

CITY OF CALLAWAY
PLANNING BOARD MEETING MINUTES
MAY 3, 2022 – 6:00 P.M.

The Callaway Planning Board met in regular session with Bob Bell, Chairman, Tony Roman, Vice-Chair and Board Members John Hagan, Robert Hinton, Steve Woolsey, and James Dougall were present. Also present were Bill Frye, Public Works/ Planning Director and Audra Boswell, Administrative Support Clerk. Board Member Kenneth Ayers was not present.

The meeting was called to order by Bob Bell, followed by a moment of silence and the Pledge of Allegiance.

APPROVAL OF MINUTES

April 19, 2022

Motion:

Motion was made by Board Member Woolsey, and seconded by Vice-Chairman Roman, to approve the minutes of April 19, 2022. Motion carried unanimously.

NEW BUSINESS

Voluntary Annexation Application – 760 N. Fox Ave., Parcel ID#06006-030-000

Bill Frye, Director of Public Works/Planning, reviewed, and advising, this item was tabled at last Planning Board Meeting. Insite Net Callaway, LLC, has petitioned for voluntary annexation of 760 N. Fox Ave., Parcel ID# 06006-030-000.

Director Frye advised that the question was whether this was a legal annexation or whether it was an illegal annexation due to the enclave. The board requested our city attorney to address the matter. There has been some conversation with the developers since the last Planning Board Meeting where they are looking at changing what they are going to ask for. He advised that nothing has been submitted as far as a drawing or legal description, but he showed on the map what they are proposing. The Developer is proposing to create a 20 to 30 ft. strip that would remain in Bay County and would not be annexed in. They would split the parcel into two parcels A & B, and not request that B be annexed into the city.

Director Frye advised that our City Attorney, Kevin Obos was present to answer any questions.

Board Chairman Bell asked what the significance of cutting out that strip. City Attorney Obos addressed, to do an annexation it cannot create an enclave. As of now the two houses in the middle would clearly become an enclave. He explained, the city sends the annexation to Bay County and the burden is on them to either object or let it go. In discussions with the County Attorneys and County Staff, they must object if it creates an enclave due to statutes and their policy. The developers brought up this solutions months ago and the county was okay with it, but nothing ever came of it. When the developer resubmitted in February, it still did not solve the enclave issue. Developer has retained a local attorney, and they are redoing the drawing to shave off the minimum sq. footage the

county requires for this separate parcel. The significance is that it keeps those two houses continuous in the county and doesn't create an enclave. Discussion ensued.

City Attorney Obos advised that the board could make recommendation that it be contingent upon the minimum lot staying in Bay County, so it doesn't have to keep coming before the board, and if they don't meet the contingency then it is done.

Board Vice-Chair Roman asked if any of the owners have been notified and do they understand what is going on and do they accept. Director Frye addressed, that Mr. Brock is present and does want to speak tonight.

Board Member Hinton asked if the parcel would be considered a separate tract of land. City Attorney Obos addressed developer would have to do an application with Bay County to do a lot-split. Discussion ensued and continued about the lot-split and contingency to annexation.

Logan Brock, 820 N. Fox Ave., neighboring property owner, spoke in opposition of the annexation. He believes it still creates an enclave even if legally it is not, and he doesn't believe it is in the best interest of anyone surrounding the development. He also commented the only time he ever spoke to the Developer was when Mr. Bolo contacted him about buying the back half of his property for pennies. Brief discussion ensued.

Motion:

Motion was made by Vice-Chairman Roman, and seconded by Board Member Dougall, to approve the Voluntary Annexation Application contingent upon the developer splitting parcel into two separate parcels with required square footage to alleviate the issue of making an enclave, recommending same to Commission. Motion carried unanimously.

Preliminary Plat Review – Park Place, Phase 2

Bill Frye, Director of Public Works/Planning, reviewed and advising, this is a Preliminary Plat Review of Park Place, Phase 2. Chris Short with Dewberry, Engineer of Record and Jason Scarbrough from St. Joe are present tonight. The infrastructure in this subdivision is not 100% complete but want to plat so they can start selling lots.

A surety bond has been issued for a 110% of the what the estimated cost to complete the project if the City had to hire another contractor to finish the job.

Board Member Hinton asked about the expiration of date on bond, and he didn't see a maintenance bond. Chris Short, Engineer addressed, the maintenance bond would be closer to end of construction, when certifications are being done for final certification to the city. Discussion ensued.

Board Member Hinton commented in Phase 2 on the map he used, the south lots look to be on wetlands. Engineer stated that they have provided a 25ft buffer from those wetlands.

Motion:

Motion was made by Board Member Woolsey, and seconded by Board Member Dougall, to approve the Preliminary Plat Review of Park Place, Phase 2, recommending same to Commission. Motion carried unanimously.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:32 p.m.

Audra Boswell, ASC

Board Chairman

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