GULF BREEZE CITY COUNCIL
EXECUTIVE SESSION

JUNE 15, 2011
WEDNESDAY 6:30 P.M.
COUNCIL CHAMBERS

ACTION AGENDA ITEMS:

A. Discussion and Action Regarding Development Review Board Referrals of June 7, 2011

I. Charles Jr. And Janet Kahn 74 Baybridge Drive
Requesting to construct a pier with an uncovered boatlift at 20 Duncan Avenue

II. Frederic Levin - 316 South Baylen St., Suite 600
Requesting to construct a landscaped garden on his vacant lot at 533 Deer Point Circle

B. Discussion and Action Regarding Ordinance No. 05-11, Final Public Hearing on Adoption of the Amendments to the Gulf Breeze Comprehensive Plan

C. Discussion and Action Regarding Ordinance No. 06-11, Deadman's Island Combustion Motor Exclusion Zone for Northeastern Tip of Deadman's Island

D. Discussion and Action Regarding Florida Department of Transportation - SB 1446 Landscaping Grant Request for Proposal - Change Order Recommendation

E. Discussion and Action Regarding South Santa Rosa Utility System Board Recommendations from June 7, 2011 Meeting

I. Bay Breeze Nursing and Retirement Center Meter Replacement
II. Duke Drive Lateral Replacement
III. Waterford Sound Impact Fees

F. Discussion and Action Regarding (1) Highway 98 Irrigation Cost Allocation
(2) CRA Lighting Audit

G. Discussion and Action Regarding Amendment of Section 21-211 of the Code of Ordinances, Height Limit for Public Buildings

H. Discussion and Action Regarding Invoice from W. Thomas Lavash, dba WTL & Associates in the Amount of $1,375.00

I. Discussion and Action Regarding Invoice from Morris Clark in the Amount of $489.50

J. Discussion and Action Regarding Complaint by the City of Gulf Breeze Against Thomas Brady

If any person decides to appeal any decisions made with respect to any matter considered at this meeting or public hearing, such person may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and any evidence upon which the appeal is to be based.

The public is invited to comment on matters before the City Council upon seeking and receiving recognition from the Chair.

MINUTES
DEVELOPMENT REVIEW BOARD
JUNE 7, 2011
TUESDAY.....6:30 P.M.
CITY HALL OF GULF BREEZE

PRESENT	ABSENT	STAFF
John Schuster	JB Schluter	Shane Carmichael
George Williams	Maureen Hill	Leslie Gomez
Ramsey Landry	Lee Brown	
Bill Hoke		
Samantha Rine		

The meeting was called to order at 6:30 p.m. by Chairman John Schuster.

After Roll Call, a motion was made by George Williams to approve the minutes as written. The motion was seconded by Samantha Rine. The minutes from the meeting of May 3, 2011 were approved unanimously.

Mr. Schuster asked if any members had any exparte communication regarding the pending case. None of the Board members reported any such communication.

PROJECT NO. 11-30000006 – CHARLES JR & JANET KAHN, 74 BAYBRIDGE DRIVE, GULF BREEZE, FL REQUESTING TO CONSTRUCT A PIER WITH AN UNCOVERED BOATLIFT AT 20 DUNCAN AVE.

John Loftis of Loftis Marine Division addressed the Board on behalf of Mr. & Mrs. Kahn. Mr. Loftis presented his case to the Board and answered questions.

Shane Carmichael presented the staff report to the Board and answered questions. He stated that the Kahn's have received a side yard setback variance for the pier from the Board of Adjustment in April 2011.

After a brief discussion, a motion was made by George Williams to approve the project as presented and with the stipulation that all federal and state permits are to be received before staff issues the Development Order. Samantha Rine seconded the motion. The vote for approval was unanimous.

PROJECT NO. 11-30000007 – FREDERIC LEVIN, 316 SOUTH BAYLEN ST. STE 600, PENSACOLA, FL REQUESTING TO CONSTRUCT A LANDSCAPED GARDEN ON HIS VACANT LOT AT 533 DEER POINT CIRCLE.

Mr. Steve Dana with Jerry Pate Design addressed the Board on behalf of Mr. Levin. Mr. Dana presented his case to the Board and answered questions.

Shane Carmichael presented the staff report to the Board and answered questions. He stated that the project complies with the LDC execept for the new entry gate which should be equiped with a key switch box that is compatible with the City's rapid entry system.

DEVELOPMENT REVIEW BOARD AGENDA

DATE: **JUNE 7, 2011**

TIME: **6:30 P.M.**

LOCATION: **GULF BREEZE CITY HALL, COUNCIL CHAMBERS, 1070 SHORELINE DRIVE, GULF BREEZE, FLORIDA 32561**

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

4. REVIEW EX-PARTE COMMUNICATION IN ACCORDANCE WITH SECTION 20-47

5. CASES:

Project Number: ***11-30000006***

Request by: KAHN, CHARLES J JR & JANET S
2744 EVERETT LN
TALLAHASSEE, FL 32301

Location: 20 DUNCAN AVE

Description: PIER WITH UNCOVERED BOAT LIFT

Project Number: ***11-30000007***

Request by: LEVIN, FREDERIC
316 SOUTH BAYLEN ST., STE 600
PENSACOLA, FL 32502

Location: 533 DEER POINT CIR.

Description: LANDSCAPED GARDEN

PLEASE NOTIFY ME BY MONDAY AT 934-5115 IF YOU CANNOT BE IN ATTENDANCE, SO THAT WE CAN BE ASSURED OF A QUORUM.

LESLIE GOMEZ
DEPUTY CITY CLERK

MINUTES
DEVELOPMENT REVIEW BOARD
MAY 3, 2011
TUESDAY.....6:30 P.M.
CITY HALL OF GULF BREEZE

PRESENT	ABSENT	STAFF
John Schuster	Ramsey Landry	Shane Carmichael
George Williams	Maureen Hill	Leslie Gomez
Lee Brown		
Bill Hoke		
Samantha Rine		
Cheryl Fromularo		
JB Schluter (In at 6:32pm)		

The meeting was called to order at 6:30 p.m. by Chairman John Schuster.

After Roll Call, a motion was made by George Williams to approve the minutes as written. The motion was seconded by Lee Brown. The minutes from the meeting of April 5, 2011 were approved unanimously.

Mr. JB Schluter arrived to the meeting at 6:33 p.m.

Mr. Schuster asked if any members had any exparte communication regarding the pending case. None of the Board members reported any such communication.

PROJECT NO. 11-20000003 – ROGER & KATHERINE OSTRANDER, 501 KENNILWORTH AVE, GULF BREEZE, FL REQUESTING TO CONSTRUCT A JOINT PIER ON THE COMMON PROPERTY LINE BETWEEN 722 AND 724 PEAKE'S POINT DRIVE.

Keith Johnson of Wetland Sciences addressed the Board on behalf of Mr. & Mrs. Ostrander. Mr. Johnson presented his case to the Board and answered questions.

Shane Carmichael presented the staff report to the Board and answered questions. Mr. Carmichael advised the Board that the Joint Use Agreement had not been filed and that the FDEP permit had not been received at this time. He also stated he will be conferring with the City Attorney to see if a Joint Use Agreement is necessary in this case.

After a brief discussion, a motion was made by JB Schluter to approve the project as presented and with the stipulation that all permits are to be received and that the Joint Use Agreement be filed in the Public Records before staff issues the Development Order. Lee Borwn seconded the motion. The vote for approval was unanimous.

As there was no other business to come before the Board, the meeting was adjourned at 6:45 p.m.

Leslie A. Gomez, Deputy City Clerk

City of Gulf Breeze

DEVELOPMENT REVIEW BOARD

STAFF REPORT

PROJECT NO: **11-30000006**

APPLICATION DATE: **May 3, 2011**

PROJECT LOCATION:

PROJECT LOCATION:	**20 DUNCAN AVE**
PARCEL ID:	**04-3S-29-0958-00000-0030**
SUBDIVISION NAME:	**DRIFTWOOD SUB. 1ST ADD**
ZONING DISTRICT:	**RC**
LANDUSE:	**SFR**

PROPERTY OWNER:

NAME	**KAHN, CHARLES J JR & JANET S**
ADDRESS	**2744 EVERETT LN**
ADDRESS	
CITY, STATE ZIP	**TALLAHASSEE FL 32301**
PHONE	

PROJECT INFORMATION: LEVEL 3 DOCK / PIER

PROJECT DIMENSIONS:

OCCUPANCY CLASSIFICATION :	**RESIDENTIAL**
INTENDED USE :	**SFR**
PROJECT DIMENSIONS LGTH (FEET) :	**150**
PROJECT DIMENSIONS WDTH (FEET) :	**4**
PROJECT DIMENSIONS HGT (FEET) :	**3 ABOVE MHW**
PROJECT DIMENSION STORIES :	**1**
PROJECT DIMENSION TOTAL SQ FT :	**775**
ESTIMATED COST CONSTRUCTION :	**UNK**
ESTIMATED COMPLETION DATE :	**UNK**

AGENT INFORMATION: **LOFTIS, JOHN**
7150 CLEARWOOD RD
PENSACOLA, FL 32526
(850) 934-0530

STAFF COMMENTS:

THE APPLICANT IS REQUESTING TO CONSTRUCT A PIER WITH AN UNCOVERED BOATLIFT AT 20 DUNCAN AVE. THE OVERALL LENGTH OF THE PROPOSED PIER IS ≈150'. THE WALKWAY IS ≈4' WIDE AND THE TERMINAL IS ≈17' WIDE. THE PIER ENCROACHES ≈8' FEET (EACH SIDE) INTO THE 25' SIDE YARD SETBACK REQUIREMENT ESTABLISHED IN SECTION 24-191(2) OF THE CITY'S LAND DEVELOPMENT CODE (LDC); HOWEVER, THE APPLICANT RECEIVED A VARIANCE FOR THIS ON APRIL 26, 2011 (PROJECT NO.: 11-40000001).

STAFF HAS REVIEWED THE SUBMITTAL AND FINDS THAT FOR THE MOST PART, IT COMPLIES WITH THE LDC. NO FEDERAL OR STATE PERMITS WERE INCLUDED WITH THE APPLICATION PACKET AND ANY APPROVAL BY THE BOARD SHOULD BE CONTINGENT UPON THEIR RECEIPT. THE PLANS DO NOT DEPICT A CROSS OVER FOR PUBLIC ACCESS, HOWEVER, THERE APPEARS TO BE AN ABUNDANCE OF FORESHORE AND THE PUBLIC SHOULD BE ABLE TO WALK AROUND THE BEGINNING OF THE PIER.

STAFF RECOMMENDS THAT THE BOARD APPROVE THE PROJECT CONTINGENT UPON RECEIPT OF THE PROPER PERMITS OR EXEMPTIONS FROM FEDERAL AND STATE AGENCIES.

Ck# 10402
3-9-11 AB

LEVEL II AND III DEVELOPMENT ORDER APPLICATION

City of Gulf Breeze

PROPERTY OWNER INFORMATION

NAME: Charles Kahn

ADDRESS: 2744 Everett Lane

ADDRESS 2:

CITY: Tallahassee

STATE: FL

PHONE #: (850) 934 0530 ZIP: 32301

FAX: CELL #:

E-MAIL:

PROJECT LOCATION INFORMATION

PHYSICAL ADDRESS: 28 Duncan Ave

SUBDIVISION NAME: Driftwood 1st addition

PARCEL ID #:	SEC	TWN	RNG	SUB	BLK	LOT
	04	39	29	0958	00000	003

ZONING DESIGNATION: P - PUBLIC LANDS

IS THE PROPERTY A CORNER LOT? ☐ YES ☑ NO

DRIVING DIRECTIONS: from 98 take Live Oak St., turn left onto Duncan Ave. and project is on left

DESCRIPTION OF PROJECT

TYPE OF PROJECT: ☐ RENOVATION ☐ NEW CONSTRUCTION ☐ POOL ☑ MARINE ☐ DEMO ☐ OTHER:

SCOPE OF WORK: Client proposes to construct a 4' x 150' pier, a 2.5' x 20' service walk, a 10' x 10' platform, and a 4 pile "uncovered" bootlift (775 sq ft.)

OCCUPANCY CLASSIFICATION: ☑ RESIDENTIAL ☐ ASSEMBLY ☐ BUSINESS ☐ MERCANTILE ☐ STORAGE ☐ OTHER:

INTENDED USE:

DIMENSION:	LENGTH	WIDTH	HEIGHT	STORIES	SQUARE FEET
	150'	4'	3' above MHW	N/A	775

ESTIMATED COST OF CONSTRUCTION:

ESTIMATED COMPLETION DATE:

UTILITY INFORMATION

UTILITIES: ☐ WATER ☐ SEWER ☐ SEPTIC TANK ☐ GAS ☐ ELECTRIC

WATER TAP SIZE: ☐ 3/4" ☐ 1" ☐ 1 1/2" ☐ 2" ☐ 4" ☐ 6"

LIST GAS APPLIANCES:

WILL THE STRUCTURE HAVE FIRE SPRINKLERS: ☐ YES ☐ NO

SECTION 21-263 OF THE CITY'S CODE OF ORDINANCES REQUIRES THAT ALL NEW DEVELOPMENT AND REDEVELOPMENT WITH A CONSTRUCTION PERMIT EVALUATION EXCEEDING 50 PERCENT OF THE MOST RECENTLY ASSESSED VALUE OF THE PROPERTY, SHALL BE REQUIRED TO PLACE ALL UTILITIES UNDERGROUND, INCLUDING ELECTRICAL AND TELEPHONE LINES.

MARINE CONSTRUCTION:

TYPE OF PROJECT: ☐ RETAINING/SEA WALL ☑ DOCK/PIER ☐ BOATHOUSE ☑ UNCOVERED LIFT

BODY OF WATER: ☑ PENSACOLA BAY ☐ SANTA ROSA SOUND ☐ HOFFMAN BAYOU

☐ WOODLAND BAYOU ☐ GILMORE BAYOU

IF A DOCK/PIER, BOATHOUSE OR UNCOVERED LIFT, WHAT IS THE LENGTH MEASURED FROM THE MHWL? 150'

IF A DOCK/PIER, BOATHOUSE OR UNCOVERED LIFT, WHAT IS THE TOTAL SQUARE FOOTAGE? 775 sq ft.

IF A BOATHOUSE OR UNCOVERED LIFT, WHAT IS THE SQUARE FOOTAGE? 126 sq ft.

WHAT IS THE DISTANCE FROM THE FURTHERMOST EXTENT OF THE DOCK/PIER, BOATHOUSE OR UNCOVERED BOAT LIFT FROM THE PROPERTY LINE?

LEFT: 17' RIGHT: 17'

SECTION 24-172 OF THE LAND DEVELOPMENT CODE REQUIRES THAT ALL DOCKS, PIERS, BOATHOUSES, UNCOVERED SLIPS OR SIMILAR STRUCTURES PROVIDE CONTINUING PUBLIC ACCESS TO ALL SOVEREIGN LANDS, HOW WILL THIS BE ACCOMPLISHED FOR THIS PARTICULAR PROJECT?

The approach for the pier will be close enough to MHW line to allow for traffic to easily pass and/or steps will be built to allow passage.

IF A DOCK/PIER BOATHOUSE OR UNCOVERED SLIP, ALONG WHAT SECTION OF SHORELINE WILL THE PROJECT BE LOCATED:

☐ NAVAL LIVE OAKS - BOB SIKES BRIDGE (200' MAX)

☐ BOB SIKES - SHORELINE PARK (200' MAX)

☐ SHORELINE PARK - DEER POINT (200' MAX)

☐ DEER POINT - ZAMARA CANAL (300' MAX)

☐ ZAMARA CANAL - FAIRPOINT (475' MAX)

☐ FAIRPOINT - PENSACOLA BAY BRIDGE (225' MAX)

☑ PENSACOLA BAY BRIDGE - NAVAL LIVE OAKS (200' MAX)

☐ INLAND BAYOU (25'MAX)

IF A RETAINING/SEA WALL, WHAT IS IT'S DISTANCE FROM THE MHWL? N/A

WHAT IS THE VERTICAL HEIGHT OF THE RETAINING/SEA WALL? SEAWARD N/A LANDWARD N/A

ARE COPIES OF FEDERAL AND STATE PERMITS ATTACHED? ☐ YES ☐ NO

DEP is attached and contingent upon Army COE

POOL INFORMATION:

POOL TYPE: ☐ BELOW GROUND ☐ ABOVE GROUND ☐ SPA/HOT TUB

DIMENSION:	LENGTH	WIDTH	DEPTH	SQUARE FEET

IS THE YARD FENCED OR WILL IT BE FENCED? ☐ YES ☐ NO

IS SO, WHAT IS THE HEIGHT?

WILL THE POOL HAVE SCREENED ENCLOSURE?

IS SO, WHAT ARE THE DIMENSIONS:	LENGTH	WIDTH	HEIGHT	SQUARE FEET

I, _____, NOW ENGAGING OR ABOUT TO ENGAGE IN THE CONSTRUCTION OF A SWIMMING POOL UPON MY OWN PREMISES AS DESCRIBED ON THE REQUIRED BUILDING PERMIT APPLICATION AND LOCATED IN SANTA ROSA COUNTY, FLORIDA, DO HEREBY ACKNOWLEDGE THE REQUIREMENT OF AN APPROVED BARRIER AT LEAST 48 INCHES (4 FEET) ABOVE GRADE, MEASURED ON THE SIDE OF THE BARRIER WHICH FACES AWAY FROM THE SWIMMING POOL, IS TO BE ERECTED PRIOR TO FILLING THE POOL WITH WATER. FURTHERMORE, I ACKNOWLEDGE THE REQUIREMENT OF AN ALARM ON ALL DOORS AND WINDOWS WITHIN A DWELLING UNIT HAVING DIRECT ACCESS TO THE POOL THROUGH A WALL (OR WALLS) THAT SERVES AS PART OF THE BARRIER.

I FURTHER ACKNOWLEDGE THAT THE FOREGOING IS REQUIRED BY SECTION 315 OF THE STANDARD SWIMMING POOL CODE AND CITY ORDINANCE.

CONTRACTOR'S SIGNATURE	DATE	OWNER'S SIGNATURE	DATE
PRINTED NAME		PRINTED NAME	

COMMERCIAL DEVELOPMENT:

ENGINEER'S NAME:		ARCHITECT'S NAME:	
ADDRESS:		ADDRESS:	
ADDRESS 2:		ADDRESS 2:	
CITY:		CITY:	
STATE:		STATE:	
PHONE #:	ZIP:	PHONE #:	ZIP:
FAX:	CELL #:	FAX:	CELL #:
E-MAIL:		E-MAIL:	
STATE LICENSE #:		STATE LICENSE #:	

AGENT INFORMATION:

NAME: John W Loftis

ADDRESS: 7150 Clearwood Rd.

ADDRESS 2:

CITY: Pensacola

STATE: FL

PHONE #: (850) 934-0530 ZIP: 32526

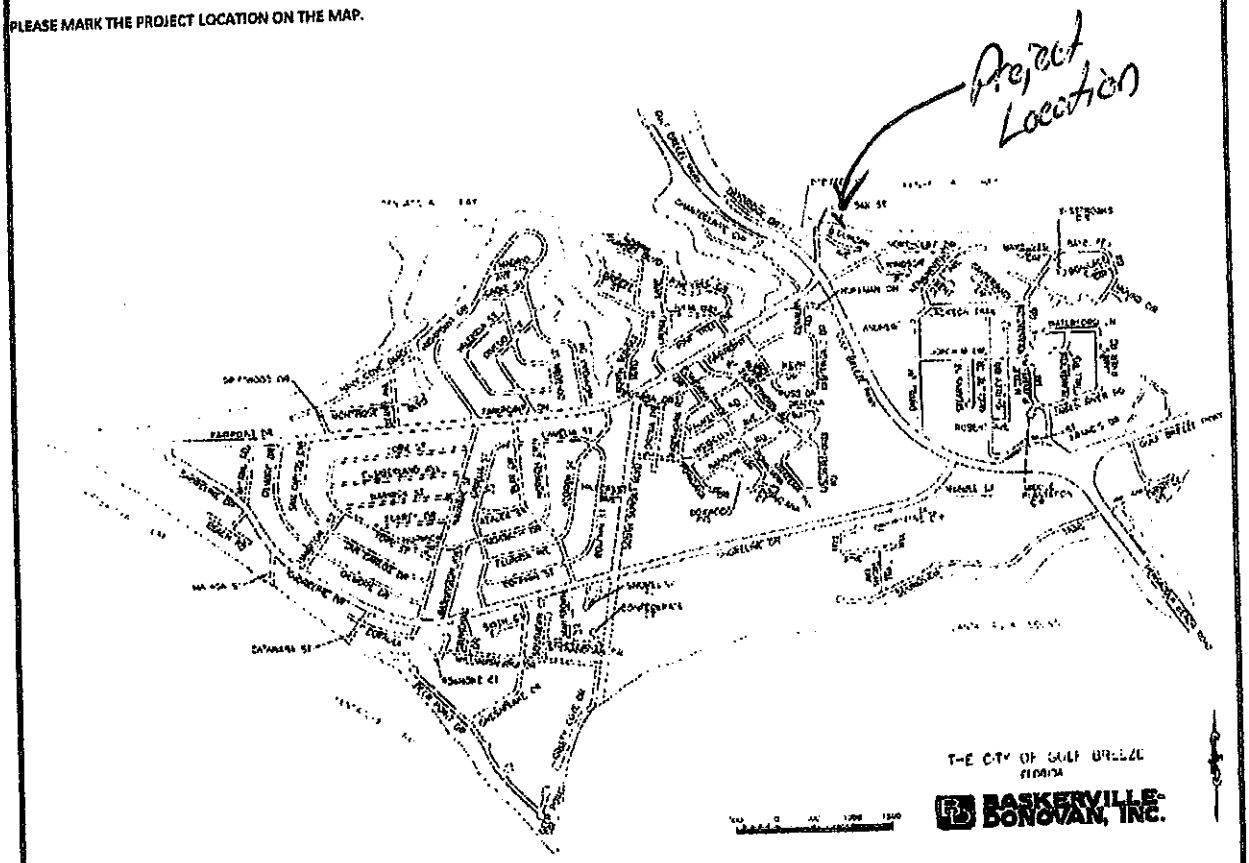
FAX: (850) 478-3497 CELL #: (850) 572-3718

E-MAIL: loftismarinediv@aol.com

~~STATE LICENSE #~~: SR County MC 0999999

LOCATION MAP:

PLEASE MARK THE PROJECT LOCATION ON THE MAP.



DEMOLITION INFORMATION

PLEASE ATTACH A SURVEY DEPICTING THE STRUCTURES TO BE REMOVED.

IF UTILITIES ARE TO REMAIN ONSITE, WHAT MEASURES WILL BE TAKEN TO PROTECT THEM FROM DAMAGE?

DISPOSAL OF MATERIAL: ☐ SANTA ROSA COUNTY LANDFILL ☐ ESCAMBIA COUNTY LANDFILL

☐ OTHER:_____

ASBESTOS NOTIFICATION STATEMENT

PER FLORIDA BUILDING CODE 105.9 ASBESTOS. THE ENFORCING AGENCY SHALL REQUIRE EACH BUILDING PERMIT FOR THE DEMOLITION OR RENOVATION OF AN EXISTING STRUCTURE TO CONTAIN AN ASBESTOS NOTIFICATION STATEMENT WHICH INDICATES THE OWNER'S OR OPERATOR'S RESPONSIBILITY TO COMPLY WITH THE PROVISIONS OF SECTION 469.003, FLORIDA STATUTES, AND TO NOTIFY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION OF HIS OR HER INTENTIONS TO REMOVE ASBESTOS, WHEN APPLICABLE, IN ACCORDANCE WITH STATE AND FEDERAL LAW.

469.003 LICENSE REQUIRED

1. NO PERSON MAY CONDUCT AN ASBESTOS SURVEY, DEVELOP AN OPERATION AND MAINTENANCE PLAN, OR MONITOR AND EVALUATE ASBESTOS ABATEMENT UNLESS TRAINED AND LICENSED AS AN ASBESTOS CONSULTANT AS REQUIRED BY THIS CHAPTER.

2. (A) NO PERSON MAY PREPARE ASBESTOS ABATEMENT SPECIFICATIONS UNLESS TRAINED AND LICENSED AS AN ASBESTOS CONSULTANT AS REQUIRED BY THIS CHAPTER.
(B) ANY PERSON ENGAGED IN THE BUSINESS OF ASBESTOS SURVEYS PRIOR TO OCTOBER 1, 1987, WHO HAS BEEN CERTIFIED BY THE DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY AS A CERTIFIED ASBESTOS SURVEYOR AND WHO HAS COMPLIED WITH THE TRAINING REQUIREMENTS OF S. 469.013(1)(B), MAY PROVIDE SURVEY SERVICES AS DESCRIBED IN S. 255.553(1), (2) AND (3). THE DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY MAY, BY RULE, ESTABLISH VIOLATIONS, DISCIPLINARY PROCEDURES, AND PENALTIES FOR CERTIFIED ASBESTOS SURVEYORS.

3. NO PERSON MAY CONDUCT ASBESTOS ABATEMENT WORK UNLESS LICENSED BY THE DEPARTMENT UNDER THIS CHAPTER AS AN ASBESTOS CONTRACTOR, EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER.

I CERTIFY THAT I HAVE READ AND UNDERSTAND AND WILL COMPLY WITH THE PROVISIONS OF THIS ASBESTOS NOTIFICATION STATEMENT AND THAT I WILL COMPLY WITH ALL STATE AND FEDERAL REGULATIONS PERTAINING TO ASBESTOS.

