

Orange County  
Department of Planning & Zoning



Home Enterprise Packet

# ORANGE COUNTY

## DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT  
128 WEST MAIN STREET  
ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347  
FAX: (540) 672-0164  
[orangecountyva.gov](http://orangecountyva.gov)

### HOME ENTERPRISE CERTIFICATE APPLICATION PROCESS

#### Overview and application submittal

Orange County allows two types of home-based businesses to be operated out of private residences: *home occupations* and *home enterprises*. A *home enterprise* is the more permissive of the two, as it allows a more intensive type of home-based business as well as usage of land around the house as part of the business. The Orange County Zoning Ordinance defines a *home enterprise* as:

“a low-impact, home-based business that is conducted within a single-family dwelling and/or accessory structure on a parcel at least 2 acres in size, along with the passive, incidental use of immediately adjacent land (*the yard around the building(s)*). For the purpose of this chapter, a home enterprise is intended to be more intensive than a home occupation, but remains an accessory use to a dwelling.”

There are certain restrictions placed on home enterprises in order to limit impacts to neighboring residences and the character of the neighborhood and/or area. Zoning permits for home enterprises as well as home enterprise certificates are issued by the Zoning Administrator. They only require an administrative review by the department. In order to obtain a home enterprise certificate, an application (see the checklist below and the attached pages) should be made to the county’s Planning & Zoning department.

<b>Minimum zoning requirements</b>	<b>YES</b>	<b>NO</b>
Is the zoning of the property Agricultural (A)? If the answer is no, STOP – a home enterprise is not a permitted use.		
Is the property at least 2 acres in size? If the answer is no, STOP – a home enterprise is not a permitted use.		
Do you reside in the dwelling in which the business will be conducted? If the answer is no, STOP – you do not qualify for a home enterprise certificate.		

<b>Minimum application requirements</b>	<b>✓</b>	<b>✗</b>
A completed application form (page 5)		
If renting or leasing the property, a notarized authorization form from the property owner (page 6)		
The <i>Certificate of Assumed or Fictitious Name</i> , issued and approved by the Orange County Circuit Court OR proof of business registration with the Virginia State Corporation Commission		

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<b>Minimum application requirements (con't.)</b>	<b>✓</b>	<b>✗</b>
A <u>detailed</u> description of the proposed business and how you will utilize your property to conduct the business. Include any anticipated building alterations and/or proposed signage, as well as the following information: <ul style="list-style-type: none"> <li>• Total number of employees to work on-site</li> <li>• The square footage of the part of the house to be used for the business</li> <li>• The square footage of any accessory structures (i.e. a shed or garage) to be used as part of the business</li> <li>• How the yard around the house will be used as part of the business</li> <li>• Any machinery that will be used, where the machinery will be located or stored, and how/where materials will be stored</li> <li>• The extent of any retail sales and on-site customer/client contact</li> <li>• If applicable, how frequently deliveries to the property are anticipated</li> </ul>		
A Zoning Permit Application		
An Administrative Site Plan (see the available checklist)		

Once submitted, your application will be reviewed by a member of the department staff who will check your application and proposed business for compliance with applicable regulations. If any inconsistencies and / or conflicts are identified, the staff member will notify you in writing within ten (10) business days of the date of application submission. An amended application will be needed if any deficiencies are identified during the review. Once received, the amended application will then be re-reviewed by staff.

The county does not permit the following uses as home enterprises:

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• Vehicle or equipment rentals</li> <li>• Camps and campgrounds</li> <li>• Adult-oriented businesses</li> <li>• Veterinary services (not including pet grooming)</li> <li>• Animal rescues/kennels</li> </ul> | <ul style="list-style-type: none"> <li>• Commercial recreational uses</li> <li>• Medical offices</li> <li>• Junkyards</li> <li>• Salvage operations</li> <li>• Public garages*</li> </ul> |
|--|---|

\* The Zoning Administrator *may* permit an automobile repair garage as a home enterprise on the condition that no more than 5 vehicles are stored/kept outside the garage at any given time. Other factors will also be considered.

### When zoning approval is not required

Generally speaking, if goods are not being produced for onsite or offsite consumption/sale and there is no customer/client contact on the premises, zoning approval for the business is not required. An example would be a home inspector who has his/her office in their house; this would not require zoning approval. If you are unsure if your proposed business meets these criteria, you should contact the department.

### Approval and certificate/permit issuance

When your application is deemed to be approvable, staff will contact you to visit the office to review the requirements of your home enterprise certificate, obtain and sign the approved home enterprise certificate and zoning permit, and to pay applicable fees. Copies of your approved

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certificate, zoning permit, and application are kept on file in the department. The certificate and permit are based upon what is stated and described in your application, so any changes or deviations from your submitted proposal will require a new application and review. Additionally, the home enterprise certificate is issued specifically to a single person and/or business and is therefore not transferrable.

Upon approval from the Planning & Zoning Department, you can then proceed to obtain other approvals, if necessary (including, but not limited to, approval from the Building Official and Health Department). With all necessary approvals in place, you may begin the operation of your home enterprise. If you wish to construct a sign to advertise your new business, please be advised that a sign requires a separate permit application.

### General home enterprise requirements

The following general requirements apply to all approved home enterprises. The Zoning Administrator may establish additional requirements for an approval based on the nature of the business in order to mitigate any identified impacts and to limit nuisances.

- The business owner must reside on the premises, with no more than 2 additional non-family employees being permitted to work on-site at a given time.
- Retail sales conducted on the premises shall constitute only a minor part of the business.
- Materials stored on-site related to the business must be kept under roof and may not be kept out in the open.
- Any machinery/equipment used in conjunction with the business must be located on the property and operated so as not to be a nuisance to neighbors. Regular deliveries to or from the property via tractor trailer are prohibited.
- Only 1 home enterprise OR home occupation will be permitted per property.

### For denied applications

The Zoning Administrator will make every effort to accommodate your proposed home enterprise within applicable regulations. If your application is not approvable, staff will notify you in writing of the denial of your application. In this instance, there are three follow-up options:

1. Revise the application to address the stated reason for denial, in which event it shall be handled as a new application;
2. Appeal the Zoning Administrator's determination to the Board of Zoning Appeals pursuant to Sec. 70-69 of the Zoning Ordinance; or
3. If your business can be accommodated as a special use within your zoning district, apply for a special use permit.

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**APPLICATION FOR HOME ENTERPRISE CERTIFICATE**

The undersigned, being the owner, applicants, or the respective duly authorized agents thereof, do hereby request the approval of a home enterprise certificate and zoning permit for the property and business described below (to also be accompanied by a zoning permit application):

**Business Name:** \_\_\_\_\_

**Property Address:** \_\_\_\_\_

**Proposed Use** (attach detailed business description/proposal): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Applicant:**

Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Property Owner (if not the applicant):**

Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**PROPERTY OWNER RELEASE AFFIDAVIT**

This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_,  
(day) (month) (year)

I, \_\_\_\_\_,  
(owner)

owner of \_\_\_\_\_, give my  
(address and/or tax map number)

permission to: \_\_\_\_\_, to make  
(applicant / lessee)

an application to the Orange County Department of Planning & Zoning

for a home enterprise certificate:

\_\_\_\_\_  
(signature of owner)

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COMMONWEALTH OF VIRGINIA

County / City of \_\_\_\_\_

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

in my County / City aforesaid, by the aforementioned Owner.

\_\_\_\_\_  
(Notary Public)

Notary  
Seal

My commission expires: \_\_\_\_\_