

## 6.11 ~~Special Permit For An Accessory Apartment Within A Single Family Dwelling~~

### 6.11.1 Statement of Purpose

The Town of Glastonbury recognizes the public need for the provision of a variety of housing types including efficient and affordable housing for singles, couples, single parents with one child, elderly and new households. Throughout the Town, opportunities exist within underutilized and or large single family dwellings to create small accessory apartments to meet these needs. To accomplish this purpose and to protect the health, safety and welfare of existing neighborhoods, the following regulation is enacted.

6.11.2 The Town Plan and Zoning Commission may grant a Special Permit to allow one accessory apartment located on the same lot as one principal single family dwelling unit and used in a manner subordinate to the use of the principal dwelling unit~~the construction of, addition to, renovation of, and use and occupancy of a single family dwelling in any zone, in order to create one subordinate accessory apartment unit as an integrated part of said single family dwelling,~~ in accordance with the following performance standards.

### 6.11.3 Performance Standards

- a. Each accessory apartment unit shall have a maximum floor area of \$1,000 sq. ft. and shall contain at a minimum, a cooking area to include a kitchen sink, one full bathroom and not more than one bedroom. Enlargements of existing apartments, to a maximum of \$1,000 sq. ft., that only involve interior modifications, shall be subject to Section 12.10 of the Building Zone Regulations. Those enlargements involving exterior modifications/enlargements shall be subject to Section 12.9 of the Building Zone Regulations. **AMENDED EFFECTIVE AUGUST 1, 2008**
- b. Each accessory unit shall be limited to a maximum occupancy of ~~three persons, not more than two of whom may be adults~~one family.
- c. The resultant two dwelling units may have common utilities and may have separate metering devices.
- d. A minimum of one additional off-street parking space shall be provided for use by the occupant(s) of said accessory apartment.
- e. The property owner shall reside on the premises in either the primary single-family dwelling or in the accessory apartment unit.
- f. An approval notice from the Health Department on the adequacy of onsite sewage disposal and well water supply, if utilized, shall be required.
- g. Accessory Apartment Forms
  1. Basement Accessory Apartments - Basements may be converted to an accessory apartment subject to the following conditions:
    - i.) The finished space shall conform to all applicable Town ordinances, as well, as the Building and Fire codes with regard to egress and the use of basements as habitable space;
    - ii.) One internal access, while not required, may be provided between the accessory apartment and the primary dwelling.
  2. Semi-Detached Accessory Apartments - For the purposes of this section, "a semi-detached accessory apartment" shall mean a unit that is outside of the existing footprint of the primary residence, which unit shares a common wall with the primary residence in accordance with these regulations. Semi-detached accessory apartments are permitted subject to the following conditions.

- i.) The semi-detached accessory apartment unit shall be externally and internally constructed and maintained in such a manner as to retain the appearance and character of the structure as a single-family dwelling and shall be structurally and architecturally compatible to the existing single-family dwelling in terms of style and design;
- ii.) The scale of the semi-detached accessory apartment shall be secondary to that of the primary residence;
- iii.) Building materials, including siding, exterior walls and roofs, shall be compatible with the primary dwelling in terms of style, design, texture and pattern;
- iv.) The placement and design of windows, doors, and any decorative architectural elements shall follow a compatible style as the primary structure
- v.) One internal access, while not required, may be provided between the accessory apartment and the primary dwelling.

vi.) The finished space shall conform to all applicable Town ordinances as well as the Building and Fire codes with regard to egress.

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3. ~~Converted Existing Accessory Structure Apartments – Existing accessory structures, such as garages, on lots that comply with all requirements for the zone in which the lot is located may be converted or enlarged to accommodate an accessory apartment as follows:~~

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i.) The accessory structure must have been permitted and constructed prior to the effective date of these regulations.

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ii.) The accessory structure must meet all applicable setbacks.

iii.) The accessory apartment unit shall be externally and internally constructed and maintained in such a manner as to retain the appearance and character of the existing accessory structure as accessory to the principal dwelling.

iv.) The accessory apartment may use an existing street-facing front façade entrance when the entrance is located a minimum of 20 feet behind the wall plane of the front façade of the principal dwelling, or install a new entrance to the existing detached structure for the accessory dwelling unit facing the side, rear, or interior of the lot.

v.) Stairways to a second floor accessory apartment shall not be visible from a public street.

h. Accessory apartments shall not be used for short-term rentals.

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6.11.4 The Town Plan and Zoning Commission shall consider and apply the criteria set forth in Section 12 of these Regulations in the consideration and granting of a Special Permit. Additionally, the applicant shall provide notice to all abutters within 100 feet of the premises by regular mail with certificates of mailing no less than 10 days prior to the public hearing.

~~6.11.5 The owner and occupant of said primary single family dwelling shall, initially and every two years thereafter and when the dwelling is sold, execute and file an affidavit with the Zoning Enforcement Officer stating that the owner continues to occupy the main dwelling or accessory apartment. AMENDED EFFECTIVE JULY 13, 2019~~

**ADOPTED: 2-26-91**  
**EFFECTIVE: 3-19-91**