



PARKER CITY COUNCIL REGULAR MEETING

Council Chambers, City Hall
Tuesday, August 5, 2025, at 5:30 P.M.

MAYOR:

Andrew Kelly

COUNCIL MEMBERS:

Tonya Barrow, Mayor Pro Tem

Katy Bodiford

Ron Chaple

John Haney

CITY ATTORNEY:

Tim Sloan

CITY CLERK:

Ingrid Bundy

NOTE: AT EACH OF ITS REGULAR OR SPECIAL MEETINGS, THE CITY OF PARKER COUNCIL ALSO SITS, AS EX OFFICIO, AS THE CITY OF PARKER COMMUNITY REDEVELOPMENT AGENCY (CRA) AND MAY CONSIDER ITEMS AND TAKE ACTION IN THAT CAPACITY.

AGENDA

CALL TO ORDER


INVOCATION

ROLL CALL

ITEMS FROM THE AUDIENCE: (non-agenda items)

REGULAR AGENDA

- 1. Approval of Minutes – July 15, 2025**
- 2. Roadway Resurfacing**
- 3. Discussion of Non-Conforming Properties**
- 4. Surplus Items - Auction**



Ingrid Bundy, City Clerk

If a person decides to appeal any decision made by the City Council with respect to any matter considered at the meeting, if an appeal is available, such person will need a record of the proceeding and such person may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact the City Clerk at clerk@cityofparker.com or by phone at 850-871-4104. If you are hearing or speech impaired and you have TDD equipment, you may contact the City Clerk using the Florida Dual Party System, which can be reached at 1-800-955-8770 (Voice) or 1-800-955-8771 (TDD).

ALL INTERESTED PERSONS DESIRING TO BE HEARD ON THE AFORESAID agenda are invited to be present at the meeting.

**1001 West Park Street – Parker, Florida 32404
Telephone: 850-871-4104 – www.cityofparker.com**



CITY OF PARKER AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME OF PRESENTER:

Council

2. MEETING DATE:

08/05/2025

3. PURPOSE:

Approval of minutes

4. IS THIS ITEM BUDGETED (IF APPLICABLE)

YES

☐

NO

☐

N/A X

July 15, 2025

CITY OF PARKER
REGULAR MEETING MINUTES
HELD AT 1001 W. PARK ST, JULY 15, 2025 – 5:30 PM

Mayor Andrew Kelly called the meeting to order with invocation followed by the Pledge of Allegiance.

The following were present: Mayor, Andrew Kelly, Councilmembers Tonya Barrow, Katy Bodiford, Ron Chaple, John Haney, Deputy City Clerk Donna Perdue, and City Attorney Tim Sloan.

ITEMS FROM THE AUDIENCE (Non-Agenda)

The audience shared about an oil container overflowing.

Resident Gary Brannen, 1034 Brannen Place, presented a discussion regarding non-conforming properties.

Chuck Walsh, 6405 Oakshore Drive, shared concerns about the speed at the area of Earl Gilbert Park.

AGENDA

Approval of Minutes

A motion to approve the minutes with corrections was made by Councilmember Barrow; seconded by Councilmember Haney. The motion was carried with all voting in favor; 5-0.

NPDES

Public Works Director, Tony Summerlin, presented the details regarding NPDES.

A motion to reduce the speed limit to 15 miles per hour on Oakshore Drive was made by Councilmember Haney; seconded by Councilmember Barrow. The motion was carried with all voting in favor; 5-0.

DISCUSSION ITEMS BY COMMISSIONERS

Councilmember Chaple shared that the yard sales are going well and the next one will be the 2nd Saturday of each month. He encouraged the community to attend the next 5th Tuesday gathering on July 29th. Mr. Chaple also reminded the community about the pig roast at the pavilion at 5 p.m. on Monday, September 1st.

Councilmember Barrow inquired about the fiscal budget meetings and encouraged department heads to share any specific needs. She further reiterated her desire to replace the sign for the City of Parker and inquired of the attorney regarding filed complaints.

With no further discussion the meeting adjourned at 6:00 P.M.

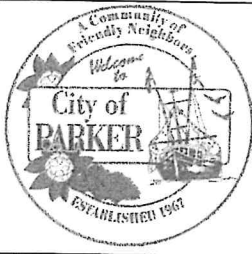
Approved this _____ day of _____, 2025.

Andrew Kelly, Mayor

Date

Ingrid Bundy, City Clerk

Date



CITY OF PARKER AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME OF PRESENTER:

Elizabeth Moore, Anchor Engineering

2. MEETING DATE:

08/05/2025

3. PURPOSE:

Road Resurfacing

4. IS THIS ITEM BUDGETED (IF APPLICABLE)

YES

☐

NO

☐

N/A X

Presentation on Road Resurfacing



P. 850.215.1285 F. 850.215.1286
450 Magnolia Avenue
Panama City, FL 32401

June 30, 2025

Mayor Andrew Kelly
City of Parker
1001 West Park Street
Parker, Florida 32404

Sent via email to: akelly@cityofparker.com

**RE: City of Parker 2025 Roadway Resurfacing
Design, Bidding, and Construction Administration/Inspection
Scope of Services | Task Order 1620-036**

Dear Mayor:

At the request of the City of Parker (City), Anchor Consulting Engineering and Inspection, Inc. (Anchor) is pleased to submit this scope of services and task order to provide professional design, permitting, bidding and construction administration/inspection services for the **City of Parker 2025 Roadway Resurfacing** project.

BACKGROUND

It is Anchor's understanding that the City of Parker wants to resurface the following roadways:

- ❖ Lance Street from Arrow Street to North 11th Street to include the intersection of Lance Street and 11th Street
- ❖ Highway 22A from Cherry Street to Business Highway 98
- ❖ Two segments of 9th Street:
 - from Lake Drive to U.S. Highway 98; and
 - from Hickory Street to Lake Drive.

This project will require surveying, geotechnical, design, bidding, and construction administration and inspection services as outlined below.

SCOPE OF SERVICES

Task A – Preliminary Investigation and Layout

For this task, Anchor will perform the following:

- ❖ Conduct a site visit to the parcel to evaluate the existing site conditions.
- ❖ Obtain information from the City which may assist in the resurfacing of these streets.

- ❖ Gather preliminary site information from a desktop investigation and other available means to include GIS-supplied rough topographic data, soil data, historical site information, general geotechnical information, etc.
- ❖ Evaluate local and state agencies to ensure that there are no permitting requirements for the proposed project. This proposal does not include permitting. If permitting is determined to be required, an Amendment will be prepared to address the type of permitting required.

Task B –Topographic and Right of Way Survey (by others)

Anchor will coordinate with a State of Florida Registered Professional Land Surveyor to perform a right of way and topographic survey to include the edge of pavement, 100' cross sections, driveways, utilities, and any other topographical elements of the roadways needed for the design of a new roadway. This fee does not include title work.

A copy of the signed and sealed boundary and topographic survey will be provided to the City.

