



HOME OCCUPATION / IN-HOME DAYCARE PERMIT APPLICATION

App Date _____
Fee _____
File No. _____

OWNER INFORMATION

Name(s) _____
 Contact _____
 Address _____
 City _____ State _____ Zip _____
 Phone _____ Email _____

APPLICANT INFORMATION (If different from owner)

Name(s) _____
 Contact _____
 Address _____
 City _____ State _____ Zip _____
 Phone _____ Email _____

SITE INFORMATION

Property Address _____
 Present Zoning _____ Present Land Use _____
 Number and Description of Existing Structures _____
 Does the Site Contain an Accessory Dwelling? _____

BUSINESS SPECIFICATIONS

Type of Business and Activities to Take Place _____

 Days and Hours of Operation _____
 Number of Employees _____ Number of Clients/Day _____
 Floor Area of Home _____ Floor Area of Home Occupation _____
 Kansas Child Care License Number _____
 State Tax ID # / Any other applicable Licenses _____

- * The property owner shall be responsible to verify compliance with homeowner’s associations if applicable.
- * Any fence requires a separate fence permit.
- * Massage therapy uses also require a Massage Therapist License from the City Clerk.

SIGNATURE

I/We, the undersigned am/are the **(owner(s)), (duly authorized applicant), (Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for a home occupation permit as indicated above.

Signature: _____ Date _____
 Signature: _____ Date _____

APPLICATION SUBMITTAL REQUIREMENTS

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	1. Complete application packet
<input type="checkbox"/>	<input type="checkbox"/>	2. Application fee
<input type="checkbox"/>	<input type="checkbox"/>	3. Scaled plot plan or site plan showing all existing and proposed structures and enclosures
<input type="checkbox"/>	<input type="checkbox"/>	4. Signed affidavit pledging continued compliance with all standards.

FOR STAFF USE ONLY		
	APPROVED	Business & Economic Development Director
	DENIED	Date

OWNER AFFIDAVIT

I/WE _____, hereby referred to as the “Undersigned”, being of lawful age, do hereby on this _____ day of _____, 20____, make the following statements to wit:

1. I/We the Undersigned, on the date first above written, am/are the lawful owner(s) in fee simple absolute of the following described real property:

See “Exhibit A, Legal Description” attached hereto and incorporated herein by reference.

2. I/We the undersigned, have previously authorized and hereby authorize _____ (Herein referred to as “Applicant”), to act on my/our behalf for the purpose of making application with the City of Gardner, regarding _____ (common address), the subject property, or portion thereof. Such authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process. I/We further attest that I/We agree to be legally bound by the application made on our behalf by applicant and the resultant action upon such application by the City of Gardner.

3. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

Owner

Owner

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____ day of _____, 20____, by _____.

My Commission Expires: _____
Notary Public

Application No. _____

ACCESSORY HOME OCCUPATION AFFIDAVIT

I / We _____, hereby referred to as the "Undersigned", being of lawful age, do hereby on this _____ day of _____, 20____, pledge that I will be responsible for ensuring that the home occupation specified on the application shall be operated at all times to comply with all standards of Section 17.05.040 of the Gardner Land Development Code as amended.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

Owner

Owner

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____ day of _____, 20____, by

_____.

My Commission Expires:

Notary Public

HOME OCCUPATION STANDARDS

Home Occupation. Where home occupations are permitted as an accessory use to a residence subject to additional standards (as indicated in Table 5-2), all of the following standards shall be met:

1. Home occupations shall be entirely contained within the interior of a structure. A home occupation shall use no more than 20 percent of the total dwelling unit floor area.
2. No visible evidence of the business shall be apparent from the street or surrounding area. Signage shall be permitted per the requirements of Chapter [17.10](#) GMC. There shall be no outdoor storage or display of products, equipment, or merchandise other than of a type and quantity characteristically found at a single residential dwelling. The appearance of a dwelling shall not be altered to the extent that attention is drawn to the structure as a commercial or business operation.
3. The following uses are prohibited as home occupations in all districts:
 - a. Food and beverage service;
 - b. Retail operations (does not include mail order businesses);
 - c. Vehicle/equipment service and repair (including parts) or machine shop;
 - d. Gymnastics, dance, or recording studios and similar uses;
 - e. Mortuaries.
4. No traffic shall be generated by any home occupation in substantially greater volume than would normally be expected in a residential neighborhood. No vehicle or delivery truck shall block or interfere with normal traffic circulation. If parking for a home occupation occurs in a manner or frequency causing disturbance to the normal traffic flow for the neighborhood, the occupation shall be considered a business best handled in a commercial district rather than as a home occupation.
5. No more than six clients or two employees shall visit per day, and only between 8:00 a.m. and 8:00 p.m.
6. A home occupation shall not create excessive noise, dust or dirt, heat, smoke, odors, vibration, glare or bright lighting which would be over and above that created by a single residential dwelling. The production, dumping, or storage of combustible or toxic substances shall not be permitted on-site; and no materials which are radioactive, poisonous, or corrosive shall be discharged into any sewer, drainage way, water body, or the ground. Additionally, a home occupation shall not cause electrical or communications interference. If any home occupation presents a safety hazard to the public or adjacent or nearby properties, it shall be rendered safe upon notice or terminated.
7. The application shall include a signed affidavit from the business owner/resident pledging continued compliance with all standards.
8. The owner/operator shall provide evidence of any applicable license, certification or registration required by a local, state, or federal agency.

IN-HOME DAYCARE STANDARDS

In-Home Day Care. Where in-home day care services for children are permitted as an accessory use to a residence subject to additional standards (as indicated in Table 5-2), all of the following standards shall be met:

1. The day care provider shall provide evidence of any applicable license, certification or registration required by a state or federal agency.
2. The primary day care provider shall reside on the premises.
3. Outdoor play areas shall be fenced. Outdoor play shall only occur between the hours of 8:00 a.m. and 9:00 p.m.
4. No traffic shall be generated by any day care operation in substantially greater volume than would normally be expected in a residential neighborhood. No vehicle or delivery truck shall block or interfere with normal traffic circulation. If parking for a day care operation occurs in a manner or frequency causing disturbance to the normal traffic flow for the neighborhood, the operation shall be considered best permitted according to applicable regulations as a day care center.