

ORDINANCE NO. 1167

AN ORDINANCE ANNEXING INTO THE MUNICIPAL LIMITS OF THE CITY OF LYNN HAVEN, FLORIDA, CERTAIN CONTIGUOUS COMPACT UNINCORPORATED LAND LOCATED IN BAY COUNTY, FLORIDA, FOR AN APPROXIMATE 0.24 +/- ACRES OF PROPERTY; PARCEL # 08835-000-000 AS IS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO FLORIDA STATUTES, SECTION 171.044; AMENDING THE BOUNDARIES OF THE CITY TO INCLUDE SAID LAND, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND RECITING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Lynn Haven, in Bay County, Florida, has received a written request from the owner of certain contiguous compact, unincorporated real property requesting to be annexed into the City of Lynn Haven, Bay County, Florida: and

WHEREAS, it has been determined that said real property is contiguous to the City limits of Lynn Haven, in Bay County, Florida, and that said property is currently owned by Mr. Ross Pritchard; and

WHEREAS, the property lies entirely within the boundary of the property which is subject of this ordinance; and

WHEREAS, Notice of Voluntary Annexation for this property has been published in the Panama City News Herald once a week for two (2) consecutive weeks prior to the adoption of this ordinance, the same being a newspaper of general circulation in this City: and

WHEREAS, all of the requirements as set forth in Florida Statutes, Section 171.044 have been met.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LYNN HAVEN:

Section 1. The City Commission of the City of Lynn Haven, Florida, does hereby annex the following described unincorporated and contiguous parcel of real property into the City limits of the City of Lynn Haven, Florida, to-wit:

PARCEL #: 08835-000-000;

Commence at the northeast corner of section 4, township 3 south, range 14 west, Bay County, Florida and run S89°48'35"W, 659.59 feet to the point of beginning; thence S00°03"W, along said water's edge, 55.90 feet; thence departing said water's edge run N00°03'05"E, 211.06 feet; thence run N89°48'35"E, 50.0 feet to the point of beginning. Containing 0.23 of an acre or 99913.16 square feet, more or less.

Section 2. That upon Section 1 becoming law, the present boundary lines of the City of Lynn Haven, in Bay County, Florida, shall be redefined to include the real property herein described.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. The City Manager/Clerk is hereby directed to have published a notice of the Ordinance in a newspaper of general circulation in Lynn Haven, in Bay County, Florida, once each week for two consecutive weeks.

Section 5. Upon this Ordinance becoming law, the City Manager/Clerk is hereby directed to file this Ordinance with the Clerk of the Circuit Court of Bay County, Florida, the Chief Administrative Officer of the County and a certified copy of same with the Department of State, The Capitol, Tallahassee, Florida.

Section 6. Pursuant to Section 171.081(1) & (2), Florida Statutes, the effective date of this annexation shall be 31 days after adoption, unless the annexation is appealed. If appealed, the effective date of this annexation shall be the date a final order is issued by the Bay County Circuit Court. No development orders, development permits or land uses dependent upon this annexation may be issued before it has become effective.

INTRODUCED at the Regular Commission Meeting of the City Commission of the City of Lynn Haven, in Bay County, Florida, on the 9th day of April, 2024.

PASSED AND ADOPTED at the Regular Commission meeting of the City Commission of the City of Lynn Haven, in Bay County, Florida, on the 23rd day of April, 2024.

CITY OF LYNN HAVEN

BY: Jesse Nelson
Jesse Nelson, Mayor

First Reading: 4/9/24

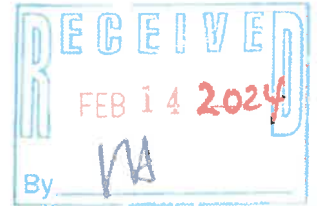
Second and Final Reading: 4/23/24

ATTEST:

Vickie Gainer

Vickie Gainer, City Manager-Clerk

Ordinance # 1167



PETITION FOR VOLUNTARY ANNEXATION

The undersigned petitioners, being all owner(s) of the described real property, contiguous to the present boundaries of the City of Lynn Haven, and situated in an unincorporated area of Bay County, Florida, do hereby request that said property be annexed into the corporate limits of the City of Lynn Haven, Florida, to-wit:

[INSERT OR ATTACH LEGAL DESCRIPTION]

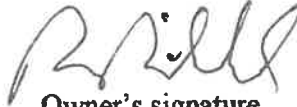
Further, request said property be given a land use classification of MIXED USE (MU) under the Unified Land Development Code of the City of Lynn Haven. The appropriate fee and application are attached.

