

ORDINANCE NO. 2008- 26

AN ORDINANCE AMENDING THE WALTON COUNTY LAND DEVELOPMENT CODE; ESTABLISHING A BUILDING HEIGHT LIMITATION FOR THE POINT WASHINGTON AREA, PROVIDING DEFINITIONS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 125, F.S. 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, Sections 163.3201 and 163.3202, Florida Statutes, require local governments to implement the provisions of their comprehensive plans through the adoption of land development regulations; and

WHEREAS, Walton County has adopted a Land Development Code in accordance with these statutes to ensure the County's orderly growth and development; and

WHEREAS, Walton County, to ensure the County's continued orderly growth and development, finds it prudent to amend its Land Development Code to respond to the changing needs and conditions within said county; and

WHEREAS, the Point Washington neighborhood desires to limit the height of new structures to protect the integrity of this historic neighborhood;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WALTON COUNTY, that the Walton County Land Development Code be amended as follows:

Section 1. Chapter Five of the Walton County Land Development Code is hereby amended as follows:

(deletions are ~~strike through~~; additions are underlined)

5.08.01 Point Washington Height Limitation

A. Point Washington is an area immediately east of the Eden Gardens State Park. The specific area to which the height restriction applies is as follows:

Beginning at the Southwest corner of the Northeast One Quarter of Section 35, Township 2 South, Range 19 West Walton County Florida, proceed Northerly along the West line of the said Northeast One Quarter

