

THE TOWN OF
Windermere



MAYOR AND COUNCIL OF THE TOWN OF WINDERMERE

Mayor Gary Bruhn

Council Members

Jim O'Brien

Robert McKinley

Richard Montgomery

Andy Williams

Chris Sapp

Agenda

Agenda

February 12, 2019

6:00 PM

WINDERMERE TOWN HALL

520 MAIN STREET

WINDERMERE, FL 34786

PLEASE TURN OFF ALL CELL PHONES AND PAGERS

PLEASE NOTE: IN ACCORDANCE WITH F.S. 286.26: Person with disabilities needing assistance to participate in any such proceeding should contact the Office of the Town Clerk at least 48 hours beforehand at (407) 876-2563

Pursuant to Resolution No. 2005-12 adopted on December 13, 2005, the following Civility Code shall govern all proceedings before the Town of Windermere Town Council:

1. All electronic devices, including cell phones and pagers, shall be either turned off or otherwise silenced.
2. Prolonged conversations shall be conducted outside Council meeting hall.
3. Whistling, heckling, gesturing, loud conversations, or other disruptive behavior is prohibited.
4. Only those individuals who have signed the speaker list and/or who have been recognized by the Mayor (or Chair) may address comments to the Council.
5. Comments at public hearings shall be limited to the subject being considered by the Council.
6. Comments at Open Forums shall be directed to Town issues.
7. All public comments shall avoid personal attacks and abusive language
8. No person attending a Town Council meeting is to harass, annoy, or otherwise disturb any other person in the room.

Any member of the public whose behavior is disruptive and violates the Town of Windermere Civility Code is subject to removal from the Town Council meeting by an officer and such other actions as may be appropriate. **PLEASE NOTE:** IN ACCORDANCE WITH F.S. 286.0105: Any person who desires to appeal any decision at this meeting will need a record of this proceeding. For this, such person may need to ensure that a verbatim record of such proceeding is made which includes the

AGENDA

- THE MEETING IS CALLED TO ORDER BY THE MAYOR
 - FLAG SALUTE
 - INVOCATION
1. OPEN FORUM/PUBLIC COMMENT (3 Minute Limit)
 2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS
 - a. Mayoral Proclamation Recognizing March 22nd as Officer Robert "Robbie: German Remembrance Day in the Town of Windermere (Mayor Bruhn to Present)
 - b. WPD Reserves: Unit Citation for exemplary work in 2018. (Chief Ogden to Present)
 - c. Chiefs Special Award: Officer Griffin Hebel for his positive work over past few months. (Chief Ogden to Present)
 3. TIMED ITEMS AND PUBLIC HEARING
 4. CONSENT AGENDA:
 - a. Z19-002 – 806 W 2nd Avenue Variance: Boat Dock Variance to allow reduced side setback of Zero (0) feet. (Attachments-DRB recommended approval (7-0) with condition that prohibits further dock expansion or alteration without coming into compliance with the code)
 - b. Z19-003 – 15 Pine Street Variance: Variance to allow for a side setback of 13.1' for a proposed replacement boathouse, a 32' setback from the NHWE for a replacement wood deck and a 21' setback from the NHWE for a replacement paver deck with stairs at 15 Pine St. (Attachments-: DRB recommended approval (7-0) with condition that required the jet ski port to be located at least 16 feet from the southern property line)
 5. NEW BUSINESS
 - a. MINUTES
 - i. Town Council Meeting Minutes January 8, 2019 (Attached-Staff Recommends Approval)
 - ii. Town Council Workshop Minutes January 22, 2019 (Attached-Staff Recommends Approval)
 - b. RESOLUTIONS/ORDINANCES FOR APPROVAL/FIRST READING
 - c. APPOINTMENTS: COMMITTEES AND BOARDS
 - i. George Poelker Historical Preservation Board (Attachment-HPB Recommends Approval)
 - d. CONTRACTS AND AGREEMENTS
 - i. Website Renewal/ADA Compliance (Attachments-Staff Recommends Approval not to exceed \$25k)
 - e. FINANCIAL

6. OTHER ITEMS FOR CONSIDERATION

- a. Pedestrian Crossing Location Recommendation/Installation (Attachments-LRP Recommends Approval)
- b. Cut Thru Traffic Modifications (Attachments-Board Option)
 - i. 9th/Oakdale
 - ii. 7th/Oakdale
 - iii. 12th/Main
 - iv. 5th/Magnolia
 - v. Ridgewood/Lake
- c. Town Manager Evaluations (Attachments-Councilman O'Brien to address)

7. MAYOR & COUNCIL LIAISON REPORTS

- a. MAYOR GARY BRUHN
- b. COUNCILMAN O'BRIEN
- c. COUNCILMAN MCKINLEY
 - i. Suggested Donation for 1887 Schoolhouse (Attachment-Councilman McKinley Discussion Item)
- d. COUNCILMAN MONTGOMERY
- e. COUNCILMAN WILLIAMS
- f. COUNCILMAN SAPP

8. STAFF REPORTS

- a. TOWN MANAGER ROBERT SMITH
- b. TOWN ATTORNEY TOM WILKES
- c. POLICE CHIEF DAVE OGDEN
- d. PUBLIC WORKS DIRECTOR SCOTT BROWN

9. ADJOURN

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- REPORTS: NO ACTION REQUIRED
 - FILED ITEMS
 - IMPORTANT DATES
 - February 14th – Parks & Recreation Meeting
 - February 15th – Farmer's Market
 - February 16th – Rotary Club Lobster Fest
 - February 19th – Rotary Club Meeting
 - Development Review Board Meeting
 - February 20th – Willows HOA Meeting
 - February 21st – Tri-County League of Cities Meeting hosted by Windermere
 - Windermere Tree Board Meeting
 - February 22nd – Farmers Market
 - Food Truck Night

- February 23rd – Sleep in Heavenly Peace Build-A-Bed/Windermere Police Department Foundation
- Mayor Bruhn’s Farewell Celebration
- February 25th – Rotary Club Meeting
- February 26th – CANCELLED Town Council Workshop
- Town Facilities Public Meeting
- February 27th – Historical Preservation Board Meeting
- February 28th – Long Range Planning Meeting

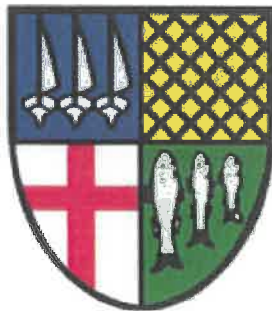
- March 1st – Farmers Market
- March 2nd – 3rd – Art Affair
- March 5th – Rotary Club Meeting
- Code Enforcement Hearing
- March 7th – Food Truck/Farmers Market Selection Committee Meeting
- March 8th – Farmers Market
- Pet Fest (3/8 – 3/9)
- March 12th – CANCELLED Rotary Club Meeting
- Town Council
- ELECTION DAY
- March 14th – Parks & Recreation Meeting
- March 15th – Farmers Market
- March 16th – Windermere Police Department Foundation/St. Patrick’s Day Event
- March 19th – Rotary Club Meeting
- Development Review Board Meeting
- March 20th – Willows HOA Meeting
- March 21st – Windermere Tree Board Meeting
- March 22nd – Farmers Market
- Food Truck Night
- March 25th – Rotary Club Meeting
- March 26th – Town Council Workshop
- March 27th – Historical Preservation Board Meeting
- March 28th – Long Range Planning Meeting
- March 29th – Farmers Market

- April 2nd – Rotary Club Meeting
- Elder’s Luncheon
- Code Enforcement Hearing
- April 3rd – Downtown Business Committee Meeting
- April 4th – Food Truck/Farmers Market Selection Committee Meeting
- April 5th – Farmers Market
- April 9th – Rotary Club Meeting
- Town Council
- April 11th – Parks & Recreation Meeting
- Windermere 5K/Run Among the Lakes (4/11 – 4/14)
- April 12th – Farmers Market
- April 16th – Rotary Club Meeting

- **Development Review Board Meeting**
 - **April 17th – Willows HOA Meeting**
 - **April 18th – Windermere Tree Board Meeting**
 - **April 19th – Farmers Market**
 - **April 22nd – Rotary Club Meeting**
 - **April 23rd – Town Council**
 - **April 24th – Historical Preservation Board Meeting**
 - **April 25th – Long Range Planning Meeting**
 - **April 26th – Farmers Market**
 - **Food Truck Night**
 - **April 30th – Rotary Club Meeting**
-
- **May 2nd – Food Truck/Farmers Market Selection Committee Meeting**
 - **May 3rd – Farmers Market**
 - **May 4th – Rotary Club Event**
 - **May 7th – Rotary Club Meeting**
 - **Code Enforcement Hearing**
 - **May 9th Parks & Recreation Meeting**
 - **May 10th – Farmers Market**
 - **May 14th – Rotary Club Meeting**
 - **Town Council**
 - **May 15th – Willows HOA Meeting**
 - **May 16th – Windermere Tree Board Meeting**
 - **May 17th – Farmers Market**
 - **May 20th – Rotary Club Meeting**
 - **May 21st – Development Review Board Meeting**
 - **May 23rd – Long Range Planning Meeting**
 - **May 24th – Farmers Market**
 - **Food Truck Night**
 - **May 28th – Rotary Club Meeting**
 - **Town Council Workshop**
 - **May 29th – Historical Preservation Board Meeting**
 - **May 31st – Farmers Market**
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- **June 4th – Rotary Club Meeting**
 - **Code Enforcement Hearing**
 - **June 5th – Food Truck/Farmers Market Selection Committee Meeting**
 - **Downtown Business Committee Meeting**
 - **June 7th – Farmers Market**
 - **June 11th – Rotary Club Meeting**
 - **Town Council**
 - **June 13th – Parks & Recreation Meeting**
 - **June 14th – Farmers Market**
 - **June 18th – Rotary Club Meeting**
 - **Development Review Board**
 - **June 19th – Willows HOA Meeting**

- **June 20th – Windermere Tree Board Meeting**
- **June 21st – Farmers Market**
- **June 24th – Rotary Club Meeting**
- **June 25th – Town Council Workshop**
- **June 26th – Historical Preservation Board Meeting**
- **June 27th Long Range Planning Meeting**

Town of Windermere



**MAYORAL PROCLAMATION RECOGNIZING MARCH 22 AS OFFICER ROBERT
“ROBBIE” GERMAN REMEMBRANCE DAY IN THE TOWN OF WINDERMERE**

WHEREAS, Windermere knows all too well the tragedy that accompanies the loss of law enforcement officers killed in the line of duty; and

WHEREAS, every loss of a law enforcement officer is heartbreaking, and losing these heroes is a cry for peace and a signal to all Floridians to pray for our men and women in uniform who protect our communities each day; and

WHEREAS, Windermere’s police officers do not hesitate to risk their own lives in order to save the lives of others, and their commitment to continued training, skill enhancement, and inter-agency coordination make them vital members of our community; and

WHEREAS, on March 22nd, 2014 Windermere awoke to find that one of Windermere’s finest, Officer Robert “Robbie” German had been senselessly and tragically killed in the line of duty: and

WHEREAS, it gladdened the spirit to see the entire community rally to show support for our law enforcement officers and the German family by the display of blue ribbons and blue porch lights,

NOW, THEREFORE, I, Gary Bruhn, Mayor of the Town of Windermere, do hereby proclaim March 22, 2019 as “Officer Robert “Robbie” German Remembrance Day” in Windermere and call upon all Central Florida residents to keep his memory alive, encourage residents to say, “Thank you,” to our law enforcement officers and keep the German family in your thoughts and prayers.

Dated this February 12, 2019

**Gary Bruhn,
Mayor, Town of Windermere**

Windermere Police Department

Unit Citation

Presented to:

Reserve Officer John Alcalde
Reserve Officer Jeffrey Bacigalupi

Reserve Officer Lori Sipek
Reserve Officer Brian Miller

This Unit Citation is presented to the Windermere Police Department's Reserve Officer Unit for their outstanding demonstration of teamwork and dedication to the Town of Windermere. Throughout 2018, the Reserve Unit assisted with numerous events, presentations, and special details, and they provided assistance to the Uniform Patrol Division. Altogether, the unit volunteered a total of 1,016 hours; a cost savings of \$27,320 for the Town of Windermere. Your commitment and diligence to duty, as well as to the safety of the residents of the Town of Windermere are commendable and have earned you this award.

Given this 12th day of February, 2019
Windermere, Florida

David A. Ogden, Chief of Police

Robert Smith, Town Manager

Windermere Police Department

Chief's Special Award

Presented to:

Officer Griffin Hebel

Throughout the past year, your performance, productivity and attitude toward your profession has been nothing less than exemplary. Your attendance, willingness to learn, and participation in community events was excellent. You received numerous accolades from residents and motorists passing through the area in regards to your professionalism during citizen contact. Additionally, during the busy month of December, you completed a 40-hour Police Mountain Bike School. Your performance over the year exemplifies our motto, "Honor, Integrity, Service" and you are hereby awarded the Chief's Special Award.

January 2018 – December 2018

Given this 12th day of February, 2019

David A. Ogdan, Chief of Police

Robert Smith, Town Manager

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor

GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

Development Review Board January 15, 2019

Town Council February 12, 2019

Case No.: Z19-002

Applicant: Steve Miller

Property Owner: Steve & Cheryl Miller

Representative: Sheila Cichra, Streamline Permitting

Requested Action: Variance to allow reduced side setback of zero (0) feet.

Property Address: 806 W. 2nd Avenue

Legal Description: ALADAR ON LAKE BUTLER N/47 LOT 9 & W 33 FT OF LOT 7

Future Land Use/Zoning: Residential/Residential

Existing Use: Residential (Single Family)

Surrounding Future Land Use/Zoning

North: Residential/Residential
South: Lake Butler
East: Residential/Residential
West: Residential/Residential

CASE SUMMARY:

Sheila Cichra, Streamline Permitting, representative for Steve and Cheryl Miller, owners of 806 W. 2nd Avenue submitted a variance request, pursuant to Division 10.02.00 of the Town's Land Development Code (LDC). The applicant requests a variance for an existing enclosed boathouse with reduced side setback of zero (0) feet from the east projected property line. The required side setback for a dock is 16 feet. The existing dock includes a 5.3' x 32.9' and 4.1' x 11.3' walkway to the west of the boathouse that is 87.5 feet from the west projected property line. The walkway was constructed circa 2011 or 2012. A permit for the walkway was not obtained at the time of construction. Under the subject zoning case, the property owner is requesting a variance so that the entire dock, including the unpermitted walkway, may be retained.

The property owner also submitted a variance request to Orange County for the proposed dock. Orange County issued permit #BD-18-02-022 on August 9, 2018. The permit is for "the construction of a dock not to exceed the measurements identified on the Environmental Protection Division (EPD) stamp on the as-built survey received by EPD on February 26, 2018. This permit includes a waiver to terminal platform size and variances to enclosed docks and living area; approved at the June 27, 2018 Environmental Protection Commission meeting and accepted by the Board of County Commissioners on August 7, 2018. This permit also includes an Environmental Protection Officer approved waiver to side setback."

Division 10.02.00 of the LDC empowers the Development Review Board to review and make recommendations for approval, approval with conditions or denial to the Town Council on these variance requests.

Division 10.02.00 of the LDC requires the Town Council to consider the recommendation of the Development Review Board and to take final action to either approve or deny the variance request.

CASE ANALYSIS:

The subject property is located at 806 W. 2nd Avenue. This property is on Lake Butler. The applicant desires to retain an existing dock with 0-foot setback from the east projected property line and 87.5-foot setback from the west projected property line. The Town's Code requires docks to be located 16 feet from the projected property line. The existing dock includes an enclosed boathouse. Additionally, to the west of the existing dock, the property owner added a 5.3' x 32.9' and 4.1' x 11.3' walkway for which a permit was not obtained. The walkway was constructed circa 2011 or 2012.

On August 9, 2018, the property owner obtained an after-the-fact permit for the dock from Orange County (#BD-18-02-022), which includes a waiver to terminal platform size, variances for the boathouse enclosure, and waiver to the County's minimum side setback.

On November 20, 2018, the property owner also obtained a permit from the Florida Department of Environmental Protection (FDEP) (#0366846-001-EI). The FDEP permit authorizes operation of the existing dock that was constructed without a permit on Lake

Butler.

Previously, on June 15, 2017, a permit from the Town of Windermere (#17-06-004) was issued to repair the existing dock within the existing footprint and to remove the unpermitted walkway, as well as an unpermitted floating dock, entirely. The corresponding permit issued by Orange County was a “Grandfathered Dock Repair Permit” (#BD-17-03-021, April 28, 2017). The Orange County permit #BD-17-03-021 specifically conditioned the removal of the unpermitted walkway addition to the grandfathered dock to the west and the removal of the floating dock along the seawall. Although the floating dock was removed consistent with those permits, the walkway was not removed.

Under the subject zoning case, the property owner is requesting a variance so that the entire dock, including the unpermitted walkway, may be retained.

Section 10.02.02 of the LDC provides the specific standards by which the Development Review Board and Town Council are to review to consider the approval or denial of a variance application. In addition, this Section requires a positive finding, based on substantial competent evidence, for each of the standards. These standards are summarized as follows:

1. The need for the variance arises out of the physical surroundings, shape, topographical condition or other physical or environmental conditions that are unique to the subject property. Variances should be granted for conditions peculiar to the property and not the result of actions of the property owner;
2. There are practical or economic difficulties in carrying out the strict letter of the regulation;
3. The variance request is not based exclusively upon a desire to reduce the cost of developing the site;
4. The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire or other hazard to the public;
5. The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site;
6. The effect of the proposed variance is in harmony with the general intent of this Land Development Code and the specific intent of the relevant subject areas of this Land Development Code; and
7. The variance will not encourage further requests for changes where such a land use would not be deemed appropriate.

It is also important to note that this Section also provides specific standards that are not to be considered in the review of a variance application. These standards are:

1. That the implementation of these regulations would impose an economic hardship on the cost of the building or redevelopment project;
2. That these regulations impose a hardship by decreasing the maximum density of a property in terms of the number of units, square footage of buildings, etc.; and
3. That other adjacent lands, structures or buildings not in conformance with these regulations provide a rationale for a lessening of their application in this specific case.

Section 10.02.02(c) of the LDC allows the imposition of conditions and restrictions as may be necessary to allow a positive finding to be made on any of the variance standards to minimize the negative effect of the variance. The conditions and restrictions should further the interest of the LDC.

The applicant submitted a site plan and other materials in support of the variance request. The following is a summary of the information provided by the applicant in support of their variance request:

1. The large enclosed boathouse was existing when the owner purchased the property, but there was no place to store a boat;
2. The 5.3' x 32.9' and 4.1' x 11.3' walkway beside the boathouse was added so that the property owner could safely access and moor his boat. At that time, he was incorrectly advised that he did not need a permit;
3. The variance is to allow the unpermitted walkway around the boat slip to be retained. The property owner is not requesting to build a roof over the boat slip or to increase the nonconformity;
4. The adjacent property owner is in support of the variance;
5. Similar variances have been issued for historically enclosed boathouses in the Town of Windermere; and
6. Orange County approved an after-the-fact boat dock permit on August 9, 2018 that includes a waiver to terminal platform size, variances for the boathouse enclosure, and waiver to the County's minimum side setback.

PUBLIC NOTICE:

Public notices were mailed to property owners within 500 feet of the subject property on December 19, 2018 (21 notices sent). As of January 30, 2019, 10 responses of approval were returned.

DEVELOPMENT REVIEW BOARD:

On January 15, 2019, the Development Review Board (DRB) held a hearing to review and provide a recommendation on the requested variance for 806 W 2nd Avenue. Based on information within the staff report and testimony provided at the hearing, the DRB found a hardship existed given the circumstances and history of the dock and the requested improvements would not cause a detriment to the surrounding area. The DRB recommended approval (7-0) of the requested variance with one condition. The recommended DRB condition prohibits any further expansion or alteration to the dock unless it is brought into compliance with the code.

The applicant's representative agreed with the DRB condition prohibiting any further expansion or alteration of the dock without coming into compliance with the code.



Date: December 12, 2018
To: Dorothy Burkhalter, Town Clerk
From: Sheila Cichra
Re: Side Setback Variance Request for 806 West 2nd Avenue

The attached files are a variance application package for a side setback and enclosed boathouse variance for a boat dock at 806 West 2nd Avenue.

The parcel belongs to Steve Miller. When he purchased the property, the large enclosed boathouse was existing, but there was no place to store a boat. A few years ago, he added a 5.3' x 32.9' + 4.1' x 11.3' walkway beside the boathouse, so that he could safely access his boat. He was incorrectly advised that he "didn't need a permit".

We have obtained an after-the-fact permit/variance from the County and the State and hope that Windermere will *a/so* agree to allow Mr Miller to keep that walkway, so he can access his boat safely.

Thank you for your consideration.

A handwritten signature in blue ink, appearing to read "Sheila Cichra".



Date: December 17, 2018
To: Dorothy Burkhalter, Town Clerk
From: Sheila Cichra
Re: Variance Criteria Compliance for 806 West 2nd Avenue
Boathouse setback and enclosed boathouse

The *Special Conditions and Circumstances* that exist on site are that the existing enclosed boathouse has been there for SO many years – since the 50's – and that the original structure did not have a boat slip.

The hardship was *Not Self-Created*. The current owner (for the last 18 years) did not know that he couldn't add anything onto his existing dock, until he attempted to permit a small catwalk around a boat slip, so that he could safely access his boat.

There is *No Special Privilege being Conferred*, because similar variances have been issued for historical enclosed boathouses in Windermere.

Regarding *Deprivation of Rights*, if these variances aren't approved, the Millers will not be able to create a safe, accessible mooring area for their boat.

We are requesting the *Minimum Possible Variance*. A narrow catwalk around a boat slip is all they want. They aren't asking to build a boat slip with a roof – just a little walkway.

These variances are being requested in order to permit a small addition to an existing structure. A structure that has been in use since the 50's, with no complaints. The adjacent affected property owner is in support of the variance and the level of current non-compliance is *not* being increased. We believe that this application meets the *Purpose and Intent* of such a zoning variance.

OCA Web Map							
	Major Roads		Proposed Road		Residential		Commercial/Industrial/Vacant Land
	Florida Turnpike		Public Roads		Agriculture		Agricultural Curdlage
	Interstate 4		Garled Roads		Block Line		Hydro
	Toll Road		Road Under Construction		Lot Line		Governmental/Institutional/Misc
	Parks		Lakes and Rivers		Building		Block Number
	Lot Number		Parcel Number		Parcel Address		Parcel Dimens



AGENT AUTHORIZATION FORM

I/WE, (PRINT PROPERTY OWNER NAME) Steve Miller, AS THE OWNER(S) OF THE REAL PROPERTY DESCRIBED AS FOLLOWS, 806 West 2nd Avenue, DO HEREBY AUTHORIZE TO ACT AS MY/OUR AGENT (PRINT AGENT'S NAME), Sheila Cichra, TO EXECUTE ANY PETITIONS OR OTHER DOCUMENTS NECESSARY TO AFFECT THE APPLICATION APPROVAL REQUESTED AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS, Boat Dock Permit & Variance, AND TO APPEAR ON MY/OUR BEHALF BEFORE ANY ADMINISTRATIVE OR LEGISLATIVE BODY IN THE COUNTY CONSIDERING THIS APPLICATION AND TO ACT IN ALL RESPECTS AS OUR AGENT IN MATTERS PERTAINING TO THE APPLICATION.

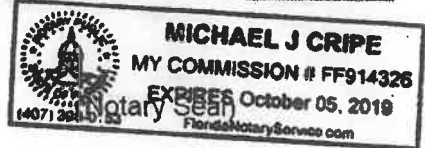
Date: 2-14-18 ✓ Steve Miller Steve Miller
Signature of Property Owner Print Name Property Owner

Date: _____ _____ _____
Signature of Property Owner Print Name Property Owner

STATE OF FLORIDA :
COUNTY OF ORANGE :

I certify that the foregoing instrument was acknowledged before me this 14 day of FEB. 2018 by STEVEN R. MILLER. He/she is personally known to me or has produced _____ as identification and did/did not take an oath.

Witness my hand and official seal in the county and state stated above on the 14 day of FEB. in the year 2018.



Michael J Cripe
Signature of Notary Public
Notary Public for the State of Florida
My Commission Expires: 10/05/2019

Legal Description(s) or Parcel Identification Number(s) are required:
PARCEL ID #: <u>07-23-28-0044-00-090</u>
LEGAL DESCRIPTION: <u>ALADAR ON LAKE BUTLER N/47 LOT 9 & W 33 FT OF LOT 7</u>

I, Richard S. Ware, grandson of former owners Mr. and Mrs. Richard C. Lepper of 806 W. 2nd Ave, in the City of Windermere, Florida, hereby acknowledges that the fully enclosed boathouse with four solid walls and a roof at the aforementioned address was constructed on or before June 1951. The boathouse at this address was still there when the property was sold in or about 1978.

RS Ware

10/19/18

(Signature)

(Date)

RICHARD S. WARE

(Print Name)

ACKNOWLEDGEMENT:

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Montgomery

The foregoing instrument was acknowledged before me this 19th day of October 2018, by Georgina Rey.

Commonwealth of Pennsylvania

(NOTARY SEAL)

NOTARIAL SEAL
Georgina M Rey, Notary Public
Conshohocken Borough, Montgomery County
My Commission Expires June 02, 2021

(Signature of Notary Public - Commonwealth of Pennsylvania)

Personally Known _____ OR Produced Identification X

Type of Identification Produced

Pass



SCALE 1"=40'
North per Plat

LOT 13

LOT 12

LOT 11

S44°57'47"W 173.30' (M)
S44°57'47"W 179.82' (P)

S44°57'47"W
20.03' (C)

FND P.T.
1" I.P. NO ID
FND
1/2" I.R. NO ID
7.0' SOUTH
SET 1/2" LB#7615

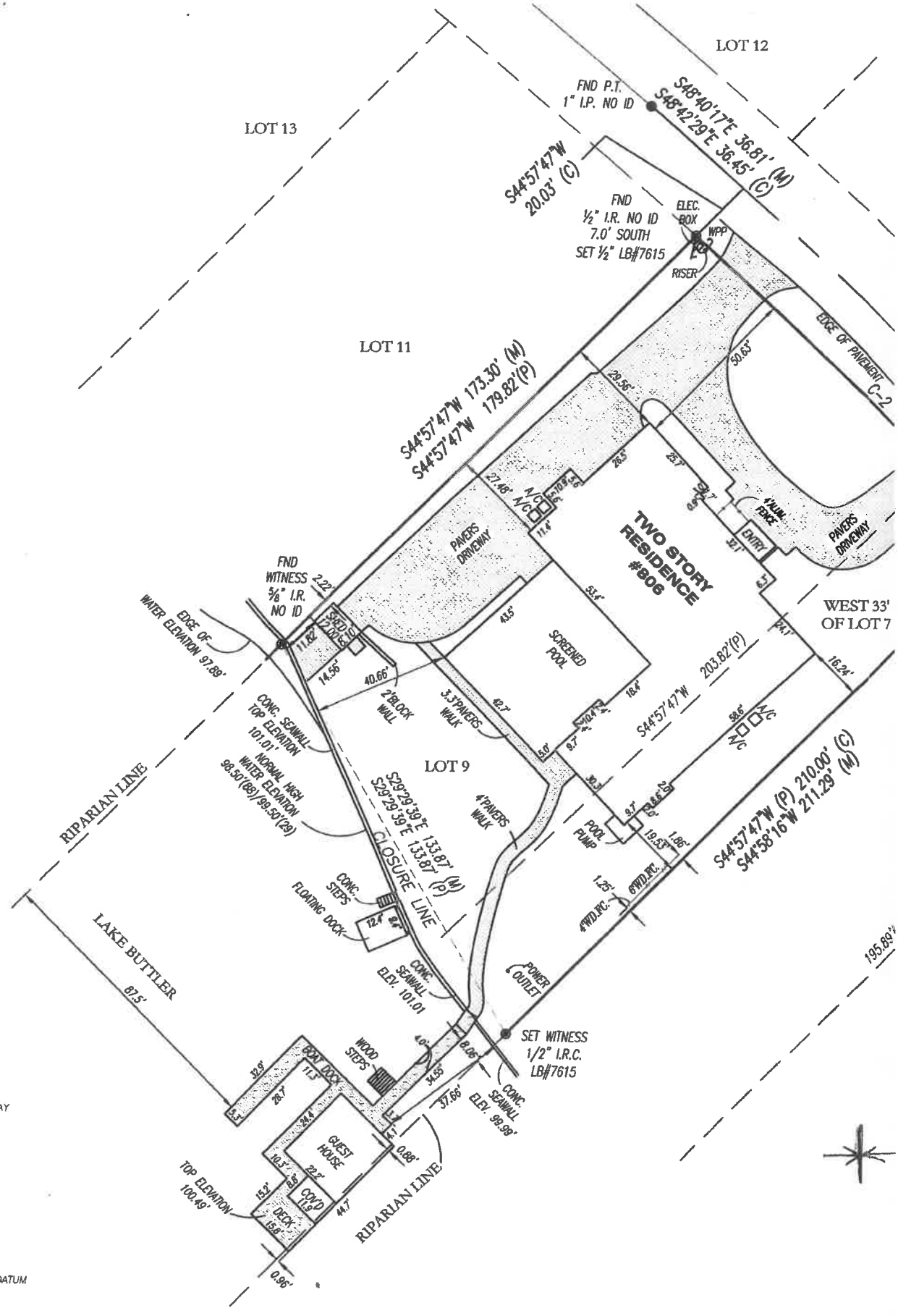
ELEC. BOX
WPP
RISER

TWO STORY
RESIDENCE
#806

WEST 33'
OF LOT 7

Legend:

- A/C - AIR CONDITIONER
- BC - BACK OF CURB
- CALC - CALCULATED
- C&M - CALCULATED & MEASURED
- Δ - CENTRAL ANGLE
- CBW - CONCRETE BLOCK WALL
- CLF - CHAIN LINK FENCE
- CL - CENTERLINE
- C.M. - CONCRETE MONUMENT
- CMP - CORRUGATED METAL PIPE
- CONC - CONCRETE
- COVD - COVERED
- CP - CONCRETE PAD
- CW - CONCRETE WALKWAY
- D&M - DEED/DESC & MEASURED
- DE - DRAINAGE EASEMENT
- DESC - DESCRIPTION
- DW - DRIVEWAY
- EB - ELECTRICAL BOX
- EASMT - EASEMENT
- EDGE OF PAVEMENT
- FIRM - FLOOD INSURANCE RATE MAP
- FFE - FINISHED FLOOR ELEVATION
- FH - FIRE HYDRANT
- FND - FOUND
- I.P. - IRON PIPE
- I.R. - IRON ROD
- L - ARC LENGTH
- ★ - LIGHT POLE
- LSA - LANDSCAPED AREA
- MEAS - MEASURED
- ID - IDENTIFICATION
- I.R.C. - IRON ROD AND CAP
- N&D - NAIL & DISK
- NGVD - NATIONAL GEODETIC VERTICAL DATUM
- NTS - NOT TO SCALE
- OHE - OVERHEAD ELECTRIC
- OL - ON LINE
- O.R.B. - OFFICIAL RECORDS BOOK
- PC - POINT OF CURVATURE
- PG - PAGE
- PI - POINT OF INTERSECTION
- P&M - PLAT & MEASURED
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- WPP - WOOD POWER POLE
- PT - POINT OF TANGENCY
- PVC - PLASTIC PIPE
- R - CURVE RADIUS
- R/W OR R.O.W. - RIGHT OF WAY
- TV - CABLE TV RISER
- TYP - TYPICAL
- U.E. - UTILITY EASEMENT
- UNTL - UNDERGROUND TELEPHONE
- W- - WATER LINE
- ⊕ - WATER METER
- ⊕ - WATER VALVE
- # - NUMBER
- Ⓢ - EASEMENT NUMBER
- P - PLAT
- D - DEED
- F - FIELD
- C&G - CURB AND GUTTER
- NAVD - NORTH AMERICAN VERTICAL DATUM
- M - MEASURE



TWO STORY RESIDENCE #806

PAVERS DRIVEWAY

SCREENED POOL

LOT 9

RIPARIAN LINE

LAKE BUTTLER

RIPARIAN LINE

FND WITNESS
5/8" I.R.
NO ID

SET WITNESS
1/2" I.R.C.
LB#7615



EDGE OF WATER ELEVATION 97.89'

CONC. SEAWALL
TOP ELEVATION 101.01'
NORMAL HIGH WATER ELEVATION 98.50'(88)/99.50'(29)

CLOSURE LINE
S29°29'39"E 133.87' (M)
S29°29'39"E 133.87' (P)

CONC. STEPS
FLOATING DOCK

CONC. SEAWALL
ELEV. 101.01

POWER OUTLET

WOOD STEPS

BOAT DOCK

GUEST HOUSE

COVD DECK

TOP ELEVATION 100.49'

D

D

N

X

NT

WAY

VE

L DATUM

S44°

26°

5.7
29°

27.48' N/C
11.4'
5.109' 5.6'

53.4'

43.5'

18.4'

S44°57'47"W

30.3'

2.0'
9.7'

19.53'

1.86'

6"WD.PC.

4"WD.PC.

2' BLOCK WALL

3.5' PAVERS WALK

42.7'

5.0'

9.7'

4' PAVERS WALK

30.3'

9.7'

2.0'

1.86'

1.25'

CONC. SEAWALL
ELEV. 99.99'

8.06'

34.55'

37.66'

0.88'

44.7'

15.8'

0.96'

11.82'

14.56'

40.66'

12.20' E 10'

12.4'

9.7'

2.22'

12.4'

8.06'

4.0'

32.0'

28.7'

11.3'

24.4'

10.3'

22.2'

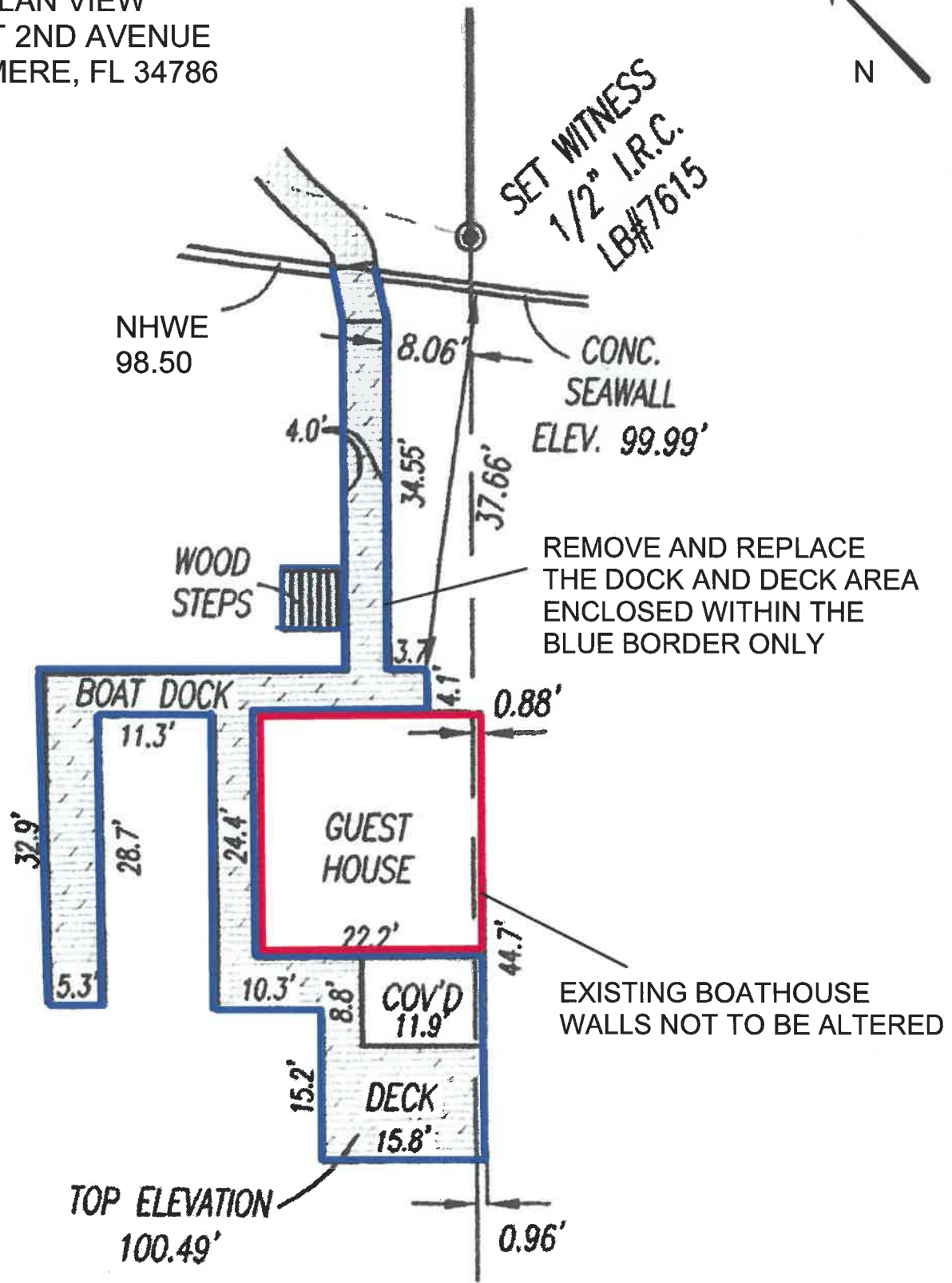
17.9'

15.2'

15.8'

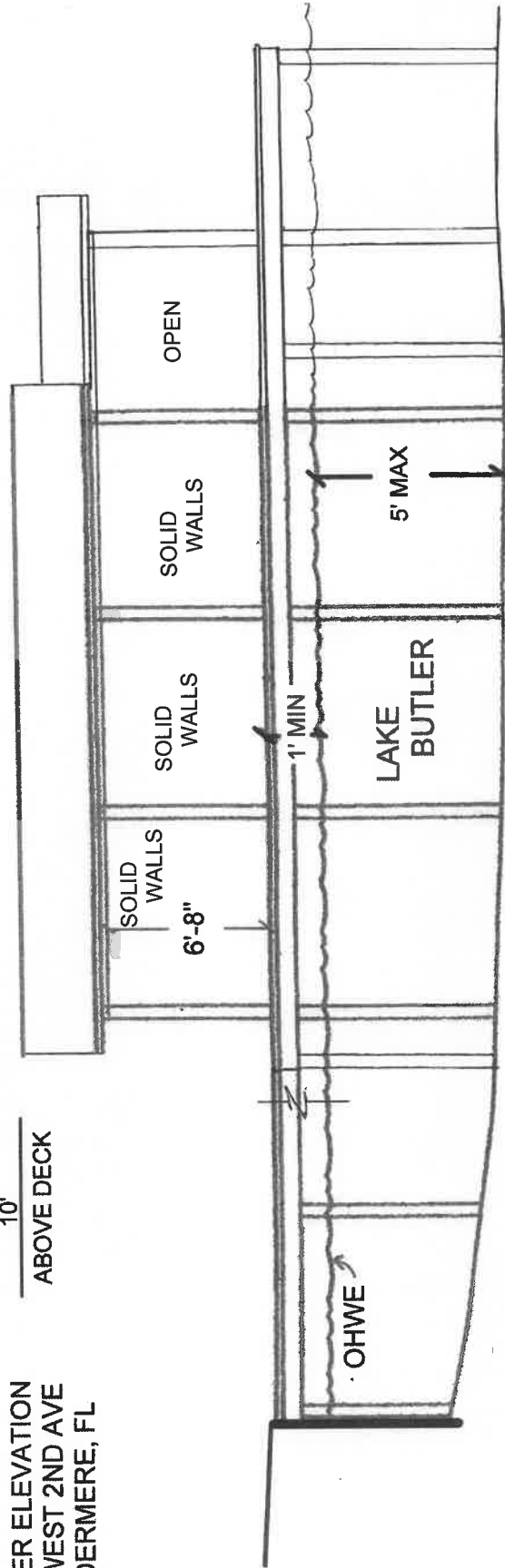
0.96'

MILLER PLAN VIEW
806 WEST 2ND AVENUE
WINDERMERE, FL 34786



MILLER ELEVATION
806 WEST 2ND AVE
WINDERMERE, FL

10'
ABOVE DECK



MIN DEPTH OF 2' BELOW THE MEAN ANNUAL
LOW WATER LEVEL IN THE SLIP AREA





Environmental Protection Division

DOCK CONSTRUCTION PERMIT

Permit No.: BD-18-02-022

Date Issued: August 9, 2018

Date Expires: August 9, 2019

A Permit Authorizing:

The construction of a dock not to exceed the measurements identified on the Environmental Protection Division (EPD) stamp on the as-built survey received by EPD on February 26, 2018. This permit includes a waiver to terminal platform size and variances to enclosed docks and living area; approved at the June 27, 2018 Environmental Protection Commission meeting and accepted by the Board of County Commissioners on August 7, 2018. This permit also includes an Environmental Protection Officer approved waiver to side setback.

This permit is issued pursuant to Orange County Code, Chapter 15, Article IX, Construction of Dock Ordinance of Orange County and is subject to the Permit Conditions provided on the following pages:

Activity Location:

806 West 2nd Avenue, Windermere
Parcel ID No.: 07-23-28-0044-00-090
Lake Butler
Orange County Commission District: 1

Permittee / Authorized Entity:

Cheryl Miller
c/o Sheila Cichra
Streamline Permitting, Inc.
2154 Oak Beach Boulevard
Sebring, FL 33875
Email: sheilacichra@gmail.com

Orange County Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, Florida 32803
407-836-1400/ Fax: 407-836-1499
www.OCEPD.org

As the permit holder, you are responsible to ensure that all the conditions are met. If you are using a contractor to perform the activities authorized within the permit you are both responsible for meeting the conditions of your permit. If you fail to meet any of the conditions, you and/or your contractor may be subject to formal enforcement which may include administrative penalties.

Approval of this permit is subject to the following conditions:

Specific Conditions:

1. This permit shall become final and effective upon expiration of the 30 calendar day appeal period following the date of issuance, unless an appeal has been filed within this timeframe. Any appeal shall stay the effective date of this permit until any and all appeals are resolved.
2. The operational phase of this permit is effective upon the completion of the construction and continues in perpetuity.
3. The dock must remain as constructed according to the as-built survey submitted by Streamline Permitting, Inc., received by the Environmental Protection Division (EPD) on February 26, 2018.
4. Approval of the variances by the Environmental Protection Commission included the following conditions:
 - a) Double encase the sewage effluent lines.
 - b) Install backflow preventer valve on effluent lines.

Please have these modifications completed within 90 days. Inform EPD staff once these have been completed so that we may inspect the dock for compliance with these requirements.

5. Minimum height of the deck must be one foot above the Normal High Water Elevation (NHWE) of 98.48 feet (NAVD 1988) above mean sea level for Lake Butler. Maximum height of the roof shall be no higher than 12 feet above the floor elevation.
6. The structure and its use shall not significantly impede navigability in the waterbody.
7. Unless expressly authorized by this permit and approved site plans, no floating platform structure (including, but not limited to, jetski platforms) has been approved with the issuance of this permit. If, at any time, any addition to the terminal platform (including, but not limited to, a floating platform) is proposed, the permittee or future owners of the property may be required to apply for, and obtain, a new Dock Construction Permit.
8. A copy of this permit, along with EPD stamped and approved drawings should be taken to the Town of Windermere at 614 Main Street for approval in order to obtain a building permit. For further information, please contact the Town of Windermere at 407-876-2563.
9. The permittee shall notify EPD, in writing, within thirty days of any sale, conveyance, or other transfer of ownership or control of the real property subject to this permit. The permittee shall remain liable for all permit conditions and corrective actions that may be required as a result of any permit violations which occur prior to the transfer of the permit

by Orange County to a subsequent owner. If applicable, no permit shall be transferred unless and until adequate financial assurance has been provided and approved by Orange County.

General Conditions:

10. Issuance of this permit does not warrant in any way that the permittee has riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittee. In the event that any part of the structure(s) permitted herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent property owner's riparian or other property rights, permittee agrees to either obtain written consent or to remove the offending structure or encroachment within sixty days from the date of the adjudication. Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation.
11. This permit does not release the permittee from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 15, Article IX of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency the permittee shall comply with the most stringent conditions. Permittee shall immediately notify EPD of any conflict between the conditions of this Permit and any other permit or approval.
12. The permittee is hereby advised that Section 253.77, Florida Statutes, states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereign lands or other state-owned lands.
13. Should any other regulatory agency require changes to the property, permitted activities, or approved mitigation, the permittee shall provide written notification to EPD of the change prior to implementation so that a determination can be made whether a permit modification is required.
14. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
15. The permittee shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.
16. EPD staff, with proper identification, shall have permission to enter the site to ensure conformity with the plans and specifications approved by the permit.

17. The permittee shall hold and save the County harmless from any and all damages, claims or liabilities, which may arise by reason of the activities authorized by the permit.
18. All costs, including attorney's fees, incurred by the County in enforcing the terms and conditions of this permit shall be required to be paid by the permittee.
19. Permittee agrees that any dispute arising from matters relating to this permit shall be governed by the laws of Florida, and initiated only in Orange County.
20. Turbidity and sediments shall be controlled to prevent violations of water quality pursuant to Rule 62-302.500, 62-302.530(70) and 62-4.242 Florida Administrative Code (FAC). Best Management Practices, as specified in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual, shall be installed and maintained at all locations where the possibility of transferring suspended solids into wetlands and/or surface waters may occur due to the permitted activity. If site-specific conditions require additional measures, then the permittee shall implement them as necessary to prevent adverse impacts to wetlands and/or surface waters.
21. Pursuant to Section 125.022, Florida Statutes, issuance of this permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, Florida Statutes, the applicant shall obtain all other applicable state or federal permits before commencement of the activity authorized herein.

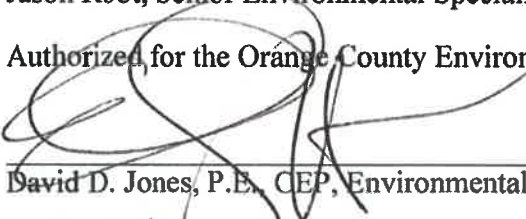
If you should have any questions concerning this review, please contact Jason Root at (407) 836-1518 or Jason.Root@ocfl.net.

