

ZONING BOARD OF ADJUSTMENT - APPLICATION

TOWN OF CHARLOTTE

Planning & Zoning
 P.O. Box 119
 169 Ferry Road
 Charlotte, VT 05445
 Phone: 802-425-3533
 Fax: 802-425-4241

Office Use Only #ZBA-15-04

Date Received:

artandcindy@awcurtis.com

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.

E-Mail: Gloria@townofcharlotte.com

Hearing Date: _____

Receipt # 9520 Application Fee \$500 Appeal Fee \$500 _____ Telecommunications Facilities Fee \$2,000 _____

***APPLICANT/REPRESENTATIVE (if different from owner)**

Name STEPHEN ROSE Name _____
 Address P O BOX 22 Address _____
CHARLOTTE VT 05445
 Phone (808) 386 3644 Phone _____

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

Map 40 Block 50 Lot 8-1 Parcel ID # 00024-0690 Thompsons Point Lot # 123
 Property address 690 North Shore Rd
 Zoning District S4M Lot size 0.35 ^{acres} Lot frontage _____ % of Lot coverage (building) 5.9 (overall) 5.95 Building height _____
 Existing front yard setback 25 Existing side yard setbacks 1. 25 2. 45 Existing rear yard setback _____

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.)

RECEIVED

AUG 10 2015

Now stairs (see attached)

CHARLOTTE
PLANNING & ZONING

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) [Signature] trustee Date 10 Aug 15

Cynthia S. Curtis Aug. 10, 2015

Cynthia Curtis
2200 The Oaks Blvd.
Kissimmee, Florida 34746

(407) 412-0330
(407) 738-0807 (cell)

eMail: artandcindy@awcurtis.com

August 6, 2015

Re: Application for additional stairs to cabin
690 North Shore Road

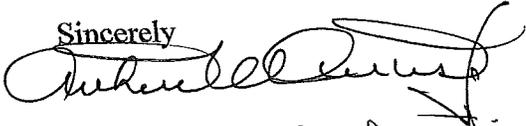
Zoning Board of Adjustment
159 Ferry Road
Charlotte, VT 05445

Members of the Board

This letter is to authorize Stephen Rose of Charlotte to represent us for all hearings and permit applications. His address is;

- Stephen Rose
- P,O Box 22
- Charlotte, VT 05445
- stephen.rose999@gmail.com

Thank you

Sincerely

Cynthia S. Curtis

Arthur and Cynthia Curtis

Cynthia Curtis
2200 The Oaks Blvd.
Kissimmee, Florida 34746

(407) 412-0330
(407) 738-0807 (cell)

eMail:

artandcindy@awcurtis.com

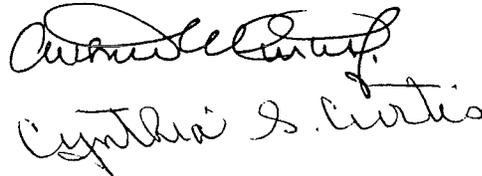
August 6, 2015

Re: Application for additional stairs to cabin
690 North Shore Road

Description of stairs on path to cabin

We propose additional stairs from the road to our cabin. The existing stairs will be extended up the hill close to the road and down the hill to the cabin. Construction will be of pressure treated wood to match the existing stairs. They will be 41 inches wide with rails, and 57 feet total length for a total of 197 square feet. Each stair board will be separated by $\frac{1}{4}$ inch to disburse the rain water runoff on to the existing path. The new stairs will be located on the same hard packed foot path that has been used for 86 years. The existing path has worn down and has become a safety hazard because of roots, rocks and the sewer line as shown on the attached photographs.

