



## MINUTES

### Board of County Commissioners

Thursday, January 28, 2021 @ 9:00 AM

South Walton Annex Board Room

Land Use Hearing

#### COMMISSIONER ATTENDANCE

**PRESENT:** Chairman Trey Nick, Vice-Chairman Michael Barker, Commissioner Danny Glidewell, Commissioner Boots McCormick, and Commissioner Tony Anderson

**STAFF PRESENT:** Larry Jones, County Administrator, Sidney Noyes, County Attorney, and Heather Christman, Assistant County Attorney

Attorney Sidney Noyes, County Attorney, attended the meeting via Zoom.

#### CALL TO ORDER

Chairman Nick called the meeting to order.

#### PLANNING AND DEVELOPMENT SERVICES

##### ITEMS TO BE CONTINUED

- 3. Nokuse Future Land Use Amendment with Rezoning - Request to continue to the March 25, 2021 BCC meeting.**

Motion by Commissioner Glidewell, second by Commissioner Barker, to continue the Nokuse Future Land Use Amendment rezoning request to the March 25, 2021 to be held at 9:00 a.m. in the Walton County Courthouse Annex, in Santa Rosa Beach, Florida.

5-0 by the following votes:

Ayes: Commissioner Anderson, Commissioner Glidewell,  
Chairman Nick, Commissioner Barker, and Commissioner  
McCormick

- 4. Black Creek Future Land Use Map Amendment with Rezoning - Request to continue to the March 25, 2021 BCC meeting.**

Motion by Commissioner Anderson, second by Commissioner Glidewell, to continue Black Creek Future Land Use Map Amendment rezoning request to the March 25, 2021 to be held at 9:00 a.m. in the Walton County Courthouse Annex, in Santa Rosa Beach, Florida.

5-0 by the following votes:

Ayes: Commissioner Anderson, Commissioner Glidewell,  
Chairman Nick, Commissioner Barker, and Commissioner  
McCormick

**6. Bayview Estates Plat - Request to approve by final plat.**

Mr. Mac Carpenter, Planning and Development Director, requested to table this item and said it can be re-advertised for re-presentation.

Motion by Commissioner Anderson, second by Commissioner Glidewell, to table the Bayview Estates Final Plat.

5-0 by the following votes:

Ayes: Commissioner Anderson, Commissioner Glidewell,  
Chairman Nick, Commissioner Barker, and Commissioner  
McCormick

**(Exhibits: Staff Report-1) (Ex Parte: None)**

**9. Ace Home Helpers of Santa Rosa Beach - Request to approve by final order.**

Mr. Dean Burgis, Emerald Coast Associates, Inc.-representing the applicant, requested to continue the request due to advertising issues. He requested to be heard at the February 9, 2021 Regular Meeting.

Motion by Commissioner Anderson, second by Commissioner Glidewell, to continue Ace Home Helpers of Santa Rosa Beach to February 9, 2021 due to advertising inefficiency.

Mr. Carpenter stated there is no objection to the continuance by the Planning Department.

5-0 by the following votes:

Ayes: Commissioner Anderson, Commissioner Glidewell,  
Chairman Nick, Commissioner Barker, and Commissioner  
McCormick

**(Exhibits: Staff Report-1) (Ex Parte: None)**

**LEGISLATIVE ITEMS**

1. **Lot 10 Seclusion Dunes Abandonment - Request to approve by resolution. PA20-000005 is being reviewed by Bob Baronti. This is an abandonment application submitted by Gustin, Cothorn & Tucker, Inc., on behalf of Donald and Victoria Gaetz requesting to abandon a 33' public access utility easement and leave a 5' utility easement on the eastern property line on 0.17+/- acres. This property has a Future Land Use of Residential and Zoning District of Residential Preservation. The subject property is located south of East CR-30A, at the end of Beach Front Trail and can be identified by parcel number(s) 19-3S-18-16200-000-0100. (Continued from the December 8, 2020 BCC Meeting).**

Mr. Mac Carpenter introduced the project.

Mr. Mr. Allen Tucker, Gustin, Cothorn & Tucker, Inc.-representing the applicant, was available for questioning. Commissioner Anderson voiced his appreciation for the inclusion of letters from the utility companies supporting the abandonment.

