

# JEFFERSON COUNTY PLANNING DEPARTMENT

445 W. PALMER MILL ROAD - MONTICELLO, FLORIDA 32344  
Phone (850) 342-0223 - Fax: (850) 342-0225



## BUSINESS PERMIT APPLICATION FORM

DATE: \_\_\_\_\_ APPLICATION FEE: **\$ 100.00**

**NOTE: The Annual October 1<sup>st</sup> RENEWAL of business permits is \$50.<sup>00</sup>  
The Late Renewal Fee is a 5%/month.**

**BUSINESS TYPE:**  HOME BUSINESS  COMMERCIAL BUSINESS

NAME OF APPLICANT: \_\_\_\_\_

MAILING ADDRESS OF APPLICANT: \_\_\_\_\_  
\_\_\_\_\_

NAME OF BUSINESS: \_\_\_\_\_

PHONE # (applicant): \_\_\_\_\_ PHONE # (business): \_\_\_\_\_

PHYSICAL LOCATION OF BUSINESS: \_\_\_\_\_

MAILING ADDRESS OF BUSINESS: \_\_\_\_\_

TYPE OF BUSINESS ACTIVITY: \_\_\_\_\_

**COMMERCIAL BUSINESS ONLY:** Please check the appropriate box below:

- This application is for a change of use to a new business in an existing building, please use a separate sheet to describe any activities related to building remodeling or site reconfiguration that may be necessary.
- This application is for opening a business on a new site that has been approved through a Site Plan Review resulting in an approved Development Order (attach copy).

**HOME BUSINESS PERMIT APPLICANT ONLY:** Please read and sign the following:

This is acknowledgement that as the owner of a home business, I have read and understand the regulations pertaining to owning and operating a Home Business in the Jefferson County Land Development Code (attached) and that should the level of activity become disruptive to the neighbors, I will cease business operations on the homestead property and move the business to a commercial property in an appropriate non-residential area.

I understand that as a condition of approval for renewal of this permit, along with payment of the required fee, I am required to describe whether there have been any changes to the activities, conditions, and/or structures on the property and, where necessary, an illustration provided, if different from information included in this original application

\_\_\_\_\_  
Signature of owner

**NOTE:** If you are filing an application to obtain a Home Business Permit, please thoroughly and carefully read **9.13.1. A-D** below. While items **A.1-8** are basic items required when submitting an application, it is important that items **C.1-15** are clearly indicated when applicable or appropriate. As previously stated on the form, your signature also is an acknowledgement that you have read these rules and will and have provided all pertinent information requested herein.

**The following is from the Land Development Code regarding all types of business permits:**

Explanatory notes not part of the LDC are highlighted.

Check “√” the boxes to acknowledge compliance or “X” the boxes not applicable to your business.

**9.13.0. BUSINESS PERMITS**

Commercial businesses shall be required to obtain a Final Development Order to operate in Jefferson County. Final Development Orders are obtained through application and approval of a Site Plan as a Major Development, a Minor Development, or a Business Permit. Any person desiring to conduct a commercial business use including a home business shall first apply to the Planning Department for an annual permit, based on the County's fiscal year which begins on October 1 of each year, in accordance with the following requirements:

**9.13.1. HOME BUSINESS PERMIT - GENERAL REQUIREMENTS.**

Produce stands and other bona fide Silviculture and Agriculture activities are exempt from these requirements.

Home Businesses are permitted in all residential and agricultural districts. Any person desiring to conduct a home business shall first apply to the Planning Department for an annual permit, based on the County's fiscal year which begins on October 1, in accordance with the following conditions, limitations, and requirements:

- A.** The application shall be on such form as may be required by the Planning Official and shall include, at a minimum, the following information:
  - 1. The name of the applicant.
  - 2. The mailing address of the dwelling unit in which the home business is to be conducted.
  - 3. The nature of the home business for which approval is requested.
  - 4. The total floor area of the dwelling unit.
  - 5. The floor area of the room or rooms (and, in agricultural districts, any accessory structure) in which the home occupation is to be conducted.
  - 6. A sketch of the site area and floor plan of the dwelling unit depicting those areas where the business activities will be conducted and depicting the location of all driveways, parking, loading areas, storage areas, and lighting to be used in association with the home business.
  - 7. A drawing of any sign to be displayed in conjunction with the proposed home occupation, identifying the size and material thereof and the proposed location
  - 8. The number, size and location of all parking spaces provided.
- B.** The initial application and subsequent renewals must be accompanied by the appropriate permit fee, as established by the Board of County Commissioners by Resolution. For late renewals, the fee shall be increased by a penalty of five percent (5%) for each full month, or fraction thereof, by which the application is late.

