



ACCESSORY DWELLING UNIT WORKSHEET

Is your project eligible for Administrative Approval?

The following questions will help you to evaluate your project for conformance with the requirements for administrative approval of an Accessory Dwelling Unit (ADU). If you answer "Yes" to ALL of the following questions and statements, then your proposed ADU may be eligible for administrative approval. Please use this as a preliminary review. Planning staff will make the final determination once you have submitted your application.

If it is determined that your ADU as proposed does not qualify for administrative approval, Planning staff will review your options with you. Such options may include revising your proposal or submitting an application to be reviewed via a public hearing process and a final decision by the Board of County Commissioners.

Does the Property Owner occupy either the Principal Dwelling Unit or the ADU?

- Are you able to submit proof of such owner occupancy (i.e., voter registration)?

Note: You will be required to record a written notice with the Johnson County Department of Treasury, Taxation, and Vehicles notifying future owners of the property that the lawful existence of the ADU is predicated upon the occupancy of either the ADU or the Principal Dwelling Unit by the current Property Owner as their domicile.

- Is your property at least two (2) acres in size?
- Will there be only one ADU on the property?
- If the ADU is attached to the Principal Dwelling Unit:
 - Is it 50 percent or less of the Livable Area of the Principal Dwelling Unit (prior to the establishment of the ADU)?
 - Will it meet the Main Building height and yard requirements of the underlying zoning district?
- If the proposed ADU is detached from the Principal Dwelling Unit:
 - Is it less than or equal to 900 square feet of Livable Area?
 - Will it meet the Accessory Building height and yard requirements of the underlying zoning district?
 - If the property is less than 10 acres, will it meet the Accessory Building size and number requirements?
 - Is it located in the Side or Rear Yard, but not the Front Yard?
 - Is it a distance no greater than 200 feet from the Main Building?
 - Are all portions of the detached ADU located a distance of no greater than 200 feet from a driveway that provides continuous access from the ADU to a driveway entrance approved by the County Engineer? (This is for fire safety.)
- Are all Supplementary and Accessory Uses and Structures (whether existing or planned) to be located on the property in accordance with the requirements of the Zoning Regulations? (*A planner can help you with this determination*)

It is the intent of these regulations that the addition of an ADU shall not significantly increase the levels and intensities of accessory and supplementary uses on the property and that the Property Owner shall control the location and number of these accessory and supplemental uses and structures to ensure that they are in compliance with the requirements of these regulations. The following are some topics to consider:

Accessory Structures (i.e., barns, detached garages, tool sheds): If the ADU is detached from the Principal Dwelling Unit it is considered to be a type of accessory structure and, as such, it is required to meet any applicable size and number limitations regarding accessory buildings (as set forth in Article 18, Section 6 (B) and (C) of the Zoning Regulations). A detached ADU triggering the need for a Conditional Use Permit to allow more area or greater numbers of accessory structures than allowed by the Zoning Regulations cannot be approved administratively.

Home Occupations: Home occupations shall be allowed in the ADU or the Principal Dwelling Unit, or both, in accordance with Article 18, Section 5 of the Zoning Regulations, provided that all home occupations located on the property shall jointly meet, and shall not jointly exceed, all restrictions and limitations as set forth in Article 18, Section 5 of the Zoning Regulations.

Use/Storage of Vehicles (operable or inoperable), Boats, RVs, Campers, and Utility Trailers

Use /Storage of Construction Equipment and Materials (i.e. gravel, lumber)

Keeping of Animals

- Will the ADU and Principal Dwelling Unit have at least one off-street parking space each?
- Will the ADU use existing driveway entrances?
- Appearance Standards:
 - Does the design of the ADU uphold the single-family character of the property? (See “Note” below.)
 - Is the ADU subordinate in size, location, and appearance to the Principal Dwelling Unit?
 - Is the ADU compatible in appearance with adjacent properties and the neighborhood?

Note: When evaluating the proposed ADU, Planning staff will consider the following elements in order to ensure that the ADU will be compatible with and have minimal, if any, impact on adjoining properties and the neighborhood’s character:

- a) Height and Bulk: What is the predominate height of homes and accessory buildings in the neighborhood (e.g., one or two stories)? How does the height of the ADU compare with the height of the Principal Dwelling Unit? Does the ADU have a larger bulk or greater height than the Principal Dwelling Unit?
- b) Setbacks and Separation: Are homes set back the same distance from the street or are they staggered? Is there a typical or established house and lot pattern? Is there a typically wide or narrow space between homes?
- c) Exterior Color and Materials: Is there one material or color that is predominantly used for homes in the neighborhood? How does the materials and colors of the ADU compare with the Principal Dwelling Unit. Do they match or harmonize? Are they contrasting?
- d) Roofs: What do most of the roofs in the neighborhood look like (e.g., materials, color, or pitch)? How does the roof of the ADU compare with the roof of the Principal Dwelling Unit? What architectural details are found on the Principal Dwelling Unit (e.g., dormers, overhangs, and eaves)? Does the ADU have the same detailing?
- e) Entryways: Is the entryway to the ADU oriented away from the main street? Is the ADU entryway on a different façade or building plane than the Principal Dwelling Unit

entryway? Is the ADU entryway smaller with less architectural detailing (e.g., porches, arches, columns, or overhangs) than the Principal Dwelling Unit entryway?

