

**ORDINANCE
2009-13**

**A DEVELOPMENT ORDER AMENDING AND FINDING A
NON-SUBSTANTIAL DEVIATION TO THE SANDESTIN DRI**

At a duly-noticed public hearing on August 25, 2009, the Walton County Board of County Commissioners heard and considered the proposal of Intrawest Sandestin Company, LLC (“Applicant”) for a change to the Sandestin Development of Regional Impact (“DRI”). After reviewing the proposed change pursuant to Section 380.06(19), Florida Statutes (2008), the Board finds as follows:

1. The Board of County Commissioners approved a DRI development order for Sandestin on October 19, 1976 after required review.

2. On August 28, 1984, in Resolution 84-24, on August 29, 1989 in Ordinance 89-9, on August 29, 1990 in Ordinance 90-7, on May 12, 1998 in Ordinance 98-11, on February 8, 2000 in Ordinance 2000-03, on November 4, 2002 in Ordinance 2002-18, and on July 6, 2004 in Ordinance 2004-28, the Board approved amendments to the DRI development order.

3. On or about May 4, 2009, the Applicant filed an Application for Development Order amendment with Walton County. The proposed change to the development order is to authorize the usage change of an existing 770 square foot space on Parcel 108C within The Market Shops at Sandestin, from “commercial” to “commercial and school” as shown on Composite Exhibit A hereto.

4. The change of use only affects the plan of development on Parcel 108C in The Market Shops at Sandestin. The change of use does not affect the master plan of development for the Sandestin DRI north of U.S. Highway 98.

5. The application includes a traffic analysis of the change of use determining the change of use will generate only two (2) additional p.m. peak hour trips on U.S. Highway 98.

6. Both sewer and water service are available for the project, as documented in the application.

7. At the request of the County, the Applicant also submitted a letter to the Department of Community Affairs and the West Florida Regional Planning Council explaining the proposed change and requesting written confirmation that the change would be a non-substantial deviation, as provided in Section 380.06(19)(e)2., Florida Statutes. The confirmation letters are attached hereto as Composite Exhibit B.

8. The Board is the local governing body having jurisdiction over the review of proposed amendments to the Sandestin DRI, pursuant to Section 380.06, Florida Statutes.

9. The Board has given notice and held a public hearing on the proposed change as required by Section 10.03.02 of the Walton County Land Development Code.

10. At the public hearing, all interested persons were given an opportunity to present written and oral evidence and comments.

11. The proposed change is determined to be a non-substantial deviation to the approved DRI and is hereby approved. The change described in the application and shown in Composite Exhibit A hereto is incorporated into the Sandestin DRI development order.

12. The provisions of the Sandestin DRI development order, as previously amended, which are not amended by this Ordinance, shall remain in full force and effect.

13. The terms and conditions of this Ordinance shall inure to the benefit of and be binding upon the successors and assigns of the Applicant.

14. Effective Date. This Ordinance shall take effect upon becoming law.

The County shall send a copy of this Ordinance by certified mail, return receipt requested to the Department of Community Affairs, West Central Florida Planning Council and the Applicant, within ten (10) days of adoption.

Passed and duly adopted by the Board of County Commissioners of Walton County, Florida on 25th day of Aug, 2009.

BOARD OF COUNTY COMMISSIONERS OF
WALTON COUNTY, FLORIDA:

Sara Comanku
Sara Commander, Chair

Attest:

Dori Cordle
for Martha Ingle, Clerk of Courts

Composite Exhibit A

| 1984 - Benchmark | | | | 2004 Approved | | | | 2009 Proposed | | | | | | | | | | |
|------------------|-------------------------|----------|-------|---------------|---------------|-------|--------------------------|---------------|---------------|-------|-------------------|--------|---------------|----------|-------|-------------------|--------|--------------------------------|
| Parcel Number | Current Owner/Affiliate | Land Use | Acres | Parcel Number | Land Use | Acres | Total Projected Units/ft | Parcel Number | Land Use | Acres | Proposed units/ft | change | Parcel Number | Land Use | Acres | Proposed units/ft | change | Explanation of proposed change |
| 120 | Subdivided | H | 4.7 | 113C | Mixed use H/C | 1.2 | 182 | 113C | Mixed use H/C | 1.2 | 182 | 0 | 113C | | | 113C | 0 | |
| 121 | Subdivided | H | 7.3 | 120 | H | 3.7 | 99 | 120 | H | 3.7 | 99 | 0 | 120 | | | 120 | 0 | |
| 123 | Subdivided | H | 3.5 | 121A | H | 2.3 | 300 | 121A | H | 2.3 | 300 | 0 | 121A | | | 121A | 0 | |
| 124 | Subdivided | H | 4.0 | 121B | H | 3.2 | 145 | 121B | H | 3.2 | 145 | 0 | 121B | | | 121B | 0 | |
| 125 | Subdivided | H | 12.4 | 121C | H | 3.2 | 170 | 121C | H | 3.2 | 170 | 0 | 121C | | | 121C | 0 | |
| 125A | Subdivided | H | 1.5 | 123 | H | 1.5 | 51 | 123 | H | 1.5 | 51 | 0 | 123 | | | 123 | 0 | |
| 125B | Subdivided | H | 20.9 | 124A | H | 2.1 | 61 | 124A | H | 2.1 | 61 | 0 | 124A | | | 124A | 0 | |
| 125C | Subdivided | H | 9.7 | 124B | H | 1.5 | 102 | 124B | H | 1.5 | 102 | 0 | 124B | | | 124B | 0 | |
| 125D | Subdivided | H | 1.5 | 124C | H | 1.5 | 9 | 124C | H | 1.5 | 9 | 0 | 124C | | | 124C | 0 | |
| 125E | Subdivided | H | 1.5 | 125A | H | 20.1 | 160 | 125A | H | 20.1 | 160 | 0 | 125A | | | 125A | 0 | |
| 125F | Subdivided | H | 1.5 | 125B | H | 9.2 | 35 | 125B | H | 9.2 | 35 | 0 | 125B | | | 125B | 0 | |
| 125G | Subdivided | H | 20.9 | 125C | H | 4.4 | 404 | 125C | H | 4.4 | 404 | 0 | 125C | | | 125C | 0 | |
| 125H | Subdivided | H | 9.7 | 125D | H | 11.4 | 144 | 125D | H | 11.4 | 144 | 0 | 125D | | | 125D | 0 | |
| 125I | Subdivided | H | 10.3 | 125E | H | 0.7 | 8 | 125E | H | 0.7 | 8 | 0 | 125E | | | 125E | 0 | |
| 125J | Subdivided | H | 1.0 | 125F | H | 9.6 | 400 | 125F | H | 9.6 | 400 | 0 | 125F | | | 125F | 0 | |
| 125K | Subdivided | H | 13.4 | 125G | H | 3.4 | 230 | 125G | H | 3.4 | 230 | 0 | 125G | | | 125G | 0 | |
| 125L | Subdivided | H | 13.4 | 125H | H | 5.7 | 48 | 125H | H | 5.7 | 48 | 0 | 125H | | | 125H | 0 | |
| 125M | Subdivided | H | 13.4 | 125I | H | 88.5 | 237 | 125I | H | 88.5 | 237 | 0 | 125I | | | 125I | 0 | |
| 125N | Subdivided | H | 13.4 | 125J | H | 250 | Room in above | 125J | H | 250 | Room in above | 0 | 125J | | | 125J | 0 | |
| 125O | Subdivided | H | 13.4 | 125K | H | 250 | Room in above | 125K | H | 250 | Room in above | 0 | 125K | | | 125K | 0 | |
| 125P | Subdivided | H | 13.4 | 125L | H | 250 | Room in above | 125L | H | 250 | Room in above | 0 | 125L | | | 125L | 0 | |
| 125Q | Subdivided | H | 13.4 | 125M | H | 250 | Room in above | 125M | H | 250 | Room in above | 0 | 125M | | | 125M | 0 | |
| 125R | Subdivided | H | 13.4 | 125N | H | 250 | Room in above | 125N | H | 250 | Room in above | 0 | 125N | | | 125N | 0 | |
| 125S | Subdivided | H | 13.4 | 125O | H | 250 | Room in above | 125O | H | 250 | Room in above | 0 | 125O | | | 125O | 0 | |