_____ _____
LICENSE HOLDER/CONTRACTOR SIGNATURE DATE

_____
LICENSE HOLDER/CONTRACTOR PRINTED NAME LICENSE NUMBER

_____

MEETING DATES

	PACKET DUE DATE	MEETING DATE		PACKET DUE DATE	MEETING DATE
☐	OCT. 13, 2009	NOV. 3, 2009	☐	MAY. 11, 2010	JUN. 1, 2010
☐	NOV. 10, 2009	DEC. 8, 2009	☐	JUN. 8, 2010	JUL 6, 2010
☐	DEC. 15, 2009	JAN. 5, 2010	☐	JUL. 13, 2010	AUG. 3, 2010
☐	JAN. 12, 2010	FEB. 2, 2010	☐	AUG. 10, 2010	SEP. 7, 2010
☐	FEB. 9, 2010	MAR. 2, 2010	☐	SEP. 14, 2010	OCT. 5, 2010
☐	MAR. 9, 2010	APR. 6, 2010	☐	OCT. 12, 2010	NOV. 2, 2010
☐	APR. 13, 2010	MAY 4, 2010	☐	NOV. 9, 2010	DEC. 7, 2010

AUTHORIZATION:

APPLICATION IS HEREBY MADE RO OBTAIN A DEVELOPMENT ORDER TO THE WORK AS INDICATED IN THE ATTACHED PLANS AND SPECIFICATIONS. I (WE) CERTIFY THAT NO WORK HAS COMMENCED PRIOR TO THE ISSUANCE OF THE DEVELOPMENT ORDER AND THAT ALL WORK WILL BE PREFORMED IN ACCORDANCE WITH ~~ALL LAWS~~ REGULATING CONSTRUCTION AND ZONING IN THIS JURISDICTION.

CONTRACTOR'S SIGNATURE	DATE	OWNER'S SIGNATURE	DATE
			3-9-11
John W. Loftis		Charles Kahn	
PRINTED NAME		PRINTED NAME	

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
(33 CFR 325)

OMB APPROVAL NO. 0710-0003
EXPIRES: 31 August 2012

Public reporting burden for this collection of information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate. Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003) Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers, Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME
First - Charles Middle - J Last - Kahn
Company -
E-mail Address -

6. APPLICANT'S ADDRESS
Address - 2944 Everitt Lane
City - Tallahassee State - FL Zip - 32301 Country - USA

7. APPLICANT'S PHONE NOs. W/AREA CODE
a. Residence b. Business (850) 934-0530 c. Fax

8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required)
First - John Middle - W Last - Loftis
Company - Loftis Marine Division, Inc.
E-mail Address - loftismarinedivision@aol.com

9. AGENT'S ADDRESS
Address - 7150 Clearwood Rd.
City - Pensacola State - FL Zip - 32526 Country - USA

10. AGENT'S PHONE NOs. W/AREA CODE
a. Residence b. Business (850) 572-6501 c. Fax

STATEMENT OF AUTHORIZATION

11. I hereby authorize, John W Loftis to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

X [signature] APPLICANT'S SIGNATURE — DATE 2/17/2011

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)
Kahn Family Pier

13. NAME OF WATERBODY, IF KNOWN (if applicable)
Pensacola Bay

14. PROJECT STREET ADDRESS (if applicable)
Address 28 Dancer Ave

15. LOCATION OF PROJECT
Latitude: °N 30-22.100
Longitude: °W 87-10.179
City - Gulf Breeze State - FL Zip - 32561

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)
State Tax Parcel ID 04-3S-29-0958-0000-0030 Gulf Breeze
Section - 04 Township - 3S Range - 29

17. DIRECTIONS TO THE SITE
Proceed South on Pensacola Bay Bridge (Hwy 98) and turn left on Live Oak St, then right onto Dancer Ave. Property is on left. (See attached map)

18. Nature of Activity (Description of project, include all features) Client proposes to construct a 4'x 150' pier, 2.5'x 20' service walk, 10'x 10' platform, and a 4 Piling boatlift. (775 sq ft)

19. Project Purpose (Describe the reason or purpose of the project, see instructions) A single family pier and boatlift so that the owner may safely utilize and store their boat.

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

N/A

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type Amount in Cubic Yards N/A | Type Amount in Cubic Yards N/A | Type Amount in Cubic Yards N/A

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres
Or
Liner Feet N/A

23. Description of Avoidance, Minimization, and Compensation (see instructions) Turbidity curtain to be used as necessary.

24. Is Any Portion of the Work Already Complete? Yes ☐ No ☑ IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list)

Lot 1 (West)
Stamps Britton
P.O. Box 9
Gulf Breeze, FL 32561

Lot 2 (East)
Lundy Gynelle J
P.O. Box 187
Gulf Breeze, FL 32562

26. List of Other Certifications or Approvals/Denials Received from other Federal, State, or Local Agencies for Work Described in This Application

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
		N/A			

* Would include but is not restricted to zoning, building, and flood plain permits

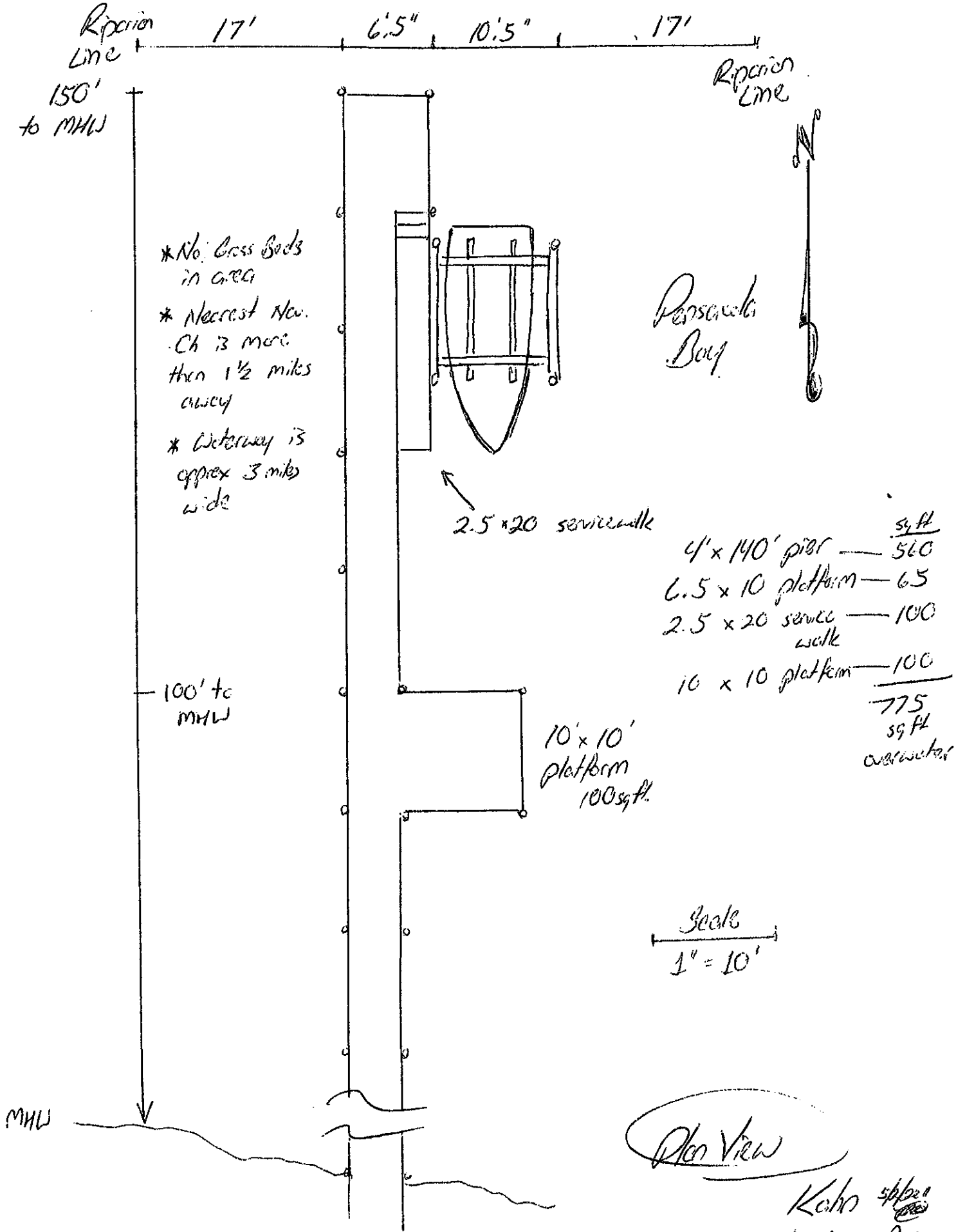
27. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant

X [signature] 2/17/2011 — SIGNATURE OF APPLICANT — DATE

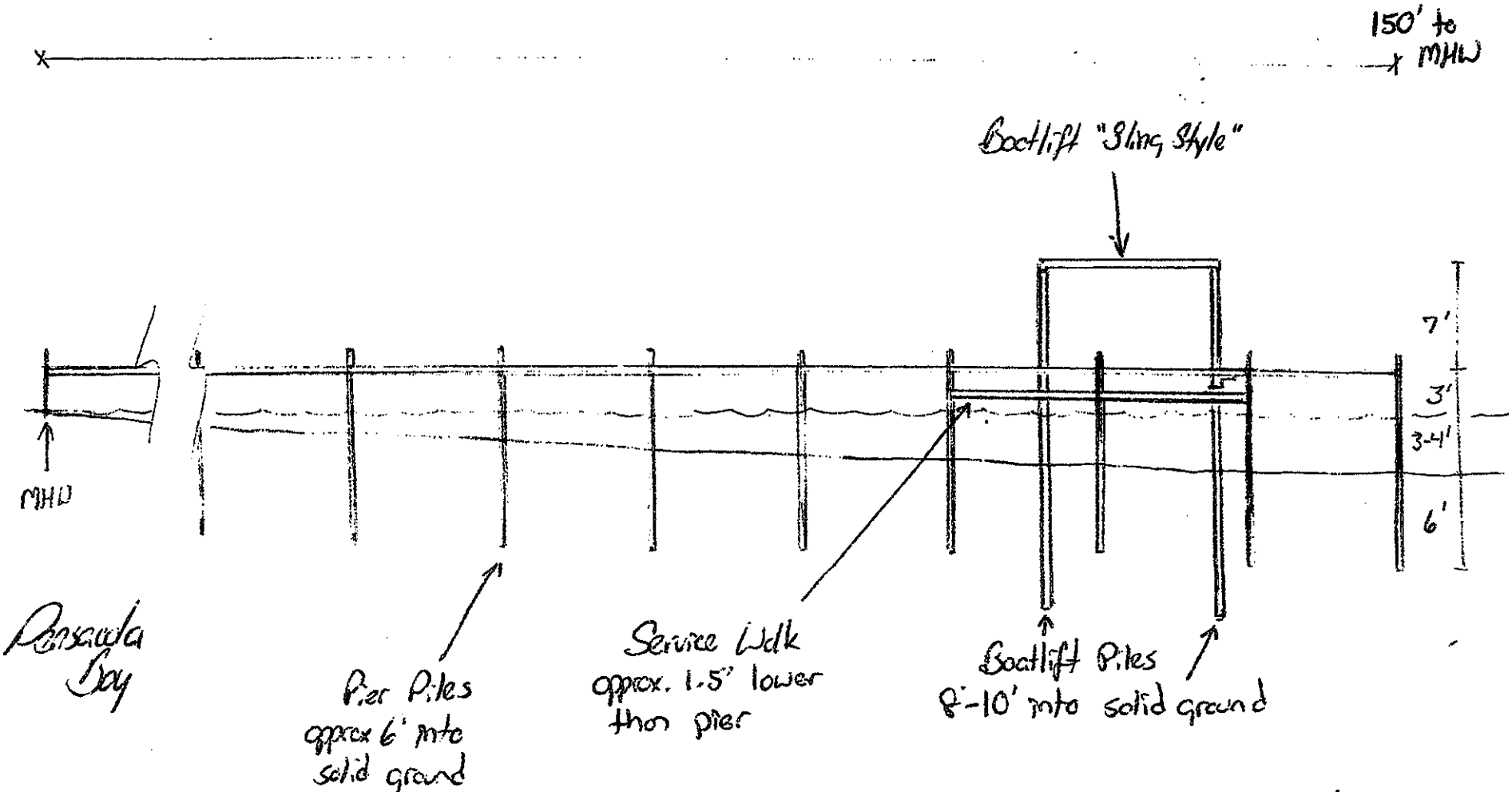
[signature] 2/16/2011 — SIGNATURE OF AGENT — DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than $10,000 or imprisoned not more than five years or both


Riparian Line
17'
6.5"
10.5"
17'
Riparian Line
150' to MHW
100' to MHW
MHW
* No. Cross Beds in area
* Nearest Nav. Ch is more than 1½ miles away
* Waterway is approx 3 miles wide
2.5 x 20 servicewalk
10' x 10' platform 100 sq ft.
Pensacola Bay
4' x 140' pier — 560 sq ft
6.5 x 10 platform — 65
2.5 x 20 service walk — 100
10 x 10 platform — 100
775 sq ft overwater
Scale
1" = 10'
Plan View
Kahn
Lattis Marine Division

* Waterdepth at end of structure ranges from 3' @ MLW to 4' @ MHW



* No Gross Beds in area of proposed project

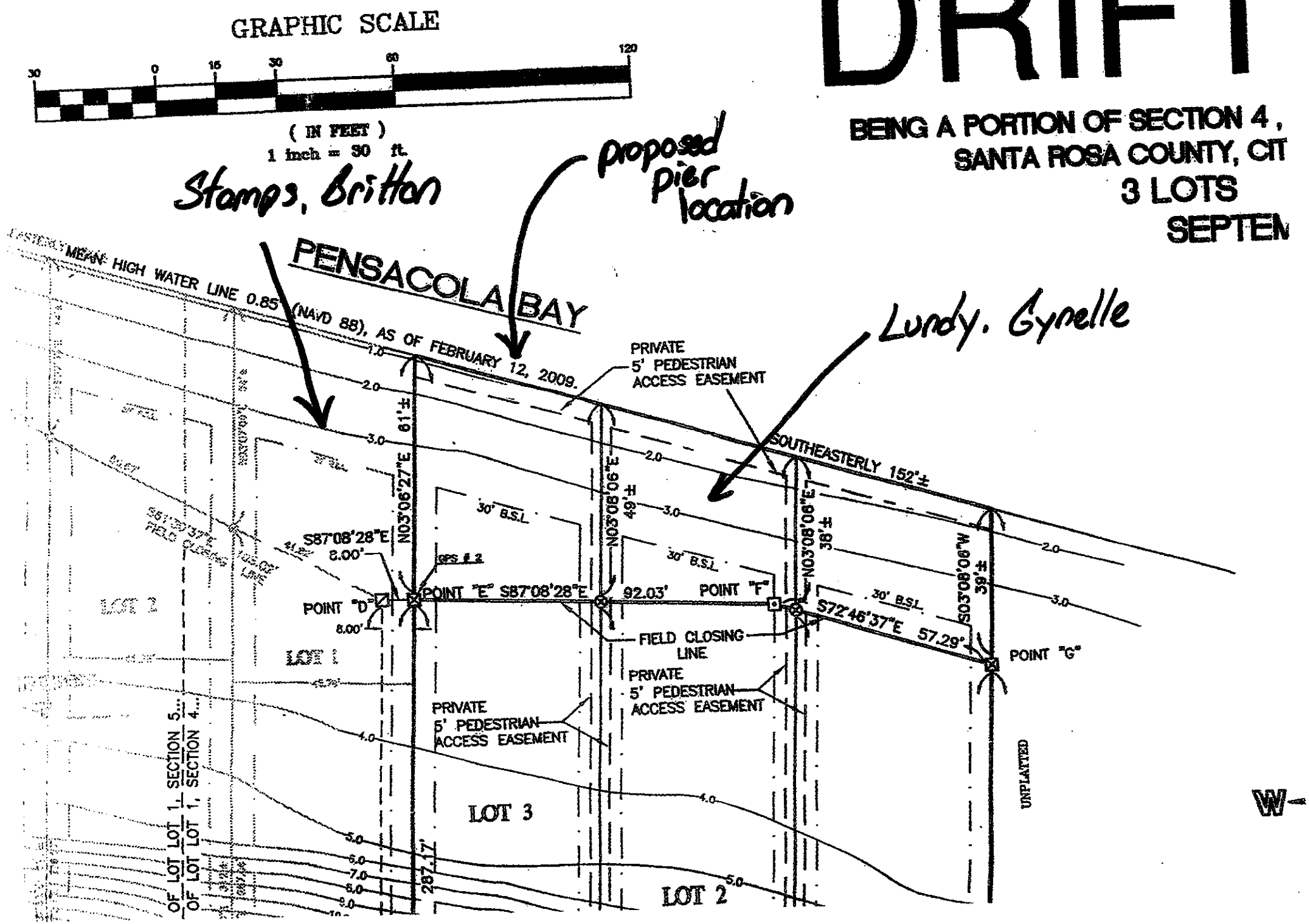
Scale
1" = 10'

Elevation View

Lafitte Marine Division, Inc.
Kahn 2/15/2011

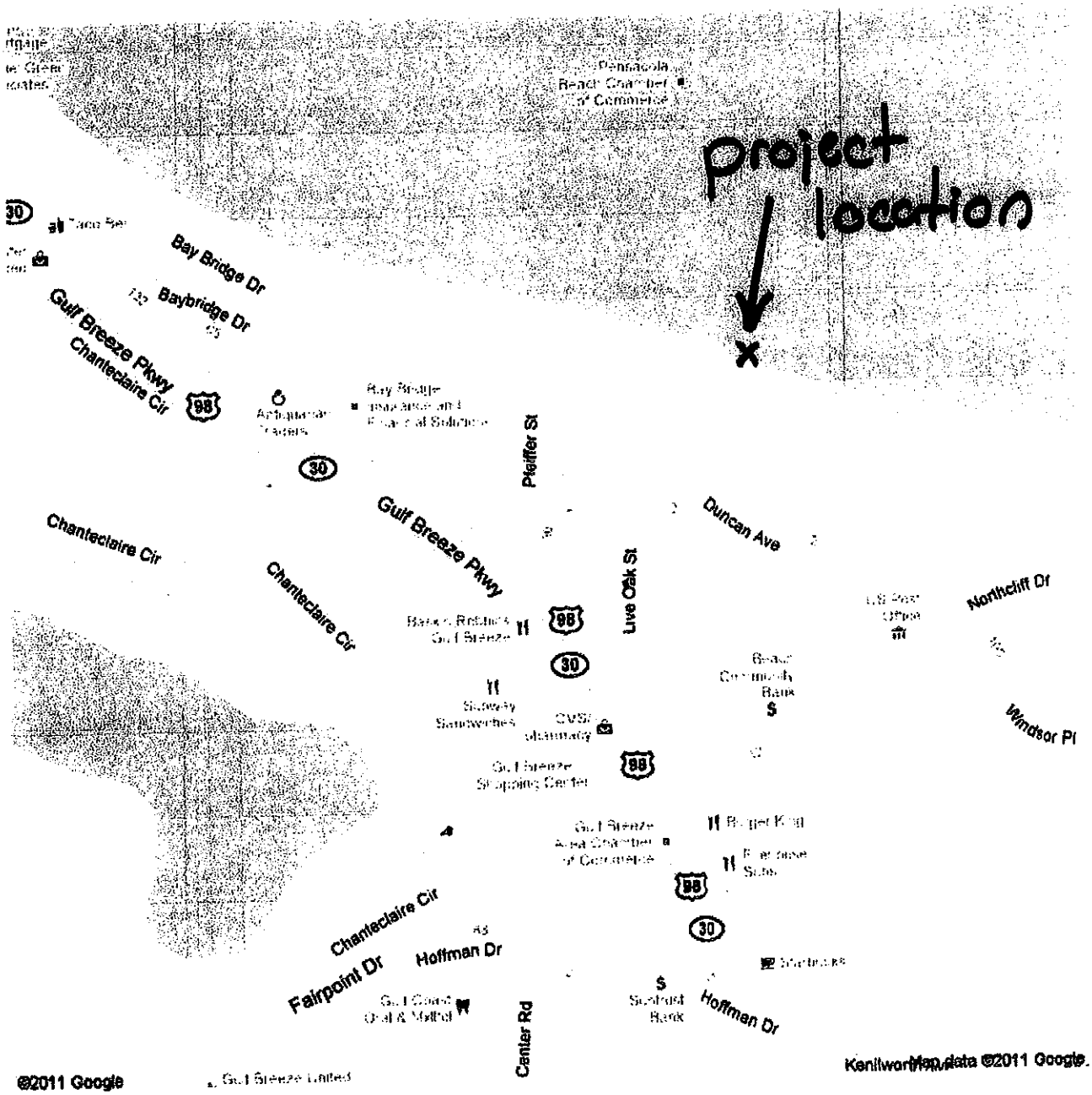
DRIFT

BEING A PORTION OF SECTION 4,
SANTA ROSA COUNTY, FL
3 LOTS
SEPTEM



Google maps

Get Google Maps on your phone
Text the word "GMAPS" to 466453



Gregory S. Brown, CFA
Santa Rosa County
Property Appraiser

info@srcpa.org

Ownership Information	
Owner	Kahn, Charles
Name2/Address	
Address	2744 Everett Lane
City, State, Zip	Tallahassee, FL 32301

Parcel ID	04-3S-29-0958-00000-0030			Show Parcel Map
Phys. Loc			1	
Tax District Name	Gulf Breeze	Millage Rate	15.7663	

2010 Certified Values
This parcel was not included in the 2010 Tax Year Tax Roll. Please contact the Property Appraiser for more information.

General Information	
	000000
BLDG CNT	0
XF/OB CNT	0
ACRES	0.392

Tax Collector Data

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

Legal Information	Show Expanded Legal Description
DRIFTWOOD FIRST ADDITION LOT 3	
AS DES IN OR 2956 PG 2034	
LESS OR 3017 PG 2033 (ROAD) &	

*** Legal description is for reference only and should not be used for Legal documents***

Sales Information				Sales in Area	
OR Book/Page	Sale Date	Sale Amount		Vac/Imp	Q/U
	02/03/2010	100	TD	V	U

Click Book/Page Number to Retrieve Clerk Of Court Information on Sale.

Land Information									
Item	Land Code	Description	Zoning	Frontage	Depth	Unit Type	Land Units	Adj Unit Price	Land Value
1	000143	SFR BAYFRO		51	335	0000051.000	FF	1	

Show Zoning

Previous Parcel | Return to Main Search | Next Parcel

Santa Rosa Home

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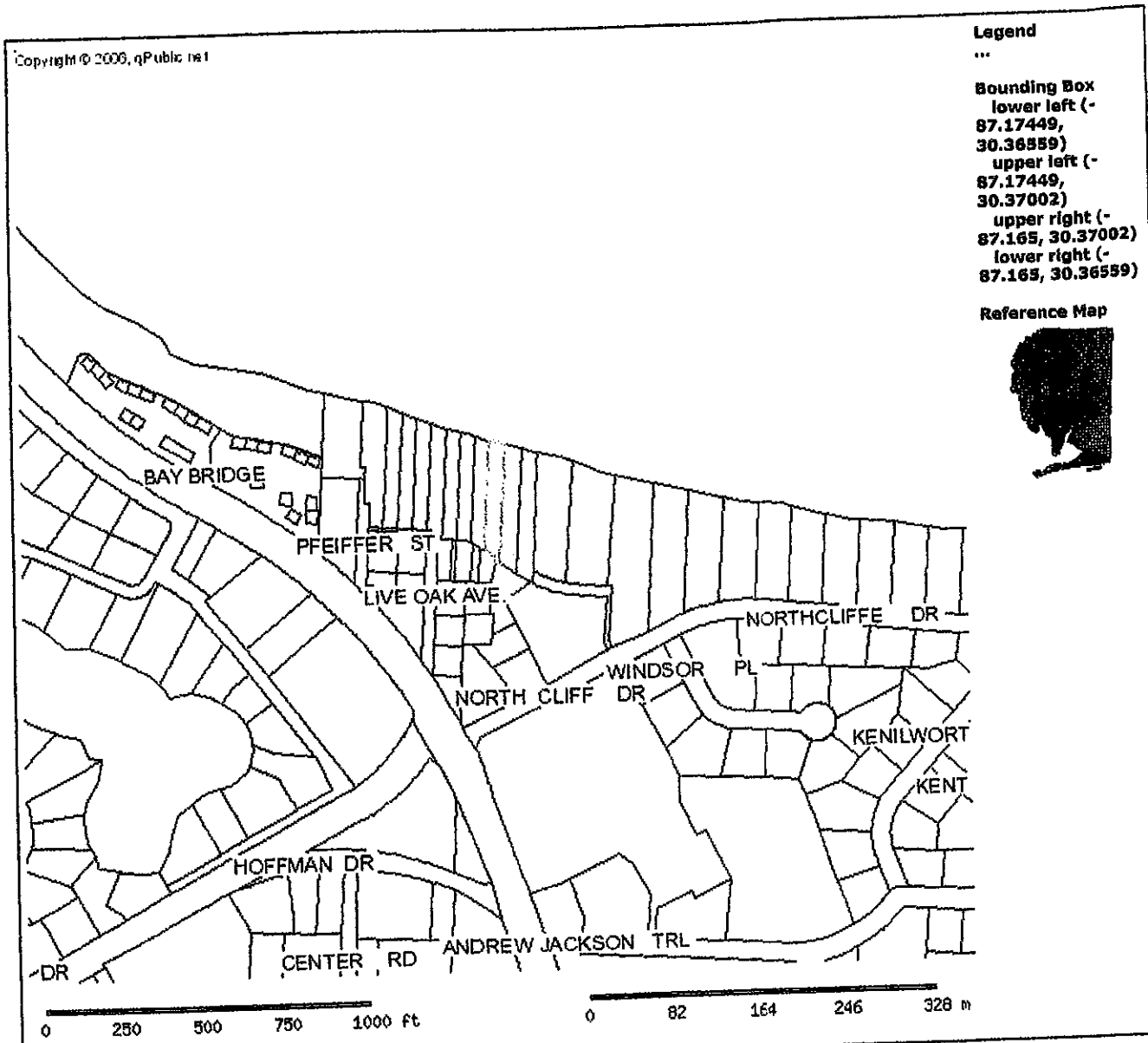

PARCEL INFORMATION TABLE

Acres	**0.39**
Property Use	**VACANT**
Land Use	**SFR BAYFRO**

OWNERSHIP INFORMATION

Name	Kahn. Charles
Mailing Address	2744 Everett Lane Tallahassee, FL 32301
Situs/Physical Address	

VALUES

Gregory S. Brown, CFA
Santa Rosa County
Property Appraiser

6495 Caroline Street
Milton, Florida 32570

(850) 983-1000 voice
(850) 623-1301 Fax
info@srcpa.org

Ownership Information	
Owner	STAMPS BRITTON
Name2/Address	P O BOX 9
Address	
City, State, Zip	GULF BREEZE, FL 32561

Parcel ID	05-3S-29-0957-00000-0010			Show Parcel Map
Phys. Loc	LIVE OAK		1	
Tax District Name	Gulf Breeze	**Millage Rate**	15.7663	

2010 Certified Values	
Land Value	287,793
Building Value	0
Misc Value	0
Just Value*	287,793
Assessed Value	253,454
Exempt Value	0
Taxable Value	253,454

General Information	
	000000
BLDG CNT	0
XF/OB CNT	0
ACRES	0.407

Tax Collector Data

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

Legal Information	Show Expanded Legal Description
DRIFTWOOD LOT 1	
LESS OR 3017 PG 2033 (ROAD) &	
BEING THAT PORT OF PROPERTY	

** Legal description is for reference only and should not be used for Legal documents***

Sales Information				Sales in Area	
OR Book/Page	**Sale Date**	**Sale Amount**		**Vac/Imp**	**Q/U**
No sales information associated with this parcel.					

