

**APPLICATION FOR ZONING PERMIT
TOWN OF DERBY**

PO Box 25, Derby, VT 05829

Property Owners Name: _____ Daytime Phone: (____) _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Email Address: _____

E-911 Locatable Address: _____

Adjacent Property Owners: _____

Estimated Completion Date: _____ Zoning District: _____

Estimated Construction Value: _____ Parcel ID#: _____

Proposed Use and/or Construction Narrative: _____

Building Setbacks

Front: _____ Rear: _____

Left Side: _____ Right Side: _____

Lot Size: _____ Road Frontage: _____

Source of Water: _____ Sewage Disposal Method: _____

Building Dimensions

Length: _____ Width: _____ Height: _____

I, the undersigned, request a zoning permit for the use and/or construction stated, to be issued on the basis of the representation contained in this application and any required submission materials. I fully understand that any incorrect or misleading representations may result in the permit becoming void and legal action instituted by the Town of Derby. I further understand that the permit may contain conditions with which I will be required to comply.

Owner's Signature: _____ Date: _____

For Administrative Use Only – 7/08

Application Number: _____ Submitted on: _____ Fee: _____

Referred to Zoning Board of Adjustment on _____ - Meeting Date: _____

Variance _____ Conditional Use _____ Appeal _____

Granted: _____ Denied: _____ By: _____

Chairman, Zoning Board of Adjustment

Referred to Planning Commission on _____ - Meeting Date: _____

Site Plan Approval:

Granted: _____ Denied: _____ By: _____

Chairman, Planning Commission

Upon the representations contained herein this Zoning Permit is hereby -

Granted: _____ Denied: _____ By: _____

Administrative Officer

Reasons for Denial or Conditions: _____

A copy of the complete permit is on file in the Zoning Administrator's Office.

An interested person may appeal any decision by the Administrative Officer to the Zoning Board of Adjustment in accordance with 24 VSA, Chapter 117, §4465, in writing, within 15 days of the date of such decision. The fee is \$200.

An interested person who has participated in the municipal regulatory proceeding may appeal the decision rendered in that proceeding by the appropriate municipal panel (Planning Commission or Zoning Board of Adjustment) to Environmental Court in Accordance with 24 VSA, Chapter 117, §4471, in writing, within 30 days of the date of such decision. The fee is \$250.

If you fail to appeal a decision, your right to challenge the decision at some future time may be lost because you waited too long. You will be bound by the decision, pursuant to 24 V.S.A. §4472(d).

THIS IS A LOCAL PERMIT APPLICATION ONLY. Other permits may be NECESSARY. To determine if State permits are required, contact the State Regional Permit Specialist at (802) 476-0195 and the State Dept. of Labor and Industry at (802) 828-5098.

Contact the Village of Derby Line (802) 873-3420 or Village of Derby Center (802) 766-2844 if municipal water or sewer is required.

Any project requiring new entry onto Town roads or alters the public right of way requires an Access Permit issued by the Town Road Commissioner, application forms are available from the Zoning Administrator and may be submitted in conjunction with the zoning permit application.

ACKNOWLEDGMENT OF RESPONSIBILITY

I hereby affirm that I am the fee title owner or the owner's agent* of the property for which this application has been made. I am the party whom the Town should contact regarding any matter pertaining to this application and it is my responsibility to keep myself informed of the progress of the application.

I further understand that additional information such as a survey of the property, traffic analysis, or expert testimony may be required for analysis of the application, and that upon my written authorization, fees for such additional information will be my responsibility.

I agree to allow Town personnel access to the property to review all aspects of this application and for tax assessment purposes.

Property Owner's Signature: _____

*NOTE: Written documentation must be submitted and approved by the Zoning Administrator proving that the agent is legally authorized to act on the property owner's behalf.

It is HIGHLY RECOMMENDED that applicants discuss the application and requirements with the Zoning Administrator prior to submission to ensure that all necessary information is submitted and to ensure efficient and timely processing of the application. The Zoning Office phone number is (802) 766-2017.

