

ACCESSORY DWELLING UNITS

A GUIDE TO ACCESSORY APARTMENTS
IN CHARLOTTESVILLE, VA



NOVEMBER 2015

City of Charlottesville, Virginia

"A Great Place to Live for All of Our Citizens"



Department of Neighborhood Development Services

The City of Charlottesville is pleased to provide this guide to accessory apartments. Under our current zoning ordinance, we allow for both external and internal apartments in most zoning districts by provisional use permit; however, there are limited exceptions within our university areas and mobile home parks.

While these units serve to increase the City's overall housing inventory, they also add value to our housing stock and address a variety of housing needs for homeowners. Accessory apartments can be used to facilitate optional independent living arrangements as well as provide extra usable space for aging in place or family members. While the use will likely change over time based on homeowner need, the potential for income generation is a huge benefit of incorporating an accessory apartment into your home and can often be the difference in making your own mortgage affordable.

Also known as accessory dwelling units, ADUs, granny flats, in-law units, basement apartments, multi-generational homes, secondary dwelling units, etc... accessory apartments can add both utility and value to your home. We hope that this guide provides you with the information you need to make a decision about whether this is a good fit for your situation or not.

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INTRODUCTION 1

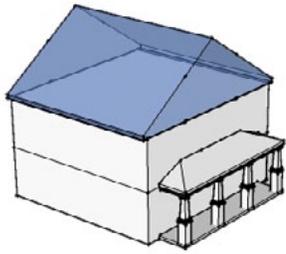
DEFINITION

WHO CAN HAVE ONE?

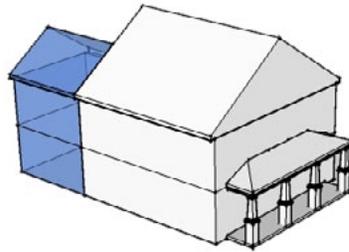
PLANNING CONSIDERATIONS

ADVANTAGES

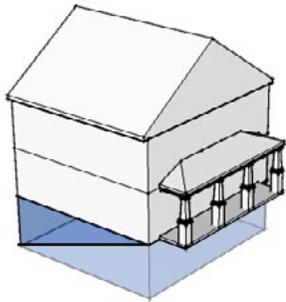
DEFINITION



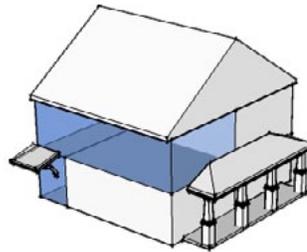
Interior ADU
Unit in finished attic



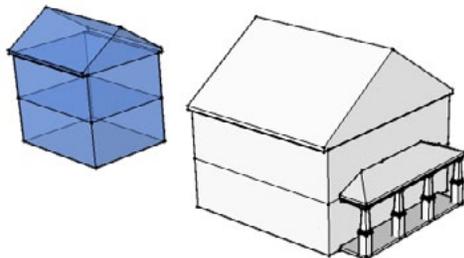
Interior ADU
Unit in addition



Interior ADU
Unit in finished basement



Interior ADU
Unit within primary residence



Exterior ADU
Unit is unattached to main residence

WHAT IS AN ACCESSORY APARTMENT?

The City's zoning ordinance defines an accessory apartment as "an independent dwelling unit, the presence and use of which is clearly subordinate to a single-family detached dwelling and in which no more than two (2) persons reside." They are commonly referred to as accessory dwelling units (ADU's), "granny flats" or in-law suites, and can either be internal to the unit or a separate structure in the rear yard.

The City has two (2) classifications for accessory apartments:

Interior Accessory Apartment

When an accessory apartment is contained within the structure of a single family dwelling, the city considers the unit to be an "interior accessory apartment." It will share a common wall, ceiling or floor with the main house. Examples include basement apartments, attic units and apartments within an addition attached to the primary residence.

Exterior Accessory Apartment

All other apartments that do not share a common wall, ceiling or floor with the main house and are considered to be an exterior accessory apartment. Examples of this type of apartment include a smaller structure in the rear yard or a unit above a detached garage.

The City has specific requirements for each type of accessory apartment.

PLANNING CONSIDERATIONS

Once you determine that an accessory apartment is allowed in your zoning district, you need to consider the following:

How big can it be?

Interior accessory apartment: The size of an internal unit can not exceed forty (40) percent of the gross floor area of the primary residence. See "Floor area, gross (GFA)" in Chapter 5 - Definitions for the definition of gross floor area and how it is calculated.

Example:

*If a primary structure is a two-story residence with 1,000 gross square feet per floor, the maximum **area** allowed is:
 $(1,000 \text{ gsf/story} \times 2 \text{ stories}) \times 40\% = 800 \text{ gsf}.$*

Exterior accessory apartment: The size of an exterior unit must meet the following criteria:

1. It can not exceed forty (40) percent of the footprint of the primary residence; **and**
2. The total of the areas of the footprints of the apartment and all other accessory structures (e.g. sheds, detached garage, pool house, pool, etc.) in the rear yard can not exceed thirty (30) percent of the area of the rear yard.

Example:

*If a primary structure is a two-story residence with 1,000 gross square feet per floor, the maximum **footprint** allowed is:*

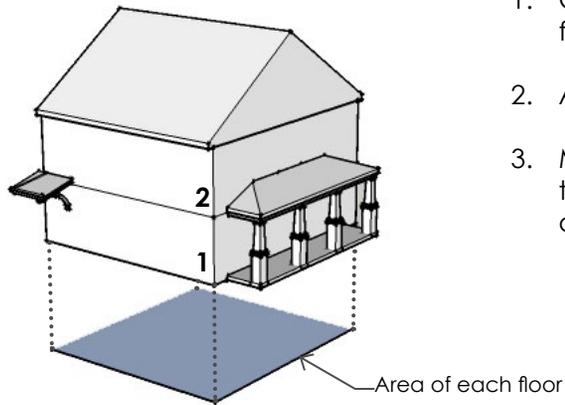
$1,000 \text{ gsf} \times 40\% = 400 \text{ gsf}.$

If the rear yard is 40 ft x 50 ft, the maximum rear yard coverage is:

$2,000 \text{ sf} \times 30\% = 600 \text{ gsf}.$

The total footprint area of the apartment and any other structures can not exceed 600 gsf.

See "Footprint, building" in Chapter 5 - Definitions for the definition of building footprint and how it is calculated.

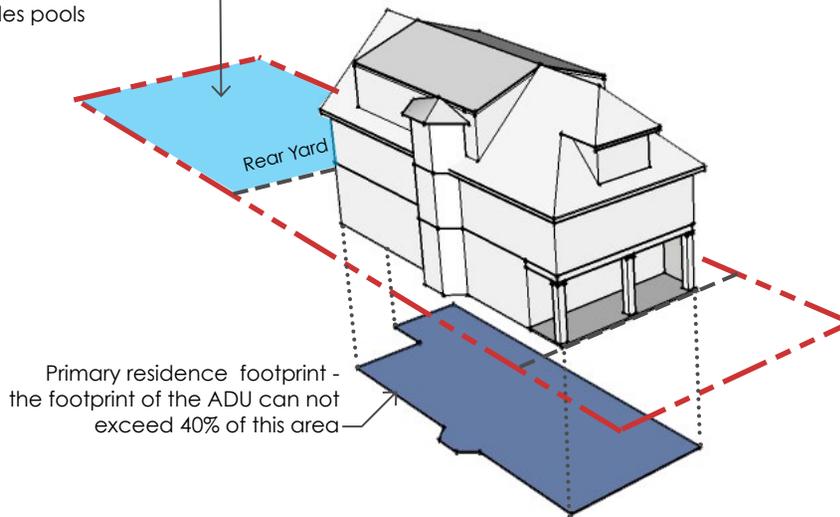


1. Calculate area of each floor.
2. Add the areas together.
3. Multiply the sum by 40% to find the total allowable area for an interior ADU

Interior ADU Maximum size

Total footprint area of all accessory structures* can not exceed 30% of the rear yard area

* includes pools



Exterior- ADU Maximum size

PLANNING CONSIDERATIONS

How tall can it be?

Because an interior accessory apartment must be contained entirely within the primary structure, the maximum height is set by the requirements for the primary residence.

The maximum height permitted for an exterior accessory apartment is the **lesser** of:

1. Twenty-five (25) feet; **OR**
2. The height of the primary residence (measured to the highest point of its roof).

Where can one be built?

External (detached) accessory apartments can be built within the rear yard* of a property.

*The rear yard is defined as the area from the rear face of the primary residence to the rear property line and extending on both sides to the side boundaries.

