



**PLANNING BOARD OF PANAMA CITY
PANAMA CITY, FLORIDA**

**MEETING MINUTES
October 7, 2019**

The City of Panama City Planning Board met on the above date with the following members present:

Mr. Ray Dubuque, Chairman
Mr. James Barker
Mr. Dennis Wallace
Mr. Brian Neubauer

Also present: Mike Lane, Planning Director
 Tina Scibelli, Planner I
 Rebecca Ando, Administrative Assistant

Absent: Ms. Mary Sittman

Mr. Dubuque explained that all the items addressed today will be heard at the City Commission meetings November 12th and the second reading at November 26th.

Mr. Dubuque called the City of Panama City Planning Board meeting to order at 4:00 PM on Monday, October 7, 2019. Mr. Dubuque asked that the roll be taken.

The roll was taken.

Mr. Dubuque asked if there were any changes or deletions to the agenda.

Mr. Lane announced that the FSU Campus Development Agreement had been pulled from the agenda but would be addressed at the next Planning Board meeting.

You have previously been provided the minutes and you've had a chance to look at them, do we have a motion to approve them? Mr. Neubauer approved the minutes and Mr. Crosby seconded them.

Mr. Dubuque asked that the roll be taken.

The roll was taken.

Mr. Dubuque explained that as we go through the items, we will have the staff presentation, then we will have board questions of staff and then you will be given the opportunity to talk about the item if you'd like to please come to the microphone, state your name and address for the record, if you'd like to respond.

Mr. Dubuque asked if there were any announcements or disclosures. None were noted.

Ms. Scibelli began by saying that the first two requests were for variances and they do not continue to the City Commission meeting, but will be decided today.

Ms. Scibelli began by greeting the audience and proceeded with Request one stating the request for a variance from the 20' setback on corner lots.

Request One: Request for a variance from the 20' setback on corner lots. Rebuilding and adding to the home after hurricane damage, asking for approximately 5 feet making the setback 15', pursuant to Section 104-26(a)(4)(iv) of the Land Development Regulations, 912 East Caroline Blvd, Chuck Cluxton, Owner and Joseph Rudolph, Applicant.

Ms. Scibelli stated that she had been contacted by Billy Archer of 1208 W 10th Street and that he had no problem with the request.

Mr. Dubuque asked if there were any questions for staff or the developer.

He was asked where exactly the variance is going to be.

Ms. Scibelli answered that the variance would be from the left of the picture toward the rear near 10th Street.

Would the applicant like to make any comments?

Dr. Cluxton said his house had been redesigned by wind and the particular picture shows the property askew. The variance would allow them to rebuild back like the house had been previously. The variance would be in the furthest place in the corner of the property.

Background: The applicant applied for a development order due to damage from Hurricane Michael. The house was originally built at a skewed angle to allow views of the bay and the lake and because of this angle the owners are unable to meet the corner setback of 20 feet. They are asking for a variance of approximately 5 feet from the property line on the 10th St side.

Directors' Report:

Utilities Director: Water and sanitary sewer are available to this property.

The Comprehensive Plan:

Objective 1.4: The City has adopted Land Development Regulations which contain specific provisions for implementation of this Plan. Such regulations will contain innovative land use management provisions such as for mixed use areas and planned unit developments.

Policy 1.4.1: The City will administer land development regulations for implementation of the Comprehensive Plan. At minimum, these regulations will:

(b) Regulate the use of land and water consistent with this Element and ensure the compatibility of adjacent land uses through provision of or reference to specific and detailed requirements which will include, but not be limited to, maintenance of an official land use map, maintenance of land use districts and allowable uses including accessory land uses, maintenance of environmental protection and development standards, creation of measures to reduce the potential for nuisances caused by incompatible land uses, provisions for the elimination of non-conforming uses, and other such relevant requirements.

The LDR Code:

Sec. 104-26. - Residential-1 (R-1) zoning district.

A. The following bulk regulations shall apply to property zoned R-1:

4. Minimum setbacks shall be: i. 20 feet from the front parcel line ii. 25 feet from the rear parcel line iii. 7 feet from the side parcel lines iv. 20 feet from road side on corner lots.