Project Manager:



Jason Root, Senior-Environmental Specialist

Authorized for the Orange County Environmental Protection Division by:

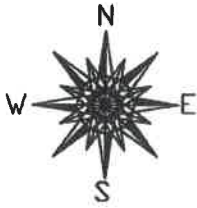


David D. Jones, P.E., CEP, Environmental Protection Officer

JR/NT/KMH/ERJ/DJ

Attachments: Approved As-Built Survey

c: Steven Miller, Steven.R.Miller@ms.com
Brad Cornelius (Wade Trim), bcornelius@wadetrim.com



SCALE 1"=40'
North per Plat

APPROVED BY THE
ORANGE COUNTY
ENVIRONMENTAL PROTECTION DIVISION
DATE: 8/9/18
INITIAL: SR
BD-18-02-022 LOT 13

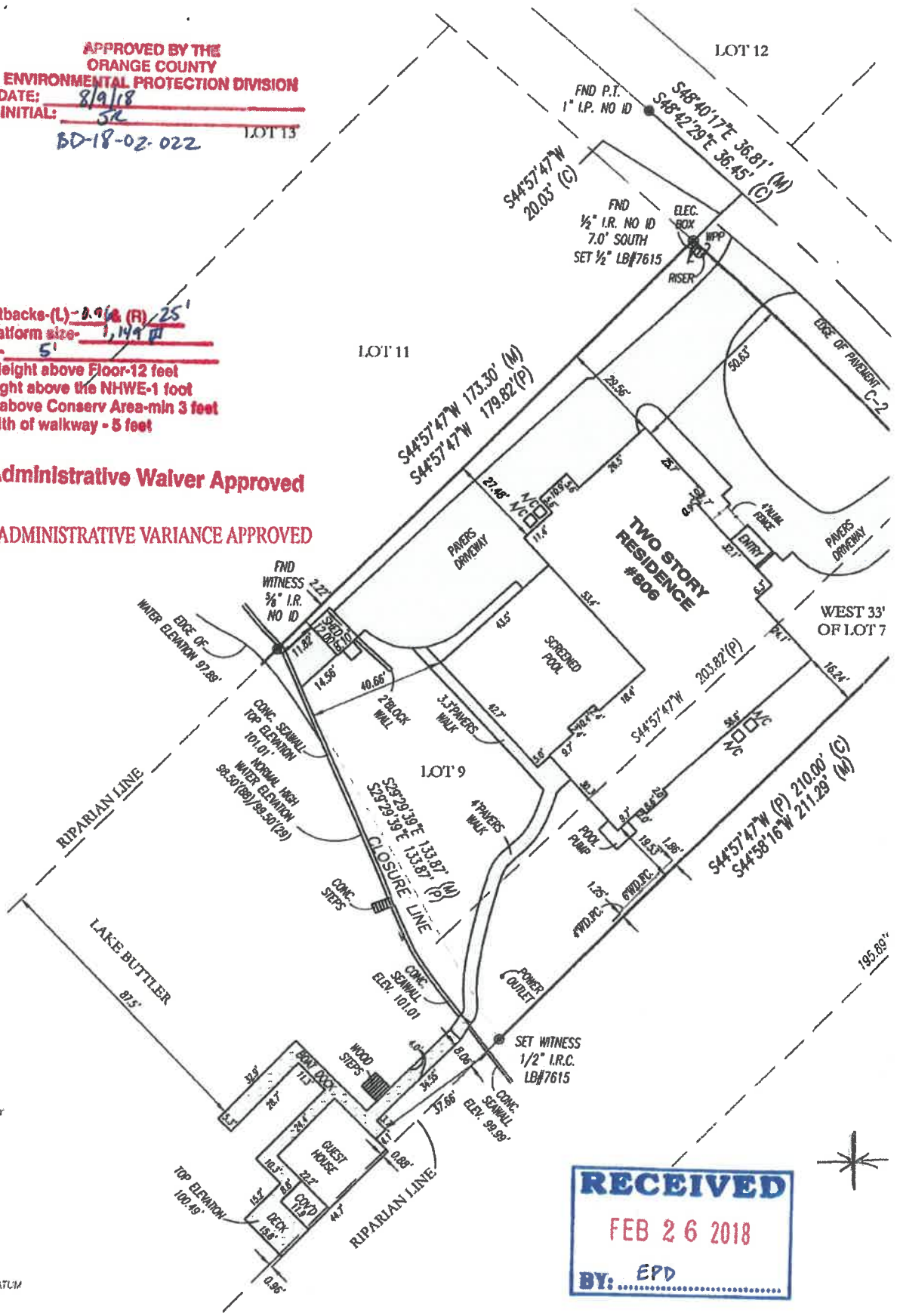
Minimum Side Setbacks-(L)-8.9' (R)-25'
Maximum Terminal Platform size-1,149 sq ft
Maximum Water Depth-5'
Maximum Roof Height above Floor-12 feet
Minimum Dock Height above the NHWE-1 foot
Minimum Deck Height above Conserv Area-min 3 feet
Maximum width of walkway - 8 feet

Administrative Waiver Approved

ADMINISTRATIVE VARIANCE APPROVED

Legend:

- A/C - AIR CONDITIONER
- BC - BACK OF CURB
- CALC - CALCULATED
- C&M - CALCULATED & MEASURED
- CA - CENTRAL ANGLE
- CBW - CONCRETE BLOCK WALL
- CLF - CHAIN LINK FENCE
- C - CENTERLINE
- C.M. - CONCRETE MONUMENT
- CMF - CORRUGATED METAL PIPE
- CONC - CONCRETE
- COVD - COVERED
- CP - CONCRETE PAD
- CW - CONCRETE WALKWAY
- D&M - DEED/DESC & MEASURED
- DE - DRAINAGE EASEMENT
- DESC - DESCRIPTION
- DR - DRIVEWAY
- EB - ELECTRICAL BOX
- ESMT - EASEMENT
- E/P - EDGE OF PAVEMENT
- FIRM - FLOOD INSURANCE RATE MAP
- FFE - FINISHED FLOOR ELEVATION
- FH - FIRE HYDRANT
- FND - FOUND
- I.P. - IRON PIPE
- I.R. - IRON ROD
- L - ARC LENGTH
- LP - LIGHT POLE
- LSA - LANDSCAPED AREA
- MEAS - MEASURED
- ID - IDENTIFICATION
- I.R.C. - IRON ROD AND CAP
- N&D - NAIL & DISK
- NGVD - NATIONAL GEODETIC VERTICAL DATUM
- NTS - NOT TO SCALE
- OHE - OVERHEAD ELECTRIC
- OL - ON LINE
- O.R.B. - OFFICIAL RECORDS BOOK
- PC - POINT OF CURVATURE
- PG - PAGE
- PI - POINT OF INTERSECTION
- P&M - PLAT & MEASURED
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- WPP - WOOD POWER POLE
- PT - POINT OF TANGENCY
- PVC - PLASTIC PIPE
- R - CURVE RADIUS
- R/W - R.O.W. - RIGHT OF WAY
- TV - CABLE TV RISER
- TYP - TYPICAL
- U.E. - UTILITY EASEMENT
- UNTL - UNDERGROUND TELEPHONE
- W- - WATER LINE
- ⊙ - WATER METER
- ⊕ - WATER VALVE
- # - NUMBER
- Ⓢ - EASEMENT NUMBER
- P - PLAT
- D - DEED
- F - FIELD
- C&G - CURB AND GUTTER
- NAVD - NORTH AMERICAN VERTICAL DATUM
- M - MEASURE



RECEIVED
FEB 26 2018
BY: EPD



FLORIDA DEPARTMENT OF Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

Permittee:
Steve Miller
806 W 2nd Ave
Windermere, Florida 34786
Steven.r.miller@ms.com

Agent:
Sheila Cichra
2154 Oak Beach Blvd
Sebring, Florida 33875
sheilacichra@gmail.com

Steve Miller – After-The- Fact Authorization for a Private, Single-family Dock

Consolidated Environmental Resource Permit

State-owned Submerged Lands Authorization – Granted

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

Permit No.: 0366846-001-EI

Permit Issuance Date: November 20, 2018
Permit Construction Phase Expiration Date: November 20, 2023



FLORIDA DEPARTMENT OF Environmental Protection

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Consolidated Environmental Resource Permit and Sovereignty Submerged Lands Authorization

Permittee: Steve Miller
Permit No: 0366846-001-EI

PROJECT LOCATION

The activities authorized by this permit and sovereignty submerged lands authorization are located at 806 W 2nd Ave Windermere 34786, in Section 07, Township 23 South, Range 28 East in Orange County.

PROJECT DESCRIPTION

The permittee is authorized to operate the existing dock that was constructed without a permit on Lake Butler, a Class III Outstanding Florida Waterbody. Authorized activities are depicted on the attached exhibits.

AUTHORIZATIONS

Steve Miller – After-The-Fact Dock Authorization

Environmental Resource Permit

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

Sovereignty Submerged Lands Authorization

The activity is located on sovereignty submerged lands owned by the State of Florida. It therefore also requires authorization from the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), pursuant to Article X, Section 11 of the Florida Constitution, and Section 253.77, F.S.

As staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) under Sections 253.002, F.S., the Department has determined that the activity qualifies for and requires a Letter of Consent, as long as the work performed is located within the boundaries as described and is consistent with the terms and conditions herein.

During the term of this Letter of Consent you shall maintain satisfactory evidence of sufficient upland interest as required by paragraph 18-21.004(3)(b), Florida Administrative Code. If such interest is terminated or the Board of Trustees determines that such interest did not exist on the date of issuance of this Letter of Consent, this Letter of Consent may be terminated by the Board of

Trustees at its sole option. If the Board of Trustees terminates this Letter of Consent, you agree not to assert a claim or defense against the Board of Trustees arising out of this Letter of Consent.

Federal Authorization

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **Shall be required** from the Corps. A copy of your permit application has been forwarded to the Corps for their review. The Corps will issue their authorization directly to you or contact you if additional information is needed. If you have not heard from the Corps within 30 days from the date your application was received at the local FDEP Office, contact the Corps for status and further information. **Failure to obtain Corps authorization prior to construction could subject you to federal enforcement action by that agency.**

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

Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341

Other Authorizations

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

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

PERMIT & SOVEREIGNTY SUBMERGED LANDS CONDITIONS

The activities described must be conducted in accordance with:

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

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and

understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit and sovereignty submerged lands authorization, as described.

SPECIFIC CONDITIONS – IN-WATER MAINTENANCE & OPERATION ACTIVITIES

1. Permittee must obtain a permit from the Department prior to beginning construction for any other work associated with this project not specifically authorized by this permit.
2. The project shall comply with applicable state water quality standards, including:
 - a) Rule 62-302.500, F.A.C. - Surface Waters: Minimum Criteria, General Criteria;
 - b) Rule 62-302.400, F.A.C. - Classification of Surface Waters, Usage, Reclassification, Classified Waters for Class III Waters – Recreation - Propagation and maintenance of a healthy, well-balanced population of fish and wildlife; and
 - c) Rule 62-302. 700(1) - Special Protection, Outstanding Florida Waters, Outstanding National Resource Waters. It shall be the Department policy to afford the highest protection to Outstanding Florida Waters and Outstanding Natural Resource Waters. No degradation of water quality, other than that allowed in Rule 62-4.242(2)(3), F.A.C. is permitted in Outstanding Florida Waters and Outstanding Natural Resource Waters, respectively.
3. There shall be no stock piling of tools, materials (i.e., lumber, pilings, and debris) within waters of the state.
4. Construction equipment shall not be repaired or refueled in waters of the state.
5. The permittee shall report any damage to the Department within 24 hours that occurs to the wetlands/littoral zone area as a result of construction. If any damage occurs to wetlands or surface waters as a result of any construction activities, the permittee shall be required to restore the wetland area by regrading the damaged areas back to the natural reconstruction elevations and planting vegetation of the size, densities and species that exist in the adjacent areas pursuant to a consent order. The restoration shall be completed within 30 days of completion of the construction and shall be done to the satisfaction of the Department.
6. Any disturbed areas of the shoreline shall be stabilized immediately (within 48 hours) following completion the project.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.

1. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.

2. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007)*, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008)*, which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

3. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," [October 1, 2013], which is incorporated by reference in paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.

4. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.

5. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:

- a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
- b. For all other activities – "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].

- c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
6. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
7. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
8. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
9. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
10. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
11. The permittee shall notify the Agency in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

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

13. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.

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

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

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

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

SPECIAL CONSENT CONDITIONS

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

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

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

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

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

GENERAL CONDITIONS FOR SOVEREIGNTY SUBMERGED LANDS AUTHORIZATION

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

1. Sovereignty submerged lands may be used only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use will constitute a violation. Violation of the authorization will result in suspension or revocation of the applicant's use of the sovereignty submerged lands unless cured to the satisfaction of the Board of Trustees.

2. Authorization under Rule 18-21.005, F.A.C., conveys no title to sovereignty submerged lands or water column, nor does it constitute recognition or acknowledgment of any other person's title to such land or water.

3. Authorizations under Rule 18-21.005, F.A.C., may be modified, suspended or revoked in accordance with its terms or the remedies provided in Sections 253.04, F.S. and Chapter 18-14, F.A.C.

4. Structures or activities will be constructed and used to avoid or minimize adverse impacts to resources.

5. Construction, use, or operation of the structure or activity will not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.
6. Structures or activities will not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity will be modified in accordance with the court's decision.
7. Structures or activities will not create a navigational hazard.
8. Structures will be maintained in a functional condition and will be repaired or removed if they become dilapidated to such an extent that they are no longer functional.
9. Structures or activities will be constructed, operated, and maintained solely for water dependent purposes.
10. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
11. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.
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14. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

NOTICE OF RIGHTS

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Nathan Hess
Permitting and Waste Cleanup
Program Administrator

Attachments:

Project Drawings, 5 pages
Request to Transfer Permit/Form 62-330.340(1)

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies were sent on the filing date below to the following listed persons:

Brennan Hagan, FDEP
Nicole Martin, FDEP
Sheila Cichra, Consultant, sheilacichra@gmail.com
US ACOE Enforcement, saj-rd-enforcement@usace.army.mil
Neil Thomas, Orange County, Neal.Thomas@ocfl.net

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

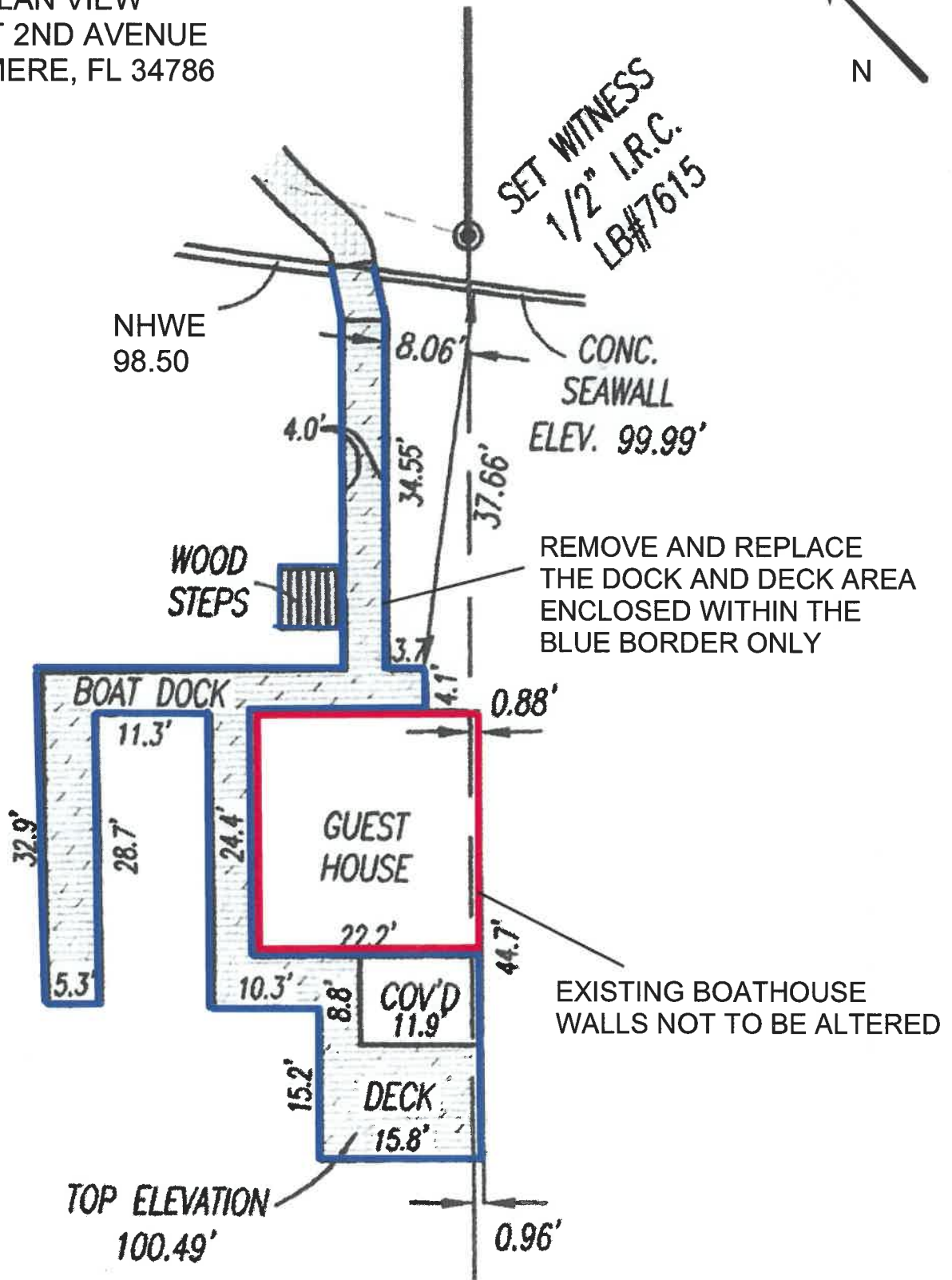
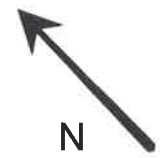

Clerk

November 20, 2018
Date

OCPA Web Map	Major Roads	Proposed Road	Residential	Commercial/Industrial/Vacant Land	Parks	6 Lot Number
Florida Turnpike	Public Roads	Brick Road	Agriculture	Agricultural Curtilage	Lakes and Rivers	06060 Parcel Number
Interstate 4	Gated Roads	Block Line	Commercial/Institutional	Hydro	Building	3106 Parcel Address
Toll Road	Road Under Construction	Lot Line	Governmental/Institutional/Misc	Waste Land	E Block Number	111.9 Parcel Dimension

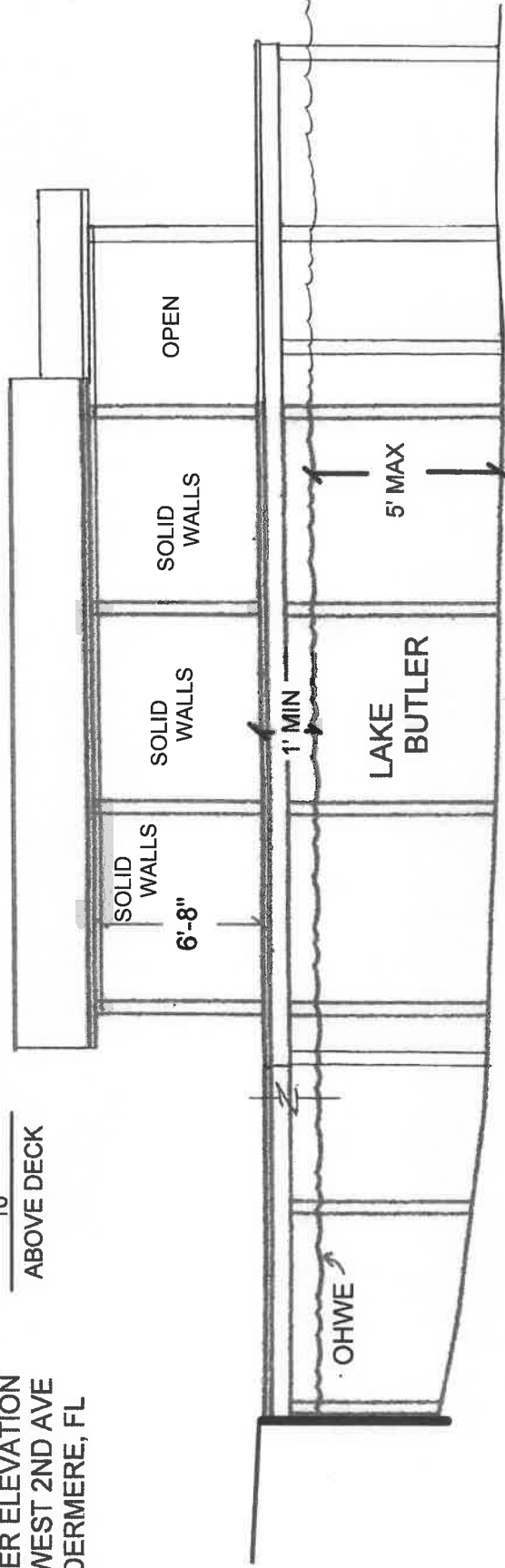


MILLER PLAN VIEW
806 WEST 2ND AVENUE
WINDERMERE, FL 34786



**MILLER ELEVATION
806 WEST 2ND AVE
WINDERMERE, FL**

10'
ABOVE DECK



**MIN DEPTH OF 2' BELOW THE MEAN ANNUAL
LOW WATER LEVEL IN THE SLIP AREA**

LETTER OF CONCURRENCE FOR SETBACK WAIVER

TO: Steve Miller (owner/applicant)
806 West 2nd Avenue (address of project)
Windermere, FL 34786

Word version

File No.:

FROM: Charles and Nicole Piper (adjacent property owner)
804 West 2nd Avenue
Windermere, FL 34786

Section 18-21.004(3)(d), Florida Administrative Code, provides:

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

I hereby state that I am the owner of the adjacent upland riparian property located to the (north / south / east / west) of the facility or activity proposed to be constructed or conducted by Steve Miller (the applicant), as shown in the above referenced file (and on the attached drawing). I understand that the subject project will be located entirely within the applicant's riparian rights area, and I do not object to the proposed structure or activity being located within the area required as a setback distance from the common riparian rights line, as required by Chapter 18-21.004(3)(d), F.A.C. This file shows the structure will be located entirely within the applicant's riparian rights area and within .88 feet of the common riparian rights line between our parcels.

(Original signature of adjacent owner)

2/14/18 (Date signed)

Chuck Piper 804 W. 2nd Ave (Printed name of adjacent owner)

This form is not adopted by rule; therefore, any letter of concurrence of similar content may be accepted.

I, Richard S. Ware, grandson of former owners Mr. and Mrs. Richard C. Lepper of 806 W. 2nd Ave, in the City of Windermere, Florida, hereby acknowledges that the fully enclosed boathouse with four solid walls and a roof at the aforementioned address was constructed on or before June 1951. The boathouse at this address was still there when the property was sold in or about 1978.

RS Ware

10/19/18

(Signature)

(Date)

RICHARD S. WARE

(Print Name)

ACKNOWLEDGEMENT:

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Montgomery

The foregoing instrument was acknowledged before me this 19th day of October 2018, by Georgina Key.

Commonwealth of Pennsylvania

(NOTARY SEAL)

NOTARIAL SEAL
Georgina M Rey, Notary Public
Conshohocken Borough, Montgomery County
My Commission Expires June 02, 2021

(Signature of Notary Public - Commonwealth of Pennsylvania)

Personally Known _____ OR Produced Identification X

Type of Identification Produced

Pass

Request to Transfer Environmental Resource Permit

Instructions: To be completed, executed, and submitted by the new owner to the Agency within 30 days after any transfer of ownership or control of the real property where the permitted activity is located.

Use of this form is not required when a valid permit is in the operation and maintenance phase. In such case, the owner must notify the Agency in writing within 30 days of a change in ownership or control of the entire real property, project, or activity covered by the permit. The notification may be by letter or e-mail, or through use of this form, and must be sent to the office that issued the permit. A processing fee is not required for this notice. The permit shall automatically transfer to the new owner or person in control, except in cases of abandonment, revocation, or modification of a permit as provided in Sections 373.426 and 373.429, F.S. (2013). If a permittee fails to provide written notice to the Agency within 30 days of the change in ownership or control, or if the change does not include the entire real property or activity covered by the permit, then the transfer must be requested using this form.

Permit No: _____ Application No(s): _____ Acres to be Transferred: _____

Permitted Project: _____

Proposed Project Name (if different): _____

Phase of Project (if applicable): _____

I hereby notify the Agency that I have acquired ownership or control of the land on which the permitted system is located through the sale or other legal transfer of the land. By signing below, I hereby certify that I have sufficient real property interest or control in the land in accordance with subsection 4.2.3(d) of Applicant's Handbook Volume I; attached is a copy of my title, easement, or other demonstration of ownership or control in the land, including any revised plats, as recorded in the Public Records. I request that the permit be modified to reflect that I agree to be the new permittee. By so doing, I acknowledge that I have examined the permit terms, conditions, and drawings, and agree to accept all rights and obligations as permittee, including agreeing to be liable for compliance with all of the permit terms and conditions, and to be liable for any corrective actions required as a result of any violations of the permit after approval of this modification by the Permitting Agency. Also attached are copies of any recorded restrictive covenants, articles of incorporation, and certificate of incorporation that may have been changed as a result of my assuming ownership or control of the lands. As necessary, I agree to furnish the Agency with demonstration that I have the ability to provide for the operation and maintenance of the system for the duration of the permit in accordance with subsection 12.3 of Applicant's Handbook Volume I.

Name of Proposed Permittee: _____

Mailing Address: _____

City: _____

State: _____

Zip: _____

Telephone: _____

E-mail: _____

Signature of Proposed Permittee

Date:

Name and Title



Enclosures:

- Copy of title, easement, or other demonstration of ownership or control in the land, as recorded in the Public Records
- Copy of current plat(s) (if any), as recorded in the Public Records
- Copy of current recorded restrictive covenants and articles of incorporation (if any)
- Other

RECOMMEND - Z19-002 (806 W. 2nd Avenue)

APPROVAL: DISAPPROVAL

Received

COMMENTS: We live at 804 W. 2nd and are the most affected by this decision and have no problems whatsoever with approval of this variance.

Wade Trim

SIGNATURE:  DATE: 12.21.18

RECOMMEND - Z19-002 (806 W. 2nd Avenue)

APPROVAL: DISAPPROVAL

COMMENTS: No approve

Received

SIGNATURE:  DATE: 12/21/18

Wade Trim

LATONIA COTTON

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

December 19, 2018

SULLIVAN WILLIAM E
SULLIVAN JACQUELINE P
939 W 2ND AVE
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 806 W. 2nd Avenue (Z19-002)

Sheila Cichra, on behalf of Steve & Cheryl Miller who are the owners of 806 W. 2nd Avenue, submitted a request for approval of a variance, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The purpose of the variance request is to allow an existing nonconforming boat dock to have a reduced side setback of zero (0) feet from the East projected property line. The Town's minimum required setback for boat docks is 16 feet from the projected property line. A permit for repair of the existing nonconforming boat dock was previously issued by the Town with the condition that an unpermitted walkway be removed. The property owners are requesting a variance so that the entire dock, including the unpermitted walkway, may be retained.

Enclosed is additional information regarding this request.

Pursuant to the Town of Windermere Code of Ordinances, you as a surrounding property owner are entitled to comment on this matter. If you wish to comment, this form must be received by the Town of Windermere either by hand delivery to the Town Clerk or by use of the enclosed stamped envelope to Wade Trim, Inc. by **January 11, 2019**.

This matter will be presented to the Development Review Board on **Tuesday, January 15, 2019, at 6:30 p.m.** in the Town Hall, located at 520 Main Street, Windermere. Their recommendation will be heard by the Town Council on **Tuesday, February 12, 2019, at 6:00 p.m.** in the Town Hall, located at 520 Main Street, Windermere. All meetings are open to the public and you are welcome to attend. Feel free to contact me if you have any questions.

Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
low@wadetrim.com
Encl.

RECOMMEND – Z19-002 (806 W. 2nd Avenue)

APPROVAL: DISAPPROVAL

COMMENTS: _____

SIGNATURE: _____ DATE: 12/22/18

Received

Wade Trim

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received
AN 01 20

Wade Trim

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

December 19, 2018

BOYLAN KAREN T LIFE ESTATE
REM: KIMBERLY B CAPRIOTTI
PO BOX 1188
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 806 W. 2nd Avenue (Z19-002)

Sheila Cichra, on behalf of Steve & Cheryl Miller who are the owners of 806 W. 2nd Avenue, submitted a request for approval of a variance, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The purpose of the variance request is to allow an existing nonconforming boat dock to have a reduced side setback of zero (0) feet from the East projected property line. The Town's minimum required setback for boat docks is 16 feet from the projected property line. A permit for repair of the existing nonconforming boat dock was previously issued by the Town with the condition that an unpermitted walkway be removed. The property owners are requesting a variance so that the entire dock, including the unpermitted walkway, may be retained.

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND – Z19-002 (806 W. 2nd Avenue)

APPROVAL: ✓ DISAPPROVAL _____

COMMENTS: _____

SIGNATURE: Karen Boylan DATE: 12/28/2018

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received

Wade Trim

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

December 19, 2018

**PARKER SHELBY
PARKER LAURIE
802 W 2ND AVE
WINDERMERE, FL 34786**

RE: Public Notice of Variance Public Hearing for 806 W. 2nd Avenue (Z19-002)

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND – Z19-002 (806 W. 2nd Avenue)

APPROVAL: ✓ DISAPPROVAL _____

COMMENTS: _____

SIGNATURE: *Ann Pan* DATE: 12/23/18

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received

DEC 21 2018

Wade Trim

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

December 19, 2018

EVELYN H TUCKER REVOCABLE TRUST
C/O EVELYN H TUCKER TRUSTEE | PO BOX 550
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 806 W. 2nd Avenue (Z19-002)

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
town@wadetrim.com
Encl.

RECOMMEND – Z19-002 (806 W. 2nd Avenue)

APPROVAL: DISAPPROVAL

COMMENTS: _____

SIGNATURE: Evelyn H. Tucker DATE: 12/22/2018

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received

DEC 21 2018

Wade Trim

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

December 19, 2018

**KIRBY OUIDA BRIDGES LIFE ESTATE
REM: KEVIN SCOTT KIRBY
931 W 2ND AVE
WINDERMERE, FL 34786**

RE: Public Notice of Variance Public Hearing for 806 W. 2nd Avenue (Z19-002)

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
low@wadetrim.com
Encl.

RECOMMEND – Z19-002 (806 W. 2nd Avenue)

APPROVAL: ✓ DISAPPROVAL _____

COMMENTS: _____

SIGNATURE: [Signature] DATE: 12/26/18

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received
JAN 04 2019
Wade Trim

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

December 19, 2018

WINTERS GREGORY L
WINTERS CHERRY T
903 W 2ND AVE
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 806 W. 2nd Avenue (Z19-002)

Sheila Cichra, on behalf of Steve & Cheryl Miller who are the owners of 806 W. 2nd Avenue, submitted a request for approval of a variance, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The purpose of the variance request is to allow an existing nonconforming boat dock to have a reduced side setback of zero (0) feet from the East projected property line. The Town's minimum required setback for boat docks is 16 feet from the projected property line. A permit for repair of the existing nonconforming boat dock was previously issued by the Town with the condition that an unpermitted walkway be removed. The property owners are requesting a variance so that the entire dock, including the unpermitted walkway, may be retained.

Enclosed is additional information regarding this request.

Pursuant to the Town of Windermere Code of Ordinances, you as a surrounding property owner are entitled to comment on this matter. If you wish to comment, this form must be received by the Town of Windermere either by hand delivery to the Town Clerk or by use of the enclosed stamped envelope to Wade Trim, Inc. by **January 11, 2019**.

This matter will be presented to the Development Review Board on **Tuesday, January 15, 2019, at 6:30 p.m.** in the Town Hall, located at 520 Main Street, Windermere. Their recommendation will be heard by the Town Council on **Tuesday, February 12, 2019, at 6:00 p.m.** in the Town Hall, located at 520 Main Street, Windermere. All meetings are open to the public and you are welcome to attend. Feel free to contact me if you have any questions.

Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND – Z19-002 (806 W. 2nd Avenue)

APPROVAL: DISAPPROVAL

COMMENTS: _____

SIGNATURE: Cherry T. Winters DATE: 12-29-2018

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received

JAN 07 2019

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH Wade Trim

Clerk
DOROTHY BURKHALTER

December 19, 2018

ROBINSON RUSSELL J
914 W 2ND AVE
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 806 W. 2nd Avenue (Z19-002)

Sheila Cichra, on behalf of Steve & Cheryl Miller who are the owners of 806 W. 2nd Avenue, submitted a request for approval of a variance, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The purpose of the variance request is to allow an existing nonconforming boat dock to have a reduced side setback of zero (0) feet from the East projected property line. The Town's minimum required setback for boat docks is 16 feet from the projected property line. A permit for repair of the existing nonconforming boat dock was previously issued by the Town with the condition that an unpermitted walkway be removed. The property owners are requesting a variance so that the entire dock, including the unpermitted walkway, may be retained.

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
town@wadetrim.com
Encl.

RECOMMEND – Z19-002 (806 W. 2nd Avenue)

APPROVAL: DISAPPROVAL

COMMENTS: make the paper to respond to the
same size as the envelope to send it back in.

SIGNATURE:  DATE: 1/2/19

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received
JAN 08 2019

Wade Trim

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

Mayor
GARY BRUHN



December 19, 2018

MARCIA A MURPHY FAMILY TRUST
800 W 2ND AVE
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 806 W. 2nd Avenue (Z19-002)

Sheila Cichra, on behalf of Steve & Cheryl Miller who are the owners of 806 W. 2nd Avenue, submitted a request for approval of a variance, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The purpose of the variance request is to allow an existing nonconforming boat dock to have a reduced side setback of zero (0) feet from the East projected property line. The Town's minimum required setback for boat docks is 16 feet from the projected property line. A permit for repair of the existing nonconforming boat dock was previously issued by the Town with the condition that an unpermitted walkway be removed. The property owners are requesting a variance so that the entire dock, including the unpermitted walkway, may be retained.

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND – Z19-002 (806 W. 2nd Avenue)

APPROVAL: yes DISAPPROVAL _____

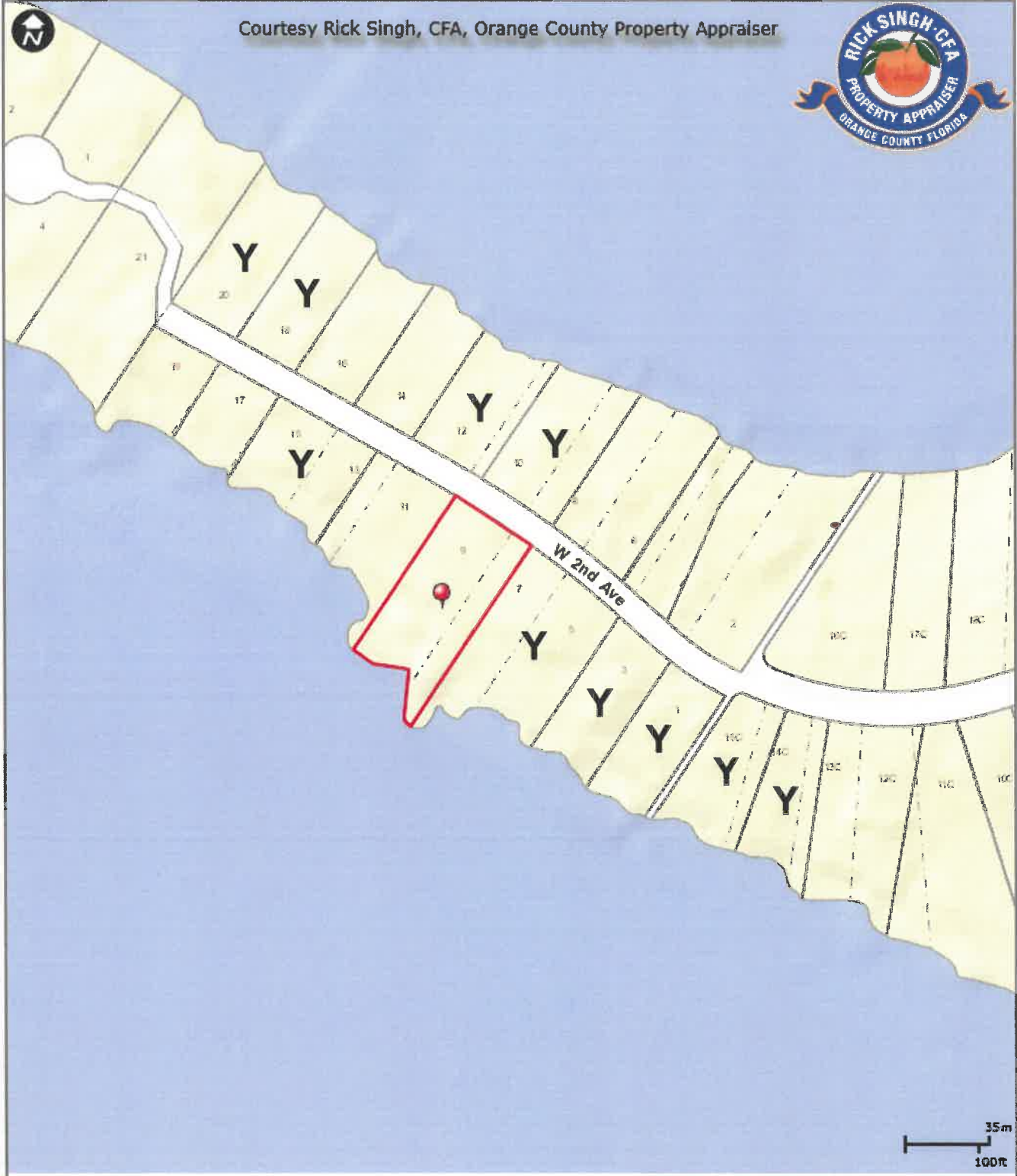
COMMENTS: _____

SIGNATURE: Marcia A Murphy DATE: Jan 5, 2019

OCA Web Map

	Florida Turnpike		Major Roads		Proposed Road		Block Line		Commercial/Institutional		Hydro		Golf Course
	Interstate 4		Public Roads		Brick Road		Lot Line		Governmental/Institutional/Misc		Waste Land		Lakes and Rivers
	Toll Road		Gated Roads		Rail Road		Residential		Commercial/Industrial/Vacant Land		County Boundary		Building
	Road Under Construction		Proposed SunRail		Agriculture		Agricultural Corridor		Parke		Hospital		

Courtesy Rick Singh, CFA, Orange County Property Appraiser



Created: 1/4/2019

This map is for reference only and is not a survey.

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

Development Review Board January 15, 2019

Town Council February 12, 2019

Case No.: Z19-003

Applicant: Alfred and Melissa Farrell

Property Owner: Alfred and Melissa Farrell

Representative: Sheila Cichra, Streamline Permitting

Requested Action: Variance to allow for a for a side setback of 13.1' for a proposed replacement boathouse, a 32' setback from the NHWE for a replacement wood deck and a 21' setback from the NHWE for a replacement paver deck with stairs at 15 Pine Street.

Property Address: 15 Pine Street, Windermere, FL 34786

Legal Description: Lot C45, less the South 50 feet thereof, and the South 17.48 feet of Lot C44, PLAT OF WINDERMERE, according to the plat thereof as recorded in Plat Book G, Pages 36 through 39, inclusive, of the Public Records of Orange County, Florida.

Future Land Use/Zoning: Residential/Residential

Existing Use: Existing Home Constructed in 1999

Surrounding Future Land Use/Zoning

North: Residential/Residential
South: Residential/Residential
East: Lake
West: Residential/Residential

CASE SUMMARY:

Sheila Cichra, Streamline Permitting, representative for Al and Melissa Farrell, owners of 15 Pine Street in the Town of Windermere submitted a variance request, pursuant to Division 10.02.00 of the Town's Land Development Code (LDC). The purpose of the variance request is to allow a side setback of 13.1' for a proposed replacement boathouse with additions, a 32' setback from the NHWE for a replacement wood deck and a 21' setback from the NHWE for a replacement paver area with stairs at 15 Pine Street.

The subject property is located at 15 Pine Street. There is an existing non-compliant boat dock on the subject property. The dock is currently located 13.1 feet from the south property line. The previous wood deck, located in the rear yard, was also non-compliant because it encroached into the normal high water elevation setback. The previous wood deck was demolished, without a permit. The applicant is looking to replace an existing non-conforming boat dock, replace a non-conforming wood deck, and replace a paver deck with stairs that encroach into the normal high water elevation setback.

Division 10.02.00 of the LDC empowers the Development Review Board to review and make recommendations for approval, approval with conditions or denial to the Town Council on these variance requests.

Division 10.02.00 of the LDC requires the Town Council to consider the recommendation of the Development Review Board and to take final action to either approve or deny the variance request.

CASE ANALYSIS:

The existing non-conformity of the dock is the substandard setback on the southern side property line. Per the LDC, Article IVI, Section 7.02.05. – Boathouses and docks, the setback requirement is 16 feet. The existing non-compliant boat dock has a side-setback of 13.1 feet from the south property line. The applicant proposes to replace the existing boat dock in the same footprint and add an additional 8 x 24 foot deck to the north side of the dock and an 11 x 12 foot dual jet ski port on the west side of the dock. The addition on the northside of the proposed new dock meets the Town's setback requirements. The variance is needed for the placement of the proposed new dock at 13.1 feet from the south property line. The proposed new dock would not encroach any closer to the south property line than the previous boat dock. On December 3, 2018, the permittee, Melissa Farrell, received a permit (0370298-001-EI) from the Florida Department of Environmental Protection (FDEP). Per the FDEP permit, the permittee is authorized to repair and replace the existing single-family dock, add an additional 8 foot x 24 foot

deck, and the addition of an 11 foot x 12 foot dual jet ski port within Lake Butler, a Class III, Outstanding Florida Waterbody. On December 6, 2018, the applicant also received a permit from Orange County Environmental Protection Division (OCEPD).

The applicant submitted a letter of no objection to the proposed new boat dock being located 13.1 feet from the south property line from their neighbor to the north (9 Pine Street). This property is not directly affected by reduced setback of the proposed new dock. However, the owner of 9 Pine Street, Mr. Lawler, is the president of the Bumby Pointe Neighborhood Association. The Bumby Pointe Neighborhood Association owns 19 Pine Street, which is the adjacent property that is affected by the reduced setback of the proposed new dock.

The applicant is also proposing to replace a wood deck and a paver deck with stairs, in the rear yard, that would encroach the 50-foot setback from the normal high water elevation. The existing wood deck and paver deck have been demolished, without a permit. The proposed wood deck has a setback of 32 feet and the proposed paver deck with stairs has a setback of 21 feet.

Section 10.02.02 of the LDC provides the specific standards by which the Development Review Board and Town Council are to review to consider the approval or denial of a variance application. In addition, this Section requires a positive finding, based on substantial competent evidence, for each of the standards. These standards are summarized as follows:

1. The need for the variance arises out of the physical surroundings, shape, topographical condition or other physical or environmental conditions that are unique to the subject property. Variances should be granted for conditions peculiar to the property and not the result of actions of the property owner;
2. There are practical or economic difficulties in carrying out the strict letter of the regulation;
3. The variance request is not based exclusively upon a desire to reduce the cost of developing the site;
4. The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire or other hazard to the public;
5. The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site;
6. The effect of the proposed variance is in harmony with the general intent of this Land Development Code and the specific intent of the relevant subject areas of this Land Development Code; and
7. The variance will not encourage further requests for changes where such a land use would not be deemed appropriate.

It is also important to note that this Section also provides specific standards that are not to be considered in the review of a variance application. These standards are:

1. That the implementation of these regulations would impose an economic hardship on the cost of the building or redevelopment project;
2. That these regulations impose a hardship by decreasing the maximum density of a property in terms of the number of units, square footage of buildings, etc.; and
3. That other adjacent lands, structures or buildings not in conformance with these regulations provide a rationale for a lessening of their application in this specific case.

Section 10.02.02(c) of the LDC allows the imposition of conditions and restrictions as may be necessary to allow a positive finding to be made on any of the variance standards to minimize the negative effect of the variance. The conditions and restrictions should further the interest of the LDC.

The applicant submitted a letter and site plan in support of the variance request. The following is a summary of the information provided by the applicant in support of their variance request:

1. Owners purchased the property without knowledge that the previous existing wood deck was not compliant with the required normal high water elevation setback.
2. The proposed new boat dock will not be located any closer to the southern property line than the existing boat dock. The adjacent property owner has no objection.
3. Due to the odd shape of the parcel, there isn't room for the standard setbacks from the normal high water elevation.

PUBLIC NOTICE:

Public notices were mailed to property owners within 500 feet of the subject property on December 19, 2018 (33 notices sent). As of January 30, 2019, 14 responses were received in support. In addition, the applicant provided two (2) additional letters in support from the adjacent property owners at 19 Pine Street and 9 Pine Street. A map of the responses is attached.

DEVELOPMENT REVIEW BOARD MEETING:

On January 15, 2019, the Development Review Board (DRB) held a hearing to review and provide a recommendation on the requested variances for 15 Pine Street. Based on information within the staff report and testimony provided at the hearing, the DRB found a hardship existed given the unusual configuration of the lot and the requested improvements would not cause a detriment to the surrounding area. The DRB

recommended approval (7-0) of the three (3) requested variances with one condition related to the variance for the replacement dock, as shown below:

1. Side setback of 13.1' for a proposed replacement dock with the condition that the jet ski port be located at least 16' from the southern property line;
2. 32' setback from the NHWE for a replacement wood deck; and
3. 21' setback from the NHWE for a replacement paver deck with stairs.

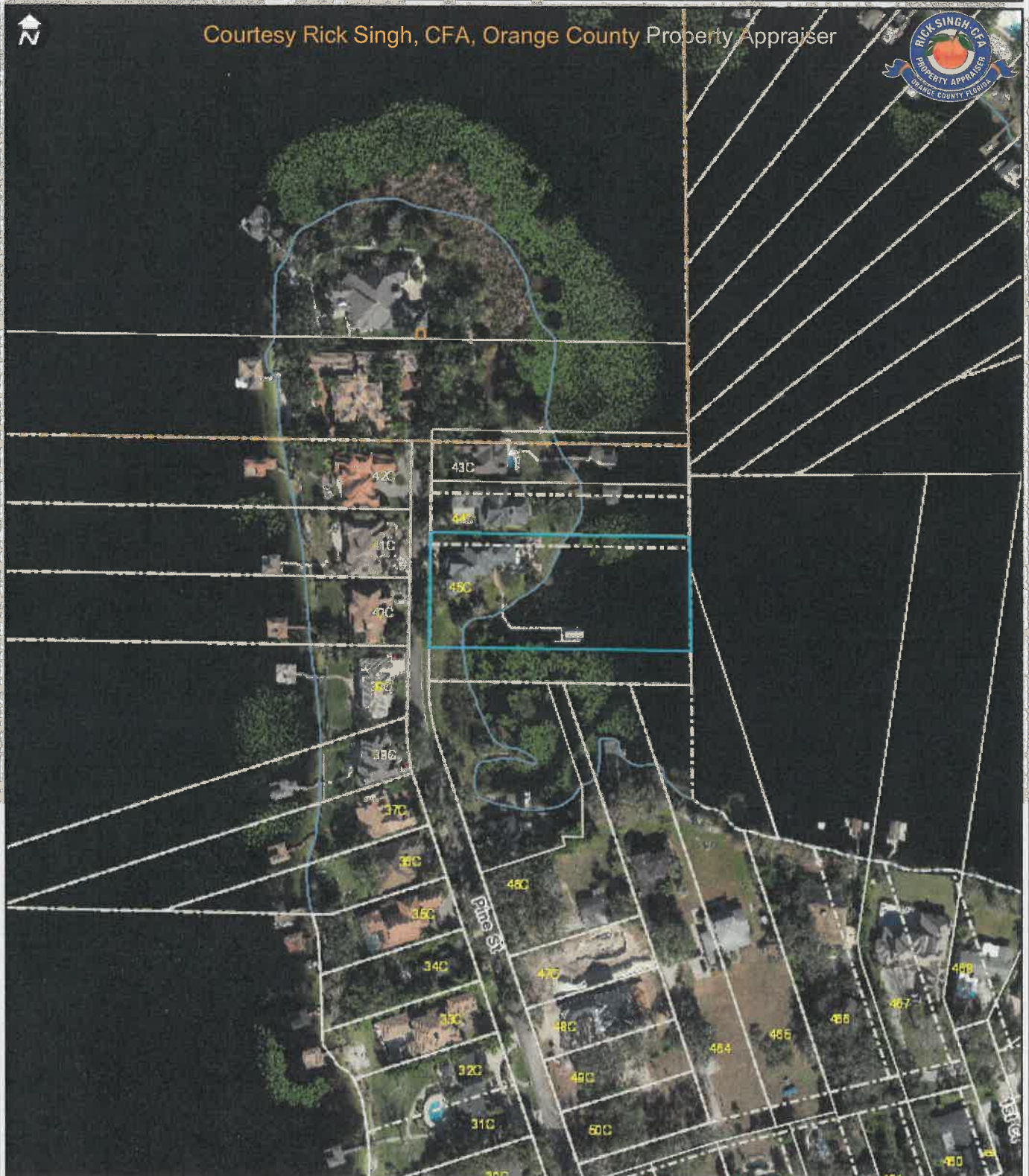
The applicant agreed with the DRB condition for the location of the jet ski port.

OCPA Web Map

Major Roads	Proposed Road	Block Line	Commercial/Institutional	Hydro	Golf Course
Florida Turnpike	Public Roads	Brick Road	Governmental/Institutional/Misc	Waste Land	Lakes and Rivers
Interstate 4	Gated Roads	Rail Road	Commercial/Industrial/Vacant Land	County Boundary	Building
Toll Road	Road Under Construction	Proposed SunRail	Residential	Parks	Hospital
		Lot Line	Agriculture	Agricultural Curtilage	



Courtesy Rick Singh, CFA, Orange County Property Appraiser





Date: December 19, 2018
To: Dorothy Burkhalter, Town Clerk
From: Sheila Cichra
Re: Variance Request for 15 Pine Street, Windermere
Boathouse side setback and deck setback from NHWE

The attached files are a variance application package for a side setback of 13.1' for a proposed replacement boathouse, a 32' setback from the NHWE for a replacement wood deck and a 21' setback from the NHWE for a replacement paver area at 15 Pine Street.

The parcel belongs to Al and Melissa Farrell. When they purchased the property last year, the existing boathouse had a 13.1' side setback, the existing wood deck had a 32' setback from the NHWE and the existing paver area had a 12' setback from the NHWE. The boathouse, wood deck and paver area were all in dire need of replacement.

The Farrells had no idea that the wood deck and paver areas had apparently been built *many* years ago, without a permit. They simply want to replace the unsafe and unsightly structures and due to the odd shape of the parcel, this cannot be accomplished within code.

We have obtained an OC EPD permit and a DEP permit for the dock. They are attached. The adjacent property owner signed a setback waiver and that is also attached.

Thank you for your consideration.

A handwritten signature in blue ink, appearing to read "Sheila Cichra".



Date: December 16, 2018
To: Dorothy Burkhalter, Town Clerk
From: Sheila Cichra
Re: Variance Criteria Compliance for 15 Pine Street, Windermere
Boathouse side setback and deck setback from NHWE

The *Special Conditions and Circumstances* that exist on site are the odd shaped lot, which forced the house to be located much closer than normal to the NHWE and the fact that the boat dock, wood deck and paver area have all been there for many years – since at least 2001.

The hardship was certainly *Not Self-Created*. All three structures were built by the previous owner and the current owners were not even informed by their title company that those structures were unpermitted. They only discovered that upon attempting to permit the replacement of the wood deck and pavers.

There is *No Special Privilege being Conferred*, because many similar variances have been issued on oddly shaped, under-sized or narrow parcels in Windermere.


Regarding *Deprivation of Rights*, if these variances aren't approved, the Farrells will have to remove most of the wood deck and pavers that were *existing* when they purchased the home. Due to the odd shape of the parcel, there isn't room for the standard setbacks from the NHWE.

