

CITY OF VENICE
401 West Venice Ave., Venice, FL 34285
941-486-2626
Development Services – Planning and Zoning
Structures Over Water, Shoreline Protection & Maintenance Dredging
MAJOR PERMIT APPLICATION

CONSTRUCTION LIEN LAW: The Construction Lien law (Chapter 713, Part I, Florida Statutes) provides a method by which a contractor, subcontractor, laborer, building material supplier, architect, landscape architect, interior designer, engineer or land surveyor may claim a lien on real property on which he/she has done work or to which he/she has furnished materials.

The applicant by signature on this application certifies that he or she will deliver this statement to the person whose property is subject to attachment in accordance with the provisions of F.S. 713. The Right, Title and Interest of the person who has contracted for the improvement may be subject to attachment under the Construction Lien Law.

CITY RESPONSIBILITY: Nothing herein shall be deemed to authorize or create a duty on the part of the City and its officers, agents and employees to assure or guarantee construction and work in compliance with City ordinances or the plans and specifications submitted thereunder. City officials administering this permit conduct only spot checks to the best of their ability and within the limitations of the available time and personnel. No expectations based upon permits or approvals issued hereunder should arise that construction and work performed pursuant to said permits or approvals does in fact comply with City ordinances or the plans and specifications submitted thereunder. Any person desiring to assure such compliance should seek the assistance of independent persons qualified to perform such evaluations.

PERMIT APPLICATIONS: This application may be utilized to file for a major permit for the construction of docks including a boathouse, dock construction with 5 or more slips, expansion or replacement of a dock with fuel dispensing, a commercial dock or a boatyard or those proposals that do not qualify for a Minor permit. Submitted plans shall meet the requirements provided in Section 86-537(c)(1).

COMPLIANCE: The owners, authorized agent or contractor certifies that, together with plans and specifications submitted to the Planning and Zoning Department this application shows a true representation of the construction to be accomplished under this permit. It is understood that any deviations from the original documents, unless approved by the Planning and Zoning Department will render the permit invalid. The owner(s), authorized agent or contractor further agrees to comply with all laws and codes pertaining to the work and agree at any time to make all changes required to conform to State ordinances, laws and regulations.

EXPIRATION OF PERMIT: No major permit shall be issued for more than a one-year period. Permits shall expire 12 months following city council approval if a building permit has not been issued and/or construction has not commenced. City council may grant and extension to a date certain if requested prior to permit expiration.

EXPIRATION OF PERMIT APPLICATIONS: Section 105.3.2, Florida Building Code **Time limitation of application.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

REFUNDS: Refunds of fees shall be based on the City of Venice Fee Resolution.

ROUTING FORM FOR ALL NEW CONSTRUCTION, ADDITIONS, RENOVATIONS AND DEMOLITIONS

ALL "YES" / "NO" questions MUST be answered

Coastal Properties and Waterways

Does the property border contain a shoreline, lake, ditch or canal?
Is the property located along the Gulf of Mexico or Robert Bay?

YES YES NO NO

If YES to any of the above, certain setbacks may be required. In addition, the requirements of one or more of the following Codes (Gulf-Front Setback, Marine Turtle Protection) may be applicable.

Vegetation and Native Habitats

Does the property border/contain a wetland?

YES NO

If YES, the proposed activity will be required to avoid, minimize and possibly mitigate impacts.

Does your property border/contain a Preservation/Conservation Area or Conservation Easement?

YES NO

Has your property been historically cleared or landscaped?

YES NO

If NO, native habitat (e.g. scrub, mesic hammock, coastal hammock) may exist on the property which may have protection requirements.

Wildlife Many properties are utilized by wildlife that are protected by state/federal laws.

If it is determined that protected wildlife occupy your property, consultation with the appropriate state/federal agencies may be required prior to permit issuance.

Have you observed a bald eagle, Florida Scrub-jay, or gopher tortoise on or nearby your property?

YES NO

Tree Protection

The following activities do not require a Tree Permit unless there is a Grand Tree on site:

- Addition to an existing residential dwelling (i.e. pool, shed, room, dock, interior)
- Commercial interiors, walls, demolition
- Docks (only if no Trees are to be removed).

Tree Permits are required for all new construction not exempted above even if no trees exist on the site. All parcels shall have at least one tree per 2,000 square feet of property. If trees are located on the property, the proposed activity will be required to avoid and minimize impacts to trees.

If a Grand Tree is located on the property, additional protection measures will be required.

If a Tree Permit has been issued for the lot, what is the Permit No.?

Air & Water Quality

Does the activity involve petroleum or chemical storage tanks (excluding propane), a petroleum contaminated site or monitoring wells?

