



# Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

---

**DATE:** January 22, 1997  
**TO:** Division of Records and Reporting  
**FROM:** Maggi O'Sullivan, Division of Legal Services *MS*  
**RE:** Docket No. 961538-WS - Complaint of the Blue Parrot Oceanfront Cafe against St. George Island Utility, Inc., regarding service availability charge assessed.

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On December 26, 1996, the Commission opened a docket to review the service availability charge assessed by St. George Island Utility, Inc., to the Blue Parrot Oceanfront Cafe. Please include the attached documents, which were generated by the parties and Staff in an effort to resolve the situation informally, in the docket file.

Enclosures

cc: Ms. Sandra Chase (w/enclosures)  
Jan Hevier, Esquire (w/enclosures)  
Division of Water and Wastewater (Willis, Merchant)

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG \_\_\_\_\_
- LIN \_\_\_\_\_
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC   1
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

DOCUMENT NUMBER FILE  
00965 JAN 24 1997  
FPSC-RECORDS/REPORTING

MWU

**LAW OFFICES  
OF  
BEN WATKINS**  
41 Commerce Street  
Apalachicola, Florida 32320  
Telephone: (904) 653-2121  
Facsimile: (904) 653-9190

*J. Ben Watkins  
Jan J. Hevier  
Douglas W. Gaidry*

Carrabelle Office:  
103 Meridian Street South  
Post Office Drawer 1335  
Carrabelle, Florida 32322-1335  
Telephone: (904) 697-4000

Steve M. Watkins, III

December 6, 1996

Charles H. Hill  
Director  
Public Service Commission  
Division of Water and Wastewater  
Capital Circle Office Center  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32329-0850

**RECEIVED**

DEC 09 1996

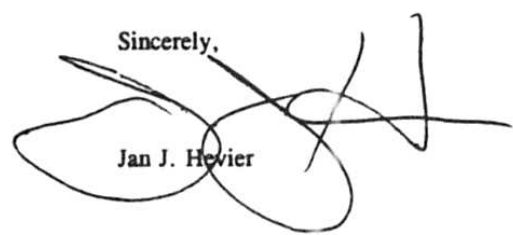
**RE: St. George Island Utility Company  
Blue Parrot Oceanfront Cafe  
Your 12/03/96 Letter to Sandra M. Chase**

Florida Public Service Commission  
Division of Water and Wastewater

Good Morning:

In reference to your above-mentioned letter, let this letter serve as our request that a docket be opened on this matter so that the Commission may formally consider this matter and that we may have an opportunity to be heard.

Sincerely,



Jan J. Hevier

JJH/tm

cc: Client  
File

State of Florida

Commissioners:  
SUSAN F. CLARK, CHAIRMAN  
J. TERRY DEASON  
JULIA L. JOHNSON  
DIANE K. KIESLING  
JOE GARCIA



DIVISION OF WATER &  
WASTEWATER  
CHARLES HILL  
DIRECTOR  
(904) 413-6900

## Public Service Commission

December 3, 1996

Ms. Sandra M. Chase  
St. George Island Utility Co., Ltd.  
3848 Killearn Court  
Tallahassee, FL 32308

Dear Ms. Chase:

We have reviewed the documentation that you submitted on October 10, 1996 regarding the increased service availability charges for the Blue Parrot Oceanfront Cafe, Inc. As you state in your cover letter, the documentation included building permits from Franklin County, food service reports completed by the Florida Department of Business and Professional Regulation inspector, a monthly history of consumption for this business beginning with consumption in September, 1990 and ending with consumption in September 1996, among various other reports and information regarding this business and its expansion.

From our review of the above, we have determined that additional service availability charges are warranted for this customer. However, the only additional service availability charges should include additional plant capacity charges. The situation surrounding the Blue Parrot and its increased seat capacity is not such that increased main extension charges should be calculated.

Per our discussions, it is my understanding that the utility has records indicating that the original customer paid service availability charges of \$500. Researching the utility's tariff reveals that the \$500 charge consisted of a plant capacity charge of \$250 and a main extension charge of \$250. Apparently no seating was included in the original \$500 amount paid by the customer at that time. However, from the period of time between the original customer and the time that the present customer purchased the site, 14 seats were added. We believe that the Blue Parrot should not be liable for the 14 seat capacity which existed at the time of purchase. Therefore, the current capacity of 60 seats minus the 14 seats results in an additional amount owed by the current owner for the incremental capacity increase.

Below is a brief description of the various methods of calculating the additional plant capacity charges. It is our determination that the most appropriate method is Scenario No. 2. Upon examination, this method includes the current tariffed rate for plant capacity charges (per seat) multiplied by 46 seats which results in the additional charge of \$5,553. We did not

subtract any of the originally paid amount since Scenario No. 2 takes into consideration the difference between seating at the time of purchase and the current expanded seating capacity (60 seats - 14 seats).

CALCULATION OF GALLONS PER DAY (gpd)		
(1) Utility's Original Calculation	60 seats x 35 gpd	2100 gpd
(2) Per tariff with seating capacity consideration	46 seats x 50 gpd	2300 gpd
(3) 1996 Peak Month Consumption (14 seat peak vs. 60 seat peak)	70,700 gallons/30	2357 gpd

Using each of the above gpd calculations, the following service availability charges result:

CALCULATION OF ADDITIONAL CHARGE			
	Utility's Calculation Scenario (1)	Calculation per Tariff Scenario (2)	Peak Month Calculation Scenario (3)
Plant Capacity Charge - \$2.4143 x gpd	\$5,070	\$5,553	\$5,691
Main Extension Charge - \$1.5 x gpd	<u>\$3,150</u>	<u>N/A</u>	<u>N/A</u>
Total Charge	\$8,220	\$5,553	\$5,691
Less original service availability charge	<u>\$ 500</u>	<u>N/A</u>	<u>N/A</u>
<b>New Charge to Blue Parrot</b>	<b><u>\$7,720</u></b>	<b><u>\$5,553</u></b>	<b><u>\$5,691</u></b>

... documentation from this research submitted by the utility that  
... of the extensive research performed  
... utility, these  
... modified the conclusion of our May 21, 1996, letter.

Please be advised that while this letter sets forth Staff's conclusion as to the appropriate plant capacity charge, it does not represent a final determination by the Commission. If the utility or the customer does not agree to the proposed charge, pursuant to Rule 25-30.560, Florida Administrative Code, a docket may be opened so that the Commission may formally consider this matter.

If there are any questions regarding this letter or if our office can be of assistance, please call and advise.

Sincerely,



Charles H. Hill  
Director

- cc: Division of Water and Wastewater (Willis, Rendell, Starling, Galloway)
- Division of Legal Services (Jaber, O'Sullivan)
- Jan J. Hevier, Esquire

Florida Public Service Commission  
RECORDED  
INDEXED  
MAY 1996  
LEGAL DIVISION

**REFILM**

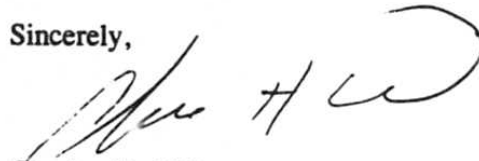
Ms. Chase  
Page 3  
December 3, 1996

Staff's conclusion as to the appropriate plant capacity charge is based upon the specific circumstances involving this customer. Staff believes that our conclusion is a fair resolution of this matter. Further, regarding your mention of similar situations existing for the utility, these matters are examined on a case by case basis. It is because of the extensive research performed by the utility and the thorough documentation from this research submitted by the utility that Staff modified the conclusion of our May 21, 1996, letter.

Please be advised that while this letter sets forth Staff's conclusion as to the appropriate plant capacity charge, it does not represent a final determination by the Commission. If the utility or the customer does not agree to the proposed charge, pursuant to Rule 25-30.560, Florida Administrative Code, a docket may be opened so that the Commission may formally consider this matter.

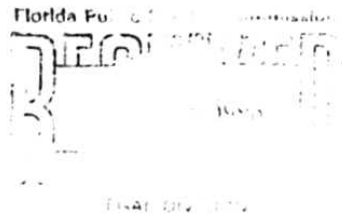
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Sincerely,



Charles H. Hill  
Director

cc: Division of Water and Wastewater (Willis, Rendell, Starling, Galloway)  
Division of Legal Services (Jaber, O'Sullivan)  
Jan J. Hevier, Esquire



St. George Island Utility Co., Ltd.  
3848 Killlearn Court  
Tallahassee, Florida 32308  
(904) 668-0440 • (904) 927-2648

October 10, 1996

HAND DELIVERY

Ms. Sissy Galloway  
Division of Water and Wastewater  
Florida Public Service Commission  
2840 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Re: Blue Parrot Oceanfront Cafe, Inc.  
Service Location No. 480

Dear Ms. Galloway:

Enclosed are several documents which confirm the change in use of the above-referenced service location.

The building was constructed and permitted in the early 80's as a walk-up hot-dog stand known as "SOBeach." Enclosed is an affidavit from Bruce Pelham who owned it during the late 80's until October 1990. In October 1990 Rick Rucker became our customer when the use was still a walk-up hot-dog stand. At that time it was on pilings and the lower level was not enclosed. It is now two-story with a T-shirt shop on the first level.

On 1/21/94, 2/16/94 and 8/3/94, Rick and/or Kathryn Rucker applied to Franklin County Planning and Zoning for building permits for additions and/or alterations. Copies of the applications are enclosed. As you can see from the specs attached to the 2/16/94 application, this walk-up hot-dog changed considerably. These changes in use were not disclosed to St. George Island Utility Co. The information was recently obtained by researching the records at the Franklin County Planning and Zoning office.

When Mr. Rash d/b/a Blue Parrot applied for service, the utility had him complete a commercial questionnaire. A copy of the questionnaire is enclosed. He listed the number of seats at 60. When I notified Mr. Rash that he owed additional CIAC because the use changed from a walk-up hot dog to a 60 seat restaurant, Mr. Rucker's representative called and told me that the restaurant only had 15 seats. This was disclosed as incentive for the utility to reduce the CIAC by the 15 seats that were already in use without our knowledge.



Ms. Sissy Galloway  
October 10, 1996  
Page Two

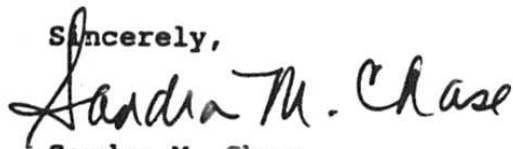
Also enclosed are copies of the food service reports completed by the Department of Business and Professional Regulation inspector. As you can see, the seating increased from 14 on 3/12/96 when Rucker was the customer to 44 on 5/10/96 and 60 on 8/13/96 despite the assurance of Blue Parrot's attorney to the PSC that it would never have more than 38 seats. (See the PSC's letter to me dated May 21, 1996.) The inspector told me that he personally counted the seats to complete his reports.

This service location has developed from a hot-dog stand with no seats to a full service, 60 seat restaurant, bar, T-shirt shop and jet-ski rental service. This is confirmed by a copy of their recent advertisement which is enclosed.

When Rick Rucker became our customer in October of 1990, he took over and initially operated a walk-up hot dog and soft drink stand with no inside seating. The utility company had no way of knowing that Mr Rucker would later make improvements resulting in a 14 seat restaurant. However, we did have knowledge that our current customer, the Blue Parrot, was going to operate a 60 seat restaurant because that is what they put on our water service application. We have verification that the Blue Parrot is operating a 60 seat restaurant because the Dept. of Business Regulation furnished us their inspection report. In assessing CIAC changes based upon this increased use, the utility thought it was following its approved tariff and the policy of the Commission as confirmed by the Florida Supreme Court in Christian Missionary Alliance v. Fla. Cities, 386 So.2d 543, a copy of which is enclosed.

You requested that I furnish you a copy of the water use for this location. I am attaching a summary of the use since September 1990. Please note that this service location also has a well in service which supplements their water supply.

Please review this at your earliest opportunity and let me hear from you.

Sincerely,  
  
Sandra M. Chase

Enclosures



DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
 Division of Hotels and Restaurants  
 LEGAL NOTICE  
 FOOD SERVICE INSPECTION REPORT page \_\_\_ of \_\_\_

OWNER <u>Rucker Park</u>		BUSINESS <u>Blue Parrot</u>		CONTROL NUMBER		
ADDRESS <u>216 Private</u>		CITY <u>St George</u>		Capacity	File Number	Initials
		ZIP CODE (optional)		<u>29</u>	<u>257</u>	<u>R</u>
RESTAURANT	NUMBER OF SEATS	INSPECTION DATE		INSPECTION TIME		<input type="checkbox"/> Catering
<input type="checkbox"/> General <input checked="" type="checkbox"/> Seating	<u>14</u>	Month	Day	Year	In	Out
		<u>3</u>	<u>12</u>	<u>1996</u>	<u>10:40</u>	<u>11:05</u>
					<input type="checkbox"/> Vending	<input type="checkbox"/> Temporary
					<input type="checkbox"/> Mobile Food Dispensing Vehicle	<input type="checkbox"/> Theme Park Food Cart
					<input type="checkbox"/> Satellite Service Unit	

Failure to comply with this Notice will result in a hearing to determine whether your license will be suspended, revoked, or an administrative fine of up to \$1,000 per violation imposed.

<input checked="" type="checkbox"/> Violations in the operation of your establishment must be corrected by the NEXT ROUTINE INSPECTION.	<input type="checkbox"/> WARNING: Violations in the operation of your establishment must be corrected by: <table border="1"> <tr> <td>Month</td> <td>Day</td> <td>Year</td> </tr> <tr> <td></td> <td></td> <td><u>199</u></td> </tr> </table>	Month	Day	Year			<u>199</u>	<input type="checkbox"/> WARNING OF DIRECT NOTICE: Failure to be in compliance with this notice at any future inspection may result in a direct Notice to Show Cause.	<input type="checkbox"/> NOTICE TO SHOW CAUSE: You will be issued a Notice to Show Cause why sanctions should not be assessed against your license. A hearing will be held at a time and place to be designated by the Director.
Month	Day	Year							
		<u>199</u>							

- FOOD**
- \* 01 Source: sound condition, no spoilage
  - \* 02 Original container: properly labeled

- FOOD PROTECTION**
- \* 03 Potentially hazardous food meets temperature requirements during storage, preparation, display, service, transportation
  - \* 04 Facilities to maintain product temperature
  - \* 05 Thermometers provided and conspicuous
  - \* 06 Potentially hazardous food properly thawed
  - \* 07 Unwrapped and potentially hazardous food not reserved
  - \* 08 Food protection during storage, preparation, display, service, transportation
  - \* 09 Handling of food (ice) minimized
  - \* 10 In use, food (ice) dispensing utensils properly stored

- PERSONNEL**
- \* 11 Personnel with infections restricted
  - \* 12 Hands washed and clean, good hygienic practices
  - \* 13 Clean clothes, hair restraints

- FOOD EQUIPMENT AND UTENSILS**
- \* 14 Food (ice) contact surfaces: designed, constructed, maintained, installed, located
  - \* 15 Non-food contact surfaces: designed, constructed, maintained, installed, located
  - \* 16 Dishwashing facilities: designed, constructed, maintained, installed, located, separated
  - \* 17 Accurate thermometers, chemical test kits provided, gauge cock (1/4" IPS valve)
  - \* 18 Pre-rinsed, scraped, sealed
  - \* 19 Wash, rinse water: clean, proper temperature
  - \* 20 Sanitization rinse: clean, temperature, concentration, exposure time; equipment, utensils sanitized
  - \* 21 Wiping Cloths: clean, use restricted, stored
  - \* 22 Food contact surfaces of equipment and utensils clean, free of abrasives, detergents

- \* 23 Non-food contact surfaces of equipment and utensils clean
- \* 24 Storage, handling of clean equipment/utensils
- \* 25 Single-service articles, storage, dispensing, used
- \* 26 No re-use of single-service

- WATER**
- \* 27 Water source, safe: hot and cold under pressure

- SEWAGE**
- \* 28 Sewage and waste water disposal

- PLUMBING**
- \* 29 Installed, maintained
  - \* 30 Cross-connection, back siphonage, backflow

- TOILET AND HANDWASHING FACILITIES**
- \* 31 Number, convenient, accessible, designed, installed
  - \* 32 Toilet rooms enclosed, self-closing doors, fixtures, good repair, clean; hand cleaner, sanitary towels/tissues/hand-drying devices provided, proper waste receptacles

- GARBAGE AND REFUSE DISPOSAL**
- \* 33 Containers or receptacles, covered: adequate number, insect/rodent proof, frequency, clean
  - \* 34 Outside storage area enclosures properly constructed, clean; controlled incineration

- INSECT, RODENT, ANIMAL CONTROL**
- \* 35 Presence of insects/rodents-entr openings protected, no birds, turtles, other animals

- FLOORS, WALLS AND CEILINGS**
- \* 36 Floor: constructed, drained, clean, good repair, covering installation, dustless cleaning methods
  - \* 37 Walls, ceilings, attached equipment: constructed, good repair, clean surfaces, dustless cleaning methods

- LIGHTING**
- \* 38 Lighting provided as required, fixtures shielded

- VENTILATION**
- \* 39 Rooms and equipment-vented as required

- DRESSING ROOMS**
- \* 40 Rooms clean, lockers provided, facilities clean, located, used

- OTHER OPERATIONS**
- \* 41 Toxic items properly stored, labeled, used, necessary
  - \* 42 Premises maintained, free of litter, unnecessary articles, cleaning maintenance equipment properly stored. Authorized personnel
  - \* 43 Complete separation from living/sleeping quarters. Laundry facilities maintained
  - \* 44 Clean, sealed linen properly stored

- SAFETY**
- \* 45 Fire extinguishers-proper and sufficient
  - \* 46 Existing system-adequate, good repair
  - \* 47 Electrical wiring-adequate, good repair
  - \* 48 Gas appliances-properly installed, maintained
  - \* 49 Flammable/combustible materials-properly stored

- GENERAL**
- \* 50 Current license-properly displayed
  - \* 51 Other conditions-sanitary and safe operation
  - \* 52 False/misleading statements-published or advertised relating to food/beverage
  - \* 53 Food management certification valid
  - \* 54 Florida Clean Indoor Air Act
  - \* 55 Automatic Garbage Boxes
  - \* 56 Copy of Chapter 509, Florida Statutes, available

- INFORMATION**
- \* 57 Hospitality Education Program information provided

Consistent with an ADEQUATE STATEMENT OF CRITICAL CONCERN in the operation of your establishment

COMMENTS ON ADDENDUM

New Establishment  Change of Ownership  Out of Business Beverage License Number: \_\_\_\_\_ Type: \_\_\_\_\_

I acknowledge receipt of this inspection form and comments

SIGNED <u>[Signature]</u>	SERVED BY <u>[Signature]</u>	TITLE <u>SJS</u>
TITLE _____	OFFICE PHONE <u>18003705170</u>	DATE <u>3-12-96</u>



DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
 Division of Hotels and Restaurants  
 LEGAL NOTICE  
 FOOD SERVICE INSPECTION REPORT

*Oceanfront Cafe* page      of     

OWNER <u>Blue Parrot Inc</u>	BUSINESS <u>Blue Parrot Bar &amp; Grill</u>	CONTROL NUMBER	
ADDRESS <u>216 Private Rd</u>	CITY <u>St George</u>	County <u>29</u>	File Number <u>207 R</u>
RESTAURANT	NUMBER OF SEATS <u>44</u>	INSPECTION DATE	INSPECTION TIME
<input type="checkbox"/> General <input checked="" type="checkbox"/> Seating		Month <u>5</u> Day <u>10</u> Year <u>1996</u>	In <u>9:15</u> Out <u>10:00</u>
		<input type="checkbox"/> Catering	<input type="checkbox"/> Wedding
		<input type="checkbox"/> Mobile Food	<input type="checkbox"/> Theme Park
		<input type="checkbox"/> Dispensing Vehicle	<input type="checkbox"/> Food Cart
			<input type="checkbox"/> Temporary
			<input type="checkbox"/> Satellite Service Unit

Failure to comply with this Notice will result in a hearing to determine whether your license will be suspended, revoked, or an administrative fine of up to \$1,000 per violation imposed.

