

**ZONING PERMIT
CERTIFICATE OF APPROPRIATENESS**

City of Burlington, Vermont
Department of Planning and Zoning

Application Date: 06/06/2016

Appeal Expiration Date: 10/08/2016

Project Location: 80 COLCHESTER AVENUE

District: I

Owner: Randall A. Miller

Ward: 1E

Address: 1201 SPEAR ST

Tax ID: 045-4-018-000

S. BURLINGTON VT 05403

Project Type: Institutional - Lot Line Adjustment

Project Description: Lot Line Adjustment for 80 Colchester Ave, 27 Fletcher Pl, and 49 Fletcher Pl.

Construction Cost:	\$0	Lot Size (Sq Ft):	147,528
Net New Habitable Sq Ft:	0.00	Net New # of Housing Units:	0
Existing % Lot Coverage:	23.20	Existing # of Parking Spaces:	14
Proposed % Lot Coverage:	7.50	Proposed # of Parking Spaces:	14
Net New % Lot Coverage:	-15.70	Required # of Parking Spaces:	5

Zoning Permit #: 16-1400LL

Decision By: Administrative

Level of Review: 3

Decision: Approved

See Conditions of Approval

Decision Date: September 23, 2016

Project File: NA

Review: Preliminary and Final Plat Review

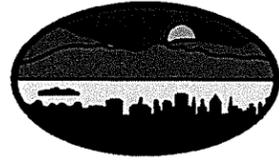
Zoning Administrative Officer

An interested person may appeal a decision of the Zoning Administrator to the Development Review Board until 4 pm on October 8, 2016.

Fee Type	Amount	Paid in Full	Balance Due: \$0.00
Application Fee:	\$100.00	Yes	Date Paid: _____
Development Review Fee:	\$0.00	NA	Check # _____
Impact Fee:	Not Applicable		

Building Permit Required: **Yes**

Permit Received by: _____ Date: _____



Zoning Permit - COA Level III – Conditions of Approval

ZP #: 16-1400LL

Tax ID: 045-4-018-000

City of
Burlington, Vermont
149 Church Street

Issue Date: September 23, 2016

Decision: Approved

Property Address: 80 COLCHESTER AVENUE

Description: Lot Line Adjustment for 80 Colchester Ave, 27 Fletcher Pl, and 49 Fletcher Pl.

Project Permit Conditions:

1. The final plat/mylar shall be filed in the land records within 180 days of this decision. Failure to do so will render the final plat approval null and void.

Standard Permit Conditions:

1. **Other City, State or Federal Permits.** The owner is solely responsible for obtaining all other required City, state and federal approvals. Failure to do so may invalidate this Zoning Permit and result in enforcement actions.
Note: All projects receiving a Zoning Permit also require a Construction Permit or written confirmation that a Construction Permit is not required from Department of Public Works-Inspection Services Division (DPW-ISD). All construction permits must be closed out by way of approved inspections by DPW-ISD before issuance of a Unified Certificate of Occupancy (UCO) by the Code Enforcement Office as per Condition 3, below.
2. **Time Limits.** This zoning permit shall become invalid unless work or action authorized by the permit is commenced by **September 23, 2017**. The owner shall complete the approved project and obtain a UCO (combined Zoning and Building certificates of occupancy, still applicable even if a zoning or building permit was not required) by **September 23, 2018**, or be subject to enforcement actions.

These time limits are binding upon the owner unless one of the following apply: a) longer or shorter time limits are specifically imposed by a condition of approval; or b) the time limits are tolled by additional state or federal permitting for the project or by an appeal; or c) an extension of time has been granted. An extension of time must be requested in writing PRIOR to the expiration of the permit. If the owner has enacted the permit and it lapses, the owner may be responsible to obtain a new zoning permit, if required, which shall be subject to the current Comprehensive Development Ordinance (CDO).
3. **Unified Certificate of Occupancy (UCO):** It shall be unlawful to use or occupy (or allow the use or occupancy of) any land or structure or part thereof which has been created, changed, converted, or wholly or partly altered or enlarged in its use or structure without a UCO.

