TABLE OF CONTENTS

RIGHT OF WAY OCCUPANCY CONSENT AGENDA FOR GOVERNING BOARD APPROVAL
August 9, 2012

		PAGES
I	**RIGHT OF WAY OCCUPANCY NEW PERMITS:** Governing Board action is required for routine requests for permits which conform to applicable rules for utilization of Works and Lands of the District. Items are placed on this Consent Agenda when the staff's recommendation is for approval.	2 - 6
II	**RIGHT OF WAY OCCUPANCY PERMIT MODIFICATIONS:** Governing Board action is required for routine requests which involve a change, addition or deletion to a use of the right of way which was previously permitted. Items are placed on this Consent Agenda when the staff's recommendation is for approval.	7
III	**RIGHT OF WAY OCCUPANCY PERMIT REQUESTS WITH WAIVER OF DISTRICT CRITERIA:** Governing Board action is required on petitions received requesting a waiver of District criteria. Section 120.542, F.S. and Rule 28-104.002, F.A.C., requires agencies to grant variances and waivers to their own rules when a person subject to the rules files a petition and demonstrates that he or she can achieve, or has achieved, the purpose of the underlying statute by other means and when application of rule would create a substantial hardship or would violate principles of fairness. A "substantial hardship" is defined as a demonstrated economic, technological, legal or other type of hardship to the person requesting the waiver. "Principles of fairness" are violated when the literal application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule. A "waiver" is defined as an agency decision not to apply all or part of a rule to the person subject to the rule.	8
IV	**RELAXATION OF STANDARDS AS ALLOWED UNDER DISTRICT RULE 40E-6.011(9) F.A.C.:** Governing Board reserves sole authority to make a determination that portions of the District's rights of way are inaccessible for routine maintenance activities due to a variety of physical limitations. While a determination that a certain segment of right of way is presently unusable for routine land-based maintenance activities and relaxation of the restrictions in Zones 2, 3, 4 and 5 may be allowed, such determination shall be at the sole discretion of the District and does not obviate the need for individuals with proposed or existing facilities within these areas to obtain permits from the District. Further the District reserves the right to enter these areas to conduct emergency operations or to require the removal of any encroachments that are inconsistent with these rules at such time as maintenance access is perfected through the area.	9

RIGHT OF WAY OCCUPANCY NEW PERMITS

1. PATRICIA A. GARLAND
COUNTY: MIAMI-DADE

Permit Number: 14051
Appl No.: 12-0615-1
Fee

AUTHORIZING:
PROPOSED VEGETABLE GARDENS ENCROACHING 4' (40' FROM TOP OF CANAL BANK) WITH REMOVABLE FENCING AND AN EXISTING NATURAL NATIVE TREE LOCATED WITHIN THE NORTH RIGHT OF WAY OF THE C-100 CANAL AT THE REAR OF 16380 S.W. 84TH PLACE (LOT 14, BLOCK 3, MIRELDA ESTATES).

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

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2. AVENUE F PROPERTIES, LLC
COUNTY: OKEECHOBEE

Permit Number: 14034
Appl No.: 12-0613-1
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5227 SE 64TH AVENUE (LOT 10, BLOCK 31, ANCIENT OAKS RV RESORT NO. V).

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

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3. JOHN R. AND SANDRA J. JACOBSON
COUNTY: OKEECHOBEE

Permit Number: 14036
Appl No.: 12-0613-3
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5259 SE 64TH AVENUE (LOT 6, BLOCK 31, ANCIENT OAKS RESORT NO. V).

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

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4. KENNETH H. CLARK AND KEVIN CLARK
COUNTY: OKEECHOBEE

Permit Number: 14044
Appl No.: 12-0618-1
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5211 SE 64TH AVENUE (LOT 12, BLOCK 31, ANCIENT OAKS RV RESORT NO. V).

