

AMENDMENT B

Standards for Accessory Apartments

Description: Article XIV-B Accessory Apartments. Add requirements for parking, maintaining appearance of a single family use, and requiring owner occupancy of the principal or accessory unit.

ARTICLE XIV-B

ACCESSORY APARTMENT

[Adopted March 2012]

Requirements for Accessory Apartment:

1. The accessory apartment shall be clearly incidental to the primary use of the property. The apartment shall be a completely separate housekeeping unit that can be isolated from the primary dwelling unit but shall have an interior door connecting it to the primary dwelling unit. *[Amended March 2017]*
2. Only one accessory apartment may be created within or attached to a single-family dwelling or accessory building per lot.
3. Any accessory apartment whether an addition to or contained within the single-family dwelling or accessory building, shall have an area of no less than 300 square feet, no more than 50% of the heated and finished floor area of the primary dwelling unit, and a maximum of 1,000 square feet of gross floor area.
4. All applicable regulations of the Town of Warner shall be met before an accessory apartment is permitted. The capacity/design of the septic system shall be verified.
5. Accessory apartments are not intended for individual ownership. The title shall be inseparable from the primary dwelling.
6. Accessory apartments may be located in a detached accessory building where allowed in TABLE 1 – USE REGULATIONS of this Zoning Ordinance only if the detached accessory building contains another use by the primary dwelling such as a garage with an apartment loft or section of a storage/barn building.
7. The owner shall not separately lease both the primary dwelling unit and the accessory apartment at the same time.
8. Accessory apartments may not be established in association with manufactured housing or townhouse-style dwelling units (i.e., attached single family dwellings). *[Amended March 17, 2018.]*
9. ***Parking for the combination single-family dwelling and accessory apartment shall be provided. No new curb-cuts for a separate driveway are permitted.***
10. ***The accessory apartment shall be designed and built so that the appearance of the building remains that of a single-family house. Any new entrance shall be located on the side or at the rear of the building.***
11. ***Property must revert to a single-family use if current or future owner no longer occupies either unit as their principal place of residence.***