

December 3, 2025 Board of Adjustment Meeting

WEDNESDAY, DECEMBER 3, 2025

5:30 PM

- 1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE**
- 2. AGENDA APPROVAL**
- 3. APPROVAL OF MINUTES**
- 4. CURRENT BUSINESS**
 - A. PZ-2025-10 – 616 Harbor Boulevard Variance Request**
- 5. PUBLIC COMMENTS**
- 6. NEXT MEETING DATE: TBD**

If a person decides to appeal any decision made by the City Council, committee, board, panel, or agency with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she will may need to ensure that a record of the verbatim record of the proceedings is made, which record includes the testimony and evidence upon the appeal is to be based. "Persons with disabilities who require assistance to participate in this meeting are requested to notify the City Clerk's Office 850.837.4242 at least 48 hours in advance".

CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: December 3, 2025
BOARD/COMMITTEE: Board of Adjustment
TYPE OF AGENDA ITEM: Action Item
OUTLINE NUMBER: 4.A.

TO: Board of Adjustment

THRU: David Prichard, Community Development Director
 Kimberly Kopp, City Attorney
 Daniel Butler, Principal Planner

FROM: Jesse Hernandez, Planner

DATE: November 24, 2025

SUBJECT: PZ-2025-10 – 616 Harbor Boulevard Variance Request

I. BACKGROUND: KIKIKERCRO, LTD, have conducted a complete renovation of their childhood home from the 1980s, located at 616 Harbor Boulevard. The last portion of this renovation is to erect an 8’ privacy fence and automated matching gate at the front of the property. The single-family dwelling sits between two commercial properties, and the proposed fence and gate will provide privacy and reduce noise while adding an extra layer of security to the property.

REQUEST:

LGM Landscape and Irrigation, LLC, on behalf of KIKIKERCRO, LTD, is seeking relief from *Land Development Code (LDC) Section 8.04.03.D.1.b*, which requires a minimum of 40 feet of total vehicular stacking distance to be required from the edge of the right-of-way to the closest point of the gate. The Applicant is requesting 20 feet of total vehicular stacking distance from the edge of the right-of-way to the gate.

The subject property is located at 616 Harbor Boulevard, Destin FL, 32541 (00-2S-22-0700-000D-0010).

Applicant: KIKIKERCRO, LTD.

Agent: Victoria McCraw, LGM Landscape and Irrigation, LLC

Location: 616 Harbor Boulevard, Destin FL, 32541

Size of Property: Approximately .29 acres (12632.4 sq. ft.)

Current Zoning: South Harbor Mixed Use (SHMU)

Future Land Use Map Classification: South Harbor Mixed Use (SHMU)

Legal Notice: The legal notice for the proposed variance request was submitted for

publication in the Northwest Florida Daily News with publication dates of **November 23, 2025**, and **November 28, 2025**.

Request: The applicant is requesting a variance from the following Land Development Code section:

LDC Section 8.04.03.D.1.b.

A minimum of 40 feet of total vehicular stacking distance shall be required from the edge of the right-of-way to the closest point of the gate.

II. DISCUSSION:

The subject property is zoned *South Harbor Mixed Use (SHMU)* and is located within the Harbor Planning Area. The parcel is located on Harbor Boulevard (also known as U.S. Highway 98). This roadway is designated as a major arterial roadway (four lanes) under ***LDC Section 8.03.01.B***. Due to this designation, ***LDC Section 8.04.03.D.1.b*** mandates that “*A minimum of 40 feet of total vehicular stacking distance shall be required from the edge of the right-of-way to the closest point of the gate.*”

The applicant is requesting relief from this requirement based on the residential use of the property. At a 40-foot stacking distance from the right-of-way, the applicant states that the fence would open directly onto the front porch, thereby obstructing the vehicular parking area. A 20-foot stacking distance from the right-of-way is the minimum relief requested to ensure that the parking area remains unobstructed during gate operation.

Accordingly, the applicant seeks relief from ***LDC Section 8.04.03.D.1.b***, requesting approval to reduce the required stacking distance for a gated accessway from 40 feet to 20 feet from the edge of the right-of-way.

FINDINGS:

According to ***LDC Section 2.25.03(C)***, to authorize upon appeal such variance from the terms of any zoning ordinance as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions of such ordinance would result in unnecessary and undue hardship. To authorize any variance in the terms of the conditions, the Board of Adjustment must find:

- A. **That special conditions or circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.**

Applicant response:

Due to the shape of the lot and the placement of the dwelling, installing the entry gate at 40' would place the gate past the middle of the parking pad with the gates opening into the dwelling. The parking area wouldn't be functional. This is a single-family home and we are requesting a variance for gate installation at 20'. We are also abiding by the 'triangle view' of the approaching fencing per City code. Please

see design for specifications.

