

Planning Board Meeting Agenda

Monday, October 9, 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

Withdrawn:

Case Number: CPMA2375

Application Type: Annexation, Small Scale Land Use Amendment, and

Rezoning

Request: The applicant has requested annexation, a future land use change, and a rezoning to Residential-1, R-1.

Owner/Applicant: Yahia Rahim & Yousra Mansour

Address/Location: 2301 Pretty Bayou Island Drive (Parcel ID: 26757-000-000)

Acreage (+/-): 0.788

Existing Future Land Use (s): Residential (Bay County)

Existing Zoning District (s): Residential-1 (Bay County)

Proposed Future Land Use: Residential (Panama City)

Proposed Zoning District: Residential-1 (Panama City)

Staff Continuance (s):

Case Number: DEVA2376

Application Type: Development Agreement

Request: The property owner(s), 23rd at Stanford Investors, Ltd., has requested to enter into a Development Agreement with the City of Panama City. The development agreement seeks to maintain the current land development regulations as provided in the General Commercial-2, GC-2, zoning regulations at the subject property located within the northwest quadrant of the Stanford Road and W 23rd Street intersection.

Owner: 23rd at Stanford Investors, Ltd.

Applicant: 23rd at Stanford Investors, Ltd.

Address/Location: 1002 W 23rd Street

Acreage (+/-): 2.41

Existing Future Land Use (s): General Commercial Panama City

Existing Zoning District (s): General Commercial-2, GC-2

Planning Board Public Hearing Date: November 13, 2023

City Commission Public Hearing Date: November 28, 2023

3. Approval Of Minutes

3.a. September 11, 2023 Planning Board Meeting Minutes

Documents:

[COPC PB MINUTES FOR 2023.09.11.PDF](#)

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

6.a. Case Number: VAR2371

Application Type: Variance

Request: The applicant is requesting a variance of 5 ft. from the required 7ft. side yard setback.

Owner: Diamon Potter

Applicant: Jeremy King

Address/Location: 1020 Cypress Avenue (Parcel ID #: 16962-000-000)

Acreage (+/-): 0.128

Existing FLUM Designation: Residential (Panama City)

Existing Zoning District: Residential-1, R-1 (Panama City)

Planning Board Public Hearing Date: October 9, 2023

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

Documents:

[A_AGENDA PACKET 1020 CYPRESS AVENUE VARIANCE VAR2371.PDF](#)

6.b. Case Number: VAR2372

Application Type: Variance

Request: The applicant is requesting a 4' foot setback instead of the required 7' foot side setback on the eastern side of the property in order to build an addition onto the home and be in compliance with the Unified Land Development Code.

Owner: Susan E. Hunter

Applicant: Susan E. Hunter

Address/Location: 1304 Buena Vista Boulevard (Parcel ID: 18816-000-000)

Acreage (+/-): 0.27

Existing FLUM Designation: Residential (Panama City)
Existing Zoning District: Residential-1 (Panama City)
Planning Board Public Hearing Date: October 9, 2023
City Commission Public Hearing Date (s): N/A

Documents:

[B_AGENDA PACKET 1304 BUENA VISTA BOULEVARD VARIANCE VAR2372.PDF](#)

6.c. Case Number: VAR2373

Application Type: Variance

Request: The applicant is requesting a variance to reduce the corner lot setback from the required 20 ft to 7 ft along Bonita Ave with plans of building a 25 ft 10 inch wide single family home.

Owner: Jonathan R. Simmons

Applicant: Jonathan R. Simmons

Address/Location: N Bonita Avenue and 8th Street (Parcel ID # 17261-000-000)

Acreage (+/-): 0.101

Existing FLUM Designation: Residential (Panama City)

Existing Zoning District: Residential-1 (Panama City)

Planning Board Public Hearing Date: October 9, 2023

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

Documents:

[C_AGENDA REVIEW N. BONITA AVENUE VARIANCE VAR2373.PDF](#)

6.d. Case Number: CPMA2374

Application Type: Annexation, Land Use Change and Rezoning

Request: The applicant has requested annexation, a future land use change, and a rezoning to General Commercial-2, GC-2.

Owner: Garrett Family Holdings #2, LLLP

Applicant: Michael P. Garrett

Address/Location: 2133 St. Andrews Boulevard (Parcel ID: 26742-000-000)

Acreage (+/-): 0.786

Existing Future Land Use: Residential (Bay County)

Existing Zoning District (s): Residential-1 (Bay County)

Proposed Future Land Use: General Commercial (Panama City)

Proposed Zoning District: General Commercial-2 (Panama City)

Planning Board Public Hearing Date: October 9, 2023

City Commission Public Hearing Date (s): First Public Hearing – November 14, 2023; Second/Final Public Hearing – November 28, 2023

Documents:

[D_AGENDA PACKET 2133 ST. ANDREWS BOULEVARD CPMA2374.PDF](#)

6.e. 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: October 9, 2023

City Commission Public Hearing Date (s): First Public Hearing – November
14, 2023; Second/Final Public Hearing – November 28, 2023

Documents:

[E_AGENDA PACKET 819 AND 821 E 7TH COURT RZ2369.PDF](#)

7. Audience Participation

8. Adjourn