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September 13, 2012

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RIGHT OF WAY OCCUPANCY NEW PERMITS

1. RAMIRO PLACIDO
COUNTY: ST. LUCIE

Permit Number: 14050
Appl No.: 12-0627-3
Easement

AUTHORIZING:
EXISTING DOCK WITH LIFT, WATER AND ELECTRIC SERVICES WITHIN THE SOUTH RIGHT OF WAY OF C-24 AT THE REAR OF 2750 S.E. EAGLE DRIVE (LOT 24, BLOCK 3462, PORT ST. LUCIE SECTION 39).

LAST DATE FOR BOARD ACTION: **September, 2012**

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2. THOMAS E. AND MARGUERITE MOONEY
COUNTY: ST. LUCIE

Permit Number: 14054
Appl No.: 12-0619-2
Easement

AUTHORIZING:
EXISTING DOCK WITH BOAT LIFT WITHIN THE SOUTH RIGHT OF WAY OF C-24 AT THE REAR OF 2758 S.E. EAGLE DRIVE (LOT 28, BLOCK 3462, PORT ST. LUCIE SECTION 39).

LAST DATE FOR BOARD ACTION: **September, 2012**

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3. ERNEST FLOYD AND KAREN S. TEMPFEL
COUNTY: OKEECHOBEE

Permit Number: 14057
Appl No.: 12-0703-1
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5133 SE 64TH AVENUE (LOT 20, BLOCK 31, ANCIENT OAKS RV RESORT NUMBER V).

LAST DATE FOR BOARD ACTION: **September, 2012**

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4. ANDREW AND DAWN K. HAMM TROYER
COUNTY: OKEECHOBEE

Permit Number: 14048
Appl No.: 12-0611-1
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5115 SE 64TH AVENUE (LOT 22, BLOCK 31, ANCIENT OAKS RV RESORT NUMBER V).

LAST DATE FOR BOARD ACTION: **September, 2012**

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5. GEORGE M. ABRAHAM
COUNTY: BROWARD

Permit Number: 14059
Appl No.: 12-0507-3
Easement

AUTHORIZING:
EXISTING SEAWALL WITH DOCK; AND PROPOSED DOCK EXTENSION WITHIN THE NORTH RIGHT OF WAY OF C-14 AT THE REAR OF 930 SE 5TH TERRACE (CYPRESS ISLES ESTATES FIRST ADD, LOT 24 BLOCK 1).

LAST DATE FOR BOARD ACTION: **Waived**

RIGHT OF WAY OCCUPANCY NEW PERMITS

6. ROBERT F. AND JANET M. MANUEL
COUNTY: OKEECHOBEE

Permit Number: 14055
Appl No.: 12-0702-1
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5395 SE 64TH AVENUE (LOT 1, BLOCK 32, ANCIENT OAKS RV RESORT NUMBER IV).

LAST DATE FOR BOARD ACTION: **September, 2012**

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7. ROBERT W. AND BEVERLY A. ADER
COUNTY: OKEECHOBEE

Permit Number: 14064
Appl No.: 12-0716-3
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5163 SE 64TH AVENUE (LOT 17, BLOCK 31, ANCIENT OAKS RV RESORT NUMBER V).

LAST DATE FOR BOARD ACTION: **September, 2012**

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8. SHORELAND ESTATES CONDOMINIUM ASSOCIATION, INC.
COUNTY: MIAMI-DADE

Permit Number: 14065
Appl No.: 12-0221-5
Easement

AUTHORIZING:
EXISTING SEAWALL AND MARGINAL DOCK WITH 2 DAVITS; AND REBUILD PORTIONS OF MARGINAL DOCK AND SEAWALL WITHIN THE SOUTH RIGHT OF WAY OF C-9 LOCATED ADJACENT TO 3501-3561 NE 171 STREET, SHORELAND ESTATES CONDOMINIUM.

LAST DATE FOR BOARD ACTION: **October, 2012**

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9. STEPHEN W. GOODRICH
COUNTY: OKEECHOBEE

Permit Number: 14068
Appl No.: 12-0723-2
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5145 SE 64TH AVENUE (LOT 19, BLOCK 31, ANCIENT OAKS RV RESORT NUMBER V).

LAST DATE FOR BOARD ACTION: **October, 2012**

RIGHT OF WAY OCCUPANCY PERMIT MODIFICATIONS

1. PAUL P. AND NEVA J. MOKRY
COUNTY: ST. LUCIE

Permit Number: 10648
Appl No.: 12-0705-1M
Easement

AUTHORIZING:
EXISTING LIFT ON EXISTING, PREVIOUSLY-AUTHORIZED DOCK AND EXISTING STEPS ALONG THE CANAL SIDESLOPE WITHIN THE SOUTH RIGHT OF WAY OF C-24 AT THE REAR OF 2754 S.E. EAGLE DRIVE (LOT 26, BLOCK 3462, FIRST REPLAT OF PORT ST. LUCIE SECTION 39).