We are requesting the *Minimum Possible Variance*. The original plans were larger – plans that were drawn up for the Farrells as *buildable*. Those plans have been reduced such that the existing non-compliances are *not* increased.

These variances are being requested in order to permit and bring into compliance - several *existing* structures. Structures that have been in use for over 17 years, with no complaints. The adjacent property owners are in support of the structures being updated and the level of current non-compliance is *not* being increased. We believe that is a perfect example of the *Purpose and Intent* of such a zoning variance.

AGENT AUTHORIZATION FORM

I/WE, (PRINT PROPERTY OWNER NAME) Alfred or Melissa Farrell, AS THE OWNER(S) OF THE REAL PROPERTY DESCRIBED AS FOLLOWS, 15 Pine Street, Windermere, DO HEREBY AUTHORIZE TO ACT AS MY/OUR AGENT (PRINT AGENT'S NAME), Sheila Cichra, TO EXECUTE ANY PETITIONS OR OTHER DOCUMENTS NECESSARY TO AFFECT THE APPLICATION APPROVAL REQUESTED AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS, boat dock permit, AND TO APPEAR ON MY/OUR BEHALF BEFORE ANY ADMINISTRATIVE OR LEGISLATIVE BODY IN THE COUNTY CONSIDERING THIS APPLICATION AND TO ACT IN ALL RESPECTS AS OUR AGENT IN MATTERS PERTAINING TO THE APPLICATION.

Date: 9/7/18 ✓  Al Farrell
 Signature of Property Owner Print Name Property Owner

Date: _____ Signature of Property Owner Print Name Property Owner

STATE OF FLORIDA :
 COUNTY OF ORANGE :

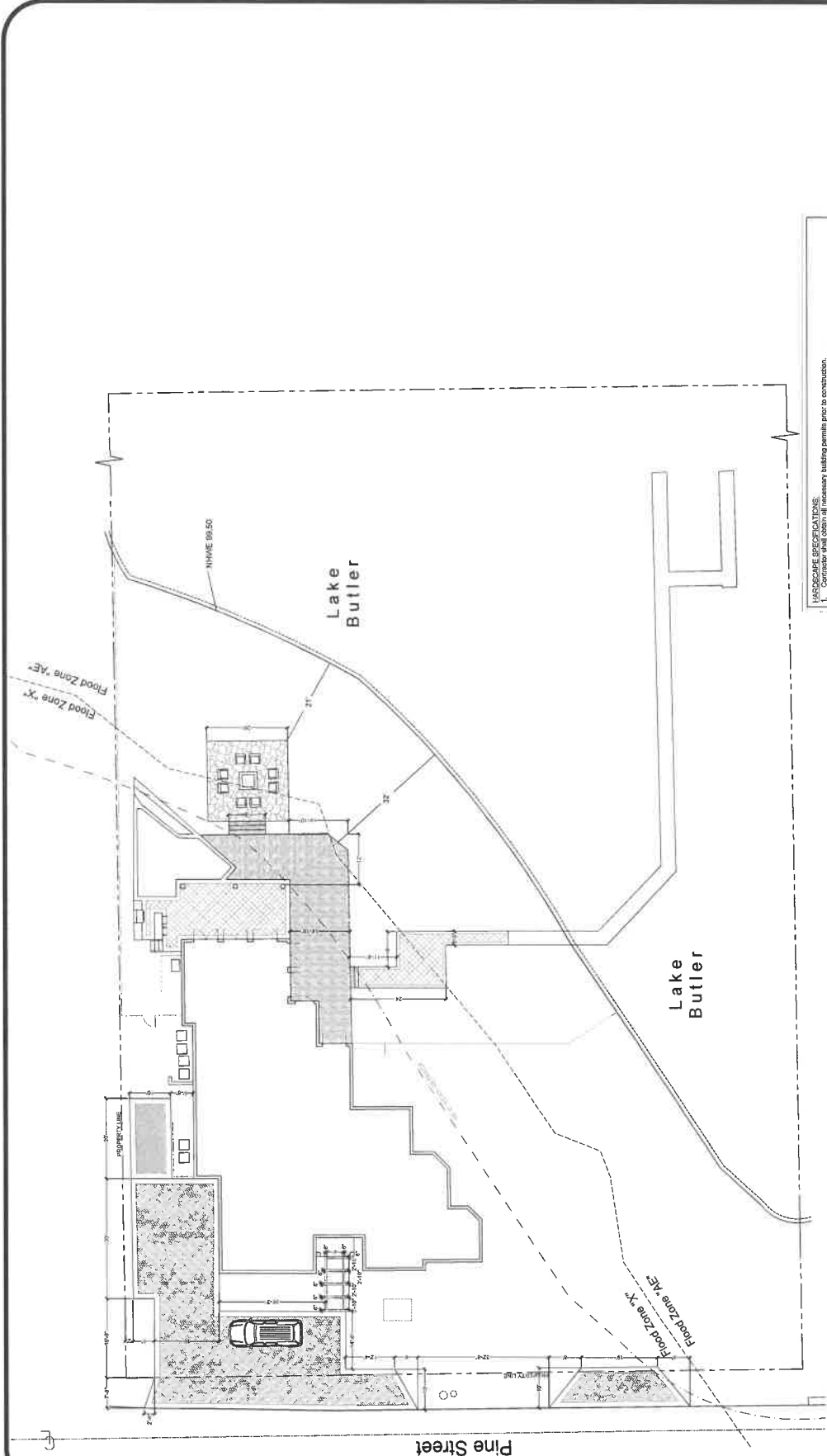
I certify that the foregoing instrument was acknowledged before me this 7th day of Sept, 2018 by Alfred Farrell He/she is personally known to me or has produced _____ as identification and did/~~did~~ not take an oath.

Witness my hand and official seal in the county and state stated above on the 7th day of Sept, in the year 2018.

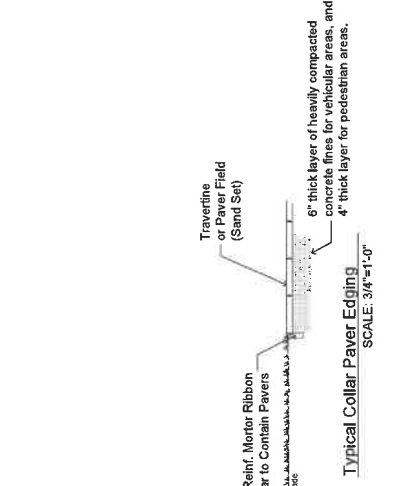



 Signature of Notary Public
 Notary Public for the State of Florida
 My Commission Expires: _____

Legal Description(s) or Parcel Identification Number(s) are required:
PARCEL ID #: <u>17-23-28-9336-30-450</u>
LEGAL DESCRIPTION:
<u>PLAT OF WINDERMERE G/36 LOT 45C (LESS S 50 FT) & S 17.48 FT FT OF LOT 44C</u>



- HARDSCAPE SPECIFICATIONS:**
1. Contractor shall obtain all necessary building permits prior to construction.
 2. Contractor shall verify all dimensions layout in the field & notify landscape architect to adjust as necessary to achieve
 3. Contractor shall verify dimensioned layout & adjust as necessary to accommodate existing trees & other field
 4. Contractor shall also type of wall, wall as necessary to accommodate grade changes to maintain the overall
 5. **Spot Grading:**
 - The underlying course shall be well graded, clean washed, steep sand w/ 100% passing a 3/8" sieve size & a maximum of 5% passing a #200 sieve size. This is commonly known as manufactured concrete sand.
 - The base course shall be compacted to grade & cross section w/ an allowable tolerance of 1/8" (5mm).
 - The finished base course should be approved before the placement of the paving stones.
 - The uncompact sand-basing course shall be spread evenly over the area to be paved & then screeded to a level that will produce 1" (25mm) thickness when the paving stones have been placed. The final elevation of the paving stones shall be higher than adjacent curbs, gutters & other paving to allow for any minor settling that may occur with the base.
 - The paving stones shall be laid in such a manner that the desired pattern is maintained & the joints between paving stones shall be as tight as possible. For maximum traction, it is recommended that joints between stones do not exceed 1/8" (3mm).
 - String lines should be used to hold all pattern lines true.
 6. **Concrete:**
 - All concrete shall have 2 minimum compressive strength of 3,000psi @ 28days
 - All concrete shall have a "matte" finish unless otherwise noted
 - Concrete shall be placed @ 4" depth
 - **Rock Salt Finish:**
 - Concrete shall be finished with a 1/2" layer of clean, washed, steep sand w/ 100% passing a 3/8" sieve size & a maximum of 5% passing a #200 sieve size. This is commonly known as manufactured concrete sand.
 - The rock salt shall be pressed into the concrete surface to a depth of approximately 1/8" (3mm).
 - The rock salt shall be pressed into the concrete surface to a depth of approximately 1/8" (3mm).
 - Apply approximately 5lbs per 100sq ft to obtain a medium, pitted finish.
 - Soil shall have a minimum allowable bearing resistance of 2,000psi.
 7. **Rebar:**
 - Rebar shall be of Grade60 manufactured to ASTM standards.
 - All rebar to be "air-cast" in order unless otherwise specified.
 - All mortar joints throughout plan to be concrete.
- NOTES:**
These specifications are not complete w/o hardscape plan & for details. Please contact RDC for any missing information that specifications are needed.



Typical Collar Paver Edging
SCALE: 3/4"=1'-0"

REDACTED INFORMATION
THIS DOCUMENT IS THE PROPERTY OF REDMON DESIGN COMPANY, P.A.
IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN.
IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF REDMON DESIGN COMPANY, P.A.
DATE: 08/19/19

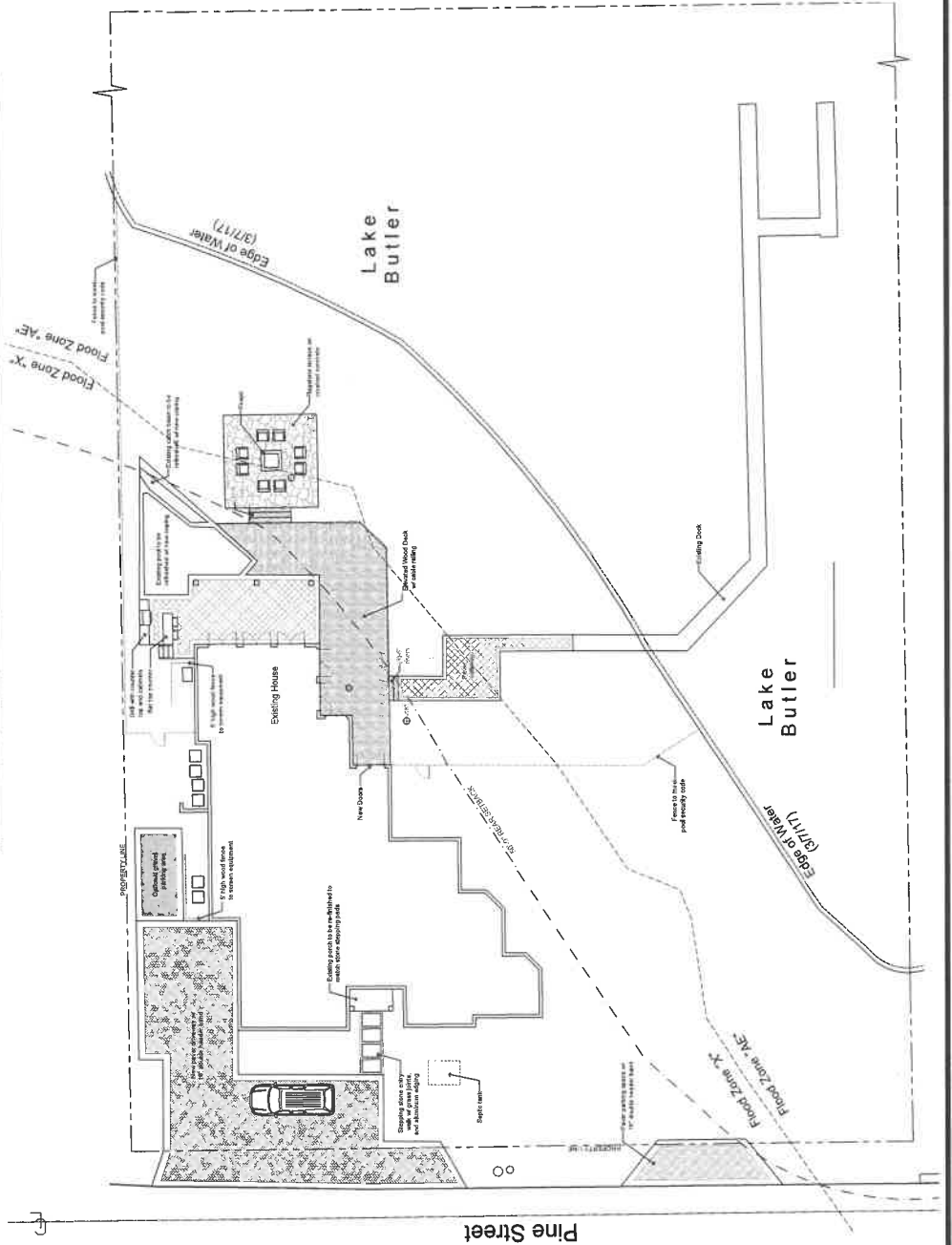
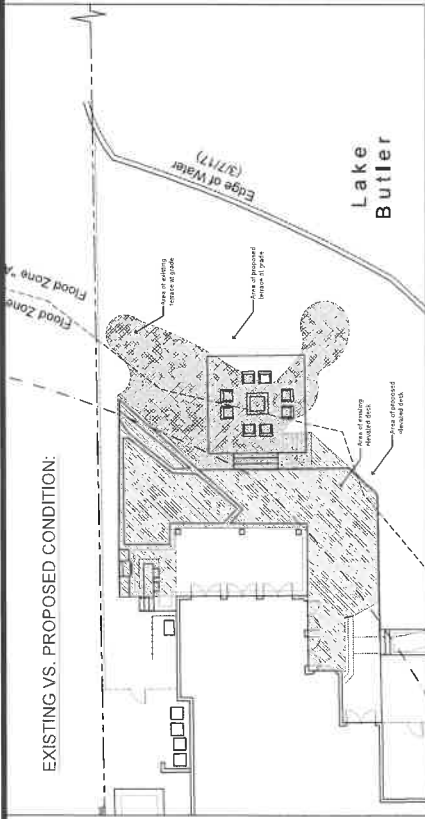
PROPOSED AREA SUMMARY

TOTAL LOT AREA	100% 22,761 SQ. FT
DRIVEWAY, WALKS, AND WALLS	1,477 SQ. FT
POOL AND POOL DECK	1,356 SQ. FT
AREA 1ST FLOOR	4,182 SQ. FT

TOTAL IMPERVIOUS	30.8%	7,015 SQ. FT
TOTAL PERVIOUS	69.2%	15,746 SQ. FT

EXISTING VS PROPOSED

Existing elevated terrace	1,312 sq ft
Existing terrace at grade	523 sq ft
	2,235 sq ft total
Proposed elevated terrace	1,064 sq ft
Proposed terrace at grade	680 sq ft
	1,754 sq ft total



REDMON DESIGN COMPANY
 Landscape Architecture
 407-972-0000
 1315 Lakewood Circle
 Maitland, FL 32751

Revised By: J.S.M./J.S. Date: 12/14/18
 Drawn By: J.S.M./J.S. Date: 12/14/18
 Scale: AS SHOWN

The Farrell Residence
 Hardscape Plan
 15 Pine Street, Windermere, FL 34786

Project: The Farrell Residence
 Date: 12/14/18
 Scale: AS SHOWN
 Designer: J. SHAWAN
 Drawn By: J. SHAWAN
 300 P

Sheet: LA-1
 of 2

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**AFFECTED ADJACENT PROPERTY OWNER
NOTARIZED STATEMENT OF
NO OBJECTION TO BOAT DOCK**

As required by Section 15-343 of Orange County Code, the Environmental Protection Officer shall send notices by certified mail to the owners of the shoreline properties abutting the property on which the proposed boat dock is to be located. In cases where the nature of the shoreline is such that additional property owners will be affected, the environmental protection officer may send notices to those property owners as well. In the alternative, the applicant, at his option, may supply notarized letters of no objection from each of the affected adjacent property owners.

The following is to be completed by the affected adjacent property owner as required by Section 15-343, Orange County Code.

I, Thomas Lawler, owner of 49 Pine Street, Windermere, on
(Affected Adjacent Property Owner Name) (Address)

Lake Butler, have reviewed my adjacent property owner's proposed
(Name of Lake)
boat dock construction plan and have no objection to the project.



[Signature]
(Signature)

9-14-18
(Date)

Thomas Lawler
(Print Name)

ACKNOWLEDGEMENT:

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 14th day of SEPTEMBER 2018, by

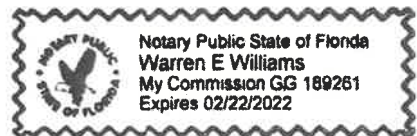
THOMAS LAWLER

(NOTARY SEAL)

[Signature]
(Signature of Notary Public – State of Florida)

Personally Known X QR-Produced Identification _____

Type of Identification Produced _____





Environmental Protection Division

DOCK CONSTRUCTION PERMIT

Permit No.: BD-18-10-104

Date Issued: December 6, 2018

Date Expires: December 6, 2019

A Permit Authorizing:

The construction of a dock not to exceed the measurements identified on the Environmental Protection Division (EPD) stamp on the plans dated as received by EPD on October 9, 2018 and agreed and modified upon on December 4, 2018.

This permit includes an approved administrative waiver to Section 15-343(b) to allow a side setback of 13.1 feet from the southern property line. A letter of no objection was received from the affected property owner.

This permit is issued pursuant to Orange County Code, Chapter 15, Article IX, Construction of Dock Ordinance of Orange County and is subject to the permit conditions provided on the following pages:

Activity Location:

15 Pine Street, Windermere, FL 34786
Parcel ID No.: 17-23-28-9336-30-450
Lake Butler
Orange County Commission District: 1

Permittee / Authorized Entity:

Alfred and Melissa Farrell
c/o Sheila Cichra
Streamline Permitting, Inc.
E-mail: sheilacichra@gmail.com

Orange County Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, Florida 32803
407-836-1400/ Fax: 407-836-1499
www.OCEPD.org

As the permit holder, you are responsible to ensure that all the conditions are met. If you are using a contractor to perform the activities authorized within the permit, you are both responsible for meeting the conditions of your permit. If you fail to meet any of the conditions, you and/or your contractor may be subject to formal enforcement which may include administrative penalties.

Approval of this permit is subject to the following conditions:

Specific Conditions:

1. This permit shall become final and effective upon expiration of the 15 calendar day appeal period following the date of issuance, unless an appeal has been filed within this timeframe. Any appeal shall stay the effective date of this permit until any and all appeals are resolved.
2. The operational phase of this permit is effective upon completion of construction and continues in perpetuity.
3. Construction activities shall be completed in accordance with the 'Farrell Site Plan' submitted by Streamline Permitting, Inc., received by EPD on October 9, 2018 and agreed and modified upon on December 4, 2018. Construction activities shall not exceed the measurements identified on the stamp on the plans. The permitted work must be completed within one year from the date of issuance of the permit. Requests for a permit extension must be submitted to EPD prior to the expiration date.
4. The projected property lines, as identified on the stamped permit drawings, should be field staked by a professional land surveyor prior to the start of construction in order to be sure that the dock is constructed in the permitted location. Utilizing an adjacent boat dock or fence line is not sufficient for accurate placement of the dock, and may result in the placement of the dock in the wrong location. It is extremely important to build the dock in the approved location. Upon completion of construction, if an unauthorized encroachment into the required minimum setback occurs, you may be required to relocate the dock.
5. Minimum height of the deck must be one foot above the Normal High Water Elevation (NHWE) of 99.5 NGVD 29 above mean sea level for Lake Butler. Maximum height of the roof shall be no higher than 12 feet above the floor elevation.
6. The structure and its use shall not significantly impede navigability in the waterbody.
7. The dock must be constructed within the access corridor according to Chapter 15, Article VII. No access corridor is allowed through any conservation area and/or easement.
8. There shall be no dredging or filling associated with construction of the structure(s) authorized herein, other than that required for installation of structural pilings.
9. The existing ambient water quality within Outstanding Florida Waters shall not be lowered as a result of the proposed activity, except as authorized by Florida Department of Environmental Protection (FDEP) under Rule 62-4.242(2) of the Florida Administrative Code (FAC).
10. Unless expressly authorized by this permit and approved site plans, no floating platform structure (including, but not limited to, jet ski platforms) has been approved with the issuance of this permit. If, at any time, any addition to the terminal platform (including, but

not limited to a floating platform) is proposed, the permittee or future owners of the property may be required to apply for, and obtain, a new Dock Construction Permit.

11. All excess lumber, scrap wood, trash, garbage, and similar materials shall be immediately removed from the project area.
12. The permit holder and/or designated agent must submit a notice of completion to EPD within 30 days of completion of the construction or repair of the permitted structure so that a compliance check may be performed by EPD staff. The permit holder and/or designated agent must provide as-built drawings on a final survey, signed and sealed by an appropriate professional licensed by the State of Florida, with the notice of completion. The signed and sealed as-built survey shall consist of an aerial view and a side view of dock structure as well as any other information required to demonstrate compliance with the permitted structure. The following items must be included on the survey:
 - a. North arrow;
 - b. Name of water body;
 - c. Reference point;
 - d. Setback distance from all portions of the boat dock;
 - e. NHWE of Lake Butler;
 - f. Floor elevation (measured from the NHWE);
 - g. Roof elevation (measured from the top of the floor to the top of the roof);
 - h. Length of dock below the NHWE;
 - i. Access walkway width;
 - j. Conservation easements, wetlands, buffers, berm and swale/drainage easements;
 - k. Floor elevation of the dock through conservation easements, wetlands or buffers;
 - l. Complete dimensions of the terminal platform.
13. A copy of this permit, along with EPD stamped and approved drawings should be taken to the Town of Windermere at 614 Main Street for approval in order to obtain a building permit. For further information, please contact the Town of Windermere at 407-876-2563.
14. At least 48-hours prior to the commencement of activities authorized by this permit, the permittee shall submit to EPD a 'Construction Notice' indicating the actual start date and expected completion date.
15. The permittee shall notify EPD, in writing, within 30 days of any sale, conveyance, or other transfer of ownership or control of the real property subject to this permit. The permittee shall remain liable for all permit conditions and corrective actions that may be required as a result of any permit violations which occur prior to the transfer of the permit by Orange County to a subsequent owner. If applicable, no permit shall be transferred unless and until adequate financial assurance has been provided and approved by Orange County.

General Conditions:

16. Subject to the terms and conditions herein, the permittee is hereby authorized to perform or cause to be performed, the impacts shown on the application and approved drawings, plans, and other documents attached hereto or on file with EPD. The permittee binds itself and its successors to comply with the provisions and conditions of this permit. If EPD determines at any time that activities, including without limitation the performance of the required

mitigation, are not in accordance with the conditions of the permit, work shall cease and the permit may be revoked immediately by the Environmental Protection Officer. Notice of the revocation shall be provided to the permit holder promptly thereafter.

17. Prior to construction, the permittee shall clearly designate the limits of construction on-site. The permittee shall advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
18. Construction plans shall be submitted to EPD prior to initiating any construction activities for review and approval.
19. The permittee shall require the contractor to maintain a copy of this permit, complete with all approved drawings, plans, conditions, attachments, exhibits, and modifications in good condition at the construction site. The permittee shall require the contractor to review the permit prior to commencement of the activity authorized by this permit. The complete permit shall be available upon request by Orange County staff.
20. Issuance of this permit does not warrant in any way that the permittee has riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittee. In the event that any part of the structure(s) permitted herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent property owner's riparian or other property rights, the permittee agrees to either obtain written consent or to remove the offending structure or encroachment within 60 days from the date of the adjudication. Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation.
21. This permit does not release the permittee from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 15, Article IX of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency the permittee shall comply with the most stringent conditions. The permittee shall immediately notify EPD of any conflict between the conditions of this permit and any other permit or approval.
22. The permittee is hereby advised that Section 253.77 of the Florida Statutes (FS), states that a person may not commence any excavation, construction, or other activity involving the use of sovereignty or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
23. Should any other regulatory agency require changes to the property or permitted activities, the permittee shall provide written notification to EPD of the change prior to

implementation so that a determination can be made whether a permit modification is required.

24. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
25. The permittee shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.
26. EPD staff, with proper identification, shall have permission to enter the site to ensure conformity with the plans and specifications approved by the permit.
27. The permittee shall hold and save the County harmless from any and all damages, claims or liabilities, which may arise by reason of the activities authorized by the permit.
28. All costs, including attorney's fees, incurred by the County in enforcing the terms and conditions of this permit shall be required to be paid by the permittee.
29. The permittee agrees that any dispute arising from matters relating to this permit shall be governed by the laws of Florida, and initiated only in Orange County.
30. Turbidity and sediments shall be controlled to prevent violations of water quality pursuant to Rule 62-302.500, 62-302.530(70) and 62-4.242 FAC. Best Management Practices, as specified in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual, shall be installed and maintained at all locations where the possibility of transferring suspended solids into wetlands and/or surface waters may occur due to the permitted activity. If site-specific conditions require additional measures, then the permittee shall implement them as necessary to prevent adverse impacts to wetlands and/or surface waters.
31. Pursuant to Section 125.022, FS, issuance of this permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022 FS, the applicant shall obtain all other applicable state or federal permits before commencement of the activity authorized herein.

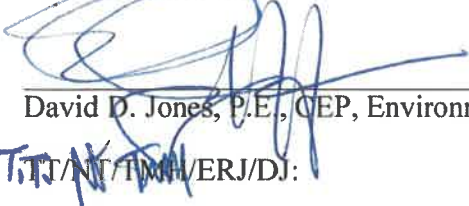
If you should have any questions concerning this review, please contact Taina Torres at 407-836-1438 or Taina.Torres@ocfl.net.

Project Manager:



Taina Torres, Environmental Specialist II

Authorized for the Orange County Environmental Protection Division by:



David D. Jones, P.E., CEP, Environmental Protection Officer

TJT/NT/TMM/ERJ/DJ:

Enclosure(s): Construction Notice
Approved Construction Plans

c: Alfred and Melissa Farrell, MelFarrell@me.com
Chris Farquhar, Bevis Construction, Inc., chris@bevisconstructioninc.com
FDEP, DEP_CD@dep.state.fl.us
Brad Cornelius, Wade Trim, bcornelius@wadetrim.com



Construction Notice

Approximate Starting Date: _____

Approximate Completion Date: _____

Permit Number/Name: **BD-18-10-104, Farrell - 15 Pine Street**

Remarks:

Agent/Consultant/Permittee: _____

Date: _____

Complete and Return to:

By Email: Taina.Torres@ocfl.net

By Fax: 407-836-1499, Attn: Taina Torres

By Mail: Orange County Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, FL 32803

FARRELL SITE PLAN
15 PINE STREET
WINDERMERE, FL 34786

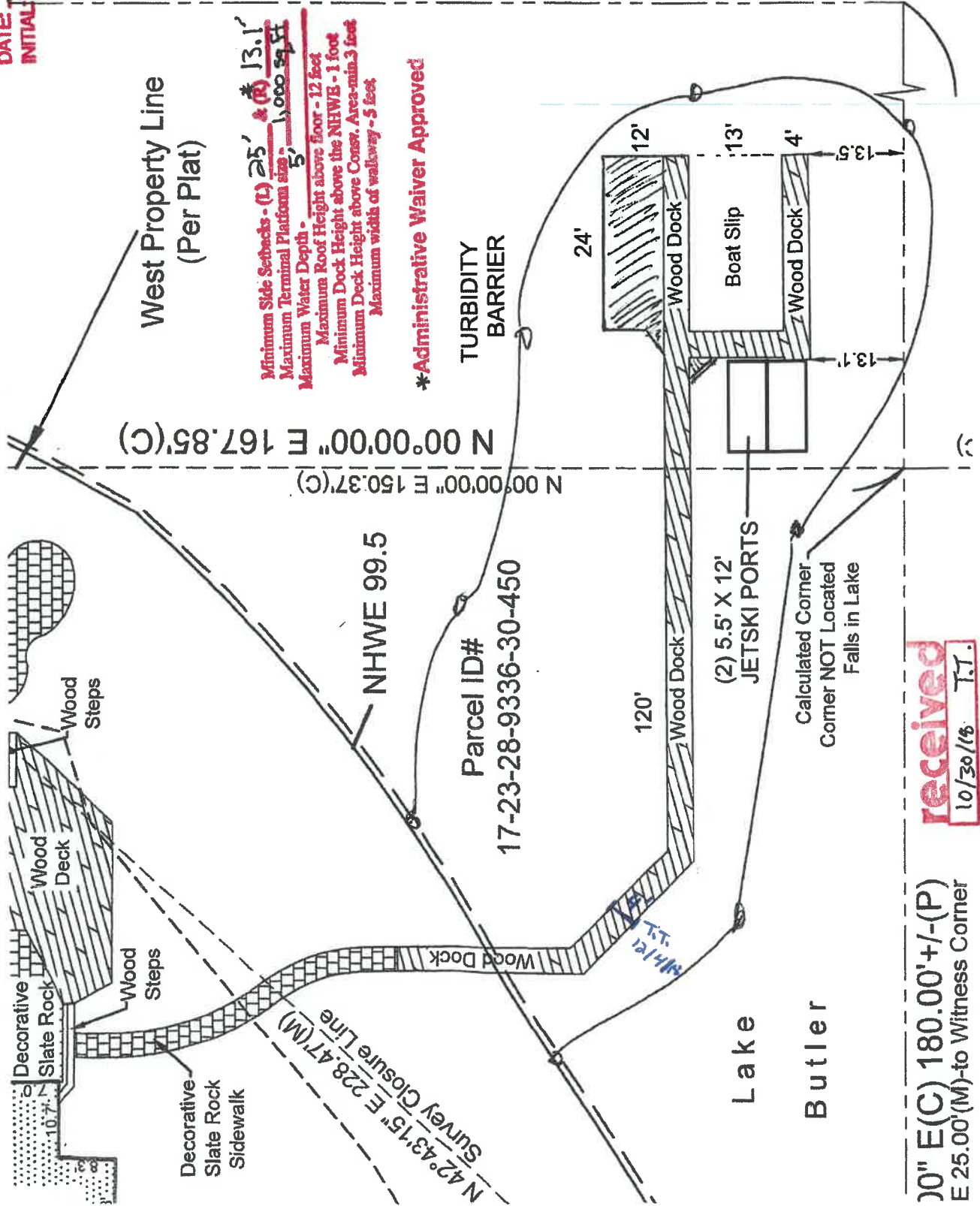
APPROVED BY
ORANGE COUNTY
ENVIRONMENTAL PROTECTION DIV.

DATE: 12/04/18

INITIAL: T.T.

80-18-10-104

In addition to public regulations which Orange County enforces, be advised that there may be other private restrictions or approval requirements that will affect your deed restrictions and/or consult with your Homeowners Association or Architectural Review Board.



Minimum Side Setbacks - (1) 25' & (2) 13.1'
Maximum Terminal Platform size - 1,000 sq ft
Maximum Water Depth - 5'
Maximum Roof Height above floor - 12 feet
Minimum Dock Height above the NHWB - 1 foot
Minimum Deck Height above Const. Area-min. 3 foot
Maximum width of walkway - 5 feet

***Administrative Waiver Approved**

10" E(C) 180.00'+/--(P)
 E 25.00'(M)-to Witness Corner

received
 10/30/18 T.T.

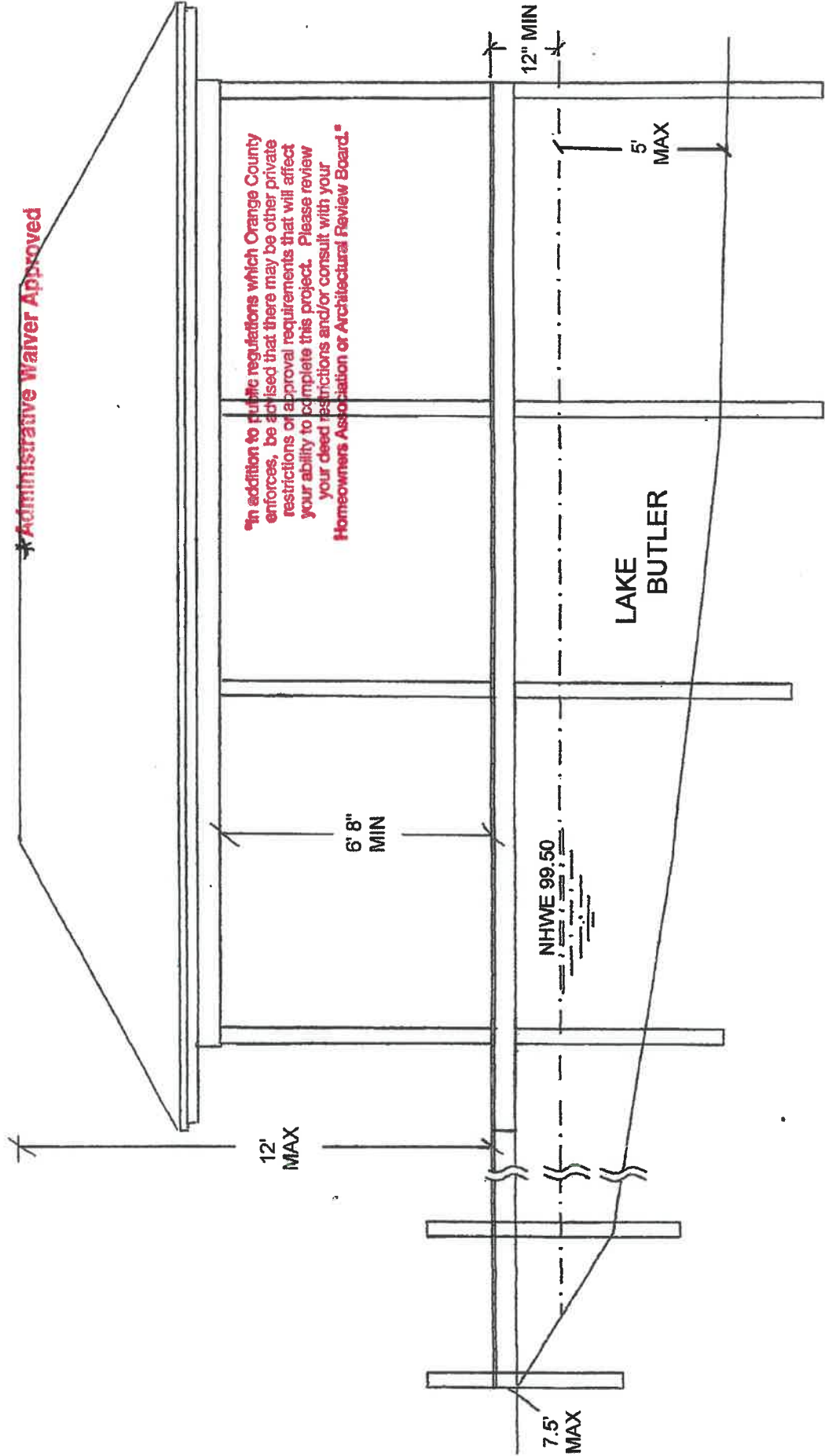
Calculated Corner
 Corner NOT Located
 Falls in Lake

FARRELL ELEVATION
 15 PINE STREET
 WINDERMERE, FL 34786

APPROVED BY
 ORANGE COUNTY
 ENVIRONMENTAL PROTECTION DIV.
 DATE: 12/04/18
 INITIAL: T.T.
 8D-18-10-104

Minimum Side Setbacks - (L) 25' & (R) 13.1'
 Maximum Terminal Platform size - 1,000 sq ft
 Maximum Water Depth - 5'
 Maximum Roof Height above floor - 12 feet
 Minimum Dock Height above the NHWE - 1 foot
 Minimum Deck Height above Conserv. Area - min. 3 feet
 Maximum width of walkway - 5 feet

*Administrative Waiver Approved



received
 10/30/18 T.T.

received
10/30/18
T.T.

JETSKI PORTS
(2) 5.5' X 12'

5.5'
5.5'

12'

12/4/18
T.T.

4ft

SEE SITE PLAN FOR
DOCK LAYOUT

LAKE
BUTLER

120'

4'

10'

14'

*Administrative Waiver Approved

Minimum Side Setbacks - (L) 25' & (R) 13.1'
Maximum Terminal Platform size - 1000 sq ft
Maximum Water Depth - 5'
Maximum Roof Height above floor - 12 feet
Minimum Dock Height above the NHWE - 1 foot
Minimum Deck Height above Consy. Area-min. 3 feet
Maximum width of walkway - 5 feet

"In addition to public regulations which Orange County enforces, be advised that there may be other private restrictions or approval requirements that will affect your ability to complete this project. Please review your deed restrictions and/or consult with your Homeowners Association or Architectural Review Board."

APPROVED BY
ORANGE COUNTY
ENVIRONMENTAL PROTECTION DIV.
DATE: 12/04/18
INITIAL: T.T.
80-18-10-104



FLORIDA DEPARTMENT OF Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

Permittee:

Melissa Farrell
15 Pine Street
Windermere, FL 34786
MelFarrell@me.com

Agent:

Sheila Chichra
2154 Oak Beach Blvd
Sebring, FL 33875
Sheilachichra@gmail.com

Melissa Farrell – Single Family Dock

**Consolidated Environmental Resource Permit and Sovereignty Submerged
Lands Authorization**

State-owned Submerged Lands Authorization – Granted

U.S. Army Corps of Engineers Authorization – Granted

Permit No.: 0370298-001-EI

Permit Issuance Date: December 3, 2018
Permit Construction Phase Expiration Date: December 3, 2023



FLORIDA DEPARTMENT OF Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

Environmental Resource Permit

Permittee: **Melissa Farrell**
Permit No: **0370298-001-EI**

PROJECT LOCATION

The activities authorized by this permit and sovereignty submerged lands authorization are located at 15 Pine Street, Windermere, Florida, 34786, in Section 7, Township 23 South, Range 28 East in Orange County.

PROJECT DESCRIPTION

The permittee is authorized to repair and replace the existing single-family dock, add an additional 8 foot x 24 foot deck, and the addition of an 11 foot x 12 foot dual jetski port within Lake Butler, a Class III, Outstanding Florida Waterbody. Authorized activities are depicted on the attached exhibits.

AUTHORIZATIONS

Melissa Farrell – Private, Single-Family Dock

Environmental Resource Permit

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

Sovereignty Submerged Lands Authorization

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

During the term of this Letter of Consent you shall maintain satisfactory evidence of sufficient upland interest as required by paragraph 18-21.004(3)(b), Florida Administrative Code. If such interest is terminated or the Board of Trustees determines that such interest did not exist on the date of issuance of this Letter of Consent, this Letter of Consent may be terminated by the Board of

Trustees at its sole option. If the Board of Trustees terminates this Letter of Consent, you agree not to assert a claim or defense against the Board of Trustees arising out of this Letter of Consent.

Federal Authorization

Your proposed activity as outlined in your application and attached drawings qualifies for Federal authorization pursuant to the State Programmatic General Permit V, and a **SEPARATE permit or authorization will not be required** from the Corps. Please note that the Federal authorization expires on July 26, 2021. However, your authorization may remain in effect for up to 1 additional year, if provisions of Special Condition B.27 of the SPGP V permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project are attached. A copy of the SPGP V with all terms and conditions and the General Conditions may be found online in the Jacksonville District Regulatory Division Sourcebook.

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

Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

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

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

PERMIT/SOVEREIGNTY SUBMERGED LANDS CONDITIONS

The activities described must be conducted in accordance with:

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

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and

understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit and sovereignty submerged lands authorization, as described.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

Turbidity & Water Quality:

1. Best management practices (primarily turbidity screens and floating turbidity barriers) for erosion and turbidity control shall be implemented and maintained at all times during construction and operation of the permitted activity to prevent siltation and turbid discharges in excess of State water standards pursuant to Chapter 62-302, F.A.C. The permittee shall be responsible for ensuring that erosion and turbidity control devices and procedures are inspected and maintained daily during all phases of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent erosion, siltation, and turbid discharges.
2. Upon final completion of the project and upon reasonable assurance that the project is no longer a potential turbidity source, the permittee will be responsible for the removal of the turbidity barriers. The turbidity control devices shall be removed no later than one year from completion of the project. All turbidity control devices shall be disposed of in an upland disposal area.
3. The limits of construction shall be delineated by silt fencing or a floating turbidity barrier. The permittee shall bear the responsibility of notifying all construction workers that silt fencing or turbidity barrier represents the limits of all construction activities. The permittee shall bear the responsibility of keeping all construction workers and equipment out of the adjacent wetlands and surface waters where work has not been permitted for impacts.

General Construction:

4. There shall be no stock piling of tools, materials (i.e., lumber, pilings, debris, etc.) within wetlands, along the shoreline, the littoral zone, or waters of the state unless specifically approved in this permit.
5. This permit does not authorize the construction of any additional structures/fill not illustrated on the permit drawings.
6. There shall not be any excess lumber, scrap wood, trash, garbage, etc. within the wetlands and waters of the State.
7. Watercraft associated with the construction shall operate within waters of sufficient depth to preclude bottom scouring/prop dredging.

8. Construction equipment shall not be repaired or refueled in wetlands or elsewhere within waters of the state.
9. The permittee shall report any damage to the Department within 24 hours that occurs to the wetlands/littoral zone area as a result of construction. If any damage occurs to wetlands or surface waters as a result of any construction activities, the permittee shall be required to restore the wetland area by regrading the damaged areas back to the natural reconstruction elevations and planting vegetation of the size, densities and species that exist in the adjacent areas pursuant to a consent order. The restoration shall be completed within 30 days of completion of the construction and shall be done to the satisfaction of the Department.
10. Any disturbed areas of the shoreline shall be stabilized immediately (within 48 hours) following completion the project.
11. Impacts to wetland vegetation and submerged aquatic vegetation are prohibited under this authorization.

Operation:

12. There shall be no fish cleaning stations, boat repair facilities or equipment and fueling facilities on the boardwalk, pier or dock.
13. To provide reasonable assurance that the dock pilings will not cause degradation of ambient water quality, Sections 62-4.242(1)(a) and (b), 62-4.242(2) and (3), and 62-302.300, F.A.C., the permittee shall wrap each piling with high density polyethylene wrap to prevent the leaching of constituents contained in treated wood.
14. There shall be no bait houses, storage shelters, screen porches, wet bars, living quarters, or other non-water-dependent structures over waters of the State or on the boardwalk, pier or dock.
15. Overboard discharges of trash, human or animal waste, or fuel shall not occur at the dock.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.

2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007)*, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008)*, which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.
5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
 - b. For all other activities – "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as- built certification, whichever comes first, the permittee shall submit, as

applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.

- b. Within 30 days of submittal of the as- built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
- a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
- a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.

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

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

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

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

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

SPECIAL CONSENT CONDITIONS

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

or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.

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

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

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

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

GENERAL CONDITIONS FOR SOVEREIGNTY SUBMERGED LANDS AUTHORIZATION

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

1. Sovereignty submerged lands may be used only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use will constitute a violation. Violation of the authorization will result in suspension or revocation of the applicant's use of the sovereignty submerged lands unless cured to the satisfaction of the Board of Trustees.

2. Authorization under Rule 18-21.005, F.A.C., conveys no title to sovereignty submerged lands or water column, nor does it constitute recognition or acknowledgment of any other person's title to such land or water.

3. Authorizations under Rule 18-21.005, F.A.C., may be modified, suspended or revoked in accordance with its terms or the remedies provided in Sections 253.04, F.S. and Chapter 18-14, F.A.C.

4. Structures or activities will be constructed and used to avoid or minimize adverse impacts to resources.
5. Construction, use, or operation of the structure or activity will not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.
6. Structures or activities will not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity will be modified in accordance with the court's decision.
7. Structures or activities will not create a navigational hazard.
8. Structures will be maintained in a functional condition and will be repaired or removed if they become dilapidated to such an extent that they are no longer functional.
9. Structures or activities will be constructed, operated, and maintained solely for water dependent purposes.
10. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
11. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.
12. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
13. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.

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

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 day of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the

Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Nathan Hess
Permitting and Waste Cleanup
Program Administrator
Florida Department of Environmental Protection

Attachments:

Project Drawings, 4 pages
SPGP-Special Conditions Related to All Review and Authorizations, 6 pages
SPGP General Conditions, 2 pages
Department of the Army Permit Transfer for SPGP V, 1 page
Construction Commencement Notice/Form 62-330.350(1)
As-built Certification and Request for Conversion to Operational Phase/ Form 62-330.310(1)
Request to Transfer Permit/Form 62-330.340(1)

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies were sent on the filing date below to the following listed persons:

Megan Warr, FDEP, Megan.Warr@FloridaDEP.gov
Jason Seyfert, FDEP, Jason.Seyfert@dep.state.fl.us
Shelia Cichra, Consultant, SheilaCichra@gmail.com

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

December 3, 2018

Date

Special Conditions Related to All Review and Authorizations

In addition to the conditions specified above, the following Special Conditions apply to all projects reviewed and/or authorized under the SPGP V.

1. The District Engineer reserves the right to require that any request for authorization under this SPGP V be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP V does not automatically guarantee Federal authorization.
2. On a case-by-case basis the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.
3. Failure to comply with all conditions of the Federal authorizations under the SPGP V would constitute a violation of the Federal authorization.
4. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant's/Permittee's behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or SiteFile@dos.state.fl.us. The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at <http://www.cr.nps.gov/nr/research>.
 - a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245-6333 and the Corps Regulatory Project Manager to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7.
 - b. In the unlikely event that human remains are identified, they will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, the State Archaeologist (850-245-6444), and the Corps Regulatory Project Manager shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.
5. No work shall be authorized under the SPGP V which proposes the use of prefabricated modules for habitat creation, restoration, or enhancement except as allowed in Special Condition 15 for *Living Shorelines* of the *Shoreline Stabilization* category.
6. The Design and construction of a Project must comply with the following.

a. Where aquatic vegetation is present, adverse impacts to aquatic vegetation from construction of piling-supported structures may be avoided/minimized by adherence to, or employing alternative construction techniques that provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "*Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*" U.S. Army Corps of Engineers/National Marine Fisheries Service August 2001 (updated June 2008). Unless otherwise specifically approved by the National Marine Fisheries Service, where aquatic vegetation is present, piling-supported structures authorized under the SPGP V must comply with, or provide a higher level of protection than, the criteria contained in the referenced construction guidelines. Mangrove impacts are limited to the removal of mangroves along 4 linear feet of shoreline to accommodate a 4-ft-wide access walkway associated with a dock that meets the above guidelines.

b. Additionally, because of concerns about adverse impacts to the endangered Johnson's seagrass (*Halophila johnsonii*) in the lagoon and canal systems on Florida's east coast from Sebastian Inlet (Brevard County) south to and including central Biscayne Bay (Miami-Dade County), the following requirements must be met:

(1) Piling-supported structures must comply with, or provide a higher level of protection than, the criteria contained in the construction guidelines titled "*Key for Construction Conditions for Docks or Other Minor Structures Constructed in or Over Johnson's seagrass (Halophila johnsonii)*" National Marine Fisheries Service/U.S. Army Corps of Engineers - February 2002 (updated October 2002)."

(2) Removal of derelict vessels must comply with the practices of Special Condition 18.

(3) All other activities will have no effect on Johnson's seagrass, i.e., no seagrass is present.

c. The presence of seagrass will be determined utilizing the attached "*Submerged Aquatic Vegetation Survey Guidelines*".

7. For projects in waters accessible to sea turtles, Smalltooth sawfish, Gulf sturgeon, or Shortnose sturgeon, the Permittee will utilize the "*Sea Turtle and Smalltooth Sawfish Construction Conditions*" and the following additions:

a. Any collision(s) with and/or injuries to any whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (727-824-5312).

b. Reports to NMFS's Protected Resources Division (PRD) may be made by email to takereport.nmfsser@noaa.gov.

c. Sea turtle and marine mammal stranding/rescue organizations' contact information is available by region at <http://www.nmfs.noaa.gov/pr/health/networks.htm>.

d. Smalltooth sawfish encounters shall be reported to <http://www.flmnh.ufl.edu/fish/sharks/sawfish/sawfishencounters.html>.

e. All work must occur during daylight hours.

8. The Permittee is responsible for obtaining any “take” permits required under the U.S. Fish and Wildlife Service’s regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such “take” permits are required for a particular activity.

9. The Permittee is responsible for compliance with 50 CFR 224.103(c) prohibiting approach within 500 yards of a right whale, with limited exceptions.

10. Turbidity control measures shall be used throughout construction to control erosion and siltation to ensure there are no violations of state or federal water quality standards. Turbidity control measures shall be: (1) for the smallest practicable area; (2) monitored daily to ensure listed species are not entangled or trapped in the project area; (3) shall be removed promptly upon project completion and the return of water quality conditions; (4) and shall not block entry to or exit from designated critical habitat. Siltation barriers shall be made of material in which listed species cannot become entangled (i.e., reinforced impermeable polycarbonate vinyl fabric [PVC]).

a. Turbidity curtains are not required where not practical in dynamic systems such as surf zones and could actually do more harm than good if the curtains become detached (e.g., they could entrap pelagic organisms and become entangled around benthic organisms, such as coral).

b. Turbidity barriers are not required if installation of single piling in deep water since is unlikely to adversely affect water quality.

