



# CITY of DESTIN

4200 Two Trees Road • Destin, Florida 32541



www.cityofdestin.com

October 8, 2004

Order No. 05-01

**Final Development Order:**

**“CRYSTAL SANDS”  
A MINOR DEVELOPMENT  
(SP-04-36)**

**Based upon the City's approval of this Development Order, on September 30, 2004, this document will serve as your Final Development Order, and includes all of the provisions and conditions in the attached Technical Review Committee Report.**

**BACKGROUND / ISSUE:**

**Applicant:** Choctaw Engineering, Inc., on behalf of Crystal Sands Owner's Association, Inc., is requesting approval of a Minor Development identified as "Crystal Sands."

**Request:** The proposed development consists of a reduction in parcel size impacting stormwater facilities

**Location:** The proposed development is located at 3290 Scenic Highway 98, and is more specifically known as Property Appraiser's parcel I.D. number 00-2S-22-0390-0000-0000.

**Parcel Size:** The current site area is 6.34 acres, more or less. Proposed parcel size, after subdivision, is 6.04 acres, more or less.

**Future Land Use:** Crystal Beach Resort (CBR)

**Zoning District:** Business Tourism (BT)

**Density:** Allowed: 19.9 dwelling units per acre  
Existing: 85 dwelling units total/ 13 dwelling units per acre

**Intensity:** Allowed: 1.07 Floor Area Ratio (FAR)  
Proposed: 0.11 FAR

**Application Date:** June 1, 2004

**TRC Date:** June 16, 2004

**Approved Site Plan Date:** September 29, 2004

**DETERMINATIONS:**

1. All the findings of the Technical Review Committee report dated September 30, 2004 are incorporated herein.

**CONDITIONS OF APPROVAL FOR "CRYSTAL SANDS" A MINOR DEVELOPMENT (SP-04-36):**

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

Construction must commence within one (1) year of approval date (date from which the Final Development Order is issued by the Community Development Department) of the Final Development Order on October 8, 2004 (no later than October 8, 2005), and must be completed as shown on plans approved by the Technical Review Committee.

**WARNING: If the applicant/owner has not obtained a building permit(s) or has not commenced construction within one (1) year of issuance of the final development order, the final development order will become null and void and the application for plan approval must be re-initiated.**

**NOTE: An applicant/owner who desires to extend the twelve (12) month (1 year) deadline must submit a request to the Community Development Department, no less than thirty (30) days prior to the expiration of the twelve (12) month deadline to obtain a building permit and commence construction. The applicant may receive only one extension, and such extension shall not exceed one year. The applicant /owner should review Article 2, Section 2.15.00, of the Destin Land Development Code and City Ordinance 02-06-LC for further explanation of the Development Order extension process.**

2. If the applicant fully complies with the requirements of Condition No. 1 above, the concurrency capacity allocation status for "Crystal Sands" will be protected. However, the protected concurrency status will be lost if:
  - A. Construction activity ceases for a period exceeding one (1) year at any time during the term of this Final Development Order so that concurrency is not maintained under section 6.02.00.B.3 of the Destin Land Development Code, or
  - B. Construction permit(s) are not obtained in accordance with Section 2.09.00 of the Land Development Code to maintain concurrency.

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 (Note: Applicant must obtain the proper ROW permit(s) from the Engineering Department prior to issuance of building permits, unless otherwise exempted by the City Engineer.)
- 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.

**Conditions Per Community Development Department:**

1. **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 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.
2. 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 stated within the approved Development Order, the Comprehensive Plan [Policy 7.A.4.6 (p)] and Land Development Code [LDC, §7.09] or if necessary as agreed upon by the City and the applicant prior to the issuance of the final development order.
3. **All previous D.O. requirements shall remain in effect for this project.** Please reference D.O.-93-914, dated September 14, 1993.
4. The eastern property to be split must be purchased by property owner directly east within one year or the Development Order will expire. Proof of the new property ownership must be submitted to the City of Destin to verify the purchase.
5. Condominium Documents shall be amended and provided to the City for review and approval prior to recording.
6. **Condition:** All perforated pipe and exfiltration beds shall be inspected and approved by the Engineer of Record and the City of Destin prior to backfilling.
7. **Prior to obtaining a building permit**, a copy of the FDEP stormwater (based upon current design) and NPDES approvals shall be forwarded to the City Engineer's office.
8. **Condition:** If groundwater is observed standing in the proposed stormwater structures, the stormwater management plan shall be in non-compliance and a revised stormwater plan shall be re-submitted for review and approval.
9. **Prior to obtaining a Certificate of Occupancy**, the Stormwater Maintenance Plan shall be acknowledged and signed by the owner. This plan shall include but not be limited to the following: This system will require periodic maintenance for continued proper operation. This will include, as a minimum: a) removal of silt and debris from surface infiltration areas and catch basins, and b) maintenance of vegetative cover in surface infiltration areas. Owner shall regrade swale/retention areas as required to maintain approved design cross-section(s), line(s), and grade(s).

