



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

February 26, 2016

Via Electronic Transmittal

Walker Property Investments, LLC
c/o John H. Elamad, P.E.
ECM
4639 Gulf Starr Drive
Destin, Florida 32541

Dear Mr. Elamad:

Exemption Notice

File Number:	CNS-WL-0207
Property Owner Name:	Walker Property Investments, LLC
Location of Subject Property:	Between approximately 175 feet and 225 feet east of DEP's reference monument R-126, in Walton County.
Project Address:	739 Scenic Gulf Drive.

This is in response to your email received by the Department on January 27, 2016 requesting information on the effects of the coastal construction control line regulations on development of the above subject property. The following information was submitted to the Department in support of this request: an old topographical and boundary survey used for application WL-242, and plans depicting the existing two story single family dwelling and the proposed remodeling work. Also provided where a section drawing depicting the existing structure and the proposed work. **The proposed activity is the interior demolition of the existing dwelling and the expansion of the second floor within the limits of the existing exterior walls, and the addition of a third floor. As noted on the plans the existing exterior walls of the ground floor are to remain. The work also includes roof installation. The renovation does not include foundation work.**

Based upon my review of these documents, the proposed work is not expected to cause a measurable interference with the natural functioning of the coastal system. Therefore, the Department has determined that the proposed work satisfies the exemption requirements of Section 161.053(11)(b), Florida Statutes, and no CCCL permit is required.

Additional exterior lighting is not incorporated into this exemption. It is the responsibility of the applicant to ensure any local permits for lighting have been obtained. All windows and glass doors visible from any point on the beach must be tinted to a transmittance value (light transmission from inside to outside) of 45% or less through the use of tinted glass or window film. No other activities are authorized under this exemption.

This determination does not convey or create any property right, or any interest in real property. This determination does not authorize any trespass, entrance upon, or activities on property which is not

owned or controlled by you, or convey any rights or privileges other than those specified in this determination and applicable rules and statutes.

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, Florida Statutes, 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, Florida Statutes. Pursuant to rule 28-106.201, Florida Administrative Code, 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, 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), Florida Administrative Code, petitions for an administrative hearing by the applicant must be filed within 21 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), Florida Statutes, must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under section 120.60(3), Florida Statutes,

however, any person who has asked the Department for notice of agency action may file a petition within 21 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, Florida Statutes, 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, Florida Administrative Code.

Extension of Time

Under rule 62-110.106(4), Florida Administrative Code, 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.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to section 120.68, Florida Statutes, 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.

This determination does not relieve you from your responsibility to comply with the permitting requirements of any other local, state, or federal regulatory agency which has jurisdiction over the proposed activity. The exempted work is strictly limited to that described above. If you have any questions, please contact me by mail at the letterhead address (add Mail Station 3522), by telephone at (850) 245-7676, or by email at rolando.gomez@dep.state.fl.us.

