

**CITY OF PANAMA CITY BEACH
PLANNING BOARD MEETING MINUTES
July 13, 2022
MINUTES TO THE REGULAR MEETING**

The meeting was called to order by Chairman Wakstein at 1:00 p.m. and Ms. Chester was asked to call the roll. Members present were Mr. Scruggs, Mr. Morehouse, Ms. Simmons, and Chairman Wakstein. Mr. Johns, Mr. Coleman, and Mr. Register were absent. Chairman Wakstein led the Pledge of Allegiance.

ITEM NO. 3 Approval of the May 11, 2022, Planning Board Meeting Minutes

Chairman Wakstein asked if there were any comments or corrections to the meeting minutes. Ms. Simmons made a motion to approve, and Mr. Morehouse seconded the motion. Ms. Chester called the roll.

Mr. Scruggs	Yes	Ms. Simmons	Yes
Mr. Morehouse	Yes	Chairman Wakstein	Yes

ITEM NO. 4 Public Comments – Non-Agenda Items

Tom Trossen, 107 Heron Turn, The Glades HOA President commented he was representing majority of the residents speaking on behalf of their concerns for the plans of development for 267 units, apartments. He stated that he had made a presentation to the city council and wanted to inform this board in hopes they would address the use of Coyote Pass as an access street for the multi-family development. Mr. Trossen stated the plans were not submitted, but the city was aware of the proposed development. The board did not comment.

Molly Allen, 16211 Lullwater Drive, commented the changes and development occurring in Panama City Beach and the Pier Park area has had an impact on Lullwater Lake. She commented the stormwater drainage problems were causing the lake to be drained. She explained the state owns the lake but asked the board what their goal was to save the natural resources. The board did not comment.

ITEM NO. 5 Jim Bishay is requesting approval for a Small-Scale Plan Amendment and Rezoning Request for a Future Land Use Map change from Single Family Residential to a Future Land Use Map Designation to Tourist and a Rezoning from R-1c (Single Family Residential) to CH (Commercial High Intensity). The subject parcels are located at 800 and 802 Young Street and is approximately .328 acres.

Chairman Wakstein explained the procedures for the quasi-judicial hearing, asking Mr. Leonard if all the notice requirements were met, and he stated they were satisfied. Ms. Chester was asked to call Jennings Act.

Mr. Scruggs, nothing to disclose. Mr. Morehouse, nothing to disclose. Ms. Simmons visited the property and spoke with an Engineer on site regarding the lot lines. Chairman Wakstein, nothing to disclose.

All persons who wish to give testimony were sworn in by Ms. Chester.

Mr. Bishay, owner of the property commented the four parcels are currently zoned R-1c and there is one that currently has a creek running through: therefore, unsure of the development on the parcel. He explained the current zoning would only allow for small homes and would not be able to use as short-term rental properties. Mr. Bishay also commented as individual parcels they do not meet the building requirements for R-1c, but the change in zoning to CH would allow for the development of four rental properties. Ms. Simmons asked if there were plans to divide into four individual lots, Mr. Bishay replied yes, but that currently only three of the lots were buildable since the one lot had water. Ms. Simmons asked if a roadway would be provided for the last two lots, Mr. Bishay commented yes. Ms. Simmons asked if the current creek would be protected, Mr. Bishay commented yes, they would have to build up the lot to build, but plan to preserve the creek. Mr. Scruggs asked what the current minimum lot width was, Mr. Bishay replied 50x72, which was not buildable, and he would have to create buildable lots on the two parcels.

Mr. Leonard commented staff did not have any issues with the request and there were fewer single-family residential in this area as CH. surrounded the residential. He explained CH zoning allows for the lots to be smaller. He also stated this would not be considered spot zoning and that staff supported the request, stating it is appropriate for the entire area. Mr. Leonard commented currently the lots were non-conforming since they did not meet the required minimum lot size. Ms. Simmons commented the staff report did not mention the wetlands on the property and the possibility of a variance for the lot sizes and short-term rental. Mr. Leonard explained GIS maps used for staff

report are not development purposes, and the lots were approved platted lot sizes and a variance is not given for the benefit of short-term rental.

Chairman Wakstein called for any adversely affected parties to speak at this time and there was no comment from anyone. No public comment. Chairman Wakstein opened board discussion.

Mr. Davis requested the staff file be included in the record. He explained the board needed to have two considerations on this item, the first for the Comprehensive Plan change and then the Rezoning Request. Mr. Scruggs made a motion to approve the request for the Small-Scale Comprehensive Plan Amendment from Single Family Residential to Tourist and Mr. Morehouse seconded the motion. Ms. Chester called the roll.

