CITY OF PANAMA CITY BEACH PLANNING BOARD

MEETING DATE:

November 8, 2023

MEETING TIME:

1:00 P. M.

PLACE:

City of Panama City Beach City Hall

AGENDA

Call to Order and Roll Call ITEM NO. 1

ITEM NO. 2 Pledge of Allegiance – Mr. Morehouse

ITEM NO. 3 Approval of July 12, 2023, Planning Board Meeting **Minutes**

ITEM NO. 4 **Public Comments-Non-Agenda Items** Limited to Three Minutes

Election of Vice-Chairman ITEM NO. 5

ITEM NO. 6 Jack Prisby is requesting authorization of a variance from Land Development Code Table 4.02.02.A to reduce the required 20' front setback to a 16'6" front setback for a variance of 3'6". The property is located

at 223 San Pablo Street.

ITEM NO. 7 **Code Enforcement Update**

All interested persons are invited to attend and to present information for the Board's consideration. Further information may be obtained from the Building & Planning Department at 233-5100. Anyone not appearing in person may submit written comments to the Building & Planning Department at 116 South Arnold Road, Panama City Beach, Florida 32413, any time prior to the stated meeting time. All comments received will be considered before final action is taken. If a person decides to appeal a decision of the Planning Board, a record of the proceedings will be needed. Such person will need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Lynne Fasone, City Clerk at City Hall, 17007 Panama City Beach Parkway, Panama City Beach, Florida 32413 or by phone at (850) 233-5100. If you are hearing impaired and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay system which can be reached at (800) 955-8771 (TDD). Notice is hereby provided that one or more members of the City Council or other City boards may attend and speak at the meeting.

ITEM NO. 6



CITY OF PANAMA CITY BEACH

Building and Planning Department 116 S. Arnold Road, Panama City Beach, FL 32413 850-233-5100 ext. 2429 Fax: 850-233-5049

Email: planningdivision@pcbfl.gov

REQUEST FOR VARIANCE OR APPEAL

LDC Section 3.02.07 & 9.03.00

	Application Submittal Requirements: LDC Section 10.02.0
Proper	ty Owner(s) Name: JACK A. PB15B4
	SS: 223 SAN PABLO ST.
City:	PANAMA CITY BEACH State: FL Zip 32413
Email:	1 1 Prisby (6) 407MM/ Telephone: (312) 905-5158611:
Name Stateme	of Acting Agent:
	Requested Actio
Reque	Variance Request from the following section(s) of the LDC:
	pecifically for Variance, the hardship to the subject property, or for Administrative Appeal, how e specific regulation been incorrectly applied: Please see attached packet of information.
	SECURITY OF HOME UNERAND
A	NOPERTY LOC DURANT ALLOW FOR NETTO MY STRUCTURE TO NETTO MY STRUCTURE TO NETTO MY STRUCTURE TO NO LACAGE PROPERTY UNICAPPLICATION Submittal Requirements: LDC Section 10.02.0
	Plat Preparer Name:
	ss:
	State: Zip
Email:	Telephone: Cell:
	Date of Preparation:
	Date(s) of any modifications:
	Legal Description: (Consistent with the Required Survey) -please attach to application
	Survey (Please provide a survey obtained no more than two (2) years prior to the filing of the
	application, containing legal description, land area and existing improvements located on the site.
	Please submit a total of 10 copies.
	A vicinity map showing the location of the property and the Future Land Use Map designation for the
	property.
	Future Land Use Map
Deed F	Restrictions or Private Covenants apply to this property: O Yes (please attach copy) O No

Payment Fee: \$500.00

Application Type: Variance A/Appeal

Date Collected: 10/19/2023

To Whom it May Concern;

As one of many successive owners of my current property and home built in the early 1970's, I am requesting this variance.

Last month as I was watching TV in my living room, I was startled by someone peering through my front window, only inches away from where I was sitting. I got up to confront this person and going to my front door, they had run off. I now keep a shotgun next to me and I will use it. I am a 100% disabled combat Vietnam Veteran with P.T.S.D.

The house placement on the lot was constructed prior to my residence, in the early 1970's. The area where I propose to add a simple metal roof and an aluminum "Florida Room", is entirely on the original, existing driveway. This will be a push out (vestibule) from my home and not a separate structure, to include a relocated entrance way. Only a part of the proposed vestibule intrudes on the 20 feet set-back from my property line. This intrusion to the set-back will be 3 ½ feet, leaving a 16 ½ foot set-back in this portion of the vestibule.

This will be a "Florida Room" (vestibule) away from my front windows and door, and was unforeseen at the date of the original construction.

Many other homes on my street and in my neighborhood have a vestibule, screen porch area in the front of their homes. However, due to the original structure placement on the lot I now occupy, this is not possible without this variance.

