

FEBRUARY 5, 2002 – LAND USE HEARING

The Board of County Commissioners, Walton County, Florida, held a Land Use Hearing on Tuesday, February 5, 2002 at 5:00 p.m. in the meeting room of the Coastal Branch Library, following a public hearing held at 4:30 p.m. to discuss the CDBG Neighborhood Revitalization Grant.

The following Board members were present: Commissioner Tim Pauls, Vice-Chairman Larry D. Jones, Chairman Lane Rees and Commissioner Gene Ryan. Mr. Michael Underwood, County Administrator, and Attorney Gary Vorbeck, Director of Legal Services, were also present.

Chairman Rees called to order the advertised public hearing regarding the CDBG grants for the purpose of requesting an extension.

Mrs. Angie Biddle, Grants Coordinator, addressed the commissioners explaining that the deadline for completion of the projects is March 21. Mrs. Biddle requested the Board ask for two-six month extensions to assure completion of the project. However, she felt assured that they would be completed within six months.

There were no public comments.

Motion by Commissioner Ryan, second by Commissioner Jones to accept Mrs. Biddle's recommendation and request two-six month extensions for the CDBG Neighborhood Revitalization Grants. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Cliff Knauer, Preble-Rish, updated the commissioners on the status of current CDBG projects and the progress pertaining to permitting with the CORP and DEP.

Chairman Rees called the Land Use Hearing to order at 5:00 p.m. Commissioner Jones led with prayer following the Pledge of Allegiance to the American Flag led by Commissioner Pauls.

Chairman Rees spoke about President Bush's visit to Eglin Air Force Base on Monday recognizing America's troops for their service both home and abroad.

Mr. Jack Arthur, Growth Management Director, presented the Emerald Coast VFW Post 10555 petition for abandonment, which was continued from the January Land Use Hearing. This was continued in order for the VFW to present additional information about the actual language of the easement. Letters were submitted from various entities stating their position on the abandonment. Public Works and Regional Utilities have expressed opposition to the abandonment. South Walton Fire District expressed the potential for emergency access to Rosemary Beach. Rosemary Beach was not opposed to the abandonment, but recommended certain conditions. Staff recommended denial.

Ms. Maris Atchison, VFW, addressed the commissioners again regarding the abandonment. She stated that they would not oppose Regional Utilities placing their utility lines across that portion of the easement at any time. Ms. Atchison also stated that they do not plan to construct a building on the easement. They want the easement for parking and to be able to control that portion of property.

There were no other public comments.

Attorney Vorbeck stated that he reviewed the language of the deed and advised that the VFW could use the easement as they desire, other than placing a permanent dwelling thereon, and without interference to public utilities.

Motion by Commissioner Ryan, second by Commissioner Jones to accept the recommendation of the Planning Commission and deny the abandonment request by the VFW. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye. Chairman Rees commented on the possibility of a land exchange in the future for this easement.

Mr. Arthur presented a proposed resolution requesting to establish a Preservation Fund. Paragraph 9 of the Land Development Code (LDC) 4.06.02 provides that in certain situations the developer and the county may agree to allow the developer to pay a fee equivalent to the value of the land area that would have otherwise been reserved. This resolution provides a mechanism for the receipt of funds and a method of using those funds. A restriction would be placed on the funds that could only be spent for restoration of native vegetation on public lands with approval of the Board.

Commissioner Jones questioned the appraised value of the land and if an appraisal from the developer would be required. Mr. Arthur stated that the assessed value would be used.

Attorney Vorbeck advised that the language regarding the value of the property should be addressed in the ordinance not this resolution.

Motion by Commissioner Jones, second by Commissioner Ryan to accept staff's recommendation to adopt a resolution (2002-05) establishing a preservation fund with the deletion of paragraph 3. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Arthur presented a proposed resolution requesting to establish a Sidewalk Fund. Section 5.04.03 of the LDC requires that in certain situations developers construct sidewalks on the county right-of-way abutting their development. The LDC further stated that such sidewalk construction shall be consistent with planned roadway improvements.

