



Development Application
Town of Stowe Zoning Department
 PO Box 730
 Stowe VT 05672
 Voice (802) 253-6141

Project #
 (To be assigned)

Date Received:

This form serves as an application for all requested zoning and subdivision reviews.

Owner Information

Property Owner

JON HANSON

Mailing Street Address
 City, State and Zip

2481 NEBRASKA VALLEY RD, STOWE, VT 05672

Phone Number

Day: Other phone or email:

Applicant/Contact Information (Relationship to Owner)

- Owner (If so, skip to site information) Lessee Contractor
 Architect/Designer Agent for Owner Under purchase contract

All information and correspondence is sent to applicant/contact.

Contact Name

Company (if any)

Mailing Street Address
 City, State and Zip

Phone Number

Other/Email:

Site Information

Physical Address

ACROSS THE ROAD FROM 2481 NEBRASKA VALLEY RD.

Business (if any)

Tax Map ID

MAP 5 LOT 20.01

Please briefly describe the project or request below:

CONSTRUCT NEW SINGLE FAMILY HOME ON LOT #4 WITH REQUEST FOR VARIANCE OF FRONTYARD SETBACK TO STAY OUT OF FLOOD ZONE. SAME AS PREVIOUS PERMIT # Z-3340 ISSUED 3/5/07. HEALTH PERMIT # H-93-12 DATED 4/7/93.

For All Approvals:

The below signed hereby agrees that the proposed work shall be done in accordance with the application, plan, specifications, and other associated documentation and that the work shall conform to all applicable town ordinances and regulations. Signing as an "Agent for Owner" indicates that the person signing has the permission of the owner to act on the owner's behalf. Additional permits may be needed from the State of Vermont and/or the Town of Stowe for development.

- Indicate if:
 Property Owner OR
 Agent for Owner

Signature:

Date:

Jon Hanson
 8/1/20

Additional application information is required on reverse side: →

Note: Local Zoning approval does not cover any required state approvals. Wastewater System and Potable Water Supply permits may be required for construction or modifications that change the wastewater flow. Other State permits may be required for certain uses. The applicant is advised to contact a DEC Permit Specialist to discuss the State permit requirements at 802-505-5367.

Construction Information

A site plan showing the proposed development is required if construction is involved. **The applicant is responsible for determining property lines and setbacks.**

Please answer the questions below for all construction projects:

Will there be a new curb cut (driveway opening)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Will over 1/2 acre of land be graded or disturbed?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Will the development create an additional 1/2 acre of impervious surface?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Will there be other changes resulting in increased sewer or water flows?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Will there be a new connection to the Stowe sewage system?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Will there be a new connection to the Stowe water system?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is any portion of the building rented out?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is an Act 250 permit or amendment required?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Maximum Bldg. Height: 24 * Building Height is defined as the vertical distance measured from the average elevation of the proposed finished grade at the front or rear of the building to the highest point of the roof for flat and mansard roofs, and to the average height between eaves and ridge for other types of roofs. On sloping sites the height will be measured on the uphill side.

Please answer the questions below for all projects involving residential dwellings:

Existing Rooms:	# Bathrooms:	# Bedrooms:	# Kitchens:
New Rooms:	# Bathrooms: <u>2</u>	# Bedrooms: <u>3</u>	# Kitchens: <u>1</u>

Please complete the fee calculation below for all construction projects:

Indicate new/additional gross floor area	Cost/Sq. Ft.	Fee Required
Heated Enclosed Space: <u>3,120</u> sq ft	\$.20/sq. ft.	\$ <u>624.00</u>
Unheated Enclosed Space: _____ sq ft	\$.13/sq. ft.	\$ _____
Unheated Unenclosed Space: _____ sq ft (such as decks and open porches)	\$.07/sq. ft.	\$ _____
Structures other than buildings (such as ponds and tennis courts) (administrative approval)	\$50/structure	\$ _____
Structures other than buildings (such as ponds and tennis courts) (Conditional use approval required)	\$100/structure	\$ _____
Additional Recording Fee:	\$15 for permitted uses \$30 for conditional uses	\$ <u>15.00</u>
	Total Fee**:	\$ <u>639.00</u>

