



The City of Destin

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

March 11, 1992

DO-92-02

Mr. John King
315 Sailfish Circle
Destin, Florida 32541

RE: **FINAL DEVELOPMENT ORDER FOR INDIAN CREEK SUBDIVISION**, A SINGLE FAMILY RESIDENTIAL SUBDIVISION **CONSISTING OF EIGHTEEN (18) LOTS**, LOCATED ON THE NORTH SIDE OF INDIAN BAYOU AT THE END OF INDIAN BAYOU NORTH (AN EXTENSION OF INDIAN TRAIL), DESTIN, FLORIDA.

Dear Mr. King:

Based upon the City Council's approval of the above referenced project at its meeting on **March 3, 1992**, this letter will serve as your Final Development Order with the following conditions:

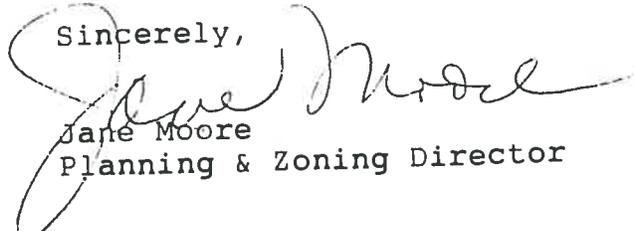
1. It will be necessary for you to post the appropriate security for infrastructure improvements or otherwise satisfy ordinance requirements for improvements prior to releasing the Mylar for recording. This must be done prior to March 2, 1993, or this approved Development Order will expire, the Mylar will not be released, and the project will have to be resubmitted for review. All infrastructure improvements must be complete prior to issuance of individual building permits on the lots.

← water
funds
funds

2. If the development is initiated within a one-year period your concurrency status is protected for five years through March 2, 1997.

Best of luck with this project. Let us know if we can be of any assistance to you.

Sincerely,


Jane Moore

Planning & Zoning Director

JM:jf

cc: Inspection Department

THRESHOLD BUILDING

This is a threshold building and must be inspected and certified by engineer and/or architect of record that the building is constructed in accordance with all codes as required under Florida Statutes 471.481. Forms are available in the City's permitting office.

GENERAL COMMENTS

Prior to issuance of a building permit the following items must be received:

1. DEP (DNR) Permit for constructing seaward of CCCL
2. DEP (DNR) Permit for lighting compliance with sea turtle protection requirements
3. DEP (DER) Permit/approval for stormwater management plan

There is a 10' beach access on the eastern boundary of this project. During the past several months, the City has attempted to reach the Faith Assembly Church, former owners of the property, in an effort to obtain an additional easement of approximately 10-15' adjacent to the above referenced 10' for the purpose of providing sufficient access for the beach cleaning equipment. We have discussed this with the current developer and are in hopes that the City will be granted some additional easement so that we may be guaranteed perpetual access to the beach for beach cleaning purposes as well as access for law enforcement, code enforcement, Corps of Engineers and emergency personnel.

STAFF REPORT

PLANNING & ZONING DEPARTMENT INDIAN CREEK SUBDIVISION FEBRUARY 20, 1992

ISSUE

Request for approval of INDIAN CREEK SUBDIVISION, a single family residential subdivision, submitted by Mr. John King, as agent for the Coleman L. Kelly Testamentary Trust, Destin, Florida. The proposed project consists of eighteen (18) lots and is located on the north side of Indian Bayou at the end of Indian Bayou North (an extension of Indian Trail), Destin, Florida. Property contains 8.9 acres, more or less.

COMPREHENSIVE PLAN/ZONING

The zoning for this parcel is Residential Urban Single (RUS) and the land use category is Low Density Residential (LDR) which allows for a density of 2.59 units per acre. This project is in compliance with these regulations.

The lot sizes meet or exceed the minimum requirements of 7,500 square feet with a 70-foot width at front setback and 100-foot depth.

STORMWATER PLAN

The Stormwater Plan has been approved by the City Engineer. It qualifies for swale exemption in accordance with DER requirements.

FIRE DEPARTMENT APPROVAL

Project has been approved as submitted by the Destin Fire Department.

