

project



The City of Destin

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

ORDER # 96-12

Final Development Order:

HIDDEN PINES, SUBDIVISION

Application Date:	October 3, 1996
Type of Development:	Major Development
Acres:	11.45 acres, more or less
Zoning:	Residential Urban Single (RUS)
Land Use Category:	Medium Low Density Residential (MLDR)
City Council Approval Date:	July 1, 1996
Approved use:	32 single family lots with amenities
Owner:	In the Pines of Destin, Inc., John Rilee, President
Property Address:	Indian Trail west of Eagles Landing Subdivision
Property Legal Description:	Attachment 1
Density:	2.79 dwelling units/acre

Determinations:

1. A valid preliminary development order dated October 29, 1996, exists for Hidden Pines Subdivision; and,
2. All conditions of the preliminary development order (attached hereto as Exhibit 1) have been met by Hidden Pines Subdivision; and,
3. All the findings of the Technical Review Committee report are incorporated herein.

Conditions of Approval of HIDDEN PINES, Subdivision, 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 City Council approval on **December 16, 1996** (no later than December 15, 1997); and,
2. The concurrency status of Hidden Pines Subdivision is identified in the incorporated Technical Review Committee Report dated November 21, 1996.
3. The concurrency status of Hidden Pines Subdivision is protected (for five years) through December 16, 2001, if Hidden Pines Subdivision commences development within the twelve month period which commenced on December 16, 1996; and,

4. 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

5. An approved, valid and current Department of Environmental Protection (DEP) permit for Stormwater Discharge Facilities must be presented to the city for Hidden Pines Subdivision prior to the issuance of a building permit.

6. ZONING/COMPREHENSIVE PLAN

The property is zoned RUS (Residential Urban Single) and the Land Use Category is MLDR (Medium Low Density Residential). This project is in compliance with the land use regulations.

7. COMPATIBILITY

North: Single-family Indian Trail Subdivision and vacant lots along Choctawhatchee Bay
 South: Undeveloped land zoned RUS
 West: Undeveloped land zoned RUS
 East: Existing Eagles Landing Subdivision zoned RUS

The proposed project is compatible with the surrounding land uses and structures based on a review of the standards at 7.0900 of the Land Development Code.

8. RIGHT OF WAY DEDICATION

The right of way shown on the plats will be dedicated to the public. Rights of ways to be dedicated include two 50' rights of way Lauren Court and Louise Circle.

9. CONCURRENCY MANAGEMENT

Concurrency requirements met:

Potable Water	<u> X </u>	Roadways	<u> X </u>	Solid Waste	<u> X </u>
Recreation	<u> X </u>	Sewer	<u> X </u>	Drainage	<u> X </u>

10. TRAFFIC ANALYSIS

A traffic analysis was preformed by J.E. Dorman & Associates, Inc., and is on file in the Planning and Zoning Department for review. New trips generated by this project - 320 AADT. The affected segments are Indian Trail Drive and Main Street.

11. STORMWATER

The revised Stormwater Management Plan for the site has been submitted to the City Engineer for his approval. The approval letter has been issued and is attached hereto (exhibit 2). A DEP permit for Stormwater Management is required prior to the issuance of a building permit.

12. AIRPORT PROTECTION

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 FAA for temporary encroachment into this restrictive area and a copy of completed FAA

Form 7460, must be place on file with the City of Destin prior to the crane, or other obstruction, penetrating the restricted airspace.

13. **SETBACKS**

The setbacks provided for each lot are as follows:

	<u>Required</u>	<u>Provided</u>
Front:	20'	20'
Side:	East- 7.5'	7.5'
	West- 7.5'	7.5'
Rear:	10'	10'
Between Bldgs.	10'	N/A

14. **WHITE SANDS ZONE**

This project does not lie within a White Sands Zone.

15. **SIGNS**

No signage is shown on the site plan. Any future signage must be permitted by the City of Destin and must comply with the City of Destin Sign Ordinance 245.

16. **WATER/SEWER**

Water and sewer are available through Destin Water Users. A letter has been received from Destin Water Users.

17. **FIRE DEPARTMENT REVIEW**

The project has been reviewed and approved by the Fire Department letter dated 10/24/96.

18. **UTILITIES**

Underground utilities are required of the developer.

19. **INGRESS/EGRESS**

Access is provided to the project from two proposed drives: 1) a proposed divided drive from Indian Trail, both the east and west lanes are 20' in width; and, 2) a proposed 24' drive that connects to Lauren Court in Eagles Landing.

20. **SIDEWALKS**

Sidewalks are required. Sidewalks must be installed on each lot prior to the issuance of a certificate of occupancy for the structure contained on the lot.

21. **REFUSE COLLECTION**

Refuse collection is provided by curbside pickup for each individual single family home.