Attached hereto is a current survey of the described property (if it is not platted), together with a certificate of title from a title company, a copy of the deed or a letter from a licensed attorney setting forth the name(s) of all person(s), form(s) or corporation(s) owning any interest in the described property.

The undersigned have been advised of, understand and in consideration of annexation, utility services, and other good and valuable consideration, do hereby agree and covenant as follows:

1. All structures and improvements which are erected upon said property subsequent to the date of this Petition for Annexation shall comply with all present and future City of Lynn Haven regulations and ordinances as set forth in the Code of Ordinances.
2. To pay any impact fees assessed under any applicable present or future regulations and ordinances as set forth by the City of Lynn Haven.
3. To convey such recreation land, recreation facilities and open space land dedication and/or fees in lieu of the amount and manner prescribed by the Lynn Haven Code of Ordinances.
4. When any substandard abutting street or utilities are subsequently upgraded by the City to meet City standards, said improvements will be done on an assessment basis, consistent with City procedures thereof.

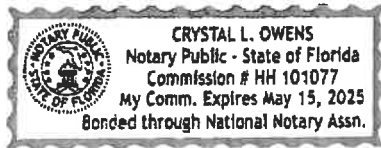
Further, the undersigned hereby certify that they have read and examined all of the statements and allegations in the foregoing Petition including attachments and after being duly sworn, depose and say that such statements are correct, and true and voluntarily made with full knowledge thereof.


Owner's signature

STATE OF
COUNTY OF

BEFORE ME personally appeared Ross Pritchard, who is
personally known to me or who produced _____ as
identification.

DATED this 14 day of February, 20 24.



Notary Public Crystal L. Owens

Printed Name Crystal L. Owens

My Commission Expires: May 15, 2025

Owner's signature

STATE OF
COUNTY OF

BEFORE ME personally appeared _____, who is
personally known to me or who produced _____ as
identification.

DATED this _____ day of _____, 20 _____.

Notary Public _____

Printed Name _____

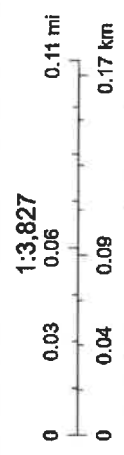
My Commission Expires:

Bay County Administration



3/27/2024, 9:32:35 AM

- Addresses
- Roads
- MAJOR
- MINOR
- Parcels
- Municipal Boundaries
- City of Lynn Haven Elevation Certificates
- Unincorporated
- Lynn Haven City Limits
- Lynn Haven



1:3,827

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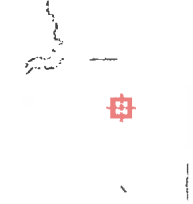
Bay County Property Appraiser - Dan Sowell, CFA

Main Office | 860 W. 11th St, Panama City, FL 32401 | 850-248-8401

Beach Office | 301 Richard Jackson Blvd, Panama City Beach, FL 32407 | 850-248-8470



Overview



Legend

- Parcels
- Roads

Parcel ID	08835-000-000	Owner	PRITCHARD, ROSS	Last 2 Sales			
Class Code	VACANT		PO BOX 383	Date	Price	Reason	Qual
Taxing District	55		BONIFAY, FL 32425	10/19/2020	\$100	REMOVE CAP	U
	SOUTHPORT	Physical Address	121 CASHEL MARA DR	8/21/2014	0	CONTRACT FOR DEED/AGR FOR DEED	U
Acres	0.242	Just Value	Value \$250	MLS			

(Note: Not to be used on legal documents)

Maps have been compiled from the most authentic information available and are to be used for assessment purposes only. Bay County Property Appraiser's Office assumes NO responsibility for errors and/or omissions that may be contained herein. THIS MAP IS NOT A SURVEY

Date created: 3/27/2024

Last Data Uploaded: 3/27/2024 6:17:52 AM

Developed by Schneider
GEOSPATIAL

MONUMENTAL
CONSULTING GROUP, INC.
Land Surveying & Mapping

707 Jenks Avenue, Ste F; Panama City, Florida 32401
Phone (850) 769-0345 * Email: ldolly@monconcg.com

File # 2024009211
BK 4774, PG: 1793 Pages: 1 of 2
Recorded 2/20/2024 12:12 PM
Bill Kinsaul, Clerk, Bay County, FL
Deputy Clerk GB Trans # 1907410

2/20/2023

This letter is an acknowledgement that Parcel No. 08835-000-000 as shown on survey 2123-0036-1, dated July 26, 2023, includes a 15.00 foot wide ingress/egress easement as created to benefit said parcel across the south 15.00' feet of the Storm Water Pond Easement of the Plat of Millpoint Landings as depicted in Plat Book 18, page 41 of the public records of Bay County, Florida.