YES NO

Does the activity involve renovation or demolition of a commercial building?

YES NO

Does the activity involve renovation or demolition of a residential building with greater than four living units, or does it involve more than one residential unit?

YES NO

Will operations at the planned facility result in discharge from the site of materials or substances other than rainwater, or to the air of chemicals, vapors, or particulates?

YES NO

Does the activity involve excavation near, or demolition of an existing habitable structure built prior to 1975?

YES NO

IF ANY OF THE ABOVE QUESTIONS ARE ANSWERED 'YES,' PLEASE CONTACT the City of Venice Planning and Zoning Department

Project Owner/Applicant(s) Name:

[Signature]

N/A

SWORN AFFIDAVIT OF NO OBJECTION

(This document should not be signed by the owner/applicant)

This document is required only if your proposed dock, boat-lift, or mooring structure is located within 25 feet of riparian or property lines extended or within 10 feet for marginal docks located within upland cut canals. This Affidavit of No Objection must be signed by **all affected property owners adjacent to the owner/applicant's property**. The Affidavit must be recorded by the Clerk of the Circuit Court, in the Official Records of Sarasota County, at the Sarasota County Courthouse, 2000 Main Street or the South County Administration Center, 4000 Tamiami Trail South, Venice.

STATE OF FLORIDA AND CITY OF VENICE

Before me personally appeared:

Name _____ Phone _____

Name _____ Phone _____

Address _____

Who, being by me first duly sworn, depose and say:

1. That they are the owners of record of the property described below; and
2. That upon review of the proposed dock (see attached proposed plan labeled "Exhibit A" and dated _____), offer(s) no objection to the location of the proposed dock location as it relates to common property lines, riparian lines, and/or lot lines extended into water.

Signature

Signature

STATE _____

COUNTY _____

Affirmed and subscribed before me this _____, day of _____, _____, by _____, who is personally known to me or has produced identification _____.

(Notary Stamp)
Notary Public
Commission No. _____

LEGAL DESCRIPTION OF PROPERTY OWNED BY AFFIANT. Subdivision, Lot #, Block, Unit, Plat Book and Page, or metes and bounds (attach as "Exhibit B" if necessary).

SUBMIT A CERTIFIED COPY OF THIS RECORDED AFFIDAVIT TO THE CITY OF VENICE PLANNING AND ZONING DEPARTMENT AT 401 West Venice Avenue, Venice FL 34285

N/A

DISCLOSURE STATEMENT FOR OWNERS ACTING AS THEIR OWN CONTRACTOR

Florida Statute Chapter 489 requires construction to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own contractor, with restrictions, even though you do not have a license. You must provide direct, on site supervision of the construction yourself. You may build or improve a one or two-family residence or a farm outbuilding. You may also build or improve a commercial building provided your costs do not exceed \$10,000. The building or residence must be for your own use or occupancy. It may not be built or substantially improved for sale or lease. If you sell or lease a building you have built or substantially improved yourself within one year after the construction is complete, the law will presume that you built or substantially improved it for sale or lease, which is a violation of this exemption. You may not hire an unlicensed person to act as your contractor or to supervise people working on your building. It is your responsibility to make sure that people employed by you have licenses required by State Law and by City Ordinances. You may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done. Any person working on your building who is not licensed must work under your direct supervision and must be employed by you, which means that you must deduct F.I.C.A. and withholding tax and provide Worker's Compensation for that employee, all as described by law. Your construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.

CONTRACTOR/AGENT/OWNER AFFIDAVIT The undersigned states and affirms that he/she is the owner of the property or has been authorized to act by the owner under the legal description of property to be used for the proposed construction as described, and that, if the owner, the building is for his/her own use and occupancy and is not being built or offered for sale or lease.

I certify that all the foregoing information is accurate and that all work will be done in compliance with all the applicable laws regulating construction and zoning. I agree to allow any authorized employee of the City of Venice to enter upon the premises associated with this project for the purpose of ascertaining compliance with the terms and conditions of the application, or permit, and/or permit stipulations.

WARNING TO OWNERS: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENT TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

Contractor/Agent _____ Print Name: _____

STATE OF FLORIDA

COUNTY OF _____

Affirmed and subscribed before me this _____ day of _____, 20__.

_____ (name of person making statement). Identification produced _____

Commission No. _____

Signature of Notary Public-State of Florida

Property Owner: _____ Print Name: _____

Co-Owner: _____ Print Name: _____

STATE OF FLORIDA

COUNTY OF _____

Affirmed and subscribed before me this _____ day of _____, 20__.