Click Book/Page Number to Retrieve Clerk Of Court Information on Sale.

Land Information									
Item	**Land Code**	**Description**	**Zoning**	**Frontage**	**Depth**	**Unit Type**	**Land Units**	**Adj Unit Price**	**Land Value**
1	000143	SFR BAYFRO	*	51	348	0000051.000	FF	5643.000	287793

W. Neighbor

Gregory S. Brown, CFA
Santa Rosa County
Property Appraiser

6495 Caroline Street
Milton, Florida 32570

(850) 983-1936 Voice
(850) 623-1241 Fax
info@srcpa.org

Ownership Information	
Owner	LUNDY GYNELLE J &
Name2/Address	LUNDY HERBERT V AS CO-TRUSTEES
Address	PO BOX 187
City, State, Zip	GULF BREEZE, FL 32562

Parcel ID	04-3S-29-0958-00000-0020	[illegible]		Show Parcel Map
Phys. Loc		[illegible]	1	
Tax District Name	Gulf Breeze	Millage Rate	15.7663	

2010 Certified Values
This parcel was not included in the 2010 Tax Year Tax Roll. Please contact the Property Appraiser for more information.

General Information	
[illegible]	000000
BLDG CNT	0
XF/OB CNT	0
ACRES	0.416

Tax Collector Data

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

Legal Information	Show Expanded Legal Description
DRIFTWOOD FIRST ADDITION LOT 2	
AS DES IN OR 2956 PG 2034	
LESS OR 3017 PG 2033 (ROAD) &	

** Legal description is for reference only and should not be used for Legal documents***

Sales Information				Sales in Area	
OR Book/Page	Sale Date	Sale Amount	[illegible]	Vac/Imp	Q/U
[illegible]	02/03/2010	100	TD	V	U

Click Book/Page Number to Retrieve Clerk Of Court Information on Sale.

Land Information									
Item	Land Code	Description	Zoning	Frontage	Depth	Unit Type	Land Units	Adj Unit Price	Land Value
1	000143	SFR BAYFRO	*	51	356	0000051.000	FF	1	

Show Zoning

Previous Parcel | Return to Main Search | Next Parcel

Santa Rosa Home

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E. Neighbor

File # 201103394, OR BK 3034 Page 914, Recorded 01/24/2011 at 08:56 AM, DOC D
$2878.40 Mary M. Johnson, Clerk Santa Rosa County, Florida Deputy Clerk JI
Trans # 481704

Prepared by and return to:
Charles L. Hoffman, Jr.
Attorney at Law
Shell, Fleming, Davis & Menge, P.A.
P.O. Box 1831 226 Palafox Place, 9th Floor
Pensacola, FL 32591-1831
850-434-2411
File Number: H4991.00000

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 21st day of January, 2011 between **Samuel I. Lundy, individually, and Gynelle J. Lundy and Herbert V. Lundy, as Co-Trustees of the Gynelle J. Lundy Revocable Trust dated January 23, 2007 and Gynelle J. Lundy and Herbert V. Lundy, as Co-Trustees of the Herbert V. Lundy Revocable Trust, both dated January 23, 2007.** whose post office address is **3010 Westfield Road, Pensacola, FL 32503**, grantor, and **Charles J. Kahn, Jr., and Janet S. Kahn , husband and wife** whose post office address is **2744 Everett Lane, Tallahassee, FL 32301**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Santa Rosa County, Florida** to-wit:

Lot 3, The First Addition to Driftwood, according to the plat thereof, recorded in Plat Book 11, Page(s) 40, of the Public Records of Santa Rosa County, Florida, less the property of Lot 3 South of the private 22 ingress/egress easement as set forth on Quitclaim Deed Recorded in OR Book 3017 at Page 2033 of the Public Records of Santa Rosa County, Florida.

The above mentioned property is not the homestead of the grantors.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And subject to taxes for the current year and later years and all valid easements and restrictions of record, if any, which are not hereby reimposed; and also subject to any claim, right, title or interest arising from any recorded instrument reserving, conveying, leasing, or otherwise alienating any interest in the oil, gas and other minerals. And grantor does warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever, **December 31, 2010** subject only to the exceptions set forth herein.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: Charles C Hoffman

Witness Name: Charlene C Bowden

(Seal)
Samuel I. Lundy, individually

(Seal)
Gynelle J. Lundy, as Co- Trustee of the Herbert V. Lundy Revocable Trust dated January 23, 2007

(Seal)
Herbert V. Lundy, as Co-Trustee of the Gynelle J. Lundy Revocable Trust dated January 23, 2007

(Seal)
Gynelle J. Lundy, as Co-Trustee of the Gynelle J. Lundy Revocable Trust dated January 23, 2007

(Seal)
Herbert V. Lundy, as Co-Trustee of the Herbert V. Lundy Revocable Trust, dated January 23, 2007

State of Florida
County of Escambia

The foregoing instrument was sworn to and subscribed before me this 21st day of January, 2011 by Herbert V. Lundy and Gynelle J. Lundy, as Co-Trustees of the Herbert V. Lundy Revocable Trust dated January 23, 2007, and Gynelle J. Lundy and Herbert V. Lundy, as Co-Trustees of the Gynelle J. Lundy Revocable Trust dated January 23, 2007 who, [✓] are personally known or [ ] have produced a driver's license as identification.

[Notary Seal]

Charles L. Hoffman, Jr
Notary Public-State of FL
COMM. Exp. Feb. 28, 2013
Comm. No. DD838896

Notary Public
Printed Name: Charles L. Hoffman, Jr.
My Commission Expires: February 28, 2013

State of Florida
County of Escambia

The foregoing instrument was sworn to and subscribed before me this 21st day of January, 2011 by Samuel I. Lundy, individually, who [✓] are personally known or [ ] have produced a driver's license as identification.

[Notary Seal]

Charles L. Hoffman, Jr
Notary Public-State of FL
COMM. Exp. Feb. 28, 2013
Comm. No. DD838896

Notary Public
Printed Name: Charles L. Hoffman, Jr.
My Commission Expires: February 28, 2013

DoubleTime®

: ABUTTING ROADWAY MAINTENANCE DISCLOSURE

ATTENTION: pursuant to Santa Rosa County Ordinance No. 2000-09, sellers of residential lots are required to disclose to buyers whether abutting roadway will be maintained by Santa Rosa County. Santa Rosa County **WILL NOT ACCEPT FOR MAINTENANCE ANY ROADWAYS NOT BUILD OR IMPROVED TO MEET COUNTY STANDARDS.** Ordinance 2000-09 requires this Disclosure to be attached along with other attachments to the deed or other method of conveyance required to be made a part of the public records of Santa Rosa County, Florida.

Note: Acceptance for filing by County employees of this disclosure shall in no way be construed as an acknowledgment by the County of the veracity of any disclosure statement. This disclosure is not for the purpose of confirming that the subject property actually abuts the roadway. Only a survey can provide such confirmation.

NAME OF ROADWAY: **Duncan Avenue**

LEGAL ADDRESS OF PROPERTY: **28 Duncan Avenue, Gulf Breeze, Florida 32561**

The County ( ) has accepted, (X) has not accepted the abutting roadway for maintenance.
Private Maintained Road

The foregoing information has been furnished by the Public Works Department of Santa Rosa County, Florida, on this January 21,2011.

Buyer: Charles J. Kahn, Jr.

Buyer: Janet S. Kahn

Seller: Samuel I. Lundy, individually

Seller: Gynelle J. Lundy, as Co-Trustee of the Herbert V. Lundy Revocable Trust dated January 23, 2007

Seller: Herbert V. Lundy, as Co-Trustee of the Gynelle J. Lundy Revocable Trust dated January 23, 2007

Seller: Gynelle J. Lundy, as Co- Trustee of the Gynelle J. Lundy Revocable Trust date January 23, 2007

Seller:Herbert V. Lundy, as Co-Trustee of the Herbert V.. Lundy Revocable Trust dated January 23, 2007

: ABUTTING ROADWAY MAINTENANCE DISCLOSURE

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LEGAL ADDRESS OF PROPERTY: **28 Duncan Avenue, Gulf Breeze, Florida 32561**

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Private Maintained Road

The foregoing information has been furnished by the Public Works Department of Santa Rosa County, Florida, on this January 21,2011.

Buyer: Charles J. Kahn, Jr.

Buyer: Janet S. Hahn

Seller: Samuel I. Lundy, individually

Seller: Gynelle J. Lundy, as Co-Trustee of the Herbert V. Lundy Revocable Trust dated January 23, 2007

Seller: Herbert V. Lundy, as Co-Trustee of the Gynelle J. Lundy Revocable Trust dated January 23, 2007

Seller: Gynelle J. Lundy, as Co- Trustee of the Gynelle J. Lundy Revocable Trust date January 23, 2007

Seller:Herbert V. Lundy, as Co-Trustee of the Herbert V.. Lundy Revocable Trust dated January 23, 2007

State of: Florida
County of: Escambia

The foregoing instrument was sworn to and subscribed before me on January 21, 2011 by Charles J. Kahn, Jr., and Janet S. Kahn, husband and wife, who are [✓] personally known or [ ] has produced a valid driver's license as identification.

Charles L. Hoffman, Jr
Notary Public-State of FL
COMM. Exp. Feb 28, 2013
Comm. No. DD838698

Notary Public
Printed Name: Charles L. Hoffman, Jr.
My Commission Expires: 02-28-2013

State of: Florida
County of: Escambia

The foregoing instrument was sworn to and subscribed before me on January 21, 2011, by Samuel I. Lundy, an unmarried man, who is [✓] personally known or [ ] has produced a valid driver's license as identification.

Charles L. Hoffman, Jr
Notary Public-State of FL
COMM. Exp. Feb. 28, 2013
Comm. No. DD838698

Notary Public:
Printed Name: Charles L. Hoffman, Jr.
My Commission Expires: 02-28-2013

State of: Florida
County of: Escambia

The foregoing instrument was sworn to and subscribed before me on January 21, 2011, by Gynette J. Lundy and Herbert V. Lundy, as Co-Trustees of the Gynelle J. Lundy Revocable Trust dated January 23, 2007, and Herbert V. Lundy and Gynelle J. Lundy, as Co-Trustees of the Herbert V. Lundy Revocable Trust dated January 23, 2007, who is [✓] personally known or [ ] has produced a valid driver's license as identification.

Charles L. Hoffman, Jr
Notary Public-State of FL
COMM. Exp. Feb. 28, 2013
Comm. No. DD838698

Notary Public:
Printed Name: Charles L. Hoffman, Jr.
My Commission Expires: 02-28-2013

City of Gulf Breeze

May 23, 2011

The Honorable Charles J Kahn, Jr.
2744 Everett Ln
Tallahassee, FL 32301

RE: Development Review Board Application

Dear Judge Kahn:

Your application regarding proposed dock will be reviewed by the Development Review Board on June 7, 2011 at 6:30 p.m. in the Council Chambers, Gulf Breeze City Hall located at 1070 Shoreline Drive. To have your case heard, you or your agent must be present to answer any questions the Board may have.

If I may be of further assistance to you, please do not hesitate to call me at 934-5115.

Sincerely,

Leslie Gomez
Deputy City Clerk

cc: C.S. Carmichael, Director of Community Services
John Loftis, Loftis Marine Division

Project Number: 11-30000006

(850) 934-5100 • FAX (850) 934-5114
POST OFFICE BOX 640 • 1070 SHORELINE DRIVE • GULF BREEZE, FLORIDA 32562-0640
WWW.CITYOFGULFBREEZE.COM

City of Gulf Breeze

DEVELOPMENT REVIEW BOARD

STAFF REPORT

PROJECT NO: 11-30000007

APPLICATION DATE: MAY 11, 2011

PROJECT LOCATION:

PROJECT LOCATION:	**533 DEER POINT DR**
PARCEL ID:	**09-3S-29-0910-00A00-0190**
SUBDIVISION NAME:	**DEER POINT UNIT NO. 1**
ZONING DISTRICT:	**R1AA**
LANDUSE:	**SFR**

PROPERTY OWNER:

NAME	**LEVIN, FREDERIC**
ADDRESS	**316 SOUTH BAYLEN ST, STE 600**
ADDRESS	
CITY, STATE ZIP	**PENSACOLA FL 32502**
PHONE	**(850) 435-7123**

PROJECT INFORMATION: LEVEL 3 MISCELLANEOUS CONSTRUCTION

PROJECT DIMENSIONS:

OCCUPANCY CLASSIFICATION :	**RESIDENTIAL**
INTENDED USE :	**RESIDENTIAL**
PROJECT DIMENSIONS LGTH (FEET) :	**N/A**
PROJECT DIMENSIONS WDTH (FEET) :	**N/A**
PROJECT DIMENSIONS HGT (FEET) :	**N/A**
PROJECT DIMENSION STORIES :	**N/A**
PROJECT DIMENSION TOTAL SQ FT :	**N/A**
ESTIMATED COST CONSTRUCTION :	**$500,000**
ESTIMATED COMPLETION DATE :	**09/01/2011**

AGENT INFORMATION: **DANA, STEVE**
JERRY PATE DESIGN
301 SCHUBERT DR
PENSACOLA, FL 32504

STAFF COMMENTS:

THE APPLICANT IS REQUESTING TO CONSTRUCT A LANDSCAPED GARDEN ON HIS VACANT LOT AT 533 DEER POINT CIR. THE PROPOSED LANDSCAPED GARDEN WILL CONSIST OF THE FOLLOWING:

- LAWN
- CONCRETE PAVER PATHWAYS AND PATIOS
- SCULPTURED CENTERPIECE
- PALM TREES
- LOW VOLUME IRRIGATION
- LOW VOLTAGE LED LIGHTING

BECAUSE THE PROJECT INVOLVES CONSTRUCTION WITHIN FIFTY (50) FEET OF THE MHWL, IT IS CLASSIFIED AS LEVEL III DEVELOPMENT AND MUST BE REVIEWED AS SUCH.

WHILE IT SEEMS PECULIAR TO DEVELOP A LANDSCAPED GARDEN ON A VACANT PARCEL, THE PARCEL HAS NOT ALWAYS BEEN VACANT. THE APPLICANT MAINTAINED HIS RESIDENCE AT THIS LOCATION AT ONE TIME; HOWEVER, IT WAS DESTROYED BY HURRICANE IVAN. THE PIER SURVIVED AND HAS BEEN CONTINUALLY MAINTAINED. THERE IS NOTHING IN THE CITY'S LAND DEVELOPMENT CODE WHICH PREVENTS THE CONSTRUCTION OF A LANDSCAPED GARDEN ON A VACANT PARCEL.

STAFF HAS REVIEWED THE PROJECT AND FINDS THAT IT COMPLIES WITH THE LDC FOR THE MOST PART. THE PLANS DEPICT THE INSTALLATION OF A NEW ENTRY GATE. SECTION 21-265 REQUIRES THAT WHENEVER A PROPERTY IS PROTECTED BY A GATE OR SIMILAR TYPE OF BARRIER, IT BE EQUIPPED WITH A PADLOCK OR KEY SWITCH THAT IS COMPATIBLE WITH THE CITY'S RAPID ENTRY SYSTEM. THE PLANS DO NOT INDICATE THAT THIS WILL BE THE CASE. THEREFORE, IF THE BOARD IS INCLINED TO APPROVE THE PLANS AS PRESENTED, IT NEEDS TO BE WITH THE CAVEAT THAT THE GATE BE EQUIPPED WITH THE NECESSARY HARDWARE SO THAT IT IS COMPATIBLE WITH THE CITY' S RAPID ENTRY SYSTEM.

LOCATION

City of Gulf Breeze

May 23, 2011

Frederic Levin
316 South Baylen St. Ste. 600
Pensacola, FL 32502

RE: Development Review Board Application

Dear Mr. Levin:

Your application regarding your proposed landscaped garden will be reviewed by the Development Review Board on June 7, 2011 at 6:30 p.m. in the Council Chambers, Gulf Breeze City Hall located at 1070 Shoreline Drive. To have your case heard, you or your agent must be present to answer any questions the Board may have.

If I may be of further assistance to you, please do not hesitate to call me at 934-5115.

Sincerely,

Leslie Gomez
Deputy City Clerk

cc: C.S. Carmichael, Director of Community Services
Steve Dana, Jerry Pate Design

Project Number: 11-30000007

City of Gulf Breeze

LEVEL II AND III DEVELOPMENT ORDER APPLICATION

PROPERTY OWNER INFORMATION

NAME: David Brannen / Frederic Levin

ADDRESS: 316 South Baylen Street

ADDRESS 2: Suite 600

CITY: Pensacola

STATE: FL

PHONE #: 850-435-7123 ZIP: 32502

FAX: 850-505-4884 -Agent CELL #: 850-393-6760 -Agent

E-MAIL: sdana@jerrypate.com -Agent

PROJECT LOCATION INFORMATION:

PHYSICAL ADDRESS: 533 Deer Point Circle, Gulf Breeze

SUBDIVISION NAME: Deer Point

PARCEL ID #:	SEC	TWN	RNG	SUB	BLK	LOT
	9	3S	29W	907	A	19

ZONING DESIGNATION: RAA-6 SINGLE FAMILY RESID

IS THE PROPERTY A CORNER LOT? ☐ YES ☑ NO

DRIVING DIRECTIONS:

From US 98, turn west on Shoreline Dr., turn left onto Chesapeake Dr, turn left onto Deer Point Dr, turn left onto Deer Point Circle to 533

DESCRIPTION OF PROJECT:

TYPE OF PROJECT: ☐ RENOVATION ☑ NEW CONSTRUCTION ☐ POOL ☐ MARINE ☐ DEMO ☐ OTHER: Construction of Landscape Garden

SCOPE OF WORK: Construction of a landscape garden to include zoysiagrass lawn, concrete paver pathways and patios. A sculpture will be the centerpiece of the garden surrounded by Medjool palm trees. The garden will include low volume irrigation and low voltage LED landscape lighting. The existing riprap barrier will be refurbished on the landward side with a timber and fabric wall. Existing utilities will be utilized.

OCCUPANCY CLASSIFICATION: ☑ RESIDENTIAL ☐ ASSEMBLY ☐ BUSINESS ☐ MERCANTILE ☐ STORAGE ☐ OTHER:

INTENDED USE: Landscape garden for passive recreation

DIMENSION:	LENGTH	WIDTH	HEIGHT	STORIES	SQUARE FEET
	N/A				

ESTIMATED COST OF CONSTRUCTION: $500,000

ESTIMATED COMPLETION DATE: 09/01/2011

UTILITY INFORMATION:

UTILITIES: ☑ WATER ☐ SEWER ☐ SEPTIC TANK ☐ GAS ☑ ELECTRIC EXISTING TO BE USED

WATER TAP SIZE: ☐ 3/4" ☐ 1" ☐ 1 1/2" ☑ 2" ☐ 4" ☐ 6" EXISTING TO BE USED

LIST GAS APPLIANCES: None

WILL THE STRUCTURE HAVE FIRE SPRINKLERS: ☐ YES ☑ NO

SECTION 21-263 OF THE CITY'S CODE OF ORDINANCES REQUIRES THAT ALL NEW DEVELOPMENT AND REDEVELOPMENT WITH A CONSTRUCTION PERMIT EVALUATION EXCEEDING 50 PERCENT OF THE MOST RECENTLY ASSESSED VALUE OF THE PROPERTY, SHALL BE REQUIRED TO PLACE ALL UTILITIES UNDERGROUND, INCLUDING ELECTRICAL AND TELEPHONE LINES.

MARINE CONSTRUCTION:

TYPE OF PROJECT: [✓] RETAINING/SEA WALL [ ] DOCK/PIER [ ] BOATHOUSE [ ] UNCOVERED LIFT

BODY OF WATER: [ ] PENSACOLA BAY [ ] SANTA ROSA SOUND [ ] HOFFMAN BAYOU

[ ] WOODLAND BAYOU [ ] GILMORE BAYOU

IF A DOCK/PIER, BOATHOUSE OR UNCOVERED LIFT, WHAT IS THE LENGTH MEASURED FROM THE MHWL?

IF A DOCK/PIER, BOATHOUSE OR UNCOVERED LIFT, WHAT IS THE TOTAL SQUARE FOOTAGE?

IF A BOATHOUSE OR UNCOVERED LIFT, WHAT IS THE SQUARE FOOTAGE?

WHAT IS THE DISTANCE FROM THE FURTHERMOST EXTENT OF THE DOCK/PIER, BOATHOUSE OR UNCOVERED BOAT LIFT FROM THE PROPERTY LINE?

LEFT: RIGHT:

SECTION 24-172 OF THE LAND DEVELOPMENT CODE REQUIRES THAT ALL DOCKS, PIERS, BOATHOUSES, UNCOVERED SLIPS OR SIMILAR STRUCTURES PROVIDE CONTINUING PUBLIC ACCESS TO ALL SOVEREIGN LANDS, HOW WILL THIS BE ACCOMPLISHED FOR THIS PARTICULAR PROJECT?

IF A DOCK/PIER BOATHOUSE OR UNCOVERED SLIP, ALONG WHAT SECTION OF SHORELINE WILL THE PROJECT BE LOCATED:

[ ] NAVAL LIVE OAKS - BOB SIKES BRIDGE (200' MAX)

[ ] BOB SIKES - SHORELINE PARK (200' MAX)

[ ] SHORELINE PARK - DEER POINT (200' MAX)

[ ] DEER POINT - ZAMARA CANAL (300' MAX)

[ ] ZAMARA CANAL - FAIRPOINT (475' MAX)

[ ] FAIRPOINT - PENSACOLA BAY BRIDGE (225' MAX)

[ ] PENSACOLA BAY BRIDGE - NAVAL LIVE OAKS (200' MAX)

[ ] INLAND BAYOU (25'MAX)

IF A RETAINING/SEA WALL, WHAT IS IT'S DISTANCE FROM THE MHWL? 25' to 40' along beach

WHAT IS THE VERTICAL HEIGHT OF THE RETAINING/SEA WALL? SEAWARD 3.00 LANDWARD

ARE COPIES OF FEDERAL AND STATE PERMITS ATTACHED? [ ] YES [✓] NO NA

POOL INFORMATION:

POOL TYPE: ☐ BELOW GROUND ☐ ABOVE GROUND ☐ SPA/HOT TUB

DIMENSION:	LENGTH	WIDTH	DEPTH	SQUARE FEET	
	NONE				

IS THE YARD FENCED OR WILL IT BE FENCED? ☐ YES ☐ NO

IS SO, WHAT IS THE HEIGHT?

WILL THE POOL HAVE SCREENED ENCLOSURE?

IS SO, WHAT ARE THE DIMENSIONS:	LENGTH	WIDTH	HEIGHT	SQUARE FEET

I, _____, NOW ENGAGING OR ABOUT TO ENGAGE IN THE CONSTRUCTION OF A SWIMMING POOL UPON MY OWN PREMISES AS DESCRIBED ON THE REQUIRED BUILDING PERMIT APPLICATION AND LOCATED IN SANTA ROSA COUNTY, FLORIDA, DO HEREBY ACKNOWLEDGE THE REQUIREMENT OF AN APPROVED BARRIER AT LEAST 48 INCHES (4 FEET) ABOVE GRADE, MEASURED ON THE SIDE OF THE BARRIER WHICH FACES AWAY FROM THE SWIMMING POOL, IS TO BE ERECTED PRIOR TO FILLING THE POOL WITH WATER. FURTHERMORE, I ACKNOWLEDGE THE REQUIREMENT OF AN ALARM ON ALL DOORS AND WINDOWS WITHIN A DWELLING UNIT HAVING DIRECT ACCESS TO THE POOL THROUGH A WALL (OR WALLS) THAT SERVES AS PART OF THE BARRIER.

I FURTHER ACKNOWLEDGE THAT THE FOREGOING IS REQUIRED BY SECTION 315 OF THE STANDARD SWIMMING POOL CODE AND CITY ORDINANCE.

