Print Form

THE CITY OF KEY WEST
Post Office Box 1409
Key West, FL 33041-1409
305-809-3956

HOME OCCUPATION APPLICATION

DATE: _____

1. BUSINESS NAME: _____

2. OPERATOR NAME: _____

3. LOCATION OF HOME BUSINESS: _____

4. OWNER OF PROPERTY: _____
**NEED LETTER OF APPROVAL IF OTHER THAN BUSINESS OWNER

5. TOTAL FLOOR AREA OF STRUCTURE: _____

6. TOTAL FLOOR AREA OF ROOM(S) TO BE UTILIZED FOR HOME BUSINESS: _____ (MAY NOT EXCEED 20% OF TOTAL AREA)

7. A SKETCH SHOWING THE FLOOR PLAN AND AREA OF BUSINESS MUST BE SUBMITTED WITH APPLICATION.

8. PLEASE DESCRIBE USE OF HOME FOR PROPOSED BUSINESS:

I have received a copy of Sec. 122-1306 rules and regulations regarding home occupations and agree to abide by these conditions.

_____ _____
Applicant Signature **Date**

ATTACH PHOTO OF ENTIRE FRONT YARD INCLUDING CARPORT *AND* DRIVEWAY IF ANY.

THE CITY OF KEY WEST
Post Office Box 1409
Key West, FL 33041-1409
305-809-3956

Sec. 122-1306. Conditions.

Home occupations shall only be allowed, provided the following specified conditions are met:

(1) *Character of use.* In any district where a home occupation is allowed, it shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not change the character thereof or the character of the neighborhood. When permitted to qualify as a home occupation, a use must demonstrate compliance with each and all of the following criteria:

a. No person other than the members of the family residing on the premises shall be engaged in such occupation. No persons other than permanent residents of the subject premises shall be engaged in such occupation.

b. There shall be no display of goods visible from any street.

c. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation from any right-of-way, except that a nonilluminated nameplate, not exceeding two square feet in area, may be displayed providing the nameplate is affixed against the exterior surface at a position not more than two feet from the main entrance to the residence.

d. No home occupation shall occupy more than 20 percent of the total living area of the residence, exclusive of the area of any open porch or attached garage or similar space not suited for or intended for occupancy as living quarters. No rooms which have been constructed as an addition to the residence, nor any attached garage or porch which has been converted into living quarters, shall be considered as floor area until two years after the date of completion thereof.

e. No home occupation shall be conducted in an accessory building; such occupation must be conducted in the principal of the proprietor.

f. No motorized power other than electric motors shall be used in conjunction with home occupations. The total horsepower of such motors shall not exceed three horsepower, or one horsepower for any single motor.

g. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit, if conducted in other than a single-family residence. For electrical interference, no equipment or process shall be used which creates a visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.

h. No occupation shall generate traffic exceeding volumes normally expected in a residential neighborhood. Occupations which rely on client contact at the premises are not permitted.

i. No home occupation shall include the following: cosmetology, barbering, or

beauty shop; restaurant; retail sales; fortunetelling or clairvoyance; food processing for sale; kennels; animal grooming; radio or television repair; furniture repair, refinishing or building; cabinet making; boatbuilding; automobile or other vehicle servicing; rebuilding or repair shops; metal fabrication or other similar activity, including use of welding or cutting torches; funeral homes; medical or dental laboratories; showroom or display area; or any activity similar to any of the listed activities.

(2) *Application.* Any person desiring to conduct a home occupation in a district where such use is permitted shall first apply to the building department for a home occupation. Such application shall be on a form prepared by the building department and shall include but not be limited to the following data:

a. Name of the applicant and an affidavit from the owner of the premises expressing that the owner is aware of the applicant's request for a home occupation and has no objection to the home occupation being sought. Each applicant shall submit to the city building department a sworn application on a standard form and a recent photo of the residence showing the entire front yard and all driveways and carports, if any.

b. Location of residence wherein the home occupation, if approved, will be conducted.

c. Total floor area of the residence.

d. Area of the room to be utilized for the conduct of the home occupation.

e. A sketch showing the floor plan and the area thereof to be utilized for the conduct of the home occupation.

f. The nature and character of the home occupation sought to be approved and equipment to be used in operations associated with the occupation.

(3) *Standards.* Each home occupation will be evaluated on the basis of its meeting the criteria, and once approved must adhere to the following standards:

a. A home occupation shall be subject to all applicable city occupational licenses and other business taxes.

b. If any home occupation requires a license or permit from the state or any agency thereof, the applicant for a home occupation permit shall provide the building official with a current, valid copy of any such permit or license before any such occupation shall be conducted. Any such license or permit from the state of any agency thereof shall be kept active and current.

c. Failure to continuously comply with this division and all other sections of the land development regulations applicable to conditional uses generally and all conditions of any permit or license issued by the state or any agency thereof shall be grounds for revocation of the home occupation permit by the building official after due notice and a public hearing.

d. The city may attach reasonable conditions to a permit granting approval of a

home occupation permit in order to protect the public health, safety, and welfare and to preserve the stability and tranquility of residential areas. Such conditions may include but are not limited to placing limits on the hours of operation. Such permit shall be renewable annually.

e. A permit for a home occupation shall be granted to the occupant of the premises and shall not run with the land and shall not be transferable. If the applicant granted a home occupation vacates the premises, the home occupation permit shall automatically expire.

(Ord. No. 97-10, § 1(2-7.20), 7-3-1997)

Sec. 122-1307. Issuance of permit.

Upon compliance with the procedure described in section 122-1306, the building official shall issue a home occupation permit. Any such permit may be revoked by the building inspector at any time when it has been determined that the home occupation has become a public nuisance.

(Ord. No. 97-10, § 1(2-7.20), 7-3-1997)

Secs. 122-1308--122-1335. Reserved.