Town of North Stonington
Planning and Zoning Commission

Application for Accessory Apartment

Application Number: _____ Receipt Date: _____

Applicant Information:
Name: _____
Mailing Address: _____
_____
_____

Contact Info: Phone: _____ Fax: _____ E-mail: _____

Owner of Record:
Name: _____
Mailing Address: _____
_____
_____

Contact Info: Phone: _____ Fax: _____ E-mail: _____

Property Location: _____

Assessor Parcel Information: Map: _____ Lot: _____

Zoning District Of Property: _____
R40 - R60 - R80 – C1 – C2 – VC - HC – I – OR - CD

Restrictive Overlay Area: _____
N/A – VP – AP - SU

Type of Accessory Apartment: _____
Qualified Affordable – In-Law – Commercial Caretaker – Residential Caretaker

PLEASE ATTACH DETAILS OF ACCESSORY APARTMENT PER ATTACHED CHECK SHEET.

The applicant and property owner above are applying for an Accessory Apartment Permit Approval as specified above and in accordance with the Zoning Regulations of the Town of North Stonington.

_____ _____
Date Signature (Applicant)

_____ _____
Date Signature (Property Owner of Record)

FOR OFFICE USE ONLY:
Disposition and action taken by the Wetlands Board/Insignificant and Rights of Use Permit by the Wetlands Officer.
_____
_____

DATE APPROVED:_____ CHAIRMAN_____

WETLANDS ENFORCEMENT OFFICER:_____

The above stated proposal is hereby certified to comply (___), not comply (___) with the Town of North Stonington Zoning Regulations. ***(Zoning Permit is Valid for 12 Months from date of issuance)***
Stipulations:_____
_____
_____

SIGNATURE ZEO:_____ Date_____

ACCESSORY APARTMENTS – APPLICATION HANDOUT

Revised 06/24/10

The following information is necessary to properly review your application

Completed Application & Fee (Note: Application and materials submitted may be submitted to the Planning and Zoning Commission for review and comment prior to issuance of a Zoning Compliance Permit.) ***NOTE: It is the applicant's responsibility to supply the following information.**

If the property is subject to a Conservation Easement/Restriction you are required to submit proof that written notice of this application was made, by certified mail, to the party holding such restriction not later than 60 days prior to filing this permit application or submit a letter from the holder of the restriction verifying that the application is in compliance with the terms of the restriction.

Please provide the following information:

Type of Accessory Apartment proposed:	
Attached/Detached?	
If Detached: Provide distance to primary residence:	
Number of parking spaces provided for tenants:	
Shared Utilities? (electric, heat, water, septic)	**Y/N**
Separate Exterior Entrance?	**Y/N**
Lot Size – Total Acreage provided	

Plot Plan drawn to scale containing the following information:

North Arrow and Scale

Improvements to approved building lot showing:

- All structures located on the property (principal and accessory)
- Adjacent boundary lines and distances
- Required Zoning District setback lines
- Driveway location (if applicable)
- Location of well (if applicable) and septic system
- Location of any easements (if applicable)

Labeled use of all rooms within the accessory apartment **or** indicate location of area within the principal dwelling to be used as Accessory Apartment and label the use of all rooms within Apartment.

Please provide copies of the following:

- Copy of the **Current Deed** *(Available from Town Clerk's Office)*
- Copy of **Property Card** *(Available from Tax Assessor's Office)*
- Copy of **Tax Map/Plot Plan** *(Available from Tax Assessor's Office)*
- Copy of any **ZBA variances** (if applicable) *(Check in Land Use Office)*
- Copy of the written notification or letter from the holder of any Conservation restriction on the property.

See Attached regulations for specific type of Accessory Apartment for possible additional required documentation to be submitted with application.

Building Plans to scale showing:

Existing & proposed building/addition with dimensions
Profile views from all sides

A Zoning Compliance Permit is required before the issuance of a Building Permit (205.3)

An As-Built plan may be required prior to issuance of a Certificate of Zoning Compliance

NOTE: If proposal encroaches on the Building Set back line, the property line may have to be marked in the field for inspection prior to permit approval.