WHITE SANDS ZONE #2

This project lies within the White Sands Zone #2 which allows for fill that is indigenous to the zone that is as light as or lighter than existing soil.

CONCURRENCY

The project meets concurrency requirements.

STREET LIGHTS

The developer has indicated to staff that he is working on an agreement with Gulf Power to install at least four (4) street lights and will request that City Council pay the monthly bill for operation of the lights once they are operational.

SETBACKS

Standard front and side setbacks will be required as homes are permitted. Because this is waterfront property there will be a twenty-five-foot setback required from the Mean High Water Line. The majority of the wetlands area that are included within the project will fall within this twenty-five foot buffer zone.

DOCKS/BOAT SLIPS

It will be the responsibility of individual lot owners to request

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boat slips. Staff notes for the record, however, that this part of the Bayou is narrow and boat traffic will be constricted.

MYLAR

Street construction will be to City standards and the road will be a public road as an extension to Indian Bayou North.

The developer has indicated he will post the necessary security for infrastructure improvements and the Mylar must be held by the City Clerk until this Ordinance requirement has been met.

A recommendation for approval to Council should include the requirement that the Mylar be held until the Ordinance requirement has been met regarding appropriate security/surety.

JM:jf

Report\indcreek.rep

B. TO REVIEW PLANS FOR SUNSET PASS CONDOMINIUM, A PLANNED UNIT DEVELOPMENT SUBMITTED BY MR. LARRY ANCHORS, OWNER, 611 MIRACLE STRIP PARKWAY, MARY ESTHER, FLORIDA 32569. PROPERTY IS ZONED RESIDENTIAL INTENSIVE APARTMENT (RIA) DISTRICT. THE PROPOSED PROJECT IS A SIX-UNIT SINGLE FAMILY DETACHED CONDOMINIUM LOCATED NORTHWEST OF EAST PASS TOWERS ON HOLIDAY ISLE. PROPERTY CONTAINS 2.6 ACRES, MORE OR LESS.

C. TO REVIEW PLANS FOR SUNSET PASS CONDOMINIUM, A MAJOR DEVELOPMENT, SUBMITTED BY MR. LARRY ANCHORS, OWNER, 611 MIRACLE STRIP PARKWAY, MARY ESTHER, FLORIDA 32569. PROPERTY IS ZONED RESIDENTIAL INTENSIVE APARTMENT (RIA) DISTRICT. THE PROPOSED PROJECT IS A SIX-UNIT SINGLE FAMILY DETACHED CONDOMINIUM LOCATED NORTHWEST OF EAST PASS TOWERS ON HOLIDAY ISLE. PROPERTY CONTAINS 2.6 ACRES, MORE OR LESS.

Planning Director Moore stated that the applicant has requested that the project, Sunset Pass, be withdrawn until further notice. Mrs. Moore stated the project would be readvertised and reagendaed upon notice from the applicant that he is ready to proceed.

Chairman Blue asked if anyone in the audience wished to speak for or against the project. There was no response from the audience.

Chairman Blue closed the public hearing and convened the Regular Meeting.

NEW BUSINESS

TO REVIEW PLANS FOR INDIAN CREEK SUBDIVISION, A SINGLE FAMILY RESIDENTIAL SUBDIVISION, SUBMITTED BY MR. JOHN KING, AS AGENT FOR THE COLEMAN L. KELLY TESTAMENTARY TRUST, DESTIN, FLORIDA. PROPERTY IS ZONED RUS (RESIDENTIAL URBAN SINGLE) DISTRICT. THE PROPOSED PROJECT CONSISTS OF EIGHTEEN (18) LOTS AND IS LOCATED ON THE NORTH SIDE OF INDIAN BAYOU AT THE END OF INDIAN BAYOU NORTH (AN EXTENSION OF INDIAN TRAIL), DESTIN, FLORIDA. PROPERTY CONTAINS 8.9 ACRES, MORE OR LESS.

