

ZONING BOARD OF ADJUSTMENT - APPLICATION

TOWN OF CHARLOTTE

Office Use Only #ZBA-14-05

Planning & Zoning

Date Received:

P.O. Box 119

RECEIVED

159 Ferry Road

Charlotte, VT 05445

Phone: 802-425-3533

Fax: 802-425-4241

E-Mail: Gloria@townofcharlotte.com

Receipt # _____ Application Fee \$500 Appeal Fee \$500 _____ Telecommunications Facilities Fee \$2,000 _____

Note: Decisions of the Zoning Board of Adjustment may be appealed to the Vermont Environmental Court within 30 days of the date of the Board's written decision. Zoning Permits will not be issued so as to become effective prior to the end of that appeal period.

AUG 19 2014

CHARLOTTE PLANNING & ZONING

Hearing Date: 09/24/14

*APPLICANT/REPRESENTATIVE (if different from owner)

Name JOHN R. ILLICK JR
C/O REARCH COMPANY
Address 55 COMMUNITY DRIVE
S. BURLINGTON, VT 05403
Phone 802 598 6948

Name STEVEN SCHENKER
C/O S2 ARCHITECTURE
Address 5224 SHELBURNE RD
SHELBURNE, VT 05482
Phone 802 985 5595

*Representative must submit a letter from the owner of the property authorizing him/her to represent them for permits, hearings, etc.

Map M4 Block 2B Lot 5027 Parcel ID # 00037-2668 Thompsons Point Lot # 6,7,8 (SITE #27)
Property address 2668 THOMPSON'S POINT RD
Zoning District SSHM Lot size .93 ACRES Lot frontage 150' % of Lot coverage (building) 4.2 (overall) 9.9 Building height 29'-9"
Existing front yard setback 55' Existing side yard setbacks 1. 120' 2. 78' Existing rear yard setback ± 70'

This application references Zoning Bylaw section(s) _____

Plot Plan (a plot plan must be submitted showing the lot, existing structures and setbacks, easements, right-of-ways on or abutting the lot, septic primary and replacement areas, well, streams and any other information significant to this application) Submittals no larger than 11" x 17". All measurements must be accurate.

Use attached sheet to list all abutting property owners. Include those across any street, private road or right-of-way.

Applicant will be required to notify adjoining property owners, by certified mail or certificate of service, after a hearing date has been set.

Submit (1) original and (5) copies of complete application.

Application is for: (please check all that apply)

Conditional Use: Variance: Thompson's Point Seasonal Dist: _____ Appeal: _____ Other: describe) _____

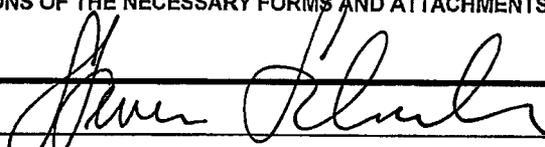
Describe your request: (When appropriate, make reference to attached documents, letters, photographs, etc.)

RENOVATION AND ADDITION TO EXISTING CAMP

- ONE BATHROOM ADDED

~~ONE BEDROOM BEING REMOVED~~ REVISED 12.19.14 

APPLICATION MUST BE RECEIVED AT LEAST 23 DAYS PRIOR TO THE HEARING DATE. BE SURE TO COMPLETE ALL SECTIONS OF THE NECESSARY FORMS AND ATTACHMENTS. ONLY COMPLETE APPLICATIONS WILL BE ACCEPTED.

Signature of applicant(s)  Date 8.18.14

Steven Schenker

Subject: RE: Illick Camp renovation

From: John Illick [<mailto:jillick@vermonttechnologypark.com>]
Sent: Monday, August 18, 2014 3:27 PM
To: Steve Schenker
Subject: Re: Illick Camp plans, elevations and alternate

Steve,
You are authorized to act on my behalf.
John Illick

Sent from my Verizon Wireless 4G LTE DROID

Steven Schenker <steve@s2architecturestudio.com> wrote:

John,
Ok. If you can send me a short note authorizing me to act as the applicant and authorizing me to represent you at permit hearings I will send in the application this week.
Thanks.
Steve

> Steven Schenker
> S2 Architecture
> 5224 Shelburne Road
> Shelburne, VT 05482
> 802 985 5595

Section 5.4 Conditional Use Review

(A) **Applicability.** Any use or structure requiring conditional use approval shall not be issued a zoning permit by the Zoning Administrator until the Board of Adjustment grants such approval in accordance with the Act [§4414(3)], and the following standards and procedures.

(B) **Review Process.** Upon determination that an application is complete, a public hearing will be warned in accordance with Section 9.9(C). In accordance with the Act [§4464(b)] and Section 9.9(E), the Board shall act to approve, approve with conditions, or disapprove on each matter of an application for conditional use review; and shall issue a written decision within 45 days of the date of the final public hearing to include findings, conditions of approval, and provisions for appeal to Environmental Court. Failure to act within the 45 day period shall be deemed approval, effective on the 46th day.

(C) **General Standards.** In accordance with the Act [§4414(3)], the Board shall determine that the proposed conditional use shall not result in an undue adverse effect on any of the following:

(1) **The capacity of existing or planned community facilities and services.** The Board shall consider the demand for community facilities and services that will result from the proposed development in relation to the existing and planned capacity of such services and facilities, and the adopted municipal capital budget and program currently in effect. The Board may request information or testimony from appropriate local officials to help evaluate potential project impacts on existing and proposed community facilities and services. Conditions may be imposed regarding the provision of services and facilities, and/or the timing and phasing of development in relation to anticipated municipal capital expenditures or improvements, to minimize any adverse impacts to community facilities and services.

~~REMOVING ONE BEDROOM~~ REVISED 12.19.14 SJS

ADDING ONE BATHROOM

NO INCREASE IN OCCUPANCY

(2) **Character of the area affected.** The Board shall consider the design, location, scale, and intensity of the proposed development in relation to the character of adjoining and other properties likely to be affected by the proposed use. Conditions may be imposed as appropriate to ensure that the proposed development is compatible with the character of the area, as defined by zoning district purpose statements, and specifically stated policies and standards of the municipal plan. Conditions may be imposed as necessary to eliminate or mitigate adverse impacts, including but not limited to conditions on the design, scale, intensity or operation of the proposed use.

DESIGN IS COMPATIBLE W/ SURROUNDING CHARACTER

(3) **Traffic on roads and highways in the vicinity.** The Board shall consider the potential impact of traffic generated by the proposed development on the capacity, safety, efficiency, and maintenance of roads, highways, intersections, and bridges in the vicinity. A traffic impact assessment may be required. Conditions may be imposed as necessary to ensure that a proposed development will not result in unsafe conditions for pedestrians or motorists, including but not limited to physical improvements on or off site, or the use of accepted traffic management strategies.

NO CHANGE IN OCCUPANCY

(4) **Bylaws in effect.** The Board shall determine whether the proposed development conforms to other municipal bylaws and ordinances currently in effect, including but not limited to road, water or wastewater ordinances. The Board shall not approve a proposed development that does not meet the requirements of other bylaws and ordinances in effect at the time of application.

NO CHANGES TO SITE UTILITIES

(5) **The use of renewable energy resources.** The Board will consider whether the proposed development will interfere with the sustainable use of renewable energy resources by either diminishing their future availability on the subject parcel, or by interfering with neighboring property owners' access to such resources (e.g., for solar or wind power). Conditions may be imposed as appropriate to ensure access to and the long-term availability of renewable energy resources.

N/A

(D) **Specific Review Standards.** In addition to general standards under subsection 5.4(C), the Board may also consider the following and impose conditions as appropriate to reduce or mitigate the adverse impacts of a proposed development:

(1) **Conformance with the Town Plan.** Whether applications conform to policies and objectives of the *Charlotte Town Plan*, and do not adversely affect significant natural, cultural or scenic features identified in the town plan, including natural areas, wildlife habitat, productive forests and farmland, surface waters, wetlands, water supplies and aquifers, historic sites, and scenic views or vistas in the vicinity of the proposed development.

NO IMPACT

(2) **Additional Restrictions.** All conditional uses shall comply with the dimensional, density, siting and associated standards for the district(s) in which the use or development is located, including overlay districts, however the Board may require increased setbacks and buffers, or reduced lot coverage or densities of development to avoid or mitigate adverse impacts to adjoining properties or significant natural, cultural or scenic features in the vicinity of the site.

DIMENSIONS & SETBACKS ARE NOTED ON DRAWINGS

(3) **Performance Standards.** The Board shall consider whether the proposed development will meet applicable performance standards under Section 3.12, and may impose conditions on the installation, operation, storage or maintenance of devices or materials necessary to meet these standards. In determining appropriate performance standards, the Board may consult with state officials, and consider accepted industry standards. In addition, the Board may limit hours of operation so that the use shall be consistent with the character of the area. Evening or night operations shall be permitted only if noise levels, lighting and traffic will not unreasonably interfere with surrounding uses.

Section 3.12

Performance Standards

(A) The following performance standards must be met and maintained for uses in all districts, except for agriculture and forestry, as measured at the property line. In determining compliance, the burden of proof shall fall on the applicant. The Town or a complainant shall be required to provide reasonable proof if challenging compliance after a permit has been issued. The Planning Commission or Board of Adjustment may require periodic reporting as a permit condition to confirm ongoing compliance. No use, under normal conditions, shall cause or result in:

- (1) noise in excess of 70 decibels, or which otherwise represents a significant increase in noise levels in the vicinity of the use so as to be incompatible with the surrounding area; or within the Commercial/ Light Industrial District, noise in excess of 75 decibels;

N/A

- (2) clearly apparent vibration which, when transmitted through the ground, is discernable at property lines without the aid of instruments;

N/A

- (3) smoke, dust, noxious gases, or other forms of air pollution which constitute a nuisance or threat to neighboring landowners, businesses or residents; which endanger or adversely affect public health, safety or welfare; which cause damage to property or vegetation; or which are offensive and uncharacteristic of the affected area;

N/A

- (4) releases of heat, cold, moisture, mist, fog or condensation which are detrimental to neighboring properties and uses, or the public health, safety, and welfare;

N/A

- (5) **electromagnetic disturbances or electronic transmissions or signals which will repeatedly and substantially interfere with the reception of radio, television, or other electronic signals, or which are otherwise detrimental to public health, safety and welfare, except from facilities which are specifically licensed and regulated through the Federal Communications Commission (FCC).**

N/A

- (6) **glare, lumen, light or reflection which constitutes a nuisance to other property owners or tenants, which impairs the vision of motor vehicle operators, or which is otherwise detrimental to public health safety and welfare;**

N/A

- (7) **liquid or solid waste or refuse which cannot be disposed of by available methods without undue burden to municipal or public disposal facilities, which pollutes surface or ground waters, or which is otherwise detrimental to public health, safety and welfare; or**

N/A

- (8) **undue fire, safety, explosive, radioactive emission or other hazard which endangers the public, public facilities, or neighboring properties, or which results in a significantly increased burden on municipal facilities and services.**

N/A

TABLE 2.7 SHORELAND SEASONAL HOME MANAGEMENT DISTRICT (SHM)

(A) **Purpose.** The purposes of the Shoreland Seasonal Home Management District are (1) to protect and preserve, for seasonal residential use only, those areas of Thompson's Point that have been historically developed for seasonal residential use and have remained essentially unchanged over the years; (2) to protect the unique historic and physical character of these areas; (3) to protect the scenic beauty of the shoreland and lake, as viewed from the lakeshore and the water; (4) to protect the environmental quality of the area and the lake, and (5) to allow for development which does not adversely affect the town's natural and scenic resources or properties and uses in the vicinity, and is compatible with the rural character of the town as expressed in the *Charlotte Town Plan*.

