



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

October 4, 2021

Jamie Hamuy
1017 Grand Court
Highland Beach, FL 33487

Re: Project Name: Hamuy Seawall
Permit No.: 50-0378919-002-EM
Modification of Permit No.: 50-0378919-001-EI

Dear Jamie Hamuy:

Your request to modify this permit has been received and reviewed by Department staff. The modification consists of installing seven (7) bumper pilings along the previously permitted seawall. The previously authorized dock construction is no longer proposed.

The above modifications are not expected to adversely affect water quality and will not be contrary to or will be clearly in the public interest.

Since the proposed modification is not expected to result in any adverse environmental impact or water quality degradation, the permit is hereby modified as requested. By copy of this letter, we are notifying all necessary parties of the modifications.

This letter of approval does not alter the original expiration date of **February 23, 2025**, and does not change the original General or Specific Conditions (except as modified herein), or monitoring requirements of the permit (except as modified herein). This letter and attached drawings must be attached to the original permit.

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 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), F.S., 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), F.S., 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, 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 West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Norva Blandin, MSEM
Program Administrator
Permitting and Waste Cleanup Program
Southeast District

Project Name: Hamuy Seawall
Permit No.: 50-0378919-002-EM
Modification of Permit No.: 50-0378919-001-EI
Page 4 of 4

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:

FDEP – Norva Blandin, MSEM; Danielle Sattelberger; Kaitlyn Mallett; Luciano Guidoni
Matt Mitchell, Palm Beach County, Environmental Resources, mmitchell@pbcgov.org
David Nutter, DJN Permit Services, nutt3839@bellsouth.net