## TECHNICAL REVIEW COMMITTEE REPORT

### "CRYSTAL SANDS" A MINOR DEVELOPMENT (SP-04-36)

TRC Report: September 30, 2004

#### ISSUE:

**Applicant:** Choctaw Engineering, Inc., on behalf of Crystal Sands Owner's Association, Inc., is requesting approval of a Minor Development identified as "Crystal Sands."

**Request:** The proposed development consists of a reduction in parcel size impacting stormwater facilities

**Location:** The proposed development is located at 3290 Scenic Highway 98, and is more specifically known as Property Appraiser's parcel I.D. number 00-2S-22-0390-0000-0000.

**Parcel Size:** The current site area is 6.34 acres, more or less. Proposed parcel size, after subdivision, is 6.04 acres, more or less.

**Future Land Use:** Crystal Beach Resort (CBR)

**Zoning District:** Business Tourism (BT)

**Density:** Allowed: 19.9 dwelling units per acre  
Existing: 85 dwelling units total/ 13 dwelling units per acre

**Intensity:** Allowed: 1.07 Floor Area Ratio (FAR)  
Proposed: 0.11 FAR

**Application Date:** June 1, 2004

**TRC Date:** July 16, 2004

**Approved Site Plan Date:** September 29, 2004

#### DISCUSSION/FINDINGS:

Choctaw Engineering, Inc., on behalf of Crystal Sands Owner's Association, Inc., is requesting approval of a Minor Development identified as "Crystal Sands." The proposed development consists of a reduction in parcel size impacting stormwater facilities. The proposed development is located at 3290 Scenic Highway 98, and is more specifically known as Property Appraiser's parcel I.D. number 00-2S-22-0390-0000-0000.

The total site area is 6.34 acres, more or less.

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which include a Compatibility review, Concurrency Management review, and a Level of Service review.

The Technical Review Committee (TRC) reviewed and approved the project with specific conditions as stated below.

#### COMPREHENSIVE PLAN/ZONING:

The property currently has a Future Land Use designation of Crystal Beach Resort (CBR) and a Zoning designation of Business Tourism (BT). The proposed use is consistent with the CBR Future Land Use designation and is a permitted principal use within the BT zoning district.

**COMPATIBILITY:**

The LDC requirements regulating compatibility are “intended to ensure functional and attractive development by requiring that all future development be consistent with accepted planning practices and principles as well as natural area limitations” [LDC, §7.09.01]. The Comprehensive Plan and Land Development Code further require that compatibility be measured based on the characteristics of proposed development and its impact on the immediate or surrounding area and especially homogeneous residential neighborhoods. Characteristics for consideration include:

1. Type of land use, zoning district, and land use category;
2. Building location, dimensions, height, and floor area ratio;
3. Location and extent of parking, access drives, and service areas;
4. Traffic generation, hours of operation, noise levels, and outdoor lighting;
5. Alteration of light and air; and
6. Setbacks and buffers.

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the requirements as detailed below.

**1. Type of Land Use, Zoning District, and Future Land Use Designation:**

The proposed land use will consist of a reduction in parcel size impacting stormwater facilities. The property currently has a Future Land Use designation of Crystal Beach Resort (CBR) and a Zoning designation of Business Tourism (BT). The proposed use is consistent with the CBR Future Land Use designation and is a permitted principal use within the BT zoning district.

**2. Location of Structure, Dimensions, Height, and Floor Area Ratio:**

The proposed development consists of a reduction in parcel size impacting stormwater facilities. The following is a description of the surrounding area:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
North	Crystal Beach Resort (CBR)	Residential Intensive Apartment (RIA)	North: Grand Caribbean Condominiums
South	Gulf of Mexico	Gulf of Mexico	Gulf of Mexico
East	Crystal Beach Resort (CBR)	Business Tourism (BT)	East: Multi-family dwelling
West	Crystal Beach Resort (CBR)	Business Tourism (BT)	West: Townhomes

As described herein, the surrounding uses include condominiums and townhomes. The proposed development is consistent with the surrounding uses. The intensity and density of development is below the maximum intensity provided for in the Land Development

Code and density provided in the Comprehensive Plan. The density and Floor Area Ratio of the project is detailed below.

**Density:**

Allowed: 19.9 dwelling units per acre

Existing: 85 dwelling units total/ 13 dwelling units per acre

**Floor Area Ratio:**

Utilizing the more common FAR calculation methodology as proposed in the Comprehensive Plan update results in an FAR of 0.11, which is also below 1.07 and is calculated as follows:

**Total square feet of existing and proposed buildings / square feet of subject parcel = FAR**

$$26,980 \text{ sq. ft.} / 249,314 \text{ sq. ft.} = 0.11 \text{ FAR}$$

**Height:**

Not applicable.