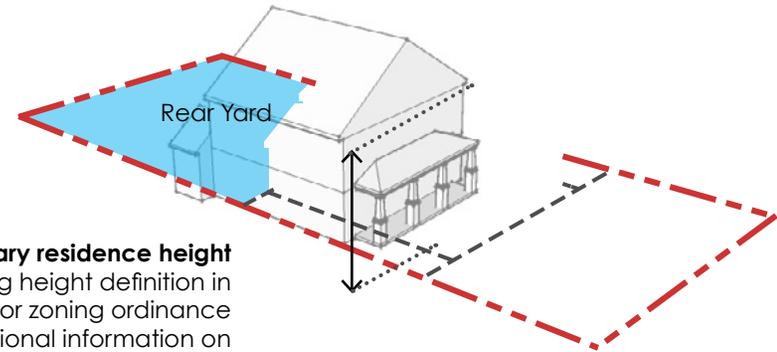
Who can live there?

There are two (2) principal requirements regarding who can live in an accessory apartment.

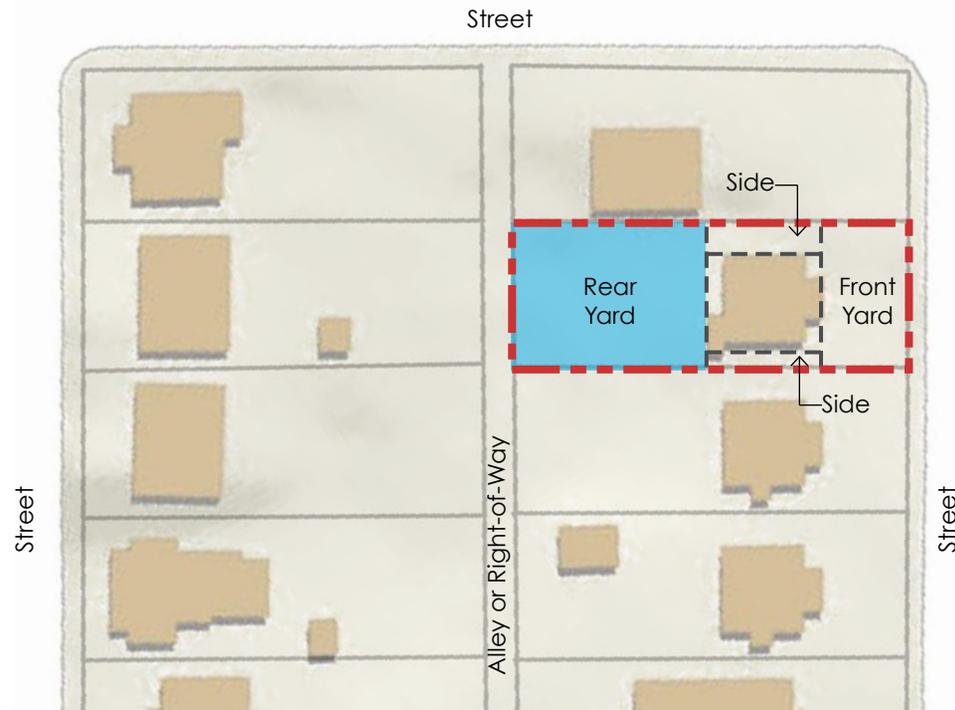
1. The property owner must live on-site in either the primary residence or the accessory apartment; and
2. No more than two (2) people are permitted to live within an accessory apartment.

Historic District Regulations and Review

If your property is in one of the City's Architectural Design Control Districts (ADCDC), design review is required for a new structure, changes to the exterior of an existing structure, or demolition of an existing structure. To find out if your property is in an ADCDC, refer to the link on the City's Board of Architectural Review (BAR) web page.



Primary residence height
(See building height definition in appendix or zoning ordinance for additional information on how building height is measured)



ADVANTAGES



Source: accessorydwellings.org
Kristy Lakin ADU
photo credit: Portland Photos



Image source:
accessorydwellings.org

Extra Income Source

One of the primary benefits of an accessory apartment is that it can be rented as an individual dwelling, providing the homeowner with additional income. The homeowner would have the option of leasing either the primary house or the ADU, giving him the greatest flexibility for additional income. Accessory apartments can be rented on a short term basis compliant with the City's homestay ordinance or it may be rented in a more traditional landlord/tenant arrangement.

Aging-In-Place

Accessory apartments may include universal design features such as wider doors, zero step entries, thoughtful bathroom arrangements, and open layouts that facilitate the ability of people to remain in their residences longer. Income gained from renting out either the apartment or the main house also provides a supplemental revenue source which may make it possible for those on fixed incomes to remain independent longer.

Extended Family Housing

Both internal and external accessory apartments, commonly referred to as "in-law suites" or "granny flats," often provide families with the means to care for extended family members — both young and old — enabling them to maintain their independence and avoid costly housing alternatives.

Neighborhood Benefits

Accessory apartments can also benefit the larger community by contributing to the diversification of housing types and sizes, thereby increasing the supply of affordable housing.

GETTING STARTED 2

KNOW YOUR NEEDS

KNOW YOUR SITE

KNOW THE RULES

KNOW YOUR FINANCING OPTIONS



Source: accessorydwellings.org
Bassett - Klepinger ADU
photo credit Michael Klepinger

KNOW YOUR NEEDS

What are my reasons for creating an accessory apartment?

Assess whether you are considering an ADU to provide an additional income source, to support extended family members or to provide greater flexibility to meet your needs in the various seasons of life.

Who will live there?

Consider if the resident(s) of the ADU will be members of your own family or someone outside the family. Also, think about any special needs the intended occupant has or may have that should be addressed in the design. Common needs include mobility impairments, the ability to age-in-place, and the need for oversight by others while remaining independent.

How much interaction is desired between the primary residence and the ADU?

Your design will influence the level of interaction between the resident(s) of the primary house and the ADU. A shared entry will encourage more interaction; a detached unit with its own entrance and yard area will create more privacy between the two dwellings.

KNOW YOUR SITE

Determine the zoning designation for your lot.

You can find the zoning of your property with Charlottesville's online GIS Viewer ([link](#)) or by contacting the Department of Neighborhood Development Services (434-970-3182). Once you know the zoning classification of your property, review the City's zoning code to determine if an accessory apartment is allowed within your zoning. This information can be found in the ordinance's residential use matrix [Zoning Article III, Division 7 of the ordinance online]. A "B" in the matrix indicates the apartment is a by-right use – meaning that the apartment is an allowed use. A "P" indicates the apartment is a provisional use – meaning the apartment may be allowed, subject to review by the City. If your zoning requires a provisional use permit (PUP) for an ADU, you will need to submit a PUP application to the City's zoning department. Note: there are separate applications for an Interior Accessory Apartment and an Exterior Accessory Apartment. The forms can be found on the City's "Other Permits & Forms" web page.

Decide where you will place it in your rear yard.

If you are planning an external ADU, consider whether you want to have a shared rear yard between the primary house and the accessory apartment, or whether you would like each to have its own outdoor space. Are there any natural features and views you would like to maintain?

Determine how the apartment will be accessed.

The entrance to the ADU should be easy for a visitor to find without being mistaken for the entrance to the main house. Access to parking should also be considered in your design. One parking space will be required for the apartment.

Use Types	ZONING DISTRICTS											
	R-1	R-1U	R-1S	R-1SU	R-2	R-2U	R-3	R-UMD	R-UHD	MR	MHP	Requirements
RESIDENTIAL AND RELATED USES												34-xxxx
Accessory apartment, internal	P		P		P		B	P	P	P	P	1105; 1171
Accessory apartment, external	P		P		P		P	P	P	P		1105; 1171

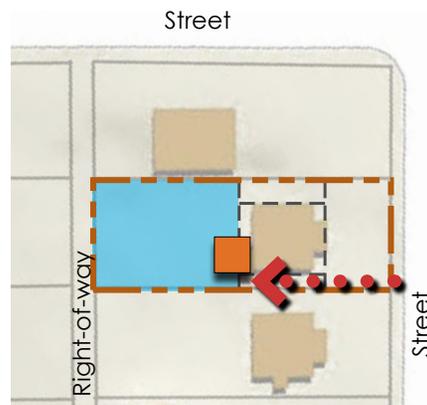
*Example of Charlottesville's Residential Use Matrix
Current use matrix can be found in the city's "Online CODE of ORDINANCES"*



