



**Department of Planning and Zoning
Planner's Report**

DATE: July 18, 2019
TO: Adrienne Senter
FROM: Lynn Patterson, Consulting Planner for City of Hapeville
RE: **Home Occupation Definition**

BACKGROUND

The definition of "Home Occupation" given in Sec. 93-1-2. – *Definitions* of the Hapeville Zoning Code is restrictive and does not reflect the current trend of dwellings being used as home offices in businesses that operate remotely via telephone and the internet. Sec. 93-2-25 – *Home occupations; special provisions* provides specific guidelines for the operation of a home occupation that make the restrictive language in the definition unnecessary. The following text amendment would alter the definition of "Home Occupation" to be more general and is presented for recommendation to Mayor & City Council.

CODE

ARTICLE 1. – TITLE, DEFINITIONS AND APPLICATION OF REGULATIONS

Sec. 93-1-3. – Definitions

(c) *Definitions*

Change:

Home occupation. Any accessory use of a commercial service character customarily conducted within a dwelling by a resident thereof, which use is secondary to the use of the dwelling for living purposes and does not change the character thereof. The types of businesses meeting the definition of a home occupation include, but are not limited to, the office of a physician, surgeon, dentist, chiropractor, lawyer, engineer, architect, accountant or other professional person, within a dwelling occupied by the same for consultation or emergency treatment, but not for the general practice of his profession and where no assistants are employed.

To:

Home occupation. Any accessory use of a commercial service character customarily conducted within a dwelling by a resident thereof, which use is secondary to the use of the dwelling for living

purposes and does not change the character thereof. Operation of any such use is subject to the provisions set forth in section 93-2-25.