

Department of Planning and Zoning

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ZONING ADMINISTRATIVE INTERPRETATION

ZAI-11-02 Entryways*

<u>Reference:</u>	<u>Exceptions to Yard Setback Requirements</u> <i>Burlington Comprehensive Development Ordinance, Article 5, Sec.5.2.5 (b) 2.</i>
<u>Date:</u>	June 9, 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 what constitutes an allowable encroachment into a required yard setback for first floor entries. This interpretation shall apply for zoning permitting purposes only.

As provided below, first floor entries may project into a required yard setback provided:

1. The entryway shall provide access to the first floor only.
2. The width of the entryway shall not exceed the length of the building façade.
3. The depth of the entryway shall not exceed 8.0 feet.
4. The entryway may be enclosed or unenclosed, and if enclosed shall not be habitable, heated or insulated.
 - a. Upon any subsequent request to heat, insulate and otherwise make the entryway habitable, a new zoning permit shall be required and all applicable required yard setbacks that may be in effect at that time shall be met.



David E. White, AICP
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* This Zoning Administrative Interpretation modifies and replaces ZIA-08-04.