

RECEIVED

MAR 02 2015

Nathan Caswell  
27 Arlington Court  
Burlington, VT 05408  
802-488-4063

DEPARTMENT OF  
PLANNING & ZONING  
nathan@nathancaswell.com

March 2, 2015

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

Dear Sir/Madam

**SUBJECT: CONDITIONAL USE ZONING PERMIT APPLICATION  
FOR 27 ARLINGTON COURT**

Please consider the following information in support of an application for conditional use as an owner-occupied Bed and Breakfast in my home at 27 Arlington Court.

**Proposed Use**

I propose to list on the website AirBnB.com one bedroom to rent for temporary stays. Maximum occupancy for the room would be two guests. The maximum duration of a temporary stay would be seven nights. Renters would occupy the bedroom for the duration of their stay, and they would have access to the common areas of the home, including the bathroom, kitchen, dining room, living room and back yard. This proposal involves no alteration to any existing structure or land.

**Days and Hours of Operation**

Rental availability would be "at will," meaning that the room will not always be available to rent. I anticipate that the room would be occupied an average of 2 or 3 nights per week, or between 100 and 150 nights per year. Check in time would be after 5PM. Check out time would be before noon. Check in and check out times will be flexible to accommodate guest needs.

**Number of Employees**

This business will be owner-occupied and owner-operated. There will be no employees.

RECEIVED  
MAR 9 2011  
DEPARTMENT OF

**Traffic Generation and Parking**

This use would generate one passenger vehicle traveling to and from the property per day of rental. This traffic would be consistent with the residential traffic in this neighborhood – akin to the coming and going of friends, family, or houseguests. There is off-street parking for up to four vehicles on this property. The driveway on this property is ~56’x10’ (156 square feet) and can accommodate three vehicles. A garage at the top of the driveway can accommodate one additional vehicle. I have attached a drawing labeled 27 Arlington Court - Parking.

**Floor Plans**

This proposal involves no alteration to the existing floor plan of the home. The dimensions of the guest bedroom are 10’x12’. All facilities within the dwelling unit, including bathroom and kitchen facilities are accessible to the occupants without passing through any bedroom. I have attached a floor plan, indicating the location and dimensions of the guest bedroom.

**Additional Information**

This proposal does not involve any exterior signage. This home is equipped with hardwired interconnected smoke and carbon monoxide detectors. I have spoken with Ned Holt at the Department of Public Works, and he indicated that there are no additional safety systems required for this proposed use.

Thank you for your consideration of this application. I’m happy to answer any questions or to provide any additional information you might require.

