

## **INSTRUCTIONS FOR OBTAINING REQUIRED PERMITS FOR AN ACCESSORY LIVING UNIT**

Persons wanting to construct an accessory living unit are to complete the attached Application for a Zoning Permit including plot plan showing location of project with distances to all property lines and the house. The plot plan should also show the general location of the well and septic system.

The following approvals are also **REQUIRED: prior to obtaining a zoning permit:**

- Chesprocott Health District, 1247 Highland Avenue (Route 10), Cheshire.  
(203) 272-2761

• *Please Note: The Building Permit is separate:*

***\*Please go to the Town's Website: [TownofProspect.org](http://TownofProspect.org) and to Departments, then to the Building Department. There is a link to applying for an online Building Permit (no paper applications are required). \****

- The Prospect Building Department could be reached by calling 203 758-4461 and asking for the Building Department. Their Office Hours:  
M-W-F 9:00 a.m. -1:00 p.m. and T-Th – 1:00 p.m.-5:00 p.m.

**\*\*\*Do Not Apply for a Building Permit online until you receive Zoning Approval\*\*\***

***A complete set of building plans must be submitted to the Building Inspector in order to certify that your plans for an Accessory Living Unit comply with all current building codes.***

After obtaining both the Chesprocott Health District's and the approval certificate from the Prospect Building Inspector, please return completed application with approvals to the Land Use Office with the following fees:

Fees: \$100.00 (Town of Prospect)  
\$60.00 (State of Connecticut)

**If by check, both checks payable to the "Town of Prospect"**

**Please Note:**

Other approvals may be required from:

- Inland Wetlands
- Zoning Board of Appeals

Please review the Town of Prospect Zoning Regulations "Table of General Bulk Regulations" for further information as to required setbacks to property lines, lot area coverage and maximum height limitations.

**\*\*\*Please be aware that an Accessory Living Unit approval by the PZC must be filed in the Land Records of the Prospect Town Clerk to be effective. \*\*\***

**\*An Accessory Living Unit approval is for a two (2) year period and must be renewed or the approval becomes null and void. \***

Permit # \_\_\_\_\_

Planning & Zoning Commission  
Prospect, CT  
Application for a Zoning Permit – Accessory Living Unit

Date: \_\_\_\_\_

**Applicant's Name:**

\_\_\_\_\_  
(last) (first) (middle initial)

Mailing Address:

\_\_\_\_\_  
(number) (road) (town)

Telephone:

\_\_\_\_\_  
(day) (evening) (cell)

**EMAIL:**

\_\_\_\_\_

**Property Owner's Name:**

\_\_\_\_\_  
(last) (first) (middle initial)

Mailing Address:

\_\_\_\_\_  
(number) (road) (town)

Telephone:

\_\_\_\_\_  
(day) (evening) (cell)

**Email:**

\_\_\_\_\_

**Subject Property Address:**

\_\_\_\_\_

Zone: \_\_\_\_\_ Assessor's Map #: \_\_\_\_\_ Lot #: \_\_\_\_\_

Lot Dimensions: Width: \_\_\_\_\_ Depth: \_\_\_\_\_ Area: \_\_\_\_\_

Size of Accessory Living Unit: Length: \_\_\_\_\_ Width: \_\_\_\_\_ Height: \_\_\_\_\_ (1 or 2 story)

Square Footage of Accessory Unit: \_\_\_\_\_

Total Floor Area of Habitable Space  
in Residence including Accessory Living Unit: \_\_\_\_\_

Distance of Accessory Living Unit from Property Lines: \*\*Front: \_\_\_\_\_ Ft. Rear: \_\_\_\_\_ Ft.  
Left Side: \_\_\_\_\_ Ft. Right Side: \_\_\_\_\_ Ft.

**\*\* Note: A front yard setback is measured to the property line of the street right of way and not to the edge of pavement.**

Zoning Requirements for a house	Max. % of Lot Area Covered
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addition			by Structures (Lot Coverage)							
Zone	General Use Application	Minimum Lot Area	Building Alone	Impervious Surfaces	Minimum Frontages	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Max. Height	Min. Floor Area
RA-1	Residential	40,000 SF	15%	30%	150 Ft.	50 Ft.	25 Ft.	50 Ft.	35 Ft.	960 SF *

