

**ZONING REQUEST DENIAL
CERTIFICATE OF APPROPRIATENESS**

City of Burlington, Vermont
Department of Planning and Zoning

Application Date: 02/29/2016

Appeal Expiration Date: 03/25/2016

Project Location: 100-102 NORTH UNION STREET

District: RM

Owner: Gary W. Laplant

Ward: 2C

Address: 44 Birch Lane
Milton, VT 05468

Tax ID: 044-3-226-000

Project Type: Residential - Renovation/Facade

Project Description: Convert 200 sq ft of existing attached shed to living space.

Construction Cost:	\$10,000	Lot Size (Sq Ft):	5,261
Net New Habitable Sq Ft:	200.00	Net New # of Housing Units:	0
Existing % Lot Coverage:	0.00	Existing # of Parking Spaces:	0
Proposed % Lot Coverage:	0.00	Proposed # of Parking Spaces:	0
Net New % Lot Coverage:	0.00	Required # of Parking Spaces:	0

Zoning Permit #: 16-0888CA

Decision By: Administrative

Level of Review: 1

Decision: Denied

See Reasons for Denial

Decision Date: March 10, 2016

Project File: NA

Zoning Administrative Officer

An interested person may appeal a decision of the Zoning Administrator to the Development Review Board until 4 pm on March 25, 2016.

Fee Type	Amount	Paid in Full	Balance Due: \$0.00
Application Fee:	\$80.00	Yes	Date Paid: _____
Development Review Fee:	\$0.00	NA	Check # _____
Impact Fee:	Not Applicable		

Building Permit Required: **Not Applicable**

Received by: _____

Date: _____
mailed 3/10/16
amt



Department of Planning and Zoning

149 Church Street, City Hall
Burlington, VT 05401-8415
Phone: (802) 865-7188
Fax: (802) 865-7195

www.burlingtonvt.gov/pz

RECEIVED
FEB 29 2016

DEPARTMENT OF
PLANNING & ZONING

Zoning Permit Application

Use this form for ALL zoning permit applications. See the relevant checklist for specific requirements.

PROJECT LOCATION ADDRESS: 100 - 102 North Union Street

PROPERTY OWNER*: Josh Tyrowicz-Cohen

APPLICANT: SAME

*If condominium unit, written approval from the Association is also required

POSTAL ADDRESS: 42 Fairmount St

POSTAL ADDRESS:

CITY, ST, ZIP: Burlington, VT 05401

CITY, ST, ZIP:

DAY PHONE: 802-522-0526

DAY PHONE:

EMAIL: joshwate@gmail.com

EMAIL:

SIGNATURE: [Signature]

SIGNATURE:

I am the owner. In addition, I duly authorize the applicant (if noted) to act on my behalf for all matters pertaining to this zoning permit application.

Description of Proposed Project: Convert 200 sq ft of existing attached shed to living space

Existing Use of Property: [] Single Family [x] Multi Family: # 2 Units [] Other:

Proposed Use of Property: [] Single Family [x] Multi Family: # 2 Units [] Other:

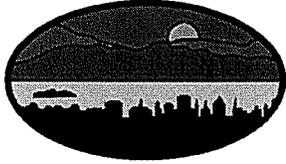
- Does your project involve new construction, addition, alteration, renovation, or repair to a structure that is heated or cooled? Yes [] No [x]
Will 400 sq ft or more of land be disturbed, exposed and/or developed? Yes [] No [x]
For Single Family & Duplex, will total impervious area be 2500 sq ft or more? Yes [] No [x]
Are you proposing any work within or above the public right of way? Yes [] No [x]

Estimated Construction Cost (value)*: \$10,000 -

(*Estimated cost a typical contractor would charge for all materials and labor, regardless of who physically completes the work)

Within 30 days of submission, the permit application will be reviewed for completeness, and, if complete, will be processed administratively or referred to a board for review. All permit approvals or denials are subject to an appeal period (15 days for administrative permit; 30 days for board permit). A building (and/or electrical, mechanical, plumbing, curb cut) permit will also be required. Contact the Department of Public Works at 802-863-9094 to inquire. Please ask for assistance if you have any questions about filling out this form. Call the Planning and Zoning at 802-865-7188, or visit the office in the lower level of City Hall, 149 Church Street.

Office Use Only: Zone: RM Eligible for Design Review? 4 Age of House 1870 Lot Size 5261
Type: SN AW FC BA COA 1 COA 2 COA 3 CU MA VR HO SP DT MP
Check No. 1285 Amount Paid \$80. Zoning Permit # 16-0888CA



City of
Burlington, Vermont
149 Church Street

Zoning Permit - COA Level I – Reasons for Denial

ZP #: 16-0888CA

Tax ID: 044-3-226-000

Issue Date: March 10, 2016

Decision: Denied

Property Address: 100-102 NORTH UNION STREET

Description: Convert 200 sq ft of existing attached shed to living space.

Reasons for Denial:

1. **Section 5.2.5 Setbacks**

(b) **Exceptions to Yard Setback Requirements:**

4. **Accessory Structures and Parking Areas.**

Accessory structures no more than fifteen feet in height, parking areas, and driveways may project into a required side and rear yard setback provided they are no less than five (5) feet from a side or rear property line where such a setback is required.

The proposed parking plan on the submitted site plan does not meet the required 5' minimum side yard setback. **Adverse finding.**

2. Scaled plan appear inaccurate (site plan scales lot width as 61'; tax maps identify lot width as 56.32'). No survey was provided to confirm parking adequacy or required setbacks on the parcel. **Adverse finding.**

3. **Article 5, Part 3: Non-Conformities**

The applicant has not satisfactorily demonstrated that the parking plan as illustrated on the submitted site plan has previous zoning approval, or been in existence continuously for more than 15 years and therefore may lawfully continue subject to the provisions of this part.

4. Analysis of photographic documentation illustrates parking over property boundary lines. A property owner secured Zoning Permit 11-0343FC "to keep people from crossing drive;" providing confirmation of the problem and an attempt to cease the practice. **Adverse finding.**