

MANATEE COUNTY HISTORIC PRESERVATION BOARD
CERTIFICATE OF APPROPRIATENESS
HPB/COA-03-07

PROJECT NAME: CURTIS D. HEMMEL
LOCATION: 1720 BAYSHORE DRIVE, TERRA CEIA, FL

This is to certify that the Historic Preservation Board of Manatee County met in Regular Session on November 3, 2003, and reviewed the request for the above-named project.

The Board found the construction of a floating dock parallel to the shoreline, 12 feet long and 60 feet wide, for aquacultural use to be in substantial compliance with the Board's adopted guidelines.

This Certificate of Appropriateness to allow the construction of a floating dock parallel to the shoreline, 12 feet long and 60 feet wide, for aquacultural use is APPROVED, subject to the following stipulation.

1. Any historical or archaeological resources discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource disturbing activities are allowed to continue.

APPROVED THIS 3rd DAY OF NOVEMBER, 2003.

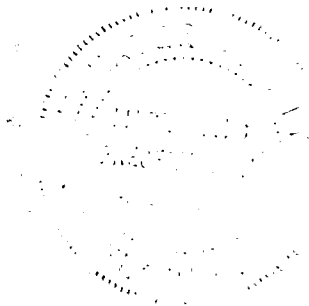
HISTORIC PRESERVATION BOARD
MANATEE COUNTY, FLORIDA

ATTEST:

BY: Allen H. Dell
Chairman

R. B. Shore
Clerk of the Circuit Court

By: Diane E. Vollmer
Deputy Clerk



HPB/COA-03-07

11/03
COPY
T. SALISBURY

11/4/03 COPY T. Salisbury / Planning
28

HISTORIC PRESERVATION BOARD

DATE: November 3, 2003

**STAFF REPORT FOR FILE NO. HPBCOA - 03 - 07
BUILDING PERMIT APPLICATION # 03090120**

REQUEST: Construction of a floating dock parallel to the shoreline, 12 feet long and 60 feet wide, for aquacultural use.

PROPERTY INFORMATION: BP Application #03090120
Property Owner: Curtis D. Hemmel
1720 Bayshore Dr. (M.T.S.)
Location: ~~4337 Pompano Lane~~
Palmetto, Florida
Terra Ceia (M.T.S.)
Zoning: A-1, PD-R, HA, CH
Future Land Use Category:

YEAR BUILT: N/A

FLORIDA MASTER SITE FILE: No

NATIONAL REGISTER: No

RECOMMENDED MOTION:

After consideration of comments made and evidence presented during the consideration of this matter, the Manatee County Comprehensive Plan, and the Manatee County Land Development Code, I move to APPROVE the Certificate of Appropriateness to APPROVE with stipulation #1.

1. Any historical or archaeological resources discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource disturbing activities are allowed to continue.

DISCUSSION:

General Criteria for Granting Certificates of Appropriateness

In approving or denying applications for Certificates of Appropriateness for alterations, new construction, demolition, or relocation, the Historic Preservation Board shall use the following general guidelines:

- (1) The effect of the proposed work on the Historical and Archaeological Overlay District or historic landmark upon which such work is to be done;
- (2) The relationship between such work and other structures in the Historical and Archaeological Overlay District or on the historic landmark;
- (3) The extent to which the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture, materials and color of the historic landmark or Historical and Archaeological Overlay District will be affected;
- (4) Whether the denial of a Certificate of Appropriateness would deprive the property owner of reasonable beneficial use of his property;
- (5) Whether the plans may be reasonably carried out by the applicant.

Additional Guidelines for New Construction

In approving or denying applications for Certificates of Appropriateness for new construction, the Historic Preservation Board shall also use the following additional guidelines:

- (1) The height of the proposed building or structure shall be visually compatible with adjacent buildings and structures.

APPLIES: Yes

MEETS GUIDELINE: Yes

COMMENTS:

The height of the floating dock will be approximately one foot above the water line and will maintain a low profile. The applicant proposes the dock be constructed parallel to the shoreline at a length of 60 feet and width of 12 feet. A mangrove fringe of 15 to 18 feet exists along the upland property. The applicant proposes 2 four foot wide platforms that will extend to the dock, of which 12 feet will be constructed on uplands.

- (2) The relationship of the width of the building to the height of the front elevation shall be visually compatible to buildings and places to which it is visually related.

APPLIES: Yes

MEETS GUIDELINE: Yes

COMMENTS:

Many docks have been built within the Terra Ceia area within the last five years for the purpose of boat docking. Staff recommends restricting the docking or mooring of any motorized or non-motorized vessel to minimize impact to the surrounding mangroves and any potential historical or archaeological material located along the shoreline.

The proposed floating dock will be used for the nursery of marine bivalves to assist in bivalve production for commercial farmers, research facilities, universities and government restocking programs and is consistent with the historical use of the agricultural property.

- (3) The relationship of the width of the windows to the height of the windows in a building shall be visually compatible with buildings and places to which the building is visually related.

APPLIES: No

MEETS GUIDELINE: N/A

COMMENTS:

- (4) The relationship of solids and voids in the front facade of a building shall be visually compatible with buildings and places to which it is visually related.

APPLIES: No

MEETS GUIDELINE: N/A

COMMENTS:

- (5) The relationship of the building or structure to open space between it and adjoining buildings shall be visually compatible to the buildings and places to which it is visually related.

APPLIES: Yes

MEETS GUIDELINE: Yes

COMMENTS:

As stated above, many docks have been built within the Terra Ceia area within the last five years for the purpose of boat docking. The floating platform is proposed to be approximately one foot above the waterline and will maintain a low profile. Side setbacks will be maintained.

- (6) The relationship of entrance and porch projections to sidewalks of a building shall be visually compatible to the buildings and places to which it is visually related.

APPLIES: No
COMMENTS:

MEETS GUIDELINE: N/A

- (7) The relationship of the materials, texture and color of the facade of a building shall be visually compatible with the predominant materials used in the buildings to which it is visually related.

APPLIED: Yes
COMMENTS:

MEETS GUIDELINE: Yes

The dock platform and planks will maintain a natural wood finish.

- (8) The roof shape of a building shall be visually compatible with the buildings to which it is visually related.

APPLIED: Yes
COMMENTS:

MEETS GUIDELINE: Yes

This dock will be constructed without a roof which will decrease its visual profile.

- (9) Appurtenances of a building such as walls, wrought iron, fences, evergreen, landscape masses, building facades, shall, if necessary, form cohesive walls of enclosures along a street, to insure visual compatibility of the building to the buildings and places to which it is visually related.

APPLIED: No
COMMENTS:

MEETS GUIDELINE: N/A

- (10) The size of a building, the mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the buildings and places to which it is visually related.

APPLIED: Yes
COMMENTS:

MEETS GUIDELINE: Yes

The visual impact of this structure will be minimal due to its height and width.

- (11) A building shall be visually compatible with the buildings and places to which it is visually related in the directional character, whether this be vertical character, horizontal character or nondirectional character.

APPLIED: Yes

MEETS GUIDELINE: Yes

COMMENTS:

Because the dock will be constructed parallel to the shoreline and low on the horizon, it will maintain its visual compatibility of the surrounding area. The dock platform is proposed to be one foot above the water line which will also minimize any visual obstructions.

Attachments:

1. BP Application # COA-03-07
2. Supplementary Information for Applications for Historic Preservation Certificates of Appropriateness
3. Army Corps of Engineers Permit Documentation









MANATEE COUNTY GOVERNMENT
PLANNING DEPARTMENT
LAND DEVELOPMENT APPLICATION

PLANNING
OCT 21 2003
DEPARTMENT

FOR STAFF USE ONLY

Date: _____

File Number: _____

File Name: BAY SHELLFISH

This application shall be used for all land development
rezone or comprehensive plan amendment request.
Please attach appropriate standards or supplementary information, as applicable.

TYPE OF APPROVAL DESIRED: CERTIFICATE OF APPROPRIATENESS

LIST CARE NUMBERS OF PREVIOUS APPROVALS: _____

A. Property Information

1. Legal Description: SEE ATTACHED
2. D. P. Number(s): 214580 0104
3. Section: 27 Township: 33S Range: 17 E
4. Subdivision Name (if Platted): _____
5. Lot: ~~1100~~ 6. Block: _____
7. Address or Location of Property (See Address Coordinator, if physical address is needed):
1720 BAYSHORE DRIVE
TERRA CEIA FL 34250
8. Present Zoning Classification: A-1
9. (If Rezone) Proposed Zoning Classification: NA
10. (If Comprehensive Plan Map Amendment) Proposed Future Land Use Category: NA
11. Future Land Use Category: RES - 1 / 14A
12. Flood Zone Category: NA Map/Panel Numbers: _____
13. Property Size (to the nearest tenth of acre or sq. ft.): 2.7 ACRES
14. Existing Use(s) of Subject Property (i.e.: vacant, residence, commercial, etc.):
AGRICULTURE
15. Surrounding Land Use(s) (i.e.: vacant, residence, commercial, etc.):
a. North: AGRICULTURE / ^{SINGLE} RESIDENCE c. East: AGRICULTURE / SINGLE RESIDENCE
b. South: WATER d. West: AGRICULTURE / SINGLE RESIDENCE
16. Description of Proposed Activity or Use (Attach separate Sheet if Necessary):
CONSTRUCTION OF DOCK - FLOATING (CURRENTLY APPROVED BY DACS &
ARMY CORP. OF ENGINEERS)

B. Names/Addresses

List all person(s) having ownership in subject property

1. Name of Property Owner: CURTIS D. HEMMEL
Address: 1720 BAYSHORE DR.
Zip: 34250 Telephone: 941-721-3887 Fax: 941-722-1346
Internet Address: _____

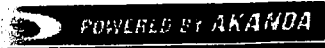
2. Name of Property Owner: _____
Address: _____
Zip: _____ Telephone: _____ Fax: _____
Internet Address: _____

