

Alan Bjerke

December 21, 2020

Mary O'Neil
Burlington Permitting and Inspections
Zoning Division
654 Pine Street
Burlington, VT 05401

Re: Zoning Application: 14 Strong St
ZP 21-0536CA/CU

Dear Mary,

I have had the opportunity to review the revised plans for this proposal, dated December 10, 2020. While I appreciate that the applicant has moved the western edge of the second floor addition at the rear of their building away from our property line, it is not acceptable to propose the development of a deck on our property, without our permission. I am writing to oppose the above referenced zoning application for 14 Strong St as currently proposed. I wish to raise the following objections/concerns:

1. The applicant proposes to build on our land, without our permission. The approved site plan in ZP20-0914CA shows the encroachment by the building at 14 Strong St to be 3 feet onto the property of 4-8 Strong Street. Our property boundary with 14 Strong St is located under the applicant's building. The request to expand their building on our land is without our permission. At issue is the proposal to construct a 2nd floor deck over the one story portion of the building at the rear (northerly) portion of the building. The issue is not whether they can expand an existing non-conformity vertically. It is whether they can develop onto (or over) the land of another without their permission. They may still build a second story and/or deck over the one story portion on the rear of building which is on their land, but we oppose their proposal to expand the existing non-conformity by adding a deck over our land, as currently proposed.

2. The revised proposal will still require removal of mature trees on our property, without our permission. While the permit application does not so state, the construction as proposed by the applicant will require that several mature trees which are on our property would need to either be removed, or cut back so severely that they would never survive. The trees are located in the north-eastern corner of our lot and overhang the applicant's building (on our property) at their north-western corner by about 5 feet. This is only necessitated by the construction of a deck area over the one story portion of the building to the rear, along the existing westerly wall. If the proposed 2nd floor deck were eliminated, (ie. The proposed development over our property boundary) it would not be necessary to remove or kill the trees located on our property. These trees provide essential privacy to the residents of our building in this very tight quarters community. We do not agree to their removal.

Furthermore, as detailed above, the proposal to install a deck over the existing single story rear

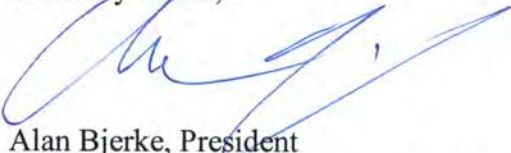
portion of the building all the way to the existing structure's western edge will have an undue adverse impact on our property neighboring to the west, as described in BZO 5.3.5(a)(1)(ii).

Thank you very much for considering our perspectives in connection with this proposed development. I believe that with appropriate redesign to accommodate for our concerns, the applicants can still make a substantial improvement to their building. I would appreciate the opportunity to learn of and comment on any proposed re-designs as the project works its way through the permitting process

If I can be of any further assistance to you, please do not hesitate to contact me.

Thank you very much.

Sincerely Yours,



Alan Bjerke, President
Champlain Heights Condominium Association

