

**ARTICLE 5 TERMINOLOGY – DWELLING UNIT, ACCESSORY** – An independent, self-sufficient dwelling unit, with complete kitchen and bath facilities, which is either entirely contained within a single-family dwelling unit and has direct access to the outdoors or which has a common hall with a single-family detached dwelling for occupancy by either an elderly, handicapped, or disabled person related by blood, marriage, or adoption to the occupants of the principal dwelling.

## **SECTION 2515. ACCESSORY DWELLING UNITS**

1. It is the purpose of this section to provide the opportunity to encourage and to accommodate extended family living, without substantially altering existing neighborhood character.
2. Accessory dwelling units shall be permitted as a use by special exception in accordance with the general standards as set forth in Section 2805.2 herein and specific criteria as set forth below. Where said general standards and specific criteria overlap, the specific criteria shall supersede the general standards.
  - A. The installation of an accessory dwelling unit in new and existing single-family dwellings (hereinafter "principal dwellings") shall be subject to the following development, design and owner-occupancy standards:
    - (1) All provisions of the zoning district shall apply, except the provisions regarding the number of dwelling units permitted on a lot.
    - (2) The design and construction of an accessory dwelling unit shall conform to all applicable standards in Manheim Township's building, plumbing, electrical, fire and any other applicable codes.
    - (3) An accessory dwelling unit shall be contained in, or attached to, the principal dwelling or be located above a detached garage.
    - (4) An accessory dwelling unit may be constructed in either an existing or a new single-family dwelling.
    - (5) The addition of an accessory dwelling unit to the principal dwelling shall be designed so that the appearance of the building remains that of a single-family dwelling.
    - (6) The maximum size of an accessory dwelling unit shall not exceed forty (40) percent of the principal dwelling total floor area, nor more than one thousand (1,000) square feet, nor have more than two (2) bedrooms.
    - (7) The property owner must occupy either the principal dwelling or the accessory dwelling unit as their permanent residence.
    - (8) Occupancy of an accessory dwelling unit, or principal dwelling, shall be limited to the property owner or those related by blood or marriage or adoption to the property owner.
    - (9) Accessory dwelling units shall not be located in basements.
    - (10) Only one (1) accessory dwelling unit shall be permitted per principal dwelling.

- (11) One (1) additional off-street parking space shall be provided for the accessory dwelling unit.
- (12) The principal dwelling and accessory dwelling unit must be served by public sewer and public water service.
- (13) Accessory dwelling units are permitted to be located on lots that are ninety (90) percent or more of the zoning district's required minimum lot size.
- (14) Restoration plan. A plan for the removal of the accessory dwelling unit that identifies those structures, exterior and interior walls, electrical and plumbing improvements and connections to public water and sewer services to be retained and those to be removed upon termination of the accessory dwelling unit shall be submitted with the application for an accessory dwelling unit permit. In particular, it shall include a removal plan for the stove.

B. Accessory dwelling unit permits.

- (1) In the event an application is approved, then an accessory dwelling unit permit shall be issued to the applicant. The accessory dwelling unit permit shall be deemed to be automatically revoked upon vacation of the accessory dwelling unit, or principal dwelling unit, by the property owner or those related by blood or marriage or adoption to the property owner.
- (2) Any property owner with an existing accessory dwelling unit at the time of the passage of this ordinance shall have a period of ninety (90) days from said date to apply for an accessory dwelling unit permit, subject to the following:
  - [a] The applicant must provide adequate proof that he or she had an accessory dwelling unit prior to the date this ordinance was adopted; and
  - [b] The applicant must provide adequate proof that a certificate of use and occupancy has been issued for the area utilized as an accessory dwelling unit.
- (3) An accessory dwelling unit permit shall expire December 31 of each year and, once granted, may be renewed without additional hearings, subject to the provisions of this section, by completing the renewal form prescribed by the Zoning Officer and paying the annual permit fee adopted by the Board of Commissioners. Failure to apply for renewal and/or failure to pay for the annual permit shall be grounds for revocation of a permit.
- (4) The Zoning Officer, or designee, shall have the right, at any time, upon reasonable request, to enter and inspect an accessory dwelling unit for which an accessory dwelling unit permit has been issued.
- (5) The permit holder shall notify the Zoning Officer in writing within ninety (90) days once the accessory dwelling unit is no longer needed, the property is sold or for some other reason the applicant no longer meets the requirements for such use. Upon notification, the accessory dwelling unit permit shall be terminated. The applicant shall then comply with the terms of the restoration plan within ninety (90) days of the date of termination.