There are situations where there are no other sidewalks on the street, there are no planned roadway improvements with which to be consistent, and the construction of sidewalks may not connect with other sidewalks and serve no particular purpose in certain situations. Where these conditions exist, the Planning Department recommends that a developer be given the option of paying a fee consistent with the cost of the construction of otherwise required sidewalks into a fund that can be used for future construction of sidewalks by the county where it is determined to be advantageous.

Commissioner Pauls stated that the previous Board of County Commissioners eliminated the requirements for sidewalks in the Scenic Corridor. This proposed resolution would allow a developer to pay the equivalency into a fund and construct a sidewalk at a later and more appropriate time.

There were no public comments.

Motion by Commissioner Ryan, second by Commissioner Pauls to adopt a resolution (2002-06) establishing a Sidewalk Fund. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Chairman Rees called to order the quasi-judicial hearing and administered the oath to all individuals who would be speaking.

Mr. Arthur presented Emerald Dunes Phase II final plat for approval on behalf of Mr. Russ Aldrich. The plat has been reviewed and ready for approval.

Motion by Commissioner Jones, second by Commissioner Ryan to approve Emerald Dunes Phase II final plat for recording. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Arthur presented Blue Mountain Beach Industrial Park development proposal for consideration. Aldershop Enterprises is proposing the development of seven townhome units on 2.5 acres designation NPA/Infill on the Future Land Use Map. The parcel is located on the southeast corner of North Walton Lakeshore Drive and Carson Lane, north of US Highway 98, in the Inlet Beach area. Mr. Arthur entered into record Staff's final recommendation for approval. (Exhibit 1)

Mr. Bill Wyrrough, Planning Commission Chairman, announced his acceptance to the position of Code Enforcement Attorney and stated that he would be stepping down from the Planning Commission. The Board expressed their appreciation to Mr. Wyrrough for his service on the Planning Commission.

Mr. Wyrrough presented the Planning Commission's recommendation for approval for Blue Mountain Beach Industrial Park and entered their final recommendation into the record. (Exhibit 2)

There were no public comments voiced regarding this development proposal.

Commissioner Pauls questioned if conditions are stipulated in the development order regarding road improvements. Mr. Arthur advised that there are not any stipulated conditions and that development can go forward in his opinion. Commissioner Pauls stated that terms need to be addressed on how access will be worked out.

Motion by Commissioner Pauls, second by Commissioner Ryan to accept the recommendation of the Planning Commission to approve Blue Mountain Beach Industrial Park. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Arthur presented staff's recommendation of approval for the Inlet Beach Town Homes development proposal and entered staff's final recommendation into the record. (Exhibit 4)

Mr. Wyrrough entered the Planning Commission's Final Recommendation of Approval (Exhibit 3) for Inlet Beach Town Homes into the record.

There were no comments voiced.

Motion by Commissioner Ryan, second by Commissioner Pauls to accept the recommendation of the Planning Commission and approve the proposed development of Inlet Beach Town Homes. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Arthur presented staff's recommendation to approve the proposed development of Courtyards at Santa Rosa Beach. Mr. Wyrrough stated that the Planning Commission also recommended approval.

Mr. Jerry Bishop is proposing the development of 22 duplex units (total of 44 residential units) and a 1,200 square foot amenity center (excluding pool) on 8.9 acres designated "NPA/Infill" on the Future Land Use Map. The property is located on the northeast corner of Thompson Road and Hill Crest Road in the Dune Allen area.

This item was continued from the previous meeting for staff to review and approve the project's plan for preservation.

Mr. Dean Burgess, Emerald Coast Associates, was present to answer questions on behalf of the applicant.

Motion by Commissioner Pauls, second by Commissioner Ryan to accept the Planning Commission's recommendation and approve Courtyards at Santa Rosa Beach. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

There being no further business, the meeting was adjourned at 5:40 p.m.

APPROVED: \_\_\_\_\_  
Lane Rees, Chairman

ATTEST: \_\_\_\_\_  
Martha Ingle, Clerk of Court