Task C – Geotechnical Investigation (by others)

Anchor will coordinate with a State of Florida Registered Professional Geotechnical Engineer to provide a report and analysis based on fourteen 4-inch diameter cores and patch and fourteen 5-foot-deep auger borings beneath the cores. Geotechnical Engineer will provide an Evaluation Report to include testing results and pavement recommendations.

A copy of the signed and sealed geotechnical report will be provided to the City.

Task D – Roadway Improvements Design

Anchor will assist the City in designing the asphalt overlay of these roadways that will be in compliance with applicable state and federal design standards. This task includes the design of the roadway resurfacing for the four roadway segments noted above. A civil plan set including sheets for existing conditions, demolition, roadway alignment and cross sections, signage and pavement marking, erosion control and applicable details will be prepared to required standards. The civil drawing set and site plan will include sufficient detail for a contractor to provide an accurate cost and to construct the improvements as intended by Anchor and the City.

Anchor will prepare Preliminary Plans for City feedback as the design progresses and will prepare the Final Plans to the City that are signed and sealed by a Professional Engineer in the State of Florida.

A copy of the signed and sealed 100% Final Design Drawings will be provided to the City.

Task E – Bidding Phase

Anchor shall assist the City in the following bidding and procurement tasks:

- ❖ Developing a cost estimate.
- ❖ Advertising the Bid with Panama City News Herald or other approved media outlet.

- ❖ Maintaining a Plan Holder's list.
- ❖ Posting plans and specs to the City's website.
- ❖ Responding to Requests for Information from Bidders.
- ❖ Issuing addenda, as necessary.
- ❖ Attending Bid Opening at the City Council Meeting.
- ❖ Reviewing bids received.
- ❖ Preparing Recommendation of Award for City Council approval.
- ❖ Preparing and coordinating the execution of the Contract Documents between the City and the awarded Contractor.
- ❖ Preparing a hard copy and digital copy of the Plans and Specifications for the City and Contractor.

A copy of the Bid Specification, Bid Plans, Addenda, Bid Tabulation, Bids Received, Recommendation of Award and Executed Contracts will be provided to the City.

Task F – Construction Administration and Inspection Services

Anchor will provide the following construction administration and inspection services throughout the duration of construction:

- ❖ Periodic onsite inspection by an inspector that is CTQP certified.
- ❖ A daily inspection log via the Raken® software that will include weather conditions, site conditions, crew on site, quality review, safety review, etc. This log will be completed by the inspector while on-site. These logs will be distributed weekly and will provide inspection logs for the previous week.
- ❖ A verification of quantities will be provided by the inspector to confirm quantities submitted by the Contractor during Payment Applications reviews.
- ❖ Assistance with any on-site issues that may arise during construction will be addressed by the inspector while on-site.
- ❖ Scheduling, preparing the agenda, hosting, and transcribing minutes of the pre-construction, pre-paving, and progress meetings (if applicable).
- ❖ Review and tracking of Contractor Submittals.
- ❖ Review and tracking of Requests for Information.

- ❖ Preparing and tracking of Change Directives/Change Orders.
- ❖ Reviewing and tracking of Pay Applications submitted by Contractor.
- ❖ Submitting inspection reports to selected parties on a weekly basis.
- ❖ Logging of rain days or other days requested by Contractor.
- ❖ Close-out documentation.

A copy of the Conformed Specifications and Plans, Agendas, Minutes, Inspection Reports, Change Orders, Pay Applications, Submittals, and Close-Out Documentation will be provided to the City.

Task G – Project Management, Coordination and Oversight

The surveying and geotechnical tasks outlined above are to be performed by subcontractors of Anchor and their fees have not been increased.

The fee for the Project Management, Coordination and Oversight task covers the time for Anchor to coordinate these subcontractors, review their scope of services, review their reports and/or designs, interpret reports where necessary, oversee testing, schedule the work, and other project management tasks as appropriate.

PROFESSIONAL SERVICES FEES

The cost for tasks listed above shall be completed for a not-to-exceed amount of **\$170,540.00** as detailed below.

Task A	Preliminary Investigation & Layout	\$27,970.00
Task B	Right of Way and Topographic Surveying (by others)	\$25,800.00
Task C	Geotechnical Investigation (by others)	\$4,800.00
Task D	Roadway Improvements Design	\$61,900.00
Task E	Bidding Phase	\$5,870.00
Task F	Construction Administration and Inspection Services	\$41,140.00
Task G	Project Management, Coordination and Oversight	\$3,060.00
Total Fee		\$170,540.00

EXCLUSIONS/ADDITIONAL SERVICES

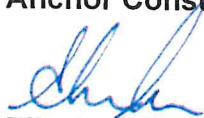
Services may be required that exceed or are not listed in the scope of services outlined above. Those tasks will only be undertaken with prior authorization as an amendment to this contract. Additional services include but are not limited to:

- ❖ Permitting – ***because this is a resurfacing project, it is not anticipated that permitting will be required.***
- ❖ Water collection and conveyance system design.
- ❖ Stormwater collection and conveyance system design.
- ❖ Wastewater collection and conveyance system design.
- ❖ Any other engineering or design services not specifically referenced above.
- ❖ Right of way or easement dedication or vacation.
- ❖ Environmental consultant services.
- ❖ Landscape design services.
- ❖ Permitting Application Fees, if any (application, permit, service, etc.).

CLOSING

To execute this proposal, please execute the attached Task Order and Notice to Proceed (**Attachment A**) and return a scanned copy to moregan@anchorcei.com and emoore@anchorcei.com as Anchor's Notice to Proceed on this important City project.

Anchor Consulting Engineering and Inspection, Inc.



Elizabeth S. Moore, P.E.
President

EM/mor

Attachments: Attachment A - Task Order

Copy: Ms. Elizabeth S. Moore, P.E., President, Anchor (via e-mail at emoore@anchorcei.com)
Ms. Brittany Trumbull, P.E., Vice President (via e-mail at btrumbull@anchorcei.com)
Ms. Mandy O'Regan, Anchor (via e-mail at moregan@anchorcei.com)

Attachments: Attachment A: Task Order 1620.036

ATTACHMENT A
COMBINED TASK ORDER
AND NOTICE TO PROCEED
TASK ORDER 1620.036

Reference is made to that certain AGREEMENT FOR PROFESSIONAL SERVICES between the CITY OF PARKER and ANCHOR CEI, INC. (Consultant) dated January 28, 2020 (the "Agreement"), the terms, conditions, and definitions of which are incorporated herein as if set forth in full.

Pursuant to the Agreement, Consultant agrees to perform the specific tasks set forth upon incorporated proposal letter dated June 30, 2025, relating to the City of Parker 2025 Roadway Resurfacing project.

Consultant's total compensation shall be a stipulated lump sum of **\$170,540.00**.

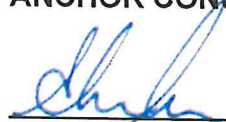
Work shall begin immediately following execution of proposal.

There are no additional rights and obligations related to this Task Order other than as specified in the Agreement.