Sincerely,



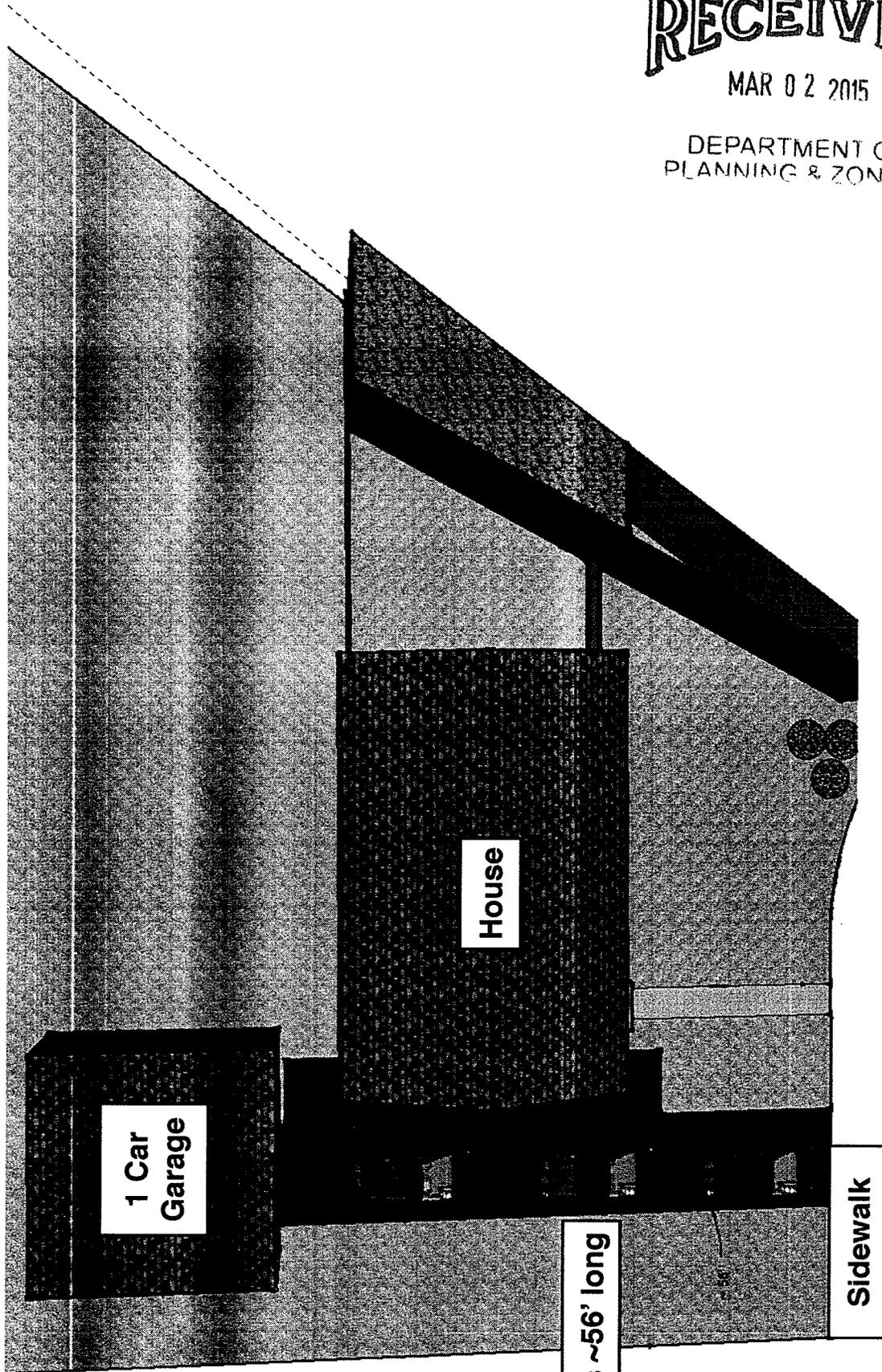
Nathan Caswell

# 27 Arlington Court - Parking

RECEIVED

MAR 02 2015

DEPARTMENT OF  
PLANNING & ZONING



1 Car  
Garage

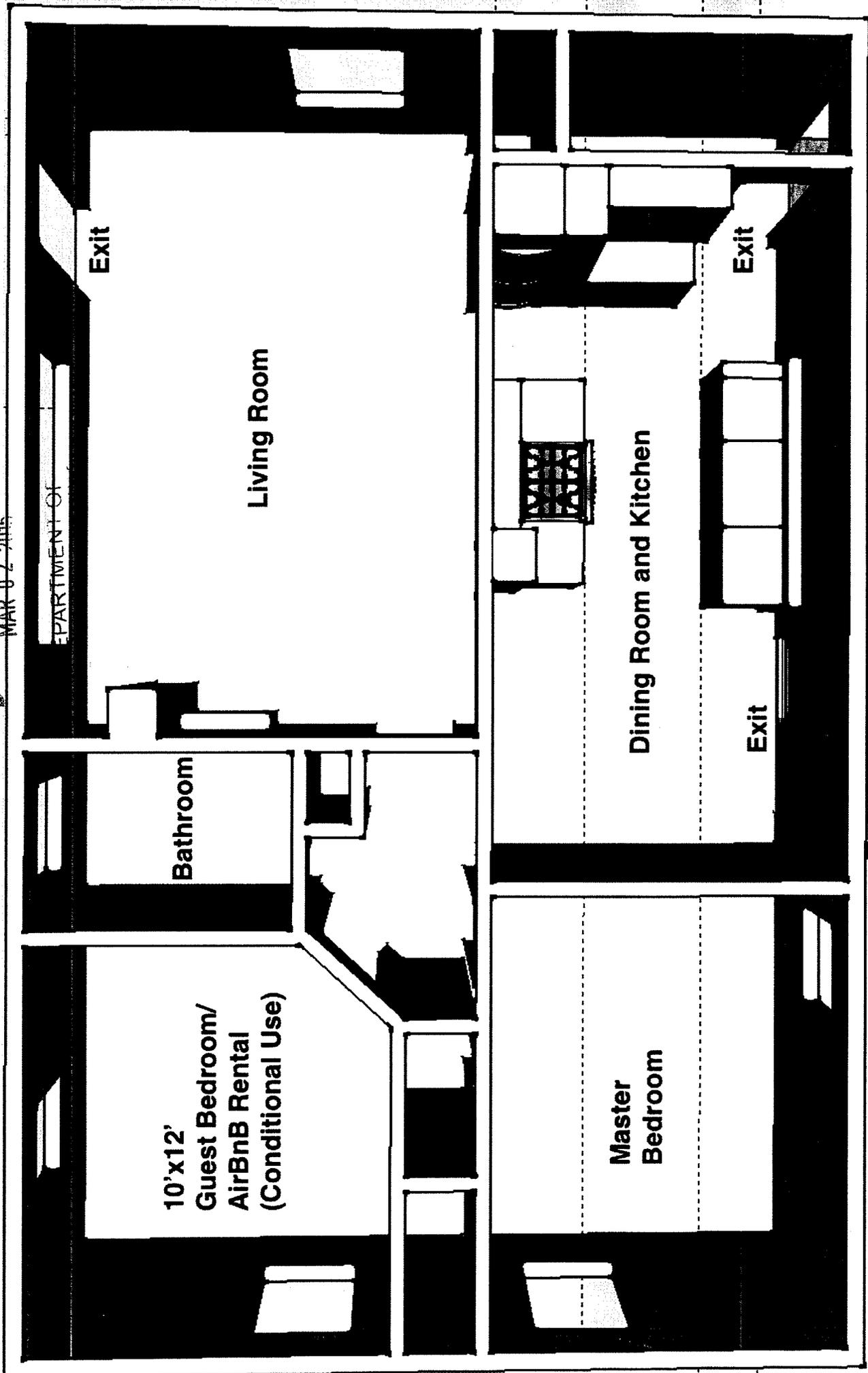
House

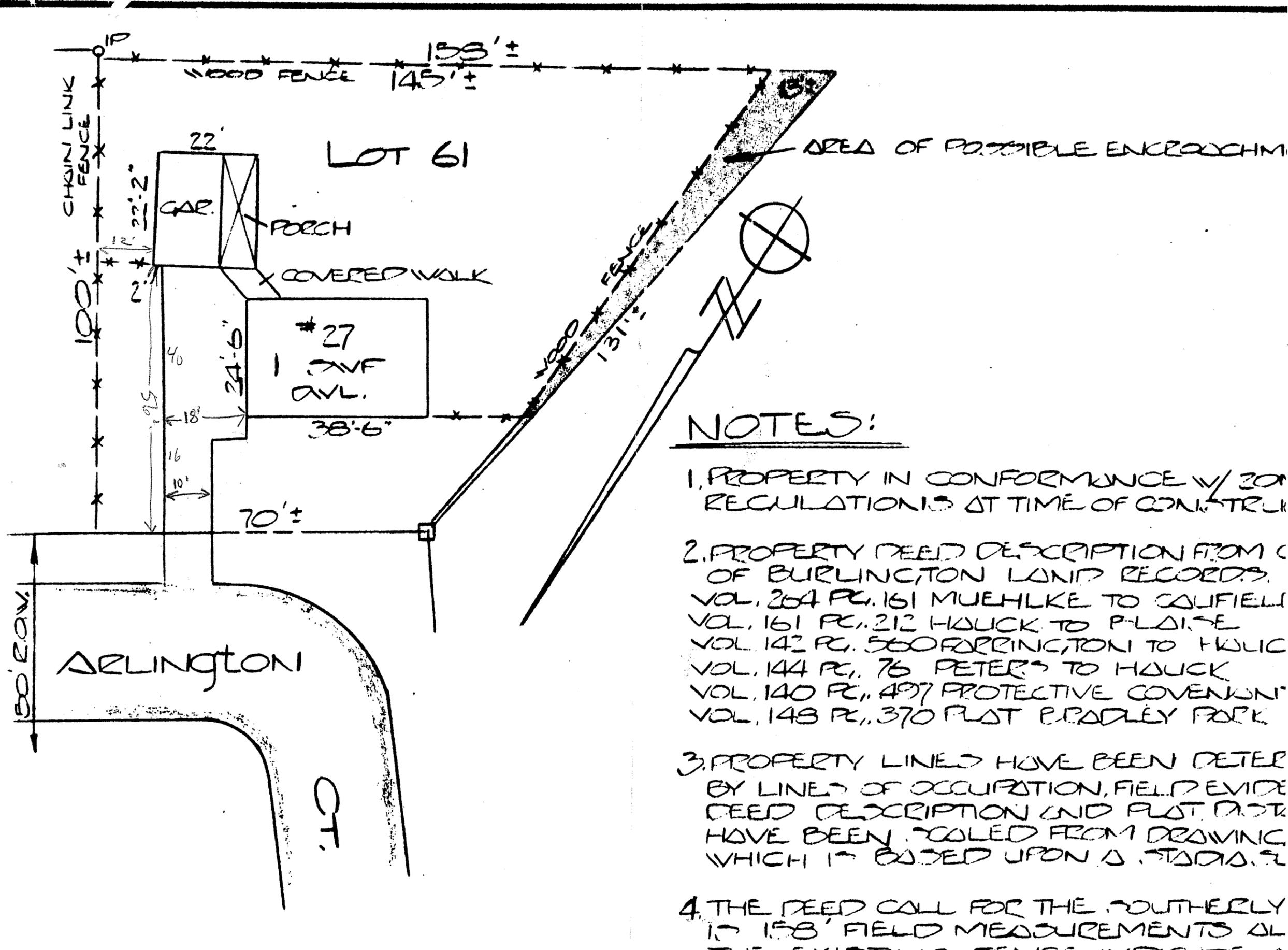
Driveway is ~56' long

Sidewalk

**RECEIVED**

MAR 02 2015





LOT 61

AREA OF POSSIBLE ENCROACHMENT

NOTES:

1. PROPERTY IN CONFORMANCE W/ ZONING REGULATIONS AT TIME OF CONSTRUCTION
2. PROPERTY DEED DESCRIPTION FROM C. OF BURLINGTON LAND RECORDS:  
 VOL. 264 PG. 161 MUEHLKE TO CALFIELD  
 VOL. 161 PG. 212 HAUCK TO PLOISE  
 VOL. 142 PG. 560 FARRINGTON TO HALLIC  
 VOL. 144 PG. 76 PETER'S TO HAUCK  
 VOL. 140 PG. 497 PROTECTIVE COVENANT  
 VOL. 148 PG. 370 PLAT BRADLEY PARK
3. PROPERTY LINES HAVE BEEN DETERMINED BY LINES OF OCCUPATION, FIELD EVIDENCE, DEED DESCRIPTION AND PLAT DATA HAVE BEEN COPIED FROM DRAWING WHICH IS BASED UPON A STADIA SURVEY
4. THE DEED CALL FOR THE SOUTHERLY IS 158' FIELD MEASUREMENTS OF THE EXISTING FENCE INDICATE A

BURLINGTON ZONING BOARD OF ADJUSTMENT  
STAFF COMMENTS  
March 28, 1988

LOCATION: 27 Arlington Court  
ZONE: R6

REQUEST: Conditional Use for home occupation for a youth  
home hostel

COMMENTS:

- Rehearing required under Conditions of Approval August 24, 1987.
