

12 7.19 Home Occupation Standards (HO)

HO-01 Home Occupation #1: The intent of the Home Occupation #1 provisions are to allow minimal business practices within certain residential Zoning Districts. Further, the intent is not to allow the loss of the residential district's character or function as a residential area or neighborhood. To regulate reasonable business practices and residential character, the following development standards apply:

- A. The home occupation must not involve retail sales or manufacturing operations.
- B. The home occupation must not involve the employment of any person other than those residing at the location of the home occupation.
- C. At least one (1) members residing on the premises must be the primary operator of the company.
- D. The equipment used for the business must be limited to computers, fax machines, telephones, copy machines, and other small business office equipment.
- E. There must not be any interior or exterior storage or display of products, equipment or materials used in connection with the home occupation.
- F. No more than ten percent (10%) of the total floor area of the primary structure shall be used for the home occupation.
- G. There shall not be any interior or exterior, structural or aesthetic alterations to the dwelling unit to accommodate for the home occupation.
- H. There shall not be any room additions or other structural/aesthetic alterations that change the residential character of the dwelling unit.
- I. There shall not be an additional entrances to the dwelling unit for the purpose of conducting business or to accommodate the business.
- J. No use of Accessory Structure including attached/detached garages, shall be allowed.
- K. No traffic generation due to the business will be permitted.
- L. No signage for the business shall be allowed on or off the property.
- M. No business practice, function, equipment, or process shall create electrical interference, odors, noise, vibration, light, smoke, fumes, or any thing offensive.
- N. No home occupation that demands increasing or enhancing the size, capacity, or flow of the water, gas, septic, sewer, or electrical system beyond what is standard for a residence will be allowed.
- O. No additional parking may be added to the Lot(s) the residence is located to accommodate for the home occupation.
- P. Use of commercial vehicles for pickup and deliveries other than from the U.S. Postal Service, UPS, and other express carriers is not permitted.
- Q. The permitted uses in for Home Occupation #1 shall be limited to small offices or operations which have no clients, associates, or persons visiting, shopping, meeting, or otherwise doing business at the home location.
- R. Business activities involving escort services, adult bookstores, adult novelty sales, pornographic materials, or nude or partially nude modeling services are strictly forbidden and considered an unpermitted use, and such activities will be considered a public nuisance under Home Occupation #1.
- S. Home occupation uses that meet the above described standards are deemed permitted until the Town Council, Commission or BZA rule the use to be a nuisance, or until all adjacent neighbors petition to the Commission that the use is a nuisance.

HO-02 Home Occupation #2: The intent of the Home Occupation #2 provisions are to allow reasonable business practices within certain residential Zoning Districts. Further, the intent is not to allow the loss of the residential district's character or function as a residential area or neighborhood. To regulate reasonable business practices and residential character, the following development standards apply.

-
-
- A. The home occupation must not involve retail sales or manufacturing operations.
 - B. The home occupation must not involve the employment of any more than one (1) person who is not related and does not reside at the location of the home occupation.
 - C. At least one (1) members residing on the premises must be the primary operator of the business and be that person(s) primary work.
 - D. There shall not be any use of mechanical equipment, other than what is usual for purely domestic or hobby purposes.
 - E. There must not be any exterior storage or display of equipment or materials used in connection with the home occupation.
 - F. No more than twenty-five percent (25%) of the total floor area of any level of the primary structure shall be used for the home occupation.
 - G. There shall not be any exterior structural or aesthetic alterations to the dwelling unit to accommodate for the home occupation.
 - H. There shall not be any room additions or other structural/aesthetic alterations that change the residential character of the dwelling unit.
 - I. There shall not be an additional entrances to the dwelling unit for the purpose of conducting business or to accommodate the business.
 - J. Business practice in all Accessory Structure is not permitted.
 - K. Minimal traffic generation due to the business will be permitted.
 - L. A small sign not exceeding two (2) square feet will be allowed on the primary structure. No off-site signs or signs in the yard of the property shall be permitted.
 - M. No business practice, function, equipment, or process shall create electrical interference, odors, noise, vibration, light, smoke, fumes, or any thing offensive beyond the property line for the Dwelling Unit.
 - N. No home occupation that demands increasing or enhancing the size, capacity, or flow of the water, gas, septic, sewer, or electrical system beyond what is standard for a residence will be allowed.
 - O. No additional parking may be added to the Lot(s) the residence is located to accommodate for the home occupation.
 - P. Use of commercial vehicles for pickup and deliveries other than from the U.S. Postal Service, UPS, and other express carriers is not permitted.
 - Q. The permitted uses in for Home Occupation #2 shall be limited to domestic crafts, professional service, catalog businesses, and internet businesses, including but not limited to:
 - a. dressmaking,
 - b. sewing,
 - c. weaving,
 - d. tailoring,
 - e. ironing,
 - f. washing,
 - g. computer/internet based sales,
 - h. catalog order business,
 - i. furniture repair,
 - j. hair grooming - one (1) chair,
 - k. home office for a lawyer, doctor, architect, engineer, accountant, or planner,
 - l. home office for a real estate, insurance, notary public, or manufacturer's agent,