ACCESSORY APARTMENTS – APPLICATION HANDOUT

Revised 06/24/10

1401 ACCESSORY APARTMENTS

The following general provisions apply to all accessory Apartments (Qualified Affordable, In-law, Residential Caretaker, and Commercial Caretaker).

A. The accessory apartment may be either attached or detached provided the following additional criteria are met:

1. Detached Accessory Apartment

a. The location and appearance of the structure is consistent with the overall character of the lot and/or surrounding neighborhood.

b. The lot shall be double the size of the minimum lot area requirement for the zone in which the property is located.

2. Attached Accessory Apartment

a. The space devoted to the accessory apartment within the principal residence, or non-residential building in the case of a commercial caretaker apartment, must contain a separate exterior entrance (above-grade).

b. At least one (1) side of the accessory apartment shall be at or above grade.

c. The minimum lot size shall be that of the underlying zone in which the property is located.

3. Exterior Building Design

The building, upon establishment of the accessory apartment, shall:

a. retain the exterior architectural style of the primary residence and shall "maintain" the appearance of a single family residence (if commercial caretaker apartment, the accessory apartment shall retain the exterior architectural style and appearance of the non-residential building to which it is associated);

b. have any secondary entrance incorporated into the principal residence (or principal non-residential unit) to reflect the architectural style of a single-family unit (or existing non-residential unit for a commercial caretaker apartment); and

The building, upon establishment of the accessory apartment, may:

a. be serviced by the same water and septic systems serving the principal residence (or principal non-residential building for a commercial caretaker apartment) provided such service complies with all current requirements of the Public Health Code; and

b. share utilities (electric and heat) with the primary residence (or principal unit), however, but this is not a requirement of the Commission.

B. No accessory apartment shall be approved as an accessory to a duplex residential or multi-family residential use.

C. Access and Parking

1. No additional curb cuts shall be created to serve the accessory apartment. Access from the public right-of-way shall serve both the principal residence/unit and accessory apartment.

2. At least four (4) off-street parking spaces (which may include garage and driveway spaces) shall be provided to serve both the principal dwelling and the accessory

apartment. Such parking shall not be located in the required front, side, or rear yard setback.

a. For a Commercial Caretaker Accessory Apartment, two (2) additional spaces than what is required for the principal non-residential use, are required for the accessory apartment, unless waived by the Commission. Such parking shall not be located in the required front, side, or rear yard setback.

3. Parking spaces shall be screened from abutting property lines by fences, vegetation, or earthen berms. Where existing topography, site conditions, and/or landscaping will effectively screen parking from an abutting residentially zoned area, the Planning and Zoning Commission may modify the above screening and setback requirements with a ¾ vote of the entire commission.

1402 ACCESSORY APARTMENT, QUALIFIED AFFORDABLE

The purpose of this regulation is to facilitate construction of affordable accessory apartments throughout the residential zones in compliance with the requirements of Connecticut General Statutes Section 8-30g (as amended) and the goals of the North Stonington Plan of Conservation and Development to maintain the rural character of the town and to provide diverse housing opportunities.

Qualified Affordable Accessory Apartments shall be permitted as an accessory use to a single family house in any residential zoning district in accordance with the standards contained herein.

In addition to the general provisions outlined in Section 1402, the following additional criteria apply to a Qualified Affordable Accessory Apartment.

1402.1 Affordability Plan

A. The housing expenses for the apartment shall not exceed thirty (30) per cent of the renter's income, and such income must be less than or equal to eighty (80) per cent of the median income of the area as prescribed in the Connecticut General Statutes Section 8-30g (as amended).

B. A binding deed restriction containing covenants and restrictions in conformance with the Connecticut General Statutes Section 8-30g (as amended), shall be recorded in the North Stonington Land Records.

C. Deed restrictions shall be for a minimum period of one (1) year from the date of original occupancy of the apartment.

D. The Tax Assessor of the Town of North Stonington shall be responsible for the administration of the affordability plan and its compliance with the applicable income limits and sale price or rental restrictions for the duration of any affordability restrictions.