Said Description should be as Follows:


PARCEL: 08835-000-000

COMMENCE AT THE NORTHEAST CORNER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA AND RUN S89°48'35"W, 659.59 FEET TO THE POINT OF BEGINNING; THENCE S00°03'05"W, 186.27 FEET TO THE WATERS EDGE OF ST. ANDREWS BAY; THENCE RUN S63°29'07"W, ALONG SAID WATERS EDGE, 55.90 FEET; THENCE DEPARTING SAID WATERS EDGE RUN N00°03'05"E, 211.06 FEET; THENCE RUN N89°48'35"E, 50.0 FEET TO THE POINT OF BEGINNING. CONTAINING 0.23 OF AND ACRE OR 9913.16 SQUARE FEET, MORE OR LESS.

Together with:

15' INGRESS/EGRESS EASEMENT

BEGIN AT THE NORTHWEST CORNER OF LOT 9, MILLPOINT LANDING SUBDIVISION AS RECORDED IN PLAT BOOK 18, PAGE 41 IN THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE S 56°18'07" E, ALONG THE NORTH LINE OF SAID LOT 9, 67.13 FEET TO THE NORTHEAST CORNER OF SAID LOT 9; THENCE LEAVING SAID NORTH LINE, N 00°10'32" E, ALONG THE EAST LINE OF MILLPOINT LANDING SUBDIVISION, 18.03 FEET; THENCE RUN N 56°18'07" W, 60.42 FEET TO THE EAST RIGHT OF WAY LINE OF CASHEL MARA DRIVE, SAID POINT ALSO BEING ON A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 380.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02%%D18'40" FOR AN ARC DISTANCE OF 15.33 FEET (CHORD TO SAID CURVE BEARS S 21°51'13" W, 15.33') TO THE POINT OF BEGINNING.


David Griswold, PSM 5382
Monumental Consulting Group, Inc.
February 20, 2024



CITY OF LYNN HAVEN

WATER/SEWER/IRRIGATION/RECLAIMED WATER AVAILABILITY REQUEST

☐ Minor Subdivision/Lot Split

Staff Member Requesting MP

THIS FORM IS TO BE USED TO DETERMINE THE AVAILABILITY OF CITY WATER, SEWER, IRRIGATION AND RECLAIMED WATER SERVICES. ALLOW A TEN (10) DAY RESPONSE TIME FROM THE RECEIPT OF THIS REQUEST. PLEASE ANSWER ALL QUESTIONS TO THE SITE LOCATION AS INCOMPLETE FORMS MAY RESULT IN DELAYS. **ALL BACKFLOW DEVICES TO BE SUPPLIED BY THE CONTRACTOR.**

Requestor: Ross Pritchard Date: 3/19/2024

Address: 121 Cashel Mara

Phone: 850-513-6389 Email: ross.e.pritchard@gmail.com

☒ ^{new owner} PROPERTY OWNER ☐ REAL ESTATE AGENT ☐ PROSPECTIVE BUYER ☐ OTHER
☒ WATER AVAILABILITY ☒ SEWER AVAILABILITY ☒ WATER AVAILABILITY FOR IRRIGATION
☐ RECLAIMED WATER AVAILABILITY FOR IRRIGATION

