

Day L. Patterson and Janet Showers Patterson
146 Birch Lane
Greensboro, VT 05841

September 22, 2020

Town of Greensboro Development Review Board
P.O. Box 119
Greensboro, VT 05841

Dear DRB Members,

We are submitting herewith an application for a permit to rebuild the accessory structure/shed on our property at 146 Birch Lane, two photographs of which structure are attached hereto (one photo taken from its west side, the other photo taken from Caspian Lake directly in front of the structure).

The structure is situated on the southern shoreline of Black's Point and has been located there for many years, we believe more than 100 years. The structure is 30' from Caspian Lake and, because of the many trees on our 146 Birch Lane property, is not readily visible from the lake. Indeed, because of our dense shoreline tree cover, most people using Caspian Lake can't see the structure even when close to and directly in front of it.

The structure is an above-ground one-story structure and is in serious need of repair. It presently sits on somewhat perilously on stacked cement blocks and long horizontal wooden beams that are sagging, and there are many cracks and openings in the structure's wooden board sidings. We propose to rebuild the structure as an above-ground one-story structure on foundation posts, wholly within the structure's existing footprint, and we propose to increase its existing 13'6" height to a height of 15' or 16' in order for us to install foundation posts and solid floor and ceiling beams.

We have informed our immediate neighbors of our plans (our neighbors being my sister Gwen Mann and her husband Tod Mann, and Marian Wright and her husband Greg Boester), and we are also copying them on this letter and the application submitted herewith.

Thank you for your consideration of our enclosed application.

Very truly yours,



Day L. Patterson



Janet Showers Patterson

cc: Gwen Mann, Tod Mann, Marian Wright, Greg Boester

CONDITIONAL USE PERMIT/VARIANCE

TOWN OF GREENSBORO
PO Box 119, Greensboro, VT 05841
(802) 533-2640 Fax (802) 533-2191
zoning@greensborovt.org

FOR ADMINISTRATIVE USE ONLY

Application Number: 2020-043 Tax Map Number 22-21-34
Zoning District Shoreland Protection District
Date Application Received 9/23/2020 Fee Paid \$
Reason for Seeking Conditional Use Permit or Variance:
Rebuild of a Nonconforming structure. 2.7 Shoreland Protection District; 5.4
Conditional Uses; 8.9 Nonconforming Uses and Structures within the Shoreland
Protection Zone.

Please provide all of the information requested in this application. Failure to provide all required information will delay the processing of this application. Submit the completed application and a check payable to the Town of Greensboro.

Applicant(s):

Name(s): Day Patterson & Janet Showers Patterson
Mailing Address: 856 Barcarnil Way, Naples, FL 34110
Telephone(s) Home: 239-260-5255 Work: Cell: 347-229-5666
E-Mail: daylewispaterson@gmail.com

Landowner(s) (if different from applicant(s)):

Name(s):
Mailing Address:
Telephone(s) Home: Work: Cell:
E-Mail:

Physical Location of Property (911 address):

146 Birch Lane

Type of Permit:

[x] Conditional Use [] Variance

Other Permits Which May Be Necessary:

[] State Septic Permits - required prior to approval
[] State Potable Water Supply Permits - required prior to approval
[] Curb Cut - requires a separate application - necessary if a new driveway must be installed.
[] Applied (date) [] Not required

Property Description:

Acreage in lot 1.08

(Please Note: If your property is enrolled in the Current Use Program, your conditional use or variance application may impact your Current Use status. Please verify your status with Vermont Property Valuation and Review, Current Use Program at 802-828-6633).

Feet of Road Frontage 100'

Note: Setbacks apply to the structure

Setbacks: Front 18' (to center of road) Left Side West: 20'
Right side East: 33' Rear To lake: 30'
Lakeshore 30' Other

Dimensions of Proposed and Existing Buildings:

Dimensions refer to the structure proposed to be rebuilt.

Existing:

Length 18'7" No. of Stories 1

Width 12' 3"

Height approx 13' 6"

Proposed:

Length 18'7" No. of Stories 1

Width 12'3"

Height approx 15' to 16'

Floor area of structure:
238 existing

Lakeshore District Properties, please indicate the total habitable floor area of the dwelling: _____

Total Habitable Floor Area is defined in the Greensboro Zoning Ordinances as "The floor area of rooms in a dwelling unit used for bedrooms, living room, dining room, kitchen, and bathroom. Excludes porches and decks."

Existing use and occupancy. (If there are no buildings currently on the property, please write "bare land.") Structure holding boats and related items, lumber, furniture, and tools. No plumbing.

Proposed use and occupancy. (Write whether it will be seasonal or full year. If you decide to change the use of your property later you may need another permit.) Same

Sketch or attach a general plot plan showing the following:

1. Location of property.
2. Location of buildings on property.
3. Location of driveway.
4. Location of water source and septic/waster water system.
5. Names of adjoining landowners.