\*See attached Section 5.5 for Accessory Living Units

**Family Members**

Living in Accessory Unit: \_\_\_\_\_ Relation: \_\_\_\_\_

\_\_\_\_\_ Relation: \_\_\_\_\_

Living in Primary Unit: \_\_\_\_\_ Relation: \_\_\_\_\_

\_\_\_\_\_ Relation: \_\_\_\_\_

\_\_\_\_\_ Relation: \_\_\_\_\_

\_\_\_\_\_ Relation: \_\_\_\_\_

**Fees Submitted:**

\$100.00 (Town of Prospect Fee) Paid: \_\_\_\_\_

\$60.00 (State of Connecticut Fee) Paid: \_\_\_\_\_

Checks both payable to the "Town of Prospect"

**Commission Use**

CHESPROCOTT HEALTH DISTRICT \_\_\_\_\_ DATE \_\_\_\_\_

BUILDING INSPECTOR \_\_\_\_\_ DATE \_\_\_\_\_

LAND USE INSPECTOR \_\_\_\_\_ DATE: \_\_\_\_\_

Land Use Inspector Report to Commission

Commission Action

Approved: (\_\_\_)

Denied: (\_\_\_)

Reason: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Note:** An accessory living unit permit is valid for a two year period.  
An approved accessory living unit permit may be renewed by submitting an application to the Land Use Office.

**Date Two (2) year Permit Expires:** \_\_\_\_\_

Please complete a Plot Plan (sample attached) showing distance of proposed structure to all property lines. A Zoning Location Survey, Existing Building Location Survey or comparable document may also be required.

*\*\*\*\* By my signing this application I agree that my/this house addition/ structure will meet all required zoning regulations for property line setbacks, size and height limitations and any other regulations that would apply. I further acknowledge that I will submit an as-built survey to A-2 accuracy to the Zoning Enforcement Officer upon completion of the foundation and prior to construction for any structure for which the proposed property line setback is within five (5) feet of the required setback of said structure or as otherwise directed by the Land Use Office, in order to ensure compliance. \*\*\*\**