**NOTE:** When the renewal notice is sent, there will be a reminder to note any changes made regarding the Home Business. If there has been no perceptible change, please be sure to make a notation of “No Change” on the form to avoid any delays in receiving your renewal permit.

- C.** The Planning Official shall issue the permit for the home business if:
  - 1. The proposed home occupation does not involve the use of chemicals, energy sources, or machinery or equipment which is reasonably likely to cause any objectionable noise during the day and no noise over 60 decibels, at the property line, between 11p.m. and 7 a.m., noxious fume or odor, or any hazard dangerous to the public health, safety or welfare; and
  - 2. All motors and equipment to be used in the conduct of the proposed home occupation will be shielded so as not to cause radio or television interference off the premises; and
  - 3. The required number of parking spaces, for business uses, are provided and located so as to establish an adequate traffic flow and safe and convenient ingress and egress for the property; and
  - 4. There does not exist, on the premises for which the permit is requested, any continuing violation of any County ordinance; and
  - 5. Any required State of Florida occupational license tax for the home occupation has been obtained; and
  - 6. The home business is clearly incidental to the principal use of the premises as a dwelling unit.
  - 7. Any home business that involves animals must provide adequate containment to keep those

- animals from escaping the owner's property.
8. If not in a residential area, the following additional provisions apply:
    - a) The home business activity may be conducted within an accessory structure separate from the residence provided the accessory structure is limited to **2,000** square feet in size and the home business is clearly incidental to the principal use of the premises as a dwelling unit.
    - b) Any accessory structure in which the home business is to be conducted must be located no less than two hundred (**200**) feet from any boundary of the lot or parcel on which it is located unless an exception is granted by the Planning Commission. Notwithstanding this requirement, a setback of no less than one hundred (**100**) feet shall apply to such accessory structures located in Agriculture 5 and Agriculture 3 Land Use Districts on parcels too small to meet the 200-foot setback.
    - c) The home business shall be limited to a total of three (**3**) employees.
    - d) Landscape visual and/or aural/sound buffers, fencing, structural design and/or other methods shall be utilized to mitigate possible adverse impacts on neighboring property owners, residents and businesses due to odors or other types of effects of the home business activities.
  9. Other than a single, non-illuminated sign that does not exceed two (2) square feet, there shall be no display of goods or other evidence of the home business outside of the residence.
  10. Deliveries or shipments shall be limited as follows:
    - a) Timing: Should not exceed one delivery and one shipment per day.
    - b) Delivery hours: Between hours of 8:00 AM and 6:00 PM.
    - c) Vehicle Size: Large van or small delivery truck (average approx. 15' body length).
  11. No home business shall consist of, or include, outdoor retail sales or a public dining facility or transient guest quarters other than as related to a bed and breakfast establishment meeting the standards herein or a permitted special events venue or establishments providing hunting plantation style outdoor recreation.
  12. Automotive and/or small engine equipment or other outdoor repairs of a similar nature are allowed with the following additional restrictions:
    - a) All activities, including all areas where repairs are made and /or materials are stored, shall be screened from the road and all adjacent properties by natural or planted vegetation or a fence, and home businesses conducting such activities shall not allow the accumulation of unsightly junk, debris, parts, tools, vehicles, supplies or materials;
    - b) All chemicals, liquids or other materials with potential for contamination such as oil, gasoline, anti-freeze, cleaning agents, etc., shall be properly disposed of periodically to prevent storage of large amounts of flammable or contaminable agents.
    - c) Reasonable measures shall be taken to prevent leaks, spills or other unlawful discharge of hazardous materials and substances.
  13. A barber or beauty shop is allowed, limited to two (2) chairs.
  14. Any home businesses that negatively affects nearby properties due to increased traffic, noise, light, or any other activity detrimental to the other owners and occupants in the immediate vicinity, shall be either moved to a commercial property or completely cease operation on the subject property.
  15. During site plan review of any commercial or business activities not requiring Special Exception review, the Planning Official may require the applicant to address issues that may not be otherwise specified herein such as animal waste disposal or visual and/or sound buffering, etc.
- D.** In the Residential districts, including residential subdivisions in mixed use districts, home businesses shall also comply with the following requirements:
1. There shall be no display of goods or other evidence of the home occupation outside of the dwelling unit. This does not include deliveries or shipments.
  2. No part of the home occupation may be conducted in any accessory building, except a detached garage.
  3. The home occupation may only be conducted in an area or areas of the dwelling unit which do not exceed twenty (20) per cent of the floor area of the dwelling unit. In determining the floor area of the dwelling unit, for purposes of this section, the area of any open porch or attached garage or similar space not suited and intended for occupancy as living quarters shall not be included.
  4. Only members of the family lawfully occupying the dwelling unit and one (1) other person may be

