

AFFORDABLE / ACCESSORY APARTMENT APPLICATION
WESTPORT PLANNING AND ZONING COMMISSION

FOR OFFICE USE ONLY

- ACCESSORY APARTMENT**
 AFFORDABLE ACCESSORY APARTMENT

Application # _____
Submission Date: _____
Receipt Date: _____
Fee: _____

1. Property Address (as listed in the Assessor's records) _____
2. Assessor's Map # _____ Lot # _____ Lot Area _____
3. Town of Westport Zoning District: _____
4. This property is connected to: Septic or Sewer
5. Applicant's Name _____
Applicant's Address _____ Zip Code _____
Applicant's Daytime Phone# _____ E-Mail: _____
6. Owner of Record _____ Daytime Phone# _____
Owner's Address _____ E-Mail: _____
7. Agent's Name (if different): _____ Daytime Phone# _____
Agent's Address: _____ E-Mail: _____
8. Existing Uses of Property: _____
9. Describe the Proposed Project: _____
10. This property is is not within 500 feet of an adjoining municipality.
11. Estimated time needed for presentation: _____
12. Does this project involve the demolition of any structures 50 yrs old or more? Yes _____ No _____

The P& Z Director, his/her designee, or the P& Z Commission may require an applicant to pay for hiring one or more outside consultants to assist the P&Z staff and Commission in analyzing, reviewing and reporting on areas requiring technical review.

I hereby certify that the above information is correct and that I have submitted herewith all of the pertinent documentation required by the zoning application.

Applicant's Signature (If different than owner)

Owner's Signature (Must be signed ')

1. If the applicant is unable to obtain the signature of the property owner, a letter of authorization signed by the property owner may be submitted instead, as per §43-3.3

□ ACCESSORY APARTMENT

1. An application fee. *See Appendix A* of the Westport Zoning Regs. for the required amount.
2. Documentation verifying that age of the property owner or prospective tenant is 62 or over or documentation for a person of any age who is receiving Social Security disability payments.
3. Health Dept. approval, if property has septic system. If property is served by town sewer, proof of sewer connection is required. **If the proposed dwelling unit has not been benefit assessed, a copy of a letter that has been submitted to the Water Pollution Control Authority requesting the Water Pollution Control Authority to approve an additional benefit assessment for the property must be submitted. The copy of the letter must be date stamped as received by the First Selectman's Office. See attached.**
4. Three (3) copies of apartment floor plan. Total apartment floor area must be indicated, and may not exceed 25% of the total floor area in the dwelling, inclusive of the apartment, but exclusive of non-livable areas (*i.e. garages*). If new construction also provide three (3) copies of building elevations.
5. Apartments already in existence must be inspected by the Building Dept. and recommendations submitted to the P&Z Office.
6. One (1) copy of an updated survey, in accordance with §44-1.3 of the Westport Zoning Regs.
7. A copy of the property Field Card (*Available from Tax Assessor's Office, Room 104*).
8. One (1) copy of the Assessor's Tax map showing the location of the property and the properties within a 250' radius. P&Z staff can provide you with the map.
9. A list of names and addresses, **as of the date of application submission**, identifying the owner of all properties within a 250' radius. P&Z staff can provide you with this list.

IMPORTANT: You will need to check the mailing addresses for the property owners on the mailing list in the Assessor's Office in Room 104.

10. NEIGHBOR NOTIFICATION – You will need to generate a Notice Letter (*Sample attached*) and mail it to the owner of all properties within a 250' radius.

Please use the list generated by the Staff to send out the Notice Letters no more than 48 hours *after* you submit your application by following these steps;

- Prepare a **Stamped envelope addressed to each owner** on list from # 7 and stuff with Notice.
- Bring your completed Application and fee to Town Hall Room 203 to submit. If it is complete;
- You will mail the Notice Letters at Post Office by completing the **Post Office Form #3877** for a “**Certificate of Mailing**” (NOT certified mail). We can provide this form; ask the P&Z Staff..
- After you have mailed all Notice Letters at the Post Office using the Certificate of Mailing Form they will stamp it sent. You **MUST** then bring the stamped Certificate of Mailing Form back to this office in order for your Application to be finalized. Also bring a sample copy of one of the notice letters you sent. The mailing should occur NOT more than 48 hours after submitting an application. Premature mailings may require a repeat of this mailing process if neighbors are notified but, the application is not available for public inspection in P&Z office.

Please see the attached Sample Notice Letter for your use.

11. Pursuant to Public Act 06-53 all P&Z and ZBA applications received after October 1, 2006 require that the applicant provide written notice to the State Commissioner of Public Health and to the local water company for any application located within Aquifer Protection Overlay Zone, which is depicted on the official Westport Zoning Map.

