

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING
January 19, 1978

Town officials in attendance: Mayor Jim Kendrick, Council members Irene Balsley, Harold Peek, Ralph Perry and Max Usrey; Recorder Dee Rouse. Absent: Phil Johnston and Attorney Rick Powell.

Also present were: Mr. Brentwood Bryan representing Creel, Bryan and Gallagher, Adelia Robblee and Ruth Usrey.

Therefore, a quorum being present, Mayor Kendrick opened the meeting with a silent prayer at 7:00 p.m.

1. MINUTES-REGULAR COUNCIL MEETING-DECEMBER 15, 1977. Motion by Mrs. Balsley to accepted as printed, seconded by Mr. Peek. Motion carried unanimously.
2. FINANCIAL STATEMENT-DECEMBER 1977. Motion by Mr. Peek to approved as presented, seconded by Mr. Usrey. Motion carried unanimously.
3. AUDIT REPORT-FISCAL YEAR 1976-1977. Mayor Kendrick directed Mr. Peek of the Financial Committee to make recommendations on the Public Official Bond increase and present at the next council meeting. Motion by Mrs. Balsley to accept Audit Report, fiscal year 1976-1977, seconded by Mr. Usrey. Motion carried unanimously.
4. ORDINANCE #62-SECOND AND FINAL READING-PERTAINING TO ADOPTION OF SOUTHERN STANDARD BUILDING CODE, 1976 EDITION. Clerk read ordinance. Motion by Mr. Usrey to adopt Ordinance #62, seconded by Mrs. Balsley. Motion carried unanimously.
5. ORDINANCE #63-SECOND AND FINAL READING-PERTAINING TO INSTALLATION OF AUTOMATIC SPRINKLER SYSTEM IN MULTI-STORY, MULTI-FAMILY STRUCTURES. Clerk read ordinance. Motion by Mrs. Balsley to adopt Ordinance #63, seconded by Mr. Usrey. Motion carried unanimously.
6. RESOLUTION 78-1 - GRANTING A VARIANCE TO CINCO BAPTIST CHURCH ALLOWING A SET BACK LINE OF TEN FEET ON YACHT CLUB DRIVE AND SIX FEET ON KIDD STREET.

Clerk read resolution. Motion by Mr. Peek to adopt Resolution 78-1, seconded by Mrs. Balsley. Motion carried unanimously.

7. BUILDING PERMIT REQUEST. Clerk indicated that Mr. Will Overstreet had submitted a drawing of a storage building and it meets all the requirements according to the Code of Ordinance. Motion by Mr. Perry to approve building permit request, seconded by Mrs. Balsley. Motion carried unanimously.
8. CONTRACT FOR DREDGING-KIDD BAYOU. Clerk indicated to Council that Fort Walton Beach has their contract with BRH&E Dredging & Salvage Company for their portion of the dredging in the mouth of Kidd Bayou. Clerk also indicated that he had received a bid for \$390 from BRH&E Dredging and Salvage Company to remove approximately 110 cubic yards for Cinco Bayou. Motion by Mr. Usrey to accept bid from BRH&E Dredging & Salvage Company, seconded by Mrs. Balsley. Motion carried unanimously.

9. LETTERS-DER & CORPS OF ENGINEERS-PERTAINING TO PERMIT REQUEST BY J. T. CULLEY FOR DOCK FACILITIES FOR SNUG HARBOR YACHT BASIN.

A. Motion by Mr. Peek to have Attorney write a letter to the Corp of Engineers requesting a public hearing pertaining to J. T. Culley permit request, seconded by Mr. Usrey. Motion carried unanimously.

B. Motion by Mrs. Balsley to have Attorney write a letter to Department of Environmental Regulation pertaining to the permit request, seconded by Mr. Usrey. Motion carried unanimously.

10. ADJOURNMENT. Meeting adjourned at 7:31 p.m.

RESPECTFULLY SUBMITTED AS TRUE AND CORRECT TO BEST OF MY ACKNOWLEDGE.


JAMES O. GODWIN, SR.

Town Manager/Clerk

ATTACHMENTS TO RECORD SET OF MINUTES:

1. Financial Statement.
2. Ordinance #62 & #63.
3. Resolution 78-1.
4. Bldg Prmt Request-W.E. Overstreet.
5. Contract-BRH&E Dredging & Salvage Co.
6. Ltrs-DER & Corps of Engineers-
Pertaining to Snug Harbor Yacht Basin
7. Ltrs written to DER & Corps of
Engineers-Request for Public Hearing
on Culley's Permit Request.

TOWN OF CINCO BAYOU - JOURNAL OF CHECKS WRITTEN - DEPOSITS MADE

December 1977

Check Number	To Whom	Purpose	Date	Amount Of Check	Bank Bal Fwd And Deposits	ACCOUNTING CODES
		Bal Fwd	1	--	7638.70	
26 15	J.O.Godwin, Sr.	2Wks-11/22-12/5	6	380.00		427
16	D. Rouse	2Wks-11/22-12/5	6	214.60		427
17	CENDEL	U/F Taxes-Second Payment	6	300.00		428
18	Value Oil Co.	Gas - Nov	6	9.15		403
19	Salamander Sec Sys	11/17 - 12/16	6	400.00		401-08
20	Estergren, FA&P	Ret - Nov	6	100.00		401-01
21	Safety Svs Co.	Fire Ext Insp'tion	6	6.00		403
22	Barnett Bank	Safety Dep Box	6	12.00		414
23	D. Rouse	Petty Cash	7	25.00		603
24	Oka W&S Sys	Sewer Trmt-Nov	7	1092.00		405-15
25	Southern Bldg Code	1976 Bldg Code	7	11.00		412
26	Barnett Bank	P/R Dep	12	314.80		702
27	Joseph Wilkins	Traf Light Rpr	12	50.00		413
28	Atlas Ext	Svs - Dec	12	7.00		401-10
29	FWB Postmaster	Roll Stamps	12	13.00		414
30	City of FWB	Water-Town Hall	13	6.53		405-03
31	City of FWB	Water-Seaway	13	6.53		405-04
32	City of FWB	Water-Laguna	13	6.53		405-04
33	City of FWB	Water-Francis Pk	13	6.53		405-05
34	CENDEL	Town Hall	13	68.05		405-01
35	FACC	Mbrshp Dues	13	10.00		412
		SeeDep77/78-07	16	--	1740.91	
36	J.O.Godwin, Sr.	2Wks-12/6-12/19	20	430.00		427
37	D. Rouse	2Wks-12/6-12/19	20	239.60		427
38	A. Davis	2Wks-12/6-12/19	20	116.20		427
39	Gulf Power Co.	Town Hall	20	44.70		405-07
40	Gulf Power Co.	Traffic Light	20	19.64		405-08
41	Gulf Power Co.	L/S-Laguna	20	28.48		405-10
42	Gulf Power Co.	L/S-Kelly	20	6.37		405-10
43	Gulf Power Co.	Pump-Laguna	20	3.27		405-11
44	Gulf Power Co.	Pump-Leyenda	20	9.31		405-12
45	CB&Gallagher	Audit Fee-76-77	22	1900.00		401-05
46	Gulf Power Co.	Street Lights	22	209.50		405-09
47	Oka Gas Co.	Town Hall	30	21.90		405-13
48	CENDEL	Loop-L/Sta	30	24.15		405-02
49	Playground News	Legal Ads	30	17.35		401-03
50	BMS	Acct-Dec	30	55.00		401-04
		SeeDep77/78-08	30	--	6580.55	
	INT Barnett Bank	On Sav's Acct	30	--	269.90*	

