Rules and Regulations for Home Occupations & No Impact Home Based Businesses

HOME OCCUPATION

An activity for gain carried on entirely within a dwelling, or in a building accessory to a dwelling, by the inhabitants of said dwelling in accordance with § 220-65 of this chapter. The home occupation shall be clearly accessory to the residential use of the dwelling and shall not alter the character of the dwelling or of its neighborhood. There shall be no exterior evidence of the home occupation, except for a sign as permitted by § 220-61C of this chapter.

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§ 220-65. Additional regulations for home occupations.

A. A dwelling unit or accessory structure on a residential lot having direct access to a public street may be used for the practice of a home occupation, provided that such occupation is clearly incidental or secondary to the use of the property as a residence, and further provided that such use of the dwelling does not change the character thereof or have any exterior evidence of such secondary use other than a small sign as permitted by § 220-61, above.

B. Standards for home occupations.

(1) Home occupations shall be limited to the employment on the premises of not more than two persons not resident therein, in addition to the resident(s), at any one time.

(2) Parking.

(a) A minimum of two off-street parking spaces, in addition to those required for the residential unit, shall be required for all home occupation uses which will be visited by customers or clientele. No on-street parking will be permitted to support a home occupation.

(b) One additional parking space, in addition to those required for the residential unit and as may be required by Subsection B(2)(a) above, shall be provided for each employee not residing within the dwelling.

(3) The area utilized for the conduct of a home occupation shall not exceed 50% of the total floor area of the principal dwelling unit, regardless of whether the home occupation is carried out within that dwelling or in an accessory building.

§ 220-61. Sign regulations.

C. Signs permitted in residential and agricultural districts.

(1) Signs advertising a home occupation, nameplates displaying the name and address of the occupant, and nameplates displaying the profession or activity of the occupants of a dwelling are permitted, provided that not more than one such sign shall be erected for each permitted use and further provided that the area of each such sign shall not exceed two square feet. Each such sign shall either be fixed flat on the main wall of the principal structure (or of the accessory structure housing a home occupation) or shall be erected within the front yard not less than 10 feet from the street right-of-way line.

NO-IMPACT HOME-BASED BUSINESS

A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:

A. The business activity shall be compatible with the residential use of the property and surrounding residential uses.

B. The business shall employ no employees other than family members residing in the dwelling.

C. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.

D. There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.

E. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.

F. The business activity may not generate any solid waste or sewage discharge in volume or type which is not normally associated with residential use in the neighborhood.

G. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.

H. The business may not involve any illegal activity.

APPLICATION FOR A HOME OCCUPATION OR NO IMPACT HOME BASED BUSINESS

HOME OCCUPATION QUESTIONNAIRE

Please answer the following questions:

1. Will the Home Occupation be conducted entirely within the principle residence? Yes___ No___

2. Will the Home Occupation be conducted entirely within an accessory building? Yes___ No___

3. Will the Home Occupation be secondary and incidental to the residential use of the property? Yes___ No___

4. Will the owner/proprietor of the Home Occupation be a resident of the property? Yes___ No___

5. Will there be more than one (1) person other than immediate family members residing on the property involved in the Home Occupation? Yes___ No___

6. Will more than the equivalent of fifty percent (50%) of the floor area of the dwelling or accessory structure be used for the Home Occupation? Yes___ No___

7. Will the display of products be visible from outside the buildings in which the Home Occupation is to be conducted? Yes___ No___

8. Will there by any storage of product, materials or equipment used in the Home Occupation in any place except in a fully enclosed building? Yes___ No___

9. Will any equipment be installed for the Home Occupation. If yes, list equipment. Yes___ No___

10. Will there be any outside advertising sign? Yes___ No___

11. Will the Home Occupation serve patrons or attract customers, clients or students to the property? Yes___ No___

12. Will the Home Occupation generate a volume of traffic that will cause congestion or affect neighboring properties? Yes___ No___

13. If the Home Occupation is to serve patrons, is there available at least two off-street parking spaces for patrons and one space for each worker not in residence, and two spaces for the residential unit? Yes___ No___

14. Will the Home Occupation generate or discharge to a sewer system any waste water or effluent? Yes___ No___

15. Will the Home Occupation involve the use of explosive, flammable, caustic, hazardous or potentially dangerous materials? Yes___ No___

16. Will the Home Occupation create any noise, odor, dust, vibration, electromagnetic interference, smoke, heat or glare perceptible at or beyond the property boundary lines?
Yes___ No___

17. Has the Applicant made a written application to Maidencreek Township for any other permits?
Yes____ No____

18. Is the Applicant familiar with Section 1313 of the Maidencreek Township Zoning Ordinance?
Yes___ No___

19. Does this proposed Home Occupation comply with the provisions of Section 1313?
Yes___ No___

20. Does this proposed Home Occupation have to do with the preparation of any type of food products? Yes___ No___

If Yes, applicant must have approval from the Department of Agriculture.

