

Ordinance Number 2011- 82

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 November 10, 2011, and thereafter, the Board of County Commissioners held a public hearing on December 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.

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:

Richard and Betty Bennett
1532 Sherwood Rd.
DeFuniak Springs, FL 32435

2. Amendment Number 2011-25: Amend the adopted Future Land Use Map designation of 2.12 +/- acres in Walton County north of the Choctawhatchee Bay on parcel(s) identified as 26-2N-19-18000-025-0000. The property is located in the northeast corner of US Highway 331 and Sherwood Rd. in Walton County, Florida, more particularly described as:

Commence 1,623 feet North of SE corner of SW ¼ or SE ¼ of Section 26, Township 2 North, Range 19 West, thence North 87 degrees West along fence 1,010 feet to Point of Beginning; thence South 267.7 feet to State Road #83 (US #331) R/W; thence Northeasterly along highway R/W 274.6 feet; thence Easterly 86 feet; thence North 20 feet; thence Easterly along fence 420 feet to Point of Beginning. Being a portion of Lot #5 of Billups Survey of said Section 26, in Walton County, Florida; EXCEPT Commence at the Southeast corner of the SW ¼ of the SE ¼ of Section 26, Township 2 North, Range 19 West, Walton County, Florida, thence North 1,623.00 feet; thence North 87 degrees 00 minutes 00 seconds West 1,010.00 feet to the Point of Beginning; thence North 86 degrees 42 minutes 10 seconds West 163.38 feet; thence South 00 degrees 03 minutes 36 seconds West 271.01 feet to a point on the North right-of-way of Sherwood Drive (50' R/W); thence South 89 degrees 29 minutes 11 seconds East along said right-of-way line 163.12 feet; thence, departing

Sherwood Drive, run North 00 degrees 03 minutes 36 seconds East 263.08 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 Estate Residential.
6. Upon the legally effective date of this Ordinance, the property will be designated as Neighborhood 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 December, 2011.

BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA

Attest:



Martha Ingle
Clerk of Court

By: 

Scott Brannon, Chair

