

39-811 Home Occupations

It is the intent of these regulations to ensure that a home occupation as an accessory use is so located and conducted that the average neighbor, under normal circumstances, would not be aware of its existence. These standards for home occupations are intended to ensure compatibility with other permitted uses and with the residential character of the neighborhood.

39-811.1 Home Occupation Restrictions

A home occupation may be an accessory use in any residential district subject to the following conditions:

1. A home occupation shall be clearly incidental and secondary to the use of the dwelling for residential purposes and shall not change the character thereof or adversely affect the uses permitted in the residential district of which it is a part.
2. Home occupations shall be conducted entirely within an existing dwelling unit and enclosed accessory structures. No alteration shall be made in either the internal or external structural form of the residential building or external appearance for purposes of home occupation. The removal of partitions or floors or parts thereof, shall be construed as such an alteration and is therefore prohibited.
3. No more than 25%, up to 600 square feet, of a residence and accessory structures may be used for home occupations.
4. There shall be no outside storage of any kind related to a home occupation.
5. No home occupation shall increase traffic or parking greater in volume or different in nature than would otherwise normally occur in the residential neighborhood in which it is located.
6. Customers or clients may not come to the premises.
7. Stables or kennels for the boarding or breeding of animals is prohibited. The salvage or repair of motor vehicles is also prohibited.
8. Only the residents or property owner may be employed at a residence as part of a home occupation.
9. No home occupation shall create sounds, noise, dust, vibration, smell, smoke, heat, humidity, glare, radiation, electrical interference, fire hazard or any other hazard, nuisance or unsightliness which is discernible beyond the property.

10. Delivery and/or pick-up of products and materials related to home occupations shall occur no more than once per day and be limited to vehicles with 6 or less wheels.
11. With the exception of one delivery/pick-up per day, as specified above, no more than one (1) commercial vehicle shall be allowed on the premises at any one time.
12. Exterior signage of every type is not permitted.
13. Waste products and volume shall not exceed that normally associated with single-family dwellings, including without limitation, paper products, radioactive materials, solid wood or wood products, food, plastic or metals and must not, in any event, result in the home producing an overall volume of waste which exceeds the average volume of waste for other homes within the district by 10%.

39-811.2 Exemptions

The following special exceptions to activity otherwise restricted by 39-811.1 shall be permitted:

1. Non-residential uses as permitted in 39-801 paragraph (f) are exempt from the provisions of 39-811.
2. Occasional garage/lawn/yard, art, or craft sales are permitted up to twice per year, for up to two (2) days each.
3. Delivery of services (such as architect, attorney, clergy, engineer, tax consultant, etc.) are permitted subject to the following:
 - a. no more than 1 client vehicle at any time; off-street parking must be available and utilized
 - b. only occasional and incidental client visits are permitted
 - c. clients are permitted between the hours of 9:00am and 6:00pm
 - d. all other requirements of 39-811.1 must be met

4. The following uses are permitted for the care of children, and for both adult and child educational purposes in recognition of the benefits that child care and educational home occupations provide to the community at large.

a.) Instruction in music, dance, arts and crafts, or tutoring services within an enclosed building, but limited to two pupils at one time, is permitted subject to the following:

1. Clients are permitted between the hours of 7:00 a.m. and 9:00 p.m.

2. Off-street parking must be provided and utilized.

3. All other requirements of 39-811.1 must be met, except subparagraphs (5) and (6).

b.) The care of not more than four (4) children for compensation is permitted subject to the following:

1. Off-street parking must be provided and utilized.

2. The hours of operation shall be limited to 7:00 a.m. to 7:00 p.m.

3. Outdoor play shall be limited to occur between the hours of 10 a.m. and 7:00 p.m.

4. All other requirements of 39-811.1 must be met, except subparagraphs (2), (5) and (6).

39-811.3 Non-compliance

Operation of a non-compliant home occupation shall be subject to a fine of \$250.00 plus an additional fine of \$100.00 per day for each day of further operation after the initial citation.