



Department of Planning and Zoning

149 Church Street, City Hall
Burlington, VT 05401-8415
Phone: (802) 865-7188
Fax: (802) 865-7195

www.burlingtonvt.gov/pz

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DEPARTMENT OF
PLANNING & ZONING

Zoning Permit Application

Use this form for ALL zoning permit applications. See the relevant checklist for specific requirements.

PROJECT LOCATION ADDRESS: 55 Howard Street, Burlington, Vermont 05401

PROPERTY OWNER*: PJ McHenry

APPLICANT: Montana Burns / Atlas Acupuncture

*If condominium unit, written approval from the Association is also required

POSTAL ADDRESS: 57 Howard Street

POSTAL ADDRESS: 127 Bank Street

CITY, ST, ZIP: Burlington, VT 05401

CITY, ST, ZIP: Burlington, VT 05401

DAY PHONE: 802-578-3560

DAY PHONE: 208-720-8386

EMAIL: pj@artsriot.com

EMAIL: montanaburns@gmail.com

SIGNATURE: [Signature]
I am the owner. In addition, I duly authorize the applicant (if noted) to act on my behalf for all matters pertaining to this zoning permit application.

SIGNATURE: [Signature]

Description of Proposed Project: Change use to home occupation of medical office for acupuncture. Fit up property to meet requirements for home occupation: new ceilings, walls, floors.

EXTERIOR CONSTRUCTION: new doors, new window trim, exposed porch, new lights. Construction of new two story porch. See attached construction plans.

Existing Use of Property: [] Single Family [X] Multi Family: # 2 Units [] Other:

Proposed Use of Property: [] Single Family [X] Multi Family: # 2 Units [X] Other: home occupation

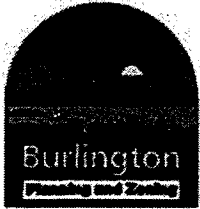
- Does your project involve new construction, addition, alteration, renovation, or repair to a structure that is heated or cooled? Yes [X] No []
Will 400 sq ft or more of land be disturbed, exposed and/or developed? Yes [] No [X]
For Single Family & Duplex, will total impervious area be 2500 sq ft or more? Yes [] No [X]
Are you proposing any work within, below, or above the public right of way? Yes [] No [X]
Are you proposing any onsite food or beverage production/manufacturing? Yes [] No [X]

Estimated Construction Cost (value)*: \$ 30,000

(*Estimated cost a typical contractor would charge for all materials and labor, regardless of who physically completes the work)

Within 30 days of submission, the permit application will be reviewed for completeness, and, if complete, will be processed administratively or referred to a board for review. All permit approvals or denials are subject to an appeal period (15 days for administrative permit; 30 days for board permit). A building (and/or electrical, mechanical, plumbing, curb cut) permit will also be required. Contact the Department of Public Works at 802-863-9094 to inquire. Please ask for assistance if you have any questions about filling out this form. Call the Planning and Zoning at 802-865-7188, or visit the office in the lower level of City Hall, 149 Church Street.

Office Use Only Zone: RL Eligible for Design Review? Y Age of House 1885 Lot Size 4410
Type SN AW FC BA COA 1 COA 2 COA 3 CU MA VR HO SP DT MP
Check No. 521 Amount Paid \$ 170 Zoning Permit # 17-1191CA/HO



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Home Occupation Application Questionnaire

Use this checklist for all applications for a home occupation - See Sec. 5.4.6 of the Zoning Ordinance. This questionnaire is provided to summarize details and is required to accompany a zoning permit application form and required fee (for either administrative approval or conditional use review).

Please note:

- 1. The specific requirements for home occupations can be found in Section 5.4.6 of the Comprehensive Development Ordinance which is available in its entirety on our website at www.ci.burlington.vt.us/planning
2. A 'Business Personal Property Registration Form' may be required to be submitted to the Assessors Office. This form is available at www.ci.burlington.vt.us/assessor/businesses

Name of Business Proposed: Atlas Acupuncture, LLC

Type of Business Proposed: Medical Office; Acupuncture

Provide a detailed description of the proposed Home Occupation such as: activities involved; materials and equipment used; quantities of materials and equipment stored on-site; methods of operation; hours of operation. This may be done on a separate piece of paper and attached.

Please respond to the following:

- 1. How many persons will be involved or employed in the conduct of the proposed Home Occupation: Residents of premises: one (1) Others zero (0) Total Number one (1)
2. What type of product will be produced, serviced, or repaired in the conduct of your Home Occupation? (For example: repair of clocks or watches, making jewelry, etc.). Explain: Acupuncture services and treatments provided to patients.
3. Describe any alterations to the home or premises that might be required to facilitate your Home Occupation: New ceilings, floors and wall materials will need to be made to raise aesthetic of home in order to facilitate the home occupation.
4. Describe what rooms will be used in the conduct of the Home Occupation and how these rooms will be used. (For example: garage will be used to store supplies; or den will contain desk and file cabinets, etc.). Indicate the gross floor area(s) that will be used in the conduct of the Home Occupation. Indicate the total gross floor areas of your house and include any accessory structure(s) to be used for the Home Occupation, (Ex. Garage). Two bedrooms will be used as treatment rooms. The supplies associated with the treatments will be stored in the bedroom closets. The living room couch will be used as a seating area for the patients while they wait for their treatment.
5. Describe the mechanical and/or electrical equipment that will be necessary to conduct your business activity: One (1) heat lamp, operating off a normal 120v household circuit will be used to provide additional warmth to the patients in treatment.
6. Describe how, where and in what amounts the material, supplies and/or equipment related to your Home Occupation will be displayed or stored: Supplies will be stored in the closets of the treatment rooms. Small signs will be on display in waiting area during hours of operation.