Staff Findings:

The shape of the property and the placement of the primary structure do not appear to be unique. Adjacent residential parcels within this zoning district exhibit similar characteristics. Several principal residential structures along Harbor Boulevard, between the subject property and Beach Drive, are situated closer to the right-of-way than the subject property. The subject dwelling is located approximately 63 feet from the right-of-way, whereas the nearest five residential properties are located at approximately 28 feet, 25 feet, 43 feet, 50 feet, and 52 feet from Harbor Boulevard, respectively.

Based on this review, staff does not believe that the applicant has provided sufficient evidence to demonstrate the existence of a special condition or a circumstance that would warrant relief from the code requirements.

The Board of Adjustment (BOA) is responsible for evaluating whether the applicant has adequately satisfied the criteria

B. That special conditions and circumstances do not result from the actions of the Applicant.

Applicant response:

The topography of the lot and straight slope down to the harbor limited where the dwelling could be built (originally in the early 80's). This limits the parking area which also limits placement of the entry gate.

Staff Findings:

Staff is unable to identify a special condition or circumstance that would not be a result from the actions of the applicant.

The BOA is responsible for evaluating whether the applicant has adequately satisfied the criteria.

C. That granting the requested variance will not confer on the Applicant any special privileges denied by any zoning ordinance to other lands, buildings or structures in the same zoning district.

Applicant Response:

This variance at 20' is the smallest possible adjustment to make reasonable use of the property and parking area. 30' would open in the parking pad, and the gates (required to open inwards) would block the ability to park. 40' would put the gate opening into the front porch. Please see design for details/specifications.

Staff Findings:

Staff does not believe the applicant has adequately provided information sufficient to satisfy this criterion. Furthermore, staff finds that granting the requested variance would confer a special privilege, as **LDC Section 8.04.03.D.1.b** applies uniformly to all properties along Harbor Boulevard, with the sole exception of nonconforming properties that were permitted a shorter stacking distance prior to the adoption of the current code.

The BOA is responsible for evaluating whether the applicant has adequately satisfied the criteria.

D. That literal interpretation of the provisions of any zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of any zoning ordinance, and would it result in unnecessary and undue hardship on the applicant.

Applicant Response:

Many other dwellings (Single Family homes and townhomes) on Highway 98 have front fences and entry gates at their property frontage. We understand these are 'grandfathered,' but we are abiding by City code installing the 'triangle view' for safety purposes and only request the variance for the gate location. The homeowners would like the same security and noise reduction that many other homeowners on Highway 98 already have.

Staff Findings:

Staff does not believe the applicant has adequately provided information sufficient to satisfy this criterion. While 'grandfathered' or nonconforming entry gates do exist in the South Harbor Mixed Use District along Harbor Boulevard, **LDC Section 7.13.00** addresses these nonconformities and provides the following intent:

*"It is the intent of this section to permit these nonconformities to continue until they are removed, **but not to encourage their survival.** It is further the intent of this section that nonconformities shall not be enlarged upon, expanded or extended, **or be used as grounds for adding other structures or uses prohibited elsewhere in the same district.**"*

The BOA is responsible for evaluating whether the applicant has adequately satisfied the criteria.

E. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response:

20' is the minimum variance to allow the gate and the parking pad to be functional. This again is due to the topography of the lot, and the placement of the dwelling due to the topography. Please see design for details.

Staff Findings:

Per **LDC Section 8.04.03.D**, “*The city engineer may allow different configurations based on public safety, traffic volume, geometric constraints of topography, lot shape and dimensions, or other constructability considerations.*” Following a site survey of the subject property, the city engineer determined that a stacking distance of 27 feet from the right-of-way, along with the removal of a sabal palm near the utility box on the southwestern side of the property, represents the least intrusive standard that could be approved without creating a safety issue for traffic or pedestrians. Additionally, the property is already being used as a single-family dwelling, thereby demonstrating that a variance is not needed for reasonable use of the land.

The BOA is responsible for evaluating whether the applicant has adequately satisfied the criteria.

- F. That the granting of the variance will be in harmony with the general intent and purpose of any zoning ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.**

Applicant Response:

Granting this variance will not impact others and in fact, will be similar to many surrounding properties. Installing the 'triangle view' increases visibility while exiting the property. This will also help with noise, and increase safety...which is what the homeowners would like to achieve with this project. This in no way creates health or safety hazards for the public.

