

Zoning Board of Adjustment
Conditional Use Review
In Re: Elysabethe James, 3960 Spear Street
Application Number: ZBA-14-03

Introduction and Procedural History

On May 15th, 2014, Elysabethe James submitted an application for Conditional Use Review to operate a one bedroom bed and breakfast at her home located 3960 Spear Street.

During the course of the hearing the following numbered exhibits were entered into the record:

1. A completed conditional use application form.
2. A list of abutters with addresses.
3. A sketch plan of the property prepared by the applicant.
4. A satellite image of the property and surrounding properties.

Findings:

Based on the application, testimony, exhibits, and other evidence the Zoning Board of Adjustment makes the following findings:

1. The property is located at 3960 Spear Street and is owned by Elysabethe James.
2. The parcel is approximately 7.42 acres and is located in the Rural District. The zoning districts are established by the Charlotte Land Use Regulations adopted November 2, 2010.
3. A bed and breakfast is a permitted Conditional Use in the Rural District (Table 2.5).
4. It is the applicant's intent to use an existing unoccupied bedroom for guests of the bed and breakfast.
5. The residence is currently being served by a right-of way owned by Nancy Hinsdale. The right-of-way is subject to a revocable easement agreement. The Board understands that the applicant's access to the right-of-way has been revoked by Nancy Hinsdale.

Decisions and Conditions:

Based upon these findings, the Zoning Board of Adjustments approves the application as *presented* under the following condition:

1. The applicant is able to demonstrate to the Zoning Administrator that the property has a private travel way, easement, or right-of-way, which provides vehicular access to a parking area(s) associated with the principal structure.

Vote: 4 in favor, 0 opposed, 1 absent

Dated at Charlotte, Vermont, this 29th day of July, 2014.

A handwritten signature in cursive script, appearing to read "Benjamin Pualwan", written over a horizontal line.

Benjamin Pualwan, Chairman

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Zoning Board of Adjustment. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.