

EAST GOSHEN TOWNSHIP
HOME OCCUPATION, HOME RELATED BUSINESSES & NO-IMPACT
HOME-BASED BUSINESS APPLICATION
1580 PAOLI PIKE WEST CHESTER, PA 19380-6199
PHONE (610)-692-7171 FAX (610)-692-8950

The purpose of this application is to apply for a permit for a home occupation, home related business or no-impact home-based business as defined in section 240-6 of the East Goshen Township Code and regulated by the provisions of sections 240-32.J (Home Occupations), 240-32.K (Home Related Business) and 240-32.U (No-impact Home-based Business).

(Please Print)

Applicant Information:

Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

Property Information:

Property Owner's Name: _____

Phone Number: _____

Address: _____

TPN: _____

Square Footage of Dwelling Unit: _____

Proposed Use

Type of use:

- Home Occupation
- Home-Related Business
- No-impact Home Based Business

Nature of your business: _____

Business Name(If Applicable): _____

Square Footage Devoted to Business: _____

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Questions

per day

Will you have customers or clients visit your business?	<input type="checkbox"/> Y	<input type="checkbox"/> N	_____
Will you have non-family employees on-site?	<input type="checkbox"/> Y	<input type="checkbox"/> N	_____
Will you have non-family volunteers on-site?	<input type="checkbox"/> Y	<input type="checkbox"/> N	_____
Will you have independent contractors on-site?	<input type="checkbox"/> Y	<input type="checkbox"/> N	_____
Will you have deliveries made to you on-site?	<input type="checkbox"/> Y	<input type="checkbox"/> N	_____
How will deliveries be made?			_____
Will you conduct direct sales of products or services on-site?	<input type="checkbox"/> Y	<input type="checkbox"/> N	_____
Will you erect a sign? (If yes, attach plan of sign)	<input type="checkbox"/> Y	<input type="checkbox"/> N	_____
Do you have a business vehicle(s)?	<input type="checkbox"/> Y	<input type="checkbox"/> N	_____
Does your vehicle(s) have a sign attached?	<input type="checkbox"/> Y	<input type="checkbox"/> N	_____
How will you advertise your business?			_____
What are your hours & days of operation?			_____
Does your business require a license or permit from any federal, state or county agency?	<input type="checkbox"/> Y	<input type="checkbox"/> N	

Please list all vehicles and equipment associated with your business:

Vehicles	Number	Weight (for vehicles)

What other businesses are operated from your property?

Type of Home:

- Single Family Detached Dwelling
- Multi-family Dwelling

This application must be accompanied by the following:

- Plot plan of the property showing all structures, driveways and existing landscaping.
- Plan showing proposed off-street parking areas, landscaping and sign location.
- Floor plan of the building used for the proposed business, with business space clearly delineated.
- Copy of all permits or licenses required by other agencies.

Engineered plans are not required; however, the plan must include sufficient detail so that the Township can determine if the requirements for the proposed use have been met.

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Certification

I hereby certify that the owner of record authorizes the proposed use, I have been authorized by the owner to make this application, and I agree to conform to all applicable requirements related to the proposed use. This application has been examined by me and to my knowledge and belief is a true, correct and complete application.

By action of applying for a permit, the applicant grants permission for the Zoning Officer to inspect the property prior to the issuance of a permit and during the conduct of the proposed use.

Signature: _____

Name: _____

Date: _____

OFFICIAL USE ONLY

Determined to be: Home Occupation No-Impact HRB Prohibited

Permit required: Y N

Conditional Use: Y N

Attach photos of exterior of property:

APPROVAL:

YES

NO

Official Signature: _____ Date: _____

Permit No: _____

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§240-6 Definitions

HOME OCCUPATION -- A customary accessory use to a residential dwelling unit which is clearly incidental to the principal residential use of the dwelling unit, and which is carried on only within the dwelling unit or an approved accessory structure on the same lot on which the dwelling is located, and which complies with the standards for home occupations specified in § 240-32J of this chapter, and which is not a "No-impact home based business" as that term is defined in § 240-6 of this chapter. [Added 10-21-2003 by Ord. No. 129-L-03EN]

HOME-RELATED BUSINESS [Amended 1-2-2001 by Ord. No. 129-A-01] -- A routine and customary accessory use which:

- (1) Is clearly incidental to the residential use of the dwelling unit; and
- (2) Is not performed within a dwelling unit or accessory structure, such as is the case with a home occupation, but may be administered or managed from the dwelling unit and/or an accessory structure and complies with the standards in § 240-32K.