Staff Findings:

As previously stated, the city engineer visited the site and determined that a stacking distance of 27 feet from the right-of-way, along with the removal of a sabal palm near the utility box on the southwestern side of the property, represents the least intrusive standard that could be approved without creating a safety issue for traffic or pedestrians.

The BOA is responsible for evaluating whether the applicant has adequately satisfied the criteria

PUBLIC COMMENTS:

To date, Staff has not received any public comment regarding this variance request.

A. Link to Strategic Goals / Objectives: N/A

B. Effect on Budget (EOB): N/A

C. Level of Service (LOS): N/A

D. Legislative Sponsor:

E. Business Impact Statement:

III. CONCLUSION:

The applicant is seeking relief from *Land Development Code (LDC) Section 8.04.03.D.1.b*, which requires a minimum of 40 feet of total vehicular stacking distance to be required from the edge of the right-of-way to the closest point of the gate. The Applicant is requesting 20 feet of total vehicular stacking distance from the edge of the right-of-way to the gate

Per *Land Development Code (LDC), Section 2.25.03(C)*, to authorize a variance request, the Board of Adjustment must find that all six (6) of the aforementioned criteria must be satisfied. After hearing all the testimony regarding the proposed variance request, the Board of Adjustment must determine whether to approve or deny the variance request.

IV. RECOMMENDED MOTION:

I move to recommend that the Board of Adjustment deny the proposed variance request, **PZ-2025-10**.

ALTERNATE MOTION:

I move to recommend that the Board of Adjustment approve / approve with conditions variance request, **PZ-2025-10**.

Attachments:

1. Proof of Ownership
2. Agent Affidavit
3. Letter of Request
4. Proposed Site Plan
5. Photograph of property
6. Adjacent Property
Notification Letter
7. BOA Advertisement
8. Property Posting Affidavit
9. Property Posting Photo

This instrument prepared by
and please return to:
D. MICHAEL CHESSER
1201 Eglin Parkway
Shalimar, FL 32579
27-0577.01-97

Deed Doc Stamps \$1,304.10 D.C. Pat Jeller

10.50
1304.10

Tax ID # 002S220700000D0010

*****[space above this line for recording information]*****

WARRANTY DEED

THIS WARRANTY DEED is made and executed the 19 day of November, 1997, by TERRY CROZIER SOWDEN a/k/a TERRY CROZIER SOWDEN and husband WEBB SOWDEN, JR., whose address is 4525 Bordeaux Avenue, Dallas, TX 75205, hereinafter called the GRANTORS, to KIKIKERCRO, LTD., a Texas limited partnership, whose address is 4525 Bordeaux Avenue, Dallas, TX 75205, hereinafter called GRANTEE:

(Whenever used herein the terms GRANTOR and GRANTEE, include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and all successors and assigns of corporations.)

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situated in Okaloosa County, Florida, via;

Lots 1 and 2, Block D, EAST PASS ADDITION TO DESTIN, FLORIDA, according to the plat thereof as recorded in Plat Book 1, Page 18, of the Public Records of Okaloosa County, Florida.

SUBJECT TO:

Mortgage given by WEBB SOWDEN, JR. and wife, TERRY CROZIER SOWDEN a/k/a TERRY C. SOWDEN to FIRST FEDERAL SAVINGS BANK OF NORTHWEST FLORIDA, dated August 3, 1990, recorded August 6, 1990 in Official Records Book 1567, Page 341, of the Public Records of Okaloosa County, Florida.

Easement recorded in Official Records Book 80, Page 44, of the Public Records of Okaloosa County, Florida.

Terms and conditions of that lease recorded in Official Records Book 1524, Page 730 and Official Records Book 1556, Page 1456 and Renewal recorded in Official Records Book 1902, Page 199, all of the Public Records of Okaloosa County, Florida.

TOGETHER WITH ALL the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD, The same in fee simple forever.

AND the Grantor hereby covenants with said grantee that it is lawfully seized of said land in fee simple that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whosoever and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1996.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

Signed in the presence of:

Susan Schroeden
WITNESS Susan Schroeden

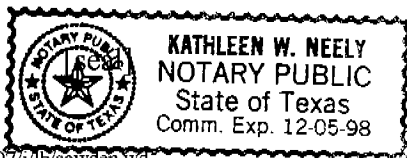
Jan Cooper
WITNESS Jan Cooper

Terry Crozier Sowden
TERRY CROZIER SOWDEN

Webb Sowden, Jr.
WEBB SOWDEN, JR.

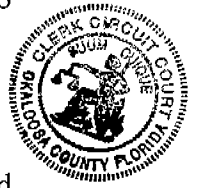
STATE OF TEXAS
COUNTY OF Dallas

The foregoing instrument was acknowledged before me this 19 day of November, 1997 by TERRY CROZIER SOWDEN and WEBB SOWDEN, JR. who have produced driver's licenses as identification.



