

ARTICLE 16 REGULATIONS PERTAINING TO HOME-BASED BUSINESSES

SECTION 1601 HOME OCCUPATIONS

Applications for home occupations may be approved by the Director of Land Planning & Development Services, provided that all of the following regulations and requirements are met. However, the Director shall have the discretion, where the appropriateness of a proposed use as a home occupation may be in question, to require hearing and approval of any such application by the Board of Zoning Adjustment.

- 1601.01 General Restrictions.** The home occupation shall be clearly incidental to the residential use of the dwelling; shall not change the essential residential character of the dwelling; and shall not adversely affect the uses permitted in the zoning district in which it is located. No home occupations shall be permitted which might interfere with the general welfare of the surrounding residential area due to potential noise, increased pedestrian and vehicular traffic, or any other conditions which would constitute an objectionable use of residentially-zoned property.
- 1601.02 Limitation of Type of Home Occupation.** Home occupations shall be limited to an office, or a business of a personal service nature.
- 1601.03 Limitation on Area.** The use of a dwelling for a home occupation purpose shall be limited to twenty-five percent (25%) of one floor of the principal building. The use of accessory buildings in conjunction with any home occupation shall be limited to an area no larger than twenty-five percent (25%) of the (total) floor area of the principal building.
- 1601.04 Confinement to Building.** The home occupation shall be confined entirely to the principal building and accessory building; however, no outside storage of any kind will be permitted in connection with any home occupation.
- 1601.05 Employment Limitations.** Employment shall be limited to members of the family residing in the dwelling with which the home occupation is associated; there shall be no employment of persons who are not members of said resident family.
- 1601.06 Sale of Products.** No display of products shall be visible from the street, and only articles made on the premises may be sold on the premises. However, non-durable articles (consumable products) that are incidental to a service being provided as part of a properly-permitted home occupation may be sold on the premises.
- 1601.07 Limitation on Patrons.** All home occupations shall be restricted such that there shall not, at any time, be more than two persons (who are not members of the resident family) on the premises for any reason related to such home occupation. Similarly, instruction in music, dance and similar subjects shall be limited to two students at any one time.

- 1601.08 Time Restrictions.** There shall be no operation of, or any activity related to, any home occupation before 7:00 a.m. or after 10:00 p.m.
- 1601.09 Signage Restriction.** There shall be no signage erected or displayed on the premises that in any way identifies or advertises a home occupation.
- 1601.10 Review.** All home occupations will be reviewed annually, upon issuance of the business license, for compliance with the regulations of this Section.
- 1601.11 Renewal.** Failure to renew a business license will rescind any prior approval that may have been issued by the Department of Land Planning & Development Services (permitting a home occupation), and may result in a re-application fee at the discretion of the Director of Land Planning & Development Services.
- 1601.12 Fee.** An application fee in accordance with Article 18, Section 1803 of this Resolution, shall be charged for each home occupation.

END SECTION 1601

SECTION 1602 HOME DAY CARES

Home day cares, as permitted in specified zoning districts under Article 6 of this Resolution, shall be subject to the following regulations and requirements at all times:

- 1602.01** Proof of current licensure through the Department of Human Resources and/or other appropriate federal, state or county regulatory agency.
- 1602.02** Compliance with all of the regulations and requirements of the licensing agency referred to hereinabove.
- 1602.03** At no time shall there be more than six (6) children kept on the premises in conjunction with a home day care operation (excluding the children of the licensed operator).
- 1602.04** The operator of a home day care shall be a resident of the home in which said day care is operated.

END SECTION 1602