The Five Conditions (Section 102-42 (d)):

1. *That the requested variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the City;*

The area surrounding Lake Caroline is a historical established residential area in the city. The streets surrounding and adjacent to Lake Caroline have become a favorite scenic walking area for local residents, devoid of heavy traffic. Granting this variance will in no way reduce the aesthetic value of the neighborhood but will serve to enhance the beauty of the area.

This point is met.

2. *That the requested variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community;*

The East Caroline Blvd. lot in question is situated on a split hill that was a former site to the Bay line Railroad spur servicing St. Andrews. The corner in question sits approximately twelve feet above the centerline of the road. Adding an addition to the structure adjacent to this corner does not affect line of site or cause any duress to pedestrians or vehicular traffic.

This point is met.

3. *That the requested variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan, as amended from time to time, and all other similar plans adopted by the City;*

The City of Panama City is currently improving the immediate area with the renovation of Asbell Park. The owner of the property in question has improved his front yard and improved his property across the street of this same parcel that is situated between the lakes for the enjoyment of the public. This variance will allow improvements to the structure that will add to the fore-mentioned improvements currently in process by others and increase the value of the general area. Additionally, the contractor involved with the renovation is currently building a new house at 900 West Beach Drive and is involved in future projects at the corner of East Caroline and Beach Drive. This contractor has a vested interest in the managed development of the general area.

This point is met.

4. *That the plight of the petitioner is due to unique circumstances of the property or petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome;*

The original house was built in the 1940s, and with hurricane damage notwithstanding, the owner desires to maintain the original aesthetic and historic value of the home. Originally, this home was situated on the lot at a skewed angle to take advantage of the view of the lake and bay. This skewed angle is what triggers the non-conformance to the land use code, in that only the rear corner portion of the proposed addition would extend into the 20 foot setback by S.2S feet. Granting this variance results in no impact to the city, but not granting the variance puts undue strain on the petitioner.

This point is met.

5. *That the variance requested is the minimum variance that is necessary to afford relief to the petitioner, while preserving the character, health, safety and welfare of the community.*

The addition that is proposed to the house is to replace living space that was destroyed during the hurricane. To achieve the goals of the petitioner, and to further the value of the property and the surrounding properties, the house should have a master suite commiserate with the size of the structure and property. The currently allowable envelope for construction is not wide enough to allow for stairs, bathroom space and bedroom space without significantly reducing the final value of the project.

This point is met.

Findings: The applicant's request for a 15 foot setback from road side on corner lots appears to meet all 5 Points of the Five Conditions.

Mr. Dubuque asked if anyone in the audience wanted to respond, seeing no response, he asked for a motion.

Mr. Brian Neubauer made a motion and Mr. James Barker seconded the motion.

Mr. Dubuque asked if there was any further discussion, seeing none, he asked that the roll be taken.

The roll was taken.

The motion passed unanimously.

Mr. Dubuque motioned to begin Request Two.

Ms. Scibelli stated that this request was also a variance from the 20' setback on corner lots

Request Two: Request for a variance from the 20' setback on corner lots. The new home must be placed on the lot at an angle to fit and cannot meet the 20' setback on Frankford Ave and W 29th Plz., 2109 W 29th Plz, Debra McRoy (Ford), Owner and Applicant.

Mr. Dubuque asked if there were questions for staff.

Ms. Scibelli described the fact that the only way the manufactured home could fit on the property is to set it a skewed. The lot size is 80' x 80' and the home is 76' x 16'. On the W. 29th Plaza they are only having a 7 ft. setback instead of 20 ft. setback. It's in a mobile home subdivision. Number one of five point test was not met the second was met, third, no answer, and 4 asked for unique circumstances, but the point was not met either. The variance is the minimum required variance. The new code came into effect in March 2019 regarding the 20' setback on corner lots and the roadway setbacks.

Betty Day of 2107 Briarwood Circle asked about the status of this variance and Mr. Dubuque said a decision would be made today or it can be challenged in the Circuit Court. Ms. Day asked why the owners purchased a trailer that was too big for the lot and not to code. She said there was barely any room for the trailer. Ms. Scibelli pointed out the map and where the trailer is located.

Ms. Debra McRoy Ford of 2109 W. 29th Plaza approached the podium. Ms. McRoy Ford explained that she, her husband and both sets of their parents lived in the trailer before the parents passed away. It is a huge trailer. So she went looking for a single wide to replace the large trailer. She wanted to sell the huge trailer, her new trailer is longer than the huge trailer.

