



David Pileski *Mayor*  
Patty Burns *Village Clerk*

## AGENDA

Roselle Planning and Zoning Commission  
Tuesday, May 3, 2022 @ 7:00 PM  
Roselle Village Hall, 31 S. Prospect Street

1. Call to Order
2. Roll Call
3. Approval of the Agenda
4. Approval of the Minutes
  - a. April 5, 2022 Draft Minutes of the Planning and Zoning Commission
5. Consideration of Petitions
  - a. **PZ 22-1101, Village of Roselle**
    - A text amendment to Section 4.11 Home Occupations related to “animal grooming services” as a Home Occupation
6. Old Business
7. New Business
8. Adjourn

Anyone wishing to provide comment on a topic or an agenda item may submit comments in advance through email, voicemail, or online.

- Email your comment to the P&Z at [cbricks@roselle.il.us](mailto:cbricks@roselle.il.us) or submitting a comment [ONLINE](#) by 3:00 p.m. on Tuesday, May 3, 2022.
- Call 630-671-2806 to leave a voicemail message with your comment by 3:00 p.m. on Tuesday, May 3, 2022.
- Public comments will be read into the record during each Public Hearing of the P&Z meeting.

## PLANNING & ZONING COMMISSION APRIL 5, 2022 MEETING MINUTES

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**Call to Order:** Acting Chairman Walloch called the meeting to order in the Roselle Village Board Room at 7:00 p.m.

**Roll Call:**

Present: Commissioners Boos, Keller-Stein, Lewis, Walloch, and Wurtz  
Absent: Commissioners Patel and Stringfellow  
Staff: Community Development Manager Caron Bricks, Assistant Village Administrator Brian Joanis, Community Development Intern Ashton Stipp

**Approval of the Agenda:** A motion was made by Commissioner Keller-Stein, seconded by Commissioner Boos to approve the agenda. The motion passed with 5-0 vote.

**Approval of Minutes:** A motion was made by Commissioner Wurtz, seconded by Commissioner Boos to approve the minutes from March 1, 2022. The motion passed with a 5-0 vote.

**Consideration of Petitions:**

PZ 21-1099, Irving Gasmart Inc., 38 E. Irving Park Road, Special use for an automobile service station (gas station) in the B-3 Town Center Zoning District

Commissioner Wurtz made a motion to open the public hearing for case PZ 21-1098, seconded by Commissioner Boos. The motion passed with a 5-0 vote.

Community Development Manager Caron Bricks presented the staff memo concerning the sites history which included rezoning from B-4 General Business District to B-3 Town Center District. In 1985, the zoning ordinance was updated to require gas stations to receive a special use permit. The property's previous owners had operated the facility as a gas station which was considered grandfathered. Per the Zoning Ordinance, a nonconforming building, which is vacant for a continuous period of six (6) months, shall not be used except by a use which to the Zoning Ordinance. As the gas station has been out of operations for 27 months, a special use permit must be requested to comply with the Zoning Ordinance. The new owner plans to remodel and rebrand the existing convenience store and canopy structure to Mobil branding and install new pumps and signage. Staff recommends removal of the shipping container on the site.

CD Manger Bricks stated that staff does not recommend the approval of the petitioner's request as staff does not believe it meets the findings of fact for a special use. The property is also located in a TIF District which plan states mixed-use as the appropriate use of the property. The 2016 Comprehensive Plan also calls for mixed-use. An analysis of the business plans by the Village's consultant that the projections were not consistent with a small station on a minor corner and concurred with staff's concerns.

The petitioner had a presentation by his legal counsel Scott M. Day of Day & Robert, P.C. in Naperville, IL. Acting Chairman Walloch swore in Scott Day. He presented a summary of the property and zoning; a major emphasis was drawn to a definition that a B-3 District is for intense service. The Illinois Supreme Court case of the City of Chicago Heights V. Living Word Outreach Full Gospel Church and Ministries was highlighted as the appropriate case law regarding special use permits. The case law states that a special use is a permitted use and should therefore be granted. The original special use permit application was submitted on September 28<sup>th</sup>, 2021. The Gasmart Inc. attempted to sell the property to the Village as a voluntary sale. Mr. Day then brought up Michael Hughes, another gas station owner to discuss branding and marketing.

Acting Chairman Walloch swore in Michael Hughes of Graham C. Stores. Mr. Hughes is a gas station owner who helped the petitioner secure an agreement with Mobil. The petitioner has signed a 10-year contract and order branding. Mobil also has a system to do check ins on the store to ensure the store is up to brand standards. After three failures of these standards check by Mobil a contract could be revoked.

Acting Chairman Walloch swore in Kishore Matthews owner of the Irving Gasmart property. He spoke to the success and of the Mobil and BP brands and that he wants an opportunity to brand this store. Scott Day finished the petitioner presentation by addressing how the gas station affirms the standards and was, in fact, code compliant. A full renovation will be done, it will serve the community by filling a vacant store front, and there is no variations. Mr. Day addressed the staff report concerns about the economic analysis, by assuring the report was accurate and Mobil was a trusted brand. He also stated the land is too small to do a multi-level structure.

Acting Chairman Walloch swore in Barbara Zabiello of 50 N. Bokelman St. She stated her issue with the gas station traffic on their property. This is a residential area, and this will increase the traffic. The gas station did not work before and there are other stations nearby. She would like the station to stay closed.

Acting Chairman Walloch swore in Grazina Kramarz of 100 N Bokelman St. She stated that the location is not good for a gas station as history has shown. This station will dampen the downtown views. She questioned the business the station would get as it is not on the main intersection.

There was a discussion amongst the commissioners. Commissioner Wurtz asked about the size of the lot and station. He also asked Mr. Day how often the branding is pulled and what is observed in these standard checks. Mr. Day stated that the brand doesn't like to pull the branding and it's based on visible performance.

Commissioner Keller-Stein asked about the branding and shared a personal story about the prior gas station located there. She also asked the lawyer if he had ever taken a special use permit case to court.

CD Manager Bricks stated that if this were to be approved, staff recommends a condition to remove the shipping container on site.

Hearing no further discussion, Acting Chairman Walloch asked for a motion to close the public hearing for case PZ 22-1099, made by Commissioner Wurtz and seconded by Commissioner Boos. The motion passed (5-0).

Commissioner Boos made a motion to accept the findings of fact for a special use for a gas station for PZ 21-1099, seconded by Commissioner Keller-Stein. The motion failed (2-3).

Commissioner Keller-Stein made a motion to recommend approval of PZ 21-1099 to the Village Board, seconded by Commissioner Wurtz. The motion failed (2-3).

PZ 22-1100, Ewa Morawa, 6N217 Goodridge Terrace, Review a land division other than a subdivision for a lot split upon annexation.

CD Manager Bricks presented the staff memo. She summarized that the petitioner Aneta Morawa the petitioner intends to purchase one of the two lots upon annexation and lot split. Her parents Ewa & Tadeusz Morawa are the current owners who intend to demolish the existing house before any new construction begins. The lots would be zoned as R-1 Single Family Residence District upon annexation.

There were no public comments.

Commissioner Wurtz made a motion to recommend approval of the Land division other than a subdivision PZ 22-1100 to the Village Board, seconded by Commissioner Boos. The motion passed (5-0).

**Old Business:** There was no old business discussed.

**New Business:** There was no new business discussed.

**Adjournment:** Commissioner Boos made a motion to adjourn the meeting, seconded by Commissioner Keller-Stein. The motion passed 5-0 and the meeting ended at 8:39 p.m.



David Pileski Mayor  
Patty Burns Village Clerk

## STAFF REPORT

**TO:** Chairman Patel & the Roselle Planning and Zoning Commission

**FROM:** Caron Bricks, AICP, Community Development Manager

**DATE:** May 3, 2022

**SUBJECT:** PZ 22-1101, Animal related services text amendment

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**SITE:** Villagewide

**ZONING:** Residential properties (includes all R zoning district and B-3 zoning where residential has been permitted)

**REQUEST:** **PUBLIC HEARING** to consider a zoning ordinance text amendment regarding animal related services as a home occupation.

**BACKGROUND:** At the Village Board meeting on April 11, 2022, the Village Board directed staff to schedule a public hearing before the Planning and Zoning Commission to consider any text amendments regarding animal related services as a home occupation.

The Zoning Ordinance defines a home occupation as: *any gainful occupation or profession carried out by the occupant of a dwelling unit in which the home occupation is being conducted. Such home occupation shall be incidental and subordinate to the use of the dwelling unit for dwelling purposes. See section 4.11 for regulations which shall govern home occupations.*

Within Section 4.11 of the Zoning Ordinance, there are three (3) groups of Home Occupations listed and standards under which all home occupations must follow. The first being Level 1 Home Occupations. These are permitted as long as they follow the standards.

