

Temporary In-Law and Accessory Apartments

(Currently Article II, Sec. 1.1.2.7, 1.2.2.7 and 1.3.2.7 of the Town of Trumbull Zoning Regulations).

A. STATEMENT OF PURPOSE

To provide additional affordable housing by giving owner-occupied homeowners the opportunity of maintaining a temporary apartment, and to protect stability, property values, and the single-family residential and visual character of a neighborhood by ensuring that temporary apartments conform fully to the standards and intent of the ordinance.

B. Definitions: For the purposes of this Subsection only, the following terms shall be defined as follows:

(a) Accessory Apartment: a separate living unit that (A) is attached to the main living unit of a house, which house has the external appearance of a single-family residence, (B) has a full kitchen, (C) has a three-fixture bath, (D) has a square footage that is not more than thirty per cent of the total square footage of the house, (E) has an internal doorway connecting to the main living unit of the house, (F) is not billed separately from such main living unit for utilities, and (G) complies with the building code and health and safety regulations.

(b) Basement Accessory Apartment: An accessory apartment any part of which is below the elevation of the finished grade of the ground adjacent to any part of the dwelling at the highest point of elevation;

C. Conditions:

(a) An accessory apartment must have at least three hundred (300) square feet of Livable Floor Area. Maximum size shall not exceed thirty (30%) per cent of the Livable Floor Area of the Principal Dwelling;

(b) At least one (1) Dwelling Unit in the converted single-family home shall be owner-occupied;

(c) In all cases, the accessory apartment conversion shall have the exterior appearance of a single-family home, and in no case shall additional front entrances be allowed. An accessory apartment shall not be located in a detached or accessory building;

- (d) The design and size of the apartment must conform to all applicable standards in the health, building, and other codes;
- (e) At least four (4) off-street parking spaces must be available, including spaces in a Private Garage;
- (f) Prior to Planning and Zoning Commission approval, the local health authority must give approval that the dwelling, including the apartment, has sewage disposal capability, septic reserve area, and potable water availability in conformance with its current standards;
- (g) Every accessory apartment approved under this section of the Zoning Regulations shall be deemed an "affordable housing unit" and shall be subject to the requirements of Section 8-30g(k) of the Connecticut General Statutes; e.g.
 - (i) The rental charge for the apartment shall not exceed thirty (30) per cent of the renter's income, where such income is less than or equal to eighty (80) per cent of the median income of the area;
 - (ii). A binding deed restriction containing covenants and restrictions in conformance with the Connecticut General Statutes Section 8-30g shall be recorded in the Trumbull Land Records; said restrictions shall be for a minimum period of forty (40) years from the date of original occupancy of the apartment;
- (h) Each apartment shall have a full kitchen, be connected to the main living area of the house, and utilities shall not be billed separately from the main living unit of the house.

D. Application Procedure

Application for Special Permit for a temporary apartment shall be made to the Planning and Zoning Commission in accordance with Article XV of these Regulations, and in addition to the information required that Article, shall include, but not be limited to, the following:

- (a) A notarized letter of application from the owner(s) stating that he/they will occupy one of the dwelling units on the premises, except for bona fide temporary absences;
- (b) A floor plan of one-fourth (1/4) inch to the foot showing proposed changes to the building;

(c) The application shall include an accurate description of the proposed facility, drawings of any proposed addition, four (4) copies of a certified plot plan for the facility, and certification by the Town Sanitarian. These plans shall show the location of all buildings, uses, parking areas, traffic access and circulation drives, open spaces, landscaping, exterior lighting and special features relating to the property.

E. Renewal Requirements

(a) The effective period of the Special Permit shall be five (5) years. At the end of every five (5) years, renewal shall be granted upon receipt of certification, by the owner or his agent, to the Planning and Zoning Commission that the property remains the principal residence of the owner, and that all other conditions met at the time of the original application remain unchanged. The Planning and Zoning Commission may require a new application and a demonstration of compliance with all conditions necessary for a special use permit;

(b) Purchasers of homes that had Special Permits for temporary apartments who want to continue renting those apartments must reapply for a permit, and must demonstrate that all conditions prerequisite to obtaining the relevant permit, in particular their residence in the home, have been met;

(c) Special Permits for existing apartments shall only be renewed in accordance with this section.



PLANNING AND ZONING COMMISSION
TOWN OF TRUMBULL

APPLICATION FOR SPECIAL PERMIT OR SITE PLAN APPROVAL

- Property located in:
- Commercial Zone B - C
 - Industrial Zone I-L, I-L2, I-L3
 - Residence Zone A, AA, AAA

Applicant: _____

Address of Applicant: _____

Telephone Number: Day _____ Evening _____

Location of Premises: _____

Assessor's Map No.: _____ Parcel No.: _____ Lot No.: _____

Trumbull Land Records: Volume: _____ Page: _____

Owner of Record: _____

Address of Owner of Record: _____

Description of Proposed Request, including specific use to be conducted:

For Industrial Uses Only: Maximum number of shifts: _____

Maximum number of employees each shift: _____

Signature of Applicant: _____

Signature of Owner of Record: _____

EMAIL ADDRESS: _____

A FEE IN ACCORDANCE WITH APPROVED FEE SCHEDULE MUST ACCOMPANY THIS APPLICATION. Make check payable to TOWN OF TRUMBULL.