Mr. Dubuque asked if anyone from the trailer manufacturer had asked her what size the lot was she had to put her new trailer on. There is any alley that could be vacated for a portion of the property and you'd get half the alleyway. This could be an option.

Mr. Barker commented on the alley and if the alley was maintained. Ms. McRoy Ford said the alley was not maintained.

Betty Day said her Mother used to live in Ms. McRoy Ford's trailer and the alley was between the trailers was to be left open. Some individuals in the subdivision used the alleyway as their own. She said the cart was put before the horse.

Mr. Lane said that that there is a 2" water main and a 4" sewer main in the alley easement.

Mr. Dubuque asked if anyone else had questions.

Mr. Robert Culbert of 2121 W 29th Plaza said he did not object to Ms. McRoy Ford putting her trailer on the property. He also said the City was not maintaining the alleyway and that a lot of people were putting debris in the alleyway. He noted that a lot of the mobile homes were butted up right on the edge of the alleyway. He lives two houses down from her.

Mr. Barker said he looked at the area and said that the new trailer would enhance the neighborhood. Mr. Barker motioned to accept the variance and Mr. Neubauer seconded it.

Land Use Designation / Zoning District: Manufactured Home - 1/MH-1

Tract Size: 0.146 +/- acres

Background: The applicant applied for a development order to place a newly purchased 76'x16' manufactured home on their property to replace the one they had sold. The property is approximately 80'x80' and the owners are unable to meet the corner setback of 20 feet on both street sides due to the size of the new home. They are asking for a variance of approximately 13 feet from the property line on both sides.

Directors' Report:

Utilities Director: Water and sanitary sewer are available to this property.

The Comprehensive Plan:

Objective 1.4: The City has adopted Land Development Regulations which contain specific provisions for implementation of this Plan. Such regulations will contain innovative land use management provisions such as for mixed use areas and planned unit developments.

Policy 1.4.1: The City will administer land development regulations for implementation of the Comprehensive Plan. At minimum, these regulations will:

(b) Regulate the use of land and water consistent with this Element and ensure the compatibility of adjacent land uses through provision of or reference to specific and detailed requirements which will include, but not be limited to, maintenance of an official land use map, maintenance of land use districts and allowable uses including accessory land uses, maintenance of environmental protection and development standards, creation of measures to reduce the potential for nuisances caused by incompatible land uses, provisions for the elimination of non-conforming uses, and other such relevant requirements.

The LDR Code:

Sec. 104-28. - Manufactured Home-1 (MH-1) zoning district.

The following bulk regulations shall apply to property zoned MH-1:

4. Minimum setbacks: i. 20 feet from the front parcel lines. i. For individual lots shall be:
- a. 15 feet from the front parcel line.
 - b. 15 feet from the rear parcel line.
 - c. 7 feet from the side parcel line.

The Five Conditions (Section 102-42 (d)):

1. *That the requested variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the City;*

Not sure what this means. Our hope is that this new home will be a nice addition to a torn up community. We take pride in our property and just want to return to normal.

This point is not met.

2. *That the requested variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community;*

This is a corner lot and it serves as a gateway into the neighborhood. It is bounded by W 29th Plaza, Frankford Ave, and an unopened alley. The neighborhood is zoned for mobile home purposes and a number of the homes in the area are in bad condition and unkempt. This home will be a new mobile home and be a nice addition.

This point is met.

3. *That the requested variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan, as amended from time to time, and all other similar plans adopted by the City;*

Applicant did not answer.

This point is not met.

4. *That the plight of the petitioner is due to unique circumstances of the property or petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome;*

The unique circumstances involve a category 5 hurricane damaging my home. I would not have had to replace my home but for the storm. No mobile home salesman informed me of setback issues. I was not aware that I even lived in Panama City.

This point is not met.

5. *That the variance requested is the minimum variance that is necessary to afford relief to the petitioner, while preserving the character, health, safety and welfare of the community.*

It looks like because this is a corner lot my house has to have a front and side setback of 20 feet. This request is to place my newly purchased home on the lot in the only way it will fit. One option if I can't get a variance is to move from here which I don't want to do.

This point is not met.

Findings: The applicant's request for a 7 foot setback from road side on corner lots appears to meet point 2. It does not meet points 1, 3, 4 and 5 of the Five Conditions.