COLUMN - WRITE

December 1977

COLUMN - WRITE ®

1			
2	Total Checks Written	6164.19	
3	Income for December		8591.36
4	Bal Fwd 1 Dec 77		7638.70
5	Total Funds Available		16230.06
6	Checks Written		-6164.19
7	*Int Credit to Sav Acct		- 269.90
8	Cash O/H In Bank 31		9795.97
9	Petty Cash Fund 31		6.86
10	Cash In Bank & P/C 31		9802.83
11	CD's 31		83000.00
12			
13	Sav Acct 1 Dec 77	21282.15	
14	*CM Int to Earned	269.90	
15	TOTAL SAVINGS 31		21552.05
16	TOTAL FUNDS AVAILABLE 31		114354.88
17			
18	TRUE AND CORRECT TO BEST OF MY ACKNOWLEDGE.		
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21	JAMES O. GODWIN, SR.		
22	Town Manager/Clerk		
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ORDINANCE NO. 62

AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 4-2 OF THE CODE OF ORDINANCES OF CINCO BAYOU, FLORIDA, TO REVISE THE EDITION OF THE SOUTHERN STANDARD BUILDING CODE USED BY THE TOWN; TO PROVIDE FOR THE AUTOMATIC REVISION OF THE EDITION USED; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA:

SECTION 1. That Section of 4-2 of the Code of Ordinances of the Town of Cinco Bayou, Florida, is hereby amended to read as follows:

"For the purpose of establishing rules and regulations for the construction, alteration, use, demolition and removal of buildings or other structures, or any appurtenances connected or attached thereto, there is hereby adopted by reference the Southern Standard Building Code, being particularly the 1976 edition thereof, as recommended by the Southern Building Code Congress, and the whole thereof, save and except such portions as are hereafter deleted, modified or amended. All future revisions of amendments and future editions of the Southern Standard Building Code shall be automatically adopted hereby and incorporated herein, subject to any future ordinances enacted by the Town Council deleting, modifying or amending such future revisions and editions."

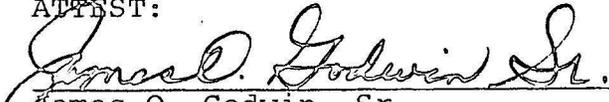
SECTION 2. This ordinance shall take effect upon its passage and approval by the Mayor.

ADOPTED:



Jim Kendrick, III
Mayor.

ATTEST:



James O. Godwin, Sr.
Town Clerk

ORDINANCE NO. 63

AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 4-4 OF THE CODE OF ORDINANCES OF CINCO BAYOU, FLORIDA, TO PROVIDE FOR AN AMENDMENT OF SECTION 901.8 OF THE BUILDING CODE ADOPTED BY THE TOWN OF CINCO BAYOU PROVIDING FOR INSTALLATION OF AUTOMATIC SPRINKLER SYSTEMS IN ORDER TO BETTER CONTROL FIRES IN MULTI-STORY, MULTI-FAMILY STRUCTURES, AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA:

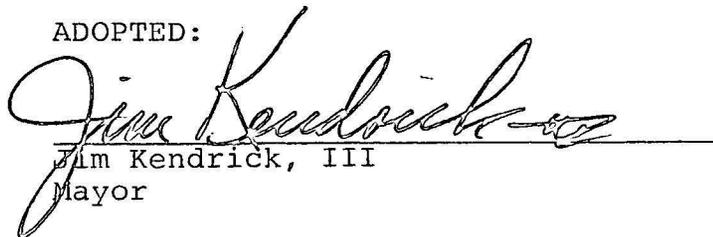
SECTION 1. That Section of 4-4 of the Code of Ordinances of the Town of Cinco Bayou, Florida, is hereby amended to add the following:

"Section 901.8 of the building code (Southern Standard Building Code, as adopted), is hereby amended to include the additional sprinkler requirements:

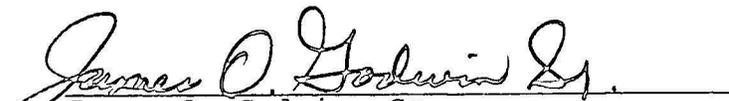
Any multi-story, multi-family structure constructed with a height of more than two floors shall have an automatic sprinkler system provided for fire protection on each floor. The automatic sprinkler system will be provided with separate pumps. Controls for these pumps, and the pumps will be physically located in a separate building apart from the multi-family structure".

SECTION 2. This ordinance will take effect upon its passage and approval by the Mayor.

ADOPTED:


Jim Kendrick, III
Mayor

ATTEST:


James O. Godwin, Sr.
Town Clerk

RESOLUTION NO. 78-1

RESOLUTION OF TOWN OF CINCO BAYOU, FLORIDA, GRANTING VARIANCE TO CINCO BAPTIST CHURCH OF FORT WALTON BEACH, INC. FROM EXISTING SET BACK LINES IN BLOCK 5, CINCO BAYOU SUBDIVISION; AND PRESCRIBING A ONE-YEAR PERIOD FOR COMMENCEMENT OF CONSTRUCTION PURSUANT TO SUCH VARIANCE.

WHEREAS, the Town Council of Cinco Bayou, Florida, sitting as a Board of Adjustment pursuant to Section 11 of the Zoning Ordinance, considered on December 15, 1977, and on January 19, 1978, after due public notice, the petition of Cinco Baptist Church of Fort Walton Beach, Inc. to vary Sections 5 (D) and (E) of the Zoning Ordinance of Code of Cinco Bayou, Florida, by allowing a ten feet (10') set back line on Yacht Club Road and a six feet (6') set back on Kidd Street for the property of the petitioner; and

WHEREAS, said Board of Adjustment has determined that the proposed variances as they affect Lots 15 through 19, inclusive, Block 5, Cinco Bayou Subdivision, Okaloosa County, Florida, will not constitute any change in the district shown on the zoning map affecting such area and having determined that such variances will not impair an adequate supply of light and air to adjacent property, nor materially increase the congestion of public streets, inasmuch as there are presently existing buildings on the property which do not conform to the existing set back lines, nor materially increase the public danger of fire and safety; nor materially diminish or impair established property values within the surrounding district, nor in any other respect to impair the public health, safety, morals and general welfare of the Town of Cinco Bayou, Florida; and

WHEREAS, said Zoning Board of Adjustment has determined that a hardship unique to this petitioner's land will result unless such variance of the set back lines is granted inasmuch as the highest and best use of the land is for a church and religious activities and planned expansion and construction is not possible under the present set back line requirements of the "R-1 Multiple Family Dwelling District".

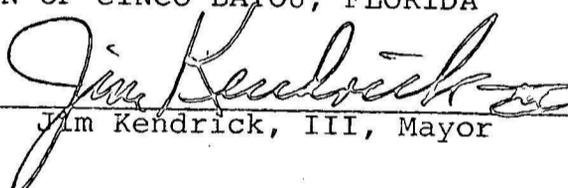
NOW, THEREFORE, be it resolved that the petition of Cinco Baptist Church of Fort Walton Beach, Inc. for a variance of the

set back lines of Section 5 (D) and (E) of "R-1 Multiple Family Dwelling District" of the Zoning Ordinance of the Town of Cinco Bayou, Florida, to permit expansion and construction of its sanctuary within ten feet of Yacht Club Drive and six feet of Kidd Street be, and such variances are hereby, granted by unanimous decision of the Town Council of the Town of Cinco Bayou, Florida, without objection at a public hearing held after due notice upon the same, by the Town Council sitting as the Board of Adjustment. This variance shall expire one year from the date hereof unless the construction contemplated herein shall have been commenced within such period. This resolution shall become effective immediately upon its passage and approval by the Mayor acting as Chairman of the Zoning Board of Adjustment.

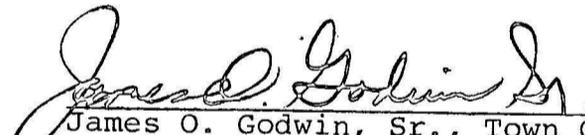
ADOPTED this _____ day of January, 1978.