1. The 146 Birch Lane property is located in the southwest part of Black's Point with lakeshore on the south and the west sides of Black's Point. See attached exhibits. (All survey maps date from the 2011 subdivision of 146 Birch Lane into two lots, namely 146 and 140 Birch Lane.)

2. See attached exhibits for locations of buildings. Structure is located between the south shore of Black's Point and the Birch Lane turnaround. Most of the turnaround at the end of Birch Lane is on the Applicants' property. Birch Lane is the only road providing access to the property.

4. Water source is town water. Existing and replacement water source and septic shown on attached approved subdivision plan. All water and septic are located on the other side of Birch Lane from the boat house.

5. Adjoining landowners are
- (a) Gwen Patterson Mann and Kenneth (Tod) Mann, Jr. (140 Birch Lane)
 - (b) Marian Wright and Greg Boester (151 Birch Lane)

Sketch a floor plan or diagram showing the dimensions of the proposed building, addition or alteration. (This should show the rooms in the inside of the building, including both upstairs and downstairs if there is more than one floor.)

See attached floor plan. Interior to be a single open space without any plumbing.

Conditional Use Criteria:

At your DRB hearing, you will be asked to present your proposal. Please be prepared to address the impact of your project based on the following criteria.

"The DRB shall make its findings on general and specific standards. Such general standards shall require that the proposed conditional use shall not result in an undue adverse effect on the following:

1. The capacity of existing or planned community facilities; (e.g. schools, police and fire service, etc.);
2. The character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the Town Plan (e.g. why your project is consistent with other uses in the area or how your project fits in with existing development);
3. Traffic on roads and highways in the vicinity;
4. Bylaws and ordinances then in effect;
5. Utilization of renewable energy resources.

Specific standards shall include:

1. Minimum lot size shall be that which is required for the district in which the use occurs unless other standards are given for conditional use lot size in the district in question;
2. Setbacks for conditional uses will be the same as for permitted uses unless other standards are given for conditional use setbacks in the district in question.
3. Landscaping and/or fencing may be required for commercial and industrial uses to provide screening when in the judgment of the DRB such screening is necessary to protect the character of the area affected.
4. Exterior signs shall conform to the following in all districts:
 - (a) No free standing internally lit signs shall be permitted
 - (b) All signs shall be compatible in size, materials, and workmanship to the area in which they are located.
5. Location on the lot, of structures and service areas shall be compatible with other structures in the area affected.
6. In each district, uses are given specific criteria. In all cases these criteria will be adhered to.
7. Noise, air pollution and effects on the character of the neighborhood shall be considered."

(Page 36 in the Greensboro Zoning Bylaw).

Variance Criteria:

"The DRB may grant a variance and render a decision in favor of the appellant only if all of the following facts are found, and findings are specified in its written decision.

1. There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to these conditions and not to the circumstances or conditions generally created by the provisions of these regulations in the neighborhood or district in which the property is located;
2. Because of these physical circumstances or condition, there is no possibility that the property can be developed in strict conformity with the provisions of these regulations and that the authorization of a variance is necessary to enable the reasonable use of the property;
3. The unnecessary hardship has not been created by the appellant;
4. The variance, if authorized, will not:
 - a) Alter the essential character of the neighborhood or district in which the property is located;
 - b) Substantially or permanently impair the appropriate use or development of adjacent property;
 - c) Reduce access to renewable energy resources;
 - d) Be detrimental to the public welfare.
5. The variance, if authorized, will represent the minimum that will afford relief and will represent the least deviation possible from these regulations and from the plan." (Pages 37 & 38 of the Greensboro Zoning By-Law).

At your DRB hearing, you will be asked to present your proposal. Please be prepared to explain why your project should be granted a variance.

Permission to Enter Property & Applicant Certification Signatures

Signing of this application authorizes the Zoning Administrator to enter onto the premises for the purpose of verifying information presented.

The undersigned hereby certifies that the information submitted in this application regarding the above property is true, accurate and complete and that I (we) have full authority to request approval for the proposed use of the property and any proposed structures. I (we) understand that any permit will be issued in reliance of the above representations and will be automatically void if any are untrue or incorrect.

This permit is void if the development under this permit is not begun within one year of the date of approval or if construction is not completed within two years.

Construction may not be started until 15 days from the date of approval on this permit.

