

The City of Destin



Post Office Box 1985 Destin, Florida 32549 Phone 904-837-4242 FAX 904-837-3267

January 24, 1992

DO-92-01

Mr. Bruce Williams
Northwest Florida Properties, Inc.
Post Office Box 1985
Ft. Walton Beach, Florida 32549

RE: **FINAL DEVELOPMENT ORDER FOR DUNES OF DESTIN, A 65-LOT SINGLE FAMILY DETACHED PLANNED UNIT DEVELOPMENT AND A MAJOR DEVELOPMENT, LOCATED ADJACENT TO SOUTH BAY ON THE GULF, SOUTH OF HIGHWAY 98, DESTIN, FLORIDA.**

Dear Mr. Williams:

Based upon the City Council's approval of the above referenced project at its meeting on **January 21, 1992**, this letter will serve as your Final Development Order with the following conditions:

1. Applicant must post a Surety Bond or other legal considerations as provided in our Ordinance for street and other infrastructure installation prior to release of the Mylar.
2. The applicant must provide the City with a copy of DNR's executed Agreement for review prior to release of the Mylar.
3. The applicant must provide the City with a copy of DER's permit for the wetlands dredge and fill activity or letter of exemption prior to the issuance of a building permit.
4. Under the requirements of the Land Development Regulations and Destin's Code of Ordinances, development must commence within a twelve-month period and building permits for this project must be obtained prior to January 20, 1993, or this approved Development Order will expire and the project will have to be resubmitted for review.

*paid
1/5/93
in form
in file*

4. If the development is initiated within a one-year period your concurrency status is protected for five years through January 20, 1998.

Bruce Williams
Dunes of Destin
1-24-92 - Page 2

It has been a pleasure working with you on this project, and I would like to commend you on your thoroughness in preparing this project for development. If we can be of any further assistance to you, please let us know.

Sincerely,


Jane Moore
Planning & Zoning Director

JM:jf
cc: Inspection Department

CITY OF DESTIN STAFF REPORT
DUNES OF DESTIN
A PUD AND MAJOR DEVELOPMENT
JANUARY 16, 1992

12/92

ISSUE

Request for approval for DUNES OF DESTIN, a 65-lot single family detached Planned Unit Development and a Major Development, submitted by Connelly & Wicker, agent for Northwest Florida Properties, Inc., Post Office Box 1985, Ft. Walton Beach, Florida. Property is located adjacent to South Bay on the Gulf, south of Highway 98. The site for the Planned Unit Development contains 19 acres and the commercial out parcel contains approximately 3 acres.

ZONING/COMPREHENSIVE PLAN

The property is zoned Business Tourism (BT) and the Land Use Category is Mixed Use. Planned Unit Developments are allowed under these regulations. The maximum density under the Comprehensive Plan is 30 units per acre; density of this PUD is 3.42 units per acre which includes all acreage on the site (lake, property seaward of the Coastal Construction Control Line, etc.). If you deduct the area of the lake from the acreage the density is 4.61/du per acre.

The property abuts the South Bay Condominiums on the west and Regency Towers on the east and is, thus, surrounded by residential use. The commercial out parcels are not included within the boundaries of the PUD and future development of the commercial properties would need to consider the proximity of the proposed residential structures to avoid conflicts.

STORMWATER

The Stormwater Management Plan for the site, including the commercial area, has been approved by the City Engineer. DER permit not required because its swale exempt.

INGRESS/EGRESS

Entrance into the project is through the 60-foot existing easement that presently services the southern portion of South Bay Condominium and Regency Towers. The roadbed on this easement is not constructed to City standards. The streets within the Planned Unit Development contain 50-foot and 60-foot rights-of-way and will be paved to City standards. The streets will be private streets, but there are proposed agreements between the applicant, Regency Towers and South Bay Condominium for the maintenance of the roadway. The City is not responsible for the maintenance of this private roadway nor will it be responsible for maintenance of the new streets. Street names have been approved by 9-1-1.

There is a median break on Highway 98 allowing access for west bound traffic without the necessity of U-turns. There is a stack lane at this median break. No new curb cuts are requested nor required. Applicant must provide continual access to South Bay Condominiums during the process of relocating/reconstructing the existing roadbed.

WHITE SANDS ZONE

This project lies within the White Sands Zone #1 which requires all white fill material.