11. In-water rope or chain must meet the following requirements: Industrial grade metal

chains or heavy cables that do not readily loop and tangle; All in-water lines (rope and cable) must be thick and taut and cannot have excess line in the water; Lines can be enclosed in a plastic or rubber sleeve/tube to add rigidity.

12. No work shall occur where hard bottom or any hard or coral including ESA-listed coral species are present within the footprint of the project.

13. No work shall occur that results in removal of mangroves (including prop roots), except:

a. as provided by Special Condition 6.a.; or,

b. for removal of mangroves growing at the foot or from an existing seawall whose removal needed to repair the seawall.

14. No work shall occur that results in impacts to seagrass except as provided by Special Condition 6.

15. (For *Docks, Piers, Associated Facilities, and Other Minor Piling-Supported Structures and Boat Ramps and Boat Launch Areas and Structures Associated with Such Ramps or Launch Areas.*)

a. Aids to Navigation and Private Aids to Navigation (e.g. attached to the structures authorized by the SPGP) must be approved by and installed in accordance with U.S. Coast Guard requirements.

b. Temporary structures associated with marine events will be removed and the site restored upon completion of the event.

c. (For *multi-family residential docks (e.g., condos, trailer parks, apartment complexes) designated for fishing or vessel storage, for temporary marine event pile-supported structures involving high speed vessel traffic or fishing, and for commercial or public boat ramps.*) Install educational signs as follows in a visible location to alert boaters of listed species in the area susceptible to vessel strikes or hook-and-line captures. NMFS website (http://sero.nmfs.noaa.gov/protected_resources/section_7/protected_species_educational_signs/index.html) provides sign installation guidance and most current version of the signs.

(1) All commercial and public boat ramps shall install the Save Sea Turtle, Sawfish, and Dolphin sign.

(2) If the Project occurs within the range of Gulf, Atlantic, or Shortnose sturgeon, the Permittee will install and maintain the *Report Sturgeon* sign.

(3) If the Project occurs within 14 miles of North Atlantic Right Whale critical habitat, the Permittee will install and maintain the *Help Protect North Atlantic Right Whales* sign.

d. Project construction will take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited.

16. (For *Transient activities.*)

a. Temporary structures shall not block access of species to an area such as preventing movement in or out of a river or channel.

b. (For *scientific sampling, measurement, and monitoring devices.*) No later than 24 months from initial installation, or upon completion of data acquisition, whichever comes first, the measuring device and any other structure or fills associated with that device (e.g., anchors, buoys, lines) must be removed and the site must be restored to pre-construction elevations.

17. (For *Living Shorelines of the Shoreline Stabilization category.*)

a. Only native plant species will be planted.

b. Not more than 500 linear feet in length, not more than 35 ft waterward of the high tide line.(note that FAC 62-330 limits to 10 feet of the mean high water line) or result in more than 0.5 ac area between the natural shoreline and the structure.

c. No discharge of earthen fill material, other than earthen material associated with vegetative planting, is not authorized.

d. Construction, maintenance and removal of approved permanent, shore-parallel wave attenuation structures are authorized. Approved permanent wave attenuation materials include oyster breakwaters (described above), clean limestone boulders, and prefabricated structures made of concrete and rebar that are designed in a manner that cannot trap sea turtles, Smalltooth sawfish, or sturgeon. Reef balls that are not open on the bottom, triangle structures with a top opening of at least 3 feet between structures, and reef discs stacked on a pile may be used.

e. (For oyster breakwaters).

(1) Reef materials shall be placed in a manner to ensure that materials (e.g., bagged oyster shell, oyster mats, loose cultch surrounded and contained by a stabilizing feature, reef balls, and reef cradles) will remain stable and prevent movement of materials to surrounding areas.

(2) Materials must be placed in designated locations (i.e., shall not be indiscriminately/randomly dumped) and shall not be placed outside of the total project limits.

18. (For *Subaqueous Utility Lines* of the *Transient Activities* category.)

a. A Frac-out Contingency Plan similar to the attached plan will be developed, submitted with the application and then followed.

b. All subaqueous transmission lines crossing over, under, or in flood control channels/canals in Federal projects (either federally or locally maintained) which are installed with horizontal direction drilling (HDD) shall ensure the top of the HDD boring is a minimum of 10 feet beneath the bottom of the channel plus a minimum 25 feet outside the channel edges and the estimated total drilling fluid pressure is less than 10 psi. Projects not in compliance with these criteria shall not be eligible for authorization under SPGP V.

c. The Permittee shall, upon completion of work, provide an as-built survey showing the horizontal and vertical location (X-Y-Z coordinates in NAD 83 and NAVD 88) of the object below the channel as it enters and exits the design edges of the authorized width of the channel, plus a minimum of 25 feet outside the channel edges.

19. (For *Removal of Derelict Vessels* of the *Transient Activities* category.)

a. Removal of marine debris shall require visual confirmation (e.g., divers, swimmers, camera) that the item can be removed without causing further damage to aquatic resources.

b. If an item cannot be removed without causing harm to surrounding coral, the item will be disassembled as much as practicable so that it no longer can accidentally harm or trap species.

c. Monofilament debris will be carefully cut loose from coral so as not to cause further harm. Under no circumstance will line be pulled through coral since this could cause breakage of coral.

d. Marine debris shall be lifted straight up and not be dragged through seagrass beds, coral, or hard bottom habitats. Debris shall be properly disposed of in appropriate facilities in accordance with applicable federal and state requirements.

20. For concrete piles installed by impact hammer:
 - a. The piles will be less than or equal to than 24 inches in diameter; and
 - b. Not more than 10 piles will be installed per day if in open water; or,
 - c. Not more than 5 piles will be installed per day in a *confined space*. A *confined space* is defined as any area that has a solid object (e.g., shoreline, seawall, jetty) or structure within 150 feet of the pile installation site that would effectively serve as a barrier or otherwise prevent animals from moving past it to exit the area. This does not include objects such as docks or other pile-supported structures that would not stop animal movement or significantly reflect noise.
21. Metal piles will NOT be installed by impact hammer.
22. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary.
23. The Permittee shall use only clean fill material. The fill material shall be upland sources and be free of items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act.
24. No blasting is authorized.
25. For Projects authorized under this SPGP V in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
26. The SPGP V will be valid for five (5) years from the date of issuance unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the five-year authorization period is not contrary to the public interest. If revocation occurs, all future applications for activities covered by the SPGP V will be evaluated by the Corps.
27. If the SPGP V expires or is revoked prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP V will remain in effect provided the activity is completed within twelve (12) months of the date the SPGP V expired or was revoked.
28. The General Conditions attached hereto are made a part of this SPGP V and must be attached to all authorizations processed under this SPGP V.

General Conditions for Federal Authorization for SPGP V

1. The time limit for completing the work authorized ends on July 26, 2021.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or Construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.

7. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation or alteration.

Department of the Army Permit Transfer for SPGP V

PERMITEE: _____

PERMIT NUMBER: _____ DATE: _____

ADDRESS/LOCATION OF PROJECT:

(Subdivision) (Lot) (Block)

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

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

(Transferee Signature) (Date)

(Name Printed)

(Street address)

(Mailing address)

(City, State, Zip Code)

Find $\frac{3}{8}$ " Rebar
"No Identification"
New Corner of Parcel ID#
17-23-28-9336-30-440

Approximate Location of
100 Year Flood Line
(Scaled Per FIRFM)

Less Out
The North 57.52' of Lot C44
Parcel ID#
17-23-28-9336-30-440

The South 17.48' of Lot C44
Parcel ID#
17-23-28-9336-30-440

Two Story Concrete
Block Residence
#15



Parcel ID#
17-23-28-9336-30-450

Parcel ID#
17-23-28-9336-30-450

Parcel ID#
17-23-28-9336-30-450

Parcel ID#
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17-23-28-9336-30-450

Parcel ID#
17-23-28-9336-30-450

Parcel ID#
17-23-28-9336-30-450

Legend	
C	Calculated
CB	Concrete Block
CCM	Concrete Monument
D	Description
EM	Emergency
E.M.A.	Emergency
FE	Finished Floor Elevation
F.P.C.	Foot Print Corner
M	Marked
M.D.	Marked Ditch
ORB	Official Record Book
P.B.	Plat Book
G	Graphic Scale
PC	Point of Curvature
P.P.	Point of Intersection
P.O.B.	Point of Beginning
P.O.T.	Point of Tangency
PT	Point of Tangency
REC	Record
RECO	Record
RR	Right of Way
S	Setback
SL	State Line
SLR	State Line Right of Way
UL	Utility Easement
UT	Utility Trench
VA	Vertical Curve
W.P.A.	West Property Appraiser

Field Date: 3/10/17 Date Completed: 3/10/17
Drawn By: DJC File Number: IS-35288

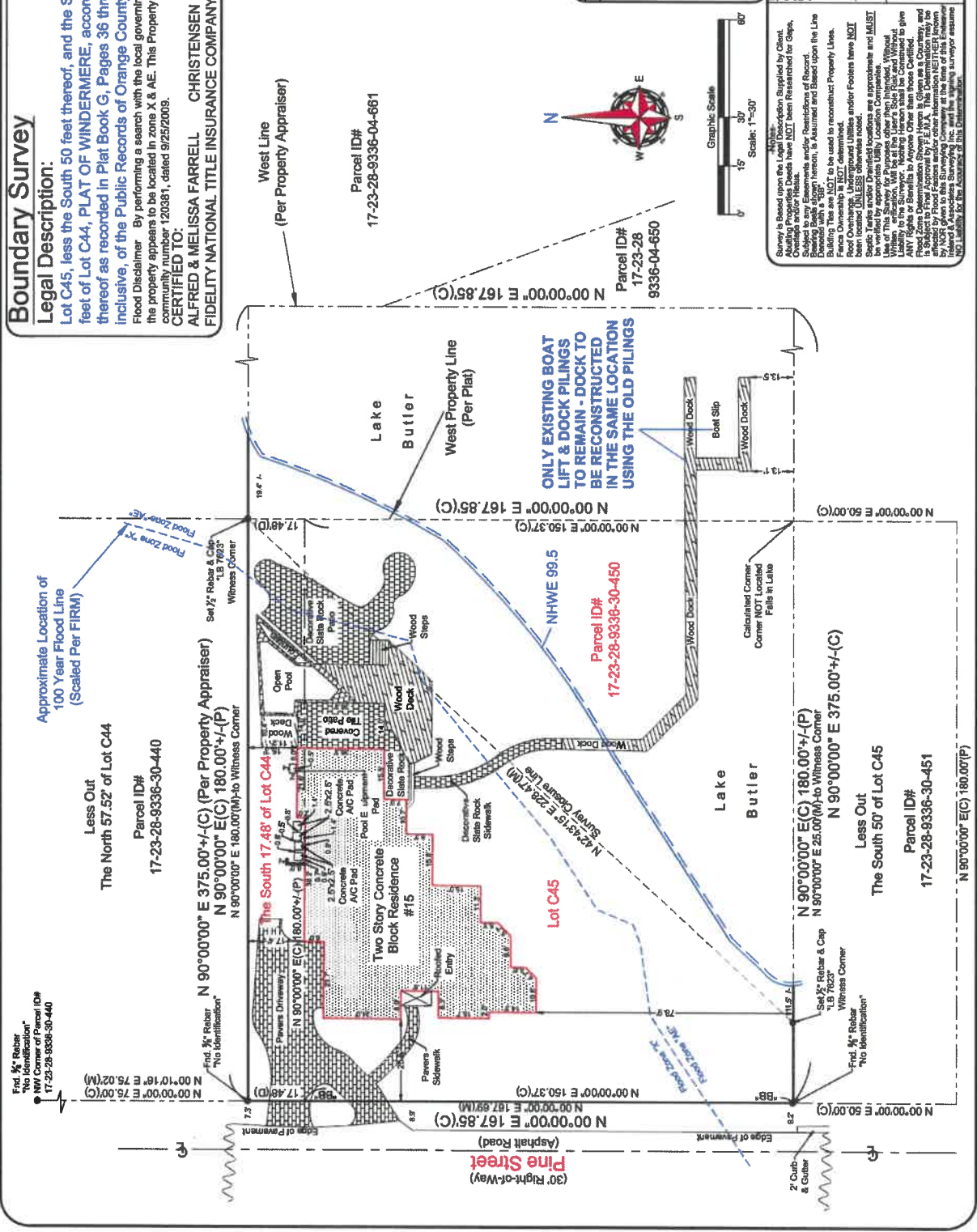
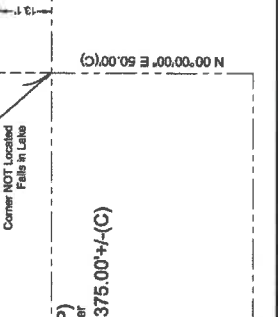
This and copies to the best of my knowledge and belief were properly surveyed and shown to the satisfaction of the State of Florida for Land Surveying Administration. Pursuant to section 47.027, Florida Statutes.

Patrick K. Ireland
Surveyor No. 0003017 LB 7828
The Survey is intended for use of Set Off Limits.

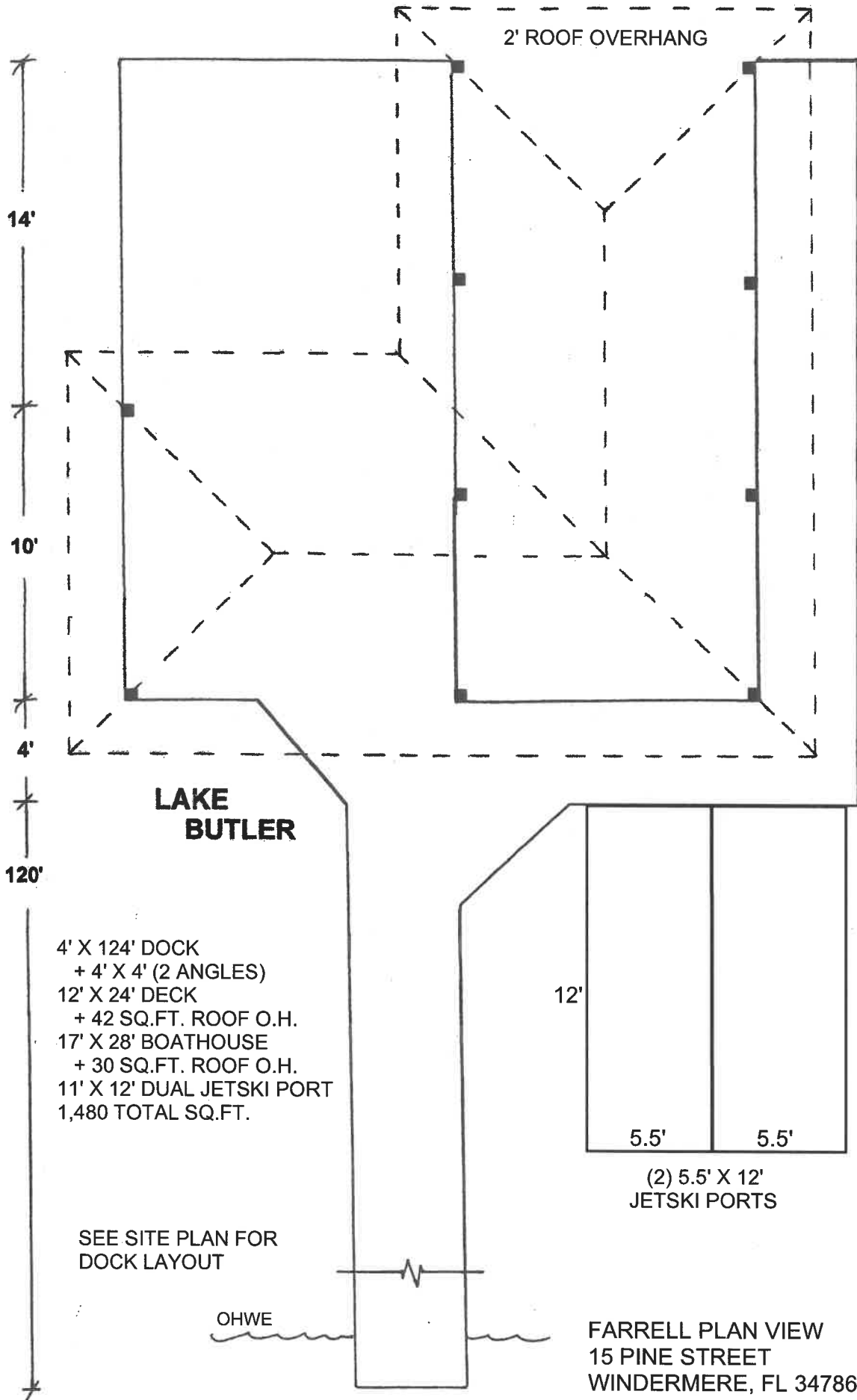
Irland & Associates Surveying, Inc.
1301 S. International Parkway, Suite 2001
Lakeland, Florida 32748
www.irlandsurveying.com
Office-407.978.3366 Fax-407.320.8165

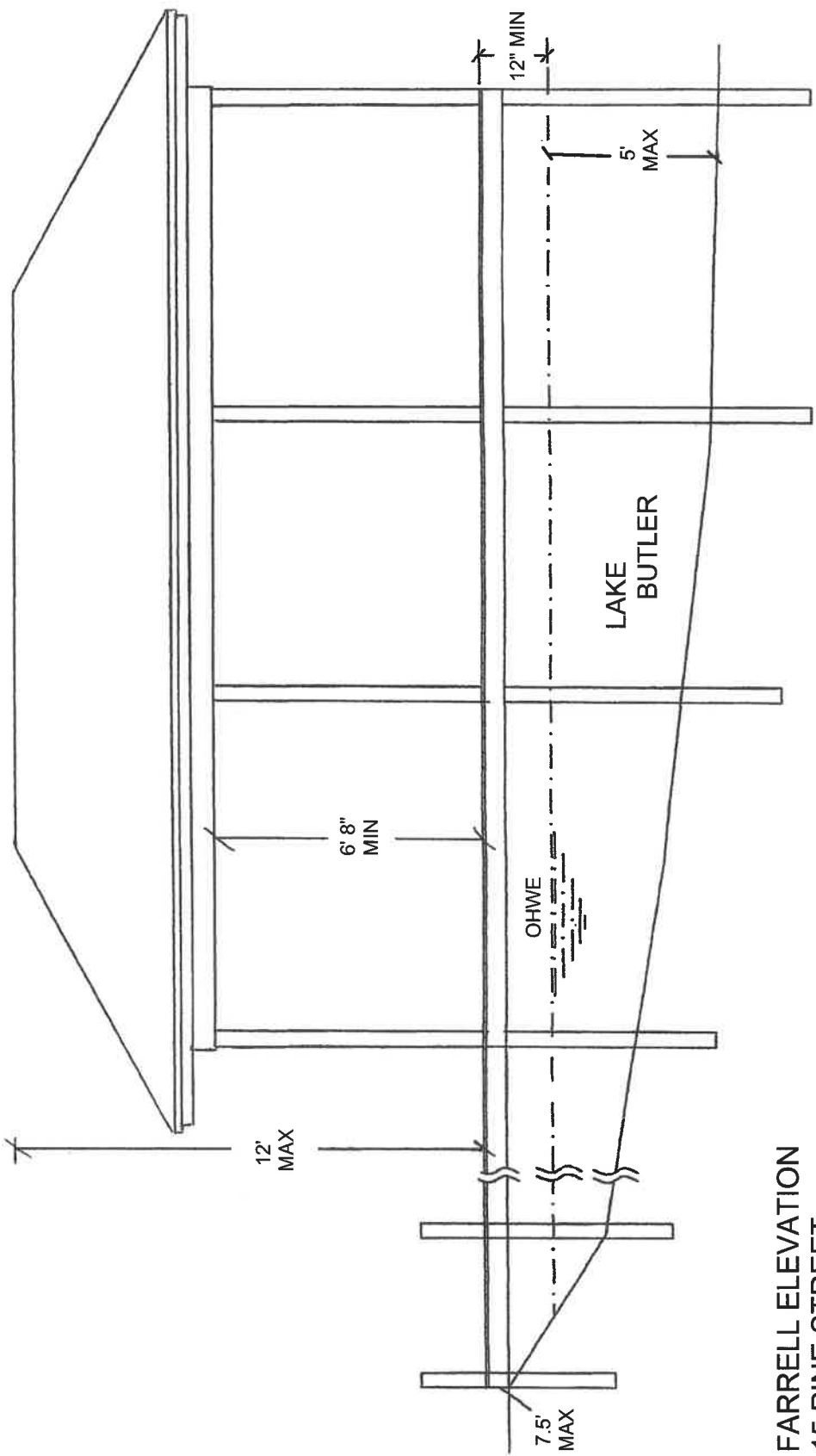
Survey is based upon the Legal Description Supplied by Client. Overlays and/or Habitable Structures have NOT been Restricted for Gaps. Dimensions with a "99" suffix, is Assumed and Based upon the Line Building. This area NOT to be used to reconstruct Property Lines. Front Setbacks are NOT determined. Setbacks and/or Footers have NOT been located UNLESS otherwise noted.

Specific Markers and/or Identifiers are approximate and MUST be used in conjunction with the Survey. The Survey is to give notice to the State, with all the Owner's Sign and Without ANY Rights or Benefits to Anyone Other than those Certified. It is the Surveyor's Duty to ensure that the Survey is correct and that it is based upon the information provided by the Client. The Surveyor is not responsible for any errors or omissions in the Survey or any information provided by the Client. The Surveyor is not responsible for any errors or omissions in the Survey or any information provided by the Client.



Existing Dock





FARRELL ELEVATION
15 PINE STREET
WINDERMERE, FL 34786

PILINGS WRAPPED WITHDPE FROM 1' ABOVE OHWE TO 1' BELOW SUBSTRATE
MIN DEPTH OF 2' BELOW THE MEAN ANNUAL LOW WATER LEVEL IN THE SLIP AREA

AS-BUILT CERTIFICATION AND REQUEST FOR CONVERSION TO OPERATION PHASE

Instructions: Complete and submit this page within 30 days of completion of the permitted activities, as required by the permit conditions. **Any components of the permitted activities that are not in substantial conformance with the permit must be corrected or a modification of the permit will be required in accordance with Rule 62-330.315, Florida Administrative Code (F.A.C.).** The operation phase of the permit is effective when the construction certification for the entire permit/application is approved by the Agency. If the final operation and maintenance entity is not the permittee, the permittee shall operate the system, works or other activities temporarily until such time as the transfer to the operation entity is finalized (use Form 62-330.310(2)).

Permit No.:	Application No(s).	Permittee:
Project Name:		Phase (if applicable):

I HEREBY CERTIFY THAT (please choose accurately and check only one box):

- I hereby notify the Agency of the completion of construction of all the components of the system, works or other activities for the above referenced project and certify that it has been constructed in substantial conformance with the plans specifications and conditions permitted by the Agency. Any minor deviations will not prevent the system from functioning in compliance with the requirements of Chapter 62-330, F.A.C. Attached is documentary evidence of satisfaction of any outstanding permit conditions, other than long term monitoring and inspection requirements.

- At the time of final inspection, the works or activities were NOT completed in substantial conformance with the plans and specifications permitted by the Agency. (The registered professional shall describe the substantial deviation(s) in writing, and provide confirming depiction on the as-built drawings and information.)

If there were substantial deviations, plans must be submitted clearly labeled as "as-built" or "record" drawings reflecting the substantial deviations. If there are no substantial deviations, do not submit "as built" drawings.

For activities that require certification by a registered professional:

By: _____

Signature	Print Name	Fla. Lic. or Reg. No
! AFFIX SEAL !	Company Name	
	Company Address	Date

For activities that do not require certification by a registered professional:

By: _____

Signature	Print Name	
	Company Name	
	Company Address	Date



DRAWINGS AND INFORMATION CHECKLIST

Following is a list of information that is to be verified and/or submitted by the Registered Professional or Permittee:

1. All surveyed dimensions and elevations shall be certified by a registered Surveyor or Mapper under Chapter 472, F.S.
2. The registered professional's certification shall be based upon on-site observation of construction (scheduled and conducted by the registered professional of record or by a project representative under direct supervision) and review of as-built drawings, with field measurements and verification as needed, for the purpose of determining if the work was completed in accordance with original permitted construction plans, specifications and conditions.
3. If submitted, the as-built drawings are to be based on the permitted construction drawings revised to reflect any substantial deviations made during construction. Both the original design and constructed condition must be clearly shown. The plans need to be clearly labeled as "as-built" or "record" drawings that clearly highlight (such as through "red lines" or "clouds") any substantial deviations made during construction. As required by law, all surveyed dimensions and elevations required shall be verified and signed, dated and sealed by an appropriate registered professional. The following information, at a minimum, shall be verified on the as-built drawings, and supplemental documents if needed:
 - a. Discharge structures - Locations, dimensions and elevations of all, including weirs, orifices, gates, pumps, pipes, and oil and grease skimmers;
 - b. Detention/Retention Area(s) – Identification number, size in acres, side slopes (h:v), dimensions, elevations, contours or cross-sections of all, sufficient to determine stage-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems,
 - c. Side bank and underdrain filters, or exfiltration trenches - locations, dimensions and elevations of all, including clean-outs, pipes, connections to control structures and points of discharge to receiving waters;
 - d. System grading - dimensions, elevations, contours, final grades or cross-sections to determine contributing drainage areas, flow directions and conveyance of runoff to the system discharge point(s);
 - e. Conveyance - dimensions, elevations, contours, final grades or cross-sections of systems utilized to divert off-site runoff around or through the new system;
 - f. Benchmark(s) - location and description (minimum of one per major water control structure);
 - g. Datum- All elevations should be referenced to a vertical datum clearly identified on the plans, preferably the same datum used in the permit plans.
4. Wetland mitigation or restoration areas - Show the plan view of all areas, depicting a spatial distribution of plantings conducted by zone (if plantings are required by permit), with a list showing all species planted in each zone, numbers of each species, sizes, date(s) planted and identification of source of material; also provide the dimensions, elevations, contours and representative cross-sections depicting the construction.
5. Any additional information or outstanding submittals required by permit conditions or to document permit compliance, other than long-term monitoring or inspection requirements.

REQUEST TO TRANSFER PERMIT

Instructions: Submit this form to the Agency within 30 days after any transfer of ownership or control of the real property where the permitted activity is located.

Note: Use of this form is not required when a valid permit is in the operation and maintenance phase. In such case, the owner must notify the Agency in writing within 30 days of a change in ownership or control of the entire real property, project, or activity covered by the permit. The notification may be letter, e-mail, or using this form, sent to the office that issued the permit. A processing fee is not required for this notice. The permit shall automatically transfer to the new owner or person in control, except in cases of abandonment, revocation, or modification of a permit as provided in Sections 373.426 and 373.429, F.S. (2012). If a permittee fails to provide written notice to the Agency within 30 days of the change in ownership or control, or if the change does not include the entire real property or activity covered by the permit, then the transfer must be requested using this form.

Permit No.: _____ Application No(s): _____ Date Issued: _____

Identification or Name of Surface Water Management System: _____

Phase of Surface Water Management System (if applicable): _____

PART 1: PROPOSED PERMIT HOLDER

The undersigned hereby notifies the Agency that I have acquired ownership or control of the land on which the permitted system is located through the sale or other legal transfer of the land. By signing below, I hereby certify that I have sufficient real property interest or control in the land in accordance with subsection 4.2.3 (d) of Applicant's Handbook Volume I; attached is a copy of my title, easement, or other demonstration of ownership or control in the land, including any revised plats, as recorded in the Public Records. I request that the permit be modified to reflect that I agree to be the new permittee. By so doing, I acknowledge that I have examined the permit terms, conditions, and drawings, and agree to accept all rights and obligations as permittee, including agreeing to be liable for compliance with all of the permit terms and conditions, and to be liable for any corrective actions required as a result of any violations of the permit after approval of this modification by the Permitting Agency. Also attached are copies of any recorded restrictive covenants, articles of incorporation, and certificate of incorporation that may have been changed as a result of my assuming ownership or control of the lands. As necessary, I agree to furnish the Agency with demonstration that I have the ability to provide for the operation and maintenance of the system for the duration of the permit in accordance with subsection 12.3 of Applicant's Handbook Volume I.

Name of Proposed Permit Holder: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____ E-mail: _____



Signature of Proposed Permittee

Date

Title (if any)

PART 2: RESPONSIBLE REGISTERED PROFESSIONAL

Name of Registered Professional who will be responsible for system inspections and reporting as required by Chapter 62-330, F.A.C. (if applicable): _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____ E-mail: _____

Enclosures:

- Copy of recorded transfer of title for surface water management system
- Copy of plat(s)
- Copy of recorded restrictive covenants, articles of incorporation, and certificate of incorporation
- Other

CONSTRUCTION COMMENCEMENT NOTICE

Instructions: In accordance with Chapter 62-330.350(1)(d), F.A.C., complete and submit this form at least 48 hours prior to commencement of activity authorized by permit.

Permit No. _____ Application No. _____
 Project Name _____ Phase _____

Construction of the system authorized by the above referenced Environmental Resource Permit and Application, is expected to commence on _____, 20____ and will have an estimated completion date of _____, 20____

PLEASE NOTE: If the actual construction commencement date is not known within 30 days of issuance of the permit, District staff should be so notified in writing. As soon as a construction commencement date is known, the permittee shall submit a completed construction commencement notice form.

 Permittee's or Authorized Agent's Signature Company

 Print Name Title Date

 E-mail Phone Number



Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

December 19, 2018

HILL DANIEL C
3332 S LAKE BUTLER BLVD
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 15 Pine Street

Sheila Cichra, on behalf of Al and Melissa Farrell who are the owners of 15 Pine Street, submitted a request for approval of a variance, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The purpose of the variance request is to allow a side setback of 13.1' for a proposed replacement boathouse, a 32' setback from the NHWE for a replacement wood deck, and 21' setback from the NHWE for a paver deck with stairs.

Enclosed is additional information regarding this request.

Pursuant to the Town of Windermere Code of Ordinances, you as a surrounding property owner are entitled to comment on this matter. If you wish to comment, this form must be received by the Town of Windermere either by hand delivery to the Town Clerk or by use of the enclosed stamped envelope to Wade Trim, Inc. by **January 11, 2019**.

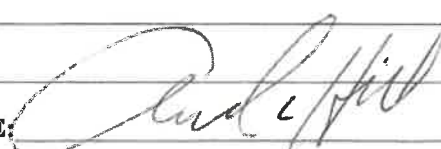
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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND – Z19-003 (15 Pine Street)

APPROVAL: DISAPPROVAL

COMMENTS: _____

SIGNATURE:  DATE: 12/27/18

Town of Windermere
614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received
JAN 03 2019
Wade Trim



Mayor
GARY BRUHN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

December 19, 2018

LANG RICHARD C
2 3RD ST
EXCELSIOR, MN 55331

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND - Z19-003 (15 Pine Street)

APPROVAL: X DISAPPROVAL

COMMENTS: I Absolutely Approve of everything The
Farrells are requesting. I Am directly across
The street and don't object to anything I've been looking At for my nine

SIGNATURE: Rick Lang DATE: 12/27/18

12 Pine St.
Windermere

years of living
there.

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

December 19, 2018

GULLIVAN CHARLES JOSEPH
20 PINE ST
WINDERMERE, FL 34786

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND – Z19-003 (15 Pine Street)

APPROVAL: DISAPPROVAL

COMMENTS: NO PROBLEM!

SIGNATURE: [Signature] DATE: 12/22/18

Received

Wade Trim

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received
'AN 0 1 20

Mayor
GARY BRUHN



Town Manager **Wade Trim**
ROBERT SMITH
Clerk
DOROTHY BURKHALTER

December 19, 2018

STRACK PETER R
6431 EARTHGOLD DR
WINDERMERE, FL 34786

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Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND – Z19-003 (15 Pine Street)

APPROVAL: _____ DISAPPROVAL _____

COMMENTS: _____

SIGNATURE: _____ DATE: 12/20/18

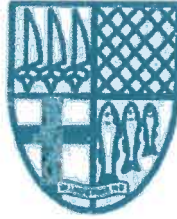
Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received

2018

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Wade Trim

Clerk
DOROTHY BURKHALTER

December 19, 2018

MCAFEE MICHAEL B
407 W 1ST AVE
WINDERMERE, FL 34786

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND - Z19-003 (15 Pine Street)

APPROVAL: DISAPPROVAL

COMMENTS: _____

SIGNATURE: Michael B. McAfee DATE: 12/24/18

RECOMMEND - Z19-003 (15 Pine Street)

APPROVAL: **DISAPPROVAL**

COMMENTS: _____

SIGNATURE: Brian L. Brockney **DATE:** 1/3/19

Received

JAN 08 2019

Wade Trim

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

December 19, 2018

FAY GERALD W
28 PINE ST
WINDERMERE, FL 34786

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Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND – Z19-003 (15 Pine Street)

APPROVAL: / DISAPPROVAL: /

COMMENTS: As long as they are not asking
for any more encroachment on any water
or land.

SIGNATURE: [Signature] DATE: 1/8/19

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received
IAN 10 2019
Wade Trim

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

December 19, 2018

JOHNSON THOMAS M JR
2 PINE ST
WINDERMERE, FL 34786

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Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND – Z19-003 (15 Pine Street)

APPROVAL: X DISAPPROVAL

COMMENTS: WE APPROVE W / OUT
CONDITIONS

SIGNATURE: DATE: 1 / 5 / 19

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received

JAN 10 2019

Wade Trim

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

December 19, 2018

SALMON JAMES G
8 PINE ST
WINDERMERE, FL 34786

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND – Z19-003 (15 Pine Street)

APPROVAL: ✓ DISAPPROVAL _____

COMMENTS: In our opinion, all neighborhood
improvements benefit us all!

SIGNATURE: [Signature] DATE: 8 JAN 2019
Wynn Salmon 1/8/19

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

December 19, 2018

CASEY PATRICK V
PO BOX 1722
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 15 Pine Street

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Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
fow@wadetrim.com
Encl.

RECOMMEND – Z19-003 (15 Pine Street)

APPROVAL: DISAPPROVAL:

COMMENTS: _____

SIGNATURE: *Casey* DATE: 1-8-19

Received
JAN 11 2019
Wade Trim

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

December 19, 2018

JACKSON IAIN FRANCIS
34 PINE ST
WINDERMERE, FL 34786

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Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND – Z19-003 (15 Pine Street)

APPROVAL: ✓ DISAPPROVAL _____

COMMENTS: WE DO NOT HAVE ANY OBJECTIONS.

SIGNATURE: AIAN FRANCIS DATE: 01/10/19
AIAN FRANCIS

Received
JAN 11 2019
Wade Trim

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

Received
JAN 07 2019

Wade Trim

December 19, 2018

VARLEY JOHN J
50 PINE ST
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 15 Pine Street

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Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND - Z19-003 (15 Pine Street)

APPROVAL: DISAPPROVAL

COMMENTS: _____

SIGNATURE: *John J. Varley* DATE: 1/2/19

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received
JAN 29 2019

Mayor
GARY BRUHN



Wade Trim
Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

December 19, 2018

HAYES FAMILY TRUST
PO BOX 46
WINDERMERE, FL 34786

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Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
town@wadetrim.com
Encl.

RECOMMEND – Z19-003 (15 Pine Street)

APPROVAL: ✓ DISAPPROVAL _____

COMMENTS: Simply replacing the former wood deck

SIGNATURE: Maya M Hayes DATE: 1/24/2019

Town of Windermere

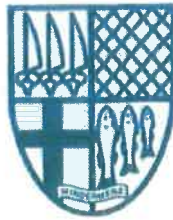
614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received

JAN 25 2019

Wade Trim

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

December 19, 2018

CRONIN DAPHNE
1 PINE ST
WINDERMERE, FL 34786

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Encl.

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APPROVAL: ✓ DISAPPROVAL _____

COMMENTS: _____

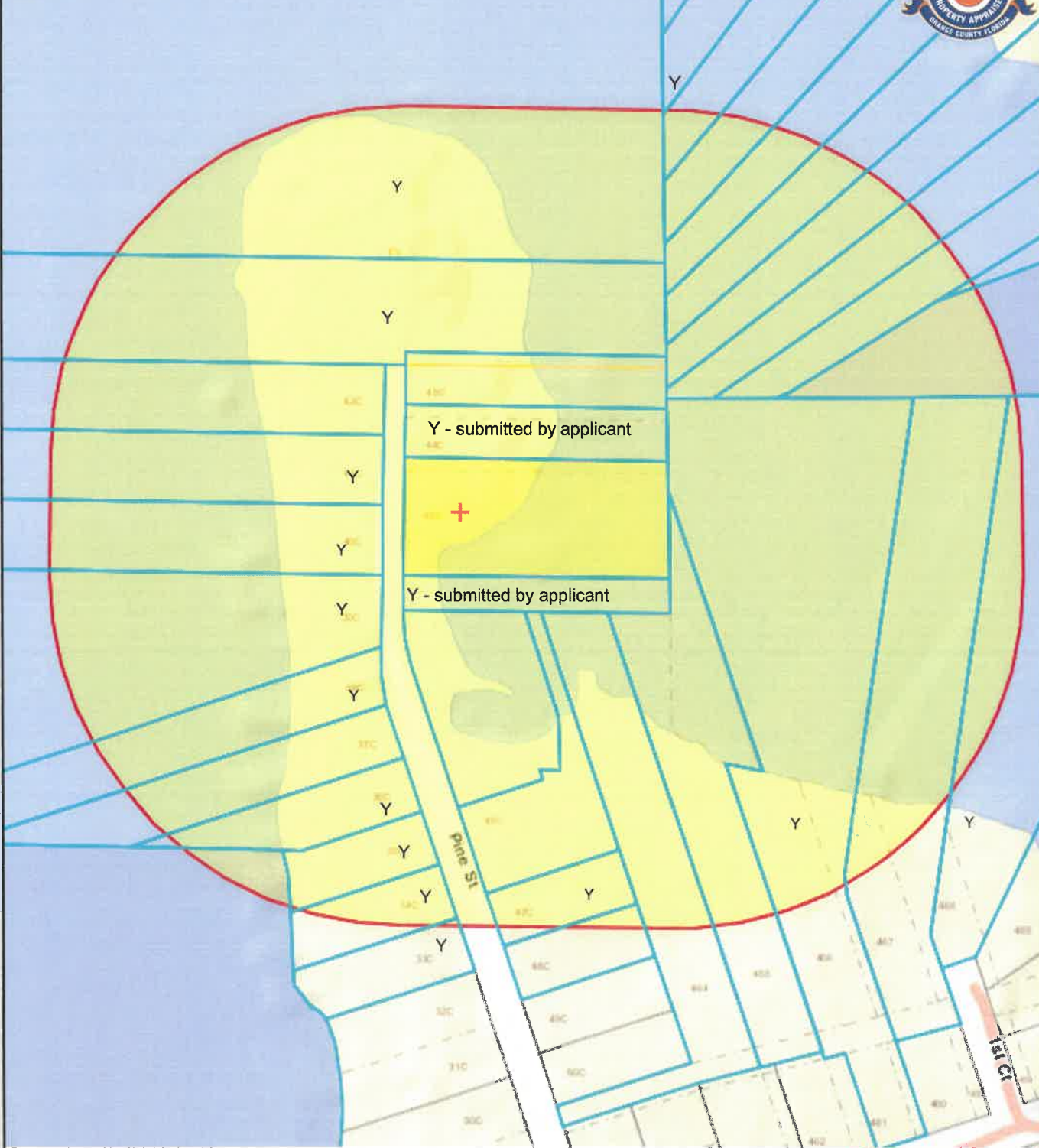
SIGNATURE: Brad Cornelius DATE: 12-20-18

OCPA Web Map

	Major Roads		Proposed Road		Block Line		Commercial/Institutional		Hydro		Golf Course
	Florida Turnpike		Public Roads		Brick Road		Governmental/Institutional/Misc		Waste Land		Lakes and Rivers
	Interstate 4		Gated Roads		Rail Road		Commercial/Industrial/Vacant Land		County Boundary		Building
	Toll Road		Road Under Construction		Proposed SunRail		Agriculture		Parks		Hospital



Courtesy Rick Singh, CFA, Orange County Property Appraiser



TOWN OF WINDERMERE

Town Council Meeting Minutes

January 8, 2019

CALL TO ORDER:

Present were Mayor Gary Bruhn, Council Members Richard Montgomery, Jim O'Brien, Bob McKinley, Chris Sapp and Andy Williams. Town Attorney Tom Wilkes, Town Manager Robert Smith, Police Chief Dave Ogden, Public Works Director Scott Brown, and Town Clerk Dorothy Burkhalter were also present.

Mayor Bruhn called the Council meeting to order at 6:00 pm and determined that a quorum was present.

Manager Smith explained that due to citizens' concerns and legal review of the Consent Final Judgement, he would like to request that Lake Bessie and Lake Down be removed from discussion and approval of agenda item 6(a). He then stated that the items can be discussed at a future workshop. All Council members agreed to remove Lake Bessie and Lake Down from the discussion and approval this evening.

1. OPEN FORUM/PUBLIC COMMENT:

Mayor Bruhn opened the floor to the public. First to speak was Mr. Frank Chase of 935 Oakdale Street. Mr. Chase commented on the process that has been taken this far without notification to the immediate neighbors. Ms. Angie McDonald of 2106 Willow Brick declined to speak. Mr. Al Fortin of 11493 Willow Gardens Drive introduced himself. He then commented on a HOA bill he received and the short time to pay the bill. Mayor Bruhn suggested that Mr. Fortin contact his HOA regarding this matter as the Town does not handle the HOA billing. Ms. Laurel Kellett of 2122 Willow Lauren Lane introduced herself. She then stated that she feels that the new facilities needed to wait a few years due to the fact that the Town has not received the FEMA reimbursement and the budget could not be funded. Manager Smith stated that the annual budget is funded. Mayor Bruhn commented the Town has been notified that the reimbursement from FEMA is on the way. Manager Smith stated that the Town is looking daily for the wire transfer from FEMA. He also stated that the Willows resurfacing project is scheduled to begin the RFP process in March, with actual work to begin in early summer. Member Montgomery stated that he has been in contact with the Willows HOA President and has given the FEMA updates as well. Mrs. Theresa Myers of 2713 Tryon Place introduced herself. She commented on preserving the current Police and Administration Buildings. Mrs. Myers stated that the buildings can be renovated and made safe. Mrs. Angela Withers of 712 Main Street introduced herself. She then commented on the look of the Gazette and how good it looked. Mrs. Nancy Bardoe of 225 E 9th Avenue introduced herself. She stated that as a long-time resident that lives on Lake Bessie, she does not approve of the proposed plan for Lake Bessie park. Mayor Bruhn stated that there will be a workshop on this item. Mr. Clyde Noblick of 2106 Willow Lauren Lane introduced himself. He stated that he will be involved in the follow up meetings regarding the Willows. He also stated that he is in support of the comments that Mrs. Myers previously stated. Public comments ended at 6:28pm.

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS:

a. Joan Foglia 11 Year Tree Board Volunteer

Manager Smith presented Ms. Grace Foglia and Mrs. Hannah Ammar with an appreciation plaque for Mrs. Joan Foglia who could not be present. He commented on the past assistance and time Mrs. Foglia has given to the Town.

3. TIMED ITEMS AND PUBLIC HEARING:

i. Resolution 2019-01: Town Facilities Borrowing Referendum

A RESOLUTION OF TOWN COUNCIL FOR THE TOWN OF WINDERMERE, FLORIDA, REGARDING POTENTIAL DEBT FOR A NEW POLICE HEADQUARTERS, PUBLIC WORKS FACILITY, AND ADMINISTRATIVE OFFICES; CALLING A REFERENDUM TO BE HELD ON MARCH 12, 2019, ON WHETHER TO APPROVE DEBT IN EXCESS OF 12.5% OF THE TOWN BUDGET, AS REQUIRED BY SECTION 11.12 OF THE TOWN CHARTER, TO FINANCE THE PROPOSED TOWN FACILITIES; PROVIDING THE BALLOT TITLE AND BALLOT SUMMARY FOR THE REFERENDUM; DECLARING

TOWN OF WINDERMERE

Town Council Meeting Minutes

January 8, 2019

THE INTENT TO REIMBURSE THE TOWN WITH BORROWING PROCEEDS FOR PROJECT EXPENDITURES INCURRED PRIOR TO THE BORROWING.

Mayor Bruhn closed the Town Council meeting at 6:32pm and opened the Public Hearing regarding proposed Resolution 2019-01. He then read the title of proposed Resolution 2019-01 for the record. There being no public comments, Mayor Bruhn closed the Public Hearing at 6:33pm and reconvened the Town Council meeting. Member Montgomery made a motion to approve Resolution 2019-01. Member O'Brien seconded that motion. Roll call vote was as follows: Montgomery – yes, O'Brien – yes, McKinley – yes, Sapp – yes, and Williams – yes. Motion carried 5-0.

4. CONSENT AGENDA:

- a. **2019 Vote Processing Equipment Use Agreement and Elections Services Contract**
- b. **Windermere St. Patrick's Day Festival Sponsored by Windermere Police Department Foundation Inc.**

Mayor Bruhn introduced the items. Member O'Brien made a motion to approve the consent agenda as presented. Member Kinley seconded the motion. Roll call vote was as follows: Williams – yes, Sapp – yes, McKinley – yes, O'Brien – yes, and Montgomery – yes. Motion carried 5-0.

5. NEW BUSINESS:

a. MINUTES:

i. Town Council Meeting Minutes – December 11, 2018

Mayor Bruhn introduced the meeting minutes for approval. Member McKinley made a motion to approve the minutes as presented. Member Montgomery seconded the motion. Roll call vote was as follows: Williams – yes, Sapp – yes, McKinley – yes, O'Brien – yes, and Montgomery – yes. Motion carried 5-0.

6. OTHER ITEMS FOR CONSIDERATION

a. IDG Landscape Architectural Services – Remaining Parks (5) Final Design Plans

Mayor Bruhn introduced this item. He stated that the Lake Bessie and Lake Down will not be included in this approval. Mayor Bruhn further stated that a workshop at a later date will be decided for the discussion of the two areas. Member Sapp suggested having an arborist inspect the trees in the area that will be marked off. Member McKinley stated that Palmer Park, Park Among the Lakes, and the Windermere Recreation Center will be the parks being approved. Member McKinley made a motion to approve IDG landscape architectural plans which have been approved by both the Parks and Recreation Committee and the Tree Board for Palmer Park, Park Among the Lakes, and the Windermere Recreation Center. Member O'Brien seconded the motion. Member Sapp reiterated his concern with having an arborist review the trees. Mayor Bruhn stated that staff will handle the arborists. Mrs. Myers stated that the concern in the areas is irrigation. Public Works Director Brown stated he will address the irrigation. Roll call vote was as follows: Montgomery – yes, O'Brien – yes, McKinley – yes, Sapp – yes, and Williams – yes. Motion carried 5-0.

b. Pump Out Services for Cleaning Stormwater Boxes and Drainage Structures

Mayor Bruhn introduced this item. Member McKinley made a motion to approve the pump out services. Member Williams seconded the motion. Roll call vote was as follows: Williams – yes, Sapp – yes, McKinley – yes, O'Brien – yes, and Montgomery – yes. Motion carried 5-0. Discussion was made regarding disposal. Director Brown stated that the contract will state that the company will be responsible for the waste. He stated that the company may take it to a dump/landfill.

7. MAYOR & COUNCIL LIAISON REPORTS

- a. **COUNCIL MEMBER ANDY WILLIAMS – Mr. Williams reported that due to the**

TOWN OF WINDERMERE

Town Council Meeting Minutes

January 8, 2019

holidays the Historical Preservation Board has not met. He then reported that they will be meeting this month.

b. COUNCIL MEMBER CHRIS SAPP – Mr. Sapp reported that the Downtown Business Committee did not meet. He then reported on the upcoming Treebute. Mrs. Myers gave a detailed report on the upcoming Treebute. She then reported that she has had a few tours of the 1887 School House. Mrs. Myers commented that a suggestion of a \$5.00 donation for the tour has acquired approximately \$130.00. She further commented that she is requesting that finance set up an account for the donation. Member McKinley questioned who gave the authority to seek donations for the tours? He then requested that this item be brought back to the Town Council next month for discussion.

c. COUNCIL MEMBER BOB MCKINLEY– Mr. McKinley reported that the Parks and Recreation Committee had met. He then reported that the Windermere Recreation Center tennis courts will be closed January 17th through February 8th for resurfacing of the courts. Mr. McKinley stated that the Pet Fest will be March 9th. He then stated that the next Elders Luncheon will be February 5th at 11:30am. Mr. McKinley then stated that if any candidates would like to attend the luncheon and give a short presentation, they may. He continued to report on a lake front property owner pamphlets, Florida Wildlife, and Bird Island designation.

d. COUNCIL MEMBER JIM O'BRIEN – Mr. O'Brien reported that the DRB did not meet. He then reported on the upcoming St Patty's Day event on March 16th.

e. COUNCIL MEMBER RICHARD MONTGOMERY – Mr. Montgomery reported that the Long-Range Planning Committee did not meet.

f. MAYOR GARY BRUHN – Mayor Bruhn reported that he continues to work on the road extension project and the water appropriations.