Motion by Commissioner Anderson, second by Commissioner McCormick, to adopt **Resolution 2021-13** approving Lot 10 Seclusion Dunes Abandonment.

Commissioner Glidewell commented on his disapproval of abandonments.

Commissioner Anderson noted that the area is inaccessible by the county and did not think it held any value to the county.

Mr. Chance Powell, Public Works Engineer, confirmed the area was isolated and cannot be accessed without crossing private property. Commissioner Glidewell noted it bordered the State park. Mr. Powell confirmed and said beach access is available from the property just north of this area. The letters from the utility companies were reason for Public Works support of the abandonment. Mr. Tucker stated a five-foot utility easement would remain on the east side.

Commissioner McCormick asked if the public would be allowed through the easement. Mr. Powell stated for public to access the easement they would need to cross additional private property. He said the other easements leading to this area were previously abandoned.

3-2 by the following votes:

Ayes: Commissioner Anderson, Chairman Nick, and Commissioner McCormick

Nays: Commissioner Glidewell and Commissioner Barker

2. **Girl Scout RV Park Future Land Use Amendment with Rezoning - Request to approve to transmit. Project LUM20-000007 is being reviewed by Bob Baronti. This is a Large Scale Amendment Future Land Use with Rezoning Amendment submitted by Choctaw Engineering, Inc. on behalf of Girl Scout Council of The**

**Florida Panhandle, Inc. requesting to change from Future Land Use of Public Facilities and Institutional to General Agriculture and a Zoning District from Institutional to General Agriculture on 1,635 +/- acres. This project site is located off of U.S. Highway 90, turn onto Girl Scout Rd and drive approximately 2 miles north to subject properties and can be identified by parcel number(s) 05-3N-20-28000-001-0000, 06-3N-20-28000-001-0000, 32-4N-20-29000-012-0000, 31-4N-20-29000-001-0000, 04-3N-20-28000-002-0000.**

Mr. Carpenter briefly discussed the request. Mr. Bob Baronti, Planning and Development Planner asked to enter the Staff Report into the record and was available for questions.

Mr. Mark Siner, Choctaw Engineering, Inc. - representing the applicant, speaking via Zoom stated the zoning change is a condition of the sale of the property to his client for use by the Girl Scout Camp. The change will allow his client to utilize the area for a RV park. The plans for the park will be submitted upon completion of the sale.

Commissioner Barker asked if the property would only be used for the RV park or if there are other proposed uses. Mr. Siner replied there are existing cabins which will be renovated and rented. The only plans currently are for the RV park. He reported that during the notification process several of the adjacent property owners have contacted them regarding the possibility of purchasing property. He stated the area is subdivided by a roadway. Commissioner Barker asked where the public meetings were held and said community members had contacted him with questions. Mr. Baronti said the public hearings were advertised for and held before the Technical Review Committee and the Planning Commission. Both meetings were held in Freeport, Florida and on Zoom. Further discussion was held regarding the process to be followed to allow a RV park to move forward and major or minor development determinations.

Commissioner Barker asked if the ingress/egress to the property would be somewhere other than Girl Scout Road. Mr. Siner said the only ingress/egress to the proposed activity would be from Girl Scout Road. Commissioner Barker discussed possible traffic and drainage issues which would have to be addressed when the project is presented. Mr. Baronti said Public Works would review those issues during the time the request is being reviewed by DEO.

Motion by Commissioner Anderson, second by Commissioner Glidewell, to approve to transmit the Girl Scout RV Park Future Land Use Amendment to the Department of Economic Opportunity.

5-0 by the following votes:

Ayes: Commissioner Anderson, Commissioner Glidewell,  
Chairman Nick, Commissioner Barker, and Commissioner  
McCormick

## **QUASI JUDICIAL ITEMS**

The Quasi-Judicial Hearings were called to order and Attorney Christman administered the oath to those intending to speak. She directed that Ex Parte received regarding any Quasi-Judicial item to be submitted to the clerk.