TOWN OF CINCO BAYOU, FLORIDA

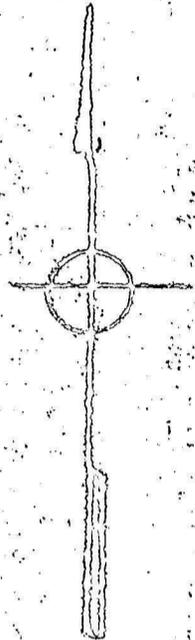
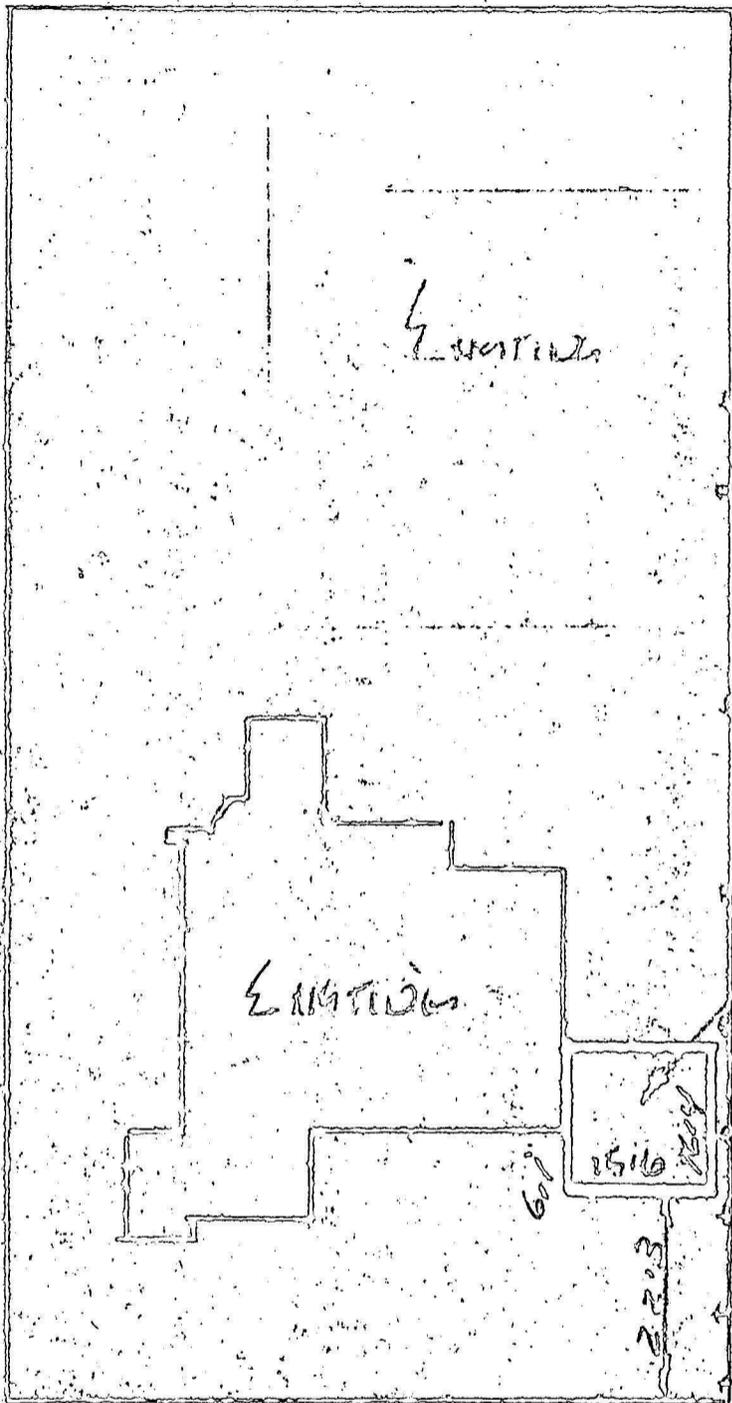
By:


Jim Kendrick, III, Mayor

ATTEST:


James O. Godwin, Sr., Town Clerk

Kelly Ave



Location

0.2

60'

22.3

1516

EMTIONS

EMTIONS

Avenue A

3 W 1/4 Sec 7N
 T10N R10W
 27N, Ch. Moore Co., FLORIDA
 FIELD BOOK
 I HEREBY CERTIFY THAT THE COPY OF THIS
 PLAN IS A TRUE AND CORRECT COPY OF THE ORIGINAL
 PLAN.
 W. E. CURSTNER
 SURVEYOR
 2002
 (PLAT)

RECEIVED
 11/15/02
 COUNTY CLERK
 CH. MOORE COUNTY, FLORIDA

Roof Detail

Asphalt Roof
ply Deck

Exterior

Stucco

Stucco

1/8" Flat Plate
Stackbolts

ply Deck

2x4 Joists
in Deck

Front Elevation

1/2" x 10"

2x4 Joists

Stucco

Interior Detail

1/2" x 10" Joist
1/2" x 10" Joist

Interior

1/2" x 10" Joist

1/2" x 10" Joist

1/2" x 10" Joist

1/2" x 10"

1/2" x 10" Joist

Mr. Ed Mitchell
242-4614

BRH & E DREDGE & SALVAGE COMPANY
61 Ninth Street
Shalimar, Florida
32579

Performance Contract between
Town of Cinco Bayou
Requesting the work defined herein
&
BRH & E Dredge & Salvage Company
Doing the work requested

1. The BRH & E Dredge & Salvage Company agrees to dredge -110- cubic yards of Category III bottom and deposit the spoils per detailed sketch on reverse of this page in accordance with requestors' Permit No. 45-21-257-16 on property legally described as: Kidd Bayou Storm Water Drain.
2. The BRH & E Dredge & Salvage Company agrees to use due caution in removal of bottom material and in placement of fill as well as control of runoff. However, the undersigned requestor, after reviewing the intended work and safety precautions listed on the reverse of this page, assumes full responsibility and liability for any damages to his and/or adjoining properties.
3. The BRH & E Dredge & Salvage Company may, from time to time, unearth salvageable treasure and/or artifacts which may or may not be damaged by the dredging operation. In all cases the BRH & E Dredge & Salvage Company shall determine when a report is required and shall process such report through the State authorities. The Net Proceeds after the State's claim and after reasonable processing expenses will be divided 1/3 to the property owner listed on the permit and 2/3 to the BRH & E Dredge & Salvage Company whose work made the discovery possible.
4. Time of performance is vulnerable to factors such as storms, breakdown of equipment, and wellbeing of operators. All reasonable efforts will be made to complete the job in the estimated time frame; however, should serious delays occur, BRH & E Dredge & Salvage Company will be afforded an additional 3 weeks to complete the intended work or else abandon the work already done without compensation.
5. Work will begin on or about 25 Jan 78 and will take approximately 1 1/2 days.
6. BRH & E Dredge & Salvage Company will cooperate in every way possible to please the customer, however, the requestor agrees to accept responsibility for legal fees and other expenses of collecting as part of this contract.
7. The undersigned Requestor agrees to pay BRH & E Dredge & Salvage Company in weekly draws as a percentage of work completed a total of \$3900 upon completion of the work described on the reverse of this page.

