

PROPOSED AMENDMENT TO AVON ZONING REGULATIONS
DETACHED ACCESSORY DWELLING UNIT (ACC APARTMENT)

08/13/2020

Key: **New text** is shown in **BOLD**

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Amend SECTION IV – Residential and Rural Zones

IV.A. Residential

4. Special Exceptions. The following uses, and accessory uses thereto, may be authorized by the Commission as a special exception under the applicable criteria of Section VIII:

q. Incorporation of one accessory apartment, which is subordinate and incidental to a principal single-family dwelling, **or a detached accessory dwelling unit detached from the main dwelling unit provided that:**

(1) In addition to standards set forth in Section VIII of these regulations, the following standards/criteria must be met:

~~(1)~~(2) The lot conforms to the various requirements for the zone in which it is located, **and all proposed accessory structures must meet applicable setbacks.**

~~(2)~~(3) The accessory apartment ~~must~~ **may** be contained within the principal single-family dwelling after modification(s) as may be permitted under ~~(3)~~~~(e)~~ **(4)(a-c)** (below), **or it may be detached from the principal single-family dwelling as permitted below. A maximum of one accessory apartment per lot is permitted.**

~~(3)~~(4) The following area requirements must be met:

(a) The accessory apartment may not exceed 25% of the dwelling after modification(s) as may be permitted under (c) (below).

(b) The accessory apartment must contain at least 400 square feet, but not exceed ~~600~~ **1,000** square feet in **habitable** area.

(c) Any additions **to the single-family dwelling** may not increase the square footage of the ~~original single-family dwelling house~~ by more than 10%. ~~For the purpose of this regulation the "original house" shall be measured at a point in time five years prior to the submission of an application under this section. If the house is less than five years old, it shall be measured from the date a certificate of occupancy was issued.~~

The Commission may modify the above area requirements **by a maximum of 10%** when, in the opinion of the Commission, such modification will preserve the public health, safety and welfare, and provide a more practical layout of the principal or accessory living unit.

- (4)(5) The gross ground floor area after modification(s) **whether the accessory apartment is attached or detached** shall not exceed the maximum lot coverage regulation of the zone.
- (5)(6) The living area in the principal dwelling unit after modification(s) **and the accessory unit shall** conform to the living area requirements of these regulations **and shall meet all applicable fire and building codes.**
- (6)(7) At least one of the dwelling units is occupied by an owner of the property as **their permanent residence.**
- (7)(8) All applicable sanitary requirements for the additional dwelling unit, as enumerated in the Connecticut Public Health Code are met.
- (8)(9) Adequate parking facilities are provided on site for both dwellings. **A minimum of one parking space shall be provided for the accessory dwelling unit.**
- (9)(10) The accessory apartment **dwelling unit** shall be designed so that, to the degree reasonably feasible, the appearance of the **principal** building remains that of a one-family residence. In general, any new entrances shall be located on the side or in the rear of the building. **Any new detached dwelling unit shall be appropriately designed so as to be compatible with or to improve the existing site architecture.**
- (10)(11) The Commission may require that the design of the ~~home~~ **accessory dwelling unit**, both interior and exterior, be such that conversion back to a single-family dwelling may be readily accomplished, **when it is no longer needed.**
- (11)(12) ~~Approvals shall be valid for a period of two years from the issuance of a certificate of occupancy. Prior to the expiration of this two-year period, or any subsequent approval, an application for renewal may be submitted for an additional period not to exceed two years.~~ **Approvals for any accessory dwelling unit shall be valid for two years from the date of approval by the Commission. If the accessory dwelling unit has not received a certificate of occupancy within two years, an extension must be requested from the Commission or the permit shall become void.**
- (13) The accessory dwelling unit is recommended to be rented or leased as an affordable housing unit in accordance with Connecticut General Statutes 8-39a.



TOWN OF AVON

60 West Main St. Avon, CT 06001-3719
www.avonct.gov

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LEGAL NOTICE TOWN OF AVON

The Planning and Zoning Commission of the Town of Avon will hold a Public Hearing on Tuesday, September 15, 2020, at 7:00 p.m. on the following:

Via GoToMeeting:

Join by Web <https://global.gotomeeting.com/join/618767837>

Dial by Phone: 1 877 309 2073 Access Code: # 618767837

- App. #4926 Proposed amendment to Avon Zoning Regulations pertaining to signage for Avon Village Center; town of Avon, applicant.
- App. #4927 Proposed amendment to Avon Zoning Regulations pertaining to Limited Farming; Town of Avon, applicant
- App. #4928 Proposed amendment to Avon Zoning Regulations pertaining to Accessory Buildings and Structures; Town of Avon, applicant
- App. #4929 Proposed amendment to Avon Zoning Regulations pertaining to Detached Accessory Dwelling Unit/Accessory Apartment; Town of Avon, applicant
- App. #4930 Cornerstone Landing, LLC, owner, Brett Eisenlohr, applicant, request for Special Exception under Section VII.C.4.b.(2) of Avon Zoning Regulations to permit low-profile detached sign, 205 Old Farms Road, Parcel 3360205, in an I Zone
- App. #4932 Blake McHenry, owner/applicant, request for Special Exception under Section IV.A.4.p.of Avon Zoning Regulations to create a rear lot, 64 Smith Road, Parcel 3990064, in an R30 Zone

All interested persons may join the **GoToMeeting** and be heard and written communications will be received. Application information is available at the Department of Planning and Community Development via the Avon Town website. A copy of this notice is on file in the Office of the Avon Town Clerk, Town Hall. Dated at Avon this 2nd day of September 2020.

PLANNING AND ZONING COMMISSION