



HOME OCCUPATION APPLICATION

APPLICANT INFORMATION

Applicant Name: _____
Property Owner Name: _____
Physical Address: _____ Palestine, Texas 758__
Phone Number: _____ Email: _____ Fax: _____

HOME OCCUPATION INFORMATION

Name of Business _____
Address of Business: _____ Palestine, Texas 758__
Phone Number: _____ Email: _____ Fax: _____
Total Floor Area Used in Conjunction with Home Occupation: _____
Describe the Exact Nature of the Home Occupation: _____

Area of the Residence Used for the Business: _____

Number of People that will be Employed at this Location: _____
Will There be any Clients or Customers Coming to your Residence? ☐ No ☐ Yes

APPLICATION SUBMITTAL REQUIREMENTS

1. Completed application.
2. A site plan or survey of the property showing the location where the home occupation will take place in the residence or detached accessory building.

APPLICANT ACKNOWLEDGEMENT AND SIGNATURE

By signing this application, you acknowledge that all information is correct and true and that you have read and understand the conditions of the permit if approved as shown on pages 2 and 3 of the application packet.

Applicant Signature

Date



HOME OCCUPATION PERMIT CONDITIONS

GENERAL PROVISIONS-HOME OCCUPATIONS (APPENDIX A, ZONING, SECTION 16.6)

Home Occupation Defined:

Any occupation or profession engaged in by the occupants of a dwelling not involving the conduct of a retail business and not including any occupation which is not clearly incidental and secondary to use of the premises for dwelling purposes and which is carried on wholly within the principal building or accessory building by a member of a family residing on the premises in connection with which there is no advertising other than an identification sign of not more than one square foot in area and no other display or storage of materials or exterior identification of the home occupation or variation from the residential character of the principal building or accessory building; and in connection with which no equipment [is] used which creates offensive noise, vibration, smoke, dust, odor, heat, or glare and no partnership or the employment of more than one assistant in the performance of such business. Home occupations shall include: professional services such as furnished by an architect, lawyer, physician, dentist, accountant, real estate brokers, insurance agents, engineers, musician, artist, seamstress, and services of a similar nature. No other occupation or business shall be permitted as a home occupation and those permitted shall obtain a home occupation permit from the City of Palestine which will be in compliance with the criteria stated in section 16.6.

Home Occupation Permit:

Persons desiring a home occupation permit shall make application for same with the building inspector of the City of Palestine, Texas. Said inspector shall evaluate those factors which might have a bearing on determining if such application for home occupation is clearly incidental and secondary to the dwelling unit and meets all the standards and criteria set forth in this section. If such application is determined to be consistent with this section, a permit for the same shall be issued by the building inspector. Once said home occupation permit is issued to the applicant, it cannot be transferred to a second applicant through the sale, leasing, or rental of the premises on which said home occupation is located or in any other manner.

Home Occupation Permit Expiration and Renewal:

Any home occupation permit issued after the effective date of this ordinance shall expire five years from the date of issuance and must be renewed every five years from date of issue by application to the building inspector according to the provisions set forth in this section. Home occupation permits issued prior to the effective date of this ordinance shall expire one year from the date of issuance and must be renewed for a five-year period by application to the building inspector according to the provisions of this section.

Notice of expiration of home occupation permits issued prior to the effective date of this ordinance shall be sent by mail by the building inspector to the holder of such permit within 30 days from the effective date of this ordinance. If any occupation permit shall expire under the provisions of this ordinance within 90 days from the effective date of this ordinance, such permit shall continue to be valid until final determination by the building inspector on an application for renewal on [of] same, provided such application is made within ten days after notification by the building inspector.

Any person within 200 feet of said home occupation may seek revocation of a home occupation permit by filing a written complaint thereon with the building inspector, who shall cause an investigation to be made to determine whether the permit holder is conducting said home occupation in a lawful manner as prescribed by this section. In the event that the building inspector or his appointed representative determines that the permit holder is in violation of the provisions of this section, said permit holder shall have a ten-day period in which to correct the violations listed by the building inspector. If said violations are not corrected within the ten-day period granted, the permit shall be revoked until such time a public hearing is held. Said public hearing shall be held on filed complaint for continuation of said home occupation. Said public hearing shall be held before the zoning board of adjustments and appeals within 30 days of filed complaint in which a public hearing will ultimately determine the continuation or elimination of occupation.



HOME OCCUPATION PERMIT CONDITIONS

Home Occupation Permit Compliance Standards:

All home occupations shall comply with the following standards and criteria before permits can be issued:

- a. The home occupation shall be conducted wholly within the principal building or accessory building;
- b. No more than one additional person other than the residents residing on the premises shall be employed or engaged in said home occupation at the premises;
- c. There shall be no alteration or change to the outside appearance, character, or use of the building or premises, or other visible evidence of the conduct of such home occupation, other than one sign not exceeding one square foot in area, non-illuminated, mounted flat against the wall of the principal building or accessory building;
- d. No home occupation shall occupy more space than 20 percent of the total floor area of a residence, exclusive of any open porch, attached garage, or similar space not suited for or intended to be occupied as living quarters, provided, however, that in no event shall such home occupation occupy more than 700 square feet. Rooms which have been constructed as an addition to the residence and any attached garage or porch which has been converted into living quarters may be utilized for such home occupation;
- e. No articles or materials used in connection with such home occupation shall be stored on the premises other than in the principal building or accessory building so used; and
- f. No commodities or goods of any kind shall be sold on the premises, nor displayed on the premises for [or] elsewhere;
- g. No equipment or process shall be used in such home occupation which creates noise, vibrations, glare, fumes, odors, or electrical interference detectable to the normal senses outside the dwelling unit, nor shall there be any combustible materials located elsewhere on the premises which are in violation of the city's fire prevention code. 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 fluctuations in voltage off the premises;
- h. No more than one automobile or truck whose size shall not be larger than a stock one-ton panel or pickup truck used in conjunction with such home occupation shall be permitted to park on the premises in question or off the premises in question and within view from surrounding properties. Vehicles may not have attached signs which exceed or extend beyond the dimensions of the vehicle.