Upon execution of this task order by both Consultant and the City of Parker, Consultant is directed to proceed.

Parties have caused these presents to be executed in their names on the date shown.

ANCHOR CONSULTING ENGINEERING AND INSPECTION, INC.



Elizabeth S. Moore, P.E. 06/30/2025
President Date

CITY OF PARKER

Mayor Andrew Kelly Date

ATTACHMENT B

CDBG Engineering Fee Schedule (As a Percentage of Net Construction Costs)

Fees are to be adjusted to suit special conditions stated in the contract.

Table I ordinarily will apply to that portion of a construction project which is unusually complex because it included a water treatment plant, wastewater treatment plant, sewer lines, and rehabilitation of an existing facility. It covers preliminary engineering services, design and contract administration services.

Table II ordinarily will apply to all other work, including wells, water distributions systems, package pumping stations, package treatment plants and water storage tanks. It covers preliminary engineering services.

Table IR and IIR apply to resident inspections. The applicable percentages will be allowed for full-time resident inspection. Table IR will be used for complex (Table I) projects. Table IIR will be used for all other projects. Part-time resident inspection is to be used only when the complexity and scope does not require full-time inspection and requires Rural Development approval. Ninety-five percent (95%) of compensation for resident inspection will be payable periodically during the construction period. The final five percent (5%) will be payable upon final approval of the project by the owner and Rural Development.

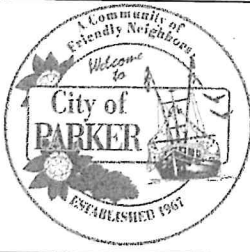
TOTAL ACTUAL CONSTRUCTION COST	WWTP, SEWER, REHAB		WATER LINES, WELLS, TANKS, PS, ETC.	
	TABLE I	TABLE IR	TABLE II	TABLE IIR
	% FEE (DESIGN)	% FEE (INSPECTI ON)	% FEE (DESIGN)	% FEE (INSPECTION)
100,000	12.3	8.8	9.9	7.7
200,000	11.2	7.4	8.9	6.3
300,000	10.5	6.6	8.5	5.5
400,000	9.8	6.1	8.0	5.0
500,000	9.4	5.7	7.7	4.6
600,000	9.0			
700,000	8.8			
800,000	8.6			
900,000	8.5	5.0	6.9	3.9
1,000,000	8.3	4.8	6.8	3.7
2,000,000	7.9	3.9	6.3	2.8
3,000,000	7.5	3.4	6.0	2.3
4,000,000	7.1	3.2	5.7	2.1
		3.0	5.6	1.9
		2.9	5.1	1.7
15,000,000	5.9	2.8	5.0	1.7

Construction Cost Estimate:
\$1,685,000 - \$2,020,000

Extrapolated Corresponding Fee:
6.5% - 6.29%

The fee for project cost falling between the figures shown on these Tables shall be interpolated to the nearest one-tenth of one percent. Compensation may be negotiated on a lump-sum basis for all projects less than \$100,000.

Additional costs for contract administration engineering services and resident inspection due to project not being completed on schedule will be items included in determining the amount of liquidated damages. Additional Engineering compensation for projects not finished on schedule shall be as calculated on the attached sheet.



CITY OF PARKER AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME OF PRESENTER:

Garry Brannon, Resident

2. MEETING DATE:

08/05/2025

3. PURPOSE:

Non-Conforming Properties

4. IS THIS ITEM BUDGETED (IF APPLICABLE)

YES

☐

NO

☐

N/A X

Discussion regarding non-conforming properties and transferability.

July 18, 2025

To: City of Parker City Council


Re: Verbiage in LDR

Dear Sirs and Madams,

We are asking for a change to the verbiage of the Non-Conforming Properties from Non-Transferable to Transferable. Many of these Non-conforming properties were built in the 1950's. They were allowed to be transferred with the Non-Comforming status. We believe without the ability to transfer our properties, they would lose significant value. The non-conforming properties have been in the area prior to the single-family dwellings around them.

We appreciate your prompt attention to making the necessary change to the verbiage. Thank you for your help with this matter.

Sincerely,

A handwritten signature in blue ink, which appears to read "Garry Brannon", followed by the date "July 18 2025" also written in blue ink.

Garry Brannon

July 18, 2025

To: City of Parker City Council

Re: Verbiage in LDR

Dear Sirs and Madams,

We are asking for a change to the verbiage of the Non-Conforming Properties from Non-Transferable to Transferable. Many of these Non-conforming properties were built in the 1950's. They were allowed to be transferred with the Non-Comforming status. We believe without the ability to transfer our properties, they would lose significant value. The non-conforming properties have been in the area prior to the single-family dwellings around them.

We appreciate your prompt attention to making the necessary change to the verbiage. Thank you for your help with this matter.

Sincerely,

Garry Brannon

Sec. 6-3. PROTECTION OF LANDOWNER'S RIGHTS

It is the specific purpose and intent of the City Council to ensure that each and every landowner has beneficial use of his property in accordance with the U.S. Constitution and the Florida Constitution, and to provide conditions and procedures whereby landowner's who believe they have been deprived of all beneficial use of their property may secure relief through non-judicial procedures.

6-3.1 Existing Non-Conforming Development

The requirements prescribed herein shall not be construed to require the removal, lowering, or other change to or alteration of any structure not conforming to the regulations as of the effective date of these Regulations, or to otherwise interfere with continuance of any nonconforming use except as provided in Sections 333.07(1) and (3), Florida Statutes and other Florida law.

Before any non-conforming structure is constructed, established, substantially altered, substantially repaired or replaced, the owner must obtain a permit (unless exempt as de minimus) from the City authorizing such replacement, repair or change.

Subject to the following restrictions for continuance of non-conforming development such development may, if in existence on the effective date of these Land Development Regulations, remain in its non-conforming state.

1. Public Hazard. The development must not constitute a threat to the general health, safety and welfare of the public.
2. Ordinary repair and maintenance. Normal maintenance and repair to permit continuation of non-conforming development may be performed.
3. Expansions or extensions. Non-conforming uses shall not be changed, expanded, or extended.
4. Abandonment or discontinuance. Where non-conforming development is abandoned or the use of the entire parcel is discontinued for a period of one hundred eighty (180) days in any 365-day period such use shall not be continued or resumed, and shall be subject to compliance with the provisions of these Land Development Regulations. However, discontinuance of the use of less than a majority of the total number of single mobile home / manufactured home lots in a mobile home / manufactured home park shall not result in the loss of the non-conforming use of those lots.
5. Damage or destruction. In the case of detached single-family dwelling substantially damaged or destroyed by fire or natural disaster, the owner may rebuild the dwelling in the same footprint with the same number of stories as it previously existed unless

there is a safety or flood zone concern or prohibition of the City and as long as the level of non-conformity does not increase. Where other non-conforming development is substantially damaged or destroyed reconstruction of such development shall be in compliance with all provisions of these Land Development Regulations. A dwelling is considered to be substantially damaged or destroyed if the cost of reconstruction is fifty (50) percent or more of the fair market value of the structure at the time of the damage or destruction. For non-conforming development comprised of multiple structures including ancillary structures the cost of reconstruction shall be compared to the combined fair market value of all of the structures.



