



# Charlotte Planning & Zoning

PO Box 119 / 159 Ferry Road

Charlotte, VT. 05445

Phone (802)425-3533

Fax: (802)425-4241

## Planning & Zoning Permit Application

Use for **ALL** Planning & Zoning Permit Applications. See relevant Checklist and Questionnaire for specific requirements.

Project Location: 1025 Church Hill Rd Date: 11/15/17

Property Owner: Jordan & Jennifer Wilson Applicant: Same

Postal Address: 1025 Church Hill Rd Postal Address: \_\_\_\_\_

City, ST, Zip: Charlotte, VT 05445 City, ST, Zip: \_\_\_\_\_

Phone #: 802 425 5739 Phone #: \_\_\_\_\_

E-mail: jordanwilson1025@gmail.com E-mail: \_\_\_\_\_

Signature: [Signature] Signature: \_\_\_\_\_

I am the owner and certify all information on this form and additional forms are correct to the best of my ability. I Duly authorize the applicant (if needed) to act on my behalf for all matters pertaining to the permit process.

If authorized I certify all information on this form and additional forms are correct to the best of my ability.

Existing use of property: Single family residential

Proposed use of property: Single family residential

Description of Proposed Project: \* See attached.

### Specific Property Information

District: Rural Map: 5 Block: 2 Lot: 20 Parcel ID: 00007-1025 Lot Size: 1.5A

- Within 30 days of submission, the permit application shall be reviewed for completeness, and if complete, will be processed administratively or referred to the proper Board for review.
- Decisions are subject to an appeal period. (15 days for administrative; 30 days for Board Decisions)
- If you require assistance completing this or other forms, visit or call the Planning & Zoning office.

Office Use Only: Date Received:   /  /  

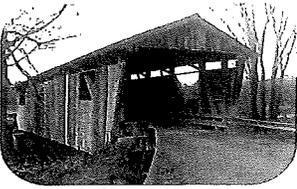
Type: Basic  Conditional Use  Variance  Appeal  Site Plan  Sketch Plan  Boundary

Check #: \_\_\_\_\_ Amount Paid: \_\_\_\_\_ Permit # \_\_\_\_\_ Hearing Date:   /  /  

Warning: Date Published   /  /   Date Sent   /  /   (Applicant, Neighbors)

Staff Report:   /  /   Date Hearing Closed:   /  /   45 Day Deadline:   /  /  

Ver



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### Conditional Use Review Questionnaire

Use for all Zoning Permit Applications **Requiring** Zoning Board Conditional Use Approval

Property Owner: Jordan Jenny Wilson Project Location: 1025 Church Hill Rd Permit #: \_\_\_\_\_

1. Effect on community facilities and services that will result from the proposed development?

None.

2. Character of the area affected. (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?)

The proposed structure will be in keeping with neighboring properties.

3. Traffic on roads and highways in the vicinity. (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.)

There should be no change to traffic.

4. Bylaws in effect. Does proposed development conform to other municipal bylaws and ordinances currently in effect, including but not limited to road, water or wastewater ordinances?

Na.

5. The use of renewable energy resources. Will the proposed development 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)

No.



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### Performance Standards Attachment

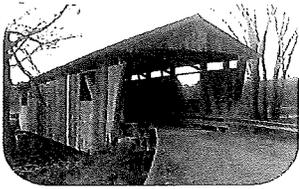
Use this for ALL zoning applications requiring (Section 3.12) Zoning Board approval.

Property Owner Name: Jordan and Jennifer Wilson

Project Location Address: \_\_\_\_\_

In order for your application to be considered complete, the following information must be provided:

1. Will your proposed development create a significant increase in noise levels?  
No.
2. Will your proposed development create vibrations which would be apparent to the surrounding area?  
No.
3. Will your proposed development create dust, noxious gas, or other forms of air pollution?  
No.
4. Will your proposed development cause releases of heat, cold, moisture, mist, fog, or condensation that would be detrimental to neighboring properties?  
No.
5. Will your proposed development create electromagnetic or electronic transmissions or signals which may interfere with or be detrimental to the community?  
No.
6. Will your proposed development create glare, lumen, light, or reflection that could detrimental to other property owners, motor vehicle operators, or public health, safety, and welfare?  
No.
7. Will your proposed development create liquid or solid waste or refuse which cannot be disposed of by available methods, or which pollutes surface, ground waters, or which otherwise may detrimental to public health, safety and welfare?  
No.
8. Will your proposed development create undue fire, safety, explosive radioactive emission or other hazards which could endanger the public, public facilities, or neighboring properties?  
No.



