PERMIT # _____

Home Occupation Registration Form

City of Marshalltown, 24 North Center Street, Marshalltown, IA 50158
Phone: 641-754-5756; Fax: 641-754-5742

This form must be complete or the application cannot be accepted.

Applicant Name:	Business Name:
Address:	
Phone:	Fax:

Please describe your home occupation (attach additional information if necessary).

Please check the appropriate category for your home occupation:

- ❑ Office facilities for accountant, architect, engineer, lawyer, clergyman, or other similar professional occupations.
- ❑ Office facilities for telecommuters, salesmen, sales representatives, manufacturer's representatives, and other similar trades or occupations
- ❑ Home sewing or tailoring.
- ❑ Studio for an artist, photographer, writer, or composer.
- ❑ Telephone answering.
- ❑ Catering, home-cooking and preserving for the purpose of selling the product.
- ❑ Tutoring or giving lessons, limited to four students simultaneously.
- ❑ Day care homes.
  (List the number of permitted Children:_____)
- ❑ None of the above, Special Use permit required.
- ❑ None of the above, use "grandfathered".

The following home occupations are prohibited: Animal hospitals, private clubs, restaurants, stables and kennels, automobile repair or auto body shops (More than 2 vehicles per year which are not registered at the residence and are rebuilt, repaired, or reconstructed shall constitute an automobile repair or auto body shop), automobile paint shops, any occupation which is considered illegal by law, and any use which does not meet the Home occupation regulations.

Home Occupation Regulations

a) Appearance. That in connection with which there is no display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling, with the exception of one home occupation sign defined in section c) below.
Initial that you understand this appearance requirement: ____

b) Design. That the building shall include no features of design not customary for residential use; That the building or premises occupied shall not be rendered objectionable or detrimental to the residential character of the neighborhood due to exterior appearance or by the emission of dust, gas, noise, odor, or smoke, or in any other way.
Initial that you understand this design requirement: ____

c) Signs. Any sign utilized by a home occupation in an "R" (residential zoning) district shall be limited to one building mounted sign which shall not exceed one square foot in area.

Attach a photo or drawing of the home occupation sign to be used showing all dimensions and where it will be mounted. Initial that you understand this design requirement: ____

d) **Equipment**. Any merchandise or stock in trade sold, repaired or displayed shall be stored entirely within the residential structure or in an accessory building.
Are any dangerous materials stored? _____Yes _____No
If yes, please list the materials: _____

e) **Employment**. On-site employees must be members of the immediate family residing on the premises. Additional employees may be permitted as required by law or may be permitted through the Home Occupation Special Use Permit process by the Board of Adjustment.
How many people are employed? _____
How many employees are not members of
the immediate family residing on the premises? _____
List all employees: _____

f) **Traffic and Parking**. Traffic generated by the home occupation shall not be objectionable to the neighboring residents. Off-street parking shall be adequate to accommodate the parking demand generated by the home occupation.
How many visits per day are made to your business? _____
How many parking spaces are available? _____

g) **Structural modifications**. Structural modifications or additions to the residence for the expansion of a home occupation is prohibited.
Initial that you understand this requirement: _____

h) **Non-compliance**. Any home-occupation which does not abide by the terms of this section shall be punishable under the Violation and Penalty section of the zoning ordinance. Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this Ordinance shall, upon conviction, be fined not more than one hundred ($100.00) dollars for each offense. After a written notice of such violation, each day that the violation is permitted to exist beyond the expiration of the time designated on said notice, shall constitute a separate offense.

- **Please read the attached Section 10-Home Occupations excerpt from the Zoning Ordinance.**
- **Please attach a photo of the residence and site map showing parking.**
- **This home occupation permit does NOT continue with the land and is NOT transferable.**
- **Any changes to the operation of the home occupation requires a re-registration.**

Agreement: *I hereby state I have received, have read and understand the terms of the home occupation section of the Zoning Ordinance of 1998. I agree to comply with the ordinance.*

Signature of applicant:_____Date:_____

- ❑ Home Occupation permitted
- ❑ Home Occupation grandfathered (Legal non-conforming)
- ❑ Special Use permit granted on _____

_____ _____
Zoning Officer, City of Marshalltown *Date*

City of Marshalltown Zoning Ordinance, Chapter 4, Section 10. Home Occupations.

1. Statement of Intent:
This section is intended to protect residential districts from potential adverse impacts of activities defined as home occupations; to permit residents of the community a broad choice in the use of their homes as a place of livelihood in the production or supplementing of personal/family income; to restrict incompatible uses; to establish criteria and develop standards for the use of residential structures or dwelling units for home occupations; it is not the intent to eliminate certain home-based businesses and occupations which may be compatible with residential areas.

