



PRACTICE POINTERS

Before you prepare marketing materials for a new listing, you should verify all uses that you plan to promote.

The current uses of the property may not comply with the zoning code. Imagine saying that horses are allowed on a property and, in fact, they are not. Alternatively, imagine promoting an existing business-use of a property when the zoning does not allow businesses.



When working with buyers you need to probe for hobbies, business aspirations, and avocations that may or may not be allowed in a particular zoning district. You should know how the buyers plan to use the house

and property. If you are not sure if the buyers' uses are allowed, you must recommend that the buyers talk to zoning officials. Some uses have to be determined on a case-by-case basis. If that is the situation, be sure to insert a contingency in the offer to buy and sell real estate that addresses the anticipated use and approval steps. Depending on what you say and do, a buyer who is unable to perform an accessory use or build the accessory structure because of the zoning code could back out of the contract or give you considerable grief after the date of sale.

You should practice looking in the zoning code and examine the permitted uses in each zoning district for both improved and unimproved property. If you intend to develop property, you need to examine the steps to get zoning approvals. You will have to comply with a set of dimensional standards such as height, setbacks, and bulk. You may have to submit a site plan showing the design of the proposed improvements. If, after examining your submitted material, the zoning administrator has no concerns, you will be issued a zoning permit. In some jurisdictions, a zoning permit is in reality a building permit, but, in other jurisdictions, a zoning permit is just a certification of the current zoning. In some states, a seller has to obtain a current zoning certification prior to closing on the property.