

ORIGINAL

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July 24, 2001

VIA HAND DELIVERY

Blanca Bayo, Clerk  
Florida Public Service Comm.  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

RE: Docket No. 991666-WU  
In re: Application for amendment of Certificate No. 106-W  
to add territory in Lake County by Florida Water Services  
Corporation

Dear Ms. Bayo:

Attached are the following documents which were officially  
recognized in the above cited docket at the City of Groveland's  
request:

1. Certified copy of Lake County Ordinance 1996-42 enacted  
May 7, 1996.
2. Certified copy of Lake County Ordinance 1999-117,  
Tracking No. # 64-99 PUD, Public Hearing 43-99-2.
3. St. Johns River Water Management District Permit No. 4-  
069-62892-2, The Summit.
4. Department of Environmental Protection Delineation Map  
for Potable Water Well Permitting, Chapter 62-524, F.A.C.  
and
5. Chapter 62-524, F.A.C.

The Department of Environmental Protection Application for a  
Public Drinking Water Facility Construction Permit, The Summit,  
dated 3/20/00 and the Department of Environmental Protection Permit  
No. WD35-0080593-010, water distribution system extension permit  
were also officially recognized at the hearing but have been  
entered in the record as Exhibits 11 and 10, respectively. All  
parties and the Court Reporter were provided copies of Exhibits 10  
and 11 at the hearing.

APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMP \_\_\_\_\_  
COM \_\_\_\_\_  
CTR \_\_\_\_\_  
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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Blanca Bayo, Clerk  
July 24, 2001  
Page 2

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Should you have any questions or need any additional information, please contact me.

Very truly yours,

  
Suzanne Brownless

c: 3424  
cc: All Parties

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ORDINANCE NO. 1996 - 42

AN ORDINANCE OF LAKE COUNTY, FLORIDA;  
RELATING TO FIRE PROTECTION STANDARDS;  
AMENDING SECTION 9.08.00 CONSISTING OF  
SUBSECTION 9.08.01 OF THE LAKE COUNTY LAND  
DEVELOPMENT REGULATIONS TO REQUIRE NEW  
BUILDINGS AND STRUCTURES TO PROVIDE A FIRE  
PROTECTION WATER SUPPLY; CREATING SUBSECTIONS  
9.08.02 THROUGH 9.08.06; PROVIDING FOR REQUIRED  
FIREFLOWS; PROVIDING FOR EXCEPTIONS; PROVIDING  
FOR WATER SYSTEM CRITERIA; CREATING STANDARD  
REQUIREMENTS FOR FIRE HYDRANTS; PROVIDING FOR  
AN EXCEPTION FOR MUNICIPAL SYSTEMS; PROVIDING  
FOR FIRE FLOW CALCULATIONS; PROVIDING FOR  
INCLUSION IN THE LAKE COUNTY CODE; PROVIDING  
FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE  
DATE.

SECRETARY OF STATE

MAY 17 10 40 AM '96

FILED

18 WHEREAS, the Board of County Commissioners previously adopted fire protection  
19 standards by resolution; and

20 WHEREAS, the Board of County Commissioners has determined that such standards shall  
21 be placed in the Lake County Land Development Regulations, Appendix E of the Lake County Code;

22 NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
23 COMMISSIONERS OF LAKE COUNTY, FLORIDA, as follows:

24 Section 1. Section 9.08.00, consisting of subsection 9.08.01, of the Lake County Land  
25 Development Regulations, Appendix E of the Lake County Code is hereby amended and subsections  
26 9.08.02 through 9.08.06 are hereby created to read as follows:

27 [substantial rewording of section]

28 **9.08.00 Fire Protection Standards**

29 **9.08.01 Installation and Maintenance of Fire Protection Water Supply**  
30 **Systems and Appliances**

31 All new buildings or structures shall be required to have available by either an existing system or  
32 provide a suitable approved fire protection water supply, unless exempted herein. Water distribution

CODING: Words in ~~strike-through~~ type are deletions from existing text. Words in redline type are additions.

1 ~~systems and/or water main extensions~~ Fire protection water supply systems shall be designed and  
2 constructed in accordance with the fire protection requirements of the Insurance Services Office  
3 (National Board of Fire Underwriters), as stated in their Fire Protection Rating Schedule "Needed  
4 Fire Flow" section, NFPA (National Fire Protection Association) Standards, and state and local  
5 codes, if not in conflict with the following:

6 9.08.02 1. REQUIRED FIRE FLOWS:

7 A. RESIDENTIAL FIRE PROTECTION WATERFLOW REQUIREMENTS.

8 Every subdivider shall be required to install the following public and other  
9 improvements in accordance with the conditions and specifications as follows, for one  
10 and two family dwellings:

11 1. Water Supply for Single-and=Two Family Dwellings.

12 ~~Fire protection standards:~~ In all new subdivisions,  
13 expansion of existing subdivisions, planned unit developments, or master park  
14 plans, ~~or where a central water system will be used for drinking water,~~ an  
15 adequate water supply system and an adequate water delivery system for fire  
16 protection as defined in this section shall be provided.

17 (a) Water Supply System.

18 For 1= and 2=family dwellings not exceeding 2 stories in height, the  
19 following Needed Fire Flows shall be used, ~~in accordance with~~  
20 ~~Insurance Services Office:~~

<u>Distance between Buildings</u>	<u>Needed Fire Flow</u>
<del>Over 100'</del>	<del>500 gpm</del>
31-100' $\geq$ 31	750
11-30'	1,000
10' or less	1,500

27 There shall be a minimum of one (1) fire hydrant provided for every  
28 1000 gpm required.

29 2. ~~Public Water Systems.~~ Where public water systems are required by other  
30 County requirements, system shall be capable of providing sufficient flow and  
31 pressure for fire hydrant system:

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~~redline~~ type are additions.

3. ~~Ownership of and access to water systems.~~

(a) ~~For any water system created pursuant to this standard, an agreement shall be entered into between Lake County, the subdivider and any involved homeowners association prior to platting. Such agreement shall provide that at the time a public water system operated by a governmental agency (i.e. municipality, county or other public agency) is adjacent to the subdivision, and upon agreement of all parties involved, the water system in the subdivision shall be conveyed without consideration to such governmental agency which shall then operate such public water system.~~

~~Land being subdivided within 300 feet of an approved public utility system that can provide the required fire flow at the required pressure, shall tie into the public system, unless undue hardship can be proven.~~

~~Land being subdivided within 300 feet of an approved private water system, that provides firefighting water supply, shall be required to tie into the private system or provide documentation from the existing system owner indicating there is not adequate capacity to handle addition.~~

(b) ~~For any water system created pursuant to this standard, necessary easements, dedications, or rights-of-way shall be dedicated, conveyed, or deeded to Lake County so that Lake County or its authorized agents shall have the right to access for use for fire protection purposes all parts of the water system. Such dedications or easements shall also provide for unlimited use of water when necessary for training, firefighting or other emergency operational purposes.~~

4. ~~For purposes of subsection "A", fire protection standards, or "B", public water systems, to determine the number of lots which are or may be created, all property owned by an applicant adjacent to the property in the proposed subdivision and multiple phases of a subdivision shall be considered as one (1) subdivision. It is the intent of this paragraph to encourage the construction of public water systems for fire protection and public water.~~

5. ~~Exceptions to Water Supply Requirements.~~

1. ~~In subdivisions with fewer than 19 lots alternative means of 20 or less lots of all 5 acres or larger lots, where no public or private water system is provided, no water supply and~~

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1 provisions of the water supply may be considered shall be  
2 required.

