

Pinellas County Water & Navigation  
315 Court Street  
Clearwater, Florida 33756

Issued To: DONOVAN, JAMES P  
Contractor:  
Construction Site: 106 HARBOR DR  
PALM HARBOR FL 34683  
Parcel No.: 102815651240000210

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Permit is valid for 1 year

To report starting date and completion date call: (727) 464-3770

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## PERMIT NO.

**WND-20-00231 REV**

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**Notes:**

PERMITS MAY ALSO BE REQUIRED FROM THE FOLLOWING AGENCIES: FL DEP AND U.S. ARMY COE.

THE WATERS OF PINELLAS COUNTY ARE LOCATED WITHIN THE PINELLAS COUNTY AND BOCA CIEGA BAY AQUATIC PRESERVE. SPECIAL REGULATIONS EXIST THAT GOVERN THE CONSTRUCTION WITHIN AN AQUATIC PRESERVE. PLEASE CONTACT THE FL DEP.

Date of Issuance:

05/18/2021

THIS PERMIT IS SUBJECT TO A 30-DAY APPEAL PERIOD FROM DATE OF ISSUANCE – SECTION 58-536(A) WATER AND NAVIGATION REGULATIONS.

Final Inspection Date:

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ADDITIONAL INSTALLATIONS SUCH AS WATER OR ELECTRIC WILL REQUIRE SEPARATE PERMITS FROM THE APPROPRIATE MUNICIPAL OR COUNTY BUILDING DEPARTMENT.

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**THIS PERMIT IS REQUIRED TO BE POSTED IN  
A CONSPICUOUS LOCATION AT THE  
CONSTRUCTION SITE.**

## **ATTENTION APPLICANTS AND AGENTS**

**Attached is your Pinellas County Water and Navigation permit. Please be advised that the issuance of this permit does not preclude the need for any additional Federal, State, or Local approvals that may be required. This permit also does not preclude the need to comply with any rules of your Homeowner's/Condo's Association, if applicable. It is the applicant's responsibility to obtain all required permits and approvals prior to commencing construction.**

### **NOTES ON FEDERAL APPROVAL:**

#### **GREEN:**

Based upon the information submitted in your Pinellas County application, your project has been determined to be consistent with the U.S. Army Corps of Engineers Programmatic General Permit SAJ-96. Therefore, provided you follow any special conditions that may be attached to your County permit as well as the project specific conditions, special conditions, and general conditions of SAJ-96, additional authorizations or permits from the Corps will not be required. Please note that structures that are not shown on the application or which are added later may invalidate this finding, including structures that increase watercraft access such as personal watercraft lifts or davits (including those mounted on seawalls). Failure to comply with your County permit or the terms and conditions of SAJ-96 may result in violation of Federal law. A copy of SAJ-96 is available online in the Jacksonville Regulatory Sourcebook under the General Permits section at:

<https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>. **The direct link to the SAJ-96 General Permit is:**

<https://usace.contentdm.oclc.org/utis/getfile/collection/p16021coll7/id/14565>

### **NOTES ON STATE APPROVAL:**

Please be advised that your project may also require approval from the State of Florida. Information from the Florida Department of Environmental Protection is attached.

### **PINELLAS COUNTY GENERAL 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. This permit will expire one year from the date of issuance. All construction and permit conditions must be completed prior to the expiration of the permit unless otherwise stated. If an extension is required to complete the work, please contact Water and Navigation staff at (727) 453-3385 for more information.
3. A copy of the permit or placard must be posted in a conspicuous location at the construction address.
4. 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.
5. All excess lumber, scrap wood, trash, garbage, or other similar material shall be removed from any wetland area and/or surface waters immediately.
6. The County must be notified at (727) 464-3770 upon completion of construction and satisfaction of all permit conditions so that a final inspection can be made.

7. All construction must be conducted by the legal owner of the property or by a licensed and properly insured contractor. The applicant is advised that the hiring of an unlicensed contractor may result in criminal proceedings against the property owner. The applicant is also advised to review the Mechanics' Lien Law prior to hiring a contractor.
8. 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 the County. The permittee binds itself and its successors to comply with the provisions and conditions of this permit. If the County determines at any time that activities are not in accordance with the conditions of the permit, work shall cease, and the permit may be revoked immediately by Water and Navigation. Notice of the revocation shall be provided to the permit holder promptly thereafter.
9. All future repairs, additions, or new construction will require a permit from the County.
10. County staff, with proper identification, shall have permission to enter the site at a reasonable time to inspect the dock for conformity with the plans and specifications approved by the permit.
11. 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.
12. 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 58, Article XV of the Pinellas 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 Pinellas County Water and Navigation of any conflict between the conditions of this permit and any other permit or approval.
13. The permittee is hereby advised that Section 253.77, 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.
14. Should any other regulatory agency require changes to the property or permitted activities, the permittee shall provide written notification to Pinellas County Water and Navigation of the change within 30 days of the effective date that authorization so that a determination can be made whether a permit modification is required.
15. The permittee shall indemnify, defend, 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.
16. 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.
17. 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 Pinellas County.

18. Turbidity and sediments shall be controlled to prevent violations of water quality pursuant to Rules 62- 302.500, 62-302.530(70) and 62-4.242 Florida Administrative Code. 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.
19. 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.
20. Pursuant to Section 125.022, FS, the applicant shall obtain all other applicable state or federal permits before commencement of the activity authorized herein.
21. **FOR DOCK PERMITS ONLY:** Any clearing of mangroves or marsh vegetation for this project is to be limited to the footprint of the dock unless otherwise specified in any specific conditions attached to the permit.
22. **FOR DOCK PERMITS ONLY:** Dock structures shall 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. A Water and Navigation Permit may be required to repair the structure.

If you have any questions, please contact the Water and Navigation staff at (727) 453-3385.