

Home Occupation Permit Information

Purpose: The purpose of regulating home occupations is to prevent competition with business districts and to provide a means through the establishment of specific standards and procedures by which home occupations can be conducted in residential neighborhoods without jeopardizing the health, safety, and general welfare of the surrounding neighborhood.

General Provisions: All home occupations shall comply with the following general provisions:

1. No home occupation shall produce light, glare, noise, odor, or vibration that will in any way have an objectionable effect upon adjacent or nearby property.
2. No equipment shall be used in the home occupation which will create electrical interference to surrounding properties
3. Any home occupation shall be clearly incidental and secondary to the residential use of the premises shall not change the residential character thereof, and shall result in no incompatibility or disturbance to the surrounding residential uses.
4. No home occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and state fire and police recommendations.
5. There shall be no exterior storage of equipment or materials used in the home occupation, except personal automobiles used in the home occupation may be parked on the site.
6. The home occupation shall meet all applicable fire and building codes.
7. There shall be no exterior display or exterior signs or interior display or interior signs which are visible from outside the dwelling.
8. All home occupations shall comply with the provisions of the City Nuisance Ordinance.
9. No home occupation shall be conducted between the hours of 10:00 p.m. and 7:00 a.m. unless the occupation is contained entirely within the principal building and will not require any on-street parking facilities.
10. Customer visits to the home occupation shall be arranged by appointment with no more than one customer scheduled to be the premises at any given point in time.

Home Occupation. Any occupation or profession engaged in by the occupants of the residential dwelling, or accessory building, which is clearly incidental and secondary to the residential use of the premises and does not change the character of the premises; and when conducted within the dwelling or accessory building, or when conducted upon a parcel of land containing the dwelling unit, provided that the evidence of the occupation is not visible from the street pursuant to § [155.065](#).

Procedures to apply for a Home Occupation permit:

1. Complete the attached application.
2. Provide a detailed description of your request (attach a separate sheet if necessary).
3. Provide a site layout (site plan) providing detailed information regarding the request.

Such information may include building and structure locations (existing and proposed) with dimensions and any additional information as requested by the City.

Requirements for Permitted Home Occupations –

1. No person other than those who constantly reside on the premises shall be employed.
2. All permitted home occupations shall be conducted entirely with the principal dwelling and may not be conducted in accessory buildings.
3. Permitted home occupations shall not create a parking demand in excess of that which can be accommodated in an existing driveway.
4. Examples of permitted home occupations include: art studios, dressmaking, secretarial services, professional offices, and teaching with musical, dancing and other instructions which consist of no more than one pupil at a time.
5. The permitted home occupation shall not involve any manufacturing which requires equipment other than found in a dwelling; teaching which customarily consists of more than one pupil at a time; or over-the-counter sale of merchandise produced off the premises, except for those brand name products that are not marketed and sold in a wholesale or retail outlet.

Special Home Occupation Permit. Any home occupation which does not meet specific requirements for a permitted home occupation as defined in the zoning ordinance requires a “Special Home Occupation Permit”. A Special Home Occupation Permit (SHOP) shall be applied for, reviewed and issued in accordance with Interim Use Permit procedures. The Planning Commission shall make a recommendation to the City Council, which shall make the final decision. The Planning Commission and City Council may impose such conditions on the granting of a SHOP. An initial SHOP permit may be issued by the City Council for a period on one year. After the initial one year permit the Zoning Administrator may administratively reissue a SHOP. Permits shall not run with the land and are not transferable.

Procedures to apply for a Special Home Occupation permit:

1. Complete a Planning & Zoning Application for a Special Home Occupation Permit and a Special Home Occupation Permit Form.
2. Provide a detailed description of your request (attach a separate sheet if necessary).
3. Provide a site layout (site plan) providing detailed information regarding the request. Such information may include building and structure locations (existing and proposed) with dimensions and any additional information as requested by the city.
4. Submit the application, permit form, fees, narrative and site layout to the Planning Department at City Hall.

Requirements for Special Home Occupations -

1. No person other than a resident shall conduct the home occupation, except where the applicant can satisfactorily prove unusual or unique conditions or need for non-residential assistance and that this exception would not compromise the intent of this chapter.

2. All special home occupations shall be conducted entirely within the principal dwelling and may not be conducted in accessory buildings.

3. Examples of special home occupations include: barber and beauty services, photography studios, group lessons, saw sharpening, small appliance, small engine repair, and the like.

4. The home occupation may involve any of the following: stock-in-trade incidental to the performance of the service, repair or manufacturing which requires equipment other than customarily found in a home, the teaching with musical, dancing, and other instruction of more than one pupil at a time.

5. Special home occupations may be allowed to accommodate their parking demand through utilization of on-street parking. In such cases where on-street parking facilities are necessary, however, the City Council shall maintain the right to establish the maximum number of on-street spaces permitted and increase or decrease that maximum number when and where changing conditions require additional review.

Inspections: As a condition of approval of a home occupation application the homeowner shall grant permission to the city to enter the property for periodic inspections to insure compliance with the City's Ordinances or any conditions additionally imposed upon the property.

***Home Extended Businesses:** The City also permits Home Extended Business operations in the A-1 Zoning District. These types of operations cannot jeopardize the health, safety and general welfare of the community and are required to meet all provisions of the City's Ordinance. Home Extended Business permits are approved by City Council. Please contact the City at 763-497-2041, to received a copy of the ordinance and permit application.

***Nonconforming Uses.** Existing home occupations lawfully existing prior to November 15, 1997, may continue as a nonconforming use; however, they are required to obtain a permit for continued operation. Any existing home occupation that is discontinued for a period of more than 30 days or is in violation of the ordinance shall be brought into conformity.

For additional City information, please check the website or contact City Hall at:

www.stmichaelmn.gov

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