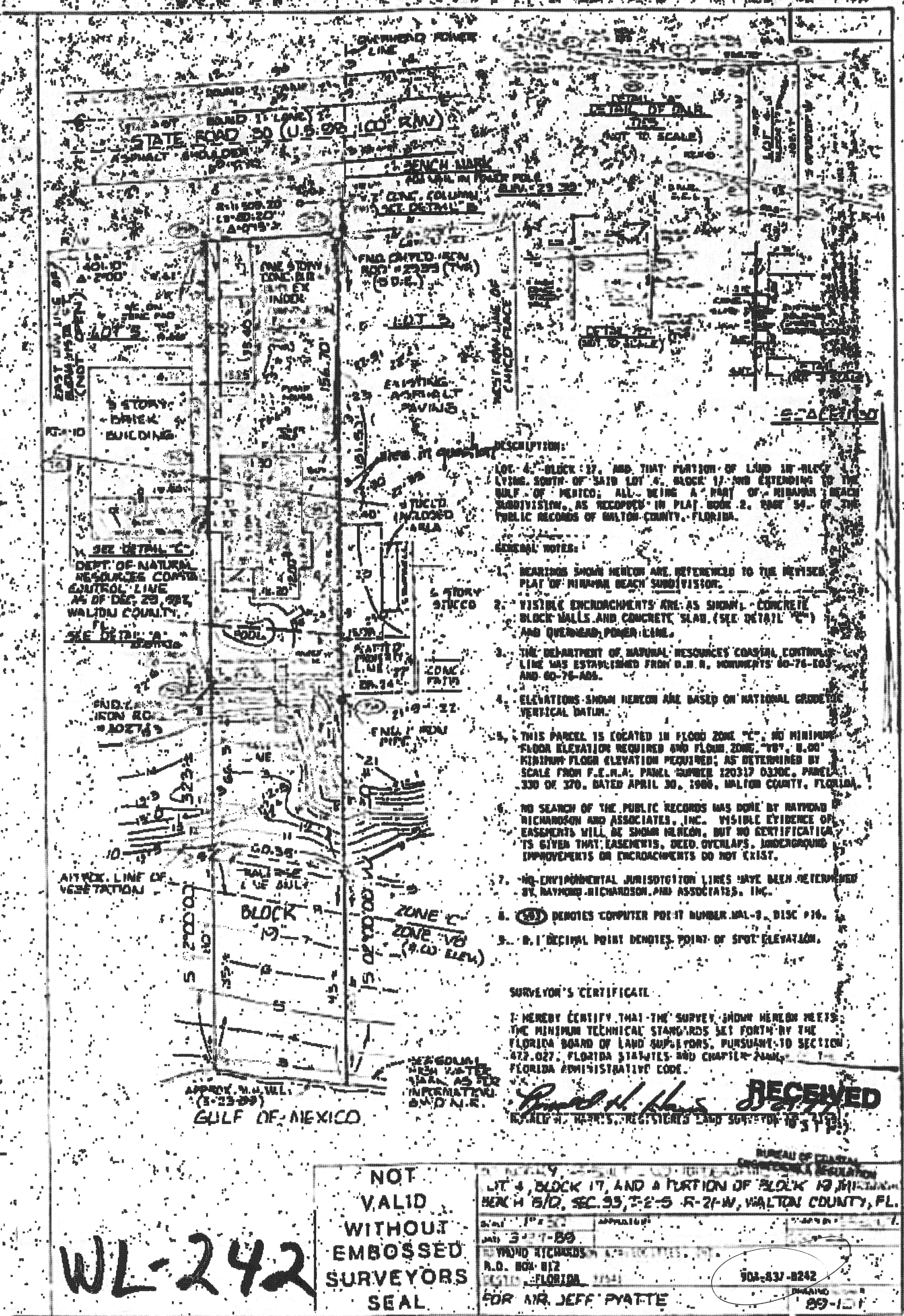
Sincerely,



Rolando R. Gómez, Permit Manager
Coastal Construction Control Line Program
Division of Water Resource Management

