

Ordinance Number 2011-51

**AN ORDINANCE OF WALTON COUNTY, FLORIDA, ADOPTING A 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, Part II, Florida Statutes, establishes the Local Government Comprehensive Planning and Land Development Regulation Act; and

**WHEREAS**, Chapter 163, Part II, 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 several public workshops, public meetings, and 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, the Walton County Board of County Commissioners held a transmittal hearing on September 28, 2010 and October 4, 2010 and transmitted the proposed amendment to the Department of Community Affairs as the State Land Planning Agency and provided a copy to other state and regional agencies as required by Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, on December 14, 2010, the Department of Community Affairs issued its Objections, Recommendations, and Comments Report to the proposed comprehensive plan amendments for Walton County (DCA 10-1ER); and

**WHEREAS**, the Walton County Board of County Commissioners held an adoption hearing on March 1, 2011, for the proposed amendment to its comprehensive plan, including the subject amendment, in accordance with the requirements of Section 163.3184, Florida Statutes, with due public notice having been provided; 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 the Objections, Recommendations, and Comments Report of the Department of Community Affairs; and

**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, attached hereto as Exhibit "A" and incorporated herein by reference as a part hereof, being an amendment to the Future Land Use Map, which is adopted on the basis of the following findings:

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

1. The applicant's name and address is:

Thomas Alden Miller  
3654 Highway 20 East  
Freeport, FL 32439

Formerly:

Freeport Properties South, LLC  
4010 Northbend Road, Suite 301  
Cincinnati, OH 45211

2. Amendment Number 05-02.22: Amend the adopted Future Land Use Map designation on 103.9 +/- acres, identified by parcel number 30-1S-18-14000-001-0000, located on the east side of Black Creek Boulevard approximately ½ mile south of the intersection of Black Creek Blvd and SR 20:

THE NORTHWEST 1/4 OF THE NORTHEAST 1/4; ALL EAST OF THE COUNTY ROAD OF THE NORTH 1/2 OF THE NORTHWEST 1/4; THE NORTH 330 FEET OF THAT PART OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 LYING EAST OF COUNTY ROAD; THE NORTH 330 FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST

1/4; THE WEST 330 FEET OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4; AND A PARCEL 330 FEET SQUARE IN THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, ALL IN SECTION 30, TOWNSHIP 1 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA.

3. The proposed amendment is compatible with existing 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 General Agriculture.
6. Upon the legally effective date of this Ordinance, the property will be re-designated as Rural Village.
7. Future development proposed for the subject property 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.

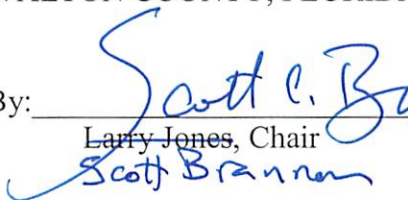
Duly enacted by the Board of County Commissioners of Walton County, Florida, at a special meeting on the 1st day of March, 2011.

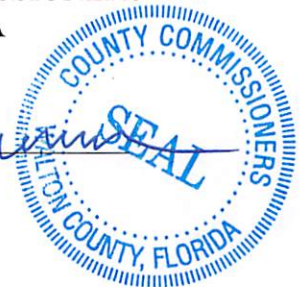
BOARD OF COUNTY COMMISSIONERS  
WALTON COUNTY, FLORIDA

Attest:

  
Martha Ingle  
Clerk of Court

By:

  
Larry Jones, Chair  
Scott Brannon



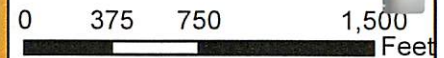


MAP ID LSA 05-02.22

From: General Agriculture  
To: Rural Village

Acreage = 103.9+/-

Exhibit  
A



Walton County Planning and Development Services  
This GIS data is not a legal representation of the features depicted; any assumption of the legal status of this data is hereby disclaimed. Features are approximate, and are not necessarily accurate to mapping, surveying, or engineering standards.  
2009-2011\2011\_Changes\Ord\_Maps\LSA05-02.22  
3/09/2011 ccs