

Planning Board Meeting Agenda

Monday, September 11, 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.

Public Meeting Times and Locations

Planning Board meeting are held on the 2nd Monday of every month at 4PM at the City of Panama City Hall, 501 Harrison Avenue, Lower Level, Room 010, Panama City, FL 32401. City Commission meetings are held on the 2nd and 4th Tuesdays of every month at 8AM in the Bay County Government Center Commission Chambers, 840 W 11th Street, Panama City, Florida 32401.

1. Call Public Meeting To Order / Roll Call
2. Changes / Deletions To Agenda
3. Approval Of Minutes
 - 3.a. Approval Of August 14, 2023, Planning Board Meeting Minutes

Documents:

[COPC PB MINUTES FOR 2023.08.14.PDF](#)

3.b. Approval Of The May Through December 2021 Planning Board Meeting Minutes

Documents:

[MAY TO DECEMBER 2021 PLANNING BOARD MINUTES COMBINED.PDF](#)

4. Approval Of The 2024 Planning Board Meeting Schedule

Documents:

[PLANNING BOARD MEETING SCHEDULE 2024.PDF](#)

5. Announcements – Disclosures (As Applicable)

6. Requests

6.a. Case Number: FIPL2368

Application Type: Panama City Centre Proposed Final Plat

Request: Proposed Final Plat

Owner: John Abernathy, Blackwater Real Estate LLC, BRE Panama City LLC

Applicant: Jeff Britain, Kimley Horn

Address/Location: Located off of Lindsay Crossing between Highway 390 and Highway 231.

Acreage (+/-): 24.68

Existing FLUM Designation: Vacant Commercial (Panama City)

Existing Zoning District: General Commercial-2

Planning Board Public Hearing Date: September 11, 2023

City Commission Public Hearing Date(s): October 10, 2023

Documents:

[A_ AGENDA PACKET PANAMA CITY CENTRE SUBDIVISION FIPL2368.PDF](#)

6.b. Case Number: VAR2365

Application Type: Variance

Request: The applicant requests the City to allow a detached garage in the front of the main house.

Owner: Gerald Radtke

Applicant: Joseph Rudolph

Address/Location: 202 Bunkers Cove Rd (Parcel ID # 20890-000-000)

Acreage (+/-): 0.439

Existing FLUM Designation: Residential (Panama City)

Existing Zoning District: Residential-1 (Panama City)

Planning Board Public Hearing Date: September 11, 2023

City Commission Public Hearing Date (s): N/A

Documents:

[B_ AGENDA PACKET 202 BUNKERS COVE ROAD VAR2365.PDF](#)

6.c. Case Number: VAR2366

Application Type: Variance

Request: The applicant is requesting a variance of 11 ft. from the

required 20 ft. front yard setback.

Owner: Yakubzhan Khassanov

Applicant: Yakubzhan Khassanov

Address/Location: 1126 Louisiana Avenue (Parcel ID #: 16903-000-000)

Acreage (+/-): 0.136

Existing FLUM Designation: Residential (Panama City)

Existing Zoning District: Residential-1 (Panama City)

Planning Board Public Hearing Date: September 11, 2023

City Commission Public Hearing Date (s): N/A

Documents:

[C_AGENDA PACKET 1126 LOUISIANA AVENUE VARIANCE VAR2366.PDF](#)

6.d. Case Number: VAR2367

Application Type: Variance

Request: The applicant has requested a variance to allow an accessory structure to be placed in the front yard area.

Owner: Mark W. Biegler

Applicant: Joe Rudolph

Address/Location: 4113 W 17th Street (Parcel ID: 28446-000-000)

Acreage (+/-): 1.022

Existing FLUM Designation: Residential (Panama City)

Existing Zoning District: Residential-1 (Panama City)

Planning Board Public Hearing Date: September 11, 2023

City Commission Public Hearing Date(s): N/A

Documents:

[D_AGENDA PACKET 4113 W 17TH STREET VARIANCE VAR2367.PDF](#)

6.e. Case Number: RZ2369

Application Type: Rezoning

Request: The applicant has requested a rezoning to General Commercial-2, GC-2.

Owner: Bay Oaks Village MHP, Inc

Applicant: Scott Helms

Address/Location: 3910 W 23rd Court (Parcel ID: 27053-020-000)

Acreage (+/-): 0.809

Existing FLUM Designation: Residential (Panama City)

Existing Zoning District: General Commercial-1 Panama City

Planning Board Public Hearing Date: September 11, 2023

City Commission Public Hearing Date (s): First Public Hearing - October 10, 2023; Second/Final Public Hearing - October 24, 2023

Documents:

[E_AGENDA PACKET 3910 W 23RD COURT REZONING RZ2369.PDF](#)

6.f. Case Number: RZ2370

Application Type: Rezoning

Request: The applicant has requested a rezoning to Neighborhood Residential (NR)

Owner: Emerald Coast Opportunity Fund

Applicant: Emerald Coast Opportunity Fund

Address/Location: 819 & 821 E 7th Court (Parcel ID: 17280-000-000; 17280-010-000)

Acreage (+/-): 0.144; 0.144

Existing FLUM Designation: Residential (Panama City)

Existing Zoning District: Residential-1 (Panama City)

Proposed Zoning District: Neighborhood Residential (Panama City)

Planning Board Public Hearing Date: September 11, 2023

City Commission Public Hearing Date (s): First Public Hearing - October 10, 2023; Second/Final Public Hearing - October 24, 2023

Documents:

[F_AGENDA PACKET 819 AND 821 E 7TH COURT REZONING RZ2370.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

Planning Board Public Hearing Date: September 11, 2023

City Commission Public Hearing Date (s): September 26, 2023

Documents:

[G_GATEWAY OVERLAY AND GC-2 AGENDA REQUEST TEXT AMENDMENT.PDF](#)

7. 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.

8. Audience Participation

9. Adjourn