



CITY OF ST. JOSEPH
PLANNING & ZONING DEPARTMENT
700 Broad Street
St. Joseph, MI 49085
Phone (269)983-1212
Fax (269) 985-0347
www.sjcity.com

Home Occupation Conditional Use
Process, Instructions and Application*

Review definition of Home Occupation
Contact City Staff to discuss request



Submit completed application - must be complete and fees paid



If request complies with all requirements, City staff can
administratively approve the request



Permit issued

*See attached detailed directions for all steps involved.



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Home Occupation Conditional Use Process, Instructions and Application

1. **Definition of a Home Occupation.** Section 2.3 Definitions of the Zoning Ordinance states that a *“Home Occupation is a: commercial activity, whether for profit or otherwise, carried on by an occupant of a Dwelling Unit as a secondary Use which is clearly subordinate and incidental to the Use of the Dwelling Unit as a residence and is an Accessory Use under this Ordinance. In the event an occupant telecommutes, “works from home” or otherwise works in or from their Dwelling Unit but has no visitors or deliveries related to this activity, no non-resident employees, no outward signs that there is commercial activity on the premises, and does not include any Use prohibited as a Home Occupation under this Ordinance, this activity is not considered a Home Occupation but is instead considered part of the residential Use.” Based on this definition, activities falling into this definition are not required to obtain a Home Occupation Conditional Use Permit from the City of St. Joseph.*
2. **Contact Community Development Director (staff) regarding proposed request.** Staff will review zoning ordinance regulations and determine which process is appropriate for your proposed request. Application forms will be distributed if needed.
3. **Submission of Application.** Complete applications may be submitted at any time.
 - a. It is suggested that you make an appointment with staff to submit the application.
 - b. All required applications, supplemental information and fees must be submitted at one time.
4. **Acceptance of Application.** Staff reviews the application and supplemental information for completeness and if needed forwards the completed application packet to the City Engineer, Director of Public Works, Director of Public Safety (Police/Fire) and Building Official for their review and comment.
5. **Request for additional information.** Based on comments received from the City departments, the applicant may need to provide additional information.
6. **Staff Approval.** If the request meets the requirements of the applicable zoning district and complies with all other local and state regulations, staff can administratively approve the request. In some cases, conditions may be placed on the approval.



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HOME OCCUPATION CONDITIONAL USE APPLICATION

Please print legibly. All portions must be completed. Do not leave any section blank, use N/A. Incomplete forms will be returned. If additional space is needed, please use additional sheets of paper.

Property Information

Property Address (es): _____

Property Code Number(s) (Tax Number): 11-76-_____

Briefly Explain Proposed Business to be Operated on Site: _____

Applicant Information

In case of trust, provide the name, address and telephone numbers of all trustees and beneficiaries of the trust. An LLC or corporation must provide a copy of Articles of Incorporation. In case the applicant is not the property owner, written permission from the property owner is required.

Name of Applicant: _____

Relationship to Property Owner: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____ Emergency Number: _____

E-mail Address: _____

Name of Property Owner: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Attorney: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Land Surveyor and/or Engineer: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Site Information

General description or characteristics of the site: _____

Master Plan Designation: _____

Existing Zoning and Land Use: _____

Existing land use and zoning of adjacent parcels:

North: _____

South: _____

East: _____

West: _____

Is the dwelling space located in a home-owners association or condominium association?

Yes: ____ No: ____

If yes, does the association allow this home occupation? Yes: ____ No: ____

Conditions of Approval per Section 11.12.8 of the Zoning Ordinance

Home occupations are permitted as a Conditional Use under the following conditions:

- A. Uses Allowed: Uses that comply with all of the standards of this subsection will be allowed as Home Occupations unless they are specifically prohibited. The Home Occupation must be clearly subordinate and incidental to the Use of the dwelling as a residence, and no more than one Home Occupation is permitted in a dwelling. List the name of all businesses being operated on the property: _____

B. Size: A Home Occupation may not occupy more than twenty-five percent (25%) of the gross area of the Dwelling Unit used for the Home Occupation.

What is the gross area of the dwelling unit in square feet? _____

How many square feet is the Home Occupation using of the dwelling unit? _____

C. Prohibited Uses: The following uses are prohibited as Home Occupations:

1. Vehicle and Large Equipment Storage/Repair: Any type of repair, assembly or storage of vehicles or equipment with internal combustion engines (such as autos, motorcycles, scooters, snowmobiles, outboard 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 motor vehicles and their parts.
2. Animal Boarding Facilities: This includes Kennels, commercial stables and all other similar uses.
3. Restaurants.

Are you operating or proposing to operate any of the above listed prohibited uses?

Yes: _____ No: _____

State the name of the Home Occupation business: _____

Explain the activities of the Home Occupation business being proposed: _____

D. Resident Operator: The operator of a Home Occupation must be a full-time resident of the subject Dwelling Unit and be on the premises during the hours of operation of the Home Occupation.

Is the operator of the Home Occupation a full-time resident of the dwelling unit?

Yes: _____ No: _____

Will the operator/full-time resident be on premise during the hours of operation?

Yes: _____ No: _____

If you answered no to either question, please explain: _____

E. Employees: A maximum of one (1) nonresident employee may be on the premises at any one time. For the purpose of this provision, the term "nonresident employee" includes an employee, business partner, co-Owner, independent contractor, or other Person affiliated with the Home Occupation, who does not live at the site, but who visits the site as part of the Home Occupation.