3 2. In subdivisions with 20 or less lots less than 5 acres, an  
4 alternate means of fire protection water supply may be  
5 provided with the Fire Official's approval. Such approval shall  
6 consider certain criteria such as:

- 7 1. Available public or private water systems.
- 8 2. Lot size.
- 9 3. Spacing of homes.
- 10 4. Types of homes and construction.
- 11 5. Available drafting water sources.
- 12 6. Other fire protection and suppression measures.
- 13 7. Other pertinent features related to fire protection  
14 water supply.

15 3.4. For purposes of subsection "A", fire protection standards "1."  
16 Water Supply for Single and Two Family Dwellings, or "B",  
17 Public Water Systems, to determine the number of lots which  
18 are or may be created, all property owned by an applicant  
19 adjacent to the property in the proposed subdivision and  
20 multiple phases of a subdivision shall be considered as one (1)  
21 subdivision. It is the intent of this paragraph to encourage the  
22 construction of public water systems for fire protection and  
23 public water.

24 4. Developers may request to sprinkler homes within a  
25 subdivision as an alternative to a full water system capable of  
26 providing the required fire protection flows. The Fire Official  
27 may approve such alternate methods. Such approval shall  
28 consider certain criteria such as:

- 29 1. Available public or private water systems.
- 30 2. Lot size.
- 31 3. Spacing of homes.
- 32 4. Types of homes and construction.
- 33 5. Available drafting water sources.
- 34 6. Other fire protection and suppression measures.
- 35 7. Other pertinent features related to fire protection  
36 water supply.

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1 B. Water Supply for Multiple-Dwelling Complexes as Defined in Southern Standard  
2 Building Code.

3 Water supplies for multiple dwelling complexes shall meet the requirements for  
4 commercial structures with the following additions, not to exceed 3,500 gpm, as per  
5 Insurance Services Office:

6 (1) ~~Sprinkler systems.~~ Multiple family dwelling three or more stories in height are  
7 required to ~~be sprinklered~~ have sprinklers. The water requirement for a fire  
8 sprinkler systems ~~are~~ is in addition to the required fire protection water flow.

9 (2) ~~Other code requirements.~~ Multiple-family dwellings shall meet the  
10 requirements of the most recently adopted editions of Standard Fire  
11 Prevention Code, Life Safety Code (NFPA 101), and any applicable National  
12 Fire Codes.

13 B-C. COMMERCIAL WATERFLOW REQUIREMENTS.

14 Fire flows in commercial, institutional, industrial areas and apartment or multi-unit  
15 complexes, shall provide a minimum of 750 gpm at 20 psi residual pressure. Larger  
16 commercial/industrial parks or industrial plants, major shopping centers, schools, and  
17 similar uses shall have a fire flow capacity as determined necessary by the Fire  
18 Official.

19 For structures with less than a 1000 gpm requirement, the Fire Official may consider  
20 such alternatives that may provide for alternate fire protection water supplies. These  
21 alternatives may include, but are not limited to, fire sprinkler systems and water  
22 storage tanks with approved distribution systems. Such approval shall consider  
23 certain criteria such as:

- 24 1. Type construction
- 25 2. Square footage
- 26 3. Type occupancy
- 27 4. Hazardous conditions
- 28 5. Other fire protection measures

29 **9.08.03** II. SYSTEM CRITERIA

30  
31 A. PUBLIC WATER SYSTEMS

32 Where public water systems are required by other County requirements,  
33 systems shall be capable of providing sufficient flow and pressure for an  
34 approved fire hydrant system.

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~~A-B~~ FIRE FLOW DURATION

1. Fire flow duration shall be 2 hours for Needed Fire Flows up to 2500 gpm, and 3 hours for Needed Fire Flows in excess of 2500 gpm.

~~CREDITED FIRE HYDRANT FLOWS:~~

2. The maximum credited flow from any given hydrant is 1000 gpm at and must have a minimum of 20 psi residual. If flow requirements exceed 1000 gpm, then additional hydrants will be required.

3. Fire hydrants installed on well systems and/or pumps must be pressurized at all times. Pumps must auto engage when hydrants are opened.

4. Locations and numbers of hydrants will be required based on location to buildings, exposures and at the discretion of the Fire Official.

~~B-C~~ FIRE HYDRANTS

Distance from or spacing of fire hydrants shall be a minimum of 500 feet from the furthestmost point of any structure, as the Fire Department would lay hose or as otherwise specified by the Fire Department to meet determined water flow requirements for fire protection and/or increase fire protection effectiveness. Fire hydrants shall be connected to water mains of 6 inch minimum size which are of satisfactory loop design in low density residential subdivisions and a minimum of 8 inch mains in all other areas. Connection to dead end stubs are acceptable, provided that said stubbed water main is not less than 8 inches and will provide acceptable flow.

~~C-D~~ SYSTEM SIZE COMPUTATION

If system is to be used for domestic and fire flow, the minimum design for water distribution system shall provide for at least 100% of the combined maximum day demand rate and required fire flow for said rate, with special provisions for peak flows in excess thereof. The allowable minimum service pressure under said design condition shall not be less than 20 pounds per square inch. Design flows and method of computation shall be subject to review and approval by the County.

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1                    ~~D-E~~    VALVE LOCATIONS

2                    Valves shall be provided for all branch connections, loop ends, fire hydrant  
3                    stubs, or other locations, as required to provide an operable, easily  
4                    maintained, and repaired water distribution system. Valves are to be placed  
5                    so that the maximum allowable length of water main required to be shutdown  
6                    for repair work shall be 500 feet in commercial, industrial or high density  
7                    residential districts, or 1000 feet in other areas.

8  
9                    **9.08.04**            III.    **STANDARD REQUIREMENTS**

10                   FIRE HYDRANTS

11                   Hydrants shall comply with AWWA Standard C502, "Fire Hydrants for  
12                   Ordinary Water Works Service", and shall be equipped with a minimum of  
13                   one (1) pumper outlet nozzle, 4-1/2 inches in diameter and two (2) hose  
14                   nozzles, 2-1/2 inches in diameter. Threads, nozzle caps, operating nuts and  
15                   color shall conform to NFPA Standards. Units shall be traffic type with  
16                   breakable safety clips or flange, and stem with safety coupling located below  
17                   barrel break line to preclude valve opening. Hydrants shall be dry top type.  
18                   Outlet nozzles shall be on the same plane, with minimum distance of 18 inches  
19                   from center of nozzles to ground line. Valve shall be compression type with  
20                   5-1/4 inches minimum opening unless otherwise requested and show inlet  
21                   connection to be 6 inches minimum.

22                   A.    Hydrants shall be installed plumb and in true alignment with the  
23                   connection pipes to the water main. They shall be securely braced  
24                   against the end of the trench (undisturbed soil) with concrete thrust  
25                   blocks. The gravel or crushed stone for the drain sump, followed by  
26                   backfilling, shall be carefully placed and compacted. Installed  
27                   hydrants shall be painted red for the final coat.

28                   B.    Hydrant placement is to be a minimum of 6 foot and a maximum of 9  
29                   foot from the curb or paved road surface unless otherwise approved.  
30                   The center of the steamer port shall be 18 inches minimum and 24  
31                   inches maximum above final grade. Steamer port shall be correctly  
32                   positioned for the proper connection.