(B) Allowed By Right (No permit needed)

1. Agriculture [see Section 9.2]
2. Forestry [see Section 9.2]

(C) Permitted Uses

1. Dwelling/Seasonal (pre-existing only)

(D) Conditional Uses

1. Accessory Structure [see (F)(2)]
2. Municipal Facility [see (F)(3); Section 4.15]
3. Demolition of an existing structure or portion thereof [see (F)(9)]
4. Alteration of an existing structure [see (F)(7) and (F)(8)]
5. Replacement of an existing structure see (F)(9)]
6. Shoreline Improvements [see (F)(11)]

(E) Dimensional Standards (unless otherwise specified by use type):

Minimum Lot (Leasehold) Area: NA [see F(1)]
Minimum Frontage/Road: Existing
Minimum Frontage/Shore: Existing
Minimum Setback/Front: 50 feet (from ROW)
Minimum Setback/Side: 50 feet
Minimum Setback/Rear: 50 feet
Minimum Setback/Shore: Existing (see (F)(8))

Maximum Height: (Section 3.5): Lesser of 30 ft or 2 stories
Maximum Building Coverage: 7% [see (F)(7)]
Maximum Lot Coverage: 10%

Subdivision: Not allowed
PRDs: Not Allowed
PUDs: Not Allowed

(F) District Standards:

- (1) For the purposes of these regulations, leaseholds shall be considered lots. No further subdivision of leaseholds, other than boundary adjustments that do not result in the creation of additional leaseholds, is allowed.

NO CHANGES

- (2) Accessory structures to allowed residential uses within this district are limited to one structure per leasehold (e.g., a utility shed) that does not exceed eight (8) feet in width, 12 feet in length, or 12 feet in height. Accessory dwellings of any type are specifically prohibited in this district.

ONE EXISTING GAZEBO WILL REMAIN

- (3) Municipal facilities allowed within this district are limited to municipally owned and/or operated outdoor recreational facilities (parks, beaches, lake access, other outdoor facilities and associated accessory structures), and municipal water and wastewater systems.

- (4) In addition to the provisions of Section 3.15, existing native woody vegetation between the shoreline and a structure shall be preserved and maintained. No existing or proposed use or activity shall result in soil erosion or adversely impact designated wildlife habitat areas. All trees on leased lots are owned by the Town, and permission from the Tree Warden shall be required for cutting or pruning within this district. Dead or storm damaged trees shall not be cut unless they are determined by the Tree Warden to be a hazard to structures or to public safety.

NO CHANGES PROPOSED

- (5) Ordinary maintenance and repair of an existing structure which does not alter its footprint, height, appearance or historic character does not require a zoning permit.

N/A

- (6) No construction activity other than routine maintenance shall occur within this district between July 1 and Labor Day.

- (7) The alteration or expansion of an existing principal structure may be approved by the Board of Adjustment subject to conditional use review under Section 5.4, provided that:

- (a) the building footprint which is covered by a roof (including covered porches and decks) does not exceed seven percent (7%) of the area of the leasehold it occupies; and

SEE SITE PLAN - DOES NOT EXCEED 7%

- (b) the alteration or expansion is not for the purpose of increasing occupancy; and

NO INCREASE IN OCCUPANCY

- (c) the applicant can demonstrate that all municipal and state regulations for sewage disposal are met for each structure altered or expanded including, where applicable, the Thompson's Point Wastewater System Sewer Ordinance.

NO CHANGES PROPOSED

- (8) The alteration, expansion or repair of any structure shall not reduce the structure's existing setback distance from the shoreline (mean high water mark) as of the effective date of these regulations, nor increase the height of the structure so that it exceeds two (2) stories or 30 feet, whichever is less.

NO CHANGE TO SETBACK FROM LAKE
IS PROPOSED

- (9) Demolition and alterations, expansions or repairs that change the appearance, height, footprint or historic character of an existing structure are subject to conditional use under Section 6.4, design review under Subsection (G), and the requirements of Section 3.1. Historic structures damaged beyond repair may be replaced within the same footprint, subject to conditional use review under Sections 5.4, and design review under Subsection (G).

SEE DRAWINGS

- (10) Temporary docks which are wooden or metal, used only for noncommercial purposes, are mounted on piles or floats, and removed at the end of each season do not require a zoning permit if the total (combined) length of all docks under single ownership does not exceed 50 feet (from Mean High Water), and the total (combined) area of all docks, including deck areas, does not exceed 500 square feet. No concrete, masonry, earth or rock fill, sheet piling, bulkheading, cribwork, or similar construction may form any part of the dock. Other types of docks shall be considered shoreline improvements.

NO CHANGES PROPOSED

- (11) Shoreline improvements are exempted from shoreline setback requirements, but shall be sited and designed to avoid wetlands, designated wildlife habitat, and other sensitive shoreline features; shall minimize surface runoff, channeling and soil erosion; and shall avoid adverse impacts and obstructions to adjoining shoreland areas.

