

Ordinance Number 2012-02

AN ORDINANCE OF WALTON COUNTY, FLORIDA, CORRECTING AN ADOPTED FUTURE LAND USE MAP AMENDMENT TO THE WALTON COUNTY COMPREHENSIVE PLAN; SETTING FORTH THE AUTHORITY FOR ADOPTION; AMENDING THE FUTURE LAND USE MAP; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 125, Florida Statutes, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizens; and

WHEREAS, Chapter 163, Florida Statutes, establishes the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Chapter 163, Florida Statutes, requires local governments desiring to revise their comprehensive plans to prepare and adopt comprehensive plan amendments; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Walton County Planning Commission and Board of County Commissioners have held public hearings with due public notice and received public comments concerning the subject map amendment to the Comprehensive Plan; and

WHEREAS, after due public notice having been provided, the Walton County Board of County Commissioners held a public hearing on July 12, 2011, and an adoption hearing on August 9, 2011 to consider the adoption of the proposed amendment to its comprehensive plan, in accordance with Section 163.3184, Florida Statutes; and

WHEREAS, the provided legal description was inadvertently changed during the application process and a new corrected legal description has been provided and accepted; and

WHEREAS, after due public notice having been provided, the Walton County Board of County Commissioners held a public hearing on February 14, 2012 to accept the proper legal description; and

WHEREAS, the Walton County Board of County Commissioners considered all oral and written comments received during such public hearings, including the data and analyses provided for this amendment, the recommendations of the Planning Commission; and

2012-02

WHEREAS, in the exercise of its authority, the Walton County Board of County Commissioners has determined that the adoption of this amendment is in the best interest and welfare of the residents of Walton County; and

WHEREAS, this ordinance shall be considered a final order as required in Section 10.03.03 of the Walton County Land Development Code.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Walton County, Florida, as follows:

SECTION I: PURPOSE AND INTENT.

This Ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes, as amended.

SECTION II: FUTURE LAND USE MAP AMENDMENT.

The Board of County Commissioners hereby adopts the following amendment to the Future Land Use Map of the Walton County Comprehensive Plan, which is attached hereto as Exhibit "A", and incorporated herein by reference as a part hereof, being an amendment to the Future Land Use Map:

FINDINGS OF FACT: The Board of County Commissioners finds as follows:

1. The applicants name and address is:

Michael Clark

326 Veterans Road

Santa Rosa Beach, FL 32459

2. Amendment Number 2011-08: Amend the adopted Future Land Use Map designation of 7.27 +/- acres in Walton County north of the Choctawhatchee Bay on parcel(s) identified as 02-1N-19-17000-004-0010, from Estate Residential to Commercial. The property is located east of US 331, approximately 0.36 miles north of the intersection of US 331 and Wagon Wheel Road, in the Rock Hill area of Walton County, Florida, more particularly described as:

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF THE NORTH $\frac{1}{2}$ OF THE SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SECTION 2, TOWNSHIP 1 NORTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA AND RUN N87°34'00"W ALONG THE SOUTH LINE THEREOF FOR A DISTANCE OF 520.04 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN N01°31'45"E FOR A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING; THENCE N87°34'00"W FOR A DISTANCE OF 293.34 FEET; THENCE N01°31'45"E FOR A DISTANCE OF 130.00 FEET; THENCE N87°34'00"W FOR A DISTANCE OF 539.32 FEET TO THE EASTERLY RIGHT-OF-WAY LINE U.S. HIGHWAY 331 (R/W VARIES); THENCE RUN N15°13'18"W, ALONG SAID RIGHT-OF-WAY LINE FOR A DISTANCE OF 332.29 FEET TO THE NORTH LINE OF THE NORTH $\frac{1}{2}$ OF THE SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$; THENCE DEPARTING SAID RIGHT-OF-WAY LINE, RUN S87°34'00"E ALONG SAID NORTH LINE FOR A DISTANCE OF 928.24 FEET; THENCE DEPARTING SAID NORTH LINE, RUN S01°31'45"W FOR A DISTANCE OF 446.68 FEET TO CLOSE ON THE POINT OF BEGINNING. SAID PARCEL CONTAINING 7.27 ACRES MORE OR LESS.

SUBJECT TO AND TOGETHER WITH A 33.0 FOOT INGRESS/EGRESS EASEMENT OVER ACROSS THE NORTH 33.0 FEET OF THE NORTH $\frac{1}{2}$ OF THE SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$

3. The proposed amendment is compatible with future development in the area of the subject property.
4. The property is currently served with adequate public facilities.
5. The property is currently designated as Estate Residential.
6. Upon the legally effective date of this Ordinance, the property will be designated as Commercial.
7. Any future development under this amendment will be required to meet all of the standards of the Walton County Comprehensive Plan and Land Development Code.

SECTION III. CONFLICT WITH OTHER ORDINANCES OR CODES

All Ordinances or parts of Ordinances of the Code of Ordinances of Walton County, Florida, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV. SEVERABILITY

Should any word, phrase, sentence, or section of this Ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then such shall be severed from this Ordinance, and the remainder of the Ordinance shall remain in full force and effect.


SECTION V. EFFECTIVE DATE

This ordinance shall take effect as provided by law.

Duly enacted, by the Board of County Commissioners of Walton County, Florida, at a regularly scheduled public hearing on the 14th day of February, 2012.

BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA

Attest:

for 
Martha Ingle
Clerk of Court

By: 
Scott Brannon, Chair

