

Variance Hearing
Scott Harbour
October 9, 2014

To consider a variance request to install a roof over the front door of the house at 2621 The Bend Road. The application requires a review under the following sections of the Greensboro Zoning By-Law: 2.3 Greensboro Village District; and 5.5 Variances.

Warnings were posted on September 22, 2014 at the Town Hall, the Greensboro Post Office, the Greensboro Bend Post Office, and Smith's and Willey's stores. It was also sent to applicant, Scott Harbour; and the following abutters and neighboring property owners: David Massey; Housing Foundation, Inc; Estate of Gertrude Willey; Glenn Olds et al; and the Telephone Operating Co. of VT LLC. It was published in the Hardwick Gazette on Wednesday, September 24, 2014.

Development Review Board members present: MacNeil, Linda Romans, Nat Smith, Sean Thomson, Janet Travers, Jane Woodruff, Wayne Young and Lee Wright, alternate.

Others present: Scott Harbour, applicant; Rick Morrill, Dawn Morgan; and Kristen Leahy, Zoning Administrator.

Correspondence from interested persons: none

Summary of Discussion

Ms. Woodruff began the hearing at 7:02 PM. She noted that the hearing was semi-judicial, explained the procedure for the hearing, and asked the clerk to swear in all those who wished to speak at the hearing. She then asked Mr. Harbour to describe what he plans to do at his house. He stated that he would like to extend a roof over the existing concrete step that is 2½ feet by 5 feet. The house itself is 50 feet from the center of the road so this roof would extent into the right of way. The roof would be supported from the house and not by posts set in the ground.

The hearing ended at 7:10 and another hearing began. The DRB went into deliberative session at 7:22 and came back into public session to announce their decision at 7:35.

Findings of Fact:

Based on the application and testimony, the Development Review Board makes the following findings:

2.3 Village District

The pre-existing house is situated on a non-conforming lot, 50 feet from the center of The Bend Road and within the setback of Greensboro Brook which runs along the back of the property. The house is 15 feet from the two side lines.

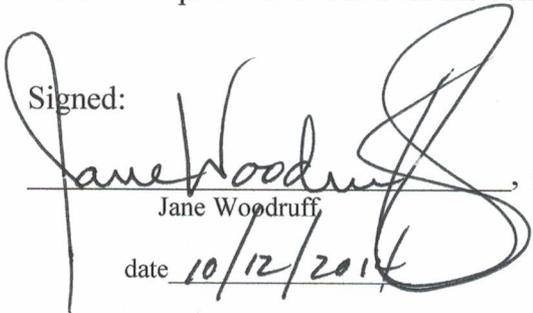
5.5 Variances

1. The pre-existing house is situated right on the 50 foot setback line from the center of the road, in the buffer zone of the brook, and right on the 15 foot sideline setbacks.
2. Because of these unique circumstances and conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Bylaws and authorization of a variance is necessary to enable the reasonable development of the property.
3. The unnecessary hardship has not been created by the applicant.
4. The roof over the front step will not:
 - a) alter the character of the neighborhood in which the property is located
 - b) 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 represents the minimum that will afford relief and the least deviation possible from the bylaws and town plan.

Decision and Conditions

Based upon these findings, the Development Review Board voted unanimously (7 – 0) to approve the variance request for a roof over the concrete step at the front of the house.

Signed:  , chair
Jane Woodruff
date 10/12/2014

 , clerk
Janet Travers
date 10-11-14

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 Development Review Board. 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.