<input checked="" type="checkbox"/> Violations in the operation of your establishment must be corrected by the NEXT ROUTINE INSPECTION.	<input type="checkbox"/> WARNING: Violations in the operation of your establishment must be corrected by: Month <u>    </u> Day <u>    </u> Year <u>199</u>	<input type="checkbox"/> WARNING OF DIRECT NOTICE: Failure to be in compliance with this notice at any future inspection may result in a direct Notice to Show Cause.	<input type="checkbox"/> NOTICE TO SHOW CAUSE: You will be issued a Notice to Show Cause why sanctions should not be assessed against your license. A hearing will be held at a time and place to be designated by the Director
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**FOOD**

- \* 01 Source: sound condition, no spoilage
- \* 02 Original container: properly labeled

**FOOD PROTECTION**

- \* 03 Potentially hazardous food meets temperature requirements during storage, preparation, display, service, transportation
- \* 04 Facilities to maintain product temperature
- \* 05 Thermometers provided and conspicuous
- \* 06 Potentially hazardous food properly thawed
- \* 07 Unwrapped and potentially hazardous food not reserved
- \* 08 Food protection during storage, preparation, display, service, transportation
- \* 09 Handling of food (rice) minimized
- \* 10 In use, food (rice) dispensing utensils properly stored

**PERSONNEL**

- \* 11 Personnel with infections restricted
- \* 12 Hands washed and clean, good hygienic practices
- \* 13 Clean clothes, hair restraints

**FOOD EQUIPMENT AND UTENSILS**

- \* 14 Food (ice) contact surfaces: designed, constructed, maintained, installed, located
- \* 15 Non-food contact surfaces: designed, constructed, maintained, installed, located
- \* 16 Dishwashing facilities: designed, constructed, maintained, installed, located, operated
- \* 17 Accurate thermometers, chemical test kits provided, gauge code (1/4" NPS valve)
- \* 18 Pre-Rinsed, scraped, soaked
- \* 19 Wash, rinse water: clean, proper temperature
- \* 20 Sanitization rinse: clean, temperature, concentration, exposure time; equipment, utensils sanitized
- \* 21 Wiping Cloth: clean, use restricted, stored
- \* 22 Food contact surfaces of equipment and utensils clean, free of abrasives, detergents

- \* 23 Non-food contact surfaces of equipment and utensils clean
- \* 24 Storage, handling of clean equipment/utensils
- \* 25 Single-service articles, storage, dispensing, used
- \* 26 No re-use of single-service

**WATER** city

- \* 27 Water source, hot: hot and cold under pressure

**SEWAGE** septic

- \* 28 Sewage and waste water disposal

**PLUMBING**

- \* 29 Installed, maintained
- \* 30 Cross-connection, back siphonage, backflow

**TOILET AND HANDWASHING FACILITIES**

- \* 31 Number, convenient, accessible, designed, installed
- \* 32 Toilet rooms enclosed, self-closing doors, fixtures, good repair, clean; hand cleaner, sanitary towels/tissues/hand-drying devices provided, proper waste receptacles

**GARBAGE AND REFUSE DISPOSAL**

- \* 33 Containers or receptacles, covered: adequate number, insect/rodent proof, frequency, clean
- \* 34 Outside storage area enclosed properly constructed, clean, controlled incineration

**INSECT, RODENT, ANIMAL CONTROL**

- \* 35 Presence of insects/rodents-enter openings protected, no birds, turtles, other animals

**FLOORS, WALLS AND CEILINGS**

- \* 36 Floors: constructed, drained, clean, good repair, covering installation, dustless cleaning methods
- \* 37 Walls, ceiling, attached equipment: constructed, good repair, clean surfaces, dustless cleaning methods

**LIGHTING**

- \* 38 Lighting provided as required, fixtures shielded

**VENTILATION**

- \* 39 Rooms and equipment-vented as required

**DRESSING ROOMS**

- \* 40 Rooms clean, lockers provided, facilities clean, located, used

**OTHER OPERATIONS**

- \* 41 Toxic items properly stored, labeled, used, necessary
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**SAFETY**

- \* 45 Fire extinguishers-proper and sufficient
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**GENERAL**

- \* 50 Current license-properly displayed
- \* 51 Other conditions-sanitary and safe operation
- \* 52 False/misleading statements-published or advertised relating to food/beverage
- \* 53 Food management certification valid
- \* 54 Florida's Clean Indoor Air Act
- \* 55 Automatic Gravity Nozzle
- \* 56 Copy of Chapter 589, Florida Statutes, available

**INFORMATION**

- \* 57 Hospitality Education Program information provided

*any violation with an asterisk (\*) is a direct critical concern in the operation of your establishment*

**COMMENTS ON ADDENDUM**

New Establishment     Change of Ownership     Out of Business    Beverage License Number:                         Type:                     

*I acknowledge receipt of this inspection form and comments*

SIGNED <u>[Signature]</u>	SERVED BY <u>[Signature]</u>	TITLE <u>SSS</u>
TITLE <u>Pres.</u>	DATE <u>5-10-96</u>	OFFICE PHONE <u>800 370 5170</u>
		DATE <u>5-10-96</u>



DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
 Division of Hotels and Restaurants  
**LEGAL NOTICE**  
**FOOD SERVICE INSPECTION REPORT** page      of     

OWNER <u>Blue Parrot Inc</u>		BUSINESS <u>Blue Parrot</u>		CONTROL NUMBER			
ADDRESS <u>65 W. Corrie</u>		CITY <u>St George</u>		County <u>29</u>	File Number <u>207</u>	Letter <u>R</u>	
RESTAURANT		NUMBER OF SEATS		INSPECTION DATE		INSPECTION TIME	
<input type="checkbox"/> General <input checked="" type="checkbox"/> Seating		<u>100</u>		<u>8 13 1996</u>		<u>11:35 1:10</u>	
						<input type="checkbox"/> Catering <input type="checkbox"/> Vending <input type="checkbox"/> Temporary <input type="checkbox"/> Mobile Food <input type="checkbox"/> Theme Park <input type="checkbox"/> Satellite <input type="checkbox"/> Dispensing Vehicle <input type="checkbox"/> Food Cart <input type="checkbox"/> Service Unit	

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**SEWAGE** septic

\*28 Sewage and waste water disposal

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\*33 Containers or receptacles, covered: adequate number, insect/rodent proof, frequency, clean

\*34 Outside storage area enclosures properly constructed, clean; controlled incineration

**INSECT, RODENT, ANIMAL CONTROL**

\*35 Presence of insects/rodents-entrance openings protected, no birds, turtles, other animals

**FLOORS, WALLS AND CEILINGS**

\*36 Floors: constructed, drained, clean, good repair, covering installation, dustless cleaning methods

\*37 Walls, ceilings, attached equipment: constructed, good repair, clean surfaces, dustless cleaning methods

**LIGHTING**

\*38 Lighting provided as required, fixtures shielded

**VENTILATION**

\*39 Rooms and equipment-vented as required

**DRESSING ROOMS**

\*40 Rooms clean, lockers provided, facilities clean, located, used

**OTHER OPERATIONS**

\*41 Toxic stains properly stored, labeled, used, necessary

\*42 Premises maintained, free of litter, unnecessary articles, cleaning maintenance equipment properly stored. Authorized personnel

\*43 Complete separation from living/sleeping quarters. Laundry facilities maintained

**GENERAL**

\*44 Clean, sealed linen properly stored

\*45 Fire extinguishers-proper and sufficient

\*46 Extinguishing system-adequate, good repair

\*47 Electrical wiring-adequate, good repair

\*48 Gas appliances-properly installed, maintained

\*49 Flammable/combustible materials-properly stored

**GENERAL**

\*50 Current license-properly displayed

\*51 Other conditions-sanitary and safe operation

\*52 Filing/misleading statements-published or advertised relating to food/beverage

\*53 Food management certification valid correct 5/16

\*54 Florida Clean Indoor Air Act

\*55 Automatic Garbage Storage

\*56 Copy of Chapter 509, Florida Statutes, available

**INFORMATION**

\*57 Hospitality Education Program information provided

Items marked with an ASTERISK (\*) are areas of CRITICAL CONCERN in the operation of your establishment.

**COMMENTS ON ADDENDUM**

I acknowledge receipt of this inspection form and comments

REMINDER: Your license expires 6/1/97

RECIPIENT'S NAME (PLEASE PRINT) <u>H. CHRISTIAN EVERETT</u>	TITLE <u>MANAGER</u>	INSPECTOR'S NAME (PLEASE PRINT) <u>R. Hutchinson</u>	TITLE <u>SSS</u>
RECIPIENT'S SIGNATURE <u>H.C. Everett</u>		INSPECTOR'S SIGNATURE <u>R. Hutchinson</u>	
ESTABLISHMENT TELEPHONE <u>19041927-2987</u>	DATE <u>8 13 1996</u>	TIME <u>1:10 pm</u>	OFFICE TELEPHONE <u>(800) 370 5170</u>
			DATE <u>8 13 1996</u>



Oceanfront cafe  
St. George Island, Florida

# St. George Island's Original Ocean Front Cafe - Raw Bar

216 West Gorrie Dr. 904/927-2987

## Chef Cole is Here!

Lunch • Dinner

Fresh, local seafood right off our boats  
Steaks, Wings, Burgers • Beachside deck dining  
Great Libations in Air-conditioned Comfort  
Open 11 a.m. - 10 p.m.

### Raise Your Spirits!

## Land's End

TIKI BAR



on the beach behind the Blue Parrot Cafe

## ST. GEORGE ISLAND SHIRT CO.

FEATURING WORLD FAMOUS  
BLUE PARROT T'S & CAPS  
& OTHER NEAT STUFF

under the Blue Parrot Cafe  
(904) 927-3544

we do sea-doo's . . .  
on the beach behind the Blue Parrot  
half hour • hourly • half day • full day  
sgi rentals, inc. 904/927-3288  
we also do credit cards



Re: Service Location No. 4  
CIAC Paid 7/23/82 -- \$500

Reading Date	Usage (Gallons)	No. Seats	Comments
9/22/90	1,700	None	Pelham customer (walk-up hot-dog stand)
10/21/90	1,400	None	Rucker became customer (walk-up hot-dog stand)
11/24/90	1,100		
12/21/90	300		
1/21/91	400		
2/20/91	100		
3/21/91	2,700		
4/17/91	1,300		
5/30/91	1,660		
6/26/91	1,310		
7/22/91	1,300		
8/21/91	10,000		
9/27/91	8,300		
10/25/91	3,100		
11/22/91	7,000		
12/20/91	7,100		
1/24/92	5,400		
2/26/92	3,500		
3/26/92	7,700		
4/23/92	9,200		
5/28/92	22,200		
6/26/92	33,300		
7/27/92	37,000		
8/28/92	18,100		
9/28/92	10,500		
10/28/92	7,400		
11/22/92	7,400		
12/20/92	7,000		
1/22/93	4,078		
2/26/93	4,325		
3/25/93	4,400		
4/23/93	4,570		
5/26/93	4,754		
6/25/93	4,986		
7/23/93	5,122		
8/20/93	5,414		
9/22/93	5,675		
10/22/93	5,823		
11/22/93	5,993		
12/20/93	6,082		
1/21/94	14,400		
2/18/94	13,000		
3/25/94	22,100		
4/27/94	35,700		
5/19/94	30,000		
6/24/94	39,600		
7/27/94	55,100		
8/26/94	28,300		
9/21/94	29,100		
10/25/94	41,900		
11/22/94	22,000		
12/23/94	23,700		
1/20/95	47,400		
2/17/95	74,400		
3/24/95	12,000		
4/21/95	24,700		
5/19/95	18,700		
6/23/95	56,400		
7/24/95	29,000		
8/15/95	42,100		
9/22/95	52,500		
10/25/95	23,400		
11/16/95	32,700		
12/19/95	29,100		
1/25/96	81,300		
2/22/96	52,300		
3/19/96	49,300	14	Dept. of Business Reg. verified 14 seat restaurant
4/17/96	41,700		
5/27/96	81,200	44	Rash d/b/a Blue Parrot became customer. Dept. of Business Reg. verified 44 seat restaurant
6/22/96	32,600		
7/19/96	76,300		
8/22/96	152,000	60	Dept. of Business Reg. verified 60 seat restaurant (Also T-shirt shop and Jet-ski rental as per ad)
9/27/96	128,700		

AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LEON

Before me, the undersigned authority, personally appeared  
BRUCE PELHAM, who after being duly sworn deposes and says:

1. I am an attorney licensed to practice in the state of  
Florida.

2. In the late 1980's, I acquired a beachfront hot-dog and  
soft drink stand on St. George Island commonly known as  
"SOBeach." At the time I acquired SOBeach it was a single-story  
building on pilings and the area underneath was not enclosed.  
There was no inside seating whatsoever. At the time I terminated  
service with St. George Island Utility Co. in October, 1990 it  
was still a walk-up hot-dog and soft drink stand with no seating.  
I did not make any modifications or do any remodeling to increase  
its size.

3. At the time I sold SOBeach, it was the same size and use  
as when I acquired it.

Further the affiant sayeth not.

Bruce Pelham  
BRUCE PELHAM

Sworn to and subscribed before me this 9<sup>th</sup> day of October,  
1996.

Sandra M. Chase  
NOTARY PUBLIC



Sandra M. Chase  
MY COMMISSION # CC604188 EXPIRES  
November 17, 1999  
BONDED THRU TROY FAIR INSURANCE, INC.

(BUILDING PERMITS BELONG TO THE PROPERTY OWNER)  
APPLICATION FOR DEVELOPMENT PERMIT

NAME AND ADDRESS OF PROPERTY OWNER: Blue Parrot Bar & Grill PHONE \_\_\_\_\_ PERMIT NO: 10093  
70 #0. 135 E. Gulf Bch Dr. PERMIT FEE: 40.00  
St. George Isl, Fl 32328 DATE: 2-16-94  
CONTRACTOR: Beach Builders REGISTRATION NO: \_\_\_\_\_

THIS APPLICATION MUST BE ACCOMPANIED BY TWO SETS OF PLANS. THE SITE PLAN MUST INCLUDE THE FOLLOWING: FRONT, SIDE AND REAR OF BUILDING WITH EVIDENCE OF WIDTH, DEPTH AND HEIGHT, AND SHOW THE LOCATION OF THE BUILDING ON THE LOT OR BUILDING SITE, SETBACKS, SEPTIC TANK, WATER WELL, DRIVEWAY AND PARKING. IF THE BUILDING SITE IS LOCATED IN A RATED FLOOD ZONE, THE SITE PLAN MUST INCLUDE A TOPOGRAPHIC SURVEY SHOWING ELEVATION OF THE BUILDING SITE.

SECTION ONE: PROPERTY TO BE DEVELOPED PARCEL I.D.# \_\_\_\_\_

1. SUBDIVISION St. Geo Isl. UNIT 1W BLOCK 10 LOT 38  
OTHER DESCRIPTION IF NOT A SUBDIVISION \_\_\_\_\_
2. NAME OF ROAD OR STREET FRONTING SITE: W. Gulf Bch Dr.
3. ATTACH LEGAL DESCRIPTION OR DEED AND A DETAIL VICINITY MAP WITH DIRECTIONS TO THE DEVELOPMENT SITE.

SECTION TWO: PURPOSE OF DEVELOPMENT.

MOBILE HOME: \_\_\_\_\_ ADDITION/ALTERATION \_\_\_\_\_ SINGLE FAMILY DWELLING: \_\_\_\_\_  
IF OTHER, DESCRIBE DEVELOPMENT: Replace Roof Note: Does not include room add.  
TOTAL SQUARE FEET: \_\_\_\_\_ EST. COST: \$ 6,000 EST. VALUE: \_\_\_\_\_  
VALUE OF EXISTING STRUCTURE: \_\_\_\_\_

SECTION THREE:

TYPE OF CONSTRUCTION: Frame ROOF: shingle FOUNDATION: \_\_\_\_\_  
LOT DIMENSIONS: \_\_\_\_\_

SECTION FOUR: (TO BE COMPLETED BY PLANNING OFFICIAL)

WASTE WATER DISPOSAL SYSTEM: N/A  
(ATTACHED SEPTIC TANK PERMIT OR LETTER OF SERVICE)

SOURCE OF POTABLE WATER: N/A  
(ATTACH LETTER OF SERVICE IF APPLICABLE)

BASE FLOOD ELEVATION: PANEL NO. 0300 B FIRM ZONE \_\_\_\_\_

ELEVATION OF LOWEST HORIZONTAL SUPPORT STRUCTURE OF BUILDING \_\_\_\_\_

ZONING DISTRICT C-2 CRITICAL SHORELINE DISTRICT? NO CRITICAL HABITAT ZONE? \_\_\_\_\_ IF YES, IDENTIFY WATER BODY NO

[Signature]  
SIGNATURE OF APPLICANT \_\_\_\_\_ DATE \_\_\_\_\_

Mark C. Curton 2-18-94  
PLANNING OFFICIAL \_\_\_\_\_ DATE \_\_\_\_\_

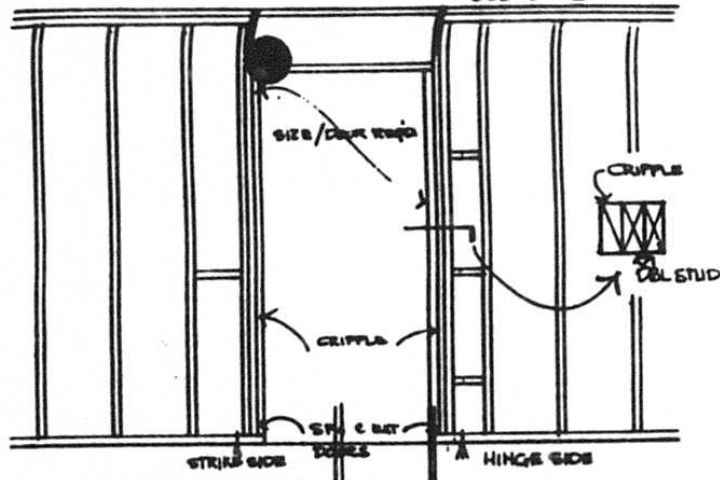
[Signature] 2-18-94  
BUILDING OFFICIAL \_\_\_\_\_ DATE \_\_\_\_\_

NOTE TO APPLICANTS AND PERMIT HOLDERS: VIOLATIONS OF THE TERMS AND CONDITIONS OF THIS PERMIT MAY WARRANT A STOP WORK ORDER OR REVOCATION OF THIS PERMIT.

