



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](http://www.burlingtonvt.gov/pz)

**RECEIVED**

JUL 12 2017

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: 375 North Avenue

Subject Property Owner: 351-375 North Avenue Owners Assoc, LLC

Appellant: \_\_\_\_\_

Agent/Representative: Eric Farrell

Mailing Address: PO Box 1335

City, St, Zip: Burlington, VT 05402

Day Phone: 802-861-3000 Email: efarrell@farrellrealestatevt.com  
omakuku@ " " "

Appellant Signature: Eric Farrell Date: 7/12/17

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

- The Appeal fee of \$250; + see attached page
- 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. 1219 Amount Paid \$80 Zoning Permit # 18-0028AP  
1220 \$170

**Description of the decision under appeal;**

**Description of the property subject to the appeal:**

We are appealing the calculation of Impact fees for our rehabilitation of 375 North Avenue.

**Reference to the regulatory provisions applicable to the appeal:**

Regulatory Provisions applicable to the appeal are the Impact Fee Administrative Regulations, Article 3, Part 3. Impact Fees and any definitions from the Burlington Zoning Regulations and 24VSA Ch117 defining the word "use" in zoning.

**Relief requested by the appellant**

We have paid \$39,320.21 and believe that we should have paid no more than \$11,825 (that is, Residential Fee of \$2,531 per 1000sf of development minus Office Fee of 1,585 for the 12,500sf of space that Burlington College used without permits =  $\$946 \times 12.5 = \$11,825^*$ .

\*This does not reflect the credit of Parks' fee as per the Development Agreement between Eric Farrell and the City of Burlington)

**Alleged grounds why such requested relief is believed proper under the circumstances:**

We believe that the calculation of the impact fees is inconsistent with how they have been interpreted for other existing buildings and that the method used is inconsistent with the formula presented in the Impact Fee Administrative Regulations.

**RECEIVED**  
JUL 12 2017

DEPARTMENT OF  
PLANNING & ZONING