

APRIL 24, 2007 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting at 4:00 p.m. in Courtroom A of the Walton County Courthouse on Tuesday, April 24, 2007.

The following Board members were present: Commissioner Pridgen, Chair, Commissioner Meadows, Vice-Chair, Commissioner Larry Jones, Commissioner Cindy Meadows, and Commissioner Sara Comander. Mr. Ronnie Bell, County Administrator, Mr. Mike Burke, Interim County Attorney, and Ms. Martha Ingle, Clerk of Courts, were also present.

Commissioner Jones led with prayer followed by the Pledge of Allegiance to the American Flag. Chairman Pridgen called the meeting to order.

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

1. Expenditure Approval List (EAL)

General Fund	\$	669,824.47
County Transportation	\$	356,143.47
SHIP	\$	490.00
Fine & Forfeiture	\$	-
Debt Service Hospital	\$	-
Mosq. Control State	\$	622.08
Mott Sign Grant	\$	-
Section 8 Housing	\$	127,219.35
Tourist Dev. Council	\$	383,238.71
N.W. Mosquito Control	\$	2,349.35
W. Co. Library	\$	19,076.13
Tax Deed Surplus Trust	\$	-
Recreation Plat Fee	\$	131,979.90
Public Safety- 911	\$	10,587.45
Solid Waste Enterprise	\$	156,368.05
Mossy Head VFD	\$	-
Glendale VFD	\$	5,130.80
Darlington VFD	\$	-
Red Bay VFD	\$	-
Preservation	\$	-
Sidewalk Fund	\$	-
Local Option Gas Tax	\$	-
Special Law Enf. Trust	\$	-

Driftwood Debt Service	\$	220,000.00
Criminal Justice Ed Fund	\$	-
Bldg Dept/Enterp. Fund	\$	6,684.70
Capital Projects Fund	\$	29,510.32
Imperial Lakes MSBU	\$	2,765.91
Totals	\$	2,121,990.69

2. Approve Minutes: April 3, 2007 and April 10, 2007
3. Approval to surplus a copy machine from the District 4 Road Department and various computers and equipment from the MIS Department
4. Approval to surplus three Dell computers from the Walton County TDC
5. Approve a resolution for grant applications for development and/or renovation of boat ramps and support facilities **(2007-36)**
6. Approve a resolution for grant applications for the removal of derelict vessels **(2007-37)**
7. Approve Morrison Springs Florida Forever Funding Agreement
8. Approve a resolution to amend the 2006-2007 budget for unanticipated grant revenue for wireless 911 grant **(2007-35)**

Miss DeFuniak Springs, Devin Jones, introduced the following 2007 Walton County and DeFuniak Springs Youth Ambassadors: Junior Miss DeFuniak Springs, Teia Fields, Teen Miss DeFuniak Springs, Nyssa Williams, Young Miss DeFuniak Springs, Jamison Minniefield, Tiny Miss DeFuniak Springs, Krisslyn McLaney, Little Miss DeFuniak Springs, Paige Howell, Miss Walton County, Sassy Bogart, and Young Miss Walton County, Megan Matthews.

Ms. Angie Biddle, Grants Coordinator, requested the Board's direction regarding continuation of the Workfare Program, which is fully funded by the Agency for Workforce Innovation. She explained that a letter of intent is needed if approved.

Motion by Commissioner Brannon, second by Commissioner Meadows, to continue the program as requested. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Ms. Biddle recommended that the Board approve a three-year contract with Okaloosa-Walton College to continue serving as the Operating Agency for the Workfare Program.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve the request as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and

Comander Aye.

Ms. Biddle requested that the Board approve a three-year Interlocal Agreement with Holmes and Washington Counties to allow residents of those counties to participate in the Workfare Program.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve the request as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Bill Imfeld, Finance Director, presented and discussed information regarding the Governor's and House of Representatives' proposed bills and how each may affect the Walton County budget. He stated that Walton County has the third lowest ad valorem tax rates in the state and is being asked to make the 6th largest budget cut.

Ms. Ingle announced that the Internal Auditor, Mr. Johnny Street, began work on Monday, April 23, 2007, and that he will begin by auditing the Clerk's records and move forth as the Board directs.