CONTRACTOR'S SIGNATURE	DATE	OWNER'S SIGNATURE	DATE
PRINTED NAME		PRINTED NAME	

COMMERCIAL DEVELOPMENT:

ENGINEER'S NAME: na	ARCHITECT'S NAME: na
ADDRESS:	ADDRESS:
ADDRESS 2:	ADDRESS 2:
CITY:	CITY:
STATE:	STATE:
PHONE #: ZIP:	PHONE #: ZIP:
FAX: CELL #:	FAX: CELL #:
E-MAIL:	E-MAIL:
STATE LICENSE #:	STATE LICENSE #:

AGENT INFORMATION:

NAME: Jerry Pate Design
Steve Dana, RLA FL 6667043

ADDRESS: 301 Schubert Drive

ADDRESS 2:

CITY: Pensacola

STATE: FL

PHONE #: 850-479-4653 ZIP: 32504

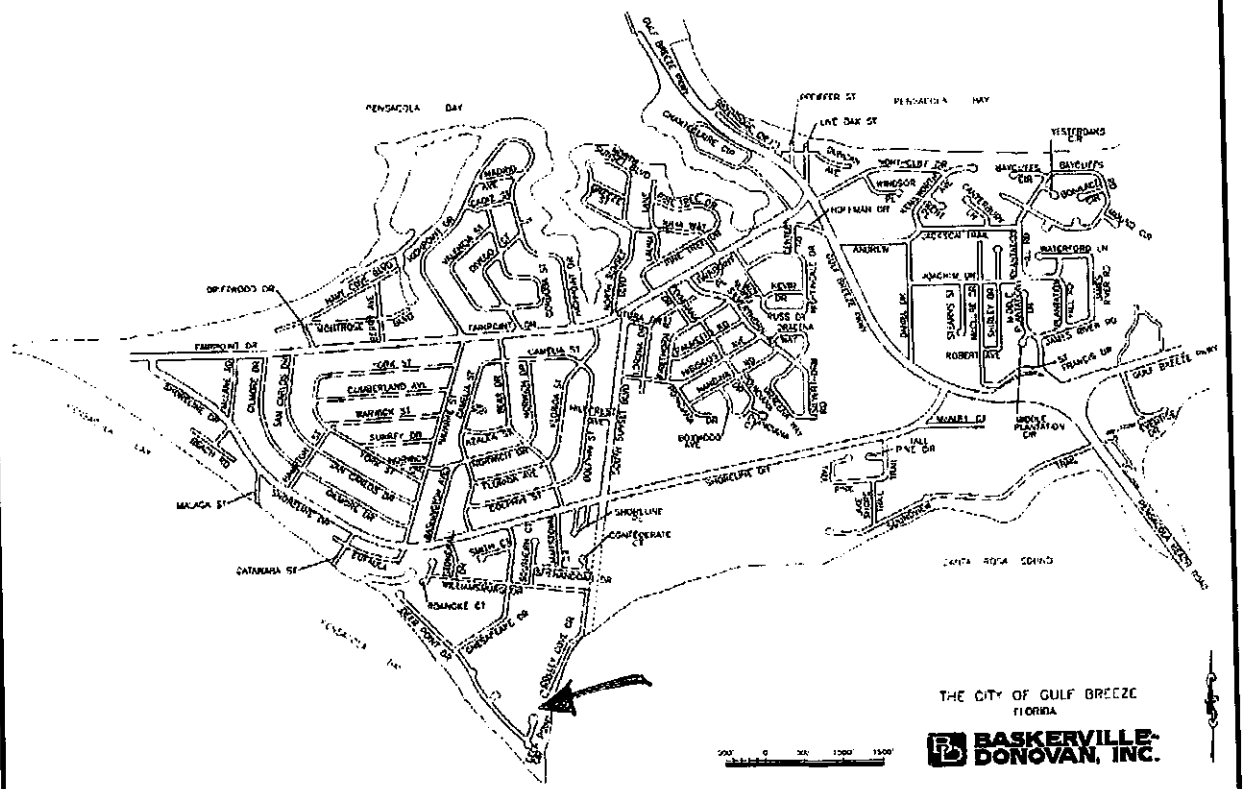
FAX: 850-505-4884 CELL #: 850-393-6760

E-MAIL: sdana@jerrypate.com

STATE LICENSE #: LC26000401

LOCATION MAP:

PLEASE MARK THE PROJECT LOCATION ON THE MAP.



DEMOLITION INFORMATION:

PLEASE ATTACH A SURVEY DEPICTING THE STRUCTURES TO BE REMOVED.

IF UTILITIES ARE TO REMAIN ONSITE, WHAT MEASURES WILL BE TAKEN TO PROTECT THEM FROM DAMAGE?

DISPOSAL OF MATERIAL: ☐ SANTA ROSA COUNTY LANDFILL ☑ ESCAMBIA COUNTY LANDFILL

☐ OTHER:_____

ASBESTOS NOTIFICATION STATEMENT

PER FLORIDA BUILDING CODE 105.9 ASBESTOS. THE ENFORCING AGENCY SHALL REQUIRE EACH BUILDING PERMIT FOR THE DEMOLITION OR RENOVATION OF AN EXISTING STRUCTURE TO CONTAIN AN ASBESTOS NOTIFICATION STATEMENT WHICH INDICATES THE OWNER'S OR OPERATOR'S RESPONSIBILITY TO COMPLY WITH THE PROVISIONS OF SECTION 469.003, FLORIDA STATUTES, AND TO NOTIFY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION OF HIS OR HER INTENTIONS TO REMOVE ASBESTOS, WHEN APPLICABLE, IN ACCORDANCE WITH STATE AND FEDERAL LAW.

469.003 LICENSE REQUIRED

1. NO PERSON MAY CONDUCT AN ASBESTOS SURVEY, DEVELOP AN OPERATION AND MAINTENANCE PLAN, OR MONITOR AND EVALUATE ASBESTOS ABATEMENT UNLESS TRAINED AND LICENSED AS AN ASBESTOS CONSULTANT AS REQUIRED BY THIS CHAPTER.

2. (A) NO PERSON MAY PREPARE ASBESTOS ABATEMENT SPECIFICATIONS UNLESS TRAINED AND LICENSED AS AN ASBESTOS CONSULTANT AS REQUIRED BY THIS CHAPTER.
(B) ANY PERSON ENGAGED IN THE BUSINESS OF ASBESTOS SURVEYS PRIOR TO OCTOBER 1, 1987, WHO HAS BEEN CERTIFIED BY THE DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY AS A CERTIFIED ASBESTOS SURVEYOR AND WHO HAS COMPLIED WITH THE TRAINING REQUIREMENTS OF S. 469.013(1)(B), MAY PROVIDE SURVEY SERVICES AS DESCRIBED IN S. 255.553(1), (2) AND (3). THE DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY MAY, BY RULE, ESTABLISH VIOLATIONS, DISCIPLINARY PROCEDURES, AND PENALTIES FOR CERTIFIED ASBESTOS SURVEYORS.

3. NO PERSON MAY CONDUCT ASBESTOS ABATEMENT WORK UNLESS LICENSED BY THE DEPARTMENT UNDER THIS CHAPTER AS AN ASBESTOS CONTRACTOR, EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER.

I CERTIFY THAT I HAVE READ AND UNDERSTAND AND WILL COMPLY WITH THE PROVISIONS OF THIS ASBESTOS NOTIFICATION STATEMENT AND THAT I WILL COMPLY WITH ALL STATE AND FEDERAL REGULATIONS PERTAINING TO ASBESTOS.

_____ _____
LICENSE HOLDER/CONTRACTOR SIGNATURE DATE

_____
LICENSE HOLDER/CONTRACTOR PRINTED NAME LICENSE NUMBER

_____

MEETING DATES (PLEASE PICK MEETING DATE BASED ON DUE DATE):

	PACKET DUE DATE	MEETING DATE		PACKET DUE DATE	MEETING DATE
☐	OCT. 13, 2009	NOV. 3, 2009	☑	MAY. 11, 2010	JUN. 1, 2010
☐	NOV. 10, 2009	DEC. 8, 2009	☐	JUN. 8, 2010	JUL 6, 2010
☐	DEC. 15, 2009	JAN. 5, 2010	☐	JUL. 13, 2010	AUG. 3, 2010
☐	JAN. 12, 2010	FEB. 2, 2010	☐	AUG. 10, 2010	SEP. 7, 2010
☐	FEB. 9, 2010	MAR. 2, 2010	☐	SEP. 14, 2010	OCT. 5, 2010
☐	MAR. 9, 2010	APR. 6, 2010	☐	OCT. 12, 2010	NOV. 2, 2010
☐	APR. 13, 2010	MAY 4, 2010	☐	NOV. 9, 2010	DEC. 7, 2010

AUTHORIZATION:

APPLICATION IS HEREBY MADE RO OBTAIN A DEVELOPMENT ORDER TO THE WORK AS INDICATED IN THE ATTACHED PLANS AND SPECIFICATIONS. I (WE) CERTIFY THAT NO WORK HAS COMMENCED PRIOR TO THE ISSUANCE OF THE DEVELOPMENT ORDER AND THAT ALL WORK WILL BE PREFORMED IN ACCORDANCE WITH ALL LAWS REGULATING CONSTRUCTION AND ZONING IN THIS JURISDICTION.

			5/4/11
CONTRACTOR'S SIGNATURE	DATE	OWNER'S SIGNATURE - AGENT	DATE
		STEVE DANA	
PRINTED NAME		PRINTED NAME	

DEVELOPMENT ORDER APPLICATION CHECK LIST

Applications for development approval for all development activity shall include the following required submittal information. The city manager or his designee are hereby authorized to amend these requirements as warranted by changes in technology or review capability.

(1) Application for development approval completed.

(2) Detailed project site plan scaled drawings shall be submitted for all projects. Projects requiring city council or board approvals shall be submitted on plan paper measuring 11" × 17" plus three additional drawings on plan paper measuring 24" × 36". The plans shall show all site improvements, including where applicable, but not limited to:

a. Rights-of-way and easements within site and adjacent to site.

b. Site dimensions and setback lines.

c. Building footprints with exterior dimensions and square footage for all structures.

d. Driveways, fire lanes, sidewalks, street entrances and exits.

e. Parking layout showing exact location of spaces, including handicapped spaces.

f. All existing trees (six inches in diameter and greater) showing those to remain or to be removed.

g. Landscape details including location and type of beds, lawn, shrubs, trees.

h. Irrigation system coverage.

i. Stormwater management system and holding ponds.

j. Sewer line locations and sizes and lift stations; package plants; septic tanks; grease traps, stub-outs for future connections to sewer, where applicable.

k. Water lines and meter locations and sizes.

l. Gas lines and meter locations and sizes.

m. Street lighting and onsite exterior lighting.

n. Fences, retaining walls, revetments, bulkheads, indicating heights.

o. Satellite dish location, height and screening.

p. All construction within 50 feet of mean high water.

q. Sign location.

r. Location and extent of Federal Emergency Management Agency A and V zones as shown on the flood insurance rate maps (FIRM) for the city.

s. Location and extent of United States Army Corps of Engineers and/or Department of Environmental Regulation jurisdictional wetlands.

t. Location of potable waterwells within 200 feet of site.

(3) Building elevations and floor plans, at a scale not less than one-eighth inch equals one foot, showing building heights and major architectural features and finishes, and type of construction.

(4) Final construction drawings of proposed signs showing location, dimensions, lighting, etc.

(5) Parking space requirements calculations.

(6) Density requirements calculations.

(7) Description of curb cuts required and approval of the state department of transportation where applicable.

(8) Stormwater management plan (including calculations).

(9) Easements--descriptions and purposes.

(10) Utility availability assurance statements; water tap fees, sewer tap fees, connection charges, and impact fees required.

(11) Potable water backflow prevention device required.

(12) Assessment of development impacts on adjacent conservation districts, where applicable.

(13) Analysis of marina siting criteria, where applicable.

(14) Copies of required federal and state permits.

(15) Any other information required under other sections of this land development code including submittal requirements for preliminary and final subdivision plats, project impact studies, etc.

(16) Upon construction completion, as-built site plans including all improvements such as water, sewer and gas lines, stormdrains, retention areas, parking areas, etc., shall be submitted. The engineer of record shall provide a signed and sealed certification that the project was completed in accordance with the approved plans or as reflected by the as-builts.

PLEASE ATTACH SUPPORTING DOCUMENTATION BEHIND THIS PAGE

JERRY PATE DESIGN

May 11, 2011

Mr. Shane Carmichael
Director of Community Services
City of Gulf Breeze
1070 Shoreline Drive
Gulf Breeze, FL 32562

Dear Mr. Carmichael:

Attached is the Level III Development Order Application for the landscape project on the Levin property located at 533 Deer Point Circle. Thank for your assistance with this project thus far, please let me know if you need any more information or clarifications.

We look forward to working with you on this project.

Sincerely,

Steve Dana, RLA ASLA
Jerry Pate Design

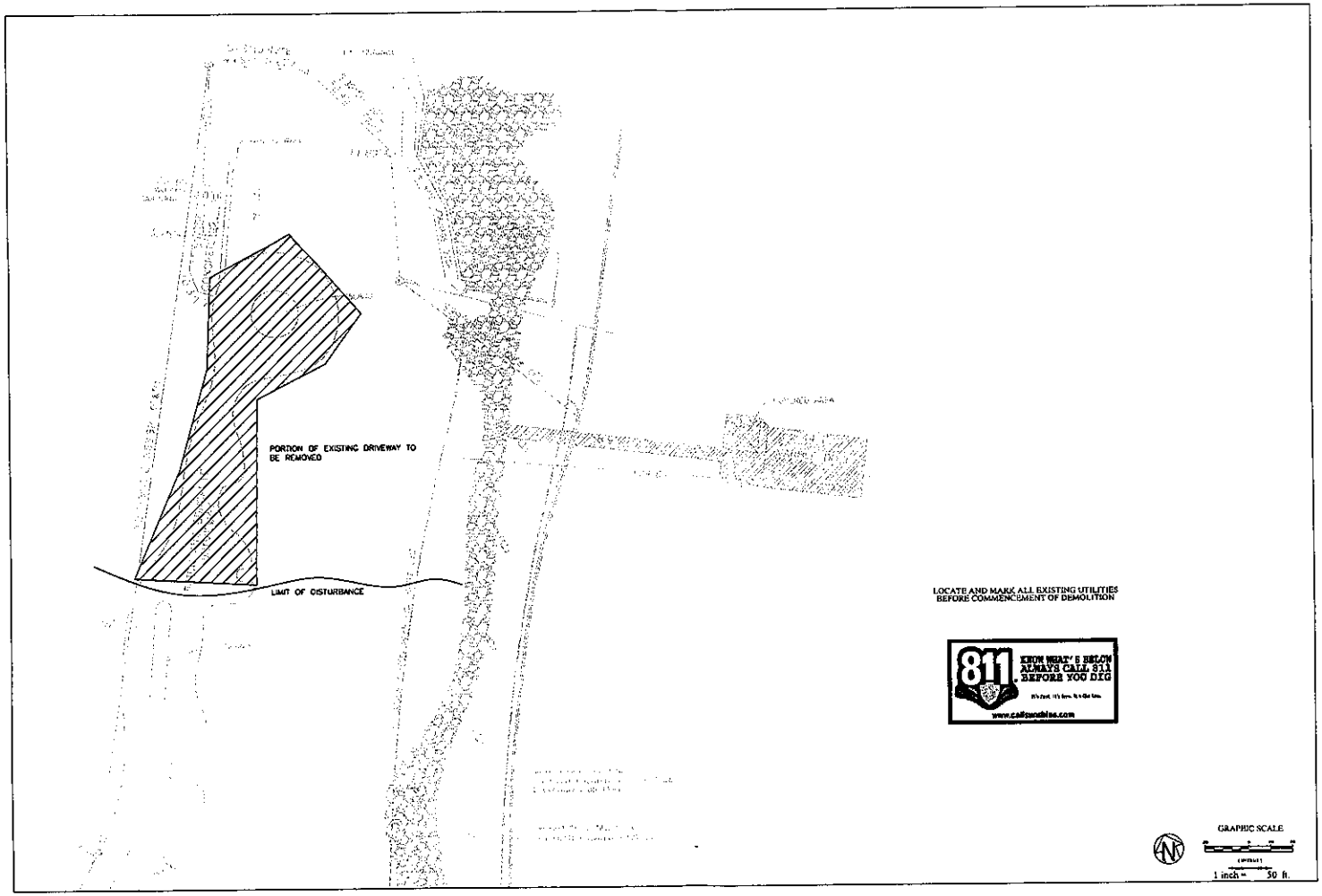
L1

533 DEER POINT CIRCLE

GULF BREEZE, FLORIDA

SITE PLAN

JERRY PATE DESIGN
301 SCHUSSER DRIVE
PENSACOLA, FLORIDA 32561
(850) 479-4433



LOCATE AND MARK ALL EXISTING UTILITIES BEFORE COMMENCEMENT OF DEMOLITION

811 KNOW WHAT'S BELOW ALWAYS CALL 811 BEFORE YOU DIG
www.callsunshine.com

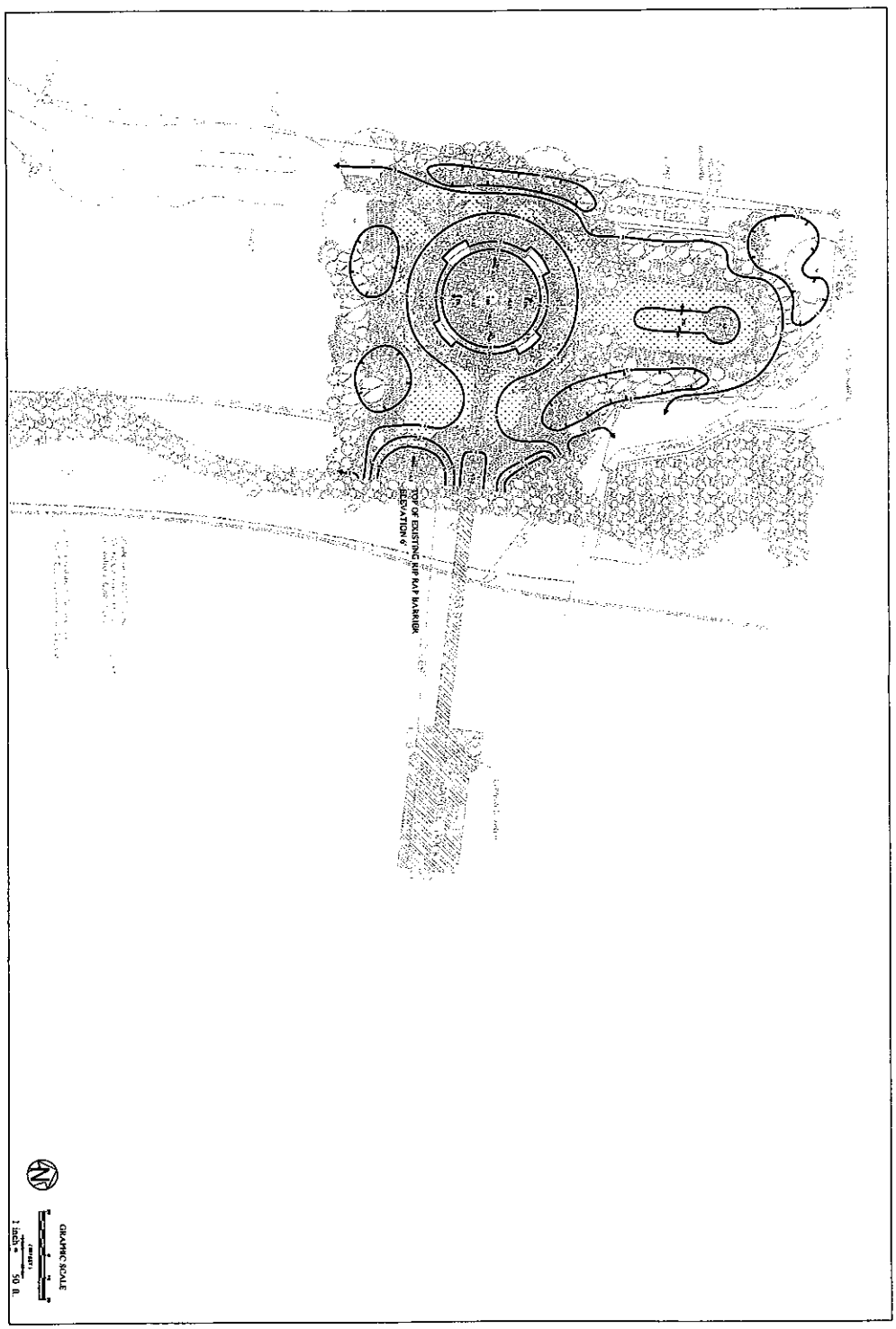
GRAPHIC SCALE
1 inch = 50 ft.

533 DEER POINT CIRCLE
GULF BREEZE, FLORIDA

DEMOLITION PLAN

MAY 10, 2011

L2



L3

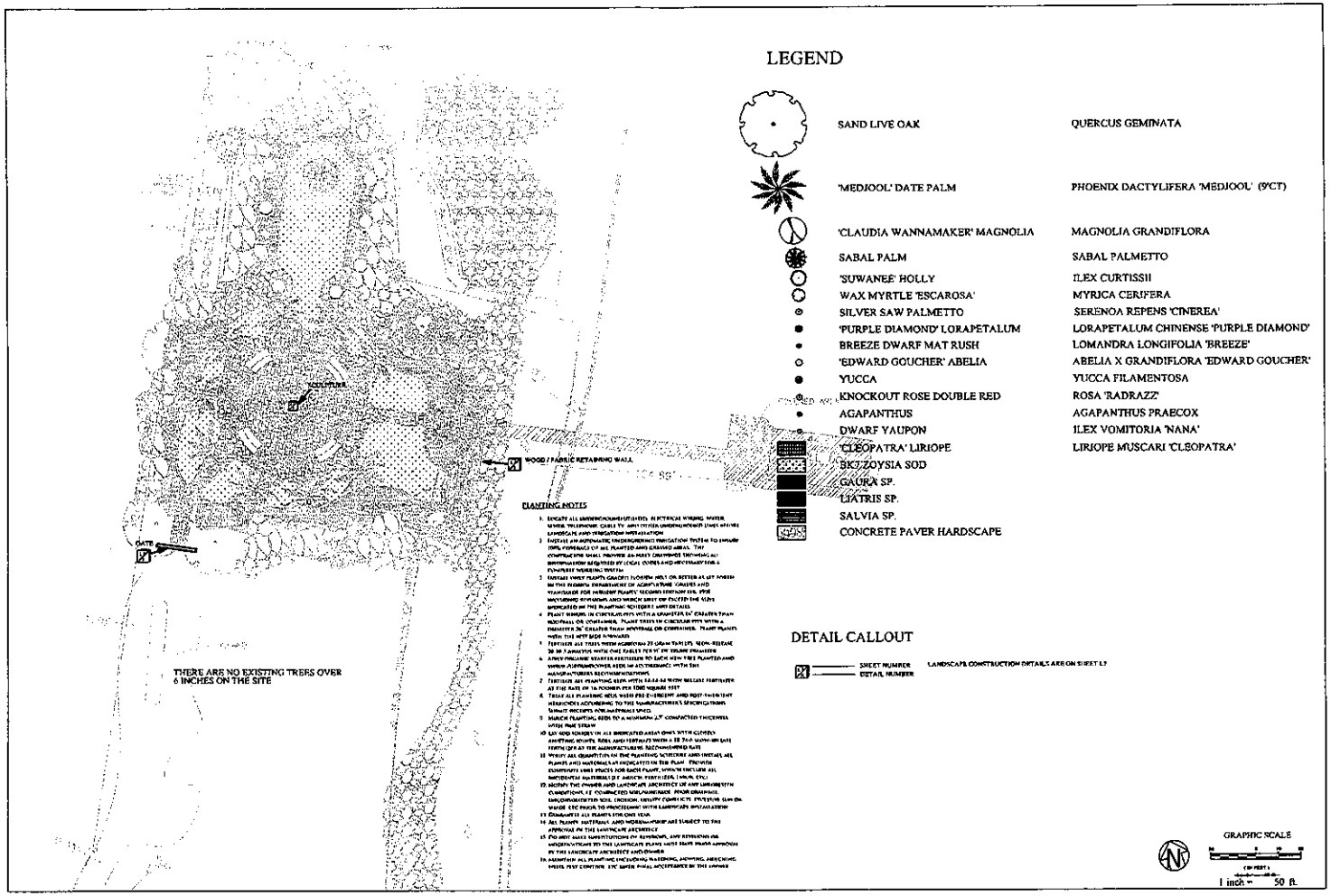
MAY 10, 2011

533 DEER POINT CIRCLE

GULF BREEZE, FLORIDA

GRADING PLAN

JERRY PATE DESIGN
33 SCHUBERT DRIVE
PENSACOLA, FLORIDA 32504
(850) 479-4651



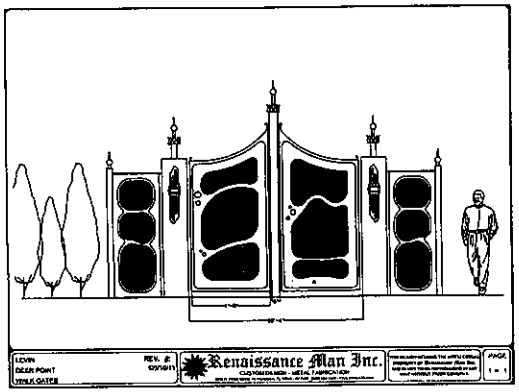
533 DEER POINT CIRCLE

GULF BREEZE, FLORIDA

LANDSCAPE PLAN

MAY 10, 2011

L4



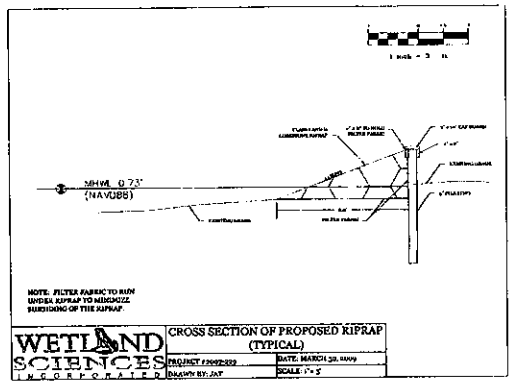
1 GATE DETAIL

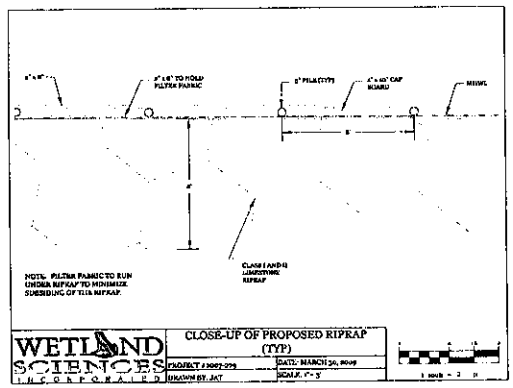
APPROXIMATE SCULTURE DIMENSIONS:
18' TALL
7' 2" x 3' FINISHED CIRCULAR BASE

SCULPTURE MATERIALS:
LIGHT COLORED CONCRETE OVER STEEL STRUCTURE,
BRONZE SCULPTURE ELEMENTS SUPPORTED BY INTERNAL
STEEL FRAMEWORK

2 SCULPTURE MODEL

N.T.S





3 WOOD / FABRIC RETAINING WALL

533 DEER POINT CIRCLE
GULF BREEZE, FLORIDA

LANDSCAPE CONSTRUCTION DETAILS

MAY 10, 2011

L7

City of Gulf Breeze

TO: Edwin A. Eddy, City Manager

FROM: David J. Szymanski, Assistant City Manager

DATE: June 9, 2011

SUBJECT: Ordinance# 05-11. Final Public Hearings on Adoption of the Amendments to the Gulf Breeze Comprehensive Plan based on the City's adopted Evaluation and Appraisal Report.

