



Special Exception Application

City of Alice



500 E Main St., PO Box 3229, Alice, TX 78333

PH. (361) 668-7275 FAX (361) 668-4385 E-MAIL inspections@cityofalice.org

The City of Alice Zoning Ordinance requires home-based businesses to register annually with the City as a condition of complying with the ordinance. This registration application will be reviewed to determine if the proposed home-based business conforms to applicable ordinance standards. **The City recommends that the applicant review any applicable deed restrictions that may prohibit business activities on the premises.**

Application must be submitted **AT LEAST FIFTEEN (15) DAYS BEFORE** the Planning and Zoning Commission meeting. The Planning and Zoning Commission will hold a Public Hearing. If a Certificate of Registration is not used within **six (6) months** after the date granted, the certificate is automatically **cancelled**.

Proposed home-based businesses meeting applicable standards will be mailed a Certificate of Registration valid for one year from the date of issuance. Applicants will be notified in writing of applications that cannot be approved.

A site plan (survey) will be submitted to the Planning Director and shall contain drawings to scale to indicate as needed:

- The location of all structures on the subject property and on adjoining property;
 - Landscaping and/or fencing of yards and setback area and proposed changes;
 - Design of ingress and egress;
 - Off-street parking and loading facilities;
 - Height of all structures;
 - Proposed uses; and
 - The location of types of all signs, including lighting and heights
-

Please review the conditions listed on the back of this application, sign the certification statement, and return the completed application, site plan, and **\$125.00** Registration fee (**\$75.00** Renewal fee) to the **City of Alice Inspection Department**. Make check or money orders payable to the City of Alice.

Applicant's Name _____

Address _____

Phone _____ Fax _____ E-mail _____

Property Owner's Name (if different than above) _____

Type of Business: Describe nature of business and Check category that applies:

- | | | |
|--|--|--------------------------------|
| ☐ Beauty / Barber shops | ☐ House cleaning service | ☐ Other |
| ☐ *Catering | ☐ *** Tailor or seamstress | |
| ☐ Computer-based business | ☐ **Office use | |
| ☐ Day Care (6 or fewer persons) | ☐ Private lessons | |
| ☐ Photography studio | ☐ Service provider (off-site service) | |
| ☐ Instructional arts studio | ☐ Telephone based business | |

***Health Department authorization required before registration can be approved.**

****Except banking, savings & loan, employment agencies or medical/dental.**

*****Custom only; manufacturing or volume piece work not permitted.**

Conditions for Home-Based Businesses

A home-based business is only allowed as a customarily incidental use of a residence. Home-based businesses may be allowed provided they are not found to be injurious to the neighborhood. Elements of a home-based business that would render it injurious to the neighborhood, and therefore not a customarily incidental use, include any one or more of the following:

1. Outside storage. For the purpose of this section, the parking of one trailer in a driveway or along the street curb is not considered outside storage.
2. Exhibits or display of goods, wares, or merchandise when such exhibits or displays are visible from any public street or public right of way, or from premises the person displaying the goods, wares, or merchandise has no right to occupy.
3. On-site advertising of signs of any nature. Advertising on vehicles is permitted.
4. Parking of vehicles, other than in the driveway of such premises, or along the curb immediately adjacent to such premises. Any parking of vehicles must be consistent with city ordinances.
5. Employment of more than one person at the home-based business who does not reside on the premises, excluding any employees who do not visit the home as part of their job. This subsection shall mean one employee at the home-based business at any one time.
6. Activities that are offensive for reasons of odor, noise, or manner of operation, including but not limited to motor vehicle sales, service or repair. Uses listed as permitted home-based businesses can be determined unacceptable if they do not meet the stated objectives of the ordinance. All home-based businesses are subject to the Nuisance, Fire, Animal, and other applicable Chapters of the City Code.
7. Activities are limited to the living portion of a house or its attached garage. Accessory buildings or detached structures cannot be used in conjunction with a home-based business.
8. Customers are not allowed to conduct business at the home-based business from 8 p.m. through 8 a.m. Exception: Day care for six or fewer children, adults, or elderly persons.

Important Notice:

A home-based business is permitted as an incidental use, and is secondary to the use of a dwelling. As such, the City Council may at any time amend this ordinance to terminate any or all home-based business uses without creating nonconforming rights to the continuance of a home-based business.

Certification Statement: I certify that the information I have provided is true and correct, and I am the occupant of the residence for which the home-based business is proposed. I further state that I have read and understand the conditions governing the registration of a home-based business and that non-compliance may result in the revocation of this registration.

I acknowledge that registration of this home-based business by the City of Alice does not authorize the violation of any deed restrictions applicable to the subject property. I understand that operating a home-business without registration or in violation of the Zoning Ordinance shall be subject to the penalties as provided for in the Zoning Ordinance, including a fine not to exceed \$2,000 for each offense.

I reserve the right to withdraw this proposal at any time, except during notice period, upon written request filed with the Planning Department, and such withdrawal shall immediately stop all proceedings thereon; provided, however, withdrawal filed at any time after the giving of notice of the Zoning Commission's hearing shall constitute a denial by the Commission. I understand that the filing fee is not refundable upon withdrawal of proposal.

Signature _____ Date _____

To be completed by the Inspection Personnel:

Receipt # _____ Registration # _____

Date of Receipt _____ Issuance Date _____ Expiration Date _____