

TOWN OF YORKTOWN
GENERAL INFORMATION AND INSTRUCTIONS
FOR A NEW SPECIAL PERMIT FOR AN
ACCESSORY APARTMENT

Application forms may be obtained from the Building Department. Applications are to be completed and submitted to the Building Department with the following additional items:

1. Six copies of the floor plan sketch of the house showing the location of the main and accessory units.
2. Six copies of the property survey.
3. A fee of \$187.00.

Applications for accessory apartments are heard and decided by the Zoning Board which meets on the fourth Thursday of each month at 8:00 p.m. at Town Hall. Each application requires a minimum of two meetings. The first to receive the application, familiarize the Board and set a site inspection and the second or public hearing meeting. The applicant or his agent must attend both of these meetings.

APPLICATIONS MUST BE SUBMITTED TO THE BUILDING DEPARTMENT NO LATER THAN THE FRIDAY PRIOR TO THE THURSDAY MEETING IN ORDER TO BE PLACED ON THE AGENDA. PLEASE INCLUDE 6 COPIES OF THE APPLICATION.

The law requires that each applicant notify adjoining property owners of his application as well as the date and time of the public hearing. Two forms have been created for this purpose.

1. "Notice to Interested Parties": this form is mailed to all property owners adjoining the applicant's parcel as well as to the owners of property across the street.
2. "Certificate of Notice": this form lists the names and addresses of the interested parties to whom a notice was sent.

PROCEDURE FOR NOTIFICATION

1. Find out the names and addresses of the "Interested Parties" from the Assessor's Office. Even though you might know all your neighbors, it is a good idea to check with the Assessor to be sure you have all the correct names and addresses.
2. Fill out the "Notice to Interested Parties" form. The space for the requested relief should state that you are filing for a special permit for an accessory dwelling unit. The filled out forms should then be mailed by Certified Mail Return Receipt requested, **no sooner than 25 days nor later than 15 days prior to the second or public hearing meeting.** Prior to mailing, make a copy of one of the forms and bring it with you to the meeting.
3. Fill out the "Certificate of Notice" form listing all the property owners that you have contacted.

At the second or public hearing meeting, as proof of your compliance with the notification procedure, you must submit to the Zoning Board of Appeals a "Notice to Interested Parties" form, the filled out "Certificate of Notice" form and the post office (white) receipts from the mailing.

If you should have any questions about the mailing procedures please contact the Building Department.

PERMIT REQUIREMENTS

In order to be considered for a Special Permit, the following criteria must be met:

- The dwelling unit must be owner-occupied.
- The size of your property must be no less than that required by the zoning ordinance.
- If your house was constructed after March 1, 1983, you cannot apply for this permit until five (5) years after the Certificate of Occupancy was issued.
- You must have at least one off-street parking space for each unit.
- The accessory apartment must contain at least 400 but not more than 800 square feet and cannot take-up more than 33% of the total area of the dwelling.
- The accessory unit cannot contain more than two bedrooms.
- Your dwelling can have only one front entrance.
- Sewage disposal capacity must be approved by the Board of Health or Town Engineer.

If your application is granted you may need to obtain a Building Permit and **you must obtain a Certificate of Occupancy** for the accessory unit. These documents will require a re-inspection of your dwelling by the appropriate agencies and the payment of some additional fees.

A permit for an accessory dwelling unit may be valid for a maximum period of three (3) years. After three (3) years you must renew the permit. The permit is not transferable and becomes null and void if you sell your house.

In considering the legalization of existing accessory units created before March 1, 193, the Zoning Board may consider waiving the following requirements: lot size, one front entrance, floor area and bedrooms.