

NOVEMBER 8, 2005-REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, November 8, 2005 at 4:00 p.m. in Courtroom B of the Walton County Courthouse.

The following Board members were present: Kenneth Pridgen, Chairman, Scott Brannon, Vice-Chairman, Commissioner Larry Jones, Commissioner Cindy Meadows, and Commissioner Rosier Cuchens. Mr. Ronnie Bell, County Administrator, Attorney David Hallman, Legal Services Director, and Ms. Martha Ingle, Clerk of Courts, were also present.

Commissioner Cuchens led with prayer followed by the pledge of allegiance to the American flag. Chairman Pridgen called the meeting to order.

Motion by Commissioner Cuchens, second by Commissioner Brannon, to approve the consent agenda consisting of the items below. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

1. EAL Approval	
General Fund	\$ 2,034,698.68
County Transportation	\$ 109,068.23
SHIP	\$ -
Fine & Forfeiture	\$ 80,793.21
Debt Service Hospital	\$ -
Mosq. Control State	\$ -
Mott Sign Grant	\$ -
Section 8 Housing	\$ 112,282.44
Tourist Dev. Council	\$ 210,359.11
N.W. Mosquito Control	\$ 680.55
W. Co. Library	\$ 6,256.59
Recreation Plat Fee	\$ -
Public Safety- 911	\$ 15,939.37
Solid Waste Enterprise	\$ 5,368.79
Mossy Head VFD	\$ -

For informational purposes, Mr. Imfeld gave an update on the United Fire District. He presented information regarding unpaid invoices incurred for the year ending September 30, 2005. The cost of the unpaid invoices totaled \$22,911.54. Mr. Imfeld requested the Board's authorization to contact the United Fire District's Board of Director to discuss their intentions for the unpaid invoices.

It was the general consensus of the Board to direct staff to contact specific vendors and advise them of United's insolvent situation. Commissioner Jones pointed out that if United was unable to pay the bills, the county may have to accept responsibility to make sure the invoices are not neglected. The Board also agreed to ask the Board of Directors for United Fire District to address the issue at the next BCC meeting.

Mr. John Johnson, Public Works Director, requested budget approval with budget allocations for Capital Projects indicated in a Public Works memo contained in the material submitted to the Board. Mr. Johnson also requested approval for the installation of a caution light at the intersection of Richardson Road and CR 1087.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve budget allocations for the proposed Capital Projects, including the installation of a caution light at Richardson Road and CR 1087. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Johnson presented a proposal to enter into an agreement with Mr. Robert Barley to pave Fairfield Drive. He informed Mr. Barley had agreed to pay for the asphalt in exchange for the County completing the project in the current budget year. Mr. Johnson noted that the project would be scheduled behind current projects on the paving list.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve entering into an agreement with Mr. Barley to pave Fairfield Drive. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Johnson presented a proposal to enter into a Joint Participation Agreement with the Florida Department of Transportation to construct a south bound left turn lane from SR 331 onto Rock Hill Road. He stated that the agreement stipulates FDOT reimbursement for the project in two payments and contains a clause that the County may back out of the agreement in the event the new bids come in over the new estimate of \$475,000.

Motion by Commissioner Cuchens, second by Commissioner Brannon, to approve the proposed Joint Participation Agreement with the Florida Department of Transportation.

Commissioner Cuchens asked that Mr. Johnson also request a north bound turn lane be constructed as well. Mr. Johnson agreed to review the matter.

A vote was called for the motion on the floor. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Johnson presented a proposal for restructuring several positions in the Public Works Department to facilitate project delivery. He stated that one problem with project delivery has been the lack of adequate project management. To address this issue, he proposed to designate three Project Managers to oversee projects. He stated that this would be done by converting one Utility Inspector position, the Superintendent position and the Stormwater Manager position into a Project Manager position assigned to each zone. Mr. Johnson stated that right-of-way acquisition has also been an issue with project

delivery. To address the issue, Public Works proposed converting the Design Engineer position to an Engineering Services Manager position. With this change, the existing R/W Specialist would be promoted to the new position and a new person would be hired to fill the R/W acquisition position. Mr. Allen Brown currently filled the R/W acquisition position.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the position changes as proposed by Mr. Johnson. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Giles Yokel, Hatch Mott MacDonald, addressed the Board and presented a Schematic Plan for the Walton County Animal Shelter. A copy of the plan was entered into the record.