Signature of Applicant(s) Dry Petersen, Janice Thomas Date: 9/22/2020

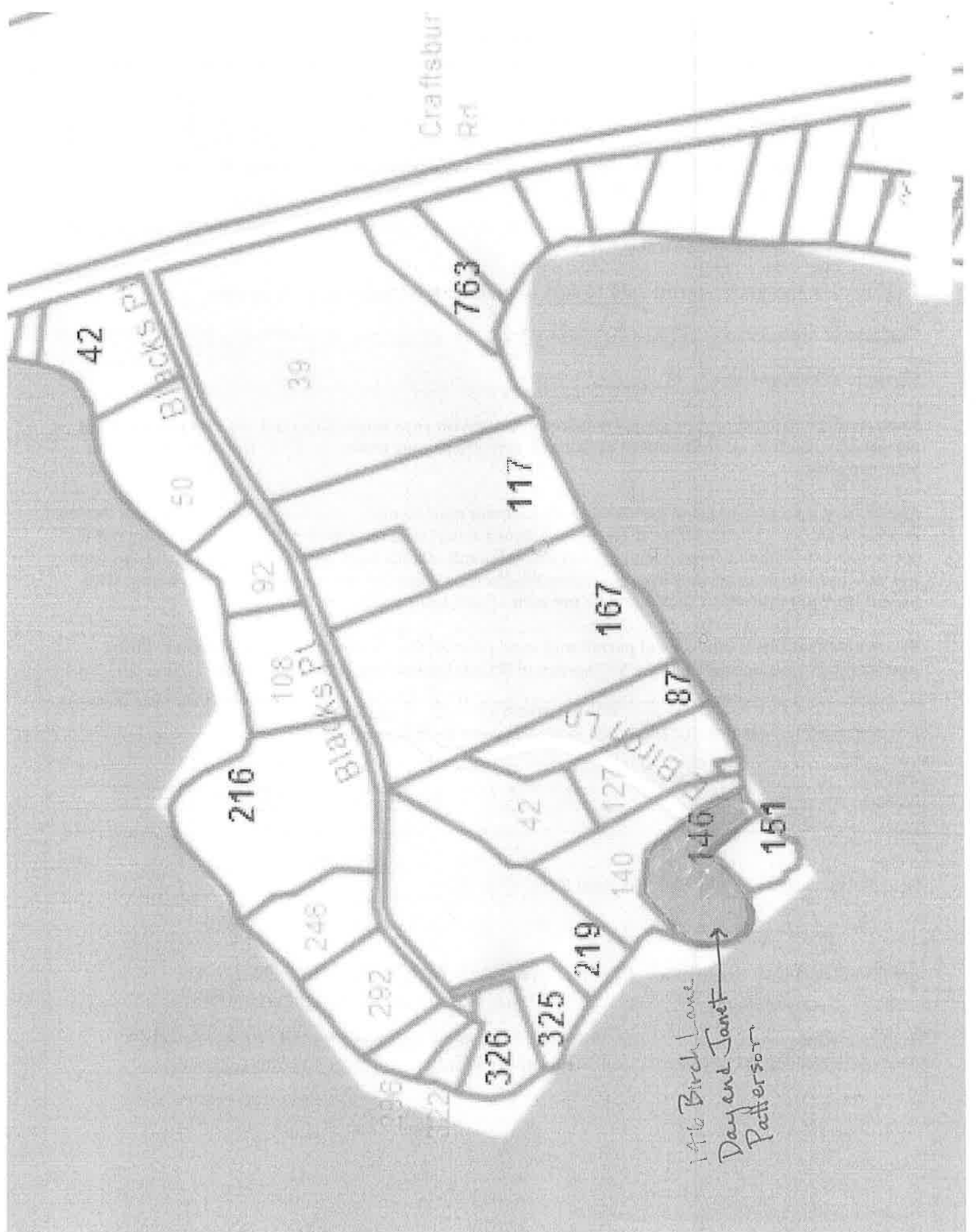
Signature of Landowner(s) Same Date: _____

Note: Failure to develop your property in accordance with your application and any conditions of this permit may result in an enforcement action and may affect your ability to sell or transfer clear title to your property.

Appeal from a decision or act of the Zoning Administrator must be made in writing to the Development Review Board, c/o the Town Clerk's Office at the address shown above, with the appropriate fee, within 15 days of the decision or act. Failure to appeal this decision will mean that all interested persons are bound by this decision and will foreclose these persons from contesting this decision either directly or indirectly in the future. **This permit shall not take effect until the time for such appeal has passed.**

Please note that this is only a local permit and state permits may be needed for your project. Please contact the Permit Specialist at the VT Agency of Natural Resources at (802)751-0130.

