

**City of Port St. Joe  
Planning, Development, and Review Board Regular Meeting  
May 4, 2021 at 4:00 P.M.**

**Jay Rish  
Minnie Likely  
Rawlis Leslie  
Phil Earley**

**Hal Keels  
Travis Burge  
Letha Mathews**

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**PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

**ROLL CALL OF THE BOARD**

**CONSENT AGENDA:**

**March 2, 2021, Regular Meeting Minutes**

**Pages 1-8**

**BUSINESS ITEMS**

- **Ordinance 588 Mobile Homes Located on Harbor Street**

**Pages 9-12**

**\*You are hereby notified that in accordance with Florida Statutes, you have the right to appeal any decision made by the Board with respect to any matter considered at the above referenced meeting. You may need to ensure that a verbatim record of the proceedings is made which may need to include evidence and testimony upon which the appeal is based.**

City of Port St. Joe  
Regular Meeting  
Planning Development & Review Board  
March 2, 2021

**Minutes**

**Pledge of Allegiance and Moment of Silence**

**Roll Call of the Board**

	<b>Present</b>		<b>Absent</b>	
<b>Board</b>		<b>Staff</b>	<b>Board</b>	<b>Staff</b>
Jay Rish		Jim Anderson	Travis Burge	Bo Creel
Phil Earley		Charlotte Pierce	Rawlis Leslie	
Hal Keels		Michael Lacour	Minnie Likely	
Letha Mathews		Clinton McCahill		
		Kelly Simpson		

After ascertaining that a quorum was present, Chairman Rish called the Meeting to Order at 4:00 P.M. Travis Burge and Minnie Likely called to say they would be unable to attend the meeting today.

**Consent Agenda**

A Motion was made by Phil Earley, second by Hal Keels, to approve the Regular Meeting Minutes of February 2, 2021. All in favor; Motion carried 4-0.

**Business Items**

*Special Exception Request – Michael and Peggy Burkett, 602 20<sup>th</sup> Street, Parcel #05677-009R - Carport*

Lance Watson of SCE represented Mr. and Mrs. Burkett. Their request is to construct a new, open covered carport that encroaches 22.5' into the 25' front setback along 20<sup>th</sup> Street and will be 2.5' off the property line. The same scenario was recently approved for an across the street neighbor. Mr. Burkett has had multiple back surgeries, is anticipating knee surgery, and has had increasingly limited mobility.

A Motion was made by Hal Keels, second by Letha Mathews, to approve the Special Exception Request of 22.5' in the front 20<sup>th</sup> Street Setback for Mr. and Mrs. Burkett. All in favor; Motion carried 4-0.

Chairman Rish stated that he would be abstaining on the next three items because it could be an inure to his special private gain or loss. A separate Form 8B Memorandum of Voting Conflict For County, Municipal, and Other Public Officers was completed by Mr. Rish for each item and is attached to these minutes. Mr. Rish passed the gavel to Vice Chairman, Phi Earley.

*Ordinance 582 Sunset Shores – Small Scale Plan Amendment, Parcels #04561-400R and #04280-000R*

Josh Baxley, representing Lagoon Manor Development, LLC, requested a Zoning Change from R-3 to Mixed Use for these parcels.

Curtis Brown, speaking on behalf of Gulf Coast Property Management, shared their concerns about development and the possibility of a 3-story hotel being an issue.

A Motion was made by Phil Earley, second by Hal Keels, to recommend the Zoning Change request to the City Commission. All in favor; Motion carried 3-0 with Chairman Rish abstaining.

*Ordinance 585 – City of Port St Joe, Large Scale Plan Amendment, Parcels #03013-001R and #03017-005R*

Ray Greer, City Planner, noted that both parcels are adjacent to the City, the City Warehouse is located on one parcel, and the other was donated to the City by the St. Joe Company for affordable housing. The City is trying to clean up the Land Use Map and have all City property inside the City Limits.

A Motion was made by Letha Mathews, second by Hal Keels, to recommend approval of the Large-Scale Plan Amendment change to the City Commission. All in favor; Motion carried 3-0 with Chairman Rish abstaining.

*Ordinance 586 - Long Avenue North a/k/a Palmetto Bluff, Long Avenue Partners, LLC, PUD, Parcel #06076-015R*

Ray Greer, representing Long Avenue Partners, LLC, requested approval of a PUD to cover both parcels.

