

Planning Board Meeting Agenda

Monday, August 14, 2023, 4:00 PM

City of Panama City, City Hall

501 Harrison Avenue, Lower Level, Room 010

Panama City, FL 32401

Land Development Requests

The Unified Land Development Code (ULDC) requires the Planning Board conduct public hearings on certain land development requests and applications. The Planning Board has final decision-making authority concerning appeals of administrative decisions, communication towers, major Development Orders and expansion or modification of nonconformities and variances. The City of Panama City Commission makes final decisions on but receives recommendations from the Planning Board on the following application types: Comprehensive Plan Amendment (text and map), amendment to the ULDC, annexations, development agreements, preliminary and final plats, replats, Planned Unit Developments (PUDs), rezonings, and vacations or abandonments of easements and/or rights-of-way.

American Disabilities Act

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding should contact the City's Human Resources Department prior to the proceeding at telephone (850) 872-3014 for assistance; if hearing impaired, telephone (850) 872-3028 (TDD) for assistance.

1. Call Public Meeting To Order / Roll Call
2. Changes / Deletions To Agenda
3. Approval Of Minutes
4. Announcements – Disclosures (As Applicable)
5. Quasi - Judicial Proceedings

Quasi-Judicial Proceedings

Certain matters that come before the Panama City Planning Board (“Board”) are quasi-judicial proceedings, meaning that the Board will hear evidence and render a decision regarding this matter based upon the evidence received. The parties before the Board and the public are entitled to present evidence (documents, witnesses, etc.) and cross-examine witnesses. All witnesses are

under oath and the entire proceedings are recorded. However, if you need a verbatim record you must hire your own court reporter.

The Board is not bound by the strict Rules of Evidence and may consider any evidence which it deems relevant and trustworthy. Furthermore, any member of the Board may ask questions of the parties or the witnesses. Since quasi-judicial proceedings are legal in nature, everyone is expected to adhere to proper courtroom decorum and etiquette. Do not argue with a witness or the opposing party and direct any comments or objections to the Chairman. The burden of proof in a quasi-judicial proceeding rests with the Applicant, therefore, the Applicant has the opportunity to address the Board last, after all Public Participation and before the Board deliberates.

The following is the procedure which the Board will follow during quasi-judicial hearings.

- I. Public Hearing announced. Introduction of Application by Staff
- II. Ex-parte communication disclosure by Board members.
- III. Identification of Applicant and Affected Parties* that intend to participate in the hearing (Affected Parties that only intend to make a statement may do so at the Public Participation part of the agenda)

*An "affected party" means any person or entity that will suffer an adverse effect to an interest protected or furthered by the ULDC, including interests related to health and safety, police and fire protection service systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services, and environmental or natural resources. The alleged adverse interest may be shared in common with other members of the community at large but must exceed in degree the general interest in community good shared by all persons.

- IV. Swearing of witnesses.
- V. Applicant's presentation of witnesses* or other evidence. (10 minutes)
- VI. Affected Parties' statement of standing, presentation of witnesses* or other evidence. (5 minutes each if only giving testimony and or documentary evidence; 10 minutes each if presenting a witness(es). Please do not be repetitive of other

Affected Parties. Affected Parties are encouraged to coordinate their presentations and may seek more time for presentation at the discretion of the Board but may not yield time to other Affected Parties.)

- VII. Staff=s presentation of witnesses** or other evidence. (10 minutes)
- VIII. Public Participation. Please do not be repetitive of another speaker. Each speaker is allotted 3 minutes. Speakers may not yield time to another speaker.
- IX. Rebuttal by Applicant and or Staff (if necessary). (15 minutes)
- X. Close of Evidence and Public Hearing. Deliberation and action by the Board.

Witnesses may be cross examined by opposing party if the opposing party so desires. After the close of the evidence and during the deliberation by the Board, members of the public are prohibited from commenting. Anyone violating this rule will be asked to leave the room after a warning.

6. Requests

Request “A” will be presented before the City Commission on August 22, 2023. Requests “B” through “D” are Major Development and variance requests and will not go before the City Commission. Requests “E” through “G” will be presented at the City Commission meeting for their first reading on Tuesday, September 12, 2023, at 8 AM and the second/final reading and public hearing on Tuesday, September 26, 2023, at 8 AM. City Commission meetings are held at the Bay County Government Center Commission Chambers, 840 W 11th Street, Panama City, Florida.