- m. office for clergy,
 - n. art studio, writing studio, music studio, photography studio,
 - o. teaching art, writing, or music for one student at one time, and
- R. The following types of business shall not be permitted as a Home Occupation #2:
- a. medical clinics of any kind,
 - b. retail dress shops,
 - c. funeral homes,
 - d. tourist homes,
 - e. animal hospitals,
 - f. kennels,
 - g. trailer rentals,
 - h. automobile, motor vehicles, equipment repair of any kind,
 - i. painting of automobiles, motor vehicles, or equipment of any kind,
 - j. photo developing,
 - k. television, radio or other electronics repair,
 - l. tooling, welding, or machining of any kind,
 - m. retail or manufacturing of any kind,
 - n. tool or equipment rental of any kind,
 - o. restaurant or similar establishment,
 - p. salvage operations of any kind,
 - q. freight or trucking operations of any kind,
 - r. contractors business,
 - s. landscaping/lawncare business, and
 - t. escort services, adult bookstores, adult novelty sales, sales of pornographic materials, or nude or partially nude modeling services of any kind.
- S. Permitted uses are deemed so until the Town Council, Commission or BZA rule the use to be a nuisance, or until all adjacent neighbors petition to the Town that the use is a nuisance.
- T. Uses not specifically mentioned will be interpreted by the Zoning Administrator or BZA as to whether the use is permitted or not.

17 **7.20 Telecommunication Facilities Standards (TF)**

TF-01: Statement of Purpose: The purpose of this section of the ordinance is to provide for sensible and reasonable land uses to allow for the provision of adequate reliable public and private telecommunication service and to maximize the use of any transmission tower in order to reduce the total number of towers needed to serve the telecommunications needs of the area; to minimize adverse, undesirable visual effects of towers through careful design, siting, and vegetative screening.

All Wireless Telecommunication Facilities shall meet the following provisions:

- A. The location of the tower and equipment buildings shall comply with all local, state, and federal natural resource protection standards.
- B. The following buffer plantings shall be located around the perimeter of the outer most perimeter or security fence of a wireless telecommunications facility:
 - a. A live evergreen screen shall be planted around the entire facility including the guy wires and anchors, if used, that consist of a hedge, planted three feet on center maximum, or a row of evergreen trees planted a maximum of ten feet on center, height of plants at time of planting shall be no less than 5 feet tall.
 - b. Existing vegetation (trees and shrubs) shall be preserved to the maximum extent possible.
- C. An antenna may be located on a building or structure that is listed on a historic registry only after obtaining all necessary and required approvals. Any antenna located in a historic district

-
-
- will require approval by the Board of Zoning Appeals for a Special Exception approval.
- D. Vehicular access to the tower and equipment building shall, whenever feasible, be provided along the existing driveways.
 - E. The wireless telecommunications facility shall be fully automated and unattended on a daily basis, and shall be visited only for periodic maintenance and emergencies.
 - F. Proposed or modified towers and antennas shall meet the following design requirements:
 - a. Tower and antennas shall be designed to blend into the surrounding environment through the use of color, camouflaging and architectural treatment, except in an instance where the color is dictated by federal or state authorities such as the Federal Aviation Administration.
 - b. Wireless telecommunication service towers less than 131 feet tall shall be of a monopole design and when located within or adjacent to an environmentally, aesthetically sensitive area or a residential district, designed in such a way as to architecturally camouflage the wireless telecommunication service tower as much as reasonably practical to blend into the surroundings.
 - c. The entire facility must be aesthetically and architecturally compatible with its environment. The use of residentially compatible materials such as wood, brick, or stucco is required for associated support structures, which shall be designed to architecturally match the exterior of residential or commercial structures within the neighborhood or area. Only if the facility will be 100% screened during all seasons will other materials be approved.
 - d. Only when lighting is for safety or security reasons or required by the Federal Aviation Administration or other federal or state authority will it be permitted. When approved the lighting shall be oriented inward so as not to project onto surrounding residential properties.
 - G. Any request submitted to the Office of the Cicero/Jackson Township Plan Commission to install an antenna to be located on an existing approved or "grandfathered" tower will only require a building permit and the contract between the applicant company and the owner of the tower.
 - H. All towers at a minimum are to be constructed to support the initial user (wireless telecommunication antenna) plus handle the anticipated loading of a second user on a monopole and third user on all other towers equal to the antenna loading of the initial user.
 - I. The size of the site of the initial tower and support facility shall be sufficient area to allow the location of one (1) additional tower and associated support facility for future monopole tower and sufficient area to allow for the location of two additional towers and associated support facilities for non-monopole towers.
 - J. A proposal for a new commercial wireless telecommunications service tower shall not be approved unless the applicant submits verification that the telecommunication equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or buildings or other structure due to one or more of the following reasons:
 - a. The planned equipment would exceed the structural capacity of the existing or approved tower, building, or structure as documented by a qualified and licensed professional engineer, and the existing or approved tower, building or structure cannot be reinforced, modified, or replaced to accommodate planned or equipment at a reasonable cost.
 - b. The planned equipment would cause interference impacting the usability of other existing or planned equipment at the tower site. Supportive documentation by a qualified and licensed professional engineer indicating that the interference cannot be prevented at a reasonable cost.
 - c. That existing or approved towers, buildings or structure within the search radius cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a qualified and licensed professional engineer.