

AMEND: CHAPTER 3, DEFINITIONS, SEC. 3.37: HOME OCCUPATION:

~~Any occupation or profession carried on in a residential zone in the main building on the premises by a member of the family residing therein, including but not limited to the following which are listed as examples:~~

~~The practice of medicine, dentistry, engineering, architecture and law and operation of a beauty salon, real estate office, insurance sales office and antique shop.~~

~~The reference to a member of the family in this section is limited to a person or persons who reside on the premises and is related within the first degree of kinship to the owner or principal tenant of the premises. Parking space shall be provided on the premises for not less than four (4) passenger vehicles, in conformity with the definition of parking space. A NON-RESIDENTIAL USE OR ACTIVITY THAT MAY BE PERMITTED IN A PRIMARY RESIDENCE AND/OR ACCESSORY BUILDING WITHIN A RESIDENTIALLY ZONED PARCEL.~~

ADD: CHAPTER 3, DEFINITIONS, SEC. 3.4001: INTERNET-BASED COMMERCE: ANY TYPE OF HOME OCCUPATION USE OR ACTIVITY WHICH INVOLVES THE SALE OF PRODUCTS OR SERVICES AND SUBSEQUENT DELIVERY BY STANDARD RESIDENTIAL POSTAL AND SHIPPING SERVICES, CONDUCTED PRIMARILY BY MEANS OF AN INTERNET PRESENCE.

ADD: CHAPTER 3, DEFINITIONS, SEC. 3.705: TELEWORK, TELECOMMUTE: THE PRACTICE OF WORKING FROM A RESIDENCE, MAKING USE OF THE INTERNET, EMAIL, AND THE TELEPHONE.

AMEND: CHAPTER 5.75, RESIDENCE ZONE “R-1” REGULATIONS, SEC. 5.752(B)

~~Home occupation, provided that:~~

- ~~1. — Signage in accordance with Chapter 28.~~
- ~~2. — No display shall be maintained which indicates from the exterior of the building on said premises that such building is being used for any purpose other than a dwelling.~~
- ~~3. — No commodity shall be sold on or from the premises unless it was produced thereon or unless it is incidental to the permitted services rendered or articles permitted to be produced on the premises.~~
- ~~4. — No items used for the permitted home occupation shall be stored outside of the residence occupied by the family.~~
- ~~5. — Parking space is provided on the premises for not less than four (4) passenger automobiles and in no event less than 1200 square feet.~~

HOME OCCUPATION, SUBJECT TO THE FOLLOWING CONDITIONS IN ADDITION TO ANY OTHER APPLICABLE STANDARDS OF USE OF THE APPLICABLE ZONING DISTRICT NOT OTHERWISE PERMITTED HEREIN:

1. TELEWORK OR TELECOMMUTE-BASED ACTIVITY SHALL NOT BE CONSIDERED AS THE OPERATION OF A HOME OCCUPATION SUBJECT TO THESE STANDARDS.
2. HOME OCCUPATIONS SHALL BE CLEARLY INCIDENTAL AND SUBORDINATE TO THE PRINCIPAL RESIDENTIAL USE OF THE PROPERTY.
3. THE USE IS COMPATIBLE WITH OTHER USES, MAINTAINS AND PRESERVES THE CHARACTER OF THE NEIGHBORHOOD AND DOES NOT CREATE A NUISANCE OR DETRACT FROM THE RESIDENTIAL FUNCTION AND TRANQUILITY.

4. THE HOME OCCUPATION SHALL BE CONDUCTED WITHIN THE DWELLING OR WITHIN AN ACCESSORY BUILDING ON THE PREMISES. THE GROSS AREA OF THE ACCESSORY STRUCTURE SHALL NOT EXCEED 1,000 SQ. FT.
5. NO COMMERCIAL DISPLAY OF MATERIALS, MERCHANDISE, GOODS, VEHICLES OR EQUIPMENT SHALL BE VISIBLE FROM PUBLIC RIGHTS-OF-WAY OR SURROUNDING PROPERTIES, EXCEPT AS PERMITTED ELSEWHERE IN THIS SECTION.
6. THE EXTERNAL APPEARANCE AND/OR USE OF THE STRUCTURE(S) OR LOT IN WHICH THE HOME OCCUPATION IS CONDUCTED SHALL NOT BE ALTERED TO INDICATE THE PRESENCE OF THE HOME OCCUPATION.
7. NO EXPANSION OF EXISTING OFF-STREET PARKING SHALL BE PERMITTED. FURTHERMORE, NO ADDITIONAL PARKING BURDEN, DUE TO THE HOME OCCUPATION, SHALL BE CREATED.
8. THE USE DOES NOT PRODUCE OFFENSIVE NOISE, VIBRATION, SMOKE, DUST, ODORS, LIGHTING, ELECTRICAL INTERFERENCE, RADIOACTIVE EMISSION, ENVIRONMENTAL POLLUTION, OR OTHER NUISANCES.
9. MECHANICAL AND ELECTRICAL EQUIPMENT USED SHALL BE ONLY THAT NORMALLY USED OR FOUND IN A SINGLE-FAMILY DWELLING; AND, WHEN PERFORMANCE RATED SHALL BE LIMITED TO NORMALLY DOMESTIC RATINGS RATHER THAN COMMERCIAL OR INDUSTRIAL.
10. NOT MORE THAN ONE PERSON, WHO IS NOT A RESIDENT OF THE PREMISES, MAY PARTICIPATE IN THE HOME OCCUPATION AS AN EMPLOYEE OR VOLUNTEER.
11. THE HOME OCCUPATION SHALL NOT SERVE AS A LOCATION WHERE MULTIPLE EMPLOYEES ROUTINELY MEET OR PARK PRIOR TO GOING TO WORK OFF-SITE.
12. INTERNET-BASED HOME OCCUPATION ACTIVITIES IN WHICH PRODUCTS OR SERVICES ARE BOUGHT BASED ON AN INTERNET PRESENCE. SUCH PRODUCTS MAY BE STORED TEMPORARILY AS INVENTORY ON THE PREMISES, DURING THE NORMAL COURSE OF SAID ACTIVITY.
13. DELIVERY OF PRODUCT, SUPPLIES AND MATERIALS SHALL BE ACCOMPLISHED BY PRIVATE AUTOMOBILE, REGULAR MAIL SERVICE, OR STANDARD RESIDENTIAL DELIVERY VEHICLES OF THE TYPE NORMALLY USED FOR PARCEL DELIVERIES TO SINGLE-FAMILY DWELLINGS. IN THE LATTER CASE, THERE SHALL BE NO MORE THAN ONE (1) SUCH DELIVERIES PER DAY; THE USE OF TRACTOR TRAILERS OR OTHER VEHICLES WITH THREE (3) OR MORE AXLES IN CONJUNCTION WITH ANY HOME OCCUPATION USE OR ACTIVITY IS PROHIBITED.