□ AFFORDABLE ACCESSORY APARTMENT

Application for an Affordable Accessory Apartment requires P&Z staff review and a P&Z Commission public hearing. Prior to public hearing, applicant must submit the following :

1. Required Application fee amount is listed in *Appendix A* of the Westport Zoning Regs.
2. Submit an “*Initial Affidavit for Conversion to Affordable Accessory Apartment Form*” with this application and when there is a change in tenant or a change in ownership of the dwelling. (*Form attached*)
3. Health Dept. approval is required, if property has septic system. If property is served by town sewer, proof of sewer connection is required. **If the proposed dwelling unit has not been benefit assessed, a copy of a letter that has been submitted to the Water Pollution Control Authority requesting the Water Pollution Control Authority to approve an additional benefit assessment for the property must be submitted. The copy of the letter must be date stamped as received by the First Selectman's Office. See attached sample.**
4. Three (3) copies of apartment floor plan. Total apartment floor area must be indicated, and may not exceed 25% of the total floor area in the dwelling, inclusive of the apartment, but exclusive of non-livable areas (*i.e. garages*). If new construction also provide three (3) copies of building elevation.
5. Existing Apartments must be inspected by Building Dept. and recommendations submitted to P&Z Office.
6. One (1) copy of an updated survey, in accordance with §44-1.3 of the Westport Zoning Regs.
7. A copy of the property Field Card (*Available from Tax Assessor's Office, Room 104*).
8. One (1) copy of the Assessor's Tax map showing the location of the property and the properties within a 250' radius. P&Z staff can provide you with the map.
9. A list of names and addresses, **as of the date of application submission**, identifying the owner of all properties within a 250' radius. P&Z staff can provide you with this list.

IMPORTANT: You will need to check the mailing addresses for the property owners for on the mailing list in the Assessor's Office in Room 104.

10. NEIGHBOR NOTIFICATION – You will need to generate a Notification Letter (*Sample attached*) and mail it to the owner of all properties within a 250' radius.

Please use the list generated by the Staff to send out the Notice Letters no more than 48 hours **after** you submit your application by following these steps;

- Prepare a **Stamped envelope addressed to each owner** on list from # 7 and stuff with Notice.
- Bring your completed Application and fee to Town Hall Room 203 to submit. If it is complete;
- You will mail the Notice Letters at Post Office by completing the **Post Office Form #3877** for a “**Certificate of Mailing**” (NOT certified mail). We can provide this form; ask the P&Z Staff..
- After you have mailed all Notice Letters at the Post Office using the Certificate of Mailing Form they will stamp it sent. You **MUST** then bring the stamped Certificate of Mailing Form back to this office in order for your Application to be finalized. Also bring a sample copy of one of the notice letters you sent. The mailing should occur NOT more than 48 hours after submitting an application. Premature mailings may require a repeat of this mailing process if neighbors are notified but, the application is not available for public inspection in P&Z office.

Please see the attached Sample Notice Letter for your use.

11. Pursuant to Public Act 06-53 all P&Z and ZBA applications received after 10-1-06 require the applicant provide written notice to the State Commissioner of Public Health and to the local water company for any application located within Aquifer Protection Overlay Zone, which is depicted on the official Westport Zoning Map.
12. Subsequent to approval by P&Z Commission, the owners must do the following:
 - a. *File the Affordable Accessory Apartment Declaration of Restrictions Form on the Westport Land Records; and*
 - b. *An “Affidavit of Renewal Form” must be filed annually with the Zoning Enforcement Officer on or before January 31st of each year. (Both Forms for a. b. are available at P&Z Office).*

Sewer Assessment Letter

**Water Pollution Control Authority
Town of Westport
110 Myrtle Avenue
Westport, Ct 06880**

Date: _____

To the Water Pollution Control Authority:

I hereby request that the Water Pollution Control Authority determine an additional benefit assessment for my property located at:

The reason for the request is so that the Planning and Zoning Commission can approve an additional dwelling unit that is or will be connected to the sewer system as an;

Pre-1959 Apartment Accessory Apartment Affordable Accessory Apartment.

Thank you,

Print Name of Property Owner

Signature of Property Owner

Owner's Telephone # _____

.....
OFFICIAL USE ONLY:

Date application received by the Board of Selectman
(*Must be date-stamped by the First Selectman's Office; return a copy to the P&Z office.*)

WPCA REFFERALS:

Public Works Engineering / WPCA Coordinator Planning & Zoning Dept.

Notice Letter

Date _____

To whom it may concern:

Notice is hereby given that _____ has filed a _____
(*Print Your Full Name*) (*List Type of Application*)

for

(*Complete Description of Project*)

with the Town of Westport

P&Z Commission Zoning Board of Appeals Administrative Review Committee

for approval for _____
(*Address of Property*)

The public hearing for this application will be scheduled at the discretion of the Planning & Zoning Commission. A Legal Notice of the Public Hearing for this application will be published twice prior to the public hearing in a local newspaper.

To view the details concerning this Application please visit the P&Z office in room 203 at Town Hall, 110 Myrtle Avenue, Westport, CT 06880. Office hours: Monday, Wednesday & Friday 8:30 – 3:00
Tuesday & Thursday 8:30 – 4:00.