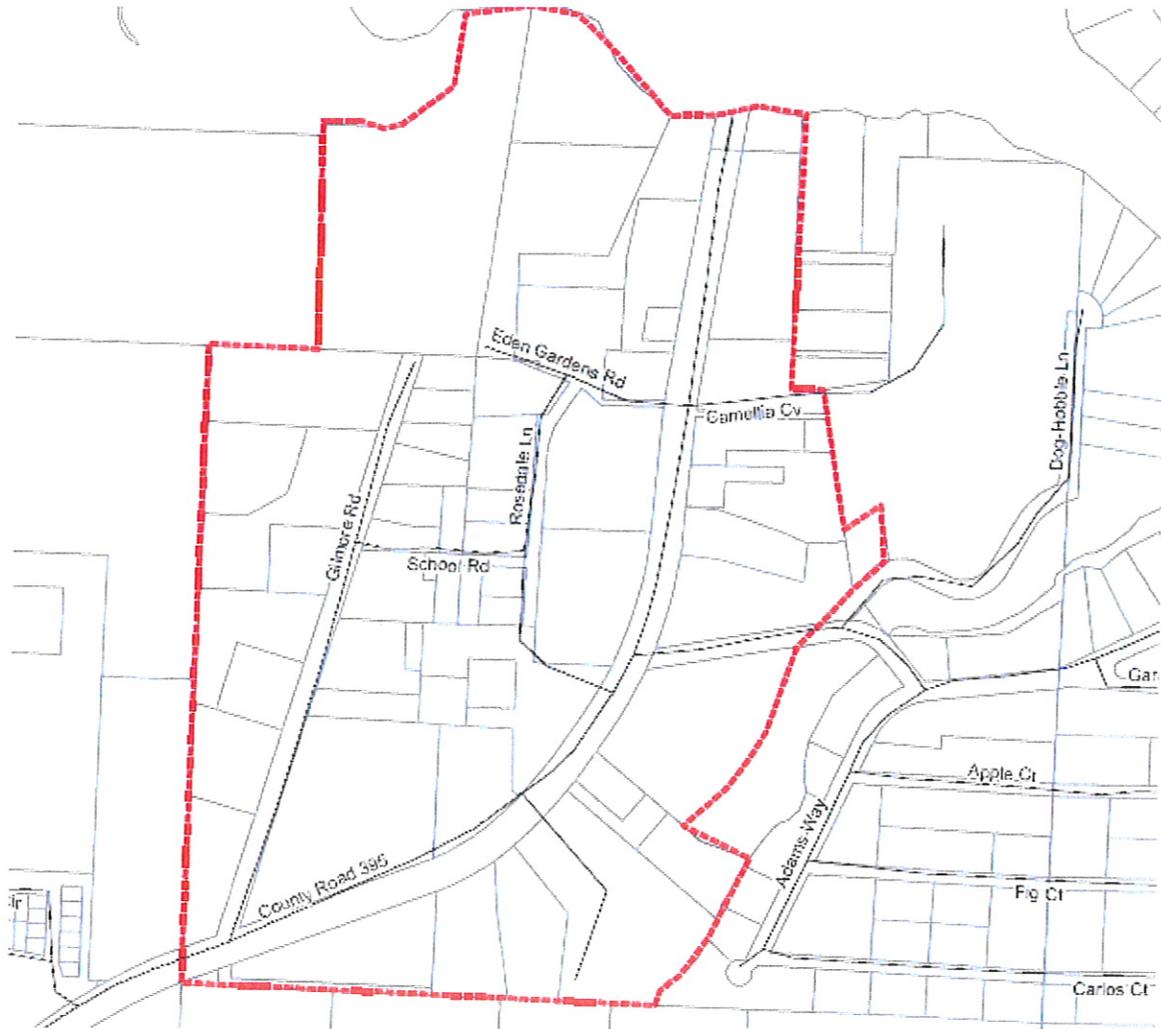
of Section 35 a distance of 1985 feet more or less to the South boundary of the TIITF OF STATE OF FLORIDA parcel, as recorded in Official Records book 2159 at page 389; thence proceed Easterly along the said South boundary of the TIITF OF STATE OF FLORIDA parcel a distance of 310 feet more or less to the East boundary of the TIITF OF STATE OF FLORIDA parcel and the West boundary of the TIITF RECREATION AND PARKS OF THE STATE OF FLORIDA parcel; thence proceed Northerly along the common boundary line between the TIITF OF STATE OF FLORIDA and TIITF RECREATION AND PARKS OF THE STATE OF FLORIDA parcels a distance of 680 feet more or less to the South Line of Section 26, Township 2 South, Range 19 West, Walton County Florida; thence proceed Northerly along the common boundary line between the TIITF RECREATION AND PARKS OF STATE OF FLORIDA parcel tax ID # 26-2S-19-24000-016-0020 and TIITF RECREATION AND PARKS OF THE STATE OF FLORIDA parcel tax ID # 35-2S-9-24000-002-0020, passing into said Section 26, a distance of 35 feet more or less to a concrete monument; thence continue Easterly along the common boundary line between the TIITF RECREATION AND PARKS OF STATE OF FLORIDA parcel tax ID # 26-2S-19-24000-016-0020 and TIITF RECREATION AND PARKS OF THE STATE OF FLORIDA parcel tax ID # 35-2S-9-24000-002-0020 the following bearings and distances calls: South 89 degrees 37 minutes 45 seconds East a distance of 240.00 feet; thence North 49 degrees 44 minutes 30 seconds East a distance of 209.40 feet; thence North 06 degrees 52 minutes 36 seconds East 215 more or less to the water's edge of Tucker Bayou; thence departing the common boundary line between the TIITF RECREATION AND PARKS OF STATE OF FLORIDA and TIITF RECREATION AND PARKS OF THE STATE OF FLORIDA parcels, meander Easterly along the water's edge of Tucker Bayou as approximated by the following bearing and distance calls: North 87 degrees 31 minutes 12 seconds East 283 feet; thence South 69 degrees 11 minutes 24 seconds East 135 feet; South 24 degrees 16 minutes 12 seconds East 147 feet; thence South 45 degrees 53 minutes 24 seconds East 227 feet; thence North 89 degrees 03 minutes 36 seconds East 139 feet; thence North 81 degrees 37 minutes 12 seconds East 53 feet more or less to the intersection of the centerline of State Road 395 with the water's edge of Tucker Bayou; thence departing the centerline of State Road 395 continue Easterly along the water's edge of Tucker Bayou North 74 degrees 56 minutes 24 seconds East a distance of 80 feet; thence South 77 degrees 20 minutes 24 seconds East a distance of 143 feet more or less to the intersection of the water's edge of Tucker Bayou and the East boundary line of the Robert S. Davis property as recorded in Official Records book 399 at page 348; thence departing the water's edge of Tucker Bayou proceed South along the East boundary line of the Roberts S. Davis property a distance of 100 feet more or less to the South Line of Section 26, Township 2 South, Range 19 West; thence passing the South Line of Section 26, Township 2 South, Range 19 West,

