

SECTION 4.11 Accessory Apartments

4.11.0 Intent - The intent of this section is to fulfill an increasing need for smaller, affordable housing units ~~and to provide for the needs of the elderly~~ while preserving the rural character of the Town.

4.11.1 Definition and Applicability –

a. An accessory apartment is herein defined as a second dwelling unit located on the same Lot as the principal dwelling.

b. An accessory apartment shall be allowed in the Andover Rural Design District.

c. An Accessory Apartment shall be allowed in the AL district on lots that exceed 120,000 square feet in area. Lots in the AL zone shall, upon approval, file in the office of the Andover Town Clerk, a restrictive covenant containing the following language: “This property includes an accessory apartment, and shall not be subdivided or reconfigured in any way that would result in a remaining lot size of less than 120,000 square feet.” (Section amended 4/18/2011)

d. An Accessory Apartment shall be allowed in the Business and Industrial District, limited to principal dwellings existing on the effective date of this section, or single family dwellings that were permitted under section 8.4 on restricted sites.

4.11.2 Site Plan Review and Standards: An accessory apartment will be allowed by site plan review ~~for units~~for units located within the principal dwelling ~~or detached from the principal dwelling~~. The permit will be approved only if the applicant has demonstrated that the proposed accessory apartment meets the following standards:

a. The setback requirements of Section 11.2, Space Requirements are satisfied for the accessory apartment.

b. The ~~gross-net~~ floor area of the accessory unit shall be no larger than between 250 and 800-1000 square feet and shall be no larger less than 33% of the ~~gross-net~~ floor area of the single family dwelling. Gross-Net floor area is as defined in Section 24.3.e. ~~The gross floor area of the principal dwelling shall not be decreased below the minimum requirements of Section 11.1.1.~~

c. The accessory apartment shall include a kitchen area, sanitary facilities, and living quarters.

d. The principal dwelling and accessory apartment shall remain under common ownership and the owner shall reside in either the principal dwelling or the accessory

apartment.

- e. The Town Sanitarian shall certify that applicable Health Codes are met.
- f. Architectural plans shall be submitted as a part of the site plan review to determine that the proposed structure is consistent in appearance with the character of the surrounding buildings and does not detract from the rural characteristics of the area.
- g. Off-street parking shall be provided for both dwellings, with at least two spaces for the principal dwelling and one for the accessory apartment.
- h. One driveway shall service both dwellings.
- i. The addition of the accessory apartment shall not alter the basic character of the dwelling as a single family residence, is consistent with the character of the surrounding buildings and does not detract from the rural characteristic of the area.

~~4.11.3 Special Permit Review and Standards: An accessory apartment will be allowed by special permit for a building detached from the principal dwelling. The special permit will be approved only if the applicant has demonstrated that the proposed accessory apartment meets the following standards:~~

- ~~a. All requirements of Section 4.11.2 for site plan review are met.~~
- ~~b. Architectural plans and renderings shall be submitted the Commission to be used to determine that the proposed structure is consistent in appearance with the character of the surrounding buildings and does not detract from the rural characteristics of the area.~~
- ~~c. A site plan conforming to the requirements of section 23.2B~~

Section 24 Definitions:

Architectural plans: In architecture and building engineering, a floor plan is a technical drawing to scale, showing a view from above, of the relationships between rooms, spaces, traffic patterns, and other physical features at one level of a structure. Dimensions are usually drawn between the walls to specify room sizes and wall lengths. Floor plans may also include details of fixtures like sinks, water heaters, furnaces, etc. Floor plans may include notes for construction to specify finishes, construction methods, or symbols for electrical items. It is also called a plan which is a measured plane typically projected at the floor height of 4 ft (1.2 m), as opposed to an elevation which is a measured plane

projected from the side of a building, along its height, or a section or cross section where a building is cut along an axis to reveal the interior structure.

An architectural plan is a plan for architecture, and the documentation of written and graphic descriptions of the architectural elements of a building project including sketches, drawings and details.

Proposed Architectural plan definition for our regs:

Architectural plans: In architecture and building engineering, a floor plan is a technical drawing to scale, showing a view from above, of the relationships between rooms, spaces, traffic patterns, and other physical features at one level of a structure. Dimensions are usually drawn between the walls to specify room sizes and wall lengths. Floor plans may also include details of fixtures like sinks, water heaters, furnaces, etc. Floor plans may include notes for construction to specify finishes, construction methods, or symbols for electrical items.

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