



Department of Planning and Zoning

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SEP 12 2018

DEPARTMENT OF PLANNING & ZONING

Appeal of an Administrative Decision Request

Use this form to appeal any Administrative Decision or Notice of Violation - See Sec. 12.2.2 of the Zoning Ordinance.

SUBJECT LOCATION ADDRESS: 158 North Willard St.

Subject Property Owner: CLEARY

Appellant: Luke Purvis

Agent/Representative:

Mailing Address: 164 North Willard St, Apt. #1

City, St, Zip: 05401

Day Phone: 609-235-5793 Email: Lpurvis28@yale.edu

Appellant Signature: Luke Purvis Date: 9/12/18

In order for your request to be considered complete, ALL of the following information must be provided, as applicable:

- The Appeal fee of \$250;
Description of the decision under appeal;
Description of the property subject to the appeal;
Reference to the regulatory provisions applicable to the appeal;
Relief requested by the appellant;
Alleged grounds why such requested relief is believed proper under the circumstances.

Office Use Only:

Check No. 775 Amount Paid 250 Zoning Permit # 19-0167CA

**Purvis, Luke**

I am writing with respect to permit # 19-0167CA. I am the adjoining owner and own an exclusive easement over a portion of the subject property that is used for ingress, egress and all other lawful purposes including parking and car repair. The easement has been covered in gravel since its inception. Accordingly, the easement area cannot be construed as open area with respect to any determination of lot coverage at 158 North Willard. I believe the city has in its possession information about the location of my easement (the city has an open matter with respect to my use of the portion of the parking area located outside of the easement) and multiple affidavits confirming the gravel on the easement. But if you need further information, please let me know. The city should also have a permit showing the scope and location of the car repair permitted at the 164 North Willard St. property in 1968 including related parking.

My neighbors, the Cleary's have a demonstrated history of submitting partial and incomplete truths that benefits their property at the expense of my own. The Cleary's continue to make claims that readily available evidence disproves. I invite the city to talk with other adjacent and long term residents of the neighborhood to hear the perspectives of people who do not desire to benefit themselves at the expense of others as a primary motivator. An entirely different history will be presented than the deliberately incomplete picture the Cleary's have presented as the truth.

I would like to say that it is especially concerning that planning and zoning has chosen not to use the extensive work done by Code Enforcement when that department decided not to issue a violation related to coverage allowances from the Cleary complaint of gravel on the easement. For some reason P&Z chooses to use other elements of Code Enforcements work for this permit and plan. When Planning and Zoning staff arbitrarily choose to use only some of the information available, unpredictable and non-conforming development gets approved such as this permit and the deck on the east of 158 North Willard building built in 2006.

If the 158 North Willard St. owners cannot satisfy the lot coverage requirements without the benefit of the easement area, their application should be denied/permit should be revoked.

I continue to look for opportunities to compromise and demonstrate desire to reach a mutually agreeable vision for our properties coexistence. But, my neighbors, the Cleary's, do not desire compromise or inclusions of truth other than the slice of it that benefits their property at the expense of my own.

Thank you,  
Luke

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