

DO I NEED A ZONING PERMIT?

As the City of Winooski continues to grow, change, and evolve, so do the City's regulations. From time-to-time the City will update its regulations to ensure they are meeting the needs of the community and the City's residents. With each update, previous situations may no longer be permitted. Based on the type of work being proposed, a zoning permit may be needed. Even if a zoning permit isn't needed a building permit may be required.

PLEASE NOTE – There is no guarantee that you will be issued zoning permit. The project **MUST** comply with the City's Land Use Regulations in effect at the time of application in order for a zoning permit to be issued. Existing land uses may no longer be permitted or regulated differently therefore limitations may exist for development or redevelopment of your property.

APPLICATION:

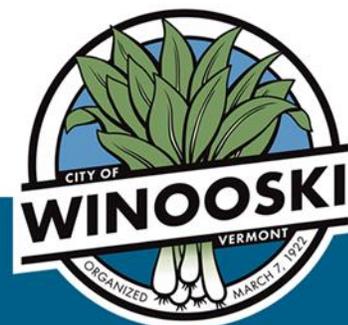
The first step in the process is to fill out a Combined Zoning/Building Permit Application. If you need a zoning permit, you most likely will also need a building permit. The combined application will be used to review the project for both permits. The zoning permit will be issued first, followed by the building permit. This application is available at City Hall or on the City's website at www.winooski.vt.gov.

EXEMPTIONS:

Section 6.13 of the City's land use regulations includes several types of property improvements that are exempt from permitting. If your proposed project meets these exemptions, you do not need to fill out an application and you can begin the work for these exempt projects immediately. This information is available on the City's website at www.winooski.vt.gov.

FEES:

If your project requires a zoning permit, the fee for the permit will be required when the application is submitted. The last page of the application includes a worksheet for calculating the fees. In order for the application to be considered complete, the fees are required. Zoning permit fees are due with the application, while any fees for building permits will be due when the permit is ready to be picked up at City Hall.



FREQUENTLY ASKED QUESTIONS:

The following is a list of frequently asked questions with a narrative that will help determine if you need a zoning permit. If your project isn't listed here, you can contact the Zoning Administrator at 802.655.6410, or via email at zoning@winooskivt.gov.

1. DO I NEED A ZONING PERMIT TO...

...Put an addition on my home/commercial/retail space?

Yes. If you are adding additional square footage to an existing structure, you will need a zoning permit. This includes a home, garage, carport, storage building, commercial space, or other building. This is required to ensure the additional space does not encroach on the required setbacks or exceed the maximum impervious coverage, and that the use is permitted to continue in the zoning district where the property is located.

...Build a deck/patio or expand an existing deck or patio?

Generally, yes. Depending on the specific conditions, a zoning permit will be necessary. If you are installing a patio that will not have a permanent foundation then no zoning permit will be required. If you are building a patio with a permanent foundation then you will need a zoning permit. The construction or expansion of any deck will require a zoning permit. In either case, an application will be needed to review the information and make a final determination if a zoning permit is needed.

...Remove an existing deck and build a smaller one?

Maybe. Depending on the location of the deck, it is possible you may need to reduce the size by more than you would like. If the existing deck is encroaching into any of the setbacks, it would need to be relocated so it was not in these spaces. An application would be needed to review the specific information before a final determination could be made.

...Repair/replace my existing stairs/deck/patio/shed?

If you are replacing an existing deck, staircase, or other existing structure on your property, you would not need a zoning permit if the replacement is in the exact location and configuration that previously existed. Any alterations to the size, location, or



change in the footprint will require the replacement structure be brought into compliance with the current regulations, which will necessitate a zoning permit. If no changes are proposed, zoning permit would not be required, but the project may still need to receive a building permit prior to construction.

...Build or reconstruct a shed/garage/carport?

If you are building a shed, garage, carport, or similar structure that is less than 100 square feet and not attached to the primary structure on the property, no zoning permit is required, unless a similar structure already exists. These are considered accessory structures and each property is permitted to have one accessory structure that is not larger than 100 square feet in area and does not exceed 10 feet in height. Otherwise, a zoning permit would be required.

...Remodel an existing room in my house?

If no new square footage is being created then a zoning permit is not required, but you will most likely need a building permit. If, however, the remodeling is for a change of use such as adding a home-office that will be used for public visitations (like a doctor's office or tax preparation office) then a zoning permit would be required to ensure the **use** is permitted. Also, if you are adding new bedrooms, a water and wastewater allocation request is needed because new sleeping space is being added that could result in more water and wastewater needs.

...Install a new fence?

If you are installing a new fence, a zoning permit is not needed. Fences are permitted to be located up to a property line, but not on a property line and cannot exceed 6 feet in height. As long as you follow these guidelines, no application or permitting is needed.

...Repair an existing fence?

No zoning permit is required to repair an existing fence and documentation wouldn't be needed as long as the height is not increasing above 6 feet and location of the fence is not changing.



...Add an in-law apartment on my property?

