

Home Occupation

Sec. 59-89. Home occupations allowed. Upon application to and issuance by the department of zoning administration of a permit therefor, the following uses may be operated as home occupations according to the zone district chart in a single unit dwelling or in each dwelling unit in a multiple unit dwelling and subject to the following limitations:

(1) *Permitted home occupations* :

- a. Adult care home;
- b. Beauty shop;
- c. Child care home, small; need not be enclosed;
- d. Craftwork;
- e. Custom dressmaking, millinery, tailoring, sewing of fabric for custom apparel and custom home furnishings;
- f. Fine arts studio, in which are created only individual works of art. In the R-3 and R-3-X zone, the restoration of individual works of art is permitted subject to review by the fire department;
- g. Foster family care;
- h. Laundering, pressing;
- i. Office, in which chattels, goods, wares or merchandise are not commercially created, displayed, exchanged, stored or sold;
- j. Repairing of clocks and watches but not including the sale of such items;
- k. Rooming and/or boarding, providing the single unit dwelling contains no more than one (1) kitchen. In the R-1 zone if the single unit dwelling is occupied by two (2) unrelated adults over the age of eighteen (18) years, one (1) roomer and/or boarder is allowed. In all other cases, not more than two (2) roomers and/or boarders are allowed;
- l. Tutoring, of not more than four (4) students simultaneously;
- m. Other similar home occupations as permitted by the zoning administrator according to the requirements and procedures explained below:

1. Conditions for approval. In order to be approved the administrator must determine that:

- i. The proposed use in no way diminishes the use and enjoyment of adjacent conforming properties;
- ii. The proposed use will not alter the residential character of the subject property or reduce its future value as a residence; and
- iii. The proposed use will not adversely affect the public health, safety or welfare.

2. Review process. Upon receipt of an application for such occupation, the provisions of section 59-41(b) shall be followed. In approving such applications the administrator may impose additional restrictions (regulating the hours of operation, the number of vehicle trips to or from the zone lot, etc.) to protect the value and enjoyment of adjacent conforming properties. Any approval shall be personal to the applicant while residing at the property specified in the application. If after the issuance of a permit, a written complaint is received by the zoning administrator, and evidence is found indicating a violation of any of the criteria, limitations or conditions, the zoning administrator shall immediately revoke the permit. Upon revocation of the permit, the activity will cease immediately and will not be operated unless the decision of the zoning administrator is overruled, upon appeal, by the board of adjustment.

(Ord. No. 468-05, § 9, eff. 7-15-05)

(2) *Limitations on permitted home occupations.* All home occupations operated in a single unit dwelling or in a dwelling unit in a multiple unit dwelling shall be considered a single unit which may be operated only if it complies with all of the following conditions:

- a. Is operated in its entirety within the single unit dwelling or dwelling unit and only by the person or persons maintaining a dwelling therein;
- b. Does not have a separate entrance serving the home occupation from outside the building;
- c. Does not display or create outside the building any external evidence of the operation of the home occupation except, for each street front of the zone lot on which the building is located, one (1) unanimated, nonilluminated flat or window sign having an area of not more than one hundred (100) square inches;

- d. Does not utilize more than twenty (20) percent of the gross floor area, but not to exceed three hundred (300) square feet, in the single unit dwelling or dwelling unit; provided, however, that this limitation shall not apply to foster family care, adult care home, small child care home, craftwork or fine arts studio;
 - e. Does not have any employees or regular assistants not residing in the single unit dwelling or dwelling unit;
 - f. Is limited to the use of electric motors for power, with a total limitation of three (3) horsepower;
- (3) Chart of home occupations as permitted by zone district.

An "X" indicates a permitted home occupation use.

TABLE INSET:

Home Occupation/Zone District	R-0	R-1 R-2 R-2-A R-2-B	CCN R-3 R-3-X R-4 R-4-X	B-1 B-2 B-3 B-4 B-5 B-7 B-8 B-8-A B-8-G I-0 I-1 I-2 PRV Gateway	B-A-1	MS-1 MS-2 MS-3	R-MU-20 R-MU-30 C-MU-10 C-MU-20 C-MU-30 T-MU-30
Adult care home	X	X	X		X	X	X
Beauty shop		X	X		X	X	X
Child care home, small	X	X	X	X	X	X	X
Craft work		X	X		X	X	X
Custom dressmaking		X	X		X	X	X
Fine arts studio		X	X			X	X
Foster family care	X	X	X		X	X	X
Laundering		X	X		X	X	X
Office	X	X	X		X	X	X
Clock and watch repair		X	X		X	X	X
Rooming and/or boarding		X				X	X
Tutoring		X	X		X	X	X
Other similar home occupations		X	X		X	X	X

(Ord. No. 660-05, § 5, eff. 9-16-05; Ord. No. 340-06, § 4, eff. 6-9-06)

(Ord. No. 361-03, § 3, eff. 5-23-03; Ord. No. 895-03, § 10, eff. 12-2-03)