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

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5. DONALD C. AND ANITA M. ANDERSON
COUNTY: OKEECHOBEE

Permit Number: 14029
Appl No.: 12-0611-4
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5387 SE 64TH AVENUE (LOT 1, BLOCK 6, ANCIENT OAKS RV RESORT NO. 1).

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

RIGHT OF WAY OCCUPANCY NEW PERMITS

6. ROBERT W. AND CAROLYN S. GIBSON
COUNTY: OKEECHOBEE

Permit Number: 14046
Appl No.: 12-0626-1
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5301 SE 64TH AVENUE (LOT 15, BLOCK 32, ANCIENT OAKS RV RESORT NO IV) SECTION 35, T38, R36, OKEECHOBEE COUNTY.

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

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7. CARLOS ROLDOS
COUNTY: BROWARD

Permit Number: 14052
Appl No.: 12-0612-2
Easement

AUTHORIZING:
REPAIR EXISTING SEAWALL AND INSTALLATION OF DOCK ATTACHED TO SEAWALL WITH RIP-RAP LOCATED WITHIN THE NORTH RIGHT OF WAY OF THE DANIA CUT-OFF CANAL AT THE REAR OF 903 NW 7TH STREET. (LOT 4, BLOCK 2, ANDERSONS SUBDIVISION).

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

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8. JAMES W. CHRISTOFFERSEN
COUNTY: OKEECHOBEE

Permit Number: 14035
Appl No.: 12-0613-2
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5295 SE 64TH AVENUE (LOT 1, BLOCK 31, ANCIENT OAKS RV RESORT NO. V).

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

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9. REINHART J. AND SALLY S. PETERSON
COUNTY: OKEECHOBEE

Permit Number: 14037
Appl No.: 12-0604-1
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5421 SE 64TH AVENUE (LOT 10, BLOCK 6, ANCIENT OAKS RV RESORT NO. 1).

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

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10. RAYMOND A. AND SIMONNE A BEAULIEU
COUNTY: OKEECHOBEE

Permit Number: 14038
Appl No.: 12-0614-1
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5267 SE 64TH AVENUE (LOT 5, BLOCK 31, ANCIENT OAKS RV RESORT NO. V).

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

RIGHT OF WAY OCCUPANCY NEW PERMITS

11. MARIE E. DRYMON
COUNTY: OKEECHOBEE

Permit Number: 14039
Appl No.: 12-0605-1
Easement

AUTHORIZING:
EXISTING SCREENED ENCLOSURE, DECK WITH STAIRS, LANDSCAPING AND FENCING; ALSO REPLACE EXISTING BULKHEADS AND INSTALL 85 LINEAR FEET OF NEW BULKHEAD WITHIN THE NORTHEAST RIGHT OF WAY OF L-47 AT THE REAR OF 8090 SE 98TH TRAIL. (LOT 12, PLEASANT VILLAGE WEST FOR MOBILE HOMES DEVELOPMENT). (WITHIN PREVIOUSLY RELAXED AREA).

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

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12. FRED AND ANGELA ROGERS
COUNTY: OKEECHOBEE

Permit Number: 14027
Appl No.: 12-0611-2
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5335 SE 64TH AVENUE (LOT 10, BLOCK 32, ANCIENT OAKS RV RESORTNO. IV).

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

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13. FRED J. AND ANGELA ROGERS
COUNTY: OKEECHOBEE

Permit Number: 14028
Appl No.: 12-0611-3
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5347 SE 64TH AVENUE (LOT 8, BLOCK 32, ANCIENT OAKS RV RESORT NO.IV).

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

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14. PERRY W. AND VICKI GREEN
COUNTY: OKEECHOBEE

Permit Number: 14023
Appl No.: 12-0606-1
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5321 SE 64TH AVENUE (LOT 12, BLOCK 32, ANCIENT OAKS RV RESORT NO. IV).

