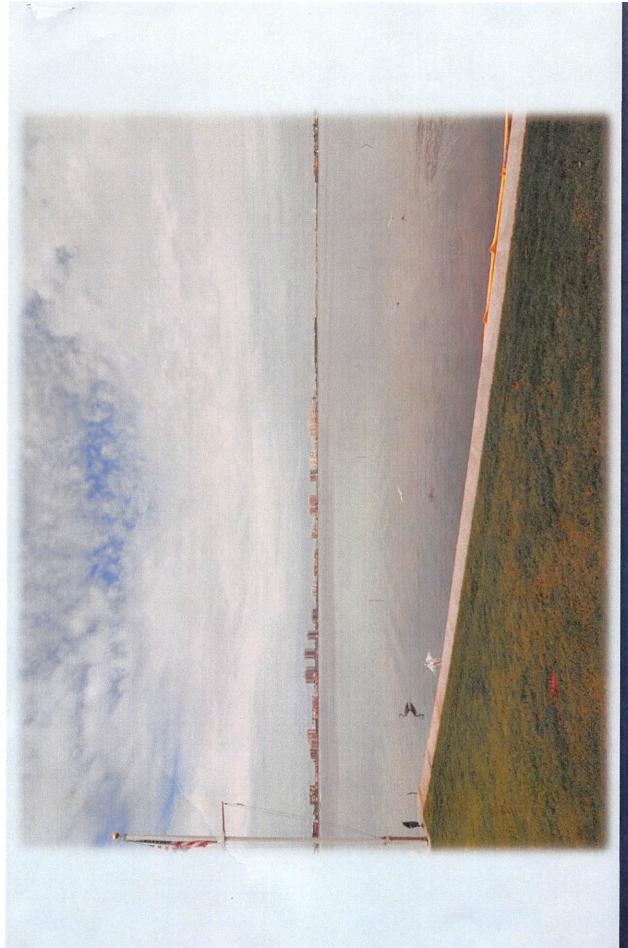
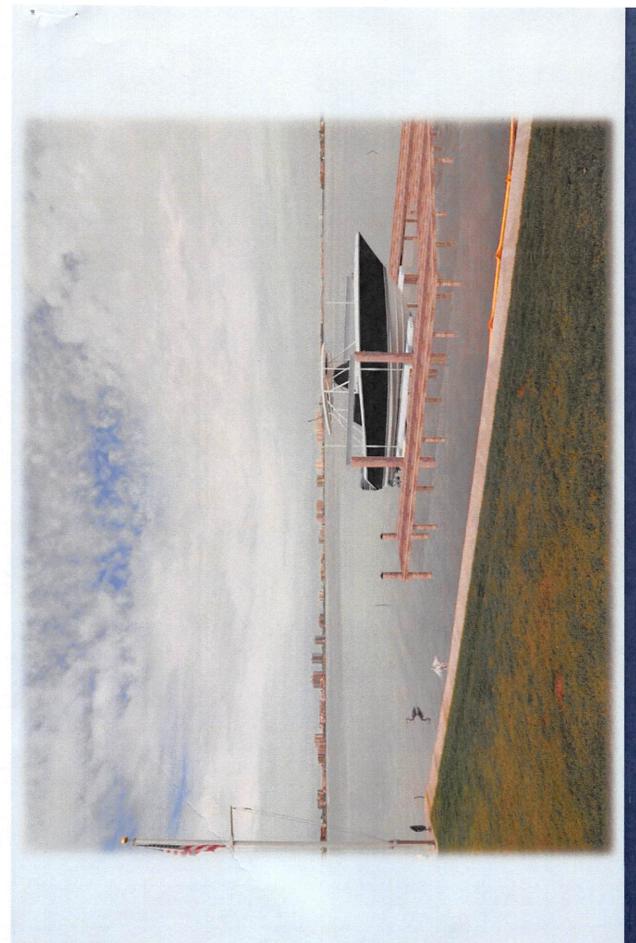