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### Accessory Structure Questionnaire

Use for all Zoning Permit Applications Involving Accessory Structures. (Section 4.18)

Property Owner: Jordan & Jennifer Wilson Project Location: 1025 Church Hill Rd. Permit #: \_\_\_\_\_

1. The main/principal structure on the lot is

Single family home

2. The main/principal use of the lot is

Residential

3. What is the height of the proposed structure? \_\_\_\_\_

4. What is the footprint of the proposed structure? 27' x 25'

5. How many floors are in the proposed structure? 2

6. Is the use of the proposed structure Residential or Commercial/Business?

Residential

7. If the use of the proposed structure is commercial/business what specifically is the commercial/business use?

N/A

8. Does the proposed structure have connections to permitted drinking and waste water disposal systems. ?

No.

9. What are the locations, sizes and uses of the other structures on the lot?

Detached single family residence <sup>≈</sup> 1500 sq. ft

10. Are the structures described in Question 9 permitted ? If so please describe the permit for each structure

ACCESSORY STRUCTURE MEMO v1

Use this for zoning applications involving an Accessory Structure

**Accessory Structure:** A structure on a lot which is clearly and customarily related to the principal structure or use on that lot. For residential uses these include, but may not be limited to garages, garden and tool sheds, children's playhouses, boat houses for the storage of three (3) or fewer boats, and permanent swimming pools. Section 10.1 Terms and Uses

1) Is the use of the proposed structure Residential or Commercial?

**Commercial Use:** An occupation, employment or enterprise that is carried on for profit by the owner, lessee or licensee. Section 10.1 Terms and Uses

- a. Residential Yes  No   
b. Commercial Yes  No

2) If the use of the proposed structure is commercial, what specifically is the commercial use? *n/a*

3) Is the Principal Structure on the lot "residential" or "commercial"?

**Principal Structure:** A structure or building in which the main, primary or principal use of the property is conducted. Attached accessory dwellings, garages, porches or carports, or other structures which share a common wall and/or roof, or are connected by a breezeway, are considered to part of the principal structure. Section 10.1 Terms and Uses

**Commercial Use:** An occupation, employment or enterprise that is carried on for profit by the owner, lessee or licensee. Section 10.1 Terms and Uses

- a. Residential Yes  No
- b. Commercial Yes  No

Are there 2 Principal Structures on the lot? If so, what are they? See Question 4 below NO.

4) Is the Principal Use of the lot "residential", or "commercial"?

*Use: The specific purpose for which a parcel of land or structure is designated, designed or intended, or for which it may be used and maintained. Section 10.1 Terms and Uses*

***Commercial Use:** An occupation, employment or enterprise that is carried on for profit by the owner, lessee or licensee. Section 10.1 Terms and Uses*

- a. Residential Yes  No
- b. Commercial Yes  No

Are there 2 Principal Uses on the lot? If so, what are they?

NO.

Is there a Mixed Use on the lot? And is it allowed in the Zoning District?

NO.

N/A

***Mixed Use:** A building or parcel containing two (2) or more principal uses which are otherwise allowed as permitted or conditional uses in the district in which the building or parcel is located (see Section 4.12). Section 10.1 Terms and Uses*

***Section 4.12 Mixed Use:** In the West Charlotte Village District, East Charlotte Village District, Village Commercial District, Commercial Light Industrial District, and Shoreland District, more than one principal use may be allowed as a mixed use within a single building, or on a single lot,*

5) Is the specific commercial use of the proposed structure customarily related and subordinate (i.e. accessory) to the principal use of the lot?

N/A

"Subordinate" is defined as "holding a lower rank, class, or position.", J.D. Associates No.2003-294, slip op at 2 (Vt.2004)(unpublished mem.), quoting Black's Law Dictionary 1439,1540 (7<sup>th</sup> ed. 1999) and as "a use that is minor in relation to the permitted use and bears a reasonable relationship to it." E.C. Yokley, Zoning Law and Practice 8-2 (4th ed. 2001)

a. Related Yes \_\_\_\_ No \_\_\_\_\_ - if "yes" how is it related to the use on the lot?

b. Subordinate Yes \_\_\_\_ No \_\_\_\_\_ - if "yes" how is it subordinate to the use of the lot?