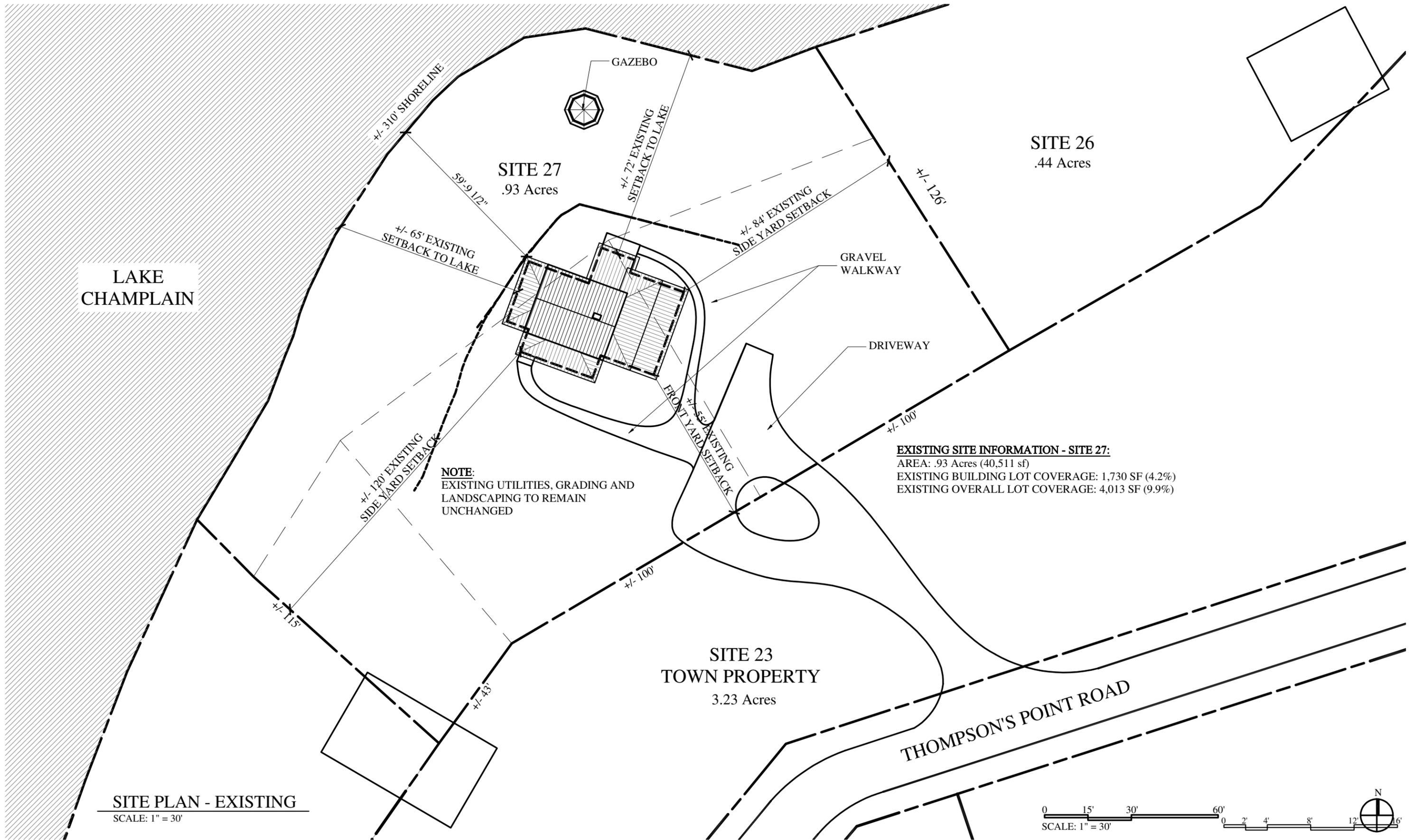
N/A

ILLICK CAMP

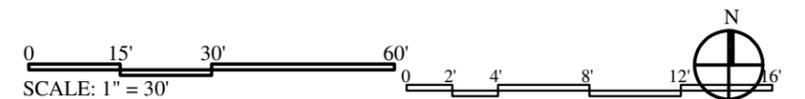
THOMPSON'S POINT, CHARLOTTE, VT

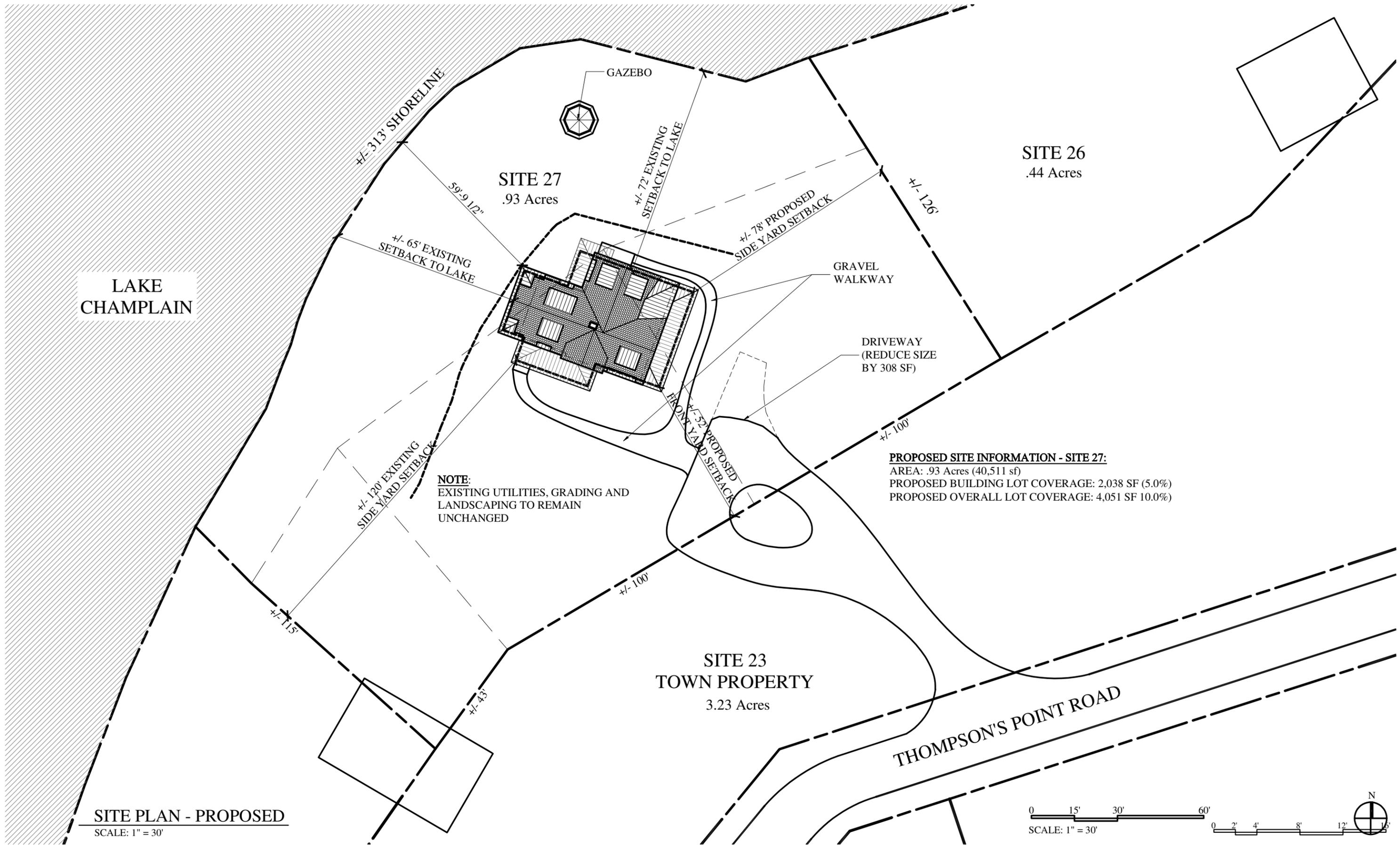
DRAWING LIST

A0	COVER SHEET
A1	SITE PLAN - EXISTING
A2	SITE PLAN - PROPOSED
A3	EXISTING CONDITIONS PHOTOS
A4	FIRST FLOOR PLAN - EXISTING & PROPOSED
A5	SECOND FLOOR PLAN - EXISTING & PROPOSED
A6	ATTIC PLAN - EXISTING & PROPOSED
A7	ROOF PLAN - EXISTING & PROPOSED
A8	SOUTH ELEVATION - EXISTING & PROPOSED
A9	EAST ELEVATION - EXISTING & PROPOSED
A10	NORTH ELEVATION - EXISTING & PROPOSED
A11	WEST ELEVATION - EXISTING & PROPOSED



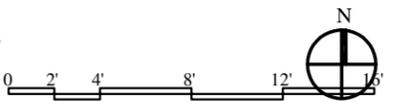
SITE PLAN - EXISTING
SCALE: 1" = 30'





SITE PLAN - PROPOSED
SCALE: 1" = 30'

0 15' 30' 60'
SCALE: 1" = 30'