FOR ADMINISTRATIVE USE ONLY	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input checked="" type="checkbox"/> Referred to the Development Review Board
Date <u>9-24-2020</u>	Signature <u>[Signature]</u>
Remarks and/or Conditions: _____	
Date of Approval or Denial by Development Review Board: _____	
Applicant/Landowner Received a Copy of the Applicable Building Energy Standards: _____ (Date) _____	
Applicant/Landowner Did NOT Need to Receive a Copy of the Applicable Building Energy Standards (Due to the fact that the structure will not be heated or cooled): _____ (Date) _____	



Craftsbur Rd

Bracks Pl

39

763

117

216

108

Bracks Pl

167

87

42

127

146

151

292

246

219

326

325

146 Birch Lane

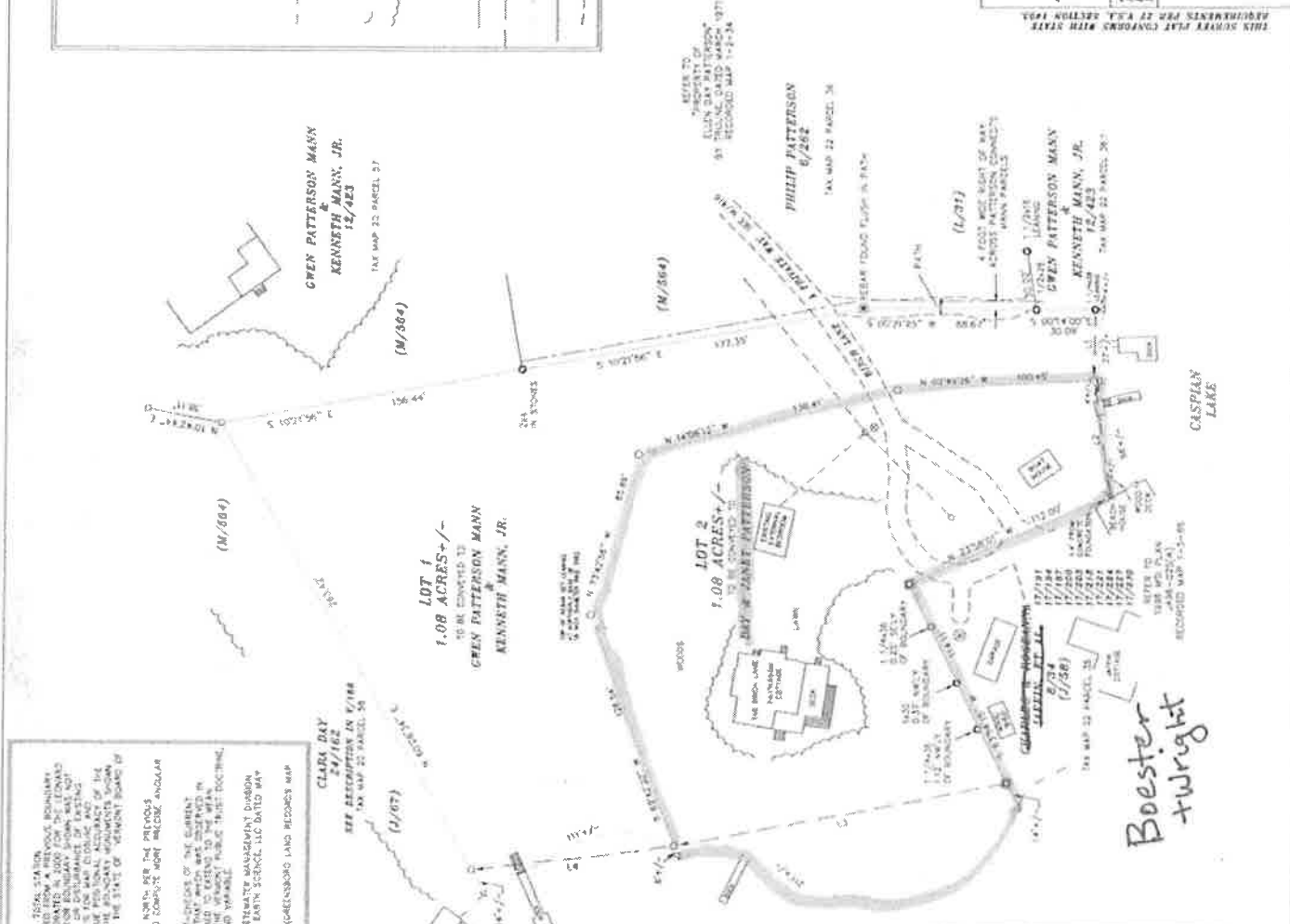
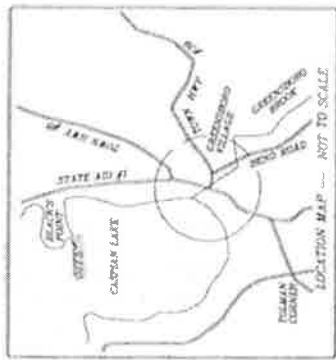
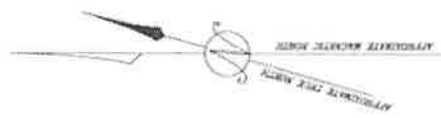
Day and Janet
Patterson

