PSM = PROFESSIONAL SURVEYOR AND MAPPER
- PG = PAGE
- R/W = RIGHT-OF-WAY LINE
- SEAS = SEASIDE ENGINEERING AND SURVEYING, LLC
- SIR = SET CAPPED IRON ROD
- SRCS = STATE PLANE COORDINATE SYSTEM
- TRANS = TRANSFORMER
- TYP = TYPICAL
- T2S = TOWNSHIP 3 NORTH
- R22W = RANGE 25 WEST
- 1/4 = QUARTER

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY JOHN C. GUSTIN IV ON DECEMBER 8, 2023

Digitally signed by John C. Gustin IV Date: 2023.12.08 16:15:33 -0600



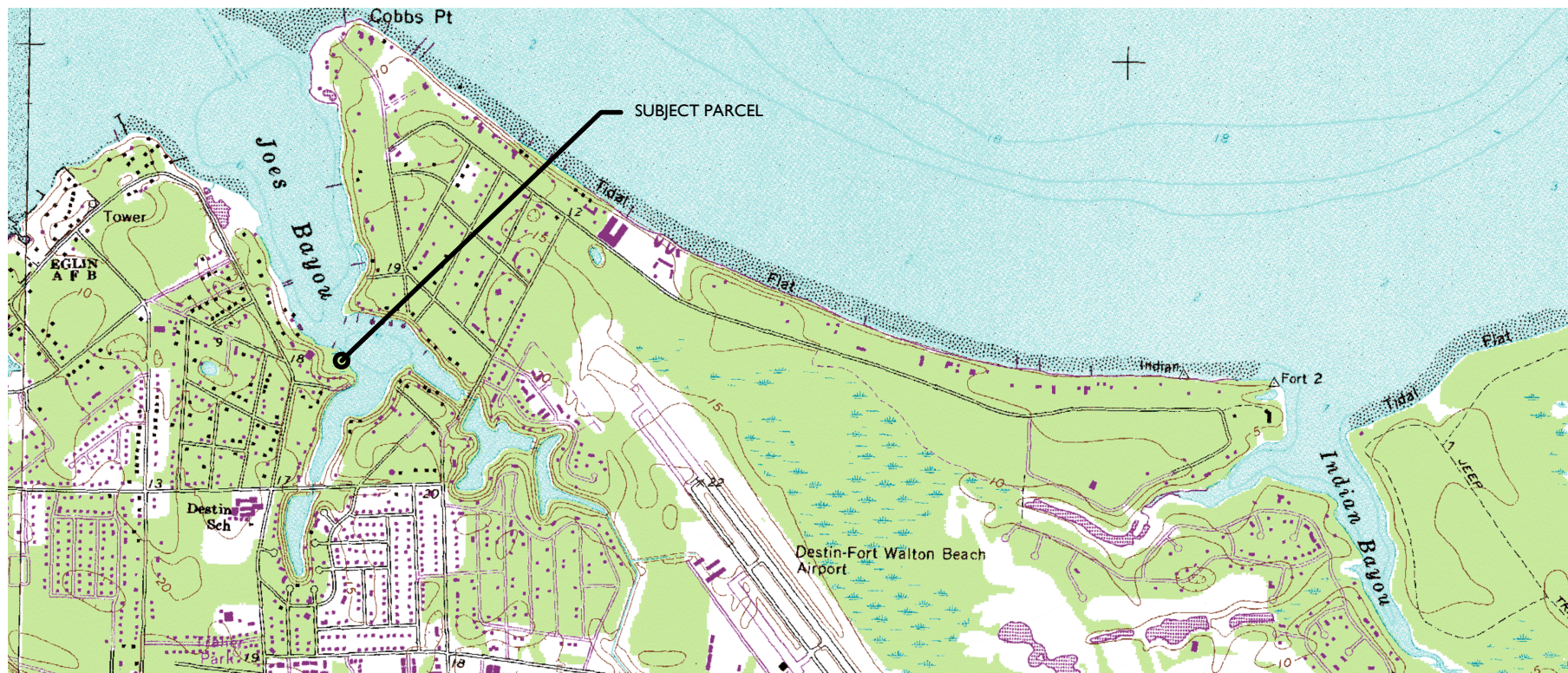
BY:	
DATE:	
REVISIONS:	

SEAS Seaside Engineering And Surveying, LLC
 Ph: (850) 650-9563
 Fax: (850) 398-6812
 6575 Hwy 189 N
 Baker, FL 32531

LEGAL DESCRIPTION: LOT 10, BLOCK 6, RESUBDIVISION OF KELLY'S ADDITION	OKALOOSA COUNTY, FLORIDA
PLAT BOOK 2	PAGE 62
SECTION 25	RANGE 22W

TYPE OF SURVEY: SPECIFIC PURPOSE RIPARIAN RIGHTS
DATE OF SURVEY: 11/17/2023
SURVEY FOR: JOSH LIVINGSTON
FIELD BOOK: 23-40
DATE DRAWN: 12/6/2023
SHEET 1 OF 1
DRAWN BY: KES
PROJECT PATH: P:\Current\Surveying\23-180 (Resub to Kelly's Add. to Death, Lot 10, Blk. 6)
SEAS PROJECT No.: 23-180-00018
© COPYRIGHT SEAS 2023





PROPERTY INFO

PID: 00-2S-22-1360-0060-0100
 SITUS: 711 SIXTH STREET
 DESTIN, FL 32541
 LAT: 30.406131
 LONG: -86.488174

DRAWING INDEX

- 1- SITE LOCATION & SHEET INDEX
- 2-PLAN VIEW DEPICTED ONTO AERIAL
- 3-PLAN VIEW
- 4-PROFILE TYP.

RECORD OWNER

LIVINGSTON JOSHUA & SLOAN
 711 6TH ST
 DESTIN, FL 32541

711 SIXTH STREET, LIVINGSTON DOCK

SITE LOCATION & DRAWING INDEX

JOB NO.: 2023.059

DRAWN BY: JAT

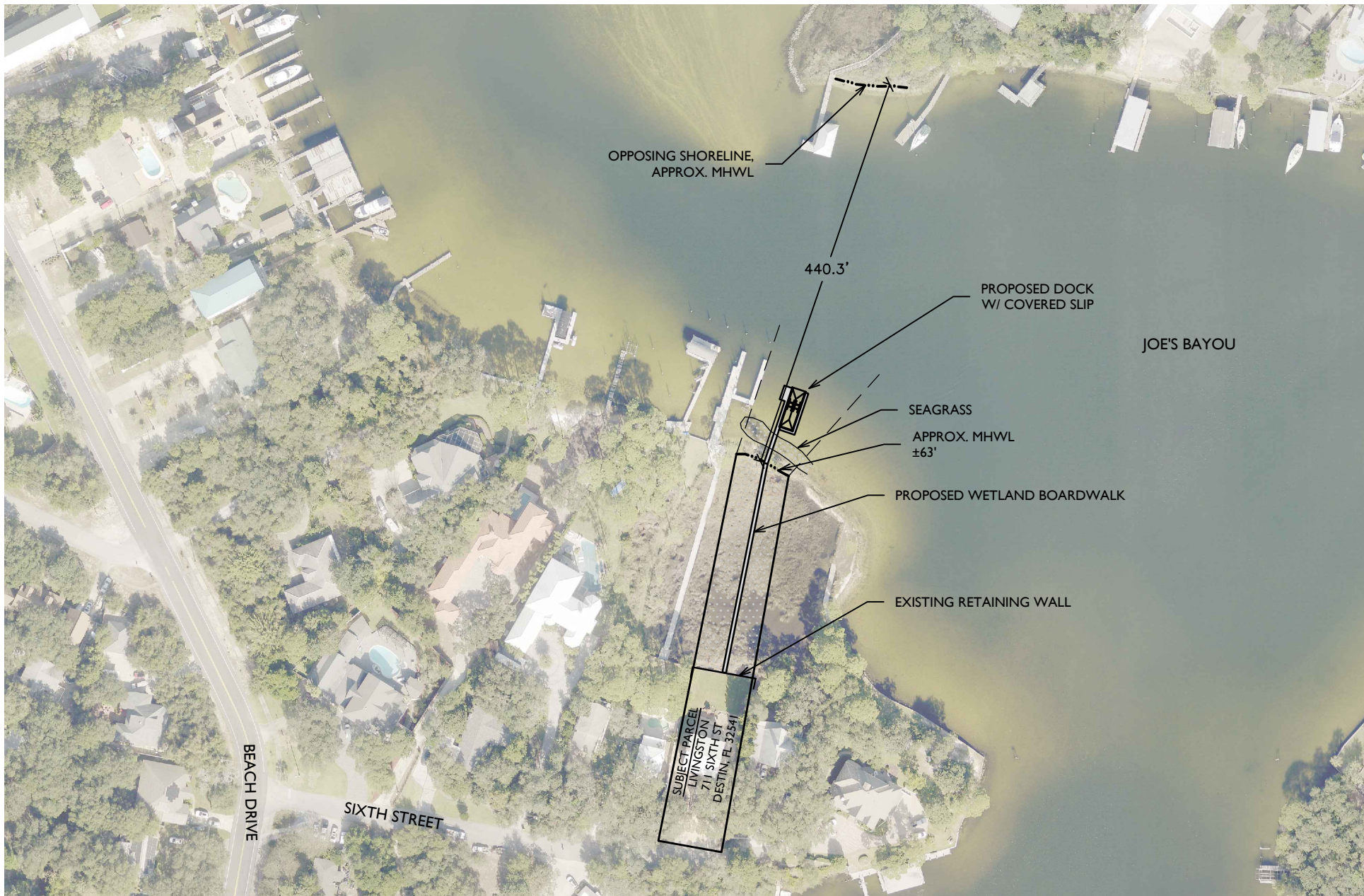
DRAWING DATE: 12.28.2023

SHEET: 1 OF 4

OAKHURST
 CONSULTING

JASON@OAKHURSTCONSULT.COM





711 SIXTH STREET, LIVINGSTON DOCK

PLAN VIEW DEPICTED ONTO AERIAL

JOB NO.: 2023.059

DRAWN BY: JAT

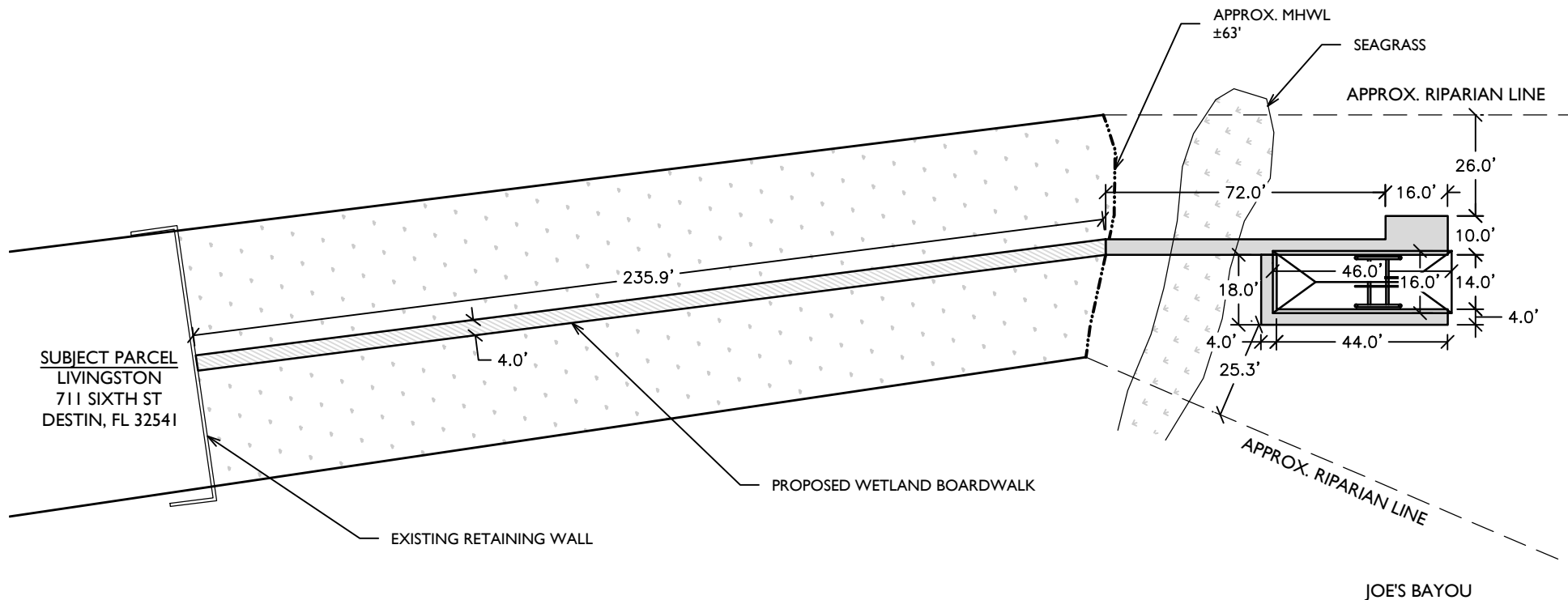
DRAWING DATE: 12.28.2023

SHEET: 2 OF 4

OAKHURST
CONSULTING

JASON@OAKHURSTCONSULT.COM



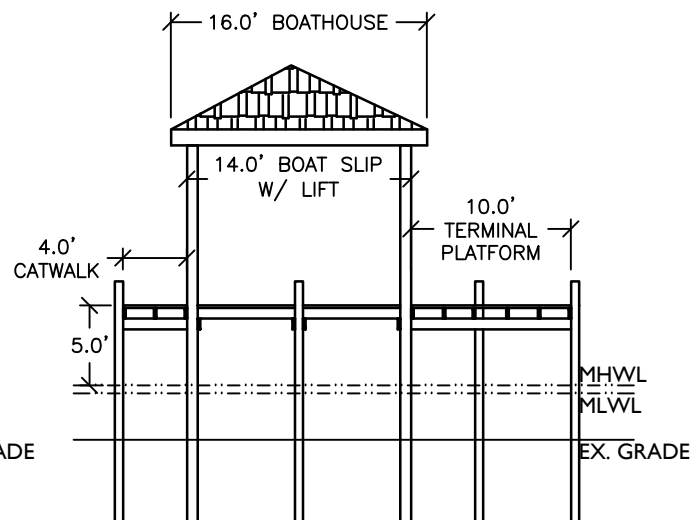
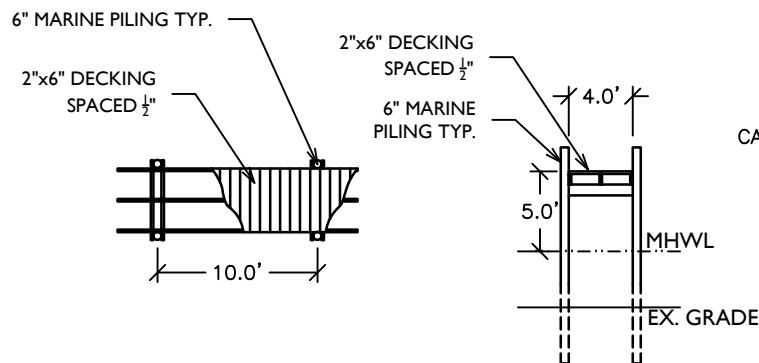
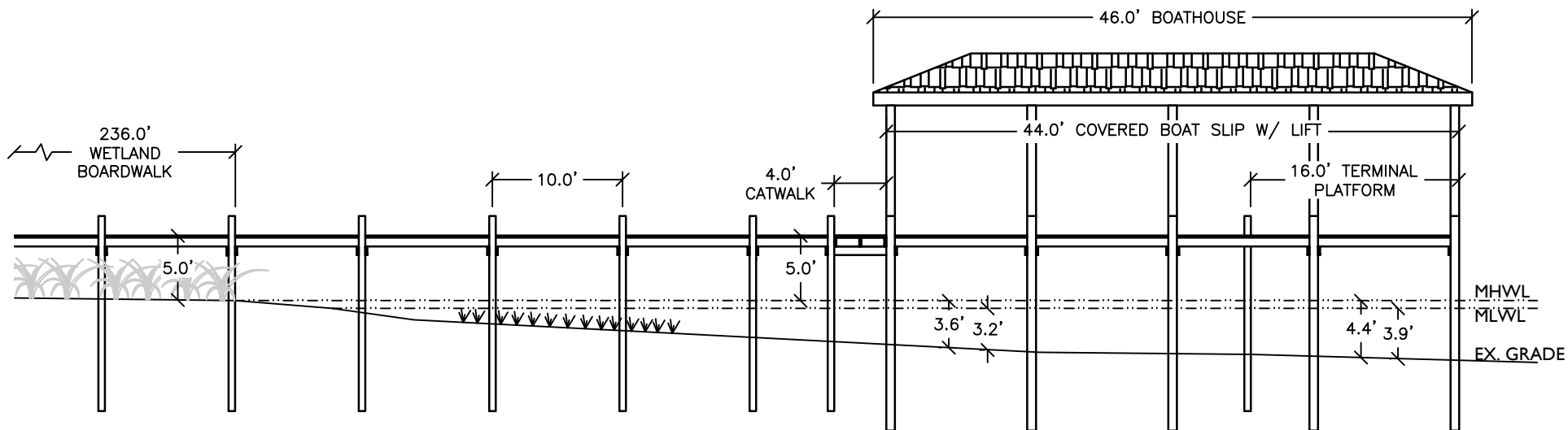


PREEMPTED AREA CALCS:	
72'x4' ACCESS PIER	= 288 S.F.
16'x10' TERMINAL PLATFORM	= 160 S.F.
62'x4' CATWALK	= 248 S.F.
44'x14' COVERED SLIP W/ LIFT	= 616 S.F.
16'x1' ROOF OVERHANG	= 16 S.F.
TOTAL	= 1,328 S.F.
WETLAND BOARDWALK:	
236'x4' ACCESS PIER	= 944 S.F.
TOTAL STRUCTURE	= 2,272 S.F.

711 SIXTH STREET, LIVINGSTON DOCK
 PLAN VIEW
 JOB NO.: 2023.059
 DRAWN BY: JAT DRAWING DATE: 12.28.2023
 SHEET: 3 OF 4

**OAKHURST
 CONSULTING**
 JASON@OAKHURSTCONSULT.COM





711 SIXTH STREET, LIVINGSTON DOCK

PROFILE TYP.

JOB NO.: 2023.059

DRAWN BY: JAT

DRAWING DATE: 12.28.2023

SHEET: 4 OF 4

OAKHURST
CONSULTING

JASON@OAKHURSTCONSULT.COM



OSLT
19-2083

18.50
1,815.80

1,834.30

Prepared by and return to:

Gayle K. Hurst
Vice President
Old South Land Title
60 2nd Street, Suite C-4
Shalimar, FL 32579
850-651-2002
File Number: 19-2083
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 27th day of September, 2019 between Phillip Robbins and Priscilla Robbins, husband and wife whose post office address is 703 Bayou Drive, Destin, FL 32541, grantor, and Joshua Michael Livingston and Sloan Livingston, husband and wife whose post office address is 711 6th Street, Destin, FL 32541, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Okaloosa County, Florida to-wit:

Lot 10, Block 6, of A Resubdivision of Kelly's Addition To Destin Florida, according to plat thereof recorded in the Public Records of Okaloosa County, Florida, at Plat Book 2, Page(s) 62.

Parcel Identification Number: 00-2S-22-1360-0060-0100

Subject to taxes for 2019 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

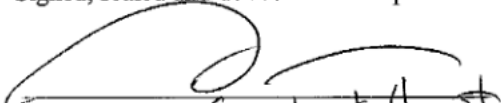
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

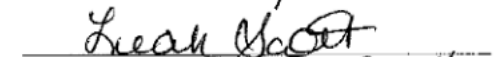
To Have and to Hold, the same in fee simple forever.

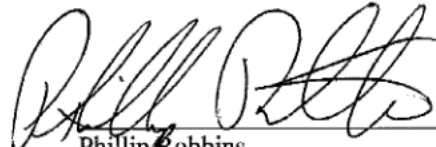
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2018**.

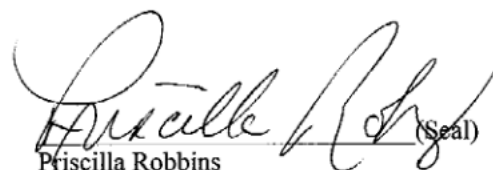
In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:


Witness Name: Gayle K. Hurst


Witness Name: Leah Scott

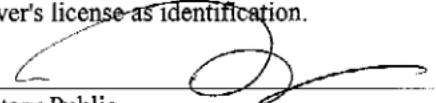

Phillip Robbins (Seal)


Priscilla Robbins (Seal)

State of Florida
County of Okaloosa

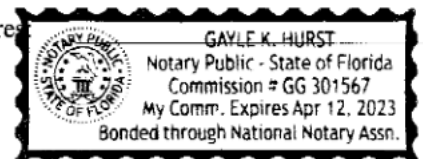
The foregoing instrument was acknowledged before me this 20th day of September, 2019 by Phillip Robbins and Priscilla Robbins, who are personally known or have produced a driver's license as identification.

[Notary Seal]


Notary Public

Printed Name: _____

My Commission Expires _____



**AGENT AFFIDAVIT
SPECIAL POWER OF ATTORNEY**

KNOWN ALL MEN BY THESE PRESENTS, THAT I, Joshua Livingston am
presently the owner and/or leascholder at 711 Sixth St Destin FL, and desiring
to execute a Special Power of Attorney, have made, constituted and appointed, and by these presents do
make, constitute and appoint Complete Site Source (also Joshua Livingston)
whose address is 212 Lakeside Lane, County of Okaloosa, State of FL,
my Attorney-in-Fact to act as follows, GIVING AND GRANTING unto said attorney full power to act as
my agent in any and all matters pertaining to: Joshua Livingston Family Dock.

FURTHER, I do authorize the aforesaid Attorney-in-Fact to perform all necessary acts in the execution of
the aforesaid authorization with the same validity as I could effect if personally present. Any act or thing
lawfully done hereunder by the said attorney shall be binding on myself and my heirs, legal and personal
representative, and assigns.

PROVIDED; however, that any and all transactions conducted hereunder for me or for my account shall be
transacted in my name, and that all endorsements and instruments executed by the said attorney for the
purpose of caring out the foregoing powers shall contain my name, followed by that of my said attorney
and the designation "Attorney-in-Fact."

OWNER

[Signature]
Signature

Joshua Michael Livingston
Printed Name

STATE OF Florida

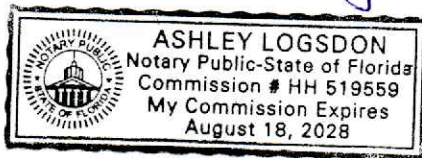
COUNTY OF Okaloosa

The foregoing instrument was acknowledged before me by means of physical presence or online

notarization, this 2 day of Dec., 2024 by

(name of person acknowledging)

Joshua Livingston



[Signature]
Signature of Notary

Ashley Logsdon
Printed Name of Notary or Seal

Personally known _____ OR Produced Identification

Type of Identification Produced drivers license



FLORIDA DEPARTMENT OF Environmental Protection

Northwest District
160 W. Government Street, Suite 308
Pensacola, Florida 32502-5794

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

Permittee/Authorized Entity:

Joshua Livingston
711 Sixth St.
Destin, FL. 32541, Okaloosa County
completesitesource@gmail.com

Livingston Dock

Authorized Agent:

Jason Taylor
1225 Oakview Rd.
Decatur, GA. 30030
jason@oakhurstconsult.com

Environmental Resource Permit State-owned Submerged Lands Authorization – Granted

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

Okaloosa County
Permit No.: 0444565-001-EI/46

Permit Issuance Date: April 25, 2024
Permit Construction Phase Expiration Date: April 25, 2029



FLORIDA DEPARTMENT OF Environmental Protection

Northwest District
160 W. Government Street, Suite 308
Pensacola, Florida 32502-5794

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

Consolidated Environmental Resource Permit and Sovereignty Submerged Lands Authorization

Permittee/Grantee: Joshua Livingston
Permit No: 0444565-001-EI/46

PROJECT LOCATION

The activities authorized by this permit and sovereignty submerged lands authorization are located at 711 6th St., Parcel ID 00-2S-22-1360-0060-0100, Destin, Florida 32541, in Section 19, Township 2 South, Range 22 West in Okaloosa County, at 30°24'23.8757" North Latitude 86°29'16.8520" West Longitude.

PROJECT DESCRIPTION

The permittee is authorized to construct a 2,298 square foot single-family dock consisting of a 236 foot by 4-foot wetland boardwalk, a 78-foot by 4-foot access pier, a 16-foot by 10-foot terminal platform, a 62-foot by 4-foot access walk, and a 44-foot by 14-foot covered boat slip with lift. The boardwalk will use forty-eight (48), 6-inch pilings and the dock will use thirty (30), 6-inch and ten (10), 8-inch pilings that will be vibrated into the water within Choctawhatchee Bay, a Class II Florida Waterbody and Prohibited Shellfish Harvesting Area. Authorized activities are depicted on the attached exhibits.

AUTHORIZATIONS

Livingston Dock

Environmental Resource Permit

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

Sovereignty Submerged Lands Authorization

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

During the term of this Letter of Consent you shall maintain satisfactory evidence of sufficient upland interest as required by paragraph 18-21.004(3)(b), Florida Administrative Code. If such

interest is terminated or the Board of Trustees determines that such interest did not exist on the date of issuance of this Letter of Consent, this Letter of Consent may be terminated by the Board of Trustees at its sole option. If the Board of Trustees terminates this Letter of Consent, you agree not to assert a claim or defense against the Board of Trustees arising out of this Letter of Consent.

Federal Authorization

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **shall be required** from the Corps. You must apply separately to the Corps using the Application for Department of the Army Permit (ENG 4345) or alternative as allowed by Corps regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Sourcebook:

(<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.

Coastal Zone Management Consistent

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

Water Quality Certification Granted

This permit also constitutes a *grant* of water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. Section 1341. Pursuant to Rule 62-330.062, F.A.C. issuance of the individual or conceptual approval permit under this chapter shall constitute certification of compliance with water quality standards.

Other Authorizations

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

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

PERMIT/SOVEREIGNTY SUBMERGED LANDS CONDITIONS

The activities described must be conducted in accordance with:

- **The Specific Conditions**

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

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit and sovereignty submerged lands authorization, as described.

SPECIFIC CONDITIONS

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

SPECIFIC CONDITIONS - PRIOR TO ANY CONSTRUCTION

4. Best management practices for erosion control shall be implemented prior to construction commencement and shall be maintained at all times during construction to prevent siltation and turbid discharges in excess of the ambient turbidity levels of the surrounding Outstanding Florida Waters.
5. Prior to the initiation of any work authorized by this permit, floating turbidity screens with weighted skirts that extend to within 1 ft. of the bottom shall be placed around the active construction areas of the site. The screens shall be maintained and shall remain in place for the duration of the project construction to ensure that turbidity levels outside the construction area do not degrade the ambient water quality of Outstanding Florida Waters. The permittee shall be responsible for inspecting and maintaining turbidity control devices so no degradation of the ambient water quality of Outstanding Florida

Waters outside of the turbidity screens occurs. Turbidity shall be monitored as described in the monitoring portion of this permit.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

6. If the approved permit drawings and/or narrative conflict with the Specific Conditions, then the Specific Conditions shall prevail.
7. All wetland areas or water bodies which are adjacent to the specific limits of construction authorized by this permit shall be protected from erosion, sedimentation, siltation, scouring, excess turbidity or dewatering.
8. A floating turbidity curtain shall be installed around the construction area and will remain in place until pilings have been installed and turbidity levels within the work area have returned to background levels prior to construction of the dock.
9. Any damage to wetlands outside of the authorized impact areas as a result of construction shall be immediately reported to the Department at (850)595-8300 and repaired by reestablishing the pre-construction elevations and replanting vegetation of the same species, size, and density as that in the adjacent areas. The restoration shall be completed within 30 days of completion of construction, and the Department shall be notified of its completion within that same 30-day period.
10. Construction equipment shall not be repaired or refueled in wetlands or elsewhere within waters of the state.
11. Watercraft associated with the construction of the permitted structure shall operate within waters of sufficient depth to preclude bottom scouring, prop dredging or damage to submerged bottom or submerged resources. During all construction activities, there shall be a minimum of 1-foot clearance between the draft of the construction vessel and the top of any submerged resources or submerged bottom.
12. The following measures shall be taken by the permittee whenever turbidity levels within waters of the State surrounding the project site exceed the ambient water quality levels of the Outstanding Florida Waters:
 - a. Immediately cease all work contributing to the water quality violation.
 - b. Modify the work procedures that were responsible for the violation, and install more turbidity containment devices and repair any non-functioning turbidity containment devices.
 - c. Notify the Department of Environmental Protection, Submerged Lands & Environmental Resources Program, Compliance and Enforcement Section, Northwest District Office, 160 W Government Street, Pensacola, Florida 32502-5794, in writing or by telephone at (850)595-8300 within 24 hours of the time the violation is first detected.

