



Department of Planning and Zoning

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www.burlingtonvt.gov/pz

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MAR 24 2016

DEPARTMENT OF
PLANNING & ZONING

Appeal of an Administrative Decision Request

Use this form to appeal any Administrative Decision or Notice of Violation - See Sec. 12.2.2 of the Zoning Ordinance.

SUBJECT LOCATION ADDRESS: 100-102 North Union St

Subject Property Owner: Josh Tyrowicz-Cohen

Appellant:

Agent/Representative:

Mailing Address: PO Box 8892

City, St, Zip: Burlington, VT 05402

Day Phone: 802-522-0526 Email: Josh.dtc@gmail.com

Appellant Signature: [Signature] Date: 3/24/16

In order for your request to be considered complete, ALL of the following information must be provided, as applicable:

- The Appeal fee of \$250;
Description of the decision under appeal;
Description of the property subject to the appeal;
Reference to the regulatory provisions applicable to the appeal;
Relief requested by the appellant;
Alleged grounds why such requested relief is believed proper under the circumstances.

Office Use Only:

Check No. 1286 Amount Paid \$250 Zoning Permit # 16-0888CA

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Department of Planning and Zoning  
149 Church Street  
Burlington, VT 05401

DEPARTMENT OF  
PLANNING & ZONING

March 24, 2016

To Whom it May Concern:

We are appealing the March 10, 2016 zoning administrative decision that denied us the required zoning permit to add finished space to 100-102 North Union Street. This building is currently a two-unit dwelling and as such is required to have four parking spaces. The permit was denied based on the perception that there currently is not enough area to support four parking spaces and that the current non-conforming parking arrangement has not been in existence for the fifteen years or more.

As illustrated in attached aerial photos this parking arrangement of four tandem spaces has actually been in existence for fifteen or more years. In an aerial photo from the Vermont state archives two cars can be observed parked side by side. Once again in 2003-2004 aerial photo from Google Earth two cars can clearly be seen parked side by side. The zoning department disputed that these cars were not actually parked on the property of 100-102 North Union in these photos, rather they were partially on neighboring lot. In a 2012 aerial photo, however, there are once again car parked in tandem this time with a fence in place that doesn't allow parking past the property line.

In addition it was disputed that there was the nine feet of width per vehicle required to define a parking space per the requirements in Table 8.1.11-1 . In reality there is 23 feet between the building and the property line.

We are appealing this decision based on the existing structures clause in zoning by laws Article 8.1.4 Existing structures and 8.1.11. This property does indeed have the required parking areas, and while may not meet current setback standards it has been in existence for fifteen years or more and as such is not required to have five foot setback.

Josh Tyrowicz-Cohen  
42 Fairmount Street  
Burlington, VT 05401

**Mary O'Neil**

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**From:** Josh Typrowicz-Cohen <joshdtc@gmail.com>  
**Sent:** Wednesday, March 09, 2016 3:53 PM  
**To:** Mary O'Neil  
**Subject:** 102 North Union Aerials  
**Attachments:** \_96220\_1.JPG; \_96220\_2.JPG; \_96220\_3.JPG

Mary,

I got copies of the aerial from Vermont Archivist's office. This was taken of Burlington in 2000. You probably know this already, but they don't have digital copies, you have to view in person. Seen in person you can clearly see cars parked two wide in the driveway for 102.

I've attached pictures I took of it and circled the vehicles and house in one copy. Pretty hard to see reproduced especially with shadow of building, but they're there. Let me know thoughts. Thanks  
Josh