

TOWN OF CALAIS
DEVELOPMENT REVIEW BOARD

In Re: Application 2018-02
Kathryn Salerno and Annette Hansen-Schmidt
238 Road Ext
Variance Requested

A hearing before the DRB was held on May 17, 2018 at the Maple Corners Community Building with the following DRB Members present: Margaret Bowen, Ruth Porter, Barbara Weedon, Walt Amses and Alternate Denise Wheeler. Also Present were John McCullough Zoning Administrator, Owners Kathryn Salerno, Annette Hansen-Schmidt and Abutting Landowner Scott Thompson.

Introduction:

An application for a variance was filed on April 12, 2018 for the construction of a garage with attached open woodshed to be set 15 feet from the abutting property line. The landowners indicated that they needed to maintain an access between the proposed garage and the existing house in order to allow for trucks to access the septic system tank or the artesian well for future maintenance. By placement of a separation of 12 feet, the new garage would have to be set back and placed closer to the property line than the required 25 feet stated in the zoning regulations.

Findings of Fact:

In reviewing the application drawing it was noted that there is limited space for placement due to the fact that the property consists of 2 acres of land with the Septic Tank, Artesian Well and Ravine on the south side of the property, a large ledge area and leach field between the road and the house site on the west side, being the front lawn, and a hill at the rear on the east side. This leaves only the northeast corner of the property having the least amount of obstruction and is in line with the existing driveway to place the proposed garage.

Mr. Scott Thompson, an abutting landowner was present and indicated he had no objections to the requested variance. John McCullough indicated that he had spoken to the other abutting landowners and upon explanation of the project they did not have any objections.

Conclusions:

Said property is within the Resource Recreational Zoning District described on Table 2.3 of the Town of Calais Land Use and Development Regulations as a permitted use. The Minimum Setback/Side, Rear under Dimensional Standards requires 25 feet. Because the proposed garage and woodshed structure will be placed within 15 feet of the property line it requires a variance approval by the DRB.

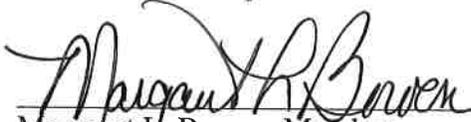
This project meets all of the variance regulations under **Section 1.8 Variances** stated in the Town of Calais Land Use and Development Regulations as follows:

1. That there are unique physical circumstances and conditions including irregularity narrowness or shallowness of lot size and shape and topographical conditions peculiar to this property.

2. That because of such physical circumstances and conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning regulation and the authorization of a variance is necessary to enable the reasonable use of the property.
3. That the unnecessary hardship has not been created by the appellant.
4. That the variance will not alter the essential character of the neighborhood or district.
5. That the variance will represent the minimum that will afford relief and will represent the least deviation from the zoning regulations and Calais Town Plan.

Order:

Approval for a Variance Permit is **hereby granted and approved** for said project as present to the Calais Development Review Board.


 Margaret L. Bowen, Member

Dated: 5/22/18


 Ruth K. Porter, Member

Dated: 5/26/2018


 Barbara Weedon, Member

Dated: 5.22.18

 Walt Amses, Member

Dated: _____


 Denise Wheeler, Alternate Member:

Dated: 5/28/18

Notice of Right to Appeal:

In accordance with 24 VSA sections 4471 and 4772, the decision may be appealed within 30 days of the date to the Vermont Environmental Court. Notice of appeal shall be filed by certified mailing, with fees, to the Vermont Environmental Court and by mailing a copy to the Calais Zoning Administrator and to every interested person who appeared at the DRB hearings. Failure of any interested person to appeal within the specified 30 day period shall result in the interested person being bound by this decision. Thereafter, the interest person shall not contest, either directly or indirectly, the decision of the DRB in any subsequent proceeding, including any enforcement action brought under the provisions of 24 VSA Chapter 117. See also Town of Calais Land Use and Development Regulations, Section 1.7, Appeals.

Calais Development Review Board
Minutes May 17, 2018

Board Members Present: Margaret Bowen, Ruth Porter, Walt Amses, Barbara Weedon and alternate Denise Wheeler.

Others Present: Zoning Administrator John McCullough, and owners Kathryn Salerno and Annette Hansen-Schmidt and Scott Thompson abutting landowner,

2018-02 Kathryn Salerno and Annette Hansen-Schmidt – 238 Duger Road Ext.

The applicants are requesting a variance for the construction of a 24' x 24' garage with a 10' woodshed on the right side. They need a variance permit as the set back distance on the left side will be only 15 feet from the boundary line. The standard set back is 25 feet in the zoning regulations. The applicants explained that they would have to maintain an access distance between the new structure and the existing house to allow for trucks to enter the premises for maintenance on the septic tank system or the well.

Mr. Scott Thompson, one of the abutting landowners was present and indicated that he had no objections to the requested variance. John McCullough indicated that he had spoken to the other abutting landowner and upon explanation they did not have any objection.

Upon discussion and questions from the DRB the meeting was closed. It was reported to the applicants that the DRB would review the information provided and a decision would be forth coming in the near future.

There being no other business to come before the meeting, it was adjourned.

Margaret L. Bowen
For Secretary Tim Scandale