5. **Mack Bayou Landing - Request to approve by final order. Project number MAJ20-000031 is being reviewed by Bob Baronti. This is a major development order application submitted by Jenkins Engineering, Inc. on behalf of Defoor Ventures LLC, requesting approval to develop 38 single family homes on 9.36 +/- acres with a future land use of Residential and zoning of Neighborhood Infill. The project is located from the intersection of U.S. Highway 98 E and Mack Bayou Road, go approximately 1.4 miles and property is on the west side and is identified by parcel number(s) 24-2S-21-42000-037-0000 and 24-2S-21-42000-037-0010. (Continued from the December 22, 2020 BCC meeting.) Staff found the project to be consistent with the Land Development Code and Comprehensive Plan contingent upon conditions being met as stated in the Staff Report.**

Mr. Baronti briefly reviewed the project and said the storm water drainage was designed for a 25 year and 100-year storm event. Commissioner Glidewell asked if one or two entrances were required for the size of this project. Mr. Baronti replied one entrance is required by code. He requested to enter the Staff Report into the record. **(Exhibit 1)**

Mr. Daniel Rosenheim, Defoor Ventures, LLC-applicant, discussed his project and stated it was compatible with the surrounding developments and consistent with the Comprehensive Plan and Land Development Code. He said the property is primarily located in flood zone A-E with the northwest corner being in flood zone X. All conditions and requirements have been met.

Mr. Jamie Eubanks, Jenkins Engineering-representing the applicant, discussed how the 38 single family lots were determined and said the original consideration was for 72 town homes. He stated two entrances were considered in the beginning, one on the north side and one on the east side of the project. The east access was eliminated due to safety concerns. The lot lines were strategically placed to preserve the oaks on the property and make them a feature of the property. He briefly discussed the drainage to be installed. Mr. Eubanks said Proportionate Fair Share will be paid for the project.

Commissioner Glidewell noted there was a driveway to access the five lots and common area on the west side of the project and voiced concern with the safety of the access due to the curve. He questioned why the area was not designed to be accessed by the north driveway. Mr. Eubanks said the placement of the access in the curve gives greater visibility for ingress/egress. The common area is reserved for storm water so the wetlands would not be impacted.

The discussion was opened to public comment.

Attorney Christman stated public comment via Zoom would not be sworn testimony.

Mr. Alan Osborne spoke via Zoom in opposition to the project citing concerns with increased density on Mack Bayou Road, traffic issues, and variance for traffic buy-out.

Mr. Eubanks said the traffic buy-out is a part of the Land Concurrency System and not a variance. Commissioner Glidewell asked if there were any variances associated with the project. Mr. Eubanks replied no.

Mr. John King, after being sworn, spoke in support of the project.

Commissioner Glidewell asked if there was a development agreement to preserve the trees. Mr. Rosenheim said there was not one but would agree to an agreement. Mr. Baronti said it would be made a condition of the approval.

Commissioner Glidewell asked what Public Works' opinion was for the western access. Mr. Powell stated there were no concerns by staff with the placement stating the visibility from both directions was acceptable. He also approved of the removal of the access to the east side of the project.

Commissioner McCormick asked if the property was connected to a PUD. Mr. Rosenheim said it was not.

Commissioner Glidewell asked if the number of lots was half the allowable density. Mr. Rosenheim briefly discussed the density and said this project has less density than other surrounding developments.

Motion by Commissioner Anderson, second by Commissioner Glidewell, to approve by final order Mack Bayou Landing contingent upon conditions being met as stated in the Staff Report.

5-0 by the following votes:

Ayes: Commissioner Anderson, Commissioner Glidewell,  
Chairman Nick, Commissioner Barker, and Commissioner  
McCormick

**(Exhibits: Staff Report-1) (Ex Parte: Barker, Glidewell, Anderson)**

7. **Wood Spring Suites - Request to approve by final order. Project number MAJ20-000006 is being reviewed by Tim Brown. This is a major development order application submitted by S&ME on behalf of Liberty Development, LLC, requesting approval to construct a 105 unit hotel with pool amenity and associated infrastructure on 2.33 +/- acres with a future land use of Mixed Use and zoning category of Coastal Center. The property is located at the southeast corner of U.S. Highway 98 West and Sandy Cay Drive and is identified by parcel number(s) 30-2S-21-42000-005-0000. (Continued from the December 22, 2020 BCC meeting.)**

The meeting briefly recessed at 9:44 a.m. and reconvened at 9:55 a.m.