Jim Kendrick Mayor
Signature of Requestor Representing

1/19/78
Dated

Steph Oliver, President
Signature of BRH & E Representative

18 Jan 78
Dated

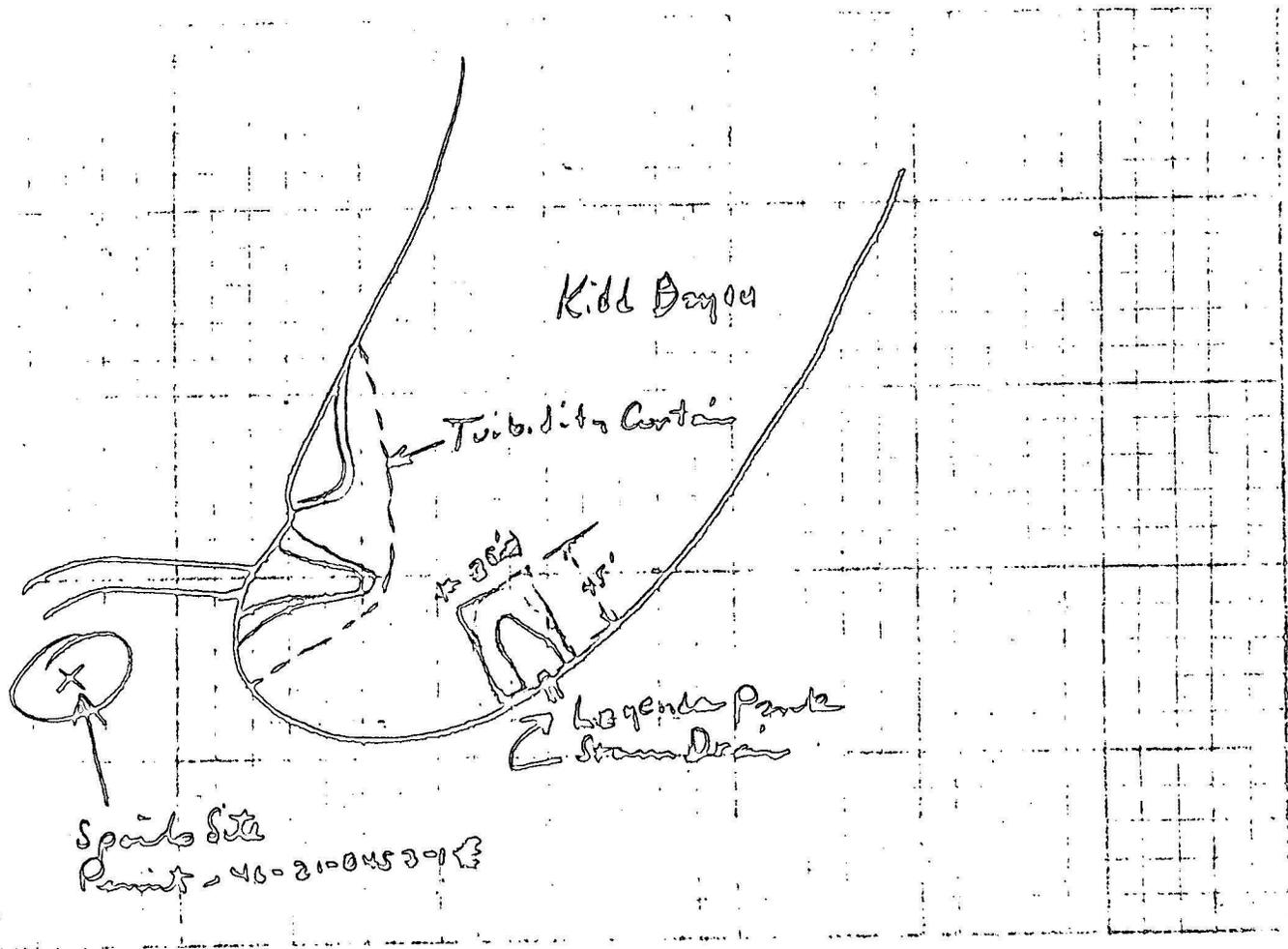
Work Order 143 ; Location Kidd Bayou Storm drain outfall.

Start 24 25 Jan 78 Finish + 1 1/2 days

Permit No. 46-21-0559-1E Attached? _____ Depth -3' MLT; Cat. III

Hazards Overnight Dredge Securing.

Sketch Scale: = NTS ft; Spoils max run 300 ft.



Safety Precautions: Minimum Turbidity from Penoff! Keep Catfish Head
Clear so there will be no turbidity at suction head.

Work Description: Using Turbidity Curtain around penoff; remove
material to -3' MHW in area 35' wide by 45' long immediately
in front of Legend Park Storm Drain - Spoils Site in Steeply Sloped 8/10.

Surveyed by: ELI Date: 18 Jan 78 Hrs: 1



REUBIN O'D. ASKEW
GOVERNOR

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

NORTHWEST DISTRICT BRANCH OFFICE
SUITES 7 & 8
3101 WEST HIGHWAY 98
PANAMA CITY, FLORIDA 32401

JOSEPH W. LANDERS, JR.
SECRETARY

(904) 769-3576

To:

- Field Inspector *Ron Pacion*
- Game and Fish commission
- Bureau of State Lands, DNR
- Murali, Hydrographic Engineer, DER
- Bureau of Beaches and Shores, DNR
- Corps of Engineers, Jacksonville
- Adjacent Property Owners 2
- Other *Mr. Phil Doherty*

Date: 1/6/78

Re: Mr. Wayne Tisdale for Mr. J.T. Culley; D.E.R. D/F # 46-39-0652-1E

The Department is currently processing the attached application. If you have any comments on, or objections to, this project, please notify this office on or before 1/26/78. Please refer to the applicant's name and file number in any correspondence to help facilitate processing.

Additional Data

Revised Data

Special Comments Mr. Doherty: is the local STP/collection system authorized for additional connections?

Applic. is Incomplete.

Please reply to Dick Fancher, Permit Processor
Enclosures

DNR Required = Submerged
lands lease; title
confirmation for filling
submerged lands.

DF

JOINT APPLICATION
 DEPARTMENT OF THE ARMY/FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION
 FOR
 ACTIVITIES IN WATERS OF THE STATE OF FLORIDA

Refer to Instruction Pamphlet for explanation of numbered items and attachments required.

1. Application number (To be assigned)	2. Date <hr style="border: none; border-top: 1px solid black; margin: 0;"/> Day Mo. Yr.	3. For official use only # 46-39-0653-1E
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4. Name, address and zip code of applicant
 J. T. Culley
 259 Eglin Parkway
 Fort Walton Beach, Fla 32548

Telephone Number 904/243-2511 Evenings: 904/837-2073

5. Name, address, zip code and title of applicant's authorized agent for permit application coordination
 Wayne E. Tisdale, P.E.
 Wayne Tisdale and Associates, Inc.
 Consulting Engineers
 315 Fairpoint Drive
 Gulf Breeze, Fl 32561

Telephone Number 904/932-6325

6. Describe the proposed activity, its purpose and intended use, including a description of the type of structures, if any, to be erected on fills, or pipe or float-supported platforms, and the type, composition and quantity of materials to be discharged or dumped and means of conveyance.

162 ft of Asbestos Cement Bulkhead, backfilled with clean, coarse material not from State lands.
 Dockage of pressure treated piles and lumber, Total encroachment 38,500 SQ. FT.,; 49 Boat slips

Dredged/Excavated	Filled/Deposited
Volume of Material: _____ CY	_____ CY
<small>Waterward of O.H.W. or M.H.W.</small>	<small>Landward of O.H.W. or M.H.W.</small>
_____ CY	_____ CY
<small>Waterward of O.H.W. or M.H.W.</small>	<small>Landward of O.H.W. or M.H.W.</small>

7. Proposed use
 Private Public Commercial Other (Explain in remarks)

8. Name and address including zip code of adjoining property owners whose property also adjoins the waterway.

West Side (State Highway 85) State of Florida, Dept of Trans.
 Dist Office, P. O. Box 607
 Chipley, FL 32428

East Side (Town Park) Town of Cinco Bayou
 P. O. Dwr 1710
 Fort Walton Beach, FL 32548

9. Location where proposed activity exists or will occur

Street address Not assigned

Longitude 86°36'30" Latitude 30°25'25" (If known)

Sec. 12 Twp. 2 South Rge. 24 West

Florida Okaloosa Cinco Bayou Fort Walton Beach
State County In City or Town Near City or Town

10. Name of waterway at location of the activity Five Mile Bayou

11. Date activity is proposed to commence Within 30 days after receipt of permit
Date activity is expected to be completed Within 150 days after receipt of permit

12. Is any portion of the activity for which authorization is sought now complete? Yes No
If answer is "Yes" give reasons in the remarks section. Month and year the activity was completed _____
_____. Indicate the existing work on the drawings.