NO-IMPACT HOME-BASED BUSINESS -- A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic (whether vehicular or pedestrian) pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must comply with the standards in § 240-32U of this chapter. [Added 10-21-2003 by Ord. No. 129-L-03]

§240-32 Accessory Uses

J. Home occupation. [Amended 1-2-2001 by Ord. No. 129-A-01; 10-21-2003 by Ord. No. 129-L-03]

- (1) Where allowed. A home occupation shall be permitted by conditional use of the Board of Supervisors as an accessory use to a single-family detached dwelling. Such use must conform to the accessory use regulations of the zoning district in which the property is located and all standards listed in this section. The permit for a home occupation which has been approved as a conditional use shall not be transferrable unless it is for the identical home occupation as previously existed, and shall be subject to both the rules and regulations of this chapter and reissuance of a permit by the Zoning Officer.
- (2) Number of uses. Only one home occupation or one home-related business shall be permitted on any one lot. No lot shall be permitted to have both such uses.

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(3) Procedures for obtaining a permit for a home occupation. Upon determination that the proposed use is a home occupation and allowable as a conditional use in the zoning district for which the use is proposed, the Zoning Officer shall require the applicant to complete and file a conditional use application with the Board of Supervisors in accordance with § 240-31B. If the Board of Supervisors grants the conditional use for the Home Occupation, the Zoning Officer shall issue a zoning permit subject to compliance with the applicable standards of this section and any conditions imposed by the Board.

(4) Inspections. Prior to the issuance of a zoning permit, the Zoning Officer shall inspect the proposed dwelling which is the subject of the conditional use application to ensure that the dwelling unit, accessory structure and/or lot to be utilized for the home occupation comply with all applicable Township ordinances and regulations and any applicable laws or regulations promulgated by other regulatory authorities having jurisdiction of any aspect of the property affected by the proposed use. Home occupation permits shall be issued and valid for a period of one year from the date of issuance and shall be renewable annually for the approved home occupation, subject to an annual inspection of the property by the Zoning Officer and the permittee's payment of the renewal fee as established by resolution of the Board of Supervisors.

(5) Complaints. As a condition of the issuance of any permit, the applicant shall be deemed to have agreed that the Zoning Officer shall have the right to inspect the property for which the home occupation permit has been issued if the Zoning Officer either receives a complaint of violation of the permit which he finds to be reasonably reliable or the Zoning Officer has other reasonable grounds to believe that the conditional use approval and/or the permit are being violated. Failure of the permittee, owner or occupant to provide access to the Zoning Officer shall result in either revocation of the permit, or the Zoning Officer, in his discretion, may apply to a Judge of the court having jurisdiction for an administrative search warrant.

(6) Standards. A home occupation must comply with all of the following standards:

(a) Use. The home occupation must be an accessory use clearly incidental to the residential use of the dwelling and shall be conducted entirely within the principal dwelling unit where the owner of the dwelling and operator of the home occupation resides, or within a structure accessory to the principal residential dwelling located on the same lot as the principal residence.

(b) Size. The use shall not exceed a total area of 500 square feet, including any accessory space or structure and/or storage space.

(c) Appearance. There shall be no change in the outside appearance of the dwelling unit, accessory structure and/or lot as they existed on the date of issuance of the home occupation permit arising from the home occupation use or other visible evidence of the conduct of such home occupation, except for a sign which complies with the provisions in this section. The residential character of the neighborhood shall not be changed as a result of the home occupation.

(d) Nuisance. No equipment or process shall be used in a home occupation which creates noise, vibration, glare, fumes, odors, dust or electrical interference detectable to normal senses beyond the property line in excess of levels customarily generated by a

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residential use. No burning, heating or other process will take place which might produce toxic or noxious odors, fumes or gasses.

(e) Storage. No outside storage, display or testing of materials, equipment or products shall be permitted. A dumpster shall not be brought onto the lot, or be utilized upon the lot, for the use of the home occupation.

(f) Requirements. All home occupations shall comply with all requirements of any regulatory agency having jurisdiction over the occupation and related practices carried out upon the lot for which the permit is issued.

(g) No violations. No permit shall be issued for any home occupation for a lot that is wholly or partly in violation of any Township ordinance.

(h) Employees. Nonfamily members or nonresident family members working on the property shall not exceed one person, including any independent contractor. A person serving as an employee for the home occupation shall be considered an employee for the purpose of this section whether or not the person receives any remuneration.