RG/rg

cc: Reginald Bradley, Field Inspector
Billy Bearden, Building Official

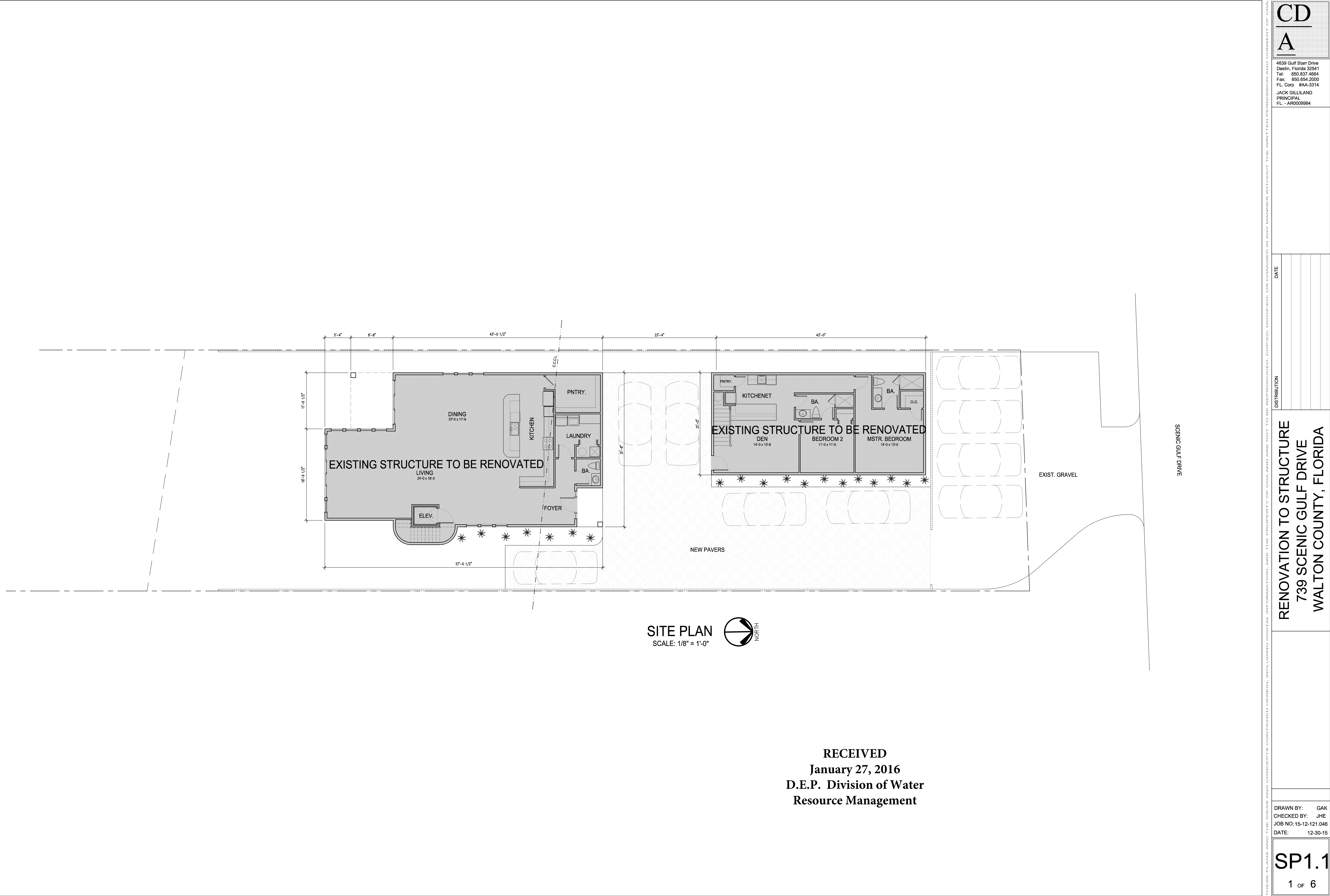


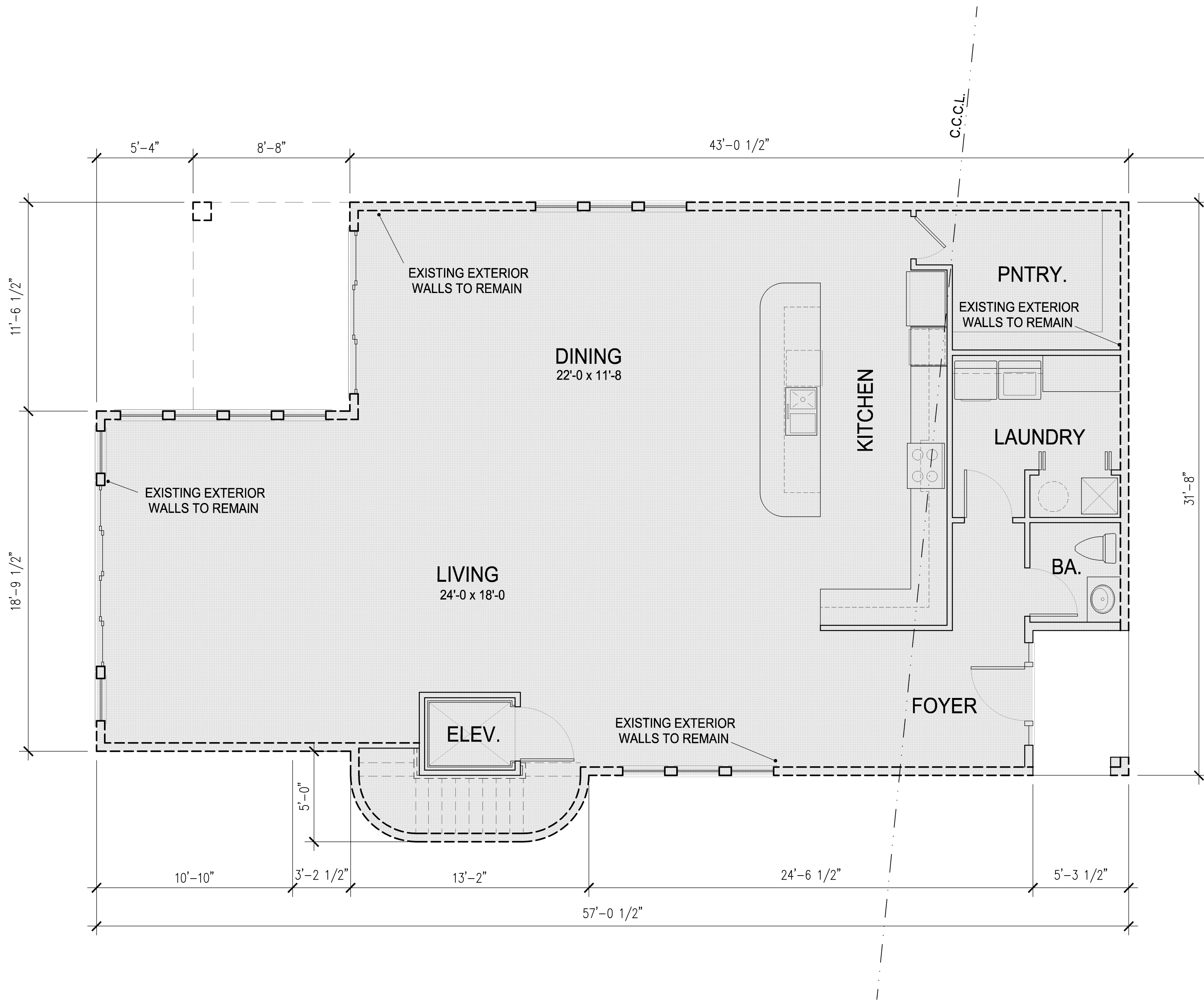
NOT
VALID
WITHOUT
EMBOSSED
SURVEYORS
SEAL

WL-242

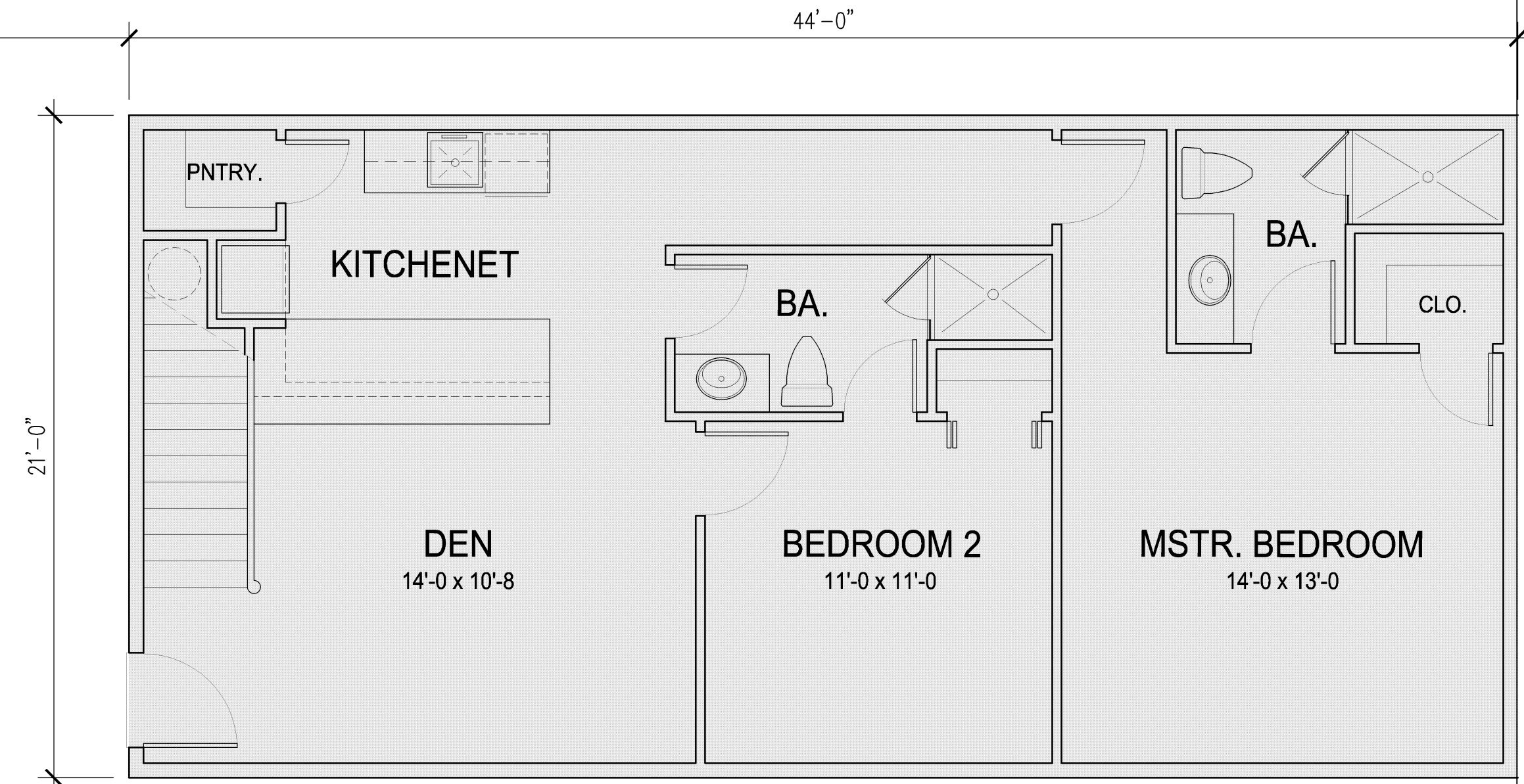
BUREAU OF LAND MANAGEMENT FLORIDA DEPARTMENT OF NATURAL RESOURCES	
LOT 4, BLOCK 17, AND A PORTION OF BLOCK 19, HIGHWAY REACH 8/D, SEC. 33, T-2-S, R-21-W, WALTON COUNTY, FL.	
DATE: 3-27-89	APPRAISER:
BY: RICHARD H. RICHARDSON	DATE: 3-27-89