E. The owner of the property, who must be a natural person in whom the fee title of the subject premises is vested, shall certify by a sworn affidavit that he or she will occupy the principal dwelling unit as a condition of maintaining the validity of the Qualified Affordable Accessory Apartment. This statement shall be recorded on the land records against the name of the owner and shall be a condition of the Affordability Plan. Failure to comply with the owner occupancy requirements herein shall be deemed a violation of these regulations.

1402.2 Only one (1) qualified affordable accessory apartment shall be permitted for each lot.

1402.3 A standard notice, approved by the Town Attorney, shall be filed on the land records of the Town stating that the property contains a qualified affordable accessory apartment and that it is not approved for use as a duplex residence.

1402.4 Both the existing house and the proposed qualified affordable accessory apartment shall demonstrate compliance with the Connecticut Public Health Code.

1402.5 No more than four (4) individuals shall reside inside of the qualified affordable accessory apartment.

1402.6 Design of Accessory Affordable Apartment

A. The qualified affordable accessory apartment shall contain no more than two (2) bedrooms, one (1) bath, and (1) kitchen.

B. The qualified affordable accessory apartment shall be no less than four hundred (400) square feet and shall not exceed seven hundred (700) square feet for one (1) bedroom units, and no more than nine hundred (900) square feet for two (2) bedroom units unless, in the opinion of the Commission (¾ vote of the entire commission required), a greater amount of floor area is warranted by the specific layout or circumstances of the particular building, provided that in no event the Accessory Affordable Apartment shall have a square footage that is more than thirty (30) percent of the total square footage of the house.

1402.7 The Qualified Accessory Affordable Apartment shall comply with all the specific requirements of Connecticut General Statute 8-30g (k)(A-F) including the requirements of the definition of Accessory Apartment.

1403 ACCESSORY APARTMENT, IN-LAW

The Commission recognizes that many families need, on a temporary basis, to provide housing for members of their extended families. Accessory, in-law apartments, may therefore be permitted as accessory uses to single-family dwellings.

In addition to the general provisions outlined in Section 1402, the following additional criteria apply to the In-law Accessory Apartment:

1403.1 Only one (1) in-law accessory apartment shall be permitted for each lot.

1403.2 The owner of the property, who must be a natural person in whom the fee title of the subject premises is vested, shall certify by a sworn affidavit that he or she will occupy either the principal dwelling unit or the in-law accessory apartment; and such sworn affidavit shall be updated during each tax revaluation year and prior to any transfer of ownership indicating that an owner does or will occupy either the principal dwelling unit or the in-law accessory apartment. The sworn affidavit shall be sent via certified mail to the Town of North Stonington Planning and Zoning Commission by the property owner.

1403.3 A standard notice, approved by the Town Attorney, shall be filed on the land records of the Town stating that the property contains an in-law accessory apartment and that it is not approved for use as a duplex residential dwelling unit.

1403.4 Both the existing house and the proposed accessory in-law apartment shall demonstrate compliance with the Connecticut Public Health Code.

1403.5 No more than two (2) individuals shall reside inside of the in-law accessory apartment.

1403.6 In-law accessory apartments shall not be rented for income.

ACCESSORY APARTMENTS – APPLICATION HANDOUT

Revised 06/24/10

1403.7 The in-law accessory apartment may be occupied only by parents, siblings, grandparents, great grandparents, children, grandchildren, great grandchildren, aunts, uncles, nieces, nephews, or first cousins of one or more persons who occupy the remainder of the principal dwelling.

1403.8 Design of In-law Apartment

A. The space devoted to the in-law apartment *within* a single-family dwelling must be interconnected by at least one doorway to the remainder of the dwelling, so that a person could gain access to the in-law apartment from an interior doorway serving the remainder of the house, and vice versa.

B. At least one (1) side of the accessory dwelling unit shall be at or above grade with any additional egress being at, or above grade.

C. The in-law apartment shall contain no more than one (1) bedroom, one (1) bath, and (1) kitchen.

D. The in-law apartment shall be no less than four hundred (400) square feet and shall not exceed seven hundred (700) square feet unless, in the opinion of the Commission (¾ vote of the entire commission required), a greater amount of floor area is warranted by the specific layout or circumstances of the particular building.