Commissioner Pridgen called to order a public hearing to consider a proposed amendment to Walton County Ordinance 2000-12, to increase homestead exemption for persons 65 and older from \$25,000 to \$50,000, and setting a retroactive effective date of January 12, 2007. Mr. W.C. Henry, Interim County Attorney, was present to present the proposed ordinance.

Commissioner Meadows questioned the qualifying income levels. Mr. Henry replied \$24,000 maximum, with one person over 65 eligible for homestead exemption. Approximately 700 homes in Walton County will qualify.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the proposed ordinance as presented (**2007-03**). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen

Aye, Brannon Aye, and Comander Aye.

Mr. Ken Little, Citizens Services Director, requested approval of a proposed resolution in support of Purple Heart Monument Day on May 24, 2007. Mr. Bill Everitt, Commander, and Mr. Bill Sharon, Senior Vice-Commander, both of Post 966 of the Military Order of the Purple Heart, were present. Mr. Little stated that the ceremony will be held on May 24, 2007, at 10:00 a.m. at the South Walton Courthouse Annex.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the proposed resolution as presented (**2007-34**). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Little requested approval of the following Board and committee appointment recommendations: Ms. Kathleen Hartman, Affordable Housing Committee, at large, Mr. Leonard Anderson, Community Development Citizens Advisory Committee, District 5, and Ms. Susan Horn, Planning Commission, at large.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the recommended appointees as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Little requested direction regarding the used mobile dental van from the Orange County Health Department. He explained that the Children's Volunteer Health Network requested that the county acquire the van, which has an estimated value of \$11,000.

Motion by Commissioner Jones, second by Commissioner Meadows, to have Mr. Ernie Montgomery, Fleet Manger, travel to the auction in Tampa and bid up to \$11,000 on the van and included equipment. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Aaron Warren, Assistant County Engineer, requested approval to submit a Small County Outreach Program grant application for assistance widening and resurfacing 280/CR 183 (Bay Avenue) from South 2nd Street to SR 81. He explained that the estimated project cost is \$4,039,200, with the grant providing 75% funding, and that the county is eligible for a waiver of the 25% match.

Motion by Commissioner Comander, second by Commissioner Brannon, to approve the request as submitted. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Warren requested that Deer Run South and Garden Court Lane be added to the County Maintenance Road List. He explained that the dedication process occurred and that the roads have been historically maintained but were erroneously omitted from the list.

Motion by Commissioner Brannon, second by Commissioner Comander, to add Deer Run South the County Maintenance Road List. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Motion by Commissioner Meadows, second by Commissioner Brannon, to add Garden Court Lane to the County Maintenance Road List. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Discussion regarding RFP #07-022 Uniform and Miscellaneous Rental Services and a Developer's Agreement with Sun Cor Development of Northwest Florida, LLC was removed from the agenda.

Mr. Allen Brown, Deputy Public Works Director, requested approval to remove BCC 3623 (dump truck) and BCC 3615 (rubber tire roller) from the equipment auction list. He stated that additional uses were found for the equipment.

Motion by Commissioner Jones, second by Commissioner Comander, to approve the request as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Brown requested approval to purchase a Bobcat Hydraulic Excavator (RFP 07-014) from Beard Equipment for a cost of \$81,282.00 to be used at the landfill. He stated that the item is budgeted.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve the request as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Brown requested approval to purchase a Caterpillar RM-500 Roadway Reclamation Machine (RFP 07-13) from Thompson Equipment for a cost of \$466,371; with a \$219,000 buyback option. He stated that the old machine can be added to the auction list and that the item is budgeted. A copy of the bid tabulation was submitted.

Motion by Commissioner Jones, second by Commissioner Comander, to approve the request as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Brown requested that the Board accept maps of East Point Washington Road and Vines Road into the record as evidence of county limits of maintenance per FL Statute 95.361. Those maps were submitted to the Recording Department at the Walton County Courthouse.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve the maps as submitted. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Brown stated the county has been informally offered for purchase, by Mr. Thomas

Hicks, 350 acres adjacent the county's existing dirt mine in the Rock Hill area. He stated that the existing mine is almost exhausted and requested the Board's direction. A map was submitted.