3. Name of Agent: _____
Contact Person: _____
Address: _____
Zip: _____ Telephone: _____ Fax: _____
Internet Address: _____

4. Name of Engineer: _____
Contact Person: _____
Address: _____
Zip: _____ Telephone: _____ Fax: _____
Internet Address: _____

5. Name of Architect: _____
Contact Person: _____
Address: _____
Zip: _____ Telephone: _____ Fax: _____
Internet Address: _____

6. Name of Landscape Architect: _____
Contact Person: _____
Address: _____
Zip: _____ Telephone: _____ Fax: _____
Internet Address: _____



HEI

MANATEE COUNTY PROPERTY APPRAISER

[Other Counties](#) > [Links](#) > [Man](#)

[Home](#) [Property Search](#)

RECORD DETAILS

Owner Name Address Account Advanced

- Profile
- Values
- Sales
- Residential
- Commercial
- Out Buildings
- Permits
- Land
- Agriculture
- Sketch
- Exemptions
- ▶ Full Legal
- Inspections
- Map

2145800104

1720 BAYSHORE DR

HEMMEL CURTIS D

Title

THE E1/2 OF THE FOL DESC PROPERTY: COM AT THE NE COR OF THE W1/2 OF THE SE1/4 OF SEC 27; TH N 89 DEG 55 MIN 30 SEC W, ALG THE N LN OF THE SE1/4 OF SD SEC 27, A DIST OF 278.52 FT; TH S PAR TO THE E LN OF THE W1/2 OF THE SE1/4 OF SEC 27, A DIST OF 802.84 FT TO A PT; TH N 89 DEG 55 MIN 30 SEC W, 301.43 FT TO THE POB; TH S 02 DEG 40 MIN 00 SEC W, 827.19 FT ML, ON A LN TO THE WATERS OF TALLETT'S BAY; TH WLY ALG THE WATERS OF TILLETT'S BAY, TO A PT 244.24 FT W OF THE LAST DESC DESC LN; TH N TO A PT ON THE S LN OF A TRACT DESC (450/378), TH NELY ALG THE S BDRY OF SD TRACT TO THE POB, TOGETHER WITH ALL RIP RTS THERETO (1460/5558) PH#21458.0010/4

Legal Description

C
N
Ret

⌂
N

Last Updated: 10/17/2003

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**MANATEE COUNTY GOVERNMENT
PLANNING DEPARTMENT
LAND DEVELOPMENT APPLICATION
SUPPLEMENTARY INFORMATION
FOR APPLICATIONS**



FOR HISTORIC PRESERVATION CERTIFICATES OF APPROPRIATENESS
(To be filed in conjunction with applications for Preliminary Site Plan, Final Site Plans, Building Permits)

FOR STAFF USE ONLY	
FILE NUMBER:	FILE NAME:

1. Location of Property

Historic Vista Protection Areas (LDC Section 720)

Desoto National Memorial Park Yes No
 Gamble Plantation State Historical Site Yes No

Historical and Archaeological Overlay District (LDC Section 604.6 These implement Historic Resources Overlay Districts of the Comprehensive Plan 2.2.2.5

Cortez Fishing Village Yes No
 Palma Sola Park Yes No
 Whitfield Estates Yes No
 Terra Ceia Yes No
 Other Yes No

Is the subject property/site a Historic Landmark? Yes No (Note: The answer may be yes whether or not it is located within a Historic Vista Protection Area or a Historic and Archaeological Overlay District).

2. Existing Conditions - NONE

a. Please describe the character of the building or site in its present condition, include the date structure was built, condition of roof, treatment of windows, ceilings and note whether significant alterations have occurred since the original construction (include black/white photo of existing exterior elevations and appropriate architectural drawings). If parts of the structure were constructed at different times, please indicate when each part was built. Also, please indicate if the current structure has been constructed on a historic foundation. Or, if site is archaeological, include a list of cultures associated with the site and describe the current conditions of the site including any disturbances (Attach separate sheets if necessary)

PROPOSED SITE IS VACANT LAND

b. Is the structure, property, or part thereof on the Florida Master File? (Yes/No/Unknown) No If so, please attach a copy of the Florida Master Site File form as recorded at the Florida Department of State, Division of Historical Resources.

c. Is the structure, property, or part thereof eligible for list or listed on the National Register of Historic Places? (Yes/No/Unknown) No If so, please attach a copy of the nomination to the National Register of Historic Places.

3. **Proposed Changes**

Please describe the change to be made/work to be done. At a minimum, the information must include drawings of the proposed work showing elevations, and information about the building materials and colors to be used. Construction drawings should be submitted if applying for a building permit.

A FLOATING DOCK IS TO BE CONSTRUCTED ALONG WATER FRONT AS PERMITTED BY
DACS & ARMY CORP OF ENGINEERS
(SEE ATTACHED)

4. **Additional Required Information:**

Please describe the historical or archaeological resources located within a 1000 ft. radius of the subject property. (Attach separate sheets if necessary).

**Bay Shellfish Co.
Proposal for Floating Dock
Submitted to the Historic Preservation of Appropriateness**

County permit# 03090120

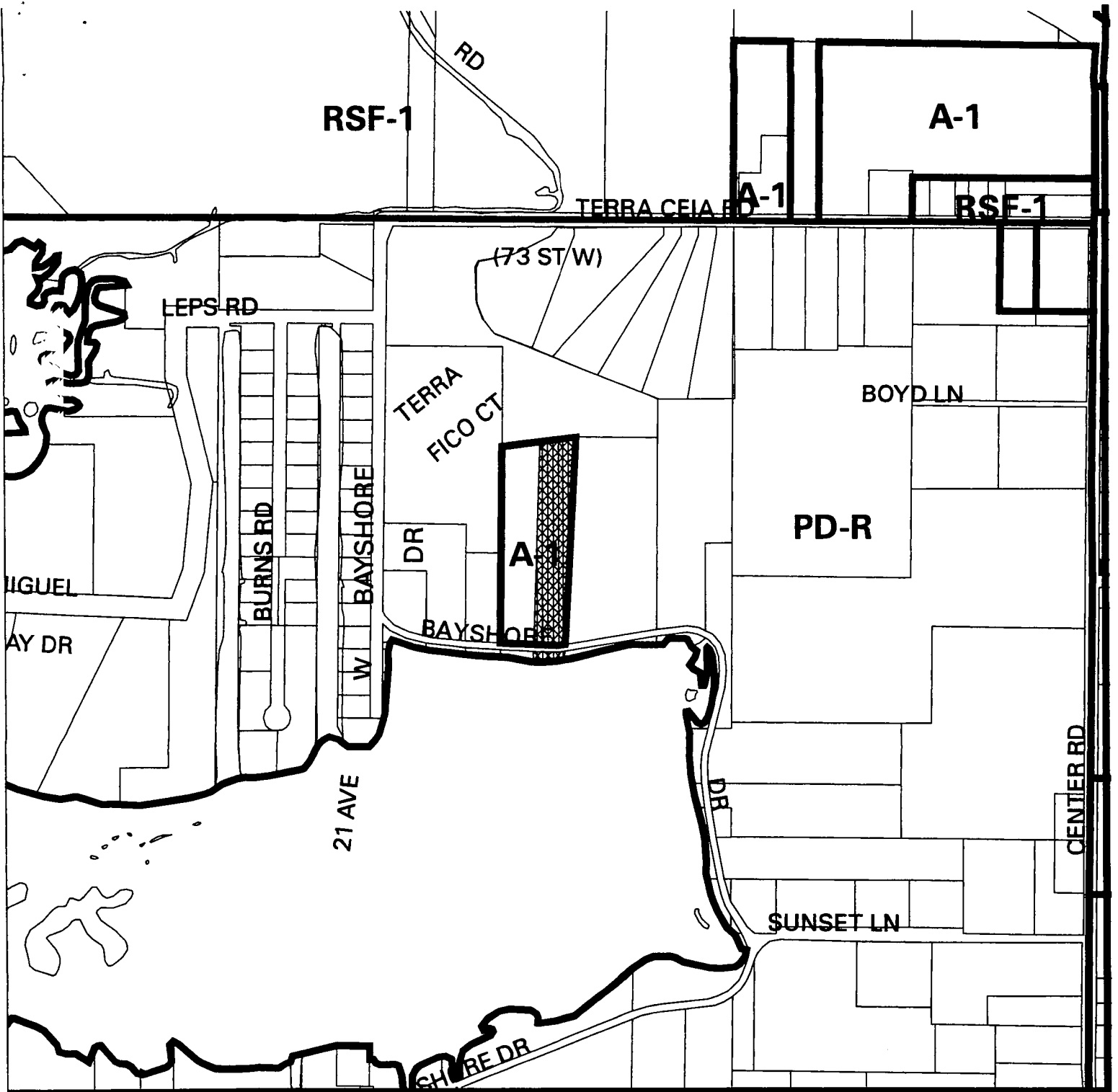
The proposed floating dock is for the nursery of marine bivalves to assist in bivalve production for commercial farmers, research facilities, universities and government restocking programs. The restocking of the Florida Bay Scallop to Tampa Bay and other areas is an example of our current work.

Per the attachments to permit# 03090120 the proposed floating dock has already been approved at the State and Federal level through the appropriate agencies (Florida DACS & Army Corp. of Engineers).

All drawings, elevation and building materials are attached to the submitted permit# 03090120. The floating dock and pilings are made of wood, similar to all other docks in the Terra Ceia area. The design criteria incorporated make it very strong and storm resistant. As a floating dock it only comes a foot out of the water and has a very low profile. I look forward to building a house on the property and have taken great care in the docks design to be aesthetically pleasing and to blend into the current environment.

Attachment to page 2, question #3 of the Historic Preservation of Appropriateness

All drawings, elevation and building materials are attached to the submitted permit# 03090120. The floating dock and pilings are made of wood, similar to all other docks in the area. The design criteria incorporated make it very strong and storm resistant. As a floating dock it only comes a foot out of the water and has a very low profile. I look forward to building a house on the property and have taken great care in the docks design to be aesthetically pleasing and to blend into the current environment.



