



**Town of North Hempstead  
Department of Building Safety, Inspection & Enforcement**

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## **Requirements for Professional Office Use within a Dwelling**

### **TOWN OF NORTH HEMPSTEAD §70-231 WORD USAGE – PROFESSIONAL OFFICE**

An office maintained by a doctor, dentist, lawyer, teacher, artist, architect, engineer, accountant, ophthalmic dispenser or musician in the dwelling in which such person resides, provided that such office does not occupy more than 50% of the habitable floor space on the first floor or more than 25% of the habitable floor space of a one-story dwelling and not more than one assistant or employee is employed by such person, and further provided that there is no alteration or change to the exterior of such dwelling which modifies its residential character or use, or the use thereof has no feature which is offensive, annoying or harmful to public health, safety or general welfare by reason of noise, glare, vibration, odor, radiation, dust, fumes or undue traffic.

### **NEW YORK STATE RESIDENTIAL CODE – §APPENDIX J 102.5 HOME OCCUPATIONS.**

It shall be prohibited to conduct a home occupation in a dwelling unit except as provided for in §RAJ102.5.1. A home occupation shall be conducted wholly within the primary structure on the premises. No provision of this section shall be construed to repeal, modify or constitute an alternative to any lawful zoning regulation which is more restrictive than this section.

#### **§RAJ102.5.1 Conditions.**

1. The home occupation shall meet all requirements for habitable space and shall not exceed 15 percent of the floor area of the primary structure.
2. No more than one person not residing in the dwelling unit may be employed in the home occupation.
3. Inventory and supplies shall not occupy more than 50 percent of the area permitted to be used as a home occupation.
4. The home occupation shall not involve any operation considered to be hazardous.

### **TWO RESIDENTIAL BUILDING PERMIT APPLICATIONS SHALL BE REQUIRED:**

- 1) For the professional office use within the residence.
- 2) For all construction and alterations required to the dwelling.

**ADDITIONAL PERMIT APPLICATIONS SHALL BE NECESSARY FOR ANY PLUMBING, GAS, HVAC, etc. WORK TO BE PERFORMED.**

**PROFESSIONAL OFFICES ARE CONSIDERED A CONDITIONAL USE, BUT THEY DO NOT REQUIRE APPROVAL BY THE BOARD OF ZONING APPEALS. ANY VIOLATION OF THE CONDITIONS SET FORTH IN THE TOWN ORDINANCE WILL CAUSE THE ABANDONMENT OF THE CONDITIONAL USE PERMIT AND VOID THE CERTIFICATE.**