

**MONROE COUNTY ZONING
ADMINISTRATOR**

10 Benton Avenue East
Albia, Iowa 52531

Phone: 641-932-7123
Fax: 641-932-2863

HOME OCCUPATION PERMIT

#

BUSINESS: _____

NAME/ADDRESS: _____

PHONE NUMBER: _____

2.2 D.HOME OCCUPATION PERMIT

- 1. Purpose.** A home occupation permit is required to ensure that all home occupations are conducted in a safe manner without adverse affects on adjacent residences.
- 2. Applicability.** No person shall conduct a home occupation until a home occupation permit has been issued by the Zoning Administrator.
- 3. Application.** The applicant shall file a completed application with the Zoning Administrator describing the location and operation of the proposed home occupation in sufficient detail to ensure that the occupation will be conducted in accordance with the home occupation regulations in Chapter 5.7.
- 4. Review Criteria.** All proposed home occupations will be conducted in conformance with the home occupation performance standards established in Chapter 5.7 which shall be used as review criteria to evaluate the home occupation permit application.
- 5. Validity.** After the permit has been issued, it shall be reviewed every second year in January. Monroe County shall contact the home occupation permit holder(s) for the review process and collect the applicable fee. If the use has complied and continues to comply with the provisions of this UDC, then the permit shall be renewed.

5.7 Home Occupations

(Amended Effective 2/21/2012)

A. Purpose.

1. To permit and regulate the conduct of home occupations as a secondary use to a dwelling unit, whether owner or renter occupied, but with the property owner's consent;
2. To ensure that such home occupations are compatible with, and do not have a harmful effect on nearby residential properties and uses;
3. To adequately protect existing residential neighborhoods from dust, odors, noise, traffic and/or other potentially adverse effects of home occupations;
4. To allow residents of the community to use their homes as a work place and a source of livelihood, under certain specified standards, conditions and criteria;
5. To enable the fair and consistent enforcement of these home occupation regulations; and
6. To promote and protect the public health, safety and general welfare.

B. Generally. No home occupation, except as otherwise provided herein, shall be initiated, established, or maintained in the County except in conformance with the regulations, administrative procedures and standards set forth in this Section. The applicant shall apply for a home occupation permit and pay the fee as established by a resolution of the Board of Supervisors. And shall be subject to a review every second year thereafter. Monroe County shall contact the home occupation permit holder(s) for the review process and collect the applicable fee. The Zoning Administrator may require an inspection prior to issuing a home occupation permit. Home occupations that are more intensive shall be known as a home industry and shall be permitted in conformance with Section 5.8 of this Chapter.

C. General Performance Standards. Home Occupations are authorized in an A-1, A-2, R-1 or R-S districts if they comply with the performance standards set forth herein.

1. No retail sales shall be allowed, except those approved by conditional use as authorized in Chapter 2, Section 2.3E and also as authorized in D.3. of this section.
2. Incidental retail sales will be allowed not exceeding the lesser of 200 square feet or ten (10) percent of the floor area of the home or accessory structure used for the home occupation.
3. The location of operations must be located in a residence or accessory structure.
4. Customer hours shall be limited to the hours between 7:00 a.m. to 7:00 p.m.
5. Shipping deliveries by common carrier

delivery companies (excluding U.S. mail) are limited to two (2) per day.

6. Excluding common carrier delivery companies vehicles allowed in Section 5.7.C.4, no vehicle requiring a Class A or Class B operator license by the State of Iowa shall be used in conjunction with a home occupation.
7. Up to three (3) non-resident on-site employees are allowed.
8. Home Occupations shall only be operated by a full-time resident of the property.
9. The home in which the occupation occurs shall maintain a residential appearance. The outside appearance of the residence shall not be modified to call attention to the home occupation. Home Occupations may be conducted in an accessory building on the premises.
10. No outdoor storage of materials or equipment used in the home occupation shall be permitted.
11. Home Occupations shall not include the use or storage of tractor-trailers, semi-trucks or heavy equipment such as construction equipment.
12. Signage shall comply with the provisions of Chapter 7 of this Code.
13. Noise levels from the home occupation, shall not exceed a level generally accepted by that area.
14. The applicant for a home occupation shall demonstrate that public facilities and utilities are adequate to safely accommodate the home occupation and will be inspected and permitted, if required, by the County Sanitarian.
15. Off-street parking spaces shall be provided as required for the residential use, plus one (1) space for each allowed employee and one space for each client allowed to visit at a given time.
16. Storage of dangerous, combustible or volatile materials used in conjunction with the home occupation shall not be permitted in residential dwellings.
17. Small animal grooming and training as a business is allowed, but boarding of animals is prohibited.
18. More than one (1) home occupation is allowed per property; however, the sum of the total area, signage, parking and employee limitations of the property shall not exceed the limitations set by this Code for a single home occupation.

D. A-1 and A-2 District Performance Standards.

The following home occupation criteria apply within A-1 and A-2 districts in addition to the general performance standards in section 5.7.C.

1. Client Vehicle Limitation. No more than an average of three (3) client vehicles at a time with a maximum of eight (8) visits per day.
2. The maximum area for a home occupation is

two thousand five hundred (2,500) square feet. (Note: If the applicant requests square footage greater than two thousand five hundred (2,500) square feet, the applicant shall apply for a variance as outlined in Chapter 2.)

3. Retail sales of goods produced on the premises may be authorized through the conditional use permit process as authorized in Chapter 2, Section 2.3.E and shall also be subject to the following criteria:
 - a. The site shall abut directly on a paved road;
 - b. The site shall have direct access on a paved road;
 - c. On-site parking areas and driveways shall be paved or gravel and treated to control dust if the areas are adjacent to an off-site residence or R-1 zoning district.
 - d. Adequate sanitary facilities shall be provided to satisfactorily support all authorized employees and customers as permitted and inspected by the County Sanitarian.
 - e. All required federal, state and local licenses and permits shall be secured and maintained.

