



CITY of DESTIN

4200 Two Trees Road • Destin, Florida 32541



www.cityofdestin.com

November 19, 2007

Order No. 08-04

Final Development Order:

“DESIGN SCAPES” A MINOR DEVELOPMENT (SP-05-29)

Based upon the City's approval and issuance of this Development Order, on November 19, 2007 this document will serve as your Final Development Order, and includes all of the provisions and conditions in the attached Technical Review Committee Report.

BACKGROUND / ISSUE:

Applicant:	Wayne Lung with Destin Machine is requesting approval of a Minor Development identified as “Design Scapes.”
Request:	The proposed development consists of a change of use request from a non-conforming machine shop to an equally appropriate or more appropriate nonconforming landscaping company. Said determination was decided via the Board of Adjustment ruling on January 5, 2005. The existing structures include a 2,880 square foot office/warehouse and a 7,904 covered storage area. No additional gross floor area is proposed.
Location:	The proposed development is located at 322 Calhoun Avenue and is more specifically known as Property Appraiser's Parcel I.D. number 00-2S-22-0310-000D-0500.
Parcel Size:	The current site area is 0.78 acres, more or less.
Future Land Use:	Bay Estates (BE)
Zoning District:	Bay Estates (BE)
Density:	N/A
Intensity:	N/A (Existing non-conforming use)
Application Date:	August 1, 2005
TRC Date:	N/A
Approved Site Plan Date:	October 24, 2007

DETERMINATIONS:

1. All the findings of the Technical Review Committee report dated November 19, 2007 are incorporated herein.

CONDITIONS OF APPROVAL FOR “DESIGN SCAPES” A MINOR DEVELOPMENT (SP-05-29):

1. Pursuant to the City of Destin Land Development Code:

Construction of infrastructure must commence within one (1) year of approval date (date from which the Final Development Order is issued by the Community Development Department) of the Final Development Order on November 19, 2007 (no later than November 19, 2008), and must be completed as shown on plans approved by the Technical Review Committee.

WARNING: If the applicant/owner has not obtained a building permit(s) for construction of infrastructure and that construction has not commenced within one (1) year of issuance of the final development order, the final development order will become null and void and the application for development order approval must be re-initiated. (Article 2, Section 2.10.00)

NOTE: An applicant/owner who desires to extend the twelve (12) month (1 year) deadline must submit a request to the Community Development Department, no less than thirty (30) days prior to the expiration of the twelve (12) month deadline to obtain a building permit and commence construction of infrastructure. The applicant may receive only one extension, and such extension shall not exceed one year. The applicant /owner should review Article 2, Section 2.21.00, of the Destin Land Development Code for further explanation of the Development Order extension process.

2. If the applicant fully complies with the requirements of Condition No. 1 above, the concurrency capacity allocation status for “Design Scapes” will be protected. **However, the protected concurrency status will be lost and the application for development order approval must be re-initiated if:**
 - A. **Construction permit(s) in association with construction of infrastructure are not obtained in accordance with Article 2, Section 2.10.00 of the Land Development Code to maintain concurrency, or**
 - B. **Construction of infrastructure activity ceases for a period exceeding one (1) year at any time during the term of this Final Development Order so that concurrency is not maintained under Article 6 of the Destin Land Development Code.**

The applicant must obtain City of Destin permits for the following activities on and off site (These may require appropriate bonding):

- A. Disturbance of the City's right-of-way (Note: Applicant must obtain the proper ROW permit(s) from the Engineering Department prior to issuance of building permits, unless otherwise exempted by the City Engineer.)
- B. Pavement cuts.
- C. Construction of any kind.
- D. Clearing, grubbing, or demolition.
- E. Paving, grading, drainage, sidewalks.
- F. Signage.
- G. Installation of utilities.
- H. Construction trailers.

3. **Conditions Per Community Development Department:** Refer to pages 12 to 14 of the attached TRC Report dated November 19, 2007.
4. **Conditions Per Board of Adjustments:** Refer to pages 14 of the attached TRC Report dated November 19, 2007.
5. **Conditions Per Engineering Department:** Refer to page 14 of the attached TRC report dated November 19, 2007.
6. **Conditions Per Destin Water Users, Inc.:** Refer to pages 14 to 15 of the attached TRC Report dated November 19, 2007.