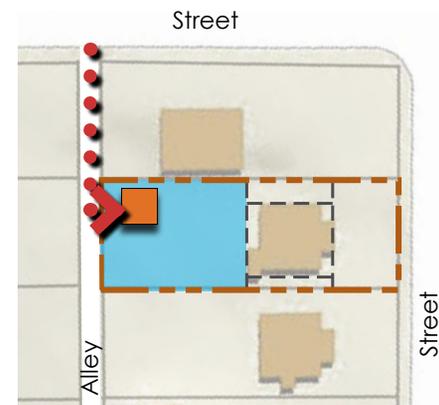
Example: Rear Addition



Example: Detached

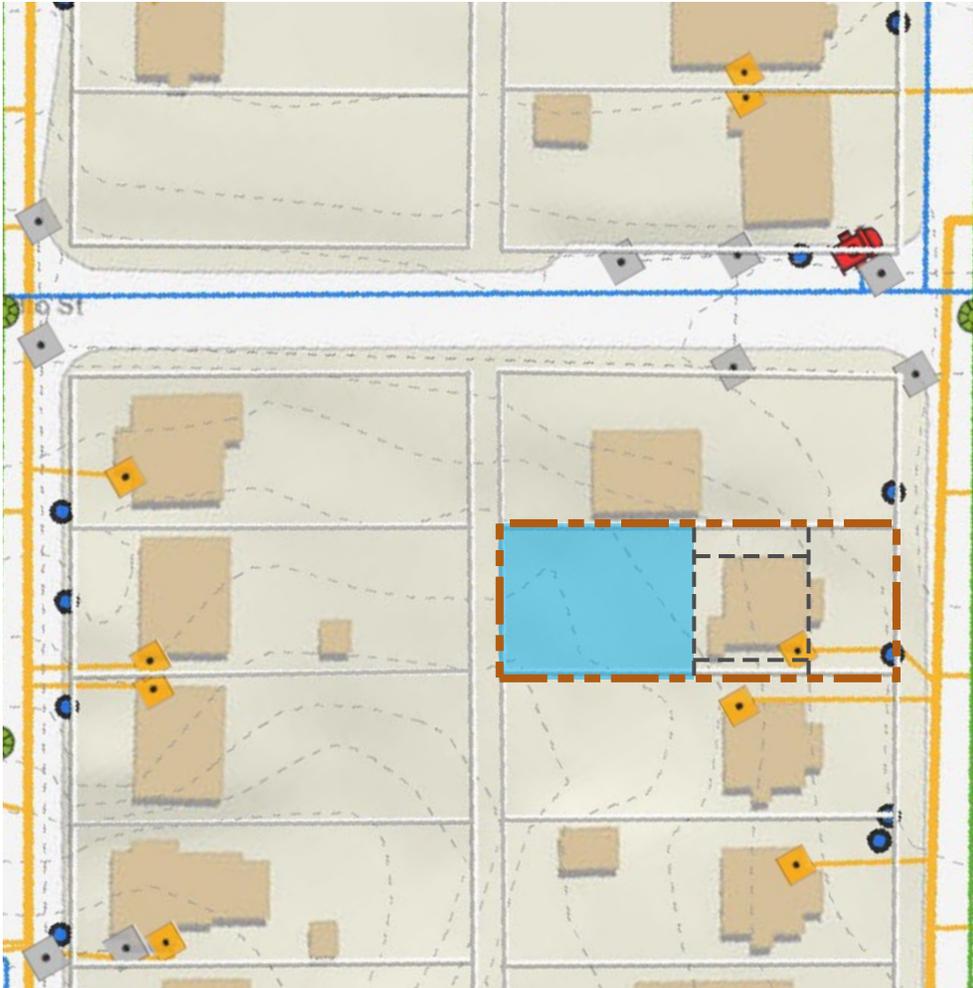


Example: Accessed from Street



Example: Accessed from Alley

KNOW YOUR SITE



Legend

- Parcels
- Sanitary Manhole
- Sanitary Line
- Storm Structure
- - Storm Line
- Water Hydrant
- Water Line
- Water Meter
- Gas Meter
- Gas Main
- Gas Service
- - Elevation Contour Lines - 2ft (2006)

Sample view of Site Information available on the Charlottesville GIS Viewer

Understand your utilities. Most of the utility hookups for the apartment can be made off of the primary house meter if there is adequate capacity. If there is not enough capacity with your existing services, your utilities may need to be upgraded. A qualified contractor can help you with this assessment. Building codes will also require that you maintain access to utility shut-offs and breaker panels for residents of both the main house and the apartment. Building codes stipulate that the heating and cooling systems cannot discharge air from one of the units into the other. Therefore, modifications to your existing system or a separate system for the ADU may be necessary.

Determine if you need a survey. Depending on the location of your ADU, you may need to have a surveyor stake out the apartment to ensure that your unit is on your property and complies with all setback requirements. The distance you need to maintain from your property line is called a setback. The depth of the setback for your zoning classification can be found in the zoning ordinance.

If you don't have a survey with field measured distances, general information for existing houses can be found on the City's website :

<http://gisweb.charlottesville.org/GISViewer/>

Follow these steps: view in map/tools/measure/distance to obtain dimensions.

NOTE: Information found on the GIS website may not be complete or accurate; it is provided as general information only. The City will require an as-built survey for newly constructed additions or detached ADUs before the Certificate of Occupancy is issued.

KNOW THE RULES

Basic Rules

The following rules apply to all accessory apartments - both interior and exterior:

1. Height is limited to 25 feet **OR** the highest point of the roof on the primary residence.
2. Building must comply with the latest edition of the Virginia Residential Code ([link](#)).
3. The property owner must live on-site in either the accessory apartment or the primary residence.
4. Not more than two (2) unrelated persons can live in the accessory apartment.

Historic District Regulations

If your property falls within one of the City's Architectural Design Control (ADC) Districts or is one of the City's Individually Protected Properties, additional regulations apply to assure that new structures, additions, landscaping and related elements are compatible with the character of the historic district and property. Information on these regulations can be found in the City's Board of Architectural Review (BAR) "ADC Guidelines" web page.



photo credit:
Design Develop LLC



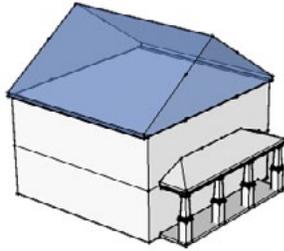
Source: www.modern-shed.com



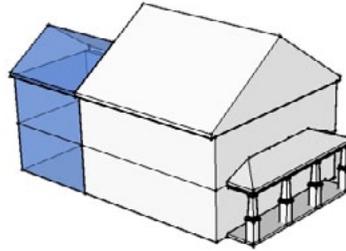
photo credit:
Design Develop LLC

KNOW THE RULES

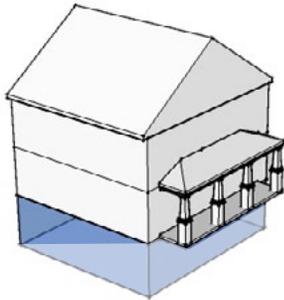
Interior Apartment



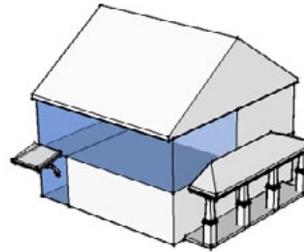
Unit in finished attic



Unit in addition



Unit in finished basement



Unit within primary residence

Interior Accessory Apartment: one that is contained within the structure of a single family dwelling. It will share a common wall, ceiling or floor with the main house. Examples include basement apartments, attic units and apartments within an addition attached to the primary residence.

In addition to the basic rules for accessory apartments, the following requirements also apply to interior apartments :

1. The interior apartment can not have its own separate entrance on the front facade of the primary residence.
2. The apartment must be contained entirely within the primary structure. An addition to the rear is considered as meeting this criteria.
3. The gross floor area* of the apartment can not be more than forty (40) percent of the gross floor area* of the principal residence in which it is contained.



* See appendix for definition.

KNOW THE RULES

Interior Apartment Example

Step-by-step guide to planning your own interior ADU.

For the following example, we will assume the following:

- An existing house that is 30 ft x 50 ft.
- The house has 2 stories and a full basement.
- The attic area has areas with structural head room of 6'-6" or greater. For this example, assume this area is 10 ft x 50 ft.

Step 1: Measure each floor of the existing house.

Calculate the total area of each floor.

Example:

An existing house has a footprint of 30 ft. x 50 ft. or 1,500 sf.

The house has 2 stories and a full basement.

The attic area is not inhabited but the center portion of the attic has headroom that is 6'-6" or greater.

Step 2: Add up the area of all of the floors.

This total is the gross floor area (GFA) of your principal residence.

Example:

Existing house – Basement: 30 ft x 50 ft = 1,500 sf

Existing house – 1st Floor: 30 ft x 50 ft = 1,500 sf

Existing house – 2nd Floor: 30 ft x 50 ft = 1,500 sf

Existing house – Attic: = 500 sf

Total GFA = 5,000 sf

For more information on the definition of "gross floor area" and how it is calculated, see "Floor area, gross (GFA)" in Chapter 5 - Definitions.