(i) Hours of operation. The home occupation shall not be open to the public before 7:00 a.m. or after 10:00 p.m., prevailing time.

(j) Parking. Any additional parking needs shall comply with the standards as enumerated for home occupations in § 240-33 of this chapter. There shall be a maximum of two additional spaces allowed. All parking for the home occupation shall occur only in either a side or rear yard.

(k) Servicing by truck. Pickup and delivery of parcels shall be limited to four vehicular trips per day and shall be permitted only between the hours of 7:00 a.m. and 7:00 p.m., prevailing time. Any event requiring the utilization of a tri-axle vehicle shall be limited to no more than two vehicle trips per week. Truck visits, for any purpose, shall be counted in the vehicular trip allowance specified below in Subsection J(6) below.

(l) Traffic. The traffic generated by the home occupation shall not exceed 16 vehicular trips per day, i.e., eight trips in and eight trips out.

(m) Sign. Only one nonilluminated identification sign, not to exceed two square feet, shall be permitted. Such sign shall generally be of neutral color(s) (such as earth tones) and not day-glow or garish colors. The allowable sign may be placed on the exterior of the residence or as an attachment to a mailbox post which is installed in the public right-of-way and meets the approval of the U.S. Postal Service and which houses an approved mailbox. A sketch of any proposed sign shall accompany the conditional use application.

(n) Solid waste and sewer discharge. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

(7) Uses not permitted. The following occupations/businesses are expressly not allowed as a home occupation and such uses will not be granted a permit or conditional use approval as a home occupation:

(a) Animal hospital or animal shelter.

(b) Auto or small engine repair or any parts or components thereof.

(c) Any business or corporation with more than two nonresident or nonrelated partners or officers working at the site on a regular basis.

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- (d) Boarding home.
- (e) Funeral parlor or undertaking establishment.
- (f) Furniture stripping.
- (g) Gift or antique shop.
- (h) Kennel, commercial kennel or commercial stable.
- (i) Medical or dental clinic with more than one doctor or dentist.
- (j) Painting of vehicles, trailers or boats.
- (k) Private school.
- (l) Rental business.
- (m) Restaurant.
- (n) Rooming house.
- (o) Welding shop.
- (p) Animal training.
- (q) Any adult use.
- (r) Sale or manufacture of fireworks.
- (s) Tar and roofing business.
- (t) Other uses of a similar character as those listed above.
- (u) Any use or activity which creates a nuisance.

K. Home-related business. [Amended 1-2-2001 by Ord. No. 129-A-01]

- (1) Workers. Non-family-members, nonresident family members, or independent contractors working on the property, whether receiving remuneration or not, shall not exceed two persons. Persons assisting with the administration of the home-related business shall be considered workers regardless of whether they receive remuneration or not.
- (2) Sign. Except for vehicular signs as defined in § 240-6, no sign shall be permitted on the property indicating the presence of a home-related business.
- (3) Size. The use shall not exceed 500 square feet of the total floor area of the dwelling unit, including any accessory structure or space used for storage.
- (4) Parking and loading. Adequate space for off-street parking and loading related to the home-related business shall be provided in accordance with § 240-33 of this chapter. The workers of the home-related business and all business vehicles as described in § 240-32K(8) shall park in the parking spaces which are provided for such use. Such parking spaces shall be located only to the side or to the rear of the dwelling unit containing the home-related business and shall meet the following conditions:
 - (a) The parking area shall be screened from the direct view of an adjacent residential use or a road by a wall or solid fence, five feet high or a completely planted visual barrier consisting of evergreen trees with a minimum planted height of six feet at the time of planting and placed no more than ten feet on center. Evergreens that have the natural habit of losing their lower branches over time shall not be used as screening. The required trees shall be staggered so as to provide as complete a visual barrier as is possible. The owner shall be responsible for maintaining the trees to ensure that they meet the above regulations while the property is used for a home-related business purpose. Dead or dying trees shall be promptly replaced.