13. There shall be no storage or stockpiling of tools or materials (i.e., lumber, pilings, equipment) within wetlands, along the shoreline within the littoral zone, or elsewhere within waters of the state unless specifically approved in the permit.
14. All cleared vegetation, excess lumber, scrap wood, trash, garbage and any other type of debris shall be removed from wetlands/waters of the state within 14 days of completion of the work authorized in this permit.
15. The following construction sequence shall be adhered to for all piers and docking structures. Structures shall be built progressively, commencing at the shoreline and continuing waterward. No more than three sets of pilings shall be installed at a time. The decking will then be installed on those pilings, and the finished decking will be used to transport the remaining tools and materials. No impacts shall occur outside the footprint of the permitted dock and boardwalk.
16. All chemically-treated pilings associated with the permitted docking structures and mooring piles shall be wrapped with impermeable plastic or PVC sleeves in such a manner as to reduce the leaching of deleterious substances from the pilings. The sleeves shall be installed concurrently with the installation of the pilings, shall extend from at least 6" below the level of the substrate to at least 2' above the mean high-water line and shall be maintained over the life of the structure.
17. The elevation of the decking shall be a minimum of 5 feet above the mean high-water line and shall have a minimum of 1/2-inch spacing between deck planks.
18. Deck planks shall be no wider than eight inches.
19. This permit does not authorize the construction of additional structures not illustrated on the permit drawings. Examples of additional structures, which are not authorized by this permit include but are not limited to: enclosed sides, walkways, doors, awnings, and decking around or under the bottom of the pile-supported structures. Storage of equipment, pesticides, herbicides, construction material, trash receptacles, or part of a septic tank system beneath the pile-supported structure is prohibited.
20. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at (850)-245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.

SPECIFIC CONDITIONS - OTHER LISTED SPECIES

21. This permit does not authorize the permittee to cause any adverse impact to or “take” of state-listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of “take” and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a “take” permit cannot be issued. Requests for further information or review can be sent to FWCConservationPlanningServices@MyFWC.com.
22. If new information (e.g. listing of new species, new critical habitat, etc.) shows that the magnitude of impacts to federally listed species has the potential for adverse effects, the U.S. Fish and Wildlife Service (USFWS) will notify the Department. The Department will initiate coordination with the permittee and with the USFWS to determine what adverse impacts are likely and if additional minimization measures, reporting, or monitoring are required in order to be consistent with the Endangered Species Act, as deemed necessary by USFWS.
23. The Permittee shall report any injured, sick, or dead federally or state-listed animal(s) discovered onsite to the Florida Fish and Wildlife Conservation Commission Wildlife Alert number at 888-404-FWCC (3922).

SPECIFIC CONDITIONS – OPERATION AND MAINTENANCE ACTIVITIES

24. To protect benthic and wetland resources when present, the elevation of the decking shall be maintained at a minimum of five feet above mean high for the life of the facility. There shall be a minimum of ½-inch spacing between deck planks maintained for the life of the facility.
25. All future authorized replacement pilings for the docking structures shall be spaced at least ten feet apart and shall be installed by vibrating, pounding or hand-auguring them in place. Jetting of pilings within seagrass areas shall be prohibited.
26. There shall be a minimum 12-inch clearance between the deepest draft of the vessel (with the motor in the down position) and top of the outstretched submerged aquatic vegetation at mean low water so as to preclude bottom scouring or prop dredging.
27. Overboard discharges of trash, human or animal waste, or fuel shall not occur at the dock.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under this chapter,

except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.
5. Unless the permit is transferred under rule 62-330.340, F.A.C., or transferred to an operating entity under rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms, and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:

- a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – “Construction Completion and Inspection Certification for Activities Associated with a Private Single-Family Dwelling Unit” [Form 62-330.310(3)]; or
 - b. For all other activities – “As-Built Certification and Request for Conversion to Operation Phase” [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
- a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.4 of Volume I) as filed with the Florida Department of State, Division of Corporations, and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as-built certification, the permittee shall submit “Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity” [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
- a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.

12. The permittee shall notify the Agency in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

14. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under rule 62-330.201, F.A.C., provides otherwise.

16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under chapter 62-330, F.A.C., or cause violations of state water quality standards.

17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

19. In addition to those general conditions in subsection (1), above, the Agency shall impose any additional project-specific special conditions necessary to assure the permitted activities will not be harmful to the water resources, as set forth in rules 62-330.301 and 62-330.302, F.A.C., Volumes I and II, as applicable, and the rules incorporated by reference in this chapter.

SPECIAL CONSENT CONDITIONS

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.
3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

GENERAL CONDITIONS FOR SOVEREIGNTY SUBMERGED LANDS AUTHORIZATION

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

1. Sovereignty submerged lands may be used only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use will constitute a violation. Violation of the authorization will result in suspension or revocation of the applicant's use of the sovereignty submerged lands unless cured to the satisfaction of the Board of Trustees.
2. Authorization under Rule 18-21.005, F.A.C., conveys no title to sovereignty submerged lands or water column, nor does it constitute recognition or acknowledgment of any other person's title to such land or water.
3. Authorizations under Rule 18-21.005, F.A.C., may be modified, suspended or revoked in accordance with its terms or the remedies provided in Sections 253.04, F.S. and Chapter 18-14, F.A.C.
4. Structures or activities will be constructed and used to avoid or minimize adverse impacts to resources.
5. Construction, use, or operation of the structure or activity will not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.
6. Structures or activities will not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity will be modified in accordance with the court's decision.
7. Structures or activities will not create a navigational hazard.
8. Activities shall not interfere with the public easement for traditional uses of the sandy beaches provided in section 161.141, F.S.
9. Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.
10. Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(g), F.A.C., or any other applicable law.

11. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.

12. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.

13. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.

14. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.

15. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until 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, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; 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 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 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant 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.

Permittee: Joshua Livingston
Permit No: 0444565-001-EI/46
Page 15 of 15

Permit Expiration: April 25, 2029

Executed in Pensacola, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



For Kimberly R. Allen
Permitting Program Administrator

KRA:bc

Attachments:

Exhibit 1, Project Drawings and Design Specs., 4 pages

Copies furnished to:

FDEP, Kim.Allen@FloridaDEP.gov, Blake.A.Chapman@FloridaDEP.gov,
Russell.Sullivan@FloridaDEP.gov, Leah.Vickery@FloridaDEP.gov
Applicant, completesitesource@gmail.com
Agent, jason@oakhurstconsult.com
Okaloosa County, mmartinez@co.okaloosa.fl.us, jautrey@co.okaloosa.fl.us,
sbitterman@co.okaloosa.fl.us, propertyappraiser@okaloosapa.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this permit and authorization to use sovereignty submerged lands, including all copies, were mailed before the close of business on **April 25, 2024**, to the above listed persons.

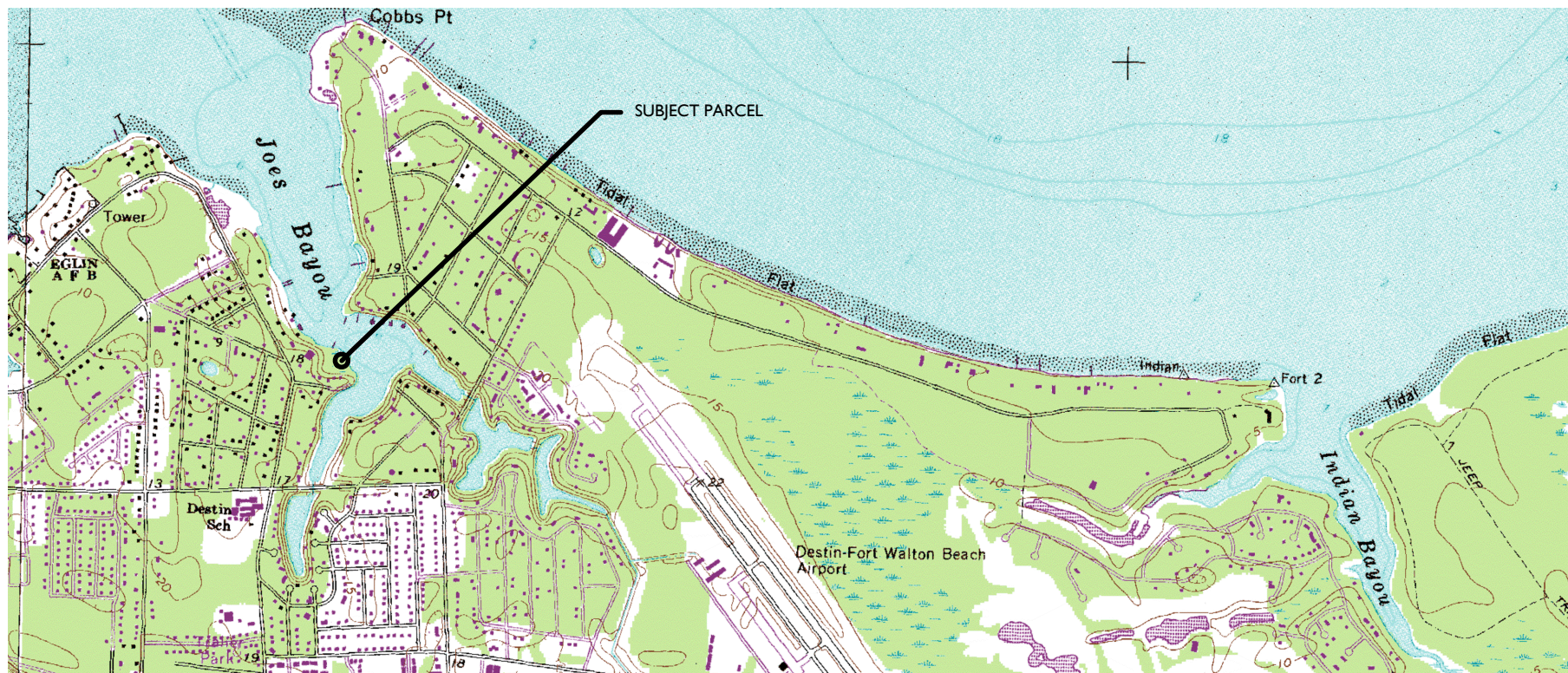
FILING AND ACKNOWLEDGMENT

FILED, on this date, under 120.52(7) of the
Florida Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged.



Clerk

April 25, 2024
Date



PROPERTY INFO

PID: 00-2S-22-1360-0060-0100
 SITUS: 711 SIXTH STREET
 DESTIN, FL 32541
 LAT: 30.406131
 LONG: -86.488174

DRAWING INDEX

1- SITE LOCATION & SHEET INDEX
 2-PLAN VIEW DEPICTED ONTO AERIAL
 3-PLAN VIEW
 4-PROFILE TYP.

RECORD OWNER

LIVINGSTON JOSHUA & SLOAN
 711 6TH ST
 DESTIN, FL 32541

711 SIXTH STREET, LIVINGSTON DOCK

SITE LOCATION & DRAWING INDEX

JOB NO.: 2023.059

DRAWN BY: JAT

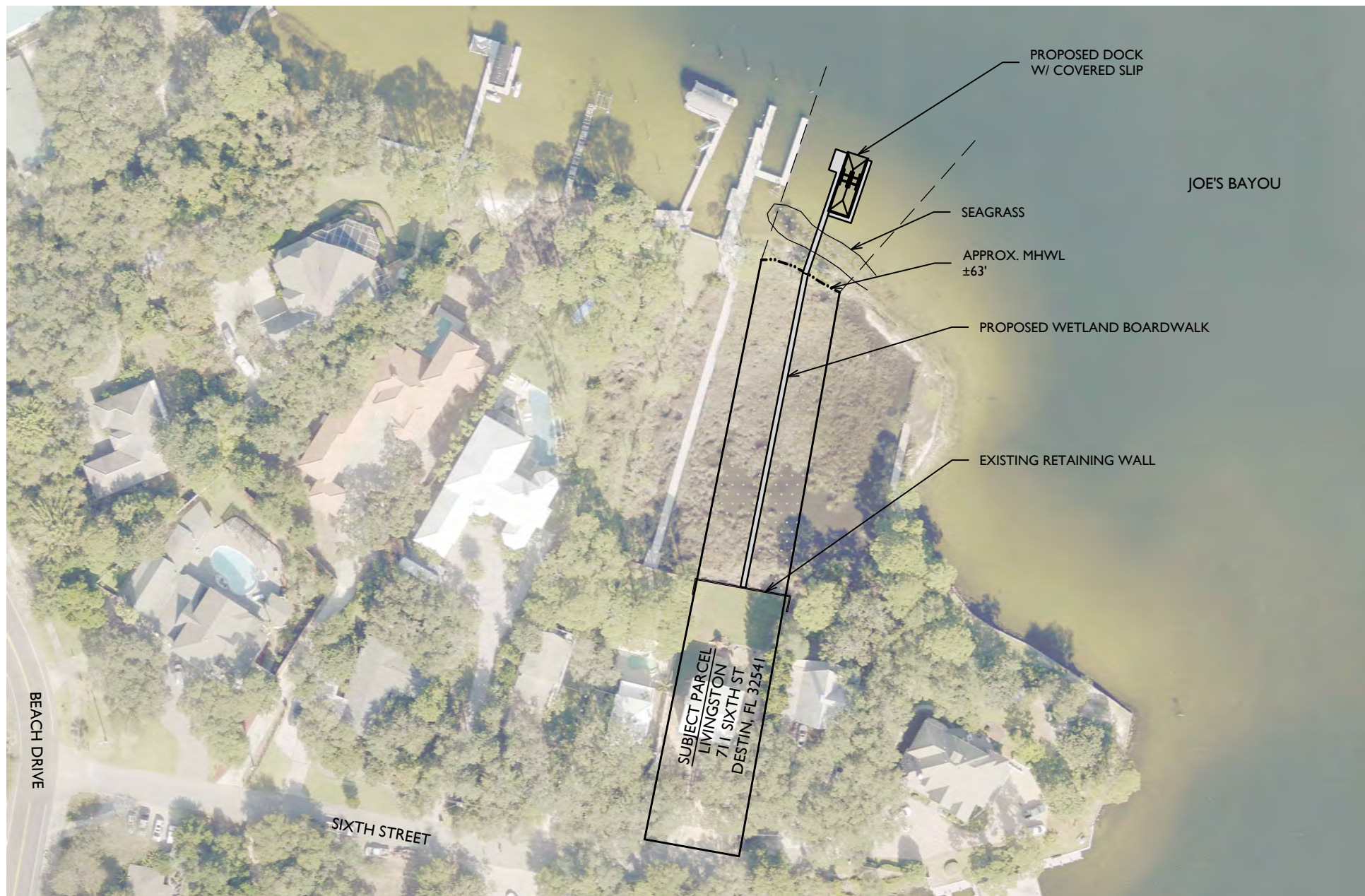
DRAWING DATE: 12.28.2023

SHEET: 1 OF 4

OAKHURST
 CONSULTING

JASON@OAKHURSTCONSULT.COM





711 SIXTH STREET, LIVINGSTON DOCK

PLAN VIEW DEPICTED ONTO AERIAL

JOB NO.: 2023.059

DRAWN BY: JAT

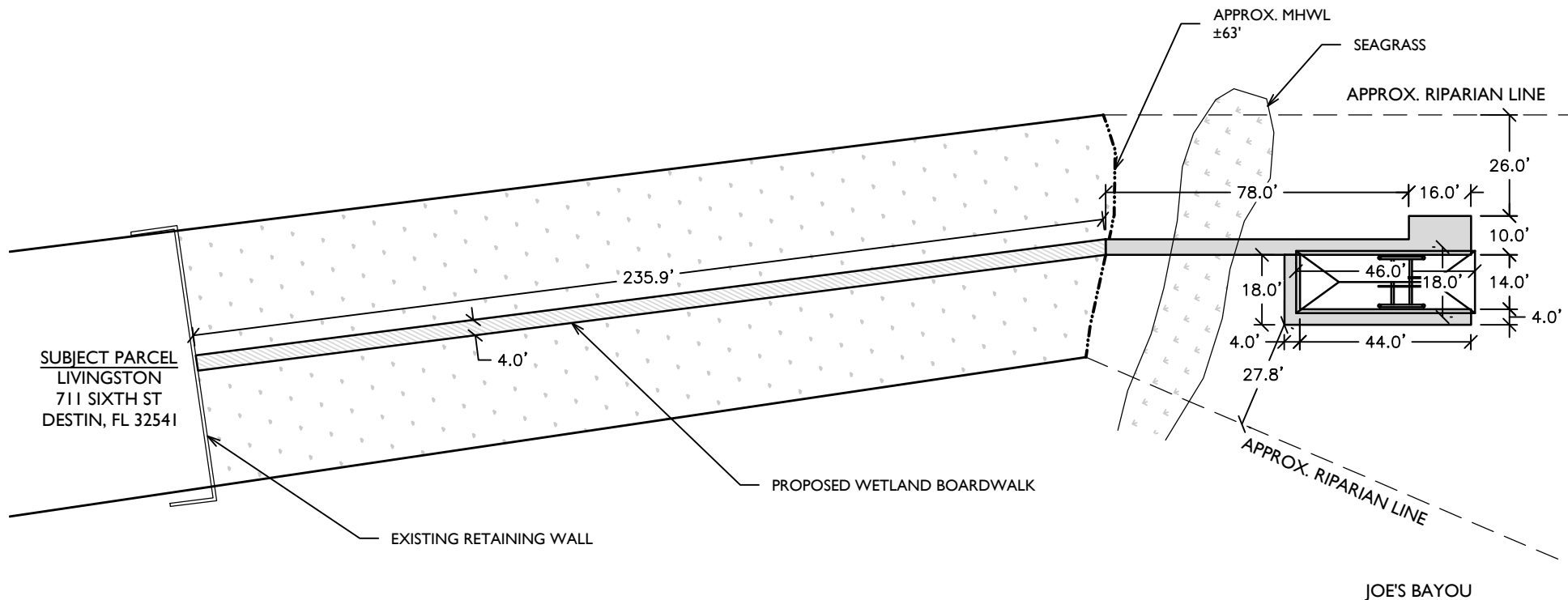
DRAWING DATE: 12.28.2023

SHEET: 2 OF 4

OAKHURST
CONSULTING

JASON@OAKHURSTCONSULT.COM





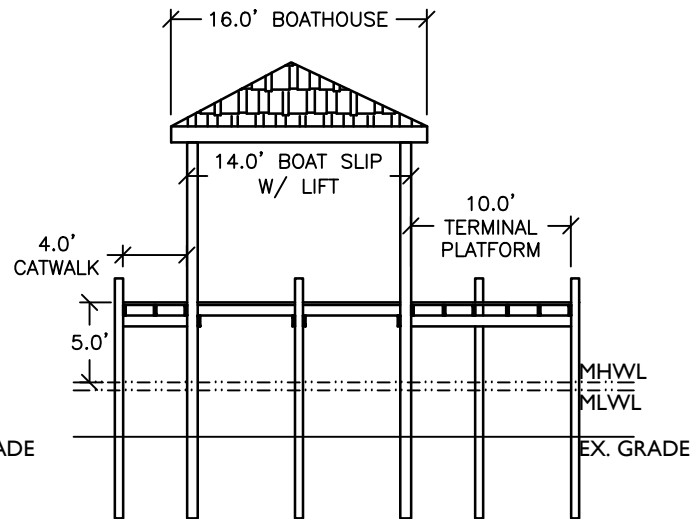
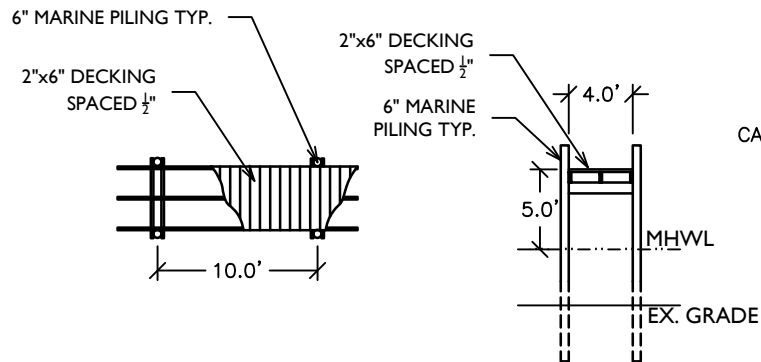
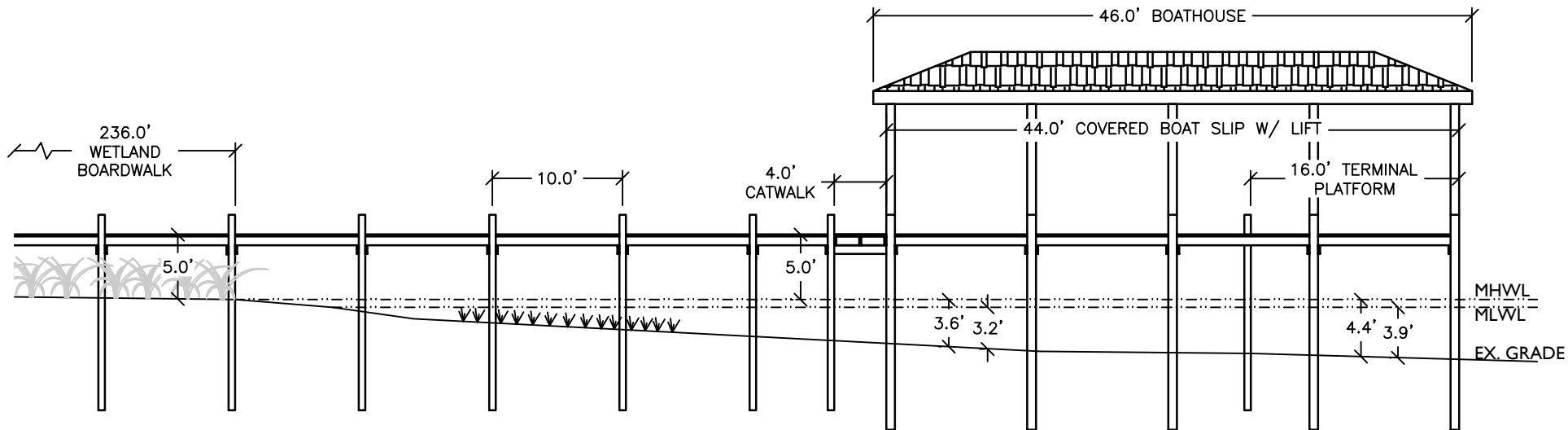
PREEMPTED AREA CALCS:	
78'x4' ACCESS PIER	= 312 S.F.
16'x10' TERMINAL PLATFORM	= 160 S.F.
62'x4' CATWALK	= 248 S.F.
44'x14' COVERED SLIP W/ LIFT	= 616 S.F.
18'x1' ROOF OVERHANG	= 18 S.F.
TOTAL	= 1,354 S.F.
WETLAND BOARDWALK:	
236'x4' ACCESS PIER	= 944 S.F.
TOTAL STRUCTURE	= 2,298 S.F.

711 SIXTH STREET, LIVINGSTON DOCK
 PLAN VIEW
 JOB NO.: 2023.059
 DRAWN BY: JAT DRAWING DATE: 12.28.2023
 SHEET: 3 OF 4

**OAKHURST
CONSULTING**

JASON@OAKHURSTCONSULT.COM





711 SIXTH STREET, LIVINGSTON DOCK

PROFILE TYP.

JOB NO.: 2023.059

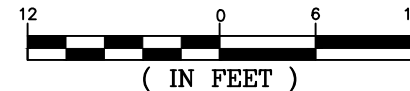
DRAWN BY: JAT

DRAWING DATE: 12.28.2023

SHEET: 4 OF 4

OAKHURST
CONSULTING

JASON@OAKHURSTCONSULT.COM





DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
PENSACOLA REGULATORY FIELD OFFICE
41 NORTH JEFFERSON STREET, SUITE 301
PENSACOLA, FLORIDA 32502

May 10, 2024

Regulatory Division
North Permits Branch
Pensacola Permits Section
SAJ-2024-00075(RGP-SMC)

Mr. Joshua Livingston
711 Sixth Street
Destin, FL 32541
Sent via email: completesitesource@gmail.com

Dear Mr. Livingston:

The U.S. Army Corps of Engineers (Corps) has completed the review of your application for a Department of the Army permit, which the Corps received on January 9th, 2024. Your application was assigned file number SAJ-2024-00075. A review of the information and drawings provided indicates that the proposed work would result in construction of a 4-foot by 236-foot wetland boardwalk extending to the mean high water line (MHWL) and a residential dock with one covered slip. The residential dock will be comprised of a 4-foot by 78-foot access pier, 10-foot by 16-foot terminal platform, 4-foot by 62-foot L-shape finger pier, 14-foot by 46-foot covered boatslip. The roof will extend 1 foot over beyond the limits of the boatslip. The total area of structure measured waterward of the MHWL is 1354 square feet over water. The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The project is located in Joe's Bayou, at 711 Sixth Street, Parcel ID 00-2S-22-1360-0060-0100, Latitude 30.406672°, Longitude -86.48798°, Section 00, Township 02 South, Range 22 West, Destin, Okaloosa County, Florida.

This letter verifies that the aspect of your project to construct a residential dock, as described above and depicted on the enclosed drawings, is authorized by Regional General Permit (RGP) SAJ-20 and any subsequent modifications, if applicable. **This RGP authorization is valid until March 28, 2028.** If you commence or are under contract to commence this activity before the date that SAJ-20 expires or is revoked, you will have 12 months from the date of the expiration or revocation of SAJ-20 to complete the activity under the present terms and conditions of SAJ-20.

Please access the Corps' Jacksonville District Regulatory Division Source Book web page to view the special and general conditions for SAJ-20, which apply specifically to this authorization. The Internet URL address is: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>. Please be aware

this Internet address is case sensitive and you will need to enter it exactly as it appears above. Once there, select "General Permits." Then you will need to select the specific SAJ permit noted above.

You must comply with all of the general and special conditions of the RGP, as well as any project-specific conditions included in this letter.

General Conditions:

1. The time limit for completing the work authorized ends on **March 28, 2028.**
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 attached transfer form (Attachment 1) and forward a copy to this office to validate the transfer of this authorization.
5. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Project Specific Special Conditions:

The following project specific special conditions are included with this verification:

1. **Reporting Address:** The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:
 - a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

- b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 49710, Jacksonville, FL 32232-0019.
 - c. The Permittee shall reference this permit number, SAJ-2024-00075 (RGP-SMC), on all submittals.
2. **Permit Conditions Prevail:** If information in the permit attachments conflict with the special conditions of this permit, the requirements of the permit special conditions shall prevail.
3. **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 2).
4. **Posting of Permit:** The Permittee shall have available and maintain for review a copy of this permit and approved plans at the construction site.
5. **Self-Certification:** Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form (Attachment 3) 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.
6. **Cultural Resources/Historic Properties:**
 - a. No structure or work shall adversely affect, impact, or disturb properties listed in the *National Register of Historic Places* (NRHP), or those eligible for inclusion in the NRHP.
 - b. If, during permitted activities, items that may have historic or archaeological origin are observed the Permittee shall immediately cease all activities adjacent to the discovery that may result in the destruction of these resources and shall prevent his/her employees from further removing, or otherwise damaging, such resources. The applicant shall notify both the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333 and the Corps, of the observations within the same business day (8 hours). Examples of submerged historical, archaeological or cultural resources include shipwrecks, shipwreck debris fields (such as steam engine parts, or wood planks and beams), anchors, ballast rock, concreted iron objects, concentrations of coal, prehistoric watercraft (such as log "dugouts"), and other evidence of human activity. The materials may be deeply buried in sediment, resting in shallow sediments or above them, or protruding into water. The Corps shall coordinate

with the Florida State Historic Preservation Officer (SHPO) to assess the significance of the discovery and devise appropriate actions. Project activities shall not resume without verbal and/or written authorization from the Corps.