The Board directed Mr. Brown to conduct preliminary studies and to make a comprehensive survey of the county's resources, future needs, and of the zoning.

Mr. Bell stated that the acreage is in the same area where the animal shelter was originally proposed and that opposition was expressed by surrounding property owners.

Mr. Lyle Sielger, Public Works Director, stated that maintenance work will begin on Thompson Road and that staff will begin working to acquire right-of-way for long-term solutions.

Mr. James Bagby, Town Manager, Rosemary Beach, requested that the Board approve a Right-of-Way Agreement with the Rosemary Beach Property Owner's Association for the installation of a drainage system in the vicinity of Barrett Square. He discussed issues which he felt have exacerbated the issue and measures previously taken to improve the situation. Mr. Bagby requested approval so that the installation can be completed prior to Memorial Day.

Mr. Warren stated that staff could not recommend approval at this time and that options other than the proposed exfiltration system may be better for the county. He discussed actions by Rosemary Beach which staff feels created/exacerbated the problem.

Commissioner Brannon questioned the contract language regarding termination. Mr. Bagby explained that the language was added incase the county opts to install a permanent stormwater system.

The Board directed staff to work with Mr. Bagby and report back.

Mr. Bell requested that the Board schedule two public hearings in June 2007, one in north Walton County and one in south Walton County, to consider the proposed Park Ordinance. He

stated that staff will look into any possible conflicts with existing ordinances.

Motion by Commissioner Jones, second by Commissioner Meadows, to have staff schedule the public hearings as requested. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Bell reported on the recent meeting of the Beach Activities Ordinance Working Group. He asked that the Board allow the group to table their discussion until the Interim County Attorney can study case laws and give better direction regarding the regulation of public and private beach.

Mr. Burke stated that direction will be contingent upon the Florida Supreme Court's ruling regarding beach nourishment.

The Board felt that the group was trying to address issues which were not assigned to them by the Board. They directed Mr. Bell to research the minutes and to direct the group regarding the Board's requests.

Mr. Bell suggested that the Board reduce the size of the working group by appointing two members per commissioner. He stated that the current group is too large to be productive. He added that the group will not meet the Board's 90-day timeframe.

Mr. Bell stated that staff can draft an amendment to the existing ordinance regarding driving on Inlet Beach and schedule the necessary public hearing and that the working group can continue working on the ordinance once the ruling of the Florida Supreme Court is made.

Motion by Commissioner Jones, second by Commissioner Meadows, to have staff draft an ordinance to address driving on Inlet Beach and to schedule the necessary public hearings. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Bobby Rodgers, Walton Coastal Recreational Association, felt that the Board should

direct the committee's discussions. He also discussed the possibility of the county leasing or purchasing a vacant lot near Philip's Inlet.

Mr. Edwin Goodwin submitted a letter of resignation from the working group and discussed his reasons for resigning.

Mr. Bell presented a request by Mr. Bobby Beasley, Supervisor of Elections, for the Board's approval to relocate Voting Precinct 15 from the Point Washington United Methodist Church to the Christian International Church, located at 5200 US Highway 98 E, Santa Rosa Beach.

Motion by Commissioner Brannon, second by Commissioner Jones, to approve the request as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Henry requested that the Board schedule a public hearing to consider adopting an ordinance to re-levy a five cent Local Option Fuel Tax. He recommended that the Board approve re-levying for a ten-year period. He reported that the sixth and ninth cent gas taxes expire at the end of 2009. Mr. Henry asked that they re-levy those taxes now so that the timeframe is concurrent with that of the five cent gas tax. He stated that Florida Statute allows for an Interlocal Agreement between the county and the major municipalities within the county regarding the division of the revenues from the gas taxes. He requested the Board's approval to initiate negotiation regarding the agreement, to draft the appropriate resolution, and schedule the necessary public hearing.

Motion by Commissioner Meadows, second by Commissioner Comander, to have staff schedule the appropriate public hearings, draft an ordinance to re-levy the five cent and sixth and ninth cent gas taxes for a period of ten years, and to negotiate an Interlocal Agreement with the

major municipalities within the county. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Henry requested approval of a proposed resolution repealing Resolution 2006-107 and establishing a minimum property tax bill of \$10.00.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the request as presented (**2007-38**). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Discussion regarding the location of the County's electronic back-up data was removed from the agenda.