VIEW OF EXISTING WEST ELEVATION



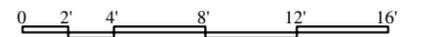
VIEW OF EXISTING EAST ELEVATION

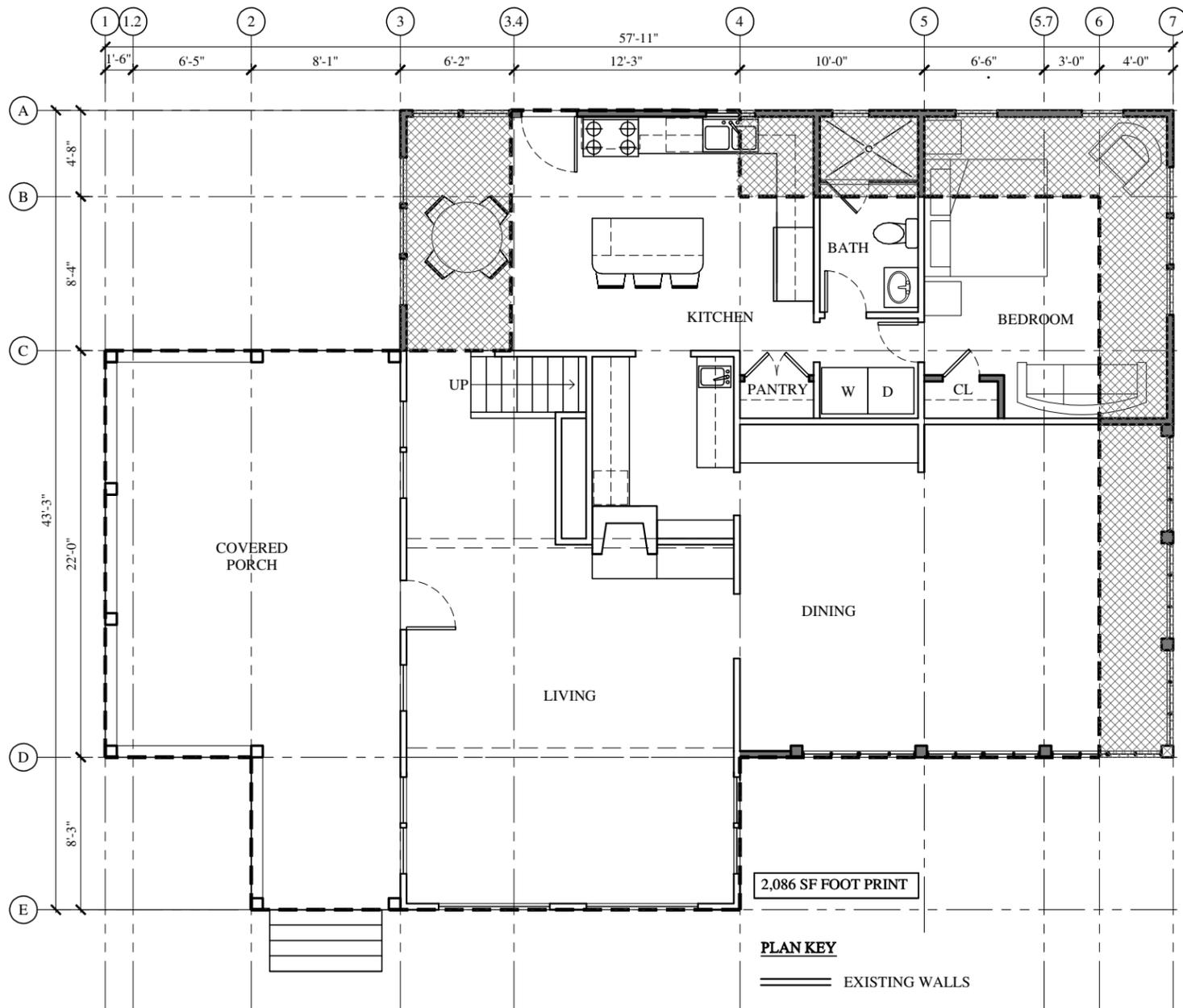


VIEW OF EXISTING SOUTH ELEVATION



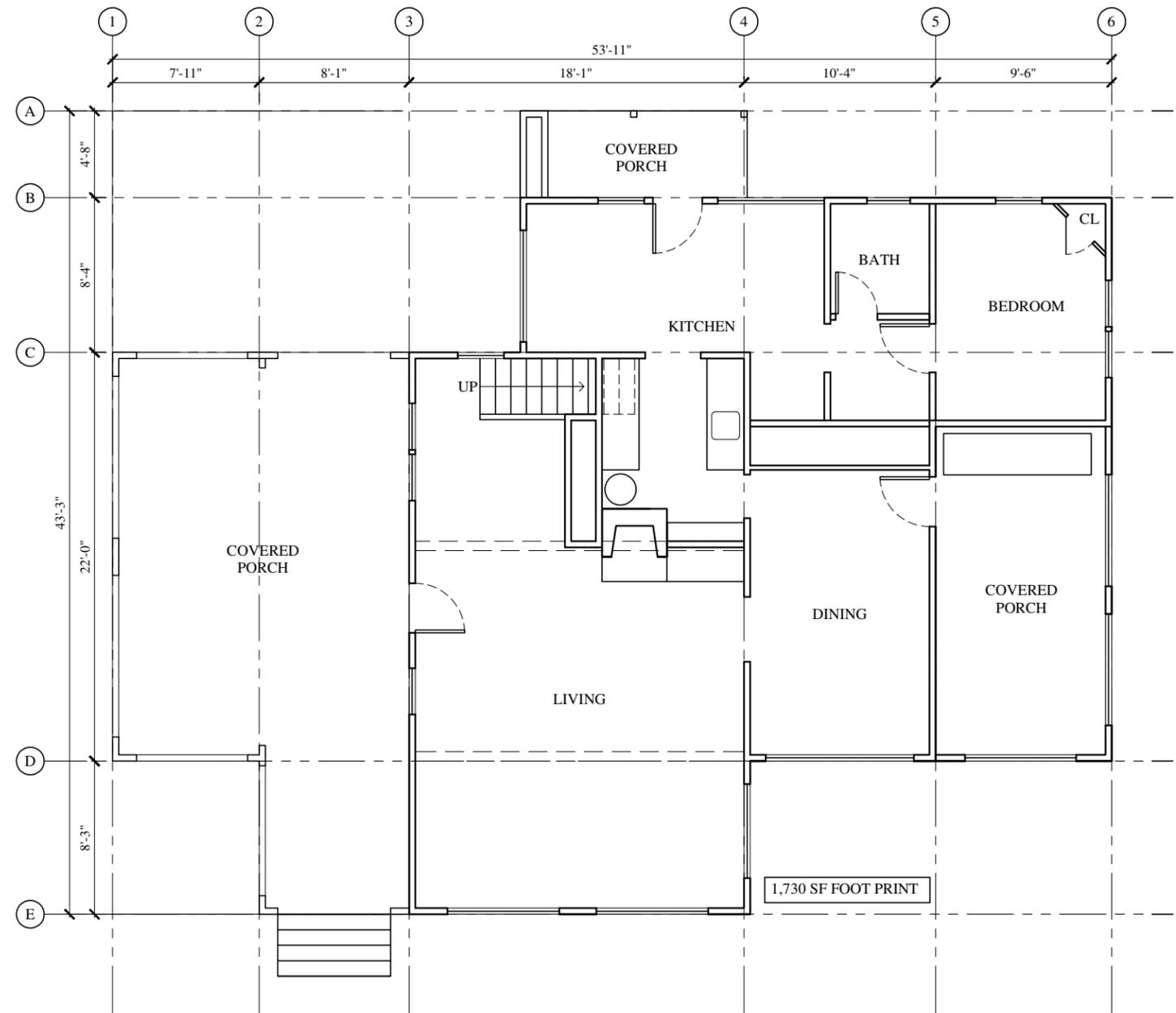
VIEW OF EXISTING NORTH ELEVATION





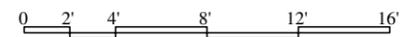
FIRST FLOOR PLAN - PROPOSED

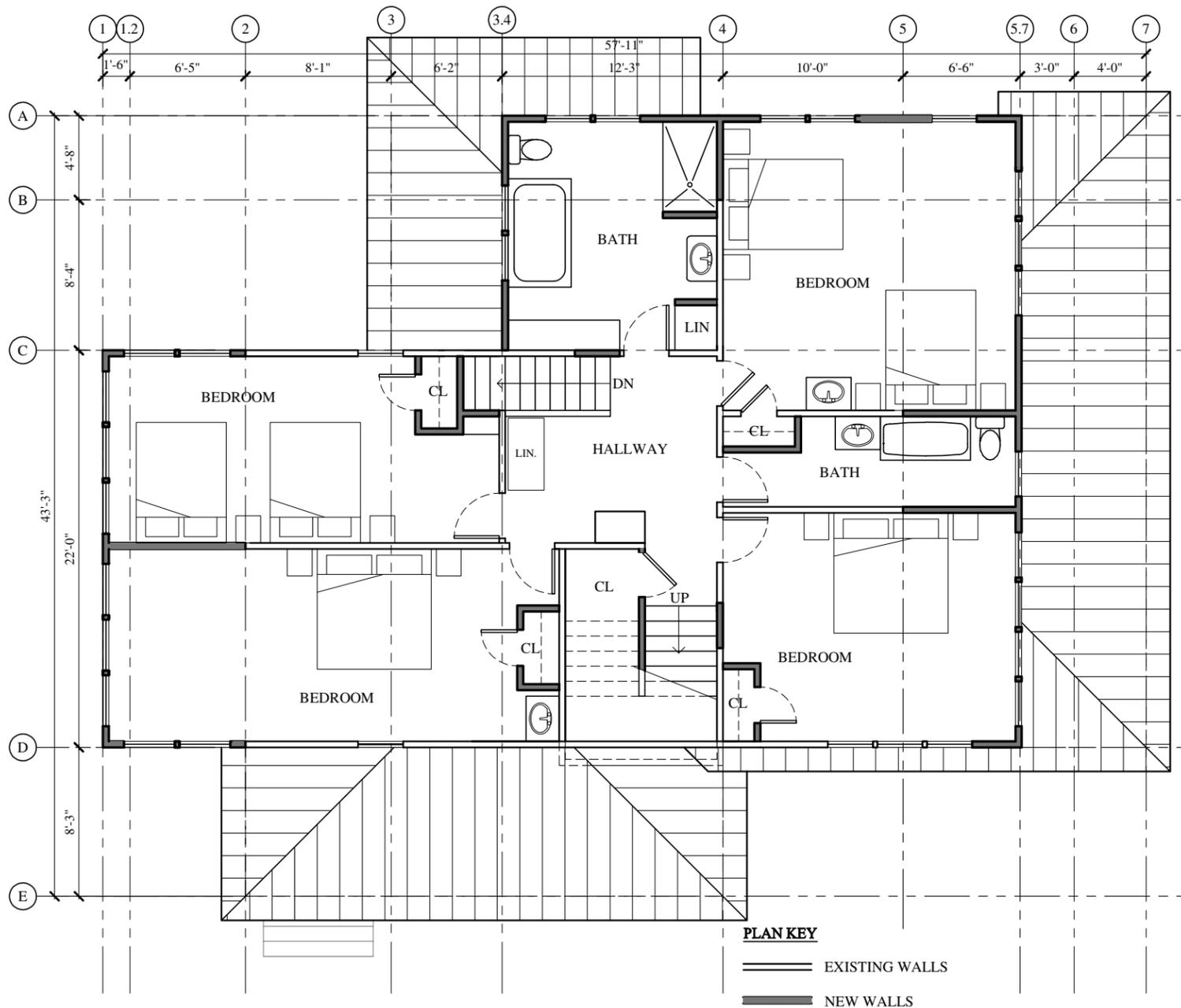
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FIRST FLOOR PLAN - EXISTING

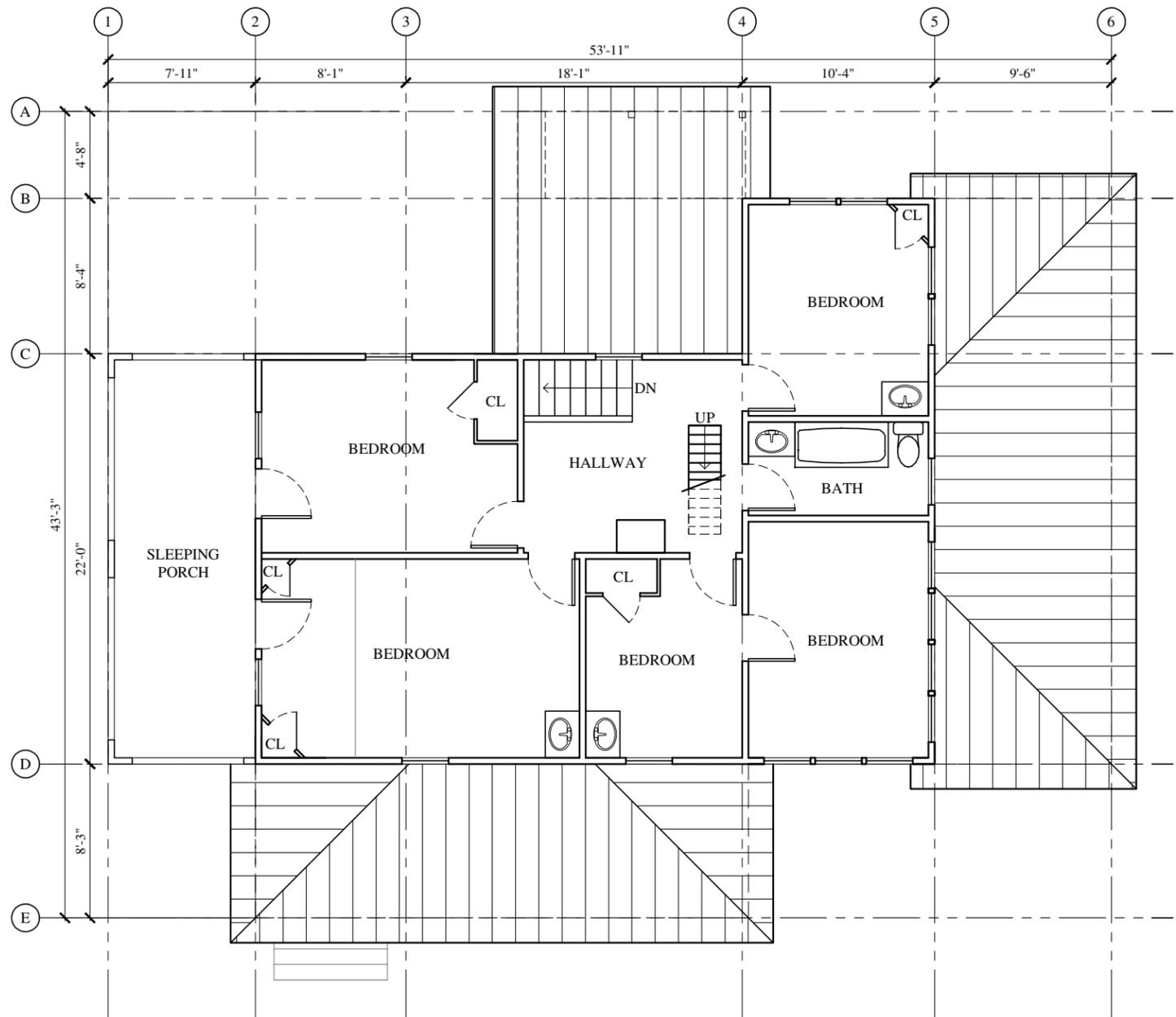
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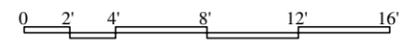
SECOND FLOOR PLAN - PROPOSED

