

- of any public street.
4. Intensity of illumination shall be measured at the property line.

## **ARTICLE VII REGULATIONS APPLICABLE TO SPECIFIC USES**

### **A. SWIMMING POOLS**

Swimming pools and hot tub, shall be permitted as accessory structures.

1. Swimming pools and or hot tubs shall comply with the required yard setbacks applicable to the zoning district in which they are located.

### **B. HOME OCCUPATIONS**

Purpose and intent. The purpose of home occupation standards is to establish minimum requirements for home-based businesses in order to protect the residential character of the City of Rushville, preserve property values, and prevent the hazards to persons and property that can result from residential-commercial land use conflicts

1. The home occupation shall be conducted by a member of the family residing in the dwelling unit
2. The home occupation shall have no employees other than the family member which reside in the dwelling unit.
3. The home occupation shall be conducted on wholly within the primary structure and shall be clearly incidental and subordinate to its use for residential purposes.
4. The home occupation shall not exceed a total area of 500 square feet. The home occupation must utilize no more than twenty-five (25) percent of the gross floor area of any dwelling unit.
5. No face-to-face wholesale/retail sale of stocked inventories is permitted, except for incidental sales that do not exceed 25% of total home occupancies sales. A mail-order/telephone/internet sale, as well as distribution of sold merchandise, is permitted. Manufacturing activities are not permitted.
6. There shall be no change in the outside appearance of the primary structure or premises, or other visible evidence of the conduct of such home occupation.
7. No additional entrances to the primary structure for the home occupation shall be permitted
8. There shall be no alterations to the interior of the primary structure to accommodate the home occupation.
9. Signage is prohibited.
10. Levels of noise, vibration, smoke, dust, electrical disturbance, odors, heat or glare in amounts greater than those normally associated with a residential use shall be produced.
11. No toxic, explosive, flammable, combustible, corrosive, etiologic, radioactive or other restrictive materials shall be used or stored on the site in amounts greater than those normally associated with a residential use.
12. Vehicles associated with the home occupation shall be limited to not more than one (1) vehicle and shall not be larger than one (1) ton.
13. The home occupation shall not necessitate the installation of any additional off-street parking spaces in addition to off-street parking provided for the residential

- structure prior to the on-set of the home occupation.
14. The home occupation not require increasing or enhancing the size, capacity or flow of water, gas, sewer or electrical systems beyond what is present in the primary structure at the on-set of the home occupation.
  15. Service or other small package carries. For the purposes of this Section a commercial vehicles is any vehicles in excess of 16,000 pounds.

### C. BED AND BREAKFAST HOMES

A bed and breakfast home is not intended to change the character of the residential neighborhood, but to coexist with the existing residential neighborhood. The following provisions shall apply to bed & and breakfast homes:

1. A Bed and Breakfast Home shall not be considered a Home Occupation.
2. Bed and Breakfast Home shall be owner occupied
3. The number of employees shall be limited to two (2).
4. Bed and Breakfast Home guests shall be considered transient in nature and accommodations shall not be provided to guests exceeding a period of Thirty (30) consecutive days.
5. Food and drink shall be offered to overnight guests only.
6. There shall be no changes in the exterior of the residence.
7. There shall be no more than five (5) guest rooms.
8. Parking:
  - a. All parking shall be in addition to the parking for the residence in which the Bed and Breakfast is located.
  - b. All parking shall be screened from adjoining property by landscaping or fencing to a height of five (5) feet.
  - c. One (1) parking space per employee plus
  - d. One (1) parking space per guest room
  - e. Illumination:
    - i. Adjacent to residential zones property, maximum three tenths (0.3) footcandle
    - ii. Adjacent to commercial property, maximum five-tenths 0.5 foot candles
    - iii. Illumination shall be down-directed and shielded
    - iv. Light standard (pole) shall not exceed eighteen (18) feet and in keeping with a style compatible with the lights in the location of the bed and breakfast home.
    - v. A lighting plan shall be submitted.
9. Signs:
  - a. One (1) non-illuminated sign
  - b. Wall mounted parallel to the face of Bed and Breakfast Home
  - c. Maximum size of twelve (12) square feet.
  - d. No additional signage is permitted
10. An improvement to location permit shall be obtained.