11/97/jb/sowden.wd

Kathleen W. Neely
NOTARY PUBLIC



**AGENT AFFIDAVIT
SPECIAL POWER OF ATTORNEY**

KNOWN ALL MEN BY THESE PRESENTS, THAT I, Webb Sowden am
presently the owner and/or leaseholder at 616 Harbor Blvd, Destin, FL 32541, and desiring

to execute a Special Power of Attorney, have made, constituted and appointed, and by these presents do
make, constitute and appoint Victorie McCraw

whose address is 345 Gulf Shore Dr., County of Okaloosa, State of Florida,

my Attorney-in-Fact to act as follows, GIVING AND GRANTING unto said attorney full power to act as
my agent in any and all matters pertaining to: The Property Gate and Fence.

FURTHER, I do authorize the aforesaid Attorney-in-Fact to perform all necessary acts in the execution of
the aforesaid authorization with the same validity as I could effect if personally present. Any act or thing
lawfully done hereunder by the said attorney shall be binding on myself and my heirs, legal and personal
representative, and assigns.

PROVIDED; however, that any and all transactions conducted hereunder for me or for my account shall be
transacted in my name, and that all endorsements and instruments executed by the said attorney for the
purpose of caring out the foregoing powers shall contain my name, followed by that of my said attorney
and the designation "Attorney-in-Fact."

OWNER



Signature

Webb Sowden

Printed Name

STATE OF Florida

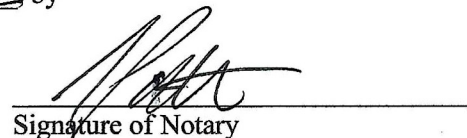
COUNTY OF Okaloosa

The foregoing instrument was acknowledged before me by means of physical presence or online

notarization , this 24 day of NOVEMBER, 20 25 by

(name of person acknowledging)

EDWARD PATTERSON

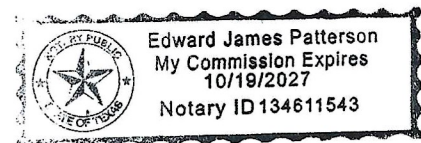


Signature of Notary

EDWARD PATTERSON
Printed Name of Notary or Seal

Personally known OR Produced Identification

Type of Identification Produced





LGM Landscape & Irrigation, LLC
345 Gulf Shore Drive
Destin, FL 32541
850-714-4858
LGMlandscapeandirrigation.com

October 28, 2025

Re: Variance Request 616 Harbor Boulevard
Destin, Fl 32541

Good Afternoon Board of Adjustments,

The homeowners of 616 Harbor Blvd have fully renovated their childhood home from the early 1980s and the last portion of the project is to erect an 8'ht fence and an automated matching gate at their frontage. They would like to reduce street noise and add security to their property. The single family dwelling sits between two commercial properties and there is a tremendous amount of foot traffic on Highway 98 as well.

We are requesting a variance for the location of the gate to be installed 20' inside the front property line. Current City code is installation at 40' inside the property line. This is a residential property and I understand the 40' gate setback if it were commercial. But due to the topography of the lot and the steep slope to the harbor and the dwelling placement, installing the gate at 40' would render the parking pad non-functional. The gate would be opening into the front porch. Installing the gate at 30' would have the gate opening into the middle of the parking pad, therefore blocking the ability to park. The variance of installation at 20' is the minimum we can request, and keep parking functional. We would also install the fencing with the City requirement of the 'triangle view' to increase visibility and safety upon exit from the property. Many other single family homes and townhomes on Highway 98 have privacy fencing and gates that are 'grandfathered,' and the homeowners of 616 would like to have the same security as their neighbors, while working with the City, and the request of this variance. The site plan and current pictures have been provided, and please refer to those for further clarification.