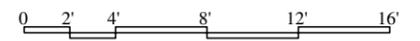
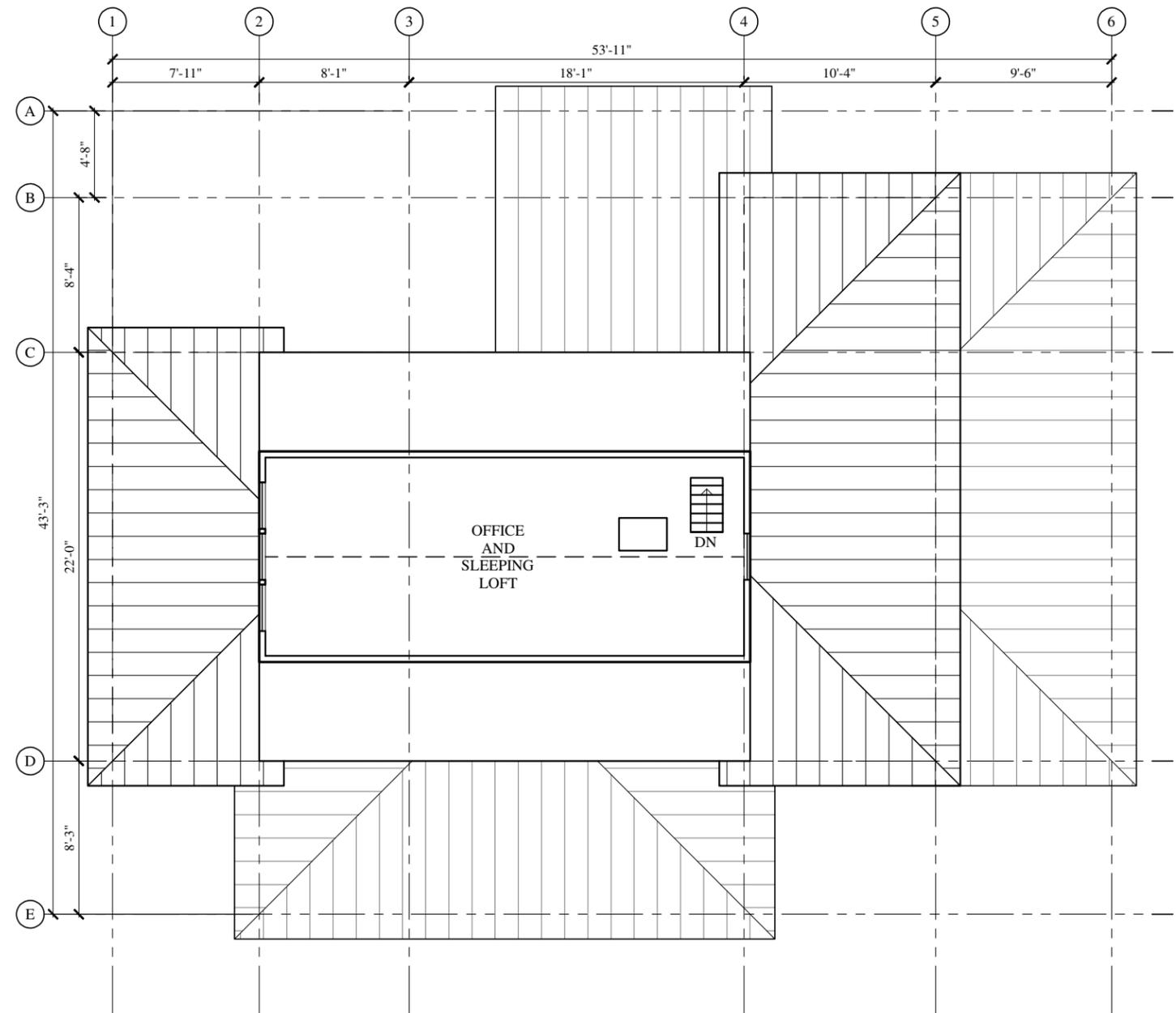
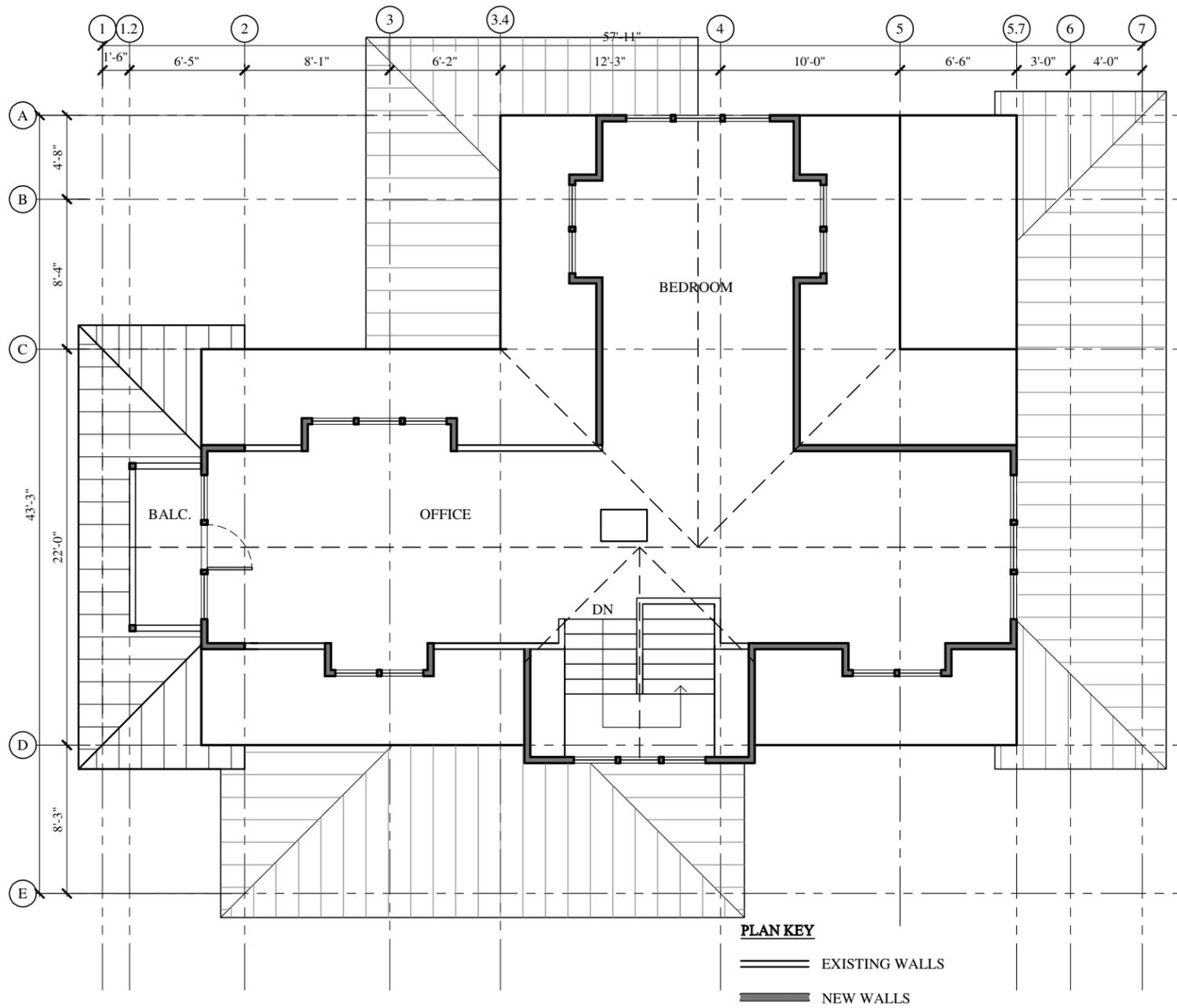
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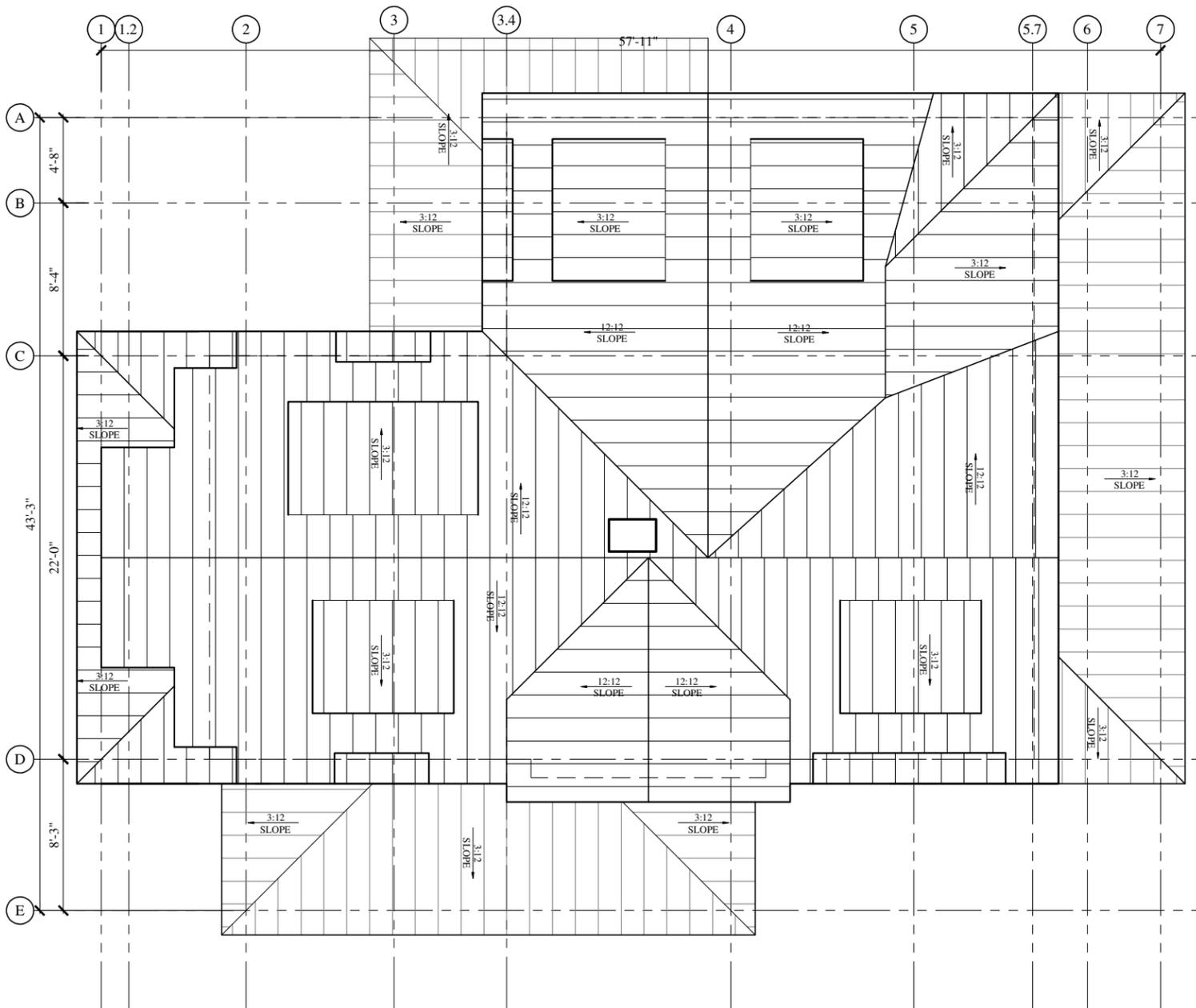


SECOND FLOOR PLAN - EXISTING

SCALE: 1/8" = 1'-0"

