

ORDINANCE NUMBER 2024 27

AN ORDINANCE RELATING TO WALTON COUNTY, FLORIDA; AMENDING ORDINANCE 2018-28 AS AMENDED; AMENDING THE ZONING DISTRICT AS DEPICTED IN THE ATTACHED MAPS; APPROVING THE AMENDMENTS TO THE OFFICIAL ZONING MAP OF THE LAND DEVELOPMENT CODE AS DEPICTED IN THE ATTACHED MAPS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR MODIFICATIONS; PROVIDING FOR CODIFICATION; 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, after due public notice having been provided, the Walton County Planning Commission held a public hearing on August 8, 2024, and the Walton County Board of County Commissioners held a public hearing on October 3, 2024, to consider the adoption of the proposed amendment to its Official zoning map, in accordance with Section 125.66.

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 with this amendment, the recommendations of the Planning Commission; and

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. OFFICIAL ZONING MAP AMENDMENTS.

The Board of County Commissioners hereby adopts the following amendment to the Official Zoning Map which will be updated consistent with the action of the Board of County Commissioners as set forth in this Ordinance:

1. Application number REZ24-000003 Whelan Rezoning requesting to amend the adopted Official Zoning Map district designation on an amendment area that is approximately 0.50+/- acres in size.
2. The amendment area is identified by parcel number 36-3S-18-16400-000-0080. A boundary survey of the amendment area is attached as Exhibit 1.
3. The amendment area is currently designated Residential on the Future Land Use Map adopted within the Walton County Comprehensive Plan.
4. The amendment area is currently designated Residential Preservation on the Official Zoning Map.
5. Upon the legally effective date of this Ordinance, the Official Zoning Map District for the amendment area will be designated as Low Density Residential 4:1. As shown on Exhibit 2, attached.
6. 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. SCRIVENER'S ERRORS.

It is the intention of the Board of County Commissioners of Walton County, Florida and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Walton County, Florida and to that end, the sections of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section" or "article" or other appropriate designation. Additionally, corrections of typographical errors which do not affect the intent of this Ordinance may be authorized by the County Attorney without public hearing, by filing a corrected or re-codified copy with the Clerk of Courts.

SECTION VI. ORDINANCE TO BE LIBERALLY CONSTRUED.

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION VII. MODIFICATIONS.

It is the intent of the Board of County Commissioners of Walton County, Florida, that the provisions of this ordinance may be modified as a result of considerations that may arise during a public hearing. Such modifications shall be incorporated into the final version of the ordinance adopted by the Board.

SECTION V. EFFECTIVE DATE.

This Ordinance shall become effective thirty (30) days after the confirmed date of receipt by the Florida Department of State. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective.

Duly enacted, by the Board of County Commissioners of Walton County, Florida at a regularly scheduled public hearing on the 3rd of Oct, 2024.

BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA

Attest:

Alex Alford
Alex Alford, Clerk of Court
and County Comptroller

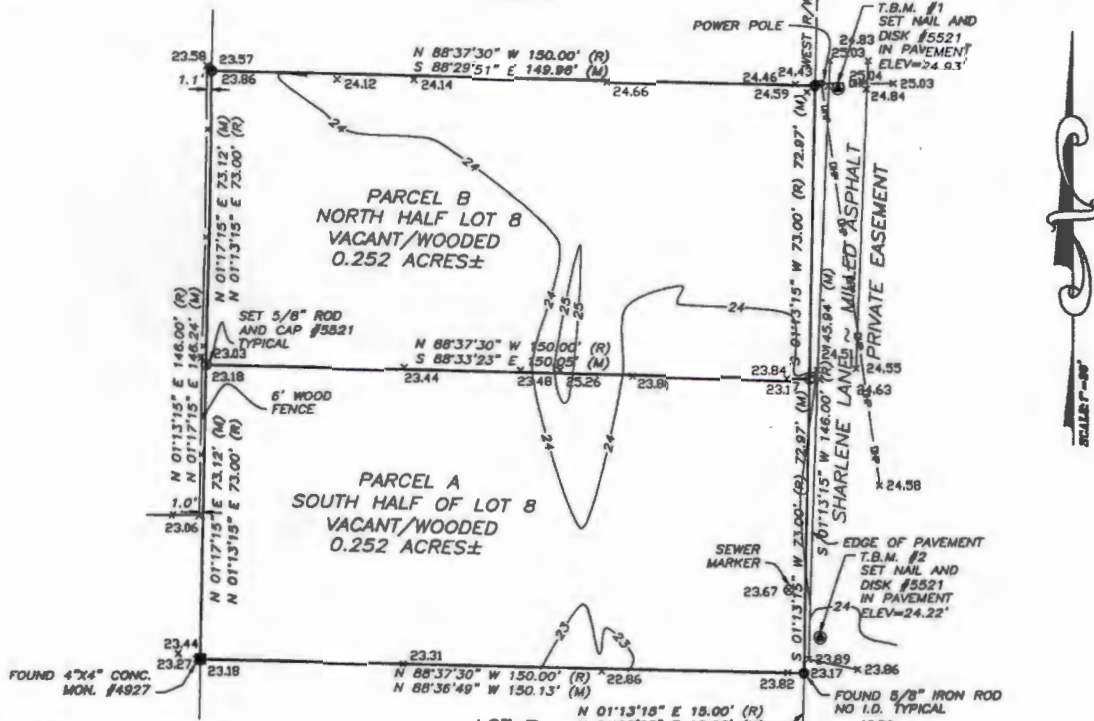


Tony Anderson
Tony Anderson, Chairman
Board of County Commissioner

ORDINANCE EXHIBIT 1.

ADDRESS: SHARLENE LANE

LOT 9



SYMBOLS AND ABBREVIATIONS:

"= DEGREES WHEN USED IN A BEARING OR ANGLE, ' = MINUTES WHEN USED IN A BEARING OR ANGLE
 " = SECONDS WHEN USED IN A BEARING OR ANGLE, ' = FEET WHEN USED IN A DISTANCE
 N= NORTH, E= EAST, S= SOUTH, W= WEST, (R)= RECORD DATA, (M)= MEASURED DATA, R= RANGE
 FC= FOUND CONCRETE MONUMENT, FIR= FOUND IRON ROD,

NOTE: ELEVATIONS ARE BASED ON NAVD 88 DATUM

LEGAL DESCRIPTION (PROVIDED BY OTHERS)

PARENT TRACT: LOT 8, PALM ROAD ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 70, OF THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA, TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS AND FOR PUBLIC UTILITIES (SAID EASEMENT TO BE USED ONLY BY THE OWNERS OF LOTS 4,5,6,7,8 AND 9 OF SAID PALM ROAD ESTATES SUBDIVISION) ON THE FOLLOWING DESCRIBED PROPERTY: COMMENCE AT THE NORTHWEST CORNER OF GOVERNMENT LOT 65, ACCORDING TO U.S. GOVERNMENT SURVEY OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA; THENCE S01°13'15"W ALONG THE WEST LINE OF LOT 65, 33 FEET TO THE SOUTH RIGHT OF WAY LINE OF A 66 FOOT ROAD RIGHT OF WAY; THENCE S88°36'E ALONG SAID RIGHT OF WAY LINE 150 FEET TO THE WEST SIDE OF A PRIVATE EASEMENT AND THE POINT OF BEGINNING; THENCE S01°13'15"W ALONG SAID PRIVATE EASEMENT 507.23 FEET; THENCE S88°37'30"E ALONG THE SOUTH SIDE OF SAID PRIVATE EASEMENT 25.50 FEET; THENCE N01°15'30"E ALONG THE EAST SIDE OF PRIVATE EASEMENT 507.22 FEET TO THE SOUTH RIGHT OF WAY LINE OF A 66 FOOT ROAD RIGHT OF WAY; THENCE N88°36'W ALONG SAID RIGHT OF WAY LINE 26.02 FEET TO THE POINT OF BEGINNING.

DESCRIPTION OF NEW PARCEL "A": THE SOUTH HALF OF LOT 8, PALM ROAD ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 70, OF THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA, TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS AND FOR PUBLIC UTILITIES (SAID EASEMENT TO BE USED ONLY BY THE OWNERS OF LOTS 4,5,6,7,8 AND 9 OF SAID PALM ROAD ESTATES SUBDIVISION) ON THE FOLLOWING DESCRIBED PROPERTY: COMMENCE AT THE NORTHWEST CORNER OF GOVERNMENT LOT 65, ACCORDING TO U.S. GOVERNMENT SURVEY OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA; THENCE S01°13'15"W ALONG THE WEST LINE OF LOT 65, 33 FEET TO THE SOUTH RIGHT OF WAY LINE OF A 66 FOOT ROAD RIGHT OF WAY; THENCE S88°36'E ALONG SAID RIGHT OF WAY LINE 150 FEET TO THE WEST SIDE OF A PRIVATE EASEMENT AND THE POINT OF BEGINNING; THENCE S01°13'15"W ALONG SAID PRIVATE EASEMENT 507.23 FEET; THENCE S88°37'30"E ALONG THE SOUTH SIDE OF SAID PRIVATE EASEMENT 25.50 FEET; THENCE N01°15'30"E ALONG THE EAST SIDE OF PRIVATE EASEMENT 507.22 FEET TO THE SOUTH RIGHT OF WAY LINE OF A 66 FOOT ROAD RIGHT OF WAY; THENCE N88°36'W ALONG SAID RIGHT OF WAY LINE 26.02 FEET TO THE POINT OF BEGINNING.

