

### Information about Accessory Dwelling Units, aka Mother-In-Law Apartments:

The Town of Beaux Arts allows property owners to rent a room or rooms to not more than one person outside of the primary family. The rented room(s) must be within the primary residential structure. Additional off-street parking must be provided for all vehicles used by the roomer.

The Town prohibits sleeping or kitchen quarters in any accessory structure (for example, a unit is not allowed over a detached garage.)

The Town considers the renting of rooms to be a commercial activity, and as such, must be approved by the Town Council.

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Please see the following Zoning Code Sections that provide the actual regulations:

#### Section 2. Definitions.

Appurtenant or Accessory: a subordinate use, located on the same lot with the principal use that is related to and supports the use of the primary residential building.

Roomer: one who lives in a room or rooms in another's residence for payment or other remuneration.

#### Section 4. Use and Occupancy of Real Property.

B. The only structures permitted in the Town are single-family dwelling houses and structures accessory thereto. No more than one single-family dwelling house for each building lot may be constructed or occupied.

C. No sleeping or kitchen facilities shall be allowed in any appurtenant buildings or accessory structures.

D. No structures detached from the dwelling house shall be occupied as the principal living or sleeping quarters of any person.

#### Section 6. Commercial Activities.

A. No commercial activity shall be carried on within the limits of the Town of Beaux Arts Village; provided, however, that the Council may issue permits, which may be revoked at any time, with or without cause, for the conduct of commercial activities within the Town, if the applicant has prepared an application which states that the applicant will comply with the following conditions:

1. The proposed commercial activity shall be carried on wholly within the confines of the applicant's home or other structure appurtenant thereto, and it shall utilize no more than twenty-five percent (25%) of the gross-floor area of said structures.

2. No person who is not a member of the applicant's immediate family and who is not a resident in the applicant's home may be employed.

3. There shall be no exterior display, no exterior alteration of the property, no exterior signs, no exterior storage of materials and no other exterior indication of commercial activity or variation from the residential character of the premises.

4. Structural alterations to the interior or exterior of the building that change the residential character thereof shall not be permitted.

5. The use of electrical or mechanical equipment that would change the fire rating of the structure or create visible or audible interference in radio or television receivers or cause fluctuations in line voltage outside the dwelling unit is prohibited. There shall be no bulk storage of flammable, explosive, or toxic materials.

6. There shall be no noise, vibration, smoke, dust, odors, heat, or glare produced as a result of the commercial activity that would exceed that normally produced at a single family residence.

7. There shall be no demand for parking beyond that which is normal to the neighborhood and no unusual or excessive traffic to and from the premises. In no case shall the commercial activity cause excessive on-street parking.

8. The proposed commercial activity shall not involve the use of commercial vehicles.

9. The proposed commercial activity shall not disturb the tranquility of the neighborhood in any way.

B. Applications for commercial-activity permits shall be submitted to the Town Clerk for review at least fifteen (15) days prior to the next scheduled Council meeting if the applicant wishes it to be considered at that meeting. The Council may grant a commercial-activity permit if they find that the applicant will comply with the above stated conditions. If required by the Council, the applicant shall provide all relevant information concerning the above-stated conditions to the Council. This shall not apply to the activities of utility companies or to the delivery of goods to or performance of services for residents of the Town.

C. The Council may revoke a commercial-activity permit at any time that it determines that the permit holder is not complying with any condition of the permit.

D. Rooms may be rented to not more than one person other than the family occupying a single-family dwelling. The family must comply with health and building-code requirements. The owners of the rooms to be rented shall provide additional off-street parking for all vehicles owned or used by the roomer.

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