



# City of Destin

Community Development Department

## Planning Division

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

Phone (850) 654-1119 • Fax (850) 460-2171

[www.cityofdestin.com](http://www.cityofdestin.com)

## REQUEST FOR LOCAL PLANNING AGENCY PUBLIC HEARING CONDITIONAL USE APPLICATION

\_\_\_\_\_ – \_\_\_\_\_ – **CU**  
(project number assigned by planning staff)

**All applications must be emailed or shared with [planning@cityofdestin.com](mailto:planning@cityofdestin.com).**

A pre-application meeting is required prior to submitting this application. If a pre-application meeting has not been held, the application is considered incomplete and will not be processed. Completed applications shall be submitted to the Community Development Department – Planning Division, City of Destin Annex, 4100 Indian Bayou Trail, Destin, Florida 32541 or emailed to [planning@cityofdestin.com](mailto:planning@cityofdestin.com).

You are fully responsible for researching and knowing any and all laws, which may be applicable and affect the outcome of the 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, codes, land development regulations and comprehensive plan.

**1. AGENT/APPLICANT:** \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Business Phone number: \_\_\_\_\_ Fax number: \_\_\_\_\_

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

**2. PROPERTY OWNER:** \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Business Phone number: \_\_\_\_\_ Fax number: \_\_\_\_\_

**3. PROPERTY INFORMATION:**

Street Address: \_\_\_\_\_



**5. IN ORDER TO SECURE A CONDITIONAL USE, THE LOCAL PLANNING AGENCY THAT YOUR CONDITIONAL USE REQUEST SATISFIES THE FOLLOWING CRITERIA OF THE CITY'S LAND DEVELOPMENT CODE (PLEASE PROVIDE A WRITTEN RESPONSE ALONG WITH ANY OTHER SUPPORTING DOCUMENTATION):**

**A. *Land Use Compatibility.*** The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.

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**B. *Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use.*** The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.

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**C. *Proper use of mitigative techniques.*** The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.

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**D. *Proper use of mitigative techniques.*** The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to

prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.

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- E.** *Hazardous waste.* The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of city approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the city unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources.
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- F.** *Avoid over-proliferation of uses.* An over-proliferation of similar uses within a zoning district shall not be permitted. The City Council shall review the existing uses within the zoning district in determining whether a conditional use shall be approved or denied.
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- G.** *Compliance with applicable laws and ordinances.* A conditional use application shall demonstrate compliance with all applicable federal, state, county, and city laws and ordinances. Where permits are required from governmental agencies other than the city, these permits shall be obtained as a condition of approval. The city may affix other conditions to an approval of a conditional use in order to protect the public health, safety, and welfare.
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**6. THE FOLLOWING ITEMS ARE REQUIRED FOR A COMPLETE APPLICATION:**

- \_\_\_\_\_ 1. Completed Application - The applicant must fill out all applicable areas of the application. The application must be submitted to the Planning Division of the Community Development Department, City Hall Annex, 4100 Indian Bayou Trail, Destin, Florida 32541 or emailed to [planning@cityofdestin.com](mailto:planning@cityofdestin.com).
- \_\_\_\_\_ 2. Letter of Request - The applicant must submit a letter of request that clearly states what they are requesting.
- \_\_\_\_\_ 3. Proof of Ownership - The affidavit of ownership must be executed, notarized, and submitted. A letter of authorization is required if the applicant is other than the owner.
- \_\_\_\_\_ 4. Agent Affidavit / Special Power of Attorney (if applicable) - If the applicant is other than the owner of the property under consideration for review.
- \_\_\_\_\_ 5. Legal Description - A complete legal description of the subject property must be submitted for use in the legal advertisement.
- \_\_\_\_\_ 6. Characteristics of the Proposed Conditional Use -
  - (1) Scale and intensity of the proposed conditional use as measured by the following:
    - i. Floor area ratio.
    - ii. Traffic generation.
    - iii. Square feet of enclosed building for each specific use.
    - iv. Proposed employment.
    - v. Proposed number and type of service vehicles: and
    - vi. Off-street parking needs.
  - (2) On- or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection including the following:
    - i. Utilities.
    - ii. Public facilities, especially any improvements required to ensure compliance with concurrency management.
    - iii. Roadway or signalization improvements, or other similar improvements.
    - iv. Accessory structures or facilities; and
    - v. Other unique facilities/structures proposed as part of site improvements.
  - (3) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:
    - i. Open space.
    - ii. Setbacks from adjacent properties.
    - iii. Screening and buffers:

- iv. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; and
- v. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts.

- \_\_\_\_\_ 7. Application Fee: [Fee Schedule](#)  
(FY2019 Schedule of Fees, Resolution 19-11, adopted 08/05/19, effective 08/06/19)

**Application fee includes Initial 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**

- \_\_\_\_\_ 7. Site Plan - Submit a **DIGITAL** site plan (PDF's via SharePoint, Dropbox, or other document sharing site), to scale, showing the proposed improvement or location of the specific request. The site plan shall contain an affidavit that the plan accurately depicts the property, improvements and proposed improvements. The applicant may provide a current survey (not older than ninety (90) days), which provides the same information, in lieu of a site plan. Digital plans shall be emailed or shared with [planning@cityofdestin.com](mailto:planning@cityofdestin.com)

- \_\_\_\_\_ 8. Additional Information – Any other documents or requirements, which are mandated by the Code or deemed necessary by staff in reference to the specific request, made may be required.

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**NOTE:**

1. In granting any conditional use, the Local Planning Agency may prescribe appropriate conditions and safeguards in conformity with any zoning ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of the zoning ordinance.
2. The Local Planning Agency may prescribe a reasonable time limit within which the action for which the conditional use is required shall be begun or completed or both.
3. The City of Destin Planning Division will notify in writing abutting property owners of record within three hundred (300) feet of the subject property in accordance with LDC 2.17.00. The cost of this notification will be the responsibility of the applicant.
4. This application must be filled out completely and must be signed by the owner or his designated agent. If the applicant is different than the owner of the subject property, then an agent affidavit is required from the owner of the property that is under consideration for the Local Planning Agency hearing. The agent affidavit must be completely filled out and submitted with this application. If the property is in multiple ownership, then all of the owners or their designated agent(s) must sign this application.
5. A request for postponement must be submitted to the Community Development Department at least 10 working days prior to the originally scheduled meeting date. Costs for re-advertisements, public notice mailings, and all applicable fees will be the responsibility of the applicant.

**I HAVE READ THE INFORMATION IN THIS APPLICATION AND HAVE FILLED IN ALL ANSWERS CORRECTLY TO THE BEST OF MY ABILITY.**

**APPLICANT:**

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

**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 by means of physical presence \_\_\_ or online notarization \_\_, this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

By:

\_\_\_\_\_  
(Print name)

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

\_\_\_\_\_  
Notary Signature Seal: