

# DEPARTMENT OF PLANNING AND ZONING CUSTOMER ASSISTANCE GUIDE

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## HOME OCCUPATIONS REVISED MAY 2006

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Home Occupations are defined by the Zoning Ordinance as, *"Any activity carried out for gain by a resident as an accessory use in the residents' dwelling unit. This definition does not apply to business activities conducted on farms, as permitted by the Zoning Ordinance."* A home occupation is permitted in all zoning districts except WL (Wetlands). Conditions are imposed so that the home occupation does not change the residential character of the neighborhood, and that the use of the dwelling for the home occupation is incidental to its primary use as a residence.

The intent of providing zoning authorization for home occupations is to allow for the growth and development of small businesses. Applicants for home occupations should be aware that when the scale and intensity of their business activity expands to such a level that the business no longer meets the regulations, they need to find a commercial site.

### **SUMMARY OF HOME OCCUPATION RULES & REGULATIONS**

***See Section 3-1.05 (Use #14 & 15) of the Zoning Ordinance for regulations***

- 1. Types of businesses permitted as home occupations.** Home occupations should be service-oriented, as no retail sales are permitted. Any uses that are listed separately in the Land Use Charts of the Zoning Ordinance shall not be permitted as home occupations (e.g., automobile repair, commercial studios, commercial performing arts studios, etc.). Condition #8 provides an exception to this provision for the following uses: non-medical offices, medical offices, office support services, home studios, and personal service uses.
- 2. Square footage of the area that can be used for the home occupation.** The occupation can not utilize more than 600 square feet, including storage. However, the use of a tobacco barn is permitted, regardless of size, with the conditions that (a) the barn shall have been in existence as of the effective date of the Zoning Ordinance (05/01/06); and (b) the barn shall be constructed of wood.
- 3. Location of the business.** The occupation must be conducted within the dwelling or a secondary structure (such as a garage).
- 4. Employees.** The business must be conducted by residents who reside on the premises. (A special exception may be obtained from the Board of Appeals for permission to hire up to two full-time non-resident employees.)

5. **Retail sales not permitted.** No article or commodity may be offered for sale or publicly displayed on the premises except those incidental to the services offered. Off-premise retail sales are allowed.
6. **Parking requirements for a home occupation.** If customers come to the premise (i.e. art classes, beauty salons, etc.), adequate off-street parking must be available so that there is no parking on a right-of-way. If road access to the home occupation is gained through another person's property via an easement/right-of-way, and such access is within 60' of any residence, written approval from those property owners must be obtained.
7. **Home occupations on property that is rented.** If the property is rented, written approval from the owner must be obtained to allow the occupation on the premises. If any violation of the home occupation regulations occurs, the property owner will be held responsible.
8. **Storage associated with the home occupation.** The Zoning Ordinance does not allow outside storage of equipment, materials or items to be repaired. All storage must be kept within the house or accessory building. Such storage is included in the 600 square foot limits.
9. **Sign regulations.** A 4-square-foot sign is permitted for a home occupation. If in a Town Center, Architectural approval may be required before the sign is erected. No sign permit is required, but the following additional conditions apply (See Section 6-8.05.B of the Zoning Ordinance):
  - a. The maximum height of home occupation signs shall be six feet;
  - b. Materials shall be limited to wood or a material that has the appearance of wood;
  - c. No window signs shall be permitted; and
  - d. No internally illuminated signs are permitted.
10. **Other types of licensing.** For home improvement businesses, contractors must also have a Maryland Home Improvement Commission License. For some businesses, a license from the Clerk of the Circuit Court is required, in addition to zoning approval from the Department of Planning and Zoning. If a business license is required, the applicant must provide the approved Home Occupation Permit to the Clerk of the Circuit Court. **The Department of Planning and Zoning will not approve the business license until the Home Occupation Permit has been approved, paid for, and a receipt is provided.**

Clerk of Circuit Court 175 Main Street Prince Frederick, MD 20678 410-535-1600 ext. 2271	Maryland Home Improvement Commission 501 Saint Paul Place Baltimore, MD 21202 410-333-6310
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## APPROVAL PROCESS FOR A HOME OCCUPATION

- STEP 1:** Complete a Home Occupation Permit Application (attached).
- STEP 2:** Submit the Home Occupation Permit Application to the Division of Inspections and Permits, County Services Plaza, Suite 201, Prince Frederick, Md.
- STEP 3:** The permit package will be routed to the Department of Planning & Zoning, who will review it for compliance with the above criteria. If approved, it will then be sent back to the Division of Inspections and Permits for issuance of the permits.

