

## **Section 025-080      Conversion of Existing Dwellings**

Conversion of existing dwellings for the following uses shall strengthen the economic base of the community and encourage tourism. Permitting these uses would provide an incentive to restore, rehabilitate and maintain many of the older homes in the town of New Milford.

1. Dwelling Conversion to a maximum of four (4) dwelling units in the Original Sewer District may be permitted subject to approval of a special permit and site plan application in accordance with the provisions of Chapters 175 and 180 and subject to the following conditions:
  - a. The dwelling must be located in the original sewer district as defined by the records on file in the office of the New Milford Sewer Commission, a copy of such map entitled "*Existing Sewerage Facilities, Located in the Town of New Milford, prepared for the Water Pollution Control Authority by Linwood R. Gee, drawn by Ruth Mallins, dated September 16, 1986*" shall also be found in the Office of the Zoning Commission.
  - b. Any dwelling to be converted must have been constructed prior to 1972.
  - c. A maximum of four (4) dwelling units may be permitted per parcel.
  - d. Each proposed dwelling unit must contain a minimum of 500 square feet.
  - e. Off street parking for all dwelling units must be provided. A minimum of two (2) spaces per dwelling unit shall be required.
  - f. There shall be no external alterations of the structure except as may be necessary to meet the requirements of this section or as may be necessary or essential for proper access and egress from the structure. Fire escapes and outside stairways shall, where practicable, shall be located to the rear of the structure. Approval of any external alteration shall be based on reasons of health and safety, and on considerations relating to the compatibility of the proposed alterations with the surrounding neighborhood and the historical values and character of the area.
  - g. Any application for conversion under this section must set aside an area on the property for a court or other open space, equal to at least 500 square feet for recreational enjoyment by the residents of the building.
  
2. Conversion of an existing dwelling to allow one (1) dwelling unit and a maximum of two (2) professional offices may be permitted subject to the acquisition of a special permit and site plan approval in accordance with Chapters 175 and 180 of the Zoning Regulations, and subject to the following conditions:
  - a. The building must be served by public sewer and water, except as noted herein.
  - b. Any dwelling to be converted must have been constructed prior to 1950.
  - c. The minimum size of the residential dwelling unit shall be 500 square feet.
  - d. There shall be no external alterations of the structure except as may be necessary to meet the requirements of this section or as may be necessary

or essential for proper access and egress from the structure. Fire escapes and outside stairways shall, where practicable, be located to the rear of the structure. Approval of any external alteration shall be based on reasons of health and safety, and on considerations relating to the compatibility of the proposed alterations with the surrounding neighborhood and the historical values and character of the area.

- e. If the building is not serviced by public water or sewer, there shall be a maximum of one (1) professional office and one dwelling unit and the dwelling must be owner occupied.
  - f. On site parking is required which must meet the requirements of these regulations.
  - g. Any application for conversion under this section must set aside an area on the property for a court or other open space, equal to at least 500 square feet for recreational enjoyment by the residents of the building.
3. Conversion of an existing dwelling to professional offices may be permitted subject to acquisition of a special permit and site plan approval in accordance with Chapters 175 and 180 of the Zoning Regulations subject to the following conditions:
- a. Any dwelling to be converted must have been constructed prior to 1972.
  - b. On-site parking is required which must meet the requirements of these regulations.
  - c. There shall be no external alterations of the structure except as may be necessary to meet the requirements of this section or as may be necessary or essential for proper access and egress from the structure. Fire escapes and outside stairways shall, where practicable, be located to the rear of the structure. Approval of any external alteration shall be based on reasons of health and safety, and on considerations relating to the compatibility of the proposed alterations with the surrounding neighborhood and the historical values and character of the area.
4. Conversion of an existing dwelling to allow a Bed and Breakfast Inn may be permitted subject to acquisition of a special permit and site plan approval in accordance with Chapters 175 and 180 of the Zoning Regulations, and subject to the following conditions:
- a. The maximum number of guest rooms shall be four (4).
  - b. Guests may not stay longer than 14 days in any 30 day period.
  - c. The dwelling must be owner occupied.
  - d. No zoning permit for such use may be issued until such time as Certification has been received from the Director of Health that the kitchen facilities meet all commercial standards of food protection and sanitation.
  - e. Food service shall be limited to breakfast and resident guests only.

- f. There shall be no external alterations of the structure except as may be necessary to meet the requirements of this section or as may be necessary or essential for proper access and egress from the structure. Fire escapes and outside stairways shall, where practicable, be located to the rear of the structure. Approval of any external alteration shall be based on reasons of health and safety, and on considerations relating to the compatibility of the proposed alterations with the surrounding neighborhood and the historical values and character of the area.
- g. One (1) on-site parking space shall be provided for each guestroom with two (2) spaces available for the owner-occupants.
- h. Annual certification shall be provided by the owner-occupants that the Bed and Breakfast Inn is operating in compliance with these regulations.