

Conditional Use Hearing
Town of Greensboro
John and Anna Belle Loeb
(the Sprenger Trust)
September 26, 2012

To consider a conditional use permit by John and Anna Belle Loeb (the Jane Sprenger Trust) for an exterior renovation at their camp at 193 Cheney Rd. The camp is within the 150 foot buffer zone of Caspian Lake.

The conditional use permit is for an alteration to a nonconforming structure within the 150' buffer zone of Caspian Lake. It requires a review under the following sections of the Greensboro Zoning By Laws: 2.5 Lakeshore District, 3.8 Nonconforming Structures and 5.4 Conditional Uses.

Warnings were posted at the Town Hall, the Greensboro Post Office and the Greensboro Bend Post Office on September 10, 2012. It was published in the Wednesday, September 12, 2012, Hardwick Gazette. On September 10, 2012, the warning was sent to the applicants, John and Anna Belle Loeb; their representative, Nathan Day; and the following abutters: Allen F. Davis, Daniel Davis, et al; and Caspian Lake Properties, LLC

Zoning Board members present: Marsha Gadoury, Bud Harvey, Nat Smith, Linda Romans, Janet Travers, Jane Woodruff and Wayne Young

Others present: Nathan Day, applicants' representative

Oath: administered to those present

Summary of Discussion

The hearing was opened at 7:03PM. The board went into deliberative session at 7:20 and came back into public session to announce their decision at 7:30.

After the oath was given to Mr. Day and Ms. Woodruff explained the hearing procedure, Ms. Woodruff stated that this was a hearing for a conditional use permit for a bay window. However, at the site visit the Board was informed that the Loeb's were now thinking of a cantilevered bay with windows rather than just a bay window. Mr. Day agreed and stated that the extension from the face of the building would be roughly the same. The only difference was that instead of ending in a window seat, the bay would go all the way to the floor. Ms. Woodruff stated that since the site visit the Board had had correspondence with the zoning administrator and she indicated that the new proposal would have to have a variance since it was an addition to the footprint of the structure because it increased the floor space. Mr. Day asked what they would have to do to apply for a variance and Ms. Woodruff advised him that the Loeb's would have to apply for a variance and complete the same type of application as the conditional use application and pay the fee again. Mr. Day asked if the Board could give him some indication if a variance application would be granted. Ms. Woodruff replied that the board could not give that kind of assurance but he could talk with Ms. Leahy, the zoning administrator, and she could advise him on how it would fit the criteria for a variance. Through discussion Mr. Day decided to continue with the conditional use application for the bay window and have the option of coming back for a variance if it seemed feasible. The Board agreed and the hearing for the conditional use permit proceeded.

Ms. Woodruff asked Mr. Day to describe the original project the Loeb's would like to do. Mr. Day said they wanted a bay window put in to give more light to a rather dark room. It would extend 28 inches from the wall of the house, be eight feet wide and five feet high. The roof of the bay would be a continuation of the roofline of the house.

Findings

Based on the application, testimony, and other evidence the Zoning Board of Adjustment makes the following findings:

The Board considered the general and specific criteria for conditional uses in the Greensboro Zoning By-Laws (5.4 Conditional Uses, pg. 27)

B) The proposed bay window would not have an adverse effect on:

1. the capacity of existing or planned community facilities.
2. the character of the area.
3. traffic in the vicinity
4. by laws and ordinances presently in effect.
5. the utilization of renewable energy resources

C) Specific Standards:

1. The minimum lot size is appropriate for the Lakeshore District.
- 2 It meets all setback requirements.
- 3 The alteration needs no screening to protect the character of the area.
- 4 Any signs will not be lighted and will conform to the character of the area.
- 5 The structure is compatible with other structures in the area.
- 6 The structure adheres to all criteria in the Lakeshore District.
- 7 The bay window will not affect the noise or create air pollution in the area.

The addition of the bay window met all of the conditional use criteria.

Decision and Conditions

Based upon these findings the Zoning Board of Adjustment approves this conditional use application.

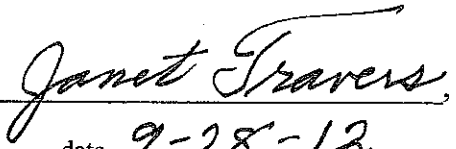
The bay window will not affect the character of the area, follows the permitted uses and standards of the Lakeshore District and does not increase the nonconformance of the structure.

Signed:



Jane Woodruff, chair

date 9/28/2012



Janet Travers, clerk

date 9-28-12

NOTICE:

This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding (in person or in writing) before the Zoning Board of Adjustment. Such appeal must be made within 30 days of the date of this decision, pursuant to 24 V.S.A. #4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.