



# City of Destin

Community Development Department

## Planning Division

City of Destin Annex  
4100 Indian Bayou Trail  
Destin, Florida 32541

Phone (850) 837-4242 • Fax (850) 460-2171

[www.cityofdestin.com/index.aspx?nid=91](http://www.cityofdestin.com/index.aspx?nid=91)

## CODE OF ORDINANCE TEXT AMENDMENT

The regulations, restrictions, and zoning district boundaries set forth in the City of Destin Code of Ordinances may be amended, supplemented, or changed. Proposed changes may be suggested by the City Council, the City Manager or designee, by a single property owner, or by petition of the owners of 51 percent or more of an area involved in the proposed change. Applications for a Code of Ordinances Text Amendment shall be submitted to the Community Development Department. The Community Development Department will then review and forward the application and a staff report with a recommendation for approval, approval with conditions, or denial to the Local Planning Agency (LPA) for its review. The LPA, after a public hearing and due public notice, will then forward its staff report and recommendation to the City Council for approval, approval with conditions, or denial. The City Council shall then approve, approve with conditions, or deny the application. If an application for a Code of Ordinances Text Amendment is disapproved by the City Council, the applicant shall not reapply for the same Code of Ordinances Text Amendment for a period of one (1) year from the date of disapproval by the City Council. (LDC 2.20.00)

**NOTE: A Pre-Application Meeting is required before application submittal. Please read and understand the information at the end of this application before scheduling a Pre-Application Meeting.**

- **Date of Pre-application meeting:** \_\_\_\_\_

**1. Owner(s):** \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_

**2. Authorized Agent (if applicable):** \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_



**4. SUBMITTAL REQUIREMENTS FOR CODE OF ORDINANCES TEXT AMENDMENT:**

1. \_\_\_\_\_ Completed Application – All applicable areas of the application shall be filled in and submitted to the Community Development Department Planning Division at the City of Destin Annex, 4100 Indian Bayou Trail, Destin, Florida 32541.

2. \_\_\_\_\_ Application Fee: \$1,200.00 – Ordinance Amendment Applications  
(FY2017 Schedule of Fees, Resolution 17-05, adopted 02/22/17, effective 02/23/17)

**Application fee includes First Submittal Reviews only. Subsequent Submittal Reviews and all mailing costs will be invoiced to the Applicant; invoices must be paid prior to submittal of additional Submittal Review Packages.**

**Accepted Payments are Cash, Check, MasterCard or Visa. Checks shall be made payable to the City of Destin and submitted to the Planning Division, Community Development Department, City Hall Annex, 4100 Indian Bayou Trail, Destin, Florida 32541**

3. \_\_\_\_\_ Proof of Ownership - A copy of the last recorded deed of the property. Owner on deed must correspond to “Current Owner” identified on page 1.

4. \_\_\_\_\_ Agent Affidavit (if applicable) - Required if the applicant is other than the property owner.

5. \_\_\_\_\_ Application Affidavit – Notarized acknowledgement by the applicant that the facts stated in the application are true.

**AGENT AFFIDAVIT  
SPECIAL POWER OF ATTORNEY**

KNOWN ALL MEN BY THESE PRESENTS, THAT I, \_\_\_\_\_  
am presently the owner and/or leaseholder at \_\_\_\_\_  
and desiring to execute a Special Power of Attorney, have made, constituted and appointed, and by these presents  
do make, constitute and appoint \_\_\_\_\_  
whose address is \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_,  
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: \_\_\_\_\_.

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

\_\_\_\_\_  
Printed Name

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_,  
by \_\_\_\_\_.  
(name of person acknowledging)

\_\_\_\_\_  
Signature of Notary

\_\_\_\_\_  
Printed Name of Notary or Seal

Personally known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

**CITY OF DESTIN  
APPLICATION AFFIDAVIT**

I declare that I have read and completed the foregoing application for an amendment to the City of Destin Code of Ordinances, and to the best of my knowledge, believe the facts stated in the application are true.