6. Change of ownership. Change of ownership or other transfer of an recorded interest in real property on which a non-conforming use is located shall terminate the non-conforming use status, regardless of whether the purchaser modifies or alters the use of the property.
7. Replacement. Nothing contained herein shall preclude an owner of a non-conforming structure from replacing the non-conforming structure with a structure of similar size in the same footprint and equal to or better quality so long as the extent of the overall non-conformity of the entire property is not materially increased and only if the replacement complies with all other provisions of these Land Development Regulations including but not limited to Sections 5-11 or 5-12.
8. Change in structure. The regulations prescribed herein shall not be construed to require a change in the use of a structure not conforming to the regulations as of the effective date of these Regulations. Should a nonconforming structure be converted in whole or in part to a conforming structure, that portion of the nonconforming structure so converted shall lose its nonconforming status.

6-3.2 Vested Rights

A property owner's right of development prior to adoption of these Land Development Regulations shall be vested, even if such development is not in conformance with these Regulations, subject to the following circumstances.

1. Final development approval has been granted to the developer by the City and a valid, unexpired building permit has been issued to the developer by the Bay County Building Department, and development has commenced and is continuing in good faith.
2. All vested development shall be undertaken in strict conformance with the design plans and specifications approved by the City Council and the Bay County Building Department. Any modifications, additions or alterations to the approved plans and

2. Continuation of nonconforming uses and structures

- Legally established nonconforming uses and structures are generally allowed to continue as long as they remain otherwise lawful.
- However, local regulations often include provisions to limit or terminate these nonconformities over time. ☺

3. Restrictions on nonconforming properties

- **Expansion or enlargement:** Generally, nonconforming uses or structures cannot be expanded or enlarged in a way that increases their nonconformity. Some exceptions may apply, such as expansions to legal nonconforming single-family residences, as long as the number of dwelling units doesn't increase.
- **Damage or destruction:** If a nonconforming structure is significantly damaged or destroyed (often defined as exceeding 50% or 75% of its assessed or replacement value), it typically cannot be rebuilt or repaired except in conformity with current regulations.
- **Discontinuance or abandonment:** Nonconforming uses or structures may be terminated if they are discontinued or abandoned for a specified period, usually 90 days to one year, according to Municode Library.
- **Changes of use:** A nonconforming use may be changed to another nonconforming use of similar character or to a more restricted nonconforming use, but typically not to a more intensive or different type of nonconforming use. ☺

4. Exceptions and special considerations

- **Repairs and maintenance:** Normal maintenance and repairs are generally permitted on nonconforming structures and uses, provided

they don't increase the nonconformity or involve major structural alterations.

- **Governmental takings:** If a property becomes nonconforming due to a government taking (e.g., for a right-of-way), special provisions may apply to legalize the non-compliance.
- **Variances:** Property owners may be able to apply for a variance to be granted an exception to the zoning regulations, especially in cases where the nonconformity creates an undue hardship or prevents any meaningful use of the property. ☺

It is crucial to emphasize that the specific details of nonconforming property regulations can vary significantly between different jurisdictions in Florida. Therefore, it is essential for property owners to consult with the local zoning agency or an attorney specializing in land use law to determine the exact regulations applicable to their specific property and circumstances. ☺

The Status of Nonconforming Use...

Mar 3, 2005 — The Status of Nonconforming Use Law in...

🌐 The Florida Bar ⓘ



ARTICLE V. - NONCONFORMING...

ARTICLE V. - NONCONFORMING LOTS,...

🌐 Municode Library ⓘ

§ 3.12 Struc

* § 3.12. Structu

🌐 Ame

Dive deeper in AI Mode

AI responses may include mistakes. For legal advice, consult a professional. [Learn more](#)



Can I sell my nonconforming piece of property that the z

All Short videos Images Forums Shopping Videos Web News B

AI Overview

+4

In most cases, if a property is legal non-conforming ("grandfathered") under previous zoning regulations, its non-conforming status will transfer to a new owner upon sale, provided the use of the property remains consistent and meets the specific conditions outlined in local ordinances.

Here's a breakdown:

- **Legal Non-Conforming Use:** This occurs when a property's use or structure was legal under the zoning laws in place at the time it was established, but does not comply with the current zoning regulations.
- **Grandfathered Status:** This is the term for the legal recognition that allows the property to continue its non-conforming use despite the change in zoning laws.
- **Transferability:** Generally, the grandfathered status "runs with the land," meaning it transfers to the new owner when the property is sold.
- **Conditions and Limitations:** While the non-conforming status generally transfers, it comes with limitations. These may include restrictions on:
 - **Expansion or Alteration:** Regulations often prohibit expanding or rebuilding the non-conforming structure or use beyond its



Schenk Boncher & Rypma

ATTORNEYS & COUNSELLORS

[LEGAL SERVICES](#)

[OUR FIRM](#)

[NEWS](#)

[FEE STRUCTURE](#)

[CONTACT US](#)

[FAQ](#)

LAWFUL NON-CONFORMING USES :: GRANDFATHERED PROPERTY AND ZONING LAW

[Home](#) / [Zoning Law](#) / [Lawful Non-Conforming Uses :: Grandfathered...](#)

Clients often call to ask if the property they are selling is subject to “new” zoning regulations which were adopted after they bought the property and which regulations would disallow the current use if they were requesting it for the first time. The question is usually phrased in the form of a statement: “my property is ‘grandfathered’ and they can’t change it”.

For the most part the client who adopts that view is correct. If the use is already established before a zoning change, and the use is lawful under the old zoning, it is a “lawful prior non-conforming use” or in the common idiom “grandfathered” use. That use may continue even under a new owner since it is the status of the land and not ownership which controls. In other words, you can transfer the property to a new owner without losing the right to the existing use.

However, the doctrine of prior non-conforming use comes with several caveats. First, the doctrine assumes that the use will gradually come to an end. For example, if you have a factory established in a residential zone, generally you may NOT upgrade the factory in order to continue the use beyond its expected span of life.

Second, you may NOT EXPAND the use by making it larger with greater capacity.

Third, you may NOT change uses and later go back to the non-conforming use. Once ended, the non-conforming use is no longer available to the property owner.



