

**CITY OF MOUNTAIN BROOK  
NOTICE OF PROPOSED AMENDMENTS TO THE ZONING  
ORDINANCE AND OF PUBLIC HEARING THEREUPON**

Notice is hereby given that at a regular meeting of the Planning Commission of the City of Mountain Brook, Alabama, to be held on September 3, 2024, at 5:30 p.m. in Council Chambers at Mountain Brook City Hall, 56 Church Street, Mountain Brook, Alabama, said Planning Commission will hold a public hearing to consider a proposed amendment to Article XXIII Home Occupations, of the Code of the City of Mountain Brook, as follows:

**“Article XXIII Home Occupations**

**Sec. 129-392. - Applications.**

Applications for home occupations may be approved by the zoning official providing that all of the following regulations and requirements are satisfied. Should the zoning official determine that the proposed application does not satisfy the intent or requirements of this article, then the application may be appealed to the planning commission for review at the next regularly scheduled meeting (this appeal process is not applicable to deviations from client visitation in the districts outlined in Section 129-394 (a)).

**Sec. 129-394. – Clients entering the home occupation**

(a) Home occupations in dwellings in the districts Residence A (lots under 30,000 sf), Residence B, Residence C, Residence D, Residence E, Clustered Residential, Legacy Res F, Mixed Use, Planned Unit Development, Residential Infill, Residence F, and Residence G: Home occupations operated in dwellings and permitted accessory structures in the districts noted in this section, in addition to the other provisions of this article, shall be subject to the following additional condition:

- (1) No customer, client or business invitee may come to or enter the dwelling.

(b) Home occupations in dwellings in the districts Residence A (lots 30,000 sf or more) and Estate Residence: Home occupations operated in dwellings and permitted accessory structures in the districts noted in this section, in addition to the other provisions of this article, shall be subject to the following additional condition:

- (1) No customer, client or business invitee may come to or enter the dwelling without prior written permission of the planning commission.

**Sec. 129-395. - Permitting procedures—Home occupations.**

- (a) *Permit required.* Prior to the use of a dwelling or an accessory structure for a home occupation, an occupant of the dwelling who will be engaged in the home occupation, or his representative, must obtain from the zoning officer a permit for the operation of the home occupation.
- (b) *Application requirements.* To obtain the permit, such occupant or his representative must complete and submit to the zoning officer an application which must contain the following information:
  - (1) The name of the primary occupant of the dwelling;
  - (2) The street address of the dwelling, whether the home occupation will be conducted in the dwelling or in an accessory structure;
  - (3) The type of home occupation which will be conducted;

- (4) Indicate that no clients shall visit the home if the home occupation is in the zoning districts as noted in Section 129-394 (a);
- (5) Whether clients are proposed to visit the home occupation; and a proposed schedule of either individual or group visits (in conjunction with application made to the planning commission) only in districts noted in Section 129-394 (b);
- (6) The number of employees who will be employed or take part in the home occupation and whether any of the employees are not, or will not be, residents of the dwelling;
- (7) The names and resident addresses of all employees;
- (8) The type of equipment, if any, which will be used in the home occupation;
- (9) The hours during which the home occupation will be conducted;
- (10) A description of any motor vehicles which will be used in connection with the home occupation; and,
- (11) Such additional information as the zoning officer, or the planning commission with respect to home occupations subject to section 129-392, may, from time to time, consider necessary for the administration and enforcement of this section; and
- (12) An application fee in accordance with article XXVII of this chapter.
- (13) ~~If the home occupation is to be conducted in a townhouse or an accessory structure thereto, the application for a permit must be accompanied by a statement from the homeowner's association for the townhouse, if any, that the association has no objection to, or restriction against, the intended business use of the dwelling or accessory structure."~~

At the aforesaid time and place, all persons who desire shall have an opportunity to be heard in opposition to or in favor of adoption of the proposed amendment.

**For questions concerning these proposed zoning amendments, please contact:**

Dana Hazen, AICP, MPA  
 Director of Planning, Building & Sustainability  
 205/802-3816  
 hazend@mtnbrook.org

**CERTIFICATION**

I, Tammy Graham, Administrative Assistant for the City of Mountain Brook, Alabama, do hereby certify that I have caused notice of the proposed amendment to the zoning ordinance and of public meeting thereupon set forth above to be published and provided in the manner specified by Article XXV, Sec. 129-431, of the Mountain Brook City Code. I further certify that I have posted said notice in four conspicuous places within the City of Mountain Brook, in the manner and within the time permitted by law, said places being:

Mountain Brook City Hall, 56 Church Street  
 Gilchrist Pharmacy, 2850 Cahaba Road  
 Cahaba River Walk, 3503 Overton Road  
 Overton Park, 3020 Overton Road

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Tammy Graham, Administrative Assistant