

§519 HOME OCCUPATIONS

Home occupations are permitted in the Low Density (LD) and Hamlet Commercial (HC) Districts as an accessory use to a residential use subject to the following standards and conditions of this Section.

- A.** Home occupations may be conducted as an accessory use to a single family dwelling only.
- B.** No person other than a member of the immediate family occupying such dwelling shall be employed full time in the home occupation.
- C.** A home occupation must be conducted within a dwelling which is the bona fide residence of the principal user, or in an accessory building thereto which is normally associated with a residential use.
- D.** No more than twenty five percent (25%) of the gross floor area of such residence shall be used for the conduct of a home occupation. The entire floor area of an accessory structure, excluding garages, may be used for a home occupation.
- E.** In no way shall the appearance of the structure be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character whether by the use of colors, materials, construction, lighting or the emission of sounds, noises, or vibrations.
- F.** No mechanical or electrical equipment shall be employed other than machinery or equipment customarily found in the home associated with a hobby or avocation not conducted for gain or profit or machinery or equipment which is essential in the conduct of the home occupation.
- G.** There shall be no use of utilities or community facilities beyond that normal to the use of the property for residential purposes.
- H.** One name plate shall be allowed. It may display the name of the occupant and/or the name of the home occupation. It shall not exceed one (1) square foot in area and shall be attached to the structure.

- I. Only one (1) commercial vehicle, as defined herein, may be used in connection with home occupation.
- J. No use shall create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other hazard or nuisance to any greater or more frequent extent than that usually experienced in an average residential occupancy in the district in question under normal circumstances wherein no home occupation exists.
- K. Any home occupation that exceeds the thresholds established in this Section shall require a special permit for a home business.

§709 HOME BUSINESS

The Town Planning Board may approve a special use permit for a home business as an accessory use to a residential dwelling subject to the standards and conditions set forth in this Section.

A. Type of Business

A variety of commercial and manufacturing uses may be permitted, provided that the requirements of this Section are met. No business that requires a special use permit in any commercial or industrial zoning district shall be permitted as a home business.

B. Neighborhood Character

The appearance of the structure shall not be altered, and the business shall not be conducted in a manner that would cause the premises to differ from its existing neighborhood character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, noises or vibrations. No lights or noise from the home business shall be noticeable at any time from any public street or neighboring property.

C. Operation and Employees

1. The operator of the home business shall reside in the single family dwelling located on the same lot as the home business.
2. The home business shall be conducted in such a manner that at any one time, the maximum number of clients, customers, and others at the site of the home business, excluding employees, is not greater than ten (10). No more than eight (8) persons, other than members of the family occupying such dwelling, shall be employed in such home business at any one time.

D. Floor Area

1. No more than forty percent (40%) of the gross floor area of a dwelling shall be used for the conduct of a home business, up to a maximum of 1,000 square feet, provided that the portion of the dwelling used for residential purposes shall comply with all applicable laws and codes.
2. The entire gross floor area of no more than one (1) detached accessory structure may also be permitted for use of a home business, in addition to space within the dwelling.

E. Outdoor Storage of Equipment and Materials

A maximum of four (4) pieces of equipment, other than commercial vehicles, may be parked outdoors on the lot. Such equipment shall be operable and necessary for the conduct of the home business. Outdoor storage of equipment used for the home business shall be permitted only in the rear yard. Such equipment shall be completely screened from view from neighboring properties and public roads.

F. Outdoor Display of Goods

The outdoor display of goods may be permitted, provided that the goods are displayed in a neat and orderly manner. The Town of Sheldon Planning Board may limit the quantity of goods displayed and/or the amount of land utilized for the display of goods and may require appropriate screening and/or buffers. Areas proposed for the outdoor display of goods must be clearly delineated in the special use permit application.

G. Signage

1. One (1) sign shall be permitted to identify a home business and no sign shall have more than two (2) printed sides
2. In the Low Density (LD) District, no such sign shall be larger than four (4) square feet in area per side.
3. In the Hamlet Commercial (HC) District, no such sign shall be larger than two (2) square feet in area per side.

H. Commercial Vehicles

No more than two (2) commercial vehicles, as defined herein, may be used in connection with the home business. Such vehicles may be parked outside, but not within the setbacks specified in this Section

I. Number of Clients

The home business shall be conducted in such a manner that at any one time, the maximum number of clients, customers, and others, excluding employees, at the site of the home business is not greater than ten (10).

J. Hours of Operation

The home business' hours of operation shall be clearly delineated in the Special Use Permit.

K. Parking

Off-street parking shall be provided in accordance with the provisions of this Local Law. The off-street parking spaces provided for the home business shall be in addition to the parking required for the residence.

L. Setbacks

Any accessory building used in conjunction with the home business shall be set back a minimum of seventy-five (75) feet from all property lines. Off-street parking and loading spaces, as well as outdoor storage and display, shall be set back a minimum of fifty (50) feet from all side and rear property lines and not less than seventy-five (75) feet from all public rights-of-way.

M. Deliveries

Tractor trailer deliveries shall be permitted unless the Town of Sheldon Planning Board determines that the site does not provide adequate access and/or turnaround space.

N. Access

1. Any business involving direct sales to the public shall have frontage on a public road.
2. Such businesses shall obtain the appropriate driveway permit from the Town of Sheldon