33                   C.    Fire hydrant marker is a blue device visible during daylight and  
34                   reflective at night, which is to be approved by the Fire Department as  
35                   permanently installed on the road surface. All fire hydrants installed  
36                   after the effective date of this ordinance shall be required to have fire

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1 hydrant marker(s) installed. Hydrant markers are to be installed by the  
2 developer, owner, or contractor as follows:

- 3 1. As may comply with Department of Transportation  
4 regulations.
- 5 2. Areas such as, but not limited to, parking lots, loading areas,  
6 or storage yards, shall have marker location designated by the  
7 Fire Department.

8 D. FIRE HYDRANT CLASSIFICATIONS AND COLORS

9 Hydrants should be classified in accordance with their rated capacities  
10 (at 20 psi residual pressure);

- 11 Class AA - Rated capacity of 1500 gpm or greater  
12 Class A - Rated capacity of 1000-1499 gpm  
13 Class B - Rated capacity of 500-999 gpm  
14 Class C - Rated capacity of less than 500 gpm

15 All barrels are to be red. The tops and nozzle caps will be painted  
16 with the following capacity indicating color scheme to provide  
17 simplicity and consistency with colors used in signal work for safety,  
18 danger, and intermediate condition:

- 19 Class AA - Light Blue  
20 Class A - Green  
21 Class B - Orange  
22 Class C - Red

23 E. WATER SUPPLY EASEMENTS, DEDICATIONS, OR RIGHT-  
24 OF-WAYS

25 For any water system created pursuant to this standard, necessary  
26 easements, dedications, or rights-of-way shall be dedicated, conveyed,  
27 or deeded to Lake County so that Lake County or its authorized  
28 agents shall have the right to access for use for fire protection  
29 purposes all parts of the water system. Such dedications or easements  
30 shall also provide for unlimited use of water when necessary for  
31 training, firefighting or other emergency operational purposes.

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1     **9.08.05**     IV.   MUNICIPAL SYSTEMS

2                   Should any of these requirements conflict with municipal requirements,  
3                   consideration will be given, after coordinating with municipality involved, to  
4                   possible alternative measures.

5     **9.08.06**     V.    CALCULATIONS

6                   Fire flow calculations for all development other than one and two family  
7                   residential developments are based on Insurance Services Office Rating  
8                   Schedule. They are based on the following criteria with certain revisions:

- 9                   1.     Construction Type  
10                  2.     Occupancy Type  
11                  3.     Square Footage  
12                  4.     Exposure

13                  A copy of the fire flow calculations and methodology used is available in the  
14                  Lake County Fire/Rescue Administrative Offices, 315 W. Main Street,  
15                  Tavares, Florida 32778.

16                  **Section 2.**   **Inclusion in Code.**   It is the intention of the Board of County  
17                  Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake  
18                  County Code and that the sections of this Ordinance may be renumbered or relettered and the word  
19                  "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order  
20                  to accomplish such intentions

21  
22                  **Section 3.**   **Severability.**   If any section, sentence, clause or phrase of this Ordinance is  
23                  held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall  
24                  in no way affect the validity of the remaining portions of this Ordinance.

25                  **Section 4.**   **Effective Date.**   This Ordinance shall become effective as provided by  
26                  law.

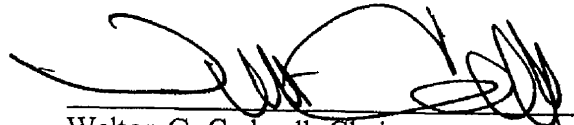
27                  **ENACTED** this        7    day of        May   , 19 96.

28                  **FILED** with the Secretary of State    May 17   , 19 96.

29                  **EFFECTIVE**    May 17   , 19 96.


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BOARD OF COUNTY COMMISSIONERS  
OF LAKE COUNTY, FLORIDA

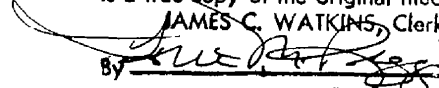
  
\_\_\_\_\_  
Welton G. Cadwell, Chairman

This 10<sup>th</sup> day of May, 1996.

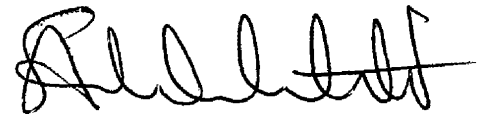
ATTEST:

  
\_\_\_\_\_  
James C. Watkins, Clerk of the  
Board of County Commissioners  
of Lake County, Florida

STATE OF FLORIDA, COUNTY OF LAKE  
I HEREBY CERTIFY, that the above and foregoing  
is a true copy of the original filed in this office.

JAMES C. WATKINS, Clerk Circuit Court  
By  Deputy Clerk  
Dated July 9, 2001

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Sanford A. Minkoff  
County Attorney

Doc# 99103121  
Book: 1779  
Pages: 793 - 800  
Filed & Recorded  
12/21/99 01:52:09 PM  
JAMES C. WATKINS  
CLERK OF CIRCUIT COURT  
LAKE COUNTY  
RECORDING \$ 33.00  
TRUST FUND \$ 4.50

**ORDINANCE NO. 1999 - 117**  
**Tracking No. # 64-99 PUD**  
**Public Hearing 43-99-2**

**AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS  
AMENDING THE LAKE COUNTY ZONING MAP TO ESTABLISH THE SUMMIT PUD; AND  
PROVIDING FOR AN EFFECTIVE DATE**

Book 1779 Page 793

WHEREAS, the Lake County Planning and Zoning Commission did, on the 3rd day of November, 1999, review petition # 43-99-2, a request for rezoning from A (Agriculture) to PUD (Planned Unit Development) zoning district on property generally located in the Minneola area - Cherry Lake Road. The property is more particularly described as:

**LEGAL DESCRIPTION: Attached as Exhibit "A" and incorporated herein by reference.**

AND, after giving Notice of Hearing on petition for rezoning for a change in the use of land, including a notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida on the 23rd day of November, 1999, and;

WHEREAS, the Board of County Commissioners review said petition, the recommendations of the Lake County Planning and Zoning Commission, and any comments from the Public and surrounding property owners at a Public Hearing duly advertised, and

1999 DEC 29 PM 9:30  
FILED  
CLERK OF CIRCUIT COURT  
STATE  
FLORIDA

WHEREAS, upon review, certain terms and conditions pertain to the development of the above described property have been duly approved for rezoning, and

NOW, THEREFORE, IT BE ORDAINED by the Board of County Commissioners of Lake County, Florida, that the Official Zoning Maps of Lake County, Florida be altered and amended as they pertain to the above tract of land subject to the following terms and conditions:

Docket No. 991666-WU

R- Board Support

I This ordinance shall mean and include the following land uses. The zoning district of the site shall be changed from A to PUD, as outlined in the Lake County Land Development Regulations as amended. The County Manager or designee shall amend the Zoning Map in accordance with this ordinance.

1. Land Uses:

Book 1779 Page 794

A. Residential.

1. The Planned Unit Development shall consist of a maximum of 135 dwelling units on 676.10 acres (30.91 acres water bodies), which shall be of conventional construction.
2. Lots sizes shall range between 32,670 square feet and 66,000 square feet with a minimum frontage width of one hundred fifty feet.
3. Structures shall be set back a minimum of twenty five (25) feet from the right-of way, and five (5) feet from the side yard lot lines or fifteen (15) feet from the secondary right of way/side lot line for corner lots.
4. Lots shall be adjacent to another residential lot and shall access from internal streets.
5. Open Space

To provide for innovative site planning in the Rural Land Use a minimum of eighty (80) percent of the project shall be dedicated as open space on the final plat.

- a. Recreational areas shall be located internal of the project and be a minimum 100 feet from property lines.
- b. Developed areas and building lots shall incorporate a minimum 25 foot wide landscape buffer from the property line of the development.
- c. The preservation area on the rear of each lot does not require a setback for building or development.
- d. Individual lots shall have a maximum impervious surface ratio of 35% of the buildable portion of the lot (excluding conservation areas).

6. Docks

The lakefront lots located on Wilson Lake shall incorporate minimal impacts to development of the lakefront:

- a. The maximum clearing along the lake shall be 25 feet in width to the navigable portion of the lake;

- b. The minimum setback for docks on the lake shall be 25 feet from each side.
- c. The minimum lot width for each lakefront tract shall be 70 feet.
- d. The use of a common or shared boat dock is encouraged.

7. Trees

Open space areas shall incorporate a minimum six (6) trees per acre. Each lot shall have a minimum of six to nine (6-9) trees with a minimum 2 to 2-1/2 inch caliper at planting and a minimum 8-10 foot height.

8. Open Space

- a. Recreation Open Space (Golf Course) shall consist of 321 acres.
- b. Conservation/Undeveloped Open Space shall consist of 190 acres. This Open Space shall be dedicated to Lake County or the Homeowner's Association, at Lake County's discretion.

9. Wetlands.

The developer shall place wetlands within the project in a conservation easement that shall run in favor of Lake County.

10. Environmental Easements.

Wildlife preservation and habitat areas shall be dedicated and preserved pursuant to the required state agency or Lake County.

A. Commercial.

- 1. The project may include a golf course and golf driving range.
- 2. The project may have up to 5000 square feet of commercial space to provide for the needs of the planned unit development residents and the golf course which may include such uses as a pro shop, deli, and community room.

B. Industrial.

No industrial uses shall be permitted.

C. Potable Water

The project shall be served by a central potable water service.

Sanitary Sewer.

1. The project may be served by onsite sewage treatment and disposal systems (septic tanks). Any onsite system used shall be subject to the Green Swamp requirements for design and inspection.

D. Stormwater

The stormwater management system shall be designed to be integrated with the open space area and be landscaped to be visually buffered.

E. Fire Protection.

All hydrant locations shall be required on the Utility plan of the Planned Unit Development.

F. Access Management

Pursuant to the Land Development Regulations and codes, as amended, the project shall comply with Access Management

1. One (1) direct connection shall be allowed to Cherry Lake Road / CR 478.
2. Additional improvements may be required pursuant to Lake County Public Works upon final review of the traffic study.

G. Environmental Assessment

An environmental assessment for all protected or endangered species and their habitats shall be submitted for review and may subject the site to modification of the design.

H. Open Space Concepts.

The preliminary lot layout, attached as Exhibit "A", shall be considered the concept plan for the Summit. Modifications to the development plan that do not reduce the amount of Open Space may be approved based upon sound planning or engineering principles.

I. Golf Course Monitoring

The placement of ground water monitoring wells (LYSIMETERS) shall be required due to the proximity of the project to Wilson Lake and Cherry Lake that are designated Outstanding Florida Waters. Annual and Semi-annual reports will be required to be submitted to the Lake County Water Resources Division for review.



ORDINANCE NO. #1999 - 117  
(PH#43-99-2) (Tracking No. #64-99-PUD) (The Summit)

A chemical management plan shall be submitted for review and approval by the County and shall be consistent with water quality standards.

L. Future Development Orders

**Book 1779 Page 797**

All development orders must comply with the Lake County Land Development Regulations and Comprehensive Plan, as amended.

- ii Conditions as altered and amended which pertain to the above tract of land shall mean:
- A. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this ordinance. Any other proposed use must be specifically authorized by the Planning and Zoning Commission and the Board of County Commissioners.
  - B. No person, firm, or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner within the boundaries of the above described land without first submitting the necessary plans in accordance with Chapter XIV, of the Lake County Land Development Regulations (LDR's) and obtaining approval from the Director of Development Regulations upon obtaining the permits required from other appropriate governmental agencies.
  - C. This amendment shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.
  - D. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental agencies.
  - E. The transfer of ownership or lease of any or all of the property described herein shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to this ordinance and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures contained in Chapter 14.04.00, Lake County, Land Development Regulations, as amended.

**Section VI. Effective Date.** This Ordinance shall become  
effective as provided by law.

ENACTED this 23rd day of November, 19 99.

FILED with the Secretary of State December 9, 19 99.


EFFECTIVE December 9, 19 99.

BOARD OF COUNTY COMMISSIONERS

LAKE COUNTY, FLORIDA

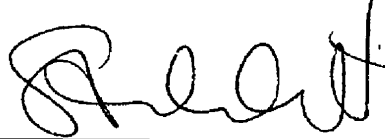
  
WELTON G. CADWELL, CHAIRMAN

ATTEST:



JAMES C. WATKINS, CLERK OF THE  
BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA

APPROVED AS TO FORM AND LEGALITY:



Sanford A. Minkoff, County Attorney

EXHIBIT "A"  
LEGAL DESCRIPTION

Book 1779 Page 800

ORDINANCE NO. #1999-17  
Tracking No. #64-99-PUD  
PH#43-99-2  
The Summit

**AN ORDINANCE BY THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**LEGAL DESCRIPTION:** The SE 1/4 of SE 1/4 of Sec 33 Twp. 21S Rge. 25E, Lake County, Florida; the SW 1/4 of SW 1/4 of Sec 34 Twp. 21S Rge. 25E, Lake County, Florida; Tracts 33 & 48 according to the Plat of Groveland Farms, Plat Bk 2 Pg 10, Sec 2 Twp. 22S Rge. 25E, Lake County, Florida, being described as the W 1/2 of the NW 1/4 of SW 1/4 of said Sec 2 Twp. 22S Rge. 25E, Lake County, Florida; The W 350 ft of NW 1/4 of SW 1/4 of SW 1/4 of Sec 2 Twp. 22S Rge. 25E, otherwise described as the W 350 ft of N 1/4 of S 1/2 of Govt Lot 5, Sec. 2 Twp. 22S Rge. 25E, Lake County, Florida; The E 1/2 of the NE 1/4 described as Govt Lot 1, Sec. 3 Twp. 22S Rge. 25E, Lake County, Florida; the W 1/2 of NE 1/4 described as Govt Lot 2, Sec 3 Twp. 22S Rge 25E; The E 1/2 of the NW 1/4 described as Govt Lot 3, Sec 3 Twp. 22 Rge 25E;; The NW 1/4 of NW 1/4 described as N 1/2 of Govt Lot 4 Sec 3 Twp. 22S Rge. 25E, Lake County, Florida; The N 3/4 of the E 1/2 of the SW 1/4 described as the N 3/4 of Govt Lot 6, Sec 3 Twp. 22S Rge. 25E, Less that portion lying S of Cherry Lake Road; the NW 1/4 of SE 1/4 described as N 1/2 of Govt Lot 7 Sec 3 Twp. 22S Rge. 25E, Lake County, Florida, also described as Tracts 39, 40, 41 and 42, Groveland Farms; the N 1/2 of the SE 1/4 of the SE 1/4 of the SE 1/4 described as NE 1/4 of S 1/2 of S1/2 of Govt Lot 8, Sec 3 Twp. 22S Rge. 25E; The N 3/4 of E 1/2 of SE 1/4 described as N 3/4 of Govt Lot 8, all in Sec 3 Twp. 22S Rge. 25E, Lake County, Florida; the N 1/2 of the SW 1/4 of the SE 1/4 described as the N 1/2 of S 1/2 of Govt Lot 7, Sec 3 Twp. 22S Rge. 25E, Lake County, Florida; The S 1/2 of SW 1/4 of SE 1/4 Sec 3 Twp. 22S Rge. 25E, Lake County, Florida; The S 1/2 of SE 1/4 of S 1/2 of Govt Lot 8, Sec 3 Twp. 22S Rge 25E; The SW 1/4 of S 1/2 of Govt Lot 8, Sec 3 Twp. 22S Rge. 25E; the N 990 ft of W 1/2 of E 1/2 of NE 1/4 of Sec 4 Twp. 22S Rge. 25E, Lake County, Florida; SW 1/4 of Nw 1/4 Sec 3 Twp. 22S Rge. 25E also known as Tracts 17, 18, 31 & 31 according to the Plat of Groveland Farms, of Sec 3 Twp. 22S Rge. 25E; The E 660 ft of Govt Lot 1 Sec 4 Twp. 22S Rge. 25E, described as E 660 ft of E 1/2 of NE 1/4 of Sec 4 Twp. 22S Rge. 25E, Lake County, Florida; The E 970 ft of N 1/2 of SW 1/4 of SW 1/4 of Sec 2 Twp. 22S Rge. 25E, known as HILTON HILLS SUBDIVISION as recorded in Plat Bk 8 Pg 83, Public Records of Lake County, Florida, LESS Lot 7 Blk 2 - HILTON HILLS SUBDIVISION, according to the plat thereof as recorded in Plat Bk 8, Pg 83 Public Records of Lake County, Florida.

