



CITY of DESTIN

4200 Two Trees Road • Destin, Florida 32541



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August 24, 2006

Order No. 06-16

Final Development Order:

**“SIBERT PALMS TOWNHOMES”
A MINOR DEVELOPMENT
(SP-06-03)**

Based upon the City's approval and issuance of this Development Order, on August 24, 2006, 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:** Robyn W. Peterson, P.E., on behalf of KMC Group, LLC, is requesting approval of a Minor Development identified as “Sibert Palms Townhomes.”
- Request:** The proposed development consists of two 2-story townhome buildings totaling 9 units (one building containing 5 units and the other building containing 4 units), and includes a pool amenity area.
- Location:** The proposed development is located at Lot 10, Block “D” of the Calhoun Subdivision in Destin of Okaloosa County, Florida (139 Sibert Avenue), and is more specifically known by the Property Appraiser’s Parcel I.D. number 00-2S-22-0310-000D-0100.
- Parcel Size:** The current site area is 0.79 acres, more or less.
- Future Land Use:** Residential, Office, and Institutional (ROI)
- Zoning District:** Residential Urban Duplex (RUD)
- Density:** Allowed: Up to 12.0 units per acre per Comprehensive Plan 2010
Proposed: 11.4 units per acre
- Intensity:** Allowed: 0.50 Floor Area Ratio (FAR) per Comprehensive Plan 2010
Proposed: N/A
- Application Date:** October 31, 2005
- TRC Date:** November 16, 2005
- Approved Site Plan Date:** August 4, 2006

DETERMINATIONS:

1. All the findings of the Technical Review Committee report dated August 4, 2006 are incorporated herein.

CONDITIONS OF APPROVAL FOR "SIBERT PALMS TOWNHOMES" A MINOR DEVELOPMENT (SP-06-03):

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

Construction of infrastructure 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 August 24, 2006 (no later than August 24, 2007), 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) for construction of infrastructure and that construction has not commenced within one (1) year of issuance of the final development order, the final development order will become null and void and the application for development order approval must be re-initiated. (Article 2, Section 2.10.00)

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 of infrastructure. The applicant may receive only one extension, and such extension shall not exceed one year. The applicant /owner should review Article 2, Section 2.21.00, 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 No. 1 above, the concurrency capacity allocation status for "Sibert Palms Townhomes" will be protected. However, the protected concurrency status will be lost and the application for development order approval must be re-initiated if:
 - A. Construction permit(s) in association with construction of infrastructure are not obtained in accordance with Article 2, Section 2.10.00 of the Land Development Code to maintain concurrency, or
 - B. Construction of infrastructure 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 Article 6 of the Destin Land Development Code.
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 (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.

4. **Conditions Per Community Development Department:** Refer to pages 13 and 14 of the attached TRC Report dated August 4, 2006.
5. **Conditions Per Engineering Department:** Refer to page 15 of the attached TRC report dated August 4, 2006.
6. **Conditions Per Destin Fire Control District:** Refer to page 15 of the attached TRC report dated August 4, 2006.
7. **Conditions Per Destin Water Users, Inc.:** Refer to page 15 of the attached TRC Report dated August 4, 2006.

TECHNICAL REVIEW COMMITTEE REPORT

“SIBERT PALMS TOWNHOMES” A MINOR DEVELOPMENT (SP-06-03)

TRC Report: August 4, 2006

ISSUE:

Applicant: Robyn W. Peterson, P.E., on behalf of KMC Group, LLC, is requesting approval of a Minor Development identified as “Sibert Palms Townhomes.”

Request: The proposed development consists of two 2-story townhome buildings totaling 9 units (one building containing 5 units and the other building containing 4 units), and includes a pool amenity area.

Location: The proposed development is located at Lot 10, Block “D” of the Calhoun Subdivision in Destin of Okaloosa County, Florida (139 Sibert Avenue), and is more specifically known by the Property Appraiser’s Parcel I.D. number 00-2S-22-0310-000D-0100.

Parcel Size: The current site area is 0.79 acres, more or less.