JOHNSON POPE
BOKOR RUPPEL & BURNS, LLP
COUNSELORS AT LAW









JOHNSON POPE
BOKOR RUPPEL & BURNS, LLP
COUNSELORS AT LAW

Lauren F. Greenfield

From:

Tyler McDougal <tyler@gatordredging.com>

Sent:

Wednesday, October 18, 2017 10:41 AM

To:

Lauren F. Greenfield; Johnny Patronis

Cc:

Michaud Burgos

Subject:

RE: 3 Stonegate Dr / App 748382

Lauren,

Thanks and we would like to withdraw the exemption application. Reason for withdrawal is we need time to evaluate the alternate permit route recommended by SWFWMD.

We are currently researching the Individual Permit process/tasks necessary in your email below. We may have a few questions with those pretty soon to get some final clarification.

Thanks again for all your help with this project.

Sincerely,

Tyler McDougal, PE Vice President of Engineering

Gator Dredging 13630 50th Way North Clearwater, FL 33760

Phone: 727.527.1300 Ext. 244 (NEW!!)

Fax: 727.527.1303 Mobile: 727.776.8910

Email: tyler@gatordredging.com

www.gatordredging.com



From: Lauren F. Greenfield [mailto:Lauren.Greenfield@swfwmd.state.fl.us]

Sent: Wednesday, October 18, 2017 10:31 AM

To: Johnny Patronis <johnny.patronis@yahoo.com>; Tyler McDougal <tyler@gatordredging.com>

Cc: Michaud Burgos < Michaud. Burgos@swfwmd.state.fl.us>

Subject: RE: 3 Stonegate Dr / App 748382

Hi Johnny and Tyler,

I wanted check in with you to see what your plans are with the project. As outlined in the email below, the project may be able to be authorized under an individual permit, but not an exemption. Since the time period to respond to the Request for Additional Information has passed, and since we now know that the project will not qualify for an exemption, I would like to have you all withdraw the exemption application. Once you have gathered the information

that is outlined below, you can re-apply for an individual permit. In the meantime, I can continue to help you with any questions you may have. Please let me know if you would like to withdraw the application.

Thanks, Lauren

From: Lauren F. Greenfield

Sent: Friday, August 25, 2017 1:33 PM

To: 'Tyler McDougal' < tyler@gatordredging.com >

Cc: Michaud Burgos < Michaud.Burgos@swfwmd.state.fl.us >

Subject: 3 Stonegate Dr / App 748382

Hi Tyler,

Thank you for taking the time to discuss the project with me today. Below is a summary of what we discussed and what may be the best approach to getting the applicant his dock and access to navigable water.

During my site visit on 7/19/2017, I was not able to determine that the material within the area around the proposed dock came from upland construction or that if it did, it went all the way down to -1 MLW. I also do not think that maintenance dredging in accordance with the intake/discharge structure portion of 403.813(1)(f), F.S. would allow for dredging to the depths needed to moor a boat and get it to navigable waters without prop dredging. So the next step is to see if we can authorize this as a new dredge with an Individual Permit. The application would need to be for the dock and the dredge together. Some items we would need with the application are below.