APPLICANT

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

by \_\_\_\_\_.  
(name of person acknowledging)

\_\_\_\_\_  
Signature of Notary

\_\_\_\_\_  
Printed Name of Notary or Seal

Personally known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

## DO NOT SUBMIT INFORMATION BELOW WITH APPLICATION

### APPLICATION AND HEARING INFORMATION

#### A. Does Your Request Meet the Criteria for this Application?

As required by the Destin Comprehensive Plan and Land Development Code, certain criteria must be met in order to request a Code of Ordinances Amendment. The proposed amendment must meet the following two criteria in order for the City to accept the application:

1. The City cannot approve a Code of Ordinances Amendment application that would make the Code of Ordinances inconsistent with the adopted Comprehensive Plan.
2. The proposed Code of Ordinances Amendment cannot involve the same property in which an application for a Code of Ordinances Amendment has been denied within the past 12 months from the date of denial.

#### B. What Information Do I Need to Submit with My Application?

1. A complete Code of Ordinances Amendment application and notarized Application Affidavit shall be submitted to the Community Development Department at the City Hall Annex, 4100 Indian Bayou Trail, Destin, Florida 32541.
2. Prior to submittal, a pre-application meeting with Planning Division staff must have been held.
3. Application Fee: \$1,200.00 – Ordinance Amendment Applications  
(FY2013 Schedule of Fees, Resolution 13-01, adopted 02/19/13, effective 03/01/13)

**This is a one-time, all-inclusive fee. It includes: initial application and resubmittals; and all costs associated with administration, outside consultant reviews, legal notices and mailings.**

4. A complete and notarized Agent Affidavit shall be submitted (if the applicant is not the owner). Agent Affidavit's must be provided from all owners of the subject property.
5. Additional information may be required, such as sketches, graphic representations, models, etc. to help convey the intended result of the Code of Ordinances Amendment.

#### C. Hearing and Application Submittal

1. The Local Planning Agency (LPA) meets twice a month on the first and third Thursdays at 5:30 pm in the City Hall Boardroom, 4200 Indian Bayou Trail, Destin, Florida 32541.
2. Once an application is found to be complete, the amendment will be put on the LPA meeting agenda six (6) weeks from the date the application is found complete. This six-week period is required for staff to thoroughly review the application and prepare the amendment ordinance for the public hearing. A Completeness Review Letter will be sent to the applicant with the date of the LPA meeting on which the applicant's amendment will be heard.

#### D. Preparing for Your Public Hearing

1. A public hearing before the LPA is required for any proposed amendments to the City of Destin Code of Ordinances. The LPA will forward proposed amendment to the City Council for a first reading public hearing with a recommendation of approval or denial. The City Council must adopt the amendment by ordinance at a second reading.
2. You will be advised of the date and time of the all hearings by mail. If City Council denies the amendment, then you have thirty (30) days to file an appeal with Circuit Court of Okaloosa County.
3. You must appear at the public hearings or be represented by an authorized agent or attorney in order for action to take place on your application. Any representative you designate must have completed an Agent Affidavit form, which is provided with the amendment application. If the owner or representative fails to appear at the hearing(s), without first providing a written notice to the City, the application will be tabled until the next available hearing date. A fee will be assessed for tabling the item at any hearing.
4. It is your responsibility to fully research and know any and all laws that may be applicable and affect the outcome of any decision on your application request. The City assumes no responsibility or liability relating to your failure to research and know all applicable laws including, but not limited to state, federal, and city laws including the city code, land development regulations, and the comprehensive plan. The City recommends that all applicants consider consulting an attorney regarding their application. Furthermore, you are encouraged to review, or copy, the Quasi-Judicial rules and procedures used by the Local Planning Agency prior to the public hearing.

#### **E. Additional Information**

1. Applicants are required to seek a pre-application meeting with the Planning Division staff to discuss the content and format of the Code of Ordinances Amendment application. Acceptance of the application for amendment of the Code of Ordinances should not be construed as staff support for the amendment request. Please contact the Planning Administrator at (850) 337-3123 to schedule an appointment.
2. Approval of a Code of Ordinances Amendment does not guarantee and/or entitle the applicant/owner to any type of development permit.