Department of Planning and Zoning
149 Church Street, City Hall
Burlington, VT 05401-8415
Phone: (802) 865-7188
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www.burlingtonvt.gov/pz

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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 Typrowicz-Cohen

Appellant: _____

Agent/Representative: _____

Mailing Address: PO Box 8892

City, St, Zip: Burlington, VT 05402

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

Appellant 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

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

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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 is 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 Typrowicz-Cohen
42 Fairmount Street
Burlington, VT 05401

Mary O'Neil

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

2000 Aerial Photo from Vermont Archives, shows one car in shadow of building and one next to

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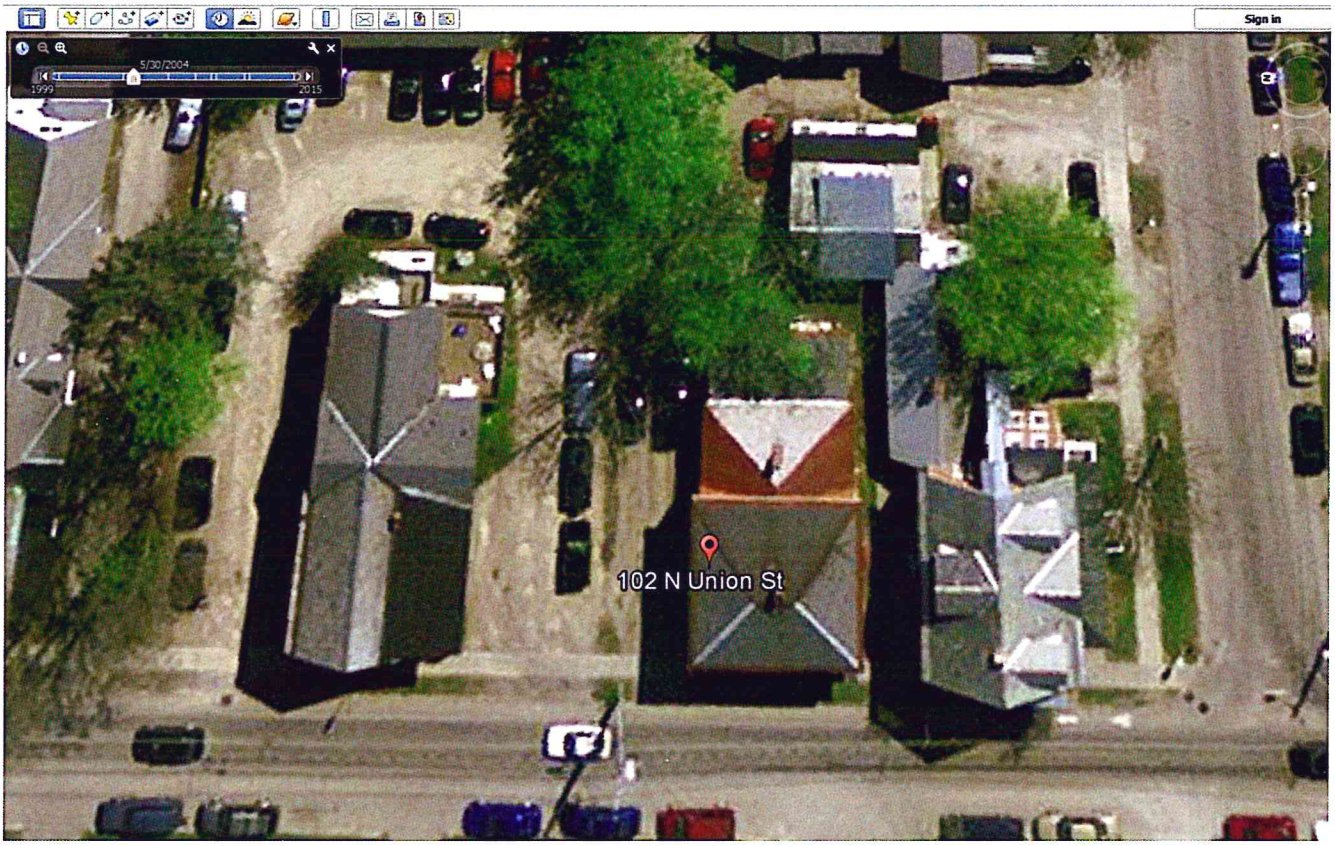
2008?



Aerial Photo 2003 from Google Earth, shows two cars parked tandem. Prior to fence

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2012 Google Earth Photo, shows 4 cars parked in tandem with fence installed

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