



City of Lake Helen Home Occupation Guidelines

Home Occupation Guidelines & Application for a City of Lake Helen Local Business Tax Receipt.

Please complete attached Business Tax application and provide the following:

- If your business is regulated by a state agency, you must acquire the appropriate state license before a Business Tax Receipt can be issued. Please submit copies.
- Copy of Fictitious Name Registration per FS 205.023. Fictitious Name Registration information can be found at www.sunbiz.org.
- Applicants must submit a complete application form and notarized Residential Home Occupation Form which states they have read and understand the provisions of Article 4.12.
- Applicants for a Residential Business Tax Receipt who are renting at the address of the proposed home occupation will be required to obtain a notarized statement from the legal property owner that states he/she is cognizant of the proposed business to be conducted at that address.
- Upon approval of your Lake Helen Business Tax application, you are required to obtain a Business Tax Receipt from Volusia County Business Tax Department, 123 W. Indiana Avenue, DeLand.
- Fee: \$65.00
\$30.00 LBTR Annual Fee plus \$35.00 Application Fee per City of Lake Helen Fee Schedule

Questions:

PO Box 39, Lake Helen, Florida 32744
Phone: 386-228-2121, Fax: 386-228-9714
www.lakehelen.com

Application for Home Occupation

Tax Receipt Number:		Application Date:	
Business Name:		Applicant Name:	
State Registration Number or Social Security Number:			
Phone:		Fax:	
Email:		Website:	
Home Address:			
City, State and Zip Code:			
Type of Business and Services to be Provided:			
Number of Employees:		Days and hours of operation for the home occupation:	Zoning:
I have read and I understand the provisions of Article 4.12:			
Signature of Applicant:			
Date:			
Notarized:	<p>Signed this ____ day of _____, 20__</p> <p>State of _____ County of _____</p> <p>The foregoing instrument was acknowledged before me this ____ day of _____, _____</p> <p>by _____ who is personally known to me ____ or has produced _____ as identification.</p> <p>_____ Print Name of Notary</p> <p>_____ Notary Signature</p> <p style="text-align: center; font-size: small;">SEAL</p>		
Office Use Only:			
Tax Receipt Number: _____	Business Code: _____		
Administrative Approval Signature:			
Date:			

Article 4.12.00 Home Occupations – City of Lake Helen Land Development Code

Article 4.12 of the City's Land Development Code allows a person to engage in a home occupation, or to establish a home office, within a residential dwelling in which the person resides, or within an accessory building on the parcel on which the residential dwelling is located, so long as the character and integrity of the residential neighborhood is preserved and protected from possible adverse impacts associated with said occupation or office.

Any lawful home occupation use shall be permitted, which is clearly incidental and secondary to dwelling purposes, which is conducted entirely within the property and it does not change the residential character thereof; and provided that all of the following conditions are met:

1. No unauthorized employees or persons other than the dwelling residents and employees pre-approved by the City Administrator or his/her designee shall be engaged in such occupations.
2. The home occupation business may employ additional employees who are not members of the family unit residing on the property. Additional employees must be approved by the City Administrator or his/her designee as long as neighboring properties are not negatively impacted through the addition of those employees.
3. Home occupations must be clearly accessory to the principal residential use.
4. There shall be no visible change in the outside appearance of the dwelling or accessory structure to conduct such occupations.
5. There shall be no signs advertising the home occupation located on the property, on other residentially zoned properties, or within public right-of-ways.
6. There shall be no outside storage of materials, equipment or products on the premises visible from the property boundaries. Materials shall be stored in a fully enclosed structure or be properly screened in the side or rear yards of the property. No toxic, noxious, or flammable chemicals or materials may be stored in amounts in excess of those normally found in a residential dwelling. No additional and separate entrance will be constructed to conduct the occupation.
7. Only commodities approved to be made and/or sold on premises can only be sold from within the building; and, no display of such products will be permitted which is visible from outside the building.
8. The home occupation may serve the customers of only one business transaction at any one (1) time on premises.
9. Off street parking for the home occupation may be used or permitted, unless off-street parking is otherwise prohibited. Parking for the home occupation shall consist of no more than one (1) client/customer parking space and no more than one (1) non-family member employee parking space per pre-approved employee(s). None of said parking spaces may be located in grassed or otherwise naturally covered areas of the front yard of the premises.
10. Signage for the home occupation shall not be permitted. Signage on motor vehicles shall not be considered signage limited under the provisions of this Section. However, vehicle signage must be compliant with any other regulations regarding to signs on vehicles advertising businesses.
11. The appearance of the structure within which the home occupation is conducted shall not be altered in any respect so as to cause the structure to appear in any way disparate or distinct from a residential structure.
12. It is unlawful for the activities conducted in pursuit of a home occupation to disturb the peace, quiet and tranquility of the residences located in the area of the structure at which the home occupation is being pursued and it is unlawful for the activities conducted in pursuit of the home occupation to detract from the residential character of the neighborhood in which the residential or accessory structure is located. The proprietor of the home occupation shall allow city personnel on the property and to conduct any inspection necessary to ensure the home occupation's compliance.
13. It is unlawful for the activities conducted in pursuit of a home occupation to create dust, vibration, smell, odors, smoke, glare, electrical interference, fire hazard, excessive traffic, noise, or any other nuisance or activity that is not generally conducted in a residential or accessory structure.
14. It is unlawful for the activities conducted in pursuit of a home occupation to generate traffic that exceeds

the number or intensity of trips that would normally occur in a residential area in which business activity did not exist.

