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## Walton County Planning and Development Services

### PETITION FOR ABANDONMENT

### Application Package Contents

**ALL APPLICATIONS SHALL BE SUBMITTED USING THE ONLINE PORTAL**

<https://www2.citizenserve.com/waltonplanning>

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## INITIAL SUBMITTAL CHECKLIST

### PETITION FOR ABANDONMENT – INITIAL SUBMITTAL WILL INCLUDE THE FOLLOWING ITEMS

If any submittals do not meet these requirements, they will not be accepted

### Additional items may be required per LDC 1.13.00 (N)

*(Credit Cards Accepted or Check payable to Walton County)*

- Fee for Abandonment Application: \$450
- Fee for Environmental review: \$75.00
- Fee for Pre-Application meeting: \$25
- Fee for SWFD fire review: \$200 (make check out to South Walton Fire District)
- Agent Affidavit
- Proof of Ownership
- Completed Application
- Flood Zone Map, Existing/Current Parcel Map, and Zoning Map
- Copy of title search, opinion or policy w/copy of any recorded covenants and restrictions on the subject parcel(s) (must be within 1 year of submittal)
- Boundary / Topographic Survey (signed and sealed) (survey must be within 1 year of submittal date to be considered recent)
- Resolution including legal description provided by a Florida Certified Surveyor, to the area for the County Commission review, example attached
- Existing Conditions Sheet including aerial photography
- Environmental Assessment (signed and illustrated), if wetlands present
- List of Property Owners within 300 feet of the project to be notified
- Photographs of the site from all corners of property with directional view location noted

### **ADDITIONAL REQUIREMENTS NOT INCLUDED WITH INITIAL SUBMITTAL**

- Notice by Mail Affidavit and accompanying documents
- Notice of Posting of Sign Affidavit and accompanying documents
- BOCC Inserts

### **MEETING LOCATION**

- North Walton Courthouse  
571 US Hwy 90 E  
DeFuniak Springs, FL 32435
- South Walton Courthouse Annex  
31 Coastal Centre Blvd  
Santa Rosa Beach, FL 32459
- Freeport Business Complex  
842 State Highway 20 East Suite 110  
Freeport, FL 32439

**NOTICE TO ALL APPLICANTS**

You are required to schedule a pre-application conference with Planning and Development Services prior to submittal of this application. Your application will not be processed without verification that you have attended a pre- application conference with a representative(s) of Planning and Development Services. To schedule a pre- application conference with a planner, please use the online portal (<https://www.citizenserve.com/Portal/PortalController>).

A pre-application conference was held with \_\_\_\_\_  
regarding the \_\_\_\_\_  
on this day of \_\_\_\_\_, \_\_\_\_\_.

**PRE-APPLICATION NOTES**

Signature of Applicant/s: \_\_\_\_\_

Signature of Planner: \_\_\_\_\_

Date: \_\_\_\_\_

Project / Pre-Application #: \_\_\_\_\_

**Applicant Information**

Name: \_\_\_\_\_

If company or corporation, name of secretary or officer

Address: \_\_\_\_\_

City, State, Zip:  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Email Address:  
\_\_\_\_\_

**Property Information**

Legal Description:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Parcel Identification Number(s) Obtained from Property Appraiser's Office:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Driving directions to the site from the nearest major intersection:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Property Owner Information (if different from applicant)**

Name: \_\_\_\_\_

If company or corporation, name of secretary or officer

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number \_\_\_\_\_

Email: \_\_\_\_\_

**Agent Information (if different from applicant)**

Name: \_\_\_\_\_

If company or corporation, name of secretary or officer

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number \_\_\_\_\_

Email: \_\_\_\_\_

**Architect**

Name: \_\_\_\_\_

If company or corporation, name of secretary or officer

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number \_\_\_\_\_

Email: \_\_\_\_\_

**Engineer**

Name: \_\_\_\_\_

If company or corporation, name of secretary or officer

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number \_\_\_\_\_

Email: \_\_\_\_\_

**Surveyor**

Name: \_\_\_\_\_

If company or corporation, name of secretary or officer

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number \_\_\_\_\_

Email: \_\_\_\_\_

**Statement of Intent:**

A statement of the applicant's intentions to the future selling or leasing of all portions of the site is required. Provide a statement of intent below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **Walton County Environmental Assessment**

### **Project Description**

Provide a detailed description of the project site, including the project name, driving directions, location, acreage, and a map to the site. The description should accurately characterize the current conditions within the project site (i.e. cleared, vegetated, disturbed, etc.), and portray the development site's current land use, and the surrounding land uses.

