



# HOMEOWNER AFFIDAVIT FOR ACCESSORY DWELLING UNIT

## Sec. 138-3210. Accessory dwelling units.

- (a) *Purpose.* Accessory dwelling units are intended to provide additional housing that is incidental to a primary use while ensuring that the intended district character is protected. Accessory dwelling units are intended to provide guest housing, security residence, and/or affordable housing options.
- (b) *Applicability.* The provisions of this section shall apply to the establishment of a new accessory dwelling unit and expansion of any existing accessory dwelling unit.
- (c) *Standards.*
  - 1) In residential districts, accessory apartments, garage apartments, and guest houses maybe permitted as accessory uses to any single-family detached home in all residential districts subject to the applicable district regulations and the following requirements:
    - a. The accessory dwelling unit shall not exceed 1,000 square feet, or 750 square feet if the property is within the Coastal Storm Area or flood hazard areas established in Land Development Code Section 158-23. Unconditioned space that is connected to and serves the accessory dwelling unit (e.g., garage or storage space for the accessory dwelling unit) is counted toward the size calculation of the accessory dwelling unit. Larger accessory dwelling unit area may be approved pursuant to Section 138-77.
    - b. There shall be only one accessory dwelling unit per lot or parcel of ownership.
    - c. Either the primary dwelling unit or the accessory dwelling unit shall be owner occupied. This requirement may be waived if both the primary dwelling unit and the accessory dwelling unit qualify as affordable to households at 80 percent or below of the median family income as defined consistent with the provisions of Chapter 420 Florida Statutes, and are under a Land Use Restrictive Agreement (LURA) for a minimum period of 20 years.
    - d. All applicable district regulations pertaining to setbacks, building height and lot coverage provisions shall be met. The building height of a detached accessory dwelling unit shall not exceed the building height of the primary dwelling unit, unless it is required under Chapter 158, however, it shall not exceed the number of stories of the primary dwelling unit.
    - e. Separate metered utility connections for the accessory dwelling unit may be permitted.
    - f. Mobile homes and recreational vehicles shall not be used as accessory dwelling units.
    - g. Must meet the minimum requirements for a dwelling unit in accordance with the Florida Building Code.
    - h. The accessory dwelling unit may be attached to the primary unit or be separate/detached.
    - i. An accessory dwelling unit must have an entrance that is separate from the primary unit, and it must contain sleeping quarters, a bathroom, and a full kitchen with sink, cooking unit, and refrigerator.
    - j. Applicable development review fees shall be waived for accessory dwelling units.

\* Homeowner must acknowledge and adhere to these specific use standards for permitting an accessory dwelling unit in a single-family district. A homeowner could be subject to code enforcement action if found in violation of these standards.

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

\_\_\_\_\_  
Permit Number

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Date

State of Florida county of \_\_\_\_\_ .

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_ by \_\_\_\_\_ .

\_\_\_\_\_  
Notary Signature

Notary Stamp

\_\_\_\_\_  
Print name

- Personally Known
- Produced identification

\_\_\_\_\_  
Type of identification produced