

TOWN OF EAST HAVEN
PLANNING AND ZONING COMMISSION

East Haven Town Hall, 250 Main Street
East Haven, CT 06512

Petition for a Text Change to the Zoning Regulations _____

Petition for a Change to the Zoning Map _____

Name and signature of
property owner or Petitioner:

EAST HAVEN PLANNING + ZONING COMMISSION

Address:

250 MAIN STREET

EAST HAVEN, CT

Application No:

23-26

1. This Petition **requests a change to the East Haven Zoning Regulations** and we submit the attached:

- ✓ - A complete draft of the proposed text, or deletion, of a zoning regulation(s).
- A complete written statement for the reason behind the proposed change to the Zoning Regulations. Any special interests of the Petitioner shall be included in the statement.

2. This Petition **requests a change to the East Haven Zoning Map** and we submit the attached:

- A map clearly showing the area to be rezoned and identifying the area's current zone classification and proposed zoning classification.
- A list of the names and addresses within the area to be affected, and within 500 feet outside of the area to be affected by such rezoning.
- A complete written description, by metes and bounds, or courses and distances, of the location for any proposed zoning district line(s).

WRITTEN STATEMENT for Application No. 23-26

It is the intent of this Regulation to execute the strategies and goals of the Town of East Haven's 2022-2027 Housing Plan, and the 2019 Plan of Conservation and Development, to fulfill an increasing need for smaller, and in certain cases, more affordable housing units while preserving the integrity and appearance of the existing housing stock within all residential neighborhoods in East Haven. Such housing units shall be attached to a single-family dwelling either within the same footprint or within an addition, and be a separate, self-contained dwelling unit that is incidental to the principal dwelling.

Article 5 Section 48: ACCESSORY DWELLING UNITS

48.1 Intent and Purpose: It is the intent of this Regulation to execute the strategies and goals of the Town of East Haven's 2022-2027 Housing Plan, and the 2019 Plan of Conservation and Development, to fulfill an increasing need for smaller, and in certain cases, more affordable housing units while preserving the integrity and appearance of the existing housing stock within all residential neighborhoods in East Haven. Such housing units shall be attached to a single-family dwelling either within the same footprint or within an addition, and be a separate, self-contained dwelling unit that is incidental to the principal dwelling.

48.2 Zoning Districts Where Accessory Dwellings Are Allowed As A Permitted Use

48.2.1 Accessory Dwelling Units shall be a permitted use within all zoning districts where single-family dwellings are allowed as a matter of right.

48.3 Definitions

48.3.1 Accessory Dwelling Unit (ADU) – A separate dwelling unit, consisting of self-contained cooking facilities, a bathroom and one bedroom, and attached to a principal dwelling of greater square footage.

48.3.2 Attached Accessory Dwelling Unit – A conforming accessory dwelling unit that is either within the same footprint of a principal dwelling or a part thereof within a new addition to the principal dwelling.

48.3.3 Dwelling – A room or group of rooms located within a dwelling and designed and occupied by one [1] family; with facilities which are used or intended to be used for living, sleeping, cooking and eating.

48.3.4 Floor Area – The square footage of the living area of a principal dwelling.

48.3.5 Living Area – The square footage of living space within a dwelling unit that is, or has been used for human occupancy. Areas such as basements, attics, garages and storage areas are not to be used in floor area calculations.

48.3.6 Principal Dwelling – The primary dwelling on a property.

48.4 Prohibitions

- 48.4.1** Variances shall not be granted for the proposal of an ADU.
- 48.4.2** There shall be no additional curb cuts or driveways created to serve an ADU.
- 48.4.3** An ADU shall not be located within any new, or existing, detached structure located on the same property.
- 48.4.4** A customary home occupation shall not be approved to operate within an ADU.
- 48.4.5** The ADU shall not be hooked up to separate utility meters.

48.5 Required Lot Characteristics

- 48.5.1** The lot shall have the minimum required lot frontage and lot area for the zoning district where it is located, or be valid nonconforming.
- 48.5.2** Only one ADU shall be allowed on any lot.
- 48.5.3** Proposed additions to a principal dwelling shall conform to all setbacks and lot coverage characteristics of the zoning district where the lot is located.
- 48.5.4** The ADU shall require at least two additional parking spaces on premises, on a solid surface, and not in the front yard.

48.6 Required Accessory Dwelling Unit Characteristics

- 48.6.1** An ADU shall have a minimum floor area of 500 square feet and a maximum floor area of 800 square feet. An ADU shall have no more than 33% of the combined floor area of the principal dwelling.
- 48.6.2** ADUs shall have separate cooking facilities, a bathroom and a maximum of one bedroom for the use by the legal occupant.
- 48.6.3** An ADU shall be separated from the principal dwelling by a single wall. There shall be a connecting door between the dwellings.
- 48.6.4** An ADU shall not be located within a basement unless there is one wall, with a doorway that opens and provides a means of egress, that opens at grade level.
- 48.6.5** The ADU shall not have its own primary address number given to it.

48.7 Other Standards

- 48.7.1** The owner of the lot shall reside within the principal dwelling or the ADU.
- 48.7.2** An ADU shall only be occupied by people related to the property owner by either blood, marriage or legal adoption.
- 48.7.3** An ADU shall be inhabited by no more than two adults and a minor child.
- 48.7.4** The exterior appearance of an ADU shall be uniform with the appearance of the principal dwelling.
- 48.7.5** Prior to the issuance of a certificate of occupancy, an ADU shall comply to all zoning, building, fire and health codes.
- 48.7.6** A zoning permit shall be required for the removal of an ADU. The submitted proposal shall include a new floor plan for the principal dwelling showing where the previously-approved ADU was located.

48.8 Application Procedures

- 48.8.1** Accessory dwelling units proposed within an existing or proposed principal dwelling, or within a proposed addition to a principal dwelling, shall be permitted with a zoning permit.
- 48.8.2** The owner of the lot shall confirm their location of residency at the time of an application submission. A signed affidavit, in a form required by the Planning and Zoning Commission, shall be submitted at the time of a submission of a zoning permit application. Where a property lists an ownership that is shown as owned by an LLC or other entity without a person's name, there shall also be a submission of the corresponding Quit Claim deed showing a grantee and grantor for the subject property. On July 1 of each year, a new affidavit and Quit Claim deed, if required, shall be submitted to the Planning and Zoning Department.
- 48.8.3** Proposals for an accessory dwelling unit shall include architectural drawings of any proposed external alterations to the principal dwelling. A new A-2 survey of the subject property may be required.
- 48.8.4** Proposals for an accessory dwelling unit shall include a proposed floor plan with measurements of the living area, as well as the living area of all floors of the principal dwelling.

48.8.5 The approval of an accessory dwelling unit expires upon the sale of a property.
The new property owner shall reapply for a zoning permit within 90 days of their ownership of the property.

48.9 Termination

48.9.1 An approval of an accessory dwelling unit shall be terminated upon:

1. The failure for a property owner to submit an affidavit and/or Quit Claim deed in a timely manner, or...
2. The Zoning Enforcement Officer finds that either the principal dwelling or the accessory dwelling unit fall into noncompliance with the occupancy requirements of this Section.