If the project is partially completed, meets "prior to issuance of a UCO" conditions of approval, meets all health and safety standards, and all municipal fees for the project are paid, a Temporary

Zoning CO may be requested and issued. **Upon completion of the project**, applicant shall request and obtain a Final UCO from the Code Enforcement Office (located at 645 Pine Street). Additional information on how to request and obtain this UCO is available at this office. **Failure to obtain a certificate of occupancy** places the property in violation of the CDO and is subject to enforcement.

In addition, **Failure to obtain a UCO within the time limits above is subject to** “after the fact” fees ranging from \$75 - \$1500 (in addition to the UCO fee).

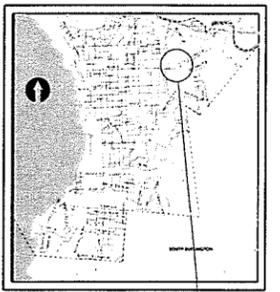
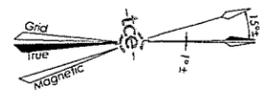
4. **Project Modifications.** The project shall be completed as shown on the plans, which have been stamped “approved” and dated by the administrative officer. The project shall not deviate from the approved plans or conditions of approval without prior written approval from the administrative officer.
5. **Property Inspection.** By acceptance of this permit, the owner authorizes City Officials and/or their authorized representatives, access to the subject property for the purpose of observing work in progress, inspecting and/or measuring the property or improvements until such time the project has been issued a Final UCO.
6. **Completion and Maintenance of Improvements and Landscaping.** Owner or successor in interest is responsible for completing all improvements shown on approved plans. By acceptance of this permit, Owner agrees to maintain all improvements in a satisfactory condition. Any landscaping installed according to the approved plan which becomes diseased or dies shall be replaced by similar species and size no later than the first available planting season.
7. **Off-Site Drainage.** Issuance of this permit does not authorize the discharge of stormwater runoff or other surface drainage from the subject premises onto adjoining property or properties including but not limited to the public Right of Way.
8. **Errors.** The owner is solely responsible for the accuracy of all information contained in the Zoning Permit application. Any errors contained therein may invalidate the Zoning Permit and may result in enforcement action by the City.
9. **Transfer of Ownership. All zoning permits run with the land.** In the event of a transfer of ownership, partial or whole, of the subject premises, the transferee shall become permittee and subject to compliance with the terms and conditions of this permit.
10. **Violations/Penalties.** A violation of any of the conditions of this permit or of any provision of the CDO may result in enforcement actions, including but not limited to a penalty of up to two hundred dollars (\$200) per day, municipal tickets, and/or additional permitting fees.
11. **Incorporation and Reference of All Plans Presented.** This approval incorporates by reference all plans and drawings presented and all verbal representations by the applicant on the subject application to the extent that they are not in conflict with other stated conditions or regulations.
12. **For Properties Involved in Boundary Disputes.** Boundary disputes are not within the jurisdiction of the administrative officer or the Development Review Board. When an application is submitted and the boundary of the subject property is called into question, the boundary will be determined based upon the best evidence available, for instance a survey or other official document. If a permit is issued and contrary evidence is presented to the City after the fact, such as a survey or Superior Court ruling with respect to the boundary lines, the permit may be amended or revoked by the City. If the permit is amended or revoked, owner shall bear all costs to remedy the situation, including removal of the structure(s) if necessary, that is if the structure(s) is/are unable to meet the

requirements of the CDO and receive an amended permit in light of the actual boundary line.

13. **Damage to City Property.** The Owner is responsible for any damage to the City of Burlington's property, including but not limited to its right-of-way, sewer/water lines, etcetera, that occurs during the site improvements authorized by this permit. If damage occurs, the Owner shall restore the property to a condition equal to or better than the condition of the property prior to such damage.
14. **City Rights-of-Way and Ownership.** Permit approval does NOT authorize any work to be undertaken within the public ROW. Any work in the ROW can only occur with prior authorization by DPW and City Council, as required. Any work or improvements that are taken within the City's right of way does not diminish the City's ownership or authority regarding said right of way.
15. **Liquor License Required.** An approval of any use that includes the sale of alcoholic beverages is contingent upon the receipt of a liquor license from the City of Burlington or the State of Vermont, whichever is applicable.

