

ZONING APPLICATION

Revised – April 2, 1996

The **Zoning Application** is for the purpose of assuring the residents of the Town of Windham that any and all structures, either new or additions, prescribe to the Zoning regulations of the Town. The Zoning application also advises the listers of work being undertaken so that properties will be listed at values consistent with the directives of the State laws concerning appraisals for the purpose of fair and equitable property taxes.

ATTACHMENTS: Zoning Application Requirements
 Definitions
 Fee Schedule
 Zoning Permit Application

**ZONING APPLICATION
REQUIREMENTS**

	Permit Required Yes/No	Fee Yes/No
Accessory Building/s	Yes	Yes
Additions includes decks/porches	Yes	Yes
Barn/Garage	Yes	Yes
Decks	Yes	Yes
Fences/Walls	Yes	No
Housing Structure	Yes	Yes
Manufactured Home	Yes	Yes
Modification(s)	Yes	No
Ponds	Yes	Yes
Restoration	Yes	No
Repairs/etc	No	No
Storage Trailers	Yes	No
Trailer Coaches	Yes	No

APPENDIX A

DEFINITIONS

Accessory Structure: Shed, wood storage bins, swimming pools (in ground), tennis courts, dog kennels, chicken house and other structures not covered by the above.

Additions: involves expanding on the footprint of any of the following, or visibly extends the structure either vertically or horizontally.

Bed and Breakfast Establishment:

The renting out of not more than six (6) rooms in a residential dwelling to transient guests on a day-to-day basis, whereby breakfast is served to those guests. Bed and breakfast facilities shall be operated under a license issued by the Department of Labor and Industry or the Department of Health. Cooking facilities shall not be provided in individual guestrooms.

Campground: A public area usually associated with the rental of sites to provide for the temporary space for erecting tents, travel trailers and such. Other amenities may be included such as showers, toilets, etc.

Commercial Sawmill: A commercial establishment used for the sawing of logs into dimensional lumber.

Dwelling Unit: A room or rooms connected together containing cooking, sanitary and sleeping facilities that constitute a separate, independent housekeeping establishment for residents. It shall include prefabricated modular units and mobile homes, as well as recreational vehicles, which remain on a parcel for more than 90 days within any consecutive 12-month period. It shall not include a motel, hotel, boarding house, tourist home camps or similar structures.

Dwelling, Single Family: dwelling unit occupied by one family

Dwelling, Two Family: Two dwelling units located in a single building, each occupied by families living independently of one another. At a minimum, units in two-family dwellings must be attached by a common vertical wall or floor.

Extraction of Minerals (Loam, Soil, Sand, Stone, Cinders, or Gravel): The extraction and processing of soil, sand, gravel or other geological materials. These activities usually involve heavy equipment.

Fences (See walls): A structure usually made of wood, metal or plastic to define a boundary or to separate areas. Type of fences: rail, stockade, board and batten, etc.

Fill: includes Loam, Soil, Rock, Stone, Gravel, Sand, and Cinders.

Home Industry: A light industry carried on by members of a family in their minor portion of the dwelling or in an accessory building. Two (2) on-premise employees who are not part of the family are permitted.

Inn: A residential dwelling in design used for commercial purposes wherein the patronage is of a transitory nature, the guests being entertained from day to day. Such use must include food service for guests within the structure and may include a restaurant with or without a lounge.

Light Industry: Industrial activities include those activities primarily concerned with the enclosed manufacturing, processing, or wholesale selling or warehousing of goods. Light industry uses shall comply with the following:

(These are standards for a Special Use. See comment, Section 201)

a. It will emit no air, water or noise pollution as specified in Section 205 Performance Standards of this bylaw.

b. Vehicular delivery and shipment activity to and from light industry uses shall not cause unreasonable highway congestion or unsafe conditions for vehicular or pedestrian traffic on any public or private road. The total number of deliveries or shipments per day shall be limited to a level which ensures such safety and is appropriate to the existing conditions of and level of traffic on the road(s) on which the proposed light industry is located.

c. The total number of employees permitted on the largest shift shall be limited to a level which ensures the safe movement of vehicular and pedestrian traffic on public and private roads and which is appropriate to the existing traffic conditions of the road(s) on which the proposed light industrial use is located.

d. The screening requirements and the parking requirements shall be subject to site plan review.

