



**AGENDA  
HARBOR AND WATERWAYS BOARD MEETING  
MONDAY, APRIL 24, 2023  
5:30 PM  
DESTIN CITY HALL ANNEX CHAMBERS**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL**
- 2. APPROVAL OF MINUTES**
  - A) February 27, 2023 Minutes**
- 3. PUBLIC COMMENTS**
- 4. NEW BUSINESS**
  - A) A proposed single-family residential marine construction project at 4049 Indian Bayou North (Parcel ID: 00-2S-22-1244-0000-004A).**
  - B) A proposed commercial marine dock construction project at 530 Harbor Boulevard (Parcel IDs: 00-2S-22-0630-0000-03A1; 00-2S-22-0630-0000-03A3; 00-2S-22-0630-0000-03A2).**
  - C) Review, discussion, and the Board's recommendation on the Draft Article 2 Language concerning the Board's review process for Harbor & Waterways Board applications.**
- 5. OLD BUSINESS**
- 6. COMMITTEE MEMBER REPORTS**
- 7. DIRECTOR'S REPORT**
  - A) State preemption of Federal and State level approvals**
- 8. NEXT MEETING DATE: TBD**
- 9. PUBLIC COMMENTS (Comments from the public on any matters considered at the meeting, or on any matters not on the agenda)**

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the City Clerk at (850) 837-4242 at least 48 hours prior to the hearing. If a person decides to appeal any decision made with respect to any matter considered at such meeting, such person will need a record of the proceeding and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. (Sec. 286.0105, Florida Statutes)

**MINUTES OF THE  
HARBOR AND WATERWAYS BOARD MEETING  
DESTIN CITY HALL, FEBRUARY 27, 2023 - 5:30 P.M.**

**1. CALL TO ORDER:**

Chairman Hoey called the Destin Harbor and Waterways Board meeting to order at approximately 5:30 p.m. on Monday, February 27, 2023, at Destin City Hall, with the Pledge of Allegiance immediately following.

**2. ROLL CALL:**

**Member Present:**

John Stephens  
Jim Green  
Richard Hoey  
Guy Tadlock  
Bill McKissick  
Jerod Hayden

**Members Absent**

Casey Jones

**Staff:**

Kim Montgomery Deputy City Clerk  
Steven O'Connor Principal Planner  
Kyle Bauman City Attorney  
Steven O'Connor Principal Planner  
Daniel Butler Senior Planner  
Danny Sullivan, Code Compliance

**3. APPROVAL OF MINUTES:**

➤ **January 23, 2023**

**Board member Tadlock moved to approve the minutes of the January 23, 2023 as written, with Board member Green providing the second; the motion passes with a 6-0 vote.**

**4. PUBLIC COMMENTS:**

**5. NEW BUSINESS:**

**A) Single-Family Residential Marine Construction Proposed at 4136 Belcourt Dr (PARCEL ID: 00-2S-22-4600-0000-0020).**

**Motion by Board member Green, seconded by Board member McKissick with Board member Hoey providing the second.**

Board member McKissick asked if the self-certification was also with the city. Mr. O'Connor explained that the city does not issue self-certifications.

**The motion passed 6-0.**

**B) Single-Family Residential Marine Construction Proposed at 783 Bayou Dr. (PARCEL ID: 00-2S-22-1320-0007-0000).**

Mr. Willis provided the members that this applicant requests Harbor and Waterways Board approval for single-family marine construction located at 4136 Belcourt Dr, located within

Choctawhatchee Bay, a Class II Florida Waterbody. The application includes the proposed construction of One (1) 71' x 4' access pier, one (1) 14' x 12' terminal platform, one (1) 14' x 4' step-down platform, one (1) 16' x 4' access walk, one (1) 32' x 3' catwalk, one (1) 32' x 13' covered boat lift one lift and one (1) 15'x1' roof overhang, comprising a total of ± 1,099 square feet. The proposed marine construction project meets the following requirements of Section 11.05.00, City of Destin Land Development Code (LDC),

- 11.05.01.A – Construction of new dock
- 11.05.01.F, 11.05.01.G, and 11.05.01.M – Length of the pier
- 11.05.01.N – Slip density
- 11.05.01.S – Notifying adjacent property owner if project is proposed within 25' riparian setback.

Board member Green questioned if there is a requirement for an ariel view map to be submitted to show the riparian lines. Mr. O'Connor explained only if staff needs additional verification of the location of where the dock is located. In this case the dock is shared with the adjacent property owner so one is not necessary.

Board member Tadlock asked why a submerged land lease is not included in their review. According to Mr. O'Connor, the applicant has met the minimum requirements for a self-certification application per State Statutes and once they obtain their permits from the State, if necessary, staff will request for one to be provided at the at the Marine Construction permitting process for the building permit, but not at their level. He reminded the members again, that the old language is now preempted by the State and they nor the Council cannot hold their approval for that reason. Additionally, if the request is changed and is different than what they reviewed, it will have to go through their review process again.

Chairman Stephens opened the public for comment, with no one commenting he closed the hearing and called for a motion.

**Motion by Board member Green, seconded by Board member McKissick, the motion passed 5-1 with Tadlock dissenting.**

**B) Single-Family Residential Marine Construction Proposed at 523 Norriego Rd (PARCEL ID: 00-2S-24-2186-000F-0060).**

Mr. O'Connor approval for single-family marine construction located at 523 Norriego Rd, located within Destin Harbor, a Class II Florida Waterbody. Currently, the site and structural plans do not match. The site plan provided by the applicant shows the correct width dimensions of 54' wide. However, the structural plans provided show an incorrect width of 52' and do include the stairs and handrails, as part of the project. However, the stairs and handrails are not included in

the site plan. The application includes the proposed reconstruction of one (1) ±1,406 square foot dock and the new construction of one (1) 1,400 square foot upper deck, one (1) 120 square foot staircase, and 210 linear feet of handrails, comprising a total of ± 2, 926 square feet.

The proposed marine construction project meets the following requirements of Section 11.05.00, City of Destin Land Development Code (LDC),

- 11.05.01.A, 11.05.01.B – Construction of new dock
- 11.05.01.F, 11.05.01.G, and 11.05.01.M – Length of the pier
- 11.05.01.N – Slip density
- 11.05.01.S – Notifying adjoining landowners when a dock is placed within 25-foot riparian setback

He then provided the members with the background information explaining that initially the request was for a board for board approval, however, staff was made aware of some significant changes to the project after a complaint and it was determined that the request was not a board for board replacement and a stop work order was issued. In the site visit, it was determined that the applicant would be required to come before this board for review and a recommendation to Council's for approval. In staff's review, it was determined that the covering now is only for one of the slips and not both but because the applicant is now wanting an upper deck, the applicant was required to come before the board for a recommendation. Additionally, the request is now for less square footage than how it originally was built. Staff allowed the contractor to continue construction, but they cannot add the stairs and the railings until they get their approval. However another complaint was received saying that the dock exceeded what was originally approved a total width of 52 feet wide, staff went out, we measured it. It was 53 ft., so at that point staff issued another stop work order and required them to resubmit and update their harbor waterways board application to now reflect a 53 ft wide dock, that application was updated. So, they've updated it, and now, that's where we're at right now.

The Chairman opened the hearing to the public.

Mr. Chuck Mulle of 521 Norriego Road spoke of how the construction for a board for board has turned into much larger and has moved from the original location. He spoke of the requirements that he had to follow for his marine construction and why this project does not have to follow the same guidelines.

Mr. Larry Edwards 525 Norriego Road on the east side spoke of not being notified of the construction and happened to be in town to check on his property from the freeze and saw the construction, he spoke of a letter he received from the city about this Harbor Board meeting. He handed out pictures he's taken of the project and spoke of how it's substantially different than

what used to be there, and how it now blocks all his views and has devalued his property and asked the members to take that into consideration.

Board member Green spoke on how they both made comments about their views being blocked but looking at the aerial view of the project, both adjacent property owners have large boats and covered boat slips that are further out than this request. Adding that he is all about projects being correctly built to code but at the same time, he is also all for property rights of the owners. If it's not being built to Code and has to be torn down and rebuilt, that is where the satisfaction of the code applies and is why they are sitting up on this board, to ensure that it's built to code correctly. Additionally, the motion with the conditions is what that's ensuring, and denying is not something they're supposed to do, their job is to approve to code or rectify to code, and he is not going to deny anything that can be rectified to the requirements of the code.

Mr. O'Connor explained to the board members that the reference to having to get adjacent property owner's approval for marine construction requests is old code and was preempted by the State, so that a property owner's rights to construct his property can no longer be determined by approval of the neighbor, as long as it meets code. However, that does not prevent input from the adjacent property owners and, the new code requires if the project is within the 25-foot riparian lines. It does not require them or the city to do anything other than providing the letter to the adjacent property owners stating that the request is within the 25-feet of the riparian line and their comments are highly encouraged.

Scott Shockley, the contractor for the applicant, spoke how the project is a rebuild permit, not new construction and board for board is a rebuild to the original dock within the same footprint. He explained the majority of the issues stems from a clerical error in the beginning where the original drawing showed an open bay, was supposed to be 21' inside the piling not 23' outside and those pilings were removed, and their fight is changing out what was originally a barrel roof over both slips for an observation sundeck over one slip and a handrail. The two pilings that the boat in question is tied to are temporary and will be removed and the boat will go into the slip once the construction is finished. He spoke of how anywhere on Holiday Isle there are docks with boat slips that block the views of the water to the adjacent property owners and it is not wider or longer than what is allowed and there is no submerged land lease.

Board member Tadlock asked if the submerged land was never renewed? Mr. Shockley explained there never was a submerged land lease for this particular property. Mr. Tadlock pointed out that this is one of the legal nonconforming docks he's spoken of in the past and how at the end of the life of the structure they would have to be brought into compliance. He also mentioned how staff has stated in the past, if the noncompliant structures are destroyed by a named storm and the permit is not applied for within 6-months they would be null and void and that fact was considered at the beginning of this request but has been dropped and asked for an explanation.

Mr. Theodore Martell of 202 Sibert Avenue spoke of also being the contractor for the job and talked about how they removed and replaced the piles in the exact locations and how they measure. He spoke of how the clerical error that his son-in-law mentioned earlier was the first issue that was corrected. He also spoke of how the original request was to cover the entire areas but the owners chose to just put in the 25' wide roof over part of it with the sundeck on top in reality, on an environmental standpoint, what they are reducing half the size of the roof that was there and the building is by far less of an impact than what was originally built. He also mentioned that the impact on the views happens all along the harbor and how if you buy 100-feet, you get a 100-foot view and if you wanted 300-feet, you should have bought 300-feet.

Pam Edwards, 525 Norriego spoke of her only concern being that of her view and her main concern is how tall it is, and it's not even finished yet. She and all she enjoys now is sitting on her deck reading and watching the boats go by. She also spoke of how they didn't mind the construction workers parking on their driveway while they were not at their house but in turn had the sheriff department go through their garage when her husband was issued a no trespassing.

Chairman Stephens closed the public portion of the meeting.

Mr. O'Connor spoke of an email that was referenced earlier that he received last year from the FDEP and referred the members of the board to the end of their packet, the last page, that was sent to himself and the Building Official, Noel Bell explaining how they received the complaint of the dock at 523 regarding the dock rebuild and after their investigation, and the information and application that he supplied to them in an email for their review, they determined via email response that based on the email they received in regards to the repair and the amount of time that the dock has been in existence, they were not going to pursue enforcement related to complaint received. Additionally, Mr. O'Connor explained that he specifically asked if the dock would be required to obtain a submerged land lease and he was informed that since the dock was previously in existence since the 80's, it's considered grandfathered and would not. Furthermore, although the request was not specifically a board for board replacement, staff found that based on the complaint received, it was investigated, and a stop work order was issued. All proper procedures were then followed to bring the dock into compliance with city code, and based on staff's review, staff recommends approval of the request.

Board member Green asked that the concern with the riparian lines and asked if the original dock was built in the 80's and was approved.

According to Mr. O'Connor, he cannot speak to what was originally approved and what the adjacent property owners did. The fact that they have records that the dock has been in continuous use and the State has records or they have declared that it has been in continuous use. The city

does not require a 25-ft set back of riparian lines and are only required to notify the adjacent property owners that there is a project within the 25-ft. riparian lines and to come in and provide feedback for the board to consider. There is nothing in the code that states the dock has to be 25-feet from the riparian lines.

Board member McKissick asked that if this project was new construction and the way the drawings stand now, would it pass city code.

According to Mr. O'Connor, since there is no LDC requirement for a 25-foot setback, and with only the slip density and dock length requirement in the Marina Siting, it does meet code and would have to go through this process. Additionally, with the new categories that they will be reviewing for implementation into the new code, this would be considered a Category Two dock, because it is a residential dock that exceeds 1,000 square feet, it would be brought before this board for a recommendation to City Council.

Board member McKissick then asked for clarification that this is not a request for repair, this is a new dock, and wouldn't it have to start from scratch for a new approval?

Mr. O'Connor explained that is essentially, that is what this process is, that they are reviewing and the same process.

Board member Hayden asked the pictures included in their packet are the original dock prior to construction being done.

According to Mr. O'Connor, the pictures provided by one of the public speakers shows the roof structure covering the slips and is the location of the future deck and is what the applicants are requesting.

Board member Green asked Mr. O'Connor if it is the city's findings that there are no new pilings beside the ones on the side and that the new staircase is the change in slip cover to a deck from a corrugated roof.

According to Mr. O'Connor, it initially was submitted as a marine construction permit as board for board, and in a board for board, they are allowed to repair and replace everything, as long as it's in the exact same spot. It was determined based on investigation from a complaint that staff received that it was not, and once that complaint came in and was investigated, it was deemed no longer a board for board replacement and, is why it is now before them at this meeting.

**Motion by Board member Green, seconded by Chairman Stephens, to recommend Council approve the request for residential marine construction proposed at 523 Norriego Road subject to the following conditions:**

- 1) The submittal of State approval or exemption for the expansion of the project.**
- 2) Payment of the Net Positive Environmental Benefit (NPEB) per LDC Section 11.05.02.N., to the Community Development Department before the Stop Work order is released and a Certificate of Completion is requested.**
- 3) Resubmittal of both the Site Plans and Structural plans showing no discrepancy in square footage before the Stop Work order is released.**

**The Chairman asked if he would consider adding the removal of the temporary pilings. Board member Green added the fourth condition of;**

- 4) And the removal of the temporary pilings in place before the Certificate of Completion is issued.**

**Board member Hayden provided the second.**

According to Board member Hoey, what we have is an old dock that basically as it's being built now, and it's been modified, and asked if its going through the process now as new construction or a rebuild? According to Mr. O'Connor, at this point, it is it's going through the process as a new construction.

Board member Hoey then stated that according to our code and because of that, a rebuild in the same place, same dimensions, and it's grandfathered in that the setbacks and everything has to be where they originally were. If it didn't have 25 feet when it was originally built, but it has to go back in the same place, that's one of the terms of a rebuild. He then referred to Paragraph S, "That no dock or vessel shall be placed within the 25-foot setback of property, line, without providing prior, written notification to the adjoining property owners and requesting the response, he asked if that has been done.

Mr. O'Connor confirmed that statement and directed their attention to the adjacent property notification letters in their packet, which was also referenced in public comments and is #7 in their packet.

According to Board member Hoey, based on that, they do have some leverages and any objection received from the adjacent property owners will be considered by this board. Therefore, this board needs to recognize, we treat this as brand new unbuilt construction. So personally, I'm going to view this as if we're going to approve or disapprove something that's not even going into the ground yet. Additionally, the adjacent property owners have a determination that can or cannot influence my decision. Therefore, that is how I am going to interpret this, and going forward, I am glad you showed up today.

Board member Tadlock stated that he could not support the recommended motion for approval based on the fact that the project is within the 25-foot of the adjacent property. **He then made a substitute motion that no further work is done on this until the required FDEP and Army Corps of Engineers approval. The motion died for lack of a second.**

Mr. O'Connor reminded Board member Tadlock to the very last email from the FDEP that they're not going to do pursue the case any further.

Mr. Tadlock then stated he is not clear on what the neighbor's complaint was.

Mr. O'Connor explained the complaint is what was discussed earlier in this hearing, during the public comments by the adjacent property owners. Additionally, there will be no further requirement by the State for approval or the ACOE for that matter.

The City Attorney suggested Mr. Tadlock that he could make the motion for denial of the request.

According to Board member Tadlock, he feels that it is over the purview of this Board based on what they have heard and everything that they have seen and **made the alternate motion to recommend the City Council deny the request for the single home marine construction located at 523 Norriego Road with Board member Hoey providing the second.**

In discussion, Board member Hoey stated that part of this discussion has to focus on the fact that it went to the FDEP is a rebuilt and rebuilds at the DEP's level require that it go in the same place, in the exact same place. However, they consider this as a rebuild so, they don't have much to say about the setbacks.

Board member Green spoke against the substitute motion for reasons because if the city and is looking at this as a new build and pointed out that all of their concerns will be met through the new build process. He went to say that by denying the person the ability to develop their land as the adjacent property owners had their ability to develop their land, is hypocritical. He stated that what you're basically doing is, you're going to deny this person and basically going to make them, if the City Council denies this permit, they have got to remove everything and then they would have to start from scratch. He asked Mr. O'Connor if is that accurate?

Mr. O'Connor stated that he could not speak to the actions of what could or could not take place. However, based on the FDEP's email, the State is not looking at this as a rebuild. They did an investigation; they investigated the complaint for 11 days and determined there's going to be no action on their end.

Board member Green stated that he does not agree with denying the applicant the ability to correct the situation. He spoke of how staff took the appropriate steps and they have brought this as a new construction, which adheres to the code and has addressed the riparian lines and, they have corrected the project by it not being a board for board. He then stipulated that he does not support the substitute motion, he supports his motion for approval with the four conditions outlined.

The Chairman pointed out that even if this does get passed by this board, it still has to go through the building permit review, and everything will get corrected at that level.

Mr. O'Connor pointed out that currently everything is correct and meets the code requirements. The adjacent property owner notifications were sent out to the adjacent property owners. They are present and have made presentation in the public hearing portion of the meeting, and what they are considering is, if the dock slippage and density meets code and if the length meets code, which it does.

**The motion failed 3-3 Board members Stephens, Green and Hayden dissenting and Tadlock, Hoey and McKissick voting yes.**

The original motion to approve the request is now on the floor for a vote, **the motion failed 3-3 with Board members Stephens, Green and Hayden voting for the motion and Board members McKissick, Tadlock and Hoey dissenting.**

According to the City Attorney, the project will go forward to City Council without a recommendation from the Board.

**C) Single-Family Residential Marine Construction Proposed at 525B Calhoun Ave (PARCEL ID: 00-2S-22-0630-0000-193D).**

Mr. Willis explained to the members the project request is for requests Harbor and Waterways Board approval for single-family marine construction located 525 B Calhoun Ave, located within the Choctawhatchee Bay, a Class II Florida Waterbody, Prohibited Shellfish Harvesting Area. The application includes the proposed construction of:

One (1) 110' x 4' access pier, one (1) 20'x 8' terminal platform, one (1) 16'x4' access walk, and one (1) 32' x 3' catwalk, comprising a total of ± 760 square feet. The proposed marine construction project meets the following requirements of Section 11.05.00, City of Destin Land Development Code (LDC),

- 11.05.01.A, 11.05.01.B – Construction of new dock
- 11.05.01.C, 11.05.01.D – Waste Disposal into the Harbor and Waterways of Destin

- 11.05.01.F, 11.05.01.G, and 11.05.01.M – Length of the pier
- 11.05.01.N – Slip density

and staff recommends approval of the request.

Chairman Stephens opened the public for comment on the request, with no one commenting, he closed the public portion and turned the discussion over for comment or a motion.

**Motion by Board member Green, seconded by Board member McKissick that the Harbor & Waterways Board recommend City Council approval of the single-family marine construction project located at 525 B Calhoun Ave, subject to the applicant meeting all applicable City, State and Federal permit requirements. The motion passed unanimously.**

Board member Tadlock asked if the two existing dock shown in the photograph are to be removed. According to staff, the dock in question belongs to the adjacent property.

## 6. BOARD MEMBER COMMENTS:

### ➤ Chairman Stephens –

- Field Contingency Oil Abatement Plans

Lt. Steve Browning of the Marine Safety Detachment Supervisor in Panama City spoke to the members how they cover the area from St. Marks to Navarre Bridge performing vessel inspections and illegal charters, and how they work closely with the FDEP and the EPA for the coastal waters in regards to pollution. He further explained their duties and the requirements of the law on how if anyone is to witness a chemical or oil spill on the local waters, and the requirements that vessels are responsible to have on board in case of a spill.

ENS Blackwell who leads with all aspects of pollution in the local area spoke of how there are not any facilities in Destin that hold anything more than 10,000 gallons by regulations. He recited all the requirements of the EPA that even the smaller fuel facilities have to follow. He spoke of the notification requirements for terminal facilities and the operators of vessels being in the middle of their jurisdiction, depending on the time of year, it could take hours to get to the incident because of traffic delays. In regards to gasoline discharge the product is too volatile to boom and is better to let it spread as it will get taken care of by nature, but diesel fuel, especially marine grade that has the red dye is different and there is on water recovery that can be done, and the Coast Guard is the lead investigative agency for those. He pointed out that that a person could be liable to up to \$55k a day per offense if they have to come in and hire a contractor to clean up the spill.

Board member Tadlock questioned the requirements for at home deliveries of motor fuel and the procedures to take if there was a spill. He provided background information of a spill that took place in the harbor several years ago and how it got out of control because there was no one to contact locally and nothing was done in enough time to contain it. ENS Blackwell replied that any oil spill that enters the water and causes a sheen, by law has to be reported and anyone that makes a report to the National Report Center

has to leave their name and contact information however, that information is protected by the National Privacy Protection Act. He also spoke of how the Coast Guard for the first time is in need of manpower and they are offering cash incentives to their recruiters and the public to get people to join and how if they can, he wants to have 5 new personal at the Destin Station so that they can have a team on hand to respond to incidents.

**Motion by Chairman Stephens to recommend to Council that the city Florida's DEP Fuel Contingency Plan standards for all businesses, if they sell fuel or have their own method of fueling on the property. Board member Green provided the second for discussion.** In discussion, Board member Green stated that he feels that it should have the ability to be contained within their adjacent fueling facility area of where its pumped. Chairman Stephens added to his motion the following, **five times the length of the largest vessel expected to utilize the facility on property.** Mr. Tadlock asked if their objective is to ensure that the entire area including any slips that could be contaminated is boomed. Board member Green provided an example of being 5 times the size of the Buccaneer Boat at Harbor Walk or the Destiny at the Fishing Co-op. Board member Green spoke of how important water quality is for everyone as well as this board and the Harbor Capacity Committee and supports the motion.

Mr. O'Connor provided the members information from Article 4 of the Comprehensive Plan, Public Participation, which is where the boards power comes from, which reads, *"Recommend the current Comprehensive Plan for future growth, development, and restoration of the harbor and waterways of Destin, and amendments thereto, which will upon adoption by City Council be incorporated into the city's Comprehensive Plan. Review of other public and private studies and recommendation of merit by the board are encouraged."* He then spoke of the Harbor Capacity Study is awaiting the soon to be released draft of the study conducted by the ACOE and their recommendations. Once they get that, they will review and discuss, this board will also get it to review and make specific recommendations. Mr. O'Connor then asked the members if they are aware of the Florida Clean Marina Program and recommended that they all go to the website and read it, noting that he feels it is 100% inline with the powers of their purview to implement recommendations for a clean harbor and waterways simply by Destinizing it by making simple word changes.

**Chairman Stephens called for the vote and the motion passed unanimously 6-0.**

The Chairman then asked Mr. Sullivan if there is a way to get his department to find out if there is a way that they can follow up with the livery vessel companies to ensure that they are all following the same fueling methods when they submit their application. Adding that he wants to make sure that what they are saying on their application, is exactly what they are doing, and writing on their application, getting gas at marina, as one of the applicants wrote, is not acceptable.

Mr. O'Connor explained that both the Planning Division and Code Compliance will work together to ensure that the applications for livery vessels are filled in correctly and have all the proper information provided. There was additional discussions regarding what all needs to be included in the application process and what staff will require to be included in the applications before being reviewed and approved.

The Chairman stated that he would like to get a follow up from Code to verify the business has proper equipment and to verify the necessary restrictions are in place, such as no smoking stickers and proof that the fire extinguishers are inspected, when and by whom.

Mr. Sullivan assured the Chair that he and his department will look into a prevention plan and provide an update at a future meeting.

➤ **Board member Tadlock** – Asked in the event that an application goes forward with or without their recommendation, does the Council get the minutes. The Clerk explained that when the minutes are finished, the drafts are placed on the next Council’s Consent Agenda for their review.

**7. ADJOURNMENT:**

With there being no further discussion, the meeting adjourned at 7:15 p.m.

Adopted and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
John Stephens, Chairman

\_\_\_\_\_  
Kim Montgomery, Deputy City Clerk

## CITY OF DESTIN – COMMUNITY DEVELOPMENT



# AGENDA ITEM

**MEETING DATE:** April 24, 2023  
**BOARD/COMMITTEE:** Harbor & Waterways Board  
**TYPE OF AGENDA ITEM:** Public Hearing  
**OUTLINE NUMBER:** 4.A.

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**TO:** Harbor & Waterways Board

**THRU:** Lance Johnson, City Manager  
Louis Zunguze, Community Development Director  
Kyle Bauman, City Attorney  
Steve O'Connor, Principal Planner

**FROM:** Chris Willis, Planner

**DATE:** April 24, 2023

**SUBJECT:** A proposed single-family residential marine construction project at **4049 Indian Bayou North** (Parcel ID: 00-2S-22-1244-0000-004A).

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**I. BACKGROUND:** Ben Williams of B&W Services, LLC, on behalf of Joseph Kitts, has submitted an application for Harbor and Waterways Board review for the construction of a single-family residential marine construction project at 4049 Indian Bayou North (Parcel ID: 00-2S-22-1244-0000-004A). The project proposes the separation of a four (4) foot section of the existing shared dock, along with the construction of a 6' x 4' access pier, a 75' x 4' marginal dock, and a 30' x 13' covered boat lift, for a total of approximately 714 square feet of new construction.

This application originally came before the Harbor and Waterways Board (HWB) in November 2022. The Board tabled the item to return with a site plan that meets Marina Siting requirements due to the confusion with how dock length is measured and where "usable" riparian rights begin.

