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BOARD OF ADJUSTMENT
DESTIN CITY HALL ANNEX CHAMBERS
WEDNESDAY, JANUARY 3, 2024
5:30 P.M.

1. CALL TO ORDER:

Chairman Weidenhamer called the Board of Adjustment Meeting to order at 5:30 p.m., on Wednesday, January 3, 2024, at Destin City Hall Annex Chambers.

2. ROLL CALL & PLEDGE OF ALLEGIANCE:

Present:

Tom Weidenhamer
Daniella Piper
David Emerson
James Moomaw

Absent:

Robert Pinard
Joshuah Brister

Staff Present:

Kim Montgomery Deputy City Clerk
Steven O'Connor Principal Planner
Rachael Hoag Planner
Kyle Bauman City Attorney

3. APPROVAL OF AGENDA:

Chairman Weidenhamer asked if there was a consensus on the approval of the agenda as presented. With all agreeing, he announced the agenda is approved.

4. APPROVAL OF MINUTES:

➤ **November 3, 2023**

Motion to approve the minutes of the November 3, 2023, meeting was made by Board member Emerson, with Board member Pinard providing the second, the motion passed 4-0.

The City Attorney swore all individuals that would be providing testimony for both hearings.

5. NEW BUSINESS:

A. BOA-001247-2023 710-718 Harbor Blvd Setback Variance Request

The City Attorney announced that the applicant has agreed to waive the reading of the notice and the application into the record.

Mr. O'Connor entered the staff report and all the exhibit materials into the record with no objections.

Mr. O'Connor then read the six requirements that must be met in order for the Board to grant the Variance and provided the reasonings for each that the applicant is seeking the Variance. He explained how the circumstances are unusual and the reasoning is to preserve

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several heritage oaks on the property. Adding that if not approved, the heritage oaks would either have to be severely trimmed back that could cause detrimental effects to the health of them or they would have to be removed. Additionally, Comprehensive Plan Policies 5-1.7: Implement Protection of Vegetative Communities, intent is to protect existing mature and native vegetation, and this variance request accomplishes that policy.

Board member Emerson asked if the one large limb on the one tree for the eastern most area of the property would have to be trimmed. According to the applicant, not if the Variance is granted.

Regarding the exhibit picture in the packet, Board member Piper asked for clarification if the line depicted in the picture is where the new home is going to be built or if it is the location where it would have to be built, if the Variance was not granted. The applicant replied that the line is where it would have to be built, if the Variance is not granted.

With no further questions, **Chairman Weidenhamer moved to approve the Variance request BOA-001247-2023 with Board member Moomaw providing the second.**

Before the vote, Chairman Weidenhamer opened the hearing to the public, with no additional comment, he closed the public portion and called for the vote, the **motion passed 4-0.**

B. BOA-001305-2023 74 Barracuda Street Variance Request

The City Attorney announced that the applicant has agreed to waive the reading of the notice and the application into the record.

Mr. O'Connor entered the staff report and all the exhibit materials into the record with no objections. He then explained the request for a Variance is to impede upon what is called the Common Boundary Buffer. The owner and applicant, Mr. Robert Clifford is wanting to redevelop the lot by demolishing the current structure and building a new home. He is requesting to maintain the existing driveway that runs along the property line which was once allowed in a past version of the Land Development Code when the existing house was constructed. He emphasized that the applicant only wishes to continue to use the access as the property is currently designed. Explaining how several adjacent homes in the immediate area are also set up similarly. In order to utilize the property as a single-family home, the request is a minimum variance and the owner has no plans to further expand the property, adding the existing driveway is in harmony with the immediate surrounding homes.

The applicant, Mr. Robert Clifford explained they live across the street from this property and plan to live out the rest of their lives in the new home, once built, and would like to leave the

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driveway as it is so they can park at the back of the home they plan to build, similar to the pictures they have provided is in the packet as exhibits.

Board member Emerson asked the applicant if he has considered asking their adjacent neighbor if they would be willing to consider adjoining their driveways together. After a discussion on this, Mr. Clifford stated that is something that could possibly be done, however, he feels the cost associated to have the utilities moved would be too expensive for both he and his neighbor.

Chairman Weidenhamer asked if they could place a condition on the Variance to exclude ever allowing parking to be put in at the front of the property.

Mr. O'Connor explained that as long as the property continues as a single family home, that would be feasible. However, if in the future that wish is changed, the current property owner would have come and ask for a change of use to whatever the code requirements are at that time, and the driveway would have to be brought into compliance to those current requirements.

Chairman Weidenhamer moved to approve the Variance BOA 001305-2023 74 Barracuda Street Variance request with the condition that as long as this property is a single-family residence, there would be no parking, other than what is shown on the site plan, and that excludes any paving for parking in the front of the residence. Board member Moomaw provided the second. The motion passed 4-0.

6. OTHER BUSINESS: None

7. ADJOURNMENT:

There being no further business the meeting was adjourned at 6:30 p.m.

Adopted and approved this 6th day of March 2024.

Tom Weidenhamer
Tom Weidenhamer, Chairman

Kim Montgomery
Kim Montgomery, Deputy City Clerk