

Burlington Development Review Board

149 Church Street, City Hall

Burlington, VT 05401

www.burlingtonvt.gov/PZ/Boards/Development-Review-Board/

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BURLINGTON DEVELOPMENT REVIEW BOARD

Monday, April 7, 2014 at 5:00 p.m.

Planning & Zoning Conference Room, City Hall, 149 Church Street, Burlington, VT

Deliberative Session Agenda

- 1. 14-0773CA/CU: 52 LOCUST STREET (RL, Ward 5) Owners: Zpora Perry & Leighton Johnson, Applicants: Ruby Perry & Andrew Simon**
Construct detached structure for an accessory unit, convert back porch to living space, add fencing, re-grade driveway.

Board members please call our office if you will not be able to attend. Thank you.

Note: No additional testimony will be taken from interested parties during this meeting, although they are welcome to attend.

DECLARATION OF COVENANT FOR ACCESSORY DWELLING UNIT

We, Leighton Johnson and Zpora Perry ("Property Owners"), hereby establish an accessory dwelling unit described in this Declaration, and establish the following rights and interests in connection therewith, including parking, and otherwise declare and covenant for themselves, their successors and assigns, as follows:

1. Property Owners own certain property commonly known as 52 Locust Street, Burlington, Vermont, conveyed to them by warranty deed of Linda L. Carter dated August 15, 2013 and recorded on August 19, 2013 in Volume 1229, Page 117 *et seq.* of the City of Burlington land records (the "Property").
2. On April _____, 2014, the Burlington Development Review Board approved a permit (Permit No. _____) granting approval for an accessory dwelling unit appurtenant to this Property. The Property is subject to the permit terms and conditions, including owner occupancy.
3. The terms, conditions, and provisions of this Declaration shall run with the land and shall be binding upon the Property Owners, and their heirs, successors and assigns, and may only be amended by the Property Owners, and their heirs, successors and assigns, if the amendment is in accordance with all permits issued by the City of Burlington.

Dated at Burlington, Vermont, this ____ day of April 2014.

Leighton Johnson

Zpora Perry

STATE OF VERMONT

COUNTY OF CHITTENDEN, SS:

At _____, this ____ day of April, 2014, _____ and _____ personally appeared, and they acknowledged this instrument, by them subscribed, to be their free act and deed.

Before me, _____

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Notary Public

Commission expires: 2/10/15

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ADDENDUM:

Possible covenant language if the Board finds it necessary to include in the deed itself:

1. The Property, at all times it has an accessory dwelling unit, shall be subject to a covenant imposed by this Declaration that no more than two (2) motor vehicles shall park in the driveway serving the Property, and one (1) parking space shall be reserved for the occupant(s) of the accessory dwelling unit, if they have a motor vehicle.

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As a condition of this permit, the property owner(s) agrees to limit the number of parking spaces at this Property to a total of two (2) parking spaces and shall reserve one (1) parking space at all times the Property has an accessory dwelling unit, for the occupant(s) of the accessory dwelling unit, if they have a motor vehicle.

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Notes about elevations:

Efficiency Vermont and our builder are suggesting minor changes that may impact appearance shown here

- footprint is expanded to 19x26 (as shown on site plan) in order to accommodate 12" insulation in walls.

- Bump-out on west elevation is eliminated (as shown on site plan).

- Round windows in gables are eliminated.

We will get you revised elevations to match site plan.

Materials noted previously (NA)

