



# SPARTA TOWNSHIP

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## HOME OCCUPATION PERMIT APPLICATION

A Home Occupation Application must be filled out completely and must be approved before a permit is issued.

Applicant Name: \_\_\_\_\_

Address \_\_\_\_\_

Phone # \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Project Address \_\_\_\_\_ Parcel # 41-05-\_\_\_\_-\_\_\_\_-\_\_\_\_

Description of Proposed Home Occupation \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Square Footage of Residence: \_\_\_\_\_ Floor Area of Business: \_\_\_\_\_

**Property Owner Signature:** \_\_\_\_\_

*\* The information on this form is filled out accurately to the best of my knowledge. I authorize the Zoning Administrator or their authorized agent access to my property for the purpose of inspecting the status of this project and compliance with the requirements of the permit.*

**Zoning Determination** (office use only) \_\_\_\_\_

Date Received \_\_\_\_/\_\_\_\_/\_\_\_\_ Fee Paid \$ \_\_\_\_\_  Cash  Check # \_\_\_\_\_

Approved \_\_\_\_ Denied \_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Reason for denial \_\_\_\_\_

Signature of Zoning Administrator \_\_\_\_\_

Logged by Building Inspector \_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_ Copy sent to Assessor \_\_\_\_

§ 154.006 DEFINITIONS - WORDS AND TERMS DEFINED.

HOME OCCUPATION. A profession or other occupation not otherwise permitted in the zoning district involved, that is conducted as an accessory use within a single-family dwelling by one or more members of the family residing in the dwelling, and that conforms to the provisions of § 154.208 of this chapter.

§ 154.208 HOME OCCUPATIONS.

Home occupations, as defined in this chapter, are permitted as an accessory use as provided in § 154.247 of this chapter; provided that, all of the following regulations shall control.

- (A) No other than members of the family residing in the dwelling shall be engaged in connection with such home occupation at the same time.
- (B) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and not more than 25% of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
- (C) There shall be no change in the outside appearance of the building, no variation from the residential character of the dwelling, and no visible evidence of the conduct of such home occupation other than one sign, not exceeding two square feet in area, non-illuminated and mounted flat against the wall of the main building.
- (D) No home occupation shall be conducted outdoors or in any accessory building.
- (E) There shall be no sale of products or services, except as are produced on the premises by such home occupation.
- (F) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.
- (G) No equipment or process shall be used in such home occupation that creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the premises if the occupation is conducted in a single-family dwelling. If conducted in other than a single-family dwelling, such nuisance shall not be detectable outside the dwelling unit. In the case of electrical interference, no

equipment or process shall be used that creates visual or audible interference in any radio or television receivers off the premises or cause fluctuations in line voltage off the premises.

(H) In particular, a home occupation can be, but is not limited to: art studio; dressmaking; teacher, with musical or dancing instruction limited to four to six pupils at a time; contractor's office; professional office or studio or a physician, dentist, author, artist, musician, lawyer, engineer, architect, community planner, realtor, accountant or similar use; but shall not include animal hospital, automotive repair service, barbershop, beauty parlor, restaurant, tearoom, tavern or similar use.  
(Ord. passed 7-12-2012, § 8.4) Penalty, see § 154.999

#### § 154.005 CONFLICTS WITH OTHER LAWS; INCONSISTENCIES.

- (A) The provisions of this chapter are the minimum requirements necessary for the protection of the health, safety, comfort, morals, convenience and general welfare of the people at large.
- (B) If there are found to be differences between the meaning or implication of any drawing, table, figure, title or section heading in this chapter, the text of this chapter shall apply.
- (C) This chapter shall not repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws, ordinances or regulations, except those repealed herein by specific reference, or with private restrictions placed upon property by covenant, deed or other private agreement, or with restrictive covenants running with the land to which the township is a party.
- (D) (1) Internal. Unless otherwise specifically stated within this chapter, if two or more provisions are in conflict or are inconsistent with one another, then the most restrictive provision shall apply.
- (2) Local regulations. Where this chapter imposes greater restrictions, limitations or requirements upon the use of buildings, structures, activities or land; the height of buildings or structures; lot coverage; lot areas; yards or other open spaces; or any other use or utilization of land than are imposed or required by other existing laws, ordinances, regulations, private restrictions or restrictive covenants, the provisions of this chapter shall control.
- (3) Federal and state regulations. Whenever a provision of this chapter imposes a greater restriction or a higher standard than is required by any state or federal code or regulation, county or township ordinance or regulation, the provision of this chapter shall apply. Whenever a provision of any state or federal code or regulation, county or

township ordinance or regulation imposes a greater restriction or a higher standard than is required by this chapter, the provision of the state or federal code or regulation, or other county or township ordinance or regulation shall apply.

(4) Private restrictions. Whenever a private covenant, contract, commitment, agreement or other similar private land use regulation imposes a greater restriction or a higher standard than is required by a provision of this chapter, the township is not obligated to enforce the provisions of such private covenants, contracts, commitments, agreements or other similar regulations to which the township is not a party. Unless the township has an ownership interest in the property, a deed restriction is enforced by the parties to the agreement, not by the township.

(5) State law amendments. Whenever codes or statutes cited in this chapter refer to state law that has been amended or superseded, this chapter shall be deemed automatically amended in reference to the new or revised code.

(E) Maps, appendices and tables referenced in this chapter are incorporated by reference and are part of this chapter.

(Ord. passed 7-12-2012, § 1.5)