Sincerely

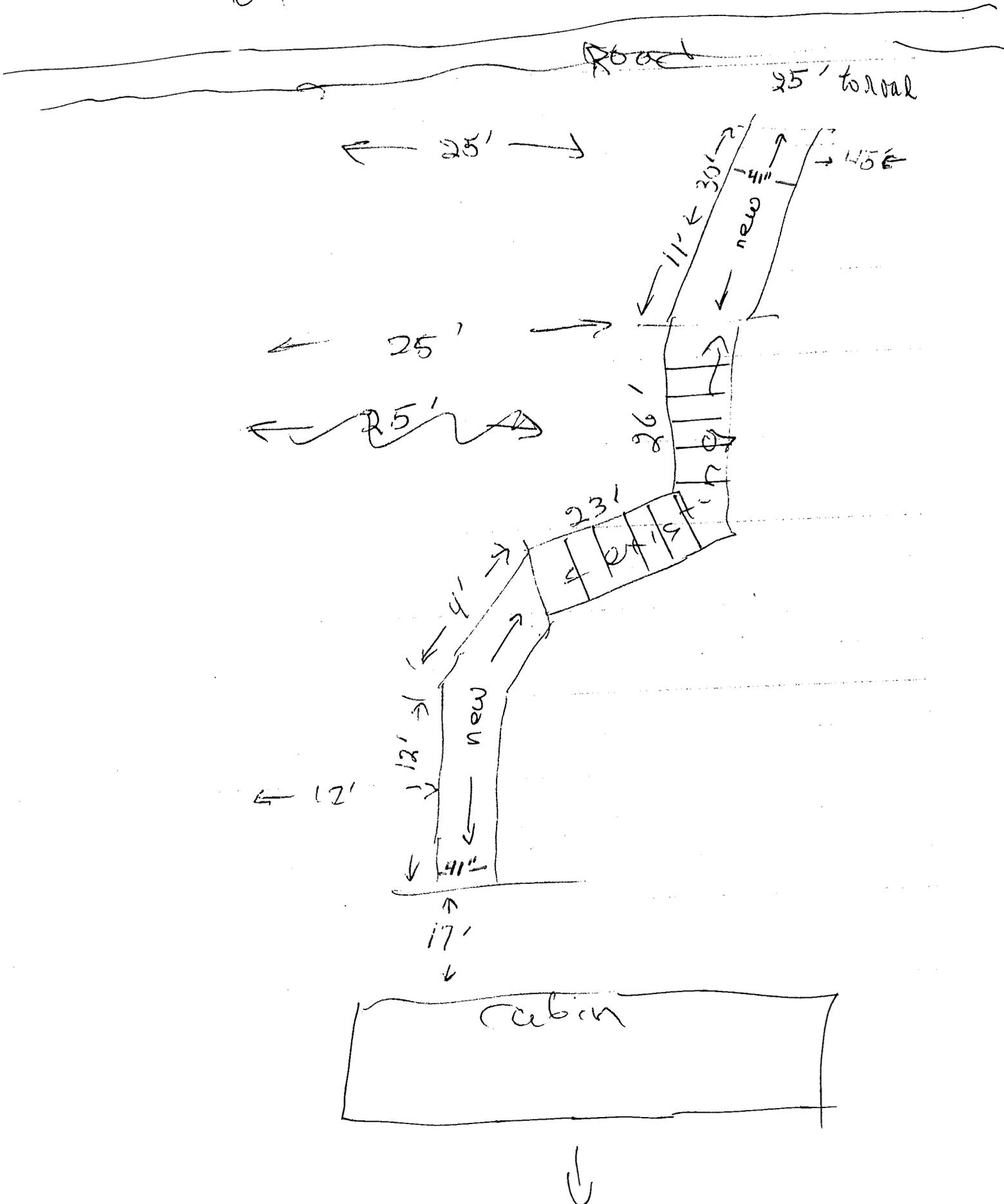


Cynthia S. Curtis

Arthur and Cynthia Curtis

Attached: stair photographs
 hazards
 lot diagram

690 North Shore Road



Information available from Town Lister and Tax Map.

Name <u>Donald Harrington</u> Address <u>700 Wetherill Lane</u> <u>Richmond VT 05447</u> Parcel # Map _____ Block _____ Lot _____	Name _____ Address _____ Parcel # Map _____ Block _____ Lot _____
Name <u>Diane J. Joyce</u> Address <u>153 Dezenzo Lane</u> <u>West Orange NJ 07052</u> Parcel # Map _____ Block _____ Lot _____	Name _____ Address _____ Parcel # Map _____ Block _____ Lot _____
Name _____ Address _____ Parcel # Map _____ Block _____ Lot _____	Name _____ Address _____ Parcel # Map _____ Block _____ Lot _____
Name _____ Address _____ Parcel # Map _____ Block _____ Lot _____	Name _____ Address _____ Parcel # Map _____ Block _____ Lot _____
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Name _____ Address _____ Parcel # Map _____ Block _____ Lot _____	Name _____ Address _____ Parcel # Map _____ Block _____ Lot _____

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.

not applicable

- (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.

Proposed entrance pair stairs are of similar construction and character with all nearby properties

- (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.

not applicable

- (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.

Table 2.7

- (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.

not ap

- (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.

not ap

- (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.

- (3) **Performance Standards.** The Board shall consider whether the proposed development will meet applicable performance standards under Section 3.1A, 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;

No noise will result from use of stairs

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

No vibrations shall result from stairs

- (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;

Not applicable

- (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;

Not applicable

- (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).