STATE OF FLORIDA COUNTY OF LAKE  
I HEREBY CERTIFY that the above and  
foregoing is a true copy of the original filed in  
this office.

JAMES C. WATKINS, Clerk Circuit Court

By Buel McKillop Deputy Clerk

Dated 7-8-01

John R. Wehr, Assistant Executive Director



POST OFFICE BOX 1421 PALATKA, FLORIDA 32178-14

TELEPHONE 904-329-4500 SUNCOM 904-860-4500  
TDD 904-329-4450 TDD SUNCOM 860-4450

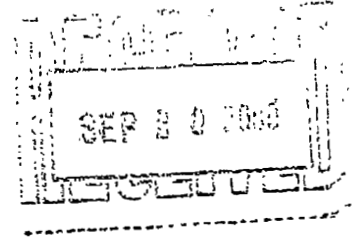
FAX (Executive) 329-4125 (Legal) 325-4485 (Permitting) 329-4315 (Administrative/Finance) 329-4315

SERVICE CENTERS

618 E South Street Orlando, Florida 32801 407-897-4300 TDD 407-897-5960	7775 Baymeadows Way Suite 102 Jacksonville, Florida 32256 904-730-6270 TDD 904-448-7900	PERMITTING 305 East Drive Melbourne, Florida 32904 407-984-4940 TDD 407-722-5368	OPERATIONS 2133 N Wickham Road Melbourne, Florida 32935-8 407-752-3100 TDD 407-752-3102
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September 12, 2000

Dueren & Davis, L.L.C.  
1311 S. Vineland Rd.  
Winter Garden, FL 34787



SUBJECT: Permit Number 4-069-62892-2  
The Summit

Dear Sir/Madam:

Enclosed is your permit as authorized by the Governing Board of the St. Johns River Water Management District on September 12, 2000.

This permit is a legal document and should be kept with your other important documents. The attached MSSW/Stormwater As-Built Certification Form should be filled in and returned to the Palatka office within thirty days after the work is completed. By so doing, you will enable us to schedule a prompt inspection of the permitted activity.

In addition to the MSSW/Stormwater As-Built Certification Form, your permit also contains conditions which require submittal of additional information. All information submitted as compliance to permit conditions must be submitted to the Palatka office address.

Permit issuance does not relieve you from the responsibility of obtaining permits from any federal, state and/or local agencies asserting concurrent jurisdiction for this work.

In the event you sell your property, the permit can be transferred to the new owner, if we are notified by you within thirty days of the sale. Please assist us in this matter so as to maintain a valid permit for the new property owner.

Thank you for your cooperation and if this office can be of any further assistance to you, please do not hesitate to contact us.

Sincerely,  
*Gloria Lewis*

Gloria Lewis, Director  
Permit Data Services Division

Enclosures: Permit with EN Form(s), if applicable

cc: District Permit File

Docket No. 991666-WU

Consultant: Farmer Barley & Associates Inc  
350 North Sinclair Ave  
Tavares, FL 32778

William Kerr, CHAIRMAN  
MELBOURNE BEACH

Ometrias D. Long, VICE CHAIRMAN  
APOPKA

Jeff K. Jennings, SECRETARY  
MAITLAND

Duane Ottenstrofer, TREASURER  
SWITZERLAND

Dan Roach  
FERMANDINA BEACH

William M. Segal  
MAITLAND

Olis Mason  
ST. AUGUSTINE

Clay Albright  
EART LAKE WEIR

Reid Huches  
DAYTONA BEACH

**CHAPTER 62-524  
NEW POTABLE WATER WELL PERMITTING IN  
DELINEATED AREAS**

- 62-524.100 Intent of New Potable Water Well Permitting in Delineated Areas. (Repealed)
- 62-524.150 Scope of New Potable Water Well Permitting in Delineated Areas. (Repealed)
- 62-524.200 Definitions for New Potable Water Well Permitting in Delineated Areas.
- 62-524.300 General Requirements for New Potable Water Well Permitting in Delineated Areas. (Repealed)
- 62-524.400 Delineation of Areas for Application of New Potable Water Well Permitting. (Repealed)
- 62-524.410 Data for Delineation of Areas for Application of New Potable Water Well Permitting. (Repealed)
- 62-524.420 Procedures for Delineation of Areas for Application of New Potable Water Well Permitting.
- 62-524.430 Maps Containing Delineated Areas.
- 62-524.500 Well Location Requirements for New Potable Water Well Permitting in Delineated Areas. (Repealed)
- 62-524.550 Well Construction Requirements for New Potable Water Well Permitting in Delineated Areas.
- 62-524.600 Water Quality Testing for New Potable Water Well Permitting in Delineated Areas.
- 62-524.650 Clearing for Use of New Potable Water Wells in Delineated Areas.
- 62-524.700 Permit Requirements for New Potable Water Wells in Delineated Areas.
- 62-524.710 Exemption from New Potable Water Well Permitting in Delineated Areas.
- 62-524.720 Fees for New Potable Water Wells in Delineated Areas.
- 62-524.730 Inspections of New Potable Water Wells in Delineated Areas.
- 62-524.740 Violations and Penalties for New Potable Water Wells in Delineated Areas.
- 62-524.800 Delegation of New Potable Water Well Permitting, Testing and Clearance in Delineated Areas. (Repealed)
- 62-524.900 Data Forms for New Potable Water Well Permitting in Delineated Areas. (Repealed)
- 62-524.910 Data Reporting for New Potable Water Well Permitting in Delineated Areas. (Repealed)

**62-524.200 Definitions for New Potable Water Well Permitting in Delineated Areas.**

(1) "Available Potable Water System" means, for the purpose of this Chapter, a public water system, as defined in Rule 62-550.200, F.A.C., which has sufficient capacity and is legally able to serve specific additional connections.

(2) "Delineated Area" means a surface area identified pursuant to Rule 62-524.420, F.A.C., within which ground water contamination is known to exist or which encompasses vulnerable areas or areas in which the Department provides a subsidy for restoration or replacement of contaminated drinking water supplies.

