

## **5.1 SPECIAL DEVELOPMENT REQUIREMENTS:**

**5.2.3 HOME OCCUPATION III:** This use is intended to be allowed in zone districts where residential uses are permitted in combination with large acreage parcels (*nine 9 acres or larger*). This use is an accessory use provided all of the following conditions are met:

**5.2.3.1** Such use shall be clearly incidental and secondary to the use of the residence for dwelling purposes and shall not change the character so as to give an outward appearance nor manifest any characteristic of a business.

**5.2.3.2** There shall be no exterior advertising other than identification of the home occupation; such sign shall not be larger than ten (10) square feet and shall not be illuminated; such sign shall be subject to other portions of this Resolution pertaining to signs.

**5.2.3.3** Such use shall be conducted by the inhabitants living in the principal dwelling and no more than two (2) employees.

**5.2.3.4** The use may be conducted within a residence and/or a detached structure provided it complies with the size requirements and any other applicable regulations. Such use may be conducted outdoors provided all other provisions of the home occupation are met.

**5.2.3.5** The maximum area devoted to the home occupation by the use of a detached structure is one-thousand-five-hundred (1500) square feet. If the home occupation is to be used within a residence, the home occupation may be wholly contained within the residence.

**5.2.3.6** There shall be only incidental sale of stocks, supplies, or products conducted on the premises.

**5.2.3.7** Outdoor storage on the premises of material or equipment used as a part of the home occupation will be allowed, but shall be limited to one-thousand (1,000) square feet and will be required to be screened by an opaque security fence six (6) feet in height constructed of metal, wood, or masonry, except for contractor's yard or building. Outdoor storage of vehicles, and material used as part of the contractor's yard will be allowed if the following requirements are met as per the following:

**5.2.3.7.1** The outdoor storage area for vehicles and equipment shall be set back a minimum of seventy-five (75) feet from all property lines;

**5.2.3.7.2** If the outdoor storage area shall be contained by an opaque screen (fence or vegetation), in accordance with Section 5.7.15.1 of this resolution, along all portions of the property being used for the outdoor storage area, which do not meet the required seventy-five (75) foot setback from the property line, then the following will be allowed:

**5.2.3.7.2.1** A maximum of five thousand (5,000) square feet for the outdoor storage area.

**5.2.3.7.2.2** A maximum of five (5) vehicles which are used or associated with the home occupation.

**NOTE: ALL CONTRACTOR'S YARDS AND BUILDINGS IN EXISTENCE AS OF APRIL 26, 2011 WILL BE ALLOWED TO CONTINUE AS THEY EXISTED ON THE SPECIFIED DATE AND WILL BE SUBJECT TO SECTION 5.7 OF THIS RESOLUTION.**

**5.2.3.8** A Home Occupation III shall provide additional off-street parking area adequate to accommodate all needs created by the home occupation, including one (1) space for each employee.

**5.2.3.9** Not more than two (2) commercially licensed vehicles or vehicles containing equipment or advertising is parked on the premises related to the home occupation.

**5.2.3.10** No mechanical equipment is operated except such as normally used for purely domestic or household purposes; and provided further that in the pursuit of such home occupation, no equipment shall be used that creates noise, dust, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used that creates visual or audible interference in any radio or television receiver off the premises or causes fluctuations in line voltage off the premises.

**5.2.3.11** More than one (1) home occupation may be conducted in or on the same premises provided that the cumulative affect does not exceed any of the requirements of Home Occupation III.

**5.2.3.12** A Home Occupation III may include the following uses or any similar use or use which has similar neighborhood and infrastructure impacts: art studio, beauty parlor, barber shop, dressmaking, photography services, telephone marketing, machine shop, carpentry shop, upholstery shop, minor vehicle or boat repair shop (*not to include paint and body work also not to allow the storage of inoperable vehicles and boats*) gun repair shop, taxidermy, personal semi-tractor/trailer parking (*two (2) units maximum*), dog grooming, paint striping, nail salon, family child care home (*not more than eight (8) children, not including the resident's children*), professional offices

(*i.e., legal, medical, dental, surveying, engineering, architectural, planning, accounting, insurance*), and contractor's yard (*see Section 5.2.3.7*).

**5.2.3.13** A Home Occupation III shall not be interpreted to include the following or any similar use or use which has similar neighborhood and infrastructure impacts: retail store, nursing home, hospital, medical clinic, kennel, restaurant, lounge, financial institution, paint shop, rafting office, museum, and boarding and rooming houses.

**5.2.3.14** All applications for Home Occupation shall include the identity of all agencies of local, state, or federal government that will be required to issue any permit, license or the like for all or any part of the activity that comprises the Home Occupation use.

**5.2.3.14.1** This item shall include the full name of the agency, contact information for the agency (*mailing address, telephone number, email address*) and the name of the contact person at the agency whom the applicant has been in contact with.

**5.2.3.14.2** This item shall include a summary of any permits, licenses or the like required, status of pending applications for the same, copies of pending applications and or copies of issued permits.

**5.2.3.15** The applicant shall provide any other information as may be required by the Department so as to determine the impacts of the proposed Home Occupation and whether or not approval of the same is appropriate.