

Community Development Planning Division

4200 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-337-3123 | Fax: 850-837-7949 | www.cityofdestin.com

February 20, 2015

Order No. 15-05

Final Development Order:

**1900 NINETY EIGHT, 2ND AMENDMENT
A SIMPLE DEVIATION TO A PREVIOUSLY APPROVED TIER 2 DEVELOPMENT
1900 SCENIC HIGHWAY 98
(15-02-SP)**

Emerald Coast Associates, Inc.
Attn.: Mr. Dean Burgis, P.E.
327 South County Road 393
Santa Rosa Beach, Florida 32459

Dear Mr. Burgis:

You requested the City, in an application dated November 21, 2014, approve an amendment revising the previously approved Development Orders (DO-07-18 and DO-12-08) to reflect the following changes:

- Shift of the building to the west approximately 2 feet.
- Roll out dumpster has been replaced with a permanent dumpster location on the west side of the building.
- Add an Emergency Generator pad to the east side of the site.

The City has reviewed your request pursuant to the requirements of Article 2, Section 2.07.04 of the Land Development Code (LDC), and has determined that the proposed amendment qualifies as a minor deviation, which can be approved by the Community Development Director or his designee without TRT review nor City Council action.

Staff has found that you have met all necessary requirements and conditions for the plan changes, and has granted approval of the amendment with the following notes/conditions:

1. **All prior conditions of Development Orders No. 07-18 and 12-08 for this project are still applicable.** It is the owner's responsibility to review and become familiar with these conditions and it is also his responsibility to inform any contractor that he hires to build this development of those said conditions.
2. **Prior to the issuance of any City Permit**, a sign must be posted on the subject property notifying the public of the "emergency contact information" of the person responsible for the project. Refer to section 7.01.02(B) of the Land Development Code for details on the size, location and contents of the sign. Additionally, a posting of emergency contact information sign affidavit, along with a picture of the sign, must be submitted to the Planning Division prior to the issuance of any permits.



3. **Prior to the Commencement of Construction**, construction site screening shall be erected in compliance with Destin Code of Ordinance section 6-51.
4. **Prior to the Commencement of Construction**, a copy of the Florida Department of Environmental Protection (FDEP) National Pollution Discharge Elimination System (NPDES) permit (if applicable) shall be provided to the Planning Division and Public Services Department.
5. **Prior to the Commencement of Construction**, a copy of the Northwest Florida Water Management District (NFWFMD) storm water permit shall be provided to the Planning Division and Public Services Department.
6. **Prior to the issuance of a Certificate of Occupancy**, the site work, landscaping, outdoor lighting and architectural design must be inspected and approved by the Community Development Department.

Please keep a copy of this letter with the original Final Development Order and any subsequent amended development orders.

If I can be of any further assistance, please feel free to contact me at 837-4242, extension 3175.

Sincerely,



R. Ashley Grana
Planning Manager

RAG/

Attachments:
DO-07-18 conditions
DO-12-08

cc: City Clerk
Building Division File: 1900 Scenic Highway
Project Files: 15-02-SP, SP-12-13, & SP-06-14
2015 Development Order Log

City Compatibility Consultant:	N/A
City Surveyor:	N/A
City Traffic Consultant:	Paid
City Stormwater Review Consultant:	N/A
Re-Review Fees (Community Dev.)	Paid
Re-Review Fees (Engineering)	Paid
Administrative Costs:	Paid
TOTAL (as of 8/31/07) =	Paid

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**, please forward a copy of your approved FAA Permit to the City of Destin Community Development Office.
3. **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.
4. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.
5. **Prior to the issuance of a Certificate of Occupancy**, the Stormwater Operation/Maintenance Plan (SWOMP) shall be acknowledged and signed by the Owner.
6. **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.*
7. **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.
8. **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.
9. **Condition:** The subject site is located within an airport protection area, more specifically the Airport Noise Zone "C" as described in the LDC, Article 7, Section 7.15.00. As a result of the subject site located within this Airport Noise Zone, it is a condition that the owner provides a "disclosure statement" for the properties to be sold and provide increased construction standards (Sound Level Requirements – SLR) for the structures. **Provide the following language within the approved and recorded Condominium Documents:**

"This note is to aid in notifying prospective purchasers of property identified hereon of any noise-impacted areas. The property as identified hereon is located within the Destin-Ft. Walton Beach Airport's *Noise Zone C*. A disclosure statement shall be completed and filed with the property deed for all residential property located in noise zone C."

