

Accessory Apartment Criteria

Accessory Apartment: *A dwelling unit added to or created within a single family dwelling with provision for independent cooking, living, bathroom facilities and sleeping occupying no more than 30% of the gross floor area of the principle structure.*

Chapter 240§23I (Residentially-zoned property) and Chapter 240§38I (Agriculturally-zoned property) One accessory apartment per lot added to or created within a single family dwelling, under the following standards and requirements:

1. The principle or accessory unit must be owner occupied for a period not less than seven months in every calendar year. The accessory unit must comply with Chapter 240§161, Accessory use limitation.
2. The accessory unit must occupy no more than 30% of the floor area of the principal structure, and shall have a minimum floor area of 450 square feet and a maximum floor area of 750 square feet.
3. The minimum lot size for an accessory apartment shall be 15,000 square feet. The total number of bedrooms on the lot in the principal and accessory unit shall not exceed four bedrooms for lots 15,000 to 39,999 square feet in area; five bedrooms for lots 40,000 to 50,000 square feet; and six bedrooms for lots greater than 50,000 square fete of lot area.
4. If the subject lot is within a Water Resource Protection District (Article XV) or Coastal Pond Overlay District (Article XXI), the total number of bedrooms shall not exceed one per 13,500 square feet of area unless both the principal unit and accessory apartment are served by either the municipal sewer system or a septic system that has certification form Massachusetts Department of Environmental Protection (Mass. DEP) for general use for nitrogen reduction and is listed in the most current Mass. DEP list of innovative and alternate subsurface sewage disposal technologies approved for use in Massachusetts, but in no case will a technology providing total nitrogen reduction of less than fifty percent (50%) as determined by Mass. DEP be eligible.
5. Parking and additional entrances must be screened or placed appropriately to ensure compatibility with the surrounding neighborhood and to reduce visual impact.
6. No Special Permit granted under this section may be used for commercial accommodations or summer rentals.
7. As a condition of the Special Permit, a deed restriction, covenant or other suitable instrument, acceptable to and enforceable by the town shall be recorded with the land records that restricts the leasing of the accessory apartment or principal structure to households with an income eighty percent (80%) or less of the Barnstable County median income as determined by the most recent Federal census or other method acceptable to the Board of Appeals and further at a gross annual rent not to exceed thirty percent (30%) of the median income herein described. The property owner shall provide to the Board of Appeals documentation that certifies the income level and rent paid by the tenant on a yearly basis. However, such requirements of this paragraph (7) shall not apply if:

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- a. The lease is to or through a non-profit organization or government authority and the occupant(s) receive rental assistance due to income or asset qualification or on account of a disability or;
 - b. If both the principal unit and accessory apartment are occupied by the property owner or by persons related to the property owner by marriage, blood or adoption or by a domestic partner of the property owner, including minor children in the care by any of them.
8. The accessory apartment shall be constructed so that to the degree reasonably feasible, the appearance of the building remains that of the single-family residence.

Accessory Apartment Worksheet

SQUARE FOOTAGE WORKSHEET

APPLICANT MUST PROVIDE SQUARE FOOTAGE OF EACH FINISHED ROOM IN THE PRINCIPAL DWELLING AND TOTAL SQUARE FOOTAGE OF PRINCIPAL DWELLING AS WELL AS SQUARE FOOTAGE OF EACH FINISHED ROOM IN THE PROPOSED ACCESSORY APARTMENT AND TOTAL SQUARE FOOTAGE OF PROPOSED ACCESSORY APARTMENT.

PRINCIPAL STRUCTURE SQUARE FOOTAGE MEASUREMENTS:

Living Room: _____

Dining Room: _____

Bedrooms: _____

Bathrooms: _____

Den/Office/Library: _____

Finished Basement: _____

Kitchen: _____

Total Square Footage of Principal Structure: _____

ACCESSORY APARTMENT SQUARE FOOTAGE MEASUREMENTS:

Living Room: _____

Dining Room: _____

Bedrooms: _____

Bathrooms: _____

Den/Office/Library: _____

Kitchen: _____

Total Square Footage of Proposed Accessory Apt.: _____

Percentage of Total Floor Area of Accessory Apartment in relation to Total Floor Area of Principal Dwelling (i.e. accessory apartment must occupy no more than 30% of the floor area of the principal structure) % _____

Accessory Apartment Worksheet

Square Footage of Lot: _____ Zoning District: _____

Number of Years Owned: _____ Owner Occupied? Yes No

How many buildings are now on the property: _____

The Accessory Apartment is to be developed:

- within the existing single-family structure
- as an addition to the existing single-family structure
- in an existing accessory building to be attached to principle structure
- other – *please explain*: _____

Existing Gross Floor Area of the dwelling: _____ sq. ft.

Proposed Floor Area of the Accessory Apartment: _____ sq. ft.

Number of bedrooms in residence _____

Number of bedrooms in proposed apartment _____

Total # of bedrooms _____

Number of Parking Spaces Required: _____/Provided: _____

(Article XXII, Chapter 240)

Is the property located in a Water Resource Protection District? Yes No

Is the property located in a Coastal pond Overlay District? Yes No

Conservation Commission Hearing Required? Yes No