

# AFFORDABLE / ACCESSORY APARTMENT - Zoning Permit Requirements

TOWN OF WESTPORT PLANNING & ZONING - Room 203 .203-341-1030

Page 1 of 1

TO CREATE AN AFFORDABLE APARTMENT IN YOUR HOME YOU NEED TO DO THE FOLLOWING:

CONTACT EACH DEPT LISTED BELOW (#4 & #6) - ASK HOW TO OBTAIN THEIR WRITTEN APPROVALS.  
COLLECT & BRING ALL DOCUMENTS & APPROVALS LISTED BELOW TO YOUR P&Z APPOINTMENT.

If you have QUESTIONS while collecting this paperwork, come to P&Z Room 203 any morning between 9:00-11:30.

ELIGIBILITY: INCOME / RENT RESTRICTIONS: See attached *Memo* for complete details of restrictions.

1. DECLARATION OF RESTRICTION (*Income*) - FORM Attached - P&Z Staff can provide electronic Form version if needed.
  - a. Must have SIGNATURES NOTARIZED - Notary available in Town Hall Room 105; then
  - b. This Declaration Must be Filed onto the Westport Land Records Room 105.
2. OWNER OCCUPIED PROPERTY REQUIRED: Owner must reside in either; Main House or Apartment.
3. LETTER of AUTHORIZATION: If you are NOT OWNER: You MUST bring a letter from owner to APPOINTMENT.
4. HEALTH Dept - If property is on private septic system call for Appointment - 180 Bayberry Ln - 227-9571 ext 222.
5. SEWER ASSESSMENT LETTER - If property is on sewer do the following:
  - a. Complete attached Sewer Assessment Letter & have property Owner sign it,
  - b. Bring copy of signed Sewer Assessment Letter to Room 310, Request a WPCA approval.
  - c. also Bring a copy to Room 210, Request Eng Dept's recommendations.

Note: Zoning Permit CANNOT be issued until WPCA's final approval is OBTAINED then;

  - d. Bring the WPCA's Final Approval & Eng Dept's recommendations to your Zoning Permit Appointment.
6. CONSERVATION Dept - ALL PROJECTS MUST get sign off - Call for Appointment or visit Room 205 - 341-1170.
7. An estimated cost to complete your project. Note: FLOOD ZONE PROJECTS require detailed construction costs, BEFORE Zoning Permit can be issued for project in FLOOD ZONES. (*Template sample available in P&Z office*).

## P&Z PERMIT APPOINTMENT IS REQUIRED

8. COMPLETE PERMIT FORM & DROP OFF PERMIT MATERIALS for ACCESSORY APARTMENT Room 203 Daily 9:00-3:00  
For PERMIT Fee Amount See Westport Regulations "APPENDIX A" = LAND USE FEES - Cash or Checks ONLY

## BRING ALL ITEMS #1 - #12 TO YOUR ZONING PERMIT APPOINTMENT

9. Completed Zoning Permit Data Form & CALL FOR PERMIT APPOINTMENT. (*Form Attached*)
10. 2 Proposed Surveys confirming project coverage calcs, A/C compressor pad & generator location if applicable.
  - a. Survey must show the lot can accommodate one additional parking space for Apartment tenant.
  - b. Show any & all changes to the footprint.
11. 2 Sets of Building Floor Plans drawn to scale & showing the following:
  - a. Floor Plans showing Apartment floor area.
  - b. CANNOT exceed 800 Sq ft or 25% of total floor area of house, whichever is less.
  - c. Show ENTIRE Apartment Floor area to scale, which cannot exceed 800sq ft or 25% whichever is LESS.  
INCLUDE: Show only floor area that is accessible from the Apartment.  
EXCLUDE: Any floor area that is common to both Apartment and Main House.
  - d. When determining if Apartment EXCEEDS 25% the area of the dwelling per 5-2;  
INCLUDE: Cellars, basements and 1/2 story square footage.  
EXCLUDE: Garages, attics & crawl spaces square footage.
12. Cash or a personal Check to pay for permit, which is based on # 7 project cost estimate. (*NO Credit Cards*)

## AFTER ZONING PERMIT HAS BEEN ISSUED TO YOU

13. BUILDING Dept PERMIT- Is required for any construction or demolition. - 515 Post Rd E 2nd Fl of Fire Dept- 341-5025.
14. When your project is complete; Call P&Z to request a Final Zoning Inspection 203-341-1030.
  - a. Once Inspection is successful P&Z will send a ZCC to Bldg Dept, they will mail you a CO closing project.
15. The Owner will receive an *Annual Affidavit Letter* from P&Z, which you will need to Notorize & return to P&Z.

