



# TOWN OF EAST HAMPTON

## ORDINANCE ENFORCEMENT DEPARTMENT

PUBLIC SAFETY DIVISION

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## SINGLE FAMILY RESIDENCE DEFINITIONS & PERMITTED USES

### SINGLE FAMILY RESIDENCE §255-1-20

A residential use of land consisting of a detached and freestanding building, commonly called a "house," designed or arranged for occupancy by one family as defined herein.

### FAMILY §255-1-20

A. The following shall constitute a family:

- (1) Any number of persons occupying a dwelling unit, provided that all are related by blood, marriage or legal adoption and provided that they live and cook together as a single housekeeping unit; or
- (2) Any number of persons not exceeding four occupying a dwelling unit and living and cooking together as a single housekeeping unit, where not all are related by blood, marriage or legal adoption.

B. A group of persons whose association or relationship is transient or seasonal in nature, rather than of a permanent and domestic character, shall not be considered a family.

C. A group of unrelated persons numbering more than four and occupying a dwelling unit shall be presumed not to constitute a family. This presumption can be overcome only by a showing that, under the standards enumerated in § 255-8-50 hereof, the group constitutes the functional equivalent of a family. A determination as to the status of such group may be made in the first instance by the Building Inspector or, on appeal from an order, requirement, decision or determination made by him, by the Zoning Board of Appeals.

D. Persons occupying group quarters, such as a dormitory, fraternity or sorority house or a seminary, shall not be considered a family.

### USES PERMITTED IN SINGLE FAMILY RESIDENCES §255-11-62

The following are the only uses permitted in single-family residences in the Town of East Hampton:

A. **PRINCIPAL RESIDENCE.** Permanent, seasonal or intermittent occupation by the owner's family as principal residence.

B. **NONPRINCIPAL RESIDENCE.** Temporary, seasonal or intermittent occupancy by the owner's family as nonprincipal residence, vacation residence or second home.

#### C. **SUPPLEMENTAL USES WHEN OWNER OR OWNER'S FAMILY IN RESIDENCE.**

During periods of actual occupancy by one or more members of the owner's family:

- (1) Use of one home office.
- (2) Engaging in home occupations.
- (3) Rental of one or two guest rooms.
- (4) Rental of an affordable accessory apartment pursuant to § 255-11-63.
- (5) Operation of a residential museum as defined in this chapter.

#### D. **SUPPLEMENTAL USES WHEN OWNER OR OWNER'S FAMILY NOT IN RESIDENCE.**

During periods of nonoccupancy by all persons in the owner's family, and subject to the provisions of § 255-11-64 hereof, occupancy of the entire residence by ONE FAMILY as GUEST of owner or as TENANT. In the case of such occupancy, the supplemental uses set forth in Subsection C(1), (2) and (5) of this section may be engaged in by a resident tenant, but the uses in Subsection C(3) and (4) thereof shall be prohibited.

(GUESTS AND TENANTS CANNOT ENGAGE IN AFFORDABLE ACCESSORY APARTMENT RENTAL OR ROOM RENTAL)