** Minimum application fee for all construction (includes recording fee):

Permitted Uses: \$60.00 Conditional Uses: \$250.00

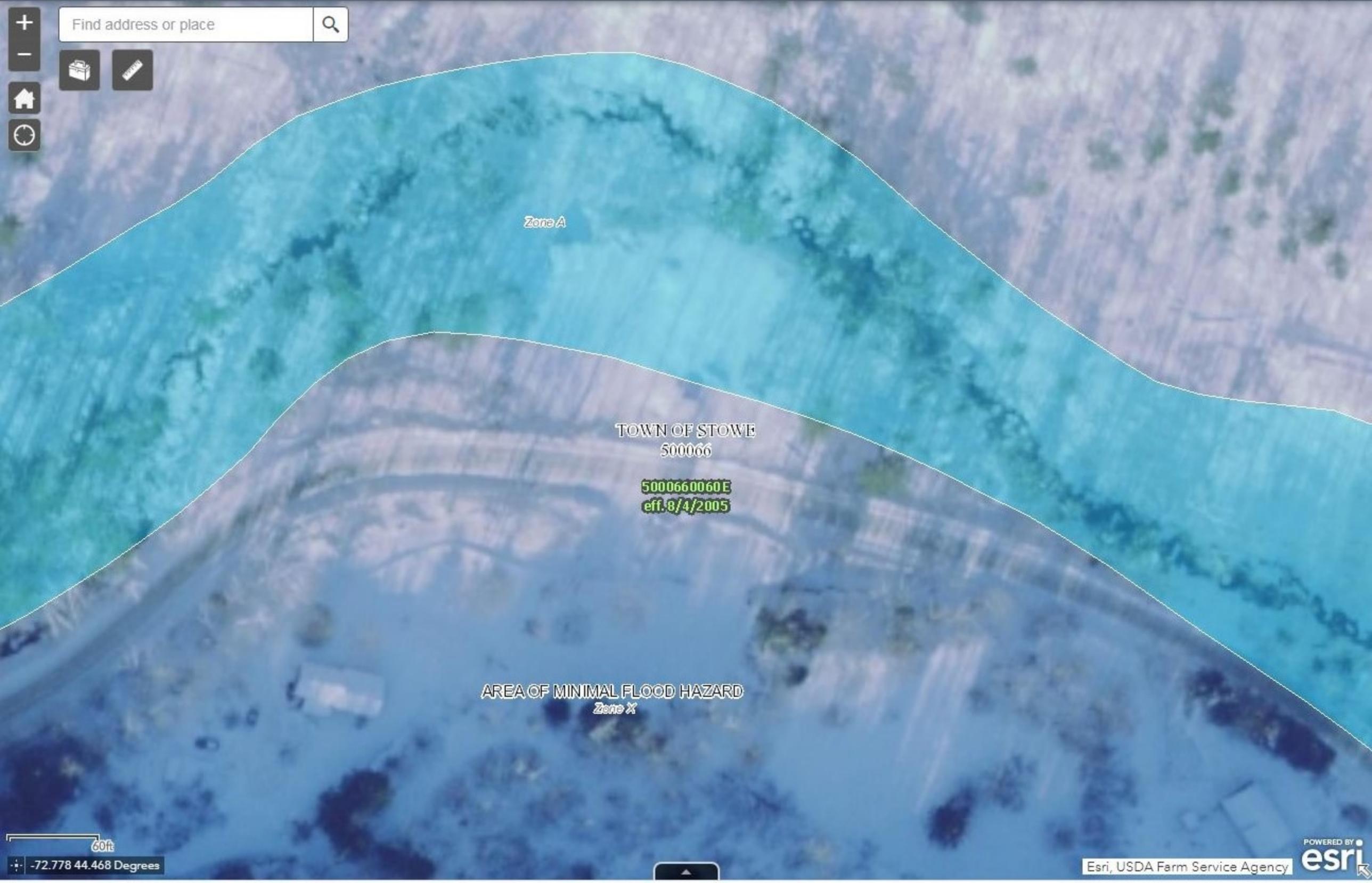
Fee Schedule for Projects Not Involving Construction (all fees below include recording fee)

- For permitted uses not involving construction: \$60
- For conditional uses not involving construction, appeals and variances: \$250
- Administrative amendment of conditional uses: \$70
- New signs: \$70
- Certificate of Occupancy: \$55 (additional inspections if need after first: \$40)
- Subdivisions:
 - Preliminary Layout Application (Base Fee): \$250
 - Preliminary Layout (Fee per lot if equal to and/or more than 5 lots): \$250/lot or unit
 - Final Plat Application (Base Fee): \$250
 - Final Plat Application (additional fee per lot if preliminary layout was not required): \$100/lot or unit
 - Minor Subdivision - Lot Line Adjustment: \$105 (includes recording fee for one map page)
 - Final Plat Recording Fee (per map page): \$25

Payments should be made to the Town of Stowe. Payment can be made by cash, check, or with a credit card (Mastercard, Visa or Discover) or online. Go to www.townofstovevt.org/townclerk/ and click the link for online payments. Please note there is a 3% convenience fee for credit card payments.