The second is Level 2 Home Occupations. These are considered more intense uses; therefore, a special use permit is required for these types of home occupations to be permitted. This requires a public hearing before the Planning & Zoning Commission hearing, where the P&Z would hear testimony from property owners within 500 feet and any other interested parties, and then make a recommendation to the Village Board, who would then take final action on the request.

The third is prohibited home occupations. These are types of businesses that have been deemed incompatible with properties that are both zoned and used as residential.

Services specific to animals are not listed within the Level 1 or Level 2 lists of permitted home occupations. However, on the list of prohibited home occupations, animal hospitals and kennels are listed as prohibited uses. The silence and lack of definition of animal related services in the zoning code pertaining to home occupations can cause confusion and lack of clarity on what is expressly permitted v. prohibited. Therefore, the Village Board has directed staff and the Planning & Zoning Commission to consider animal related services specifically.

**ZONING ANALYSIS:** Staff conducted research of surrounding and similar communities to gauge how these home occupation types are regulated and defined. Specifically, staff researched how animal grooming and animal training are regulated as home occupations.

**Definitions.** Several communities have created definitions in their zoning ordinances to make clear how animal related services are defined as part of regulating them.

Bartlett                    Animal grooming: Any place or establishment, public or private, where animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value or health and for which a fee is charged.

Schaumburg            Care or Treatment of Animals: Any home-based business that requires the care or treatment of animals, including birds, fowl, fish, and reptiles within the home.

Villa Park                Animal Grooming: Grooming of dogs, cats, and similar companion animals, including dog bathing and clipping salons and pet grooming shops.

**Prohibited.** Villa Park expressly prohibits animal related services as home occupations. In Barrington, Bloomingdale, Glendale Heights, and Romeoville, their codes are similar to Roselle as they do not mention animal grooming or training services as home occupations. After contacting these communities, staff confirmed that despite not outright prohibiting these services, they were in fact prohibited.

**Allowed.** In Bartlett, Elmhurst, and Wood Dale, their codes also did not mention animal grooming and training services. After contacting these communities, it was determined that they permit these services as home occupations as long as they follow the overall regulations of home occupations in each community. While these communities did not state animal grooming or training in their allowed use of home occupations, they would fall under that category.

In Roselle, animal grooming and training would fall into this category upon future adoption of the draft Zoning Ordinance update. However, adoption of our update will not occur until

the end of 2022. Home occupations in the future zoning ordinance and the above-mentioned communities are typically regulated by impact rather than specific types of businesses located in a home (like Roselle does now). As long as a home occupation meets the standards listed in each code, it would be permitted. These standards typically include: no signage, no additional employees, limited area dedicated to the use, no separate entrance, no extraordinary traffic generation, and no noise/vibration/glare/odors beyond normal. Any home occupation that violates these standards would have their home occupation revoked by the Village.

Schaumburg allows dog grooming and training as a home occupation within the Village, but is required to obtain a special use permit (which is similar to Roselle’s Level 2 Home Occupation types).

Location	Animal Grooming	Animal Training	Notes
Bartlett	Allowed	Allowed	Doesn't specifically state grooming or training services
Barrington	Prohibited	Prohibited	Doesn't specifically state grooming or training services
Bloomington	Prohibited	Prohibited	Doesn't specifically state grooming or training services
Elmhurst	Allowed	Allowed	Doesn't specifically state grooming or training services
Glendale Heights	Prohibited	Prohibited	Doesn't specifically state grooming or training services
Romeoville	Prohibited	Prohibited	Doesn't specifically state grooming or training services
Schaumburg	Allowed	Allowed	includes care/treatment of animals
Villa Park	Prohibited	Prohibited	No animal related services as home occupations
Wood Dale	Allowed	Allowed	Doesn't specifically state grooming or training services

The P&Z should consider the following things when making a recommendation to the Village Board:

- How to define animal related services
  - Grooming
  - Training
- How to regulate animal related services
  - Grooming
    - Permitted home occupation (Level 1)
    - Permitted home occupation with special use (Level 2)
    - Prohibited
  - Training
    - Permitted home occupation (Level 1)
    - Permitted home occupation with special use (Level 2)
    - Prohibited

**FINDINGS OF FACT FOR AMENDMENT:**

The Planning and Zoning Commission shall not recommend adoption of a proposed amendment unless it finds:

1. That the adoption of such amendment is in the public interest and not solely in the interest of the applicant; and,
2. That either the proposed amendment will correct an existing error or that changing conditions make the proposed amendment necessary.

**ACTION NEEDED:**

1. Recommendation to the Village Board on the findings of fact for a Text Amendment for PZ 22-1101.
2. Recommendation to the Village Board for PZ 22-1101.

**ATTACHMENTS:**

1. Public hearing notice
2. Section 4.11

**PUBLIC HEARING  
NOTICE**

NOTICE IS HEREBY given that the Roselle Planning & Zoning Commission will hold Public Hearing PZ 22-1101 on Tuesday, May 3, 2022 at 7:00 pm in the Roselle Village Hall, 31 S. Prospect Street, Roselle, Illinois to consider zoning ordinance text amendments, to Section 4.11 Home Occupations, as well as any other text amendments related to "animal grooming services" as a Home Occupation.

All persons will have an opportunity to speak at such time and place. Persons having questions or seeking additional information may contact the Community Development Department, Village of Roselle, (630) 671-2806.

All persons will have an opportunity to speak at such time and place.

By Order of the Chairperson  
of the Roselle Planning &  
Zoning Commission  
Hiren Patel  
Chairperson  
Published in Daily Herald  
April 18, 2022 (4581135).

#### 4.11. - Home occupations.

- (A) *Purpose.* It is the intent of this section to allow as home occupations only those uses that conform to the standards of this section. Custom and tradition are intentionally excluded as criteria. The standards for home occupations are intended to ensure compatibility with permitted uses and the residential uses and the residential character of the neighborhood and to maintain the subordination and incidental status of the home occupation.
- (B) *Location.* A home occupation, as permitted or as authorized by special use permit, may be conducted in any dwelling unit in any zoning district in which dwelling units are permitted.
- (C) *Classification of home occupations.* Home occupations are classified into two (2) intensity levels designated as Level I and Level II. Level I home occupations include those occupations that have no negative impacts on surrounding properties and shall be permitted uses within the applicable zoning district. Level II home occupations are more intense uses that may have undesirable impacts on surrounding properties if not closely regulated; these uses shall require a special use permit in accordance with the requirements of section 13.11. Both Level I and Level II home occupations are subject to the standards identified in paragraph (G).
- (D) *Level I home occupations.* Level I home occupations may include any of the following uses and any uses similar thereto:
- (1) Barber shops and beauty parlors, limited to one (1) chair.
  - (2) Babysitting, day care homes, and group day care homes, limited to eight (8) children at one (1) time.
  - (3) Contractors, including plumbers, painters, electricians or similar uses.
  - (4) Dressmaking.
  - (5) Mail order or telephone occupations, providing clerical services or cosmetics and housewares sales.
  - (6) Computer related services.
  - (7) Professional office of an insurance agent, architect, attorney, sales representative, engineer, physician, accountant or clergyman. The address of such professional office shall not be an advertised location.
  - (8) Teaching, including musical instruments, dancing, academic, arts, crafts, religious, and similar instruction, limited to not more than two (2) pupils per session.
- (E) *Level II home occupations.* Level II home occupations may include any of the following uses and any similar uses thereto:
- (1) Teaching, including musical instruments, dancing, academic, arts, crafts, religious, and similar instruction, limited to not more than fifteen (15) students per session.
  - (2) Day Care Home for nine (9) to twelve (12) children utilizing no more than one (1) non-resident employee.
  - (3) Group Day Care Home for nine (9) to sixteen (16) children utilizing no more than two (2) non-resident employees.
  - (4) Mail order confectionery.
- (F) *Prohibited uses.* Home occupations shall not be deemed to include the following uses and any uses similar thereto:
- (1) Animal hospitals.