NOTES

1. THE SUBDIVISION LINES INDICATED ON THIS SURVEY ARE BASED ON A 5500' GROUND CONTROL SYSTEM, SHOWN BY STATIONING, LOCATIONS ACQUIRED FROM A PREVIOUS BOUNDARY SURVEY CONDUCTED BY MURRICK SURVEYING, INCORPORATED IN 2000 FOR THE EDWARD MANN COMPANY. THE SURVEY WAS CONDUCTED BY MURRICK SURVEYING, INCORPORATED IN 2000 FOR THE EDWARD MANN COMPANY. THE SURVEY WAS CONDUCTED BY MURRICK SURVEYING, INCORPORATED IN 2000 FOR THE EDWARD MANN COMPANY. THE SURVEY WAS CONDUCTED BY MURRICK SURVEYING, INCORPORATED IN 2000 FOR THE EDWARD MANN COMPANY.
2. BEARING AND DISTANCE DATA WERE OBTAINED FROM THE PREVIOUS SURVEY AND WERE CORRECTED FOR LOCAL MAGNETIC NORTH. BEARING AND DISTANCE DATA WERE OBTAINED FROM THE PREVIOUS SURVEY AND WERE CORRECTED FOR LOCAL MAGNETIC NORTH. BEARING AND DISTANCE DATA WERE OBTAINED FROM THE PREVIOUS SURVEY AND WERE CORRECTED FOR LOCAL MAGNETIC NORTH.
3. CASPIAN LAKE COASTLINE APPROXIMATELY NOT RECORDED BY GREENSBORO. THE CURRENT COASTLINE LOCATION IS BASED ON A SURVEY CONDUCTED BY MURRICK SURVEYING, INCORPORATED IN 2000 FOR THE EDWARD MANN COMPANY. THE SURVEY WAS CONDUCTED BY MURRICK SURVEYING, INCORPORATED IN 2000 FOR THE EDWARD MANN COMPANY. THE SURVEY WAS CONDUCTED BY MURRICK SURVEYING, INCORPORATED IN 2000 FOR THE EDWARD MANN COMPANY.
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5. REFER TO THE PREVIOUS BOUNDARY SURVEY RECORDS IN NOTE #1 (GREENSBORO LAND RECORDS MAP 11-1-2011) FOR ADDITIONAL DETAILS.

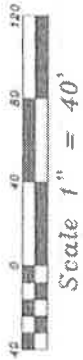
SHORELINE MONUMENT TIES

NUMBER	DESCRIPTION	DISTANCE
1	N. 89° 52' 45" W.	20.00'
2	N. 89° 52' 45" W.	20.00'
3	N. 89° 52' 45" W.	20.00'
4	N. 89° 52' 45" W.	20.00'



LEGEND

- 1/4" REBAR WITH US 2" ALUMINUM CAP STAMPED "MURRICK 1994"
- 1 1/2" IRON PIPE FOUND
- 1 1/2" SQUARE CONCRETE MONUMENT FOUND, APPROX. 4" HIGH
- 1" IRON PIPE FOUND IN CONCRETE FOUND, APPROX. 5" HIGH
- 5/8" REBAR WITH 2" ALUMINUM CAP STAMPED "MURRICK 2000" FOUND
- 5/8" REBAR WITH ORANGE PLASTIC CAP STAMPED "MURRICK LS 819" SET
- UNMARKED POINT
- UTILITY POLE AND OVERHEAD WIRES
- DRILLED WELL
- WATER VALVE
- APPROXIMATE EDGE OF LAKE LOCATED 2000
- APPROXIMATE EDGE OF LAKE
- CURRENT DEED REFERENCE BOOK/PAGE
- ORIGINAL PARCEL REFERENCE BOOK/PAGE
- EDGE OF RIGHT-OF-WAY
- MONUMENT TO COURSE, NOT A BOUNDARY
- LINE OF SUBDIVISION
- EXISTING BOUNDARY
- EDGE OF GRAVEL OR PAVEMENT



GREENSBORO, NC MAP 22 PARCEL 26
SUBDIVISION PLAT -- LAND OF
DAY & JANET PATTERSON
AND
KENNETH MANN, JR. & GREEN PATTERSON MANN
OF RECORD IN BOOK 28 PAGE 29
IN THE TOWNSHIP OF GREENSBORO, GREENSBORO COUNTY, N.C.