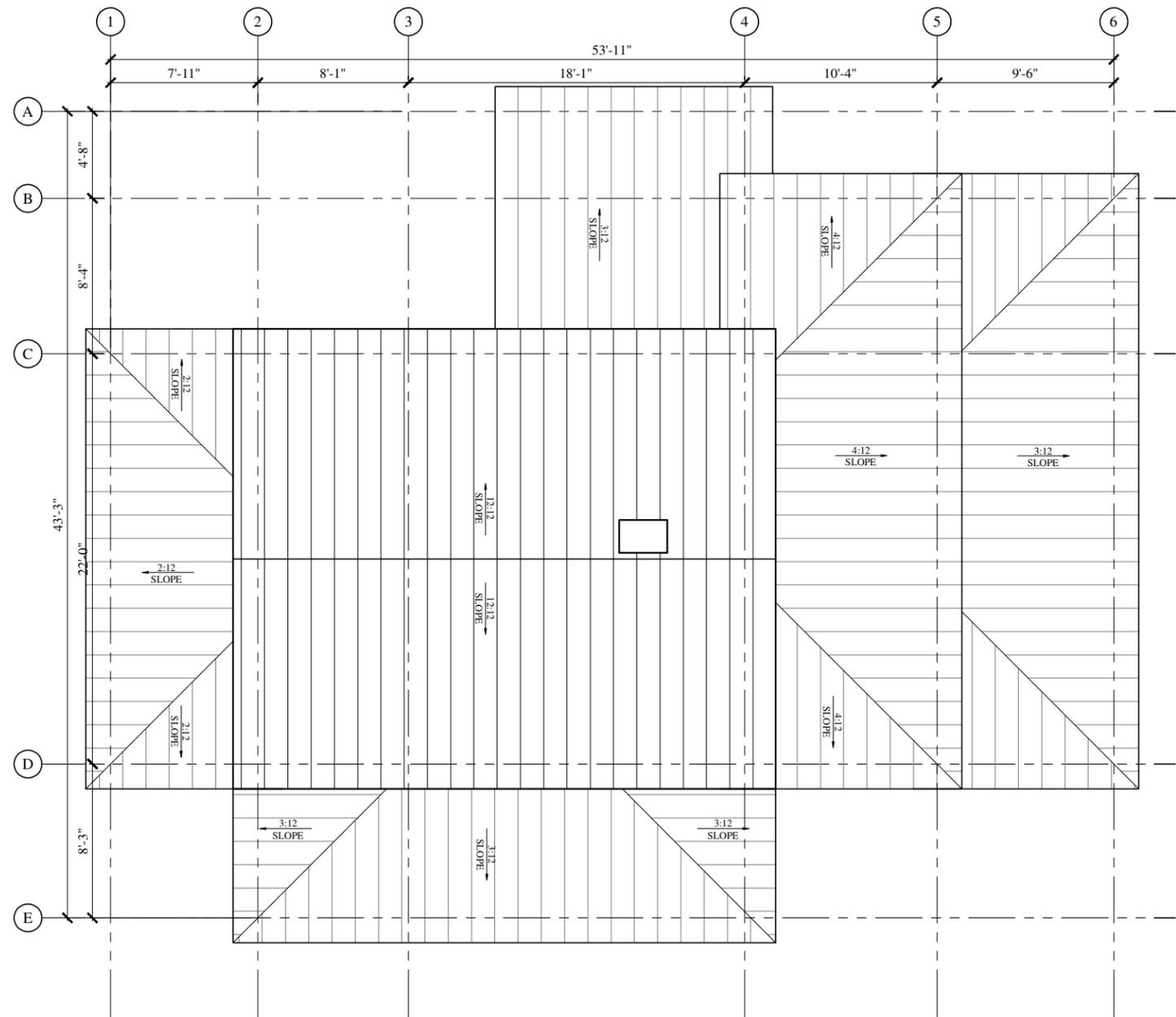






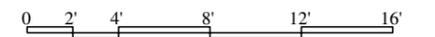
ROOF PLAN - PROPOSED

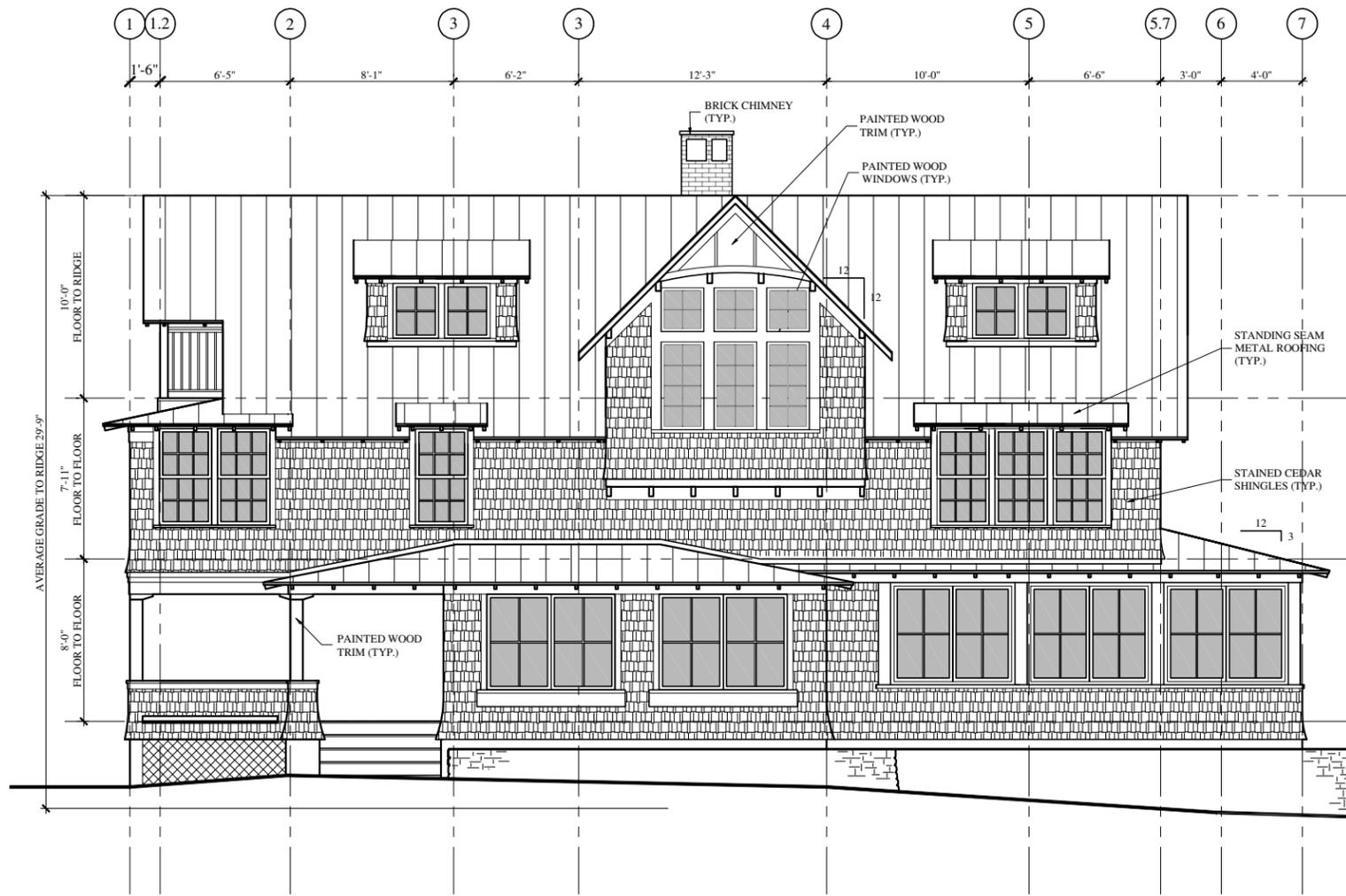
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ROOF PLAN - EXISTING

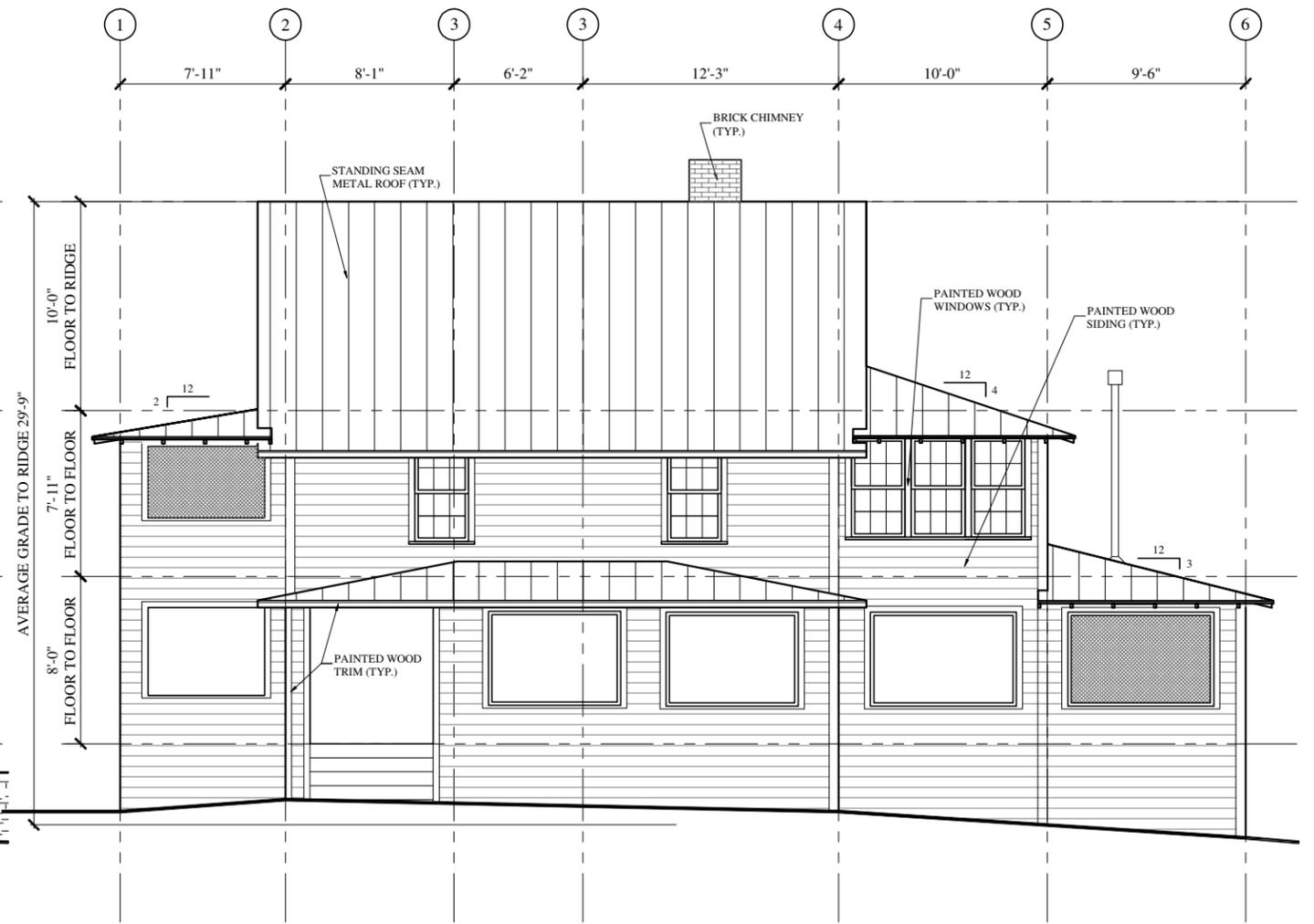
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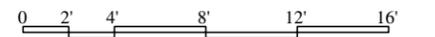
SOUTH ELEVATION - PROPOSED

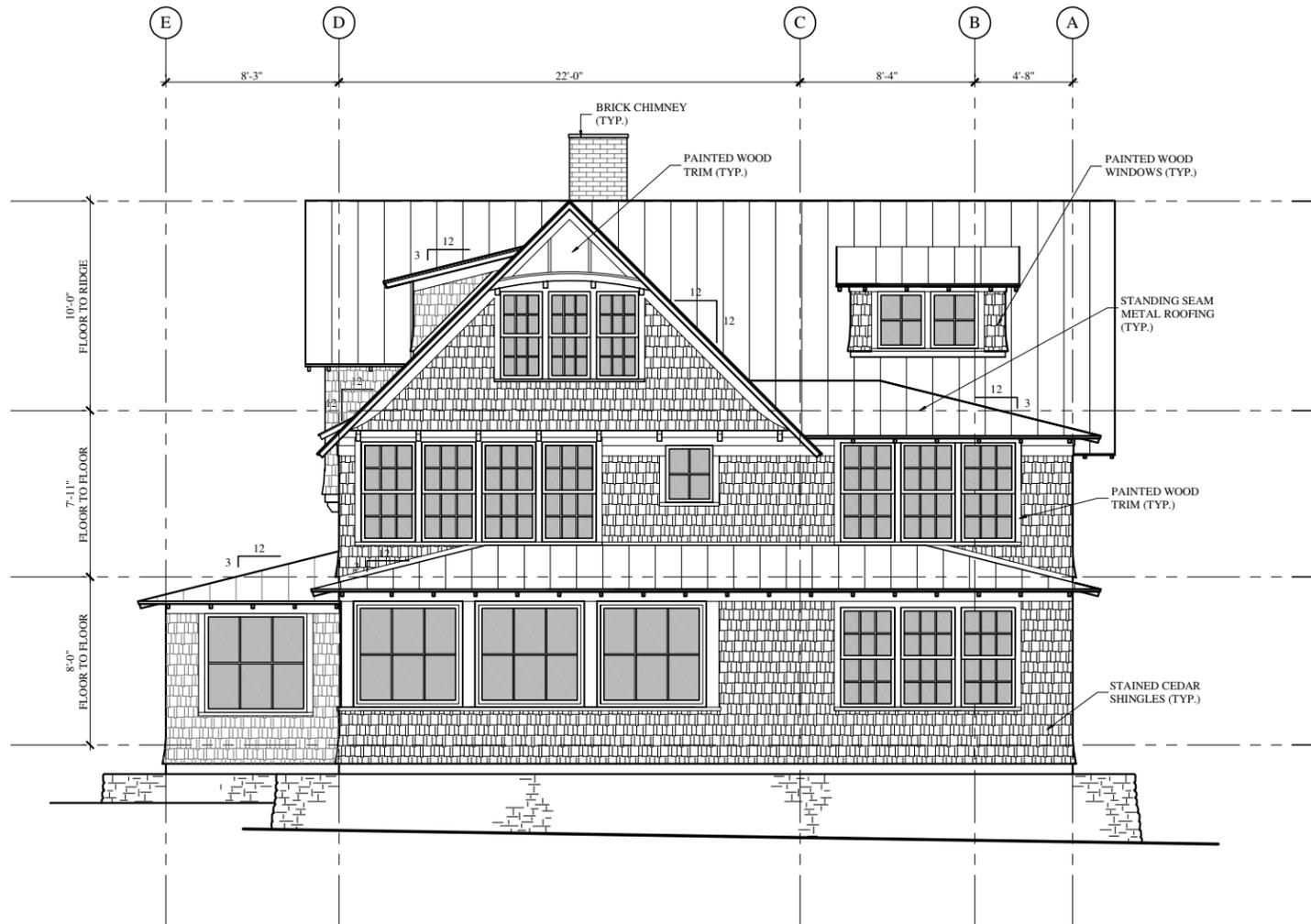
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SOUTH ELEVATION - EXISTING

