



City of Villa Park

Second Dwelling Units (Granny Flats & Guest Houses)

Second Dwelling Units: Second Dwelling Units must comply with Villa Park Municipal Code Section 23-22. Second Dwelling Units are defined as an attached or detached dwelling unit containing sleeping quarters and kitchen and bathroom facilities independent of the principal dwelling unit. A Site Plan Review is required for all Second Dwelling Units.

The purpose of the City's regulation of second dwelling units is to provide additional housing opportunities while retaining the character of the City's single-family neighborhoods by limiting the circumstances under which second dwelling units may be constructed. To ensure that no avoidable adverse impacts on the public health, safety, and general welfare result from the creation of a second dwelling unit, the City prescribes standards for the approval of such units.

All second dwelling units are subject to the approval of a Site Plan Review. The applicant for a Site Plan Review for a second dwelling unit shall be the owner and occupant of the principal dwelling unit or his/her authorized agent. If the City approves the Site Plan Review, the owner/occupant must sign a statement indicating that the second dwelling unit is in compliance with the conditions of the Municipal Code and the related conditional use permit. The City reserves the right to perform on-site inspections when required.

Second Dwelling Units are limited in the following fashion:

- a. The lot on which the second dwelling unit is proposed to be established shall contain an existing single-family residence, the principal dwelling unit, which complies with the development standards contained in this chapter;
- b. No more than one second dwelling unit shall be located on a single lot;
- c. The lot on which the second dwelling unit is proposed to be established shall contain only an existing single-family dwelling. At no time shall the lot be allowed to contain a guest house, detached maid's quarters or cabana and second dwelling unit concurrently;
- d. **Development Standards.** All other development standards contained in this chapter pertaining to new single-family dwelling units and accessory structures, including, but not limited to, height limitations of one story not to exceed fifteen (15) feet, floor area ratio, setbacks, maximum lot coverage, shall be met;
- e. **Mobile Homes.** Neither the principal dwelling unit nor the proposed second dwelling unit shall be a mobile home;
- f. **Same Ownership Required.** The second dwelling unit may be rented or leased, but shall not be sold or owned separately from the principal dwelling unit;
- g. **Owner Occupancy Required.** One of the residential dwellings on a lot on which the second dwelling unit is proposed to be established shall be for the exclusive occupancy of the owner of the lot and shall not be rented or leased as long as the second dwelling unit exists;
- h. **Occupancy Limit.** The second dwelling unit shall be solely occupied by **not** more than two (2) persons;

- i. **Size. Detached units.** For lot sizes up to 13,750 square feet in size, the maximum second dwelling unit size shall not exceed 640 square feet; for lot sizes from 13,751 to 18,000 square feet, the maximum second dwelling unit size shall not exceed 900 square feet; and, for lot sizes 18,001 square feet and above, the maximum second dwelling unit size shall not exceed 1200 square feet. **Attached units.** The second dwelling unit which is attached shall not exceed thirty (30) percent of the existing living area of the main structure, up to the maximum allowed for detached units.
- j. **Appearance.** The design and materials of the second dwelling unit shall be consistent with the design and materials of the principal dwelling unit and reasonably compatible with the design and materials of the structures in the surrounding area;
- k. **Location.** The second dwelling unit shall be created in such a manner as to minimize its visibility from adjacent streets and properties. Detached second dwelling units shall not be located in the front yard area of a property as defined in this Chapter. For the purposes of this Article, attached second dwelling units may be located in the front yard area of a property only if the second dwelling unit shares a common wall with the primary unit;
- l. **Exterior Entrances and Stairways.** There shall not be more than one (1) exterior entrance on the front or on any street side of the second dwelling unit and no exterior stairway shall be located on the front or on any street side of the second dwelling unit. Attached second dwelling units shall be primarily accessed from the interior living space of the primary unit and no entrance is allowed on the street side;
- m. **Vehicular Access.** The second dwelling unit shall utilize the same vehicular access which serves the principal dwelling unit;
- n. **Off-Street Parking Required.** In addition to the parking required for the primary residence, there shall be at least one independently accessible parking space for the second unit, provided there are at least two (2) covered parking spaces on the site. Said parking space shall not be provided for in any required side yard or rear yard setback. This additional parking space shall be kept free, clear and accessible for the parking of a vehicle at all times;
- o. **Other Requirements.** In addition to the requirements set forth in this Section (23-22.4), other requirements may be imposed as a condition of the use permit approval if, in the judgment of the City Council, such measures are necessary to mitigate possible adverse impacts of the second dwelling unit on the surrounding properties; and
- p. **Notice.** All deeds for properties with a second dwelling unit shall, upon transfer of the property, include a notice to the transferee that the property contains a second dwelling unit and that the transferee shall be subject to the requirements of this Ordinance and the conditions of approval for the second dwelling unit. Proof of recorded deed shall be provided to the City prior to issuance of building permits.
- q. **Addressing.** Separate addressing may be obtained for second dwelling units for metering purposes only, subject to application to the City.
- r. **Location.** Detached second dwelling units shall not be located within the front yard area of a property.

All Secondary Dwelling Units are reviewed by the City's Community Development Committee as a ministerial review to ensure that the above regulations are met in the units construction. The CD Committee may require conformance with the above regulations by requesting architectural or other changes.

Article 23-5. DEFINITIONS of Importance to Secondary Dwelling Units

"Attached"	shall mean the physical sharing of a common wall between two enclosed, habitable structures.
"Breezeway"	shall mean an open walkway between two otherwise detached structures, not exceeding twelve (12) feet at the ridgeline and fifteen (15) feet in length in which a primary residential structure is connected to a detached garage or garage/workshop.
"Front Yard Area"	shall mean the area from the front property line to the primary residence, to include the required front yard setback
"Detached Patio"	shall mean a patio structure that is physically separated by a minimum of two (2) inches or greater between structures.
"Detached"	shall mean the physical separation of six (6) feet or greater between structures and eighteen (18) inches or greater between minor structures. Where there are wall opening (windows and/or doors) on adjacent walls of two structures used for residential occupancy on the same lot, such structures shall be separated by a distance of not less than ten (10) feet.