Mobile Home: A prefabricated structure which is built on a permanent chassis and designed to be used as a dwelling unit, with or without a permanent foundation when connected to the required utilities. Mobile homes must meet all the standards for residential development in the district [and must comply with the provisions of any applicable health ordinances].

Mobile Home Park: A parcel of land under single or common ownership or control which contains or is designed, laid out or adapted to accommodate two or more mobile homes.

Modification(s): Alterations of interior to finish and/or upgrade previously unfinished areas. (i.e. attic space, garage area, basement, barns, etc.). Does not add to outside footprint of structure.

Modular or Manufactured Home: A modular home or manufactured home is that constructed offsite in two or more sections and transported to and permanently assembled on the site is not considered a mobile home.

Non-Complying Structure / Non Conforming Use: See Page 7 Section 205

Professional Office: The office of a member of a recognized profession maintained for the conduct of that profession, containing up to two thousand (2000) square feet of space and adequate parking.

Home Professional Office: A home-based business within a minor portion of a dwelling and consisting of the office of a practitioner of a recognized profession; the practitioner must also reside within the dwelling within which the office is located. A Home Professional Office differs from a Home Industry or Home Occupation in that traffic generated by customers or clients is anticipated on a regular basis.

Planned Residential Development (PRD):

An area of land to be developed as a single entity for a number of dwelling units

Planned Unit development (PUD):

Quarry: A facility for the removal of minerals from bedrock. May be open pit or tunnel style.

Recreational Facilities: Indoor: Includes an indoor bowling alley, theater, table tennis facility, pool hall, skating rink, gymnasium, swimming pool or similar place of indoor recreation.

Recreational Facilities: Outdoor: Includes a trap, skeet, shooting range and/ or archery range, golf course, swimming pool, amusement park, outdoor concert area, tennis court, skiing facility or similar place of outdoor recreation. Limited Outdoor Recreation includes such facilities as trap, skeet, shooting range and/ or archery range, and cross-country skiing centers, hiking, picnicking and other similar, low-intensity recreational uses.

Restaurant (With or Without Lounge): A structure for public eating in which the primary business is the preparation and serving of food and drink for consumption on the premises. The serving of liquor will require a Liquor Control Board permit.

Restoration: Involves the reconstruction of major elements of the structure such as foundations, walls, siding, roof, chimneys, heating systems, fireplaces, plumbing, kitchens, etc. Does not add to the footprint of the original structure.

Retail Store: Establishment engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods containing up to two thousand (2000) square feet of space and parking for up to ten (10) cars (on-street parking is not permitted). Exterior areas for storage of materials are subject to screening). Generally, these establishments buy and receive as well as sell merchandise.

Structure: Any feature, which has been or intends to be added to a site such as barns, house, camps, sheds, TV antennas, chicken coops, etc. A complete list is contained in The Town Zoning Application.

Wall(s) (see fences): A structure usually made of stone or other materials, which define a boundary, or used to retain dirt as on a sloping terrain, or as used in gardens.

FEE SCHEDULE

TOWN OF WINDHAM – ZONING APPLICATION FEES

Accessory Building	10 cents per square foot (minimum \$10)
Barn/Garage	10 cents per square foot of footprint (minimum \$25)
New Housing Structure	20 cents per square foot of living space (minimum \$25)
Manufactured homes	20 cents per square foot of living space (minimum \$25)

ADDITONS Any expansion to any structure as described above, that is, that the footprint of the structure is being enlarged, will require the same fee and application as described above.

