

## Joseph and Teresa Cleary

158 N. Willard  
Burlington, VT

October 12, 2018

Development Review Board  
Burlington, VT

Members of the Board,

I am writing in response to an appeal of our Zoning Permit #ZP18-0167CA/AP, in advance of the 10/16/18 hearing on the subject.

Mr. Purvis has objected to our proposal to convert a tiny (24sf) accessory porch to expand our small downstairs bathroom. Our permit was approved by Zoning staff, and is in full compliance with all applicable regulations, including lot coverage. We ask the Board to reject Mr. Purvis' appeal in the strongest possible terms. In addition, we strenuously object to his attempt to hijack this process in an attempt to re-try parking violations which have been found to exist at his own property. We respectfully ask the Board to keep the focus of the hearing on our permit and project—not to allow Mr. Purvis to use the forum for unrelated business.

In an email warning of his threat to appeal, Mr. Purvis attempted to coerce a change to our lot coverage calculations—a revisionist approach to justify lawn parking on his property. He warned us of his appeal as well as unspecified legal action if we did not meet his demands. However, it is easily demonstrated that our lot coverage calculation is consistent with previous calculations and zoning permits already approved for our property, except for a slight correction to our concrete driveway. We do not have any further corrections to make. His appeal is vindictive and vengeful in its tone—the Board should know that he blames us for his own zoning issues. Even as the Board considers the substance of our application and the appeal in question, I would ask you to reflect on the sense of entitlement that radiates from Mr. Purvis' assertions—a muddled mix of charges against us, Code Enforcement, and Planning and Zoning. Without evidence, he even claims that our properly permitted deck is a “unpredictable and non-conforming development”. In contrast, Mr. Purvis' property is far out of balance with respect to lot coverage, and has several other significant issues of non-permitted use which the City is currently addressing.

Finally, on the issue of compromise, a “mutually agreeable vision”, as Mr. Purvis puts it, we are extremely wary of any new agreements with this neighbor. The Board should be aware that Mr. Purvis did sign a comprehensive settlement agreement with us and the City in August of 2016, after 13 hours of mediation.

Mr. Purvis is well aware of his responsibilities under the settlement agreement. He is well aware of his failures, and the extent to which they taint the the credibility of his word and the possibility of future agreement.

It is important for the Board to know that for Mr. Purvis, this appeal is simply another front, a slightly different angle on the same issues that have previously been decided by this body. Our zoning permit has been approved because it complies with city code, and is consistent with previous permits and calculations. It should not be held hostage by the code violations of our neighbor, and therefore, we respectfully ask the Board to DENY this appeal.

Sincerely,

Joseph and Teresa Cleary

Owners, 158 N. Willard St.