10. **Condition:** Construction plans need to be certified and noted that they are compliant with SLR-25 reduction standards per the City's Land Development Code. **Provide the following note on all construction plans:**

"The buildings or structures as identified herein meet and/or exceed the City of Destin's Sound Level Reduction (SLR) requirements (See City of Destin Land Development Code, Article 7, Section 7.15.00 *Airport Zoning Regulations* and more specifically Division 1 and 3 of Okaloosa County Ordinance 82-19) through a combination of building design, choice of building materials and execution of construction details in accordance with architectural and acoustical principals."

11. **Condition:** Trees or shrubs shall not be planted within five feet from all streets or sidewalks as measured from the center of the trunk to the edge of the sidewalk in the public right-of-way. *Ref. LDC Section 8.01.00.C.2.*
12. **Condition:** Provide gathering/sitting areas that at a minimum include the following decorative pedestrian amenities: benches, waste containers, planters, and pedestrian lighting fixtures. Other types of pedestrian amenities may be incorporated and include: decorative water fountains, sculptures, drinking fountains, phone booths and bicycle racks. *Ref. LDC Section 7.09.03.F.5.*
13. **Condition:** Each accessible parking space must be prominently outlined with blue paint to be clearly distinguishable as a parking space designated for persons who have disabilities and must be posted with a permanent above-grade sign bearing the international symbol of accessibility, meeting the requirement of color and design approved by the Department of Transportation, containing the caption "PARKING BY DISABLED PERMIT ONLY," and indicating the penalty for illegal use of the space, which shall be a minimum fine of \$250.
14. **Condition:** A visual screen of vegetation running the entire length of the western and eastern 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 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. *Ref. LDC Section 7.09.02.B.3.*
16. **Condition:** The slab for all structures shall be constructed a minimum of 12 inches above the crown of the nearest street, except where topography will provide adequate drainage as certified by a professional engineer registered in the State of Florida. *Ref. LDC Section 10.03.02.A.5.*
17. **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.

18. **Condition:** All existing and proposed utility lines located on the subject property shall be installed underground. *Ref. LDC Section 20.12.00.*
19. **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.
20. **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.
21. **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.
22. **Condition:** Any additional revisions to the Site Improvement Plans, Landscape Plans or Architectural Plans will require an amendment to the development order.

Per City of Destin Engineering Department:

26. **Condition:** Prior to obtaining any City permits, obtain a City of Destin Right-of-Way Construction Permit from the City Engineering Department.
27. **Condition:** Refer to LDC Article 8.03.06. *Clear visibility triangle.* In order to provide a clear view of intersecting streets to motorists, there shall be a triangular area of clear visibility formed by two intersecting streets. The following standards shall be met:
 - a. Nothing shall be erected, placed, parked, planted or allowed to grow in such a manner as to materially impede vision between a height of two feet and ten feet above the grade, measured at the centerline of the intersection, except those signs or devices approved pursuant to section 16.01.00 of this Code. Note: The applicant is reminded that building setbacks must be observed so as to preserve clear visibility at intersections.
 - b. The clear visibility triangle shall be formed by connecting a point on each street centerline with such point to be located at a distance determined by the building setback requirements associated with the property and the zoning district within which the property is located. That is, the visibility distances shall be those established by the setback requirements within the City's zoning ordinance. Note: The visibility triangle shall be in accordance with the "Technical Construction Standards Manual," included in this Code, and the Florida Department of Transportation Standards Index.
28. **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 of 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.

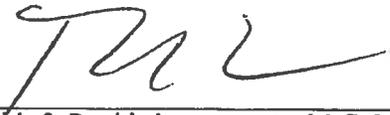
29. **Condition:** Refer to LDC Article 8.01.00.C. Sidewalks, recreational trails, and bicycle ways shall be permissible in ROW's:
- a. Landscaping located on abutting properties to sidewalks, recreational trails, and bicycle ways shall not create a safety hazard, and shall be trimmed or pruned to allow full width plus one foot on each side of the sidewalks, recreational trails, and bicycle ways, and the minimum vertical height of ten feet above grade, is clear.
 - b. Trees or shrubs shall not be planted within five feet from all streets or sidewalks, recreational trails, and bicycle ways.
30. **Condition:** Contractor shall not be allowed to utilize ANY public right-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. All fees shall apply for repermitting.**
31. **Condition:** Construction material & equipment shall not be allowed on either of the public beach accesses. **Failure to comply with this requirement may void your city right-of-way construction permit until the violation is corrected. All fees shall apply for repermitting.**
32. **Condition:** Driveways design does not allow adequate spacing for a gate. **No gates will be considered.**
33. **Condition:** All striping within the right-of-way shall be thermoplastic. Old striping shall be obliterated by grinding – panting shall not be allowed.
34. **Condition:** The sidewalk across the driveway shall comply with the maximum 50:1 cross slope ADA requirement.
35. **Condition:** Provide all lighting fixture details that are located within the ROW for review. All lighting and Gathering areas shall require a recorded Maintenance & hold Harmless Agreement.
36. **Condition:** Provide a Maintenance & Hold harmless Agreement for pavers within the ROW. Once, approved, the agreement shall be recorded.
37. **Condition:** During construction, crane booms shall not swing out over the ROW or the beach accesses on either side of the project. These area are open to the public and not part of the construction site.
38. **Condition:** Provide FDEP Coastal permit approval.
39. **Condition:** Provide a 24 hour contact person's phone number, that person shall have demonstrated ability in maintenance of erosion control measures.
40. **Condition:** Areas not being worked for 30 days or more shall be vegetated.
41. **Condition:** All bare ground, stripped vegetation during the clearing/ grading process, shall be covered to the maximum extent practicable.
42. **Condition:** All beach side lighting shall be shielded and "turtle friendly" type per FDEP and U.S. Fish & Wildlife requirements.

- 43. **Condition:** Non-surfaced temporary construction driveway entrances, access roads and parking areas used by construction traffic shall be stabilized to minimize erosion and prevent tracking mud or soil from the site.
- 44. **Condition:** Stabilized construction entrance(s) shall be installed as the first stop of clearing and grading.
- 45. **Condition:** Additional techniques to reduce soil tracking off of a site and onto a roadway such as wheel washing stations may be required.
- 46. **Condition:** Dust control is required on all areas of development or redevelopment activities.
- 47. **Condition:** A copy of all Federal, State and city permits (as applicable) shall be posted in a clearly visible location on the project site.
- 48. **Condition:** Prior to C.O., all temporary construction driveway entrances shall be removed and the right-of-way re-graded, restored and re-vegetated to original or better condition.
- 49. **Condition:** Any off-site catch basins curb inlets or swale that required protection shall be cleaned.
- 50. **Condition:** Import of any fill must be inspected for White Sand Zone I compliance by the City's Environmental Officer, David Bazylak 850-837-4242, prior to placing on site.

Per Destin Water Users, Inc.:

- 51. **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.
- 52. **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 9-14-07
 Date
 Community Development Director


 Smith & Rookis Investments, LLC & 10.1.07
 Date
 Ocean Imprensa, LLC
 Richard J. Rookis
 Owner



Community Development Planning Division

4200 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-337-3123 | Fax: 850-650-0693 | www.cityofdestin.com

June 27, 2012

Order No. 12-08

Development Order

**1900 NINETY EIGHT, 1ST AMENDMENT
A SIMPLE DEVIATION TO A PREVIOUSLY APPROVED MINOR TIER 2 DEVELOPMENT
1900 SCENIC HIGHWAY 98
(12-13-SP)**

Mr. Richard J. Rookis
1900 Scenic 98 LLC
154 North Ryan Street
Santa Rosa Beach, Florida 32459-7529

Dear Mr. Rookis:

You requested the City, in a letter (application) dated June 5, 2012, to approve an amendment revising the previously approved Development Order to reflect the following changes:

- Allow mobile food vending truck as shown on site plan received June 22, 2012 until such time as construction shall commence on the previously approved site plan.

The City has reviewed your request pursuant to the requirements of Article 2, Section 2.07.04 of the Land Development Code (LDC), and has determined that the proposed amendment qualifies as a simple deviation, which can be approved by the Community Development Director or his designee without TRT review nor City Council action.

Staff has found that you have met all necessary requirements and conditions for the plan changes, and has granted approval of the amendment with the following notes/conditions:

All previous conditions and requirements of the existing final Development Order No. No. 07-18, dated 9/14/2007, still apply including allowing only three benches and one trash receptacle within the public right-of-way.

Please keep a copy of this letter with the original Final Development Order and any subsequent amended development orders.

If I can be of any further assistance, please feel free to contact me at 837-4242, extension 3175.

Sincerely,

R. Ashley Grana

R. Ashley Grana
Planning Manager

 RAG/dmf

cc: City Clerk, Building Division
Project Files: 12-13-SP & SP-06-14
DO & Letter Logs