



City of Destin

January 28, 2002

Order No. 02-05

Final Development Order:

**“GEORGE F. FRENCH RECLAMATION FACILITY,
PHASE VI AND VII”:
A MAJOR DEVELOPMENT
(SP-01-30)**

Based upon the City Council's approval of this Development Order, on January 22, 2002, this document will serve as your Final Development Order, to include all of the provisions of the attached Technical Review Committee Report and with the following conditions, as specified by the City Council:

BACKGROUND / ISSUE:

- Applicant:** Baskerville-Donovan, Inc., on behalf of Destin Water Users, Inc.
Location: The proposed project is generally located at the end of Industrial Park Lane, more specifically known as Property Appraiser's parcel I. D. 00-2S-22-0000-0001-0000 / 0620.
Request: Approval of a Major Development identified as “George F. French Reclamation Facility, Phase VI and VII.” The proposed project consists of expansion of the wastewater facility and the addition of 8,300 square feet of office space.
Parcel Size: The property contains 30.73 acres more or less.
Future Land Use: Light Industrial (IN)
Zoning District: Protected Industry (IP)
Density: Not applicable
Intensity: Allowed: 1.07 Floor Area Ratio (FAR)
Proposed: 0.02 Floor Area Ratio (FAR)
Application Date: July 30, 2001
TRC Date: August 15, 2001
Approved Site Plan Date: November 6, 2001
Planning Commission Date: December 20, 2001
City Council Date: January 22, 2002

DETERMINATIONS:

1. A hearing was held by the Destin City Council on January 22, 2002, and the City Council approved the development by a vote of 6-0. Motion to approve the project as presented by staff, and documented in the TRC report, subject to all of the conditions identified within the report dated November 6, 2001 and amended on January 14, 2002; and
2. The Planning Commission considered the proposal on December 20, 2001, and recommended that the City Council approve the proposed project as presented by staff. The motion passed by a vote of 6-0; and

3. All the findings of the Technical Review Committee Report dated November 6, 2001 and amended on January 14, 2002 are incorporated herein.

CONDITIONS OF APPROVAL FOR "GEORGE F. FRENCH RECLAMATION FACILITY, PHASE VI & VII," A MAJOR DEVELOPMENT (SP-01-30):

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

Construction must commence within twelve (12) months of approval of the Final Development Order on January 22, 2002 (no later than January 22, 2003), and must be completed as shown on the plans approved by the Technical Review Committee (stamp dated November 6, 2001).

WARNING: If the applicant/owner has not obtained a construction permit(s) within 365 days of issuance of the final development order, the final development order is void and the application for plan approval must be re-initiated.

NOTE: An applicant/owner who desires to extend the twelve (12) month deadline shall submit a request to the Community Development Department, no less than sixty (60) days prior to the expiration of the twelve (12) month deadline to obtain a construction permit. The applicant/owner should review Article 2, Section 2.15.00, 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 Number 1 above, the concurrency status for "George F. French Reclamation Facility, Phase VI and VII" is protected through January 22, 2007. The protected concurrency status, however, will be lost if:
- A. Construction activity ceases for a period exceeding one (1) year at any time during the term of this Amended Final Development Order, or
 - B. Construction permit(s) are not obtained in accordance with Section 2.09.00 of the Land Development Code to maintain concurrency.
3. 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.
 - 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.
4. Prior to the issuance of the Development Order, all outstanding costs associated with this project that are owed to the City must be paid in full.
5. Prior to the issuance of a Clearing/Grading Permit, a clearing/grading plan must be submitted and approved by the Community Development Department.
6. Prior to the issuance of a Building Permit, a construction crane registration form, which has been approved by Okaloosa County Airport Authority, must be submitted (if necessary).