- c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition and, if deemed necessary by the SHPO or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.
 - d. In the unlikely event that unmarked human remains are identified on non-federal lands; they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archaeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the SHPO and from the Corps.
7. **Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the 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 or alteration.
8. **Jacksonville District Programmatic Biological Opinion (JAXBO):** Structures and activities authorized under this permit will be constructed and operated in accordance with all applicable PDCs contained in the JAXBO, based on the permitted activity. Johnson's seagrass and its critical habitat were delisted from the Endangered Species Act on May 16, 2022. Therefore, JAXBO PDCs required to minimize adverse effects to Johnson's seagrass and its critical habitat are no longer applicable to any project. Failure to comply with applicable PDCs will constitute noncompliance with this permit. In addition, failure to comply with the applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take.

The NMFS is the appropriate authority to determine compliance with the Endangered Species Act. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division website in the Endangered Species section of the Sourcebook located at:

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

JAXBO may be subject to revision at any time. The most recent version of the JAXBO must be utilized during the design and construction of the permitted work.

9. **Manatee Conditions:** The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attachment 4). The most recent version of the Manatee Conditions must be utilized.
10. **Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained daily until the authorized work has been completed and turbidity within the construction area has returned to ambient levels. Turbidity barriers shall be removed upon stabilization of the work area.
11. **Dock Construction Guidelines:** The Permittee shall comply with the Choose an item section of the “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 – November 2017 (Attachment 5).

No permit required – wetland boardwalk

The aspect of your project to construct a boardwalk through wetlands located landward of the mean high water line of Joe’s Bayou will not require a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899 as it is not located within the navigable waters of the United States. Furthermore, the Corps has determined that the proposed wetland boardwalk will not require a Department of the Army permit in accordance with Section 404 of the Clean Water Act. The proposed work may occur in waters of the United States that were retained under Corps regulatory authority in accordance with the Memorandum of Agreement Between the Florida Department of Environmental Protection and the Department of the Army dated August 5, 2020. However, the Corps determined that the proposed work does not involve the discharge of dredged or fill material into waters of the United States. Provided the work is done in accordance with the enclosed drawings, Department of the Army authorization will not be required.

This letter of authorization does not include conditions that would prevent the ‘take’ of a state-listed fish or wildlife species. These species are protected under sec.

379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

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

This letter of authorization does not preclude the necessity to obtain any other Federal, State, or local permits, which may be required.

Please note U.S. Coast Guard regulations may require you as permittee to provide information for a Notice to the maritime community regarding your project. You should contact the Coast Guard Sector Mobile Waterways Management Branch (spw), D8MarineInfo@uscg.mil or by phone at (504) 671-2116 to determine if a Notice is necessary. Also any safety lights, signs and signals prescribed by the U.S. Coast Guard through their regulations or otherwise, must be installed and maintained at your expense as permittee on authorized facilities in navigable waters of the United States. To receive a U.S. Coast Guard Private Aids to Navigation marking determination, you are advised to contact the Eighth Coast Guard District (dpw), 500 Poydras St. Suite 1230, New Orleans, LA 70130, (504) 671-2330 or via email to: D8oanPATON@uscg.mil prior to installation/construction of any fixed structures. For general information related to Private Aids to Navigation please visit the Eighth CG District web site at: <http://www.atlanticarea.uscg.mil/district-8/district-divisions/waterways/PATON> .

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. Please be aware this Internet address is case sensitive and you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Should you have any questions related to this RGP verification or have issues accessing the documents referenced in this letter, please contact Scott Casey at the

letterhead address above, by telephone at 850-512-9617, or by email at scott.m.casey@usace.army.mil .

Sincerely,

Scott Casey

Scott Casey
Project Manager

Enclosures

Cc:
Oakhurst Consulting, agent
CESAJ-RD

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

DA PERMIT NUMBER: SAJ-2024-00075 (RGP-SMC)

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

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019 or submit via electronic mail to: SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

COMMENCEMENT NOTIFICATION

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

1. Department of the Army Permit Number: SAJ-2024-00075 (RGP-SMC)

2. Permittee Information:

Name: _____

Email: _____

Address: _____

Phone: _____

3. Construction Start Date: _____

4. Contact to Schedule Inspection:

Name: _____

Email: _____

Phone: _____

Signature of Permittee

Printed Name of Permittee

Date

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Within sixty (60) days of completion of the authorized work, submit this form via electronic mail to saj-rd-enforcement@usace.army.mil (preferred) or by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

1. **Department of the Army Permit Number:** SAJ-2024-00075 (RGP-SMC)

2. **Permittee Information:** Name: _____

Email: _____

Address: _____

Phone: _____

3. **Date Authorized Work Started:** _____ **Completed:** _____

4. **Contact to Schedule Inspection:** Name: _____

Email: _____

Phone: _____

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

6. **Acreage or Square Feet of Impacts to Waters of the United States:** _____

7. **Describe Mitigation completed (if applicable):** _____

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

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

Signature of Permittee

Printed Name of Permittee

Date

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

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 Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or 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 FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

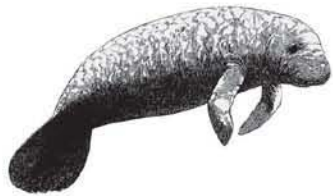
All project vessels

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

**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
November 2017**

Submerged Aquatic Vegetation:

1. Avoidance. The piling-supported structure shall be aligned so as to minimize the size of the footprint over SAV beds.
2. The height of piling-supported structure shall be a minimum of 5 feet above MHW/OHW as measured from the top surface of the decking.
3. The width of the piling-supported structure is limited to a maximum of 4 feet. A turnaround area is allowed for piling-supported structures greater than 200 feet in length. The turnaround is limited to a section of the piling-supported structure no more than 10 feet in length and no more than 6 feet in width. The turnaround shall be located at the midpoint of the piling-supported structure.
4. Over-SAV bed portions of the piling-supported structure shall be oriented in a north-south orientation to the maximum extent that is practicable.
5. a. If possible, terminal platforms shall be placed in deep water, waterward of SAV beds or in an area devoid of SAV beds.

b. If a terminal platform is placed over SAV areas and constructed of grated decking, the total size of the platform shall be limited to 160 square feet. The grated deck material shall conform to the specifications stipulated below. The configuration of the platform shall be a maximum of 8 feet by 20 feet. A minimum of 5 feet by 20 feet shall conform to the 5-foot height requirement; a 3 feet by 20 feet section may be placed 3 feet above MHW to facilitate boat access. The long axis of the platform should be aligned in a north-south direction to the maximum extent that is practicable.

c. If the terminal platform is placed over SAV areas and constructed of planks, the total size of the platform shall be limited to 120 square feet. The configuration of the platform shall be a maximum of 6 feet by 20 feet of which a minimum 4-foot wide by 20-foot long section shall conform to the 5-foot height requirement. A section may be placed 3 feet above MHW to facilitate boat access. The 3 feet above MHW section shall be cantilevered. The long axis of the platform should be aligned in a north-south direction to the maximum extent that is practicable. If the 3 feet above MHW section is constructed with grating material, it may be 3 feet wide.
6. One uncovered boat lift area is allowed. A narrow catwalk (2 feet wide if planks are used, 3 feet wide if grating is used) may be added to facilitate boat maintenance along the outboard side of the boat lift and a 4-foot wide walkway may be added along the stern end of the boat lift, provided all such walkways are elevated 5 feet above MHW. The catwalk shall be cantilevered from the outboard mooring pilings (spaced no closer than 10 feet apart).
7. Pilings shall be installed in a manner which will not result in the formation of sedimentary deposits("donuts" or "halos") around the newly installed pilings. Pile driving is the preferred method of installation, but jetting with a low pressure pump may be used.
8. The spacing of pilings through SAV beds shall be a minimum of 10 feet on center.
9. The gaps between deckboards shall be a minimum of ½ inch.

October 2002 - Grid Specifications and Suppliers Section modified to add an additional vendor of materials.

February 2003 – Manufacturer name changed from ChemGrate to FiberGrate

May 2003 - The terms dock and pier were removed and replaced by the term piling-supported structure, to clarify our intent.

March 2008 – Added requirement for 43% open space in grids; added additional manufacturer of grating.

November 2017 – Manufacturer of grated material updated to include Voyager Industries.

Marsh:

1. The piling-supported structure shall be aligned so as to have the smallest over-marsh footprint as practicable.
2. The over-marsh portion of the piling-supported shall be elevated to at least 4 feet above the marsh floor.
3. 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.

Mangroves.

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

Grid Specifications and Suppliers

The following information does not constitute a U.S. Army Corps of Engineers endorsement or advertisement for any particular provider and is provided only as an example for those interested in obtaining these materials for piling-supported structure construction. Light-transmitting materials are made of various materials shaped in the form of grids, grates, lattices, etc., to allow the passage of light through the open spaces. **All light-transmitting materials used in construction for minor piling-supported structures shall have a minimum of forty-three (43) percent open space.**

A type of fiberglass grate panel is manufactured by SeaSafe (Lafayette, LA; phone: 1-800-326-8842) and FiberGrate (1-800-527-4043). A type of plastic grating is manufactured by ThruFlow Interlocking Panels (1-888-478-3569). Plastic grate panels are also distributed by Southern Pine Lumber Company (Stuart, FL; 772-692-2300). Grated panels can be obtained from Titan Deck/Voyager Industries (Brandon, MN; 877-207-4136; www.titandeck.net). Panels are available in a variety of sizes and thicknesses. For safety, the grate should contain an anti-slip texture which is integrally molded into the top surface. The manufacturer or local distributor should be consulted to ensure that the load-bearing capacity of the selected product is sufficient to support the intended purpose. Contact the manufacturer(s) for product specifications and a list of regional distributors.

October 2002 - Grid Specifications and Suppliers Section modified to add an additional vendor of materials.

February 2003 – Manufacturer name changed from ChemGrate to FiberGrate

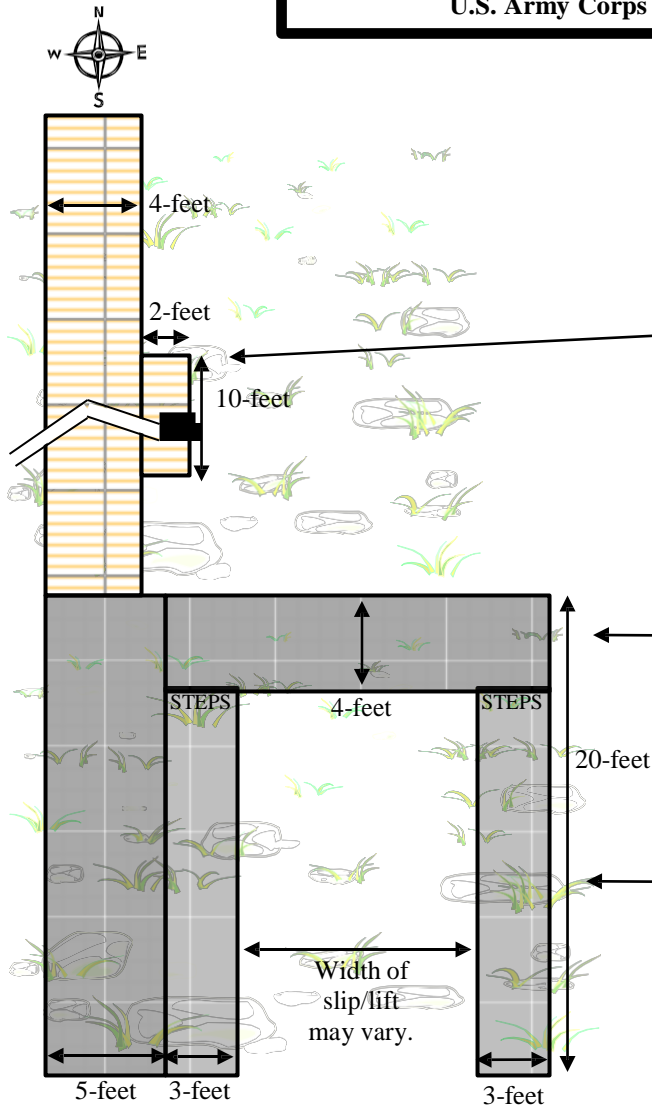
May 2003 - The terms dock and pier were removed and replaced by the term piling-supported structure, to clarify our intent.

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November 2017 – Manufacturer of grated material updated to include Voyager Industries.

DOCK EXAMPLE — GRATED TERMINAL PLATFORM

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



OVERHEAD PLAN VIEW

“GRATED DECKING”
 Means manufactured with a minimum of 43% open space.

Spacing of pilings through SAV beds shall be a minimum of 10-feet on center.

MIDPOINT TURNAROUND
 Only for docks over 200-feet long.

LIFT ONLY
 No roof.
 Vessel should be stored as high above MHW as possible.

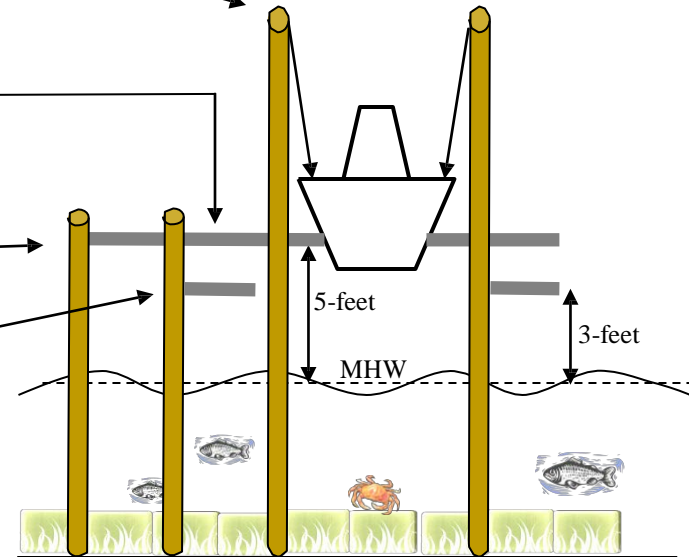
STERN WALKWAY
 Allowed if lift constructed.
 May be less than 4-feet wide if longer slip is needed.

MINIMUM HEIGHT
 No less than 5-feet above MHW

ACCESS CATWALKS
 3-feet wide if grated decking.
 3-feet above MHW to facilitate boat access.
 Cantilevered off main structures; no additional pilings.

NOTES:

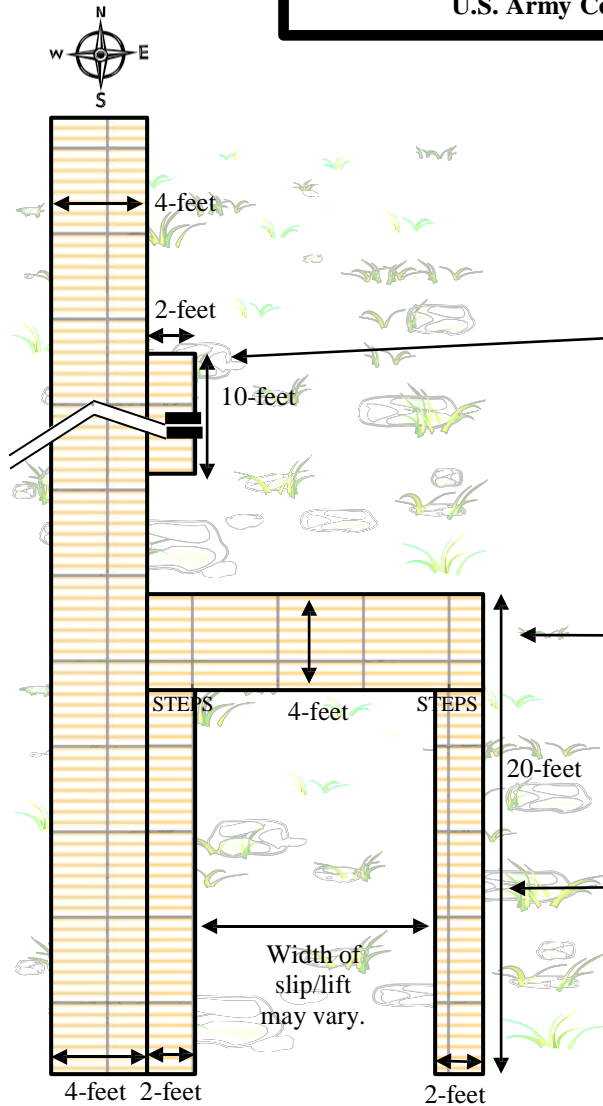
- Not to scale.
- All widths are maximum dimension.
- All heights are minimum dimension.
- Piling supported structures over SAV should be oriented north-south to the extent practicable.
- MHW = mean high water



FRONT PLAN VIEW

DOCK EXAMPLE — WOOD PLANK TERMINAL PLATFORM

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



OVERHEAD PLAN VIEW

The gaps between deckboards shall be a minimum of 1/2 inch.

Spacing of pilings through SAV beds shall be a minimum of 10-feet on center.

MIDPOINT TURNAROUND
 Only for docks over 200-feet long.

LIFT ONLY
 No roof.
 Vessel should be stored as high above MHW as possible.

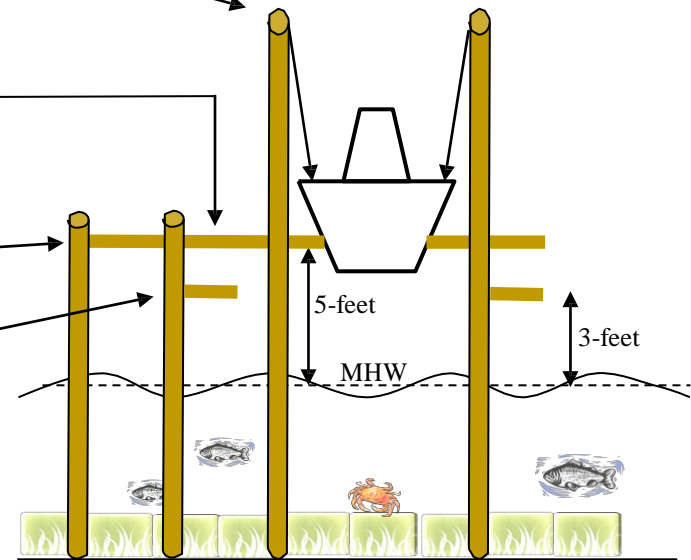
STERN WALKWAY
 Allowed if lift constructed.
 May be less than 4-feet wide if longer slip is needed.

MINIMUM HEIGHT
 No less than 5-feet above MHW

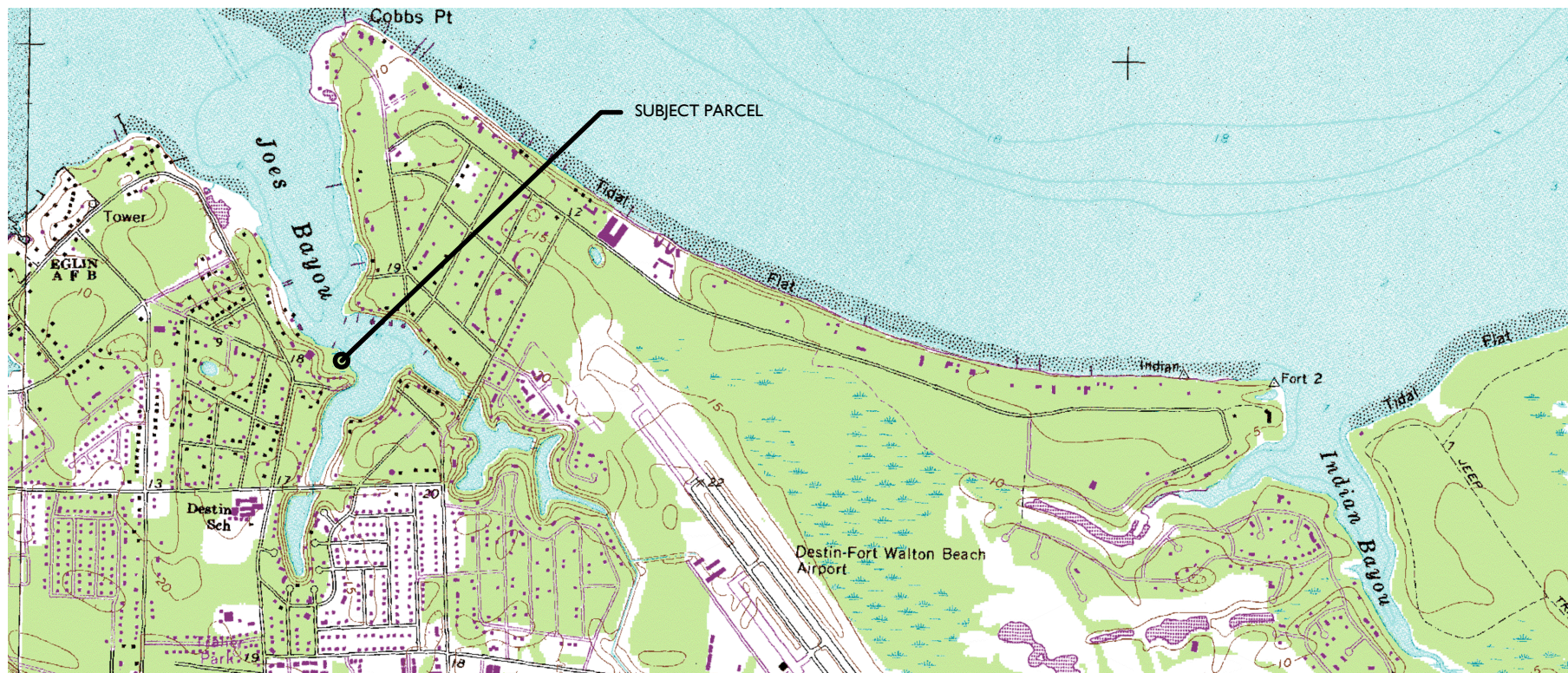
ACCESS CATWALKS
 2-feet wide if wood decking.
 3-feet above MHW to facilitate boat access.
 Cantilevered off main structures;
 no additional pilings.

NOTES:

- Not to scale.
- All widths are maximum dimension.
- All heights are minimum dimension.
- Piling supported structures over SAV should be oriented north-south to the extent practicable.
- MHW = mean high water



FRONT PLAN VIEW



PROPERTY INFO

PID: 00-2S-22-1360-0060-0100
 SITUS: 711 SIXTH STREET
 DESTIN, FL 32541
 LAT: 30.406131
 LONG: -86.488174

DRAWING INDEX

1- SITE LOCATION & SHEET INDEX
 2-PLAN VIEW DEPICTED ONTO AERIAL
 3-PLAN VIEW
 4-PROFILE TYP.