Respectfully,

Jack Prisby

Submittal Requirements for Requests for Variances - LDC Section 10.02.12 (B)

A statement setting forth:

- 1. All facts and circumstances upon which the applicant intends to rely for the requested Variance; and
- 2. An analysis of each of the criteria set forth in section 9.03.03(A)(1)-(8)

Required Findings – LDC Section 9.03.03

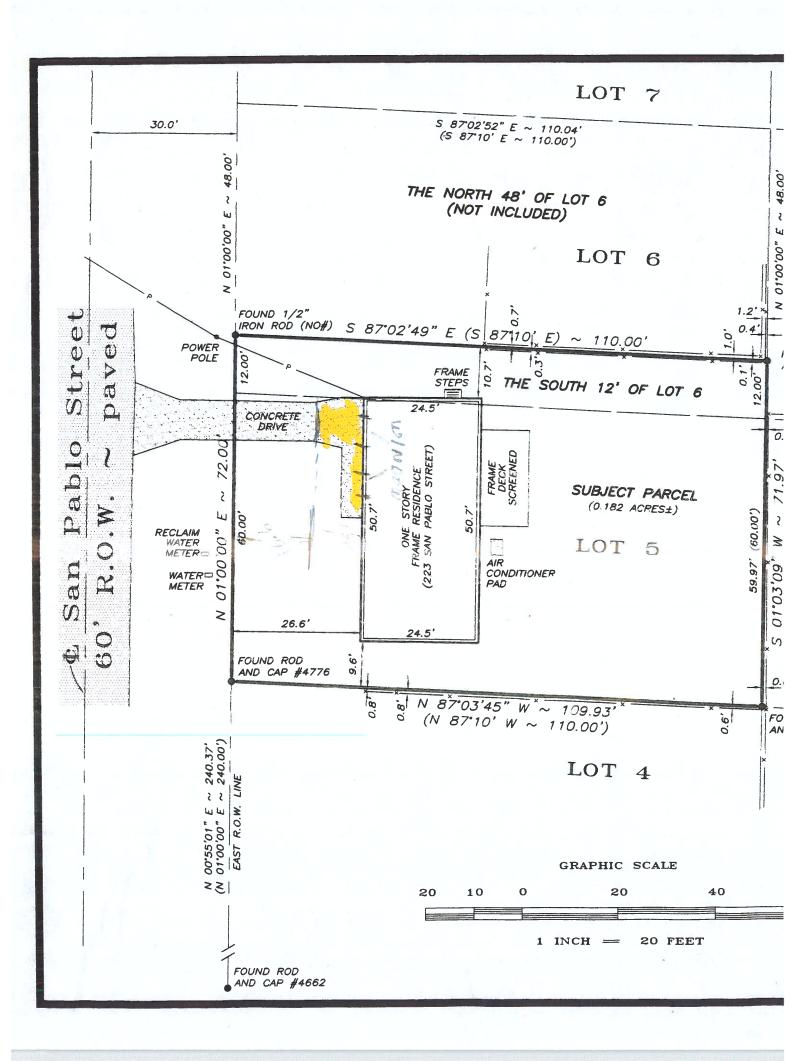
- A. In order for an application for a Variance to be approved or approved with conditions, the Planning Board must make a positive finding, based on the evidence submitted, with regard to each of the following provisions:
 - 1. There is a specific hardship affecting the Development of the Lot resulting from the strict application of the provisions of the LDC;
 - 2. The hardship is not a result of actions of the owner and is not based solely on a desire to reduce Development costs;
 - 3. The need for the proposed Variance is due to the physical shape, configuration or topographical condition of the Lot in such a manner as to distinguish it from other adjacent or nearby Lots or from other Lots in the district:
 - 4. The proposed Variance is necessary to preserve a substantial property right where such property right is generally available to other property owners of adjacent or nearby Lots or other Lots in the district;
 - 5. The proposed Variance will not substantially increase congestion on surrounding Streets, will not increase the danger of fire or other hazard and will not otherwise be detrimental to the health, safety or general welfare of the public;
 - **6.** The proposed Variance will be compatible with adjacent and nearby Development and will not alter the essential character of the district;
 - 7. The effect of the proposed Variance is consistent with the purposes of the LDC; and
 - **8.** The effect of the proposed Variance is consistent with the Comprehensive Plan.
- **B.** The applicant for a Variance has the burden of proof of demonstrating that the application for a Varianc complies with each of the requirements of section 9.03.03A.

Explain how granting the variance will allow	the hardship to be overcome? Is the	request the minimum
necessary to overcome the hardship? 114	13 WILL ALLOW	OR AN
IMPROVEMENT IN	SECURITY AND	AESTWETICS

I first ask that the "Panama City Beach" Planning Board refer to and read my initial letter of request, attached.