8. STAFF REPORTS:

a. TOWN MANAGER ROBERT SMITH – Mr. Smith reported on the FEMA reimbursement, the Mayor's Celebration February 23rd, RFQ for developing of a water master plan, town facilities workshops, upcoming events and his evaluations.

b. TOWN ATTORNEY TOM WILKES – No report.

c. POLICE CHIEF DAVE OGDEN – Chief Ogden reported on upcoming events, annual report, staff, policy reviews and the Tallahassee and Washington DC trips.

d. PUBLIC WORKS DIRECTOR SCOTT BROWN – Mr. Brown reported on bids, Aquatic permit renewal, staff training completion and possible new hire.

9. ADJOURN:

Mayor Bruhn adjourned the meeting at 7:07pm.

Dorothy Burkhalter, Town Clerk

Gary Bruhn, Mayor

TOWN OF WINDERMERE

Town Council Workshop Minutes

January 22, 2019

CALL TO ORDER:

Present were Mayor Gary Bruhn, Council Members Richard Montgomery, Jim O'Brien, Bob McKinley, Chris Sapp, and Andy Williams. Town Manager Robert Smith, Police Chief Dave Ogden, Public Works Director Scott Brown and Town Clerk Dorothy Burkhalter were present.

Mayor Bruhn called the workshop to order at 6:05pm.

1. OPEN FORUM/PUBLIC COMMENT:

Mayor Bruhn opened the floor for public comments. Speakers signed in deferred their comments until after the presentation.

2. SPECIAL PRESENTATIONS/PROCLAMATIONS/AWARDS:

a. Town of Windermere Traffic Pattern Plan Presentation

Mayor Bruhn introduced this item. He then turned the floor over to Manager Smith. Manager Smith gave a brief history of past discussions regarding traffic. He then introduced Mr. Mike Woodard from Kimley Horn. Mr. Woodard began his presentation at 6:08pm. He reviewed possible options for deterring traffic on the back roads. The presentation concluded at 6:25pm. Comments by the Town Council were made regarding barrier types and locations, maintenance issues and concerns with barriers, costs, roundabouts, Windermere Road and Maguire Road, stop signs, residents and EMS impacts, school traffic, golf cart use, turn arounds, metered lights, double lane roundabouts, Keene's Pointe entrance, and continuous right-hand turn onto Chase Road. Mayor Bruhn then opened the floor to the public. First to speak was Agustin Sierra of 836 Oakdale Street. Mr. Sierra questioned the results of the Police Department detail for the backroads. He then commented that the barriers would punish the residents and decrease property values. Brandi Haines of 835 Oakdale Street introduced herself. She then commented on the stormwater concerns on Oakdale. Ms. Haines then commented that the barriers at 9th needed to have a pedestrian cut through. Richard Jackson of 580 Ridgewood Drive stated he is in favor of the barriers in his area. He then commented on the traffic counts and a count he did. Manager Smith explained that counts are based on the cars that are going through town, not residents heading to the north of town. David Sharpe of 1027 Oakdale Street introduced himself. He stated that a design like Keene's Pointe would be beneficial to the 12th Avenue and Main Street location. He then stated that other components will be needed as well. Mr. Sharpe stated that he feels that something is needed. Mark Keller of 226 Main Street introduced himself. He stated that the four way stop at Windermere Road and Maguire Road works. Mr. Keller stated that a deterrent is needed. He then stated that he is not in favor of barriers and that the roundabouts do work. Mr. Woodard explained that stop signs are not intended to slow vehicles down, they are intended to control the intersection. Frank Chase of 935 Oakdale Street thanked the Town Council and the Police Department for their continued efforts with this issue. Roger Gatlin of 1224 Oakdale Street introduced himself. He then gave a brief history of the past Traffic Committee. Mr. Gatlin explained that the Committee recommended a continuous right-hand turn onto Chase Road, but it was never moved forward by the Town Council at the time. He then stated that now that the Town has the right of way in that area, it might need to be re-visited. Mr. Gatlin commented on the past sign study that was handled by the Traffic Committee. There being no further public speakers, Mayor Bruhn regained the floor. Discussion was made as to have another workshop or placing the items on the next Town Council meeting agenda. Mayor Bruhn stated that he would like this item on the February 12th Town Council meeting agenda. He also requested that the Town Clerk research the history of the stop signs that were installed at Windermere Road and Maguire Road. He then stated that he would like the following on the next agenda; Oakdale Street and 9th Avenue, Oakdale Street and 7th Avenue, Ridgewood Drive and 12th Avenue. Member McKinley requested that 5th Avenue and Magnolia Street be added to the agenda. Mayor Bruhn agreed to add it. Manager Smith requested clarification for the agenda. He then stated that with the amount of dialogue, a workshop would be better. Member O'Brien questioned if notices could be sent out to the residents. Manager Smith stated he was unsure if the notices could be mailed in time. He then stated that he would ask for assistance from everyone present, committee/board members and elected officials to get the word out for the meeting. Manager Smith then commented on his concern with the residents receiving the notice in time. Mayor Bruhn stated that notice would only need to be sent to the residents in the affected areas. Manager Smith stated

TOWN OF WINDERMERE

Town Council Workshop Minutes

January 22, 2019

that the gazette mailing addresses could be used at a cost of \$1,500.00 - \$2,000.00. Discussion was made as to what needed to be on the notice. Manager Smith stated that Windermere Road and Maguire Road, and the Chase Road items can be discussed at a later workshop/meeting. Member McKinley stated that he would like all costs associated with the barriers as well at the next meeting. Manager Smith stated he would have the information. Member Sapp stated he would like the opinion from the Long-Range Planning Committee as well.

There being no further comments, Mayor Bruhn adjourned the workshop at 8:06pm.

sated

Dorothy Burkhalter, MMC, FCRM
Town Clerk

Gary Bruhn, Mayor

DRAFT



Town of Windermere
 P. O. Drawer 669
 614 Main Street
 Windermere, FL 34786

COMMITTEE APPLICATION FORM

1. Name: George Poelker Home Phone: 407 230 8052
 2. Home Address: 405 W. 3rd AVE Windermere
 3. Business: Retired Business Phone: _____
 4. Business Address: _____
 5. Email: gpoelker@gmail.com
 6. Brief Summary of Education and Experience:
BS - Zoology (Duke) MA - BUSINESS MGMT (CMU)
MA ENVIRONMENTAL MGMT (UMUC)

- 7. Are you a U.S. Citizen? Yes No
- 8. Are you a registered voter? Yes No
- 9. Resident of the Town for 6 Months or longer? Yes No
- 10. Do you hold public office? Yes No
- 11. Are you employed by the Town? Yes No
- 12. Do you now serve on a Town Board or Committee? Yes No

13. Indicate which Board(s) or Committee(s) you are interested in:
- | | |
|---|--|
| Code Enforcement Board <input type="checkbox"/> | Development Review Board <input type="checkbox"/> |
| Downtown Business Committee <input type="checkbox"/> | Elder's Committee <input type="checkbox"/> |
| Historical Preservation Committee <input checked="" type="checkbox"/> | Long Range Planning Committee <input type="checkbox"/> |
| Parks and Recreation Committee <input type="checkbox"/> | Traffic Committee <input type="checkbox"/> |
| Tree Board Committee <input type="checkbox"/> | |

14. Why do you think you are qualified to serve on this board? INTERESTED
IN HISTORY OF TOWN

*FINANCIAL DISCLOSURE FORMS MAY BE REQUIRED FOLLOWING APPOINTMENT

Signature: [Signature] Date: 2/5/19

Note: If you have any questions, please call the Town Clerk at (407) 876-2563 ext. 23.



EXECUTIVE SUMMARY

SUBJECT: Website Renewal/ADA Compliance

REQUESTED ACTION: Attachments-Staff Recommends Approval

Work Session (Report Only)

Regular Meeting

DATE OF MEETING: 2/12/19

Special Meeting

CONTRACT: N/A

Effective Date: _____

Managing Division / Dept: _____

Vendor/Entity: _____

Termination Date: _____

BUDGET IMPACT: Not to Exceed \$25,000

Annual

Capital

N/A

FUNDING SOURCE:

General Fund

EXPENDITURE ACCOUNT:

Finance

HISTORY/FACTS/ISSUES:

Mayor & Council,

As mentioned at a previous Town Council meeting, the Town was involved in a lawsuit relative to the ADA compliance of the Town's official website. The cost to the Town to settle was the deductible to our insurance carrier but in order to adhere to the settlement and avoid future suits, Town staff looked into various municipal website providers. The intent was not only to adhere to ADA guidelines but the existing site is not user friendly nor admin friendly. To better provide information to the Town and ensure compliance an entire re-draft of the website would need to be done.

Town Staff reached out to our existing firm and various other providers/municipalities to attempt in getting the best service for the best price and came along ChatterBuzz. The site, service, and continued support will not only assist staff, but will also provide an easier navigable site with continued ADA monitoring.

After the initial website reconstruction, the Town would save \$1,000 a year on maintenance not including staff time.

Staff Recommends Approval of not to exceed \$25,000 to ChatterBuzz.



Municipal Website Proposal

Town of Windermere

January 21, 2019

Cover Letter

Dear Robert Smith,

Chatter Buzz is pleased to submit a **custom web development, website hosting / maintenance, and seo website copywriting services** through this transmittal letter to Town of Windermere in response to your need for a local Wordpress web development and hosting partner.

Chatter Buzz has successfully demonstrated that it is a trusted and reliable partner to a number of technology, SaaS, fortune 1000 and government entities. We are tremendously proud of the impact that we have made in helping our partners reach their goals and business objectives. We believe that our response meets the requirements as discussed during our discovery call session.

If Town of Windermere determines that our response does not address your concerns in any way, we respectfully request to be notified and be given the opportunity to correct any deficiency. Please forward any questions regarding this response directly to me. My contact information is provided below.

On behalf of Chatter Buzz, thank you for giving us the opportunity to earn your trust that our talents and contribution will meet your expectation. We look forward to continuing a mutually rewarding partnership.

Sincerely,



Andrew McGhee
Senior Growth Consultant
O: 321.236.2899
E: hello@chatterbuzzmedia.com
L: Orlando, Tampa, and New York

Agency Introduction

Chatter Buzz is an award-winning Tech-Creative digital marketing and advertising agency laser focused on delivering amazing UI / UX experience and custom web development.

Established in 2006, Chatter Buzz is a certified women-and minority-owned full service digital marketing and advertising agency with a proven history of providing outstanding conversions and ROI for our clients. Founded by an accomplished entrepreneur, investor, speaker, and senior engineer recruited by Google with a handful of top business influencers and VC board of advisors, Chatter Buzz team has a well-earned reputation around the nation as a respected, integrated digital advertising agency.

As an agency full of the most talented and well sought strategists and practitioners, we offer multiple services to meet our client expectations including **custom web development, UI / UX designs, web application development, mobile application development**, search engine optimization, programmatic advertising, geo-fencing, paid search and social advertising, branding, digital media planning and buying, content creation, campaign strategy and development, creative design and much more. Our offices are located in Orlando, Tampa, New York and soon will be in Jacksonville, FL.

Chatter Buzz has received multiple awards and recognition's such as [2013 - 2017 Top Social Media Marketing Agency](#) and [2013 - 2017 Top Advertising Agency](#), [2014 - 2017 Top SEO agency](#), 2016 W3 Gold Winner, 2016 Best Agency Communication Award, 2015 Coolest Company to Work for in Orlando, 2014 Women Who Mean Business, and Orlando's 40 Under 40 among others.



Chatter Buzz utilizes the most advanced insight, consumer behavior, and analytic tools to understand how to target the right target audience. Our team will work diligently to make ourselves familiar with your needs and ongoing web development challenges.

Number of Contributors 2018: 31

2017 Published Client Billings: \$7.2 Million

of Websites Developed: 300+

Goals and Objectives



Town of Windermere offers unique value to its residents and visitors, and it needs special capabilities to offer the full extent of that value to its broad audience via its website.

Standardized, templated and mediocre CMS development options won't do; Town of Windermere needs an attentive and highly experienced web development partner that has local capabilities to develop, host, maintain and immediately respond to

immediate website edits.

The Chatter Buzz team can:

- Provide expert recommendations on how to redesign the website to improve overall user interface and user experience UI / UX(ex. structured navigations, apply SEO best guidelines, incorporate, conversion rate optimization strategies, etc.)
- Provide a high level of UI / UX design with options to choose from
- Deliver a 100% customized, hand-coded solution
- Integrate the desired functionality seamlessly into Town of Windermere's website
- Provide an easy to easy and self explanatory content management system (CMS) so the client can easily make content updates without relying on us
- Assist on creative SEO focused copy that delivers results
- Implement SEO best practices and guidelines during the website redevelopment stages to avoid search engine penalties.
- Provide ongoing maintenance and technical support
- Provided a compliant website withing ADA and WCAG 2.0 standards

If Town of Windermere relies on a prepackaged (cheap or pre-mate themes) or off-shore solution and tries to tweak it to suit its unique functionality needs, it will be forced to compromise on aesthetics, website performance, uptime, conversions, ADA compliance, and the ability to customize that functionality into the future.

Recommendations For Town of Windermere

With advancing technology and the need to develop a website with ADA compliance and usability, Town of Windermere needs to redesign their website to align with the goals of the Town, its new brand, and attract the target audience seamlessly.

Allowing Chatter Buzz to develop a customized solution utilizing an easy to use and secure **CMS such as Wordpress** will give Town of Windermere the unique functionality it needs, and it's the best option to achieve the objectives described above.

If hired, our project will be broken down into the following web development services:

- **Consultation with Chatter Buzz to Translate Your Vision into a Website Design** – We'll meet with you and listen to your vision of how you want your website to look. After we get your input, our designers will turn your thoughts into a detailed plan for a beautiful, professional website to achieve your vision.
- **Customized UI / UX Design** – We'll collaborate with you and discuss how to incorporate your graphic identity as an essential component of your new site. Our designers will ask for your input and share their thoughts, paying special attention to every detail along the way.
- **Coding of Customized Solution to Meet Town of Windermere's Functionality Needs** – We'll meet with you so we can figure out everything we need to know about your functionality requirements. Then our developers will get to work coding a custom solution that gives you exactly what you need.
- **ADA and WCAG 2.0 Compliance** - Our development team will ensure through expert tools and disabled user testing a fully compliant website that will follow the standards developed by the ADA and WCAG 2.0.
- **Providing SEO Focused Content** - Having a beautiful website is not enough in the eyes of search engines. Content is king and your copy shall meet all SEO best practices if you want to rank online as well as give a new fresh voice that is aligned with the Town's new brand. Our skilled copywriters can craft tailor-made content that will cater to both the residents and visitors alike.
- **Ongoing Customization, Upgrades, and Technical Support** – We'll stick around for when you need us, whether it's tweaking the functionality we created for you or correcting a bug. Our familiarity with your code will give us a big advantage in making these changes as fast and painless for you as possible.

Scope of Work

Allowing Chatter Buzz (CB) to develop a customized solution will give Town of Windermere the unique functionality it needs, and it's the best option to achieve the objectives. Designing a new, fresh, mobile friendly and versatile website will increase visitor to lead conversion and also peak visitor interest on the website.

If hired, our project will be broken down into the following UI design and front end development activities:

Website Requirements:

- Review and analyze current website architecture, pages, and internal / external links. Work with client to determine which pages stays or will need to be removed.
- Recommend new site architecture and navigational structure for easier user navigation
- Develop pre-launch and post-launch checklist which includes testing
- Finalized a **Sitemap** based on the navigational structure that the client intends. (deliverable)
- Develop multiple **Wireframe designs** on all page templates to finalize content / section layouts (deliverable)
- Custom design of homepage and inner pages
 - Web creatives by our senior UI / UX designers - **NO** ready made templates
 - Provide **two design homepage** mock-ups to choose from
 - Consistency in CLIENT brand on all pages
 - All design and coding work will be performed by CB employees who resides and work in Orlando & Tampa, FL
- PSD to HTML 5 / CSS 3 (Bootstrap)
- Mobile Responsive Website
- Setup and launch a staging server to develop on while still in production (client can view 24 hours)
- Develop and implement a content management system (**Wordpress**)
- Setup all MySQL databases and provide an easy to use backend administration panel utilizing custom posts, easy to understand field labels, WYSIWIG editors on sections necessary and more.
- Ensure ADA and WCAG 2.0 Compliance with compliance documentation provided to Town of Windermere
- **News Page Development**
 - Ability to post content (text, images, video, iframe, etc.)

- WYSIWIG editor
- Search capability within the news section only
- Ability to tag content based on categories
- Author box
- Add social share icons
- **Events / calendar module**
 - Multiple views (list view and calendar view)
 - Ability to color code events based on categories
 - Add images on events
 - Expandable and collapsible view
 - Location maps and directions
 - Multi-day events
 - Ability to add events to user's calendars
 - Filter and sort events
 - Hide or delete past events
- **Develop a resource section / library**
 - Tab filter based on the categories
 - Ability to display different content (PDFs, videos, agendas, minutes, governmental documents)
- Secure administration panel
 - Login authentication and security
 - Forget password or username functionality
- **Provide the ability to display rotating and slide in banners**
 - Banners can be photos or videos
 - HTML driven and mobile responsive
- Develop up to **14 page templates** that can be used to generate additional pages as needed:
 - Main Home
 - Staff Directory
 - Departments/Boards/Committees Main
 - Department Single
 - Board or Committee Single
 - Visitors Main
 - Resident Main

- Government Main
- Calendar Main
- Calendar Single
- Event Single
- News Main
- News Single
- General Content Template
- Contact form creation and development
 - Setup and configure up to 4 forms within the site
 - RFI Form
 - Newsletter
 - Resident Information
 - Visitor Information
 - Form submissions will be submitted to the administrator(s) via email
 - Form submissions will be stored and collected on the Wordpress backend to be viewed at anytime
 - Form submissions can be downloaded via XLS, CSV, TXT and others
- Menu mouse over / drop down effect
- Setup, create, organize on the menu and name the pages needed to complete the site
 - Based on your website crawl, there are 250 html pages with a 200 response code
 - For <https://www.town.windermere.fl.us/>, Chatter Buzz will setup and prep up to 30 pages, as we have identified a lot of extraneous pages that can be condensed it to much more User Friendly pages.
 - Additional pages created by Chatter Buzz - \$150 / page
 - Additional pages created by Client – FREE (cost savings)
- Develop and provide the ability to duplicate pages and posts through a button click
- Site content addition / placement
 - Client must provide all finalized texts, photos and videos in digital and organized format
 - Chatter Buzz will add all static content into the website up to 30 pages.
 - Chatter Buzz will provide the appropriate image resolution and size for optimum display
- Setup accounts by roles
 - Client shall provide a list of users with the appropriate roles and contact information.
- Smart layout for homepage and inner content pages

- Search engine friendly website
- Install and setup google analytics within the website
 - Client shall provide GA code and give CB access to validate and verify
 - Integration of Google Analytics on the Wordpress dashboard is available upon client request
- Setup http and https protocol properly on the website
 - Auto redirects will be setup and configured to https
 - CB will locate all internal links and validate it is linking to the correct page and protocol
 - SSL certificate shall be purchased by the client
- Setup appropriate protocol for security within Wordpress
- Compatible to all latest version browsers (IE, Safari, Chrome, Firefox)
- Testing and Validation
 - Browser compatibility and mobile responsive
 - Scan and check for broken links, 301 redirects and any chain loops
- CB will launch the site live

Advantages of Our Website Approach

Complete web development and verification approach for Town of Windermere which includes:

- **Custom** design (no templates), programming, testing, verification, validation, and support
- Utilize project collaboration software (BASECAMP.COM) for milestone tracking, documentation, and development
- Dedicated project manager available for in person meeting, web / phone teleconference, and immediate email communication.
- Free 60-day warranty technical support after deliverables had been submitted and site had been launched
- Smooth and seamless development stages due to our internal web process.

Testing and Acceptance Criteria

All work products are subject to review and acceptance by client's verification lead or main POC.

- CB will assure that the website are free of any broken links and images.
- CB will employ QA employee to test all site features, navigation, SEO and others.

CB will review the host website and provide feedback as needed. Acceptable project will meet the following requirements, at a minimum:

- Follow the color scheme provided by client
- Meet all the requirements outlined under the development requirements section above.
- Have evidence of error-free run on the web
- All action items identified against web developments are closed to the main POC satisfaction

Training

Chatter Buzz Media is allocating **2 hours** worth of training to any Town of Windermere staff members. This one on one training can be held either at the client's location or CB's office located in Downtown Orlando.

Custom Web Development Project Timeline

We offer the following timeline for the redesign of the Town of Windermere website:

<https://www.town.windermere.fl.us/>

Phase	Activities	Completion
External Kick Off Meeting	An in-person meeting with all stake holders to re-review scope, schedule, deliverables, design objectives and others.	1 Day
Site Architecture Review	Review, evaluate and determine best practices of the website redesign as it pertains to SEO ranking, 301 redirects, URL structures and overall sitemap and architecture of the site.	3 Days
Discovery	Development of a sitemap and interactive wireframe prototype so that all functionality can be tested and approved in the browser.	2 Weeks
Page Mapping Matrix	Chatter Buzz to develop a page mapping matrix (excel) to work with the client to determine which pages will be associated with the newly designed template layouts.	2 Days
Design	Design of website user experience and user interface to allow the target audience to easily navigate and use the website to achieve their needs.	2.5 Weeks
Development	Development of working website on the WordPress content management system.	4 Weeks
Content Population	Chatter Buzz will perform initial content setup of pages and placement. The rest will be performed by the client. (options available)	2 Weeks
SEO Optimization	Develop an on-page optimization sheet to which Chatter Buzz will write and optimize all pages. Test all pages and validate that we receive 90+ score on SEO.	2 Weeks
Testing	Final testing and debugging on development server before launching.	1 Week

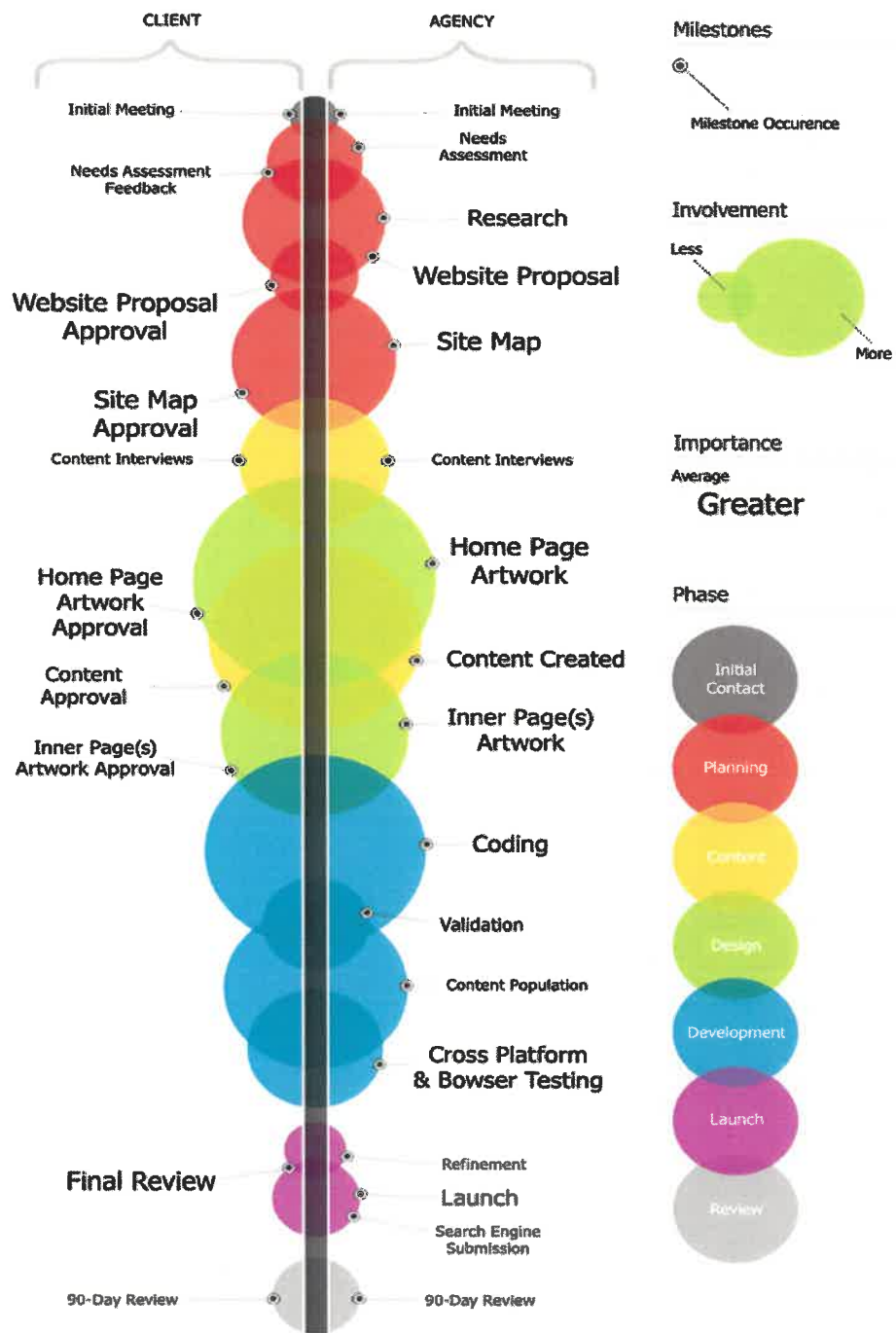
Custom web development duration: **8-12 Weeks**

Note:

- Estimate above assumes that client shall provide all feedback within 2 business days
- Development completion dates can be expedited depending on client approval duration

Our Custom Web Development Process

Experience + Bench-Marked Metrics+ Analytics = Results.



Fee Summary

Custom Web Design & Development

\$19,140

Based on the requirements outlined under the Scope of Work section, below is the complete breakdown of the design and programming tasks to develop a custom website from scratch specifically for Town of Windermere.

A discounted rate **from \$150 / hour to \$120 / hour** had been applied to this proposal.

Project:		Avex Homes	
	Base Hours	x Pages/Module	Total Hours
Design	60		60
Setup	4		4
HomePage	10	1	10
Interior Templates	2	14	28
ExtraFeature	1.5	1	1.5
Module	8	0	0
Content	1	11	11
Test/QA	10		10
Launch	4		4
Total			128.5

Website SEO Copywriting (15 Services @ \$300/service)

\$4,500

Web copy is often the most overlooked portion of a site, yet one the most important. The best copywriters don't just write: they speak right to you and write to be heard, not just read. It's crucial that every page on your site be written with the reader in mind. As Town of Windermere has recently undergone an extensive and deep re-brand, the new Town of Windermere website needs to speak with a voice that is inclusive of this vision. Chatter Buzz website copywriting services provide you:

- Keyword research, SEO copywriting, editing, new web page implementation, and SEO for the new web page
- ~ 500 words per
- Up to 10 min research per

- Strategic keyword use in articles
- Basic keyword research included
- All copy is reviewed by a Sr. Web Editor
- Matching website tone to buyer persona
- CTA included in website sales copy
- Copywriting & editing: \$250 a page
- Page implementation & optimization: +\$50 a page
- 200+ SMEs behind campaign driving results
- Total (Copywriting, editing, implementation, & optimization of the new page): \$300 a page

Wordpress Website Maintenance *(per month)*

\$179

Our full website support and select hosting plans include unlimited support tasks each month (30 minutes or less per task). Common tasks include: content updates, plugin research and setup, theme or stylesheet changes, embedding 3rd-party scripts, configuring forms, and general WP questions and assistance. **To begin upon completion of website and 60 day warranty.**

A complete list can be found here: [CLICK HERE](#)

- We shore up security holes and use the best malware monitoring tools on the web to keep your site protected 24/7
- We get down to business and implement all the best practices available to get your site running like a finely tuned machine.
- We've implemented a backup solution that takes incremental backups of your data.
- Let us manage your plug-in and website core updates to make sure that nothing breaks or have code conflicts.

Choose a monthly plan that suits you:

Features	Standard	Pro	VIP
Monthly Investment:	\$99/mo	\$179/mo	\$299/mo
Small 30 mins jobs	2/mo	5/mo	Unlimited
Detailed notes for every job	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Email support			
Phone support			
Proactive Wordpress updates			
Proactive theme and plugin updates			
Secure web backup			
Monthly security scan			
Custom coding or added functionality			
Average task response and resolution time	48-72 hours	within 48 hours	within 24 hours
Job request at a time	1 job at a time	1 job at a time	2 jobs at a time
Commitment	Minimum 12 months signup	Minimum 6 months signup	Minimum 6 months signup

Why Choose Chatter Buzz?

Town of Windermere is a unique organization with unique functionality needs. It should choose a web development company that has a depth of experience working on similar websites and organizations. Chatter Buzz is a TechCreative agency with 30+ staff members to which majority are in downtown Orlando. Our team consists of UI / UX and creative designers , in addition to software engineers that builds full-featured custom web and mobile applications. We consult and work with development teams, rescue left-alone projects, and help our clients make smart decisions.

- **Chatter Buzz's developers optimize performance throughout the entire development process** – Most developers don't consider performance after they finish coding; it's an afterthought. Our developers think about it constantly from the initial consulting phase to the end of the project. We'll make sure the solution we create doesn't slow page load times or squander server resources.
- **Chatter Buzz can develop any custom features you need** – Our team has the experience needed to create a solution for you, no matter how basic or complex your functionality needs. Usability studies, e-commerce, intranet development, and custom web apps are just a sample of the many things we can do for you.
- **Chatter Buzz's code is 100% hand-coded** –We don't take shortcuts because we understand you have a specialized need. Hand-coding takes longer, but it keeps things lightweight and bug-free. It also makes us intimately familiar with your features, which simplifies troubleshooting and backend support.
- **Chatter Buzz is experienced in a wide variety of web design styles and application programming languages** – Our team has experience building and tweaking many different types of websites in many different industries and sectors. We know how to monitor your site's performance and target the areas that need the most improvement.

We have performed relevant web development projects and engaged on numerous digital campaigns to organizations including:

- Reedy Creek Improvement District
- Orange County Mayor's Office
- Orange County Sheriff's Office
- Hillsborough Tax Collector's Office (current project)
- University of South Florida
- Georgetown University

Chatter Buzz Success Profiles (Website)

ChatterBuzz has a long history of providing solutions to today's business problems. We have made a significant impact in the government, homebuilding, financial and healthcare industries across the country. Listed below is a partial listing of some of our success stories -

Orange County Government, Florida

- **Objective:**
 - To create a new, user-friendly website for the Orange County Government in Florida.
- **Process:**
 - It was imperative that we understand the role that the Orange County web site plays in the community. Their previous site served as the online storefront for government officials and staff of Orange County. It also served as a resource for residents, providing information about the government, community affairs, local weather, job opportunities and events. We analyzed the existing website, and determined that it was outdated, lacked visual appeal, and was not easy to navigate.
- **Solution:**
 - We developed a new navigation process and implemented a service-driven navigation model. This greatly improved navigability and results in an interface that caters to the user, allowing government employees and residents alike to find what they need in fewer clicks. The main page displays a slideshow that features striking images of local sites and attractions, creating a sense of place and inspiring regional unity. The orange and blue color scheme is derived from the logo. With a new look and added website functionality, we helped Orange County establish an informative online resource for residents, employees and visitors.
- **Awards:**
 - 2012 Best of the Web (1st web award OCFL received for its website)
 - The website was the Best of the Web among all US County government agencies. The award honors websites that demonstrate innovation, usability and maximum functionality for users, while contributing to governmental efficiency.

CommonWell Health Alliance (McKesson and Cerner)

- **Objective:**
 - To create a fully featured website for Commonwell Health Alliance, an independent not-for-profit organization that supports universal access to healthcare data through

inter-operability.

- **Process:**
 - CommonWell did not have a website. As with all new or emerging businesses, we have to develop a keen understanding of the company's Mission, Vision, and Values. In this case, the underlying challenge was to integrate large scale sophisticated databases and mapping technology for use by leading edge browsers
- **Solution:**
 - We implemented a website using WordPress, a content managing system allowing the client to access and update content. This allows the client to update content such as blogs. The website features a clean, highly-navigable interface. The white space and blue accent adhere to brand standards and are derived from the logo. The website is both modern and responsive and has the ability to be used by out-dated browsers.
- **Awards:**
 - **2015 Bronze Winner - Digital Health Awards, Best of the Website**

Forward Florida

- **Objective:**
 - Forward Florida is a preeminent Economic Development organization who needed to increase their website traffic by 100 percent within three months of launching new site.
 - Cultivate audience engagement with the brand across Twitter, LinkedIn, Facebook and Google+ resulting in 150,000 impressions per month on average with a nine-month goal of 250,000 monthly impressions.
 - Increase awareness (e.g. following, favorites/retweets, etc.) via Twitter, key platform for audience, by attracting 750 followers among target audiences of Forward Florida within nine months of launch.
- **Process:**
 - Launched a new website along with social media accounts such as Twitter, FB, LinkedIn and Google+. We implemented landing page optimization and a comprehensive SEO audit and campaign. Additionally, we developed a content campaign strategy based on a Super Region economic development year-round editorial calendar, which was continuously updated with news coverage. Guest bloggers were invited to contribute as trends and news worthy events occur. We focused on Twitter and LinkedIn where engaged economic development discussions were happening. A digital and social media campaign strategy was also used to attract and engage target audience by utilizing popular industry hashtags.
- **Solution:**
 - Achieved objective to increase Forward Florida's website unique traffic surpassing the

100 percent goal by 177 percent.

- Launched a strong Twitter, LinkedIn, Facebook and Google+ presence and engaged target audience across networks that reached 384,000 people that helped us reach our goal of more than 250,000 monthly organic impressions per month.
- Increased awareness of Forward Florida as a resource for Florida's Super Region economic development updates and events via social media engagement by attracting 1,014 Twitter followers, which mostly fall among the target audiences.

Orlando Economic Development Commission

- **Objective:**
 - The Orlando Economic Development Commission (EDC) is a not-for-profit, public-private partnership that attracts, retains and grows jobs for the region. The EDC needed to increase brand awareness and reach the public to inform them of the advantages of being in Orlando.
- **Process:**
 - We developed a comprehensive social media engagement strategy for multiple brands and individuals. In addition, we managed the implementation of social campaigns, daily conversations, content creation, blog postings and monthly analytical reviews to meet KPI's and develop ROI estimates.
- **Solution:**
 - Within one year the Orlando EDC, increased Twitter engagement by 3,400 percent, Facebook engagement by 915 percent and increased monthly reach across two Facebook, Twitter, Pinterest and Instagram accounts, four YouTube channels and a LinkedIn company and group account to 1.8 million. Also was voted the 3rd best Pinterest in Orlando by TheDailyCity.com readers.

NRAA

- **Objective:**
 - The mission of the National Renal Administrators is to serve as the resource and voice for independent, regional and community based dialysis providers. ChatterBuzz's charter was modify current the brand and make it contemporary and unified; increase awareness and engagement.
- **Process**
 - Create a consistent and recognizable brand through an in-depth review of their existing collateral and organizational goals. Their existing collateral was inconsistent in branding, and did not reflect their standing as a cornerstone of the industry. Several design issues were found with the logo, resulting in a unrefined look. Additionally, there was a lack of marketing collateral to foster and engage existing members.
- **Solution**
 - We refined the logo to create a clean and polished appearance. The logo then provided the base by which all new collateral was created, ensuring unity and a strong identity.

The blue color scheme extracted from the logo symbolizes the strength of the organization and inspires trust from its members. We increased brand awareness and engagement by marketing through social media platforms such as Twitter, LinkedIn and Facebook. In addition, we provided the content for numerous email marketing campaigns, ensuring a voice that was consistent across all collateral and in line with the organization's message.

Osceola Board of County Commissioners - Experience Kissimmee

- **Objective:**
 - The Osceola County Board of County Commissioners awarded a one-year contract to Chatter Buzz Media to produce a tourism brochure to attract visitors to the Kissimmee, FL area.
- **Process**
 - The team at Chatter Buzz began work on the project by accessing old copies of the Area Guide from the previous few years. The copywriters and designers brainstormed ideas for giving the Area Guide a fresh, updated look while adhering to Experience Kissimmee brand guidelines including hues and typography.
- **Solution**
 - We created all of the copy for the 68-page booklet, and handled the graphic design, layout, printing and fulfillment of 650,000 copies of the guide. This work product is available online and hard copies are shipped all over the world to drive interest to Kissimmee. Our strategy was to highlight the diversity of entertainment opportunities available in Kissimmee beyond the theme parks. In addition, our staff assisted Experience Kissimmee by creating a sales program to solicit advertisers from the Kissimmee area to defray the cost of production. Chatter Buzz uploaded a digital copy of the guide online that is linked from the Experience Kissimmee website, shared via social media, and included in email marketing campaigns.

Lennar Corporation / Orlando-

- **Objective:**
 - For over 40 years, Lennar has been one of Central Florida's top new home builders. ChatterBuzz was tasked to increase brand awareness of Lennar Corporation and drive foot traffic to the Lennar Welcome Home Centers
- **Process**
 - The key to understanding Lennar's unique problems is market research. We determined that competitors employ an abrasive, sales-first approach to advertising homes. We also researched industry-standard e-mail marketing practices, and identified ways we could

enhance the Lennar brand while complying with their existing guidelines and structure.

- **Solution**

- To give Lennar a competitive edge, we employed a lifestyle-based advertising model that appealed primarily to the home buyer's sense of well-being. Family and lifestyle imagery are at the forefront of our clean designs, positioning Lennar as a brand that not only sells homes, but lifestyles as well. Our e-mail marketing campaigns perform well above industry standard and company-wide benchmarks.

Lennar Corporation / Tampa

- **Objective:**

- Develop a "Mommy Certified" campaign by tapping into a hyper-local demographic to amplify Lennar messaging. We leveraged the participants' extensive network in an organic manner

- **Process**

- ChatterBuzz identified growing families as an ideal target market for new communities, as they often seek larger housing and community amenities to accommodate their children. We found that women were the influencing catalyst when buying a new home. We also found that mothers of young children frequented mommy blogs for product recommendations and advice. With this in mind, we targeted growing families through local mommy bloggers.

- **Solution**

- We selected three local bloggers that had children, extensive experience with family blogging and large female followings on social media. In understanding what moms look for in a home, we wanted our bloggers to relay the message to their followers that Lennar homes are "Mommy Certified," having everything a mom would want in her home. Our bloggers were responsible for both blog and social media posts highlighting a combination of Lennar's product lines and lifestyle topics. We also leveraged their followings to lead up to a community "Back to School BBQ," an open house event at the end of the campaign.
 - 13 blog posts with a combined reach of 40,000+ visitors
 - 389 social shares from original blog content
 - 214 organic social media posts to 83,000 followers
 - Campaign reached over 200,000 people

Summit Broadband

- **Objective:**

- To communicate news of a merger between two Florida telecommunications providers, Summit Broadband, and US Metro as well as raise awareness of the all-new Summit

Broadband.

- **Process**

- In order to accurately communicate news about the merger to the public, Chatter Buzz's PR professionals met with leaders at Summit Broadband in Orlando and US Metro leaders in Bonita Springs. Chatter Buzz also researched previous media coverage of Summit Broadband, performed a SWOT analysis, researched editorial calendar opportunities, and created a media database of targeted reporters in both Central Florida and Southwest Florida markets.

- **Solution**

- Chatter Buzz collaborated with the Bonita Springs Estero EDC to host a press conference in Bonita Springs to formally announce the Summit Broadband merger to the public. The event drew members of the media, local homeowner association leaders who live in communities affected by the merger, Chamber officials, EDC leaders among others. Chatter Buzz created email marketing copy to invite members of the public, wrote remarks for CEOs of both companies to deliver, and wrote and distributed pre- and post-event press releases. The event resulted in media placements in both Southwest Florida and Central Florida local newspapers.

Rockwell Collins

- **Objective:**

- Rockwell Collins, a pioneer in the design, production and support of innovative solutions for the aerospace and defense industries, was in need for direct marketing collateral to be mailed to key stakeholders interested in the company's avionics solutions.

- **Process**

- ChatterBuzz's technical writers, in-house engineers, and graphic designers studied the copy and images used in previous marketing collateral items. We consulted with Rockwell Collins leaders to discover the collateral pieces that resulted in the most inquiries in previous years.

- **Solution**

- Our technical writers developed a content outline, brand messaging guidelines and calls to action for the marketing collateral. After performing significant industry and competitor research, the writing team produced the copy for the marketing collateral. ChatterBuzz's production team selected the most cost-effective printing vendor to print the professional booklets. After receiving a list of stakeholders from the client, we managed the shipping process needed to mail the collateral on behalf of the client.

Hope and Help Center ("Headdress Ball")

- **Objective:**
 - As a non-profit organization Hope & Help Center is challenged with limited resources to raise awareness for their cause. Our goal was to help amplify their message through social media. As a large, well-known event with donors in attendance, the Headdress Ball proved to be the perfect opportunity to capitalize on social media.
- **Process**
 - We began with comprehensive research around the Headdress Ball including what would be happening this year, what differentiates this year from past years, and the history of the event. We studied social media influencers who were involved in the event as performers, sponsors and donors. Based on this research we developed a comprehensive strategy to target Hope & Help Center's donor base with specific messaging that communicated excitement for the event while still emphasizing Hope & Help's mission.
- **Solution**
 - During the period we managed Hope & Help Center's social media their Facebook page gained twice as many new fans as they would have normally. Page impressions for Facebook also increased by 345%. Twitter mentions (1100% increase) and re-tweets (530% increase) spiked during the event helping to increase Hope & Help Center's reach and brand awareness. The hashtag saw a total of 370,321 impressions, most of which came from Twitter. Post-event the recap video we created received 384 views on YouTube. When the video was posted on Facebook it received 12 shares and a reach of 2,300, which is over 10x higher than most of their other posts.

Project Management Approach

Leadership

Since 2006, Chatter Buzz has evolved and refined an approach to project management that has contributed to the ongoing success of the firm and of our clients. The agency was founded by an engineer recruited by Google who spent most of her corporate career experience as a design program engineering manager managing very large research & development \$100+ million projects for companies such as Rockwell Collins, DRS Technologies, General Electric and others.

She and her 10 highly experienced board of advisors have worked together and grown the agency consistently. Shalyn Dever are joined by five other seasoned communication professionals, Dr. Jerry Juska, Joshua Jones, Ken DiGilio, Jason Jones and Nanci Schwartz, who serve as Senior Consultants for the agency.

Each account team is led by one of these five senior team members who provide hands-on, day-to-day leadership of the project. They are responsible for delivering the project on-time and on-budget and meeting or exceeding your expectations.

Team Work

The account team is then supplemented by a Senior Consultant and an Account Executive/Coordinator. This team-based approach to service delivery ensures multiple points of contact for our clients and the assurance that one of the most senior members of the agency is providing counsel and overall leadership of the project.

In addition, as the needs of the client dictate, we bolster our team by turning to a small number of carefully selected suppliers who provide services and expertise complementary to ours. We choose our suppliers carefully and work with them consistently to ensure a seamless experience for our clients.

Access and Reporting

As a client, you have the right to immediate access to the members of our team and we work hard to ensure we deliver. Clients can contact us directly using email and phone. Our email system is robust, secure and can be accessed via the web no matter where our travels take us. Team members also carry smartphones for maximum accessibility. With our main HQ office in downtown Orlando, satellite office in downtown Tampa and New York.

To ensure an open communication between parties, we propose the following:

- Weekly short status report (sent every Monday before noon)
- Monthly comprehensive status report with detailed analytics, lessons learned, activities completed last month, activities we plan for the following month, results key takeaways, schedule breakdown and % completion
- Weekly or Bi-weekly call depending on client preference
- In-person meeting **with** the client and Accounts team (bi-monthly or quarterly). We are open to either options. Chatter Buzz team will travel to the client's location.

Turn Around and Flexibility

Chatter Buzz prides itself on exceeding our clients' expectations for timely turnaround and flexibility. We operate every day in a fast-paced environment and we excel in working with our clients to meet or exceed deadlines – success in custom development and marketing demands nothing less. We prepare detailed critical paths for all projects and report on progress regularly, using a schedule that meets your needs. Above all, we ensure deadlines are met. Whenever extenuating circumstances arise to challenge those deadlines, we communicate with you early to avoid surprises and propose solutions.

We also understand that client needs and expectations can change quickly, especially in the education environment, where decision-making is deliberative and decentralized. As an agency, we have adapted to the needs of our clients by becoming a nimble organization, able to change our approach quickly – all while remaining faithful to an overall strategy and budget.

Pricing

Among the most important commitment to clients that we make is a “no-surprises” approach to pricing and invoicing. Our estimates are detailed and show precisely the effort and cost for each task or deliverable. We use exactly the same elements to create our invoices. This way, you know what has been delivered, what you have paid and what remains of the project. Here again, if circumstances arise such that it appears we cannot deliver on budget, we immediately alert you, explain the situation and propose solutions. Our insistence on not surprising clients with our invoices is one the principal reasons why repeat clients and referrals remain such an important part of our business.

This promise of sound management, strong teams, fast pace, flexibility and no surprises is backed by the very best evidence an agency can provide: years of success and a growing list of satisfied clients, many of whom have been with us to a decade or more.

Next Steps

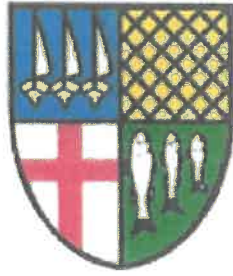
To take advantage of this proposal and proceed with the project as outlined, Town of Windermere's next steps must be to:

- Accept the proposal as-is
- Discuss desired changes with Chatter Buzz
- Finalize and sign the contract
- Submit an initial payment of 33 percent of total project fee
- The rest of the payment will be rendered upon other milestones completions



Once completed, Chatter Buzz will contact Town of Windermere to schedule a project launch meeting to make introductions and gather information before beginning the work.

We're happy to make changes to project scope on Town of Windermere's request at any time, but may be subject to additional billing.



**TOWN OF WINDERMERE
EXECUTIVE SUMMARY**

SUBJECT: Pedestrian Crossing Signage/Rectangular Rapid Flashing Beacon (RRFB)

REQUESTED ACTION: Staff Recommends Approval

Work Session (Report Only) **DATE OF MEETING:** February 12, 2019
 Regular Meeting Special Meeting

CONTRACT: N/A Vendor/Entity: Fausnight Stripe & Line, Inc.
Effective Date: November 13, 2018 Termination Date: 04/01/2019
Managing Division / Dept: Public Works

BUDGET IMPACT: **Funding Approved at Nov. 2018 TC Meeting- Not to exceed \$15,000.00**
 Annual **FUNDING SOURCE:** WWD
 Capital **EXPENDITURE ACCOUNT:** 001 5110 000 7605
 N/A

HISTORY/BACKGROUND/RECOMMENDATIONS:

Mayor & Council,

History

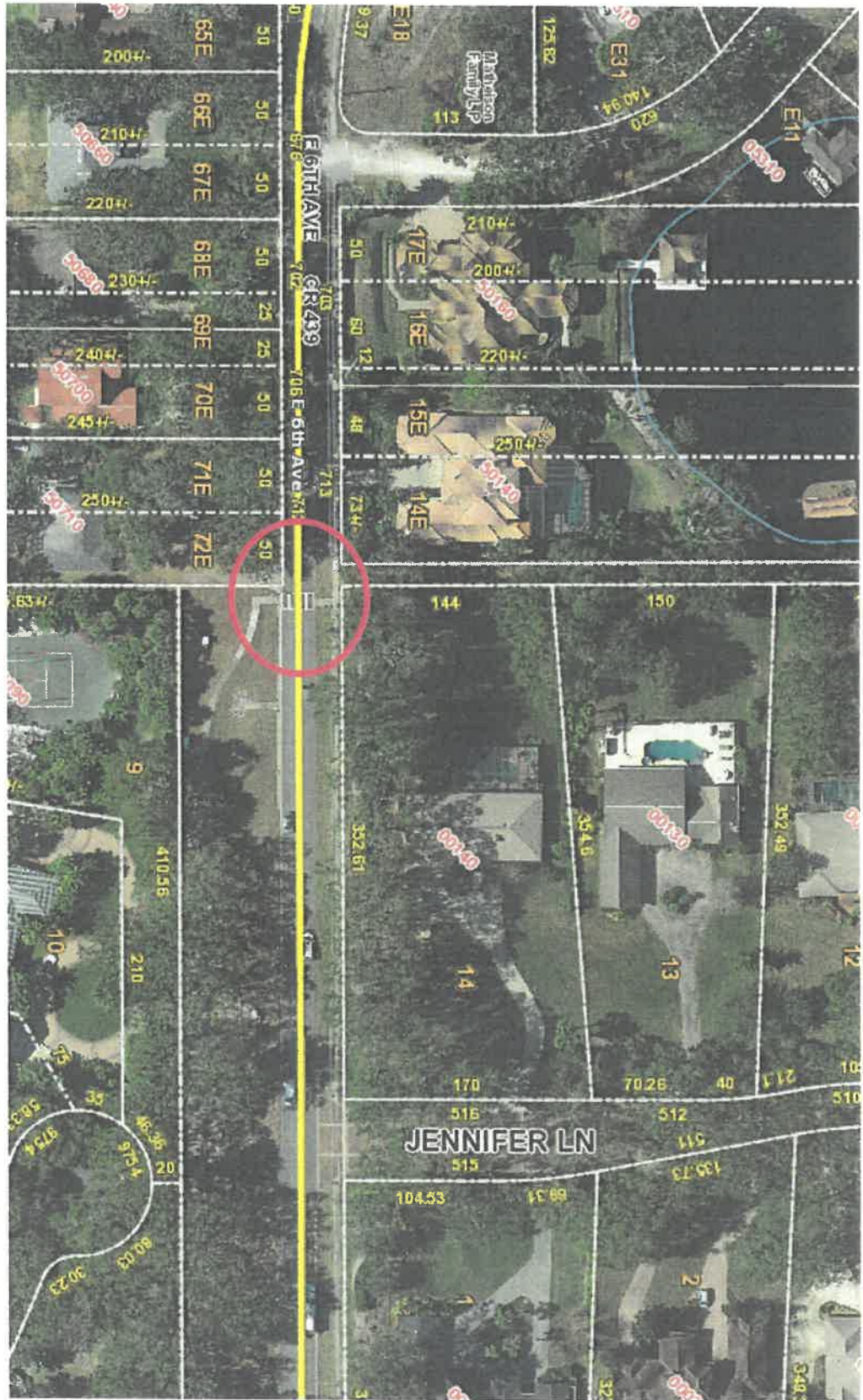
The Town continues to enjoy itself as a walkable community and recognizes the importance of physical activity for people of all ages and abilities. Several pedestrian walkways have been established throughout the Town and, at the time when they were installed, advanced traffic warning signs were placed at those locations where the pedestrians crossed at unsignalized intersections and/or mid-block locations. Since this time, modern advancements in warning signs have improved and travel volumes, or trips per day, on these roadways have increased.