RECORD OWNER

LIVINGSTON JOSHUA & SLOAN
 711 6TH ST
 DESTIN, FL 32541

711 SIXTH STREET, LIVINGSTON DOCK

SITE LOCATION & DRAWING INDEX

JOB NO.: 2023.059

DRAWN BY: JAT

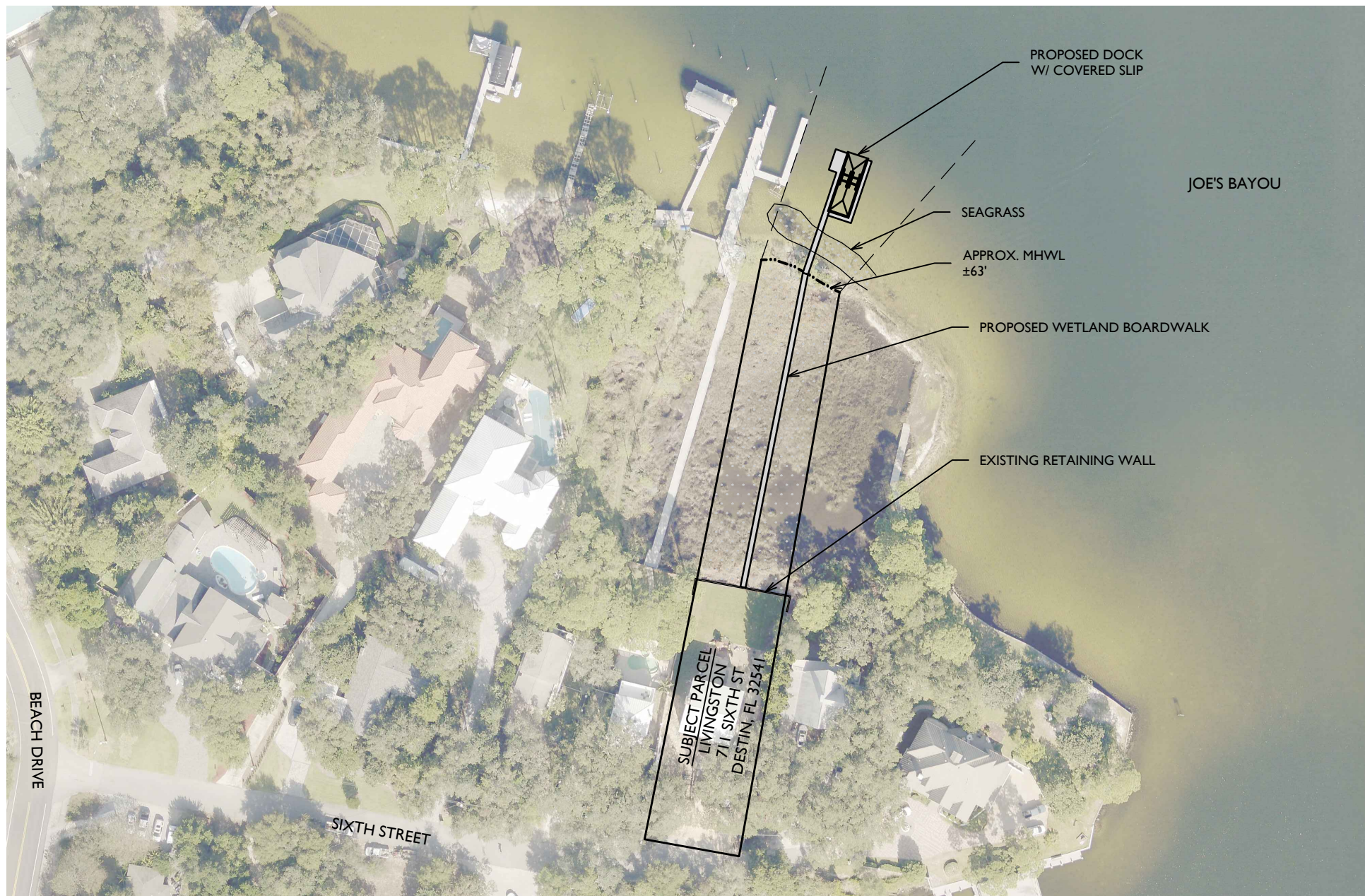
DRAWING DATE: 12.28.2023

SHEET: 1 OF 4

OAKHURST
 CONSULTING

JASON@OAKHURSTCONSULT.COM





711 SIXTH STREET, LIVINGSTON DOCK

PLAN VIEW DEPICTED ONTO AERIAL

JOB NO.: 2023.059

DRAWN BY: JAT

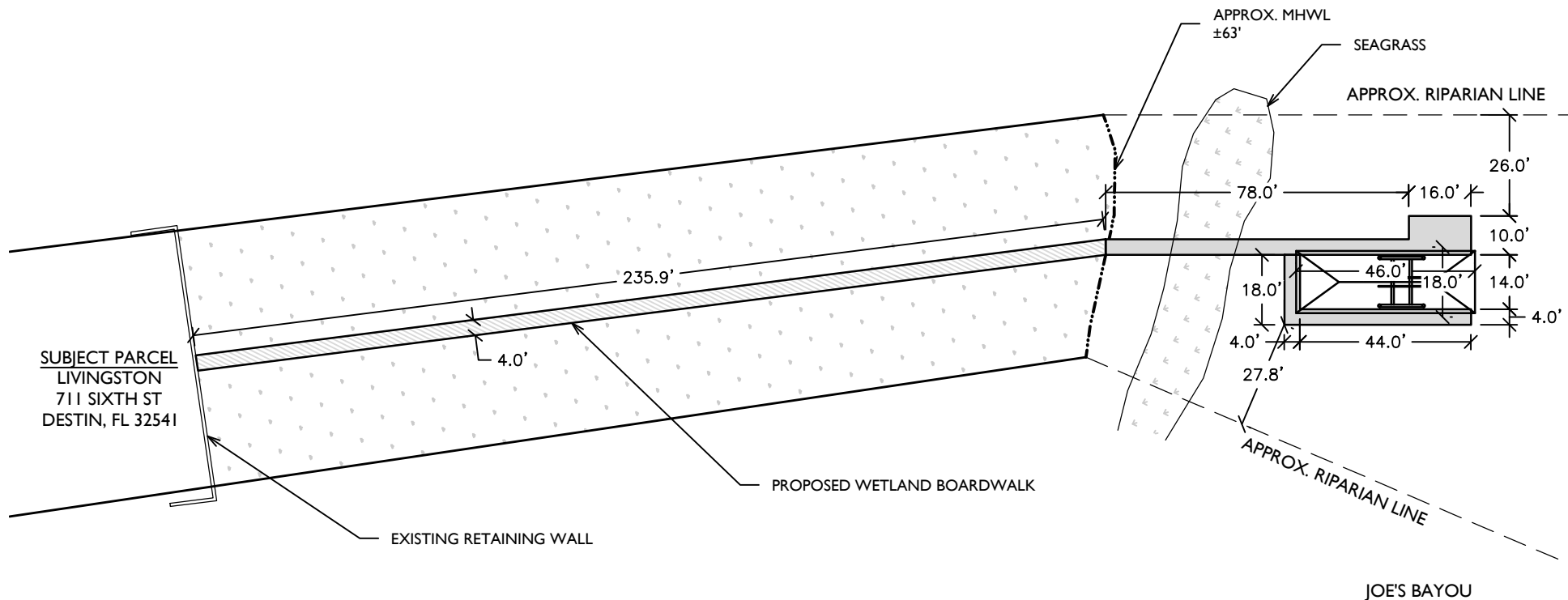
DRAWING DATE: 12.28.2023

SHEET: 2 OF 4

OAKHURST
CONSULTING

JASON@OAKHURSTCONSULT.COM



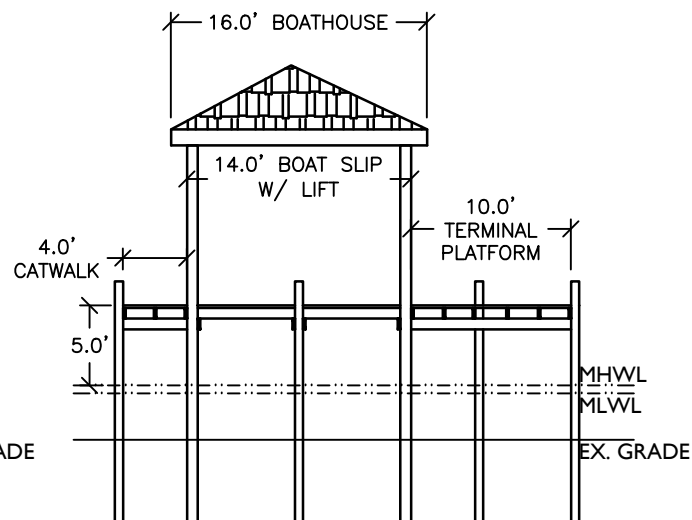
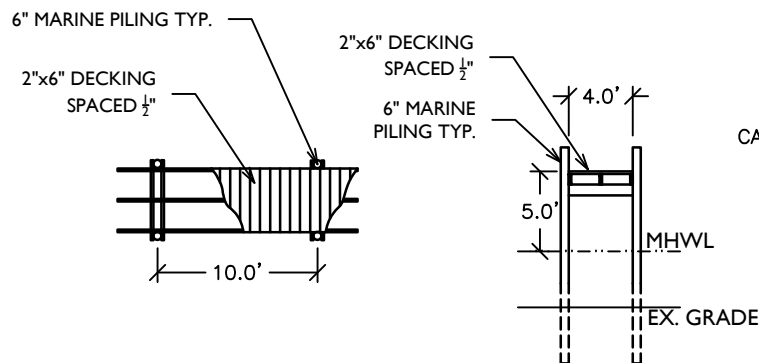
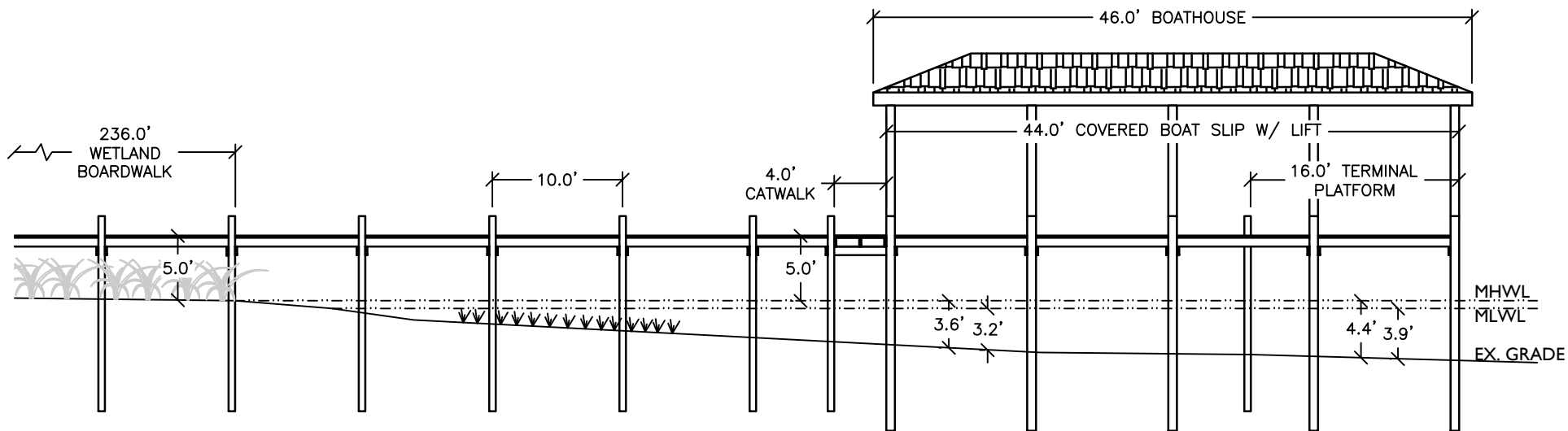


PREEMPTED AREA CALCS:	
78'x4' ACCESS PIER	= 312 S.F.
16'x10' TERMINAL PLATFORM	= 160 S.F.
62'x4' CATWALK	= 248 S.F.
44'x14' COVERED SLIP W/ LIFT	= 616 S.F.
18'x1' ROOF OVERHANG	= 18 S.F.
TOTAL	= 1,354 S.F.
WETLAND BOARDWALK:	
236'x4' ACCESS PIER	= 944 S.F.
TOTAL STRUCTURE	= 2,298 S.F.

711 SIXTH STREET, LIVINGSTON DOCK
 PLAN VIEW
 JOB NO.: 2023.059
 DRAWN BY: JAT DRAWING DATE: 12.28.2023
 SHEET: 3 OF 4

**OAKHURST
 CONSULTING**
 JASON@OAKHURSTCONSULT.COM





711 SIXTH STREET, LIVINGSTON DOCK

PROFILE TYP.

JOB NO.: 2023.059

DRAWN BY: JAT

DRAWING DATE: 12.28.2023

SHEET: 4 OF 4

OAKHURST
CONSULTING

JASON@OAKHURSTCONSULT.COM





Community Development Planning Division

4100 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-654-1119 | Email: planning@cityofdestin.com

December 6, 2024

SUBJECT: Notification of Harbor & Waterways Board Application (HWB- 001506-2024) – Residential Marine Construction – 711 Sixth St, Destin FL

Dear Property Owner:

This letter is to notify you of a proposed marine construction project at **711 Sixth St, Destin FL**. The Marine Construction application requires Harbor & Waterways Board review and recommendation. **The Application will be heard by the Harbor & Waterways Board at 5:30 p.m. at the Destin City Hall Annex, 4100 Indian Bayou Trail on Thursday, January 23rd, 2024 (tentative).**

As an owner of a property located near this project, *Destin Land Development Code (LDC) Sections 2.17.00 & 11.05.01.S* require a written notice providing you with the following information. This project proposes new marine construction in proximity to your property line; therefore, The City is requesting your input on the matter. If you would like to provide any comments you may respond by sending an email to the email address listed below, or by appearing before the Harbor & Waterways Board.

This notice is for informational purposes only and no action is required of you. However, citizens are encouraged to provide a response to the email address provided below.

1. Name of Owner: Livingston Joshua M & Sloan
2. Name of Agent: Joshua Livingston, Complete Site Source LLC
3. Address of Project: 711 Sixth St, Destin FL 32541
4. Parcel ID Number: 00-2S-22-1360-0060-0100
5. Project Description: Single family dock with covered boat slip
6. Location of Application Package: To request that a digital copy of the application package be sent to you, please call the City Clerk at (850) 837-4242 or fill out a Public Records Request (PRR) online: <http://www.cityofdestin.com/forms.aspx?fid=121>

If you have any questions or concerns regarding this letter, please do not hesitate to contact us at (850) 842-4669 or via email at planning@cityofdestin.com.

Sincerely,

Ashley Dominguez
Planner

CC: Tina Deater, AICP, Community Development Director
Planning
Project File



CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: February 27, 2025
BOARD/COMMITTEE: Harbor & Waterways Board
TYPE OF AGENDA ITEM: Action Item
OUTLINE NUMBER: 3.B.

TO: Harbor & Waterways Board

THRU: Steve O'Connor, Deputy Community Development Director
Kimberly Kopp, City Attorney
Daniel Butler, Principal Planner

FROM: Ashley Dominguez, Planner

DATE: January 16, 2025

SUBJECT: 3815 Indian Trail, Residential Marine Construction, HWB-001514-2024

I. BACKGROUND:

Hebert Builders LLC, on behalf of Reginald Guerra, has applied for Harbor and Waterways Board review for the construction of a new single-family dock and a covered boatlift.

The applicant seeks a recommendation of approval from the Harbor and Waterways Board for a Residential Marine Construction project proposing a dock and covered boat slip with:

Total Square Feet: 958
Total Number of Piers or Docks: 1 Dock
Total Length: 109.5'
Total Slip Density: 1
Located in the Destin Harbor: No

II. DISCUSSION: The applicant requests Harbor and Waterways Board review for residential marine construction located at 3815 Indian Trail within Choctawhatchee Bay.

The Harbor and Waterways Board is being asked to review the proposed marine project per Land Development Code **Section 11.05.01 - General regulations; prohibitions** and **Section 11.05.02 – Permitting procedures**. Below are Staff’s findings with respect to **Section 11.05.01** and **Section 11.05.02**; items not applicable to this project are marked “Not Applicable.”

11.05.01. General regulations; prohibitions. *This article establishes and regulates procedures and standards by which the City controls and regulates development, construction and activities within and contiguous to the Harbor and waterways of Destin. The following regulations and prohibitions shall apply to the Harbor and waterways of Destin:*

A. No person shall construct or add to an existing dock, seawall, bulkhead, mooring or piling, modify an existing submerged land lease, or conditions thereto, or conduct dredge or fill operations in, or contiguous to, the Harbor or waterways of Destin without first obtaining the proper authorization from the appropriate federal, state and City agencies.

Staff response: *The applicant has submitted for authorization from all appropriate agencies.*

B. The addition or modification of a boat lift or pilings within an existing legal and conforming boat slip shall not require the review of the Harbor and Waterways Board or the City Council. Rather, a copy of the U.S. Army Corps of Engineers permit, DEP permit, and a homeowner's association approval (if applicable) shall accompany a completed application for a building permit, provided no additional slips are created.

Staff response: *Not applicable.*

C. No fish carcasses and debris shall be discharged into the Harbor or waterways of Destin.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

D. No person who maintains or operates a dock shall allow or permit the disposal of fish carcasses, litter, waste petroleum products or other pollutants into the Harbor or waterways of Destin. Trash disposal receptacles shall be anchored to each dock to ensure compliance with the provisions of this article.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

E. No fuel or oil shall be willfully or knowingly discharged in the Harbor or waterways of Destin. No dock which sells fuel or oil shall be constructed, operated or maintained in the Harbor or waterways of Destin unless an oil abatement plan, in accordance with Coast Guard guidelines, is available at each dock. The Destin Harbor and Waterways Board shall review and recommend approval or disapproval of each oil abatement plan to the City Council, which shall have approval authority. Each existing dock which sells fuel or oil shall develop and have approved an oil abatement plan acceptable to the City. All new docks which sell fuel or oil shall develop and have an approved oil abatement plan, which is acceptable to the City, prior to receiving a building permit from the City.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to. This is a residential dock; therefore, no fuel or oil will be sold, and an oil abatement plan is not required.*

F. No new or existing dock shall be constructed or modified such that the length of any

pier as completed is greater than 20 percent of the width of the Harbor or waterway at the place where the pier is located, or out 200 feet, whichever is less, except in Choctawhatchee Bay.

Staff response: *Not applicable, as the proposed dock is within Choctawhatchee Bay.*

G. No piling(s) shall be added to the waterward end of any pier which piling(s) would make the total length of the dock more than 200 feet, or 20 percent of the waterway, whichever is less, except in Choctawhatchee Bay.

Staff response: *Not applicable.*

H. No vessel shall be moored or docked on the waterward end of any pier of the maximum legal length, as determined pursuant to subsection F above, for more than 72 hours.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

I. No dock shall be constructed which permits the commercial docking of boats with on-board toilets unless such the dock is equipped with a sewage pump-out.

Staff response: *Not applicable.*

J. No dock shall be constructed which permits the docking of a live-aboard unless such vessel has an operable holding tank.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

K. No boat shall be moored in the Harbor or waterways of Destin such that it constitutes a hazard to navigation.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

L. No dock shall be constructed such that it constitutes a hazard to navigation.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

M. Excepting docks connected to uplands zoned SHMU, or those located on Choctawhatchee Bay, no dock shall be longer than the width, at the mean high-water line, of the lot to which the dock is attached.

Staff response: *Not applicable.*

1. For those docks connected to uplands zoned SHMU, or those located on Choctawhatchee Bay, a dock may be constructed to a length of 1.5 times the width of the property at the mean high-water line, provided the length of the dock does not exceed the maximum length established by paragraphs F and G above.

Staff response: *The width of the property at the Mean-High Water Line (MHWL) is 100', per the survey submitted. As the proposed dock is approximately 109' long, this complies with the LDC.*

2. For the purpose of this subsection, lots may be combined with neighboring lots. However, no dock may exceed the limitations specified in subsection F above.

Staff response: *Not applicable.*

N. No dock shall be constructed or modified such that slip density exceeds one slip per eight linear feet of waterfront footage except that, on canals, no lot may have more than one slip per 45 linear feet of waterfront. However, all lots riparian to a canal shall be entitled to at least two slips on the canal.

Staff response: *Not Applicable.*

O. No boat or vessel, entering into, exiting or operating within the Destin Harbor shall operate at such speed that would create a wake that endangers other boats or vessels, swimmers or other persons within the Destin Harbor, or would contribute to any adjacent land erosion.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

P. No heated or cooled water may be emitted into the Harbor, waterways, or the Harbor canals other than from a boat.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

Q. No pier shall extend more than six feet into a canal right-of-way.

Staff response: *Not applicable.*

R. No discharge of water shall contain phosphorous or any other substance likely to cause a violation of the water quality standards specified in Chapter 17-302, Florida Administrative Code.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

S. No dock or vessel shall be placed within the 25-foot setback of a property line without providing prior written notification to the adjoining landowners and requesting their response. Any objections received from the adjoining property owners will be considered by the Harbor and Waterways Board in their recommendations to the City Council.

Staff response: *Staff sent the provided Adjacent Property Notification to the neighboring properties on January 13, 2025.*

T. No dock shall unreasonably interfere with the riparian rights of others.

Staff response: *Staff sent the provided Adjacent Property Notification to the neighboring properties on January 13, 2025. As proposed, the riparian rights of others are not interfered with.*

U. No dock of 100 feet or longer shall be constructed unless a white navigation/security night-light is installed at the furthest point seaward on said dock and such light is to be illuminated continuously from dusk to dawn every night of the year. All existing docks 100 feet or longer shall install and operate a navigation/security light pursuant to this subsection. Each light shall be installed within 90 days after adoption of this Code.

Staff response: *This regulation applies to the subject dock and shall be adhered to.*

V. No commercially operated boat docking facilities shall be permitted or operated unless equipped with firefighting facilities as specified by the City.

Staff response: *Not applicable.*

W. No construction shall be allowed which violates any provision of the Standard Building Code, as adopted by the City.

Staff response: *Applicant must obtain an approved Marine Construction Permit prior to any construction.*

X. No electrical or water service upon any dock shall be installed unless a permit is obtained from the Planning Department and Building Department for that service.

Staff response: *Applicant must obtain an approved Marine Construction Permit prior to any construction.*

Y. No person, while operating a boat within the or waterways of Destin shall allow or permit the disposal of fish carcasses, litter, waste, petroleum products or other pollutants into the Harbor or waterways of Destin from such boats.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

Z. No lot, or multi-contiguous lots, with less than 50 feet of waterfront footage shall be allowed individual docks, unless they are parallel to the shoreline. However, docks may be allowed under the provisions of subsection **11.05.01.M.2**.

Staff response: *Not applicable.*

Pursuant to **Section 11.05.03, Land Development Code (LDC)**, all construction shall be inspected by the City Building Inspector for compliance with applicable building codes. The applicant shall be responsible for the condition and repair of permitted docks and failure to maintain said docks in a safe condition shall constitute grounds for revocation of the permit.

A. Link to Strategic Goals / Objectives: IV) Enhanced quality of life and

safety for families.

- B. Effect on Budget (EOB): N/A**
- C. Level of Service (LOS): N/A**
- D. Legislative Sponsor:**
- E. Business Impact Statement:**

III. CONCLUSION:

The applicant requests Harbor and Waterways Board approval for a residential marine construction project located at 3815 Indian Trail. Additionally, the applicant provided a receipt of submittal from the Florida Department of Environmental Protection (FDEP), Self-Certification File No.: 0455775001EE.

City Staff reviewed the application and determined that the plans comply with *LDC Section 11.05.00, Marina Siting*, and the Coastal Management Element of the City's Comprehensive Plan (*Coastal Management Element Policy 6-1.1.6*).

IV. RECOMMENDED MOTION:

I move that the Harbor and Waterways Board approve the marine construction project proposed at 3815 Indian Trail, for the construction of a new Single-family residential dock and a covered boatlift, with the following conditions:

- 1. All applicable Federal or State approvals shall be submitted with the Marine Construction Permit application; and**
- 2. All regulations of the City's Marina Siting *LDC Section 11.05.00* shall be adhered to and followed at all times.**

ALTERNATIVE MOTION:

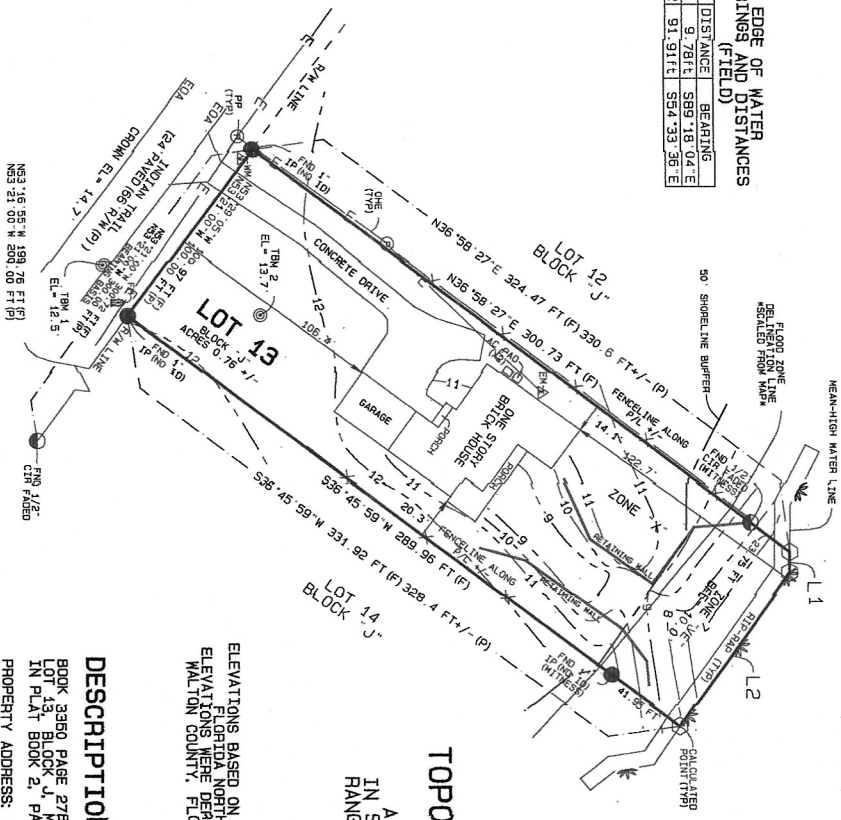
I move that the Harbor and Waterways Board deny the proposed marine construction project at 3815 Indian Trail.

Attachments:

1. 1. Boundary Survey - Existing Conditions
2. 2. Existing Conditions - Image
3. 3. Scaled & Dimensioned Site Plan
4. 4. Engineered Dock Plans
5. 5. FDEP Self-Certification Receipt
6. 6. Agent Affidavit
7. 7. Proof of Ownership
8. 8. Letter of Request

9. 9. Adjacent Property Notification

LINE	DISTANCE	BEARING
L1	9.781E	S89.18.04"E
L2	91.917E	S54.33.36"E



CHOCTAWHATCHEE BAY
(PER PLAT)

BOUNDARY & TOPOGRAPHICAL SURVEY
OF
A PARCEL OF LAND LYING
IN SECTION 18, TOWNSHIP 25,
RANGE 22W, OKALOOSA COUNTY,
FLORIDA

ELEVATIONS BASED ON STATE PLANE COORDINATE SYSTEM, ZONE
FLORIDA NORTH, NORTH AMERICAN DATUM 1988.
ELEVATIONS WERE DERIVED BY DIFFERENTIAL LEVEL LOOP FROM
MALTON COUNTY, FLORIDA ELEVATION MONUMENT NO. 8646654

DESCRIPTION OF LOT 13

BOOK 3360 PAGE 2786
LOT 13, BLOCK J, MORENO ACRES SUBDIVISION, AN ADDITION TO DESTIN, FLORIDA, BETTER DESCRIBED
IN PLAT BOOK 2, PAGE 185, OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.
PROPERTY ADDRESS: 3815 INDIAN TRAIL DRIVE, DESTIN, FLORIDA 32644

SURVEY NOTES AND REPORT

- 1) BEARING BASIS IS THE FND 1/2" CIR FADBD AND THE FND 1" 18 AND 20) ALONG THE NORTHEASTERN RIGHT-OF-WAY OF INDIAN TRAIL AS BEING N63.4068 W (FROM PLAT).
- 2) NO FIELD SEARCH, ABSTRACT OR PLAT INFORMATION WAS FOUND AND EXTENT PROVIDED FOR THE REPRESENTATIVE THIS SURVEY DOES NOT IMPLY OR GUARANTEE TITLE TO ANY PERSONS OR PARTIES; THERE MAY BE ADDITIONAL EASEMENTS OR OTHER INSTRUMENTS THAT WOULD BE DISCOVERED IN A TITLE INVESTIGATION NOT SHOWN ON THIS MAP WHICH COULD AFFECT THE BOUNDARIES OR INTERIORS OF THE SUBJECT PROPERTY.
- 3) INTERNAL IMPROVEMENTS WERE NOT LOCATED, EXCEPT AS SHOWN. UNDERGROUND UTILITIES, FOUNDATIONS OR OTHER NON-VISIBLE STRUCTURES OR ENCROACHMENTS, IF ANY, WERE NOT LOCATED.
- 4) PORTIONS OF THE PROPERTY SHOWN HEREON MAY BE ENVIRONMENTALLY SENSITIVE AND SUBJECT TO STATE AND/OR FEDERAL REGULATION AND/OR REGULATION. PERMITS MAY BE REQUIRED FOR DISTURBANCE TO THESE AREAS.

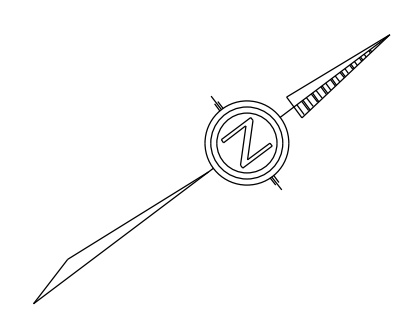
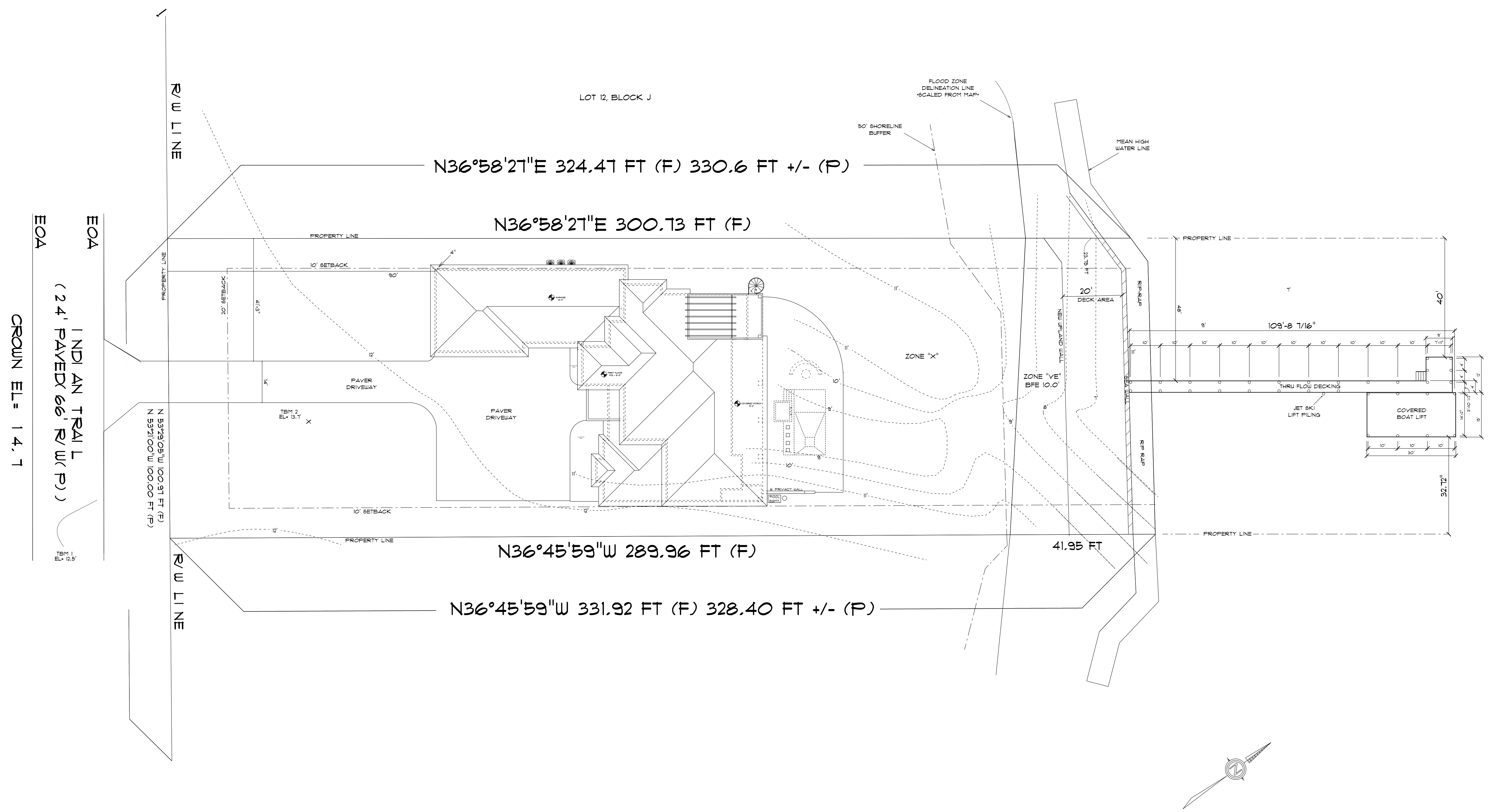
- 5) CLIENT IS ADVISED TO SEEK LEGAL COUNSEL BEFORE CONSTRUCTING OR MOVING FENCES OR OTHER STRUCTURES.
- 6) BASED ON REVIEW OF THE NATIONAL FLOOD INSURANCE RATE MAP OF OKALOOSA COUNTY, FLORIDA, TOWNSHIP 25, RANGE 22W, ZONE A, DTBEE = 10.0 FT. THE SUBJECT PROPERTY IS LOCATED IN A FLOOD HAZARD AREA.
- 7) THE SURVEY MAP INFORMATION SHOWN HEREON WAS DERIVED FROM FIELD MEASUREMENTS (UNLESS OTHERWISE DENOTED).
- 8) THIS SURVEY WAS PREPARED FOR THE CLIENT'S USE AND PURPOSE AS SHOWN. USAGE FOR ANY OTHER PURPOSE, REPRODUCTIONS (IN WHOLE OR IN PART) SHALL NOT BE MADE WITHOUT THE EXPLICIT WRITTEN PERMISSION OF THE SURVEYOR.
- 9) THIS SURVEY MEETS OR EXCEEDS THE STANDARDS OF PRACTICE FOR ACCURACY.