13. List all approvals or certifications required by other Federal interstate, state or local agencies for any structures, construction, discharges, deposits or other activities described in this application, including whether the project is a Development of Regional impact.

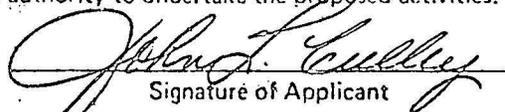
Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval
----------------	------------------	--------------------	---------------------	------------------

14. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? Yes No (If "Yes" explain in remarks)

15. Remarks (see Instruction Pamphlet for additional information required for certain activities)

Width of waterway: Approx. 960 ft.
From encroachment to center of channel (bridge): Approx 380 ft.
NO dredging
Fill only behind bulkhead, to be placed at approx mean high water.
NO Fueling operations.
Sewage pump-out to nearby pump station is proposed.

16. Application is hereby made for a permit or permits to authorize the activities described herein. I agree to provide any additional information/data that may be necessary to provide reasonable assurance or evidence to show that the proposed project will comply with the applicable State Water Quality Standards or other environmental protection standards both during construction and after the project is completed. I also agree to provide entry to the project site for inspectors from the environmental protection agencies for the purpose of making preliminary analyses of the site and monitoring permitted works, if permit is granted. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities.


Signature of Applicant

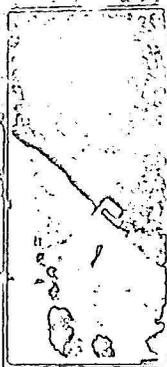
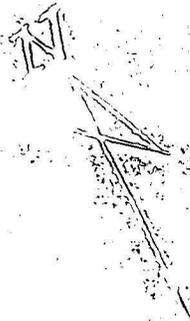
Nov. 30, 1977
Date

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

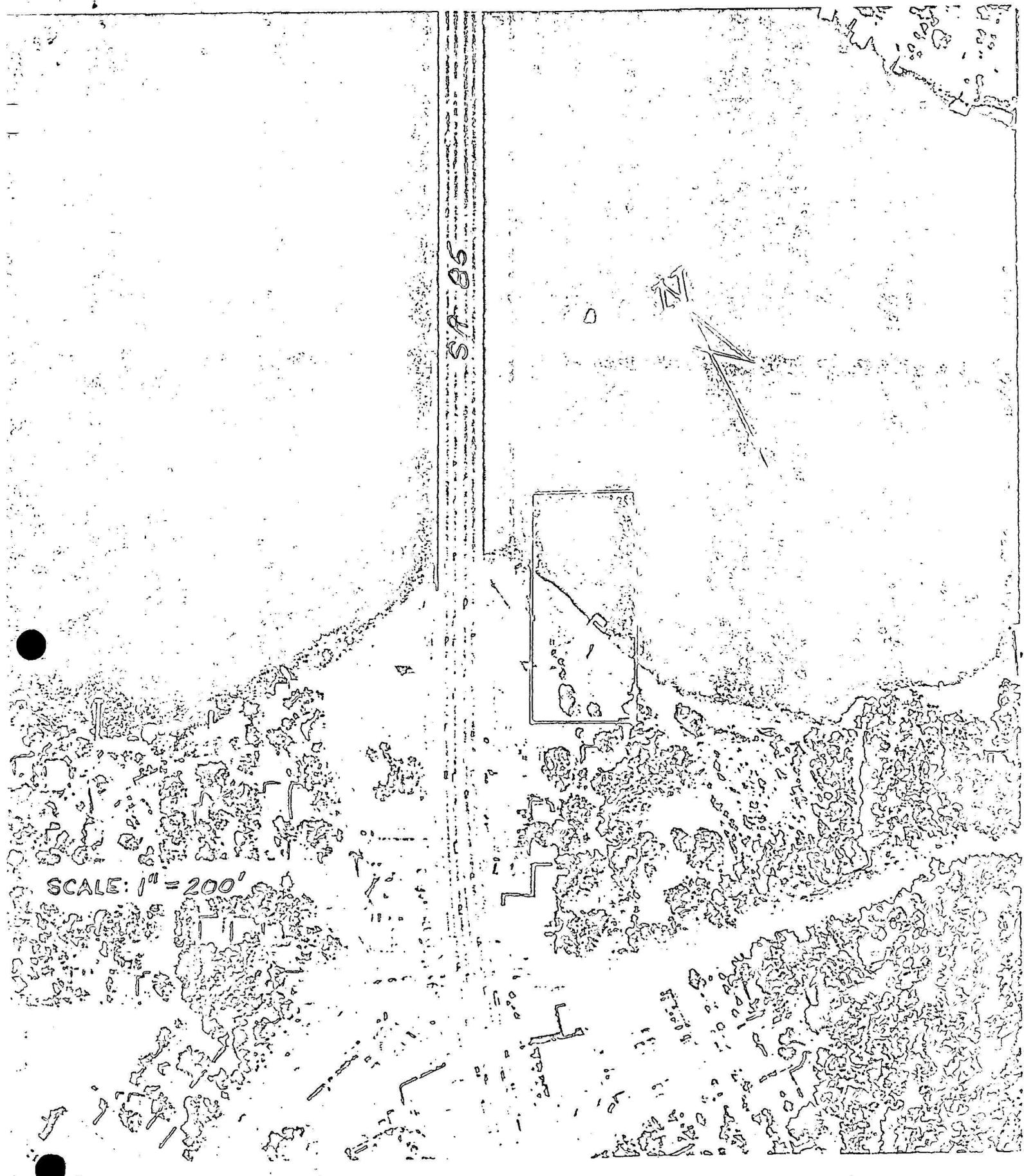
The application must be signed by the person who desires to undertake the proposed activity; however, the application may be signed by a duly authorized agent if accompanied by a statement by that person designating the agent and agreeing to furnish upon request, supplemental information in support of the application.

