

OCTOBER 5, 2017 – LAND USE HEARING

The Board of County Commissioners, Walton County, Florida, held a Land Use Hearing on October 5, 2017 at 9:00 a.m. at the Walton County Courthouse Annex in Santa Rosa Beach, Florida to re-hear the Summer House Bed and Breakfast project.

The following Board members were present: Commissioner Cecilia Jones, Chairwoman; Commissioner W. N. (Bill) Chapman, Vice-Chairman; Commissioner Tony Anderson; Commissioner Sara Comander; and Commissioner Melanie Nipper. Mr. Larry Jones, County Administrator; and Attorney Sidney Noyes, County Attorney; were also present.

Chairwoman Jones called the meeting to order.

Mr. Jeff Goldberg, Emergency Management Director, gave a brief update on the potentially severe weather expected this weekend associated with Tropical Storm Nate. Schools will be closed a half day on Friday and all day Monday which will enable shelters to be open if host shelters become full.

Attorney Noyes discussed the June 21, 2016 hearing of the Summer House Bed and Breakfast project. The motion to deny was a tie vote due to only four commissioners being in attendance. A tie vote on a quasi-judicial item is a denial of the project. The applicant filed a Petition for Writ of Certiorari and Judge Lewis ruled that the issue should be re-heard because the motion was not a clear denial of the project. Attorney Noyes briefly discussed the procedures for today's hearing and stated no new evidence will be taken. She said a video of the June 21st hearing would be viewed and the commissioners will have an opportunity to ask questions based solely on the information presented in the video and in the board packet. The information in the packet is the same as what was presented June 21, 2016 with the exception of a letter submitted by Attorney Daniel Abbott, representing the applicant, outlining the history of the Writ of Certiorari. The public

will be given an opportunity to speak and since no new evidence will be taken, commenters will not be sworn and limited to three minutes each. The board will then consider a motion to approve or deny the project. Attorney Abbott agreed to the meeting procedure.

The video of the June 21, 2016 hearing was reviewed by the commissioners and public.

Commissioner Chapman asked that public comment be heard prior to board comments.

Mr. Danny Hornsby, Ms. Betty Letcher, and Mr. Rich Jaffe all spoke in opposition to the project and expressed concern regarding the inability to operate as a bed and breakfast due to being licensed by the State as a hotel. There was no objection to a valid bed and breakfast.

The meeting briefly recessed at 10:30 a.m. and reconvened at 10:39 a.m.

Public comment continued with Mr. Frank Greene, Mr. Charles Schatti, Mr. David Smith, and Ms. Elizabeth Greene speaking in opposition to the project. Concerns were raised regarding parking, traffic, inability to operate as a bed and breakfast, and lighting.

Motion by Commissioner Chapman, second by Commissioner Nipper, to close public comment. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Attorney Noyes reiterated that the board's questions were to be based on what was presented in the video and the packet. Attorney Abbott and Mr. Scott Jenkins, Jenkins Engineering, were present on behalf of the applicant for questioning.

Commissioner Nipper questioned if the handicapped and employee parking spots were in addition to the required 1.5 spaces per room. Mr. Jenkins indicated on the landscape plan the location of all 28 parking spaces. He stated handicapped, employee, and loading spots were included in determining the number of parking spaces needed. Chairwoman Jones questioned how employees would be accommodated if all the spots were taken by guests. Mr. Jenkins said the 1.5 space requirement was based on the LDC and parking studies performed by International

Transportation Engineers in which the number of rooms and employees are considered. He said an updated landscape plan can be submitted to show the locations of the spots.

Commissioner Nipper asked Mr. Jenkins to address the compatibility with 24 hour operations. Mr. Jenkins said he could not because he did not perform the compatibility study. Chairwoman Jones noted a study was included in the packet. Discussion continued on the compatibility of this project with the adjacent neighborhood.

Commissioner Nipper questioned if the development had central water. Mr. Jenkins replied it did and that a concurrency evaluation was received from the Inlet Beach Water System. Commissioner Nipper asked if the force main had been upgraded. Mr. Jenkins replied it had. Commissioner Comander asked if there was written proof of water and sewer availability. Mr. Jenkins said there was, but was unsure whether or not it could be submitted at this meeting. Attorney Noyes stated new evidence could not be accepted.

Commissioner Chapman commented the project has gone through numerous reviews and has been approved. He expressed concern with the State issued license. He questioned if a hotel or motel would be allowed on the site under the current Comprehensive Plan and the Inlet Beach Neighborhood Plan. Mr. Mac Carpenter, Planning and Development Director, stated that both the Comprehensive Plan and the Inlet Beach Neighborhood Plan would allow for limited lodging in Neighborhood Infill. The Inlet Beach Neighborhood Plan does not state a minimum or maximum numerical amount of rooms for a bed and breakfast. Discussion continued on the use of the Inlet Inn as the example of limited lodging in the Inlet Beach Neighborhood Plan and the need to update the plan.

Commissioner Chapman asked the applicant if there was a possibility the project could be redesigned to 15 units. Ms. Rita Bottems, applicant, indicated no.

Discussion ensued on the State's criteria for a business license, making the decision based on the evidence being presented, water and sewer capacity, and parking.


Mr. Carpenter suggested, as a condition of approval, that documentation be submitted confirming water and sewer availability.

Attorney Abbott discussed the State's licensing requirements and stated the development would be operated according to county regulations and not the State's determination for permit issuance.

Motion by Commissioner Anderson, second by Commissioner Chapman, to approve Summer House Bed and Breakfast with the conditions as stated in the staff report and the submission of documentation confirming water and sewer availability. Ayes 3, Nays 2. Jones Aye, Chapman Aye, Anderson Aye, Comander Nay, Nipper Nay. **(Exhibits: Staff Report 1 (brought forward from the September 19, 2017 Regular Meeting in which the project was continued to this date.)) (Ex Parte: Jones, Chapman, Anderson, Comander, Nipper)**

Motion by Commissioner Chapman, second by Commissioner Nipper, to adjourn. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Approved: 
Cecilia Jones, Chairwoman

Attest: 
Alex Alford, Clerk of Courts and County Comptroller