

**THE CITY OF HOLTON,
KANSAS**

**ZONING AND PLANNING
COMMISSION**

APPLICATION PACKET FOR

HOME OCCUPATION BUSINESS

FROM CITY OF HOLTON ZONING REGULATIONS

CITY OF HOLTON
ZONING AND PLANNING ORDINANCE NUMBER 1203

PASSED JANUARY, 1991

THE FOLLOWING ARE THE REGULATIONS GOVERNING HOME OCCUPATIONS IN
RESIDENTIAL DISTRICTS.

HOME OCCUPATION. An occupation or activity carried on in the principal building which meets all the following conditions:

- a. The occupation is carried on by a member or members of the immediate family residing on the premises.
- b. The occupation is customarily incidental to the use of the premises as a dwelling place.
- c. Not more than one (1) non-illuminated name plate or sign is used. The name plate or sign shall be attached to the building and shall not exceed one square foot in area.
- d. The occupation does not occupy more than twenty-five (25) percent of the floor area of one (1) floor of the principal building.
- e. No display, except for a name plate as allowed in paragraph c. above, shall indicate from the front of any building that the premises is being used in part for any purpose other than a dwelling
- f. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses of a person off the premises. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio, television or recording equipment off the premises, or which causes line fluctuations in line voltage off the premises.
- g. No traffic shall be generated by such home occupation in substantially greater volumes than would normally be expected in a residential neighborhood.
- h. The owner shall submit an application for permit to operate a home occupation on forms provided by the City of Holton, The Holton Planning and Zoning Commission shall hold a public hearing on the application as outlined in Article XXVII, Sections 3,4, and 5. Upon approval of the home occupation by the Holton City Commission, the Owner shall have received permit to operate such home occupation in accordance with the provisions of this ordinance and other applicable rules and regulations. Such permit shall be personal to the applicant thereof and shall not be assignable

There is an application filing fee of \$70.00 to be submitted with the application to cover public notice costs. After filing the application the Zoning and Planning Board will set a date for the public hearing. If the next scheduled meeting is held at least 20 days after the date of publication of the public notice, the hearing will be held on the regular meeting date. If the next regular meeting falls before the 20 day guideline, the hearing will be scheduled for the next meeting date that meets the publication requirements.

HOME OCCUPATION BUSINESS APPLICATION

1. NAME OF APPLICANT: _____

NAME OF PROPERTY OWNER: _____
[if different from applicant]

ADDRESS: _____

PROPERTY LEGAL DESCRIPTION:

Lot or Parcel: _____ Block: _____ Subdivision _____

2. CURRENT ZONING DISTRICT: _____

3. PLEASE DESCRIBE THE HOME OCCUPATION YOU WOULD LIKE TO CONDUCT
AT THIS LOCATION:

4. ADDITIONAL COMMENTS:

APPLICANT SIGNATURE

DATE

FOR OFFICIAL USE ONLY

Case Number: _____

Date Filed: _____

Application Fee Paid: _____

Date Published: _____

Date Notices Sent: _____

Public Hearing Date: _____

Planning and Zoning Commission Recommendation:

City Commission Action:

Date: _____ Vote: _____

CITY OF HOLTON, KANSAS

HOME OCCUPANCY BUSINESS AGREEMENT

In accordance with the action by the Board of City Commissioners, permission is hereby granted to _____, to operate and/or maintain a home occupation business described as _____, at _____, Holton, Kansas, in accordance with the following provisions:

1. All rules, regulations, and ordinance provisions of the City of Holton, Kansas shall be complied with in the operation of the proposed home occupation business at _____, Holton, Kansas. The granting of this home occupation business does not permit the operation of any other type of business, nor does this ordinance of the City of Holton, KS.
2. This home business occupancy may be carried on only by a member of the immediate family residing on the premises.
3. One (1) non-illuminated name plate or sign may be used. The name plate or sign shall be attached to the building and shall not exceed one square foot in area.
4. The occupation shall not occupy more than twenty-five (25) percent of the floor area of the principal building.
5. No display, except for a name plate as allowed in paragraph 3. above, shall indicate from the front of any building that the premises is being used in part for any purpose other than a dwelling
6. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses of a person off the premises. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio, television or recording equipment off the premises, or which causes line fluctuations in line voltage off the premises.
7. No traffic shall be generated by such home occupation in substantially greater volumes than would normally be expected in a residential neighborhood.
8. Attached to this agreement and hereby made a part of this agreement shall be a copy of the minutes from the Planning and Zoning Commission and excerpts from the City Commission minutes approving this Home Business Occupation.
9. Hours of business operation through the week is from _____ A.M. to _____ P.M. daily. Weekend hours of operation is from _____ A.M. to _____ P.M.

10. If the above operation shall cease for a period of six (6) months, this agreement shall become null and void. In addition, it is understood that this business cannot be sub-leased to another party. The home occupancy business shall not apply to a new resident or owner of the premises. If the above permittee should move to a different location this home business agreement shall immediately be terminated and shall not apply to the new location.

This Home Occupancy Agreement shall apply only to the operation or maintenance of a _____ as requested in the application filed on the _____ day of _____, 20____, by _____. Any other kind of commercial activity or business conducted at this residence shall be unlawful and in violation of the City of Holton Zoning Ordinances.

Failure to abide by the above specified requirements shall be cause for the City Manager to immediately terminate and revoke this agreement in accordance with the City of Holton Ordinances.

Signed and agreed on the _____ day of _____, 20_____.

Owner or Resident

By order of the City Commission

_____ day of _____, 20_____.

Brad Mears, City Manager