Commissioner Meadows commented on the size of the proposed fenced exercise area. She recommended that all available space be used to make the area as large as possible.

Per Commissioner Jones's request, Mr. Yokel briefly reviewed the schematic plan for the audience.

Brief discussion was held regarding the total cost estimate of the facility. Mr. Yokel stated that it was difficult to determine during the schematic phase of the project. He anticipated the total cost to be approximately \$1.6 million.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to proceed with the floor plan presented by Hatch Matt MacDonald. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Debra Herndon addressed the Board in regards to a right-of-way issue between lots 14 and 15 of Turquoise Beach Subdivision. She gave a brief history of the easement, stating that when Lots 14 and 15 were purchased by her father in 1962 a 50 foot “driveway” was included. She said that her father had been given title to the easement area and had paid taxes on it since it was purchased, unaware that there was a 1960 plat in which the developer had previously granted right-of-way to the county. She requested that the county recognize the deed or abandon the property.

Mr. Edward Distin, adjacent property owner, addressed the Board and expressed opposition to the county abandoning the property. He said that he was also speaking on the behalf of eight other property owners who also opposed abandonment of the property. His concern was that the privacy fence constructed by Ms. Herndon prevented large trucks from turning around at the end of Mack Bayou Drive.

Attorney Hallman explained the different options of the Board: abandon the property to Ms. Herndon, auction the property to the highest bidder, or retain ownership of the property. He referred to F.S. 125, stating that the law prohibited the county from deeding the property to Ms. Herndon.

Discussion followed regarding possible public uses of the subject property.

Mr. Distin submitted two photographs of the subject property into the record.

Ms. Herndon submitted a map with highlighted areas into the record.

Mr. Allen Ficarra addressed the Board to voice opposition to the county abandoning the property.

The Board advised Ms. Herndon to contact the Planning Department for information regarding the proper procedure to petition for abandonment.

Mr. Bill McRae addressed the Board to request the Board's approval to seek grants/funding for a bike/walking path on the Florida side of Lake Jackson. The estimated cost for the installation of a bike path totaled \$303,419.

Mr. Imfeld addressed the Board to speak in favor of the request presented by Mr. McRae.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the request to seek grants/funding for a bike/walking path on the Florida side of Lake Jackson. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Herman Chrishon addressed the Board to speak in regards to employment issues. He voiced opposition to personnel being hired from outside of Walton County. He felt that qualified applicants within the county should be considered first and foremost to fill vacant positions.

Mr. Ken Little, Citizen Services, addressed the Board and reviewed various expiring board and committee appointments. The proposed replacements and reappointments included appointing Mr. Van Ness Butler, Jr. to the Coastal Dune Lake Advisory, Ms. Dawn Moliterno to the Mossy Head Enterprise Zone Development Agency, Mr. Chance Powell to the Code Enforcement Board, reappointing Mr. Ro Cuchens to the Regional Utility Authority and Mr. Kevin Hargett to the Mossy Head Enterprise Zone Development Agency.

Commissioner Brannon also presented a recommendation to appoint Mr. George Schissler to the Recreation Board.

Chairman Pridgen recommended that Ms. Wanda Smith also be appointed to replace Mr. Kurt Anderson on the Recreation Board.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the expiring board and committee appointments as presented, including the recommendations made by Mr. Pridgen and Mr. Brannon. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Little requested the Board's approval to allow the libraries to close on Saturdays that occur during three day weekends through the upcoming holiday season.

Motion by Commissioner Brannon, second by Commissioner Jones, to approve Mr. Little's request. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Ronnie Bell, County Administrator, presented a request to cancel the Regular Meeting scheduled for December 27, 2005 due to Christmas holidays.

Motion by Commissioner Brannon, second by Commissioner Jones, to cancel the Regular Meeting scheduled for December 27. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Bell presented a request that the Board allow him and Mr. Hallman to negotiate a draft agreement with Mr. David Campbell, P.E. for the Bonezzi Development Company. The agreement would be in regards to providing a central sanitary sewer treatment facility throughout the Mossy Head Industrial Park. Mr. Bell stated that the agreement would be brought back to the Board for their consideration. The Board had no objection.