A Motion was made by Hal Keels, second by Letha Mathews, to recommend approval of the PUD to the City Commission. All in favor; Motion carried 3-0 with Chairman Rish abstaining.

Vice Chairman Earley returned the chair to Chairman Rish.

*Taco Bell – Development Order and Special Exception Request for Parking, DJ Enterprises of Panama City, Parcel #05724-000R*

Eric Baker, representing DJ Enterprises, requested a Special Exception to reduce the required number of parking spaces.

A Motion was made by Hal Keels, second by Phil Earley, to give a Special Exception to reduce the number of required parking spaces from 27 to 24. All in favor; Motion carried 4-0.

There was no other business to come before the Board and a Motion was made by Hal Keels, second by Letha Mathews, to adjourn the meeting at 4:22 P.M. All in favor; Motion carried 4-0.

\_\_\_\_\_  
Charlotte M. Pierce, City Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jay Rish, Chairman

\_\_\_\_\_  
Date

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Risk, Jr William Joseph</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City of Port St. Joe Planning, Development, and Review Board
MAILING ADDRESS <i>P.O. Box 9</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>Port St. Joe, FL</i>	COUNTY Gulf
DATE ON WHICH VOTE OCCURRED <i>3-2-21</i>	NAME OF POLITICAL SUBDIVISION: City of Port St. Joe
	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

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**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

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**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, William J. Rose, Jr, hereby disclose that on 3-2, 2021:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

3-2-21  
Date Filed

  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

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7



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[Signature]  
Date Filed 3-2-21

[Signature]  
Signature

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ORDINANCE NO. : 588

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA AMENDING THE CITY OF PORT ST. JOE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR LESS RESTRICTIVE LAND USES UNDER ARTICLE III SECTION 3.03, DISTRICT R-1 IN SPECIFICALLY DEFINED AREAS; PROVIDING FOR EXEMPTION FROM ORDINANCE 521 IN SPECIFICALLY DEFINED AREAS PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERALBILITY; PROVIDING FOR APPLICABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property described in Exhibit A, attached hereto, and made a part hereof, (hereinafter referred to as "Property"), was platted as part of the City of Port St. Joe in 1937; and

WHEREAS, the City Commission having found that less restrictive land use allowances within those specifically identified parcels of Property identified in Exhibit A and located within Article III, Section 3.03, District R-1, of the Land Development Code, is in the best interest of the City; and

WHEREAS, the Property consists of primarily residential property; and

WHEREAS, in the aftermath of Hurricane Michael the current restrictions for the Property creates hardship for the owners of the Property due to certain City Land Development Regulations; and

NOW THEREFORE, be it enacted by the people of the City of Port St. Joe, Florida that:

1. RECITALS. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.
2. From and after the effective date of this ordinance, Land Development Regulation Code, Article III, Section 3.03, District R-1 (11) is amended by adding the following text:

“The properties that are listed in **BOTH** Exhibit A and Article III, Section 3.03, District R-1 (15) are allowed to have a minimum ground or first Floor area, exclusive of porches, terraces, attached garages, carport or unroofed areas, of 700 square feet and are exempt from Ordinance 521.”
3. INCLUSION INTO THE CODE OF ORDINANCES. It is the intent of the City Commission of the City of Port St. Joe that the provisions of this ordinance shall become and be made a part of the City of Port St. Joe’s Code of Ordinances, and that the sections of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section”, “article”, “regulation”, or such other appropriate word or phrase in order to accomplish such intentions.
4. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.
5. REPEALER. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.
6. The appropriate officers and agents of the City are authorized and directed to codify, include, and publish the provisions of this Ordinance within the Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained.
7. This Ordinance shall take effect immediately upon its adoption.

**THIS ORDINANCE ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**BOARD OF CITY COMMISSIONERS  
PORT ST. JOE, FLORIDA**

---

REX BUZZETT  
MAYOR-COMMISSSIONER

ATTEST:

---

CHARLOTTE M. PIERCE  
CITY CLERK

**EXHIBIT A**

Both of the following properties have frontage on Harbor Street, Port St. Joe, Florida and are more specifically described within the following listed parcel identification numbers located in the public records of Gulf County, Florida.

1. 06028-016R
2. 06027-005R