The City Council held two public hearings on the redraft of our Comprehensive Plan as required by law prior to transmittal of the new plan to the State Department of Community Affairs in April 2010. We delivered to DCA our Comprehensive Plan Amendments on September 29, 2010. DCA reviewed our Amendments and prepared an Objections, Recommendations and Comments (ORC) Report.

The City received the ORC Report back from DCA. DCA stated that there are no material defects in the Plan. The City's response to DCA is now completed. Staff has not attached the ORC because there are not substantive changes to the Comprehensive Plan. Staff and the City Attorney are currently in final review of the report.

The City needs to hold two final hearings on adoption of the amendments to the Gulf Breeze Comprehensive Plan based on the City's adopted Evaluation and Appraisal Report. The Gulf Breeze City Council directed staff to advertise a public hearing on June 20, 2011 at which time the Council will approve on first reading the adopted EAR-based amendments. The Council also directed staff to advertise a second public hearing to be held on July 18, 2011 at which time the Council will adopted the EAR-based amendments by resolution on second reading and transmit the amendments to the Department of Community Affairs. The public hearings have been advertised in the Gulf Breeze News.

RECOMMENDATION: That the City Council hold the advertise a public hearing on June 20, 2011 for the 1st reading on adopted EAR-based amendments and schedule July 18, 2011 for a second reading on the adopted EAR-based amendments and approve Ordinance# 05-11 at the second reading.

(850) 934-5100 • FAX (850) 934-5114
POST OFFICE BOX 640 • 1070 SHORELINE DRIVE • GULF BREEZE, FLORIDA 32562

ORDINANCE 05-11

AN ORDINANCE OF THE CITY OF GULF BREEZE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BASED ON THE CITY'S ADOPTED EVALUATION AND APPRAISAL REPORT, AND WHICH AMENDMENT INCLUDES CHANGES TO THE GOALS, OBJECTIVES AND POLICIES OF THE FUTURE LAND USE, TRANSPORTATION, HOUSING, INFRASTRUCTURE, CONSERVATION, COASTAL MANAGEMENT, RECREATION AND OPEN SPACE, INTERGOVERNMENTAL COORDINATION, CAPITAL IMPROVEMENTS, AND PUBLIC SCHOOL FACILITIES ELEMENTS OF THE COMPREHENSIVE PLAN PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AMENDING THE FUTURE LAND USE MAP SERIES AND TRANSPORTATION MAP SERIES; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature intends that local planning be a continuous and ongoing process; and

WHEREAS, the City Council adopted the Comprehensive Plan, Ordinance number 06-90 on September 4, 1990; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to adopt needed amendments to ensure that the plan provides appropriate policy guidance for growth and development; and

WHEREAS, the City Council, on April 5, 2010, held an advertised public hearing for the proposed Ordinance, which provided for comments and public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process, and transmitted the EAR-based Comprehensive Plan Amendments to the Department of Community Affairs on September 29, 2010 for comment; and

WHEREAS, The Department of Community Affairs (DCA) reviewed the EAR-based Comprehensive Plan Amendments, and issued its Objections, Recommendations and Comments (ORC) Report on November 29, 2010; and

WHEREAS, the City Council has reviewed the ORC Report, considered the amended EAR-based Comprehensive Plan and reviewed the response to the ORC Report at two duly advertised public hearings on June 20, 2011 and July 18, 2011, and determined that each

document has addressed all of the DCA comments, and the Council is now ready to adopt the EAR-based Comprehensive Plan.

NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA, AS FOLLOWS:

SECTION 1. The City Council does hereby adopt the EAR-based Comprehensive Plan Amendments, attached hereto as Exhibit "A" (Volume I, Goals, Objectives and Policies) and Exhibit "B" (Volume II, Map Atlas) and incorporated by reference.

SECTION 2. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 3. Severability. If an Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 4. Effective Date. The effective date of this Plan Amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance, in accordance with Section 163.3184Florida Statutes, whichever occurs earlier. No development orders, development permits, development agreements or land uses dependent on a part of this Plan Amendment may be issued or commence before the Plan Amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Community Affairs. An adopted amendment whose effective date is delayed by law shall be considered part of the adopted plan until determined not to be in compliance by final order of the Administration Commission. Then, it shall no longer be part of the adopted plan unless the local government adopts a resolution affirming its effectiveness in the manner provided by law.

FIRST READING and PUBLIC HEARING this 20th day of June, 2011.

SECOND READING and PUBLIC HEARING this 18th day of July, 2011.

PASSED and ADOPTED by the City Council of Gulf Breeze, Santa Rosa County, Florida, on this _____ day of _____, 2011.

CITY OF GULF BREEZE,FLORIDA

_____

Beverly H. Zimmern, Mayor

Attest:

_____

Marita Rhodes, City Clerk

CITY OF GULF BREEZE RESPONSE TO:

OBJECTIONS, RECOMMENDATIONS, AND COMMENTS REPORT
FOR THE CITY OF GULF BREEZE PROPOSED 10-1ER

I. *CONSISTENCY WITH RULE 9J-5, FLORIDA ADMINISTRATIVE CODE (F.A.C.) AND CHAPTER 163, FLORIDA STATUTES (F.S.)*

A. *Future Land Use Element and Future Land Use Map*

Objection 1

The proposed Map Series is not complete. A number of maps in the Map Series, including maps in the Data and Analysis section, do not show the full extent of the City limits. In addition, there are no notations or map labels on a number of maps for the nearby water bodies (e.g., Pensacola Bay and Santa Rosa Sound) and the Naval Live Oaks Reserve. Pursuant to Rule 9J-5.005(1)(e), F.A.C., all maps should include major natural and man-made geographic features.

Authority: Sections 163.3177(1) and (6)(a), F.S.; and Rules 9J-5.005(1)(e); 9J-5.006(1)(a-b) and (4)(a-c), F.A.C.

Recommendation: *All applicable maps in the Map Series and Data and Analysis section should be revised to include appropriate City boundaries, and major natural and man-made geographic features to support the proposed revisions to the Future Land Use Element (FLUE) and Map Series.*

Response: All applicable maps have been revised to include the entire city limits and note water bodies and natural geographic features.

Objection 2

The proposed FLUE is not supported by consistent data and analysis. The following population data is inconsistent:

- *On page 2-1 in the Administration and Implementation section, the City's population is identified as 5,796.*

> Incorporated in 1961, Gulf Breeze, Florida is a waterfront community with a 2010 population of 5,763 that prides itself on its fine small town character, quality education, excellent local government and a multitude of waterfront activities.

Deleted: 5,796

- *On page 4-1 in the Data and Analysis section, Table 4.1 shows the City's 2010 population as 5,751.*

> The City of Gulf Breeze is predominately a residential community of 5,763 residents, according to the 2010 S. Census. **Table 4.1** shows City of Gulf Breeze and Santa Rosa County population figures and estimates.

Deleted: 5,751
Deleted: BEBR's April 1,
Deleted:
Deleted: estimate
Deleted:
Deleted: ESTIMATES
Deleted: 09
Deleted: 144,508
Deleted: 5,751
Deleted: 106,767
Deleted: 283
Deleted: 1,561
Deleted: 37
Deleted: 2,669
Deleted: 7.075
Deleted: 0.98
Deleted: , 1980, 1990 and 2000; BEBR,
Deleted: 2010

TABLE 4.1: POPULATION FIGURES, 1970-2010

Year	Santa Rosa County	Percent Change	City of Gulf Breeze	Percent Change	City as %age of County
1970	37,741	-	4,190	-	11%
1980	55,988	48%	5,478	31%	9%
1990	81,608	46%	5,530	1%	7%
2000	117,743	44%	5,665	3%	5%
2010	151,372	2329%	5,763	1.5%	4%
Total Change 1970-2010	113,631	301%	+1,573	38%	
Average Annual Change	2,841	7.53%	+39	0.95%	

Source: U. S. Census Bureau; 1970 - 2010

- *On page 4-1 in the Data and Analysis section, Table 4.2 shows the City's 2010 population as 5,715.*

Response: Table 4.2 has been changed (see below).

TABLE 4.2: POPULATION PROJECTIONS, 2010-2025

Year	City of Gulf Breeze	Santa Rosa County
2010	5,763	151,372
2015	5,682	-
2020	5,704	153,386
2025	5,721	165,273

Deleted: 5,715

Deleted: 130,498

Source: 2010, U.S. Census Bureau; FHDC, 2009 for Gulf Breeze; Santa Rosa Comprehensive Plan 2009

Authority: Sections 163.3177(1), (6)(a), and (8), F.S.; and Rules 9J-5.005(2); 9J-5.006(2), F.A.C.

Recommendation: *The City should revise the Amendment and/or correct the inconsistencies found with the population data.*

Response: The U.S. Census Bureau 2010 data has now been published, so changes have been made to the tables, as shown above, to incorporate the latest population figures.

Objection 3

FLUE Policies 1.5.3 and 1.7.4 identify categories in which certain uses (e.g., churches, schools, civic facilities) are expressly allowed. Conservation land use is not excluded from the list and is not appropriate. As currently proposed, the policies have the ability to adversely impact coastal and natural resources, including habitats and wetlands. Additionally, it is not consistent with the definition of conservation in 9J-5.003(28), F.A.C.,

Authority: Sections 163.3177(2), (6)(a), and (6)(d), F.S.; and Rules 9J-5.003(28); 9J-5.006(3)(b)1, (b)4 (c)6, and (4)(a)6; 9J-5.012(3)(b)1 and 2, and (c)1 and 2; and 9J-5.013(2)(b)4 and (c) 1, 3, 5, and 6, and (3), F.A.C.

Recommendation: *Policies 1.5.3 and 1.7.4 should be revised to exclude the Conservation category as one in which these uses are expressly allowed.*

Response: See revisions below.

Future Land Use Element GOPs

Policy 1.5.3: The following uses are allowed in all land use categories except for the Conservation category and unless specifically prohibited in any other individual category, subject to standards and criteria set forth in this Plan and in the LDC:

Policy 1.7.4: Small-scale, site-specific, or off-grid electrical generation systems serving single users or small clusters of users and which use alternative energy sources shall be allowed in all land use categories with the exception of the Conservation category. Such alternative systems shall be allowed to connect to an available electrical energy distribution system to sell excess power to an electric utility provider. All substations adjacent to residential neighborhoods or visible from a public roadway shall be required to provide landscaping and buffering to minimize visual and noise impacts.

Deleted: ou

B. ***Transportation Element***

Objection 4

The City is considered as a dense urban land area under the provisions of Section 163.3164(34), F.S., and qualifies as a transportation concurrency exception area under Section 163.3180(5)(b)1, F.S. While the City plans to adopt land use and transportation strategies to fund mobility projects by July 2011, the Plan should retain the City's adopted level of service (LOS) standards for planning purposes. In absence of the transportation LOS standards in the comprehensive plan, the City would not be able to properly evaluate the effectiveness and performance of the transportation system to serve the mobility needs of the City.

Additionally, the data and analysis does not show projections for 2025 operating LOS. The City should include an analysis of the projected transportation system LOS and system needs based upon the future land use categories, including their densities and intensities of use as shown on the FLUM or map series.

Authority: Sections 163.3177(2), (3)(a), and (10); and 163.3180(10), F.S.; and Rules 9J-5.005(2), (5)(a); 9J-5.016(1)(a), (2); and 9J-5.019(3)(a-i), (4)(b)2, and (4)(c)1, F.A.C.

Recommendation: *Revise or update the Element to include roadway LOS standards for planning purposes. Additionally, revise the data and analysis to include LOS projections that extend throughout the proposed planning period. The data and analysis should be consistent with other elements such as the FLUE, Capital Improvements Element (CIE), and Infrastructure Element.*

Response: The most current data for projections for operating LOS only goes out to 2017 (source is Florida-Alabama TPO Congestion Management System) so projections cannot be extended out to 2015. See revisions below to the GOPs.

TRANSPORTATION ELEMENT

Pursuant to Section 163.3177(6)(j), Florida Statutes (F.S.), and Rule 9J-5.019, Florida Administrative Code (F.A.C.), the Transportation Element addresses the City's existing and future transportation systems, including facilities for automobiles, public transit, bicycles and pedestrians. Transportation system facilities and services should be maintained and developed in a way that achieves the City's vision; therefore, this element provides for the assessment of current and future transportation system needs and enhancements to the community's transportation system by improving the interconnectedness of different modes of transportation, corridor management and connections between neighborhoods and neighboring jurisdictions. It also offers recommendations for public transportation and pedestrian/bicycle facilities to achieve greater multimodal connectivity.

Section 163.3180(5)(a), F.S. states that "...in urban centers transportation cannot be effectively managed and mobility cannot be improved solely through the expansion of roadway capacity, that the expansion of roadway capacity is not always physically or financially possible, and that a range of transportation alternatives is essential to satisfy mobility needs, reduce congestion, and achieve healthy, vibrant centers." The City of Gulf Breeze qualifies as a Dense Urban Land Area (DULA) as defined in Section 163.3164(34) and is designated as a Transportation Concurrency Exception Area (TCEA) pursuant to Section 163.3180 (5)(b)1.a., F.S. Because the City has been designated a TCEA it must adopt into its comprehensive plan land use and transportation strategies to support and fund mobility within the exception area.

The Future Transportation Map Series, **Maps 4.1, 4.2 and 4.3, Volume II, Adopted Maps Atlas,** establish the functional classification of the City's roadway system and its relationship to public transit and pedestrian/bicycling facilities within the City limits.

Objective 1.1: Provide for a safe, convenient, and energy-efficient multi-modal transportation system.

Policy 1.1.1: The City shall require both new development and substantial redevelopment to provide adequate safe pedestrian facilities on-site, to adjacent sites as practical, and in adjacent right-of-way. Such facilities shall include a direct link between the public sidewalk network and building entrance, lighted sidewalks along both sides of all internal roadways and, as appropriate, on the development side of adjacent roadways. Additionally, mitigation or elimination of existing pedestrian hazards (e.g. upgrading an intersection) may be required, as needed and dependent upon the magnitude of the development or redevelopment project.

Deleted: The City has been designated a "Dense Urban Land Area" (DULA) and is exempt from state-mandated transportation concurrency. The City shall monitor transportation as a matter of local law as addressed in this comprehensive plan.

Objective 1.6: The City of Gulf Breeze shall use Quality/Level of Service (Q/LOS) for monitoring purposes in order to identify where multimodal improvements are needed, for guiding capital improvements facility/operations planning to achieve and maintain mobility, to reduce greenhouse gases, and to assist in determining a fair share that a development should contribute to the achievement of these mobility standards. Q/LOS shall not be used for development approvals based on capacity; however, Florida Statutes require the inclusion of local roadway LOS standards, even within a TCEA, when roadway LOS is not the measure by which development is approved.

Deleted: As a municipality that qualifies as a Dense Urban Land Area (DULA), the City of Gulf Breeze is designated as a Transportation Concurrency Exception Area (TCEA) and shall adopt land use and transportation strategies to support and fund mobility within the exception area

Policy 1.6.1: The City shall establish the following minimum Roadway Q/LOS standards for monitoring intersection capacity

based on annual average daily trips (AADT), as follows:

- Arterials (4-lane and 6-lane) E+10%
- Arterials (2-lane) E + 30%
- Collectors D
- Local Roads D

Policy 1.6.2: The City shall annually monitor the Q/LOS status of arterials, collectors and state roadways within the City by obtaining from the State and Councy their most recent traffic counts at points along all roadways that would be affected by development in the City.

Policy 1.6.3: The City shall continue to use standards and guidelines for permitting the payment of proportionate fair-share contributions to mitigate locally and regionally significant transportation impacgts consistent with section 163.3180-(16), F.S.

Policy 1.6.4: If a development requires roadway improvements, emphasis shall be upon intersection improvements to improve safety and reduce conflicts between modes; signalization/Transportation Demand Management improvements (especially those providing transit and pedestrian priority signalization); bicycle facility improvements, and pedestrian crosswalk/median improvements.

Policy 1.6.5: By December 2011, the City of Gulf Breeze shall adopt mobility measures and identify numerical indicators for measuring the achievement of City mobility goals, including, but not limited to: modal splits, annual transit trips per capita, and automobile occupancy rates.

Deleted: July

Policy 1.6.6: The City shall amend the Concurrency Management System and any other relevant sections of the Land Development Code to reflect the adoption of the mobility standards and include any possible funding sources that will be used for alternative transportation improvements in the Five-year Schedule of Capital Improvements as updated annually.

Policy 1.6.7: Developments approved prior to the adoption of the mobility standards shall be required to provide any transportation improvements, modifications or mitigation required as part of the original development plan approval.

C. *Infrastructure Element*

Objection 5

The 2006 Region II Water Supply Plan by the Northwest Florida Water Management District (NWFWMD) was updated and approved for the region in October 2006. Pursuant to Section 163.3177(6)(c), F.S., local governments within the region have 18 months to submit amendments for their Plans to incorporate a ten-year water supply facilities work plan. The due date for Gulf Breeze's water supply facilities work plan was April 26, 2008. Policy 1.3.3 indicates that the City will adopt a work plan by June 2010. However, no work plan has been adopted and adequately incorporated into the City's Plan.

Authority: Sections 163.3177(2), (4)(a), (6)(a), and (6)(c-d), F.S.; Rules 9J-5.005(2)(a), (5)(a); 9J-5.015(3)(b)2, (c)1, 3, and 11, F.A.C

Recommendation: *The City should complete and submit a water supply plan consistent with the requirements in Section 163.3177(6)(a), (c), and (d), F.S. Objective 1.3 and associated policies should be revised as appropriate. This recommendation should also be reviewed with Objection and Recommendation 7.*

Response: The Region II Water Supply Plan for the NWFWMD is expected to be adopted in the summer of 2011. The City will adopt its Water Supply Facilities Plan by December 2011 to be consistent with the most current data from the 2011 Region II Water Supply Plan for the NWFWMD. See applicable revisions to the Future Land Use and Infrastructure GOPs below.

Future Land Use Element GOPs

Policy 1.6.1: Coordinate with the Northwest Florida Water Management District (NWFWMD) in its plans to develop and implement a comprehensive aquifer recharge area protection program and address this in the City's Water Supply Facilities

Work Plan, which will be adopted by December 2011 and updated as required.

Infrastructure Element GOPs

Policy 1.3.3: Adopt a Water Supply Facilities Work Plan by December 2011. The plan, which will be incorporated herein by reference, will address water supply facilities necessary to serve existing and future development within the City's utility service area.

Deleted: June 2010

Objection 6

The City did not include sufficient data and analysis to support proposed revisions to the Infrastructure Element. The following examples describe where information is missing in the Data and Analysis section:

- *Table 5.3 on page 5-9 (Projected Wastewater Flows)*
  - *Service Area Population*
  - *Average Annual Daily Flow Rate*
  - *Surplus (or Deficiency)*

Response: See revisions to Table 5.3 below.

TABLE 5.1: PROJECTED WASTEWATER FLOWS

Wastewater System	2010	2015	2020	2025
Service Area Population	19,500	22,000	25,000	28,500
Adopted LOS (gpcd)	100	100	100	100
AADF (mgd)	1.541	1.750	2.050	2.200
Permitted WTP Capacity (mgd)	2.0	2.0	2.0	2.0
Surplus (Deficiency)	0.459	0.25	(0.050)	(0.200)

Note: The City has an additional 1.5 MGD permitted for a separate facility that has yet to be constructed.

Source: City of Gulf Breeze, 2010

- *Page 5-12 under the subheading Existing Demand Surpluses and Deficiencies*
  - *Number of Tons of Municipal Solid Waste*

Response: See revisions to DSA text below.

Existing Demand Surpluses and Deficiencies

In 2009, the City of Gulf Breeze generated approximately 3,602 tons of municipal solid waste. This amount included residential and commercial solid waste; however, it excluded hazardous wastes, yard waste, white goods and construction and demolition material.

- *Table 5.5 on page 5-18 (Drainage Problem Areas)*
  - *Location of Drainage Problem Areas*

Response: See revisions to DSA text and Table 5.5 below.

Identified Problem Areas

The City of Gulf Breeze does not have a Stormwater Management Master Plan that identifies potential flooding problem areas within the City. However, existing 17 drainage problem areas were identified by City staff in 2005 and prioritized for when funding was available. As of March 2011, five of the problem areas have been addressed; however, the other 12 areas are on hold pending grants or other funding sources that could supplement stormwater utility fee revenues, which for now only provides enough revenue to maintain and repair existing drainage facilities. The prioritized drainage problem areas within the City are summarized in **Table 5.5**, on the following page, along with recommended improvements. **Map 5.3** illustrates the approximate location of the identified problem areas.

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TABLE 5.5: DRAINAGE PROBLEM AREAS

Map 5.3 Index by Priority Area	Location of Problem Area	Status	Actual (Projected) Cost	Funding Source*	Type of Improvement Needed
1	San Carlos/York/Gilmore/Hampton	Completed	$ 628,874	FF 2005	Repair/replace existing collection and discharge piping and extension of piping
2	Camellia/Bear/Navarre/York/ Berry/ Surry/Cumberland/Warwick/Norwich	Unfunded	$ 706,132	CF	Repair/replace existing collection and discharge piping and extension of piping
3	Washington/Dolphin/Williamsburg/ Florida	Unfunded	$ 822,353	CF	Replace steel arch pipe along Williamsburg and extend system from lift stations at Dolphin/Camellia
4	Bay Cliffs Road	Completed	$ 313,703	FF 2005	The addition of perforated storm pipe to collect and store stormwater until percolated into groundwater.
5	McClure/Shirley/Sterns/Roberts	Completed	$ 395,042	FF 2005/ CF	The addition of perforated storm pipe to collect and store stormwater until percolated into groundwater.
6	Tall Pine Drive	Completed	$ 78,851	CF	Repairing/replacing existing discharge piping
7	Nightingale at Fairpoint	Unfunded	$ 327,648	CF	Purchase of property for treatment pond in conjunction with Priority # 10, and the addition of stormwater collection system and pump stations.
8	Shoreline Park North	Completed	$ 48,975	CF	Replace existing stormwater collection pipes that have collapsed, rehabilitate two existing pump stations
9	South Sunset Boulevard	Unfunded	$ 305,809	CF	Install detention swales for better control of stormwater runoff.
10	Dracena/Nightingale/Russ/ Poincianna/Laruna/ Firethorn/Palmetto	Unfunded	$ 369,315	CF	Install infrastructure to reduce flooding, add treatment and pumping stations in conjunction with Priority #7
11	Driftwood/Navy Cove	Unfunded	$ 164,871	CF	Install detention swales for better control of stormwater runoff. Considered treated discharge to the bay.
12	Tall Pine Circle Erosion Control	Completed	$ 22,000	CF	Install curbing and flume to prevent the erosion of property and City rights of way.
13	The Soundings Outfall	Unfunded	$ 75,000	CF	Treatment
14	Pfeiffer Street Outfall	Unfunded	$ 275,000	CF	Treatment and Discharge Control
15	Eufaula	Unfunded	$ 175,000	CF	Outfall Treatment
16	Beach Drive	Unfunded	$ 175,000	CF	Outfall Treatment

* FF= Florida Forever 2005 funds/CF=City Funds/CRA=Community Redevelopment Area TIF funds

Due to the lack of data and analysis, the Amendment does not support proposed revisions to the goals, objectives, and policies in the Infrastructure Element which require projecting facility needs.

Authority: Sections 163.3177(1), (6)(c), and (8), F.S.; and Rules 9J-5.005(2), (5); 9J-5.011(1),(2)(b), and (2)(c)1, F.A.C.

Recommendation: *Data and analysis related to Infrastructure should be revised or updated to include needed facility information and projecting facility needs to support the proposed revisions to the Infrastructure Element.*

Response: See revisions above for each bullet point.

D. **Intergovernmental Coordination Element**

Objection 7

While the City has incorporated Policy 1.1.3 to coordinate with NWFWMD, the City has not included a policy to update its water supply work plan within 18 months of any future updates to the District's Region II Water Supply Plan.

Authority: Sections 163.3177(2), (4)(a), and (6)(c), F.S.; Rules 9J-5.005(2)(g), (6); 9J-5.013(2)c; and 9J-5.015(3)(b)2, (c)1, 3, and 11, F.A.C.

