

The City of Destin



4200 Two Trees Road, Destin, Florida 32541 (850) 837-4242 FAX (850) 837-3267

FINAL DEVELOPMENT ORDER:

ORDER #: 98-29

CLUB DESTIN DUNE WALKOVER: A MAJOR DEVELOPMENT

Based upon the City Council's approval of this Development Order at its meeting on August 17, 1998, this document will serve as your Final Development Order to include all of the provisions of the attached Community Development Department Report and the following conditions:

BACKGROUND/ISSUE

Applicant: Gary Gasper, Manager and agent for Club Destin Condominium Association, Inc., John Sanders, President, Michael Hatton, Secretary; Emerald Towers Homeowners Association, owner, Dean Wilkerson, President, Jo Syslo, Secretary.

Location: 1044 Highway 98, Emerald Towers Condominium

Request: Approval of Club Destin Dune Walkover; a Major Development, containing a 900 square foot wooden dune walkover and a 2,400 square foot gravel pathway to be constructed on a 10' wide pedestrian access easement, located on the eastern most 10' of Emerald Towers Condominium's property, 1044 Highway 98 East.

Easement Size: 0.18 acres

Parcel Size: 3.60 acres

Land Use: MU (Mixed Use)

Zoning District: BT (Business Tourism)

Density: N/A

Intensity: N/A

Application Date: February 2, 1998

TRC Date: February 19, 1998 (revision re-submitted June 18, 1998)

Site Plan Approval Date: June 30, 1998

Planning Commission: July 16, 1998

City Council Approval: August 17, 1998

DETERMINATIONS:

1. A hearing was held by the Destin City Council on August 17, 1998; and
2. The Planning Commission considered the proposal on July 16, 1998, and
3. All the findings of the City Council report are incorporated herein; and
4. All the findings of the Technical Review Committee Report, dated February 19, 1998 (Amended June 30, 1998), are incorporated herein.

Conditions of Approval for Club Destin Dune Walkover, a Major Development:

Pursuant to the City of Destin Land Development Regulations and the City of Destin Code of Ordinances:

1. Development must commence within twelve months of approval of the original project on August 17, 1998, no later than August 16, 1999, and must be completed as illustrated on the plans approved by the Technical Review Committee; and
2. The concurrency status of Club Destin Dune Walkover is identified in the attached Technical Review Committee Report, dated February 19, 1998 (Amended June 30, 1998), and is protected for five years from the City Council approval date (August 17, 1998) through August 16, 2003; if Club Destin Dune Walkover commences development within the twelve month period following approval of the development order (August 17, 1998). Construction permits must be received in accordance with Section 2.09.00 of the Land Development Code, to maintain concurrency. **WARNING:** If the applicant has not obtained a construction permit(s) within 365 days of the issuance of a final development order, the final development order is void and the application for plan approval must be re-initiated; and
3. City of Destin permits are required for the following activities on and off site:
 - a. disturbance to the City's rights of way
 - b. pavement cuts
 - c. construction of any kind
 - d. clearing and grubbing
 - e. signage
 - f. construction trailers; and
4. An approved, valid, and current Department of Environmental Protection (DEP) permit for Club Destin Dune Walkover Stormwater Management Facilities is required to be submitted prior to the issuance of a building permit; and
5. An approved, valid, and current Department of Environmental Protection Coastal Construction Control Line Permit is required to be submitted prior to the issuance of a building permit for that portion of the project which is south of the Coastal Construction Control Line; and
6. All fill must comply with the White Sand Zone 1. If any sediment or fill material is uncovered during construction which does not comply with White Sand Zone 1, it shall be removed from the site. A White Sand Zone Inspection is required prior to the issuance of a building permit. A sample of the gravel must be submitted to the Community Development Department, prior to the issuance of a building permit, to confirm that the gravel / fill is an acceptable material for White Sands Zone 1; and
7. The required landscaping shall be installed as shown on the Landscape Plan, signed and sealed by Cecilia Cantey, L.A., on June 18, 1998.
8. Requirements identified by the Technical Review Committee Report dated February 19, 1998 (Amended June 30, 1998), attached hereto;

**TECHNICAL REVIEW COMMITTEE REPORT
COMMUNITY DEVELOPMENT DEPARTMENT
CLUB DESTIN DUNE WALKOVER: A MAJOR DEVELOPMENT
FEBRUARY 19, 1998 (Amended June 30, 1998)**

