

## City of Lake Helen New Business Guide

Any application that is submitted without the proper approvals and/or proper state licensure may be returned to the applicant. Please complete a Business Tax application and review the following checklist:

1. If your business is regulated by a state agency, you must acquire the appropriate state license before a Business Tax Receipt can be issued.
2. Proof of Fictitious Name Registration or a written statement of exemption from Fictitious Name Registration is required per FS 205.023. Fictitious Name Registration information can be found at [www.sunbiz.org](http://www.sunbiz.org).
3. The City of Lake Helen homes and businesses rely on septic systems. Approval from the Volusia County Health Department of a business' existing septic system for the 'type' of business that will be occupying a commercial building or part of a commercial building is required. The Volusia County Health Department is located at 121 Rich Avenue, Deland, 386-822-6520.
4. All commercial buildings are subject to inspection by the Volusia County Fire Services and the Lake Helen Building Official.
5. All commercial business applications are reviewed by the City Administrator for zoning and related issues.
6. Applicants for a Residential Business Tax Receipt must complete the Residential Home Occupation Permit Application to determine if the home occupation will require review by the Planning and Land Development Regulation Commission.
7. Applicants for a Residential Business Tax Receipt must submit a complete and notarized Residential Home Occupation Affidavit stating they have read and understand the provisions of Ordinance 2007-01 relating to home occupations.
8. 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.
9. 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.



TAX RECEIPT REFERENCE NO. \_\_\_\_\_

**CITY OF LAKE HELEN  
FICTITIOUS NAME AFFIDAVIT**

TO OBTAIN YOUR BUSINESS TAX RECEIPT WITH THE CITY OF LAKE HELEN, PER STATE STATUTE 205.023, ALL BUSINESSES MUST FILE FOR A FICTITIOUS NAME, OR PER STATUTE, BE EXEMPT. PLEASE ENCLOSE A COPY OF FICTITIOUS NAME CERTIFICATE FROM THE STATE OF FLORIDA. IF EXEMPT, PLEASE SIGN AT BOTTOM AND RETURN.

**FICTITIOUS NAME REGISTRATION EXEMPTION AFFIDAVIT**

I hereby attest that I am not required to register my business with the Secretary of State of Florida under the Fictitious Name Act for one of the following:

- Doing business under my full legal name. (Example: John Doe Co.; John Doe, Owner)
- Business is incorporated and registered with the Secretary of State and not using a D/B/A. (Business name must include one of the following in the name of the business: INC.; CO.; LLC.; or ENTERPRISE in order to be exempt).
- Business name is a registered trademark.
- Exempt due to being licensed by DBPR or the Department of Health.
- Federally chartered Bank.
- Other \_\_\_\_\_

\_\_\_\_\_  
Signature of Business Owner

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

A fictitious name can be registered on-line, or by completing and mailing the fictitious name registration application form prescribed by the Division of Corporation. Changes to, or cancellation of existing fictitious names must be submitted via regular mail. Forms may be obtained at Internet address: [www.sunbiz.org](http://www.sunbiz.org).

For information regarding the Fictitious Name Act, contact the Division of Corporations, Fictitious Name Registration, P.O. Box 1300, Tallahassee, FL 32302-1300. Telephone (850) 245-6058. Internet address: [www.sunbiz.org](http://www.sunbiz.org)

**CITY OF LAKE HELEN  
RESIDENTIAL HOME OCCUPATION PERMIT APPLICATION**

TAX RECEIPT REFERENCE NO: \_\_\_\_\_

BUSINESS CODE: \_\_\_\_\_

The uses of residential property for a home occupation shall be provided for by means of a permit approval in accordance with **Lake Helen Ordinance No. 2007-01, Section 7.02.02D Home Occupations**, adopted by the Lake Helen City Commission on January 18, 2007. In order for a review of your proposed home occupation to be performed, please provide the following detailed information regarding your proposed home occupation business:

1. Home Occupation Business Applicant's Name \_\_\_\_\_

2. Proposed Business Home Occupation Physical Address \_\_\_\_\_  
\_\_\_\_\_

Business Phone \_\_\_\_\_ Email \_\_\_\_\_

3. Home Occupation Business Applicant's Mailing Address (If different from physical Address) \_\_\_\_\_  
\_\_\_\_\_

Contact Phone \_\_\_\_\_ Email \_\_\_\_\_

4. Check One:       Property Owner       Property Tenant\*

*\*(If you are not the property owner, please attach a notarized statement, from the legal owner, stating the owner is aware of, and has no objection to your proposed home occupation being conducted on the above property.)*

5. Name of proposed Home Occupation Business \_\_\_\_\_

*(Attach a copy of registration for Fictitious Name from the Department of State, if applicable.)*

6. Parcel Number \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Residential Zoning \_\_\_\_\_

7. Description of proposed Home Occupation Business \_\_\_\_\_  
\_\_\_\_\_

8. Location of proposed Home Occupation on property:

Within primary residence       Within an accessory structure

9. Please Attach Survey/Plot Plan Showing:

(a) Location and size of the building in which the Home Occupation will be conducted.

