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Bay County Commission upholds Grand Cayman development order

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PANAMA CITY

After several hours of testimony Monday, the Bay County Commission unanimously upheld a development order that allows construction of the 387-unit, 23-story Grand Cayman condominium at the site of the old Sea Witch Motel.

The West Beaches Neighborhood Fund Inc., a group of 27 individuals headed by Diane Brown, was appealing on the grounds that county staff erred in approving the document.

Several items — 41 to be exact — caused the development order to be out of compliance with the county's land development regulations and comprehensive plan, Brown said. Because the hearing was time limited, however, she presented only a handful of those.

New traffic the condo would put on Kelly Street, a planned parking garage nearby and the county's use of both old and new development codes in its approval of the project were among the issues Brown cited as inconsistent with the rules.

County staff, however, testified that the traffic would pose only a minimal increase to the street, and that the parking lot was in compliance with 1990's development codes, in place at the time of the development order's application.

Provisions from both the 1990 codes and the 2004 regulations were used as necessary because of the timing of the application, said principal planner Elliot Kampert.

"This was not a surprise, this was an absolute kangaroo court," Brown said. "We proved our case."

Brown said the appellants would file suit in civil court on the matter within the required 30 days.

A handful of the appellants was in attendance at the meeting.

Harold Weatherby, a Montgomery resident who spends part of the year at his Panama City Beach home, said six houses separate the new project and his property.

A 23-story building in that area of the beach, he said, is incompatible and "would spoil the neighborhood aesthetically and spiritually."

"There's going to be development, there's no question about it," he said, "but at that end of Bay County, we have the only area that's not yet built with high-rises, and it's a beautiful area. We are not yet a condominium canyon and god willing, we won't be."

Most of the properties in the area of the proposed condominium are not homesteaded, said Commissioner Mike Thomas, demonstrating that the area is seasonal.

The developers, he pointed out, also would be adding sidewalks and upgrading the water system.

"These things have never been part of a project before, and as a group we are challenging developers. We're making them make it a nicer place to be," Thomas said. "By the law itself, I see nothing that makes me

think our staff did anything wrong.”

Thomas also questioned Brown’s standing to bring the issue, noting that only two audience members had spoken to the project’s effect on their way of life.

He made the motion to uphold the order, including a provision declaring standing in the matter for Weatherby and appellant Lynn Daugherty, who both spoke to how they would be personally affected.