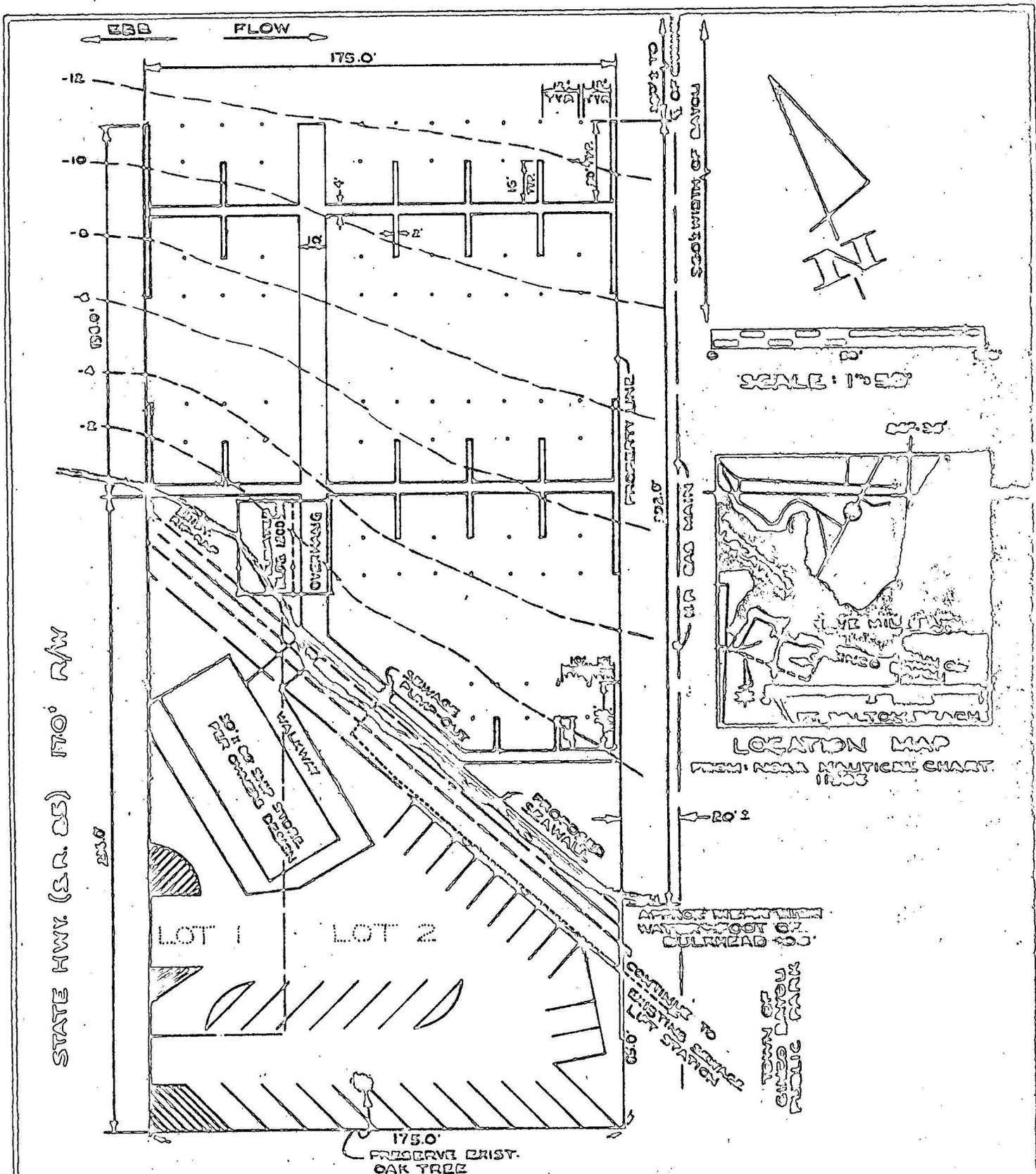
FEE: Attach Checks/Money Orders on front
Payable to Department of Environmental Regulation
\$200 Standard form projects
\$20 Short forms and Chapter 403 projects only

SP 05



SCALE: 1" = 200'





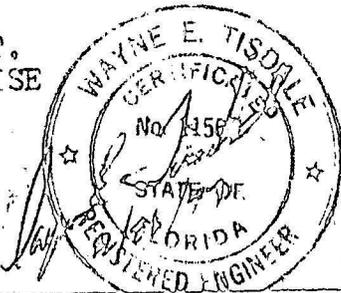
SNUG HARBOR YACHT BASIN (Commercial)
APPLICANT: J. T. CULLEY

259 Eglin Parkway
 Fort Walton Beach, FL 32548

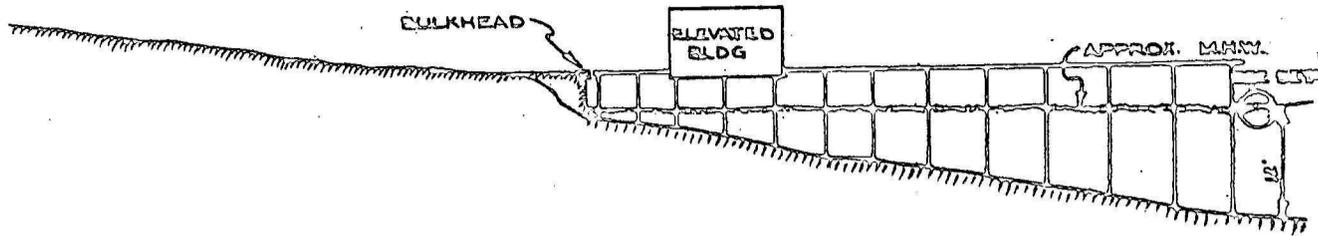
PROPERTY DESCRIPTION: All of Lot 1, and Lot 2 less the easterly 64 feet thereof, of Block 2, CINCO BAYOU Sub-division, as recorded at Plat Book 1, Page 27A, Public records of Okaloosa County, Florida.

Adjacent Property Owners: West: State of Florida, Dept of Trans, Dist Office, P. O. Box 607, Chipley, FL 32428
 East: Town of Cinco Bayou, P.O. Dwr. 1710, Fort Walton Beach, FL 32548

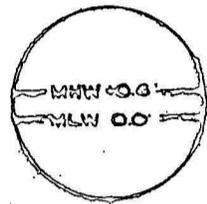
ENCROACHMENT: 38,500 SQ. FT.
 USC&GS DATUM UNLESS OTHERWISE INDICATED.
 NO FUELING OPERATIONS
 SEWAGE PUMP-OUT AS SHOWN



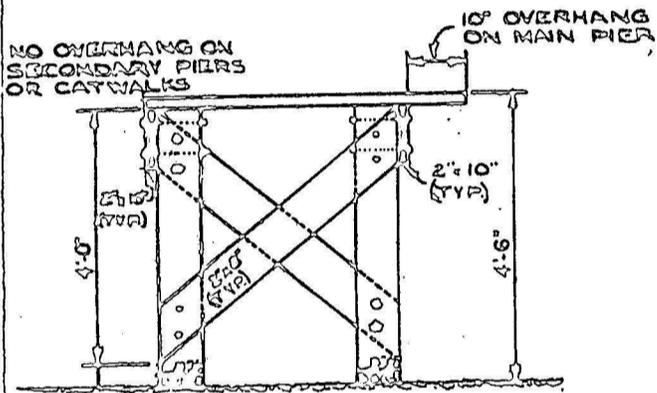
IN: Five Mile Bayou
AT: Fort Walton Beach
Okaloosa Co, FLA.



CROSS SECTION

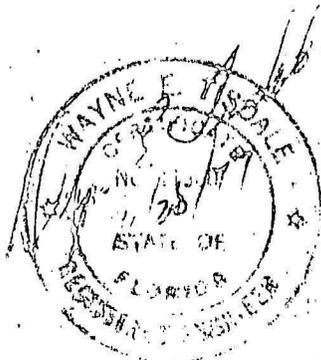


DETAIL 'A'



PIER DETAIL
SCALE: 1"=3'

SNUG HARBOR YACHT BASIN (Commercial)
 APPLICANT: J. T. CULLEY
 259 Eglin Parkway
 Fort Walton Beach, FL 32548



2433679



PUBLIC NOTICE



11 January 1978

<p>UNITED STATES OF AMERICA DEPARTMENT OF THE ARMY Jacksonville District, Corps of Engineers P. O. Box 4970 Jacksonville, Florida 32201</p> <p>Telephone: (904) 791-2211</p> <p>Permit Application No. 77G-1538</p> <p>Authority: Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403) and/or Section 404 of the Federal Water Pollution Control Act of 1972 (86 Stat 816 PL 92-500)</p> <p>Comment Period Ends: 10 February 1978</p> <p>Project Manager: R. S. Studt</p>	<p>STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION Northwest District Branch Office Town and Country Office Complex 3101 West Highway 98, Suite 7 & 8 Panama City, Florida 32401 Telephone: (904) 769-3576 Permit Application No. 46-39-0653-1E</p> <p>Authority: Chapter 253 and/or 403 of the Florida Statutes</p> <p>Comment Period Ends: 10 February 1978</p> <p>DER Contact: Larry Taylor</p>
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TO WHOM IT MAY CONCERN: An application for a Permit has been received by the above agencies and is being processed jointly in accordance with the applicable Federal and State regulations.

APPLICANT: J. T. Culley
c/o Wayne Tisdale & Associates, Inc.
315 Fairpoint Drive
Gulf Breeze, Florida 32561

WATERWAY & LOCATION: Five Mile Bayou, at Town of Cinco Bayou, in Section 12, Township 2 South, Range 24 West, Okaloosa County, Florida.

