

DEVELOPMENT REVIEW BOARD hearing scheduled for April 10, 2024

In Re: To amend DRB 23-077-CU which approved the replacement of an existing camp at 2588 Thompson’s Point Rd. (changes from DRB 23-077-CU application are highlighted)

General Information:

Applicant(s):	Oakley Smith
Application No.:	DRB 24-026-CU
Property owner:	(leased from Town of Charlotte)
Requested Action:	Amend approved DRB 23-077-CU to move house and patio 10 feet back from shoreline
Purpose:	To allow for location of patio per Shoreland Protection requirements
Existing Zoning:	Shoreland Seasonal Home Management District
Location:	2588 Thompson’s Point Road
Parcel ID:	00037-2588
Size:	0.36 acres
Existing Land Use:	Seasonal Camp
Surrounding Land Use	Seasonal residences on Town of Charlotte land
Permitting History:	ZBA 19-135-CU, Dec. 26, 2019 (DENIED) – application to replace camp with a structure deemed to be not in conformance with the district standards.
Applicable Regulations:	<i>Charlotte Land Use Regulations</i> , as amended 2022: 1. Section 2.7, Table 2.7(D-G) Shoreland Seasonal Home Management District: Conditional Uses, Dimensional Standards, District Standards, Design Review Standards 2. Section 3.12(A) – Performance Standards 3. Section 3.15(G) – Lakeshore Buffers 4. Section 5.4 (C) – Conditional Use Review; General Standards
Public Notification:	Public notification was via publication in <i>The Citizen</i> newspaper March 14, 2024 and by posting hardcopies of the notice at the Town Office, the Post Office, and Spear’s Corner Store March 8, 2024. Written notification of the public hearing was provided to adjoining property owners by mail March 11, 2024.

Exhibits:

1. Conditional Use Application Shoreland Seasonal Home Management District, March 12, 2024
2. Site Plan, A-100, Elizabeth Herrmann, Revised March, 2024

Project background:

Application is same as DRB 23-077-CU, approved August 9, 2023, with the exception of moving the house and patio approximately 10 feet back from the shoreline to satisfy Shoreland Protection requirements. Applicant owns a seasonal camp on a 0.3 acre leased lot (#198) at 2588 Thompson’s Point Rd. on Thompson’s Point. The applicant proposes to demolish the

existing 612 sq. ft. camp and build a 632 sq. ft. camp further back from the shoreline in order to accommodate a proposed 9'x15' patio on the lakeside. The occupancy (number of bedrooms and bathrooms) will not change. The camp is proposed to increase in height from 16 feet-4 inches to 20 feet-2 inches..

1. **Chapter II, Section 2.7 (D) – Conditional Uses** - 3. Demolition of an existing structure ...
5. Replacement of an existing structure requires conditional use approval [see (F)(9)].
 - The camp is being demolished and replaced with a new structure.
2. **Chapter II, Section 2.7 (E) – Dimensional Standards**
 - a. Minimum Setback/Front: 50 ft. from ROW
 - Compliant: existing is ≈111 feet; proposed is ≈101
 - b. Minimum Setback/Side: 50 ft.
 - Non-compliant on one side: existing westside setback is ≈49 feet, proposed is ≈53 feet; existing and proposed eastside setbacks are ≈13 feet.
 - c. Minimum Setback/Shore: Existing
 - Increase setback from 11 feet to 17 feet from shore property line
 - d. Maximum Height: Lesser of 30 feet or 2-stories
 - Compliant: proposed height is 20 feet and 1 7/8 inch
 - e. Maximum Building Coverage: 7%:
 - Compliant: existing is 3.9%; proposed is 4%
 - f. Maximum Lot Coverage: 10%
 - Compliant: proposed is 4.2%)
3. **Chapter II, Section 2.7 (F)(4) – District Standards** stipulates that all trees on leased lots are owned by the Town, and permission from the Tree Warden shall be required for cutting or pruning within this district.
 - Trees to be cut need to be verified by applicant, and granted permission by the Tree Warden
4. **Chapter II, Section 2.7(F)(9) – District Standards** Demolition and alterations ... that change the appearance, height, footprint or historic character of an existing structure are subject to conditional use under Section 5.4 and design review under Subsection (G).
 - See below.
5. **Chapter II, Section 2.7 (G) – District Design Review Standards** stipulates that for any alteration or expansion of any portion of any principal structure the Development Review Board shall seek the recommendations of the Design Review Committee (DRC).
 - There is currently no DRC (all members resigned June 2023), see *Thompson's Point Design Review Questionnaire* submitted by applicant.
 - The proposed camp is in the same style and color, and similar scale as the existing.
6. **Chapter III, Section 3.12(A) – Performance Standards**
 - Conforms: no change with the exception of exterior downlights added at doorways, 135 sq. ft. patio, and addition of washing machine, dishwasher and outdoor shower.

7. **Chapter III, Section 3.15(G) – Lakeshore Buffers** stipulates that a vegetated buffer zone shall be maintained within 100 feet of the shoreline of Lake Champlain in order to minimize runoff and pollution, and to maintain bank stability and environmental quality.
 - The proposed footprint of the camp is approximately 17 feet from the shore property line which is at elevation \approx 140 feet. The proposed 135 sq. ft. patio attached to the camp is approximately 11 feet from the shore property line (see A-100).
 - Applicant obtained a Shoreland Protection Individual Permit, #4191, which required the camp and patio to be moved an additional 10 feet back from the shore property line.

8. **Chapter V, Section 5.4 (C) – Conditional Use Review; General Standards:** (2.) Character of the area affected.
 - The proposed camp is similar in size, style and color to the existing camp.

Staff Comments:

Lot #198 is not in the Thompson’s Point Historic District.

Prepared By: Rebecca Kaplan, Planning & Zoning Assistant, April 2, 2024.