

**CITY OF AUBURN, NEBRASKA - HOME OCCUPATION APPLICATION FORM**

Please complete and return with the \$25.00 application fee. Make checks payable to City of Auburn, 1101 J Street, Auburn, NE 68305.

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

\*State License # \_\_\_\_\_

FOR OFFICE USE ONLY
City License # _____
H.O. # _____

Type of Building \_\_\_\_\_ Zone \_\_\_\_\_

What is the Home Occupation to be: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Will the Home Occupation have a name? \_\_\_\_\_

If yes, please state the name: \_\_\_\_\_

Square foot of Home: \_\_\_\_\_ Square foot of Home to be used: \_\_\_\_\_

Who is personally responsible for this home occupation? \_\_\_\_\_

Special Needs: \_\_\_\_\_  
 \_\_\_\_\_

Dated: \_\_\_\_\_  
 \_\_\_\_\_  
 Applicant

#####

Date: \_\_\_\_\_ Comments: \_\_\_\_\_  
 \_\_\_\_\_

Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ By: \_\_\_\_\_

City Building Inspector /  
 Zoning Commissioner

Approved by City Council: \_\_\_\_\_

Disapproved by City Council: \_\_\_\_\_

\* If applicable  
 -- Daycares licensed by the State for six or more children are required to have a City Home Occupation License.

§ 152.060 HOME OCCUPATIONS.

(A) Restrictions and limitations. A home occupation may be carried on within a dwelling unit under the following conditions.

- (1) No person other than members of the family residing on the premises shall be engaged in the occupation.
- (2) The use of the dwelling unit for the one occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants. The maximum allowable area that may be utilized in conducting the home occupation shall be equal to 25% of the floor area of the dwelling unit.
- (3) There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of the home occupation other than one sign, not exceeding two square foot in area, nonilluminated and mounted flat against the wall of the principal building.
- (4) An accessory building shall not be used for a home occupation.
- (5) No traffic shall be generated by the home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of the home occupation shall be met off the street and other than in a required front yard.
- (6) No equipment or process shall be used in the home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuation in the line voltage off the premises.
- (7) No outdoor storage of materials or equipment used in the home occupation shall be permitted.
- (8) All home occupations must be registered on an application form prescribed by the city and a permit must be received from the office of the City Clerk upon approval of the Building Inspector on an annual basis. The initial permit shall require a fee in the amount as set by resolution for the permit. All annual renewals shall require a fee in the amount as set by resolution. All home occupations must be registered by 2-1-1998.

(B) Particular home occupations permitted. Customary home occupations include, but are not limited to, the following list of occupations; provided, however, that, each listed occupation is subject to requirements of division (A) above:

- (1) Art, dancing and music schools; provided that, instruction is limited to five pupils at one time;
- (2) Professional offices for architects, engineers, planners, lawyers, accountants, bookkeepers and similar professions;
- (3) Offices for realtors, insurance agents, brokers, sales representatives and manufacturing representatives when no exchange of tangible goods is made on the premises;
- (4) Radio, television, phonograph, recorder and all appliance repair services;
- (5) Home crafts and hobbies such as model making, rug weaving, lapidary work, cabinet making and the like;
- (6) Tailoring, alteration and seamstresses;
- (7) Saw filing;
- (8) Beauty parlor or barber services;
- (9) Daycare facilities, providing for no more than six children (excluding children residing at the property); and

(10) Bed and breakfast; provided, off-street parking is provided and no more than four guests are allowed.

(C) Particular home occupations prohibited. Permitted home occupations shall not in any event be deemed to include:

- (1) Mortuaries or funeral homes;
- (2) Restaurants;
- (3) Stables or kennels;
- (4) Antique shops;
- (5) Physicians, dentist or other licensed medical practitioners;
- (6) Auto repair; and
- (7) Small engines/engine repair.

(D) Exception procedure. In the event a home occupation exceeds the restrictions and limitations identified in division (A) above or is an identified prohibited use in division (C) above, an applicant may apply for a special use permit in conformance with §§ 152.160 through 152.162.

(Prior Code, § 11-411) (Ord. 10-07, passed 7-23-2007; Ord. 22-07, passed 9-10-2007) Penalty, see § 152.999

§ 152.061 TEMPORARY USES PERMITTED.

(A) Contractor's office. Contractor's office and equipment sheds (containing no sleeping or cooking accommodations) accessory to a construction project and to continue only during the duration of the project.

(B) Real estate office. Real estate offices (containing no sleeping or cooking accommodations unless located in a model dwelling unit) incidental to a new housing development to continue only until the sale or lease of all dwelling units in the development.

(C) Seasonal sales. Seasonal sale of farm produce grown on the premises in an agricultural district. Structures incidental to the sale need not comply with the applicable front yard requirements if the structures are removed or moved back of the required front yard setback line at the end of the season during which they are used.

(D) Garage or yard sales. The sale of personal items on an infrequent basis at a residential use. Sales shall be limited to no more than three days in any one-month period and no more than three sales per year. Sales shall be conducted on the owner's or renter's property and not on or within the public right-of-way.

(Prior Code, § 11-411) (Ord. 10-07, passed 7-23-2007; Ord. 22-07, passed 9-10-2007) Penalty, see § 152.999