



City of Bay Minette

Home Occupations – Zoning Ordinance Regulations

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Business Owners are responsible for ensuring compliance with City, County and State regulations, including the Zoning Ordinance regulations below, or Zoning approvals may be revoked. It is the applicant's responsibility to obtain all applicable business licenses or certifications and ensure compliance with lease/rental agreements and/or deed restrictions.

8.07.02 Home Occupations. Home occupations are permitted in all districts where residences are permitted, if licensed by the City and conforming to the conditions of this Section and any applicable laws or Ordinances. Home Occupations are subject to administrative review and require an approved Land Use Certificate. Home occupations shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling or adversely affect the uses permitted in the district of which it is a part. No home occupation shall be permitted which might interfere with the general welfare of the surrounding residential area due to potential noise, increased pedestrian and vehicular traffic or any other condition which would constitute an objectionable use of residentially zoned property.

8.07.02.01 Limitations on Type of Home Occupation are as follows:

- a. No more than one (1) home occupation shall be approved in any residential dwelling unit.
- b. Area used for a home occupation shall not exceed twenty percent (20%) of the gross floor area in the principal building, up to a maximum of 500 square feet.
- c. No internal or external addition, alteration or expansion of the dwelling is permitted to accommodate the home occupation.
- d. The operation of a home occupation shall not create any nuisance or adversely affect the residential character of the neighborhood, including but not limited to an increase in traffic, on-street parking, excessive noise, heat, fire hazards, electrical interference (including radio, television and telephone interference) or a fluctuation in line voltage. Chemical, mechanical or electrical equipment that creates any vibration, fumes, dust, air emissions, odors, light, glare or noises that are detectable outside of the dwelling shall be prohibited.
- e. The existence of a home occupation shall not be visible from or detectable beyond the property boundaries. The outdoor display or storage of products, materials, goods, supplies or equipment used in relation to the home occupation is expressly prohibited.
- f. Only articles made on the premises may be sold; except that non-durable articles (consumable products) that are incidental to a service, which service shall be the principal use in the home occupation, may be sold on the premises. Other on-site sales, excluding those by phone, fax, mail, internet and similar remote methods, shall be prohibited.
- g. Patrons to the business shall be limited to one (1) client at a time.
- h. Instruction in music, dancing, and similar subjects shall be limited to two (2) students at a time.
- i. The activity carried on as a home occupation shall be limited to the hours between 7:00 a.m. and 8:00 p.m.
- j. Home occupations shall be legally established and licensed in conformity with the Ordinances of the City. Any home occupation operating without a business license or with an expired business license shall be required to obtain current Land Use approval prior to the issuance or re-issuance of a business license.
- k. Customary home occupations shall not include the following:
 1. Uses which do not meet the provision listed above.
 2. Automobile and/or body and fender repairing.
 3. Food handling on a large-scale basis, processing or packing.
 4. Repair, manufacturing and processing uses; however, this shall not exclude the home occupation of a dressmaker where goods are not manufactured for stock, sale, or distribution.
 5. Restaurants.
 6. Rental, sale, storage or repair of vehicles or equipment of any kind.
 7. No outdoor or indoor window signs of any kind are permitted for a home occupation.

8.07.02.02 Any home occupation not conforming with *Section 8.07.02.01* may be subject to Planning Commission approval and Site Plan Review.