### **Soils**

Utilize the United States Department of Agriculture, NRCS Soil Survey data for Walton County to describe each soil type found within the project site. Provide a map illustrating the area of each soil type.

### **Natural Vegetative Communities - Upland and Wetland**

In accordance with Comprehensive Plan Policy C-3.2.7, utilizing the Florida Natural Areas Inventory descriptions, found in the FNAI Guide to Natural Communities of Florida, list and describe all Natural Community types found within the development site, and include a list of the actual species that comprise each community. Provide the acreage of each community type, provide a site map illustrating approximate boundaries, and address preservation per the Walton County Land Development Code and Comprehensive Plan. If preservation is required, please provide a preservation plan that illustrates and quantifies the vegetation community to be preserved.

### **Wetlands**

If wetland areas are present, provide wetland delineation for all wetlands within and immediately adjacent to the development site, including isolated wetlands. Address wetland buffer requirements per Walton County Land Development Code and Comprehensive Plan. Illustrate all wetland areas and wetland buffer areas on the survey and site map.

### **Threatened and Endangered Species**

In accordance with Comprehensive Plan Policy C-3.2.7, request a Standard Data Report from Florida Natural Areas Inventory (<http://www.fnai.org/>). In conjunction with the information obtained from FNAI, perform a site visit to search for any occurrences of Threatened and/or Endangered species within or adjacent to the development site. Provide a radius map and list of species occurring in vicinity of the project. Summarize findings and survey methods. Other references to consult may include the Florida Fish and Wildlife Conservation Commission, United States Fish and Wildlife Service, et. al. If Threatened and Endangered Species are found

within or adjacent to the development site, provide proof of coordination with the Florida Fish and Wildlife Conservation Commission and the U.S. Fish and Wildlife Service to develop a management plan.

### **Archeological/Cultural Resources**

In accordance with Walton County Comprehensive Plan Objective L-1.3, conduct a review of the State of Florida Division of Historical Resources Master Site File for the presence of any known Archeological or Cultural Resource. If the development site has not been surveyed for the presence of Cultural Resources, a licensed archeologist may need to conduct a site visit and provide a Cultural Resources Assessment summarizing their survey methods and findings. If cultural resource sites are located, the applicant must provide proof of coordination (official SHPO letter) with the State of Florida, Division of Historical Resources Office.

### **Hazardous Materials and Contamination**

List and describe any known contamination and/or suspected hazardous materials found within or adjacent to the development site (i.e. any chemicals, containers, dumping of trash, and/or any known sites listed in the FDEP data base).

### **Conclusion**

Summarize findings/results and provide opinions and recommended course of action.

### **Attachments**

Attach applicable maps, surveys, aerial photos, diagrams, and supporting documentation.

**PLEASE NOTE: I understand that Walton County has adopted policies regarding the preservation of native vegetation and no clearing of any kind can take place on a development site until the proposed development has been approved for a development order by Walton County or a clearing permit has been issued.**



## **Notification of Affected Property Owners**

The Board of County Commissioners requires any applicant for abandonment to notify all property owners within 300 feet of the perimeter of the subject property. **The applicant is responsible for notifying property owners within 300 feet by certified, return receipt mail, not less than 10 days but no more than 20 days prior to EACH hearing for the proposed development.**

**\*\*\*DO NOT NOTIFY PROPERTY OWNERS UNTIL PLANNING AND DEVELOPMENT SERVICES VERIFIES THE DATE THAT THE PROPOSAL WILL BE HEARD BEFORE THE BOARD \*\*\***

A sample notification letter is included in this application. The meeting dates and times shall be furnished by Planning and Development Services to the applicant after the proposed applicant receives approval from the Technical Review Committee and has been placed upon the appropriate agenda. The applicant shall include with the notification the following information:

1. Map showing location of property in relation to surrounding properties (at least 1/2 mile radius)
2. Legal description of the subject site and parcel ID number
3. A clearly legible site plan of any development proposal if available

After the notices are mailed, the applicant shall provide to Planning and Development Services no less than three (3) days before the meeting:

1. A copy of the property owners within 300 feet of the subject property that were listed in the latest available Ad Valorem Tax Roll for Walton County
2. A copy of package mailed to property owners
3. Any packages which were undeliverable and returned
4. Certified postal receipts stamped by the United States Postal Service

It is the responsibility of the applicant or the applicant's agent to post a notification sign on the parcel, visible from the roadway when notified by Planning and Development Services of the meeting date, time, and location. A sample sign drawing is attached hereto.