Project Number: 4337 BAYSHORE DRIVE

Tax I.D.: 214580010

Proposed Use: N/A

Proposed Zoning: N/A

Existing Zoning: A-1, PD-R

Existing FLUC: RES-1

Flood Zone: AE

Floodway: NO

Acreage: 2.40

Drainage Basin: TPA_TERRA DIRECT

Commissioner: Amy Stein

Map Prepared: October 24, 2003

Requested By:

Section: 27 Township: 33 Range: 17

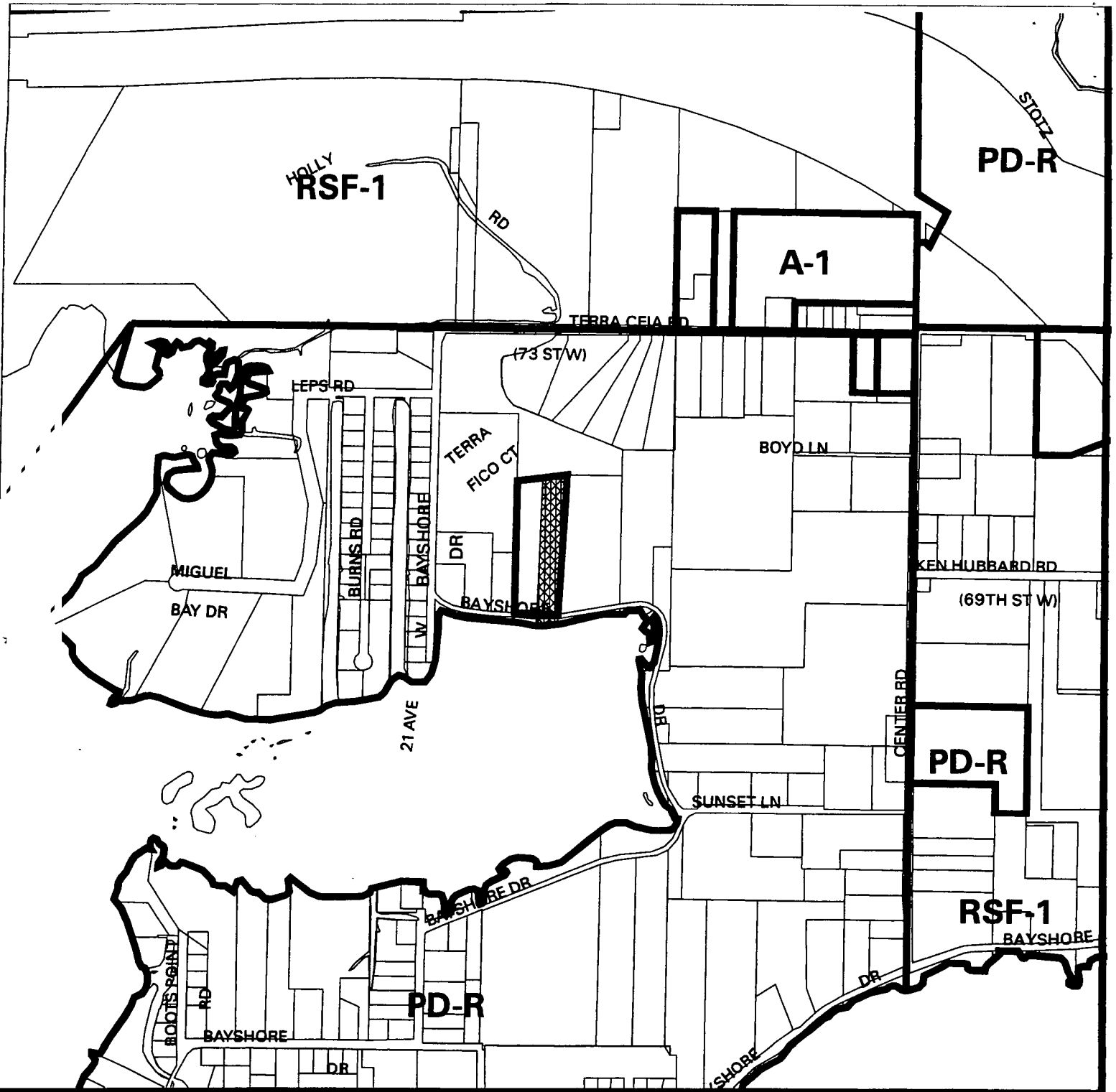
**Manatee County
Zoning
Staff Report Map**
1 inch = 510'



Overlays:

ST, AI, HA, WR, RV: HA
Watershed: NONE
Coastal Hazard: Not Available
Special Areas: NONE
State? NO
Coastal High Hazard Line





Project Number: 4337 BAYSHORE DRIVE
Proposed Use: N/A
Proposed Zoning: N/A
Existing Zoning: A-1, PD-R
Existing FLUC: RES-1
Flood Zone: AE
Floodway: NO
Acreage: 2.40
Drainage Basin: TPA_TERRA DIRECT
Commissioner: Amy Stein
Map Prepared: October 24, 2003
Requested By:
Section: 27 Township: 33 Range: 17

Tax I.D.: 214580010



**Manatee County
 Zoning
 Staff Report Map**
1 inch = 760'



Overlays:
 ST, AI, HA, WR, RV: HA
Watershed: NONE
Coastal Hazard: Not Available
Special Areas: NONE
State? NO
Coastal High Hazard Line

* APPLICATION NOT BEING REVIEWED BY DEP

Form #: 62-312.900(1)
Form Title: Joint Application for Works
in the Waters of Florida
Effective Date: October 30, 1991

SEE ATTACHED FROM DACS

Joint Application
for Works in the Waters of Florida

27° 34' 29.65"
82° 35' 13.58"

Department of the Army (Corps/Florida Department of Environmental Protection (DEP)/
Water Management District (WMD)

Corps Application Number (official use only) 200308531	DEP Application Number (official use only)
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Type or Print Legibly

1. Applicant's Name and Address
 Name **BAY SHELFISH CO.**
 Last Name, First Name (if individual); Corporate Name; Name of Govt. Agency
 Street **P.O. Box 289, 1720 BAYSHORE DRIVE**
 City **TERRACETA** State: **FLORIDA** Zip: **34250**
 Telephone (Day) (Night) **941-221-3887 SAME**

2. Name, Address, Zip Code, Telephone Number and Title of Applicant's Authorized Agent
 Name **HEMME, CURTIS**
 Last Name, First Name
 Corporate Name; Name of Govt. Agency **SAME AS APPLICANT**
 Street
 City State Zip
 Telephone (Day) (Night)

3. Name of Waterway at Work Site: **TULETS BAY**

4. Street, Road or Other Location of Work
 Incorporated City or Town
 Section **077** Township - **333** Range **177**
 Section Township Range
 Section Township Range
 County(ies)

Coordinates in Center of Project: Federal Projects Only: x y
 Latitude " Longitude " " "
 Lot Block Subd Plat Bk Pg

Directions to Local Site: **US HWY 4 E TO ... (S. 60100), ... LEFT, ... LEFT (CAUTION) ...**

5. Names, Addresses, and Zip Codes of Adjacent Property Owners Whose Property Also Adjoins the Water (Excluding Applicant). Show Numbers or Names of These Owners on Plan Views. If More Than Six (6) Owners Adjoin the Project, You May Be Required to Publish a Public Notice for the DEP.

1. ...
2. ...
3. ...
4. ...
5. ...
6. ...

RECEIVED
AUG 15 2003
TAMPA REG
OFFICE

RECORDS

PERMITTED FOR CODE COMPLIANCE
BY THE FLORIDA BUILDING CODE
MANatee COUNTY BUILDING DEPARTMENT

03090120

PERMIT NO: _____
REVIEW COMPLETED: **OCT 03 2003**
PLANS EXAMINER: _____



JACKSONVILLE DISTRICT CORPS OF ENGINEERS
TAMPA REGULATORY OFFICE
P.O. BOX 19247
TAMPA, FLORIDA 33686-9247

August 22, 2003

Regulatory Division
South Permits Branch
West Permits Section
Tampa Regulatory Office
200308531 (GP-JPF)
SAJ-17

Curtis Hemmel
Bay Shellfish Company
P.O. Box 289
Terra Ceia, FL 34250

RECORDS

Dear Mr. Hemmel:

Reference is made to the Department of the Army (DA) permit application you submitted for construction of a floating platform for aquaculture, with no boat access. Your application for a Department of the Army (DA) permit has been assigned number 200308531 (GP-JPF). The project site is located in Tillett's Bay, at 1720 Bayshore Drive, Terra Ceia, Section 27, Township 33 South, Range 17 Ease, Manatee County, Florida.

Your project is authorized by General Permit (GP) number SAJ-17 and its Manatee Construction Conditions. This authorization is valid until the expiration date noted for each GP listed in the table at our Internet address: http://www.saj.usace.army.mil/permit/permitting/general_permit_s.htm. To view the conditions associated with the use of this verification, click on the GP title or the general condition column in the row corresponding to the GP number noted above at the web site given. NOTE: The underlined Internet address shown is case sensitive and must be entered exactly as shown.

If you are unable to access the Internet and require a hardcopy of any of the conditions, limitations, or expiration date for the GP verification, please call the contact person noted in the last paragraph. In the event that you have not completed construction of your project within the above time limit, a separate application or re-verification will be required. You are authorized to proceed with the project in accordance with the provided drawings subject to all conditions of the verifications noted.