A.D. NO. 812	90A-837-8242
WALTON COUNTY, FLORIDA	FOR MR. JEFF PYATTE
	89-101

Kathy





PROPOSED 1st FLOOR
LIVING AREA 1,626 s.f.



RECEIVED
January 27, 2016
D.E.P. Division of Water
Resource Management

CD
A

4639 Gulf Starr Drive
Destin, Florida 32541
Tel: 850.837.4684
Fax: 850.654.2000
FL Corp #AA-3314
JACK GILLILAND
PRINCIPAL
FL - AR0009984

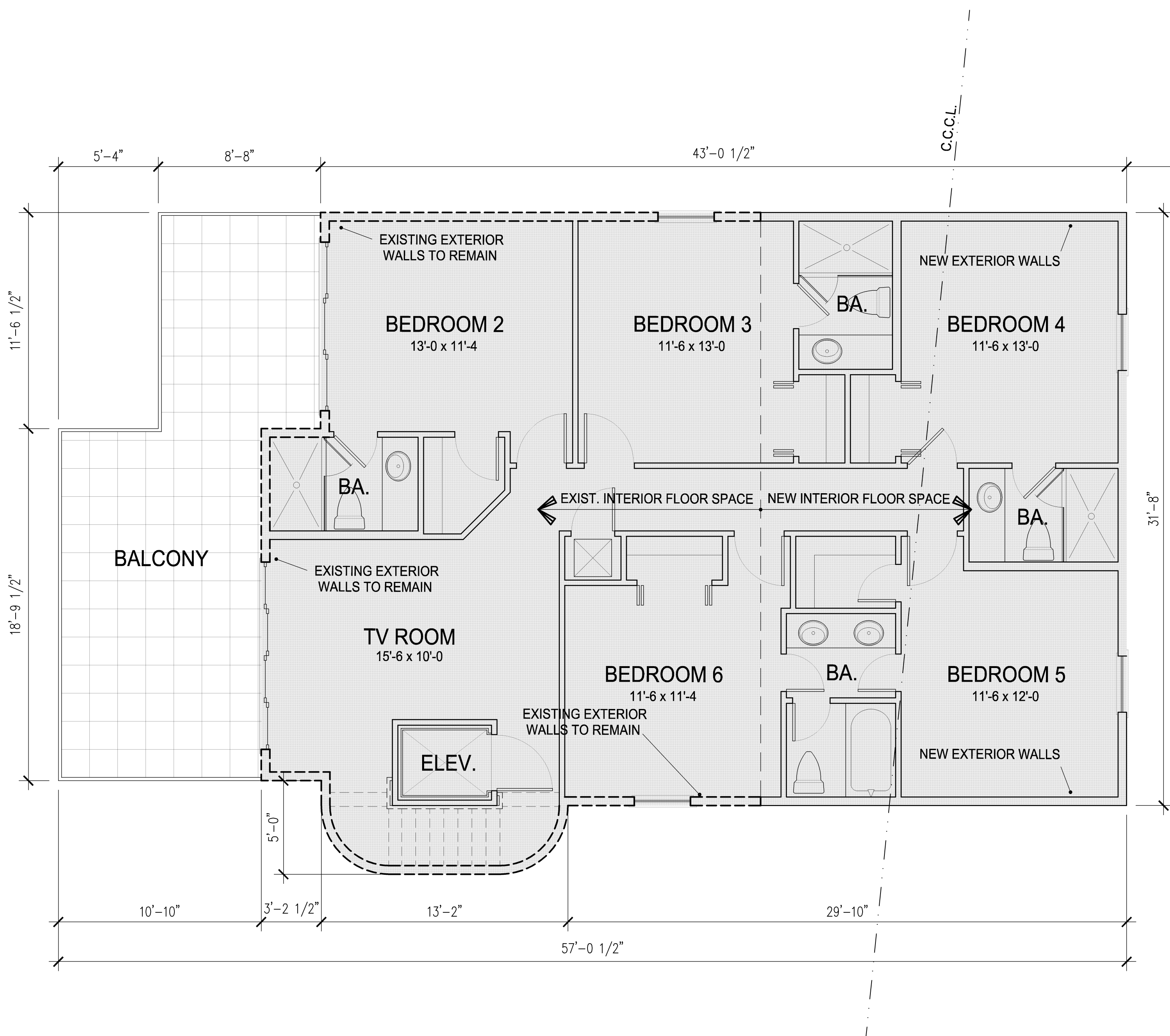
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DISTRIBUTION