22. **LANDSCAPE**

The project meets or exceeds the minimum landscape requirements as follows:

OPEN SPACE:
498,326.4 s.f. of property X 18% = 89,698 s.f. required

Site plan provides 70 % = 348,916 s.f. provided

TREES REQUIRED:

Reforestation 115 Perimeter 164 Parking Lot 0
(1 per 1/10acre) (1 per 25')

Protected Trees on Site (12" to 23" diameter):	<u>None</u>
Preserved Trees on Site (24" or more diameter):	<u>None</u>
Credits for Protected/Preserved Trees:	<u>0</u>
TOTAL TREES REQUIRED:	<u>279</u>
TOTAL TREES PROVIDED:	<u>279</u>

The average of trees per lot = $279/32 = 8.72$ trees

23. PARKING

The project meets or exceeds the minimum parking requirements based on the following standards: Single family requires 2 parking spaces per lot. The driveways for each single family home shall accommodate two cars.

24. STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

- A. A DEP Stormwater Permit is required and must be submitted prior to the issuance of a building permit.
- B. A DEP permit and a COE permit is required for Dredge and Fill of wetlands.

25. The plat of Hidden Pines is attached hereto (exhibit 3) and is a part of this order.

26. The developer is required to comply with Section 2.14.00, concerning sureties for subdivision improvements.

Kelly Carpenter
Kelly Carpenter, AICP
Community Development Director

12/31/96
Date

cc: Permit Department
In the Pines of Destin, Inc., c/o John Rilee, President

h:\p&z1\devorder\hidden.pin

AGENT AFFIDAVIT

SPECIAL POWER OF ATTORNEY

STATE OF FLORIDA
COUNTY OF OKALOOSA

KNOW ALL MEN BY THESE PRESENTS, that I, Paul Sims, Trustee of the Mattie Kelly Land Trust am presently the owner of the real property described in Exhibit "A" and desiring to execute a Special Power of Attorney, have made, constituted and appointed, and by these presents do make, constitute and appoint John K. Rilee, President of In The Pines of Destin, Inc., Suite 121, 1234 Airport Rd, Destin, County of Okaloosa, State of Florida, my Attorney-in-Fact to act as follows, GIVING AND GRANTING unto said attorney full power to act as my agent in any and all matters pertaining to Hidden Pines Subdivision.

FURTHER, I do authorize the aforesaid Attorney-in-Fact to perform all necessary acts in the execution of the aforesaid authorization with the same validity as I could effect if personally present. Any act or thing lawfully done hereunder by the said attorney shall be binding on myself and my heirs, legal and personal representative, and assigns.

PROVIDED, however, that any and all transactions conducted hereunder for me or for my account shall be transacted in my name, and that all endorsements and instruments executed by the said attorney for the purpose of carrying out the foregoing powers shall contain my name, followed by that of my said attorney and the designation "Attorney-in-Fact."

WITNESSES:

MATTIE M. KELLY LAND TRUST:

Betsy D. Nagy
Printed Name: Betsy D. Nagy

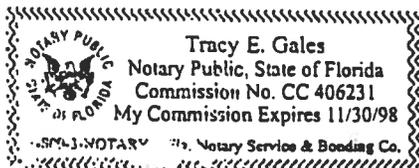
Paul Sims (SEAL)
Printed Name: Paul Sims

Tracy E. Gales
Printed Name: Tracy E. Gales

STATE OF FLORIDA
COUNTY OF OKALOOSA

BEFORE ME, the undersigned Notary Public in and for said County and State, appeared Paul Sims WHO IS PERSONALLY KNOWN TO ME or WHO PRODUCED AS IDENTIFICATION, and who did not take an oath, and who is known to me to be the individual described by said name who executed the foregoing instrument, and acknowledged and declared that the said individual executed the same for the uses and purposes therein setforth.