Recommendation: *Pursuant to Section 163.3177(6)(c), F.S., the City should revise Policy 1.1.3 or incorporate a new policy in the ICE to require an update to the City's water supply facilities work plan within 18 months after the District updates the Region II Regional Water Supply Plan.*

Response: Have revised policies in FLUE and Infrastructure that address this (see below).

Future Land Use Element GOPs

Policy 1.6.1: Coordinate with the Northwest Florida Water Management District (NWFWMD) in its plans to develop and implement a comprehensive aquifer recharge area protection program and address this in the City's Water Supply Facilities Work Plan, which will be adopted by December 2011 and updated as required.

Infrastructure Element GOPs

Policy 1.3.3: Adopt a Water Supply Facilities Work Plan by December 2011. The plan, which will be incorporated herein by reference, will address water supply facilities necessary to serve existing and future development within the City's utility service area.

Deleted: June 2010

E. **Capital Improvements Element**

Objection 8

The CIE schedule (labeled as Appendix A) includes a footnote that indicates the City has adopted by reference the Santa Rosa County School District Capital Outlay Plan for FY 2010/11 to 2014/15, which was adopted by the School Board in September 2010. However, Policy 1.6.3 indicates that the City adopts by reference the School Board's facilities work plan for FY 2009 to 2013. Additionally, the CIE is required to have adopted LOS standards for schools, and the current proposed policies do not.

Furthermore, the Data and Analysis section does not include items such as the Education Plant Survey and interlocal agreement with the School Board. The source of most of the data is from the School Board's facilities work plan that was adopted in January 2008, which is no longer the best available resource. Therefore, the amendment is not consistent with requirements in 163.3177(12) and 163.3180(13)(b), F.S., for public school facility planning including using the best available data for school level of service, ensuring consistency in incorporating the five-year district facilities work plan and adopting the level of service standards into the CIE.

Authority: Sections 163.3177(1), (6)(a), (3)(a), and (12)(c-h); and 163.3180(13)(b)2, F.S.; and Rules 9J-5.005(1)(c), (2)(a), (c), and (5); 9J-5.015(1)(a); 9J-5.016(1) and (2); and 9J-5.025(2), (3)(c)2, F.A.C.

Recommendation: *Revise the Amendment, as necessary, to be consistent and supported by the best available data and analysis, which is the School Board's five-year facilities work plan adopted in September 2010. Revise Policy 1.6.3 and Appendix A to clearly adopt by reference the School Board's most current*

2010/2011 five-year facilities work plan. Additionally, include a policy in the CIE which has the school LOS standards.

Capital Improvements Element GOPs

Policy 1.1.1: The City hereby adopts the following minimum LOS standards, which must be retained in reviewing the impacts of new development and development on public facilities:

- The following minimum Roadway Q/LOS standards for monitoring intersection capacity are established based on annual average daily trips (AADT), as follows:

Arterials (4-lane and 6-lane)	E+10%
Arterials (2-lane)	E + 30%
Collectors	D
Local Roads	D

- The **LOS** standard for *Sanitary Sewer* is 100 gallons per person per day pursuant to Policy 1.1.1, Infrastructure Element.
- The **LOS** standard for *Solid Waste* is 3.60 pounds per person per day pursuant to Policy 1.1.1, Infrastructure Element.
- The **LOS** standards for *Potable Water* are as follows: 130 gallons per person per day; maintain minimum daily flow of 1.0 MGD; maximum water capacity is 1.523 MGD; daily potable water pressure shall be no less than 35 pounds per square inch (psi); water storage shall be a minimum of projected average daily flow pursuant to Policy 1.1.1, Infrastructure Element.
- The LOS standards for *Stormwater Management* facilities are as follows: 25-year storm frequency, 24-hour duration; treatment of the first one-half inch of runoff for sites less than 100 acres and treatment of the first inch of runoff for sites greater than 100 acres pursuant to Policy 1.1.1, Infrastructure Element.
- The LOS standard for *Recreation and Open Space* is five acres per 1,000 residents pursuant to Policy 1.3.1, Recreation and Open Space Element.
- The **LOS** standards for *Public School Facilities* pursuant to Policy 1.6.1, Public School Facilities Element, is:

Type of School	Level Of Service Standards
Elementary	105% of permanent FISH capacity
Middle	105% of permanent FISH capacity
Combined Jr/Sr High	90% of permanent FISH capacity
High	105% of permanent FISH capacity

Public School Facilities Element

Policy 1.6.3: The City of Gulf Breeze adopts by reference the Five-Year Facilities Master Plan FY 2010 - 2014 as formally adopted by the Santa Rosa County School Board on September 9, 2010, as amended, into the City's Five-Year Schedule of Capital Improvements.

Deleted: 2009-2013

Deleted: 10, 2009

Objection 9

The CIE schedule (labeled as Appendix A) indicates that the City has adopted by reference the Transportation Improvement Program (TIP) for FY 2010/11 to 2014/15, which was adopted by the Florida-Alabama Transportation Planning Organization in June 2010. The footnote in the schedule, however, indicates that the TIP was adopted in July 2010. Moreover, Policy 1.6.4 in the CIE indicates that the City adopts by reference the

TIP for FY 2009 to 2013, which is inconsistent with Appendix A. The proposed Amendment has not been demonstrated to use the best available data from the TIP and as proposed is internally inconsistent.

Authority: Sections 163.3177(1), (2), (6)(a), (3)(a), and (6)(j), F.S.; and Rules 9J-5.005(1)(c), (2)(a),(c), and (5); 9J-5.015(1)(a), 9J-5.016(1), (2); and 9J-5.019(2)(a), and (3)(g), F.A.C.

Recommendation: *Revise the Amendment, as necessary, to be consistent and supported by the best available data and analysis by including the 2010/2011 TIP as data and referencing it consistently throughout the Plan. Revise Policy 1.6.4 and Appendix A to clearly adopt by reference the most current 2010/2011 TIP.*

Response: The footnote in Appendix A has been revised to adopt by reference the most current 2010/2011 five-year facilities work plan. In addition, the following revisions were made to Policy 1.6.4, CIE.

Policy 1.6.4: The City of Gulf Breeze adopts by reference the Five-Year Transportation Improvement Program FY 2010-2014 as formally adopted by the Florida-Alabama TPO on June 9, 2010, as amended, into the City's Five-Year Schedule of Capital Improvements.

Deleted: 2009-2013

Deleted: September 9, 2009

Objection 10

Policy 1.2.2 reads as follows: "Implement the Concurrency Management System adopted in the City's Land Development Code"[.] Pursuant to Rule 9J-5.0055(1), F.A.C., local governments shall adopt, as a component of the comprehensive plan, objectives, policies, and standards for the establishment of a concurrency management system. At a minimum, the Plan must include LOS standards for public facilities and criteria for concurrency availability determination by facility pursuant to 9J-5.0055(3), F.A.C. Provisions of the Concurrency Management System (CMS) can be further implemented in the land development regulations (LDR), but objectives and policies should not be deferred to the LDR.

As proposed, the Plan does not include certain components of the CMS. Required components include the LOS standard and a commitment to meet them, a financially feasible capital improvements plan, and the concurrency determination criteria which can be no less than that identified in 9J-5.0055(3), F.A.C. Policy 1.2.4 does not meet the minimum requirements because it does not specify what facilities and when concurrency for facilities will be met consistent with 9J-5.0055(3), F.A.C.

Authority: Sections 163.3177(2), (3)(a), (6)(a), and (12); and 163.3180(1)(a), (2)(a), (13)(e), F.S.; and Rules 9J-5.005 (6); 9J-5.0055(1), (2), and (3); and 9J-5.025(3)(c)8 and 9, F.A.C.

Recommendation: *Policy 1.2.2 should be updated or revised to include, as appropriate, CMS components as part of the comprehensive plan consistent with 9J-5.0055(2) and (3), F.A.C. Policy 1.2.4 should be revised consistent with 9J-5.0055(3), F.A.C., to list the facilities and the criteria for concurrency satisfaction, and should also be revised to be consistent with Section 163.3180(13)(e), F.S., to include schools and with Section 163.3180(2)(a), F.S., to include provisions for concurrency for water supply that is to ensure that they coordinate with the supplier to ensure availability.*

Response: See see revisions below:

Policy 1.2.2: The City shall implement the Concurrency Management System adopted in the City's Land Development Code, which is consistent with sections 163.3177 and 163.3180, F.S. and the minimum requirements for concurrency established in Rule 9J-5.0055 (2) and (3), F.A.C., to manage the land development process so that public facility needs created by previously issued development orders or future development do not exceed the City's ability to fund and provide needed capital improvements.

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Policy 1.2.4: No development permit or order shall be issued unless adequate public facilities are available to serve the proposed development as determined by the City's concurrency evaluation in the Concurrency Management System, adopted in the Land Development Code, which is consistent with Rule 9J-5.0055 (2) and (3), F.A.C., and sections 163.3177 and 163.3180, F.S.

Deleted: adopted

F. **Housing Element**

Objection 11

The Housing Element does not include goals, objectives, and policies related to energy efficiency in the design and construction of new housing pursuant to Section 163.3177(6)(f), F.S.

Authority: Section 163.377(6)(f)1, F.S.; and Rules 9J-5.005(1)(c); 9J-5.010(3)(c), F.A.C.

Recommendation: *Revise the Housing Element to include appropriate goals, objectives, and policies related to energy efficiency in the design and construction of new housing.*

Response: See revisions to Conservation Objective 1.3 below

Objective 1.7: To assist the private sector in providing an appropriate mix of housing types and to apply innovative planning and design techniques to ensure sustainability.

Policy 1.7.1: Coordinate the development of future housing with supporting infra-structure such as schools, parks, emergency service, water and sewer services through private sector funding concurrent with development. Such private sector funding shall be accomplished through provisions such as, but not limited to, impact fees and provision of off-site improvements.

Policy 1.7.2: Encourage the development of multi-family and rental housing as a primary land use in areas where employment opportunities and infrastructure are available and where higher intensity development exists or is planned on nearby property, consistent with the Future Land Use Map Series.

Policy 1.7.3: Encourage the construction of energy efficient housing by implementing the Florida Model Energy Code.

Policy 1.7.4: Promote the use of cluster housing and planned unit developments to conserve open space and environmentally sensitive lands.

Policy 1.7.5: Incorporate incentives into the Land Development Code for residential developments that incorporate LEED, Florida Green Building Coalition, or similar professionally accepted green building guidelines and that use recycled or renewable materials and renewable energy sources in construction of residential units and developments.

G. Conservation Element

Objection 12

Policies 1.3.1 to 1.3.3 are not supported with an objective. Pursuant to Rule 9J-5.005(1)(c), F.A.C., comprehensive plans shall consist of goals, objectives, and policies.

Authority: Section 163.377(6)(f)1, F.S.; and Rules 9J-5.005(1)(c); 9J-5.010(3)(c); and 9J-5.013(2), F.A.C.

Recommendation: *Revise the Conservation Element to include an appropriate objective that corresponds with Policies 1.3.1 to 1.3.3.*

Response: See revision to Conservation Objective 1.3 below

Objective 1.3: Conserve, appropriately use, and protect the quality and quantity of surface water resources.

Objection 13

The proposed FLUM or Map Series does not clearly identify energy conservation features. Pursuant to 163.3177(6)(d), F.S., and 9J-5.006(4)(b), F.A.C., natural resources features that affect energy conservation shall be shown on the FLUM or Map Series.

Authority: Sections 163.3177(6)(a) and (d), F.S.; and Rules 9J-5.006(4); and 9J-5.013(2), F.A.C.

Recommendation: *Revise the FLUM or Map Series to clearly identify energy conservation features consistent with 163.3177(6)(a) and (d), F.S.*

Response: Natural resources are now noted on the FLUM (i.e., Naval Live Oaks Reservation is now noted, the wetlands are now noted on the FLUM series).

Objection 14

Policy 1.4.9 requires an inventory of natural resources; however, this policy as well as Policies ~~1.6,~~ 1.6.1, and 1.6.2 do not identify how these natural resources will be protected consistent with 9J-5.012(3) and 9J-5.013(2) and (3), F.A.C. Additionally, Policy 1.1.5 reads as follows: "Protect shoreline resources, including wetlands, from development and redevelopment, through enforcement of the setback requirements, access provisions, buffer provisions and other guidelines contained in the applicable ordinances and the Land Development Code (LDC)." The policies do not meet the minimum requirements under Section 163.3178(1) and (2), F.S., and 9J-5.012(3)(a), (b)1, 2, and 4, and (c)1, 2, and 9J-5.013(2) and (3), F.A.C., to protect coastal natural resources because it only states the City's intent to protect shoreline resources. The policies, however, do not include specific criteria or standards for prioritizing shoreline uses or protecting coastal resources and wetlands. Provisions of the Element can be further implemented in the LDR, but objectives and policies should not be deferred to the LDR. Furthermore, Policy 1.1.~~1~~2 concerning the adoption of a water quality component to the drainage LOS standard to help maintain or improve estuarine environments does not include an implementation date.

The Plan should include a comprehensive planning approach to protect coastal resources and wetlands within the City, which includes consideration of the character of coastal resources, and for wetlands the quality, types, values, functions, sizes, conditions, and locations. Additionally, Policy 1.4.10 refers to wetlands within the jurisdiction of DEP and ACOE, when the statute and rule has changed providing the NWFWMD with authority to regulate wetlands.

Authority: Sections 163.3177(2), (6)(a) and (d); and 163.3178(1), F.S.; and Rules 9J-5.005(6); 9J-5.012(2)(b) and (f), (3)(b)1, 2, and 4, and (3)(c)1 and 2; 9J-5.013(1)(a), (2)(b)2, 3, 4, and (2)(c)3, and 5, and (3), F.A.C.

***Recommendation:** Revise Policies 1.4.9, ~~1.6,~~ 1.6.1, 1.6.2, 1.1.2, and 1.1.5, as appropriate, to adequately and appropriately protect and conserve coastal resources and wetlands within the City through a comprehensive planning process which includes consideration of the character of coastal resources and for wetlands the quality types, values, functions, sizes, conditions, and locations of wetlands. Policy 1.4.10 should be revised to include a reference to the NWFWMD. Policies should include specific criteria or standards for prioritizing shoreline uses and protecting coastal resources and wetlands.*

Response: See revisions to Infrastructure, Coastal Management and Conservation policies below

Infrastructure Element:

Policy 1.1.2: Implement the City's Stormwater Utility Master Plan, and update the plan every five years (beginning in March 2012) at a minimum to include a drainage facility capacity analysis, flood control performance assessment, and assessment of ground and surface water quality impacts. Develop a Master Infrastructure Plan that identifies all sewer, drainage, potable water and road construction needs in order to coordinate the construction of the facilities in a cost –effective manner and included in the Five-year Schedule of Capital Facilities as updated every year.

Coastal Management Element:

Policy 1.1.5: Protect coastal resources, including wetlands, from development and redevelopment, through enforcement of the setback requirements, access provisions, buffer provisions and other guidelines contained in the applicable ordinances and the Land Development Code (LDC).

Conservation Element:

Policy 1.4.9: Maintain an Environmentally Sensitive Lands Inventory which shall include wetlands under the jurisdiction of the FDEP and/or the U.S. Army Corps of Engineers, and all flood prone land areas classified by the Federal Emergency Management Agency as "A" Zones and "V" Zones on the Flood Insurance Rate Maps, and require that the location of these wetlands be identified on proposed site plans along with measures that will be taken to protect these wetlands.

Policy 1.6.1: Require that proposed development plans identify the unique nature of any wetlands located on the site through consideration of type, value, function, size, and condition and include measures that will be taken to protect these wetlands and their natural functions.

Policy 1.6.2: Land uses that are incompatible with the protection and conservation of wetlands or their corresponding functions shall be distributed on proposed site plans in such a manner that minimizes the effect and impact on wetlands.

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H. Coastal Management Element

Objection 15

In Policy 2.1.1, the City defines the Coastal High Hazard Area (CHHA) as those areas on the evacuation zone for Category 1 hurricane as established on the surge zone maps of the regional evacuation study. This definition is inconsistent with Section 163.3178(2)(h), F.S., which defines the CHHA as the area "below the elevation" of the category 1 storm surge line as established by the SLOSH computerized model. Because the definition is inconsistent with the statutory definition, it is unclear if Map 7.1 - Storm Surge and Coastal High Hazard Area is correct.

Authority: Section 163.3178(2)(h), F.S.; and Rules 9J-5.006(4)(b)6; 9J-5.012(2)(e)3, (3)(c)7, F.A.C.

Recommendation: *Policy 2.1.1 should be revised to be consistent with the definition of CHHA in Section 163.3178(2)(h), F.S. Additionally, Map 7.1 should be revised to reflect the Coastal High Hazard Area consistent with the statutory definition and the West Florida Regional Evacuation Study 2010.*

Response: Map 7.1 has been revised to reflect the CHHA consistent with the statutory definition and the West Florida Regional Evacuation Study 2010. See revisions to Coastal Management Policy 2.1.1 below:

Policy 2.1.1: The CHHA in the City of Gulf Breeze is hereby defined as the area below the elevation of the Category 1 storm surge line as established by the SLOSH computerized model identified in the most current regional hurricane evacuation study.

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I. Public Schools Facilities Element

Objection 16

The City did not include sufficient data and analysis to support proposed revisions to the Public Schools Facilities Element. The following examples describe where information is missing in the Data and Analysis section:

- *Table 9.11 on page 9-15 (Public Schools Capital Outlay Revenue Summary)*
- *No map on page 11-5 (Location of Gulf Breeze Schools)*

Due to the lack of data and analysis, the Amendment does not support the proposed revisions to the Public Schools Facilities Element.

Authority: Sections 163.3177(1), (8), and (12)(c), F.S.; and Rules 9J-5.005(2), (5); 9J-5.025(2), F.A.C.

Recommendation: *The Amendment should be revised to update data and analysis to support the proposed revisions to the Public Schools Facilities Element.*

Response: Table 9.11 (PSFE) has been completed/updated and Map 11.1 (ICE) has been inserted on page 11-5.

J. **Goals, Objectives, and Policies**

Objection 17

The following proposed GOPs result in a lack of meaningful and predictable standards. The use of permissive words such as "encourage," "consider," "consideration," and "promote" are vague and do not say how and/or when the City will implement the noted programs.

Authority: Section 163.3177(1), (6)(a), (c) and (d), F.S.; and Rules 9J-5.005(2), (5), and (6); 9J-5.006; 9J-5.010; 9J-5.011; 9J-5.013; and 9J-5.019., F.A.C.

***Recommendation:** The GOPs should be revised to include clear guidelines and standards that the City will use to achieve the policy's stated purpose and where appropriate should include an implementation date as well.*

Responses: See proposed Revisions for each policy below:

- FLUE: 1.6.6 –By December 2011 contact owners of historically significant housing (i.e., housing over 50 years of age) and provide them information they need to apply for and utilize state and federal assistance programs and incentives to redevelop the structure in a manner sensitive to its original character.
- FLUE: 1.10.3 – Promote viable alternative transportation modes, including public transit facilities and connections, sidewalks and bicycle paths as well as, where safety criteria can be met, paths or routes for small electric vehicles.
- Housing: 1.4.1 – By December 2011 contact owners of any potentially significant homes or land that is likely to contain archaeological resources and , provide a forum for a discussion on whether to adopt a Historic Preservation Ordinance that provides identification criteria and preservation guidelines for historic and archaeological resources in Gulf Breeze. Housing eligible for the National Register will be considered as historically significant.
- Infrastructure: 1.4.2 – Through the use of incentives, such as fast-track permitting, discounted impact fees based on resource conservation, and similar programs, which will be included in the Land Development Code by December 2011, encourage developers and property owners to provide a variety of stormwater management and low impact development (LID) practices, so that each practice will provide incremental benefits, and when combined all practices will:
  - Promote infiltration of stormwater and runoff.
  - Promote stormwater reuse.
- Conservation: 1.1.2 – As a long-term strategy to protect air quality, provide more choices for alternatives to single-occupancy vehicles, such as the use of transit and the construction of bicycle paths/lanes and sidewalks. This will be accomplished by December 2013 through a process of gathering citizen input and utilizing results to coordinate with area public transit providers on improved services and for the development of a long-term pedestrian and bicycling master plan for the City.
- Conservation: 1.2.1 – By July 2012, complete a water consumption/pricing analysis and citizen survey to analyze whether establishing a tiered rate system for potable water would potentially promote local water conservation practices. If a tiered rate system is found to be potentially feasible, implement a pilot program for a tiered rate system lasting an appropriate time period beginning in 2013 to test consumption of potable water
- Conservation: 1.2.2 – Promote the use of water conservation practices by amending the Land Development Code by December 2011 to require the installation of water conserving devices in all new construction, such as water conserving toilets, showerheads and faucets, and promote and encourage the use of low-impact, water-efficient development through the use of incentives such as fast-track permitting, discounted impact fees based on resource conservation, and similar programs.
- Conservation: 1.8.2 – Through the use of incentives, such as fast-track permitting, discounted impact fees based on resource conservation and similar programs, which will be included in the Land Development Code by December 2011, encourage the development community to obtain green certifications under the United States Green Building Council, Florida Green Building Coalition, Florida Yards and Neighborhoods Program, Energy Star and Florida Water Star™ programs, as appropriate.

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K. **Comments**

Comment 1

The City should revise Policy 1.5.2 in the Infrastructure Element to include a reference to the current stormwater permitting rule, Chapter 62-346, F.A.C. Additionally, the City should revise the stormwater permit reference in other elements such as the CIE and Data and Analysis section to avoid internal inconsistencies with the specified policy. The entire policy should be revised as follows.

Response: The City has revised Infrastructure Policy 1.5.2 as suggested by the DCA (as follows):

Policy 1.5.2: Require all surface management facilities to meet or exceed, where possible, the design and performance standards specified in Chapters 62-346 and 62-4, F.A.C., and the Department of Environmental Protection and NWFWMD Resource Permit Applicant's Handbook Volumes I and II.

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Comment 2

In the FLUE, Policy 1.9.1 references to the 1999 Northwest Florida Hurricane Evacuation Study. This study is no longer the best available resource. The most current study is the West Florida Regional Evacuation Study 2010. The policy should be revised or updated to reflect the new study. Information should also be consistent with other elements such as the Coastal Management Element.

Response: See revision to Policy 1.9.1 below:

Policy 1.9.1: Coastal area population densities shall be coordinated with the West Florida Regional Evacuation Study 2010, as updated.

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Comment 3

In the Data and Analysis section under the Infrastructure Element, the statutory reference to Chapter 40C-42, F.A.C, addresses permitting rules for the St. Johns River Management District. The City should revise this statutory reference to reflect Chapter 40A, F.A.C, which addresses rules for the Northwest Florida Water Management District.

Response: See revision to DCA below:

Northwest Florida Water Management District (NWFWMD)

The rules in Chapter 40A, F.A.C., establish a general consumptive use permitting program for certain water uses whose adverse impact, either singly or cumulatively, on the water resources of the District is determined to be minimal. Consumptive uses of waters which are non-exempt, which do not exceed 500,000 gallons per day calculated as an annual average, and which do not qualify for a general permit by rule under section 40A, F.A.C., or a noticed general permit under Chapter 40A, F.A.C., require a standard general permit under this chapter.

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Comment 4

Policy 1.1.2 in the Infrastructure Element regarding the City's Stormwater Utility Master Plan should be revised to include an implementation date.

Response: The City will revise Infrastructure Policy 1.1.2 as follows:

Policy 1.1.2: Implement the City's Stormwater Utility Master Plan, and update the plan every five years (beginning in March 2012) at a minimum to include a drainage facility capacity analysis, flood control performance assessment, and assessment of ground and surface water quality impacts. Develop a Master Infrastructure Plan that identifies all sewer, drainage, potable water and road construction needs in order to coordinate the construction of the facilities in a cost –effective manner and included in the Five-year Schedule of Capital Facilities as updated every year.

Comment 5

Since data in Table 2.1 of the Data and Analysis section includes the amount of institutional population, it would be helpful to include a footnote that describes the type and amount of group quarters in the City.

Response: Table 2.1 has been revised as follows to adjust for the 2010 U.S. Census Bureau population data and to note that the City does not include any institutional population.

TABLE 2.1: POPULATION FORECAST 2010-2025

Year	Permanent Population	Seasonal Population*	Total Population
2010	5,628	135	5,763
2015	5,547	135	5,682
2020	5,569	135	5,704
2025	5,585	136	5,721

Note: The City of Gulf Breeze has no institutional population.

* Seasonal population based on 2000 Census percentage of seasonal population (2.37%)

Source: 2010, U.S. Census 2010; 2015-2025, Florida Housing Data Clearinghouse; 2009

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Comment 6

The City identified affordable housing as an issue in the adopted EAR. While the City is reviewing optional methods to meeting its affordable housing needs pursuant to Rule 9J-5.010(3)(c)10, F.A.C, the City should also reevaluate Objectives 1.1, 1.2, and associated policies in the Housing Element as an approach to implementing affordable housing projects and programs in the community redevelopment area (CRA). Any revised policies should be consistent with policies in the FLUE.

Response: The revised FLUM allows higher density options for residential land use within the CRA, which provides opportunities for affordable housing. Policy 1.2.4 will be added to the Housing Element:

Policy 1.2.4: The City shall include affordable housing incentives for development in the Community Redevelopment Area in the Land Development Code by December 2011.

Comment 7

In Table 1.1, the percentage for the amount of existing acres for the high density residential land use category (0.89%) appears to be low. The calculated amount should be closer to 3.1 percent. The City should review and revise this portion of the data and analysis as necessary and appropriate.

Response: The 0.89% figure is correct. There are currently 26.67 acres of high density residential land use in the City. The percentage of HDR to the total City acreage (3,001.42) = 0.89.

