

Ordinance Number 2011-71

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 Planning Commission held a public hearing on August 11, 2011, and the Walton County Board of County Commissioners adoption hearing on September 13, 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.

2011-71

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:
Creekwood Lands, Inc.
18374 U.S. Highway 331, South
Freeport, Florida 32439
2. Amendment Number 2011-16: Amend the adopted Future Land Use Map designation of 2.83 +/- acres in Walton County north of the Choctawhatchee Bay on parcel(s) identified as 34-1S-19-23080-00B-0180. The property is located on the west side of US Highway 331, more particularly described as:

LEGAL DESCRIPTION: (AS FURNISHED)

COMMENCING AT THE POINT WHERE A PROJECTION OF THE NORTH BOUNDARY OF BRAILEY DRIVE INTERSECTIONS THE CENTER LINE OF DARK CREEK CANAL; RUN THENCE EASTERLY ALONG THE CENTER LINE OF SAID CANAL TO U.S. HIGHWAY 331; THENCE SOUTHERLY ALONG SAID HIGHWAY TO ITS INTERSECTION WITH BRAILEY DRIVE; THENCE WESTERLY ALONG THE NORTH BOUNDARY OF SAID BRAILEY DRIVE AND A PROJECTION THEREOF TO POINT OF BEGINNING, ALL IN LAIRD'S SUBDIVISIONS NO. 1 AND NO. 2, RECORDED IN PLAT BOOK 3, AT PAGES 1 AND 27, THE PROPERTY BEING CONVEYED ALL OF LOTS 18, 19 AND 20, OF BLOCK "B", ALL OF LOTS 4 AND 5, AND A PORTION OF LOT 3 OF BLOCK "G" AND PORTIONS OF LOTS 17 AND 21 OF BLOCK "B" OF SAID SUBDIVISION.

ALSO

THAT PORTION OF LOT 3, BLOCK "G", OF LAIRD'S SUBDIVISION THAT LIES BETWEEN THE NORTH BOUNDARY OF BRAILEY DRIVE EXTENDED TO CENTERLINE OF DARK CREEK CANAL AND CENTER LINE OF BRAILEY DRIVE EXTENDED TO SAID CENTER LINE OF SAID CANAL CONTAINING A STRIP 25 FEET WIDE BY APPROXIMATELY 110 FEET LONG ON NORTH SIDE AND 135 FEET LONG ON SOUTH SIDE, ALL BEING IN SECTION 34, TOWNSHIP 1 SOUTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING PARCEL FOR RIGHT OF WAY: (O.R. 2602, PAGE 451)

