

CONDITIONAL USE PERMIT FOR HOME OCCUPATION

A Home Occupation is allowed in A-R, EST, C-S, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, DR-15, RMF, MHP, PUD-PRD, PUD-PRL, PUD-PEF, O-I, C-C, C-H, L-C, M-1, M-2, and BTP Zoning Districts. The intent of these rules and regulations is to protect the health, safety and welfare of the general public and ensure that home occupations are regulated in a manner so they do not adversely impact surrounding residential properties, as residential areas and uses are normally separated from non-residential areas and uses. A Home Occupation is a Conditional Use and subject to the following requirements per Article VII. of the Fayette County Zoning Ordinance:

1. *Residents.* Only residents of the dwelling may be engaged in the home occupation within the dwelling. All nonresident individuals, including employees, contractors, or part owners, associated with the home occupation shall not be engaged in the home occupation within the dwelling or on the premises.
2. *Incidental use.* The home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the building.
3. *Display, sale.* No display of products shall be visible from the street, and only products produced on the premises may be sold on the premises. The on-premises sale of products produced off the premises shall be prohibited.
4. *Clients/customers/students.* The number of clients/customers/students on premises shall not exceed more than two at a time nor more than a total of eight clients in any one day and all services rendered shall take place only within the dwelling. The hours of operation, in the context of clients/customers/students shall be limited to 9:00 a.m. to 7:00 p.m., Monday through Saturday.
5. *Area.* Use of the dwelling, for the purpose of the home occupation, shall not exceed a total of 25 percent of the dwelling.
6. *Number.* No more than four home occupations may be issued per dwelling and the cumulative area devoted to the home occupations shall not exceed 25 percent of the dwelling.
7. *Alterations.* No internal or external alterations inconsistent with the residential use of the building shall be permitted.
8. *Accessory buildings.* No accessory buildings or outside storage shall be used, except as otherwise provided herein.
9. *Instructions and/or tutoring.* Instruction and/or tutoring including, but not limited to music, art, crafts, dance, academic, computer, martial arts, and speech.
10. *Day care, child/adult.* Daycare shall be limited to no more than three children or three adults at any time.
11. *Vehicles.* Only customary passenger vehicles, vans and pick-up trucks shall be permitted to remain on the premises in association with a home occupation. Said vehicles cannot exceed two axles, 22 feet in length, ten feet in height, and/or 8,000 pounds (curb weight). No tow and/or rollback trucks shall be allowed to remain on the premises. Except for food vending trailers, a trailer used in association with the home occupation shall be permitted to remain on the premises. The permitted vehicle or trailer used in association with the home occupation may be stored in a detached garage. Food vending trucks and trailers may not remain on the premises. _____(Initial)
12. *In-home beauty salon or barbershop.* An in-home beauty salon or barbershop shall be limited to one chair and shall be subject to Department of Environmental Health approval. It shall also comply with 4 above, regarding the number of customers.
13. *Uses.* The following and similar uses shall not be considered home occupations: automobile service station; automobile and related vehicular sales lot on-premises; on-premises automobile, motorcycle, and/or farm/heavy construction equipment repair or service/maintenance; ambulance service; rescue squad; on-premises amusement or recreational activities (commercial); animal hospital; commercial kennel, veterinarian clinic with or without animal boarding place; pawn shops; acid storage and manufacturing; heavy manufacturing; fortune teller; palm reader; taxidermy, on-premises welding; on-premises pet grooming; on-premises medical/dental facilities; on-premises repair service (bicycle, lawn mower, small engine, and appliance); tire sales and storage; tanning salon; funeral services; tattooing; and on-premises

BUSINESS OWNERS COVENANT

As the owner of a Home Occupation, I do hereby certify that the information supplied with this application is true and correct and I do hereby agree to comply with the ordinances of Fayette County. I understand and agree that any error, misstatement, or misrepresentation of fact, either with or without intention on my part or change in the type of business without approval of the Zoning Administrator subsequent to the issuance of a Conditional Use Permit for Home Occupation shall constitute sufficient grounds for revocation of said Permit.

Business Name

Number of Employees (see A. above)

Address

Signature of Business Owner

City State Zip Code

Date

Phone

*****OFFICIAL USE ONLY*****

Land Lot(s) District(s) Zoning Approved by Planning & Zoning Dept. Date