LAST DATE FOR BOARD ACTION: **September, 2012**

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2. JOHN A. AND BARBARA D. BOGDAN (TR)
COUNTY: ST. LUCIE

Permit Number: 11161
Appl No.: 12-0627-2M
Easement

AUTHORIZING:
EXISTING TIKI ON EXISTING, PREVIOUSLY-AUTHORIZED DOCK AND AN EXISTING ROOF OVER EXISTING BOAT LIFT WITHIN THE SOUTH RIGHT OF WAY OF C-24 AT THE REAR OF 169 S.E. OSPREY RIDGE (LOT 15, OSPREY RIDGE).

LAST DATE FOR BOARD ACTION: **September, 2012**

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3. DANTE J. AND ALISON GRAZIANI
COUNTY: ST. LUCIE

Permit Number: 10779
Appl No.: 12-0712-3M
Easement

AUTHORIZING:
EXISTING LOWER LEVEL DOCK EXTENSION WITH STEPS AND 2 EXISTING JET SKI LIFTS WITHIN THE SOUTH RIGHT OF WAY OF C-24 AT THE REAR OF 191 S.E. OSPREY RIDGE (LOT 4, OSPREY RIDGE).

LAST DATE FOR BOARD ACTION: **October, 2012**

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4. DR. LEONARD AND ROSA M. FOX
COUNTY: ST. LUCIE

Permit Number: 13261
Appl No.: 12-0723-3M
Easement

AUTHORIZING:
EXISTING CANOPY STYLE ROOF OVER EXISTING, PREVIOUSLY-AUTHORIZED LIFT AND A EXISTING ROOF OVER PORTION OF EXISTING, PREVIOUSLY-AUTHORIZED DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-24 AT THE REAR OF 167 S.E. OSPREY RIDGE (LOT 16, OSPREY RIDGE).

LAST DATE FOR BOARD ACTION: **October, 2012**

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5. FPL FIBERNET
COUNTY: BROWARD

Permit Number: 13976
Appl No.: 12-0713-1M
Easement

AUTHORIZING:
EXISTING CONDUIT ATTACHED TO THE EAST FACE OF THE SOUTHWEST 42ND AVENUE BRIDGE CROSSING THE DANIA CUT-OFF CANAL.

LAST DATE FOR BOARD ACTION: **October, 2012**

RIGHT OF WAY OCCUPANCY PERMIT REQUESTS WITH WAIVER OF DISTRICT CRITERIA

1. Consideration of a request by **Richard Steve Singletary and John H. Singletary, Jr.** (Application No. 12-0716-4, Permit Number 14067) for issuance of a Right of Way Occupancy Permit and Waiver of the District's criteria for the proposed temporary vehicular use of approximately 22.5 miles of L-28 right of way to gain access to the applicant's camp/cabin which is located approximately 2 miles from L-28 in Big Cypress, located in Miami-Dade and Collier Counties.

   The applicant's request for waiver of the District's criteria which governs that except for public and private utilities, an applicant must own or lease the land adjacent to or served by the portions of the Works of Lands, of the District and is based on "substantial hardship". The applicant states that a substantial hardship exists due to the fact that reaching their property is needed to maintain private property and make necessary repairs to keep the camp in good, safe working condition, and when water levels drop periodically, access with the airboat is impossible.

   During times of normal or average water levels, the applicant accesses their property using an airboat, therefore, utilization of the District's right of way for vehicular access would only be at those times when the water levels are low and the use of airboats to reach the camp is not possible. The applicant obtained a permit from the Miccosukee Tribe of Indians of Florida for access through their Leased Lands; from the National Park Services for access from L-28 to the camp/cabin, the Florida Fish and Wildlife Conservation Commission has also granted a permit for access to cross the Water Conservation Area via airboat leaving from Holiday Park at times of high water. The applicant states that the inability to have access to their camp/cabin to maintain the property as required by the Park Service would cause violations and possible loss of property.

   The District's Operations Maintenance and Construction Division has reviewed the project and determined that the existing facilities do not interfere with their ability to perform necessary construction, alteration, operation and routine maintenance activities, so the purpose of the underlying statute will be achieved.

   The applicant's petition has been reviewed by the Office of Counsel for compliance with the applicable legal requirements. Pursuant to section 120.542(6), F.S. notice of the petition was provided to the Department of State and was published in *Volume 38, Number 31* of the *Florida Administrative Weekly* on August 3, 2012. No public comments were received.

   Therefore, staff recommends **approval** of the issuance of Right of Way Occupancy Permit No. 14067 and **approval** of the petition for Waiver of the District's criteria which governs the requirement that except for public and private utilities, an applicant must own or lease the land lying adjacent o the District Work within Works or Lands of the District.

   (Easement)