

**BUTTE-SILVER BOW
APPLICATION FOR A HOME OCCUPATION PERMIT**

The Zoning Ordinance allows the operation of businesses from residences only after a review by the Zoning Officer to determine if the proposal satisfies the regulations established in the Ordinance. In order to evaluate the proposal, the applicant must answer the following questions concerning the nature of the home occupation. All questions must be answered in full and either typed or legibly written. The application shall include, but not be limited to the following information:

APPLICATION FOR HOME OCCUPATION

Date:

Applicant's Name:

Business Name:

Property Address:

Phone Number:

Legal Description of Residence:

 Lot(s):

 Block:

 Addition or Section:

Type of Building (frame, brick, etc):

Kind of Building (house, garage, etc):

Zoning District of Property ([click here to find zoning](#)):

Type of Business:

1. Will structural alterations occur at the residence to accommodate the home occupation?
2. Is the entrance to the space devoted to the occupation from within the residence?
3. Number of square feet of floor area of the residence utilized for the home occupation.
4. Total number of square feet of floor area of the residence finished for living purposes.
5. Number of persons engaged in home occupation.
6. Type of equipment utilized at the residence:
7. Please complete a site plan of the residence including a floor plan and submit it as part of this application.
8. All plans, exhibits and other legal documents submitted with the application will be retained as a part of the public record.
9. If the applicant doesn't own the structure(s) or property, a statement for the owner **MUST** accompany the application stating that there are no objections to an on-site inspection or to the taking of pictures of the property. The owner should also state that he is fully aware of the nature of the proposed occupation and whether or not he has any objections to the proposal.
10. The applicant is fully aware of and agrees to comply with the following regulations governing home occupations:
 - a) A home occupation shall not be permitted if it violates any other section of this Ordinance.
 - b) There shall be no structural alteration to accommodate the home occupation. Entrance to the space devoted to the occupation shall be from within the residence except where otherwise required by law.
 - c) The use area for a home occupation, including all storage space, shall not occupy more than twenty-five percent (25%) of the total floor area of either the residence and/or any garage or accessory building. Garage or accessory buildings shall only be used in conjunction with the home occupation for storage or incidental home occupation and in

no case shall auto repair, auto painting or other auto related activities be permitted.

- d) Members of the family who reside on the premises and one (1) employee in addition to members of the family involved in the home occupation and in any case no more than two (2) persons in any dwelling unit shall be engaged in said occupation.
- e) There shall be no outside storage of materials, products, machinery, equipment or vehicles associated with said home occupation.
- f) There shall be **NO** window display **NOR** shall sample commodities be displayed.
- g) Commercial advertising, which includes but is not limited to advertising in: (1) the yellow pages in a telephone directory, (2) a newspaper, (3) professional journal, (4) trade journals or hobby journals are restricted to those home occupations where such advertising will no generate any additional pedestrian or vehicular traffic, noise or other impact on the residential areas in which they are located.

All other home occupations may advertise only in the classified section of the newspaper.

In all cases, only one (1) nonluminous sign, no exceeding one (1) square foot in area, bearing the name and occupation of the resident and placed flat against the residence is permitted.

- h) Sale of products produced or directly resulting from an approved home occupation may be permitted subject to the approval of a Conditional Use Permit by the Zoning Board of Adjustment, wherein it is clearly demonstrated and the Zoning Board finds that such sales activities will not be detrimental to the residential character of the property in question or the surrounding residential neighborhood. In approving the request for sales, the Zoning Board of Adjustment may impose appropriate conditions necessary to mitigate impacts to the residential neighborhood. Home occupations involving mail order sales shall not require a Conditional Use Permit, providing such activities comply with all other requirements of this Ordinance.
- i) No materials or mechanical equipment shall be used which will be detrimental to the residential use of said residence or surrounding

residences because of vibration, noise, dust, smoke, odor, interference with radio or television reception or other factor.

- j) Materials or commodities delivered to or from the residence which are of such bulk or quantity as to require delivery by a commercial motor vehicle or a trailer, or the parking of customer's automobiles in a manner or frequency causing disturbance or inconvenience to nearby residences or so as to necessitate a public parking lot shall be prima facie evidence that the occupation is a primary business and not a home occupation.
- k) There shall be only one (1) vehicle used for commercial purposes related to the home occupation for each dwelling unit.
- l) Examples of uses which might normally satisfy the above criteria are: custom floristry; professional services; dressmakers; photographers, raising of tropical and similar fish; watch repairing; repair of small household appliances and hand carried radios and television sets; and similar uses. The following uses shall not be deemed home occupations: nursing homes; massage parlors; tea rooms; tourist homes; woodworking and cabinet shops; repairing of large household appliances (such as washers and stoves); furniture and cabinet size radios and televisions sets; and similar uses.

ANY VIOLATION OF THE PROVISIONS OF THIS CHAPTER GOVERNING HOME OCCUPATIONS MAY BE CAUSE FOR REVOCATION OF THE ZONING CERTIFICATE AFTER A HEARING BEFORE THE ZONING BOARD OF ADJUSTMENT.





Signature of Applicant (s)

Within seven (7) days after the receipt of this application, the Zoning Officer shall:

1. Deny the application and give the reason for denial in writing to the applicant; or
2. Approve the applicant and issue a zoning compliance certificate with conditions specified thereon.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE PLANNING DEPARTMENT, ROOM 108, BUTTE-SILVER BOW COURTHOUSE, BUTTE, MONTANA, 497-6250.