TECHNICAL REVIEW COMMITTEE REPORT

"DESIGN SCAPES" A MINOR DEVELOPMENT (SP-05-29)

TRC Report: November 19, 2007

ISSUE:

- Applicant:** Wayne Lung with Destin Machine is requesting approval of a Minor Development identified as "Design Scapes."
- Request:** The proposed development consists of a change of use request from a non-conforming machine shop to an equally appropriate or more appropriate nonconforming landscaping company. Said determination was decided via the Board of Adjustment ruling on January 5, 2005. The existing structures include a 2,880 square foot office/warehouse and a 7,904 covered storage area. No additional gross floor area is proposed.
- Location:** The proposed development is located at 322 Calhoun Avenue and is more specifically known as Property Appraiser's Parcel I.D. number 00-2S-22-0310-000D-0500.
- Parcel Size:** The current site area is 0.78 acres, more or less.
- Future Land Use:** Bay Estates (BE)
- Zoning District:** Bay Estates (BE)
- Density:** N/A
- Intensity:** N/A (Existing non-conforming use)
- Application Date:** August 1, 2005
- TRC Date:** N/A
- Approved Site Plan Date:** October 24, 2007

DISCUSSION/FINDINGS:

Wayne Lung with Destin Machine is requesting approval of a Minor Development identified as "Design Scapes." The proposed development consists of a change of use request from a non-conforming machine shop to an equally appropriate or more appropriate nonconforming landscaping company. Said determination was decided via the Board of Adjustment ruling on January 5, 2005. The existing structures include a 2,880 square foot office/warehouse and a 7,904 covered storage area. No additional gross floor area is proposed.. The proposed development is located at 322 Calhoun Avenue and is more specifically known as Property Appraiser's Parcel I.D. number 00-2S-22-0310-000D-0500. The current site area is 0.78 acres, more or less.

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which includes a Concurrency Management review, and a Level of Service review.

The Technical Review Committee (TRC) reviewed and approved the project with specific conditions as stated below.

COMPREHENSIVE PLAN/ZONING:

The property currently has a Future Land Use designation of Bay Estates (BE) and a Zoning designation of Bay Estates (BE). The proposed change of use is a nonconforming use and

therefore does not meet the requirements of the Comprehensive Plan in respect to permitted use, traffic generation, hours of operation and noise levels. However, the proposed change of use does meet the requirements of the Comprehensive Plan in regards to open space and intensity. As per the Land Development Code, Section 7.13.06, the Board of Adjustment finds that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use within the Bay Estates (BE) Future Land Use designation and the Bay Estates (BE) Zoning District.

LAND USE TRANSITION & SPECIAL DESIGN CRITERIA:

Comprehensive Plan: 2010 Policy 1-2.1.7 requires that *“All property designated for nonresidential use on the FLUM shall be developed and designed to ensure a smooth land use transition between the said nonresidentially designated property and any directly abutting low rise residential property, either existing or identified on the FLUM.”* The LDC requirements regulating “special design criteria” are *“...to establish design criteria to preserve, protect, and enhance the economic vitality and character of the City of Destin.”* This section also states, *“These standards and regulations are intended to promote and protect the desired character of the City, including promoting multimodal transportation opportunities, and that ensure compatibility with surrounding development.”* [LDC, §7.09.00].

Criteria for consideration to ensure smooth land use transition and special design include:

- Surrounding development
- Mechanical equipment
- Outdoor storage and display
- Solid waste collection areas
- Parking, loading, or accessway areas

Surrounding development:

The existing structures include a 2,880 square foot office/warehouse and a 7,904 covered storage area. No additional gross floor area is proposed. The following is a description of the surrounding area:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
North	Bay Estates (BE)	Bay Estates (BE)	North: Single Family Residential
South	Bay Estates (BE)	Bay Estates (BE)	South: Single Family Residential
East	Low Density Residential (LDR)	Low Density Residential (LDR)	East: Single Family Residential
West	Bay Estates (BE)	Bay Estates (BE)	North: Single Family Residential

As described herein, the surrounding uses include single-family residential.

