

Accessory Dwelling Unit Affidavit

Office Use RGST _____ - _____

Application checklist:

- A site plan, including the legal description of the property, its boundaries and location of the existing and/or proposed second temporary dwelling.
- A copy of a recorded deed of the proposed site.
- A copy of the floor plan or construction drawing showing total square feet and all rooms and their designated use.
- Any other information regarding the proposed guesthouse as requested by the Zoning & Codes office.



APPLICATION
Registration of Accessory Dwelling Unit

Owner Information					
Name(s)					
Contact					
Address		City	State	Zip	
Phone		Email	Fax		

Applicant/Agent Information (If different from above)					
Contact					
Company					
Address		City	State	Zip	
Phone		Email	Fax		

PIN/Plate	
Address of Property	
Legal Description (may be attached)	
Acreage	
Email	
Phone	

An Accessory Dwelling Unit may be established by one of the following means:

- 1) Conversion of existing space within a principal dwelling or construction of an addition to a principal dwelling.
- 2) Conversion of existing space within an accessory structure or construction of an addition to an accessory structure.
- 3) Construction of a separate accessory structure which will include the Accessory Dwelling Unit.

Requirement

The Accessory Dwelling Unit shall be occupied by a relative/family member, caregiver, or farm employee for not less than three years following the issuance of the certificate of occupancy for the Accessory dwelling Unit.

Criteria

- a. An Accessory Dwelling Unit shall not be allowed within or attached to a mobile home but may be allowed within a manufactured home.
- b. There shall be no more than one Accessory Dwelling Unit per vested parcel, Residential Development Parcel or platted lot.

- c. All Accessory Dwelling Units, whether new construction or conversion of existing space, shall comply with the Douglas County Construction Codes.
- d. An Accessory Dwelling Unit may be located in a structure which the Zoning and Codes Director has determined is a legal nonconforming structure with respect to building height or setbacks provided any addition to the structure does not extend or increase the degree of nonconformity.
- e. The following standards apply to all Accessory Dwelling Units:
 - 1) The Accessory Dwelling Unit, if located in a newly constructed detached accessory structure, shall be located a minimum distance of 25 ft from the primary structure.
 - 2) An Accessory Dwelling Unit that is located within or attached to the principal dwelling may utilize the same septic system and water source as the principal dwelling provided the septic system is adequately sized per the Douglas County Health Department requirements.
 - 3) A detached Accessory Dwelling Unit shall have a water source and septic system that are separate from those serving the principal dwelling.
- f. The following area requirements apply to a detached Accessory Dwelling Unit:
 - 1) A minimum of 3 acres outside the regulatory floodplain must be provided for the septic systems of the principal dwelling and Accessory Dwelling Unit (6 acres total) if the dwellings are served by Rural Water or other public water source.
 - 2) A minimum of 5 acres outside the regulatory floodplain must be provided for the septic systems of the principal dwelling and Accessory Dwelling Unit (10 acres total) if the dwellings are served by well water.
- g. The Accessory Dwelling Unit and the principal dwelling unit shall share a common access drive unless a new access is approved by the County Engineer. To the greatest extent feasible, existing driveways shall be utilized.
- h. An Accessory Dwelling Unit may have an area of up to 1,000 sq ft. This area may be increased to 1,400 sq ft provided the area of the Accessory Dwelling Unit is not greater than 80% of the area of the primary dwelling.
- i. Separate sale or ownership of an Accessory Dwelling Unit is prohibited, unless the parcel or lot is subdivided in accordance with the Subdivision Regulations, creating a separate lot or Residential Development Parcel for each dwelling.
- j. The Accessory Dwelling Unit may be rented, but shall not be used as a short term lodging use such as a Bed & Breakfast or motel.
- k. An Accessory Dwelling Unit is subject to the same occupancy limits as the principal dwelling. (one family, or group living as a household unit--limited to 4 adults if any of the residents are not related)

The Zoning & Codes Director shall review the applicants request with the following criteria to determine if the permit may be processed administratively:

NOW, THEREFORE, the undersigned hereby certifies to Douglas County, Kansas, its departments and employees, as follows:

- (1) I agree to be in compliance with the above outlined criteria.

Under oath and penalty of perjury, the undersigned makes the foregoing certification.

Date: _____

Property Owner Signature*

Printed Name

*If the owner is a legal entity, provide the name of the legal entity and the capacity of the individual signing this certification, i.e. President, Manager, Member, Trustee, etc.

STATE OF KANSAS)
COUNTY OF DOUGLAS)

SUBSCRIBED AND SWORN to before me, a notary public for the State of Kansas, this

_____ Day of _____

Notary Public
My appointment expires: _____

APPROVED BY: Yes No

Comments:

Director Date
Douglas County Zoning & Codes Department