Commissioner Comander requested staff to look into methods of controlling the runoff from Whitfield and Miley Roads into an adjacent creek. Mr. Brown stated that staff will begin the stabilization work and will attempt to acquire the necessary right-of-way for paving. He stated that the funds will come from the maintenance budget.

Commissioner Comander discussed the development of a Purchasing Policy Manual and wished to include measures to terminate county contractors who hire illegal aliens. Mr. Imfeld explained that the current draft parallels that of the state, with adjustments in areas specific to Walton County. He stated that the suggestion by Commissioner Comander can be added for the Board's consideration.

Commissioner Brannon presented a request for a second appraisal for property at Rooks Bluff, which consists of 700 ft. with a boat ramp on the Choctawhatchee River. He felt that the original appraisal did not contain adequate comparative prices.

Motion by Commissioner Brannon, second by Commissioner Meadows, to move forth with a second appraisal of the property at Rooks Bluff as requested. Ayes 5, Nays 0. Jones Aye,

Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

(Commissioner Meadows exited at 5:40 p.m.)

Ms. Pat Blackshear, Planning and Development Director, requested that the Board approve continuing four projects which were scheduled as public hearing items.

Motion by Commissioner Jones, second by Commissioner Brannon, to continue the Proportionate Fair Share Ordinance until the May 22, 2007 BCC Meeting at the courthouse in DeFuniak Springs and the Ordinance Permitting Drive-Through facilities in Coastal Center, the Ordinance Exempting County Sponsored Comprehensive Plan Amendments from Certain Advertising Requirements, and the Ordinance Amending Section 13.02.000 of the Walton County Land Development Code, The Route 30A Scenic Corridor, until the May 8, 2007 BCC Meeting at the South Walton Annex. All projects will be scheduled at or after 5:00 p.m. Ayes 4, Nays 0. Jones Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

The Board recessed briefly at 5:45 p.m. and reconvened at 6:00 p.m. into a public hearing to discuss administrative and quasi judicial items.

Ms. Blackshear requested that the Board consider the approval of a one-year Development Order extension consistent with the Land Development Code for Bella Blu Inn at Miramar Beach.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve the DO extension as requested. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

(Commissioner Jones exited briefly at 6:15 p.m. and returned at 6:20 p.m.)

Mr. Rob Griscti requested approval of the final draft of an Intergovernmental Agreement (IGA) between the County, Fish and Wildlife Service, Florida Wildlife Conservation

Commission and Florida Department of Environmental Protection regarding the Incidental Take Permit and Habitat Conservation Plan. He described the IGA and HCP and their purposes. Mr. Griscti stated that the county's HCP addresses the taking, which may or may not result from the issuance of temporary armoring permits.

Ms. Anita Page questioned if individual homeowners need to apply for an HCP and the potential costs to the taxpayers. Mr. Griscti replied that the HCP will benefit homeowners, but that the need for individual HCP's will be evaluated on a case-by-case basis. Ms. Blackshear added that the FWS will determine whether the HCP will affect individual properties.

Ms. Blackshear stated that the turtle lighting provisions will be included in the HCP.

Mr. Alan Ficarra questioned the cost and county's responsibility. Mr. Billy McKee, Environmental Planner, stated that a FWS grant for \$446,000 was received and that the FWC took \$30,000 for its cost, which left a balance of \$416,000 for which the county has pledged a 50% in-kind services match.

Ms. Linda Hildreth felt that the county's HCP should benefit all private property owners.

Ms. Diane Meyer reminded the Board to watch the budget.

Motion by Commissioner Comander, second by Commissioner Brannon, to approve the Intergovernmental Agreement as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Ms. Blackshear presented a request for final plat approval for Naturewalk at Seagrove, which consists of a replat of 17 units of the Naturewalk at Seagrove plat, located within Naturewalk at Seagrove PUD. Staff found the project consistent with the Land Development Code and Comprehensive Plan.