Commissioner Meadows asked staff to review the Comp Plan and LDC language regarding package plants.

Commissioner Brannon briefly discussed the concept of using tele-conferencing equipment to interlink all government buildings. He asked that staff review the option and present the information back to the Board.

Mr. Bell stated that Mr. Bill Imfeld and Mr. Dan Trotman could review the concept.

Ms. Ingle stated that the option was already being reviewed for the benefit of the judges when the proposed jail was built offsite. She said that they would be happy to integrate the system.

Commissioner Jones addressed an issue regarding the Comprehensive Plan amendments that were submitted to DCA in June 2005. He advised that due to several objections raised by DCA regarding the first set of amendments, a second set of amendments would not be submitted. Commissioner Jones felt that out of fairness to the applicants, the second set of amendments for 2005 should have priority consideration over the 2006 group of amendments.

Motion by Commissioner Jones, second by Commissioner Cuchens, that the County limit the adoption of the next cycle of land use amendments to only the amendments submitted in the second round of 2005, which were found to be consistently supported by the recommendations in the EAR process. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Commissioner Cuchens presented a gift of appreciation that was presented to him while he attended Grit N' Grace. The presentation was in appreciation for the Board's continued support of the program.

Commissioner Meadows gave an update on the Scenic Highway Advisory Committee (SHAC) Tour. She requested that funds be allocated to pay the 2005/2006 corporate filing fees in the total amount of \$596 ($\$297.50 * 2$).

Mr. Imfeld stated that the funds were available.

Commissioner Meadows presented a request for the Board's approval to waive the insurance requirement for Turtle Watch Group. She stated that the volunteers walked; therefore, she felt the insurance was unnecessary for the group.

Discussion was held regarding the request.

Motion by Commissioner Cuchens, second by Commissioner Jones, to waive the insurance requirement for the Turtle Watch Group.

Discussion followed in regards to encouraging the Turtle Watch Group to carry the insurance, given the Board had previously approved to provide funding.

A vote was called for the motion on the floor. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Commissioner Meadows questioned specifics relating to the Sidewalk Fund, particularly how much money was in the fund, who manages the fund, and who determines what sidewalks would be built. Mr. Bell stated that he would report back that information back to the Board.

The floor was opened to public comments.

Mr. Bill McRae requested an update on the new sign for Britton Hill Lakepoint.

Mr. Richard Bryan also addressed the Board to make comments.

There being no further comments, the Board recessed the Regular Meeting at 5:38 p.m.

The Board reconvened into the land use portion of the meeting and Chairman Pridgen called to order the advertised public hearings to consider the following final plats: Bungalows at Seagrove, Sacred Oaks Subdivision, and Pine Trace.

(Commissioner Cuchens was not present)

Ms. Blackshear presented a request for final plat approval for Bungalows at Seagrove, a 56-unit subdivision with amenities. She stated that the final plat met all minimal technical standards of the Walton County Land Development Code and Comprehensive Plan.

Mr. Billy McKee, Environmental Planner, addressed Board to explain an issue that had been raised regarding the facility being properly maintained.

There were no public comments.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve the final plat for Bungalows at Seagrove for recording. Ayes 4, Nays 0. Jones Aye, Brannon Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear requested a continuance of the final plat approval for Sacred Oaks Subdivision until the next Board meeting.

Motion by Commissioner Jones, second by Commissioner Meadows, to continue the request for final plat approval for Sacred Oaks Subdivision until after 5:00 p.m. Tuesday, November 22, 2005, at the South Walton Courthouse Annex. Ayes 4, Nays 0. Jones Aye, Brannon Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request for final plat approval for Pine Trace, a 22-lot single-family subdivision located 1.5 miles north of intersection of Chat Holley Road and Indian Woman Road. She stated that the final plat met all minimal technical standards of the Walton County Land Development Code and Comprehensive Plan. Staff recommended approval contingent upon outstanding legal issues regarding the letter of credit and engineer's estimate being resolved.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve the final plat for Pine Trace for recording contingent upon outstanding legal issues being resolved. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

(Commissioner Cuchens entered at 5:55 p.m.)