The variance was declined by a tie vote, and the no vote prevailed. Ms. Scibelli said the 76 ft. length of the trailer on an 80 ft. lot made this most difficult.

Mr. Dubuque suggested Ms. Ford contact the retailer of the trailer and help her find a trailer that would work for her. Telling them that current zoning prohibits this size trailer on her lot.

Mr. Dubuque asked if there was any further discussion, seeing none he asked that the roll be taken.

The roll was taken.

Mr. Dubuque indicated to proceed with Request Three.

Ms. Scibelli presented Request Three:

Request Three: Request for land use change and rezoning of .738 acres from Residential 1, R-1 to Urban Residential 1, UR-1, 1102 W 11th St and 1106 W 11th St, Mark Mulligan, Owner and Applicant.

Mr. Dubuque asked if there were any questions for staff. If anyone in the audience would like to address this, please come down to the microphone, state your name and address.

Ms. Scibelli said Linda Richards Prejeant of 1110 W. 10th Court called and said this has been an old historic area and she did not want the townhouses built. If you look at the zoning map, there are alot of townhouses in this area.

Ms. Scibelli showed the townhouse plans that Mr. Mulligan has proposed to build.

Mr. Dubuque asked if there were questions for staff. Is the applicant or owner here?

Mark Mulligan of 1016 Buena Vista Blvd, Bayside Subdivision, and his family has been there for 50 years. This land is in the Caroline Subdivision. He said they wanted to build four affordable duplexes

and to enhance the neighborhood. UR-1 has many allowable uses but he is only interested in building duplexes.

Mr. Dubuque asked "Will each of these have an entrance on to 11th Street?"

Mr. Mulligan said with the duplexes pushed back on the property they would have at the most three entrances for all of them. Recording a driveway easement on the front of the property.

Mr. Gerald Riley of 1062 W 11th Court, directly behind the property, was concerned that this would be a billboard at his front door because of the elevation. He said there was an open field between his property and Mr. Mulligan's proposed property. Mr. Riley wanted to see what the duplexes would look like. He wanted a privacy fence or some landscaping to block the view. He said the townhouses have been a blight to the neighborhood.

Mr. Donald Strayn of 1022 Buena Vista Blvd., right on the corner of Buena Vista and 11th Street. He's lived there approximately two years ago. He said people have been living there for years. He commented on how far the land drops down and is concerned about water drainage. It's a residential neighborhood and he didn't want townhouses moving in.

Aaron Wyldur at 1111 W. 11th Street across the street from the Mulligan property. He is concerned about it turning into multi-dwellings. He is concerned about his property value going down. The townhomes that do exist on 11th Ct. have lots of trash, mattresses piled up on the street and heavy traffic from that area. He would not like to see this area rezoned.

Mr. Mulligan said he was selling each individual unit, that they would not be rentals.

Vivian Sammons at 1110 W 11th Street. Her property butts up to his property and is against rezoning this area, right next door. She is afraid of it de-valuing her property. She has lived there 25 years and she said that the Lake Caroline area is a well-developed wonderful area to live in. She is against the rezoning.

Mr. Dubuque asked how many single family lots this could be turned into.

Mr. Lane replied, he was not sure without the measurements in front of him.

Brian Ross of 1021 Buena Vista Blvd. commented that there is only one building that is multi-tenant. He considers the 11th Street Corridor part of his neighborhood. He said 11th Court was like comparing apples to oranges. He is against the rezoning. He said multi-tenant, multi-story would be a mistake.

Mr. Mulligan commented on the single family lots minimum front footage as being 6,000 sq. ft. for residential-1 and they could put two houses on the lot.

Jack Lloyd of 1020 Buena Vista Blvd. commented on the area always being swampy and with substantial impervious structures, it will be worse than it is and we don't need more water issues slowing down traffic on 11th Street.

Mr. Mulligan stated that any development with low land would have to bring in fill dirt.

Donald Strayn addressed the fill dirt issue and how the higher level of fill dirt will run off into the neighbor's properties. He doesn't want it rezoned. He could build two, three or four story.

Gerald Riley of 1062 W. 11th Ct said he lives in a duplex but he is opposed to townhouse.

Current use of the property: The property is currently vacant.

Proposed Use of the property: The owner would like to use this property to construct four 2 story townhomes.