- 1. As part of an Individual Permit review and in order to obtain approval for new dredging in an aquatic preserve, we would need to show that the total project has been designed to reduce and eliminate impacts to the maximum extent feasible. It looks like the dock, as shown on the exemption application plans, is about 30 feet from the property line to the south. That's pretty close to as far south as it can get without needing a setback waiver from the neighbor to the south. To minimize the footprint of the dredge, the dredge footprint should include a mooring area at the dock and a path just wide enough for navigation to the existing channel. It looks like the deepest depth of the existing channel is -2 MLW. If the dredge footprint went from the proposed mooring area to the -2 contour as a depth of 2-MLW, that would allow for a vessel with a draft of 1 foot to be able to operate with one foot of clearance.
- 2. In order for the dredge to connect to the -2 contour, dredging would need to be done within the riparian rights area of the neighbor to the south. Therefore, the neighbor would need to be a co-applicant.
- 3. Two other items needed to obtain approval for new dredging in an aquatic preserve:
 - a. The applicant would need to place a conservation easement (CE) over his entire shoreline that would prohibit any additional dredging beyond what would be authorized in the permit. It would not prohibit maintenance of the permitted dredge area.
 - b. A draft restriction would also need to be placed in the permit so that there will be at least one foot of clearance between the deepest draft of the vessel and the submerged bottom. So if the proposed dredge is to -2 MLW, then the permit would restrict the draft to 1 foot.
- 4. Revised signed and sealed plans showing a revised dredge footprint and dock would be needed. The plans should include BMP's, dimensions, depths, distances from riparian lines, etc.
- 5. The application should request a mixing zone for the dredge area. The mixing zone request can extend outside of the dredge area, if needed, but should not include areas with seagrass or other submerged resources.
- 6. The permit application fee would be \$2,184 for an online application.
- 7. Severance fees will be required or documentation that a waiver of the severance fees applies.

Please let me know if you have any questions. Have a good weekend!

Thanks,

Lauren Greenfield
Environmental Scientist
Environmental Resource Permit Bureau
Southwest Florida Water Management District
(813) 985-7481, ext. 2324
Lauren.Greenfield@swfwmd.state.fl.us

Craig Taraszki

From:

Lauren F. Greenawalt < Lauren. Greenawalt@swfwmd.state.fl.us >

Sent:

Tuesday, September 18, 2018 2:25 PM

To:

Craig Taraszki

Subject:

RE: 3 Stonegate Dr, Belleair

Attachments:

Mimecast Attachment Protection Instructions; SWFWMD denial of Doyle exemption

request.pdf

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Hi Craig,

I just searched again to make sure and do not see any applications at this property since the attached application.

Thanks,

Lauren (Greenfield) Greenawalt, P.W.S.
Environmental Scientist
Environmental Resource Permit Bureau
Southwest Florida Water Management District
(813) 985-7481, ext. 2324
Lauren.Greenawalt@swfwmd.state.fl.us

From: Craig Taraszki < CraigT@jpfirm.com>
Sent: Tuesday, September 18, 2018 12:42 PM

To: Lauren F. Greenawalt < Lauren. Greenawalt@swfwmd.state.fl.us>

Subject: 3 Stonegate Dr, Belleair

Lauren,

Following up on our conversation yesterday. Can you confirm that there has been no dredge or dock application for the above property since the applicant withdrew their maintenance dredge exemption application on October 18, 2017 (see attached correspondence).

Thank you, Craig A. Taraszki Johnson, Pope, Bokor, Ruppel & Burns, LLP 333 3rd Avenue North, Suite 200 St. Petersburg, FL 33701 Main: 727-800-5980

Main: 727-800-5980 Direct: 727-551-4434 Sec. 66-164. - Review of preliminary and final development plans for major developments.