Approval of this lot line adjustment plat does not constitute the creation of a separate parcel or lot. It adjusts the physical location of the common boundary of the adjoining parcels or lots. This lot line adjustment has been approved by: *M. O'Neil*
 City of Burlington Administrative Officer/ Assistant Administrative Officer
 Date: *9/23/16* Zoning Permit # *2876-1400LL*

BURLINGTON CITY CLERK'S OFFICE
 RECEIVED FOR RECORD
 of _____ o'clock _____ minutes _____ m
 and recorded in plat hanger # _____
 Attest: _____ City Clerk



PROJECT LOCATION

LEGEND

- REBAR (TO BE SET)
- IRON PIPE
- CONCRETE MONUMENT (FOUND)
- CONCRETE MONUMENT (TO BE SET)
- △ CALCULATED POINT
- TREE LINE
- WETLAND LIMIT
- BARBED WIRE FENCE
- STONE WALL
- CURVE DATA TABLE REFERENCE
- LINE DATA TABLE REFERENCE

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 SEP 23 2016



NOTES:

- THIS PLAT IS BASED ON DEEDS RESEARCHED IN THE CITY OF BURLINGTON LAND RECORDS AND A CLOSED FIELD TRAVERSE CONDUCTED WITH A TOTAL STATION ON 6/16/16. VERMONT STATE PLANE GRID NORTH ESTABLISHED WITH RTK OBSERVATIONS FROM VERMONT CORS STATION VTUV.
- REBAR SET ARE NO. 5 REINFORCING BARS WITH ALUMINUM CAPS STAMPED TRUDELL CONSULTING ENGINEERS, L.L.C. DISTANCES ARE SHOWN TO THE HUNDRETH OF A FOOT AND BEARINGS ARE SHOWN TO THE SECOND FOR MATHEMATICAL CLOSURE PURPOSES ONLY.
- AN ATTEMPT HAS BEEN MADE TO IDENTIFY OR DELINEATE EASEMENTS, RIGHTS OF WAY, LEASE LANDS, ENCROACHMENTS, ETC. OBSERVED IN THE FIELD OR READILY FOUND IN THE LAND RECORDS. ADDITIONAL ENCUMBRANCES MAY EXIST WHICH ARE NOT SHOWN ON THIS PLAT.
- UNDERGROUND UTILITY LINES SHOWN ARE BASED ON ABOVE GROUND STRUCTURES AND PLANS OF RECORD. ACTUAL LOCATION OF UNDERGROUND LINES MAY VARY.
- FLETCHER PLACE IS FORTY FEET WIDE AND WAS CONVEYED TO THE CITY OF BURLINGTON AS DESCRIBED IN VOLUME 51 PAGE 413 AND VOLUME 74 PAGE 435.

PLAT REFERENCES:

- "BOUNDARY SURVEY, SISTERS OF MERCY OF THE DIOCESE OF BURLINGTON, VERMONT" DATED JANUARY 21, 1999 BY KREBS & LANSING CONSULTING ENGINEERS, INC. AND RECORDED IN MAP SIDE 341-C OF THE CITY OF BURLINGTON LAND RECORDS.
- "PLAN OF PROPERTY OF FRED G. WEBSTER ESTATE" DATED DEC. 1947 BY ARTHUR W. HOAG & ASSOCIATES AND RECORDED IN V. 127, PAGE 484 OF THE CITY OF BURLINGTON LAND RECORDS.
- "BOUNDARY PLAT, PAUL J. MAYER (TAX MAP 45-4, LOT 14), ALEX JOHN (TAX MAP 45-4, LOT 15), 60-64 COLCHESTER AVE., BURLINGTON, VT DATED 10-25-07 BY THIS OFFICE.
- "PARCEL OF LAND ADDED TO #80 COLCHESTER AVE., BURLINGTON, VERMONT" DATED FEB. 1944 BY HOAG, STONE & ASSOCIATES AND RECORDED IN V. 120, P. 660 OF THE CITY OF BURLINGTON LAND RECORDS.
- "PLAN SHOWING DIVISION OF PROPERTY OF W.K. & NETHER, WARNER, BURLINGTON, VT DATED APRIL 19, 1956 BY HOAG & ASSOCIATES, INC. AND RECORDED IN V. 138, P. 235 OF THE CITY OF BURLINGTON LAND RECORDS.
- PAGE 49 OF THE "LOIS & STREET VOLUME
- "PROPERTY SURVEY, IRA ALLEN SCHOOL, COLCHESTER AVE., BURLINGTON, VERMONT" DATED 6-16-80 BY ENGINEERS INCORPORATED OF VERMONT AND RECORDED IN MAP SIDE 110 OF THE CITY OF BURLINGTON LAND RECORDS.

Table 4.4.4-1 Dimensional Standards and Density

Districts	Max. Intensity	Max. Lot Coverage	Building Setbacks (feet)			Max. Height (feet)
			Front	Side	Rear	
Institutional	20 du/acre (24 du/acre with inclusory req.)	40% (48% with inclusory req.)	Minimum: 15-foot	10% of lot width Min: 5-ft Max required: 20-foot	25% of lot depth Min: 20-foot Max required: 75-foot	35'

INSTITUTIONAL DISTRICT (I) DIMENSIONAL STANDARDS AND DENSITY

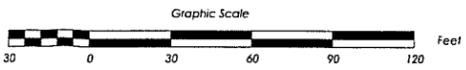
PROPOSED PARCEL T.M.#	MAX DENSITY	MAX LOT COVERAGE	BUILDING SETBACKS			MAX. HEIGHT	LOT SIZE
			FRONT	SIDE	REAR		
045-4-018	NO CHANGE	7.50%	7'	8'	75'	NO CHANGE	147,528 SF (3.38 ac)
046-2-006	NO CHANGE	36.11%	15'	5'	26'	NO CHANGE	9,544 SF (0.22 ac)
045-4-023	NO CHANGE	16.20%	7'	20'	26'	NO CHANGE	15,000 SF (0.34 ac)

LINE TABLE DATA

LINE	BEARING	DISTANCE
L1	N 00°47'55" W	11.18'
L2	N 00°47'55" E	13.58'
L3	S 59°56'45" W	10.26'
L4	S 60°02'31" W	13.27'
L5	N 59°33'04" E	48.59'
L6	S 68°22'02" W	11.77'
L7	N 46°25'44" W	3.96'
L8	S 31°30'34" E	16.07'

CURVE DATA TABLE

CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH	DELTA ANGLE
C1	30.85'	22.50'	S 82°50'46" W	28.49'	78°33'00"
C2	39.07'	22.50'	S 06°10'26" E	34.34'	99°29'25"



PER CITY COMMENTS 08/24/16 MAD
 ADD ZONING SIG & PARKING NOTE 6/27/16 MAD

**BOUNDARY LINE ADJUSTMENT PLAT
 COLCHESTER AVENUE HOUSING**

80 COLCHESTER AVE.; 27 FLETCHER PLACE AND
 49 FLETCHER PLACE

TRUDELL CONSULTING ENGINEERS
 478 BLAIR PARK ROAD | WILLISTON, VERMONT 05495 802.879.4331 | WWW.TCEVT.COM

Date: 07/10/16
 Scale: 1" = 30'
 Project Number: 16-077
 Drawn By: MAD
 Surveyed By: JMM
 Date of Survey: MAD
 Field Book: 336
 Crg file: 16-077
 Sheet: **C1-02**

This is an original inkjet on mylar.



