

**VILLAGE OF ESSEX JUNCTION  
ZONING BOARD OF ADJUSTMENT  
JULY 19, 2016  
AGENDA  
6:00 P.M.**

**I. Audience for Visitors**

**II. Additions or Amendments to Agenda**

**III. Minutes**

- A. Regular Meeting – March 15, 2016

**IV. Public Hearing**

- A. Variance application for an existing storage shed located 2 feet from the side property line at 22 Pleasant Street in the R-2 District by Emily and Torrey Mack, owners.

**V. Other Business**

**VI. Adjournment**

Pursuant to 24 VSA Section 4464(a)(1)(C) Participation during the public hearing before the Essex Junction Zoning Board of Adjustment is a prerequisite to the right to take any subsequent appeal.

Members of the public are encouraged to speak during the Public-To-Be-Held agenda item, during a Public Hearing, or, when recognized by the Chair, during consideration of a specific agenda item.

This meeting will be held in the conference room of the Essex Junction municipal building at 2 Lincoln St., Essex Jct., VT. Reasonable accommodations will be provided upon request to the Village, 878-6950, to assure that Village meetings are accessible to all individuals regardless of disability.

For information on subsequent meetings on the above mentioned applications, please contact the Community Development Department from 8 – 4:30 at 878-6950 or the website [www.essexjunction.org](http://www.essexjunction.org).

**VILLAGE OF ESSEX JUNCTION  
ZONING BOARD OF ADJUSTMENT  
MINUTES OF MEETING  
July 19, 2016**

**MEMBERS PRESENT:** Tom Weaver (Chairman); Bruce Murdough, Aaron Martin, Jim Moody (Martin Hughes was absent.)  
**ADMINISTRATION:** Robin Pierce.  
**OTHERS PRESENT:** Emily and Torrey Mack.

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**1. CALL TO ORDER and AUDIENCE FOR VISITORS**

Chairman Tom Weaver called the meeting to order at 6 PM. There were no comments from the audience.

**2. ADDITIONS/AMENDMENTS TO AGENDA**

There were no changes to the agenda.

**3. MINUTES**

*March 15, 2016*

**MOTION by Aaron Martin, SECOND by Jim Moody, to approve the March 15, 2016 minutes as written. VOTING: unanimous (4-0); motion carried.**

**4. PUBLIC HEARING**

The function of the Zoning Board as a quasi-judicial board and the hearing procedure were explained. Individuals to give testimony before the Board were sworn in.

**Variance application for an existing storage shed located two feet from the side property line at 22 Pleasant Street in the R-2 District by Emily and Torrey Mack**

Emily and Torrey Mack appeared on behalf of the application.

**STAFF REPORT**

The Zoning Board received a written staff report on the application, dated 7/19/16.

Tom Weaver noted the following:

- A letter from the applicant, dated 3/23/16, was received that explained without a variance for the shed there would be little functional space in the backyard.
- There is a 6' high stockade fence on the property line and 2 ½ feet from the shed.
- A letter from Sucann Van Buren, 24 Pleasant Street, was received in support of the variance requested for 22 Pleasant Street.
- There are unique topographical features on the lot.
- The variance is the minimum necessary.

**APPLICANT COMMENTS**

The applicant stated the letter explains the need for a variance. The back of the lot is only 35' wide.

## PUBLIC COMMENT

None.

**MOTION by Aaron Martin, SECOND by Jim Moody, to close the public portion of the application for a variance at 22 Pleasant Street by Emily & Torrey Mack.**

**VOTING: unanimous (4-0); motion carried.**

## DELIBERATION/DECISION

Variance, Shed, 2' from Side Property Line, 22 Pleasant Street, Mack

## FINDINGS OF FACT:

1. The subject property is located at 22 Pleasant Street in the R-2 District with a lot size of approximately 7,854 s.f.
2. The minimum lot size in the R-2 District is 7,500 s.f.
3. The owners of record are Emily and Torrey Mack.
4. Section 619.C.2 of the Land Development Code requires a minimum side yard setback of 8' for all structures.
5. A variance of 6' is requested for the current shed location.
6. The maximum permitted total lot coverage in the R-2 District is 40%. The maximum permitted building coverage is 25%. Total lot coverage with the shed is 34.9%.
7. The subject lot is 35' wide at the rear and 67'6" at the front.
8. There is a 6' high stockade fence along the east side property line.
9. It is common in the neighborhood surrounding the subject property for structures to be closer to the side property line than the minimum side setback of 8 feet.
10. There was no public comment on the application except a letter from the neighbor at 24 Pleasant Street (Van Buren) in support of the variance.

## CONCLUSIONS:

1. Findings #1-#10 support the variance criteria in Section 1703.C (1-6).

**MOTION by Aaron Martin, SECOND by Jim Moody, based on the Findings and Conclusion to approve the variance application for an existing storage shed located two feet from the side property line at 22 Pleasant Street by Emily & Torrey Mack.**

**VOTING: unanimous (4-0); motion carried.**

**5. OTHER BUSINESS***Joint Meeting*

Tom Weaver announced a joint meeting with the Trustees, Planning Commission, and Zoning Board on 7/25/16 to discuss potential changes that could result in the Zoning Board being replaced with a Development Review Board which will handle development applications while the Planning Commission will focus on planning issues.

**6. ADJOURNMENT**

**MOTION by Aaron Martin, SECOND by Bruce Murdough, to adjourn the meeting. VOTING: unanimous (4-0); motion carried.**

The meeting was adjourned at 6:17 PM.

RScTy: M.E. Riordan

