

## **Supplemental Information regarding Home Based Business in the City of O'Fallon**

**Restrictions and Limitations:** Home occupations shall be permitted as an accessory use to a residential use in any zoning district subject to the requirements of this Section, with the exception of the following uses which are prohibited;

1. Appliance repair
2. Automobile, truck, trailer, or motor vehicle service/repair/painting (other than personal)
3. Eating or drinking establishments
4. Equipment rental
5. Furniture stripping and similar activities
6. Mortuaries and embalming
7. Nursery schools, kindergartens, or home daycare services having more than four children at any one time (not including relatives of the operator)
8. Private clubs, including fraternity and sorority houses
9. Retail or wholesale sales with customers coming to the residence (excluding home parties)
10. Stables or kennels
11. Storage of construction material or contractor equipment
12. Veterinarian services, animal hospitals, pet grooming, or pet adoption services
13. Any use listed as a Conditional Use in a commercial or industrial zoning district

### **Home Occupation Requirements:**

1. Home occupations shall be operated entirely from an enclosed structure and shall not occupy more than twenty-five (25%) of the total floor area of the main residential building, and in no case more than five-hundred (500) square feet of floor area, with use of the dwelling for a home occupation being clearly incidental and subordinate to its use for residential purposes.
2. No alteration of the exterior of the principal residential building shall be made which changes the character thereof as a residence, or other visible evidence of conduct of the home occupation.
3. No outdoor storage of materials or equipment used in the home occupation shall be permitted.
4. Any premises on which a home occupation is conducted shall at all times conform to all City Ordinances, and particularly with the requirements, limitations, and restrictions set forth in the following City Code provisions:
  - a) Section 215.237 regarding noise levels, especially noise levels in residentially zoned districts; and
  - b) Section 220.020 regarding nuisances, especially subsections (5), (20), (23), (24), (27), (28) and (34); and
  - c) Section 220.120 regarding storage units and bulk refuse containers; and
  - d) Section 355.110 regarding parking commercial vehicles in residential areas; and
  - e) Section 365.080 regarding parking and driving semi tractors and trailers in residential areas; and
  - f) Sections 400.515 through 400.563 being Article XIII of Chapter 400, regarding performance standards for the use of property and structures.
5. There shall be no visible evidence of the home occupation except that the owner may provide a home occupation sign which is in conformance with the Sign Standards of the City of O'Fallon.
6. No person shall be engaged in such home occupation other than a person occupying such dwelling unit as his/her residence, and with no more than two (2) non-resident individuals.
7. No equipment shall be utilized that creates a nuisance due to odor, vibration, noise, smoke, electrical, magnetic or telecommunication interference or fluctuations in line voltage beyond the

property line of the lot upon which the home occupation is conducted.

8. No home occupation shall cause an increase in the use or consumption of any one (1) or more utilities or public services such as water, sewer, trash collection, electric, police, fire or ambulance service so that the combined use for the residence and home occupation unreasonably exceeds the average for similarly sized residences in the neighborhood.
9. Parking generated by the conduct of a home occupation shall be provided off-street on an approved surface.
10. No commodities shall be displayed or sold on the outside of the main residential building.
11. No more than two (2) home occupations shall be permitted per residence.
12. A home occupation permit shall be issued only to the individual occupying a dwelling as his/her residence. Home occupation permits shall not be transferable and shall terminate upon sale or transfer of the property to a new occupant.
13. Each home must have a current city business license at all times.
14. The home occupation shall be approved by an administrative permit application process.
15. No home occupation shall cause an increase in home deliveries which exceeds the average for residences in the neighborhood.
16. Any individual requesting a home occupation permit for the retail sale or retail storage of firearms, weapons, potentially lethal items, or hazardous material shall indicate on their permit application the exact nature of their business. The individual must have complied with all Federal, State and local regulations dealing with the handling of firearms, weapons, potentially lethal items, or hazardous materials prior to submitting the request for a Home Occupation Permit. The City of O'Fallon may request proof of compliance at time of application and/or any time the permit is in effect.
17. The home occupation permit approval may be revoked if found to be in violation of the provisions of this Section or if the home occupation is conducted in such a manner as to constitute a nuisance or violate any City Ordinance.