Background

At the November 2018 Town Council meeting, Council approved the funding of the RRFB and requested that the locations to be reviewed by the Long-Range Planning Committee.

Recommendation

Long Range Planning reviewed several locations and they recommend placing it at the existing Ped Crossing on Sixth Ave., east of Ridgewood Drive (see attached map).



Town of Windermere

P.O. Drawer 669 Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
GARY BRUHN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

Mailing Bar Code
Name
Address
City, St Zip

Cut Thru Traffic Modifications Meeting Notice Town Council Meeting February 12, 2019 6pm Town Hall 520 Main St Windermere, FL 34786

Continued growth to the southwest of Windermere has increased the cut-through traffic through Town. Traffic congestion continues to increase along roads such as 6th Avenue, Main Street, and Chase Road. Congestion has become an unavoidable problem for drivers, particularly during peak hours. There is a concern that more and more drivers will begin to take local roads such as Magnolia Street and Oakdale Street to avoid congestion on the arterial network. The Town retained Kimley Horn & Associates to conduct a Traffic Pattern Plan to better understand the patterns and magnitude of cut-through traffic and provide recommendations that will reduce the cut-through traffic on local roads.

At the February 12th Town Council meeting, the Council will be reviewing these recommendations for approval. The areas of focus will be 5th/Magnolia, Lake/Ridgewood, 12th/Chase, 9th/Oakdale & 7th/Oakdale. Please plan to attend or contact Robert Smith, Town Manager at rsmith@town.windermere.fl.us to let your voice be heard.



A photograph of a person riding a bicycle on a paved road in a park-like setting with trees and a green overlay. The person is wearing a blue shirt and dark shorts. The background shows a line of trees and a clear sky. A dark green horizontal band is overlaid on the top half of the image, containing the text 'TOWN OF WINDERMERE'.

TOWN OF
WINDERMERE

Traffic Pattern Plan

Town Council Presentation

January 22, 2019

Presentation Summary

- Results Summary
- Potential Alternatives
- Discussion

Key Conclusions - Townwide

- Chase Rd – 76% cut-through
- 6th Ave - 64% cut-through
- Park Ave – 76% cut-through
- Maguire Road – 55% cut-through

Key Conclusions - Local

- Most cut-through traffic stays on main roads
- Local Roads with most cut-through:
 - Oakdale St
 - 2nd Ave
 - 7th Ave

Max is 13 cut through vehicles in an hour



MAGNOLIA
ST

Alternatives



Use Barriers
to Reduce
Cut-Through

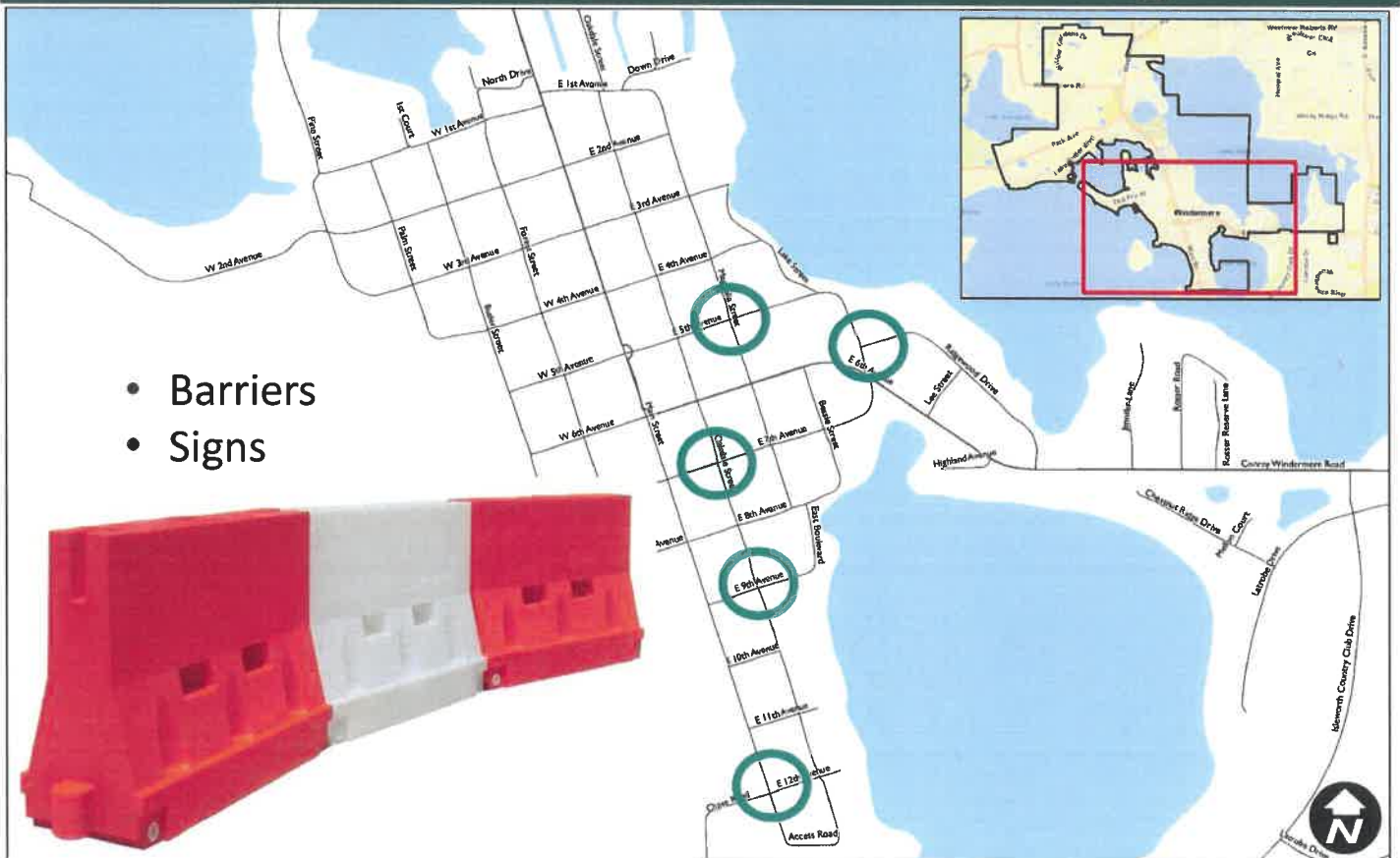
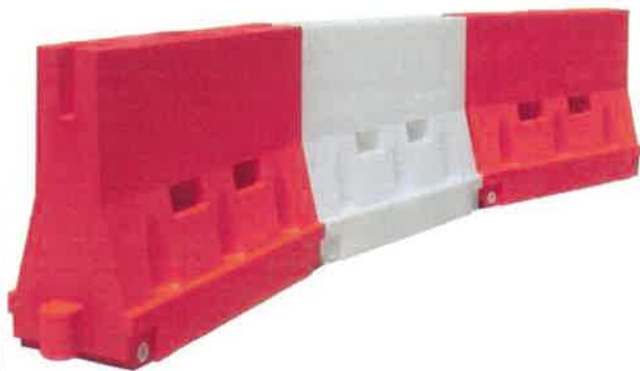


Improve
Efficiency on
Main Roads

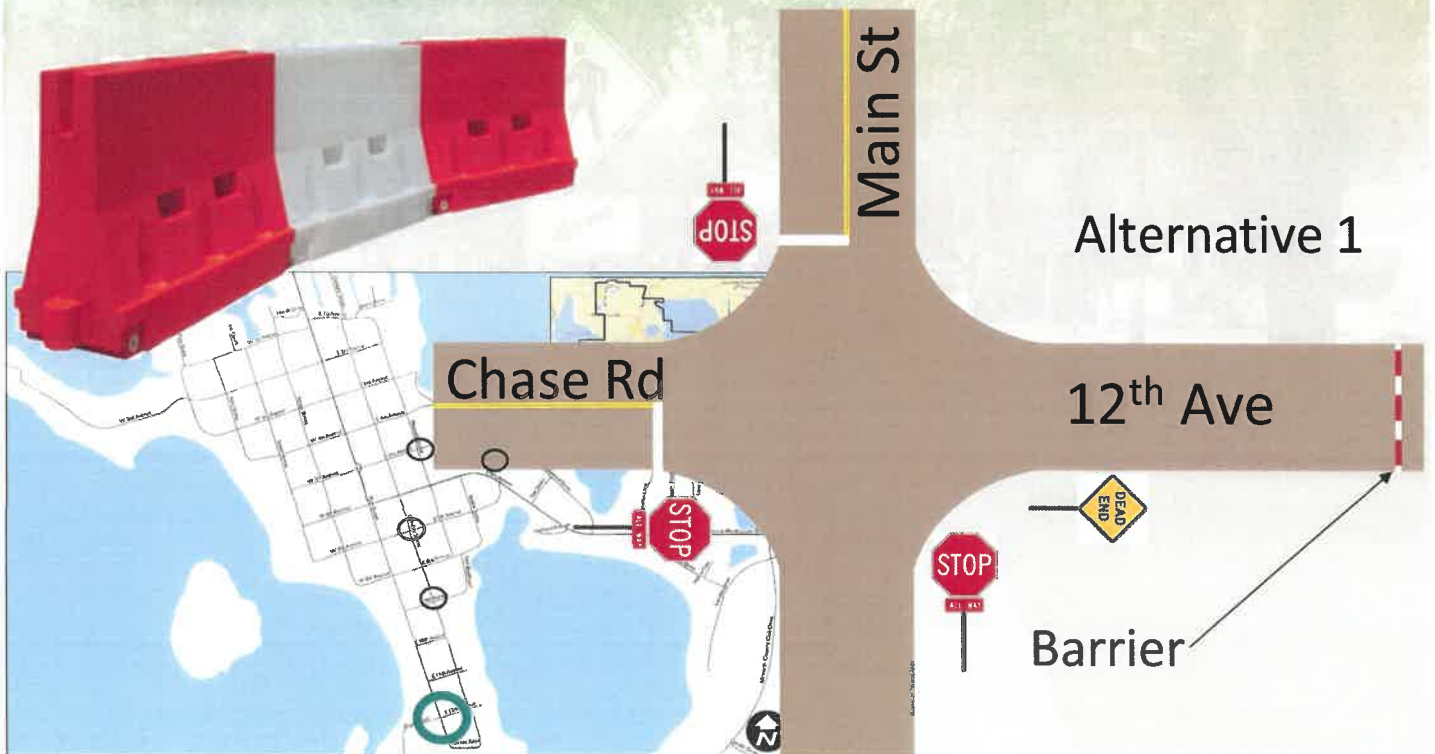


How to Reduce Cut-Through

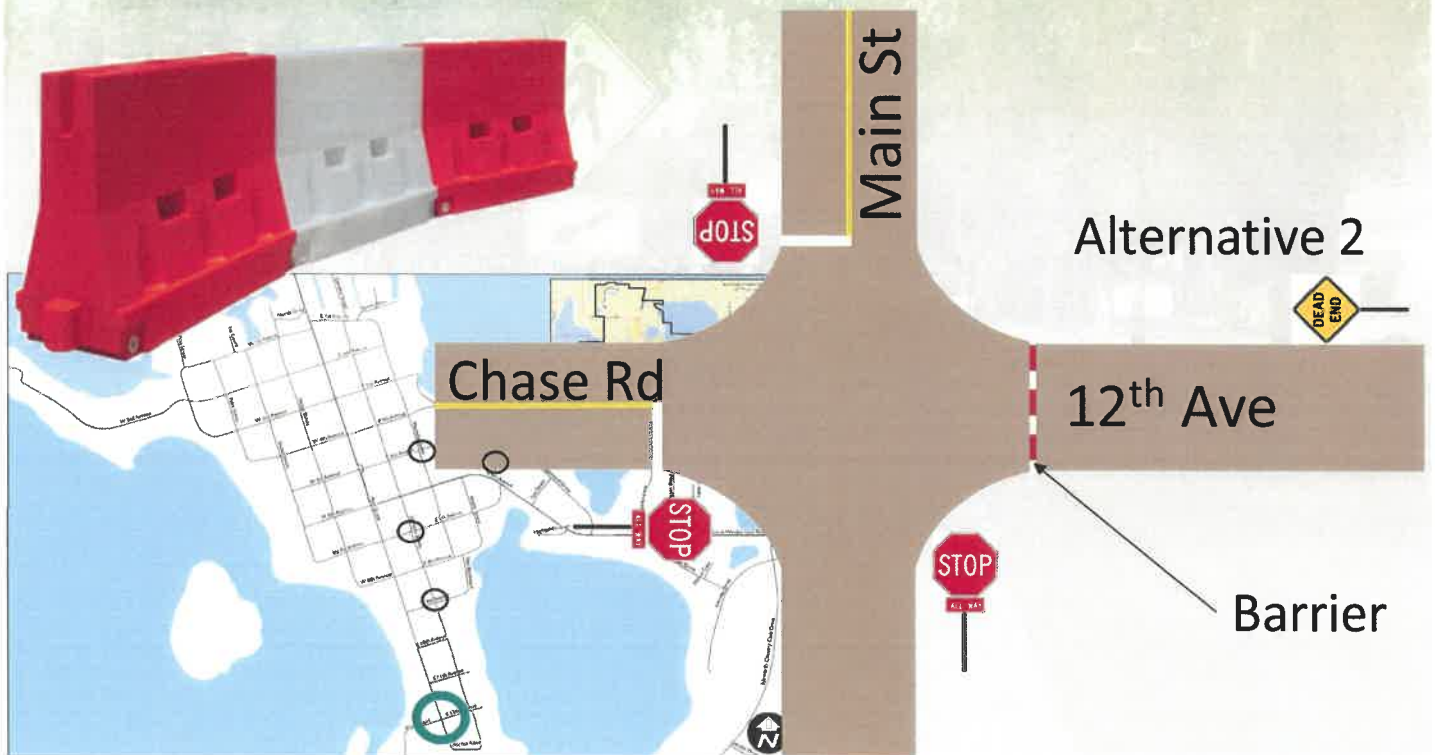
- Barriers
- Signs



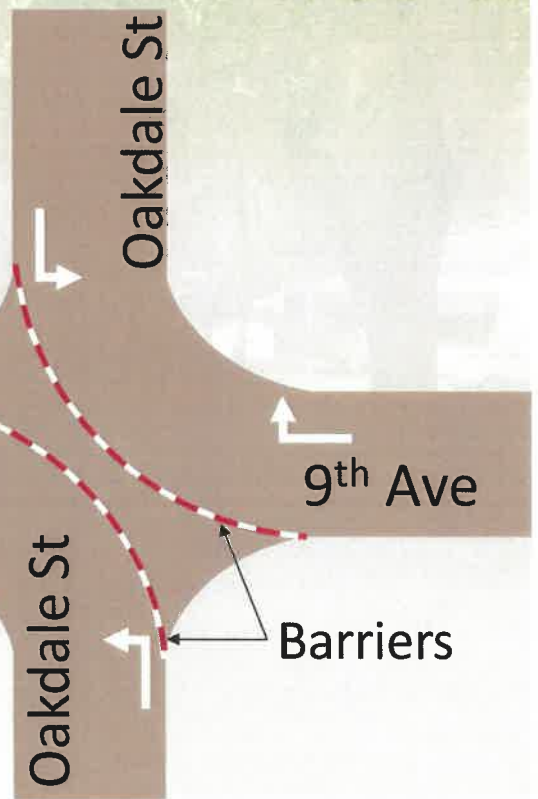
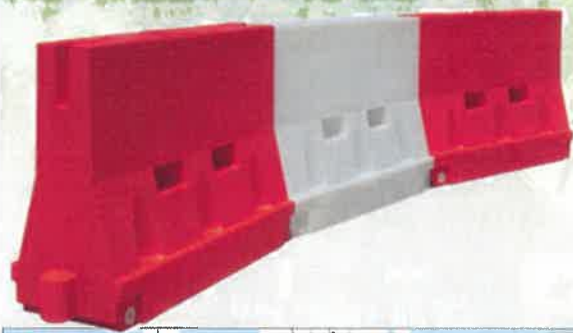
Barriers - Main St & Chase Rd



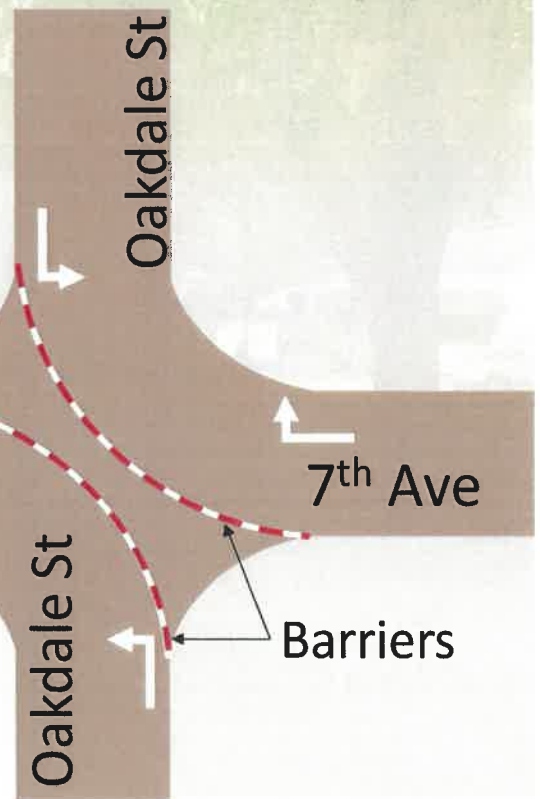
Barriers - Main St & Chase Rd



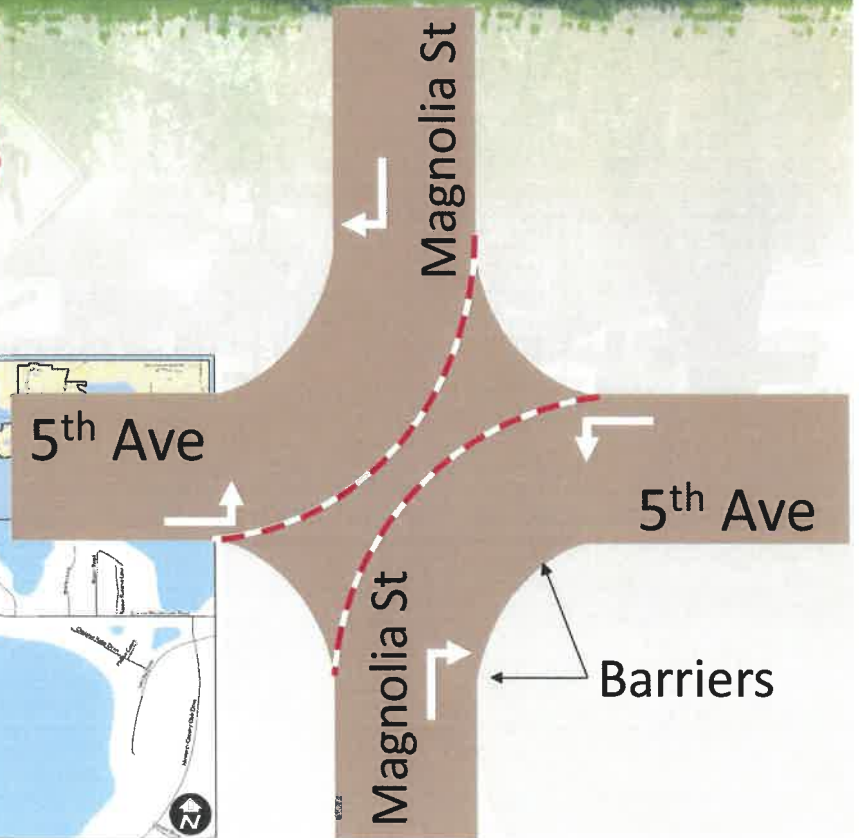
Barriers – Oakdale St & 9th Ave



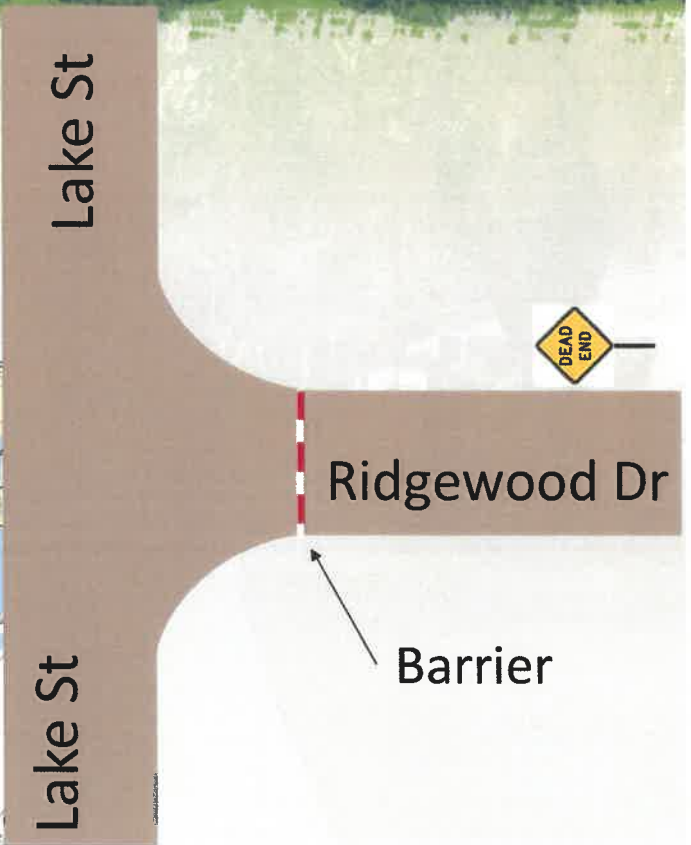
Barriers – Oakdale St & 7th Ave




Barriers – Magnolia St & 5th Ave

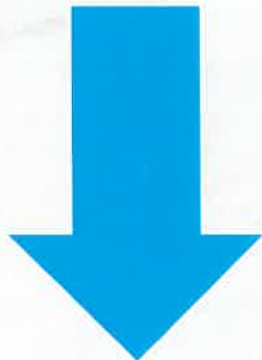


Barriers – Ridgewood Dr & Lake St

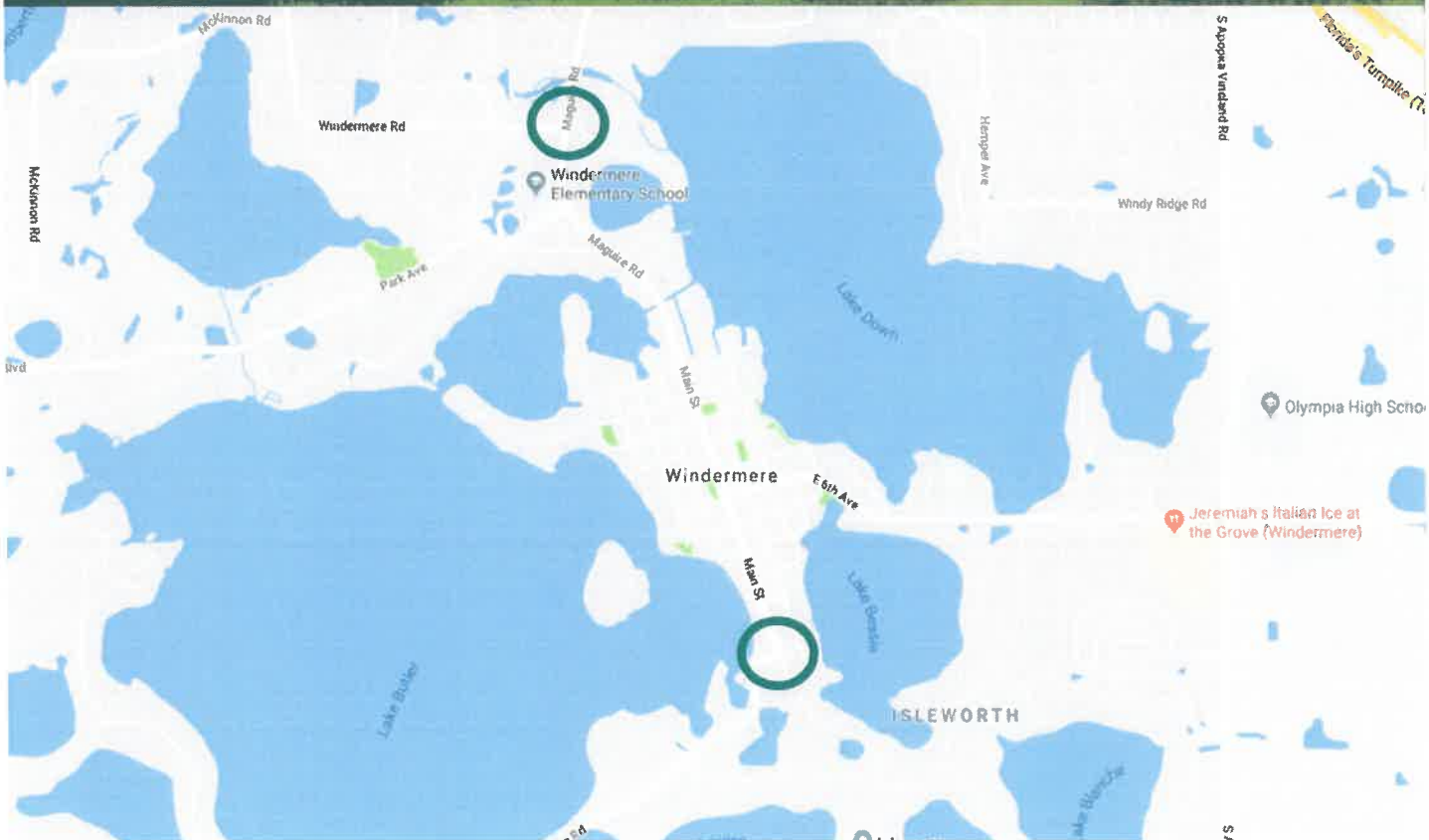


Effect of Barriers

- 
- Roads with barriers will have less traffic
 - Max benefit of 13 fewer cars during peak hour

- 
- More residents circulating around barriers
 - Overall traffic on roads will increase
 - Impact to / notify EMS, Fire, Solid Waste, Post Office
 - Minor conflicts at locations with barriers
 - Some residents will be unhappy with extra circulation
 - Maintenance of dirt roads

Improve Efficiency on Main Roads

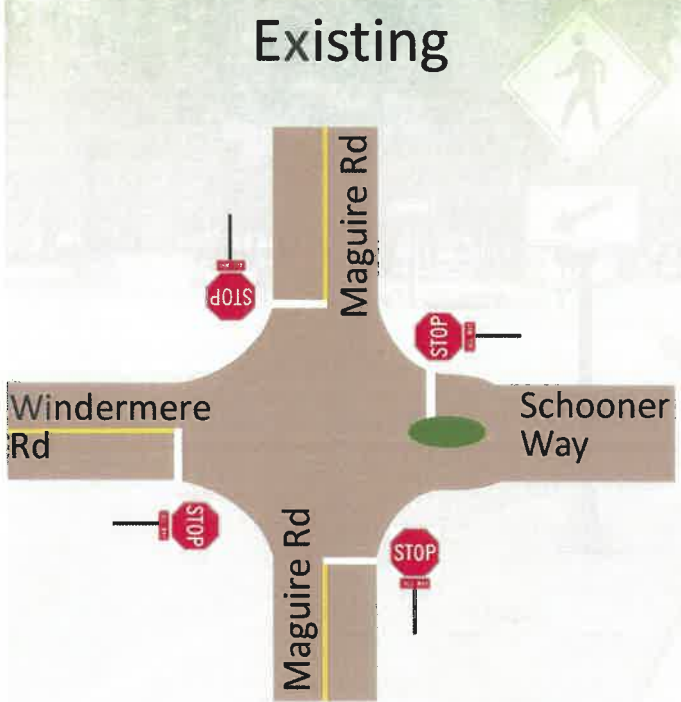


Remove Stop at Main St & Chase Rd

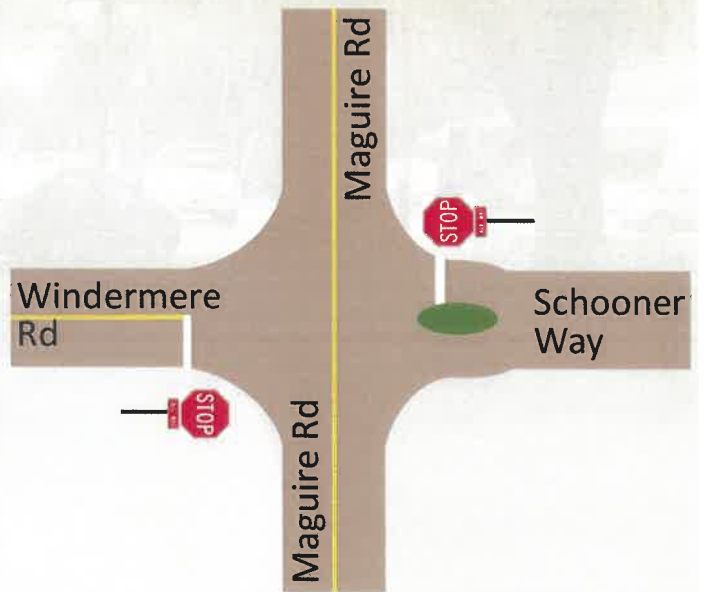


Remove Stop at Maguire Rd & Windermere Rd

Existing



Modified



Effect of Stop Sign Removal



- Traffic can exit town with less delay
- Gaps in traffic will be more natural, rather than metered (easier for side streets)
- Complies with federal standards



- Traffic can enter town without stopping
- More difficult for traffic from 12th Ave, Windermere Rd, and Schooner Way to enter Main St / Maguire Rd

Discussion



Use Barriers to
Reduce Cut-
Through



Improve
Efficiency of
Main Roads



Town of Windermere Traffic Pattern Plan

September 2018

Kimley»»Horn



TRAFFIC PATTERN PLAN

Town of Windermere

Prepared by:

Kimley-Horn and Associates, Inc.

September 2018

©Kimley-Horn and Associates, Inc. 2018

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Appendix A. Maps of Town-Wide Cut-Through

Appendix B. Maps of Local Cut-Through

Town of Windermere – Traffic Pattern Plan

Introduction

Continued growth to the southwest of Windermere has increased the cut-through traffic through Town. Traffic congestion continues to increase along roads such as 6th Avenue, Main Street, and Chase Road. Congestion has become an unavoidable problem for drivers, particularly during peak hours. There is a concern that more and more drivers will begin to take local roads such as Magnolia Street and Oakdale Street to avoid congestion on the arterial network. The goal of this Traffic Pattern Plan is to better understand the patterns and magnitude of cut-through traffic and provide recommendations that will reduce the cut-through traffic on local roads. The purpose of this document is to provide details of cut-through origins, destinations, routes and ultimately develop recommendations that can mitigate cut-through traffic. **Figure 1** highlights Downtown Windermere, the focus area of the project.

Figure 1. Downtown Windermere



Town of Windermere – Traffic Pattern Plan

Data Collection

Origin, destination, and cut-through data was obtained using the software platform *StreetLight Data*. *StreetLight Data* combines Big Data resources and processing software to give transportation professionals on-demand access analytics. The following are *StreetLight Data* geospatial data partners that create metrics:

- Current, powered by GE
- PTV Group
- FORUM Analytics
- INRIX
- Cuebiq

StreetLight Data allows users to select a specific route between an origin point and a destination point. The software uses global positioning system (GPS) data to determine the percentage split of motorists that followed the selected routes. Data was collected for the year 2016 for the months when school was in session, from September to May, during the AM Peak Period (7-9 am) and PM Peak Period (5-7pm).

Initial data was collected to better understand patterns of drivers in Town who do not stop. These drivers are not residents or visitors of Windermere, they are just using Windermere roads to go somewhere else. These drivers enter or exit via Lake Butler Boulevard, Chase Road, Conroy Windermere Road, Maguire Road, or Windermere Road. The origin and destination points are shown in [Figure 2](#). Several iterations of data collection were conducted to identify traffic patterns and destinations.

A scenario was developed to better understand the longer-range origin / destination of trips that use Windermere roads, primarily focusing on areas to the southwest. These locations are shown in [Figure 3](#). This scenario is intended to show where vehicles are coming from or going to after leaving town on Chase Road.

Several different cut-through routes and multiple origin/destination combinations within the downtown area were analyzed. These scenarios are highlighted in

Town of Windermere – Traffic Pattern Plan

Figure 4. The star symbol in the figures represents an origin or destination and the diamond symbols represent the potential routes.

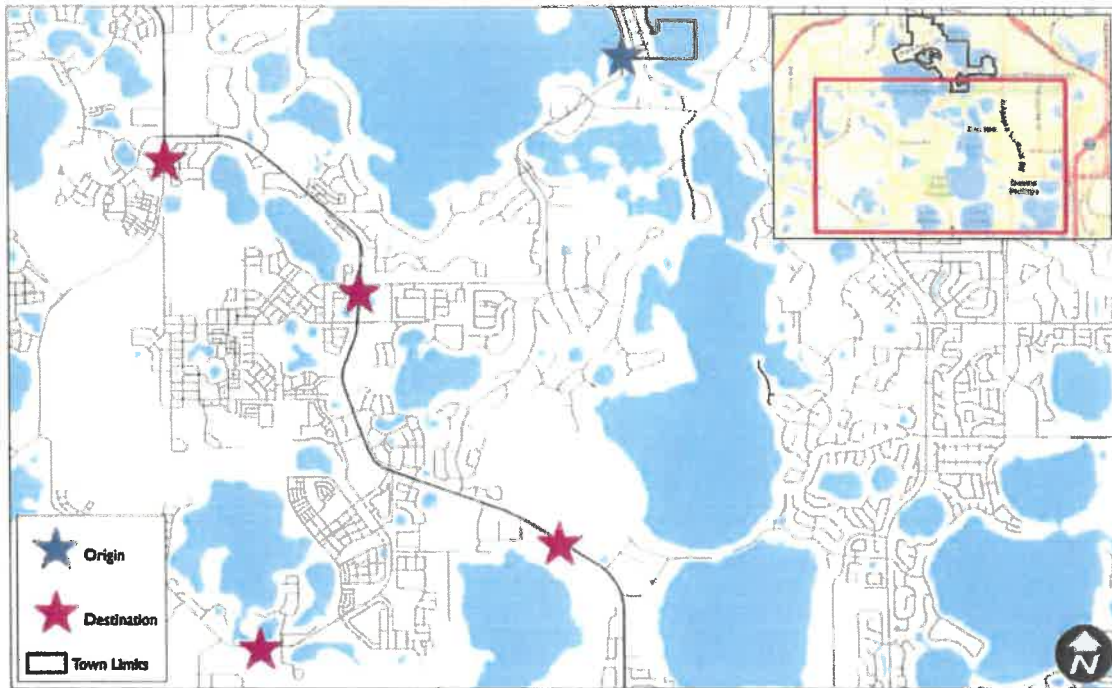
Intersection turning movement counts were collected at the intersection of Oakdale Street & 7th Avenue on June 27, 2018 and August 23rd, 2018 to calibrate the data. Orange County counts and speed survey data from the Town Police Department were likewise used to calibrate the data.

Figure 2. Origin and Destination Points Outside of Town



Town of Windermere -- Traffic Pattern Plan

Figure 3. Destinations Southwest of Town



Town of Windermere – Traffic Pattern Plan

Figure 4. Local Cut-Through – Northeast Quadrant



Note: The diamond shaped icons represent potential routes between the origin and destination

Town of Windermere – Traffic Pattern Plan

Figure 5. Local Cut-Through – Southeast Quadrant



Note: The diamond shaped icons represent potential routes between the origin and destination

Town of Windermere – Traffic Pattern Plan

Figure 6. Local Cut-Through – West of Main Street



Note: The diamond shaped icons represent potential routes between the origin and destination

Town of Windermere – Traffic Pattern Plan

Traffic Data Analysis

Results of the data collection from the various scenarios were summarized and evaluated. Understanding the traffic patterns will assist in developing a feasible cut-through reduction plan.

The initial analysis considers overall cut-through travel through town, based on four origin points – the primary entry points into town:

- E 6th Avenue (Conroy-Windermere Road) – most traffic to and from the east enters/exits at this point, which connects to Apopka Vineland Road, Kirkman Road, and I-4. Apopka Vineland Road provides a route to SR 408 (East-West Expressway).
- Maguire Road – this is the primary entry/exit point to and from the north. Maguire Road also serves as a route to SR 408 via Colonial Drive or Park Ridge Gotha Road.
- Park Avenue – this is the primary route to the west, connecting to Winter Garden Vineland Road, which connects to SR 429 and Winter Garden Village.
- Chase Road is the only route to the south, connecting to Keene’s Point and Winter Garden Vineland Road, which connects to Horizon West and to Disney.

As shown in Table I below, most of the traffic driving on arterial roads in Windermere is cut-through traffic, with over 75% of trips on Park Avenue and Chase Road going to and from other places. Maps showing cut-through patterns in more detail are provided in Appendix A.

Table I. Total Cut-Through Analysis

Time Period	Origin	Local Trips (%)	Pass-Through Trips (%)
PM Peak Hour (5-7 PM)	E 6 th Avenue	36%	64%
	Maguire Road	45%	55%
	Park Avenue	24%	76%
	Chase Road	24%	76%

Town of Windermere – Traffic Pattern Plan

The following patterns were observed through Town:

- Most traffic on Chase Road (76%) is traveling through without stopping, with most of it headed to 6th Avenue.
- In terms of peak-hour volume, the number of vehicles cutting-through is approximately 550 of the 720 peak-hour vehicles from Chase Road.
- Of the 800 vehicles entering Town from 6th Avenue, approximately 290 are headed to Windermere, and approximately 510 are cutting through. Most of the cut-through trips are on their way to Chase Road.
- Most traffic on Park Avenue (76%) is traveling through without stopping.
 - Much of it (56%) headed to 6th Avenue, and another 17% headed to Maguire Road north of Town.
 - The overall magnitude is much less since the total peak-hour traffic entering town from Park Avenue is approximately 350 vehicles.
- Just over half (55%) of the traffic entering Town from Maguire Road is cutting through.

Southwest of Town, the following patterns were observed:

- During the morning peak, most traffic disperses to residential areas along Chase Road and Winter Garden Vineland Road, with approximately 32% continuing beyond Tibet Butler Drive and approximately 5% traveling towards Disney.
- During the afternoon peak, the majority of the trips, almost 80%, disperse in the area near the intersection of Chase Road and Winter Garden Vineland Road, with only 7% continuing past Tibet Butler Drive, 2.5% to Disney, and 5% to Ficquette Road.

Traffic patterns within downtown indicate that the vast majority of vehicles are staying on the arterial road system. The worst-case route is in the northeast quadrant, where up to 4% of the trips will use neighborhood roads to travel between 6th Avenue and Main Street.

Table 2 and Table 13 summarize the data output in terms of the percentage of overall traffic using the direct route versus cutting through. The "direct route" is along Main Street and 6th Avenue (which is the preferred route where vehicles should be driving). The percentages of motorists that deviated from the direct route are shown in maps provided in Appendix B. The total number of peak-hour vehicles is also shown to illustrate the magnitude of cut-through.

Town of Windermere – Traffic Pattern Plan

Table 2. Northeast/Southeast Quadrant Analysis

Quadrant	Time Period	Origin/ Destination	Direct Route (%)	Cut- Through (%)	Hourly Cut- Through Volume (#)	Roads With Highest Cut- Through (%)
Northeast	AM Peak Hour (7-9 AM)	6 th Avenue to Main Street	98%	2%	13	E 2 nd Avenue Oakdale Street
		Main Street to 6 th Avenue	96%	4%	10	E 2 nd Avenue Oakdale Street
	PM Peak Hour (5-7 PM)	6 th Avenue to Main Street	97.5%	2.5%	5	E 2 nd Avenue
		Main Street to 6 th Avenue	96%	4%	3	E 2 nd Avenue Oakdale Street
Southeast	AM Peak Hour (7-9 AM)	6 th Avenue to Chase Road	97%	3%	13	Oakdale Street E 7 th Avenue E 12 th Avenue
		Chase Road to 6 th Avenue	98%	2%	8	E 9 th Avenue Oakdale Street
	PM Peak Hour (5-7 PM)	6 th Avenue to Chase Road	98%	2%	5	Oakdale Street E 7 th Avenue
		Chase Road to 6 th Avenue	99.5%	0.5%	2	None

Town of Windermere – Traffic Pattern Plan

Table 3. Old Main Street/Main Street Cut-Through Analysis

Time Period	Origin/Destination	Direct Route (%)	Cut-Through (%)	Hourly Cut-Through Volume (#)	Roads With Highest Cut-Through
AM Peak Hour (7-9 AM)	Main Street Heading Northbound	100%	0%	0	None
	Main Street Heading Southbound	99%	1%	1	None
PM Peak Hour (5-7 PM)	Main Street Heading Northbound	98%	2%	4	W 5 th Avenue W 6 th Avenue
	Main Street Heading Southbound	99.2%	0.8%	1	None

As shown in the tables, the local roads with the highest percentages of cut-through travel are Oakdale Avenue, 7th Avenue, and 12th Avenue. The total amount of cut-through travel on local roads is very low, indicating that most vehicles on local roads are residents. For example, a total of 13 vehicles typically cut-through various roads in the southeast quadrant during the peak-hour.

Town of Windermere – Traffic Pattern Plan

Conceptual Cut-Through Reduction Plan

As shown in the previous tables, most traffic that cuts through Windermere stays on the main roads (6th Avenue and Main Street), while a small portion utilizes the local roadway grid network of dirt roads to avoid congestion.

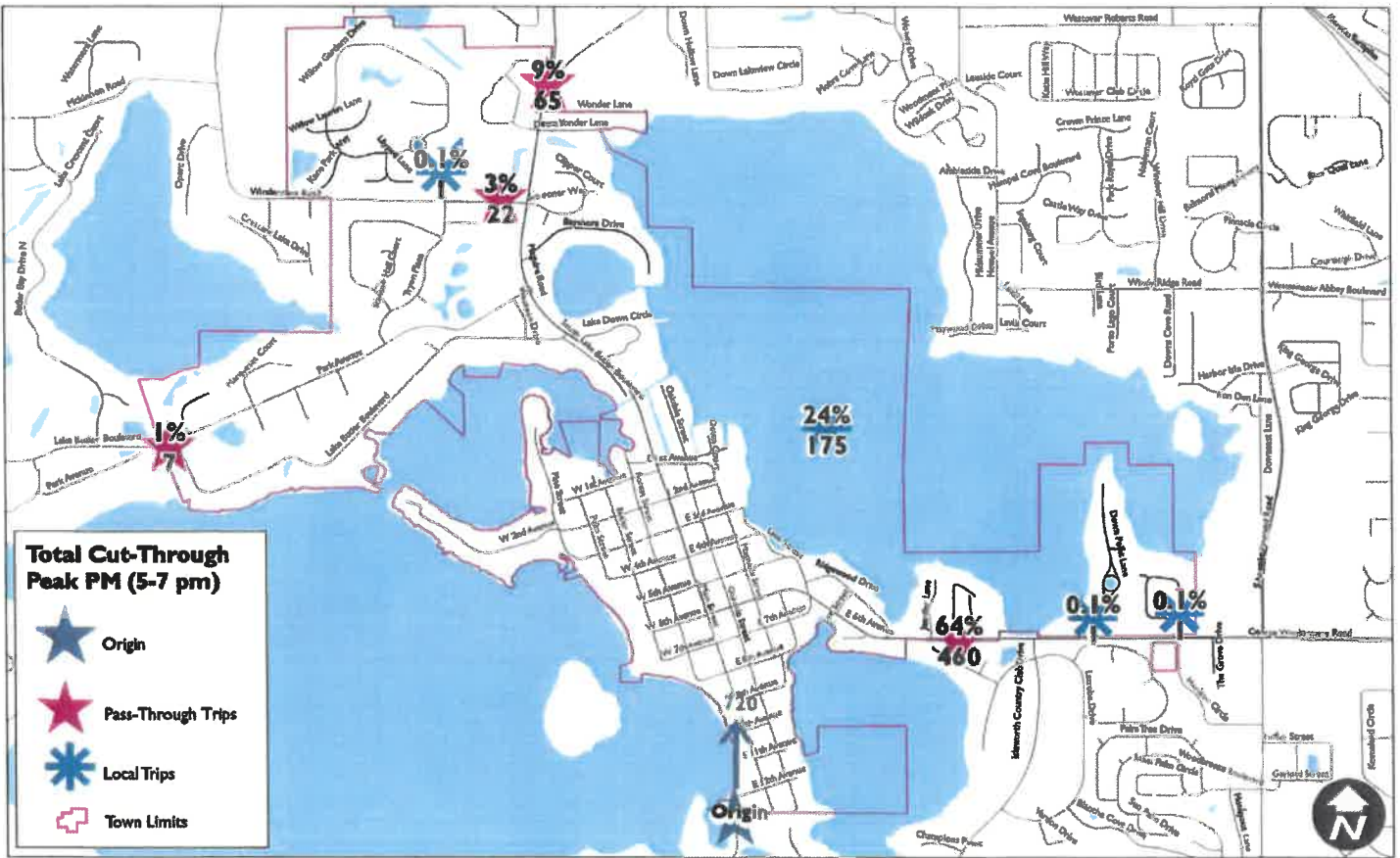
The local roads with the highest amounts of cut-through traffic are Oakdale Street (in the northeast and southeast quadrants), 2nd Avenue (in the northeast quadrant), and 7th Avenue (in the southeast quadrant). The maximum number of peak-hour vehicles cutting through on these roads is 13 vehicles. Assuming random arrival, this corresponds approximately to one vehicle every five minutes. The low cut-through percentages and volumes do not demonstrate a need to restrict movements. Any changes to the roadway network will have a negative effect on residents without providing a significant benefit.

No roadway changes are recommended to mitigate neighborhood cut-through traffic.