****REQUESTOR IS RESPONSIBLE FOR RECOGNIZING THE LOCATION OF UTILITY
SERVICES AND PLAN ACCORDINGLY****

SITE LOCATION

ADDRESS: 121 Cashel Mara

BLOCK NUMBER: _____ LOT NUMBER: _____

Date Reported: 4/1/24 By: Done

Water Available: ☒ Yes ☐ No Sewer Available: ☒ Yes ☐ No

¾" Irrigation Available: ☐ Yes ☐ No 1" Irrigation Available: ☒ Yes ☐ No

Reclaimed Water Available ☐ Yes ☒ No

☐ County Water

☒ City Water

SPECIAL SITUATIONS

Water Locations

Sewer Locations

1" water service located

Nolte: aye
Parron: aye
Snyder: aye
White: aye
Waddell: aye

Motion passed: 7 – 0

4. Request for Annexation: Parcel #08835-000-000: 121 Cashel Mara Drive

Ms. Richard, Planning Director stated the applicant/owner is Ross Pritchard, who was present to answer any questions. The applicant/owner is requesting annexation for 121 Cashel Mara Drive, parcel # 08835-000-000. The parcel has a total acreage of approximately 0.242± acres and the parcel is vacant.

Ms. Richard, Planning Director stated the property is located on the northern edge of the waterline of North Bay, to the east of Cashel Mara Drive, and will be accessed via an easement. The property is contiguous to the City of Lynn Haven boundaries on three sides and has water and sewer available within 300ft.

Ms. Richard stated a copy of the application, aerial map and GIS location boundary map were included in the meeting packets.

Public Comments:

Mr. Sal Mella stated he owned the property to the East of this parcel, and he would like to know the reason why the property owner wanted to annex into the City. Mr. Ross Pritchard, the property owner stated this parcel was left out when the other properties were annexed in 2005, it created an enclave, and the annexation tidies up the property and dissolves the enclave. Ms. Richard stated when the annexations in that area occurred, the property owner at that time did not ask to be annexed into the City and agreed that it did create an enclave. An annexation request letter is mailed prior to the Planning Commission meeting to the Bay County Board of Commissioner for each annexation.

Mr. Mella stated he knows water and sewer is not available, and there is no access for the property. Ms. Richard stated she confirmed the access easement with Bobby Baker, Chief Infrastructure Director. Mr. Pritchard stated the easement is recorded with the clerk of court. Ms. Richard stated a water and sewer availability request for the property was completed by the Public Utilities department, and the water and sewer report confirmed water and sewer is available within 300 feet.

Mr. Murphy stated the Planning Commission is a recommendation board, and the final decision is made by the City Commission.

Mr. Ashbrook, made a motion to approve the annexation as presented,
Second to motion: Mr. White

On vote: Ashbrook: aye
 Murphy: aye
 Nolte: aye
 Parron: aye
 Waddell: aye
 White: aye
 Snyder: aye

Motion passed: 7 - 0

5. Request for Small Scale Future Land Use Map Amendment: Parcel #08835-000-000: 121 Cashel Mara Drive: From Bay County Public Institutional to City of Lynn Haven Mixed Use

Ms. Richard, Planning Director stated the applicant/owner is Ross Pritchard, who was present to answer any questions. The applicant/owner is requesting a Small Scale Future Land Use Map Amendment for the property located at 121 Cashel Mara Drive, parcel # 08835-000-000. The parcel has an existing land use of Bay County Public Institutional, and the proposed land use is City of Lynn Haven Mixed Use. The parcel has a total acreage of approximately 0.242± acres and the parcel is vacant.

Ms. Richard stated the owner is requesting a small-scale future land use map amendment to change the land use on this property located on the north side of North Bay and accessed by an easement from Cashel Mara Drive. The property currently has a Bay County Public/Institutional future land use map designation, and the owner is asking for City of Lynn Haven Mixed Use which is consistent with the properties on the west side. The adjacent land uses are North – High Density Residential, South – North Bay, East – High Density Residential, and west – Mixed Use.

Ms. Richard stated future land use map amendments are State controlled. The City Commission will meet on April 9th, and there will be a first reading of the ordinance by title only, and at the City Commission meeting on April 23rd there will be the Public Hearing. If there are no challenges to the requested land use change, it becomes effective on the 31st day. Ms. Richard explained the various permissible in a Mixed Use designation, but that commercial probably would not work as this parcel is not large enough to develop to meet the requirements of landscaping, parking, and stormwater. Mixed Use side setback is 5' where low density residential is 7'.

Ms. Richard stated a copy of the application, aerial map, current land use map, and a proposed land use map were included in the meeting packets.

Public Comments:

Mr. Mella stated he does not know why there are two plots on the property and why the property cannot remain as Bay County Public Institution. Mr. Pritchard stated this is an old family property, and some of it has been sold off in the past. There are two family headstones from 1888 on the far end property that will remain. The property was granted from Washington