



MINUTES

Board of County Commissioners

Thursday, May 27, 2021 @ 9:00 AM

South Walton Annex Board Room

Land Use Hearing

COMMISSIONER ATTENDANCE

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

STAFF PRESENT: Ms. Dede Hinote, Deputy Administrator and Attorney Clay Adkinson, Interim County Attorney

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND INVOCATION

CALL TO ORDER

Chairman Nick called the meeting to order.

PLANNING AND DEVELOPMENT SERVICES

REQUEST TO CONTINUE AND/OR TABLE

Mr. Mac Carpenter, Planning and Development Director requested to table the following item:

Agenda Item 1: Lot 20, 22, and 23 Hidden Highlands Abandonment

Mr. Carpenter requested to continue the following items to the June 24, 2021 Land Use Hearing:

Agenda Item 2: South Walton RV Resort SSA

Agenda Item 11: Bayview Estates Plat

Motion by Commissioner Glidewell, second by Commissioner Barker, to table Agenda Item 1 (21-0779) Lot 20, 22, & 23 Hidden Highlands Abandonment.

5-0 by the following votes:

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

Motion by Commissioner Barker, second by Commissioner Glidewell, to continue Agenda Item 2 (21-0780) South Walton RV Resort SSA to the June 24, 2021 Land Use

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

Motion by Commissioner Glidewell, second by Commissioner Barker, to continue Agenda Item 11 (21-0789) Bayview Estates Plat to the June 24, 2021 Land Use Hearing 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: Chairman Nick, Commissioner Barker, Commissioner McCormick, Commissioner Glidewell, and Commissioner Anderson

LEGISLATIVE ITEMS

- 1. Lot 20, 22 & 23 Hidden Highlands Abandonment - Request to continue to the June 24, 2021 BCC meeting. Project number PA20-000007 is being reviewed by Bob Baronti. This is an abandonment application submitted by Stephanie Manning on behalf of Timothy Kreider, requesting to abandon 33' of roadway and utility easement on Lots 20, 22, and 23 of Hidden Highlands Subdivision. The property has a future land use of Residential and zoning of Neighborhood Infill and is located in District 5 and can be found at the end of Spotted Dolphin Road and can be identified by parcel number(s) 04-3S-20-34300-000-0230, 04-3S-20-34300-000-0220 and 04-3S-20-34300-000-0200. (Continued from the April 22, 2021 BCC Meeting.)**

This item was tabled on motion as stated above.

- 2. South Walton RV Resort SSA – Adoption Hearing. Request to approve by ordinance. FLU20-000006 is being reviewed by Bob Baronti. This is a Land Use Amendment with Rezoning application submitted by Emerald Coast Associates on behalf of SRB Land, LLC requesting to change current Future Land Use of Residential with a Zoning District of Neighborhood Infill to Future Land Use of Mixed Use and a Zoning District of Coastal Center Mixed Use on 9.75 +/- acres. This property is located at the intersection of U.S. Highway 98 and Moll Drive on the east side of Moll Drive and can be identified by parcel number(s) 34-2S-20-33270-029-0000.**

This item was continued to June 24, 2021 on motion as stated above.

- 3. Interlocal Agreement for Public School Facilities Planning - Request to approve by resolution. Walton County Planning and Development Services staff have**

coordinated with the Walton County School District to amend the Interlocal Agreement for Public School Facilities Planning. The proposed amendments seek to address changes to Florida Statutes and to create improved cross agency workflow as it relates to school facilities planning and development monitoring.

Mr. Stephen Schoen, Planning and Development briefly discussed the agreement amendment due to statutory changes and minor language revisions.

Ms. Michelle Doggette, Walton County School District-Facilities Planning thanked the Walton County Planning Department for their collaboration and help.

Motion by Commissioner Glidewell, second by Commissioner Anderson, to adopt **Resolution 2021-63** approving the amendment to the Interlocal Agreement for Public School Facilities Planning.

5-0 by the following votes:

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

QUASI-JUDICIAL ITEMS

The Quasi-Judicial Hearing was called to order. Attorney Clayton Adkinson, Interim County Attorney administered the oath to those intending to speak.