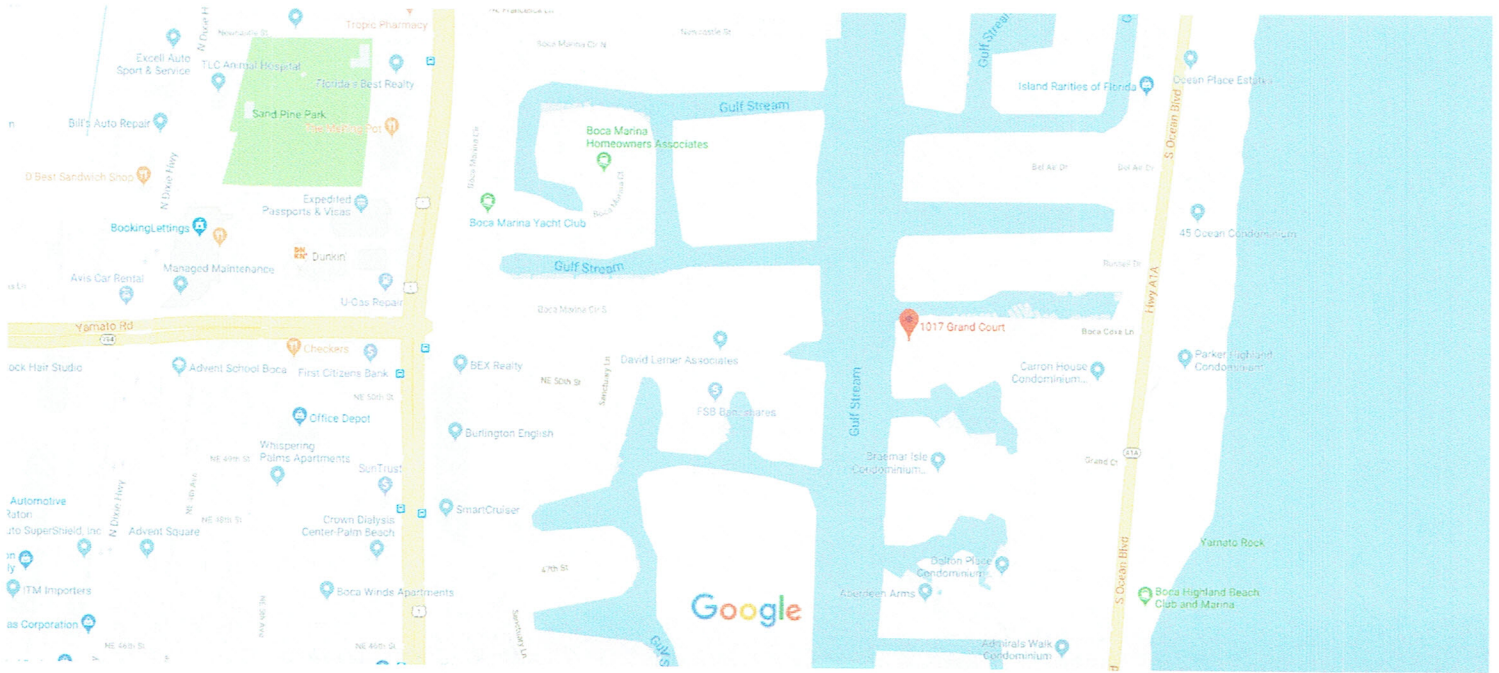
FILING AND ACKNOWLEDGMENT

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

Barbara Browning October 4, 2021
Clerk Date

Enclosures:
Revised Permit Sketches, 7 pages

Google Maps 1017 Grand Ct

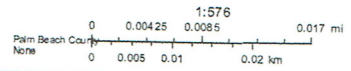


Map data ©2019 200 ft



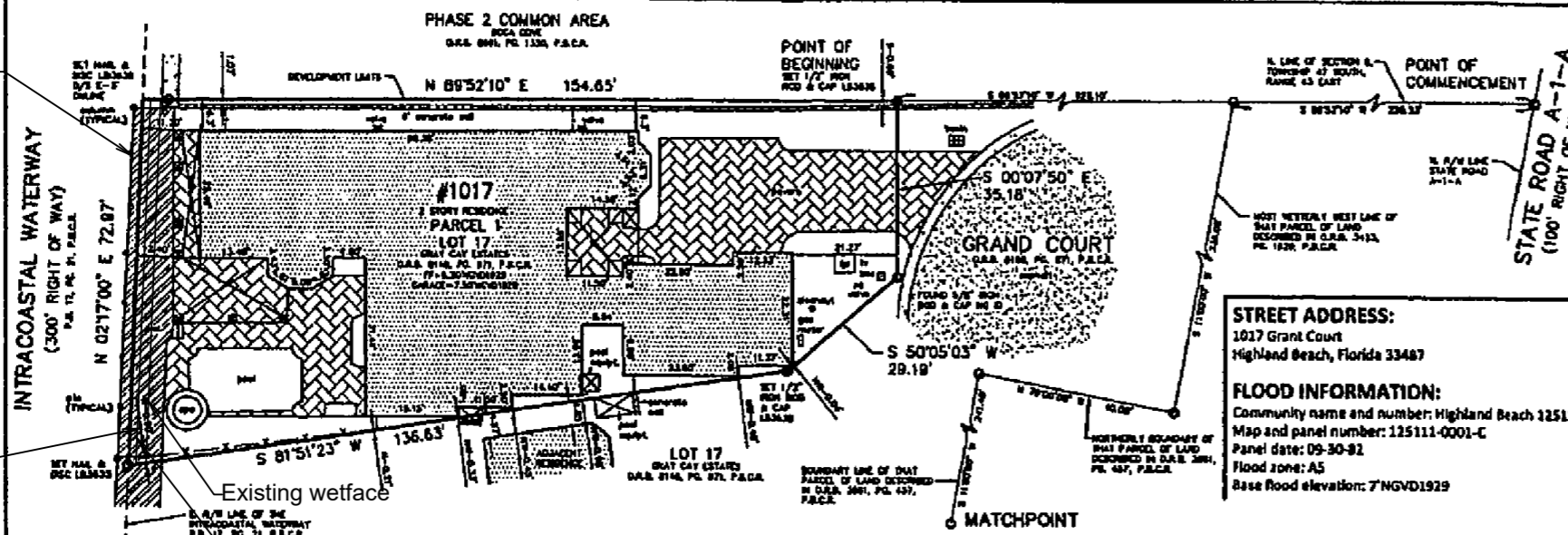


24-43-47-09-00-002-0120



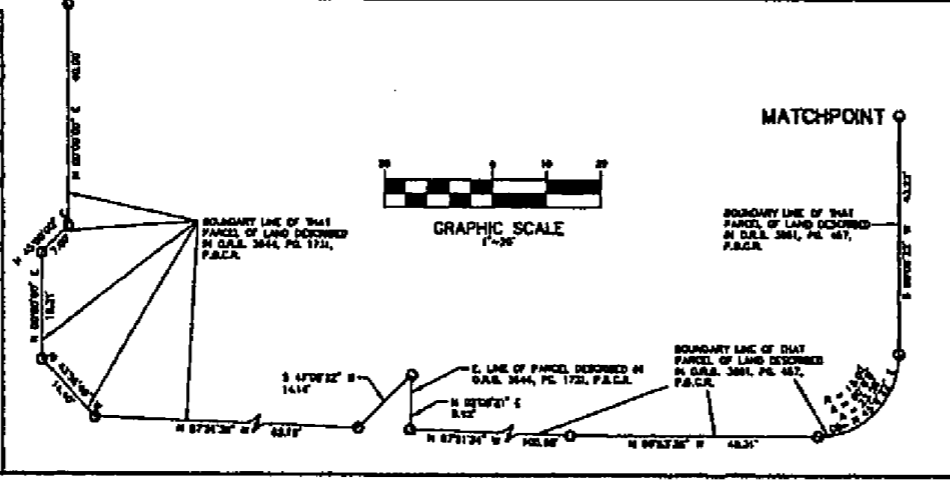
Existing 72' x 3' (5' from existing wetface, 360sf) dock and pilings to be removed

Existing seawall, cap and pilings to remain



NOTES:

1. Unless otherwise noted field measurements are in agreement with record measurements.
2. Bearings shown hereon are based on a bearing of South 89 degrees 52'10" West along said North line of Section 9, Township 47 south, Range 43 East, Palm Beach County, Florida.
3. The lands shown hereon were not abstracted for ownership, rights of way, easements, or other matters of records by Accurate Land Surveyors, Inc.
4. Ownership of fences and walls if any are not determined.
5. This survey is the property of Accurate Land Surveyors, Inc. and shall not be used or reproduced in whole or in part without written authorization.
6. This survey is made for the exclusive use of the certified hereon, to be valid one year from the date of survey as shown hereon.
7. This survey was made for mortgage and title purposes only and is not valid for design or construction purposes.



BENCHMARK INFORMATION:
ALS-SU-12-2079 Elevation = 7.557NGVD1929

KNOWN EASEMENTS:
None

OBSERVED ENCROACHMENTS:
Driveway and wall in Grand Court along the East boundary of Parcel 1.
Dock and piles in Intracoastal Waterway along the West boundary of Parcel 1.
Piles in canal along the East and West boundary of Parcel 2.
Shed across South boundary.

CERTIFY TO:
Corporate Title Inc.
Old Republic National Title Insurance Company
Jamie Hamuy and Nissen H. Hamuy

ACCURATE LAND SURVEYORS, INC.
L.B. #3835
1138 E. ATLANTIC BLVD.
POMPANO BEACH, FLORIDA 33068
TEL (954) 782-1441
FAX (954) 782-1442

BOUNDARY SURVEY

LEGEND OF ABBREVIATIONS:

Δ	CENTRAL ANGLE	80 FT.	ELEVATIONS BASED ON M.A.V.D. SQUARE FEET
A	ARC LENGTH	P.C.P.	PERMANENT CONTROL POINT
CB	CHORD BEARING	P.B.C.R.	PALM BEACH COUNTY RECORD
R	RADIUS	P	PLAT
RAW	RIGHT OF WAY	N&D	NAL & DEC
P.C.	POINT OF CURVATURE	P.O.C.	POINT OF COMMENCEMENT
P.T.	POINT OF TANGENCY	P.O.E.	POINT OF BEGINNING
W.M.	WATER METER	AC	AIR CONDITIONER
OH	OVERHANG	FND	FOUND
N	NORTH	CHATT.	CHATTAHOOCHEE
S	SOUTH	F.P.L.	FLORIDA POWER & LIGHT
E	EAST	B.C.R.	BROWARD COUNTY RECORDS
W	WEST	P.B.	PLAT BOOK
CONC.	CONCRETE	O.F.S.	OFFICIAL RECORDS BOOK
N.A.V.D.	NORTH AMERICAN VERTICAL DATUM	F.F.	FINISHED FLOOR
ELEV.	ELEVATION	QUL	QUAKE
B.M.	BENCHMARK	CA	CENTERLINE

LEGAL DESCRIPTION:
PARCEL 1
LOT 17:
A parcel of land in Section 9, Township 47 south, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

Commencing at the Point of Intersection of the North line of said Section 9 and the West right of way line of State Road A-1-A as laid out and now in use (100 foot right-of-way); thence South 89 degrees 52'10" West along said North line of Section 9, a distance of 928.10 feet to the Point of Beginning; thence South 00 degrees 07'50" East, a distance of 35.18 feet; thence South 50 degrees 05'03" West, a distance of 29.19 feet; thence South 81 degrees 51'23" West, a distance of 136.63 feet to a point on the East right-of-way line of the Intracoastal Waterway as recorded in Plat Book 17, Page 21, of the Public Records of Palm Beach County, Florida; thence North 02 degrees 17'00" East, along said East right-of-way line a distance of 72.97 feet to a point on the North line of said Section 9; thence North 89 degrees 52'10" East, along said North line of Section 9, a distance of 154.65 feet to the Point of Beginning. Said land situate, lying and being in the Town of Highland Beach, Palm Beach County, Florida.

