

Appeal Period Expires 10/20/2020
 Zoning District R2

Town of Essex, Vermont
Application for Zoning Permit
 www.essex.org

Application Date 1/1
 Permit Number 2020-177

All construction is to be completed in accordance with the Town of Essex Zoning Regulations and any/all federal or state regulations now in effect. You are required to post this permit in a conspicuous location on the property during the appeal period and it must remain posted throughout the construction period. You are required to contact the necessary state agencies to obtain state permits @ 477-2241 (Jeff McMahon, Permit Specialist).

Any interested person may appeal the decision of the Zoning Administrator to the Zoning Board of Adjustment within fifteen (15) days of the permit's date of issuance. Commencing construction within this fifteen (15) day appeal period is prohibited by law.

Signed: Beverly Doney

A Parcel Account Numb. (Map-Parcel-Lot) 2-031-039-000
 (found in Town Assessor's Office)
 Property Address: 7 Creek Rd
 Owner: Clark C + Beverly Jo Doney Trustees
 Owner Address: 7 Creek Rd Essex, VT
 Owner Phone: (work) _____ (home) 878-7244
 (cell) _____ (Email) bevdoney@gmail.com
 Contractors name: Self - prebuilt Phone: _____
 Cell: _____
 Estimated Construction Dates: Start: 1/1 Completion: Fall/20
 Sq. Feet: 100 Estimated Cost (labor & materials): \$ 3,200.00

G

Check box(es) which describe proposed use or construction (circle choice in parenthesis).
 N = New A = Addition R = Remodel

Residential:	N	A	R
Single Family	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Two-family (duplex)(other)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Multi-family	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Condominium / Townhouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mobile home	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inclusions or Additions:			
Garage (attached) (detached)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Porch (enclosed) (open)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deck	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pool (in) (above) ground	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barn (residential) (agriculture)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Non-residential:			
Commercial / Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stormwater:			
Stormwater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Erosion Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:			
Change in use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Miscellaneous	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Renewal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

B Sewage Disposal (Please attach Sewer or Septic Application).
 Public Private Connection Fee \$ _____ Date Paid: 1/1
 Proposed New Bedrooms: _____ Existing Bedrooms _____

C Water (Please attach Water Service Application).
 Public Private Fee \$ _____ Date Paid: 1/1

D Driveway (Please attach copy of approved Curbcut / Utility Application).
 Date of approval 1/1

E Stormwater
 Project disturbs an area greater than or equal to 1 acre – Erosion Control Permit Required. Attach completed permit application.
 Project creates new or expands existing impervious surface greater than or equal to 1/2 acre – Erosion Control Permit and Stormwater Management Permit required. Attach completed permit application.

F Diagram – Show a sketch of project on reverse of this application with property lines, building, and setbacks or attach separate sheet.

G 10' x 10' premade shed by Elm Hill Farm
sketch attached.

Signature of Tenant and
 Signature of Owner Beverly Jo Doney

Office Use Only

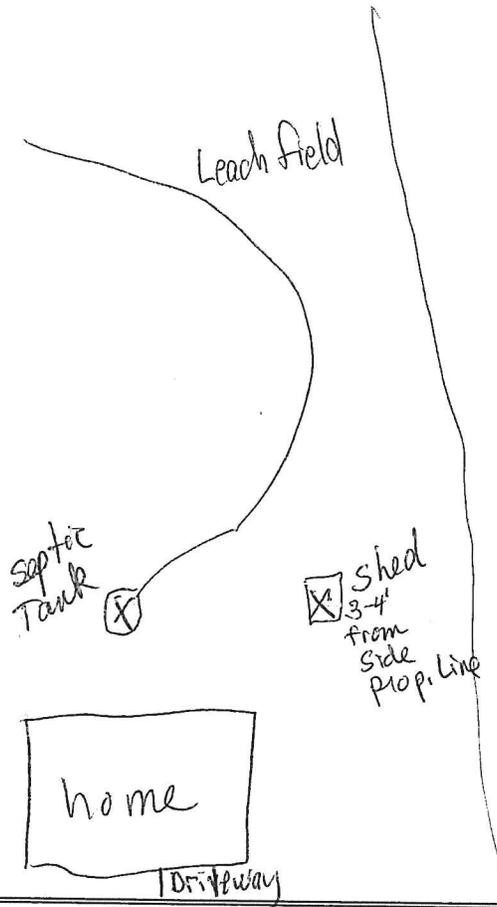
Fees:	Type	Amount	Date Pd
Permit		\$ <u>50-</u>	
Recreation		\$ _____	<u>10/5/20</u>
Recording		\$ <u>15-</u>	
Certificate of Occ		\$ _____	<u>1/1</u>
Other		\$ _____	<u>1/1</u>