Ms. Blackshear concurrently presented the Beach Ridge and Gulfside Village petitions for abandonment.

Beach Ridge, LLC., and Moore Bass Consulting, Inc., requested that the county abandon a 33-foot easement along the north and east side of Government Lot 5, Section 3, Township 3 South, Range 20 West. This site is located south of Santa Rosa Ridge, Fox Lake Addition Subdivision, just south of Fox Lake Drive.

Talmar Companies and Mr. Scott Jenkins of Jenkins, Stanford and Associates, Inc., requested that the county abandon a 33-foot easement along the west and south sides of Government Lot 11, and a 33-foot easement along the east and south sides of Government Lot 12. This site is located 330 feet south of Santa Rosa Ridge, Fox Lake Addition.

Staff recommended approval of the above mentioned abandonments contingent

upon the conditions listed in the staff reports as agreed upon by various property owners, developers, and Growth Management representatives at a meeting on August 11, 2005. The general intent was to address certain access, drainage and utility issues and concerns surrounding the development of Government Lots 5 through 17, and the property lying to the west and north of Governmental Lots 7 through 9. The area of concern was currently landlocked and did not have adequate access. The Growth Management Department determined the abandonment of the 33' easement along the west and south side of Government Lot 11 and the abandonment of the 33 foot easement along the east and south sides of Government Lot 12 met the abandonment criteria.

Mr. Scott Jenkins was present as representative for Gulfside Village, and Mr. David Smith was present as representative for Beach Ridge.

Mr. Jenkins stated that an additional issue had recently arisen regarding the access from CR 393 being nearby the crest of a hill, which was felt to be a safety concern. He requested the Board's approval of the abandonment contingent upon being able to resolve the issue.

The following citizens addressed the Board to make public comments: Mr. Allen Ficarra, Mr. Ed Monroe, Mr. Phil Francis, and Mr. Bob Hudson.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve the proposed Beach Ridge petition for abandonment contingent upon the conditions set forth by staff, and the access on CR 393 being relocated to a location acceptable by all parties. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Motion by Commissioner Meadows, second by Commissioner Jones, to adopt a

resolution for the Beach Ridge Abandonment (2005-100). Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Motion by Commissioner Meadows to approve by resolution (2005-99) the Gulfside Village petition for abandonment contingent upon the conditions set forth by staff, and the access on CR 393 being relocated to a location acceptable by all parties. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Chairman Pridgen called to order the Quasi-Judicial Hearings and Attorney Hallman administered the oath to those individuals who would be speaking on the following projects: Beach Ridge Subdivision, Gulfside Village, Grande Pointe West, Grande Pointe Estates, Bay View Estates, Oaks at Eden Subdivision, The Preserve at Inlet Beach, Beach Nest PUD, Mack Bayou Center, Lot 3, Weatherall Building, and Satinwood Place Subdivision.

Ms. Blackshear presented a request for approval of a major development identified as "Beach Ridge Subdivision". Beach Ridge, LLC, applicant, and Mr. David E. Smith, P.E., Moore Bass Consulting of Destin Inc., proposed a 17-lot subdivision with pool amenity area on 2.46 acres with a land use designation of Neighborhood Planning Area/Infill. The site is located at the end of Fox Lake Drive, on the south side of the street. A staff report for this project was entered into the record (**Exhibit #1**).

Mr. David Smith, representing the applicant, was present to answer questions.

Commissioner Meadows questioned the developer's plans for improvements for the intersection on Allen Loop where the trash would be loaded. Mr. Smith stated that the possibility of installing a three way stop at the intersection had been discussed. He

stated that the developer would agree to this as a condition.

Further discussion followed regarding the proposed stormwater management for Beach Ridge Subdivision and Gulfside Village.

The floor was opened to public comments.

Mr. Bob Hudson requested that Bunker Creek Drive be paved and brought up to county standards.

Ms. Blackshear assured that the conditions approved by the Board would be stated in the final order.