Future Land Use: Residential, Office, and Institutional (ROI)

Zoning District: Residential Urban Duplex (RUD)

Density: Allowed: Up to 12.0 units per acre per Comprehensive Plan 2010
Proposed: 11.4 units per acre

Intensity: Allowed: 0.50 Floor Area Ratio (FAR) per Comprehensive Plan 2010
Proposed: N/A

Application Date: October 31, 2005

TRC Date: November 16, 2005

Approved Site Plan Date: August 4, 2006

DISCUSSION/FINDINGS:

Robyn W. Peterson, P.E., on behalf of KMC Group, LLC, is requesting approval of a Minor Development identified as “Sibert Palms Townhomes.” The proposed development consists of two 2-story townhome buildings totaling 9 units (one building containing 5 units and the other building containing 4 units), and includes a pool amenity area. The proposed development is located at Lot 10, Block “D” of the Calhoun Subdivision in Destin of Okaloosa County, Florida (139 Sibert Avenue), and is more specifically known by the Property Appraiser’s Parcel I.D. number 00-2S-22-0310-000D-0100. The current site area is 0.79 acres, more or less.

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which includes a technical 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 Residential, Office, and Institutional (ROI) and a Zoning designation of Residential Urban Duplex (RUD). The proposed use is consistent with the Residential, Office, and Institutional (ROI) Future Land Use designation and is a permitted principal use within the Residential Urban Duplex (RUD) Zoning District.

LAND USE TRANSITION & SPECIAL DESIGN CRITERIA:

Comprehensive Plan: 2010 Policy 1-2.1.7 requires that *“All property designated for nonresidential use on the FLUM shall be developed and designed to ensure a smooth land use transition between the said nonresidentially designated property and any directly abutting low rise residential property, either existing or identified on the FLUM.”* The LDC requirements regulating “special design criteria” are *“...to establish design criteria to preserve, protect, and enhance the economic vitality and character of the City of Destin.”* This section also states, *“These standards and regulations are intended to promote and protect the desired character of the City, including promoting multimodal transportation opportunities, and that ensure compatibility with surrounding development.”* [LDC, §7.09.00].

Criteria for consideration to ensure smooth land use transition and special design include:

- Proximity of proposed nonresidential use to abutting low rise residential property
- Massing (Width and Depth), Height (Buildings) and Intensity (Floor Area Ratio)
- Traffic generation
- Setbacks and buffers
- Mechanical equipment
- Outdoor storage and display
- Solid waste collection areas
- Parking, loading, or accessway areas

Proximity of proposed nonresidential use to abutting low rise residential property:

The proposed development consists of two 2-story townhome buildings totaling 9 units (one building containing 5 units and the other building containing 4 units), and includes a pool amenity area. The following is a description of the surrounding area:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
Northwest	Residential, Office and Institutional (ROI)	Residential Suburban (RSS)	Northwest: multi-family residential dwellings and mobile home dwellings
Northeast	Residential, Office and Institutional (ROI)	Residential Urban Duplex (RUD)	Northeast: single-family residential dwellings
Southeast	Institutional (INST)	Public Lands and Institutions (PLI)	Southeast: municipal library
Southwest	Residential, Office and Institutional (ROI)	Residential Urban Duplex (RUD)	Southwest: mobile home dwellings

As described herein, the surrounding uses include multi-family residential dwellings, mobile home dwellings, single-family residential dwellings, and municipal library. 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.

Massing (Width and Depth), Height (Buildings) and Density (units per acre):

Massing (Width and Depth) and Height (Buildings):

The proposed development consists of two 2-story townhome buildings totaling 9 units (one building containing 5 units and the other building containing 4 units), and includes a pool amenity area. The 5-unit townhome building measures 150 feet wide by 40 feet deep. The 4-unit townhome building measures 120 feet wide by 40 feet deep. Both buildings are two stories with a proposed building height of approximately 20 feet measured to the cornice line. The pool bath house associated with the pool amenity area measures 10 feet wide by 10 feet deep and is one story.

Density (units per acre):

The density calculation methodology results in a proposed density of 11.4 units per acre. This proposed density is below the maximum allowable density of 12.0 units per acre, and is calculated as follows:

Proposed Density = Total number of units proposed / acres of the subject parcel

Proposed Density = 9 units / 0.79 acres = 11.4 units per acre

Traffic Generation:

Please refer to the "Traffic Analysis" section below.

