

Round Hill Zoning Ordinance
Article 25 – Use Standards

25.3.1 Accessory Apartment, Interior or Exterior

a. The following standards apply to all accessory apartments - both interior and exterior:

1. Zoning District Standards: Compliance: Accessory Apartments shall be in compliance with the accessory structure and accessory use regulations of its assigned zoning district. This includes all applicable regulations, specifically on lot coverage, building footprint, building height and setbacks, unless otherwise stated.
2. Quantity: Only one accessory apartment, which may be interior or exterior, is permitted on a property. A property may not have both an accessory apartment and a guest house.
3. Size and Scale: The apartment shall be secondary to the primary residence, both in scale and overall size. It should not compete or overwhelm the primary residence. An accessory apartment shall not exceed 35 percent of the total floor area of the main dwelling, except in cases where it is wholly within a basement. Additional size requirements are found under the applicable zoning district.
4. Code Compliance: An accessory apartment shall meet the Virginia Uniform Statewide Building Code/International Property Maintenance Code standards for residential units, including the minimum total floor area.
5. Owner Occupied: The property owner must live on-site in either the accessory apartment or the primary residence if occupied by different families. The primary residence and the accessory apartment may be jointly occupied by a single tenant family.
6. Occupancy Limit: Not more than three (3) persons can live in the accessory apartment if not part of the primary occupant's family.
7. Nuisance Policy: The owner shall manage tenants accordingly to prevent excessive noise, traffic, nuisance, safety hazards and other potential adverse impacts to adjacent property owners.
8. Streetscape: Whether the accessory apartment is interior or exterior, the general appearance of a single-family dwelling lot shall be maintained.
9. Zoning Permit: A zoning permit shall be submitted. In order to apply for a building permit and/or an occupancy permit for an Accessory Apartment the applicant must complete a zoning permit describing the use of the Accessory Apartment as of one of the following uses:

- a. accessory homestay
- b. rental unit
- c. family-caregiver suite
- d. private recreation space
- e. guest house or guest room

10. Rental Permit: All accessory apartments that are rented must have a permit from the Zoning Administrator that is renewed on an annual basis and may require an inspection by the Zoning Administrator to verify conformance with the Zoning Ordinance and applicable building and maintenance codes. A Town business license shall also be required.

11. Annual Registration: On or about July 1 each year, the Town will send out a request for the current use of the accessory apartment to update Town records. If the use has changed to an accessory homestay or rental unit, a rental permit will be required to be submitted to the Town by September 1. If the use has changed to family-caregiver suite, private recreation space or guest house, no additional permits are required. If at any time, the accessory apartment is advertised or occupied for a use that does not match the Annual Registration, the accessory apartment will be in violation of this Zoning Ordinance and the owner will have 30 days to submit a new Annual Registration and any supplemental documentation, permits or applications.

12. Violation: Failure to comply with the conditions in this Zoning Ordinance will result in revocation of the Rental Permit by the Zoning Administrator. Revocation of the Rental Permit shall be effective after:

(a) A finding by the Zoning Administrator of violation;

(b) Notice with 30-day opportunity to correct the violation; and

(c) A finding by the Zoning Administrator after 30 days that the violation has not been corrected.

(d) Notwithstanding (a, b & c) above, if more than three violations of the provisions in this Zoning Ordinance are found to exist by the Zoning Administrator within a one- year period, the Rental Permit may be revoked.

b. In addition to the above regulations for accessory apartments (25.3.X.a) the following requirements also apply to interior apartments:

1. Entrance: The interior apartment cannot have its own separate entrance on the front facade of the primary residence.

2. Location: The apartment must be contained entirely within the primary structure. An addition is considered as meeting this criterion. An accessory apartment located in a new addition shall only be permitted in the rear of the primary structure, not on the side of the building.
 3. Single-Family Character: The apartment shall not change the single-family home character. Creating an accessory apartment does not constitute changing the use of the single-family detached house to a duplex, or a single family attached house, or a multi-unit apartment building.
- c. In addition to the above regulations for accessory apartments (25.3.X.a), the following requirements also apply to exterior apartments:
1. Design: The apartment shall utilize the same or complementary design elements (such as materials, colors, and roof pitch) as used on the primary residence. Building elevations shall be submitted with the zoning permit application for new structures.
 2. Existing Structures: Existing accessory structures built prior to and not expanded since July 1, 2018 and which were conforming when constructed may have exterior accessory apartment setback and footprint requirements waived at the discretion of the Zoning Administrator if all other requirements for exterior accessory apartments are met.