

**RESOLUTION NO. 2000- 161**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, PROCLAIMING THE NECESSITY FOR COASTAL ARMORING, PURSUANT TO SECTION 161.085, FLORIDA STATUTES; IDENTIFYING THREATENED AREAS; AUTHORIZING COASTAL ARMORING UNDER MANDATORY REQUIREMENTS AND GUIDELINES; AND PROVIDING AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, pursuant to Section 161.085(3), Florida Statutes, the St. Johns County Board of County Commissioners (hereinafter, "Board") may in response to a storm event which threatens private structures or public infrastructure install or authorize installation of rigid coastal armoring structures for the protection of private structures or public infrastructure, or take other measures to relieve the threat to private structures or public infrastructure.

**WHEREAS**, a recent storm event in the northeast section of the County is threatening several private structures (residential homes) as storm-water surges from the Atlantic Ocean have caused dramatic beach erosion leaving cliff like features in the sand with ledges nearing twelve feet in height.

**WHEREAS**, the storm event caused beach erosion to progress in an unusually rapid rate. As evidence, a DEP permit dated October 16, 2000, identified the home of Gregory Severt of 3304 Coastal Highway, St. Augustine, Florida, to be within thirty (30) feet of the mean high-water line of the Atlantic Ocean, and the County conducted the same measurement on October 20, 2000, and found the distance to be only twenty (20) feet.

**WHEREAS**, installation of Board authorized rigid coastal armoring structures in response to the storm event in the northeast section of the County will promote public health, safety, and welfare and will help to preserve the integrity of the beach.

**WHEREAS**, the Board has notified the State of Florida, Department of Environmental Protection (hereinafter "DEP"), of the storm event and requested DEP oversight and involvement in this emergency armoring effort.

**NOW THEREFORE, BE IT RESOLVED AND PROCLAIMED** by the Board of County Commissioners of St. Johns County, Florida, as follows:

1. The above Recitals are hereby incorporated herein by reference and adopted as findings of fact in support of this resolution.
2. The Board finds that: (a) a storm event has occurred within the last thirty (30) days; (b) said storm event resulted in significant beach erosion leaving cliff like structures nearly twelve feet in height (c) said beach erosion is threatening several residential structures and is within ten (10) feet of one residence; (d) immediate authorization for coastal armoring is necessary to protect those residences; (e) such action is in the interest of public health, safety, and welfare and will help to preserve the integrity of the beach; (f) rigid coastal armoring will protect the beach-dune system; (g) adjacent property owners will not be adversely impacted as a result of the armoring effort; (h) there are no beach access areas neighboring the subject properties; (i) deterring beach erosion will

help protect coastal vegetation; and (j) nesting marine turtles and their hatchlings will not be effected. The Board is in receipt of a letter from the Florida Fish and Wildlife Conservation Commission stating no objection to the proposed coastal armoring as the project will pose no risk to marine turtles. Said letter is attached hereto and made a part hereof. Further, Dr. Peter Lardner, a marine turtle preservation advocate who monitors turtle nesting within St. Johns County, has informed the County that there is no nesting turtles within the effected area.

3. The effected property owners and their effected properties in St. Johns County, Florida, are:

Graham Living Trust	3200 Coastal Highway
Robert and Stephanie Koval	3300 Coastal Highway
Gregory and Patricia Severt	3304 Coastal Highway
Douglas and Mary Coleman	3308 Coastal Highway
Chris and Darlene Ricketson	3312 Coastal Highway

4. The above listed property owners are hereby authorized to install temporary rigid coastal armoring structures (non-construction debris) for the protection of their residential structures. Any such armoring shall be temporary in nature and any authorized property owner taking such action shall subsequently obtain necessary DEP permitting and may have to remove the structure.
5. Siting, design criteria, and materials used for the authorized armoring shall be subject to approval of the St. Johns County Administrator, or his designee, prior to installation or construction. The County Administrator, or his designee, shall only approve such siting, design, and material if such are in compliance with the requirements of Rule 62B-33.0051 of the Florida Administrative Code and Section 161.085 of the Florida Statutes.
6. Approval of this Resolution shall not exempt any property owner, its successor or assign, from any applicable Federal, State, or local law, statute, ordinance, or regulation (e.g., permitting regulations) effecting or controlling their respective property. Nor shall this Resolution obligate the County, the Board, or any other agency to grant, or apply for, any permit or order that may be required. Further, nothing in this resolution shall be interpreted to require the Board or the County to install coastal armoring or repair, replace, remove, or maintain said armoring.

20<sup>th</sup> **PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, Florida, this day of October, 2000.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant  
James E. Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Juanne King  
Deputy Clerk

# FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

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BUREAU OF PROTECTED SPECIES MANAGEMENT  
DAVID W. ARNOLD, CHIEF  
(850)922-4330  
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October 20, 2000

TRANSMITTED VIA FAX


Ms. Isabelle Lopez  
Assistant County Attorney  
St. John's County

RE: Emergency Actions  
St. Johns County

Dear Ms. Lopez:

Per our conversation of today, please consider this letter to confirm there is no objection from the Florida Fish and Wildlife Conservation Commission for the temporary placement of shore protection material in front of five dwellings on Vilano Beach. You have stated that the structures are in danger due to severe coastal erosion and that the County is in the process of declaring an emergency situation. As we discussed, placement of the material will not pose any risk to marine turtles nor their nests, as no nests remain in the project area and the possibility of a new turtle nest is not likely to occur this late in the season. This letter conveys no approval for a permanent solution and it is understood that any material placed seaward of the escarpment is temporary and that a permanent solution will be pursued through permitting with the Department of Environmental Protection.

Sincerely,



David W. Arnold, Chief  
Bureau of Protected Species Management

cc: Tony McNeal, BCS-DEP