**II. DISCUSSION:** The applicant requests Harbor and Waterways Board approval for single-family marine construction located at 4049 Indian Bayou North, located within Indian Bayou, a Class II Florida Waterbody, and tributary of Choctawhatchee Bay. The application includes the separation of a 4' section of the existing shared dock, and the proposed construction of one (1) 75' x 4' marginal dock, one (1) 30'x13' covered boat lift and one (1) 6'x4' access pier, comprising a total of ±714 square feet of new construction. The proposed marine construction project meets the following requirements of **Section 11.05.00, City of Destin Land Development Code (LDC)**,

- *11.05.01.A – Construction of new dock*
- *11.05.01.C, 11.05.01.D – Waste Disposal into the Harbor and Waterways of Destin*
- *11.05.01.F, 11.05.01.G, and 11.05.01.M – Length of the pier*
- *11.05.01.N – Slip Density on Canal*
- *11.05.01.Q – No pier shall extend more than six feet into a canal right-of-way*

**COMPREHENSIVE PLAN CONSISTENCY:** *The proposed marine construction project is consistent with Coastal Management Element Goal 6-1, Coastal Management Element Objective 6-1.1, and Coastal Management Element Policy 6-1.1.3: Protect Coastal and Estuarine Environmental Quality and the Shoreline.*

- A. **Link to Strategic Goals / Objectives:** 1) Enhance Quality of Life
- B. **Effect on Budget (EOB):** There is no anticipated effect on the budget.
- C. **Level of Service (LOS):** There is no anticipated effect on the LOS.
- D. **Legislative Sponsor:**

**III. CONCLUSION:** The applicant provided a receipt of submittal from the Florida **Department of Environmental Protection (FDEP) of Self-Certification, File #0427150001EE**. City Staff reviewed the application and determined that the plans comply with City Codes and regulations. Specifically, the proposed dock complies with **LDC Section 11.05.01, Marina Siting**, and the Coastal Management Element of the City’s Comprehensive Plan (**Coastal Management Element Policy 6-1.1.3**).

**STAFF RECOMMENDATION:** Staff recommends approval of the single-family marine construction project proposed at 4049 Indian Bayou North, consisting of the separation of a 4’ section of the existing shared dock, and the proposed construction of one (1) 75’ x 4’ marginal dock, one (1) 30’x13’ covered boat lift and one (1) 6’x4’ access pier, comprising a total of ±714 square feet of new construction.

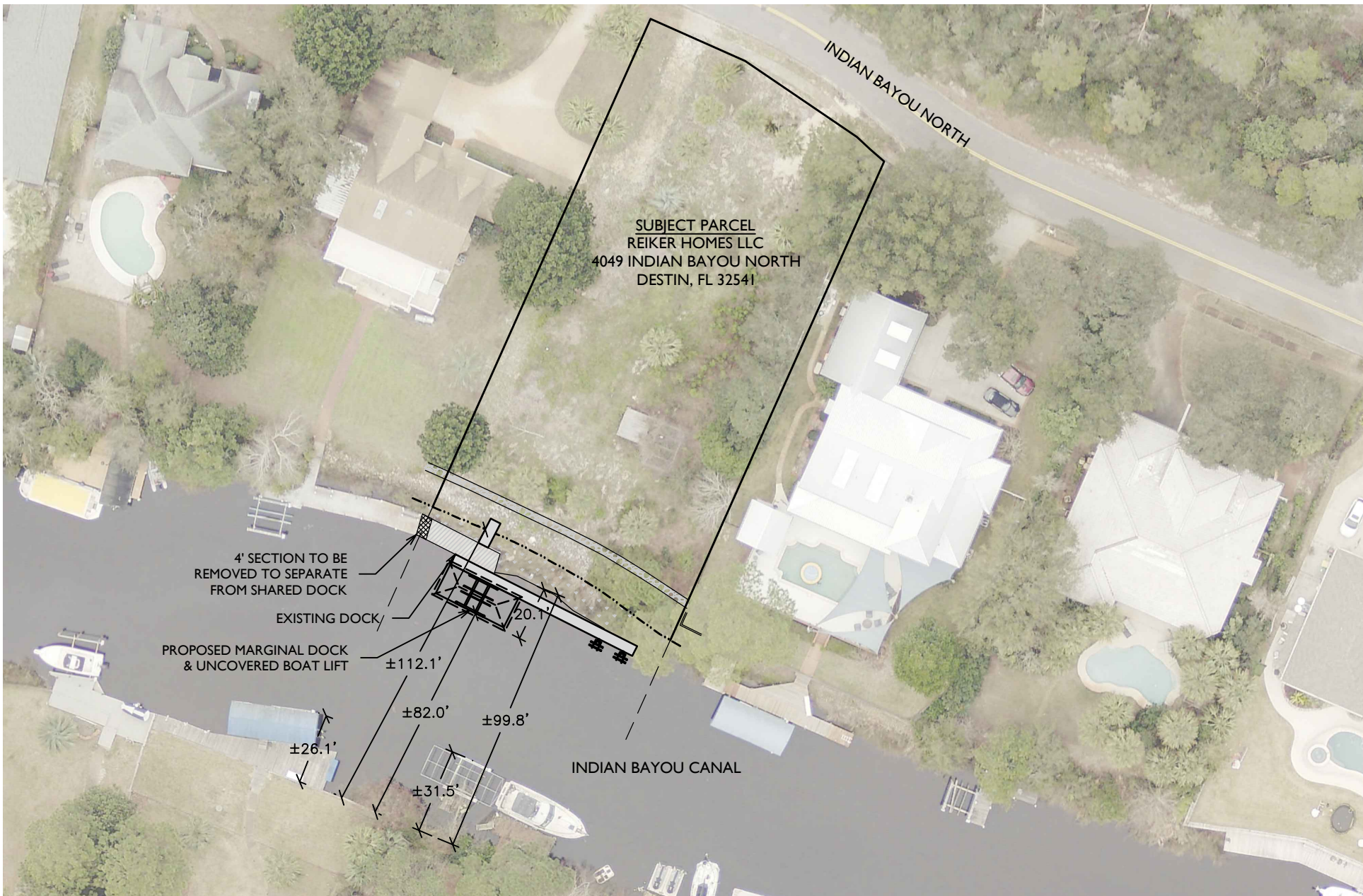
**IV. RECOMMENDED MOTION:** I move that the Harbor and Waterways Board recommend City Council approval of the single-family marine construction project located at 4049 Indian Bayou North, subject to the applicant meeting all applicable City, State and Federal permit requirements.

**ALTERNATE MOTION:** I move that the Harbor and Waterways Board not recommend City Council approval of the single-family marine construction project located at 4049 Indian Bayou North, subject to the applicant meeting all applicable City, State and Federal permit requirements.

Attachments:

1. A. Site Plan
2. B. Structural Plans
3. C. Foundation Survey
4. D. FDEP Receipt of Submittal
5. E. Agent Affidavit

6. F. Estimated Scope and Cost of Work
7. G. Adjacent Property Notification
8. H. Email Explaining Dimensions



4049 INDIAN BAYOU NORTH

PLAN VIEW DEPICTED ONTO AERIAL

JOB NO.: 2022.009

DRAWN BY: JAT

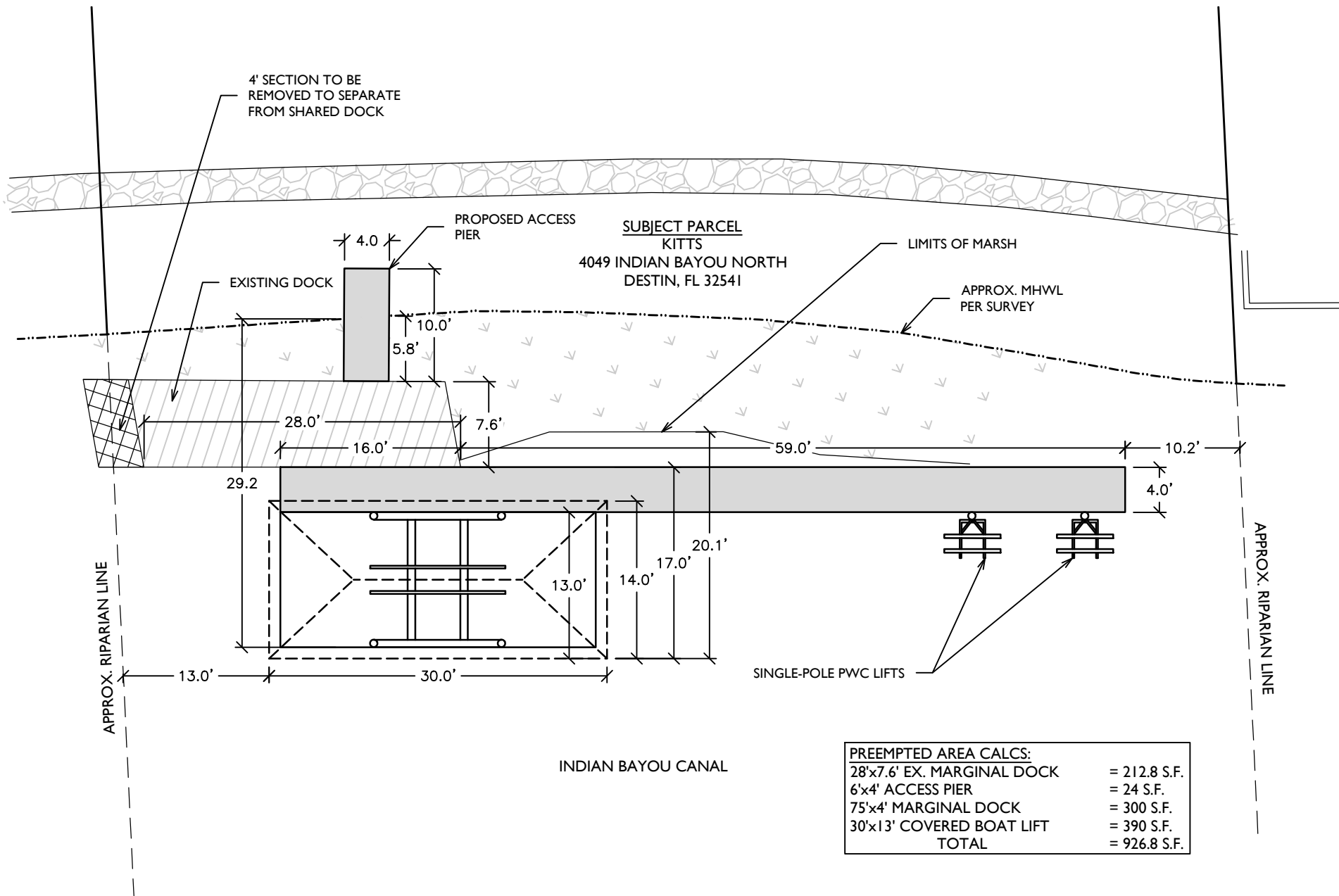
DRAWING DATE: 3.20.2023

SHEET: 1 OF 2

OAKHURST  
CONSULTING

JASON@OAKHURSTCONSULT.COM





4049 INDIAN BAYOU NORTH

PLAN VIEW

JOB NO.: 2022.009

DRAWN BY: JAT

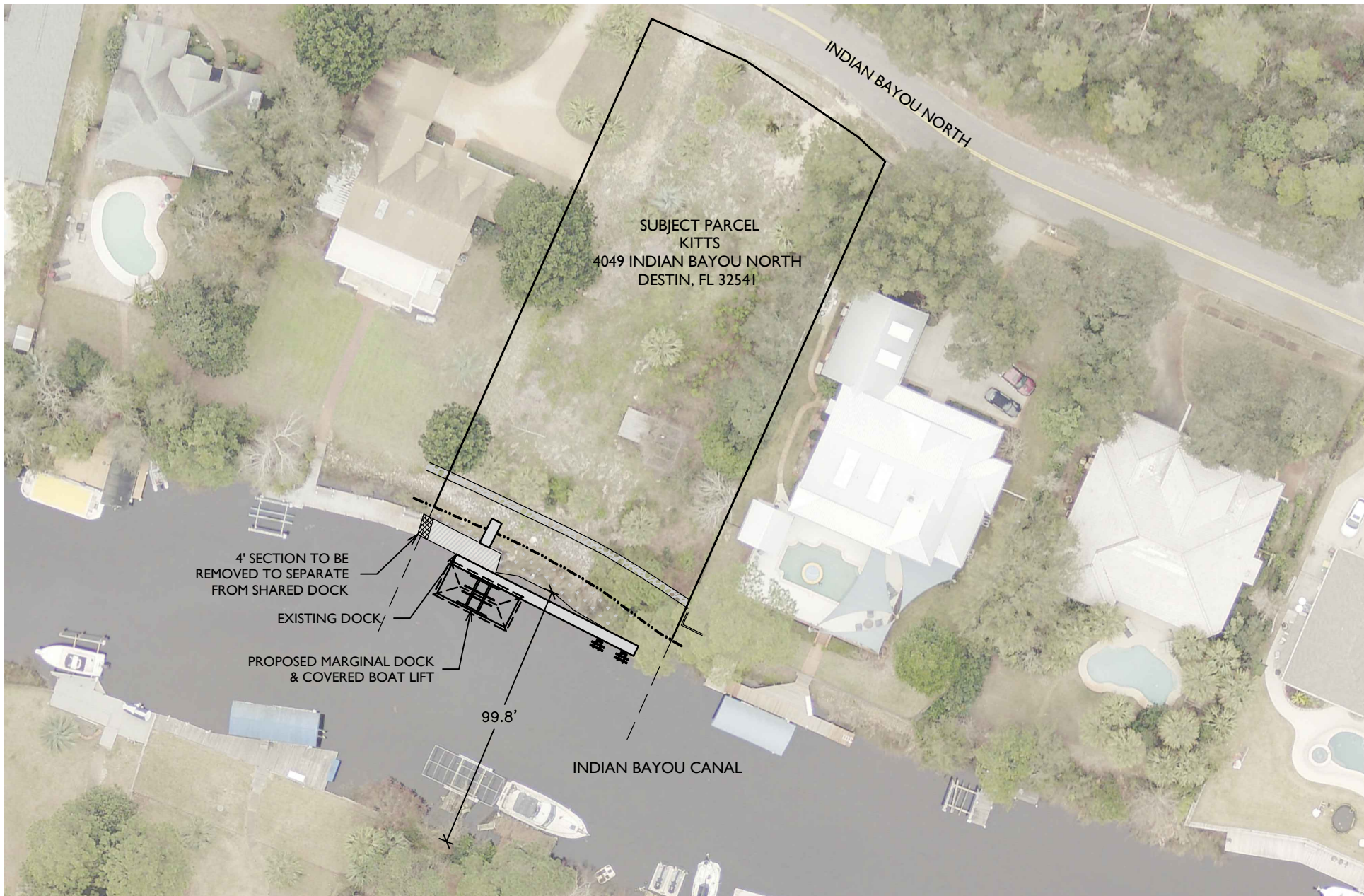
DRAWING DATE: 3.20.2023

SHEET: 2 OF 2

OAKHURST  
CONSULTING

JASON@OAKHURSTCONSULT.COM





4049 INDIAN BAYOU NORTH

PLAN VIEW DEPICTED ONTO AERIAL

JOB NO.: 2022.009

DRAWN BY: JAT

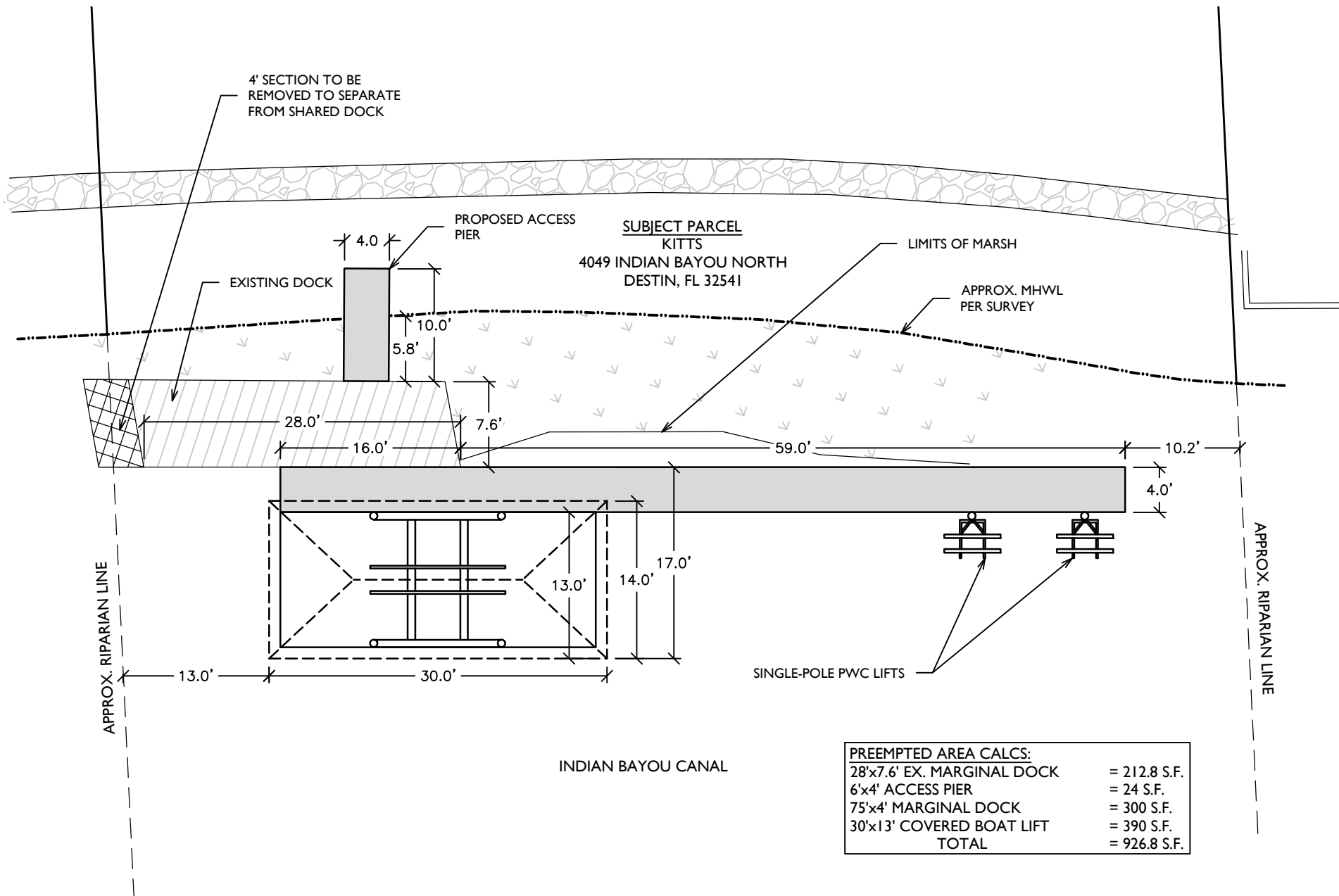
DRAWING DATE: 7.26.2022

SHEET: 1 OF 2

OAKHURST  
CONSULTING

JASON@OAKHURSTCONSULT.COM





PREEMPTED AREA CALCS:	
28'x7.6' EX. MARGINAL DOCK	= 212.8 S.F.
6'x4' ACCESS PIER	= 24 S.F.
75'x4' MARGINAL DOCK	= 300 S.F.
30'x13' COVERED BOAT LIFT	= 390 S.F.
<b>TOTAL</b>	<b>= 926.8 S.F.</b>

4049 INDIAN BAYOU NORTH

PLAN VIEW

JOB NO.: 2022.009

DRAWN BY: JAT

DRAWING DATE: 7.26.2022

SHEET: 2 OF 2

**OAKHURST  
CONSULTING**

JASON@OAKHURSTCONSULT.COM



**CHOCTAW ENGINEERING, INC.**  
 ENGINEERING • ENVIRONMENTAL • SURVEYING  
 112 TRUXTON AVENUE  
 FORT WALTON BEACH, FLORIDA 32547  
 PHONE: 850-862-6611  
 FAX: 850-863-8059  
 EMAIL: ce@choctaweng.com

**CEI**  
 CERTIFICATE OF AUTHORIZATION No. 1532

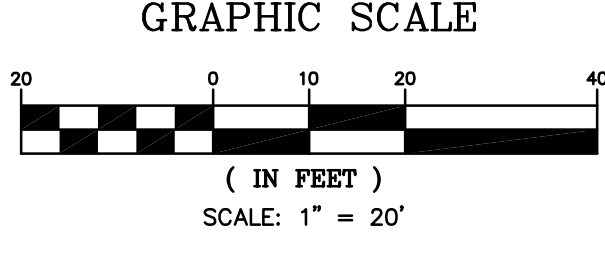
BOUNDARY / FOUNDATION SURVEY

PREPARED FOR:  
**JOSH REIKER - INDIAN BAYOU NORTH**  
 LOT 4, INDIAN CREEK (PLAT BOOK 13, PAGE 3 & 4)  
 IN UNSECTIONED, TOWNSHIP 2 SOUTH, RANGE 22  
 WEST, OKALOOSA COUNTY, FLORIDA  
 Revisions:

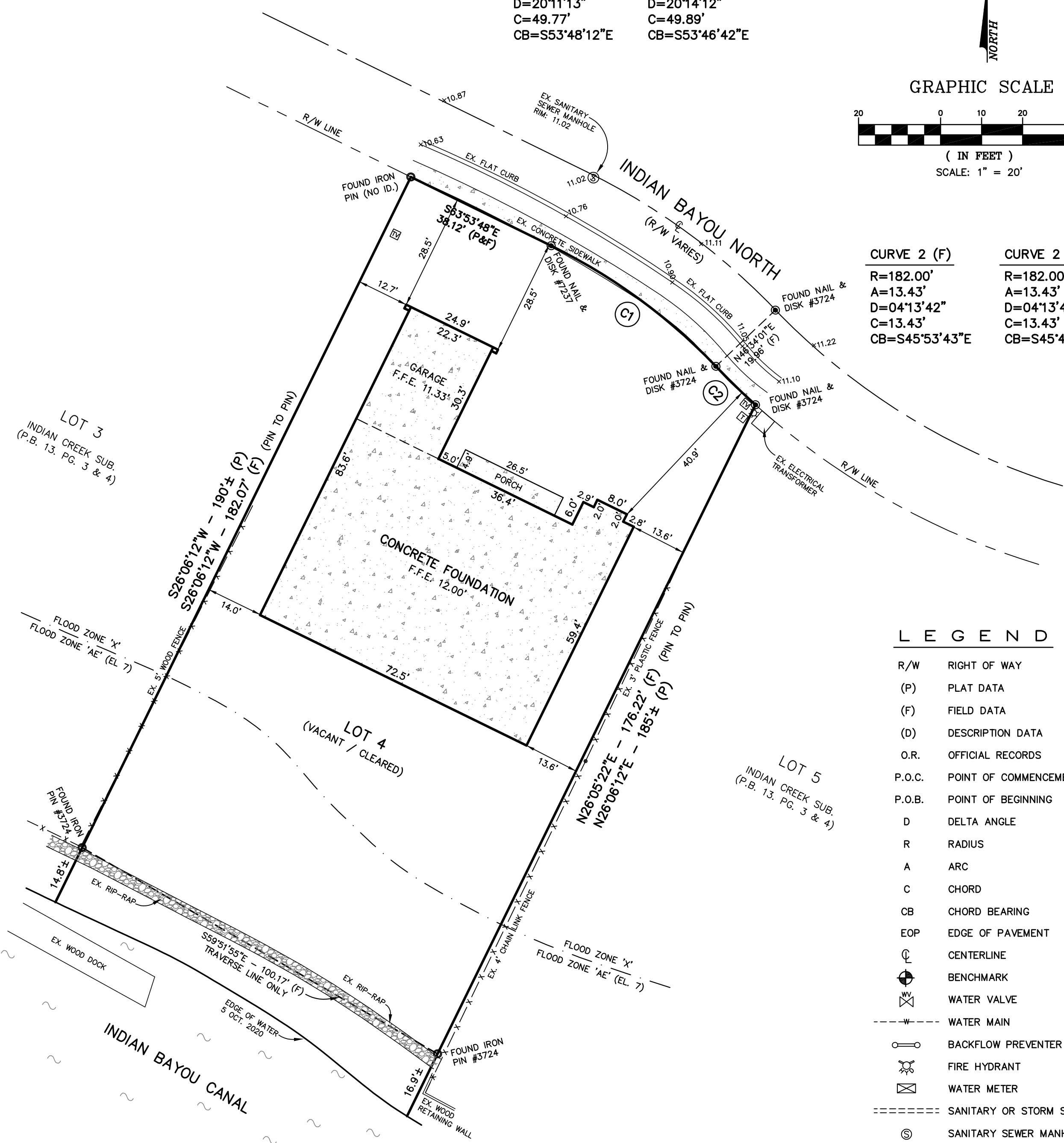
I hereby certify that this survey was made under my responsible charge and meets the Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers in chapter 5J-17.050, 5J-17.051 and 5J-17.052, pursuant to Section 472.027, Florida Statutes.  
 Digitally signed by Brian E. Pascoe  
 Date: 2021.05.18 14:57:44 -0500  
 Not valid unless bearing Surveyor's embossed seal.  
 BRIAN E. PASCOE, Professional Surveyor & Mapper  
 FL Certificate No. 5930

Job No.: 2020-160  
 Date: 7 MAY 2021  
 Flt. Vol.: 85/65  
 Scale: 1" = 20'  
 Disk No.: 20160-FND  
 Designed: N/A  
 Drawn: SVD 11MAY21  
 Checked: BEP  
 Sheet

CURVE 1 (F)	CURVE 1 (P)
R=142.00'	R=142.00'
A=50.03'	A=50.15'
D=20°11'13"	D=20°14'12"
C=49.77'	C=49.89'
CB=S53°48'12"E	CB=S53°46'42"E



CURVE 2 (F)	CURVE 2 (P)
R=182.00'	R=182.00'
A=13.43'	A=13.43'
D=04°13'42"	D=04°13'42"
C=13.43'	C=13.43'
CB=S45°53'43"E	CB=S45°46'27"E



**LEGEND**

- R/W RIGHT OF WAY
- (P) PLAT DATA
- (F) FIELD DATA
- (D) DESCRIPTION DATA
- O.R. OFFICIAL RECORDS
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- D DELTA ANGLE
- R RADIUS
- A ARC
- C CHORD
- CB CHORD BEARING
- EOP EDGE OF PAVEMENT
- ⊕ CENTERLINE
- ⊕ BENCHMARK
- ⊕ WATER VALVE
- ⊕ WATER MAIN
- ⊕ BACKFLOW PREVENTER
- ⊕ FIRE HYDRANT
- ⊕ WATER METER
- ⊕ SANITARY OR STORM SEWER MAIN
- ⊕ SANITARY SEWER MANHOLE
- ⊕ SANITARY SEWER CLEANOUT
- ⊕ STORM DRAIN MANHOLE
- ⊕ CATCH BASIN
- ⊕ TYPE "3" CURB INLET
- ⊕ TYPE "4" CURB INLET
- ⊕ MITERED END SECTION
- ⊕ POWER POLE
- ⊕ GUY ANCHOR
- ⊕ LIGHT POLE
- ⊕ OVERHEAD UTILITY LINE
- ⊕ ELECTRICAL BOX
- ⊕ TELEVISION BOX
- ⊕ TELEPHONE BOX
- ⊕ FENCE
- ⊕ SINGLE POLE SIGN

**CERTIFICATION OF ZONE AREA FOR FLOOD INSURANCE**

I CERTIFY THAT I HAVE CHECKED THE NATIONAL FLOOD INSURANCE RATE MAP OF OKALOOSA COUNTY, FLORIDA, MAP NO. 12091C-0489-J AND COMMUNITY PANEL NO. 125158-0489-J, DATED 09 MARCH 2021 AND DETERMINED THIS PROPERTY TO BE SITUATED IN ZONE "AE" (EL. 7.0) AND ZONE "X".

