



Kent County
Department of Planning Services
Division of Planning

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**Addendum to Application:
Administrative Approval for a Home Occupation**

Application #: _____

This Addendum outlines the applicable sections of Kent County Code, Volume II, Chapter 205, Article XXII, as amended, defining and regulating the operation of a **Home Occupation** within the residential districts of the unincorporated areas of the County. All applicants are required to comply with the following conditions of approval, as applicable, in the operation of a home occupation.

§205-6 Definitions

Home Occupation is defined as an accessory use of a dwelling for an occupation, profession, enterprise or activity conducted solely by one or more members of a family residing on the premises which is clearly incidental and secondary to the use of the premises for dwelling purposes. No home occupation shall be permitted that:

- A. Changes the outside appearance of the dwelling or is visible from the street;
- B. Generates traffic, parking, sewerage or water use in excess of what is normal in the residential neighborhood;
- C. Creates objectionable noise, smoke, fumes, odor, dust or electrical interference; or
- D. Results in outside storage or display of anything.

§205-366 General Provisions

- A. Home occupations, as defined in Article II, Definitions, shall also include family child-care homes as well as professional office/studios.
- B. Conditions for approval of home occupations.
 - (1) The owner/operator shall secure a zoning certificate of use for a home occupation from the Department of Planning Services, Division of Planning. The dwelling shall be the bona fide residence of the operator of the occupation.
 - (2) The use shall not change the character of the dwelling unit or residential premise nor have any exterior evidence other than an identification sign as provided for in Article XVIII.
 - (3) Floor area.
 - (a) In the RS1, RS5 and RMH Districts, floor area developed to such use shall not exceed 25% of the dwelling unit (except licensed family day-care homes); if the occupation is located in a detached accessory structure, floor area shall be limited to 100% of the existing structure or 500 square feet, whichever is less. An accessory structure attached to the principal dwelling will be considered part of the dwelling for floor area calculations.
 - (b) In the AC and AR Districts, floor area devoted to such use shall not exceed 25% of the dwelling unit (except licensed family day-care homes); if the occupation is located in a detached accessory structure, floor area shall be limited to 2,500 square feet, with up to an additional 1,000 square feet used for storage only. An accessory structure attached to the principle dwelling will be considered part of the dwelling floor area calculations.

- (4) If the home occupation is conducted in an unattached accessory structure, the structure shall meet the principal structure setback requirements for the zoning district.
- (5) There shall be no person engaged or employed other than members of the household residing on the premises.
- (6) Only equipment and facilities that are similar in nature, type and power to what would generally be used for domestic or household purposes shall be permitted.
- (7) The use of property shall not change the general character of the neighborhood.
- (8) The occupation shall create no noise, traffic, dust, vibration, smell, smoke, glare, electrical interference, fire hazard or any other hazard or nuisance to any extent greater or more frequent than that usually experienced for an average residential use in the district wherein located.
- (9) The need for parking generated by such use shall be provided off street and shall be prohibited in the required front yard. Required parking shall be provided in accordance with provisions of Article XVII, Parking. Office use as a home occupation shall not generate additional parking requirements.
- (10) Stock in trade, outdoor or open air storage, and storage or keeping of service vehicles on the premises shall be prohibited, except for what is permitted within the zoning district in which the use is located. Any enclosed storage shall be considered included as part of the total permitted square footage.
- (11) Sale or rental of goods, other than those produced on the premises by the home occupation, shall be prohibited.
- (12) Personal service activities such as beauty shops, barber shops and hairdressing establishments shall serve one client at a time, be limited to one chair and have only one operator who is a member of the household residing on the premises.
- (13) The following types of uses shall not be considered home occupations:
 - (a) Antique shops.
 - (b) Child-care centers (more than nine children).
 - (c) Manufacturing:
 - [1] Automobiles and accessories.
 - [2] Watercraft and accessories.
 - (d) Mortuaries.
 - (e) Product distribution centers (on-premises).
 - (f) Service and/or repairs:
 - [1] Automobile and accessories.
 - [2] Watercraft and accessories.
 - [3] Machinery.
 - (g) Teaching of more than four pupils at one time.
 - (h) Veterinarian services (on-premises)

I agree to comply with the above referenced conditions of approval, as applicable, in the operation of my home occupation. I understand that failure to comply with the regulations, and any other conditions of approval as may be applied by the Director of Planning Services, will result in enforcement action and may cause the revocation of the approval of my home occupation.

Printed Name of Applicant: _____

Signature of Applicant: _____ Date: _____

Printed Name of Applicant: _____

Signature of Applicant: _____ Date: _____