APPLICATION FEES (effective July 28, 2008)
(ALL FEES ARE NONREFUNDABLE)

Zoning Permit Base Fee:

Certificate of Occupancy	\$100.00
Temporary Certificate of Occupancy	\$ 50.00 + \$10.00 per month (up to 12 months)
Signs	\$ 60.00 per sign
One or Two Family uses	\$ 60.00 + \$ 0.05 per square foot ¹
All Other Uses	\$ 60.00 + \$ 0.10 per square foot ¹
No Permit Required (in writing)	\$ 30.00

Additional Fees:

Subdivisions	\$ 50.00 per lot
Planning Commission Review	\$200.00
Zoning Board Review	\$200.00

All fees are doubled if the proposed use or construction has begun prior to submitting a complete application.

¹ Square footage is based on the increase in building area. Building area is defined as the total of all areas taken on a horizontal plane at the main finished grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces and steps. All dimensions shall be exterior measurements. The square footage fee for applications requiring Planning Commission or Zoning Board of Adjustment approval must be paid within 30 days of such approvals.

Accepted agricultural practices, including the construction of farm structures, as those practices are defined by the Secretary of Agriculture, Food and Markets, in accordance with Title 24 VSA §4413(d) are exempt from all zoning fees provided;

- (1) Written notification, including a sketch plan showing structure setback distances from road rights-of-way, property lines, and surface waters shall be submitted to the Administrative Officer, as required for accepted agricultural practices; and
- (2) All such structures shall meet all setback requirements under these regulations, unless specifically waived by the Secretary.

Application fee calculation

Base fee	\$ 60.00	
Sq ft fee	+ _____	
Per lot fee	+ _____	(\$50.00 x number of lots, subdivisions only)
PC review	+ _____	(\$200.00 if applicable)
ZB review	+ _____	(\$200.00 if applicable)

Total _____

Application Requirements:

- **An application for a zoning permit shall be filed with the Administrative Officer on form(s) provided by the municipality.**
- **Required application fees, as set by the Legislative Body, also shall be submitted with each application.**
- **All applications shall include a sketch plan, no smaller than 8.5" x 11", that depicts the following:**
 - **The dimensions of the lot, including existing property boundaries,**
 - **The location and footprint of existing and proposed structures or additions,**
 - **The location of existing and proposed accesses (curb cuts), driveways and parking areas,**
 - **The location of existing and proposed easements and rights-of-way,**
 - **Setbacks from property boundaries, road rights-of-way, surface waters and wetlands,**
 - **The location of existing and proposed water and wastewater systems, and**
 - **Other such information as required by the Administrative Officer to determine conformance with these regulations.**

Additional requirement for applications requiring review by the Zoning Board of Adjustment:

- **A list of the names and addresses of all adjoining property owners, without regard to any public right-of-way.**

Additional requirements for applications requiring Site Plan Review by the Planning Commission:

- **The applicant shall submit at least two sets of site plan maps and supporting data to the Planning Commission which shall include the following information presented in drawn forms and accompanied by written text to the satisfaction of the Planning Commission:**
 - **Present conditions showing:**
 - **Existing features including contours if required by the Planning Commission, structures and their setbacks from property lines;**
 - **Existing lighting, large trees, streets, utility easements, rights of way, land use, deed restrictions, proposed structures including elevation drawings and their setbacks to the property lines,**
 - **Proposed changes showing:**
 - **Proposed lighting plan;**
 - **Proposed land use areas;**
 - **Proposed driveways and traffic circulation;**
 - **Proposed parking and loading spaces;**
 - **Proposed pedestrian walks;**
 - **Proposed landscaping and green strip plans including site grading, landscape design and screening.**
 - **The Supporting Data Addendum shall include the following:**
 - **A narrative of the relevant characteristics of the proposal which shall include if applicable: Hours of operation, estimated customer and employee counts, details of the proposed use or structure;**
 - **A list of the names and addresses of all abutting property owners;**
 - **Estimates of delivery and service traffic; and**
 - **Any other information requested by the Planning Commission and the Administrative Officer for the proper deliberation of the application.**

No less than seven days before a public hearing for a site plan review public hearing, the applicant shall submit evidence that a good faith effort has been made to notify all abutters of the site of the proposed project of the date, time, place and purpose of the public hearing. Such evidence shall take the form of sworn certificates of service, signed statements by the abutters or United States Postal Service return receipt cards. The Planning Commission may accept returned certified mail envelopes as evidence that a reasonable effort to contact an abutter has been made.