LANDSCAPING

The PUD is required to comply with the Landscape Ordinance. The overall open space requirement based on 18% would be 145,855 square feet. The open space provided within the lots is 159,700 square feet. In addition, there are 213,413 square feet in the lake. Each lot will have to individually comply with the standards at time of construction and this requirement is included in Article VI-6.5 of the Declaration of Covenants, Conditions and Restrictions of Dunes of Destin (copy in file). This Article specifically included a tree planting requirement of four (4) trees for each lot.

AIRPORT

There are no concerns regarding the Airport since this is a single family detached residential project with no high rise buildings.

PARKING

As with similar PUDs approved by the City, each lot will provide for its parking on site. There is sufficient width on each lot to accommodate the required parking.

FIRE DEPARTMENT REVIEW

The Fire Department has reviewed the plans and have approved them with the requirement that the fire hydrants be within 300 feet of the structures. (This is a standard requirement). The plans exceed these standards and provide for five hydrants.

CONCURRENCY

The concurrency requirements have been met for roadways, potable water, sanitary sewer, solid waste, recreation and drainage.

WATER/SEWER

Water and sewer are available through Destin Water Users. Will require upgrading of lift station.

WETLANDS

There is a wetlands area around the lake of approximately 3.53 acres for which the Army Corps of Engineers (COE) has issued a dredge and fill permit (copy of permit is in file for review).

COASTAL CONSTRUCTION CONTROL LINE (CCCL)

A portion of the property proposed for development lies seaward of the new CCCL. On December 17, 1991, the Governor and Cabinet reviewed the plans and approved the proposed construction in accordance with the plans submitted. A copy of the five-year agreement submitted to the Cabinet is on file; Mr. Paden Woodruff of DNR advised staff on January 14, 1992 that the agreement has been transmitted to the applicant for execution and return to DNR. The applicant must provide the City with a copy of the executed agreement.

V-ZONE

Any waterfront structures which are in a V-zone will have to meet the elevation requirements and construction standards for that zone.

BEACH ACCESS/AMENITIES

There is a beach access within the development; access to the lake; and a pool.

UNDERGROUND UTILITIES

Underground utilities are required.

SIDEWALKS

Sidewalks are required and are located on the Mylar.

GENERAL

Applicant still must provide a DER permit for the wetlands dredge and fill activity and a copy of the DNR executed agreement. These documents must be reviewed prior to release of the Mylar. To the knowledge of staff, there are no other remaining issues relating to this project. The project developer should be commended for their thoroughness in preparing for a quality development.

CITY OF DESTIN STAFF REPORT
DUNES OF DESTIN
A PUD AND MAJOR DEVELOPMENT
JANUARY 16, 1992

ISSUE

Request for approval for **DUNES OF DESTIN**, a 65-lot single family detached Planned Unit Development and a Major Development, submitted by Connelly & Wicker, agent for Northwest Florida Properties, Inc., Post Office Box 1985, Ft. Walton Beach, Florida. Property is located adjacent to South Bay on the Gulf, south of Highway 98. The site for the Planned Unit Development contains 19 acres and the commercial out parcel contains approximately 3 acres.

ZONING/COMPREHENSIVE PLAN

The property is zoned Business Tourism (BT) and the Land Use Category is Mixed Use. Planned Unit Developments are allowed under these regulations. The maximum density under the Comprehensive Plan is 30 units per acre; density of this PUD is 3.42 units per acre which includes all acreage on the site (lake, property seaward of the Coastal Construction Control Line, etc.). If you deduct the area of the lake from the acreage the density is 4.61/du per acre.

The property abuts the South Bay Condominiums on the west and Regency Towers on the east and is, thus, surrounded by residential use. The commercial out parcels are not included within the boundaries of the PUD and future development of the commercial properties would need to consider the proximity of the proposed residential structures to avoid conflicts.

STORMWATER

The Stormwater Management Plan for the site, including the commercial area, has been approved by the City Engineer. DER permit not required because its swale exempt.

INGRESS/EGRESS

Entrance into the project is through the 60-foot existing easement that presently services the southern portion of South Bay Condominium and Regency Towers. The roadbed on this easement is not constructed to City standards. The streets within the Planned Unit Development contain 50-foot and 60-foot rights-of-way and will be paved to City standards. The streets will be private streets, but there are proposed agreements between the applicant, Regency Towers and South Bay Condominium for the maintenance of the roadway. The City is not responsible for the maintenance of this private roadway nor will it be responsible for maintenance of the new streets. Street names have been approved by 9-1-1.