Mr. Tim Brown, Planning and Development Planner briefly introduced the project and submitted the Staff Report into evidence. **(Exhibit 1)** He reported the Design Review

Board recommended privacy fencing along the southern line between the hotel and Paradise Retreat. The Planning Commission recommended the developer hold a meeting with the Paradise Retreat Homeowners Association to address community concerns prior to the project's presentation before the county commission. He said the project meets traffic concurrency.

Commissioner McCormick asked if the meeting had been held as recommended. He asked that the applicant give an update on what concerns have been addressed. Mr. Brown said the meeting was held, but county staff was not invited to attend.

Mr. Ben Ellis, S&ME-applicant representative, and Mr. Adam Mikkelson, Liberty Development, LLC-applicant discussed the community's concerns regarding privacy fencing, beach access through Paradise Retreat, and age restriction on rentals. The applicant has agreed to provide a privacy fence and remove the beach access from the hotel parcel. The applicant will provide capital to apply to the improvement of the gate system on the north side of the property. Also discussed was the reduction of the project in order to provide on-site amenities such as a pool. Since the project is a part of a Planned Unit Development (PUD) certain criteria, such as zoning and setbacks, were approved earlier. No variances are being requested and all conditions will be met. The storm water was approved with the PUD and the current system should have sufficient capacity.

It was noted that Mr. Ellis and Mr. Mikkelson had not been sworn earlier and was duly sworn for the testimony given and future testimony relating to this item.

Commissioner Barker asked if placing the project closer to U.S. Highway 98 had been considered. Mr. Mikkelson said that the applicant is the purchaser of the hotel portion of the parcel and that the seller had planned development for the whole parcel.

Commissioner McCormick asked if a plat existed. Mr. Brown said staff is waiting for the signed plat mylar. The applicant has been instructed to submit the signed mylar and then it would be scheduled to be presented before the county commission. Commissioner McCormick noted there is a conceptual master plan but without the plat the board does not know if this hotel falls in line with the PUD. Mr. Brown said that Phase VI was approved for 125,000 square feet of commercial and there is no building concept for the parcel. He said the use of this parcel has been amended on several occasions. Phase III and Phase VI are approved for commercial development with no conceptual plan. Mr. Brown said it is a master storm water system for the entire PUD. Commissioner McCormick asked if other projects would be presented without a plat. Mr. Brown said typically the plat is approved before the approval of a development order. The applicant has been told that if this project is approved a development order cannot be issued until the plat is recorded. Commissioner McCormick expressed concern that the project is not moved forward until the plat has been presented.

Commissioner Glidewell asked if the area was zoned Coastal Center. Mr. Brown stated it was. Commissioner Glidewell read the Coastal Center definition and questioned how a hotel supported the residential area. Mr. Brown replied Coastal Center allows for commercial use and that a hotel is considered commercial. Mr. Ellis referred to LDC

2.02.20(B) which allows for limited lodging within the Coastal Center. Discussion continued on the compatibility of a hotel in this area which is mainly residential, the gate request by the HOA, and the distance from U.S. Highway 98.

Mr. Robert McGill, representing the landowner, responded to the plat concerns and said the subdivision has received a final development order. The staff has approved a paper plat and the mylar is being distributed for signatures. He said the project meets the requirements of the Land Development Code and Comprehensive Plan.

Mr. Larry Sieve, President of Mara Villa HOA, spoke in opposition to the project and voiced concern with the safety, overcrowding of the beaches, negative economic effects. Further discussion was held between Mr. Sieve and the board regarding the economic impact to the area and basing decisions upon evidence determining whether the project meets code requirements.

Ms. Martha Sieve, after being sworn, voiced concern with possible trespassing by the hotel patrons into Mara Villa to use the amenities. She said a restaurant type project would be more beneficial to the community.

Mr. William Flynn spoke in opposition to the project and submitted a composite exhibit to support his opposition. **(Exhibit 2)** He voiced concern with the hotel chain's clientele and reviews, possible drainage issues, and aesthetic compatibility with surrounding developments. He listed the names of all the surrounding developments which are in opposition to this project.