MINIMUM LOT REQUIREMENTS

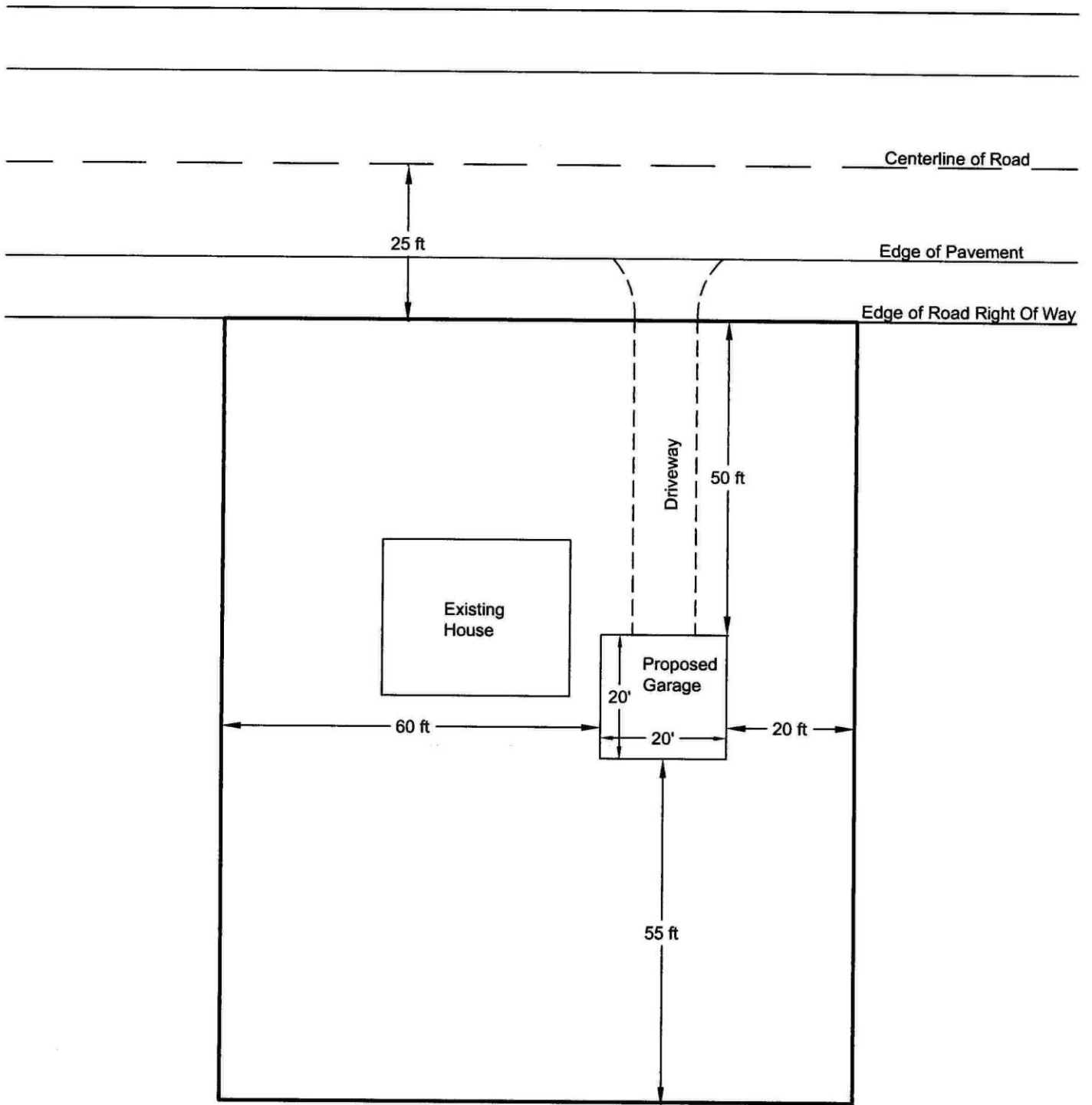
Zoning District	Lot Class	Lot Area	Lot Frontage	Lot Depth	----Building Set Backs-----			Building Height
					Front	Side	Rear	
<u>IND - Industrial</u>	1 & 3	20,000 sf	100'	100'	25'	10'	10'	75'
	2	40,000 sf	100'	100'	25'	10'	10'	75'
<u>COM/IND - Commercial/Industrial</u>	1 & 3	20,000 sf	100'	100'	25'	10'	10'	75'
	2	40,000 sf	150'	150'	25'	10'	10'	75'
<u>COM - Commercial</u>	1 & 3	20,000 sf	100'	100'	25'	10'	10'	75'
	2	40,000 sf	150'	150'	25'	10'	10'	75'
<u>R-HD - Residential High Density</u>	1	10,000 sf	100'	100'	30'	20'	25'	35'
	2 & 3	20,000 sf	150'	150'	30'	20'	25'	35'
<u>R-MD - Residential Medium Density</u>	1, 2 & 3	20,000 sf	150'	150'	30'	20'	25'	35'
	Accessory Structures				30'	10'	10'	
<u>R-1 - Residential One Acre</u>	1, 2 & 3	1 acre	150'	150'	30'	25'	25'	35'
	Accessory Structures				30'	10'	10'	
<u>R-2 - Residential Two Acre</u>	1, 2 & 3	2 acres	200'	200'	50'	25'	25'	35'
<u>RR - Rural Residential</u>	1, 2 & 3	5 acres	200'	200'	50'	25'	25'	35'
<u>SD - Shoreland District</u>	1 & 3	10,000 sf	100'	100'	25'	25'	25'	35'
	2	15,000 sf	100'	100'	25'	25'	25'	35'
Accessory Structures					25'	10'	10'	
<u>SL - Special Lands</u>	1, 2 & 3	10 acres	200'	200'	50'	25'	25'	35'
<u>Derby Line</u>								
<u>VC/DL - Village Commercial Existing</u>	1, 2 & 3	N/A	N/A	N/A	N/A	N/A	N/A	75'
<u>New Construction/Subdivision</u>	1 & 3	12,500 sf	100'	100'	30'	20'	25'	75'
<u>New Construction/Subdivision</u>	2	20,000 sf	100'	100'	30'	20'	25'	75'
<u>New Construction/Subdivision</u>	Residential	Accessory Structures			30'	10'	10'	