There is a median break on Highway 98 allowing access for west bound traffic without the necessity of U-turns. There is a stack lane at this median break. No new curb cuts are requested nor required. Applicant must provide continual access to South Bay Condominiums during the process of relocating/reconstructing the existing roadbed.

WHITE SANDS ZONE

This project lies within the White Sands Zone #1 which requires all white fill material.

LANDSCAPING

The PUD is required to comply with the Landscape Ordinance. The overall open space requirement based on 18% would be 145,855 square feet. The open space provided within the lots is 159,700 square feet. In addition, there are 213,413 square feet in the lake. Each lot will have to individually comply with the standards at time of construction and this requirement is included in Article VI-6.5 of the Declaration of Covenants, Conditions and Restrictions of Dunes of Destin (copy in file). This Article specifically included a tree planting requirement of four (4) trees for each lot.

AIRPORT

There are no concerns regarding the Airport since this is a single family detached residential project with no high rise buildings.

PARKING

As with similar PUDs approved by the City, each lot will provide for its parking on site. There is sufficient width on each lot to accommodate the required parking.

FIRE DEPARTMENT REVIEW

The Fire Department has reviewed the plans and have approved them with the requirement that the fire hydrants be within 300 feet of the structures. (This is a standard requirement). The plans exceed these standards and provide for five hydrants.

CONCURRENCY

The concurrency requirements have been met for roadways, potable water, sanitary sewer, solid waste, recreation and drainage.

WATER/SEWER

Water and sewer are available through Destin Water Users. Will require upgrading of lift station.

WETLANDS

There is a wetlands area around the lake of approximately 3.53 acres for which the Army Corps of Engineers (COE) has issued a dredge and fill permit (copy of permit is in file for review).

COASTAL CONSTRUCTION CONTROL LINE (CCCL)

A portion of the property proposed for development lies seaward of the new CCCL. On December 17, 1991, the Governor and Cabine reviewed the plans and approved the proposed construction in accordance with the plans submitted. A copy of the five-year agreement submitted to the Cabinet is on file; Mr. Paden Woodruff of DNR advised staff on January 14, 1992 that the agreement has been transmitted to the applicant for execution and return to DNR. The applicant must provide the City with a copy of the executed agreement.

V-ZONE

Any waterfront structures which are in a V-zone will have to meet the elevation requirements and construction standards for that zone.

BEACH ACCESS/AMENITIES

There is a beach access within the development; access to the lake; and a pool.

UNDERGROUND UTILITIES

Underground utilities are required.

SIDEWALKS

Sidewalks are required and are located on the Mylar.

GENERAL

Applicant still must provide a DER permit for the wetlands dredge and fill activity and a copy of the DNR executed agreement. These documents must be reviewed prior to release of the Mylar. To the knowledge of staff, there are no other remaining issues relating to this project. The project developer should be commended for their thoroughness in preparing for a quality development.

APPLICATION FOR RELEASE OF MYLAR

NAME OF SUBDIVISION/PUD: DUNES OF DESTIN

NOTICE TO CITY CLERK: 10-2-92
(date)

FROM: PUBLIC WORKS DIRECTOR AND PLANNING AND ZONING DIRECTOR

The Mylar for the above project may be released for recording because the following criteria has been met:

1. The surety bond for the infrastructure has been posted in the amount of \$ 180,000 and conditions of the DEVELOPMENT ORDER have been satisfied; OR

2. The developer has completed the required infrastructure and the improvements conform to City standards:

- a. right-of-way cleared
- b. pavement and curbs meet all requirements (including width thickness testing);
- c. stormwater management plan completed and certified by engineer of record for the project;
- d. underground utilities in place;
- e. maintenance bond posted; and
- f. all conditions of DEVELOPMENT ORDER have been met

Based on all requirements being fulfilled, the City Clerk is authorized to release the three copies of the Mylar on file in City Hall to the developer for recordation.

Donald S. Bailey
Public Works Director

Neil Moore
Planning & Zoning Director

Date: 9-25-92

Date: 9-17-92

INSTRUCTIONS TO THE DEVELOPER

The three (3) copies of the Mylar for the above project have been released to you for recording with the Clerk of the Circuit Court of Okaloosa County. When these have been recorded you are required to return to the City of Destin, Planning and Zoning Department, the following items:

1. One (1) copy of the Recorded Mylar
2. Three (3) blueprints of the Recorded Mylar
3. One (1) 11" x 17" reduced copy

NOTE: NO BUILDING PERMITS WILL BE ISSUED FOR THE PROJECT PRIOR TO THE COMPLETION OF ALL INFRASTRUCTURE IMPROVEMENTS AND THE ABOVE COPIES OF THE RECORDED MYLAR ARE RECEIVED IN THE PLANNING AND ZONING OFFICE