Find address or place

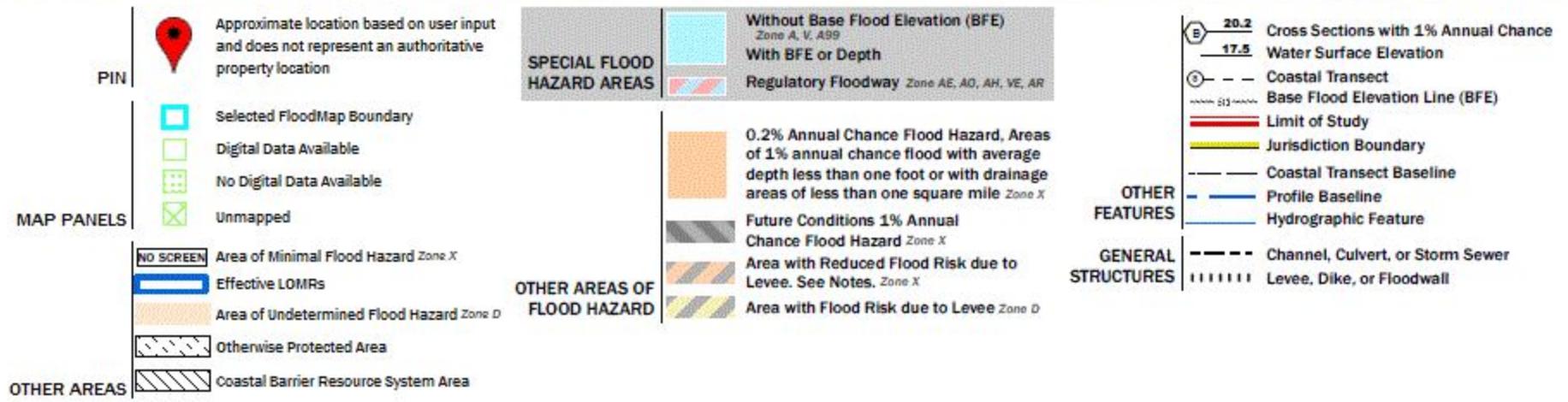


Zone A

TOWN OF STOWE
500066

5000660060E
eff. 8/4/2005

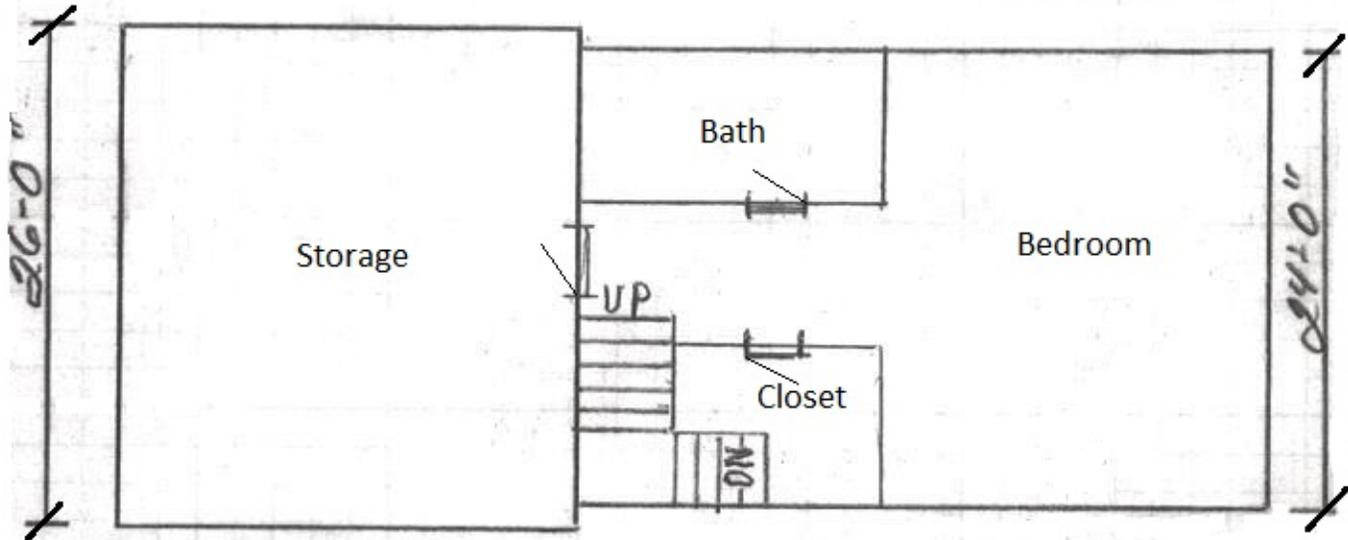
AREA OF MINIMAL FLOOD HAZARD
Zone X



Jon Hanson Lot 4 Floor Plan
Sept 19, 2020

Back - North

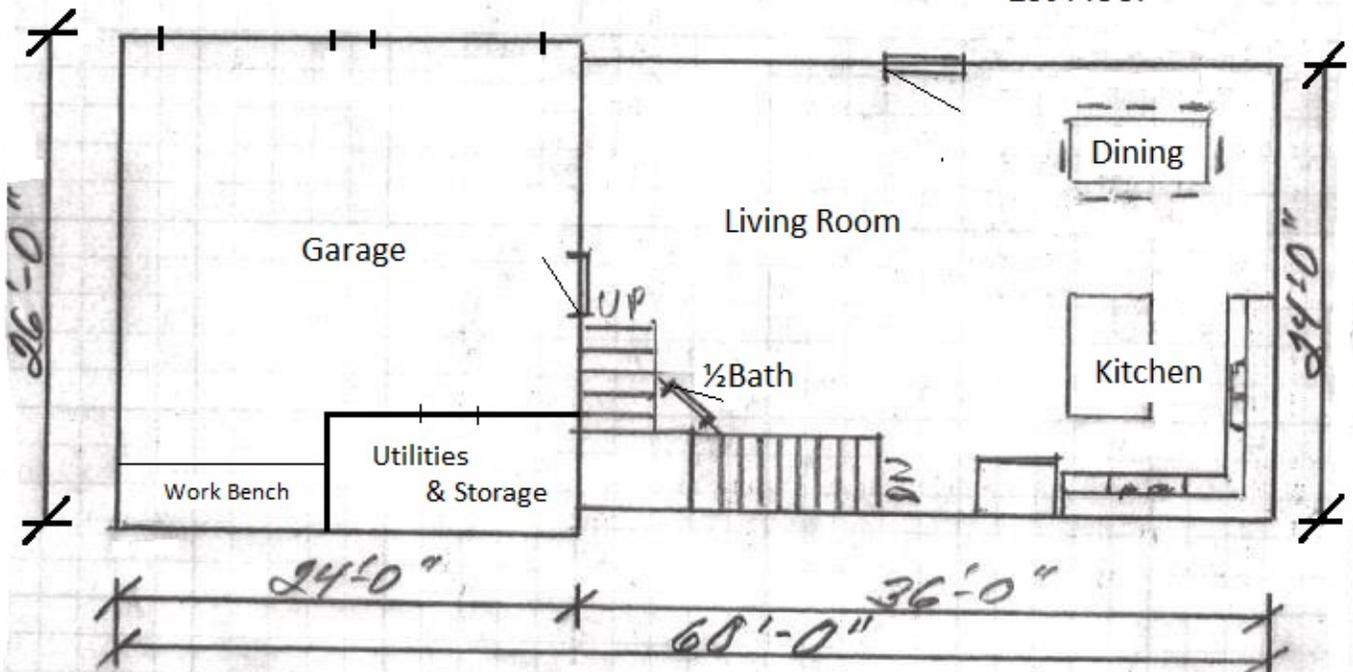
2nd Floor



West

East

1st Floor



Front (Road) South

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



3.5 ACRES
LOT NO. 1

Town of Stowe

Town of Stowe

40 ACRES
LOT NO. 2
JON HANSON

MANSFIELD TROUT CLUB

T.H. No. 43

KEY:

- ASL Above Sea Level
- BFE Base Flood Elevation
- LFE Lowest Floor Elevation
- CLH Centerline of Highway

PLATIONS OF THE TOWN AND VILLAGE
 ND APPROVAL OF THIS PLAT IS CONTINGENT
 HE REQUIREMENTS OF SAID SUBDIVISION
 ; ONLY ANY VARIANCES OR MODIFICATIONS
 HE COMMISSION AND ATTACHED HERETO.

184 filed 9/21/89
 Clerk

THIS SUBDIVISION WAS BASED
 NCE FOUND AND THE
 PROPERTY OWNER

Walter L. Urie

Kurt Hanson

Lot No. 4
1.8 acres

Jon Hanson
Lot No. 5
2.1 acres

Michael Duxbury

REVISION dated June 16, 2020: Layout of
 proposed House 60' x 26' to meet RR2
 zoning on Lot #4 owned by Jon Hanson
 2482 Nebraska Valley Rd., Stowe, Vermont