An in-law style apartment is classified as an accessory dwelling, meaning that is accessory to the primary dwelling and does require a zoning permit. Accessory dwellings are permitted in all residential zoning districts with several stipulations. There are limits to the size of an accessory dwelling unit, and the owner of the property needs to live at the property. The unit can be attached to the primary residences or detached in a separate building. Also, depending on the residential zoning district, there is a limit to the total units that can occupy an individual property, therefore the zoning review would determine if the accessory dwelling is permitted.

What if I don't live at the property?

If you do not live at the property, you may still be able to establish an accessory dwelling. In this instance the accessory dwelling would be considered a detached cottage, which is permitted in some residential zoning districts. A detached cottage would be a conditional use and require review by the Development Review Board prior to a permit being issued. This review follows a different process. In this case, you should contact the Zoning Administrator for additional guidance.

...Open a business in my home?

Home based businesses (or home occupations) are permitted in the City. They are exempt from zoning, but there are specific requirements and regulations that need to be met in order to qualify as an exempt use. This information is outlined in Section 5.7 of the City's Land Use Regulations. No permitting is needed as long as these guidelines are followed. This information is available on the City's website at www.winooski.vt.gov.

...Remodel my kitchen/bathroom?

If you are not expanding the footprint of the existing structure, you would not need a zoning permit, but would need a building permit.

...Expand my kitchen/bathroom/bedroom?

If you are expanding the footprint of the existing structure then you will need a zoning permit. There is a limit to the amount of area on the lot that can be covered with impervious surfaces (such as buildings, driveways, or other structures) and where



structures can be located, so we need to ensure your project will not exceed the maximum allowances. If no new space is being created, the project may only require a building permit.

...Replace my roof/siding/windows?

If you are replacing a roof, siding, or windows, you would not need a zoning permit, but will need a building permit.

...Install a sign?

Yes. Signs require a zoning permit. There are limitations to the type, size, and location of signs depending on the zoning district where the property is located. In addition, designs of the signs are required. If you are changing the copy of an existing permitted sign, no permit would be needed.

...Install stairs/handicapped ramps?

No zoning permit is needed to install stairs or handicapped ramps for the purposes of providing access to an existing structure. With that said, if decks or porches are being included as part of the project (other than those necessary to provide a landing for required access), a zoning permit will be required.

2. How long will it take to get my zoning permit?

State statute allows for up to 30 days for a complete zoning permit application to be reviewed to determine what happens next. If the proposed use can be approved administratively, the permit application is typically reviewed with about two weeks. If, however, the proposed use needs to be reviewed by the Development Review Board (DRB), the process can take up to five weeks before it can be scheduled for a DRB meeting. In addition, state statute requires an appeal period of 15 to 30 days after a decision has been made, but **BEFORE** a zoning permit can be issued. This time should also be considered for scheduling of work to be covered under the zoning permit.



3. How much will it cost to get my zoning permit?

The cost can vary depending on what is being proposed. The base fee for an administrative permit is currently \$100.00. There is a square footage multiplier that is used for residential or mixed-use projects too. For zoning permits that do not propose any new development or limited development (such as a sign, deck, or change of use), the permit fee is only \$75.00. In addition, there is a state mandated fee for recording the permit in the City's land records. That fee is currently \$15.00. All of these fees are outlined in the City's Municipal Code, Chapter 28 and are reviewed from time-to-time and updated as necessary. If you have any questions about the fees, please contact the Zoning Administrator.

4. Why is the fee so expensive?

While the fees may seem excessive, there is a lot of work that goes into the review. This process may also include staff time to conduct a site visit and review the existing conditions on the ground. We are constantly evaluating our fee structure to ensure we are not over-charging our residents, but we also want to ensure that we are able to cover the costs of processing the permit.

5. I've submitted my complete application, now what?

Once a complete permit has been submitted, the application is logged and given a number. The application is reviewed by the Zoning Administrator for completion and to determine what type of a permit it will be (conditional use, administrative, etc.). If it is an administrative permit, the Zoning Administrator will sign off on the application and post the property with a card indicating the "Intent to Issue a Zoning Permit". Posting of the property is required by state statute and is an indication that a permit has been requested for the property. The "Intent to Issue a Zoning Permit" includes information about the project and the posting of the card starts the required appeal period of 15 or 30 days, depending on the type of permit. If no appeals are filed with the City during that appeal period, the Zoning Administrator will issue the permit.



6. I have my zoning permit, now what?

Congratulations! You've completed a big step in the land development process. The next thing to check is if you need a building permit. In general, you will need a building permit for just about any work you are contemplating other than interior paint or floor coverings. The City uses a combined zoning and building permit application so while the zoning permit is being processed, the application is also being reviewed for any building permit needs. Once the zoning permit is issued, a building permit can also be issued (if one is required) and you can begin work on your project.

7. I was told I need a state permit. What does that mean?

The City of Winooski has an agreement with the State of Vermont Division of Fire Safety (DFS) whereby the DFS conducts the review of certain building projects on behalf of the City. The DFS review is typically required for work that is being done to a "public building" which is any structure that the public could enter, such as a restaurant, a retail store, or an apartment. The DFS review can occur concurrently with the City's zoning and building review so there isn't a requirement that one take place before the other. However, the City will not issue a local building permit until they have received notice from the DFS that state permits have been issued. The DFS process runs independently and a separate application is required for the state review to be completed.

