



RESIDENTIAL ACCESSORY STRUCTURE OR ACCESSORY DWELLING UNIT (ADU) DECLARATION

(Only required if proposed project is an accessory structure or an ADU – Please Print)

DEFINITIONS

1. Accessory Structure. A structure located on the same lot as the principal building that is incidental and subordinate to the function of the principal building.
2. Dwelling - Accessory Unit (ADU). An additional dwelling unit associated with and incidental to a principal dwelling. An accessory dwelling unit (ADU) shall include separate cooking and sanitary facilities and is a complete, separate dwelling unit. The ADU may be within or attached to the principal dwelling unit or within a detached accessory structure, such as a garage. ADUs are not permitted in recreational vehicles, travel trailers, campers, or any other type of motor vehicle.
3. Dwelling Unit. A single unit providing complete, independent living facilities for no more than one family, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

STANDARDS

Accessory structures that ARE NOT accessory dwelling units (ADU) must comply with the requirements of **Article 17.1** of the City of Charlotte Unified Development Ordinance.

Accessory structures that ARE accessory dwelling units (ADU) must also comply with the requirements of **Article 15.6** and **Article 17.1.D and F** of the City of Charlotte Unified Development Ordinance. – Please see below.

Dwellings, Accessory Units (ADU) shall be permitted as an accessory to any single family dwelling unit and duplex dwelling in accordance with the following requirements:

1. The ADU shall be clearly subordinate to the principal residential use.
2. An ADU is permitted as follows:
 - a. In conjunction with a single-family dwelling in any zoning district.
 - b. In conjunction with a duplex dwelling in any zoning district when each unit of the duplex is not located on a subplot.
3. Only one ADU shall be permitted on the lot.
4. The ADU and its associated principal dwelling shall be under the same ownership.
5. The ADU shall not be served by a driveway separate from that serving the principal dwelling. However, if the ADU is located on a corner lot or a lot, a through lot abutting two parallel local public streets, or a lot that abuts an alley, a separate driveway may be provided from the side street, the local public street with reverse frontage, or the alley, whichever applies.
6. An ADU located within an accessory structure shall comply with the following additional requirements:
 - a. The ADU shall have a total floor area no greater than 50% of the total floor area of the principal residential use. However, in no case shall the ADU exceed 1,000 heated square feet.
 - b. The structure shall be subject to the requirements of Section 17.1

17.1.D.2 General Standards for Accessory Structures. Accessory structures in an established side or rear setback shall be located a minimum of three feet from a lot line except as follows: Accessory structures with a height of 24 feet or more, or under 24 feet but with a height taller than the principal structure, shall be setback from any rear lot line a minimum of 15 feet and from any side lot line by the dimension of the required side setback for the zoning district. If a specific accessory structure's location in the established side or rear setback is further restricted by the provisions of this Ordinance, the more stringent standard shall apply.

17.F. For lots in residential use, the cumulative square footage of all accessory structures, excluding accessory dwelling units (ADUs), on a lot shall not exceed the total square footage of the heated area located on the first floor of the principal structure. Accessory structures open to the sky such as, but not limited to, pools and tennis courts, do not count towards this square footage limitation.

DECLARATION – PLEASE CHECK A BOX

The proposed project is an accessory structure, which is / is not an accessory dwelling unit (ADU), as defined above. By declaring that the accessory structure "is not" an ADU, you are confirming that the structure will not be used as a dwelling/residence whether for short-term or long-term durations throughout the year. I understand that failure to properly permit this project may result in a Notice of Violation and/or other enforcement actions as necessary to achieve compliance with all applicable codes and ordinances.

Applicant's signature

Date

Print Applicant's Name