Directors' Report:

Utilities Director: Water is only available from 11th Street. Sanitary sewer is only available behind the property in the alley.

Comprehensive Plan Objectives and Policies:

Future Land Use Element

Policy 1.1.1: The City shall regulate land use through designation of land use districts on a Future Land Use Map. The Future Land Use Map shall be used to determine the location and extent of development within the City consistent with conservation of natural resources, availability of public facilities and services, and compatibility of adjacent land uses. Land Use districts depicted on the Future Land Use Map shall be described as follows. (In the following descriptions of Future Land Use categories, density standards shall apply to residential development and intensity standards shall apply to non-residential development.)

Sec. 104-29. - Urban Residential -1 (UR-1) zoning district.

- a) The purpose of this zoning district is to provide for the efficient use of land by allowing medium-density residential development and neighborhood commercial uses within the same vicinity.
- b) Development on parcels designated as Urban Residential 1 (UR-1) on the zoning map shall:
 - 1) Have a density no greater than fifteen dwelling units to the acre.
 - 2) Locate ingress and egress to minimize traffic impacts to adjacent neighborhoods.
 - 3) No more than 15% of this zoning district, in combination with the UR-2 zoning district, may be used for neighborhood commercial uses. This analysis shall be made on a continuous basis and shall be assessed on a city-wide basis.
 - 4) Provide off-street parking as specified in [chapter 105](#), article V.
 - 5) Conform to the landscaping and buffering requirements as specified in [chapter 105](#), article II.
- c) The following bulk regulations shall apply to property zoned as UR-1:
 - 1) Height: No structure nor any part thereof shall exceed a vertical height of 80 feet from the pre-construction ground elevation of the site to the ceiling of the highest habitable unit, plus 25 feet for roof and mechanical elevations, provided the ground floor elevation is above the base flood elevation as determined by a Florida Registered Surveyor. Where the site has various elevations, the height of the

structure shall be measured from the base flood elevation of the site or the averaged site elevation, whichever is greater.

- 2) The impervious surface ratio shall be no greater than 0.65 of the total parcel area.
- 3) The floor area ratio shall not exceed 0.75.
- 4) Minimum setbacks shall be:
 - i. For those developments with only a residential use:
 - 20 feet from the front parcel line.
 - 20 feet from the rear parcel line.
 - 5 feet from the side parcel lines.Side setbacks may be decreased to 0 feet only when there is a common wall between units.
 - ii. For those developments that include a nonresidential use which is adjacent to residential uses shall be:
 - 20 feet from the front parcel line.
 - 30 feet from the rear parcel line.
 - 12 feet from the side parcel lines.
- 5) Minimum Lot Size.
 - i. Single-family detached housing minimum lot size of 4,000 square feet.
 - ii. Duplex, triplex, or quadraplex, or other semi-detached row house-type structure with a common wall must have a minimum lot size of 3,000 square feet.

The following uses are allowed in the UR-1 zoning district; all other uses are prohibited:

1. Single-family detached dwellings on individual parcels;
2. Community residential homes shall be allowed when six (6) or fewer residents are located in a single-family, residential dwelling provided that such homes are not located within 1,000 feet of one another and when the location of such homes does not substantially alter the nature and character of the area. Such use must be licensed by a state agency as listed in F.S. § 419.001(1)(b).
3. Public and private schools grades K—12.
4. Public or non-commercial private recreation.
5. Accessory uses or structures as set forth in chapter 104, articles IV and V.
6. Public utilities customarily found in residential areas.
7. Family day care homes pursuant to F.S. § 125.0109.
8. Bed and Breakfast Inns, not to exceed six rental rooms;
9. Attached dwellings;
10. Multi-family structures up to 15 dwelling units per acre;
11. Neighborhood-scale commercial uses, not to exceed 20,000 square feet of heated and cooled space in size per parcel. Such uses may include:
 - i. Professional office and personal services.
 - ii. Private child care or day care for children.
 - iii. Commercial recreational facilities.
 - iv. Grocery and convenience retail including, but not limited to, beauty parlor, barber shop, laundromat, dry cleaner, and other retail establishments meant to serve the immediate vicinity.
 - v. Athletic clubs, dance or music studios.
 - vi. Food establishments without a drive-through window.
 - vii. Other similar uses serving the neighborhood area.