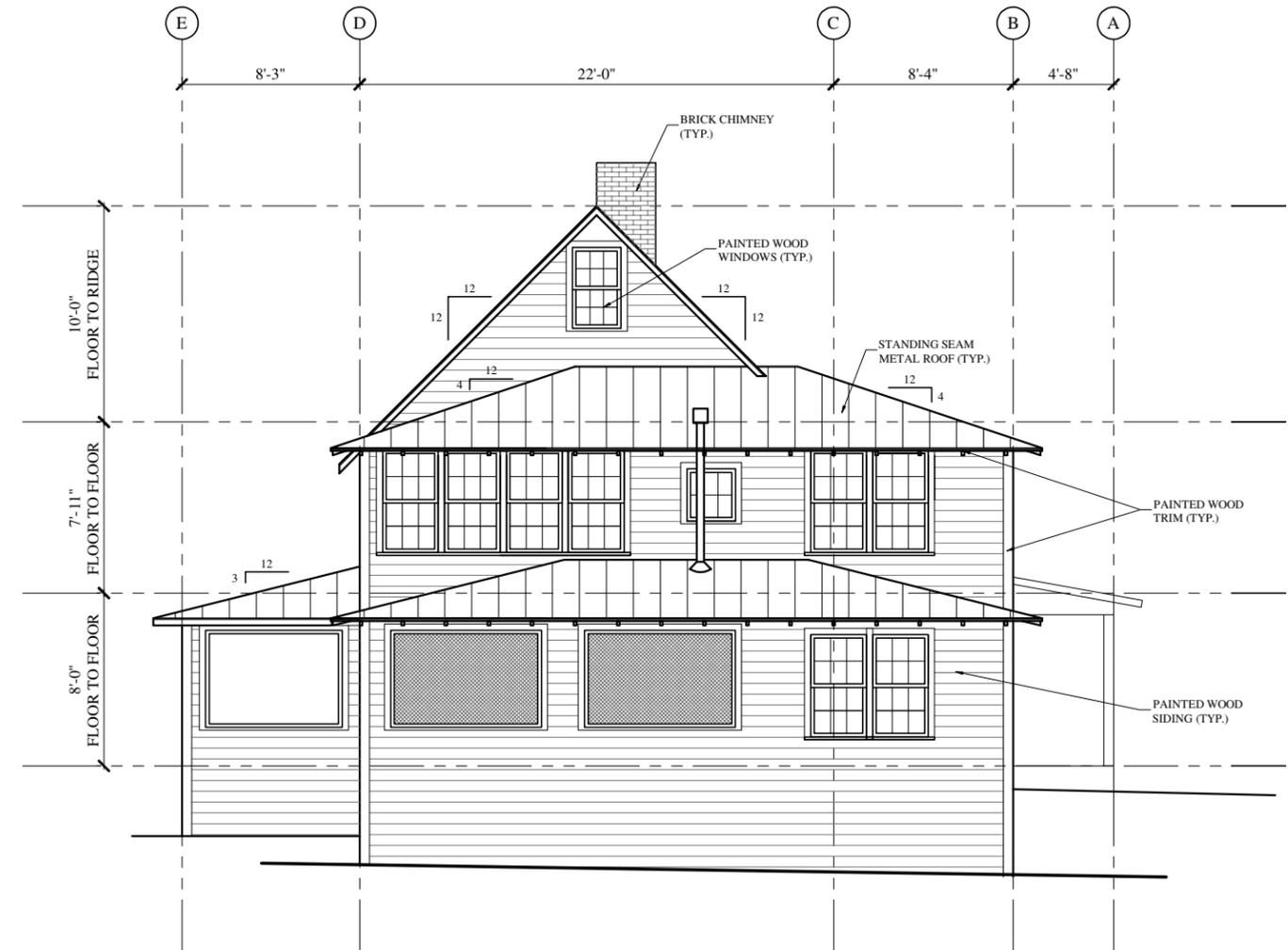
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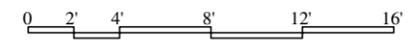
EAST ELEVATION - PROPOSED

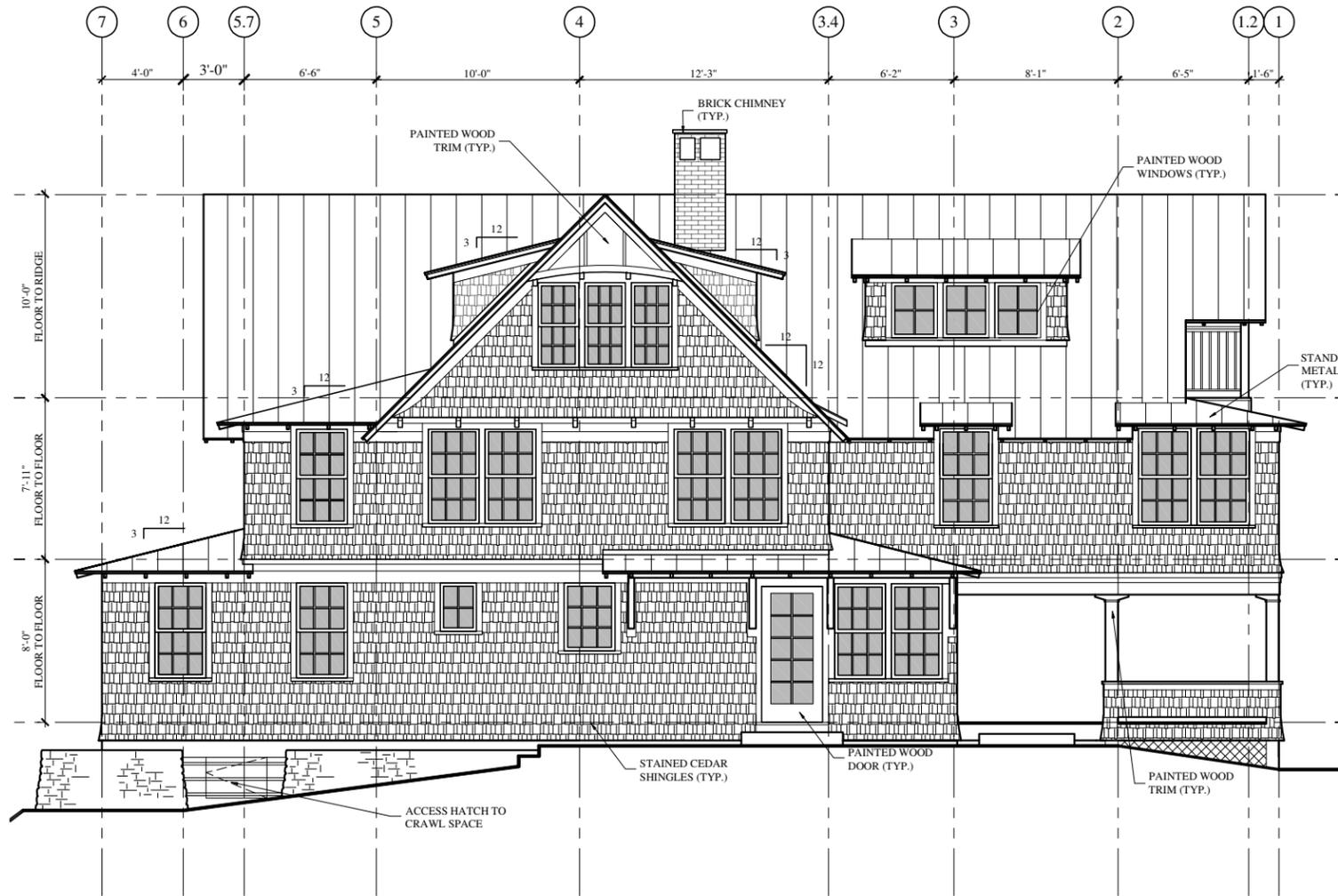
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EAST ELEVATION - EXISTING