- One general objection was received.
- Another objection was specified regarding:
  1. The lack of parking;
  2. A commercial use in a residential zone; and
  3. Lack of site upkeep particularly in reference to a fence. In addition a nuisance complaint was included regarding a dog - however, this is not a zoning issue and should be referred to the police or animal control authority.

Recommendation:

In order to meet the requirements of a home occupation staff recommends that if approved the following conditions should be applied:

1. The number of "guests" with vehicles shall be limited to one per night;
2. The subject site shall be fenced along all adjacent side and rear yards with a fence that adequately screens the subject site; and
3. This approval is valid for a period not to exceed six (6) months from date of action and shall be re-considered by the Zoning Board of Adjustment.

FINDINGS OF FACT  
BURLINGTON ZONING BOARD OF ADJUSTMENT

IN RE: 27 Arlington Court, Nancy Lee Farrell

Hearing was held August 10, 1987 before Board Chair Mary Gade and members Michael Long, Adele Dienno, L. Randolph Amis, and Herman Thomas. At issue was the request by Nancy Lee Farrell for conditional use approval to establish a youth home hostel in an R-6 zone at 27 Arlington Court under the provisions of Amendment #87-02 to Section 27 of Appendix A, Burlington Code of Ordinances.

EVIDENCE PRESENTED

"I respectfully request continuation of the American Youth Home Hostel that I previously had in Colchester for 11 years. A home hostel allows those who belong to the American Youth Hostel Association or the International Youth Hostel Association to spend the night at an inexpensive dormitory or home lodging. In my basement I have 2 bedrooms, (9' x 15' each) one each for boys and girl, a bathroom with shower will be built, and there is a common room, approx, 14' x 9', for relaxing and having snacks. There are hostel rules, including no use of alcohol or drugs, lights out at 11:00, helping the hostel manager with a small chore, and not remaining in the hostel between 9:00 a.m. and 5:00 p.m. In the 1 years that I have had a ostel, I have never had a problem of anyone breaking these rules. Hostellers are most often bicyclists or backpackers, and occasionally skiers. In general, they are considerate, healthy, independent and resourceful people whom I have come to greatly admire and respect. Not once did I have a complaint from my neighbors in Colchester. On the contrary, my neighbors enjoyed meeting and talking with these international visitors.