In reply to Mr. Brough regarding the Environmental Assessment Statement, Mr. Wernet explained that an Environmental Assessment report had been prepared and reviewed by staff. He pointed out that wetlands were noted along the waterfront and pertained mostly to the twenty-five foot setback area which would not hinder the development of the site. Mrs. Moore submitted the Environmental Assessment statement for circulation among the Commissioners.

Mr. Gilday voiced concerns about the ingress/egress of emergency vehicles into the area and inquired if the narrowness of the water body would allow for construction of docks on both sides. Mrs. Moore stated that is an issue to be handled by the Harbor Board on a case by case basis.

In reply to an inquiry from Mr. Brough, Mrs. Moore explained that the pavement for this project will be a continuance from the existing pavement to the end of the project.

Mr. Gilday stated that he was still confused as to how the sewage would be handled by Destin Water Users. Mr. Wernet explained that Destin Water Users recommended that sewer be dumped directly into the manhole instead of the lift station or tie directly into the force main.

Commissioners discussed changing the name of the street from Indian Bayou North to Indian Trail which was recommended by the Destin Fire Department and by 9-1-1. Mrs. Moore explained the history of the name change and that Council had dealt with this issue at that time. She stated that it was within the Commissioner's purview to make a recommendation to Council that the street name be changed.

Mrs. Moore stated that Mr. Richard Duke called her office and went on record to request that the name of the street remain Indian Bayou North.

Mr. Jim Dawe, 150 Indian Bayou Drive, asked Mr. King if he would have restrictive covenants and what type of homes he would be building. Chairman Blue advised Mr. Dawe that the Planning Commission only reviewed the platting of the property. Mrs. Moore stated for the record and for clarification purposes that the City does not review nor enforce any restrictive covenants.

Mr. Dawe voiced concerns with future dock construction that could obstruct navigation due to the narrowness of the water body. Staff explained in detail the procedures and review process for dock applications and that building permits were not issued until this review process was approved. He requested that special consideration be given to the design of the docks and that the Harbor Master make an on-site visit. Mrs. Moore suggested that he write a letter to the Harbor Board voicing his concerns and putting the Harbor Board on notice for future dock applications for that area. Mrs. Moore advised Mr. Dawe that the Harbor Board meets on the fourth Monday of each month at 5:30 p.m. and suggested he come by City Hall and pick up a copy of the agenda which would keep him apprised of all applications coming before the Board for review.

Chairman Blue asked for a motion for the Indian Creek Subdivision. Mr. Rausch made a motion recommending approval of Indian Creek Subdivision with the stipulation that the Mylar be held until the Ordinance requirement has been met regarding the posting of appropriate security/surety, second by Mr. Gilday. A roll call vote of 5-0 for approval of the motion was taken.

Mr. Gilday made a motion to recommend to City Council that the street name of Indian Bayou North be changed to Indian Trail because of the safety/emergency clarity for 911 and the Fire Department, second by Mr. Rausch. A roll call vote of 5-0 was taken.

It was the consensus of the Commissioners to direct staff to prepare a memorandum for the record to be transmitted to the Harbor Board voicing the concerns of Mr. Dawe; that they be especially careful when reviewing dock applications in that area, and to attach a copy of the Planning Commission's Minutes.

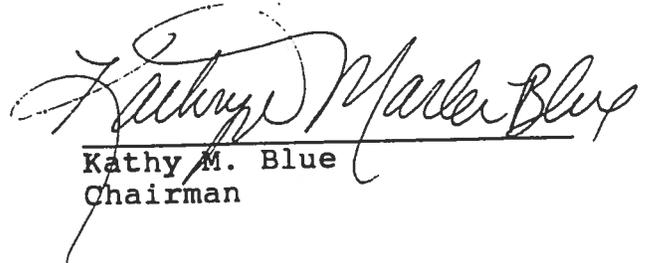
Chairman Blue stated that the Planning Commission would have a workshop meeting on Thursday, March 5, 1992 at 6:00 p.m.

The meeting adjourned at approximately 8:00 p.m.

Adopted this 19th day of March, 1992.



Jackie Fortner, Secretary
Planning & Zoning Department



Kathy M. Blue
Chairman