

**HOME OCCUPATION
PERMIT / APPLICATION**

PROPERTY OWNER: _____

PROPERTY ADDRESS: _____

TAX PARCEL NO.: _____

APPLICANT: _____

NAME OF BUSINESS: _____

NATURE OF BUSINESS: _____

I HEREBY CERTIFY THAT I HAVE RECEIVED AND REVIEWED THE HOME OCCUPATION REQUIREMENTS OUTLINED IN THE SCHUYLKILL TOWNSHIP ZONING ORDINANCE AS AMENDED ON THE 6TH DAY OF FEBRUARY 1991, AND THAT THE PROPOSED HOME OCCUPATION WILL BE CONDUCTED IN ACCORDANCE WITH THESE REQUIREMENTS.

APPLICANT SIGNATURE

DATE

FOR TOWNSHIP USE ONLY

APPROVED

BY: _____

DATE: _____

DENIED

BY: _____

DATE: _____

ZONING ORDINANCE

ARTICLE XVIII GENERAL STANDARDS

Section 1815. CLASS A HOME OCCUPATIONS. Class A home occupations shall be subject to the following:

- A. No changes to the exterior of the dwelling shall be permitted, which would have the effect of altering its character as a dwelling.
- B. Not more than one employee not in residence in the dwelling shall be permitted.
- C. No outside storage shall be permitted.
- D. No vehicles, except for typical automobiles or pick-up trucks, shall be used in the occupation.
- E. No deliveries by tractor-trailer shall be permitted.
- F. The occupation shall not result in any noise, glare, vibration, electrical or electromagnetic interference to radio or television signals, odor, glare or septic discharge which are significantly different from those of typical dwellings.
- G. The resident shall operate the home occupation.
- H. The home occupation shall not contribute more than five additional vehicle trips per day from the dwelling, and no commercial vehicles shall be used in the home occupation.
- I. An area corresponding to not more than 20 percent or 500 square feet, whichever is less, of the gross square footage of the dwelling, including all floors and habitable basement areas, but excluding garage and attic space, shall be devoted or used for the home business.

ARTICLE XIX SPECIAL EXCEPTION AND CONDITIONAL USE STANDARDS

Section 1900. APPLICABILITY.

- A. **PURPOSE.** This ordinance has established a list of land uses that possess characteristics that may result in adverse effects on adjoining properties if not properly controlled and regulated. The purpose of this Article is to list the specific and general standards, controls, and guidelines that the Township will use to regulate these land uses.
- B. **CONTROL OF POTENTIAL ADVERSE EFFECTS.** The Zoning Hearing Board or Township Supervisors are empowered to allow certain land uses, permitted in this Ordinance by Special Exception or Conditional Use, contingent upon certain safeguards, standards and conditions that are intended to limit potential adverse effects from such land uses. These standards shall supersede any standard or regulation contained elsewhere in this Ordinance, and shall be regarded as conditions that are necessary for the approval of any Special Exception or Conditional Use.
- C. **COMPLIANCE WITH SPECIAL STANDARDS.** The applicant shall demonstrate compliance with the standards established in this and other Articles and must furnish evidence as may be necessary to demonstrate such compliance. The burden of proof shall rest with the applicant, and the Zoning Hearing Board or Township Supervisors may reject any purported evidence or proof offered in support of an application if the Zoning Hearing Board or Township Supervisors (whichever has jurisdiction) finds that the evidence or proof is not compelling or is inadequate. These standards shall be complied with continually.
- D. **ADDITIONAL CONDITIONS.** In granting any Special Exception or Conditional Use, the Zoning Hearing Board or Township Supervisors may attach such reasonable conditions and safeguards, in addition to those expressed below, as it may deem necessary to implement the purpose of this Ordinance.
- E. **USE OF EXPERTS.** In hearing and deciding upon applications for any Special Exception or Conditional Use, the Zoning Hearing Board or Township Supervisors may call upon any experts or authorities it may deem necessary to assist it in arriving at a fair and impartial determination.
- F. **FEES.** Fees for hearing and deciding upon Special Exceptions or Conditional Uses may be assessed in accordance with a fee schedule adopted by the Township Supervisors.
- G. **HEARINGS.** The Zoning Hearing Board or Township Supervisors shall hold a hearing on all applications for Special Exceptions or Conditional Uses following the Procedures in Article XXIV.
- H. **ADDITIONAL GUIDELINES.** Prior to approving an application for a Special Exception or Conditional Use, the Zoning Hearing Board and Township Supervisors shall determine that the applicant has met the provisions of Section 2410 of this Ordinance.