- employed in or work at the home occupation.
- 5. No home occupation in a residential district shall consist of, or include, a public dining facility, transient guest quarters, antique gift shop, other retail sales, fortune telling, automotive repairs, outdoor repairs of any kind, or a barber or beauty shop having more than two (2) chairs.
- 6. The only sign which may be publicly displayed for a home occupation in residential districts shall be no more than two (2) square feet in size and no more than four (4) feet in height and be located within ten (10) feet of the principal driveway serving the lot or parcel on which the home occupation is conducted, and it may be located no closer than five (5) feet to the front lot line of the lot or parcel.

**9.13.2. BED AND BREAKFASTS.**

A Bed and Breakfast is any existing or newly-constructed residential structure designed to house a single family in which the owner has extra bedrooms that are rented to guests. Bed and Breakfast establishments limited to a maximum of 8 rooms for rent are permitted as a Home Business in residential and agricultural districts provided the following conditions are met:

- A. The bed and breakfast lot or parcel must have frontage on a collector (through) street.
- B. On-site parking for all guests must be provided in the ratio of one parking space per bedroom.
- C. The owner or operator of the bed and breakfast establishment must reside on the premises.
- D. The bed and breakfast establishment must be licensed by the State of Florida, Department of Business Regulation, in accordance with Florida Statutes, Section 509.013, and all other applicable statutes.
- E. One (1) bedroom must be reserved for the owner or operator of the establishment and cannot be rented.

**9.13.3. ANTIQUE SHOP.**

Antique shops are permitted as a Home Business in residential and agricultural districts, provided the following conditions are met:

- A. The lot or parcel on which the antique shop is located must have frontage on an arterial or major collector street.
- B. The owner of the antique shop must reside on the premises.

**9.13.4. COMMERCIAL USES – BUSINESS PERMITS REQUIRED**

Any person desiring to conduct a commercial business use other than a home occupation shall first apply to the Development Administrator for an annual permit in accordance with the following requirements:

- A. The application shall be on such form as may be required by the Planning Department.
  - 1. The name of the applicant.
  - 2. The specific location at which the commercial business use is conducted and a sketch of the floor plan of the premises, including reasonably accurate dimensions.
  - 3. The nature of the commercial business for which approval is requested, a general description of the activities involved in conducting the business, and a description of the type and size of any motors, machines, and other equipment used in the conduct of the business.
  - 4. A drawing of a sign to be displayed in conjunction with the proposed commercial business use, identifying the size and materials thereof and the proposed location.
  - 5. The number, size, and location of all parking spaces provided.
- B. The application must be accompanied by the appropriate permit fee, as established by the Board of County Commissioners by Resolution. For late renewals, the appropriate fee shall be increased by a penalty of five percent (5%) for each full month, or fraction thereof, by which the renewal is late.
- C. The Planning Official shall issue the permit for the commercial business use if:
  - 1. The proposed business is in compliance with a Final Development Order/Permit issued in accordance with this Code; or
  - 2. The application is for an existing site/structure and includes:
    - a. The name of the applicant; the nature of the commercial business for which approval is requested, and a general description of the activities involved in conducting the business; and
    - b. The specific location at which the commercial business use is conducted; and

- c. The commercial business for which approval is requested is a permitted commercial use or an existing lawful non-conforming use of the premises on which it is proposed to be conducted; and
  - d. The floor plan, including dimensions; and
  - e. A drawing of proposed signage meeting the requirements of Article Six of this Land Development Code, and identifying the size, materials, and location; and
  - f. The proposed commercial business use does not involve the use of chemicals, energy sources, ~~or~~ machinery, or equipment which is reasonably likely to cause any objectionable noise, noxious fume or odor, or any other hazard dangerous to the public health, safety or welfare; and
  - g. All motors and equipment to be used in the conduct of the proposed commercial business use will be shielded so as not to cause radio or television interference off the premises; and
  - h. The required number of parking spaces are provided and located so as to establish an adequate traffic flow and safe and convenient ingress and egress for the property; and
3. There does not exist, on the premises for which the permit is requested, any continuing violation of any County ordinance; and
4. Any required occupational license tax for the commercial business use has been paid.