Not applicable

- (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;

No new lights shall be installed

- (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

not applicable. No waste will result from use of these stores

- (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.

There shall be no hazards of any kind

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 4.16]
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.

not applicable

(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.

not applicable

(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 alteration of ground surface

No tree trimming or cutting

(6) 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.

Not applicable

(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

Not applicable

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

not applicable

(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.

not applicable

- (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.

not applicable

- (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 5.4, 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).

not applicable

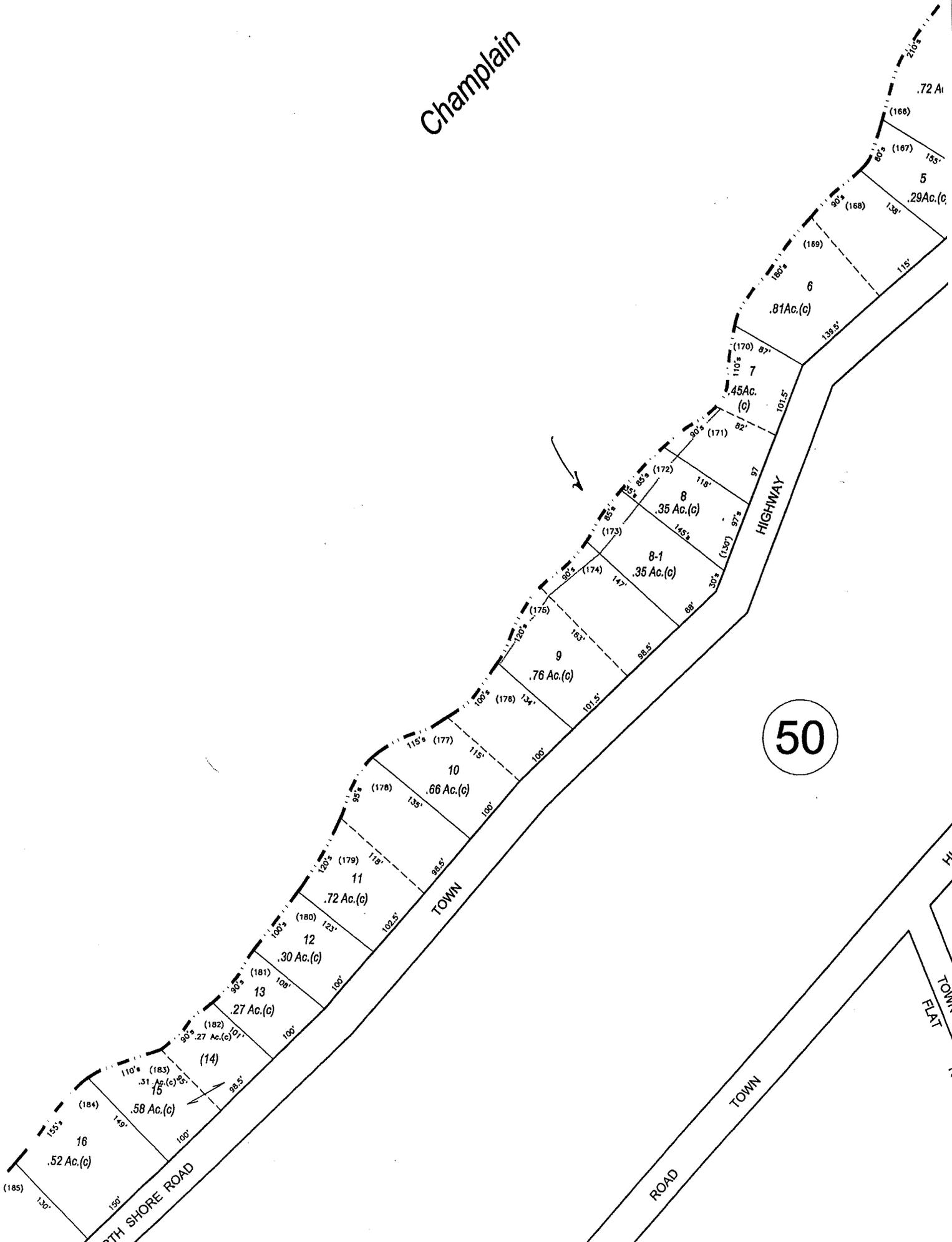
- (10) Temporary docks which are wooden or metal, used only for noncommercial purposes, are mounted on piles or floats, and removed at the end of each season do not require a zoning permit if the total (combined) length of all docks under single ownership does not exceed 50 feet (from Mean High Water), 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.