- I. **RECOMMENDATIONS FROM THE TOWNSHIP PLANNING COMMISSION.** In considering any application for Conditional Use, the Township Supervisors shall consider the recommendations of the Township Planning Commission if provided within 60 days after receipt of the application.

Section 1901. BED AND BREAKFAST.

- A. All bed and breakfast establishments shall be conducted within a single-family detached dwelling.
- B. No modifications shall be made to the exterior front façade of the dwelling, which would alter the character as a single family home.
- C. No front yard areas shall be used for parking in addition to those spaces existing prior to the application for the Bed and Breakfast.
- D. Guests shall be limited to lodging for a maximum of 14 consecutive days.
- E. All units shall have at least two means of egress.
- F. Off-street parking shall be provided according to the provisions of Section 2101 B. 5 in addition to those required for the principal dwelling. Additional parking shall be placed in side or rear yard areas.
- G. The owner and operator of the bed and breakfast establishment shall reside in the dwelling.
- H. Signs are permitted subject to the provisions of Section 2001 B. Any lighting used to illuminate such a sign shall be shielded to reduce spillover of light to adjacent properties to the greatest extent possible.
- I. Not more than two persons, in addition to persons residing in the dwelling, may be employed on-site.
- J. All sewage facilities shall be reviewed and approved by the Chester County Health Department.
- K. There shall be no meal service except for breakfast.

Section 1902. CLASS B HOME OCCUPATION.

- A. The Class B home occupation shall only be conducted within a single-family dwelling or in an accessory building.
- B. No products or materials used in the Class B. home occupation shall be stored outside unless screened.
- C. An area corresponding to not more than 25 percent or 600 square feet, whichever is less, of the gross square footage of the dwelling, including all floors and habitable basement areas, but excluding attic space, shall be devoted or used for the Class B home occupation.
- D. The Township may require screening of any parking area or exterior activity.
- E. No more than two persons, in addition to the persons residing in the dwelling, may be employed on-site.
- F. The Class B home occupation structure shall not be subdivided from the parent parcel.
- G. No modifications shall be made to the exterior front façade of the dwelling, which would alter its character as a single-family dwelling.
- H. Not less than two parking spaces shall be provided for the Class B home occupation, in addition to the parking spaces provided for the dwelling. No front yard areas shall be used for parking in addition to those spaces existing prior to the application for the Class B home occupation. Notwithstanding other provisions in this Ordinance to the contrary, tandem parking spaces in driveways may be used to meet off-street parking requirements. Parking for the Class B home occupation shall be located in side or rear yard areas or in garages. Commercial vehicles may be placed in side yard areas or on existing driveways. Notwithstanding the above, refrigerator trucks or other vehicles that operate machinery that is audible at any lot line for periods exceeding two hours shall be set back not less than 100 feet from all lot lines.
- I. Before any building is used for a Class B home occupation, the applicant shall receive a permit from the Zoning Administration Officer, which shall state that it is issued subject to the applicant complying with the conditions of this Section.
- J. The applicant shall demonstrate that traffic generated by the Class B home occupation shall not significantly increase from current levels.
- K. The Township may require periodic re-inspection to ensure continued compliance with all applicable conditions.
- L. The resident shall operate the Class B home occupation.