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COUNTY DEPARTMENT AGENDA REQUEST

Department/Division: Planning & Zoning/Community Dev.

Department Head: Peter A. Frisina

Presenter, if needed: Pete Frisina/Dennis Dutton

Preferred Meeting Date: Thursday, September 25, 2008

Wording for the Agenda:

Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-1. Conditional Use Approval, B. Conditional Uses Allowed, 23. Home Occupation as presented by the Planning & Zoning Department. STAFF HAS REQUESTED THIS ITEM BE CONTINUED UNTIL OCTOBER 23 FOR PUBLIC HEARING.

Background/History/Details:

The P&Z Department was contacted by a property owner with a lot zoned C-H which contains a vacant single-family residence who asked that if the property is sold or rented, if the new property owner could have a Home Occupation. Upon review of the Zoning Ordinance, it was discovered that a Single-Family Residence is a Conditional Use allowed in the C-C, C-H, M-1, M-2, and O-I zoning districts. A Home Occupation is a Conditional Use allowed in the A-R and residential zoning districts but is not a Conditional Use in the C-C, C-H, M-1, M-2, and O-I zoning districts. Based on these requirements, a single-family residence is not allowed to have a Home Occupation in the C-C, C-H, M-1, M-2, and O-I zoning districts. After much discussion, the BOC directed staff on 06/04/08 to begin review of the ordinance for a possible remedy and on 08/14/08 asked staff to begin the amendment process, including public hearings before the Planning Commission and the Board of Commissioners. Staff is requesting more time for additional review.

What action are you seeking from the Board of Commissioners?

PLEASE CONTINUE THIS ITEM UNTIL OCTOBER 23. ALSO, ANNOUNCE THE DATE THE HEARING WILL BE CONTINUED TO.

The P.C. recommended APPROVAL as submitted 5-0.

If this item requires funding, please describe:

N/A

Has this issue come before the Commissioners in the past? Yes

If so, when? Thursday, August 14, 2008

Do you need audio-visual for the presentation? No

Back-up Material Submitted? Yes

STAFF USE ONLY

Approved by Finance? Yes

Reviewed by Legal?

Approved by Purchasing? Yes

Approved by Administrative Staff? Yes

Staff Notes

Administrator's Approval Yes

Confirmed Meeting Date Thursday, September 25, 2008

- ○ Recognition/ Presentation
- ◉ Public Hearing
- ○ Old Business
- ○ New Business
- ○ Consent
- ○ Report
- ○ Other