

Town of Huntington
Accessory Dwelling Unit Bureau
ACCESSORY DWELLING UNIT APPLICATION INSTRUCTIONS

IF ANY ITEMS ARE MISSING, YOUR PAPERWORK WILL NOT BE ACCEPTED.

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

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

_____ SURVEY (MOST RECENT AVAILABLE, copy may be obtained from building department in Room 115)
FRONTAGE _____ X LENGTH _____
DRIVEWAY: _____ width _____ length

****PROPERTY MUST BE AT LEAST 50'x100' (EXCEPT FOR CUL-DE-SACS) OR YOU WILL BE REQUIRED TO GET A VARIANCE FROM THE ZBA (AFTER THE HEARING ASSOCIATED WITH THIS PROCESS)**

APARTMENT LOCATION WITHIN THE DWELLING:

_____ (garage conversion, first floor/level, second floor/level, new addition, etc.)

IF A CERTIFICATE OF OCCUPANCY FOR HABITABLE SPACE IN THE DWELLING IS GOING TO BE REQUIRED, YOU MAY BE REQUIRED TO HAVE THE CESSPOOL EVALUATED AND PAPERWORK FILED WITH THE SUFFOLK COUNTY HEALTH DEPARTMENT IN YAPHANK (A NEW OR ADDITIONAL CESSPOOL MAY BE NECESSARY)

_____ # of bedrooms in the apartment
_____ # of bedrooms in main dwelling

A floor plan of EVERY level of the dwelling (including an unfinished basement) is required, showing the APARTMENT kitchen layout with **MEASUREMENTS OF ALL WINDOWS AND ROOMS AND TOTAL AREA SIZE OF THE APARTMENT** (SMOKE DETECTORS AND CARBON MONOXIDE DETECTORS MUST BE LABELLED ON ALL DRAWINGS) (smoke detector in every bedroom and carbon and smoke detectors on every level (in addition to bedrooms)

_____ FLOOR PLAN ON PAPER NO LARGER THAN 8-1/2"X14" (HAND DRAWN, SEE SAMPLE ATTACHED)

Apartment total square footage: _____
(measurement of the living room, kitchen and bedrooms only)

APARTMENT ENTRANCE: _____

ALL SECTIONS COMPLETED, SIGNED AND NOTARIZED, BY ALL OWNER(S) LISTED ON THE RECORDED DEED

_____ APPLICATION

OWNER OCCUPIED \$175 (AS OF 1/1/09)
If there is a violation the fee will be \$500**
IF INSPECTOR HAS ISSUED A NOTICE OF VIOLATION FOR AN ILLEGAL APARTMENT

_____ APPLICATION FEE (BY CHECK, MONEY ORDER OR CREDIT CARD)

_____ DEED (COPY)

COPY OF RECORDED DEED SHOWING STAMP OF SUFFOLK COUNTY CLERK'S OFFICE (you may obtain a copy by calling 631-852-2000)

_____ DRIVER'S LICENSE OR NON-DRIVER ID (COPY)

FOR ALL OWNER(S) ON THE DEED (COPIES ONLY)

_____ TWO PROOFS OF RESIDENCY (COPIES)

CURRENT TELEPHONE OR CELL PHONE BILL, BANK ACCOUNT STATEMENT (CHECKING OR SAVINGS), CREDIT CARD STATEMENT, CABLE TV STATEMENT, CURRENT YEAR INCOME TAX RETURN (THESE ARE THE ONLY ACCEPTABLE ITEMS) (No utility bills)
PICTURES CLEARLY DEPICTING THE FRONT, BACK AND EACH SIDE OF THE DWELLING, ONE (1) OF THE DRIVEWAY FROM THE STREET (IN THE EVENT THE FULL DRIVEWAY IS TOO LARGE, TAKE ADDITIONAL PHOTOS TO SHOW ALL PARKING)

_____ 5 PHOTOGRAPHS

STOP: CALL TO MAKE AN APPOINTMENT TO BRING IN YOUR APPLICATION FOR REVIEW 631-351-3008

_____ year the dwelling was built

OBTAINED FROM THE PLANNING DEPARTMENT (351-3196) ROOM 213: SEE DAVE.
\$25 for the list
\$25 for the labels (optional)

_____ LIST OF PROPERTIES WITHIN 500' OF DWELLING (1 COPY REQUIRED)

Town of Huntington
Accessory Dwelling Unit Bureau
REQUIREMENTS FOR ACCESSORY DWELLING UNIT

