



Home Occupation Zoning Compliance Application Packet

This application is required for any home based business that needs a Business License. In order to assure the site can safely support the proposed business, Planning & Zoning may require one or more of the following items prior to issuing a zoning compliance for a Home Occupation.

Applicant Information

- Home Occupation Affidavit
- Home Occupation Application
- Notarized Authorization Letter
- Copy of Article IX, Section 927

The intent of this Article is to recognize the home as a viable location for certain types of occupations; to ensure compatibility of home occupation with the principal residential uses in order to protect the integrity and character of neighborhoods; minimize noise, traffic nuisances, hazardous material usage, and other possible impact to residential areas. Prohibit certain types of businesses that would be incompatible with residential uses or that would ordinarily be used in a commercial or industrial zoning district.

Any change of use to an existing building may also require additional information be provided to the Code Enforcement Dept. Please contact them at 843-915-5090 for information.

*** Applications will be processed within 5 business days***
Please email your application to
zoningapplications@horrycountysc.gov

PLANNING & ZONING DEPARTMENT 1301
2nd Avenue Room 1 D 09
Conway, SC 29526



Phone: (843) 915-5340
Fax: (843) 915-6341

Home Occupation Affidavit

_____, I am a full time resident of the dwelling at
(Name)

(Address of Home Occupation)

Name of the business I will be operating from this address is:

(Name of Home Occupation)

I have read and understand the requirements and standards for a Home Occupation as stated in Article IX, Section 927 of the Horry County Zoning Ordinance. Additionally, I have been provided a copy of this section of the Ordinance.

Any violations of this section of the Zoning Ordinance could result in revocation of the zoning compliance.

I, _____, have reviewed the restrictive covenants applicable to
(Name)

PIN# _____, located at aforementioned address, and the proposed application is not contrary to, does not conflict with, and is not prohibited by any of the restrictive covenants, as specified in South Carolina Code of Laws, Section 6-29-1145. (Explanation below)

(Signature) (Date)

(Print Name)

Explanation:

Effective July 1, 2007, South Carolina Code of Laws 6-29-1145 requires local governments to inquire in the permit application, or in written instructions provided to the applicant, if a tract or parcel of land is restricted by a recorded covenant that is contrary to, conflicts with or prohibits an activity for which a permit is being sought.

For Staff Use Only:

Received by: _____ Date: _____ Energov # _____



Planning & Zoning Department
1301 Second Ave., Suite 1D09
Conway, SC 29526
Phone: 843-915-5340
Fax: 843-915-6340

Email: zoningapplications@horrycountysc.gov

Home Occupation Zoning Compliance Application

Incomplete applications may result in delay or denial of your home occupation

Business Name: _____ Business Type: _____

If business owner does not own the property a notarized authorization letter from the property owner is required.

Business Owner Information

First Name: _____ Last Name: _____
Street Address: _____
Phone Number: _____ Email Address: _____

Business/ Property Information

1. Do you reside at this residence? Yes No
2. Will the home be used for office use only? Yes No
3. Is the business conducted in the home? Yes No
If yes, estimated amount of the home that is used for the business? (in Sq. Ft.) _____
4. Is the business conducted in a detached structure? Yes No
If yes, estimated size of the detached structure? (in Sq. Ft.) _____
5. Do you have service vehicles associated with this business? Yes No
If yes, please list the number of vehicles associated with the business and their type? _____

6. Do you store equipment or materials at the home that are associated with the business? Yes No
If yes, what materials do you have and where are they kept? _____

7. Is this a retail sales business? Yes No
If yes, where are products sold? (please check one) Home Online Other
If you checked other, please explain: _____
8. Is this a home daycare? Yes No
If yes, number of children cared for in home? _____

PLANNING & ZONING DEPARTMENT 1301
2nd Avenue Room 1 D 09 Conway, SC
29526

Phone: (843) 915-5340
Fax: (843) 915-6341



Notarized Authorization Letter

****If business owner owns the property from which they operate the home occupation a notarized letter is not required****

Date: _____

This is to certify that _____ occupies the residence located at
(Business Owner)

_____ identified by PIN# _____. As
(Address)

property owner(s) I/we hereby give permission to allow the following home occupation to be conducted from this residence: _____.
(Type of Business)

(Property Owner Signature)

(Property Owner Signature)

(Print Name)

(Print Name)

If this is completed by a property management company please provide the following information:

(Title of person(s) signing)

(Name of Property Management Company)

(Address)

(Phone Number)

Sworn to (or affirmed) and subscribed before me this the _____ day of _____, 20_____.

Official Signature of Notary

_____, Notary Public
Notary's printed or typed name

My commission expires: _____

SECTION 927 - HOME OCCUPATIONS.