FLORIDA DEPARTMENT OF NATURAL RESOURCES

Major: Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399

January 15, 1992

Secretary of State
Bob Butterworth
Attorney General
Carol Lewis
State Comptroller
Tom Eslinger
State Treasurer
Bob Crawford
Commissioner of Agriculture
Betsy Luster
Commissioner of Education

Mr. Victor Anderson
Real Estate International, Inc.
Post Office Box 247
Dealin, Florida 32541

Dear Mr. Anderson:

File Number: CNS-OK0008
Parcel located approximately 119 feet east to 473 feet west of Department of Natural Resources' reference monument R-26, in Okaloosa County.

This is in response to your request for a consultation concerning development of the above parcel. Based upon the information you have submitted, I offer the following suggestions:

1. Seaward Encroachment: Seaward encroachment of all structures, excluding dune walkovers, should be limited to 50 feet seaward of the coastal construction control line.
2. Shore-parallel Coverage: Shore-parallel coverage seaward of the control line should be limited to 60% of the lot width.
3. Beach Access: Beach access should be limited to a few points of entry and dune walkovers should be provided.

This consultation is provided by Rule 16R-33.011, Florida Administrative Code, and does not bind the staff, the Bureau, the Division Director, the Executive Director or the Governor and Cabinet and does not relieve any individual from requirements of Chapter 161, Florida Statutes, Rule 16B-33, Florida Administrative Code, or any other applicable Federal or State law or local ordinance.

Should you need further assistance, please contact me by telephone at 904/487-4475.

Sincerely,

DIVISION OF BEACHES AND SHORES

David Meeks
David Meeks, Engineer
Bureau of Coastal Engineering
and Regulation

DM/tcs

REPORT AND RECOMMENDATION

TO: City Council

THRU: Phillip Cook City Manager

FROM: Jane Moore, Director, Planning and Zoning

SUBJ. Minor Modification to Dunes of Destin Mylar

DATE: July 6, 1992

BACKGROUND

Request for two minor modifications to the mylar prior to its release for recording.

DISCUSSION

This project was approved by the City Council at its meeting on January 21, 1992. The mylar has not been released by the City Clerk. The mylar which was presented for consideration by the City did not include the newly adopted Coastal Construction Control Line and this line has now been added to the Mylar. In addition, the developer has chosen to reserve the beach front property as commons area for the entire development so that there is no doubt that all owners have access to the area seaward of the primary dune line.

There are no changes to the number of lots, the lot dimensions except for the depth of the lots fronting the Gulf of Mexico and no changes to the stormwater management plan. There are no changes in the projects compliance with the City's regulations and with the clarification regarding the commons area along the beach front the project further implements the Comprehensive Plans policies regarding access to the beach.

RECOMMENDATION

Staff recommends that the City Council approve these two minor modification to the Mylar.

SUGGESTED MOTION

Move that the Mylar be approved to include the new CCCL and the commons area along the Gulf front as shown.



FLORIDA DEPARTMENT OF NATURAL RESOURCES

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32309

July 23, 1992

Jim Smith
Secretary of State
Bob Butterworth
Attorney General
Gerald Levin
State Comptroller
Tom Gallagher
State Treasurer
Bub Crawford
Commissioner of Agriculture
Betty Castor
Commissioner of Education

Mr. Steve Lewis
Messer, Vickers, Caparello, Madsen,
Lewis, Goldman & Metz, P.A.
Post Office Box 1876
Tallahassee, Florida 32302-1876

Dear Mr. Lewis:

DNR File Number: CNS-OK0008
Project: Dunes of Destin

I am responding on behalf of Kirby Green, to your request for a letter confirming the consistency of the Dunes of Destin PUD with my consultation letter of January 15, 1992. I have reviewed the plat and determined that the PUD is consistent with my consultation. I you have any questions, please call me at 904/487-4475.