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

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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: 80 Colchester Ave.
PROPERTY OWNER*: EB von Turkovich, FJ von Turkovich
APPLICANT: Jericho Management Company, LLC
POSTAL ADDRESS:
CITY, ST, ZIP:
DAY PHONE:
EMAIL:
SIGNATURE: [Handwritten Signature]

Description of Proposed Project: Boundary line adjustment and merger.

Existing Use of Property: [] Single Family [] Multi Family: # ___ Units [X] Other: Office
Proposed Use of Property: [] Single Family [] Multi Family: # ___ Units [X] Other: Office

- 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)*: \$ 0
(*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).

Office Use Only: Zone: I Eligible for Design Review? 4 Age of House 1580 Lot Size 9294
Type: SN AW FC BA COA 1 COA 2 COA 3 CU MA VR HO SP DT MP
Check No. 9068 Amount Paid \$100. Zoning Permit # 16-1400LL

FJ von Turkovich
300 Swift St.
S. Burlington, VT 05403

Randall A. Miller
1201 Spear St.
S. Burlington, VT 05403

EB von Turkovich
41 Brewer Parkway
S. Burlington, VT 05403

June 1, 2016

David White, Director
CITY OF BURLINGTON DEPARTMENT OF PLANNING AND ZONING
149 Church St., City Hall
Burlington, VT 05401 – 8415

Re: Boundary Line Adjustment
80 Colchester Ave.

Dear Mr. White:

We are writing to request approval of a boundary line adjustment between our property located at 80 Colchester Ave. and the following properties:

27 Fletcher Place
Owned by Edward B. von Turkovich, 72 Colchester Avenue LLC and Francis J. von Turkovich

and

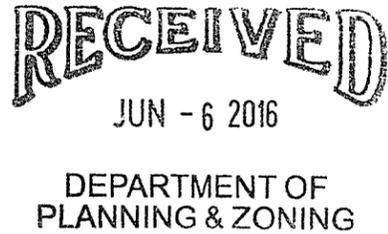
49 Fletcher Place
Owned by Nancy Reid

The boundary line adjustment will entail the following:

- a. Elimination of the boundary between our property at 80 Colchester Ave. and the adjoining properties at 27 Fletcher Place and 49 Fletcher Place.

The following items required by the Department of Planning and Zoning pursuant to section 3.2.2 (e) of the Comprehensive Development Ordinance are also provided:

1. Completed application form signed by the property owners.



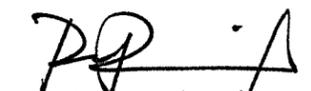
2. Application fee in the amount of \$100.
3. Photographs of the subject property and neighboring properties.
4. Two copies of a lot line adjustment plat (with additional copy at 11 x 17 size) containing the information required under the ordinance.
5. Lot Line Adjustment Checklist.

We hereby designate Jericho Management Company, LLC to act as our agent to process all matters pertaining to this application.

Please contact us with any questions.

Thank you for your attention to this matter.

Sincerely,


Frank von Turkovich

 ← RAM
Randall A. Miller

 ← EBT
Edward B. von Turkovich

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C:\Users\FVT Lenovo\Google Drive\FVT Files GD___ Colchester Ave. Project\Permits\Boundary Adjustments\Photos pertaining to Application of 80 Colchester Ave.docx