PARCEL 2
Boat Slip #12:
A parcel of land in Section 9, Township 47 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

Commencing at the Point of Intersection of the North line of said Section 9 and the West Right-of-Way line of State Road A-1-A as laid out and now in use (100 Foot Right-of-Way); thence South 89 degrees 52'10" West along said North line of Section 9, a distance of 228.33 feet; thence South 11 degrees 00'00" West, along the most Westerly West line of that parcel of land described in Official Records Book 3423, Page 1629 of the Public Records of Palm Beach County, Florida, a distance of 238.08 feet to a point on the Northerly boundary of that parcel of land described in Official Records Book 3861, Page 457 of the Public Records of Palm Beach County, Florida; thence North 79 degrees 00'00" West along said North line, a distance of 40.00 feet; thence South 11 degrees 00'00" West, a distance of 241.48 feet; thence South 00 degrees 06'22" West, a distance of 43.22 feet to a Point of Curvature of a circular curve concave to the Northwest having a radius of 15.00 feet and a central angle of 90 degrees 00'00"; thence Southwesterly along the arc of said curve an arc distance of 33.56 feet to a point of tangency; thence North 89 degrees 53'38" West, a distance of 45.31 feet; thence North 87 degrees 51'34" West, a distance of 100.98 feet to a point on the most Easterly East line of that parcel of land described in Official Records Book 3644, Page 1731 of the Public Records of Palm Beach County, Florida, the last five described courses being coincident with the boundary of that parcel of land described in Official Records Book 3861, Page 457 of the Public Records of Palm Beach County, Florida; thence North 02 degrees 06'21" East along said East line, a distance of 9.92 feet; thence South 47 degrees 08'12" West, a distance of 24.14 feet; thence North 87 degrees 32'38" West, a distance of 65.18 feet; thence North 43 degrees 55'49" West, a distance of 14.40 feet; thence North a distance 19.33 feet; thence North 45 degrees 00'00" East, a distance of 7.00 feet; thence North, a distance of 40.00 feet; thence North 45 degrees 00'00" West, a distance of 28.78 feet; thence West, a distance of 37.40 feet to the Point of Beginning, the last seven described courses being coincident with the boundary of that parcel of land described in Official Records Book 3644, Page 1731 of the Public Records of Palm Beach County, Florida, thence continuing West along said boundary, a distance of 20.01 feet; thence North 00 degrees 46'02" East, a distance of 60.01 feet; thence East a distance of 17.5 feet; thence south 01 degree 40'22" East, a distance of 60.01 feet to the Point of Beginning.

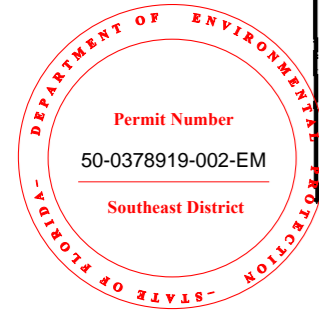
DATE OF FIELD SURVEY: 05-05-17
FIELD BOOK: ALS-SU-17-1518
DRAWN BY: MLW
CHECKED BY: MLW

REVISIONS	DATE	BY

CERTIFICATION:
This is to certify that this above ground sketch of boundary survey was made under my responsible charge and is accurate and correct to the best of my knowledge and belief. I further certify that this sketch meets the current Standards of Practice, established by the Board of Professional Surveyors and Mappers, Chapter 33-17, Florida Administrative Code, pursuant to current Section 471.027, Florida Statutes.

Robert L. Thompson 5-15-17
ROBERT L. THOMPSON (PRESIDENT)
PROFESSIONAL SURVEYOR AND MAPPER No. 3004 - STATE OF FLORIDA

SHEET 1 OF 1 SCALE 1"=20' SKETCH NUMBER SU-17-1518



EXISTING CONDITIONS
SCALE: N.T.S.

