

Airbnb and RV Special Exception Workshop

Commission Board Room
Dixie County Courthouse
214 NE Hwy 351, Cross City, FL 32628
November 03, 2022 – 2:00 PM

The Board meetings are audio recorded. The public can hear and participate in the meeting via conference call by dialing 1(917)900-1022 and enter code 32628.

COMMISSIONERS

Jody Stephenson, District 1
W. C. Mills, District 2, Vice Chairman
Mark Hatch, District 3
Jamie Storey, District 4, Chairman

STAFF

Duane Cannon, County Manager
Paul Gainey, Asst. County Manager
Martha McCaskill, Administrative Asst/Grant Coordinator
Chana Watson, County Attorney
Della Rhymes, Asst. Chief Deputy Clerk

CALL TO ORDER

The Airbnb and RV Special Exception Workshop was called to order at 2:00 PM by Commissioner Storey.

INVOCATION AND PLEDGE TO THE AMERICAN FLAG

The Invocation was led by Commissioner Storey and the Pledge to the American Flag was led by Commissioner Mills.

AIRBNB

Commissioner Storey said they will begin the discussion of the Airbnb first.

Commissioner Hatch said the reason for this discussion is because of complaints about the rentals and renters parking on other properties as well as having parties at the Airbnb properties. He said that the county needs to be getting the bed tax from these rentals. He said the county needs to look at any rules that the county may need to put in place to regulate these rentals.

He said that the public can complain directly to the company which host the listing if needed.

Commissioner Storey spoke about the bed tax and said the zip code in Jena and the First District is causing an issue with the tax going to the wrong county. He said that Jena goes to Taylor County and the First District goes to Suwanee County because of their zip codes. He said this needs to be addressed and resolved.

County Attorney Chana Watson said the zip code is based on population. She said there are other counties in Florida that have Ordinances and restrictions for rental spaces and other owner restrictions. She said that Airbnb collects the Tourist Development Tax from 23 out of 67 counties through their website. Then Airbnb remits the tax to the county. She said she will find out about the taxes going to the correct county.

Ms. Shelly Ross spoke to the Board and said you must send the tax to Taylor County Tax Collector. She said that VRBO sends seven (7) percent to the state and another five (5) percent must be sent to the county. She said the five (5) percent is not automatic.

Commissioner Hatch asked why the 911 location of the rentals has not been questioned before.

Ms. Ross said these taxes are grouped by the zip code and therefore goes to Taylor County.

Commissioner Hatch asked how the zip code and 911 address affect which county, Taylor or Dixie, responds to an emergency.

Attorney Watson said that the Jena mailing addresses have a Steinhatchee zip code. She said the State of Florida does require vacation rentals to be licensed through DBPR. She said she did not find any Airbnb or VRBO licenses registered for Dixie County.

Commissioner Stephenson asked if the county or the state regulates this.

Attorney Watson said the license fee is either \$50.00 or \$100.00 or \$295.00 per year.

Ms. Ross said her rentals fall under her broker's license.

A concerned citizen said the rental property is registered with the county and with the state in Polk County.

Ms. Kay McCallister, with the Tourist Development Council spoke to the Board and said she spoke with GOVOS which is an outside company that helps counties figure this out. She said she was able to get some helpful information from them. She said the rentals need to be identified and locate them per county. She said a business license would be helpful.

A concerned citizen said some people are renting their homes out and are not paying the taxes.

Ms. McCallister said she understands some people use this income to pay their bills, and she does not want to discourage this, however they need a license or a listing for emergency and taxes. She said a letter of rental standards would also be helpful.

Attorney Watson said that Airbnb and VRBO do have contracts for the owners to sign with specific regulation to follow.

Commissioner Hatch said that the best inspection is the 1-5-star ratings from the public.

A concerned citizen asked about a vacant lot next door to her getting a Special Exception and being turned into an Airbnb or a VRBO. She suggested a capacity limit and a noise Ordinance for residential areas

Mr. Lee Boyer spoke to the Board said the status of the rental can be lowered by the public's online comments and complaints.

Ms. Ross added that the owner of the rental can also comment or complain about problems with the renters on the website as well.

A concerned citizen spoke to the Board about a 10x12 storage shed advertised as a rental on the website.

