CITY OF PARKER
AGENDA ITEM SUMMARY

1. *DEPARTMENT MAKING REQUEST/NAME OF PRESENTER:*	2. *MEETING DATE:*
Eleanor Sowell	**September 3, 2024**

3. *PURPOSE:*

Proposed Dock Approval – 1221 West St.

4. *IS THIS ITEM BUDGETED (IF APPLICABLE)*

YES ☐ NO ☐ N/A X

AGENDA ITEM # 3

Land Development Regulations
Shoreline Construction/Dredging Permit
Submittal Review Comments No. 1

Review Date: **AUGUST 21, 2024**

Owner Name: **ELEANOR W. SOWELL**

Contractor: **JAMES WALSH, JW CONSTRUCTION SERVICES**

Project Name: **PROPOSED DOCK**
1221 WEST STREET, PARKER, FLORIDA
SUBMITTAL NO. 1 REVIEW

APPROVAL STATUS:

☐ **APPROVED**
☒ **APPROVED AS NOTED (CONDITIONAL APPROVAL)**
☐ **RESUBMITTAL REQUIRED - REQUEST ADDITIONAL VERIFICATION/MODIFICATION**
☐ **NOT APPROVED – DOES NOT MEET LAND USE CODE**

REVIEW COMMENTS:

No city projects are anticipated for this area of Parker.

CONDITIONAL APPROVAL – EPCI should be consulted to confirm if a review is needed according to Florida Building Code and regulations of building materials within coastal flood zones and high hazard areas.

CONDITIONAL APPROVAL – All efforts should be made to protect the environment. Please ensure sea vegetation is not disturbed during construction activities. The area should also be kept clean from all trash and debris from the construction zone that could otherwise pollute the ecosystem and environment. Per Parker Ordinance No. 2016-376, § 3, 8-16-16, any construction or building site shall be kept clean at all times. All debris or solid waste must be confined in a specific area of the construction or building site. It shall be the responsibility of the individual obtaining the building permit and the general contractor to properly dispose of construction debris and solid waste on at least a weekly basis. No construction debris shall be burned or buried. All efforts to keep debris away from the shoreline of the property should be adhered to.

APPROVED AS NOTED 08/19/2024: Applicant was granted an ERP Exemption Permit from the Florida Department of Environmental Protection (FDEP) issued on July 30, 2024 (Permit No. 0450414-001-EE/03). Permit No. 0450414-001-EE/03 was received by FDEP on June 27, 2024 and an Exemption was listed on the FDEP's Map Direct on July 30, 2024. Permit expires on July 30, 2029. ***Applicant should ensure compliance of FDEP's Specific Conditions as outlined in the permit.*** In addition, an Army Corps of Engineers (ACOE) permit is not required as the application qualifies for a Federal authorization. *This comment has been addressed.*

PLANNING REVIEW COMMENTS

APPROVED AS NOTED 08/19/2024:

There is an outfall at this location which is part of a City-Wide Outfall Improvements project. The dredge barge will be located in close proximity to the existing dock. Applicant should coordinate with the City on when construction will commence for this project to ensure contractors for both the City and Applicant are aware of others in the waterways, ensure safety, and to minimize encroachment into these areas.

PLANNING REVIEW COMMENTS

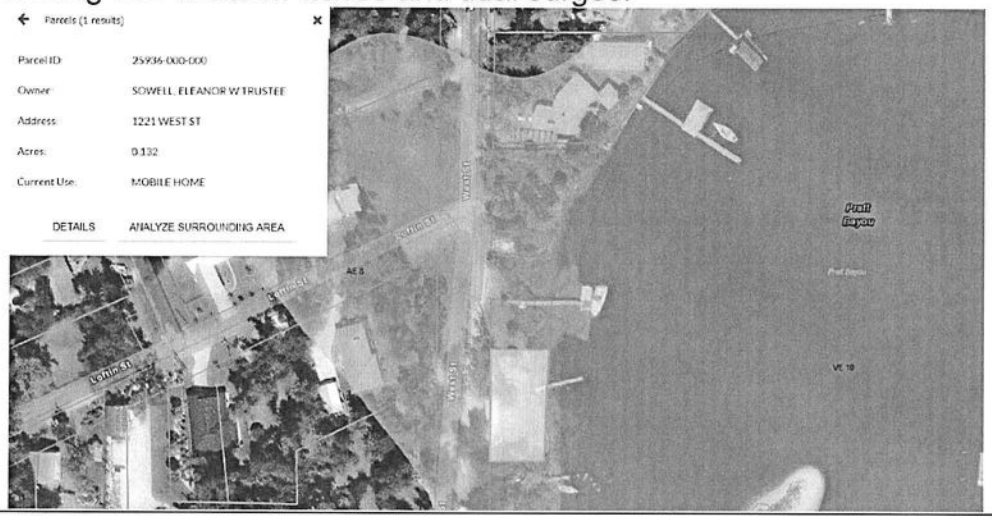
PROJECT DESCRIPTION:

Applicant is requesting approval to remove and replace a 360-square-foot single-family dock which will include an 4-foot-wide by 65-foot-long access walkway dock, 4-foot-wide by 15-foot-long finger pier, a 1-foot-wide by 40-foot-long catwalk, with a 14-foot-wide by 40-foot-long open boat slip in Pratt Bayou at **1221 West Street**, Parker, Florida.

PROPERTY DESCRIPTION:

Parcel ID:	25689-000-000
Current Owner:	Eleanor W. Sowell
T/S/R	23-4S-14W
Lot/Block/ Subdivision:	HORNE MEMORY PLAT
Purpose of Application:	Applicant is requesting this permit to remove and replace a 360-square-foot single-family dock which will include an 4-foot-wide by 65-foot-long access walkway dock, 4-foot-wide by 15-foot-long finger pier, a 1-foot-wide by 40-foot-long catwalk, with a 14-foot-wide by 40-foot-long open boat slip in Pratt Bayou at 1221 West Street, Parker, Florida.
Current Use:	Mobile Home
Zoning/FLU:	Low Density Residential (LDR)
Permit:	**Sec. 86-71. - Permit Required** No person shall build, maintain, extend or make structural alterations on any building, pier, piling, bulkhead, seawall, reef, breakwater, or other structure in, upon or over the waters where the tide ebbs and flows within the city, or do any filling, excavating or dredging in those waters without first obtaining a written permit to do so from the city. (Ord. No. 71-50, § 1, 4-20-71) APPROVED AS NOTED 08/19/2024: Applicant was granted an ERP Exemption Permit from the Florida Department of Environmental Protection (FDEP) issued on July 30, 2024 (Permit No. 0450414-001-EE/03). Permit No. 0450414-001-EE/03 was received by FDEP on June 27, 2024 and an Exemption was listed on the FDEP's Map Direct on July 30, 2024. Permit expires on July 30, 2029. ***Applicant should ensure compliance of FDEP's Specific Conditions as outlined in the permit.*** In addition, an Army Corps of Engineers (ACOE) permit is not required as the application qualifies for a Federal authorization. *This comment has been addressed.*

PLANNING REVIEW COMMENTS

Flood Zone:	The parcel is located within mostly Flood Zone AE-9 with a small southwest portion located in Flood Zone AE-8. The proposed dock will be located within Flood Zone AE-9, which means that this parcel has an annual 1% chance of flooding and has a base flood elevation of 9 feet and VE-10, which means there is a high risk for coastal communities that will have increased chance of flooding due to storm waves and tidal surges. 
FIRM Panel No.	**12005C0363H**
Wetlands:	This parcel borders of Pratt Bayou, which is an estuarine and marine deepwater wetland. **According to the Land Development Regulations, 5-7.4 Jurisdictional Wetlands Protection Standards:** *"All development activities in jurisdictional wetlands within the City are prohibited unless Valid permits are obtained from the Department of Environmental Regulation and/or the U.S. Army Corps of Engineers prior to the issuance of development permits by the City, subject to the provisions of Section 6-2 of these Land Development Regulations. Appropriate mitigation of destroyed or damaged wetlands is undertaken by the developer subject to the provisions of Chapter 62-312 Florida Administrative Code."* APPROVED AS NOTED 08/19/2024: Applicant was granted an ERP Exemption Permit from the Florida Department of Environmental Protection (FDEP) issued on July 30, 2024 (Permit No. 0450414-001-EE/03). Permit No. 0450414-001-EE/03 was received by FDEP on June 27, 2024 and an Exemption was listed on the FDEP's Map Direct on July 30, 2024. Permit expires on July 30, 2029. ***Applicant should ensure compliance of FDEP's Specific Conditions as outlined in the permit.***

PLANNING REVIEW COMMENTS

In addition, an Army Corps of Engineers (ACOE) permit is not required as the application qualifies for a Federal authorization. *This comment has been addressed.*

According to the Land Development Regulations, 5-7.6 – Marine Resources, Seagrass Beds:

> *"No development activities may be undertaken in areas containing marine seagrass beds or adjacent to such areas when such development activity can reasonably be expected to damage or destroy seagrass beds unless valid permits are obtained from jurisdictional agencies prior to development approval by the City, subject to the provisions of subsection 6-2 of these Land Development Regulations. Appropriate mitigation of destroyed or damaged seagrass beds is undertaken by the developer subject to the provisions of Chapter 62-312 Florida Administrative Code."*

APPROVED AS NOTED 08/19/2024: Applicant was granted an ERP Exemption Permit from the Florida Department of Environmental Protection (FDEP) issued on July 30, 2024 (Permit No. 0450414-001-EE/03).