Mr. Peter Michell spoke in opposition to the project. He voiced concern with the hotel chain's low reviews, the increased parking at beach accesses, and security. He recommended the project would be more suitable closer to U.S. Highway 98.

Mr. Joseph Secedi spoke in opposition to the project and submitted supporting documents. **(Exhibit 3)**. He voiced concerned with the reviews and the compatibility of the project with the surrounding area.

Mr. James Beautrow discussed his background in Law Enforcement and his extent in investigating crimes at low budget hotels. He voiced concern with security issues that this project could possibly cause and encouraged the project be denied.

A brief discussion was held regarding the decision by the board to determine whether the project met the code requirements.

The meeting briefly recessed at 11:05 a.m. and reconvened at 11:17 a.m.

The following individuals spoke in opposition to the project: Mr. Mike Oxner, Mr. John Hyde, Ms. April Cooper, and Ms. Catherine Hicks. The various concerns raised dealt with drainage, safety, privacy issues, and beach overcrowding. The board was encouraged to deny the project.



The following individuals spoke in opposition to the project via Zoom: Mr. Alan Osborne, Attorney Anthony Dewitt, Ms. Barbara Hoberock, Mr. Mike LaSage, Mr. James Braddy, and Mr. Bill Shober. Concerns raised regarded the safety, drainage, compatibility with the surrounding area, decrease in property values, and the lack of supporting services such as restaurant, etc. The board was encouraged to deny the project.

The public comment portion of this issue was closed.

Mr. Ellis and Mr. Mikkelson addressed the comments raised. They stated all requirements have been met and that the rate is comparable to the multi-bedroom rental homes. The landowner is supportive of the project. Safety will be addressed by requiring drivers' licenses at check-in and limiting the rental age to 25 and older. They encouraged the board to approve the project.

Commissioner Glidewell questioned if the county had surrendered the storm water system by resolution. Mr. Brown replied that a private system the county had no interest in was surrendered. The county did abandon Sandy Cay Drive to the Paradise Retreat Subdivision to allow the HOA to put in a gate and replace the asphalt with pavers. The county will only maintain asphalt roadways. Commissioner Glidewell asked who currently owned the storm water in the project area. Mr. Brown said documentation was presented by the applicant showing a master storm water system but the two retention ponds (south of the project area and south of Dollar General) were platted with the Paradise Retreat plat. The master system applies to the entire PUD. Commissioner Glidewell asked the applicant how tying into an overrun storm water system would be in the best interest of the community. Mr. Ellis said that a full study of the pond had not been done and cannot give a conclusive reason for the issues. He spoke about the storm water modeling requirements which have been met. The applicant will be happy to work with the neighbors and address the issue; however, it may be an existing issue which could be outside of the applicant's realm. Further discussion was held on the parties liable for flood damage caused by an over capacity system.

Mr. Mikkelson stated he would commit to the fence line, the capital for the gates, and removing the project from the beach access.

Commissioner McCormick asked who the flood plan manager was for the project. Mr. Brown stated Mr. Aaron Craker is the Planning Department's Flood Plain Manager. Commissioner McCormick voiced concern regarding the ambiguity of the flood plain comments in the Staff Report and asked if the project met the minimum flood plain requirements. Mr. Brown stated it did and said that it was in an X Zone and not in a flood zone. He also said it was in a CBRA (Coastal Barrier Resource Area) which is why flood insurance cannot be obtained.

Commissioner Glidewell read a portion of Resolution 2010-06 which conveyed the county's interest in the roads, appurtenant drainage facilities, and rights-of-way in Paradise Retreat to the HOA. He questioned who owned the drainage. Mr. Carpenter said the request was to turn the public's interest of the roadway and the drainage related to Sandy Cay Drive only to Paradise Retreat HOA.

Commissioner Anderson asked the CBRA flood plain be explained. Mr. Brown said the designated area does not allow flood insurance to be offered to property owners.

Commissioner McCormick asked if the project is part of a PUD. Mr. Carpenter replied it is a part of the Seashells on the Beach PUD. Commissioner McCormick asked what the original purpose was of the property being considered. Mr. Carpenter replied the original approval allowed for 125,000 square feet of commercial use and did not recall if the original approval had specific buildings cited on this parcel. A Home Depot was considered and denied. He said internal compatibility is to be addressed within the PUD and it is in the board's authority to address compatibility issues such as building set back, buffers, etc. Commissioner McCormick voiced concern that the multiple changes to the PUD have clouded the intent of the overall plan. Mr. Brown gave a brief background of the PUD changes and amendments and said the four lots are limited to a total of 125,000 square feet.

