

Jolly Bay files suit against the county

December 2, 2008 - 11:51 AM

Business Wire

FREEPORT – (BUSINESS WIRE) – Landowner Jolly Bay LLC, a company dedicated to responsible and sustainable growth for Walton County and its residents, has filed a second lawsuit against Walton County, Florida, pursuant to Florida Statute 163, in Walton County First Judicial Circuit Court, in connection with the Board of County Commissioner’s denial of its project in September based on an unadopted standard made up by county staff after receiving public opposition to the project.

The lawsuit seeks monetary damages against the county for what the company calls the unconstitutional taking of Jolly Bay’s property and for violations of its constitutional rights, including reimbursement of Jolly Bay’s attorneys’ fees and costs.

The lawsuit also requests that the court declare that the county unlawfully denied the project based upon the unadopted standard and order the immediate approval of the project.

The Jolly Bay project is located one half mile from the northeast 331 bridge landing off Jolly Bay Road and included an upscale recreational vehicle park, a bed & breakfast, a 73-unit condominium, a boat docking facility and commercial spaces. Setting this project apart from other local projects, the plans had the project situated on 17 acres of a 60-acre tract of land in order to preserve 43 acres of natural landscape, and to ensure the integrity of, and compatibility with the surrounding area.

“Jolly Bay spent a lot of time and money working on the plans for an upscale project that was continually brought before the planning department staff over a two-year period before submittal of an application to ensure that the project met all Walton County Comprehensive Plan and Land Development Code requirements,” said Dana Matthews, of Matthews and Hawkins, attorney for Jolly Bay. “Despite those efforts, Jolly Bay now finds itself in the position of having to sue to protect its constitutional rights and to seek millions of dollars in monetary damages from the County and its taxpayers.”