| 125T | Subdivided | H | 13.4 | 125P | H | 250 | Room in above | 125P | H | 250 | Room in above | 0 | 125P | | | 125P | 0 | |
| 125U | Subdivided | H | 13.4 | 125Q | H | 250 | Room in above | 125Q | H | 250 | Room in above | 0 | 125Q | | | 125Q | 0 | |
| 125V | Subdivided | H | 13.4 | 125R | H | 250 | Room in above | 125R | H | 250 | Room in above | 0 | 125R | | | 125R | 0 | |
| 125W | Subdivided | H | 13.4 | 125S | H | 250 | Room in above | 125S | H | 250 | Room in above | 0 | 125S | | | 125S | 0 | |
| 125X | Subdivided | H | 13.4 | 125T | H | 250 | Room in above | 125T | H | 250 | Room in above | 0 | 125T | | | 125T | 0 | |
| 125Y | Subdivided | H | 13.4 | 125U | H | 250 | Room in above | 125U | H | 250 | Room in above | 0 | 125U | | | 125U | 0 | |
| 125Z | Subdivided | H | 13.4 | 125V | H | 250 | Room in above | 125V | H | 250 | Room in above | 0 | 125V | | | 125V | 0 | |
| 125AA | Subdivided | H | 13.4 | 125W | H | 250 | Room in above | 125W | H | 250 | Room in above | 0 | 125W | | | 125W | 0 | |
| 125AB | Subdivided | H | 13.4 | 125X | H | 250 | Room in above | 125X | H | 250 | Room in above | 0 | 125X | | | 125X | 0 | |
| 125AC | Subdivided | H | 13.4 | 125Y | H | 250 | Room in above | 125Y | H | 250 | Room in above | 0 | 125Y | | | 125Y | 0 | |
| 125AD | Subdivided | H | 13.4 | 125Z | H | 250 | Room in above | 125Z | H | 250 | Room in above | 0 | 125Z | | | 125Z | 0 | |
| 125AE | Subdivided | H | 13.4 | 125AA | H | 250 | Room in above | 125AA | H | 250 | Room in above | 0 | 125AA | | | 125AA | 0 | |
| 125AF | Subdivided | H | 13.4 | 125AB | H | 250 | Room in above | 125AB | H | 250 | Room in above | 0 | 125AB | | | 125AB | 0 | |
| 125AG | Subdivided | H | 13.4 | 125AC | H | 250 | Room in above | 125AC | H | 250 | Room in above | 0 | 125AC | | | 125AC | 0 | |
| 125AH | Subdivided | H | 13.4 | 125AD | H | 250 | Room in above | 125AD | H | 250 | Room in above | 0 | 125AD | | | 125AD | 0 | |
| 125AI | Subdivided | H | 13.4 | 125AE | H | 250 | Room in above | 125AE | H | 250 | Room in above | 0 | 125AE | | | 125AE | 0 | |
| 125AJ | Subdivided | H | 13.4 | 125AF | H | 250 | Room in above | 125AF | H | 250 | Room in above | 0 | 125AF | | | 125AF | 0 | |
| 125AK | Subdivided | H | 13.4 | 125AG | H | 250 | Room in above | 125AG | H | 250 | Room in above | 0 | 125AG | | | 125AG | 0 | |
| 125AL | Subdivided | H | 13.4 | 125AH | H | 250 | Room in above | 125AH | H | 250 | Room in above | 0 | 125AH | | | 125AH | 0 | |
| 125AM | Subdivided | H | 13.4 | 125AI | H | 250 | Room in above | 125AI | H | 250 | Room in above | 0 | 125AI | | | 125AI | 0 | |
| 125AN | Subdivided | H | 13.4 | 125AJ | H | 250 | Room in above | 125AJ | H | 250 | Room in above | 0 | 125AJ | | | 125AJ | 0 | |
| 125AO | Subdivided | H | 13.4 | 125AK | H | 250 | Room in above | 125AK | H | 250 | Room in above | 0 | 125AK | | | 125AK | 0 | |
| 125AP | Subdivided | H | 13.4 | 125AL | H | 250 | Room in above | 125AL | H | 250 | Room in above | 0 | 125AL | | | 125AL | 0 | |
| 125AQ | Subdivided | H | 13.4 | 125AM | H | 250 | Room in above | 125AM | H | 250 | Room in above | 0 | 125AM | | | 125AM | 0 | |
| 125AR | Subdivided | H | 13.4 | 125AN | H | 250 | Room in above | 125AN | H | 250 | Room in above | 0 | 125AN | | | 125AN | 0 | |
| 125AS | Subdivided | H | 13.4 | 125AO | H | 250 | Room in above | 125AO | H | 250 | Room in above | 0 | 125AO | | | 125AO | 0 | |