A. IT IS THE PURPOSE OF THIS SECTION TO

1. Recognize the home as a viable location for certain types of occupations;
 2. To ensure the compatibility of home occupation with the principal residential uses in order to protect the integrity and character of neighborhoods;
 3. Minimize noise, traffic nuisances, hazardous material usage, and other possible impact to residential areas.
 4. Prohibit certain types of businesses that would be incompatible with residential uses.
 5. Prohibit certain types of businesses that would ordinarily be a use (permitted or conditional) in a commercial or industrial zoning district.
-

B. THE FOLLOWING CONDITIONS APPLY TO ALL HOME OCCUPATIONS

1. The home occupation is clearly incidental and secondary to the use of the dwelling for residential purposes.
2. The home occupation does not change the character of the residential dwelling when conducted within the dwelling.
3. The owner/operator of the home occupation must either own the property and/or building in which the home occupation is operated or have notarized permission from the property owner.
4. All parking and maneuvering areas required to support the home occupation shall be located on site to the residence.
5. No home occupation shall create excessive noise, dust vibrations, smells, smoke, glare, electrical interference, fire hazard or nuisance to any greater or more frequent extent than that usually experienced in the district on residentially used zoning lots where no home occupation exists.
6. One (1) home occupation sign, provided it is nonilluminated and no larger than two (2) square feet in area and it is mounted against a wall of the principal structure unless otherwise prohibited by deed restrictions.
7. Any home occupation lawfully permitted prior to the adoption of this ordinance will be considered "legal non-conforming". Any legal non-conforming home occupation that ceases to exist for a period of twelve (12) months after the business license expires shall lose its non-conforming status.

C. THE FOLLOWING ARE PROHIBITED HOME OCCUPATION USES

Ambulance Service

Taxi Service

Limousine Service

Trucking Companies

Retail Sales On-site

Trade Shop Uses

Auto Repair Services

Kennels

Welding Service

Medical, Dental, Chiropractic or Veterinary Offices/Clinics

Health Salons, Gyms, Dance Studios, Aerobic Exercise Studios

Restaurants or Taverns

Firearms (Those occupations that entail the manufacturing, sale, lease or rental of firearms/and or ammunition)

Escort Services

Adult Oriented Businesses (examples: private modeling, uncertified massage services)

Drug/Alcohol Counseling Services

Tattoo & Body Piercing

Swimming Pool Companies.

D. HOME OCCUPATIONS – ONE ACRE OR LESS

Home occupations on one (1) acre or less shall be permitted as an accessory use to a residential dwelling in any zoning district excluding AG1, AG2, FA, LFA and CFA provided that all the following conditions are met:

1. The home occupation is conducted entirely within a residential dwelling and/or a fully enclosed attached or detached structure on the same property.
2. No more than thirty-five (35) percent of the floor space of the residential dwelling shall be used for the home occupation and no more than one thousand (1,000) square feet of a detached structure may be used for a permitted home occupation. The home occupation can be located in either the home or detached structure or both.
3. No more than two (2) home occupations per residence will be permitted and no more than two (2) on-residents per business may be employed in the home or detached structure.
4. No more than two (2) service vehicles per acre will be permitted.
5. No outside storage of equipment, supplies, or over-stock shall be permitted with any home occupation.
6. Bulk deliveries to a home occupation shall be limited to one (1) per day.

E. HOME OCCUPATIONS—MORE THAN AN ACRE (INCLUDING MULTI-FAMILY TRACTS)

Home occupations on more than one (1) acre shall be permitted as an accessory use to a residential dwelling in any zoning district excluding AG1, AG2, FA, LFA and CFA provided that all the following conditions are met:

1. The home occupation is conducted entirely within a residential dwelling and/or a fully enclosed attached or detached structure on the same property.
2. No more than thirty-five (35) percent of the floor space of the residential dwelling shall be used for the home occupation and no more than one thousand (1,000) square feet of a detached structure may be used for a permitted home occupation. The home occupation can be located in either the home or detached structure or both.
3. No more than two (2) home occupations per residence will be permitted and no more than two (2) on-residents per business may be employed in the home or detached structure.
4. No more than two (2) service vehicles per acre will be permitted.
5. Outside storage of equipment, supplies, or over-stock must be screened with no less than a six (6) feet high and no more than an eight (8) foot high privacy fence or suitable vegetation. No storage may exceed the height of the screening.
6. Bulk deliveries to a home occupation shall be limited to one (1) per day.

F. HOME OCCUPATIONS—LESS THAN ONE AND ONE-HALF ACRE TRACTS

Home occupations on less than one and one-half (1½) acre tracts shall be permitted as an accessory use to a residential dwelling in any AG1, AG2, FA, LFA and CFA zoning district.