Mr. Scruggs	Yes	Ms. Simmons	No
Mr. Morehouse	Yes	Chairman Wakstein	Yes

Chairman Wakstein opened the discussion for the Rezoning Request and Mr. Davis interrupted and explained the majority of the board did not vote for the request; therefore, it would be presented to city council as a not being recommended and the rezoning request would no longer be available for consideration by the board.

ITEM NO. 6 Sakhsams Investment, Inc. is requesting approval for a Small-Scale Plan Amendment and Rezoning Request for a Future Land Use Map change from Single-Family Residential to a Future Land Use Map Designation to Tourist and a Rezoning from R-1c (Single-Family Residential) to CH (Commercial High Intensity). The subject parcel is located at 14602 Front Beach Road.

Chairman Wakstein asked if all the notice requirements were met, Mr. Leonard replied yes. Ms. Chester was asked to call Jennings Act.

Mr. Scruggs, nothing to disclose. Mr. Morehouse, nothing to disclose. Ms. Simmons visited the property. Chairman Wakstein, nothing to disclose.

All persons who wish to give testimony were sworn in by Ms. Chester.

Mike Burke, 16215 Panama City Beach Parkway is representing the owner of the Open Sands Plaza and explained the back portion of the property was zoned R-1c but had been labeled incorrectly on the zoning map. He stated the property has been operating as a CH property for the past forty years and the owner wanted to correct the error on the map to be consistent with the use and front portion of the property zoned CH.

Mr. Leonard commented staff had no objection to the request and explained the error that had occurred during the process of the map changes in 1995-96. He stated the parcel was originally zoned T3-A, which was Tourist and in the updating of the maps that occurred in the approval/adoption of the Land Development Code in 2012 this parcel was not updated correctly on the zoning map.

Chairman Wakstein called for any adversely affected parties to speak at this time.

John Hughes, 258 Poinsettia Drive commented his property was the most affected by this request and asked the board to not change the zoning; stating this could have negative impacts on property values within the area and that the parcel had never been utilized as commercial property. Mr. Leonard identified the parcel for the request and Mr. Hughes commented he was mistaken in the location but requested the board vote no on the request.

Chairman Wakstein called for any public comments at this time.

Kurt Andersson, 217 Poinsettia Drive commented he had spoken with tenants of the building, and they had not heard of any changes from the owner of the property. He requested the board limit the zoning change to CL or CM, which would limit the intense and use on the property. Mr. Andersson commented there was currently too much development, which brought more tourist traffic to the area.

Tom Trossen, 107 Heron Turn commented he agreed with the request for a lesser zoning to limit the development on the property.

Tommy Jacques, 501 Palm Avenue, commented the traffic through the community from June until September is awful and this change would allow for development to increase traffic.

Mr. Leonard explained the height limitation is the same for all commercial zonings, CL, CM or CH because the property is in an FBO-2 district which limits the height maximum to forty-five (45) feet. He explained the CL zoning would not allow for a restaurant and there are currently several within the plaza and the development does not meet the qualifications of a shopping center. Mr. Leonard explained there is not much difference between the CM and CH; therefore, to be consistent with the front portion of the parcel and correcting the error, staff supported the CH request.

Mike Burke asked the staff report and all exhibits be made a part of the record. He commented if a lesser zoning were approved it would create more problems than solutions; therefore, to be consistent with the original zoning he asked the board to approve the request for CH zoning. The staff report and exhibits were made part of the record.

Chairman Wakstein closed the public portion of the meeting and opened for board discussion. Mr. Davis asked the board to vote on each request separately.

Mr. Scruggs made a motion to approve the Small-Scale Comprehensive Plan Amendment from Single-Family Residential to Tourist and Mr. Morehouse seconded the motion. Ms. Chester call roll.

Mr. Scruggs	Yes	Ms. Simmons	Yes
Mr. Morehouse	Yes	Chairman Wakstein	Yes

Mr. Morehouse made a motion to approve the Rezoning Request from Single-Family Residential (R-1c) to Commercial High Intensity (CH) and Mr. Scruggs second the motion. Ms. Chester called the roll.

Mr. Scruggs	Yes	Ms. Simmons	Yes
Mr. Morehouse	Yes	Chairman Wakstein	Yes


Ms. Chester commented both requests were recommended for approval to City Council.

The meeting adjourned at 2:03 pm.

DATED this 10th day of August, 2022.


Josh Wakstein, Chairman

ATTEST:


Andrea Chester, Secretary