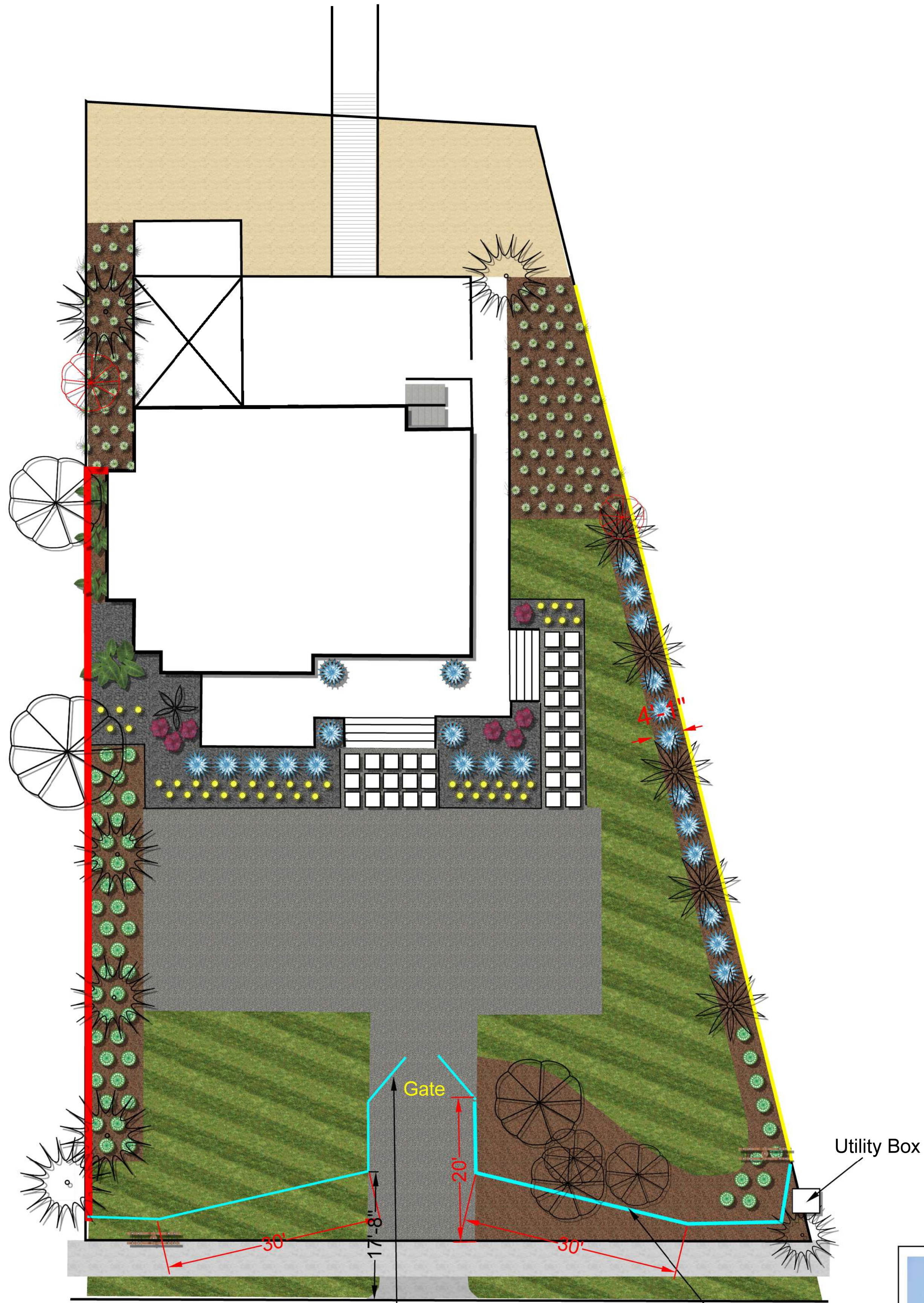
Thank you for your time and consideration!

Regards,

Victoria McCraw

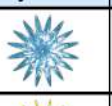
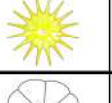
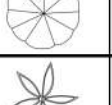
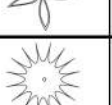
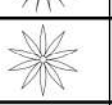

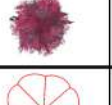
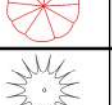
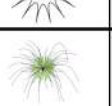



Lgmlandscapedesign@gmail.com

850-585-9818



15'W Double swing Automated Gate (swings in)