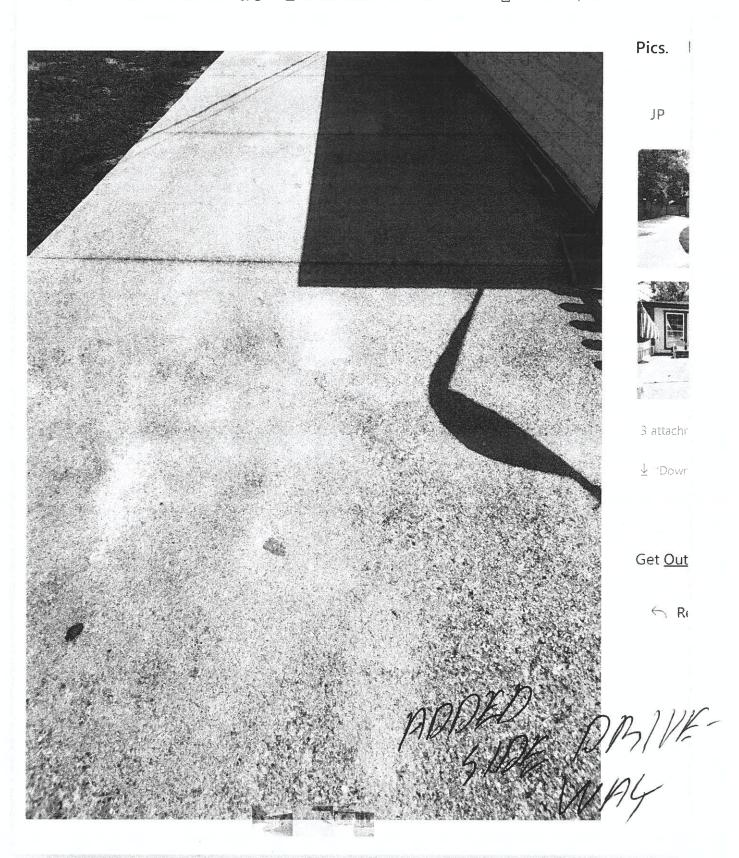
- 1. The specific hardship affected is that original set back of the structure on my lot doesn't allow for the security and aesthetic improvement I am proposing. I.E. a push out from the front restricting access to the front of my home for the sake of security.
- 2. This is not a result of any action by me (the sole owner) and would increase development cost to me, not reduce it.
- 3. The placement of the structure on this lot, as developed in the early 1970's, does not allow for a "Florida Room" (vestibule), which other homes in the area nearby have.
- 4. The addition of a "Florida Room" (vestibule) is consistent with other homes in the area, nearby, such as two homes at the end of San Pablo St., on Castile Ave.
- 5. The measurement of set back from my property will be effected minimally, and therefore no effect on traffic, congestion, danger of fire, health, safety or general welfare of the public.
- 6. This improvement will be compatible with the neighborhood, such as two homes currently located at the end of San Pablo St., on Castile Ave.
- 7. The effect of this variance is consistent with the purpose of the LDC and
- 8. its effect is consistent with the Comprehensive Plan.

How subje	many feet away are all adjacent structures (also ect property? Name specific structures.	on surrounding properties) from structure located on
2	3 FROM NEIGHBOR	ON RIGHT SIDE AND
4	5 FROM NEIGHBOR	ON LEFT SIDE
If var		properties? Please give specific examples of light, air,
Rest	tricted or Conditional Variance and Te	rmination – LDC Section 9.03.04
A.	The Planning Board may impose such condition positive finding for any of the factors listed in	ons and restrictions as may be necessary to allow a section 9.03.03(A)(5) and (6).
В.	owner, the City Manager shall terminate a rest	le opportunity to cure has been given to the property tricted or conditional Variance for a violation of the y negated the related positive finding. This can be done at o cure.
Any the ap	pplicant or the applicant's successor in interest; v	not used and acted upon in a real and substantial way by within one (1) year from the date on which the decision of appealed; the date on which the order becomes final, shall
App	olicant's Name(s):	Date: <u>5 EP 7. 8, 2023</u>
Print	Name	Signature
Print	Name	Signature



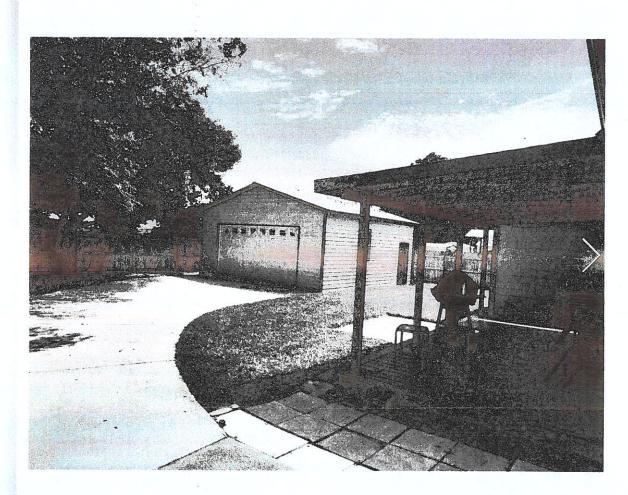


UP TO THIS SEAM



Pics.