Setbacks and Buffers:

The proposed development meets all of the required setbacks for the RUD Zoning District.

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (southeast):	20'	10' FP	20' including 10' FP
Side (northeast):	10'	5' CB	10' including 5' CB
Side (southwest):	10'	5' CB	50' including 5' CB
Rear (northwest):	10'	5' CB	10' including 5' CB
Between Bldgs.:	10'	N/A	15' between pool house and 4-unit bldg.; 20' between 4-unit bldg. and 5-unit bldg.

Note: 10' FP = 10' Front Perimeter Landscaped Area and 5' CB = 5' Common Boundary Landscaped Area. The following buffers are required: a ten-foot front perimeter landscaped area along the southeast property line, and a five-foot common boundary buffer along the northeast property line, the southwest property line, and the northwest property line.

Outdoor storage and display:

No storage or display areas are depicted on the approved site plan. Therefore, the outdoor storage and display of materials, equipment, and merchandise is not permitted for this proposed development.

Mechanical equipment:

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 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.

Solid waste collection areas:

All non-construction related dumpsters, trashcans, and recycling bins are to be placed in solid waste collection areas or inside a building. Solid waste collection areas are to be set back a minimum of ten feet from any property line that abuts single-family, duplex or townhome uses and setback a minimum of five feet from any property line which abuts a non-residential or mixed use.

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.

Parking, loading, or accessway 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."

The site plan for "Sibert Palms Townhomes" complies with the City of Destin Comprehensive Plan Policy 1-2.1.7 and the Land Development Code §7.09.00.

Any additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members and may be subject to further analysis if required pursuant to provisions of the Comprehensive Plan [Policy 1-2.1.7] 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 Consultant, and approved on July 31, 2006 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 proposed development requires a townhome subdivision plat due to the desires for property ownership and design.

Condition: Prior to the issuance of any City Permit, the preliminary townhome plat must be finalized, reviewed, approved by the City of Destin, and recorded.

Condition: Prior to the issuance of any City Permit, an ownership and maintenance association document (covenants and restrictions) shall be submitted and recorded in conjunction with the plat. The dedication on the plat shall clearly indicate the roads, common area, stairways, driveways, lift station, conservation easement, and maintenance is the responsibility of the association and there shall be no recourse to the City or any other public agency. The ownership and maintenance association documents must be submitted to the Community Development Department to be reviewed and approved by Staff and the City Land Use Attorney. Additionally, a copy of the documents, once recorded, must be submitted to the City of Destin.

AIRPORT PROTECTION:

As proposed, this project is not affected by nor affects the Destin – Ft. Walton Beach Airport. The applicant has indicated on the development order application that the proposed project is not within the Airport Expansion 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.

WHITE SANDS ZONE:

The project property is not located within any White Sand Zone area.

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:

All proposed utilities are required to be placed underground.

COX COMMUNICATIONS:

Cox Communications approved the project in a letter dated November 3, 2005.

GULF POWER:

Gulf Power approved the project in a letter dated October 3, 2005.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated November 16, 2005.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated June 27, 2006, and had the following condition:

1. **Condition:** The “second” building will be sprinklered.

EMBARQ:

Embarq Corporation approved the project in a letter dated November 14, 2005.

WATER/SEWER PROVIDER:

Destin Water Users, Inc. approved the project in a letter dated June 28, 2006, and had the following conditions:

1. **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.
2. **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.
3. **Condition:** While the commons/pool area must have an RPZ installed, please note the RPZ backflow preventers are not required on single family residences.

ENGINEERING:

The City of Destin Engineering Department approved the project in a memo dated July 5, 2006, and had the following conditions:

1. **Condition:** Prior to obtaining any City permits, obtain a City of Destin Right-of-Way Construction Permit from the City Engineering Department. A hold harmless and maintenance agreement for brick pavers within the right-of-way shall be required.
2. **Condition:** All right-of-way protection codes pertaining to landscaping found in the Destin LDC Article 8 shall apply.

