



DANVERS ZONING BOARD OF APPEALS

EXTENDED FAMILY LIVING AREAS (EFLA'S)

General Rules & Design Standards

Extended Family Living Areas (EFLA's), or what some may know as "in-law apartments", are permitted in Danvers. However, the process to permit and build an EFLA may require review and approval from the Zoning Board of Appeals (ZBA), depending on your project and your specific lot. To first determine what permitting may be necessary, please review the guide below.

Types of EFLA's:

Addition: An EFLA addition connected to the primary dwelling, expanding the primary dwelling footprint (*example: constructing a new addition off the primary dwelling via a sunroom, garage, laundry room, etc.*).

Internal: An EFLA that is within the existing footprint of the primary dwelling, which can be created without making any footprint expansions (*example: renovating an existing basement space*).

Detached: An EFLA that is located within an existing detached accessory structure (*example: renovating a detached two car garage*).

All proposed EFLA's are required:

1. To be located in a single-family home that is occupied by the owner.
2. To have internal access to the primary residence via a shared space (laundry room, mud room, etc.)
3. To be occupied by no more than two family members related by blood, marriage, or adoption to the owner or owner's spouse.
4. To be no larger than 750 square feet (including storage space).
5. To have all entrances on the side or rear of the dwelling.
6. To run off the existing utilities (water, sewer, electricity) of the primary residence.

If you meet all of these requirements, and your lot and dwelling are considered dimensionally conforming, you do not need to apply to the Zoning Board of Appeals for a Special Permit and can go forward with a building permit application.

You will need to apply for a Special Permit with the Zoning Board of Appeals (ZBA) if....

The lot the EFLA will be on is dimensionally non-conforming. Regardless of what type of EFLA you are proposing, you'll need a Special Permit from the ZBA if your lot is current non-conforming (i.e., does not meet the size, frontage, or setback requirements for the zoning district it is located in).

The EFLA you are proposing is within a dimensional setback.

You are proposing a detached EFLA.

You are proposing to have an EFLA larger than 750 square feet.

You are proposing to have more than two family members live in the EFLA.

You cannot meet the access, utility, or shared space requirements.

What space should be included when calculating the size of the proposed EFLA?

The total square footage of a proposed EFLA must be calculated by adding the square footage of all the habitable (i.e. insulated/heated) areas of the dedicated EFLA space. This means you should NOT include the square footage of stairways, mechanical rooms, thickness of walls, etc. when calculating the total square footage of the EFLA. Additionally, the square footage of any shared, communal space (laundry room, mud room, garage) should not be included in the calculation.

What is considered shared, communal space?

Non-detached EFLA's are required to maintain access to and from the primary dwelling. Applicants usually choose to have this shared space be a laundry room, mud room, garage, etc. However, be mindful that the shared space needs to be insulated and/or heated to be considered habitable and therefore a valid shared space.

The occupants of my EFLA are handicapped, and I need a larger space to accommodate them. Is their relief for that?

A Special Permit from the ZBA is required for any EFLA that exceeds 750 square feet. However, the Zoning Bylaw allows the Board to grant relief for larger EFLA's that require ADA components which are necessary to a residents mobility and/or access.

The Zoning Bylaw says that only 25 ELFA's are allowed to be permitted every year - will I have to wait until next year to apply?

The Town has gotten close to, but never reached, the 25 limit capacity. However, it is suggested that you only apply for the EFLA when you are ready to have the space occupied by extended family.