

This message is to advise you of our progress regarding the placement of retaining walls in South Gulf Cove, and the ongoing effort to negotiate for seawalls. I have developed a new set of guidelines for the placement of retaining walls that are intended to eliminate much of the ambiguity that previously existed regarding their precise and verifiable placement.

The new standards require additional survey data that will add approximately \$50 - \$100 dollars to the cost of each survey. However, this will provide an easy way for homeowners, contractors, concerned citizens, county staff, code enforcement, and DEP officials to readily ascertain if the walls are "properly" placed. The new standards were satisfactorily displayed on a "test case" project to the satisfaction of both county and DEP staff yesterday afternoon. The level of cooperation between County Staff, State DEP officials, and representatives of the marine contractor industry is encouraging, and it's something we can all be proud of and carry forward as we tackle the larger issue of allowing new seawalls in South Gulf Cove.

So, as of today, December 15<sup>th</sup> 2005, there exist clear guidelines that will allow contractors to install walls with reasonable confidence that they are correctly placing them, with results that are easily verifiable by all, and with a level of accuracy that is repeatable.

-The attached document describes the new standards in detail.

It is important to note that there will be initial growing pains and delays with the processing of permits for retaining walls as applicants learn of the new standards, and are forced to include the additional data on their surveys. We will work to spread the word, (...of which this e-mail is but one means), and will have copies of the new standards available at the permitting counter.

We have also agreed to modify these standards in a cooperative manner with DEP officials should their desired effects (...a suitable wet grassy strip between the wall base and waters edge) not adequately materialize. I encourage each of you, in your meetings or discussions with concerned individuals, to please share with them the fact that "new standards" are now in place, and direct further questions to me.

Additionally, please note that these new standards do not adequately address all the concerns regarding the development of retaining walls. Specifically, they do *not* address matching-up or aligning the walls in a manner that eliminates debris-catching pockets. Rather than grind negotiations to a halt, we went with what we could get (these new standards) because the "final solution" (seawalls along the platted lot line) will ultimately resolve the misalignment issue. In other words, I prefer to turn that apparent negative into a positive – because in the interim (...as growth continues to increase in South Gulf cove), it has now evolved to become in everyone's "best interest" that we resolve this misalignment problem *effectively*, and soon. Doing nothing is not a viable option.

Finally, we are working toward meeting with county engineers and DEP officials sometime in January to begin fleshing out specific details of a plan that will ultimately allow DEP to sign-off on allowing seawalls along platted lot lines in South Gulf Cove. Our working relationships are strong, we possess a good understanding of each others concerns and interests, and - most importantly – there is a palatable desire to satisfactorily resolve this issue once and for all.

**To conclude:** We have every reason to be optimistic, but I also urge all to be patient. As I've said before, we simply don't know *all* the hurdles ahead, but we are pushing forward in a cooperative manner that is very encouraging. The "details" are cumbersome, but there is a strong desire to succeed by *all* parties involved – and we all acknowledge that we must resolve this issue satisfactorily.



### South Gulf Cove Retaining Wall Placement Standards - Dec 15,

2005

- A) All permits for new retaining walls in South Gulf Cove shall require a survey that depicts a 2.0' contour line (approximate water level), and a 2.75' contour line.
- B) The Average High Water Line for SGC has been determined to be 2.0'. (All elevations NVGD)
- C) The base of any retaining wall, unless otherwise allowed, can not extend closer to the waters edge than where a contour line of 2.75' has been located (as determined by survey). The wall must be on or behind that 2.75' contour line.
- D) The wall shall be built parallel to the platted lot line, or approximate the curve of the platted line (if applicable).
- E) If the topography of the lot is irregular, the retaining wall *may* encroach beyond the 2.75' contour line only if the total encroachment is less than or equal to 25% of length of the wall. Otherwise, the wall must be placed entirely behind the 2.75' contour line and parallel with platted lot line in accordance with the previous guidance, with the exception noted below.
- F) In the event that the 2.75' contour line is 6 feet or more from the 2.0' contour line, the retaining wall may be placed at a distance of 6' from the 2.0' contour line regardless of where the 2.75' contour line falls. To exercise this option, a review, approval, and site visit by **Mr. Tom Scott** (or his designated successor or alternate) will be required (764-4152) [tom.scott@charlottefl.com](mailto:tom.scott@charlottefl.com) . The 2.75' contour line shall be staked out on the lot, and a survey (including the 2.0' and 2.75' contour lines) must be provided, prior to the site visit by Mr. Scott (or his designated successor or alternate).



