

**THE LYNN HAVEN PLANNING COMMISSION WILL HOLD  
A REGULAR MEETING ON APRIL 7, 2015, AT 5:30 P.M.  
IN "THE CHAMBERS" MEETING ROOM, 108 EAST 9<sup>TH</sup> STREET**

**AGENDA**

**REGULAR MEETING:**

1. Call to Order
2. Minutes of January 6, 2015, regular meeting
3. Arbor Trace Expansion – Phase II (DO-15-1)  
S of existing Arbor Trace Apts. between State & Jenks
4. Timothy Perry & Anita Murphy Annexation (ANNX-15-1)  
4836 Highway 389
5. Timothy Perry & Anita Murphy Small Scale Amendment (SSA-15-1)  
4836 Highway 389
6. Unified Land Development Code text changes

City Planner's Report:

Any agenda item above may be forwarded by the Planning Commission to the City Commission at the City Commission meeting on April 14, 2015, or, on April 28, 2015, at 4:00 p.m., in The Chambers at 108 East 9<sup>th</sup> Street, Lynn Haven, Florida.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (Florida Statute 286.0105).

\*\*\*In accordance with the Americans With Disabilities Act and 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this proceeding should contact the Planning Dept. no later than two days prior to the proceeding at telephone number 850-265-2961 for assistance. If hearing impaired, telephone the Florida Relay Service numbers (800) 955-8771 (TDD) or (800) 955-8770 (VOICE), for assistance.

CITY OF LYNN HAVEN  
PLANNING COMMISSION  
APRIL 7, 2015

The Lynn Haven Planning Commission's regular meeting was held on Tuesday, April 7, 2015, at 5:30 p.m. in the City Commission meeting room.

Present: Darrell Turner, Chairman  
Jerry Whitworth, Vice Chairman  
Dennis Hlad  
Bob Sterrett  
James Waterstradt  
Amanda Richard, Planner  
Rob Jackson, City Attorney  
Jeff Petermann, Panhandle Engineering  
Timothy Perry

Absent: Bill Fitzgerald, Allen Richardson

Mr. Darrell Turner, Chairman, called the meeting to order at 5:30 p.m.

Chairman, Darrell Turner, welcomed new Board members.

Board member, Hlad, made a motion to excuse Board members, Bill Fitzgerald and Allen Richardson, from the meeting.

Second to motion: Jerry Whitworth

On vote: Waterstradt: aye  
Hlad: aye  
Sterrett: aye  
Whitworth: aye  
Turner: aye  
Motion passed: 5-0

2. Board member, Hlad, made a motion to approve the Minutes from the January 6, 2015, regular meeting.

Second to motion: Bob Sterrett

On vote: Waterstradt: aye  
Hlad: aye  
Sterrett: aye  
Whitworth: aye  
Turner: aye  
Motion passed: 5-0

3. Arbor Trace Expansion – Phase II (DO-15-1): Ms. Amanda Richard, City Planner, addressed the Board and stated that this is a request for a Development Order to construct 7 new apartment buildings, totaling 168 units, including an office, garages and mailboxes, on the parcel of property lying adjacent to the existing apartments to the south. Ms. Richard stated that there is capacity for the additional traffic that will be generated by the addition. No new access roads will be constructed. The existing access roads will continue to be used.

Ms. Cindy Barry addressed the Board and stated her concern about the extra traffic and about the retention pond capacity.

Mr. Jeff Petermann of Panhandle Engineering, the project engineer, addressed the Board and stated that the existing access roads will be used for ingress and egress and no roads will be constructed. He further stated that the retention pond must take care of the stormwater runoff that is equal to or less than the existing runoff. There cannot be more runoff produced by the expansion.

Mr. Brad Yundt addressed the Board and suggested that a comparison be done of the cost of City services and the amount of money to be generated by the expansion.

Board member, Whitworth, made a motion to approve the Development Order request as presented.

Second to motion: Dennis Hlad

On vote:	Waterstradt:	aye
	Hlad:	aye
	Sterrett:	aye
	Whitworth:	aye
	Turner:	aye

Motion passed: 5-0

4. Timothy Perry & Anita Murphy Annexation (ANNX-15-1): Ms. Amanda Richard, City Planner, addressed the Board and stated that the property owners and applicants, Timothy Perry and Anita Murphy, are requesting annexation into the City of a parcel of land located at 4836 Highway 389. The land use is currently Bay County Residential. If this annexation is approved, this property will have to be given a City land use, as it currently has a County land use. Therefore, a land use change, which is the next agenda item, will be necessary.

Board member, Sterrett, asked where the water for the property would be coming from.

Mr. Rusty Russell, the representative for the property owners, addressed the Board and stated that he has spoken with the City's Utility Department about the location of the water and sewer. The nearest water service is located at the Express Lane at the Highway 389 and Highway 390 intersection. There is currently a well on the property. The nearest sewer service is located across the street from the property and runs parallel to the Lynn Haven Cemetery. Mr. Russell presented a breakdown of what would be needed to run water and sewer to the property, which had been given to him by the City's Utility Department. Board member, Sterrett, asked why the owners wanted to bring the property into the City. Mr. Russell stated that the owners believed Mixed Use

would be the highest and best use for the property. The owners met with the County to ask for a Commercial land use designation, but the County would not consider changing the land use from Residential to Commercial. The City of Lynn Haven was agreeable to presenting the land use of Mixed Use for the property to the City Commission. Board member, Sterrett, asked if this property would be the only one in the City on that side of Highway 389. Ms. Richard stated that there were other commercial adjacent to this parcel and both commercial and residential properties on the other side of Highway 389 that are in the City. She also stated that some of the residents who live behind the property have inquired about annexing their property into the City, but they have not been contiguous. If this property comes into the City, then those residents will then be able to apply for annexation of their properties as well.