Commissioner Glidewell asked how many square feet was in the project. Mr. Ellis replied 48,000 square feet. Mr. Brown said that a running total of square feet used would need to be kept. Commissioner Anderson asked how many lots the hotel would be on. Mr. Brown stated one lot; Lot 4. Mr. Brown continued discussing the different changes which have been made over time. Commissioner McCormick asked if there was a paper trail showing the proper procedures had been followed. Mr. Brown said there was.

Commissioner Glidewell recommended time limits be considered for PUDs. He discussed his concern that the project does not support the surrounding residential area as required in code. He also voiced concern that the current storm water drainage is over capacity and would be negatively affected by the proposed project.

Motion by Commissioner Glidewell, second by Commissioner Barker, to deny Wood Spring Suites based on incompatibility with the Coastal Center requirements and potential storm water issues.

Commissioner Anderson noted that this project was a part of the PUD but had grave concerns with the compatibility of the project with the surrounding neighborhoods. He recommended the project be considered closer to U.S. Highway 98.

5-0 by the following votes:

Ayes: Commissioner Anderson, Commissioner Glidewell,  
Chairman Nick, Commissioner Barker, and Commissioner  
McCormick

**(Exhibits: Staff Report-1, Respondent Exhibit-2, Respondent Exhibit-3) (Ex Parte: Barker, Glidewell, McCormick, Anderson)**

Attorney Christman asked that her staff be allowed to prepare a Final Order of Denial to present for approval at the end of the meeting. The board concurred.

8. **Origins Bank - Request to approve by final order. Project number MAJ20-000030 is being reviewed by Tim Brown. This is a major development order application submitted by McNeil Carroll Engineering, Inc. on behalf of The Watersound Company, LLC, requesting approval to construct a 3,362 square foot bank with drive thru and associated infrastructure on 1.05 +/- acres with a future land use and zoning of Bay Walton Sector Plan Town Center. The project is located on the north side of U.S. Highway 98 E., east of Serenoa Road and west of Watersound Parkway North and is identified by parcel number(s) 26-3S-18-16000-001-0010. Staff found the project to be consistent with the Land Development Code and Comprehensive Plan contingent upon conditions being met as stated in the Staff Report.**

Mr. Brown briefly reviewed the project. He said the applicant received two deviations from the Design Review Board for an additional building sign on the east side and for the roof pitch of the building. He submitted the Staff Report into evidence. (Exhibit 1)

Mr. Robert Carroll, McNeil Carroll Engineering, Inc.-representing the applicant, briefly discussed the project and deviations.

There was no public comment.

Motion by Commissioner Glidewell, second by Commissioner Anderson, to approve by final order Origins Bank contingent upon conditions being met as stated in the Staff Report.

5-0 by the following votes:

Ayes: Commissioner Anderson, Commissioner Glidewell,  
Chairman Nick, Commissioner Barker, and Commissioner  
McCormick

**(Exhibits: Staff Report-1) (Ex Parte: None)**

10. **South Walton County Town Center Mixed Use - Request to approve by final order. Project number MAJ20-000025 is being reviewed by Stephen Schoen. This is a major development order application submitted by David Forstrom, P.E. on behalf of Connie Bailey, requesting approval to develop 92 townhome units, a restaurant, and mixed use structure containing commercial and limited lodging on 11.3 +/- acres with a future land use of Mixed Use and zoning of Town Center One. The project site is located 0.5 +/- miles West of the intersection of Chat Holley Road and U.S. Highway 331 and can be identified by parcel number(s) 30-2S-19-24000-006-0000 and 30-2S-19-24000-005-0000. Staff found the project to be consistent with the Land Development Code and Comprehensive Plan contingent upon conditions being met as stated in the Staff Report.**

Mr. Stephen Schoen, Planning and Development, discussed the project and submitted the Staff Report into evidence. (Exhibit 1)

Mr. John Roberts, representing the applicant, stated there were concerns raised regarding the magnolia trees on the property. He said the project has been designed to preserve the trees. He gave a brief overview of the project.