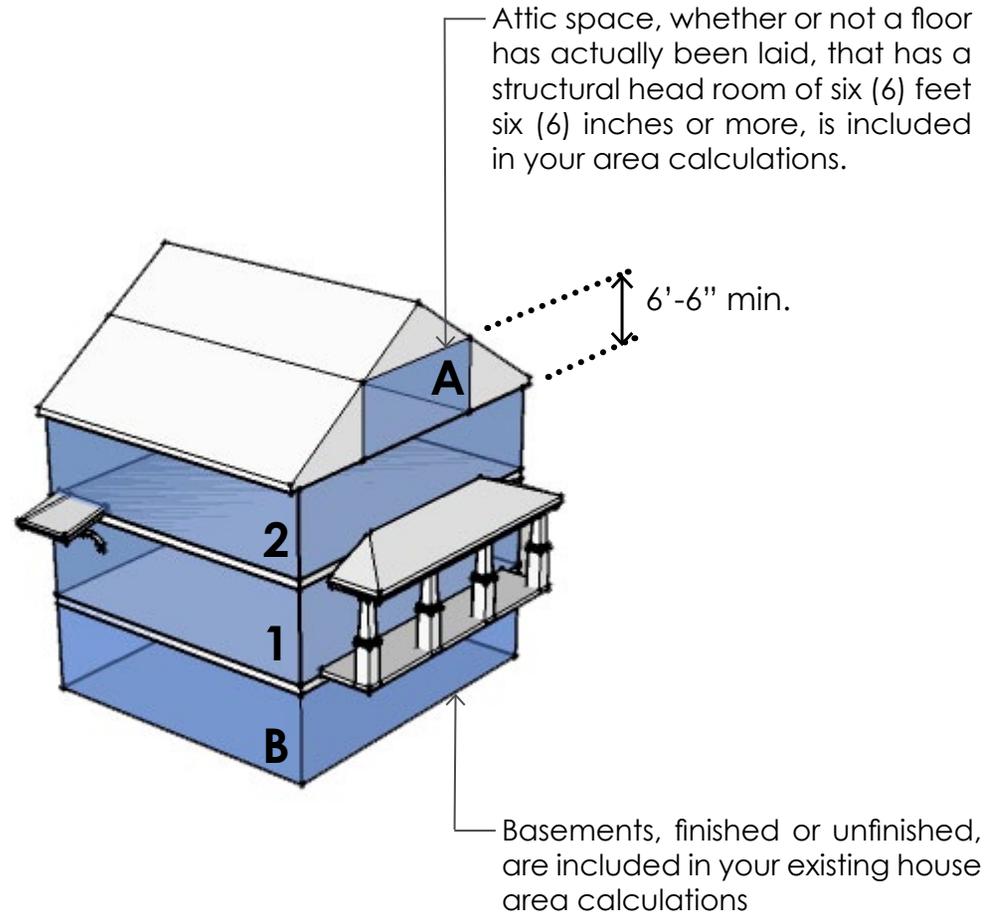
Step 3: Multiply the total GFA you calculated by 0.40 (or forty percent).

The product is the maximum gross floor area allowed for your interior ADU.

Example:

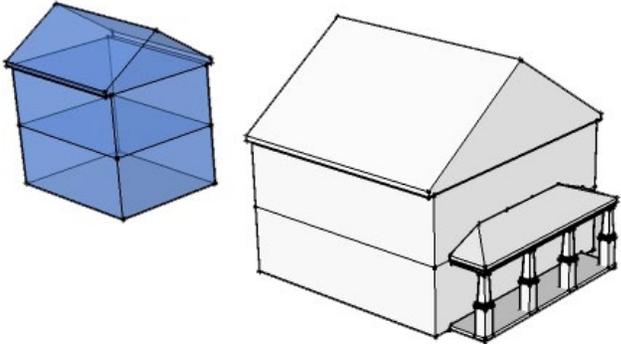
5,000 sf x 0.40 = 2,000 sf

Therefore, the primary unit must be at least 3,000 sf. and the interior ADU cannot be greater than 2,000 sf.



KNOW THE RULES

Exterior Apartment



Exterior ADU



Exterior ADU over detached garage

Exterior Accessory Apartment: Includes all apartments other than interior apartments that do not share a common wall, ceiling or floor with the main house. Examples include a smaller structure in the rear yard or a unit above a detached garage.

In addition to the basic rules for accessory apartments, the following requirements also apply to exterior apartments :

1. The footprint* of the exterior accessory apartment can not be greater than forty (40) percent of the footprint* of the primary residence on the property.
2. The apartment structure must comply with the zoning regulations for accessory structures.
 - A. It must be located in the rear or side yard.
 - B. The total footprint of all accessory structures* (including sheds, detached garages, pools, etc.) shall not exceed thirty (30) percent of the rear yard area.
 - C. It must be at least five (5) feet from the property line. If the apartment structure is both a garage and apartment, and the garage is entered off an alley, then the garage has to be at least ten (10) feet from the property line at the alley.
 - D. It must be at least eight (8) feet from any other structure on site.

* See appendix for definition.

KNOW THE RULES

Exterior Apartment Example

Step-by-step guide to planning your own exterior ADU.

For the following example, we will assume the following:

- An existing house that is 30 ft x 50 ft.
- The house has 2 stories and a full basement.
- The attic area is not habitable.
- The house sits on a lot that is 130 ft. x 50 ft.
- There is a small 8 ft x 12 ft. garden shed in the rear yard.

Step 1: Determine the area of the footprint of your existing house.

Measure each floor of the existing house. Calculate the footprint.

Example:

The footprint of the house is 30 ft x 50 ft. or 1,500 sf.

Step 2: Multiply the total footprint area you calculated by 0.40 (or forty percent).

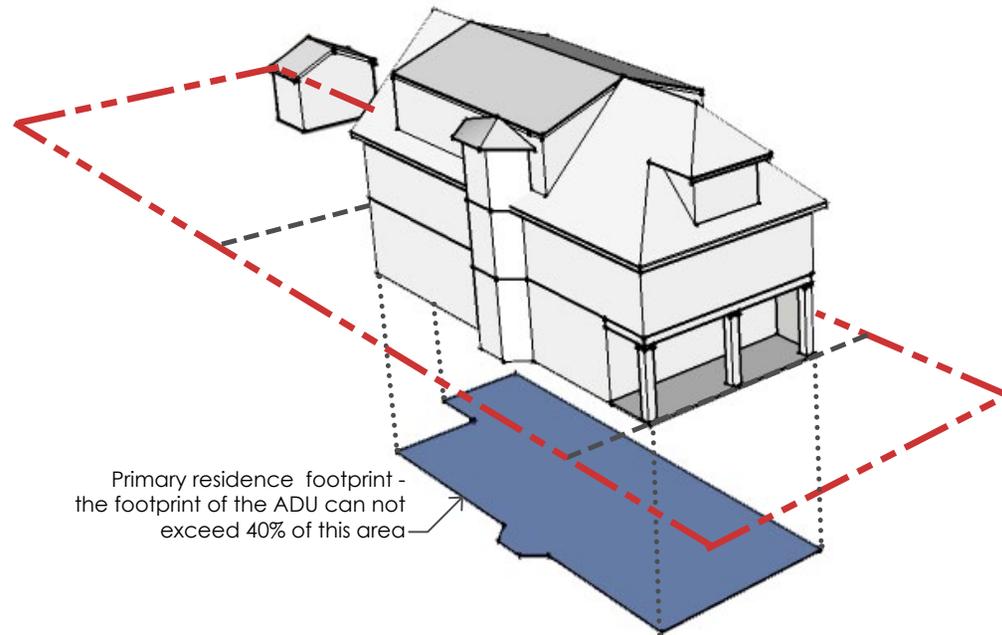
The result is the maximum area of the footprint of your exterior ADU.

Example:

1,500 sf x 0.40 = 600 sf

Therefore the footprint of the ADU can not exceed 600 sf.

(Note: The height and total area of the ADU will be determined in subsequent steps.)

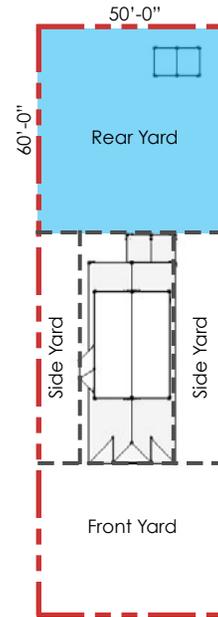


To determine the area of the existing house footprint, include all areas within the surrounding exterior walls (or exterior walls and fire walls) exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.