- (a) Preliminary plan review required; action by manager. All major development must be submitted for a preliminary plan review. The procedure shall be as follows:
 - (1) The developer shall file a completed application and a preliminary development plan as a prerequisite to obtaining a preliminary plan review.
 - (2) Within 15 working days of receipt of an application and the preliminary plan, the manager shall:
 - Determine that the submittals are complete and proceed with one of the procedures described in this section; or
 - b. If a determination is made that the submittals are incomplete, inform the developer in writing as to the deficiencies. The developer may submit an amended application within 30 working days without payment of a reapplication fee, but if more than 30 working days have elapsed the developer must thereafter re-initiate the application and pay an additional fee.
- (b) Review of preliminary development plans where amendment to official zoning map required. The review and legislative hearings for preliminary development plans where an amendment to the official zoning map is required shall be as follows (see section 66-318):
 - (1) The manager shall send a copy of the preliminary development plan to each member of the planning and zoning board. On the earliest date that allows the giving of required notice, the planning and zoning board shall conduct a legislative hearing on the preliminary development plan to determine whether the plan satisfies the requirements of this land development code and is consistent with the comprehensive plan.
 - (2) The planning and zoning board shall make a recommendation to the town commission.
 - (3) Upon conclusion of the planning and zoning board's hearing, the manager shall send a copy of the preliminary development plan to each member of the town commission. On the earliest date that allows the giving of required notice, the commission shall conduct a legislative hearing on the preliminary development plan to determine whether the plan satisfies the requirements of this land development code and is consistent with the comprehensive plan, and, if deemed appropriate, adopt a rezoning ordinance.
 - (4) In addition to notice required by the Florida Statutes, notice for each hearing shall be mailed by the town to the developer and all persons who, according to the most recent tax rolls, own property within 500 feet of the property proposed for development. For multiple-owned structures such as condominiums, cooperative ownerships, etc., the mailing shall be to the property owners' association only. The notice shall be mailed at least 20 days before the scheduled preliminary review. The expense of this mailing shall be borne by the developer.
 - (5) Both the planning and zoning board and the town commission shall consider:
 - a. Characteristics of the site and surrounding area, including important natural and manmade features, the size and accessibility of the site, and surrounding land uses.
 - b. Whether the concurrency requirements of chapter 70 could be met if the development were built.
 - c. Conformity of the proposed development with the comprehensive plan, this land development code and other applicable regulations.
 - Applicable regulations, review procedures and submission requirements.
 - e. Concerns and desires of surrounding landowners and other affected persons.
 - f. Other applicable factors and criteria prescribed by the comprehensive plan, this land development code or other law.

- g. The nature of the proposed development, including land use types and densities; the placement of proposed buildings and other improvements on the site; the location, type and method of maintenance of open space and public use areas; the preservation of natural features; proposed parking areas; internal traffic circulation system, including trails; the approximate total ground coverage of paved areas and structures; and types of water and sewage treatment systems.
- (6) The town commission shall:
 - a. Issue preliminary development approval complying with section 66-166:
 - b. Approve the rezoning ordinance where a rezoning is involved; or
 - c. Refuse to issue a preliminary development approval because the proposed development, even with reasonable modifications, does not meet the requirements of this land development code. This action shall also constitute denial of the rezoning application.
- (c) Review of preliminary development plans where amendment to official zoning map is not required. The review and administrative hearings for preliminary development plans that do not include an official zoning map amendment shall be as follows (see section 66-170):
 - (1) The developer shall file a completed application and preliminary development plan as a prerequisite to obtaining a preliminary review.
 - (2) Within 15 working days of receipt of an application and the preliminary development plan, the town manager shall:
 - Determine that the submittals are complete and proceed with the procedures set out in this section; or
 - b. If a determination is made that the submittals are incomplete, inform the developer in writing as to the deficiencies. The developer may submit an amended application within 30 working days without payment of a reapplication fee, but if more than 30 working days have elapsed the developer must thereafter re-initiate the application and pay an additional fee.
 - (3) The proposal shall be placed on the agenda of the next meeting of the town commission that allows the giving of required notice.
 - (4) Notice of the preliminary plan review shall be mailed by the town to the developer and all persons who, according to the most recent tax rolls, own property within 500 feet of the property proposed for development. For multiple-ownership structures such as condominiums, cooperative ownerships, etc., the mailing shall be to the property owners' association only. The notice shall be mailed at least 20 days before the scheduled review. Notice expense shall be borne by the applicant.
 - (5) The town commission shall consider:
 - a. Characteristics of the site and surrounding area, including important natural and manmade features, the size and accessibility of the site, and surrounding land uses.
 - Whether the concurrency requirement of chapter 70 could be met if the development were built.
 - c. The nature of the proposed development, including land use type and densities; the placement of proposed buildings and other improvements on the site; the location, type and method of maintenance of open space and public use areas; the preservation of natural features; proposed parking areas; internal traffic circulation system, including trails; the approximate total ground coverage of paved areas and structures; and types of water and sewage treatment systems.
 - d. Conformity of the proposed development with the comprehensive plan, this land development code and other applicable regulations.