(3) "Ground Water Contamination" means, for the purpose of this Chapter, the presence outside an applicable zone of discharge in Class F-I, G-I, or G-II ground water of

one or more substances in quantities which exceed a primary drinking-water maximum contaminant level as set forth in Chapter 62-550, F.A.C., present an imminent hazard pursuant to Section 403.855, F.S., or for which the State Health Officer in the Department of Health and Rehabilitative Services, based upon a written request from the Department, has advised the Department in writing is present in deleterious amounts. The determination, under this Section, of the existence of ground water contamination based upon the presence of deleterious amounts shall not constitute the establishment of a standard under either Chapter 62-520 or Chapter 62-550, F.A.C. If the concentration of any primary drinking water standard in the natural background quality of the ground water is greater than the stated maximum contaminant level, the representative background value shall be the prevailing standard.

(4) "New Potable Water Well" means any excavation that is drilled or bored, or converted from non-potable water use, after delineation in an area delineated pursuant to Rule 62-524.400, F.A.C., when the intended use of such excavation is for the location and acquisition of ground water which supplies water for human consumption. This does not include repair of an existing potable water well.

(5) "Vulnerable area" is an area in which research or monitoring data indicate that ground water is vulnerable to nitrate contamination because of the presence of potential sources of nitrate contamination, and because of land surface and subsurface characteristics.

*Specific Authority 373.309, 403.061, 403.062 FS. Law Implemented 373.309, 376.307 FS. History—New 5-16-89, Amended 3-3-92, Formerly 17-524.200, Amended 2-7-95.*

**62-524.420 Procedures for Delineation of Areas for Application of New Potable Water Well Permitting.**

(1) Based upon available data, the Department shall identify and locate, for the purpose of application of the requirements of this Chapter, areas within which ground water contamination is known to exist or which encompasses vulnerable areas or areas in which the Department provides a subsidy for restoration or replacement of contaminated drinking water supplies.

(2) The Department shall rely on data from samples collected and analyzed using Department approved quality assurance/quality control procedures. Where quality assurance/quality control procedures are not documented the Department shall evaluate the data for completeness and accuracy in order to determine acceptability for use in delineation under this Chapter.

(3) Sources of ground water data to be used for delineation of areas under this Chapter shall include:

- (a) Local, state, and federal agencies.
- (b) Water management districts.
- (c) Department programs.

(4) For wells, sites, or sources with known ground water contamination, where insufficient site specific ground water data exist for determination of contaminant plume boundaries, a delineated area shall be established in the following manner:

(a) A 1000-foot setback from the well, site or source boundary.

(b) Where data from the distribution or movement of ground water contamination indicate that a 1000-foot setback is insufficient the Department shall establish an alternate

setback based on such data.

(5) For sites with a history of application of ethylene dibromide where insufficient site specific ground water data exist for determination of contaminant plume boundaries, the Department shall delineate an area which encompasses the area of application and a setback, based on data on the distribution of ethylene dibromide contamination, or a 1000-foot setback, whichever is larger.

(6) For sites where a hydrogeologic investigation of ground water has been conducted and the nature and extent of a contaminant plume is documented and sufficient data exist for predictive ground water modelling, the Department shall delineate an area which encompasses the ground water contamination and its predicted movement for the next two years.

(7) Where the source or site which resulted in an area being delineated is the subject of remediation for ground water clean-up, the effect of this remediation shall be considered by the Department in subsequent delineation updates.

(8) For areas in which the Department provides a subsidy for restoration or replacement of contaminated drinking water supplies through extending existing water lines or developing new water supply systems under section 376.307(4)(b)3. and (c), F.S., the Department shall delineate an area which encompasses such extended water lines or water lines constructed as part of a new water system and a 1000-foot setback.

(9) For areas in which the Department determines that ground water is vulnerable to contamination with nitrate, the Department shall delineate such vulnerable areas. The Department shall determine where vulnerable areas exist by using the following information when available:

- (a) Physical properties of soils
- (b) Vadose zone media
- (c) Hydrogeologic characteristics of aquifer systems
- (d) Depth to ground water
- (e) Recharge
- (f) Karst features
- (g) Topography
- (h) Presence of Class G-II ground water or other potable ground water with less than 10,000 mg/L total dissolved solids
- (i) Water quality data; and
- (j) Nitrogen application or loading rates for potential sources of nitrate contamination.

(10) In delineating areas under this rule, the Department shall coordinate with other affected agencies, particularly those receiving delegation under Rule 62-524.800, F.A.C., in the technical aspects of delineation.

(11) The Department shall present delineated areas to the Environmental Regulation Commission for approval at rulemaking public hearings duly noticed as required by Section 120.54, F.S.

(a) At such public hearings the Commission, when approving delineated areas, shall consider the known ground water contamination and its projected movement until the next delineation update.

(b) If requested by the Commission, the Department shall present the data, predictive ground water modelling, and mapping procedure used to delineate each area presented to the Commission.

(c) The Commission shall consider any other competent

evidence regarding delineated areas.

(d) Approval by the Commission of a delineated area shall result in that area being included on maps or other means of location and description prepared by the Department as described in subsections (12) and (13). Each approved map or other means of location and description shall contain an effective date and shall be made available as provided in subsections (12) and (13).

(12) To facilitate the permitting process, the Department shall provide maps which indicate all sections which contain any portion of a delineated area. Prior to construction of a new potable water well within a mapped section, the potential applicant should contact the appropriate permitting authority which shall determine if the proposed well is within a delineated area. Such maps or other information shall be made available by the Department to interested persons upon written request and upon payment of appropriate costs.

(13) Following each update, the Department shall make available to water management districts, regional planning councils, the Department of Health and Rehabilitative Services, and county building and zoning departments, maps or other information on areas for application of the requirements of this Chapter.

(a) Where maps are provided, they shall be of an appropriate scale as determined by the Department based on the accuracy and precision of the data.

(b) For each delineated area the Department shall provide a list of those contaminants to be tested pursuant to Rule 62-524.600, F.A.C., and shall specify any casing or solvent bond restrictions.

(14) Maps or other information on areas for application of the requirements of this Chapter shall be periodically updated by the Department. Additional areas, or revision to existing areas, for application of the requirements of this Chapter may be delineated at any time as technical information becomes available.

*Specific Authority 373.309, 403.061, 403.062 F.S. Law Implemented 373.309, 376.307 F.S. History—New 5-16-89, Amended 3-25-90, 7-4-91, 5-6-93, Formerly 17-524.420, Amended 2-7-95, 12-9-96.*

**62-524.430 Maps Containing Delineated Areas.** The following maps, which are incorporated herein by reference, show surface areas, delineated pursuant to Rule 62-524.420, F.A.C. Each map listed contains a month and year which corresponds to the date the Department prepared the most recent map showing any portion of a delineated area. Copies of these maps may be examined at the Department of Environmental Protection, Bureau of Information Systems, or copies may be obtained, upon receipt of reproduction and other appropriate costs, from the Department of Environmental Protection, Bureau of Information Systems, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(1) ALACHUA COUNTY:

Archer	11/94
Gainesville East	11/94
High Springs	11/94
High Springs SW	11/94
Micanopy	11/94
Monteocha	11/94
Newberry	11/94
Orange Heights	11/94
Waters Lake	11/94