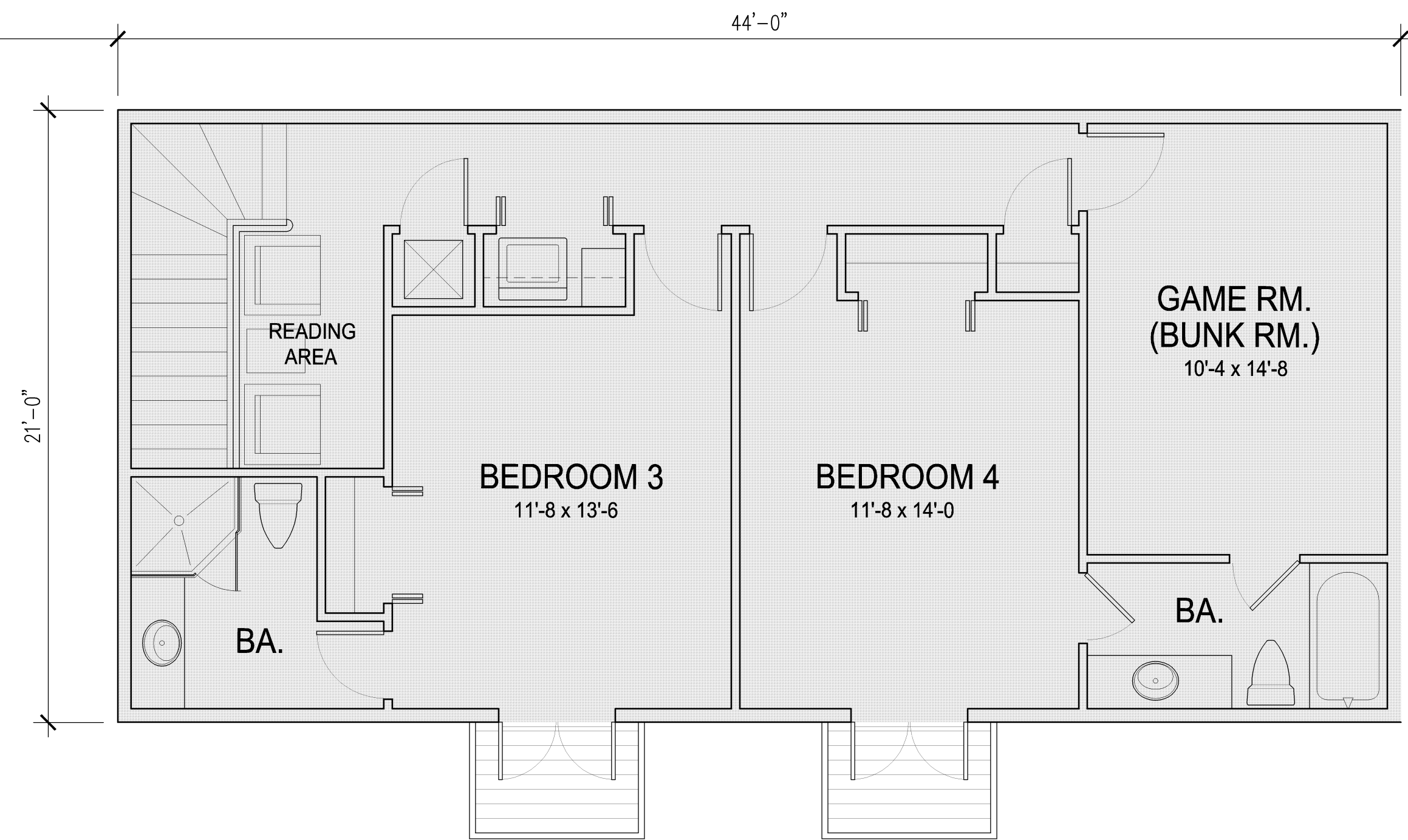
RENOVATION TO STRUCTURE
739 SCENIC GULF DRIVE
WALTON COUNTY, FLORIDA

DRAWN BY: GAK
CHECKED BY: JHE
JOB NO: 15-12-121.046
DATE: 12-30-15

A1.3
4 OF 7



PROPOSED 2nd FLOOR
LIVING AREA 1,465 s.f.



