

**Variance Application
VAR-002-24**

Owner: Park and Nancy Newton 765 Conger Road Georgia, VT 05478 802-527-7662 phtml@hotmail.com	Applicant:
Surveyor/Engineer:	Property Tax Parcel & Location: 660 Conger Road Parcel#102690200 Zoning District: AR-1

BACKGROUND

Park and Nancy Newton, hereafter referred to as Applicants, are requesting a variance of the setbacks required to erect a 34' x 54' (1836 ft²) home on their property. The parcel is located at 660 Conger Road, within the AR-1 zoning district. The parcel is ±4.68 acres in size, benefitted by ±570 ft of frontage along Conger Road.

Applicant proposes a front setback reduction from 75 ft. to 55 ft. as decided by a prior DRB hearing (VAR-002-23) due to wetland delineations from Vermont Agency of Natural Resources (ANR). There is a difference in wetland and wetland buffer that requires moving the proposed location of the single-family dwelling.

VARIANCE JUSTIFICATION

Setbacks for AR-1 Zoning District, VAR-002-23 Setbacks &

(Town of Georgia Development Regulations dated February 27, 2023 Section 6.4B)

	AR-1 Required:	VAR-002-23	VAR-002-24
Minimum lot size	5 acres	±4.68 acres	±4.68 acres
Lot Frontage	250 ft.	570 ft.	570 ft.
Front yard setback	75 ft.	75 ft.	55 ft.
Left Side yard setback	40 ft.	15 ft.	15 ft.
Right Side yard setback	40 ft.	40 ft.	40 ft.
Rear yard setback	40 ft.	15 ft.	15 ft.
Building height	35 ft. max	25 ft.	25 ft.

All applications for variance must be heard by the Zoning Board of Adjustment according to the criteria set forth in 24 V.S.A. Section 4469(a). The DRB must find that your application meets **all five of these criteria** in order to approve your application.

1. *There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to these conditions, and not the circumstances or conditions generally created by the provisions of the bylaw in the neighborhood or district in which the property is located.:* The current lot has significant wetlands and grading, resulting in ANR informing Applicants to move the location of the single-family dwelling.
2. *Because of these physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the bylaw, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property:* Without a variance of the current location of the single-family dwelling, the Applicants will be in violation of ANR recommendations.
3. *The unnecessary hardship has not been created by the applicant:* The lot conforms to the town's regulations and is an existing lot. Neighboring property is in a land trust and cannot be acquired.
4. *The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, or be detrimental to the public welfare:* Per the application there are only open fields and neighbor is a land trust.
5. *The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from the bylaw and from the plan.:* The Applicants are requesting a change in the front setbacks from 75 ft. to 55 ft. in addition to the variance decided by the DRB in VAR-002-23. This is the minimum setback needed to allow for the single-family dwelling.

Respectfully submitted,

Kollene Caspers
Zoning Clerk
Planning & DRB Clerk