Mechanical equipment:

Condition: Outdoor mechanical equipment, such as heating, air conditioning, and ventilation systems, must be placed on the roof, in the rear or to the side of the building, or otherwise visually screened. In no case shall mechanical equipment be located between the principal structure and the front property line facing a right-of-way. All mechanical equipment located on the roof shall not be visible from adjacent properties or rights-of-way from heights equal to or less than the equipment. All mechanical

equipment located in the rear or to the side of the building shall be enclosed by opaque fence, wall or hedge a minimum of six (6) feet in height or to the highest point of the equipment, whichever is lower. For air conditioning or other equipment requiring airflow, a lattice screen of at least 50 percent opacity shall be sufficient to meet this requirement.

Outdoor storage and display:

Outdoor storage and display of materials, equipment, and merchandise shall meet the following performance standards:

- a. Outdoor storage shall be screened from view from the right-of-way and adjacent properties by an opaque wall, fence or landscaping of sufficient maturity, density and height to screen such areas from view.
- b. Outdoor display of merchandise such as pools, spas, lawn furniture, concrete fixtures and other similar items shall be limited to one of any one specific design.
- c. Inoperable motor vehicles shall be stored within screened areas and must be kept on the same site of motor vehicle repair facilities and motor vehicle repair facilities and motor vehicle service centers that will be performing the repair of said inoperable motor vehicle. No inoperable motor vehicle. No inoperable motor vehicle shall be stored onsite for a period exceeding 60 consecutive days.
- d. No storage or display merchandise or new or used motor vehicles, boats, recreational vehicles, mobile homes, and other such vehicles shall be permitted outside of approved storage or display areas as designated for such use on the approved site plan. Storage or display areas cannot be located in areas designated for landscaping or open swales or open retention areas used for stormwater management purposes.

Solid waste collection areas:

All non-construction related dumpsters, trashcans, and recycling bins are to be placed in solid waste collection areas or inside a building. Solid waste collection areas are to be set back a minimum of ten feet from any property line that abuts single-family, duplex or townhome uses.

Condition: All solid waste collection areas shall be enclosed by a 100 percent opaque fence, wall, or hedge that is a minimum of six feet in height. All enclosures shall have gates that are 100 percent opaque. These gates shall remain closed at all times except for when waste management services are collecting refuse from the site. If necessary, please post a sign on the gates requesting that these gates remain closed.

Parking, loading, or accessway areas (abutting residential uses):

Areas used or set aside for parking, loading, accessways or service and utility areas are separated by at least ten feet from the property line abutting single-family residential homes except where it currently exists at the northwest area of the lot.

The site plan for “Design Scapes” complies with the City of Destin Comprehensive Plan Policy 1-2.1.7 and the Land Development Code §7.09.00.

Any additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members and may be subject to further analysis if required pursuant to provisions of the Comprehensive Plan [Policy 1-2.1.7] and Land Development Code [LDC, §7.09].

MASSING (WIDTH AND DEPTH) AND HEIGHT:

The proposed development consists of two existing structures, a 1-story building consisting of 2,880 square foot office warehouse and a 1-story building consisting of 7,904 square foot covered storage area. The office warehouse measures 80.0 feet wide by 36.0 feet deep and the covered storage area measures 32.0 feet wide and 247.0 feet deep.

DENSITY:

Not applicable.

INTENSITY:

Not applicable.

SETBACKS AND BUFFERS:

The proposed development meets all of the required setbacks for the IN Zoning Districts.

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (West):	20'	N/A	approx. 43.33' (existing bldgs)
Side (North):	10'	5' CB	approx. 2.0' (existing non-conforming)
Side (South):	10'	5' CB	approx. 18' including 5' CB
Rear (East):	10'	5' CB	approx. 4' (existing non-conforming)
Between Bldgs.:	10'	N/A	approx. 23'

Note: 10' FP = 10' Front Perimeter Landscaped Area, 10' VB = 10' Vegetative Buffer Zone and 5' CB = 5' Common Boundary Landscaped Area. The following buffers are required: a ten-foot front perimeter landscaped area along the western property line, a five-foot common boundary buffer along the southern property line.