**3. Location and Extent of Parking, Access Drives, and Service Areas:**

These characteristics of the proposed development are technically consistent with the Comprehensive Plan and LDC and are considered compatible. Further details are provided within the TRC Report regarding "Ingress/Egress" and "Parking."

**4. Traffic Generation, Hours of Operation, Noise Levels and Outdoor Lighting:**

- a. **Traffic Generation:** This analysis does not address traffic generation. Please refer to the "Traffic Analysis" section below.
- b. **Hours of Operation:** No adverse impacts are anticipated that require restriction on hours of operation.
- c. **Noise Levels:** No adverse noise impacts have been identified.
- d. **Outdoor Lighting:** All proposed future revisions or additions to outdoor lighting plans must provide outdoor lighting specifications, including photometrics. Any future lighting must be shielded downward and away from adjacent properties in order to avoid spill-over and illumination into the night sky. The source of all illumination should not be visible from off-site.

5. **Alteration of Light and Air:** The plan does not generate any adverse impacts to light and air

6. **Setbacks and Buffers:** The setbacks and buffers meet requirements for land use compatibility.

**The site plan for "Crystal Sands" complies with the City of Destin Comprehensive Plan Policy 7.A.4.6 (p) and the Land Development Code §7.09.**

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].

**CONCURRENCY MANAGEMENT:**

Concurrency requirements have been met:

- Solid Waste: **X**
- Potable Water: **X**
- Sanitary Sewer: **X**
- Traffic: **X**
- Stormwater Management: **X**

**TRAFFIC ANALYSIS:**

According to the traffic review conducted by the City's Transportation Manager, and approved on July 2, 2004, the proposed development will not degrade the level of service of those major transportation facilities in the City of Destin (urban collectors and arterials).

Traffic concurrency is satisfied for this project, as confirmed by the City's Transportation Manager after reviewing the applicant's traffic concurrency analysis.

**SUBDIVISION OR PUD - PLAT:**

The 6.34-acre subject parcel is to be subdivided to create two parcels. The newly created parcel will consist of the easternmost forty feet of the property. The neighbor directly to the east is to purchase the newly created lot consisting of 0.30 acres more or less.

**AIRPORT PROTECTION:**

The subject site is not located within the airport protection area.

**WHITE SANDS ZONE:**

The project property is located in White Sand Zone I.

**SETBACKS:**

The proposed reduction in parcel size of this lot meets all of the required setbacks for the BT Zoning District.

	<b><u>Required</u></b>	<b><u>Buffers</u></b>	<b><u>Provided</u></b>
Front (North):	10'	10' FP	Existing
Back (South):	0'	N/A	N/A
Side (East):	0'	5' CB	5' CB
Side (West):	0'	5' CB	Existing
Between Bldgs.:	10'	N/A	N/A

Note: 10' FP = 10' Front Perimeter Landscaped Area, 10' VB = 10' Vegetative Buffer Area, and 5' CB = 5' Common Boundary Landscaped Area. The following buffers are required: the standard

ten (10) foot front perimeter landscape buffer on the northern property line, and five (5) foot common boundary buffers along the eastern, and western property lines.

**SIGNS:**

No overall sign approval is part of this application. All future signs must comply with the applicable section of the Destin Land Development Code in effect at the time a sign application is submitted.

**UTILITIES:**

Underground utilities/service (existing and proposed) are required.

**COX COMMUNICATIONS:**

Cox Communications approved the project in a letter dated June 7, 2004.

**DESTIN FIRE CONTROL DISTRICT:**

The Destin Fire Control District approved the project in a letter dated June 16, 2004.

**GULF POWER:**

Gulf Power approved the project in a letter dated June 9, 2004.

**OKALOOSA GAS:**

Okaloosa Gas approved the project in a letter dated June 16, 2004.

**SPRINT:**

Sprint approved the project in a letter dated June 7, 2004.

**WATER/SEWER PROVIDER:**

Destin Water Users, Inc. approved the project in a letter dated September 29, 2004.

**STORMWATER:**

The City approved the stormwater management plan on September 28, 2004, and had the following stormwater related conditions:

1. **Condition:** All perforated pipe and exfiltration beds shall be inspected and approved by the Engineer of Record and the City of Destin prior to backfilling.
2. **Prior to obtaining a building permit,** a copy of the FDEP stormwater (based upon current design) and NPDES approvals shall be forwarded to the City Engineer's office.
3. **Condition:** If groundwater is observed standing in the proposed stormwater structures, the stormwater management plan shall be in non-compliance and a revised stormwater plan shall be re-submitted for review and approval.
4. **Prior to obtaining a Certificate of Occupancy,** the Stormwater Maintenance Plan shall



be acknowledged and signed by the owner. This plan shall include but not be limited to the following: This system will require periodic maintenance for continued proper operation. This will include, as a minimum: a) removal of silt and debris from surface infiltration areas and catch basins, and b) maintenance of vegetative cover in surface infiltration areas. Owner shall regrade swale/retention areas as required to maintain approved design cross-section(s), line(s), and grade(s).