- (2) Clinics; medical and dental.
  - (3) Eating and drinking establishments.
  - (4) Hospitals and sanitariums.
  - (5) Kennels.
  - (6) Manufacturing operations and establishments.
  - (7) Motor vehicle repair.
  - (8) Public stables.
  - (9) Rental of mobile homes, trailers, and camper trailers.
  - (10) Repair shop or service establishment of any kind operating on or from the premises.
  - (11) Wholesale and retail sale of commodities upon the premises.
  - (12) Undertaking establishments and funeral parlors.
- (G) *Standards.* The following standards shall govern the operation of home occupations:
- (1) The building or structure in which the home occupation is located shall be subject to the regulations of the zoning district in which it is located; there shall be no exterior indication of such home occupation which is incompatible with the zoning district. Signs for the home occupations shall conform to Chapter 17, Article II, Signs, of the Code of Ordinances.
  - (2) The home occupation shall be conducted completely within the dwelling unit, but not from an accessory building or structure, whether attached or detached, except that a fenced-in yard may also be used for babysitting, Day Care Homes, and Group Day Care Homes.
  - (3) No persons other than permanent residents of the dwelling unit shall be employed in the home occupation, except that Level II Day Care Homes may have up to one (1) employee and Level II Group Day Care Homes may have up to two (2) employees.
  - (4) The home occupation shall be subordinate and incidental to the principal use of the buildings or structure for residential purposes. Not more than twenty (20) percent of the gross floor area of the dwelling unit, or four hundred (400) square feet in area, whichever is smaller, shall be devoted to the home occupation, except that a Day Care Home or Group Day Care Home may provide a minimum thirty five (35) square feet of floor space for each child in care.
  - (5) The outside display of goods and the outside storage of equipment or materials utilized in the home occupation shall be prohibited.
  - (6) Off-street parking for the home occupation shall be limited to that which is provided or required for the zoning district in which it is located.
  - (7) The home occupation shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond that which normally occurs in the zoning district in which it is located.
  - (8) The home occupation shall not have a separate entrance from outside the building.
  - (9) The home occupation shall not produce noxious or toxic materials.
  - (10) Receipt and delivery of material on the premises shall be no more intense than what normally occurs in that residential neighborhood, either in size or frequency.

(Ord. No. 1602-87, §§ 1, 2, 8-24-87; Ord. No. 2360-93, § 3, 10-15-93; Ord. No. 2615-98, §§ 1—7, 2-9-98; Ord. No. 2017-3886, § 2, 2-27-17)

# HOME OCCUPATIONS



A completed and approved Business Registration/Zoning Certificate Application is required prior to the establishment and/or operation of a Home Occupation.

**Andrew Binder, Planning &  
Zoning Coordinator**

☎: (847) 304-3474

abinder@barrington-il.gov

## Defintion

An occupation carried on in a dwelling unit by the resident thereof; provided that the use is limited in extent and incidental and secondary to the use of the dwelling unit for residential purposes and does not change the character thereof.

## General Requirements

All Home Occupations shall comply with the following standards:

- The Home Occupation use shall be conducted entirely within a completely enclosed structure.
- The Home Occupation shall not interfere with the delivery of utilities or other services to the area.

- The Home Occupation shall not generate any noise, vibrations, smoke, dust, odor, heat, glare, or electrical interference with radio or television transmission in the area that would exceed that which is normally produced by a dwelling unit in a zoning district used solely for residential purposes.
- No toxic, explosive, flammable, radioactive or other restricted or hazardous material shall be used, sold or stored on the site.
- There shall be no alteration of the residential appearance of the premises, including the creation of a separate, or exclusive, business entrance(s).
- Signs for Home Occupations shall be prohibited.
- No clients/pupils shall be permitted between the hours of 9 p.m. and 7 a.m.
- No outdoor display or storage of materials, goods, supplies, or equipment shall be allowed.
- The Home Occupation shall, at all times, comply with all other applicable laws and ordinances.

## Specific Requirements

In addition to the general conditions set forth in Section 4.6-3, the following s



conditions shall be met:

- The total area used for the Home Occupation shall not exceed fifteen (15) percent or four hundred (400) square feet (whichever is less) of the habitable floor area of the dwelling.
- The direct sale of products off display shelves or racks shall be prohibited.
- No more than one (1) person, other than a resident of the dwelling unit, shall be employed on premises in connection with the operation of the Home Occupation.
- No more than three (3) clients shall, at one time, avail themselves to a product and/or service provided by a Home Occupation nor shall more than six (6) clients avail themselves to a product and/or service during a twenty-four (24) hour period.
- Off-street parking shall be required for all employees of a Home Occupation. Off-street parking for Home Occupations shall comply with Section 4.10-4 (Parking Restrictions for Single Family Dwellings).
- Deliveries pertaining to the Home Occupation shall be limited to such deliveries as would be normal and incidental to a residential use. Further, traffic circulation shall not be restricted or disturbed as a result of a delivery to a Home Occupation.
- Permitted Home Occupations shall include, but shall not be limited to, the following:
  - Attorney, CPA, Salesman, Architect/Landscape Architect, Engineer, Interior Designer, Graphic Artist, Word Processor and Consultant.
  - Art Studios provided no retail business is conducted on the premises.
  - Work processing and typing services.

- Therapists, social workers, human service professionals.
- Mail order businesses, for receipt of mail order only.
- Telephone sales.
- Teaching, instructing, tutoring, or counseling.
- Other uses similar to those listed in Section 4.6, as determined by the Zoning Official, subject to the provisions of Section 3.16 (Appeals).

## Prohibited Home Occupations

Certain uses by their nature of investment or operation have a pronounced tendency, once commenced, to expand beyond the scope of activity permitted for Home Occupations, and thereby impair the integrity of the residential district in which they are located. For this reason, the following uses, regardless of their compliance with the standards in Sections 4.6-3 and/or 4.6-4, are prohibited as Home Occupations:

- Any repair of motorized vehicles such as repair or painting of autos, trucks, trailer, boats and lawn equipment.
- Animal hospitals, Animal rescue uses, Kennels, stables, Animal breeding, raising of animals for sale, bird keeping facilities or bee keeping facilities.
- Personal Services Establishments.
- Clubs, including fraternities and sororities.
- Funeral Homes.
- Offices, Medical/Dental.
- Nursing Homes.
- Restaurants.
- Warehousing.
- Welding or machine shops.
- Other uses similar to those listed in Section 4.6-5, as determined by the Zoning Official, subject to the provisions of Section 3.18 (Appeals).
- Firearms Sales and Services.



# ICATION JP:

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**11-7A-1: HOME OCCUPATIONS:**

Home occupations shall be governed by the following regulations:

A. Permitted home occupations may include any of the following:

Art studio.

Dressmaking.

Professional offices of a clergyman, physician, dentist, lawyer, architect, engineer, or accountant, but limited to one employee at any one time.

Teaching, including musical instruments or dancing, but limited to one pupil at a time. (Ord. 69-12, 4-23-1969)

B. Permitted home occupations shall not include any other use such as, but not limited to, the following:

Barbershop or salon.

Clinic or hospital.

Manufacturing or processing of goods, materials, or products.

Repair shop or service establishment of any kind operating on or from the premises.

Stable or kennel.

The operation of any wholesale or retail business or service unless conducted entirely by mail or telephone and does not involve the sale, repair, receipt, or delivery of merchandise on the premises. (Ord. 69-12, 4-23-1969; amd. 2012 Code)

## 11-4-9: HOME OCCUPATIONS:

Subject to the limitations of this section, any home occupation that is customarily incidental to the principal use of a building as a dwelling shall be permitted in any dwelling unit.

A. Definition: A "home occupation" is a business, profession, occupation, or trade that:

1. Is conducted for gain or support by a full time occupant of a dwelling unit; and
2. Is incidental and secondary to the use of such dwelling unit for residential purposes; and
3. Does not change the essential residential character of such dwelling unit.

B. Use Limitations:

1. Employee Limitations:

a. The operator of every home occupation shall be domiciled in the dwelling unit where such occupation is conducted.

b. No employee who is not domiciled in the dwelling unit where a home occupation is conducted shall be present in connection with, or otherwise participate in the operation of, a home occupation at any time. For the purposes of this subsection B1b, the term employee shall not include persons domiciled in the dwelling unit where such home occupation is conducted. This limitation on the number of employees shall not apply to employees who do not work at the dwelling unit devoted to such home occupation.

2. Structural Limitations:

a. No alteration of any kind shall be made to the dwelling unit where a home occupation is conducted that would change its residence character as a dwelling unit, including the enlargement of public utility services beyond that customarily required for residence use.

b. No separate entrance shall be provided in connection with the conduct of any home occupation.