For future reference: If you wish to receive copies of all Town legal notices and meeting agendas by e-mail, please follow these directions:

1. Go to <http://www.westportct.gov>
2. Click on “Sign up for e-mail updates (*located in the top right corner under Online services.*)
3. Scroll down to “Subscribe to Newsletters”.
4. Enter your e-mail address.
5. Check box for Land Use Agencies then Click submit.

Thank you,

(*Your Name*)

**INITIAL AFFIDAVIT FOR CONVERSION TO AFFORDABLE
ACCESSORY APARTMENT**

The undersigned (print names), _____ do hereby swear or affirm under penalty of false statement that:

1. I (we) am (are) the Resident owner (s) of the dwelling located at _____, Westport, Connecticut.
2. I (we) proposed to create an Affordable Accessory Apartment and I (we) occupy one of the dwelling units and will continue to occupy the converted single family residence upon approval of the affordable accessory apartment.
3. The rent to be charged and paid for by the tenant(s) of the affordable accessory apartment is \$_____ annually, and such rent does 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 state.
4. The tenant at the time of occupancy will certify under penalty of false statement either in the annexed lease or otherwise to the undersigned that the tenant's family income at the time of occupancy does not exceed the maximum allowed tenant income published by the Planning and Zoning Director.

Subscribed and sworn to before this ___ day of __ 20__.

Tenant name (if not known yet, to be submitted upon rental)

Signature (owner)

Print name

Signature (owner)

Print name

Notary Public Date
Commissioner of Superior Court

State of Connecticut

ss: Town / City of _____

County of Fairfield

Personally appeared _____ who acknowledged his/her execution to be his/her free act and deed, before me on this _____ day of _____, 20__.

Commissioner of the Superior Court
Notary Public
Notary commission expires:

State of Connecticut

ss: Town / City of _____

County of Fairfield

Personally appeared _____ who acknowledged his/her execution to be his/her free act and deed, before me on this _____ day of _____, 20__.

Commissioner of the Superior Court
Notary Public
Notary commission expires:



TOWN OF WESTPORT
PLANNING & ZONING DEPARTMENT

Town Hall, 110 Myrtle Avenue
Westport, CT 06880
Phone (203) 341-1030, Fax (203) 454-6145

MEMORANDUM

TO: Whom it may concern

FROM: Laurence Bradley, Planning & Zoning Director

DATE: January 25, 2007, *Revised December 16, 2008*

SUBJECT: Complete Applications & Receipt of Materials

THIS NOTICE IS FOR ALL APPLICANTS WHO FILE APPLICATIONS FOR REVIEW BY THE PLANNING & ZONING COMMISSION OR THE ZONING BOARD OF APPEALS

Applicants are to submit all materials necessary to review an application in a timely manner in order to allow for adequate time for review by staff, members of the Planning and Zoning Commission and/or members of the Zoning Board of Appeals.

Effective January 1, 2009 pursuant to Sections 43-4, 44-1 and 46-4 all applicants must submit the required documents for an application at the time of submission in order to be considered a complete application. An application must be complete a minimum of 7 days prior to a public hearing. A public hearing will not be held for incomplete applications.

Subsequent plan modifications and/or supplemental materials may be submitted. However, pursuant to Section 43-3.2 such materials must be submitted at least 14 days prior to the scheduled public hearing date, subject to the exception below. This requirement may be waived by the Chairman of the elected Commission and/or Board at its discretion.

Materials submitted less than 14 days prior to a hearing will be received into the record as required in accordance with the Connecticut General Statutes. Items submitted less than 14 days prior to a public hearing or at a public hearing, may not be reviewed or discussed until the next scheduled hearing. A hearing may be left open if substantial materials are submitted by an applicant less than 7 days prior to the hearing to allow adequate time for review by staff, members of the Planning and Zoning Commission and/or members of the Zoning Board of Appeals. This requirement may be waived by the Chairman of the elected Commission and/or Board at its discretion.

Thank you for your cooperation.

cc: Planning & Zoning Commission
Zoning Board of Appeals



WESTPORT CONNECTICUT
PLANNING & ZONING
TOWN HALL, 110 MYRTLE AVENUE
WESTPORT, CT 06880
Tel: 203-341-1030 • 203-341-1079
Fax: 203-454-6145

October 15, 2009

Site Visits

Please be advised that a formal site visit of the Planning & Zoning Commission may be scheduled prior to the Public Hearing at which the Application is scheduled. Staff will advise you if a formal site visit is scheduled.

Furthermore, Planning & Zoning Commission members and/or staff may decide to carry out informal, independent site visits to the subject property. These visits may take place during the two week period prior to the Public Hearing at which the Application is scheduled.

We thank you for your cooperation.

Please feel free to contact the Planning & Zoning office if you have any questions or there are any special circumstances which might affect site visits.

Laurence Bradley,

Planning Director