



HOME OCCUPATION (USE APPROVAL)

General Information

This informational handout lists the requirements for a successful application and approval process. Home Occupations are permitted as an accessory use within a residential district subject to strict regulations. The home occupation use approval process is authorized by City of New Berlin Municipal Code §275-24 and §275-42G(4), which state that the use of any principal or accessory building, structure or land shall not be changed, extended, enlarged, altered or occupied; a site or premise shall not be altered, used, changed, modified, or occupied; and no grading undertaken until first reviewed and then approved. The Administrative Permit process is authorized pursuant to the provisions of Section 275-17 (B) (9) of the City of New Berlin Zoning Ordinance.

It is important to make sure your proposal meets all the requirements set forth in §275-42G(4) of the City of New Berlin Zoning Ordinance in its entirety. **No exceptions, variances, or allowances will be made for home occupations within a residential district.**

If you have any questions, or need more information, please contact the Department of Community Development, Planning Services Staff at 262-797-2445.

Fees (non-refundable)

Application Fee:	\$100
Filing Fee:	\$50

Procedure

Staff shall only review completed applications submitted with all required materials and information and shall only approve plans that meet all the requirements set forth in the Zoning Ordinance.

- 1. Pre-application conference** (optional): The purposes of the pre-application conference are to provide an opportunity for the applicant and the staff to discuss the review process schedule and submittal requirements, the scope of the project, and compliance with the Zoning Ordinance. Staff opinions presented during pre-application meetings are informational only and do not represent a commitment on behalf of the City regarding the acceptability of the development proposal.
- 2. Application and determination of completeness:** All development applications shall be submitted to staff at the Permit Application Center (PAC). An application will be considered complete if it is submitted in the required number and form, includes all mandatory information, and is accompanied by the applicable fee. If an application is determined to be complete by the "Planner of the Day", the application shall be processed, entered into the planning log, and routed by the Administrative Staff to the appropriate "Planner of the Day" that signed in the application. If an application is determined to be incomplete by the "Planner of the Day", the Permit Application Center shall reject the application specifying the deficiencies.
- 3. Staff review and approval:** Once a submitted application is certified as complete, the Permit Application Center and the "Planner of the Day" shall refer the development application to the appropriate review agencies and/or City departments (engineering, inspection, fire, and planning) to review the development application. Any changes to the development application or any accompanying plans or information may be permitted after submittal. Changes or additional submittals may cause the application to be rescheduled for a later meeting and/or re-start the routing and review procedure. If changes to the application are later found to result in an application that is not in compliance with the zoning ordinance, an amendment to the application will be required. If the application meets all the requirement of the Zoning Ordinance a Zoning Permit will be issued within five (5) days.

4. **Plan Commission action:** Applicants may appeal reasons for denial or condition of approval of Zoning Permits issued by the PAC before the Plan Commission at the meeting date written on the application. The request for appeal must be made in writing to the Director of Community Development no sooner than two weeks before the Plan Commission meeting. The Plan Commission may approve, approve with conditions, defer, table, deny with reason, refer to committee, or remove any applications from the agenda.
5. **Occupancy Inspection & Fire Inspection:** Applicant must schedule an inspection through the Inspection Division at the time the Zoning Permit is issued.

Application Check List

§275-24B Development Application

____ Completed Application

§275-20C Fees

____ Paid Fees

____ Schedule Inspection Date

§275-24C(2) Plan of Operation

____ A letter or report describing the project.

- The proposed use of the land, building and/or structures.
- Activities to occur both inside and outside all principal and accessory buildings.
- The frequency and duration of all activities, including the season, days, and hours of operation.
- The total number of employees and number of on-site non-resident employees.
- The number, size and type of all vehicles associated with the use.
- Number of vehicle trips.

§275-24C(3) Site Plans

____ Site Plan drawn to a scale no greater than 1"=100' (4 copies required).

- Property boundaries and dimensions.
- Existing buildings and structures.
- Neighboring uses labeled.
- Zoning setbacks labeled.
- Parking areas, on-site/adjacent access drives and driveway locations for ingress & egress
- Loading and unloading areas.
- Pedestrian access.
- Traffic generation and circulation.
- Outside storage (dumpsters, inventory, trucks, rec. vehicles, etc).

§275-24C(4) Architectural/ Floor Plans

____ Architectural Plans at a scale no smaller than 1/8" = 1' (4 copies required) or 8 1/2" x 11".

____ Building elevation or Property photo suitable for public presentation (4 color copies required).

- Floor Plans – Showing area to be used for Home Occupation.
- Building Elevations or Property Photo (digital photo).
- Scaled color drawing of the sign, if applicable.

§275-21B Incomplete Applications

- All of the information listed is required for a complete application.
- Staff may request additional or more detail information to be provided for adequate review.
- If the required information is not included with the application, it will not be accepted.

§275-21C(2) Plan Revisions

- Based on comments from staff during the review process, the applicant may submit revised plans.
- The required number of copies shall be submitted for all revised plans.