

# HOME OCCUPATION APPLICATION

FEE: \$20.00 (cash or check only)

**PLEASE READ THE INFORMATION ON THE BACK OF THIS FORM PRIOR TO COMPLETION**

<p><b>APPLICANT / BUSINESS OWNER INFORMATION</b></p> <p><b>NAME:</b> _____</p> <p><b>ADDRESS:</b> _____</p> <p><b>CITY / ZIP:</b> _____</p> <p><b>PHONE:</b> _____</p> <p><b>EMAIL:</b> _____</p>	<p><b>HOME OWNER INFORMATION - check box if applicant owns home</b> <input type="checkbox"/></p> <p><b>NAME:</b> _____</p> <p><b>PHONE OR EMAIL:</b> _____</p> <p><b>HOME OWNER'S AUTHORIZATION (signature or letter required):</b></p> <p><b>Signature:</b> _____</p> <p><b>Check box if letter or email from home owner is attached</b> <input type="checkbox"/></p>
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**TYPE OF BUSINESS (check one):**  Office     Mail Order/Home Marketing     Arts & Crafts     Other (describe below)

Percentage of space in your home dedicated to the business:	%	Do you acknowledge that there shall be no emission of smoke, dust, odor, fumes, glare, noise, vibration, electrical or electronic disturbance detectable at the lot-line or beyond exceeding a normal residential level?	<input type="checkbox"/> Yes
Do you acknowledge that direct sales are not permitted on the premises, except as described in Section 9-15-16-B?	<input type="checkbox"/> Yes	Do you acknowledge that there shall be no chemicals, pharmaceuticals, mechanical or electrical equipment on the premises other than that normally found in a purely domestic residence?	<input type="checkbox"/> Yes
Will a non-resident employee work on the premises? (If yes, describe below – limited to one)	<input type="checkbox"/> Yes <input type="checkbox"/> No	Do you have a business-related vehicle? (If yes, describe below)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you acknowledge that there shall be no externally visible evidence of the home occupation, including external display of products or equipment storage?	<input type="checkbox"/> Yes	Do you have on-site parking? (If yes, describe below – driveway, etc.)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you acknowledge that there shall be no signs on the property advertising the home occupation?	<input type="checkbox"/> Yes	Do you acknowledge that the frequency of customer visits and package deliveries to the business shall not exceed that of a typical domestic residence?	<input type="checkbox"/> Yes

Describe your business: \_\_\_\_\_

List any equipment and/or special materials used for the business: \_\_\_\_\_

*The Unified Government of Athens-Clarke County is a public entity subject to Georgia's Open Records laws. All submitted applications and associated plans and documents are covered under such laws and may be released to other parties unless they contain information specifically protected by law.*

**APPLICANT'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**TO BE COMPLETED BY STAFF:**

Received by/Date: \_\_\_\_\_ **APPROVED:**  Yes  No

Tax Map Number(s): \_\_\_\_\_ Parcel Zoning: \_\_\_\_\_

Conditions of Approval (if applicable): \_\_\_\_\_

## Section 9-15-16 of the Athens-Clarke County Development Regulations regarding Home Occupations

*The purpose of this section is to permit minimal business practices while maintaining residential character.*

*Such business practices shall not be readily discernible from those activities typically occurring at a solely domestic residence.*

