

Town of East Montpelier

ZONING PERMIT

NOTICE

[To Be Displayed on the Property in Full View of the Public Right-of-Way]

Date Issued: January 21, 2021

Effective Date: February 5, 2021

Location: 785 Jacobs Road

Owner: Win Turner & Laura Bozarth

For: 685 sq. ft. Accessory Dwelling in Basement of Existing House. Permit specifically subject to LUDR Sections 3.18 & 4.2. Permitted use is accessory to primary residential use; must remain in common ownership.

Application # 21-002

Approved by: C. Bruce Johnson, ZA

Do not start project or commence use prior to the Effective Date. If this permit is based upon a Development Review Board approval, be advised that any appeal of that approval could affect the validity of this permit – do not start project or commence use until that DRB approval is final and clear of any state or local appeal process. This application is available for inspection at the Town Office. This poster must be displayed on the property in full public view for 15 days.

APPEALS TO DRB: A notice of appeal, including the \$150 fee, must be filed with the East Montpelier Town Clerk or Zoning Administrator at the Town Office by the listed Effective Date.

WARNING: State permits may be required for this project. Contact the state Permit Specialist, at (802) 505-5367, before beginning any construction.

Permit # 21-002

ZONING PERMIT APPLICATION

Date Received: 1/11/21Zoning District E

TOWN OF EAST MONTPELIER

Parcel # 02-083.000Overlays WR

PO Box 157, East Montpelier, VT 05651

Tax Map # 03-00-28.000

- A. 1. Name of Landowner WIN C TURNER Phone No. 802-233-6660
2. Address of Landowner 35 Liberty St Montpelier VT 05602
3. Applicant (other than owner) _____ Phone No. _____
4. Address of Applicant _____
5. Location of Property 785 Jacobs Rd E. Montpelier

B: Application is made (check appropriate boxes):

- | To: | For: | For: |
|-------------------------------------|---|--|
| <input type="checkbox"/> Construct | <input type="checkbox"/> One <input type="checkbox"/> Two-family dwelling | <input type="checkbox"/> Subdivision of land |
| <input type="checkbox"/> Repair | <input type="checkbox"/> Multi-family dwelling | <input type="checkbox"/> Boundary adjustment |
| <input type="checkbox"/> Alter | <input checked="" type="checkbox"/> Accessory Structure | <input type="checkbox"/> Extraction of earth resources |
| <input type="checkbox"/> Extend | <input type="checkbox"/> Commercial / Business | <input type="checkbox"/> Ground water withdrawal |
| <input type="checkbox"/> Remove | <input type="checkbox"/> Light Industrial | <input type="checkbox"/> Landfilling |
| <input type="checkbox"/> Change use | <input type="checkbox"/> Industrial | <input type="checkbox"/> Other |

Describe work to be performed:

Renovate 685 sq ft. in law suiteRequest for a UDR Section 4.2 accessory dwelling in a portion of the basement; great room w/ 1 bed & 1 bath

C. Lot description:

- | | |
|---|--|
| 1. acreage <u>17.4</u> | 4. depth side yards <u>45</u> Ft. _____ Ft.
(building to lot lines) |
| 2. road frontage <u>none ROW</u> Ft. | |
| 3. depth front yard <u>340</u> Ft.
(Road centerline to building) | 5. depth rear yard <u>945</u> Ft.
(building to lot line) |

Important - Submit site location map which describes the property on which the proposed land development is to occur. The map should indicate the length in feet of each boundary, the location and dimensions in feet of the development within the property, the distance from that development to all adjacent property lines and the distance to the public road centerline. Each parcel created by land development should be clearly described.

READ BELOW CAREFULLY AND SEE SECTION D ON PAGE 2 OF APPLICATION:

In accordance with 24 V.S.A. §4446, no development or subdivision of land may begin in the Town of East Montpelier until all applicable municipal land use permits and approvals have been issued. The undersigned requests a zoning permit as described above, understanding that the permit will be voided and penalties imposed, if the land development is not completed as described. The permit will be voided if development is not substantially commenced within one year from date of issue. The undersigned hereby applies on the basis of the representations contained herein, and to the best of his/her knowledge believes them to be true. The undersigned acknowledges the Section D notices on page 2 of this application.

Landowner WIN C TURNER Date 1/6/21
Applicant WIN C TURNER Date _____

Zoning Permit Fee: \$ 75.00 Cash _____ Check #2668 Date 1/11/21 Rec'd by D.S.

DRB Hearing Fee: \$ _____ Cash _____ Check _____ Date _____ Rec'd by _____

Make checks payable to the "Town of East Montpelier"

D. Warning: State permits may be required for this project. The applicant or permittee retains the obligation to identify, apply for, and obtain relevant state permits for this project. Call (802) 505-5367 to speak to Peter Kopsco, our region's state permit specialist, before beginning any construction.