7. Prior to the issuance of a Building Permit, the proposed buildings/structures will be required to meet the building height requirement at the time that a building permit is applied for (currently 50 feet).
8. Prior to the issuance of any Certificate of Occupancy, a revised Unity of Title must be submitted to the Community Development Department for review and approval by the City Attorney. Once the Unity of Title has been approved, it must be recorded with the Clerk of the Circuit Court of Okaloosa County and one (1) certified recorded copy submitted to the Community Development Department.
9. Prior to the issuance of any Certificate of Occupancy, all applicable impact fees must be paid.
10. Prior to the issuance of a Certificate of Occupancy, the landscaping must be inspected and approved by the Community Development Department.
11. Prior to obtaining a Certificate of Occupancy, the Operation and Maintenance Plan which shall include but not limited to required city inspections and the following statement "The owner shall regrade swale/retention areas as required to maintain approved design, cross-section, line, and grade." this must be acknowledged and signed by owner.
12. Any additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members and may be subject to a compatibility analysis if required pursuant to provisions of the Comprehensive Plan [Policy 7.A.4.6 (p)] and Land Development Code [LDC, §7.09].
13. As a condition of approval, the area located within the 100 foot wide Gulf Power Easement is to be reserved for a future road right-of-way for a period of five (5) years from the date of approval of the development order application by the City Council. The reservation would then expire after this five (5) year time frame.
14. This project approval is based on this site plan. Should the site change from this site configuration, the applicant shall obtain a deviation to the approved Development Order to change the site configuration for the project (all fees shall apply) prior to obtaining a Certificate of Occupancy. Changes shall include but not be limited to, any landings to structures and walkways between buildings and the parking lots or increase in impervious area or gross floor area/use.
15. Where gravel or shell surfaces are used for parking areas, provide wheel stops to delineate each parking space.
16. Provide 5' wide concrete sidewalk along Industrial Park Lane – no utility structures shall be in the sidewalk. **Landscaping in lieu of sidewalk**, Per Development Order No. 99-09 a minimum of one (1) tree per ten (10) feet [six (6) feet tall at planting] and continuous shrubs, shall be installed along the east side of the southern 130' of Industrial Park Lane right-of-way; either side of the existing fence, to provide additional screening.
17. Provide right-of-way dedication along 100' wide Gulf Power easement per Destin Comp. Plan for possible road impact fee credit. Contact Community Development Dept.

**TECHNICAL REVIEW COMMITTEE REPORT
"GEORGE F. FRENCH RECALMATION FACILITY,
PHASE VI AND VII":
A MAJOR DEVELOPMENT
(SP-01-30)**

**TRC Report: November 6, 2001, and
amended on January 14, 2002**

ISSUE:

Applicant: Baskerville-Donovan, Inc., on behalf of Destin Water Users, Inc.

Location: The proposed project is generally located at the end of Industrial Park Lane, more specifically known as Property Appraiser's parcel I. D. 00-2S-22-0000-0001-0000 / 0620.

Request: Approval of a Major Development identified as "George F. French Reclamation Facility, Phase VI and VII." The proposed project consists of expansion of the wastewater facility and the addition of 8,300 square feet of office space.

Parcel Size: The property contains 30.73 acres more or less.

Future Land Use: Light Industrial (IN)

Zoning District: Protected Industry (IP)

Density: Not applicable

Intensity: Allowed: 1.07 Floor Area Ratio (FAR)
Proposed: 0.02 Floor Area Ratio (FAR)

Application Date: July 30, 2001

TRC Date: August 15, 2001

Approved Site Plan Date: November 6, 2001

Planning Commission Date: December 20, 2001

City Council Date: January 22, 2002

DISCUSSION/FINDINGS:

Baskerville-Donovan, Inc., on behalf of Destin Water Users, Inc., is requesting approval of a Major Development identified as "George F. French Reclamation Facility, Phase VI and VII." The proposed project consists of expansion of the wastewater facility and the addition of 8,300 square feet of office space. The proposed project is generally located at the end of Industrial Park Lane, more specifically known as Property Appraiser's parcel I. D. 00-2S-22-0000-0001-0000 / 0620. The property contains 30.73 acres more or less.

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements. Refer to Exhibit "D" for the complete Compatibility Analysis from the City's Compatibility Consultant, Mr. Les Solin, dated November 6, 2001, finding the proposed project compatible with the surrounding area. Additionally, the applicant has provided a Compatibility Analysis prepared by, Mr. Richard Griswold, dated October 4, 2001, finding the proposed project compatible with the surrounding area (See Exhibit "E").

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which include Compatibility review, Concurrency Management review, and Level of Service review. This project is located within the Community Redevelopment Area.

COMPREHENSIVE PLAN/ZONING:

The property currently has a Future Land Use designation of Light Industrial (IN) and a Zoning designation of Protected Industry (IP). The proposed use is consistent with the IN Future Land Use designation and is a permitted principal use in the IP Zoning district.

