

**HOME OCCUPATION PERMIT
CITY OF GENEVA, OHIO
DEPARTMENT OF PLANNING AND ZONING**

APPLICANT INFORMATION:

NAME: _____

MAILING ADDRESS: _____

PHONE HOME: _____ BUSINESS: _____

NAME OF BUSINESS: _____

TYPE OF BUSINESS: _____

I HEREBY AGREE TO THE FOLLOWING TERMS OF THIS HOME OCCUPATION PERMIT:

SIGNATURE: _____ DATE: _____

Fee: Initial start-up is \$50.00, with yearly renewal fee of \$5.00.

1270.1 HOME OCCUPATIONS.

(a) **Intent and Purpose.** It is the intent of this section to allow for and regulate the establishment of home occupations in residential neighborhoods. The City of Geneva recognizes the need for some citizens to use their place of residence for limited nonresidential activities. However, the City believes that the need to protect the integrity of its residential areas is of paramount concern. Further, the City of Geneva is attempting to guarantee to all residents freedom from excessive noise, excessive traffic, nuisance, fire hazard and other possible effects of commercial uses being conducted in residential areas. In essence, the objective of a home occupation permit is to allow a limited number of commercial-type activities in a residential area, only to the extent that neighbors or passersby will not be aware, by outward appearance, of the activity. In practice, a home occupation permit gives the permittee the legal right to use his or her residence for business telecommunications and as a business mailing address, but not to the extent that pedestrian and vehicular traffic are generated.

(b) **Home Occupation Defined.** As used in this section, "home occupation" means an occupation that is incidental to the primary use of the residential dwelling unit as a residence. A home occupation permit may only be granted to the property owner by the Planning Commission, provided that he or she resides at the property. The Commission may specify the terms, conditions, extent and duration, as well as provide a means for the revocation and renewal, of home occupation permits.

(c) **Required Conditions.**

- (1) No person, other than members of the family residing on the premises, shall be engaged in the occupation.
- (2) There shall be no signage and no advertisement placed in any media containing the address of the property.
- (3) No toxic, explosive, flammable, combustible, corrosive, etiologic, radioactive or other restricted materials may be used or stored on the site. No process may be used which is hazardous to public health, safety, morals or welfare. Further, there shall be no use of equipment that creates noise, vibration, glare, electrical interference, fumes and/or odors detectable off of the property.
- (4) No alteration of the residential appearance of the premises may occur, including the creation of a separate

- entrance to the dwelling or utilization of an existing entrance exclusively for the business use.
- (5) There shall be no outside storage and/or display of any material relating to the home occupation.
 - (6) The home occupation shall be clearly incidental and subordinate to the residence and not more than twenty-five percent of the floor area of the dwelling unit, exclusive of all accessory buildings and garages used in the conduct of the occupation, shall be utilized. A floor plan shall be submitted to the Planning and Zoning Department for verification. Garages and accessory buildings may not be used for the home occupation.
 - (7) No more than one home occupation shall be permitted within any single dwelling unit.
 - (8) A home occupation shall not create greater vehicle or pedestrian traffic than normal for the district in which it is located. Deliveries from commercial suppliers may not be made more than once each week, and the deliveries shall not restrict traffic circulation.
 - (9) No on-site sales of goods or services shall be allowed, including retail sales, other than telephone sales. Parties, for the purpose of selling merchandise or taking orders (i.e. Tupperware, Shaklee, Amway, etc.) shall not be held more than four times each year and shall only be allowable with prior approval from the Department of Planning and Zoning.
 - (10) The conduct of any home occupation shall not reduce or render unusable areas provided for required off-street parking or prevent the number of cars intended to be parked in a garage from doing so.
 - (11) An applicant for a home occupation shall obtain an occupational license as required by City of Geneva ordinance.
 - (12) The home occupation shall be operated entirely within the applicant's dwelling.
 - (13) The hours of operation shall be limited to Monday through Friday, 8:00 a.m. through 6:00 p.m.; Saturday, 8:00 a.m. through 5:00 p.m.; and no operation on Sunday.
 - (14) The home occupancy permit will be temporary and valid only for twelve months. At this time, the permit will be subject to an annual review by the Planning Commission. A permit may either be approved to continue for another year or revoked.
 - (15) Permit holders shall provide proof of payment to the City of Geneva for Municipal income taxes for the present and previous calendar year.

The above stipulations shall be complied with within thirty days of the Planning Commission approval.

Any variations from the above will be subject to Planning Commission review for revocation.

(d) Application Procedure

- (1) Application; fee; agenda date. Application for a home occupation permit shall be made to the Planning and Zoning Department on a form provided by the Department and shall be accompanied by the prevailing filing fee of fifty dollars (\$50.00). An agenda date will be set and the applicant will be notified of such date, in writing, within fifteen calendar days of the date the application is received.
- (2) Denial of application. In cases where the Planning Commission and/or administrator considers the application not within the scope of the home occupation criteria, the application will be denied.
- (3) Time Limit. All home occupation permits shall be valid for a period of one year from the initial date of approval.
- (4) Voiding of Permit. The Planning Department may void any home occupation permit for noncompliance with the criteria set forth in this section. Revocation may take place at any time prior to the expiration date of the permit. If the permit is revoked or is not renewed, it becomes null and void, and said use shall be terminated within fifteen days.
- (5) Appeals to Planning Commission. The decision of the Planning and Zoning Department concerning approval or revocation shall be final, unless a written appeal is filed with the Planning Commission within ten calendar days of the decision. An appeal may only be filed by the applicant or persons residing within the immediate neighborhood.
- (6) Inspections. Home occupation applicants shall permit a reasonable inspection of the premises by the Planning and Zoning Department to determine compliance with this section. Home occupations shall be field-checked annually by Planning and Zoning Department staff to determine compliance.
- (7) Renewals. Home occupation permits may be renewed annually, provided that there has not been any violation of the provisions of this section. Requests for renewals shall be submitted to the Planning and Zoning Department, in writing, accompanied by the prevailing renewal fee of fifty dollars (\$5.00), thirty days prior to expiration of the permit.