**§11B (1, 2) 12B AFFORDABLE ACCESSORY APARTMENT**

Revised 11-09-18

As of April 1, 2018, the State Median Income (SMI) for Connecticut is \$96,300 and the area median income for the Stamford-Norwalk HUD Metro-Fair Market (HMFMA) is \$134,900, according to the U.S. Dept. of Housing and Urban Development (HUD). Since the lower of the state or area median income is to be used to determine affordable income figures, staff has based the maximum figures on the \$96,300 figure.

The charts below lists the maximum allowable income for persons occupying a deed restricted affordable apartment as well as the maximum allowable housing costs (rent + utilities) that can be charged for the unit based on the level of affordability required by the deed.

Apartment Size	Maximum Monthly Housing Cost		
	80% of SMI	60% of SMI	40% of SMI
1-Bedroom	\$1,445	\$1,083	\$722
2-Bedroom	\$1,733	\$1,300	\$867
3-Bedroom	\$2,003	\$1,502	\$1,002

Family Size	Maximum Annual Income		
	80% of SMI	60% of SMI	40% of SMI
1 person	\$53,928	\$40,446	\$26,964
2 people	\$61,632	\$46,224	\$30,816
3 people	\$69,336	\$52,002	\$34,668
4 people	\$77,040	\$57,780	\$38,520
5 people	\$83,203	\$62,402	\$41,602

## Affordable Accessory Apartment Declaration of Restriction

In accordance with Connecticut General Statutes Section 8-30g (k) and the Westport Zoning Regulations, the following restrictions are placed on the premises owned by \_\_\_\_\_ located at \_\_\_\_\_ in the Town of Westport, County of Fairfield and State of Connecticut.

1. At least one (1) dwelling unit in the converted single family home shall be owner-occupied.
2. The rental charge for the accessory 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 state.
3. Said restrictions and conditions shall be for a minimum period of ten (10) years from the date of original occupancy of the apartment.
4. The apartment shall :
  - a. Be attached to the main living unit of the house and the house must have the exterior appearance of a single family home;
  - b. Have a full kitchen;
  - c. Has a square footage that is not more than 25% of the total square footage of the house;
  - d. Have an internal doorway connecting to the main living unit of the house;
  - e. Must not be billed separately from such main living unit for the utilities; and
  - f. Comply with building code and health and safety regulations.
5. These restrictions shall be binding upon the heirs, successors and assigns of the property owners. The restrictions shall not be released without the approval of the Planning and Zoning Commission of the Town of Westport and only under the following conditions:
  - a. If the house is demolished;
  - b. If the apartment is removed and the dwelling is converted back to a single family residence; or
  - c. If the 10-year time period has expired and the apartment is removed or converted to another type of legal apartment.

**IN WITNESS WHEREOF**, the parties have executed this document as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Property owner

\_\_\_\_\_

Property owner

Witness: (Signature) \_\_\_\_\_  
(Print name) \_\_\_\_\_

Witness: (Signature) \_\_\_\_\_  
(Print name) \_\_\_\_\_

\_\_\_\_\_  
**Mary Young (Staff)**  
Planning and Zoning Commission

Witness: (Signature) \_\_\_\_\_  
(Print name) \_\_\_\_\_

Witness: (Signature) \_\_\_\_\_  
(Print name) \_\_\_\_\_

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 \_\_\_\_\_, 200.

\_\_\_\_\_

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 \_\_\_\_\_, 200.

\_\_\_\_\_

Commissioner of the Superior Court  
Notary Public  
Notary commission expires:

\_\_\_\_\_



TOWN OF WESTPORT

PLANNING & ZONING DEPT.
110 Myrtle Ave. Town Hall - Room 203
Westport, CT 06880 Tel: 203-341-1030 Fax: 203-454-6145
www.westportct.gov

ZONING PERMIT DATA FORM

OFFICE USE
Parcel ID #:
Master ID#:
Zoning District:

- 1. Property Address:
2. Owner's Name:
3. Owner's Address:
4. Applicant:
5. Applicant's Address:
6. Existing Uses of Property:

NOTE: If project is a NEW HOUSE: SUBMIT with this Application a "New House Construction Cost Estimate Form" Completed & Notarized.