After the sign is placed on the parcel the applicant shall provide to Planning and Development Services no less than three (3) days before the meeting:

1. A dated photograph of the posted sign on the parcel (not located within any rights-of-way) and an affidavit that the sign was posted per requirements.

**\*\*\*FAILURE TO NOTIFY PROPERTY OWNERS AS REQUIRED MAY RESULT IN THE PROJECT BEING CONTINUED TO THE NEXT AVAILABLE MEETING DATE AND THEREFORE DELAY OF PROJECT APPROVAL \*\*\***

**Walton County Notice by Mail Affidavit**

BEFORE ME, the undersigned authority, personally appeared, \_\_\_\_\_, the owner and/or authorized agent of the following described property: \_\_\_\_\_, who deposes and says the following:

1. That the subject described above notified the property owners within 300 feet of the project site by the required \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the owner and/or authorized agent of the owner, certified notification letter within the time allotted per the Walton County Land Development Code, mailed on notifying the public of the required public hearing, date and time of meeting, location of meeting, and purpose of meeting in accordance to the Walton County requirements.
2. That a list of the names and addresses of the mailing labels is attached hereto depicting the persons sent the notification letter. I have completed said requirements as described in this application.
3. This affidavit will be forwarded to Walton County Planning and Development Services no later than three (3) working days prior to the public meeting.

\_\_\_\_\_  
Signed Name of Applicant

\_\_\_\_\_  
Printed Name of Applicant

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned Notary Public in and for said County and State, appeared \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification, and who executed the foregoing instrument. Given under my hand and seal this \_\_\_\_ day of \_\_\_\_\_.

{Seal}

\_\_\_\_\_  
Signed Name of Notary Public

\_\_\_\_\_  
Printed Name of Notary Public

Commission Number:  
\_\_\_\_\_

Expiration Date:  
\_\_\_\_\_

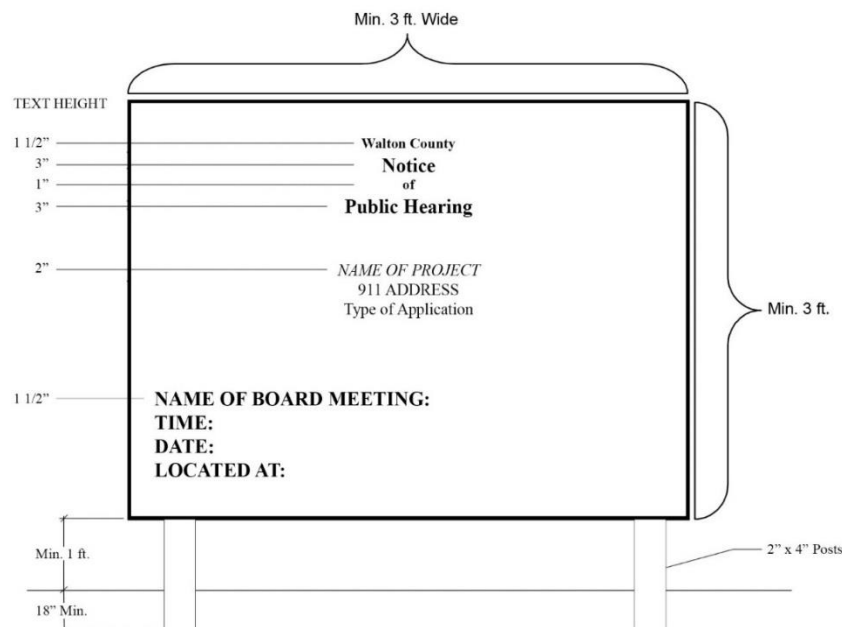
## Sign Posting Requirements

### NOTICE TO APPLICANTS

#### **POSTING OF PROPERTY REQUIREMENTS SIGN:**

All applications for abandonment requests shall be required to post the subject site with a sign notifying the public of public meetings and the request in accordance, with the following requirements:

1. The subject site described in the application shall have a sign posted by the applicant, notifying the public of: the name of the project, the type of project, the public hearing date, time and location, and type of meeting.
2. The posted sign shall be placed upon the property in the correct location (as shown below).
3. The posted sign shall be placed upon the property not less than 14 days prior to the first public meeting, and remain on the site until final adoption by Board of County Commissioners. Applicants shall remove sign within 14 days after final board decision.
4. The posted sign shall be provided by the applicant at the expense of the applicant.
5. The applicant shall provide a photo of the sign depicting the text and location of the sign in relation to the road right-of-way to Walton County Planning and Development Services.
6. The applicant shall provide the attached Affidavit with the requirement of #5 above to Walton County Planning and Development Services no less than three (3) working days prior to such public meeting.
7. Failure to satisfy the above requirements will result in an automatic tabling of the item from the public meeting to the next available meeting, where the applicant will have to again satisfy the above requirements.



NOTE: Sign must have a WHITE background & BLACK letters. Sign shall be securely attached to 2 posts, being a minimum of a 2" X 4" post, and the bottom of the sign shall be a minimum of 1 foot above grade. Posts shall extend a minimum of 18" below grade.

**Walton County Posting of Property Affidavit**

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_, the owner and/or authorized agent of the following described property, \_\_\_\_\_, who deposes and says as follows:

1. That the subject site described above has a sign posted for the project known as \_\_\_\_\_ by the owner and/or authorized agent for the owner, notifying the public of the required public hearings, date and time of meetings, location of meetings, and purpose of the meetings in accordance to Walton County requirements.
2. The posted sign does meet the dimensional requirements set by the County.
3. That the posted sign was placed and will be maintained upon the property in the correct location and not less than fourteen (14) days prior to the public meeting.
4. That a photo of the sign depicting the location of the sign in relation to the road right-of-way is attached.

**\*\*\*I have completed the said requirements as described in the Walton County Development Application\*\*\***

\_\_\_\_\_  
Signed Name of Applicant

\_\_\_\_\_  
Printed Name of Applicant

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned Notary Public in and for said County and State, appeared \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification, and who executed the foregoing instrument. Given under my hand and seal this day of \_\_\_\_\_, \_\_\_\_\_.

Signed Name of Notary Public \_\_\_\_\_

{Seal}

Printed Name of Notary Public \_\_\_\_\_

Commission Number: \_\_\_\_\_  
Expiration Date: \_\_\_\_\_

**Sample Property Owner Notification Letter**

*YOUR LETTERHEAD*

Date: \_\_\_\_\_

**Re: \_\_\_\_\_ (applicant (s)) is/are proposing an abandonment of the property shown on the attached map. The site proposed for abandonment is located at \_\_\_\_\_ and can be described by \_\_\_\_\_ (parcel ID number(s)) and is \_\_\_\_\_ acres in size.**

Dear Property Owner:

As a property owner within three hundred (300) feet of the above referenced parcel(s), you are hereby notified that the owner has made application to Walton County Planning and Development Services for approval of the Abandonment proposal. A site plan (if available) and a location map are enclosed for your review. If you have questions or concerns regarding this proposal, please direct them to \_\_\_\_\_ (applicant or agent) at \_\_\_\_\_ (area code & phone number). You may also direct your comments or concerns in writing to Planning and Development Services, 842 State Highway 20 East, Suite 110, Freeport, Florida 32439 or by fax to (850) 622 -9133 no later than 4:30 p.m. the day prior to any board meeting described below for inclusion into the record of the application or you may be present at the scheduled public hearing where you will be allowed to provide oral comment related to the proposal. Email comments are also acceptable directed to the Planning Department project manager or Board Secretary, please call 850-267-1955 for the appropriate email address. Please reference the applicant and development proposal in all written correspondence. General questions not intended to be part of the written record for the requested abandonment may also be directed to the Planning and Development Department at 850-267-1955.