Permit No. 0450414-001-EE/03 was received by FDEP on June 27, 2024 and an Exemption was listed on the FDEP's Map Direct on July 30, 2024. Permit expires on July 30, 2029. ***Applicant should ensure compliance of FDEP's Specific Conditions as outlined in the permit.***

In addition, an Army Corps of Engineers (ACOE) permit is not required as the application qualifies for a Federal authorization. *This comment has been addressed.*

A review of the Florida Fish and Wildlife Conservation Commission interactive Seagrass Habitat, this parcel is not known to contain seagrass of the shoreline.

According to the Land Development Regulations, 5-7.6 – Marine Resources, Estuaries and Submerged Lands:

> *"No development activities may be undertaken on submerged lands or estuarine water column below mean high water unless permits are obtained from appropriate jurisdictional agencies, and unless specifically approved by the City Council upon demonstration by the developer that the proposed development will not cause adverse impacts to fish, seagrass beds, or other living marine resources.*

PLANNING REVIEW COMMENTS

	No boat, barge, platform or other vessel may be used as a permanent residence by any person unless such vessel is tied, docked or otherwise affixed to a dock, pier or bulkhead and can discharge any sewage produced into the City sewer system. No boat, barge, platform or other vessel may be anchored or moored in any open estuarine water in such a manner as to interfere with or restrict the navigation of other vessels." APPROVED AS NOTED 08/19/2024: Applicant was granted an ERP Exemption Permit from the Florida Department of Environmental Protection (FDEP) issued on July 30, 2024 (Permit No. 0450414-001-EE/03). Permit No. 0450414-001-EE/03 was received by FDEP on June 27, 2024 and an Exemption was listed on the FDEP's Map Direct on July 30, 2024. Permit expires on July 30, 2029. ***Applicant should ensure compliance of FDEP's Specific Conditions as outlined in the permit.*** In addition, an Army Corps of Engineers (ACOE) permit is not required as the application qualifies for a Federal authorization. *This comment has been addressed.* CONDITIONAL APPROVAL: All efforts should be made to protect the environment. Please ensure sea vegetation is not disturbed during construction activities. The area should also be kept clean from all trash and debris from the construction zone that could otherwise pollute the ecosystem and environment. Per Parker Ordinance No. 2016-376, § 3, 8-16-16, any construction or building site shall be kept clean at all times. All debris or solid waste must be confined in a specific area of the construction or building site. It shall be the responsibility of the individual obtaining the building permit and the general contractor to properly dispose of construction debris and solid waste on at least a weekly basis. No construction debris shall be burned or buried. All efforts to keep debris away from the shoreline of the property should be adhered to.
Coastal High Hazard Area	CONDITIONAL APPROVAL: A small portion of the coastline along the area where the dock will be built along Pratt Bayou is considered a Coastal High Hazard Area meaning that this area is particularly vulnerable to the effects of coastal flooding from tropical storm events. Precautions should be taken in build structurally sound structures in this area that can withstand wave action and flooding. **EPCI should be consulted to ensure dock improvements meets Florida Building Code requirements for Coastal High Hazard Areas, if required.**

PLANNING REVIEW COMMENTS

	
Storm Surge Risk:	NOTIFICATION ONLY: The entire parcel is susceptible to surge from Storm Levels 1 through 5.
Easements:	APPROVED AS NOTED 08/19/2024: There is a 50-foot-wide right-of-way easement along West Street. No direct easement located within area of improvements. *This comment has been addressed.*
Site Plan:	APPROVED AS NOTED 08/19/2024: Applicant provided Site Plan in the FDEP permit package. Site Plan was prepared by Cypress Environmental of Bay County, LLC and indicates that the Applicant wishes to a remove and replace a 360-square-foot single-family dock which will include an 4-foot-wide by 65-foot-long access walkway dock, 4-foot-wide by 15-foot-long finger pier, a 1-foot-wide by 40-foot-long catwalk, with a 14-foot-wide by 40-foot-long open boat slip in Pratt Bayou at 1221 West Street, Parker, Florida. Dock construction details have been provided. These should be evaluated by EPCI to ensure compliance with Florida Building Code requirements. It should be noted that there is an outfall at this location which is part of a City-Wide Outfall Improvements project. The dredge barge will be located in close proximity to the existing dock. Applicant should coordinate with the City on when construction will commence for this project to ensure contractors for both the City and Applicant are aware of others in the waterways and to minimize encroachment into these areas.