PERMITS EXAMINER

03090120

OCT 03 2003

If the work authorized herein is not completed by the expiration date of the noted GP, no further work may be undertaken and you should contact this office. A determination of the status of the GP will be made and you will be advised. If the authorization has been reissued with no substantive change(s), a request for an extension of your previous authorization will be considered. If the authorization has not been reissued or was reissued with new conditions, a new application and drawings may need to be submitted. It is incumbent on you to remain informed of changes in these authorizations. We will issue a public notice announcing the changes when they occur. Generally, activities which have commenced (i.e. are under construction) or are under contract to commence in reliance on these authorizations will remain authorized provided the activity is completed within twelve months of the expiration dates provided. If in doubt as to whether or not this applies to your project please contact the person noted in the last paragraph for clarification.

This letter does not give absolute 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 or floodway area and if you must comply with the local building requirements mandated by the National Flood Insurance Program. If your local office cannot provide you the necessary information, you may request a flood hazard evaluation of the site by providing this office with a letter and a small-scale map showing the location of the site. The request should be addressed to the Chief, Flood Control and Floodplain Management Branch, Jacksonville District, U.S. Army Corps of Engineers, P.O. Box 4970, Jacksonville, Florida 32232-0019. Phone inquiries may be made at 904-232-2515.

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits which may be required for your proposed work. You should check State permitting requirements with the Florida Department of Environmental Protection.

REVIEWED FOR CODE COMPLIANCE
 WITH THE FLORIDA BUILDING CODE
 MANATEE COUNTY BUILDING DEPARTMENT
 PERMIT NO. 2000120
 REVIEW COMPLETED: _____

This GP verification applies to the work shown on your permit application. As owner of the property or as a party with the requisite property interest to do the work, you are considered liable for any activities that are not in compliance with this verification. **If at some point you no longer have the requisite property interests for this project, you are required to transfer the GP verifications to the new owner by having them**

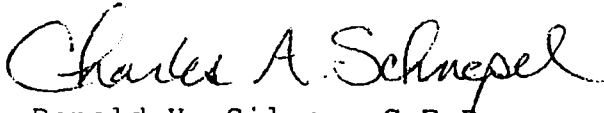
PLANS EXAMINER: _____

sign the attached "Request for Permit Transfer" sheet. Please send a copy of this transfer to the U.S. Army Corps of Engineers at the letterhead address.

If you have any questions regarding this letter, please contact John Fellows at the letterhead address, by e-mail at john.p.fellows@saj02.usace.army.mil, or by phone at (813) 840-2908, extension 230.

Thank you for your cooperation with our permit program.

Sincerely,


* Ronald H. Silver, C.E.P.
Chief, West Permits Section

Enclosures

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 07-21-2009 BY 60322 UCBAW/SJS/STP

PERMIT NO. 03090120
REVIEW COMPLETED: OCT 03 2003
PLANS EXAMINER: [Signature]

REQUEST FOR PERMIT TRANSFER:

PERMIT NUMBER: 200308531 (GP-JPF)

When the structures or work verified 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, the present permittee and the transferee should sign and date below. This document must then be provided to the U.S. Army Corps of Engineers, Regulatory Division, 400 West Bay Street, Rm 201, Jacksonville, Florida 32202.

(PRESENT PERMITTEE)

(DATE)

(TRANSFEEE)

(DATE)

(Name - Printed)

Lot/Block of site

(Street Address)

REVIEWED FOR CODE COMPLIANCE
WITH THE FLORIDA BUILDING CODE
MANATEE COUNTY BUILDING DEPARTMENT

(City, State, and Zip Code)

PERMIT NO: 03090120

REVIEW COMPLETED: OCT 03 2003

PLANS EXAMINER: _____
[Signature]

Flood Plain Information:

This Department of the Army permit does not give absolute authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions. You should contact the local office in your area that issues building permits to determine if your site is located in a flood-prone or floodway area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program. If your local office cannot provide you the necessary information, you may request a flood hazard evaluation of the site by providing this office with a letter and a small scale map showing the location of the site. The request should be addressed to the **Chief, Flood Control and Floodplain Management Branch, Jacksonville District, U.S. Army Corps of Engineers, P.O. Box 4970, Jacksonville, Florida 32232-0019.** Phone inquiries may be made at 904-232-2515.

AQUACULTURE DOCK APPLICATION REVIEW

Resource Survey: Division of Aquaculture

PERMITTING
OK

File Number:
Applicant: Curt Hemmel, Bay Shellfish Co.

Address: 1720 Bayshore Drive
Terra Ceia, FL 34250
Telephone: (941) 721-3887

County: Manatee
Waterbody: Miguel Bay

Acreage: 1,680 square feet
Acreage Surveyed: 1.0 acres
Survey Date: February 5, 2003

Introduction

Mr. Curt Hemmel, for Bay Shellfish Company, has filed an application to use sovereign submerged lands for the purpose of constructing a dock to operate a commercial-scale floating clam nursery. Mr. Hemmel has requested the use of a parcel of sovereign submerged lands riparian to his privately-held uplands requiring about 1,680 square feet for the construction of the dock.

The Bureau of Aquaculture Development conducted a resource survey of the proposed aquaculture dock site located in Tillet Bay (Miguel Bay), Manatee County on February 5, 2003.

Recommendations:

After review of the pertinent information, the Division of Aquaculture recommends approval for the applicant to use the proposed parcel for the purpose of constructing and operating a clam nursery facility.

The Division of Aquaculture will authorize the use of the sovereign submerged lands and the construction of the dock for the exclusive purpose of operating a clam nursery under the condition that the applicant agrees to construct and operate the facility according to the Division's guidelines. The Division will authorize the use of the sovereign submerged lands under a "Conditional Consent of Use" instead of an aquaculture lease. The guidelines for construction and operation are contained in the Aquaculture Best Management Practices Manual and in the specific construction criteria contained in the attached draft.

Site Location

The site is located on Tillet Bay across the street from 1720 Bayshore Drive in Terra Ceia, Florida. The upland property adjacent to the parcel where the floating nursery would be constructed is owned by the applicant (Figure 1 and 2). DGPS numbers were obtained on site at the corners of the applicant's property.

1

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Western corner of site 27:34.503N Latitude / 82:35.236W Longitude
Eastern corner of site 27:34.505N Latitude / 82:35.210W Longitude

Site Description

The site is in a tidal estuary adjacent to Tampa Bay. The substrate within and adjacent to the site is primarily a soft silt and mud; the soft sediments range from 2 to 3 feet deep. The floating structure will occupy 1,680 square feet of sovereign submerged land in 2-3 feet of water (low tide) and 5-6 feet of water (high tide). The dock will be located in a deeper trough that was previously dredged (date unknown). The dimensions of the proposed floating dock and nursery system are 12' to 14' wide by 40' to 60' long. This dock will be near the center of the waterfront property line and the long axis of the dock will be parallel to the shoreline (Figure 2).

Resource Survey and Site Inspection

Methods:

The resource survey was conducted at the proposed aquaculture dock site on February 5, 2003 by Division of Aquaculture staff. The survey was conducted at low tide. The area surveyed was 120' x 100'. Perimeter boundaries were established using tape measures. Bottom characteristics and habitat were observed, and substrate depths were measured at random locations across the site. The presence or absence of benthic habitats was noted and the distances between any major benthic habitats and delineated boundaries were calculated. Specific attention was given to presence of sea grasses and hard bottom habitats (oyster bars) on the site and the location of the site relative to any nearby seagrass assemblages.

Results:

No sea grasses or oyster bars were observed inside or outside the boundaries of the site. The potentially affected submerged lands were identified as RPA-3, with the absence of significant natural resource attributes

The substrate of the proposed site is composed of a soft silt/mud mixture. The bottom was a uniform mud flat throughout the proposed site and adjacent areas within Tillet Bay. There were no oyster bar communities or outcroppings within the boundaries or outside of the site. The low tide allowed for observing all bottom features on and adjacent to the proposed site. The adjacent bottom type was consistent with the characteristics of the proposed dock site.

There is a mangrove fringe of 15 to 18 feet around Tillet Bay and along the upland property. The applicant plans on cutting and maintaining 4-foot wide path through the mangroves connecting the uplands with the floating dock. This width is the accepted standard by Manatee County.

2

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Suitability of the Site for the Proposed Aquaculture Activities

This site was determined to be suitable for the proposed activity from a resource management perspective. Depth of water at low tide is 2-3 feet. This depth is adequate for operating the nursery system during low water periods. The dock will occupy the nearshore area where water depths are slightly deeper. Water depths at this location are deeper because this area had been previously dredged (more than 50 years ago).

There are no seagrasses or oyster bar communities adjacent to the site, therefore buffer zones will not be needed to protect marine resources.

A 25-foot easement will be established between the dock and the property boundary lines. The applicant is presently running a bivalve hatchery on his upland property. Seed stocks from the hatchery will be grown in the nursery facility. Mr. Hemmel has extensive knowledge of the clam aquaculture industry and the activities involved in nursery management.

Comments:

The Division of Aquaculture seeks to preclude impacts to sea grass beds and other sensitive habitats from the construction and operation of aquaculture facilities. This proposed facility will not result in adverse impacts to any sea grass communities or to the mangroves bordering Tillet Bay. The applicant must comply with local and state requirements for trimming the 4-foot path through the mangroves to reach the dock. No other mangroves will need to be trimmed.

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CONSTRUCTION OF AQUACULTURE ASSOCIATED STRUCTURES

This BMP is intended for the construction of aquaculture dependent docks, piers and structures originating from upland riparian property and extending on or over wetlands and privately-held or State-owned (sovereign) submerged lands. Construction of docks, piers and associated structures on or over sovereign submerged lands shall require proprietary authorization from the Board of Trustees of the Internal Improvement Trust Fund, pursuant to chapter 253, Florida Statutes, and chapter 18-21, Florida Administrative Code.

