



City of Panama City Planning and Economic Development
Department

STAFF REPORT

Planning Board Applications for January 11, 2021

Staff findings of consistency with the pertinent Florida Statutes, the City's Comprehensive Plan, and the City's Land Development Regulations, along with the Staff recommendations, are as follows:

Request Four

Owner/ Applicant: Charles R Tate III, owner and applicant

Case Number: PB 21-25

Address/Location: 1701 W 11th Street

Request: To have a 5' setback instead of 20' from property line on 10th Court and Friendship Avenue.

Land Use Designation / Zoning District: Residential 1 (R-1)

Tract Size: 0.181 +/- acres

Background: The request to the City is to grant a variance to vary the corner setback from 20' to 5' on the side of the parcel nearest the intersection of 10th Court and Friendship Avenue. Due to the placement of the parcel lines on the property the standard setbacks would seem excessive.

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.

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;*

Yes, to improve building that exist

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;*

None

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;*

To allow nicer building to be constructed

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;*

Property is 28 feet from road and 20 foot setback puts structure 48 feet from road

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;*

None

This point is met.

Findings: The applicant's request to allow for a variance of the corner setback of 20' to 5' meets all five points of the Five Conditions.

J. Fredriksson

Jacob Fredriksson
Planner I
Development Services

Date December 14, 2020

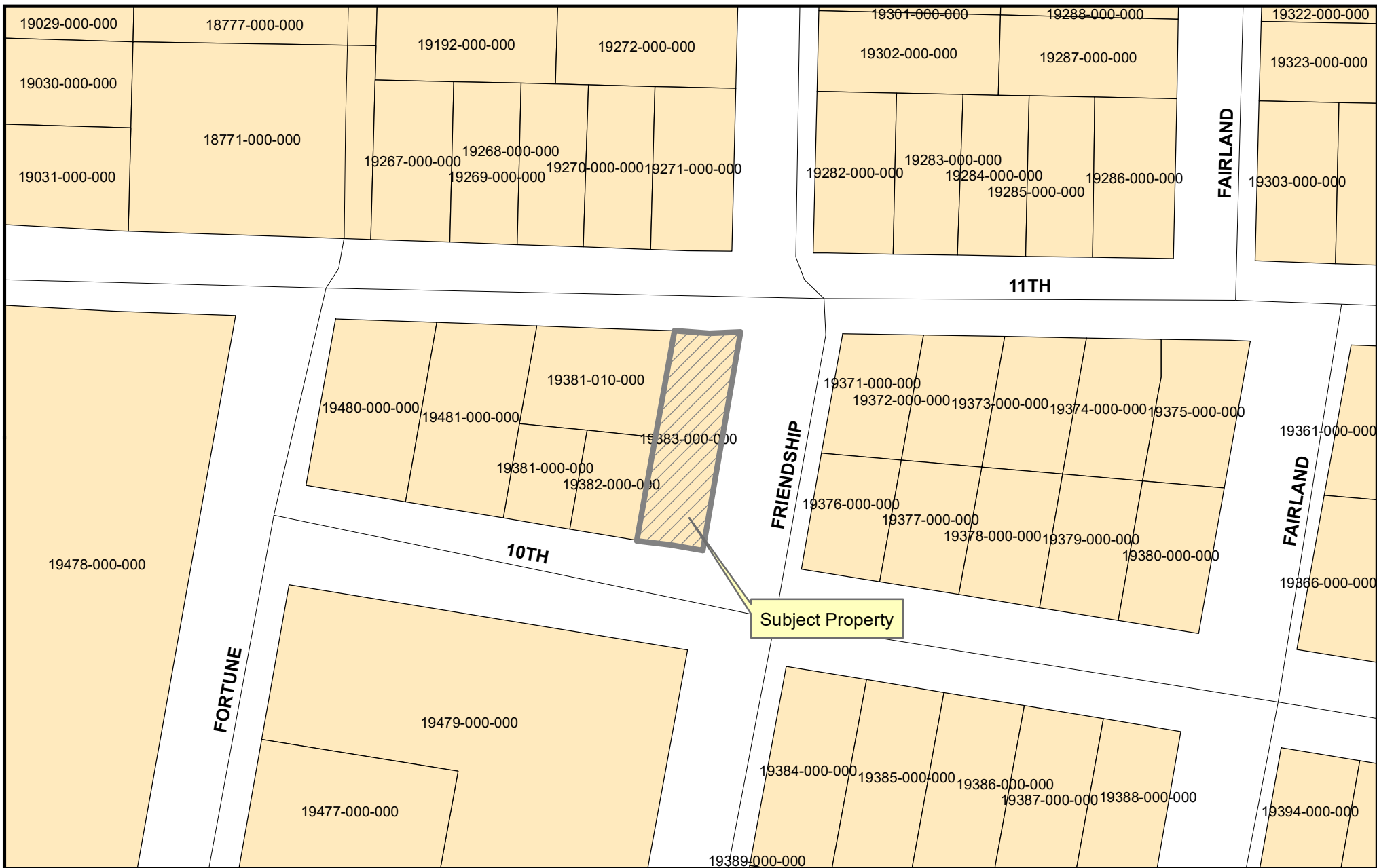


Exhibit A

**Variance Map
City of Panama City**

Legend
 Parcels

