

# APPLICATION FOR CONDITIONAL USE PERMIT HOME OCCUPATION



## CITY OF ST. JOSEPH

700 Broad St., St. Joseph, MI 49085-1206  
Phone 269-983-1212 Fax 269-985-0347

Please be certain to provide all required information;  
an incomplete application will be returned.

### PROPERTY INFORMATION

Property address(es) \_\_\_\_\_ Property Zoning District(s) \_\_\_\_\_

Tax Identification Number(s) \_\_\_\_\_

Short description of Conditional Use request \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

### APPLICANT INFORMATION:

Applicant name \_\_\_\_\_ Company \_\_\_\_\_

Mailing address \_\_\_\_\_

Phone \_\_\_\_\_ Cell \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

Is the applicant the owner of all properties?  YES  NO

*If the applicant is not the owner, please attach written permission from the owner(s) to apply for this Conditional Use Permit.*

### An application for a Conditional Use Permit shall be accompanied by the following documents and information:

- A. *This application form, completed in full by the Applicant.*
- B. *A Minor Site Plan, satisfying the requirements of Article XII.*
- C. *A floor plan of the home, showing the area occupied by the Home Occupation.*
- D. *A statement describing the intended Conditional Use, and specifically describing how the request complies with each of the criteria required for approval in Section 11.12, and other criteria imposed by this Ordinance affecting the Conditional Use under consideration.*

**SEE REVERSE FOR MORE INFORMATION ON CONDITIONAL USE PERMIT STANDARDS.**

The information on this application form is, to the best of my knowledge, true, accurate and complete.

APPLICANT SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

I grant permission for members of the City of St. Joseph staff and officials to enter the above described property for the purpose of gathering information related to this application.

APPLICANT SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

# HOME OCCUPATION—CONDITIONAL USE PERMIT STANDARDS

**Definition of "Home Occupation":** A commercial activity, whether for profit or otherwise, carried on by an occupant of a Dwelling Unit as a secondary Use which is clearly subordinate and incidental to the Use of the Dwelling Unit as a residence and is an Accessory Use under this Ordinance. In the event an occupant telecommutes, "works from home" or otherwise works in or from their Dwelling Unit but has no visitors or deliveries related to this activity, no non-resident employees, no outward signs that there is commercial activity on the premises, and does not include any Use prohibited as a Home Occupation under this Ordinance, this activity is not considered a Home Occupation but is instead considered part of the residential Use.

## SECTION 11.3 CONDITIONAL USES

Before establishing, expanding, or amending a Conditional Use, with the exception of terminating a Conditional Use, any Person shall obtain a Zoning Permit from the Zoning Administrator, using a form provided by the City. The Applicant shall provide sufficient information to allow the Zoning Administrator to determine whether the proposed Use complies with the requirements of this Ordinance. If the application is denied, the Zoning Administrator shall identify the reasons for that denial. In such a case, an aggrieved Applicant may either appeal the Zoning Administrator's determination to the Zoning Board of Appeals, as described in Section 14.10, or may seek a Special Use Permit. If the Zoning Board of Appeals denies such an appeal, as an alternative to seeking Circuit Court review of the Zoning Board of Appeals decision as described in Section 15.4.19, the Applicant may seek a Special Use Permit.

### 11.12.8 Home Occupations

Home occupations are permitted as a Conditional Use under the following conditions:

- A. **Uses Allowed:** Uses that comply with all of the standards of this subsection will be allowed as Home Occupations unless they are specifically prohibited. The Home Occupation must be clearly subordinate and incidental to the Use of the dwelling as a residence, and no more than one Home Occupation is permitted in a dwelling.
- B. **Size:** A Home Occupation may not occupy more than twenty-five percent (25%) of the gross area of the Dwelling Unit used for the Home Occupation.
- C. **Prohibited Uses:** The following uses are prohibited as Home Occupations:
  1. **Vehicle and Large Equipment Storage/Repair:** Any type of repair, assembly or storage of vehicles or equipment with internal combustion engines (such as autos, motorcycles, scooters, snowmobiles, outboard marine engines, lawn mowers, chain saws, and other small engines) or of large appliances (such as washing machines, dryers, and refrigerators) or any other work related to motor vehicles and their parts.
  2. **Animal Boarding Facilities:** This includes Kennels, commercial stables and all other similar uses.
  3. **Restaurants.**
- D. **Resident Operator:** The operator of a Home Occupation must be a full-time resident of the subject Dwelling Unit and be on the premises during the hours of operation of the Home Occupation.
- E. **Employees:** A maximum of one (1) nonresident employee may be on the premises at any one time. For the purpose of this provision, the term "nonresident employee" includes an employee, business partner, co-Owner, independent contractor, or other Person affiliated with the Home Occupation, who does not live at the site, but who visits the site as part of the Home Occupation.
- F. **Location:** All work areas and activities associated with Home Occupations must be conducted and located inside the principal Dwelling Unit, and not in accessory Buildings or garages, whether attached or detached.
- G. **Exterior Appearance:** There may be no visible evidence of the conduct of a Home Occupation when viewed from the street Right-Of-Way or from an adjacent Lot, except there may be one (1) non-illuminated sign advertising the Home Occupation, no larger than two (2) square feet and firmly affixed to the Dwelling Unit as a wall sign. There may be no change in the exterior appearance of the Dwelling Unit that houses a Home Occupation or the site upon which it is conducted that will make the dwelling appear less residential in nature or function. Examples of such prohibited alterations include construction of parking Lots, paving of required Setbacks, or adding commercial-like exterior lighting or Signs.
- H. **Operational Impacts:** No Home Occupation or equipment used in conjunction with a Home Occupation may cause odor, vibration, noise, electrical interference or fluctuation in voltage, or light beyond that customary for residential uses that is perceptible beyond the Lot Line of the Lot upon which the Home Occupation is conducted. No Hazardous Substances may be used or stored in conjunction with a Home Occupation.
- I. **Retail Storage, Sales and Display:** No stock-in-trade may be stored, produced or sold upon the premises, other than within the allowed area used for the Home Occupation.
- J. **Deliveries:** Vehicles used for delivery and pick-up are limited to those normally servicing residential neighborhoods. Tractor-trailers or semi-trucks are expressly prohibited.
- K. **Traffic:** No traffic shall be generated by any Home Occupation in greater volume than would normally be expected in a residential neighborhood.
- L. **Registration:** Any Person conducting a Home Occupation shall register with the Zoning Administrator, on a form to be provided by the Zoning Administrator, within thirty (30) days of beginning that use, or within sixty (60) days of the effective date of this Ordinance, whichever is later.

*The City of St. Joseph Zoning Ordinance is available on the City website,  
[www.sjcity.com](http://www.sjcity.com), or from the Zoning Department.*

Date received \_\_\_\_\_

\$50 Application Fee Paid \_\_\_\_\_

Submitted Materials: \_\_\_\_\_ Application Form \_\_\_\_\_ Minor Site Plan \_\_\_\_\_ Floor Plan \_\_\_\_\_ Statement Fully Describing Request

Application reviewed by: \_\_\_\_\_

Date found complete/incomplete (circle one) \_\_\_\_\_

Application reviewed by: \_\_\_\_\_

Date found complete/incomplete (circle one) \_\_\_\_\_