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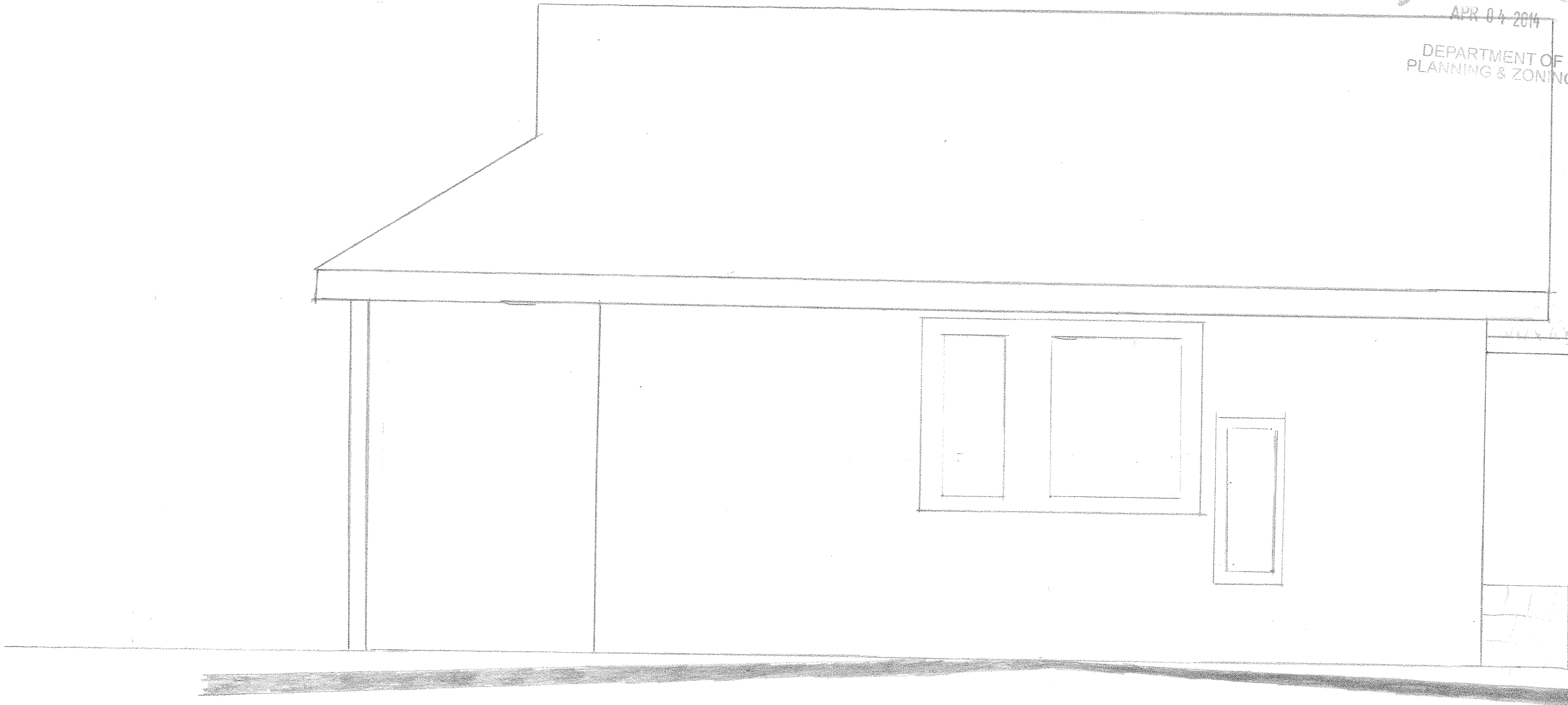


South

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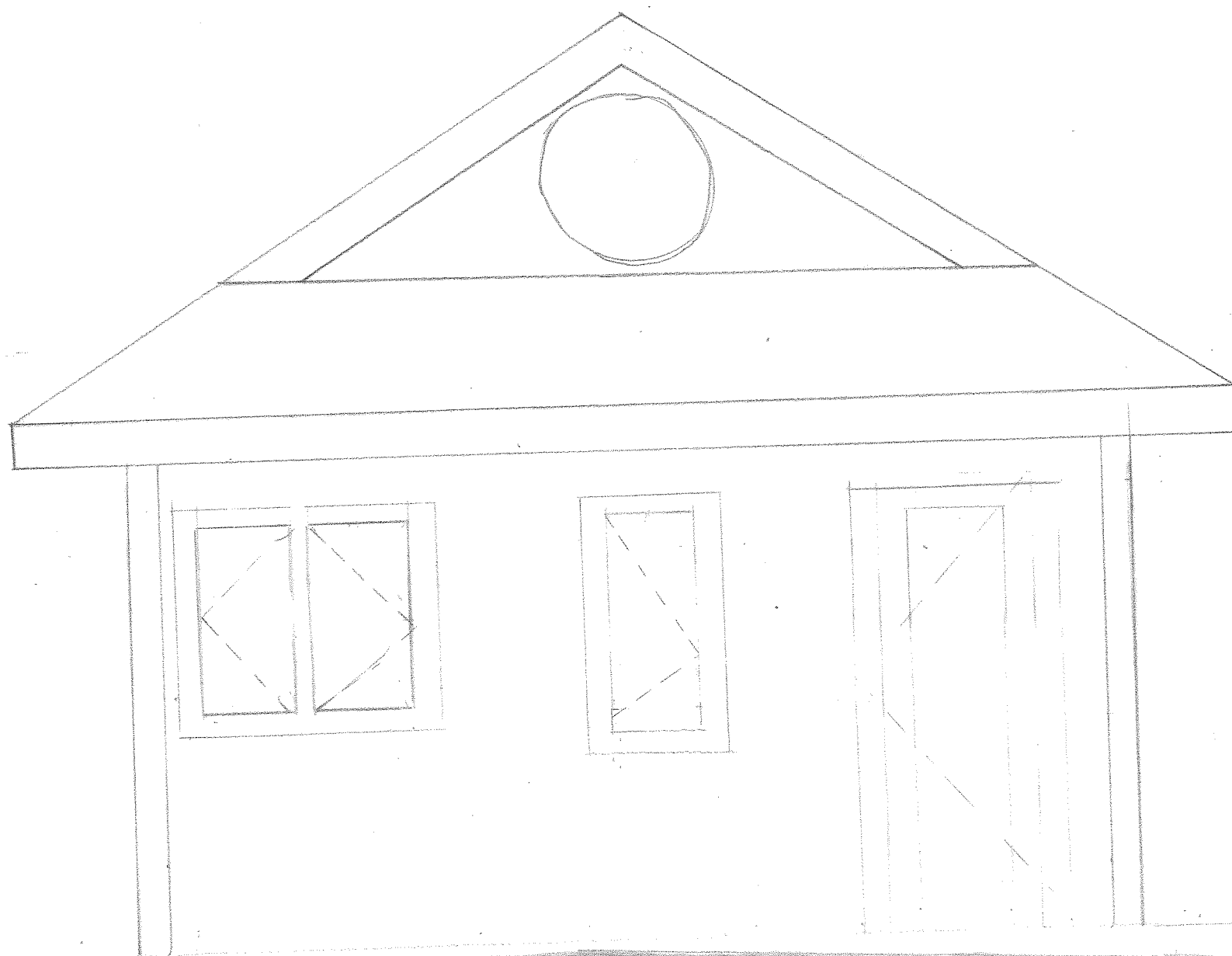


