

City of La Vernia Home Occupation Permit Application

Address: _____

Business Name: _____

Applicant Name: _____ Type of Business: _____

_____ I own this home (attach proof of ownership)

_____ I rent this home (attach notarized letter from owner granting permission to conduct business from premises)

Email: _____ Telephone Number: _____

Property Owner's Name: _____

Home occupation means an occupation or activity carried on in the home by a member of the occupant's immediate family, residing on the premises in which the occupation is clearly incidental and secondary to the use of the premises for residential purposes.

Home Occupations are subject to the following requirements:

La Vernia Code of Ordinances Sec.38-405.- Home Occupation Regulations

(b)Required conditions.

(1)The area set aside for home occupations shall not exceed 20 percent of the total floor area of such residence.(2)No interior or exterior business sign shall be permitted.(3)No mechanical equipment is used except of a type that is similar in character to that normally used for purely domestic or household mechanical equipment as for hobby purposes in conjunction with the home occupation.(4)Retail sales shall be prohibited on the premises except for the retail sales of products and goods produced and fabricated on the premises as a result of the home occupation.(5)Only members of the immediate family permanently residing on the premises shall be employed in the home occupation.(6)In no case shall a home occupation be open to the public at times earlier than 8:00 a.m. and no later than 10:00 p.m.(7)No more than one home occupation shall be permitted within any single dwelling unit.(8)A home occupation shall be carried on wholly within the principal building. No home occupation or any storage of goods, materials, or products connected with a home occupation shall be allowed in accessory buildings or garages, attached or detached, excluding paints and chemicals that may be used in the home occupation.(9)There shall be no exterior indication of the home occupation or variation from the residential character of the principal building.

(10)There shall be no exterior storage of materials to be used in conjunction with a home occupation.(11)A home occupation shall produce no offensive or obnoxious noise, vibration, smoke, electrical interferences, dust, odors, heat or other obnoxious conditions detectable beyond the property limits or beyond the walls of the dwelling unit. The judgment of the city's code enforcement officer pertaining to a violation under this section shall be considered decisive and final unless formally appealed to the board of adjustment within 30 days of the code enforcement officer's written determination.(12)A home occupation shall not create any increased traffic generation.(13)All home occupations may be subject to periodic inspections.(14)A home occupation shall not have any signage other than a nameplate not more than one square foot in area nor any display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling, shall not have any commodity sold on the premises, shall not employ any person other than a member of the immediate family residing on the premises nor shall there be any mechanical equipment used except of a type that is similar in character to that normally used for purely domestic or household purposes.

(c)Permits.(1)Purpose. To establish a method to allow the city to regulate and control nonresidential activities and maintain a record of the types and numbers of home occupations in the city.(2)Required. Each resident within the city that has, or desires to establish an authorized home occupation, is required to have a home occupation permit.(3)Application. The following provisions shall apply for a home occupation permit:a.Applicant shall apply to the administrative official for a home occupation permit.b.The administrative official or his designee may issue the permit if the home occupation meets all the requirements established in subsection (b) of this section.c.The decision of the administrative official or his designee may be appealed to the board of adjustment in accordance with article I of this chapter.d.The board of adjustment will be the final judgment on appeals which must be submitted to the board within 30 days of disapproval.e.Supporting documents:1.Signed statement. One type of supporting evidence that may be submitted to the board of adjustment for their consideration of an appeal is a signed statement by each property owner within 200 feet of the property on which the home occupation is to occur, stating that the property owner has no objection to the existence of the proposed home occupation. An example of such a statement is as follows:

"I (name) the property owner at (address) have been advised by (name of home occupation applicant) of the request to the city for a home occupation permit for the purpose of conducting (type of home occupation) and I have no objection to the home occupation permit being granted for the purpose reflected in this statement.

Signature of neighboring property owner and date"

2.Statement from property owner. An applicant who is renting the property on which a home occupation permit is requested shall obtain a written statement from the owner of the property. The owner will state that he has no objection to the home occupation on the property.3.Persons with demonstrated physical handicaps. Persons with physical handicaps may be permitted special consideration. The applicant may request a waiver of a portion or all of one or more of the requirements for a home occupation.4.Granted of exception. It shall be the responsibility of the applicant to submit sufficient evidence to justify the granting of an exception to any of the requirements in subsection (b) of this section.5.Conditions applicable to home occupation permits.(i)Validation. A home occupation remains valid for a period of two years.(ii)Renewal. Permits shall be renewed every two years.(iii)Termination. When a home occupation is found in noncompliance with the requirements outlined in subsection (b) of this section, the permit will be terminated immediately.(iv)Renewal of terminated permits. The procedure for renewal of a terminated permit shall be the same as required for the issuance of a new permit under this chapter.

(Ord. No. 120910-01, § 1(ch. 5, § 5), 12-9-2010)

I have read, understand and will comply with the conditions of the City of La Vernia Code of ordinances as contained herein.

Dated on the _____ day of _____, 20_____.

Applicant Signature

Printed Name

City Staff Use Only:

_____ Approved _____ Denied

Comments: _____

Planning Department

Date