

**CITY OF PANAMA CITY BEACH
PLANNING BOARD MEETING MINUTES
August 10, 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. Johns, Mr. Coleman, Mr. Morehouse, Mr. Register, Ms. Simmons and Chairman Wakstein. Mr. Coleman led the Pledge of Allegiance.

ITEM NO. 3 Approval of the July 13, 2022, Planning Board Meeting Minutes

Chairman Wakstein asked if there were any comments or corrections to the meeting minutes. Mr. Scruggs made a motion to approve, and it was seconded by Mr. Johns. Ms. Chester called the roll.

Mr. Scruggs	Yes	Mr. Johns	Yes	Mr. Coleman	Yes
Mr. Morehouse	Yes	Mr. Register	Yes	Ms. Simmons	Yes
Chairman Wakstein	Yes				

ITEM NO. 4 Public Comments – Non-Agenda Items

There were no public comments.

Chairman Wakstein introduced and welcomed Mr. Lanie Smith as the City’s new Code Enforcement Manager. Mr. Smith mentioned he is new to the position, but not to the City. He asked the Board for what they would like to see from Code Enforcement in the future.

Mr. Leonard announced that Mr. Silky has retired, and Ms. Chester is transitioning to that role.

ITEM NO. 5 Rehearing a request from Jim Bishay who is requesting approval for 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.

Mr. Leonard stated that the vote for the comprehensive plan amendment stands. The Board will consider the rezoning request that was not voted on at the last Planning Board meeting. The first reading of the zoning request for CH was denied by the City Council. This will leave the board to decide on the zoning for Tourist designation. The choices are CM, CL or no decision.

Mr. Davis explained that at the previous Planning Board meeting the Board heard the comprehensive plan request. There were three (3) absences with the vote being three (3) to one (1). According to the rule of quorum in the LDC it should have been an approval not denial of the request. Approval of Tourist for Future Land Use stands, but the Board did not hear the rezoning request at that time. Mr. Davis said that he asked for this to be reheard so the Board can determine the proper zoning. He further explained the choices were denial, or approval of CL or CM and the Board’s decision will go back to the Council.

Chairman Wakstein explained the procedures for the quasi-judicial hearing and asked Ms. Chester to swear in any adversely affected parties or anyone wishing to give testimony.

Chairman Wakstein asked Mr. Leonard if all the notice requirements were met, and he stated they were satisfied. Ms. Chester was asked to call Jennings Act.

Mr. Johns, nothing to disclose. Mr. Coleman, nothing to disclose. Mr. Morehouse, nothing to disclose. Ms. Simmons visited the property and spoke with City staff. Mr. Register, nothing to disclose. Mr. Scruggs, nothing to disclose. Chairman Wakstein spoke with City staff and Mayor Sheldon.

Mr. Leonard reminded everyone that they are hearing a rezoning request of R-1c, Single Family Residential to CH, Commercial High Intensity. The zoning map was displayed and Mr. Leonard described the street as being narrow in width with a mixture of commercial and single-family residential zoning.

Chairman Wakstein asked the Board if there were any questions. Mr. Coleman asked if CM would allow the property owner to follow his intended plan. Mr. Leonard responded that he was unsure of the applicant’s intended plans, but CM would allow everything CH does except townhomes.

Chairman Wakstein asked Mr. Bishay to present his application. Mr. Bishay was available via

Zoom and stated that he has no intention of developing townhomes. He explained that he decided on CH after discussion with Mr. Silky. He stated there are four lots, and R-1c would only allow two homes on the four lots to be developed. He explained there is a creek running through one parcel as well as one lot is 50' in width not 60'. Mr. Bishay continued that he is not looking for high density development, he is looking to be able to build on a 50' wide lot. He stated that the set-back will be larger than that of R-1c, but he would be able to have four homes. He commented that there is a short-term rental adjacent to the parcel. He also mentioned that he has spoken with some of the neighbors about changing the street from septic to sewer.

Chairman Wakstein asked if there were any questions of the applicant. Ms. Simmons asked Mr. Bishay if he would be able to do everything he was requesting if the property was a CM. He responded that he would.

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. Leonard explained to Mr. Bishay, the city recognizes the four lots were created before the Land Development Code, which created the minimum size for properties. There are four non-conforming lots and at least three of the lots are buildable without changing the zoning. Mr. Leonard asked if it mattered whether or not he would be able to have short-term rentals. Mr. Bishay responded that he would like to have the option to have short-term rentals.

Chairman Wakstein closed the public portion of the meeting and opened for board discussion. Mr. Scruggs suggested that if CM gives Mr. Bishay what he needs, then they should go with CM. Mr. Register agreed with Mr. Scruggs. Ms. Simmons commented that she discussed CM with City staff and that would allow the owner to do what he needs and not negatively impact the surrounding lots. Mr. Morehouse made a motion to approve the CM designation for the property. Mr. Coleman seconded the motion. Ms. Chester called roll.

Mr. Scruggs	Yes	Mr. Johns	Yes	Mr. Coleman	Yes
Mr. Morehouse	Yes	Mr. Register	Yes	Ms. Simmons	Yes
Chairman Wakstein	Yes				

ITEM NO. 6 Concurrency Report

Mr. Leonard introduced the item and explained that this is the annual update of public facilities and their level of service. He stated that any changes or edits can be made with the Board's approval.

Chairman Wakstein opened board discussion. Ms. Simmons asked for clarification if the Florida Natural Areas Inventory was previously done for the area, and she understood there was no natural scrub habitat. Mr. Leonard responded that there were a few in the area, but none within the city limits so it was not included. He further explained that the Florida Natural Areas Inventory information is helpful because there may be other plant or animal species that are protected. There was discussion of whether to delete "located on" from the 'Natural Resources' section of the report, it remained as written.

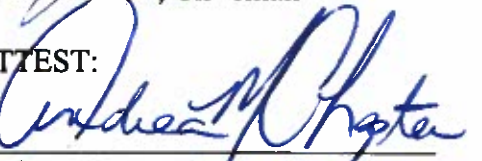
Mr. Morehouse made a motion to approve the concurrency report and it was seconded by Mr. Scruggs.

Mr. Scruggs	Yes	Mr. Johns	Yes	Mr. Coleman	Yes
Mr. Morehouse	Yes	Mr. Register	Yes	Ms. Simmons	Yes
Chairman Wakstein	Yes				

The meeting adjourned at 1:25 p.m.

DATED this 10th day of September, 2022.


 Josh Wakstein, Chairman

ATTEST:

 Andrea Chester, Secretary