

**Town of Huntington  
Accessory Apartment Bureau  
ACCESSORY APARTMENT APPLICATION INSTRUCTIONS**

Upon completion of all of the following, please call 351-3008 to schedule an appointment to submit your application.

**\*\*You must schedule an appointment to submit your application\*\***

\*\*\*\*\*ONLY COPIES OF DOCUMENTS WILL BE ACCEPTED\*\*\*\*\*

_____ APPLICATION & ATTACHMENT "A"	ALL SECTIONS COMPLETED, SIGNED & NOTARIZED BY ALL OWNER(S) LISTED ON THE RECORDED DEED
_____ SURVEY (COPY)	A SURVEY SHOWING ALL STRUCTURES (HOUSE, ADDITIONS, POOLS, DECKS, SHEDS, DRIVEWAYS, ETC.) THE LOCATION OF AND ACCESS TO EXISTING AND/ OR PROPOSED OFF STREET PARKING AND THE MEASUREMENT OF THE DRIVEWAY
<b>**PROPERTY MUST BE AT LEAST 75 X 100</b>	
_____ FLOOR PLAN ON PAPER NO LARGER THAN 8 1/2" BY 14"	DRAWING OF APARTMENT AND MAIN DWELLING WITH <b>MEASUREMENTS OF ALL WINDOWS AND ROOMS</b> SMOKE DETECTORS MUST BE LABELED
_____ APPLICATION FEE (BY CHECK, MONEY ORDER OR CREDIT CARD ONLY)	OWNER OCCUPIED \$175.00 (AS OF 1/1/09) WITH VIOLATION \$500.00** <b>**IF INSPECTOR HAS ISSUED A NOTICE OF VIOLATION FOR AN ILLEGAL APARTMENT</b>
_____ DEED (COPY)	COPY OF RECORDED DEED SHOWING STAMP OF SUFFOLK COUNTY CLERK
_____ DRIVER'S LICENSE OR MOTOR VEHICLE NON DRIVER'S ID (COPY)	FOR ALL OWNERS (COPIES)
_____ TWO PROOFS OF RESIDENCE (COPIES)	CURRENT HOME TELEPHONE OR CELL PHONE BILL, BANK ACCOUNT STATEMENT (checking or savings), CREDIT CARD STATEMENT, CABLEVISION STATEMENT, CURRENT YEAR INCOME TAX RETURN (THESE ARE THE <b>ONLY</b> ITEMS ACCEPTED).
_____ CERTIFICATE OF OCCUPANCY/ COMPLETION (COPIES)	FOR ALL STRUCTURE(S) ON THE PROPERTY. MAY BE OBTAINED AT THE BUILDING DEPARTMENT (351-2822) ROOM #115.
_____ A LIST OF PROPERTIES WITHIN 500' OF DWELLING (1 COPY NEEDED)	MUST BE OBTAINED AT THE PLANNING DEPARTMENT (351-3196) ROOM 213 SEE DAVE. VERIFIED AT THE ASSESSOR'S OFFICE
_____ 5 PHOTOGRAPHS	CLEARLY DEPICTING THE FRONT, BACK & EACH SIDE OF THE DWELLING, (1) OF THE DRIVEWAY FROM THE STREET (IN EVENT THE FULL DRIVEWAY IS TOO LARGE, TAKE ADDITIONAL PHOTOS TO SHOW ALL PARKING).

**\*\* EXCEPT FOR CUL-DE-SACS**

**\*\*\*\*ALL DOCUMENTS MUST BE COPIES OF ORIGINALS—NO  
ORIGINAL DOCUMENTS WILL BE ACCEPTED. COPIES WILL NOT  
BE MADE BY THIS OFFICE AT YOUR APPOINTMENT \*\*\*\***

**ATTACHMENT "A"**  
**ACCESSORY APARTMENT APPLICATION**

**AFFIDAVIT**

I/We, as the owner(s) of the premises, hereby state that a registered sex offender is not nor will be residing in the main dwelling of the property; that the accessory apartment is not nor will be leased or subleased to a registered sex offender; nor will a registered sex offender be permitted to reside in or be domiciled in the accessory apartment or on the property. I/We further state that I/we is/are making such representation with full knowledge that the Town of Huntington is relying on these statements as a basis for the issuance of an accessory apartment permit. I/We acknowledge that the Town of Huntington may submit a copy of this affidavit in any proceeding seeking to enforce any code, ordinance or regulation where it is alleged that I/we have breached a material representation made herein. I/We further acknowledge that I/we shall be liable for all direct and indirect costs incurred by the Town of Huntington to obtain compliance and that costs shall be charged against the land.

I/We have read this affidavit, had the opportunity to review it, and have retained a copy. I/we understand that the original affidavit will be made a part of the permanent record of the accessory apartment application for the dwelling.