(b) Location and square footage of proposed Home Occupation area.

(c) Location and size of parking area for Home Occupation employee and clients.

10. Number of family members, to be employed in the Home Occupation, who reside at the location of the Home Occupation \_\_\_\_\_

11. Any non-family members to be employed in the Home Occupation?       YES       NO

*Note: (Only one (1) non-family member, or family member not residing on the premises, may be employed in the home occupation).*



**THIS SECTION FOR CITY OF LAKE HELEN ADMINISTRATIVE USE:**

**Notes:** \_\_\_\_\_  
\_\_\_\_\_

Check applicable Home Occupation Use:

**D1.** Proposed home occupations that have neither outside employees, nor clients visiting the premises of the home occupation, shall be reviewed and final action taken by the City Administrator. In taking final action, the City Administrator shall be empowered to approve, approve with conditions, or deny the home occupation application.

- Administration Approved
- Administration Approved with modifications
- Administration Denied

Modifications: \_\_\_\_\_

\_\_\_\_\_  
*Administrator Signature*

\_\_\_\_\_  
*Date*

**D2.** Proposed home occupations that will employ an outside employee, that will have clients visiting the premises of the home occupation, or that will be conducted in an area that is not part of the main living area of the residence, shall be reviewed by the Planning and Land Development Regulation Commission, with final action on the application to be taken by the City Commission upon review of the PLDRC's recommendation. In taking final action, the City Commission shall be empowered to approve, approve with conditions, or deny the home application.

Planning & Land Development Regulation Commission Meeting Date \_\_\_\_\_

- City Commission Approved
- City Commission Approved with modifications
- City Commission Denied

Conditions: \_\_\_\_\_

Commission Meeting Date:

**D3.** Proposed home occupations that the City Administrator determines to be unique, unusual or not commonly accepted as home occupations shall be reviewed by the Planning and Land Development Regulation Commission, with final action on the application to be taken by the City Commission upon review of the PLDRC's recommendation. In taking final action, the City Commission shall be empowered to approve, approve with conditions, or deny the home occupation application.

Planning & Land Development Regulation Commission Meeting Date: \_\_\_\_\_

Conditions: \_\_\_\_\_

Commission Meeting Date:

CITY OF LAKE HELEN  
RESIDENTIAL 'HOME OCCUPATION' AFFIDAVIT

I, \_\_\_\_\_, am applying for a business tax receipt from the City of Lake Helen, Florida. I hereby agree to the following conditions. (Reference: Lake Helen Ordinance No. 2007-01)

**7.02.02 Home Occupations**

C. A home occupation permitted in accordance with the provisions of this Ordinance is subject to the following conditions, at a minimum:

1. The home occupation shall not be conducted in an area that exceeds one-third (1/3) of the heated and cooled area of the residential dwelling unit.
2. The home occupation must be clearly incidental to the residential use of the property which must be that of a single family residential use.
3. The home occupation business may employ members of the family unit residing on the property.
4. The home occupation business may employ one (1) employee who is not a member of the family unit residing on the property.
5. If a home occupation is a retail or wholesale products production or assemblage business, no article or commodity may be offered for sale or publicly displayed on the premises. However, off-premises sales of such retail and wholesale products are allowed, so long as said sales are in compliance with the City of Lake Helen Code of Ordinances. If a home occupation is a service provision business, no article or commodity may be offered for sale or publicly displayed on the premises except those incidental to the service offered.
6. Outside display of materials relating to the home occupation is prohibited.
7. Outside storage of materials relating to the home occupation is prohibited.
8. One (1) motor vehicle associated with the home occupation may be housed or resident on the property which vehicle may have a maximum of two (2) axles and shall not be a motor vehicle that is generally utilized to make deliveries.
9. The home occupation may serve only one (1) client or customer at any one (1) time.
10. Off street parking for the home occupation may be used or permitted, but shall consist of no more than one (1) client/customer parking space and not more than one (1) non-family member employee parking space; provide, however that none of said parking spaces may be located in the front yard of the premises.
11. Signage for the home occupation shall not be permitted. Signage on motor vehicles shall not be considered signage limited under the provisions of this Ordinance.
12. 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.
13. 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 structure is located.
14. 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, or any other nuisance or activity that is not generally conducted in a residential structure.
15. 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 a business activity did not exist.
16. If the property on which a home occupation is proposed to be conducted is rented, notarized written approval to conduct said occupation shall be obtained from the owner of the property.

17. Authority to conduct a home occupation shall not be transferable: (a) to another person at the same location; (b) to a different structure at the same location; (c) to any use other than the use for which the home occupation use has been granted a permit to be conducted on the property; or (d) from one location to another through the sale, lease, or rental of the property or in any other manner.

Any reported violations of the terms of this affidavit will be reported to the Code Enforcement Officer for investigation and action as necessary. If the Special Master for Code Enforcement holds a hearing, and there is adjudged to be a violation of this agreement, sanctions, including withdrawal of Home Occupation Permit, may be imposed.

The street address for this home occupation is: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

State of Florida            ) ss:  
County of Volusia        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_  
as identification.

\_\_\_\_\_  
*Notary Public Signature*