- e. Applicable regulations, review procedures and submission requirements.
- f. Concerns and desires of surrounding landowners and other affected persons.
- g. Other applicable factors and criteria prescribed by the comprehensive plan, this land development code or other law.
- h. In evaluating an application for a provider [of] wireless communication support facility on town-owned property, the criteria set forth in sections 74-282A.1 through 74-282A.17 of this Code, the reasonably applicable criteria for a preliminary site development plan submittal as set forth in section 66-171 (site plan requirements), the performance guarantees set forth in section 66-173, and the issues set forth in subsections (c), (d), (e) and (g) above, shall be the criteria evaluated in provider wireless communication decision making by the commission. In addition, the commission shall specifically make a determination that the proposed location of all physical appurtenances to the construction of any proposed WCSF or WCA, as these terms are defined in section 74-282A, do not interfere with existing or reasonably foreseeable necessary public uses of the affected town-owned property.
- (6) The town commission shall:
 - Issue a preliminary development approval complying with section 66-166; or
 - b. Refuse to issue a preliminary development approval based on it being impossible for the proposed development, even with reasonable modifications, to meet the requirements of this land development code.
- (d) Review of final development plan.
 - (1) The developer shall submit the final development plan for review within the time period in which the preliminary development approval is valid.
 - (2) Within 20 working days, the town manager shall determine whether the final development plan should be approved or denied based on whether the plan conforms to the preliminary development plan as approved by the town.
 - (3) The town manager shall:
 - a. Issue a development order complying with section 66-167; or
 - Refuse to issue preliminary development approval because the proposed development, even with reasonable modifications, does not meet the requirements of this land development code.

(Ord. No. 300, § III(14.02.04), 11-7-90; Ord. No. 376, § 2, 7-15-97; Ord. No. 399, § 1, 11-20-01)

18-21.004 Management Policies, Standards, and Criteria.

The following management policies, standards, and criteria shall be used in determining whether to approve, approve with conditions or modifications, or deny all requests for activities on sovereignty submerged lands, except activities associated with aquaculture. The management policies, standards, criteria, and fees for aquacultural activities conducted on or over sovereignty submerged lands are provided in Rules 18-21.020 through 18-21.022, F.A.C.

- (3) Riparian Rights.
- (d) Except as provided herein, all structures, including mooring pilings, breakwaters, jetties and groins, and activities must be set back a minimum of 25 feet inside the applicant's riparian rights lines. Marginal docks, however, must be set back a minimum of 10 feet. Exceptions to the setbacks are: private residential single-family docks or piers associated with a parcel that has a shoreline frontage of less than 65 feet, where portions of such structures are located between riparian lines less than 65 feet apart, or where such structure is shared by two adjacent single-family parcels; utility lines; bulkheads, seawalls, riprap or similar shoreline protection structures located along the shoreline; structures and activities previously authorized by the Board; structures and activities built or occurring prior to any requirement for Board authorization; when a letter of concurrence is obtained from the affected adjacent upland riparian owner; or when the Board determines that locating any portion of the structure or activity within the setback area is necessary to avoid or minimize adverse impacts to natural resources.

CONNELLY RESIDENCE

1 HARBORSIDE DRIVE PID: 29-29-15-23779-000-0040 **BELLEAIR, FLORIDA 34643 BOUNDARY SURVEY**

LEGAL DESCRIPTION:

OR 19507 PG 719 AND OR 19507 PG 723

PART OF LOT 4, UNIT 5 OF EAGLES HEST GARDINS ESTATE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 72, PAGE 94 OF THE PUBLIC RECORDS OF FINELIAS COUNTY, PLORIDA, MORE PARTICULABLY DESCRIEDD AS FOLLOWS:

SAID SUBMERGED LANDS BEING DESCRIBED AS FOLLOWS:

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CONTAINING 0,4892 ACRES HORE OR LESS (UPLAND)

EXCEPTIONS:

- I GENERAL OR SPECIAL TAXES AND ASSESSMENTS REQUIRED TO BE PAID IN THE YEAR 2017 AND SUBSEQUENT YEARS, NOT A MATTER OF BURNEY 2 RIGHTS OR CULHYS OF PAILES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. NOT A MATTER OF
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PROJECT LOCATION

NOT TO SCALE

SECTION 20, TOWNSHIP 29 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA

PREPARED FOR: JOHN AND MARILYN CONNELLY

TERRAMETRIX ... SURVEYING - PLANNING - MAPPING State of Prints 16 Ro. 2166 7404 Statuma Boolevant - St. Peter-tone, (Brits - 5775 - 17776/-7313

SHEET INDEX

SHEET 3

SHEET 1 SIRRET Z ZOT SCALE DETAIL SHEET

SURVEYOR'S NOTES:

- 1. BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF RECORD.
- 2. UNDERGROUND IMPROVEMENTS, UTILITIES AND ENCROACHMENTS, IF ANY, HAVE NOT BEEN LOCATED

50" SCALE OVERALL AREA GEOMETRY

- REPRODUCTIONS OF THIS SURVEY ARE NOT VALID UNLESS EMBOSSED WITH THE UNDERSIGNED SURVEYOR'S SEAL,
- 4 FIELD WORK COMPLETED AUGUST 29, 2017
- BASED ON AN INSPECTION OF PEMA RLOOD DISURANCE RATE MAP (F.LLM.) COMMUNITY FAMEL NO. 12101/C01114, DATED SEPTEMBER 3, 2003, THE PROPERTY SHOWN HERZON APPEARS TO LIE IN PLOCO ZONES YE EL. 14, AE EL. 12 AND AE EL. 11 (SEE MAP FOR PLOCO ZONE LINES)
- THIS SURVEY HAS BEEN PREPARED IN CONSUMETION WITH TITLE INSURANCE POLICY ISSUED BY OD, BEPURIC HATIONAL TITLE INSURANCE COMPANY, POLICY INC: 041-9451152, HAVING AN EPTECTIVE DATE OF REBUILAT 2, 2017 AT 4-11 PM, SEE EXCEPTIONS LIST SHOWN HERZON FOR SCIENCIALE B, SECTION II TEVAS AS CONTADED THEREIN.
- MINOR LANDSCAPE ELEMENTS AND UTILITIES NOT LOCATED AS PART OF THIS SURVEY,