**Accessory Use:** *A use on a lot which is customarily related and subordinate to the principal use of that lot. Section 10.1 Terms and Uses*

**Examples of Residential Accessory Structures & Uses are, but may not be limited to garages, garden and tool sheds, children's playhouses, boat houses for the storage of three (3) or fewer boats, and permanent swimming pools. Section 10.1 Terms and Uses**

**The Vermont courts (Environmental and Supreme Court ) have found that the following types of uses and structures are not accessory.**

**1. Garage for logging business is not accessory to a residence**  
*ENC 2005-086. Appeal of Stohl.*

**2. A pharmacy is not accessory to a doctors office** *In re Porter Medical Assocs. Use Change Permit Supreme Court of Vermont November 5, 1980, Opinion filed No. 70-80*

**3. A farm stand is not accessory to a residence** *In re White Supreme Court of Vermont January 18, 1991, Filed No. 89-215*

- 4. Junk car and boat storage not accessory to a residence**  
*Sandgate v. Colehamer Supreme Court of Vermont November 30, 1990, Opinion filed No. 88-340*
- 5. Auto sales not accessory to a service station** *Fleury v. Essex Zoning Bd. of Adjustment Supreme Court of Vermont July 8, 1982, Opinion Filed. No. 245-81*
- 6. Wireless communications transmitters and receivers on the sides of an housing project are not accessory** *Vermont Environmental Court Decisions* 2002. ENC 2002-028. In re: *Appeal of Edward Stanak and Joellen Mulvaney*

**The following uses were accessory.**

- 1. A barn is accessory to agricultural use** *In re Leonard & Saylor Permitted Use Zoning Permit Supreme Court of Vermont September 13, 2013 No. 13-080*
- 2. A rock crusher is accessory to a gravel pit** *In re A. Johnson Co. Conditional Use Permit Supreme Court of Vermont August, 2007, Term SUPREME COURT DOCKET NO. 2007-113*
- 3. Day care is accessory to a residence** *in re Appeal of Herrick Supreme Court of Vermont October 14, 1999, Filed SUPREME COURT DOCKET NO. 98-267, and Khamnei v. Coven Supreme Court of Vermont December 19, 2007, 183 VT 646 DOCKET NO. 07-200*
- 4. Rental is accessory use to residence** *In re Toor Supreme Court of Vermont August 24, 2012 No. 11-085*

### Description of Proposed Project:

Rebuild existing garage to its footprint, increasing its volume to include a second story over the entire footprint. Also, we would like to shift the footprint of the garage approximately 5 feet to the south to improve the functionality with our driveway and residence. This would also give a little more space between the structure and property line. We would also like to consider shifting the direction of the roof ridge 90 degrees, from N-S to E-W, to accommodate a rooftop solar array at some point in the future.

The current state of the of the garage is a complete tear down. The front of the structure is slowly sinking, making the existing doors non-functional. The roof on the shed section to the rear of the structure has collapsed and the the concrete slab has heaved and cracked beyond repair. I have not been able to park a car in the garage since buying the property in 2000.

Our objectives in rebuilding and increasing the volume of the garage are:

- to have a place to park our vehicles and other machinery(lawn tractor, snowblower), out of the weather.
- Dry, easily accessible storage for the contents of our basement, which is currently full, and storage for when we make improvements to our residence and need to relocate items. Access to the basement is awkward and difficult to navigate due to low ceiling and placement of utilities.
- A secure, open workspace to work on home improvement projects. We conduct most of our own home improvement projects. We are currently limited to working outdoors, which is not ideal in our climate and very inefficient in terms of having to constantly set up and breakdown tools.
- A creative/playspace for our kids. Our residence is small and does not offer any place for them to "escape"(or us, for that matter!), other than outdoors. We would like to have a space where they can play and create independently without the constraints of the house.
- Aesthetics and safety. The current structure is an eyesore and is structurally unsound. By rebuilding we believe that it will not only be an improvement for us, but for the neighborhood as a whole.

As of this writing we have not completed a design for the garage. We are currently working with an architect to develop a concept and a schematic plan and can provide those for your consideration as soon as they are done.

# 1025 Church Hill Road



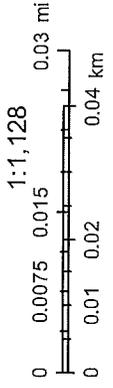
November 6, 2017

## Road Centerline

- US Highway
- Town Highway Class 2 or 3

- Town Highway Class 4
- Private/Unknown
- + Railroad

- 2016 Tax Parcel Boundary
- Stream Centerline
- WaterBody



Charlotte Conservation Commission  
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