



## Home Occupation Conditional Use Verification & Permit Procedure & Checklist

Home occupations for administrative/clerical uses only may be permitted as a conditional use within the AG, AR, RA, RB, RE, RMHP, RC, AR-1, AR-2, RD and PUD zoning districts when carried on solely by the residents of the dwelling, are conducted entirely within the dwelling, when clearly incidental and secondary to the use of the dwelling for dwelling purposes, when no change in the character of the dwelling occurs thereby, and when no external evidence of such use occurs.

### **General Requirements and Prohibitions for Home Occupation Permits**

***Rules and Regulations for Home Occupations.*** Prior to the issuance of a Home Occupations Permit, the applicant for such Permit shall submit to the Planning and Zoning Department written and graphic documentation demonstrating compliance with the following rules and regulations, and all properly permitted home occupations shall continue to be conducted in accordance with said rules and regulations:

- (1) The applicant must be the owner of the property for which the permit is applied, except that if the applicant is not the owner, then an affidavit executed by the owner shall be submitted which clearly gives the owner's permission to utilize the residence for a home occupation. This affidavit must be notarized.
  - (2) The use must be conducted by a member or members of the immediate family residing on the premises with no other or additional employees.
  - (3) No chemical, electrical, or mechanical equipment is to be used except that which is normally used for purely domestic or household purposes.
  - (4) No commodity or item shall be sold upon the premises nor shall a display of products be visible from the street.
  - (5) The area devoted to the home occupation shall not be the dominant use of the dwelling and in no case shall exceed twenty (20) percent of the total square footage of living area and shall be entirely within the principal building, not including any accessory building.
  - (6) One sign, not over two (2) square feet in area, may be permitted showing only the name of the business or the profession. The sign must be attached to the
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dwelling, nor more than two (2) feet from the front entrance.

- (7) There shall be no alteration in the residential character of the premises in connection with such home occupation.
- (8) The occupation shall not create any greater vehicle or pedestrian traffic than is usual and normal for the residence in which the home occupation is located.
- (9) No outside storage of products or the materials used in their manufacture shall be permitted anywhere on the premises.
- (10) The applicant shall pay an annual renewable permit fee as established by Clay County and shall annually apply for continuation of such home occupation. Any Home Occupation Permit which is not renewed shall automatically expire after ten (10) days beyond its scheduled renewal date.
- (11) All home occupations shall be subject, at any time, to review and investigation by the Clay County Code Enforcement Division, or designee. Each application for Home Occupation Permit shall be reviewed for overall compliance with all other aspects of this Article by said Division prior to the issuance of such Permit and shall be denied by the Division if all aspects of this Article are not met.
- (12) All Home Occupation Permits automatically and immediately terminate when the permittee no longer resides in the subject residence or the type of occupation or use changes.
- (13) A willful violation of this subsection by a Permit holder shall be grounds for the immediate and permanent revocation of the Permit.
- (14) No additional vehicles shall be routinely parked at the residence other than those owned by the members of the immediate family residing on the premises or their guests.

***Prohibited Home Occupations.*** The following or similar professions or occupations are expressly prohibited as home occupations:

**Major and minor auto or machinery repair or paint shops, including welding, Carpentry, upholstery, and cabinet making, beauty shops and barber shops, private schools with organized classes other than limited individual tutoring, electric machinery or appliance repair, day care centers for the care of more than six (6) unrelated children, medical or dental offices; psychological or psychiatric counseling offices, direct consumer sales, retail or wholesale, of any good or commodity on the premises and landscape/yard maintenance services, except in A and AR residential districts.**

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## Application Filing Procedures