Appendix A:
Maps of Town-Wide Cut-Through

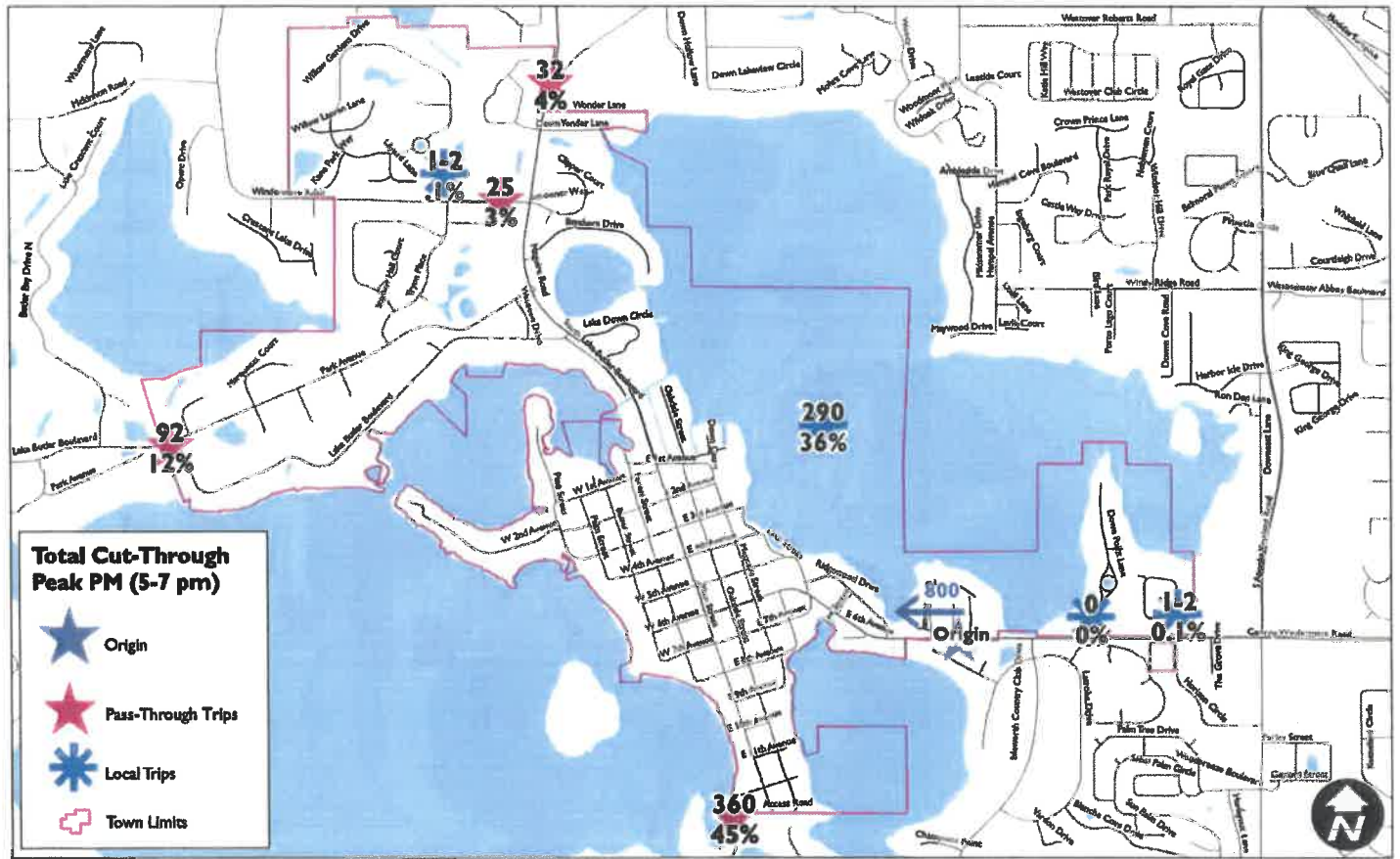
Town of Windermere – Traffic Pattern Plan

**% - Route Distribution for Cut-Through Traffic
- Peak Hour Cut-Through Volume**



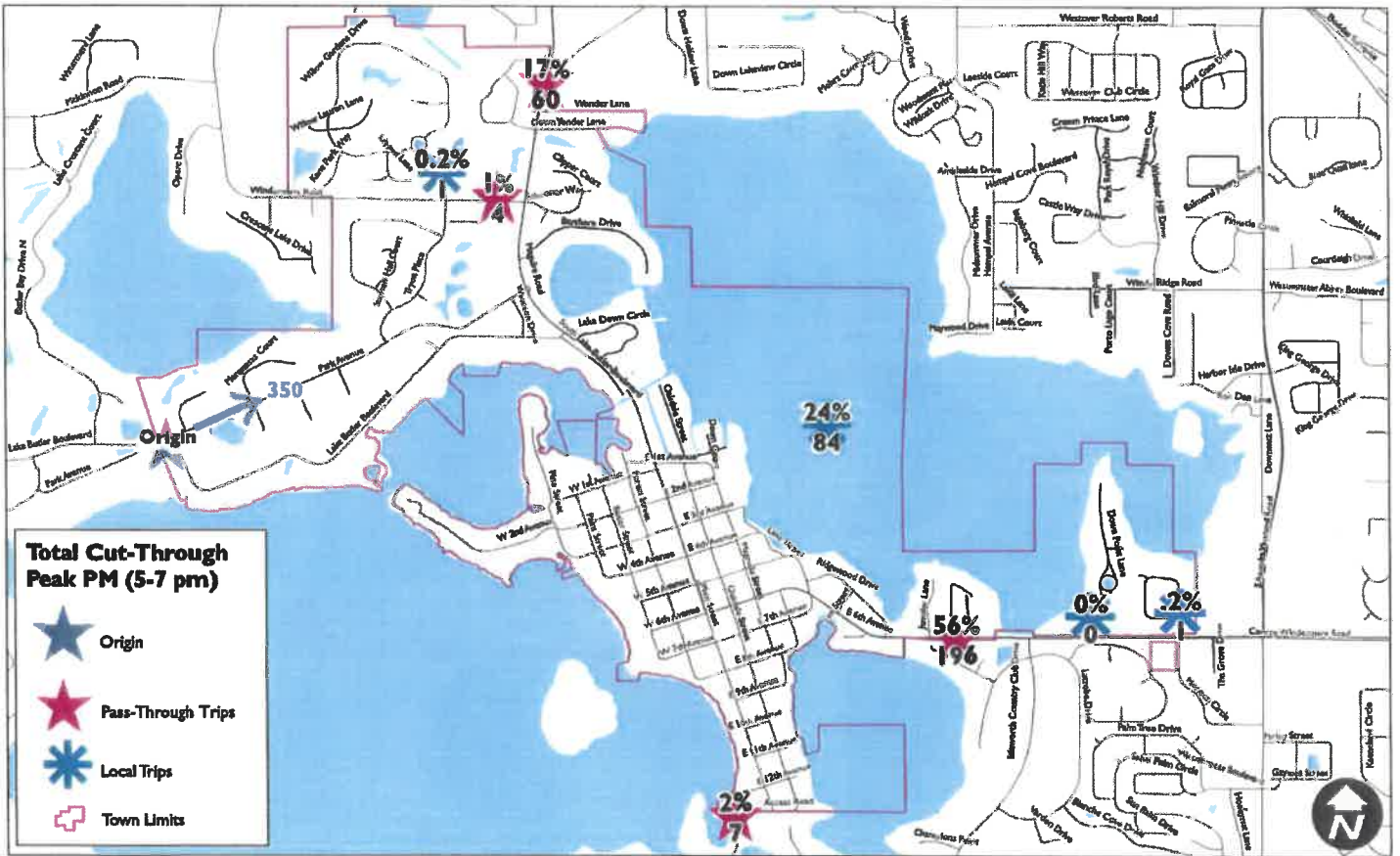
Town of Windermere – Traffic Pattern Plan

% - Routes Distribution for Cut-Through Traffic
- Peak Hour Cut-Through Volume



Town of Windermere – Traffic Pattern Plan

% - Route Distribution for Cut-Through Traffic
- Peak Hour Cut-Through Volume



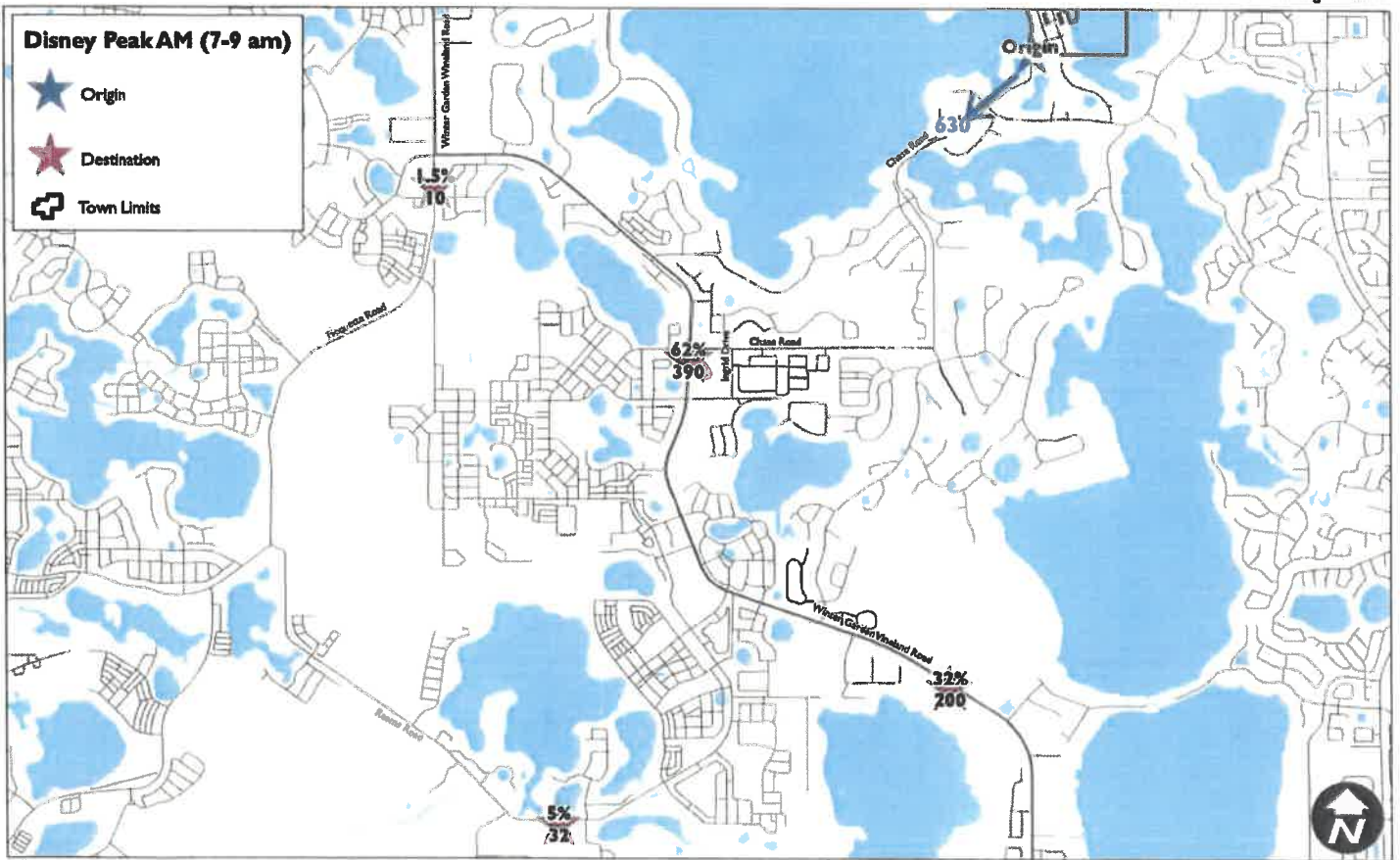
Town of Windermere – Traffic Pattern Plan

% - Route Distribution for Cut-Through Traffic
- Peak Hour Cut-Through Volume



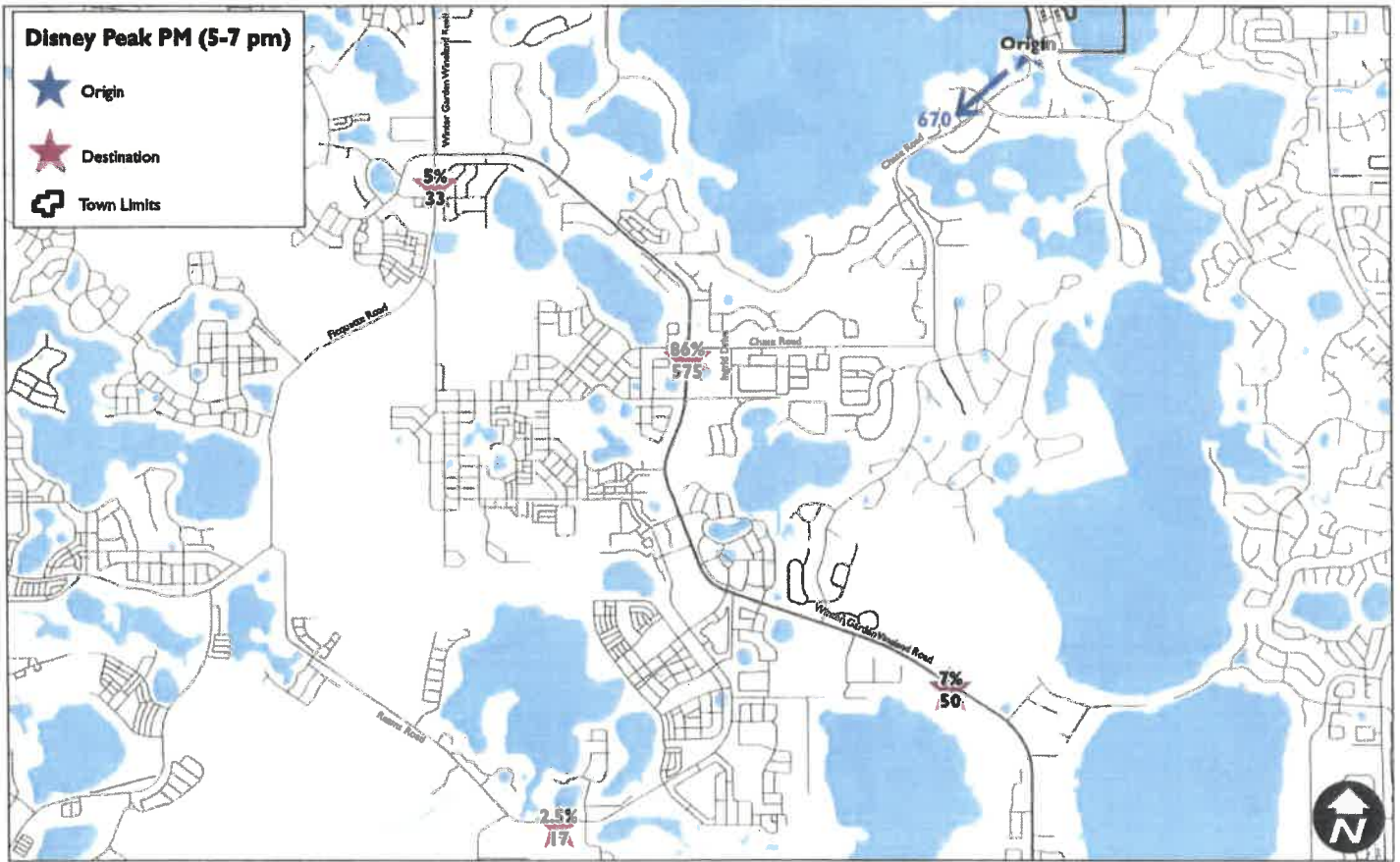
Town of Windermere – Traffic Pattern Plan

% - Route Distribution for Cut-Through Traffic
- Peak Hour Cut-Through Volume



Town of Windermere – Traffic Pattern Plan

% - Route Distribution for Cut-Through Traffic
- Peak Hour Cut-Through Volume



Appendix B:
Maps of Local Cut-Through

Town of Windermere – Traffic Pattern Plan

% - Route Distribution for Cut-Through Traffic
 # - Peak Hour Cut-Through Volume



Town of Windermere - Traffic Pattern Plan

% - Route Distribution for Cut-Through Traffic
- Peak Hour Cut-Through Volume



Town of Windermere – Traffic Pattern Plan

% - Route Distribution for Cut-Through Traffic
- Peak Hour Cut-Through Volume



Town of Windermere – Traffic Pattern Plan

% - Route Distribution for Cut-Through Traffic
- Peak Hour Cut-Through Volume



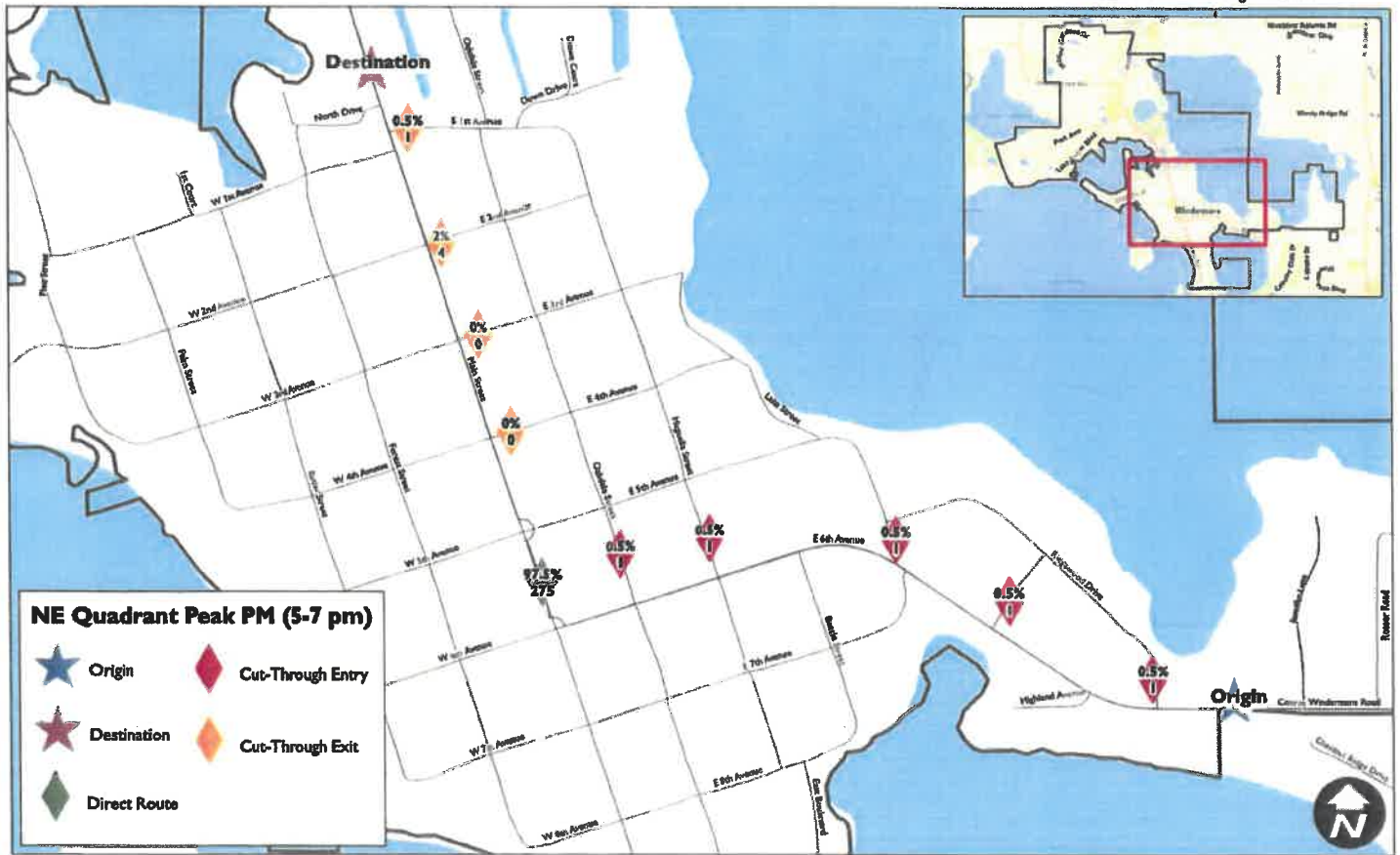
Town of Windermere – Traffic Pattern Plan

% - Route Distribution for Cut-Through Traffic
 # - Peak Hour Cut-Through Volume



Town of Windermere – Traffic Pattern Plan

% - Route Distribution for Cut-Through Traffic
 # - Peak Hour Cut-Through Volume



Town of Windermere – Traffic Pattern Plan

% - Route Distribution for Cut-Through Traffic
 # - Peak Hour Cut-Through Volume



Town of Windermere – Traffic Pattern Plan

% - Route Distribution for Cut-Through Traffic
 # - Peak Hour Cut-Through Volume

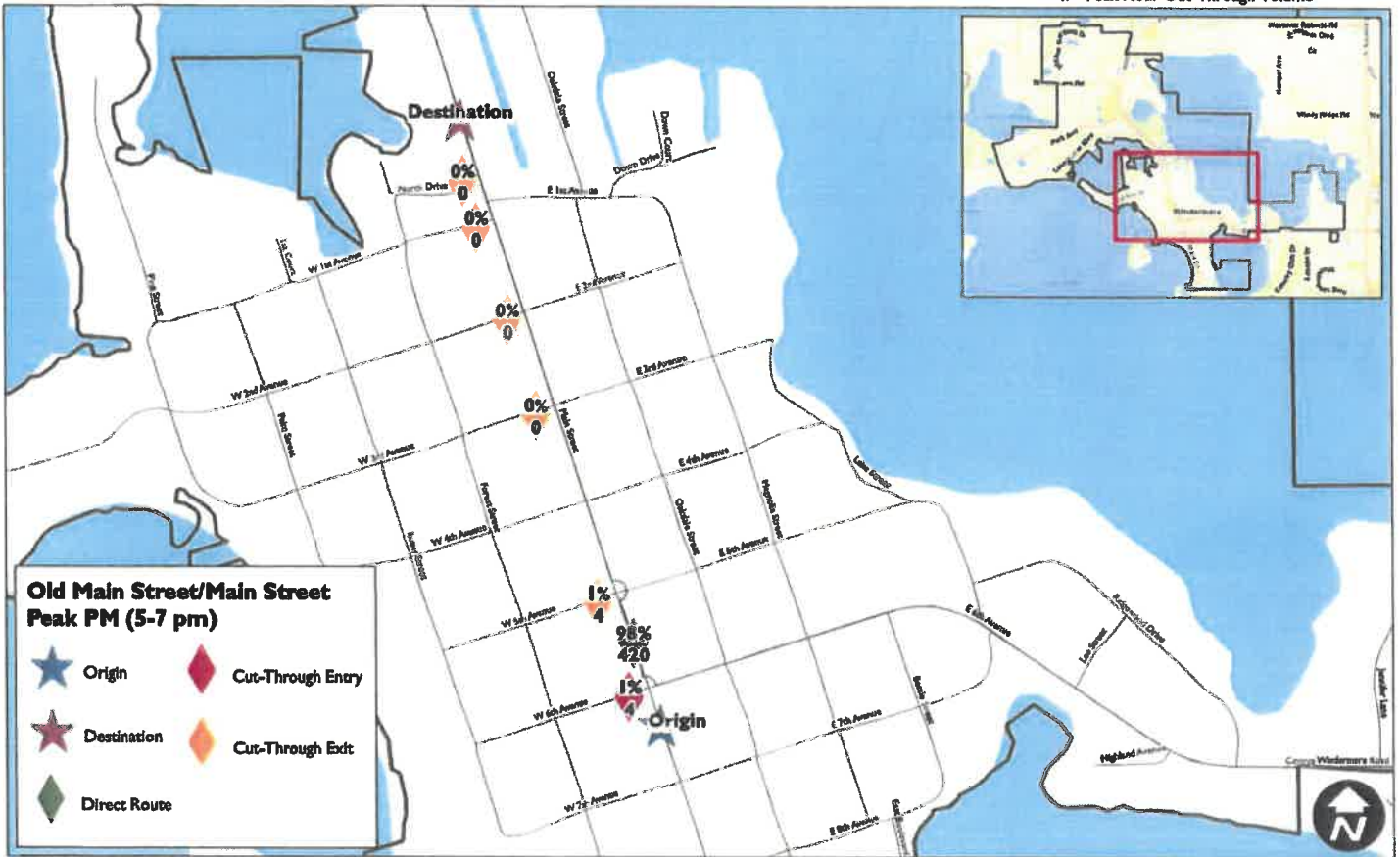


Town of Windermere – Traffic Pattern Plan



Town of Windermere – Traffic Pattern Plan

% - Route Distribution for Cut-Through Traffic
 # - Peak Hour Cut-Through Volume



Town of Windermere – Traffic Pattern Plan



Town of Windermere – Traffic Pattern Plan



TOWN OF
WINDERMERE
AREA WIDE TRAFFIC STUDY

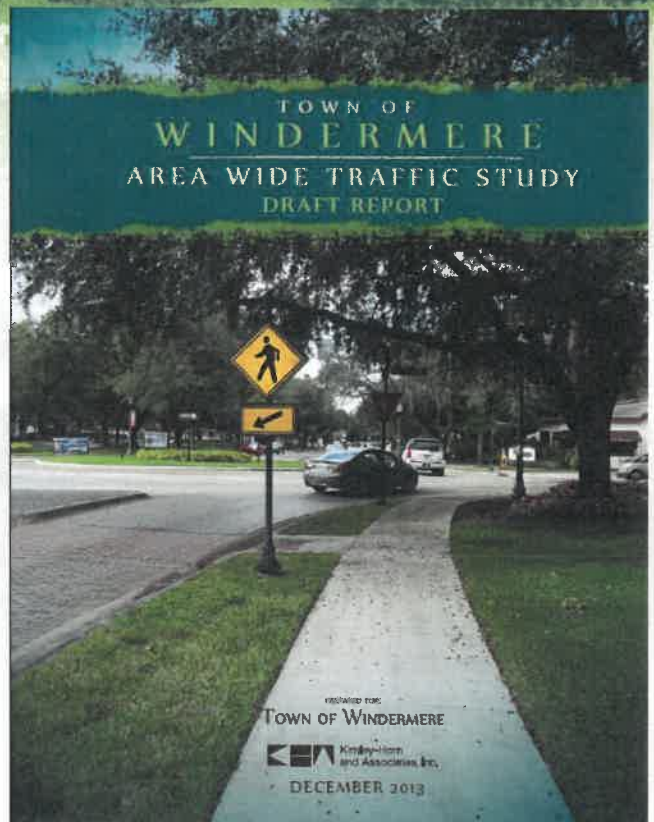


Town Council Workshop

January 28, 2014

Presentation Summary

- Street Maintenance Plan
- Overall Traffic Conditions
- Cut-Through Challenges
- Policy Considerations
- Intersection Conditions
- Windermere Elementary
- Next Steps



Street Maintenance Plan

- Kimley-Horn evaluated the costs and benefits of paving the Town's unpaved residential streets
- Two alternatives for paved street sections were analyzed
- The costs of a paving program were compared to the existing maintenance costs
- The benefits of paved streets were compared to the limitations of unpaved streets

Street Maintenance Plan: Existing Conditions

- Approximately 9 miles of unpaved streets
- Residential traffic loadings
- Streets consist of dirt/limerock mix, supplemented with stone



Street Maintenance Plan: Study Area



Street Maintenance Plan: Right of Way (ROW)

- By plats, approximately 60' of ROW exists
- Many areas have private improvements in the ROW
- The street is often the lowest point in the ROW



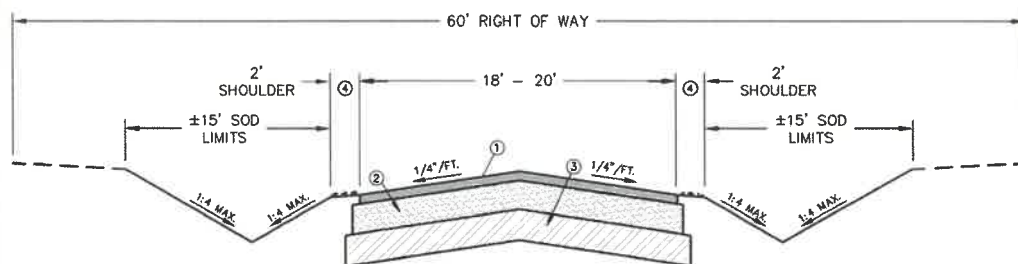
Street Maintenance Plan

- The Town currently carries the cost of approximately \$100,000 per year in stone and repair materials for unpaved road maintenance
- The Town also spends an estimated \$96,000 per year in staff time, fuel and equipment maintenance
- Trouble spots are well known, and stone and limerock are applied as needed by Town Public Works staff

Street Maintenance Plan: Proposed Paving Alternatives

- Two paving sections were considered
- The paving section considered is a standard asphalt roadway, with limerock base material
- Estimated costs are \$410,377.50 per mile for swale drainage, and \$672,060.00 per mile for piped drainage

Street Maintenance Plan

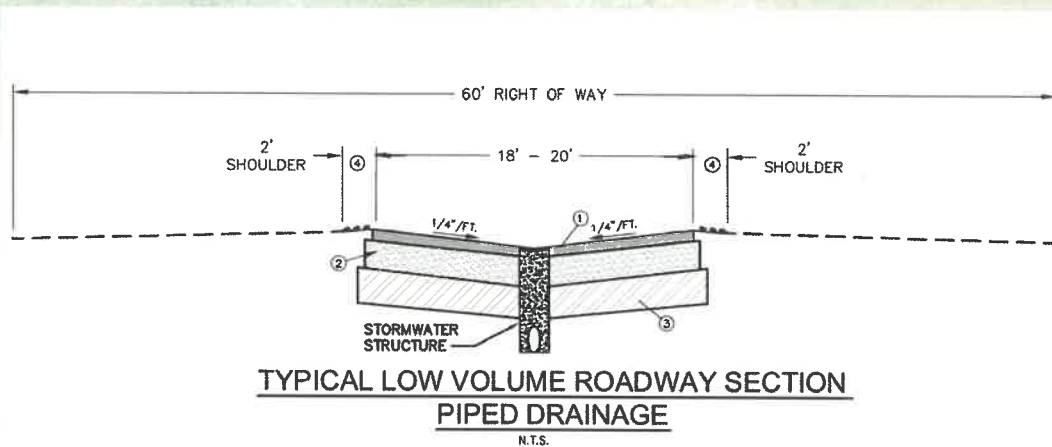


**TYPICAL LOW VOLUME ROADWAY SECTION
SWALE DRAINAGE**

N.T.S.

- 18-20' pavement width
- Asphalt surface course
- Limerock base course
- Drainage swales in right of way

Street Maintenance Plan



- 18-20' pavement width
- Asphalt surface course
- Limerock base course
- Drainage inlets and piping
- Pond sites will be needed

EXAMPLE SIMPLIFIED PAVEMENT PROGRAM BUDGET, SWALE PAVEMENT SECTION					
PROGRAM YEAR	PAVEMENT PROGRAM BUDGET	YEARLY MILES OF ROAD PAVED, FACTORED FOR INFLATION	CUMULATIVE MILES OF ROAD PAVED	PAVED PROGRAM PAVEMENT MAINTENANCE COSTS (SEE NOTE 1)	CURRENT PROGRAM MAINTENANCE COSTS (MATERIAL AND STAFF COSTS)
1	\$425,000	1.04	1.04	\$173,535	\$196,300
2	\$425,000	0.98	2.01	\$152,076	\$196,300
3	\$425,000	0.95	2.96	\$131,243	\$196,300
4	\$400,000	0.87	3.83	\$112,206	\$196,300
5	\$400,000	0.84	4.67	\$93,723	\$196,300
6	\$400,000	0.82	5.48	\$75,779	\$196,300
7	\$400,000	0.79	6.28	\$58,358	\$196,300
8	\$400,000	0.77	7.04	\$41,444	\$196,300
9	\$400,000	0.75	7.79	\$25,022	\$196,300
10	\$400,000	0.73	8.52	\$9,079	\$196,300
11	\$250,000	0.44	8.96	--	\$196,300
12				--	\$196,300
13				--	\$196,300
14				--	\$196,300
15				--	\$196,300
16				--	\$196,300
17				--	\$196,300
18				--	\$196,300
19				--	\$196,300
20				\$100,000	\$196,300
21				\$100,000	\$196,300
22				\$100,000	\$196,300
23				\$100,000	\$196,300
24				\$100,000	\$196,300
25				\$100,000	\$196,300
TOTALS	\$4,325,000	8.96	--	\$1,472,464	\$4,907,500
COST PER MILE (SWALE SECTION, 2013 DOLLARS)				\$410,377.50	
YEARLY CONSTRUCTION COST INFLATION				3%	
TOTAL COST UNPAVED PROGRAM					\$4,907,500
TOTAL COST PAVED PROGRAM					\$5,797,464

Notes:

1. Paved pavement maintenance costs are \$196,000 per year, reduced by the amount of pavement completed, until all paving is complete.
2. Pavement maintenance costs per year after year 20 represents costs to overlay approximately one mile of pavement.

Street Maintenance Plan

Pervious Pavement



Street Maintenance Plan: Recommendations

- Paving all of the residential streets is not a decision that can be made on maintenance costs alone
- Unpaved streets provide adequate access to the homes, but require frequent maintenance and provide a lower level of service to the drivers
- Paved streets provide a safer travel environment for the public, and for emergency vehicles and larger trucks

Street Maintenance Plan: Recommendations

- The cost of implementing a pavement program must be justified by a desire for the higher level of service
- If a paving program is implemented, the swale drainage section is recommended because of lower costs and favorable permitting conditions

Existing Traffic Conditions

- Field Observations and Data Collection
- Roadway Segment Conditions
- Trucks



Existing Traffic Conditions



Existing Traffic Conditions



Existing Traffic Conditions: Travel Time and Speeds

Northbound and southbound travel times through
Town:

Run Number	Travel Time (Min:Sec)	
	Northbound	Southbound
1	6:15	5:27
2	5:44	5:57
3	5:54	4:30
4	6:05	5:21
5	5:12	5:03
Average Time	5:50	5:15
Average Speed (mph)	21	23

Existing Traffic Conditions: Trucks

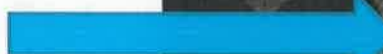
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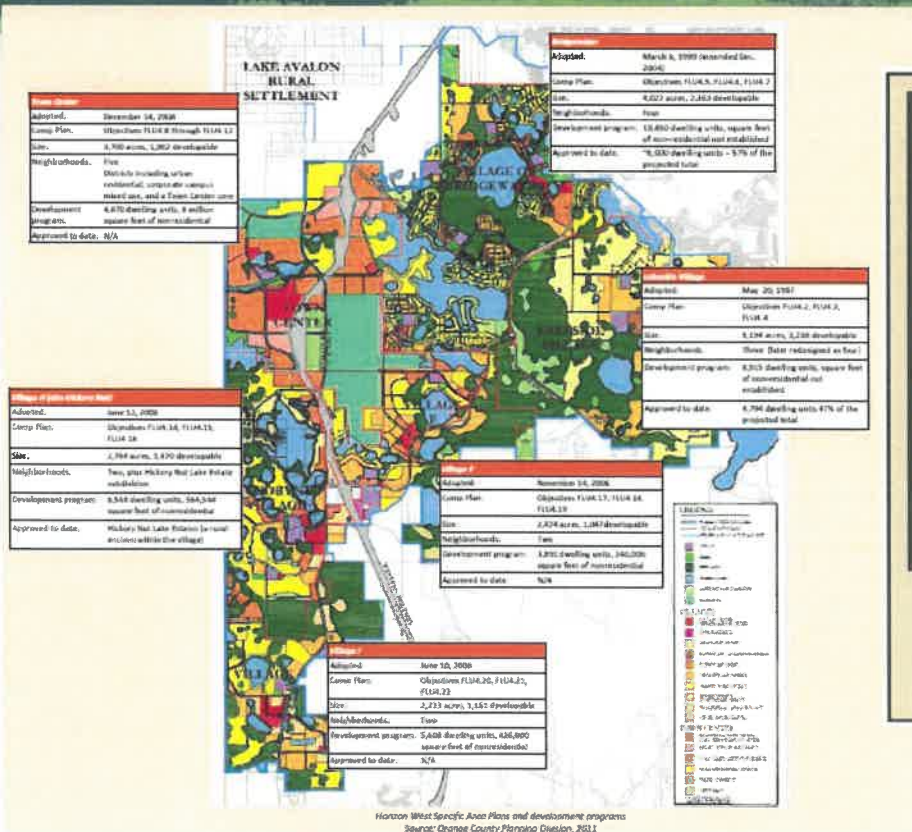
2%




Future Traffic Conditions


- Horizon West
- Development of Future Volumes
- Roadway Segment Conditions and Demand

Future Traffic Conditions – Horizon West





Orange County
Horizon West
Annual Report
2010

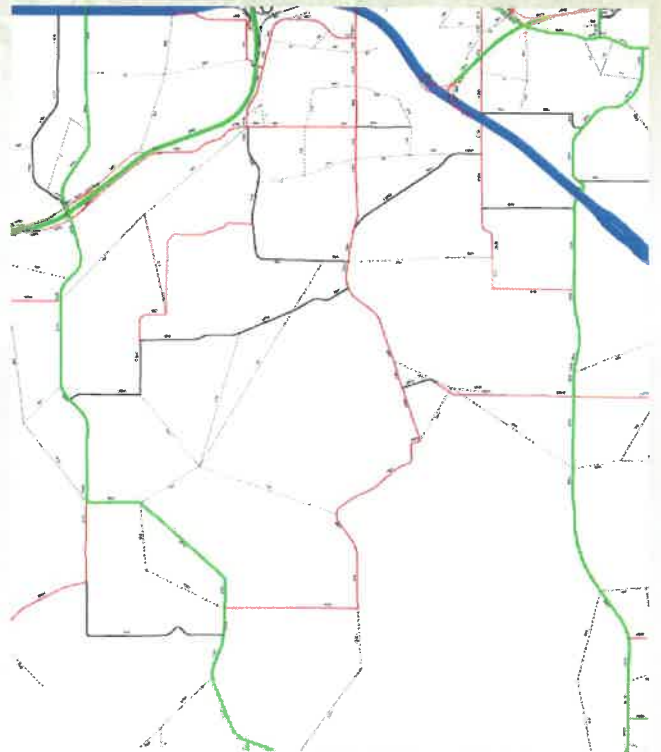


Prepared by
Orange County Growth Management Department,
Planning Division, Comprehensive Planning Section

Future Traffic Conditions

Development of Future Volumes

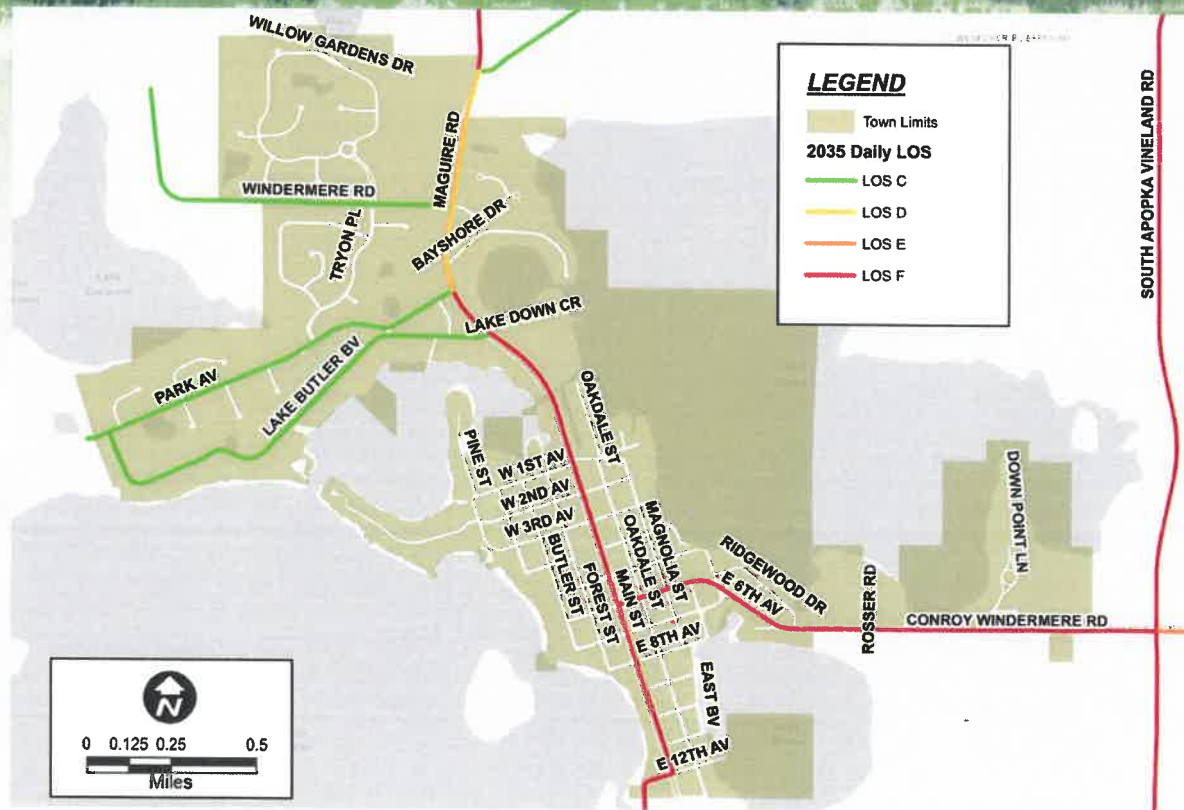
- Adopted Model assumes Maguire Road/Main Street/Chase Road is widened to a 4-lane road
- Analysis assumes 2-lane



Future Traffic Conditions:

Roadway		Existing Daily Volume (AADT)	Annual Growth Rate to Apply (%)	2035 Future Volume	Maximum Service Volume (Generalized)	2035 Future LOS
From	To					
Maguire Road / Main Street						
Roberson Road	Park Ridge Gotha Road	11,610	2.0%	16,700	14,820	F
Park Ridge Gotha Road	Windermere Road	10,444	1.4%	13,700	14,820	D
Windermere Road	Park Avenue	11,774	0.5%	13,100	14,820	D
Park Avenue	6th Avenue	12,888	1.1%	16,000	14,820	F
6th Avenue	Chase Road	13,708	1.2%	17,300	14,820	F
Park Ridge Gotha Road						
Maguire Road	Moore Road	3,900	2.5%	6,000	14,820	C
Windermere Road						
McKinnon Road	Maguire Road	3,364	3.3%	5,800	16,815	C
Park Avenue						
Lake Butler Boulevard	Tryon Place	6,153	0.1%	6,300	14,820	C
Tryon Place	Maguire Road	6,663	0.1%	6,800	14,820	C
6th Avenue / Conroy Windermere Road						
Maguire Road / Main Street	Isleworth Country Club	19,079	1.1%	23,700	14,820	F
Isleworth Country Club	S. Apopka Vineland Road	21,130	0.4%	23,000	14,820	F
S. Apopka Vineland Road	Dr. Phillips Boulevard	28,166	0.6%	31,900	32,110	E
Chase Road						
Winter Garden Vineland Road	Keene's Pointe	11,839	3.6%	21,200	16,815	F
Keene's Pointe	Main Street	13,694	1.3%	17,600	16,815	F
South Apopka Vineland Road						
Old Winter Garden Road	Conroy Windermere Road	32,000	3.4%	55,900	37,810	F
Conroy Windermere Road	Sand Lake Road	26,500	3.0%	44,000	32,110	F

Future Traffic Conditions:



Demand Conditions: (effect if Main Street is Widened)

Roadway		Existing Daily Volume (AADT)	2035 Model (2-Lane Maguire/Main/Chase)	2035 Model (4-Lane Maguire/Main/Chase)	2035 Future LOS
From	To				
Maguire Road / Main Street					
Roberson Road	Park Ridge Gotha Road	11,610	8,700	12,400	D
Park Ridge Gotha Road	Windermere Road	10,444	11,700	19,600	D
Windermere Road	Park Avenue	11,774	14,000	25,000	D
Park Avenue	6th Avenue	12,888	15,000	21,350	D
6th Avenue	Chase Road	13,708	16,500	27,400	D
Park Ridge Gotha Road					
Maguire Road	Moore Road	3,900	10,800	10,900	C
Windermere Road					
McKinnon Road	Maguire Road	3,364	10,800	7,750	C
Park Avenue					
Lake Butler Boulevard	Tryon Place	6,153	9,300	8,900	D
Tryon Place	Maguire Road	6,663	9,300	8,900	D
6th Avenue / Conroy Windermere Road					
Maguire Road / Main Street	Isleworth Country Club	19,079	25,600	26,400	F
Isleworth Country Club	S. Apopka Vineland Road	21,130	35,900	36,400	F
S. Apopka Vineland Road	Dr. Phillips Boulevard	28,166	28,550	26,000	F
Chase Road					
Winter Garden Vineland Road	Keene's Pointe	11,839	17,600	25,100	D
Keene's Pointe	Main Street	13,694	17,900	29,300	D
South Apopka Vineland Road					
Old Winter Garden Road	Conroy Windermere Road	32,000	53,633	44,013	E
Conroy Windermere Road	Sand Lake Road	26,500	53,300	50,650	F

Cut-Through Traffic

Two Types of cut-through

- External cut-through
 - Not associated with Town
 - Typically on 6th Avenue/Main Street/Chase Road
 - Other cut-through on Windermere Road
- Local Street cut-through
 - Traffic using local unpaved roads due to congestion on 6th Avenue / Main Street
 - Town residents and outside traffic
 - Would occur less if collector roads operated better

Cut-Through Traffic

External Cut-Through

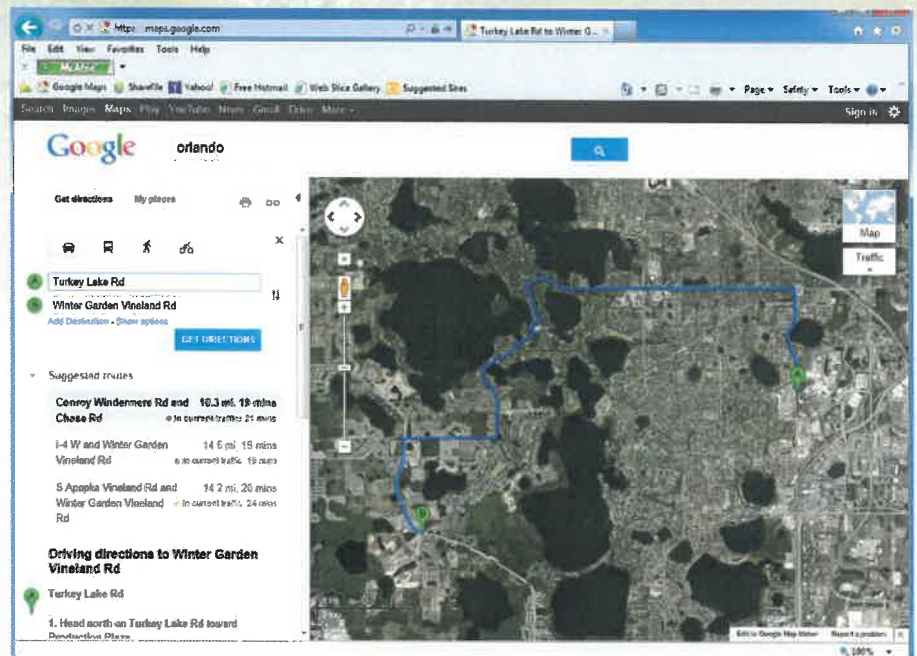
- Few alternative options
- Most to/from southwest via 6th Avenue
- 7.5 miles between east/west roads



Cut-Through Traffic

External Cut-Through

- What does Google say?
- Other routes take more time
- Common for travelers to avoid I-4



Cut-Through Traffic

Local Cut-Through

- Avoid congestion at the Main Street/6th Avenue roundabout
- Avoid turning left from side streets
- Additional delay on main roads or improved local roads will lead to more local cut-through



Cut-Through Challenges

Increase
Delay on 6th,
Main, Chase

- Reduce *some* external cut-through
- Increase local street cut-through
- Increase delay for residents

Increase
Capacity on
6th, Main,
Chase

- Higher volume of traffic
- Better operating conditions
- Reduce delay
- Reduce local street cut-through

Policy Considerations: Increase Delay

Benefits

Small to major reduction in external cut-through (depending on how drastic the change is).

Some changes could provide collection of funds for maintenance.

Drawbacks

Changes would be drastic.

External cut-through reduction is limited by lack of better options.

Residents experience excessive delay.

Could cause increase in internal/local cut-through.

Costs – initial and/or annual.

Potential legal challenges.

Likely unpalatable to residents.

Implementation challenges.

Likely to be challenged by Orange County.

Policy Considerations: Increase Capacity

Benefits

Reduce delay. Much of the delay at Windermere and at Chase is unnecessary and can be reduced substantially.

Improve traffic flow.

Network improvements can distribute traffic.

Network improvements can increase tax base.

May reduce local cut-through.

Drawbacks

Major improvements would transform the character of downtown.

More difficult for pedestrians.

Inconsistent with comprehensive plan (widening Main/Maguire).

Greatest beneficiary is external traffic.

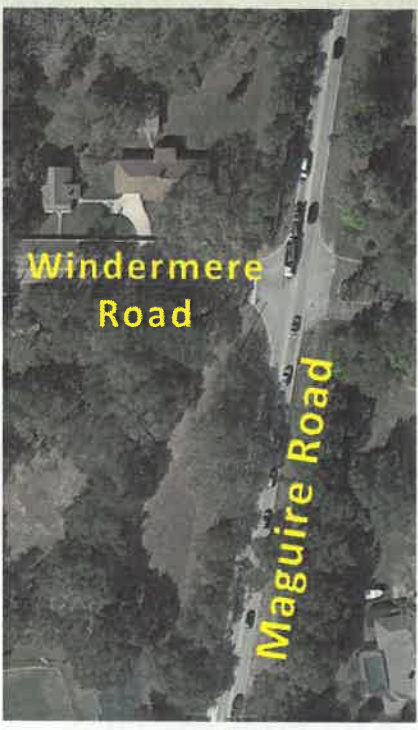
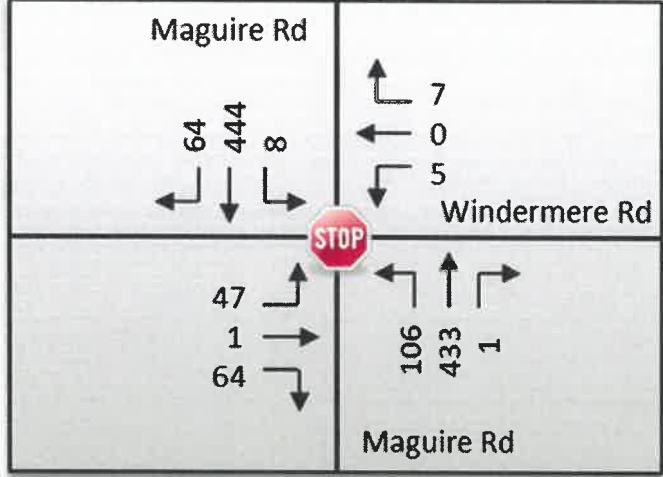
May facilitate additional external cut-through traffic.