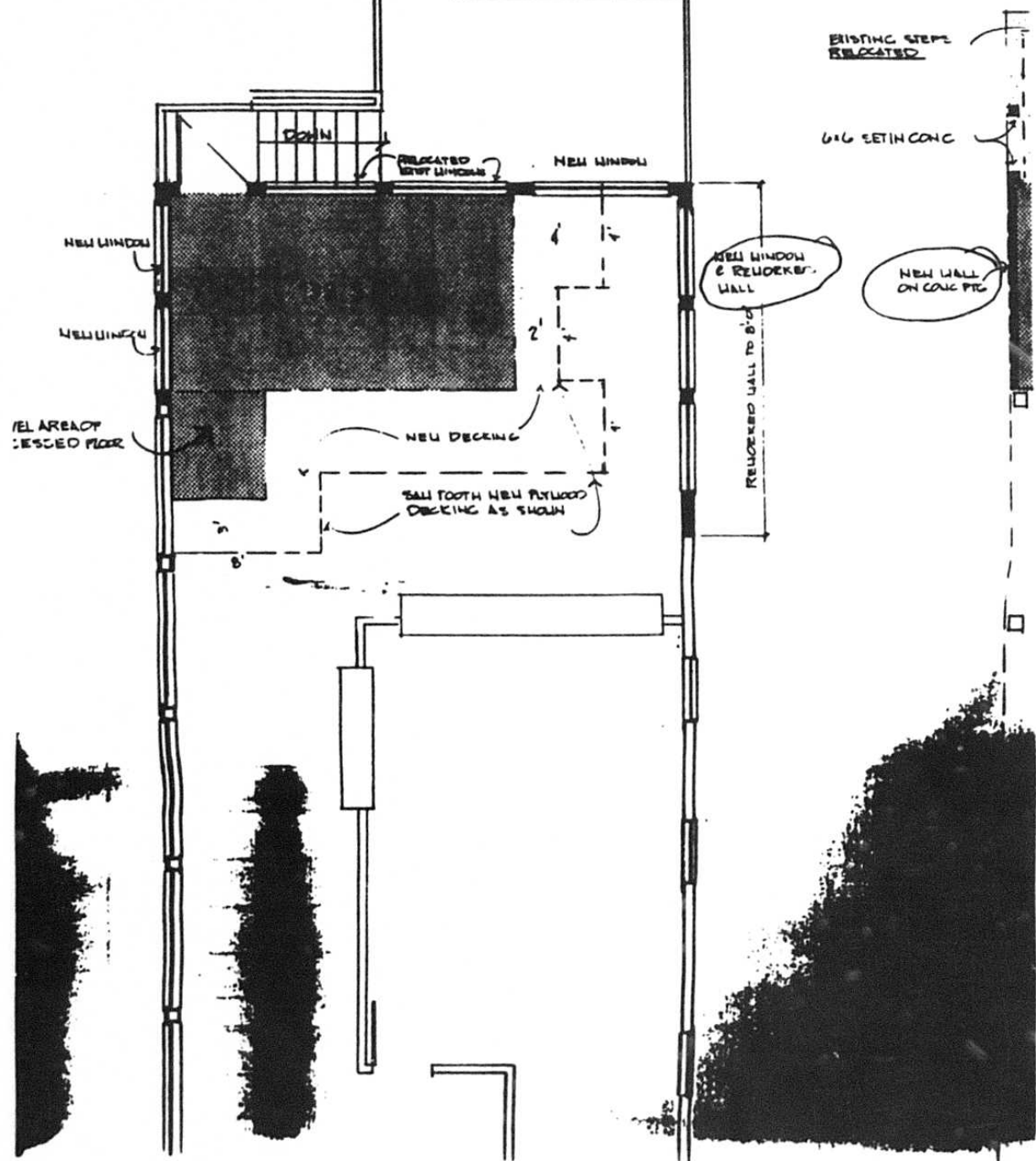


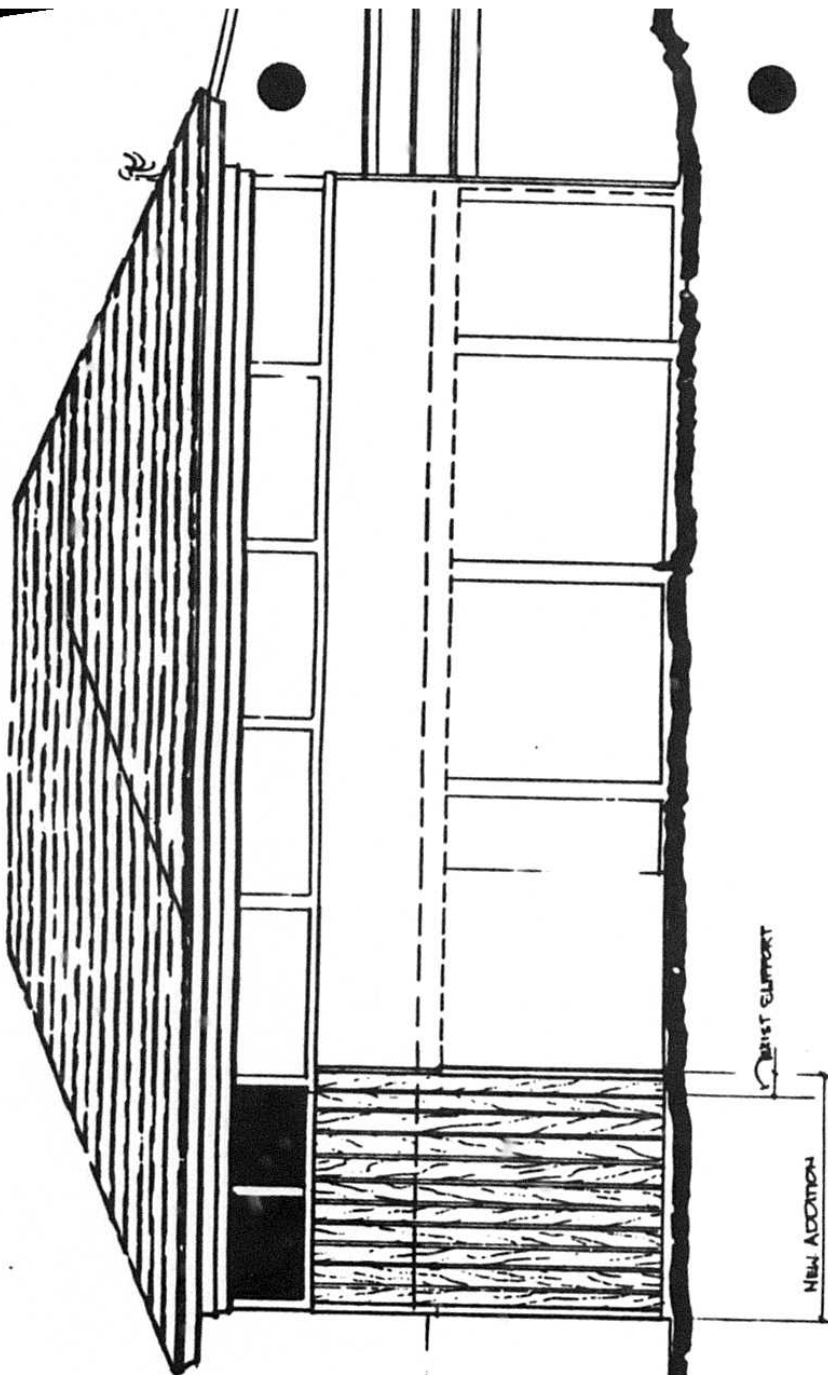


DBL TOP R



TYPICAL DOOR-WINDOW FRAMING

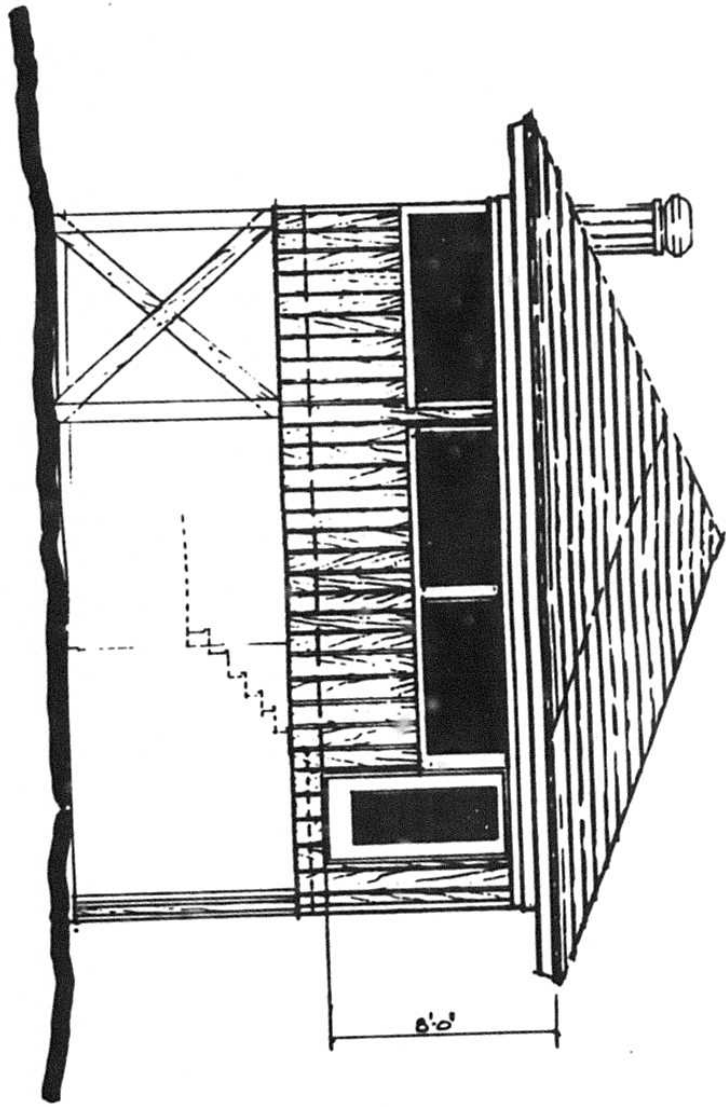


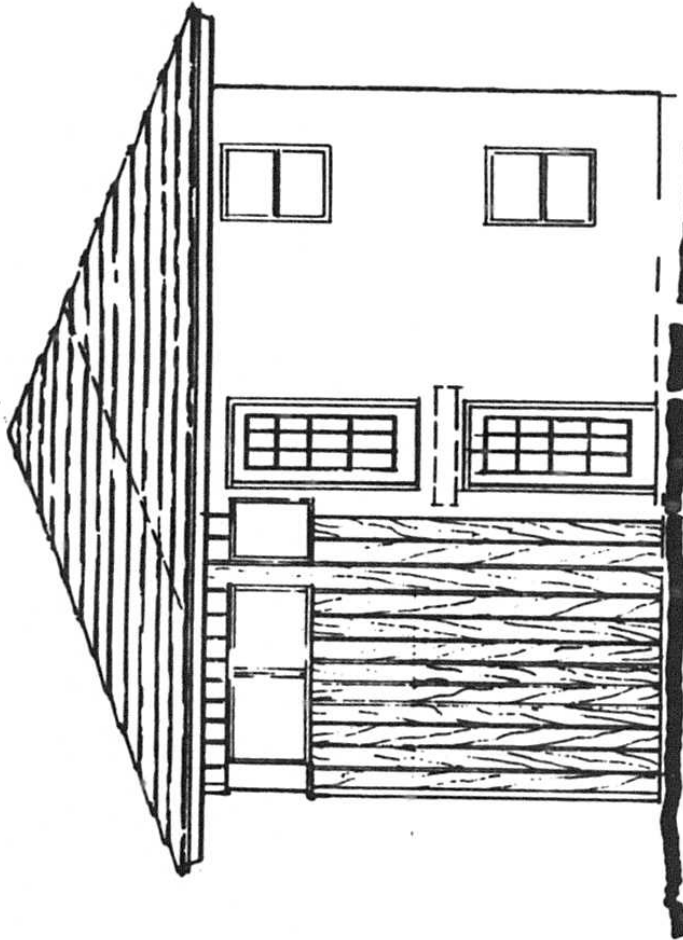


LEFT SIDE ELEVATION

1

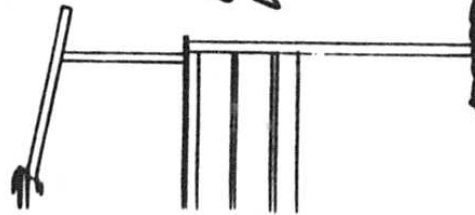
BEACH SIDE ELEVATION

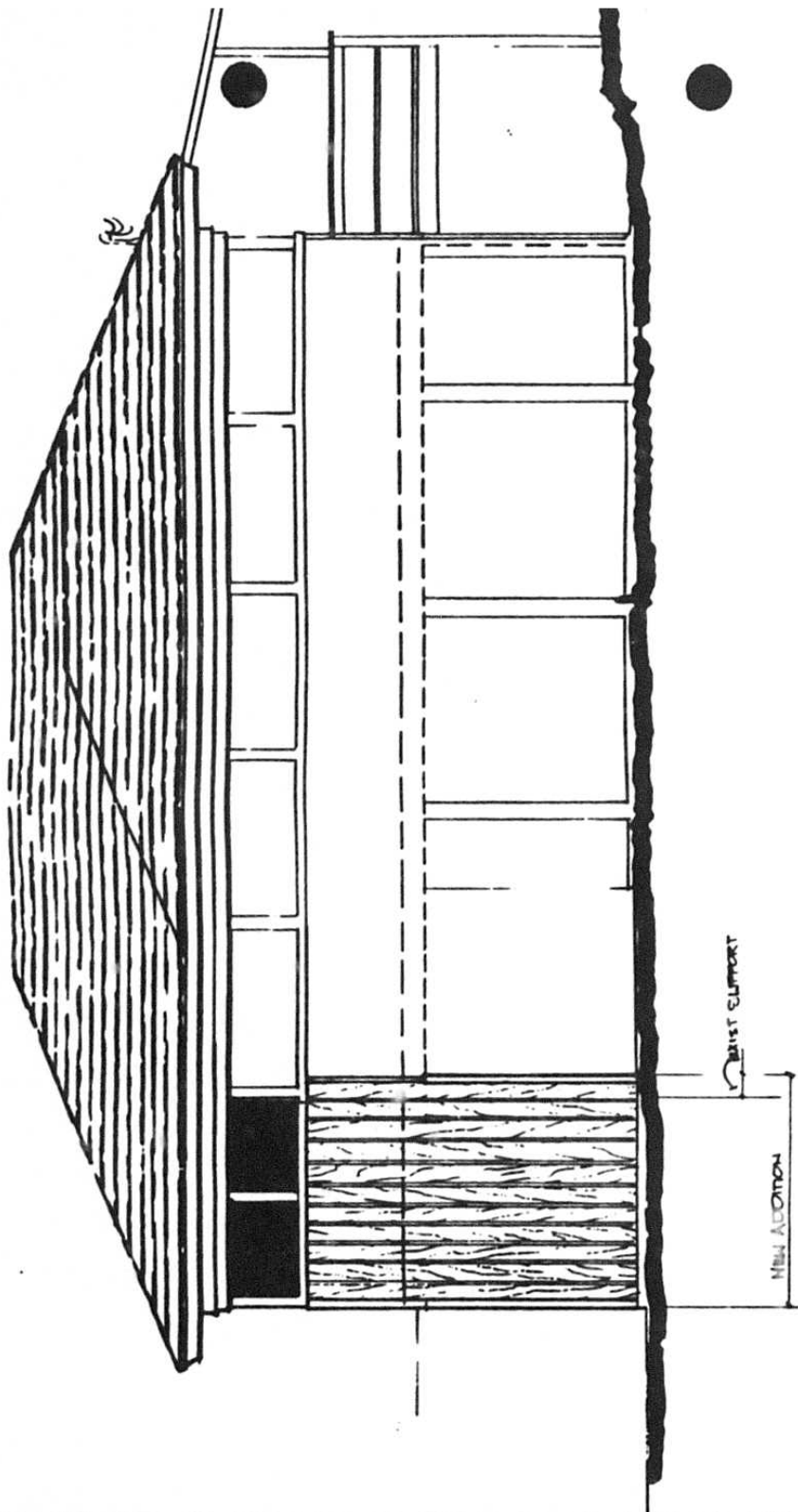




FRONT ELEVATION

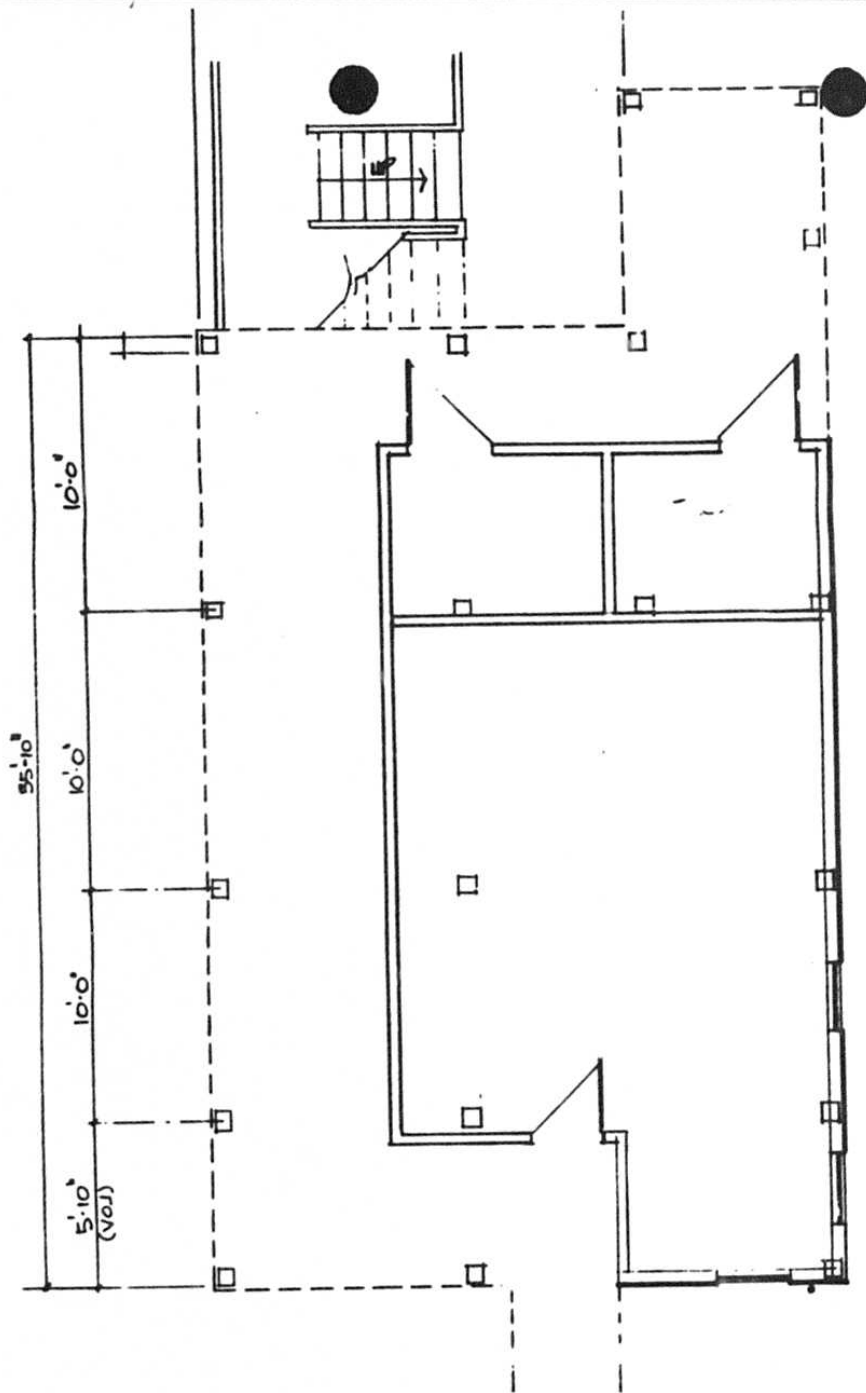
code requires  
GUMM RAILS TO BE  
VERTICAL PROTECTION