CONCURRENCY MANAGEMENT:

Concurrency requirements have been met:

- Solid Waste: **X**
- Potable Water: **X**
- Sanitary Sewer: **X**
- Traffic: **X**
- Stormwater Management: **X**

TRAFFIC ANALYSIS:

According to the traffic review conducted by the City's Transportation Manager, and approved on September 15, 2005, the proposed development will not degrade the level of service of those major transportation facilities in the City of Destin (urban collectors and arterials).

Traffic concurrency is satisfied for this project, as confirmed by the City's Transportation Consultant.

SUBDIVISION OR PUD - PLAT:

Not applicable

AIRPORT PROTECTION:

As proposed, this project is not affected by nor affects the Destin – Ft. Walton Beach Airport. The applicant has indicated on the development order application that the proposed project is not within the Airport Expansion Area. NOTE: If construction necessitates the use of a crane, or other obstruction, which exceeds Federal Aviation Administration FAR 77 Standards (normally 200 feet above ground level), the applicant must request a variance from the FAA for temporary encroachment into this restrictive area and a copy of a completed FAA Form 7460, must be placed on file with the City of Destin prior to the crane, or other obstruction, penetrating the restricted airspace.

WHITE SANDS ZONE:

The project property is not located within any White Sand Zone area.

SIGNS:

No overall sign approval is part of this application. All future signs must comply with the applicable section of the Destin Land Development Code in effect at the time a sign application is submitted.

UTILITIES:

All proposed utilities are required to be placed underground.

COX COMMUNICATIONS:

Cox Communications did not provide a letter. Therefore, they approved the project by default.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated September 21, 2005.

GULF POWER:

Gulf Power approved the project in a letter dated September 12, 2005.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated September 21, 2005.

EMBARQ:

Embarq Corporation did not provide a letter. Therefore, they approved the project by default.

WATER/SEWER PROVIDER:

Destin Water Users, Inc. approved the project in a letter dated September 21, 2005, and had the following conditions:

1. **Condition:** All revisions to the water and/or sewer utilities of any previously approved project must be re-approved by Destin Water Users, Inc. in writing at least 24 hours prior to implementation.

2. **Condition:** Field verified and scaled “as-built” plans including all utility infrastructures must be submitted to the City of Destin and forwarded to Destin Water Users, Inc. for final inspection by Destin Water Users, Inc. A written approval shall then be submitted to the City of Destin prior to issuance of Certificate of Occupancy by the City of Destin if there are no outstanding issues.

ENGINEERING:

The City of Destin Engineering Department approved the project in an email dated October 22, 2007, and had the following conditions:

1. **Prior to the issuance of any City permits**, obtain a City of Destin Right-of-Way Construction Permit from the City Engineering Department.
2. **Condition:** Landscaping adjacent to the right-of-way (ROW) shall conform to the location requirements outlined in the Land Development Code, Article 8.
3. **Condition:** Refer to LDC Article 8.01.00.B.2. Screening vegetation shall not be placed within five feet and maintain a minimum foliage clearance of three feet from any utility structure(s) including but not limited to water meters, valves, electrical/communication panels or poles, and shall not be placed around any water hydrant that could be used for fire protection.
4. **Condition:** Contractor shall not be allowed to utilize **ANY** public rights-of-ways for any loading/unloading, staging or storage of construction materials, equipment or vehicles or unauthorized construction. Failure to comply with this requirement may void your city right-of-way construction permit until the violation is corrected.
5. **Condition:** Refer to LDC Article 8.03.06. Clear visibility triangle. In order to provide a clear view of intersecting streets to motorist, there shall be a triangular area of clear visibility formed by two intersecting streets.
6. **Condition:** Provide the pavement marking word “ONLY” under right arrow and remove flare on south side of the north driveway cut. **This item MUST be on the final set of drawings submitted to the City.**
7. **Condition:** Remove the gravel from the right-of-way and replace it with sod.