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D.E.P. Division of Water
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Fax: 850.654.2000
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JACK GILLILAND
PRINCIPAL
FL - AR0009984

DATE

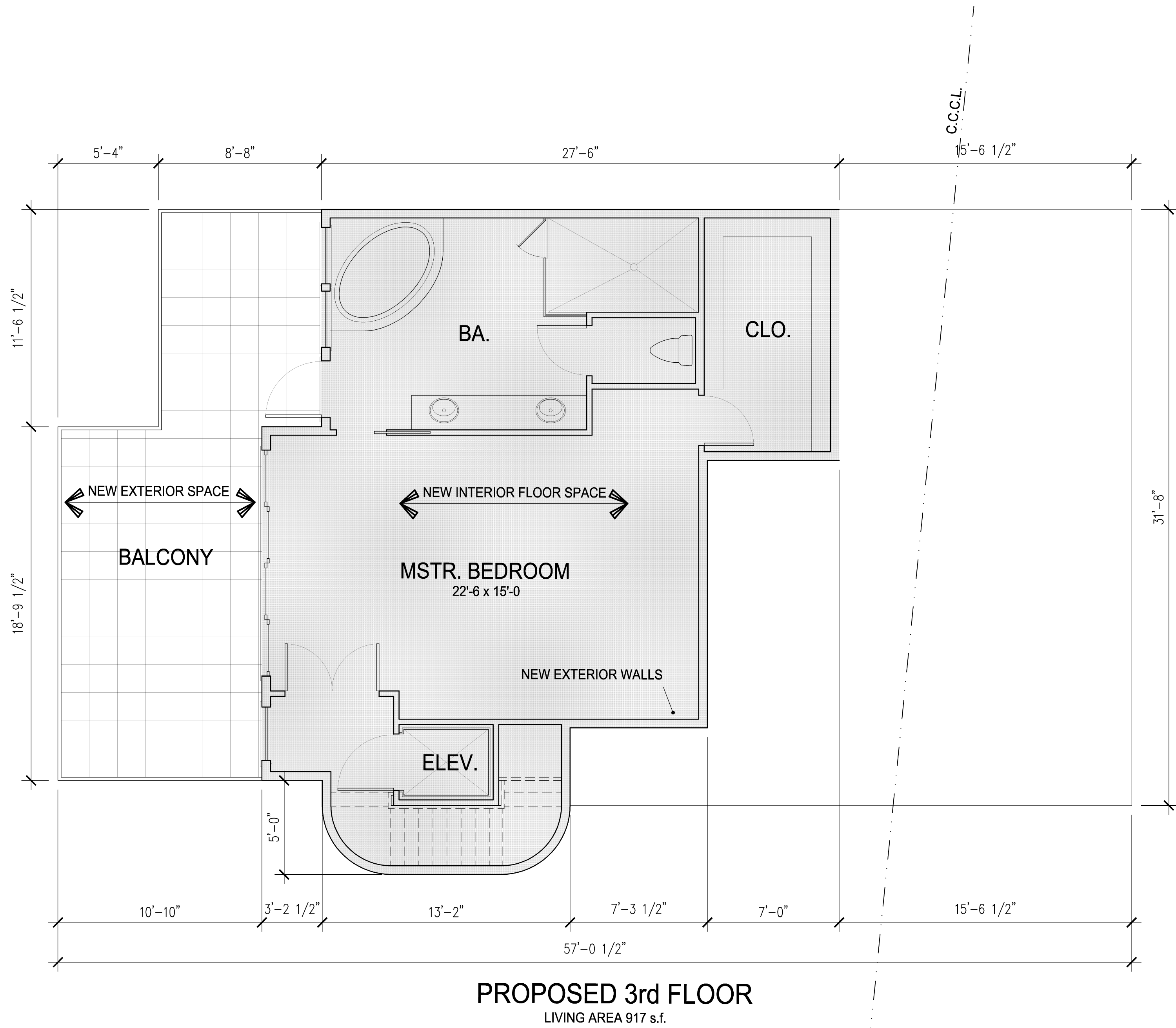
DISTRIBUTION

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739 SCENIC GULF DRIVE
WALTON COUNTY, FLORIDA

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CHECKED BY: JHE
JOB NO: 15-12-121.046
DATE: 12-30-15

A1.4

5 OF 7



PROPOSED 3rd FLOOR
LIVING AREA 917 s.f.