#84-22

PROPOSED
 SUBDIVISION
 IN
 STOWE, VERMONT

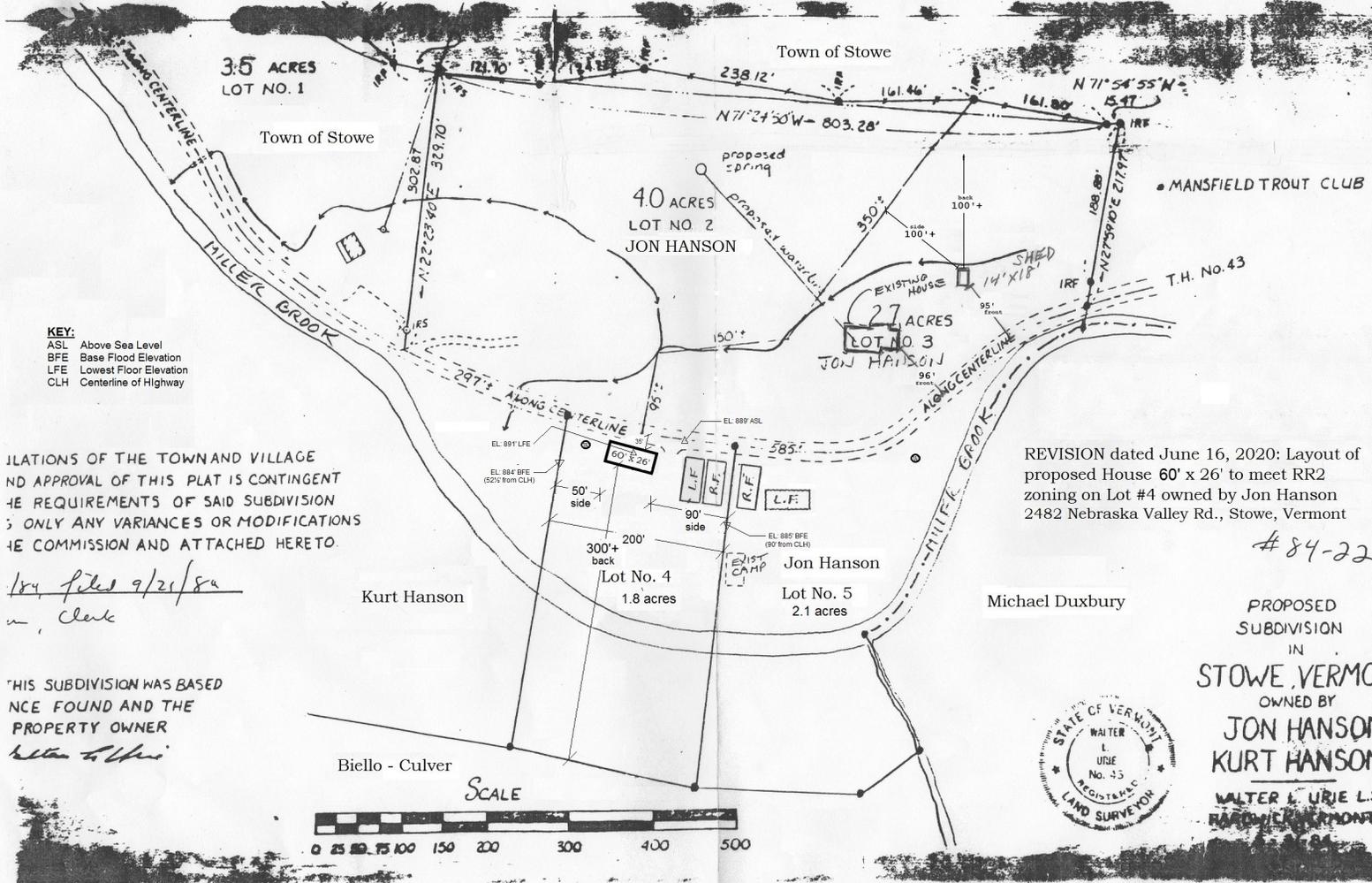
OWNED BY
 JON HANSON
 KURT HANSON

WALTER L. URIE L.S.
 REGISTERED LAND SURVEYOR