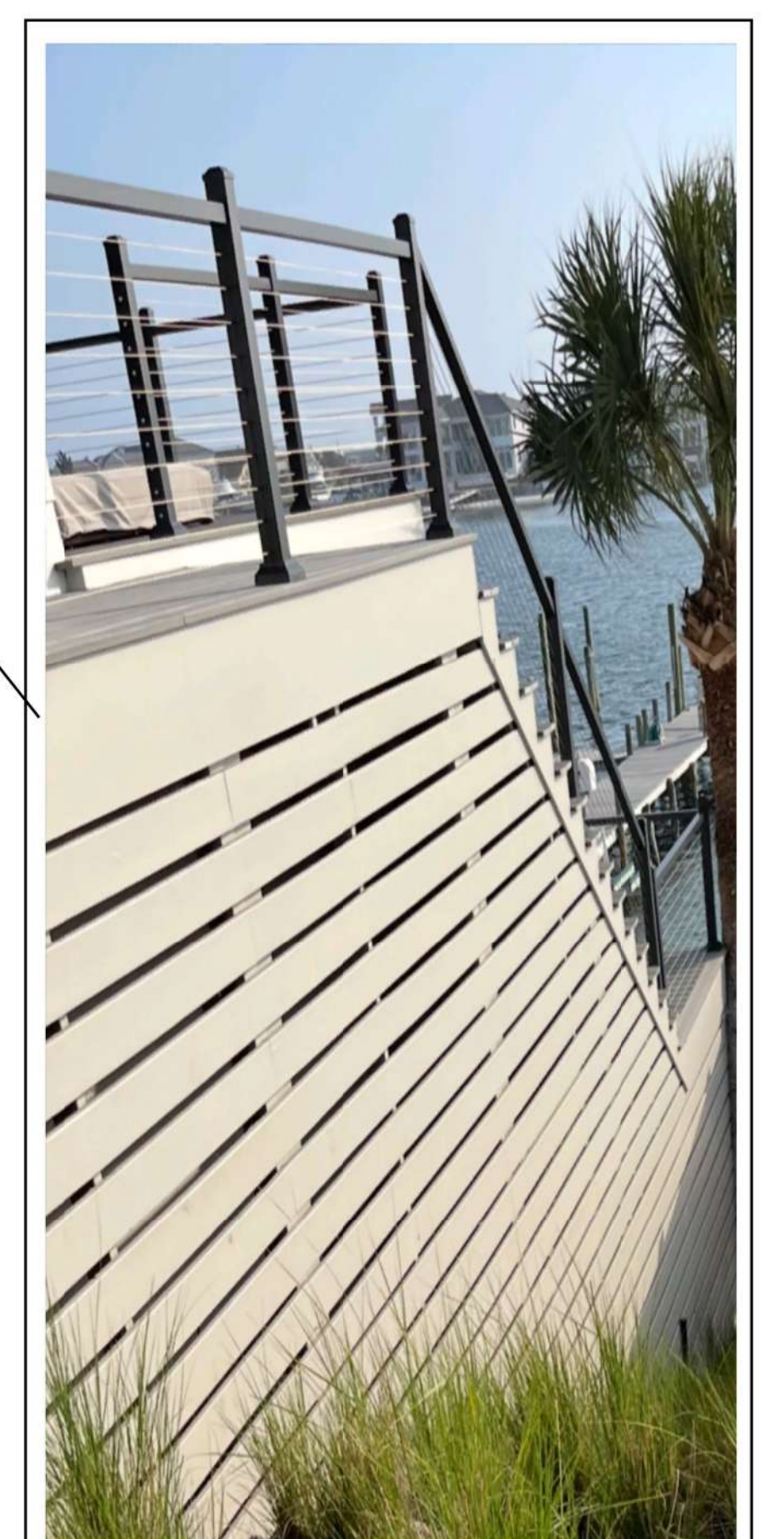
Scale: 1" = 10'

| Plant Legend | | | |
|--|-----|----------------------------|--------------------------|
| Symbol | Qty | Common | Botanical |
|  | 24 | Agave 'Americana' - 3g | |
|  | 41 | Carex Evercolor - 1g | |
|  | 5 | Existing Live Oak | Quercus virginiana |
|  | 1 | EXISTING Roebelenii | Phoenix roebelenii |
|  | 5 | Existing Sabal | Sabal palmetto |
|  | 5 | Mule Palm - 5'CT | Butiagrus naboronnardii |
|  | 4 | Philodendron - 15g | Philodendron x 'Evansii' |
|  | 7 | Purple Fountain Grass - 3g | Pennisetum setaceum |
|  | 3 | REMOVE Live Oak | Quercus virginiana |
|  | 2 | Sabal Palm - 12'CT | Sabal Palm |
|  | 104 | Upland Sea Oats | Chasmanthium latifolium |
|  | 49 | Variegated Flax Lily - 3g | Variegated Flax Lily |



Fence frontage (shown in AQUA) will be 8'Ht built out of pressure-treated wood, to match the lower level of the dwelling. 1" x 4" slats with 1" spacing.

*111 Linear Feet







Community Development Planning and Zoning Division

4100 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-654-1119 | Email: planning@cityofdestin.com

November 17, 2025

**Subject: Notification of Development Project: 616 Harbor Boulevard
Variance Application – Gated Accessway Variance
City of Destin Project Number: PZ-2025-10**

Dear Property Owner:

The purpose of this letter is to notify you that the Planning Division has received an application for a variance application. As an owner of property located within 300 feet of this project, **Article 2.17.00 of the Destin Land Development Code (LDC)** requires a written notice providing you the following information.