WORK & PURPOSE: To construct about 162 feet of asbestos cement bulkhead, backfilled with clean, coarse material, and construct about 38,500 square feet of dockage using pressure treated piles and lumber, to provide 49 boatslips. There will be no fueling facilities.

IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an environmental impact statement will not be required. Coordination with U. S. Fish and Wildlife Service, Environmental Protection Agency, National Marine Fisheries Service and other Federal, State and local agencies and environmental groups generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible for inclusion therein, are located at the site of the proposed work. Presently unknown archaeological, scientific, prehistorical or historical data may be lost or destroyed by the work to be accomplished.

EVALUATION: Independent evaluations will be performed by the U. S. Army Corps of Engineers and the State of Florida Department of Environmental Regulation in accordance with applicable Federal and State regulations and considerations.

a. Federal Considerations: The decision whether to issue a permit will be based on an evaluation of the probable impact the proposed activity would have on the public interest. That decision will reflect the national concern for both protecting and utilizing important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Federal Water Pollution Control Act. A Permit will not be granted unless its issuance is found to be in the public interest.

b. State Considerations: The decision whether to issue a Department of Environmental Regulation permit will be based on an evaluation of the impact of the proposed activity on the aquatic or marine natural resources and water quality of the receiving or adjacent waters of the State. The applicant is required to provide reasonable assurance that the proposed activity will not degrade the quality of the contiguous or receiving waterbody. If the impact of the proposed activity can be expected to affect the aquatic or marine biological resources to such an extent as to be contrary to the public interest, result in harmful shoaling or erosion of adjacent property, result in harmful obstruction to or alteration of the natural flow below MHW in navigable bodies of water, or result in violations of state water quality standards in any waters of the state, then a permit may not be granted.

Comments regarding the National Considerations should be submitted in writing to the District Engineer, Corps of Engineers, and those concerning State Considerations to the State of Florida Department of Environmental Regulation, on or before the date of the comment period to the appropriate address as noted above.

You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have an interest in this matter.

If you have any questions or desire additional information concerning this application, you may call the Corps of Engineers project manager for this application or the contact with the Florida Department of Environmental Regulation at the above telephone numbers.

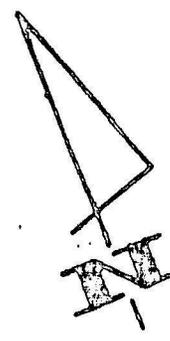
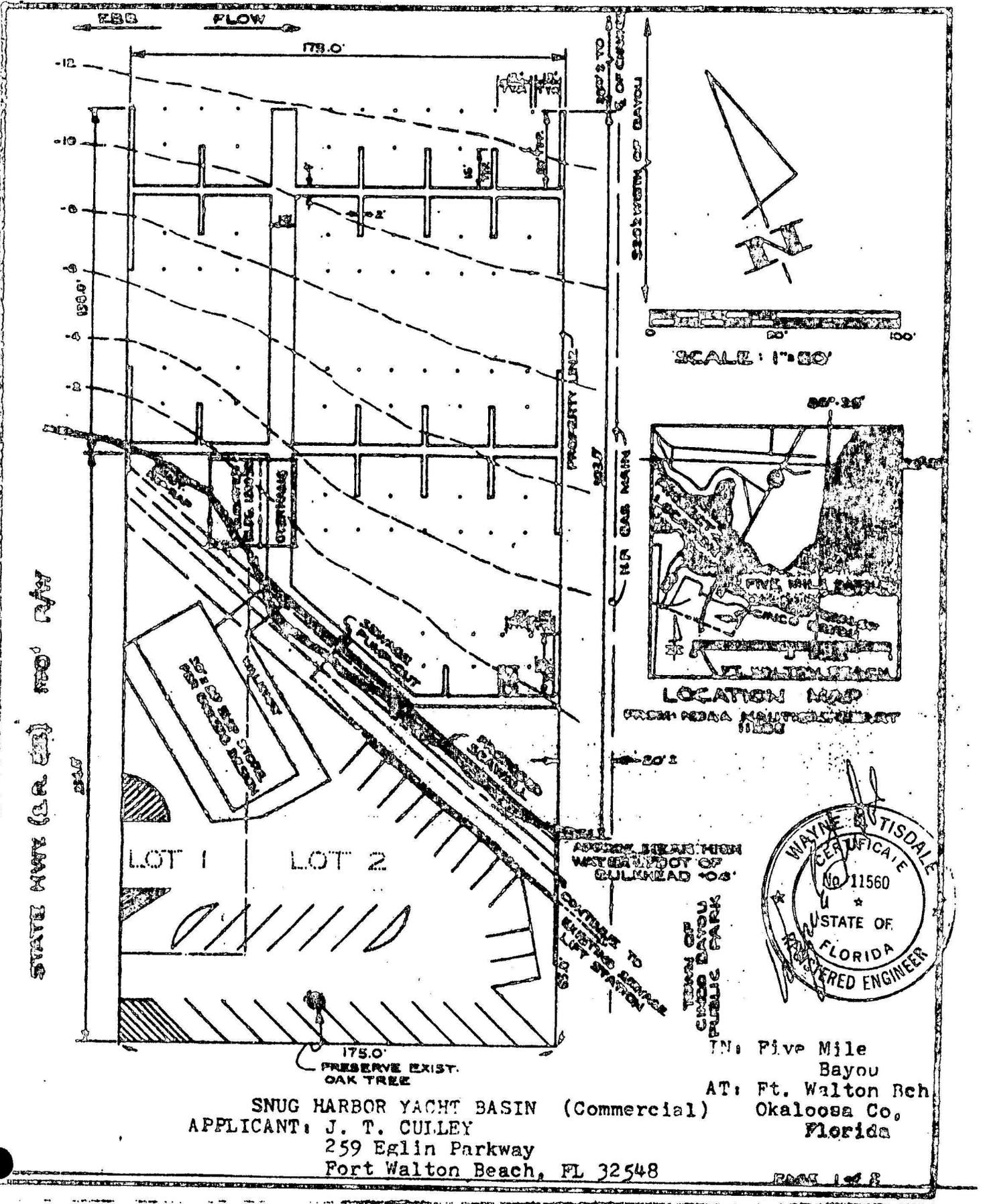
REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer or to the State of Florida Department of Environmental Regulation within 30 days of the date of this notice and must state the specific reasons for requesting the public hearing.

FOR THE DISTRICT ENGINEER:



GAIL G. GREN
Chief, Operations Division

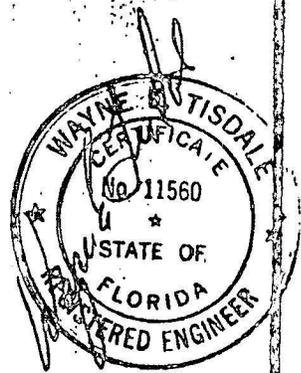
77G-1538



SCALE: 1"=50'



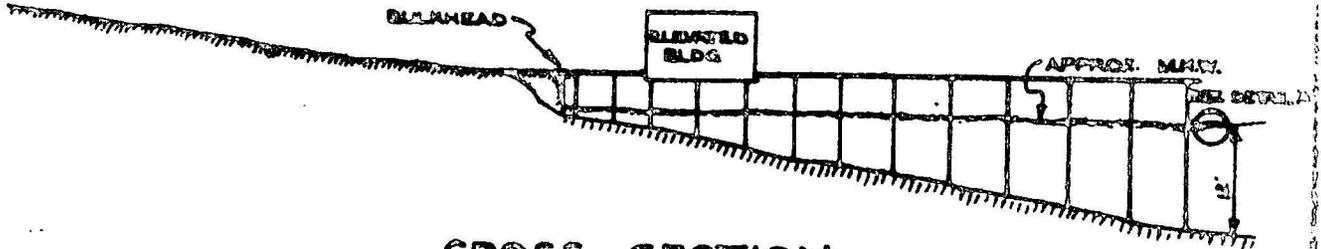
LOCATION MAP
FROM PDAA NATURE CENTER



IN: Five Mile Bayou
 AT: Ft. Walton Beh Okaloosa Co, Florida

SNUG HARBOR YACHT BASIN (Commercial)
 APPLICANT: J. T. CULLEY
 259 Eglin Parkway
 Fort Walton Beach, FL 32548

