

\$55.00 Application Fee

Application for No-Impact Home Based Business.

ZONING PERMIT APPLICATION FOR NO-IMPACT HOME BASED BUSINESS

1. Address of Subject Property: \_\_\_\_\_
  
2. Zoning District of Subject Property: \_\_\_\_\_
  
3. Applicant's Name, Address, and Phone Number:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_
  
4. Property Owner's Name, Address, and Phone Number:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_
  
5. Present Use of Subject Property: (Check One)  
\_\_\_\_\_ Single Family Dwelling      \_\_\_\_\_ Two Family Dwelling  
\_\_\_\_\_ Multi-Family Dwelling  
\_\_\_\_\_ Other (Please Explain) \_\_\_\_\_
  
6. Describe Proposed No Impact Home Based Business Use of Dwelling:  
\_\_\_\_\_
  
7. Percentage (%) of Habitable Floor Area Devoted to Proposed Business (Divide Square Foot of Habitable Floor area Devoted to Business/Activity by the Total Habitable Square Foot of Floor Area of Dwelling): \_\_\_\_\_ (%)

8. Will the proposed business or commercial activity be administered and conducted as an accessory use which is clearly secondary to the use as a residential dwelling?  
(Please answer Yes or No) \_\_\_\_\_
9. Will the proposed business or commercial activity involve NO customer, client or patient traffic whether vehicular or pedestrian, delivery or removal functions to or from the premises, in excess of those normally associated with residential use?  
(Please answer Yes or No) \_\_\_\_\_
10. Will the proposed no-impact home based business comply with the provisions of the City of Wilkes-Barre Zoning Ordinance.  
\_\_\_\_\_ (Please answer Yes or No)  
\_\_\_\_\_
11. Are there any deed restrictions, covenants or agreements restricting the use of land or any master deed, bylaw or other document applicable to a common interest ownership community placed upon or applicable to the subject property? (Please answer Yes or No) \_\_\_\_\_
12. Fee Paid: \_\_\_\_\_

**I CERTIFY THAT THE INFORMATION SUPPLIED ON THIS APPLICATION IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND FURTHER ATTEST AS A WITNESS THAT THE SIGNATURE IS IN FACT TRUE AND AUTHENTIC.**

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Zoning Permit # \_\_\_\_\_ Official Signature: \_\_\_\_\_ Date: \_\_\_\_\_

current building codes and all other applicable City, County, State and Federal regulations.

- D. Any methadone treatment facility with direct access and/or frontage along a State Legislative Route shall include with its submission of a zoning permit application, a traffic impact analysis prepared by a professional licensed engineer with expertise in transportation and traffic planning. Such analysis shall address the following:
1. The number of vehicle trips expected to be generated during an average weekday including both a.m. and p.m. peak hours of adjacent street traffic.
  2. The number and types of vehicles, with an origin or destination at the subject site, the need for which is generated by said use.
  3. The routes, roadways or streets to reach the methadone treatment facility.
  4. The impact of the levels-of service at intersections within one half ( $\frac{1}{2}$ ) mile of said methadone treatment facility.
  5. Recommended traffic control devices designed to mitigate any documented adverse impact on adjacent roadways.
- E. Required Off-Street Parking - Twelve (12) spaces for every doctor, licensed medical practitioner, and/or counselor; employed at the facility and one (1) additional space for every one hundred (100) square feet of gross floor area. All off-street parking areas shall be adequately lighted, with a lighting plan included within the submission of the required site plan.

702.28            MOTELS AND HOTELS

Motel and Hotel uses shall require that in the case of a corner lot, access drives shall be not less than eighty (80) feet from the intersection of any two streets as measured from the intersection of the right-of-way lines.

702.29            NO IMPACT HOME-BASED BUSINESS

A No Impact Home-Based Business, as defined in Article 2 of this Ordinance, shall be permitted by right in all Residential Zoning Districts and zoning districts in which residences are permitted as a principal permitted use, except that such permission shall not supersede any deed restriction, covenant, or agreement restricting the use of the land, nor any master deed, bylaw, or other document applicable to common interest ownership community. The following standards and criteria shall apply to a No Impact Home-Based Business:

- A. The business activity shall be compatible with the residential use of the property and surrounding residential uses.

- B. The business shall employ no employees other than the family members residing in the dwelling.
- C. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- D. There shall be no outside appearance of a business, including, but not limited to, parking, signs or lights.
- E. The business activity shall not use any equipment or process which creates noise, vibration, glare, fumes, odors, or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- F. The business activity shall not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with a residential use in the neighborhood.
- G. The business activity shall not occupy more than twenty-five (25%) of the habitable floor area.
- H. The business shall not involve any illegal activity.

702.30      OUTDOOR WOOD-FIRED BOILER

An Outdoor Wood-Fired Boiler shall be deemed to be an accessory structure permitted and shall only be located within a rear yard of a property. An Outdoor Wood-Fired Boiler shall comply with the following standards

- A. The property must have a lot area of not less than two (2) acres.
- B. A safe flue or chimney shall be provided which has a minimum termination height of twenty-five (25) feet above the natural ground level upon which the outdoor wood-fired boiler is located and be provided with a spark arresting device designed and approved for that purpose.
- C. A fan or blower attached to the appliance to increase the efficiency of the Outdoor Wood-Fired Boiler.
- D. An outdoor wood-fired boiler shall be located not less than two hundred (200) feet from any property line and not less than forty (40) feet to any principal structure or building located upon the property.
- E. The outdoor wood-fired boiler shall have an orange hang tag that signifies that it meets the EPA's standards for Phase 1 air emission levels of 0.60 pounds of fine particulates per million BTU heat input and qualifies for the EPA's voluntary program.
- F. All outdoor wood-fired boilers shall be installed, operated and maintained in strict conformance with the manufacturer's instructions and the regulations promulgated