

Orange County
Department of Planning & Zoning



Home Occupation Packet

ORANGE COUNTY

DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT BLDG.
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347
FAX: (540) 672-0164
orangecountyva.gov

HOME OCCUPATION CERTIFICATE APPLICATION PROCESS

Overview and Application Submittal

Operating a business from your home is known as a home occupation. The Orange County Zoning Ordinance defines a *home occupation* as:

“any occupation customarily incidental to and conducted within a dwelling unit or accessory structure on site (such as a garage), in which the business owner resides on the premises, no more than one additional non-family employee works on site at a time, retail sales conducted on the premises constitute only a minor part of the occupation, no mechanical equipment is used that is not customarily incidental to a residence, and there is no evidence, except one sign, that would indicate from the exterior that the building is used for any nonresidential use. For the purpose of this chapter, a home occupation is an accessory use to a dwelling.”

A home occupation under this definition is permitted in the Agricultural (A) zoning district and all residential zoning districts. There are, however, certain restrictions placed on them in order to limit impacts to neighboring residences and the character of the neighborhood and/or area. In order to obtain a home occupation certificate, an application (see the checklist below and the attached pages) should be made to the county’s Planning & Zoning department.

Minimum zoning requirements	YES	NO
Is the zoning of the property: (A), (R-1), (R-2), (R-3) or (R-4)? If the answer is no, STOP – a home occupation 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 occupation certificate.		

Minimum application requirements	✓	✗
A completed application form (page 4)		
If renting or leasing the property, a notarized authorization form from the property owner (page 5)		
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		
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		

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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 the Zoning Ordinance. If any inconsistencies and / or conflicts with the home occupation restrictions are identified, the staff member will notify you in writing within fourteen (14) business days of the date of application submission. If the application is found to be in non-conformance with the Zoning Ordinance, an amended application will be needed which addresses the deficiencies identified by staff. Once received, the amended application will then be re-reviewed by staff.

Approval and Certificate/Permit Issuance

When your application is deemed to meet the requirements of the Ordinance, staff will contact you to visit the office to obtain and sign the approved home occupation certificate and zoning permit, review the home occupation regulations and to pay applicable fees. Copies of your approved 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 occupation 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 occupation. If you wish to construct a sign to advertise your new business, please be advised that a sign requires a separate permit application.

For Denied Applications

The Zoning Administrator will make every effort to accommodate your proposed home occupation within the ordinance requirements. If your application cannot be found to meet the requirements of the Zoning Ordinance, 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 OCCUPATION CERTIFICATE

The undersigned, being the owner(s), applicants or the respective duly authorized agents thereof, do hereby request the approval of a home occupation certificate and zoning permit for the property and business described below:

Business Name: _____

Property Address: _____

Proposed Use: _____

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 occupation certificate:

(signature of owner)

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: _____