Commissioner Stephenson asked if the website asked for credentials or license from the owner. He said it sounds like no one is regulating this.

Attorney Watson said there are many of these nice RV's parked under a shed listed for Airbnb in Dixie County.

A concerned citizen said the county should require every address to be registered to balance the taxes with the state. She said the listings with the Super Host status pop up first on the website. She said complaints do affect the status/rating going up or down. She suggested the county require a license for these properties.

Ms. McCallister said the county could control this if they act now. She suggested contracting with someone to help set this up. She said the Tourism Tax funds can possibly pay for this service.

Attorney Watson said a license should be required for the business and pay for their property listing on the TDC website.

A concerned citizen said advertising a private business on a county website may not be a good idea.

Commissioner Stephenson said the county should have an annual license fee and should be registered with the county and the state.

Mr. Walters informed the Board about people living in a tent near him.

Commissioner Mills said the Code Enforcement Officer works very hard on these issues. He said the process takes so long to get something resolved.

Commissioner Hatch suggested that Mr. Walters call law enforcement to address the issue he is speaking of.

Building and Zoning Official Leon Wright said there are many people renting their homes and how do you determine if it is an Airbnb.

Attorney Watson said there are legal limits that have been set for determining the rental status.

Attorney Watson said they must have something in writing for code enforcement.

Ms. Sarah Ross said renters are paying five (5) percent bed tax required by Taylor County. She said that Dixie County currently gets only three (3) percent and there is potential for more income.

Ms. McCallister said she will work on getting some more information for the Board.

RV SPECIAL EXCEPTIONS

Commissioner Storey said he has more questions. He used this as an example. He said there is a man that wants a pole barn to protect his RV and already has a Special Exception. He said he had turned this request down in the past. He said he understands that a paper trail is needed for code enforcement.

Mr. Wright said a paper trail can help track permitted and non-permitted work for code enforcement.

Commissioner Hatch said another man has submitted a site plan, then he wants to get a RV Special Exception, and then get a pole barn and he is now in limbo.

Commissioner Storey asked what happens to the requests that have been denied in the past. He asked if the Board can change their vote.

Commissioner Mills and Commissioner Hatch agreed this matter could be revisited.

A citizen said he started the process and got the septic and well put in first and cannot move any further. He said he is confused about the process.

Mr. Wright said there is a check list in the application packet. He said the approval is not guaranteed by the Board. He said a person must own the property and have an approval for septic tank, driveway and have a survey.

Attorney Watson said the public must do their due diligence.

Commissioner Stephenson said the man was confused about the process.

Mr. Wright said when people request a power pole, they get a checklist and a packet. He said the process is explained and their questions are answered by staff.

Mr. Bloom spoke to the Board and said that the process for the pole barn was explained to him. However, his request was denied due to opposition from his neighbors.

Another citizen said his issue is similar with developing a two (2) acre tract. He said that Ms. Julie was very helpful. He said he bought property in October of 2022 and now everything is on hold. He said he has a very expensive camper and wants a pole barn over it. He said he had a survey done and cleared the land, bought some rock for a driveway, getting a well put in and got a quote for a septic tank.

Commissioner Hatch said that all these requests are subject to Board approval.

Commissioner Stephenson said that if a person is building a home then no Special Exception is needed. He said this should be reserved for recreational areas and a time limit should be established for the length of stay in the RV.

Attorney Watson said the Board is trying to make decisions that benefit the citizens and the county. She said that a person also needs to verify the zoning of their property.

Ms. Willis spoke to the Board and said the RV Special Exception process is confusing and she was told this is no longer in practice.

Commissioner Mills and Commissioner Storey both said the RV Special Exceptions are on hold.

Mr. Wright said the RV Special Exception is a step by step process. He said the pole barn is another process.

Commissioner Hatch clarified that new RV Special Exception requests are on hold.

Attorney Watson said the Board placed a temporary moratorium on this matter. She said there was some confusion with that interpretation.

Commissioner Mills said the Board wants to get ideas on how to change the process and get both an RV Special Exception and a pole barn at the same time.

Mr. Wright said that the RV Special Exception process is for a land use item. He said the pole barn process is a building permit application for a variance use because there is no primary residence or structure on the site. He said that legitimate Agricultural land has a Federal ID and getting a pole barn is no problem for them. He said that all others are required to have engineered plans for a pole barn.

