



MEMORANDUM

To: Home Occupation Applicant

From: Vicki Evans, Planning & Zoning Administrative Assistant

RE: Home Occupation Information

Thank you for contacting our office about starting a home occupation. Enclosed is the information you requested regarding compliance with the City of O'Fallon for your business.

The excerpt from the Zoning Ordinance titled "Section 3.02 - Home Occupations" lists the requirements for home occupations. Please submit the following items:

- 1. Completed "Application for Home Occupation Permit".**
- 2. Completed "Application for Business Registration".**
- 3. Completed "O'Fallon Police Department Business Information" form.**

You are asked not to pay the \$35 Home Occupation Permit fee or the \$25.00 annual business registration fee until we notify you that your Home Occupation Permit has been approved.

Once you return all this information to our office, it will be approximately 2-3 weeks to complete our review of your application. Upon approval, we will notify you that your permit has been approved and you will then need to come to the Planning & Zoning office to pay the \$35.00 Home Occupation Permit fee and the \$25 annual Business Registration Fee. Please make your check payable to "City of O'Fallon".

If you have any questions, please do not hesitate to contact our office at 624-4500, Ext. 4 and we will be happy to assist you.

**EXCERPT FROM THE CITY OF O’FALLON ZONING CODE
FOR REGULATING HOME OCCUPATION BUSINESS ACTIVITIES**
(For Informational Purposes Only)

Paragraph 117 of Div. IV “Definitions” of Article 1

- 117) Home occupation, accessory use: Activity conducted in a dwelling unit as an economic enterprise or for compensation by members of the household residing therein that is clearly incidental and secondary to the use of the dwelling unit for residential purposes. For purposes of this definition, “activity” shall be presumed to include any activity occurring in whole or part from a residence in the City that is: 1) required to be licensed by the State of Illinois, 2) operating under an incorporated entity under applicable law or required to be so incorporated, or 3) otherwise determined to be a business activity operating out of the home by the Planning Director based on the character of the activity at the location such as: (1) use of residential location on marketing or other materials, (2) customer visits, (3) signage, and (4) deliveries or other activities of a degree or nature that are not typical of purely residential uses. Home occupations shall include, but not be limited to:
- (1) Office uses, including web-based businesses;
 - (2) Art Studio or home crafts including, but not limited to quilting, sewing, jewelry making, home cooking for sale off-site;
 - (3) Teaching, with instruction limited to three (3) pupils at a time; and
 - (4) Home day care.

Section 3.02 HOME OCCUPATIONS

Home occupations are required to obtain a Home Occupation Permit, subject to compliance with all requirements herein and with such additional conditions, where applicable, as established by the Planning & Zoning Department. The Permit shall be applied for on such form as established by the Director, and shall be approved, denied, or conditioned by the Director as necessary to conform to the requirements herein. In any district where home occupations are permitted, the establishment and continuance of a home occupation shall be subject to the following requirements:

- a) Such use shall be conducted entirely within a dwelling and carried on by the inhabitants there and no others. Home occupations may not serve as a headquarters or dispatch center where employees come to the home and are dispatched to other locations.
- b) Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not change the residential character thereof. Client visitations to the home shall no more than the range of typical visitations for other residential uses in the area.
- c) No vehicular or pedestrian traffic generated by a home occupation shall be allowed to cause a nuisance to neighboring properties or block or interfere with the regular flow of traffic within the neighborhood.
- d) The total area used for such purposes shall not exceed the equivalent of one-half the floor area, in square feet, of the largest floor of the dwelling unit.
- e) There shall be no advertising, display or other indications of home occupation on the premises, except one unanimated, non-illuminated flat nameplate having an area of not more than one square foot may be permitted, as part of an otherwise authorized “address and Residential Occupant Sign, subject to other requirements of the Sign Code. Such nameplate must be on the building.
- f) No in-person sales transactions, such as selling stocks of merchandise, supplies, or products may be filled on the premises, provided that orders previously made by telephone or at a sales party

may be delivered or received on site subject to limits on the level of activity set forth above.