JP







3 altachr



Get Out

CAA GARAGE INBALK



CITY OF PANAMA CITY BEACH PUBLIC NOTICE OF VARIANCE REQUEST OR APPEAL

The City of Panama City Beach Planning Board will consider the following request:

APPLICANT(S): Jack A. Prisby
ADDRESS/LOCATION: 223 San Pablo Street
Panama City Beach, FL 32413
The Variance/Appeal is being requested because, the setback of the house built in the early 1970's
does not allow for security improvement and aesthetic improvement. This variance request is for 3.5 feet
into the front setback.
MEETING INFORMATION:
Date: 11/8/2023
Γime: 1:00 p.m.
Place: City Council Meeting Room 17007 Panama City Beach Parkway

The applicant for this variance/appeal request is required by the City of Panama City Beach to send you this letter because, the tax rolls show you own property, in whole or in part, within one hundred fifty (150) feet of the subject property.

Panama City Beach, FL 32413

Any questions you may have regarding this request please contact someone at the City of Panama City Beach Building and Planning Department at 850-233-5100, ext. 2429.



City of Panama City Beach

PCB City Hall 17007 PCB Parkway PCB, FL. 32413 P: (850) 233-5100 F: (850) 233-5108 www.pcbfl.gov

DATA AND ANALYSIS

- I. <u>APPLICANT:</u> Jack Prisby
- II. PROPERTY LOCATION: Parcel ID# 33499-019-000, 223 San Pablo Street
- III. **ZONING DISTRICT:** Single Family Residential R-1c
- IV. <u>REQUEST:</u> The request is to reduce the required twenty (20) foot front setback for a variance of three-foot six inches (3'-6") to allow for a sixteen-foot six-inch (16'-6") setback from the front yard property line.
- V. <u>REASON FOR REQUEST:</u> The purpose of the request is to construct an enclosed front porch (Florida Room) for security and aesthetic improvements to a 1970's constructed home.

The proposed construction is contrary to the following section of the City's Land Development Code: Table 4.02.02.A of the City's Land Development Code requires primary structures located in the R-1c zoning district to have a twenty (20) foot front yard setback.

STAFF COMMENTS: The single-family residence was originally built in 1971 and currently meets the minimum front yard setback. The location of the residence on the lot along with the sixty (60) foot right-of-way on San Pablo reduces the amount of front yard area to allow for an addition while meeting the required front yard setback. The applicant has expressed a concern for his safety; therefore, the addition of an enclosed porch will provide a barrier of protection to the front entry of his home. This will not affect any of the surrounding properties regarding congestion, nor increase hazards or be detriment to the welfare of the public but will provide additional protection to the homeowner. There are other homes in the neighborhood that have this type of addition; therefore, the enclosed front porch would aesthetically be compatible with the surrounding single-family residences.

CONCLUSION: The staff has reviewed the application with the Required Findings identified and finds this request meets the City's Land Development Code, Section 9.03.03, which are necessary to issue a variance.

- B. All applicable Site Design and Development Standards (other than those making the Lot a Substandard Subdivision Lot), other requirements and standards in this LDC and other requirements and standards of law are satisfied; and
- C. If the Lot was part of a larger Parcel and Building site, neither its owner nor any predecessor in title to its owner conveyed or otherwise disposed of the right to incorporate any land adjoining the Lot into the Parcel and Building site subsequent to the adoption of this LDC.

9.03.00 VARIANCES

9.03.01 Generally

The Planning Board may authorize a *Variance* from the site and *Building* design or *Development* standards set forth in the *LDC* (except where expressly prohibited) where the Board has determined that the requirements of this subsection have been met. The Planning Board may not authorize a *Variance* from any standard, requirement or provision of the *Sign Code* except that the Board may authorize a *Variance* from the setback requirements for a *Sign* where the Board has determined that the requirements of this subsection have been met.

9.03.02 Procedure

A. Applications

- An application for a Variance shall include the submittals required in Chapter 10.
- 2. The application for a *Variance* shall include a statement explaining how the *Variance* request conforms to the requirements listed in section 9.03.00.

B. Review of Applications

An application for a *Variance* shall be reviewed pursuant to the applicable procedures set forth in Chapter 10.

9.03.03 Required Findings

- A. In order for an application for a *Variance* to be approved or approved with conditions, the Planning Board must make a positive finding, based on the evidence submitted, with regard to each of the following provisions:
 - 1. There is a specific hardship affecting the **Development** of the **Lot** resulting from the strict application of the provisions of the **LDC**;
 - 2. The hardship is not a result of actions of the owner and is not based solely on a desire to reduce **Development** costs;
 - The need for the proposed Variance is due to the physical shape, configuration or topographical condition of the Lot in such a manner as to distinguish it from other adjacent or nearby Lots or from other Lots in the district;

- 4. The proposed *Variance* is necessary to preserve a substantial property right where such property right is generally available to other property owners of adjacent or nearby *Lots* or other *Lots* in the district;
- The proposed Variance will not substantially increase congestion on surrounding Streets, will not increase the danger of fire or other hazard and will not otherwise be detrimental to the health, safety or general welfare of the public;
- 6. The proposed *Variance* will be compatible with adjacent and nearby *Development* and will not alter the essential character of the district;
- The effect of the proposed Variance is consistent with the purposes of the LDC;
 and
- 8. The effect of the proposed Variance is consistent with the Comprehensive Plan.
- **B.** The applicant for a *Variance* has the burden of proof of demonstrating that the application for a *Variance* complies with each of the requirements of section 9.03.03A.

