

**Variance Application
VAR-001-25**

Owner/Applicant: Michael Florucci 1093 Polly Hubbard Road Georgia, VT 05478 619-208-4393 Michaelfl80@gmail.com	Property Tax Parcel & Location: 1093 Polly Hubbard Road Parcel# 111380000 Zoning District: AR-1
Surveyor/Engineer: Barnard & Gervais, LLC PO Box 820, Enosburg Falls, VT 05450 #802-933-5168	

BACKGROUND

Michael Florucci, hereafter referred to as Applicant, is requesting a variance for permit approval to build an accessory structure in an area of maintained yard that is a Class II Wetland or buffer. The parcel is located at 1093 Polly Hubbard Road, within the AR-1 zoning district. The parcel is ± 10.2 acres in size, benefitted by ± 250 ft of frontage along Polly Hubbard Road.

Applicant proposes building a ± 1500 square foot accessory building east of the existing driveway in an area that has been determined wetlands and wetland buffer by Vermont Agency of Natural Resources (ANR). The selected area is higher and drier than the rest of the yard, has seen the most extensive work to facilitate septic replacement and is able to accommodate future placement of solar panels on the south facing roof.

A restoration plan is in place in a large area of maintained yard west of the driveway. The restoration area is 3 to 4 times the footprint of the proposed accessory structure. This area will be planted with trees, shrubs and plants that are native to Vermont wetland sites. Planting includes a dense native shrub row along the outer perimeter of the restoration area that, when fully grown, should discourage human entry into the area and provide better seclusion for wildlife. See *Attachment 2* for additional information.

**VARIANCE JUSTIFICATION
Setbacks for AR-1 Zoning District**

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

	AR-1 Required:	VAR-001-25
Minimum lot size	5 acres	± 10.2 acres
Lot Frontage	250 ft.	± 250 ft
Front yard setback	75 ft.	± 105 ft
Left Side yard setback	40 ft.	± 115 ft
Right Side yard setback	40 ft.	± 55 ft.
Rear yard setback	40 ft.	± 1500 ft

Building height	35 ft. max	±20 ft
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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 entirety of the of the property north of the Mill River is Class II wetland or buffer, providing no alternative building location that would not violate Section 5.12 of the Town of Georgia Zoning Regulations (2/27/2023).
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:* This structure is required for my home based business and no other site exists on the property that would fall within Section 5.12 of the Zoning regulations.
3. *The unnecessary hardship has not been created by the applicant:* Full wetland mapping of the property was not done until after purchasing the property, when the existing septic system failed and required replacement.
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:* The proposed structure is keeping with the character of the area, confined to the subject property and well within the setbacks for the area.
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.:* See **Attachment 2** document.

Respectfully submitted,

Kollene Caspers
Zoning Clerk
Planning & DRB Clerk