CITY OF PARKER

1001 WEST PARK STREET • PARKER, FLORIDA 32404
TELEPHONE (850) 871-4104 • FAX (850) 871-6684

FOR CITY USE ONLY
PERMIT NO.
DATE:

SHORELINE CONSTRUCTION AND DREDGING PERMIT

City permits are required for construction of docks, piers, wharves, bulkheads, buildings, pilings, seawalls, reefs, breakwaters, marinas, boat slips, boathouses, concessions, loadings, and shipping facilities, pipes and fences and other structures in, upon or over the waters where the tide ebbs or flows within the City, extending into or in the navigable waters and upon sovereignty lands, whether the public waters are classified as salt or fresh water. Filling in, excavating and dredging must be done in accordance with City Ordinance No. 71-50, as may be amended from time to time. This permit shall not become effective until this application has been signed by the Permittee and approved by the City Council of the City of Parker. Circle above intended construction. Form must be typed or printed in ink.

I. TO BE COMPLETED BY APPLICANT

A. Name: Eleanor W. Sowell

B. Mailing Address: 1122 Lottins St Panama City Fl. 32404

C. Intended Construction and Location:
(Must have a physical address)
1221 West St. Panama City Fl. 32404

D. Phone number: [redacted] E-mail address: [redacted]net

E. Proposed structure is: Commercial ✓ Renter Private ✓

NOTE: A private dock is one which will be used by the owner, his family and occasionally by family friends. A dock for any other use would fall into the commercial category.

II. TO BE COMPLETED BY CONTRACTOR

A. Name: James H. Walden JW Construction Services

B. Address: 2017 Mala Lane Lynn Haven Fl.

C. Phone number [redacted] E-mail address: [redacted]

III. A PERMIT WILL BE GRANTED UPON THE FOLLOWING CONDITIONS:

A. The permit does not authorize construction of living quarters or dwelling type structures.
B. No work undertaken will infringe on any other individual's rights, property, health, welfare, or cause a hazard to the general welfare of the public.
C. If lot is less than 65 feet, dock should be centered on the property.
D. This Permit shall in no way obstruct or impair the free movement of traffic of the general public along any beach in the area outside of and beyond high water line. All work to be done abuts or is on any upland property.
E. The construction shall be in strict accordance with the attached plan(s). In the event a dock, etc. is modified or converted to commercial use after issuance of this Permit without a new City permit or written approval by the City Council, this permit shall automatically terminate and all structures shall be subject to removal by the City of Parker, Florida at the expense of the Permittee.
F. The within Permit shall not be considered as a waiver of the rights of the City of Parker or the Permittee in the submerged lands affected by this Permit.
G. This Permit does not relieve the Permittee from obtaining permits from the State of Florida, Department of Environmental Protection or from the Army Corps of Engineers, both of which need to be provided to the City prior to issuance of a City Permit, nor from the necessity of compliance with all applicable local laws, ordinances, zoning or other regulations.
H. The work covered in this Permit shall be completed within one (1) year from date of this approved Permit.
I. The undersigned Permittee agrees to save harmless the City of Parker, Florida from damages or claims arising from the issuance of this Permit or use thereof.
J. I understand I am responsible to the City for the maintenance of said structures, identified in the Permit, and will maintain it at my expense.
K. A plan of work to be accomplished or completed is indicated in detail as to specifications is attached to this Permit request.
L. Permit is valid until revoked and will be shown to City officials upon their request, when making their periodic inspections.
M. This Permit is not valid for live-aboard type construction.
N. I agree to pay to the City of Parker a $250.00, non-refundable review fee, prior to approval of the Permit by the City Council of the City of Parker, Florida.

THE FOREGOING HAS BEEN READ AND UNDERSTOOD AND IS HEREBY ACCEPTED THIS DAY_____OF_____, 20_____.

_____
Signature of Permittee

Date approved by City Council: _____

Date disapproved by. City Council: _____

ATTEST:_____
City Clerk

_____
Signature of Mayor

Form Revised: November 7, 2014