MURRUX SURVEYS
INCORPORATED

2018-11-08
START DATE: 7/16/2011
END DATE: 8/2/2011
FILE: 11-1-18

COURTESY COMPANY, IT -- PREPARED BY
THE DOCUMENTS ARE THE PROPERTY OF MURRUX SURVEYS, INCORPORATED. THE USER AGREES TO HOLD MURRUX SURVEYS, INCORPORATED HARMLESS FROM ANY AND ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE INCURRED BY MURRUX SURVEYS, INCORPORATED OR ANY OF ITS AGENTS, EMPLOYEES, OR SUBCONTRACTORS AS A RESULT OF THE USER'S USE OF THE INFORMATION CONTAINED HEREIN.

THIS SURVEY PLAT CONFORMS WITH STATE REQUIREMENTS PER 27 C.F.R. SECTION 1933

TOP OF REBAR SET LEANING AT NORTHERLY BASE OF 18 INCH DIAMETER PINE TREE

140 Birch Lane
Gwen + Tod Mann

(M/564)

WOODS

146 Birch Lane

LOT 2
1.08 ACRES +/-
TO BE CONVEYED TO

DAY & JANET PATTERSON

146 BIRCH LANE

PATTERSON
COTTAGE

DECK

LAWN

EXISTING
EXTERNAL
BEDROOM

Parking

1 1/4x36
0.25' SE'LY
OF BOUNDARY

1x30
0.37' NW'LY
OF BOUNDARY

1 1/4x36
1.12' NW'LY
OF BOUNDARY

WOOD
SHED

GARAGE

~~CHARLES & ROSEANNA
JAFFIN, ET AL~~
17/191
17/194
17/197
17/200
17/203
17/218
17/221
17/224
17/227
17/230

TAX MAP 22 PARCEL 35

JAFFIN
COTTAGE

Boester +
Wright

REFER TO
1996 MSI PLAN
JA96-025(A)
RECORDED MAP 1-5-86

1.4' FROM
CONCRETE
FOUNDATION

BEACH
HOUSE

WOOD
DECK

BOAT
HOUSE

DOCK

DOCK

CASPIAN
LAKE

BIRCH LANE

Phil Patterson
127 Birch Ln.

PATH

(L/31)

4 FOOT WIDE RIGHT
ACROSS PATTERSON
MANN PARCE

GWEN PATTERSON

&
KENNETH MANN,

12/423

TAX MAP 22 PARCEL

REBAR FOUND FLUSH IN P.

S 00°21'25" W

88.67'

30.02'

1 1/2x26
LEANING

S 00°14'00" E

30.09'

1 1/4x28
LEANING

4'+/-

177.35'

138.41'

N 02°45'28" W

100.45'

33'

37'+/-

L1

L2

58'+/-

14'+/-

30'

20'

12'

112'