Mr. David Forstrom, P.E.-representing the applicant, after being sworn, discussed the project and stated all the requirements have been met. The townhome parking requirement is two spaces and three spaces are being provided.

Commissioner Glidewell asked where the storm water would be located. Mr. Forstrom said there are two dry retention areas and is a 25-year storm event. Commissioner Glidewell asked where the storm water would pop off. Mr. Forstrom said on the side nearest JD Miller Road. Discussion was held where the water would drain once it reaches JD Miller Road.

Ms. Margaret Landry voiced concern with traffic, density, and the lack of notification to the community to allow more time to respond. She supported the tree preservation and recommended a tree ordinance be considered. Mr. Forstrom said the project met all requirements on concurrency and the applicant would pay the Proportionate Fair Share.

Motion by Commissioner Anderson, second by Commissioner McCormick, to approve by final order South Walton County Town Center Mixed Use contingent upon conditions being met as stated in the Staff Report.

5-0 by the following votes:

Ayes: Commissioner Anderson, Commissioner Glidewell,  
Chairman Nick, Commissioner Barker, and Commissioner  
McCormick

**(Exhibits: Staff Report-1) (Ex Parte: None)**

Meeting briefly recessed at 12:23 p.m. and reconvened at 12:45 p.m.

11. **Rosa Del Mar Master Conceptual Plan Modification - Request to approve by final order. MAJ20-000032 is being reviewed by Stephen Schoen. This is a major development application submitted by Steve Hall on behalf of 30A Lofts, LLC requesting a modification of an existing Master Conceptual Plan for an intense mixed-use development fronting U.S. Highway 98 including an additional adjacent parcel with apartment housing and associated infrastructure on approximately 24.04 acres. This project is located at the intersection of Moll Drive and U.S. Highway 98 and is identified by parcel number(s) 34-2S-20-33270-033-0000, 34-2S-20-33270-034-0000, and 34-2S-20-33270-035-0000.**

Mr. Schoen briefly reviewed the project and submitted the Staff Report into evidence. He also submitted public comment into the record. **(Exhibit 2)** He discussed the previous actions taken on this project beginning with the development order issued January 22, 2008. The current development is proposing a density bonus for greenway

dedication at five bonus points per acre on 4.6 +/- acres for a total of 23 bonus dwelling units. Traffic concurrency will be handled during the technical review stage. The name of the development has been changed to Saltaire Planned Unit Development (PUD). Mr. Schoen said the applicant will be responsible for providing 100-year flood elevations as a part of the assessment.

Commissioner Glidewell asked for more information on the Family Private Trust and a deed discrepancy. Mr. Schoen said that an individual representing the trust came to the Planning office to discuss concerns with existing storm water issues on the adjacent properties which she owns. He said there was also an issue with the survey provided to county and a survey the trust representative has regarding one of the boundary lines. He said the representative was present and would give the board more information.

Attorney Steve Hall, Hall & Runnels-representing the applicant, discussed how a lot of PUDs were affected by the recession. He briefly discussed the conceptual plan and the changes that have been made to make the project greener and more connected to surrounding amenities which include Helen McCall Park, churches, beaches, etc. He discussed the need to signalize the intersection at Moll Drive and U. S. Highway 98. A traffic study is being conducted for a possible signal.

Commissioner Glidewell asked how much the traffic concurrency and the plan was dependent upon the traffic signal. Attorney Hall said it is not reliant on the signalization of Moll Drive. Commissioner Glidewell questioned if the southern greenway access would be a multi-use path. Attorney Hall discussed how the southern greenway would work in conjunction with the existing multi-use path on Moll Drive.

Commissioner Anderson asked if the recycling center would be open to the public. Attorney Hall replied that it would and would be built into the apartments solid waste system. He recommended entering into a developer agreement. Further discussion was held regarding the recycling center property.

Mr. Jerry Ogle, representing New Life Church, said the church has purchased property on Moll Drive and has concerns regarding safety with the lack of signalization at Moll Drive/U.S. Highway 98. He encouraged the board to do all they can to get a light at the intersection.

