

# Home Occupations

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## Purpose and Intent

In an effort to maintain the residential character and quality of life currently existing in neighborhoods throughout the city, established provisions regulate the operation of businesses in residential areas. These businesses are referred to as Home Occupations.

This brochure is a summary of the Unified Development Ordinance, Section 18.390.140(F) Home Occupations. The brochure is a quick reference guide, and is not intended to replace the Unified Development Ordinance. Any further questions regarding home occupations should be directed to:

Community Planning & Services Division  
8500 Antioch  
Overland Park, Kansas 66212  
913/895-6270

## Types of Businesses Permitted

The types of businesses permitted in a residence are generally limited to those that are **office oriented**. Therefore, sales of items between the proprietor of a home occupation and members of the general public are not permitted *on the premises* of the home occupation. "Members of the general public" does not include people invited by individual invitations. However, sales of items through the mail or sales of items at another location are permitted.

The **repair of items** is permitted as a home occupation only when the delivery and pickup of the items is conducted off the premises. Customers with items to be repaired or serviced are not permitted to drop off or pick up the items at the location of the home occupation. The repair of motor vehicles,

trailers, campers, or boats not registered to the address of the home occupation shall be presumed to be done for compensation, thus resulting in a violation of the home occupation ordinance. Rebuttal of this presumption can occur if the occupant of the residence can document that the repair work is not being done for compensation.

## Area of Use

Home occupations are only permitted to be operated inside the residence, and are not permitted to be located in the garage or in accessory structures on the site; i.e., garages, storage sheds.

In addition, home occupations are permitted to use up to 20% of the floor area of the residence. However, occasional meetings, which use more than 20% of the floor area, may be permitted if such meetings do not occur more than once per month.

## Employees

Employees of home occupations are limited to family members residing on the premises. No other individuals or groups are permitted as employees.

## Parking and Traffic

Parking on the street as a result of the home occupation is not permitted, except for occasional meetings. Businesses generating excessive amounts of traffic are better suited in commercial districts, and will not be permitted in residential areas.

## Signage

No signage or other forms of on-site advertising may be used for the home occupation. In addition, changes or

alterations to the exterior of a residence, which detract from the residential character of the neighborhood, are also prohibited.

## Visitation

Home occupations are permitted to generate a maximum of ten business-related visitations per day, consisting of 10 arrivals & 10 departures by vehicles excluding occasional meetings. A home occupation may attract patrons or any business related individuals only between the hours of 6 a.m. & 9 p.m.

## Nuisance Controls

Home occupations generating an excessive amount of noise, dust, dirt, smoke, odors, etc., are not permitted.

## Complaints and Appeals

The Community Services section of Planning and Development Services is responsible for investigating complaints regarding home occupations. If a home occupation is operating in violation of the City's ordinance, the owner/operator will be given notice of the violation(s). Violation notices may be appealed to the Community Development Committee of the City Council. Contact Planning and Development Services for information regarding the appeal process at 913/895-6217.

## Business Licenses

The City of Overland Park does not require any business licenses for home occupations. However, home occupations must comply with all other local, state or federal regulations for the activity desired. Meeting the requirements of home occupations outlined in the Unified Development Ordinance does not constitute an exemption from other regulations.

## Finally

If you are interested in beginning a home occupation, the City of Overland Park requests that you also contact Johnson County and the State of Kansas to

inquire about any additional regulations or requirements they may have. Please refer to the reverse side of this brochure for the names, addresses and phone numbers of those agencies.

#### **Additional Agencies to be Contacted**

Although the City of Overland Park does not require a business license, other governmental agencies do have additional requirements and/or regulations.

Below are two agencies that should be contacted if you are interested in establishing a home occupation. You are responsible for meeting the requirements of these agencies, as well as any others that are not mentioned in this brochure.

#### ■ State of Kansas

If the sale of items is desired, the State of Kansas requires a sales tax number. Contact the Kansas Department of Revenue at the following address or number:

Kansas Department of Revenue  
915 SW Harrison  
Topeka, KS 66612  
785-368-8222

#### ■ Johnson County

According to the Johnson County Appraiser's Office, all items in the home with an original cost of more than \$250, which are used as a part of the home occupation; i.e., desks, file cabinets, computers, etc., become taxable personal property, and must be listed on your personal property tax rendition. The Appraiser's office can be contacted at the following address or number:

Johnson County Administration Bldg.  
111 S. Cherry  
Olathe, KS 66061  
913/715-5000

Feb. 2012  
Community Services Division  
8500 Antioch, Overland Park, KS 66212  
Ph. 913/895-6270 Fax 913/895-5084  
<http://www.opkansas.org>

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Community Services

## Guidelines for Residents



Planning & Development Services

**OVERLAND PARK**  
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ABOVE AND BEYOND. BY DESIGN.