Notice: Your project may be subject to the state's residential or commercial energy code. For more information contact the Energy Code Assistance Center at 855-887-0673 or see the following web pages:

Residential Building Energy Standards: http://publicservice.vermont.gov/energy_efficiency/rbes

Commercial Building Energy Standards: http://publicservice.vermont.gov/energy_efficiency/cbes

E. Action by Zoning Administrator:

1. ☒ Granted ☐ Denied Date Reason.....

2. Appealed to Development Review Board By
Date

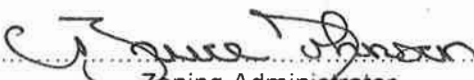
Notice: Appeal from a decision or act of the Zoning Administrator must be made in writing to the Development Review Board &/or Town Clerk within 15 days of the decision or act. The appeal fee is \$150.00.

3. Final Action: Permit # 21-002 Date Issued 01/21/21 Effective Date 02/05/21

DO NOT start this project prior to the effective date, as the statutes require a 15-day appeal period. If this permit is based upon a Development Review Board approval, be advised that any appeal of that approval could affect the validity of this permit – do not start project or commence use until that DRB approval is final and clear of any appeal process.

4. Permittee is required to submit a Certificate of Compliance form to the Zoning Administrator in accordance with East Montpelier Land Use & Development Regulations Section 7.4:

☐ Yes (form included with permit) ☒ No


.....
Zoning Administrator

F. Action by Development Review Board:

1. Public Notice Date

2. Date(s) of Hearing

3. ☐ Granted ☐ Without conditions ☐ With conditions (See written decision for conditions)

4. ☐ Denied (See written decision for reasoning)

.....
Chairman, Development Review Board

The DRB's written decision was issued on:

The applicant, appellant or other interested person who has participated in a regulatory proceeding of the DRB may appeal the decision rendered by the DRB within 30 days of the issuance of such decision, to the Environmental Division of the Vermont Superior Court, in accordance with 24 V.S.A. §4471.

1. "Participation" in a DRB proceeding shall consist of offering, through oral or written testimony, evidence of a statement of concern related to the subject of the proceeding.

2. The notice of appeal shall be filed by certified mailing, with fees, to the Environmental Division of the Vermont Superior Court and by mailing a copy to the East Montpelier Zoning Administrator, who shall supply a list of interested persons (including the applicant if not the appellant), to the appellant within five (5) working days. Upon receipt of the list of interested persons, the appellant shall, by certified mail, provide a copy of the notice of appeal to every interested person. If any one or more of those persons are not then parties to the appeal, upon motion they shall be granted leave by the court to intervene.

East Montpelier Land Use & Development Regulations

Section 3.18 Water Supply & Wastewater Disposal

No building or structure intended for human occupancy shall be erected, altered or converted to another use unless adequate water supply and wastewater disposal systems are provided in compliance with all applicable municipal and state regulations. **No construction may be commenced under an East Montpelier Zoning Permit unless and until proof of issuance of any and all required state wastewater and potable water supply permits is submitted to the Zoning Administrator.** In situations where a state wastewater permit is required, no Certificate of Compliance may be issued under Article 7 Section 7.4 of these regulations until a copy of the pre-cover-up inspection report is submitted to the Zoning Administrator.

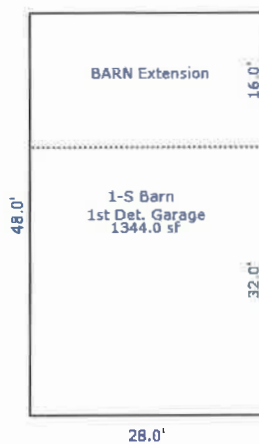
Section 4.2 Accessory Dwellings

(A) In accordance with the Act [§4412(1)], one attached or detached dwelling unit which is accessory to a single family dwelling may be allowed in any district subject to review by the Zoning Administrator under Section 7.1 and the following requirements:

- (1) Either the primary single-family dwelling or the accessory dwelling must be occupied by the owner;
- (2) The floor area of the accessory dwelling shall not exceed 30% of the floor area of the total existing living area of the single family dwelling, or **600 square feet***, whichever is greater;
- (3) One on-site parking space shall be provided for the residents of the accessory dwelling, and
- (4) The accessory dwelling shall be served by the same access and driveway as the single family dwelling unless access as per Section 3.3 D.1 (D) is determined and approved by the Selectboard due to unusual circumstances.