3. Operational Limitations:

a. Every home occupation shall be conducted wholly within a principal dwelling unit or permitted accessory structure; provided, however, that this subsection B3a shall not apply to a daycare home operated as a home occupation.

b. No more than a total of three hundred (300) square feet of floor area (exclusive of garage floor area devoted to permissible parking of vehicles used in connection with the home occupation) of any dwelling unit or any permitted accessory structure shall be specially designed, arranged, or set apart for the conduct of a home occupation; provided, however, that this subsection B3b shall not apply to a daycare home operated as a home occupation.

c. No stock in trade shall be displayed or sold on the premises of any home occupation.

d. No routine attendance of patients, clients, subcontractors, or employees associated with any home occupation shall be allowed at the premises of the home occupation; except, that attendance of up to eight (8) children at any one time may be allowed at a daycare home operated as a home occupation, and that the attendance of up to four (4) persons at any one time may be allowed for the purpose of receiving private instruction in any subject or skill. "Routine attendance" means that the conduct of the home occupation requires nondomiciled persons to visit the premises of the home occupation as part of the regular conduct of the occupation, without regard to the number, frequency, or duration of such visits.

e. No mechanical, electrical, or other equipment that produces noise, electrical or magnetic interference, vibration, heat, glare, emissions, odor, or radiation outside the dwelling unit or any permitted accessory structure that is greater or more frequent than that typical of equipment used in connection with residence occupancy shall be used in connection with any home occupation.

f. No outdoor storage shall be allowed in connection with any home occupation.

g. No refuse in excess of the amount allowable for regular residence pick up shall be generated by any home occupation.

h. Commercial vehicles used in connection with any home occupation shall be subject to the requirements of section 11-4-11 of this chapter.

4. Signage; Changes In Appearance Of Premises: There shall be no visible evidence of the conduct of such occupation other than one nonilluminated sign, one square foot in area or less, mounted flat against the wall of the principal building, and there shall be no change in the outside appearance of the premises.

5. Traffic Limitations: No home occupation shall generate more vehicular or pedestrian traffic than is typical of residences in the area.

6. Nuisance Causing Activities: In addition to the foregoing specific limitations, no home occupation shall cause or create any nuisance, or cause or create any substantial or undue adverse impact on any adjacent property or the character of the area, or threaten the public health, safety or general welfare, or be noxious, offensive, or hazardous.

7. Licensing Requirements: Every home occupation shall be subject to applicable business licensing and inspection requirements, and shall comply with all applicable federal, state, and local laws and regulations, including, without limitation, obtaining, maintaining, and complying with regulations applicable to any required federal, state, or local license or permit.

8. Certificate Of Zoning Compliance: A certificate of zoning compliance shall be obtained for every home occupation.

9. Prohibited Occupations: Home occupations shall not include:

a. Any wholesale or retail business that involves the use of commercial vehicles for delivery of materials to or from the premises.

b. Any manufacturing or processing operation.

c. Any repair or service establishment.

d. A barbershop or beauty parlor.

e. A stable or kennel.

f. A restaurant.

g. A clinic or hospital.

h. A mortuary.

i. A child daycare center.

j. A private club.

k. The renting of trailers.

l. A tourist home. (Ord. 99-02, 1-7-1999)

m. Firearm sales, except for federally licensed firearms dealers subject to compliance with subsection B10 of this section. (Ord. 2007-46, 6-21-2007)

n. Ticket sales outlet.

o. Any activity that creates noise, fumes, odor, dust, electrical interference, or pedestrian or vehicular traffic that is more than normal for the area in which it is located. (Ord. 99-02, 1-7-1999)

10. Firearms And Ammunition:

a. All persons engaging in home occupation activities for which a federal firearms license is required shall store firearms in locked cases or firearms safes. No open display is permitted.

b. Firearms ammunition shall only be stored in locked, fireproof cases.

c. In addition, no more than one customer is permitted at the residence at one time.

d. Any firearms sold and delivered to a customer must be secured with an approved trigger lock or gunlock prior to leaving the residence. (Ord. 2007-46, 6-21-2007)

## § 159.034 HOME OCCUPATIONS.

### (A) Intent and purpose.

(1) Traditionally, in zoning, certain occupational uses termed “home occupations” have been allowed in residential dwelling units. Such uses have been allowed largely on the basis that such uses are incidental to the use of the premises as a residence, that the nature of home occupational uses is such that they are compatible with or even belong in the home, or that home occupational uses are of a highly professional nature involving the use of mental rather than physical capabilities and are therefore compatible with residential land uses.

(2) It is recognized, however, by this village, that certain limited home occupations can be useful to both the general public as well as the resident/proprietor. Also recognized is the difficulty of writing and ordinance dealing with home occupations in a “middle-of-the-road” fashion, which is neither discriminatory nor arbitrary. It is the hope that both the citizens and the courts will recognize these difficulties; that the former will not abuse the privileges granted within the following test and that the latter will aid in the enforcement of the sometimes arbitrary restrictions necessary to preserve residential character in an expedient manner.

(3) With the above in mind, it is the intent and purpose of this section to provide for certain types of restricted occupational uses within residential districts. Only such uses will be allowed:

- (a) Any home occupation that is customarily incidental to the principal use of a building as a dwelling shall be permitted in any dwelling unit;
- (b) Are compatible with residential uses;
- (c) Are limited in size; and
- (d) Do not detract from the residential character of the neighborhood.

(B) Home occupations, required conditions. A home occupation is any gainful occupation or profession engaged in by an occupant of a dwelling unit which meets the following conditions and/or requirements. These are in addition to all of the use limitations applicable in the district in which a home occupation is located, no business license shall be issued unless it complies with the following restrictions in all residential districts.

(1) Size/space requirements. A home occupation shall be incidental to the principal use (residential), where no more than 25% of the floor area of a one-story dwelling unit and no more than 20% of the floor area of any other residential dwelling unit may be used in connection with the home occupation or for the storage purposes associated with the home occupation. Floor area of a dwelling unit is defined as all heated and ventilated and thereby habitable rooms and areas within the dwelling unit, including basements and habitable attic space.

(2) Retail sales. On the premises, retail sales shall be prohibited except for the retail sales of products, goods or trade work produced or fabricated on the premises as a result of the home occupation.

(3) Employment. Only members of the immediate family permanently residing on the premises shall be an employee in the home occupation.

(4) Hours of operation. In no case shall any permitted home occupation be open to the public at times earlier than 8:00 am nor later than 8:00 pm.

(5) Patronage. No more than five persons may avail themselves of the services provided by the home occupation use at a given dwelling unit at any given moment in time.

(6) Storage outdoor. There shall be no exterior storage outside the principal building or accessory structure of equipment, product or the like in conjunction with the home occupation.

(7) Conduct and appearance. The home occupation shall be conducted entirely within the principal residential building. There shall be no advertising or identification sign acknowledging the presence of the home occupation.

(8) Manufacturing. There shall be no manufacturing or processing of any sort conducted within the confines of the dwelling unit. Minor assembly of products or goods may be permitted, if done solely within the dwelling unit.

(9) Wholesaling. No wholesale, jobbing, or retail business shall be permitted unless sales are conducted entirely by mail or telephone and the business does not involve the receipt, shipment, delivery, or storage of merchandise/materials/product on or from the premises.

(10) Alterations. There shall be no alterations to the principal residential building or accessory structures, which changes the character thereof, as a dwelling unit.

(11) Equipment. No mechanical or electrical equipment may be used except such types as are customary for purely domestic, household, or hobby purposes.

(12) Deliveries. There shall be no deliveries to or from a home occupation with a vehicle larger than a one (1) ton truck (i.e. Federal Express, United Parcel Service, Emery, and the like).

(13) Performance standards. A home occupation shall produce no offensive noise, vibration, smoke, electrical interference, dust, odors, or heat. A home occupation as provided by this section shall be completely contained within the principal building. Any noise, vibration, smoke, electrical interference, dust, odors, or heat detectable beyond the property lines or beyond the walls of the dwelling unit, if the unit is part of a multifamily structure, shall constitute a violation of the terms of the provisions herein. The judgment of the Zoning Administrator shall be considered decisive and final in this matter unless formally appealed to the Planning and Zoning Commission within 45 days of the Zoning Administrator's written determination.

(14) Multiple family dwelling units. Home occupations that attract customers, clients, or students to the premises for sales or service shall not be permitted in multiple family dwelling units.

(C) Additional conditions for personal property sales (garage sales):

(1) Permit required. Before any person holds or conducts a personal property sale, such as but not limited to, garage sales, basement sales, yard sales, porch sales, estate sales or auctions for the purpose of selling used household, clothing or any personal property items which are owned by the resident(s) on the premises, a personal property sale permit for a garage sale shall be obtained from the village.

(2) Terms of permit.

(a) Sales shall not last longer than three consecutive days.

