



AFFIDAVIT OF COMPLIANCE WITH HOME BASED BUSINESS  
OFFICE REQUIEREMENTS PURSUANT TO ORDINANCE # 2007-27

CITY OF HIALEAH GARDENS

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ ss:

BEFORE ME, the undersigned authority, personally appeared, \_\_\_\_\_  
who after being duly sworn under oath, states as follows:

- 1- The Home Office is permitted as a secondary, ancillary use to all lawful residential uses in E-1, R-1, R-2, R-1Z, R-1P, R-TH, R-M1, R-M2 zoning districts subject to certain limitations.
- 2- More than one (1) Home Based Business Office may be permitted at any one (1) time in a dwelling unit, provided that each such Home Based Business Office complies with each of the forestated requirements and further provided that the combined total square footage of all Home Based Business Office use in the dwelling unit does not exceed 200 square feet of the living area of the unit, including garages.
- 3- The Home Based Business Office shall not be conducted in any accessory building or the other structure detached from the residence. The area containing the Home Based Business Office shall not have a separate entrance or exit.
- 4- The Home Based Business Office must be conducted by a member of the household residing in the dwelling unit, and no person shall be employed at any time in connection with the Home Based Business Office use who is not a member of the household residing in the dwelling unit, except that a disable individual may employ a personal care attendant as necessary to accommodate a home office on the premises by such individual.
- 5- No sign identifying or advertising the Home Based Business Office may be posted or displayed on the premises and no vehicle with any sign displaying the Home Office use or home office residential address, which might serve to indicate that the dwelling unit is being used for a Home Based Business Office, may be located on the premises, except in a closet garage.

- 6- No customer vendor, client or other patron shall be served in person on the premises, nor shall the Home Based Business Office be conducted in any way which would necessitate the presence of suppliers or patrons on the site, with the exception of deliveries customary to residential use.
- 7- There shall be no display, manufacturing, distribution, or repair of any type of materials, merchandise or other products on the premises. Storage of such items shall be confined to the Home Based Business Office area.
- 8- There shall be no change in the outside residential character of the building or premises as a result of the conduct of such Home Based Business Office use, or any visible evidence thereof.
- 9- No variances shall be granted to the provisions of the Home Based Business Office regulations.
- 10- Home Based Business Office activities shall occur entirely within the residential dwelling.
- 11- No inventory or storage of materials, goods, products or supplies shall be permitted at the residential dwelling, except those minor supplies necessary for the operation of the Home Based Business Office.
- 12- No materials, goods, products or supplies shall be displayed for sale or kept as samples at the residential dwelling, except those which can be readily transported in a hand carrier sample case and/or regular US Postal Service.
- 13- No noise, odor, smoke, hazard or other nuisance of any type shall arise from the conduct of the Home Based Business Office.
- 14- No vehicle with the name of the Home Based Business Office shall be parked or stored on the site.
- 15- The conduct of a Home Based Business Office shall not result in an increase in demand on city services as compared to the average typical residence of the same size.
- 16- Home Based Business Office activities may be advertised or publicized provided that the address of the residential dwelling shall not be referenced, and further provided that any advertisement or publication shall not in any manner invite, attract or draw persons to the single family residence or apartment unit in which the Home Based Business Office is located.
- 17- A Home Based Business Office which does not satisfy all of the above standards at all times during operation shall be prohibited and no license shall be issued to an applicant whose business operation would violate said standards.

- 18- All Home Based Business Office shall be required to obtain and maintain an occupational license from the City of Hialeah Gardens, at an annual fee in accordance with the fee schedule.
- 19- The City of Hialeah Gardens, upon probable cause to believe that there is a violation of one or more of the provisions of this section, may seek permission from the code compliance special master to inspect a property in order to assist in making a finding as to whether or not there is a violation; the City of Hialeah Gardens shall not inspect a property without the afore described permission.
- 20- If the Director or his or her designee believes that a licensee has engaged in conduct warranting the suspension or revocation of a license, he or she shall serve the licensee, by certified mail or by hand delivery, a written administrative complaint which affords reasonable notice to the licensee of facts or conduct that warranted the intended action. The complaint shall state what is required to be done to eliminate the violation, if any. The licensee shall be given adequate opportunity to request a prior administrative hearing unless the Director finds that an emergency condition exists involving serious danger to public health, safety or welfare, in which case advance notice and hearing shall not be required. In case of emergency suspension or revocation, the licensee shall immediately be advised of the Director's action and afforded a prompt post-suspension or revocation hearing before the special master.
- 21- A Home Based Business Office shall have no parking requirement in addition to the requirements for the single-family residence or apartment unit.
- 22- Nothing contained herein shall be deemed to authorize, legalize, or otherwise permit a Home Based Business Office that is otherwise prohibited by a legally enforceable restrictive covenant, association document or other instrument or restriction on such use.
- 23- I shall provide access to a city zoning inspector, upon reasonable notice, to visually inspect to the Home Based Business Office for compliance with the provisions of this section.
- 24- If I object to access, I must object in writing to the licensing administrator and state grounds of objection with reasonable particularity.
- 25- If the licensing administrator overrules the objection, then I shall provide access or appeal to the city council.
- 26- Refusing access shall be just cause for revocation or suspension if license.

FURTHER AFFIANT SAYETH NAUGHT.

\_\_\_\_\_

Affiant

\_\_\_\_\_

Typed / Printed Name

**SWORN TO AND SUBSCRIBED**

Before me this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_

Notary Public State of \_\_\_\_\_

\_\_\_\_\_ My Commission Expires: \_\_\_\_\_

Commissioned Name of Notary Public

Personally know \_\_\_\_\_ or Produced I.D. \_\_\_\_\_