

## Section 532. Accessory Apartments

An accessory apartment is a small dwelling unit that is accessory and subordinate to the principal use of a property as a single family dwelling. These standards are intended to allow the addition of one accessory apartment to a single family dwelling only if such addition will preserve the single family residential character of the property. The following standards shall be met to create and maintain an accessory apartment:

1. An accessory apartment may be created in one of the following ways: *{Amended, Effective 10/03/17}*
  - a) by using space within an existing or new dwelling;
  - b) by building an addition onto an existing dwelling such that the addition is made part of the principal dwelling;
  - c) by using space within an existing or proposed accessory structure that is within 50 feet of the single family dwelling;
  - d) buildings existing prior to February 7, 2012 that are greater than 50 feet from the single family dwelling may be used for an accessory apartment provided no additions are added to the existing structure; *{Amended, Effective 02/07/12}*
2. Accessory apartments located in the Shoreland Zone must be connected to the public water and sewer system.
3. For the purposes of this section, accessory apartments outside of a shoreland zone shall not be considered to be a second dwelling unit for determining the required minimum lot area, or net residential density. *{Amended, Effective 10/03/17}*
4. If the accessory apartment will be located in a building that doesn't conform to the setback requirements, the apartment must be constructed so that the building is not made more non-conforming. If the single family dwelling is non-conforming with regard to use, the creation of an accessory dwelling will not make the single family more non-conforming,
5. If the lot is served by public sewerage, both the single family dwelling and the accessory apartment must be connected to the sewer system. If the lot is served by subsurface sewage disposal, the owner must demonstrate that the use conforms to the State of Maine Minimum Lot Size law and that the sewage disposal system(s) for both the single family dwelling and the accessory apartment complies with the Maine Subsurface Wastewater Disposal rules.
6. In all cases, the accessory apartment shall be no larger than 40% of finished and heated portion of the single family home and have no more than one bedroom, nor no less than 320 square feet. *{Amended, Effective 02/07/12}*
7. Either the single family dwelling or the accessory apartment must be occupied by the owner of the property. At least one of the units shall be occupied as a primary residence.
8. Any exterior alteration of the single family dwelling or accessory buildings or construction of an accessory building shall preserve the single family appearance, architectural style, and

character of the original structure and shall be in harmony with the general appearance of the neighborhood. Any alteration shall preserve the front entrance of the original structure to preserve the single family character. A separate entrance for the accessory apartment may be created but shall be clearly secondary to the main entrance, such as but not limited to an entrance that is setback further from the road than the primary entrance.

9. At least three off street parking spaces shall be provided on the property. At least one space shall be available for the occupant(s) of the accessory apartment. A garage bay may be counted as one space for meeting the parking requirement. The parking shall be located and designed to minimize the impact on adjacent properties and shall be buffered by landscaping and/or fencing from abutting residential uses if it is located in the side or rear yard. Where possible, a turn around shall be provided to avoid the need to back out of the driveway.