Land Development Regulations:

Section 102-82(e)

Stipulates that a land use change requires the Planning Board to determine a positive finding for the proposed Comprehensive Plan Amendment and/or rezoning request on the following four (4) criteria:

1. *Not degrade the established level of services in the Comprehensive Plan or the minimum concurrency requirements.*

This impact is de minimis, which is not subject to concurrency review.

2. *In harmony with the general intent of the Comprehensive Plan. (Goals listed as applicable.)*

The goal of the Future Land Use Element of the Comprehensive Plan (Goal 1A) is to establish a defined pattern of land use guiding the provisions of public facilities and providing predictability in managing development. This request fits within the general intent of this Element.

The goal of the Utilities Element, Sanitary Sewer Sub-Element (Goal 4A) is to provide adequate sewage capacity and collection facilities to accommodate anticipated population demand.

The goal of the Utilities Element, Solid Waste Sub-Element (Goal 4B) is to ensure that adequate and efficient solid waste collection is available for the City.

The goal of the Utilities Element, Potable Water Sub-Element (Goal 4D) is to provide adequate, safe and sanitary water distribution capability to accommodate existing and future demand.

No level of service standards will be exceeded by this Future Land Use map amendment.

3. *Not exceed traffic limitations, create a fire hazard, or a hazard to the public health, welfare and safety.*

This impact is de minimis, which is not subject to concurrency review

4. *Compatible with adjacent land uses and districts, and not create a potential nuisance.*

The development is located in an area with single family homes, townhouses, duplexes, and commercial properties with surrounding land uses and zoning that match the Urban Residential land use. The proposed Land Use amendment/zoning change will not create a nuisance.

Pursuant to Section 102-82(e):

The Planning Board shall not recommend approval of a plan amendment unless it makes a positive finding, based on competent evidence, on each of the following:

- (1) The proposed plan amendment will not degrade level of service standards established in the comprehensive plan, or minimum concurrency requirements;
- (2) The proposed plan amendment is in harmony with the general intent of the comprehensive plan;
- (3) The proposed plan amendment will not exceed traffic limitations, cause a fire hazard, or create a hazard to the public health, welfare and safety;
- (4) Changes in land use designations or districts must be compatible with adjacent land uses and districts, and one that will not become a potential nuisance.

Summary of Findings:

The request will not result in any deficiencies in concurrency standards. Existing development on the site is compatible with the development standards pertinent to the proposed Land Use and zoning designations. The request meets all requirements of the Comprehensive Plan and the Land Development Regulations.

Mr. Dubuque asked if there were any questions for the board.
Motion to approve was made by Mr. Neubauer and seconded by Mr. Barker.

Mr. Dubuque asked that the roll be taken.

The roll was taken.

The motion passed unanimously.

Mr. Dubuque said to remember this board only makes suggestions, the final decision is made by the City Commissioners on November 12 and 26th.

Ms. Scibelli presented Request Four:

Request Four: Request for annexation, land use change, and rezoning of 13.4 acres from Agriculture Timberland, AG-2 (Bay County) to Urban Community, PUD(Panama City), Jim Anders, ACCL/Bay Properties, INC, owner and Raymond W Greer, applicant.

Mr. Dubuque asked if there were any questions for staff on this item.
He said that none of the adjacent property owners complained. (Laughter)
Anyone in the audience to comment on this item? Any questions from the board for Mr. Greer?

Mr. Raymond Greer, applicant's agent, of 2910 Kerry Forest Parkway of Tallahassee, Florida. He said he does have to speak, it is a hotel land amendment and he did have to speak in front of it. It is a 13 acres parcel that they are bringing into ACCL, Bay Properties. It was already a land use amendment done in 2012 for 2500 acres and there is a subarray policy that this will roll up under. The piece was swapped from Bay County. Bay County was mining on Mr. Anders property. They swapped properties and this did not get picked up in the 2012 amendment and we are addressing it now.

Mr. Dubuque asked if there were further questions. None. Do we have a motion?

A motion was made by Mr. Baker and seconded by Mr. Crosby.

Mr. Dubuque asked that the roll be taken.

The roll was taken.

The motion passed unanimously.

Mr. Lane made an announcement introducing Eric Pate our new Senior Planner from Cedar Rapids, Iowa.

Meeting Adjourned at 5:00 PM

Ray Dubuque, Chairman

Rebecca Ando, Administrative Assistant