4. **Windswept Phase 6 LSA – Adoption Hearing. Request to approve by ordinance. Project FLU20-000005 is being reviewed by Renee Bradley. This is a Future Land Use Amendment with Rezoning application submitted by C. Stephen Tatum on behalf of Northwest Florida Properties Trust, LLC. requesting to change from Future Land Use of General Agriculture and Estate Residential to Rural Residential and a Zoning District from General Agriculture and Estate Residential to Rural Village on 62.33+/- acres. This project site is located east on S.R. 20 from U.S. Highway 331 approximately 4.5 miles to JW Hollington Rd. on the north side of S.R. 20. The property is directly to the east of JW Hollington and can be identified by parcel number(s)15-1S-18-14000-001-0010.**

(Agenda Item 4 is a Legislative item which is connected to Quasi-Judicial Agenda Items 5 and 6. All three items were presented under the Quasi-Judicial Hearing.)

Commissioner Anderson announced his conflict of interest and vote abstention with Agenda Items 4, 5, and 6. He submitted Form 8B to the clerk.

Ms. Renee Bradley, Planning and Development briefly introduced the request. She entered the Staff Report into the record.

Attorney Stephen Tatum, Matthews & Jones-representing the applicant discussed the history of the request. He reported the current zoning does not meet what is actually there. A Developer Agreement has been entered into with the remainder of Windswept

Estates limiting the development to 80 units, limiting the building height to two stories, and no commercial uses allowed.

Ms. Melissa Ward, Dunlap and Shipman representing the Windswept Estates Association discussed the requirements of the Developer Agreement.

Motion by Commissioner McCormick, second by Commissioner Glidewell, to adopt **Ordinance 2021-20** approving Windswept Phase 6 LSA.

4-0-1 by the following votes:

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

Abstain: Commissioner Anderson

(Form 8B: Anderson)

5. **Windswept Phase 6 Developer's Agreement - Request to approve by agreement. Project DAG21-000001 is being reviewed by Renee Bradley. This is a Developer Agreement submitted by Matthews & Jones, LLP on behalf of Northwest Florida Properties, LLC to set development controls on the proposed future land use and official zoning district change from the current Future Land Use of Estate Residential and General Agriculture to a Future Land Use of Rural Residential and the current Zoning District of Estate Residential and General Agriculture to Rural Village on 62.3 acres. The project site is located approximately 4.5 miles west of the U.S. Highway 331 and S.R. 20 intersection, north of S.R. 20 on JW Hollington Road and is identified by parcel number(s) 15-1S-18-14000-001-0010. Staff found the request meets the Comprehensive Plan and Land Development Code. (Exhibit 1: Staff Report)**

Ms. Bradley briefly discussed the agreement requirements.

Motion by Commissioner McCormick, second by Commissioner Glidewell, to approve the Windswept Phase 6 Developer's Agreement.

4-0-1 by the following votes:

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

Abstain: Commissioner Anderson

(Exhibits: Staff Report-1) (Ex Parte: None) (Form 8B: Anderson)

6. **Windswept Estates Phase 6 - Request to approve by final order. Project number MAJ21-000003 is being reviewed by Renee Bradley. This is a major development application submitted by JP Engineering on behalf of Northwest Florida Properties, LLC requesting to develop and construct a 78 lot single family subdivision on 62.33 +/- acres as Phase 6 of Windswept Estates with a future land use of General Agriculture and a zoning district of General Agriculture. The property is located in District 1, approximately 1.5 miles on the east side of JW**

Hollington Road and is identified by parcel number(s) 15-1S-18-14000-001-0010. Staff found the project to be consistent with the Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report. (Exhibit 1: Staff Report)

Ms. Bradley briefly discussed the technical review of the project.

Mr. Tracy Jernigan, JP Engineering representing the owner briefly discussed the project. He reported that this phase would be developed by the same developer as in the first five phases of Windswept Estates. All storm water has been retained on site.

There were no public comments.

Motion by Commissioner McCormick, second by Commissioner Glidewell, to approve by final order Windswept Estates Phase 6 contingent upon conditions being met as stated in the Staff Report.

4-0-1 by the following votes:

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

Abstain: Commissioner Anderson

(Exhibits: Staff Report-1) (Ex Parte: None) (Form 8B: Anderson)

7. **Watersound Camp Creek - Phase 1A (Plat 2) - Request to approve by final plat. Project number PLA21-000010 is being reviewed by Renee Bradley. This is a major plat application submitted by Innerlight Engineering Corp on behalf of Camp Creek Residential Development, LLC requesting to plat 38 single family lots with associated infrastructure as Phase 1A of Camp Creek Residential Development on 18.83 +/- acres with a future land use of Bay Walton Sector Plan Village Center and a zoning district of Bay Walton Sector Plan Village Center. The property is in District 5 and located approximately 11 miles east from the intersection of U.S. Highway 331 and U.S. Highway 98, turn right onto Watersound Parkway S and travel 0.2 miles to site and the property is identified by parcel number(s) 22-3S-18-16000-001-0030. Staff found the project to be consistent with the Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report.**

Ms. Bradley introduced the project.