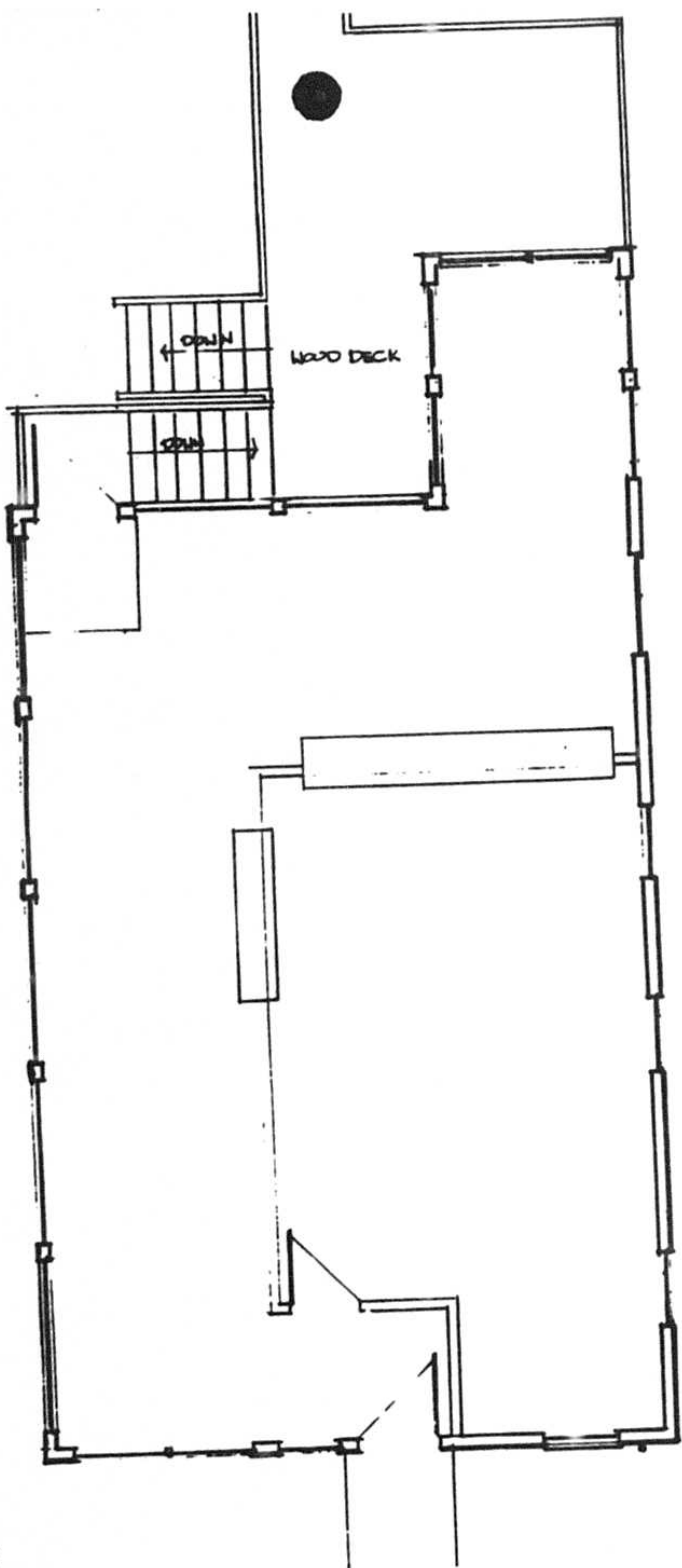


LEFT SIDE ELEVATION

4



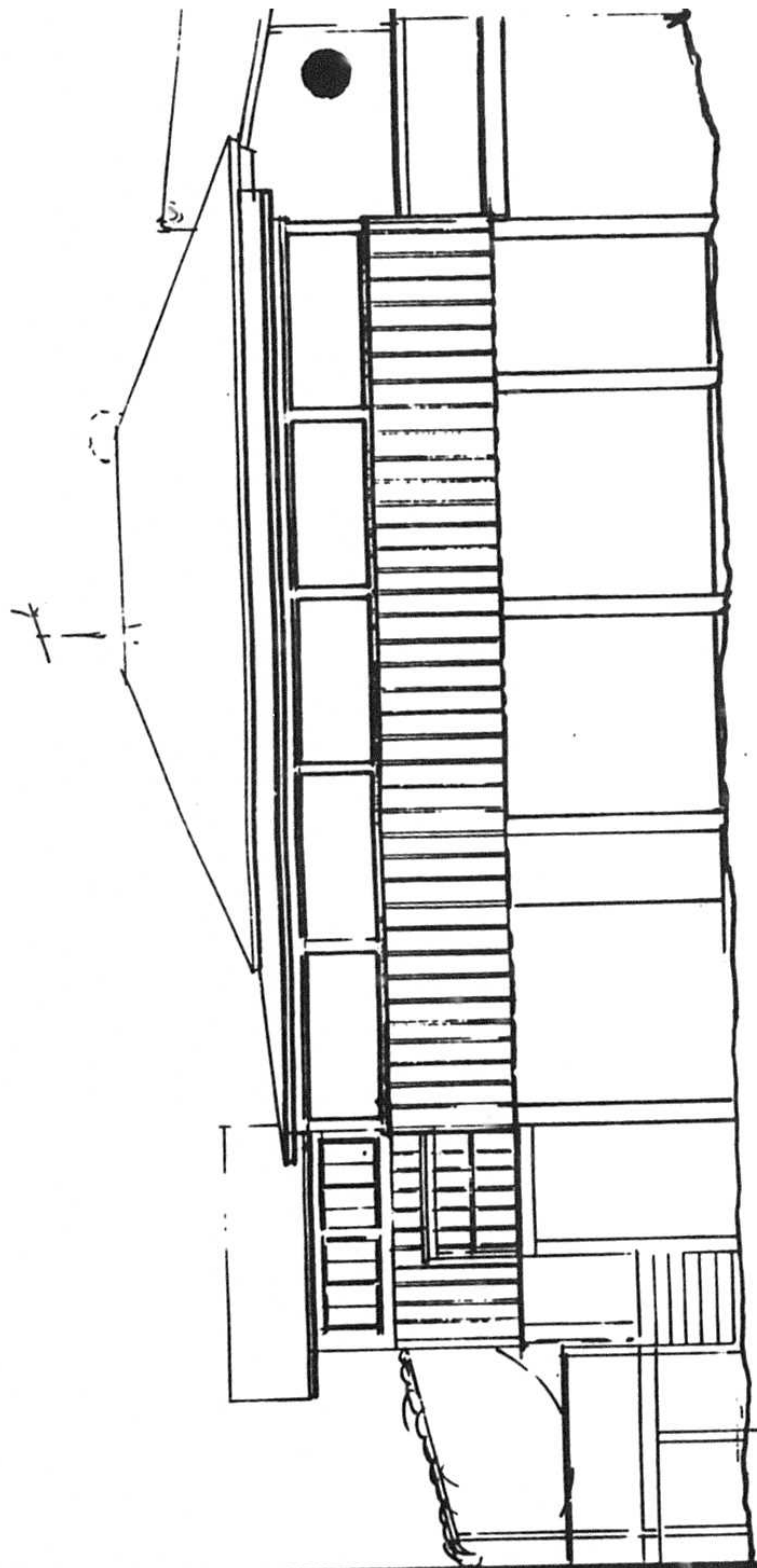
GROUND LEVEL PLAN—EXISTING



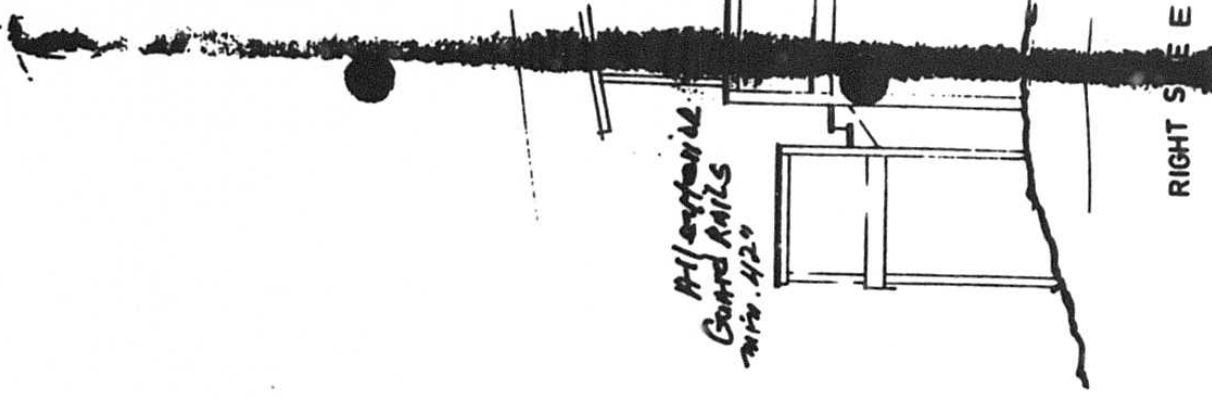
MAIN LEVEL FLOOR PLAN EXISTING



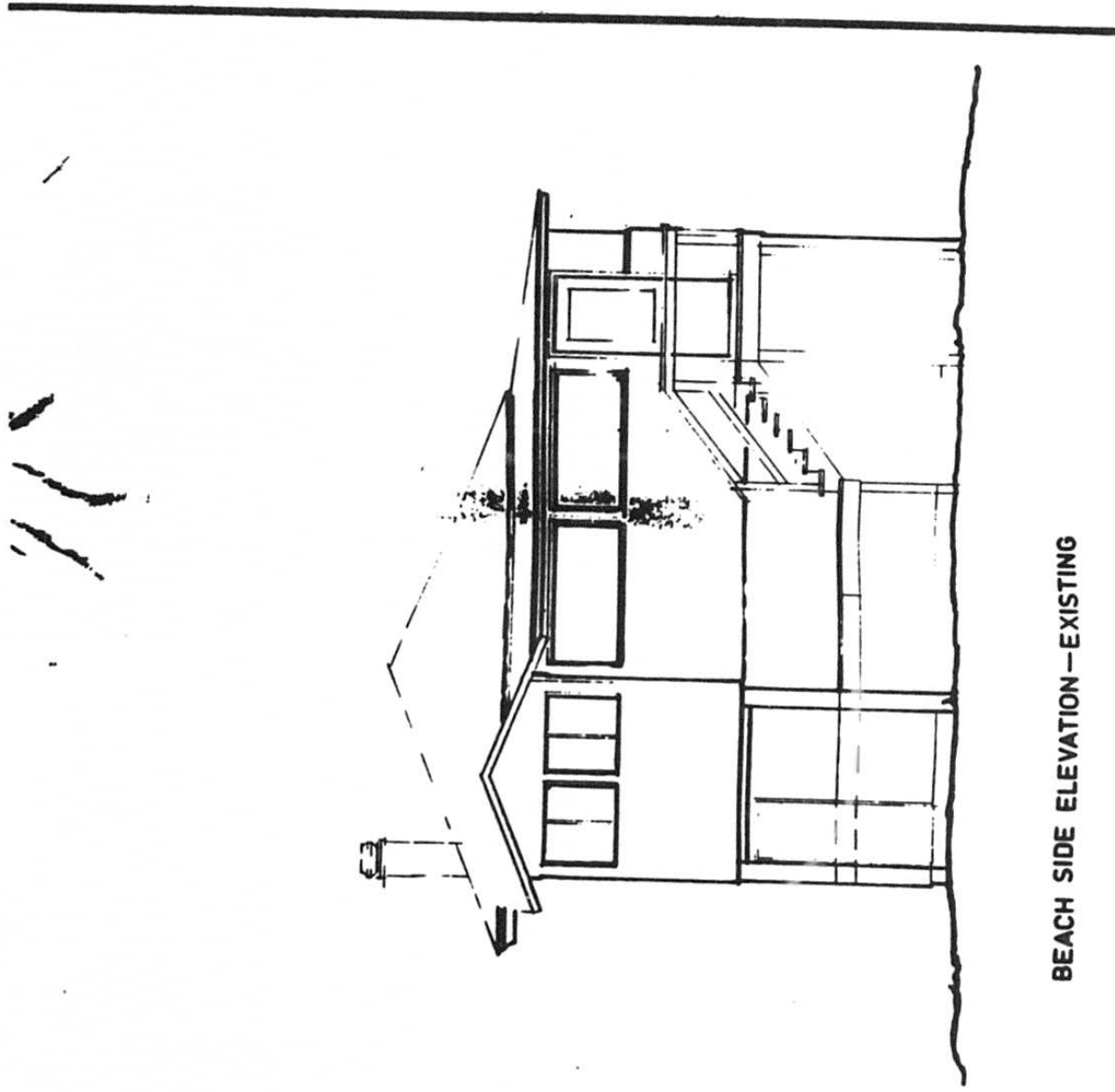




LEFT SIDE ELEVATION - EXISTING



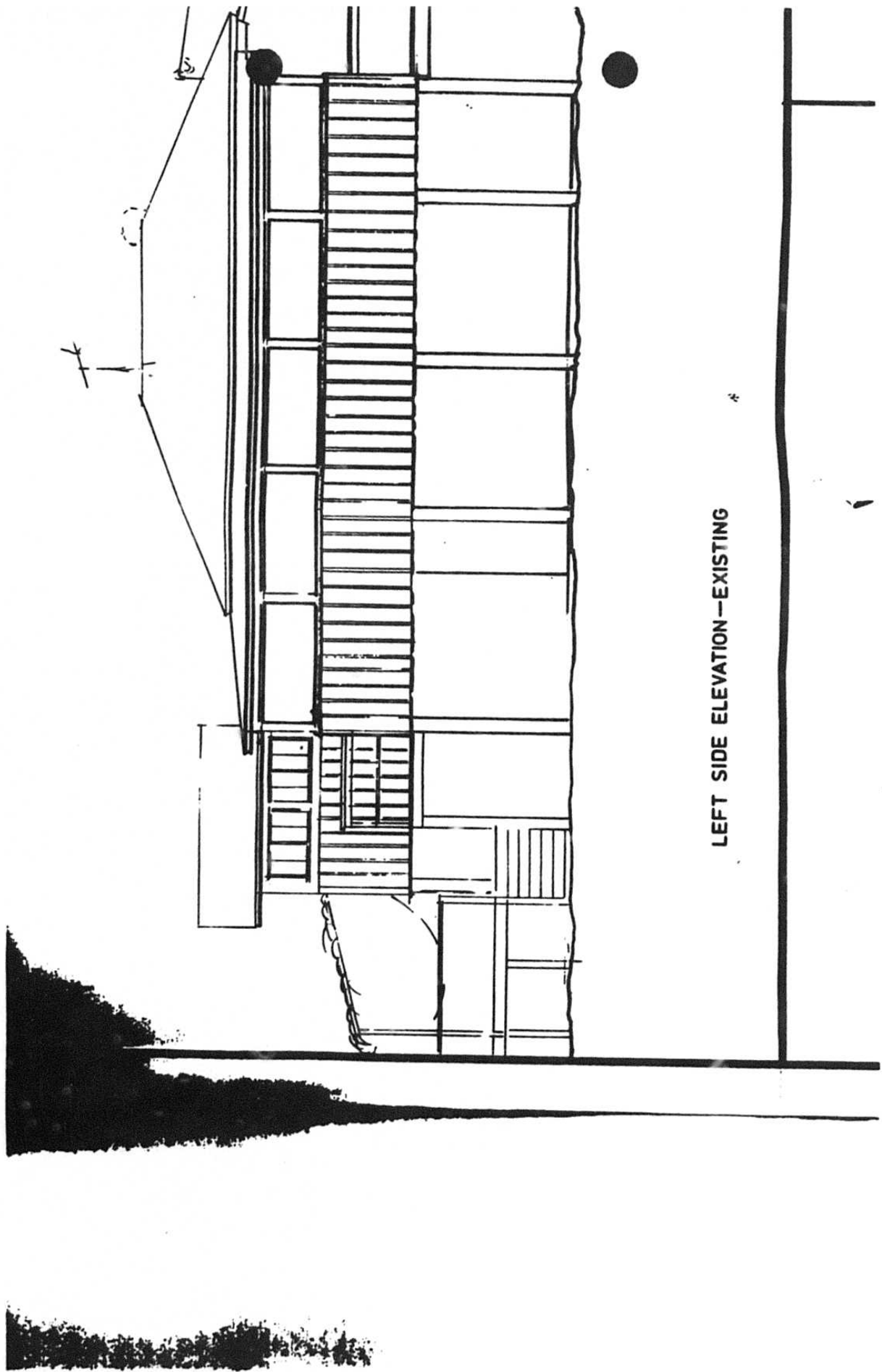
RIGHT SIDE



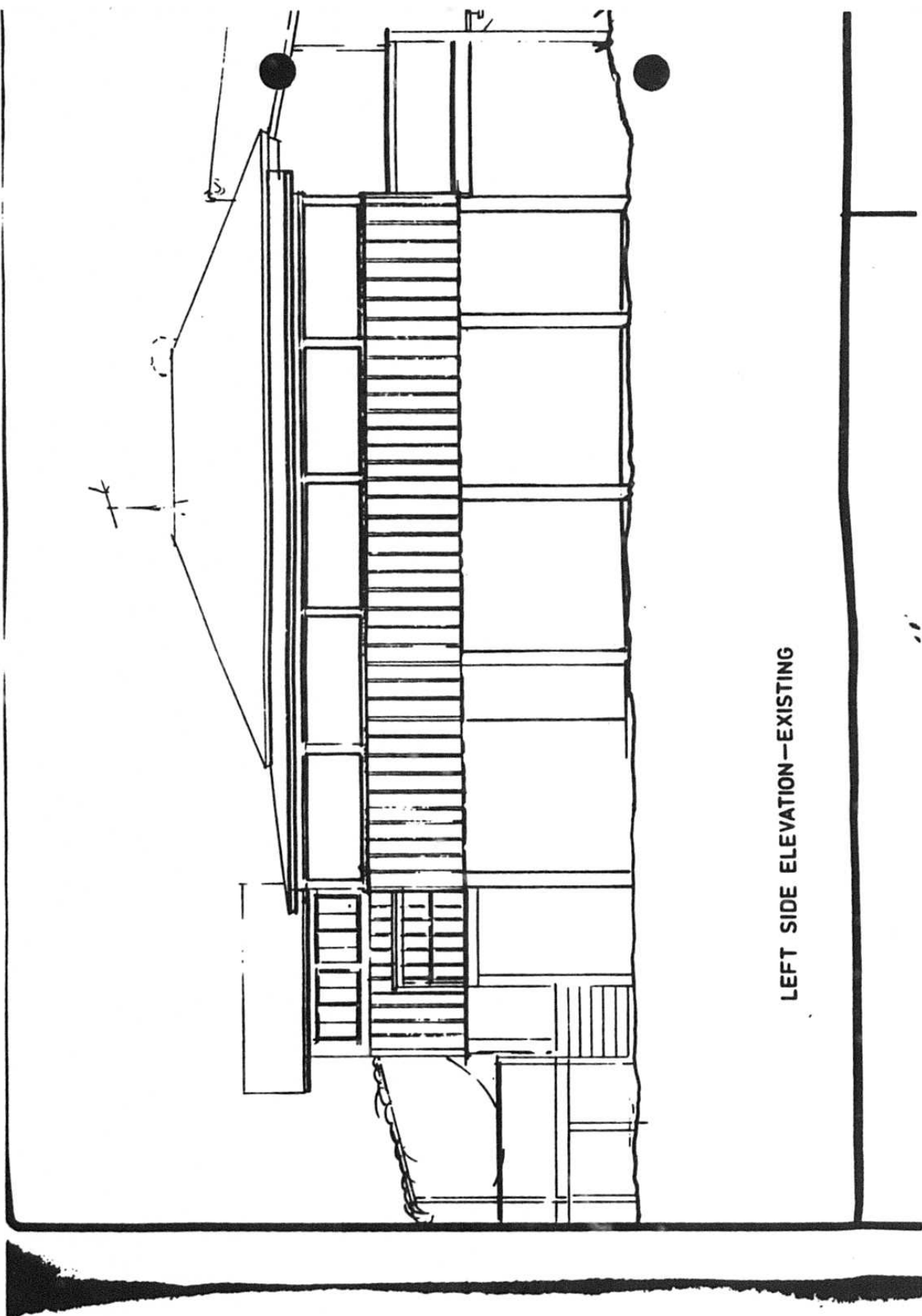
BEACH SIDE ELEVATION - EXISTING



FRONT ELEVATION—EXISTING

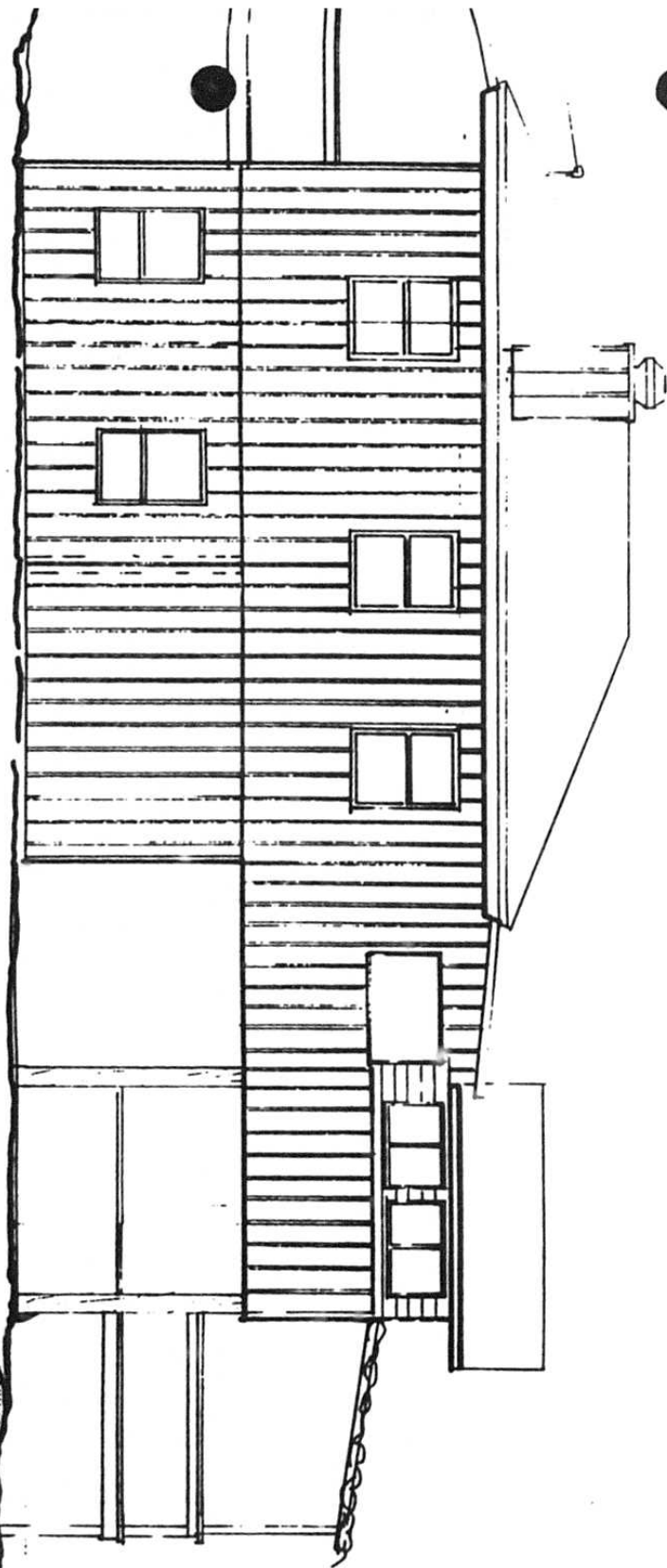


LEFT SIDE ELEVATION—EXISTING



LEFT SIDE ELEVATION—EXISTING

ELEVATION - EXISTING



FRANKLIN COUNTY BUILDING DEPARTMENT  
REVIEWED  
7-18-92

SCALE	CONTENT ELEVATION	DATE 7-	JOB NO.	BY	<b>DANNY ERSKINS ARCHITECT, INC.</b> ARCHITECTS-ENGINEERS-LAND PLANNERS	SEAL 
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St. George Island Utility Co., d.  
3848 Killcarn Court  
Tallahassee, Florida 32308  
(904) 668-0440 • (904) 927-2648

MW

May 23, 1996

RECEIVED

MAY 28 1996

Mr. Charles H. Hill  
Director  
Division of Water & Wastewater  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Florida Public Service Commission  
Division of Water and Wastewater

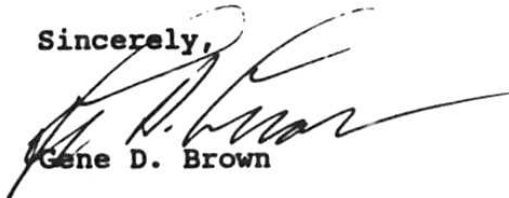
Re: Blue Parrot Oceanfront Cafe, Inc.  
Service Location No. 480

Dear Mr. Hill:

This is in response to your letter of May 21, 1996,  
addressed to Ms. Sandra Chase.

Based upon the facts as I understand them, I respectfully disagree with the conclusion set forth in your letter. Accordingly, I would like to request an informal conference with the staff members involved in this decision at the earliest possible time. I want to make sure that your staff has all the facts, and I need to better understand their position before I decide whether to make an issue of this matter. Also, the utility would like the staff's guidance in handling other similar situations involving substantial increases in commercial water usage. Please call Ms. Chase or me to let us know when we can meet with staff members to discuss this matter.

Sincerely,



Gene D. Brown

GDB:smc  
cc: Frank Seidman

State of Florida

Commissioners:  
SUSAN F. CLARK, CHAIRMAN  
J. TERRY DEASON  
JULIA L. JOHNSON  
DIANE K. KIESLING  
JOE GARCIA



DIVISION OF WATER &  
WASTEWATER  
CHARLES HILL  
DIRECTOR  
(904) 413-6900

## Public Service Commission

May 21, 1996

Ms. Sandra M. Chase  
St. George Island Utility Co., Ltd.  
3848 Killearn Court  
Tallahassee, Florida 32308

Dear Ms. Chase,

The Commission received an inquiry from Jan Hevier, Esquire, who represents the individual who recently purchased the Blue Parrot Oceanfront Cafe, Inc. (service location No. 480). According to Mr. Hevier, St. George Island Utility Co., Ltd. (St. George) intends to assess a service availability charge of \$7,657.02, apparently based upon the maximum number of 60 seats that the restaurant is permitted for.

A review of this situation indicates that the additional charge of \$7,657.03 is inappropriate. A service availability charge is typically imposed upon the initiation of service to a location. Any service availability charges related to the initiation of service should have been collected from the prior owner of the establishment. A change in ownership does not warrant the imposition of additional charges. Moreover, according to Mr. Hevier, the restaurant will only have 38 seats and the only expansion will be an additional sun deck. Based upon these factors, the additional service availability charges are unwarranted. Unless the utility files a written response by June 7, 1996, staff will consider this matter closed.

Should St. George wish to pursue this matter, the utility should address the following issues in its written response: why the requested additional service availability charges are warranted and not unfairly discriminatory; why the additional charges were not collected from the prior owner; and whether the utility would refund service availability charges for all existing commercial and residential customers if their usage decreases. If St. George still wishes to impose this additional charge it will likely be necessary to open a docket to address the appropriateness of the additional service availability charges.



Letter - Ms. Chase

Page 2

May 21, 1996

Sincerely,

A handwritten signature in black ink, appearing to read "Ch H Hill", written in a cursive style.

Charles H. Hill  
Director

c: Division of Water and Wastewater (Willis, Crouch, Rendell, Groom)  
Division of Legal Services (Jaber, O'Sullivan)  
Jan J. Hevier, Esquire

---

St. George Island Utility Co., Ltd.  
3848 Killearn Court  
Tallahassee, Florida 32308  
(904) 668-0440 • (904) 927-2648

---

FAX

TO: Eric  
FROM: Sandy  
DATE: 5/16/96  
RE: Steve Rash  
d/b/a Blue Parrot  
ACCT. No: 480

Attached is a history of water use for the past 13 months. Please note that the peak day use was 2,710 gallons. The average use was 1,368 per day. Since Mr. Rash is increasing the number of seats, the quote based on 2,100 gallons per day (35 gpd x 60 seats = 2,100 gpd) is probably low.

Regarding the meter size, please refer to the PSC's SOP No. 2409, page 2. The 5/8" meter will probably give adequate flow but low pressure since it is not rated for this number of ERC's. The utility will recommend a larger meter, but cannot force the customer to accept our recommendation.

Call me if you have any questions.

---

\*\*\* TAABS II -- Print All Customer Files \*\*\*  
ST. GEORGE ISLAND UTILITY CO.

04/30/96

Resident Acct# [00000480] ACTIVE Owner Acct# [07/23/82]

Name [RICK RUCKER] - [RUCKER] Route Book Comment  
Service Address [11-12/10/1N] ] [NE CORNER ]  
Mailing Address [MCR BOX 181] ] Billing Comment  
City [ST. GEORGE ISL] ] State [FL] Zip [32220] ] [ ]

Book-Sequence [ 3.034] Deposit Date [10/10/90] ID# [65] ] Pump# [ 0]  
Reading Multiplier [ 100] Rollover Digit [4] Meter Type [ ] Meter# [19605762] Meter Units [6A]

	Deposit	Balance	Average	Current	Rate Code	CURRENT	30----	59
Water [	0.00]	[ 109.25]	[ 108.07]	[ 109.25]	[61]	[ 109.25]	[	0.00]
Tap-Fees [	0.00]	[ 0.00]	[ 0.00]	[ 0.00]	[ ]	60----	89	-----90+
Misc. [	0.00]	[ 0.00]	[ 0.71]	[ 0.00]	[ ]	[ 0.00]	[	0.00]
Other	[	0.00]	[ 0.00]	[ 0.00]				
Totals [	0.00]	[ 109.25]	[ 108.78]	[ 109.25]	Avg. Usage [41015.38 ]	Beginning Balance [		0.00]
						Beginning Deposit Balance [		0.00]

MONTH	READING DATE	METER READING	WATER USAGE	WATER CHARGE	TAP-FEES CHARGE	MISC. CHARGE	OTHER	PENALTIES	PAYMENT DATE	TOTAL PAYMENTS
1	04/17/96	7200	41700	109.25	0.00	0.00	0.00	0.00	/ /	0.00
2	03/19/96	965500	49300	125.14	0.00	0.00	0.00	0.00	04/23/96	125.14
3	02/22/96	916200	52300	129.56	0.00	0.00	0.00	0.00	03/25/96	410.63
4	01/25/96	863900	81300	271.07	0.00	10.00	0.00	0.00	01/26/96	81.77
5	12/19/95	782600	29100	81.77	0.00	0.00	0.00	0.00	/ /	0.00
6	11/16/95	753500	32700	89.18	0.00	0.00	0.00	0.00	12/28/95	289.17
7	10/25/95	720800	23400	70.82	0.00	0.00	0.00	0.00	/ /	0.00
8	09/22/95	697400	52500	129.97	0.00	0.00	0.00	0.00	/ /	0.00
9	08/15/95	644900	42100	108.55	0.00	0.00	0.00	0.00	09/01/95	190.11
10	07/24/95	602800	29000	81.56	0.00	0.00	0.00	0.00	/ /	0.00
11	06/23/95	573800	56400	138.00	0.00	0.00	0.00	0.00	07/21/95	138.00
12	05/19/95	517400	18700	60.34	0.00	0.00	0.00	0.00	06/05/95	133.04
13	04/21/95	498700	24700	72.70	0.00	0.00	0.00	0.00	04/24/95	45.85
14	03/24/95	474000		45.85	0.00	0.00	0.00	0.00	03/27/95	192.82
		<b>TOTALS</b>	<b>533200</b>	<b>1512.96</b>	<b>0.00</b>	<b>10.00</b>	<b>0.00</b>	<b>0.00</b>		<b>1606.53</b>



ST. GEORGE ISLAND UTILITY COMPANY, LTD.  
WATER APPLICATION FOR COMMERCIAL USE

Name of Customer Responsible for Payment: Steven C. Rash  
 Address: Box 190 St George Island FL 32324  
 Service Location: (Legal Description) Lot 27-38 Block 13 West 0-1  
 Is this new construction: NO  
 Intended Use: Restaurant  
 Square Footage: 1900  
 If Restaurant No. of Seats: (Must agree with HRS, state/county or other permit applications.) 60  
 If Restaurant What are hours: 11-10  
 Kitchen Facilities: yes  
 How many bathrooms: 2  
 Are they full bathrooms with showers: N  
 Will you have washing machines: If so, how many N  
 What type of sewage treatment: Septic  
 Will anyone be living or sleeping (temporarily or permanently) at location: N  
 Do you intend to expand or change the use: N  
 Will you have a well, sprinkler system, irrigation system or dock: Y

Requirements: Copies of any state, county or federal permits.  
 Copies of building plans.

Date: 5-8-96

h  
Signature of Applicant

ST. GEORGE ISLAND UTILITY CO., LTD.  
3848 Killeam Court  
Tallahassee, FL 32308  
(904) 688-0440  
(904) 688-0441 - Fax

TO: Cris

FROM: Sandy

DATE: 5/16/96

# of Pages including cover: 2

*Tony Anderson*  
*Mr. P. Williams*  
*Chad Allen*  
*Lit. John*

ST. GEORGE ISLAND UTILITY COMPANY, LTD.  
WATER APPLICATION FOR COMMERCIAL USE

Name of Customer Responsible for Payment: Steven C. Rauh  
 Address: Box 190 St George Island FL 32324  
 Service Location: (Legal Description) Lot 27-38 Blackbeast Cr.  
 Is this new construction: NO  
 Intended Use: RESTAURANT  
 Square Footage: 1900  
 If Restaurant No. of Seats: (Must agree with HRS, state/county or other permit applications.) 60  
 If Restaurant What are Hours: 11-10  
 Kitchen Facilities: yes  
 How many bathrooms: 2  
 Are they full bathrooms with showers: NO  
 Will you have washing machines: If so, how many NO  
 What type of sewage treatment: SEPTIC  
 Will anyone be living or sleeping (temporarily or permanently) at location: NO  
 Do you intend to expand or change the use: NO  
 Will you have a well, sprinkler system, irrigation system or dock: YES

Requirements: Copies of any state, county or federal permits.  
Copies of building plans.

