



City of Panama City Planning and Economic Development Department

STAFF REPORT

Planning Board Applications for May 10, 2021

Staff findings of consistency with the pertinent Florida Statutes, the Community Planning and Land Development Regulations (hereafter referred to as the LDRs) and the Comprehensive Plan (hereafter referred to as the Comp Plan) along with the staff recommendations are as follows:

Request Eleven

Type of Application: Variance

Case Number: PB 21-52

Applicant/ Owner: Chris Young, applicant and Christopher and Ashley Young, owner

Location of Property: Northshore Islands Rd

Parcel ID Numbers: 11728-736-116

Request: The variance request is to place a dock and seawall (accessory structures) on a vacant lot.

Area of Subject Property: .111 acres (*Source: Bay County Property Appraiser*).

Comprehensive Plan Objectives and Policies:

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. 110-4. - Accessory Structures.

A. Generally. It is the purpose of this section to regulate the type, installation, configuration, and use of accessory structures in order to ensure that they are not harmful either aesthetically or physically to residents in the surrounding areas.

1. General standards and requirements. Any number of different accessory structures may be located on a parcel, provided that the following requirements are met:

i. There shall be an authorized principal development, in conformance with the requirements as set forth in this code, on the parcel.

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 subject property is located within the Northshore Islands Subdivision, on an island with 4 single-family residential lots, of which the petitioner owns two lots. The petitioner would use the dock for ancillary use of his upland residence on the other lot that he owns. This variance would have no effect on the appearance of the area or the City, and maintains the basic intent by continuing to be a private residential lot with no more than 2 boat slips per lot.

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 subject property is a vacant residential lot and would remain as such. The variance would be compatible with the surrounding land uses and would not present any detriment to the character of the neighborhood, as the proposed dock will be used as a single-family dock, consistent with current zoning. Additionally, the two other owners on the island, as well as, the homeowners association have no issue with the proposed dock.

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 variance would significantly reduce impact to environmentally sensitive resources in accordance with Section 106, PCULDC, furthering the goals of Objectives 5.1 and 6.6 of the Comprehensive Plan with regards to marine resource protection / management, by decreasing potential impacts to seagrass resources by 65% in comparison to the option described in Section E below.

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;*

This area is unique in that the surrounding area is an island with four lots owned by three parties. The petitioner owns two of the four lots and has a residence on his other lot. As such, the requirement of a second residence on the subject property to meet the contiguous upland provision is not practical.

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;*

The petitioner needs water depths to moor a boat that are not available at his current residence. This variance provides a solution that addresses his needs and has no affect on surrounding land use, character, health, safety, or welfare of the community. The other option would be a 500 foot extension on the dock at the petitioner's current residence. While there is a path for state and federal permitting for this option, it would have a significant increase in the amount of impacts to seagrass habitat and would be more obtrusive to the aesthetics of the area. The state and federal agencies prefer options with the least amount of impact to seagrass, which would support the proposed variance option; and the adjacent property owners and the HOA support the propose variance option in lieu of the other option described above. Please see the attached state and federal permits authorizing the proposed dock, the sketch showing the proposed structure vs the alternative option, as well as, correspondence from the HOA authorizing the proposed dock that is the subject of this variance request.

This point is met.

Findings: The applicant's request to allow for an accessory structure on a lot without a principal structure meets three of the five points.



Tina Scibelli
Planner II

Date April 13, 2021