

CITY OF MARQUETTE HOME OCCUPATION PERMIT APPLICATION



CITY STAFF USE			
PARCEL #:	_____	FILE #:	_____
RECEIPT/INV #:	_____	CHECK #:	_____
RECEIVED BY & DATE: _____			

FEE SCHEDULE *(We can only accept Cash or Check (Written to City of Marquette))*

\$95 – New Home Occupation

\$70 – For a revision to an approved home occupation permit within one year of approval date

PROPERTY INFORMATION
Property Address: _____
Zoning District: _____

PROPERTY OWNER CONTACT INFORMATION
Name: _____
Address: _____
City, State, Zip: _____
Phone #: _____ Fax #: _____
E-mail: _____

APPLICANT (if different than property owner)
Name: _____
Address: _____
City, State, Zip: _____
Phone #: _____ Fax #: _____
E-mail: _____

If you have any questions, please call 228-0425 or e-mail alanders@marquettemi.gov. Please review Section 54.621 Home Occupations of the Land Development Code, which is located on our website at www.marquettemi.gov on the Zoning page.

Permits issued on the basis of false information shall be void and continuance of the use shall be deemed a violation of the Land Development Code. This permit is not transferable to another location or person. Businesses may need to be made accessible to the public and employees per the Americans with Disabilities Act and State Construction Code.

<p>Explain briefly the use for which you are applying. Applications should include: the nature of the business, name of the business, square footage of the area to be used for business purposes, equipment used in conjunction with the business, number of employees who are lawful residents of the dwelling unit and if one is not, and available on site parking.</p> <p>(SIGNAGE, DISPLAY AREAS, AND THE USE OF COMMERCIAL VEHICLES ARE NOT PERMITTED.)</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
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Please attach the following:

- **A site plan of the property noting all structures and their location in relation to adjacent homes and streets.**
- **An interior floor plan noting the proposed area to be used for business purposes.**

The applicant further understands that the following conditions apply to Home Occupation Permits:

- A) **One Non-Resident Employee.** A Home Occupation shall not employ more than one (1) person who is not a member of the household.
- B) **Signs.** A Home Occupation shall not have signage unless permitted in [Article 11](#).
- C) **Accessory Structure Use.** Activities related to the home occupation may take place in an accessory structure that is properly permitted by the City and the County Building Codes Department (if necessary) and if those activities do not create nuisance conditions for neighboring properties including loud noise, dust, smoke, bright light, etc. and are not activities that meet the definition of “manufacturing” (heavy or light) or “industrial” as defined in Article 2.
- D) **Limited Customer Traffic.** A Home Occupation shall not constitute a retail store, but limited customer traffic is permitted. No commodity other than that produced or processed on the premises shall be sold.
- E) **Commercial Vehicles.** Commercial vehicles used for the home occupation cannot be used primarily for commercial advertising.
- F) **Maximum Floor Area.** A Home Occupation shall not occupy more than 25% of the floor area of the dwelling unit and any accessory structures (combined floor area) utilized for the occupation, or a maximum of 500 square feet, whichever is smaller.
- G) **Non-Transferrable.** Approval of a Home Occupation shall vest only in the person making the application and is non-transferrable to another person.
- H) **Application and City Approval.** A Home Occupation requires an application and approval from the City of Marquette.
- I) **Revocation.** An approved permit for a Home Occupation will be revoked for producing nuisance violations or other violations of this section if the violation are not corrected.

I hereby certify that I have read the above sections of the Land Development Code and that the above statements are true to the best of my knowledge and understanding. I also certify that I will meet any conditions placed on this permit.

Applicant Signature: _____

Date: _____

If the applicant is other than the owner, the owner hereby grants permission for the applicant to operate a home occupation on the owner's property.

Property Owner Signature: _____

Date: _____

EXCERPT FROM THE LAND DEVELOPMENT CODE

Article 6: Standards Applicable to Specific Uses

Section 54.621 Home Occupations

(A) Intent and Application. It is the purpose and intent of this Section to provide for certain types of Home Occupations for residents on the resident's premises. Accordingly, minimum standards have been established in order to assure compatibility of Home Occupations with other uses permitted in the applicable district, and to preserve the character of residential neighborhoods. Home Occupations are different from Home Offices, such as they allow for Customer or Client Traffic, and one employee that is not a resident of the dwelling. The following regulations shall apply to all Home Occupations within the City of Marquette.

(B) Applicability

- (1) Application and City Approval.** The Zoning Administrator or their designee shall review and approve applications for all Home Occupation permits.
- (2) Non-Transferrable.** Approval of a Home Occupation is not transferable to a location other than that which was approved. The Home Occupation permit and use shall terminate automatically when the applicant no longer resides in the dwelling unit.
- (3) Owner Signature.** If the resident applicant is other than the owner of the property, the owner must authorize the application.