FOR OFFICE USE ONLY

Date of Application and Fee Received: _____ By: _____

Zone in which premises are located: _____

Date of Public Hearing: _____ Date Action Taken: _____

List of Abutters Submitted: _____

THE FOLLOWING INFORMATION MUST BE SUBMITTED WITH THE APPLICATION:

1. Copy of Deed (can be obtained from Town Clerk's Office).
- 1a. Copy of Field Card (Can be obtained from Assessor's Office.)
2. Five (5) sets of site plans showing existing and proposed buildings, structures, signs, outdoor illumination, access roads, off-street parking and loading space, storm drainage, sanitary sewers, landscaping and contours, all of which are subject to the approval of the Commission, shall be submitted with application.
3. The design of the proposed buildings, signs, and other structures prepared by a registered architect or professional engineer, including building materials, color, exterior of building, all of which are subject to the approval of the Commission.
4. Proposed construction of all roadways and drainage structures and facilities shall be submitted (copy to the Town Engineer) in the form of a plot plan including elevations and grades, same being subject to Town Engineer's approval.
5. Compliance with "Notification of Abutting Property Owners" procedure as shown on the attached.
6. Applicants shall provide a copy of the Landscaping Plan in sufficient time for the Town Tree Warden to make comments and recommendations. The recommended plan shall be presented to the Planning and Zoning Office prior to the scheduled Public Hearing.
7. Additional set of plans shall be submitted to the following departments for review and comment: Building Department, Fire Marshal, Police Department, Engineering, Health Department, and Fire Department. A sign-off from each of these departments is required. See attached form. Please allow adequate time for review.
8. **All above-referenced signatures (#7) are required before application is submitted to Planning and Zoning.**

Departmental Application Sign-off
for receipt of Special Permit/Site Plans prior to scheduled
Planning & Zoning Commission Public Hearing
(not to be confused with sign-off for application approval).

Return to Planning & Zoning Office when completed.

Location of Premises: _____

Permit Application Number: _____

Required

- () Planning _____ Date: _____
- () Zoning _____ Date: _____
- () Engineering _____ Date: _____
- () Inland Wetlands _____ Date: _____
- () W.P.C.A. _____ Date: _____
- () Health Dept. _____ Date: _____
- () Fire Marshal _____ Date: _____
- () Police Dept. _____ Date: _____
- () Building Dept. _____ Date: _____
- () Fire Dept. _____ Date: _____

NOTIFICATION OF ABUTTING PROPERTY OWNERS

Each applicant to the Planning and Zoning Commission for a change in zone, Special Permit, or Subdivision/Resubdivision shall be required to provide to the Clerk at the time of filing said application, a listing of the names and addresses of each property owner who owns property abutting the premises which is the subject of such application. In addition, if the application involves AA or AAA Residence Zones, all property owners within 500 feet of all property lines shall be notified. If the application does not involve AA or AAA Residence Zones, all property owners within 250 feet of all property lines shall be notified. In the case of multi-family dwellings or institutions, the administrator or association shall be notified in lieu of each individual. SPECIAL PERMIT APPLICATIONS FOR APARTMENTS SHALL NOTIFY PROPERTY OWNERS WITHIN 150 FEET OF ALL PROPERTY LINES.

It shall be the responsibility of the applicant to prepare the list of said abutting property owners from the records of the Assessor's Office as shown on the last completed Grand List by determining the names and addresses of said property owners as measured on the most recently completed Assessor's Maps as are on file in the Assessor's Office. Said property owners shall be notified by the applicant **by FIRST CLASS MAIL** of the time and place of the public hearing at which said application shall be heard. The mailing of said notices shall be evidenced **by a certificate of mailing from the United States Postal Service**. Said notice letters shall be postmarked not less than **TWELVE (12) DAYS** prior to the scheduled date for said hearing. It shall be the applicant's responsibility to file with the Clerk of the Commission, not less than **FIVE (5) CALENDAR DAYS** prior to the hearing date, the list of all property owners to whom notice has been sent, a copy of the letter mailed, and the certificate of mailing from the United States Postal Service.

Name and Address of Sender

Check type of mail or service:

- Adult Signature Required
- Certified Mail
- COD
- Delivery Confirmation
- Express Mail
- Insured
- Adult Signature Restricted Delivery
- Recorded Delivery (International)
- Registered
- Return Receipt for Merchandise
- Signature Confirmation

Affix Stamp Here
(if issued as a
certificate of mailing
or for additional
copies of this bill)
Postmark and
Date of Receipt

Article Number	Addressee (Name, Street, City, State, & ZIP Code TM)	Postage	Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee
1.														
2.														
3.														
4.														
5.														
6.														
7.														
8.														