15. If the property on which a home occupation is proposed to be conducted is a rental property, notarized written approval to conduct said occupation shall be obtained from the owner of the property.
16. Authority to conduct a home occupation shall not be transferable:
 - a. To another person at the same location except to a family member living on the premises intending to continue the existing home occupation without interruption at the same location; or
 - b. To any occupation other than the one for which the home occupation use has been granted a permit to be conducted on the property; or
 - c. From one property to another.
 - d. The home occupation shall not run with the land, but only be applicable to the approved applicant.
17. Additional driveways or paved areas to serve such occupations shall not be permitted.
18. A reasonable number of occupation-related product deliveries shall be permitted, but in no instance shall there be more than three (3) deliveries per day. No occupations shall be permitted to interfere with, or share a driveway or off-street parking space with an adjoining property.
19. On properties over one and one quarter acres (1 ¼) light industrial type home occupations will be reviewed by the City Administrator or his/her designee and may be permitted as long as the business does not cause objectional noise, vibration, glare, fumes, odors, or heat, or other similar negative impact which is detectable to the normal human senses from any adjacent or abutting lot, or which are harmful in any way to persons, animals, flora or fauna on or off the premises.

4.12.01 Home Occupation Permit – City of Lake Helen Land Development Code

Application is on Page 1 and includes the following:

1. A person desiring to conduct a home occupation in a district where it is permitted shall first pay the non-refundable application fee as approved by resolution of the City Commission and complete the home occupation application which shall include, but not be limited to, the following information:
 - a. Name of applicant, property owner and/or entity, and any requested employees.
 - b. Notarized statement of approval of home occupation use from property owner or entity.
 - c. Property address, parcel number and zoning.
 - d. Home occupation name and telephone number.
 - e. Type of business or service to be provided by the home occupation in the form of a written narrative.
 - f. Days and hours of operation for the home occupation.
2. Signature of applicant, property owner and/or entity.
3. Upon compliance with these regulations, the City Clerk shall issue a permit for such home occupation. Any home occupation permit may be revoked by the City Clerk or City Administrator or his/her designee after being noticed that the home occupation has become a public nuisance and/or is not in compliance with the City Codes. Applicant shall have ten-days to either cure the violation(s) or shut down their home occupation.
4. The fact that an applicant has paid the business license tax shall not vest the applicant with any rights to receive or maintain a home occupation.
5. Appeal of any final action taken by the City Clerk, City Administrator, City Commission, or subsequent applicable governing body shall be conducted in accordance with the provisions of Article 15 of the *Code of Ordinances of the City of Lake Helen*.
6. A home occupation license is only valid for a period of one (1) year, and must be renewed by the business tax receipt (BTR) annual deadline date of September 30. Renewal requests and applicable fees not made prior to the annual BTR deadline date shall require completion of a new application and payment of the approved non-refundable application fee. Annual renewal fees are set forth in the schedule of fees as adopted by Resolution set by the City Commission.
7. Home occupations shall in no case be construed to mean or include tea rooms, food processing, restaurants, tourist homes, animal hospitals, nursing homes, retail stores, dancing instruction, Adult Entertainment, Clubs (Private), Modeling of Clothing, Escort Services, Tattoo and Piercing, Vehicle Sales or Rental, Non-State Licensed Massage, commercial kennels, facilities for the breeding and/or sale of pets, or businesses with similar traffic, noise, visual or similar impacts on neighboring properties. Home occupations shall be limited to uses that have minimal to no impact on residential zoning districts and neighborhoods.



Property Owner Affidavit

Notification to Owner and Request for Authorization for tenant to apply for an City of Lake Helen Local Business Tax Receipt

As legal owner of the property located at _____
Print Physical Property Address (Street #, Name, City, State & Zip Code)

In the City of Lake Helen, Volusia County, Florida, I am aware and hereby give permission to my tenant

_____ to apply for a Local Business Tax Receipt and Home Occupation for the
(Print Tenant Full Name (First, Middle initial, and Last Name))

business of _____

Property Owner Printed Full Name

Property Owner Signature

Property Owner Mailing Address

City, State & Zip

Property Owner Daytime Phone Number

Signed this ____ day of _____, 20____

State of _____

County of _____

The foregoing instrument was acknowledged before me this _____ day of _____,

by _____ who is personally known to me _____

or has produced _____ as identification.

Print Name of Notary

Notary Signature

SEAL