



## PERMITTING & INSPECTIONS

645 Pine Street, Ste. A | PO Box 849

Burlington, VT 05402-0849

Housing: (802) 863-0442

Trades: (802) 863-9094

Zoning: (802) 865-7188

### NOTICE OF ZONING VIOLATION (NOV 380034)

September 10, 2020

OLIVER KRANICHFELD  
2000 North Ave  
Burlington, Vt 05408

Mailed Certified Mail 70190140000108390847  
And FIRST CLASS MAIL

**NOTICE OF VIOLATION AT:**  
2000 NORTH AVENUE, BURLINGTON, VT  
TAX LOT #023-3-052-000

Zoning Violation# 380034

Dear Owners,

It has come to the attention of this office that a zoning violation exists at 2000 North Avenue.

**Description of Violation:** Garage has been enclosed resulting in removal of required parking space without a zoning permit.

Burlington Comprehensive Development Ordinance (CDO) Article(s): 2, 3, 5, 8, 12, and 24 VSA §4451.

Please be advised that violations of the CDO are subject to fines of up to two hundred dollars (\$200.00) for each day that a violation continues. You may submit a zoning permit application to attempt correction of the violation, however, be advised application and filing fees are subject to a fee increase for permits required to correct a violation.

This correspondence serves as a formal notice of a zoning violation pursuant to 24 V.S.A §4451. You have seven (7) days from receipt of this notice to cure the referenced violation. Additional warnings for the violation are not required and will not be forthcoming. In the event that the violation is not cured or remedied as provided for in this notice, the City will pursue enforcement of the violation as provided for by law.

This Notice of Violation (NOV) may be appealed to the Burlington Development Review Board in accordance with the provisions of CDO Sections 2.7.12 and 12.2.2 provided that such appeal is filed within fifteen (15) days of the date of this NOV September 10, 2020, and accompanied by the appropriate fee in accordance with Sec. 3.2.4(a) of the CDO. Appeal fee and complete application shall be filed with the City's Zoning Office (645 Pine Street) by **4 pm on September 25, 2020** ; an appeal shall not be perfected until the fee is received.

If you have any questions, please call Ted Miles or William Ward at (802) 863-0442.

Sincerely,

Sincerely,

William Ward  
Zoning Administrative Officer

Theodore Miles  
Code Compliance Officer

Enclosures: Violation Details

Cc: Land Records for Tax Lot # 023-3-052-000

### VIOLATION DETAILS

**LOCATION:** 2000 NORTH AVENUE

**DECISION DATE:** September 10, 2020

**VIOLATION DESCRIPTION:** Garage has been enclosed resulting in removal of required parking space without a zoning permit.

**FINDINGS:** Over head door to garage has been removed and a solid wall constructed. Garage is now an enclosed space and no longer parking. Property is listed on [www.airbnb.com](http://www.airbnb.com) as a short term rental.

**REMEDY OPTIONS:** Within seven (7) days from receipt of this notice you may cure the violation by:

1) – Removing the violation noted above, remove the wall enclosure and return the overhead door for the garage use, **and informing the Code Enforcement Office that the violation has been removed so our office may verify compliance; or**

2) - Obtaining approval from the City’s Zoning Office for change of garage use Without Permit, conversion of garage into enclosed space without an approved zoning permit (permit application **fee is doubled** if complete application is submitted within seven days from receipt of the NOV, **tripled** if a complete application is submitted 7-15 days from receipt of the NOV, **or triple plus \$75 per hour of Code Enforcement staff time** (up to \$500) if a completed application is submitted after 15 days from date of NOV receipt). See CDO Section 2.7.8. ***PLEASE NOTE:*** If the zoning permit request is denied, the violation is **NOT** cured. Owner shall be required to remove the violation as noted in #1 above or request an agreement as noted in #3 below within five (5) business days from date of the permit denial; **or**

3) - Entering into an Agreement with the City of Burlington to extend deadlines in which to come into compliance with the City’s ordinance (**administrative fees required**).

**APPEAL RIGHTS:** You have the right to appeal the enforcement officer’s decision that a zoning violation exists on your property to the Development Review Board in accordance with the provisions of Articles 2.7.12 and 12.2.2 of the CDO within fifteen (15) days **from the date of this notice**. **The deadline for filing an appeal is 4 pm on September 25, 2020.** Submit a complete application with ZV# and appropriate fee to the City’s Zoning Office, accompanied by a memo stating the ZV#, the owner’s name and address, a brief description of the property with respect to which the appeal is taken, a reference to the regulatory provisions applicable to that appeal, the relief you are requesting, and the alleged grounds why such relief is believed proper under the circumstances. *Failure to appeal constitutes admission that the violation exists, and the decision of the enforcement officer shall be binding 24 V.S.A §4472(d).*

**REGULATION CITATION:** CDO Article(s): 2, 3, 5, 8, 12 and 24 VSA §4451