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- (b) The parking area will be constructed of aggregate and/or bituminous paving and meet the approval of the Township Engineer or Director of Public Works.
- (5) Building appearance. Following inception of the use, there shall be no change in the outside appearance of the dwelling unit, accessory structure and/or lot related to the home-related business as they existed on the date of issuance of the permit authorizing the home-related business or other visible evidence of the conduct of a home-related business. Outdoor storage of materials and equipment shall be prohibited.
- (6) Nuisance. No equipment or process shall be used in a home-related business which creates noise, vibration, glare, fumes, odors, dust or electrical interference detectable to normal senses beyond the property line in excess of levels customarily generated by a residential use. No burning, heating or other process will take place which might produce toxic or noxious odors, fumes or gasses.
- (7) Storage. The outside storage of materials, equipment or products shall be prohibited. A dumpster shall not be brought onto the property, or be utilized upon the property, for the use of the home-related business.
- (8) Business vehicles. A maximum of two vehicles, bearing current and valid inspection and emissions stickers and currently licensed by the Pennsylvania Department of Motor Vehicles, which are used for a home-related business shall be permitted on the lot on which the home-related business is conducted, except in the case of a multifamily dwelling unit where only one such vehicle shall be permitted for a home-related business. No one vehicle shall exceed 10,000 pounds of gross vehicle weight, nor shall the combined weight of one vehicle and another vehicle (motorized or nonmotorized, such as a trailer or equipment) that are attached or capable of attachment together exceed 10,000 pounds of gross vehicle weight.
- (9) Uses. Permitted home-related business uses include, but are not limited to, such uses as an electrician, plumber, carpenter and other skilled workman.
- (10) Servicing by truck. Pickup and delivery of parcels and materials shall be limited to four vehicle trips per day and shall be permitted only between the hours of 7:00 a.m. and 7:00 p.m., prevailing time. Any event requiring the utilization of a tri-axle vehicle (other than one normally permitted under the above) shall be limited to not more than two vehicular trips per week.
- (11) Customer/client visits. The home-related business use shall not involve any customer or client visits to the property, and there shall be no direct sales of products on or from the lot.
- (12) Number of uses. Only one home-related business shall be permitted on any one lot, except as permitted in § 240-32K(14).
- (13) Permit. It shall be illegal for any person to conduct a home-related business on any property unless he has applied for and been issued a home-related business permit by the Zoning Officer. An inspection by the Zoning Officer shall be required prior to the issuance of any such permit.
- (14) Location. A home-related business shall take place only on a lot containing a single-family detached dwelling and shall be conducted only within the dwelling unit or an accessory structure allowed as an accessory use in the zoning district in which the lot is located; except that a home-related business may be conducted from a multifamily

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dwelling unit, provided that there shall be no nonfamily workers or nonresident family workers and there shall be only one business vehicle permitted.

U. No-impact home-based business. Upon issuance of a permit by the Zoning Officer and payment of all applicable fees as determined by resolution of the Board of Supervisors, a no-impact home-based business shall be permitted in all zoning districts as an accessory use to a dwelling unit. A no-impact home-based business must comply with all of the following criteria:

[Added 10-21-2003 by Ord. No. 129-L-03; amended 10-4-2011 by Ord. No. 129-J-11]

- (1) The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- (2) The business shall employ no employees other than family members residing in the dwelling.
- (3) There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature. Sales made via electronic media or other external solicitation shall be permitted.
- (4) There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
- (5) The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical interference, including interference with radio or television reception, which is detectable in the neighborhood.
- (6) The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- (7) The business activity shall be conducted only within the dwelling unit and may not occupy more than 25% of the habitable floor area.
- (8) The business may not involve any illegal activity.

Conditional Use Application Process for Home Occupation Applications

The Conditional Use approval process begins with the applicant completing a Conditional Use Application and submitting all the required information and the \$450 application fee and may be required to post a \$2,000 escrow with the Township to cover costs incurred by outside consultant review of the application. The Conditional Use approval process follows the following course.

1. The Conditional Use Application is received by the Township, once determined complete by the Township meeting dates are scheduled to hear the presentation of the application:
 - a. All surrounding property owners within 1000 feet of the property are notified of the application and meeting dates.
 - b. The hearing dates are advertised in the local Newspaper
 - c. A court reporter is scheduled to record the proceedings

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- d. The Township Solicitor is scheduled to appear and administer the hearing.
 - e. The applicant is notified of all meeting dates and times when the application will be considered.
2. The applicant presents the application to the Township Planning Commission during a public meeting, describing the Home Occupation application and proposed use in detail.
- a. The Planning Commission makes a recommendation to the Board of Supervisors (To support or Oppose) which may include reasonable conditions of the use and the applicant.
3. The applicant presents the application to the Township Board of Supervisors during a Conditional Use Hearing, describing the proposed use in detail, which meet all of the standards set forth in §240-32.J. of the Township Zoning Ordinance. The Board of Supervisors will determine if the Home Occupation use meets the standards of the ordinance and if approved may impose reasonable conditions, which must be accepted by the applicant.