

# Accessory Dwellings

## Accessory Dwelling Working Group Draft 4-3-17

	Element	Approved by County Board	Issues	Comment or Option Discussed
1	Type of Unit	Interior ADs only	Unable to turn a detached garage into an AD	Options: <ul style="list-style-type: none"> <li>Maintain existing setbacks and footprint for accessory buildings but increase 1' setbacks to 3' for new construction</li> <li>Allow only 1 ½ stories and a maximum of 850 square feet</li> <li>Cannot be higher than main house</li> </ul>
2	Type of House	Allow in one-family dwellings in all R districts (does not include RA districts)	Townhouses are not allowed	Element skipped
3	Lot Area & Width	Minimum lot width of 50' and lot must conform to all regulations of its zoning district.		Options: <ul style="list-style-type: none"> <li></li> </ul>
4	Approval Process	Interior: Administrative process Detached: N/A		Options: <ul style="list-style-type: none"> <li>Leave as an administrative process for interior</li> </ul>
5	Size Limits	Interior: Maximum of 750 sq. ft. or 1/3 the size of the house and AD combined, <i>whichever is less</i> Detached: N/A	If converting a space, like a basement, that is larger than 750 sq. ft. then you need to partition off part of the space.	Comments: <ul style="list-style-type: none"> <li>Would like to allow for more flexibility while maintaining accessory nature</li> </ul> Option: <ul style="list-style-type: none"> <li>35% of GFA up to a maximum of 1,000 square feet</li> </ul>
6	Owner Occupancy Requirement	Yes; no waivers allowed, owner has to have lived in home at least a year	New home builders would like to be able to create single-family homes with an AD	Comments: <ul style="list-style-type: none"> <li>Get input at forum on owner occupancy requirement</li> </ul> Options: <ul style="list-style-type: none"> <li>Must be owner occupied but remove owner has to have lived in home at least a year</li> <li>Remove owner occupancy requirement and remove owner has to have lived in home at least a year</li> </ul>
7	Maximum Occupancy	Maximum of 2 occupants	Doesn't allow for a couple with a young child.	Comments: <ul style="list-style-type: none"> <li>Would like to allow for more than 2 persons if one is a minor</li> <li>Ask attorney if possible to add a third person if below a certain age</li> </ul>
8	Owner provision of access for code enforcement staff	Owner agrees to cooperate with Code Enforcement staff for annual inspections and for complaints.		Options: <ul style="list-style-type: none"> <li>Leave as is</li> </ul>

9	Deed Covenant	Required	Obtaining financing for a rental unit is problematic if the bank charges commercial rates rather than the residential rate	<p>Comments:</p> <ul style="list-style-type: none"> <li>• Would like a mechanism that alerts new homeowner to AD requirements</li> <li>• Can new owner get notified when sale happens that they need to file an affidavit of compliance</li> <li>• Look at what other jurisdictions do</li> </ul>
10	Certificate of Occupancy	Required at initial occupancy		<p>Options:</p> <ul style="list-style-type: none"> <li>• Require at initial occupancy only</li> <li>• Remove from list of elements since the certificate of occupancy is already required</li> </ul>
11	Affidavit of Compliance	Required at initial occupancy and whenever new tenant(s) move in		<p>Options:</p> <ul style="list-style-type: none"> <li>• Require at initial occupancy only</li> </ul>
12	Parking Requirements	Parking survey required; parking requirements if over 65% parked	No process devised to perform the required parking survey should someone wish to have an AD who has no off street parking	<p>Option:</p> <ul style="list-style-type: none"> <li>• If you have an existing off-street space, you are allowed to create an AD but you must maintain that existing off-street space</li> <li>• If there is no off-street space, you either need to create one or conduct a parking survey. If the block is less than 65% parked, you can create an AD.</li> </ul>
13	Design Guidelines	-AD door cannot be on the same side of house as the main entrance. -AD on corner lot cannot have its entrance visible from street -Exterior stairs to 2 <sup>nd</sup> floor dwelling cannot be visible from the street	Single family homes are allowed to have two entrances on the front side of the house, but you can't have the AD door on the same side as the main entrance.	<p>Option:</p> <ul style="list-style-type: none"> <li>• AD door cannot be on the same side of house as the main entrance.</li> <li>• AD on a corner lot can have its entrance visible from the street</li> <li>• Exterior stairs to 2<sup>nd</sup> floor AD can be visible from street (stairs cannot be located on front of property)</li> </ul>
14	Home Occupations	In AD, home occupations other than contractor are allowed with permit.		<p>Option:</p> <ul style="list-style-type: none"> <li>• Home occupations are permitted but cannot have a contractor in both the main dwelling and the accessory dwelling</li> </ul>
15	Annual Limit	28 per year		<p>Option:</p> <ul style="list-style-type: none"> <li>• Remove Limit</li> </ul>