6.a. Case Number: COPL2364

Application Type: Conceptual Plan Approval
Request: Approval of the SweetBay Marina Concept Plan
Owner: St. Andrews Bay Land Company, LLC
Applicant: Dewberry Engineers Inc.
Address/Location: 11728-000-000
Acreage (+/-): 20.79
Existing FLUM Designation: Urban Community (Panama City)
Existing Zoning District: SweetBay Planned Unit Development (PUD) (Panama City)

Documents:

[A_AGENDA PACKET SWEETBAY MARINA CONCEPT PLAN COPL2364.PDF](#)

6.b. Case Number: MDEV2358

Application Type: Major Development
Request: Applicant seeks to develop a four-story apartment

complex.

Owner: Jeremy Bedzow

Applicant: Wiatt Lewis

Address/Location: 5441 Nehi Road (Parcel ID # 05906-040-000) & 5539 Nehi

Road (Parcel ID # 05906-30-000)

Acreage (+/-): 43.4

Existing FLUM Designation: Mixed Use

Existing Zoning District: Mixed Use-3

Documents:

[B_AGENDA PACKET 5441 NEHI RD MAJOR DEVELOPMENT MDEV2358.PDF](#)

6.c. Case Number: VAR2359

Application Type: Variance

Request: Reduce the front setback along 14th Street to 18 ft. instead of the required 20 ft. and the side setback to 6 ft. instead of the required 7 ft.

Owner: Hubert Baker

Applicant: Hubert Baker

Address/Location: 1400 Fortune Avenue (Parcel ID #: 18959-000-000)

Acreage (+/-): 0.19

Existing FLUM Designation: Residential (Panama City)

Existing Zoning District: Residential-1 (Panama City)

Documents:

[C_AGENDA PACKET 1400 FORTUNE AVENUE VARIANCE VAR2359.PDF](#)

6.d. Case Number: VAR2360

Application Type: Variance

Request: The applicant requests the City to allow a detached pergola in the front of the property.

Owner: Gene Dosier

Applicant: Gene Dosier

Address/Location: 1906 Cherry St. (Parcel ID # 21866-000-000)

Acreage (+/-): 0.29

Existing FLUM Designation: Residential (Panama City)

Existing Zoning District: Residential-1 (Panama City)

Documents:

[D_AGENDA PACKET 1906 CHERRY STREET VAR2360.PDF](#)

6.e. Case Number: CPMA2361

Application Type: Small Scale Land Use Amendment and Rezoning

Request: The applicant has requested a land use change to Mixed Use and a rezoning to Mixed Use-3 to have more density.

Owner: Randall O Davilla Melendez

Applicant: Jester Nolasco

Address/Location: 1032 Mulberry Avenue (Parcel ID #: 18573-000-000)

Acreage (+/-): 0.32

Existing FLUM Designation: Residential (Panama City)

Existing Zoning District: Residential-1 (Panama City)

Proposed FLUM Request: Mixed-Use (Panama City)

Proposed Zoning District: Mixed-Use-3 (Panama City)

Documents:

[E_AGENDA PACKET 1032 MULBERRY AVENUE CPMA2361.PDF](#)

6.f. Case Number: RZ2362

Application Type: Rezoning

Request: The applicant is requesting a rezoning to have more density to build Residential homes.

Owner: Carlos R Thomas

Applicant: Myron Guilford

Address/Location: 2911 E 5th Court (Parcel ID# 23280-000-000)

Acreage (+/-): 0.69

Existing FLUM Designation: Residential (Panama City)

Existing Zoning District: Residential-1 (Panama City)

Proposed Zoning District: Residential-2 (Panama City)

Documents:

[F_AGENDA PACKET 2911 E 5TH COURT RZ2362.PDF](#)

6.g. Case Number: LDCA2363

Application Type: Unified Land Development Code Text Amendment

Request: Request to amend the Unified Land Development Code of the City of Panama City; amending Sec. 104-66 and 105-4 concerning the defined areas of the Gateway Overlay District and Gateway Overlay design standards for fences; and Sec. 104-38 concerning additional requirements related to permissible uses and the exterior of building facades visible from main corridors within the General Commercial-2, GC-2, Zoning District.

Applicant: Development Services Department, City of Panama City

Documents:

[G_ AGENDA PACKET GATEWAY OVERLAY AND GC-2 TEXT AMENDMENT LDCA2363.PDF](#)

7. Audience Participation

8. Adjourn