

STATE PERMITTING CONSIDERATIONS

Construction, Building and Plumbing

- ◆ A **construction** permit from the Division of Fire Safety is **not** required for an Accessory Residential Unit; however, a permit for the **electrical** and **plumbing** work **is** required from the Division of Fire Safety.
- ◆ A licensed plumber is required for any plumbing work.
- ◆ A drinking water test is required.
- ◆ **Smoke and carbon monoxide (CO) detectors are required.**

For State Electrical & Plumbing Permits call:

Dept. Of Public Safety
Division of Fire Safety
Williston 802-879-2300

TOWN OF COLCHESTER PERMITTING CONSIDERATIONS

Wastewater Permit

A State Wastewater Permit may be required when adding an accessory residential unit, even if the number of bedrooms will remain the same. Owners should contact a wastewater engineer or septic system designer to obtain this permit.

WHY ADD AN ACCESSORY DWELLING UNIT TO YOUR HOUSE?

- Provide housing for an elderly parent or family member who otherwise could not live independently.
- Make extra income to you and your family if you rent the unit.
- To help with your mortgage payments.
- Allow you to share your home with someone else but retain privacy.
- To supply housing for single persons and smaller households needing no more than one bedroom.
- Increase the supply of housing within locally controlled, community based guidelines, without using up more land.

State of Vermont

Department of Economic, Housing & Community Development

One National Life Building, 6th Floor
Montpelier, VT 05620

Phone: 802-828-3211
WWW.DHCA.STATE.VT.US

Town of Colchester

Department of Planning & Zoning

781 Blakely Rd.
Colchester, VT 05446
Phone: 802-264-5606

Visit us on the web:
www.colchestervt.gov

Accessory Dwelling Units (ADUs)



Town of Colchester

Department of Planning
& Zoning

Last Revised November 18, 2022

State of Vermont
24 V.S.A. Section 4412 (1) (E)

Colchester Development Regulations
Article 2.09 B(1)

What Is an Accessory Dwelling Unit?

An Accessory Dwelling Unit means:

A dwelling unit that is clearly subordinate to a single family dwelling and includes all the amenities needed for independent living including:

- ◆ Bedroom or sleeping area
- ◆ Kitchen or food preparation area
- ◆ Bathroom facilities

An Accessory Dwelling Unit may be located within an single family dwelling or detached from it, such as above a garage.

Colchester Development Regulations state that homeowners are allowed to add **one** Accessory Dwelling Unit as long as the following conditions are met:

1. The property meets all regulations for the sewage disposal and water supply.
2. The size of the Accessory Dwelling Unit is no more than 900 sq. ft., or 30% of the gross floor area of the principal dwelling, whichever is greater.
3. The Accessory Dwelling Unit contains no more than two bedrooms.
4. Adequate off-street parking is available to include two parking spaces for the principal dwelling and one space per bedroom for the accessory dwelling unit.
5. The accessory dwelling unit has the external appearance of a single family residence and the exterior details—scale, windows, roof and siding materials, color and design—are compatible with the principal dwelling.
6. The owner of the property must occupy either the principal dwelling or the accessory dwelling unit.

RESPONSIBILITIES OF BEING A LANDLORD:

Landlord-Tenant Laws

Vermont's Landlord and Tenant Law (T.9 Chapter 137) applies to rental of Accessory Dwelling Units. It includes things like leases, deposits, rent, privacy, tenant obligations, habitability, evictions and unclaimed property. You should become familiar with the rights and obligations provided under this law. A good source of this information is the booklet [Renting in Vermont](#) published by the CVOEO Vermont Tenant's Inc.

Vermont Rental Housing Health Code

The Rental Housing Health Code applies to all rented dwelling units used as a regular residence. It does not apply to units in a lodging facility that is designed and rented for transient occupancy and not intended for use as a primary residence. It covers sanitation, including bathrooms and kitchens; water and sewage disposal, trash removal, ventilation; lighting, heating, structural integrity, insect and rodent control. The local Board of Health and Town Health Officer are responsible for enforcement of the code.

Fair Housing

Rental of an Accessory Dwelling Unit is exempt from Vermont's Fair Housing Law as long as the unit is attached to your house. Race-based discrimination is illegal regardless of the number of units under Federal law (The Civil Rights Act of 1966).

INCOME AND PROPERTY TAXES

Property Taxes

Vermont's property tax system includes two education tax rates; homestead (residential) and non residential. In many cases, the nonresidential rate is higher. If the Accessory Dwelling Unit is rented out, the nonresidential rate will apply to the part of your house that is rented.

Income taxes

Rental income is taxable. You should get professional advice from your tax advisor.

FOR MORE INFORMATION

Dept. of Environmental Conservation

- Essex Junction 802-879-5656

Town of Colchester:

- Zachary Maia, Development Manager 802-264-5604
- Kirk Dressing-Kirkorian, Associate Planner 802-264-5603

Property Tax Information

- Bob Vickery, Assessor 802-264-5670

For Water/Wastewater Permits

- Karen Adams, Wastewater Official 802-264-5621