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ZONING BYLAW ARTICLES

ARTICLE # ___

**RE: Accessory Use Regulations Relating to RO:
Article II Definitions and
Article V Dimensional Requirements**

To see if the Town will vote to amend Burlington Zoning Bylaws Article II: Definitions and Article V: Dimensional Requirements as follows:

1. Article II: Definitions, by adding the following definitions:

2.19

Setback

The minimum distance by which any structure must be separated from a lot line.

Setback, Front

A front setback extends across the entire length of the front property line between the side property lines; and the depth is measured as the distance between the street right-of-way line and the nearest point of any structure, swimming pool, tennis court, or like nearest the front setback line.

Setback, Rear

A rear setback extends across the entire length of the rear property line between the side property lines and the depth is measured as the distance between the rear lot line and the nearest point of any structure, swimming pool, tennis court, or like nearest the rear setback.

Setback, Side

A side setback extends from the required front setback to the required rear setback and is measured from the side lot line to the nearest point of a structure, swimming pool, tennis court, or like nearest the side setback line.

Structure, Accessory

A detached structure, the use of which is subordinate to that of the main structure or to the main use of the land and which is located on the same lot as the main structure or use.

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2. **Article II: Definitions, by editing existing definitions (striketthrough to be removed and underline and bold new)**

2.2

Building

A structure which is a combination of any materials, whether portable or fixed, having a roof, enclosed within exterior walls or fire walls, built ~~to form a structure~~ for the shelter of persons, animals or property. For purposes of this definition, "roof" shall include an awning or any similar covering, whether or not permanent in nature.

Building Height

The vertical distance measured from the mean finished grade of the ground adjoining the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridges, for gable, hip and gambrel roofs. ~~This definition excludes penthouses, bulkheads and other allowable superstructures above the roof line.~~ **Provided that for new residential construction, the mean finished grade is determined to be existing at time of permit application. Not included are spires, cupolas, antennas or similar parts of structures that do not enclose potentially habitable floor space.**

2.19

Structure

Anything constructed or erected, ~~the use of which demands a permanent location in the soil, or attached to something having a permanent location in the soil.~~ **and installed in or on the land.**

3 **Article V: Dimensional Requirements by editing Section 5.1 as follows (striketthrough to be removed and underline and bold new):**

5.1.3 Limitation of Area of Accessory Uses **or Structures**

5.1.3.3 In RO districts, no accessory use or **structure** shall occupy part of the required front or side yard ~~and RO districts, no accessory use or building structure shall be located within a required off-street parking~~

4. In all districts except RO, no accessory use **or structure** shall occupy any part of the required minimum yard **setback** adjacent to RO and RG districts.

4 Burlington Zoning Bylaws Article V: Dimensional Requirements by amending Section 5.2 Density Regulation Schedule as follows (strikethrough to be removed and underline and bold new):

ARTICLE V

SECTION 5.2.0 DENSITY REGULATION SCHEDULE: No building or structure greater than 65 sf or 10 ft in height to the top of the structure shall be constructed-**located**, nor shall any existing building or structure be enlarged or altered **without a building permit, and only** except in conformance with the Density Regulation Schedule, as to lot coverage, lot area, land area per dwelling unit, lot width, front, side and rear setbacks, and maximum height of structures except as may otherwise be provided elsewhere herein. ⁴

	RO	RG	RC	BN	BL	BG	BT	IG	I	IR
Minimum Lot Area ⁹	20,000 sf	120,000 sf	100,000 sf	5,000 sf	10,000 sf	10,000 sf	10,000 sf	40,000 sf	120,000 sf	18 Acres
Minimum Lot Frontage	100 ft	100 ft	100 ft	50 ft	100 ft	100 ft	100 ft	150 ft	100 ft	400 ft
Minimum Front Yard <u>Setback</u>	25 ft	50 ft	25 ft	10 ft ⁵	15 ft ⁵	15 ft ⁵	15 ft ⁵	25 ft ⁵	25 ft ⁵	100 ft
Minimum Side Yard <u>Setback</u>	15 ft	50 ft	25 ft	10 ft ⁵	15 ft ⁵	15 ft ⁵	15 ft ⁵	15 ft ⁵	15 ft ⁵	100 ft
Minimum Rear Yard <u>Setback</u>	15 ft	50 ft	25 ft	10 ft ⁵	15 ft ⁵	15 ft ⁵	15 ft ⁵	15 ft ⁵	15 ft ⁵	100 ft
Minimum Lot Width	20 ft	20 ft	20 ft	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Minimum Yard Adjoining RO & RG, OS and Residentially Zoned Land in Contiguous Municipalities ¹⁰	None	50 ft	50 ft	50 ft depth of	20 % depth of lot ⁶	20 % depth of lot ⁶	20 % depth of lot ⁶	20 % depth of lot ⁶	100 ft depth of lot	20 % depth of lot ⁶
Maximum Aggregate Building-to-Ground Area Percentage	None	25%	25%	33.33%	33.33%	33.33%	33.33%	25%	25%	25%
Maximum Building & Structure Height ¹¹	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft ⁸ 80 ft ⁸	30 ft ⁷ 90 ft ^{7,12}	30 ft ⁸ 80 ft ⁸
Minimum Feet Between Buildings	None			None	None	None	None	None	50 ft	None
Maximum Floor Area Ratio	None	None	None	None	None	None	None	.15 ^{2,3}	.15 ^{2,3}	None

See notes for Density Regulation Table immediately following.

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or to act in any other manner in relation thereto.

Submitted by the Select Board at the request of
Zoning Bylaw Review Committee

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()