Commissioner Hatch suggested approving Special Exceptions and pole barns at the same meeting.

A concerned citizen commented that vacationing in a RV and living in a RV is a separate matter.

Mr. Wright said that areas near Gornto Springs are considered low and are not eligible for septic tanks. He said the permit must be applied for first to help find out if it's even possible.

A concerned citizen stated that an RV should not be a permanent home.

Commissioner Mills said the issue is how to limit people living in their campers next to permanent homes.

Mr. Wright said this procedure does work and everyone is notified.

Commissioner Hatch said there is a lot of people here expressing a lot of concern.

Mr. Wright said that Code Enforcement is helping with the issue.

Commissioner Hatch asked how many Code Enforcement violation cases for RV's are on the books.

Code Enforcement Officer Steve Fremmen replied 67. He said there are many people living off the grid in Dixie County.

Mr. Wright said an Ordinance is needed to help deal with this issue.

Mr. Lee Boyer spoke to the Board and said he is also in the middle of the process and wants to know when he can move forward.

Attorney Watson asked if the paperwork for the permit can be held until the other items have been completed in the application packet.

Mr. Wright replied no because it is a lot of paperwork.

Commissioner Stephenson said that the Town of Suwannee is a good area for RV's because most of the lots are too small to build on.

Ms. Sarah Ross spoke to the Board and said overgrowth is the issue. She said that Dixie County has the reputation for cheaper impact fees and taxes.

Commissioner Hatch said the Board has discussed raising the impact fees and did not follow through. He said the Special Assessments have recently been raised.

Mr. David Walters spoke to the Board and said he found Dixie County through the realtor because he was looking for a county that allows RV's.

Commissioner Hatch said the goal is to stop people from living in their campers' full time.

Commissioner Mills said the fees must be fair for all and everyone must agree.

Mr. Wright said the state law says that a person must be able to move the RV.

A concerned citizen commented that if a person is going to build in the future then they should get a permit.

Mr. Mike Tegar asked the Board when he can move forward with the process.

Mr. Wright explained the process for the renewals of the RV Special Exception and the pole barns. He said they are mailed out and payable in April, then a site visit can be done, and they will be able to gather exact numbers that they can follow up on for Code Enforcement issues.

Commissioner Stephenson said that Dixie County is a poor county. He said that other counties have issues with RV's too.

Commissioner Storey said they will vote on the issue at the next Board meeting.

Ms. Kay McCallister said she will get with the County Manager and put together a proposal about the Airbnb for the next Board meeting.

Attorney Watson said they should have a county and a state license for the rentals.

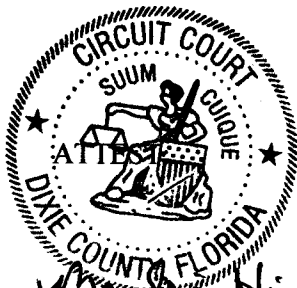
Mr. Wright said the process will be even better when the Land Development Board is separate from the Board of County Commissioners.

PUBLIC COMMENTS AND CONCERNS

There were no comments or concerns expressed at this time.

ADJOURN

Commissioner Stephenson made the motion to adjourn at 4:30 PM. Commissioner Hatch seconded. Board approved.



BOARD OF COUNTY COMMISSIONERS
DIXIE COUNTY, FLORIDA

Jamie Storey

Jamie Storey, Chairman

Barbie Higginbotham

Barbie Higginbotham, Clerk-Auditor

PLEASE BE ADVISED that if a person decides to appeal any decision made by the Board with respect to any matter considered at such meeting or hearings, he/she will need a record of the proceedings, and for such purpose, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

“Persons with disabilities requesting reasonable accommodations to participate in this proceeding should contact (352) 486-4931 (Voice & TDD) or via Florida Relay Service at (800) 955-8771.”

The Board meets the first Thursday of each month at 10:00 AM and the third Thursday of each month at 6:00 PM. Individuals that would like to be placed on the agenda should call Barbie Higginbotham, Clerk of Court, by 4:00 PM on the Friday Preceding the Board meeting, at (352) 498-1200.