There were no public comments.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve the final plat of Naturewalk at Seagrove for recordation as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Tim Brown, Planner, presented the first reading of a proposed ordinance amending Chapter 4 of the Land Development Code, section 4.01.03, restrictions on development; providing for intent and purpose; enforcement and penalties; interpretation, authority; severability; and effective date. He explained that the proposed ordinance will allow the underlying density if wetlands are not impacted; however, if the wetlands are impacted, the impacted area will be allowed a maximum density of 1 unit per 10 acres.

The floor was opened to public comments.

Mr. Ficarra discussed the language of the proposed ordinance which addresses density transfers in relationship to the fact that the Land Development Code does not address a minimum lot size. Ms. Lois LaSeur, Planning Manager, explained that setbacks and height restrictions will still apply. She stated that the language regarding lot size is left from older versions of the Land Development Code and that the purpose of the proposed ordinance is to protect the wetlands and allow the density on the upland portions. Ms. Blackshear added that staff would eventually like to re-employ the minimum lot size requirements.

Commissioner Meadows suggested adding a minimum lot size of 5000 sq. ft. with density capped at “x” number of units per acre.

Mr. David Kramer complimented staff on the proposed ordinance.

Mr. Dana Matthews applauded staff’s effort, but felt that the Comprehensive Plan and Land Development Code are inconsistent on the matter. He asked that the Board approve the proposed ordinance as drafted.

Ms. Page felt that staff should consider the difference in lessening impacts on wetlands and protecting them.

Ms. Blackshear stated that the Wetland Working Groups report will be considered in working on the EAR based amendments. She added that staff will revise the proposed ordinance to include a minimum lot size.

Mr. Mark Martin, Planner, presented a petition by applicants, Walton County and Ms. Dorcas Beckstum, for the abandonment of approximately 370 ft. of the northernmost portion of Indian Woman Road, as platted on the plat of Santa Rosa Plantation. Two maps were submitted depicting options for the easement. Staff recommended option two for approval and requested that a 20 ft. drainage easement through the parcels to the bay be included.

The floor was opened to public comments.

Ms. Beckstrum requested that a condition of the easement be that it is for underground drainage only and not to be used as public access to the bay.

Motion by Commissioner Meadows, second by Commissioner Jones, to abandon the requested portion of Indian Woman Road via the requested drainage easement (**2007-39**). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Motion by Commissioner Meadows, second by Commissioner Brannon, to enter into a drainage easement agreement with Ms. Dorcus Beckstrum and Ms. Shannon Cruit. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Martin requested that the Inlet Beach Retreat Petition for Abandonment be continued until staff can schedule a meeting with the applicant, Beach Ridge, and the County Attorney regarding platting issues. No date certain was given.

Motion by Commissioner Brannon, second by Commissioner Jones, to continue the Inlet

Retreat Petition for Abandonment as requested by staff. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

(Commissioner Jones exited briefly at 7:05 p.m.)

Attorney Burke administered the oath to all who intended to present testimony regarding the quasi-judicial items.

Mr. Martin presented the Walton County Animal Shelter, a major development proposal which consists of an 11,000 ± sq. ft. facility for an animal control shelter and shelter offices on 20 acres with a land use designation of general agriculture. This site is located at 357 Triple G. Road. Staff found the project consistent with the Land Development Code and Comprehensive Plan. A staff report was submitted into the record (**Walton County Animal Shelter Exhibit #1**).

There were no public comments.

Motion by Commissioner Comander, second by Commissioner Brannon, to approve the Walton County Animal Shelter as presented. Ayes 4, Nays 0. Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

(Commissioner Jones returned at 7:12 p.m.)

Mr. Brown presented The Groves, a major development proposal which consists of 50 condominium units on 9.75 acres with a future land use designation of Neighborhood Planning Area/Infill. The project is located on the west side of CR 393, approximately ½ mile south of US Highway 98. He requested that the developer contribute to the sidewalk fund to help fund the eight ft. bicycle lane/sidewalk the county is installing on the west side of CR 393. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the provisions in the Wetland Ordinance previously presented by staff. Mr. Brown explained the methods for calculating the density on this project. A staff report was submitted

into the record (**The Groves Exhibit #1**).

Mr. Dana Matthews was present to represent the applicant 30-A Enterprises, LLC. He did not feel that approval should be contingent upon the proposed Wetland Ordinance and added that the proposed development is ten units below the permitted density.

