

**BOARD OF ADJUSTMENT  
DESTIN CITY HALL ANNEX CHAMBERS  
WEDNESDAY, SEPTEMBER 4, 2024  
5:30 P.M.**

**1. CALL TO ORDER:**

Chairman Weidenhamer called the Board of Adjustment Meeting to order at 6:00 p.m., on Wednesday, September 4, 2024, at Destin City Hall Annex Chambers.

**2. ROLL CALL & PLEDGE OF ALLEGIANCE:**

**Present:**

Tom Weidenhamer  
Robert Pinard  
David Emerson  
James Moomaw

**Staff Present:**

Kim Montgomery, City Clerk  
Steve O'Connor Principal Planner

**4. APPROVAL OF MINUTES: None**

**5. NEW BUSINESS:**

**A. BOA-001420-2024 – Industrial Park Road Signs Variance Request**

Mr. O'Connor announced for the record that the applicant has agreed waive the Notice and the Application into the record. The Clerk swore in the following individuals for testimony:

- Michael Rutledge of Signs Galore, Inc
- Senior Planner Daniel Butler

The city's Principal Planner Steve O'Connor provided the following report to the members regarding the request:

The request is for two variances from Land Development Code Section 16.04.00.A.3: a 2' variance to allow the required 10' ground sign setback from the property line to be reduced to 8' at 250 Industrial Park Road and a request for a 5' variance to allow the required 10' ground sign setback from the property line to be reduced to 5' at 150 Industrial Park Lane. He then read through each of the six criteria in the Code that must be met in order for the board to grant the Variance request.

Chairman Weidenhamer asked when the signs were erected. According to Mr. Rutledge, he is not positive of the exact date, however, it was in the May/June timeframe. Chairman

Weidenhamer then asked the applicant if he erected the signs prior to the permit being issued. According to Mr. Rutledge, he had sent in the application for the permit but did install the sign before the permit was issued.

Board member Pinard asked if there was any reason for a hold up on the review or approval process that may have caused a delay. According to Mr. O'Connor, staff had requested a set of plans to be submitted which in turn, caused the resubmittal process, but the signs by then, had already been installed.

Board member Emerson asked the applicant why he went ahead and built the signs without first receiving the required response from staff or permits. Mr. Rutledge explained to the members that the reasoning why he installed the signs where he did is because the right-of-way is larger than they realized, and the parking is in the right of way as well, and they simply made a mistake by not reviewing the survey. Additionally, he feels that under these circumstances, which to him are special, they met the minimum of each of the six requirements, the signs are wayfinding and not to advertise the businesses, and although he realizes his error in his calculations, he did not think there was enough room for the sign to be located anywhere else.


**Board member Weidenhamer made the motion for the Board of Adjustment to approve the Variance Request, BOA-001420-2024 with Board member Pinard providing the second. In discussion, Board member Moomaw stated that the request does not meet the six requirements to approve the Variance request. With no further discussion, Chairman Weidenhamer call for the vote on the motion and the motion failed with a split vote of 2-2, therefore the Variance request is denied.**

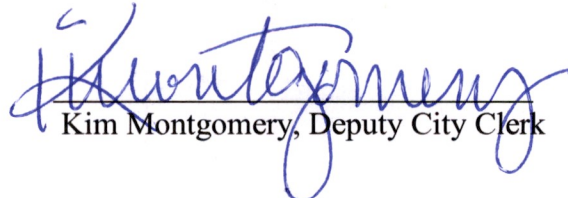
6. **OTHER BUSINESS: None.**

7. **ADJOURNMENT:**

There being no further business the meeting was adjourned at 6:10 p.m.

Adopted and approved this 4<sup>th</sup> day of December 2024.

  
Tom Weidenhamer, Chairman

  
Kim Montgomery, Deputy City Clerk