

ARTICLE XIV

SUPPLEMENTARY DISTRICT REGULATIONS

SECTION 10. HOME OCCUPATIONS. Home occupations shall be permitted in the "A-L", "M – H" and all residential zones, subject to the following restrictions and limitations:

1. Restrictions and Limitations: Home occupations shall meet all of the following conditions:

- a. The residential character of the property is maintained.
- b. The activity is conducted in such a manner as not to give an outward appearance nor manifest any characteristic of a business in the ordinary meaning of the term, nor infringe upon the right of neighboring residents to enjoy the peaceful occupancy of their homes.
- c. No display or storage shall indicate from the exterior of the buildings that they are being used in part for any purpose other than a dwelling or accessory building.
- d. Not more than one (1) non-illuminated nameplate is used. The name plate shall be attached to the building and shall not exceed one (1) square foot in area.
- e. No equipment or process shall be used in such home occupation, which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses of a person off the lot if the occupation is conducted in a residence, or outside the individual dwelling unit if conducted in other than a residence. 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 or causes fluctuations in line voltage off the premises.
- f. No traffic shall be generated by such home occupation in substantially greater volumes than would normally be expected in a residential neighborhood.
- g. There shall be on file in the office of the City Clerk a consent agreement to the proposed home occupation signed by seventy-five (75) percent of all owners of property within two hundred (200) feet of the property whereon such use is to be operated.

- h. A letter of consent shall also be required from the owner of record for a property to be used for home occupation purposes. This shall specifically apply to rental properties. This letter of consent shall be submitted with the consent petition required in paragraph «g»
- i. The owner shall have received from the Board of Zoning Appeals a Special Use Permit to operate such home occupation in accordance with the provisions of this Ordinance and other applicable rules and regulations. Such permit shall be personal to the applicant thereof and shall not be assignable.
- j. Review of a Home Occupation Permit shall be considered by the Board of Zoning Appeals, with regard to revoking the permit if a review petition stating problems with regards to the home occupation has been submitted and signed by fifty (50) percent of all owners of property within two hundred (200) feet of the premises whereon the home occupation is conducted.
- k. The following uses shall not in any event be considered home occupations within the meaning of this definition:
 - 1) Funeral homes.
 - 2) Nursery schools unless specifically permitted by the district regulations.
 - 3) Restaurants.
 - 4) Small grocery stores.
 - 5) Stables, animal kennels, or hospitals.
 - 6) Tourist homes, unless specifically permitted in the district.
 - 7) Renting of trailers or equipment.
 - 8) Auto and other vehicle repair

2. Power of Zoning Administrator. The Zoning Administrator is hereby authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this article, including, in addition to others herein granted, the power to:

- a. Investigate any home occupation or alleged home occupation, to determine whether or not such is in compliance with the provision of this article.
- b. Enter upon premises for the purpose of making examination; provided, that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession, and obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted.

- c. Delegate any of his functions and powers under this article to such officer, agents and employees as the Zoning Administrator may designate.

- d. **Staff can approve the following without a hearing:**
Home Occupation generating no apparent sign of such activity (such as increased traffic, pedestrian or vehicular, lights, odors, sounds, vibrations, electrical demands, communications, interference, signage, (other than the basic sign allowed), or employees other than members of the immediate family resident therein. No special use application, review or permit will be required unless a complaint is received then it will be subject to review and approval by the Board of Zoning Appeals for special use status.