Date: 5-8-96

[Signature]  
Signature of Applicant

PLANS IN PERMIT NO. 10073  
(BUILDING PERMITS BELONG TO THE PROPERTY OWNER)  
APPLICATION FOR DEVELOPMENT PERMIT

NAME AND ADDRESS OF PROPERTY OWNER: Blue Parrot Bar & Grill PHONE \_\_\_\_\_ PERMIT NO: 10341  
% 135 E. Gulf Beach Drive PERMIT FEE: \$20.00  
St. George Island, Fla. 32328 DATE: 8-3-94

CONTRACTOR: Beach Builders REGISTRATION NO: RG0056325

THIS APPLICATION MUST BE ACCOMPANIED BY TWO SETS OF PLANS. THE SITE PLAN MUST INCLUDE THE FOLLOWING: FRONT, SIDE AND REAR OF BUILDING WITH EVIDENCE OF WIDTH, DEPTH AND HEIGHT, AND SHOW THE LOCATION OF THE BUILDING ON THE LOT OR BUILDING SITE, SETBACKS, SEPTIC TANK, WATER WELL, DRIVEWAY AND PARKING. IF THE BUILDING SITE IS LOCATED IN A RATED FLOOD ZONE, THE SITE PLAN MUST INCLUDE A TOPOGRAPHIC SURVEY SHOWING ELEVATION OF THE BUILDING SITE.

SECTION ONE: PROPERTY TO BE DEVELOPED PARCEL I.D.# \_\_\_\_\_

- SUBDIVISION St. George Island UNIT 1W BLOCK 10 LOT 38137  
OTHER DESCRIPTION IF NOT A SUBDIVISION \_\_\_\_\_
- NAME OF ROAD OR STREET FRONTING SITE: W. Gulf Beach Drive
- ATTACH LEGAL DESCRIPTION OR DEED AND A DETAIL VICINITY MAP WITH DIRECTIONS TO THE DEVELOPMENT SITE.

SECTION TWO: PURPOSE OF DEVELOPMENT.

MOBILE HOME: \_\_\_\_\_ ADDITION/ALTERATION  SINGLE FAMILY DWELLING: \_\_\_\_\_

IF OTHER, DESCRIBE DEVELOPMENT: renodeling + enclosing porch

TOTAL SQUARE FEET: 139 # \*Does not Authorize Additional Seating  
EST. COST: \$3,000 EST. VALUE: \_\_\_\_\_

VALUE OF EXISTING STRUCTURE: \_\_\_\_\_

SECTION THREE:

TYPE OF CONSTRUCTION: Frame ROOF: shingle FOUNDATION: \_\_\_\_\_

LOT DIMENSIONS: \_\_\_\_\_

SECTION FOUR: (TO BE COMPLETED BY PLANNING OFFICIAL)

WASTE WATER DISPOSAL SYSTEM: Septic Tank - #94-0098  
(ATTACHED SEPTIC TANK PERMIT OR LETTER OF SERVICE)

SOURCE OF POTABLE WATER: St. George Island Utilities  
(ATTACH LETTER OF SERVICE IF APPLICABLE)

BASE FLOOD ELEVATION: PANEL NO. 0300B FIRM ZONE V9 EI. 12

ELEVATION OF LOWEST HORIZONTAL SUPPORT STRUCTURE OF BUILDING \_\_\_\_\_

ZONING DISTRICT C-2 CRITICAL SHORELINE DISTRICT? No CRITICAL HABITAT

ZONE? No IF YES, IDENTIFY WATER BODY N/A

[Signature]  
SIGNATURE OF APPLICANT DATE

Mark C. Cuvator 8-3-94  
PLANNING OFFICIAL DATE

Robert Carr 8/3/94  
BUILDING OFFICIAL DATE

NOTE TO APPLICANTS AND PERMIT HOLDERS: VIOLATIONS OF THE TERMS AND CONDITIONS OF THIS PERMIT MAY WARRANT A STOP WORK ORDER OR REVOCATION OF THIS PERMIT.



FRANKLIN COUNTY PLANNING AND BUILDING DEPARTMENT  
SUPPLEMENTAL APPLICATION FOR DEVELOPMENT WITHIN THE  
CRITICAL SHORELINE DISTRICT, COASTAL BUILDING AND  
FLOOD ZONES.

(1) SUBMIT THE FOLLOWING WITH THIS APPLICATION:

- (A) TOPOGRAPHIC SURVEY PREPARED BY A REGISTERED LAND SURVEYOR OR ENGINEER AT A SCALE OF NOT MORE THAN 1" EQUALS 30' OF THE PARCEL BEING DEVELOPED INCLUDING THE FOLLOWING

1. LOT OR LAND DIMENSIONS.
2. COASTAL CONSTRUCTION AND SETBACK LINES WHERE APPLICABLE, 50 FOOT CRITICAL HABITAT BUFFER AND 150 FOOT CRITICAL SHORELINE WHERE APPLICABLE.
3. GENERAL TOPOGRAPHY INCLUDING LOCATION OF SAND DUNES, WETLANDS AND NATIVE VEGETATION.

- (B) ARCHITECTURAL DRAWINGS AND PLANS CERTIFIED BY REGISTERED ENGINEER OR ARCHITECT FOR ALL DEVELOPMENT IN THE FRANKLIN COUNTY COASTAL BUILDING ZONE, INCLUDING THE FOLLOWING:

FLOOR PLAN \_\_\_ ELEVATION \_\_\_ FOUNDATION \_\_\_ FOUNDATION DETAIL \_\_\_

STRUCTURAL DETAIL \_\_\_ PLUMBING \_\_\_ ELECTRICAL \_\_\_ HEAT & AIR \_\_\_

OTHER MECHANICAL \_\_\_. THESE DETAIL PLANS SHOULD SPECIFY TYPE OF DESIGN INCLUDED TO RENDER THE STRUCTURE HURRICANE RESISTANT AND MUST COMPLY WITH THE STANDARDS OF THE FRANKLIN COUNTY COASTAL BUILDING CODE AND THE 1986 STANDARD BUILDING CODE AS REVISED.

(2) PROPOSED ALTERATION OF LAND:

- A. PERCENTAGE OF LAND COVERED BY VEGETATION? \_\_\_\_\_ *no additional*
- B. PERCENTAGE OF VEGETATION TO BE CLEARED? \_\_\_\_\_ *clearing required*
- C. DIMENSIONS OF DRIVEWAY AND OTHER CLEARED AREAS? \_\_\_\_\_
- D. PERCENTAGE OF LAND TO BE PLACED IN IMPERVIOUS SURFACE? \_\_\_\_\_
- E. DRIVEWAY MATERIAL? \_\_\_\_\_

(3) PROPOSED MITIGATION AND RESTORATION OF THE LAND:

- A. CAN DEVELOPMENT BE ACCOMPLISHED WITHOUT TOPPING THE CROWN OF A SAND DUNE?: (EXPLAIN FULLY) N/A
- B. WHAT STEPS WILL BE TAKEN TO MINIMIZE DISTURBANCE OF DUNE SYSTEM DURING CONSTRUCTION? N/A
- C. HOW WILL VEGETATION AND DUNES BE RESTORED FOLLOWING DEVELOPMENT? N/A
- D. IF DEVELOPMENT IS SEAWARD OF COASTAL CONSTRUCTION LINE HAS PROPOSED DEVELOPMENT BEEN APPROVED BY D.N.R. FR PERMIT NO. FR-407 (ATTACH COPY OF D.N.R. PERMIT TO APPLICATION.)

(4) CRITICAL SHORELINE DISTRICT

- A. PREDEVELOPMENT SITE INSPECTION N/A INSPECTOR INITIALS \_\_\_\_\_ (ATTACH COPY OF INSPECTION REPORT).
- B. DEVELOPMENT IN CRITICAL HABITAT ZONE N/A (ATTACH VARIANCE).
- C. STORMWATER MANAGEMENT PLAN N/A (ATTACH COPY)
- D. WASTEWATER MAINTENANCE AGREEMENT N/A (ATTACH COPY).
- E. TEMPORARY SOLID AND WASTEWATER DISPOSAL SYSTEMS ON SITE N/A.
- F. DEVELOPMENT APPROVED BY PLANNING COMMISSION  DATE \_\_\_\_\_.

G. DEVELOPMENT APPROVED BY COUNTY COMMISSION \_\_\_\_\_ DATE \_\_\_\_\_.

(5) ENGINEERING CERTIFICATION:

STRUCTURAL INTEGRITY: (EACH STATEMENT MUST BE ANSWERED AND/OR INITIALED BY A REGISTERED ENGINEER OR ARCHITECT).

- A. IS THE STRUCTURE DESIGNED TO BE ANCHORED ON PILING? \_\_\_\_\_.
- B. IS THE STRUCTURE DESIGNED TO WITHSTAND FORCES OF WIND, STORM SURGE, SCOUR AND WAVE ACTION ASSOCIATED WITH A 100 YEAR STORM IN ACCORDANCE WITH THE COUNTY COASTAL BUILDING CODE AND THE 1986 STANDARD BUILDING CODES AS REVISED \_\_\_\_\_ (INITIALED) \_\_\_\_\_.
- D. OTHER STRUCTURAL REQUIREMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(6) ELEVATION REQUIREMENTS:

- A. WHAT IS THE LOWEST BASE ELEVATION AT THE BUILDING SITE?: \_\_\_\_\_.
- B. WHAT IS THE REQUIRED ELEVATION ACCORDING TO THE FRANKLIN COUNTY FLOOD DISTRICT STANDARDS? \_\_\_\_\_.
- C. ELEVATION OF THE FIRST FLOOR HORIZONTAL SUPPORT STRUCTURE? \_\_\_\_\_  
\_\_\_\_\_

  
SIGNATURE OF APPLICANT \_\_\_\_\_ DATE \_\_\_\_\_

NAME OF REGISTERED ENGINEER OR ARCHITECT (AFFIX SEAL)  
\_\_\_\_\_

SIGNATURE: \_\_\_\_\_

FIRM: \_\_\_\_\_

FLA LICENSE NUMBER: \_\_\_\_\_

May 27, 1994

CERTIFIED MAIL RRR# \_\_\_\_\_

BLUE PARROT / RICK RUCKER  
HCR BOX 181, ST. GEO. ISL.  
EASTPOINT, FL. 32328-

REFERENCING ONSITE SEWAGE DISPOSAL PERMIT # 94-0093-ET

Dear BLUE PARROT:

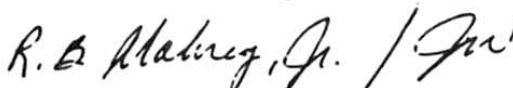
This will acknowledge receipt of plans and an application for an existing onsite sewage disposal system permit dated 05/19/94 on the following described property:

Lot 37-38 Block 10 Subdivision ST. GEO. ISL., UNIT 1  
Property I.D.

On 5/26/94 this department performed a site evaluation of the above described property. On the date of the evaluation, the system appeared to be in satisfactory operating condition and is approved for the usage specified on the referenced application. Department approval of this system does not guarantee performance for any specific period of time. Any changes in material fact which are the basis for issuance of this permit, require the applicant to modify the permit application. Modifications may result in this permit being null and void.

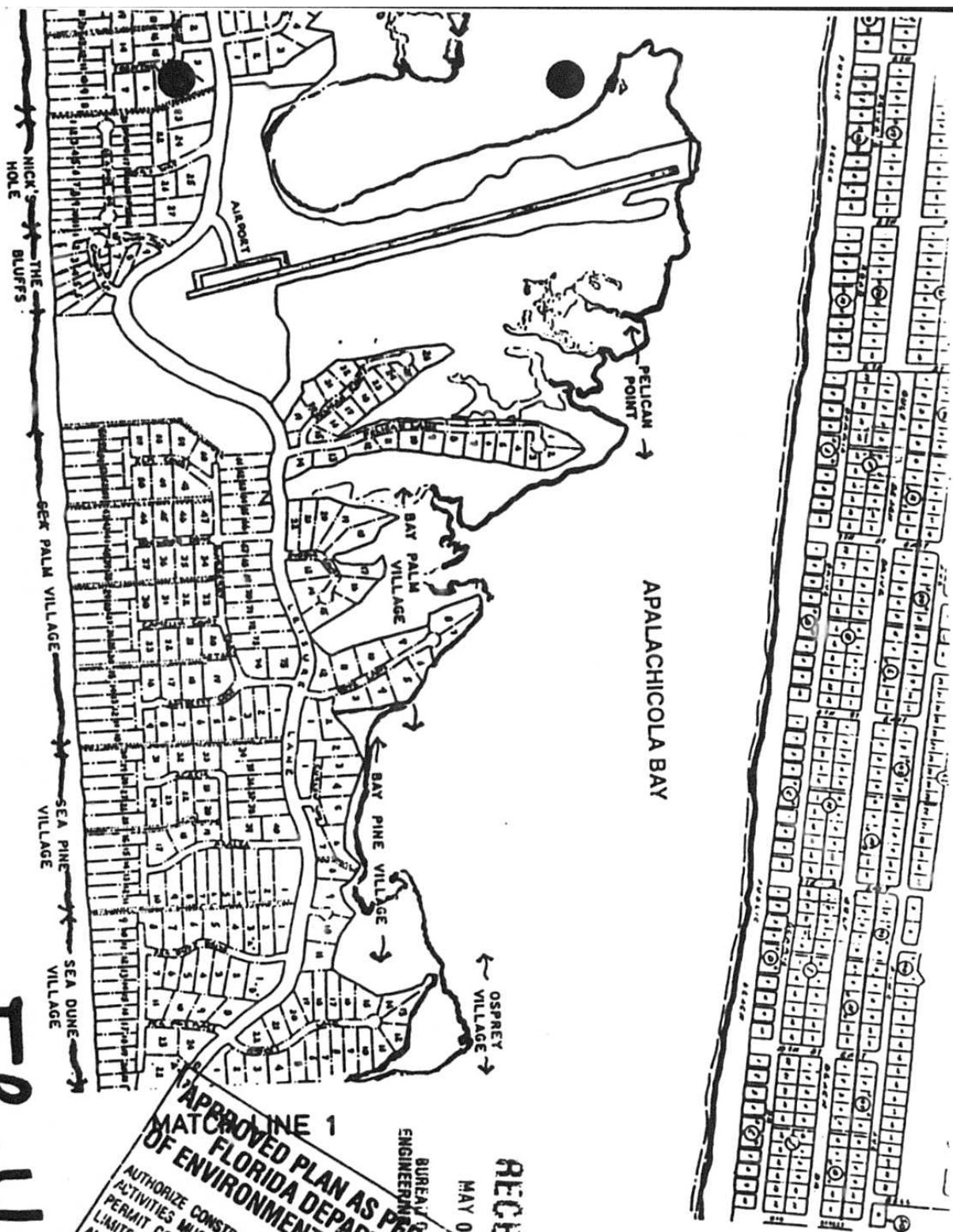
If you have any questions concerning the contents of this letter, please call RAYMOND B. MABREY, JR. at 904/653-2113.

Sincerely,



RAYMOND B. MABREY, JR., ENV. SPECIALIST I  
FRANKLIN County Public Health Unit

THIS IS NOT FOR SEATING PURPOSES--FOR SPACING ONLY.



SCOPE — ENCLOSE EXISTING DECK

FR-407

MATCH LINE 1  
**APPROVED PLAN AS PERMITTED**  
**FLORIDA DEPARTMENT**  
**OF ENVIRONMENTAL PROTECTION**  
 BUREAU OF ENGINEERING  
 MAY 06 1974  
 AUTHORIZED CONSTRUCTION AND ANY OTHER AUTHORIZED  
 ACTIVITIES MUST COMPLY WITH ALL CONDITIONS OF THE  
 PERMIT CONSTRUCTION AND ACTIVITIES ARE STRICTLY  
 LIMITED TO THOSE BOTH SHOWN ON THE APPROVED PLANS  
 AND LISTED IN THE PROJECT DESCRIPTION.  
 REVIEWED *[Signature]*  
 DATE 7/27/74  
 PERMIT NO. FR-407

MATCH LINE 2  
*Permitted*

DEPARTMENT OF BUSINESS REGULATION  
DIVISION OF HOTELS AND RESTAURANTS

SPECIFICATION WORKSHEET  
OFFICE USE ONLY

1. Establishment Name: Blue Parrot Oyster Bar & Grill  
ATTACH TO APPLICATION

PLAN REVIEW SPECIFICATIONS

2. Type Review:  
New Establishment:  
 New Construction                       Closed for 3 or more years  
 Conversion                                       Remodeled

3. Construction Finishes:

	Floor*	Wall	Ceiling
Food Prep	Not Shown	Wood - Sealed	Wood - Sealed
Food Storage		"	"
Wash Area		"	"
Rest Rooms		"	"

FOOD SERVICE PLAN APPROVED  
 Reviewer: [Signature]  
 Date: 5/16/94  
 Applicant projects total number of seats: 28  
 Plans are in compliance subject to:  
 1) Construction of approved water and wastewater systems.  
 2) Compliance with applicable stair and local codes.

\*Covering materials: Provide Coved Base

Gravies to be easily cleaned

Key: S - Satisfactory                      U - Unsatisfactory  
 NA - Not Applicable  
 C - Caution (Information inadequate or potential operational violation, will be checked during inspections)

- C Floors graded to floor drains
  - S No unnecessarily exposed utility lines, pipes on floors
  - S No exposed studs, joists, rafters allowed in walk-ins, food preparation, dish washing areas or toilet rooms. If exposed in other areas, they must be cleanable
  - S Wall panels, coverings closed at joints, sealed to wall and ceiling
8. Comments: \_\_\_\_\_

**Sinks/Dishmachines**

9. Sanitizing facilities provided when potentially hazardous food prepared and/or customer dishes re-used:  
 (X) 3 compartment sink ( ) dishmachine
10. C Sinks with drain boards (or equiv.), backsplash, self-draining. No. shown: 4, 1 3, 2 compartments
11. C Adequate facilities to air dry dishware, utensils, equipment
12. C Adequate facilities to store cleaned and soiled utensils, equipment
13. N/A One compartment food prep sinks. No. shown
14. S Hand sink(s) in food prep area(s). No. shown
15. N/A Hand sink in remote mechanical dishwash area
16. C Mop wash facility, located: Wash Area
17. C Hot and cold water supplied to all sinks where required
18. S Compartments sized to accommodate equipment
19. Dishmachine Model N/A
20. Chemical C 180 degrees        165 degrees        booster
21. Comments:

**Fire Safety**

22. C Automatic, portable extinguishing equipment provided as needed
23. S Means of egress
24. C Gas appliances
25. Comments: Verify Each Item Marked Caution.

**Equipment: Installation/Design**

26. C Ice produced and stored in protected area
27. N/A Displayed food protected
28. N/A Running water dipper well for bulk ice cream service
29. N/A Beverage tubing installed properly
30. C Adequate storage facilities (dry & refrigerated)
31. C Open shelving to be at least 6" above floor
32. S Equipment designed to facilitate cleaning, e.g., no raw wood, plywood, contact paper
33. S Equipment installed to facilitate cleaning, e.g., easily cleared beneath, behind, between
34. N/A Tabletop equipment, not easily movable, not sealed shall be on legs at least 4" high
35. C Floor mounted equipment, not easily movable, not sealed shall be on raised platforms or on legs at least 6" high
36. N/A Designated area for employee belongings
37. N/A Laundry facilities properly located
38. C Adequate storage area for maintenance and cleaning equipment
39. Comments: Verify Each Item Marked Caution.

**Lighting**

40. S Adequate lighting provided. Minimum 20 ft-c on working surfaces, 10 ft-c on other surfaces
41. C Lights shielded, coated, covered where food stored, prepared, displayed where food is open or exposed

**Ventilation**

42. S All rooms and equipment that produce appreciable quantity of steam, obnoxious odors, fumes, vapors, grease, smoke to be vented to outside
43. C Intake and exhaust air ducts properly designed and installed

**Premises**

44. C Walking and driving surfaces shall be constructed to minimize dust and graded to prevent pooling of water
45. S Doors to exterior self-closing, open outward

**Plumbing**

46. S Backsiphonage and backflow protection if no air gap/break
47. C Faucets with hose fitting to have backflow protection device
48. N/A Refrigeration waste piping shall discharge indirectly into floor drain or receptor approved by local plumbing authority
49. N/A Food contact surfaces shall not be placed under exposed sewer lines
50. Location of hot water heater(s) Not Shown
51. Rest rooms: \_\_\_\_\_

Rest rooms	Males			Females	
	WC	Urin.	Lav.	WC	Lav.
Public	1	1	1	1	1
Employees					

52. C Hot and cold water to all lavatories used by employees
53. C Rest rooms vented or provided with windows to outside
54. C Doors to be self-closing
55. S Rest rooms accessible by customers without going through food preparation areas
56. The plumbing standard is:  
So. Stand XX So. Fl. \_\_\_\_\_ 10D-10 FAC \_\_\_\_\_  
Other (specify) \_\_\_\_\_
57. Comments: Verify All Items Marked Caution Are Provided.

**Solid Waste**

58. C Waste container, grease receptacle, compactor on smooth non-absorbent surface
59. N/A Compactor area drained to sanitary sewer
60. S Wastewater from cleaning of containers drained to sanitary sewer
61. Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Water Supply**

62. Type of Supply: Municipal/Utility X  
 On-Site Well \_\_\_\_\_ Other \_\_\_\_\_
63. Name of Supplier \_\_\_\_\_
64. Written approval for use issued by \_\_\_\_\_
65. Public Well Permit No. \_\_\_\_\_
66. Comments: \_\_\_\_\_

**Waste Water Disposal**

67. Type of System: Municipal/Utility \_\_\_\_\_ Pkg. Plant \_\_\_\_\_ OSDS X
68. Written approval for use issued by Franklin Cty Env Health
69. Name of System Septic
70. OS Permit # 94-0093 Tank Size N/List gal. Drainfield N/List sq. ft.
71. Grease Trap Not Listed gal. Location of grease trap \_\_\_\_\_
72. Comments: Grease Trap Requirements Subject To Local Bldg Dept

**Seating Capacity**

73. Maximum seating capacity as designed on the plans 28

74. Plans Approved with other provisos to be corrected \_\_\_\_\_

Plans Denied \_\_\_\_\_ RESUBMIT corrected plans as indicated.

**75. Comments:**

Approved With Stipulation All Items Comply With Florida Statute 509, Administrative Code 61-C And Local Plumbing And Building Codes.

All Items Will Be Verified During Construction And Opening Inspections. Establishment is to meet all standards of Chapter 509 F.S., and Chapter 61-C, F.A.C.