**The Walton County Planning Commission is scheduled to review this abandonment on \_\_\_\_\_ (month/day/year) at the \_\_\_\_\_ (building) located at \_\_\_\_\_ (address). The meeting will begin at \_\_\_\_\_ (time).**

**The Planning Commission will make a recommendation to the Board of County Commissioners regarding this request either to approve, approve with conditions, or to deny. Any request tabled will be scheduled for a future Planning Commission meeting and will not go forward to the Board of County Commissioners until the Planning Commission makes a recommendation.**

**The Board of County Commissioners will hold a public hearing on \_\_\_\_\_ (month/day/year) at the \_\_\_\_\_ (building) located at \_\_\_\_\_ (address). The meeting will begin at \_\_\_\_\_ (time). The purpose of the meeting is to review and consider the Planning Commission's recommendations and to consider the approval of this abandonment application.**

If ownership of your property in this vicinity has changed, please return this package with the name(s) and address(es) of the new owner(s) to \_\_\_\_\_(applicant)\_\_\_\_\_so that they may be notified regarding these meetings.

Please be advised accordingly,

*Applicant/applicant's agent signature*

Enclosures:   1) Location Map;  
                  2) Site Plan if Available;  
                  3) Written Summary of proposed abandonment request.

(SAMPLE)

**RESOLUTION – (NUMBER WILL BE ASSIGNED. LEAVE  
BLANK)**

WHEREAS, the Board of County Commissioners of Walton County, Florida, has been requested by (Name of Person Requesting Abandonment) to abandon (i.e. a portion, all, etc.) of a certain (easement, roadway, alleyway, etc.) in Walton County, Florida, as follows:

**(LEGAL DESCRIPTION)**

WHEREAS, public notice has been published in the local newspaper pursuant to Chapter 336 of Florida Statutes, and

WHEREAS, the Board has determined that said (easement, roadway, alleyway, etc.) as described above serves no useful purpose and does not deny access to any adjacent landowners.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Walton County, Florida that:

**(LEGAL DESCRIPTION)**

Be and the same is hereby abandoned.

BE IT THEREFORE RESOLVED that notice of adoption of this resolution shall be published one time, within thirty (30) days following its adoption, in the local newspaper. Proof of publication of the notice of the adoption of said resolution shall be recorded in the Official Records of Walton County, Florida.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

WALTON COUNTY BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_

Chairman

ATTEST:

\_\_\_\_\_

CLERK

**Agent Affidavit / Special Power of Attorney**

STATE OF FLORIDA COUNTY OF WALTON

KNOW ALL MEN BY THESE PRESENTS, that I \_\_\_\_\_ am presently the owner and/or leaseholder of \_\_\_\_\_ and desiring to execute a Special Power of Attorney, have made, constituted and appointed, and by these presents do make, constitute and appoint \_\_\_\_\_ whose address is \_\_\_\_\_. County of \_\_\_\_\_, State of \_\_\_\_\_, my Attorney full power to act as my agent in the process of obtaining an \_\_\_\_\_ pertaining to \_\_\_\_\_.

FURTHER, I do authorize the aforesaid Attorney-in-Fact to perform all necessary tasks in the execution of aforesaid authorization with the same validity as I could effect if personally present. Any act or thing lawfully done hereunder by the said attorney shall be binding on myself and my heirs, legal and personal representative, and assigns.

PROVIDED, however, that any and all transactions conducted hereunder for me or for my account shall be transacted in my name, and that all endorsements and instruments executed by the said attorney for the purpose of carrying out the foregoing powers shall contain my name, followed by that of my said attorney and the designation "Attorney-in-Fact."

WITNESSES:

APPLICANT:

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by:

[ ] Physical Presence

- OR -

[ ] Online Notarization

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, as \_\_\_\_\_, for \_\_\_\_\_.

Printed Name of Notary Public

\_\_\_\_\_  
Signed Name of Notary Public

\_\_\_\_\_  
Commission  
Number: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

(SEAL)



**FLORIDA STATUTES 837.06 – FALSE OFFICIAL STATEMENT**

Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083 .

I have read and understand all the information provided in this application, the requirements listed within the application, and agree to provide the necessary information requested by Walton County. The information I have provided on this application is true and correct to the best of my knowledge.

Applicant's Signature

Printed Name

Date

\_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by:

Physical Presence

- OR -

Online Notarization

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

By \_\_\_\_\_, as \_\_\_\_\_,

for \_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Name of Notary Typed, Printed or Stamped

Personally Known

Produced Identification

Type of Identification Produced: \_\_\_\_\_

\_\_\_\_\_