_____ (name of person making statement). Identification produced _____

Commission No. _____

Signature of Notary Public-State of Florida

Note: Subcontractor's verification form for electrical, plumbing, gas, mechanical and roofing must be submitted prior to the issuance of a building permit.

**APPLICATION SUPPLEMENT FOR THE JOINT FILING OF
MAJOR STRUCTURES OVER WATER AND BUILDING PERMIT APPLICATIONS**

When filing for Structures Over Water Permit Only - This Supplemental Form is NOT needed.

☐ Filing Jointly for Building and Structures Over Water Permits - Complete Supplemental Forms

APPLICATION DATE 3/22/2013

PARCEL TAX IDENTIFICATION NO. 0407-06-0001, 0407-06-0002, 0407-06-0004, 0407-06-0005

PROPERTY OWNER'S NAME See Attached PHONE 941-544-3950

OWNER'S MAILING ADDRESS 2042 Bee Ridge Road FAX # _____

CITY Sarasota STATE FL ZIP 34231 E-MAIL wdooley@wdooleylaw.com

PROJECT ADDRESS At the North Bridge (see attached) CITY Venice

LEGAL DESCRIPTION: LOT See Attached BLK SUBDIVISION _____

METES & BOUNDS NAME OF WATERWAY _____

CONTRACTOR'S NAME Bellingham Marine LICENSE # _____

COMPANY NAME _____ PHONE # _____

CONTRACTOR'S ADDRESS 1813 Dennis Street FAX # _____

CITY Jacksonville STATE FL ZIP 32204

CONTACT Steve Ryder PHONE # 904-358-3362 FAX # _____

CONTACT ADDRESS _____ E-MAIL _____

ARCHITECT/ENGINEER Same PHONE # _____

ADDRESS _____ FAX # _____

CITY _____ STATE _____ ZIP _____

WORK DESCRIPTION: Completed project

ESTIMATED COST OF PROJECT N/A EXTRA JOB SITE COPIES (# N/A)

TRIPLE FEE (AFTER-THE-FACT) N/A (If Applicable) METER SIZE N/A

NUMBER OF DWELLING UNITS N/A PROPOSED TOTAL ENCL. SQ. FOOTAGE N/A

NUMBER OF STORIES N/A LAWN IRRIGATION N/A WATER CONDITIONER N/A

WATER SOURCE: CENTRAL N/A WELL N/A TYPE OF GAS: LP N/A NATURAL N/A

SEWER SOURCE: CENTRAL N/A SEPTIC N/A FOOD SERVICE N/A SHELL ONLY N/A

NO. OF WATER CONNECTIONS N/A SERVICE AMPERAGE N/A

NO. OF SEWER CONNECTIONS N/A MILES MOVED (Building Moving) N/A

NO. OF TOILETS (Incl Toilets, urinals & bidets) N/A FIRE SPRINKLERED N/A 1-HOUR PROTECTED N/A

PRIOR DEMOLITION PERMIT - N/A (New Home Application Only)

CURRENT USE _____ PROPOSED USE _____

**APPLICATION SUPPLEMENT FOR THE JOINT FILING OF
MAJOR STRUCTURES OVER WATER AND BUILDING PERMIT APPLICATIONS**

For the construction of single family docks including a boathouse, docks with 5 or more slips, expansion or replacement of docks with fuel dispensing, docks for commercial use or boatyard, etc.

The permit application should contain the following:

1. **COMPLETED MAJOR AND BUILDING PERMIT APPLICATION.** Original and one copy.
2. **PROOF OF PROPERTY OWNERSHIP** of the property to be developed (i.e., deed or recent property tax receipt), parcel identification number and legal description of the property including any submerged lands
3. **PERMIT FEE OF \$ 1500** payable to the City of Venice.
4. **DEPOSIT OF \$\$ _____ FOR ADVERTISEMENT OF PUBLIC HEARING NOTICES.**
The applicant will be notified of the total amount of advertising expenses and any balance due shall be paid to the County prior to the public hearing.
5. **AFFIDAVIT OF MAILING FORM** attesting that copies of the public hearing notice were sent by U.S. Postal Service mail, to all property owner(s) within 500 feet of nearest point of the proposed work 15 days prior to the public hearing. Conservation & Environmental Permitting will provide the applicant with mailing labels with the names and addresses from the Property Appraiser's office for this purpose. The affidavit of mailing form will be provided by the office of Conservation & Environmental Permitting and must be submitted prior to the date of the public hearing.
6. **FIVE SCALED, LEGIBLE PRINTS** of the following, according to the guidelines in Pages 2 and 3 of this supplement:
 - a. Boundary, topographic, riparian, and bathymetric survey showing location of site and all locations of properties affected by the proposed project.
 - b. Dimensioned site plan indicating water depths, approximate MHWL and elevations of the development above the MHWL.
 - c. Dimensioned, cross-sectional drawing.
7. **COPY OF PERMIT APPLICATION AS SUBMITTED TO FDEP AND/OR ACOE, OR APPROVED PERMIT, IF AVAILABLE.** Please contact these agencies for more information regarding their permitting processes, to the following locations:

Florida Department of Environmental Protection (FDEP), 13051 N. Telecom Parkway, Temple Terrace, Florida, 33637, 813-632-7600 and

U.S. Army Corps of Engineers (ACOE), 10117 Princess Palm Ave., Suite 120, Tampa, Florida, 33610-8302, 813-769-7070.

**ADDITIONAL INFORMATION MAY BE REQUIRED DEPENDING ON
SITE CONDITIONS AND PROJECT DETAILS**

SPECIFIC REQUIREMENTS FOR APPLICATION DRAWINGS

Please note that the following requirements for application drawings are only intended as guidelines for your use. Additional information may be required by the County in order to evaluate the proposal in reference to specific site conditions.

DOCKS AND OTHER SIMILAR STRUCTURES

PLAN VIEW shall at least include, but is not limited to the following:

- distance of structures from mean high water line (MHWL),
- location and dimensions of existing and proposed docks, pilings, boat-lifts, etc.,
- width of waterway,
- length and width of access ramp and main platform,
- distance to mooring pilings, property lines, Intracoastal Waterway (ICW), and any other navigational channels,
- water depths relative to mean low water (MLW) from shoreline to channel and within proposed mooring areas,
- length of owner's shoreline,
- riparian line setbacks (a certified riparian rights survey by a professional land surveyor may be required),
- Affidavit of No Objection, if needed,
- existing native habitats and any proposed impacts,
- mitigation plan if any impacts to native habitats are proposed,
- the location of the approximate MHWL or ordinary high water line (OHWL) and shoreline vegetation,
- location of silt screens, hay bale assemblies, and/or other means of controlling turbidity or sediment transport.

CROSS-SECTIONAL VIEW shall at least include, but is not limited to the following:

- the elevation line for MHWL or OHWL,
- depth of piling or wall penetration, depth of water at mean low water, height of structure(s) above MHWL,
- deck spacing and plank width,
- materials to be utilized.

REVETMENTS, BULKHEADS AND RETAINING WALLS

PLAN VIEW shall at least include, but is not limited to the following:

- location, length, and width of structure relative to MHWL, shoreline vegetation, buildings and other similar
- structures, top of bank, etc.,
- existing native habitats and any proposed impacts,
- location of silt screens, hay bale assemblies, and/or other means of controlling turbidity or sediment transport,
- shoreline enhancement/softening plan,
- mitigation plan if any impacts to native habitats are proposed.

CROSS-SECTIONAL VIEW shall at least include, but is not limited to the following:

- elevations at toe and top of revetment referenced to MHWL and to all wetland vegetation,
- slope of revetment (slope of all rock revetments must not be greater than 2 feet horizontal to 1 foot vertical),
- elevations of toe and top of retaining wall, bulkhead, referenced to MHWL and to all wetland vegetation, materials to be utilized,
- indicate filter cloth location, size, type of rock, panels, footers, tie-backs, dead-men, etc.

Vertical bulkheads and retaining walls require, in addition, plans prepared and sealed by a professional engineer for the structural design, including calculations for all load carrying elements and connections.

DREDGING AND FILLING

PLAN VIEW shall at least include, but is not limited to the following:

- plans must be prepared and sealed by a registered professional engineer,
- indicate existing and proposed elevations and depths, including depth of silt (if any)
- indicate location and describe method of dredging, spoil disposal, and dewatering details,
- describe water quality monitoring, water quality control, methods, and indicate monitoring stations,
- Best Management Practices (e.g. turbidity curtains),
- submit a copy of applications to State and Federal authorities for same work,
- provide detailed and supporting documentation of ownership of submerged bottom lands, if any,
- dredging must be setback a minimum of 10' from all native habitats (i.e. seagrasses, mangroves, oyster beds, etc.)
- existing native habitats and any proposed impacts,
- mitigation plan if any impacts to native habitats are proposed,
- indicate the controlling water depth within the ingress/egress of the site.

CROSS-SECTIONAL VIEW shall at least include, but is not limited to the following:

- plans must indicate existing and proposed elevations and depths, including depth of silt (if any), note that core borings may be required in order to determine sediment layers and previous dredge depths,
- indicate extent (location, width, depth, etc.) of previous dredging,
- plans must be prepared and sealed by a registered professional engineer.