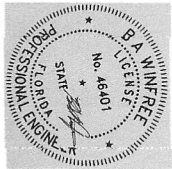
LEGEND OF ABBREVIATIONS

- 1" = NOT TO SCALE
- 1/4" = 1/4" BENCH MARK
- 1/8" = 1/8" BENCH MARK
- 1/16" = 1/16" BENCH MARK
- 1/32" = 1/32" BENCH MARK
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- 1/256" = 1/256" BENCH MARK
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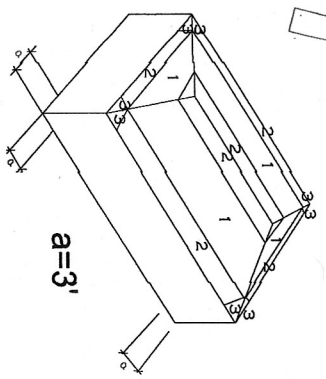
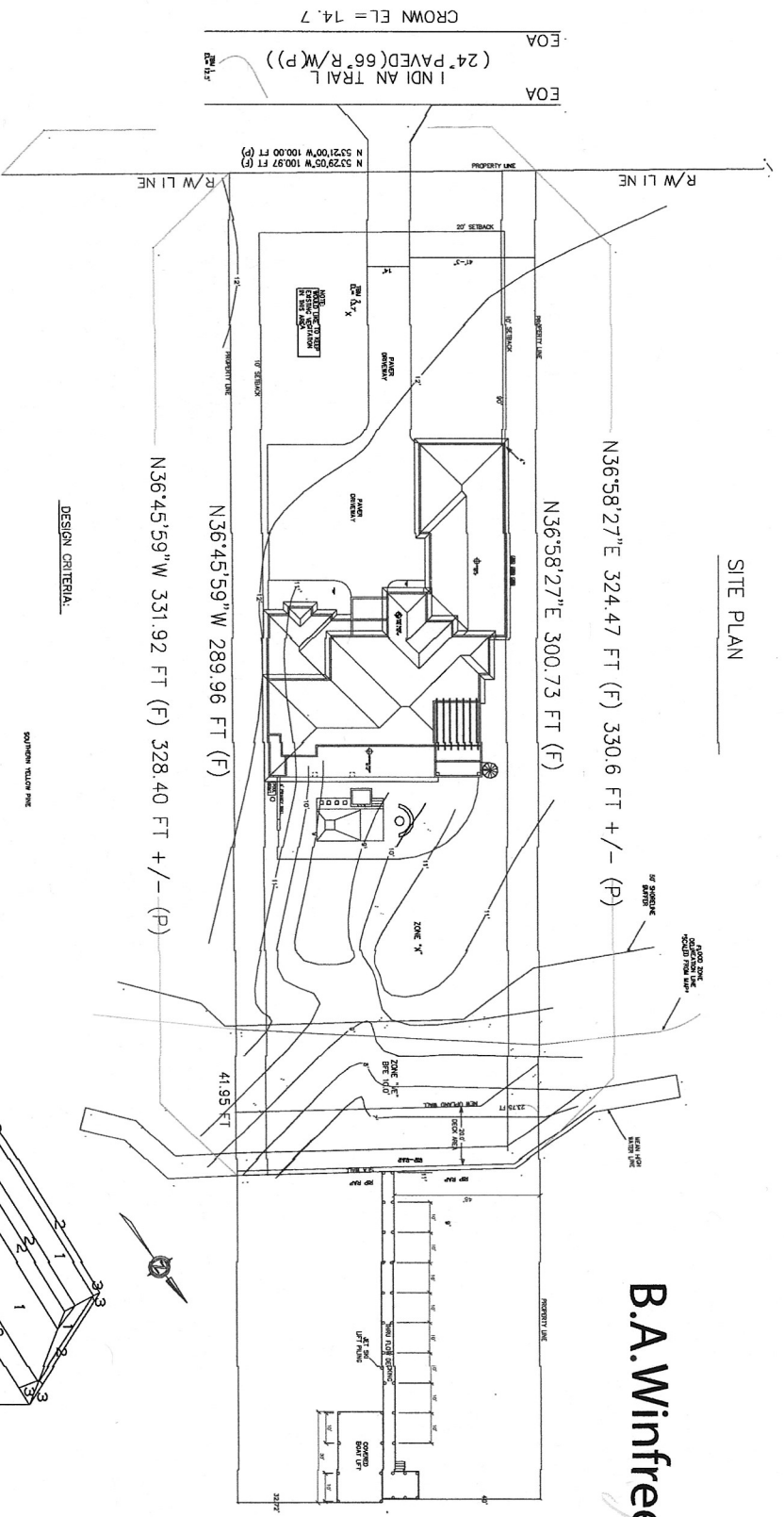
CHOCTAWHATCHEE BAY
 (PER PLAT)





B.A. Winfree
 Digitally signed by B.A. Winfree
 Date: 2024.11.26 13:37:26
 -06'00"

CHOCTAWHATCHEE BAY
 (PER PLAT)



ALLOWABLE STRENGTH DESIGN:

WALL & ROOF ZONE	
1	15.3 lb/sf
2	19.8 lb/sf
3	19.8 lb/sf
	-23.00 lb/sf
	-55.4 lb/sf
	-83 lb/sf

SITE DRAWING - C1
 REGGIE & RELANE GUERRA
 3815 INDIAN TRAIL DRIVE
 OKALOOSA COUNTY - DESTIN - FL
 WINFREE ENGINEERING
 224 WATERSIDE LANE
 FREEPORT, FLORIDA
 BAWINFREE@GMAIL.COM
 850-499-9999

WIND LOAD INFORMATION:
 2023 Florida Building Code, ASCE7-22
 160 Mph Wind Velocity,
 Exposure factor D
 Risk Factor 1
 OPEN Bldg
 Roof Pitch 4:12, 18.44 degrees
 Mean Roof Height 14.4'
 Allowable Strength Factor = .6

A. Codes:
 Florida Building Code, 2023 Edition, w/supplements;
 American Institute of Timber Construction (Timber Construction Manual, latest edition);

B. Design Live Loads 30 PSF.
 Roof Floors..... 40 PSF
 Lateral Forces..... 160 MPH.

C. ROOF FRAMING SHALL BE PRE-ENGINEERED MANUFACTURED WOOD TRUSSES.
 USE 2 EA 25A SIMPSON CLIPS AT EACH END OF TRUSSES.
 HIP GIRDER TRUSSES STRAPS SHALL BE PER REACTIONS PROVIDED BY THE TRUSS MFG.

D. Structural Timber MARINE GRADE OR PRESSURE TREATED

DESIGN CRITERIA:

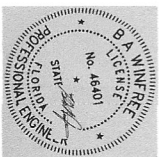
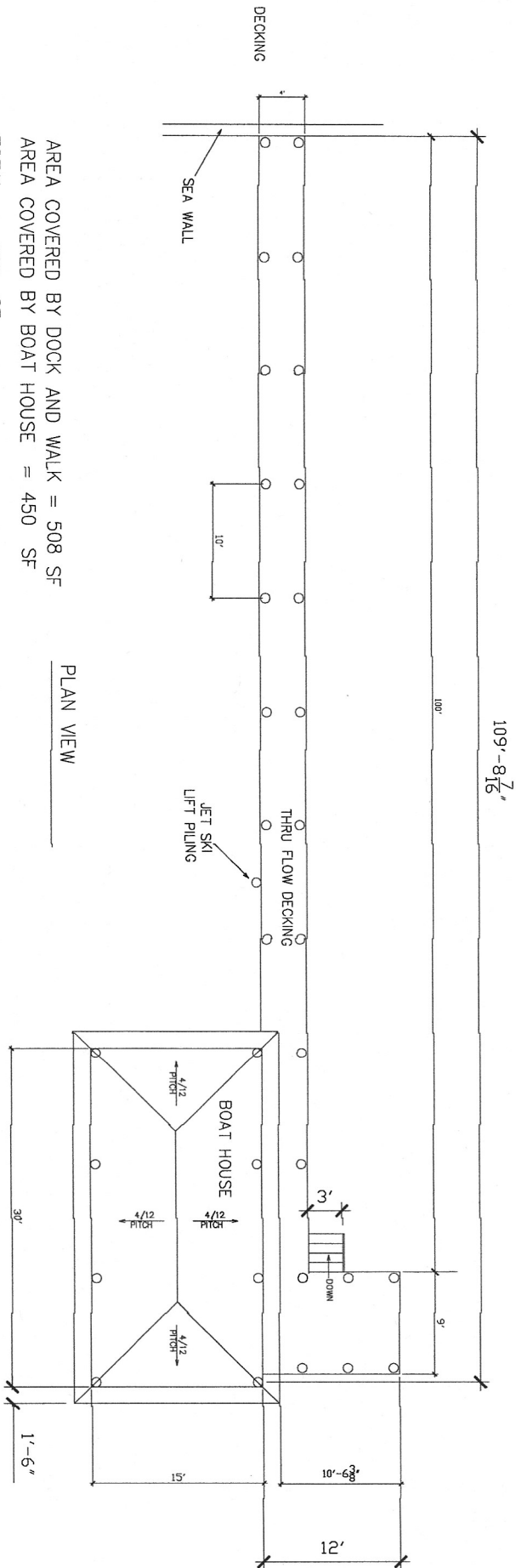
DESIGN CRITERIA:

CROWN EL = 14.7

EOA
 I NDI AN TRAIL
 (24° PAVED) 66° R/W(P)
 EOA

AREA COVERED BY DOCK AND WALK = 508 SF
 AREA COVERED BY BOAT HOUSE = 450 SF
 TOTAL = 958 SF

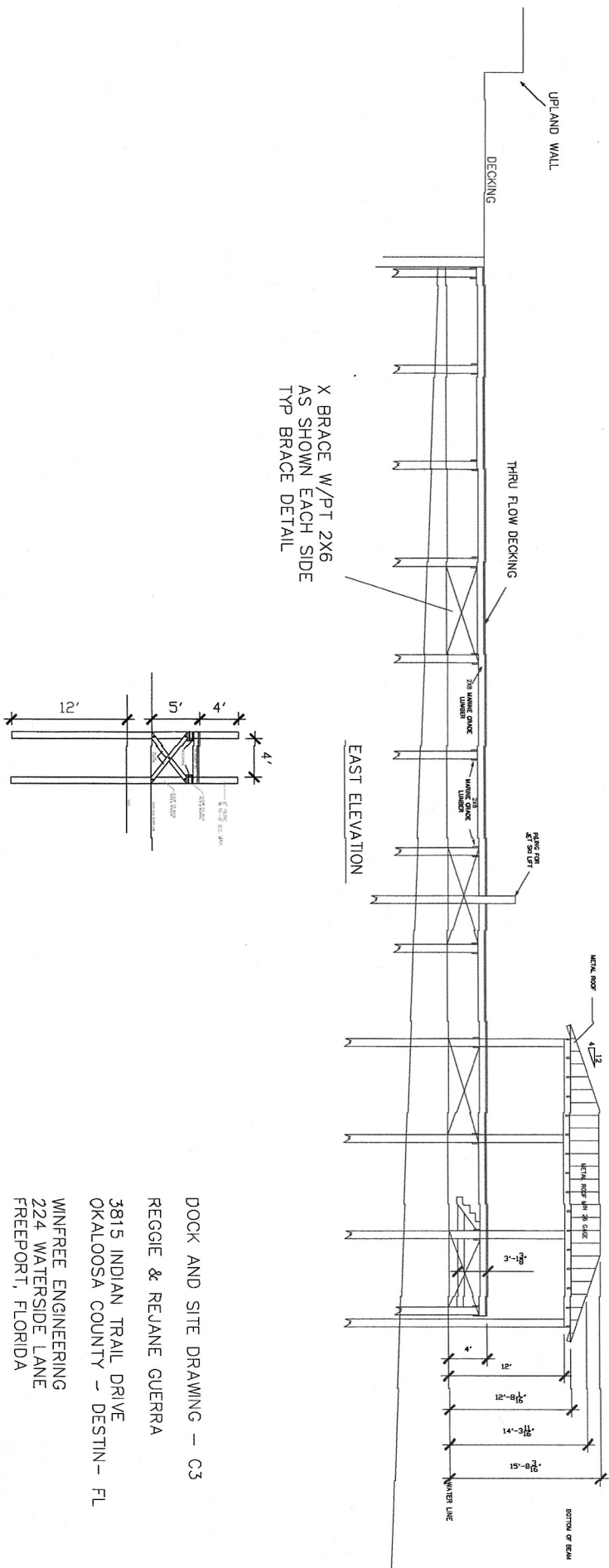
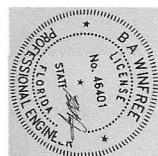
PLAN VIEW



B.A. Winfree
 Digitally signed by B.A. Winfree
 Date: 2024.11.26 13:41:06
 -06'00"

DOCK PLAN DRAWING - C2
 REGGIE & REJANE GUERRA
 3815 INDIAN TRAIL DRIVE
 OKALOOSA COUNTY - DESTIN - FL
 WINFREE ENGINEERING
 224 WATERSIDE LANE
 FREEPORT, FLORIDA
 BAWINFREE@GMAIL.COM
 850-499-9999

Digitally signed by
 B.A. Winfree
 Date: 2024.11.26
 13:42:28 -06'00'



SECTION @ EA PILE BENT BRACE DETAIL

DOCK AND SITE DRAWING — C3
 REGGIE & REJANE GUERRA
 3815 INDIAN TRAIL DRIVE
 OKALOOSA COUNTY — DESTIN — FL
 WINFREE ENGINEERING
 224 WATERSIDE LANE
 FREEPORT, FLORIDA
 BAWINFREE@GMAIL.COM
 850-499-9999

FDEP ERP Self-Certification Receipt

no-reply@dep.state.fl.us <no-reply@dep.state.fl.us>

Wed, Dec 11, 2024 at 12:04 PM

To: Hebertbuilders850@gmail.com

Cc: pbapavers@gmail.com, ERP.SELFCERTS@dep.state.fl.us, SPGP@usace.army.mil, NMFS.SER.PROGRAMMATICREVIEW@noaa.gov, 401_WQC_NOTIFICATIONS@usace.army.mil, NWD_ERP_APPLICATIONS@floridadep.gov



**FLORIDA DEPARTMENT OF
Environmental Protection**

Ron DeSantis

Governor

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Jeanette Nuñez

Lt. Governor

Alexis A. Lambert

Secretary

Receipt for Submission

**SELF-CERTIFICATION FOR A PROJECT AT A
PRIVATE, RESIDENTIAL SINGLE-FAMILY DOCK**

12/11/2024

Self-Certification File No.: **0455775001EE**

File Name: **3815 Indian Trl Destin, FL 32541 - Self Cert Exempt Dock with Boat Lift(s) (General)**

Dear **Toni Hebert**: On **12/11/2024** you used the Florida Department of Environmental Protection's electronic Self Certification Process to certify compliance with the terms and conditions of the Single-Family Dock ERP Exemption Self Certification Process for a project at private, single-family residence located at:

LAT - Degrees: **30** Minutes: **24** Seconds: **53.4069**
LONG - Degrees: **-86** Minutes: **28** Seconds: **56.7269**
SITE ADDRESS: **3815 Indian Trl Destin, FL 32541**
COUNTY: **Okaloosa**

For:
Reginaldo Guerra
123 Kimberly Ann Dr Santa Rosa Beach, FL 32459

You have certified that the project you propose to construct at the above location meets all the conditions of the Self-Certification Process. A project that is built in conformance to those conditions (attached for reference) will:

1. Qualify for a regulatory exemption under Section 403.813(1)(b) of the Florida Statutes (F.S.) and Chapter 62-330, Florida Administrative Code (F.A.C.). As such, it is exempt from the need to obtain a DEP Environmental Resource Permit;
2. Qualify for Consent by Rule or Letter of Consent (as applicable) under Chapter 253, F.S. and Chapter 18-21, F.A.C. (and Chapter 258, F.S. and Chapter 18-20, F.A.C., if applicable), when the project is located on submerged lands owned by the State of Florida.

Your Self-Certification is based solely on the information you provided under this process and applies only to the statutes and rules in effect when your certification was completed. The certification is effective only for the specific project proposed, and only if the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the Self-Certification Process. In addition, any substantial modifications in your plans should be submitted to the Department for review, as changes may result in a permit being required.

You have acknowledged that this Self Certification will automatically expire if:

1. Construction of the project is not completed within one year from the self-certification date;
2. site conditions materially change;
3. the terms, conditions, and limitations of the Self Certification are not followed; or
4. the governing statutes or rules are amended before construction of the project.

Completion of the Self Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance.

Receipt of this Self-Certification constitutes authorization to use sovereignty/state-owned submerged lands, as required by rule 18-21.005, F.A.C.

The authorization must be visibly posted during all construction activities.

In waters that are accessible to manatees, obtain information on your mandatory Manatee Protection sign by clicking [here](#).

FEDERAL STATE PROGRAMMATIC GENERAL PERMIT (SPGP)

You have certified that the project you propose to construct at the above location meets all the conditions of the SPGP Self-Certification Process and will be built in conformance to those conditions (attached for reference). Your proposed activity as certified is in compliance with the SPGP program. U.S. Army Corps of Engineers (Corps) Specific conditions apply to your project, attached. **No further permitting for this activity is required by the Corps. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.**

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

- a. Commencement Notification. Within 10 days before the date of initiating the work authorized by this permit or for each phase of the authorized project, the Permittee shall provide a written notification of the date of commencement of authorized work to the Corps
- 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 (attached) 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.
- 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.

This SPGP Self-Certification is based solely on the information you provided under this process and applies only to the statutes and rules in effect when your certification was completed. You have recognized that your certification is effective only for the specific project proposed, and provided the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the SPGP Self-Certification Process. This Self-Certification will not apply if any substantial modifications are made to the project. You agree to contact the Department for review of any plans to construct additional structures or to modify the project, as changes may result in a permit being required.

You have acknowledged that this Self-Certification will automatically expire if:

1. construction of the project is not completed by midnight, July 27, 2026, unless construction commenced or a contract to construct was executed before July 27, 2026, in which case the time limit for completing the work authorized by the SPGP ends at midnight, July 27, 2027. However, in no case can construction continue for more than one year beyond the Self-Certification date;
2. site conditions materially change;
3. the terms, conditions, and limitations of the Self-Certification are not followed; or
4. the governing statutes or rules are amended before construction of the project.

Completion of the Self-Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance.

If you have any questions, please contact your local Department District Office. Contact information can be found at: https://floridadep.gov/sites/default/files/SLERC_contacts_web_map_01-2017_0.pdf.

For further information, contact the Corps directly at: <https://www.saj.usace.army.mil/Missions/Regulatory.aspx>. When referring to your project, please use the SPGP Self-Certification file number listed above.

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

ADDITIONAL INFORMATION

This Self-Certification Process does not relieve you from the responsibility of obtaining other permits or authorizations from other agencies (federal, state, Water Management District, or local) that may be required for the project. Failure to obtain all applicable authorizations prior to construction of the project may result in enforcement.

If you have any questions or issues with the attached documents, please contact your local Department District Office:
Northwest District
NWD_ERP_Applications@FloridaDEP.gov

Sincerely,
Florida Department of Environmental Protection.

Attachments:

FDEP Terms and Conditions
SPGP Terms and Conditions
Project Design Criteria



4 attachments

-  **42d0cf3aff30eba9a3889ee8f663a4a0.pdf**
50K
-  **b414578abe2eefd2eb87989949fa3b24.pdf**
50K
-  **ProjectDesignCriteria_1_01.pdf**
2622K
-  **noname**
50K



Agent Authorization Form
Community Development Department
City of Destin, Florida

I/We Reginaldo Guerra
(print name of property owner)

hereby authorize Toni Hebert/ Hebert Builders
(print name of agent)

To represent me/us in an application for New Residential Single-Family Dock
(type of application: variance, land use, zoning, site plan, etc.)

Reginaldo Guerra
Signature of Owner

Signature of Owner

Reginaldo Guerra
Print name of owner

Print name of owner

STATE OF Florida
COUNTY OF Okaloosa

The foregoing instrument was acknowledged before me by means of physical presence or
online notarization __, this 13th day of December, 2024.

By: Reginaldo Guerra
(Print name)

Personally known OR Produced Identification _____

Blaine M. Hebert Seal:
Notary Signature



BLAINE M. HEBERT
Notary Public
State of Florida
Comm# HH531383
Expires 5/27/2028

Prepared by and return to:
Cassie Long
South Walton Law, P.A.
36468 Emerald Coast Parkway Unit 6101
Destin, FL 32541
850-837-0155

File Number: SWL23-282
Tax Parcel ID: 00-2S-22-1650-000J-0130

[Space Above This Line For Recording Data]

WARRANTY DEED

This Warranty Deed made this **15th day of September, 2023** between **Anthony J. Biele, unmarried widower of Frances R. Biele, deceased and Keith Anthony Biele, as Trustee of the ANTHONY BIELE REVOCABLE TRUST AGREEMENT dated May 15, 2006**, whose post office address is **3815 Indian Trail, Destin, FL 32541**, grantor, and **Reginaldo Guerra, an unmarried person**, whose post office address is **123 Kimberly Ann Drive, Santa Rosa Beach, FL 32459**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Okaloosa County, Florida to-wit:

Lot 13, Block J, MORENO ACRES SUBDIVISION, according to plat thereof as recorded in Plat Book 2, Page 165, of the Public Records of Okaloosa County, Florida.

00-2S-22-1650-000J-0130

This conveyance is made subject to the following:

1. Real estate taxes accruing subsequent to December 31, 2022.
2. Applicable zoning regulations and ordinances.
3. All the covenants, conditions, restrictions and easements of record, if any, which may now affect the aforescribed property and which are not hereby reimposed.

Grantor hereby covenants with said grantee that grantor is lawfully seized of the real property conveyed herein and the grantor does hereby fully warrant the title to said property and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the grantor has signed and sealed these presents the day and year first above written

Signed, sealed and delivered in our presence:

Cassie Long
Name: Cassie Long
Address: 30408 Emerald Coast Pkwy #10101
Destin FL 32541
Name: Cassie Long
Address: 30408 Emerald Coast Pkwy #10101
Destin FL 32541

Keith Anthony Biele
Anthony J. Biele by Keith Anthony
Biele, Attorney-In-Fact
Anthony Biele Revocable Trust Agreement
dated May 15, 2006
By: Keith Anthony Biele
Keith Anthony Biele, Trustee

STATE OF FLORIDA
COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me by means of physical presence or online notarization
this 15th day of September, 2023, by Keith Anthony Biele, as Attorney-In-Fact for Anthony J. Biele and Keith
Anthony Biele, Trustee of Anthony Biele Revocable Trust Agreement dated May 15, 2006.

Cassie Long
Signature of Notary Public
Print, Type/Stamp Name of Notary



Personally Known: _____ OR Produced Identification: X
Type of Identification
Produced: CA Driver License

Harbor & Waterways Board

This application is for a residential single family dock which will consists of a 100' walkway, with a 12x9 platform at the end of the walkway, and a 15x30 covered boat house with boat lift. The total square footage will be 958 square feet. We have submitted our self-certification for a residential single family dock that is 1000 square feet or less and will conform to all of the required conditions of SPGP Self-Certification Process. I have also included photos of the current conditions of the site which shows a vinyl sea wall with rip rap.

Please contact me with any questions or concerns.

Thanks,
Toni M. Hebert 504-813-5594
Hebert Builders Florida CBC#1267832
Hebertbuilders850@gmail.com



Community Development Planning Division

4100 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-654-1119 | Email: planning@cityofdestin.com

January 13, 2025

SUBJECT: Notification of Harbor & Waterways Board Application (HWB-001514-2024) – Residential Marine Construction – 3815 Indian Trail

Dear Property Owner:

This letter is to notify you of a proposed marine construction project at **3815 Indian Trail**. The Marine Construction application requires Harbor & Waterways Board review and recommendation. **The Application will be heard by the Harbor & Waterways Board at 5:30 p.m. at the Destin City Hall Annex, 4100 Indian Bayou Trail on December 26th, 2024 (tentative).**

As an owner of property located near this project, *Destin Land Development Code (LDC) Sections 2.17.00 & 11.05.01.S* require a written notice providing you with the following information. This project proposes new marine construction in proximity to your property line; therefore, The City is requesting your input on the matter. If you would like to provide any comments you may respond by sending an email to the email address listed below, or by appearing before the Harbor & Waterways Board.

This notice is for informational purposes only and no action is required of you. However, citizens are encouraged to provide a response to the email address provided below.

1. Name of Owner: Reginaldo Guerra
2. Name of Agent: Toni Herbert, Herbert Builders LLC
3. Address of Project: 3815 Indian Trail
4. Parcel ID Number: 00-2S-22-1650-000J-0130
5. Project Description: Construction of a new Residential Single-family dock with a boat lift.
6. Location of Application Package: To request that a digital copy of the application package be sent to you, please call the City Clerk at (850) 837-4242 or fill out a Public Records Request (PRR) online: <http://www.cityofdestin.com/forms.aspx?fid=121>

If you have any questions or concerns regarding this letter, please do not hesitate to contact us at (850) 842-4669 or via email at planning@cityofdestin.com.

Sincerely,

Ashley Dominguez
Planner

CC: Steve O'Connor, Community Development Deputy Director
Planning
Project File



CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: February 27, 2025
BOARD/COMMITTEE: Harbor & Waterways Board
TYPE OF AGENDA ITEM: Action Item
OUTLINE NUMBER: 3.C.

TO: Harbor & Waterways Board

THRU: Steve O'Connor, Deputy Community Development Director
Kimberly Kopp, City Attorney
Daniel Butler, Principal Planner

FROM: Ashley Dominguez, Planner

DATE: January 15, 2025

SUBJECT: 925 Peacock’s Point Dr, Residential Marine Construction, HWB-001489-2024

I. BACKGROUND: LD&L Marine Contractors LLC, on behalf of Scott Harris, has applied for Harbor and Waterways Board review for the construction of a new swim deck, a dock addition, and installation of four (4) new mooring piles, creating a boat slip.