Ms. Lynn Dugas, Family Trust, spoke on the need for a light at the intersection. Submitted documents (**Exhibit 3-Respondent Composite Exhibit 1**) supporting her concerns with the project. She voiced support of the recycling center. She addressed the drainage issues affecting her tenants and causing their businesses to suffer. Ms. Dugas also discussed a discrepancy in the linear footage on her deed and that of the project's. She asked the project to be tabled until the issues can be resolved. A brief discussion was held regarding the parcel numbering system. Ms. Dugas questioned if she would be able to address the issues if this is approved. Commissioner Anderson replied that this was a conceptual plan and would be brought back before the board. He said there would be time to address the issues she raised before the project is re-presented. He said resolution of the issues presented by Ms. Dugas could be a condition of the final approval. Mr. Carpenter supported Commissioner Anderson's

comments. Further discussion was held on the drainage issues and resolution of the concerning issues. The county will address the drainage on Moll Drive.

Attorney Hall said the applicant is communicating with Ms. Dugas and agreed the title/survey issue needs to be resolved.

Motion by Commissioner Anderson, second by Commissioner McCormick, to approve by final order Rosa Del Mar Master Conceptual Plan Modification contingent upon conditions being met as stated in the Staff Report and resolution of the drainage and survey issues on Ms. Dugas' property.

Commissioner Anderson discussed the drainage, recycling, and traffic issues.

5-0 by the following votes:

Ayes: Commissioner Anderson, Commissioner Glidewell,  
Chairman Nick, Commissioner Barker, and Commissioner  
McCormick

**(Exhibits: Staff Report-1, Staff-Public Comment-2, Respondent Composite Exhibit-3) (Ex Parte: Barker, Glidewell, Anderson)**

- 12. Watersound Origins Ph 3 - 62 Lots - Request to approve by final order. MAJ20-000034 is being reviewed by Renee Bradley. This is a major development application submitted by Innerlight Engineering Corporation on behalf of The Watersound Company LLC requesting to construct 62 single family lots and associated infrastructure on 32.54+/- acres as Watersound Origins Phase 3. The project site has a Future Land Use and Zoning District of Bay Walton Sector Plan Village Center and is located approximately 11.2 miles from U.S. Highway 98 and 331 to North Watersound Parkway, 0.7 miles turn right on Pathways Dr., to Breakers St., turn right at end of Cannonball Lane and can be identified by parcel number(s) 25-3S-18-16000-001-0000, 26-3S-18-16000-001-0030. Staff found the project to be consistent with the Land Development Code and Comprehensive Plan contingent upon conditions being met as stated in the Staff Report.**

Ms. Renee Bradley, Planning Department, briefly reviewed the project and submitted the Staff Report into evidence. **(Exhibit 1)**

Mr. David Smith, Innerlight Engineering-representing the applicant, gave a brief overview of the site plan.

Motion by Commissioner Glidewell, second by Commissioner Anderson, to approve by final order Watersound Origins Ph 3 - 62 Lots contingent upon conditions being met as stated in the Staff Report.

5-0 by the following votes:

Ayes: Commissioner Anderson, Commissioner Glidewell,  
Chairman Nick, Commissioner Barker, and Commissioner  
McCormick

**(Exhibits: Staff Report-1) (Ex Parte: None)**

**APPROVAL OF FINAL ORDER FOR WOOD SPRING SUITES**

Attorney Christman presented the revised Final Order which is consistent with the board's earlier motion on Item 7. She asked the board to review the order. She read into the record the reasons for denial contained in the order.

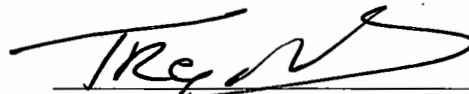
Motion by Commissioner Anderson, second by Commissioner Barker, to approve the Wood Spring Suites Final Order of Denial.

5-0 by the following votes:

Ayes: Commissioner Anderson, Commissioner Glidewell,  
Chairman Nick, Commissioner Barker, and Commissioner  
McCormick

**ADJOURN**

There being no further discussion, the meeting was adjourned at 1:40 p.m.



Trey Nick, Chairman



Attest: Alex Alford, Clerk of Court and County Comptroller