

Nancy and Andrew Milliken
1946 Greenbush Road
Charlotte, VT 05445

August 31, 2016

Dear Town of Charlotte Zoning Board of Adjustment,

We are applying for a set back variance for the east side of our property, 1946 Greenbush Road in Charlotte, a 1970 ranch which is grandfathered for the current zoning setbacks. Our garage cinderblock foundation is cracked and in need of replacement. We are requesting for an additional twelve feet to be added to the foundation to the north as long as the width of the building. The variance is for the east side (front of house) closest to Greenbush Road because the house was built within the setback. We will not be changing the height of the building but will be making other improvements to the house that the twelve extra feet will allow and will greatly improve the energy efficiency and aesthetic of the dated home, bringing it up to the existing quality, standards and character of the neighborhood.

This variance reflects the least deviation because of the steep slope and natural characteristics of the plot. It would also allow for no curb change off of Greenbush.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Nancy and Andrew Milliken". The signature is fluid and cursive, with the first letters of the names being capitalized and prominent.

Nancy and Andrew Milliken

ZONING BOARD OF ADJUSTMENT - APPLICATION

TOWN OF CHARLOTTE

Office Use Only #ZBA- _____

Planning & Zoning

Date Received: _____

P.O. Box 119

159 Ferry Road

Charlotte, VT 05445

Phone: 802-425-3533

Fax: 802-425-4713

E-Mail: Gloria@townofcharlotte.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.

Hearing Date: _____

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

*APPLICANT/REPRESENTATIVE (if different from owner)

Name NANCY & ANDREW MILLIKEN Name _____

Address 1946 GREENBUSH RD Address _____

CHARLOTTE, VT 05445 _____

Phone 413-335-5525 Phone _____

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

Map 5 Block 1 Lot 25 Parcel ID # 0004-1946 Property address 1946 GREENBUSH RD

Zoning District RURAL Lot size 1.2 Lot frontage 210' % of Lot coverage (building) 3.7 (overall) 4.46 Building height 17'

Existing front yard setback 25 Existing side yard setbacks 1. 66 2. 70 Existing rear yard setback 160'

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.

This application references Zoning Bylaw section(s) RURAL

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

Describe your request: (When appropriate, make reference to attached documents, letters, photographs, etc.)
We request a 12' variance for the east side of our home. The current foundation of our garage is cracked and needs replacing. We would like to add 12' to the new foundation to allow the necessary upgrades ~~and~~ to improve the quality and character of the home. We will not be changing the weight of the building. Please refer to plot map to see setbacks, slope and proposed addition. Also provided are elevation drawings.

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 Nancy Milliken Date 8/31/16

Information available from Tax Maps	
Name <u>Peter and Diane Rosenfeld</u> Address <u>1908 Greenbush ROAD</u> Parcel ID # _____ Map _____ Block _____ Lot _____	Name _____ Address _____ Parcel ID # _____ Map _____ Block _____ Lot _____
Name <u>MATT and Raina Donahue</u> Address <u>1921 Greenbush ROAD</u> Parcel ID # _____ Map _____ Block _____ Lot _____	Name _____ Address _____ Parcel ID # _____ Map _____ Block _____ Lot _____
Name <u>TED Roberts, Beth Sysma</u> Address <u>1962 Greenbush Rd</u> Parcel ID # _____ Map _____ Block _____ Lot _____	Name _____ Address _____ Parcel ID # _____ Map _____ Block _____ Lot _____
Name <u>John and Christy Hagios</u> Address <u>1981 Greenbush Rd</u> Parcel ID # _____ Map _____ Block _____ Lot _____	Name _____ Address _____ Parcel ID # _____ Map _____ Block _____ Lot _____
Name <u>Tom Henneberger</u> Address <u>1830 Greenbush ROAD</u> Parcel ID # _____ Map _____ Block _____ Lot _____	Name _____ Address _____ Parcel ID # _____ Map _____ Block _____ Lot _____
Name _____ Address _____ Parcel ID # _____ Map _____ Block _____ Lot _____	Name _____ Address _____ Parcel ID # _____ Map _____ Block _____ Lot _____
Name _____ Address _____ Parcel ID # _____ Map _____ Block _____ Lot _____	Name _____ Address _____ Parcel ID # _____ Map _____ Block _____ Lot _____
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VARIANCES

Note that under Vermont law the board does not have the power to grant use variances because of owner preference. Area, dimensional, and density variances may be granted only for exceptional hardship cases where the unique physical circumstances of the site, such as, its shape, a hill, swamp, stream, ravine, rock outcropping, etc., prevent a permitted use of the property because regulations pertaining to the location of structures cannot be complied with, or where an existing structure must be allowed to be used to avoid depriving the owners of all beneficial use, forcing them to demolish it or have it remain vacant.

All appeals for variances must be heard by the Zoning Board of Adjustment. In support of your application please address each of the following criteria. The Board shall grant variances and render a decision in favor of the appellant, if all the following facts are found, and a finding is specified in its decision. **All five criteria must be met.**

In granting a variance under 24 V.S.A. §4469, the record must show that

1. There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to these conditions, and not the circumstances or conditions generally created by the provisions of the bylaw in the neighborhood or district in which the property is located.

The grandfathered 25' setback from Row, as well as the 50% slope over to the west 50 feet has created the need for a variance, so we may extend 12 feet to the North

2. Because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the bylaw, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

Because the house was built within the current setbacks we are asking for the least deviation possible. This variance would allow the existing egress off Greenbush Road.

3. Unnecessary hardship has not been created by the appellant.

The land is as it was when we bought it.

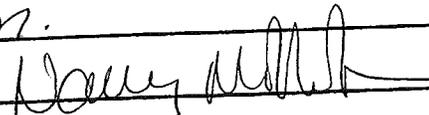
4. The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, or be detrimental to the public welfare.

This variance will not alter the character of the neighborhood and will allow upgrades, renovations, and foundation repair that will bring the house up to the standards of the neighborhood.

5. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from the bylaw and from the plan.

Adding to the north represents the minimum variance and least deviation.

Signed



Use Value Program



August 29, 2016

1:1,128

Lines

— Override 1

Road Centerline

— US Highway

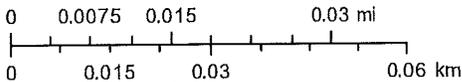
— Town Highway Class 2 or 3

--- Town Highway Class 4

-- Private/Unknown

+ Railroad

□ Route 7 Scenic Overlay



Charlotte Conservation Commission
 Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community
 Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the