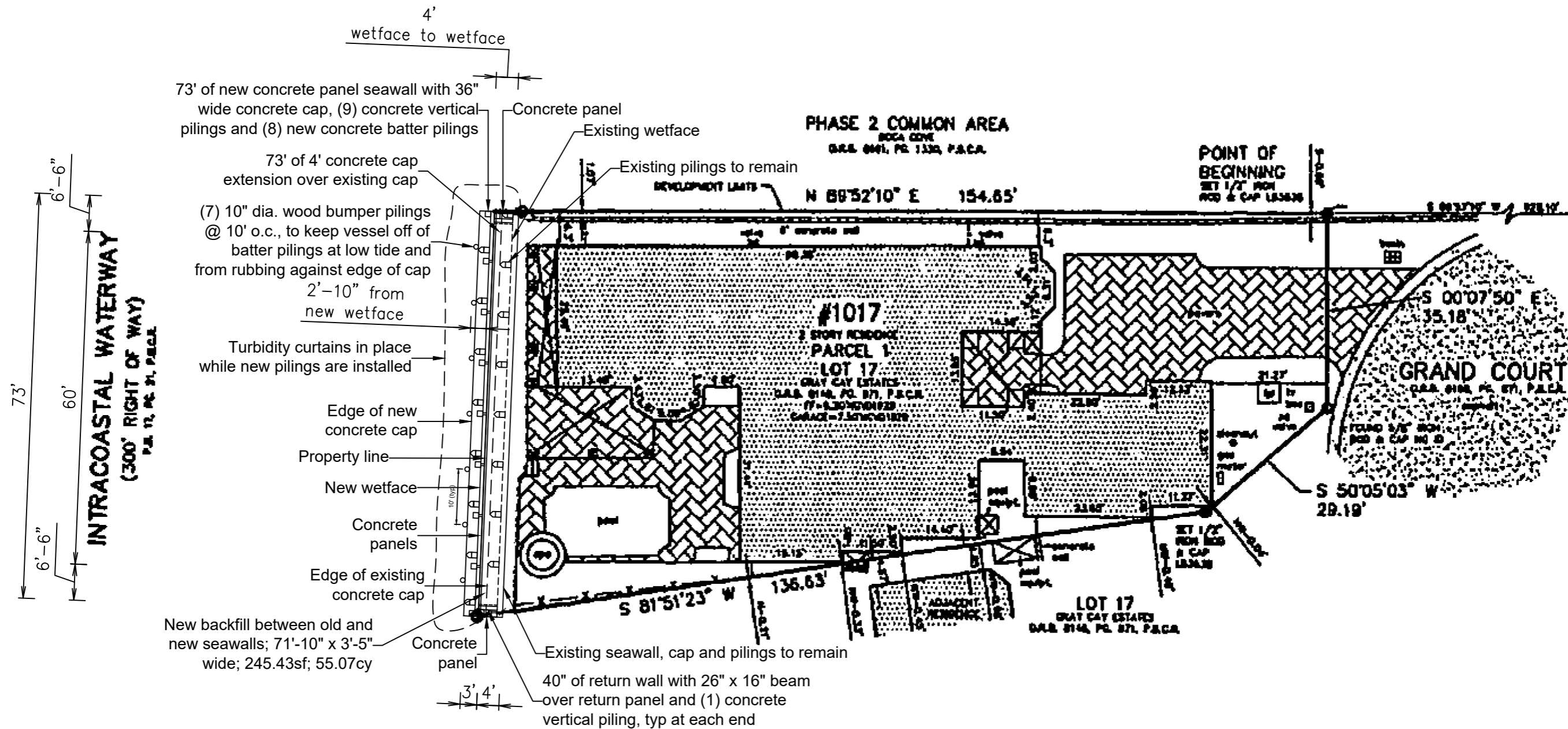
PREPARED FOR:
B & M MARINE CONSTRUCTION, INC.
3500 S.W. 14TH STREET
DEERFIELD BEACH, FL 33442
954-421-1700 CCG052820

SEWELL FOR:
HAMUY RESIDENCE
1017 GRAND COURT
HIGHLAND BEACH, FL

DATE	NOTES/REVISIONS

SCALE: AS NOTED

JOB No:
EC



73' of new concrete panel seawall with 36" wide concrete cap, (9) concrete vertical pilings and (8) new concrete batter pilings

73' of 4' concrete cap extension over existing cap

(7) 10" dia. wood bumper pilings @ 10' o.c., to keep vessel off of batter pilings at low tide and from rubbing against edge of cap 2'-10" from new wetface

Turbidity curtains in place while new pilings are installed

Edge of new concrete cap

Property line

New wetface

Concrete panels

Edge of existing concrete cap

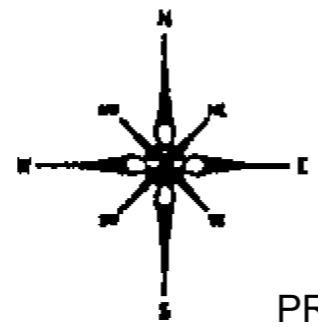
New backfill between old and new seawalls; 71'-10" x 3'-5" wide; 245.43sf; 55.07cy

Concrete panel

Existing seawall, cap and pilings to remain

40" of return wall with 26" x 16" beam over return panel and (1) concrete vertical piling, typ at each end

FILL VOLUMES (for seawall and backfill):			
Backfill -	71.83' x 3.42' x 6.06' (ave. depth)	245.43sf	55.07cy
Panels -	73.00' x 0.58' x 7.50' (depth)	42.58sf	11.83cy
Return Panels -	6.83' x 0.58' x 7.50' (depth)	3.99sf	1.11cy
Total Fill -		292.00sf	68.01cy



PROPOSED CONDITIONS
SCALE: 1" = 20'-0"



PREPARED FOR:
B & M MARINE, INC.
CONSTRUCTION, INC.
3500 S.W. 14TH STREET
DEERFIELD BEACH, FL 33442
954-421-1700
CC0052820

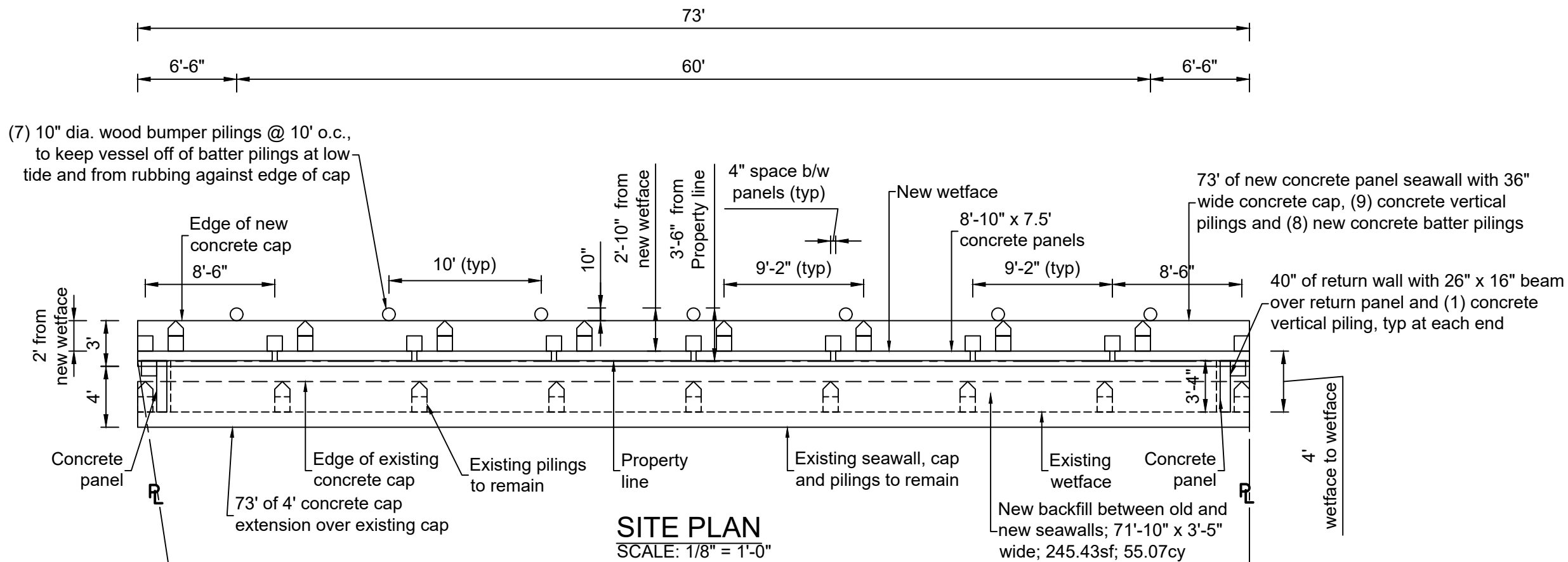
SEAWALL FOR:
HAMUY RESIDENCE
1017 GRAND COURT
HIGHLAND BEACH, FL

DATE	NOTES/REVISIONS

SCALE: AS NOTED

JOB No:

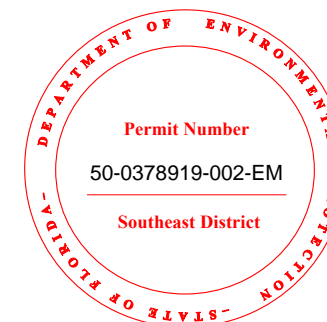
PC



General Notes:

1. For all prestressed pilings, extend pilings strands a min. of 18" into cap/dock slab steel or cut strands even w/ top of pilings & dowel & epoxy (2) #5 L-bars, 12" long w/ 12" bend, into top of pilings, w/ a min. of 4" embedment.
2. Dowel and epoxy #5 bars or L-bars into top and front of existing cap, staggered @ 24" o.c., min. 4" embedment.
3. New batter and vertical pilings and panels to have a minimum 4" penetration into the new cap form.
4. All new concrete pilings to be 12" x 12" prestressed pilings with (4) 7/16" strands.
5. All pilings shall be driven to develop a minimum allowable bearing capacity of 10 tons and shall penetrate a minimum of 8' into yielding material or 2' min. penetration into rock is required.
6. All reinforcing steel shall be grade 60, with a minimum 3" clearance.
7. All concrete to be min. 5000 psi @ 28 days.
8. Turbidity barriers are to surround all in water construction areas during piling and/or panel installation activities.
9. Elevations shown are based on the North American Vertical Datum of 1988.
10. Design in accordance with 2017 6th Edition of the Florida Building Code.
11. Construction methods, procedures, and sequences are the responsibility of the Contractor. The Contractor shall take the necessary means to maintain and protect the structural integrity and serviceability of the construction at all times.

12. Any discrepancies found for any circumstance between the structural plans and the existing conditions found on site and/or any conditions that were omitted on the plans will be the responsibility of the Contractor to immediately bring to the attention of the Engineer of Record.
13. Existing conditions are unknown, therefore, worst case conditions have been approximated. all existing conditions are assumed and must be confirmed by the gc after permitting.
14. Contractor covenants and agrees to fully indemnify and hold harmless, engineer, and engineer's employees, officers, directors, and representatives, from and against damages, liabilities or costs, including reasonable attorney fees and defense costs, from any and all claims, actions, causes of action, or demands of any kind or nature for loss, damage, or liability arising from Contractor's work under this agreement. The indemnity provided for in this section shall not apply to any liability resulting from defects in plans, designs, or specifications prepared, approved, or used by engineer or negligence of the engineer in the rendition or conduct of professional duties called for or arising out of the construction contract and the plans, designs, or specifications that are a part of the construction contract and arising from personal injury or death, property damage, or any expenses arising therefrom. To that extent, the total liability of Donald Cesarone & Associates, LLC or any of its employees, officers, directors, and representatives due to plan or specifications defects or negligence shall be limited to the sum equal to the amount paid to Donald Cesarone & Associates, LLC., for these engineered drawings. Acceptance and understanding of this agreement are hereby acknowledged.



PREPARED FOR:
B & M MARINE, INC.
CONSTRUCTION, INC.
3500 S.W. 14TH. STREET
DEERFIELD BEACH, FL 33442
954-421-1700 CGC052820

