



### **Sec. 28-360. Home Based Business.**

**Definition.** "Home-based business:" A work activity carried on for profit or for nonprofit purposes, where all or part of the activity takes place within a structure where the principal use is for residential purposes and meets the criteria herein and in Section 559-955, Florida Statutes.

*(c) Standards for permitted accessory uses with limitations.*

(1) The home-based business shall be clearly incidental and subordinate to the residential use, and shall under no circumstances change the residential character of the dwelling unit. As viewed from the street, the use of the residential property shall be consistent with the uses of the residential areas that surround the property. External modifications made to a residential dwelling to accommodate a home-based business must conform to the residential character and architectural aesthetics of the neighborhood.

(2) The employees of the home-based business who work at the residential dwelling must also reside in the residential dwelling except that up to a total of two (2) employees or independent contractors who do not reside at the residential dwelling may work at the business. The business may have additional remote employees that do not work at the residential dwelling.

(3) The home-based business may not conduct retail transactions at a structure other than the residential dwelling; however, incidental business uses and activities may be conducted at the residential dwelling.

(4) No supplies or equipment shall be used in the home-based business which create fire or explosion hazards, electrical interference, noise, vibration, glare, fumes, or odors in violation of Chapter 13, Nuisances. In the case of electrical

interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuation in line voltage off the premises.

(5) In the conduct of the home-based business, commercial vehicles shall be parked in an off-street parking area meeting the City's parking regulations.

(6) The use shall not require an off-street parking area for more than two (2) motor vehicles. No parking area shall be permitted in any required yard. The parking or storage of heavy equipment shall not be visible from the street or neighboring property. For purposes of this paragraph, the term "heavy equipment" means commercial, industrial, or agricultural vehicles, equipment, or machinery. Parking of all vehicles shall meet the requirements of the City's Code of Ordinances, including, but not limited to Chapter 20, Traffic and Motor Vehicles and the Transportation Infrastructure Technical Manual.

(7) There shall be no additional and separate entrance incongruent with the residential structural design constructed for the purpose of conducting the home-based business.

(8) Any work activity held illegal by other applicable civil or criminal statutes shall be prohibited as a home-based business.

(9) Through the conditional use permit process, the City Council may modify the foregoing requirements of this section to accommodate the special needs of handicapped individuals applying for home-based business permits, provided that the public welfare would not be adversely affected.

(10) A home-based business shall be subject to all applicable City business tax receipts and other permits and approvals as necessary.

(11) Each home-based business license will be reviewed and renewed annually concurrently with renewal of the business tax receipt. The granting or renewal of a business tax receipt shall not be deemed to vest or otherwise entitle the licensee to continue a home-based business that is not in compliance with the City's Code of Ordinances. In the event this section is repealed or amended, home-based businesses shall not be deemed to have vested status.

(12) If at any time, it is determined that the home-based business no longer meets the definition of

home-based business per 559.955, F.S. or the requirements of this code, as evidenced by a finding of the Code Enforcement Board/Code Enforcement Special Magistrate, the business tax receipt may be revoked by the City Council upon notice and hearing pursuant to Chapter 11, Article II, Section 11-50, "Inspection before issuance; revocation authorized."

(13) Notwithstanding the foregoing, any person conducting a home-based business, whether lawfully licensed or not, in violation of this section may also be prosecuted pursuant to any applicable local or state law.

**I HAVE READ AND UNDERSTAND THE PROVISIONS OF THE HOME OCCUPATION ORDINANCE AND AGREE TO ABIDE BY THE PROVISIONS THEREIN. ALSO, UPON BEING FOUND, BY DUE PROCESS, TO BE IN VIOLATION OF ANY OF THE AFORE STATED PROVISIONS SHALL BE SUBJECT TO HAVING MY LICENSE REVOKED ALONG WITH ANY PENALTIES PROVIDED BY LAW.**

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LICENSEE SIGNATURE

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DATE

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this \_\_\_\_\_ day of, \_\_\_\_\_ 20\_\_\_\_ by \_\_\_\_\_.

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NOTARY PUBLIC

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(PRINT, TYPE OR STAMP COMMISSIONED NAME)

Personally Known  OR Produced Identification

Type of Identification Produced \_\_\_\_\_