COMPATIBILITY:

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and does meet the minimum requirements. Refer to Exhibit "D" for the complete Compatibility Analysis Report from the City's compatibility consultant, Mr. Les Solin, dated November 6, 2001, finding the proposed project compatible with the surrounding area. Additionally, the applicant has provided a Compatibility Analysis prepared by, Mr. Richard Griswold, dated October 4, 2001, finding the proposed project compatible with the surrounding area (See Exhibit "E").

DENSITY:

Not applicable.

HEIGHT:

The IP Zoning district has a 50-foot maximum building height. According to the applicant, the Building plans/Architectural plans are not in the design stage at this time. Therefore, the proposed buildings/structures will be required to meet the building height requirement at the time that a building permit is applied for. Refer to Exhibit "D" for the complete Compatibility Analysis Report from Les Solin, dated November 6, 2001, which describes the height and finds the proposed project compatible with the surrounding area in regards to height.

FLOOR AREA RATIO:

The LIU Future Land Use designation has a maximum floor area ratio (FAR) of 1.07. The overall FAR for the entire project is 0.02, which is below the 1.07 allowed.

RIGHT-OF-WAY DEDICATION:

As a condition of approval, the area located within the 100 foot wide Gulf Power Easement is to be reserved for a future road right-of-way for a period of five (5) years from the date of approval of the development order application by the City Council. The reservation would then expire after this five (5) year time frame.

CONCURRENCY MANAGEMENT:

Concurrency requirements have been met:

Potable Water: X Roadways X Solid Waste X
Recreation: X Sewer: X Drainage: X

Please refer to the attached Exhibits "F" through "J" for approved Concurrency Evaluation Certificates.

TRAFFIC ANALYSIS:

According to the traffic review conducted by the City's traffic consultant, Renaissance Planning Group, Inc., the proposed development will not impact U. S. Highway 98. Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's traffic consultant (See Exhibit "F").

PHASING:

The applicant has proposed to construct the project in two (2) phases. Phase VI construction is to commence immediately upon issuance of the Development Order and is to be completed within 18 months of issuance of the Development Order. Phase VI construction is to commence approximately three (3) years after the issuance of the Development Order and is to be completed within five (5) years of issuance of the Development Order.

SUBDIVISION OR PUD - PLAT:

The following condition is placed on this application:

1. Prior to the issuance of any Certificate of Occupancy, a revised Unity of Title must be submitted to the Community Development Department for review and approval by the City Attorney. Once the Unity of Title has been approved, it must be recorded with the Clerk of the Circuit Court of Okaloosa County and one (1) certified recorded copy submitted to the Community Development Department.

WHITE SANDS ZONE:

The proposed project is not located within either of the White Sand Zones.

AIRPORT PROTECTION:

The subject site is not located within the airport protection 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.

SETBACKS:

The building meets and exceeds all of the required setbacks for the Protected Industry (IP) Zoning district. The IP Zoning district requires the following setbacks: front - 20 feet, side – 20 feet (when adjacent to all other zoning districts), side – 5 feet (when adjacent to other properties zoned IP) and rear - 20 feet. Refer to sheets C-102 and C-103 of the plans for a view of the proposed improvements versus the required setbacks.

SIGNS:

No signs have been proposed with this project. All future signs must comply with the sign code section of the Destin Land Development Code in effect at the time a sign application is submitted.

COX COMMUNICATIONS:

Cox Communications approved the project in a letter dated August 14, 2001.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated September 13, 2001.

GULF POWER:

Gulf Power approved the project in a letter dated August 15, 2001.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated August 15, 2001.

SPRINT:

Sprint approved the project in a letter dated August 10, 2001.

NEWSOUTH COMMUNICATIONS:

Newsouth Communications approved the project at the TRC meeting on August 15, 2001.

WATER/SEWER PROVIDER:

Destin Water Users, Inc., approved the project in a letter dated August 14, 2001.

UTILITIES:

Underground utilities are required.

STORMWATER:

The City Engineer approved the stormwater plan in a memorandum dated October 22, 2001, and had the following conditions:

1. This project approval is based on this site plan. Should the site change from this site configuration, the applicant shall obtain a deviation to the approved Development Order to change the site configuration for the project (all fees shall apply) prior to obtaining a Certificate of Occupancy. Changes shall include but not be limited to, any landings to structures and walkways between buildings and the parking lots or increase in impervious area or gross floor area/use.
2. Where gravel or shell surfaces are used for parking areas, provide wheel stops to delineate each parking space.
3. Provide 5' wide concrete sidewalk along Industrial Park Lane – no utility structures shall be in the sidewalk. **Landscaping in lieu of sidewalk**, Per Development Order No. 99-09 a minimum of one (1) tree per ten (10) feet [six (6) feet tall at planting] and continuous shrubs, shall be installed along the east side of the southern 130' of Industrial Park Lane right-of-way; either side of the existing fence, to provide additional screening.
4. Provide right-of-way dedication along 100' wide Gulf Power easement per Destin Comp. Plan for possible road impact fee credit. Contact Community Development Dept.