(2) BREVARD COUNTY:		Ft. Lonesome	11/94
Melbourne East	11/94	Lithia	11/94
(3) BROWARD COUNTY:		Lutz	11/94
Cooper City	11/94	Plant City West	11/94
Fort Lauderdale North	11/94	Sulphur Springs	11/94
Fort Lauderdale South	11/94	Tampa	11/94
North Miami	11/94	Thonotosassa	11/94
Port Everglades	11/94	Wimauma	11/94
(4) CITRUS:		(17) INDIAN RIVER:	
Crystal River	11/94	Vero Beach	11/94
Homosassa	11/94	(18) JACKSON COUNTY:	
(5) COLUMBIA:		Alford	11/94
Columbia	11/94	Bascom	11/94
Fort White	11/94	Campbellton	11/94
Lake City West	11/94	Cottondale East	11/94
Mikesville	11/94	Cottondale West	11/94
(6) DADE COUNTY:		Cypress	11/94
Hialeah	11/94	Dellwood	11/94
North Miami	11/94	Fairchild (GA)	11/94
South Miami	11/94	Graceville	11/94
(7) DESOTO:		Kynesville	11/94
Arcadia	11/94	Malone	11/94
(8) DUVAL COUNTY:		Marianna	11/94
Baldwin	11/94	Oakdale	11/94
Jacksonville	11/94	Grangeburg (AL)	11/94
Jacksonville Heights	11/94	Saffold (AL)	11/94
Marietta	11/94	Sills	11/94
(9) ESCAMBIA COUNTY:		Sneads	11/94
Cantonment	11/94	Steam Mill (GA)	11/94
Pensacola	11/94	(19) LAKE COUNTY:	
Seminole (AL)	11/94	Astatula	11/94
West Pensacola	11/94	Center Hill	11/94
(10) GILCHRIST:		Clermont East	11/94
High Springs SW	11/94	Clermont West	11/94
Waters Lake	11/94	Eustis	11/94
(11) GLADES COUNTY:		Howey In The Hills	11/94
Moore Haven	11/94	Lake Louisa	11/94
(12) HAMILTON:		Lake Louisa SW	11/94
Ellaville	11/94	Lake Nellie	11/94
Fort Union	11/94	Leesburg East	11/94
(13) HARDEE:		Mascotte	11/94
Griffins Corner	11/94	Sorrento	11/94
(14) HERNANDO:		Umatilla	11/94
Masaryktown	11/94	(20) LEON COUNTY:	
Port Richey NE	11/94	Tallahassee	11/94
Weekiwachee Springs	11/94	(21) LEVY:	
(15) HIGHLANDS COUNTY:		Morriston	11/94
Avon Park	11/94	(22) MADISON:	
Childs	11/94	Cherry Lake	11/94
Crewsville	11/94	Madison	11/94
Frostproof	11/94	Nankin (GA)	11/94
Lake Arbuckle	11/94	Pinetta	11/94
Lake Arbuckle SW	11/94	(23) MANATEE:	
Lake June In Winter	11/94	Ft. Lonesome	11/94
Lake Placid	11/94	Wimauma	11/94
Sebring	11/94	(24) MARION COUNTY:	
Venus SW	11/94	Belleview	11/94
(16) HILLSBOROUGH		Lady Lake	11/94
COUNTY:		Lake Weir	11/94
Brandon	11/94	Ocala East	11/94
Citrus Park	11/94	Ocala West	11/94
Dover	11/94	Oxford	11/94



- (25) MARTIN COUNTY:
  - Indiantown 11/94
  - Okeechobee 4 SE 11/94
- (26) ORANGE COUNTY:
  - Apopka 11/94
  - Astatula 11/94
  - Clermont East 11/94
  - Eustis 11/94
  - Forest City 11/94
  - Lake Jessamine 11/94
  - Lake Louisa 11/94
  - Orlando East 11/94
  - Orlando West 11/94
  - Sorrento 11/94
  - Windermere 11/94
  - Winter Garden 11/94
- (27) OSCEOLA:
  - Ashton 11/94
  - Intercession City 11/94
  - Lake Louisa SW 11/94
  - Narcoossee 11/94
- (28) PASCO:
  - Lutz 11/94
- (29) PINELLAS:
  - Elfers 11/94
- (30) POLK COUNTY:
  - Alturas 11/94
  - Auburndale 11/94
  - Babson Park 11/94
  - Bartow 11/94
  - Bereah 11/94
  - Davenport 11/94
  - Dundee 11/94
  - Eloise 11/94
  - Frostproof 11/94
  - Gum Lake 11/94
  - Hesperides 11/94
  - Homeland 11/94
  - Intercession City 11/94
  - Lake Arbuckle 11/94
  - Lake Louisa SW 11/94
  - Lake Wales 11/94
  - Lake Weohyakapka 11/94
  - Lakeland 11/94
  - Mulberry 11/94
  - Nichols 11/94
  - Plant City East 11/94
  - Polk City 11/94
  - Providence 11/94
  - Socrum 11/94
  - Winter Haven 11/94
- (31) PUTNAM:
  - Baywood 11/94
- (32) SANTA ROSA:
  - Milton South 11/94
  - Pace 11/94
- (33) SEMINOLE COUNTY:
  - Aurantia 11/94
  - Bithlo 11/94
  - Casselberry 11/94
  - Forest City 11/94
  - Geneva 11/94
  - Sanford 11/94
  - Titusville SW 11/94

- (34) ST. JOHNS COUNTY:
  - Picolata 5/00
- (35) ST. LUCIE:
  - Fort Pierce NW 11/94
  - Okeechobee 1 NE 11/94
- (36) SUMTER:
  - Bushnell 11/94
  - Webster 11/94
- (37) SUWANNEE:
  - Dowling Park 11/94
  - Fort Union 11/94
  - Hildreth 11/94
  - Hillcoat 11/94
  - Live Oak East 11/94
  - O'Brien 11/94
- (38) VOLUSIA COUNTY:
  - Aurantia 11/94
  - De Land 11/94
  - Geneva 11/94
  - Orange City 11/94
  - Titusville SW 11/94

*Specific Authority 373.309, 403.061 FS. Law Implemented 373.309 FS. History—New 3-25-90, Amended 10-4-90, 7-4-91, Formerly 17-524.430, Amended 2-7-95, 6-27-00.*

**62-524.550 Well Construction Requirements for New Potable Water Well Permitting in Delineated Areas.**

(1) New potable water wells shall comply with the minimum construction standards contained in Rule 62-532.500, F.A.C. Additional requirements may be assigned by the permitting authority relative to depth restrictions, location of screened or open hole interval, and length of casing where warranted by local specific information.

(2) Methods for constructing new potable water wells shall be limited to rotary drilling, boring, or other method specifically approved by the permitting authority pursuant to Rule 62-524.700(1), F.A.C., which meets the water well construction criteria in Rule 62-532.500, F.A.C., except as required below.

(a) Well casing and liner pipe shall be new, free of breaks, corrosion and dents, straight and true, and not out of round. Welded or seamless black or galvanized steel pipe or casing, or stainless steel pipe or casing, or approved types of nonmetallic pipe shall be used for well casing or liner pipe.

(b) Solvent-bonded couplings shall be prohibited in areas with known ground water contamination which includes solvent components.

(c) To prevent the interchange of water and loss of artesian pressure, contaminated, unconfined ground water intervals shall be sealed off prior to drilling through the underlying confining interval. Uncontaminated, unconfined ground water intervals shall be sealed off or otherwise protected prior to drilling into deeper, contaminated ground waters.

(d) For any well casing installed in a bore hole, the annular space shall be filled from bottom to top with not less than a nominal two inch thickness of neat cement grout.

(e) A concrete pad measuring three feet by three feet by four inches shall be constructed around the elevated portion of the casing so that the casing is centered in the pad to prevent soil erosion and seepage of surface contamination into the annular space.

(f) A minimum elevation of one foot of casing above land surface shall be required.

