

Department of Permitting & Inspections

Zoning Division
149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



TO: Development Review Board
FROM: Ryan Morrison
DATE: September 17, 2019
RE: 19-0655CA; 20-26 Church Street

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

Zone: FD6 Ward: 3C
Owner/Representative: Gregory T. Chioffi Revocable Trust Agreement

Request: Time extension for application review period only: Convert commercial space within the existing building to 12 residential units. Included is a 12-space parking waiver request.

Applicable Regulations:
Article 3 (Applications, Permits, and Project Reviews)

Background Information:
The applicant is requesting an extension for the allowable time for their zoning permit application to move through the Development Review Board process. The subject application was complete as of April 2, 2019. The application started with administrative review; however, review revealed the need for Board review due to a parking waiver request. On August 6, 2019, the Board heard the waiver request, only to request additional information regarding the nature of the overall application. The hearing was continued to September 17, 2019. In discussion with the applicant, a request was submitted to remove the application from the September 17, 2019 DRB meeting agenda due to the lack of requested materials. Deferrals are generally limited to 6 months for Board review unless an extension is requested.

Recommendation: Time extension approval as per, and subject to, the following findings and conditions:

I. Findings

Article 3: Applications, Permits, and Project Reviews **Sec. 3.2.5, Completeness of Submission, Administrator's Action**

The applicant initiated review of a zoning permit for the conversion of commercial space in the second and third floors of the subject building to 12 residential units. The review process started on April 2, 2019, when the application was deemed complete for administrative review. After further review, it was determined that a parking waiver would be required for the proposal, and Board review was scheduled for August 6, 2019. The applicant proposed a 12-space parking waiver. At that meeting, additional information was requested (more detailed floor plans and

photos), and the hearing was continued to September 17, 2019. On September 9, 2019, the applicant asked to be removed from the DRB meeting agenda for a lack of the requested materials.

This section allows for such deferrals and limits them to 6 months (from the date the application was considered complete), with provision for up to two 3-month extensions for DRB applications. The six month time period will conclude on October 2, 2019 – before the next possible Board meeting date for the application.

The applicant is seeking an initial 3-month extension. Ideally, this will allow the applicant and his architect adequate time to produce the requested materials. This initial extension may be granted. A second extension; however, is expressly prohibited if the application simply lies dormant through the initial 3-month extension. (**Affirmative finding**)

II. Conditions of Approval

1. This 3-month time extension runs through January 2, 2020.