| 125AT | Subdivided | H | 13.4 | 125AP | H | 250 | Room in above | 125AP | H | 250 | Room in above | 0 | 125AP | | | 125AP | 0 | |
| 125AU | Subdivided | H | 13.4 | 125AQ | H | 250 | Room in above | 125AQ | H | 250 | Room in above | 0 | 125AQ | | | 125AQ | 0 | |
| 125AV | Subdivided | H | 13.4 | 125AR | H | 250 | Room in above | 125AR | H | 250 | Room in above | 0 | 125AR | | | 125AR | 0 | |
| 125AW | Subdivided | H | 13.4 | 125AS | H | 250 | Room in above | 125AS | H | 250 | Room in above | 0 | 125AS | | | 125AS | 0 | |
| 125AX | Subdivided | H | 13.4 | 125AT | H | 250 | Room in above | 125AT | H | 250 | Room in above | 0 | 125AT | | | 125AT | 0 | |
| 125AY | Subdivided | H | 13.4 | 125AU | H | 250 | Room in above | 125AU | H | 250 | Room in above | 0 | 125AU | | | 125AU | 0 | |
| 125AZ | Subdivided | H | 13.4 | 125AV | H | 250 | Room in above | 125AV | H | 250 | Room in above | 0 | 125AV | | | 125AV | 0 | |
| 125BA | Subdivided | H | 13.4 | 125AW | H | 250 | Room in above | 125AW | H | 250 | Room in above | 0 | 125AW | | | 125AW | 0 | |
| 125BB | Subdivided | H | 13.4 | 125AX | H | 250 | Room in above | 125AX | H | 250 | Room in above | 0 | 125AX | | | 125AX | 0 | |
| 125BC | Subdivided | H | 13.4 | 125AY | H | 250 | Room in above | 125AY | H | 250 | Room in above | 0 | 125AY | | | 125AY | 0 | |
| 125BD | Subdivided | H | 13.4 | 125AZ | H | 250 | Room in above | 125AZ | H | 250 | Room in above | 0 | 125AZ | | | 125AZ | 0 | |
| 125BE | Subdivided | H | 13.4 | 125BA | H | 250 | Room in above | 125BA | H | 250 | Room in above | 0 | 125BA | | | 125BA | 0 | |
| 125BF | Subdivided | H | 13.4 | 125BB | H | 250 | Room in above | 125BB | H | 250 | Room in above | 0 | 125BB | | | 125BB | 0 | |
| 125BG | Subdivided | H | 13.4 | 125BC | H | 250 | Room in above | 125BC | H | 250 | Room in above | 0 | 125BC | | | 125BC | 0 | |
| 125BH | Subdivided | H | 13.4 | 125BD | H | 250 | Room in above | 125BD | H | 250 | Room in above | 0 | 125BD | | | 125BD | 0 | |
| 125BI | Subdivided | H | 13.4 | 125BE | H | 250 | Room in above | 125BE | H | 250 | Room in above | 0 | 125BE | | | 125BE | 0 | |
| 125BJ | Subdivided | H | 13.4 | 125BF | H | 250 | Room in above | 125BF | H | 250 | Room in above | 0 | 125BF | | | 125BF | 0 | |
| 125BK | Subdivided | H | 13.4 | 125BG | H | 250 | Room in above | 125BG | H | 250 | Room in above | 0 | 125BG | | | 125BG | 0 | |
| 125BL | Subdivided | H | 13.4 | 125BH | H | 250 | Room in above | 125BH | H | 250 | Room in above | 0 | 125BH | | | 125BH | 0 | |
| 125BL | Subdivided | H | 13.4 | 125BI | H | 250 | Room in above | 125BI | H | 250 | Room in above | 0 | 125BI | | | 125BI | 0 | |
| 125BM | Subdivided | H | 13.4 | 125BJ | H | 250 | Room in above | 125BJ | H | 250 | Room in above | 0 | 125BJ | | | 125BJ | 0 | |
| 125BN | Subdivided | H | 13.4 | 125BK | H | 250 | Room in above | 125BK | H | 250 | Room in above | 0 | 125BK | | | 125BK | 0 | |
| 125BN | Subdivided | H | 13.4 | 125BL | H | 250 | Room in above | 125BL | H | 250 | Room in above | 0 | 125BL | | | 125BL | 0 | |
| 125BO | Subdivided | H | 13.4 | 125BM | H | 250 | Room in above | 125BM | H | 250 | Room in above | 0 | 125BM | | | 125BM | 0 | |
| 125BP | Subdivided | H | 13.4 | 125BN | H | 250 | Room in above | 125BN | H | 250 | Room in above | 0 | 125BN | | | 125BN | 0 | |
| 125BP | Subdivided | H | 13.4 | 125BO | H | 250 | Room in above | 125BO | H | 250 | Room in above | 0 | 125BO | | | 125BO | 0 | |
| 125BQ | Sub | | | | | | | | | | | | | | | | | |