**GENERAL NOTES:**

- NO TITLE SEARCH OR ABSTRACT HAS BEEN FURNISHED TO THE UNDERSIGNED. DEEDS, EASEMENTS, DESCRIPTIONS, OR OTHER INSTRUMENTS MAY EXIST THAT EFFECT THE SUBJECT PROPERTY.
- BEARING REFERENCE: S 26°06'12" W ALONG WESTERLY BOUNDARY LINE OF SUBJECT PROPERTY..
- VERTICAL DATUM SHOWN HEREON IS REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA ZONE NORTH NAD 83/07, U.S. SURVEY FEET, NAVD 1988 DATUM, AS ESTABLISHED BY USE OF THE FLORIDA PERMANENT NETWORK (PRN). SITE BENCHMARKS AS SHOWN.

**LEGAL DESCRIPTION:**

LOT 4, INDIAN CREEK SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13 AT PAGES 3 AND 4, OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

**PSM PASCOE SURVEYING & MAPPING, INC.**  
 13 TWISTED OAK TRAIL SHALIMAR, FLORIDA 32579  
 PHONE: 850-651-4200 FAX: 850-651-4222  
 EMAIL: brian@pascoesurveying.com  
 CERTIFICATE OF AUTHORIZATION No. 7237

THIS SHEET IS THE PROPERTY OF CEI & IS NOT TO BE REPRODUCED WITHOUT WRITTEN CONSENT FROM CEI.

**Ben Williams**

---

**From:** no-reply@dep.state.fl.us  
**Sent:** Friday, October 7, 2022 3:51 PM  
**To:** Ben Williams  
**Cc:** ERP.SELFCERTS@DEP.STATE.FL.US; SPGP@USACE.ARMY.MIL;  
NMFS.SER.PROGRAMMATICREVIEW@NOAA.GOV;  
NWD\_ERP\_APPLICATIONS@FLORIDADEP.GOV  
**Subject:** FDEP ERP Self-Certification Receipt  
**Attachments:** 936a2b8fa37c956aa84442afd6af4b3.pdf; 6adbc6837713851b38cbe2ad0a99c2.pdf;  
ProjectDesignCriteria\_1\_01.pdf



**FLORIDA DEPARTMENT OF  
Environmental Protection**

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

**Receipt for Submission**

**SELF-CERTIFICATION FOR A PROJECT AT A  
PRIVATE, RESIDENTIAL SINGLE-FAMILY DOCK**

**10/07/2022**

Self-Certification File No.: **0427150001EE**

File Name: **4049 Indian Bayou N Destin, FL 32541 - Self Cert Exempt Dock with Boat Lift(s) (General)**

Dear **Ben Williams**: On **10/07/2022** you used the Florida Department of Environmental Protection's electronic Self Certification Process to certify compliance with the terms and conditions of the Single-Family Dock ERP Exemption Self Certification Process for a project at private, single-family residence located at:

LAT - Degrees: **30** Minutes: **24** Seconds: **9.4109**  
LONG - Degrees: **-86** Minutes: **27** Seconds: **39.5092**  
SITE ADDRESS: **4049 Indian Bayou N Destin, FL 32541**  
COUNTY: **Okaloosa**

For:  
**Joseph Kitts**  
**4049 Indian Bayou N Destin, FL 32541**

You have certified that the project you propose to construct at the above location meets all the conditions of the Self-Certification Process. A project that is built in conformance to those conditions (attached for reference) will:

1. Qualify for a regulatory exemption under Section 403.813(1)(b) of the Florida Statutes (F.S.) and Chapter 62-330, Florida Administrative Code (F.A.C.). As such, it is exempt from the need to obtain a DEP Environmental Resource Permit.;
2. Qualify for Consent by Rule or Letter of Consent (as applicable) under Chapter 253, F.S. and Chapter 18-21, F.A.C. (and Chapter 258, F.S. and Chapter 18-20, F.A.C., if applicable), when the project is located on submerged lands owned by the State of Florida.

Your Self-Certification is based solely on the information you provided under this process and applies only to the statutes and rules in effect when your certification was completed. The certification is effective only for the specific project proposed, and only if the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the Self-Certification Process. In addition, any substantial modifications in your plans should be submitted to the Department for review, as changes may result in a permit being required.

You have acknowledged that this Self Certification will automatically expire if:

1. Construction of the project is not completed within one year from the self-certification date;
2. site conditions materially change;
3. the terms, conditions, and limitations of the Self Certification are not followed; or
4. the governing statutes or rules are amended before construction of the project.

Completion of the Self Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance.

Receipt of this Self-Certification constitutes authorization to use sovereignty/state-owned submerged lands, as required by rule 18-21.005, F.A.C.

The authorization must be visibly posted during all construction activities.

In waters that are accessible to manatees, obtain information on your mandatory Manatee Protection sign by [clicking here](#).

### **FEDERAL STATE PROGRAMMATIC GENERAL PERMIT (SPGP)**

You have certified that the project you propose to construct at the above location meets all the conditions of the SPGP Self-Certification Process and will be built in conformance to those conditions (attached for reference). Your proposed activity as certified is in compliance with the SPGP program. U.S. Army Corps of Engineers (Corps) Specific conditions apply to your project, attached. **No further permitting for this activity is required by the Corps. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.**

**Notifications to the Corps.** For all authorizations under this SPGP VI, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:

- a. Commencement Notification. Within 10 days before the date of initiating the work authorized by this permit or for each phase of the authorized project, the Permittee shall provide a written notification of the date of commencement of authorized work to the Corps
- b. Corps Self-Certification Statement of Compliance form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (attached) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.
- c. Permit Transfer. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.
- d. Reporting Address. The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to the following address.
  1. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.
  2. For electronic mail: [SAJ-RD-Enforcement@usace.army.mil](mailto:SAJ-RD-Enforcement@usace.army.mil) (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-2575 on all submittals.

This SPGP Self-Certification is based solely on the information you provided under this process and applies only to the statutes and rules in effect when your certification was completed. You have recognized that your certification is effective only for the specific project proposed, and provided the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the SPGP Self-Certification Process. This Self-Certification will not apply if any substantial modifications are made to the project. You agree to contact the Department for review of any plans to construct additional structures or to modify the project, as changes may result in a permit being required.

You have acknowledged that this Self-Certification will automatically expire if:

1. construction of the project is not completed by midnight, July 27, 2026, unless construction commenced or a contract to construct was executed before July 27, 2026, in which case the time limit for completing the work authorized by the SPGP ends at midnight, July 27, 2027. However, in no case can construction continue for more than one year beyond the Self-Certification date;
2. site conditions materially change;
3. the terms, conditions, and limitations of the Self-Certification are not followed; or
4. the governing statutes or rules are amended before construction of the project.

Completion of the Self-Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance.

If you have any questions, please contact your local Department District Office. Contact information can be found at:

[https://floridadep.gov/sites/default/files/SLERC\\_contacts\\_web\\_map\\_01-2017\\_0.pdf](https://floridadep.gov/sites/default/files/SLERC_contacts_web_map_01-2017_0.pdf).

For further information, contact the Corps directly at:

<https://www.saj.usace.army.mil/Missions/Regulatory.aspx>. When referring to your project, please use the SPGP Self-Certification file number listed above.

Authority for review - an agreement with the U.S. Army Corps of Engineers entitled Coordination Agreement between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection State Programmatic General Permit, Section 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.

### **ADDITIONAL INFORMATION**

This Self-Certification Process does not relieve you from the responsibility of obtaining other permits or authorizations from other agencies (federal, state, Water Management District, or local) that may be required for the project. Failure to obtain all applicable authorizations prior to construction of the project may result in enforcement.

If you have any questions or issues with the attached documents, please contact your local Department District Office:

Northwest District

[NWD\\_ERP\\_Applications@FloridaDEP.gov](mailto:NWD_ERP_Applications@FloridaDEP.gov)

Sincerely,  
Florida Department of Environmental Protection.

### **Attachments:**

FDEP Terms and Conditions

SPGP Terms and Conditions

Project Design Criteria



**AGENT AFFIDAVIT  
SPECIAL POWER OF ATTORNEY**

KNOWN ALL MEN BY THESE PRESENTS, THAT I, William Joseph Kitts am  
presently the owner and/or leaseholder at 4049 Indian Bayou, and desiring  
to execute a Special Power of Attorney, have made, constituted and appointed, and by these presents do  
make, constitute and appoint B&W Services, LLC - Wright Branson  
whose address is 221 Hollywood Blvd. SE, County of Okaloosa, State of Florida,  
my Attorney-in-Fact to act as follows, GIVING AND GRANTING unto said attorney full power to act as  
my agent in any and all matters pertaining to: New marginal dock and boathouse.

FURTHER, I do authorize the aforesaid Attorney-in-Fact to perform all necessary acts in the execution of  
the aforesaid authorization with the same validity as I could effect if personally present. Any act or thing  
lawfully done hereunder by the said attorney shall be binding on myself and my heirs, legal and personal  
representative, and assigns.

PROVIDED; however, that any and all transactions conducted hereunder for me or for my account shall be  
transacted in my name, and that all endorsements and instruments executed by the said attorney for the  
purpose of caring out the foregoing powers shall contain my name, followed by that of my said attorney  
and the designation "Attorney-in-Fact."

OWNER

Signature

Printed Name

STATE OF Florida

COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me by means of physical presence  or online  
notarization, this 7<sup>th</sup> day of October, 20 22, by  
(name of person acknowledging)  
William Kitts.

Signature of Notary

Printed Name of Notary or Seal

Personally known  OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_



April 3, 2022

Proposed to:  
Joseph Kitts  
4049 Indian Bayou North  
Destin , FL 32541

Scope of Work: Catwalk, Boat House with 10K Lift, (2) PWC lifts, Stairs over rip rap  
Catwalk: 40'x4'  
Boat house: 12'x30'

- Remove section of shared dock.
- Install stairs over rip rap with 2x12 joist and 6x6 post.
- Install (8) 6" pilings with 12' impaction into the ground for cat walk.
- Install (10) 8" pilings with 15' impaction into the ground for boathouse.
- Install (2) 10" pilings with 15' impaction into the ground for PWC lifts.
- Under framing to be 2x8 .60 pressure treated attached to pilings with ½" stainless steel bolts.
- Floor joists to be 2x6 .60 pressure treated installed on 16" centers. All joist to ledger connection will have blocking with (12) fasteners.
- Decking for dock and stairs to be 2x6 match of existing.
- Install double 2x12 band, 2x8 center framing and 2x6 rafters for boat house with stainless steel bolts to pilings, screws for framing and nails for pressure treated plywood.
- Install felt paper and shingle roofing.
- Install 10K side mount boat lift with E drive motors, aluminum bunks for tri toon and remote.
- Install 1.2K PWC lifts Platinum drive motors, aluminum bunks and remotes.

Contract amount: 55,146.00

Terms: 50% of balance due upon delivery of materials, balance due upon completion

=====  
Material Notes:

1. All lumber used will be #1 pressure treated or marine grade.
2. All fasteners will be stainless steel.

=====  
Property/Job Specific notes:

1. Plumbing and electrical work is excluded.
2. All debris created from construction will be removed at completion of project.
3. All material to be staged on site during duration of the job.
4. Equipment will be left on site during duration of the job.
5. Job is proposed based on current site conditions from site visit made on 12-6-2021.

**B&W SERVICES, LLC**  
**221 HOLLYWOOD BLVD SE · FT WALTON BEACH, FL · (850) 888-8811**  
**CGC1531104**



- 6. Proposal is based on material delivered by land and moved to the back yard.
- 7. Any work not listed in the scope/permit drawing that the customer would like to add or change will be evaluated and presented as a change order prior to commencement of additional work.

=====  
Permit Notes: Local and State permit cost included.  
=====

Warranty - One year Workmanship and Materials

Warranty Notes:

- 1. Damage incurred by 'Acts of God' will not be covered under warranty.
- 2. Damage from modification and or altering will not be covered under warranty.

=====

Acceptance of proposal: \_\_\_\_\_ Print: \_\_\_\_\_

B&W Services: \_\_\_\_\_ Print: \_\_\_\_\_

Proposal valid for 30 Days



# Community Development Planning Division

4100 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-654-1119 | Email: [planning@cityofdestin.com](mailto:planning@cityofdestin.com)

November 8, 2022

**Subject: Notification of Harbor & Waterways Board (HWB) Application Submittal  
Residential Marine Construction – 4049 Indian Bayou North**

Dear Property Owner:

The purpose of this letter is to notify you of the Marine Construction Permit received by the Community Development Department. The Marine Construction application seeks Harbor and Waterways Board approval for the construction of a marginal dock. **The Application will be heard by the Harbor and Waterways Board at 5:00 p.m. at Destin City Hall Board Room, 4200 Indian Bayou Trail on Monday, November 28, 2022.** As an owner of property located adjacent of this project, *Section 2.17.00 & 11.05.01.S of the Destin Land Development Code (LDC)* requires a written notice providing you the following information.

**This notice is for informational purposes only. However, citizens are encouraged to provide a written response to email address provided below.**

1. Name of Owner: Joseph Kitts
2. Name of Agent: Ben Williams of B&W Services, LLC
3. Address of Project: 4049 Indian Bayou North
4. Parcel ID Number: 00-2S-22-1244-0000-004A
5. Project Description: The project proposes the separation of a 4' section of the existing shared dock, along with the construction of a marginal dock and covered boat lift.
6. Location of Application Package: To request a digital copy of the application package be sent to you, please call the City Clerk at (850) 837-4242 or fill out a Public Records Request (PRR) online: <http://www.cityofdestin.com/forms.aspx?fid=121>

If you have any questions or concern regarding this letter, please do not hesitate to call (850) 654-1119 option 2 or email at [planning@cityofdestin.com](mailto:planning@cityofdestin.com).

Sincerely,  
*Christopher Willis*  
Christopher Willis  
Planner

CC: Louis Zunguze, MURP, Community Development Director  
Planning Division  
Community Development Department Project File



**From:** [Steve O'Connor](#)  
**To:** [Ben Williams](#)  
**Cc:** [Louis Zunguze](#); [Cindy Runyon](#); [Wright Branson](#); [Planning Division](#)  
**Subject:** RE: HWB-000912-2022 - 4049 Indian Bayou  
**Date:** Wednesday, March 8, 2023 11:46:58 AM  
**Attachments:** [image001.png](#)

---

Good morning Ben,

Thanks for following up, I will circulate this internally, and we will get back to you soon.

Thanks,  
Steve

**Steve O'Connor**  
*Principal Planner*  
City of Destin | Community Development  
4100 Indian Bayou Trail  
Destin, FL 32541  
850.279.3213  
[soconnor@cityofdestin.com](mailto:soconnor@cityofdestin.com)

**Disclaimer:** *Florida has a very broad public records law. As a result, any written communication created or received by the City of Destin will be made available to the public and media, upon request, unless otherwise exempt. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this office. Instead, contact our office by phone or in writing.*

**From:** Ben Williams <[ben@bwsmarine.com](mailto:ben@bwsmarine.com)>  
**Sent:** Wednesday, March 8, 2023 9:43 AM  
**To:** Steve O'Connor <[soconnor@cityofdestin.com](mailto:soconnor@cityofdestin.com)>  
**Cc:** Louis Zunguze <[lzunguze@cityofdestin.com](mailto:lzunguze@cityofdestin.com)>; Cindy Runyon <[crunyon@cityofdestin.com](mailto:crunyon@cityofdestin.com)>;  
Wright Branson <[wright@bwsmarine.com](mailto:wright@bwsmarine.com)>  
**Subject:** FW: HWB-000912-2022 - 4049 Indian Bayou

Some people who received this message don't often get email from [ben@bwsmarine.com](mailto:ben@bwsmarine.com). [Learn why this is important](#)

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Steve,

Please see clarification below as requested. Thank you.

## Ben Williams

B&W Services, LLC  
221 Hollywood Blvd SE  
Ft Walton Beach, FL 32548

**From:** Jason Taylor <[jason@oakhurstconsult.com](mailto:jason@oakhurstconsult.com)>

**Sent:** Friday, March 3, 2023 8:52 AM

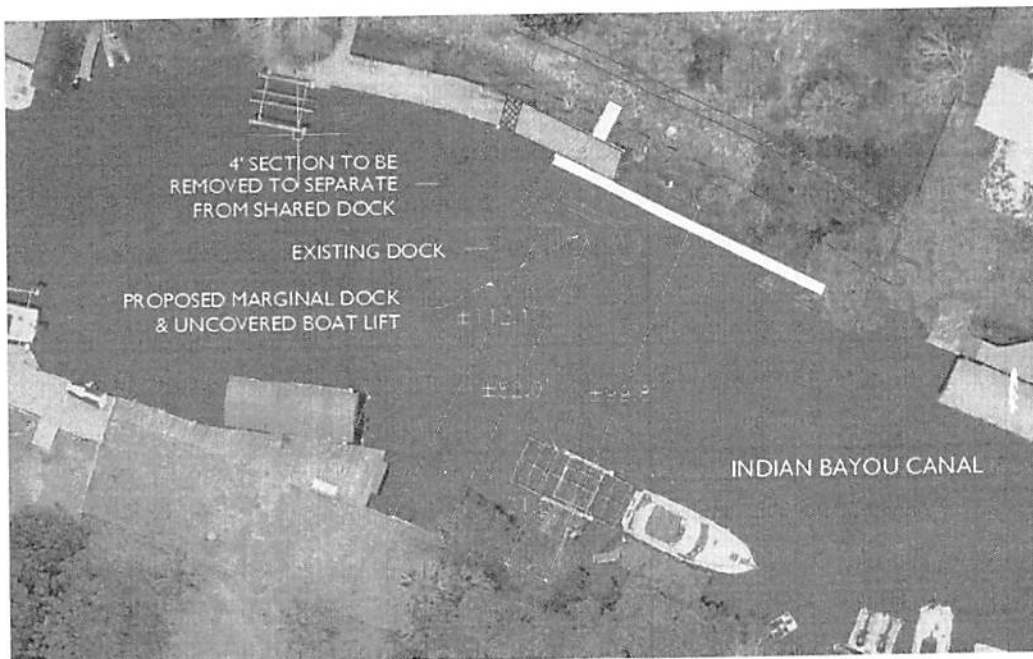
**To:** Ben Williams <[ben@bwsmarine.com](mailto:ben@bwsmarine.com)>

**Cc:** Wright Branson <[wright@bwsmarine.com](mailto:wright@bwsmarine.com)>

**Subject:** Re: HWB-000912-2022 - 4049 Indian Bayou

Florida statutes allow a riparian waterfront owner to wharf out to navigable waters so the state and the feds interpret the waterward construction limits to be measured using the open body of water. So in a case like this where there is emergent vegetation waterward of the mean high water line, the open body of water is measured from the limits of that vegetation.

I am curious how the folks across the canal were approved at +/-26' and +/-31.5' if they are saying the limit is +/- 22.4'.



Jason  
Oakhurst Consulting  
850-207-2442

On Thu, Mar 2, 2023 at 7:33 PM Ben Williams <[ben@bwsmarine.com](mailto:ben@bwsmarine.com)> wrote:

Jason,

Any wisdom you could share with us on this?

Ben Williams  
B&W Services, LLC  
221 Hollywood Blvd SE  
Ft Walton Beach, FL 32548

Begin forwarded message:

**From:** Steve O'Connor <[soconnor@cityofdestin.com](mailto:soconnor@cityofdestin.com)>  
**Date:** March 2, 2023 at 3:53:08 PM EST  
**To:** Ben Williams <[ben@bwsmarine.com](mailto:ben@bwsmarine.com)>  
**Cc:** Wright Branson <[wright@bwsmarine.com](mailto:wright@bwsmarine.com)>, Louis Zunguze <[lzunguze@cityofdestin.com](mailto:lzunguze@cityofdestin.com)>, Planning Division <[PlanningDiv@cityofdestin.com](mailto:PlanningDiv@cityofdestin.com)>, Cindy Runyon <[crunyon@cityofdestin.com](mailto:crunyon@cityofdestin.com)>  
**Subject:** RE: HWB-000912-2022 - 4049 Indian Bayou

Good afternoon Ben,

We have reviewed the plans and need clarification on how you measure the length and get less than 20%. The width of the waterbody at its greatest, as identified in the plans, is +/-112', which would allow +/-22.4' of length. The length of the Dock from MHWL to the extreme edge of the boat lift is identified at 29.2'. This exceeds the maximum allowed by 11.05.01.F. Our definition of a pier is stated below in Article 3 of the LDC.

*Dock and pier: A fixed or floating structure, including mooring pilings used for the purpose of berthing buoyant vessels; for loading or unloading persons or property; and/or providing access to the water which may also include wharfs, floats, dry docks, and other land facilities.*

As we discussed, this may require a Variance from 11.05.01.F. With the protected marsh area, you likely have a legitimate environmental condition that limits your client's ability to develop a dock. Respond to the question above and we will discuss the application further amongst Staff to get a better sense of the next steps.

Regards,  
Steve

**Steve O'Connor**  
Principal Planner  
City of Destin | Community Development  
4100 Indian Bayou Trail  
Destin, FL 32541

850.279.3213  
[soconnor@cityofdestin.com](mailto:soconnor@cityofdestin.com)

**From:** Steve O'Connor <[soconnor@cityofdestin.com](mailto:soconnor@cityofdestin.com)>  
**Sent:** Tuesday, February 28, 2023 11:56 AM  
**To:** Ben Williams <[ben@bwsmarine.com](mailto:ben@bwsmarine.com)>  
**Cc:** Wright Branson <[wright@bwsmarine.com](mailto:wright@bwsmarine.com)>; Louis Zunguze <[lzunguze@cityofdestin.com](mailto:lzunguze@cityofdestin.com)>; Planning Division <[PlanningDiv@cityofdestin.com](mailto:PlanningDiv@cityofdestin.com)>; Cindy Runyon <[crunyon@cityofdestin.com](mailto:crunyon@cityofdestin.com)>  
**Subject:** RE: HWB-000912-2022 - 4049 Indian Bayou

Good afternoon Ben,

No worries, we are all running 1000mph these days. Staff will review and get back to you with next steps by the end of the week, or early next week.

Thanks,  
Steve

**Steve O'Connor**  
*Principal Planner*  
City of Destin | Community Development  
4100 Indian Bayou Trail  
Destin, FL 32541  
850.279.3213  
[soconnor@cityofdestin.com](mailto:soconnor@cityofdestin.com)

**From:** Ben Williams <[ben@bwsmarine.com](mailto:ben@bwsmarine.com)>  
**Sent:** Tuesday, February 28, 2023 11:18 AM  
**To:** Steve O'Connor <[soconnor@cityofdestin.com](mailto:soconnor@cityofdestin.com)>  
**Cc:** Wright Branson <[wright@bwsmarine.com](mailto:wright@bwsmarine.com)>; Louis Zunguze <[lzunguze@cityofdestin.com](mailto:lzunguze@cityofdestin.com)>; Planning Division <[PlanningDiv@cityofdestin.com](mailto:PlanningDiv@cityofdestin.com)>; Cindy Runyon <[crunyon@cityofdestin.com](mailto:crunyon@cityofdestin.com)>  
**Subject:** RE: HWB-000912-2022 - 4049 Indian Bayou

Some people who received this message don't often get email from [ben@bwsmarine.com](mailto:ben@bwsmarine.com). [Learn why this is important](#)

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Mr. O'Connor,

I am circling back on this email discussion as I realized that I dropped the ball in getting this response back to everyone. Please find the attached revised plan showing the dimensions requested as well as the explanation from our consultant as

to the reasoning that this dock needed to be pushed out *'This was submitted as an online self certification so comments from the FDEP would not have been made regarding the design of the dock. I would not have proposed to terminate over the emergent vegetation because it is a protected resource and the FDEP and Corps require that we avoid and minimize impacts to that resource by terminating into open water.'*

The attachment shows that proposed dock and covered slip location falls within the 20% rule under LDC 11.05.01F. This said, I have uploaded this drawing to the HWB Application on Compass and titled it '4049 Indian Bayou Revised Site Plan'. Please let me know if you foresee any issues getting this approved at the next HWB hearing. Thank you.

**Ben Williams**  
B&W Services, LLC  
221 Hollywood Blvd SE  
Ft Walton Beach, FL 32548

**From:** Steve O'Connor <[soconnor@cityofdestin.com](mailto:soconnor@cityofdestin.com)>  
**Sent:** Tuesday, January 24, 2023 2:05 PM  
**To:** Ben Williams <[ben@bwsmarine.com](mailto:ben@bwsmarine.com)>  
**Cc:** Jason Taylor <[jason@oakhurstconsult.com](mailto:jason@oakhurstconsult.com)>; Wright Branson <[wright@bwsmarine.com](mailto:wright@bwsmarine.com)>; Joseph <[joseph@sktsolutions.net](mailto:joseph@sktsolutions.net)>; Louis Zunguze <[lzunguze@cityofdestin.com](mailto:lzunguze@cityofdestin.com)>; Planning Division <[PlanningDiv@cityofdestin.com](mailto:PlanningDiv@cityofdestin.com)>; Cindy Runyon <[crunyon@cityofdestin.com](mailto:crunyon@cityofdestin.com)>  
**Subject:** RE: HWB-000912-2022 - 4049 Indian Bayou

Good afternoon Ben,

Thanks for the email. I will take this email and discuss it with Louis Zunguze, our Director. It would be helpful if you could include the measurement of the distance from the furthest waterward pile of the proposed dock to the opposite shore/waterline. This will help reinforce your justification.

Also, Wright mentioned FDEP asked that the dock be pushed further out due to the marshland. If you have that documentation, please provide that as well. The worst-case scenario is that you'll have to go through a Variance process, as discussed at the November HWB meeting. With the FDEP letter stating a hardship due to the marshland, there is clear justification for Staff to support a Variance.

The best case scenario is that based on the evidence you provided, we can move back straight to HWB review.

Please provide those requested documents as soon as possible, and I

will get them to Louis for his review.