E. R-1 and R-S District Performance Standards.

The following home occupation criteria apply within R-1 or R-S Districts in addition to the general performance standards in section 5.7.C.

1. Client Vehicle Limitation. No more than an average of two (2) client vehicles at a time with an average of five (5) client visits per day.
2. The maximum area in R-1 or R-S district is two thousand five hundred (2,500) square feet. In the R-1 or R-S district no increase in size shall be permitted under any circumstances.
3. Home Occupations shall not include the use or storage of tractor-trailers, semi-trucks or heavy equipment such as construction equipment.

F. Exempt Home Occupations. The following home occupations shall be subject to all applicable home

occupation regulations and standards of this Section, but shall not be required to obtain a home occupation permit, if all persons engaged in such activities live on the property and the following conditions are met:

1. artists, sculptors, composers not selling their artistic product to the public on the premises;
2. craft work, such as jewelry-making and pottery with no sales permitted on the premises;
3. home offices with no client visits to the home permitted;
4. telephone answering and message services without non-resident employees.
5. day care for five (5) or fewer children, other than the occupants' own children.

G. Non-Conforming Home Occupations. All existing home occupations which are either expressly prohibited or which are not in conformity with Chapter 4 of this Code shall be removed or modified to become conforming.

H. Unsafe Home Occupations. If in the opinion of the Zoning Administrator, any home occupation has become dangerous or unsafe, or presents a safety hazard to the public, pedestrians or motorists, or presents a safety hazard to adjacent or nearby properties, residents or businesses, the Zoning Administrator shall issue an order to the dwelling owner and/or tenant on the property on which the home occupation is being undertaken directing that the home occupation be immediately made safe or be terminated. The property owner and/or tenant shall be responsible for taking the necessary corrective steps or measures, but in the event of a failure to do so by the owner and/or tenant, after notice and a reasonable period of time, the Zoning Administrator shall take any action to make the home occupation and dwelling safe. Costs incurred by the Zoning Administrator, if forced to take enforcement actions, shall be borne by the property owner and, shall be treated as a zoning violation pursuant to Chapter 9 of this Code.

HOME OCCUPATION PERMIT APPLICANT CRITERIA

DATE:

DATE BUSINESS STARTED:

Provide documentation.

ZONING DISTRICT HOME OCCUPATION LOCATED IN:

WHO WILL OPERATE HOME OCCUPATION BUSINESS:

IS HOME OCCUPATION BUSINESS LOCATED IN RESIDENCE OR ACCESSORY BUILDING:

NUMBER OF NON-RESIDENT EMPLOYEES:

Must show documentation or proof of number of employees.

AVERAGE NUMBER OF CLIENT VEHICLES AT SITE AT A TIME:

AVERAGE NUMBER OF CLIENT VISITS PER DAY:

CUSTOMER HOURS:

AVERAGE NUMBER OF SHIPPING DELIVERIES TO SITE EACH DAY:

AREA IN SQUARE FEET OF HOME OCCUPATION BUSINESS:

ANTICIPATED NOISE LEVEL OF HOME OCCUPATION BUSINESS:

TYPE OF OUTSIDE SIGNING PLANNED FOR HOME OCCUPATION BUSINESS:

TYPE OF STREET PARKING PROVIDED AT SITE:

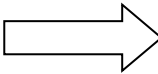
METHOD OF DISPOSAL OF WASTE PRODUCTS GENERATED FROM THE HOME OCCUPATION BUSINESS:

HAS ADEQUATE PUBLIC FACILITIES AND UTILITIES BEEN PROVIDED TO SITE:

Must have permit/approval from County Sanitarian

IS THE ACCESS SUFFICIENT FOR THE HOME OCCUPATION BUSINESS:

Must have County Engineer approval.

 **WITH THE INFORMATION PROVIDED ABOVE THE HOME OCCUPATION APPLICANT SHALL PROVIDE A NARRATIVE REPORT DESCRIBING THE BUSINESS WHICH ADDRESSES ALL POINTS COVERED IN THE HOME OCCUPATION GUIDELINES.**

PERMIT #

DATE:

ALL HOME OCCUPATIONS WILL BE ESTABLISHED AS SET FORTH IN THE CURRENT MONROE COUNTY UNIFIED DEVELOPMENT CODE.

BY SIGNING THIS APPLICATION THE HOME OCCUPATION APPLICANT CERTIFIES THAT THEY MEET ALL REGULATIONS AND REQUIREMENTS AND THEY AGREE THAT THEY WILL STAY IN COMPLIANCE WITH ALL REGULATIONS AND REQUIREMENTS.

THE HOME OCCUPATION APPLICANT AGREES TO REPORT TO THE ZONING ADMINISTRATOR ANNUALLY TO REVIEW THE CURRENT REGULATIONS AND REQUIREMENTS.

THE HOME OCCUPATION APPLICANT ACKNOWLEDGES THAT SHOULD THEIR BUSINESS EVER EXCEED THE CURRENT REGULATIONS THAT THEY MUST APPLY FOR AND BE APPROVED FOR A HOME INDUSTRY BEFORE ANY EXPANSION OF THE BUSINESS MAY TAKE PLACE.

Name

Name

NOTARY

STATE OF IOWA:

COUNTY OF MONROE:

On this ____ day of _____, 20____, before me, the undersigned a Notary Public in and for said County and State, personally appeared _____, to me know to be the identical person named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Notary Public