5. Prior to obtaining a Certificate of Occupancy, the Operation and Maintenance Plan which shall include but not limited to required city inspections and the following statement “ The owner shall regrade swale/retention areas as required to maintain approved design, cross-section, line, and grade.” this must be acknowledged and signed by owner.

INGRESS/EGRESS:

Industrial Park Lane, which dead ends into the property, provides ingress/egress to the subject site. No new ingress/egress points are proposed for the site in conjunction with this application.

REFUSE COLLECTION:

No new refuse collection is proposed with this application.

SIDEWALKS:

A five (5) foot wide concrete sidewalk is required along the eastern right-of-way Industrial Park Lane – no utility structures shall be in the sidewalk. **Landscaping in lieu of sidewalk**, Per Development Order No. 99-09 a minimum of one (1) tree per ten (10) feet [six (6) feet tall at planting] and continuous shrubs, shall be installed along the east side of the southern 130’ of Industrial Park Lane right-of-way; either side of the existing fence, to provide additional screening.

LANDSCAPE:

The project meets or exceeds the landscape requirements of the Destin Land Development Code as indicated on the proposed plans and as follows:

Open Space Requirement:

1,368,599 sq. ft. of property x 18 %	= 246,347.82 sq. ft. required
Site plan provides <u>83.4 %</u>	= <u>1,141,187</u> sq. ft. provided

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 (0 trees x 3 credits per tree):	0
Credits for Existing Trees (13" to 19" diameter) on Site (0 trees x 4 credits per tree):	0
Credits for Existing Trees (20" to 24" diameter) on Site (0 trees x 5 credits per tree):	0
Total Reforestation Credits for saving Existing, Protected, or Preserved Trees:	0
Total Reforestation Credits for Trees Required on Site:	0
Reforestation Trees (1 per every .10 of an acre: N/A x 10 = 127) Required on Site:	0
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	0*

*Note: Per the Land Development Code, credit shall be received on the reforestation requirement of this section by preserving existing trees. Trees required for reforestation are in addition to other required trees within Article 12, Section 12.04.04.C.

Total Reforestation Trees Required on Site:	0
Front Perimeter Trees (1 per 25') Required on Site:	8
Parking Lot Trees (1 per end row and landscape island) Required on Site:	25
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site:	0
Replacement Trees (removal of trees over 12" d.b.h.) Required on Site:	0
TOTAL TREES REQUIRED:	32
TOTAL TREES PROVIDED:	32

A five (5) foot Common Boundary Landscape Area is required along northern property line. A ten (10) foot Front Perimeter Landscape Area is required along the northern and western property lines that abut Industrial Park Lane. The required five (5) foot Common Boundary landscaping shall provide a minimum of fifty percent (50%) opacity for that 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 ten (10) foot Front Perimeter Landscape Buffer shall provide one (1) tree per twenty-five (25) linear feet of buffer. All required trees must be a minimum of six (6) feet high at time of planting and reach a crown of twenty (20) feet at maturity. If the twenty (20) foot crown requirement is not met, additional trees shall be added and grouped together to meet the twenty (20) foot crown. If shrubs are used in the required buffer areas, they 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 has been inspected and approved by the Community Development Department.**

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.

Storage:

1 space per 1,000 square feet of gross floor area.

Per site plan:

Office:

14,160 sq. ft. existing (5,860) & proposed (8,300) office space / 1 space per 200 sq. ft. = 71 parking spaces (including 3 handicap space).

Storage:

10,396 sq. ft. existing storage space / 1 space per 1,000 sq. ft. = 11 parking spaces (including 1 handicap space).

TOTAL REQUIRED: 82 parking spaces (including 4 handicap spaces)
TOTAL PROVIDED: 126 parking spaces (including 4 handicap spaces)

LOADING SPACE (ZONE):

The project meets or exceeds the loading space requirements of the Destin Land Development Code as indicated on the approved plans and as follows:

Per code:

Industrial:

One (1) space for every 10,000 sq. ft. of gross floor area.