(b) Not more than two sales shall be permitted on the premises during a calendar year.

(c) No goods purchased for resale may be offered for sale.

(d) No consignment goods may be offered for sale.

(e) Sales shall be conducted on the owner's property. Multiple family sales are permitted provided they are held on the property of one of the participating families.

(3) Conditions of permit.

(a) The permits shall be valid only upon demonstrating to and finding by the village that proper safety and environmental precautions have been taken to ensure the safety of the general public.

(b) The permit shall be posted on the premises in a conspicuous place so as to be readily seen by the public and village enforcement personnel.

(c) Any police or enforcement officer of the village shall have the right of entry to any premises showing evidence of personal property sale for the purpose of enforcement or inspection. Said enforcement official may close sale operations upon determination that a violation of this chapter exists and may arrest any person who violates any provision of this chapter.

(4) Application. Application for a Garage Sale permit shall be made at the office of the Zoning Administrator on forms furnished by the Zoning Administrator.

(5) Application fee. The application fee for a garage sale permit shall be established by the Village Board of Trustees and shall be posted in the office of the Village Clerk and may be altered and amended from time to time by the Mayor and Village Board.

(6) Penalty. Any person, firm, or corporation that violates any of the provisions of this section shall be subject to the penalty provisions of this chapter.

(D) Permits/fees/inspections:

(1) A business license establishing the home occupation may be issued by the Zoning Administrator, provided that all of the above criteria have been met by the applicant.

(2) A business license granted by this section shall be temporary in nature and shall be granted to a designated person who resides at a particular residential address. They are not transferable from person to person nor from address to address.

(3) Applications for a home occupation business license shall be filed with the Zoning Administrator, together with a one time filing fee according to the current "Fee Schedule" herein. The application shall then be reviewed to insure compliance with this section and the residential district in which the home occupation is located.

(4) There may be one annual inspection each year directed by the Zoning Administrator covered by the license. In addition, the Zoning Administrator or his or her designee, shall have the right at any time, upon reasonable request, to enter and inspect the premises covered by said license for safety and compliance purposes.

(5) The annual fee for continuing a license issued under this section shall be according to the current "Fee Schedule" herein, and shall be payable on May 1st of each year.

(6) Licenses shall expire April 30 of each year, and once granted may be renewed without making another application, subject to the provisions of this section, by completing the renewal form described by the Zoning Administrator and paying the annual license fee. Failure to timely apply for renewal, and/or failure to pay for the business license, shall be grounds for revocation of the business license.

(E) General provisions.

(1) Should a license holder die or move to a new location, the existing license shall automatically terminate, except that, in the case of death, should a surviving spouse or child residing at the same address desire to continue the home occupation, written notice to that effect shall be given to the Zoning Administrator, and that person may be authorized continuation of that license.

(2) Business licenses, once granted, may be revoked by the village for cause after a public hearing before the Village Board. Complaints seeking the revocation of such license shall be filed with the Zoning Administrator and may be initiated by the Planning and Zoning Commission or three

residents of the block (both sides where the home occupation is being conducted). All such revocation hearings shall be conducted in accordance with § 159.176. Publication and notification requirements shall be done in accordance with Ordinance Chapter 113.

(3) All businesses being conducted on properties zoned in a residential district on the effective date of this section shall have 90 days thereafter to apply for the necessary license.

(4) Persons who were conducting a business from properties zoned in a residential district on the effective date of this section must make application according to the procedures herein, however, they may continue to conduct such business pending final determination from the Zoning Administrator of their application. Should the application be denied for a license, all such persons shall have the opportunity for an appeal with the Planning and Zoning Commission as outlined by this chapter.

(F) Customary/permitted home occupations. Customary "home occupations" include, but are not limited to, the following list of occupations, provided, however, that each listed occupation shall be subject to the requirements of division (B) in this section:

- (1) Art restoration, Art studio;
- (2) Artists, authors, composers, painters, and sculptures;
- (3) Baby sitting, including family day care home as defined by § 159.003;
- (4) Beauty parlors and barber shops, single chair;
- (5) Clergy, minister, priest for consultation purposes only or for the performance of religious rites;
- (6) Consulting services\* (i.e Architectural, Attorney, Engineering, Financial Planning/Investment Services, Interior Designer, Writing/Computer programming);
- (7) Contracting, except as specifically prohibited;
- (8) Data processing, telecommunications, high speed data transmissions or the like completed through the use of telephones, facsimiles, modems or other forms of telecommunications peripherals;
- (9) Dentist may use his residence for consultation purposes only with general and/or limited treatments;
- (10) Direct sale product distribution (Amway, Avon, Jaffra, Tupperware, Herbalife);
- (11) Drafting and graphic services\*;
- (12) Dressmaking, seamstress, sewing, tailoring, contract sewing (one machine);
- (13) Electronic designing;
- (14) Flower arranging, Gardening, Landscape maintenance (without outdoor storage of materials and/or equipment);
- (15) Home crafts such as model-making, rug-weaving, lapidary work, however, no machinery or equipment shall be used or employed other than what is customary to the home. Off-site sales;
- (16) Home cooking and preserving;
- (17) Home day care/baby sitting for less than five non-related children, as defined by this chapter;
- (18) House cleaning services;
- (19) Insurance sales or broker;
- (20) Jewelry making; jeweler; watch repairs;

- (21) Laundry, ironing services;
- (22) Locksmith;
- (23) Mail order, not including retail sales from the home;
- (24) Music teachers, but regular instruction shall be limited to one pupil at a time, except for occasional groups;
- (25) Photo developing, non-retail, no drop off service, delivery only;
- (26) Real estate sales or broker;
- (27) Sales representative, office only;
- (28) Secretarial services;
- (29) Security service, security systems, auto security systems, no installations at home;
- (30) Swimming pool cleaning;
- (31) Telephone answering, switchboard, call forwarding;
- (32) Tutoring shall be limited: one to four students at a time;
- (33) Typing, word-processing service;
- (34) Wall papering;
- (35) Woodworking, excluding cabinet making;
- (36) Writing, computer programming.

\* Not for the general assembly of groups of more than six and not for the installation or use of any mechanical or electrical equipment customarily incidental to the practice of any such profession.

(G) Prohibited home occupations. The following are "prohibited" home occupations in any residential districts, unless specifically permitted by the district regulations.

- (1) Ambulance services;
- (2) Animal kennels or hospitals;
- (3) Appliance repair;
- (4) Automobile repair; parts sales, upholstery, or detailing; washing service (including businesses working at customers homes);
- (5) Barber shops and beauty shops above one chair;
- (6) Boarding house, hotel, time share condominium;
- (7) Carpentry work, cabinet makers;
- (8) Catering;
- (9) Ceramics, (kiln of six cubic feet or more);
- (10) Churches, religious instruction;
- (11) Contracting that involves masonry, plumbing or painting;
- (12) Dancing schools;

- (13) Dog breeders or dog re-sellers.
- (14) Funeral homes or chapels;
- (15) Gift shops;
- (16) Gun smith/shop including sales and service;
- (17) Health salons, gyms, aerobic exercise studios;
- (18) Helium balloon sales;
- (19) House painter;
- (20) Limousine or pedicabs service;
- (21) Major automobile repair (see definition § 159.003);
- (22) Massage parlors;
- (23) Medical or dental clinics/ offices or hospitals;
- (24) Mortician, hearse service;
- (25) Nursery schools and home day care centers (see definitions § 159.003);
- (26) Painting of vehicles, trailers and/or boats;
- (27) Private clubs;
- (28) Private schools with organized classes;
- (29) Restaurants, home dinettes, taverns and food preparation;
- (30) Retail sales from the site (except direct distribution);
- (31) Rental businesses;
- (32) Skin care products (manufacturing of same);
- (33) Small engine repair;
- (34) Stables or animal care (veterinarian);
- (35) Television repair;
- (36) Lodging houses;
- (37) Tow truck services;
- (38) Trailer rentals or sales;
- (39) Upholstery;
- (40) Veterinary uses (including care, grooming, or boarding);
- (41) Welding and machine shops.

(Am. Ord. 06-0369, passed 2-1-06; Am. Ord. 07-0599, passed 12-19-07)



## HOME BASED BUSINESS APPROVAL PROCESS

The following instructions are presented to help you in preparing your application for Home-Based Business Approval in the most complete form possible for review by the Community Development Department. Failure to supply the required information or consult with the Community Development Department may result in unnecessary delays.