The applicant seeks a recommendation of approval from the Harbor and Waterways Board for a Residential Marine Construction project proposing a dock addition and the installation of new pilings, as detailed above, entailing:

Total Square Feet:	224
Total Number of Piers or Docks:	1 Dock
Total Length:	78’
Total Slip Density:	1
Located in the Destin Harbor:	No

II. DISCUSSION: The applicant requests Harbor and Waterways Board review for residential marine construction located at 925 Peacock’s Pt., within Choctawhatchee Bay.

The Harbor and Waterways Board is being asked to review the proposed marine project per Land Development Code *Section 11.05.01 - General regulations; prohibitions* and *Section 11.05.02 – Permitting procedures*. Below are Staff’s findings with respect to *Section 11.05.01* and *Section 11.05.02*; items not applicable to this project are marked “Not Applicable.”

11.05.01. General regulations; prohibitions. *This article establishes and regulates procedures and standards by which the City controls and regulates development, construction and activities within and contiguous to the Harbor and waterways of Destin. The following regulations and prohibitions shall apply to the Harbor and waterways of Destin:*

A. No person shall construct or add to an existing dock, seawall, bulkhead, mooring or piling, modify an existing submerged land lease, or conditions thereto, or conduct dredge or fill operations in, or contiguous to, the Harbor or waterways of Destin without first obtaining the proper authorization from the appropriate federal, state and City agencies.

Staff response: *The applicant has submitted for authorization from all appropriate agencies.*

B. The addition or modification of a boat lift or pilings within an existing legal and conforming boat slip shall not require the review of the Harbor and Waterways Board or the City Council. Rather, a copy of the U.S. Army Corps of Engineers permit, DEP permit, and a homeowner's association approval (if applicable) shall accompany a completed application for a building permit, provided no additional slips are created.

Staff response: *Not applicable.*

C. No fish carcasses and debris shall be discharged into the Harbor or waterways of Destin.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

D. No person who maintains or operates a dock shall allow or permit the disposal of fish carcasses, litter, waste petroleum products or other pollutants into the Harbor or waterways of Destin. Trash disposal receptacles shall be anchored to each dock to ensure compliance with the provisions of this article.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

E. No fuel or oil shall be willfully or knowingly discharged in the Harbor or waterways of Destin. No dock which sells fuel or oil shall be constructed, operated or maintained in the Harbor or waterways of Destin unless an oil abatement plan, in accordance with Coast Guard guidelines, is available at each dock. The Destin Harbor and Waterways Board shall review and recommend approval or disapproval of each oil abatement plan to the City Council, which shall have approval authority. Each existing dock which sells fuel or oil shall develop and have approved an oil abatement plan acceptable to the City. All new docks which sell fuel or oil shall develop and have an approved oil abatement plan, which is acceptable to the City, prior to receiving a building permit from the City.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to. This is a residential dock; therefore, no fuel or oil will be sold, and an oil abatement plan is not required.*

F. No new or existing dock shall be constructed or modified such that the length of any pier as completed is greater than 20 percent of the width of the Harbor or waterway at the place where the pier is located, or out 200 feet, whichever is less, except in Choctawhatchee Bay.

Staff response: Although the dock is located within the Choctawhatchee Bay, the existing dock complies with this regulation and there is no proposed expansion of length to the dock.

G. No piling(s) shall be added to the waterward end of any pier which piling(s) would make the total length of the dock more than 200 feet, or 20 percent of the waterway, whichever is less, except in Choctawhatchee Bay.

Staff response: As stated above, there is no proposed expansion of length to the proposed dock, therefore complying with this Section.

H. No vessel shall be moored or docked on the waterward end of any pier of the maximum legal length, as determined pursuant to subsection F above, for more than 72 hours.

Staff response: This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.

I. No dock shall be constructed which permits the commercial docking of boats with on-board toilets unless such the dock is equipped with a sewage pump-out.

Staff response: Not applicable.

J. No dock shall be constructed which permits the docking of a live-aboard unless such vessel has an operable holding tank.

Staff response: This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.

K. No boat shall be moored in the Harbor or waterways of Destin such that it constitutes a hazard to navigation.

Staff response: This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.

L. No dock shall be constructed such that it constitutes a hazard to navigation.

Staff response: This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.

M. Excepting docks connected to uplands zoned SHMU, or those located on Choctawhatchee Bay, no dock shall be longer than the width, at the mean high-water line, of the lot to which the dock is attached.

Staff response: The existing dock complies with this regulation and there is no proposed

expansion of length to the dock.

I. For those docks connected to uplands zoned SHMU, or those located on Choctawhatchee Bay, a dock may be constructed to a length of 1.5 times the width of the property at the mean high-water line, provided the length of the dock does not exceed the maximum length established by paragraphs F and G above.

Staff response: *The existing dock complies with this regulation and there is no proposed expansion of length to the dock.*

2. For the purpose of this subsection, lots may be combined with neighboring lots. However, no dock may exceed the limitations specified in subsection F above.

Staff response: *Not applicable.*

N. No dock shall be constructed or modified such that slip density exceeds one slip per eight linear feet of waterfront footage except that, on canals, no lot may have more than one slip per 45 linear feet of waterfront. However, all lots riparian to a canal shall be entitled to at least two slips on the canal.

Staff response: *The proposed dock alteration complies with this regulation.*

O. No boat or vessel, entering into, exiting or operating within the Destin Harbor shall operate at such speed that would create a wake that endangers other boats or vessels, swimmers or other persons within the Destin Harbor, or would contribute to any adjacent land erosion.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

P. No heated or cooled water may be emitted into the Harbor, waterways, or the Harbor canals other than from a boat.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

Q. No pier shall extend more than six feet into a canal right-of-way.

Staff response: *Not applicable.*

R. No discharge of water shall contain phosphorous or any other substance likely to cause a violation of the water quality standards specified in Chapter 17-302, Florida Administrative Code.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

S. No dock or vessel shall be placed within the 25-foot setback of a property line without providing prior written notification to the adjoining landowners and requesting their response. Any objections received from the adjoining property owners will be considered by the Harbor

and Waterways Board in their recommendations to the City Council.

Staff response: *Staff sent the attached Property Owner's Notice on November 11th, 2024.*

T. No dock shall unreasonably interfere with the riparian rights of others.

Staff response: *Staff sent the attached Property Owner's Notice on November 11th, 2024. As proposed, the riparian rights of others are not interfered with.*

U. No dock of 100 feet or longer shall be constructed unless a white navigation/security night-light is installed at the furthest point seaward on said dock and such light is to be illuminated continuously from dusk to dawn every night of the year. All existing docks 100 feet or longer shall install and operate a navigation/security light pursuant to this subsection. Each light shall be installed within 90 days after adoption of this Code.

Staff response: *Not applicable.*

V. No commercially operated boat docking facilities shall be permitted or operated unless equipped with firefighting facilities as specified by the City.

Staff response: *Not applicable.*

W. No construction shall be allowed which violates any provision of the Standard Building Code, as adopted by the City.

Staff response: *Applicant must obtain an approved Marine Construction Permit prior to any construction.*

X. No electrical or water service upon any dock shall be installed unless a permit is obtained from the Planning Department and Building Department for that service.

Staff response: *Applicant must obtain an approved Marine Construction Permit prior to any construction.*

Y. No person, while operating a boat within the or waterways of Destin shall allow or permit the disposal of fish carcasses, litter, waste, petroleum products or other pollutants into the Harbor or waterways of Destin from such boats.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

Z. No lot, or multi-contiguous lots, with less than 50 feet of waterfront footage shall be allowed individual docks, unless they are parallel to the shoreline. However, docks may be allowed under the provisions of subsection 11.05.01.M.2.

Staff response: *Not applicable.*

Pursuant to **Section 11.05.03, Land Development Code (LDC)**, all construction shall be

inspected by the City Building Inspector for compliance with applicable building codes. The applicant shall be responsible for the condition and repair of permitted docks and failure to maintain said docks in a safe condition shall constitute grounds for revocation of the permit.

- A. **Link to Strategic Goals / Objectives:** IV. Enhanced quality of life and safety for families.
- B. **Effect on Budget (EOB):** n/a
- C. **Level of Service (LOS):** n/a
- D. **Legislative Sponsor:**
- E. **Business Impact Statement:**

III. CONCLUSION: The applicant requests Harbor and Waterways Board approval for a residential marine construction project located at 925 Peacock’s Point Drive. Additionally, the applicant provided a receipt of submittal from the Florida Department of Environmental Protection (FDEP), Self-Certification File No.: 0454305001EE.

City Staff reviewed the application and determined that the plans comply with ***LDC Section 11.05.00, Marina Siting***, and the Coastal Management Element of the City’s Comprehensive Plan (***Coastal Management Element Policy 6-1.1.6***).

IV. RECOMMENDED MOTION: I move that the Harbor and Waterways Board approve the marine construction project proposed at 925 Peacocks Point Drive, for the construction of a new swim deck, a dock addition, and installation of two new additions to the existing dock and four (4) new mooring piles, creating a boat slip, with the following conditions:

- 1. **All applicable Federal or State approvals shall be submitted with the Marine Construction Permit application; and**
- 2. **All regulations of the City’s Marina Siting *LDC Section 11.05.00* shall be adhered to and followed at all times.**

ALTERNATIVE MOTION:

I move that the Harbor and Waterways Board deny the proposed marine construction project at 925 Peacock’s Point Drive.

Attachments:

- 1. 7. Proof of Ownership
- 2. 1. Boundary Survey - Existing Conditions
- 3. 2. Existing Conditions - Images
- 4. 3. Scaled & Dimensioned Site Plan
- 5. 4. FDEP Self-Cert Receipt
- 6. 5. Agent Affidavit
- 7. 6. Adjacent Property

ITEM # 2025-50

Notification

Prepared by and return to:
Cynthia Kelley
McNeese Title, LLC
42 Business Centre Dr., Ste. 106
Miramar Beach, FL 32550
File Number: 24-0259CK

DC MNichols
JD Peacock II Clerk of Circuit Court Okaloosa County, FL

Warranty Deed

Made this September 27, 2024 A.D. By **Neal Richard Boutin, Jr. and Deborah H. Boutin, husband and wife**, whose address is: **PO Box 5859, Destin, FL 32540**, hereinafter called the grantor, to **Scott Tracy Harris, a married man, as to his separate non-homestead property**, whose address is: **7047 East Balancing Rock Road, Scottsdale, AZ 85266**, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Okaloosa County, Florida**, viz:

Lot 2, PEACOCK'S POINT REPLAT, According To The Plat Thereof As Recorded In Plat Book 20, Page(s) 80-81, Of The Public Records Of Okaloosa County, Florida.

Being and intended to be the same premises conveyed to the Grantor herein by deed recorded November 19, 2012, in Official Records Book 3064, Page 4206, Public Records of Okaloosa County, Florida.

Parcel ID Number: **00-2S-22-2002-0000-0020**

Said property is the homestead property of the Grantor as defined by the Constitution of the State of Florida.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except for all covenants, conditions, restrictions, reservations, limitations and easements of record, and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any and taxes accruing subsequent to December 31, 2023.

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

Signed, sealed and delivered in our presence:

Witness Signature [Signature]
Witness Printed Name Peggy S. Owens
Witness Address: 42 Business Centre Dr., Ste. 106
Miramar Beach, FL 32550

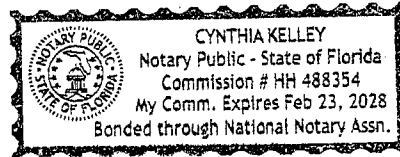
[Signature]
Neal Richard Boutin, Jr.
[Signature]
Deborah H. Boutin

Witness Signature [Signature]
Witness Printed Name Cynthia Kelley
Witness Address: 42 Business Centre Dr., Ste. 106
Miramar Beach, FL 32550

STATE OF FLORIDA
COUNTY OF WALTON

The foregoing instrument was acknowledged before me by means of (X) physical presence or () online notarization this 25 day of September, 2024, by Neal Richard Boutin, Jr. and Deborah H. Boutin.

[Signature]
Signature of Notary Public
Print, Type/Stamp Name of Notary



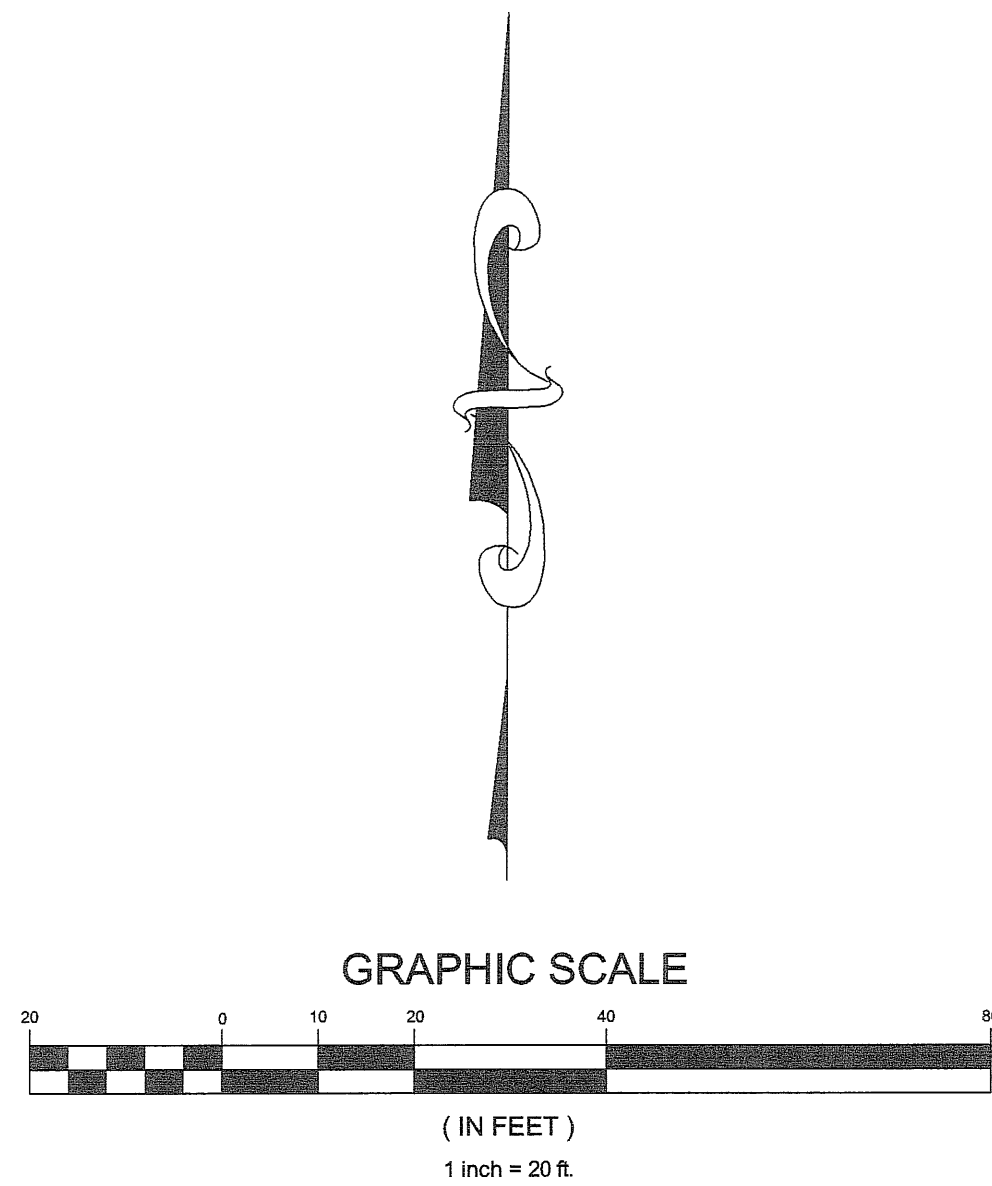
Personally Known: OR Produced Identification: _____

Type of Identification Produced: _____

My commission expires: _____ (notary stamp or seal)

BOUNDARY SURVEY

CHOCTAWHATCHEE BAY
(JOE'S BAYOU)



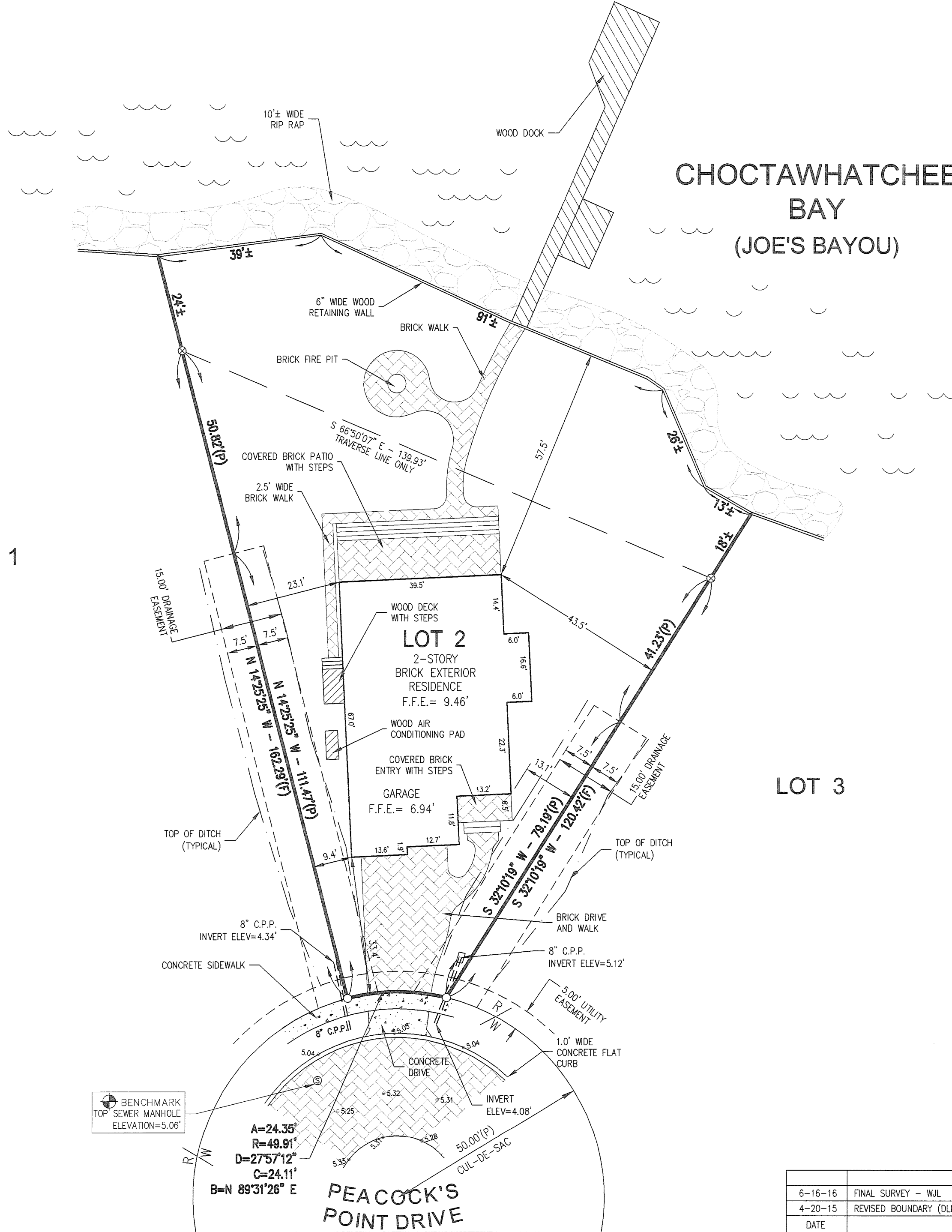
LOT 1

SURVEY REPORT:

- BEARINGS SHOWN HEREON ARE REFERENCED TO THE WEST LINE OF LOT 1, AS BEING N 14°25'25" W.
- THIS PARCEL IS LOCATED IN FLOOD ZONE AE, 8.00' MINIMUM FLOOR ELEVATION REQUIRED, AS DETERMINED BY SCALE FROM F.E.M.A. MAP NUMBER 12091C0486H, PANEL 486 OF 494, DATED DECEMBER 6, 2002, OKALOOSA COUNTY, FLORIDA.
- NO ENVIRONMENTAL JURISDICTION LINES HAVE BEEN DETERMINED BY EMERALD COAST ASSOCIATES, INC.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT OF TITLE OR TITLE INSURANCE POLICY. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY EMERALD COAST ASSOCIATES INC. NO CERTIFICATION IS GIVEN THAT EASEMENTS, UNDERGROUND ENCROACHMENTS OR OTHER MATTERS OF RECORD DO NOT EXIST.
- THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.
- APPARENT USES ARE AS SHOWN.
- NO STRUCTURAL FOUNDATIONS BELOW THE SURFACE OF THE GROUND WERE LOCATED.
- GRAPHIC SYMBOLISM OF CORNER MONUMENTATION, UTILITIES, SIGNS, ETCETERA, ARE EXAGGERATED FOR CLARITY AND ARE NOT TO SCALE. THE CENTER POINT OF WHICH IS ACCURATELY PLOTTED TO SCALE AND/OR DIMENSIONED THERETO.
- NO UNDERGROUND UTILITIES OR UTILITY LINES WERE LOCATED.
- ELEVATIONS SHOWN HEREON ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM (1929).

DESCRIPTION:

LOT 2, PEACOCK'S POINT REPLAT, AS RECORDED IN PLAT BOOK 20, PAGES 80-81 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.



LEGEND:

- R/W = RIGHT OF WAY
- No. = NUMBER
- # = NUMBER
- L.B. = LICENSED BUSINESS
- L.S. = LICENSED SURVEYOR
- P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
- INV. = INVERT
- ELEV. = ELEVATION
- O.R. = OFFICIAL RECORDS
- F.F.E. = FINISHED FLOOR ELEVATION
- ± = MORE OR LESS
- S.F. = SQUARE FEET
- A = ARC LENGTH
- R = RADIUS
- D = DELTA ANGLE
- B = CHORD BEARING
- C = CHORD LENGTH
- C.P.P. = CORRUGATED PLASTIC PIPE
- F.E.M.A. = FEDERAL EMERGENCY MANAGEMENT AGENCY
- CORP. = CORPORATION
- (TYP.) = TYPICAL
- (P) = PLAT DATA
- (F) = FIELD DATA
- INC. = INCORPORATED
- DWG = DRAWING
- +10.56 = SPOT ELEVATION AT "DOT"
- ⊙ = SEWER MANHOLE
- ⊗ = FOUND 1/2" CAPPED IRON ROD L.B. #3724 (WITNESS)
- ⊙ = FOUND NAIL AND DISK L.B. #3724
- ⊕ = BENCHMARK
- [Symbol] = CONCRETE
- [Symbol] = BRICK PAVERS
- [Symbol] = WOOD

LOT 3

BENCHMARK
TOP SEWER MANHOLE
ELEVATION=5.06'

PEACOCK'S POINT DRIVE
A=24.35'
R=49.91'
D=2757°12'
C=24.11'
B=N 89°31'26" E

DATE	REVISION	BY
6-16-16	FINAL SURVEY - WJL	
4-20-15	REVISED BOUNDARY (DLL)	

www.eca-fl.com
327 COUNTY HIGHWAY 393 SOUTH
SANTA ROSA BEACH, FLORIDA 32459
PH: (850) 267-0473, FAX: (850) 267-0979

Emerald Coast Associates Inc.
Land Planning • Engineering • Surveying
Since 1979

SCALE: 1" = 20'	DWG. DATE: 6-16-16
DRAWN BY: JAG	FIELD DATE: 6-14-16
PROJECT: 15-064	FIELD BOOK(S): 2039, PAGES 32-36 (RH) 2090, PAGES 33-37 (BG)
ORDER: 16-0613	
FILE: 15-064FIN.dwg	

BOUNDARY SURVEY OF LOT 2 PEACOCKS POINT REPLAT, IN UNDIVIDED TOWNSHIP 2 SOUTH, RANGE 22 WEST, CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA

FOR: CHRIS TAYLOR
AT: C.M. TAYLOR CONTRACTING, INC.

THE SURVEY SHOWN HEREON, PREPARED IN ACCORDANCE WITH SECTION 472.027 FLORIDA STATUTES AND CHAPTER 5J-17.051 AND 5J-17.052, FLORIDA ADMINISTRATIVE CODE, STANDARDS OF PRACTICE, IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Dexter L. Lundy
DEXTER L. LUNDY FLORIDA LICENSED SURVEYOR & MAPPER #5620
EMERALD COAST ASSOCIATES, INC., L.B. # 3724

3/11/15

15-064B

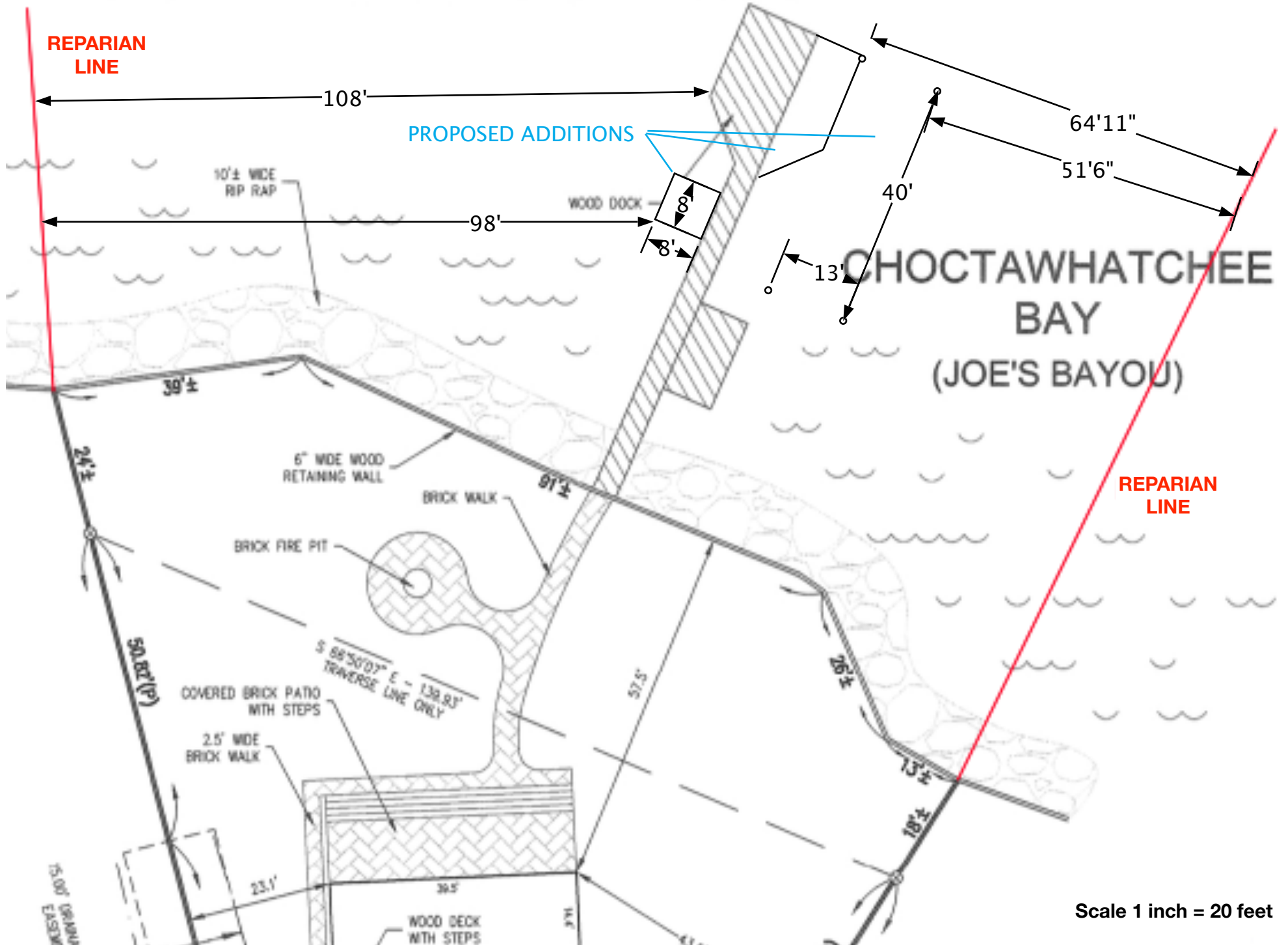
J:\2015\15-064\15-064-FIN-SUR-Final Survey & Elevation Certificate_Lot 2_Peacock's Point Replat\Drawing\15-064FIN.dwg, 01 BOUNDARY, Bill, Jun 16, 2016, 2:06:08pm









BOUNDARY SURVEY



Scale 1 inch = 20 feet

From: no-reply@dep.state.fl.us 
Subject: FDEP ERP Self-Certification Receipt
Date: October 24, 2024 at 9:12 AM
To: ldmarineprojects@gmail.com
Cc: ERP.SELFCERTS@DEP.STATE.FL.US, SPGP@USACE.ARMY.MIL, NMFS.SER.PROGRAMMATICREVIEW@NOAA.GOV, <401_WQC_NOTIFICATIONS@usace.army.mil> 401_WQC_NOTIFICATIONS@USACE.ARMY.MIL, NWD_ERP_APPLICATIONS@FLORIDADEP.GOV



<p>Mail Attachment </p>	<p>FLORIDA DEPARTMENT OF Environmental Protection</p>	<p>Ron DeSantis Governor Jeanette Nuñez Lt. Governor Shawn Hamilton Secretary</p>
<p>Bob Martinez Center 2600 Blair Stone Road Tallahassee, Florida 32399-2400</p>		

Receipt for Submission

**SELF-CERTIFICATION FOR A PROJECT AT A
PRIVATE, RESIDENTIAL SINGLE-FAMILY DOCK**

10/24/2024

Self-Certification File No.: **0454305001EE**

File Name: **925 Peacocks Point Dr Destin, FL 32541 - Self-Certification Modify (General)**

Dear **Chuck LeBello**: On **10/24/2024** you used the Florida Department of Environmental Protection's electronic Self Certification Process to certify compliance with the terms and conditions of the Single-Family Dock ERP Exemption Self Certification Process for a project at private, single-family residence located at:

LAT - Degrees: **30** Minutes: **24** Seconds: **50.5232**
LONG - Degrees: **-86** Minutes: **29** Seconds: **42.7033**
SITE ADDRESS: **925 Peacocks Point Dr Destin, FL 32541**
COUNTY: **Okaloosa**

For:
Scott Harris
925 Peacock PT Destin, FL 32541

You have certified that the project you propose to construct at the above location meets all the conditions of the Self-Certification Process. A project that is built in conformance to those conditions (attached for reference) will:

1. Qualify for a regulatory exemption under Section 403.813(1)(b) of the Florida Statutes (F.S.) and Chapter 62-330, Florida Administrative Code (F.A.C.). As such, it is exempt from the need to obtain a DEP Environmental Resource Permit.;
2. Qualify for Consent by Rule or Letter of Consent (as applicable) under Chapter 253, F.S. and Chapter 18-21, F.A.C. (and Chapter 258, F.S. and Chapter 18-20, F.A.C., if applicable), when the project is located on submerged lands owned by the State of Florida.