STORMWATER:

The City approved the stormwater management plan on October 9, 2006 and had the following **stormwater** related condition:

1. **Note:** The Engineer of Record is cautioned to review the construction documents as submitted to assure thorough information is provided to allow proper construction. All stormwater management facilities shall be required to be constructed per the Codes of the City of Destin.
2. **Condition:** Prior to obtaining a Certificate of Occupancy, the Stormwater Operation/Maintenance Plan (SWOMP) shall be acknowledged and signed by the Owner.

3. **Condition:** Prior to obtaining any City permit, a copy of the FDEP stormwater and a NPDES Stormwater Construction Generic Permit (if applicable) approval shall be forwarded to the City Engineer's office.
4. **Condition:** Prior to obtaining any City permit, an original signed and sealed Stormwater Concurrency Evaluation Certificate shall be completed by the Engineer of Record.
5. **Condition:** If groundwater is observed standing in the storm structures, the SWMP shall be considered in non-compliance and a revised stormwater plan shall be resubmitted for review and approval.
6. **Condition:** Please abide by the general guidelines set forth in the FDEP's "Florida Development Manual: A Guide to Sound Land and Water Management," particularly those guidelines set forth for the construction and maintenance of exfiltration trenches.

INGRESS/EGRESS:

There are two existing accessways, one existing ingress only accessway measuring 19 feet in width and one existing egress only accessway measuring 19 feet in width. The accessways will have 35 feet separating them. All accessways adjoin Calhoun Avenue.

PARKING:

The project meets or exceeds the parking requirements of the Destin Land Development Code as indicated on the approved plans.

Per code:

Office: 1 space per 200 square feet of gross floor area.

Warehouse: 1 space per 1000 square feet of gross floor area.

Per site plan:

Office: 687 square feet x 1 space per 200 sq. ft. = 3.4 parking spaces required

Warehouse: 2,193 square feet x 1 space per 1,000 sq. ft. = 2.2 parking space required

Total Parking Required: 3.4 + 2.2 = 5.6 or 6 parking spaces

Parking Provided: 6 parking spaces including 1 handicap space

LOADING SPACE (ZONE):

The project meets or exceeds the loading space requirements of the Land Development Code.

REFUSE COLLECTION:

Refuse collection is to be provided by dumpster service. The proposed dumpster must be screened by a gated opaque enclosure at least six feet tall. The gates shall remain closed at all times except for when waste management services are collecting refuse from the site. If necessary, please post a sign on the gates requesting that these gates remain closed.

SIDEWALKS:

The existing 5-foot wide sidewalk is required remain and be repaired to same or better condition along Calhoun Avenue.

OPEN SPACE/LANDSCAPE:

Open Space Requirements:

Development Area (Total Area): 34,334 sq. ft. (.788 acres, more or less)
Required 25% Open Space: 8,583.5 sq. ft.
Provided Open Space: 14,274 sq. ft (41.6%)

Landscape Requirements:

Tree Requirements:

Credits for Existing Trees (2" to 6" diameter) on Site (0 trees x 2 credits per tree):	0
Credits for Existing Trees (7" to 12" diameter) on Site (2 trees x 3 credits per tree):	6
Credits for Existing Trees (13" to 19" diameter) on Site (0 trees x 4 credits per tree):	0
Credits for Existing Trees (20" or 24" diameter) on Site (0 trees x 5 credits per tree):	0
Total Reforestation Credits for Existing, Protected, or Preserved Trees:	<u><u>6</u></u>
Reforestation Trees (1 per every .10 of an acre: .78 x 10 = 7.8 or 8) Required on Site:	<u>8</u>
Total Reforestation Credits:	<u>6</u>
Total Reforestation Trees Required on Site:	<u><u>2</u></u>
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	2
Replacement Trees (removal of trees over 12" d.b.h.) Required on Site:	0
Front Perimeter Trees (1 per 25') Required on Site:	N/A
Parking Lot Trees (1 per end row and landscape island) Required on Site:	4
TOTAL TREES REQUIRED:	<u><u>6</u></u>
TOTAL TREES PROVIDED:	<u>7</u>