Signature(s) of Owner(s)/Contract Vendee(s)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**MUST BE NOTARIZED**

Sworn to me this \_\_\_\_\_ date  
Of \_\_\_\_\_, 2\_\_\_\_\_

\_\_\_\_\_

Town of Huntington  
Accessory Apartment Bureau  
100 Main Street Room G-9 (BASEMENT)  
Huntington, NY 11743

**Accessory Apartment Application (revised 12/08)**

**SECTION 1:** Type of Application ( ) NEW ( ) RENEWAL ( ) TRANSFER

**SECTION 2:** Owner(s) Information/ Contract Vendee(s) Information

Name of all owner(s) on deed (contract) \_\_\_\_\_

Apartment Address \_\_\_\_\_

Mailing Address if different from above \_\_\_\_\_

Home Phone \_\_\_\_\_ Business Phone \_\_\_\_\_

**SECTION 3:** Apartment Information: **ALL QUESTIONS MUST BE COMPLETED**

Number of vehicles utilized by: apartment occupants \_\_\_\_\_ main dwelling occupants \_\_\_\_\_

Is apartment occupied (please circle) Yes No **by a family member** Yes No

Lease expiration date \_\_\_\_\_ no lease \_\_\_\_\_

# of apartment occupant(s)

Under 5 years \_\_\_\_\_ 5-18 years \_\_\_\_\_ adults \_\_\_\_\_

LIST -Names of adult(s) occupants:

Unit #1 (main dwelling)-  
\_\_\_\_\_

Unit #2 (accessory apartment)-  
\_\_\_\_\_

**SECTION 4: ALL APPLICATIONS MUST BE SIGNED BY ALL OWNERS LISTED ON THE DEED AND NOTARIZED :**

**OWNER AFFIDAVIT**

*I swear the following is true:*

1. I/we are the owner's in fee of the premises described above or are in contract for the same.
2. I/we have read this application and know the information is true and accurate, and sign this affidavit with full knowledge that the Town of Huntington is relying on these representations as a basis to issue an Accessory Apartment permit.
3. I/we will fully comply with all the NYS fire prevention and building codes requirements of the Town code of the Town of Huntington.
4. I/we fully understand any violation of building and housing code, local laws and ordinances may result in any special use permit issued to me/us becoming null and void.
5. I/we consent to periodic inspections pursuant to §198-136(D)
6. I/we will give the Town of Huntington Accessory Apartment Bureau proper notice of removal of said apartment to comply with Town Code and I/we will schedule a removal inspection within thirty (30) days of removal.

**MUST BE NOTARIZED**

Signature(s) of Owner(s)/Contract Vendee(s)

Sworn to me this \_\_\_\_\_ date  
of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ATTACHMENT "A" MUST BE COMPLETED AND INCLUDED WITH THIS APPLICATION.**

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TO ASSIST IN PAYMENT WE ACCEPT: **American Express, MasterCard & Visa**  
Simply fill out all the information below.

TYPE OF CREDIT CARD: \_\_\_\_\_ AMOUNT\$ \_\_\_\_\_

ACCOUNT # \_\_\_\_\_ EXPIRATION DATE \_\_\_\_\_

3 DIGIT CODE ON BACK OF CREDIT CARD ON SIGNATURE BAR (following account #) \_\_\_\_\_

CARDHOLDER SIGNATURE X \_\_\_\_\_ DATE \_\_\_\_\_

cardmember acknowledges receipt of goods and/or services in the amount of the total shown hereon and agrees to perform the obligations set forth by the cardmember's agreement with the issuer

Town of Huntington  
Accessory Apartment Bureau  
ACCESSORY APARTMENT REQUIREMENTS