Comment 8

On page 2-6 in the Data and Analysis section under the subheading Future Commercial Land Use, it indicates 21.83 as the ratio of commercial acres per 1,000 residents in 2009. However, on page 2-9 in Table 2.3 it indicates 21.73 as the ratio of commercial acres per 1,000 residents in 2009. The City should clarify and/or correct the inconsistencies found with the data.

Response: Table 2.3 has been revised and no longer includes the ratio of land use acreage per 1,000 residents. Based on the existing 126.44 acres of commercial use and the 2009 population of 5,791 the 21.83 ratio of commercial acres per 1,000 residents is correct, so no revisions are needed to the DSA.

Comment 9

Provision "e" of Policy 1.5.11 discusses requirements for the Gateway Area. The CRA Plan, however, does not establish clear standards for a Gateway Area. Also, the text appears to describe another land use category. Pursuant to Section 163.360, F.S., community redevelopment plans shall conform to the comprehensive plan.

Conservation Element GOPs

Policy 1.4.4: Provide protection to identified endangered or protected species by maintaining over 48 percent of City land area in conservation as designated on the Future Land Use Map. Currently, the only known protected species is the Osprey, located in the Naval Live Oaks Reservation. When listed species are identified on a site, a habitat management plan shall be developed in coordination with the FFWCC.

Policy 1.4.5: Continue to comply with all state and federal regulations that pertain to protection of endangered, rare, and threatened species. If listed species are identified on a site, a habitat management plan shall be developed in coordination with the FFWCC.

Policy 1.4.7: Coordinate with federal and state agencies to ensure the protection of City, State and Federally-owned natural reservation/conservation areas set aside for the protection of natural resources and public recreation by designating such areas as conservation uses on the Future Land Use Map and requiring assessment of the impacts of proposed adjacent development prior to approving development permits. If listed species are identified on a site, a habitat management plan shall be developed in coordination with the FFWCC.

Deleted: and consider the protection and conservation of the natural function of habitats identified in the Florida Natural Resources Inventory

II. Consistency with the State Comprehensive Plan

The proposed amendments are not consistent with the goals and policies of the State Comprehensive Plan, Section 187.201, F.S.

Objections

Section 187.201(6), Public Safety, Policies (b) 22 and 23, Objection H
Section 187.201(7), Water Resources, Policies (b) 2, 3, 5, 10, 11, and 13: Objections A.4, C.6, D.8, E,G.15, and F
Section 187.201(8), Coastal and Marine Resources , Policies (b) 2, 6, 7 and 9: Objections A.4, and G.15
Section 187.201(9), Natural Systems and Recreational Lands, Policies (b)1, 3, and 7: Objection A.4 and G.15
Section 187.201(11), Energy, Policies (b) 1, 5, and 6: Objection F, and G.14
Section 187.201(15), Land Use, Policies (b) 1, 3, and 6: Objections under A.1 and 4, B, C, D, E, F, G, and I
Section 187.201(16), Urban and Downtown Revitalization, Policies (b) 1, 3, 6, 10, and 12: Objections under A.1 and 3, B, E, and G
Section 187.201(17), Public Facilities, Policies (b) 7 and 9: Objections under A.1 and 3, B, C, D, E, and I
Section 187.201(19), Transportation, Policies (b) 2, 3, 6, 7, 13, and 15: Objections under A.1 and 3, B, E.2, and G
Section 187.201(25), Plan Implementation, Policies (b) 1, 3, 5, and 7: Objections under A, B, C,D, E, F, G, H, I, and J

Recommendation: *Revise the Amendment, as necessary, to be consistent with the above referenced goals and policies of the State Comprehensive Plan. Specific recommendations can be found following the objections cited previously in this report.*

Response: With the revisions that have been made pursuant to the ORC, the adopted Comprehensive Plan is now consistent with the State Comprehensive Plan.

City of Gulf Breeze

MEMORANDUM

TO: EDWIN A. EDDY, CITY MANAGER

FROM: CRAIG S. CARMICHAEL, DIRECTOR OF COMMUNITY SERVICES

DATE: JUNE 9, 2011

SUBJECT: DEADMAN'S ISLAND EXCLUSION ZONE

Attached, please find a draft copy of Ordinance 06-11 relative to the exclusion zone for Deadman's Island. As you are aware, last December the City Council enacted Ordinance 05-10 which established a combustion motor exclusion zone for the extreme northeastern tip of Deadman's Island. After submitting the ordinance to the Florida Fish and Wildlife Conservation Commission (FWC), they recommended that we call the area a "vessel exclusion zone" instead of a combustion motor exclusion zone. The attached ordinance incorporates the changes recommended by FWC.

RECOMMENDATION: ***THAT THE CITY COUNCIL APPROVE ORDINANCE 06-11 ON FIRST READING ON JUNE 20, 2011 AND SCHEDULE THE SECOND READING AND PUBLIC ON JULY 5, 2011.***

CSC
Attachment

OFFICE: (850) 934- 5100 • FAX: (850) 934-5114
POST OFFICE BOX 640 • GULF BREEZE, FLORIDA 32562-0640
WWW.CITYOFGULFBREEZE.COM

ORDINANCE NO. 06-11

AN ORDINANCE OF THE CITY OF GULF BREEZE FLORIDA, PERTAINING TO THE CREATION OF A VESSEL EXCLUSION ZONE; AMENDING CHAPTER 18, ARTICLE VI OF THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the public health, safety, and welfare of persons using the waters of the City of Gulf Breeze require the regulation of certain water borne activities on and within those waters: and,

WHEREAS, the City of Gulf Breeze has partnered with other Local, State and Federal agencies and received grant funding to establish a natural breakwater at the northeastern tip of Deadman's Island; and,

WHEREAS, the natural breakwater helps prevent the erosion of the tip of Deadman's Island: and,

WHEREAS, the breakwater has created an area between the northeastern tip of Deadman's Island and the breakwater structure that has enhanced the City's marine resources or aquatic habitat: and,

WHEREAS, the natural breakwater has created an area that is conducive to swimming and snorkeling: and,

WHEREAS, the unrestricted use of vessels or the adverse impacts of such use may result in harm to swimmers, snorkelers, marine resources or aquatic habitat.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Gulf Breeze, Florida, as follows:

SECTION 1 – ARTICLE VI is hereby amended to read:

ARTICLE VI. WATERWAYS

Sec. 18-100. Definitions.

The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

Vessel Exclusion Zone – (Manually Propelled Vessels Only)- All vessels other than those propelled by oars, paddles, or poles are prohibited from entering the marked area. Vessels equipped with sails or a mechanical means of propulsion may enter the marked area only if the sails or mechanical means of propulsion is not in use and, if possible to do so, the mechanical means of propulsion is tilted or raised out of the water.

Motorboat is synonymous with boat as referenced in Section 1(b). Article VII of the Florida Constitution and shall include every description of watercraft, barge and air boat used or capable of being used as a means of transportation on water.

68D-23.103 (1)(d) F.A.C. *Regulatory marker* means any anchored or fixed marker in, on or over the water or on the shore and shall include but not be limited to speed zone markers and warning markers.

Sec. 18-101. Deadman's Island vessel exclusion zone.

The area between the northeastern end of Deadman's Island and the oyster reef breakwater is hereby designated a vessel exclusion zone meaning manually propelled vessels only. Regulatory markers appropriately identifying the area as a manually propelled vessels only zone shall be posted in accordance with applicable state and federal regulations.

Sec. 18-102. Penalties.

(a) Pursuant to §327.73 F.S., any person cited for a violation of section 18-101 shall be deemed to be charged with a noncriminal infraction and shall be cited to appear before the county court. The civil penalty for any such infraction is $50.00, except as otherwise provided in this section.

(b) Any person cited for an infraction under this section may:

(1) Post a bond, which shall be equal in amount to the applicable civil penalty; or

(2) Sign and accept a citation indicating a promise to appear.

The officer may indicate on the citation the time and location of the scheduled hearing and shall indicate the applicable civil penalty.

(c) Any person who willfully refuses to post a bond or accept and sign a summons is guilty of a misdemeanor of the second degree, punishable as provided by Florida Statutes.

(d) Any person charged with a noncriminal infraction under this article may:

(1) Pay the civil penalty, either by mail or in person within ten days of the date of receiving the citation; or

(2) If he has posted bond, forfeit bond by not appearing at the designated time and location.

If the person cited follows either of the above procedures, he shall be deemed to have

admitted the infraction and to have waived his right to a hearing on the issue of commission of the infraction.

(e) Any person electing to appear before the county court or who is required so to appear shall be deemed to have waived the limitations on the civil penalty specified in subsection (a). The court, after hearing, shall make a determination as to whether an infraction has been committed. If the commission of an infraction has been proved, the court may impose a civil penalty not to exceed $500.00.

(f) At a hearing under this article, the commission of a charged infraction must be proved beyond a reasonable doubt.

(g) If a person is found by the hearing official to have committed an infraction, he may appeal that finding to the circuit court.

SECTION 2 - SEVERABILITY

If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by any court to be unconstitutional, inoperative, invalid or void, such holding shall not in any manner affect the validity of the remaining portions of this Ordinance.

SECTION 3 - CONFLICT

The provisions of this Ordinance shall be deemed to control and prevail over any ordinance or portion thereof in conflict with the terms hereof.

SECTION 4 - EFFECTIVE DATE

This Ordinance shall become effective upon its adoption by the City Council.

PASSED ON THE FIRST READING ON THE____DAY OF_____, 2011.

ADVERTISED ON THE ON THE____DAY OF_____, 2011.

PASSED ON THE SECOND READING ON THE____DAY OF_____, 2011.

By:_____
Beverly Zimmern, Mayor

ATTESTED TO BY:

_____
Marita Rhodes, City Clerk

City of Gulf Breeze

MEMORANDUM

TO: Edwin A. Eddy, City Manager

FROM: David J. Szymanski, Assistant City Manager

DATE: June 9, 2011

SUBJECT: Florida Department of Transportation - SB 1446 Landscaping Grant
Request for Proposal – Change Order Recommendation

In 2008, the City applied for a Florida Department Highway Beautification Grant in the amount of $730,729. In late 2009, we were notified that the City had been awarded $350,000 from the Florida Department of Transportation SB 1446 Landscape Grant program.

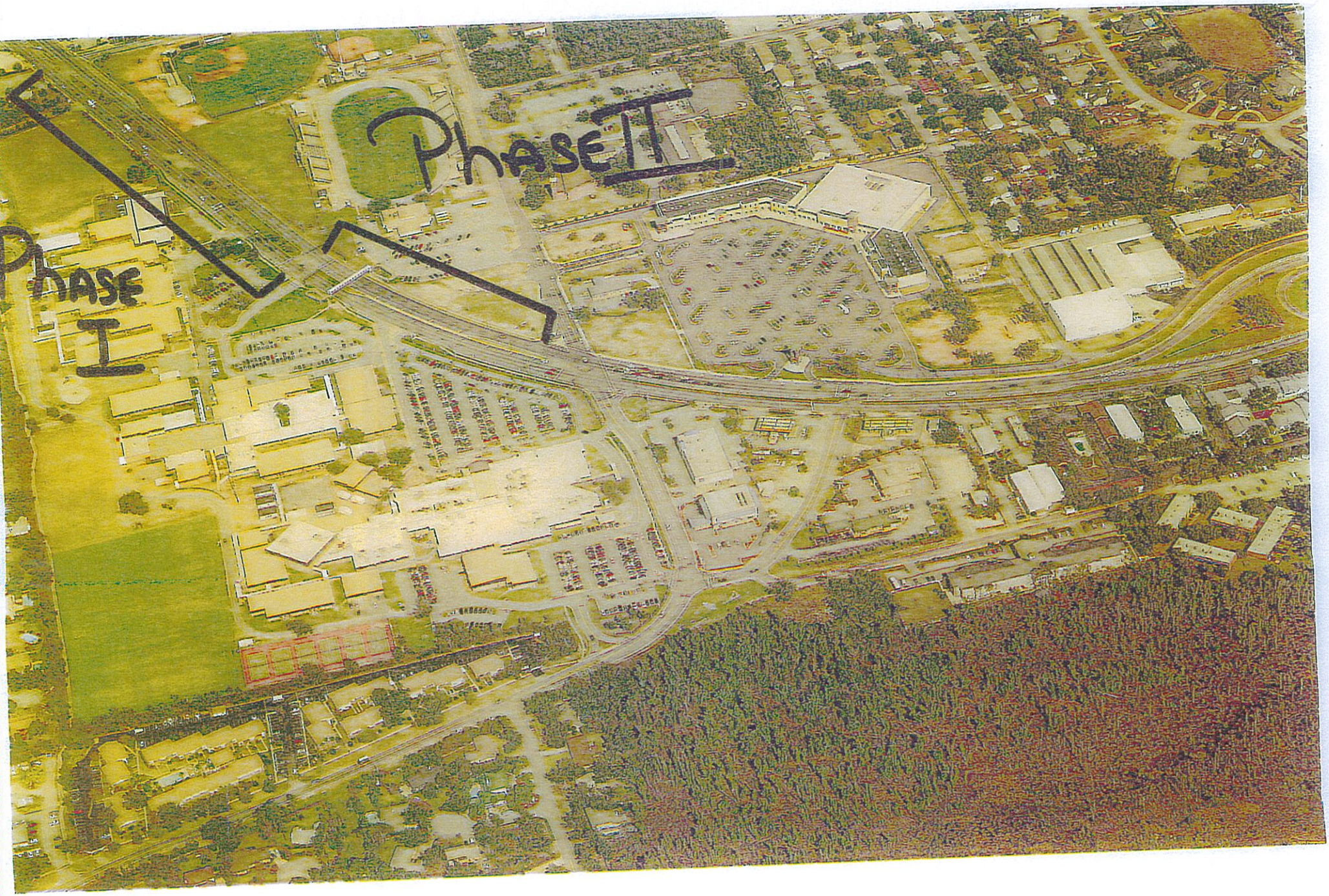
In February 2011, the City Council directed staff to issue a Request for Proposal for landscaping and irrigation services. An RFP for the Florida Department of Transportation SB 1446 Landscape Grant was advertised on February 24 and March 3rd in the local newspaper. Bids were due on March 15th and based on staff recommendation the project was awarded to Designscapes for $199,937.05 for phase I of landscaping Hwy 98. Phase I is due to be completed June 27, 2011.

The City Council approved and directed staff to hire Ken Griffin Landscape to prepare construction plans and bid specifications for phase II of this project (pedestrian overpass to Daniel Drive). These plans are now complete. In discussion with Florida Department of Transportation's landscaping consultant, since there is money still available (over 150K) in the original grant we might want to ask for a change order to the original contract with FDOT to include phase II construction.

Staff has monitored the present irrigation construction and planting closely and is very satisfied with the work done by Designscapes. Staff asked Designscapes for a price proposal for phase II work (see attached). The price for phase I and phase II together are under the original grant amount of $350,000. Originally, back in 2008 the project was estimated to cost $730,729.

RECOMMENDATION: That the City Council approve staff recommendation to issue a change order to the original contract to include phase II work. That this change order include the continued services of DesignScapes in the amount of $150,000 for the professional landscaping and irrigation services required in the Florida Department of Transportation - SB 1446 Landscaping Grant and extend the contract to September 30, 2011. That the City Council authorize the City Manager to sign the contract change order.

(850) 934-5109 • FAX (850) 934-5114
P.O. BOX 640 • 1070 SHORELINE DRIVE • GULF BREEZE, FLORIDA 32562-0640


Phase II
Phase I

DesignScapes
466 E. Miracle Strip Parkway
Mary Esther, FL 32569

Proposal

Date	Proposal #
6/7/2011	09-353

Name / Address
City of Gulf Breeze 1070 Shoreline Dr. Gulf Breeze, FL. 3256

Project
Professional LS & Irr. Svc.-Phase II

Description	Total
All material guaranteed to be as specified and the above work to be performed in accordance with the drawings and/or specifications submitted for the work and completed in a substantial workmanlike manner. Any alterations or deviations from the above specifications involving extra cost will be executed only upon written order and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work specified. Payments to be made at 15% mobilization due at time of signing and upon receipt of invoices for periodic draws for work in place. Signature: _____ Printed Name / Title: _____ Date: _____	

Total $150,000.00

Phone #	Fax #	E-mail	Web Site
(850) 362-0121	(850) 362-0131	administrator@designscapesfwb.com	www.designscapesfwb.com

DesignScapes
466 E. Miracle Strip Parkway
Mary Esther, FL 32569

Proposal

Date	Proposal #
6/7/2011	09-353

Name / Address
City of Gulf Breeze 1070 Shoreline Dr. Gulf Breeze, FL. 3256

Project
Professional LS & Irr. Svc.-Phase II

Description	Total
We hereby propose to furnish materials, equipment and labor necessary to the completion of Landscape & Irrigation work of the Gulf Breeze Beautification - Phase II located in Gulf Breeze, Florida as follows:	
PHASE II	
Crape Myrtle Tuscarora - Multi Trunk	4,693.50
Magnolia Little Gems	3,270.00
Southern Live Oaks	2,236.50
Sabal Palms - B&B,, 12-14' ct	30,712.50
Bald Cypress	1,462.50
Anise - 5 ga.	441.60
Miniature Pink Rose - 3 ga.	5,023.20
Silver Saw Palmetto - 3 ga.	4,368.00
Burgundy Loropetalum- 3 ga.	3,314.70
Viburnum Sandankwa - 3 ga.	1,828.80
Ornamental Grass - 1 ga.	6,637.05
Society Garlic - 1 ga.	1,935.00
Gallardia - 1 ga.	580.50
Flowering Annuals	1,687.50
Bermuda Sod	3,600.00
Pine Bark Mulch	7,020.00
Irrigation - Includes Boring	33,687.00
Removal of old landscape material	22,501.65
MOT	15,000.00
Notes & Exclusions: 1) Site must be to grade to within 1/10th; 2) Testing and permitting are excluded; 3) Power source by others; 4) 15% mobilization due at time of signing.	

Total

Phone #	Fax #	E-mail	Web Site
(850) 362-0121	(850) 362-0131	administrator@designscapesfwb.com	www.designscapesfwb.com

City of Gulf Breeze

MEMORANDUM

TO: Edwin A. Eddy, City Manager

FROM: Vernon L. Prather, Director of Public Services V.P.

DATE: June 9, 2011

RE: SSRUS Board Recommendations

The following recommendations were made by the SSRUS Board at their June 7, 2011 meeting.

Bay Breeze Nursing and Retirement Center Meter Replacement

The meter at the Bay Breeze Center is need of replacement. The current meter has slowed significantly and we estimate that the lost income is $1,500 per month. While this would appear to be a normal repair and maintenance item, the size, age and current configuration of the meter make it difficult to simply replace the meter. The current bypass around the meter is no longer functional, so a new bypass must be installed and the old one removed. This is also a healthcare facility where the Utility takes great strides to prevent interruptions of service.

This is a small project where most of our trusted contractors said that they could not give us a competitive price and their schedules are too tight to work in a small job. However, Warrington Utility and Excavating has been taking on these smaller jobs for us, and agreed to do this for $4,960.

RECOMMENDATION: SSRUS Board recommend to the City Council approval of Warrington Utility and Excavating to complete the Bay Breeze Center meter and bypass replacement for $4,960.

Duke Drive Lateral Replacement

The sewer lateral at 3085 Duke Drive serves two homes and recent blockage revealed a cracked pipe under the road and approx. 7 feet deep in the ground. The lateral has been cleared, and is useable for the short term. However, it does need to be replaced soon to prevent further failure of the roadway.

Staff has suggested that the existing lateral be abandoned and a new lateral be constructed at a shallower depth, directly to the lift station.

Staff solicited three quotes and received two, with Warrington Utility and Excavating being the low bidder at $8,592.00.

RECOMMENDATION: SSRUS Board recommend to City Council the award of the Duke Drive Lateral Replacement to Warrington Utility and Excavating for the amount of $8,592.

Waterford Sound Impact Fees

Under the interim impact fee policy, the developer of Waterford Sound would be required to pay an additional 25% of the impact fee for the lots or $72,800 for 56 lots in order to begin selling these lots. The developer has a buyer that will pay the remaining 75% for each lot as he builds on it.

In order to accommodate this arrangement, without the delaying payment to the City, the developer would like to pay us $72,800 as a deposit, then be reimbursed $1,300 for each impact fee the builder purchases at $3,900. The reimbursement would occur at least annually and at the most semi-annually, and at the City's discretion. At the end of three years, if the deposit has not been returned, the remainder will be used to cover the 25% of the impact fee not paid to date.

The only down side to this scenario, is that the City will expend some staff time tracking payments and writing a check once or twice per year. But this cost is minimal, especially compared to gaining additional customers.

Attached is a letter of agreement outlining the details of this special impact fee payment policy for Waterford Sound.

RECOMMENDATION: SRUS Board recommend to City Council the special impact fee payment agreement for Waterford Sound Subdivision Phase I.

City of Gulf Breeze

TO: Edwin A. Eddy, City Manager

FROM: Thomas E. Lambert, Assistant Director of Public Services

DATE: June 3, 2011

RE: Bay Breeze Nursing and Retirement Center Meter Replacement

The meter at the Bay Breeze Center is need of replacement. The current meter has slowed significantly and we estimate that the lost income is $1,500 per month. While this would appear to be a normal repair and maintenance item, the size, age and current configuration of the meter make it difficult to simply replace the meter. The current bypass around the meter is no longer functional, so a new bypass must be installed and the old one removed. This is also a healthcare facility where the Utility takes great strides to prevent interruptions of service.

This is a small project where most of our trusted contractors said that they could not give us a competitive price and their schedules are too tight to work in a small job. However, Warrington Utility and Excavating has been taking on these smaller jobs for us, and agreed to do this for $4,960.

RECOMMENDATION: SSRUS Board recommend to the City Council approval of Warrington Utility and Excavating to complete the Bay Breeze Center meter and bypass replacement for $4,960.

WARRINGTON UTILITY & EXCAVATING
We Dig Our Work
8401 Untreiner Ave.
Pensacola, Fl 32534
CUC 1224889

Bid Name: 3" meter, Gulf Breeze, FL

5/9/2011

Item	Description	Quantity	Unit	Unit Price	Amount
1	8" x 2" wet tap w/2" vavle assembly	1	ea	$ 750.00	$ 750.00
2	3" x 2" saddle w/compression fitting	1	ea	$ 300.00	$ 300.00
3	3" gate valve	2	ea	$ 575.00	$ 1,150.00
4	3" ductile pipe	2	ea	$ 305.00	$ 610.00
5	3" meter	1	ea	$ 1,700.00	$ 1,700.00
6	Hand digging	100	lf	$ 4.50	$ 450.00
	Grand Total				**$ 4,960.00**

Please note price does not include the following:

** Any de-watering
** Any removal and/or replacing of unsuitable materials
** Any fee's (i.e. permits, tie-in, impact, layout, etc.)
** Any removing and replacing of existing meter vault

Please note the following:

** Anything not specifically stated in this proposal is excluded
** Price will be held for 30 days
** We are not responsible for utilities damaged by other companies/contractors (i.e. utilities already approved/installed)
** If project start or finish is delayed due to circumstances beyond our control, we reserve the right to modify our prices for any labor, equipment or material price increases
** Price subject to change due to any unforeseen circumstance, or any utilities encountered that need altering
** All work is to be hand dug 3' depth
** Price includes cutting & replacing existing sod

Gulf Coast Health
dba BAY BREEZE NURSING HOME
3387 Gulf Breeze Parkway
Account# 19687-1804

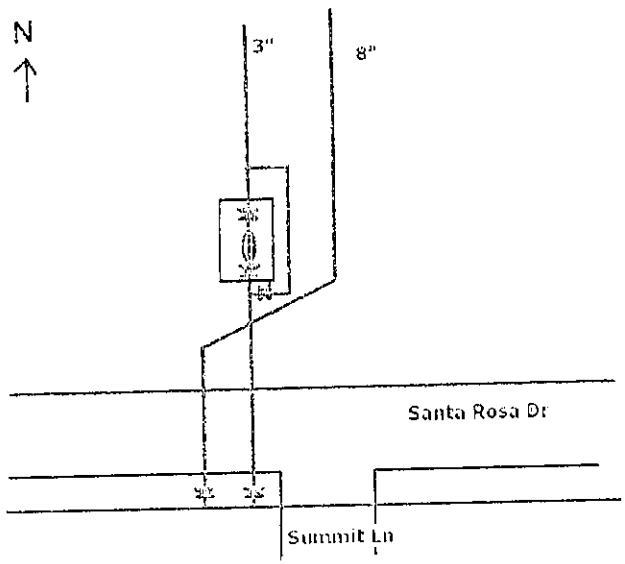
Water Usage History/Justification for new 3" meter

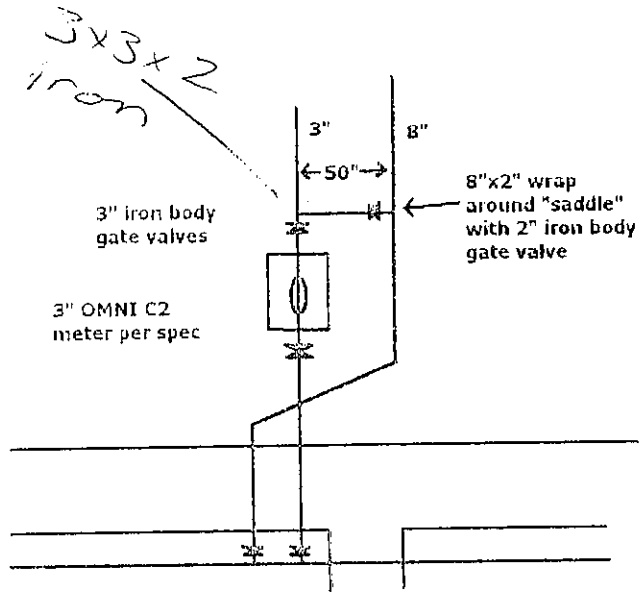
Year	Yearly Usage	Avg. Monthly Usage	% increase/ decrease
1999	8330	694	
2000	7170	598	-13.9%
2001	7430	619	3.6%
2002	7680	640	3.4%
2003	6920	577	-9.9%
2004	5700	475	-17.6%
2005	6460	538	13.3%
2006	6690	558	3.6%
2007	5440	453	-18.7%
2008	5350	446	-1.7%
2009	4704	392	-12.1%
2010	3957	330	-15.9%

Consp. Decrease 1999 to 2010 **-52.5%**

Month/ Year	Billed Consp	**Rev loss based on 2010 avg.**	Rev loss based on 1999 avg.
Jan-11	110	**$1,478.40**	$3,924.48

Month/ Year	Est. Billed Consp	**Consp Registered On Meter**	**Rev. loss if reg. consp. was billed**
Feb-11	375	**111**	**$1,774.08**
Mar-11	318	**126**	**$1,290.24**
			$3,064.32


N
3"
8"
Santa Rosa Dr
Summit Ln


3"
8"
50"
8"x2" wrap around "saddle" with 2" iron body gate valve
3" iron body gate valves
3" OMNI C2 meter per spec

City of Gulf Breeze

TO: Edwin A. Eddy, City Manager

FROM: Thomas E. Lambert, Assistant Director of Public Services

DATE: June 2, 2011

RE: Duke Drive Lateral Replacement

Attached is the recommendation for the replacement of a damaged sewer lateral on Duke Drive. The lateral serves two homes and is 7 feet deep in the ground. The lateral has been cleared, and is useable for the short term. However, it does need to be replaced soon to prevent further failure of the roadway.

