



COUNTY OF LEXINGTON

COMMUNITY DEVELOPMENT DEPARTMENT

212 South Lake Drive, Ste. 401, Lexington SC 29072 Phone: (803)785-8121 Fax: (803)785-8101

DEVELOPMENT SERVICES DIVISION

HOME OCCUPATIONS

In order to operate a business out of your home, or any accessory structure to your home, you need to obtain a home occupation permit from the Lexington County Zoning Office.

Regulations for a Home Occupation

A home occupation:

- Cannot occupy more than 25 percent of the total floor area of your home and in no event occupy more than 750 square feet of floor area.
- Cannot include the manufacture or repair of transportation related equipment or animal impoundment activities (kennel).
- Is subject to the performance standards contained in the Zoning Ordinance, as applicable.

The following are not permitted as part of a home occupation unless an appropriate variance is granted by the Board of Zoning Appeals:

- Exterior displays, display of goods or chattels visible from the outside, or exhibit on the premises by any method which would indicate from the exterior that the home, or accessory structure, is being used to operate a home occupation.
- Use, in connection with the home occupation, of any mechanical, chemical, or electrical device which would pose a potential hazard to the residential setting, and which may be considered to be an unusual piece of equipment in the residential environment.
- Storage of materials, good, chattels, etc., outside of a principal or accessory building or other structure.
- External structural alterations not customary in residential buildings.
- Traffic generation substantially in excess of that which would normally be expected in a residential setting.
- Employment at the residence housing the home occupation of a person other than a resident of the home.

Process for Obtaining a Zoning – Home Occupation Permit

1. Make sure there are no private deed restrictions or subdivision covenants recorded on the property which would prohibit your home occupation activity. Private restrictions are recorded with the Register of Deeds Office located on the 3rd floor of the County Administration Building, 212 South Lake Drive, Lexington, SC 29072.
2. Visit the Zoning Office located on the 4th floor of the Lexington County Administration Building, 212 South Lake Drive, Lexington, SC 29072, or the [website](#) to obtain an Application for a Zoning – Home Occupation Permit.
3. The Zoning – Home Occupation Permit will be issued at the time the applicant brings in the completed application to the Zoning Office. For the permit fee (payable by cash or check only), call the Zoning Office or view the [online fee schedule](#).
4. If a variance or special exception is needed for a Zoning – Home Occupation Permit, zoning staff will instruct the applicant on the process of applying to appear at a public hearing before the Board of Zoning Appeals; see the online fee schedule link above for Zoning Variance Request (Residential) and Special Exception fees.
5. Call the Zoning Office at (803) 785-8121 with any questions regarding this process.

Can I operate a day care in my home?

Yes. The zoning ordinance allows the care, supervision or guidance of no more than six individuals, counting those who live at the site of the home occupation.

A home occupation day care is not subject to the 25 percent of the total floor area restriction, or the 750 square feet of floor area restriction imposed on other home occupations. The day care may be conducted outside on the premises using yard furnishings customary to the residential setting. Additional traffic generation from one delivery and one pick up of each individual each day shall be considered within the limitations above.

In order to have greater than six individuals at a home daycare a special exception by the Board of Zoning Appeals (BZA) must be made. BZA deliberations shall include, but not be limited to, the following items:

- The size of the residence and the outside recreation area.
- Parking and vehicular access to the residence and its ability to accommodate the drop-off and pick-up of the additional individuals.
- The stated opinions of the surrounding property owners.
- If requested, the acceptability of having an employee who is not a resident of the dwelling unit.

No special exception may be granted for a home occupation day care for the following:

- Care of more than 12 such individuals;
- No special exception for a home occupation day care may extend beyond the operator or site originally granted the special exception.
- The care of both children and adults at the same location.

Frequently Asked Questions

Q: With a home occupation zoning permit, am I allowed to have outside employees come to my home for employment?

A: No. According to Section 21.22g of the Zoning Ordinance, no outside employees are allowed to be employed at the home occupation without a variance from the Board of Zoning Appeals.

Q: Am I allowed to post a sign outside of my home for my home occupation?

A: No. There is no provision in the Ordinance to allow a sign to be posted at a residence with a home occupation.

Q: With a home occupation permit, am I allowed to have regular walk-in customers?

A: According to Section 21.22e of the Zoning Ordinance, regular walk-in customers are allowed as long as the traffic generation is not substantially in excess of that which would be normally expected in the residential setting