Commissioner Meadows requested that the developer consider connecting the bike path or sidewalk to Helen McCall Park property. She also questioned any proposed commercial uses. Mr. Matthews stated that uses will be compliant with the Land Development Code.

The floor was opened to public comments.

Mr. Ficarra requested that the developer commit to adjoining bike paths.

Motion by Commissioner Brannon, second by Commissioner Meadows, to approve The Groves as presented with the conditions set forth by staff. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Brown presented Cottages at Lakeview Conceptual PUD, a major development proposal which consists of 136 single-family units on 19.73 acres which is variously designated as Neighborhood Planning Area/Small Neighborhood and Conservation Requirements of 2:1. The project is located on the east side of Thompson Road, south of Bedford Manor Road and north of Palmer Lane. Staff found the project consistent with the Land Development Code and Comprehensive Plan. A staff report was submitted into the record (**Cottages at Lakeview PUD Exhibit #1**).

Commissioner Meadows suggested that the developer install an eight ft. bike path in lieu of the proposed 6 ft. path. Mr. Jack Rhodes was present to represent the applicant and stated that the suggestion will be considered. He submitted a drawing and an aerial photo (**Cottages at Lakeview PUD Exhibits #2 & #3**).

Mr. Brown stated that the applicant requested five variances from the Land Development Code, including five ft. side yard setbacks in lieu of 7-1/2 ft., 10 ft. rear yard setback in lieu of 15 ft., a 30 ft. right-of-way in lieu of 40 ft., a 20 ft. driving surface in lieu of 22 ft., and zero setback for the pool bathroom facility next to the road.

There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve The Cottages at Lakeview PUD as presented with the setback variances on the interior lots. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Brown presented Santiago Diner, a major development proposal which consists of a 2,840 sq. ft. prefabricated metal restaurant building and a 1,232 sq. ft. office on .87 acres with a future land use designation of Village Mixed Use. This project is located on the north side of US Highway 98, approximately .25 miles east of CR 393. Mr. Brown explained that the prefabricated building design was denied by the Design Review Board; however, the development was approved. He added that the applicant has submitted new plans and will go back before the DRB for approval of the restaurant design. Staff found the project consistent with the Land Development Code and Comprehensive Plan. A staff report was submitted into the record (**Santiago Diner Exhibit #1**).

Mr. William C. Horne, Engineer, was present to represent the applicants, Victor and Maria Santiago. He displayed a drawing detailing the proposed changes and requested that the Board approve the project as presented with the restaurant building contingent upon the DRB's approval.

Commissioner Meadows questioned the location of the diner. She felt that the project should be approved without making changes to the design of the restaurant building and

questioned prior approval when the building was located in Miramar Beach. Mr. Brown replied that the building was placed in Miramar Beach while the DRB was disbanded and therefore never received their review or approval. He further discussed the design deficiencies.

The floor was opened to public comments.

Ms. Mary Neilson agreed that the building should be approved in its current design.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve Santiago Diner as presented with no further design changes. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Burke disclosed that his firm has represented the applicants for Beachridge Subdivision and Gulfside Village in matters related to the projects before the Board. He recommended that the Board consult other legal representation for matters other than procedural matters.

Ms. Blackshear stated that the staff reports for the Beachridge and Gulfside Village Petitions for Abandonment indicate that the requested areas to be abandoned continue to have public purpose; however, staff felt that an agreement between the adjacent neighborhoods and the developers to remedy and not exasperate any potential for “landlocking” would be positive. Ms. Blackshear added that members of adjacent neighborhoods have expressed dissatisfaction with the suggestions made by the developers. She submitted a letter from Dowd Law Firm into the record (**Beachridge Subdivision, LLC. Exhibit #3**)

Mr. Dana Matthews was present to represent applicant, Beach Ridge, LLC. He submitted a summation and site maps detailing both Beachridge Subdivision and Gulfside Village (**Beachridge Subdivision #2**).