1. The home occupation is conducted entirely within a residential dwelling and/or a fully enclosed structure or detached unenclosed structure for storage of products (such as pine straw, plants, etc.) and machinery on the same property.
2. No more than thirty-five (35) percent of the floor space of the residential dwelling shall be used for the home occupation and no more than one thousand five hundred (1,500) square feet of a detached structure may be used for a permitted home occupation. The home occupation can be located in either the home or a detached structure or both.
3. No more than three (3) home occupation per residence will be permitted and no more than two (2) on-residents per business may be employed in the home or detached structure. Does not apply to off-site employees.
4. No more than three (3) service vehicles per residence will be permitted.
5. Outside storage of equipment, supplies, or over-stock must be screened with no less than six (6) feet high and no more than an eight (8) feet high privacy fence and or planted or existing suitable vegetation. No storage may exceed the height of the screening. No storage shall be forward of the principle residence.
6. These prohibited uses are allowed provided the applicant meets the exceptions:
 - a) Trucking Companies - Exceptions: Companies with no more than three (3) service vehicles parked in the side or rear yard and not forward of the house and screened with no less than an eight (8) feet high privacy fence or natural vegetation.
 - b) Auto/Body Repair Services – Exception: All work is done off site and no storage of automobiles is allowed on-site.

G. HOME OCCUPATIONS—ONE AND ONE-HALF ACRES AND ABOVE

Home occupations on one and one-half (1½) acres and above shall be permitted as an accessory use to a residential dwelling in any AG1, AG2, FA, LFA and CFA zoning district.

1. The home occupation is conducted entirely within a residential dwelling and/or a structure or detached unenclosed structure for storage of products (such as pine straw, plants, etc.) and machinery on the same property.
2. No more than thirty-five (35) percent of the floor space of the residential dwelling shall be used for the home occupation and no more than three thousand five hundred (3,500) square feet of a detached structure may be used for a permitted home occupation. The home occupation can be located in either the home or a detached structure or both.
3. No more than three (3) home occupations per residence will be permitted and no more than two (2) non-residents per business may be employed in the home or detached structure. Does not apply to off-site employees.
4. No more than five (5) service vehicles per residence will be permitted.
5. No storage shall be forward of the principle residence.
6. These prohibited uses are allowed provided the applicant meets the exceptions:
 - a) Heavy Equipment Operations – Allowed on parcels five (5) acres or more.
 - b) Taxi Service – Allowed on parcels five (5) acres or more.
 - c) Limousine Service – Allowed on parcels five (5) acres or more.
 - d) Trucking Companies - Exceptions: If less than 5 acres, companies with no more than five (5) service vehicles parked in the side or rear yard and not forward of the house with no less than an eight (8) feet high privacy fence or natural vegetation. Allowed with no privacy fence on parcels five (5) acres or more.
 - e) Welding Fabrication Shops – Exception: small welding operations for equipment or vehicle repair is allowed.
 - f) Industrial/Commercial Trade Shops - Exception: off-site service related trades and on-site artisan or craftsman shops such as cabinet maker, furniture repair or hobby shops that do not mass produce or manufacture such product.
 - g) Auto/Body Repair Services - Exception: All work is done off site and no storage of automobiles is allowed on-site.

Additional information for certain home occupations

Beauty/Barber salons and dog grooming

1. The business owner needs to contact Code Enforcement to see what requirements for any permits that may be required.
2. Beauty/Barber Salons are allowed only one (1) chair.
3. Groomers are not allowed to board or kennel animals overnight.

Dog/Cat Breeding Operations

1. Breeder and breeding operations must meet the requirements of Horry County Ordinance Section 4-12 before Planning & Zoning can review. Please contact the Horry County Police Dept. at 843-915-5350 for information. They will inspect the business/site to see if it meet these requirements.
2. Planning & Zoning will need a copy of the approved Inspection from Horry County Police before we can take an application or approve the zoning compliance.
3. Breeders will only be allowed in the following Zoning districts with the required acreage:
 - a. LFA, FA, CFA, AG2, AG6 & AG7 requires **1 ½ acres**
 - b. AG4 & 5 requires **5 acres**
 - c. AG1 requires **20 acres**.

Mobile detailing

1. Business must remain mobile and no vehicles can be brought back to the home.

Mobile Repair Services

1. We will allow an office use only at the home, no vehicles are allowed to be stored on site and all repairs must be performed off site.

Prepackaged food sales - (Shaved ice, coffee, popcorn, cotton candy, nachos with cheese, peanuts, etc)

1. SCDHEC exempts these types of businesses under the Cottage Law, because they do not involve the preparation of time/temperature control for safety foods.
2. We will allow an office use only business from the home with the conditions below:
 - a. No retail sales from the home.
 - b. This is not an approved food vending truck and only allowed at private events and approved County special events.
 - c. Temporary vendor permits may be required at certain County special events.

In-Home Daycare

1. In home daycares must meet all applicable requirements of Art. IX, Section 911 of the Zoning Ordinance.
2. Maximum of 5 children are allowed at a home-based daycare.