(g) A raw water tap shall be provided to allow sampling of the well before exposure to storage or treatment.

(h) The well casing shall be visibly and permanently marked above the land surface with the latitude and longitude and the permit number issued by the permitting authority for that well.

(i) To the extent practical, potable water wells shall be located outside an area delineated under Rule 62-524.420, F.A.C.

(j) Where the source of contamination and the direction of ground water flow are known, in an area delineated under Rule 62-524.420, F.A.C., to the extent practical, potable water wells shall be located upgradient of the source.

(k) New potable water wells shall be located on ground least subject to inundation.

(l) Any new potable water well constructed within a delineated area that does not meet the construction standards of this section shall be abandoned and plugged in accordance with Rule 62-532.500, F.A.C., and applicable water management district rules.

*Specific Authority 373.309, 403.061, 403.062 FS. Law Implemented 373.309 FS. History—New 5-16-89, Amended 3-25-90, 3-3-92, Formerly 17-524.550, Amended 12-9-96.*

#### 62-524.600 Water Quality Testing for New Potable Water Well Delineated Areas.

(1) New potable water wells shall be tested using methods as specified in Rule 62-524.420, F.A.C., for the presence in the untreated water of the ground water contamination which resulted in the delineation.

(2) The Department shall accept only test results obtained from water samples collected and analyzed by the Department of Health and Rehabilitative Services. The well construction permit applicant shall be responsible for the cost of sample collection, shipping, and analysis.

*Specific Authority 373.309, 403.061, 403.062 FS. Law Implemented 373.309 FS. History—New 5-16-89, Amended 3-3-92, 5-6-93, Formerly 17-524.600.*

#### 62-524.650 Clearing for Use of New Potable Water Wells in Delineated Areas.

(1) If no ground water contamination is found upon testing of a new potable water well in a delineated area pursuant to Rule 62-524.600, F.A.C., the Department of Health and Rehabilitative Services shall be responsible for issuance of a letter of clearance to the well construction permit applicant.

(2) If ground water contamination is found upon testing pursuant to Rule 62-524.600, F.A.C., or other ground water contamination is found, a well shall not be cleared for use without a demonstration, through water quality testing, that a filter or other permanent remedy prevents the users of the well from being exposed through ingestion, inhalation, or dermal absorption, as appropriate for a contaminant, to ground water contamination.

*Specific Authority 373.309, 403.061, 403.062 FS. Law Implemented 373.309 FS. History—New 3-3-92, Formerly 17-524.650, Amended 12-9-96.*

#### 62-524.700 Permit Requirements for New Potable Water Wells in Delineated Areas.

(1) A construction permit shall be obtained from the appropriate water management district pursuant to Rule 62-524.800, F.A.C., for all new potable water wells prior to installation or conversion. Applicants shall submit a proposed well design with the completed application, and the

permit fee, to the permitting authority. Permit application shall be made under existing well construction permitting programs pursuant to Chapter 62-532, F.A.C., using forms adopted by the permitting authority for this purpose. In addition to the general requirements of this Chapter, the permit shall address the following requirements through special conditions:

(a) Well construction including method of construction, depth, location of cased and screened intervals, casing material and grouting.

(b) Any special cleaning requirements for casing or drilling equipment.

(c) Water quality testing.

(d) Unique well identifiers where needed.

(2) Permitting and construction of new potable water wells, except for a well to be used for a public water system as defined in Rule 62-550.200, F.A.C., are prohibited in delineated areas where a distribution line of an available potable water system is within 500 feet of the boundary of the property for which a well construction permit is being sought. Such prohibition applies unless the property owner or applicant obtains documentation from the public water system or the Department's Water Supply Restoration and Replacement Program, and submits such documentation to the permitting entity, which demonstrates either of the following:

(a) That economic factors caused by physical or legal impediments to construction to a distribution line prevent the property owner or permit applicant from obtaining potable water through connection to the distribution line; or

(b) That necessary water distribution line extensions (excluding plumbing and meters) cannot be completed within 30 days of application to the Department for water supply restoration or replacement.

*Specific Authority 373.309, 403.061, 403.062 FS. Law Implemented 373.309 FS. History—New 5-16-89, Amended 3-3-92, Formerly 17-524.700, Amended 12-9-96.*

62-524.710 Exemption from New Potable Water Well Permitting in Delineated Areas. Exemption from the requirements of Rule 62-524.700, F.A.C., shall be granted to an applicant by the Department or the permitting authority upon demonstration using hydrogeological, water quality, and other pertinent information that the exemption will not result in the impairment of the intent and purpose of this Chapter. Detailed requirements for each exemption shall be negotiated between the permit applicant and the permitting authority on a case by case basis.

*Specific Authority 373.309, 403.061, 403.062 FS. Law Implemented 373.309, 373.326 FS. History—New 5-16-89, Formerly 17-524.710.*

#### 62-524.720 Fees for New Potable Water Wells in Delineated Areas.

(1) Well construction permit fees for new potable water wells shall be established by rule by each water management district in an amount to recover all their actual costs, but may not exceed \$500.

(2) The clearance fee for new potable water wells shall be \$50.

(3) All fees collected pursuant to this rule shall be deposited in the delegated entity's appropriate operating account.

*Specific Authority 373.309, 403.061, 403.062 FS. Law Implemented 373.309 FS. History—New 5-16-89, Amended 3-3-92, Formerly 17-524.720.*

**62-524.730 Inspections of New Potable Water Wells in Delineated Areas.** During the construction, repair, conversion from non-potable use, or abandonment of any well subject to permit under this Chapter, the Department or the permitting authority may conduct inspections to ensure conformity with the requirements in this Chapter. Duly authorized representatives of the Department or the permitting authority may, at any reasonable time, enter property on which a well subject to permit under this Chapter is located and inspect said well.

*Specific Authority 373.309, 403.061, 403.062 FS. Law Implemented 373.309, 373.319 FS. History—New 5-16-89, Formerly 17-524.730.*

**62-524.740 Violations and Penalties for New Potable Water Wells in Delineated Areas.**

(1) Prohibited Acts.

(a) It shall be a violation of Section 373.309, F.S., and this Chapter to construct, convert from non-potable use, or abandon any potable water well, or use for human consumption any well subject to permit under this Chapter without having obtained a permit pursuant to Rule 62-524.700, F.A.C. This prohibition shall apply to both the water well contractor and the well owner.

(b) It shall be a violation of Section 373.309, F.S., and this Chapter to use for human consumption, after delineation, any water well subject to permit under this

Chapter without having performed water quality testing pursuant to Rule 62-524.600, F.A.C.

(c) It shall be a violation of Section 373.309, F.S., and this Chapter to use for human consumption, after delineation, any water well subject to permit under this Chapter in which contaminants have been found without a demonstration through water quality testing that a filter or other means of preventing the users of such a well from being exposed to ground water contamination is effective.

(2) Penalties.

(a) Any person who violates any provision of this Chapter, order, or permit issued under the authority of this Chapter shall, upon conviction, be guilty of a misdemeanor of the second degree, punishable as provided in Sections 775.082 and 775.083, F.S. Continuing violation after an order or conviction shall constitute a separate violation for each day the violation occurs.

(b) Any water well contractor who is in violation of paragraph (1)(a) shall, in addition to paragraph (2)(a), also be subject to the penalty provisions in Chapter 62-531, F.A.C., including the license suspension and revocation provisions contained therein.

*Specific Authority 373.309, 403.061, 403.062 FS. Law Implemented 373.309, 373.323, 373.336 FS. History—New 5-16-89, Amended 3-25-90, Formerly 17-524.740.*

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