This notice is for informational purposes only and no action is required of you. However, citizens are encouraged to provide any comments to the email address provided below.

1. Name of Owner: Kikikercro LTD
2. Name of Agent: LGM Landscape & Irrigation LLC
3. Address of Project: 616 Harbor Boulevard
4. Parcel ID Number: 00-2S-22-0700-000D-0010
5. Project Description: Applicant is seeking relief from **LDC Section 8.04.03.D** which requires a minimum of 40 feet of total vehicular stacking distance to be required from the edge of the right-of-way to the closest point of the gate. The Applicant is requesting 20 feet of total vehicular stacking distance from the gate.
6. Location Map: Please refer to the back of this letter.
7. Location of Application Package: To request a digital copy of the application package be sent to you, please call the City Clerk at (850) 837-4242 or fill out a public records request online: <http://www.cityofdestin.com/forms.aspx?fid=121>

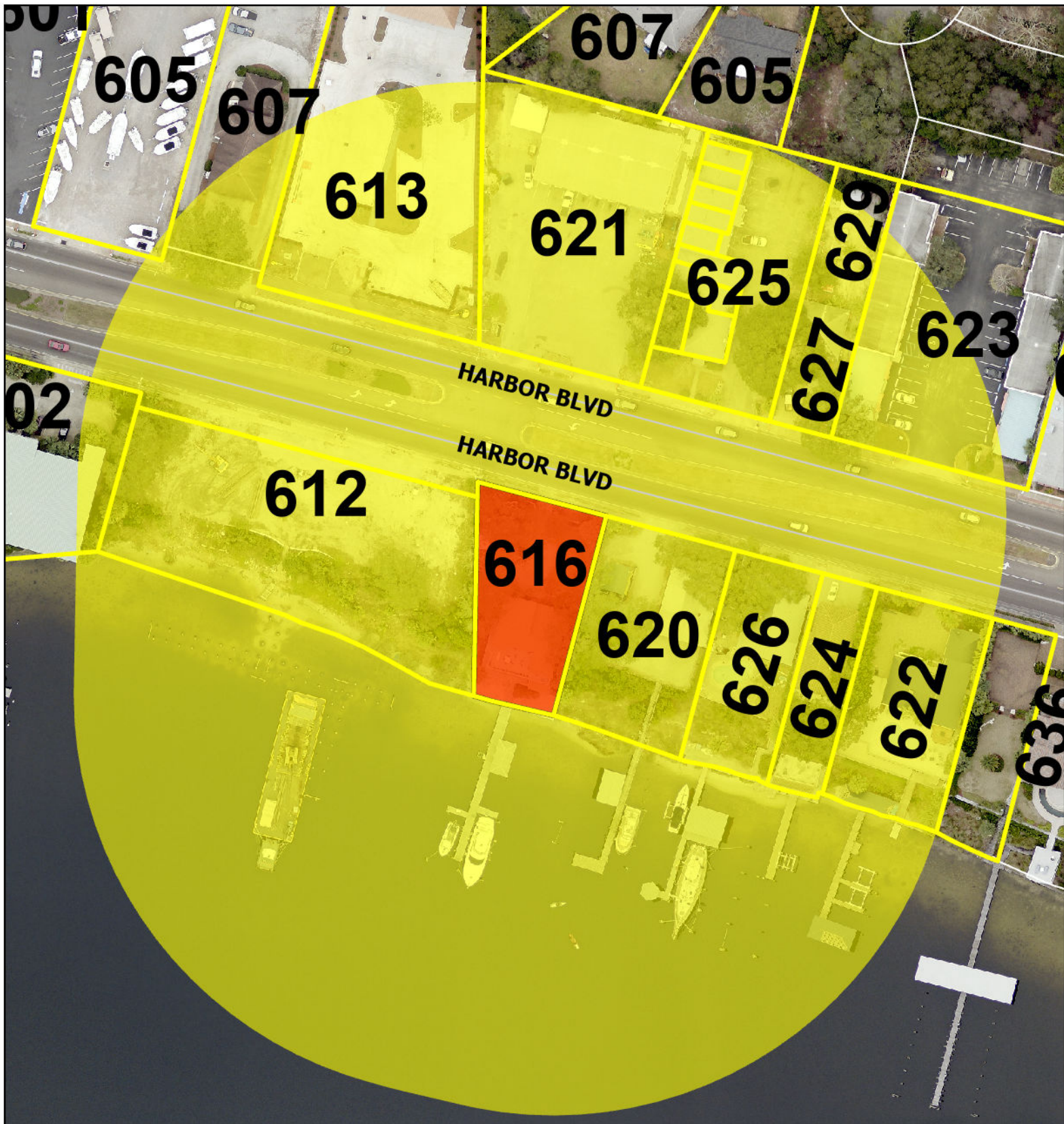
If you have any questions, please do not hesitate to call (850) 654-1119 or email planning@cityofdestin.com.