MODIFICATIONS or RESTORATIONS – no fee – **EXCEPT** – when changing existing storage or unfinished areas to living space within the footprint of the existing building – 10 cents per square foot (minimum \$10)

Repairs, maintenance, replacements – no fee

Deck, Porches	\$10
Mobile Home	\$50.00
Ponds	\$25
Trailers	no fee

RECORDING FEE - \$10 per page payable to 'Town of Windham'
Application fee is payable to 'Town of Windham'



Agency of
Natural Resources

Jackie Carr

Permit Specialist

802-279-4747

Jackie.Carr@Vermont.gov

**Department of Environmental Conservation
Environmental Assistance Division**

Springfield Regional Office
100 Mineral Street, Suite 303
Springfield, VT 05156-3168

Program Home Page: www.anr.state.vt.us/Dec/ead/



Specialist for State of VT permits

Zoning Permit Application # _____

(To be assigned by Zoning Administrative Officer)

- 1. Property Tax Map # _____ Acres _____
- 2. Locatable 9-1-1 address _____
- 3. Applicant: _____
Address _____
Phone # _____
- 4. Owner's Name (If different from Applicant) _____
Address _____
Phone # _____
- 5. Permit requested for: (ex: house, garage, deck, addition, pond, fences, etc.)

6. Description of proposed improvement or change: _____

(If a structure, # of stories, foundation, gross living area, building height, etc.)

- 7. If appropriate, use for _____ residence _____ vacation _____ rental
- 8. Attach a sketch of the property on a separate sheet that shows the dimensions of the property, the location of any structure (existing or proposed) on the property. The distance between such structures and property lines (setbacks). Location of driveways and parking areas. Location and size of septic systems and water source. Indicate location and names of waterways, ponds, & roads. Sketch of improvements & floor plans.

CERTIFICATION OF APPLICANT

The undersigned applicant hereby certifies that all information submitted on this application is true and accurate and that the information provided is complete. The applicant understands that a permit issued by the Town of Windham does not include any other governmental permits that may be necessary.

Date

Applicant's signature

CERTIFICATION/AUTHORIZATION OF PROPERTY OWNER

The undersigned property owner hereby certifies that the information submitted in this application regarding the property is true, accurate and complete. The applicant has full authority to request approval for the proposed use of the property and any proposed improvements. This authorization allows Town Officials access to the property for the purpose of reviewing all aspects of this application. The owner understands that a permit issued by the Town of Windham does not include any other governmental permits that may be necessary.

Date

Owner's signature

If upon inspection of the site, any of the above information is found to be incorrect, the APPLICANT will be held solely responsible. The OWNER must obtain a CERTIFICATE OF CONFORMANCE before using or occupying any building.

FOR COMPLETION BY ZONING ADMINISTRATIVE OFFICER

Date received _____ Fee Paid _____ Recording Fee**Payment of \$10.00

Action by Zoning Administrative Officer: _____ to 'Town of Windham' **

Approved: Date - _____ Approval effective after: Date - _____

or Denied pending Conditional Use Approval: Date - _____

or date Denied and reason for denial _____

SIGNATURE OF ZONING ADMINISTRATIVE OFFICER. _____

Any decision of the Zoning Administrative Officer may be appealed to the Zoning Board of Adjustment by filing a written notice of appeal with the clerk of the Zoning Board of Adjustment within Fifteen (15) days of the date of the Zoning Administrative Officer's decision.

Posted Windham, VT Town Clerk Office on _____

WINDHAM, VT TOWN CLERK'S OFFICE

RECEIVED FOR RECORD

THIS _____ DAY OF _____ AD 20 _____

AT _____ O'CLOCK _____ MINUTES _____ M AND

RECORDED IN WINDHAM LAND RECORDS

BOOK _____ PAGE _____

ATTEST:

TOWN CLERK