



**TOWN OF BETHANY BEACH**  
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### **HOME OCCUPATION/HOME BUSINESS APPLICATION SUPPLEMENT**

HOME OCCUPATION/HOME BUSINESS [Amended 8-17-1990 by Ord. No. 251; 2-16-2001 by Ord. No. 351]: A. Any occupation or activity normally carried on as a professional or commercial enterprise or business, but conducted within and accessory to a private residential dwelling [or it's permitted accessory building(s)], provided that the following conditions are met:

- (1) The occupation or activity shall be clearly incidental and secondary to the residential use of the property such that it does not change the essential character of the residential use.
- (2) The occupation or activity shall be such that it renders the dwelling [and permitted accessory building(s)] indistinguishable from residential properties with no home occupation/home business use.
- (3) The person(s) engaged in the home occupation/home business must reside in the dwelling in which it is conducted.
- (4) Not more than one home occupation/home business shall be permitted for any dwelling.
- (5) Not more than one person, other than the permanent residents of the dwelling, shall be engaged, on the premises, as an employee or unpaid volunteer in the conduct of the home occupation/home business.
- (6) There shall be no display of products or storage of materials on premises such as would distinguish the premises from other residential properties with no business use.
- (7) There shall be no signs associated in any way with the home occupation/home business displayed on the premises that are viewable from anywhere off the premises.

(8) No on-street parking shall be permitted for any motor vehicle in conjunction with or as a result of the home occupation/home business conducted on the premises other than the motor vehicles owned by or in the possession of the permanent residents of the subject premises. Motor vehicles permitted to park on the premises in conjunction with or as a result of the home occupation/home business shall be limited to the number of vehicles which may be reasonably accommodated in the parking area and premises.

(9) No equipment or machinery shall be used and no activity shall be engaged in the conduct of the home occupation/home business which causes noise, vibration, smoke, dust, odor, heat, glare or electromagnetic interference off the premises to such a degree that it reasonably disturbs the peace, comfort and repose of abutting properties and/or the neighborhood in which the subject premises is located.

(10) Every home occupation/home business shall be conducted entirely within the dwelling or permitted accessory building(s). The total area used to accommodate the home occupation/home business shall not exceed 25% of the total gross floor area of the principal dwelling. No structural alterations or enlargements shall be made to the dwelling (or any accessory building) for the primary purpose of conducting the home occupation/home business.

(11) No deliveries of equipment, supplies, products or other materials used or consumed in the home occupation/home business activity shall be permitted except between the hours of 8:00 a.m. and 7:00 p.m. Only vehicles of the type and size normally engaged in residential deliveries may be used.

(12) No home occupation/home business shall be conducted until a home occupation/home business certificate has been approved by and filed with the office.

B. Any property owner or resident located within 500 feet of any home occupation/home business may file any complaint, challenge or other dispute concerning that home occupation/home business with the Town Code Enforcement Officer who shall schedule a meeting with the interested parties on not less than 15 days' prior written notice, to hear, arbitrate and decide the matter. The Code

Enforcement Officer shall prepare a brief written decision and order which may, among other outcomes, dismiss the complaint, impose conditions upon the home occupation/home business reasonably calculated to resolve the problem complained of or order the cessation of the home occupation/home business where it is determined that it is not within the definition and conditions set forth above or that the operator of the home occupation/home business has knowingly failed to comply with any prior corrective order.

C. Any person aggrieved by the Building Inspector's decision may appeal that decision to the Board of Adjustment pursuant to § 425-102A.

Applicant's Name: (PRINT) \_\_\_\_\_

Applicant's Address: \_\_\_\_\_  
\_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_