

Resolutions 89-70 and 89-71

Missing Numbers

Not in Permanent Resolution Book nor
permanent files

**See attached minutes 10-16-89
regarding Resolutons 89-70 & 71**

The Chairman stated that the Board would now continue their discussions regarding the public hearing for the consideration of the road closing as petitioned by Champion Realty Corporation. A member of the audience inquired the current zoning of the property. The Planning and Zoning Administrator, stated that the property is zoned Open Rural (OR) and stated that the property could be cut up into one acre lots. Mr. Norwood Higginbotham stated that his concern is whether or not the roads are actually there, and stated that he has been told that if they are not, they cannot be used. The County Attorney stated that the county has subdivision regulations and, in essence a road regulation, which state that a permit cannot be obtained unless an individual is on a certain type of road. The County Attorney stated that most of the roads on these old plats are not opened but are just on paper. The County Attorney stated that a person cannot get a permit for a road that is on paper and stated that the only person who can open the roads is the governmental body and if the roads were never opened no one can get a permit to utilize the roads. The County Attorney further stated that some of the plats are antiquated and no one can use the roads without the Board's authority. The County Attorney stated that in the 1920's and 1930's plats were filed but stated that the courts say that even though these plats are not recorded, the Board has the authority over the roads. The County Attorney stated that no one owns the roads but stated that no one can open the roads without Board authority. After hearing various other comments from the members of the audience present,

Commissioner Higginbotham, District 1, stated that before he considered closing these roads he would like to be sure that no one will be landlocked by their closing and stated that if this land is sold and split into smaller lots, there will be a great deal of traffic and stated that there should be alternative routes for ingress and egress to where everyone is satisfied and stated that these are the questions that have to be answered to his satisfaction. Commissioner Higginbotham, District 1, made motion to continue the public hearing for the consideration of the public hearing for the road closing as petitioned by Champion Realty Corporation to December 18, 1989 at 8:00 P.M. and instructed the County Engineer, the home owners and Mr. Putnal to meet in a workshop prior to the continued public hearing date to be sure that no one will be land locked and that everyone has adequate ingress and egress and bring back a recommendation to the Board at their continued public hearing. Motion seconded by Commissioner Testone and voted unanimously.

Book 27, page 328
BOCC Minutes
CALLAHAN, FLORIDA
OCTOBER 16, 1989
Regarding Resolution 89-70 & 89-71