Regards,  
Steve

**Steve O'Connor**

*Principal Planner*  
City of Destin | Community Development  
4100 Indian Bayou Trail  
Destin, FL 32541  
850.279.3213  
[soconnor@cityofdestin.com](mailto:soconnor@cityofdestin.com)

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**From:** Ben Williams <[ben@bwsmarine.com](mailto:ben@bwsmarine.com)>  
**Sent:** Tuesday, January 24, 2023 12:06 PM  
**To:** Steve O'Connor <[soconnor@cityofdestin.com](mailto:soconnor@cityofdestin.com)>  
**Cc:** Jason Taylor <[jason@oakhurstconsult.com](mailto:jason@oakhurstconsult.com)>; Wright Branson <[wright@bwsmarine.com](mailto:wright@bwsmarine.com)>; [joseph@sktsolutions.net](mailto:joseph@sktsolutions.net)  
**Subject:** HWB-000912-2022 - 4049 Indian Bayou

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Mr. O'Connor,

Good afternoon, my name is Ben Williams with B&W Services out of Ft Walton. You met my partner Wright Branson at the Harbor and Waterway meeting yesterday evening. I am following up on the conversation the two of you had in hopes that you can help us with the subject application. In the November HWB meeting, there was a comment made that the proposed design projected too far into the waterway and therefore did not meet local ordinances. Below is an email from our consultant on his interpretation of the codes in which we feel that the proposed design meets these criteria. I have attached a copy of the plans for your reference.

Copied on this email is Jason Taylor our permit consultant as well as Joe Kitts,

property owner so they can stay in the loop. If you could please help guide us so that we can come to a resolution on this and get it back in for review next month, it would be greatly appreciated.

Thank you,

**Ben Williams**

B&W Services, LLC  
221 Hollywood Blvd SE  
Ft Walton Beach, FL 32548

**From:** Jason Taylor <[jason@oakhurstconsult.com](mailto:jason@oakhurstconsult.com)>

**Sent:** Sunday, January 22, 2023 1:00 PM

**To:** Wright Branson <[wright@bwsmarine.com](mailto:wright@bwsmarine.com)>

**Cc:** Ben Williams <[ben@bwsmarine.com](mailto:ben@bwsmarine.com)>

**Subject:** Re: Drawing

LDC 11.05.01F states

No new or existing dock shall be constructed or modified such that the length of any pier as completed is greater than 20 percent of the width of the Harbor or waterway at the place where the pier is located, or out 200 feet, whichever is less, except in Choctawhatchee Bay."

11.05.01G states

No piling(s) shall be added to the waterward end of any pier which piling(s) would make the total length of the dock more than 200 feet, or 20 percent of the waterway, whichever is less, except in Choctawhatchee Bay.

11.05.01M states

Excepting docks connected to uplands zoned SHMU, or those located on Choctawhatchee Bay, no dock shall be longer than the width, at the mean high-water line, of the lot to which the dock is attached.

1. For those docks connected to uplands zoned SHMU, or those located on Choctawhatchee Bay, a dock may be constructed to a length of 1.5 times the width of the property at the mean high-water line, provided the length of the dock not exceed the maximum length established by paragraphs F and G above.
2. For the purpose of this subsection, lots may be combined with neighboring lots. However, no dock may exceed the limitations specified in subsection F above.

Everything I am reading is 20% of the width of the waterbody which we are under, not to mention there are already docks in this canal system that are equal or greater than what we are proposing. The only thing I could think that they might be trying to consider is that the starting point should be taken inside the emergent vegetation line, but in my opinion that is incorrect because that is not the open water width nor should a property owner be penalized for having vegetation growing along the shoreline.

Jason  
Oakhurst Consulting  
850-207-2442

On Fri, Jan 20, 2023 at 8:25 AM Wright Branson <[wright@bwsmarine.com](mailto:wright@bwsmarine.com)> wrote:

I believe he said one of the reasons was it was listed as canal on drawing (is canal percentage different) I will check on letter Monday night at the meeting.

Wright Branson  
B&W Services  
850-830-1897  
[www.bwsmarine.com](http://www.bwsmarine.com)

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## CITY OF DESTIN – COMMUNITY DEVELOPMENT



# AGENDA ITEM

**MEETING DATE:** April 24, 2023  
**BOARD/COMMITTEE:** Harbor & Waterways Board  
**TYPE OF AGENDA ITEM:** Public Hearing  
**OUTLINE NUMBER:** 4.B.

---

**TO:** Harbor & Waterways Board

**THRU:** Lance Johnson, City Manager  
Louis Zunguze, Community Development Director  
Kyle Bauman, City Attorney  
Kimberly Kopp, Land Use Attorney

**FROM:** Steve O'Connor, Principal Planner

**DATE:** April 24, 2023

**SUBJECT:** A proposed commercial marine dock construction project at **530 Harbor Boulevard** (Parcel IDs: 00-2S-22-0630-0000-03A1; 00-2S-22-0630-0000-03A3; 00-2S-22-0630-0000-03A2).

---

## **I. BACKGROUND:**

MRD Associates, Inc., on behalf of Mike Abadie of ABC Amusement Co, has submitted an application for City Council review for the construction of a ±3,436 square foot, 200' long, 16-slip wooden dock to the east of the existing 20-slip Gilligan's docking facility at 530 Harbor Boulevard, along with a boardwalk that spans from property line to property line. Approximately 27 timber mooring piles shall be installed within the slips.

In January 2023, the Board reviewed a larger project proposed by this applicant, which was to construct a 4,353-square-foot dock at 262' in length, with 17-slips to the east of the existing 20-slip Gilligan's docking facility. At that time, approximately 36 timber mooring piles were proposed to be installed within the slips. In connection with that PRIOR application, the Board of Adjustment approved a variance to allow an increased dock length to 262' based on the identified shoal at the proposed dock location. However, the City Council denied the application on March 6, 2023. The applicant has reduced the application such that it meets the requirements of the LDC, and no longer requires a variance. The current proposed dock length is now 200'. A Board of Adjustment variance is not required for the current request as the dock plans have been revised to comply with the Land Development Code dock length limits.

**II. DISCUSSION:** The applicant requests Harbor and Waterways Board approval for commercial marine construction located at 530 Harbor Blvd., located within the Destin

Harbor, a Class II Florida Waterbody.

The proposed marine construction project meets the following requirements of **Section 11.05.00, City of Destin Land Development Code (LDC)**, in addition to providing the 25-foot riparian setback,

- **11.05.01.A** – *Construction of new dock*
- **11.05.01.C, 11.05.01.D, 11.05.01.Y** – *Waste Disposal into the Harbor and Waterways of Destin*
- **11.05.01.F, 11.05.01.G, and 11.05.01.M** – *Length of the pier*
- **11.05.01.N** – *Slip density*
- **11.05.01.V** – *Commercial dock access to firefighting facilities*
- **11.05.01.S** - *Notifying adjoining landowners when a dock is placed within 25-foot riparian setback*

The Florida Department of Environmental Protection (FDEP) Receipt of Submittal states that the project reviewed was for ±4,189 SF of new dock construction; however, the revised plans submitted state that the proposed dock is ±3,436 SF. In addition to discrepancies between the square footage, there are also differences between the slip and piling count, and there is no mention of the proposed boardwalk spanning from property line to property line. At time of building permit submittal, the FDEP and USACE approval shall match the newly proposed SF, piling count, and slip count.

Additionally, while the required Water Taxi Stop is not illustrated per **LDC Section 8.09.03.A.9.d**, the applicant shall incorporate such stop (and sign) on the southwestern most finger pier, or another location that is sufficient with the applicant and is compliant with **LDC Section 8.09.03.A.9.d**.

**COMPREHENSIVE PLAN CONSISTENCY:** The proposed marine construction project is consistent with **Coastal Management Element Policy 6-1.1.6: Reduce Commercial Land Use Impacts to Choctawhatchee Bay.**

- A. Link to Strategic Goals / Objectives:** 1) Economic development & revitalization
- B. Effect on Budget (EOB):** There is no anticipated effect on the budget.
- C. Level of Service (LOS):** There is a minimal impact anticipated on the LOS from this dock construction; however, a Traffic Impact Analysis will be provided and reviewed during the Development Order Deviation process.
- D. Legislative Sponsor:**

**III. CONCLUSION:** The applicant provided a receipt of submittal from **Florida Department of Environmental Protection (FDEP), Application No. 0295725-005-EI/46.** Additionally, the applicant has provided a receipt of submittal from the **United States Army Corps of Engineers (USACE), with an assigned project number of SAJ-2009-01597.**

City Staff reviewed the application and determined that the plans comply with City Codes and regulations. Specifically, the proposed dock complies with **LDC Section 11.05.01.M, Marina Siting**, and the Coastal Management Element of the City's Comprehensive Plan

*(Coastal Management Element Policy 6-1.1.6).*

**STAFF RECOMMENDATION:** *Staff recommends approval of the Commercial Marine Construction Project proposed at 530 Harbor Blvd, for the construction of a ±3,436 square foot, 16-slip wooden dock to the east of the existing 20-slip Gilligan’s docking facility at 530 Harbor Boulevard, along with a boardwalk that spans from property line to property line, with the condition of the addition of a Water Taxi Stop in accordance with LDC Section 8.09.03.A.9.d.*

**IV. RECOMMENDED MOTION:** I move that the Harbor & Waterways Board recommend City Council approval of the Commercial Marine Construction project located at 530 Harbor Blvd. with the condition provided, subject to the applicant meeting all applicable Federal, State, and City permitting requirements.

**ALTERNATE MOTION:** I move that the Harbor & Waterways Board not recommend City Council approval of the Commercial Marine Construction project located at 530 Harbor Blvd. with the condition provided, subject to the applicant meeting all applicable Federal, State, and City permitting requirements.

Attachments:

1. A. Structural Plans
2. B. Site Plan
3. C. Warranty Deed
4. D. Parking Plan
5. E. Adjacent Property Notification
6. F. FDEP Army Corps
7. G. Agent Affidavit

# Permit Sketches and General Notes

## *Gilligan's Marina Expansion*



### APPLICANT NAME AND ADDRESS

A B C Amusement Company  
c/o Mike Abadie  
P.O. Box 5436  
Destin, Florida, 32540



### LOCATION

Section 00, Township 02 S, Range 22 W  
Okaloosa County, Florida  
30°23'31.96" N, 86°29'52.65" W  
530 Harbor Boulevard  
Destin, Florida 32541

### INDEX OF SHEETS

<u>SHEET NO.</u>	<u>DESCRIPTION</u>	<u>SHEET NO.</u>	<u>DESCRIPTION</u>
1 .....	Cover Sheet and Index of Sheets	9 .....	Cross Sections E-E' and F-F'
2 .....	Project Location	10 .....	Typical Fixed Pier
3 .....	Existing Conditions	11 .....	Typical Finger Pier
4 .....	Proposed Marina	12 .....	Utility Plan
5 .....	Dimensioned Site Plan	13 .....	Typical Fire Protection Details
6 .....	Cross Section A-A'	14 .....	Typical Power Pedestal Detail
7 .....	Cross Section B-B'	15 .....	Typical Ladder Detail
8 .....	Cross Sections C-C' and D-D'	16 .....	Existing and Preempted Areas
		17 .....	General Notes



543 Harbor Boulevard, Suite 204  
Destin, Florida 32541  
Certification of Authorization Number 9482  
850.654.1555 (voice) • 850.654.0550 (fax)  
www.mrd-associates.com

### COVER SHEET AND INDEX OF SHEETS *Gilligan's Marina Expansion*

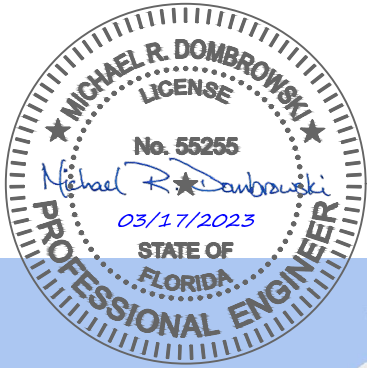
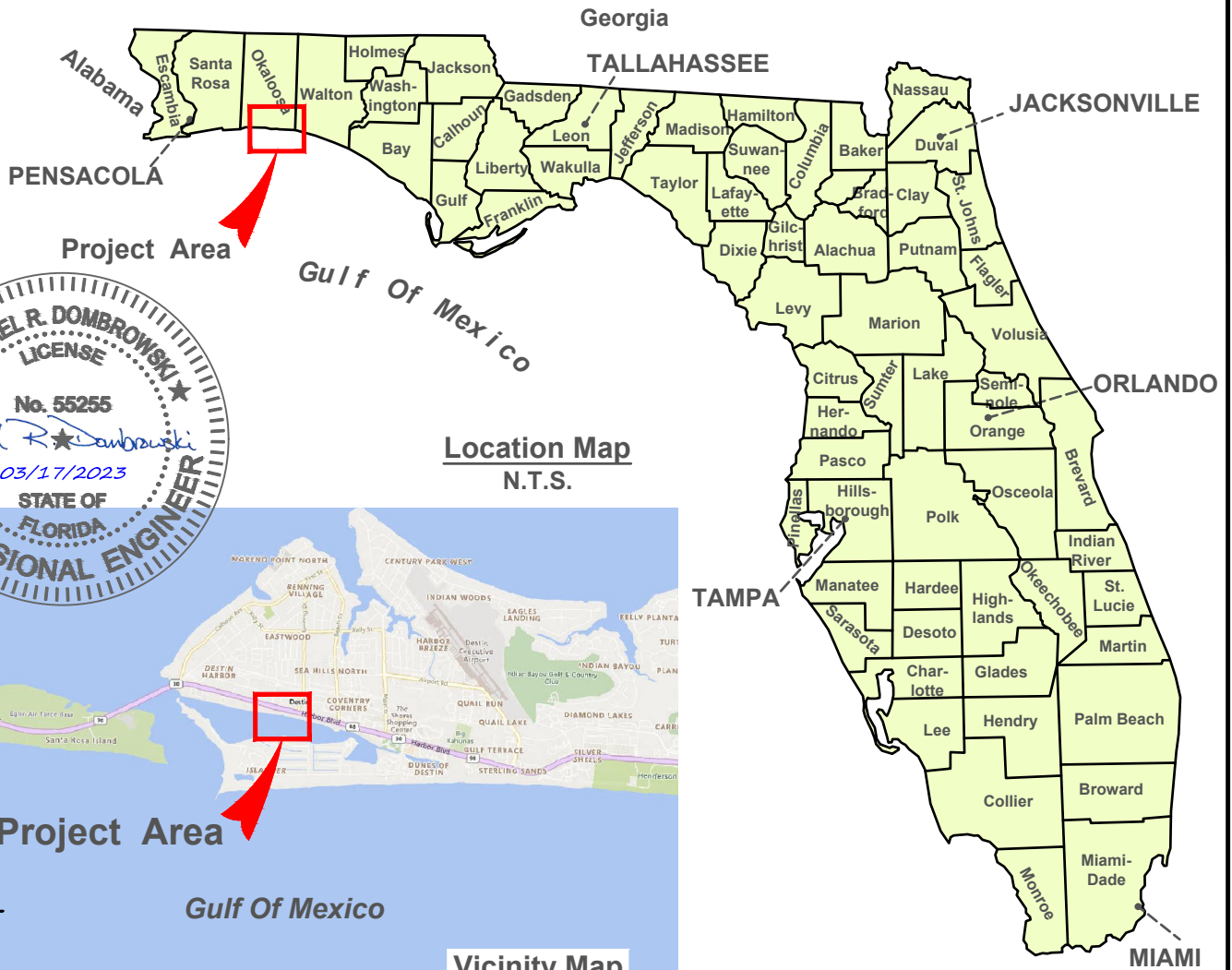
A B C Amusement Company, c/o Mike Abadie  
P.O. Box 5436, Destin, Florida, 32540

Michael R. Dombrowski, P.E.  
Florida P.E. Number 55255

Date: March 17, 2023

Sheet Rev Date:

PROJECT NUMBER <b>22-261</b>	SHEET NUMBER <b>1</b>
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**PROJECT LOCATION**  
*Gilligan's Marina Expansion*

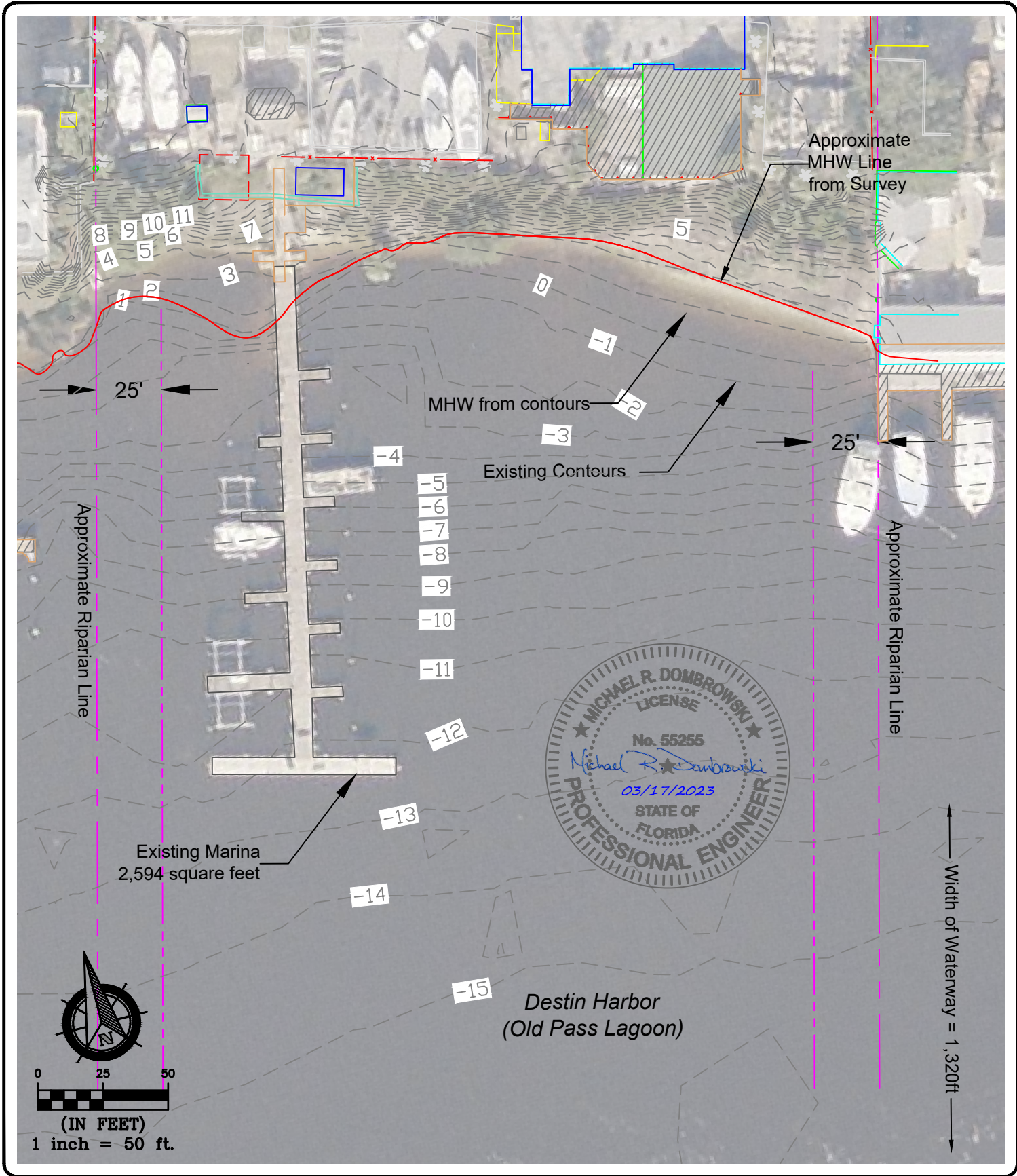
A B C Amusement Company, c/o Mike Abadie  
P.O. Box 5436, Destin, Florida, 32540

Michael R. Dombrowski, P.E.  
Florida P.E. Number 55255

Date: March 17, 2023

Sheet Rev Date:

PROJECT NUMBER <b>22-261</b>	SHEET NUMBER <b>2</b>
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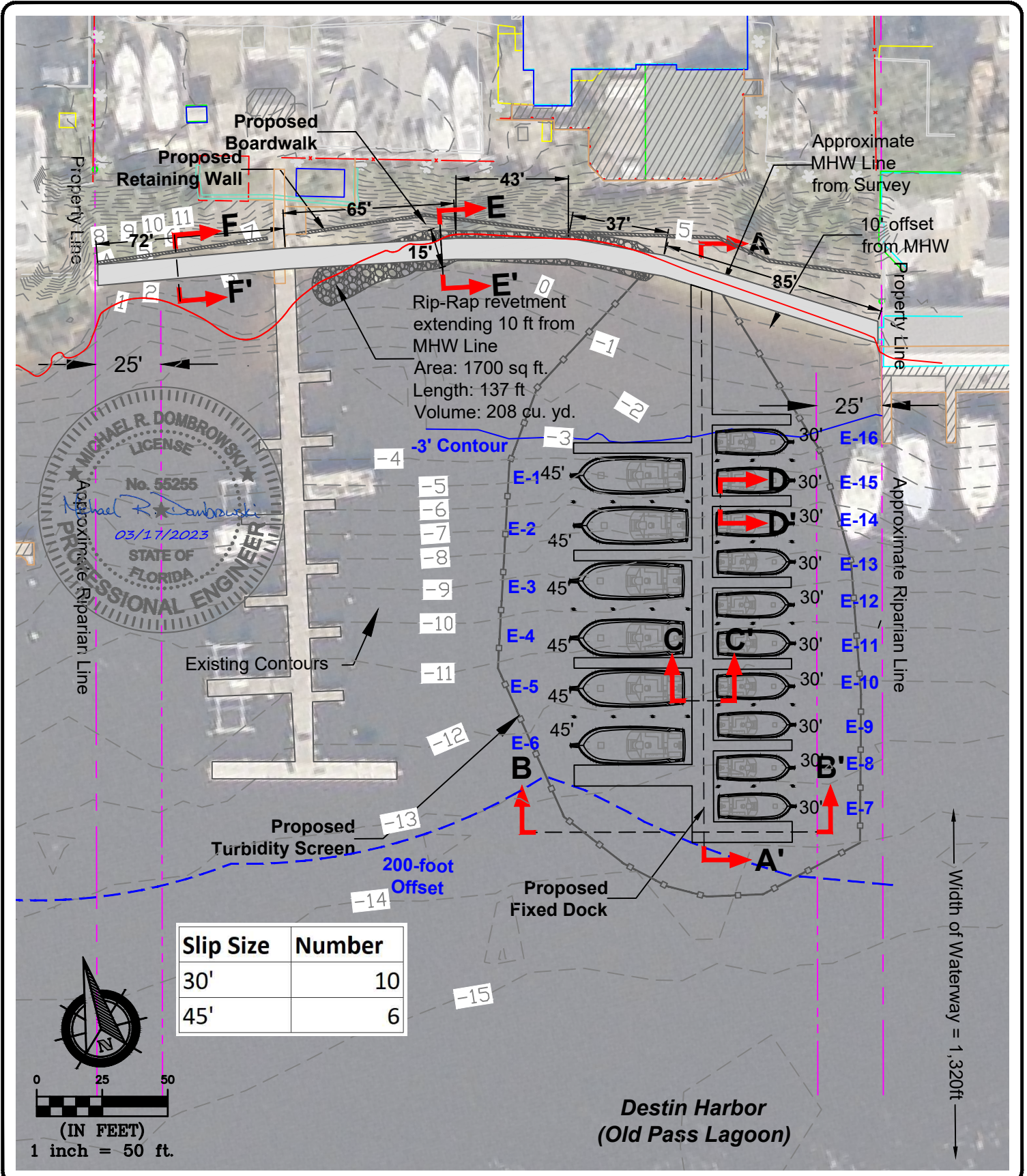
**EXISTING CONDITIONS**  
**Gilligan's Marina Expansion**

A B C Amusement Company, c/o Mike Abadie  
 P.O. Box 5436, Destin, Florida, 32540

Michael R. Dombrowski, P.E.  
 Florida P.E. Number 55255

Date: March 17, 2023  
 Sheet Rev Date:

PROJECT NUMBER <b>22-261</b>	SHEET NUMBER <b>3</b>
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Slip Size	Number
30'	10
45'	6



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**PROPOSED MARINA PLAN**  
*Gilligan's Marina Expansion*

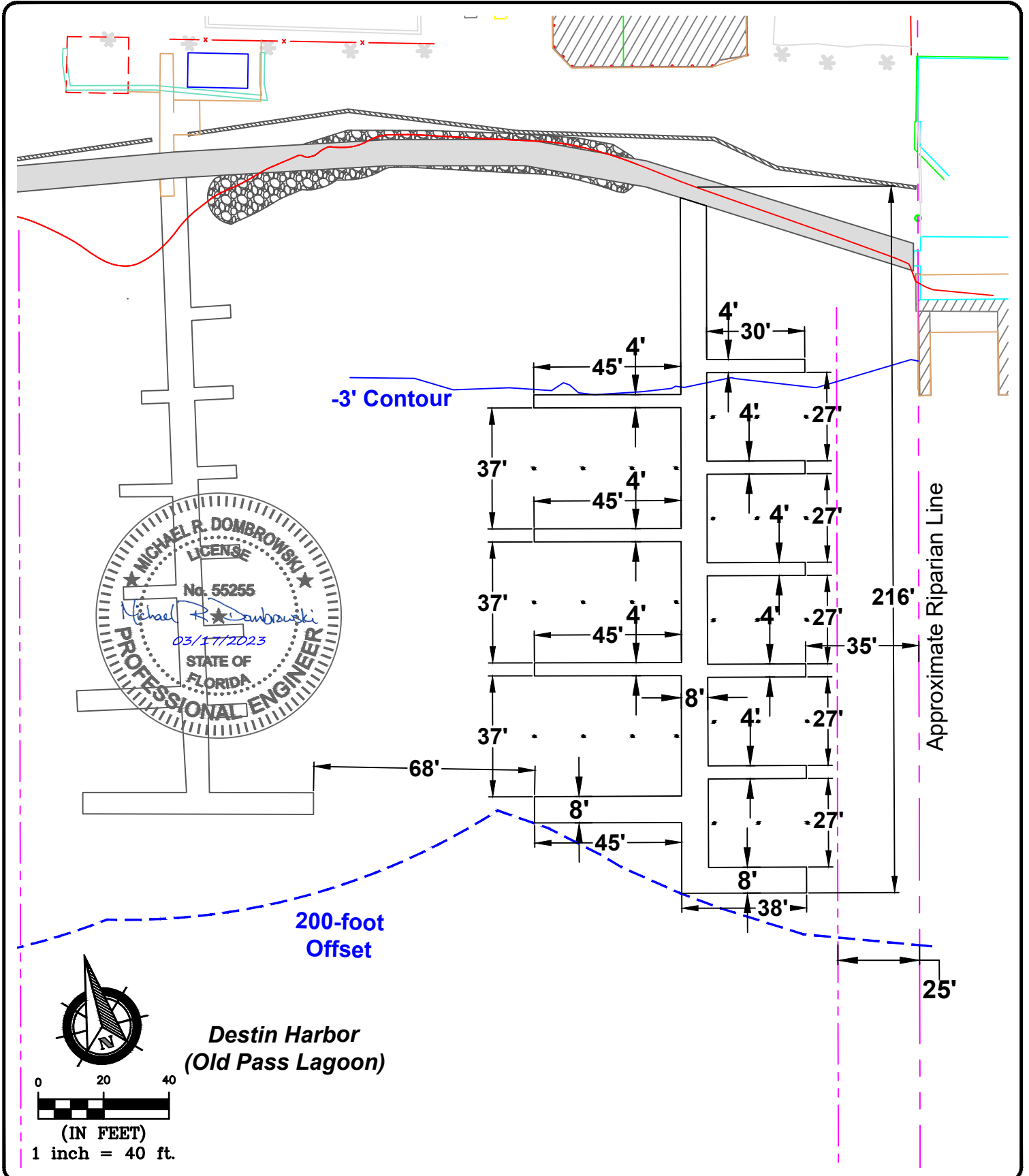
A B C Amusement Company, c/o Mike Abadie  
 P.O. Box 5436, Destin, Florida, 32540