How many people will work (paid and/or unpaid) in the Home Occupation? _____

How many people that work (paid and/or unpaid) in the Home Occupation live on the premises? _____

How many people will work (paid and/or unpaid) that do not live on the premise? _____

Where will the people (paid and/or unpaid) park their vehicles? _____

F. Location: All work areas and activities associated with Home Occupations must be conducted and located inside the principal Dwelling Unit, and not in accessory Buildings or garages, whether attached or detached.

Explain where the Home Occupation work areas will be found within the dwelling unit (you may be asked to create a site plan of the dwelling unit showing the location of the Home Occupation work area).

G. Exterior Appearance: There may be no visible evidence of the conduct of a Home Occupation when viewed from the street Right-Of-Way or from an adjacent Lot, except there may be one (1) non-illuminated sign advertising the Home Occupation, no larger than two (2) square feet and firmly affixed to the Dwelling Unit as a wall sign. There may be no change in the exterior appearance of the Dwelling Unit that houses a Home Occupation or the site upon which it is conducted that will make the dwelling appear less residential in nature or function. Examples of such prohibited alterations include construction of parking Lots, paving of required Setbacks, or adding commercial-like exterior lighting or Signs.

Are you proposing any exterior alterations to the building for the Home Occupation?

Yes: ____ No: ____

Are you proposing any signage advertising the Home Occupation? Yes: ____ No: ____

If yes, provide a drawing/picture of proposed signage and explain where on the building it will be located. What is the size of the sign? _____

H. Operational Impacts: No Home Occupation or equipment used in conjunction with a Home Occupation may cause odor, vibration, noise, electrical interference or fluctuation in voltage, or light beyond that customary for residential uses that is perceptible beyond the Lot Line of the Lot upon which the Home Occupation is conducted. No Hazardous Substances may be used or stored in conjunction with a Home Occupation.

Will the Home Occupation cause odor, vibration, noise, electrical interference or fluctuation in voltage or light beyond that customary to residential uses? Yes: _____ No: _____

If yes, please explain: _____

Are there any hazardous substances used or stored in conjunction with the Home Occupation? Yes: _____ No: _____

I. Retail Storage, Sales and Display: No stock-in-trade may be stored, produced or sold upon the premises, other than within the allowed area used for the Home Occupation.

Is there any stock-in-trade stored, produced or sold on the premise outside of the area described in B and F above? Yes: _____ No: _____

If yes, please explain: _____

J. Deliveries: Vehicles used for delivery and pick-up are limited to those normally servicing residential neighborhoods. Tractor-trailers or semi-trucks are expressly prohibited.

Are there any vehicles necessary for the Home Occupation to operate? Yes: _____ No: _____

If yes, explain the type of vehicle needed: _____

K. Traffic: No traffic shall be generated by any Home Occupation in greater volume than would normally be expected in a residential neighborhood.

Will the proposed Home Occupation increase traffic at the dwelling? Yes: _____ No: _____

If yes, please explain" _____

L. Registration: Any Person conducting a Home Occupation shall register with the Zoning Administrator, on a form to be provided by the Zoning Administrator, within thirty (30) days of beginning that use, or within sixty (60) days of the effective date of this Ordinance, whichever is later.

**HOME OCCUPATION CONDITIONAL USE APPLICATION
CERTIFICATION**

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the Applicant, states that they consent to the filing of the application and that all information contained is true and correct to the best of their knowledge;
- B. The Applicant understands that an incomplete or nonconforming application will not be considered. In addition, the Applicant understands that the City may require additional information prior to the consideration of this application;
- C. The Applicant shall make the property that is subject of this application available for inspection by the City at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicant shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than twenty (20) days following the change, and that failure to do so shall be grounds for denial of the application;
- E. The Applicant understands that if the application is approved with conditions, those conditions will need to be met as part of any permit issued; and
- F. The Applicant understands that they are responsible for all application fees. Fees are non-refundable and there is no guarantee the application will be approved or permits issued. There should be no outstanding monies owed to the City (i.e., water bill or taxes).

On the _____, day of _____, 20_____, I/We have read the above certification, understand it, and agree to abide by its conditions.

Signature of Applicant or Authorized Agent

Name of Applicant or Authorized Agent

SUBSCRIBED AND SWORN

To before me this ____ day of _____,
_____, 20_____

Notary Public

OFFICIAL CITY USE:
Completed:

Date Received: _____

Fee: _____

**CONDITIONAL USE – HOME OCCUPATION PERMIT APPLICATION
OWNER’S CONSENT FORM**

I/We, the Owner(s) of the property listed below, hereby grant permission for the Applicant,

(Company name and contact person) to seek _____
(state request that can be made) as required by the City of St. Joseph, Michigan for the property
commonly known as _____ (street address)
and having the Property Code Number (Tax Number) of 11-76-_____.

On the _____, day of _____, 20_____, I/We have read the above certification,
understand it, and agree to abide by its conditions.

Signature of Property Owner

Name of Property Owner

Signature of Property Owner

Name of Property Owner

SUBSCRIBED AND SWORN

To before me this _____ day of
_____, 20_____

Notary Public