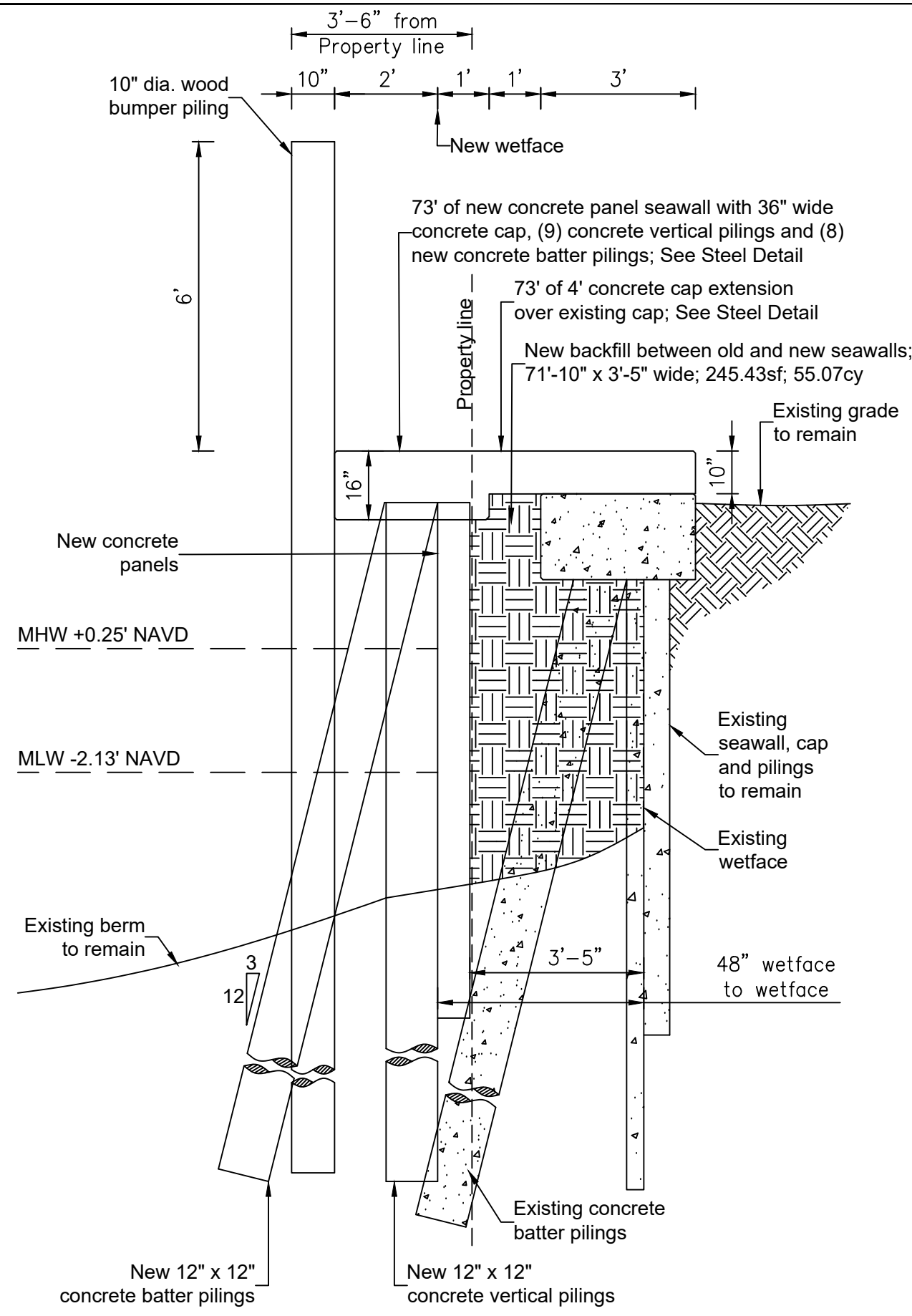
SEAWALL FOR:
HAMUY RESIDENCE
1017 GRAND COURT
HIGHLAND BEACH, FL

DATE	NOTES/REVISIONS

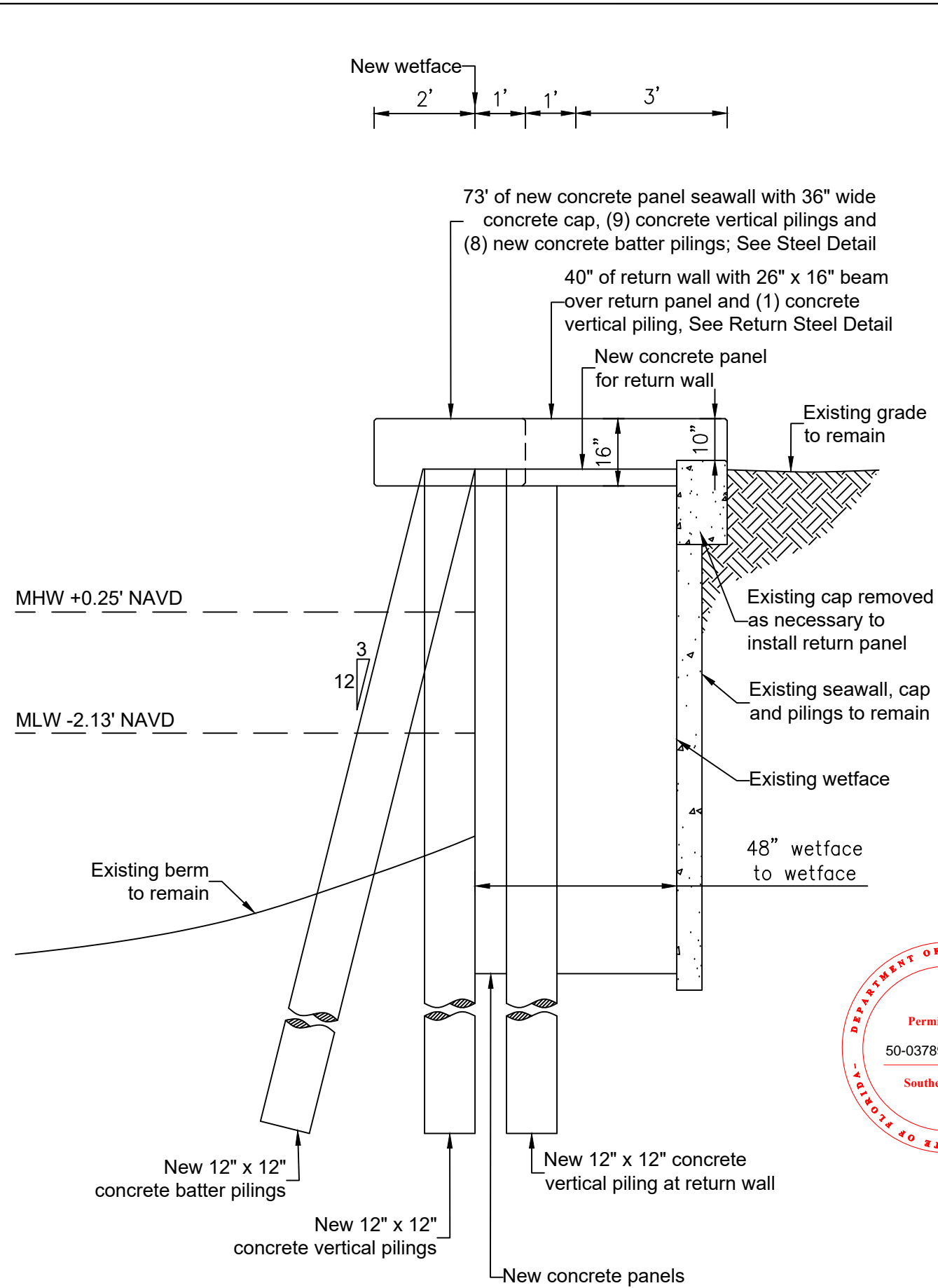
SCALE: AS NOTED

JOB No:

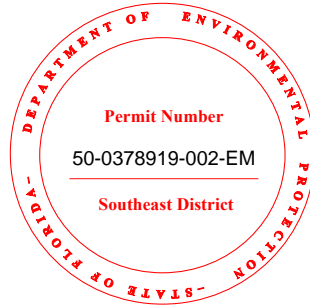
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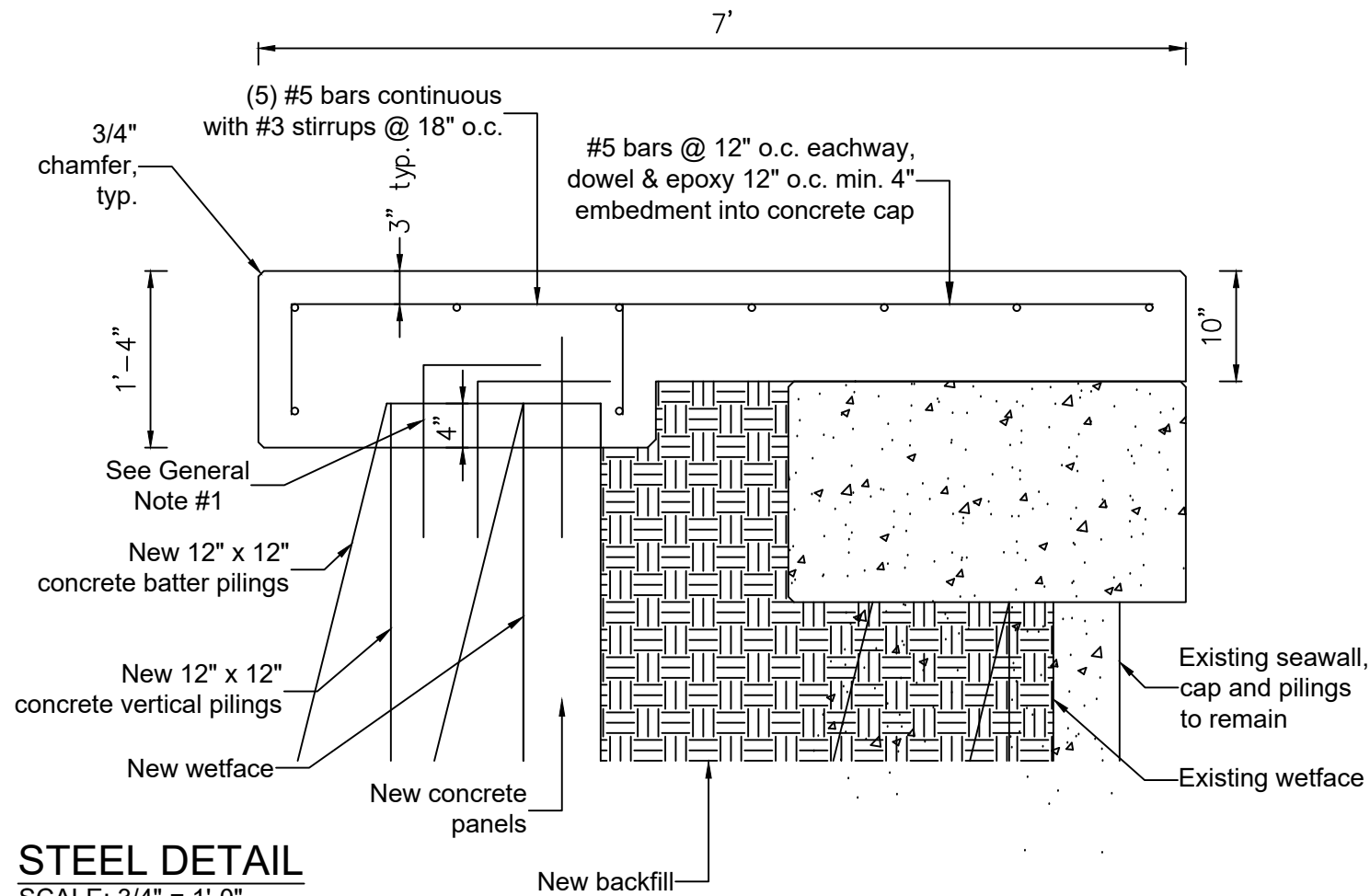
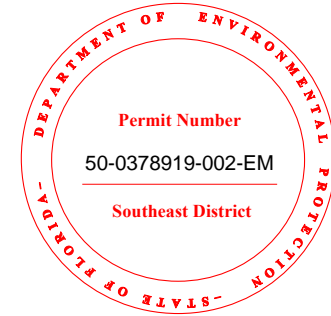
SEAWALL DETAIL
SCALE: 3/8" = 1'-0"



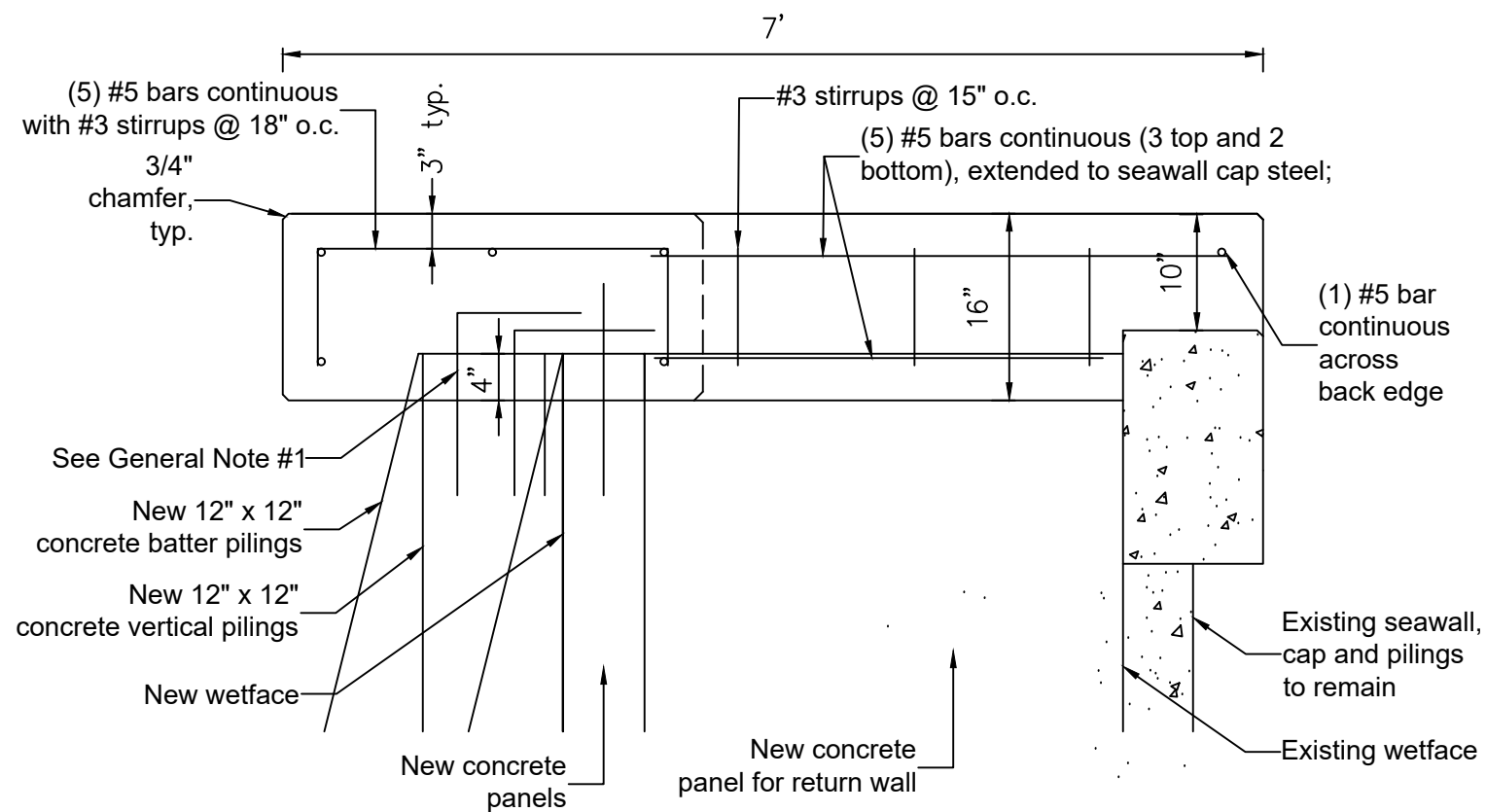
SEAWALL RETURN DETAIL
SCALE: 3/8" = 1'-0"