not applicable

- (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, channelling and soil erosion; and shall avoid adverse impacts and obstructions to adjoining shoreland areas.

not applicable

Champlain



BUILDING SKETCH

Case No 00024-0690

Property Address 690 NORTH SHORE ROAD

State

Zip

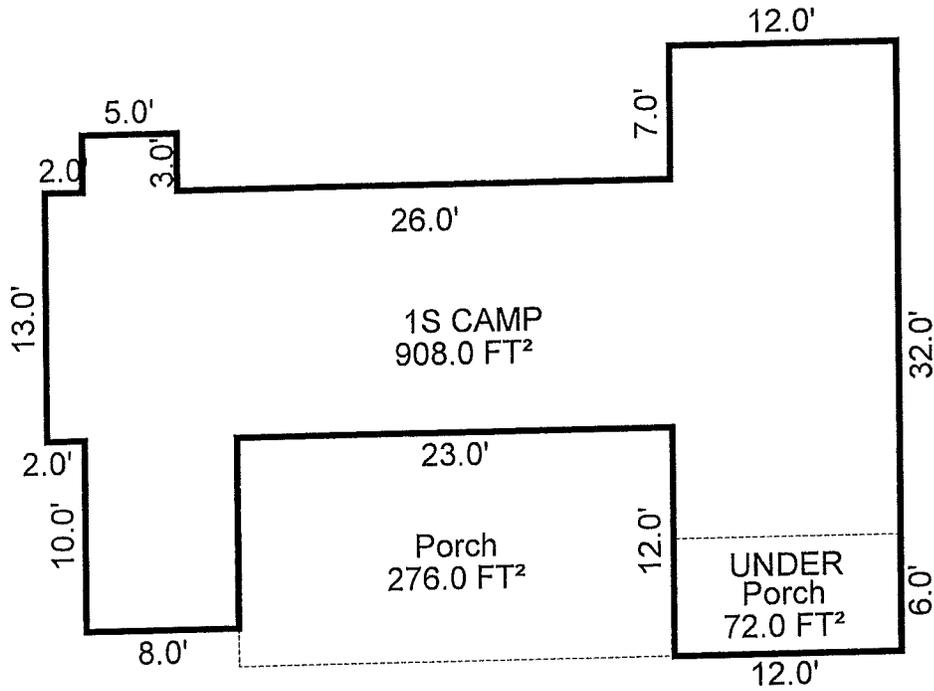
City

Borrower

Lender/Client

Appraiser Name Town of Charlotte

Appr Address



Scale: 1 = 10

AREA CALCULATIONS SUMMARY

Code	Description	Factor	Size	Perimeter	Totals
GLA1	1S CAMP	1.00	908.00	180.0	908.00
P/P	Porch	1.00	72.00	36.0	
	Porch	1.00	276.00	70.0	348.00

LIVING AREA BREAKDOWN

Breakdown			Subtotals
1S CAMP			
12.0	x	32.0	384.00
3.0	x	5.0	15.00
13.0	x	33.0	429.00
8.0	x	10.0	80.00

TOTAL LIVABLE (rounded)

908

4 Areas Total (rounded)

908



Safety
Hazards on
existing
Path to cabin
(roots
rocks)