Sincerely,

DIVISION OF BEACHES AND SHORES

David Meeks, Engineer
Bureau of Coastal Engineering
and Regulation

DM/is

RECEIVED JUL 31 1992

LAW OFFICES
MESSER, VICKERS, CAPRILLO, MADSEN, LEWIS, GOLDMAN & METZ
A PROFESSIONAL ASSOCIATION

SUITE 701, FIRST FLORIDA BANK BUILDING
215 SOUTH MONROE STREET
POST OFFICE BOX 1876
TALLAHASSEE, FLORIDA 32302-1876
TELEPHONE (904) 222-0720
TELECOPIER (904) 224-4358

SUITE 800
2000 PALM BEACH LAKES BOULEVARD
WEST PALM BEACH, FLORIDA 33411
TELEPHONE (407) 840-0820
TELECOPIER (407) 840-0702

REPLY TO: Tallahassee

July 28, 1992

James W. Grimsley, Esquire
Smith, Grimsley, Remington, Bauman,
Pinkerton, Petermann & Saxer
Post Office Box 2379
Fort Walton Beach, Florida 32549

Re: Dunes of Destin Consistency Determination

Dear Jim:

For your information, please find the original letter from the Department of Natural Resources for the City of Destin finding that the PUD for Dunes of Destin is consistent with the Department's previous consultations. If you have any questions or need any additional clarification on this matter, please let me know.

Sincerely yours,


Steve Lewis

SL/ld
Enclosure

cc: Mr. Norman I. Tucker, w/enclosure
Mr. Sterling L. Leppo, w/enclosure
Mr. Randall L. Armstrong, w/enclosure

MEMORANDUM

TO: Jackie Fortner
FROM: Jane Moore
SUBJ: Dunes of Destin - Release of Mylar
DATE: August 10, 1992

Attached are letters from the Department of Natural Resources regarding conceptual approval of the Dunes of Destin project. When the Mylar is released for recording for this project, it is to be released with the condition that each Gulf front lot requires a DNR permit prior to the issuance of a City building permit.

By copy of this memorandum, I am instructing Sherry Gucich to open a file on each of these lots and red flag each folder to insure that the individual DNR permits are received prior to issuance of any building permits. The developer is also being made aware of these conditions and requirements.

JM

LOTS ARE: 7,8,9,10,11,12,13,14,15,16, & 17 SEAWARD OF THE CCCL AS
SHOWN ON THE ATTACHED SITE PLAN

The City of Destin



Post Office Box 399 Destin, Florida 32540 (904) 837-4242 FAX (904) 837-3267

August 10, 1992

Mr. David Weeks, Engineer
Bureau of Coastal Engineering and Regulation
Florida Department of Natural Resources
Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399

RE: DNR File Number: CNS-OK0008
Dunes of Destin

Dear Mr. Weeks:

Thank you for so promptly returning my telephone call earlier today. As discussed on the telephone, the City has received a copy of your letter dated July 23, 1992, and a copy of Steve Lewis' letter dated July 28, 1992, advising the Dunes of Destin project is consistent with your previous consultations for this project. It is my understanding that at the time of proposed construction a site specific DNR permit will be required for those lots seaward of the CCCL and that DNR permits are not guaranteed based on the above letters.

On the basis of the conceptual approval, however, the City of Destin will release the Mylar for recording but no building permits will be issued until the DNR permit is presented to the City of Destin for those lots specifically requiring such a permit. The developer is being advised of this requirement by a copy of this letter.

Sincerely,

Jané Moore
Jané Moore, Director
Planning and Zoning

JM

CC: Mr. James W. Grimsley, Attorney

PLEASE IMMEDIATELY NOTIFY US BY PHONE AND RETURN
SAGB TO US VIA U. S. MAIL TO THE ADDRESS SHOWN ABOVE.

JAMES W. GRIMSLEY
Smith, Grimsley, Remington, Bauman, Pinkerton,
Petermann & Saker
P.O. Box 2379
Fort Walton Beach FL 32549
(904) 243-8194 office
(904) 664-5728 fax

FAX MEMO

TO: JANE MOORE
City of Destin, Planning and Zoning
Fax no. 837-3267

FROM: JAMES W. GRIMSLEY, Esq.

DATE: AUGUST 8, 1992

RE: DUNES OF DESTIN

Enclosed please find a copy of a letter dated July 23, 1992 from
David Meeks of the Division of Beaches and Shores, State of Florida
Department of Natural Resources, along with his ^{copy} 15' 1992
letter as well. *Jawney*

This July 23, 1992 letter, along with the DER Stipulation,
Settlement and Motion to Abate which I previously delivered to you
should comply with the concerns of the city relative to the DNR and
DER.

Please review and if you feel appropriate, give me a call so that
the plat may be delivered, appropriately executed and recorded.

JWG:tlb

cc: Norman I. Tucker
Sterling L. Leppo



RECEIVED
DATE 8-6-92
CITY OF DESTIN
SIGN. JWG