Trees shall be a minimum of ten (10) feet in height and have a two and one-half (2½) caliper at the time of planting. Trees having an average mature spread of crown less than 20 feet shall be arranged in groupings so as to create the equivalent of a 20-foot crown spread. Shrubs must be a minimum of twelve (12) inches in height when measured immediately after planting. **WARNING: A Certificate of Occupancy will not be issued until the required landscape material per the approved landscape plan has been inspected and approved by the Community Development Department.**

IMPACT FEES:

Change of use from a Destin Machine (general light industrial use) to Design Scapes (general light industrial use), impact fees not applicable.

OTHER FEES:

The fees listed below are subject to change and are based on the most recent information available (November 19, 2007). The fees must be paid by the applicant as part of the cost recovery associated with the proposed project:

City Surveyor:	N/A
City Traffic Consultant:	Paid
City Stormwater Review Consultant:	N/A
Re-Review Fees (Community Dev.)	200.00
Re-Review Fees (Engineering)	Paid
Administrative Costs:	Paid
City Council Advertising:	N/A
TOTAL (as of 11/13/07) =	200.00

COMMENTS/CONDITIONS:

Public Input:

No public comments have been presented to staff at the time of this report.

Per Community Development Department:

1. **Prior to the issuance of any City Permit**, all outstanding costs associated with this project that are owed to the City must be paid in full.
2. **Prior to the issuance of any City permit**, a copy of the FDEP stormwater and a NPDES Stormwater Construction Generic Permit (if applicable) approval shall be forwarded to the City Engineer's office.
3. **Prior to the issuance of any City permit**, an original signed and sealed Stormwater Concurrency Evaluation Certificate shall be completed by the Engineer of Record.
4. **Prior to the issuance of a Certificate of Occupancy**, assigned address numbers for principal buildings shall be displayed and clearly visible and legible, preferably reflective, from the street or private way on which the building fronts. *Ref. LDC Section 7.18.04.*
5. **Prior to the issuance of a Certificate of Occupancy**, the landscaping and outdoor lighting, if installed, must be inspected and approved by the Community Development Department. The lighting plan which shall be submitted prior to the issuance of any city permit, must provide specifications for the proposed outdoor lighting, including photometrics. All lighting must be shielded downward and away from adjacent properties in order to avoid spill-over and illumination into the night sky.
6. **Prior to the issuance of a Certificate of Occupancy**, all required parking and related landscaping shall be installed, inspected, and approved by the Community Development Department.
7. **Prior to the issuance of a Certificate of Occupancy**, the Stormwater Operation/Maintenance Plan (SWOMP) shall be acknowledged and signed by the Owner.