Biello - Culver

SCALE

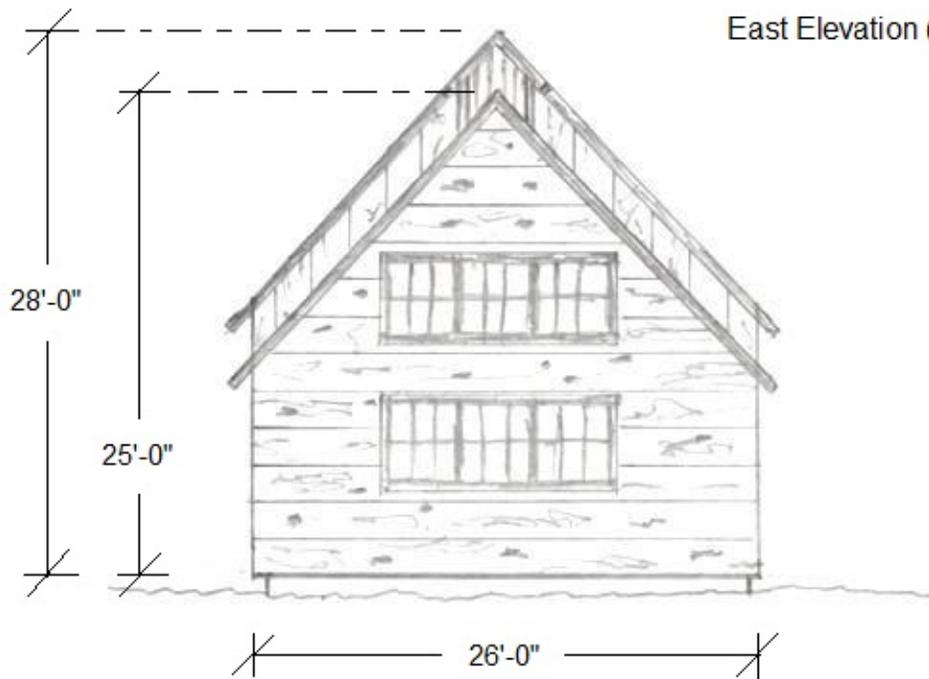


Jon Hanson - Lot 4

North Elevation (back)

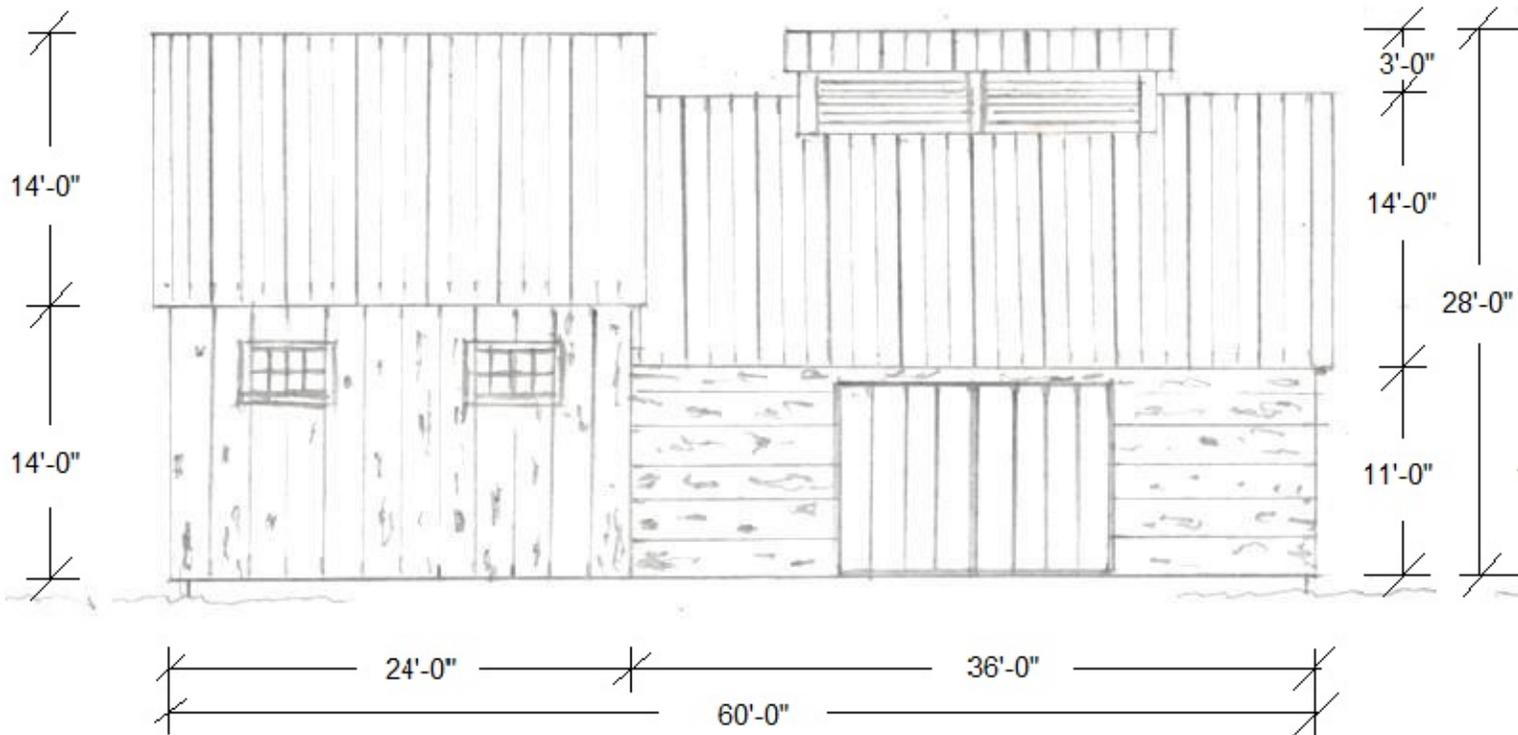


East Elevation (side)