Staff has suggested that the existing lateral be abandoned and a new lateral be constructed at a shallower depth, directly to the lift station.

Staff solicited three quotes and received two, with Warrington Utility and Excavating being the low bidder at $8,592.00.

RECOMMENDATION: SSRUS Board recommend to City Council the award of the Duke Drive Lateral Replacement to Warrington Utility and Excavating for the amount of $8,592.

City of Gulf Breeze

MEMORANDUM

TO: Vernon Prather, Director of Public Services

FROM: Dennis Durnil, Supervisor of Water and Sewer

DATE: June 1, 2011

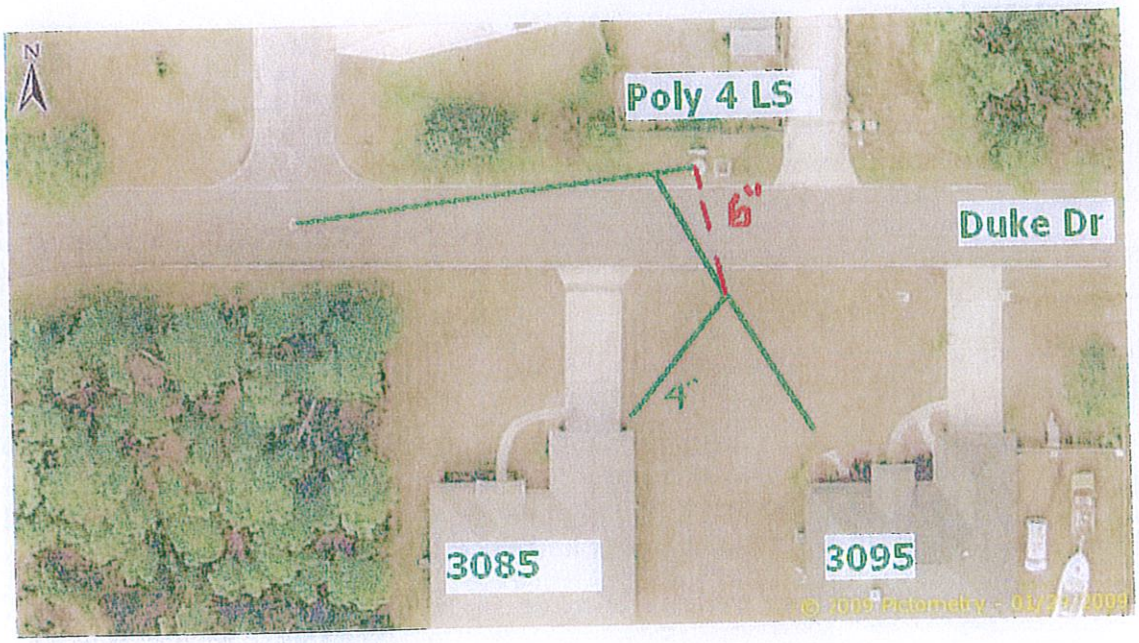
RE: Duke Dr. service laterals

Attached is a proposal for the replacement/relocation of sewer laterals on Duke Dr. The current laterals are at a depth that repair is estimated at over $50,000.00 do to close proximity to road. A small sink hole is present and believe excessive cleaning will cause further damage.

I agree with staffs findings and recommendation to have Warrington Utility & Excavating construct a new line for $8,529.00

Additional quotes for slip lining 8"main at a later date is attached these are the only 2 services on this run

D.A.D.



proposed existing

City of Gulf Breeze

MEMORANDUM

TO: Dennis Durnil, System Supervisor

FROM: Therran Gentry, Construction Foreman

DATE: 5/17/2011

RE: Duke Dr Sewer Repair

Dennis,

Staff has investigated and found breach in sewer lateral serving 3085 and 3095 Duke Dr. Blockage has occurred and been cleared but of course permanent repair is needed. Depth of lateral cannot be pinpointed but is out of range for locate equipment, which puts it over 7' and the main is 13'. Because of depth and close proximity to roadway we have gotten quotes to do proposed work which involves a road bore to replace pipe and core drill into Poly 4 liftstation. Rerouting service to liftstation will allow placement at a manageable depth.

Recommendation: Award this work to Warrington Utility and Excavating for the amount of $8,592.00

Attached: Quotes
Drawing
Pictures

DAD

8401 Untreiner Ave.
Pensacola, Fl 32534
CUC 1224889

4/4/2011

Bid Name: 3085 & 3095 Duke Drive, Gulf Breeze

Item	Description	Quantity	Unit	Unit Price	Amount
1	Mobilization	1	ls	$ 1,000.00	$ 1,000.00
2	Excavate existing 4" services, cut & cap 6" line	1	ls	$ 600.00	$ 600.00
3	Bore under Duke Dr. 6" Sanitary Sewer	32	lf	$ 118.50	$ 3,792.00
4	Tie in 2 each 4" sewer services to 6" sewer	1	ea	$ 600.00	$ 600.00
5	Core into existing lift station for new service	1	ea	$ 1,800.00	$ 1,800.00
6	Restore area of bore layout	1	ea	$ 800.00	$ 800.00
	Grand Total				$ 8,592.00

Please note price does not include the following:

- Any de-watering
- Any removal and/or replacing of unsuitable materials
- Any fee's (i.e. permits, tie-in, impact, layout, etc.)
- Any capping of existing 6" line on lift station side of road

Please note the following:

- Anything not specifically stated in this proposal is excluded
- Price will be held for 30 days
- We are not responsible for utilities damaged by other companies/contractors (i.e. utilities already approved/installed)
- If project start or finish is delayed due to circumstances beyond our control, we reserve the right to modify our prices for any labor, equipment or material price increases
- Price subject to change due to any unforeseen circumstance, or any utilities encountered that need altering
- Proposal is for the depth not to exceed 6'

BROWN CONSTRUCTION OF NORTHWEST FLORIDA INC

Since 1995
Certified General &
Underground Utility Contractors
CGC045510 CUC056748

WE DIG AMERICA

PROPOSAL SUBMITTED TO	PHONE	791-1757	DATE
John Trypus	FAX	934-5150	4/5/2011
City of Gulf Breeze	JOB NAME	Duke Drive Sewer Lateral	
ARCHITECT/ENGINEER	DATE OF PLANS		QUOTE VERSION
n/a	n/a		1

WE HEREBY SUBMIT THE SPECIFICATIONS AND ESTIMATES FOR:

1. Mobilization	1	LS	
2. Connect to Existing Lift Station	1	EA	
3. 6" Sewer Lateral	42	LF	
4. Connect to 4" House Services	2	EA	
5. Cut and Patch Asphalt	1	LS	
6. Restoration	1	LS	

Total... $8,752.60

Notes:
1. Items not specifically noted are excluded.
2. Testing for Dewatering is included.
3. Removal and replacement of unsuitable material is excluded.
4. Existing sewer lateral will be capped off at the connection to new lateral only.
5. Repair of apparent failure of existing line at main is excluded.
6. Alternate repair at main would be in excess of $40,000.00 (for reference only, no bid)

We Propose hereby to furnish material and labor- complete in accordance with above specifications, for the sum of: $8,752.60

Payment to be made as follows:
DUE UPON COMPLETION

All material is guaranteed to be as specified. In a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes and accidents or delays beyond our control. Owner to carry fire, damage and other necessary insurance. Our workers are fully covered by Workman's Compensation as.

Acceptance of Proposal-the above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. Date:

Authorized Signature: [signature]

Gabe Jackson

NOTE: This proposal may be withdrawn by us if not accepted within 15 days.

Signature: _____

Signature _____

City of Gulf Breeze

TO: Edwin A. Eddy, City Manager

FROM: Thomas E. Lambert, Assistant Director of Public Services

DATE: June 3, 2011

RE: Waterford Sound Impact Fees

Under the interim impact fee policy, the developer of Waterford Sound would be required to pay an additional 25% of the impact fee for the lots or $72,800 for 56 lots in order to begin selling these lots. The developer has a buyer that will pay the remaining 75% for each lot as he builds on it.

In order to accommodate this arrangement, without the delaying payment to the City, the developer would like to pays us $72,800 as a deposit, then be reimbursed $1,300 for each impact fee the builder purchases at $3,900. The reimbursement would occur at least annually and at the most semi-annually, and at the City's discretion. At the end of three years, if the deposit has not been returned, the remainder will be used to cover the 25% of the impact fee not paid to date.

The only down side to this scenario, is that the City will expend some staff time tracking payments and writing a check once or twice per year. But this cost is minimal, especially compared to gaining additional customers.

Attached is a letter of agreement outlining the details of this special impact fee payment policy for Waterford Sound.

RECOMMENDATION: SSRUS Board recommend to City Council the special impact fee payment agreement for Waterford Sound Subdivision Phase I.

City of Gulf Breeze

DRAFT LETTER OF AGREEMENT

I _____, representing _____ (DEVELOPER) agree to the following terms with the City of Gulf Breeze (CITY) regarding the payment of impact fees.

We agree that the DEVELOPER as a subdivision called Waterford Sound Phase I, with 56 lots, prepared to be built upon once the sewer system is certified complete and the final plat is approved by Santa Rosa County. The DEVELOPER has to date paid 25% of the impact fees for the subdivision, and owes the CITY and additional 25% to receive approval of the CITY to petition the Florida Department of Environmental Protection to place the sewer system in service.

The CITY shall accept the collected funds of $72,800 representing the additional 25% of impact fees and retain it as an escrow against the 75% of impact fees to be collected from the builder. The CITY shall reimburse the developer no less frequently than annually, occurring at the end of the fiscal year for the CITY. The first reimbursement shall occur on or near September 30, 2011, and annually thereafter for three years. The payment on or near September 30, 2014 shall be the last reimbursement. All funds remaining in the possession of the CITY will be placed as 25% of impact fees on those lots that remain undeveloped.

Since the CITY would normally require this payment in full at the time of certification, the collected funds will be considered as belonging to the CITY and may be invested and used as the CITY sees fit, and the DEVELOPER will have no stake in the earnings of these funds.

The CITY will only be required to make reimbursement on those funds that are collected, and may deduct from future reimbursements and funds that were forfeit because of failure in the builder's payment tendered.

[Signature and notary certification to be inserted here]

(850) 934-5100 • (850) 934-5114
P.O. BOX 640 • 1070 SHORELINE DRIVE • GULF BREEZE, FLORIDA 32562-0640

City of Gulf Breeze

Memo

TO: **Edwin A. Eddy, City Manager**

FROM: **Vernon L. Prather, Director of Public Services** V.P.

DATE: **June 8, 2011**

RE: **Highway 98 Irrigation Cost Allocation**
CRA Lighting Audit

A review of irrigation costs for the Highway 98 corridor revealed two (2) water meters that furnish water to the medians from Fairpoint Drive to the south end of the bridge.

These meters are necessary as the previous well showed signs of salt water intrusion in July 2008 and was no longer suitable for irrigation. Continued withdrawals also increased the probability that other wells could be impacted with salt water.

The annual cost of irrigation (approx. $17,000) is currently charged to 001-1500-579-43.10 (Rec. Center) and should be allocated to the CRA 107-3500-554-43.20, as the cost is directly related to maintenance of the medians.

Additionally, the Rec. Center has incurred costs of $11,203.26 this fiscal year and consideration for reimbursement is warranted.

RECOMMENDATION: City Council authorize the assignment of median irrigation costs from Fairpoint Drive to the south end of the 3 mile bridge to the Community Redevelopment Agency account 107-3500-554-43.20 and authorize reimbursement of $11,203.26 from CRA to the Rec. Center.

CRA Lighting Audit

We have typically assigned only the Hwy 98 Corridor street lights to the CRA with an annual cost of approx. $24,000 from Gulf Power.

(850) 934-5100 • FAX (850) 934-5114
P.O. BOX 640 • 1070 SHORELINE DRIVE • GULF BREEZE, FLORIDA 32562-0640

Staff received updated and detailed lighting maps from Gulf Power as they are currently performing an audit of the City's street lights. We over layed the CRA boundary on the map to determine which fixtures should be assigned to specific funds.

Our analysis indicates that 52 fixtures and the related costs estimated at $5,300 should be allocated to the CRA instead of the General Fund. This brings the total street light cost assigned to the CRA to $29,300.

Recommendation: City Council authorize the inclusion of the 52 Street Lights at an additional cost of $5,300 in the CRA for F/Y 2011 and also authorize transfers in subsequent budget years to address this issue.

VLP/ohl

City of Gulf Breeze

OFFICE OF THE CITY MANAGER

Memorandum

To: Mayor and City Council

From: Edwin A. Eddy, City Manager

Date: 6/9/2011

Subject: Transfer of Recurring Expenses from General Fund to Community Redevelopment Agency

The action recommended by staff boils down to a policy decision by the Council. "Should ongoing, recurring maintenance expenses realized in the Community Redevelopment Agency district be charged to the CRA or to the General Fund or a mix of both?"

We currently charge the costs of law enforcement, street lights, street sweeping, median mowing and flower bed maintenance that are utilized or occur in the CRA district to the CRA fund. When we decided to use potable water rather than well water for irrigation of medians in the CRA, we simply charged those costs to Parks and Recreation. It seems more consistent to charge all expenses associated with median upkeep to the CRA.

We have been charging the CRA for street lighting costs. We never audited the lights in the CRA against the bills we receive to see if these charges were complete and accurate. Again, it seems consistent to charge the CRA account for all street lights in the CRA district.

There are surplus funds within the CRA to make these payments to the General Fund.

RECOMMENDATION:

THAT THE CITY COUNCIL DETERMINE THAT THE COMMUNITY REDEVELOPMENT AGENCY FUNDS BE USED TO PAY THE COST OF POTABLE WATER FOR MEDIAN IRRIGATION ON U.S. 98 FROM THE BAY BRIDGE TO FAIRPOINT AND THAT CRA FUNDS ALSO BE USED TO PAY ALL STREET LIGHTING COSTS WITHIN THE CRA DISTRICT.

CRA
Revenue

1996	$93,607.00	2004	$380,635.00
1997	$136,338.00	2005	$554,821.00
1998	$176,491.00	2006	$598,381.00
1999	$231,564.00	2007	$898,951.00
2000	$248,660.00	2008	$801,636.00
2001	$329,900.00	2009	$802,252.00
2002	$336,741.00	2010	$843,105.00
2003	$354,609.00	2011	$781,680.00

Revenue Total(includes both City &County contribution))	$7,569,371.00
Reimbursements	
County Incentive Grant	$528,799.00
Hwy 98 Corridor Grant	$450,000.00
Baptist Hospital	$40,874.51
Santa Rosa Schools	$29,095.27
Total Reimbursements	$1,048,768.78
CRA Total	$8,618,139.78

Expenditures

Year	Project	
1997	U.S 98 Corridor Study	
	Visioning Project	
	Landscaping Overpass	
	Year Total:	$11,725.00
1998	U.S. Corridor Study	$8,900.00
	Fishing Bridge Repairs	$346,800.00
	Year Total:	$355,700.00
1999	Access Management Study	$27,529.40

	Sidewalks	$29,043.00
	Beach Overpass	$50,000.00
	Year Total:	$106,572.40
2000	Rip Rap - Wayside Park West (grant match)	$22,045.55
	Underground wiring	$2,000.00
	Beach Road Plaza Sidewalk	$31,261.34
	Highway 98 Improvements (Engineering)	$20,683.32
	Paving Improvements (Health Dept. etc.)	$15,867.75
	Resurfacing Shoreline	$2,300.75
	Complete Sidewalk & Stormwater Drainage Improvements on McAbee Ct	$31,639.54
	Miscellaneous	$3,165.00
	Year Total:	$128,963.25
2001	First Phase of Underground Wiring	$21,535.00
	Renovate Health Dept Building	$105,411.05
	Shoreline turn lanes	$49,640.72
	Wayside Park West	$9,615.00
	Miscellaneous	$675.00
	Year Total:	$186,876.77
2002	Pensacola Bay Bridge Replacement Study	$85,939.46
	Daniel Drive Extension	$463,602.95
	Bay Bridge Sidewalk Improvements	$1,000.00
	Miscellaneous	$175.00
	Year Total:	$550,717.41
2003	Pensacola Bay Bridge Replacement Study	$145,475.14
	Daniel Drive Extension	$141,259.32
	Miscellaneous	$695.00
	Year Total:	$287,429.46
2004	Pensacola Bay Bridge Replacement Study	$43,587.45
	Daniel Drive Extension	$998,053.93
	Ads & Memberships	$1,300.00
	Professional Services	$32,921.06
	Year Total:	$1,075,862.44

FY2011 Budget

Professional Services	$120,000.00
Legal Services ($8,000)	
Miscellaneous Consulting Services ($35,350)	
Flower Bed Maintenance & Median Mowing($50,000)	
Annual Christmas Lighting ($19,000)	
Street Sweeping ($7650)	
Street Lighting	$30,000.00
Utilities	$30,000.00
Memberships & Ads	$7,100.00
Operating Expenses (1,000)	
Team Santa Rosa ($5,000)	
FRA & State Membership ($1,100)	
CDBG Grant Match	$100,000.00
Capital Improvements	$318,855.00
Cost Allocation Transfers	$175,725.00
Police Services ($136,000)	
CRA Administration Fee ($20,000)	
Median Maintenance Supplement ($9,000)	
Budget Total:	$781,680.00
CRA Balance:	$1,373,432.93

City of Gulf Breeze

OFFICE OF THE CITY MANAGER

Memorandum

To: Mayor and City Council

From: Edwin A. Eddy, City Manager

Date: 6/9/2011

Subject: Amendment of Section 21-211 of the Code of Ordinances, Height Limit for Public Buildings

Staff has evaluated the height of the existing Recreation Center as well as the drawings for the new City Community Center and found that the existing building and the proposed building do not comply with the section of the Code listed above. (Attached is a copy for your review.)(The Rec Center is forty two (42') high.)

It is essential to the function of a gymnasium that it be built with ceilings high enough for basketball and volleyball, for example, once a roof structure and lights are added the height exceeds 35' as required by the code.

We discussed this with the City Attorney and determined that the best cause of action would be to add the following phrase to 21-211:

> Permitted uses within the P public lands district include public parks, playgrounds, schools, municipal and civic buildings, and public utility facilities. Publicly owned lands not designated for conservation use are included in the P district. Public buildings located within the P district shall be subject to the zoning requirements for the C-1 district except in the case of a public gymnasium which may be up to 45 feet in height.

RECOMMENDATION:

THAT THE CITY COUNCIL DIRECT STAFF TO DRAFT AN ORDINANCE AMENDING THE MUNICIPAL CODE TO ALLOW PUBLIC GYMNASIUMS ON PUBLIC PROPERTY TO BE BUILT UP TO 45' IN HEIGHT AND THAT FIRST READING ON SUCH AN ORDINANCE BE SCHEDULED FOR JUNE 20, 2011.

City of Gulf Breeze

TO: Edwin A. Eddy, City Manager

FROM: David J. Szymanski, Assistant City Manager

DATE: June 9, 2011

SUBJECT: Invoice, W. Thomas Lavash, dba WTL & Associates

Attached is an invoice from Thomas Lavash for $1,375.00 for services associated with the Live Oak Village opinion letter of value and development potential. This project is now complete. Total price of project was $17,400.00

RECOMMENDATION:

That the City Council meet as the Board of Directors of the Community Redevelopment Agency on Monday, June 20, 2011 and approve payment of $1,375.00 to WTL & Associates.

(850) 934-5100 • FAX (850) 934-5114
POST OFFICE BOX 640 • 1070 SHORELINE DRIVE • GULF BREEZE, FLORIDA 32562

Leslie Gomez

From: wthomas.lavash@wtlassociates.com
Sent: Tuesday, May 31, 2011 12:55 PM
To: Edwin Eddy
Cc: David J. Szymanski
Subject: Final Invoice-Live Oak Village Study
Attachments: WTL Assoc-Gulf Breeze Invoice 4 05-31-11.xls

Gentlemen:

Please find attached the final invoice for the Live Oak Village Development Study. This covers the remaining time for completion of the final report.

I very much appreciate the opportunity to assist the City of Gulf Breeze on this important project.

Best regards,

Tom

W. Thomas Lavash

Managing Principal

WTL+a: Urban Real Estate Advisors

4235 South Dakota, NE

Washington, D.C. 20017.3030

202.636.4002

301.502.4171 (M)

WTLa

31-May-11

Mr. Edwin Eddy, City Manager
City of Gulf Breeze
2070 Shoreline Drive
Gulf Breeze, FL 32561-4702

INVOICE: 2011.2.4

Final Invoice #4 for professional services associated with the Live Oak Village Opinion Letter of Value and Development Potentials Study, from April 15, 2011 through project completion.

No.	Task	Fee By Task	% Complete	Previously Billed	Fee This Invoice
TOTAL PROFESSIONAL FEE:		**$ 17,400**			
1	Project Initiation/Kick-off	$ 750	100%	750	$ -
2	Existing Operating Performance	$ 1,200	100%	1,200	$ -
3	Financial Feasibility Analysis	$ 3,500	100%	3,500	$ -
4	Demographic & Economic Profile	$ 2,000	100%	2,000	$ -
5	Real Estate Market Overview	$ 3,500	100%	3,500	$ -
6	Preliminary Market/Development Potentials	$ 2,500	100%	2,500	$ -
7	Project Meeting	$ 1,200	100%	1,200	$ -
8	Project Deliverable/Final Report	$ 2,750	100%	1,375	$ 1,375
Subtotal:		**$ 17,400**	**100.0%**	**$ 16,025**	**$ 1,375**

REIMBURSABLE EXPENSES (None This Invoice):

Airfare (RT: DCA-PNS)	$ -
Car Rental	$ -
Hotel	$ -
Taxi/Parking	$ -
Meals/Food	$ -
Research Data (Demographic & Economic)	$ -
Other (Gas/Tolls)	$ -
Subtotal-Reimbursable Expenses:	**$ -**

AMOUNT DUE:

Current Amount Due: **$ 1,375.00**

Payable within 10 days to:

W. Thomas Lavash Sole Prop dba WTL +Associates
4235 South Dakota, NE
Washington, D.C. 20017-3030
202.636.4002/301.502.4171

City of Gulf Breeze

TO: Edwin A. Eddy, City Manager

FROM: David J. Szymanski, Assistant City Manager

DATE: June 9, 2011

SUBJECT: Invoice, Morris Clark

Attached is an invoice from Morris Clark for $489.50 for assistance he has provided to the City relative to the replacement of the Pensacola Bridge.

RECOMMENDATION:

That the City Council meet as the Board of Directors of the Community Redevelopment Agency on Monday, June 20, 2011 and approve payment of $489.50 to Morris Clark.

(850) 934-5100 • FAX (850) 934-5114
POST OFFICE BOX 640 • 1070 SHORELINE DRIVE • GULF BREEZE, FLORIDA 32562

Morris M. Clark, P.E.
Consulting Engineer

609 timber Ridge Road, Pensacola, FL 32534
850-968-5498 or 850-281-1857(Cell)
morrisclark@cox.net

RECEIVED
JUN 07 2011
BY:

INVOICE

To: Mr. Edwin A. Eddy, City Manager
City of Gulf Breeze
1070 Shoreline Drive
Gulf Breeze, FL 32561

Invoice No. 101-06

Date: 6/1/2011

For Professional Engineering Services rendered May 1, 2011 thru May 31, 2011 including the following:

Preparation for and participation, via telephone, in FDOT's Pensacola Bay Bridge Replacement PD&E Study Progress Meeting on May 5th and follow-up correspondence.

4.45 hours at $110.00 per hour	=	$489.50
0.0 miles of auto mileage at $0.50 per mile	=	0.00
Current Amount Due		**$ 489.50**

Thank you for the opportunity to be of service.

Morris M. Clark

City of Gulf Breeze

OFFICE OF THE CITY MANAGER

Memorandum

To: Mayor and City Council

From: Edwin A. Eddy, City Manager

Date: 6/9/2011

Subject: Complaint by the City of Gulf Breeze Against Thomas Brady

The City Council discussed the significant expense borne by the public as a result of an objection to the City's application for a permit for certain activities associated with preserving Deadman's Island. The basis for the complaint was minimal at best. The City has decided to petition for recovery of legal expenses. In addition, the City may consider filing a complaint against the attorney who advised the objecting party to pursue the case.

RECOMMENDATION:

THAT THE CITY COUNCIL AUTHORIZE THE FILING OF A COMPLAINT AGAINST THOMAS BRADY.