

**Department of Permitting & Inspections**

Zoning Division  
149 Church Street  
Burlington, VT 05401  
Telephone: (802) 865-7188  
(802) 865-7195 (FAX)  
(802) 865-7142 (TTY)

*William Ward, Director*  
*Scott Gustin, AICP, CFM, Principal Planner*  
*Mary O'Neil, AICP, Principal Planner*  
*Ryan Morrison, Associate Planner*  
*Layne Darfler, Planning Technician*  
*Alison Davis, Planning & Zoning Clerk*  
*Ted Miles, Zoning Specialist*  
*Charlene Orton, Permitting & Inspections Administrator*



**ZONING ADMINISTRATIVE INTERPRETATION**  
**ZAI 20-01 District Setbacks**

<u>Reference:</u>	<i>Burlington Comprehensive Development Ordinance, Article 4, Tables 4.4.2-1 &amp; 4.4.3-1</i>
<u>Date:</u>	December 31, 2019

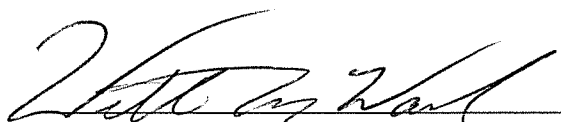
Pursuant to the authority granted to the City's Zoning Administrative Officer under 24 V.S.A. Section 4448, and Article 3, Part 1 of the *Burlington Comprehensive Development Ordinance*, the following administrative interpretation is intended to ensure consistency and clarity in the interpretation and 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 procedure is to be used regarding the applicability of the *Burlington Comprehensive Development Ordinance* relative to district setbacks between residential zones and neighborhood mixed use zones and enterprise zones. Specifically, Table 4.4.2-1, *Dimensional Standards and Density* (NAC & NMU), footnote 2; and Table 4.4.3-1, *Dimensional Standards and Density* (Enterprise), footnote 2.

This procedure shall apply for zoning permitting purposes only.

**District Setbacks**

The district setback requirements along the residential zones and abutting neighborhood mixed use zones and enterprise zones are intended to provide a buffer between the residential neighborhoods and the more intense development of the mixed use and commercial zones. The language in the two footnotes cited above refers to structures generally and does not distinguish between principal and accessory. Therefore, the district setback requirements apply to all structures (principal and accessory) within the enterprise and neighborhood mixed use zones along a residential district boundary.

  
William Ward, Director of Permitting & Inspections