



## EXTERIOR ACCESSORY APARTMENT PROVISIONAL USE PERMIT

Please Return To: Department of Neighborhood Development Services  
PO Box 911, City Hall  
Charlottesville, Virginia 22902  
Telephone (434) 970-3182 Fax (434) 970-3359

**A \$100.00 APPLICATION/PERMIT FEE IS REQUIRED**

Property Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Tax Map and Parcel: \_\_\_\_\_

Phone (H) \_\_\_\_\_ (W) \_\_\_\_\_ (F) \_\_\_\_\_

Email: \_\_\_\_\_

Gross (improved) Square Footage of Entire Dwelling: \_\_\_\_\_

Square Footage of Apartment: \_\_\_\_\_

*Per Section 34-1171 of Charlottesville City Code (attached), I certify that I am the homeowner of this property, that I reside on the premises, and that I will continue to live on the property while the accessory unit is leased. I have read the attached regulations and understand that my permit may be revoked if I fail to comply with all provisions. I further certify that no more than two (2) persons shall occupy the accessory apartment. I give my consent to inspectors initiated by the Zoning Administrator to verify compliance with the requirements for provisional uses and grant a right of access for the Zoning Administrator to make such inspections.*

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date

**Note: Accessory apartments are only allowed when clearly subordinate to a single-family detached dwelling. All accessory apartments must be reviewed by the Building Code Official. All accessory apartments must adhere to the Statewide Building Code including ingress, egress, 1 hour fire rated walls, etc. A new Certificate of Occupancy will be required for the property on which the accessory apartment is located and will not be issued until all building codes have been successfully met.**

Office Use Only
Date Received _____ Accepted _____ Denied _____
Zoning Administrator _____
Comments: _____
Date Paid: _____ Amount Paid: _____ Cash/Check _____

## **CITY OF CHARLOTTESVILLE CITY CODE**

### **Sec. 34-1105. Accessory buildings and structures.**

- (a) No accessory building or structure shall:
  - (1) be constructed upon a lot until the construction of the main building has been actually commenced;
  - (2) be used for dwelling purposes (except for accessory apartments, where such apartments are otherwise permitted within a residential zoning district);
  - (3) be located within any front yard; or, on a corner lot, project into the required yard adjacent to any street frontage; or
  - (4) exceed the height of the principal building or structure on the same lot.
  
- (b) Accessory buildings may be erected in a required rear yard, provide that in any residential zone, accessory buildings and structures (when located within a required rear yard):
  - (1) shall not occupy more than thirty (30) percent of a rear yard, and
  - (2) shall not be nearer than five (5) feet to any side or rear lot line. However, when a garage situated within a required rear yard is entered from an alley, the garage shall not be nearer than 10 feet to the property line adjacent to the alley.

### **Sec. 34-1171: Standards--accessory apartments**

- (a) In addition to the requirements of Sec. 34-1105, accessory apartments authorized by a provisional use permit shall be subject to the following regulations. Any property containing an accessory apartment shall comply with the following:
  - (1) One of the two dwelling units on the subject property must be occupied by the owner of the property.
  - (2) Use and occupancy of each dwelling unit comply with all applicable building code regulations.
  - (3) Notwithstanding any other residential occupancy provisions set forth within this zoning ordinance, no accessory apartment may be occupied by more than two persons.
  
- (b) In addition to the requirements set forth above in paragraph (a), the following shall apply to interior accessory apartments:
  - (1) The accessory apartment may not have its own separate entrance located on any façade of the principal structure that fronts on a public street. No exterior stairs providing access to the accessory apartment shall be visible from any public street.
  - (2) The accessory apartment must be entirely contained within the principal structure.
  - (3) The gross floor area of the accessory apartment may not exceed forty percent (40%) of the gross floor area of the principal structure in which it is located.
  - (4) In addition to the requirements set forth above in paragraph (a), exterior accessory apartments must be located within an accessory structure, and the accessory structure must itself be in compliance with all applicable zoning and building code regulations.