

9.3.1 5.1 ACCESSORY APARTMENTS-DWELLING UNIT (Amended June 14, 2017)

Accessory ~~apartments~~Dwelling Units are a permitted use in the residential districts, subject to the review of the Code Enforcement Officer and adherence to the following standards:

1. The owners of the principal structure must reside in the principal structure, not the Accessory ~~Apartment~~dwelling unit.
2. The number of occupants of the Accessory ~~Apartment~~dwelling unit is limited to two (2).
3. The Accessory Apartment shall not be greater than 50% of the living area of the principal single-family dwelling unit to a maximum of 800 square feet.
4. The Accessory ~~Apartment~~dwelling unit may be located either in the principal dwelling unit or as a separate structure, provided the ~~Accessory Apartment~~accessory dwelling unit shares the septic system with the principle dwelling unit and on-site well shared with the principal dwelling unit, where public water is not available.
5. The septic system on the property in question shall be functioning properly at the time of application for the permit approval by the Code Enforcement Officer. In addition, the applicant must submit a new HHE-200 form as documentation that suitable soil exists on the property to be used for septic system repair or replacement in the event of failure of the original system.
6. The parking requirements of the Arundel Land Use Ordinance shall not be considered when adding an accessory dwelling unit.~~adhered to.~~
7. Proper ingress and egress shall be provided to the accessory unit.
8. Should the owners of the principal structure be found in non-compliance of the standards contained in this section, the non-compliance shall be considered a violation of this ordinance and subject to fines and penalties and the accessory unit shall be discontinued and the Certificate of Occupancy revoked.
9. An accessory ~~apartment~~dwelling unit which complies with the requirements of this subsection shall not be considered an additional dwelling unit when calculating lot area per family under the dimensional requirements of the ordinance.
10. Only one accessory ~~apartment~~dwelling ~~per unit per~~ principal structure shall be permitted on a lot.
11. The HHE-200 form, after review and approval by the Code Enforcement Officer, shall be recorded at the York County Registry of Deeds.

Wherever Accessory Apartment is cited, change the wording to Accessory Dwelling Unit throughout the Land Use Ordinance

Definitions

ACCESSORY-~~APARTMENT~~DWELLING UNIT: A separate dwelling unit that has been added on, or created within, a single-family house or a separate standalone structure for the purpose of providing ~~separate~~ living accommodations accessory to the primary residence

STRUCTURE: Anything constructed or erected, the use of which requires a fixed location on or in the ground, or an attachment to something having a fixed location on or in the ground, including tiny homes, buildings, billboards, gas or liquid storage tank that is principally above ground, signs, commercial park rides and games, carports, porches, decks and other building features, but not including sidewalks, field or garden walls, fences, flagpoles, driveways, and parking lots. For the purposes of Section 7.4 Floodplain Management only, a structure is only a building and a gas or liquid storage tank that is principally above ground. *(Amended June 12, 1996) (Amended June 11, 2003) (Amended June 13, 2007)*