Intersection improvements (at Chase or at Windermere) will reduce metering of traffic into town.

Existing Intersection Conditions:

Maguire Road at Windermere Road

- All-Way Stop
- Low Volumes for East/West Traffic



Existing Intersection Conditions:

Maguire Road at Windermere Road

- All-Way Stop-Controlled Intersection
- Northbound and Southbound Delays
- East/West Level Of Service: B

Maguire Road and Windermere Road/Schooner Way				
Performance Measure	Eastbound	Westbound	Northbound	Southbound
Percent of Capacity	37%	5%	100%	94%
Delay (sec)	13.9	11.1	58.7	43.8
Level of Service	B	B	F	E

Existing Intersection Conditions:

Maguire Road at Windermere Road

- All-Way Stop control is not warranted
- Northbound left turn lane is warranted

Highest Hour	Existing Volumes ⁽¹⁾	
	Major Street	Minor Street
1	1299	181
2	1195	206
3	1195	157
4	1182	159
5	1104	174
6	987	154
7	974	116
8	935	130
Average	1109	160
Min. Avg. Req'd	300	200



Future Intersection Conditions:

Maguire Road at Windermere Road

Maguire Road and Windermere Road/Schooner Way (4-Way Stop)				
Performance Measure	Eastbound	Westbound	Northbound	Southbound
Percent of Capacity	55%	7%	129%	129%
Delay (sec)	17.9	11.6	163.3	163.2
Level of Service	C	B	F	F

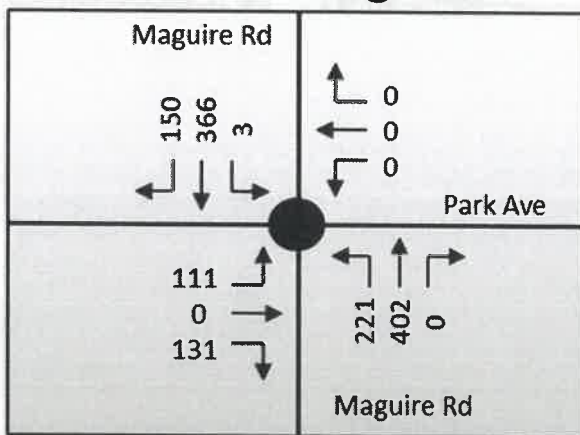
Maguire Road and Windermere Road/Schooner Way (2-Way Stop)				
Performance Measure	Eastbound	Westbound	Northbound	Southbound
Percent of Capacity	223%	33%	17%	2%
Delay (sec)	633	62	4.1	0.4
Level of Service	F	F	A	A

Maguire Road and Windermere Road/Schooner Way (Roundabout)				
Performance Measure	Eastbound	Westbound	Northbound	Southbound
Percent of Capacity	30%	3%	66%	72%
Delay (sec)	10.1	7.3	13.5	16.5
Level of Service	B	A	B	C

Existing Intersection Conditions:

Maguire Road at Park Avenue

- Level of Service: A/B
- School congestion



Future Intersection Conditions:

Maguire Road at Park Avenue

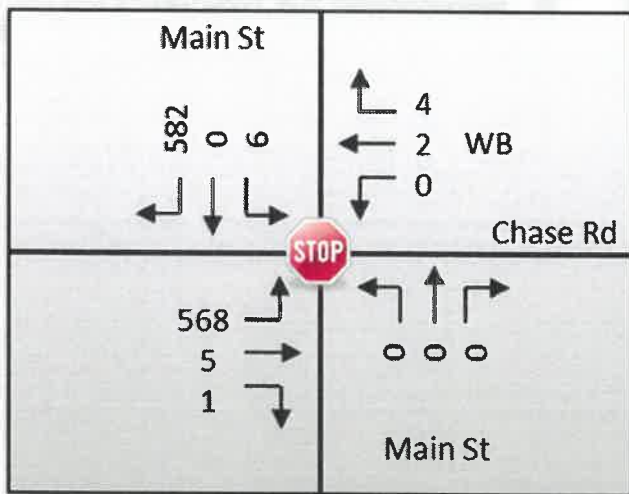
- Acceptable operating conditions
- Roundabout will continue to work in the future

Maguire Road and Park Avenue				
Performance Measure	Eastbound	Westbound	Northbound	Southbound
Percent of Capacity	39%	1%	81%	74%
Delay (sec)	10.3	8.2	21.6	19.4
Level of Service	B	A	C	C

Existing Intersection Conditions:

Main Street at Chase Road

- All-way stop-controlled intersection
- Most traffic turns southbound right or eastbound left



Existing Intersection Conditions:

Main Street at Chase Road

- Significant southbound and eastbound delays
- 99% of traffic does not conflict with other movements, but still must stop

Main Street and Chase Road				
Performance Measure	Eastbound	Westbound	Northbound	Southbound
Percent of Capacity	100%	3%	0%	98%
Delay (sec)	61.6	9.8	0	54.8
Level of Service	F	A	A	F

Future Intersection Conditions:

Main Street at Chase Road

- Failing conditions southbound and eastbound
- 99% of traffic does not conflict with other movements, but still must stop

Main Street and Chase Road				
Performance Measure	Eastbound	Westbound	Northbound	Southbound
Percent of Capacity	128%	4%	1%	127%
Delay (sec)	160.4	10.1	10	152.1
Level of Service	F	B	B	F

Future Intersection Conditions:

Main Street at Chase Road – Potential Improvement

- Create curve, remove stop for major movements



Windermere Elementary



Windermere Elementary - Video



Windermere Elementary - Observations

- Pick up line extends to Park Ave
 - Duration - 2:40 to 3:15 pm
 - Peak Impact - 2:50 to 3:10 pm
- Pick up line extends to Maguire
- Impacts through traffic on Park / Maguire / Lake Butler
- Impacts bus traffic
- Frequent driving on wrong side of road
- Entrance controlled by police

Windermere Elementary – Options / Recommendations

1. Queue students up in longer lines
2. Pre-printed hang tags – LARGER TEXT
3. Revise dismissal process:
 - A. All at the same time or
 - B. K-3 and siblings, then wait 15 minutes, then 4th and 5th grades
4. Parking Island Curb Modification (allow two lanes of storage)
5. Widen pavement on Park Avenue for cars to queue along Park Avenue (but not in through lanes)

Next Steps

- Kimley-Horn
 - Finalize Traffic Report based on comments
 - Design/implementation of intersection modifications
 - Pavement Management Program
- Town
 - Participation in MPO LRTP process
 - Implement intersection modifications
 - Monitor system
 - Work with Orange County School Board for Windermere Elementary

Discussion Questions

- Pavement – which typical section?
- Desire for roadway or network improvements?
- Intersections:
 - Maguire at Windermere – short or long term improvements?
 - Other concerns?

THE TOWN OF
Windermere



Town Council
And
Mayor
Evaluations

Town of Windermere – Calendar Year 2018 Town Manager Evaluation
Page 1 of 4

**Town of Windermere
 Town Manager Evaluation**

This form may be used by each member of the Town Council to evaluate the Town Manager's performance in fulfilling each role he / she plays in the Town of Windermere's government.

The Town Manager is rated 1 through 10, with the following scale:

RATING LEVEL	EXAMPLES OF PERFORMANCE
10: Exceeds Expectations	Employee always meets, and regularly exceeds, performance goals. Results go beyond original projections, due to employee's initiative or extra effort. Work products are often convincingly better than performance objectives. Employee often demonstrates competencies beyond those expected for his/her job.
5: Fully Meets Expectations	Employee regularly meets performance goals and achieves results within a fully acceptable range. Work is produced on time, and consistently meets quality standards. Consistently and successfully demonstrates competencies appropriate to job level.
1: Below Expectations	Employee does not consistently achieve goals and deadlines, or results are not consistently of expected quality. Quality of work is variable and employee may require frequent clarification of instructions or closer supervision than expected. Competencies may not always be demonstrated at the level expected for successful performance. A performance improvement plan to bring performance to a consistent level of achievement should be developed.

If the Town Council Member lacks sufficient information/knowledge of one of the below evaluation areas and is unable to evaluate, please utilize **N/A (Not Applicable)**.

Each member of the Town Council should sign the form and forward it to the Town Clerk, who will archive and forward to the Administration Liaison compilation. The forms and accompanying summary should then be presented to the Town Manager for his permanent file.

1. **Personal**

- 10 Invests sufficient effort toward being diligent and thorough in the discharge of duties.
- 10 Composure, appearance, and attitude fitting for an individual in his executive position.

2. **Professional Skills and Status**

- 10 Knowledgeable of current developments affecting the management field.
- 10 Respected in management position.
- 10 Has a capacity for innovation.

Town of Windermere – Calendar Year 2018 Town Manager Evaluation

Page 2 of 4

10 Anticipates problems and develops effective approaches for solving them.

10 Willing to try new ideas proposed by the Town Council or staff.

3. **Relations with the Town Council Members**

10 Carries out directives of the Town Council as a whole rather than those of any one Town Council member.

10 Assists the Town Council in resolving problems at the administrative level to avoid unnecessary Town Council action.

10 Assists the Town Council in establishing policy while acknowledging the ultimate authority of the Town Council.

10 Responds to requests for information or assistance by the Town Council

10 Informs the Town Council of administrative developments.

10 Receptive to constructive criticism and advice.

4. **Policy Execution**

10 Implements Town Council action in accordance with the intent of the Town Council.

10 Supports the actions of the Town Council after a decision has been reached.

10 Enforces Town Council policies.

10 Understands town laws and ordinances.

10 Reviews enforcement procedures periodically to improve effectiveness.

10 Offers workable alternatives to the Town Council for changes in the law when an ordinance or policy proves impractical in actual administration.

5. **Reporting**

10 Provides the Town Council with reports concerning matters of importance to the town.

10 Reports are accurate and comprehensive.

10 Reports are generally produced through own initiative rather than when requested by the Town Council.

10 Prepares a sound agenda which ensures trivial administrative matters do not require review by the Town Council.

6. **Citizen Relations**

- 10 Accommodates complaints from citizens.
- 10 Dedicated to the community and to its citizens.
- 10 Skillful with the news media – avoiding political positions and partisanship.
- 10 Has the capacity to listen to others and to recognize their interests. Works well with others.
- 10 Willing to meet with members of the community and discuss their real concerns.
- 10 Cooperates with neighboring communities.
- 10 Cooperates with the town, state and federal governments.
- 10 Cooperates with the elected Constitutional Officers.

7. **Staffing**

- 10 Recruits and retains competent personnel for town positions.
- 10 Accurately informed and concerned about employee insurance, fringe benefits, promotions, and pensions.
- 10 Impartially administers the merit system.

8. **Supervision**

- 10 Encourages department heads and supervisors to make decisions within their own jurisdictions without Town Manager approval, yet maintains general control of administrative operations.
- 10 Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their programs.
- 10 Evaluates personnel periodically and points out staff weaknesses and strengths and works to improve their performance.

9. **Fiscal Management**

- 10 Prepares a balanced budget to provide services at a level intended by the Town Council.
- 10 Makes the best possible use of available funds: conscious of the need to operate the Town efficiently and effectively.
- 10 Prepared budget is in an intelligible format.
- 10 Reports the Town's financial position on a regular basis.

10. What have been the finest accomplishments of the Town Manager this past year?


Completion of the Park Avenue repaving project with coordination with OCPS for obtaining the land necessary for the project. Coordinated FEMA reimbursement to the Town for hurricane impact costs. Coordinated with owners for purchase of the railroad right-of-way. Coordinated with the many boards and committees to update their bylaws and to streamline their agendas to ensure all agenda items are covered. Coordinated with Architect and design firm to provide needs for new Town Government Facilities. Coordinated the rebranding of Town items to develop single use images, fonts and standards and eliminate unauthorized logos. Held numerous meetings with HOA's and the general public to explain town projects, issues and goals.

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

My observation of the Town Manager is that the Town of Windermere is fortunate to have an individual of this caliber to serve in this position. His interactions with elected officials, residents, Town staff, other government agencies, and residents from surrounding communities is remarkable. I can think of no area in which he needs to improve.

12. Goals for the upcoming year:

To coin a military phrase "Continue to March." Just keep doing what you do.

 Signature	_____ Signature
1-30-18 Date	_____ Date

Town of Windermere – Calendar Year 2018 Town Manager Evaluation
Page 1 of 4

Town of Windermere
Town Manager Evaluation

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Town of Windermere – Calendar Year 2018 Town Manager Evaluation

Page 2 of 4

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6. **Citizen Relations**

Town of Windermere – Calendar Year 2018 Town Manager Evaluation

Page 3 of 4

- 8 Accommodates complaints from citizens. *TO THE EXTENT POSSIBLE*
- 10 Dedicated to the community and to its citizens.
- 9 Skillful with the news media – avoiding political positions and partisanship.
- 9 Has the capacity to listen to others and to recognize their interests. Works well with others.
- 10 Willing to meet with members of the community and discuss their real concerns.
- 10 Cooperates with neighboring communities.
- 10 Cooperates with the town, state and federal governments.
- 10 Cooperates with the elected Constitutional Officers.

7. **Staffing**

- 10 Recruits and retains competent personnel for town positions. *EXCELLENT STAFF*
- 10 Accurately informed and concerned about employee insurance, fringe benefits, promotions, and pensions.
- 8 Impartially administers the merit system. *DIFFICULT TO VERIFY*

8. **Supervision**

- 10 Encourages department heads and supervisors to make decisions within their own jurisdictions without Town Manager approval, yet maintains general control of administrative operations.
- 10 Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their programs.
- 10 Evaluates personnel periodically and points out staff weaknesses and strengths and works to improve their performance. *CERTAINLY SEEMS TO*

9. **Fiscal Management**

- 9 Prepares a balanced budget to provide services at a level intended by the Town Council.
- 10 Makes the best possible use of available funds: conscious of the need to operate the Town efficiently and effectively.
- 9 Prepared budget is in an intelligible format.
- 8 Reports the Town's financial position on a regular basis.

10. What have been the finest accomplishments of the Town Manager this past year?

- 1) OBTAINING AGREEMENT TO PURCHASE THE RR RIGHT OF WAY
- 2) PERSISTENCE IN PURSUING FEMA REIMBURSEMENT
- 3) SUCCESS IN SUBMITTING REQUESTS FOR GRANTS & OBTAINING FUNDS

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

WHEN PREPARING BUDGET, PRESENT THE BUDGET WITH A BALANCED VERSION AND THEN PROVIDE OTHER NEEDS/DESIRED PROJECTS THAT COULD BE ACCOMPLISHED IF ADDITIONAL FUNDS WERE AVAILABLE. ALLOW THE COUNCIL TO DISCUSS PROS/CONS OF THOSE FUNDING NEEDS.

12. Goals for the upcoming year:

- 1) ACHIEVE FUNDING AUTHORITY FOR NEW FACILITIES
- 2) FINALIZE PROPERTY SWAP WITH ROW
- 3) ACHIEVE ADDITIONAL DIRT ROAD EROSION CONTROL WITH INTRODUCTION OF PAVEMENT TAILINGS LIKE PARK AVE.
- 4) COMPLETE DIGITAL SCANNING OF HISTORICAL RECORDS



Signature

1/26/19

Date

Signature

Date

Town of Windermere – Calendar Year 2018 Town Manager Evaluation
 Page 1 of 4

**Town of Windermere
 Town Manager Evaluation**

This form may be used by each member of the Town Council to evaluate the Town Manager's performance in fulfilling each role he / she plays in the Town of Windermere's government.

The Town Manager is rated 1 through 10, with the following scale:

RATING LEVEL	EXAMPLES OF PERFORMANCE
10: Exceeds Expectations	Employee always meets, and regularly exceeds, performance goals. Results go beyond original projections, due to employee's initiative or extra effort. Work products are often convincingly better than performance objectives. Employee often demonstrates competencies beyond those expected for his/her job.
5: Fully Meets Expectations	Employee regularly meets performance goals and achieves results within a fully acceptable range. Work is produced on time, and consistently meets quality standards. Consistently and successfully demonstrates competencies appropriate to job level.
1: Below Expectations	Employee does not consistently achieve goals and deadlines, or results are not consistently of expected quality. Quality of work is variable and employee may require frequent clarification of instructions or closer supervision than expected. Competencies may not always be demonstrated at the level expected for successful performance. A performance improvement plan to bring performance to a consistent level of achievement should be developed.

If the Town Council Member lacks sufficient information/knowledge of one of the below evaluation areas and is unable to evaluate, please utilize **N/A (Not Applicable)**.

Each member of the Town Council should sign the form and forward it to the Town Clerk, who will archive and forward to the Administration Liaison compilation. The forms and accompanying summary should then be presented to the Town Manager for his permanent file.

1. **Personal**

- _9_ Invests sufficient effort toward being diligent and thorough in the discharge of duties.
- _9_ Composure, appearance, and attitude fitting for an individual in his executive position.

2. **Professional Skills and Status**

- _9_ Knowledgeable of current developments affecting the management field.
- _9_ Respected in management position.
- _8_ Has a capacity for innovation.

Town of Windermere – Calendar Year 2018 Town Manager Evaluation

Page 2 of 4

7__ Anticipates problems and develops effective approaches for solving them.

_8__ Willing to try new ideas proposed by the Town Council or staff.

3. **Relations with the Town Council Members**

_8__ Carries out directives of the Town Council as a whole rather than those of any one Town Council member.

8__ Assists the Town Council in resolving problems at the administrative level to avoid unnecessary Town Council action.

10__ Assists the Town Council in establishing policy while acknowledging the ultimate authority of the Town Council.

10__ Responds to requests for information or assistance by the Town Council

_7__ Informs the Town Council of administrative developments.

8__ Receptive to constructive criticism and advice.

4. **Policy Execution**

_9__ Implements Town Council action in accordance with the intent of the Town Council.

_9__ Supports the actions of the Town Council after a decision has been reached.

_9__ Enforces Town Council policies.

_10__ Understands town laws and ordinances.

_10__ Reviews enforcement procedures periodically to improve effectiveness.

_10__ Offers workable alternatives to the Town Council for changes in the law when an ordinance or policy proves impractical in actual administration.

5. **Reporting**

9__ Provides the Town Council with reports concerning matters of importance to the town.

9__ Reports are accurate and comprehensive.

10__ Reports are generally produced through own initiative rather than when requested by the Town Council.

10__ Prepares a sound agenda which ensures trivial administrative matters do not require review by the Town Council.

6. **Citizen Relations**

Town of Windermere – Calendar Year 2018 Town Manager Evaluation
Page 3 of 4

- _10 Accommodates complaints from citizens.
- _9_ Dedicated to the community and to its citizens.
- _8_ Skillful with the news media – avoiding political positions and partisanship.
- _8_ Has the capacity to listen to others and to recognize their interests. Works well with others.
- _10_ Willing to meet with members of the community and discuss their real concerns.
- _8_ Cooperates with neighboring communities.
- _8_ Cooperates with the town, state and federal governments.
- _8_ Cooperates with the elected Constitutional Officers.

7. Staffing

- _8_ Recruits and retains competent personnel for town positions.
- _8_ Accurately informed and concerned about employee insurance, fringe benefits, promotions, and pensions.
- 8__ Impartially administers the merit system.

8. Supervision

- _7_ Encourages department heads and supervisors to make decisions within their own jurisdictions without Town Manager approval, yet maintains general control of administrative operations.
- _8_ Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their programs.
- _8_ Evaluates personnel periodically and points out staff weaknesses and strengths and works to improve their performance.

9. Fiscal Management

- 10__ Prepares a balanced budget to provide services at a level intended by the Town Council.
- 10__ Makes the best possible use of available funds: conscious of the need to operate the Town efficiently and effectively.
- 10__ Prepared budget is in an intelligible format.
- _10_ Reports the Town's financial position on a regular basis.

10. What have been the finest accomplishments of the Town Manager this past year?

TM is always willing to listen to residents and stakeholders and provide input or direction as needed to implement effective solutions to issues.

Obtaining the Railroad Right of Way and working to build consensus on a potential land-swap to allow for a linear park along Main Street that will benefit Town Residents for many years.

Responding with staff to hurricane Irma and the resulting destruction of property and infrastructure.

Thank you for your service to our Town and your professionalism. It is pleasure to work with you and our staff.

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

We are entering a phase where we will need to be increasingly creative to meet the needs of the Town and limits of our budget. Fund development and recognition of our limits to complete all needed improvements within our current budget thresholds.

Review town vendors to ensure compliance with TOW procurement policies as well as audit to determine that we are receiving the best value and level of service for all of our consulting and services. Check and Balance

12. Goals for the upcoming year:

Event Staff to coordinate and share responsibility, oversight and planning for Town and Town Supporting Events

Plan and budget for the utilization of a firm or firms to represent TOW interests at the State, Federal and Local level in an effort to increase funding levels for some of our larger and more costly long-term improvement projects

Conduct a survey of residents to solicit feedback on a variety of important items that impact our Town in order to ensure that we are working with input and feedback from the entire Town in comparison to those who are more vocal.

Jim OBrien

Signature
01/24/2019

Date

Signature

Date

Town of Windermere
 Town Manager Evaluation

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RATING LEVEL	EXAMPLES OF PERFORMANCE
10: Exceeds Expectations	Employee always meets, and regularly exceeds, performance goals. Results go beyond original projections, due to employee's initiative or extra effort. Work products are often convincingly better than performance objectives. Employee often demonstrates competencies beyond those expected for his/her job.
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If the Town Council Member lacks sufficient information/knowledge of one of the below evaluation areas and is unable to evaluate, please utilize **N/A (Not Applicable)**.

Each member of the Town Council should sign the form and forward it to the Town Clerk, who will archive and forward to the Administration Liaison compilation. The forms and accompanying summary should then be presented to the Town Manager for his permanent file.

- Personal**

 - 10 Invests sufficient effort toward being diligent and thorough in the discharge of duties.
 - 10 Composure, appearance, and attitude fitting for an individual in his executive position.
- Professional Skills and Status**

 - 10 Knowledgeable of current developments affecting the management field.
 - 10 Respected in management position.
 - 10 Has a capacity for innovation.

10 Anticipates problems and develops effective approaches for solving them.
10 Willing to try new ideas proposed by the Town Council or staff.

3. Relations with the Town Council Members

10 Carries out directives of the Town Council as a whole rather than those of any one Town Council member.
10 Assists the Town Council in resolving problems at the administrative level to avoid unnecessary Town Council action.
10 Assists the Town Council in establishing policy while acknowledging the ultimate authority of the Town Council.
11 Responds to requests for information or assistance by the Town Council
10 Informs the Town Council of administrative developments.
N/A Receptive to constructive criticism and advice.

4. Policy Execution

10 Implements Town Council action in accordance with the intent of the Town Council.
10 Supports the actions of the Town Council after a decision has been reached.
10 Enforces Town Council policies.
10 Understands town laws and ordinances.
N/A Reviews enforcement procedures periodically to improve effectiveness.
10 Offers workable alternatives to the Town Council for changes in the law when an ordinance or policy proves impractical in actual administration.

5. Reporting

10 Provides the Town Council with reports concerning matters of importance to the town.
10 Reports are accurate and comprehensive.
9 Reports are generally produced through own initiative rather than when requested by the Town Council.
10 Prepares a sound agenda which ensures trivial administrative matters do not require review by the Town Council.

6. Citizen Relations

- 10 Accommodates complaints from citizens.
- 10 Dedicated to the community and to its citizens.
- 12 Skillful with the news media – avoiding political positions and partisanship.
- 12 Has the capacity to listen to others and to recognize their interests. Works well with others.
- 10 Willing to meet with members of the community and discuss their real concerns.
- 10 Cooperates with neighboring communities.
- 10 Cooperates with the town, state and federal governments.
- N/A Cooperates with the elected Constitutional Officers.

7. Staffing

- N/A Recruits and retains competent personnel for town positions.
- N/A Accurately informed and concerned about employee insurance, fringe benefits, promotions, and pensions.
- N/A Impartially administers the merit system.

8. Supervision

- 10 Encourages department heads and supervisors to make decisions within their own jurisdictions without Town Manager approval, yet maintains general control of administrative operations.
- N/A Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their programs.
- N/A Evaluates personnel periodically and points out staff weaknesses and strengths and works to improve their performance.

9. Fiscal Management

- 10 Prepares a balanced budget to provide services at a level intended by the Town Council.
- 10 Makes the best possible use of available funds: conscious of the need to operate the Town efficiently and effectively.
- 9 Prepared budget is in an intelligible format.
- 9 Reports the Town's financial position on a regular basis.

10. What have been the finest accomplishments of the Town Manager this past year?

FEMA HANDLING OF NW CORNER. I FEEL MR. SMITH HANDLES HIMSELF WITH TRUE VESTED INTEREST TO THE TOWN. I WAS IMPRESSED BY THE BUDGET AND A SOLUTION TO PAY FOR TOWN FACILITIES ALSO COMING FROM RE TAXES.

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

IF POSSIBLE, I WOULD LIKE TO SEE STAFF REPORTS FROM TO COUNCIL MEETINGS. MAKE THE SAME FOR LIAISON REPORTS ~~IN THE~~ IN THE FORMAT THE PROJECT NOTES ARE DONE SO THERE IS WRITTEN HISTORY OF AN ONGOING ISSUE OR PROJECT. THIS WOULD GIVE ACCOUNTABILITY FOR STAFF TOO.

12. Goals for the upcoming year:

TOWN FACILITY - PAY/LION AFFAIRS + FINAL DESIGN WATER DESIGN SIDEWALK REPAIRS + COMPLETION OF SODWALK LAKE TO MAIN GYM ORANGE + FOREST ROAD + STARK WATER START PLANNING DEMULTI-MODAL PARK + FINISH LAND ACQUISITION TOWN TO WORK W/ DEWACHE COUNTY FOR A FUTURE ROAD



Signature

1/30/17

Date

Signature

Date

Town of Windermere – Calendar Year 2018 Town Manager Evaluation
Page 1 of 4

Town of Windermere
Town Manager Evaluation

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If the Town Council Member lacks sufficient information/knowledge of one of the below evaluation areas and is unable to evaluate, please utilize **N/A (Not Applicable)**.

Each member of the Town Council should sign the form and forward it to the Town Clerk, who will archive and forward to the Administration Liaison compilation. The forms and accompanying summary should then be presented to the Town Manager for his permanent file.

1. **Personal**

8 Invests sufficient effort toward being diligent and thorough in the discharge of duties.

8 Composure, appearance, and attitude fitting for an individual in his executive position.

2. **Professional Skills and Status**

8 Knowledgeable of current developments affecting the management field.

8 Respected in management position.

8 Has a capacity for innovation.

Town of Windermere – Calendar Year 2018 Town Manager Evaluation

Page 2 of 4

7 Anticipates problems and develops effective approaches for solving them.

7 Willing to try new ideas proposed by the Town Council or staff.

3. **Relations with the Town Council Members**

8 Carries out directives of the Town Council as a whole rather than those of any one Town Council member.

8 Assists the Town Council in resolving problems at the administrative level to avoid unnecessary Town Council action.

8 Assists the Town Council in establishing policy while acknowledging the ultimate authority of the Town Council.

8 Responds to requests for information or assistance by the Town Council

8 Informs the Town Council of administrative developments.

8 Receptive to constructive criticism and advice.

4. **Policy Execution**

8 Implements Town Council action in accordance with the intent of the Town Council.

8 Supports the actions of the Town Council after a decision has been reached.

7 Enforces Town Council policies.

8 Understands town laws and ordinances.

8 Reviews enforcement procedures periodically to improve effectiveness.

8 Offers workable alternatives to the Town Council for changes in the law when an ordinance or policy proves impractical in actual administration.

5. **Reporting**

8 Provides the Town Council with reports concerning matters of importance to the town.

8 Reports are accurate and comprehensive.

8 Reports are generally produced through own initiative rather than when requested by the Town Council.

8 Prepares a sound agenda which ensures trivial administrative matters do not require review by the Town Council.

6. **Citizen Relations**

Town of Windermere – Calendar Year 2018 Town Manager Evaluation
Page 3 of 4

- 5 Accommodates complaints from citizens.
- 5 Dedicated to the community and to its citizens.
- 8 Skillful with the news media – avoiding political positions and partisanship.
- 5 Has the capacity to listen to others and to recognize their interests. Works well with others.
- 5 Willing to meet with members of the community and discuss their real concerns.
- 8 Cooperates with neighboring communities.
- 8 Cooperates with the town, state and federal governments.
- 8 Cooperates with the elected Constitutional Officers.

7. **Staffing**

- 8 Recruits and retains competent personnel for town positions.
- 8 Accurately informed and concerned about employee insurance, fringe benefits, promotions, and pensions.
- 8 Impartially administers the merit system.

8. **Supervision**

- 8 Encourages department heads and supervisors to make decisions within their own jurisdictions without Town Manager approval, yet maintains general control of administrative operations.
- 5 Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their programs.
- 5 Evaluates personnel periodically and points out staff weaknesses and strengths and works to improve their performance.

9. **Fiscal Management**

- 8 Prepares a balanced budget to provide services at a level intended by the Town Council.
- 8 Makes the best possible use of available funds: conscious of the need to operate the Town efficiently and effectively.
- 8 Prepared budget is in an intelligible format.
- 5 Reports the Town's financial position on a regular basis.

10. **What have been the finest accomplishments of the Town Manager this past year?**

The finest accomplishment the staying on budget and getting our FEMA money back in full

11. **What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?**

The most improvement is needed in managing and continuiting bridge the gap with the minority and very outspoken residents, whom feel the admin is totally against them. (ie the tree board)

12. **Goals for the upcoming year:**

To lock down the Intergovernmental agreement bringing us to the table to deal with Tavistock and their development of the NW Corner of Apopka Vineland.

To obtain the funds for the New Towns Admin Facilites.



Signature

1-24-19

Date

Signature

Date

Bruhn

Town of Windermere – Calendar Year 2018 Town Manager Evaluation
Page 1 of 4

**Town of Windermere
Town Manager Evaluation**

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If the Town Council Member lacks sufficient information/knowledge of one of the below evaluation areas and is unable to evaluate, please utilize **N/A (Not Applicable)**.

Each member of the Town Council should sign the form and forward it to the Town Clerk, who will archive and forward to the Administration Liaison compilation. The forms and accompanying summary should then be presented to the Town Manager for his permanent file.

1. **Personal**

8

Invests sufficient effort toward being diligent and thorough in the discharge of duties.

9

Composure, appearance, and attitude fitting for an individual in his executive position.

2. **Professional Skills and Status**

9

Knowledgeable of current developments affecting the management field.

7

Respected in management position.

8

Has a capacity for innovation.

Town of Windermere – Calendar Year 2018 Town Manager Evaluation

Page 2 of 4

7

Anticipates problems and develops effective approaches for solving them.

9

Willing to try new ideas proposed by the Town Council or staff.

3. **Relations with the Town Council Members**

9

Carries out directives of the Town Council as a whole rather than those of any one Town Council member.

6

Assists the Town Council in resolving problems at the administrative level to avoid unnecessary Town Council action.

8

Assists the Town Council in establishing policy while acknowledging the ultimate authority of the Town Council.

10

Responds to requests for information or assistance by the Town Council

8

Informs the Town Council of administrative developments.

9

Receptive to constructive criticism and advice.

4. **Policy Execution**

10

Implements Town Council action in accordance with the intent of the Town Council.

10

Supports the actions of the Town Council after a decision has been reached.

9

Enforces Town Council policies.

9

Understands town laws and ordinances.

6

Reviews enforcement procedures periodically to improve effectiveness.

9

Offers workable alternatives to the Town Council for changes in the law when an ordinance or policy proves impractical in actual administration.

5. **Reporting**

7

Provides the Town Council with reports concerning matters of importance to the town.

9

Reports are accurate and comprehensive.

9

Reports are generally produced through own initiative rather than when requested by the Town Council.

7

Prepares a sound agenda which ensures trivial administrative matters do not require review by the Town Council.

6. **Citizen Relations**

- 9 Accommodates complaints from citizens.
- 8 Dedicated to the community and to its citizens.
- 10 Skillful with the news media – avoiding political positions and partisanship.
- 9 Has the capacity to listen to others and to recognize their interests. Works well with others.
- 9 Willing to meet with members of the community and discuss their real concerns.
- 8 Cooperates with neighboring communities.
- 9 Cooperates with the town, state and federal governments.
- N/A Cooperates with the elected Constitutional Officers.

7. **Staffing**

- 10 Recruits and retains competent personnel for town positions.
- 8 Accurately informed and concerned about employee insurance, fringe benefits, promotions, and pensions.
- N/A Impartially administers the merit system. — *don't know* —

8. **Supervision**

unknown



- Encourages department heads and supervisors to make decisions within their own jurisdictions without Town Manager approval, yet maintains general control of administrative operations.
- Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their programs.
- Evaluates personnel periodically and points out staff weaknesses and strengths and works to improve their performance.

9. **Fiscal Management**

- 9 Prepares a balanced budget to provide services at a level intended by the Town Council.
- 9 Makes the best possible use of available funds: conscious of the need to operate the Town efficiently and effectively.
- 10 Prepared budget is in an intelligible format.
- 9 Reports the Town's financial position on a regular basis.

10. What have been the finest accomplishments of the Town Manager this past year?

- ① relentless pursuit of FEMA reimbursement
- ② working with residents to explain the need for facilities
- ③ defending our staff against continuous attacks of false accusations of mis-spending, violation of rules, etc. Our committees should be working with staff.
- ④ successful negotiations to acquire the railroad ROW.

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

- Continue to work to Fund:
- ① traffic solutions
 - ② potable water expansion
 - ③ sewer options
 - ④ sidewalk/multi modal solutions

12. Goals for the upcoming year:

- ① Move forward if approval of referendum is received on town facilities
- ② Finalize/provide results of water study to move forward with potable water
- ③ Coordinate w/ Mayor on grant funding for potable water
- ④ Provide a smooth transition from one Mayor to another.


Signature
1/22/19
Date


Signature
1/18/2019
Date

THE TOWN OF
Windermere



Town Managers
Self
Evaluation

**Town of Windermere
 Town Manager Evaluation**

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1. **Personal**

9 Invests sufficient effort toward being diligent and thorough in the discharge of duties. *As in previous years, it is not uncommon for me to work several evenings (both at the office and at home), weekends, etc. attending Board and Committee Meetings, Events, HOA Meetings, Workshops and Public Hearings relative to various issues. This past year was focused on the Town Facilities, Traffic and Branding Revitalization. For 2019 we already have had several workshops and public meetings and my hope is to keep the progress moving but also try to find a balance between work and my personal life.*

7 Composure, appearance, and attitude fitting for an individual in his executive position.

2. **Professional Skills and Status**

- 6 Knowledgeable of current developments affecting the management field.
- 7 Respected in management position.
- 6 Has a capacity for innovation.
- 7 Anticipates problems and develops effective approaches for solving them.
- 7 Willing to try new ideas proposed by the Town Council or staff.

3. **Relations with the Town Council Members**

- 5 Carries out directives of the Town Council as a whole rather than those of any one Town Council member.
- 7 Assists the Town Council in resolving problems at the administrative level to avoid unnecessary Town Council action. *Not uncommon for me to sit down with residents or hold meetings prior to Council action to inform the public rather than spend time at a TC meeting.*
- 6 Assists the Town Council in establishing policy while acknowledging the ultimate authority of the Town Council.
- 7 Responds to requests for information or assistance by the Town Council.
- 6 Informs the Town Council of administrative developments.
- 6 Receptive to constructive criticism and advice.

4. **Policy Execution**

- 5 Implements Town Council action in accordance with the intent of the Town Council.
- 5 Supports the actions of the Town Council after a decision has been reached.
- 5 Enforces Town Council policies.
- 5 Understands town laws and ordinances.
- 6 Reviews enforcement procedures periodically to improve effectiveness.
- 7 Offers workable alternatives to the Town Council for changes in the law when an ordinance or policy proves impractical in actual administration.

5. **Reporting**

- 5 Provides the Town Council with reports concerning matters of importance to the town.
- 6 Reports are accurate and comprehensive.
- 6 Reports are generally produced through own initiative rather than when requested by the Town Council.
- 6 Prepares a sound agenda which ensures trivial administrative matters do not require review by the Town Council. *Streamline some additional processes.*

6. **Citizen Relations**

- 9 Accommodates complaints from citizens. *I am available any time of day and respond quickly. They may not like the answer but at least they have one.*
- 9 Dedicated to the community and to its citizens.
- 7 Skillful with the news media – avoiding political positions and partisanship.
- 6 Has the capacity to listen to others and to recognize their interests. Works well with others.
- 9 Willing to meet with members of the community and discuss their real concerns.
- 7 Cooperates with neighboring communities.
- 7 Cooperates with the town, state and federal governments.
- 7 Cooperates with the elected Constitutional Officers.

7. **Staffing**

- 5 Recruits and retains competent personnel for town positions.
- 5 Accurately informed and concerned about employee insurance, fringe benefits, promotions, and pensions.
- 5 Impartially administers the merit system.

8. **Supervision**

- 6 Encourages department heads and supervisors to make decisions within their own jurisdictions without Town Manager approval, yet maintains general control of administrative operations.
- 7 Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their programs.

5 Evaluates personnel periodically and points out staff weaknesses and strengths and works to improve their performance.

9. **Fiscal Management**

5 Prepares a balanced budget to provide services at a level intended by the Town Council.

6 Makes the best possible use of available funds: conscious of the need to operate the Town efficiently and effectively.

5 Prepared budget is in an intelligible format.

5 Reports the Town's financial position on a regular basis.

10. **What have been the finest accomplishments of the Town Manager this past year?**

(1) Railroad ROW Acquisition (2) FEMA Documentation (3) \$150k in Grants for Parks (4) Over \$150k Raised for the Windermere Police Department Foundation over 5 Years (5) \$175k Grant from SFWMD (6) Implementation of Capital Improvement Plans (Park Ave)

11. **What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?**

(1) Improve on communication with residents (meetings, projects, etc.) i.e. new website (2) Continue to keep Staff and Elected Officials in the loop on various projects and updates. (3) Patience on projects and developments

12. **Goals for the upcoming year:**

(1) Town Facilities (2) More structure for Boards and Committees. (3) Utilities (4) Resolving Traffic Concerns (5) Enhance all levels of service (5) JPA with Orange County



Signature

2/5/19

Date

Signature

Date

THE TOWN OF
Windermere



Matrix
And
Comments

2018 Town Managers Evaluation

Personal	Councilmember McKinley	Councilmember Montgomery	Councilmember O'Brien	Councilmember Sapp	Councilmember Williams	Mayor Bruhn
1A	10	10	9	10	8	8
1B	10	10	9	10	8	9
Average:	10	10	9	10	8	8.5

9.25

Professional Skills and Status	Councilmember McKinley	Councilmember Montgomery	Councilmember O'Brien	Councilmember Sapp	Councilmember Williams	Mayor Bruhn
2A	10	10.00	9	10	8	9
2B	10	10.00	9	10	8	7
2C	10	10.00	8	10	8	8
2D	10	10.00	7	10	7	7
2E	10	9.00	8	10	7	9
Average:	10	9.00	8.2	10	7.6	8

8.8

Relations with Town Council	Councilmember McKinley	Councilmember Montgomery	Councilmember O'Brien	Councilmember Sapp	Councilmember Williams	Mayor Bruhn
3A	10	9.00	8	10	8	9
3B	10	10.00	8	10	8	6
3C	10	10.00	10	10	8	8
3D	10	10.00	10	10	8	10
3E	10	8.00	7	10	8	8
3F	10	8.00	8	n/a	8	9
Average:	10	9.17	8.5	10	8	8.33333333

9

Policy Execution	Councilmember McKinley	Councilmember Montgomery	Councilmember O'Brien	Councilmember Sapp	Councilmember Williams	Mayor Bruhn
4A	9	6.00	9	9	10	10
4B	10	9.00	9	10	8	10
4C	10	10.00	9	10	7	9
4D	10	9.00	10	10	8	9
4E	10	9.00	10	n/a	8	6

4F	10	9.00	10	10	8	9
Average:	10	8.67	9.5	9.8	8.166666667	8.833333333

9.16111

Reporting	Councilmember McKinley	Councilmember Montgomery	Councilmember O'Brien	Councilmember Sapp	Councilmember Williams	Mayor Bruhn
5A	10	9.00	9	10	8	7
5B	10	8.00	9	10	8	9
5C	10	8.00	10	9	8	9
5D	10	9.00	10	10	8	7
Average:	10	8.50	9.5	9.75	8	8

8.95833

Citizens Relations	Councilmember McKinley	Councilmember Montgomery	Councilmember O'Brien	Councilmember Sapp	Councilmember Williams	Mayor Bruhn
6A	10	8.00	10	10	5	9
6B	10	10.00	9	10	5	8
6C	10	9.00	8	10	8	10
6D	10	9.00	8	10	5	9
6E	10	10.00	10	10	5	9
6F	10	10.00	8	10	8	8
6G	10	10.00	8	10	8	9
6H	10	10.00	8	n/a	8	n/a
Average:	10	9.50	8.625	10	6.5	8.85714286

8.91369

Staffing	Councilmember McKinley	Councilmember Montgomery	Councilmember O'Brien	Councilmember Sapp	Councilmember Williams	Mayor Bruhn
7A	10	10.00	8	n/a	8	10
7B	10	10.00	8	n/a	5	8
7C	10	8.00	8	n/a	5	n/a
Average:	10	9.33	8	n/a	6	9

8.46667

Supervision	Councilmember McKinley	Councilmember Montgomery	Councilmember O'Brien	Councilmember Sapp	Councilmember Williams	Mayor Bruhn
8A	10	10.00	7	10	8	unkn
8B	10	10.00	8	n/a	5	unkn
8C	10	10.00	8	n/a	5	unkn
Average:	10	10.00	7.666666667	10	6	unkn

8.73333

Fiscal Management	Councilmember McKinley	Councilmember Montgomery	Councilmember O'Brien	Councilmember Sapp	Councilmember Williams	Mayor Bruhn
9A	10	9.00	10	10	8	9
9B	10	10.00	10	10	8	9
9C	10	9.00	10	9	8	10
9D	10	8.00	10	9	5	9
Average:	10	9.00	10	9.5	7.25	9.25

9.16667

2018 Town Manager Evaluation Comments:

Councilmember McKinley:

10. What have been the finest accomplishments of the Town Manager this past year?

Completion of the Park Avenue repaving project with coordination with OCPS for obtaining the land necessary for the project. Coordinated FEMA reimbursement to the Town for hurricane impact costs. Coordinated with owners for purchase of the railroad right-of-way. Coordinated with the many boards and committees to update their bylaws and to streamline their agendas to ensure all agenda items are covered. Coordinated with Architect and design firm to provide needs for new Town Government Facilities. Coordinated the rebranding of Town items to develop single use images, fonts and standards and eliminate unauthorized logos. Held numerous meetings with HOA's and the general public to explain town projects, issues and goals.

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

My observation of the Town Manager is that the Town of Windermere is fortunate to have an individual of this caliber to serve in this position. His interactions with elected officials, residents, Town staff, other government agencies, and residents from surrounding communities is remarkable. I can think of no area in which he needs to improve.

12. Goals for the upcoming year:

To coin a military phrase "Continue to March." Just keep doing what you do.

Councilmember Montgomery:

10. What have been the finest accomplishments of the Town Manager this past year?

- 1) OBTAINING AGREEMENT TO PURCHASE THE RR RIGHT OF WAY
- 2) PERSISTENCE IN PURSUING FEMA REIMBURSEMENT
- 3) SUCCESS IN SUBMITTING REQUESTS FOR GRANTS & OBTAINING FUNDS

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

WHEN PREPARING BUDGET, PRESENT THE BUDGET
WITH A BALANCED VERSION AND THEN PROVIDE
OTHER NEEDS/DESIRED PROJECTS THAT COULD BE
ACCOMPLISHED IF ADDITIONAL FUNDS WERE
AVAILABLE. ALLOW THE COUNCIL TO DISCUSS PROS/CONS
OF THOSE FUNDING NEEDS.

12. Goals for the upcoming year:

- 1) ACHIEVE FUNDING AUTHORITY FOR NEW FACILITIES
- 2) FINALIZE PROPERTY SWAP WITH ROW
- 3) ACHIEVE ADDITIONAL DIRT ROAD EROSION CONTROL
WITH INTRODUCTION OF PAVEMENT TAILINGS LIKE PARK AVENUE.
- 4) COMPLETE DIGITAL SCANNING OF HISTORICAL RECORDS

Councilmember O'Brien:

10. What have been the finest accomplishments of the Town Manager this past year?

TM is always willing to listen to residents and stakeholders and provide input or direction as needed to implement effective solutions to issues.

Obtaining the Railroad Right of Way and working to build consensus on a potential land-swap to allow for a linear park along Main Street that will benefit Town Residents for many years.

Responding with staff to hurricane Irma and the resulting destruction of property and infrastructure.

Thank you for your service to our Town and your professionalism. It is pleasure to work with you and our staff.

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

We are entering a phase where we will need to be increasingly creative to meet the needs of the Town and limits of our budget. Fund development and recognition of our limits to complete all needed improvements within our current budget thresholds.

Review town vendors to ensure compliance with TOW procurement policies as well as audit

to determine that we are receiving the best value and level of service for all of our consulting and services. Check and Balance

12. **Goals for the upcoming year:**

Event Staff to coordinate and share responsibility, oversight and planning for Town and Town Supporting Events

Plan and budget for the utilization of a firm or firms to represent TOW interests at the State, Federal and Local level in an effort to increase funding levels for some of our larger and more costly long-term improvement projects

Conduct a survey of residents to solicit feedback on a variety of important items that impact our Town in order to ensure that we are working with input and feedback from the entire Town in comparison to those who are more vocal.

Councilmember Sapp:

10. What have been the finest accomplishments of the Town Manager this past year?

FEMA, HANDLING OF RW CORNER. I FEEL MR SMITH HANDLES HIMSELF WITH TRUE VESTED INTEREST TO THE TOWN. I WAS IMPRESSED BY THE BUDGET AND A SOLUTION TO PAY FOR TOWN FACILITIES W/O COMING FROM RE TAXES.

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

IF POSSIBLE, I WOULD LIKE TO SEE STAFF REPORTS PRIOR TO COUNCIL MEETINGS. MAYBE THE SAME FOR LIAISON REPORTS. ~~REPORTS~~ IN THE FORMAT THE PROJECT NOTES ARE DONE SO THERE IS WRITTEN HISTORY OF AN ONGOING ISSUE OR PROJECT. THIS WOULD GIVE ACCOUNTABILITY FOR STAFF TOO.

12. Goals for the upcoming year:

TOWN FACILITY = PAVILION APPROVALS + FINAL DESIGN WATER DESIGN
SIDEWALK REPAIRS + COMPLETION OF SIDEWALK LAKE TO MAIN 9TH, ORKDALE + FOREST ROAD + STORMWATER
START PLANNING OF MULT-MODAL PARK + FINISH LAND ACQUISITION TOWN TO WORK W/ DRANGE COUNTY FOR A RELIEVER ROAD

Councilmember Williams:

10. What have been the finest accomplishments of the Town Manager this past year?

-The finest accomplishment the staying on budget and getting our FEMA money back in full.

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

The most improvement is needed in managing and continuing bridge the gap with the minority and very outspoken residents, whom feel the admin is totally against them. (ie the tree board)

12. Goals for the upcoming year:

To lock down the Intergovernmental agreement bringing us to the table to deal with Tavistock and their development of the NW Corner of Apopka Vineland.

To obtain the funds for the New Towns Admin Facilities.

Mayor Bruhn:

10. What have been the finest accomplishments of the Town Manager this past year?

- ① relentless pursuit of FEMA reimbursement
- ② working with residents to explain the need for facilities
- ③ defending our staff against continuous attacks of false accusations of mis-spending, violation of rules, etc. Our committees should be working with staff
- ④ Successful negotiations to acquire the land for ROW.

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

- Continue to work to find:
- ① traffic solutions
 - ② potable water expansion
 - ③ sewer options
 - ④ sidewalk/multi modal solutions

12. Goals for the upcoming year:

- ① Move forward if approval of referendum is received on town facilities
- ② Finalize/provide results of water study to move forward with potable water
- ③ Coordinate w/ Mayor on grant funding for potable water
- ④ Provide a smooth transition from one Mayor to another -



EXECUTIVE SUMMARY

SUBJECT: Suggested Donation for 1887 Schoolhouse
REQUESTED ACTION: Councilman McKinley Item-Board Option

Work Session (Report Only) **DATE OF MEETING:** 2/12/19
 Regular Meeting Special Meeting

CONTRACT: N/A Vendor/Entity: _____
Effective Date: _____ Termination Date: _____
Managing Division / Dept: _____

BUDGET IMPACT: \$0
 Annual **FUNDING SOURCE:** _____
 Capital **EXPENDITURE ACCOUNT:** _____
 N/A

HISTORY/FACTS/ISSUES:

Mayor & Council,

At the January Town Council Meeting, Town staff as well as elected officials became aware that members of the HPB were soliciting for suggested donations for tours of the 1887 Schoolhouse. Since the parties were unaware of this, Councilman McKinley asked that this be placed on the February agenda for discussion.



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Annual

Capital

N/A

FUNDING SOURCE: _____

EXPENDITURE ACCOUNT: _____

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