KNOW THE RULES

Exterior Apartment Example

To determine the area of the rear yard, measure from the furthest projection of the house to the rear lot line and from side lot line to the opposite side lot line.



Step 3: Calculate the area of your rear yard. Determine the distance from the back of your house to your rear property line and the distance between your side property lines. The space within these lines is your rear yard. Calculate the area of this space.

Example:

Measure the distance from the back of your house to your rear property line. For our example, we will use 60 ft.

Now calculate the area of your rear yard.

$$60 \text{ ft} \times 50 \text{ ft} = 3,000 \text{ sf}$$

The total area of the rear yard is 3,000 sf.

Step 4: Multiply area of the rear yard by 0.30 (or thirty percent).

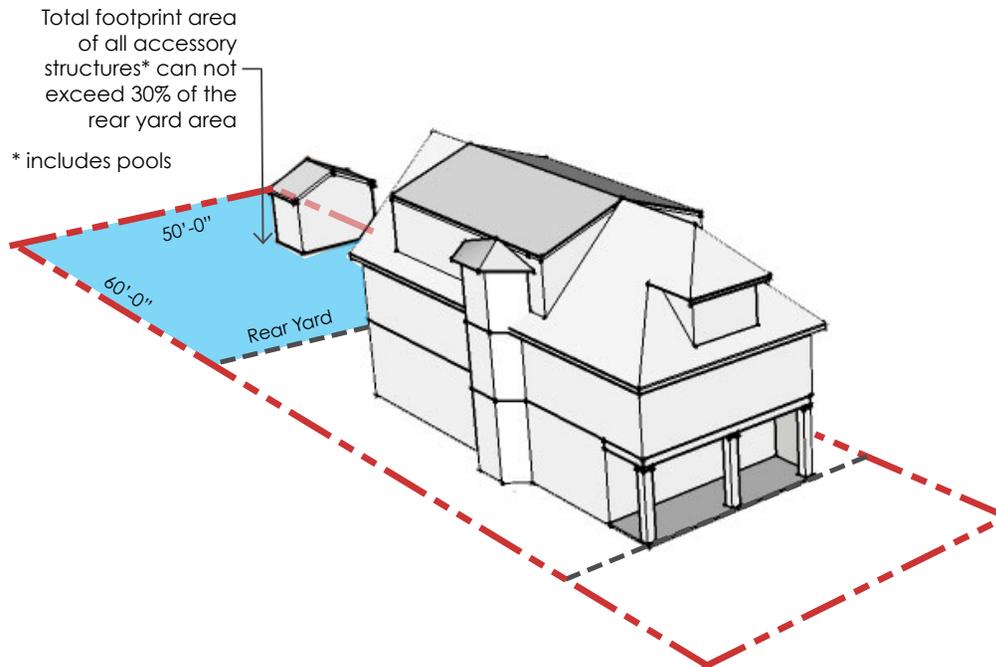
The product is the maximum area of all accessory structures.

Example:

$$3,000 \text{ sf} \times 0.30 = 900 \text{ sf}$$

*Therefore the total footprint area of **ALL** accessory structures can not exceed 900 sf.*

Since there is an existing garden shed that is 8 ft x 12 ft, or 96 sf, the ADU cannot have a footprint greater than 804 sf. to comply with this requirement.



KNOW THE RULES

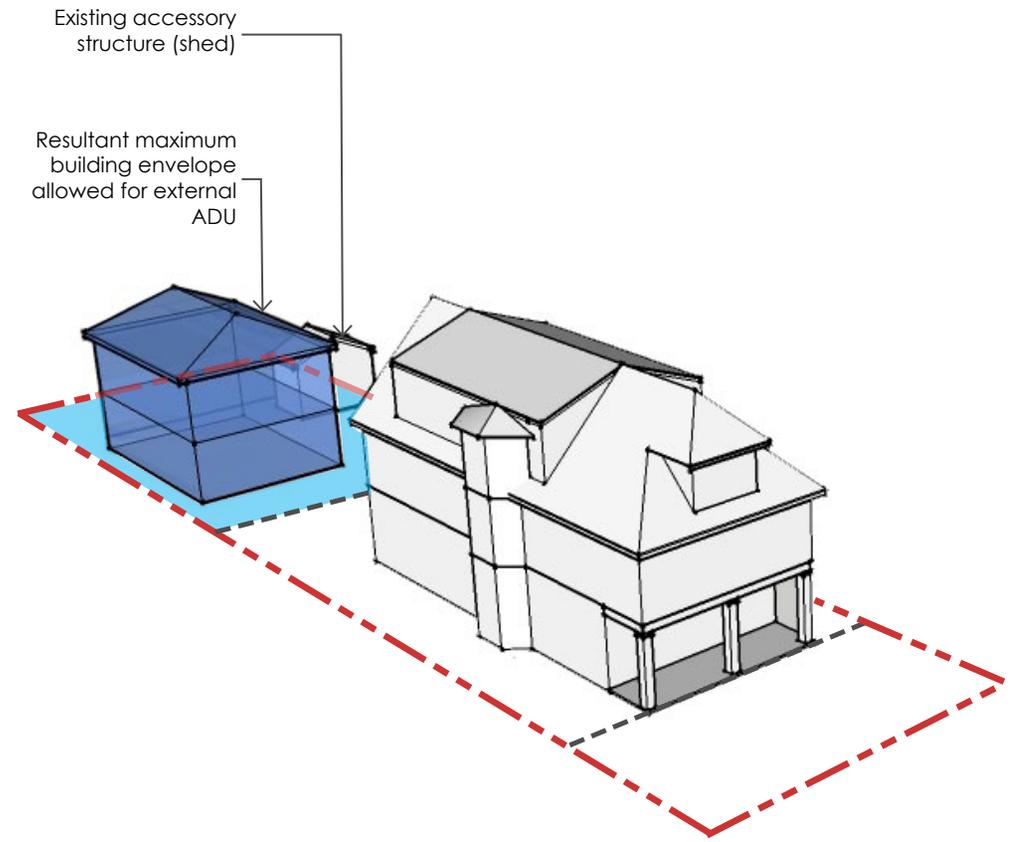
Exterior Apartment Example

Step 5: Compare the values calculated in steps 2 and 4.
The smaller value of the two is the largest footprint that you can have for your ADU.

Example:

600 sf (from Step 2) and 804 sf (from Step 4).

The maximum footprint for the exterior apartment is 600 sf.



KNOW YOUR FINANCING OPTIONS

As you decide how you will finance your ADU – whether by cash-on-hand or with a loan – there are several factors to consider:



1. Your accessory apartment may qualify for the City of Charlottesville Tax Abatement Program. If approved, the tax exemption will run for a period up to seven years. Information regarding eligibility and program requirements can be found on the City Assessor's "Tax Exemptions for Housing Improvements" web page. It is important to note that the application for the program must be **approved by the City PRIOR to the start of any work.**
2. Units that comply with the City's "Design for Life Cville" program qualify for partial refunds of city fees upon certification. More information can be found on the City's "Design for Life Cville" web page.
3. If your ADU incorporates certain accessibility and universal design features, it may qualify for Virginia's "Livable Homes Tax Credit" program. More information about this program can be found on the Virginia Department of Housing and Community Development's "Livable Homes Tax Credit (LHTC)" web page.
4. To encourage increased energy efficiency the City has created an "Energy Efficient Building Special Tax Rate" program that provides a one-time 50% tax reduction for qualifying buildings. More information on can be found on the City's "Special Tax Rate for Certain Energy-Efficient Buildings" web page.
5. If financing is provided through a bank, discuss your plans with your bank as the loan terms and requirements may be different from that of your primary house.

DESIGNING THE ADU 3

SITE CONSIDERATIONS
UNIT CONSIDERATIONS
SPECIAL CONSIDERATIONS
DRAWING YOUR DESIGN
ESTIMATING THE COST

SITE CONSIDERATIONS



Fit into your neighborhood

The design and placement of your ADU should follow the larger patterns of your neighborhood. Consider the depth of rear and side yards and maintain a consistent pattern. Review the scale and relationship of other accessory structures in your neighborhood. If you have an alley that serves the rear of your property, study how it is being used and the opportunities it may provide.

Parking

City zoning requires that one parking space be provided per dwelling unit, or at least one for the primary residence and one for the ADU. Each parking space shall be at least 9 feet by 18 feet. There are several City requirements for locating the parking on your site:

- The parking may be located within any yard.
- No driveway shall be located within three (3) feet from the line of an adjacent property.
- The portion of the driveway and the parking space located in the front yard (i.e. the area between the right-of-way and the building setback line) shall not exceed twenty-five (25) percent of the front yard area.
- All driveway entrances are to be at least twenty (20) feet wide but no more than thirty (30) feet.
- No driveway entrance or exit shall intersect with a street at a location closer than fifteen (15) feet to any street intersection.

