

# City of Hendersonville



101 Maple Drive North

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Dear Homeowner,

Thank you for making the City of Hendersonville a great place to live.

As the number of multi-generational households continues to rise, in-law suites provide many families with the perfect option for an aging parent or other relative. In this packet, you will find the following information regarding accessory dwellings:

- General City Requirements
- Accessory Apartments Application (attached to principal dwelling)
- Accessory Dwelling Application (detached from principal dwelling)
- Residential Accessory Building Standards
- Board of Zoning Appeals Application

We hope this is helpful to you as you plan for your property.

To apply for an accessory dwelling, you can find the appropriate applications on our website: [www.hvilletn.org/departments/planning/documents-and-plans](http://www.hvilletn.org/departments/planning/documents-and-plans).

If you have any questions or need further information, please contact the Planning Department at 615-264-5316.

Sincerely,  
*The Hendersonville  
Planning Department*



## WHAT DOES THE CITY REQUIRE FOR ACCESSORY DWELLINGS? GENERAL REGULATIONS

A lot which is zoned to allow a single-family home may include an accessory apartment or accessory dwelling on the lot as an accessory use under the following general conditions:

- The owner of the property must reside **FULL-TIME** on the property (at least seventy-five percent (75%) of the calendar year).
- Person(s) occupying the secondary dwelling shall be parents, grandparents, great-grandparents, children, stepchildren, in-laws, or niece/nephews of one or more of the property owners. Domestic employee(s) and their family members are also permitted.
- **One (1) Driveway** to serve both the primary and secondary dwellings.
- At least **four (4) off-street parking spaces** must be provided. Garage or carport spaces do not count.
- **One (1) utility meter** and connection per utility type to serve both the primary and secondary dwellings.
- **One (1) mailbox and address** to serve both the primary and secondary dwellings.
- **COVENANT** must be recorded with the Sumner County Register of Deeds documenting the dwelling will be utilized in accordance with the Hendersonville Zoning Ordinance. This covenant will run with the land.
- **Zoning Permits** must be secured prior to the construction of the dwelling.
- Verification from the appropriate utility provider confirming sufficient capacity.
- Only one attached accessory apartment **OR** one detached accessory dwelling per lot. Both are not permitted.

More specifically, these dwellings can be attached or detached.



## ACCESSORY APARTMENT REGULATIONS (ATTACHED TO THE PRINCIPAL DWELLING)

**ATTACHED ACCESSORY APARTMENT:** a dwelling unit within (attached to) the principal dwelling on the lot. It contains independent living facilities, including kitchen and bedrooms.

- The heated area of the accessory apartment should not exceed **forty percent (40%)** of the total heated area of the dwelling and apartment combined.
- Accessible from the interior of the house via door or stairs – **NOT** connected by a breezeway or enclosed hallway. To qualify as attached, the connection must be made by a common wall or roofline as a room (at least 7x10 in size).
- One (1) front door per street frontage.
- Not permitted if restrictive covenants prohibit.
- No variance of these conditions.



## **ACCESSORY DWELLING REGULATIONS (DETACHED FROM THE PRINCIPAL DWELLING)**

**DETACHED ACCESSORY DWELLING:** a dwelling unit in a separate (detached) structure from the principal dwelling on the lot. It contains independent living facilities, including kitchen and bedrooms.

- Lot must contain a minimum of **30,000 square feet**.
- Subject to Chapter 10.4 requirements for Accessory Buildings (summary provided below).
- **Location:** rear yard and behind the rear plane of the principal dwelling, and at least 20 feet from side and rear property lines.
  - May be above a detached garage or connected to the home by a breezeway, hallway, or similar structure.
- **Design:** should be consistent and complimentary to the principal dwelling in terms of architectural design, building materials, and colors.
  - The front door to the Accessory Dwelling (if visible from the street) shall appear clearly secondary to the front door of the principal dwelling.
- **CONDITIONAL USE PERMIT** from the Board of Zoning appeals is required.
  - **\$250 fee due upon application (nonrefundable).**
- Not permitted if restrictive covenants prohibit.
- Principal and Accessory Dwellings may be inspected on a periodic basis to confirm continuing compliance.



## **RESIDENTIAL ACCESSORY BUILDING STANDARDS FOR ACCESSORY DWELLINGS HENDERSONVILLE, TN**

Please be advised that these Standards could include greater setback requirements, limitations on location, or even prohibition. Complete standards are contained in the Hendersonville Zoning Ordinance, Chapter 10.4.

- Allowed in the Rear Yard – behind the rear plane of the principal dwelling.
- **Side Setback:**
  - 20-foot minimum from Side Lines.
  - Can vary based on Easement locations.
- **Rear Setback:**
  - 20-foot minimum from Rear Lines.
  - Can vary based on Easement locations.
- **Side Street:**
  - 20-foot minimum from Side Street (Lot Line).
  - Can vary based on Easement locations.
- **Accessory Buildings may not be located on an easement.**

- **Two (2) Accessory Buildings are allowed on the property.** Arbors, trellises, gazebos and pergolas not exceeding 120 square feet or 15 feet high do not count in this calculation.
- **Size (whichever is less):**
  - **50% of the area of the principal dwelling or 800 square feet** on lots up to 15,000 square feet in size (*NOTE: Detached Dwelling not allowed*).
  - **50% of the area of the principal dwelling or 1,200 square feet** on lots between 15,001 and 30,000 square feet in size (*NOTE: Detached Dwelling not allowed*).
  - **50% of the area of the principal dwelling or 1,500 square feet** on lots between 30,001 square feet and 43,559 square feet in size (*NOTE: Detached Dwelling may be permitted with Conditional Use Permit – Maximum Size: 1,200 square feet – No variance process to increase size*).
  - **50% of the area of the principal dwelling or 1,800 square feet** on lots between 1 acre (43,560 square feet) and 130,679 square feet in size (*NOTE: Detached Dwelling may be permitted with Conditional Use Permit – Maximum Size: 1,500 square feet – No variance process to increase size*).
  - **50% of the area of the principal dwelling or 2,500 square feet** on lots over 3 acres (130,680 square feet) in size (*NOTE: Detached Dwelling may be permitted with Conditional Use Permit – Maximum Size: 1,800 square feet – No variance process to increase size*).

Lot Square Footage	Maximum Size (whichever is less)	House Square Footage	Allowed Accessory Dwelling Size
Less than 15,000 sq. ft.	800 sq. ft. or 50% of house		Not Permitted
15,001 to 30,000 sq. ft.	1,200 sq. ft. or 50% of house		Not Permitted
30,001 to 43,559 sq. ft.	1,500 sq. ft. or 50% of house		
1 acre to 130,679 sq. ft.	1,800 sq. ft. or 50% of house		
3 acres or more	2,500 sq. ft. or 50% of house		

- **Height** may not exceed:
  - The height of the existing house, or 35 feet, whichever is less.
  - For single-story houses, 1.5 times the height of the existing house.
- **Building Materials:**
  - Accessory Dwelling shall be consistent/complimentary to the principal dwelling in terms of architectural design, building materials, and colors.
- **Additional Standards** may exist in the form of:
  - Restrictive Covenants.
  - Notes on the Subdivision Plat.
  - Restrictions contained in the Property Deed.
  - Master Plans and Design Guides, if located within a Planned Development (PD).