

**Home-Based Businesses Challenges for Today's Co-ops, Condos
and HOAs** **By A.J. Sidransky**

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[Excerpt]

Restrictions on home-based businesses vary from municipality to municipality and from state to state. In New York City, there are various restrictions already in place that apartment-dwellers must follow, from location to size and, of course, what type of business it is and what they can sell.

New York City's zoning resolutions strictly prohibit advertising or public relations agencies, barber shops, beauty parlors, commercial stables or kennels, depilatory, electrolysis, or similar offices, interior decorators' offices or workshops, ophthalmic dispensing, pharmacy, real estate or insurance offices, stockbrokers' offices, and veterinary medicine and especially, daycare businesses, which would be unacceptable, primarily due to fire regulations. Additionally, regulations don't permit any home business with multiple employees or that require numerous deliveries.

For example, according to the New York City Department of City Planning (DCP) zoning resolution, home businesses cannot sell articles produced off-premises. They can't have outside signs or a display of goods that are visible from the outside. The business can't store materials or products outside of a principal or accessory building or other structure or in certain districts, display a nameplate or other sign except as permitted in connection with the practice of a profession. According to the DCP, businesses cannot make external structural alterations which are not customary in residential buildings, or cause offensive noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare, or other objectionable effects.