"There is adequate parking in the driveway for those few hostellers who arrive by car."

Two letters from former neighbors of Farrell's in Colchester were entered into the record.

"My name is Armand Greenough Jr. and I've lived next door to Mrs. Nancy Farrell for at least 10 years. The homes are about 20 ft. apart.

"Mrs. Farrell has had bikers and other youth hostellers staying with her for one or more nights and they have never given me any problem. Most of the time you would not know that they are there."

From Barbara and Daniel Dorso the following: "We have lived behind Nancy Farrell for 6 years with our houses approximately 50' apart. During that time Nancy has had a Youth Hostel in her home.

"We have never been disturbed by the hostellers and on the contrary, have enjoyed some interesting conversations with them.

Nancy was always considerate of the neighbors in that the hostellers comings and goings were never noticed by anyone unless you happened to see them on their bicycles.

"We believe that Nancy Farrell and the Youth Hostel program provide a beneficial service in promoting the most positive aspects of the American people while giving visitors an alternative form of vacation."

Nancy Farrell indicated to the Board that the space to be used consists of two 9' x 15' bedrooms, one each for boys and girls, plus a 9' x 15' common room for a total space of 405 square feet.

The application was made as a home occupation and Farrell stated that ordinarily home hostels are not subject to zoning. She applied for a building permit to install a bathroom and was referred to the Planning Office for the applicable zoning permit by the building inspector.

The maximum number of guests per night would be six although most nights there would be less. The hostellers would be required to be out of the home between 9:00 a.m. and 5:00 p.m. Arrivals by car are sporadic but not expected to exceed two to three per night. Parking is available for four cars. In addition, a neighbor has offered use of her driveway for parking.

Eileen McGinley of 11 Arlington Court told the Board that Farrell is a teacher with an outstanding reputation. She supports the proposal.

Tony Trombley of 293 Colchester Avenue has met Farrell several times and offered a supportive character reference.

Wayne Goss of 56 Arlington Court for thirty-three years addressed the Board. Ten of the twenty homes on the street are occupied by retired couples and he would not like to see the tranquility of the street disrupted.

Gilbert Bosterle of 35 Arlington Court asked the Board if approval were granted if there could be a review in six months followed by another review one year later.

Reginald Lessor of 47 Arlington Court reiterated Bosterle's request for a review in six months. He asked if Farrell were full if requests from additional hostellers needing lodging would be denied. Farrell answered that they would be referred elsewhere.

Paul Cattieu of 34 Arlington Court asked if a condition could be placed on approval stipulating that the permit is issued to the applicant only and does not run with the property.

Jerry Tomlinson does a lot of backpacking and has stayed in hostels. They require a reservation and the men and women are separated. His experience has been that hostellers are very quiet and interested only in a good night's sleep. Many professionals use hostels.

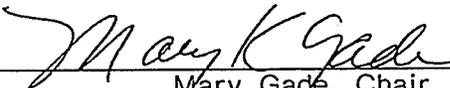
Farrell explained that she will be a designated home hostel which are generally located in residential neighborhoods and are part of the home. There are eight hostels in Vermont. Her motives are not financial as she only charges \$6.00 per night.

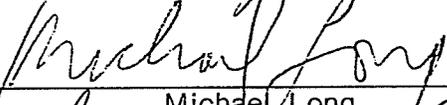
FINDINGS AND ORDER

Approval is granted for six months for an American Youth Home Hostel for not more than six guests with a maximum of two cars as a home occupation. The approval is specific to the applicant, does not run with the property, and is not transferable.

Dated at Burlington, VT this 24<sup>th</sup> day of August, 1987.

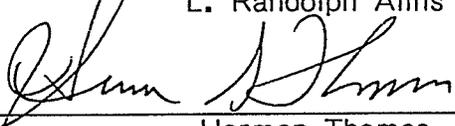
ZONING BOARD OF ADJUSTMENT

  
\_\_\_\_\_  
Mary Gade, Chair

  
\_\_\_\_\_  
Michael Long

  
\_\_\_\_\_  
Adele Dienno

  
\_\_\_\_\_  
L. Randolph Amis

  
\_\_\_\_\_  
Herman Thomas