

# **TITLE 20 – ZONING ORDINANCE OF GENOLA**

## **CHAPTER 9 Home Occupation and Home Industry**

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### 20.09.01 **PURPOSE**

The purpose of the Home Occupation/Industry provision is to permit certain income producing uses in single family residential homes which are compatible with the neighborhood in which they are located.

### 20.09.02 **HOME OCCUPATION REQUIREMENTS:**

All Home Occupations shall be required to meet the following criteria:

1. All Home Occupation activity shall be conducted within a dwelling.
2. No more than three employees, that are not residents of the dwelling unit, may be on site concurrently.
3. The use is clearly incidental and secondary to the residential use of the dwelling and does not change the character thereof.
4. All storage for the home occupation should be located within the dwelling, incidental storage may be located in an attached or detached accessory building.
5. Signs are limited to a total of twenty-five (25) square feet. This square footage may be broken up into several signs, the total of which cannot exceed twenty-five (25) square feet. Signs cannot be illuminated and cannot obstruct the view of vehicular traffic.
6. Such occupation shall not cause any parking or traffic congestion in the immediate neighborhood. All parking shall be provided off street.
7. Such home occupation shall not cause any noise, noxious odors, fumes, glare, or other nuisances that may be discernible beyond the premises.
8. Such occupation shall not involve the use of hazardous materials or chemicals in amounts that will increase the hazard of fire, explosion or safety to the structure or occupants of the dwelling or adjacent dwellings.

### 20.09.03 **REGULATION OF HOME OCCUPATION**

1. A Home Occupation does not require a permit, license or review by the planning commission.
2. Any home occupation receiving three written complaints in any calendar year shall be reviewed by the Planning Commission. The owner of the Home Occupation may attend such review and make a petition in his or her behalf. If it is determined by the Planning Commission that the Home Occupation in question is in violation of this Ordinance, the Home Occupation may be discontinued.

20.09.04

#### **HOME INDUSTRY REQUIREMENTS:**

All Home Industries shall be required to meet the following criteria:

1. All Home Industry activities shall be conducted within a residence or within an accessory building. The use shall occupy no more than twenty-four hundred (2400) square feet of said accessory building.
2. The Home Industry may contain facilities for display of goods and/or services in the accessory building.
3. Adequate off street parking shall be provided for all vehicles associated with the Home Industry as well as clientele. Business related parking shall not be allowed on the public right-of-way.
5. The Home Industry is clearly incidental and secondary to the use of the property for dwelling purposes and does not change the character of the area.
6. Signs are limited to a total of thirty-two (32) square feet. This square footage may be broken up into several signs, the total of which cannot exceed thirty-two (32) square feet. Signs cannot be illuminated and cannot obstruct the view of vehicular traffic.
7. The physical appearance of the home industry shall be maintained in a neat and orderly fashion.
8. Traffic cannot be adversely impacted by the Home Industry.
9. In order to achieve the objectives of the zone and to protect adjacent properties, the Planning Commission or Town Board may attach additional conditions to the operation of a home industry. In reviewing the conditional use permit, the Planning Commission will evaluate the following concerns:
  - Impact of use on neighborhood.
  - Space requirements.
  - Traffic generation.
  - Parking facilities and requirements.
  - Water usage.
  - Other factors as determined by the Planning.

- Commission to be of impact to the immediate area.

20.09.05

## **REGULATON OF HOME INDUSTRY**

1. A business license for Home Industries is optional.
2. All Home Industries require a conditional use permit.
3. All Home Industry shall be reviewed by the Planning Commission to determine compliance with this ordinance as well as any special conditions it may feel are necessary prior to the initial license approval.
4. After the planning commission makes its recommendation, final approval is determined by the Town Board.
5. A conditional use permit is valid for the current calendar year only and must be renewed by January 31<sup>st</sup> of each year.
6. The conditional use permit for a Home Industry shall be renewed annually. This may be done through the mail or in person. Renewal consists of a signed affidavit stating that the business will continue as previously approved in conjunction with the associated fee payment.
7. Any Home Industry that omits to renew its conditional use permit, as outlined above, will be required to appear before the Planning Commission to renew its conditional use permit.
8. Prior to a change in the activities of a Home Industry, the owner of such Home Industry shall submit such changes to the Planning Commission for review. The process outlined for review and approval in this section shall then apply.
9. Any Home Industry receiving three written complaints in any calendar year shall be reviewed by the Planning Commission. The owner of the Home Industry may attend such review and make a petition in his or her behalf. If it is determined by the Planning Commission that the Home Industry in question is in violation of this Ordinance, the Home Industry may be discontinued.

20.09.06

## **PROHIBITED USES:**

Land uses that may adversely affect a property, the surrounding area, or the Town of Genola shall not be allowed as Home Occupations or Home Industries, as determined by the Planning Commission.

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<sup>i</sup> Previous Versions