

ORDINANCE 2010-01

AN ORDINANCE AMENDING TITLE 5, CHAPTER 4, SECTION 5-4-44, HOME OCCUPATION, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO ALLOW FOR MORE THAN ONE HOME OCCUPATION PER DWELLING UNIT AND TO RENAME "HOME OCCUPATION" AS "HOME BUSINESS OCCUPATION."

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1: That Section 5-4-44 is hereby amended in its entirety to state as follows:

"Sec. 5-4-44. Home business occupation.

(A) One or more home business occupations may be permitted in a dwelling unit in any residential zoning district as a special exception granted by the Board of Zoning Appeals after consideration of the criteria contained in section 5-4-5 and upon a finding by the Board that all requirements and conditions set forth in this section are satisfied. In granting approval of a home business occupation, the Board may impose reasonable restrictions on the conduct and use of the home business occupation, including a limit on the number of home business occupation-related visitors per day and the frequency of product or material deliveries. There shall be no fee charged for a home business occupation application. The requirements and conditions are as follows:

(1) The occupation, profession or trade is a use allowed under section 5-4-37, Table B-1, and is conducted wholly within the principal building of the lot.

(2) Not more than twenty-five percent (25%) of the floor area of the principal building, or seven hundred fifty (750) square feet, whichever is less, shall be used for any part of the home business occupation.

(3) No accessory building or outside storage shall be used in connection with the home business occupation.

(4) No signs, merchandise or other articles shall be displayed for advertising purposes, or be visible from outside of the dwelling.

(5) There shall be no alteration of the residential character of the building or premises.

(6) The home business occupation shall not generate greater vehicular or pedestrian traffic volume than that which normally occurs in the

neighborhood. All parking generated by the home business occupation shall be located solely within the boundaries of the property upon which the home business occupation is conducted and shall not be located in the required front yard.

(7) No electrical, mechanical, chemical or other equipment that is not a normal domestic or household equipment shall be allowed in connection with the home business occupation and such occupation shall not generate noise, vibration, electrical interference, heat, glare, dust, smoke, odors, fumes, or unsafe conditions which are detectable to the normal human senses off of the lot or which adversely affect the health, safety or welfare of the neighborhood.

(8) No home business occupation shall be conducted using assistants or associates working in whole or in part within the home, except for family members living on the premises.

(9) Only passenger vehicles shall be allowed in connection with the home business occupation. For purposes of this section, passenger vehicles are limited to motorcycles, mopeds, automobiles, pickup trucks and vans.

(B) Inspections. Home business occupation permittees shall allow reasonable, periodic inspections of the premises by any Zoning or Building Official to determine compliance with the home business occupation permit.”

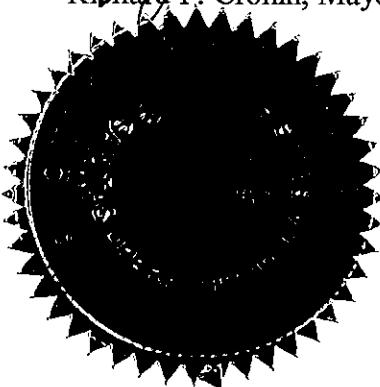
SECTION 2: That should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.


SECTION 4. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE 23rd DAY OF MARCH, 2010.


Richard F. Cronin, Mayor



Attest:


Marie B. Copeland, City Clerk

First Reading: January 26, 2010

Public Hearing: March 23, 2010

Second Reading: March 23, 2010

Ratification: March 23, 2010