DESCRIPTION OF NEW PARCEL "B": THE NORTH HALF OF LOT 8, PALM ROAD ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 70, OF THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA, TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS AND FOR PUBLIC UTILITIES (SAID EASEMENT TO BE USED ONLY BY THE OWNERS OF LOTS 4,5,6,7,8 AND 9 OF SAID PALM ROAD ESTATES SUBDIVISION) ON THE FOLLOWING DESCRIBED PROPERTY: COMMENCE AT THE NORTHWEST CORNER OF GOVERNMENT LOT 65, ACCORDING TO U.S. GOVERNMENT SURVEY OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA; THENCE S01°13'15"W ALONG THE WEST LINE OF LOT 65, 33 FEET TO THE SOUTH RIGHT OF WAY LINE OF A 66 FOOT ROAD RIGHT OF WAY; THENCE S88°36'E ALONG SAID RIGHT OF WAY LINE 150 FEET TO THE WEST SIDE OF A PRIVATE EASEMENT AND THE POINT OF BEGINNING; THENCE S01°13'15"W ALONG SAID PRIVATE EASEMENT 507.23 FEET; THENCE S88°37'30"E ALONG THE SOUTH SIDE OF SAID PRIVATE EASEMENT 25.50 FEET; THENCE N01°15'30"E ALONG THE EAST SIDE OF PRIVATE EASEMENT 507.22 FEET TO THE SOUTH RIGHT OF WAY LINE OF A 66 FOOT ROAD RIGHT OF WAY; THENCE N88°36'W ALONG SAID RIGHT OF WAY LINE 26.02 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S NOTES

- 1) SOURCE OF INFORMATION IS A DEED FURNISHED BY THE CLIENT.
- 2) BEARING BASE: S 01°15'30" E FOR WEST R/W LINE SHARLENE LANE PER DEED.
- 3) THIS IS A SURFACE SURVEY ONLY. ALL IMPROVEMENTS ARE VISIBLE AS SHOWN UNLESS NOTED. NO ATTEMPT WAS MADE TO LOCATE UNDERGROUND IMPROVEMENTS OR UTILITIES.
- 4) FIELD WORK WAS COMPLETED ON 4/11/2024.
- 5) THE UNDERSIGNED SURVEYOR HAS BEEN PROVIDED WITH A CURRENT TITLE OPINION OR ABSTRACT OF MATTERS AFFECTING THE TITLE OR BOUNDARY TO THE SUBJECT PROPERTY.
- 6) A REVIEW OF THE FLOOD INSURANCE RATE MAPS OF WALTON COUNTY, FLORIDA, MAP NUMBER 12131C0738 H, INDICATES THAT THE PARCEL SHOWN HEREDIN IS WITHIN ZONE "X".
- 7) THERE ARE NO VISIBLE ENCROACHMENTS EXCEPT AS SHOWN HEREDIN.
- 8) THIS SURVEY NOT VALID WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 9) IN SOME INSTANCES IT IS NECESSARY TO EXAGGERATE THE LOCATION OF SOME FIXTURES, SUCH AS FENCES, ADDITIONAL PROPERTY CORNERS FOUND, ETC. IN ORDER TO MORE CLEARLY REPRESENT THE AFOREMENTIONED ITEMS.

SURVEYOR'S CERTIFICATE

THIS CERTIFIES THAT THE SURVEY SHOWN HEREDIN MEETS THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA, SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

Roger Blum Anglin
 ROGER BLUM ANGLIN
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NUMBER 3521
 DATE SIGNED 04/10/24

CERTIFIED TO
 TOM WHELAN

BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY ANGLIN SURVEYING, LLC FOR: TOM WHELAN

DRAWN BY: KC APPROVED BY: RA FIELD BOOK 252, PAGE 16 PROJECT #24-298 3712 CORNELIA LANE, PANAMA CITY, FLORIDA, 32408 (850) 271-4055

ORDINANCE EXHIBIT 2.

