

Department of Planning and Zoning

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ZONING ADMINISTRATIVE INTERPRETATION

ZAI-11-01 External HVAC Exemption

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| Reference: | <i>Burlington Comprehensive Development Ordinance, Article 3, Part 3</i> |
| Date: | Revised September 30, 2017 (original June 13, 2011) |

Pursuant to the authority granted to the City's Zoning Administrative Officer under 24 V.S.A. Section 4448, and Article 3, Part 3 of the *Burlington Comprehensive Development Ordinance*, the following administrative interpretation is intended to ensure consistency and clarity in the interpretation and application of the *Burlington Comprehensive Development Ordinance*. Pursuant to Sec. 2.3.5 of the *Burlington Comprehensive Development Ordinance* any decision or act taken by the administrative officer may be appealed to the Development Review Board as specified under the requirements of Article 12.

The following interpretation and procedure is to be used regarding the applicability of the *Burlington Comprehensive Development Ordinance* relative to the permitting and allowance of external vents and condensing units. This interpretation shall apply for zoning permitting purposes only.

As provided below, the placement of external vents and ground-mounted condensing units in any zoning district shall not be required to obtain an individual zoning permit and can be provided a free Notice of Non-Applicability prior to obtaining a Construction Permit from DPW-ISD.

1. This exemption shall be limited to external vents (similar in nature, size and configuration of those typical for replacement heating systems and dryers) with an opening no larger than 12-inches in width, and ground-mounted condensing units (typical of those for air conditioning) occupying a footprint of no more than 24-square feet;
2. External vents shall not be placed on the front façade of any building. Such vents shall be placed on a rear, or secondarily side, façade of the building and shielded from view from the street.
3. External condensing units shall not be placed at the front of any building nor shall they encroach into any required setback. Such equipment shall be placed in a rear, or secondarily side, yard and shielded from view from the street.
4. This exemption shall not include any HVAC equipment regardless of size, location or configuration used in connection with a commercial kitchen which shall be required to obtain a zoning permit.

The placement of such vents and equipment in any other location, size or circumstance shall require the issuance of a zoning permit prior to the issuance of a Construction Permit.



David E. White, AICP, Director of Planning & Zoning