Michael R. Dombrowski, P.E.  
 Florida P.E. Number 55255

Date: March 17, 2023

Sheet Rev Date:

PROJECT NUMBER <b>22-261</b>	SHEET NUMBER <b>4</b>
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**DIMENSIONED SITE PLAN**  
*Gilligan's Marina Expansion*

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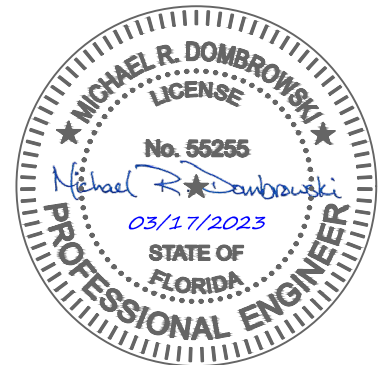
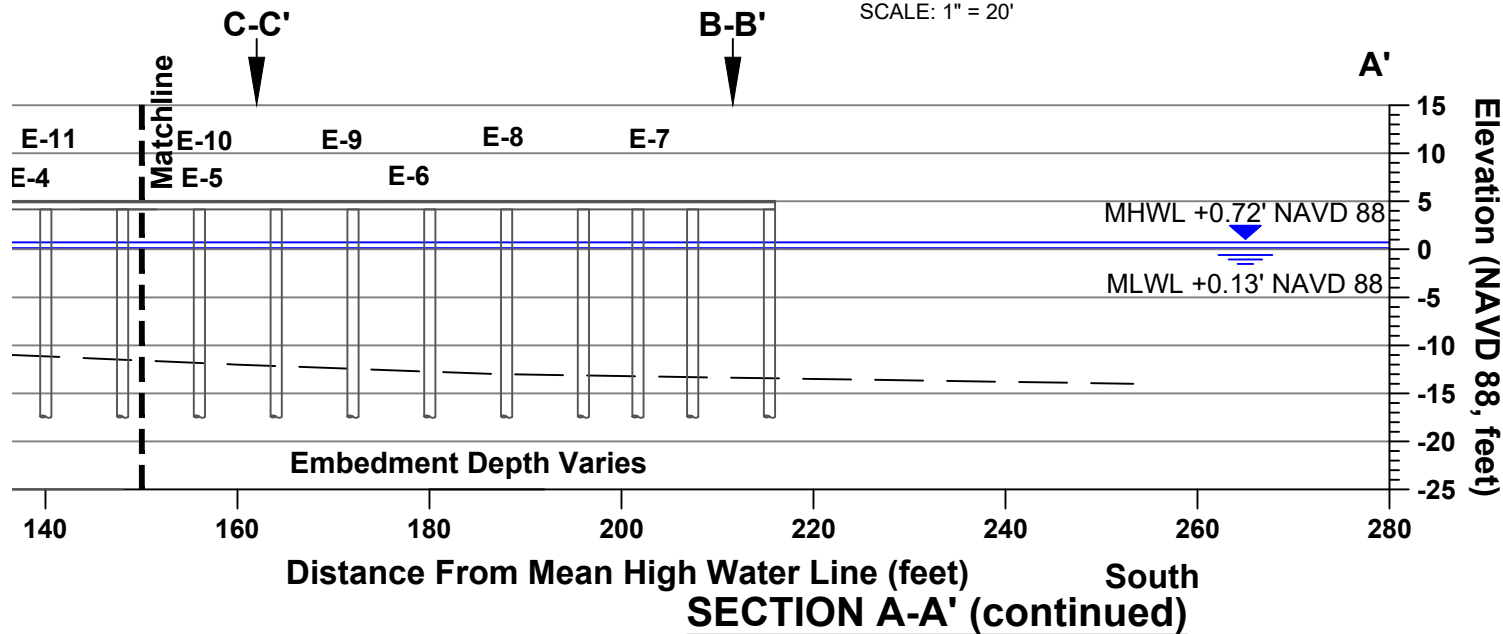
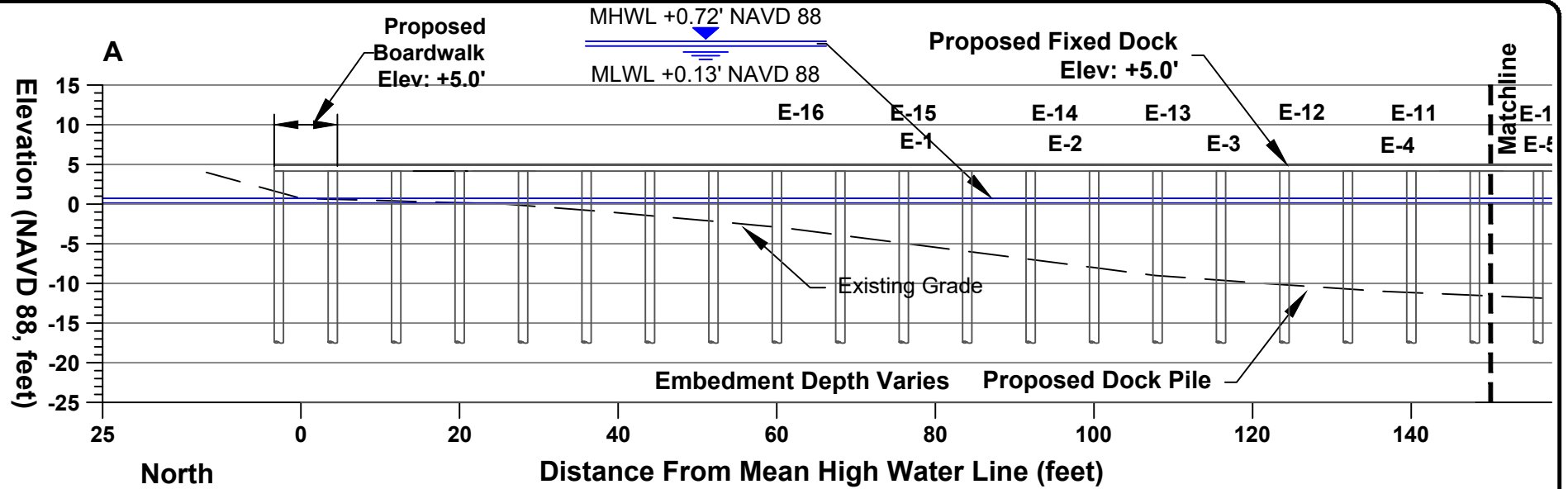
**A B C Amusement Company, c/o Mike Abadie**  
P.O. Box 5436, Destin, Florida, 32540

Michael R. Dombrowski, P.E.  
Florida P.E. Number 55255

Date: March 17, 2023

Sheet Rev Date:

<b>PROJECT NUMBER</b> 22-261	<b>SHEET NUMBER</b> 5
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**mrd**  
mrd associates, inc.  
Coastal, Marina & Water Resources Engineering

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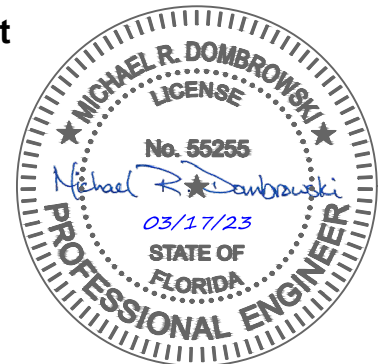
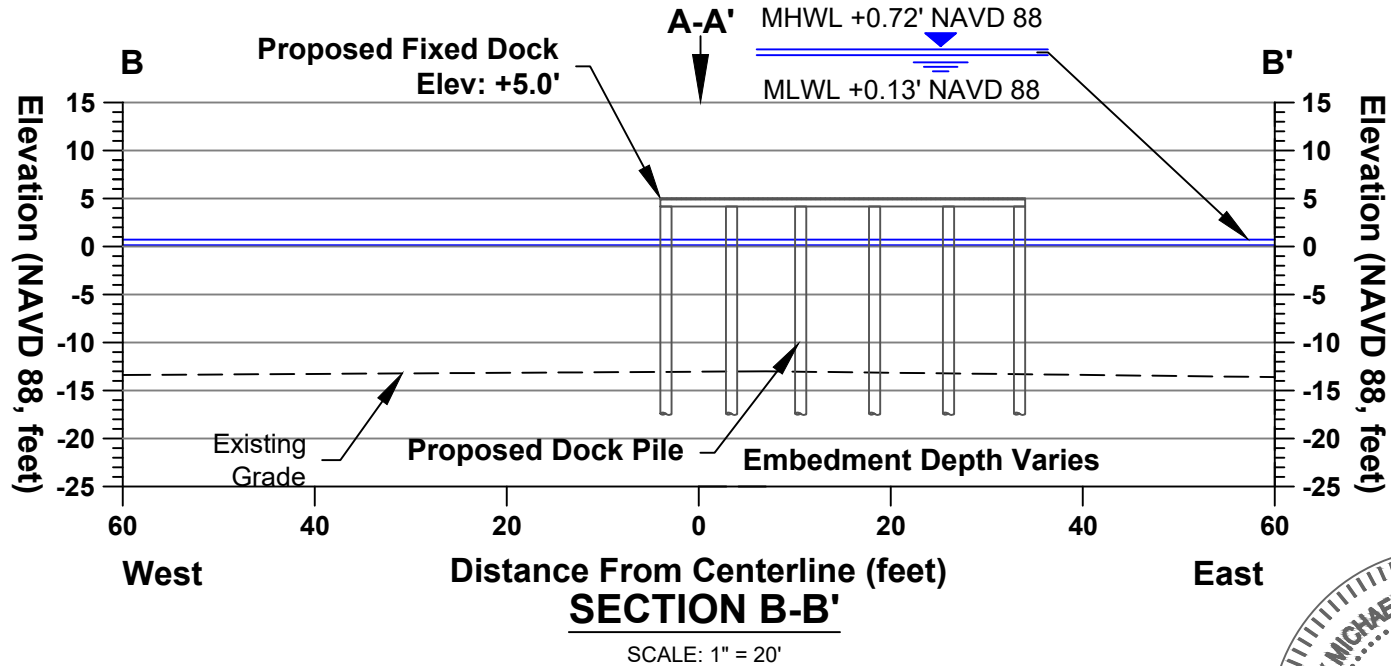
**CROSS SECTION A-A'**  
*Gilligan's Marina Expansion*

A B C Amusement Company, c/o Mike Abadie  
P.O. Box 5436, Destin, Florida, 32540

Michael R. Dombrowski, P.E.  
Florida P.E. Number 55255

Date: March 17, 2022  
Sheet Rev Date:

PROJECT NUMBER <b>22-261</b>	SHEET NUMBER <b>6</b>
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**CROSS SECTION B-B'**  
*Gilligan's Marina Expansion*

A B C Amusement Company, c/o Mike Abadie  
 P.O. Box 5436, Destin, Florida, 32540

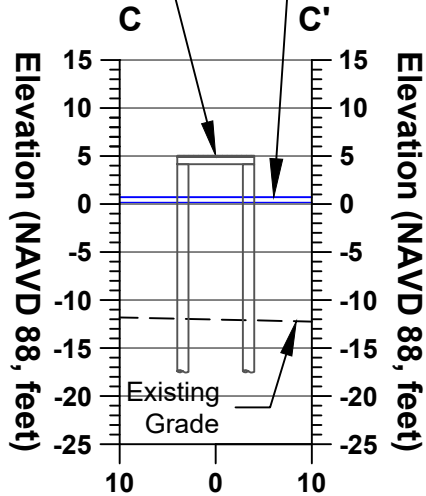
Michael R. Dombrowski, P.E.  
 Florida P.E. Number 55255

Date: March 17, 2023  
 Sheet Rev Date: March 17, 2023

PROJECT NUMBER <b>22-261</b>	SHEET NUMBER <b>7</b>
---------------------------------	--------------------------

Proposed Fixed Dock

Elev: +5.0'



Distance From Centerline (feet)

**SECTION C-C'**

SCALE: 1" = 20'

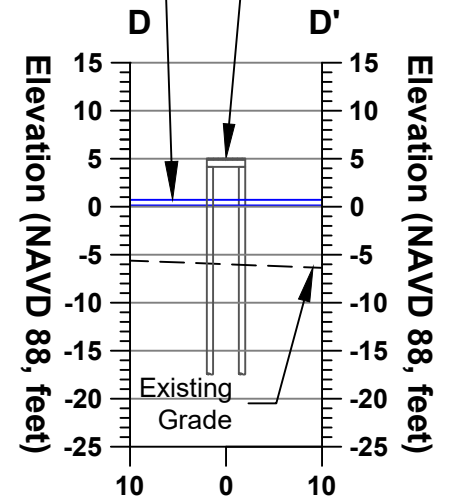
MHW +0.72', NAVD 1988

MLW +0.13', NAVD 1988

Proposed Fixed

Finger Pier

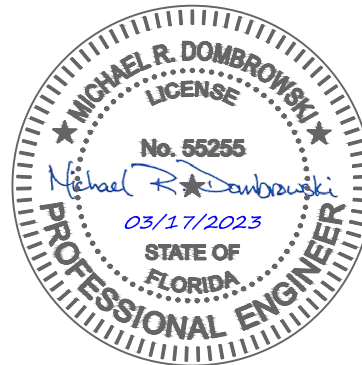
Elev: +5.0'



Distance From Centerline (feet)

**SECTION D-D'**

SCALE: 1" = 20'



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**CROSS SECTIONS C-C' AND D-D'**  
*Gilligan's Marina Expansion*

A B C Amusement Company, c/o Mike Abadie  
P.O. Box 5436, Destin, Florida, 32540

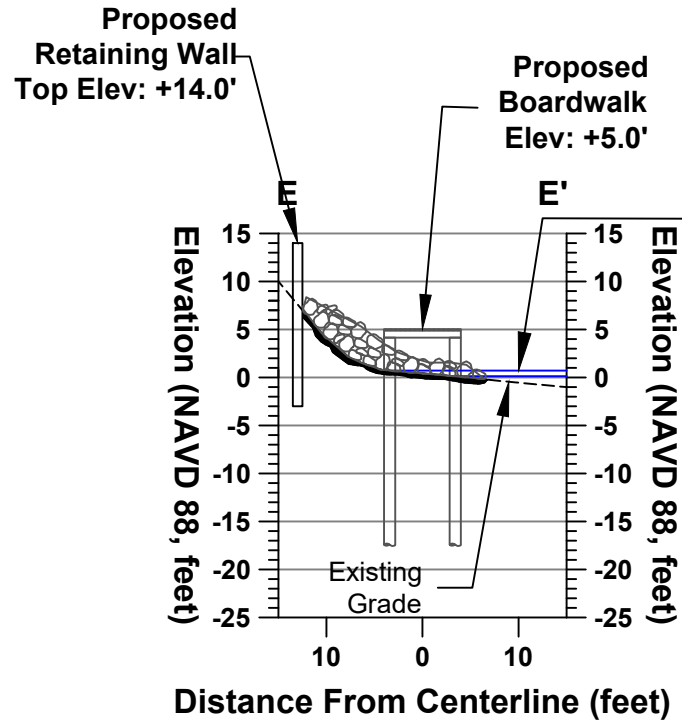
Michael R. Dombrowski, P.E.  
Florida P.E. Number 55255

Date: March 17, 2023

Sheet Rev Date:

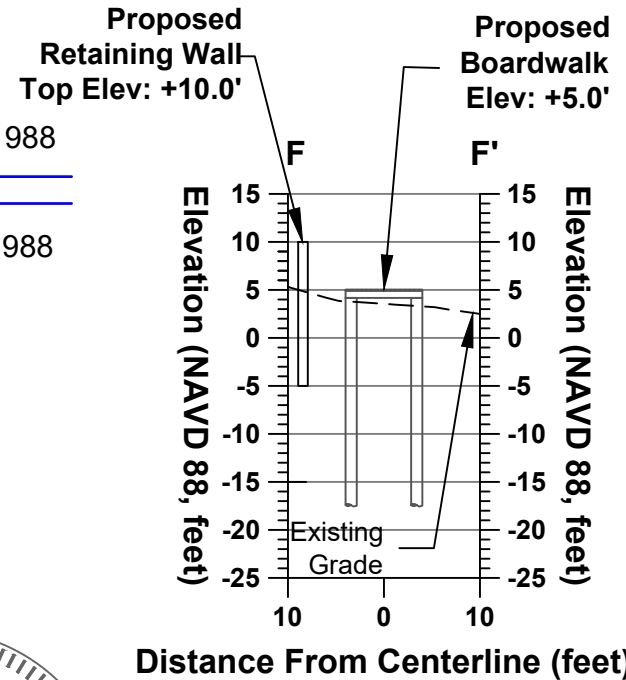
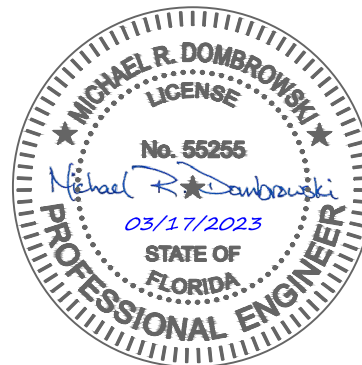
PROJECT NUMBER  
**22-261**

SHEET NUMBER  
**8**



**SECTION E-E'**

SCALE: 1" = 20'



**SECTION F-F'**

SCALE: 1" = 20'

**CROSS SECTIONS E-E' AND F-F'**  
*Gilligan's Marina Expansion*

A B C Amusement Company, c/o Mike Abadie  
P.O. Box 5436, Destin, Florida, 32540

Michael R. Dombrowski, P.E.  
Florida P.E. Number 55255

Date: March 17, 2023

Sheet Rev Date:

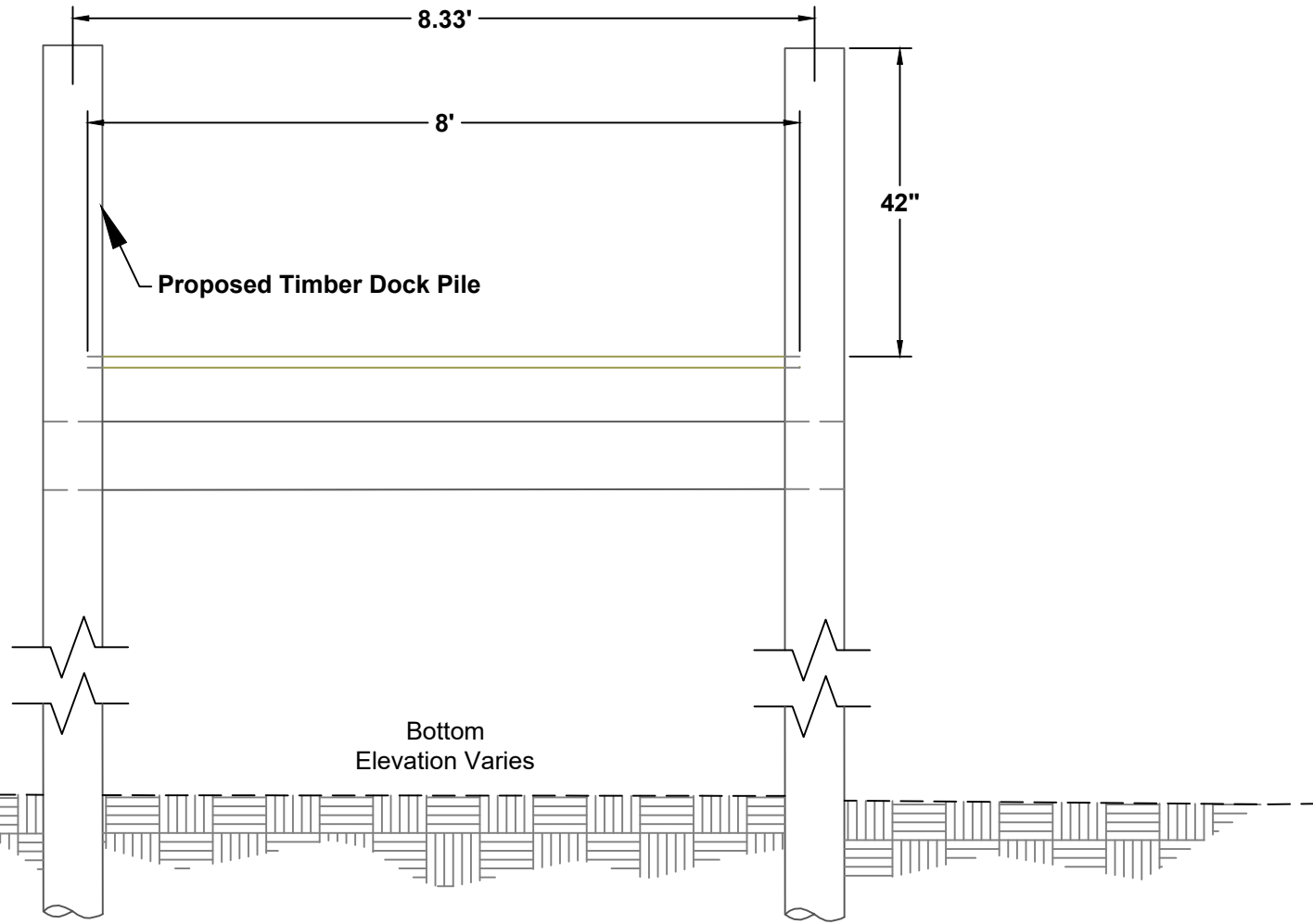
PROJECT NUMBER  
**22-261**

SHEET NUMBER  
**9**



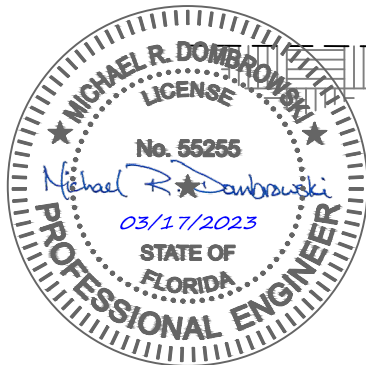
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**TYPICAL 8 FOOT FIXED PIER SECTION**

SCALE: 1" = 2'



Pile Embedment Varies

Bottom Elevation Varies

Proposed Timber Dock Pile

8.33'

8'

42"

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**TYPICAL FIXED PIER SECTION**  
*Gilligan's Marina Expansion*

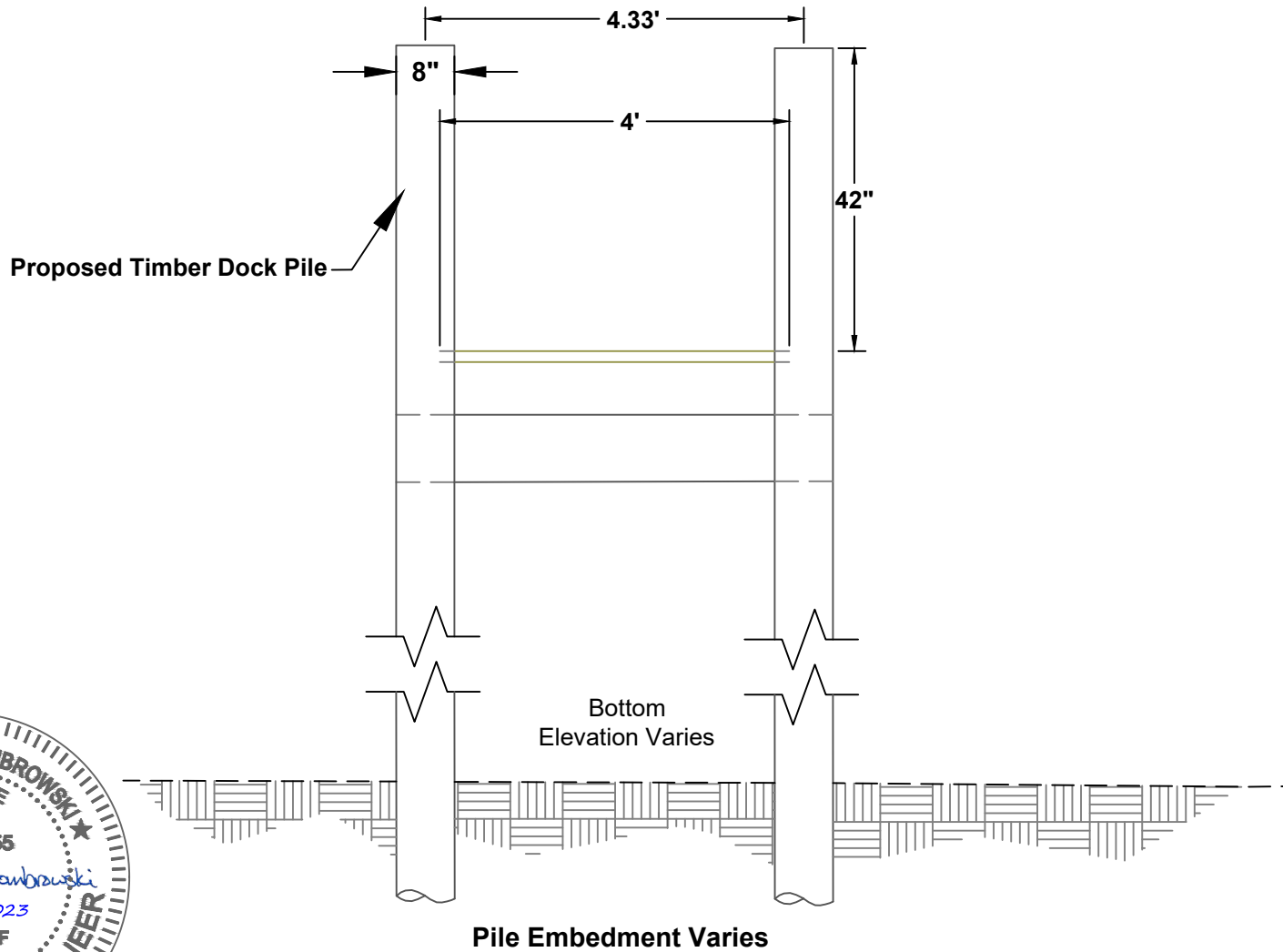
A B C Amusement Company, c/o Mike Abadie  
 P.O. Box 5436, Destin, Florida, 32540

