

DORSET ZONING BOARD OF ADJUSTMENT

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East Dorset, VT 05253-07145

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Date: August 13, 2012
Hearing: #12-05
Applicant: Merrick Counsell
Location: 1870 Morse Hill Road, East Dorset
Request: Variance based on ZBL 4.2.4.1 (Dimensional Requirements in the A & RR district)

Board Members Present: J. LaVecchia (Chairman), B. Bridges, T. Rawls, S. Jones, K. O'Toole, M. Connors, D. Baker
Board Members Absent: D. Wilson, R. Stewart
Also, Present: Tyler Yandow (ZA), Merrick Counsell, Jane Bridges, Danny Pinsonault

J. LaVecchia, Chairman, stating the application is under 4.2.4.1 of the Zoning By-Laws for the construction of a storage shed in the Agricultural & Rural, Residential District, called the hearing to order at 8:00 p.m.

K. O'Toole noted that the previous owner had added additions and had to purchase land from a neighbor in order to meet the setback requirements.

M. Counsell explained that he is proposing to construct a 12 foot by 18 foot storage addition on the back of the house using the same style (siding) as the house. It is not visible to his neighbor, R. Hartwell and all abutters have been notified (R. Hartwell, C.B. Vaughn & Sow's Ear, Inc.). The addition would be an unheated, one story storage area.

K. O'Toole asked why this was the only location that would work for the addition and M. Counsell responded that he would eventually like to construct a garage on one side of the house and there would be drainage issues on the other side of the house. K. O'Toole questioned whether the proposed garage would violate setback requirements and M. Counsell replied no.

Discussion ensued regarding the drawing submitted and the location of the addition, the scale of the drawing (slightly out of scale), and the distance from the existing building to the rear property line (approximately 20 feet). K. O'Toole asked about the topography of the lot and M. Counsell explained that the lot slopes from front to back, there have been water issues over the years so that irrigation ditches have been dug and the house is located toward the back of the property leaving more land in the front. Also, there is no attic or basement (slab foundation) for storage.

M. Connors asked if any of the neighbors have objected to the project and M. Counsell responded that he has not received any responses or objections.

S. Jones moved and K. O'Toole seconded to close the hearing at 8:12 p. m. Motion carried 7-0.

Deliberative Session opened at 8:30 p.m. and closed at 8:40 p.m.

Based upon Dorset Zoning Bylaw Section 12.9 ~ Appeal ~ variance, it was the consensus of the Board members that the application satisfied all the criteria.

K. O'Toole moved and T. Rawls seconded to approve the application of M. Counsell for a variance, specifically a 20 foot rear setback, for a shed to address the lack of storage space due to the inability to have basement or attic storage. This is the only flat area and the applicant asserts that a proposed future garage construction will meet setback requirements. Motion carried 7-0.

This variance will be valid for one year from date of issuance and subject to a thirty (30) day appeal period.

Respectfully submitted,

Nancy Aversano, Secretary

Town of Dorset ~ Zoning Board of Adjustment
 Date 8/13/12
 Regular Meeting X
 Special Meeting

(Please Print) Name	Address	Representing	Testifying (Yes or No)
Bill Bowen	109 Mad Tom Rd	Home Owner	Yes
Lidy Bowen	109 Mad Tom Rd	Home Owner	Yes
MERRICK COUNSELL	1870 MARSH HILL RD	HOME OWNER	YES
JANE Bridges	189 Danby mtn.	Home owner	no
Wilma Taylor	46 Dorset Hill Rd.	Home owner	yes
Danny Pinsonault	East Dorset vt	me	NO
Khara Muller	129 MAD TOM Rd. E. Dor.	Neighbor of Bowen's	NO
Mary Ann Nutzel	72 Pleasant St E. Dorset	friend of Bowen's	NO
Mary Selgalla	129 Mad Tom Rd	Neighbor of Bowen's	NO