AI Mode All Images Short videos Videos Shopping News Forums

✦ AI Overview

+12

Florida law regarding nonconforming properties and residential zoning

In Florida, the legal framework surrounding nonconforming properties, uses, and structures in residential zones is primarily governed by local zoning ordinances, which are developed by individual counties and municipalities within the state. 📍

Here's a breakdown of the key aspects typically covered in these regulations:

1. Definition and intent

- A **nonconforming use or structure** refers to one that was lawfully established and permitted prior to a change in the zoning laws, but no longer complies with the current regulations for the zone in which it's located.
- The intent of these regulations is to allow these previously legal nonconformities to continue, while also encouraging them to eventually conform with current regulations.
- This is often achieved through a process called "grandfathering," which permits the continuation of existing nonconforming uses and structures, subject to specific conditions. 📍

THE STATUS OF NONCONFORMING USE LAW IN FLORIDA



📅 Vol. 79, No. 3 March 2005 Pg 46 👤 Mark A. Rothenberg

📁 Real Property, Probate and Trust Law

For the past 30 years, Floridians enticed by the lure of new homes, gated communities, and other amenities fled the coasts in a race to the center of the state.¹ As available land begins to run out, and faced with the reality of poor planning, inadequate infrastructure, and booming commute times, Floridians have begun a rediscovery of previously developed coastal communities.² Many local governments have taken steps to plan for this new wave of redevelopment. These planning measures typically attempt to preserve a localized sense of identity while requiring that sufficient infrastructure is provided in tandem with redevelopment.³ The implementation of such planning measures frequently has the effect of causing existing uses or structures to become "nonconforming."⁴ Accordingly, an understanding of the status of Florida law on nonconforming uses and structures will become of critical import to property owners and developers as local governments plan for redevelopment.

Definition and Existing Methods of Elimination

definition, a nonconforming use or structure is one in which the use or structure was legally permitted prior to a change in the law, and the change in law would no longer permit the re-establishment of such structure or use.⁵ As the Fifth District Court of Appeal noted in *Lewis v. City of Atlantic Beach*, 467 So. 2d 751, 754 (Fla. 5th DCA 1985):

 [t]he application of zoning regulations to restrict an existing use of property, resulting in substantial diminishing of its value, may constitute a "taking" by the governmental agency which requires the payment of compensation under well-established principles of constitutional law. . . . To avoid these consequences, zoning regulations generally "grandfather" the continuation of existing nonconforming uses on property subject to the zoning classification. the same token therefore, it is reasonable to conclude that the termination of such grandfathered nonconforming uses may result in a "taking" for constitutional purposes unless the basis of such termination accords with applicable legal principles. 

The operators and owners of such "grandfathered" or "nonconforming" uses or structures (collectively, "nonconforming uses") routinely come into conflict with local governments when they seek to grow out their businesses, enlarge their homes, or face unexpected difficulty in obtaining insurance or financing.⁶

provided that in the event a nonconforming use ceased for a period of six months or more, the nonconforming use could not be reestablished.³⁹ Despite numerous attempts, the property owner was not able to lease the property for retail uses over a six-month period due to an economic downturn.⁴⁰ The court found evidence that the owner continuously attempted to rent out the retail space sufficient to rebut the presumption of intent.⁴¹

Courts in other states have criticized the examination of intent in the context of an abandonment case as being “silly” because it encourages property owners who have actually abandoned a nonconforming use to perjure themselves and because such an analysis supersedes the intent of the local government.⁴²

However, an examination of intent may be appropriate because Florida courts have long since established the ability of a local government to conduct quasi-judicial hearings and to weigh and discern the credibility of evidence.⁴³

Moreover, the local government's interests are protected by creating a presumption of intent based on the time frame necessary to establish abandonment. As such, the approach of the 17th Circuit (as affirmed by the Fourth District) may be seen as striking a balance between the rights of property owners to realize their investment and the aim of local governments in planning for their cities.⁴⁴

Obsolescence

The final type of restriction governing nonconforming uses requires the gradual elimination of a nonconforming use through obsolescence. Typically, local governments prohibit expansion or enlargement of the nonconforming use which prohibition, it is thought, render the use obsolete over time.⁴⁵ However, problems arise as to the precise meaning of an expansion or enlargement. The results of these disputes generally hinge on the facts of each case.⁴⁶ In deciding such cases, courts will look to such factors as a change in the scope⁴⁷ or volume, geographic size, or area of the nonconforming use,⁴⁸ whether additional types of use permits are necessary to accommodate the proposed expansion (e.g., a liquor license),⁴⁹ and whether the expansion increases residential density or the need for infrastructure.⁵⁰ However, a change in ownership in and of itself does not terminate a nonconforming use.⁵¹

July 18, 2025

To: City of Parker City Council

Re: Verbiage in LDR

Dear Sirs and Madams,

We are asking for a change to the verbiage of the Non-Conforming Properties from Non-Transferable to Transferable. Many of these Non-conforming properties were built in the 1950's. They were allowed to be transferred with the Non-Comforming status. We believe without the ability to transfer our properties, they would lose significant value. The non-conforming properties have been in the area prior to the single-family dwellings around them.

We appreciate your prompt attention to making the necessary change to the verbiage. Thank you for your help with this matter.

Sincerely,

Garry Brannon

Parcel Summary

Parcel ID 26092-000-000
Location Address 1334 STRATFORD AVE
PANAMA CITY 32404
Brief Tax Description* 2ND AMENDED PLAT PT DONALSON LOT 11 BLK 2 ORB 773 P 297 ORB 2397 P 2128
*The Description above is not to be used on legal documents.
Property Use Code MULTI-FAMI (000800)
Sec/Twp/Rng 24-4S-14W
Tax District City of Parker (District 10)
Millage Rate 13.969
Acreage 0.413
Homestead N

[View Map](#)

Owner Information

Primary Owner
Brannon, Garry A
1034 Meche Dr
Panama City, FL 32402

Valuation

	2025 Working Values	2024 Certified Values	2023 Certified Values	2022 Certified Values
Building Value	\$80,284	\$71,720	\$65,200	\$51,090
Extra Features Value	\$404	\$404	\$404	\$251
Land Value	\$44,520	\$41,340	\$37,100	\$36,040
Land Agricultural Value	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0
Just (Market) Value	\$125,208	\$113,464	\$102,704	\$87,381
Assessed Value	\$117,154	\$106,504	\$96,822	\$87,381
Exempt Value	\$0	\$0	\$0	\$0
Taxable Value	\$117,154	\$106,504	\$96,822	\$87,381
Save Our Homes or AGL Amount	\$8,054	\$6,960	\$5,882	\$0

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

Building Data

Building 1
Type DUPLEX
Total Area 2,773
Heated Area 1,920
Exterior Walls CEMENT BRK
Roof Cover STAND SEAM
Interior Walls DRYWALL; DRYWALL
Frame Type N/A
Floor Cover CORK/TILE
Heat CONVECTION
Air Conditioning WINDOW
Bathrooms 2
Bedrooms 3
Stories 1
Actual Year Built 1955
Effective Year Built 1955

Extra Features

Code	Description	Number of Items	Length x Width x Height	Units	Unit Type	Effective Year Built
0146	FNCE INPUT	1	0 x 0 x 0	1	UT	1955
1240	DRIVE NV	1	0 x 0 x 0	1	UT	2002
1017	RET WALL/INPUT	1	0 x 0 x 0	1	UT	2002
0025	SHED/INPUT	1	0 x 0 x 0	1	UT	2002
1240	DRIVE NV	1	0 x 0 x 0	1	UT	2008
0500	PATIO A	1	12 x 5 x 0	60	SF	2017