14. TRAFFIC GENERATED BY A HOME OCCUPATION SHALL NOT EXCEED THE AVERAGE DAILY VOLUME NORMALLY EXPECTED FOR A RESIDENCE IN A RESIDENTIALLY ZONED NEIGHBORHOOD, WHICH FOR THE PURPOSE OF THIS SECTION, EQUALS UP TO TEN (10) ROUND TRIPS PER DAY.
15. CERTAIN USES BY THEIR VERY NATURE, HAVE A PRONOUNCED TENDENCY TO INCREASE IN INTENSITY BEYOND THE LIMITS PERMITTED FOR HOME OCCUPATIONS, THEREBY IMPAIRING THE REASONABLE USE AND VALUE OF SURROUNDING RESIDENTIAL PROPERTIES. THEREFORE, THE FOLLOWING ARE PROHIBITED USES OR ACTIVITIES AS HOME OCCUPATIONS:
- a. ADULT ENTERTAINMENT OR SEXUALLY ORIENTED BUSINESS.
 - b. AMBULANCE SERVICE.
 - c. DAY CARE (EXCLUDES PLAN "A" AS DEFINED IN THE OHIO REVISED CODE).
 - d. HEALTH SALON, GYM OR AEROBIC EXERCISE STUDIO.
 - e. MACHINE SHOP.
 - f. MEDICAL AND DENTAL CLINICS AND HOSPITALS.
 - g. MOTOR VEHICLE TOWING, STORAGE, AND/OR SALVAGE BUSINESS.
 - h. NURSING HOMES.
 - i. ON-SITE, STORE FRONT RETAIL AS A PRIMARY USE.
 - j. PARKING ON, OR DISPATCHING FROM THE SITE, ANY VEHICLE USED IN CONJUNCTION WITH THE HOME OCCUPATION, WITH THE EXCEPTION OF A VEHICLE OWNED AND OPERATED BY THE HOMEOWNER.
 - k. PRINTING SHOP.
 - l. RESTAURANTS OR ANY OTHER EATING AND/OR DRINKING ESTABLISHMENT.
 - m. TOURIST HOME, BED & BREAKFAST, MOTEL, HOTEL, INN.
 - n. TRUCKING, HAULING, MOVING, TOW TRUCK SERVICE, HEARSE SERVICE, LIMOUSINE, AND CAB SERVICE.
 - o. UNDERTAKING AND FUNERAL PARLOR.
 - p. USES THAT REQUIRE EXPLOSIVES OR HIGHLY COMBUSTIBLE OR TOXIC MATERIALS.
 - q. USES THAT REQUIRE FIRE SAFETY INSPECTIONS, PRECAUTIONS OR PERMITS OR OTHER REGULATORY INSPECTIONS OR PERMITS INVOLVING PUBLIC HEALTH AND SAFETY.
 - r. VEHICLE: SALE, SERVICE, REPAIR, BODY WORK, PAINTING, DETAILING, UPHOLSTERY AND/OR WASHING.
 - s. VETERINARIAN WITH BOARDING AND/OR SURGICAL SERVICES, OR
 - t. USES SIMILAR TO THE ABOVE LISTED USE WHICH WOULD, AT THE DISCRETION OF THE ZONING INSPECTOR, RESULT IN NUISANCE FACTORS AS DEFINED BY THIS SECTION. IN THOSE INSTANCES WHEN THE ZONING INSPECTOR DENIES AN APPLICATION, OR IF THE ZONING INSPECTOR IS UNCERTAIN OF THE APPROPRIATENESS OF A PROPOSED HOME OCCUPATION, THE MATTER MAY BE APPEALED TO THE BOARD OF ZONING APPEALS (BZA) FOR INTERPRETATION.

AMEND: CHAPTER 7.5, RESIDENCE ZONE “R-2” SECTION 7.52(B): ~~The following uses as permitted in the Rural Residence Zone “R-1”, Sections 5.75:(B)~~ HOME OCCUPATION AS DESCRIBED IN SECTION 5.752 (B).