N 23°58'01" W

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S 63°54'15" W

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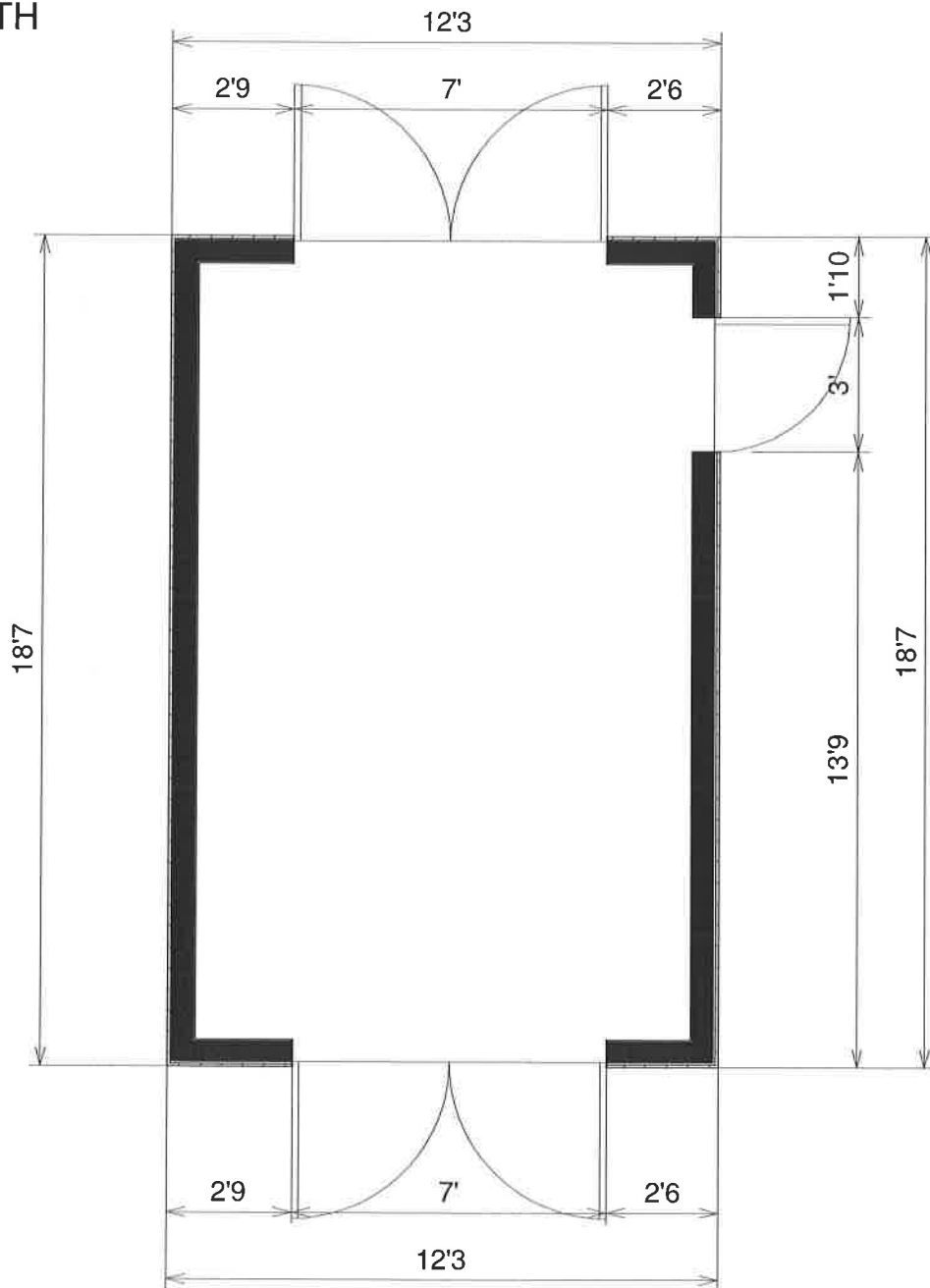
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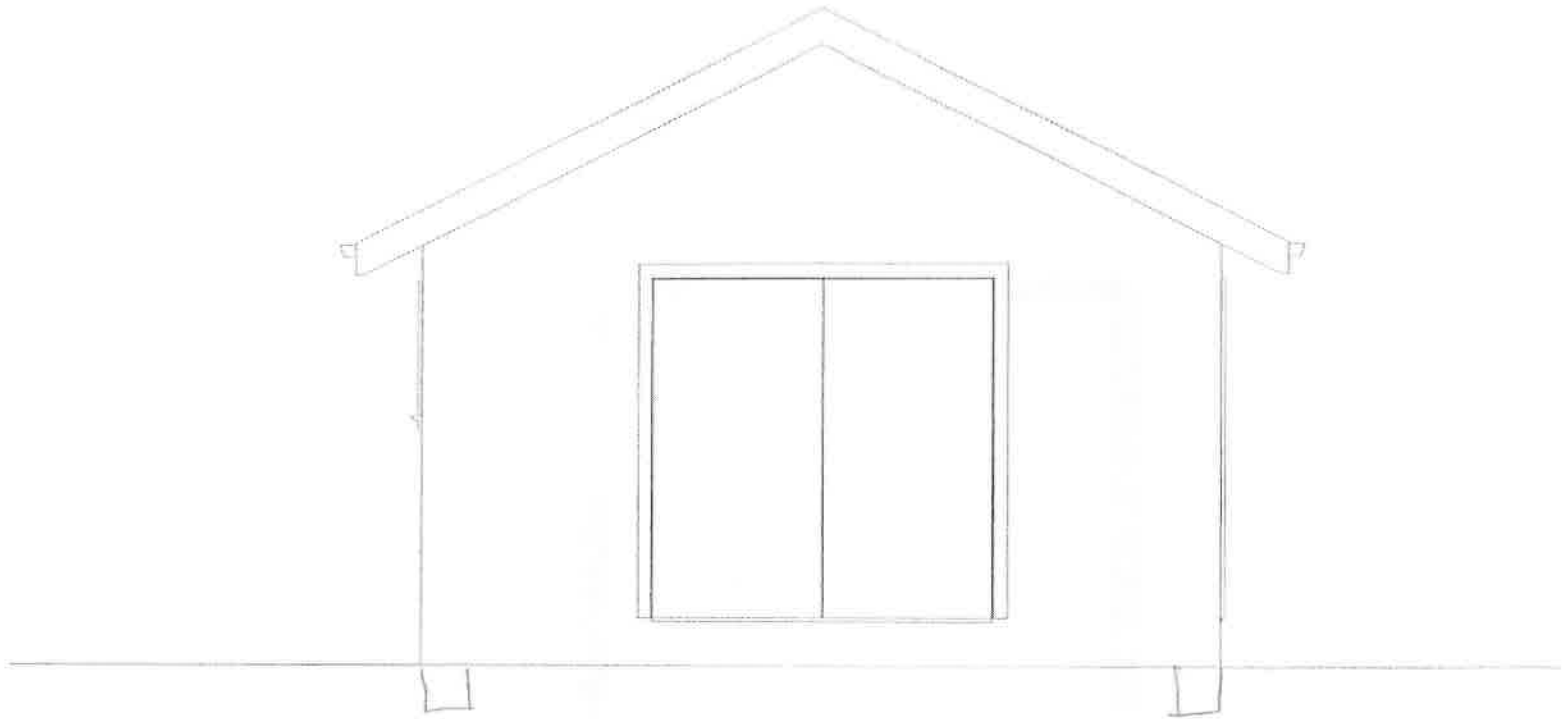
