

Home Occupation Information

§190-34 of the Town of Berne Code authorizes the Berne Town Planning Board to issue a special use permit and to conduct site plan review for certain home occupations. This allows individuals to conduct their business, trade or profession in their home or residence provided that certain criteria are met.

Home occupations are described in Article VI, § 190-34, Definitions, as follows:

- **Home Occupation, MINOR**

Not more than 25% of the total floor area of a dwelling may be utilized. If located in an accessory building, all of the building may be utilized. A home occupation shall be considered minor if no customers or clients are allowed to enter the premises and there are no more than two employees in addition to the owners or tenants of the property. Minor home occupations shall be permitted by right, with the filing of a minor home occupation registration form.

- **Home Occupation, MAJOR**

No more than 25% of the total floor area of a dwelling may be utilized. If located in an accessory building, all of the building may be utilized. A home occupation shall be considered major if customers, clients, sales representative's or other individuals for the purpose of conducting business are allowed to enter premises, or if there are three or more on-site employees in addition to the owners or tenants of the property. A special use permit is required.

Home Occupations Requiring Permits (per §190, Attachment 1, Schedule of Uses, Accessory Uses)

In RAF, MDR, NC, and GC Zoning Districts, a Special Use Permit and site plan review by the Berne Planning Board is required for all Home Occupations.

In TN/MU1 and TN/MU2 Zoning Districts, a Special Use Permit and site plan review by the Planning Board is required for all Major Home Occupations.

In TN/MU1 and TN/MU2 Zoning Districts, Low-impact Home Occupations are permitted by right and do not require a Special Use Permit nor site plan review.

In order to conduct a meaningful and timely review, the Planning Board requires that certain information be submitted for a complete application.

All of the following information must be submitted to the Planning Board Administrative Assistant at the Berne Town Hall at least 14 days prior to the next regular Planning Board meeting in order for it to be placed on the Planning Board's agenda for discussion and action. The Owner or Tenant shall be at the meeting to discuss the application. Please PRINT the following information:

Current Property Owner(s):

Name(s): _____ Street: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Cell Phone: _____ Email: _____

Tenant: (if Tenant is to be conducting the home occupation):

Name: _____

Telephone: _____ Cell Phone: _____ Email: _____

Subject Property Location:

Street Address: _____

Parcel ID #: Section _____ Block _____ Lot _____

Describe in detail the type and specific proposed home occupation activities and who will be doing the home occupation (use additional sheets if necessary):

What is the desired date for the start of the proposed home occupation described above?

Will more than one person be employed in addition to the owner or tenant of the property?

Yes ___ No ___

Will any other professional be permitted to share, let, or sublet space for professional use?

Yes ___ No ___

What is the existing overall square footage of the dwelling to be used? _____ square feet

**What is the proposed square footage in the residence to be used for the proposed home occupation?
_____ square feet**

**What is the proposed square footage of the home occupation if located in an accessory Structure?
_____ square feet**

Will there be any exterior storage of materials or equipment related to the proposed home occupation?

Yes ___ No ___

If yes, describe _____

Describe the size, materials, and location of any proposed sign:

Will the proposed occupation produce any odor, noise, vibration, smoke, dust, heat or glare that exceeds the average level in the immediate vicinity and be detectable beyond the property line of such parcel?

Yes ___ No ___ If yes, describe _____

If this is for a Major Home Occupation, describe where customers, clients or sales representatives will be allowed or required to park:

Required Signatures

Note: Your application will not be accepted as complete and will not be put on the Planning Board's regular monthly meeting agenda unless the fees are paid.

Signature(s) of all current Property Owner(s): Date: _____

Signature(s) of any Tenants proposing a home occupation: Date: _____

Town of Berne Home Occupation Application Fee Receipt

Name of Current Landowners:

Address:

Parcel ID #: Section _____ Block _____ Lot _____

Total Due at the time the application is submitted

Minor: \$100

Major: \$160 w/ Special Use Permit

Name of Person Paying the fees: _____

Date Paid: _____ Check # _____

Payment Received By: Town Clerk _____ Planning Board Secretary _____ Building Code
Administration _____ IPS # _____

Note: The above Town employee accepting the application at Berne Town Hall will review the application package to see if all of the required attachments are with the completed application form.

The application should not be accepted unless the fee is paid.

The Town employee receiving the payment shall note the date received and Check # on this form. A photocopy of this form will be then be made and furnished to the applicant as a disclosure of fees due and as a receipt of payment made.

**TOWN OF BERNE
APPLICATION FOR SPECIAL USE PERMIT FOR HOME OCCUPATIONS
PLANNING BOARD SITE VISIT CONSENT FORM**

Name of Applicant (if different from Landowners): _____

Tax Map Parcel: _____

The Town of Berne Planning Board requests your permission to visit your property as part of its review for the Application for Special Use Permit for Home Occupations approval.

The Board seeks authority at any mutually agreeable time during the Home Occupations Application approval process to walk the property and visit the interior of the building to be used for the proposed home occupation. The Property Owner and/or the Tenant (where applicable) must be present during the site visit to show the proposed location of the home occupation and answer any questions regarding the size of the area to be used, signage, customer parking, and other relevant approval issues. The Board Members may, as they deem appropriate, bring consultants of their choosing to the site visits.

Please comment below if there are specific locations where Board Members should park.

Permission Granted:

Yes: _____ No: _____

Please identify how you want to be contacted to set up the site visit:

Telephone: _____ Cell Phone: _____ Email: _____

Signature of Property Owner and/or Tenant:

_____ Date: _____

To be completed by Planning Board Secretary or Building Code Administration:

ISP file #: _____