PLEASE TURN OVER

7. Will people come to your home to obtain any product or utilize any service connected with the proposed Home Occupation activity? Yes No
 If yes, please explain in detail:
Patients will come to the home to obtain acupuncture services.
-
8. Are any signs necessary or proposed relative to the Home Occupation?
 Yes No
 If yes, you are required to file for a Sign Permit. An application form can be obtained at the Planning and Zoning Department or on our website.
9. If trucks or other equipment will be used in your Home Occupation, where will they be parked or stored?
No trucks or equipment are required for home occupation.
-
10. Will the Home Occupation involve the use of commercial vehicles for delivery of materials to or from the premises? Yes No
 If yes, please explain:
No deliveries or commercial vehicles are required for home occupation.
-
11. How many parking spaces will be provided for the home occupation? Two parking spaces. Located in driveway.
 Where will they be located? Indicate parking spaces on a site plan of this property as part of your application submission.
12. Is your proposed Home Occupation in conformance with the conditions, covenants and restrictions pertaining to your property? Yes No
 We suggest checking your deed for conditions, covenants and restrictions.

I have read and understand 'Sec 5.4.6 Home Occupations' under the City of Burlington Comprehensive Development Ordinance and believe that to the best of my knowledge my proposed Home Occupation would not violate any portion of said Ordinance:

Applicant's Signature: _____

Date: 5/7/2017

Property Owner's Signature: _____

Date: 5/7/17

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Parking Management Plan

On Behalf of Atlas Acupuncture

Submitted by: PJ McHenry
MPM Ventures
57 Howard Street
Burlington, VT 05401

Performed by PJ McHenry
pj@artsriot.com
(c) 802-578-3560

Summary:

This plan has been drafted by PJ McHenry, owner of 55-57 Howard Street, Burlington, VT. The owner of this property proposes to the City of Burlington and the Design Review Board that the following parking plan effectively accounts for the needs of the property. Additionally, as laid out in this plan, a parking waiver is being requested to accommodate for a home occupation.

Supporting Evidence:

Background:

It must be made aware that the proposed tenant for home occupation at this property currently operates at 127 Bank Street. Due to impending large-scale mall development directly across the street the accessibility and noise requirements for Atlas Acupuncture will be impacted to a point that is forcing relocation. After 7 months of searching for viable office space that meet the high aesthetic standards of the business the proposed tenant has been forced to look beyond the storefronts downtown. A desire to live in the same community the business serves has left little option but to investigate creative solutions. Upon review of the City of Burlington Zoning Ordinance it appears the usage and operation of the acupuncture clinic meets the home occupation qualifications.

Employees:

Atlas Acupuncture has 1 employee. This employee shall live at 55 Howard Street and hopes to work, as a home occupation, out of the same space. The proposed home business is a medical office offering acupuncture services.

- Owner/Operator, Montana Burns

Daily Operation:

Typical operation of the acupuncture clinic is from 9am - 5pm on Wednesday and Friday. From 11am to 7pm on Tuesday and Thursday. And from 3pm to 7pm on Monday. These hours are the preferred hours to keep at the new location. The business is closed Saturday and Sunday.

The business is not open to the general public and the hours listed above reflect normal windows of appointment times. The business operates appointment only. There are no open hours to the general public.

Clients:

A majority of the current clients live and work in downtown Burlington and walk to their acupuncture appointment. By relocating the anticipation is that more clients will have to find other means of transportation. Clients are currently booked on the 1/2 hour for 1 hour

appointments. So if and when the schedule is fully booked there is a maximum of 2 clients in the business at one time. This scheduling practice has been enacted in order to meet ideal efficiencies for the business. Please note there are often times of days if not full days where the schedule is not fully booked and there are not 2 clients at the same time.

Public Transport:

The nearest public transport pick-up and drop-offs are as follows:

CCTA Pine Street Route 5 Stop #8 is 100 feet from 55-57 Howard Street. The frequency of this route is every 30 minutes from 6:30am to 6:30pm Monday-Friday.

Current Use:

This property falls into Residential Zoning and is within the Neighborhood Parking District accordingly to the Table 8.1.8-1 in the City of Burlington zoning ordinance. For a Duplex in this zone there are 2 parking spaces required.

The property is a owner occupied duplex with upstairs and downstairs units. There are currently 4 cars owned by tenants of the property and they all have off street parking. The nature of this parking is stacked and requires cars to frequently be moved by tenants in order to accommodate the daily comings and goings of tenants.

Proposed Use:

The property is looking to accommodate a new tenant downstairs to operate a home business. Medical Office - Acupuncture Clinic. The parking situation onsite shall remain the same with 4 off street parking spaces that are all stacked.

According to the zoning ordinance the home business' use of medical office would require 3 parking spaces in the Neighborhood District. Along with the 2 spaces required for the duplex this would make the new proposed use require 5 total parking spaces for the property. With only 4 spaces available a parking waiver is hoped to be granted.

Parking Attendant:

To accommodate clients the new proposed use asks to consider the employee of the business - who would remain onsite the entire time the business is in operation - as a viable parking attendant to move a vehicle to accommodate the stacked parking situation.