The form of proprietary authorization shall be a letter of consent or an aquaculture support facility lease. Authorization by a letter of consent to use sovereign submerged lands may be issued for construction of docks or piers that pre-empt less than 2000 square feet of sovereign submerged lands, moor 4 or fewer aquaculture-related vessels, and comply with all of the best management practices listed below. Authorizations for an aquaculture support facility lease shall be required when the construction of dock, piers, and other associated structures exceed 2000 square feet, moor greater than four vessels, or the activity does not comply with all of the best management practices listed below. The Board may grant exceptions, pursuant to chapter 253.71(7) F.S., to the best management practices by providing special lease conditions in the aquaculture support facility lease agreement.

Construction of docks, piers and associated structures on or over privately held land, which is defined as property having a fee title, are not required to obtain proprietary authorization. Docks or piers that pre-empt less than 2000 square feet of privately held land and moor 4 or fewer aquaculture-related vessels must comply with all of the best management practices listed below. When the construction of dock, piers, and other associated structures over privately held land exceeds 2000 square feet, moors more than four vessels, or the activity does not comply with all of the best management practices listed below an Environmental Resource Permit must be obtained from the Department of Environmental Protection.

All docks, piers and associated structures used exclusively for aquaculture purposes, must be constructed and operated according to the following Best Management Practices:

BEST MANAGEMENT PRACTICES

- A. Prior to construction certified aquaculturists must notify the Division of Aquaculture of their intent to construct an aquaculture dependent dock, pier or structure in accordance with all aquaculture Best Management Practices requirements, submit a draft plan of the structure and proof of riparian property rights or equivalent letter authorizing use of upland property.
- B. Construction of docks, piers and/or structures associated with certified aquaculture facilities shall comply with the following:
 - All docks, piers and structures must comply with the permitting requirements of the U.S. Army Corps of Engineers, contact the Division of Aquaculture for a U.S. Army Corps of Engineers application for Works in the Waters of Florida.

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PERMIT COMPLETED OCT 03 2003
PLANS EXAMINER: _____

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- All docks, piers and structures must meet all applicable local zoning and building requirements.
- When constructing in waters frequented by manatees, all in-water construction shall follow standard manatee protection construction conditions;
- Be constructed or held in place by pilings so as not to involve filling or dredging other than that necessary to install the pilings;
- Ensure that portions of the structure used for docking vessels shall be constructed in waters or extend to waters that are sufficiently deep to avoid bottom scouring by vessel operation or by prop dredging;
- Avoid or minimize impacts associated with construction or docking of vessels, to areas of significant biological, scientific, historic or aesthetic value such as Resource Protection Areas 1 or 2 referenced below. Structures shall be located in areas designated as Resource Protection Area 3 (RPA3), when such areas are available. If structures must be located in a Resource Protection Area 1 or 2, the following additional criteria shall also apply:
 - a. develop practicable modifications to avoid and/or minimize adverse environmental impacts
 - b. construct the main access dock not to exceed 6 feet in width and the terminal platform not to exceed 8 feet in width;
 - c. align the structure so as to minimize the size of the footprint of the dock or pier and associated mooring areas over the resource to be protected;
 - d. construct walkway surfaces utilizing deck planking no more than eight inches wide and spaced no less than one-half inch apart after shrinkage, construct the main access dock and terminal platform a minimum of five (5) feet above mean or ordinary high water. A step-down platform may be constructed, comprising up to 25 percent of the surface area of the terminal platform, at a lower elevation to facilitate access to a vessel.

(Resource Protection Area 3 is defined as an area which is characterized by the absence of any significant natural resource attributes.)

(Resource Protection Area 2 is defined as an area which is in transition with either declining resources in a Resource Protection Area 1 or new pioneering resources within a Resource Protection Area 3.)

(Resource Protection Area 1 is defined as an area which has resources of the highest quality and condition for that area. These resources may include, but are not limited to corals; marine grassbeds; mangrove swamps; saltwater marshes; oyster bars; archaeological and historical sites; endangered or threatened species habitat; and colonial waterbird nesting sites.)

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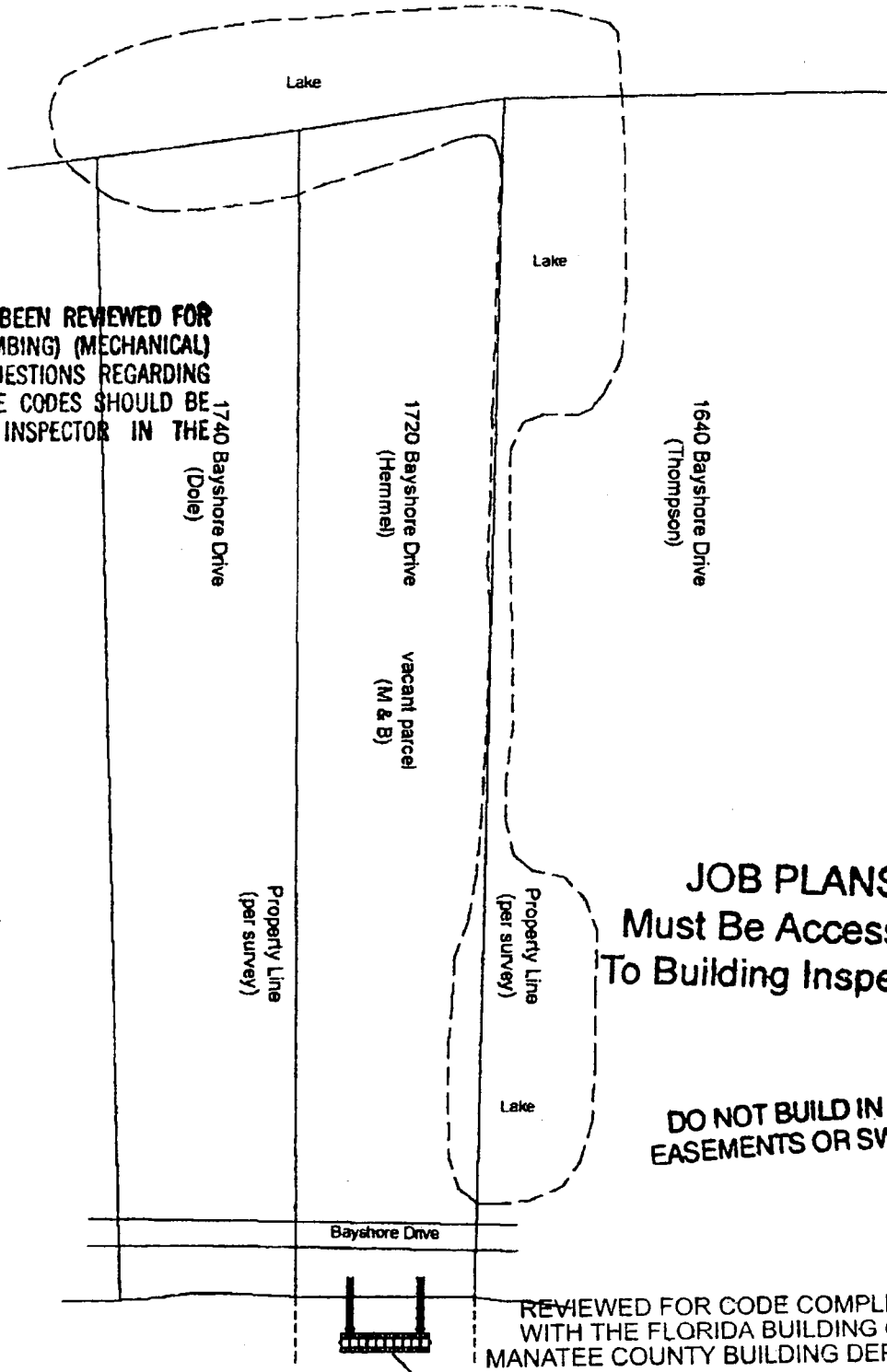
- No more than 500 square feet of sea grass, naturally occurring oyster and clam beds or hard bottom communities shall be directly impacted by the aquaculture activity in Outstanding Florida Waters or no more than 1000 square feet in non Outstanding Florida Waters. If the aquaculture activities, including the terminal platform, mooring basin or the in-water culture system, directly impact more than the above-specified area, then an aquaculture support facility lease will be required;
 - Be located to ensure that boat access routes avoid injury to marine or freshwater submerged aquatic vegetation or other aquatic resources in the surrounding areas;
 - Do not substantially impede the flow of water or create a navigational hazard and meet all applicable federal navigation right-of-way and setback requirements;
 - Does not include any aquaculture processing facilities, boat repair facilities or fueling facilities;
 - Do not infringe on the riparian rights and setback provisions of adjacent property owners pursuant to Chapter 18-21, Florida Administrative Code;
 - Do not extend waterward of the mean or ordinary high water line more than 500 feet or 20 percent of the width of the water body at that particular location, whichever is less.
- C. Those docks or piers located in Boca Ciega Bay or Pinellas County Aquatic Preserves must comply with the provisions of 18-20.019, F.A.C.
- D. Docks and piers which cannot meet or follow the above referenced conditions or involves adverse impacts, other than those associated with driving pilings or operating equipment used directly in the production of aquaculture products, or more than 500 square feet of impact to emergent wetland vegetation landward of the mean highwater mark in an Outstanding Florida Water (OFW) or 1000 square feet of impact to emergent wetland vegetation landward of the mean highwater mark in a non OFW, must obtain an Environmental Resource Permit from the Department of Environmental Protection.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF PERMITS AND REGULATORY SERVICES
MANATEE COUNTY BUILDING DEPARTMENT

PERMIT NO: **03090120**REVIEW COMPLETED: **OCT 03 2003**

PLANS EXAMINER: _____

THESE DRAWINGS HAVE NOT BEEN REVIEWED FOR COMPLIANCE WITH THE (PLUMBING) (MECHANICAL) (ELECTRICAL) CODE(S) ANY QUESTIONS REGARDING THE REQUIREMENTS OF THESE CODES SHOULD BE DIRECTED TO THE SENIOR INSPECTOR IN THE APPROPRIATE TRADE.