existing
stairs in
middle



upper
new
stairs

upper end
of stairs
→ to road

to
upper
new
stairs



Existing
stairs in
middle of
path

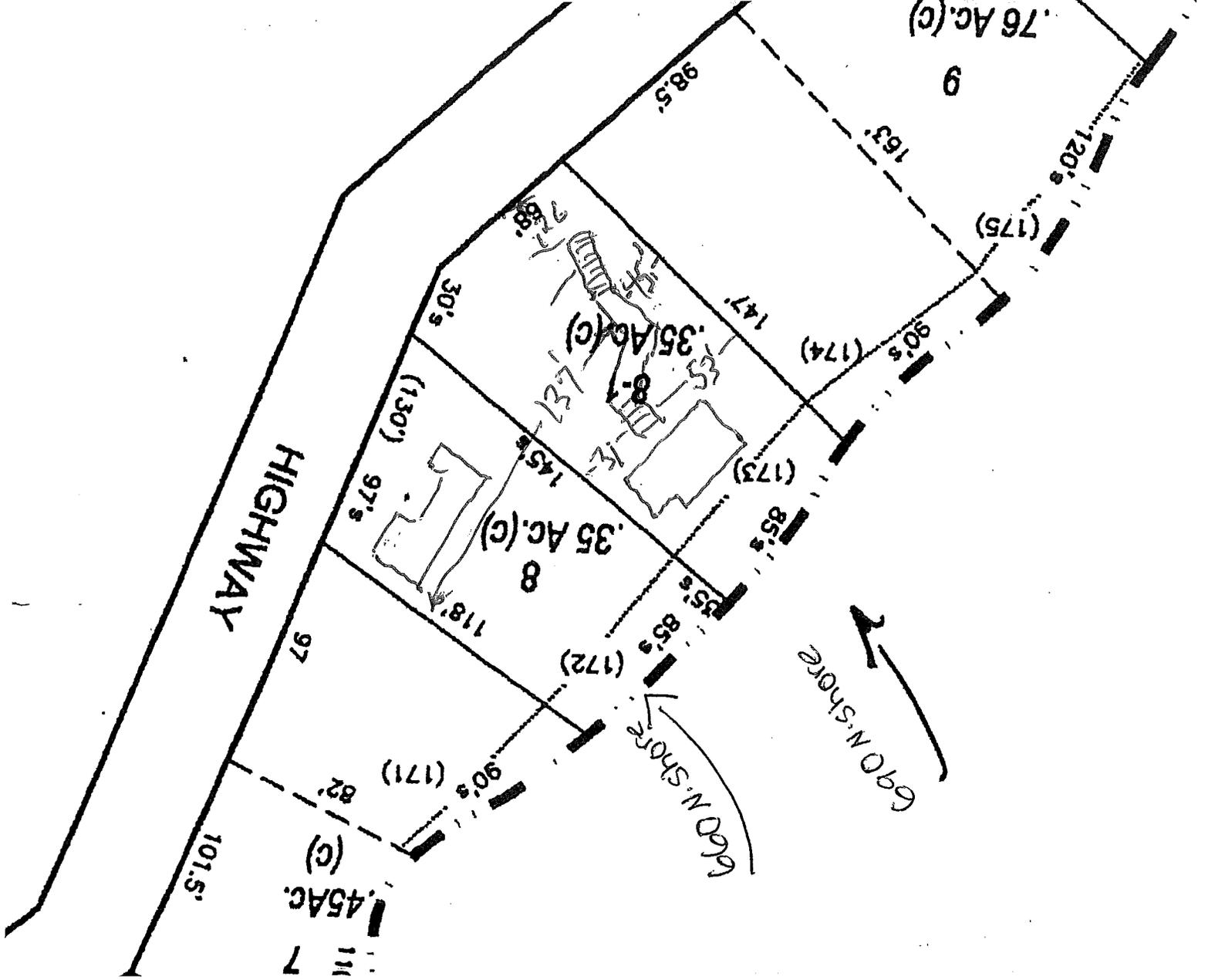
→ to lower
new stairs

Lower
new
stairs



lower end
of existing
stairs

↓ to cabin



690 North Shore Road
Lot Coverage and Building Lot coverage Calculations

Lot Size (0.35 Acres) = 15,246 Square Feet

Building Covered by a roof: 908 square feet

Covered Porch: 276 square feet

Building Lot Coverage: $1,184/15,246 \approx 7.5\%$

Proposed Stair Addition: ≈ 197 Square Feet

Existing Stairs: ≈ 140 Square Feet

Total Lot Coverage $1,521/15,246 \approx 9.9\%$

660 North Shore Road

Lot Size (0.35 Acres) = 15,246 Square Feet

Building Covered by a roof: 1088 Square Feet

Building lot Coverage: $1088/15,246 \approx 7\%$

Uncovered Porch: 260 Square Feet

Total Lot Coverage: $1,348/15,246 \approx 8\%$

660 & 690 North Shore Road Combined:

Total Building lot Coverage: $2,272 / 30,492 \approx 7\%$

Total Lot Coverage: $2, 869/30492 \approx 9\%$

*The State Shoreland Division did not consider the raised stairs, over the existing compacted path, as an increase in impermeable surface.

Britney Tenney

From: Donald Harrington <donharrington61@gmail.com>
Sent: Friday, August 14, 2015 8:32 AM
To: Britney Tenney; Cynthia Curtis
Subject: Art and Cindy Curtis Permit

Britney Tenney,

I am the owner of the camp at 660 North Shore on Thompson Point that co-leases land from the Town of Charlotte with Art and Cindy Curtis. I whole heartily consent and approve of the their plan of building stairs from the road to their camp.

Donald Harrington
660 North Shore, Charlotte, Vt