Please submit any written documentation (i.e., Federal, State and County permits) that supports previous dredge/fill events.

ADDITIONAL INFORMATION MAY BE REQUIRED DEPENDING ON SITE CONDITIONS AND PROJECT DETAILS

For more information contact

The City of Venice:

Planning and Zoning Department

401 W. Venice Avenue, Venice FL 34285

(941) 486-2626

WE ARE SUBMITTING A RESPONSE TO SEC. 85-540 ALTHOUGH WE DO NOT FEEL IT IS APPLICABLE. UNDER ORDINANCE NO. 2012-20 EXISTING SARASOTA COUNTY PERMITS WITH VIOLATIONS WILL PROCESSED AS A MODIFICATION.

ALL OF THE BELOW CRITERIA HAVE PREVIOUSLY BEEN ADDRESSED BY THE ARMY CORP, FLORIDA DEPARTMENT OF ENVIRONMENTAL RESOURCES AND SARASOTA COUNTY SITTING AS THE WATER NAVIGATIONAL CONTROL AUTHORITY.

Sec. 85-540 Permit approval criteria

- (a) City council and the LD Code Official shall consider, in their review of major and minor permit applications, the following criteria. If any of the following questions are answered in the affirmative, the application shall be denied or modified to comply with the law.

- 1 Would the proposed project have a detrimental effect on the use of *Jurisdictional Areas* for navigation, transportation, recreational or other public purposes and public conveniences?

We propose that this would have no detrimental effect on the use, as the docks are already in existence and we are just modifying them to meet code. The docks have been in existence for many years and have caused no detriment regarding navigation & transportation and have in fact increased the opportunity for recreation and other public purposes.

- 2 Would the proposed project restrict the free use of *Jurisdictional Areas*?

We propose that this would have no restriction regarding the free use of Jurisdictional Areas, as the docks have been in existence for many years and we are just modifying them to meet code. The docks have been no cause for concern regarding free use previously.

- 3 Would the proposed project adversely alter the flow of water or tidal currents in *Jurisdictional Areas*?

We propose that this would have no adverse affect on the flow of water or tidal currents in Jurisdictional Areas, as the docks have been in existence for many years and we are just modifying them to meet code. As they are docks they do not adversely affect the flow of water or tidal currents.

- 4 Would the proposed project adversely affect long-term water quality, erosion control or increase erosion, shoaling of channels, or formation of stagnant pockets likely to collect debris?

We propose that this would have no adverse affect to long-term water quality, erosion control, shoaling of channels, or formation of stagnant pockets, as the

docks have been in existence for many years and we are just modifying them to meet code. These docks in no way adversely affect the long-term water quality or erosion control nor do they increase erosion, shoaling of channels, or the formation of stagnant pockets likely to collect any debris.

- 5 Would the proposed project adversely affect the conservation of wildlife, marine life, and other natural resources?

We propose that this would have no adverse affect on the conservation of wildlife, marine life, or other natural resources, as the docks have been in existence for many years and we are just modifying them to meet code. These docks have shown no adverse effect on any wildlife or other natural resources during their many years of use.

- 6 Would the proposed project adversely affect the natural beauty or recreational opportunities upon Jurisdictional Areas?

We propose that this would have no adverse affect on the natural beauty or recreational opportunities in the Jurisdictional Areas, as the docks have been in existence for many years and we are just modifying them to meet code. The docks, by their very nature, encourage recreation and appreciation of the natural beauty of the area. The restaurant is situated in such a manner to allow for maximum appreciation of the natural beauty that surrounds the facility. People have been utilizing the docks and the restaurant for many years.

- 7 Would the proposed project adversely affect the uplands surrounding or directly affected by the plan or development?

We propose that this would have no adverse affect on the surrounding uplands, as the docks have been in existence for many years and we are just modifying them to meet code. The modification of the docks will have no impact on any uplands surrounding the site.

- 8 Would the proposed project adversely affect the public health, safety, and welfare?

We propose that this would have no adverse affect on public health, safety, and welfare, as the docks have been in existence for many years and we are just modifying them to meet code. The docks will enhance the health, safety and welfare by encouraging more safe outdoor recreation opportunities in the area.

- 9 Would the proposed project exceed applicable siting criteria within the technical standards pursuant to sec. 86-541?

We propose that this would have no issue regarding the siting criteria within the technical standards pursuant to sec 86-541, as the docks have been in existence for many years and we are just modifying them to meet code.