In preparing an application for a home-based business, the petitioner should review the Village Zoning Ordinance to insure conformity with intent and compliance with all regulatory requirements. A copy of the Ordinance has been attached for your review. Questions regarding these documents or any requirements contained therein should be directed to the Community Development Department at (847) 923-4420.

Approval of a Home-Based Business involves the following steps:

1. Submittal of Application. Submittal of the attached Home-Based Business Application to the Community Development Department.
2. Payment\*. Fees must be submitted with an application. Checks can be made out to the *Village of Schaumburg* in the amount indicated below:
  - Home-Based Business License - \$100/calendar year.
  - Chauffeur License/ Home-Based Business - \$100/calendar year.
  - Contractor License/ Home-Based Business - \$100/calendar year.
    - Contractors operating a Home-Based Business in Schaumburg shall be required to obtain Home-Based Business Approval, as part of obtaining a Contractor's Business License.

\*If an application is received on or after July 1, the annual fee is reduced to one-half the listed fee.

3. Staff Review. Upon receipt of the applications and fee payment, the application will be reviewed by the Community Development Department.
4. Inspection Prior to Approval. An exterior inspection of your home is required to approve a home-based business.

If the business involves the care of people or animals or handling of hazardous substances or food products, an interior inspection is required. Depending on the type of business, planning/zoning approval may be required before the application can be approved.

5. Business License. After the approval by the Community Development Department, the business license will be issued.
6. Follow up Inspections. At a minimum, annual inspections of home-based businesses are required for those businesses that care for humans or animals or handle hazardous substances or food products. All Home-Based Businesses are subject to inspection at any time.



## § 154.65 – HOME-BASED BUSINESSES.

Home-based businesses shall be permitted as an accessory use in all residence districts subject to the provisions of this section. The standards for home-based businesses specified in this section are intended to ensure compatibility with other permitted uses and that the home-based business is conducted in such a manner that it does not change in any way the residential character of the neighborhood or infringe on the rights of abutting and adjoining homeowners and residents. The following standards, combined with the compatibility of the home-based business with surrounding uses, and evidence that the home-based business is clearly incidental and secondary to the residential use of the dwelling shall be used as the criteria for determining whether a proposed accessory use qualifies as a home-based business. Once approved, all home-based businesses require the attainment of a village business license or other appropriate business license which shall be renewed annually.

- A) Permitted Home-Based Businesses: Home-based businesses are permitted by the director of community development and his/her designees only in accordance with the following use regulations or as are permitted as a special use:
- 1) Occupancy: Owners of home-based businesses must reside within the home where the conduct of business is occurring.
  - 2) Accessory Use: The home-based business shall be secondary to the use of the dwelling for residential purposes and shall not occupy more than one hundred sixty (160) square feet of the principal structure and garage. No occupational use or storage for the home-based business shall be located in any accessory structure or building other than a garage, whether attached or detached.
  - 3) Appearance: There shall be no signs, activities or display that will indicate from the exterior that the building is being used, in part, for any purpose other than as a dwelling.
  - 4) Structural Alterations: There shall be no special internal or external structural alterations or construction features, either permanent or accessory, to the dwelling or garage, nor the installation of special equipment to walls, floors or ceilings, which would change the residential character of the dwelling or garage. Any indoor storage, construction, alterations or electrical or mechanical equipment used shall not change the fire rating of the structure or the fire district in which the structure is located. No separate entrance from the outside of the building shall be added to the residence for the sole use of the home-based business.
  - 5) Outdoor Storage: Home-based businesses and all related activities, including storage, shall be conducted completely within the dwelling or garage by the occupants of the dwelling. There shall be no outdoor storage for home-based businesses. Home-based businesses involving the parking of a commercial vehicle or trailer shall abide by section 154.121 of this chapter.
  - 6) Receipt or Delivery of Merchandise: There shall be no commodities sold or services rendered that require receipt or delivery of merchandise, goods or equipment other than by vehicles typically employed by parcel or letter carriers in residential deliveries. The receipt or delivery of merchandise by a home-based business shall not restrict traffic circulation or create a safety risk or nuisance in the public streets. Deliveries by semi-tractor/trailer trucks are prohibited. Any violation of this section, as determined by the Director of Community Development or his or her designee, will be considered a violation of the Village code and may result in the suspension and/or revocation of the business license
  - 7) Traffic: The home-based business and any related activity shall not create any traffic hazards or nuisances in the public streets, nor use more vehicle parking than exists on the residential drive or assigned parking spaces servicing the dwelling unit. The frequency of trips to and from the

dwelling shall be limited to avoid the creation of traffic patterns other than are customary in a residential neighborhood.

- 8) Limited Wholesale, Retail and Service: No article can be sold or offered for sale except as may be produced or assembled on the premises. All other sales or provision of goods or services must be conducted off-premises unless by telephone or online and no traffic shall be generated from such activities in conflict with subsection (A)(7) of this section. Except for daycare homes, distribution of goods or services taking place at the dwelling are prohibited.
- 9) Employment: Persons employed by the home-based business shall be a member of the household residing in the dwelling unit or conduct work from an off-premises location. Employees that do not live in the home shall not visit the home for conduct of the home-based business.
- 10) Performance Standards: There shall be no noise, odor, dust, vibration, smoke, glare, television or radio interference, electrical interference, fire hazard or any other hazard emanating from the dwelling or garage so as to create a nuisance other than that usually experienced in an average dwelling or garage under normal circumstances wherein no home-based business exists. No home-based business shall involve the use or production of noxious, toxic or harmful materials.
- 11) Manufacturing: Any production on the premises typically only permitted in an M-1 or an M-P manufacturing district shall not be allowed if it causes noise, odor, dust, vibration, smoke, glare, television signal interference or radio signal interference, electrical interference, fire hazard or any other hazard emanating from the dwelling. No home-based businesses shall involve the use or production of noxious, toxic or harmful materials. The purpose of this standard is to ensure that a home-based business has no adverse environmental impact on adjoining properties.
- 12) Automobile/Motor Vehicle Service: Home-based businesses related to onsite automobile or vehicles, including but not limited to service, repair or auto body, shall be prohibited. This provision shall not apply to any home-based business related to onsite automobile/motor vehicle service properly licensed by the Village on the date of the adoption of this provision.
- 13) Daycare Homes: Daycare homes are subject to the requirements of Section 154.65(A) with the following exceptions:
  - a) Daycare homes licensed to provide care may provide care for a maximum of eight (8) children during all or part of the day. The maximum number of children includes children of the daycare home operator up to 12 years of age.
  - b) Daycare homes may exceed 160 square feet when used in conduct of the business.
  - c) Daycare homes may locate outdoor play equipment in the rear yard of the residence.

B) Home-Based Businesses Requiring Special Use Approval: Certain home-based businesses by their very nature require additional review in the form of a special use permit to ensure the promotion of the public health, safety, comfort and welfare. The following home-based businesses require special use approval:

- 1) Noncompliance with subsection (A) of this section: Any home-based business not complying with all or part of the requirements specified in subsection (A) of this section.
- 2) More than One (1) Home-Based Business: Any dwelling or lot containing more than one (1) home-based business.
- 3) Handling of Food: Any home-based business that requires the handling of food or foodstuffs within the home.
- 4) Care or Treatment of Animals: Any home-based business that requires the care or treatment of animals, including birds, fowl, fish and reptiles within the home.
- 5) Care or Treatment of Humans: Any home-based business that requires the care or treatment of humans within the home.
- 6) Daycare Homes: Daycare homes, when licensed to provide care to more than eight (8) children or which require an assistant caregiver to satisfy the State of Illinois licensing standards for daycare homes.

- 7) Notwithstanding the provisions of section 154.44 of this Code, any special use authorizing a home-based business will terminate and be void, without need of further hearing, upon the transfer of ownership of the property or if the home-based business authorized by the special use permit ceases operation for a continuous period of six (6) months.
- C) Gun Sales Prohibited: The sale of firearms and/or ammunition as a home-based business is hereby prohibited from single-family or multiple-family dwellings in all residential zoning districts.
- D) Homeowners' Associations: If the proposed home-based business is within the jurisdiction of a homeowners' association, and the homeowners' association has recorded and legally binding rules governing home-based businesses, an application for home-based business shall not be considered until a letter approving such home-based business is submitted from an officer of the homeowners' association. If the homeowners' association has recorded and legally binding rules that govern home-based businesses and deny or do not provide the letter agreeing to the home-based business, the application for home-based business shall not be approved. If there are no legally binding homeowners' association rules governing home-based businesses, the home-based business application may be considered.
- E) Property Owner: If the owner of the home-based business is not the property owner of record, the property owner of record must submit a letter approving such home-based business. An application for a home-based business shall not be considered until such letter is received.
- F) Inspection of Home-Based Businesses:
- 1) Inspections are to ensure that all of the regulations in this and all other village ordinances are adhered to as a responsibility of receiving a license for such use in a dwelling.
  - 2) Home-based businesses that receive special use approval for care or treatment of humans or animals or handling of food shall be inspected annually.
  - 3) Daycare homes, with or without special use approval, shall receive two (2) unannounced inspections per year.
  - 4) All home-based businesses are subject to inspection at any time.
- G) Failure to comply with the provisions of this and other codes and ordinances will result in the revocation of the business license and home-based business permit for the home-based business.