**JOB PLANS
Must Be Accessible
To Building Inspectors**

**DO NOT BUILD IN ANY
EASEMENTS OR SWALES**

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MANATEE COUNTY BUILDING DEPARTMENT

Proposed Structure PERMIT NO: **03090120**

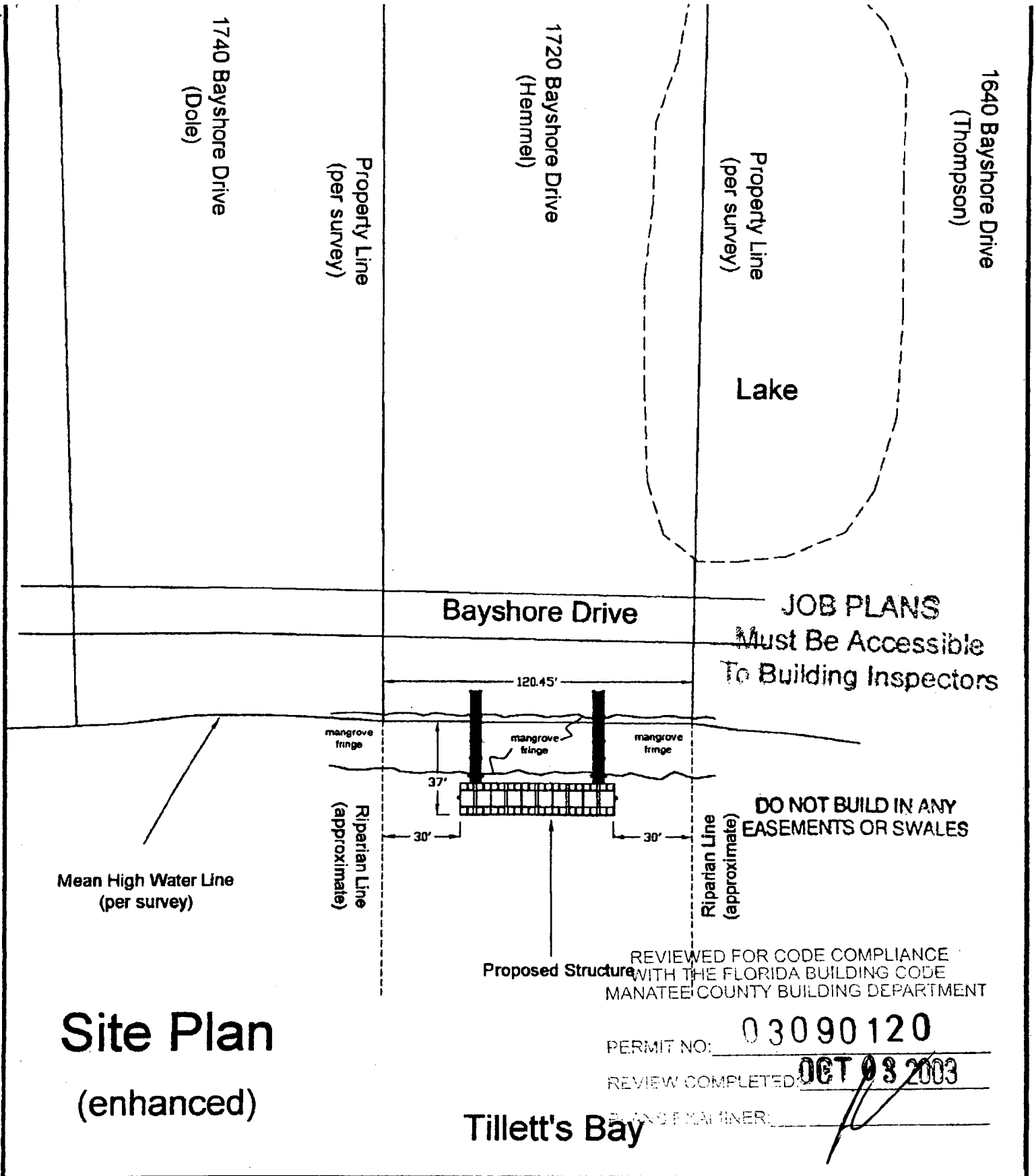
REVIEW COMPLETED: **OCT 03 2003**

PLANS EXAMINER: _____

Site Plan

Tillett's Bay

<p><i>M. R. Friday & Associates, Inc.</i> 7357 International Place, Suite 107 Sarasota, FL 34240 (941) 373-6795 (941) 373-6796 Fax</p>	<p>Date Drawn: 8/6/03 Revision 1: Revision 2: Scale: 1" = 120'</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">PROJECT</p> <p>Bay Shellfish Company 1720 Bayshore Drive Terra Ceia, FL 34250 Manatee County</p>	<p style="text-align: center;">N ↑ ↓ S</p> <p>Sheet 1 of 7</p>
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Site Plan
(enhanced)

M. R. Friday & Associates, Inc.
7357 International Place, Suite 107
Sarasota, FL 34240
(941) 373-6795 (941) 373-6796 Fax

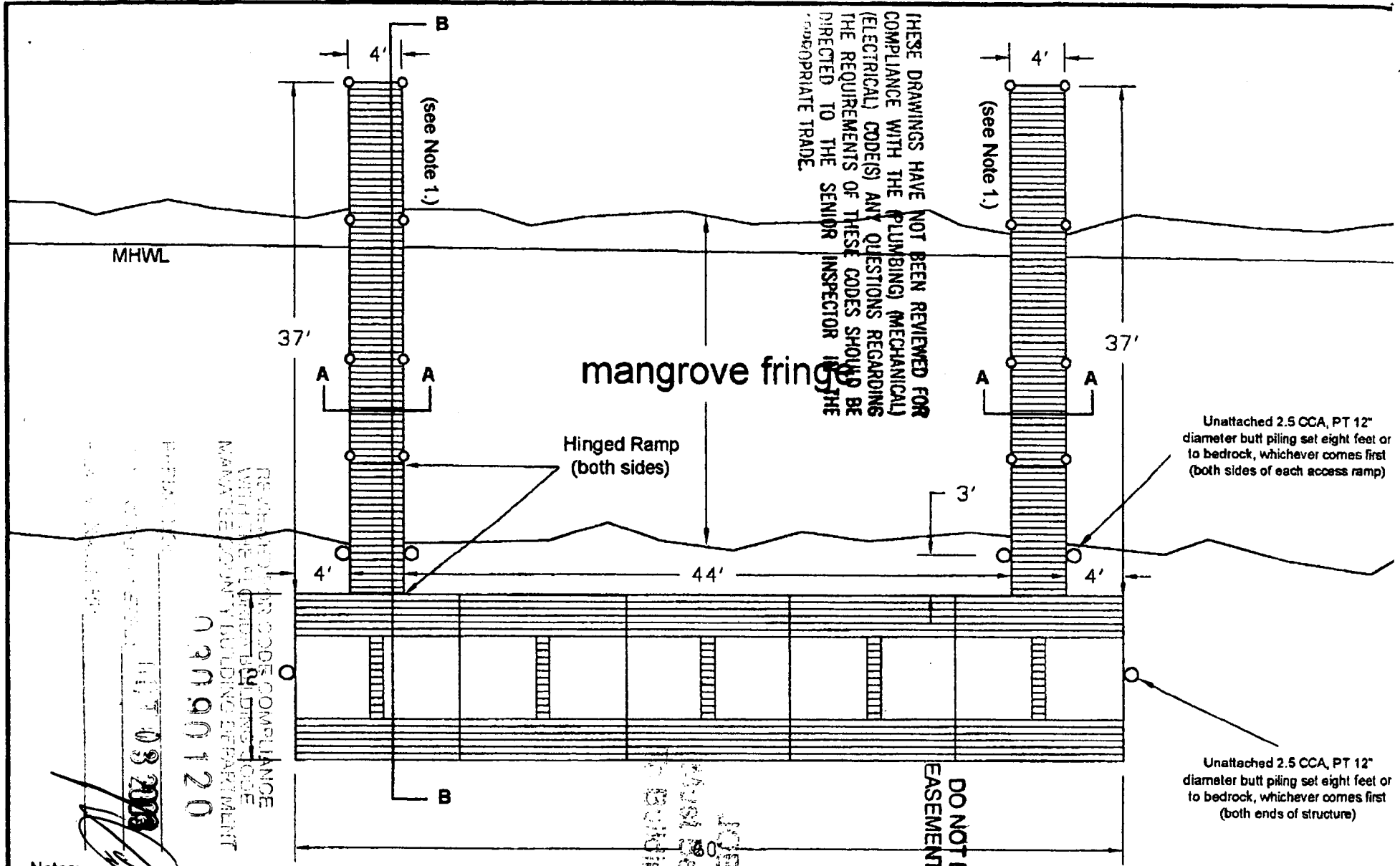
Date Drawn: 8/6/03
Revision 1:
Revision 2:
Scale: 1" = 50'

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Bay Shellfish Company
1720 Bayshore Drive
Terra Ceia, FL 34250
Manatee County

Sheet 2 of 7

THESE DRAWINGS HAVE NOT BEEN REVIEWED FOR COMPLIANCE WITH THE PLUMBING (MECHANICAL) (ELECTRICAL) CODES) ANY QUESTIONS REGARDING THE REQUIREMENTS OF THESE CODES SHOULD BE DIRECTED TO THE SENIOR INSPECTOR IN THE APPROPRIATE TRADE.



- Notes:
1. The access ramp shall begin at grade and slope to the +4.0' MHW elevation within twenty (10) feet.
 2. The dock consists of five (5) connected 12' x 12' floating sections (see Section Detail sheet).