(C) Regulations Applicable to Home Occupations

- (1) Maximum Floor Area.** A Home Occupation shall not occupy more than 25% of the floor area of the dwelling unit and any accessory structures (combined floor area) utilized for the occupation, or a maximum of 500 square feet, whichever is smaller.
- (2) Location.** Activities related to the Home Occupation may take place in the primary dwelling or in an accessory structure that is properly permitted by the City and the County Building Codes Department (if necessary) and if those activities do not create nuisance conditions for neighboring properties including loud noise, dust, smoke, bright light, etc. and are not activities that meet the definition of "manufacturing" (heavy or light) or "industrial" as defined in Article 2.
- (3) Exterior Appearance.**
 - (a) No Outdoor Storage or Displays.** No outdoor storage or display of products, equipment, or merchandise associated with the Home Occupation is permitted.

Article 6: Standards Applicable to Specific Uses

(b) No Evidence of Home Occupation. To protect the residential character of neighborhoods, there shall be no evidence of the home occupation when viewed from the street right-of-way or from an adjacent lot, and no change in exterior appearance of the dwelling or accessory building that houses a Home Occupation.

(c) Signs. A Home Occupation shall not have signage unless permitted in accordance with [Article 11](#).

(4) Operational Impacts.

(a) No equipment, process, or activity shall be used in a Home Occupation which creates glare, fumes, odor, vibration, noise, electrical interference, or fluctuation in voltage which is detectable to the normal senses from the street right-of-way or from an adjacent lot.

(b) To protect the integrity of the water supply and natural environment of the residential neighborhood, no Home Occupation shall involve the:

(i) generation of any hazardous waste as defined in Article II Chapter 3 Part 111 of Michigan P.A. 451 of 1994, as amended (being the Hazardous Waste Management part of the Natural Resources and Environmental Protection Act, MCL 324.11101 et. seq.); or

(ii) use of materials which are used in such quantity, or are otherwise required, to be registered pursuant to the Code of Federal Regulations, Title 29, Chapter XVII, part 1910(2), except this provision shall not apply to material purchased retail over the counter for household cleaning, lawn care, operation of a photocopy machine, painting, printing, art and craft supplies, or heating fuel.

(c) No hazardous materials produced in the Home Occupation operation shall be stored or disposed of on-site, and no Home Occupation shall discharge into any sewer, drainage way, water body, or the ground any materials which are radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to waste management installations.

(d) No traffic shall be generated by any Home Occupation in substantially greater volume than would normally be expected in a residential neighborhood. No vehicle or delivery truck shall block or interfere with normal traffic circulation.

(5) One Non-Resident Employee. A Home Occupation shall not employ more than one (1) person who is not a member of the household.

(6) Limited Customer Traffic and not a Retail store. A Home Occupation shall not constitute a retail store, but limited customer traffic is permitted. No commodity other than that produced or processed on the premises shall be sold.

(7) Commercial Vehicles. Commercial vehicles used for the Home Occupation cannot be used primarily for commercial advertising.

(8) Examples of Home Occupations. Examples of Home Occupations permitted by Home Occupation Permit include the following:

(a) Accountant or tax preparer

(b) Artist or small crafts maker, or toy maker

(c) Barber Shop or Beauty Shop (no more than two stylists and chairs)

(d) "Cottage Food operation" meeting the Michigan Cottage Food Law, PA 113 of 2010, as amended.

(e) Crafts or fine arts - where some clients come to the dwelling at different times for individual instruction

(f) Firearm Repair

Article 6: Standards Applicable to Specific Uses

- (g) Operation of network marketing businesses like sales of cosmetics, household cleaning goods, and nutritional supplements on behalf of a third party, without any sales events at the home.
- (h) Small appliance and bicycle repair
- (i) Seamstress, tailor or weaver
- (j) T-shirt maker
- (k) Tutor or instructor of music
- (l) Watch, clock or jewelry creation or repair

(D) Uses Prohibited as Home Occupations. The following are prohibited as Home Occupations:

- (1) Auto Repair
- (2) Auto Paint Shop
- (3) Barber Shop or Beauty Shop (more than two stylists and chairs)
- (4) Dental Clinic
- (5) Firearm Sales
- (6) Fireworks Sales
- (7) Funeral Home
- (8) Kennel
- (9) Medical Clinic
- (10) Restaurant/Commercial Kitchen
- (11) Vet/Animal Hospital
- (12) Vet/Animal Clinic

(E) Revocation. An approved permit for a Home Occupation will be revoked for producing nuisance violations or other violations of this section if the violations are not corrected.

Section 54.622 Home Offices

A Home Office is a dedicated space in a residential dwelling unit where the resident(s) may carry out certain functions of a commercial, service, or organizational nature – such as administration and sales – without a permit, provided the following conditions are met:

- (A) **Maximum Floor Area.** The office may not occupy more than 25% of the floor area of the dwelling unit or a maximum of 500 square feet, whichever is smaller.
- (B) **Resident Employees Only.** No persons who are not lawful residents of the dwelling may be employed.
- (C) **Signs.** There shall be no signs except as provided for in [Article 11](#).
- (D) **No Customer or Client Traffic.** No persons other than residents of the dwelling shall typically or regularly visit the home office for business purposes.
- (E) **Equipment Operation.** There shall be no equipment used, the operation of which can be sensed outside of the dwelling unit.
- (F) **Accessory Structure Use.** A Home Office use may be conducted in an accessory structure that is properly permitted by the City and the County Building Codes Department.