

## **Article XIII**

### **Auxiliary Housing Units**

[Added 3-16-1998 by L.L. No. 2-1998]

#### **§ 245-44 Permit required; use and location.**

The following provisions apply to auxiliary housing units:

- A. A special use permit shall be required. The permit shall be issued by the Village Board only after a public hearing advertised in the manner required by law and after input from the Board of Appeals, per the Village's Special Use Permit law.
- B. An auxiliary housing unit may be included within a single-family detached dwelling and must be used for residential uses only.
- C. The auxiliary housing shall not exceed 1000 square feet of the space within the principal dwelling unit and shall adhere to all local building and fire safety codes. At the time of application for a special use permit, the Code Enforcement Officer must review the plans for the auxiliary housing unit and make a recommendation to the Village Board on building and fire safety codes.
- D. Either the primary residence or the Auxiliary Housing Unit must be occupied by the property owner.
- E. The special use permit for an auxiliary housing unit shall be reviewed and potentially renewed every two years. This review shall incorporate an inspection of the premises by the Village Code Officer. If found to be in conformance with the special use permit and all applicable building and fire safety codes, and has no outstanding violations, it will be renewed. The renewal does not include the processes and procedures for the issuance of a new special use permit
- F. Severability. The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.