

City of Fond du Lac

HOME OCCUPATION REGULATIONS

HOME OCCUPATION: A business or activity conducted within a residence that is conducted by the person(s) who reside in the dwelling and is clearly subordinate to the residential use of the building and property and which is not detrimental to the residential character of the lot on which said home occupation is conducted or of the surrounding neighborhood.

ZONING CODE SECTION 720-37

- A. A home occupation may be conducted within a residence located in a residential zoning district, provided that all of the following conditions are met:
- (1) The home occupation is conducted within a one-family dwelling. The home occupation may be conducted in a two-family or multifamily dwelling if no customer/client traffic is generated.
 - (2) The use of an existing garage for a home occupation may be permitted if the property has existing on-site parking in accordance with this chapter. Refer to Schedule IX. Total floor space utilized by the home occupation within the garage shall be not more than 50%. The use of an accessory building such as a shed, utility building, gazebo, etc., for a home occupation shall be prohibited.
 - (3) Total floor space utilized by the home occupation shall be not more than one room or 25% of the gross floor area of the dwelling, whichever is less.
 - (4) The home occupation is conducted by the person(s) who reside in the dwelling.
 - (5) One sign to identify the name of the home occupation is permitted. Maximum sign area shall not exceed two square feet. Lighting is not permitted.
 - (6) There shall be no exterior evidence of the conduct of a home occupation, including outside storage or the visible display of merchandise for sale or for services available.
 - (7) No alterations to the dwelling are necessary for the purpose of supporting the home occupation such as a second kitchen, special equipment or additional furnishings that are not typical for residential use, or additional plumbing, cooling/heating, etc. The appearance of the dwelling or garage shall not be altered in a manner that causes the premises to differ from its residential character either by the use of colors, materials, construction, lighting, or signs, or the emission of sound, noise or vibration.
 - (8) No exterior entryways separate from entryways to serve the dwelling shall be created and/or provided solely for the conduct of the home occupation.

- (9) The occupation or activity shall not generate pedestrian or vehicular traffic beyond that common to a one-family dwelling. Parking to serve a home occupation shall be provided on-site within an existing driveway. The alteration of an existing driveway or the construction of uncovered parking to serve a home occupation shall be prohibited.
- (10) The occupation or activity does not produce offensive noise, smoke, dust, odor, heat, glare or electronic disturbance beyond the property it occupies.
- (11) There shall be no use of materials or mechanical equipment not recognized as being part of normal household or hobby uses is prohibited.
- (12) Dispatching of persons or equipment from the property shall be prohibited.
- (13) There shall be no commodities sold or services rendered that require receipt and delivery of merchandise, goods or equipment by other than passenger motor vehicle or by United States Postal Service. The delivery of goods not more than twice weekly via UPS, FedEx and similar delivery services that utilize vehicles not exceeding 2½ tons in capacity shall be permitted.

B. The following home occupations or businesses, as well as similar businesses and services, shall be prohibited:

- (1) Retail sales or rental shop.
- (2) Personal services such as a beauty shop, barber shop, tanning salon, nails, massage, and similar uses.
- (3) Automotive repair, small engine repair, paint and body shop.
- (4) Automotive sales, exclusive of the sale of the resident's personal vehicle(s).
- (5) Animal grooming, boarding and care.
- (6) Professional health care office/clinic.
- (7) Limousine, taxi and/or bus service.
- (8) Automotive towing and/or wrecking service.

C. Permit required. The use of a residence for home occupation purposes as set forth in this section shall require a permit from the Community Development Department.

- (1) Application for a Home Occupation Permit shall be made to the Community Development Department. The Community Development Department may void any home occupation permit for noncompliance with the criteria set forth in this section.

- (2) The Community Development Department shall grant, conditionally grant or deny a permit for a home occupation within 10 business days. The permittee may appeal the denial of a permit to the Board of Appeals within 30 days of the date of the denial.
- (3) Persons with disabilities recognized under the Americans with Disabilities Act and related state laws may be accommodated by special exception of the Board of Appeals. The applicant may request waiving of one or more, or a portion thereof, of the requirements of this section. The special request may be granted by the Board of Appeals after a public hearing and notification of property owners within 300 feet of the subject property. In reviewing the request, the Board of Appeals may grant a waiver if the applicant's physical disability prevents the applicant from conducting a home occupation within the requirements of this section and granting such a waiver is not unduly burdensome on the City, the neighborhood, or its residents.
- (4) Approval of a Home Occupation Permit shall be specific to the permittee and shall remain valid for the duration of the permittee's occupancy in the affected residence.