Mr. David Smith, Innerlight Engineering representing the St. Joe Company briefly discussed the project.

The Staff Report was entered into the record. **(Exhibit 1: Staff Report)**

Motion by Commissioner Glidewell, second by Commissioner Barker, to approve by final plat Watersound Camp Creek - Phase 1A (Plat 2) contingent upon conditions being met as stated in the Staff Report.

5-0 by the following votes:

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

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

8. **Alys Beach Phase III, Block AC, Lots 13-20 Plat – Request to approve by final plat. Project number PLA21-000007 is being reviewed by Tim Brown. This is a minor plat application submitted by Innerlight Engineering Corporation on behalf of EBSCO Gulf Coast Development, Inc., requesting approval to plat Lots 13-20 of Block AC, Alys Beach PUD on 1.54 +/- acres with a future land use of Mixed Use and a zoning category of Traditional Neighborhood Development. The project is located on the west side of Sea Garden Street, south of C.R. 30A, and is identified by parcel number(s) 27-3S-18-16000-027-0010. Staff found the project to be consistent with the Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report.**

Mr. Tim Brown, Planning and Development introduced the project and submitted the Staff Report into the record. **(Exhibit 1: Staff Report)**

Mr. Smith, representing EBSCO Gulf Coast Development briefly discussed the project.

Motion by Commissioner Glidewell, second by Commissioner Anderson, to approve by final plat Alys Beach Phase III, Block AC, Lots 13-20 Plat contingent upon conditions being met as stated in the Staff Report.

5-0 by the following votes:

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

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

9. **Eden's Landing PUD Amendment #3 - Request to approve by final order and overlay ordinance. Project number MAJ21-000002 is being reviewed by Tim Brown. This is a major development order application submitted by Innerlight Engineering Corporation, Inc. on behalf of Eden's Landing Development Partners, LLC, requesting approval to amend the previously approved Eden's Landing PUD in order to add 32 additional single family lots on 15.35 +/- acres with a future land use of Mixed Use and Conservation and a zoning category of Traditional Neighborhood Development and Conservation. The property is located on the west side of Eden Garden State Park Road, north of C.R. 395 North and is identified by parcel number(s) 35-2S-19-24000-013-0040. Staff found the project to be consistent with the Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report.**

Mr. Brown introduced the project and submitted the Staff Report into the record. **(Exhibit 1: Staff Report)** He announced that this was the first reading of the overlay ordinance. Staff has determined there was an error in the area of conservation (.99 acres) located near the center of the 15.35 acres. There are no documents supporting the conservation designation. Staff has agreed to do a county sponsored land use change and rezoning for that portion. The development order cannot be issued until the change has been made.

Commissioner Glidewell addressed the concerns with the conservation area and asked if there was a way to check the parcel to determine if it is an old cemetery. Attorney Steve Hall, Land Use Attorney reported there was nothing in the State records supporting the area as a cemetery. Discussion continued on unrecorded cemeteries and the use of soil penetrating radar to examine the parcel.

Mr. Smith, representing the applicant briefly discussed the history of Eden's Landing and the current request. He discussed the lengths the owner has gone to protect as many of the trees as possible on the property. Mr. Smith talked about the conservation area and the environmental assessment done on the area. He requested the opportunity to respond after public comment.

Commissioner Glidewell noted that the northern boundary of the property abutted Eden Gardens State Park and asked if buffering had been considered. Mr. Smith discussed the buffers included in the design.

Commissioner McCormick asked if there had been communication with the Point Washington Historical Society and community. Mr. Smith said there has been no meeting with the historical society, but there have been meetings with Eden's Landing HOA. Commissioner McCormick noted the 15.35 acres was not a part of the original PUD. Mr. Smith said it was not and that the acreage would be added to the PUD. Commissioner McCormick voiced concern with the increase in density to the PUD and the need to communicate with the surrounding neighborhoods. Mr. Smith said the project is being accessed through the Eden's Landing PUD and no complaints had been received regarding the additional lots. He said there have been letters from the adjacent neighborhoods. He discussed the tree preservation, low density, and larger lots in the project. He reported that this property was sold by the State to the Forman family.

