

## Mary O'Neil

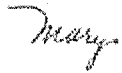
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**From:** Mary O'Neil  
**Sent:** Thursday, May 28, 2020 2:24 PM  
**To:** alanb72@aol.com  
**Subject:** RE: zoning permit application

Alan,

You get the setbacks there were approved on the earlier permits – no less. Parking areas, by this ordinance must be 5' from property lines, and your approved plan shows something less than that.

Your driveways have to accommodate 8 parking spaces. That is 2 sets of tandem spaces in each driveway. No narrower. A compliant driveway for tandem spaces has to be at least 38' in length (20' regular car and 18' compact.) If the provided scale on your plan is correct, the easterly driveway is 38' long; compliant length for 2 parking spaces. There doesn't appear to be room at the end for your shed. Unless you remove some other feature, you are out of coverage.



*\*\* Please note that this electronic message may be subject to disclosure as a public record under the Vermont Public Records Act.*

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**From:** alanb72@aol.com <alanb72@aol.com>  
**Sent:** Thursday, May 28, 2020 9:50 AM  
**To:** Mary O'Neil <MCOneil@burlingtonvt.gov>  
**Subject:** Re: zoning permit application

WARNING: External Message

Hello Mary,

Thanks for your note and the follow up. Below please find my responses to your questions, as well as a couple questions of my own:

1. What does "refresh driveways" mean? New gravel?

So the existing driveways are quite worn and lumpy. There are depressions where car tires have been driven for years making the ruts lower than the sidewalk and mounds which are higher than the sidewalk in between. The hope is to be able to level the parking areas and bring in fresh gravel to give it a uniform look and level surface for parking, snowblowing, etc.

2. You have indicated a 5' setback on the driveway, which changes the driveway size already been approved under 20-0506CA. This may eliminate some of the required 8 parking spaces required of the use and originally permitted. (It would be helpful to have dimensions on the plan.) If you can still provide the required spaces, the narrowed driveway will need to be reflected in the coverage calculation.

The original permit is quite "thin," so I was not aware of the provision for 8 parking spaces. What I was trying to do was comply with 5.3.2 as I believe that the actual eastern driveway size has shrunk to less than 2 vehicles wide for well over 60 days. Bringing it to 5' of the eastern neighbor's property line would give us a 14' wide driveway, which is not ideal for side by side parking. If I can expand the driveway to 16', that would be preferred and in keeping with the original plans and permit requirements.

So here's my question: The table at 4.4.5-3 has a note 6 which states:

6. Where there are fewer than 2 adjacent lots on both sides within the same block having the same street frontage, the average side yard setback shall be calculated from the fewer number of lots. Where there are no adjacent lots, the setback shall be 10% of the lot width.

This lot is on the northern corner of Strong St & North Ave. There is no lot on the western side, as it is bounded by North Ave. There are two other lots on that side of Strong St on the block: No. 14 has less than 2' of side setback on each side, No. 18 is on the corner with Drew St. Does Note 6 mean that instead of the 5' minimum side setback, I can have the same 2' side setback as the neighbor at No. 14?

Is the 3' setback originally permitted allowed to continue as mandated by the 8 space parking requirement?

3. Your narrative states the shed will meet the required 5' boundary line setback, but the site plan has 4' noted. It has to be 5' minimum.

I intended to write 5'+ on the site plan but I confess my writing is not particularly legible. I think what you think is a 4 is the plus sign to the right of the "5."

4. You have not included a coverage calculation with your plan. This should include the new shed and narrowed driveway.

My Apologies, I should have included a coverage calculation.

The lot size per ZP82-398 is 6,250 sq. ft.

The existing building is 1,695 sq. ft.

The pre-approved/proposed driveways are 16 x 30 ea for a total of 960 sq. ft.

Total existing coverage is 2,655 sq. ft.

Walkways & porches total 150 sq. ft. which is less than 10% of the lot per 4(d)3A

RM coverage max is 40% or 2500 sq. ft.

Total building & driveway coverage is 2,655 sq. ft.

So I am already over coverage by 155 sq. ft.

The proposed garden shed is 30 sq. ft.

If I narrow each existing driveway by 1/2' or shorten them by 1 foot, I can get 30 sq. ft. Can I substitute the garden shed for shrinking the driveways because I am not expanding the non-conformity (ie. coverage)?

Any other brilliant ideas on how to solve this dilemma? The overall appearance of the property would be much improved if the lawnmower wasn't chained to the gas meters . .

Thanks,

Alan Bjerke  
802 373-4199

-----Original Message-----

From: Mary O'Neil <[MCOneil@burlingtonvt.gov](mailto:MCOneil@burlingtonvt.gov)>

To: [alanb72@aol.com](mailto:alanb72@aol.com) <[alanb72@aol.com](mailto:alanb72@aol.com)>

Sent: Thu, May 28, 2020 9:17 am

Subject: RE: zoning permit application

Hello Alan,

Attached is the full plan set for ZP20-0506CA, that approved site plan, and the original permit that approved the four residential units: ZP82-398. The latter indicates the 8 parking space requirement.

This is within the Neighborhood Parking District, which requires 2 parking spaces per unit. You can understand my concern about narrowing your driveway, as it will likely make you non-conforming to required parking.

The shed will increase your lot coverage, so a calculation will be required. This is the RM zoning district; limited to 40% lot coverage (with allowance for an additional 10% for open amenities like open porches, terraces, patios, decks and walkways.)



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**From:** [alanb72@aol.com](mailto:alanb72@aol.com) <[alanb72@aol.com](mailto:alanb72@aol.com)>  
**Sent:** Wednesday, May 27, 2020 9:11 PM  
**To:** Mary O'Neil <[MCOneil@burlingtonvt.gov](mailto:MCOneil@burlingtonvt.gov)>  
**Subject:** Re: zoning permit application

**WARNING: External Message**

Hi Mary,  
When I asked to look at the zoning files I did not see a permit under 20-0506CA.

Is it possible to come in and look at the file, get it scanned and sent to me or some other method for me to see the original application and permit for the condo assoc? Once I can see that, I should have answers to all of your questions.

Thanks!

Alan Bjerke  
802 373-4199

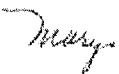
-----Original Message-----

From: Mary O'Neil <[MCOneil@burlingtonvt.gov](mailto:MCOneil@burlingtonvt.gov)>  
To: [alanb72@aol.com](mailto:alanb72@aol.com) <[alanb72@aol.com](mailto:alanb72@aol.com)>  
Sent: Wed, May 27, 2020 12:54 pm  
Subject: zoning permit application

Hello Alan,

I am the project manager assigned to your zoning permit request for 4-6-8 Strong Street. A couple of questions:

1. What does "refresh driveways" mean? New gravel?
2. You have indicated a 5' setback on the driveway, which changes the driveway size already been approved under 20-0506CA. This may eliminate some of the required 8 parking spaces required of the use and originally permitted. (It would be helpful to have dimensions on the plan.) If you can still provide the required spaces, the narrowed driveway will need to be reflected in the coverage calculation.
3. Your narrative states the shed will meet the required 5' boundary line setback, but the site plan has 4' noted. It has to be 5' minimum.
4. You have not included a coverage calculation with your plan. This should include the new shed and narrowed driveway.



Mary O'Neil, AICP  
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