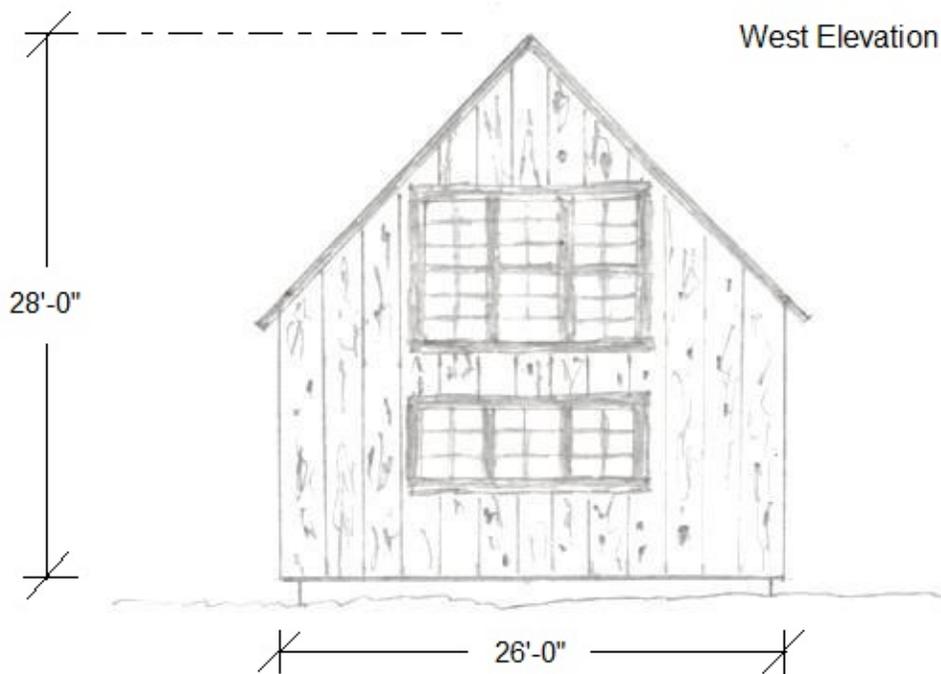


GRAPHIC SCALE

South Elevation (front)



West Elevation (side)



GRAPHIC SCALE

TOWN OF STOWE
DEVELOPMENT REVIEW BOARD
Findings of Fact & Conclusions of Law

IN RE: **Jon Hanson**
 2481 Nebraska Valley Road
 Stowe VT 05672

3412

PROCEDURAL HISTORY:

The Development Review Board received this application on May 11, 2007. The application was warned in the Stowe Reporter and posted on May 17, 2007. A public hearing was held on June 5, 2007 at which time the hearing was closed. The Board rendered this decision electronically on June 12, 2007. Jon Hanson presented the application to the Board.

FINDINGS OF FACT & CONCLUSIONS OF LAW: During its review of this application, the Board made the following Findings of Fact:

1. Jon Hanson owns 1.8+- acres of land across the road from 2481 Nebraska Valley Road in the RR-5 zoning district.
2. The parcel is currently vacant.
3. The parcel is a pre-existing small lot as defined under Section 4.6 and is required to meet RR-2 setbacks. The required front yard setback for RR-2 is 60 feet.
4. The applicant is seeking a variance to allow a front yard setback of 10 feet.
5. The Miller Brook bisects the property and is approximately 150 feet from the right-of-way line.
6. In 1980 the Flood Insurance Rate Maps (FIRM) were amended to include a special flood hazard area (100-year flood zone) on the Hanson property. The flood hazard area is approximately 50 feet back from the right-of-way line.
7. The area to the rear of lot beyond the flood hazard area is steep and not suitable for development.
8. The applicant submitted a site plan prepared using Town GIS mapping and orthophotography depicting the flood hazard area and the desired dwelling location.
9. Under the provisions of the Zoning Ordinance, this application was reviewed as a request for a variance.

24.6 (3) – Standards of review for variance: Pursuant to the requirements of the Stowe Zoning Ordinance, the Board may grant a variance if all of the following facts are found:

10. **Section 24.6 (3) (A) That there are unique physical conditions and that unnecessary hardship is due to such conditions and not to the conditions created by the zoning regulations in the district in which the property is**

located: The Miller Brook flooding and the steep topography to the rear make the area closest to the road the most suitable area for development.

Conclusion: The Board concludes that the natural occurrence of flooding and the existing steep topography are unique physical conditions that limit reasonable development to an area approximately 50 feet along the right-of-way.