- f) Accessory Buildings: Where do most of the homes have their garages (e.g., attached, detached, or in the front, back, or side of the house)? Do lots typically have only one structure or several (e.g., sheds, garages, pools, or barns)? Are the accessory structures decorative or utilitarian (e.g., gazebo versus barn)? Does the design (e.g., color, exterior materials, and roof pitch) of the accessory structures typically match the design of the homes?
 - g) Location and Orientation of Improvements: Where is the best ADU location to minimize impacts, including privacy on adjoining properties (e.g., views from windows)? Are exterior doorways and outdoor living areas such as porches or balconies oriented toward the interior of the property? Are exterior improvements (e.g., patios, pools, and gazebos) associated with the ADU located to minimize impacts and maintain the privacy of neighboring residences?
 - h) Landscaping and Screening: Is landscaping, fencing, or a combination of both typically used to define lot lines and separate homes? Are front yards well-landscaped or is the most prominent feature a paved parking area? Is there heavy or light vegetation in the back yard areas (e.g., trees or hedges)? Is the ADU screened with fencing, landscaping, open space separation, or other buildings or structures in a manner that maintains the privacy of adjacent parcels and reduces visual impacts on neighboring parcels?
- Has the property been created in conformance with the Zoning and Subdivision Regulations? (*A planner can help you with this determination.*)
 - Will the ADU be located out of the floodplain?
 - Will the ADU and all modifications to the Main Building be constructed in accordance with any and all applicable governmental codes and regulations, including but not limited to the County environmental, building, and fire codes?
 - If the ADU is established in an existing building, is the building in conformance with the Zoning Regulations regarding height, size, and setback?
 - Construction of the Main Building or ADU DOES NOT require approval of a variance from the height or yard requirements of the Zoning Regulations.
 - There IS NOT a variance in effect that includes the subject property.
 - Construction of the ADU DOES NOT require approval of a conditional use permit.
 - There IS NOT a conditional use permit in effect that includes the subject property.

DEFINITIONS

“Building, Main”

See “Building, Principal”.

“Building, Principal”

Any building where the main, primary, or principal use is conducted on the lot, tract, or parcel on which it is located. For residentially zoned lots, such a building would be a dwelling. The phrases “Principal Building” and “Main Building” shall be considered to be interchangeable.

“Dwelling, Accessory”

The phrases “Accessory Dwelling Unit” and “Accessory Dwelling” shall be considered to be interchangeable.

“Dwelling Unit, Principal”

When the principal use conducted on a lot, tract, or parcel is a single-family dwelling unit, then the principal use shall also be known as the principal dwelling unit. The principal dwelling unit is located within the Main Building.

In the case of a lot, tract, or parcel containing only one dwelling unit, the dwelling unit is the principal dwelling unit.

In the case of a lot, tract, or parcel containing a principal dwelling unit and an accessory dwelling unit, the principal dwelling unit is the larger of the dwelling units.

“Dwelling Unit, Accessory”

A dwelling unit that is accessory and secondary to the principal dwelling unit and under the same ownership in all respects. The phrases “Accessory Dwelling Unit” and “Accessory Dwelling” shall be considered to be interchangeable. The following types of accessory dwelling units are referred to in these regulations:

1. “Attached Accessory Dwelling Unit”

An accessory dwelling unit within a portion of or connected to the Main Building. An accessory dwelling unit shall be considered to be attached to the Main Building: a) if it has a wall in common with the Main building or if it is connected to the Main Building by way of a Livable Area and b) if it meets the requirements of Article 18, Section 2(B) of these regulations.

2. “Detached Accessory Dwelling Unit”

A dwelling unit standing apart and detached from the Main Building and located on the same lot, tract, or parcel.

“Dwelling, One-Family or Single-Family”

A building with one dwelling unit arranged, intended, or designed for occupancy by one family, and which may include an Attached Accessory Dwelling Unit, and including Residential Design Manufactured Homes and including Group Homes Type One.

“Guest House”

Dwelling without a kitchen providing residential accommodations for temporary or occasional guests:

1. in a detached accessory building located on the same premises as a Main Building,
2. primarily for use by temporary or occasional guests of the occupants of the premises,
3. without kitchen facilities,
4. without separate utilities, and
5. not rented or otherwise used as a separate dwelling.

“Livable Area”

A space within a dwelling unit that is heated, has a ceiling height of at least seven feet, and has finished walls, floors, and ceilings. Walls and ceilings shall be deemed finished if they are covered with plaster, wallboard, wood paneling, or similar material. Floors shall be deemed finished only if they are covered with carpeting, tile, linoleum, finished wood, decorative concrete, or similar material. This definition includes hallways, closets, dormers, laundry room facilities, stairs, and storage rooms if they are a functional part of the living area and not part of an unfinished area such as an unfinished attic or unfinished basement. In rooms with sloped ceilings (e.g., finished attics) livable area is considered that portion of the room with a ceiling height of at least five feet.