Mr. Timothy Perry, one of the property owners, addressed the Board and stated that the deed given to his father when he purchased the property in 1969, states that the parcel is 5 acres, minus 30 feet that extends out into what is now the Highway 389 roadway. This leads him to believe that he owns part of the roadway as well.

Mr. Rob Jackson, City Attorney, addressed the Board and stated that this property is contiguous to the City property located across Highway 389.

Board member, Sterrett, made a motion to deny the annexation request.

Second to motion: Motion failed for lack of a second.

Board member, Whitworth, made a motion to approve the annexation, as written, and to forward it on to the City Commission.

Second to motion: Dennis Hlad

On vote:       Waterstradt:   aye  
                  Hlad:             aye  
                  Sterrett:        nay  
                  Whitworth:     aye  
                  Turner:         aye

Motion passed: 4-1

5. Timothy Perry & Anita Murphy Small Scale Plan Amendment (SSA-15-1): Ms. Amanda Richard addressed the Board and stated that the property owners have requested a land use change from Bay County Residential to Mixed Use in the City. She stated that there is currently commercial development in this proximity and more is anticipated in the future if Highway 390 is widened as has been discussed. A Mixed Use land use allows both residential and light commercial. Because of the development that the Planning Department has seen, the Mixed Use land use would be appropriate.

Board member, Waterstradt, had a question about the body of water that is located next to the property. He stated that the Application should be changed to show that there is water located adjacent to the property.

Mr. Tim Perry addressed the Board and stated that if the property were annexed into the City, then the City would have control over what happened with the property in the future. He stated that he had previously been contacted by a towing company to buy the lot to use for storing vehicles.

Board member, Whitworth, made a motion to approve the land use change as written with the exception of correcting the Application.

Second to motion: James Waterstradt

On vote:      Waterstradt:    aye  
                  Hlad:                aye  
                  Sterrett:           aye  
                  Whitworth:        aye  
                  Turner:             aye

Motion passed: 5-0

6. Unified Land Development Code Text Changes (Ord #999): Ms. Amanda Richard addressed the Board and stated that the first ordinance deals with Section 4.05.04 of the ULDC pertaining to accessory structures in TNDs. There was originally 950 acres that had been given the land use of TND. D.R. Horton has now purchased some of the property with the intention of building homes. The Planning Department was previously contacted about a prospective buyer wanting to build a pool on the property, but it was determined that there was not enough room on the property to construct a pool and still meet the setbacks required by the TND land use. The owner of the 950 acre parcel, D&H Properties, applied to the Board of Adjustment to grant a variance for the pool. Ms. Richard stated that just recently a pool company contacted the Planning Department inquiring as to the TND setbacks for pools and after a discussion with D&H Properties' project manager, Mr. David Barber, it was determined that the language in the ULDC pertaining to pools needed to be changed.

Board member, Hlad, asked what the impervious surface ratio was for the TND single family detached (75%) and for Low Density Residential (55%). Ms. Richard stated that the impervious surface ratio was larger for the TND than for Low Density Residential.

The proposed changes in the ordinance were discussed and the City Attorney, Rob Jackson, made his own recommendation for changes to the ordinance.

Ms. Richard stated that Mr. John David, the owner of D&H Properties, is contemplating changing the TND land use in the future.

Board member, Whitworth, made a motion to disapprove.

Second to motion: Dennis Hlad

On vote:      Waterstradt:    aye  
                  Hlad:                aye  
                  Sterrett:           aye  
                  Whitworth:        aye

Turner: aye

Motion passed: 5-0

Unified Land Development Code Text Changes (Ord #1000): Ms. Amanda Richard addressed the Board and stated that the first ordinance deals with Section 6.05.16 of the ULDC pertaining to Commercial by-pass lanes. The City Commission has asked for changes that pertain specifically to the older Lynn Haven in-fill commercial properties. Basically, rather than require everyone who has a drive-thru facility to have a by-pass lane, where there is an existing building that is being refurbished and where it would not be possible to provide a by-pass lane, this requirement may be waived by the City Commission. The City Commission wants to be able to review each project on its own merit.

Board member, Hlad, made a motion to approve this change.

Second to motion: James Waterstradt

On vote: Waterstradt: aye  
Hlad: aye  
Sterrett: aye  
Whitworth: aye  
Turner: aye

Motion passed: 5-0

City Planner's Report: Ms. Amanda Richard stated that her Department was in the process of going through the entire Unified Land Development Code and Comprehensive Plan and that she would be bringing more changes to the Board, in increments, in the near future.

With there being no further business or discussion, the meeting was adjourned at 6:36 p.m.

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Darrell Turner, Chairman