STORMWATER:

The City approved the stormwater management plan on July 5, 2006, and had the following **stormwater** related condition:

1. **Condition:** Prior to obtaining a Certificate of Occupancy, the Stormwater Operation/Maintenance Plan (SWOMP) shall be acknowledged and signed by the Owner.
2. **Condition:** Prior to obtaining 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.
3. **Condition:** Prior to obtaining any City permit, an original signed and sealed Stormwater Concurrency Evaluation Certificate shall be completed by the Engineer of Record.
4. **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.
5. **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.
6. **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.

INGRESS/EGRESS:

There is one proposed ingress/egress accessway attributed to this development. This accessway adjoins Sibert Avenue. This accessway is a two-way accessway measuring approximately 24 feet in width.

PARKING:

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

Per code:

Townhome Dwellings: 2.25 spaces per dwelling unit.

Per site plan:

Townhome Dwellings: 9 dwelling units x 2.25 space per dwelling unit = 20 parking spaces required

Total Parking Required: 20 spaces

Parking Provided: 20 spaces

LOADING SPACE (ZONE):

The project meets or exceeds the loading space requirements of the Land Development Code.

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. The 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.

SIDEWALKS:

A 5-foot wide sidewalk is required along Sibert Avenue.

OPEN SPACE/LANDSCAPE:

Open Space Requirements:

Development Area (Total Area): 34,479 sq. ft. (0.79 acres, more or less)
Required 25% Open Space: 8,620 sq. ft.
Provided Open Space: 9,628 sq. ft (27.9%)

Landscape Requirements:

Tree Requirements:

Credits for Existing Trees (2" to 6" diameter) on Site (1 trees x 2 credits per tree):	2
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 (4 trees x 4 credits per tree):	16
Credits for Existing Trees (20" or 24" diameter) on Site (2 trees x 5 credits per tree):	10
Total Reforestation Credits for Existing, Protected, or Preserved Trees:	<u><u>28</u></u>
Reforestation Trees (1 per every .10 of an acre: 0.79 x 10 = 8) Required on Site:	<u>8</u>
Total Reforestation Credits:	28
Total Reforestation Trees Required on Site:	<u><u>0</u></u>
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	0
Replacement Trees (removal of trees over 12" d.b.h.) Required on Site:	3
Perimeter Trees (1 per 25') Required on Site:	4
Parking Lot Trees (1 per end row and landscape island) Required on Site:	7
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site:	0
Conditional Compatibility Vegetation	0
TOTAL TREES REQUIRED:	<u>14</u>
TOTAL TREES PROVIDED:	<u><u>31</u></u>

Trees shall be a minimum of ten (10) feet in height and have a two and one-half (2½) caliper at the time of planting. Trees having an average mature spread of crown less than 20 feet shall be arranged in groupings so as to create the equivalent of a 20-foot crown spread. Shrubs 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.**

IMPACT FEES:

The following impact fee amounts may be subject to change. Final impact fee amounts will be determinant upon the gross floor area of the development and whether exemption or credits are applicable and reevaluated at the time a Certificate of Occupancy is requested. **Any claims for exemption or credits must be made no later than the time a Certificate of Occupancy is requested. Refer to Article 19 of the Destin Land Development Code for specifics regarding impact fees.** The owner/applicant must pay the final impact fee amounts prior to the issuance of a Certificate of Occupancy:

Parks: The parks impact fees were calculated using the following rates and fees.

Townhomes (applied as Multi-family per the Fee Schedule for Parks):

Impact Fee Rate = \$113.03 per dwelling unit

No. of Dwelling Units = 9

Impact Fee for Townhomes = 9 dwelling units x \$113.03 per dwelling unit = **\$1,017.27**

Total Parks Impact Fees to be paid for "Sibert Palms Townhomes": **\$1,017.27**

Public Library: The public library impact fees were calculated using the following rates and fees.

Townhomes (applied as Multi-family per the Fee Schedule for Public Library):

Impact Fee Rate = \$76.19 per dwelling unit

No. of Dwelling Units = 9

Impact Fee for Townhomes = 9 dwelling units x \$76.19 per dwelling unit = **\$685.71**

Total Public Library Impact Fees to be paid for "Sibert Palms Townhomes": **\$685.71**

Police Protection: The police protection impact fees were calculated using the following rates and fees.