**9.13.5. COMMERCIAL USE STANDARDS.**

All commercial business uses issued permits under this section shall conform to the following requirements and limitations:

- A. The commercial use shall not cause any danger, health hazard, or unreasonable inconvenience to any person and shall not damage any public or private property.
- B. When activities which include the use and storage of flammable and/or explosive materials or products; are associated with the proposed commercial use, there shall be adequate safety devices against the hazards of fire and explosion, including fire-fighting and fire suppression equipment, as prescribed by all applicable fire prevention laws, ordinances, and regulations.
- C. No commercial use shall involve any activity reasonably likely to result in the discharge of any liquid or solid waste, including industrial wastes, or any toxic substance or pollutant, into any public or private sewage system, the ground, or any lake, stream, or other body of water, in violation of any federal, state, or local law, ordinance, or regulation.
- D. No activity shall be conducted in conjunction with the commercial use, which will cause any of the following beyond the premises on which the use is conducted:
  - 1. perceptible earth vibrations; or
  - 2. continuous noise above 90 decibels at the property line; or
  - 3. any noxious or offensive odors; or
  - 4. any adverse effect on the temperature, motion, or humidity of the atmosphere.
- E. If the commercial use adjoins residential parcels, noise cannot exceed 60 decibels measured at the property line.

**9.13.6. ESTABLISHMENTS ALLOWING CONSUMPTION OF ALCOHOL ON PREMISES**

Any new bar, nightclub, bottle club, or other establishment which proposes to allow consumption of alcoholic beverages on the premises, excluding restaurants with at least 50% of revenues derived from the sale of food, shall be permitted only as consistent with the requirements of this section. Such businesses shall be permitted by application for minor development, and the applicant must establish that the establishment will satisfy the following criteria:

- A. The site shall be located in a properly designated land use district;
- B. The site shall be located on an arterial or major collector unless the applicant can show reason why an alternate site is better for the County.
- C. The establishment shall be set back at least 500 feet from churches, schools and public playgrounds, as measured from property line to property line, and at least 500 feet from the nearest residential structure, as measured from structure to structure, unless another non-residential structure separates the two;
- D. Alcohol shall not be consumed outside the structure unless on a porch or veranda not visible from

- the street or nearby residential properties;
- E. Off-street parking shall be provided which satisfies the requirements of Article 5 of this Code, and no on-street parking shall be allowed;
- F. Parking areas shall be posted to notify patrons that consumption is only allowed in designated areas and that open containers are not allowed in other areas;
- G. Litter and empty containers shall be picked up from the site daily;
- H. All signs shall satisfy the requirements of Article 6 of this Code for permanent accessory signs, except that internally illuminated signs shall not be allowed within 500 feet of any residential structure;
- I. Lighting shall be shuttered or shielded from residential structures;
- J. Noise levels shall not exceed 65 decibels at the property line and 55 decibels at the property line of the nearest residential structure;
- K. All off-street parking areas and vehicular use areas shall be landscaped as required in Article 5 of this Code. All outside areas of the site shall at all times present a neat, clean, orderly and well maintained appearance;
- L. The Planning Official shall have the authority to order additional measures as necessary to insure that the establishment is not incompatible with adjacent uses.

**9.13.7. PERMIT REVOCATION.**

The Planning Official or Code Enforcement Officer may revoke any business use permit issued hereunder for non-compliance with any requirement of Sections 9.13.0 – 9.13.6 above, whether set out specifically or referenced herein. Revocation may be appealed to the Planning Commission. Notice of revocation shall be provided to the permittee, along with notice of the right to appeal, and the revocation shall not take effect until the time for appeal has passed without an appeal having been filed or, if an appeal has been filed, until the revocation is upheld on appeal.

**9.13.8. PERMIT RENEWALS.**

All types of Business Permits must be renewed annually by October 1, with any change to information originally provided in the permit application reported to the Planning Department. Renewals may be denied if the applicant is not in compliance with all parts of the Code. Reiterating above information regarding late renewals, **the fee shall be increased by a penalty of five percent (5%) for each full month, or fraction thereof, by which the application is late.**