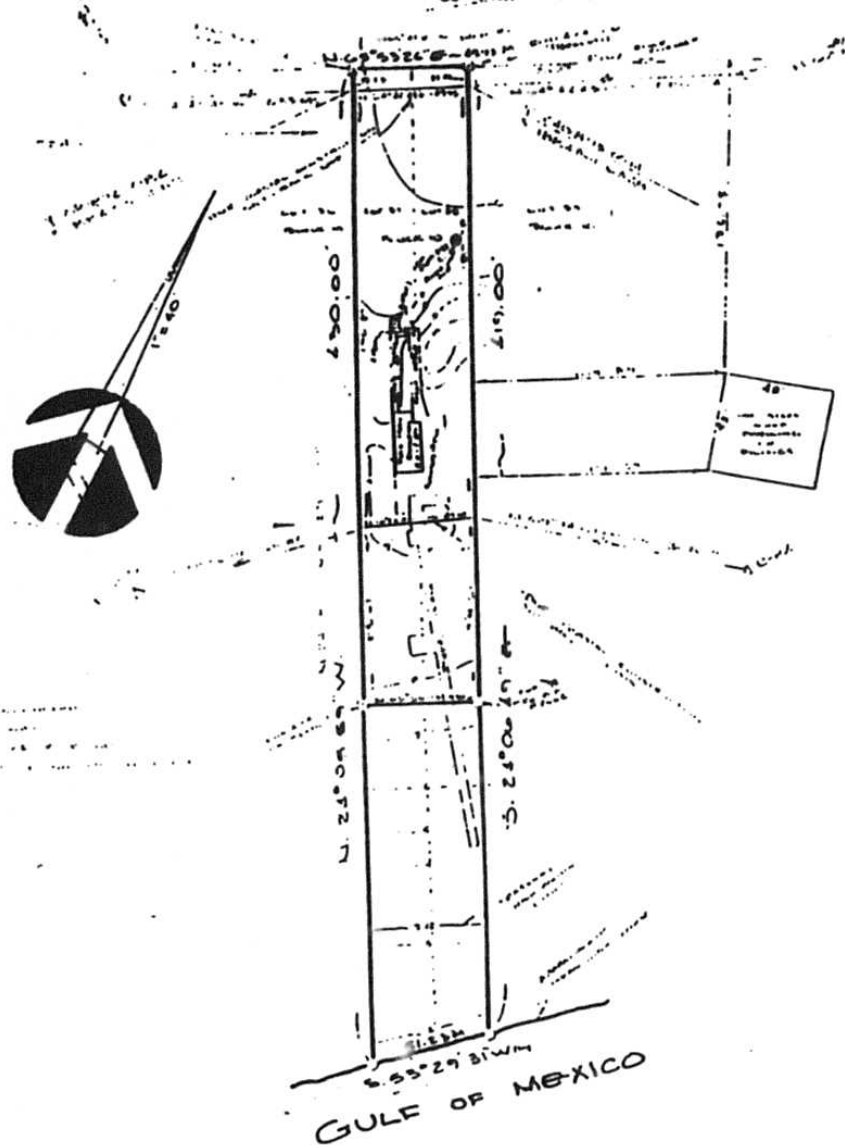
Plans Reviewed by [Signature] Date 6-16-94

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

(Print Name) \_\_\_\_\_



# PRIVATE ROAD



The undersigned surveyor has no opinion or abstract of matters of subject property. It is possible unrecorded deeds, easements or other boundaries.





Florida Department of  
Environmental Protection

**NOTICE TO PROCEED**

Permit Number: FR-407

Permit Expires: July 26, 1996

Permittee:

Rick A. and Katherine M. Rucker  
c/o Rick A. and Katherine M. Rucker  
P.O. Box 181  
St. George Island, Florida 32328

You are hereby granted final authorization to proceed with the construction or activities authorized by the permit number referenced above. Authorized work must conform with the detailed project description, approved plans, and all conditions including preconstruction requirements included in the final order. A brief description of the authorized work follows.

**Project Description:** Construction of a second-story addition to an existing commercial building.

**Project Location:** Between approximately 285 feet and 335 feet west of the Department of Natural Resources reference monument R-84, in Franklin County. Project address: Lot 37 and Block 10 west, Gulf Beach, Unit 1, St. George Island.

**Special Instructions:** A preconstruction conference is required.

Questions regarding the permit or this notice should be directed to the undersigned at:

Bureau of Beaches and Coastal Systems  
3900 Commonwealth Blvd. - M.S. 310  
Tallahassee, Florida 32399-3000  
Telephone (904) 488-3180

7/27/94 *Ong In Shin*  
Date of Notice Ong In Shin, Engineer

OIS/jg

cc: Permit File  
Permit Information Center  
Bill Fokes, Area Inspector  
Rick A. and Katherine M. Rucker, Property Owner  
Franklin County Building Official

**Post Conspicuously on the Site**



# Department of Environmental Protection

Lawton Chiles  
Governor

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Virginia B. Wetherell  
Secretary

July 27, 1994

## CERTIFIED MAIL

Rick A. and Katherine M. Rucker  
HCR Box 181  
St. George Island, Florida 32328

Dear Mr. and Mrs. Rucker:

**NOTICE TO PROCEED**  
**PERMIT NUMBER: FR-407**  
**PERMITTEE NAME: Rick A. and Katherine M. Rucker**

Your request for a permit pursuant to Section 161.053, Florida Statutes, for construction or other activities seaward of the coastal construction control line, has been approved by the Department of Environmental Protection. However, construction may not commence until after the permittee complies with any preconstruction requirements described in Special Permit Condition 1.

Please read the permit and permit conditions including both the Standard Permit Conditions and any Special Permit Conditions closely before starting construction. Standard Permit Conditions 1(q), and 1(s), pertain to written reports which must be submitted to the Department of Environmental Protection under the signature and seal of a professional engineer, architect, or land surveyor (as appropriate) at specified times. Forms for use in preparation of these reports are enclosed. Make sufficient copies of the periodic report form to provide the required reports. The periodic reports are due in the office of the Bureau of Beaches and Coastal Systems on a monthly basis on the last working day of each month. No progress reports are required until such time as construction activities have started.

The permit will expire two years after the date of issuance of the final order. Upon receipt of a written request signed by the permittee or authorized agent, the Department will consider extending the permit for up to but no more than one additional year. Pursuant to Section 16B-33.017, Florida Administrative Code, the Department may grant no extension of time past a total of three years after the date of the approval of the permit. In order to be considered, the time extension request must meet all requirements of Section 16B-33.017,

*Printed on recycled paper*

*Printed on recycled paper*

Florida Administrative Code. You must apply for a new permit for completion of any work not accomplished under the original permit. Although you may apply for a new permit, there is no assurance that such new permit for the same construction or activities would be approved.

A party to this proceeding has the right to request review of this order by the Governor and Cabinet, sitting as the Land and Water Adjudicatory Commission, in accordance with Chapter 42-2, Florida Administrative Code, and specifically Rule 42-2.0131, Florida Administrative Code. To initiate such a review, your request must be filed within twenty (20) days of the date of this order with the Secretary of the Commission at Florida Land and Water Adjudicatory Commission, The Capitol, Room 2105, Tallahassee, Florida 32399-0001. A copy of the request must also be served on both the Department of Environmental Protection, Agency Clerk, 2600 Blair Stone Road, Mail Station 35, Tallahassee, Florida 32399, and on any person named in this order, within 20 days from the date of this order if the request for review is to be effective.

Additionally, any person substantially affected by this determination has the right to request an administrative hearing to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. Should you desire an administrative hearing, your request must comply with the provisions of Rule 28-5.201, Florida Administrative Code, for a formal administrative hearing, or Rule 28-5.501, Florida Administrative Code, if requesting an informal hearing. Requests for such hearings must be sent to the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, Mail Station 310, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and must be received by the Department within twenty-one (21) days after your receipt of this notice. Failure to respond within this allotted time frame shall be deemed a waiver of all rights to an administrative hearing.

In the event that a legally-sufficient petition for hearing is not timely received, you have the right to seek judicial review of this final order, pursuant to Section 120.68, Florida Statutes, and Rule 9.030(b)(1)(c) and 9.110, Florida Rules of Appellate Procedure. To initiate an appeal, a Notice of Appeal must be filed with the Department of Environmental Protection, Office of General Counsel, and with the appropriate District Court of Appeal within thirty (30) days of the date this final order is filed with the Agency Clerk. The Notice filed with the District Court must be accompanied by the filing fee specified in Subsection 35.22(3), Florida Statutes.

You are advised that notice of this agency's final action on this permit has been given to other interested parties. They have twenty-one days from receipt of the notice to exercise any rights they may have under Chapter 120, Florida Statutes. Actions undertaken by you under this permit, during this period may be subject to modification, removal or restoration.

Rick A. and Katherine M. Rucker  
July 27, 1994  
Page 3

The authorized work is strictly limited to that described on the enclosed final order. Please direct any questions pertaining to this permit to me by letter at the above address, or by telephone at 904/487-4475.

Sincerely,



Ong-in Shin, Engineer  
Bureau of Beaches and Coastal Systems

OIS/jg  
Enclosures  
Certified Mail #: P 751 777 914  
cc: Permit Information Center  
Bill Fokes, Area Inspector  
Franklin County Building Official



STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Division of Beaches and Shores  
Bureau of Coastal Engineering and Regulation  
3900 Commonwealth Blvd. - Mail Station 310  
Tallahassee, Florida 32399-3000  
(904) 488-3180

PERMIT NUMBER: FR-407

**PERMITTEE**

Rick A. and Katherine M. Rucker  
HCR Box 181  
St. George Island, Florida 32328

**PERMIT FOR CONSTRUCTION OR OTHER ACTIVITIES  
PURSUANT TO SECTION 161.053, FLORIDA STATUTES**

**FINAL ORDER**

**FINDINGS OF FACT:** An application for authorization to conduct the activities seaward of the coastal construction control line which are indicated in the project description, was filed by the applicant/permittee named herein on April 6, 1994, and was determined to be complete pursuant to rule on May 26, 1994. The proposed project is to be located landward of the 30-year erosion projection and the existing line of construction established by major structures in the immediate area.

**CONCLUSIONS OF LAW:** After considering the merits of the proposal and any written objections from affected persons, the Department finds that on compliance with the permit conditions, the activities indicated in the project description are of such a nature that they will result in no significant adverse impacts to the beach/dune areas or to adjacent properties; that the work is not expected to adversely impact nesting sea turtles, their hatchlings, or their habitat; that the work is expendable in nature and/or is appropriately designed in accordance with Rule 16B-33.007, Florida Administrative Code; and that it is an activity or type of construction which the designee of the Chief of the Bureau of Beaches and Coastal Systems has authority to approve or deny pursuant to Administrative Directive DEP 140, effective July 1, 1993. The direct and cumulative impacts to the beach and dune system that will be caused by the location of the proposed construction represents the maximum such impacts that are acceptable to the Department. Therefore, future construction on the site seaward of the coastal construction line shall not be located seaward of the proposed structure(s) pursuant to this permit. Based on the foregoing considerations, the designee approves the application; authorizes construction and/or activities at the location indicated below in strict accordance with the project description, the approved plans (if any) and the Standard Permit Conditions which are attached and are by this reference incorporated herein, and any additional conditions shown below, pursuant to Paragraph 16B-33.015(3)(u), Florida Administrative Code.

**EXPIRATION DATE:** July 26, 1996

**LOCATION:** Between approximately 285 feet and 335 feet west of the Department of Natural Resources' reference monument R-84, in Franklin County. Project address: Lot 37 and 38, Block 10 west, Gulf Beach, Unit 1, St. George Island.

**PROJECT DESCRIPTION:**

Second-Story Addition to an Existing Commercial Building

1. Location relative to control line: A maximum of 185 feet.
2. Exterior dimensions: Approximately 9 feet in the shore-normal direction by 16 feet in the shore-parallel direction within the footprint of an existing second story deck.
3. Type of foundation: Existing piles to be cross-braced.
4. Penetration of existing piles: -12.5 feet (NGVD).
5. Finished second floor elevation: +17.0 feet (NGVD).

**SPECIAL PERMIT CONDITIONS:**

1. Prior to the start of construction, a preconstruction conference shall be held at the site among the contractor, the owner or authorized agent, and a staff representative of the Bureau of Beaches and Coastal Systems to establish an understanding among the parties as to the items specified in the special and general conditions of the permit.
2. No new additional permanent exterior lighting is authorized.
3. No addition to the building's foundation or understructure enclosure is authorized under this permit.

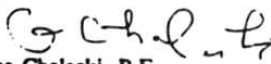
**CAVEAT:**

Due to potential adverse impacts to the beach and dune system that may result from additional development on the property, the seaward extent of the permitted structures shall not be increased, nor will any additional major structures be permitted which would exceed the limits established by the permitted construction seaward of the coastal construction control line.

Approved plans are incorporated into this permit by reference.

Done and ordered this 26<sup>th</sup> day of July 1994, in Tallahassee, Florida.

State of Florida  
Department of Environmental Protection

  
Gene Chalecki, P.E.  
Engineering Supervisor  
Bureau of Beaches and Coastal Systems

Attachment: Standard Permit Conditions

File Number: FR-407  
Owner: Rick A. and Katherine M. Rucker  
Agent: Rick A. and Katherine M. Rucker  
Sent by: James D. Christie  
Phone Number: 904/487-4475

PERIODIC PROGRESS REPORT

1. If construction has occurred, please describe its maximum extent in the space provided below: (If no work at all has been performed under the permit, please report "Not Started". If construction or other authorized activity has begun, but no progress has been made since the last report, please report "No Progress.")

CONSTRUCTION TO DATE INCLUDES:

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2. All work performed as of this date is described above and is hereby certified to be in compliance with both the plans and the project description approved by the Department of Environmental Protection as part of the permit, and with all conditions of the permit. Locations and elevations of all construction as of this date have been specifically verified as applicable and have been found to comply with the project description, approved plans, and conditions of the permit. No unpermitted construction or activities have occurred. (Any exceptions to the statement above are to be described and explained under Item Number 1 above, as part of this report. The explanation should include a statement of the reason that construction or activities not in accordance with the permit have occurred.)

The property owner or authorized agent may sign these progress reports until such time as construction starts, and after any period in which no construction was performed. However, the reports must be signed by an engineer or architect registered in the state of Florida following each period in which construction has occurred.

Signature

Date

Florida Registration Number  
and Seal (if Applicable)



Chapter 500 F.S.

500.12 Food permits; building permits.

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(2) When any person applies for a building permit to construct, convert, or remodel any food establishment, food outlet, or retail food store, the authority issuing such permit shall make available to the applicant a printed statement, provided by the department, regarding the applicable sanitation requirements for such establishments. A building permitting authority, or municipality or county under whose jurisdiction a building permitting authority operates, may not be held liable for a food establishment, food outlet, or retail food store that does not comply with the applicable sanitation requirements due to failure of the building permitting authority to provide the information as provided in this subsection.

(a) The department shall furnish, for distribution, a statement that includes the checklist to be used by the food inspector in any preoperational inspections to assure that the food establishment is constructed and equipped to meet the applicable sanitary guidelines. Such preoperational inspection shall be a prerequisite for obtaining a food permit in accordance with this section.

(b) The department may provide assistance, when requested by the applicant, in the review of any construction or remodeling plans for food establishments. The department may charge a fee for such assistance which covers the cost of providing the assistance and which shall be deposited in the General Inspection Trust Fund for use in funding the food safety program.

(c) A building permitting authority or other subdivision of local government may not require the department to approve construction or remodeling plans for food establishments and retail food stores as a condition of any permit or license at the local level.

**THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, CHAPTER 553, FLORIDA STATUTES, PLAN REVIEW CHECKLIST FOR FOOD ESTABLISHMENTS**

PRIOR TO THE CONSTRUCTION, RENOVATION OR CONVERSION OF A STRUCTURE FOR USE AS A RETAIL FOOD ESTABLISHMENT, THE FOLLOWING LIST OF CRITERIA IS REQUIRED:

**I. CONSTRUCTION MATERIALS AND FINISHES:** All surfaces of walls, floors and ceilings are to be of such construction to permit proper cleaning. Surfaces must be smooth, easily cleanable and non-absorbent. Areas where water flushing is used for cleaning, such as where meat or seafood is processed, must have cove molding. Carpet is prohibited in all areas where food is processed, prepared, or stored; in bathrooms; and in refuse storage areas. Horizontal pipes and utility lines on the floor are prohibited. All utility lines on walls or ceilings are to be protected. Floors must be properly drained and graded where water flushing for cleaning is used.

**II. FACILITY CONSTRUCTION AND DESIGN:** Establishments, plants, and building structures where food is stored, prepared, processed, displayed and/or served must be of suitable size and design to facilitate maintenance and sanitary operations. Construction and design must eliminate the possibility of cross-contamination by preventing raw food products coming in contact with cooked and ready to eat foods. Effective separation must be provided by using such methods as partitioning, proper location and placement of equipment, using separate equipment for each type of food product, and any other means necessary to prevent the cross-contamination of food. Distressed merchandise: Spoiled, damaged, or recalled food products held for return or credit must be properly segregated from food, equipment, utensils, linens, and single-service articles. All food products must be protected from contamination by filth, dust, pathogenic microorganisms, chemicals or any foreign substance.

**VERMIN PROOFING:** The establishment must exclude the entry of vermin by such methods as proper screening (16 mesh to 1 inch); properly designed and installed air curtains; tight fitting doors and windows; sealed walls, floors, and ceilings; protected air vents; and other similar effective methods. Insect control devices, such as flying insect electrocuting devices, adherence traps and other similar apparatus must be located away from exposed food, clean equipment, utensils, and linens; or unwrapped single-service articles.

**III. FOOD EQUIPMENT DESIGN AND INSTALLATION:** All equipment and utensils used must be designed and constructed of durable easily cleanable and non-corrosive materials. All areas where food is processed, prepared, displayed and stored must be properly equipped to prevent the possibility of contamination or cross-contamination. **Food protection equipment:** Adequate separation devices used to separate raw food from cooked or ready to eat food or to separate different species of meats, must be designed and installed to insure effectiveness. Where required, sneeze guards or other similar guards must be designed and constructed properly to prevent contamination. **Installation:** All food processing, display, and storage equipment must be installed properly to prevent contamination. Equipment must be installed to allow for sufficient workspace. Floor mounted equipment must have a clearance of 6 inches from the floor for cleaning purposes or be sealed to the floor. Table or counter mounted equipment must have a 4 inch clearance from the table or counter for easy cleaning. All equipment must be installed with adequate space for cleaning. Movable equipment must be installed to allow for adequate space to move and clean. Appliances must be installed to manufacturer's specifications and according to national standards. All equipment used for food storage, processing, cooking, etc. must be constructed to the recommended sanitation and safety standards set by a nationally recognized laboratory, such as Underwriters Laboratories, National Sanitation Foundation, American Gas Association or equivalent.

Raw wood and wooden or particle board pegboards are not permitted for use in areas where food is prepared, processed displayed or stored or for use in warewashing areas. Pegboards made of acceptable materials such as plastic or stainless steel must be mounted in such a way to permit cleaning behind them. Pallets for food storage are to be sealed and in good repair.

**LAUNDERING FACILITIES:** Laundering is restricted to linens provided and used by the establishment. Laundering facilities must be located in such a manner as to prohibit contact with exposed food, such as in a separate room from where food is prepared.

**IV. HANDICAP ACCESSIBILITY:** Accessibility must be provided as required by Chapter 553, Florida Statutes, subject to the exceptions in s. 553.504, and in accordance with the federal requirements of the Americans with Disabilities Act of 1990.

V. **FIRE PROTECTION:** All fire protection equipment, such as sprinkler systems and alarm systems, existing requirements; designated and marking of exit ways; occupancy loads; etc. must be properly installed and inspected by the local fire authority prior to operation. Fire equipment, such as sprinkler systems, alarm systems, venting hood suppression systems and hand held fire extinguishers, must be serviced and tagged by a fire extinguisher company certified by the State Fire Marshal's Office, where required.

VI. **LIGHTING:** At least 50 foot-candles of light is required on all working surfaces in food processing and preparation areas where safety is a factor, such as working with saws, knives and exposed food. At least 20 foot-candles of light is required at a distance of 30 inches above the floor in areas where handwashing and warewashing equipment, equipment and utensil storage, and toilet rooms are located; and where packaged food and fresh produce are offered for sale or offered for consumption. At least 10 foot-candles of light is required at a distance of 30 inches above the floor in all areas including dry storage, stockroom and rooms during periods of cleaning. **SHIELDING OF LIGHTS:** All lights must be shielded where food, clean equipment, utensils, and unwrapped single service articles are exposed, and where clean linens are stored. Areas where food in unopened packages are stored shields are not required, provided the integrity of the package prohibits falling glass from tearing the packaging and where packaging can be cleaned to remove all glass. Lights in all food display cases must be shielded, except for the following: milk display cases where only milk and fluid milk products are stored and beverage cases where only beverages are stored. Heat lamps must have shielding surrounding and extending beyond the bulb so that only the face of the bulb is exposed.

VII. **VENTILATION:** Adequate ventilation is required throughout the establishment. Equipment which produces steam or grease laden vapors must be properly vented. Hood systems are required where equipment produces grease-laden vapors. The hood system must be installed to the National Fire Protection Association, Pamphlet #96 requirements. Fans, grease extractors, ducts, and fire extinguishing equipment must be installed according to National Fire Protection Association Standards. Condensate produced by mechanical warewashing machines and similar equipment must be properly vented.

VIII. **SINK REQUIREMENTS:** A minimum of a three compartment sink is required in food service and preparation areas. A two compartment sink may be used only in areas where batch operations, such as between cutting one type of raw meat and another or cleanup at the end of a shift, and where the number of items cleaned is limited. The sanitizer used in a two compartment sink must be made up immediately before use and drained immediately after use. When a two compartment sink is used, the rinse water and the final rinse water used for sanitizing must be performed in two separate steps.  
**Drainboards:** Drainboards, utensil racks, or movable drain tables are required to be large enough to accommodate all soiled and cleaned items that may accumulate during hours of operation. Clean and soiled utensils and equipment must be adequately separated. All equipment and utensils are to be air dried. Drainboards must self drain.  
**Handsinks:** Handsinks must be conveniently located for use by employees in food preparation, food dispensing, food processing, and warewashing areas; and in or immediately adjacent to toilet rooms. Proper hand washing soap and sanitary hand drying devices, such as single service towels, hot air dryers, etc., are required. Hot and cold water must be dispensed through a mixing valve at a temperature of at least 110° F.  
**Mechanical dish or pan washing machines,** if provided, must discharge indirectly\* into a properly trapped floor drain. A mechanical warewashing machine does not substitute for sinks if the equipment or utensils used by the establishment are larger than what the mechanical warewashing machine can easily accommodate.  
**Prep sinks:** Warewashing sinks may be used to prep foods provided they are sanitized prior to use. A sink used for preparing food must be plumbed to discharge indirectly. If the warewashing sinks are not plumbed indirectly, a separate prep sink must be installed and used to prepare food.  
**Mop sinks/curbed can wash facility:** At least one such receptacle must be provided. Where necessary, an additional mop sink may be required, such as in facilities with remote food service.