RE: AREA FOR PROPOSED COMPLIANCE WITH THE PLUMBING (MECHANICAL) (ELECTRICAL) CODES MANATEE COUNTY BUILDING DEPARTMENT
 02090120
 032008

Must be processed by Building Inspector
 032008

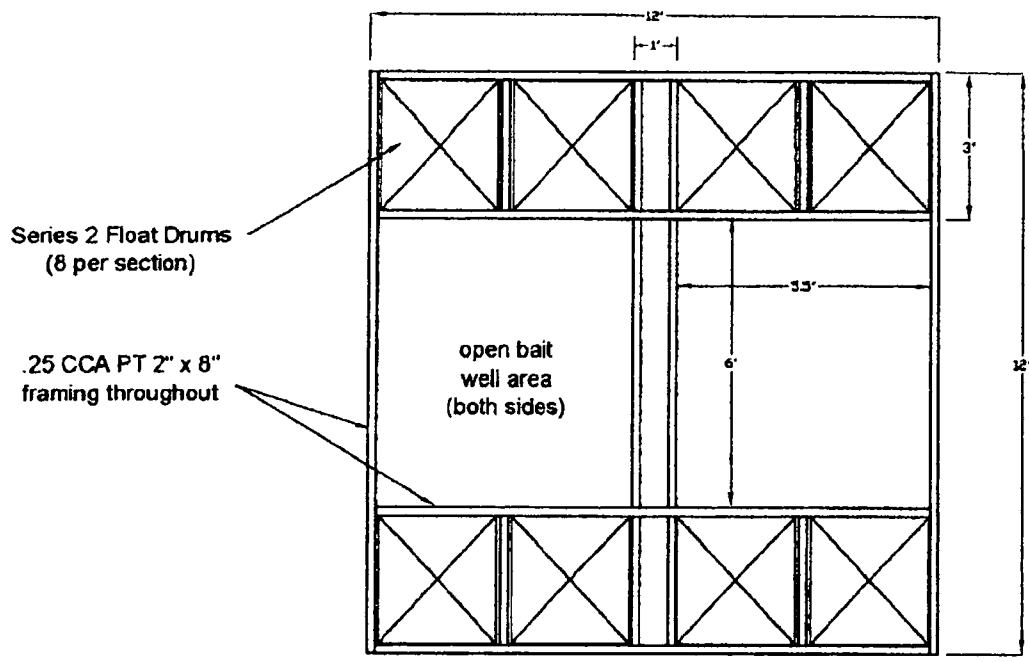
DO NOT BUILD IN ANY EASEMENTS OR SWALES

Dock Plan

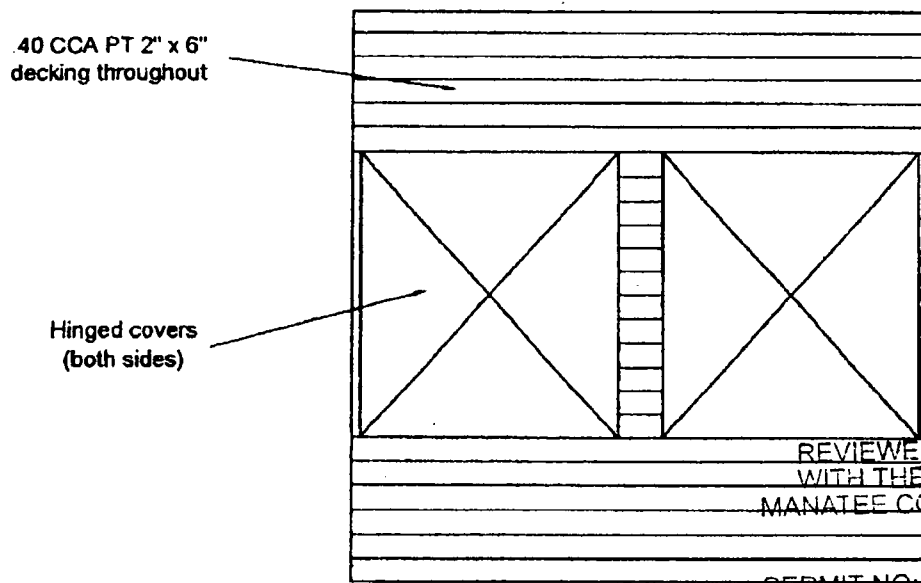
M. R. Friday & Associates, Inc.
 7357 International Place, Suite 107
 Sarasota, FL 34240
 (941) 373-6795 (941) 373-6796 Fax

Date Drawn: 8/6/03
 Revision 1:
 Revision 2:
 Scale: 1" = 10'

PROJECT
 Bay Shellfish Company
 1720 Bayshore Drive
 Terra Ceia, FL 34250
 Manatee County
 Sheet 3 of 3



Section Detail - Substructure



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REVIEW COMPLETED: **OCT 08 2003**

PLANS EXAMINER: _____

Section Detail - Superstructure

M. R. Friday & Associates, Inc.
7357 International Place, Suite 107
Sarasota, FL 34240
(941) 373-6795 (941) 373-6796 Fax

Date Drawn: 8/6/03
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Revision 2:
Scale: 1" = 4'

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Bay Shellfish Company
1720 Bayshore Drive
Terra Ceia, FL 34250
Manatee County

8" DIA. 2.5 CCA Piling

.40 CCA 2" x 6" Decking
with 1/2" deck spacing

.25 CCA 2" x 8" Stringer(s)

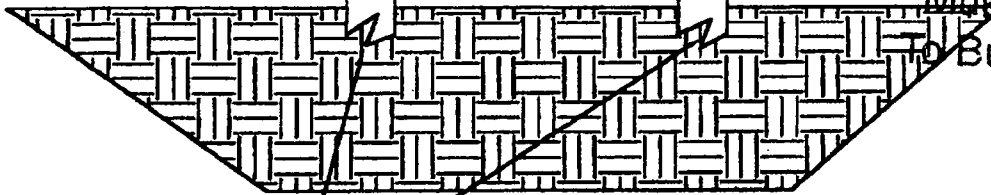
.25 CCA 2" x 8" Header

4.0'

3.5'

4.0'

MHWL



Pilings set to eight (8) feet or to
impassible bedrock

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ACCESS RAMP CROSS SECTION

A - A

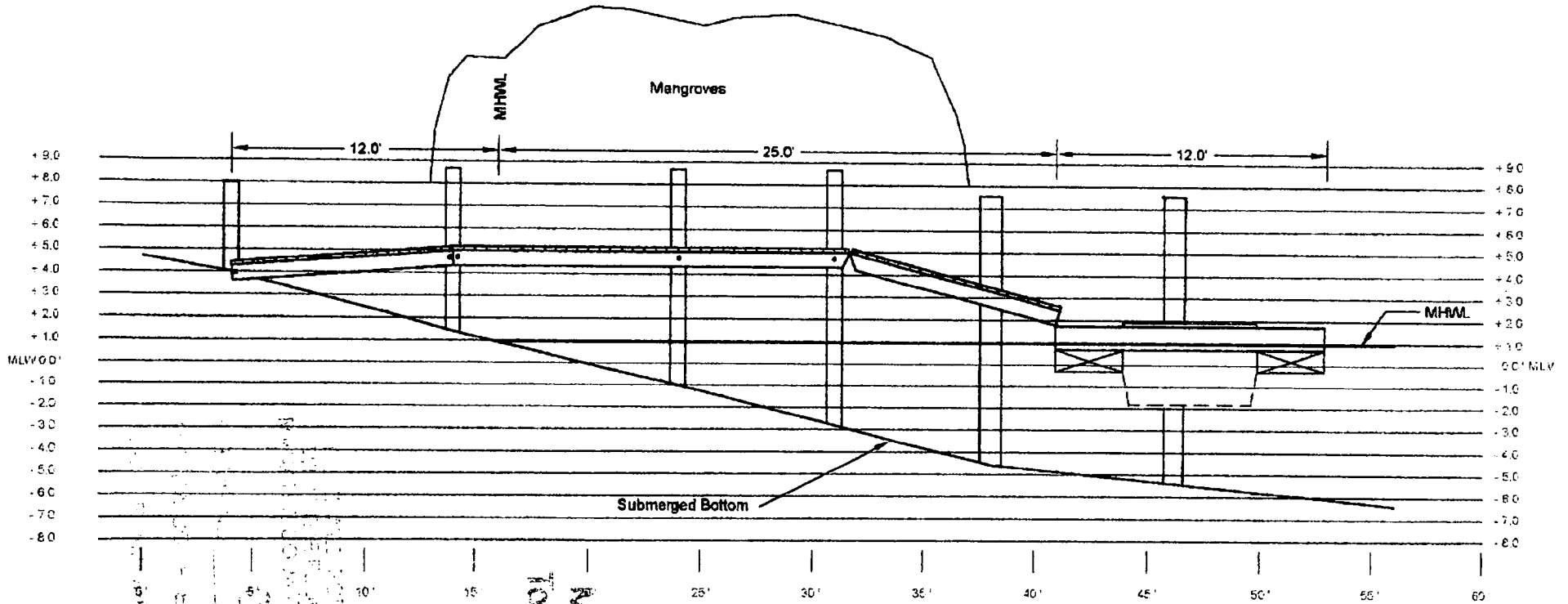
M.R. Friday & Associates, Inc.
1748 Independence Blvd., Ste. E-7
Sarasota, FL 34234

Date Drawn: 8/6/03
Revision 1:
Revision 2:
Scale: NTC

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R
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J
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C
T

Bay Shellfish Company
1720 Bayshore Drive
Terra Ceia, FL 34250

The height and depth data depicted on this plan is based on information provided by others.