*The following provisions shall apply to home occupations:*

- A. **Dwelling.** The occupation carried on within the dwelling unit shall be restricted to the heated floor space and shall not occupy in excess of 25 percent (%) of the heated floor space within the structure. The occupation shall be conducted entirely within the dwelling.
- B. **Restriction on sales.** The occupation shall not involve direct sales on the premises, except in the case of sales which are customarily accessory and incidental to a provided service home occupation. Mail order, on-line sales, or home marketing services with off-premise sales are allowable.
- C. **Employees.** The occupation shall be conducted by those who are living in the residence. Provided, however, that a maximum of one non-resident employee may work on the premises.
- D. **External display of products.** There shall be no external display of products or storage of equipment or any other externally visible evidence whatsoever of the occupation, business or profession.
- E. **Signage.** There shall be no signs on the property advertising the home occupation, except for those on a business-related vehicle.
- F. **Nuisance.** There shall be no emission of smoke, dust, odor, fumes, glare, noise, vibration, electrical or electronic disturbance detectable at the lot- line or beyond exceeding a normal residential level.
- G. **Prohibited equipment and materials.** There shall be no chemical, mechanical or electrical equipment on the premises other than that normally found in a purely domestic residence. This includes any chemicals and pharmaceuticals of a type or in volumes not normally found in a domestic residence without a home occupation.
- H. **Parking and business-related vehicles (vehicles either marked or equipped commercially).** No on-street parking of business-related vehicles shall be permitted at any time. No business-related vehicles larger than a van, panel truck, or pickup truck shall be permitted to park overnight on the premises. The number of business-related vehicles shall be limited to one. No repair or detailing of vehicles owned by non-residents shall be done on the premises.
- I. **Sale of garden produce.** The above-listed requirements of a home occupation shall not be construed to restrict the sale of garden produce grown on the premises within the AR (Agricultural/Residential) District, provided this exception shall not extend to allow the operation of a commercial greenhouse or nursery or the existence of stands or booths for display of such produce.
- J. **Animals.** Except as specifically permitted herein, activities involving live or dead animals, including without limitation kennels, pet sitting or boarding, animal breeding, butchering, and taxidermy are prohibited.
- K. **Medical practice.** No medical practice required to obtain a medical license by the State of Georgia shall be permitted.
- L. **Food service.** No food service regulated by the Department of Health shall be permitted.
- M. **Definition of "on the premises."** "On the premises," as it pertains to home occupations, shall be defined as the actual dwelling structure plus the lot on which such structure is located.
- N. **Permitted home occupations.** Home occupations shall be permitted by staff upon determination that all above criteria have been met.
- O. **Permitted home occupations with limitations or exceptions to specific criteria.** The following specific home occupations are allowed subject, however, to the below-prescribed limitations or exceptions to the general provisions of this section:
  - 1. **In-home childcare** for no more than six individuals under care at a time, excluding the family members of the resident caregiver, with the allowance to occupy a maximum of 50 percent of the heated floor space within the structure and for outdoor recreational activity.
  - 2. **Tutoring** of all types for no more than four pupils at one time.
  - 3. **Musician's and artist's studio**, which may have equipment other than that normally found in a purely domestic residence.
  - 4. **Barber and beauty shops.** The business shall consist of no more than one beauty/barber chair, and no more than two customers shall be permitted at one time.
  - 5. **Cottage food industry** with proof of license from the Georgia Department of Agriculture.
  - 6. **Animal grooming.** No more than two non-resident animals shall be permitted on the premises at one time. No non-resident animals shall be kept overnight.
- P. **Planning Department approval.** It shall be unlawful for a person to operate a home occupation without first obtaining a home occupation permit. A proposed home occupation shall be reviewed and approved by the Planning Department per the standards of this section at the time of issuance of a business occupation tax certificate. For those home occupations not specifically allowed or prohibited by this section, the planning director may, per the authority granted by Chapter 9-4 of this title, determine whether the proposed home occupation meets the standards of this section.
- Q. **Permission of property owner.** An applicant shall be either the property owner of record of the premises on which the home occupation shall be located or a resident who shall have obtained written permission from such property owner, which shall be submitted with the application.
- R. **State or federal compliance.** Home occupations shall comply with the more stringent standards and requirements of all applicable local, state, and federal laws.
- S. **Parking.** Adequate off-street parking must be provided for the residents, employees, and business visitors.

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### FOR A TAX CERTIFICATE THE FOLLOWING NEED TO BE PROVIDED TO THE ACC FINANCE DEPT (#1 and #2 are mandatory):

- 1. State Affidavit Verifying Residency Status Form and E-Verify Forms must be notarized. **(ACC cannot notarize this for you)**
  - 2. Complete the Business Occupation Tax Application and take your Home Occupation approval and all other completed and approved forms to the Business Tax Office at 375 Satula Avenue, Athens, GA
  - 3. If you are using a Trade Name, go to the Clerk of Superior Court at the Court House and complete a Trade Name form *(Forms #1, #2 and #3 are available at accgov.com, at the Planning Department and at the Finance Department)*
- If you are charging sales tax, apply for a State Tax ID # (State Revenue Office is at Georgia Square Mall, 3700 Atlanta Hwy)