

CITY OF EMILY
HOME OCCUPATION PERMIT APPLICATION

APPLICATION:

- A. Applicant shall complete a Home Occupation Permit Application and submit to the Zoning Administrator.
- B. Application shall be accompanied by the minimum information from the Home Occupation Permit Checklist.
- C. Application shall be accompanied by an application fee of \$25 and a Conditional Use Permit non-refundable fee of \$500 for new Type III and Type IV Home Occupations, each made payable to the City of Emily. An additional fee of \$46.00, payable to the Crow Wing County Recorder, for filing of the Conditional Use Permit must also be submitted at the time of application. If the Conditional Use Permit is denied, the filing fee will be returned to the applicant.

REVIEW:

- A. Planning and Zoning Administrator shall review the application for completeness and assign a reference number to application, plans, and any other attachments. Applicant shall be notified within ten days if additional information is required to complete the application.
- B. After receipt of a Type III or Type IV completed Home Occupation Application and supporting documents, the Zoning Administrator shall schedule a Public Hearing date on the Planning Commission's agenda for the earliest possible opening. Applicant will be notified by mail of the date and time of the Public Hearing.
- C. City Staff will prepare a Staff Report on the application. The Staff Report will be available for public review at City Hall approximately one week prior to the scheduled meeting date.
- D. The City Fee Schedule is based on average processing and review costs for all applications. When costs exceed the original application fees, the applicant shall reimburse the City for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees and other professional services the City may need to obtain in reviewing permits. The City may withhold final action on any application and/or hold the release of such permits until all fees are paid.

ACTION:

- A. Type I and Type II Home Occupations will be reviewed and approval made or denied by the Zoning Administrator. The Planning Commission shall hold a Public Hearing on Type III and Type IV applications.
- B. At the conclusion of the Public Hearing, and after consideration of the testimony presented, the Planning Commission shall make a recommendation to the City Council.

- C. The City Council shall consider the Planning Commission's recommendation at the next scheduled Council meeting.

Home Occupation Permit Standards

- A. General. Each home occupation in the City shall require a permit. Home Occupation Permits are not transferable to a new owner/renter/occupant, thus the permit will not run with the property, nor be transferable to a different property.
- B. Standards.
1. All business activities including storage shall be inside buildings.
 2. All activities shall be clearly incidental to the use of the property for residential purposes.
 3. Hours of operation shall be limited by Conditional Use Permit to be compatible with the residential use for Type III and Type IV home occupations.
 4. Number of employees shall be limited by Conditional Use Permit for Type III and Type IV home occupations.
 5. On the premises, retail sales will be allowed only of products manufactured on those premises unless specifically authorized by Conditional Use Permit.
 6. All activities will be controlled to prevent nuisance problems of noise, vibration, smoke, dust, fumes or litter.
- C. Type. Each home occupation shall be identified as one of the following types:
1. **Home Occupation, Type I.** A home occupation, the commercial nature of which involves providing a service to a limited number of people who are predominantly acquaintances. Generates less than ten auto trips per week. No employees beyond owner. Would include businesses that are similar in nature to tutoring or music lessons performed on an individual basis.
 2. **Home Occupation, Type II.** A home occupation, the commercial nature of which involves providing a service to people or organizations that do not receive the service at the property from which is it being provided. Generates less than twenty-five auto trips per week, including deliveries and employees. No more than two employees, in addition to the owner, working on site. Would include businesses that are similar in nature to telephone sales, consulting, or web design.
 3. **Home Occupation, Type III.** A home occupation, the commercial nature of which involves providing a service or product to people or organizations within the home. Generates less than sixty auto trips per week, including deliveries. No more than two employees, in addition to the owner working on site. May include retail sales of items manufactured on-site. Would include businesses that are similar in nature to chiropractic service, food stand or craft shop.
 4. **Home Occupation, Type IV.** A home occupation, the commercial nature of which involves providing a service or product to people or organizations off site. Generates less than sixty auto trips per week, including deliveries. All employees do the majority of their work off-site. May include on-site storage or warehousing of work related materials. Would include businesses that are similar in nature to lawn care services.

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APP # _____
Date _____
Fee _____
(for office use only)

Name of Applicant _____

Phone _____

Property Address (E911#) _____ Local Phone _____

Mailing Address _____ Email _____

(if different than above)

City, State, Zip _____

Applicant is:

Title Holder of Property *(if other than applicant)*:

Legal Owner ()

Contract Buyer ()

Option Holder ()

Agent ()

Other _____

(Name)

(Address)

(City, State, Zip)

Signature of Owner, authorizing application (required) _____
(By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): _____
(By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

Property ID (8 digit # on Tax Statement) _____ Zoning District _____

Home Occupation Type (please circle): I II III IV

State nature of the home occupation in detail:

What changes (if any) are you proposing to make to this site?

Building: _____

Landscaping: _____

Parking/Signs: _____

Pursuant to the Emily City Ordinance, the applicant should be prepared to discuss the following issues by explaining how the proposed home occupation will cause no significant adverse effects.

- (1) Describe the impact on the use and enjoyment of other property in the immediate vicinity. If there is no impact, explain why.

- (2) Describe character of the area and the existing patterns and uses of development in the area. How is this proposal consistent with those patterns and uses?

- (3) Describe the impact on the capacity of existing or planned community facilities (sewer, drainage, other). Describe if additional facilities will be required.

- (4) Describe the impact on the character of the neighborhood in which the property is located.

- (5) Describe the impact to traffic on roads and highways in the vicinity, and expected traffic generated by this application. Is there adequate parking available to accommodate the proposal?

- (6) Proposed hours of operation: _____

- (7) Proposed number of employees: _____

- (8) Will any retail items be sold on the premises? _____

HOME OCCUPATION PERMIT CHECKLIST

- _____ Completed application, signed by property owner
- _____ Fees – payable to the City of Emily and the Crow Wing County Recorder
- _____ Sewer Compliance Inspection Report
- _____ All current City charges paid

CITY OF EMILY PLANNING AND ZONING OFFICE CONTACT INFORMATION

Planning and Zoning Administrator: Steve Jones
Zoning Clerk: Sue Fahrendorff
P. O. Box 68
Emily, MN 56447

Phone: (218) 763-2480 (Emily Office)
(320) 841-1793 (cell)

Fax: (218) 763-2481

Email: zoning@emily.net steve.jones@sourcewell-mn.gov

