

## 2. ACCESSORY DWELLING UNITS

**Purpose:** The purpose of this section is to help implement the goals, policies and objectives of the Housing section of the Plan of Conservation and Development, providing a variety of housing opportunities for all segments of the population while at the same time preserving the appearance, architecture and general design of the Town's neighborhoods by permitting, by site plan approval or special exception, the creation of a single accessory dwelling unit which is incidental and subordinate to the existing single family dwelling.

**Eligibility for Conversion:** The single-family dwelling being converted to include an accessory dwelling unit must be in conformance with all applicable requirements of these regulations.

### A. Attached Accessory Dwelling Units

1. One (1) accessory dwelling unit in the main dwelling unit may be permitted subject to site plan approval, if it conforms to the following conditions:
  - a) The owner of record, or beneficiary of life estate, must reside in either the accessory dwelling unit, or primary dwelling. An affidavit acknowledging the residency is required from property owner.
  - b) If the primary dwelling unit area is over 2,000 sq ft, the area devoted to the accessory dwelling unit shall not exceed 1000 square feet or 30% of the gross floor area of the primary dwelling whichever is less.
  - c. If the primary dwelling unit area is 2,000 sq ft, or less, the area devoted to the accessory dwelling unit shall not exceed 40% of the gross floor area of the primary dwelling unit.
  - d) Only one accessory dwelling unit is permitted for each lot.
  - e) The primary dwelling unit and the accessory dwelling unit shall comply with building, health, and fire prevention codes.
  - f) Any secondary entrances incorporated into the principal residence shall reflect the architectural style of the single family unit.
  - g) No additional driveway (curb cut) shall be created for the primary purpose of serving the accessory dwelling unit.

- h) There must be at least one off-street parking space with a proper solid surface, dedicated to the accessory dwelling unit.

## B. Detached Accessory Dwelling Units

1. One (1) accessory dwelling unit in a detached accessory structure may be permitted by special exception if the following conditions are met:
  - a) The owner of record or beneficiary of life estate must reside in either the accessory dwelling unit, or primary dwelling. An affidavit acknowledging the residency is required from property owner.
  - b) If the primary dwelling unit area is over 2,000 sq ft, the area devoted to the accessory dwelling unit shall not exceed 1000 square feet or 30% of the gross floor area of the primary dwelling whichever is less.
  - c. If the primary dwelling unit area is 2,000 sq ft, or less, the area devoted to the accessory dwelling unit shall not exceed 40% of the gross floor area of the primary dwelling unit.
  - d) Only one accessory dwelling unit is permitted for each lot.
  - e) The primary dwelling unit and the accessory dwelling unit shall comply with building, health, and fire prevention codes.
  - f) No additional driveway (curb cut) shall be created for the primary purpose of serving the accessory dwelling unit.
  - g) There must be at least one off-street parking space with a proper solid surface, dedicated to the accessory dwelling unit.

## C. ADA Compliance Accommodation

If an Accessory Dwelling Unit is designed to meet American Disability Act design standards applicable to a multi-family residential apartment, then the maximum floor area devoted to the accessory dwelling unit may be increased by 10% over the maximum floor areas set forth in paragraphs A and B above.