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Board of County Commissioners

HAYWARD T. HAYES DISTRICT 1
BOB ECHOLS DISTRICT 2
MOE A. HERSH DISTRICT 3

OKALOOSA COUNTY
CRESTVIEW, FLORIDA 32536
TEL. 904 682-2711

DEE PARKTON DISTRICT 4
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NEWMAN C. BRACKIN CLERK

March 29, 1977

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BUREAU OF LAND & WATER MANAGEMENT

State of Florida
Department of Administration
Division of State Planning
Bureau of Land and Water Management
660 Apalachee Parkway
Tallahassee, Florida 32304

Attn: Mr. Richard Kahn

Dear Sir:

Enclosed herewith are copies of a Resolution and Development Order passed by the Okaloosa Board of County Commissioners this date. We trust that this action will make our position on this matter sufficiently clear so that your agency can initate immediate processing. Should you require additional information, please advise.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
OKALOOSA COUNTY, FLORIDA

Dee W. Parkton

DEE W. PARKTON
Chairman

DWP:jb

SCANNED

MICROFILMED

AUA-0171-003

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BUREAU OF LAND
& WATER MANAGEMENT

RESOLUTION AND DEVELOPMENT ORDER
OF THE BOARD OF COUNTY COMMISSIONERS
OF OKALOOSA COUNTY, FLORIDA

DEVELOPMENT ORDER NO. 77-1

WHEREAS, Bluewater Bay Development Co., Ltd., hereinafter referred to as "Applicant", is the owner of a tract of land consisting of approximately 1600 acres, located off Highway 20, approximately four miles east of Niceville, Florida, Okaloosa County, more particularly described in Attachment I of the Application for Development Approval attached hereto and made a part hereof as though fully set forth; and

WHEREAS, the Applicant has filed with the County of Okaloosa an application for development approval of a Development of Regional Impact in accordance with Chapter 380.06, Florida Statutes; and

WHEREAS, the West Florida Regional Planning Council has submitted its Report and Recommendations on the regional impact of the proposed development to the Okaloosa Board of County Commissioners; and

WHEREAS, after public hearing and after consideration of the recommendations submitted to the Okaloosa Board of County Commissioners; now therefore,

BE IT RESOLVED by the Okaloosa Board of County Commissioners:

Section 1. Findings:

A. The proposed development of the Applicant, as submitted and subject to the stipulations contained herein, is consistent with local land development regulations and with the report and recommendations of the West Florida Regional Planning Council.

B. The development plan is one of regional impact, as

been duly subjected to all the requisite statutory determinations and said plan has been found to be consistent with the legislative intent of protecting the natural resources and environment of this State as provided in Section 7, Article II of the State Constitution and as stated in Chapter 380.021, Florida Statutes, and such development plan is hereby approved subject to the following stipulations, as it is applicable to Okaloosa County, Florida:

1. General Requirements. All commitments, obligations and policies of the Applicant as set forth in the Application for Development Approval and plans submitted therewith, except as modified by stipulations contained herein, shall be followed by the Applicant and its successors in interest.

2. Review of Subsequent Plans. Preliminary plans relating to the design and development of the office facility, public works facility, light industrial facility, schools, yacht basin, municipal and commercial facilities shall be submitted, prior to any development thereof, to West Florida Regional Planning Council for review. West Florida Regional Planning Council review and recommendations concerning these facilities shall be submitted to the Okaloosa Board of County Commissioners for their approval.

   If one or more of these facilities is determined to be a development of regional impact according to Chapter 22F-2 of the Florida Administrative Code the Applicant shall comply with all provisions

3. Soils Survey. A professional soils inspection shall precede development in areas with moderate to severe limitations as identified in the ADA. The results and recommendations of this survey shall be observed by the Applicant. These results and recommendations will be kept on file by the West Florida Regional Planning Council. Okaloosa County shall be responsible for approving development in these areas.

4. Wetland Protection. The wetlands numbered 1, 4, 5, 6, 8, 9, 10, 11 and 12 shall be preserved from all development. Wetland areas 2 and 7 shall be preserved in their natural state except those portions identified in the ADA which will be traversed by road crossings.

   These preserved wetland areas will be staked out and flagged during construction, so as to provide all construction equipment operators with a clear visual indication of the area into which their equipment is not to be moved.

5. Salvageable Hardwoods. All salvageable hardwoods (live oaks and magnolias in particular) shall be transplanted from construction areas to open space areas of community facilities and building sites. Salvageable hardwoods shall be marked prior to construction to avoid unnecessary destruction of them.

6. Archeological Sites. The Applicant shall work closely with the Division of Archives, History and Records Management to preserve archeological sites at Bluewater. The preservation or

of the Division of Archives. A copy of the final agreement between the Applicant and the Division of Archives shall be filed with the West Florida Regional Planning Council.

7. Wastewater Treatment. Adequate wastewater treatment facilities shall be provided by the Applicant until the facility is connected to the regional wastewater system.

8. Drainage. The drainage system shall operate as stated in the ADA in supplemental information from the Applicant so that the following items result:

   a. erosion is controlled;

   b. surrounding lakes, streams, property and waters of Choctawhatchee Bay are not negatively impacted by runoff;

   c. stormwater runoff will drain unobstructed through the wetlands into the Bay; and

   d. during and subsequent to construction the quality of runoff will be essentially the same as it is in the predevelopment state of the property.

   The drainage system will include the use of natural sloughs to minimize velocities so that suspended matter will precipitate before reaching a receiving body. Where this does not occur naturally techniques such as energy dissipators will be used to ensure that flows stay below the velocity of scour.

9. Potable Water. The Applicant will determine with the Northwest Florida Water Management District alternative methods for obtaining

found to be feasible and desirable it should be utilized at Bluewater to prevent the hazardous effects of salt water intrusion resulting from over-pumping.

10. Fire Protection. Whereas the project lies within an area which is now being advertised to create a fire district, fire protection shall be provided from this source (the Seminole Fire Department.) If, contrary to expectations, this referendum for the fire district is unsuccessful, the developer shall be required to provide fire protection directly or through an arrangement with an adjacent community.

11. Transportation. The Applicant shall coordinate all transportation planning for the development with the Okaloosa County Engineer. It shall be Okaloosa County's responsibility to stipulate that the Applicant provide adequate transportation facilities for all phases of development.

12. Other Conditions. Any substantial deviation from the terms of the ADA, or of this Development Order shall require the filing, review and approval of a separate Application for Development Approval in accordance with Section 380.06, Florida Statutes.

13. Successors of Bluewater Bay Development Company, Ltd. All references in this stipulations to Bluewater Bay Development Company, Ltd., or to the Applicant shall mean and apply to Bluewater and its successors in interest.

The supervision, inspection and enforcement of the requirements of this Resolution shall be performed by the

appropriate County, State or Federal Agency in accordance with existing laws and regulations. This Resolution shall become effective upon being signed by the Chairman of the Okaloosa Board of County Commissioners and being attested by the Clerk of the Circuit Court.

PASSED AND ADOPTED this 29th day of March, 1977.

Lee Parkton
Chairman
Okaloosa Board of County Commissioners

ATTEST:

County Clerk

RECEIVED
MAR 23 1977
BUREAU OF LAND
& WATER MANAGEMENT