(B) **Any zoning permit issued for an accessory dwelling shall clearly state that the dwelling is permitted only as an accessory to the principal use of the property and shall be retained in common ownership.** An accessory dwelling may be subdivided and/or converted for conveyance of use as a principal dwelling only if it is found to meet all current municipal regulations applying to a two-family dwelling, or to two single-family dwellings if detached, including all density and dimensional requirements for the district in which it is located. All applicable municipal permits and approvals shall be required prior to conversion to, or conveyance as, a principal dwelling.

*** Section 4.2 has been modified by Act 179, signed into law October 12, 2020. The Act amends 24 V.S.A. §4412 (1) (E) dealing with accessory dwellings to set the maximum size limitation at 900 square feet or 30% of the single-family dwelling's habitable floor area, whichever is greater.**





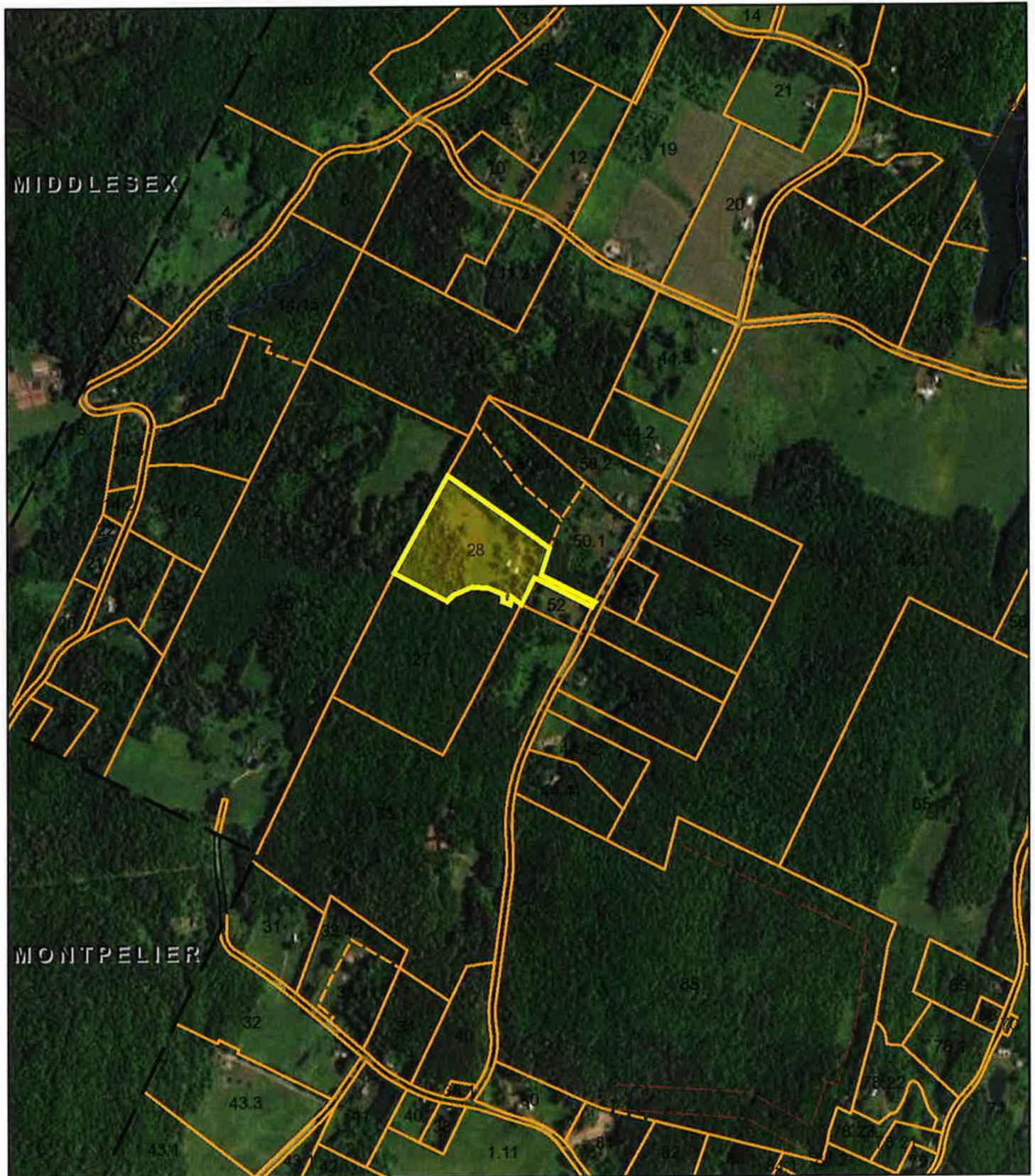
Turner -- 785 Jacobs Road

East Montpelier, VT

1 inch = 1078 Feet



January 14, 2021



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.