NORTH

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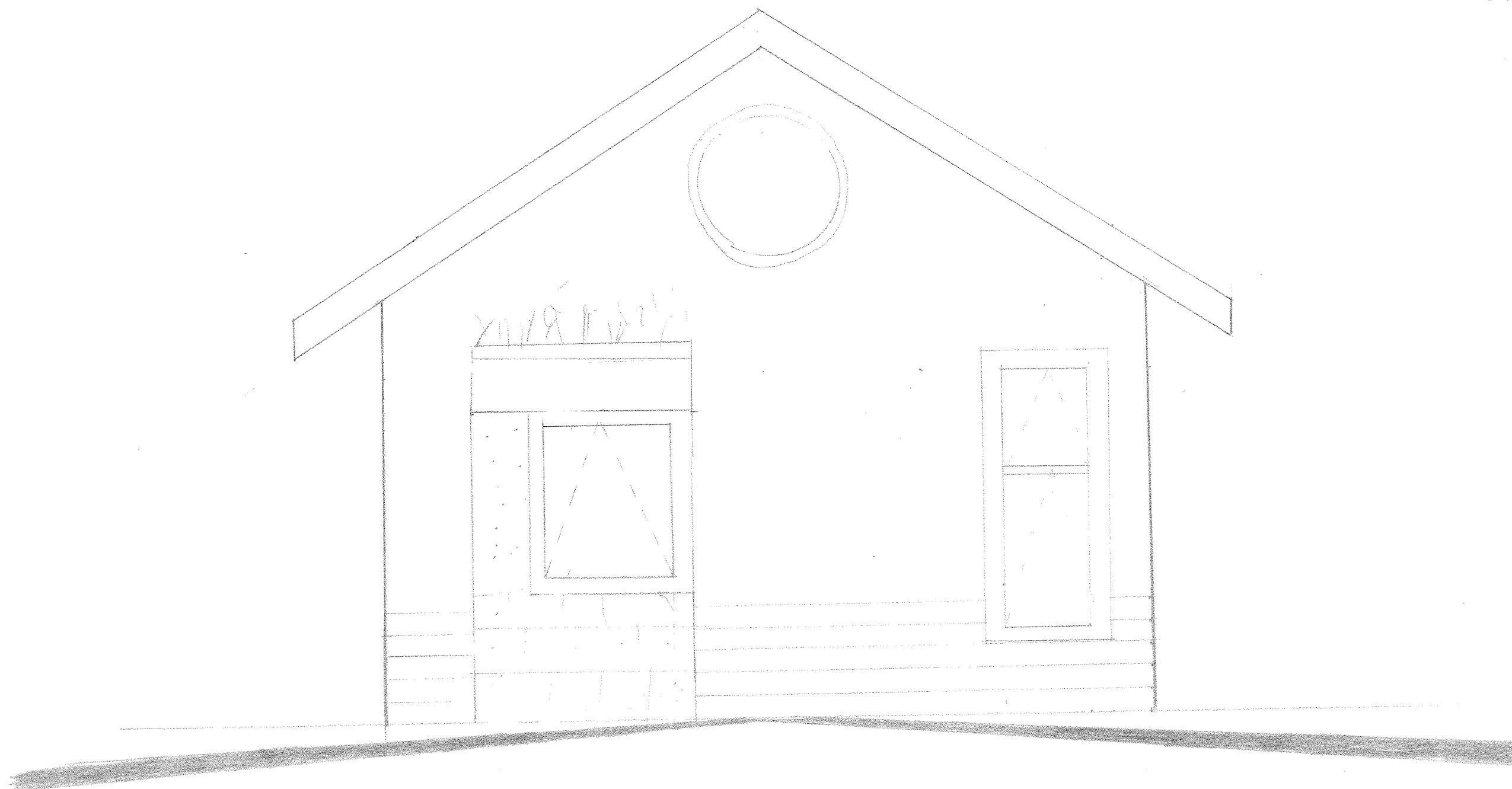
EAST

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WEST