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

June 3, 2009

Suzanne Van Wyk
Bryant Miller Olive, Attorneys at Law
101 North Monroe Street, Suite 900
Tallahassee, Florida 32301

Dear Ms. Van Wyk:

The Department of Community Affairs has reviewed your letter dated May 18, 2009 and the West Florida Regional Planning Council's recommendation on May 19, 2009 regarding the proposal by Intrawest, the developer of the Sandestin development of regional impact, to revise the Sandestin Development Regional Impact development program chart to list 770 square feet as the 24-student Compass Rose Academy. The private school would replace 770 square feet of retail in the Market Shops at Sandestin, suite 27-A, which is an existing strip retail center.

The Department concurs with the West Florida Regional Planning Council that the amendment is similar in nature to changes listed in Section 380.06(19)(e)2(a-j), Florida Statutes, and has demonstrated that it will not create additional regional impacts. Therefore, the amendment is a change subject to Section 380.06(19)(e)2.1, Florida Statutes, and should follow the procedures identified therein. The local government must still receive application for the change, adopt the development order change and subsequently render the amended development order to the Department.

If you have any questions, please contact Mark Yelland, AICP, Principal Planner, at (850) 922-1790.

Sincerely,

Mike McDaniel, Chief
Office of Comprehensive Planning

MM/my

cc: Pat Blackshear, Director of Planning, Walton County
Terry Joseph, Executive Director, West Florida Regional Planning Council