

*Town of Hebron, Connecticut*



Town Office Building  
15 Gilead Street; Hebron, Connecticut 06248  
Phone: (860) 228-5971 Fax: (860) 228-5980



**ZONING / SUBDIVISION REGULATION AMENDMENT  
APPLICATION**

**Regulation to be Amended:**

Subdivision  Zoning

Sections: Section 2.G.7; Section 2.D.4; and Section 9.C (definitions)

**Applicant Information:**

Name: Hebron Planning and Zoning Commission

Address: 15 Gilead Street, Hebron

Phone: 860-228-5971

Email: [pgallagher@hebronct.com](mailto:pgallagher@hebronct.com)

**Proposed Amendment:**

See attached

\* If necessary, attach a copy of the proposed changes. Please clearly indicate new wording, and text to be deleted.

**Purpose of Amending Regulation:**

To modify Accessory Apartment regulations to align with new statutory requirements. Would allow attached and detached ADUs subject to zoning permit (staff approval), with special permit provisions provided for larger detached units. Eliminates references to character in existing accessory apartment regulations. Updates use table and definitions are provided to align with new regulations.

**How is the Proposed Amendment Compatible to the Plan of Conservation and Development?**

This regulation would support the POCD’s goal to “Provide diversity in the types of housing within the Town that will satisfy the needs of all socioeconomic and demographic levels.” Attached and detached accessory apartments fill an unmet need for smaller housing units, which are naturally more affordable than single-family homes. Accessory apartments would provide great housing choices for elderly residents, young adults, and low-income households.

**Additional Information:**

Does the proposed amendment affect any uses permitted in any Zoning District within 500 feet of the Town Boundary?  Yes, or  No

**Fees:**

\$150 (Town Fee) + \$10 Processing Fee + \$60 (State Fee) = \$ 220      N/A

**Signatures:**

Signature of Applicant(s) Patrick Gallagher Date: February 28, 2022

Print Name: Patrick Gallagher

## **2.G.7 ACCESSORY APARTMENTS**

### **2.G.7.1 PURPOSE**

It is the purpose of this Section of the Regulations to allow for the establishment of accessory apartments in appropriate locations in Hebron to help address the current and future housing needs of the community while protecting the public's health, safety, and welfare.

### **2.G.7.2 STANDARDS**

1. Accessory apartments shall:
  - a. be permitted on each lot that contains a single-family dwelling;
  - b. be allowed attached to, located within, or detached from the proposed or existing principal dwelling;
  - c. be located on the same lot as the principal dwelling; and,
  - d. shall meet the requirements for a single-family dwelling as determined by the Connecticut State Building Code.
2. Only one (1) accessory apartment shall be permitted per property.
3. The owner of the property must reside on the premises.
4. The principal dwelling and the accessory apartment shall be subject to the approval by the Health District for use of private water and septic systems, or from the Town of Hebron Water Pollution Control Authority for connection into the public sewer system.
5. An accessory apartment may be established by construction of an addition to the principal structure, provided that:
  - a. the single-family appearance of the dwelling is not changed;
  - b. the maximum permitted building coverage is not exceeded;
  - c. a dormer does not extend above the existing roof ridge line and does not extend in depth beyond the first floor exterior front wall;
  - d. the addition shall not be constructed into the existing front yard
6. The accessory apartment shall not be more than thirty percent (35%) of the net floor area of the principal dwelling, or one thousand square feet, whichever is less.
  - a. The Commission, by Special Permit, may authorize a detached accessory apartment that is greater than 35% of the net floor area of the principal dwelling, provided that the accessory apartment shall not exceed one thousand square feet.
7. An accessory apartment shall not contain more than two (2) bedrooms.
8. A total minimum of three (3) off street parking spaces shall be provided: Two (2) spaces per principal dwelling and one (1) space for the accessory apartment. Such parking shall be adequately drained and suitably screened from adjacent residences.

9. An accessory apartment may be permitted within a cellar or basement provided that one wall allows access to grade. Said access shall not be to the front yard.
10. Both dwelling units shall share all utility services and shall not have separate metering devices for utility services.
11. No accessory apartment shall be used for short term rentals or rental vacation stays.

### **2.G.7.3 PERMIT PROCEDURES**

1. Applications for a Building Permit and Certificate of Zoning Compliance shall be reviewed by the Building Official and Director of Planning respectively and shall be accompanied by the following:
  - a. an affidavit of ownership signed by the owner of the premises;
  - b. an affidavit signed by the owner of the premises affirming the intent of an owner to occupy either the principal dwelling or accessory apartment;
  - c. a report prepared by and bearing the seal of a professional engineer verifying the adequacy of the sewage disposal and water supply systems for both dwelling units and approved by the Health District; and
  - d. in lieu of a Site Plan and Architectural Plans, sufficient building drawings and/or clear photographs to show the exterior/ interior building alterations proposed; however, a Site Plan is required to be provided in the case of a proposed building addition that would contain an accessory apartment or in the case of a detached accessory apartment to ascertain compliance with all applicable zoning regulations
2. A decision on an as of right accessory apartment application must be made within sixty-five days after receipt of such application unless the applicant consents to one or more extensions of not more than an additional sixty-five days.

Proposed Modifications to Hebron Zoning Regulations

**SECTION 2.D.4 (RESIDENCE DISTRICTS & USES; ACCESSORY USES AND STRUCTURES)**

Re: Accessory apartments

8/28/21

2.D.4 HOUSING	R-1	R-2	AL
1. Up to two (2) boarders, roomers or lodgers residing in an owner-occupied dwelling.	No Zoning Permit Required	No Zoning Permit Required	No Zoning Permit Required
2. Temporary Housing For Dwelling Under Construction in accordance with Section 2.G.8.2	Zoning Permit (Staff)	Zoning Permit (Staff)	x
3. Housing For Aged Persons in accordance with Section 2.G.8.1	Zoning Permit (Staff)	Zoning Permit (Staff)	x
4. An accessory apartment in accordance with Section <b><u>[2.G.5] 2.G.7.</u></b>	Zoning Permit (Staff)	Zoning Permit (Staff)	<b><u>[x] Zoning Permit (Staff)</u></b>

Note: Deleted wording is in brackets; Added wording is bold and underlined.

Draft Accessory Apartment Definition  
August 19, 2021

Existing Accessory Apartment Definition

Section 9

**Accessory Apartment** – One or more rooms within or attached to a single-family dwelling and used for independent residential purposes. In general, an accessory apartment shall be inferred when there is a sleeping area, a separate kitchen / kitchen area, and a separate bathroom with a toilet and a bathtub/shower.

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Proposed Accessory Apartment Definition

Section 9

**Accessory Apartment** - A separate dwelling unit that (A) is located on the same lot as a principal dwelling unit of greater square footage, (B) has cooking facilities, and (C) complies with or is otherwise exempt from any applicable building code, fire code and health and safety regulations.”