

concrete and the steel piles integrated into the concrete is approx. 85,000 lbs. Therefore, the concrete must remain.

(h) The reason the variance or waiver requested would serve the purpose of the underlying statute:

The purpose of the underlying statute is to limit construction in the 75 ft setback. To meet the intent of the rule and mitigate the elements to remain, existing grandfathered elements will be removed from the 75 ft setback. The total footprint of elements for which a variance is sought totals \pm 1,817 sf of concrete. The total footprint of elements to be removed from the within the 75 ft setback is approximately 956 sf. Of this total, approximately 930 sf are structures, and 26 sf is concrete (See Exhibit A). Offsetting mitigation is proposed on District land at Rock Bluff Springs (See Exhibit B). The total area designated for new plantings at the springs is 10,430 sf. District staff shall determine the configuration and type of plantings in this area. Also, approx. 498 sf of natural vegetation shall be preserved from river erosion onsite. This area shall be deed restricted. Also, the preservation area shall have a 5 ft wide path excluded from the deed restriction for river access. The existing access steps and deck shall be removed from the preservation area (See Exhibit A). The total area of preserved bank and new plantings equates to 10,928 sf. This total combined with the removed grandfathered structures equates to 11,884 sf. Therefore, the Rock Bluff Springs plantings, onsite preservation area, and removed grandfathered elements in the 75 ft setback together exceed the elements to remain in the 75 ft setback by a factor of (6.5). The offsetting mitigation alone (onsite and offsite 10,928 sf) exceeds the total post construction setback (entire area within the 75 ft setback 10,473 sf). The grandfathered structure removals provide further mitigation to serve the underlying statute.

(i) Permanent waiver/variance requested.

It is our request that a permanent waiver or variance be granted for the following:

1. The 1,817 sf of concrete seawall anchoring system to remain per rule 40B-4.3030(13), F.A.C.

Thank you for your consideration.

Sincerely,



Adam Collins