Land Information

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
000100	SFR	100.00	FF	100	180

Sales

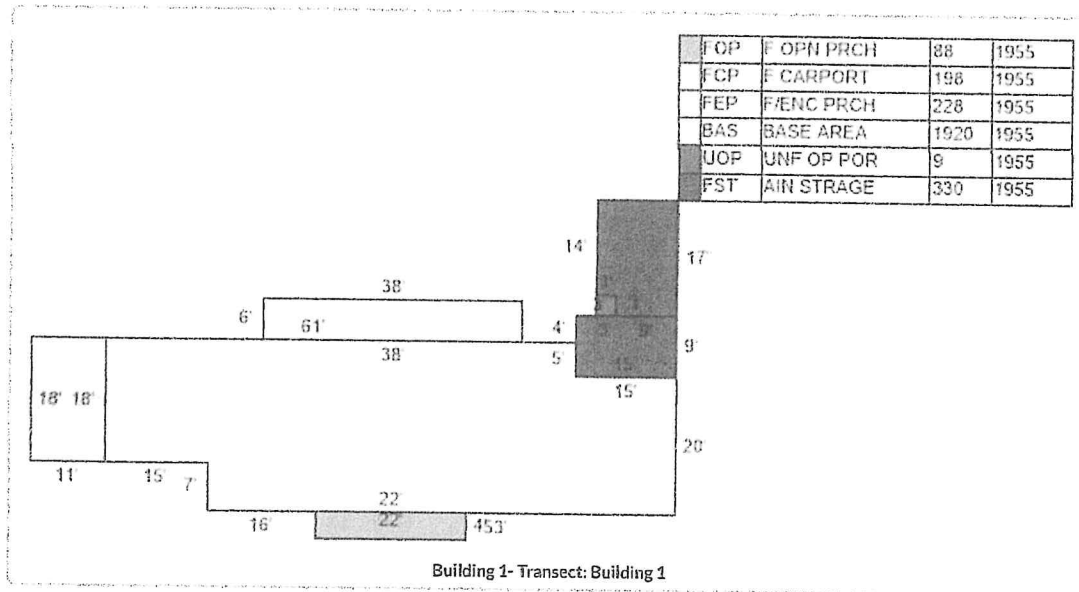
Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	02/11/2004	\$108,000	WD	2397	2128	Qualified (Q)	Improved	EDWARD A WALSH	GARRY A BRANNON

Permits

Issued	Permit Number	Type	Description	Amount
19901207	9021296	ADD	ADDITION	\$0
19950118	9500456	ROOF	ROOF	\$0

The permit information provided on this website is strictly for informational purposes only. For detailed permit information, please contact the applicable taxing authorities building department.

Sketches



Assessment Notice

[26092-000-000 \(PDF\)](#)

Adobe Acrobat Reader is required to view, open or print this notice.

Map



No data available for the following modules: Condo Information.

The Real-World Asset (RWA) data is provided to the user for informational purposes only. It is not intended to be used for any other purpose. The user is responsible for ensuring that the data is used in accordance with the applicable laws and regulations. The user is also responsible for ensuring that the data is used in accordance with the applicable privacy policies and terms of service. The user is not responsible for any loss or damage resulting from the use of the data. The user is also responsible for ensuring that the data is used in accordance with the applicable laws and regulations. The user is also responsible for ensuring that the data is used in accordance with the applicable privacy policies and terms of service. The user is not responsible for any loss or damage resulting from the use of the data.

[User Privacy Policy](#) | [GDPR Privacy Notice](#)
Last Data Upload: 6/10/2025, 7:42:22 AM

Contact Us



Parcel Summary

Parcel ID 25998-000-000
Location Address 5125 THORNTON LN
PANAMA CITY 32404
Brief Tax Description* GILBERT-PARKER ADD LOT 5 BLK 6 ORB 3951 P 973
*The Description above is not to be used on legal documents.
Property Use Code MULTI-FAMI (000800)
Sec/Twp/Rng 24-4S-14W
Tax District City of Parker (District 10)
Millage Rate 13.969
Acreage 0.308
Homestead N

[View Map](#)

Owner Information

Primary Owner
Walsh, Charles & Sherry
PO Box 20213
Panama City Beach, FL 32417

Valuation

	2025 Working Values	2024 Certified Values	2023 Certified Values	2022 Certified Values
Building Value	\$87,957	\$78,575	\$25,330	\$22,684
Extra Features Value	\$3	\$3	\$3	\$3
Land Value	\$39,513	\$36,691	\$32,928	\$31,987
Land Agricultural Value	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0
Just (Market) Value	\$127,473	\$115,269	\$58,261	\$54,674
Assessed Value	\$109,578	\$99,616	\$58,261	\$54,674
Exempt Value	\$0	\$0	\$0	\$0
Taxable Value	\$109,578	\$99,616	\$58,261	\$54,674
Save Our Homes or AGL Amount	\$17,895	\$15,653	\$0	\$0

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

Building Data

Building 1
Type DUPLEX
Total Area 1,873
Heated Area 1,375
Exterior Walls CONC BLOCK; AVERAGE
Roof Cover ENG SHINGL
Interior Walls PLASTER
Frame Type N/A
Floor Cover CORK/VTILE
Heat AIR DUCTED
Air Conditioning CENTRAL
Bathrooms 2
Bedrooms 3
Stories 1
Actual Year Built 1965
Effective Year Built 1965

Building 2
Type DUPLEX
Total Area 1,903
Heated Area 1,456
Exterior Walls CONC BLOCK; AVERAGE
Roof Cover ENG SHINGL
Interior Walls DRYWALL
Frame Type N/A
Floor Cover SHT VINYL; CARPET
Heat AIR DUCTED
Air Conditioning CENTRAL
Bathrooms 2
Bedrooms 1
Stories 1
Actual Year Built 1977
Effective Year Built 1977

Extra Features

Code	Description	Number of Items	Length x Width x Height	Units	Unit Type	Effective Year Built
0135	WOOD FENCE NV	1	30 x 0 x 6	1	UT	2002
1012	UDU NV	1	0 x 0 x 0	1	UT	2002
1240	DRIVE NV	1	0 x 0 x 0	1	UT	2008

