

Ordinance Number 2011-67

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, Florida Statutes, establishes the Local Government Comprehensive Planning and Land Development Regulation Act; and

**WHEREAS**, Chapter 163, 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 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 having been provided, the Walton County Board of County Commissioners held a public hearing on July 12, 2011, and an adoption hearing on August 9, 2011 to consider the adoption of the proposed amendment to its comprehensive plan, in accordance with Section 163.3184, Florida Statutes; 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

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

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

1. The applicants name and address:  
Albert Paris/Sherry Nelson  
18045 US Highway 331 South  
Freeport, Florida 32439
  
2. Amendment Number 2011-09: Amend the adopted Future Land Use Map designation of 4.90 +/- acres in Walton County north of the Choctawhatchee Bay on parcel(s) identified as 34-1S-19-23000-007-0000, Rural Village. The subject property is located approximately 700 feet north of the intersection of US Highway 331 and County Road 3280, on the east side of US Highway 331, Walton County, Florida, more particularly described as:

COMMENCE AT THE INTERSECTION OF THE PREVIOUS SOUTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 83 (U.S. HIGHWAY 331) AND THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD NO. 3280, LYING IN SECTION 34, TOWNSHIP 1 SOUTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA; THENCE SOUTH 88°20'00" EAST, ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 750.40 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 2783, PAGE 4460 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE ALONG THE EASTERLY BOUNDARY LINE OF SAID PARCEL THE FOLLOWING TWO COURSES: 1.) NORTH 12°59'27" EAST, A DISTANCE OF 99.19 FEET; 2.) NORTH 62°54'00" EAST, A DISTANCE OF 110.07 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE EASTERLY BOUNDARY LINE OF SAID PARCEL THE FOLLOWING THREE COURSES; 1.) NORTH 12°59'27" WEST, A DISTANCE OF 135.64 FEET; 2.) SOUTH 77°00'33" WEST, A DISTANCE OF 16.78 FEET; 3.) NORTH 12°59'27" WEST, A DISTANCE OF 91.91 FEET TO THE EXISTING SOUTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD 83

(U.S. HIGHWAY 331), AS SHOWN ON F.D.O.T. RIGHT OF WAY MAP F.P. #2206791 (SAID MAP BEING ON FILE AT F.D.O.T. DISTRICT 3 OFFICE, CHIPLEY, FLORIDA); THENCE NORTH 62°54'26" EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 309.99 FEET TO A POINT OF CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 2964.93 FEET, THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 696.55 FEET, SAID ARC SUBTENDED BY A CHORD BEARING NORTH 56°09'08" EAST, A CHORD DISTANCE OF 694.95 FEET TO THE EAST BOUNDARY LINE OF GOVERNMENT LOT 3, OF SAID SECTION 34; THENCE SOUTH 02°12'26" WEST, ALONG SAID EAST BOUNDARY LINE, AND ALONG THE WESTERLY BOUNDARY LINE OF THAT CERTAIN PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 1838, PAGE 244 OF THE PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 297.94 FEET TO A POINT OF CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 3189.93 FEET, THENCE ALONG THE ARC OF SAID CURVE AND SAID WESTERLY BOUNDARY LINE, A DISTANCE OF 545.57 FEET, SAID ARC SUBTENDED BY A CHORD BEARING SOUTH 57°59'27" WEST, A CHORD DISTANCE OF 544.90 FEET; THENCE SOUTH 62°54'26" WEST, ALONG SAID WESTERLY BOUNDARY LINE, A DISTANCE OF 350.58 FEET TO THE POINT OF BEGINNING.

3. The proposed amendment is compatible with future 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 Rural Village.
6. Upon the legally effective date of this Ordinance, the property will be designated as General Commercial.
7. 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.

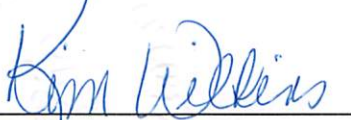
SECTION V. EFFECTIVE DATE

This ordinance shall take effect as provided by law.

Duly enacted, by the Board of County Commissioners of Walton County, Florida,  
at a regularly scheduled public hearing on the 9th day of August, 2011.

BOARD OF COUNTY COMMISSIONERS  
WALTON COUNTY, FLORIDA

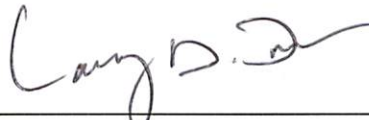
Attest:



Kim Wilkins

Martha Ingle  
Clerk of Court

By: \_\_\_\_\_



Larry Jones, Chair

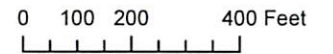
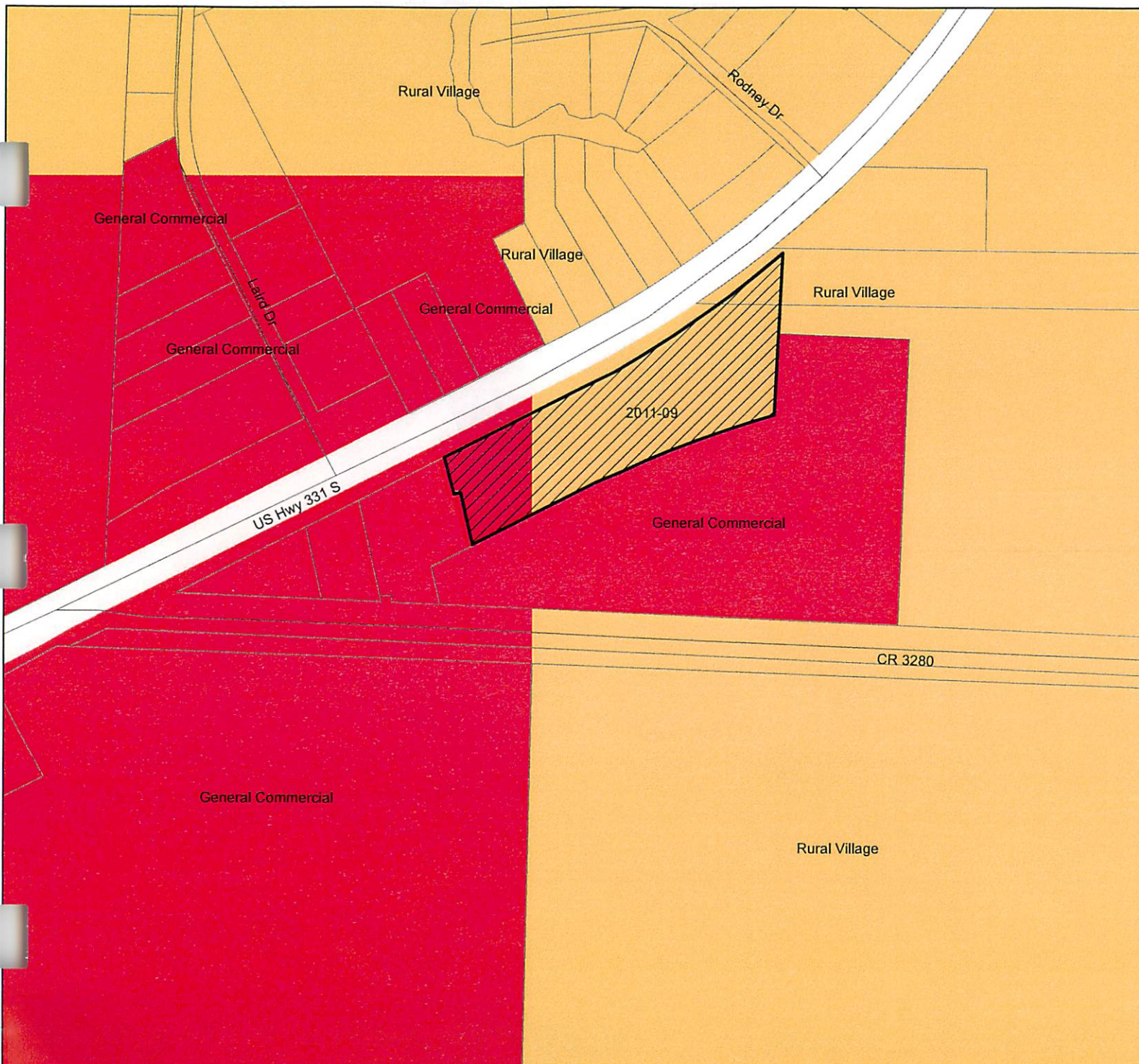


SSA 2011-09

**Exhibit A**

Total Acres: 4.90

From: GC/Rural Village  
To: General Commercial



Walton County Planning and Development Services  
Project# 2011-079 cca Amendment #SSA 2011-09

The information provided in this document is for planning and presentation purposes only. It does not constitute an "Amendment" to the Future Land Use Map until approved by the Walton County Board of County Commissioners in the method prescribed by state statute. Errors or omissions should be reported to the Walton County Planning and Development Services Division 950-261-155.

Walton County Planning and Development Services  
Project# 2011-079 cca  
This data is provided with the understanding that the conclusions drawn from such information are solely the responsibility of the user. The GIS data is not a legal representation of the features depicted, and any assumption of the legal status of this data is hereby disclaimed. Errors or omissions should be reported to the Walton County Planning and Development Services Division 950-261-155.