Total Number of Pieces Listed by Sender

Postmaster, Per (Name of receiving employee)

OWNER'S AFFIDAVIT

From: _____

To: Planning & Zoning Department
Town of Trumbull
5866 Main Street
Trumbull, CT 06611

Re: In-law/Accessory Apartment

To Whom It May Concern:

This is to confirm, as property owners, that we will reside either in the main part of the house or in the accessory apartment located at _____
_____.

Sincerely,

Property Owner:

Property Owner:

Sworn and subscribed to before me this _____ day of _____, 2016.

Notary Public
My Commission expires _____

DEED RESTRICTION

In accordance with Connecticut General Statutes Section 8-30g (k), Trumbull Zoning Regulations Article II and the Special Permit granted by the Trumbull Planning & Zoning Commission on the effective date of _____ the following restriction is placed on the residence located at _____ in the Town of Trumbull, County of Fairfield and State of Connecticut and described in Schedule A.

The apartment authorized under the above shall be restricted to the following uses and conditions:

1. At least one (1) dwelling unit in the converted single-family home shall be owner-occupied.
2. The rental charge for the apartment shall not exceed thirty (30) per cent of the renter's income where such income is less than or equal to eighty (80) per cent of the median income of the area.
3. Said restrictions and conditions shall be for a minimum period of forty (40) years from the date of the last deed restriction expiration of the apartment, which was _____.
4. The apartment shall
 - (a) Have a full kitchen;
 - (b) Be connected to the main living area of the house; and
 - (c) Utilities shall not be billed separately from the main living unit of the house.

Witnesses:

Witnesses:

Property Owner:

Property Owner:

Personally appeared _____ signer(s) and sealer(s) of the foregoing instrument, and acknowledged the same to be his/her/their free act and deed before me this _____ day of _____, 2016.

Notary Public
My Commission Expires on _____

Planning and Zoning
Department
Telephone (203) 452-5047
Fax (203) 452-5061

Town of Trumbull

CONNECTICUT



Town Hall
5866 Main Street
Trumbull, Connecticut
06611

PLANNING AND ZONING COMMISSION
FEE SCHEDULE

SPECIAL PERMIT/SITE PLAN:

NEW CONSTRUCTION	560.00*
OTHER.....	360.00*
MULTI-UNIT RESIDENTIAL:	
EACH UNIT.....	260.00*
MINIMUM.....	1,060.00*
IN-LAW/ACCESSORY APARTMENTS	260.00*
TELECOMMUNICATIONS.....	1,560.00*
MINOR DEVIATION BY RESOLUTION OF THE COMMISSION	160.00*
HOLIDAY DECORATIONS (NON-PROFIT ORGANIZATIONS).....	30.00
HOLIDAY DECORATIONS (BUSINESS/COMMERCIAL & INDUSTRIAL)	360.00*
PRE APPLICATION/PRELIMINARY REVIEW	100.00
EXTENSION OF TIME	100.00

ZONE CHANGE:

AMENDMENT	460.00*
BOUNDARY	460.00*

SUBDIVISION:

MINIMUM (1-5 LOTS)	560.00*
MINIMUM (6-10 LOTS)	1,060.00*
EACH LOT (OVER 10 LOTS)	160.00*
LOT LINE REVISIONS	180.00
FIRST CUT DIVISIONS OF LAND	180.00

INSPECTION FEE – 5% OF ESTIMATED IMPROVEMENT COSTS

LIQUOR LOCATION.....	460.00*
ZONING REGULATIONS.....	30.00
SUBDIVISION REGULATIONS.....	15.00

*STATE SURCHARGE OF \$60.00 HAS BEEN ADDED

**Town of Trumbull
CONNECTICUT**

**Planning and Zoning
Department**
Telephone (203) 452-5047
Fax (203) 452-5061

Town Hall
5866 Main Street
Trumbull, Connecticut
06611



**SCHEDULE OF PLANNING AND ZONING REGULAR
MEETING DATES FOR 2016**

DEADLINE for Submittal of Application	Date of PUBLIC HEARING
December 30, 2015.....	January 20, 2016
January 27, 2016.....	February 17, 2016
February 24, 2016.....	March 16, 2016
March 30, 2016.....	April 20, 2016
April 27, 2016.....	May 18, 2016
May 25, 2016.....	June 15, 2016
NO JULY MEETING	
July 27, 2016.....	August 17, 2016
August 31, 2016.....	September 21, 2016
September 28, 2016.....	October 19, 2016
October 26, 2016.....	November 16, 2016
November 30, 2016.....	December 21, 2016
December 28, 2016.....	January 18, 2017

PUBLIC HEARINGS BEGIN PROMPTLY AT 7:30 P.M.