\* **Indirect plumbing** means to plumb liquid waste by means of a pipe that does not connect directly with the drainage system, but conveys liquid wastes by discharging into an indirect liquid waste receptor which is directly connected to the drainage system. An indirect liquid waste receptor is a fixture designed to collect and dispose of liquid waste through an air gap from other plumbing fixtures, plumbing equipment or appliances

IX. **PLUMBING:** All plumbing is to be installed according to the state and local plumbing codes.  
**Back Siphonage Protection:** A backflow prevention device or an air gap is required on equipment, such as dishwashers, potato peelers, garbage disposal, submerged inlets, steam tables, water fountains, ice machines, dipper wells, scraping troughs, faucets with hose fittings etc.  
**Walk in coolers and freezers** must be installed according to the state and local building and plumbing authority requirements provided waste discharges indirectly into an approved receptor or floor drain. Hot and cold running water, from an approved source and under pressure, is required at handsinks, warewashing sinks and alternative equipment used for cleaning, such as Cleaned In Place, (CIP), equipment, and mop sink or curbed can washing facility.

**X. TOILET FACILITIES:** Toilet facilities must be installed according to applicable state and local plumbing building codes. Toilet rooms must be equipped with self closing doors, proper ventilation, such as screened operable window or equivalent mechanical ventilation, proper lighting, adequate trash receptacles and covered receptacle in ladies room. Access to toilet facilities is prohibited through food preparation and processing areas, where food is exposed, or through areas where warewashing is being conducted. Toilet seats must be of open front design.

**XI. WATER SUPPLY:** Water must come from an approved source. Water from a well system must be tested and approved by the proper regulatory agency, such as the Department of Environmental Protection or the Department of Health and Rehabilitative Services. Water from a municipal system or well must be approved and properly installed prior to operation. Drinking water must be potable. Non-potable water lines that may be used for fire sprinkler systems must be properly marked to indicate the line is not potable water.

**XII. SEWAGE AND WASTE WATER DISPOSAL:** Sewage and waste water must be disposed of in a sanitary facility approved by the regulatory agency having jurisdiction, such as the local municipality for municipal systems, the Department of Health and Rehabilitative Services or the Department of Environmental Protection, for onsite waste disposal systems. The system must be approved and properly installed prior to operation. Grease traps or grease interceptors must be installed, where required, and approved by the local building/plumbing authority and/or the Department of Health and Rehabilitative services.

**XIII. STORAGE FACILITIES:** Toxic items, such as cleaning compounds, sanitizer and similar products used daily, must be stored away from food in an enclosed cabinet or a designated area. Pesticides, rodenticides, paints, thinners, etc. must be stored away from food and cleaning compounds in an enclosed cabinet or designated area. The storage of LP Gas containers larger than one pound indoors is prohibited. Buffing machines using LP Gas containers are permitted indoors provided the container is secured to the machine and stored away from open flames, such as hot water heaters and boilers, or away from battery operated buffers while being recharged. Electrical panel rooms and mechanical rooms are not to be used for storage of any kind.

**XIV. GARBAGE AND REFUSE DISPOSAL:** All garbage and refuse is required to be disposed of in a sanitary manner. Proper trash receptacles with tight fitting lids are required. Dumpsters must be in good repair, with proper drain plug installed and with lids and doors maintained closed. Dumpsters, compactors, and grease containers must be placed on non-absorbent surfaces, such as a concrete pad. Liquid waste from cleaning or from garbage must be disposed of as sewage into a proper sewage disposal system by means of a proper drain. Liquid waste must not be discharged into a storm drain, drainage ditch or similar location.

**XV. PREMISES:** Outside walking and driving surfaces must be adequately graded to prevent pooling of water. Dust must be minimized. Grass and other vegetation must be kept mowed and maintained to prevent the harborage of rodents. Doors that open to the exterior must be self closing and open outward. Roll type receiving doors must be kept closed, except during deliveries, or mechanical air curtains may be required.

**XVI. FLORIDA CLEAN INDOOR AIR ACT:** Compliance with all provisions of the Florida Clean Indoor Air Act, Chapter 386, Florida Statutes, and Rule 10D-105, Florida Administrative Code, is required. All questions regarding the enforcement of the Florida Clean Indoor Air Act must be directed to the Department of Health and Rehabilitative Services at telephone number 1-800-337-3742.

**FINAL CERTIFICATION**

**MAIL TO:** Bureau of Beaches and Coastal Systems  
Division of Environmental Resource Permitting  
Florida Department of Environmental Protection  
Mail Station 310  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

This is to certify that work under permit number **FR-407** for construction or other activities seaward of the coastal construction control line pursuant to Section 161.053, Florida Statutes, which was granted by the Florida Department of Environmental Protection, to **Rick A. and Katherine M. Rucker**, was inspected by the undersigned and was found to be acceptable and satisfactory in accordance with the approved plans and project description, and with all conditions of the permit. All permitted construction or activities have been completed, and no unpermitted construction or activities have occurred. Location and elevations specified by the permit and approved plans have been verified and found to be correct, and topography and vegetation have been either preserved or restored as required by the permit.

(Seal)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Registered Engineer or Architect  
State of Florida Registration Number \_\_\_\_\_

**FOR WORK INCLUDING:** Construction of a second-story addition to an existing commercial building.

**NOTE:** Any deviations from the permit, and any portions of the permitted work not actually performed, shall be noted and described in detail as an exception to this certification.

DNR Form 73-115B (Rev. 1-85)

## STANDARD PERMIT CONDITIONS

(1) The following standard permit conditions shall apply to this permit unless waived by the Department or modified by special permit condition: In the event of a conflict between a standard condition and a special condition the special condition shall prevail.

(a) The permittee shall carry out the construction or activity for which the permit was granted in accordance with the plans and specifications which were approved by the Department as part of the permit. Any deviation therefrom, without written approval from the Bureau, shall be grounds for suspension of the work and revocation of the permit pursuant to Section 120.60(7), Florida Statutes, and may result in assessment of civil fines or issuance of an order to alter or remove the unauthorized structure, or both. No other construction or activities shall be conducted. No modifications to project size, location, or structural design are authorized without prior written approval from the Department. A copy of the permit, notice to proceed, any modifications, time extensions, or permit transfers shall be conspicuously displayed at the project site.

(b) The permittee shall conduct the construction or activity authorized under the permit using extreme care to prevent any adverse impacts to the beach and dune system, marine turtles, nests and their habitat or adjacent property and structures.

(c) The permittee shall allow any duly authorized member of the staff to enter upon the premises associated with the project authorized by the permit for the purpose of ascertaining compliance with the terms of the permit and with the rules of the Department, until all construction or activities authorized or required in the permit have been completed, and all reports, certifications, or other documentation of project performance are received and accepted by the Department.

(d) The permittee shall hold and save the State of Florida, the Department, its officers and employees, harmless from any damage, no matter how occasioned and no matter what the amount, to persons or property which might result from the construction or activity authorized under the permit and from any and all claims and judgements resulting from such damage.

(e) The permittee shall allow the Department to use all records, notes, monitoring data and other information relating to construction or any activity under the permit, which are submitted, for any purpose it may deem necessary or convenient, except where such use is otherwise specifically forbidden by law.

(f) Construction traffic shall not operate and building materials shall not be stored on vegetated areas seaward of the control line, unless specifically authorized by the permit. If, in the opinion of the Bureau staff, this requirement is not being met, positive control measures shall be provided by the permittee at the direction of the Bureau staff. Such measures may include temporary fencing, designated access roads, adjustment of construction sequence, or other requirements.

(g) The permittee shall not disturb existing beach and dune topography and vegetation except as expressly authorized in the permit. Before the project is considered complete, any disturbed topography or vegetation shall be restored as prescribed in the permit, with suitable fill material or revegetated with appropriate beach and dune vegetation.

(h) All fill material placed seaward of the control line shall be sand which is similar to that already existing on the site in both coloration and grain size. All such fill material shall be free of construction debris, rocks, clay, or other foreign matter, shall be obtained from a source landward of the coastal construction control line or from a source authorized pursuant to Section 161.041, Florida Statutes and shall, in general, not contain greater than 5 percent fines (passing

the #200 sieve) or gravel exclusive of shell material (retained by the #4 sieve) and be free of coarse gravel or cobbles.

(i) If surplus sand fill results from any approved excavation seaward of the control line, such material shall be distributed seaward of the control line on the site, as directed by the Bureau staff, unless otherwise specifically authorized by the permit.

(j) Any native salt resistant vegetation destroyed during construction shall be replaced with plants of the same species or, by authorization of the Bureau, with other native salt-resistant vegetation suitable for beach and dune stabilization. Unless otherwise specifically authorized by the staff, all plants installed in beach and coastal areas - whether to replace vegetation displaced, damaged, or destroyed during construction or otherwise - shall be of species indigenous to Florida beaches and dunes, such as sea oats, sea grape, saw palmetto, panic grass, saltmeadow hay cordgrass, seashore saltgrass, and railroad vine.

(k) All topographic restoration and revegetation work is subject to approval and acceptance by the Department staff, and the status of restoration shall be reported as part of the final certification of the actual work performed.

(l) If not specifically authorized elsewhere in this permit, no operation, transportation or storage of equipment or materials is authorized seaward of the dune crest or rigid coastal structure during the marine turtle nesting season. The marine turtle nesting season is May 1 through October 31 in all counties except Brevard, Indian River, St. Lucie, Martin, Palm Beach and Broward counties where leatherback turtle nesting occurs during the period of March 1 through October 31.

(m) If not specifically authorized elsewhere in this permit, no temporary lighting of the construction area is authorized at any time during the marine turtle nesting season and no additional permanent exterior lighting is authorized.

(n) All windows and glass doors visible from any point on the beach must be tinted to a transmittance value (light transmission from inside to outside) of 45% or less through the use of tinted glass or window film.

(o) This permit has been issued to a specified property owner and is not valid for any other person unless formally transferred pursuant to Section 16B-33.016, Florida Administrative Code. An applicant requesting transfer of a permit shall sign two copies of the permit transfer agreement form, agreeing to comply with all terms and conditions of the permit, and return both copies to the Bureau. No work may proceed under the permit until a copy of the transfer agreement approved by the Department has been received by the new owner. A copy of the transfer agreement shall be displayed on the construction site along with the permit. An expired permit may not be transferred.

(p) The permittee shall immediately inform the Bureau of any change of mailing address of the permittee and authorized agent until all requirements of the permit are met.

(q) For permits for major structures or activities the permittee shall provide periodic progress reports certified by an engineer or architect (as appropriate due to the nature of the project) registered in the State of Florida on the form "Periodic Report" - DNR Form 73-111 (Revised 1-85) to the Bureau. The reports shall be submitted on a monthly basis beginning at the start of construction and continuing until all work has been completed. The engineer or architect shall certify that all construction as of the date of each report has been performed in compliance with the plans and the project description approved as a part of the permit, and with all conditions of the permit, or shall specify any deviation from the plans, project description or conditions of the permit. The report shall also state the percent of completion of the project and each major individual component. Permits for minor structures or activities do not require submittal of periodic reports unless required by special permit condition.

(r) For permits involving habitable major structures, all construction on the permitted structure shall stop when the foundation pilings have been installed. At that time the permittee shall provide a certification by a professional land surveyor registered pursuant to Chapter 472, Florida Statutes, that all aspects of the location, and all elevations of the foundation construction are in accordance with both the plans and the project description approved by the Department of Environmental Protection as part of the permit. This certification shall be on a form "Foundation Location Certification" - DNR Form 73-114 (Revised 1-85), hereby incorporated by reference. The foundation location certification shall be based upon such surveys performed in accordance with Chapter 472, Florida Statutes, as are necessary to determine the actual elevations, configuration, and the dimensioned relationship of the installed pilings to the control line. This certification shall also specify the actual pile tip and pile head elevations and any grade beam or cap elevations. Any deviation from the foundation location and elevations as permitted shall be clearly noted and described in detail as part of the certification. Construction shall stop and the certification shall be submitted and accepted prior to proceeding with further vertical construction for each and every phase of a multiphase project where construction above the foundation of one or more structures occurs prior to completion of all foundation work. The Bureau shall notify the permittee of approval or rejection of the certification within seven (7) working days after staff receipt of the certification. All survey information upon which the certification is based shall be made available to the Bureau upon request. Permits for repairs or additions to existing structures with nonconforming foundations are exempt from this condition.

(s) For major structures the permittee shall provide the Department with a final report certified by an engineer or architect registered in the State of Florida within thirty (30) days following completion of the work. This certification shall state that: all locations and elevations specified by the permit have been verified; that all major structures are specifically constructed in accordance with Section 16B-33.007(4)(b), Florida Administrative Code; other construction and activities authorized by the permit have been performed in compliance with the plans and project description approved as a part of the permit, and all conditions of the permit; or shall describe any deviations from the approved plans, project description or permit conditions and any work not performed. Such certification shall not relieve the permittee of the provisions of (1)(a) above. If none of the permitted work is performed, the permittee shall inform the Department in writing no later than 30 days following expiration of the permit. The final certification shall be on the form "Final Certification" DNR Form 73-115B (Revised 1-85), or on the form entitled "Final Certification for Emergency Work" - DNR Form 73-116 (Revised 1-85).

(2) The permittee shall not commence any excavation, construction or other physical activity on, or encroaching on, the sovereignty land of Florida seaward of the mean high-water line, or, if established, the erosion control line, until the permittee has received from the Board of Trustees of the Internal Improvement Trust Fund the required lease, license, easement, or other form of consent authorizing the proposed use.

(3) The permittee shall obtain any applicable licenses or permits which may be required by Federal, state, county or municipal law.

General: Copies of any forms referenced above may be obtained by writing to the Department of Environmental Protection, Bureau of Coastal Engineering and Regulation, 3900 Commonwealth Boulevard, Mail Station 310, Tallahassee, Florida 32399, or by telephoning (904)487-4475.



500.12 Food permits; building permits.

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(2) When any person applies for a building permit to construct, convert, or remodel any food establishment, food outlet, or retail food store, the authority issuing such permit shall make available to the applicant a printed statement, provided by the department, regarding the applicable sanitation requirements for such establishments. A building permitting authority, or municipality or county under whose jurisdiction a building permitting authority operates, may not be held liable for a food establishment, food outlet, or retail food store that does not comply with the applicable sanitation requirements due to failure of the building permitting authority to provide the information as provided in this subsection.

(a) The department shall furnish, for distribution, a statement that includes the checklist to be used by the food inspector in any preoperational inspections to assure that the food establishment is constructed and equipped to meet the applicable sanitary guidelines. Such preoperational inspection shall be a prerequisite for obtaining a food permit in accordance with this section.

(b) The department may provide assistance, when requested by the applicant, in the review of any construction or remodeling plans for food establishments. The department may charge a fee for such assistance which covers the cost of providing the assistance and which shall be deposited in the General Inspection Trust Fund for use in funding the food safety program.

(c) A building permitting authority or other subdivision of local government may not require the department to approve construction or remodeling plans for food establishments and retail food stores as a condition of any permit or license at the local level.

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FRANKLIN COUNTY BUILDING PERMIT

CHECKLIST

PAGE ONE OF APPLICATION ✓  
PAGE TWO AND THREE OF APPLICATION ✓  
TOPOGRAPHICAL SURVEY NA  
WASTE WATER PERMIT OR LETTER ✓ H 94-009 B  
SEPTIC TANK VARIANCE DATE N/A (if necessary)  
ENERGY AUDIT NA  
SITE PLAN ✓  
LOCATION MAP ✓  
TWO SETS OF BUILDING PLANS ✓ See plans in Permit #10093  
CRITICAL SHORELINE ZONE NA, CRITICAL HABITAT ZONE NA  
CRITICAL SHORELINE INSPECTION FORM NA  
CRITICAL SHORLINE REVIEW, P&Z DATE ✓, BCC DATE NA  
REQUIRED STATE AUTHORIZATIONS, DER \_\_\_\_\_, DNR ✓, COE \_\_\_\_\_  
ANY OTHER APPLICABLE REQUIREMENTS: \_\_\_\_\_  
DBR Review - ✓

\* Chapter 500- Fl. Statutes given to Contractor ✓  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(BUILDING PERMITS BELONG TO THE PROPERTY OWNER)  
APPLICATION FOR DEVELOPMENT PERMIT

NAME AND ADDRESS OF PROPERTY OWNER: Rick Rucker/Blue Parrot PHONE: \_\_\_\_\_ PERMIT NO: 10055  
HCR Bv 121 PERMIT FEE: 20<sup>00</sup>  
St. George Isl, Fl. 32328 DATE: 1/21/94

CONTRACTOR: \_\_\_\_\_ REGISTRATION NO: \_\_\_\_\_

THIS APPLICATION MUST BE ACCOMPANIED BY TWO SETS OF PLANS. THE SITE PLAN MUST INCLUDE THE FOLLOWING: FRONT, SIDE AND REAR OF BUILDING WITH EVIDENCE OF WIDTH, DEPTH AND HEIGHT, AND SHOW THE LOCATION OF THE BUILDING ON THE LOT OR BUILDING SITE, SETBACKS, SEPTIC TANK, WATER WELL, DRIVEWAY AND PARKING. IF THE BUILDING SITE IS LOCATED IN A RATED FLOOD ZONE, THE SITE PLAN MUST INCLUDE A TOPOGRAPHIC SURVEY SHOWING ELEVATION OF THE BUILDING SITE.

SECTION ONE: PROPERTY TO BE DEVELOPED PARCEL I.D. # 29-093-06W-7311-010W-057

- SUBDIVISION St. George Isl UNIT 1-W BLOCK 10 LOT 57458  
OTHER DESCRIPTION IF NOT A SUBDIVISION \_\_\_\_\_
- NAME OF ROAD OR STREET FRONTING SITE: West Garris Dr.
- ATTACH LEGAL DESCRIPTION OR DEED AND A DETAIL VICINITY MAP WITH DIRECTIONS TO THE DEVELOPMENT SITE.

SECTION TWO: PURPOSE OF DEVELOPMENT.

MOBILE HOME: \_\_\_\_\_ ADDITION/ALTERATION X SINGLE FAMILY DWELLING: \_\_\_\_\_  
IF OTHER, DESCRIBE DEVELOPMENT: Gazebo on existing dock 12x12  
FR 4864  
TOTAL SQUARE FEET: \_\_\_\_\_ EST. COST: \_\_\_\_\_ EST. VALUE: \_\_\_\_\_  
VALUE OF EXISTING STRUCTURE: \_\_\_\_\_

SECTION THREE:

TYPE OF CONSTRUCTION: Frame ROOF: \_\_\_\_\_ FOUNDATION: Existing  
LOT DIMENSIONS: N/A

SECTION FOUR: (TO BE COMPLETED BY PLANNING OFFICIAL)

WASTE WATER DISPOSAL SYSTEM: N/A  
(ATTACHED SEPTIC TANK PERMIT OR LETTER OF SERVICE)

SOURCE OF POTABLE WATER: N/A  
(ATTACH LETTER OF SERVICE IF APPLICABLE)

BASE FLOOD ELEVATION: PANEL NO. 0300 C FIRM ZONE V9 (2 10')

ELEVATION OF LOWEST HORIZONTAL SUPPORT STRUCTURE OF BUILDING -

ZONING DISTRICT R-2 CRITICAL SHORELINE DISTRICT? NO CRITICAL HABITAT

ZONE? NO IF YES, IDENTIFY WATER BODY N/A

Rick M. Rucker  
SIGNATURE OF APPLICANT DATE

Mark C. Curran 1-21-94  
PLANNING OFFICIAL DATE

Robert R. Canoll 1-21-94  
BUILDING OFFICIAL DATE

NOTE TO APPLICANTS AND PERMIT HOLDERS: VIOLATIONS OF THE TERMS AND CONDITIONS OF THIS PERMIT MAY WARRANT A STOP WORK ORDER OR REVOCATION OF THIS PERMIT.

FRANKLIN COUNTY PLANNING AND BUILDING DEPARTMENT  
SUPPLEMENTAL APPLICATION FOR DEVELOPMENT WITHIN THE  
CRITICAL SHORELINE DISTRICT, COASTAL BUILDING AND  
FLOOD ZONES.

(1) SUBMIT THE FOLLOWING WITH THIS APPLICATION:

(A) TOPOGRAPHIC SURVEY PREPARED BY A REGISTERED LAND SURVEYOR OR ENGINEER AT A SCALE OF NOT MORE THAN 1" EQUALS 30' OF THE PARCEL BEING DEVELOPED INCLUDING THE FOLLOWING

1. LOT OR LAND DIMENSIONS.
2. COASTAL CONSTRUCTION AND SETBACK LINES WHERE APPLICABLE, 50 FOOT CRITICAL HABITAT BUFFER AND 150 FOOT CRITICAL SHORELINE WHERE APPLICABLE.
3. GENERAL TOPOGRAPHY INCLUDING LOCATION OF SAND DUNES, WETLANDS AND NATIVE VEGETATION.

(B) ARCHITECTURAL DRAWINGS AND PLANS CERTIFIED BY REGISTERED ENGINEER OR ARCHITECT FOR ALL DEVELOPMENT IN THE FRANKLIN COUNTY COASTAL BUILDING ZONE, INCLUDING THE FOLLOWING:

FLOOR PLAN \_\_\_\_\_ ELEVATION \_\_\_\_\_ FOUNDATION \_\_\_\_\_ FOUNDATION DETAIL \_\_\_\_\_

STRUCTURAL DETAIL \_\_\_\_\_ PLUMBING \_\_\_\_\_ ELECTRICAL \_\_\_\_\_ HEAT & AIR \_\_\_\_\_

OTHER MECHANICAL \_\_\_\_\_. THESE DETAIL PLANS SHOULD SPECIFY TYPE OF DESIGN INCLUDED TO RENDER THE STRUCTURE HURRICANE RESISTANT AND MUST COMPLY WITH THE STANDARDS OF THE FRANKLIN COUNTY COASTAL BUILDING CODE AND THE 1986 STANDARD BUILDING CODE AS REVISED.

(2) PROPOSED ALTERATION OF LAND:

- A. PERCENTAGE OF LAND COVERED BY VEGETATION? \_\_\_\_\_
- B. PERCENTAGE OF VEGETATION TO BE CLEARED? \_\_\_\_\_
- C. DIMENSIONS OF DRIVEWAY AND OTHER CLEARED AREAS? \_\_\_\_\_
- D. PERCENTAGE OF LAND TO BE PLACED IN IMPERVIOUS SURFACE? \_\_\_\_\_
- E. DRIVEWAY MATERIAL? \_\_\_\_\_

*no clearing  
required*

(3) PROPOSED MITIGATION AND RESTORATION OF THE LAND:

- A. CAN DEVELOPMENT BE ACCOMPLISHED WITHOUT TOPPING THE CROWN OF A SAND DUNE?: (EXPLAIN FULLY) YES
- B. WHAT STEPS WILL BE TAKEN TO MINIMIZE DISTURBANCE OF DUNE SYSTEM DURING CONSTRUCTION? N/A
- C. HOW WILL VEGETATION AND DUNES BE RESTORED FOLLOWING DEVELOPMENT? N/A
- D. IF DEVELOPMENT IS SEAWARD OF COASTAL CONSTRUCTION LINE HAS PROPOSED DEVELOPMENT BEEN APPROVED BY D.N.R.  PERMIT NO. FR-004864  
(ATTACH COPY OF D.N.R. PERMIT TO APPLICATION.)