ISSUE

Type of Development: A Major Development
Applicant: Gary Gasper, Manager and agent for Club Destin Condominium Association, Inc., John Sanders, President, Michael Hatton, Secretary; Emerald Towers Homeowners Association, owner, Dean Wilkerson, President, Jo Syslo, Secretary
Location: 1044 Highway 98, Emerald Towers Condominium
Request: Approval of Club Destin Dune Walkover, a Major Development, containing a 900 square foot wooden dune walkover and a 2,400 square foot gravel pathway to be constructed on a 10' wide pedestrian access easement, located on the eastern most 10' of Emerald Towers Condominium's property, 1044 Highway 98 East.
Easement Size: 0.18 acres
Parcel Size: 3.60 acres
Land Use: MU (Mixed Use)
Zoning District: BT (Business Tourism)
Density: N/A
Intensity: N/A
Application Date: February 2, 1998
TRC Date: February 19, 1998
Plan Revision Submitted: June 18, 1998

DISCUSSION:

Gary Gasper, Manager and agent for Club Destin Condominium Association, Inc., John Sanders, President, Michael Hatton, Secretary; Emerald Towers Home Owners Association, owner, Dean Wilkerson, President, Jo Syslo, Secretary, requests approval of a major Development identified as "Club Destin Dune walkover".

The project consists of a 900 square foot (5' x 180') wooden dune walkover and a 2,400 square foot (5' x 480') gravel pathway. The walkover and pathway shall be constructed on a 10' wide permanent, but non-exclusive, pedestrian access easement located on the eastern most 10' of Emerald Towers Condominiums property. The easement documents allow for Club Destin to use the 10' easement area and to construct the proposed walkover and pathway.

The property is Zoned BT (Business Tourism) and the Land Use Category is MU (Mixed Use). The easement contains 0.18 acres. The uses surrounding the property are as follows: North: Highway 98, Wendy's, Alvins Island, South: Gulf of Mexico, West: Emerald Towers, East: vacant land, Silver Beach Motel.

ZONING/COMPREHENSIVE PLAN

The property is zoned BT and the Land Use Category is MU (Mixed Use). The proposed project complies with these Land Use Requirements.

COMPATIBILITY

North: BT Zoning, MU Land Use, Highway 98 East, Alvin's Island, Wendy's, Club Destin
South: Gulf of Mexico
East: BT Zoning, MU Land Use, a vacant parcel, Silver Beach Motel
West: BT Zoning, MU Land Use, Emerald Towers

The project, as required by Ordinance 152.23, has undergone a compatibility review and meets the minimum code requirements. The General Compatibility Checklist and the following items were included in the compatibility review.

The subject project is located on the south side of Highway 98 East on a 10' wide pedestrian easement on the eastern most 10' of the Emerald Towers property. The uses located within three hundred feet of the subject property have been identified above. The property is located in an area developed with resort condominiums and hotels, restaurants, and offices. The buildings located within the residential and commercial developments contain mid-rise and high-rise buildings on the south side of Highway 98 and one and two story buildings on the north side of Highway 98.

A) Permitted uses, structures and activities allowed within the land use category;

The proposed dune walkover and gravel pathway are permitted uses in the BT Zoning District and the MU Land Use Category. The project contains a 900 square foot wooden dune walkover and a 2,400 square foot gravel pathway. They are located on a 10' wide pedestrian easement on the eastern most 10' of the Emerald Towers property. The proposed use is compatible with the existing development pattern, current zoning, and the existing future land use designation.

B) Building location, dimensions, height, and floor area ratio;

The dune walkover and gravel pathway are located along the eastern boundary line of the Emerald Towers property. The walkover, which is approximately 5' x 180', and the gravel pathway, which is 5' x 480', meet all setback requirements. The maximum height allowed by the easement agreement documents is 24 inches above grade. There is no maximum allowable building height in the BT Zoning District. The floor area ratio calculation is not applicable to the dune walkover or gravel pathway. The dune walkover and gravel pathway's location and height are similar to other developments in the area and is considered to be compatible.

C) Location and extent of parking, access drives and service areas;

The proposed dune walkover does not have a parking demand associated with it, nor is it required to provide access drives or service areas.

D) Traffic generation, hours of operation, noise levels and outdoor lighting;

The dune walkover does not generate any automobile traffic or have any established hours of operation. Noise levels for this project are expected to be similar to the other dune walkover developments in the area. There will be no outdoor lighting associated with this project.

E) Alteration of light and air; and

The gravel pathway and dune walkover are generally oriented in a north/south direction and will not materially alter the light or flow of air around the proposed structure or around the existing developments.

F) Setbacks and buffers.

The dune walkover and gravel pathway meet all setback and buffer requirements. A 5' common boundary buffer is required along the eastern property line. The proposed landscape plan, signed and sealed by Cecilia Cantey, Landscape Architect, meets the open space and landscape requirements. A 5' common boundary buffer is required and provided on the eastern boundary. The walkover is located approximately 80' feet north of the mean high water line of the Gulf of Mexico (southern property line). The 5' common boundary buffer includes a minimum of a five (5) foot wide strip of land abutting the eastern property line to be landscaped. This landscaping shall include a visual screen of vegetation running the entire length of all common boundaries providing a minimum of 50% opacity for the area between the finished grade level at the common boundary line and six (6) feet above said level and horizontally along the length of all common boundaries within three (3) years of planting. The required buffers control the impact of the structure on the surrounding neighborhoods.