Land Information

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
000100	SFR	96.00	FF	96	140

Sales

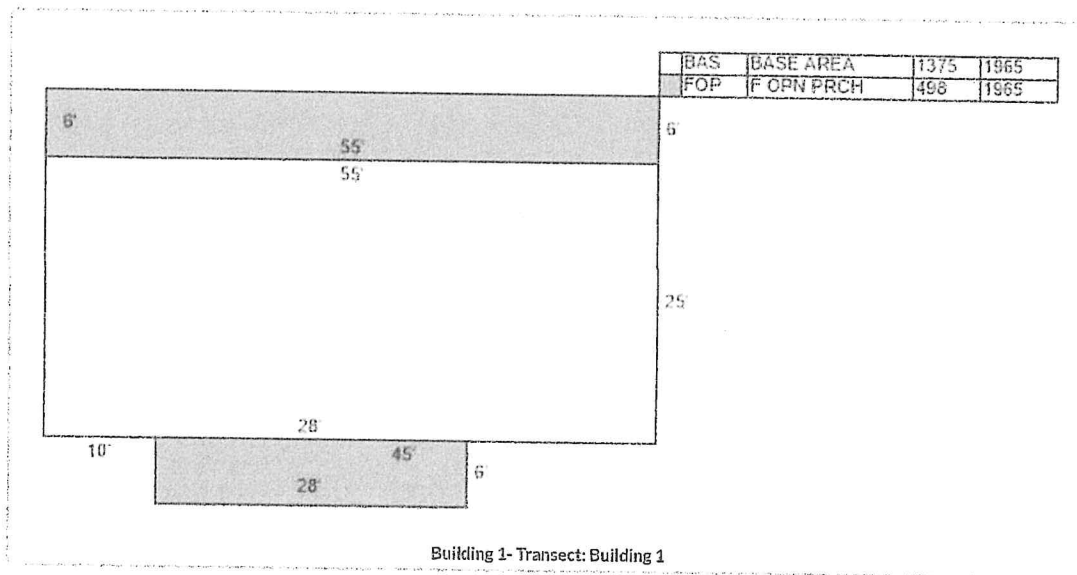
Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	10/30/2017	\$100,000	WD	<u>3251</u>	<u>973</u>	Qualified (Q)	Improved	RHONDA KAY EPPES HARPER	CHARLES WALSH & SHERRY
Y	07/14/2015	\$0	PR	<u>3715</u>	<u>843</u>	Unqualified (U)	Improved	LOIS KAY MERKEL PR OF TH ESTATE OF BETTYE JALEAN	RHONDA KAY EPPES HARPER
N	10/01/1978	\$63,500	WD	<u>703</u>	<u>321</u>	Qualified (Q)	Improved		

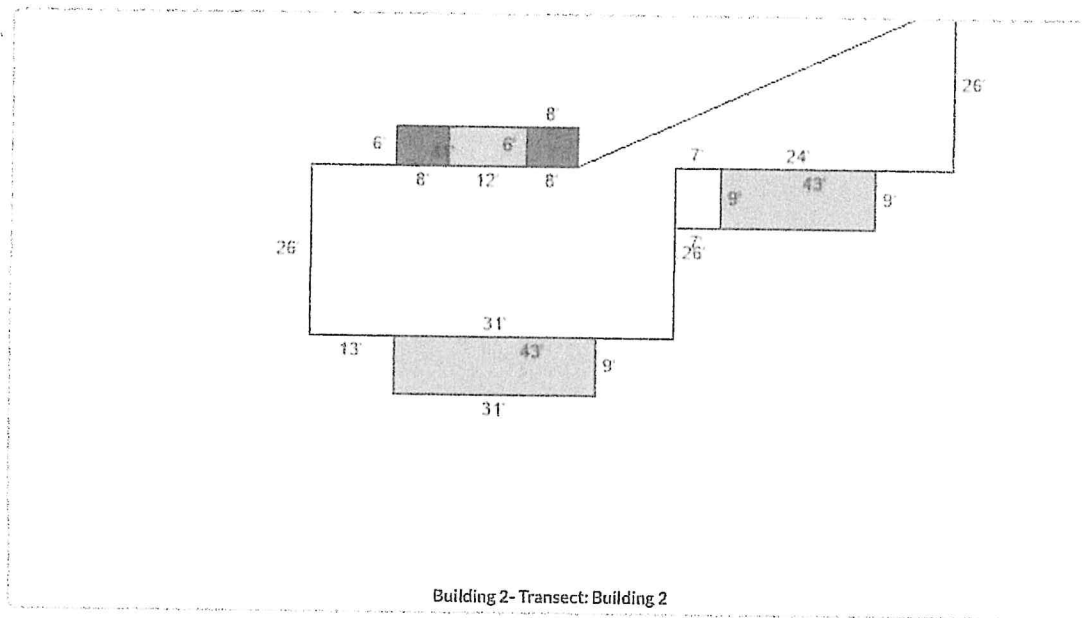
Permits

Issued	Permit Number	Type	Description	Amount
19900411	233	ROOF	ROOF	\$0

The permit information provided on this website is strictly for informational purposes only. For detailed permit information, please contact the applicable taxing authorities building department.

Sketches





Assessment Notice

[25298-000-000 \(PDF\)](#)

Adobe Acrobat Reader is required to view, open or print this notice.

Map



No data available for the following modules: Condo Information.

The Bay County Assessor's Office makes every effort to produce the most accurate information available. No warranties, expressed or implied, are provided for the data herein, in whole or in part. The Senior Exemption Does Not Apply in All Jurisdictions. Just in Market: Value is established by the Property Appraiser for ad valorem tax purposes. It does not represent anticipated selling price. Working values are subject to change.

[User Privacy Policy](#) | [GDPR Privacy Notice](#)
 Last Data Upload: 6/10/2025, 7:42:22 AM

Control 15

Created: 6/10/2025
 SCHNEIDER
 GEOSPATIAL

Parcel Summary

Parcel ID 26098-000-000
 Location Address 1329 DOVER RD
 PANAMA CITY 32404
 Brief Tax Description* 2ND AMENDED PLAT PT DONALSON LOT 18 BLK 2 ORB 3754 P 2203
 *The Description above is not to be used on legal documents.
 Property Use Code MULTI-FAMI (000800)
 Sec/Twp/Rng 24-4S-14W
 Tax District City of Parker (District 10)
 Millage Rate 13.969
 Acreage 0.619
 Homestead N

[View Map](#)

Owner Information

Primary Owner
 Geiger, Clark Ferris Trustee
 4934 Donalson Rd
 Panama City, FL 32404

Valuation

	2025 Working Values	2024 Certified Values	2023 Certified Values	2022 Certified Values
Building Value	\$74,976	\$74,976	\$68,160	\$41,221
Extra Features Value	\$1,806	\$1,806	\$1,806	\$1,264
Land Value	\$66,780	\$62,010	\$55,650	\$54,060
Land Agricultural Value	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0
Just (Market) Value	\$143,562	\$138,792	\$125,616	\$96,545
Assessed Value	\$126,094	\$114,631	\$104,210	\$90,860
Exempt Value	\$0	\$0	\$0	\$0
Taxable Value	\$126,094	\$114,631	\$104,210	\$90,860
Save Our Homes or AGL Amount	\$17,468	\$24,161	\$21,406	\$5,685

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

Building Data

Building 1
 Type M/FAM LOW
 Total Area 4,340
 Heated Area 4,144
 Exterior Walls CB STUCCO
 Roof Cover ENG SHINGL
 Interior Walls PLYWOOD; DRYWALL
 Frame Type MASONRY
 Floor Cover HARDWOOD
 Heat AIR DUCTED
 Air Conditioning ENG CENTRL
 Bathrooms 4
 Bedrooms 5
 Stories 1
 Actual Year Built 1957
 Effective Year Built 1957