11. **Section 24.6 (3) (B) That in order to enable reasonable use of the property, the provisions of the zoning regulations cannot be conformed to:** The normally required RR-2 60-foot front setback would require any development to occur within the flood hazard area. Although a house could be elevated so that the first floor would be above the flood zone, such development would require meeting flood construction standards and result in a house being constructed above the existing grade. In addition, construction in the flood hazard area conflicts with the goals of the Stowe Municipal Plan which include protecting water quality by "restricting development in designated floodplains to recreation and other non-commercial and non-residential land uses..."

Conclusion: The Board concludes that it is unreasonable and not in the public interest to require development within a flood hazard area when other suitable land is available on the property.

12. **Section 24.6 (3) (C) That such unnecessary hardship has not been created by the appellant:** The area suitable for development is a result of naturally occurring flooding and existing topography.

Conclusion: The Board concludes that the unnecessary hardship is not created by the applicant.

13. **Section 24.6(3) (A) That the variance would not alter the character of the district, nor adversely affect the appropriate use of adjacent property, nor be detrimental to the public welfare:** The applicant testified that he inventoried developed parcels along Nebraska Valley Road and found a significant number of homes closer than the 60 feet from the right-of-way. Homes in this area were historically developed close to the road.

Conclusion: The Board concludes that the requested 10-foot setback would not be unusual in this area and would not alter the character of the area, adversely affect adjacent properties, or be detrimental to the public welfare.

14. **Section 24.6(3) (A) That the variance will represent the minimum that will afford relief and will represent the least modification possible of the zoning ordinance and the plan. In granting any variance, the Board may prescribe appropriate conditions in conformity with this ordinance:** The applicant submitted a site plan showing the flood hazard area, existing septic leach field, replacement septic area, and proposed 50' x 26' dwelling footprint. The existing and proposed improvements, the required RR-2 side setbacks, and the required leach field isolation distance from a foundation covered the majority of area 50 feet back from the right-of-way line.

Conclusion: The Board concludes that based upon the site plan submitted the requested 10-foot front yard setback is the least modification of the zoning regulations possible in order to allow for reasonable development of the parcel.

DECISION

Based upon the foregoing Findings of Fact, in **RE: 3412 (Jon Hanson)**, the Board took the following action:

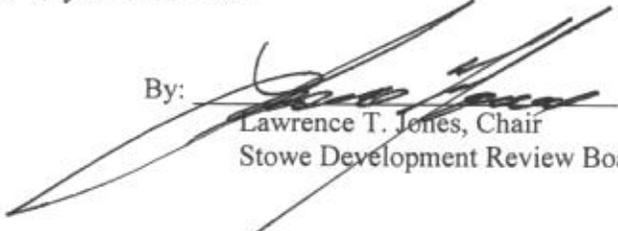
A motion was made by Mrs. Brittin and seconded by Mr. Pineles to approve the variance request allowing for a 10-foot front yard setback.

Voting in favor: Mrs. Brittin, Mr. Izzo, Mr. Jones, Mr. Pineles, Mr. Leven, Mr. Ramos, and Mr. Teffner. Voting to deny: None. Voting to abstain: None. Absent: None

The motion carries 7 – 0; the application is approved.

Dated at Stowe, Vermont this the 12th day of June 2007.

By:



Lawrence T. Jones, Chair
Stowe Development Review Board

Any interested person may appeal this decision to the Vermont Environmental Court within thirty (30) days in accordance with 24 V.S.A. S 4471.

The foregoing represents the decision of the Development Review Board, and is NOT a permit. A zoning permit will not be issued by the Administrative Officer until:

1. All necessary approvals have been obtained
2. All relevant conditions imposed as part of the approval have been met

The commencement of the activities described within this decision without a valid permit constitutes a violation of the Stowe Zoning Regulations as provided in Section 23.4.

The use or occupancy of any building or activity approved in this decision requires the issuance of a Certificate of Occupancy. No Certificate of Occupancy will be issued until such time as all of the conditions of this decision have been fulfilled.

TOWN OF STOWE
DEVELOPMENT REVIEW BOARD
Findings of Fact & Conclusions of Law

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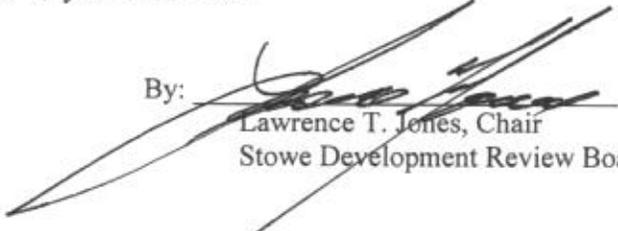
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