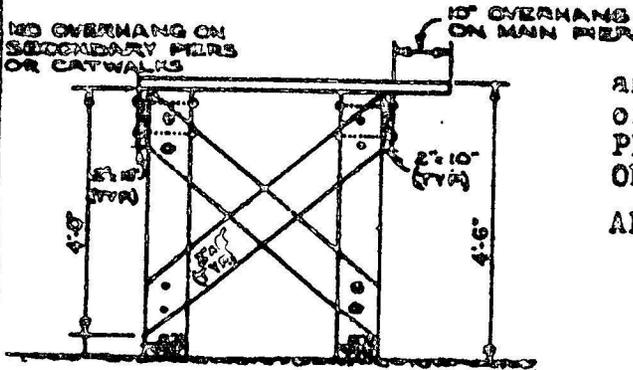
776-1538



CROSS SECTION



DETAIL 'A'



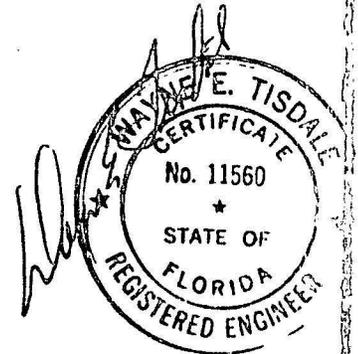
PIER DETAIL
SCALE: 1"=3'

PROPERTY DESCRIPTION: All of Lot 1, and Lot 2 less the southerly 64 ft thereof of Block 2, CINCO BAYOU S/D as recorded at Plat Book 1, Page 27A, public records of Okaloosa Co, Fla.

ADJACENT PROPERTY OWNERS:

West: State of Fla. Dept of Trans.
 P.O. Box 607, Chipley, FL 32428
 East: Town of Cinco Bayou, P.O. Dwr
 1710, Ft Walton Sch, FL 32548

ENCROACHMENT: 38,500 SQ. FT.
 USC&GS DATUM UNLESS OTHERWISE INDICATED
 NO FUELING OPERATIONS
 SEWAGE PUMP-OUT AS SHOWN



SNUG HARBOR YACHT BASIN (Commercial)
 APPLICANT: J. T. CULLEY
 259 Eglin Parkway
 Fort Walton Beach, FL 32548

POLYENGINEERING OF FLORIDA

"A Corporation of Registered Professional Engineers and Surveyors"

January 9, 1978

Mr. Phil J. Doherty, Reg. Engr.
DEPARTMENT OF ENVIRONMENTAL REGULATION
1384 Shoreline Drive
Gulf Breeze, Florida 32561

RE: Snug Harbor Yacht Basin
257. Eglin Parkway
Cinco Bayou, Florida

Dear Mr. Doherty:

I understand that Snug Harbor Yacht Basin is going to apply for various permits from DER. One of your requirements was that sewer and water be available at this location.

The Town of Cinco Bayou owns the sewer system, and the County operates it for them. Sewer and water will be available at this location.

If I can be of any further assistance, please let me know.

Yours very truly,



H. M. Burt, p. E.
Asst. Vice-Pres.

HMB:pm

cc: Mr. Donald Neal
Mr. Sam Marley
Town of Cinco Bayou

ESTEREGREN, FORTUNE, ANCHORS & POWELL, P. A.

ATTORNEYS AND COUNSELLORS AT LAW

P. O. DRAWER F

243-7184

TELEPHONES 244-2148

AREA CODE 904

F. B. ESTEREGREN
JOHNNY A. FORTUNE
C. LEDON ANCHORS
RICHARD H. POWELL

FT. WALTON BEACH, FLORIDA 32548

IN RE: FILE

January 25, 1978

State of Florida
Department of Environmental Regulation
Northwest District Branch Office
Town and Country Office Complex
3101 West Highway 98, Suite 7 & 8
Panama City, Florida 32401

ATTENTION: Mr. Larry Taylor

RE: Request for public hearing on permit application
number 46-39-0653-1E

Dear Mr. Taylor:

The Town Council of Cinco Bayou, Florida, has directed me to contact you on its behalf and request a public hearing on the permit application number 46-39-0653-1E of Mr. J. T. Culley. The reasons for this request are as follows:

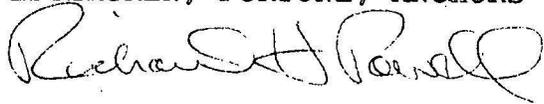
1. The zoning ordinances of the Town of Cinco Bayou do not permit a commercial activity such as a yacht club or basin to be conducted within the municipality. The activity proposed in the application does not appear to conform with applicable zoning regulations.
2. A similar, if not identical, project has been brought before the Council of the Town of Cinco Bayou by Mr. Culley for approval. On March 17, 1977, the Council declined to approve such project or amend the Town's zoning ordinances to allow construction or operation of yacht clubs within the Town. Such decision was made in part on the basis of public opposition to the project expressed at the Council meeting.
3. The proposed project could create hazardous fire and traffic conditions.

State of Florida
Department of Environmental Regulation
Page Two
January 25, 1978

Notification of the date, time and place of the public hearing on this matter should be sent to this office and also to the Town of Cinco Bayou, Florida, at the following address:
Post Office Drawer 1710, Fort Walton Beach, Florida 32548.

Very truly yours,

ESTERGREN, FORTUNE, ANCHORS & POWELL, P.A.



Richard H. Powell

RHP:ejs

cc: Mr. J. O. Godwin, Sr.
Town Clerk

ESTERGREN, FORTUNE, ANCHORS & POWELL, P. A.

ATTORNEYS AND COUNSELLORS AT LAW

P. O. DRAWER F

243-7184
TELEPHONES 244-2148

AREA CODE 904

F. B. ESTERGREN
JOHNNY A. FORTUNE
C. LEDON ANCHORS
RICHARD H. POWELL

FT. WALTON BEACH, FLORIDA 32548

IN RE: FILE

January 25, 1978

U. S. Army Corps of Engineers
Post Office Box 4970
Jacksonville, Florida 32201

ATTENTION: Mr. R. S. Studt

RE: Request for public hearing on permit application
number 77G-1538

Dear Mr. Studt:

The Town Council of Cinco Bayou, Florida, has directed me to contact you on its behalf and request a public hearing on the permit application number 77G-1538 of Mr. J. T. Culley. The reasons for this request are as follows:

1. The zoning ordinances of the Town of Cinco Bayou do not permit a commercial activity such as a yacht club or basin to be conducted within the municipality. The activity proposed in the application does not appear to conform with applicable zoning regulations.

2. A similar, if not identical, project has been brought before the Council of the Town of Cinco Bayou by Mr. Culley for approval. On March 17, 1977, the Council declined to approve such project or amend the Town's zoning ordinances to allow construction or operation of yacht clubs within the Town. Such decision was made in part on the basis of public opposition to the project expressed at the Council meeting.

3. The proposed project could create hazardous fire and traffic conditions.

U. S. Army Corps of Engineers
Page Two
January 25, 1978

Notification of the date, time and place of the public hearing on this matter should be sent to this office and also to the Town of Cinco Bayou, Florida, at the following address: Post Office Drawer 1710, Fort Walton Beach, Florida 32548.

Very truly yours,

ESTERGREN, FORTUNE, ANCHORS & POWELL, P.A.

A handwritten signature in cursive script that reads "Richard H. Powell".

Richard H. Powell

RHP:ejs

cc: Mr. J. O. Godwin, Sr.
Town Clerk