

# **Madbury Zoning Ordinances**

## **Article V General Residential and Agricultural District**

### **Section 4. Accessory Dwelling Units**

#### **A. Definition**

An Accessory Dwelling Unit is a residential unit that is subordinate and within or attached to a Single Family Dwelling or is located in a detached structure. It provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.

#### **B. Purpose:**

Accessory Dwelling Units are permitted in order to provide expanded housing opportunities and flexibility in household arrangements beyond a single family, while maintaining aesthetic and residential use compatible with homes in the neighborhood. Accessory Dwelling Units are permitted to enhance reasonable and realistic opportunities within Madbury for a balanced supply of housing affordable to persons and families of low and moderate income. (See RSA 672:1,III-e)

#### **C. Requirements and Limitations**

1. Accessory Dwelling Units may be attached or detached.
2. The Accessory Dwelling Unit must be secondary and accessory to a principal Single Family Dwelling unit.
3. The exterior of the Accessory Dwelling Unit should be developed in a manner consistent with the character or appearance of the principal dwelling unit.
4. An Accessory Dwelling Unit shall not be considered to be an additional Dwelling Unit for the purpose of determining minimum lot size.
5. Only one Accessory Dwelling Unit shall be allowed per lot.
6. Accessory Dwelling Unit must meet all pertinent zoning and building requirements.
7. The gross living area of an Accessory Dwelling Unit shall not be greater than 50% of the finished living square feet of the principal dwelling.
8. Accessory Dwelling Units are permitted subject to the approval of a Conditional Use Permit in accordance with Article IV, Section 9, of this ordinance.
9. Off street parking shall be provided to serve the combined needs of the principal Dwelling Unit and the Accessory Dwelling Unit.
10. The existing, replacement or proposed septic system must be certified by a licensed septic designer as adequate to support the Accessory Dwelling Unit in accordance with New Hampshire RSA 485A:38.
11. Principal Dwelling or Accessory Dwelling Unit must be owner-occupied.
12. A Building Permit shall not be issued unless all requirements of this ordinance are met.

#### **D. Conditional Use Permit Submission**

The following details should be included with the Conditional Use Permit application for establishing an Accessory Dwelling Unit;

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1. A description of how proposed Accessory Dwelling Unit will adhere to Paragraph C, and shall include a photo of principle dwelling exterior.
2. A sketch or diagram to identify dwelling locations, applicable setbacks, and parking locations.
3. The planning board may require additional details.