Extra Features

Code	Description	Number of Items	Length x Width x Height	Units	Unit Type	Effective Year Built
0236	DRIVE/WALK INPUT	1	0 x 0 x 0	1	UT	1957
0014	UDU/INPUT	1	16 x 16 x 0	1	UT	1991
0146	FNCE INPUT	1	0 x 0 x 0	1	UT	1957
0144	DECO FENCE	1	30 x 0 x 6	30	LF	2011
1012	UDU NV	1	0 x 0 x 0	1	UT	2011

Land Information

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
000100	SFR	150.00	FF	150	180

Sales

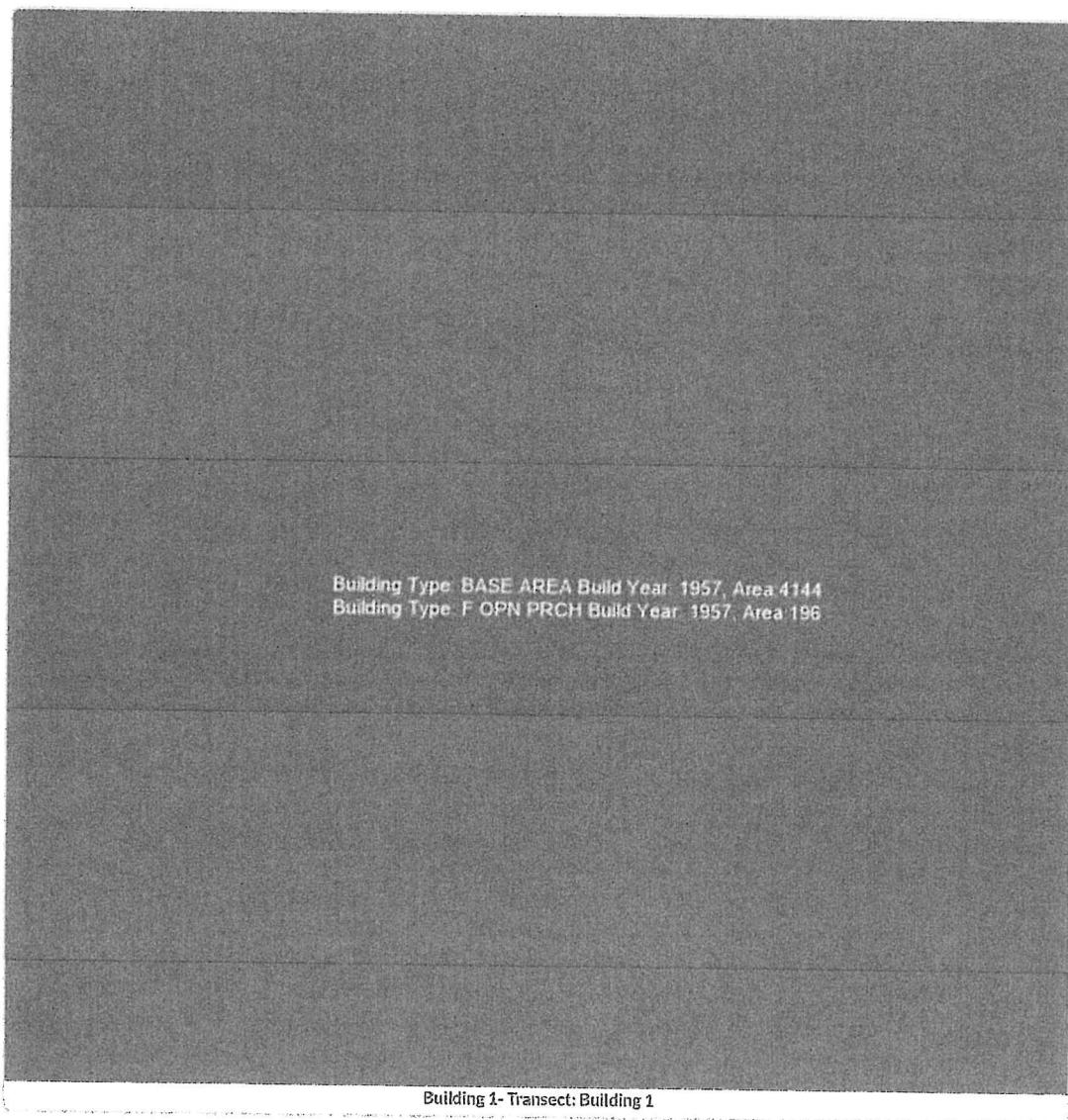
Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
Y	11/02/2015	\$100	WD	<u>3754</u>	<u>2203</u>	Unqualified (U)	Improved	CLARK & LINDA GEIGER H/W	CLARK FERRIS GEIGER & LINDA HAYES GEIGER AS
N	08/11/2011	\$100	WD	<u>3346</u>	<u>1600</u>	Unqualified (U)	Improved	MILDRED J HAYES TRUSTEE (1/2 INTEREST)	CLARK & LINDA GEIGER H&W
N	04/19/2001	\$100	WD	<u>2023</u>	<u>2178</u>	Unqualified (U)	Improved	ELMER J HAYES	ELMER J HAYES & MILDRED J TRUSTEES
N	12/15/1986	\$97,500	WD	<u>1109</u>	<u>980</u>	Qualified (Q)	Improved	A D ECHELBERGER	ELMER J HAYES ETAL

Permits

Issued	Permit Number	Type	Description	Amount
20220427	22PK-RR0030	RERF	RERF	\$0
20181115	18-0145	RERF	RERF	\$0
20130314	13-0178	RENO	REPL WINDOWS	\$5,000

The permit information provided on this website is strictly for informational purposes only. For detailed permit information, please contact the applicable taxing authorities building department.

Sketches



Assessment Notice

26098-000-000 (PDF)

Adobe Acrobat Reader is required to view, open or print this notice.

Map



No data available for the following modules: Condo Information.

The city County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. This Section Exemption Does Not Apply to All Trading Authorities. Just (Market) Value is established by the Property Appraiser for ad valorem tax purposes. It does not represent anticipated selling price. Working with us is subject to change.

[User Privacy Policy](#) | [GDPR Privacy Notice](#)
Last Data Upload: 6/10/2025, 7:42:22 AM

Contact Us

Developed by
SCHNEIDER
SCOSPATIAL



CITY OF PARKER AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME OF PRESENTER:

Public Works- Tony Summerlin

2. MEETING DATE:

08/05/2025

3. REQUESTED MOTION/ACTION:

Auction- Surplus Items

4. IS THIS ITEM BUDGETED (IF APPLICABLE)

YES

☐

NO

☐

N/A

☒

5. BACKGROUND: (PROVIDE HISTORY; WHY THE ACTION IS NEEDED; WHAT GOAL WILL BE ACHIEVED FOR THE CITY)

Actions Surplus:

Dell Laptop

Craftsman Toolbox

Kubota Walk Behind Mower

16 Ft. Trailer

2000- Vacon Serwer Trailer