

The Hearing Officer, Manatee County, Florida, convened a REGULAR HEARING in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Thursday, August 19, 1992, at 3:18 p.m.

Presiding was: James Paulmann

Also present were:

Mark P. Barnebey, Assistant County Attorney  
Jane Roak, Deputy Clerk, representing  
R. B. Shore, Clerk of Circuit Court

News media notified, but not present.

All witnesses/staff giving testimony were duly sworn.

MINUTES

Mr. Paulmann approved the minutes of April 2 and May 20, 1992.

SPECIAL PERMITS

Public hearing (continued from 7/2/92) was held to consider

SP-92-05 PATSY MITCHELL - HOME OCCUPATION

Request: Special Permit to allow palm reading as a conditional home occupation accessory use in an existing single-family detached dwelling unit on .33 acre located at the southeast corner of Cortez Road and 57th Street West.

Staff recommended approval with Conditions:

1. This Special Permit shall not be effective until it has been recorded in the Public Records of Manatee County, Florida, by the applicant and a copy of the recorded Order is received by the Planning, Permitting and Inspections Department.
2. The site plan submitted with this application shall be part of this approval.
3. The existing sign in front of the residence advertising the palm reading service shall be removed within thirty days of approval of this permit. No signs may be displayed.
4. The facility must maintain the appearance of a single family home.

Misty Martin, Planning, Permitting and Inspections, stated the business will be conducted within the residence and that the exterior of the dwelling will maintain a residential appearance with no outdoor displays or storage on the site. The applicant indicates there will be no additional employees; that the business will occupy no more than 100 square feet; that it will be incidental to the residential use, and will not generate an increase in traffic.

She requested Condition 3 be deleted due to the fact that the site is zoned PM and it has been determined the sign would be appropriate.

Betsy Benac, Planning, Permitting and Inspections, reviewed Section 724.3 which would have prohibited the sign if the zoning were not professional.

Ms. Martin presented letters, one with 12 signatures, in opposition.

Ms. Benac explained the circumstances by which this case is before the Hearing Officer as a Special Permit, and advised that if there were not a residence being maintained, this use would be allowed by right in the district.

She also noted this request came about as a code enforcement action with the sign, hence the special permit for the conditional home occupation.

Mark Barnebey, Assistant County Attorney, questioned whether this case would require an administrative permit if the applicant was not living in the house and whether any thought was given to hours of operation.

Ms. Benac advised that the only conditional use criteria for a personal service establishment, per Section 704.45.01, is that it be located within an enclosed structure.

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(Cont'd)

Mr. Barnebey stated that subject to possible hours of operation, staff had a recommended Notice of Intent to approve the Special Permit subject to the conditions staff had recommended and also a proposed Final Order that staff is recommending for consideration.


Mr. Paulmann reviewed the provisions of section 502.6.6.7 of the Land Development Code.


HEARING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:

  
\_\_\_\_\_  
Clerk

  
\_\_\_\_\_  
Hearing Officer 11/5/92

Adj: 3:30 p.m.  
/apm