A PORTION OF LOTS 17, 18, 19, 20 AND 21, BLOCK B, LAIRD'S SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 3, PAGE 1 OF THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA, BEING IN GOVERNMENT LOT 3, SECTION 34, TOWNSHIP 1 SOUTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT A 5/8 INCH IRON ROD AND CAP STAMPED "FDOT" MARKING THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 34; THENCE NORTH 89°34'44" WEST 1,877.78 FEET ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 34 TO THE CENTERLINE OF SURVEY OF STATE ROAD 83 (U.S. 331), AS SHOWN ON F.D.O.C.T. RIGHT OF WAY MAP F.P. #2205791 (SAID MAP BEING ON FILE AT F.D.O.C.T. DISTRICT 3 OFFICE, CHIPLEY, FLORIDA), AND TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT (CONCAVE NORTHWESTERLY); THENCE (FROM A TANGENT BEARING OF SOUTH 15°30'29" WEST) SOUTHWESTERLY ALONG SAID CENTERLINE OF SURVEY AND SAID CURVE, HAVING A RADIUS OF 2,884.93 FEET, FOR A DISTANCE OF 296.45 FEET, THROUGH A CENTRAL ANGLE OF 05°55'43" TO END OF CURVE; THENCE DEPARTING SAID CENTERLINE OF SURVEY, RUN NORTH 68°33'48" WEST 80.00 FEET TO AN INTERSECTION OF THE EXISTING WESTERLY RIGHT OF WAY LINE OF STATE ROAD 83, AS SHOWN ON SAID RIGHT OF WAY MAP, WITH THE SOUTHERLY LINE OF THAT CERTAIN PROPERTY (BEING THE CENTERLINE OF DARK CREEK CANAL) AS DESCRIBED IN OFFICIAL RECORDS BOOK 2680, PAGE 1773, SAID PUBLIC RECORDS, AND POINT OF BEGINNING; SAID POINT BEING ON A NON-TANGENT CURVE TO THE RIGHT (CONCAVE NORTHWESTERLY); THENCE (FROM A TANGENT BEARING OF SOUTH 21°25'12" WEST) SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE AND SAID CURVE, HAVING A RADIUS OF 2,804.93 FEET, FOR A DISTANCE OF 422.19 FEET, THROUGH A CENTRAL ANGLE OF 08°37'27" TO THE EXISTING NORTHEASTERLY RIGHT OF WAY LINE OF BRAILEY DRIVE, AS SHOWN ON SAID RIGHT OF WAY MAP, AND END OF CURVE; THENCE NORTH 51°25'18" WEST 103.07 FEET ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE; THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN NORTH 24°49' 24" EAST 39.51 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT (CONCAVE NORTHWESTERLY); THENCE (FROM A TANGENT BEARING OF NORTH 28°54'02" EAST) NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 2,699.93 FEET, FOR A DISTANCE OF 308.51 FEET, THROUGH A CENTRAL ANGLE OF 08°32'49" TO SAID SOUTHERLY PROPERTY LINE (SAID CENTERLINE OF DARK CREEK CANAL), AS PER OFFICIAL RECORDS BOOK 2680, PAGE 1773 AND END OF CURVE; THENCE SOUTH 79°11'13" EAST 66.08 FEET ALONG SAID SOUTHERLY PROPERTY LINE (SAID CENTERLINE OF DARK CREEK CANAL); THENCE NORTH 72°47'03" EAST 51.47 FEET ALONG SAID SOUTHERLY PROPERTY LINE (SAID CENTERLINE OF DARK CREEK CANAL) TO POINT OF BEGINNING.

CONTAINING 0.907 ACRES IN AGGREGATE, MORE OR LESS. (15,990 SQUARE FEET BEING SUBJECT TO AN EXISTING T.U.L.T.F. RESERVATION, DEED NO. 95 AS RECORDED IN DEED BOOK 66, PAGE 150 OF THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA; 23,519 SQUARE FEET BEING UNENCUMBERED BY SAID T.U.L.T.F. RESERVATION).

REMAINING SUBJECT PROPERTY CONTAINING 2.83 ACRES, MORE OR LESS.

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.

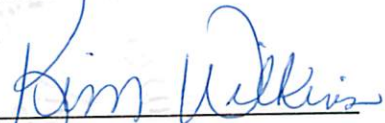
SECTION V. EFFECTIVE DATE

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 13th day of September, 2011.

BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA

Attest:

for 
Martha Ingle
Clerk of Court

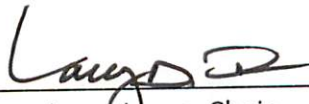
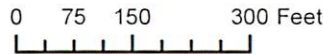
By: 
Larry Jones, Chair



Exhibit A

Total Acres: 2.83

From: Rural Village
To: General Commercial



Walton County Planning and Development Services
Project #2011-09; see Amendment #SSA 2011-16

The information provided in this document is for planning
preliminary purposes only. It does not constitute an offer
to the future land use map until approved by the Walton County
County Commissioners. In the event of any error, omission, or
error or omission should be reported to the Walton County Planning and
Development Services Division 950-267-1955.

Walton County Planning and Development Services
Project # 2011-09.csw

This data is provided with the understanding that the conclusions or
from such information are solely the responsibility of the user.
GIS data is not a legal representation of the features depicted, and
any assumption of the legal status of this data is hereby disclaimed.
Error or omissions should be reported to the Walton County Planning
and Development Services Division 950-267-1955.