Refer to the zoning ordinance for additional information (Sec. 34-972. - Location, yard areas, and driveways).

Entrance to the unit

Consider where the entrance to the unit will be placed, how it will be distinguished as a separate unit, and how it will be accessed. City regulations do not allow the entrance to an ADU to be on the front facade of the primary residence. It must be to the side or rear.

UNIT CONSIDERATIONS

Privacy

Maintaining privacy between the main residence and ADU is an important consideration. If you are considering an interior ADU, the location of the entrance, the sound proofing of common walls and floors, and access to utility shut-offs are important. For exterior ADUs, window and door placement, access to the entrance, yard configurations (e.g. shared or individual yard space), and landscaping affect the sense of privacy.

Storage

Having adequate storage is important to the livability of any residence. Therefore, thought should be given to the storage needs of the resident of the accessory apartment. If possible, space should be provided for larger items such as bicycles and seasonal items. Within the unit, an efficient layout and the use of leftover spaces, such as the area under stairs, provide additional storage opportunities and can make the unit feel larger than it is.

Blend in with your primary residence

Your new ADU, whether an addition to the existing house or a separate detached unit, should be secondary to the main house - both in scale and overall size. It should not compete or overwhelm the primary residence. Utilizing the same or complementary design elements (such as materials, colors, and roof pitch) as used on the main house are also desirable.



Delineation of space

Bassett - Klepinger ADU
Credit Michael Klepinger



Compatibility with primary residence



Charlottesville Internal ADU
Credit: Design Develop LLC



Image source:
www.accessorydwellings.org

SPECIAL CONSIDERATIONS

Flexibility & Growth Options

An ADU can help you meet the changing needs of your family. At first, you might lease it for an additional income source. As your family grows, you may find the space is needed to accommodate your own family. As children move out, you then have the flexibility to revert it back to a leased unit, keep it for your own use, or even use it to house an elderly family member or friend.

Aging-in-Place & Universal Design

So that a larger segment of the population can live and/or visit the ADU, you may consider incorporating universal design features in your unit.

What is an universal design feature? The Center for Universal Design at North Carolina State University defines it as "any component of a house that can be used by everyone regardless of their level of ability or disability." Such features include:

- Stepless entries
- Wider doors (34" doors or larger)
- Open plans
- Space to turn around on both sides of the entrance door.
- Transitions at doors and flooring materials that are 1/2" or less.
- A usable bathroom
- A usable kitchen
- Laundry facilities (if provided) on the main level

Energy Efficiency and Sustainability

To make your apartment more energy efficient, locate and orient your ADU to take advantage of the sun, and place windows to allow for natural ventilation. Including high performance windows, increased insulation, and energy efficient appliances /fixtures will also have a positive effect.

DRAWING YOUR DESIGN

Concept plan

To start, begin to list your desires and goals and sketch out any ideas that you have. Many times it is advisable to discuss your plans with your neighbors in case there are any concerns that you need to consider and to keep them informed.

Who can draw it

While it is not required that a licensed architect prepare the plans, it is highly recommended. An architect is trained to help you create your vision. They are also knowledgeable in building codes and construction.

Meet with NDS to review your concept

After you have a conceptual plan of your accessory apartment, review it with your neighborhood City planner to ensure that your design complies with the City's ordinances. Make any necessary refinements and review your plan with the building official to assure you have complied with all applicable building code requirements.

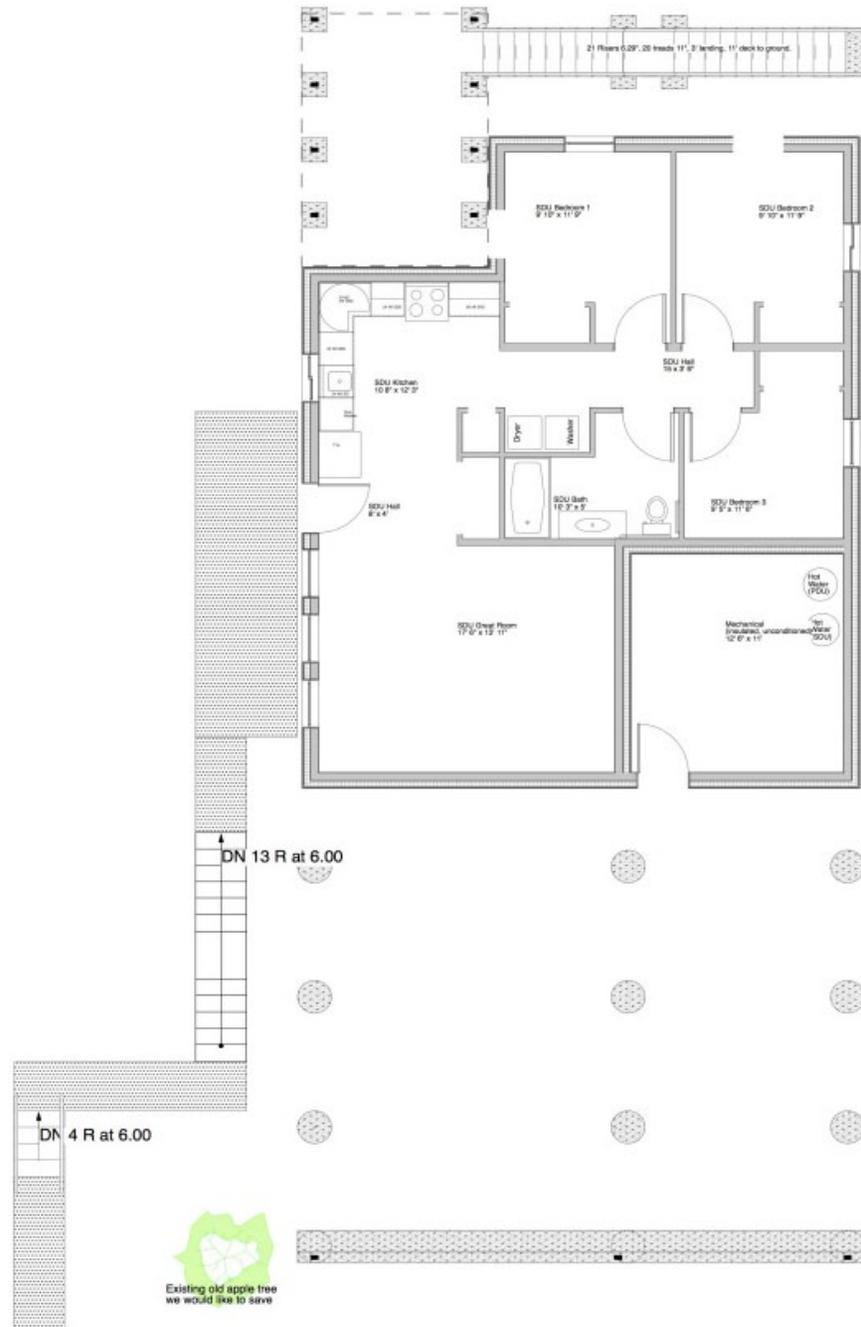
If your project is within one of the city's historic Architectural Design Control districts and is subject to review by the Board of Architectural Review (BAR), you should also review your plans with the City's Preservation Planner.

Refine your design

Having received the input from planning staff and the building official, you can now refine your design and its details. If possible, create a 3D model of your new apartment. This will allow you to virtually walk through the apartment, giving you a better understanding of the space.

Develop permit drawings

Permit drawings have the construction details and information required for the building permit. There are different drawing requirements for an interior ADU and an exterior one. Review these requirements with the building official.



Source: www.accessorydwellings.org
Albano ADU
Credit: Robert Albano

ESTIMATING THE COST



Involving a contractor before the permit drawings are finalized can help you monitor construction costs and keep the project within budget.

Get a list of contractors to consider

Talk to your architect and friends to develop a list of recommended contractors to consider for your project. Interview each company, follow up with their references, and understand how each would approach the construction of your accessory apartment. Ask each one to review a draft of your plans and offer feedback on estimated costs, schedule and construction. Identify as much of the work, equipment and finishes as possible to improve the reliability of the estimate. *See also "Hiring & Working with a Contractor" in Chapter 4.*

Talk to your preferred contractor

Once you have selected a contractor for your project, review the plans and scope of work to get his/her feedback on potential cost savings and other alternates that he/she may recommend to help you stay within budget.

Get a sense of the cost

Review the suggestions with your architect and incorporate the suggestions that you wish to take into your design. Update and coordinate the permit drawings to reflect the changes. Ask the contractor to provide a price to construct your ADU. You should include in your budget a contingency line item which can be used to cover unforeseen expenses that inevitably come up.