2. Criteria:
   a) No Exterior Display. That in connection with which there is no display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling, with the exception of section 'd' herein;
   b) Residential Design Features. That the building shall include no features of design not customary for residential use;
   c) Residential Character. That the building or premises occupied shall not be rendered objectionable or detrimental to the residential character of the neighborhood due to exterior appearance or by the emission of dust, gas, noise, odor, or smoke, or in any other way.
   d) Signs. Any sign utilized by a home occupation in an "R" district shall be limited to one building mounted sign which shall not exceed one square foot in area.
   e) Equipment. Any merchandise or stock in trade sold, repaired or displayed shall be stored entirely within the residential structure or in an accessory building.
   f) Employment. On-site employees must be members of the immediate family residing on the premises. Additional employees may be permitted as required by law or may be permitted through the Special Use Permit process by the Board of Adjustment.
   g) Traffic and Parking. Traffic generated by the home occupation shall not be objectionable to the neighboring residents. Off-street parking shall be adequate to accommodate the parking demand generated by the home occupation.
   h) Structural modifications or additions to the residence for the expansion of a home-occupation is prohibited.
   i) Non-compliance. Any home-occupation which does not abide by the terms of this section shall be punishable under the Violation and Penalty section of the zoning ordinance.

3. Registration Required:
All home occupations shall fill out a registration form (no fee) with the Zoning Department in order to assure compliance with the terms of this Ordinance.

4. Permitted Home Occupations:
Applicants shall register with the Zoning Department for approval and shall comply with the criteria in Section 10 Part 2. The following home occupations are permitted:
   a) Office facilities for accountant, architect, engineer, lawyer, clergyman, or other similar professional occupations.
   b) Office facilities for telecommuters, salesmen, sales representatives, manufacturer's representatives, and other similar trades or occupations when traffic generated complies with the *traffic and parking* criteria as stated in Section 2.
   c) Home sewing or tailoring.
   d) Studio for an artist, photographer, writer, or composer.
   e) Telephone answering.
   f) Catering, home-cooking and preserving for the purpose of selling the product.
   g) Tutoring or giving lessons, limited to four students simultaneously.
   h) Day care homes.

Upon receiving the registration, the applicant shall be notified of the decision of the department. The decision may be appealed to the Board of Adjustment within 30 days of the notification if the applicant is aggrieved.

5. Prohibited Home Occupations:
Prohibited home occupations shall not be allowed permission to operate. The following home occupations are considered prohibited:

a) Animal hospitals.
b) Private clubs.
c) Restaurants.
d) Stables and Kennels.
e) Automobile repair or auto body shops. More than 2 vehicles per year which are not registered at the residence and are rebuilt, repaired, or reconstructed shall constitute an automobile repair or auto body shop.
f) Automobile paint shops.
g) Any occupation which is considered illegal by law.
h) Any use which does not meet the criteria in Section 10 Part 2 .

6. Other home occupations:
Any home occupation which is not considered "permitted" or "prohibited" shall use and abide by the Special Use process as described in this Ordinance with the exception of a review by the Planning and Zoning Commission. A special fee for a home occupation Special Use Permit shall be $15. The Board of Adjustment shall review the home occupation in regards to the criteria listed in part 2 of this section. The Board shall take into account concerns by neighbors and the possible negative impacts to the residential character of the neighborhood. The board may place any restrictions on the home occupation and the Board shall be critical when evaluating requests for additional employees.

7. Existing Home Occupations:
Existing home occupations which are in conformance with the Zoning Ordinance of 1957 and with the Zoning Ordinance of 1998 shall be considered permitted. Said home occupations shall register.

Existing home occupations which are in compliance with the Zoning Ordinance of 1957 and are not considered "permitted" or "prohibited" in the Zoning Ordinance of 1998 shall be "grandfathered" and allowed to continue to operate under the terms of the Nonconforming Uses section of the zoning ordinance. Said home occupation shall register.

Existing home occupations which are not in compliance with the Zoning Ordinance of 1957 or which are considered "prohibited" in the Zoning Ordinance of 1998 shall apply for a Special Use permit within six (6) months of the effective date of this Ordinance. A special fee for a home occupation Special Use Permit shall be $15 and said home occupation shall register.

Those uses which are considered "prohibited" in the Zoning Ordinance of 1998 and do not apply for a Special Use Permit within six months shall discontinue their operation. Any home occupation which fails to Register or to obtain a Special Use permit shall be punishable under the Violation and Penalty section of the zoning ordinance.