Sincerely,

Jesse Hernandez
Senior Planner

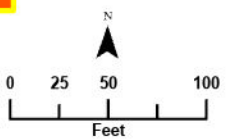


Cc: David Prichard, Community Development Director
Planning Division
Project File



Legend

-  300' Noticing Area
-  Development Area



Destin Harbor

NOTICE

NOTICE IS HEREBY GIVEN that the City of Destin Board of Adjustment will hold a public hearing on Wednesday, December 3, 2025 at 5:30 P.M., at Destin City Hall Annex, 4100 Indian Bayou Trail, Destin, Florida, to consider the following:

1. VARIANCE REQUEST– PZ-2025-10

LGM Landscape and Irrigation LLC, on behalf of Kikikercro LTD, is seeking relief from ***Land Development Code (LDC) Section 8.04.03.D***, which requires a minimum of 40 feet of total vehicular stacking distance to be required from the edge of the right-of-way to the closest point of the gate. The Applicant is requesting 20 feet of total vehicular stacking distance from the gate. The subject property is located at 616 Harbor Boulevard, Destin FL, 32541 (00-2S-22-0700-000D-0010).

Copies of the above-mentioned subject may be requested by public records request. Please call (850) 837-4242 for the City Clerk. The public is encouraged to provide written and/or verbal comments on the above referenced matters.

All persons are advised that, if any person decides to appeal any decision made at any of these meetings, he/she will need a record of the proceedings and, for such purpose, they need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (*Florida Statutes 286.0105*).

Persons with disabilities who require assistance to participate in this meeting are requested to notify the City Clerk's office at (850) 837-4242 at least 48 hours in advance.

Personas con discapacidades que necesitan asistencia o personas que necesiten ayuda con un idioma para participar en las reuniones de la ciudad, deberán notificar la oficina de la Secretaria Municipal al (850)837-4242 antes de la reunión. Discapacidad auditiva: TTY: 711 (Solicitar Espanol CA). La ayuda tambien está disponible por Recursos Humanos, Coordinador del Título VI, al (850) 837-4242.

Ad Dates: 11/23 & 11/28

**AFFIDAVIT
POSTING OF PROPERTY**

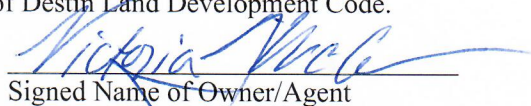
BEFORE ME, the undersigned authority, personally appeared: Victoria McCraw,

the owner and/or authorized agent of the following described property: 616 Harbor Blvd.
Destin, FL 32541

-who deposes and says as follows:

1. That the subject site described above has a sign posted by the owner and/or authorized agent for the owner, notifying the public of the development activity, city project number, and authorized agent and phone number.
2. That the posted sign meets the dimensional requirements set by the City.
3. That the posted sign was placed and will be maintained upon the property in the correct location and not less than fourteen (14) days from the date of the City's Completeness Letter.
4. That a photo of the sign depicting the location of the sign in relation to the road right-of-way is attached.
5. This affidavit will be forwarded to the City's Planning Division no later than seven (7) working days from the posting of the sign.

I have completed the said requirements as described in the City of Destin Land Development Code.



Signed Name of Owner/Agent

Victoria G. McCraw

Printed Name of Owner/Agent

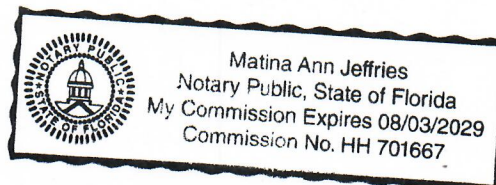
STATE OF Florida
COUNTY OF Okaloosa

The foregoing instrument was acknowledged before me by means of physical presence or online notarization , this 25 day of November, 2025

By: Victoria G McCraw
(Print name)

Personally known OR Produced Identification

mt a l Seal:
Notary Signature



City of Destin
Public Notice
for
Proposed Development
Variance Application
PZ-2025-10

Authorized Agent:
LGM Landscape and Irrigation, LLC
Agent's Phone #: 850-585-9618

Project Plans can be requested
via the City Clerk at
850-837-4242 or at
www.cityofdestin.com