

**Village of Fishkill
Building Department
1095 Main Street
Fishkill, New York 12524
(845) 897-4430
Fax (845) 896-4656**

Thomas E. VanTine
Building & Fire Inspector
Zoning Enforcement Officer

Donald VanNostrand
Planning, Zoning & Building Sec'y

Home Occupation Permit Application

**This permit is required of all home businesses located within the Village of Fishkill.
Please Read information on the attached page, prior to completing this application.**

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I. GENERAL INFORMATION:

Applicant's Name:

Business Name:

Business Address:

Business Phone:

Property Owner's Name:

Property Owner's Address:

Description of the proposed business:

II. CLASSIFY THE TYPE OF WORK TO BE PERFORMED AT THIS ADDRESS
AND ANSWER QUESTIONS 1-12:

- Office
 Telephone
 Educational
 Arts and Crafts Production Mail Order

Yes No

1. Will there be more than one business conducted at this address?
2. Are there any employees that work at the business address but do not live at the business address?
3. Will more than 20% of the total floor area of the residence or 10% of the site be used for the business?
4. Will any business signs or advertising devices be displayed on the exterior of the residence?
5. Has there been or will there be any remodeling done to the residence to accommodate the business?
6. Will the home-based business office or space within the residence be accessed by a door other than the front door?
7. Will any aspect of the home-based business be conducted in the garage, shed or yard area?
8. Will any goods or materials be sold, displayed, processed or manufactured at the residence?

If yes, explain:

9. Will the delivery or storage of any goods or materials occur on the premises?

If yes, explain:

10. Will any customer or client come to your residence in connection with this home-based business?
11. Will more than one commercial motor vehicle, or any vehicle exceeding a load capacity of one ton, used in connection with this business be parked at the business address?
12. Does the business involve preparation, storage or handing of food at the business address?
13. Is there the required parking as per Village Code; Accessory home occupation 2 parking spaces in addition to spaces required for the residential use, except that there shall be 4 for each doctor or dentist in addition to spaces required for the residential use

Village Code definition of home occupation states the following:

HOME OCCUPATION -- An accessory use, generally of a service character, conducted within a dwelling by the residents thereof, which is clearly secondary to the use of the dwelling for living purposes and does not change the character thereof or give exterior evidence of such secondary use other than a nameplate. A "home occupation" shall not employ more than two nonresidents of the dwelling. A "home occupation" shall not

include veterinarian offices or other facilities for the treatment of animals. [Amended 3-13-2000 by L.L. No. 2-2000]

STOP:

If you have not contacted the Building Inspector to discuss your Home Occupation , schedule an appointment or meet with the Building Inspector in the Planning and Building Department, prior to submitting this application. If you have already spoken with the Building Inspector, read and sign the following:

I have read and understand all information contained herein, as reproduced on the page following this permit application, and I hereby state that my home occupation will conform to all provisions set forth therein.

I also understand that should the Village of Fishkill receive a complaint about the operation of this home occupation, this permit may be revoked by the Zoning Administrator and the business no longer allowed to operate at this address.

Signature of Applicant

Signature of Property Owner or Manager

Note: This **Permit** is not a Business License if any is required for this particular type of business.

FOR STAFF USE ONLY:

APPROVED () DENIED ()

BY:

REMARKS/DATE:

ZONE:

GP:

RECEIPT NO:

Standards for a Home Based Occupation Permit

A home based occupation permit may be issued only if the use meets all of the following conditions:

- A. The home based occupation is not incompatible in any way with the residential character of the neighborhood;
- B. There is no external evidence of its operation;
- C. The use conforms to all of the following conditions:
 - 1. Only a resident of the dwelling unit may be engaged or employed in the home occupation,
 - 2. The primary function of the home occupation will not necessitate providing services to customers or clients within or on the site of the dwelling unit. An exception to this condition is the provision of an educational service and the supply of goods or materials to be used in conjunction with the educational service if the educational service does not create a neighborhood nuisance by the

generation of noise or pedestrian or vehicular traffic beyond that normal for the area in which the use is located,

3. No goods, samples, materials or objects in connection with the operation of the home occupation may be stored or displayed on the site of the dwelling unit. This condition is not intended to prohibit the temporary interior storage of materials used in the operation of the home occupation, provided that the storage complies with subdivision 5 of this subsection and does not create a health or safety problem or neighborhood nuisance,

4. No goods, products or items may be maintained and sold from the dwelling as an activity of the home occupation, except as provided by subdivision 2 of this subsection. This does not include an activity regulated under the temporary use section of this title,

5. Not more than twenty percent (20%) of the total floor area of the dwelling or ten percent (10%) of the site may be used in conjunction with the home occupation,

6. No sign, nameplate or any other form of advertising used in connection with the home occupation may be displayed on the site,

7. No structure, addition, alteration or remodeling of the dwelling is permitted in connection with the home occupation,

8. Access to that portion of the dwelling used for the home occupation may only be through the main entrance to the dwelling unit,

9. One commercial motor vehicle, not exceeding a maximum capacity of one (1) ton, together with equipment, tools and stock-in-trade, may be maintained on the site, provided such vehicle is used as the applicant's means of transportation and such tools and equipment are not used for the performance of services on the site and stock-in-trade is not sold from the site,

10. No noise, dust, smoke, odor nor electrical interference may be emitted in conjunction with the home occupation, and the use must comply with the performance standards prescribed by Chapter 18.82.

The Building Inspector may refuse a home occupation permit even though the use may technically qualify with all these conditions, if it finds that there is the possibility that the use may disrupt the residential neighborhood or that it is not in keeping with the intent and purpose of a home occupation.
