

Accessory Dwelling Units

Don't want to build a new unit, and just rent out rooms?

The Zoning Ordinance also allows the rental of up to two rooms to others on a long-term basis (i.e., monthly or yearly).

Renting rooms on a daily or weekly basis is considered a boarding house or bed and breakfast and is only allowed in rural zoning districts with approval of a special permit by the Board of Zoning Appeals.

FAUQUIER COUNTY

Department of
Community Development
ZONING & DEVELOPMENT SERVICES

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FAUQUIER COUNTY

Department of Community
Development

08/2015



The Fauquier County Zoning Ordinance allows many homeowners to place a second house or apartment on their property for use by family or for rental to non-family members. The additional dwelling unit requires approval of a Zoning and Building Permit, and in some cases a Land Disturbing Permit, just as with the construction of the main dwelling. The unit must meet all Zoning Ordinance and Building Code requirements. In addition, public sewer and water must be available or a Health Department permit for septic and water must be secured for a new unit.

Two different types of additional units are allowed.

Accessory Dwelling Unit

Accessory dwelling units are allowed for single family detached homes in all rural and residential districts except R-4 and some planned districts.

An Accessory Dwelling Unit may be located within the main home (i.e., in the basement), within an outbuilding (i.e., over the garage) or may be freestanding. The unit is limited to two bedrooms and three occupants.

Typically, an Accessory Dwelling Unit cannot exceed 800 sq. ft., but there are two exceptions:

- On RA & RC zoned lots with five or more acres, the size may increase to 1,000 sq. ft., and, where an existing dwelling built before 2013 is being converted to the Accessory Dwelling Unit, to 1,400 sq. ft.
- If located entirely within a basement, the unit may occupy the entire basement.

Tenant House

A tenant house is a separate dwelling unit built on a property and is intended to support agricultural use of the land. At least one of the people occupying the tenant house must work on the property as a farm-hand, caretaker, watchman, tenant farmer, etc.

Tenant houses are allowed only within the rural zoning districts (RA/Rural Agriculture, RC/Rural Conservation, RR-2/Rural Residential) and only on properties at least 50 acres in size. An additional tenant house is allowed on the property for every additional 50 acres in the lot. If there is a tenant house on the property, the property is not eligible for an Accessory Dwelling Unit.



Technical Tips

Sewer: If the property is served by a septic field, building an accessory dwelling unit or tenant house will require a Health Department permit and possible construction of a new or expanded septic system. Check with the Health Department for more information on septic and water requirements (540-347-6363).

Zoning Requirements: All proposed structures must meet Zoning Ordinance requirements related to setbacks, height, etc. Check with the Zoning Office (540-422-8220) on the property's zoning to see how far from each property line any new building must be set back, and to learn other zoning limits the property may have.

Measuring Gross Floor Area: The square footage of the unit is measured from the interior faces of exterior walls. Rooms with structural headroom of less than 6' 6" are not counted, nor is garage space, provided the area of the garage does not exceed the accessory dwelling unit's counted floor area. Covered porches, balconies, etc. are not counted unless they are enclosed, but their area cannot exceed 50% of the counted area of the Accessory Dwelling Unit.

Building Requirements: While Accessory Dwelling Units may be occupied by either family members or non-family members, less restrictive building codes apply if the unit is a basement apartment limited to housing only family members and a deed restriction is recorded with that limitation. Check with Building staff (540-422-8230) for information regarding building code requirements.