### **Step 1. Do I meet the requirements for a Home Occupation Permit?**

	Yes	No	Comments
1. Is your property located within the AG, AR, RA, RB, RE, RMHP, RC, AR-1, AR-2, RD and PUD Zoning Districts?	<input type="checkbox"/>	<input type="checkbox"/>	Contact the Planning and Zoning Division to confirm (904) 278-4705
2. Are you the owner of the property?	<input type="checkbox"/>	<input type="checkbox"/>	Will have to be affirmed when processing the application
3. Will the activity for the home occupation be conducted by family members residing at the location with no other employees?	<input type="checkbox"/>	<input type="checkbox"/>	There may be no additional employees other than the family members residing on the property.
4. Will there be storage of chemicals or electrical and mechanical equipment other than that which is commonly used at a residence?	<input type="checkbox"/>	<input type="checkbox"/>	General items such as paint, residential pest control chemical, fax machines, copiers, computers, etc. are acceptable.
5. Will any items be sold and delivered to the consumer at the location or visible from the roadway?	<input type="checkbox"/>	<input type="checkbox"/>	The home occupation permit will not allow for customers to visit the residence to accept their purchase.
6. Does the area of the residence proposed for the home occupation exceed 20% of the livable area of the home?	<input type="checkbox"/>	<input type="checkbox"/>	This is measured based on the heated and cooled square footage of the entire home including the area of a residence that is more than one story.
7. Are you proposing any additions or renovations that would change the outward appearance of the residence to support the home occupation?	<input type="checkbox"/>	<input type="checkbox"/>	
8. Will the proposed home occupation create additional vehicle or pedestrian traffic?	<input type="checkbox"/>	<input type="checkbox"/>	Other than that which is normally associated with a single family residence?
9. Will additional vehicles be parked at the residence to support the home occupation?	<input type="checkbox"/>	<input type="checkbox"/>	
10. Is the home occupation strictly administrative, clerical or web based?	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the activity associated with the home occupation be conducted solely indoors?	<input type="checkbox"/>	<input type="checkbox"/>	You may not have outside activities, sales, or displays other than a sign not to exceed 2 square feet attached or affixed to the dwelling no more than 2 feet from the entry door.

**If you answered yes to items 1,2,3,10,11 and no to items 4,5,6,7,8, and 9 then proceed with Step 2.**

## **Step 2. Applying for a Home Occupation Permit**

Once it has been determined that you meet the requirements to have a Home Occupation you will then need to apply for a Home Occupation Permit with Clay County. The application may be obtained at:

Clay County Planning and Zoning Division  
477 Houston Street 3rd Floor  
Green Cove Springs, FL 32043

Or Download here [Home Occupation Application](#)

The application will consist of three items, the application, the owner's property ownership affidavit and a vehicle list for the vehicles associated with the dwelling as well as supplemental information provided by the Applicant.

**Application:** Items I II and IV are to be filled out by the applicant. This will include applicant contact information, parcel information, business information and an affirmation that the Home Occupation will be operated meeting Clay County Land Development Regulations Section 20.3-5(z). The application must be notarized.

**Property Ownership Affidavit:** This is an affidavit from the owner that acknowledges they own the parent parcel of land. The application must be notarized.

**Residential Vehicle List:** This is a list, provided by the homeowner that lists the year, model, make and license of each vehicle that will at the property for use by the persons occupying the property as a residence.

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**Step 3. Filing the Application & Supplemental Information**

Once you have filled out the application you are now ready to file the application with Clay County. Applications are to be filed at:

Clay County Planning and Zoning Division  
477 Houston Street 3rd Floor  
Green Cove Springs, FL 32043

You will need the following items:

Required Documents			
	Yes	No	Comments
Home Occupation Permit Application that is notarized.	<input type="checkbox"/>	<input type="checkbox"/>	Format provided by Clay County
Site Plan showing the floor area that the Home Occupation will occur.	<input type="checkbox"/>	<input type="checkbox"/>	Can be hand drawn but must show interior room dimensions, type of rooms and the exterior home dimensions.
Property Ownership Affidavit that is notarized.	<input type="checkbox"/>	<input type="checkbox"/>	This is an affidavit stating that you own the property. Format provided by Clay County
Fee	<input type="checkbox"/>	<input type="checkbox"/>	\$150.00

The Planning and Zoning Staff will accept the application and place it under consideration. A minimum of Fourteen (14) days is required for review to ensure consistency with the Clay County Land Development Regulations. When complete, the Planning and Zoning Division will contact the applicant and let them know if the application has been approved.

**If you have any questions regarding the application or procedure please contact the Clay County Planning and Zoning Division at (904) 278-4705**

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