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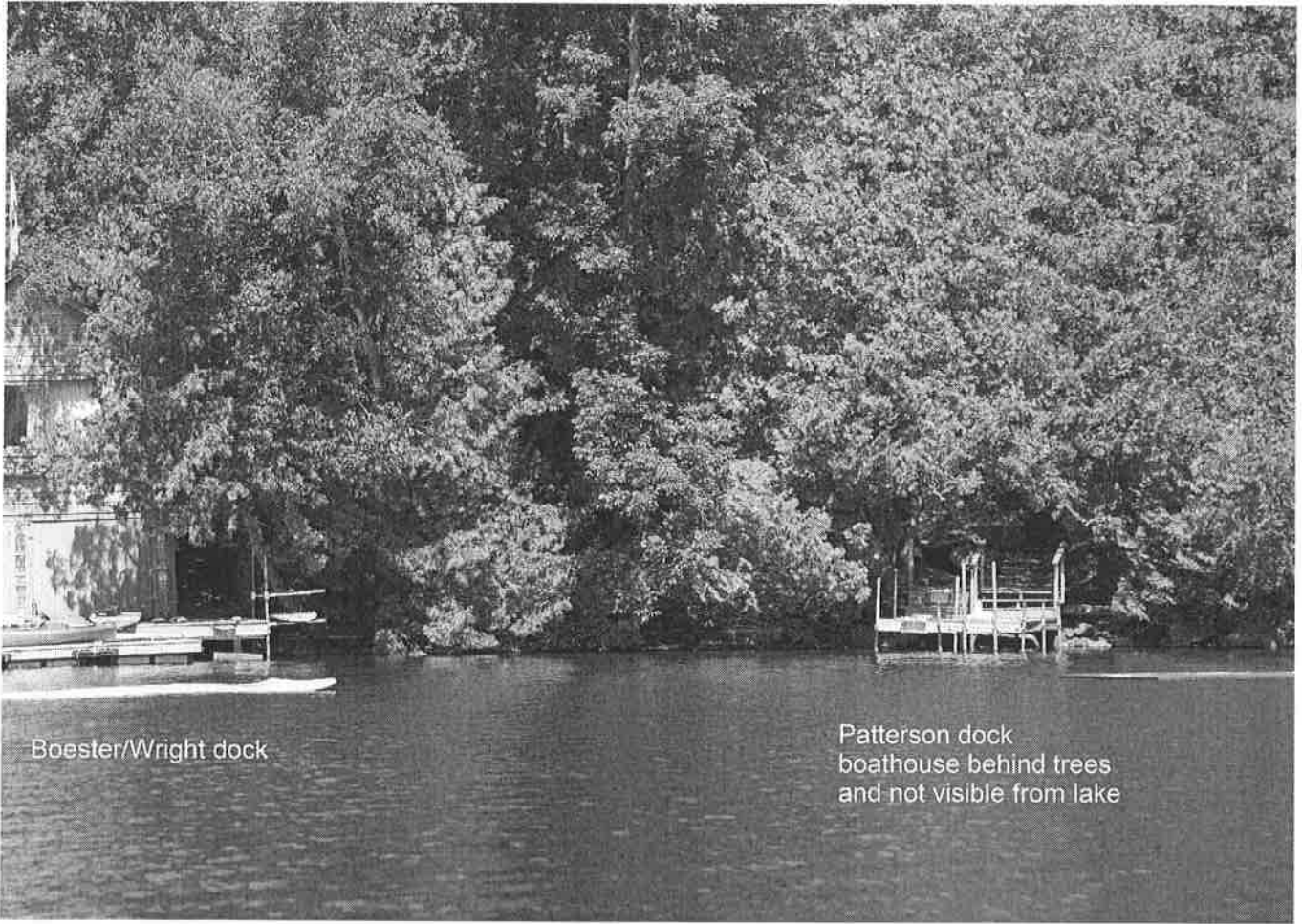
BIRCH LANE



TO LAKE



Lakeside Elevation
(proposed)



Boester/Wright dock

Patterson dock
boathouse behind trees
and not visible from lake