If your business cares for humans or animals or handles hazardous substances or food products, additional requirements may apply.

Please contact the Community Development Department with any questions.



**APPLICATION FOR HOME-BASED BUSINESS**

Community Development Department  
101 Schaumburg Court, Schaumburg, IL 60193-1899  
(Phone) 847.923.4420

**BACKGROUND INFORMATION**

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

- Business Owner: \_\_\_\_\_
- Address: \_\_\_\_\_
- City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
- Telephone Number(s): \_\_\_\_\_
- Email Address/Billing Address: \_\_\_\_\_

Current Property Owner's Name: \_\_\_\_\_  same as above

- Address: \_\_\_\_\_
- City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
- Telephone: \_\_\_\_\_
- Email Address: \_\_\_\_\_

Yes No Do you rent your dwelling? If yes, who do you rent from? \_\_\_\_\_

Yes No Is your dwelling within the jurisdiction of a homeowners' association or multiple-family planned unit development? If yes, what is their name? \_\_\_\_\_

If you answered yes to any questions above, you must submit with your application, written permission from the association and/or property owner to have a home-based business in your home.

**HOME BASED BUSINESS INFORMATION**

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

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

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

Type of Business: \_\_\_\_\_

Describe in detail the business and how it is operated: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Relating to your business only**, please answer the following. If you answer yes to any question, please explain further below:

Yes No Do you allow clients or customers to come to your home?  
➤ If yes, how many? \_\_\_\_\_

Yes No Do you have any employees work in your home?  
➤ If yes, how many? \_\_\_\_\_

Yes No Do any employees come to your home?  
➤ If yes, how many? \_\_\_\_\_

Yes No Do you have a vehicle or trailer associated with the business?  
➤ Describe the vehicle(s): \_\_\_\_\_  
➤ License plate type and number: \_\_\_\_\_  
➤ Vehicle Identification Number (VIN): \_\_\_\_\_  
➤ Describe where the vehicle will be parked: \_\_\_\_\_

Yes No Is there another Home-Based Business being conducted on the premises?  
➤ If yes, give name of business. \_\_\_\_\_

Yes No Are you licensed through the Illinois Division of Professional Regulation or another agency?  
➤ If yes, please specify and provide the license number and/or a copy of the license. \_\_\_\_\_  
\_\_\_\_\_

Yes No Do you handle, store, or sell food products or alcohol?

Yes No Do you handle, store, or sell tobacco products?

Yes No Do you handle animals in your home?

Yes No Do you manufacture anything?

Yes No Do you handle, store, or sell any hazardous materials or equipment?

If yes, explain here: \_\_\_\_\_  
\_\_\_\_\_

## **BUSINESS OPERATION**

Hours of operation: \_\_\_\_\_

If the sales of any goods or services takes place on or from your home, describe what is sold, how and where it is produced, where it is stored, and where, how, and to whom it is sold. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please identify the total area of the home to be used for the business, including the area of the attached garage, if it is used in conjunction with the business:

- Total area used for the business: \_\_\_\_\_ sq. ft.
- Where in the home will the business be conducted (bedroom, office, etc.)? \_\_\_\_\_

*I have read and understand the Home-Based Business Ordinance and agree to comply with all aspects of its contents. I understand that only what is proposed on the application/permit may be done. If any of that information changes, such as size of the business, a new permit must be applied for. If I fail to comply with any portion of said Ordinance, I understand that the Village of Schaumburg shall have the authority to immediately revoke the approval of my home-based business and its business license. Further, it is understood that in addition to the above, the Village of Schaumburg may initiate adjudication proceedings which may include penalties for each and every day that the violation exists.*

*I understand the issuance of this license is conditional upon compliance with all Village Ordinances, State and Federal Law, and the results of any inspections required by ordinance at this time and any further inspections while in force. I hereby authorize the Village of Schaumburg by its agents to make inquiries into my/our character, credit, and background, in order to approve or deny this license application. I have read this application and answered all questions fully and the information. I have submitted in this application is complete and truthful to the best of my knowledge.*

In consideration of the information contained in this petition, as well as, all supporting documentation, it is requested that approval be given to this home-based business.

\_\_\_\_\_  
Business Name (Printed)

\_\_\_\_\_  
Address (Printed)

\_\_\_\_\_  
Business Owner's name (Printed)

\_\_\_\_\_  
Business Owner's Signature

\_\_\_\_\_  
Date



VILLAGE OF SCHAUMBURG

**BUSINESS LICENSE APPLICATION**  
**FINANCE DEPARTMENT**

101 Schaumburg Court, Schaumburg, IL 60193  
Finance Dept. 847.895.4500 Fax 847.923.2474/2454  
[www.villageofschaumburg.com](http://www.villageofschaumburg.com)

*Please type or print.*

Date:
Check the appropriate box: New Business <input type="checkbox"/> Existing Business, Name Change Only <input type="checkbox"/> Ownership Change <input type="checkbox"/> Address Change <input type="checkbox"/> Home-Based Business <input checked="" type="checkbox"/>
Business Name:
Business Address:
City: _____ State: _____ Zip: _____
Business Phone Number: _____ State Tax Number: _____
Type of Business:
Corporate Name (if different from Business Name):
Type of Application: Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Public Corporation <input type="checkbox"/> Association <input type="checkbox"/>
If Individual, list owner only. If Partnership or Corporation, list or attach all partners or principal officers. If necessary, attach additional sheet.
<b>Owner Information</b>
President or Owner Name:
Home/Corporate Address:
City: _____ State: _____ Zip: _____
Date of Birth: _____ Drivers License Number: _____
Phone Number: _____
<b>Manager Information (If Owner or President is out of area)</b>
Manager's Name: _____ Phone Number: _____
Home Address:
City: _____ State: _____ Zip: _____
Date of Birth: _____ Drivers License Number: _____
Has the owner, manager, or any officer ever been arrested or convicted of a felony or misdemeanor involving a moral judgment?
If yes, please explain.
Has the business ever had a previous license or application for a license denied, revoked, or suspended by any local government, State government or subdivision thereof?
If yes, please explain.
<b>Billing Information</b>
PLEASE NOTE STATEMENTS OF RENEWAL WILL NOT BE MAILED. An email address or fax number must be provided.
Contact Person:
Email Address:
Fax Number: _____ Phone Number: _____

**PLEASE NOTE:** All Business License applications must be accompanied by a Certificate of Occupancy from the Community Development Department (847.923.4420). A formal program to collect recyclable materials is required, as no license will be issued until a program is approved by Community Development (847.923.3700). For Home-Based Business License information, contact **Community Development Department (847.923.4420)**.

# BUSINESS LICENSE APPLICATION

Check all items that correspond to the applied business. Some businesses may require multiple licenses. All fees are due at time of application.