1. The residence lot size must be a minimum of five thousand (5,000) square feet with no less than fifty (50) linear feet of frontage width (from side property line to side property line on the street).
2. The accessory dwelling unit must have no less than three hundred (300) square feet of habitable living space and not more than six hundred and fifty (650) square feet of habitable living space. (Living space is defined as kitchen, living area and bedrooms. Excluded are bathrooms, hallways, closets and stairways.) The accessory dwelling unit is limited to a maximum of two bedrooms.
3. Once the accessory dwelling unit application has been perfected and the first permit has been issued, if you sell the property, the permit may be transferred to the next owner, provided the purchaser executes and submits to the Accessory Dwelling Unit Bureau the proper application and legal documentation within ninety (90) days of transfer of title.
4. The dwelling must be have a valid certificate of occupancy as a single-family dwelling issued at least three (3) years prior to the date of the accessory dwelling unit application.
5. No portion of the dwelling unit or accessory dwelling unit 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. ***No accessory dwelling unit may be located in a basement.***
6. Occupancy is based on the bedroom(s) living space and is limited to one (1) person for each seventy (70) square feet. Any bedroom occupied by more than one (1) person shall contain at least 100 square feet for each occupant thereof.
7. Handrails on all stairways (inside and outside).
8. Stairways between units or hallway and over boiler must have 3/4 hour fire rated sheetrock.
9. One front door. No exterior changes are to alter the appearance of single-family.
10. Smoke detectors are required in all bedrooms and common hallways. If applicable, a smoke detector is required in the cellar or basement. Carbon Monoxide detectors are required in the main dwelling unit hallway near bedrooms (no more than 15 feet from any bedroom door); one near the kitchen area, one in the accessory dwelling unit near the kitchen area and basement/burner room.
11. Minimum of three (3) unobstructed off street parking spaces. The number of off-street parking spaces may be decreased if such conditions exist that warrant such action at the discretion of the Zoning Board of Approval. The maximum width of the spaces cannot exceed eighteen (18) feet or twenty-four percent (24%) whichever is the lessor of the lot frontage.
12. Exterior of the dwelling must be in good condition and free of debris; and must be maintained in a neat and clean manner.
13. No accessory dwelling unit will be contained in any detached/other structure on the lot, other than in the main dwelling.
14. 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.
15. Any lease or rental agreement for the accessory dwelling unit must include the provision 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.
16. Any wall of the proposed accessory dwelling unit 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 dwelling unit 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 dwelling unit, the ceiling separating the two areas must meet the one-hour fire separation rating.

WHAT YOU SHOULD KNOW ABOUT
AN ACCESSORY DWELLING UNIT PERMIT

1. It is a special use/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 and the property must remain owner occupied.
4. If you move or sell the property, the permit may be transferred to the next owner, provided the purchaser executes and submits to the Accessory Dwelling Unit Bureau the proper application and legal documentation within ninety (90) days of transfer of title.
5. Approximately one (1) month prior to the expiration date, you must renew the Accessory Dwelling Unit permit. You will be sent a renewal notice with an inspection date. If you do not receive a renewal notice, please call 631-351-3008. All fees paid after the expiration date of the current permit shall be subject to a late fee in accordance with the following schedule:

Payment received 31-59 days late: \$ 75.00

Payment received 60-89 days late: \$125.00

Payment received 90-120 days late: \$175.00

AFTER 120 DAYS LATE, PERMIT IS SUBJECT TO REVOCATION

6. An inspection is required for every renewal period. There will be a seventy-five dollar (\$75) rescheduling fee charged to the owner due to a no show appointment, or the inspector fails to gain access to the accessory dwelling unit and/or dwelling, if applicable.
7. If you do not wish to renew the permit, you must call 631-351-3008 to discuss the requirements for a removal and removal inspection.
8. All inhabitants of the accessory dwelling unit must utilize off street parking.
9. Should the Accessory Dwelling Unit permit be revoked, a new application cannot be filed or accepted for the same address for three (3) years.

GENERAL PROCEDURES

1. Call and schedule an appointment to submit the completed application (631-351-3008). The application and required documents will be reviewed at your appointment, at which time the application fee will be required.
2. An Initial Inspection appointment will be scheduled to inspect the entire property and all structures (i.e., attic, basement/cellar, main dwelling and accessory dwelling unit, garages, sheds, decks, pool, etc.)
3. A Public Hearing will be scheduled; a public hearing notice will be published in the Town designated newspapers. You will be required to send a mailing to the neighbors in a 500' radius of your property and the letter and list of properties will be obtained at your scheduled appointment.
4. Your application will be heard by the Town's Hearing Officer and his recommendation will be submitted to the ZBA for final approval.
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 perfect the permit. A Final inspection will be required once all conditions have been met. Upon payment of the initial permit fee of \$250 and compliance with all the conditions, your initial permit will be issued.

NOTES: The following structures/improvements usually require a building permit and certificate of occupancy; if there is not one, you will be required to obtain one:

Roofed over patio	cellar entrance	deck (8" over grade)
Dormer	extension/addition	finished basement
Garage conversion	pools	sheds

(Revised TB: 7/18/19)