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 § 220-66 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.

§ 220-66. 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 220-66 of the Maidencreek Township Zoning Ordinance?

Yes____ No____

19. Does this proposed Home Occupation comply with the provisions of Section 220-66?

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 of the property showing all structures, parking, driveways, etc.)

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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 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 Signature:_____