

Ordinance Number 2011- 77

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 thereafter, the Board of County Commissioners held a public 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.

2011-77

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:
Walton County Board of County Commissioners
76 North 6th Street
DeFuniak Springs, Florida 32435
2. Amendment Number 2011-20: Amend the adopted Future Land Use Map designation of 3.601 +/- acres in Walton County north of the Choctawhatchee Bay on parcel(s) identified as **28-3N-19-19000-007-0000 and 28-3N-19-19000-007-0010**, from Urban Residential to General Commercial. The subject parcels are located in the northeast corner of the intersection of US Highway 90 West and US Highway 331 North, directly across US Highway 90 from the DeFuniak Springs Municipal Airport, in Walton County, Florida, more particularly described as:

Parcel #28-3N19-19000-007-0010, Legal Description:

Commence at the intersection of the centerline of Highway 90 with the centerline of Highway 331; thence Northerly along the centerline of Highway 331, 116.47 feet to a projection of the Northerly right-of-way line of Highway 90; thence Westerly along the projected Northerly right-of-way line and the right-of-way line of Highway 90, 333.36 feet to an iron rod and the Point of Beginning; thence continue Westerly along said right-of-way line 120.00 feet; thence Northerly parallel with Highway 331, 200.00 feet; thence Easterly parallel with Highway 90, 120.00 feet; thence Southerly parallel with Highway 331, 200.00 feet to the Point of Beginning. Being in the NE 1/4 of NW 1/4 of Section 28, Township 3 North, Range 19 West, Walton County, Florida.

Parcel # 28-3N-19-19000-007-0000, Legal Description:

Schedule A

Commence at the intersection of State Road #10 (U. S. Highway 90, Right-of-Way varies) and State Road #187 (U. S. Highway 331, 130 foot Right-of-Way) per State of Florida Right-of-Way maps - Section 60010-2501, Sheet 1 of 4; thence go North 08 degrees 23 minutes 49 seconds West along the centerline of State Road #187 for a distance of 116.25 feet; thence go North 90 degrees 00 minutes 00 seconds West for a distance of 85.56 feet to the Westerly Right-of-Way of State Road #187 and also being on the Northerly Right-of-Way of State Road #10 for the Point of Beginning; thence continue North 90 degrees 00 minutes 00 seconds West along said Northerly Right-of-Way for a distance of 247.67 feet; thence go North 08 degrees 23 minutes 49 seconds West for a distance of 200.00 feet; thence go North 90 degrees 00 minutes 00 seconds West for a distance of 120.00 feet; thence go North 08 degrees 23 minutes 49 seconds West for a distance of 136.84 feet; thence go North 90 degrees 00 minutes 00 seconds East for a distance of 392.67 feet to the Westerly Right-of-Way of State Road #187; thence go South 08 degrees 23 minutes 49 seconds East along said Westerly Right-of-Way for a distance of 311.84 feet; thence go South 40 degrees 48 minutes 05 seconds West for a distance of 32.67 feet to the Point of Beginning, all lying and being in Section 28, Township 3 North, Range 19 West, Walton County, Florida.

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 Urban Residential.
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.

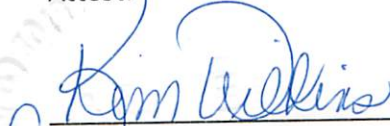
SECTION V. EFFECTIVE DATE

This ordinance shall take effect as provided by law.

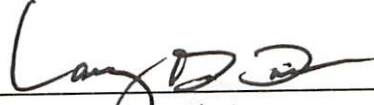
Duly enacted, by the Board of County Commissioners of Walton County, Florida,
at a regularly scheduled public hearing on the 13th day of September, 2011.

BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA

Attest:



Martha Ingle
Clerk of Court

By: 

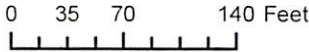
Larry Jones, Chair



Exhibit A

Total Acres: 3.101

From: Urban Residential
To: General Commercial



Walton County Planning and Development Services
Project #2011-070; Use Amendment #25A 2011-20
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 850-207-1355.

Walton County Planning and Development Services
Project # 2011-070; Use
This data is provided with the understanding that the conclusions drawn from such information are solely the responsibility of the user. GIS data is not a legal representation of the features depicted, nor 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 850-207-1355.