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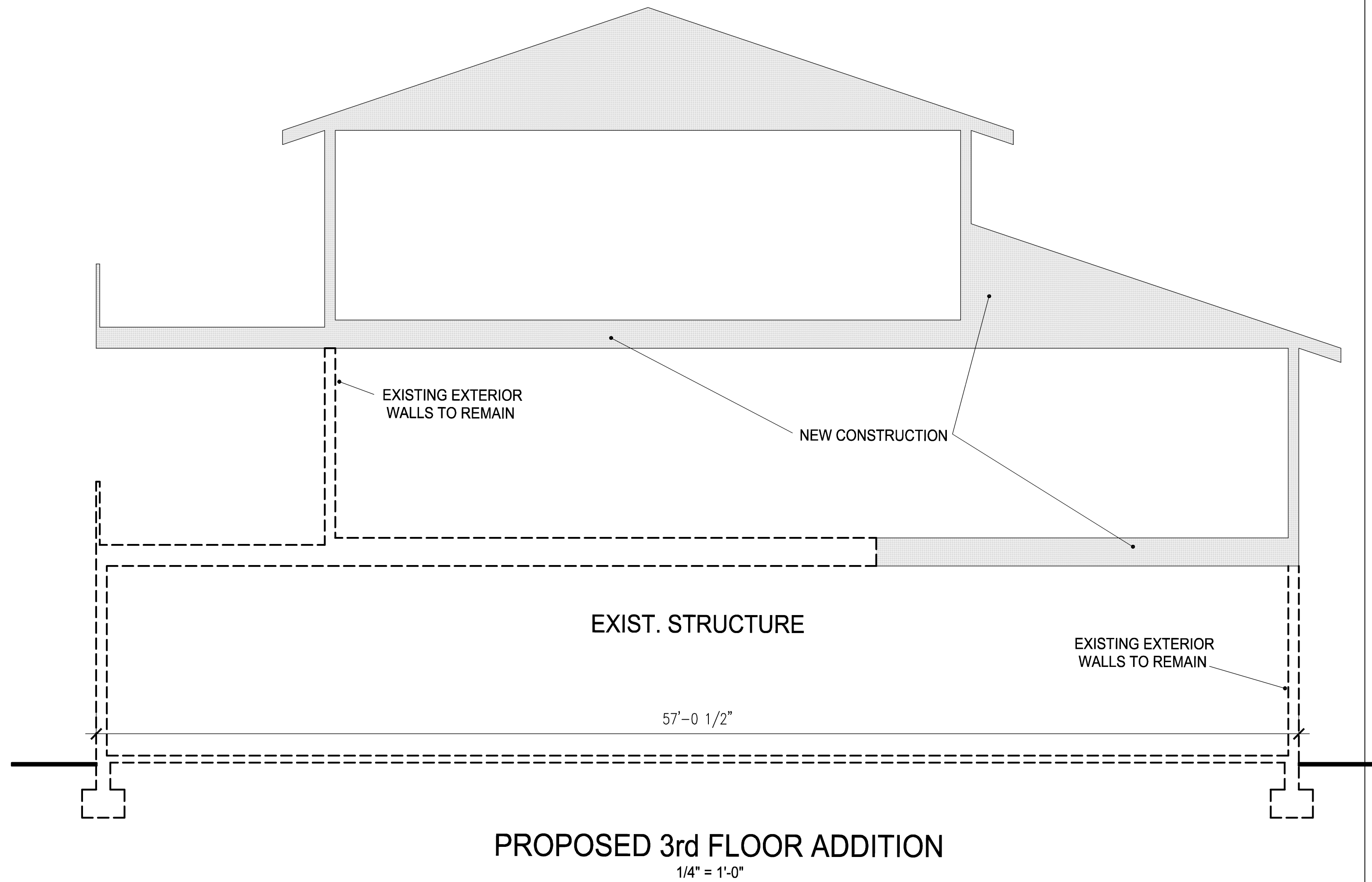
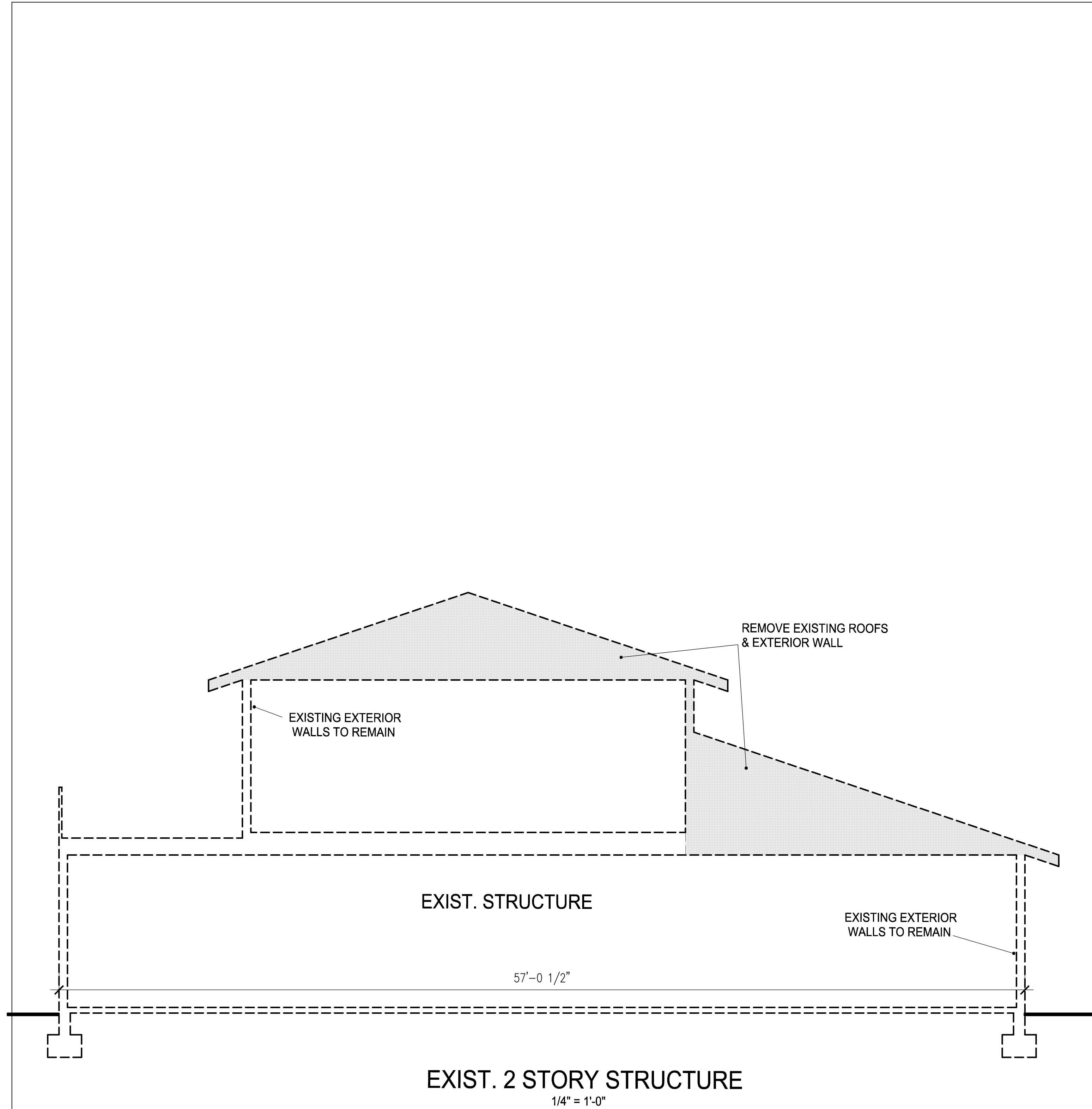
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Destin, Florida 32541
Tel: 850.837.4684
Fax: 850.654.2000
FL Corp #AA-3314
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A1.5
6 OF 7