8. **Condition:** Outdoor mechanical equipment, such as heating, air conditioning, and ventilation systems, must be placed on the roof, in the rear or to the side of the building, or otherwise visually screened. In no case shall mechanical equipment be located between the principal structure and the front property line or any property line facing a right-of-way. All mechanical equipment located on the roof shall not be visible from adjacent properties or rights-of-way from heights equal to or less than the equipment. All mechanical equipment located in the rear or to the side of the building shall be enclosed by opaque fence, wall or hedge a minimum of six (6) feet in height or to the highest point of the equipment, whichever is lower. For air conditioning or other equipment requiring airflow, a lattice screen of at least 50 percent opacity shall be sufficient to meet this requirement.
9. **Condition:** All solid waste collection areas shall be enclosed by a 100 percent opaque fence, wall, or hedge that is a minimum of six feet in height. All enclosures shall have gates that are 100 percent opaque. These gates shall remain closed at all times except for when waste management services are collecting refuse from the site. *Ref. LDC Section 7.09.02.B.3.*
10. **Condition:** All wheel stops adjacent to sidewalks and walls shall be installed at least 30 inches from the adjacent sidewalk. *Ref. LDC Section 8.06.11.B.*
11. **Condition:** Curb ramps shall be provided at locations where a sidewalk intersects a curb.
12. **Condition:** Curb ramps shall be provided at all locations where an ADA-accessible route or access aisle intersects a curb.
13. **Condition:** Each handicap accessible parking space must be posted with a permanent above-grade sign bearing the international symbol of accessibility and the caption "PARKING BY DISABLED PERMIT ONLY." Such sign must also indicate the penalty for illegal use of the space. **This penalty shall be a minimum \$250 fine.**
14. **Condition:** A visual screen of vegetation running the entire length of the southern property lines shall be installed within a five-foot side yard landscaped strip. Such vegetation shall provide a minimum of 50 percent opacity for that area between the finished grade level at the common boundary line and six feet above said level and horizontally along the length of all common boundaries within three years of planting. *Ref. LDC Section 12.04.04.B.1.b.*
15. **Condition:** All existing and proposed utility lines on the subject property shall be located underground. *Ref. LDC Section 20.12.00.*
16. **Condition:** If groundwater is observed standing in the storm structures, the SWMP shall be considered in non-compliance and a revised stormwater plan shall be resubmitted for review and approval.
17. **Condition:** Please abide by the general guidelines set forth in the FDEP's "Florida Development Manual: A Guide to Sound Land and Water Management," particularly those guidelines set forth for the construction and maintenance of exfiltration trenches.

18. **Condition:** All perforated piping and exfiltration beds shall be inspected and approved by the Engineer of Record and the City of Destin prior to backfilling. Prior to inspection by the City, the Engineer of Record shall submit an inspection report that certifies the compliance of the perforated pipe and exfiltration beds.
19. **Condition:** Any additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members.

Board of Adjustment Order (January 5, 2005):

20. **Condition:** Hours of loading and unloading must be restricted to between 7 a.m. and 5 p.m. Monday through Friday to avoid undue noise within the residential area.
21. **Condition:** The occupant of the property will not conduct a retail nursery business, and will not sell nursery inventory, equipment or supplies from the building or the site.
22. **Condition:** There will be no outside business activity other than the loading or unloading of equipment and supplies. All equipment and supplies will be stored inside or behind the main building.

Per City of Destin Engineering Department:

23. **Prior to the issuance of any City permits,** obtain a City of Destin Right-of-Way Construction Permit from the City Engineering Department.
24. **Condition:** Landscaping adjacent to the right-of-way (ROW) shall conform to the location requirements outlined in the Land Development Code, Article 8.
25. **Condition:** Refer to LDC Article 8.01.00.B.2. Screening vegetation shall not be placed within five feet and maintain a minimum foliage clearance of three feet from any utility structure(s) including but not limited to water meters, valves, electrical/communication panels or poles, and shall not be placed around any water hydrant that could be used for fire protection.
26. **Condition:** Contractor shall not be allowed to utilize ANY public rights-of-ways for any loading/unloading, staging or storage of construction materials, equipment or vehicles or unauthorized construction. Failure to comply with this requirement may void your city right-of-way construction permit until the violation is corrected.
27. **Condition:** Refer to LDC Article 8.03.06. Clear visibility triangle. In order to provide a clear view of intersecting streets to motorist, there shall be a triangular area of clear visibility formed by two intersecting streets.
28. **Condition:** Remove any gravel from the right-of-way and replace it with sod.

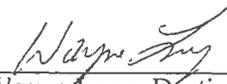
Per Destin Water Users, Inc.:

29. **Condition:** All revisions to the water and/or sewer utilities of any previously approved project must be re-approved by Destin Water Users, Inc. in writing at least 24 hours prior to implementation.

30. **Condition:** Field verified and scaled "as-built" plans including all utility infrastructures must be submitted to the City of Destin and forwarded to Destin Water Users, Inc. for final inspection by Destin Water Users, Inc. A written approval shall then be submitted to the City of Destin prior to issuance of Certificate of Occupancy by the City of Destin if there are no outstanding issues.



Gerald F. Mucci, AICP Date
Community Development Director



Wayne Lung, Destin Machine Date
Authorized Signing Officer

