

TOWN

OF

HOLLIS MAINE

Accessory Dwelling Unit Ordinance

Enacted by Town Meeting Vote: June 10, 2014

Accessory Dwelling Unit Ordinance of the Town of Hollis

An Accessory Dwelling Unit is a living area located within a single family dwelling or within a structure accessory to a single family dwelling, such as a garage, barn, or accessory cottage, which is designed and equipped with limited housekeeping facilities (see section C) so that it can be occupied by a person or persons living separately from the persons occupying the single family dwelling. A Town approved accessory unit shall not be considered a permanent dwelling unit under this ordinance, the Hollis Zoning Ordinances and the Hollis Growth Ordinance.

DEFINITIONS:

Accessory Dwelling units within or added to the primary dwelling structure shall be known as ***In-Law Apartments***. Units in accessory structures (garages, barns, etc.) shall be known as ***Accessory Dwellings***. (The general provisions of this ordinance shall apply to both.)

PERFORMANCE STANDARDS – ACCESSORY UNITS

The following standards are intended to allow the addition and use of one accessory unit to a single family dwelling in a manner that will preserve the single family residential character of the property and neighborhood. The Code Enforcement Officer may issue a permit for the construction of an Accessory Unit only if the Accessory Unit adheres to the following standards:

- A.** The owner(s) of the lot on which the principal structure is located must reside in the principal structure or the accessory unit, either of which residence may be seasonal. An accessory unit may be located on a lot which the owner occupies as a seasonal residence; however, neither the accessory unit nor the single-family dwelling shall be rented. For this purpose, “season” means any three (3) consecutive months during a twelve (12) month period.
- B.** The number of occupants of the Accessory Unit is limited to a maximum of **two** family members.
- C.** The area of an accessory unit shall not exceed 600 total square feet of total space of the single family dwelling to which the unit is accessory or other accessory structure. The unit shall be limited to a compact refrigerator (up to 10 cu.ft.), single kitchen sink, and microwave oven. No range or stove is allowed. No laundry appliances are allowed.
- D.** Accessory Units are permitted on nonconforming lots, but the structures in which they are located (attached or detached), shall not exceed 25% of the lot coverage.
- E.** In order for an Accessory Unit to be added to a lot, the lot must comply with the requirements of the state minimum lot size law, 12 M.R.S.A. §§ 4807 – 4807-G and all the provisions of the Maine State Building and Energy Code (MUBEC).

The applicant shall have the burden to establish the lot area, which burden may include a survey signed and sealed by a Professional Land Surveyor, at the discretion of the Code Enforcement Officer. The septic system on the property in question shall be functioning properly at the time of application for accessory unit approval, and plans (HHE-200) for the additional septic load for the premises provided **before issue of building permit**.

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F. Adequate off-street parking space shall be available for an Accessory Unit.

G. Proper ingress and egress shall be provided to the Accessory Unit, per MUBEC.

H. Only one Accessory Unit shall be permitted on a base lot.

I. The Accessory Unit and the principal structure must be serviced by a common utility meter.

J. Accessory Units shall retain and respect the existing streetscape, character of the neighborhood, and preserve the single-family appearance, architectural style, and character of the original dwelling and property. Outside stairways (either open or closed) that service Accessory Units on upper stories are permitted, provided that they are integrated into and consistent with the architecture of the building.

Outside stairways serving upper stories shall not be located on the side of the building that faces the street, except in the case of a building on a corner lot that fronts two or more streets, a stairway may be allowed on one of the sides of the building that faces a street if no reasonable alternative exists. Only handicap ramps are exempt from lot line setbacks.

K. All municipal and state building codes (MUBEC) in effect at the time of application must be followed.

L. If denied a permit from the Code Enforcement Officer, an applicant for a permit for an accessory unit may appeal to the Zoning Board of Appeals, per Hollis Zoning Ordinance.

M. Should the owner(s) of the principal structure be found in non-compliance with the standards contained in this section, the non-compliance shall be considered a violation of this Ordinance, and the structure shall revert to a single family dwelling or the previous use.

N. In order for an Accessory Unit to be located in a **detached accessory structure**, the following requirements must be met:

1. The detached accessory structure must meet bulk and space requirements and setbacks for an individual (primary) dwelling unit.

2. The detached accessory structure must be designed and constructed in the style of a garage, barn, storage building, carriage house, accessory cottage, or similar structure customarily located on the same lot with a single-family residence.

O. Names and relationship of the immediate family occupants in the accessory unit shall be listed on the application and conditions of the approved building permit. The anticipated duration of the occupancy shall also be listed on the application, after which the accessory dwelling shall revert to its original or similar use, or the applicant may apply for an extension of the permit. Occupancies are not transferable to subsequent owners without meeting all provisions of this section.

P. Accessory Units are Permitted Uses (CEO approval required) in all zones other than the Shoreland Zone where they are Conditional Uses (Planning Board approval required).