- g) There shall be no exterior storage on the premises or public right-of-way of material or equipment used in the home occupation, nor of any highly explosive or combustible material.
- h) Not more than one (1) trailer associated with the home occupation may be allowed on the premises, subject to the following requirements:
 - 1) Such trailer may not exceed 8 feet wide or 25 feet long.
 - 2) If the trailer has no visible equipment, whether it is an enclosed trailer or an empty flat bed trailer, it may be parked in the driveway. If equipment is visible, the trailer must be parked inside a garage.
 - 3) Such trailer must be able to enter and exit the premises by way of an improved, dust-free surface.
- i) The home occupation shall allow no more than one (1) commercial vehicle parking on the premises, subject to the following additional requirements:
 - 1) The commercial vehicle is limited to a passenger car, van, pickup truck or service vehicle with a License Category of B, C, or D and vehicle weight of up to 12,000 pounds.
 - 2) Parking or storage of any vehicles used as a tool in the business (tow trucks, tree removers, etc.) in connection with the home occupation is prohibited on premises, unless fully concealed in the dwelling or accessory residential building. Exception: parcels in the Agricultural zoning district will be permitted to store equipment and vehicles consistent with agricultural operations as outlined in the Zoning Code.
- j) Parking or storage of, or delivery by, heavy equipment including, but not limited to, back hoes, skid loaders, dump trucks, and other similar items on the premises, is prohibited. This shall include businesses where the home is the base of operations where heavy equipment would be dispatched from the home and would create noticeable traffic to and from the home. Exception: parcels in the Agricultural zoning district will be permitted to store equipment and vehicles consistent with agricultural operations as outlined in the Zoning Code.
- k) There shall be no noise, vibration, smoke, dust, odors, heat, or glare noticeable at or beyond the property line from any business activity and all activity shall comply with applicable building and fire codes.
- l) In addition to other restrictions, the following types of uses are also prohibited: service, repair, or painting of any motorized vehicle, including, but not limited to, motor vehicles, trailers, boats, personal watercraft, recreation vehicles, and snowmobiles where the work is done on the premises where the home occupation is located; headquarters or dispatch centers where employees or contractors arrive or depart; contracting, excavating, welding, or machine shops where the work is done on the premises where the home occupation is located; tow truck services where the tow truck is stored on site; the sale, lease, trade, or other transfer of firearms or ammunition; sale or use of hazardous materials in excess of consumer quantities packaged for consumption by individual households for personal care or household use; and any other use of residential property that is detrimental or inconsistent with the residential character of the neighborhood.
- m) Exemptions: The following home occupations shall be exempt from obtaining a Home Occupation Permit, provided that all other criteria and conditions established in this Section are complied with at all times of such accessory use:
 - 1) Mere home offices used for telecommuting to a primary off-site business location;
 - 2) Home-based direct sale of products and distribution in which any corporate activity is registered at another address and provided that (1) any sales parties or demonstrations are conducted off-site, and (2) the home-based business activity is not registered or required to be registered under the provisions of the Retailers' Occupation Tax Act (35 ILCS 120/) or Chapter 805 of the Illinois Compiled Statutes.



PLANNING & ZONING DEPARTMENT
255 S. Lincoln Avenue, 2nd Floor
O'Fallon, IL 62269
Ph: (618) 624-4500 x4
Fax: (618) 624-4534

APPLICATION FOR A HOME OCCUPATION PERMIT

(Do not write in this space - For office use only)

Date: _____

Permit Number: _____

I. APPLICANT INFORMATION

Property Owner: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Applicant: _____
(if different from owner)

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

I. BUSINESS INFORMATION

Business Name & Address: _____

Parcel ID: _____

Zoning District: _____

Describe Your Business (attach separate sheets if necessary): _____

Functions to be conducted out of your home (attach separate sheets if necessary): _____

Number of Employees (not including self): _____ (All employees must reside on the premises)

Employees' Relationship to Business Owner: _____

Area of home dedicated to home occupation: _____ sq. ft. Total size of home: _____ sq. ft.

Will you have an identifying nameplate on the exterior of your home? Yes _____ No _____

Equipment/supplies used in the home occupation: _____

Where will the equipment/supplies be stored? _____

Will the home occupation require the use of a trailer? Yes _____ No _____

If yes, provide the size, type, and where parked: _____

Will the home occupation require the use of a commercial vehicle? Yes _____ No _____

If yes, provide the size, type, and where parked: _____

II. STATEMENT OF COMPLIANCE

Please initial the boxes below

- a) Such use shall be conducted entirely within a dwelling and carried on by the inhabitants there and no others. Home occupations may not serve as a headquarters or dispatch center where employees come to the home and are dispatched to other locations.
- b) Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not change the residential character thereof. Client visitations to the home shall no more than the range of typical visitations for other residential uses in the area.
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- k) There shall be no noise, vibration, smoke, dust, odors, heat, or glare noticeable at or beyond the property line from any business activity and all activity shall comply with applicable building and fire codes.
- l) In addition to other restrictions, the following types of uses are also prohibited: service, repair, or painting of any motorized vehicle, including, but not limited to, motor vehicles, trailers, boats, personal watercraft, recreation vehicles, and snowmobiles where the work is done on the premises where the home occupation is located; headquarters or dispatch centers where employees or contractors arrive or depart; contracting, excavating, welding, or machine shops where the work is done on the premises where the home occupation is located; tow truck services where the tow truck is stored on site; the sale, lease, trade, or other transfer of firearms or ammunition; sale or use of hazardous materials in excess of consumer quantities packaged for consumption by individual households for personal care or household use; and any other use of residential property that is detrimental or inconsistent with the residential character of the neighborhood.
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III. AUTHORIZATION TO APPLY