Your Self-Certification is based solely on the information you provided under this process and applies only to the statutes and rules in effect when your certification was completed. The certification is effective only for the specific project proposed, and only if the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the Self-Certification Process. In addition, any substantial modifications in your plans should be submitted to the Department for review, as changes may result in a permit being required.

You have acknowledged that this Self Certification will automatically expire if:

1. Construction of the project is not completed within one year from the self-certification date;
2. site conditions materially change;
3. the terms, conditions, and limitations of the Self Certification are not followed; or
4. the governing statutes or rules are amended before construction of the project.

Completion of the Self Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance.

Receipt of this Self-Certification constitutes authorization to use sovereignty/state-owned submerged lands, as required by rule 18-21.005, F.A.C.

The authorization must be visibly posted during all construction activities.

In waters that are accessible to manatees, obtain information on your mandatory Manatee Protection sign by [clicking here](#).

FEDERAL STATE PROGRAMMATIC GENERAL PERMIT (SPGP)

You have certified that the project you propose to construct at the above location meets all the conditions of the SPGP Self-Certification Process and will be built in conformance to those conditions (attached for reference). Your proposed activity as certified is in compliance with the SPGP program. U.S. Army Corps of Engineers (Corps) Specific conditions apply to your project, attached. **No further permitting for this activity is required by the Corps. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.**

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

1. Commencement Notification. Within 10 days before the date of initiating the work authorized by this permit or for each phase of the authorized project, the Permittee shall provide a written notification of the date of commencement of authorized work to the Corps
2. 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 (attached) 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.
3. 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.
4. 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.
 - a. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.
 - b. 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.

This SPGP Self-Certification is based solely on the information you provided under this process and applies only to the statutes and rules in effect when your certification was completed. You have recognized that your certification is effective only for the specific project proposed, and provided the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the SPGP Self-Certification Process. This Self-Certification will not apply if any substantial modifications are made to the project. You agree to contact the Department for review of any plans to construct additional structures or to modify the project, as changes may result in a permit being required.

You have acknowledged that this Self-Certification will automatically expire if:

1. construction of the project is not completed by midnight, July 27, 2026, unless construction commenced or a contract to construct was executed before July 27, 2026, in which case the time limit for completing the work authorized by the SPGP ends at midnight, July 27, 2027. However, in no case can construction continue for more than one year beyond the Self-Certification date;
2. site conditions materially change;
3. the terms, conditions, and limitations of the Self-Certification are not followed; or
4. the governing statutes or rules are amended before construction of the project.

Completion of the Self-Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance.

If you have any questions, please contact your local Department District Office. Contact information can be found at: https://floridadep.gov/sites/default/files/SLERC_contacts_web_map_01-2017_0.pdf.

For further information, contact the Corps directly at: <https://www.saj.usace.army.mil/Missions/Regulatory.aspx>. When referring to your project, please use the SPGP Self-Certification file number listed above.

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

ADDITIONAL INFORMATION

This Self-Certification Process does not relieve you from the responsibility of obtaining other permits or authorizations from other agencies (federal, state, Water Management District, or local) that may be required for the project. Failure to obtain all applicable authorizations prior to construction of the project may result in enforcement.

If you have any questions or issues with the attached documents, please contact your local Department District Office:
Northwest District
NWD_ERP_Applications@FloridaDEP.gov

Sincerely,
Florida Department of Environmental Protection.

Attachments:

FDEP Terms and Conditions
SPGP Terms and Conditions
Project Design Criteria



32c89ec412667e9a94b121d47e
58ef15.pdf
51 KB



5450d71b57a314d9ca1d597834
6055e1.pdf
51 KB



ProjectDesignCriteria_1_01.pdf
2.7 MB



Agents Authorization

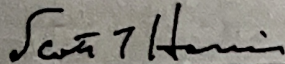
Re: Harbor & Waterways Board Application HWB-001489-2024

Site Name: Harris Residence

Parcel ID: 00-2S-22-2002-0000-0020

To whom it may concern,

I hereby designate, Charles LoBello and Christopher Byron, and authorize to act on my behalf, as the agents in the processing of application for the permit and/or proprietary authorization indicated above and to furnish, on request, supplemental information in support of the application. In addition, I authorize the above-listed agents to bind me and/or perform any requirements which may be necessary to procure the permit or authorization indicated above.

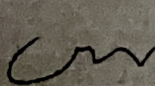
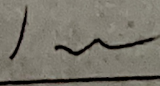


Scott Harris

11-13-2024

Date

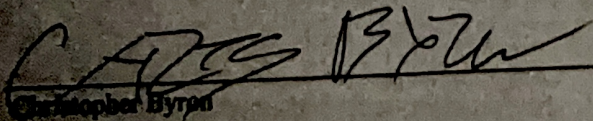
We, Charles LoBello and Christopher Byron, hereby agree to being authorized as agents as mentioned above.

Charles LoBello

11/13/24

Date



Christopher Byron

11/13/2024

Date



Community Development Planning Division

4100 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-654-1119 | Email: planning@cityofdestin.com

November 14, 2024

SUBJECT: Notification of Harbor & Waterways Board Application (HWB- 001489-2024) – Residential Marine Construction – 925 Peacocks Point Dr

Dear Property Owner:

This letter is to notify you of a proposed marine construction project at **925 Peacocks Point Dr**. The Marine Construction application requires Harbor & Waterways Board review and recommendation. **The Application will be heard by the Harbor & Waterways Board at 5:30 p.m. at the Destin City Hall Annex, 4100 Indian Bayou Trail on December 26th, 2024 (tentative).**

As an owner of property located near this project, *Destin Land Development Code (LDC) Sections 2.17.00 & 11.05.01.S* require a written notice providing you with the following information. This project proposes new marine construction in proximity to your property line; therefore, The City is requesting your input on the matter. If you would like to provide any comments you may respond by sending an email to the email address listed below, or by appearing before the Harbor & Waterways Board.

This notice is for informational purposes only and no action is required of you. However, citizens are encouraged to provide a response to the email address provided below.

1. Name of Owner: Harris Scott T.
2. Name of Agent: Christopher Byron, LDL Marine Contractors LLC
3. Address of Project: 925 Peacock's Point Dr.
4. Parcel ID Number: 00-2S-22-2002-0000-0020
5. Project Description: Proposed construction of two (2) additions to existing dock (approx. 224 sqft) and four (4) new mooring piles, creating new boat slip.
6. Location of Application Package: To request that a digital copy of the application package be sent to you, please call the City Clerk at (850) 837-4242 or fill out a Public Records Request (PRR) online: <http://www.cityofdestin.com/forms.aspx?fid=121>

If you have any questions or concerns regarding this letter, please do not hesitate to contact us at (850) 842-4669 or via email at planning@cityofdestin.com.

Sincerely,

Ashley Dominguez
Planner

CC: Tina Deater, AICP, Community Development Director
Planning
Project File



CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: February 27, 2025
BOARD/COMMITTEE: Harbor & Waterways Board
TYPE OF AGENDA ITEM: Action Item
OUTLINE NUMBER: 3.D.

TO: Harbor & Waterways Board

THRU: Kimberly Kopp, City Attorney
Steve O'Connor, Deputy Community Development Director
Daniel Butler, Principal Planner

FROM: Ashley Dominguez, Planner

DATE: February 12, 2025

SUBJECT: 127 Calhoun Ave, Non Residential Marine Construction, HWB-001531-2025

I. BACKGROUND: MRD Associates/Coastal Protection Engineering Inc., on behalf of Destin Fire District, has applied for Harbor and Waterways Board review for the extension of an existing finger pier and staging area.

The applicant seeks a recommendation of approval from the Harbor and Waterways Board for a Non-residential Marine Construction project proposing an extension to the existing finger pier and staging areas with:

Total Square Feet:	264
Total Number of Piers or Docks:	1 Existing Main Access Pier & 4 Finger Piers
Total Length:	388' (No change)
Total Slip Density:	6 (No change)
Located in Destin Harbor:	No

II. DISCUSSION: The applicant requests Harbor and Waterways Board review for non-residential marine construction located at 127 Calhoun Ave, within Choctawhatchee Bay.

The Harbor and Waterways Board is being asked to review the proposed marine project per Land Development Code **Section 11.05.01 - General regulations; prohibitions** and **Section 11.05.02 – Permitting procedures**. Below are Staff’s findings with respect to **Section 11.05.01** and **Section 11.05.02**; items not applicable to this project are marked “Not Applicable.”

11.05.01. General regulations; prohibitions. *This article establishes and regulates procedures and standards by which the City controls and regulates development, construction and activities within and contiguous to the Harbor and waterways of Destin. The following regulations and prohibitions shall apply to the Harbor and waterways of Destin:*

A. No person shall construct or add to an existing dock, seawall, bulkhead, mooring or piling, modify an existing submerged land lease, or conditions thereto, or conduct dredge or fill operations in, or contiguous to, the Harbor or waterways of Destin without first obtaining the proper authorization from the appropriate federal, state and City agencies.

Staff response: *The applicant has submitted for authorization from all appropriate agencies.*

B. The addition or modification of a boat lift or pilings within an existing legal and conforming boat slip shall not require the review of the Harbor and Waterways Board or the City Council. Rather, a copy of the U.S. Army Corps of Engineers permit, DEP permit, and a homeowner's association approval (if applicable) shall accompany a completed application for a building permit, provided no additional slips are created.

Staff response: *Not applicable. The applicant has provided Staff with receipts of submittals with FDEP and USACE. Approvals will be provided at time of building permit submittal.*

C. No fish carcasses and debris shall be discharged into the Harbor or waterways of Destin.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

D. No person who maintains or operates a dock shall allow or permit the disposal of fish carcasses, litter, waste petroleum products or other pollutants into the Harbor or waterways of Destin. Trash disposal receptacles shall be anchored to each dock to ensure compliance with the provisions of this article.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

E. No fuel or oil shall be willfully or knowingly discharged in the Harbor or waterways of Destin. No dock which sells fuel or oil shall be constructed, operated or maintained in the Harbor or waterways of Destin unless an oil abatement plan, in accordance with Coast Guard guidelines, is available at each dock. The Destin Harbor and Waterways Board shall review and recommend approval or disapproval of each oil abatement plan to the City Council, which shall have approval authority. Each existing dock which sells fuel or oil shall develop and have approved an oil abatement plan acceptable to the City. All new docks which sell fuel or oil shall develop and have an approved oil abatement plan, which is acceptable to the City, prior to receiving a building permit from the City.

Staff response: *This regulation applies to all users of the Harbor and waterways of Destin and shall be adhered to.*

F. No new or existing dock shall be constructed or modified such that the length of any pier as completed is greater than 20 percent of the width of the Harbor or waterway at the place where the pier is located, or out 200 feet, whichever is less, except in Choctawhatchee Bay.

Staff response: Proposed addition will not increase the existing main access pier length (385LF).

G. No piling(s) shall be added to the waterward end of any pier which piling(s) would make the total length of the dock more than 200 feet, or 20 percent of the waterway, whichever is less, except in Choctawhatchee Bay.

Staff response: Proposed addition will not increase the existing main access pier length (385 LF).

H. No vessel shall be moored or docked on the waterward end of any pier of the maximum legal length, as determined pursuant to subsection F above, for more than 72 hours.

Staff response: This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.

I. No dock shall be constructed which permits the commercial docking of boats with on-board toilets unless the dock is equipped with a sewage pump-out.

Staff response: Not applicable.

J. No dock shall be constructed which permits the docking of a live-aboard unless such vessel has an operable holding tank.

Staff response: This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.

K. No boat shall be moored in the Harbor or waterways of Destin such that it constitutes a hazard to navigation.

Staff response: This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.

L. No dock shall be constructed such that it constitutes a hazard to navigation.

Staff response: This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.

M. Excepting docks connected to uplands zoned SHMU, or those located on Choctawhatchee Bay, no dock shall be longer than the width, at the mean high-water line, of the lot to which the dock is attached.

Staff response: Not applicable. Located in Choctawhatchee Bay.

- For those docks connected to uplands zoned SHMU, or those located on

Choctawhatchee Bay, a dock may be constructed to a length of 1.5 times the width of the property at the mean high-water line, provided the length of the dock does not exceed the maximum length established by paragraphs F and G above.

Staff response: Proposed addition will not increase the existing main access pier length (385 LF).

- For the purpose of this subsection, lots may be combined with neighboring lots. However, no dock may exceed the limitations specified in subsection F above.

Staff response: Not applicable.

N. No dock shall be constructed or modified such that slip density exceeds one slip per eight linear feet of waterfront footage except that, on canals, no lot may have more than one slip per 45 linear feet of waterfront. However, all lots riparian to a canal shall be entitled to at least two slips on the canal.

Staff response: Not applicable

O. No boat or vessel, entering into, exiting or operating within the Destin Harbor shall operate at such speed that would create a wake that endangers other boats or vessels, swimmers or other persons within the Destin Harbor, or would contribute to any adjacent land erosion.

Staff response: This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.

P. No heated or cooled water may be emitted into the Harbor, waterways, or the Harbor canals other than from a boat.

Staff response: This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.

Q. No pier shall extend more than six feet into a canal right-of-way.

Staff response: Not Applicable.

R. No discharge of water shall contain phosphorous or any other substance likely to cause a violation of the water quality standards specified in Chapter 17-302, Florida Administrative Code.

Staff response: This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.

S. No dock or vessel shall be placed within the 25-foot setback of a property line without providing prior written notification to the adjoining landowners and requesting their response. Any objections received from the adjoining property owners will be considered by the Harbor and Waterways Board in their recommendations to the City Council.

Staff response: *Staff sent the attached Property Owner's Notice on February 7th, 2025.*

T. No dock shall unreasonably interfere with the riparian rights of others.

Staff response: *Staff sent the attached Property Owner's Notice on February 7th, 2025. The proposed improvements are not impacting the riparian rights of any others.*

U. No dock of 100 feet or longer shall be constructed unless a white navigation/security night-light is installed at the furthest point seaward on said dock and such light is to be illuminated continuously from dusk to dawn every night of the year. All existing docks 100 feet or longer shall install and operate a navigation/security light pursuant to this subsection. Each light shall be installed within 90 days after adoption of this Code.

Staff response: *As this dock is longer than 100', the existing dock should already be compliant with this requirement.*

V. No commercially operated boat docking facilities shall be permitted or operated unless equipped with firefighting facilities as specified by the City.

Staff response: *Destin Fire Control District commercial dock is equipped with the appropriate firefighting facilities.*

W. No construction shall be allowed, which violates any provision of the Standard Building Code, as adopted by the City.

Staff response: *Applicant must obtain an approved Marine Construction Permit prior to any construction.*

X. No electrical or water service upon any dock shall be installed unless a permit is obtained from the Planning Department and Building Department for that service.

Staff response: *Applicant must obtain an approved Marine Construction Permit prior to any construction.*

Y. No person, while operating a boat within the or waterways of Destin shall allow or permit the disposal of fish carcasses, litter, waste, petroleum products or other pollutants into the Harbor or waterways of Destin from such boats.

Staff response: *This regulation applies to all users of the harbor and waterways of Destin and shall be adhered to.*

Z. No lot, or multi-contiguous lots, with less than 50 feet of waterfront footage shall be allowed individual docks, unless they are parallel to the shoreline. However, docks may be allowed under the provisions of **Subsection 11.05.01.M.2.**

Staff response: *Not applicable.*

Pursuant to *Section 11.05.03, Land Development Code (LDC)*, all construction shall be inspected by the City Building Inspector for compliance with applicable building codes. The applicant shall be responsible for the condition and repair of permitted docks and failure to maintain said docks in a safe condition shall constitute grounds for revocation of the permit.

A. Link to Strategic Goals / Objectives: II. Enhanced quality of life and safety for families.

B. Effect on Budget (EOB): N/A

C. Level of Service (LOS): Increased level of service for public safety by several community partners.

D. Legislative Sponsor:

E. Business Impact Statement:

III. CONCLUSION: The applicant requests Harbor and Waterways Board approval for a Non-residential Marine Construction project located at 127 Calhoun Ave. The applicant has provided a receipt of submittal from the Florida Department of Environmental Protection (FDEP), Permit Application No. 0428618-003-EM/46. Additionally, the applicant has provided the United States Army Corps of Engineers (USACE) receipt of submittal.

City Staff reviewed the application and determined that the plans comply with *LDC Section 11.05.00, Marina Siting*, and the Coastal Management Element of the City's Comprehensive Plan (*Coastal Management Element Policy 6-1.1.6*).

IV. RECOMMENDED MOTION: I move that the Harbor and Waterways Board approve the marine construction project proposed at 127 Calhoun Ave. for the extension of an existing finger pier and staging area, with the following conditions:

1. At the time of Building Permit submittal, the applicant shall provide Staff with the FDEP & USACE approval of the proposed scope of work, AND

2. All regulations of the City's Marina Siting *LDC Section 11.05.00* shall be adhered to and followed at all times.

Attachments:

1. 1. Existing Conditions- Images
2. 2. Scaled and Dimensioned Plans
3. 3. Proof of Ownership
4. 4. Agent Affidavit
5. 5. FDEP Proof of Submittal
6. 6. USACE Proof of Submittal
7. 7. Adjacent Property Notification













Permit Sketches and General Notes

127 Calhoun Avenue

Substation Dock

Modification

Parcel ID: 00-2S-22-0630-0000-1320
127 Calhoun Avenue, Destin, FL, 32541

Section 00, Township 02 S, Range 22 W
Okaloosa County, Florida
30°23.991' N, 86°30.782' W

APPLICANT NAME AND ADDRESS



Destin Fire Control District
848 Airport Road,
Destin Florida 32541

INDEX OF SHEETS

<u>SHEET NO.</u>	<u>DESCRIPTION</u>
1 Cover Sheet and Index of Sheets
2 Project Location
3 Existing Conditions
4 Proposed Modifications
5 Proposed Modification Dimensions
6 Detailed Proposed Modification Dimensions
7 Cross Section B-B' and C-C'
8 General Notes



543 Harbor Boulevard, Suite 204
Destin, Florida 32541
Certification of Authorization Number 9482
850.654.1555 (voice) • 850.654.0550 (fax)
www.mrd-associates.com

COVER SHEET AND INDEX OF SHEETS

127 Calhoun Avenue Substation Dock

Destin Fire Control District
848 Airport Road, Destin Florida 32541

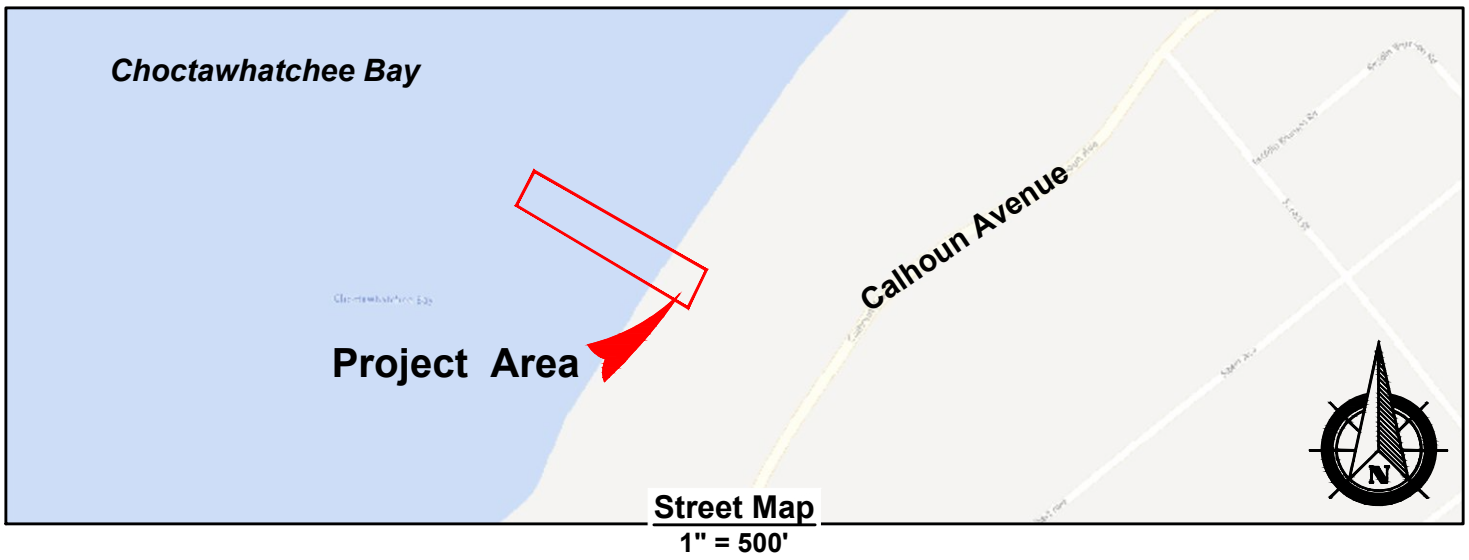
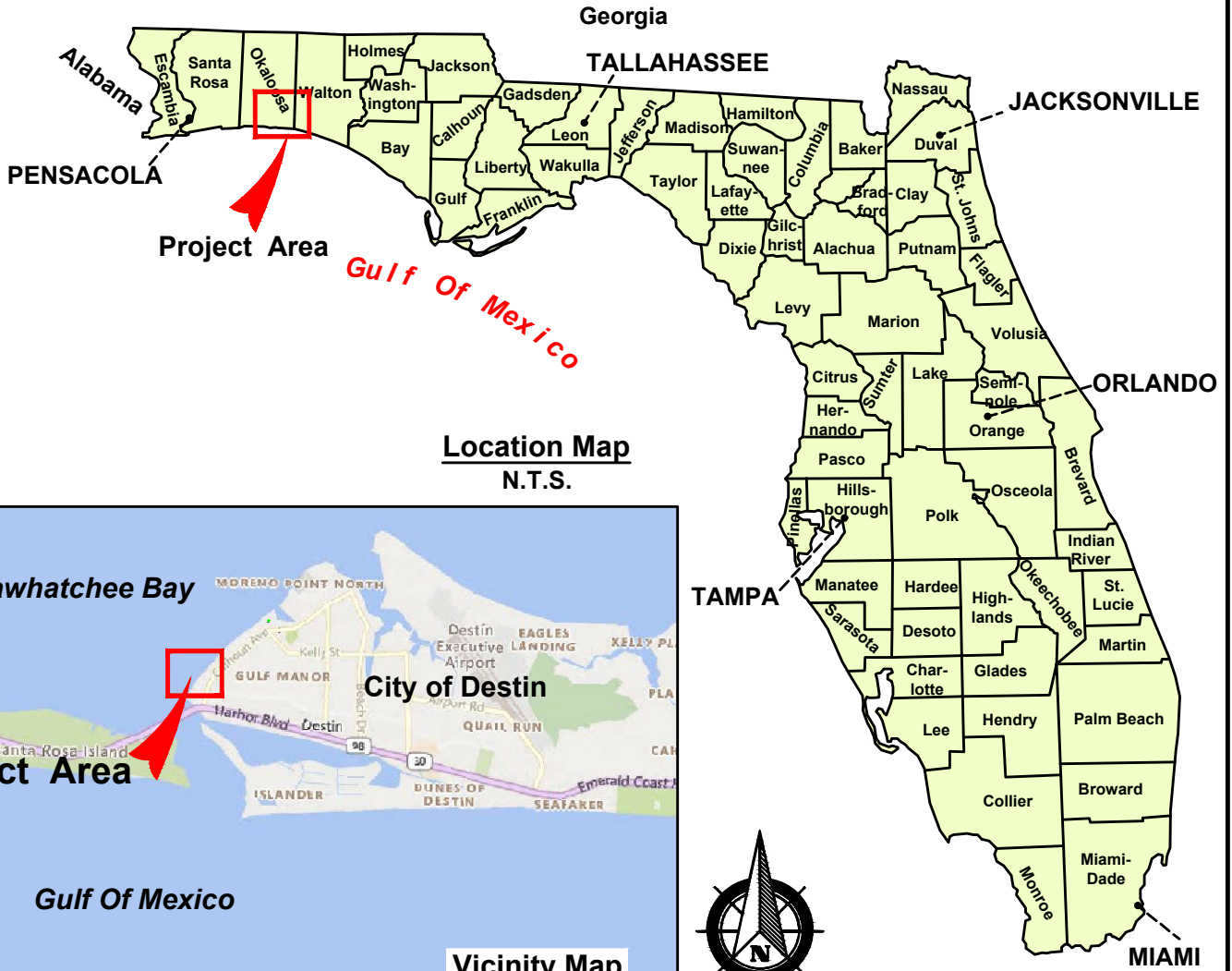
Yubeiri Bacon, P.E.
Florida P.E. Number 97026

Date: November 17, 2024

Sheet Rev Date:

PROJECT NUMBER
24-489

SHEET NUMBER
1



mrd associates, inc.
Coastal, Marina & Water Resources Engineering

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Destin, Florida 32541
Certification of Authorization Number 9482
850.654.1555 (voice) • 850.654.0550 (fax)
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PROJECT LOCATION
127 Calhoun Avenue Substation Dock Modification

