



**LOWER PROVIDENCE TOWNSHIP
COMMUNITY DEVELOPMENT**

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Guide: In-Law Suite

As of January 16, 2020, Lower Providence Township adopted a revised Zoning Ordinance that updated our standards concerning in-law suites in the Township. Under 143-06, the following definition is helpful:

(1) IN-LAW SUITE

A single, additional, separate dwelling unit, located on the same lot as a single- family detached dwelling unit, and located only within the principal building or a detached household garage on that same lot. The intent of these provisions is to allow for related family members to reside on the same lot in separate dwelling units, but to prohibit the creation of for-profit apartments in districts where multi- family housing is not otherwise permitted. An in-law suite must meet the following requirements:

- (a) An in-law suite shall not be larger than fifty percent (50%) of the total floor area of the primary living area (the living room, dining room, kitchen, one (1) bathroom, and the largest bedroom) of the principal residence on the lot. In no event shall the in-law suite exceed a total floor area of eight hundred (800) square feet.
- (b) An in-law suite may contain separate cooking, sleeping, living, and bathroom facilities.
- (c) Only one (1) in-law suite shall be permitted on a lot. There shall be no changes to the exterior of the residence or garage containing the in-law suit which suggests that this building is anything other than a single- family detached dwelling or a garage, respectively.
- (d) The owner of the property to contain the in-law suite shall execute a written agreement with the Township, which shall be recorded against this property, at the office of the Recorder of Deeds, Montgomery County, that lists all of the zoning requirements contained within this use definition and shall:
 - [1] Describe the dimensions and location of the in-law suite.
 - [2] Identify the occupant or occupants of the in-law suite.
- (e) The property owner shall secure a separate zoning permit from Lower Providence Township authorizing the creation/occupancy of the in-law suite.

- (f) The in-law suite shall be limited to, and used by no more than, two members of the same family that occupies the principal single-family dwelling on the same lot.
- (g) The property owner shall submit a statement by January 15 of each calendar year certifying whether the person(s) identified as the persons for whom the living quarters were initially approved continues to occupy the in-law suite.
- (h) The property owner shall immediately remove all of the separate cooking facilities from the in-law suite at such time as the in-law suite is no longer occupied full time by the person(s) identified as the person(s) for whom the facilities were installed.
- (i) The property owner shall notify the Township within 30 days from the date when the person(s) for whom the facilities were installed discontinues full-time use of the in-law suite.
- (j) The property owner shall surrender the zoning permit issued by the Township at the time of the owner's notification to the Township that the in-law suite is no longer occupied by the person(s) for whom the suit was installed.
- (k) Upon expiration of the zoning permit, the in-law suite shall revert back to its original status as a single-family dwelling unit or garage without the additional living quarters for family members.
- (l) The property owner shall pay all Township permit fees and Recorder of Deeds recording fees at the time of issuance of the zoning permit for the in-law suite.
- (m) The property owner shall be responsible to pay any and all expenses incurred by Lower Providence Township, including reasonable attorney's fees, costs, and expenses incurred for the enforcement of any of the provisions of this use definition and/or the agreement executed hereunder.
- (n) One (1) off-street parking space shall be provided for this accessory use in addition to the required number of residential parking spaces for the single-family detached dwelling upon the lot.