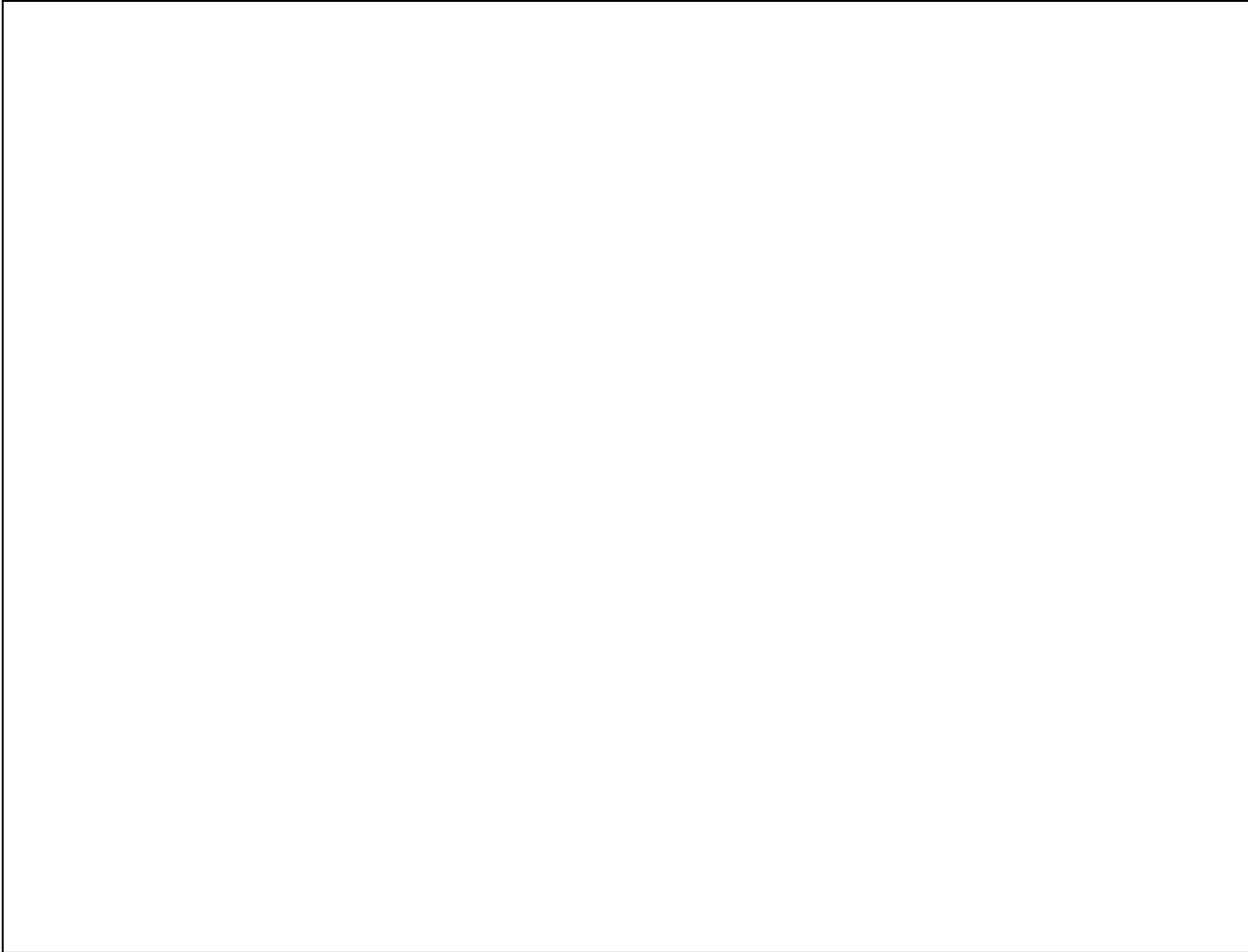
\_\_\_\_\_  
Applicant/Agent Signature

\_\_\_\_\_  
Owner Signature

**PLOT PLAN**

Plot Plan must be drawn in the box below or attached to this application.

PLEASE SHOW THE PLACEMENT OF THE PROPOSED ACCESSORY LIVING UNIT TO THE PRIMARY STRUCTURE, GIVING DISTANCES TO PROPERTY LINES, SEPTIC SYSTEM AND WELL. ALSO SHOW LOCATION AND NUMBER OF TOTAL PARKING SPACES ON PROPERTY.



PLEASE EXPLAIN IN WRITING WHAT WILL BE DONE:

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## **Section 5.5 Accessory Living Units**

A single family residential dwelling unit in RA-1, RA-2, or B Zones only, may contain one accessory living unit provided that:

- 5.5.1** The accessory living unit shall contain not less than 360 sq. ft. or more than 30% of the total floor area designated as habitable space in the residence.
- 5.5.2** The dwelling containing an accessory living unit must conform to lot square, frontage, area, setbacks and structure height as required by Prospect Zoning Regulations.
- 5.5.3** The dwelling containing an accessory living unit must retain its character and appearance of a single-family dwelling unit and have interior access to and from each unit. A side or rear door may be added, only to comply with building codes. Only one (1) service meter for each utility will be allowed per building lot.
- 5.5.4** A maximum of two family members may reside in any accessory living unit.
- 5.5.5** Residents of the accessory living unit must be related to the principal owner by blood, marriage or adoption, or the accessory living unit must be occupied by the principal owner, provided that if the principal owner occupies the accessory living unit, then the residents of the primary dwelling must be related to the principal owner by blood, marriage or adoption.
- 5.5.6** A minimum of four (4) parking spaces (10' minimum, paved or processed material) must be provided for a residence with an accessory living unit (garage space may be counted). Parking shall be at least five (5) feet from a side Property line and a minimum of twenty-five (25) feet from a street line. (Street curb or gutter is not a street line) Only one, driveway is allowed per lot.
- 5.5.7** Septic and water systems will meet state health code standards.
- 5.5.8** An applicant must obtain a certificate from the Prospect Building Department that the proposed accessory living unit complies with all current building codes.
- 5.5.9** An owner with an existing accessory living unit prior to adoption of this regulation or an owner seeking approval for an accessory living unit shall make application with the Land Use Inspector accompanied with the required fees for the Zoning Permit.
  - 5.5.9.1** The Land Use Inspector shall review the application, required support information and conduct an inspection of the property and dwelling. The Land Use Inspector shall report his findings to the Commission and if the application complies with regulations, a Zoning Permit shall be approved by the Commission.
  - 5.5.9.2** Whenever the Commission approves a permit, a notice shall be given identifying the residence including a description of the dwelling, the occupants and the date such a 2-year permit expires.

- 5.5.9.3** A permit may be renewed by making application to the Land Use Inspector who shall review the application, conduct an inspection of the dwelling and property to confirm compliance and report his findings to the Commission. If in compliance, the Commission shall issue a renewal permit for the same as the original permit.
  - 5.5.9.4** Failure of an applicant requesting a permit or permit renewal to show proof of family relationship will be reason for refusal to issue a permit.
  - 5.5.9.5.** Notice of ratification of a permit approval by the Commission shall be filed in the Land Records of the Prospect Town Clerk.
  - 5.5.9.6.** Occupancy of an accessory living unit not in accordance with these regulations will be subject to enforcement action in accordance with Connecticut General Statutes, Sec. 8-12 of Chapter 124.
- 5.5.10** The letting of rooms or furnishing of board by the principal owner or occupant at a dwelling containing an accessory living unit shall not be allowed.