21. After you have answered all the above questions, please explain each item of noncompliance: (Applicant must attach a plot plan of the property showing all structures, parking, driveways, etc.)

_____
_____
_____
_____
_____
_____

By signing below and submitting the attached application for Home Occupation, the Applicant(s) certify:

That all the information and statements on the attached application any any documents or plans filed in this matter are true and correct to the best of the applicant's knowledge, information and belief and applicant(s) will comply with the conditions of the Maidencreek Township Zoning Ordinance.

Date:_____ _____
Applicant's signature

Municipality: Maidencreek Township County: Berks Permit No: _____

ZONING PERMIT APPLICATION

A. LOCATION AND OWNERSHIP OF PROPOSED WORK OR IMPROVEMENT

Street and Number: _____

Deed Owner(s)Name&Address _____

Applicant(s)Name&Address _____

Phone Number _____ Cell Phone Number _____

Zoning District (as shown on Zoning Map): _____

Present Tenant: _____

B. PRESENT USE OF LAND ___Residential ___Commercial

Present use of structure: _____

Number of Families: _____

Present Building (Description):_____

Present Use of Land:_____

Is any portion of the property located in a FEMA Flood Plain? ___Yes ___No

Is the site located within a Historic District? ___Yes ___No

C. PROPOSED WORK OR IMPROVEMENT (check one)

___New Construction ___Addition __ Interior Alteration ___Exterior Alteration

___Fence ___Accessory Structure __ Deck Cost of Construction $ _____

___Sign (Drawing of sign must be submitted with this application)

___Change in Use Present Use_____Proposed Use_____

Describe proposed work: _____

_____

Is the proposed structure or use located in FEMA designated flood plain __Yes __No

D. PROJECT DIMENSIONS

PLOT DIMENSIONS		SETBACKS		DIMENSIONS	
Frontage	ft.	Front	ft.	Width	ft.
Depth	ft.	Side A	ft.	Depth	ft.
Area	sq. ft.	Side B	ft.	Height	ft.
Irregular plot		Rear	ft.	Stories	

SIGNAGE:

Type: _____

Number: _____ Size: _____ sq. ft.

E. APPLICATION

Application is hereby made for a permit to erect or alter a structure which shall be located as shown on diagram on reverse side of this sheet and/or to use the premises for the purposes described herewith. The information which follows, together with local diagram, is made part of this application by the undersigned. It is understood and agreed by this applicant that any error, misstatement or misrepresentation of material fact, either with or without intention on the part of this applicant, may cause refusal of this application, or any change in the location, size or use of structure or land made subsequent to the issuance of this permit, without the approval of the Zoning Officer, shall constitute sufficient grounds for the revocation of permit.

Applicant's Signature _____ Date_____

Owner, Lessee or authorized agent for owner of subject property _____

F. PLOT PLAN SKETCH

Note: The property owner and applicant assumes the responsibility of locating all property lines, easements, rights-of-way, flood areas, etc. Property owner and applicant shall not construct or erect structures or encroach into the Municipality's right-of-ways.

G. APPLICATION AND DATES OF ACTION TAKEN (OFFICIAL USE ONLY)

Application approved: ___Yes No.___ _____ _____
Zoning Official Signature Date

If denied, Reason for Denial of Application:_____

_____

NOTE: The applicant has the right to appeal the denial of this application to the Municipality's Zoning Hearing Board within 30 days from the date of denial pursuant to procedures set forth in the Pennsylvania Municipalities Planning Code, as amended.

Applied to Zoning Hearing Board:_____Date:_____Appeal___Yes ___No

Board's Decision: ___Granted ___Denied Date: _____

Order: _____

_____

Please note: all applications are to be submitted to and all inspections are to be called into Maidencreek Township Office at the address and phone number listed below.

Maidencreek Township
1 Quarry Road
P.O. Box 319
Blandon, PA 19510
Phone (610) 926-4920
Fax (610) 926-6314

Systems Design Engineering, Inc.
1032 James Drive
Leesport, PA 19533
Phone (610) 916-8500
Fax (610) 916-8501

MAIDENCREEK TOWNSHIP

CERTIFICATE OF OCCUPANCY FORM

Date:_____ Fee:_____

Owner:_____ Phone:_____

Property Address:_____

Mailing Address:_____

Lessee:_____

Existing or Former Use:_____

_____

Proposed Use:_____

_____

Subdivision(if applicable): _____

Description of Use:_____

_____

_____

_____

_____

NOTE: Application shall include plot plans showing dimensions of lots, location of buildings or structures on lots, dimensions of front, side, rear yards, courts and floor plans.

* If required, evidence of approval by the Commonwealth of Pennsylvania shall also be submitted.

* Misrepresentation of facts and conditions, approvals granted through malice or negligence shall not be deemed a legal permit.

I hereby certify that the information supplied and herewith is true and correct to the best of my knowledge.

_____ _____

Applicants Signature Date