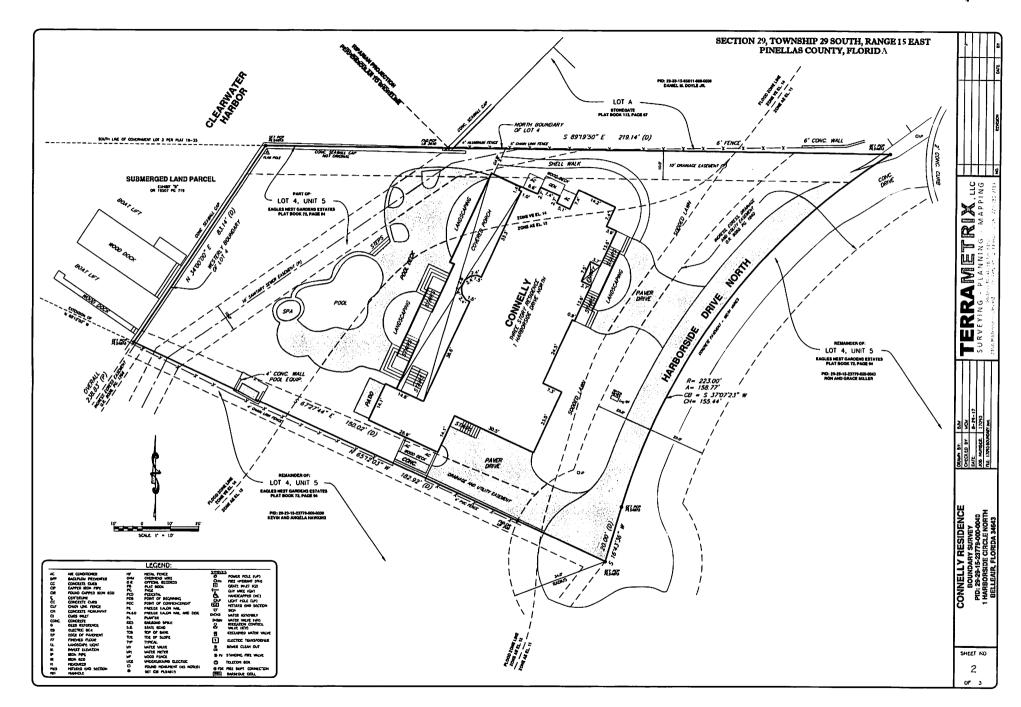
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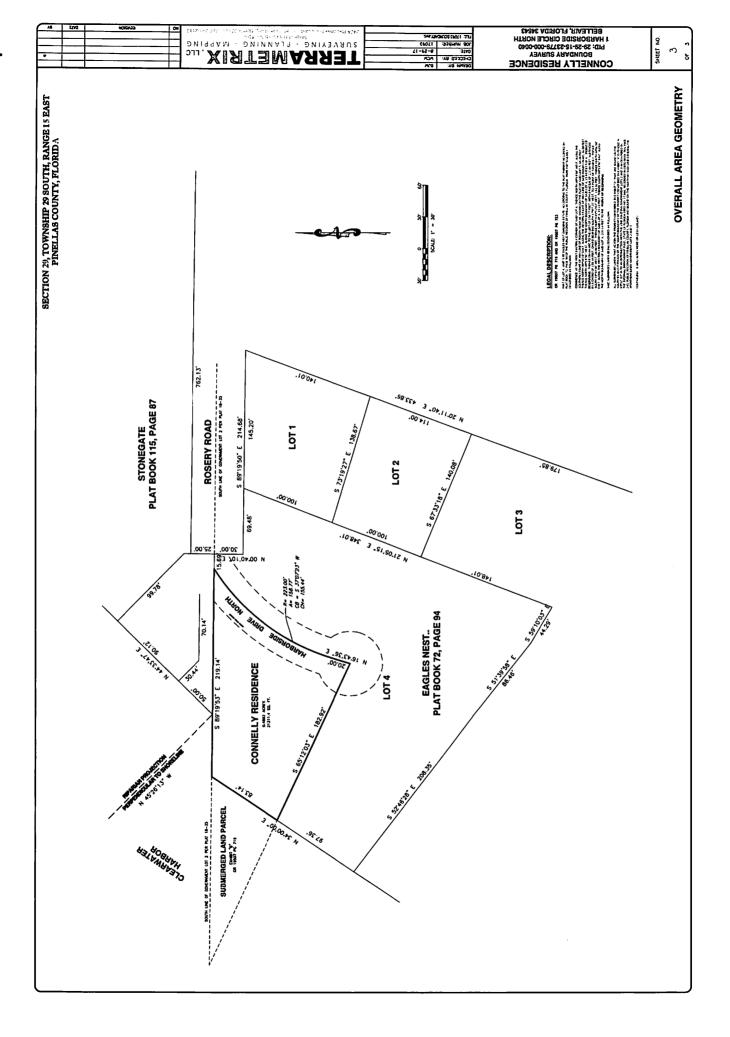
JOHN AND MARILYN COMMELLY JOHNSON POPE BOKOR RUPPEL & BURNIS, LLP

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS A TRUE REPRESENTATION OF A BOUNDAY SUNYEY, PREPARED UNDER MY DIRECT SUPERVISION AND MEETS THE INTENT OF THE STANDAYD COM-PRACTICE AS SET FORTH HE OWNERS \$1-17-25.3, FURDIA ANDMINISTRATIVE CODE, PASSANDY ONLY.

1 9





3 Stonegate Dr.

Dock Variance





