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Attachments: 1. Application, 2. Memorandum SE2116 Summary of BOCC Action and Zoning Interpretation, 3. Affidavit of Publication of Legal Ad CLK23-167

Date	Ver.	Action By	Action	Result
10/24/2023	1	Board of County Commissioners	adopted	Pass

TITLE

Appeal of Administrative Decision Submitted by John Henry and Pamela Henry

BRIEF OVERVIEW

The petitioners, John Henry and Pamela Henry, applied for a Special Exception Use Permit for a Home Occupation to utilize a 4,185 square foot garage and outdoor area for the sculpting of large steel sculptures and monuments by John Henry Sculptor Inc.

On May 10, 2022, The Board approved the petitioner's request for a Special Exception Use Permit for a Home Occupation with performance conditions. In the approval, the Board stipulated that the outdoor erection of structures shall have ceased by May 31, 2023. Subsequent to Board approval, questions have been raised from the neighboring property owners as to the compliance of the site with the Board direction. It was requested that staff review the petitioner's request, the Board action and the land development regulations and bring back an interpretation for the Board's consideration.

The attached Summary of Board Action and Zoning Interpretation provides a detailed summary and analysis of the permit history. Staff has found that the site is currently in compliance and that no code enforcement action is necessary or warranted for the site.

On September 26, 2023, the Board made a motion to move forward with a Quasi-Judicial hearing to understand the intent of the Motion from May 10, 2022. The Hearing has been fully readvertised.

FINANCIAL IMPACT

N/A

LEGAL NOTE

The Board has the authority to consider this request in accordance with Chapter 125, Florida

Statutes.

RECOMMENDATION

It is recommended that the Board review the zoning determination letter developed by the Planning and Zoning Division, receive testimony from the Petitioner and Staff, and determine whether to uphold the Administrative Official's determination.