



## CLEVELAND HEIGHTS

### **ZONING CODE SECTION 1165.02(b.1) OCCASIONAL SALES INCIDENT TO HOME OCCUPATIONS**

Notwithstanding the provisions of subsection *1165.02(b) Home Occupations Accessory to a Dwelling Unit in a Residential District*, the Zoning Administrator may issue a permit for an "occasional sale" to an artist or other craftsperson engaged in art as a home occupation to authorize said artist to sell artwork out of the home on the following terms and conditions:

- (1) A permit for an "occasional sale" shall not be issued more than three times a year for the same premises, and shall be for a period not to exceed three days.
- (2) The sale may occur only between the hours of 9:00 a.m. and 7:00 p.m.
- (3) No merchandise may be sold at the sale other than individual works of art. At least twenty-five percent (25%) of the artwork offered for sale must have been produced on the premises upon which the sale is occurring.
- (4) Subject to the provisions of subsection 1163.06(f), one temporary sign is permitted to advertise the "occasional sale". An "occasional sale" sign shall be categorized as a "garage sale" sign pursuant to 1163.06(f)(1)C.
- (5) No person shall participate in the conduct of the sale other than the artists whose work is being sold and residents of the premises upon which the sale is occurring. In no event shall there be more than five persons engaged at any one time in the conduct of the sale.
- (6) In considering whether to grant an application for a permit for an "occasional sale" the Zoning Administrator shall consider the past history of sales on the same premises or by the same parties, the availability of off-street parking on the premises, the availability of on-street parking in the neighborhood, the density of the neighborhood, the number of customers the sale is expected to draw, and similar factors. Any party aggrieved by the decision of the Zoning Administrator to grant or deny a permit may appeal the Administrator's decision to the Board of Zoning Appeals.