(Ord. #1254, 11/14/13)

9.03.04 Restricted or Conditional Variance and Termination

- A. The Planning Board may impose such conditions and restrictions as may be necessary to allow a positive finding for any of the factors listed in section 9.03.03A.5 and 6.
- B. After written notice of violation and reasonable opportunity to cure has been given to the property owner, the City Manager shall terminate a restricted or conditional Variance for a violation of the restriction or condition imposed that materially negated the related positive finding. This can be done at any point in time after expiration of the time to cure.

9.03.05 Limitation on Time to Use Variance

Any *Variance* authorized by the Planning Board and not used and acted upon in a real and substantial way by the applicant or the applicant's successor in interest within one (1) year from the date on which the decision of the Planning Board is reduced to a written order or if appealed the date on which the order becomes final, shall be deemed *Abandoned* and be void and of no further force and effect.

Table 4.02.02.A: Building Height and Setback Standards

	Idnie 1.0	2.02.M.	bollany re	eigni and Sei	DOCK SIGNED	rus	
	Maximum		Minimum	Setbacks fro	m Property	Lines (in f	eet)
Zoning District	Building Height (in feet) ⁶ /	Front	S	ide	Side Adjacent to Street	R	ear
AR	35	25		50 ¹	50¹	(F CT)	50
R-1a	35	30		12	25	;	30
R-1b	35	25		7.5	20		25
R-Ic	(35)	20		[5]	(15)	(20
R-1cT	35	20		5	15	1	20
R-O	35	20	(ე1,2	10 ¹		20
RTH	35	25	7	7.5	15	:	20
R-2	35	25	4.04.1	51	15		25
			General	Adjacent Residential Districts Above ⁵		General	Adjacent Residential Districts Above ⁵
R-3	55	25	51	15	154	15 ³	25
CL	35	25	51	15	15	10	15
CM	55	25	5 ¹	1.5	154	10 ³	15
CH	65	25	51	15	154	10³	15
M-1	55	25	51	15	51	5 ³	15
С	10	25	51	15	15	10	15
R .	55	25	51	15	154	1 O ³	15
PF	55	25	51	15	154	103	15

¹ The **Side Yard Setbacks** shown apply to one-story **Buildings**. For each story above the first story, the **Side Yard Setback** shall increase 2.5 feet.

A zero Side Yard Setback is allowed, but shall apply to only one Side Yard. The second Side Yard shall have a Setback of eight (8) feet.

The minimum Rear Yard Setback shall increase four (4) feet for each Story above the third story. In the M-1 district the Rear Yard Setback shall increase six and one-half (6.5) feet for every Story above the first Story.

⁴ The minimum Side Street Setback shown applies to 1-3 story Buildings. For each Story above the third Story, the Side Street Setback shall increase 2.5 feet.

⁵ The minimum **Setback** for a **Side** or **Rear Yard**, adjacent to an R-2 district or above (R-2 through AR), shall be as shown in the table. For each **Story** above the first, such **Side** and **Rear Yard Setback** shall increase by one (1) foot for every foot of height beginning at fifteen (15) feet from the side or rear property line as applicable.

⁶ Maximum height may be affected by **Setback** or overlay district requirements.

Parcel Summary

Parcel ID

33499-019-000

Location Address

223 SAN PABLO ST

PANAMA CITY BEACH 32413

Brief Tax Description*

EL CENTRO BEACH MAP-29B4 LOT 5 & S 12' LOT 6 BLK 25 ORB 737 P 623 ORB 4220 P 838 (5.01) "The Description above is not to be used on legal documents.

SINGLE FAM (000100)

Property Use Code Sec/Twp/Rng

19-3S-16W

Tax District

City of Panama City Beach (District 13)

2023 Final Millage Rate

11.1226

Acreage

0.181

Homestead

View Map

Owner Information

Primary Owner Prisby, Jack 223 San Pablo St

Panama City Beach, FL 32408

Valuation

	2024 Working Values	2023 Certified Values	2022 Certified Values	2021 Certified Values
Building Value	\$122,764	\$124,120	\$105,550	\$142,255
Extra Features Value	\$4,358	\$4,358	\$331	\$331
Land Value	\$100,753	\$100,753	\$91,177	\$86,320
Land Agricultural Value	\$0	\$ O	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0
Just (Market) Value	\$227,875	\$229,231	\$197,058	\$228,906
Assessed Value	\$224,405	\$217,869	\$197,058	\$207,010
Exempt Value	\$224,405	\$217,869	\$197,058	\$207,010
Taxable Value	\$0	\$0	\$0	\$0
Save Our Homes or AGL Amount	\$3,470	\$11,362	\$0	\$21,896

