

**BOARD OF ADJUSTMENT
DESTIN CITY HALL ANNEX CHAMBERS
WEDNESDAY, FEBRUARY 4, 2026
5:30 P.M.**

1. CALL TO ORDER:

Chairman Weidenhamer called the Board of Adjustment Meeting to order at 5:34 p.m., on Wednesday, February 4, 2026, at Destin City Hall Annex Chambers.

2. ROLL CALL & PLEDGE OF ALLEGIANCE:

Present:

Tom Weidenhamer
James Moomaw
Lance Johnson
Chatham Morgan

Absent:

Staff Present:

Kim Montgomery, Deputy City Clerk
Jesse Hernandez Senior Planner
Kim Kopp City Attorney

4. AGENDA APPROVAL:

Chairman Weidenhamer stated for the record that if there are no changes to be made to the agenda, that it was approved.

5. APPROVAL OF MINUTES: December 5, 2025 Meeting Minutes

Motion to approve the December 5, 2025 minutes as written was made by Chairman Weidenhamer with Board member Moomaw providing the second. Motion passed 5-0.

6. NEW BUSINESS:

➤ **Case No. PZ 2026-3 751 Harbor Boulevard – Variance Request**

Chairman Weidenhamer introduced the variance request for 751 Harbor Boulevard and recognized Mr. Hernandez for presentation.

Senior Planner Mr. Jesse Hernandez presented the application identified as PZ 2026-3. He explained that the subject property is located at 751 Harbor Boulevard, commonly known as the former Burger King site. The applicant, Wagner Property Group, LLC, is proposing to redevelop the property by demolishing the existing building and constructing a new 3,333-square-foot bank building to be operated as Chase Bank. The applicant is requesting a variance from the Land Development Code, Section 8.06.10.b, which provides that within the old Destin MMTD subarea, the number of vehicle parking spaces provided on-site shall not exceed the maximum and shall not be less than 80% of the minimum indicated in Table 8-6.

Additionally, the redevelopment plan includes 23 parking spaces, and under the Land Development Code Table 8-6, which governs parking allowances, the maximum number of parking spaces permitted for this use would be 13 spaces. Because the proposed bank falls under the category of finance and insurance-type businesses, the code limits parking to one space per 250 square feet of gross floor area, resulting in the 13-space maximum. Bohler Engineering FL, LLC, representing Wagner Property Group, was present remotely via Microsoft Teams for any questions the members may have for this hearing.

❖ **Variance Criteria Review**

Mr. Hernandez then covered the six criteria in the code for consideration by the Board:

1. Special conditions or circumstances peculiar to the land, structure, or building.

Mr. Hernandez explained that the applicant's request for additional parking was based on anticipated customer and employee demand. Mr. Hernandez noted that parking demand is a common consideration in the Town Center Mixed Use zoning district. The Board would need to determine whether the circumstances were sufficiently unique to the proposed small bank branch and its location.

2. Conditions not resulting from actions of the applicant.

Mr. Hernandez stated that the applicant's justification for the requested increase was to satisfy the needs of employees and customers. Mr. Hernandez again noted that parking concerns are not uncommon in the Town Center Mixed Use district.

3. Granting the variance would not confer special privileges.

Mr. Hernandez noted that there are several nonconforming properties in the Town Center Mixed Use zoning district that were permitted to exceed current parking maximums prior to adoption of the present code. Mr. Hernandez also advised that the City Council was currently considering an amendment to remove parking maximums in the Old Destin MMTD. It was further noted during the hearing that the ordinance had already passed first reading on Monday night but still required a second reading for final adoption.

4. Literal interpretation would deprive the applicant of rights commonly enjoyed by others and create unnecessary hardship.

Mr. Hernandez found that, because other properties already exceed the parking maximums as lawful nonconformities, there was not a clear, undue or unnecessary hardship distinct from others in the district.

5. **The variance requested is the minimum necessary.**

Mr. Hernandez stated that the applicant was seeking an increase from 13 spaces to 23 spaces to accommodate the anticipated operational needs of the site. Mr. Hernandez found that allowing additional parking would enable the applicant to make reasonable use of the property.

6. **Granting the variance would be in harmony with the general intent and purpose of the zoning ordinance and not be detrimental to public welfare.**

Mr. Hernandez indicated that the proposed increase in parking did not appear to be injurious to the surrounding area or detrimental to public welfare or public safety.

Mr. Hernandez concluded by stating that the request before the Board was to allow an increase in parking from 13 spaces to 23 spaces and advised that recommended motions are provided in the staff report for the Board's consideration.

Chairman Weidenhamer opened the hearing for public comment. With no one coming forward to speak, he closed the public portion of the hearing and called for a motion.

Agency member Johnson made the motion for the Board of Adjustment to approve Variance Request PZ 2026-3, allowing the applicant to provide 23 parking spaces instead of 13 on-site for the proposed 3,333-square-foot structure located at 751 Harbor Boulevard. Board member Moomaw provided the second. Board comment Johnson expressed support for seeing the property being redeveloped. With no further comment, chairman Weidenhamer called for the vote, the motion passed 4-0.

7. **ADJOURNMENT:**

There being no further business the meeting was adjourned at 5:46 p.m.

Adopted and approved this 6th day of May 2026.

Tom Weidenhamer

Tom Weidenhamer, Chairman

Kim Montgomery

Kim Montgomery, Deputy City Clerk