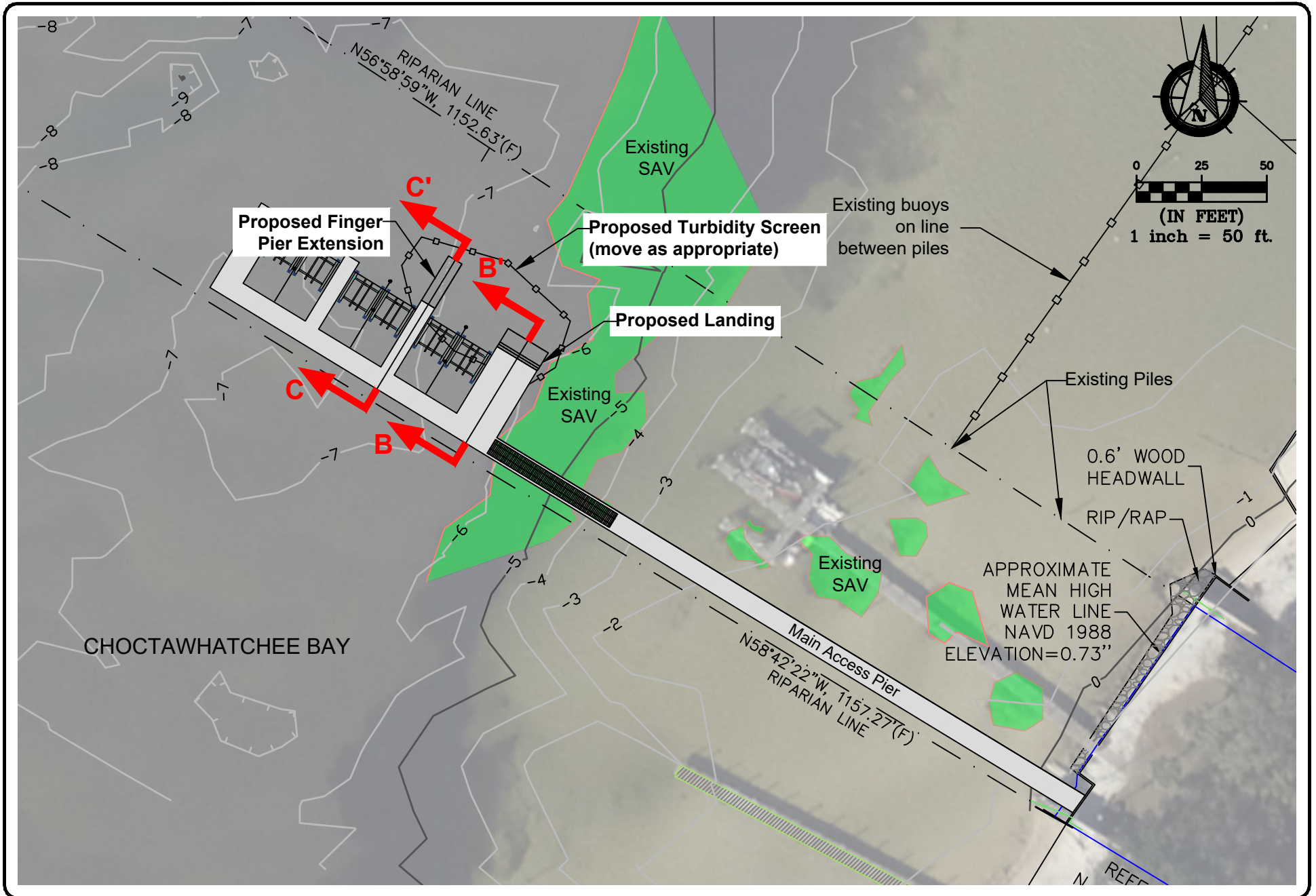
Destin Fire Control District
848 Airport Road, Destin Florida 32541

Yubeiri Bacon, P.E.
Florida P.E. Number 97026

Date: November 17, 2024

Sheet Rev Date:

PROJECT NUMBER 24-489	SHEET NUMBER 2
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 Coastal, Marina & Water Resources Engineering

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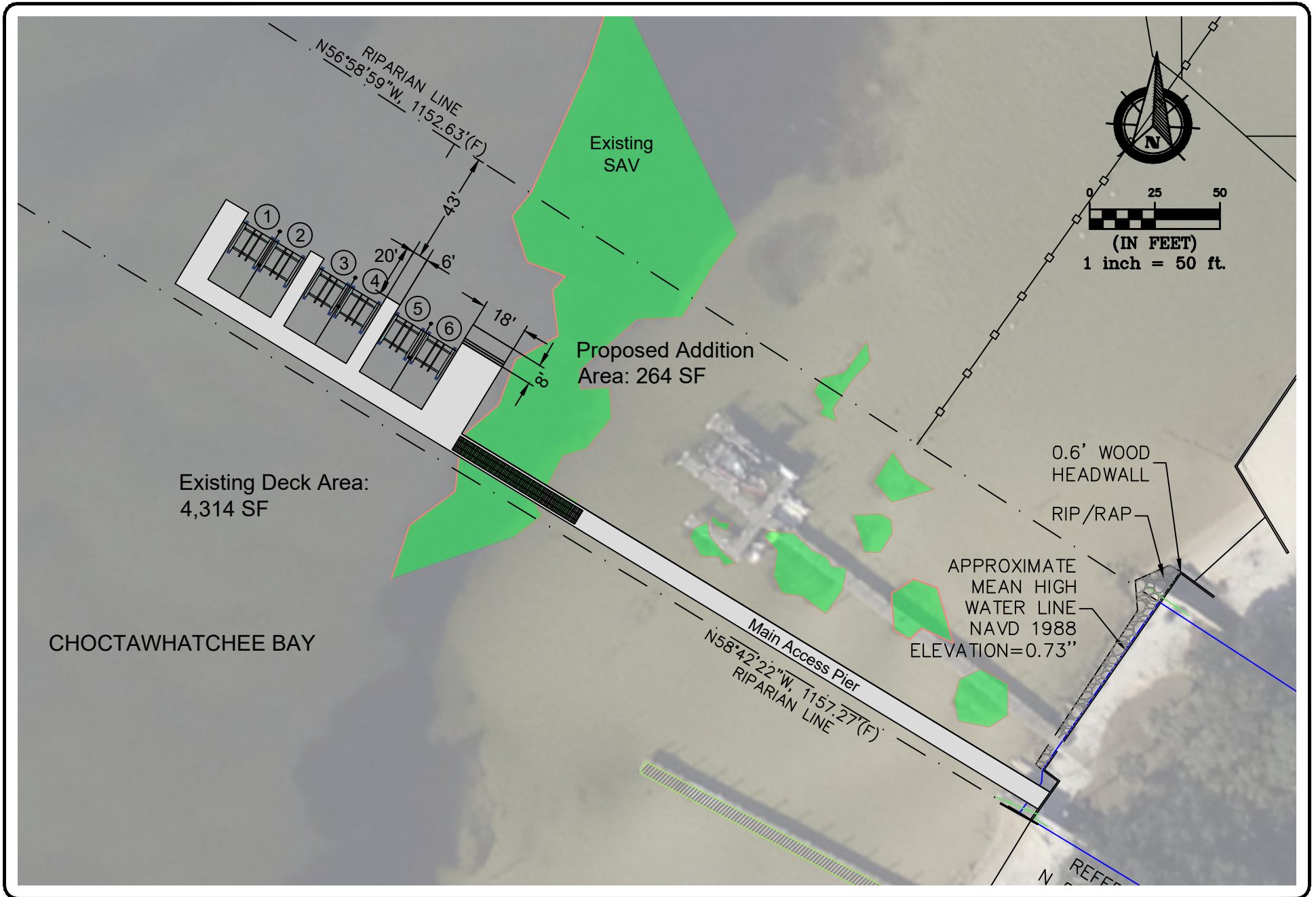
PROPOSED MODIFICATIONS
127 Calhoun Avenue Substation Dock Modification

Destin Fire Control District
 848 Airport Road, Destin Florida 32541

Yubeiri Bacon, P.E.
 Florida P.E. Number 97026

Date: November 17, 2024
 Sheet Rev Date:

PROJECT NUMBER 24-489	SHEET NUMBER 4
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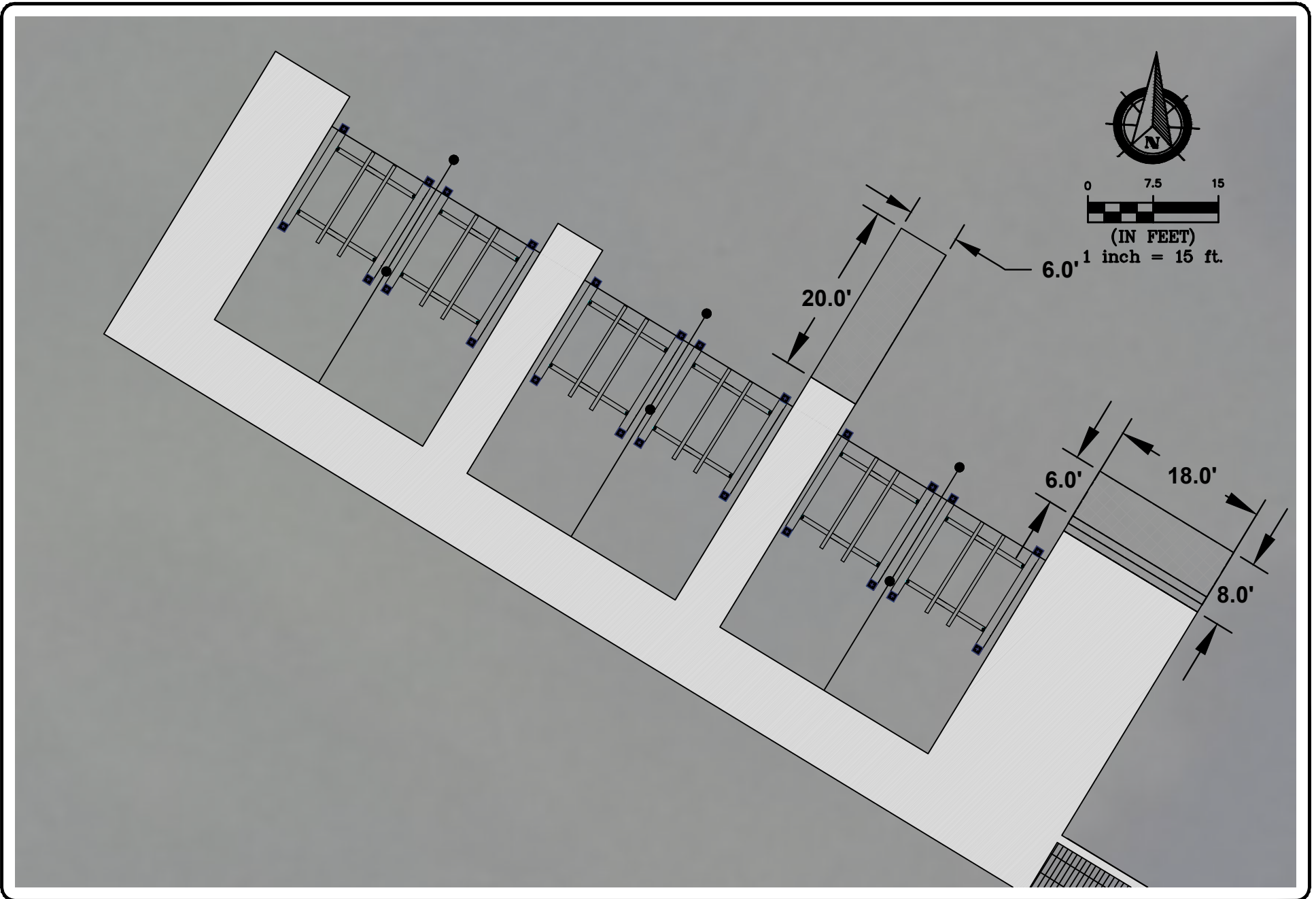
PROPOSED MODIFICATION DIMENSIONS
 127 Calhoun Avenue Substation Dock Modification

Destin Fire Control District
 848 Airport Road, Destin Florida 32541

Yubeiri Bacon, P.E.
 Florida P.E. Number 97026

Date: November 17, 2024
 Sheet Rev Date:

PROJECT NUMBER 24-489	SHEET NUMBER 5
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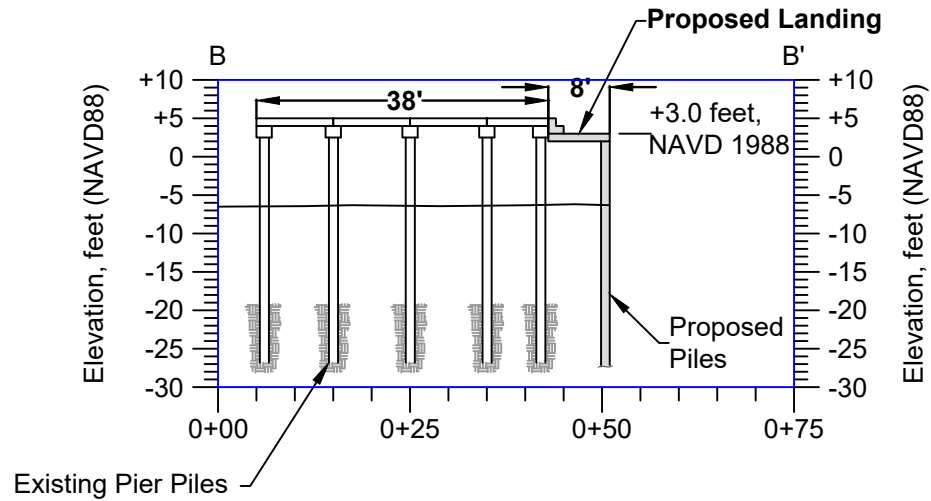
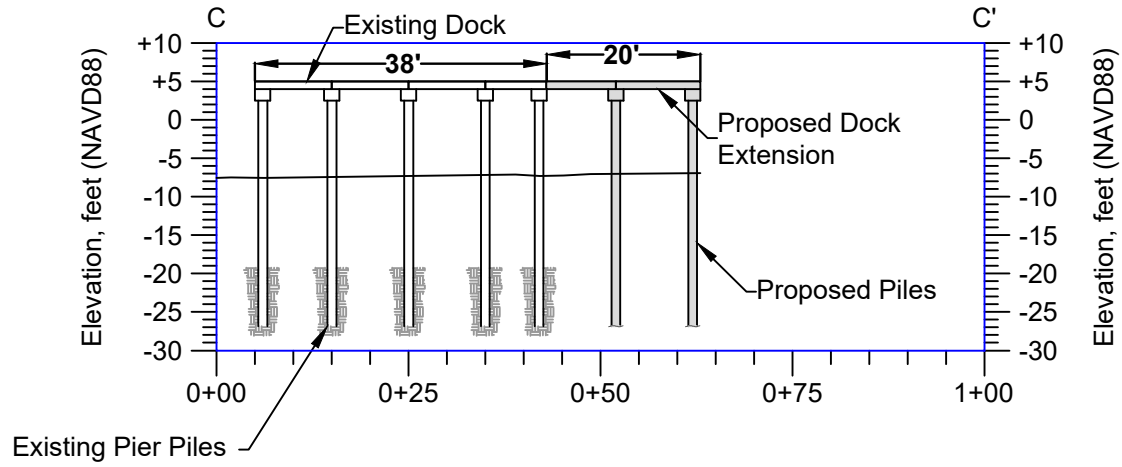
DETAILED PROPOSED MODIFICATION DIMENSIONS
 127 Calhoun Avenue Substation Dock Modification

Destin Fire Control District
 848 Airport Road, Destin Florida 32541

Yubeiri Bacon, P.E.
 Florida P.E. Number 97026

Date: November 17, 2024
 Sheet Rev Date:

PROJECT NUMBER 24-489	SHEET NUMBER 6
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CROSS SECTION B-B' AND C-C'
127 Calhoun Avenue Substation Dock Modification

Destin Fire Control District
848 Airport Road, Destin Florida 32541

Yubeiri Bacon, P.E.
Florida P.E. Number 97026

Date: November 17, 2024

Sheet Rev Date:

PROJECT NUMBER 24-489	SHEET NUMBER 7
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NOTES:

- Drawing referenced to Florida State Plane North, North American Datum of 1983 (NAD 83).
- Elevations shown hereon are based on North American Vertical Datum of 1988 (NAVD 88).
- Boundary and Bathymetric survey performed by Gustin, Cothorn, & Tucker, Inc., dated 07-15-2022.
- Federal Navigation Channel limits obtained from survey by Gustin, Cothorn, & Tucker, dated 07-15-2022.
- Construction should not violate State of Florida water quality standards
- Indicated berth dimension represents the overall slip and boat length.
- No liveaboards will be allowed.
- Materials are subject to change. Pile dimensions and embedment depth will be determined during final design.
- Aerial photography obtained from LABINS.org and flown 2016. The location of all objects in the photograph are approximate and may not represent currently existing conditions.

SCHEDULE:

Existing Dock:

Total area: 4,314 ft² of deck area

Proposed Modification:

Total area: 264 ft² of deck area

Proposed Dock:

Total area: 4,578 ft² of deck area

UTILITIES:

- Utilities include fire suppression standpipe, safety ladders, power pedestals, dock boxes for storage, and emergency gear storage.
- No fueling facilities or liveaboards are proposed at this facility.
- Power Station to be Lighthouse Power Pedestal, as manufactured by Marina Power & Lighting, Inc. or approved equal.
- NFPA Fire Stations.



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GENERAL NOTES
127 Calhoun Avenue Substation Dock Modification

Destin Fire Control District
 848 Airport Road, Destin Florida 32541

Yubeiri Bacon, P.E. Florida P.E. Number 97026	
Date: November 17, 2024	
Sheet Rev Date:	
PROJECT NUMBER 24-489	SHEET NUMBER 8

Prepared By and Return To:
Knight Barry Title Solutions Inc.
Attn: Vicki Hoover
415 Richard Jackson Blvd., Ste. 207
Panama City Beach, FL 32407

Order No.: 1186207

Property Appraiser's Parcel I.D. (folio) Number:

WARRANTY DEED

THIS WARRANTY DEED dated December 28, 2020, by Destin Bay House, LLC, A Florida Limited Liability Company, whose post office address is 913 Peacock's Point Drive, Destin, Florida 32541 (the "Grantor"), to Destin Fire Control District, A District created by Special Act of the Legislature of the State of Florida, whose post office address is 848 Airport Rd, Destin, Florida, 32541 (the "Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the Grantor, for and in consideration of the sum of No Dollars And No/100 Dollars (\$0.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the Grantee, all that certain land situated in County of Okaloosa, State of Florida, viz:

See attached Exhibit "A"

The Above Stated Legal Description Is Not The Homestead Property of the Grantor.

Subject to easements, restrictions, reservations and limitations of record, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in Fee Simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to: 2020.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Destin Bay House, LLC, A Florida
Limited Liability Company

Michael A. Shoults
by: Michael A. Shoults, Authorized Member

Grantor Address:
913 Peacock's Point Drive
Destin, FL 32541

Signed, sealed and delivered in presence of:

[Signature]
Witness Signature
Tiffany Ragain

Printed Name of First Witness

[Signature]
Witness Signature
Vicki L. Hoover
Printed Name of Second Witness

STATE OF Florida
COUNTY OF Okaloosa

The foregoing instrument was executed and acknowledged before me by means of X Physical Presence or Online Notarization this 28th day of December, 2020 by Michael A. Shoults as Authorized Member of Destin Bay House, LLC, A Florida Limited Liability Company.

[Signature]

Notary Public

Printed Name: _____

Commission # _____

My Commission Expires: _____

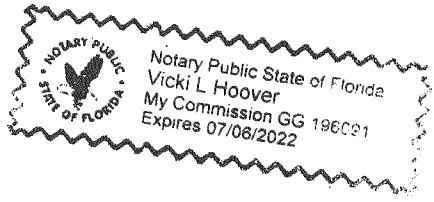


EXHIBIT A

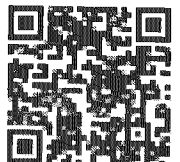
A lot from the Northern end of Lot No. 13, the Moreno Point Military Reservation, said lot being approximately 1 acre, and facing Choctawhatchee Bay 97 feet, more or less, and extending Southeastwardly along the Northern boundary of Lot No. 13, 500 feet, more or less, to Calhoun Avenue, which it faces 83 feet and is described as follows: being at the Northeastern corner of Lot 13; thence North 62°04'50" West 500 feet, more or less, to the shoreline of Choctawhatchee Bay; thence in a Southwesterly direction along the said shore line a distance of 97 feet, more or less; thence in a Southeasterly direction 500 feet, more or less, to Calhoun Avenue; thence along Calhoun Avenue North 72°08'50" East a distance of 83 feet to the point of beginning.

Less and except that portion lying within right of way of State Road 30 alternate conveyed in Deed Book 53, Page 355, of the public records of Okaloosa County, Florida.

For informational purposes only

Property Address: 127 Calhoun Ave, Destin, FL 32541

Tax Key No.: 00-25-22-0630-0000-1320



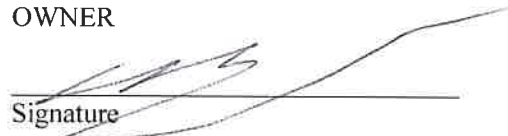
**AGENT AFFIDAVIT
SPECIAL POWER OF ATTORNEY**

KNOWN ALL MEN BY THESE PRESENTS, THAT I, Mike Buckingham am presently the owner and/or leaseholder at 127 Calhoun Ave, Destin, FL, and desiring to execute a Special Power of Attorney, have made, constituted and appointed, and by these presents do make, constitute and appoint Katherine Velasquez whose address is 543 Harbor Blvd, Ste 204, County of Okaloosa, State of Florida, my Attorney-in-Fact to act as follows, GIVING AND GRANTING unto said attorney full power to act as my agent in any and all matters pertaining to: Destin Fire Dock Modification Project.

FURTHER, I do authorize the aforesaid Attorney-in-Fact to perform all necessary acts in the execution of the aforesaid authorization with the same validity as I could effect if personally present. Any act or thing lawfully done hereunder by the said attorney shall be binding on myself and my heirs, legal and personal representative, and assigns.

PROVIDED; however, that any and all transactions conducted hereunder for me or for my account shall be transacted in my name, and that all endorsements and instruments executed by the said attorney for the purpose of caring out the foregoing powers shall contain my name, followed by that of my said attorney and the designation "Attorney-in-Fact."

OWNER


Signature

Mike Buckingham
Printed Name

STATE OF Florida

COUNTY OF Okaloosa

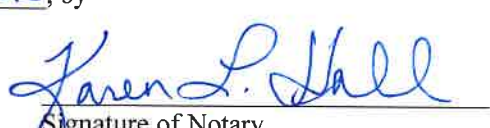
The foregoing instrument was acknowledged before me by means of physical presence or online

notarization, this 3 day of February, 2025, by
(name of person acknowledging)

Karen L. Hall



KAREN L. HALL
Notary Public
State of Florida
Comm# HH624604
Expires 12/29/2028


Signature of Notary

Karen L. Hall
Printed Name of Notary or Seal

Personally known OR Produced Identification

Type of Identification Produced _____



FLORIDA DEPARTMENT OF Environmental Protection

Northwest District
160 W. Government Street, Suite 308
Pensacola, Florida 32502-5794

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Alexis A. Lambert
Secretary

REQUEST FOR ADDITIONAL INFORMATION

January 29, 2025

Destin Fire Control
c/o Mike Buckingham, Fire Chief
848 Airport Road
Destin, Florida 32541

Re: First Request for Additional Information (RAI)
Okaloosa County – Environmental Resource Permitting Program
Site Name: Destine Fire Dock Modification
Site ID: ERP_428618
DEP Application No.: 0428618-003-EM/46
BOT No: 460351491

Dear Mr. Buckingham:

Thank you for your application for a modification for a dock expansion submitted on January 15, 2025 for the above referenced Site. A review of your application and supporting documentation indicates the application is incomplete. Please provide the information in the attached document and refer to this RAI in your response.

To continue the processing of your application, the Department must receive a response within 90 days of this letter, April 29, 2025, unless a written request for additional time to provide the requested information is submitted and approved. It is the Department's desire to provide prompt turnaround times on permit applications, and a quicker response to this RAI shortens the timeframe for which a final decision on the application can be made. Pursuant to Chapter 62-330, F.A.C. and Section 120.60, F.S., failure of an applicant to provide timely requested information by the applicant deadline may result in denial of the application. You are encouraged to contact this office to discuss the items requested to assist you in developing a complete and adequate response.

Your processor, Una Cole can be contacted at 850-595-0585, Una.Cole@FloridaDEP.gov. Please submit your response by email to NWD_EPOST@floridadep.gov, with a copy to Una.Cole@FloridaDEP.gov. If the submittal is very large, you may post it to a folder on this office's ftp site at: <ftp://ftp.dep.state.fl.us/pub/incoming/NWD/>. After posting the submittal, send an e-mail to NWD_EPOST@floridadep.gov, with a copy to Una.Cole@FloridaDEP.gov, alerting us that it has been posted.

Sincerely,



Una Cole
Environmental Specialist III

UC/

cc:

Florida DEP, Russell.Sullivan@FloridaDEP.gov, Una.Cole@FloridaDEP.gov
MRD Associates Inc./Coastal Protection Engineering,
MDombrowski@coastalprotectioneng.com, KVelasquez@coastalprotectioneng.com

Attached: List of Requested Information
Survey Checklist Requirements
Billing Information Sheet
Financial Affidavit

Katie Velasquez

From: rrs@usace.army.mil
Sent: Wednesday, January 15, 2025 4:56 PM
To: MikeBuck211@aol.com; Katie Velasquez
Subject: Department of the Army Individual Permit (ENG 4345) Request - Destin Fire Control District Dock Modification

The U.S. Army Corps of Engineers, Jacksonville District has received your submission for a Individual Permit (ENG 4345) through the Regulatory Request System. The U.S. Army Corps of Engineers Regulatory program is committed to providing you with the highest level of public service.

Your request will be processed in the order it was received, and the assigned project manager will contact you if any additional information is required to complete the review of your request.

General information about the U.S. Army Corps of Engineers' Regulatory Program is available on the Regulatory Request System homepage at: <https://rrs.usace.army.mil>

Information specific for your region can be found at the Jacksonville District website at: <http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

This mailbox is not monitored. If you have any questions, please contact your assigned project manager or reach out the Jacksonville District directly.



Community Development Planning Division

4100 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-654-1119 | Email: planning@cityofdestin.com

February 7th, 2025

SUBJECT: Notification of Harbor & Waterways Board Application (HWB- 001531-2025) – Commercial Marine Construction – 127 Calhoun Ave

Dear Property Owner:

This letter is to notify you of a proposed marine construction project at **127 Calhoun Ave.** The Marine Construction application requires Harbor & Waterways Board review and recommendation. **The Application will be heard by the Harbor & Waterways Board at 5:30 p.m. at the Destin City Hall Annex, 4100 Indian Bayou Trail on February 27th, 2025 (tentative).**

As an owner of property located near this project, *Destin Land Development Code (LDC) Sections 2.17.00 & 11.05.01.S* require a written notice providing you with the following information. This project proposes new marine construction in proximity to your property line; therefore, The City is requesting your input on the matter. If you would like to provide any comments you may respond by sending an email to the email address listed below, or by appearing before the Harbor & Waterways Board.

This notice is for informational purposes only and no action is required of you. However, citizens are encouraged to provide a response to the email address provided below.

1. Name of Owner: Destin Fire Control District
2. Name of Agent: Katherine Velasquez, MRD. Associates/ Coastal Protection Engineering
3. Address of Project: 127 Calhoun Ave
4. Parcel ID Number: 00-2S-22-0630-0000-1320
5. Project Description: Extension of existing finger pier and staging area
6. Location of Application Package: To request that a digital copy of the application package be sent to you, please call the City Clerk at (850) 837-4242 or fill out a Public Records Request (PRR) online: <http://www.cityofdestin.com/forms.aspx?fid=121>

If you have any questions or concerns regarding this letter, please do not hesitate to contact us at (850) 842-4669 or via email at planning@cityofdestin.com.

Sincerely,

Ashley Dominguez
Planner

CC: Steve O'Connor, Deputy Community Development Director
Planning
Project File

