



APPLICATION FOR AFFORDABLE ACCESSORY APARTMENT

Pursuant to Section 255-11-63 of the East Hampton Town Zoning Code, certain criteria must be met for the Building Inspector to approve an application to construct an affordable accessory apartment. As the applicant, it is your responsibility to show that these criteria have been met. (2) Two copies of the following documents must be submitted for review purposes:

1. **Building Permit Application and Fee:** Completed, signed, and notarized. The Building Permit fee will be determined by the Building Inspector.
2. **Building Plans:** (2) two complete sets of plans and specifications for all proposed construction in conformance with the NYS Uniform Fire Prevention, Building Code, and all other applicable regulations. One set of plans will be kept in the Building Department files. Applicants shall receive the second set of plans back, once reviewed and stamped by the Building Department and that set must be kept on site during construction. Plans shall describe the nature of the work to be performed and shall clearly indicate the materials to be used, the equipment to be installed and shall give details of all electrical, mechanical, plumbing, and structural installations.
3. **Guaranteed survey: (2) two raised seal originals:** that reflects the proposed location of the apartment, if it is in an addition to an existing residence or where the apartment is to be located, if within the existing residence. The survey must clearly show:
 - A.** All property lines with directional bearing and distances, the property's relationship to an adjoining premises and public streets.
 - B.** The location of all existing and proposed buildings, structures and uses, with setback dimensions from property lines, existing and proposed driveways, and parking areas and, sewage disposal systems; and
 - C.** Suffolk County Department of Health Services approval if required.
4. **Floor plan of existing or proposed residence as it shall existing after any alterations or modifications are made to construct the apartment.**
5. **One photograph of each of the front, rear, and each side of the existing dwelling on the premises.**
6. **Photographs depicting the location of and existing driveways:** and if not included on the survey drawn to scale all buildings, structures, walks, drives and other physical features of the premises and the location of and access to existing and proposed off-street parking. (You are required to provide (2) two additional parking spaces for the apartment within a driveway)

7. **Proof of residence for the owner of the residence (Schedule A from the Tax Assessor's Office):** Residency may be established by providing government issued photo I.D., NYS income tax forms and/or voter registration card listing the address of the owner as the property upon which the apartment is to be constructed. This list of documents is not exclusive and if there are any other means by which to prove residency, the Building Inspector will review them on a case-by-case basis.
Photo Identification of the owner (s) of the property.
8. **A duly executed and acknowledged written consent to inspection and intent to construction an affordable accessory apartment.**
9. **A fully executed Declaration of Covenants and Restrictions:** signed by the owner(s) of the property and stating certain terms and conditions of the usage of the proposed apartment as set forth by East Hampton Town Board. The Declaration must be recorded at the Suffolk County Clerk's Office before a Temporary Certificate of Occupancy will be issued.

After an inspection of the property, review of the approval of plans and specifications by the Building Inspector, the Town Attorney will review the Declaration of Covenants and Restrictions and forward the application back to the Building Inspector for approval and issuance of a Building Permit.

After the construction takes place and the residence passes final inspection, the Building Inspector is authorized to issue a Temporary Certificate of Occupancy for the limited purpose of obtaining approval from the Office of Housing and Community Development for both the Landlord and Tenant. Once approval is obtained from the Office of Housing (Rental permit), a final Certificate of Occupancy may be issued by the Building Inspector and the apartment may be occupied.

****The apartment may not be occupied until a final Certificate of Occupancy is obtained. ****

**COVENANTS AND RESTRICTIONS
AFFORDABLE ACCESSORY APARTMENTS IN DETACHED STRUCTURES**

These Covenants and Restrictions made as of this __ day of __, 202__,
by _____,
residing at _____, East Hampton, New York, hereinafter
referred to as the "Declarants," as the owners of the premises described in "Schedule A"
annexed hereto, hereinafter referred to as the "subject premises".

WITNESSETH

WHEREAS Declarants are the owners of certain real property situate at
_____, Town of
East Hampton, Suffolk County Tax Map Number 300-____ -__-____ (the "subject
premises"), and further described as set forth in Schedule A annexed hereto; and

-WHEREAS Declarants are desirous of constructing an accessory apartment
within a detached structure on the subject premises identified above in compliance with
Section 255-11-63 and all other applicable provisions of the East Hampton Town Code.

NOW THEREFORE, in conformance with said Section 255-11-63 of the
Zoning Code of the Town of East Hampton, Declarants hereby covenant and agree that
the apartment on the subject property shall be constructed in conformance with all