Mr. Phil Francois addressed the Board and stated that it was imperative that the drainage be handled appropriately.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve Beach Ridge Subdivision contingent upon conditions 1A-O contained in the Planning Commission's final recommendation, as well as final approval via Planning and Engineering for installation of a three way stop. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

The staff report for Gulfside Village was entered into the record (**Exhibit #1**).

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve Gulfside Village subject to the conditions 1A-O as outlined in the Planning Commission's final recommendation, as well as final approval via Planning and Engineering for installation of a three way stop. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request for approval of a major development identified as "Grande Pointe West". Knowjak, Inc., proposed a 24-lot single-family

subdivision on 3.67 acres with a land use designation of Neighborhood Planning Area/Infill. This site is located on the northeast corner of the intersection of North Walton Lakeshore Drive and Holly Leaf Lane in Inlet Beach. Ms. Blackshear stated that staff's findings were that the project was consistent with the Comp Plan and LDC. The Planning Commission recommended approval. A staff report was entered into the record **(Exhibit #1)**.

Mr. Scott Jenkins, representing the applicant, was present to answer questions.

There were no public comments.

Motion by Commissioner Brannon, second by Commissioner Cuchens, to approve Grande Pointe West as it was presented. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request from Knowjak, Inc., for approval of a major development identified as "Grande Pointe Estates", located at the end of Walton Palm Road at the Walton County/Bay County line, at the north east corner. The proposed project consists of an 8-lot subdivision on 1.35 acres with a future land use designation of Neighborhood Planning Area/ Infill. Ms. Blackshear stated that staff's findings were that the project was consistent with the Comp Plan and LDC. The Planning Commission recommended approval. A staff report was entered into the record **(Exhibit #1)**.

Mr. Scott Jenkins, representing the applicant, was present to answer questions.

There were no public comments.

Motion by Commissioner Brannon, second by Commissioner Cuchens, to approve Grande Pointe Estates as presented. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request for a major development identified as “Bay View Estates”. Axiom Development/Walton Way II, LLC, and Jenkins, Stanford and Associates, proposed an 18-lot subdivision on 2.57 acres with a future land use designation of Neighborhood Planning Area/Infill. The site is located along the south side of Walton Way, approximately 0.5 miles north of the Walton Way and Forest Shore Drive intersection. The Planning Commission recommended approval contingent upon coordination with the FDEP for the removal of the cattle dipping vat and verification that the site does not pose any environmental or health hazards, and that any existing hazardous waste/contaminated soils have been removed. Staff’s recommendation was for approval contingent upon the applicant providing a Phase II Environmental Assessment. Ms. Blackshear recommended that staff be authorized to issue a development order with the contingency. A staff report for the project was entered into the record (**Exhibit #1**).

Mr. Ed Stanford, representing the applicant, was present to answer questions.

There were no public comments.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve Bay View Estates contingent upon the recommendation set forth by the Planning Commission, and the applicant providing a Phase II Environmental Assessment. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request for a major development identified as “Oaks at Eden Subdivision”. The Oaks at Eden, L.L.C, applicant, and Jenkins, Stanford and Associates, Inc., agent, proposed a 29- lot single-family residential subdivision on 4.55 acres of land with a future land use designation of Neighborhood Planning Area/Infill. The proposed site is located in the Point Washington area, on the east side of CR 395.

An original staff report and a revised copy containing numerous emails regarding the proposed project were entered into the record (**Exhibit #1 & Exhibit #2, respectively**).

Commissioner Meadows and Commissioner Brannon stated for the record that they had also received the emails contained in the revised staff report.

Ms. Blackshear reviewed the Planning Commission's recommendation for approval of the project subject to the applicant addressing compatibility issues raised at the Planning Commission meeting. The Planning Commission, along with staff, suggested that the applicant agree to a maximum height of 32 feet, or to allow taller structures only in the interior of the property. Otherwise, staff's findings were the proposed project met the minimal technical requirements of the LDC and was in compliance with the Comp Plan.

Discussion was held regarding compatibility issues, particularly the proposed density.

Commissioner Meadows asked if compatibility was based upon proposed developments or projects that have already been approved. She voiced objection to basing compatibility on projects that "may or may not happen in the future". She felt that compatibility should be based on existing developments. Discussion was held.