[&]quot;Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

Building Data

Building 1

Type Total Area

SFR AVERG 1,570

Heated Area Exterior Walls **Roof Cover**

1,320 ABOVE AVG. **ENG SHINGL**

Interior Walls Frame Type Floor Cover

PLYWOOD; DRYWALL N/A

Heat Air Conditioning **CLAY TILE** AIR DUCTED

Bathrooms Bedrooms

CENTRAL 3

Stories Actual Year Built 1971 **Effective Year Built** 2011

Extra Features

Code	Description	Number of Items	Length x Width x Height	Units	Unit Type	Effective Year Built
0236	DRIVE/WALK INPUT	1	0×0×0	1	UT	1971
1130	CL FENCE B NV	1	0×0×0	1	UT	1971
1012	UDU NV	1	0×0×0	1	UT	2022
0240	DRIVE	1	36 x 25 x 0	900	SF	2022
0015	UDG	1	25 x 25 x 0	625	SF	2022
1132	PICKET FNC N/V	1	0×0×0	1	UT	2022

Land Information

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
000100	SFR	72.00	FF	72	110

Variance Request - 223 San Pablo Street R-1c Zoning - Single Family Residential



Prepared by The City of Panama City Beach Planning Department



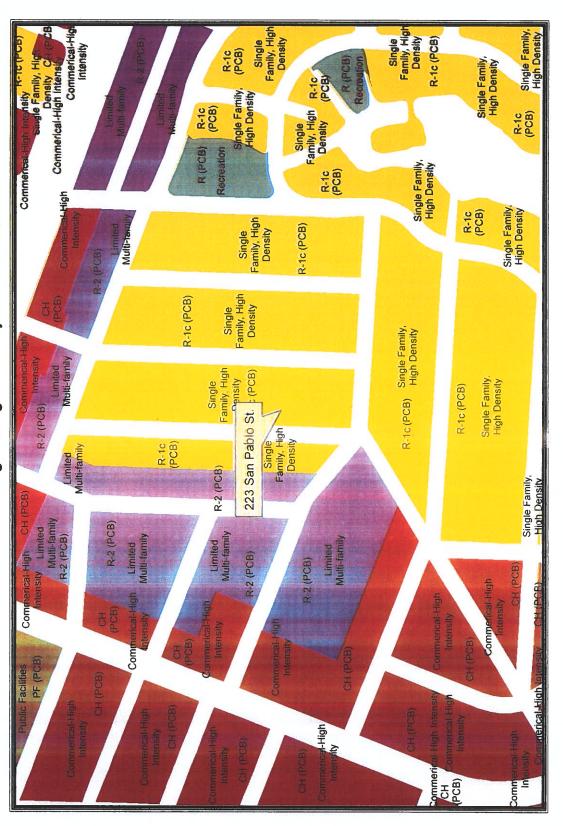
100 Feet

75

20

0 12.5 25

Variance Request - 223 San Pablo Street R-1c Zoning - Single Family Residential





720 Feet

540

360

0 90 180

Prepared by The City of Panama City Beach Planning Department

ITEM NO. 7



Sept 16th - Oct 15th

CODE ENFORCEMENT

Cases opened YTD: 1393

Cases opened MTD:

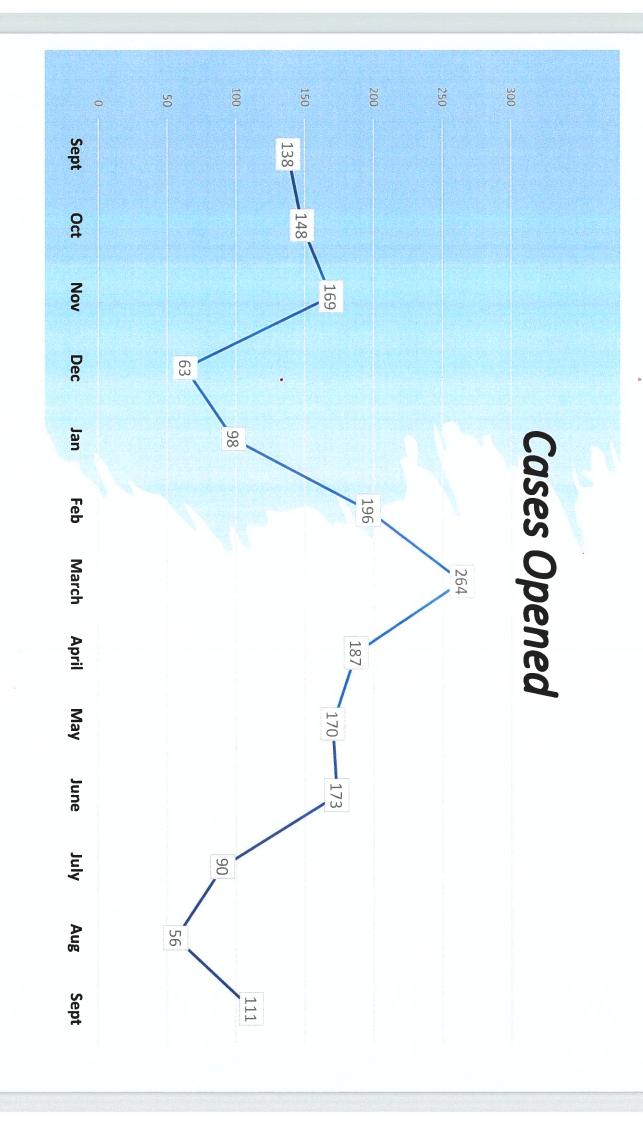
Citations issued:

07 on the sandy beach 18 upland properties

Fines not collected: Fines collected: \$12,098

\$4,150

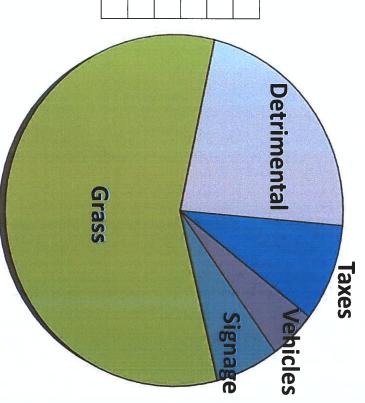
CODE ENFORCEMENT



General Enforcement

(most common violations)

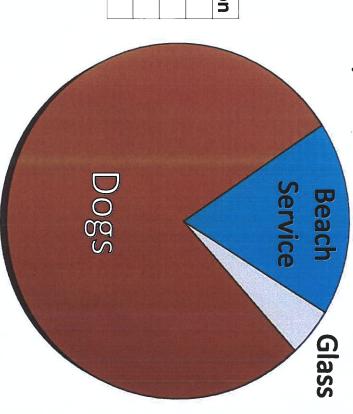
Ordinance / Code D	Description	Opened
Code 15-18, 15-17 (6) Ti	Tall grass	37
Code 15-18, 15-17 (3) D	Detrimental Conditions	15
Code 14-2 / 14-16 D	Delinquent Taxes / License	6
LDC 5.07.03 & 04 W	Window Signage/Banners	4
Code 15-18, 15-17 (2) Junk vehicle	unk vehicle	သ

