



HOME-BASED BUSINESS ACKNOWLEDGEMENT

By affixing my signature below, I (print name) _____ hereby acknowledge and affirm that I have been provided a copy of the City of Marietta's zoning standards as they apply to home occupational permits. I hereby agree to fully comply with said standards (as established in Section 712.04 of the City of Marietta Comprehensive Development Code), and if found in violation, understand that my business license may be revoked immediately in addition to other penalties under law.

Name of Business

Address of Business

Signature

Date

712.04

Home Occupations

A. Intent and Purpose.

Certain occupational uses termed "home occupations" are allowed in dwelling units on the basis that such uses are incidental to the use of the premises as a residence. They have special regulations that apply to ensure that home occupations will not be a detriment to the character and livability of the surrounding neighborhood. The regulations ensure that the accessory home occupation remains subordinate to the residential use and the residential viability of the dwelling is maintained. The regulations recognize that many types of jobs can be done in a home with little or no effect on the surrounding neighborhood and, as such, may be permitted provided such uses:

1. Are incidental to the use of the premises as a residence;
2. Are conducted within the bona fide residence of the principal practitioner;
3. Are compatible with residential uses;
4. Are limited in extent and do not detract from the residential character of the neighborhood.

B. Definition of Accessory Home Occupations.

There are two types of home occupations, Type A and Type B. Permit requirements and uses allowed in each type vary and are allowed only if they comply with all of the requirements of this ordinance. Deviation from any standard requires a variance approval from City Council.

1. In Type A home occupations resident(s) use their home as a place of work, home office or business mailing address. Employees or customers are prohibited from coming to the site. Examples include artists, crafts people, writers and consultants.
2. In Type B home occupations resident(s) use their home for work, home office or business mailing address which requires or results in either an employees or consultant or agent or subcontractor or customers coming to the site. Examples are counseling, tutoring, and certain office uses. Type B home occupations must obtain a Special Land Use Permit from City Council due to their greater possible impact on the surrounding neighborhood as a result of individuals and visitors from outside the neighborhood coming to the property.

C. General Provisions and Prohibited Uses.

All home occupations shall meet the following:

1. A home occupation shall be incidental and accessory to the use of a dwelling as a residence. No more than 750 square feet, 25% of the floor space of the dwelling unit, whichever is less (including attached garages) may be used for the occupation.
2. There shall be no exterior evidence of the home occupation or alteration of the residence and/or accessory buildings to accommodate the home occupation. Internal or external changes which will make the dwelling appear less residential in nature or function are prohibited. Examples of such prohibited alterations include construction of parking lots, paving of required setbacks, or adding commercial-like exterior lighting. Any alteration or addition which expands the floor area of the principal structure dedicated to the home occupation use shall void the existing business license and require a new business license be obtained, subject to property compliance verification by the Department of Development Services. For Type B home occupations a new public hearing must be held for the rights associated with the Special Land Use Permit to be reestablished.
3. There shall be no outside operations or exterior storage of inventory or materials to be used in conjunction with a home occupation.
4. Off-site employees of the resident shall not congregate on the premises for any purpose concerning the home occupation nor park their personal vehicles at the location.
5. No article, product or service used or sold in connection with such activity shall be other than those normally found on the premises.
6. No more than one vehicle associated with the home occupation may be parked at the site. Such vehicle is limited to 1½ ton carrying capacity and must be used exclusively by the resident and parked on a valid improved surface.
7. No use or activity may create noise, dust, glare, vibration, smoke, smell, electrical interference or any fire hazard.
8. All home occupations shall be subject to periodic inspections by the Department of Development Services.
9. Any type of repair or assembly of vehicles or equipment with internal combustion engines (such as autos, motorcycles, marine engines, lawn mowers, chain saws and other small engines) or of large appliances (such as washing machines, dryers, and refrigerators) or any other work related to automobiles and their parts is prohibited.
10. Group instruction, assembly or activity shall be prohibited.
11. Accessory home occupations may not serve as headquarters or dispatch centers where employees come to the site and are dispatched to other locations.
12. The Department of Development Services must approve all business licenses which shall be recertified annually.

D. Specific Criteria for Type A Home Occupations.

In addition to the general criteria established in Subsection C, Type A home occupations are subject to the following restrictions:

1. No clients, non-resident employees or customers are allowed on the premises.
2. Pickups from and deliveries to the site in regard to the business shall be restricted to vehicles which have no more than two axles and shall be restricted to no more than two pickups or deliveries per day between the hours of 8 a.m. and 6 p.m.
3. No signage regarding the home occupation is permitted on the property.
4. No advertisement shall be placed in any media (including flyers soliciting business) containing the address of the property.