BUILDING YOUR ADU 4

BEFORE YOU BEGIN
HIRING & WORKING WITH A CONTRACTOR
PERMITS & INSPECTIONS
BEFORE YOU MOVE IN

Call MISS UTILITY

Before you begin digging, you must first call MISS UTILITY to mark the locations of existing underground utilities. MISS UTILITY, or Virginia 811, is a one-call center that notifies the utility companies in your area and requests they locate and mark their services on your property. This helps to prevent possible damage to underground utilities, personal injury, property damage and disruption in services. It's not just a good idea – it's the law!



Get your survey (if needed)

Depending on the location of your ADU and extent of work, you may need a surveyor to stake out and document the location of your new apartment to document that it complies with all zoning requirements.

Review the requirements for one- and two-family dwellings.

Information on the general residential requirements for new construction and for conversion of a single-family residence to a two-family dwelling can be found on the City's "Residential Req's & Checklist" web page. Here you will find information on the applicable building codes and a link to those codes, minimum fire ratings, and requirements for the building and mechanical (HVAC), electrical and plumbing systems.

Be familiar with unique state requirements regarding accessibility.

To promote the number of housing units that are usable by a larger cross section of people, the state has additional requirements to consider. If your ADU has both a kitchen and a living area on the first floor then:

1. An interior circulation route (or pathway) shall be provided from the exit door to:
 - a. The kitchen and
 - b. The living or entertainment area, and
 - c. To at least one bedroom, and
 - d. At least one full bathroom where such rooms are provided on the same level.
2. Any doors or cased opening along this interior route shall comply with the following:
 - a. Cased opening shall provide a minimum clear width of 34 inches.
 - b. Door shall be, at a minimum, nominal 34-inch doors.

Additional information, including exceptions to these requirements can be found in "Chapter 5 - Additional Resources" under Virginia Residential Building Code Amendment.

HIRING & WORKING WITH A CONTRACTOR

Hiring a contractor.

It is recommended that you hire a licensed contractor to construct your ADU. Interview several candidates to assess the quality of their work, their professional qualifications and the satisfaction of previous clients. Contact their references to learn about their performance on past projects. You will want to find one with whom it is easy to communicate and you feel you can trust. Part of the contractor's job will be to help you monitor project costs during construction. Before he gives you a proposal for the work, the contractor should review the site to become familiar with the existing conditions and the proposed changes. A proposed schedule for the work should also be included in the proposal.

Working with a contractor.

To help things run smoothly during your construction project, you can take several proactive steps:

- Keep clear written communications of decisions made, the project schedule, and project costs.
- Pay only for completed work.
- Monitor the project's progress. If you have any questions about the work in place, promptly bring it to the contractor's attention.
- Make timely decisions and selections. This will help the contractor in the scheduling and execution of his/her work.

PERMITS & INSPECTIONS

Permitting Process:

If applicable, complete and submit an application for Board of Architectural Review (BAR) Certificate of Appropriateness. If your property is within one of the City's Architectural Design Control Districts and you are making any changes to the exterior of any existing structure, demolishing an existing structure, and/or adding a new structure, you will need to first obtain approval from the City's Board of Architectural Review. A submission containing a completed BAR application as well as all required supporting documentation and application fee is required for this review. Submissions must be made at least three weeks prior to the BAR meeting, according to the City's preset schedule. A copy of the City's Development Filing Deadlines can be found on the City's "Other Permit and Forms" webpage. BAR approval should be obtained as soon as possible and is valid for eighteen months from approval.

Obtain your Accessory Apartment Provisional Use Permit. Before a building permit can be approved, you must have an approved provisional use permit for your ADU. The City has separate application forms for interior and exterior accessory apartments under "4) Administrative Requests" on the "Other Permits and Forms" web page.

Review the Residential Plans Pre-Application Checklist: Look over the pre-application to confirm that you have all of the required information and correct number of copies to submit with the application. Following this checklist will facilitate the process.

Complete the building and site plans. Having reviewed the pre-application checklist, you can prepare the building and site plans with all of the required information and notations.

Complete the Building Permit Application.

The building permit application must be completed by a licensed contractor, or in some instances, the home owner. A copy of the permit application can be found on the "Forms and Applications" page of the City's website.

Complete Electrical, Mechanical, and Plumbing Permit Applications.

A separate application for the electrical, mechanical and plumbing work is required.

Calculate the Permit Fees.

A list of the current permit fees can be found on the City's "Building Permits" web page. Payment of this fee is due with the permit application. It is recommended that you verify the permit amount with the City prior to finalizing any payments. The City accepts cash, checks, and MasterCard, Visa and Discover credit cards. American Express is not accepted.

Submit all Permit applications.

Additional information regarding permits and fees can be found on the City's "Building Permits & Inspections" page of the website. You should allow adequate time in your schedule for the City's review and approval process.

PERMITS & INSPECTIONS

Once you have the building permit, you will need to post it near the building's address and protect it from the weather. A copy of the approved building plans with the City's approval stamp is also required to remain on-site during construction

Required Inspections.

As you proceed with your construction project, the City will require the work to be inspected at certain project milestones. The following are the minimum inspections that may apply:

1. Footing (including deck footings): before placing concrete.
2. Water, Sewer and Sprinkler laterals (underground piping from building to City utilities). NOTE: the Public Works Department requires an additional inspection for each connection to the City Utilities
3. Concrete Slabs (before placing concrete): ensure that vapor barrier is installed, rebar or welded wire if applicable.
4. Foundation & Foundation Drainage (before backfilling, and with foundation drainage, waterproofing or damp proofing installation).
5. Framing: before concealment with insulation or drywall.
6. Rough-in (includes Electrical, Plumbing, Mechanical, gas piping & sprinkler piping).
7. Insulation
8. Finals: when all work is complete

Scheduling Inspections.

1. 24-hour notice required for inspection requests.
2. Have all pertinent permit numbers, address of the job and type of inspections being requested when you call.
3. All inspections will be scheduled through the main office, at 434-970-3182 (not the inspector).
4. All framing and rough-ins will be done at the same time. No framing inspections will be inspected until all rough-ins are ready.
5. All final inspections will be performed at the same time.

BEFORE YOU MOVE IN



Source: www.accessorydwellings.org
Johnson & Creel ADU

Obtain the Certificate of Occupancy

Before you move in to your new accessory apartment, the City must issue a Certificate of Occupancy (CO). This entails the following:

- Building Final Inspections are completed and approved.
- An As-Built Survey (if required) documenting any additions and other physical improvements made on the property.
- Satisfaction of any engineering requirements.
- Compliance with the City's off-street parking requirement (i.e. a minimum of one off-street parking space).
- All exposed soil must have sod laid, a full covering of seed and straw, or must be stabilized with vegetation.
- Required setbacks have been kept clear of all structures, including HVAC units.

More information can be found on the City's "Certificate of Occupancy" webpage.

ADDITIONAL RESOURCES 5

DEFINITIONS

RESIDENTIAL BUILDING CODE AMENDMENT

CREDITS

DEFINITIONS

Accessory apartment: an independent dwelling unit, the presence and use of which is clearly subordinate to a single-family detached dwelling and in which no more than two (2) persons reside. When contained within the structure of a single family dwelling, such apartment constitutes an "interior accessory apartment." Also referred to as an **ADU**.

Accessory building, structure or use: a building, structure or use located upon the same lot as the principal use, building, or structure, the use of which is incidental to the use of the principal structure. Garages, carports and storage sheds are common residential accessory buildings and structures.

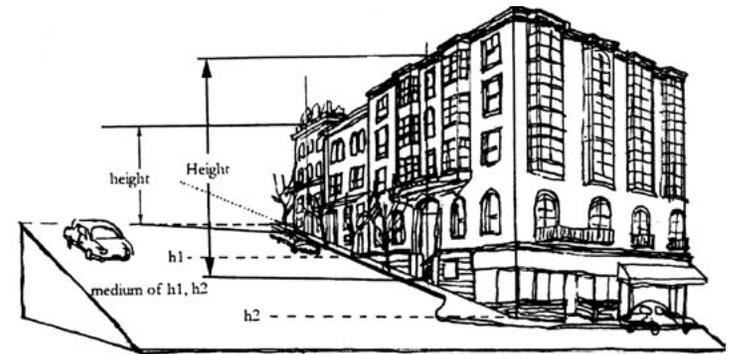
Accessory Dwelling Unit (ADU): another name for accessory apartment. See definition of accessory apartment.

Addition (to an existing building): any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition that is connected by a firewall or is separated by independent perimeter load-bearing walls is new construction.

Alley: a thoroughfare, whether dedicated to public use or privately owned, that provides access for persons and vehicles to the rear and/or side lot lines of properties from abutting public streets or private roads.