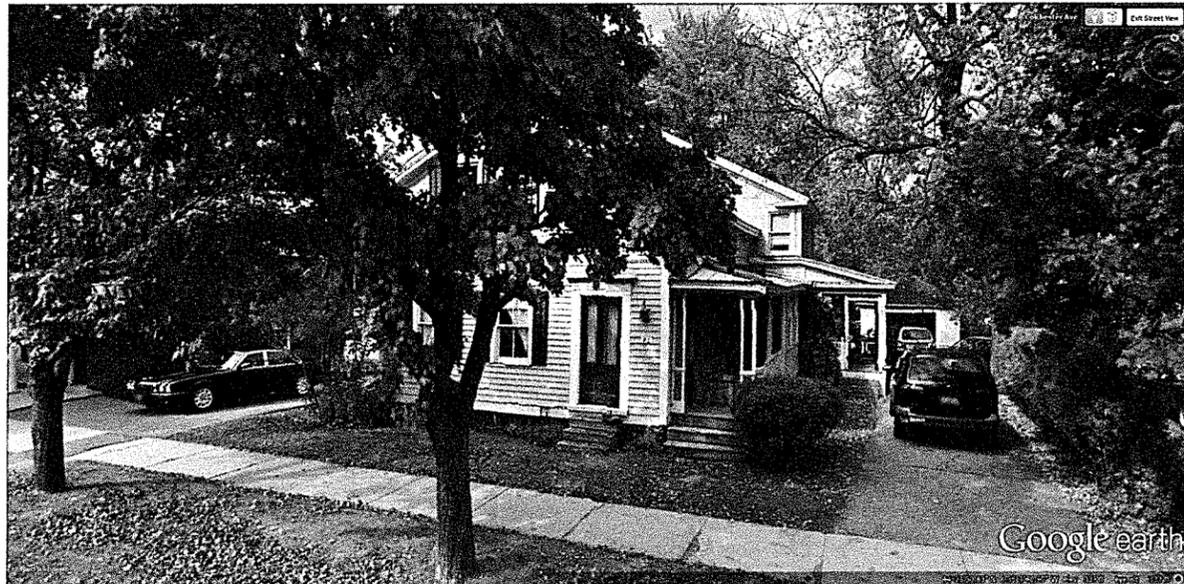
Photos pertaining to Application of 80 Colchester Ave.

DEPARTMENT OF
PLANNING & ZONING

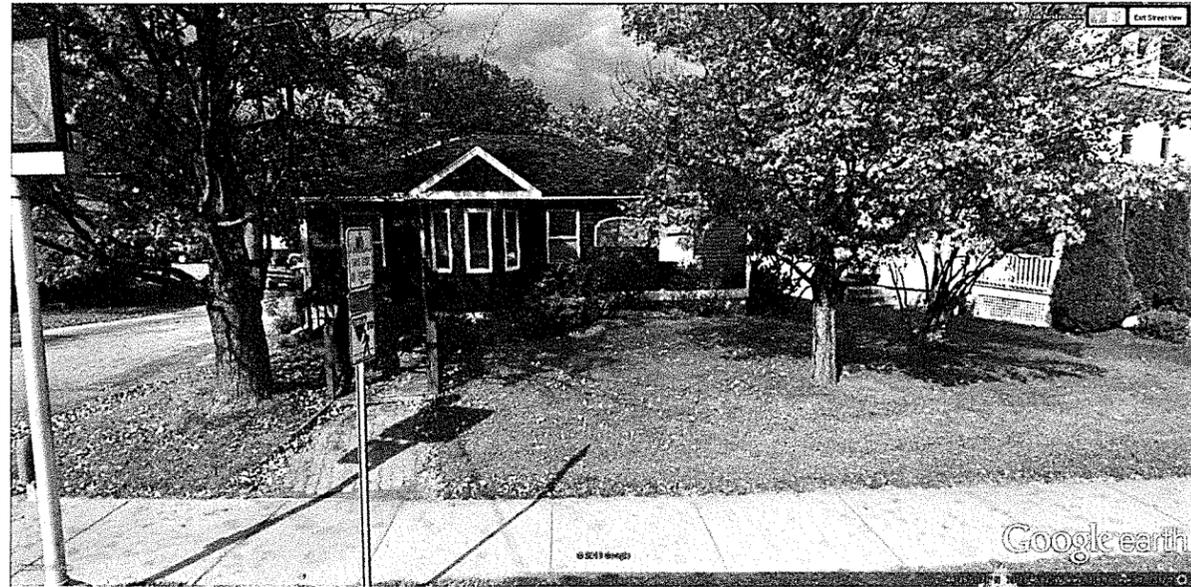
80 Colchester Ave.



72 Colchester Ave.



96 Colchester Ave.



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