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

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15. CLARISSA AND REDGY HALL
COUNTY: OKEECHOBEE

Permit Number: 14033
Appl No.: 12-0521-1
Fee

AUTHORIZING:
DOCK AND BOAT SLIP WITH EXISTING BOAT RAMP, EXISTING NATURAL NATIVE VEGETATION CONSISTING OF TWO SABLE PALM TREES AND TWO CABBAGE PALMS WITHIN THE NORTH RIGHT OF WAY OF C-38 AT THE REAR OF 14144 S.W. 144TH PARKWAY (LOTS 9 & 10, RIVER OAK ACRES).

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

RIGHT OF WAY OCCUPANCY NEW PERMITS

16. LYDIA S. WASSON
COUNTY: OKEECHOBEE

Permit Number: 14021
Appl No.: 12-0605-5
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5571 SE 64TH AVENUE (LOT 14, BLOCK 32, ANCIENT OAKS RV RESORT NO. IV).

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

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17. CLETA G. HUNT
COUNTY: OKEECHOBEE

Permit Number: 14022
Appl No.: 12-0605-7
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5555 SE 64TH AVENUE (LOT 3, BLOCK 6, ANCIENT OAKS RV RESORT NO. 1).

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

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18. CLETA G HUNT
COUNTY: OKEECHOBEE

Permit Number: 14020
Appl No.: 12-0605-6
Fee

AUTHORIZING:
EXISTING DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-59 AT THE REAR OF 5571 SE 64TH AVENUE (LOT 2, BLOCK 6, ANCIENT OAKS RV RESORT NO. 1).

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

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19. ROLANDO A. SILVA
COUNTY: BROWARD

Permit Number: 14074
Appl No.: 12-0614-2
Easement

AUTHORIZING:
EXISTING FENCE ENCLOSURE WITH PLANTS INSIDE FENCE ENCROACHING 40' (43' FROM TOP OF CANAL BANK) WITHIN THE EAST RIGHT OF WAY OF C-42 LOCATED AT THE REAR OF 3740 NW 113TH AVENUE (LOT 67 OF SUNRISE GOLF VILLAGE, SECTION 24).

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

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20. CHARLOTTE BARTLEY
COUNTY: BROWARD

Permit Number: 14061
Appl No.: 11-0809-1
Easement

AUTHORIZING:
FENCE ENCLOSURE WITH LANDSCAPING AND SHED INSIDE THE FENCING ENCROACHING 18' (42' FROM THE TOP OF THE CANAL BANK) WITHIN THE NORTH RIGHT OF WAY OF THE HILLSBORO CANAL AT THE REAR OF 210 NW 7TH COURT. (LOT 10, COLLEGE PARK ESTATES).

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

RIGHT OF WAY OCCUPANCY NEW PERMITS

21. LEWIS AND DEBBIE PERRY
COUNTY: BROWARD

Permit Number: 14053
Appl No.: 12-0118-2
Fee

AUTHORIZING:
EXISTING DOCK WITH ELECTRICAL SERVICE ATTACHED TO SEAWALL AND REPAIR OF EXISTING SEAWALL LOCATED WITHIN THE NORTH RIGHT OF WAY OF C-14 AT THE REAR OF 1230 SE 3RD TERRACE. (LOT 14, BLOCK 9, CYPRESS HARBOR 1ST SECTION).

LAST DATE FOR BOARD ACTION: **August, 2011**

RIGHT OF WAY OCCUPANCY PERMIT MODIFICATIONS

1. DERWIN STODDARD
COUNTY BROWARD

Permit Number: 8579
Appl No.: 12-0618-2
Fee

AUTHORIZING:
EXISTING FENCE ENCLOSURE ENCROACHING 77 FEET (42 FEET FROM TOP OF CANAL BANK) LOCATED WITHIN THE NORTH RIGHT OF WAY OF C-13 AT THE REAR OF 3360 NW 39TH STREET. (LOT 11, BLOCK 29, ORIOLE ESTATES SECTION 7).