Bed and breakfast (Homestay): a temporary lodging facility operated within a single family residence which is owner occupied and managed; having no more than three (3) guest rooms; and wherein food service shall be limited to breakfast and light fare for guests only.

Building height: the vertical distance measured from the level of the grade of the building footprint to the level of the highest point of the structure's roof surface. This distance is calculated by measuring separately the average height of each building wall, then averaging them together. The height is measured to the level of a flat roof, to the deck line of a mansard roof, and to the average height level between the eaves and ridge for gable, hip, or gambrel roofs.



Building, principal: a building in which is conducted the principal use of the lot on which it is located. Where a lot contains residential uses, the principal building on the lot shall mean the largest building that contains any dwelling unit.

Building setback line: a line establishing the minimum required distance between the wall of a building and the nearest adjacent lot line.

Certificate of occupancy: the approval required under the Uniform Statewide Building Code prior to the use or occupancy of certain buildings and structures. This permit is obtained from the City's building code official.

Driveway: a form of private vehicular access from a public street, private road or alley to the interior of a lot or parcel of land.

DEFINITIONS

Dwelling unit: a building, or any portion thereof, containing a complete set of living accommodations suitable for occupancy by one (1) or more persons, consisting of sleeping, bathroom, and complete kitchen facilities for the exclusive use of such occupants, and having either direct access from the outside of the building or through a common hall to the outside of the building.

Floor area, gross (GFA): the sum of all the horizontal areas of the several floors of a building, measured from the interior faces of exterior walls. GFA shall include:

- (i) basements, elevator shafts and stairwells at each story,
- (ii) spaces used or occupied for mechanical equipment and having a structural head room of six (6) feet six (6) inches or more,
- (iii) penthouses,
- (iv) attic space, whether or not a floor has actually been laid, having a structural head room of six (6) feet six (6) inches or more,
- (v) interior balconies, and
- (vi) mezzanines.

GFA shall not include outside balconies that do not exceed a projection of six (6) feet beyond the exterior walls of the building; parking structures below or above grade; or and roof top mechanical structures.

Footprint, building: For the purposes accessory apartment calculations, the footprint is the area included within surrounding exterior walls (or exterior walls and fire walls) exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.

GFA: See "floor area, gross."

Lot: a parcel of land that is either shown on a recorded subdivision plat or described by metes and bounds or other legal description.

Lot, corner: a lot abutting upon two (2) or more street rights-of-way at their intersection.

Lot, depth: the mean horizontal distance between the front and rear lot line.

Lot, double frontage: a lot having a frontage on two (2) non-intersecting street rights-of-way as distinguished from a corner lot.

Lot frontage: a portion or portions of a lot abutting street right-of-way.

Lot, interior: a lot with frontage on but one (1) street right-of-way.

Setback: See "yard".

Structure: anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground. This includes, among other things, dwellings, buildings, etc.

Visitable, when used in reference to a residential dwelling: such dwelling is wheelchair-friendly, to the extent that:

- (i) One (1) exterior entrance is constructed at-grade, or is served by a ramp, and
- (ii) On the same floor as is served by the wheelchair-accessible entrance, there is at least one (1) bathroom with sufficient space in which a wheelchair may maneuver, i.e., a minimum of thirty (30) inches by forty-eight (48) inches (exclusive of the space over which the door swings) of unobstructed floor area.

DEFINITIONS

Yard: the distance between the exterior facade of a building or any projection thereof (other than steps, unenclosed balconies and uncovered unenclosed porches) and an adjacent property line. The term "required yard," where used within this zoning ordinance, refers to the minimum distance required by the regulations of a particular zoning district to be unobstructed by any building, structure, or projection thereof (other than steps), extending the full length of the adjacent property line. Also commonly referred to as "setback," "required setback," and "building setback line."

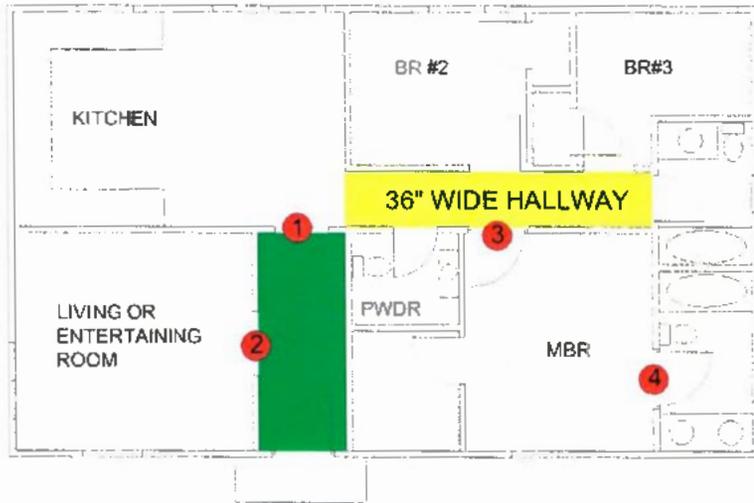
Yard, front: a yard extending across the front of a lot between the side yard lines and being the minimum horizontal distance between the street right-of-way line and the main building or any projection thereof other than steps. On corner lots, the front yard shall be considered as being adjacent to the street on which the lot has its least dimension.

Yard, rear: a yard extending across the rear of a lot between side lot lines and being the minimum horizontal distance between the rear lot lines and the rear of the main building or any projection other than steps. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

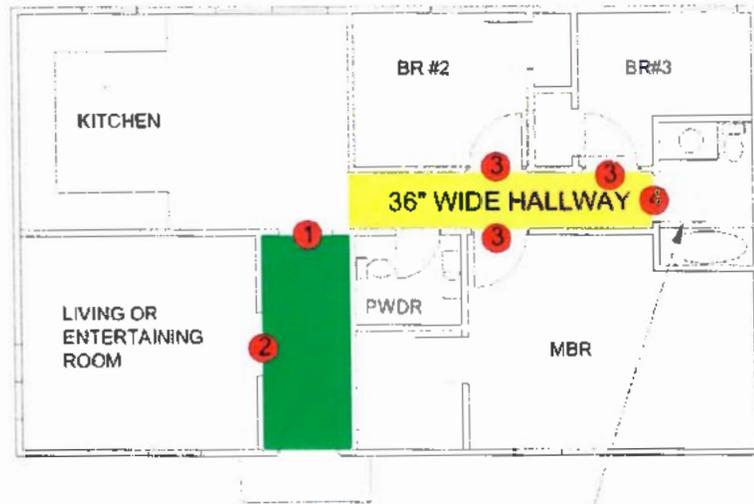
Yard, side: a yard between the building and the side line of the lot and extending from the front lot line to the rear yard line and being the minimum horizontal distance between a side line and the side of the main building or any projections thereof other than steps.

Zoning administrator: an employee in the department of Neighborhood Development Services designated by the Director of Neighborhood Development Services to administer and enforce the provisions of this (zoning) chapter.

VIRGINIA RESIDENTIAL BUILDING CODE AMENDMENT



EXAMPLE 1



EXAMPLE 2:

R311.2.1 Interior passage. Where a dwelling unit has both a kitchen and a living or entertainment area on the same level as the egress door required by Section R311.2, an interior passage route shall be provided from such egress door to:

1. the kitchen and
2. the living or entertainment area and
3. to at least one bedroom and
4. at least one bathroom containing a water closet, lavatory and bathtub or shower, where such rooms are provided on that same level.

Any doors or cased openings along such interior passage route providing access to the areas identified above shall comply with the following.

1. Cased openings shall provide a minimum 34-inch clear width.
2. Doors shall be, at a minimum, nominal 34-inch doors.

Exceptions:

1. Where a door or cased opening, and its associated molding or trim, is at the end and facing the length of a hallway and the width of the hallway is not wide enough to accommodate such doors or cased openings.
2. Closet doors or cased openings.
3. Pantry door or cased openings.
4. Bathrooms accessed directly from a bedroom that is not required to comply with this section.

CREDITS

This document has been prepared for the City of Charlottesville, Virginia, Department of Neighborhood Development Services.

Alexander Ikefuna, Director

Kathy McHugh, Housing Development Specialist

Contributors and Reviewers

Neighborhood Development Services Staff

Missy Creasy – Assistant Director

Read Brodhead – Zoning Administrator

Craig Fabio – Assistant Zoning Administrator

Tom Elliott – Building Code Official

Francis Vineyard, Deputy Code Official & Plans Examiner

Florin Moldovan – Building Inspector

Heather Newmyer – Neighborhood Planner

Carrie Rainey – Urban Designer

Mary Joy Scala – Preservation & Design Planner

Consultant

Design Develop LLC – Charlottesville, Virginia
Architecture, Planning & Visualization

www.designdevelopllc.com