(4) CRITICAL SHORELINE DISTRICT

- A. PREDEVELOPMENT SITE INSPECTION \_\_\_\_\_ DATE \_\_\_\_\_ INSPECTOR INITIALS \_\_\_\_\_  
(ATTACH COPY OF INSPECTION REPORT).
- B. DEVELOPMENT IN CRITICAL HABITAT ZONE NO (ATTACH VARIANCE).
- C. STORMWATER MANAGEMENT PLAN N/A (ATTACH COPY)
- D. WASTEWATER MAINTENANCE AGREEMENT N/A (ATTACH COPY).
- E. TEMPORARY SOLID AND WASTEWATER DISPOSAL SYSTEMS ON SITE N/A.
- F. DEVELOPMENT APPROVED BY PLANNING COMMISSION N/A DATE \_\_\_\_\_.

G. DEVELOPMENT APPROVED BY COUNTY COMMISSION NA DATE \_\_\_\_\_

(5) **ENGINEERING CERTIFICATION:**

STRUCTURAL INTEGRITY: (EACH STATEMENT MUST BE ANSWERED AND/OR INITIALED BY A REGISTERED ENGINEER OR ARCHITECT).

- A. IS THE STRUCTURE DESIGNED TO BE ANCHORED ON PILING? existing
- B. IS THE STRUCTURE DESIGNED TO WITHSTAND FORCES OF WIND, STORM SURGE, SCOUR AND WAVE ACTION ASSOCIATED WITH A 100 YEAR STORM IN ACCORDANCE WITH THE COUNTY COASTAL BUILDING CODE AND THE 1986 STANDARD BUILDING CODES AS REVISED \_\_\_\_\_ (INITIALED) \_\_\_\_\_.
- D. OTHER STRUCTURAL REQUIREMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(6) **ELEVATION REQUIREMENTS:**

- A. WHAT IS THE LOWEST BASE ELEVATION AT THE BUILDING SITE?: \_\_\_\_\_
- B. WHAT IS THE REQUIRED ELEVATION ACCORDING TO THE FRANKLIN COUNTY FLOOD DISTRICT STANDARDS? \_\_\_\_\_
- C. ELEVATION OF THE FIRST FLOOR HORIZONTAL SUPPORT STRUCTURE? \_\_\_\_\_

Kathleen M. Pulte  
SIGNATURE OF APPLICANT \_\_\_\_\_ DATE \_\_\_\_\_

NAME OF REGISTERED ENGINEER OR ARCHITECT (AFFIX SEAL)

\_\_\_\_\_  
SIGNATURE: \_\_\_\_\_  
FIRM: \_\_\_\_\_  
FLA LICENSE NUMBER: \_\_\_\_\_

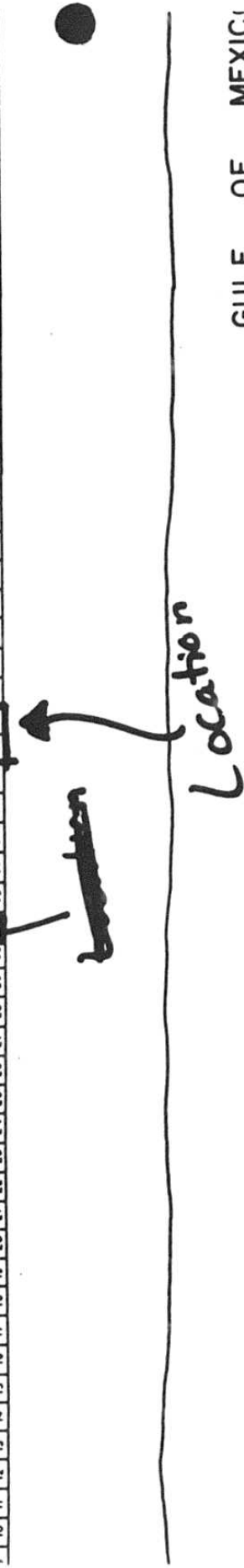
GULF			BEACH			DRIVE		
220	216	212	160	156	152	110	106	102
208	204	200	144	140	136	128	124	120
40	40	40	148	144	140	132	128	124
219	215	209	147	143	139	135	131	127
10	11	12	3	4	5	6	7	8
13	14	15	10	11	12	13	14	15
16	17	18	15	16	17	18	19	20

2-3  
 45 RES.

2-30 RESERVED  
 40 RES.  
 1-35 RESERVED

60	56	52	48	44	40	36	32
7							
65	61	57	53	49	45	41	37
1	2	3	4	5	6	7	8

WEST	GORRIE	DRIVE	WEST
220	216	212	160
208	204	200	144
148	144	140	132
147	143	139	135
10	11	12	13
14	15	16	17
18	19	20	21
22	23	24	25
26	27	28	29
30	31	32	33
34	35	36	37
38	39	40	41
42	43	44	45
46	47	48	49
52	56	60	64
68	72	76	80
84	88	92	96
100	104	108	112
120	124	128	132
136	140	144	148
152	156	160	164
172	176	180	184
200	204	208	212



GULF OF MEXIC

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SITE PLAN REQUIREMENTS PURSUANT TO FRANKLIN COUNTY ORDINANCE 86-9 SEC. 301.02

Indicate the Following on Site Plan:

Regulatory Setbacks \_\_\_\_\_  
Lot Lines/Dimensions \_\_\_\_\_  
Principal/Accessory structure \_\_\_\_\_  
Building Plans/Structural  
Dimensions \_\_\_\_\_

Septic Tank/Well Location \_\_\_\_\_  
Critical Shoreline/ Critical  
Habitat \_\_\_\_\_

Other Features: \_\_\_\_\_  
\_\_\_\_\_

Development Location		Scale	Drawn by:
P & Z Approval	BOCC Approval	Date	Permit No.

FEE SCHEDULE FOR SINGLE FAMILY RESIDENCE

BASE VALUATION

ON GRADE: \_\_\_\_\_ (HEATED AREA) X 40.00 = \_\_\_\_\_

ON PILING: \_\_\_\_\_ (HEATED AREA) X 50.00 = \_\_\_\_\_

ADDITIONAL VALUATION

ROOFS OF WOOD SHAKE/SHINGLE, TILE, COPPER, OR STAINLESS STEEL

ADD: \_\_\_\_\_ (HEATED AREAD) X 1.00 = \_\_\_\_\_

BATHS: FULL TILE \_\_\_\_\_ (SQ FT) X 1.50 = \_\_\_\_\_

HALF TILE \_\_\_\_\_ (SQ FT) X 1.00 = \_\_\_\_\_

(2ND BATH VALUED AT .50 LESS)

FIREPLACE: \_\_\_\_\_ (HEATED AREA) X 1.00 = \_\_\_\_\_

INTERIOR WALLS ENCLOSED WITH CUSTOM PANELING ADD  
\_\_\_\_\_ (PANELED AREA) X 1.00 = \_\_\_\_\_

EXTERIOR WALLS OF BRICK, WOOD SHINGLES, CYPRESS, JUNIPER, CEDAR,  
OR REDWOOD ADD \_\_\_\_\_ (SQ FT) X 1.50 = \_\_\_\_\_

FOR WALLS OF STUCCO OR STONE \_\_\_\_\_ (SQ FT) X 1.00 \_\_\_\_\_

FLOOR COVERINGS OF QUARRY TILE, MARBLE OR HARDWOOD ADD  
\_\_\_\_\_ (SQ FT) X 1.50 = \_\_\_\_\_

PORCHES ON GRADE \_\_\_\_\_ (SQ FT) X 20.00 = \_\_\_\_\_

PORCHES ON PILING \_\_\_\_\_ (SQ FT) X 25.00 = \_\_\_\_\_

DECKS ON GRADE \_\_\_\_\_ (SQ FT) X 15.00 = \_\_\_\_\_

DECKS ON PILING \_\_\_\_\_ (SQ FT) X 25.00 = \_\_\_\_\_

GARAGES AND CLOSED SHEDS \_\_\_\_\_ (SQ FT) X 25.00 = \_\_\_\_\_

OPEN SHEDS AND CARPORTS 144 (SQ FT) X 10.00 = 1,440.

TOTAL VALUATION (BASE + ADDED VALUE) \_\_\_\_\_ 1,440

\*Refer to Fee Table for Permit PERMIT \_\_\_\_\_ 20.

RADON \_\_\_\_\_ (SQ FT OF HOUSE) X .01 = \_\_\_\_\_

TOTAL PERMIT FEE = \_\_\_\_\_





**FIELD PERMIT APPROVED PURSUANT TO SECTION 161.053 or 161.052, FLORIDA STATUTES**

**FINDINGS OF FACT:** An application for authorization to conduct the activity indicated in the location and project description shown below was filed with the Department on the date shown below.

**CONCLUSIONS OF LAW:** The application was considered by the staff designee of the Secretary of the Department of Environmental Protection and found to be in compliance with requirements of Chapter 16B-33, Florida Administrative Code (F.A.C.). Approval is specifically limited to activity in the stated location and project description and the approved plans (if any), and the attached standard conditions and any special conditions stated below pursuant to Rule 16B-33.015(3)(u), F.A.C.

**PROJECT LOCATION:** 250-W, R-84 Blue Parrot Oyster Bar  
 (DNR reference monument & street address)

**PROJECT DESCRIPTION:** Construction of Gazebo not to exceed 144 sq. ft.

**SPECIAL PERMIT CONDITIONS:** This permit is valid only after all applicable federal, state, and local permits are obtained and does not authorize contravention of local setback requirements or zoning or building codes. This permit shall be posted on the site as Public Notice immediately upon its date of issuance, and shall remain posted along with local approval until the completion of any activity authorized by this permit. Other special conditions of this permit include:

Gazebo to be built on top of existing deck. Deck posts not to exceed 8" diameter.

**STANDARD PERMIT CONDITIONS:** The permittee shall comply with the attached standard permit conditions.

**APPLICANT INFORMATION:** I hereby certify that: (1) I am either the owner of the subject property or have the owner's consent to secure this permit on the owner's behalf; (2) I shall obtain any applicable licenses or permits which may be required by federal, state, county, or municipal law prior to commencement of the authorized work; (3) I acknowledge that the authorized work is what I requested; and (4) I accept responsibility for compliance with all permit conditions.

Signature Rick H. Rucker Date June 20, 1994 Telephone No. (904) 927-2987

Printed Name. Also Title & Company Name if applicable: RICK H. RUCKER

Mailing Address HCR 181 St. George's Isl. Fla. 32328

**DEPARTMENT FINAL ACTION:** This permit is approved on behalf of the Department of Environmental Protection by

(staff designee): Bill Foker, on Date 1/20/94

The permit expires 12 months after issuance or upon such earlier date as is hereinafter specified by the staff designee.

**EXPIRATION DATE:** 7/20/94 Approved plans are attached: YES  NO   
 Standard Permit Conditions: YES  NO

This permit is  is not  valid without a Department-approved "Information Form to Assess and Reduce Impacts to Marine Turtles." The Sea Turtle Protection Program and Local Authorities were notified on (date in office):

**PUBLIC NOTICE:** The foregoing constitutes final agency action. Any person substantially affected by this determination has the right to request an administrative hearing to be conducted in accordance with the provisions of Section 120.57, Florida Statutes (F.S.). Should you desire an administrative hearing, your request must comply with the provisions of Rule 28-5.201, F.A.C., if requesting a formal administrative hearing, or Rule 28-5.501, F.A.C., if requesting an informal hearing. Requests for hearings must be received by the Office of the General Counsel at the Department's mailing address as written above, within twenty-one (21) days after the date this notice was posted. Failure to respond within this allotted time frame shall be deemed a waiver of all rights to an administrative hearing. In the event that a legally-sufficient petition for hearing is not timely received, you have the right to seek judicial review of this permit pursuant to Section 120.68, F.S., and Rules 9.030(b)(1)(c) and 9.110, Florida Rules of Appellate Procedure. To initiate an appeal, the Notice of Appeal must be filed with the Office of General Counsel and with the appropriate District Court of Appeal within thirty (30) days after this notice was posted. The Notice filed with the District Court must be accompanied by the filing fee specified in Subsection 35.22(3), F.S.

FRANKLIN COUNTY BUILDING PERMIT

CHECKLIST

PAGE ONE OF APPLICATION ✓  
PAGE TWO AND THREE OF APPLICATION ✓  
TOPOGRAPHICAL SURVEY N/A  
WASTE WATER PERMIT OR LETTER N/A  
SEPTIC TANK VARIANCE DATE N/A (if necessary)  
ENERGY AUDIT N/A  
SITE PLAN N/A  
LOCATION MAP ✓  
TWO SETS OF BUILDING PLANS N/A  
CRITICAL SHORELINE ZONE N/A, CRITICAL HABITAT ZONE N/A  
CRITICAL SHORELINE INSPECTION FORM N/A  
CRITICAL SHORLINE REVIEW, P&Z DATE N/A, BCC DATE \_\_\_\_\_  
REQUIRED STATE AUTHORIZATIONS, DER \_\_\_\_\_, DNR ✓, COE \_\_\_\_\_  
ANY OTHER APPLICABLE REQUIREMENTS: \_\_\_\_\_

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ST. GEORGE ISLAND UTILITY COMPANY, LTD.  
WATER APPLICATION FOR COMMERCIAL USE

Name of Customer Responsible for Payment: Steven C. Rauh  
Address: Box 190 St George Island FL 32324  
Service Location: (Legal Description) Lot 27-38 Block 13 West On.  
Is this new construction: NO  
Intended Use: RESTAURANT  
Square Footage: 1900  
If Restaurant No. of Seats: (Must agree with HRS, state/county or other permit applications.) 60  
If Restaurant What are Hours: 11-10  
Kitchen Facilities: yes  
How many bathrooms: 2  
Are they full bathrooms with showers: N  
Will you have washing machines: If so, how many N  
What type of sewage treatment: septic  
Will anyone be living or sleeping (temporarily or permanently) at location: N  
Do you intend to expand or change the use: N  
Will you have a well, sprinkler system, irrigation system or dock: yes  
Requirements: Copies of any state, county or federal permits.  
Copies of building plans.

Date: 5-8-96

[Signature]  
Signature of Applicant

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**CHRISTIAN & MISSIONARY ALLIANCE v. FLA. CITIES**  
**386 So.2d 543, 1980 Fla.Sct 1931**

<pg.1>

The CHRISTIAN AND MISSIONARY ALLIANCE FOUNDATION, INC., d/b/a Shell Point Village, Petitioner,  
v. FLORIDA CITIES WATER COMPANY, Respondent.

No. 55161.

Supreme Court of Florida.

Decided June 26, 1980.

Rehearing Denied August 27, 1980.

Leon F. Olmstead and Prentice P. Pruitt, Tallahassee, for Florida Public Service Commission.

John W. Costigan of Madigan, Parker, Gatlin, Swedmark & Skelding, Tallahassee, for Florida Cities Water Co.

**OPINION**

SUNDBERG, Justice.

This is a petition for writ of certiorari to review an order of the Florida Public Service Commission (Commission) concerning the justification for certain developer water unit connection charges. We have jurisdiction.1(1)

The petitioner-developer, The Christian and Missionary Alliance Foundation, Inc., owns a retirement community known as Shell Point Village in Lee County, Florida. The respondent-utility, Florida Cities Water Company (Florida Cities), is a privately-owned public utility authorized to provide water services in that area. When this community was in the planning stages, the developer arranged for water service with Florida Cities. The agreement, concluded in 1967, provided for a ten-inch water main to be extended to the front entrance of the development and a meter to be installed at that point of delivery. The developer constructs and maintains the water system past that point.

In 1975 the developer added to the development three multi-family buildings comprising 210 dwelling units. When the utility became aware of this new construction, it requested the developer to pay a one-time charge of \$250 per unit for service availability to these new units, or a total sum of \$52,500. The demand was based on a tariff provision granted the water utility by the Commission in its Order No. 5822, which reads in part as follows:

**CONNECTION CHARGE<pg.2>**

All applications for service at a new location shall pay, in advance, a connection charge of: \$300 per residential customer with 3/4" meters, \$350 per residential customer with 1" meters, \$250 per multiple dwelling unit as that term is defined in rate schedule MDW, and an amount that is fair and reasonable for commercial customers, but not less than \$350.

The developer refused to make the requested payment. Thereafter, the utility initiated a proceeding before the Commission against the developer, resulting in an order by the Commission that the new service availability charge must be paid. The developer in these proceedings seeks relief from this order and asserts three grounds in support of its position that it should not be required to pay a service availability charge.

First, it contends that the charge applies only to new locations. Because it receives the water for new units through the same master meter used from the beginning, it believes it receives service at an existing location rather than a new location and therefore is not subject to the charge. We reject this contention. This argument may be initially appealing, but it fails to take into account additional demands that may require main plant expansion and development. If the utility is unable to charge for service availability to these new units, the developer could substantially develop Shell Point without paying for the expansion of the water system outside the development that would be necessary to supply the increased demand at the master meter. The financial burden would then be shifted to other customers of the utility contrary to section 367.101, Florida Statutes (1977). We conclude that the new units must be included in the term "new location." Service is still rendered at the meter, but this charge is for service availability and not for the service itself.

The developer's second argument relies solely upon the decision of this Court in *Contractors and Builders Ass'n v. City of Dunedin*, 329 So.2d 314 [1976 Fla.S.Ct 740] (Fla.1976). The developer asserts that the service availability charge is invalid because the use of the funds generated by this charge is not limited. In *City of Dunedin*, we held that an ordinance setting a utility connection charge for new customers was invalid for failure to restrict in writing the disposition of the fees collected. We stated, however: <pg.3>

Raising expansion capital by setting connection charges, which do not exceed a pro rata share of reasonably anticipated costs of expansion, is permissible where expansion is reasonably required, if use of the money collected is limited to meeting the costs of expansion. Users "who benefit especially [sic], not from the maintenance of the system, but by the extension of the system . . . should bear the cost of that extension."

329 So.2d at 320.

The developer's reliance on *City of Dunedin* is misplaced because of the simple distinction between a municipal utility which is not regulated by the Commission and a private utility which is so regulated. The principle underlying *City of Dunedin* is that absent express limiting language in the ordinance authorizing service availability charges by the city, there is no check on the accounting for and application of the revenues for the intended purpose. These considerations are not present when dealing with a private utility regulated by the Commission.

By section 367.121(1), Florida Statutes (1977), the Commission was charged with the responsibility, inter alia, of: (a) prescribing fair and reasonable rates and charges; (b) prescribing a uniform system and classification of accounts; and (c) requiring the filing of periodic reports and all other reasonably necessary information. It was pursuant to this charge that the tariff in question was approved by the Commission. Section 367.101, Florida Statutes (1977), provided the more specific authority for the Commission to "set just and reasonable charges and conditions for service availability."

Under the auspices of this statutory authority, the Commission has established accounting regulations for treatment of service availability charge funds, and such accounting forms a basis for setting rates for water service. The private water utility is required to record all connection charges in Account No. 271 (Uniform System of Accounts) as contributions in aid of construction which are thereafter deducted from the utility's investment for ratemaking purposes. Consequently, the collection of service availability charges by a private utility has the effect of reducing, or at least controlling, rates to customers. Thus the objective expressed in the Commission's order "that the new customer will bear the expense of expansion of the facilities to provide him service in order that such new customer will not be subsidized by existing customers," is met. This statutory scheme provides the regulation and accountability missing in the instance of a municipal utility and, hence, makes inapplicable the reasoning of City of Dunedin in this case.<pg.4>

The petitioner-developer's third argument that it has a vested right to remain connected to the water system without paying these charges is totally without merit. See *H. Miller & Sons, Inc. v. Hawkins*, 373 So.2d 913 [1979 Fla.S.Ct 1984] (Fla.1979).

For the reasons expressed, we hold valid the Commission's order under review.

It is so ordered.

ENGLAND, C. J., and ADKINS, BOYD, ALDERMAN and McDONALD, JJ., concur.

OVERTON, J., concurs in part and dissents in part with an opinion.

FOOTNOTE 1

Art. V, 3(b)(3), Fla.Const.; 367.131, Fla. Stat. (1977).

OVERTON, Justice, concurring in part, dissenting in part.

I concur with the majority in rejecting the first and third arguments of petitioner; however, I would hold that the principles enunciated by this Court in *Contractors and Builders Ass'n v. City of Dunedin*, 329 So.2d 314 [1976 Fla.S.Ct 740] (Fla.1976), should apply to private as well as publicly owned utility companies.

I dissent from the holding of the majority that the City of Dunedin applies solely to government-owned utilities. In my view, this would allow the Public Service Commission to permit service availability charge funds of private utilities to be used for maintenance and operations of private utilities while government-owned utilities must, under City of Dunedin, restrict these same funds to the cost of expansion. In my opinion, a privately owned water utility and a government-owned water utility should be treated the same and therefore subject to the same restrictions and limitations on the use of these cost-of-expansion funds. I would hold invalid the Commission's order under review for failure to provide sufficient restrictions upon the funds collected for the service availability charge and remand this cause to the Commission and allow it in subsequent proceedings to incorporate proper restrictions on the use of these revenues.

<pg.5>

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State of Florida

Commissioners:

SUSAN F. CLARK, CHAIRMAN  
J. TERRY DEASON  
JULIA L. JOHNSON  
DIANE K. KIESLING  
JOE GARCIA



DIVISION OF WATER &  
WASTEWATER  
CHARLES HILL  
DIRECTOR  
(904) 413-6900

## Public Service Commission

May 21, 1996

Ms. Sandra M. Chase  
St. George Island Utility Co., Ltd.  
3848 Killearn Court  
Tallahassee, Florida 32308

Dear Ms. Chase,

The Commission received an inquiry from Jan Hevier, Esquire, who represents the individual who recently purchased the Blue Parrot Oceanfront Cafe, Inc. (service location No. 480). According to Mr. Hevier, St. George Island Utility Co., Ltd. (St. George) intends to assess a service availability charge of \$7,657.02, apparently based upon the maximum number of 60 seats that the restaurant is permitted for.

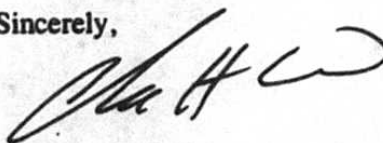
A review of this situation indicates that the additional charge of \$7,657.03 is inappropriate. A service availability charge is typically imposed upon the initiation of service to a location. Any service availability charges related to the initiation of service should have been collected from the prior owner of the establishment. A change in ownership does not warrant the imposition of additional charges. Moreover, according to Mr. Hevier, the restaurant will only have 38 seats and the only expansion will be an additional sun deck. Based upon these factors, the additional service availability charges are unwarranted. Unless the utility files a written response by June 7, 1996, staff will consider this matter closed.

Should St. George wish to pursue this matter, the utility should address the following issues in its written response: why the requested additional service availability charges are warranted and not unfairly discriminatory; why the additional charges were not collected from the prior owner; and whether the utility would refund service availability charges for all existing commercial and residential customers if their usage decreases. If St. George still wishes to impose this additional charge it will likely be necessary to open a docket to address the appropriateness of the additional service availability charges.



Letter - Ms. Chase  
Page 2  
May 21, 1996

Sincerely,

A handwritten signature in black ink, appearing to read "CH Hill", written in a cursive style.

Charles H. Hill  
Director

c: Division of Water and Wastewater (Willis, Crouch, Rendell, Groom)  
Division of Legal Services (Jaber, O'Sullivan)  
Jan J. Hevier, Esquire