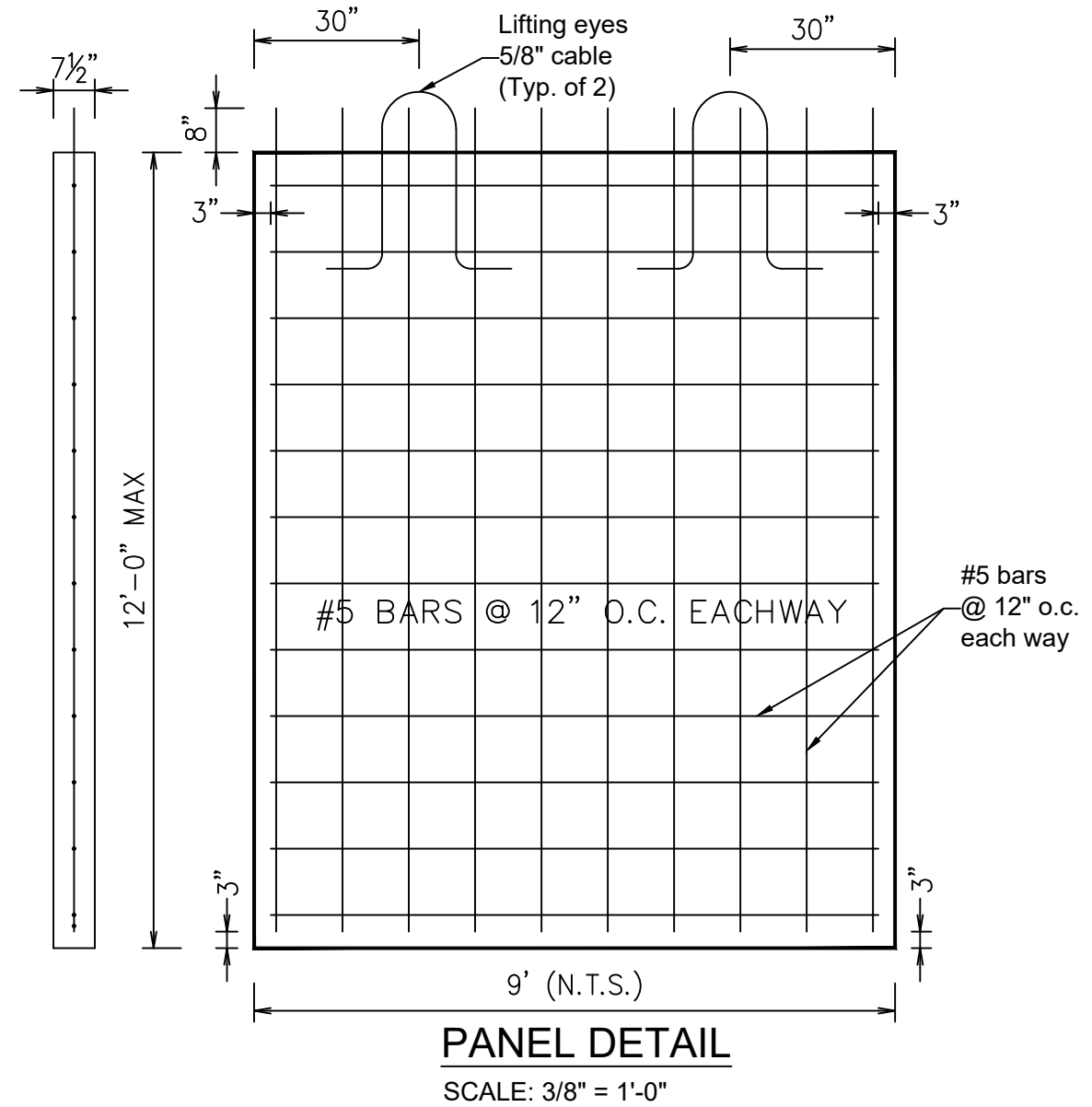
PREPARED FOR: B & M MARINE CONSTRUCTION, INC. 3500 S.W. 14TH STREET DEERFIELD BEACH, FL 33442 954-421-1700 CGC052820	
SEAWALL FOR: HAMUY RESIDENCE 1017 GRAND COURT HIGHLAND BEACH, FL	DATE: _____ SCALE: AS NOTED JOB No: _____
DTL-1	



STEEL DETAIL
SCALE: 3/4" = 1'-0"



RETURN STEEL DETAIL
SCALE: 3/4" = 1'-0"



PANEL DETAIL
SCALE: 3/8" = 1'-0"

PREPARED FOR:
B & M MARINE CONSTRUCTION, INC.
3500 S.W. 14TH STREET
DEERFIELD BEACH, FL 33442
954-421-1700 CGC052820

SEAWALL FOR:
HAMUY RESIDENCE
1017 GRAND COURT
HIGHLAND BEACH, FL

DATE	NOTES/REVISIONS

SCALE: AS NOTED

JOB No:

DTL-2