1. The residence lot size must be a **minimum of seven thousand five hundred (7500) square ft.** With **no less than seventy-five (75) linear ft. in frontage width** (from side property line to side property line in front of the dwelling).
2. The accessory apartment must have **no less than three hundred (300) square ft.** of habitable living space and not more than **six hundred and fifty (650) square ft.** of habitable living space (All living space includes kitchen, bedrooms and living area, excludes bathrooms, hallways, closets and stairways). The accessory apartment is limited to a **maximum of two bedrooms.**
3. If you move or sell the residence, the permit may be transferred to the purchaser of the property, provided the purchaser executes and submits to the Accessory Apartment Bureau the proper application and legal documents **within ninety (90) days of transfer of title.**
4. The accessory apartment is not located in an area where ten per cent (10%) or more of the lots within a one-half mile radius of your parcel contain accessory apartments.
5. The dwelling must be the subject of a valid certificate of occupancy as a single-family dwelling **issued at least three (3) years prior** to the date of your accessory apartment application.
6. No portion of the dwelling or accessory apartment can utilize any portion of any **cellar, or attic as habitable living space,** unless a waiver is issued by the New York State Building Code Board of Review or other agency having jurisdiction.
7. Occupancy is limited to one (1) person for each seventy (70) square feet of habitable bedroom living space. (Children under (5) years of age shall be required a minimum of fifty (50) square feet of habitable bedroom space.)
8. Handrails on all stairways.
9. Stairways between units or hallway and over boiler must have  $\frac{3}{4}$  hour fire rated sheetrock.
10. One front door. No exterior changes are to alter a single-family appearance.
11. Smoke detectors are required for each bedroom and common hallways. If applicable, a smoke detector is required in the cellar or basement.
12. Ceiling height must be a minimum of 7'.
13. Minimum of **six (6) off street parking spaces** (asphalt or concrete). The number of off-street parking spaces may be increased or may be decreased if such conditions exist that warrant such action in the discretion of the Hearing Officer. The maximum width of the spaces **cannot exceed eighteen (18) feet or twenty four per cent (24%) whichever is the lesser of the lot frontage.**
14. Exterior of house must be in good condition and free of debris. Must be maintained in a neat and clean manner.
15. No accessory apartment will be contained in any other structure other than the main building on any lot.
16. Must comply with all requirements of the New York State Building Code and all the laws and housing requirements of New York State and the Town of Huntington.
17. Any lease or rental agreement for the accessory apartment must include the provisions of §198-134 allowing inspections of the premises to determine the condition of the dwelling, and all other structures, so as to safeguard the health, safety, morals and welfare of the public.
18. Any wall of the proposed accessory apartment area that adjoins other habitable space must meet a one-hour fire separation rating. Any wall in the other habitable space which adjoins the proposed accessory apartment area must also meet the one-hour fire separation rating. In most instances, this may be achieved by adding additional gypsum board to the existing walls. If there is habitable space above or below an accessory apartment, the ceiling separating the two areas must meet a one-hour fire separation rating.

WHAT YOU SHOULD KNOW  
ABOUT AN ACCESSORY APARTMENT PERMIT

1. It is a temporary exemption from the Town of Huntington zoning code. It is not a guaranteed right and is renewable upon expiration.
2. The permit is granted at the Hearing Officer's discretion for a maximum of one (1) year.
3. You must maintain this address as your primary residence.
4. If you move or sell the residence, the permit may be transferred to the purchaser of the property, provided the purchaser executes and submits to the Accessory Apartment Bureau the proper application and legal documents **within ninety (90) day of the transfer of title.**
5. One month prior to the expiration date, you must renew the Accessory Apartment permit. You will be sent a renewal notice with a renewal inspection date. If you do not receive a renewal notice please call (631) 351-3008. All fees paid after the expiration of the existing permit shall be subject to a late fee in accordance with the following schedule: **After 30 days** - \$50, **31-59 days** - \$75, **60-89 days** - \$125, **90-120 days** - \$175. After 120 days, the permit is subject to revocation.
6. A **re-inspection will be done for every renewal period.** The Accessory Apartment Inspector must have access to the entire dwelling (including attics, basements and garages). There will be a **seventy five dollar (\$75) rescheduling fee** charged to the owner for each and every inspection requiring a re-inspection due to a no show by the owner, or the inspector fails to gain access to the entire dwelling or the inspection fails.
7. If you do not renew your permit you must remove the second kitchen and create free access throughout the dwelling. You must call for a removal inspection.
8. All inhabitants of the dwelling (owner(s) and tenant(s) ) must utilize off street parking. Parking on the street will not be tolerated.
9. Should the Accessory Apartment permit be revoked a new application cannot be filed for the same address for three (3) years.

Town of Huntington  
Accessory Apartment Bureau  
GENERAL PROCEDURE

1. Schedule an appointment to submit your completed application. Call (631) 351-3008. The application and required documents will be reviewed on your scheduled date.
2. An inspection date will be scheduled for an Accessory Apartment Inspector to inspect both apartments in your residence. The inspector is required to inspect the owner's apartment and rental unit (including attics, basement cellar, etc.). All structures on the property must also be inspected – garages, sheds, decks, pool, etc.
3. A Public Hearing will be scheduled. Public Hearing notices will be published in the Town designated newspapers. You will notify your neighbors by certificate of mailing of the hearing date. Further instructions will be provided when you submit your application.
4. Your application will be heard by the Town's Hearing Officer.
5. A decision will be rendered by the Hearing Officer within 90 days of the hearing. The decision will be mailed, and if approved will include the conditions you must meet in order to receive a permit. The conditions must be met within sixty (60) days of the approval and a final inspection with the Accessory Apartment Bureau will be scheduled. Upon payment of the permit fee and compliance with all conditions a permit will be issued.

NOTES

1. The following structures/improvements require a building permit. If you do not have a building permit you will be required to obtain one.

-roofed over patio	-finished basement
-cellar entrance	-garage conversion
-decks (8" above grade)	-outside second story deck and stairway
-dormer	-pools (inground or above ground)
-extensions	-sheds