7a. Check type of proposed project below: 7b. Check one, property is on: Sewer or Septic

RESIDENTIAL PROJECTS:

- New House
Addition
Accessory Structure
Apartment - Accessory
Apartment - Pre-1959
Interior Renovations
Swimming Pool
Temp. Zoning Permit
Tennis Court
Other

COMMERCIAL PROJECTS:

- Building - New
Building - Addition
Change of Use
Interior Renovations
Restaurant Patio Permit
Retail to Retail
Signage
Excavation & Fill
Site Changes
Other

8a. Will any part of any structure be demolished? No Yes
8b. Did you obtain any ZBA Variances? No Yes

9. Estimated total cost of your proposed project: \$

10. Describe your project below and provide exact dimensions: (List width x length x height, if applicable):

I hereby certify that the above information is correct and that I have submitted herewith all of pertinent documentation required by the regulations and in accordance with the P&Z bylaws.

Applicant's Signature (If different than Owner)

Owner's Signature (Must be signed or letter of authorization provided)

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



PLANNING & ZONING DEPARTMENT  
TOWN OF WESTPORT

Town Hall, 110 Myrtle Ave Room 203, Westport, CT 06880

Tel: 203 341-1030 Fax: 203-454-6145

## Zoning Permit Requirements

For Questions: Zoning Officials are available Monday - Friday from 9:00am to 11:30am to review projects.

To Obtain a Zoning Permit: Maximum Sizes for all Plans & Surveys are NOT to exceed 24"x 36"

1. Health Dept. Approval: MUST be submitted with Zoning Permit Application *IF* your project is one of the four following project types:  
a). If the lot is on septic or b). If the lot is on Sewer and project is a Pool/Spa or c). If Home Occupation that requires an increase in water use or d). If a business is food, skin or hair related. Contact WWHD for their requirements at 203-227-9571, 180 Bayberry Ln.

*We can NO LONGER ACCEPT drainage materials before Health Approval. Submit ALL materials together with Application.*

2. Collect ALL materials required for your project as listed below or if not sure come in for question time daily 9:00 -11:30.

Zoning Permit Data Form: Complete the reverse side of this sheet be sure to get owner's signature or authorization letter.

Drainage Below: Find your project size to see if needed. If YES bring items to P&Z & we will send to Eng. Dept.  
The Engineering review may take approx. 7 to 14 days.

- o Additions up to 99 square feet (sf) of new foot print or new structure\* - No Drainage review is needed.

\*Note: Replacement structures are considered "New" which, may need Drainage check with staff.

- o Additions & Pools: 100 - 849 sf Submit: 3 Building Plans (2 for P&Z 1 for Eng), Any drawings Max Size 24"x36", 3 Surveys or 3 Site plans prepared by CT certified Engineer. If your project involve *FEMA* compliance bring 4.

- o Additions 850 sf or more & New Houses: Submit: 3 Building Plans; Max Size 24"x36" + 2 Drainage Reports 3 Surveys or 3 Site Plans prepared by a CT certified Engineer

Building Plans Max Size 24"x36" or other Construction Documents - Must be drawn to scale showing proposed project, *SUMBIT:* the Elevations & Proposed Floor Plans ONLY. (FOLDED, NOT ROLLED).

Survey or Site Plans Max Size 24"x36" At least one (1) survey or site plan submitted to P&Z Must be *signed & sealed* by Surveyor or Engineer - CT certified. Survey or site plan MUST include the following: proposed project, building envelope with setback lines, updated coverage calculations, topography including steep slopes, wetlands, existing, proposed average grade and MUST show flood information. (FOLDED NOT ROLLED).

Conservation Dept. BEFORE submitting to P&Z. Visit room 205 to request a QUICK SHEET or Copy of CONSV. PERMIT.

Substantial Improvement Review: May be required *If* property is located in a Flood Zone & work is being proposed in an existing building that does NOT conform to FEMA requirements, (Fee \$50.00). Allow seven (7) working days *PRIOR* to Zoning Permit issuance to review *Substantial Improvements process contact; P&Z's "Flood Plain Coordinator" 203-341-1077.*

New House Construction Cost Estimate Form: If a New House is proposed, complete New House Construction Form, Have it notarized & submit with application. The form is available from Staff or on the forms rack outside the P&Z Office.

3. Drop Off Permit: along with all your project materials to P&Z: Monday - Friday from 9:00 to 3:00.

Staff will review and call you when Permit is ready to be picked up. The fee is based on the estimated cost of construction.

4. A Building Permit may be required. Call 203-341-5025 for their requirements. 515 Post Rd E. (2nd Floor of Fire House)