

Winston Salem

Section 5.3 Accessory Uses and Structures

D. HOME OCCUPATION

1. PURPOSE

a. The intent of this section is to permit certain home occupations under reasonable safeguards, but not to encourage their development or expansion in violation of the regulations governing the residential

districts.

b. This section sets forth the special conditions home occupations must meet to insure compatibility with existing residential uses.

2. PERMITS

a. The Director of Inspections, in the issuance of a zoning permit for a home occupation, shall determine that all prescribed conditions are met.

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WINSTON-SALEM/FORSYTH COUNTY UDO 5-109 LAST UPDATED: 7.1.21

Italics text: Applicable in Winston-Salem only Underlined text: Applicable in Forsyth County only

b. Such permit shall be revoked upon a finding that any home occupation established under this Ordinance fails at any time to meet the requirements prescribed herein.

i. ZONING PERMITS

Zoning permits may be issued by the Director of Inspections for the following service occupations:

1. The office or studio of an accountant, planner, architect, surveyor, artist, attorney, author, ceramist, clergyman, engineer, interior designer, landscape architect, musician, photographer, dentist, physician or other licensed medical practitioner, teacher of not more than three (3) pupils on the premises at any time, or practitioners in similar fields of service.

2. Other services such as dressmaking, home handicrafts, tailoring, millinery, nameplate making, home cooking, baking or preserving, and telephone or mail services.

3. Lodging, or boarding and lodging, of not more than three (3) residents, where the owner is an occupant of the property. All lodging or boarding of residents under the home occupation

provisions must be registered with the Director of Inspections when established.

ii. SPECIAL USE PERMITS

1. Special use permits may be issued by the Board of Adjustment in rural areas (GMAs 4 and 5) for construction contracting and motor vehicle repair provided such home occupations meet the characteristics of and the prescribed use conditions for home occupations.

2. A special use permit for such use shall be issued for a period of up to three (3) years in order to provide for automatic review by the Board of Adjustment.

3. CONDITIONS

The following conditions apply to home occupations.

a. INCIDENTAL AND SECONDARY USE

A home occupation shall be a clearly incidental and secondary use to the principal use as a residence by the person conducting the occupation.

b. NUMBER

i. Only one home occupation shall be permitted per principal dwelling unit.

ii. The home occupation may be operated only in the principal dwelling unit or in an accessory building, as permitted herein.

c. IMPACT

A home occupation shall not increase significantly traffic, noise, electrical interference, glare, dust, smoke,

or odors.

d. EXTERIOR

No exterior evidence of the presence of a home occupation shall be permitted except as hereinafter provided, nor shall the exterior character of the dwelling unit be changed.

e. PARKING

i. Off-street parking shall be provided in compliance with Section 6.1, Off-Street Parking and Loading.

ii. Any parking area in addition to what is provided on the site at the time of application for the home occupation which is required to meet the standards of Section 6.1, Off-Street Parking and Loading shall be

located to the rear or side of the principal dwelling unit.

f. DISPLAYS

There shall be no salesroom or display window.

g. SIGNS

i. No sign announcing the presence of a home occupation shall be permitted other than one occupancy sign not more than one hundred forty-four (144) square inches in area.

ii. Additionally, the use of neon or illuminated signs which are visible from the exterior of buildings containing home occupations, including signs inside buildings, shall be prohibited.

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h. EMPLOYEES

Only members of the family residing in the principal dwelling unit and not more than one other employee

may be employed in the operation of a home occupation.

i. FLOOR AREA

The floor area of the principal dwelling unit used for the home occupation shall not exceed twenty-five percent (25%) of the gross floor area of the dwelling unit, except where lodging is provided for resident guests.

j. BOARDING AND/OR LODGING

Boarding and/or lodging of not more than three (3) resident guests shall be permitted only within the principal dwelling unit.

k. OUTDOOR STORAGE - URBAN AREAS

i. Home occupations in urban areas (GMAs 1, 2 and 3) shall be conducted entirely within the principal dwelling unit.

ii. No outside storage is permitted for home occupations in urban areas.

l. OUTDOOR STORAGE - RURAL AREAS

i. Outdoor storage for home occupations occurring within the principal dwelling unit in rural areas

(GMAs 4 and 5) must be located on a zoning lot of three (3) acres or greater and is limited to one thousand

(1,000) square feet.

ii. Said outdoor storage shall be located behind the principal dwelling unit and shall be screened by an opaque fence or wall and gate at least six (6) feet in height.

m. ADDITIONAL REQUIREMENTS

i. Home occupations in rural areas (GMAs 4 and 5) shall be conducted either within the principal dwelling unit or within an accessory building located on the same zoning lot as the principal dwelling unit.

ii. Where an accessory building is used for a home occupation, the home occupation shall meet the following additional requirements:

1. LOT SIZE

Be located on a zoning lot of three (3) acres or greater;

2. SETBACKS

Be set back from adjacent property lines, private roads, and public rights-of-way one hundred (100) feet;

3. LOCATION

Be located behind the principal dwelling or two hundred (200) feet from any private road, public right-of-way, or property line;

4. BUFFERYARD

Have a type II bufferyard around the use;

5. PARKING AND STORAGE

5.01. Have no more than one thousand (1,000) square feet devoted to parking and outdoor storage including storage of motor vehicles awaiting repair at a motor vehicle repair home occupation.

5.02. Said outdoor parking and outdoor storage of materials shall be located behind the principal dwelling unit or accessory building and shall be screened by an opaque fence or wall and gate at least six (6) feet in height.

6. BUILDING AREA

Have no more than one thousand (1,000) square feet of building area devoted to the home occupation.

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7. OTHER REQUIREMENTS

Meet all other dimensional and height requirements for the zoning district in which the home occupation is located.