Michael R. Dombrowski, P.E.  
 Florida P.E. Number 55255

Date: March 17, 2023

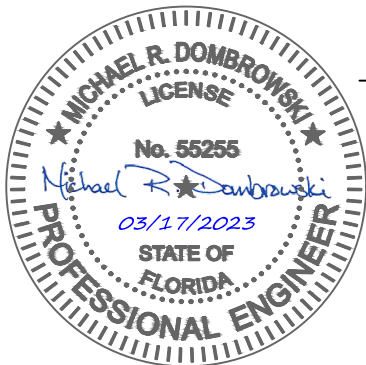
Sheet Rev Date:

PROJECT NUMBER <b>22-261</b>	SHEET NUMBER <b>10</b>
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**TYPICAL 4 FOOT FIXED PIER SECTION**

SCALE: 1" = 2'



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**TYPICAL FIXED FINGER PIER SECTION**  
*Gilligan's Marina Expansion*

A B C Amusement Company, c/o Mike Abadie  
P.O. Box 5436, Destin, Florida, 32540

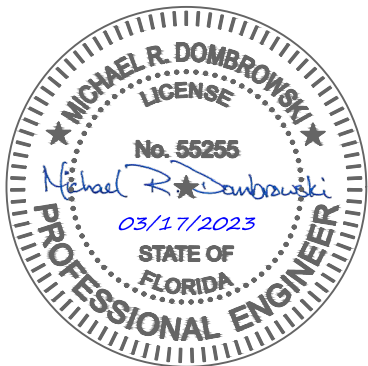
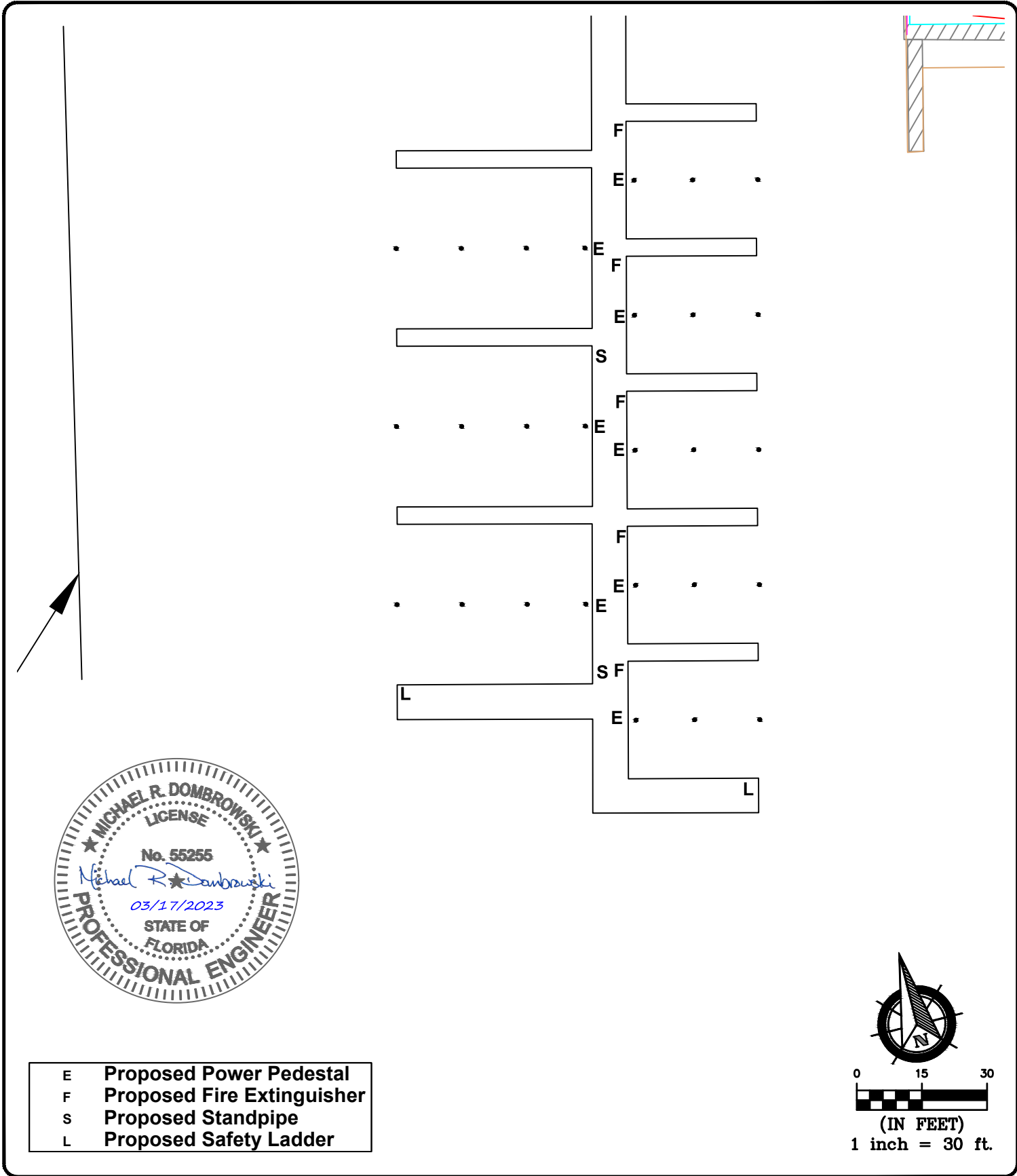
Michael R. Dombrowski, P.E.  
Florida P.E. Number 55255

Date: March 17, 2023

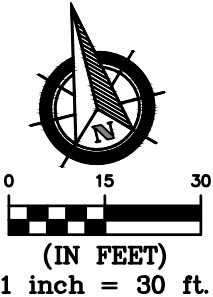
Sheet Rev Date:

PROJECT NUMBER  
**22-261**

SHEET NUMBER  
**11**



E	Proposed Power Pedestal
F	Proposed Fire Extinguisher
S	Proposed Standpipe
L	Proposed Safety Ladder



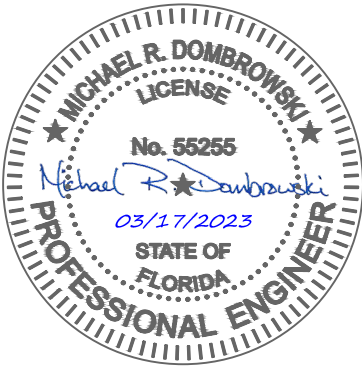
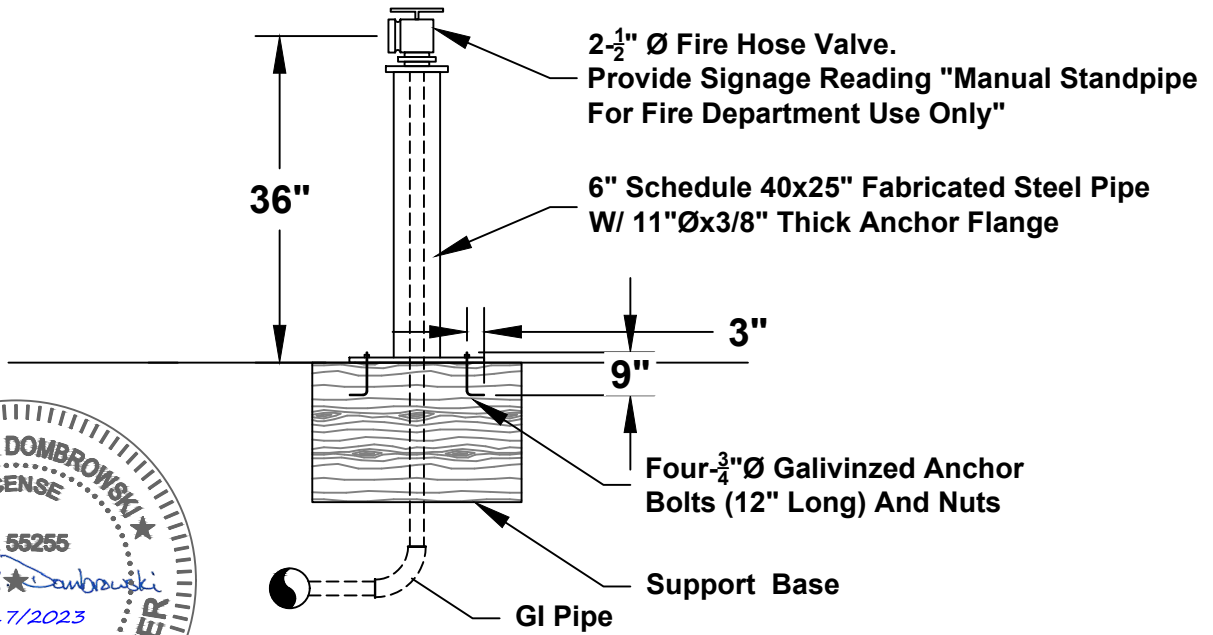
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**UTILITY PLAN**  
*Gilligan's Marina Expansion*

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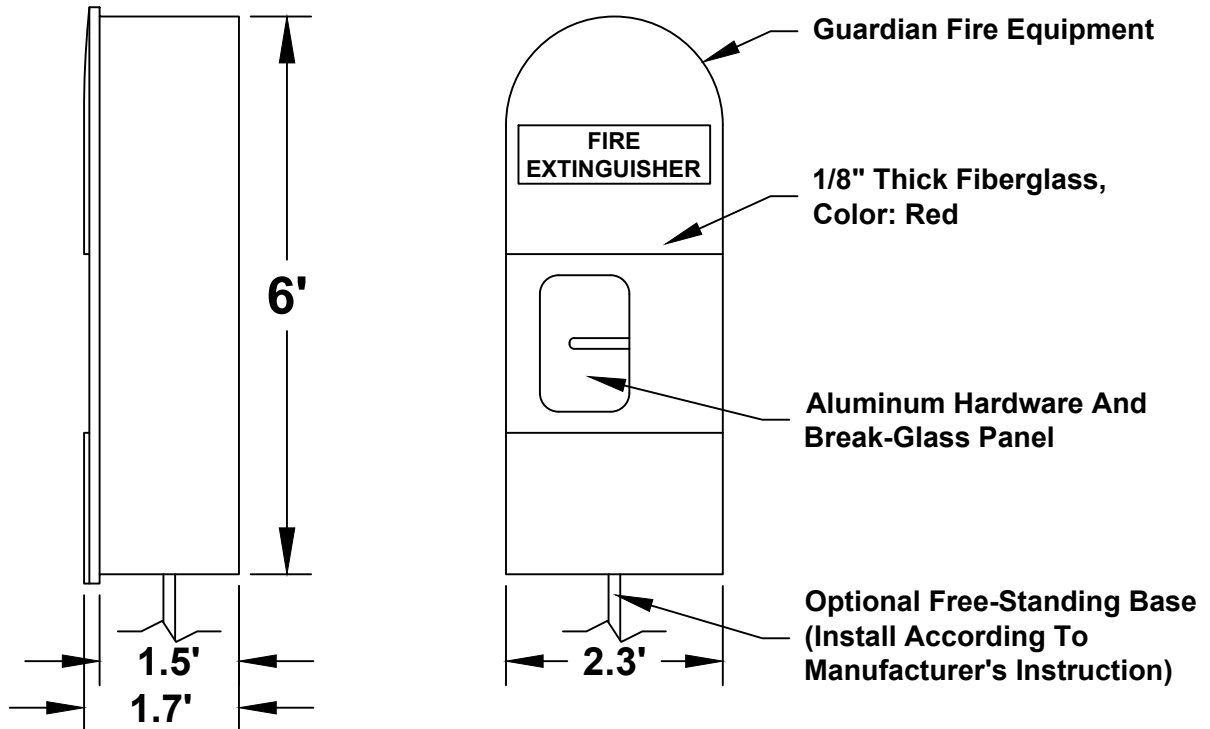
A B C Amusement Company, c/o Mike Abadie  
 P.O. Box 5436, Destin, Florida, 32540

Michael R. Dombrowski, P.E. Florida P.E. Number 55255	
Date: March 17, 2023	
Sheet Rev Date:	
PROJECT NUMBER <b>22-261</b>	SHEET NUMBER <b>12</b>



### STANDPIPE DETAIL

SCALE: N.T.S.



### FIRE HYDRANT CABINET DETAIL

SCALE: N.T.S.



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### TYPICAL FIRE PROTECTION DETAILS Gilligan's Marina Expansion

A B C Amusement Company, c/o Mike Abadie  
P.O. Box 5436, Destin, Florida, 32540

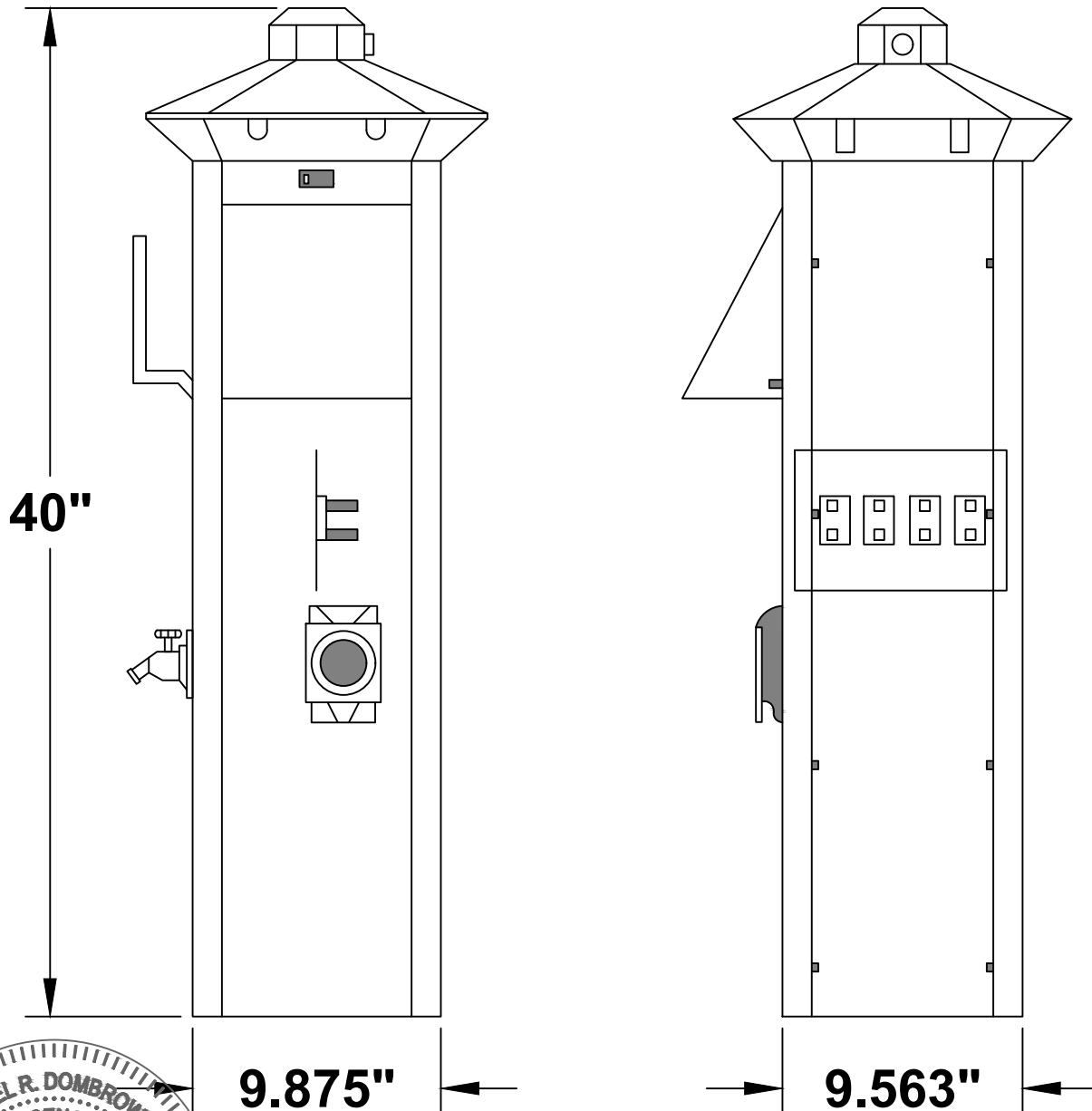
Michael R. Dombrowski, P.E.  
Florida P.E. Number 55255

Date: March 17, 2023

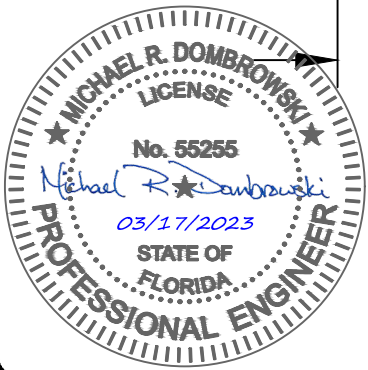
Sheet Rev Date:

PROJECT NUMBER  
22-261

SHEET NUMBER  
13



N.T.S.



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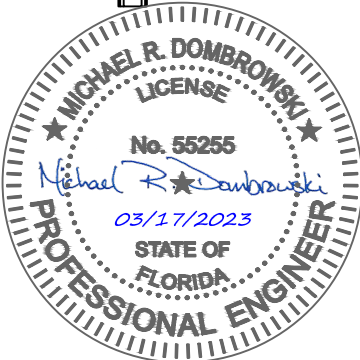
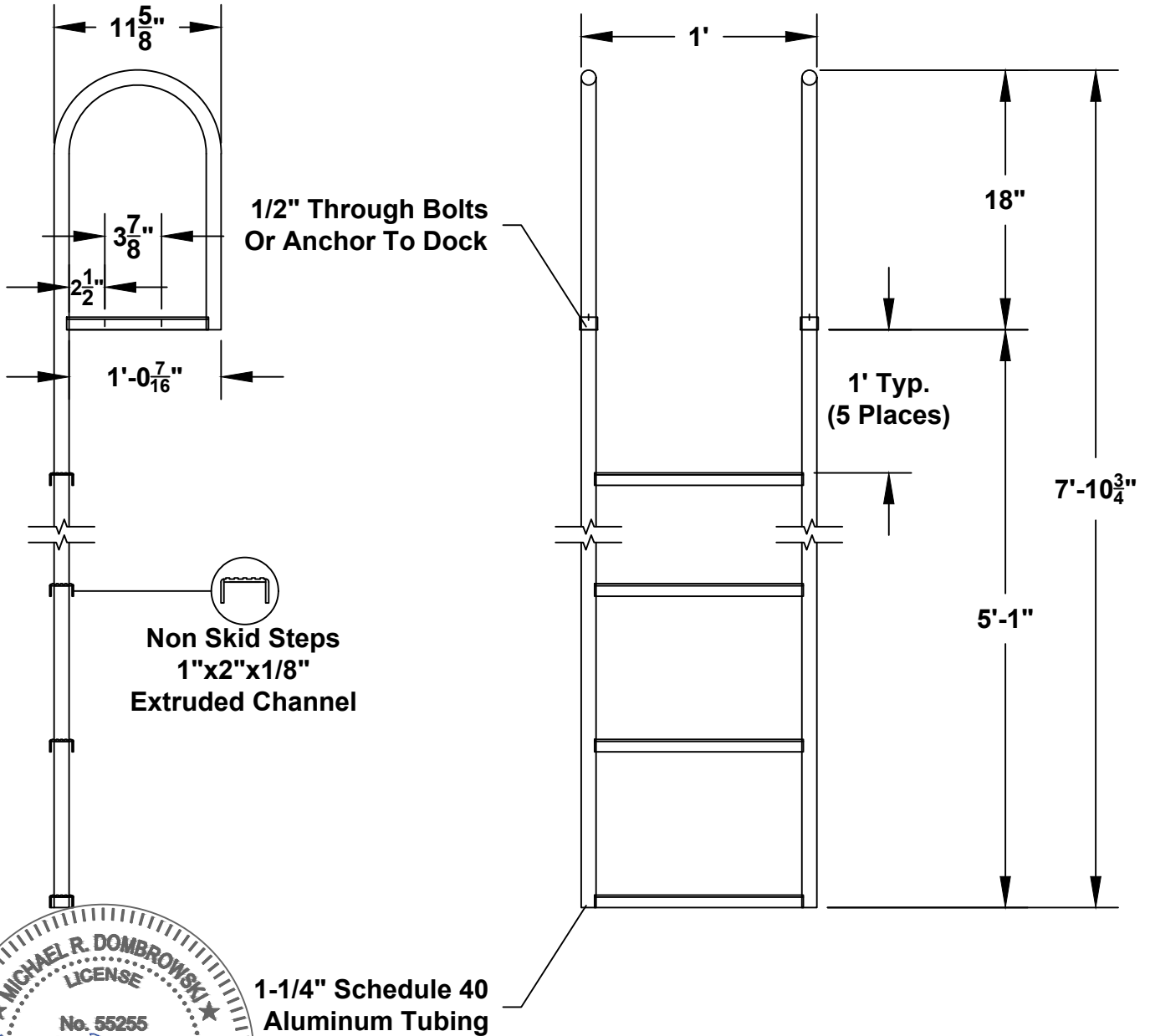
**TYPICAL POWER PEDESTAL DETAIL**  
*Gilligan's Marina Expansion*

A B C Amusement Company, c/o Mike Abadie  
 P.O. Box 5436, Destin, Florida, 32540

Michael R. Dombrowski, P.E. Florida P.E. Number 55255	
Date: March 17, 2023	
Sheet Rev Date:	
PROJECT NUMBER <b>22-261</b>	SHEET NUMBER <b>14</b>

**NOTE:**

Safety ladders, approved by Engineer, to be placed at locations shown on plan.



**1-1/4" Schedule 40  
 Aluminum Tubing**

**TYPICAL SAFETY LADDER**

SCALE: N.T.S.

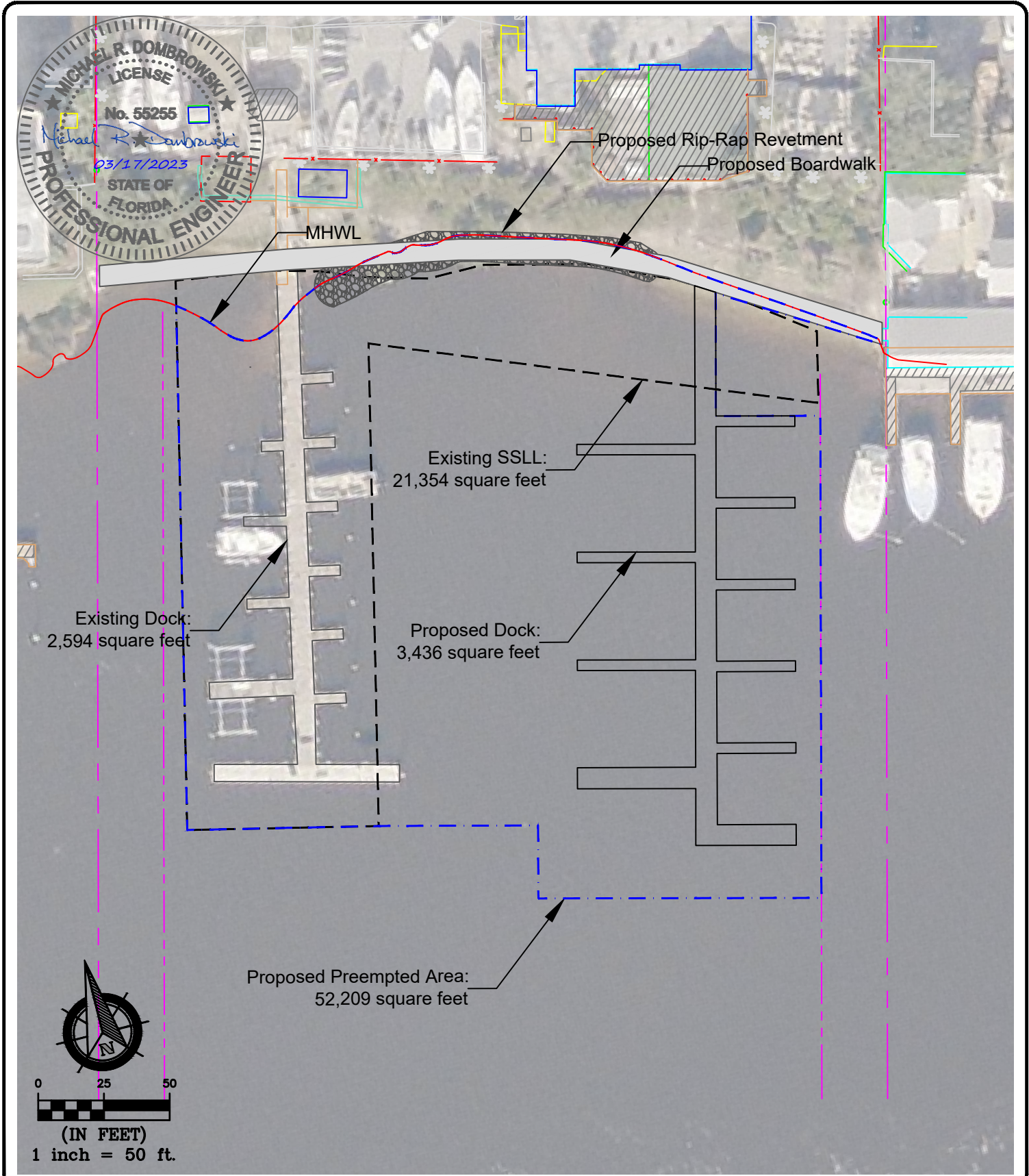
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**TYPICAL LADDER DETAIL**  
*Gilligan's Marina Expansion*

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 P.O. Box 5436, Destin, Florida, 32540

Michael R. Dombrowski, P.E. Florida P.E. Number 55255	
Date: March 17, 2023	
Sheet Rev Date:	
PROJECT NUMBER <b>22-261</b>	SHEET NUMBER <b>15</b>



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**EXISTING AND PREEMPTED AREAS**  
*Gilligan's Marina Expansion*

A B C Amusement Company, c/o Mike Abadie  
 P.O. Box 5436, Destin, Florida, 32540

Michael R. Dombrowski, P.E.  
 Florida P.E. Number 55255

Date: March 17, 2023  
 Sheet Rev Date:

PROJECT NUMBER <b>22-261</b>	SHEET NUMBER <b>16</b>
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**NOTES:**

- Drawing referenced to Florida State Plane North, North American Datum of 1983 (NAD 83).
- Elevations shown hereon are based on North American Vertical Datum of 1988 (NAVD 88).
- Boundary, topographic and Bathymetric survey performed by performed by Gustin, Cothorn & Tucker, Inc. dated July 26, 2022
- Construction shall not violate State of Florida water quality standards.
- Materials are subject to change. Pile dimensions will be determined during final design.
- Aerial photography obtained from LABINS.org and flown 2016. The location of all objects in the photograph are approximate and may not represent currently existing conditions.
- The location of turbidity curtains shown on these drawings is for illustrative purposes only. Turbidity curtains will be located to best assure water quality standards and relocated as construction activities warrant to ensure water quality standards are maintained throughout construction.
- Proposed retaining wall to be constructed landward of mean high water line (MHWL)

**DOCK SCHEDULE:**

- Fixed timber pier:
  - 16 slips
  - 3,436 ft<sup>2</sup> of deck area
  - Wood pilings with wood pile caps and wood decking. Final material selection will be determined during final design
- Mooring Piles:
  - 27 timber mooring piles
  - Timber mooring piles shall be southern pine, pressure treated with chromated-copper-arsenate (CCA), water bourne preservative, 2.5 pounds dry chemical retention per cubic foot in accordance with AWPA standards C3 and C18.

