

**CITY OF PANAMA CITY BEACH  
PLANNING BOARD MEETING MINUTES  
November 9, 2022  
MINUTES TO THE REGULAR MEETING**

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

**ITEM NO. 3            Approval of the October 12, 2022, Planning Board Meeting Minutes**

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

Mr. Register	Yes	Mr. Johns	Yes	Mr. Morehouse	Yes
Mr. Houk	Yes	Chairman Wakstein	Yes		

**ITEM NO. 4            Public Comments – Non-Agenda Items**

There were no public comments.

**ITEM NO. 5            Election of Vice Chair**

Chairman Wakstein announced that he was reappointed as Chairman by the City Council and the Board would need to elect a Vice Chair. He asked if there were any nominations for the position. Mr. Johns made a motion to nominate Mr. Morehouse. Mr. Houk seconded the motion. Mr. Morehouse accepted the nomination.

**ITEM NO. 6            (1) Ted & Linda Liberty, 178 Cobb Road; (2) Jane DeMott, 180 Cobb Road; (3) Michael Burgess, 182 Cobb Road; (4) Michael J and Emily Williams, 190 Cobb Road; (5) Holly Stephenson, 309 Sundial Street; (6) Mohammad and Sonia Shams, 307 Sundial Street; (7) David and Molly McWhorter, 17552 Suntime Street; (8) Robert and Pamela Hopkins 17550 Suntime Street; (9) James Snider, 17548 Suntime Street are requesting approval for a Small-Scale Plan Amendment to change the Future Land Use Map Designation from Single Family Residential to Tourist and a Rezoning from R-1a (Single Family, Low Density) to CL (Commercial - Low Intensity) for approximately 2.616 acres located in the Cobb Road area.**

**Chairman Wakstein** introduced the item and read aloud the proceedings for a quasi- judicial hearing. All participants identified as affected parties were sworn in for testimony. **Mr. Leonard** acknowledged that all the requirements of the application notices were satisfied. Ms. Deese was asked to call Jennings Act.

Mr. Register, nothing to disclose. Mr. Johns visited the property. Mr. Morehouse visited the property. Mr. Houk visited the property, spoke with staff and residents, and is a resident of Sundial Street. Chairman Wakstein nothing to disclose.

**Chairman Wakstein** asked the applicant to present their application.

**Ted Liberty, property owner of 178 Cobb Road and acting agent** for the group asked the Board to approve the request. He stated several years prior, his neighbors were approved for rezoning. At that time he was told to rezone his property he would need a separate application and he has now done that. He also referred to letters of support that were submitted by some of his neighbors.

**Mr. Leonard** explained there are multiple owners on Cobb Road, Sundial Street and Suntime Street and the properties comprise approximately 2.62 acres. A similar request was made on Sundial to be able to do short-term rentals because they were surrounded by Commercial High Intensity (CH). There are no habitual Code Enforcement issues on those properties, and all have a current business licenses with the city. Mr. Leonard commented staff has no objections to the request before you today.

**Chairman Wakstein** called for adversely affected parties at this time.

**Eric Drayton, 207 Cobb Road** stated his home is within 125 feet of the properties listed in the request. If the request is approved, he would not have the same property rights. He asked the Board to either deny the request or amend the request to include the adjacent properties.

**Ed Tweed, 201 Cobb Road** stated the homeowners on the opposite side of Cobb Road will increase their property value. He questioned why the neighborhood is being divided. There are property owners that did not have an opportunity to be part of the request. His request was submitted and then pulled before the deadline.

**Dave Soifert, 122 Cobb Road** stated his concerns were traffic increase and crime. He moved to Cobb Road because there were not new people in and out each week.

**Kim Drayton, 207 Cobb Road** said they should have the same rights and should have had the opportunity to join the request. The traffic is already dangerous on Cobb Road.

**Ralph Moore, 114 Cobb Road** said there are other things that can go in with the new zoning request. It allows for government buildings, medical offices, personal services, laundry, foster care facility, and repair shops. He bought the property for his retirement. He questioned if there was a bigger plan to build something different or bigger since it is one continuous block. He asked if there could be a category that changed to allow short-term rentals only. Mr. Moore stated that he believed the public notice sign location was changed. He then spoke of traffic concerns on Cobb Road.

**Chairman Wakstein** called for Public Comment, there was none. He called for Rebuttal by any affected party, the applicant, or staff and there was none. **Chairman Wakstein** entered into the record the application and public comments. He closed the evidentiary portion of the hearing and asked for closing arguments by staff, any affected party, and the applicant.

**Eric Drayton, 207 Cobb Road** stated he nor the neighbors on either side of his property were asked to be included in the request.

**Ralph Moore, 114 Cobb Road** inquired about who moved the sign and asked if applicants were in attendance. He inquired if the property owners intended to sell the entire block.

**Chairman Wakstein** asked Mr. Leonard if the signs typically move.

**Mr. Leonard** responded that he was not aware of the sign changing location. When the sign was originally being installed there was an issue about placing over some utilities, so the location changed before the installation. He asked Mr. Moore if the sign was still on any of the subject properties.