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

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2. BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS
COUNTY BROWARD

Permit Number: 13793
Appl No.: 11-0721-1M
Easement

AUTHORIZING:
LANDSCAPING CONSISTING OF NATIVE TREES ALONG EXISTING, PREVIOUSLY-AUTHORIZED GREENWAY WITHIN THE NORTH RIGHT OF WAY OF THE NORTH NEW RIVER CANAL BEGINNING AT NW 136TH STREET AND RUNNING WESTERLY TO MARKHAM PARK (APPROXIMATELY 1 MILE).

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

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3. JOSE SAAL
COUNTY MIAMI-DADE

Permit Number: 14045
Appl No.: 12-0618-3A
Easement

AUTHORIZING:
EXISTING SEAWALL WITHIN THE SOUTH RIGHT OF WAY OF C-9 AT THE REAR OF 3343 N.E. 171ST STREET (LOT 15, BLOCK 12, EASTERN SHORES FIRST ADDITION).

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

RIGHT OF WAY OCCUPANCY REQUESTS WITH WAIVER OF DISTRICT CRITERIA

1. Consideration of a request by **Toras Chaim Development Corporation** on behalf of the **Toras Emes Academy of Miami, Inc.**, (Application Number 12-0628-3, Permit Number 14058) for issuance of a Right of Way Occupancy Permit to allow a concrete walkway and portion of a basketball court to remain and Waiver of the District's criteria to allow existing fencing at the top of canal bank and existing trees, concrete pad with dumpster, irrigation pump, asphalt paving with minimal, temporary parking and a wrought iron gate with bollards to remain within the north right of way of C-9 at 1025 NE Miami Gardens Drive, North Miami Beach. Location: Miami-Dade County, Sections 5 and 6, Township 52 South, Range 42 East.

   The applicant's request for waiver of the District's criteria, which governs the placement of above-ground permanent and/or semi-permanent facilities within 40' of the top of canal bank within Works or Lands of the District, is based on "substantial hardship".

   The applicant states that all of the encroachments, except for the latest existing fence configuration, have existed prior to 1980 and were previously-authorized to the prior property owner. The applicant asserts that a Homeland Security Grant was obtained for the existing fencing and the Grant stipulates where the fence must be placed; without the fencing, neither the students nor the school grounds would be protected. All of the other existing facilities have existed for years, are needed for on-going school operation and do not interfere with the District's operations and maintenance activities. The applicant has been in communication with the District's Miami Field Station and has removed those existing encroachments which would interfere with the District's access. In addition, the applicant will be responsible for the maintenance of the District's right of way adjacent to the Academy; has provided liability coverage and if ever necessary will allow the District vehicular access to the C-9.

   The District's Operations, Maintenance & Construction Division has determined that the existing facilities do not significantly interfere with the District's current 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 29* of the *Florida Administrative Weekly* on *July 20, 2012*. No public comments were received.

   Therefore, staff recommends **approval** of the issuance of Right of Way Occupancy Permit Number 14058 and **approval** of the Petition for Waiver of the District's criteria which governs temporary parking and the placement of above-ground permanent and/or semi-permanent facilities within 40' of the top of canal bank within Works or Lands of the District.
   (Fee & Easement)

RELAXATION OF STANDARDS ALLOWED UNDER DISTRICT RULE 40E-6.011(9), F.A.C.

1. It is the recommendation of the staff of the Operations, Maintenance and Construction Division that the Governing Board relax, for future Right of Way Permit Applications, the District's criteria governing the minimum low member elevation for pile-supported docking facilities located within the north and south rights of way of C-24, located downstream of the District's S-49 Water Control Structure located in St. Lucie County.

   Staff's recommendation to relax the low member elevation requirement is based on the following:

   This reach of the C-24 is downstream of the coastal Water Control Structure S-49;

   The Field Station performs no maintenance downstream of District Water Control Structure S-49;

   All pile-supported docking facilities must have a minimum low member elevation of 1.5' MSL/NGVD.