Mr. Rick Tooke, County Surveyor, presented the Beachridge petition for abandonment, a

petition submitted by applicant, Beachridge, LLC., for the abandonment of a 33-ft. easement along the north and east side of Government Lot 5, Section 3, Township 3 South, Range 20 West, Walton County, Florida. The site is located south of Santa Rosa Ridge Fox Lake Addition Subdivision, just south of Fox Lake Drive. Mr. Tooke also reviewed the exhibit submitted by Mr. Matthews. Ms. Blackshear added that she opposes creating an ingress/egress through a cul-de-sac lot as proposed by the developer. A staff report was submitted into the record **(Beachridge Petition for Abandonment #1)**.

Commissioner Brannon questioned the status of Government Lots 13 and 14. Mr. Tooke stated that those lots have not been abandoned and are not included in the proposed abandonment.

Commissioner Meadows questioned a highlighted area near parcels labeled Millsap and Johnson. Mr. Tooke replied that those are designated for acquisition by the developer to be used as access and utility easements.

Mr. Tooke suggested that the developer acquire and give ingress/egress to Government Lots 13 and 14. He depicted the travel route on a site map. Mr. Tooke stated that he does not feel that those lots have adequate access and are essentially landlocked.

Mr. Matthews asked if proposed accesses displayed on the map are the same as they were when before the Board two years ago and if he is satisfied that the proposed easements provide access to the proposed roadways. Mr. Tooke replied that they are the same and that he was reasonably sure of the access, but that he would like to see copies of the final easements with legal descriptions and a map outlining the exact positions of those easements so that he can verify access from lots 13 and 14 through the developer's project and along the roads and that a positive connection is made on Bunker Place Drive.

Mr. Matthews stated that the developer is willing to make the approval contingent upon staff's review and the Board's approval of the easements as depicted in Exhibit #2. Mr. Tooke stated that there are conditions included in the private easements which he was not prepared to address.

Mr. Matthews reviewed Exhibit #2 and discussed the history of the project. He stated that the developer attempted to gain access through the cemetery at the Board's request, but that some cemetery plot owners objected; therefore, they chose to bring the original plan back to the Board. Mr. Matthews felt that the only issue to be considered was an amendment to a previously approved DO by removing the access through the cemetery. Commissioner Jones questioned exactly what was approved. Mr. Matthews recalled that the project was approved contingent upon the Planning Commission's recommendations, all of which the developer agreed to, and the condition of access through the cemetery. Commissioner Jones felt that the project was not approved as Mr. Matthews remembered. Commissioner Brannon added that the project could not have been approved without the abandonment before the Board.

Ms. Blackshear recalled that the abandonment was approved only if the other access could be acquired.

Commissioner Meadows questioned the originally proposed access. Mr. Brown replied that the original access was proposed through a cul-de-sac.

Mr. Scott Jenkins, Jenkins Sanford and Associates, was also present to represent the applicant. He recalled that the abandonments were approved conditional upon the platting of the new easements.

Mr. David Smith, More Bass Consulting, also spoke on behalf of the developer. He discussed failed efforts to obtain access through the cemetery.

Motion by Commissioner Jones, second by Commissioner Brannon, to table the discussion regarding the Beachridge and Gulfside Village Petitions for Abandonment and the proposed developments, Beachridge Subdivision and Gulfside Village, until all of the information previously considered by the Board and the information requested by staff can be compiled and reviewed.

Mr. Matthews requested that staff facilitate a meeting with the neighboring property owners to discuss all objections.

Ms. Shannon Woodman, Poorap and Associates, was present to represent Ms. Susan and Mr. Steve Bryant. She stated that the easement in Exhibit 2 is for lot five only, not for lots 10, 11, and 12 as represented.

Ms. Mary Neilson, Santa Rosa Ridge, discussed the issues for which Mr. Tooke requested additional information.

Mr. Bob Hudson discussed the conditions set forth at the meeting in 2005 and was opposed to the proposed access.

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

There being no further business to come before the Board, the meeting adjourned at 8:15 p.m.

Commissioner Pridgen, Chairman Brannon, Commissioner Comander, and Commissioner Meadows submitted ex parte communication forms regarding Gulfside Village and/or Beachridge Subdivision.

APPROVED: _____
Kenneth Pridgen, Chair

ATTEST: _____
Martha Ingle, Clerk of Court