<b>General Business License</b> (including, but not limited to office, retail, manufacturing, and industrial)		<input type="checkbox"/>	<b>Cleaning and Dyeing Establishment (on premise)</b>	\$185		
<input type="checkbox"/>	0 – 999 Floor Area in sq.ft.	\$95				
<input type="checkbox"/>	1,000 -4,999	\$105	<b>Congregate Housing</b>			
<input type="checkbox"/>	5,000 – 9,999	\$120	<input type="checkbox"/>	1-50 Dwelling Units	\$413	
<input type="checkbox"/>	10,000 – 14,999	\$145	<input type="checkbox"/>	51 - 100	\$850	
<input type="checkbox"/>	15,000 – 19,999	\$170	<input type="checkbox"/>	101 – 200	\$1,155	
<input type="checkbox"/>	20,000 – 29,999	\$230	<input type="checkbox"/>	201 – 300	\$1,435	
<input type="checkbox"/>	30,000 – 39,999	\$285	<input type="checkbox"/>	301 – 400	\$1,707	
<input type="checkbox"/>	40,000 – 49,999	\$345	<input type="checkbox"/>	401 and over	\$2,048	
<input type="checkbox"/>	50,000 – 74,999	\$430				
<input type="checkbox"/>	75,000 – 99,999	\$515	<b>Food Delivery Vehicles (per vehicle)</b>			
<input type="checkbox"/>	100,000 – 249,999	\$600	<input type="checkbox"/>	Mobile Vending Truck	\$115	
<input type="checkbox"/>	250,000 – 499,999	\$690	<input type="checkbox"/>	Mobile Food Preparation	\$190	
<input type="checkbox"/>	500,000 and over	\$780				
<b>Food Establishment License</b>			<input type="checkbox"/>	<b>Gas Station</b>	\$350	
<input type="checkbox"/>	0 -4,000 Floor area in sq. ft.	\$190	<input type="checkbox"/>	<b>Hazardous Materials</b>	\$535	
<input type="checkbox"/>	4,001 – 5,000	\$285				
<input type="checkbox"/>	5,001 – 6,000	\$370	<input type="checkbox"/>	<b>News Rack</b>	\$57	
<input type="checkbox"/>	6,001 – 7,500	\$465				
<input type="checkbox"/>	7,501 – 9,000	\$545	<input type="checkbox"/>	<b>Nursing Home</b>	\$400	
<input type="checkbox"/>	9,001 – 12,000	\$630				
<input type="checkbox"/>	12,001 – 15,000	\$750	<input type="checkbox"/>	<b>Psychic/Fortune Teller</b>		
<input type="checkbox"/>	15,000 and over	\$860		Individual	\$184	
Food and Beverage Tax Forms: 847.923.4532				Application Fee	\$65	
				Live Scan Fingerprinting		
<b>Hotel/Motel License</b>						
<input type="checkbox"/>	0 – 100,000 sq.ft.	\$850	<input type="checkbox"/>	<b>Psychic/Fortune Telling Establishment</b>		
<input type="checkbox"/>	100,001 – 300,000	\$1,420		Business	\$603	
<input type="checkbox"/>	300,001 and over	\$1,990		Application Fee	\$125	
Hotel/Motel Tax Forms: 847.923.4536				Live Scan Fingerprinting		
<b>Special Licenses</b>			<input type="checkbox"/>	<b>Refuse Collector(per vehicle)</b>	\$195	
<input type="checkbox"/>	Chauffeur	Finance Department	847.923.4546			
<input type="checkbox"/>	Circus/Carnival	Community Development	847.923.4420	<input type="checkbox"/>	<b>Swimming Pool</b>	\$250
<input type="checkbox"/>	Contractor	Community Development	847.923.4420			
<input type="checkbox"/>	Entertainment	Community Development	847.923.3970	<input type="checkbox"/>	<b>Spa</b>	\$110
<input type="checkbox"/>	Firearm Dealer	Police Department	847.882.3586			
<input type="checkbox"/>	Home Based-Business \$100.00	Community Development	847.923.4420	<input type="checkbox"/>	<b>Tobacco Retail</b>	\$113
<input type="checkbox"/>	Honor Box	Finance Department	847.923.4546		Tobacco Smoking	\$273
<input type="checkbox"/>	Jukebox	Finance Department	847.923.4537			
<input type="checkbox"/>	Liquor	Liquor Commission	847.923.4402	<input type="checkbox"/>	<b>Theater, Movie (per screen)</b>	\$120
<input type="checkbox"/>	Non-Residential Rental	Finance Department	847.923.4532			
<input type="checkbox"/>	Public Passenger Vehicle	Finance Department	847.923.4546	<input type="checkbox"/>	<b>Massage Est. Background Ck</b>	
<input type="checkbox"/>	Raffle	Finance Department	847.923.4532			
<input type="checkbox"/>	Valet	Community Development	847.923.4430	<b>TOTAL AMOUNT DUE</b>		\$
<input type="checkbox"/>	Vending	Finance Department	847.923.4537			

\*If application is received on or after July 1, the annual fee is reduced to one-half the listed fee.

I/We understand the issuance of this license is conditional upon compliance with all Village Ordinances, State and Federal Law, and the results of any inspections required by ordinance at this time and any further inspections while in force. I/We hereby authorize the Village of Schaumburg by its agents to make inquiries into my/our character, credit, and background, in order to approve or deny this license application. I/We have read this application and answered all questions fully and the information I/We have submitted in this application is complete and truthful to the best of my knowledge.

SIGNATURE \_\_\_\_\_ TITLE \_\_\_\_\_ DATE \_\_\_\_\_

**C. Floor Area**

Floor area devoted to the home occupation may not exceed 25% of the floor area of the dwelling or 700 square feet, whichever is less.

**D. Location**

The home occupation must be conducted entirely within the dwelling and not from a detached or attached garage or other accessory structure. Equipment, materials, samples and vehicles incidental to the home occupation may be stored in a detached or attached garage or other accessory structure, provided that the business activity is confined to the dwelling.

**E. Sales**

The home occupation may not involve the sale of goods that are stored and delivered to the buyer on the lot, except as incidental to a permitted service. Pick-ups of previously made orders are allowed.

**F. Operation and Appearance**

1. There may be no visible evidence of the conduct of a home occupation when viewed from the street or right-of-way or from an adjacent lot.
2. There may be no change in the exterior appearance of the dwelling unit that houses a home occupation or site upon which it is conducted that will make the dwelling appear less residential in nature or function. Examples of such prohibited alterations include parking lots, or adding commercial-like exterior lighting.
3. No outdoor storage of equipment or materials used in connection with the home occupation are allowed.
4. No equipment or process shall be used in a home occupation that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process may be used that creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
5. Home occupations may not generate refuse or recyclable material in excess of the amount allowable for regular residential pickup.
6. Home occupations may not cause or create any nuisance, or cause or create any substantial or undue adverse impact on any adjacent property or the character of the area, or threaten the public health, safety or welfare.

**G. Vehicle Traffic and Parking**

1. The home occupation may not involve regular receipt or delivery of merchandise, goods or equipment by any motor vehicle bearing a Division of Motor Vehicles License Class "C" or higher.
2. The home occupation may not result in the simultaneous presence on the subject lot and the adjoining street of more than 3 motor vehicles in excess of the number of vehicles attributable to the residential use of the premises.
3. Visitors in conjunction with the home occupation (clients, patrons, pupils, sales persons, etc.) are prohibited between the hours of 10:00 p.m. and 7:00 a.m.

**H. Multiple Home Occupations**

If there is more than one home occupation within the dwelling, the regulations of this section apply to the sum total of the activity related to such home occupations.

**I. Expressly Prohibited Activities**

All of the following uses are expressly prohibited as home occupations:

1. Animal service uses;

2. Eating and drinking establishments;
3. Religious assembly;
4. Retail sales uses;
5. Lodging;
6. Business or commercial storage of recreational vehicles, mobile homes, vehicles or mechanical equipment;
7. Funeral and mortuary services;
8. All industrial, manufacturing and recycling uses;
9. Medical services;
10. Vehicle sales and service;
11. Consumer repair services and appliance repair services; and
12. Any use or activity that does not comply with all applicable regulations of this ordinance.

### **6.10.7. Electric Vehicle Charging Stations**

#### **A. General**

1. Private (restricted-access) electric-vehicle (EV) charging stations are permitted as accessory uses to lawfully established principal uses in all zoning districts.
2. Public EV charging stations are permitted as accessory uses to lawfully established principal nonresidential uses in all zoning districts.

#### **B. Parking**

1. Electric vehicle charging stations may be counted toward satisfying minimum off-street parking space requirements.
2. Public electric vehicle charging stations must be reserved for parking and charging electric vehicles.

#### **C. Equipment**

Vehicle charging equipment must be designed and located so as to not impede pedestrian, bicycle or wheelchair movement or create safety hazards on sidewalks.

#### **D. Signage**

Public electric vehicle charging stations must be posted with signage indicating that the space is reserved for electric vehicle charging purposes only. For purposes of this provision, "charging" means that an electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station equipment.

### **6.10.8. Satellite Dish Antennas**

#### **A. Where Allowed**

1. Satellite dish antennas up to 40 inches in diameter are permitted as of right as an accessory use to all lawfully established principal uses in all zoning districts. They are subject to all applicable accessory structure setback regulations.
2. Satellite dish antennas over 40 inches in diameter, up to 120 inches in diameter, are permitted as of right as an accessory use to all lawfully established principal uses in mixed-use and nonresidential zoning districts. They are subject to all applicable accessory structure setback regulations.

#### **B. Location**

1. In RM districts, satellite dish antennas may be located anywhere in the buildable area of the lot (outside of required building setbacks) or on an allowed principal or accessory building on the lot.