1404 ACCESSORY APARTMENT, COMMERCIAL CARETAKER

In OR, CD, C1, C2, or I Districts, one dwelling unit may be permitted, as an accessory use, either attached to or detached from the permitted, non-residential principal use, provided the occupant is an employee of the permitted, non-residential use.

In addition to the general provisions outlined in Section 1402, the following additional criteria apply to the Commercial Caretaker Accessory Apartment:

1404.1 One (1) commercial caretaker accessory apartment shall be permitted per lot.

1404.2 The occupant must be employed as a caretaker, manager, or security guard by the permitted non-residential principal use.

1404.3 Accessory structures to the commercial caretaker accessory apartment are prohibited.

1404.4 Design of Commercial Caretaker Accessory Apartment

A. The minimum principal dwelling section floor area of the commercial caretaker accessory apartment shall be no less than four hundred (400) square feet and shall not exceed seven hundred (700) square feet for one (1) bedroom units, and no more than nine hundred (900) square feet for two (2) bedroom units unless, in the opinion of the Commission (¾ vote of the entire commission required), a greater amount of floor area is warranted by the specific layout or circumstances of the particular building.

B. The external architecture of the dwelling section of the building shall be the same as that of the permitted non-residential principal use.

C. Exterior evidence of residential occupancy shall be buffered or screened.

1405 ACCESSORY APARTMENT, RESIDENTIAL CARETAKER

Families may need assistance to maintain a property, and/or household, (to include on-going care for an occupant) on a temporary basis or provide housing for a paid staff member. Therefore, the

purpose of this regulation is to provide housing as an accessory use to a principal single-family residential use in a structure that is attached to or detached from the principal residential structure, and that is inhabited by an individual or individuals engaged in the maintenance, operation, or overseeing of the principal residence and lot.

In addition to the general provisions outlined in Section 1402, the following additional criteria apply to the Residential Caretaker Accessory Apartment.

1405.1 Only one (1) residential caretaker accessory apartment shall be permitted for each lot.

1405.2 The owner of the property, who must be a natural person in whom the fee title of the subject premises is vested, shall certify by a sworn affidavit that he or she will occupy either the principal dwelling unit or the residential caretaker accessory apartment; and such sworn affidavit shall be updated during each tax revaluation year and prior to any transfer of ownership indicating that an owner does or will occupy either the principal dwelling unit or the residential caretaker accessory apartment. The sworn affidavit shall be sent via certified mail to the Town of North Stonington Planning and Zoning Commission by the property owner.

1405.3 The owner of the principal residence shall be the owner of the residential caretaker accessory apartment.

1405.4 A standard notice, approved by the Town Attorney, shall be filed on the land records of the Town stating that the property contains a residential caretaker accessory apartment and that it is not approved for use as a duplex residential dwelling unit.

1406.5 No more than four (4) individuals shall reside inside of the residential caretaker accessory apartment.

1405.6 The residential caretaker apartment may be occupied only by an employee of the property owner(s) employed to assist in the maintenance of the property and/or household. The owner of the property shall submit a sworn affidavit that the individuals(s) living in the caretaker apartment are employed by the owner of the property for the purpose of maintaining the property and/or household.

1405.7 Design of Residential Caretaker Accessory Apartment

A. The residential caretaker accessory apartment shall contain no more than two (2) bedroom, one and one half (1.5) bath(s), and (1) kitchen.

B. The minimum floor area shall be four hundred (400) square feet and shall not exceed seven hundred (700) square feet for one (1) bedroom units, and shall be no less than seven hundred (700) square feet and shall not exceed 1,200 square feet for two (2) bedroom units unless, in the opinion of the Commission (¾ vote of the entire commission required), a greater amount of floor area is warranted by the specific layout or circumstances of the particular building.

C. The residential caretaker accessory apartment may utilize the existing septic disposal system if approved by the Town Sanitarian; however, the Town Sanitarian may require that the apartment be served by an independent septic disposal system.