

HOME OCCUPATION.

An occupation carried on in a dwelling unit by the resident thereof; provided that the use is limited in extent and incidental and secondary to the use of the dwelling unit for residential purposes and does not change the character thereof.

6-8-6 Home Occupations

Where permitted as an accessory use in Part 3, a home occupation shall be subject to the following standards.

A. General Standards

- (1) A home occupation is that accessory use of a dwelling that shall constitute all or some portion of the livelihood of a person or persons living in the dwelling. The home occupation shall be incidental and subordinate to the use of the premises for residential purposes.
- (2) There shall be no change in the outside appearance of the building or premises or other evidence from the outside of the conduct of a home occupation.
- (3) No equipment or process shall be used which creates noise, vibration, glare, fumes, odors or electrical interference. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises.
- (4) Instruction in music, dancing and similar subjects shall be limited to two students at a time.
- (5) All activities involving outside visitors, clients or deliveries shall be limited to the hours between 8 A.M. and 9 P.M.
- (6) Off-street parking shall be provided at the rate of one space per 200 square feet of home occupation floor area. The off-street parking spaces required for the home occupation shall be maintained in addition to the space or spaces required for the residence itself. No parking spaces, other than driveways, may be located in the required front yard setback. Parking spaces shall be screened from adjacent parcels with residential zoning using tree and shrub plantings, earthen berms, low walls or a combination of these methods to establish a visual screen at least 36 inches above the highest surrounding grade within two years of installation.
- (7) No display pertaining to the home occupation shall be visible from outside the dwelling.
- (8) In the R-4 district, home occupations shall be permitted only as accessory uses to detached dwelling units.
- (9) The area devoted to the home occupation shall not exceed 25 percent of the ground floor area of the principal structure.
- (10) A home occupation may be allowed in an attached dwelling unit provided that such dwelling unit has a primary exterior entrance.

B. Home Occupation Types

Home occupations shall be separated into two categories and permitted subject to the following provisions.

(1) Type 1 Home Occupation

A Type 1 Home Occupation shall be deemed an accessory use for a detached dwelling unit and no further approval shall be required. Such home occupation shall meet the following standards.

- (a) The business shall be conducted entirely within a dwelling or integral part of a dwelling and have no outside storage of any kind related to the home occupation.
 - (b) The business shall be clearly incidental and secondary to the principal use of the dwelling.
 - (c) The business shall be conducted only by persons residing on the premises (nonresident employees are not permitted).
 - (d) There shall be no identification sign, display or advertising of the home occupation on the site or structures.
 - (e) The business shall involve no on-site retail sales or services, and shall not include any storage, pick-up or delivery of merchandise or equipment.
- (2) Type 2 Home Occupation**

Following approval as a special use by the ZBA, a limited business operation may be conducted as a Type 2 Home Occupation. Upon demonstration of continued compliance with the conditions of the original approval, the Commissioner of Building shall bi-annually renew the special use permit. If violations are determined, then a new application for a special use permit shall be submitted to the ZBA. The Commissioner of Building may inspect the premises without prior notice during normal business hours.

Such home occupation shall meet the following standards.

- (a) The home occupation may have only one nonresident employee, assistant or associate.
- (b) No more than one unlighted sign not more than two square feet in size, identifying the resident and the business, attached flat against the building, shall be permitted. Such sign may be allowed in the required front yard along an arterial or collector street upon approval by the ZBA.

C. Exclusions to Home Occupations

No home occupation shall be permitted that has any of the following characteristics:

- (1) Internal or external alterations inconsistent with the residential use of the building;
- (2) Except for signage and parking as permitted under this Ordinance, home occupation activities shall not be visible from the street;
- (3) Creates a hazard to persons or property;
- (4) Results in electrical interference;
- (5) Is a nuisance; or
- (6) Results in outside storage or display.

D. Prohibited Home Occupations

The following are prohibited as Home Occupations:

- (1) Automobile and/or body and fender repairing;
- (2) Greenhouse, commercial nurseries and truck farming;
- (3) Food handling, processing or packing, other than catering services that utilize standard home kitchen equipment;
- (4) Repair, manufacturing and processing uses; however, this shall not exclude the home occupation of a seamstress where goods are not manufactured for stock, sale or distribution;
- (5) Restaurants; and
- (6) Uses which entail the harboring, training, raising or treatment of dogs, cats, birds or other animals on-site.