<u>VR-1/DL - Village Residential-One</u>	1 & 3	12,500 sf	100'	100'	30'	20'	25'	35'
	2	20,000 sf	100'	100'	30'	20'	25'	35'
Residential	Accessory Structures				30'	10'	10'	
<u>VR-2/DL - Village Residential -Two</u>	1 & 3	12,500 sf	100'	100'	10'	10'	10'	35'
	Maximum lot coverage 33.3%							
<u>Derby Center</u>								
<u>VC/DC - Village Commercial</u>	1 & 3	15,000 sf	100'	100'	30'	20'	20'	75'
	2	20,000 sf	100'	100'	30'	20'	20'	75'
<u>VR/DC - Village Residential</u>	1 & 3	12,500 sf	100'	100'	30'	20'	25'	35'
	2	20,000 sf	100'	100'	30'	20'	25'	35'
Residential	Accessory Structures				30'	10'	10'	
<u>VR-MF/DC - Village Residential MF</u>	1, 2 & 3	12,500 sf	100'	100'	30'	20'	20'	35'
	Accessory Structures				30'	10'	10'	

TIME LIMIT FOR CONSTRUCTION

Permits are valid for two years and construction must commence in that time period. There is no penalty for a failure to begin a permitted project; however you must obtain a new permit to begin construction after the expiration of the two-year time limit.

STRUCTURES NOT REQUIRING PERMITS

Small accessory structures that are: not permanently anchored to the ground or have a permanent foundation; and are thirty-two square feet or less in area; and are five feet or less in height, do not require zoning permits. Inflatable pools requiring no additional supports or framing do not require zoning permits; however any permanent decking that may be constructed do require zoning permits. Fences six feet in height or less that meet front yard setback requirements are exempt from permitting.



Sample Sketch Plan