

# Board of County Commissioners

## Agenda Request

Date of Meeting: August 4, 2008

Date Submitted: July 18, 2008

To: Honorable Chairman and Members of the Board

From: Benjamin H. Pingree, County Administrator  
Lindsay Stevens, Assistant County Administrator  
Somerset Strickland, Assistant Planner

Subject: Application for Home Occupation HO08-02  
(Clifton McIver, Property Owner/Jodi McIver, Agent)

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### **Statement of Issue:**

This agenda item provides the Board with an Application for Home Occupation located at 418 Ace High Stables Road.

### **Background:**

This application requests a Home Occupation for a hair salon and waxing services at a residential home. This property is a 2.0+/- acre parcel located at 418 Ace High Stables Road (Attachment #1).

### **Technical Review Committee (TRC):**

On June 19, 2008, the application was reviewed and the applicant was notified that the property owner's signature and a Letter of Authorization was required to complete the file. These items were submitted by the property owner before the required deadline.

-10(1)(b) of the *Wakulla County Code*.

### **Planning Commission:**

On July 14, 2008 the Commission reviewed the request. No citizen spoke against the item and no discussion took place by the Commission. The Commission voted unanimously to recommend approval of the Home Occupation request.

### **Analysis:**

#### **Comprehensive Plan:**

The Future Land Use Map (FLUM) designation for the property is Rural 2. This land use designation allows for residential density of 1 dwelling units per 2 acres of land with connection to central water. Commercial development under the Rural 2 shall not exceed a floor-area ratio (F.A.R.) of 0.15 and shall be located on lots of at least one (1) acre in size (Attachment #2).

**Land Development Code:**

The current zoning district for the property is RR-1 (Semi-Rural Residential). This zoning district allows for the construction of single family site built homes and mobile homes and residential density of 1 dwelling unit per acre of land (Attachment #3).

**Site Conditions:**

The FEMA flood zone designation for the Subject Property is zone "C". Zone "C" is an area within the 500-year floodplain.

The owner plans to utilize the area on the north side of the home as parking for her clients (Attachment #4). Water service is provided by the City of Tallahassee, while sewage is contained by an on-site septic tank.

Staff completed a site visit on June 23, 2008.

No known environmental issues are associated with the Subject Property.

**Adjacent Parcels:**

Abutting parcels are zoned RR-1 (Semi-Rural Residential) and RR-5 (Rural Residential). The RR-1 zoning districts exist immediately south, east and west of the Subject Property and allows for the same density and allowable uses discussed above. The parcel north of the Subject Property is zoned RR-5. The RR-1 zoning district allows for residential density of 1 dwelling unit per 5 acres of land (Attachment #5).

**Compatibility:**

This property's current RR-1 zoning is not consistent with the Rural 2 FLUM land use requirements as this is not an allowed zoning within the Rural 2 land use designation. However, the RR-1 zoning is the original zoning district given to the property by the Board in 1985. The parcels immediately abutting is also zoned RR-1. The proposed Home Occupation is an allowable use under Section 6-10 of the *Wakulla County Code* within a residential home-site, provided that all applicable requirements have been met (Attachment #6).

**Public Notification:**

This request has been noticed and advertised in accordance with the provisions of the Wakulla County Land Development Code. The Planning Department also posted appropriate signage on the property indicating the Home Occupation request. The Wakulla County Code does not require written notice to adjacent property owners for requests of this type. To date, the Planning Department has not received any written responses to the notice.

The advertisement for this public hearing appeared in the Wakulla News on June 26, 2008 (Attachment #7).

**Additional Issues:**

The hours of operation for the proposed business will be 10 A.M. to 8 P.M. on Monday, Tuesday, Thursday and Friday; 10 A.M. to 5 P.M. on Wednesday and 12 P.M. to 6 P.M. on Saturday. Pursuant to Section 6-10, the Applicant may not utilize more than 25% of the home for the operation of the Home Occupation. The total square footage of the home is 1,900. The proposed Home Occupation will operate with 185 square foot area of the home.

Staff notes that the Board can rescind this Home Occupation should the use become more intense than predicted.

**Options:**

1. Conduct the final public hearing and approve the Application for Home Occupation HO08-02, based upon the recommendation of the Planning Department, the Planning Commission and the findings of fact and conclusions of law made by the Board and any evidence submitted at the Hearing hereon.
2. Conduct the final public hearing and deny the Application for Home Occupation HO 08-02, based on the findings of fact and conclusions of law made by the Board and any evidence submitted at the Hearing hereon.
3. Board direction.

**Recommendation:**

**Option #1** Staff recommends approval of the Application for Home Occupation HO08-02. All applicable requirements have been meet. Staff expects that this Home Occupation will have very minimal, if any, impacts to the roadway or contiguous property owners.

**Attachment(s):**

1. Location Map
2. FLUM Policy 1.2.4
3. Section 5-27, LDC
4. Site Photos
5. Tax and Zoning Maps
6. Section 6-10, LDC
7. Advertisement
8. Floor Plan