**INGRESS/EGRESS:**

The property meets the requirements for access by providing two 24-foot driveways off Scenic Highway 98.

**PARKING:**

The project meets or exceeds the parking requirements of the Destin Land Development Code as indicated on the approved plans.

*Per code:*

Dwelling, multi-family: 2.25 spaces per dwelling unit.

*Per site plan:*

Parking as per original DO-93-914.

**REFUSE COLLECTION:**

Refuse collection is to be provided by dumpster service. The proposed dumpster must be screened by a gated opaque enclosure at least six feet tall.

**SIDEWALKS:**

Sidewalks have been provided as per original DO-93-914.

**OPEN SPACE/LANDSCAPE:**

**Open Space Requirements:**

Development Area (Total Area): 263,034 sq. ft. (6.04 acres, more or less)  
Required 18% Open Space: 47,346 sq. ft.  
Provided Open Space: 175,531 sq. ft

**Landscape Requirements:**

A five (5) foot Common Boundary Landscape Area is required along those property lines that directly abut an adjacent parcel (east and west). A ten (10) foot Front Perimeter Landscape Area exists along the northern property line. 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 per the approved landscape plan has been inspected and approved by the Community Development Department.

**OTHER FEES:**

The fees listed below are subject to change and are based on the most recent information available (October 5, 2004). The fees must be paid by the applicant as part of the cost recovery associated with the proposed project:

City Traffic Consultant:	N/A
City Compatibility Consultant:	N/A
City Surveyor:	N/A
City Stormwater Review Consultant:	<b>Paid</b>
Re-Review Fees (Community Dev.)	<b>Paid</b>
Re-Review Fees (Stormwater Man.)	<b>Paid</b>
Administrative Costs:	<b>Paid</b>
<u>City Council Advertising:</u>	<u>N/A</u>
<b>TOTAL (as of 10/5/04) =</b>	<b>\$0.00 (Subject to change)</b>

**COMMENTS/CONDITIONS:**

**Public Input:**

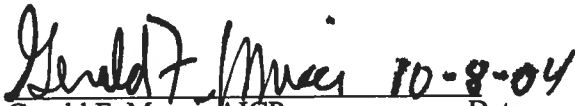
No public comments have been presented to staff at the time of this report.


**Per Community Development Department:**

1. **Prior to the issuance of a Certificate of Occupancy**, the landscaping and outdoor lighting, if installed, must be inspected and approved by the Community Development Department. The lighting plan 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.
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Gerald F. Mucci, AICP                      Date  
Community Development Director

  
C.S. Owners Association, Inc.                      Date  
Owner  
James J. Aden  
Registered Agent



# CITY of DESTIN

4200 Two Trees Road • Destin, Florida 32541



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October 28, 2005

Crystal Sands Owner's Association, Inc.  
Attn: Mr. James J. Aden  
3290 Scenic Highway 98  
Destin, FL 32541

**Subject: "Crystal Sands: A Minor Development" – Expiration of Final Development Order No. 05-01**

Dear Mr. Aden:

This letter is to inform you our records indicate the Final Development Order No. 05-01 has expired. The conditions of the development order required that construction must commence within one (1) year of the date when the Community Development Department issues the final development order. The final development order was issued on October 8, 2004. No construction permits have been issued by the City of Destin that are applicable to the required improvements in accordance with the final development order.

Due to the stormwater management system alterations on the site because of the parcel size reduction, the improvements proposed as indicated in Final Development Order No. 05-01 must be constructed as soon as possible. Please contact Ms. Jennifer Cochran (850-837-4242 ext. 3123) at your earliest convenience in order for your representatives to meet with City Staff to discuss your available options and procedure for compliance.

*Option: In accordance with Article 2, Section 2.05.02.G for exception to new development order. 11/22/05*

If no effort is made within 30 days from the date of this letter, we must initiate code enforcement action in order for the property to come into compliance with the land development regulations.

I appreciate your cooperation and timely attention to this matter.

Sincerely,

Kenrick S. Gallander, AICP  
Current Planning Manager

KSG/

cc: File: Letter Log  
Community Development Director, Jerry Mucci, AICP  
Building Official, Larry Ballard  
Code Enforcement Manager, David Bazylak

**OFFICE OF COMMUNITY DEVELOPMENT**

Phone: (850) 837-4242 ext. 3126 Fax: (850) 337-0492 Email: kgallander@cityofdestin.com