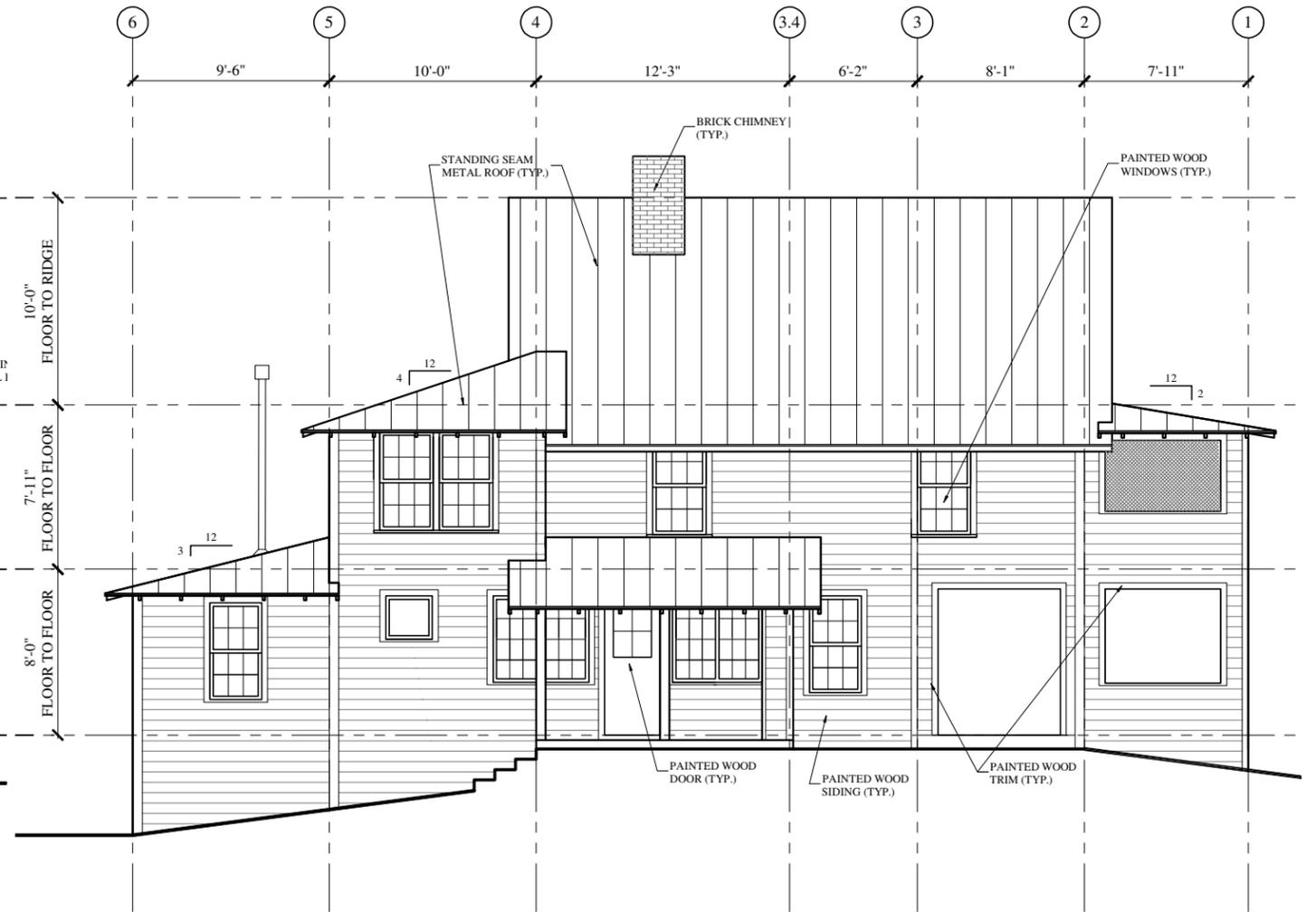
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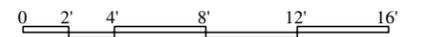
NORTH ELEVATION - PROPOSED

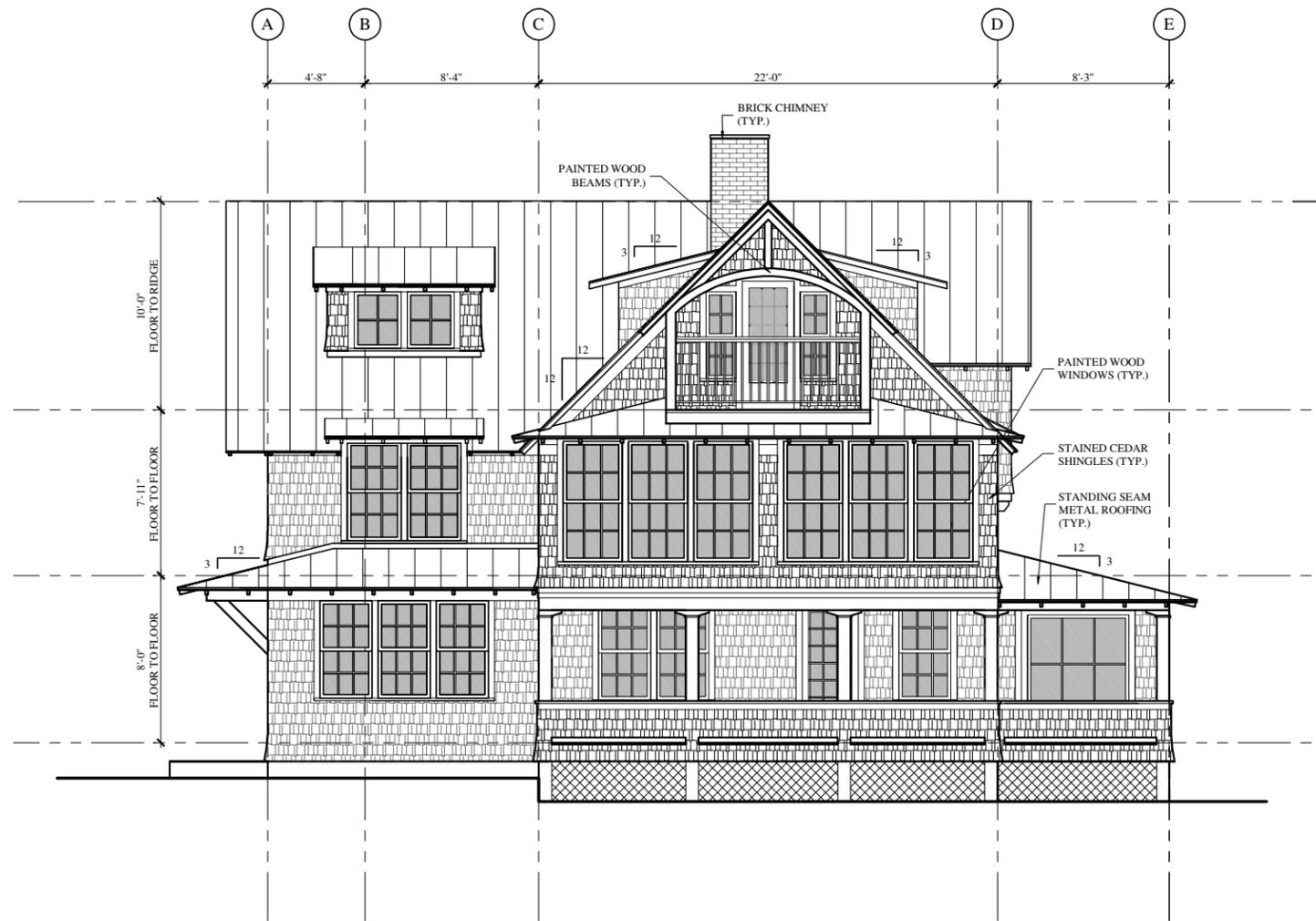
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NORTH ELEVATION - EXISTING

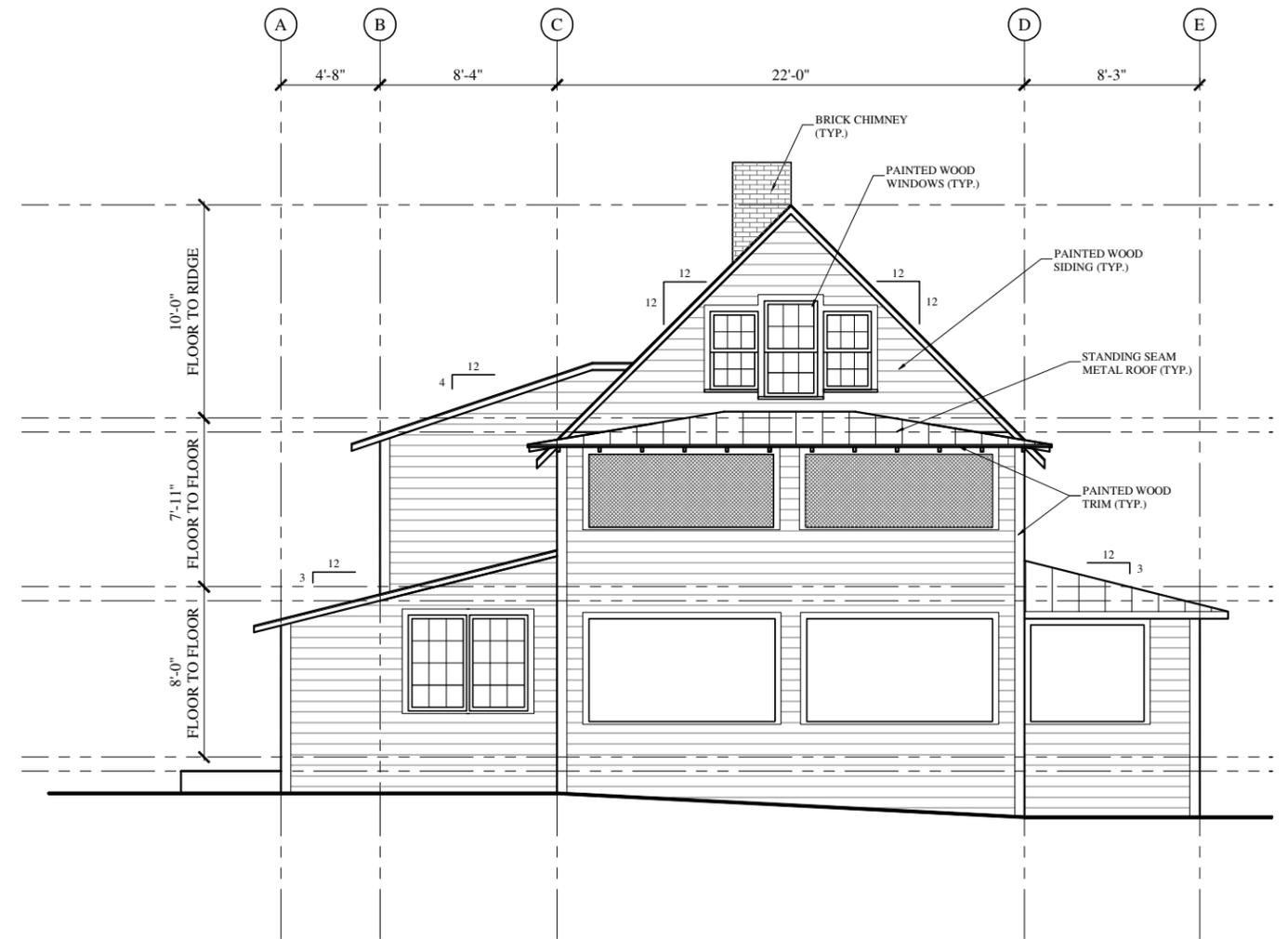
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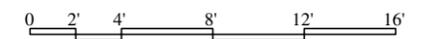
WEST ELEVATION - PROPOSED

SCALE: 1/8" = 1'-0"



WEST ELEVATION - EXISTING

SCALE: 1/8" = 1'-0"



December 19, 2014

To: Charlotte Zoning Board of Adjustment

RE: Illick Camp Renovation, 2668 Thompson's Point Road, Charlotte, VT

My parents purchased our camp at 2668 Thompson's Point Road in 1966. When we purchased the camp it was a six (6) bedroom house and it also included a west facing "sleeping porch" with two beds and an attic loft which we use as an office and for occasional dorm style sleeping at family events. Our camp has been used continuously in this manner from 1966 to the present. As part of our anticipated improvements, we are planning to eliminate the sleeping porch and to incorporate that space as part of the interior space of the adjacent bedrooms. We are planning to eliminate one of the 2nd floor bedrooms to make way for a better staircase to the attic loft space which will continue to be used as an office and also used as an occasional bedroom as it is used today. This attic bedroom space will replace the eliminated 2nd floor bedroom, and so we will maintain the existing total of six (6) bedrooms. In terms of wastewater disposal capacity I will say that we have been continuously using the camp as a six (6) bedroom plus house since 1966, so there will be no change to our water consumption/sewage disposal. Although it shouldn't matter, I will say the Illick family are EXTREMELY frugal water users. All our fixtures now and our anticipated new fixtures (sinks, tubs and showers) are very low flow fixtures by our choice.

Thank you.

John Illick