***Application numbers (AP#) are assigned by the Division of Inspections & Permits when the application is accepted. The status of the application can then be checked on-line at:***

**[www.co.cal.md.us/permlkups/default.aspx](http://www.co.cal.md.us/permlkups/default.aspx)**

- STEP 4:** After the permit has received all necessary approvals, the applicant can submit the permit fee (\$30.00) to the Division of Inspections and Permits office. (Make checks payable to the Calvert County Treasurer.) **THE ACTUAL PERMIT CANNOT BE PAID FOR AND PICKED UP ON THE SAME DAY.** After the payment has been processed, the permit can be picked up or mailed to the applicant within 2 business days.

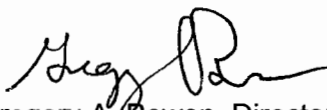
Note: It is recommended that new business owners contact the Department of Economic Development for help in starting a business.

Department of Economic Development  
Courthouse Annex, 176 Main Street  
Prince Frederick, MD 20678  
410-535-1600 ext. 2480

**If you have any questions concerning these regulations or any activities not specifically mentioned, please do not hesitate to call the Department of Planning and Zoning at 410-535-1600, ext. 2356.**

*This publication has been approved by:*

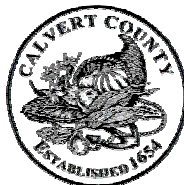
Date: 5/31/00

  
Gregory A. Bowen, Director  
Planning and Zoning

  
Douglas A. Parran  
County Administrator

**APPLICATION FOR  
HOME OCCUPATION PERMIT**

Calvert County Inspections and Permits Division  
150 Main Street, Suite 201  
Prince Frederick, Maryland 20678  
(410) 535-2155 or (410) 535-2156



Office Use Only	
Received by: _____	Date: _____
Home Occupation A/P # _____	
<b>Check the status of your permit online at:</b>	
<a href="http://www.co.cal.md.us/permikups/default.asp">www.co.cal.md.us/permikups/default.asp</a>	

<b>Property Owner Information</b>	Name:		Phone:	
	Mailing Address:			
	City, State & Zip:		E-mail:	

<b>Location Information</b>	Town or Subdivision:		Deed Reference:	
	Premise Address:		City & Zip	
	Tax ID#	Tax Map	Grid	Parcel
	Block	Lot	Section	
	Directions to site from Courthouse:			

<b>Business Information</b>	Business Name:		Phone:	
	Mailing Address:		City, State & Zip	
	Business Owner:		E-mail:	
	Type of Business:			

**HOME OCCUPATION CONDITIONS:**

According to the Calvert County Zoning Ordinance (Section 3-1.05), a home occupation is permitted in all Zoning Districts (except the Wetlands District) subject to the conditions listed below. All employees of the home occupation must reside on the premises unless a special exception is obtained from the Board of Appeals. In such cases, up to two equivalent full-time non-resident employees may work on the premises.

1. The occupation shall be conducted within the dwelling or an accessory structure; and
2. no outside storage of equipment, materials or items to be repaired shall be permitted; and
3. no article or commodity shall be offered for sale or publicly displayed on the premises except those incidental to the services offered; and
4. applicable State Licenses shall be obtained. *Note: For home improvements, contractors must also have Maryland Home Improvement Commission License.*
5. the space occupied by all the occupations on a single site shall not exceed 600 square feet including storage. Exception: The use of a tobacco barn for a home occupation is permitted, regardless of size, with the conditions that (a) the barn shall have been in existence as of the effective date of this condition (05/01/06); and (b) the barn shall be constructed of wood; and
6. if road access to the home occupation is gained through another person's property via an easement type road right-of-way, written approval of those property owners shall be obtained.
7. Condition #6 above applies to all home occupations in which customers come to the premises.
8. Non-medical and medical offices, office support services, home studios, and personal service uses are permitted as home occupations. Other uses that are listed separately in the Land Use Charts shall not be permitted as home occupations (e.g., Automobile Repair, Commercial Studios, Commercial Performing Arts Studios, etc.).
9. Total signage for home occupations shall be restricted to four square feet, and all signs shall be erected at least 10 feet from the edge of the right-of-way. *Note: If the property is located in a Town Center, Architectural Approval of the sign is required prior to erecting the sign.*

Description of how business will operate:

AS OWNER OF THE BUSINESS, I HAVE READ AND UNDERSTAND THE ABOVE CONDITIONS AND SHALL COMPLY WITH THEM.

<b>BUSINESS OWNER'S SIGNATURE:</b>	<b>DATE:</b>
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AS PROPERTY OWNER I UNDERSTAND THAT, IF A VIOLATION OF THE ABOVE CONDITIONS OCCURS, I WILL BE HELD RESPONSIBLE.

<b>PROPERTY OWNER'S SIGNATURE:</b>	<b>DATE:</b>
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<b>APPROVED BY DEPT. OF PLANNING &amp; ZONING</b>	<b>DATE</b>
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