

ARTICLE 16

HOME OCCUPATIONS

16.1 DEFINITION

The term "Home Occupation" shall mean any occupation conducted entirely within the dwelling unit and carried on only by persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the residential character thereof, and in connection with which there is no display nor stock in trade or commodities sold except those which are produced on the premises.

16.2 HOME OCCUPATION PERMIT REQUIRED

To assure compliance with the provisions of this Zoning Ordinance and to protect the character of residential neighborhoods in the City of Rossville, a Home Occupation Permit shall be obtained from the Office of the Code Enforcement Administrator.

16.3 PROCEDURE

When applicable, the Code Enforcement Administrator as directed from the Board of Zoning Appeals, may issue a Home Occupation Permit which shall state the Home Occupation permitted, the conditions attached thereto, and any time limitations imposed thereon. The permit shall not be issued unless the Board of Zoning Appeals is satisfied that the applicant will meet all of the conditions listed below, and that the applicant has agreed in writing to comply with all said conditions.

16.4 CONDITIONS

Each and every one of the following conditions must be observed at all times by the holder of a Home Occupation Permit:

1. No person other than members of the family residing on the premises and one receptionist/secretary and one assistant shall be engaged in the home occupation.
2. The Home Occupation shall be conducted wholly within the structure on the premises and shall not exceed twenty-five (25) percent of the total floor area of said structures. The Home Occupation shall not occupy any area within said structures which is required for off-street parking by the provisions of this Zoning Ordinance, (i.e., garage space).

3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling unit, except that a name place of four (4) square foot is permitted. In the "A-1" Agricultural District a name place of sixteen (16) square feet is permitted (See Article 3.2, No. 11).
4. There shall not be any exterior storage of any material related to the home occupation stored on the premises. Inventory and supplies for the Home Occupation shall not occupy more than fifty (50) percent of the permitted area.
5. There shall be no display, customer services, or sales of goods, wares, or merchandise except those made upon said premises.
6. No equipment or process shall be used in such home occupations which creates noise, 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 which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuation in line voltage off the premises.
7. All maintenance or service vehicles and equipment, or any vehicle bearing any advertising related to the Home Occupation, or any other similar vehicle shall be garaged or stored entirely within a building or structure.
8. The Home Occupation shall not generate pedestrian or vehicular traffic in excess of that customarily associated with the zone in which the use is located.
9. There shall be complete conformity with fire, building, plumbing, electrical, and health codes and to all state and city laws and ordinances.
10. The Home Occupation shall not cause a demand for municipal or utility services or community facilities in excess of those usually and customarily provided for residential uses.
11. The Home Occupation shall not alter the residential character of the premises or unreasonably disturb the peace and quiet of the neighborhood by reason of color, design, materials, construction, lighting, sounds, noises, or vibrations.
12. Any special condition established by the Board of Zoning Appeals and made of record in the Home Occupation permit, as they deem necessary to carry out the intent of this Section, shall be met.

16.5 HOME OCCUPATIONS PERMITTED

Customary home occupations include, but are not limited to, the following list of occupations provided, however, that each listed occupation shall be subject to the requirement of Article 15.2, Section 4 (Nonconforming Parking Facilities).

1. Dressmakers, seamstresses, and tailors.
2. Music teachers, provided that instructions shall be limited to one pupil at a time except for occasional groups.
3. Artists, sculptors, authors, or composers.
4. Ministers, rabbis, and priests.
5. Office facilities for accountants, salesmen, sales representatives, and manufacturer's representatives; when no retail, wholesale or exchange of goods are made or transacted on the premises.
6. Offices for architects, engineers, lawyers, realtors, insurance agents, brokers, accountants and the like where the service rendered is by other than direct contact with the customers at that location.
7. Homecrafts and hobbies.
8. Day care and the boarding of children as permitted within this Ordinance.
9. Sale of antiques.
10. Dentist, doctor and medical professionals.
11. Crafts.
12. Barber or beauty shops, provided that the service is limited to one chair and one operator only.

16.6 HOME OCCUPATIONS PROHIBITED

1. Dancing Schools.
2. Funeral Homes.
3. Nursery Schools and Group Day Care Centers, unless specifically permitted by the District Regulations.
4. Restaurants.

5. Stables or kennels.
6. Tourist Homes, unless specifically permitted by the District Regulations.
7. Renting of trailers.
8. Medical or Dental Clinics or Hospitals.
9. Animal Kennels or Hospitals.
10. Barber and Beauty Shops employing more than one operator and one chair.

16.7 FEES

A fee of ten dollars (\$10.00) shall accompany the initial application for a Home Occupation permit. Annual renewals thereafter shall be free of charge provided there has not been a lapse of more than three (3) months in the renewal of said permit beyond the one (1) year time limit for the permit.

16.8 NONCOMPLIANCE

Any Home Occupation permit shall be revoked by the Code Enforcement Administrator upon violation of any requirements of this Article, or upon failure to comply with any of the conditions or limitations of the permit, unless such violation is corrected within one (1) week of receipt of written notice thereof. A permit may be revoked for repeated violations of the requirements of this Article, notwithstanding compliance to the violation notice.

16.9 APPEAL

In the event of denial of any permit, or of the revocation thereof, or of objection to the limitations placed thereon, appeal may be made to the Board of Zoning Appeals in accordance with the provisions of this Zoning Ordinance.

16.10 BUSINESS LICENSE REQUIRED

A Home Occupation permit is not a business license, and the granting of said permit shall not relieve the permittee of any other license requirement of the City or of any other public agency.