

CHANGE OF USE PERMIT

MAP _____ LOT _____

Zoning District _____ Setback Overlay _____

Town of Cumberland, Maine

***** PERMIT FEE *** \$50.00**

PERMIT # _____

DATE APPLICATION RECEIVED _____

APPLICANT (OWNER)

NAME: _____ PHONE NO: _____

MAILING _____

ADDRESS: _____

DESCRIPTION OF PROPOSED CHANGE: _____

PROPERTY LOCATION: _____

Home Occupations and Home Based Occupations criteria:

Home occupations and Home Based Occupations are permitted in any single or two-family structure or any structure that is accessory to a single or two family structures.

Notwithstanding any provision of this Ordinance to the contrary, the Code Enforcement Officer will approve and issue a Change of Use Permit for Home Occupation and Home -Based Occupation applications that meet the criteria listed below:

Please provide written documentation that your application meets the nine (9) criteria listed below:

- .1 The occupation is owned or operated by a member of the family residing within the dwelling unit, and;
- .2 In the case of a home occupation, no more than two employees who are not members of the family are employed in the occupation, and;
- .3 In the case of a home-based occupation, no more than two employees who are not members of the family are present at the dwelling at any one time, and;
- .4 Objectionable or unreasonable noise, vibration, smoke, dust, electrical disturbance, odors, heat, or glare will not be detectable beyond the property limits, and;
- .5 No traffic in substantially greater volumes than would be normally expected in the neighborhood will be generated, and;
- .6 Off-street parking spaces are provided in an amount to be determined by the Code Enforcement Officer to avoid street congestion, and;
- .7 Exterior displays, exterior storage of materials, and exterior indications of the home occupation or home-based occupation, including signs, are inconspicuous, and
- .8 The existence of the home occupation or home-based occupation does not pose any potential threat to public health, safety, or welfare.
- .9 There be no violation of any private deed restrictions affecting the use of the lot.

A home occupation that does not meet all of the above-listed standards shall require special exception approval from the Board of Adjustment and Appeals.

I _____ certify that the above nine (9) criteria are met.

Print Name

Owner/Agent signature: _____ Date signed: _____

Office use only: TYPE OF USE: _____

CONDITIONS _____ APPROVAL: _____

_____ Date Permit Issued: _____

CODE ENFORCEMENT OFFICER

Sec. 414 Home Occupations and Home-Based Occupations

414.1 Home occupations and Home Based Occupations are permitted in any single or two-family structure or any structure that is accessory to a single or two family structures.

Notwithstanding any provision of this Ordinance to the contrary, the Code Enforcement Officer will approve and issue a Change of Use Permit for Home Occupation and Home -Based Occupation applications that meet the criteria listed below.

- .1 The occupation is owned or operated by a member of the family residing within the dwelling unit, and;
- .2 In the case of a home occupation, no more than two employees who are not members of the family are employed in the occupation, and;
- .3 In the case of a home-based occupation, no more than two employees who are not members of the family are present at the dwelling at any one time, and;
- .4 Objectionable or unreasonable noise, vibration, smoke, dust, electrical disturbance, odors, heat, or glare will not be detectable beyond the property limits, and;
- .5 No traffic in substantially greater volumes than would be normally expected in the neighborhood will be generated, and;
- .6 Off-street parking spaces are provided in an amount to be determined by the Code Enforcement Officer to avoid street congestion, and;
- .7 Exterior displays, exterior storage of materials, and exterior indications of the home occupation or home-based occupation, including signs, are inconspicuous, and
- .8 The existence of the home occupation or home-based occupation does not pose any potential threat to public health, safety, or welfare.

- .9 There be no violation of any private deed restrictions affecting the use of the lot.

A home occupation that does not meet all of the above-listed standards shall require special exception approval from the Board of Adjustment and Appeals.

- 414.2 The granting of a special exception approval or change of use for a home occupation or home based occupation shall apply to the applicant only while the applicant resides at the property.
- 414.31 Applications for home occupations and home-based occupations under Section 414.1 shall be approved in writing by the Code Enforcement Officer. The decision of the Code Enforcement Officer shall be mailed to property owners within 300 feet from the property boundary line. Notice will mailed to property owners within two (2) business days of the permit being issued.
- 414.3.2 Any appeal of the Code Enforcement Officer’s decision as to whether a home occupation or home-based business meets the standards in Section 414.1 must comply with Sections 603.3 through 603.6 of the Zoning Ordinance. Notice of the hearing on the appeal shall be mailed to property owners within 300 feet from the property line.