



AFFIDAVIT

LEE COUNTY BUSINESS TAX RECEIPT

ORDINANCES RELATED TO:

HOME BASED OCCUPATIONS

AND

TRUCK AND COMMERCIAL VEHICLE PARKING

STATE OF FLORIDA
COUNTY OF LEE

Under penalties of perjury I declare that I have received a copy of ordinances related to the operation of a home based occupation and the parking of trucks and commercial vehicles in residentially and agriculturally zoned districts.

Applicant Printed Name

Business Tax Receipt #

Applicant Signature

Date

DIVISION 18. - HOME OCCUPATIONS; LIVE-WORK UNITS^[23]

Editor's note— Ord. No. [13-10](#), § 10, adopted May 28, 2013, changed the title of Div. 18 from "Home Occupations" to "Home Occupations; Live-Work Units."

Sec. 34-1771. - Intent of division.

It is the intent of this division to allow the operation of home occupations by right in all districts permitting dwelling units, but to regulate them so that the average neighbor, under normal circumstances, will not be disturbed or inconvenienced by them.

(Zoning Ord. 1993, § 513(A))

Sec. 34-1772. - Permitted uses; operation.

- (a) Any use of a residence for a home occupation must be clearly incidental and subordinate to its use for residential purposes by the occupants.
- (b) The use must be conducted entirely within the dwelling unit or customary accessory building.
- (c) No employees other than members of the immediate family residing in the dwelling may be permitted to work at the residence, but may be employed to work elsewhere provided that the employees do not come to the residence for equipment, vehicles, or supplies. Under special conditions, such as a disabled person or retiree needing clerical assistance, the Director may allow one employee who is not a resident of the home to work at the residence.
- (d) There may be no exterior indication that the dwelling is used for any purpose other than a residence, except that one non-illuminated nameplate, not exceeding one square foot (144 square inches) in area, may be attached to the building on or next to the entrance.
- (e) No commodities, stores or display of products on the premises may be visible from the street or surrounding residential area. No outdoor display or storage of materials, goods, supplies or equipment used in the home occupation may be permitted on the premises, unless approved by special exception. Vehicles and trailers for use in connection with a home occupation may not be parked or stored on the premises unless completely enclosed within a building.
- (f) No equipment may be used which creates noise, vibration, glare, fumes, odors or electrical interference objectionable to the normal senses. No equipment or process may be used which creates visual or audible interference in any radio or television receiver off the premises or causes fluctuations in line voltage off the premises.
- (g) No use permitted by this division may generate greater volumes of traffic than would otherwise be expected by normal residential uses.
- (h) No use that attracts customers to the dwelling unit may be permitted under this section.

(Zoning Ord. 1993, § 513(B); Ord. No. 93-24, § 11, 9-15-93; Ord. No. 94-24, § 40, 8-31-94; Ord. No. 96-06, § 5, 3-20-96; Ord. No. 97-10, § 6, 6-10-97; Ord. No. [09-23](#), § 10, 6-23-09; Ord. No. [13-10](#), § 10, 5-28-13)

Secs. 34-1774—34-1800. - Reserved.

Sec. 34-1181. Trucks and commercial vehicles in residentially and agriculturally zoned districts.

- a) Except as provided below, the following types of trucks or commercial vehicles may not be parked or stored on any property zoned AG, RS, RSA, RSC, TFC, TF, RM, MH, RV, PUD, RPD, RVPD, MHPD, or the residential portion of a MPD:
- 1) A tractor-trailer or semi-trailer truck; or
 - 2) A truck with two or more rear axles; or
 - 3) A truck with a manufacturer's Gross Vehicle Weight Rating (GVWR) in excess of 15,000 pounds; or
 - 4) Any truck and trailer combination, excluding a trailer used solely for non-commercial or recreational purposes, resulting in a combined manufacturer's Gross Vehicle Weight Rating (GVWR) in excess of 15,000 pounds.
- b) Exceptions:
- 1) Daytime deliveries or service calls;
 - 2) Trucks and equipment parked or stored within a completely enclosed building in conjunction with an approved home occupation pursuant to section 34-1772;
 - 3) A truck or commercial vehicle parked or stored on any property zoned AG, provided:
 - a. The property is not vacant; AND
 - b. The truck or commercial vehicle is part of and primarily used for a legally permitted agricultural use in existence on the property; OR
 - c. The person operating the truck or commercial vehicle is a resident of the property and is appropriately licensed to drive the truck or commercial vehicle. This provision is intended to allow a resident in the agriculturally zoned districts (AG) to drive one truck home from work. It is not intended to allow a business to be run from the property.
 - 4) Trucks or vehicles used for emergency service work by a person employed by a public utility, when approved by the director, provided:
 - a. The truck or vehicle is parked while the employee is on "emergency on-call status;" and
 - b. Only one emergency service truck is allowed for each employee residing at the property; and
 - c. The truck may not be stored at the property.

(Ord. No. 01-03, §5, 2-27-01; Ord. No. 01-18, § 5, 11-13-01; Ord. No. 03-16, §6, 6-24-03)

Contact Community Development with questions: (239) 533-8329