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AGENDA

FAYETTE COUNTY PLANNING COMMISSION MEETING

140 STONEWALL AVENUE WEST

September 15, 2016

7:00 pm

***Please turn off or turn to mute all electronic devices during the
Planning Commission Meetings**

1. Consideration of the Minutes of the meeting held on September 1, 2016.

NEW BUSINESS

2. Consideration of Final Plat of Davenport Property. The property will consist of two (2) residential lots. This property is located in Land Lot1 of the 9th District and fronts on Rivers Road and Jewel's Bluff. The property is zoned R-70.
3. Discussion of Home Occupations.

OLD BUSINESS

4. Discussion of Tourist Accommodations.

To: Fayette County Planning Commission
From: Dennis. Dutton, Zoning Administrator 
Date: September 9, 2016
Subject: Final Plat to be considered on September 15, 2016

FINAL PLAT

Final Plat of Davenport Property

OWNER/APPLICANT

Charles & Brenda Davenport,
Owners

Recommend **APPROVAL** of the Final Plat of Southmill received 9/2/16.

- y. Home occupation. Allowed in A-R, EST, C-S, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, DR-15, RMF, MHP, PUD-PRD, PUD-PRL, PUD-PEF, O-I, C-C, C-H, L-C, G-B, M-1, M-2, and BTP zoning districts. The intent of these rules and regulations is to protect the health, safety and welfare of the general public and ensure that home occupations are regulated in a manner so they do not adversely impact surrounding residential properties, as residential areas and uses are normally separated from nonresidential areas and uses.
1. Residents. Only residents of the dwelling may be engaged in the home occupation within the dwelling. All nonresident individuals, including employees, contractors, or part owners, associated with the home occupation shall not be engaged in the home occupation within the dwelling or on the premises.
 2. Incidental use. The home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the building.
 3. Display, sale. No display of products shall be visible from the street, and only products produced on the premises may be sold on the premises. The on-premises sale of products produced off the premises shall be prohibited.
 4. Clients/customers/students. The number of clients/customers/students on premises shall not exceed more than two at a time nor more than a total of eight clients in any one day and all services rendered shall take place only within the dwelling. The hours of operation, in the context of clients/customers/students shall be limited to 9:00 a.m. to 7:00 p.m., Monday through Saturday.
 5. Area. Use of the dwelling, for the purpose of the home occupation, shall not exceed a total of 25 percent of the dwelling.
 6. Number. No more than four home occupations may be issued per dwelling and the cumulative area devoted to the home occupations shall not exceed 25 percent of the dwelling.
 7. Alterations. No internal or external alterations inconsistent with the residential use of the building shall be permitted.
 8. Accessory buildings. No accessory buildings or outside storage shall be used, except as otherwise provided herein.
 9. Instructions and/or tutoring. Instruction and/or tutoring including, but not limited to: music, art, crafts, dance, academic, computer, martial arts, and speech.
 10. Day care, child/adult. Daycare shall be limited to no more than three children or three adults at any time.
 11. Vehicles. Only customary passenger vehicles, vans and pick-up trucks shall be permitted to remain on the premises in association with a home occupation. Said vehicles cannot exceed two axles, 22 feet in length, ten feet in height, and/or 8,000 pounds (curb weight). No tow and/or rollback trucks shall be allowed to remain on the premises. A trailer used in association with the home occupation shall be permitted to remain on the premises. The aforementioned vehicles or trailer used in association with the home occupation may be stored in a detached garage.
 12. Uses. The following and similar uses shall not be considered home occupations: automobile service station; automobile and related vehicular sales lot on-premises; on-premises automobile, motorcycle, and/or farm/heavy construction equipment repair or service/maintenance; ambulance service; beauty salon, barbershop, rescue squad; on-premises amusement or recreational activities (commercial); animal hospital; commercial kennel, veterinarian clinic with or without animal boarding place; pawn shops; acid storage and manufacturing; heavy manufacturing; fortune teller; palm reader; taxidermy, on-premises welding; on-premises pet grooming; on-premises medical/dental facilities; on-premises repair service (bicycle, lawn mower, small

engine, and appliance); tire sales and storage; tanning salon; funeral services; tattooing; and on-premises massage therapy.

Sec. 110-3. - Definitions.

Bed and breakfast, A-R, a bed and breakfast allowed as a conditional use in the A-R zoning district.

Bed and breakfast, commercial, (See Hotel.)

Hotel means a building in which overnight accommodations are provided to the public and the innkeeper. The term "hotel" includes the terms "motel" and "commercial bed and breakfast."

Sec. 110-169. - Conditional use approval.

A-R bed and breakfast. Allowed in the A-R zoning district.

1. Minimum lot size: ten (10) acres.
2. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the County Engineer.
3. These facilities shall meet the requirements of the County Code, Article VI. Tourist Accommodations.
4. Adequate off-street parking shall be required. A prepared surface is not required for the parking areas. Parking areas shall be exempt from Nonresidential Development Landscape Requirements of the Fayette County Development Regulations.

Article VI. TOURIST ACCOMMODATIONS

Bed and breakfast inn shall mean an establishment of five guest rooms or less, which serves food to its registered guests and not to the public at large. This term shall include establishments serving breakfast or a similar early morning meal and an appropriate light snack in which the price of the food is included in the price of the overnight accommodation. The length of stay for bed and breakfast inns as defined is limited to not more than 30 consecutive days. For the purposes of this article, this term shall mean an establishment in which the predominant relationship between the occupants thereof and the owner or operator of the establishment is that of guest and innkeeper.

Hotel shall mean any structure or any portion of a structure, including any lodging house, rooming house, motel, studio hotel, auto court, inn, public club, vacation house or private club containing guest rooms and which is occupied or is intended or designed for occupancy by guests, whether rent is paid in money, goods, labor, or otherwise, or any other place in which rooms, lodging or accommodations are regularly furnished for value. The length of stay for hotels as defined is limited to not more than 30 consecutive days. This term does not include any jail, hospital, asylum, sanitarium, orphanage, prison, detention, or other buildings in which human beings are housed and detained under legal restraint. In addition to the foregoing, for purposes of this article, a residence in which accommodations are furnished for rent is also considered a "hotel".

- (c) A bed and breakfast inn shall be permitted subject to the following:
- (1) No food preparation, except beverages, is permitted within individual guest rooms.
 - (2) Meal service may be provided to registered guests and not open to the public.

- (3) The operator of the bed and breakfast inn shall be a full-time resident of the structure in which the bed and breakfast inn is housed.
- (4) The bed and breakfast inn shall be permitted to rent no more than five guest rooms.

ARTICLE III. - HOTEL/MOTEL EXCISE TAX

Hotel shall mean any structure or any portion of a structure, including any lodging house, rooming house, motel, studio hotel, auto court, inn, public club, vacation house or private club containing guest rooms and which is occupied or is intended or designed for occupancy by guests, whether rent is paid in money, goods, labor, or otherwise, or any other place in which rooms, lodging or accommodations are regularly furnished for value. The length of stay for hotels as defined is limited to not more than 30 consecutive days. This term does not include any jail, hospital, asylum, sanitarium, orphanage, prison, detention, or other buildings in which human beings are housed and detained under legal restraint. In addition to the foregoing, for purposes of this article, a residence in which accommodations are furnished for rent is also considered a "hotel".