Mr. Ed Stanford, Jenkins, Stanford and Associates, addressed Board to discuss proposed density and buffers. Discussion followed regarding allowable uses of the Traditional Neighborhood Development Area future land use category.

The following adjacent residents addressed the Board to speak in opposition to the proposed project: Mr. David Rauschkolb, Mr. James Foley, Ms. Donna Spears, Mr. Randy Harelson, Ms. Lourdes Reynafarje, Mr. Ty Nunn, Mr. Ed Berry, and Ms. Sandra

Fiske.

The residents expressed various concerns regarding proposed heights and density. They also expressed concerns regarding compatibility as it relates to the “historic district” of Point Washington.

The following exhibits were entered into the record: Mr. Rauschkolb presented an aerial photograph of the subject area (**Exhibit #3**); Mr. Foley presented a list of the members of the Historic Point Washington Association and a large poster board with various photographs of “Historic Point Washington” (**Exhibit #4 & #5, respectively**); Mr. Nunn presented a sketch of massing diagrams for the existing neighborhood street scape and the Oaks at Eden (**Exhibit #6**).

(Commissioner Jones stepped out)

Mr. Peter Horn, developer for Eden’s Landing, addressed the Board to discuss criteria used for the project to meet compatibility with the surrounding area. He explained that the maximum height was determined based on the height of a mansion in the Point Washington area.

Ms. Blackshear pointed out that the Point Washington area was not currently designated a historic district.

Commissioner Brannon noted that it was the Board’s responsibility to base their decision on the current language of the LDC.

Commissioner Meadows felt that the following changes could be made to the design of the project to make it more compatible with the character of the surrounding area: larger boundary lots, maximum height of 32 foot on the interior property, and relocating the community pool and parking spaces.

(Commissioner Jones returned)

Attorney Dana Matthews addressed the Board representing the applicant. He stated that his client would agree to reduce the maximum height of the structures to below 38 feet to have the mansion to remain the tallest point in Point Washington. He pointed out that his client would also agree to a condition that the homes would have garages. Mr. Matthews stated that the applicant only proposed 6.4 units per acre, not 10 units per acre as allowed in an Infill land use category.

Mr. Randy Garner addressed Board and spoke on behalf of the applicant. He stated that compatibility was illusive and the Code could be interpreted in different ways. He said that they would commit to be sensitive to colors and architectural design. He said they would also commit to make every effort to work with the community in every way they could, as long as it was not a condition of approval.

Further discussion was held.

Mr. Ty Nunn readdressed Board and requested that the applicant agree to limit the height maximum to 32 feet and consider a reduction in density.

The public comment portion of the hearing was closed.

Commissioner Jones suggested the applicant table the project to attempt to resolve the concerns voiced by surrounding neighbors.

Commissioner Brannon encouraged Ms. Blackshear to ultimately work towards a neighborhood plan for the area.

Commissioner Cuchens asked Mr. Ed Berry to readdress the Board for questioning regarding a project proposed for the Peach Creek area.

Motion by Commissioner Cuchens to approve Oaks at Eden Subdivision

contingent upon the applicant limiting the maximum height of the structures to 38 ft height as agreed to by Mr. Garner. Commissioner Brannon seconded the motion for discussion.

Commissioner Brannon asked Mr. Garner if the applicant had made all of the concessions they would make. Mr. Garner stated yes.

Further discussion was held.

Commissioner Brannon withdrew his second to the motion; the motion died for lack of a second.

Motion by Commissioner Brannon, second by Commissioner Jones, to table the issue until Tuesday, November 22, 2005, after 5:00 p.m. at the South Walton Courthouse Annex to allow additional time to attempt to resolve issues.

Attorney Matthews stated that they would agree to table the project if the Board would agree to direct the Planning Department to coordinate a meeting with the neighbors to be held at the South Walton Courthouse Annex before the next meeting.

A vote was called for motion on floor. Ayes 4, Nays 1. Jones Aye, Brannon Aye, Cuchens Nay, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request for approval of a major development identified as "The Preserve at Inlet Beach". Knowjak, Inc., applicant, and Jenkins, Stanford, and Associates, Inc., agent, proposed a project consisting of a 68-lot single-family residential subdivision with a .31 acres amenity center consisting of a 1,500 square foot clubhouse and a 2,000 square foot swimming pool. The site in question contains 13.08 acres of land with a future land use designation of Neighborhood Planning Area/Infill and is located in the Inlet Beach area, north of US 98, along N. Wall Street,

north of Pinewood Lane. The Planning Commission recommended approval. Staff's findings were that the project met the minimal technical requirements of the LDC and was in compliance with the Comp Plan (**Exhibit #1-Staff Report**).

Mr. Scott Jenkins addressed the Board representing the applicant. He stated for the record that they were not proposing to construct any walls along the west side of the right-of-way of N. Wall Street. He said that they would also try to minimize impacts to existing trees along that side of the roadway.

Mr. Richard Bryan stated that he would like to work with the developer to keep some privacy.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve The Preserve at Inlet Beach. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request for approval of a major development identified as "Beach Nest PUD". Randy Visser and Barnhill, Barnhill, and Barnhill, requested conceptual approval of a residential PUD consisting of a nine lot subdivision with a land use designation of Neighborhood Planning Area/Infill. The site is located along the west side of Satinwood Drive, approximately 0.8 miles north of the CR 30-A and Satinwood Drive intersection. The Planning Commission recommended approval. Staff's findings were that the project met the minimal technical requirements of the LDC and was in compliance with the Comp Plan (**Exhibit #1-Staff Report**).

Mr. Darrell Barnhill, representing the applicant, addressed the Board to answer any questions.

There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve Beach Nest PUD as it was presented.

Mr. Hallman entered an unsigned copy of the Planning Commission's recommendation into the record, stating that a signed copy would be substituted at a later date (**Exhibit #2**).

Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request for approval of a major development identified as "Mack Bayou Center, Lot 3". Shell Holdings, LLC., applicant, and Choctaw Engineering, Inc., agent, proposed a project consisting of 9,600 square feet of Commercial on 0.76 acres of land with a future land use designation of Village Mixed Use. The proposed site is located on the north side of Mack Bayou Loop, east of Mack Bayou Road. The Planning Commission recommended approval. Staff's findings were that the project met the minimal technical requirements of the LDC and was in compliance with the Comp Plan (**Exhibit #1-Staff Report**).

An unsigned copy of the Planning Commission's final recommendation was entered into the record (**Exhibit #2**).

There were no public comments.

Motion by Commissioner Meadows second by Commissioner Jones, to approve Mack Bayou Center, Lot 3 as presented. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request for approval of a major development identified as "Weatherall Building". Curtis and Heather Weatherall, and Barnhill,

Barnhill and Barnhill, Inc., requested approval of a project consisting of a an 1,872 square foot building with a 700 square feet of Commercial (art studio) on a 0.21 acre parcel with a future land use category of neighborhood Planning Area/Residential Preservation Area. The proposed site is located along the north side of CR 30-A, 0.7 miles east of the CR 393 intersection. The Planning Commission recommended approval. Staff's findings were that the project met the minimal technical requirements of the LDC and was in compliance with the Comp Plan (**Exhibit #1-Staff Report**). Ms. Blackshear stated that there was one outstanding issue regarding a request from the Fire District.

An unsigned copy of the Planning Commission's final recommendation was entered into the record (**Exhibit #2**).

Mr. Darrell Barnhill, representing the applicant, addressed the Board to answer any questions.

There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve Weatherall Building as presented. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request for approval of a major development identified as "Satinwood Place Subdivision". Satinwood, LLC, and Mr. Will Poon, Connelly & Wicker, Inc., proposed a project consisting of a 9-lot residential subdivision on 1.16 acres with a land use designation of Neighborhood Planning Area/Infill. This site is located on the northwest corner of the intersection of Satinwood Drive and CR 30-A. The Planning Commission recommended approval. Staff's findings were that the project

met the minimal technical requirements of the LDC and was in compliance with the Comp Plan (**Exhibit #1-Staff Report**).

Mr. Will Poon addressed the Board to answer any questions.

There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve Satinwood Place Subdivision as presented. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

There being no further business, the meeting was adjourned at 8:26 p.m.

APPROVED: _____
Kenneth Pridgen, Chairman

ATTEST: _____
Martha Ingle, Clerk of Court