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Resource Management

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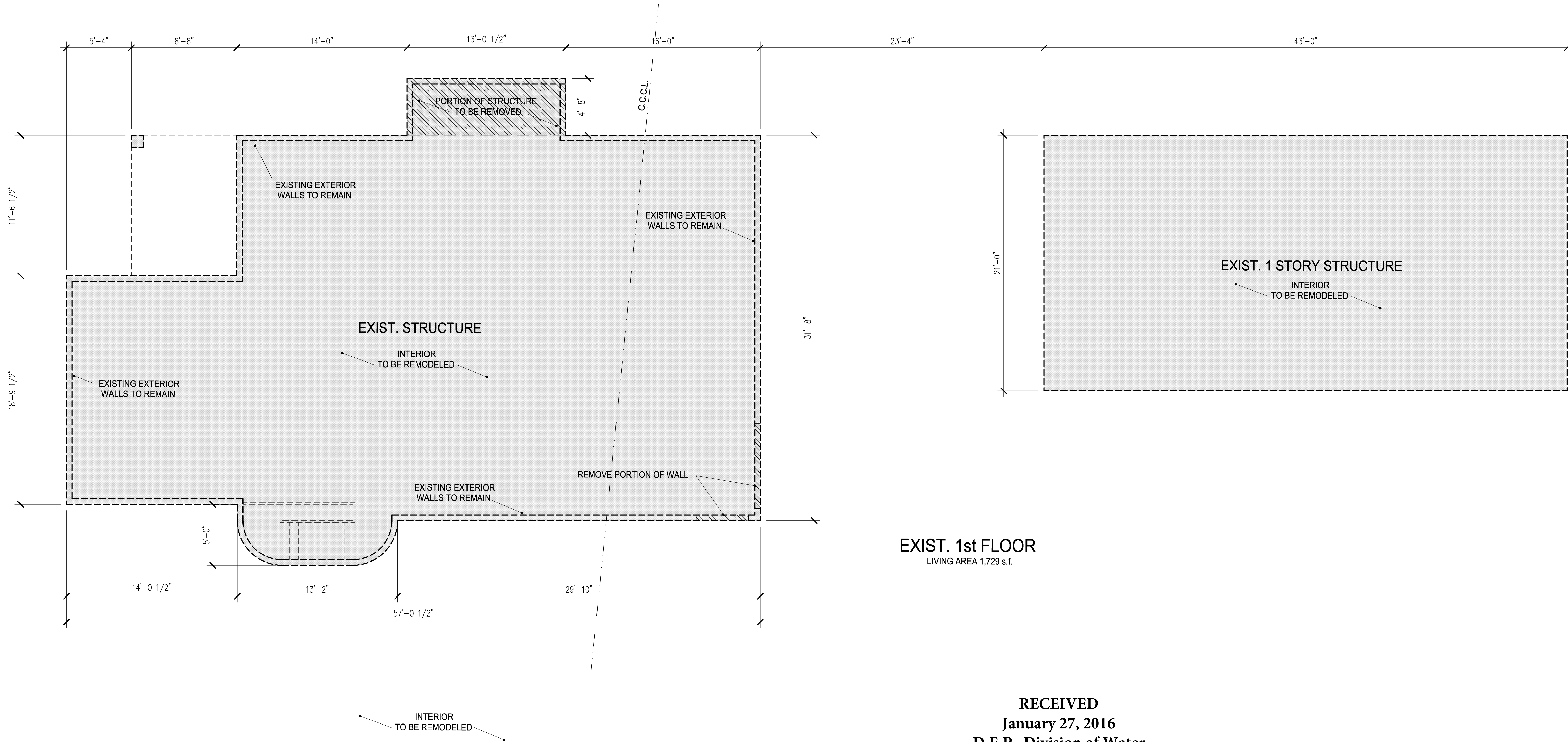
4639 Gulf Starr Drive
Destin, Florida 32541
Tel: 850.837.4664
Fax: 850.654.2000
FL Corp #AA-3314
JACK GILLILAND
PRINCIPAL
FL - AR0009984

DISTRIBUTION	DATE

RENOVATION TO STRUCTURE
739 SCENIC GULF DRIVE
WALTON COUNTY, FLORIDA

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A1.6
7 OF 7



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