Commissioner Glidewell asked if the residents of the new area would be a part of the existing HOA or would a new one be formed. Mr. Smith said it would be a part of the existing HOA. Commissioner Glidewell asked why Millstone Drive was not extended to give a secondary access to the project. Mr. Smith replied the two accesses would have been too close and discussed the t-turn around at the end of each road. Discussion continued on the traffic flow within the project.

Mr. Jonathan Douglas, Friends of Eden board president spoke in opposition to the project and stated it would change the character of the park. Discussion was held regarding the beginnings of Eden Gardens State Park and the effects the project could have on the State park. **(Exhibit 2: Respondent Letter)**

Commissioner McCormick asked if this item could be continued to allow for meetings with the historical society. Mr. Smith said the project has been through the public hearing process. He discussed the 90 - 100 feet distance the project boundaries would be from the road entering Eden Garden State Park and the amount of vegetation that would be within the span. The proposed project is 1/4 mile from the Wesley House in Eden's Garden State Park. He felt the experience to the park would not be degraded.

Ms. Margo Urich talked about the impact Eden Gardens State Park has on south Walton County and the economy. She spoke in opposition to the project citing traffic safety issues and sewage concerns.

Commissioner Glidewell asked if the project's storm water would connect to the lift station that has had leakage issues. Mr. Brown said it would not be and that it would go directly into the force main. Mr. Smith said the project would be connected to the force main that is exiting the Eden Garden's lift station and continues to C.R. 395. He submitted three documents into evidence and briefly discussed each document. **(Exhibit 3: Regional Utilities Availability Letter; Exhibit 4: Incident Report; and Exhibit 5: Florida Department of Health letter)** Mr. Smith reported the issues with the lift station was caused by a lightning strike not over-capacity.

Mr. Arix Zalace, Historic Point Washington Association president, after being sworn submitted into evidence a composite exhibit supporting his opposition to the project. **(Exhibit 6: Composite)** He voiced concerns with the impacts on sewage, traffic safety, C.R. 395 infrastructure conditions, and the internet. Commissioner McCormick noted that the State park has thousands of visitors each year and discussed the minimal traffic impact the project would have in comparison. Further discussion was held regarding the school traffic and other developments with commercial.

Commissioner Glidewell asked how the project met traffic concurrency. Mr. Brown said that according to Dewberry's analysis there is available capacity, but it does not address the condition of the road. Discussion continued on the calculations used to determine capacity levels.

Mr. James Foley spoke about the efforts made to protect the environment and spoke in opposition to the over development of Point Washington.

Mr. Chandler Williams, after being sworn expressed concern with the impacts caused by over development.

Mr. Smith presented his rebuttal to the comments made. He spoke on the different reviews of the project and that the project would have its own internet system which would not degrade the level of services in the surrounding areas. The commercial component was approved as a part of Edens Landing Phase I and was delayed by the pandemic.

Mr. Charles Forman, developer and property owner discussed the history of his family's ownership of the land. He stated the project meets the standards and that it would be unfair to delay it until C.R. 395 has been improved. He talked about the multiple attempts his family has made to sell the property to the State to include with Eden

Gardens State Park. Commissioner Anderson asked Mr. Forman if he would be willing to allow the county to ensure the conservation area is not an unrecorded cemetery. There were no objections from the petitioner.

Motion by Commissioner Glidewell, second by Commissioner Anderson, to approve by final order Eden's Landing PUD Amendment #3 contingent upon conditions being met as stated in the Staff Report and with the stipulation that determination is made, prior to construction, that the conservation area was not previously used as a cemetery.

Commissioner Glidewell asked Ms. Hinote to contact Public Works on the status of C.R. 395.

4-1 by the following votes:

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

Nays: Commissioner McCormick

(Exhibits: Staff Report-1; Respondent Letter-2; Petitioner Letter-3; Petitioner Incident Report-4; Petitioner DOH Letter-5; Respondent Composite-6) (Ex Parte: Nick, Barker, McCormick, Glidewell, Anderson)

The meeting recessed at 10:34 a.m. and reconvened at 10:50 a.m.