Dock Profile View B - B

MUST BE APPROVED BY THE BUILDING DEPARTMENT
 OCT 08 2003
 330 901 20

Must Be Approved
 To Building Inspectors

M. R. Friday & Associates, Inc.
 7357 International Place, Suite 107
 Sarasota, FL 34240
 (941) 373-6795 (941) 373-6796 Fax

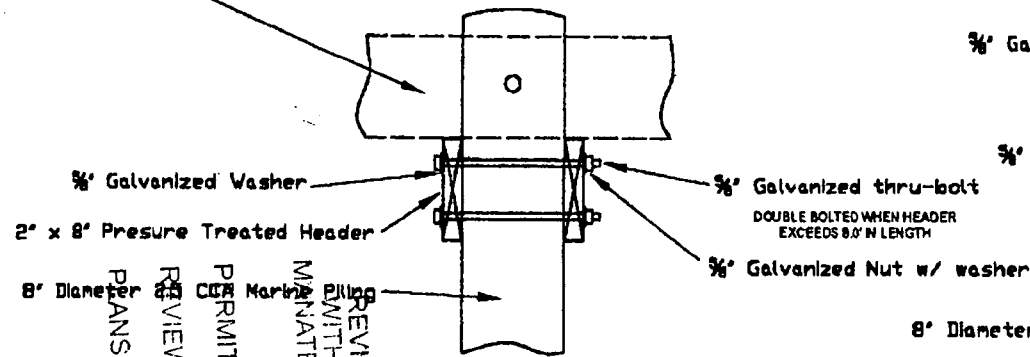
Date Drawn: 8/6/03
 Revision 1:
 Revision 2:
 Scale: 1" = 7'

PROJECT

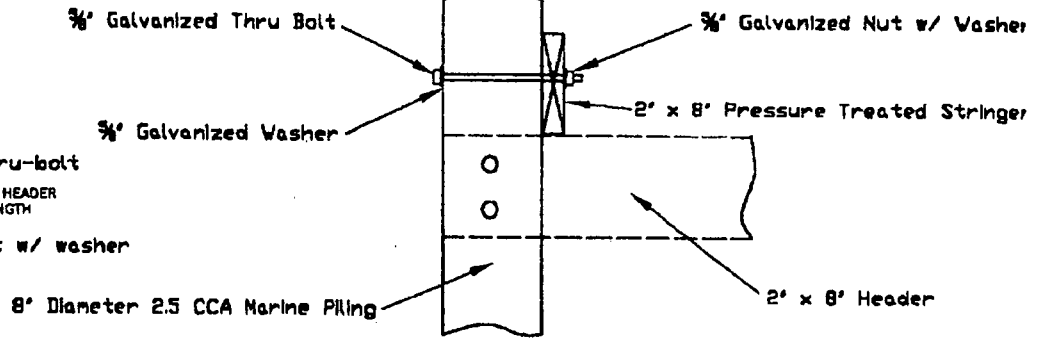
Bay Shellfish Company
 1720 Bayshore Drive
 Terra Ceia, FL 34250

CONNECTION DETAILS

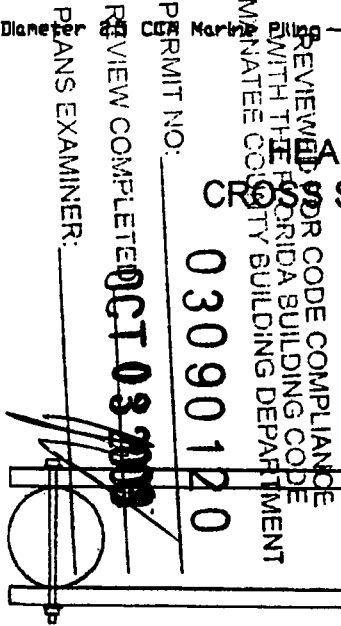
2" X 8' Pressure Treated Stringer



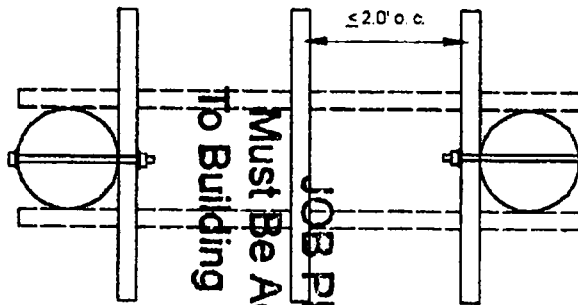
**HEADER CONNECTION
SECTIONAL/SIDE VIEW**



**STRINGER CONNECTION
CROSS SECTION VIEW**

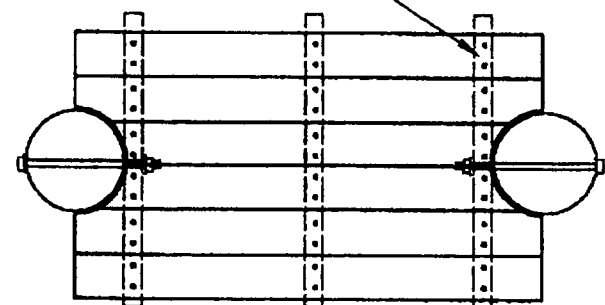


**HEADER CONNECTION
PLAN VIEW**



**STRINGER CONNECTION
PLAN VIEW**

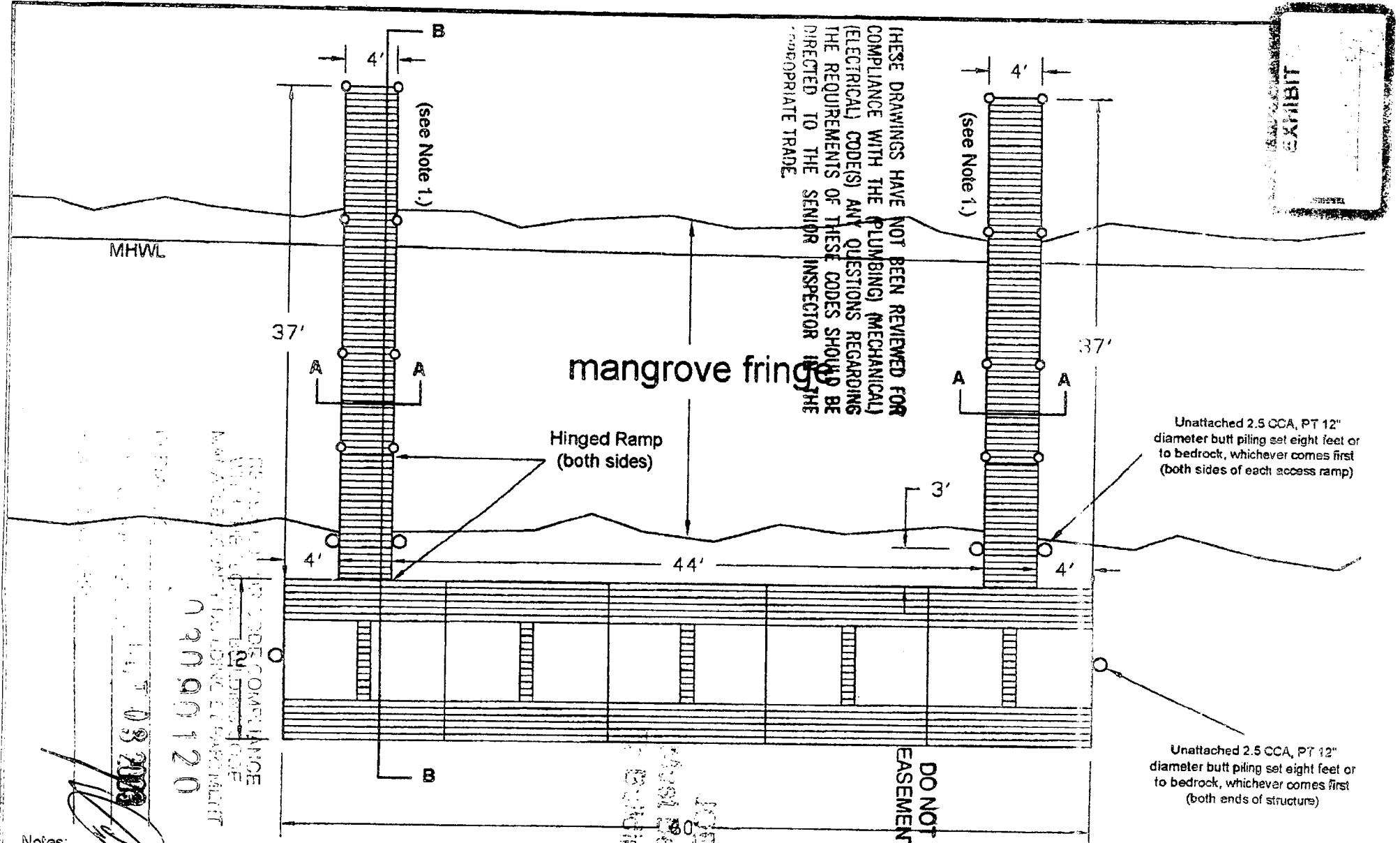
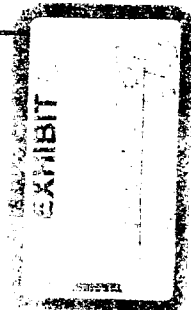
3 1/2' long stainless steel decking screws
or stainless steel nails two per connection



**DECKING CONNECTION
PLAN VIEW**

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 WITH THE FLORIDA BUILDING CODE
 BY THE COUNTY BUILDING DEPARTMENT
 MANATEE COUNTY
 CCA Mark
 PRINT NO: 03090120
 REVIEW COMPLETE OCT 03 2003
 PLANS EXAMINER:

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 To Building Inspectors
 JOB PLANS**



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- Notes:
1. The access ramp shall begin at grade and slope to the +4.0' MHW elevation within twenty (10) feet.
 2. The dock consists of five (5) connected 12' x 12' floating sections (see Section Detail sheet).

Dock Plan

M. R. Friday & Associates, Inc.
 7357 International Place, Suite 107
 Sarasota, FL 34240
 (041) 372 6705 (041) 372 6706 Fax

Date Drawn: 8/6/03
 Revision 1:
 Revision 2:
 Scale: 1" = 10'

Bay Shellfish Company
 1720 Bayshore Drive
 Terra Ceia, FL 34250

PROLEC

Must be inspected by Building Inspector

CONTRACT NO. 08200
 02000120
 CONTRACTOR'S OFFICE
 12000120



HP EXHIBIT TS
TAKES HPBCOA-03-07
Photos 11/3/03