Given under my hand and official seal this 8th day of October, 1996



Tracy E. Gales
Printed Name:
Notary Public

LEGAL DESCRIPTION:
BEGIN AT THE PERMANENT REFERENCE MONUMENT LS#3420 AT THE SOUTHWEST CORNER OF LOT 45, EAGLES LANDING AS RECORDED IN PLAT BOOK 14, PAGE 58, OKALOOSA COUNTY, FLORIDA; THENCE NORTH 23°30'37" EAST, ALONG THE WEST LINE OF SAID LOT 45, AND ALONG THE WEST LINE OF SAID EAGLES LANDING A DISTANCE OF 190.11 FEET TO THE PERMANENT REFERENCE MONUMENT LS#3420 AT THE SOUTHEAST CORNER OF LOT 1, BLOCK A, INDIAN TRAIL SUBDIVISION, AS RECORDED IN PLAT BOOK 15, PAGE 8, OKALOOSA COUNTY, FLORIDA; THENCE NORTH 66°29'23" WEST, ALONG THE SOUTH LINE OF SAID LOT 1, AND ALONG THE BOUNDARY OF SAID INDIAN TRAIL SUBDIVISION, A DISTANCE OF 100.00 FEET TO THE PERMANENT REFERENCE MONUMENT LS#3420 AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 23° 30'37" EAST, ALONG THE BOUNDARY OF SAID INDIAN TRAIL SUBDIVISION, A DISTANCE OF 427.59 FEET TO THE PERMANENT REFERENCE MONUMENT LS#3420 AT THE SOUTHEAST CORNER OF LOT 7, BLOCK A, OF SAID INDIAN TRAIL SUBDIVISION; THENCE NORTH 66°29'23" WEST, ALONG THE SOUTHERLY BOUNDARY OF SAID INDIAN TRAIL SUBDIVISION, A DISTANCE OF 664.79 FEET TO THE PERMANENT REFERENCE MONUMENT LS#3420; THENCE NORTH 69°36'03" WEST, ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 515.11 FEET TO THE PERMANENT REFERENCE MONUMENT LS#3420 AT THE SOUTHWEST CORNER OF LOT 6, BLOCK B, OF SAID INDIAN TRAIL SUBDIVISION; THENCE CONTINUE NORTH 69°36'03" WEST, ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 100.00 FEET TO THE SOUTHWEST CORNER OF LOT 5, BLOCK B, OF SAID INDIAN TRAIL SUBDIVISION; THENCE SOUTH 36°45'32" EAST A DISTANCE OF 464.14 FEET; THENCE SOUTH 54°28'39" WEST A DISTANCE OF 61.83 FEET; THENCE SOUTH 46°51'09" EAST A DISTANCE OF 225.84 FEET; THENCE SOUTH 46°51' 09" EAST A DISTANCE OF 275.55 FEET; THENCE SOUTH 35°02'26" EAST A DISTANCE OF 165.00 FEET; THENCE SOUTH 57°20'46" EAST, ALONG THE CENTERLINE OF THE CREEK, A DISTANCE OF 337.33 FEET; THENCE SOUTH 73°01'25" EAST, ALONG THE CENTERLINE OF THE CREEK, A DISTANCE OF 62.13 FEET TO THE POINT OF BEGINNING.
CONTAINS 11.449 ACRES, MORE OR LESS.
BEARINGS BASED ON NORTH 23°30'37" EAST ALONG THE WEST LINE OF EAGLES LANDING AS RECORDED IN PLAT BOOK 15, PAGE 8, OKALOOSA COUNTY, FLORIDA.

MEMORANDUM

TO: Greg Clauson, Chairman
City of Destin Planning Commission

FROM: Chuck Meister, City Engineer/Public Works Director *CM*

DATE: November 21, 1996

SUBJECT: Hidden Pines
Our File No. 556

Please reference my letter of October 29, 1996 (see attached). One issue remains to be satisfied.

I agree that the post stormwater runoff for the first 234± feet of the entrance road is less than pre-development runoff flow toward Indian Trail.

We have not received the U. S. Army Corps of Engineers' (USACE) Permit relevant to the jurisdictional wetlands.

I can recommend approval of this project, stipulating that the Development Order require that a copy of this USACE permit be submitted to the city prior to commencement of construction.

CLM:ba

cc: Kelly Carpenter, Community Development Director
Bob Mearns, City Manager

EXHIBIT 2

The City of Destin



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

Please reply to: 4200 Two Trees Road, Destin, FL 32541

October 29, 1996

Mr. John Rilee
1234 Airport Road
Destin, FL 32541

Subject: Hidden Pines Subdivision
Our File No. 556

Dear Mr. Rilee:

I have reviewed your plans for the subject project and pursuant to the Technical Review Meeting which was conducted on October 24, 1996, I have some engineering design concerns.

Basically, the design is good and it meets the city's criteria for retention volume. However, as you are aware, the development is intended for an area which has had some serious drainage problems. It is in this regard stormwater management of any new development is critical. Before I can render approval recommendations to City Council, the following issues must be addressed:

- a) There cannot be any runoff allowed to flow towards Indian Trail. The current design provides for the first 236 +/- feet of your entrance road to do just that and modifications to the design must be made. Include in the modifications the pre-existing calculations so as to support that a positive enhancement to the pre/post development runoff conditions has been made.
- ✓ b) Incorporate notes into the plans that specify to the contractor that all swales will be constructed with the infrastructure.
- ✓ c) Include details that show concrete mitered ends on the installed culverts, if any, as well as these driveway culverts to be constructed by homeowners in the future.
- d) Copies of all required DEP and Army Corps of Engineer permits must be received prior to initiating construction since there are jurisdictional hydric soils in proximity.
- e) Incorporation of Tricia Lane and infrastructure construction must be clarified.

Mr. John Rilee

✓ Additionally, there must be a clear understanding as to the responsibility for maintenance of the infrastructure and stormwater facilities when development has been completed. If the dedication is private, the recorded plat will reflect access easements for the city if the property owners fail to maintain the stormwater facilities. I must require that you acknowledge this by including it in the covenants along with the fact that the city reserves the right to assess the property owner for the owner's negligence in maintenance. Also, include comments that the city will be held harmless for the removal of any fences landscaping in the stormwater easements.

In closing, Mr. Rilee, I cannot overemphasize the importance of sustaining the integrity of the approved stormwater management system in this subdivision.

If you have any questions, please do not hesitate to call.

Very truly yours,



Charles L. Meister, P. E.
City Engineer/Public Works Director

CK:dr

cc: Kelly Carpenter, Community Development Director

cc: Mr. John Lewis
Connelly & Wicker
12605 Emerald Coast Parkway West
Suite #2
Destin, FL 32541

cc: Mr. Lloyd Blue
5559 Highway 98 East
Destin, FL 32541