10. **Bluewater Landing (a/k/a Draper Lake) - Request to approve by final order. Project number MAJ21-000006 is being reviewed by Stephen Schoen. This is a major development order application submitted by Innerlight Engineering Corp on behalf of D. R. Horton, Inc. requesting to construct a phased development consisting of 31 single family homes a pool amenity, associated infrastructure and a future commercial development on 35.19 +/- acres with a future land use of Mixed Use and a zoning district of Small Neighborhood. The property is located approximately 0.6 miles west from the intersection of C.R. 83 and C.R. 30A on the north side of Retreat Dr. in District 5 and is identified by parcel number(s) 01-3S-20-34000-008-0000. Staff found the project is consistent with the Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report**

Mr. Carpenter briefly talked about the length of time this project has spent in review committees. He said the community, staff, and agent have worked hard to present the project as it is today.

Mr. Schoen introduced the project and submitted the Staff Report into the record. **(Exhibit 1: Staff Report)** He reported the project has been reduced overtime to 31 single family lots from 186 triplex units. He reviewed the commercial aspect of the project and contingencies for the commercial development. He said the density is less than one unit per acre which is lower than the original request.

Commissioner Anderson applauded Mr. Schoen for his hard work on this project. He discussed the contentious nature of the project and how the hard work between staff, the developer, and the community has paid off.

Mr. Smith, representing the applicant briefly discussed the history of the project and the changes that have been made over time to lower the density to 31 single family lots. He reported there are no deviations or variances associated with the project. He said the developer has agreed to give an area in fee simple to Walton County for conservation. Mr. Smith requested to respond at the end of the public comments.

Ms. Melissa Ward, Mr. John Harrison, and Ms. Barbara Morano spoke in support of the project as presented. They all noted the team effort that was put into making this project work.

Mr. Smith presented his closing arguments and stated the project started with zero support. He thanked all those who respectfully submitted their concerns and the work done to get the project to what is being presented.

Discussion was held on the transfer of the conservation easement and the required conservation easement agreement.

Motion by Commissioner Anderson, second by Commissioner McCormick, to approve by final order Bluewater Landing (a/k/a Draper Lake) contingent upon all terms and conditions agreed upon by all sides in perpetuity.

Attorney Adkinson asked the motion to be amended to require the developer to execute any and all documentation to insure the perpetuity.

Motion by Commissioner Anderson, second by Commissioner McCormick, to amend the motion to include the requirement of the developer to execute any and all documentation to insure the perpetuity.

Attorney Hall said this would be included with the final order.

5-0 by the following votes:

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

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

- 11. Bayview Estates Plat - Request to continue to the June 24, 2021 BCC meeting. Project number PLA19-000026 is being reviewed by Bob Baronti. This is a plat application submitted by Core Engineering and Consulting, on behalf of GE/Bayview Estates, LLC, requesting approval to plat 14 single family homes on 2.57 +/- acres. The property has a future land use of Residential and a zoning of Neighborhood Infill. The project is located in District 4 and is found from U.S. Highway 98 at N. Holiday Road, 0.4 miles to Forest Shore Drive, west on Forest**

Shore Drive 0.6 miles to Walton Way and project site is on the left, and the property is identified by parcel number 19-2S-21-42000-005-0000. (Exhibit 1: Staff Memo)

This item was continued to June 24, 2021 on motion as stated above.

12. **Emerald Shores Replat - Request to approve by final plat. Project number PLA20-000031 is being reviewed by Bob Baronti. This is a Plat application submitted by Emerald Coast Associates, Inc. on behalf of Michael Holman, requesting approval to replat 2 residential lots on 0.19 +/- acres with a future land use of Rural Residential and a zoning district of Rural Village. The project is located in District 1 and can be found at 443 Bayou Circle and is identified by parcel number(s) 34-1S-19-23060-000-1510 and 34-1S-19-23060-000-1520. Staff found the project to be consistent with the Comprehensive Plan and Land Development Code contingent upon conditions being held as stated in the Staff Report.**

Mr. Bob Baronti, Planning and Development introduced the project and submitted the Staff Report into evidence. **(Exhibit 1: Staff Report)**

Mr. Darryl Burgis, Emerald Coast Associates, Inc. representing the applicant briefly discussed the request which would alleviate a setback violation with a carport.

There was no public comment.

Motion by Commissioner McCormick, second by Commissioner Anderson, to approve by final plat the Emerald Shores Replat contingent upon conditions being met as stated in the Staff Report.

5-0 by the following votes:

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

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

ADJOURN

There being no further discussion, the meeting was adjourned at 11:30 a.m.



Trey Nick, Chairman



Attest: Alex Alford, Clerk of Court and County Comptroller