

Revised May 4, 2008

To: Bethany Planning and Zoning Commission

From: Hiram Peck, Planning Consultant

Re: Proposed Zoning Regulation amendment for B&I zone

The following DRAFT Zoning Regulation amendment is proposed for your consideration.

Amendment to allow establishment and use of buildings in the Business & Industrial Zone for residential purposes as an accessory use.

[ADD as an accessory use by Special Permit:]

Section 5.2. B. 8. A dwelling unit which is clearly accessory to a permitted principal use. The accessory residential unit may only be occupied by the owner or operator or a person or persons directly connected to the operation of the permitted principal use on the property. The Commission may modify the site plan requirements to the extent necessary to show the requested accessory use while protecting the integrity of the B&I zone and the purpose(s) for which it was established.

The above accessory use may only be considered when proposed to take place in the principal building on the same parcel of land as the principal use. No new separate structure(s) used solely or principally for residential use shall be permitted under this section.

The maximum size of any such accessory residential use shall be 1,000 square feet, not including utility room or garage space. The maximum number of bedrooms permitted for the residential use is two. There may be only one (1) such accessory residential use permitted per property under this section.

The accessory residential area may not be rented to a person who is not directly connected to the operation of the principal use on the site.

When the principle use on the subject parcel is changed or discontinued or the ownership is transferred, the Special Permit for the accessory residential use shall expire. The new owner or operator of the principal use on the property may apply to reestablish the accessory residential use in conformance with these regulations.