

TOWN OF BAYSIDE, TEXAS
P.O. BOX 194
909 1ST ST. CITY HALL BUILDING
BAYSIDE, TEXAS 78340
PH. (361) 529-6520 FAX 361-529-6409

OFFICE USE ONLY
PERMIT # _____
DATE SUBMITTED: _____

ACCESSORY APARTMENT UNIT SPECIAL USE PERMIT APPLICATION

NAME OF PROPERTY OWNER(S): _____
STREET ADDRESS: _____
CITY, STATE, ZIP: _____
SITE ADDRESS: _____
LOT: _____ BLOCK OR FARM TRACT: _____ TAX PARCEL NUMBER: _____
DATE OF APPLICATION: _____ PHONE NUMBER: _____
TYPE OF APPLICATION: NEW RENEWAL TRANSFER
ESTIMATED COST OF PROJECT: \$ _____
SQUARE FEET OF UNIT: _____ SQ.FT. MAIN DWELLING: _____ SQ.FT. PARKING AREA: _____ SQ. FT.
BUILDING HEIGHT: _____ ft. LOT SIZE _____

The City Council may grant a special permit for the provision of one (1) accessory apartment in an existing single-family dwelling. A building permit is required after the accessory apartment permit is granted. A lot occupied with a duplex is not eligible to also have an accessory apartment. No portion of an Accessory Apartment shall extend beyond the building front of the existing single-family dwelling. No Accessory Apartment Unit may be erected without a building permit. It is unlawful for any person to construct, lease, or let out a detached accessory apartment except in conformance with the following requirements:

- The owner of the property subject to the permit shall reside on the property throughout the duration of the permit. The property owner, which shall include title holders and contract purchasers, must occupy either the principal unit or the detached accessory apartment as their permanent residence, but not both, and at no time receive rent for the owner-occupied unit.
- The lot on which the single-family house is located must meet the minimum lot size requirement and must comply with other applicable zoning requirements for its district. The accessory apartment shall be clearly a subordinate part of the single-family dwelling. It shall not have more than two (2) bedrooms. There shall be no more than one (1) accessory apartment within any single-family structure. In no case shall the gross floor area of a detached accessory apartment unit be more than six hundred (600) square feet or less than three hundred (300) square feet. The accessory apartment must not require a variance to any building setback, height, or maximum impervious surface standard established in this ordinance.
- The apartment shall be re-inspected annually. The City Official shall certify that the means of water supply and sanitary disposal shall be adequate to support both dwelling units. The construction of any detached accessory apartment must be in conformity with the Town of Bayside Building Code requirements.
- The apartment shall have its own outside access convenient to the parking area and vehicular and pedestrian access to the lot. At least two off-street parking spaces per dwelling unit shall be available for use by the owner-occupant(s) and tenant(s). A separate driveway shall be allowed for the apartment.

- The apartment will be a complete, separate housekeeping unit that functions as a separate unit from the original unit. The apartment must contain its own toilet, bathtub or shower, and kitchen facilities. The accessory apartment shall be designed so that the appearance of the building remains that of a single-family residence as much as feasibly possible. In general, any new entrances shall be located on the side or rear of the building. Any exterior changes made must conform with the single-family character of the neighborhood. There shall be no enlargements or extensions of the detached accessory apartment except for minimal additions necessary to comply with building, safety or health codes, or for enclosure of an entryway, or for enclosure of a stairway to a second or third story.
- An accessory apartment unit shall not, in any case, be leased or sold without a main building or have a separate electrical meter, water meter or sewer connection. The accessory apartment may not be located in, or above a storeroom, workshop or other accessory building, excluding a private garage.
- After approval, the City shall provide notice of the registration of the accessory unit to owners of property within two hundred feet (200') of the registered site. The notice shall state that the unit complies with the standards of this section and that it must pass inspections. No hearing will be scheduled unless requested from a property owner that received notice.
- Affidavit. The property owner shall sign an affidavit before a notary public affirming that the owner occupies either the main building or the apartment. Upon sale of the property, a new owner shall be required to sign a new affidavit and to register the accessory apartment unit, paying a reauthorization fee of one hundred dollars (\$100.00).
- The registration form or other forms as required by the City shall be filed as a deed restriction with the County Department of Records to indicate the presence of the accessory apartment unit, the requirement of owner occupancy, and other standards for maintaining the unit as described above. The registration shall also require any owner of the property to notify a prospective buyer of the limitations of this Section and to provide for the removal of improvements added to convert the premises to an accessory apartment unit and the restoration of the site to a single family dwelling in the event that any condition of approval is violated.
- In addition to the conditions which may be imposed by the City, all accessory apartment units shall also be subject to the condition that such a permit shall automatically expire whenever:
 - The accessory dwelling unit is substantially altered and is thus no longer in conformance with the plans approved by the City Official; or
 - The subject lot ceases to maintain required off-street parking spaces; or
 - The applicant ceases to own or reside in either the principal or the accessory dwelling unit.
- Lots/parcels may be deed restricted to combine lots to form one building lot if the accessory structure is to be located on a lot without a main structure. In such cases, the designated lots/parcels shall be duly platted and evidenced in the public records by a deed showing a single legal description in the office of the Refugio County Recorder before a building permit may be issued. If combined lots/parcels have two or more different zoning designations, the uses and regulations of the most restrictive zone will apply. Once two or more Lots have been so combined to form a combined Lot, they shall remain as such and the Owner thereof shall not be permitted at any time to rent, sell or otherwise transfer or convey less than all of such Combined Lot.

Agreement:

I/we hereby authorize the City Officials of the Town of Bayside to inspect the premises, which are the subject of this Permit application and consent to periodic inspections whenever necessary to enforce any of the provisions of this Agreement and the Town of Bayside Zoning Ordinance; and