**UTILITIES:**

- No liveboards are proposed at this facility.
- NFPA Fire Stations.
- Power Station to be Lighthouse Power Pedestal, as manufactured by Marina Power & Lighting, Inc. or approved equal.



**mrd**  
**mrd associates, inc.**  
 Coastal, Marina & Water Resources Engineering

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**GENERAL NOTES**  
*Gilligan's Marina Expansion*

---

A B C Amusement Company, c/o Mike Abadie  
 P.O. Box 5436, Destin, Florida, 32540

Michael R. Dombrowski, P.E.  
 Florida P.E. Number 55255

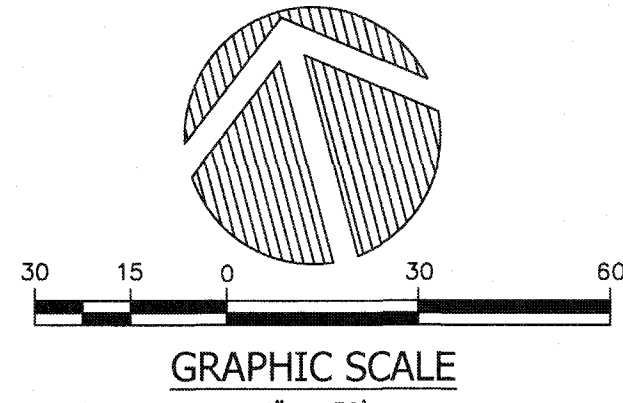
Date: March 17, 2023

Sheet Rev Date:

PROJECT NUMBER <b>22-261</b>	SHEET NUMBER <b>17</b>
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**ABC AMUSEMENT PARCEL  
BOUNDARY, TOPOGRAPHIC & AS-BUILT SURVEY  
530 HARBOR BOULEVARD**

NORTH



**LEGAL DESCRIPTION**

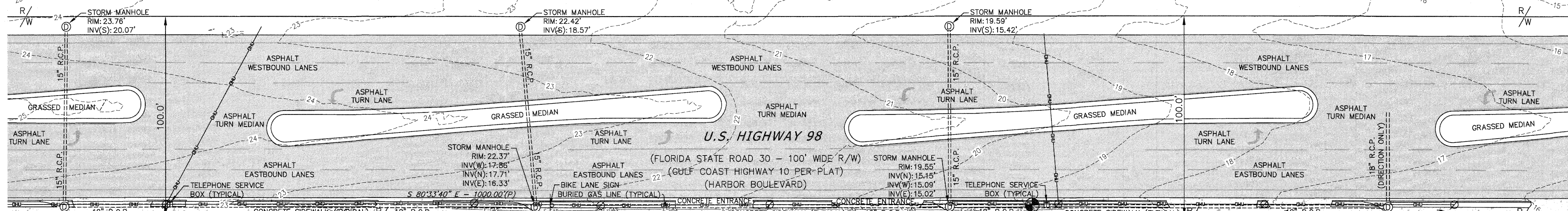
ARC AMUSEMENT PARCEL (O.R. BOOK 1620, PAGE 1645)  
THE WEST 300 FEET OF THE EAST 500 FEET OF LOT 3-A, MORENO POINT MILITARY RESERVATION LYING SOUTH OF STATE ROAD NO. 30, DESTIN, OKALOOSA ISLAND, FLORIDA.  
[SAID MORENO POINT MILITARY RESERVATION BEING RECORDED IN THE PUBLIC RECORDS OF OKALOOSA COUNTY AT DEED BOOK 25, PAGE 573.]

**SITE DATA TABLE**

SITE: ABC AMUSEMENT PARCEL (GILLIGAN'S RESTAURANT)  
ADDRESS: 530 HARBOR BLVD, DESTIN, FL, 32541-2328  
AREA: 1.08± ACRES  
PARCEL ID(S): 00-25-22-0630-0000-03A1  
00-25-22-0630-0000-03A2  
00-25-22-0630-0000-03A3

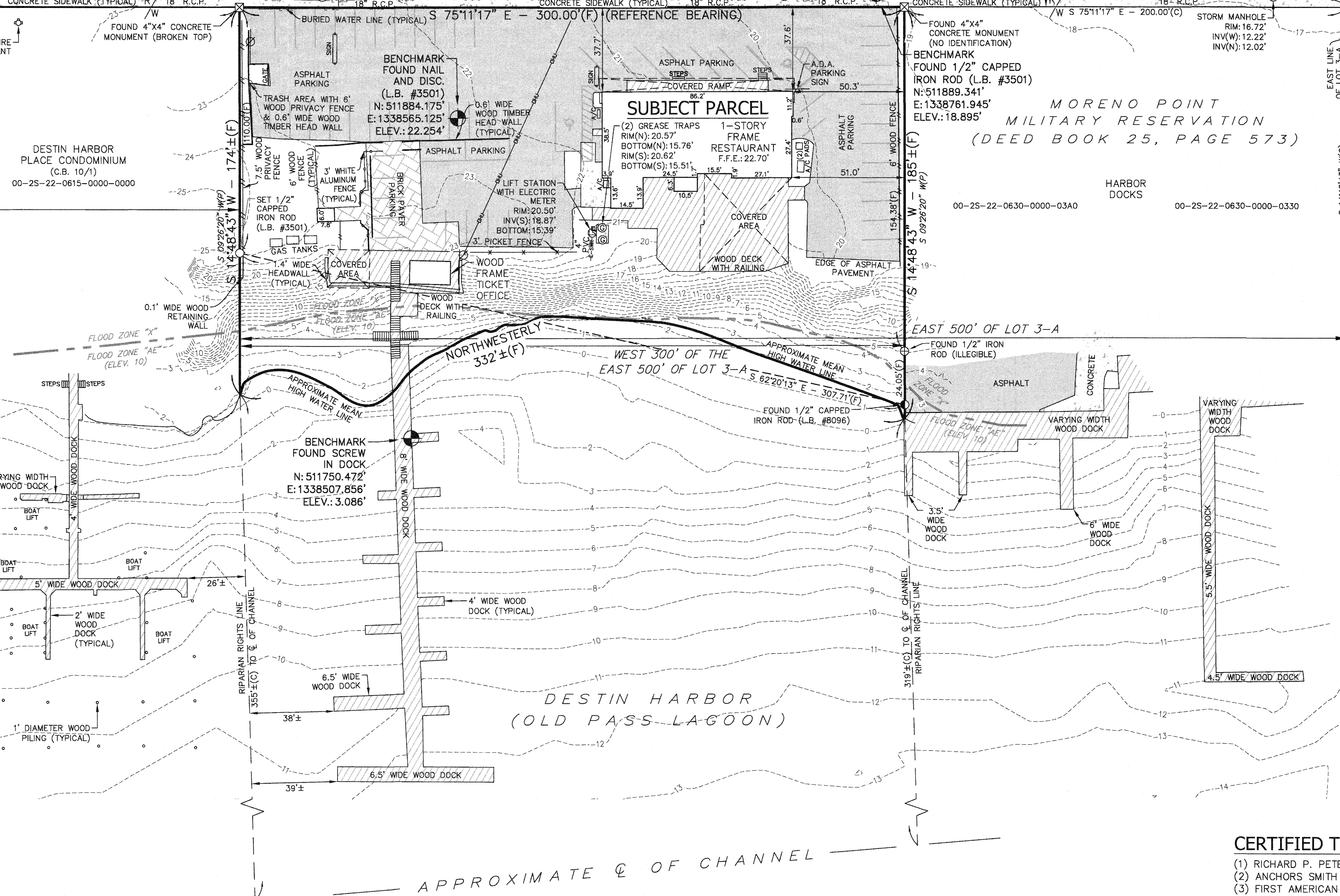
- LEGEND**
- No. OR # = NUMBER
  - = DISTANCE NOT TO SCALE
  - L.B. = LICENSED BUSINESS
  - L.S. = LICENSED SURVEYOR
  - P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
  - ± = MORE OR LESS
  - R/W = RIGHT-OF-WAY
  - CL = CENTERLINE
  - NAD = NORTH AMERICAN DATUM
  - NAV D = NORTH AMERICAN VERTICAL DATUM
  - D.B. = DEED BOOK / PAGE
  - C.B. = CONDOMINIUM PLAT BOOK / PAGE
  - (F) = FIELD MEASURED DATA
  - (C) = CALCULATED DATA
  - (P) = RECORD PLAT DATA
  - ELEV. = ELEVATION
  - F.F.E. = FINISHED FLOOR ELEVATION
  - N = NORTHING
  - S = SOUTHING
  - INV. = INVERT
  - R.C.P. = REINFORCED CONCRETE PIPE
  - A/C = AIR CONDITIONER
  - +— = POWER POLE AND GUY ANCHOR
  - OHU— = OVERHEAD UTILITIES
  - E-WL— = BURIED WATER LINE
  - E-GAS— = GAS MAIN
  - A.P.O. = A PORTION OF
  - A.D.A. = AMERICANS WITH DISABILITIES ACT OF 1990

MORENO POINT  
MILITARY RESERVATION  
(DEED BOOK 25, PAGE 573)



MORENO POINT  
MILITARY RESERVATION  
(DEED BOOK 25, PAGE 573)

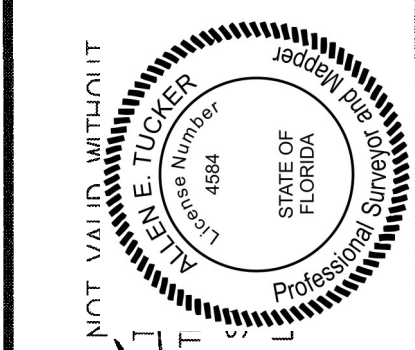
MORENO POINT  
MILITARY RESERVATION  
(DEED BOOK 25, PAGE 573)



**SURVEY REPORT**

1. NO SEARCH OF THE PUBLIC RECORDS WAS DONE BY GUSTIN, COATHERN & TUCKER, INC. VISIBLE EVIDENCE OF EASEMENTS WILL BE SHOWN HEREON, BUT NO CERTIFICATION IS GIVEN THAT EASEMENTS, DEED OVERLAPS, UNDERGROUND IMPROVEMENTS OR APPARENT USES DO NOT EXIST.
2. THIS SURVEY DEPICTED HEREON WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYORS AND MAPPERS AS DEFINED IN CHAPTER 5J-17.051 OF THE FLORIDA ADMINISTRATIVE CODE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.
3. NO ENVIRONMENTAL JURISDICTIONAL LINES HAVE BEEN DETERMINED BY GUSTIN, COATHERN & TUCKER, INC.
4. APPARENT USES ARE AS SHOWN.
5. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.
6. THE BEARINGS SHOWN HEREON ARE REFERENCED TO THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 98, SAID LINE BEARING S 75°11'17" E, AS ESTABLISHED BY STATE PLANE COORDINATES, FLORIDA NORTH ZONE, NORTH AMERICAN DATUM OF 1983.
7. THE ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988.
8. THE DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET.
9. THIS PARCEL LIES IN FLOOD ZONE X, AS DETERMINED BY SCALE FROM FEMA PANEL #12091C0469 J, DATED 9 MAR 2021, AND FURNISHED BY OKALOOSA COUNTY GEOGRAPHIC INFORMATION SERVICE.
10. NOTICE OF LIABILITY: THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SHOWN ON THE FACE THEREOF. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY, WITHOUT EXPRESS WRITTEN CONSENT OF THE SURVEYOR.
11. THE BUILDING TIES SHOWN HEREON ARE TO FOUNDATION.
12. THE METHOD USED TO ESTABLISH THE RIPARIAN RIGHTS LINES SHOWN HEREON INVOLVED PROJECTING LINES FROM THE UPLAND PROPERTY LINES AT THE MEAN HIGH WATER LINE, PERPENDICULAR TO THE MEAN ANGLE OF THE 4 FOOT DEPTH LINE ADJACENT TO THE UPLAND PROPERTY, OUT TO THE CENTERLINE OF CHANNEL WHILE MAINTAINING EQUITABLE DISTRIBUTION OF RIGHTS WITH THE ADJACENT PROPERTY IMPROVEMENTS AS SHOWN HEREON.

Conventional Surveying • Aerial & Bathymetric • Laser Scanning & LIDAR  
**Gustin, Cothern & Tucker, Inc.**  
G.C. LAND SURVEYING & MAPPING  
www.gustincothern.com  
121 Hart Street  
Niceville, FL 32578 (850) 678-5141  
L.B. No. 3901  
Fax: (850) 729-2460



Allen E. Tucker, P.S.M. No. 6584  
Joshua P. Wood, P.S.M. No. 6960  
DATE: 15 AUG 2022  
© G.C.T. INC. 2022

BOUNDARY, TOPOGRAPHIC & AS-BUILT SURVEY  
**ABC AMUSEMENT PARCEL**  
A.P.O. LOT 3-A, MORENO POINT MILITARY RESERVATION (O.R. BOOK 25, PAGE 573) IN SECTION 25 TOWNSHIP 2 SOUTH, RANGE 22 WEST CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA  
PARCEL ID: 00-25-22-0630-0000-03A1

REV	DESCRIPTION	DATE
A <td>INITIAL RELEASE <td>15 AUG 2022 </td></td>	INITIAL RELEASE <td>15 AUG 2022 </td>	15 AUG 2022

SURVEY TYPE:  
BOUNDARY, TOPOGRAPHIC & AS-BUILT  
FIELD DATE:  
26 JUL 2022  
FIELD BOOK:  
22-07, P. 49 (D.B.)  
DATUM: (HORIZONTAL/VERTICAL)  
NAD 83 NAVD 88  
CLIENT:  
CORE ENGINEERING & CONSULTING

SHEET	PROJECT
<b>1</b>	220501
OF 1	ORDER# 220501.03

MAP#  
**220501.01**

**CERTIFIED TO**

- (1) RICHARD P. PETERMANN, ESQ.
- (2) ANCHORS SMITH GRIMSLEY
- (3) FIRST AMERICAN TITLE INSURANCE COMPANY
- (4) HANCOCK WHITNEY BANK
- (5) ABC AMUSEMENT COMPANY

**This Warranty Deed** Made and executed the 23rd day of July A. D. 19 91 by

ABC AMUSEMENT CO., INC.

a corporation existing under the laws of THE STATE OF FLORIDA and having its principal place of business at 333 West Baya Ave., Lake City, Florida hereinafter called the grantor, to

ABC AMUSEMENT CO., INC.

a corporation existing under the laws of the State of Florida with its permanent postoffice address at P.O. Box 2072, Lake City, Florida 32056 hereinafter called the grantee:

(Wherever 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)

\*\* OFFICIAL RECORDS \*\*  
BK 1620 PG 1645

**Witnesseth:** That the grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in Okaloosa County, Florida, viz:

The West 100 feet of the East 500 feet of the portion of Lot 3-A lying South of U.S. Highway 98, Moreno Point Military Reservation Survey of Lots, Destin, Florida, in Okaloosa County, Florida.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in any-wise appertaining.

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

**And** the grantor hereby covenants with said grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances

FLORIDA DOCUMENTARY STAMP TAX REQUIRED  
BY LAW IN THE AMOUNT OF \$ .60 HAS  
BEEN PAID. NEWMAN C. BRACKIN, CLERK  
OKALOOSA COUNTY.  
BY: Raye Smith DC



**In Witness Whereof** the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST: Mary Ann Philpot Secretary ABC AMUSEMENT CO., INC.

Signed, sealed and delivered in the presence of:  
Dale C. Ferguson Dale C. Ferguson  
Karen M. Wright Karen M. Wright  
By: John V. Philpot President

STATE OF FLORIDA  
COUNTY OF COLUMBIA

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared John V. Philpot and Mary Ann Philpot



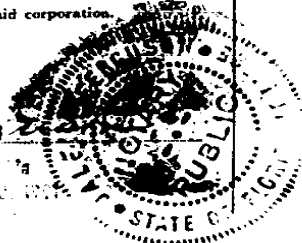
well known to me to be the President and Secretary respectively of the corporation named as grantor in the foregoing deed, and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 23rd day of July

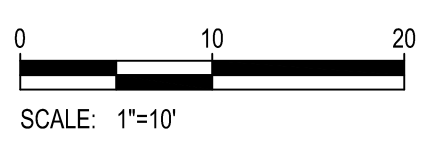
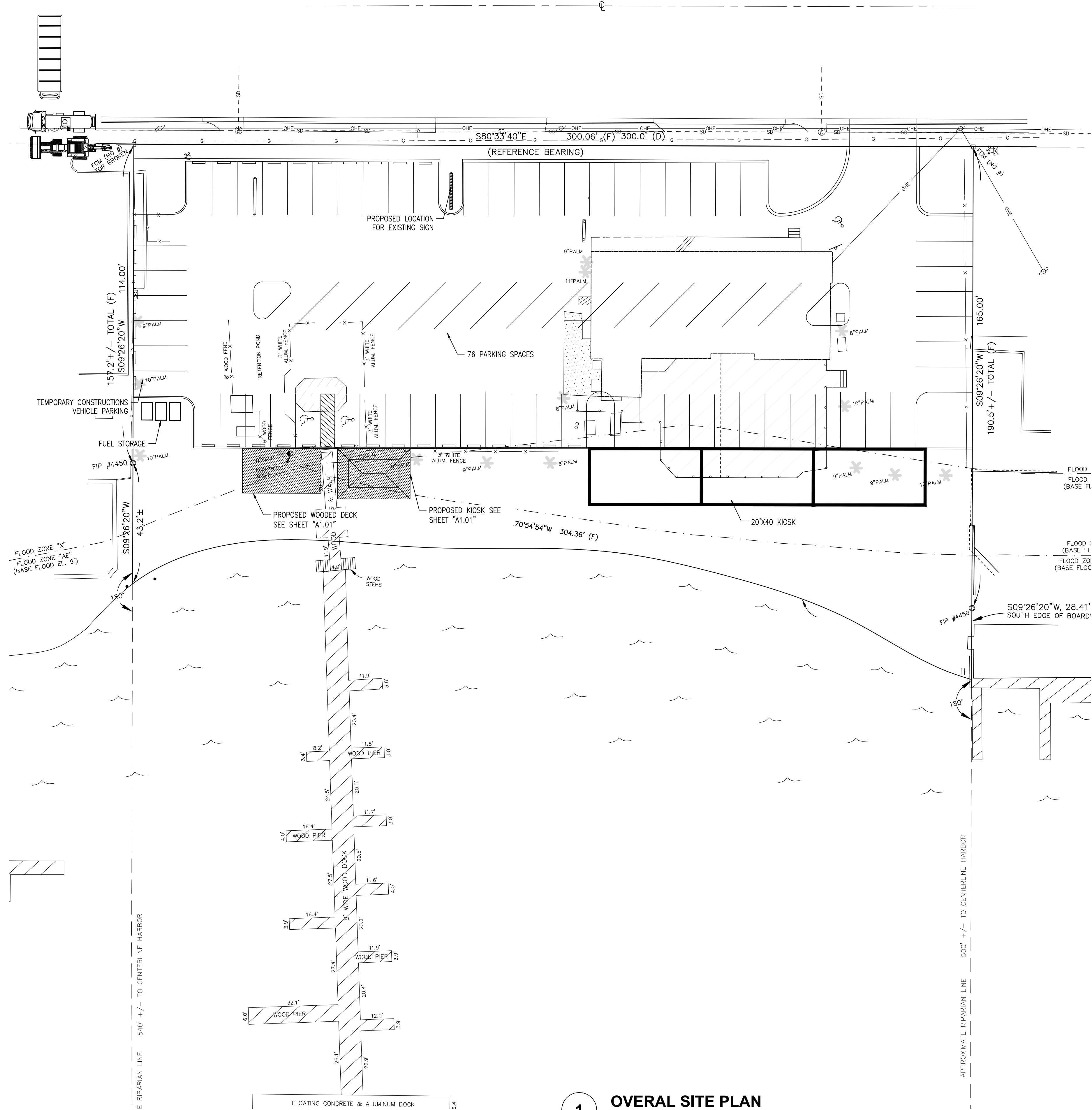
FILE# 1149594  
OKALOOSA COUNTY, FLORIDA

RCD: AUG 12 1991 @ 3:44 PM  
NEWMAN C BRACKIN, CLERK

Dale C. Ferguson  
DALE C. FERGUSON  
Notary Public, State of Florida



Z:\Civil\0620 - Mike Abadie\0620.19.001 - Gilligans4-0 Production\Drawing CAD\C-revised site.dwg

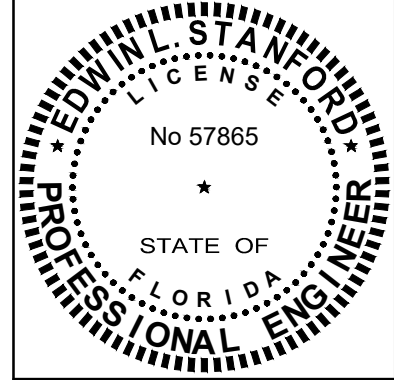


EXISTING LIGHTING TO REMAIN. NO LIGHTING PROPOSED FOR THIS PROJECT.

SITE DATA TABLE		
PARCEL ID	00-25-22-0630-0000-03A2\03A3\A1	
FLOOD ZONE	FLOOD ZONE X/AE 9	
ZONING	GULF RESORT MIXED USE (GRMU)	
FUTURE LAND USE	SOUTH HARBOR MIXED USE (SHMU)	
EXISTING LAND USE	WATERSPORTS RENTALS/RESTAURANT	
PROPOSED USE	WATERSPORTS RENTALS/RESTAURANT	
	EXISTING	PROPOSED
TOTAL SITE AREA	45,749.9 S.F. (1.05 AC)	45,749.9 S.F. (1.05 AC)
TOTAL IMPERVIOUS AREA	26,222 S.F. (57.2%)	25,687 S.F. (56.1%)
TOTAL PERVIOUS AREA	19,527.9 S.F. (42.7%)	20,062.9 S.F. (43.8%)
PROJECT AREA	19,689 S.F. (0.452 AC)	19,689 S.F. (0.452 AC)
IMPERVIOUS AREA	14,755.1 S.F.	14,221 S.F.
PERVIOUS AREA	4,933.9 S.F.	5,468 S.F.
LANDSCAPED AREA	730 S.F.	2,624 S.F.
STORMWATER RETENTION	432 S.F./324 C.F.	770 S.F./451 C.F.
	REQUIRED	PROPOSED
BUILDING HEIGHT/STORIES (MAX)	35 FT/ 3 STORIES	<20 FT
MAX DENSITY (UNITS PER ACRE)	NA	NA
FLOOR AREA RATIO (MAX)	0.60	0.14
OPEN SPACE (MIN)	25%	43.8%
BUILDING SETBACKS (MIN)		
FRONT	<10 FT	< 45 FT
REAR	15 FT	15.30 Ft
SIDE	0 Ft	0 Ft
PARKING SPACES	EXISTING	PROPOSED
TOTAL	57	65
HANDICAP	2	3
COMPACT	0	1

**1 OVERALL SITE PLAN**  
1" = 20'

**CORE ENGINEERING & CONSULTING, INC.**  
CIVIL & ENVIRONMENTAL ENGINEERING  
3997 COMMONS DRIVE W., SUITE F  
DESTIN, FLORIDA 32541  
PH. 850.650.2646  
FAX. 850.837.1576  
CORECONSULTING.COM



REV	DATE	DESCRIPTION

**GILLIGAN'S WATERSPORTS**  
KIOSK AND SITE REVISIONS  
530 HARBOR BOULEVARD  
CITY OF DESTIN, FLORIDA 32541  
**SITE PLAN**  
Not valid unless bearing Engineer's seal & original signature

Job: 0620.09.001  
Date: 10/09/19  
Designed: ELS  
Drawn By: ZDB  
Checked: ELS  
DRAWING NUMBER  
**C1.01**  
SHEET NUMBER  
3 OF 11

THIS DRAWING IS THE PROPERTY OF CORE ENGINEERING & CONSULTING, INC. & IS NOT TO BE REPRODUCED WITHOUT EXPRESSED WRITTEN CONSENT.

CERTIFICATE OF AUTHORIZATION NO. 28165



# Community Development Planning Division

4100 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-654-1119 | Email: [planning@cityofdestin.com](mailto:planning@cityofdestin.com)

April 11, 2023

**Subject: Notification of Harbor & Waterways Board (HWB) Application Submittal  
Commercial Marine Construction – 530 Harbor Blvd.**

Dear Property Owner:

The purpose of this letter is to notify you of the Marine Construction application received by the Community Development Department. The Marine Construction application seeks Harbor and Waterways Board approval for the construction of a commercial dock. **The Application will be heard by the Harbor and Waterways Board at 5:00 p.m. at Destin City Hall Annex, 4100 Indian Bayou Trail on Monday, April 24, 2023.** As an owner of property located adjacent of this project, *Section 2.17.00 & 11.05.01.S of the Destin Land Development Code (LDC)* requires a written notice providing you the following information.

*This notice is for informational purposes only and no action is required of you. However, citizens are encouraged to provide a written response to email address provided below.*

1. Name of Owner: ABC Amusement Co.
2. Name of Agent: Thomas Hurlimann of MRD Associates, Inc.
3. Address of Project: 530 Harbor Boulevard
4. Parcel ID Number: 00-2S-22-0630-0000-03A1, 00-2S-22-0630-0000-03A3, 00-2S-22-0630-0000-03A2
5. Project Description: The project proposes to construct a new 3,436 square foot, 16-slip wooden dock to the east of the existing 20-slip Gilligan's docking facility, along with a boardwalk that spans from property line to property line. Approximately 27 timber mooring piles shall be installed within the slips.
6. Location of Application Package: To request a digital copy of the application package be sent to you, please call the City Clerk at (850) 837-4242 or fill out a Public Records Request (PRR) online: <http://www.cityofdestin.com/forms.aspx?fid=121>

If you have any questions or concern regarding this letter, please do not hesitate to call (850) 654-1119 option 2 or email at [planning@cityofdestin.com](mailto:planning@cityofdestin.com).

