

VILLAGE OF FREEBURG

Home Occupation Questionnaire

Name: _____ Address: _____
 Phone: _____ Email: _____
 Home Occupation Type: _____ Zoning District: _____

40-17-4 of the Village of Freeburg Zoning Code discusses Home Occupations. If you are applying for a Business Registration within the Village of Freeburg and plan to operate said business from your home, please fill out the questionnaire.

For further questions about Home Occupations please contact the Freeburg Zoning Office at 618-539-5545 or via email at tpruett@freeburg.com

	All home occupations shall conform to the following requirements:	Yes	No
1.	Is the use to be conducted entirely within a dwelling or permitted accessory building and carried on by the inhabitants living there and no more than one other person?		
2.	Is the use clearly incidental and secondary to the use of the dwelling and dwelling purpose and shall not change the character of use as a dwelling?		
3.	Does the total area used for the home occupation exceed one-half (1/2) the floor area of the user's living unit?		
4.	Will there be any exterior signage?		
5.	Will there be any exterior storage on the premises of material or equipment used as a part of the home occupation?		
6.	Will there be any noise or vibrations, smoke, dust, odors, heat or glare noticeable at or beyond the property line?		
7.	Will there be any storage or use of toxic, explosive or other dangerous or hazardous materials upon the premises?		
8.	Will the said business cause an increase in traffic, have customers visit the premise, or have a need for off street parking or loading?		
9.	Does the use conform with all valid covenants and agreements recorded with the county Recorder of Deeds, covering the land underlying the dwelling?		
10.	If the applicant is renting or leasing, does the landlord approve of the Home Occupation taking place?		

Owner Signature: _____ Date: _____

ARTICLE XVII - ADDITIONAL SUPPLEMENTARY REGULATIONS

40-17-1 **APPLICABILITY.** This subchapter establishes lot and structure requirements and design/operational standards for specific, potentially troublesome structures and uses. These regulations apply in every zoning district where the specific structure or use is permitted or allowed by special-use permit; but if more stringent regulations are applicable in any particular district, such regulations shall prevail.

40-17-2 **AGRICULTURAL ACTIVITIES.**

(A) **Farm Animals.** No barn, stable, shed, or other structure intended to shelter farm animals shall be erected closer than **three hundred (300) feet** to any existing neighboring dwelling or closer than **two hundred (200) feet** to any lot line of residential property, whichever distance is greater. Similarly, fences shall be erected or other means shall be taken to prevent farm animals from approaching closer than **three hundred (300) feet** to any existing dwelling or closer than **two hundred (200) feet** to any lot line or residential property, whichever distance is greater.

(B) **Farm Equipment/Commodities.** No agricultural equipment or commodities (including, but not limited to, baled crops, fertilizer, pesticides/herbicides) shall be stored outdoors closer than **three hundred (300) feet** to any existing dwelling or closer than **two hundred (200) feet** to any lot line of residential property, whichever distance is greater. If said equipment/commodities are stored within a completely enclosed structure, said structure shall be located at least **one hundred (100) feet** from any lot line of residential property.

(C) **Barbed Wire/Electrical Fences.** See Section 40-17-3.

Penalty, see Section 40-25-1

40-17-3 **FENCES, WALLS.**

(A) No barbed wire or electrically-charged fence shall be erected or maintained anywhere in the Village, except in the Agricultural District and shall not be erected closer than **three hundred (300) feet** to any existing neighboring dwelling or closer than **two hundred (200) feet** to any lot line of residential property, whichever distance is greater.

(B) No fence, wall, landscaping, hedges, or other obstruction shall be erected within any public right-of-way. For utility easement, See Illinois State Statute.

(C) No fence, wall, or other obstruction shall be erected in violation of the Illinois Drainage Code, **70 ILCS 605/2-1 through 605/2-12**, as amended from time to time.

(D) Structures, fences, walls, and hedges in any district may be located on lot lines, provided such structures, fences, walls and hedges exceeding **six (6) feet** in height shall be subject to the minimum yard requirements of the district in which such fences are located.

(E) Every fence, wall or other obstruction shall conform to the special height restrictions applicable in areas near intersections.

Penalty, see Section 40-25-1

40-17-4 **HOME OCCUPATIONS.**

(A) **Limitations on Use.** A home occupation shall be considered a special-use in any residential district, provided the home occupation is subject to the following limitations.(1) The use shall be conducted entirely within a dwelling or permitted accessory

building and carried on by the inhabitants living there and only one other person.

- (2) The use shall be clearly incidental and secondary to the use of the dwelling and dwelling purposes and shall not change the character of use as a dwelling.
- (3) The total area used for the home occupation shall not exceed **one-half (1/2)** the floor area of the user's living unit.
- (4) There shall be no exterior advertising other than identification of the home occupation by a sign which shall be attached to the dwelling or the accessory building and shall not exceed **two (2) square feet** in area and which shall not be illuminated.
- (5) There shall be no exterior storage on the premises of material or equipment used as a part of the home occupation.
- (6) There shall be no offensive noise nor shall there be vibrations, smoke, dust, odors, heat or glare noticeable at or beyond the property line.
- (7) There shall be no storage or use of toxic, explosive or other dangerous or hazardous materials upon the premises.
- (8) A home occupation, including studios or rooms for instruction, shall provide an off-street parking area adequate to accommodate needs created by the home occupation.
- (9) The use must be in conformance with all valid covenants and agreements recorded with the County Recorder of Deeds, covering the land underlying the dwelling.
- (10) A home occupation permit may be issued for any use allowed by the Zoning Code, providing all other criteria for issuance of a home occupation permit are met. No home occupation permit shall be issued for any other use.

(B) **Permit Required.** A home occupation shall not be permitted without a special-use permit being granted by the Combined Planning and Zoning Board, which shall determine whether or not the proposed home occupation complies with all applicable laws and ordinances.

- (1) The applicant for a home occupation permit shall be responsible for providing a list of surrounding landowners and tenants.
- (2) A hearing upon the application shall be held in accordance with the rules and regulations of the Combined Planning and Zoning Board.

(C) **Activities Not Covered.** No home occupation permit shall be required for activities such as telecommuting, involving no outside sign, little or no increase in traffic, and with only occasional visits by members of the public to the home. As used in this Section, "telecommuting" means working in the home making use of the internet, email, and the telephone.

(D) **Parking. See Section 40-15-13.**

(E) **Signs. See Section 40-16-10.**

Penalty, see Section 40-25-1