Application is hereby made for a Certificate of Zoning Compliance, as required under the Zoning Code of Ordinances of the City of O'Fallon, Illinois, for permission to operate a Home Occupation. In making this application, the applicant represents all of the information above and any attachments to be a true description of the proposed Home Occupation. The applicant agrees to abide by all requirements set forth in Section 3.02 "Home Occupations" of the Zoning Code of Ordinances of the City of O'Fallon. The applicant agrees that the permit applied for, if granted, is issued on the representations made herein and that any permit issued may be revoked without notice on any breach of representation or conditions. It is understood that any permit issued on this application will not grant right of privilege to operate a Home Occupation or to use any premises described for any purpose or in any manner prohibited by the Zoning Code of Ordinances, or by other ordinances, codes or regulations of O'Fallon, Illinois.

Applicant Signature: _____ **Date:** _____

Phone: _____ **E-mail:** _____

(If applicant is not the property owner, please refer to the "Attachment to Home Occupation Permit" form on Page 3)

STAFF USE ONLY

Staff Planner Review:

Reviewed by: _____ **Date:** _____

Planning Director Approval:

Approved by: _____ **Date:** _____

Variance Approval (if necessary):

On _____, 20_____, a public hearing was held on this application before the Zoning Hearing Officer. The application was **approved / denied** (CIRCLE ONE) on _____, 20_____.

Remarks: _____

Planning & Zoning Department
255 South Lincoln Avenue
O'Fallon, IL 62269
Phone: 618-624-4500 Ext. 4
Fax: 618-624-4534



ATTACHMENT TO HOME OCCUPATION PERMIT

This Attachment to Home Occupation Permit is to be used when the applicant or business owner is not the property owner of record. The attachment is completed by the owner of the property.

DATE: _____

TO: PLANNING AND ZONING DEPARTMENT
City of O'Fallon

Purpose: Authorization to Operate Home Occupation

I, _____, owner of the property located at

have reviewed and authorized the operation of the home occupation at the listed location.

Sign: _____

Date: _____

Print name: _____

\$25.00 Annual Fee

Year Business Started _____
New _____ Renewal _____

**CITY OF O'FALLON
APPLICATION FOR BUSINESS REGISTRATION**

1. BUSINESS NAME _____ TELEPHONE # _____

2. BUSINESS ADDRESS _____

3. MAILING ADDRESS _____
(if different) Address City State Zip Code

4. BUSINESS OWNER _____
Name Telephone
Address City State Zip Code

5. CORPORATE NAME/CONTACT: _____
CORPORATE ADDRESS _____
PHONE NUMBER _____

6. EMERGENCY CONTACT PERSONS (Name of person in the immediate area with keys and alarm codes that can respond if necessary, AFTER HOURS).
Name Telephone

7. ILLINOIS DEPARTMENT OF REVENUE SALES TAX NUMBER _____

8. FEDERAL EMPLOYEE IDENTIFICATION NUMBER (FEIN) _____

9. IS THIS A HOME-BASED BUSINESS? YES NO IF YES, SUBMIT A COPY OF APPROVAL LETTER.

10. ANY FEDERAL, STATE OR COUNTY LICENSES OR CERTIFICATES HELD: _____

11. TYPE OF BUSINESS _____ 12. NUMBER OF EMPLOYEES – PART-TIME _____ FULL-TIME _____

12. TYPE AND LOCATION OF ANY TOXIC, FLAMMABLE, OR HAZARDOUS MATERIALS STORED AT LOCATION. _____

ATTACH EXTRA SHEET, IF NECESSARY

13. Applying for a City of O'Fallon food license? Yes No **IF YES, ATTACH A COPY OF THE HEALTH CERTIFICATE ISSUED BY THE ST. CLAIR COUNTY HEALTH DEPARTMENT AND REMIT \$25.00 FOR A FOOD LICENSE**

Applicant's Signature _____ Date _____
(FOR OFFICE USE ONLY)

ZONING CLASSIFICATION OF PROPERTY: _____

Date Approved for proposed use: _____ Commercial Occ. Required Date of Inspection: _____

Required Special Use Rezoning Spec. Home Occ Home Sales Office

Planning & Zoning Approval _____ Date _____

O'FALLON POLICE DEPARTMENT
BUSINESS INFORMATION

Date _____

Business Name _____
Address _____

Phone _____

Type of Business _____

Owner Name _____
Address _____

Phone _____

Emergency Contacts (please list in calling order, name, address, and phone)

1. _____

2. _____

3. _____

Does business have a commercial burglar/fire alarm?	Yes	No
Alarm Company	_____	
Address	_____	
Phone Number	_____	

Does the business have a safe?	Yes	No
Location	_____	

Additional Information: _____

Please notify the O'Fallon Police Department if any of the information changes.

By mail: 285 N. Seven Hills
By phone: 624-4545
By fax: 632-6370