Sincerely,

Daniel Butler  
Senior Planner



CC: Louis Zunguze, MURP, Community Development Director  
Planning Division  
Community Development Department Project File



FLORIDA DEPARTMENT OF  
Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

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**Electronic Submission**  
**Application for an Individual or Conceptual Permit**

You have successfully submitted an Application for an Individual or Conceptual Permit in accordance with Part IV of Chapter 62-330 F.A.C.. Your request was received on August 10, 2022.

You have indicated that your project does not include any dredge or fill activities in wetlands or surface waters assumed by the State of Florida under Section 404 of the Clean Water Act.

You HAVE waived, in accordance with subsection 62-330.090(8), F.A.C., the agency action deadlines in section 5.5.3 of Volume I in the event your project also requires a State 404 Program authorization (other than an exemption) under Chapter 62-331, F.A.C., and request that the agency actions for the ERP and State 404 Program authorizations be issued at the same time.

Below is a copy of the details of your request for your records.

**Facility Information**

**Site Name:** ABC AMUSEMENT COMPANY (DBA GILLIGAN'S MARINA)  
**Address Line 1:** 530 Harbor Blvd  
**Address Line 2:**  
**City/State/Zip Code:** Destin, FL 32541 2328

**Mailing Address**

**Address Line 1:** 530 Harbor Blvd  
**Address Line 2:**  
**City/State/Zip Code:** Destin, FL 32541 2328

**Applicant**

**Company Name:** ABC AMUSEMENTS COMPANY  
**Title:**  
**Name:** MIKE ABADIE  
**Address Line 1:** PO Box 5436  
**Address Line 2:**  
**City/State/Zip Code:** Destin, FL 32540 5436

**Phone Number:** (850) 650-4400  
**Extension:**  
**Cell Number:**  
**Fax Number:**  
**E-mail Address:** mikeabadie@earthlink.net

**Agent**

**Company Name:** MRD ASSOCIATES  
**Title:**  
**Name:** MICHAEL DOMBROWSKI  
**Address Line 1:** 543 Harbor Blvd  
**Address Line 2:** Ste 204  
**City/State/Zip Code:** Destin, FL 32541 7359  
**Phone Number:** (850) 654-1555  
**Extension:**  
**Cell Number:**  
**Fax Number:**  
**E-mail Address:** md@mrd-associates.com

**Property Owner**

**Company Name:** ABC AMUSEMENTS COMPANY  
**Title:**  
**Name:** MIKE ABADIE  
**Address Line 1:** PO Box 5436  
**Address Line 2:**  
**City/State/Zip Code:** Destin, FL 32540 5436  
**Phone Number:** (850) 650-4400  
**Extension:**  
**Cell Number:**  
**Fax Number:**  
**E-mail Address:** mikeabadie@earthlink.net

**Project Information**

**Tax Parcel Identification Number(s):** 00-2S-22-0630-0000-03A1 00-2S-22-0630-0000-03A3

**Anticipated Commencement Date:**

**Anticipated Completion Date:**

**Project Name (including Phase):** Gilligan&apos;s Marina Expansion

This project **IS NOT** part of a larger plan of development or sale.

**Project or project phase area (in acres):** 0.1

**Impervious or semi-impervious area (excluding wetlands and other surface waters):** 0

**In:** SQ FT

**Volume of water the system is capable of impounding (in acre-feet):** 0

**The total number of proposed new (not existing) in-water boat slips (including mooring areas and boat lifts):** 17

**Total area of work (dredging, filling, construction, alteration, or removal) in, on, or over wetlands or other surface waters:** 4189

**In:** SQ FT

**Total volume of material to be dredged (in cubic yards):** 0

**Total volume of material to be filled (in cubic yards):** 0

**Pre-Application Meetings:**

None.

**Project Description:**

The proposed project is located within Destin Harbor. The project consists of the construction of a 17-slip pile supported marina with 4,189 ft<sup>2</sup> of wood deck. 36 additional timber piles shall be installed as mooring piles. At least 90 percent of the slips will be maintained for rent to the public on a first-come, first-served basis.

**Waterbodies Information:**

Destin Harbor

**DEP Permits:**

Project Name	Permit/Application Number	Expiration Date
GILLIGANS MARINA	0295725-002-DF	04/16/2015
ABC AMUSEMENT-530 HARBOR BLVD	0295725-004-DF	04/16/2015

**Other Permits:**

**Attachments:**

**File Description:** SWERP Supporting Document - Permit Sketches

**File Name:** 2022-08-01 Gilligans Permit Drawings.pdf

**File Hash:** c97bae22ea9382b570020c47af78367cc1e713727b13cbee5bf9f2eb278e54db

**File Description:** SWERP Supporting Document - Signatures

**File Name:** 2022-08-10 signatures.pdf

**File Hash:** a3c9bef10512f55baa7b1252375e17863d0a53817e6892ca7250fbb9cb003604

**File Description:** SWERP Supporting Document - Upland Interests

**File Name:** Real Property Interest.pdf

**File Hash:** 74a70c4a5c9d9c95a618538d207fb158e55878153ceb461aa83b401f3708ac7f

**File Description:** SWERP Supporting Document - Landuse and Landcove

**File Name:** 2022-07-29 Gilligan's Marina Landuse and Landcover.pdf

**File Hash:** b6117d4cc0915b3114a9dcac2df2e84c2522077b65f1f59da354fe04f84d762c

**File Description:** SWERP Supporting Document - Hydrographic Report

**File Name:** Gilligan's Hydro Report.pdf

**File Hash:** 7ce959d64dedef1a54c0a261f2e7083da7cce2825455e85ce4cd15a5a45d1629

**File Description:** Section D - Within Surface Waters

**File Name:** 2022-07-29 Gilligan's Marina Expansion Section D.docx

**File Hash:** d94e524bbf7c2a0f3838852454b1de5266bf617ff1ba2da3fee2d895421c0447

**File Description:** Section C - In On or Over Wetlands Other Surface Waters

**File Name:** 2022-07-29 Gilligan's Marina Expansion Section C.docx

**File Hash:** 019969e4b5cd95437f1c2da2be43bad5565ef87e15e5cbda6095f4f7b4b152a9

**File Description:** Section D - Within Surface Waters

**File Name:** 2022-07-29 Gilligan's Marina Expansion Section D.docx

**File Hash:** d94e524bbf7c2a0f3838852454b1de5266bf617ff1ba2da3fee2d895421c0447

**File Description:** SWERP Supporting Document - 500 ft radius

**File Name:** 500 ft radius.pdf

**File Hash:** a7f94ce95f9e1b02f7b4a76cd9d482f2798e6ce9d06d7c2fd82c7636f11b9243

**File Description:** SWERP Supporting Document - Landuse and Landcove

**File Name:** 2022-07-29 Gilligan's Marina Landuse and Landcover.pdf

**File Hash:** b6117d4cc0915b3114a9dcac2df2e84c2522077b65f1f59da354fe04f84d762c

**File Description:** SWERP Supporting Document - NRCS Soil Report

**File Name:** 2022-07-29 NRCS Soil Report.pdf

**File Hash:** d45aecf755864239d075111535a08e2d3ab8da93b526d5642a90e4b214f481f6

**File Description:** SWERP Supporting Document - Hydrographic Report

**File Name:** Gilligan's Hydro Report.pdf

**File Hash:** 7ce959d64dedef1a54c0a261f2e7083da7cce2825455e85ce4cd15a5a45d1629

**File Description:** Section D - Within Surface Waters

**File Name:** 2022-07-29 Gilligan's Marina Expansion Section D.docx

**File Hash:** 8c3eb8fef50f802dbeb5dcfedbf47ebca84e70442901e5e7608200badff16909

**File Description:** Section C - In On or Over Wetlands Other Surface Waters

**File Name:** 2022-07-29 Gilligan's Marina Expansion Section C.docx

**File Hash:** 8934e051e1de491e1dbe2ece4dd0dfe1e3649092968e10984971a343e34ec53f

**Notification Submitted By**

**Name:** Thomas Hurlimann  
**Phone Number:** (512) 659-3715  
**E-mail Address:** th@mrd-associates.com

All information submitted was certified true, accurate, and correct to the best of the knowledge of the person whose name appears above.

If you have any questions or concerns about the information contained in this report, please contact the Division of Water Resource Management at (850) 245-8336 or by e-mail at [ERP\\_eApps@dep.state.fl.us](mailto:ERP_eApps@dep.state.fl.us).



**FLORIDA DEPARTMENT OF  
Environmental Protection**

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

**Electronic Submission  
Application for an Individual or Conceptual Permit  
Section D - Supplemental Information for Works or Activities within Surface Waters**

**Proposed Activities:**

X	<b>Pier, dock, wharf, mooring field, marina, (including dry storage associated with a boat launch), boat ramp, ski course or other boating-related activity.</b>
	<b>Breakwater, groin, jetty, shoreline stabilization structures, artificial reefs, intake or discharge structures, subaqueous utility lines or other submerged structures.</b>
	<b>Bridge, causeway, culverted crossing, other traversing work or Structure.</b>
	<b>Dredging (for navigation channels, boat basins or other purposes) or filling in surface waters.</b>
	<b>Any other structures, works or other in-water activities.</b>

**Boating Related:**

This project **DOES NOT** construction of any boat ramp or launch area.

	<b>Existing</b>	<b>Proposed</b>
Square Ft Over the Water	0	4189
# of Wet Slips (Permanent)	0	17
# of Wet Slips (Temporary)	0	0
# of Dry Slips	0	0
Live-Aboard Slips	0	0
Fueling Facilities	0	0
Sewage Pump-outs	0	0
Other boating-related supplies or services (e.g. boat maintenance or washdown areas, fish cleaning stations, etc.)	0	0



**FLORIDA DEPARTMENT OF  
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**Electronic Submission  
Application for an Individual or Conceptual Permit  
Section F - Application for Authorization to Use State-Owned Submerged Lands**

**Type of Authorization Requested:**

**Exceptions:**

	<b>Construction or maintenance of a county water or sewer system under Section 153.04 F.S.</b>
	<b>Removal of material from the area adjacent to an intake or discharge structure under 403.813(1)(f), F.S.</b>
	<b>Removal of organic detrital material under Section 403.813(1)(r) or (u), F.S.</b>
	<b>Construction of floating vessel platforms under Section 403.813(1)(s), F.S.</b>
	<b>Trimming or alteration of mangroves under Sections 403.9321 through 403.9334, F.S.</b>

**Consent by Rule:**

	<b>Section 403.813(1), F.S., paragraphs (a); (b), provided that the structure is the only dock or pier on a parcel and it is not a private residential multi-family dock with three or more slips.</b>
	<b>Section 403.813(1), F.S., paragraphs (c); (d); (e); (f), provided that no severance fee is required under Rule 18-21.011, F.A.C., and the existing activity has a valid Board of Trustees authorization.</b>
	<b>Section 403.813(1), F.S., paragraphs (g); (h); (i), provided that no private residential multi-family dock or pier is constructed.</b>
	<b>Section 403.813(1), F.S., paragraph (k), provided that any channel markers delineate existing and authorized or permitted navigation channels.</b>

**Letter of Consent:**

	<b>One minimum-size private residential single-family dock (see definition in Rule 18-21.003, F.A.C.).</b>
	<b>Private residential single-family or multi-family docks, piers, boat ramps, and similar existing and proposed activities that cumulatively preempt no more than</b>

	<b>10 square feet of sovereignty submerged land for each linear foot of the applicant's riparian shoreline, along sovereignty submerged land on the affected waterbody within a single plan of development (see "preempted area" definition in Rule 18-21.003, F.A.C.).</b>
	<b>Private channels that provide access to an upland single-family or multi-family residential parcel and that measures no more than 10 square feet of sovereignty submerged land for each linear foot of the applicant's riparian shoreline along sovereignty submerged land on the affected waterbody within a single plan of development.</b>
	<b>Seawalls, bulkheads, or other shoreline stabilization structures no more than three feet waterward of mean or ordinary high water.</b>
	<b>Placement, replacement, or repair of riprap, groins, breakwaters, or intake and discharge structures no more than ten feet waterward of the line of mean or ordinary high water.</b>
	<b>Restoration and nourishment of naturally occurring sandy beaches, including borrow areas to be used for five years or less.</b>
	<b>Artificial reefs or fish attractors that are constructed for public use.</b>
	<b>Public docks or piers that are exempt from permit requirements under Section 403.813(1), F.S., or that qualify as minimum-size docks or piers or are less than or equal to the 10:1 preempted area to shoreline ratio; public boat ramps; public channels; or public swimming areas, provided that all such structures or activities are owned and operated by governmental entities and any revenues collected are used solely for operation and maintenance of the structure or adjacent public recreational facilities.</b>
	<b>Ski course buoys and ski jumps not associated with revenue-generating water skiing activities.</b>
	<b>Removal of wrecked, abandoned or derelict vessels or structures.</b>
	<b>Habitat restoration.</b>

**Lease:**

X	<b>Private residential single-family or multi-family docks or piers, other docks or piers, boat ramps, or other similar activities that do not qualify for a letter of consent.</b>
	<b>Private residential multi-family docks designed or used to moor three or more vessels within aquatic preserves.</b>
	<b>Docks designed or used to moor ten or more vessels in Monroe County.</b>
	<b>Commercial/industrial docks, as defined in Rule 18-18.004, F.A.C., in Biscayne Bay Aquatic Preserve, as required by paragraph 18-18.006(3)(c), F.A.C.</b>
X	<b>All revenue-generating activities.</b>
	<b>Oil and gas exploration and development.</b>
	<b>Open-water mooring fields.</b>
	<b>Mining.</b>

**Easement:**

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	<b>Utility crossings and rights of way.</b>
	<b>Road and bridge crossings and rights of way, including such structures built prior to the need to obtain an easement when proposed for modification or repair.</b>
	<b>Groins, breakwaters, and shoreline protection structures, except when constructed as part of a docking facility that requires a lease.</b>
	<b>Public navigation projects other than public channels.</b>
	<b>Private residential channels that do not qualify for a letter of consent, and channels that provide access to revenue-generating facilities in uplands.</b>
	<b>Oil, gas and other pipelines.</b>
	<b>Intake and discharge structures more than 10 feet waterward of the mean or ordinary high water line.</b>
	<b>Spoil disposal sites.</b>
	<b>Borrow areas that will be used for longer than five years for beach nourishment.</b>
	<b>Public water management projects other than public channels.</b>
	<b>Treasure salvage (Cultural Resource Recovery).</b>

## Thomas Hurlimann

---

**From:** Michael Dombrowski  
**Sent:** Monday, August 22, 2022 10:47 AM  
**To:** Thomas Hurlimann  
**Subject:** FW: SAJ-2009-01597-TSH (ABC AMUSEMENT COMPANY)

Should you have any questions please feel free to contact me. Thank you. Michael

-----Original Message-----

From: Maxwell, Susanna R CIV USARMY CESAJ (USA) <Susanna.R.Maxwell@usace.army.mil>  
Sent: Monday, August 22, 2022 9:06 AM  
To: Michael Dombrowski <md@mrd-associates.com>  
Cc: Millsap, Holly M CIV USARMY CESAJ (USA) <Holly.M.Millsap@usace.army.mil>; Maxwell, Susanna R CIV USARMY CESAJ (USA) <Susanna.R.Maxwell@usace.army.mil>  
Subject: SAJ-2009-01597-TSH (ABC AMUSEMENT COMPANY)

Your application for a Department of the Army permit has been assigned number SAJ-2009-01597. The proposed work is also identified as " (ABC AMUSEMENT COMPANY)". Your file has been assigned to Holly Millsap (project manager) for processing.

If you have any questions please contact Holly Millsap at telephone number 850-410-9823-or by email at holly.m.millsap@usace.army.mil.

Thanks, Sue

Sue Maxwell  
Jacksonville District FDOT / NP / NL RPA US Army Corps of Engineers Panama City Field Office Panama City Beach,  
Florida 32407 850-763-0717, X5 susanna.r.maxwell@usace.army.mil

.  
My office hours are 7:00 am to 3:30 pm Monday through Friday. I telework on Tuesday and Friday, so the best way to reach me is by email or (850)287-0189.

Let us know how we're doing! Complete this brief survey:  
blocked[http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey)

**AGENT AFFIDAVIT  
SPECIAL POWER OF ATTORNEY**

KNOWN ALL MEN BY THESE PRESENTS, THAT I, Michael Abadie am  
presently the owner and/or leaseholder at ABC AMUSEMENT COMPANY, and desiring  
to execute a Special Power of Attorney, have made, constituted and appointed, and by these presents do  
make, constitute and appoint Michael Dombrowski  
whose address is 543 Harbor Boulevard # 204, County of Okaloosa, State of Florida,  
my Attorney-in-Fact to act as follows, GIVING AND GRANTING unto said attorney full power to act as  
my agent in any and all matters pertaining to: Gilligan's Marina Expansion.

FURTHER, I do authorize the aforesaid Attorney-in-Fact to perform all necessary acts in the execution of  
the aforesaid authorization with the same validity as I could effect if personally present. Any act or thing  
lawfully done hereunder by the said attorney shall be binding on myself and my heirs, legal and personal  
representative, and assigns.

PROVIDED; however, that any and all transactions conducted hereunder for me or for my account shall  
be transacted in my name, and that all endorsements and instruments executed by the said attorney for the  
purpose of caring out the foregoing powers shall contain my name, followed by that of my said attorney  
and the designation "Attorney-in-Fact."

OWNER

Mike Abadie  
Signature

Mike Abadie  
Printed Name

STATE OF Florida  
COUNTY OF Okaloosa

The foregoing instrument was acknowledged before me by means of physical presence  or  
online notarization  this 31 day of October, 2022.

By: Michael Abadie  
(Print name)

Personally known  OR Produced Identification Drivers License

Ashley Logsdon  
Notary Signature

Seal:



## CITY OF DESTIN – COMMUNITY DEVELOPMENT



# AGENDA ITEM

**MEETING DATE:** April 24, 2023  
**BOARD/COMMITTEE:** Harbor & Waterways Board  
**TYPE OF AGENDA ITEM:** Public Hearing  
**OUTLINE NUMBER:** 4.C.

---

**TO:** Harbor & Waterways Board

**THRU:** Lance Johnson, City Manager  
Louis Zunguze, Community Development Director  
Kyle Bauman, City Attorney

**FROM:** Steve O'Connor, Principal Planner

**DATE:** April 24, 2023

**SUBJECT:** Review, discussion, and the Board's recommendation on the Draft Article 2 Language concerning the Board's review process for Harbor & Waterways Board applications.

---

**I. BACKGROUND:** Since late 2019, staff has worked with the Harbor & Waterways Board (HWB) to develop new Marina Sighting Regulations and Application Review Process. After discussions and recommendations from the HWB in February 2022, Staff updated the draft language to reflect the discussions with the Board. Attachment 1 represents the Final Draft of the Application review process found in the reorganized draft *Article 2 - Administration* of the Land Development Code (LDC).

**II. DISCUSSION:** As part of the overall Land Development Code (LDC) Rewrite, the Staff and the consultants 3TP Ventures, Inc. have reorganized and rewritten the LDC to reflect the needed changes and recommendations of various Boards, including the Harbor and Waterways Board (HWB) recommendations for a more clear and consistent review process for Marine Construction Projects.

There is a proposed change in the review of these development projects that proposes to place any project into **one of three categories**. Each category level requires distinct review and approval levels which are different from each other. This provides a clear and consistent process and review expectations for applicants, Boards, Staff and City Council. The categories are as follows:

**Category 1:** Marine Construction projects shall be considered Category 1 if the following criteria applies:

1. Residential docks eligible for self-certification from Florida Department of Environmental Protection (FDEP)
2. Boat lifts in existing slips
3. Upland slips
4. Seawalls that are upland of the declared mean high water line
5. Seawalls that are waterward of the declared mean high water line

**Category 2:** Marine Construction projects shall be considered Category 2 if any of the following criteria applies:

1. Residential docks not qualifying for FDEP self-certification,
2. Residential docks with 3-9 slips,
3. Residential docks requiring U.S. Army Corps of Engineers (USACE) approval
4. Residential docks proposed within twenty-five feet (25') of any established or implied riparian setback from adjacent properties

**Category 3:** Marine Construction projects shall be considered Category 3 if any of the following criteria applies:

1. Residential docks with 10 or more slips
2. Commercial docks
3. Oil abatement plans
4. Dredge and/or Fill requests
  - a. Application Materials require proof of submittal to State and Federal agencies as applicable.
  - b. Proposed dredge and fill require a Marine Construction Permit review and shall have State and Federal approvals at time of Marine Construction permit application submittal.

**Application Review process:**

**Category 1** applications require only a Marine Construction Permit and are reviewed and approved by staff.

**Categories 2 and 3** require HWB review at a public meeting. However, at City Council, **Category 2** projects are reviewed by City Council via the Consent Agenda, and **Category 3** projects are reviewed by City Council through a public hearing.

This draft language is consistent with previous guidance and discussions with the HWB in the past on several occasions. Staff seeks a final recommendation from the Board to present to the Local Planning Agency (LPA) for their consideration and recommendation to City Council.

- A. Link to Strategic Goals / Objectives:** 3) Improve mobility and connectivity, 4) Enhanced quality of life and safety for families, and 5) Economic Development and revitalization
- B. Effect on Budget (EOB):** N/A

**C. Level of Service (LOS):** More efficient and consistent review procedures for proposed Marine Construction projects.

**D. Legislative Sponsor:**

**III. CONCLUSION:** Should the Board agree with the draft language of **Section 2.08.** or provide staff with any alternative language, Staff will bring the recommendation to the LPA for a formal recommendation to City Council for inclusion in the **Land Development Code Draft Article 2 - Administration.**

**IV. RECOMMENDED MOTION:** I recommend forwarding a positive recommendation to the LPA on the draft language for Article 2 - Administration, Section 2.08. Harbor and Waterways Board Review.

**ALTERNATE MOTION:** I do not recommend forwarding a positive recommendation to the LPA on the draft language for Article 2 - Administration, Section 2.08. Harbor and Waterways Board Review.

Attachments:

1. Article 2 - Administration - Section 2.08.

## SECTION 2.08 PROCEDURES FOR HARBOR AND WATERWAYS BOARD REVIEW

### SECTION 2.08.01 PURPOSE AND INTENT

- A. Marine construction in Destin requires compliance with the Marina Siting in **Section X.XX.XX**, and may require review by the Harbor and Waterways Board (HWB) and or City Council, to preserve and protect one of Destin's premier natural resources, the Destin Harbor and waterways that fall within the City's jurisdiction.
- B. The bodies of water and waterways under the jurisdiction of the City of Destin for the purposes of enforcement of this Code are:
  1. The Destin Harbor
  2. The canals of Holiday Isle
  3. Indian Bayou (If the upland property is within the city limits)
  4. Joe's Bayou
  5. Marler Bayou
  6. Choctawhatchee Bay (If the upland property is within the city limits)

### SECTION 2.08.02 MARINE CONSTRUCTION CLASSIFICATIONS

- A. Marine Construction Classification Categories: The following includes the three categories and category criteria:
  1. Category 1: Marine Construction projects shall be considered Category 1 if the following criteria applies:
    - a. Residential docks eligible for self-certification from Florida Department of Environmental Protection (FDEP)
    - b. Boat lifts in existing slips
    - c. Upland slips
    - d. Sea walls that are upland of the declared mean high water line
    - e. Seawall that are waterward of the declared mean high water line
  2. Category 2: Marine Construction projects shall be considered Category 2 if any of the following criteria applies:
    - a. Residential docks not qualifying for FDEP self-certification,
    - b. Residential docks with 3-9 slips,
    - c. Residential docks requiring U.S. Army Corps of Engineers (USACE) approval
    - d. Residential docks proposed within twenty-five feet (25') of any established or implied riparian setback from adjacent properties
  3. Category 3: Marine Construction projects shall be considered Category 3 if any of the following criteria applies:
    - a. Residential docks with 10 or more slips
    - b. Commercial docks
    - c. Oil abatement plans
    - d. Dredge and/or Fill requests
      1. Application Materials require proof of submittal to State and Federal agencies as applicable.
      2. Proposed dredge and fill requires a Marine Construction Permit review and shall have State and Federal approvals at time of Marine Construction permit application submittal.

### SECTION 2.08.03 HARBOR AND WATERWAYS BOARD REVIEW

## City of Destin, FL - Land Development Code

- A. Category 1 Marine construction applications do not require Harbor and Waterways Board review and are reviewed through a building or marine construction permit application as outlined in [Section 2.08.05](#).
- B. All marine construction applications deemed Category 2 shall require submittal of a Harbor and Waterways Board application.
  - 1. Category 2 and 3 applications are reviewed by the HWB during a public hearing for recommendation to City Council.
  - 2. A complete application must be received a minimum of 30 days prior to the Harbor and Waterways Board meeting.
    - a. Applications will not be scheduled for a meeting until all required materials have been received.
  - 3. All objections received before the will be forwarded to the HWB prior to the public hearing.
  - 4. All objections heard during a public Hearing of the HWB will be forwarded to City Council.
- C. All marine construction applications deemed Category 3 shall require review by the Harbor and Waterways Board for recommendation to City Council for review at a Public Hearing.

### SECTION 2.08.04 CITY COUNCIL REVIEW

- A. All marine construction applications deemed Category 2 or 3 shall require review and approval by City Council prior to the issuance of any building permits and the start of construction.
  - 1. Category 2 applications will be reviewed by City Council on the Consent Agenda for regularly scheduled council meetings.
  - 2. Category 3 applications will be reviewed by City Council during a publicly noticed public hearing per [Sections 2.02.03. and 2.15](#).
- B. The City Council shall approve, approve with conditions, or deny the application at the next available regularly scheduled City Council meeting.
- C. All objections received before the public hearing will be forwarded to the City Council prior to the scheduled meeting.

### SECTION 2.08.05 MARINE CONSTRUCTION PERMITS

- A. All marine construction permits must be obtained within one (1) year of final approval by the City Council.
  - 1. If construction permits are not obtained within one (1) year, the proposed construction must be reconsidered by both the Harbor and Waterways Board and City Council.
- B. Approval of all applicable State or Federal permits are required at the time of marine construction permit application submittal.
- C. The project will be subject to all current regulations of the city at the time of permit submittal.
- D. Marine Construction permits must be obtained in accordance with [Section 2.14.03](#).