Per site plan:

Industrial:

24,556 sq. ft. Industrial sq. ft./ 1 per space for every 10,000 sq. ft. = 3 loading space

TOTAL REQUIRED: 3 loading space

TOTAL PROVIDED: 3 loading space

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

- 1. A Florida Department of Environmental Protection general notice permit (for stormwater) has been issued for this project and is on file.

IMPACT FEES:

The owner/applicant must pay the following impact fees prior to the issuance of a Certificate of Occupancy:

Police Protection: The police protection impact fee was calculated using the “Industrial per 1,000 sq. ft. = \$5.87” fee amount in the “Non-residential - Outside U.S. 98 Corridor” category.

Industrial:

$$(8,300 \text{ sq. ft.}) \times (\$5.87) = 48,721 / 1,000 = \$48.72$$

$$(\text{sq. ft. of proposed space}) \times (\text{Industrial per 1,000 sq. ft. fee amount}) = (\text{figure}) / (\text{per 1,000 sq. ft.}) = \text{Impact Fee}$$

Total Police Protection Impact Fees to be paid for “George F. French Reclamation Facility”: \$48.72

Road: The road impact fee was calculated using the “Light Industrial (per 1,000 sq. ft.) = \$596.00” fee amount.

Light Industrial:

$$(8,300 \text{ sq. ft.}) \times (\$596.00) = 4,946,800 / 1,000 = \$4,946.80$$

$$(\text{sq. ft. of proposed space}) \times (\text{Light Industrial per 1,000 sq. ft. fee amount}) = (\text{figure}) / (\text{per 1,000 sq. ft.}) = \text{Impact Fee}$$

Bank: Drive-in:

$(7,500 \text{ sq. ft.}) \times (\$6,421.00) = 48,157,500 / 1,000 = \$48,157.50$

$(\text{sq. ft. of proposed space}) \times \text{Light Industrial per 1,000 sq. ft. fee amount} = (\text{figure}) / (\text{per 1,000 sq. ft.}) = \text{Impact Fee}$

Total Road Impact Fees to be paid for "George F. French Reclamation Facility": \$4,946.80

Parks: (not applicable)	=	\$0.00
Public Library: (not applicable)	=	\$0.00
Police Protection:	=	\$48.72
<u>Roads:</u>	=	<u>\$4,946.80</u>
TOTAL:	=	<u>\$4,995.52</u>

OTHER FEES:

The fees listed below are based on the most recent information available and are required to be paid by the applicant as part of the cost recovery associated with the proposed project:

City Compatibility Consultant:	\$2,941.25 (\$500.00 pd.)	Planning Commission Advertising:	\$51.00
City Traffic Consultant:	\$206.85	City Council Advertising:	\$81.00
City Surveyor:	N/A		

COMMENTS:

Public Input:

There have been no comments of support or opposition filed with Staff regarding this project.

Per Community Development Department:

1. Prior to the issuance of the Development Order, all outstanding costs associated with this project that are owed to the City must be paid in full.
2. Prior to the issuance of a Clearing/Grading Permit, a clearing/grading plan must be submitted and approved by the Community Development Department.
3. Prior to the issuance of a Building Permit, a construction crane registration form, which has been approved by Okaloosa County Airport Authority, must be submitted (if necessary).
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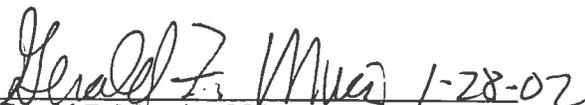
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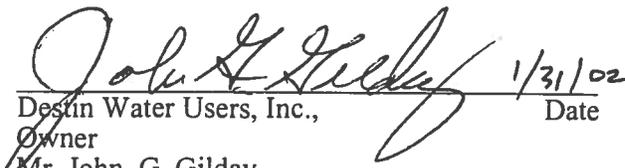
Per Engineering Department:

1. This project approval is based on this site plan. Should the site change from this site configuration, the applicant shall obtain a deviation to the approved Development Order to change the site configuration for the project (all fees shall apply) prior to obtaining a Certificate of Occupancy. Changes shall include but not be limited to, any landings to structures and walkways between buildings and the parking lots or increase in impervious area or gross floor area/use.
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OTHER OUTSTANDING ISSUES:

None.


 Gerald F. Mucci, AICP 1-28-02
 Community Development Director Date


 Destin Water Users, Inc., 1/31/02
 Owner Date
 Mr. John. G. Gilday,
 President