**Mr. Moore** responded that it was.

**Chairman Wakstein** said that the notice has been met since the sign was on one of the subject properties.

**Mr. Liberty** stated that originally, they looked at 190 Cobb Road, and the man installing the sign said it was not a good location for placement. He said he helped put the sign on the corner of his property and his neighbor's. He said the sign has been in the same location every morning when he gets up and every evening when he goes to bed.

**Dave Soifert, 122 Cobb Road**, referred to an assault and shooting incident that occurred in 2020 at a property that had been rezoned in Panama City.

**Ed Tweed, 201 Cobb Road** knocked on doors of owners and said two individuals signed the sheet for property value increase. He said it was unfair and gave an analogy of a soccer team being mistreated.

**Chairman Wakstein** explained spot zoning to Mr. Tweed. He spoke about the previous zoning change on Sundial Street. He explained to not be spot zoning it would need to be the entire side of road.

**Ed Tweed, 201 Cobb Road** asked why his application was removed.

**Ms. Chester** explained that staff did not instruct Mr. Liberty to pull the application. He could have been part of the application, but the staff report would have stated that Mr. Tweed's property would be excluded from the staff recommendation because it would be spot zoning.

**Mr. Leonard** said that Mr. Tweed's property would have been considered spot zoning and would have been an issue.

**Mr. Liberty** said he could not defend the property being part of application since the properties must be contiguous. He thought the application may be dismissed if Mr. Tweed's property was included in the application.

**Eric Drayton, 207 Cobb Road** asked for clarification if his home was considered spot zoning even though it is directly across the street.

**Chairman Wakstein** said that it would be spot zoning.

**Ralph Moore, 114 Cobb Road** said this could have a bad impact on the local community. He repeated his concern about the sign location and said he thought the notice was unclear.

**Chairman Wakstein** asked if there were any more closing arguments, there were none. He closed that portion of the meeting and opened Board deliberation.

**Mr. Davis** explained to the Board that when there is a comprehensive plan amendment for a Future Land Use Map Amendment along with a rezoning there are two different standards, and this is a recommendation to the City Council.

**Chairman Wakstein** announced that anyone who does not like what the Board recommends can appeal to City Council. He opened Board discussion and stated that he was not a fan of short-term rental encroaching into residential areas.

**Mr. Houk** stated he does not like short term rentals expanding in the neighborhood.

**Mr. Morehouse** said they should look at the issues Walton County is having with short term rentals. If this was a collective agreement of everyone in the neighborhood it would be one thing but carving out a section would be setting a precedent for other neighborhoods, and it will get out of control.

**Mr. Johns** said that he is a short-term rental manager and has a different opinion. We live in a tourist area, but also understands that residents have right of quiet enjoyment of their property. We need to look at what the impact of nine (9) rentals is. Some of those that objected are in favor of rezoning down the road. He stated that he is in support because the properties are contiguous and across from properties that have been rezoned.

**Mr. Register** said he believes they would be setting a dangerous precedent approving small sections at a time and would rather look at it as a whole.

**Mr. Morehouse** made a motion to deny the Small-Scale Plan Amendment request. **Mr. Houk** seconded the motion.

Mr. Register	Yes	Mr. Johns	No	Mr. Morehouse	Yes
Mr. Houk	Yes	Chairman Wakstein	Yes		

**Mr. Davis** said to preserve the record they should deliberate on the rezoning portion of the request. His opinion was that rezoning would be inconsistent with the comprehensive plan.

**Chairman Wakstein** opened Board discussion.

**Mr. Morehouse** made a motion to deny the Rezoning request. **Mr. Register** seconded the motion.

Mr. Register	Yes	Mr. Johns	No	Mr. Morehouse	Yes
Mr. Houk	Yes	Chairman Wakstein	Yes		

**ITEM NO. 7**            **Discussion continued from October 12, 2022, Planning Board meeting. The City of Panama City Beach is requesting approval for an Annexation, a Small-Scale Future Land Use Map Amendment from Bay County General Commercial (GCOM) to Tourist (City) and a Rezoning request from Bay County General Commercial (C-3) to CH (Commercial- High Intensity). The property is located on the west side of Alf Coleman Road between Panama City Beach Parkway and Hutchison Boulevard.**

**Mr. Davis** explained that this agenda item is continued from the last meeting. The original request was for the rezoning to be Public Facilities for development of a Fire Station. The parcel was purchased with CRA funds for a future stormwater pond and the City would like to keep it consistent with the existing use.

**Chairman Wakstein** asked for public comment at this time. There was none. He opened Board discussion.

**Mr. Morehouse** made a motion to approve the Annexation, Small-Scale Future Land Use Map Amendment, and Rezoning Request. **Mr. Johns** seconded the motion.

Mr. Register	Yes	Mr. Johns	Yes	Mr. Morehouse	Yes
Mr. Houk	Yes	Chairman Wakstein	Yes		


**ITEM NO. 8**            **Code Enforcement Update**

Mr. Smith provided an update for the month of October. He highlighted the divisions efforts with turtle lighting, beach services, abatements, fining property managers for violation of short-term rental codes, assisting in the rescue of birds, and the Division’s participation in Paws in the Park.

**Chairman Wakstein** asked if there were any comments from the Board. There were none.

The meeting adjourned at 2:00 p.m.

DATED this 14<sup>th</sup> day of December, 2022.

  
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Josh Wakstein, Chairman

ATTEST:  
  
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Melissa Deese, Secretary