

Ryan Morrison

From: Jeanne Francis
Sent: Friday, July 27, 2018 12:10 PM
To: Ryan Morrison
Subject: FW: 195 South Prospect St

So, below you will see we gave them options to come into compliance. Then they would say they are not renting to anyone. I tried finding the Air BnB advertisement yesterday but couldn't find it, so don't know if they stopped the "bed n breakfast" or not, sometimes people will just advertise on a different site.

Anyways, after several request for an interior inspection, we set something up with them in May 7, 2018; unit was vacant at that time.

Following are Patti's comments:

Site visit to 195 South Prospect 5.7.18

Met Mark Weiner and a rabbi as the representative of the owner. Entered the building through the side entrance off the driveway and into the kitchen. On the main floor, I was shown 1 bathroom, zero bedrooms, the kitchen, and the large living room space that is under construction. On the second floor, I was shown 4 rooms with a bed or beds in them as well as a 5th room with a dining table, a small (college) refrigerator in it. There were three bathrooms on the second level.

Upon asking what a specific door was for, I was led to the basement. It is currently under construction/renovation. There was no obvious living space. The door to the back yard/driveway enters directly and there are no steps up or down. I inquired about hot water heaters and was shone two brand new systems. The rabbi informed me there were 3 electric meters and one gas meter.

The rabbi and MW informed me that there was no one living in the unit at present and their plan is to rent on Air BnB...looking at renting for a year to students next year.

Hope this helps.

From: Jeanne Francis
Sent: Tuesday, January 09, 2018 1:37 PM
To: 'Marc E Wiener' <marc@mewlawoffices.com>
Cc: 'Y Raskin' <raskiny@gmail.com>; ksturtevant@ <ksturtevant@burlingtonvt.gov>; Scott Gustin <SGustin@burlingtonvt.gov>; William Ward <wward@burlingtonvt.gov>
Subject: RE: 195 South Prospect St

Marc, sorry it took me so long to get back to you, I was out of the office from November 29 – January 2.

There is a zoning permit on file (ZP 16-1259CA/CU) approving a changing in use from a single family to two units, and finish the basement. There is not a Certificate of Occupancy for this project, was the project completed? If so, a Certificate of Occupancy is required.

If there are two units, only one is registered as a rental.

Our complainant has concerns the Property is occupied by more than 4 unrelated adults. If so, there are no zoning permits on file allowing such a use.

So, I need from you, (1) verification as to the number of units at Property. (2) if more than 4 unrelated individuals are residing at the Premises, Owner shall obtain zoning approval; will need to submit a zoning application by January 23, 2018. (3) a grandfathering claim would require a determination from Scott Gustin and a request shall be submitted to his office by January 23, 2018. Grandfathering would require supporting documentation that the use existed, consistently, since 1970.

Looking forward to hearing from you.

From: Marc E Wiener [<mailto:marc@mewlawoffices.com>]
Sent: Monday, December 18, 2017 11:27 AM
To: Jeanne Francis <JFrancis@burlingtonvt.gov>
Cc: 'Y Raskin' <raskiny@gmail.com>
Subject: 195 South Prospect St

Hi Jeanne. My client has asked me to respond to your 11/20 letter regarding 195 South Prospect St. My client has assured me that they are not in violation of the ordinance cited in your 11/20/17 letter. What information to you need to resolve this matter?

Marc E. Wiener, Esq.
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110 Main Street
Burlington, VT 05401
Phone (802) 863-1836
Fax (802) 863-1948
marc@mewlawoffices.com

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CODE ENFORCEMENT OFFICE

645A Pine St, PO Box 849
Burlington, VT 05402-0849
VOICE (802) 863-0442
FAX: (802) 652-4221

November 20, 2017

VERMONT ORGANIZATION FOR JEWISH EDUCATION-LUBAVITCH
57 SOUTH WILLIAMS ST
BURLINGTON VT 05401

RE: 195 South Prospect Street Burlington, Vermont

Dear Owners,

According to our records, you are the owner of record of the above-referenced property. This letter is to inform you that the Code Enforcement Office has received the following complaint(s) regarding this property:

- **Occupying structure with more than four unrelated adults in an RL zone, inconsistent with the Family Definition of the Comprehensive Development Ordinance Article 13**

Our office has initiated an investigation regarding the complaint(s), however, as of this date; a final determination has not been made. Should you have any information or explanation that you believe will be useful to us during our investigation, please submit it to the Code Enforcement Office, **in written form, within the next ten (10) business days**.

Please note, while any information from you as the property owner is useful, the investigation will occur with or without the information. This letter is intended to give you notice of the alleged complaint(s) against your property and to provide you an opportunity to explain the condition and/or refute the allegation prior to a formal determination being issued.

Should you have questions, please don't hesitate to call me at 863-0442.

Sincerely,

Jeanne Francis, Zoning Specialist