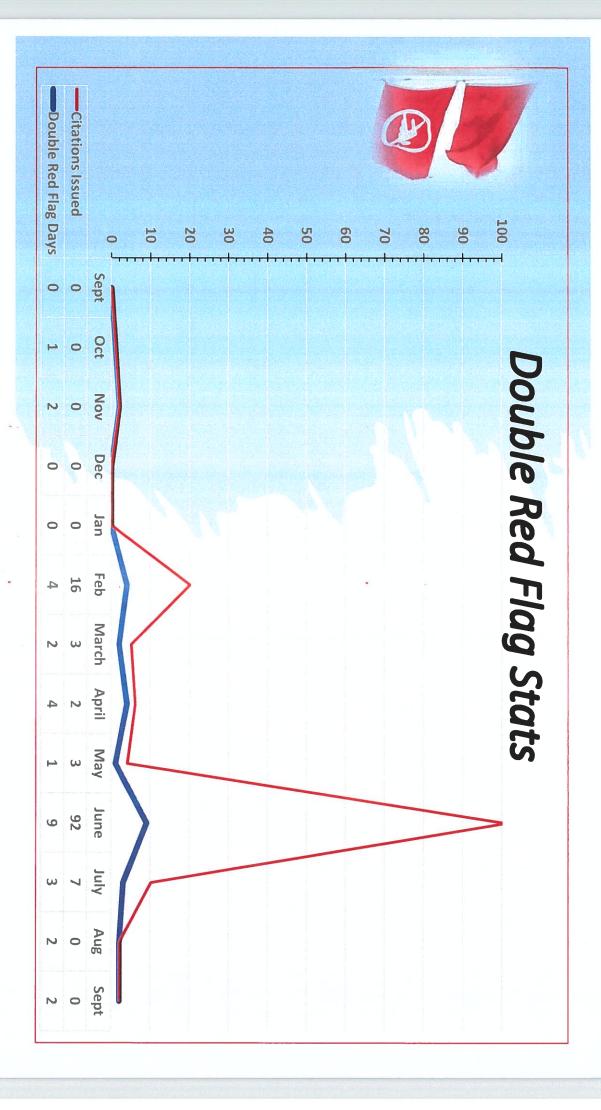


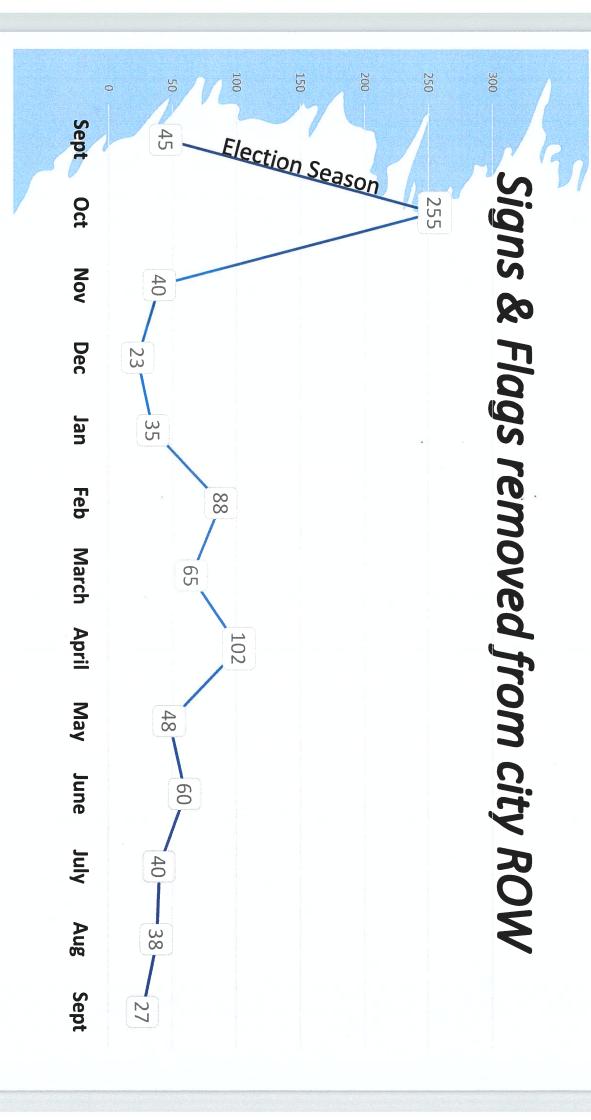
Sandy Beach Enforcement

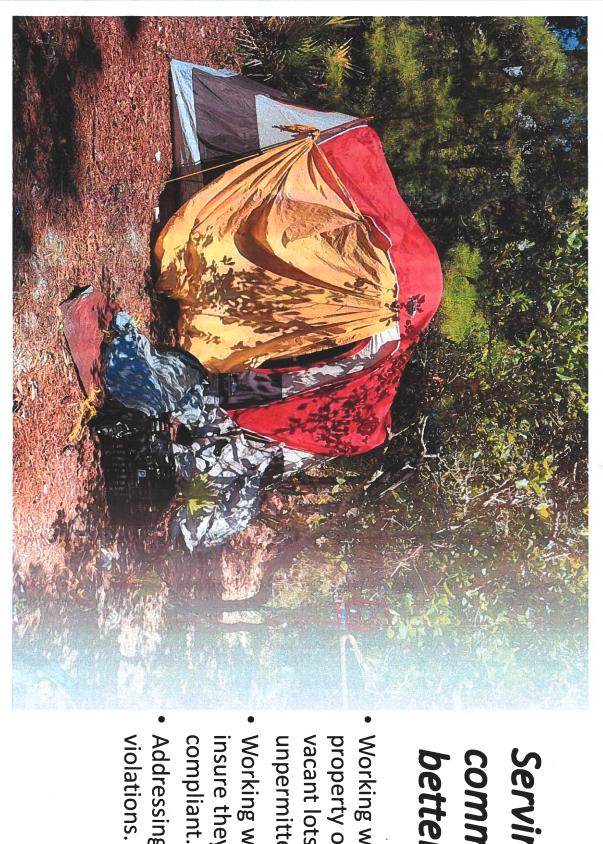
(most common violations)

Ordinance / Code	Description	Opened	Citation
Code 7-9	Dog on beach	17	4
Ord 7-36	Storage of Beach Chairs	3	Ь
Ord 7-81	Beach Service within 30ft	1	0
Code 7-2	Glass on beach	1	0









Serving the community better by

- Working with the police and property owners to cleanup vacant lots used for unpermitted camping.

 Working with businesses to insure they are sign/banner
- Addressing beach service violations.

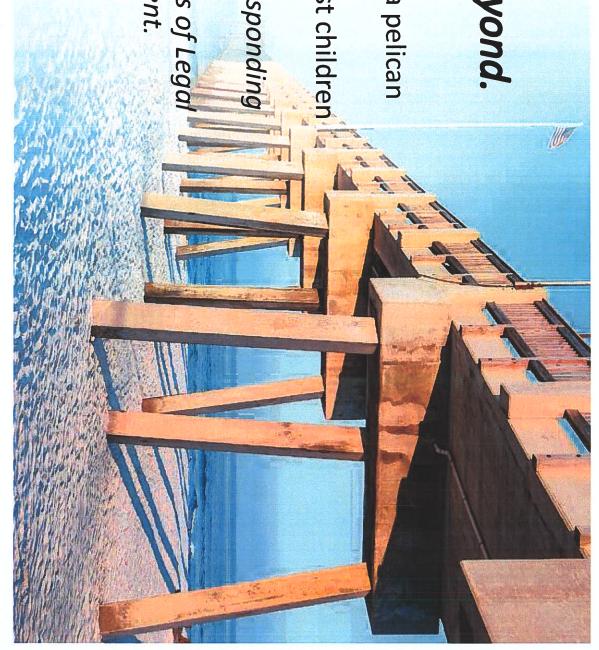


 Assisted in the rescues of a pelican and sea gulls.

Assisted in locating two lost children on the beach.

Assisted Beach Safety in responding to distressed swimmers.

Attended a week-long class of Legal Aspects in Code Enforcement.





Questions? Concerns? Complaints?