DENSITY

Not applicable.

HEIGHT

The easement agreement documents between Emerald Towers and Club Destin allow for a dune walkover with a maximum height of 24 inches above grade. This is an allowable height in the BT Zoning District.

FLOOR AREA RATIO

Not applicable.

RIGHT OF WAY DEDICATION

Not Applicable

CONCURRENCY MANAGEMENT

Concurrency requirements met:

Potable Water N/A Roadways N/A Solid Waste N/A
Recreation N/A Sewer N/A Drainage X

TRAFFIC ANALYSIS

The proposed dune walkover does not generate any new vehicular traffic.

SUBDIVISION OR PUD - PLAT

Not applicable.

STORMWATER

The City Engineer approved this project in a memorandum dated June 25, 1998, with the following conditions:

1. 4" x 4" stakes used to anchor the curbing stone walkway shall be pressure treated.
2. An Operations and Maintenance Plan signed by the owner is required prior to issuance of a building permit.

AIRPORT PROTECTION

Not Applicable.

SETBACKS

	<u>REQUIRED</u>	<u>PROVIDED</u>	<u>REQUIRED BUFFERS</u>
Front (north):	0'	0'	10' FPLA
Side (east)	0'	5'	5' CB
Side (west)	0'	0'	N/A
Rear (south)	0'	80'	N/A

The proposed setback applies to the easement area. A five (5) foot common boundary buffer is required along the eastern property line.

WHITE SANDS ZONE

The project lies within White Sand Zone 1. All fill must comply with the White Sand Zone Ordinance. If any sediment or fill material is uncovered during construction which does not comply with the white sand zone, it must be removed from the site. NOTE: A White Sand Zone Inspection is required prior to the issuance of a building permit. A sample of the gravel must be submitted to the Community Development Department confirm that the gravel / fill is an acceptable material for White Sands Zone 1.

SIGNS

No signs are requested for this project. All future signage must be reviewed and approved by the City.

WATER/SEWER

DWU approved the project in a letter dated February 19, 1998.

FIRE DEPARTMENT REVIEW

The Fire Department approved the project in a letter dated February 19, 1998.

OKALOOSA GAS

Okaloosa Gas approved the project at the February 19, 1998, TRC meeting.

GULF POWER

Gulf Power approved the project at the February 19, 1998, TRC meeting.

UTILITIES

Underground utilities are required.

INGRESS/EGRESS

The proposed walkover is only accessible to pedestrian traffic. An 8' tall controlled access gate will only allow for private use of the walkover.

SIDEWALKS

A sidewalk currently exist along the Highway 98 East. If this sidewalk is damaged or destroyed during construction, it must be repaired or replaced by the developer.

REFUSE COLLECTION

Not applicable

LANDSCAPE

This site area of the 10' wide easement meets the landscape requirements as follows:

OPEN SPACE (10' wide easement):

7,841 s.f. of property x 18% = 1,412, s.f. **REQUIRED**

56 % provided = 4,391 s.f. **PROVIDED**

TREES REQUIRED:

Reforestation: 2 Perimeter: 1 Parking Lot: N/A Buffers: N/A

Protected Trees on Site: 0

Preserved Trees on Site: 0

Credit (protected or preserved): N/A

TOTAL TREES REQUIRED: 3

TOTAL TREES PROVIDED: 18

All landscaping shall be installed as shown on the Landscape Plan submitted by Cecilia Cantey, Landscape Architect, signed and sealed on June 18, 1998.

PARKING

There is no parking demand associated with this project

ITEMS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

1. A DEP C.C.C.L permit is required to be submitted prior to the issuance of a building permit, for that portion of the project south of the Coastal Construction Control Line.
2. An DEP Stormwater Permit or Exemption letter is required to be submitted prior to the issuance of a building permit.
3. A White Sand Zone Inspection is required prior to the issuance of a building permit.

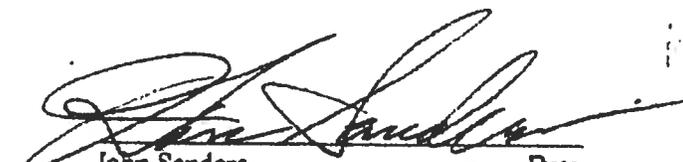
COMMENTS

There have been no comments filed with Staff regarding this project.

UNRESOLVED ISSUES

NONE


 _____ 8/26/98
 Robert R. Franke, AICP Date
 Community Development Director
 p421devonderclubdestin.dev



 John Sanders Date
 President, Club Destin Condo Association