proceed South into Section 35 along the West boundary of the Ollie S. Butler and Albert B. Butler property as recorded in Official Records Book 2702 at page 2836 a distance of 302.5 feet; thence continue South a distance of 430 feet more or less to the Southwest corner of the Marvin H. Scott and Jane Scott property as recorded in Official Records Book 1549 at page 247; thence proceed Easterly along the South boundary line of the Marvin H. Scott and Jane Scott property a distance of 99 feet more or less to the Easterly boundary of the Kathryn Green property as recorded in Official Records Book 344 at page 55; thence proceed South 09 degrees 39 minutes 55 seconds East along the Easterly boundary of the Kathryn Green property a distance of 439.62 feet to an iron rod and the North boundary line of the Charles C. Fowler and Anne M. Fowler property as recorded in Official Records Book 2584 at page 1637; thence proceed North 55 degrees 12 minutes 09 seconds East along the North boundary line of the Charles C. Fowler and Anne M. Fowler property a distance of 138.14 feet; thence proceed South 09 degrees 35 minutes 44 seconds East a distance of 200.00 feet to the curved Northerly right-of-way line of a County maintained road being concave Southerly, having a radius of 176.03 feet; thence proceed Southwesterly along the arc of the curved right-of-way line of the County maintained road a distance of 130.22 feet through a central angle of 42 degrees 23 minutes 14 seconds to a point of tangency; thence departing the curved right -of-way line, continue South 35 degrees 45 minutes 03 seconds West along the Northerly right-of-way line of the County maintained road a distance of 11.58 feet; thence continue South 35 degrees 45 minutes 03 seconds West along the Northerly right-of-way line of the County maintained road a distance of 144 feet more or less to the North right-of-way line of Eden Dr as denoted on the plat of Eden Estates recorded in Plat Book 5 at page 25; thence proceed South 45 degrees 00 minutes 00 seconds West a distance of 102.7 feet more or less to the South right-of-way line of Eden Dr as denoted on the plat of Eden Estates recorded in Plat Book 5 at page 25; thence departing the South right-of-way line of Eden Dr proceed Southwesterly along the West boundary line of the Otis Earl Barrett property, recorded in Official Records Book 2241 at page 24 as approximated by the following bearing and distance calls: South 21 degrees 57 minutes 09 seconds West 78.19 feet, thence South 18 degrees 10 minutes 11 seconds West 201.58 feet, thence South 31 degrees 22 minutes 03 seconds West 98.83 feet , thence South 37 degrees 00 minutes 11 seconds West 116.95 feet, thence South 49 degrees 05 minutes 37 seconds West 174 feet more or less to the Northerly boundary of Stephen Tyron Nunn and Brett Anderson Nunn property as recorded in Official Records Book 2307 at page 676; thence proceed South 41 degrees 44 minutes 00 seconds East along the Northerly boundary of Stephen Tyron Nunn and Brett Anderson Nunn property a distance of 73.45 feet; thence continue along the Northerly boundary of Stephen Tyron Nunn and Brett Anderson Nunn property South 71 degrees 15 minutes 00 seconds a distance of 160.00 feet to the centerline of Tucker

Creek; thence proceed Southwesterly along the centerline of Tucker Creek approximated by the following two bearing and distance calls South 32 degrees 56 minutes 11 seconds West a distance of 30.00 feet; thence South 29 degrees 13 minutes 14 seconds West a distance of 145 feet more or less to the North West corner of Lot 3 Block A, Eden Estates as recorded in Plat Book 5 at page 25; thence proceed South 19 degrees 13 minutes 01 seconds West along the Westerly boundary line of Lot 3 Block A Eden Estates as recorded in Plat Book 5 at page 25 a distance of 110.71 feet to the most Southwesterly corner of Lot 3 Block A Eden Estates as recorded in Plat Book 5 at page 25; thence departing the boundary line of Lot 3 Block A Eden Estates meander Southwesterly along the center line of Tucker Creek as approximated by the following bearing and distance calls: thence South 27 degrees 05 minutes 06 seconds West 66.53 feet, thence South 45 degrees 00 minutes 18 seconds West 79.01 feet, thence South 60 degrees 51 minutes 03 seconds West 40.08 feet, thence South 41 degrees 59 minutes 22 seconds West 36.21 feet, thence South 17 degrees 55 minutes 08 seconds 48.0 feet more or less to the South line of the Northeast One Quarter of Section 35, Township 2 South, Range 19 West; thence proceed North 87 degrees 44 minutes 05 Seconds West along the South line of the Northeast One Quarter of Section 35, Township 2 South, Range 19 West a distance 1464.0 feet more or less to the Southwest corner of the Northeast One Quarter of Section 35, Township 2 South, Range 19 West Walton County Florida and the Point of Beginning of the area herein described, containing approximately 112 acres more or less and as depicted in the map below.

B. Height Restrictions for New Construction:

All construction in the Point Washington district after the date of this ordinance shall be limited in height to 32 feet above the average natural grade of the parcel.



Section 2. 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.

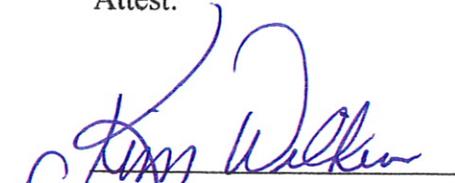
Section 3. Effective Date:

This ordinance shall take effect as provided by law.

Duly enacted, by the Board of County Commissioners of Walton County, Florida, at a regular meeting on the 12th day of August, 2008

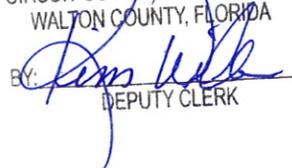
BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA

Attest:



Martha Ingle
Clerk of Court

By:  _____
Larry Jones, Chair

CERTIFIED A TRUE COPY
Aug. 13 20 08
MARTHA INGLE, CLERK
CIRCUIT COURT-COUNTY COURT
WALTON COUNTY, FLORIDA
BY: 
DEPUTY CLERK