

APRIL 1, 2003 – LAND USE HEARING

The Board of County Commissioners, Walton County, Florida, held a Land Use Hearing on Tuesday, April 1, 2003 at 5:00 p.m. at the South Walton Courthouse Annex.

The following Board members were present: Larry Jones, Chair, Tim Pauls, Vice-Chair, Commissioner Lane Rees, Commissioner Kenneth Pridgen, and Commissioner Ro Cuchens. Mr. Michael Underwood, County Administrator, and Attorney Gary Vorbeck, Director of Legal Services were also present.

Chairman Jones led with prayer followed by the pledge of allegiance to the American Flag. Chairman Jones called the public hearing to order.

Mr. Mike Lane, Planning Director, appeared before the Board requesting that a date be set to consider the Crystal Lake at Sandestin and Randolph and Norris Abandonment requests.

Motion by Commissioner Rees, second by Commissioner Cuchens to hold a public hearing on May 6, 2003 to consider the Crystal Lake at Sandestin Abandonment and the Randolph/Norris Abandonment. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Chairman Jones called to order the Quasi-judicial Hearing and Attorney Vorbeck administered the oath to those individuals who would be speaking.

Mr. Lane presented the Emerald Bay Phase I replat. Burke and Blue is proposing a 3-lot single-family residential subdivision replat of lots 2,3 and 4 of Block B. The property is located north of Highway 98 at the intersection of Indigo Loop South and Coral Court Road. Staff and the Planning Commission recommended approval. Mr. Lane

presented the Planning Commission and staff's recommendation into the record **(EXHIBIT 1-Emerald Bay)**.

Motion by Commissioner Pauls, second by Commissioner Rees to accept the recommendation for approval of the Emerald Bay Replat. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Lane presented the proposed development for Builders Showcase North. The proposed project consists of a 2,000 square foot office and 4,000 square foot warehouse and is located adjacent to the South Walton Fire District Office on CR 393. Staff recommended approval. The Planning Commission recommended approval with the condition that an application for a minor lot split be submitted prior to approval by the commissioners. Mr. Lane advised that the requested application has been submitted. Mr. Lane presented the Planning Commission and staff's recommendation into the record **(EXHIBIT 1-Builders Showcase North)**.

Mr. Jack Rhodes, representing the applicant, appeared before the commissioners to answer questions about Builders Showcase North. There were no public comments voiced.

Motion by Commissioner Rees, second by Commissioner Pauls to accept the Planning Commission's recommendation for approval of Builders Showcase North. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Lane presented the proposed project for Builders Showcase South. The applicant is requesting approval of a major development consisting of a 2,000 square foot office and 1,200 square foot warehouse located on the east side of CR 393. The Planning Commission recommended approval with the following conditions: 1) That an eight-foot

privacy fence be built on the rear of the lot and a six-foot privacy fence on the two sides.

2) That there will be no night lighting on the rear of the building and all lighting to be installed is to not unduly impact residential areas. Mr. Lane presented the Planning Commission and staff's recommendation into the record (**EXHIBIT 1-Builders Showcase South**).

Mr. Jack Rhodes explained the site location for Builders Showcase South. He stated that they have agreed to place an eight-foot privacy fence on the rear property line in addition to the six-foot privacy fence as long as it does not block any vision or cause traffic concerns. Mr. Rhodes also stated that they do not have any problem with the lighting requirements.

Ms. LeAnne Martin, adjacent property owner, asked about loading dock. She also questioned the location of the air conditioning units. She felt that if the units were to be placed in the rear of the building it might create too much noise. Mr. Rhodes stated that the loading area is only for the purpose of unloading trucks and is not actually a loading dock. He stated that he is willing to locate the A/C unit on either end of the building, not in the rear.

Motion by Commissioner Pauls, second by Commissioner Rees to accept the Planning Commission's recommendation to approve Builders Showcase South with the conditions that the two fences will be constructed as stated, the lighting will be installed as stipulated, and the A/C unit will not be located on the rear (east) of the building. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Lane presented Frank's Cash and Carry expansion. The proposed project consists of a one-story 5,980 square foot warehouse for existing commercial business.

The proposed expansion is located in the Grayton Business Center. Staff recommended approval. The Planning Commission also recommended approval with the condition that the developer resolve with staff, potential wetlands encroachment. He advised staff has seen a revised site plan that indicates the setback on the wetland. Mr. Lane stated that it is Corps wetlands and not treated the same as DEP jurisdictional wetlands. Mr. Lane presented the Planning Commission and staff's recommendation into the record **(EXHIBIT 1-Frank's Cash and Carry)**.

Mr. Jack Rhodes, representing Frank's Cash and Carry, stated that they are not encroaching into the wetland area. He stated that there is approximately 7 feet from the building to the wetland delineation line. There were no public comments voiced.

Motion by Commissioner Rees, second by Commissioner Pridgen to accept the Planning Commission's recommendation and approve Frank's Cash and Carry expansion. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Attorney Rick Peterman appeared before the Board representing Inlet Beach Capital Corporation. He stated that Inlet Beach previously applied for a Development Order for a condominium project, but was denied. He advised that he appealed the case to the First Circuit who entered an order that entitles Inlet Beach to a development order to enable them to develop the condominium project. The proposed project consists of a 15 unit three-story building. The developers have now decided to develop the property into residential lots. Mr. Peterman advised that the current proposed project will be sent through the process, but he does not want to jeopardize their rights for the existing application. He questioned if an agreement could be reached that the county would allow

the developer to proceed with the process to present a request for approval of a subdivision of lots on the same parcel. However, this would not deny them in anyway their rights that have been litigated by the courts. He stated that the courts have issued their ruling, but he has not yet requested the development order. Commissioner Pauls commented that the Judge's ruling should be good forever. Attorney Vorbeck stated that he cannot have two development orders at the same time and that is why he wants assurance that he will not lose what the Judge has agreed upon. Mr. Peterman stated that the newly proposed project is being considered at a density of nine instead of 15.

Motion by Commissioner Rees, second by Commissioner Pauls to allow Inlet Beach Capital Corporation to submit an application for development and that if it is denied that they will not lose their right to build their condominium project based on a court order. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

There being no further business, the meeting was adjourned at 5:50 p.m.

APPROVED: _____
Larry D. Jones, Chairman

ATTEST: _____
Martha Ingle, Clerk of Court