Townhomes (applied as Multi-family Outside 98 Corridor per the Fee Schedule for Police Protection):

Impact Fee Rate = \$14.50 per dwelling unit

No. of Dwelling Units = 9

Impact Fee for Townhomes = 9 dwelling units x \$14.50 per dwelling unit = **\$130.50**

Total Police Protection Impact Fees to be paid for "Sibert Palms Townhomes": **\$130.50**

Roads: The roads impact fees were calculated using the following rates and fees:

Townhomes (applied as Multi-family per the Fee Schedule for Roads):

Impact Fee Rate = \$577.00 per dwelling unit

No. of Dwelling Units = 9

Impact Fee for Townhomes = 9 dwelling units x \$577.00 per dwelling unit = **\$5,193.00**

Total Roads Impact Fees to be paid for "Sibert Palms Townhomes": **\$5,193.00**

Parks: (not applicable)	=	\$1,017.27
Public Library: (not applicable)	=	\$685.71
Police Protection:	=	\$130.50
Roads:	=	\$5,193.00
TOTAL	=	<u>\$ 7,026.48</u>

OTHER FEES:

The fees listed below are subject to change and are based on the most recent information available (August 4, 2006). The fees must be paid by the applicant as part of the cost recovery associated with the proposed project:

City Compatibility Consultant:	N/A
City Surveyor:	Paid
City Traffic Consultant:	Paid
City Stormwater Review Consultant:	N/A
Re-Review Fees (Community Dev.)	Paid
Re-Review Fees (Engineering)	Paid
Administrative Costs:	Paid
City Council Advertising:	N/A
TOTAL (as of 8/4/06) =	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 a Certificate of Occupancy**, all applicable impact fees must be paid.
3. **Condition: Prior to the issuance of any City Permit**, the preliminary townhome plat must be finalized, reviewed, approved by the City of Destin, and recorded.
4. **Condition: Prior to the issuance of any City Permit**, an ownership and maintenance association document (covenants and restrictions) shall be submitted and recorded in conjunction with the plat. The dedication on the plat shall clearly indicate the roads, common area, stairways, driveways, lift station, conservation easement, and maintenance is the responsibility of the association and there shall be no recourse to the City or any other public agency. The ownership and maintenance association documents must be submitted to the Community Development Department to be reviewed and approved by Staff and the City Land Use Attorney. Additionally, a copy of the documents, once recorded, must be submitted to the City of Destin.
5. **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.
6. **Condition:** All above-ground utilities shall be relocated and converted to below-ground locations for that portion of the above-ground utilities that are located on the subject property and that are in an adjacent right-of-way.

7. **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.
8. **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.
9. **Prior to the issuance of a Certificate of Occupancy/Completion,** all required parking and related landscaping shall be installed, inspected, and approved by the Community Development Department.
10. **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.
11. Any additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members.
12. **Condition:** Prior to obtaining a Certificate of Occupancy, the Stormwater Operation/Maintenance Plan (SWOMP) shall be acknowledged and signed by the Owner.
13. **Condition:** Prior to obtaining 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.
14. **Condition:** Prior to obtaining any City permit, an original signed and sealed Stormwater Concurrency Evaluation Certificate shall be completed by the Engineer of Record.
15. **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.
16. **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.
17. **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.

Per City of Destin Engineering Department:

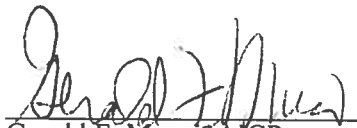
18. **Condition:** Prior to obtaining any City permits, obtain a City of Destin Right-of-Way Construction Permit from the City Engineering Department. A hold harmless and maintenance agreement for brick pavers within the right-of-way shall be required.
19. **Condition:** All right-of-way protection codes pertaining to landscaping found in the Destin LDC Article 8 shall apply.

Per Destin Fire Control District:


20. **Condition:** The "second" building will be sprinklered.

Per Destin Water Users, Inc.:

21. **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.
22. **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.
23. **Condition:** While the commons/pool area must have an RPZ installed, please note the RPZ backflow preventers are not required on single family residences.

 8-24-06

Gerald F. Mucci, AICP Date
Community Development Director

 8/28/06

Allen Ray McGinnis Date
Managing Member