Building Permit
 Approved Rejected Date 10/5/20
 Issued to: Clark C. + Beverly Jo Doney Trustees
 Zoning Administrator: Sharon F. Kelly
 Notes: _____
 C.O. Required Yes No

THIS PERMIT VALID FOR TWELVE (12) MONTHS FROM DATE OF ISSUE

F Diagram – Provide diagram here and include all setbacks

10' x 10' premade shed by Elm Hill Farm



covenant waiver for shed setback

Brian <brianbuilds@comcast.net>
To: Bev Doney <bevdoney@gmail.com>

Thu, Oct 1, 2020 at 11:03 AM

Bev, you may already have this info. You will need a permit from the Town, as your shed is more than \$1,000. Even though it is 100sf. (see below).

I am okay with you placing a new shed that is no larger than 10' x 10' up to 2' from your property line on the side & back. Now, this 2' must be measured from the overhang on the shed.

Good luck with your project,

Brian J. Marcotte

President



Pinewood Manor, Inc.
57 River Road Suite 1003
Essex Junction, VT 05452
p 802-878-4606 f 802-288-9656

(1) Anything you construct (addition to your home, garage, pool, shed, etc.) will need a permit if the cost is more than \$1K AND/OR the structure is greater than 75 sq. ft. (if attached to the house); or 100 sq. ft. (detached from house.) These improvements need to meet the regular setbacks for the zone where the property is located.

Sheds that are 100 sq. ft. or less gets a break on the setbacks, but still may need a permit if the cost is greater than \$1K.

The 2' side and rear yard setbacks only apply to sheds that are 100 s.f. or smaller.

The cost must be under the \$1K and the shed must be 100 s.f. or smaller in order to avoid obtaining a zoning permit.

The shed can cost more than 1K, and be 100 s.f. or smaller to get the relaxed 2' setback from side and rear, however a permit would be required because the cost is over \$1K.

(2) Covenants can add restrictions in addition to the Zoning Regs, but they cannot lessen the Zoning requirements.

The [Pinewood Manor Covenant #2] matches what is required of the Regs (except for the shed exemption of 100 s.f. or less. I'm sure the HO board just has not amended its covenants. If you are looking to utilize the 2' from rear and side yard setbacks, you should get written permission from the president of the HO and submit with permit [if the cost, including all labor and materials, is greater than \$1K].



Bev Doney <bevdoney@gmail.com>

7 Creek Road shed

1 message

Pinewood Manor <pinewoodmanor@gmail.com>

Thu, Oct 1, 2020 at 10:57 AM

To: Sharon Kelley <skelley@essex.org>

Cc: Clark & Bev Doney <bevdoney@gmail.com>, "Brian Marcotte (Pinewood Manor Inc)" <pinewoodmanor@comcast.net>, Brian Marcotte <brianbuilds@comcast.net>

Hi Sharon,

I am the President of the Pinewood Manor Homeowner's Association (**PMHA**). We are not a typical homeowner's association; the association has no covenants, owns no property, and membership is completely optional. We are strictly a social non-profit which includes managing the neighborhood pool (with many volunteers). An optional \$15 annual dues is requested (not required) and it is used to help defray the cost of insurance, social events, and communication. Pool membership is an additional fee and that membership is also optional.

Pinewood Inc, on the other hand, has a covenant with all the land conveyed to Pinewood Manor, Inc., by Warranty Deed dated April 3, 1958, of record in Volume 60 at Pages 448-449 of the Town of Essex Land Records. Pinewood Inc designates an "architectural committee" to provide waivers and enforce those covenants. The president of Pinewood **Inc** has traditionally been the go-to person for the covenants. That's currently Brian Marcotte.

PMHA permission for covenant exemptions is irrelevant since the covenants are legally binding with Pinewood Inc, not with PMHA. As a courtesy, PMHA provides covenant information on our web site, I reply to questions about them, and I direct the homeowners to Brian Marcotte for resolution.

The most common requests for exemptions involve back-yard fences and cutting trees. Sheds typically defer to the Town Zoning rules. The covenants didn't specifically address sheds because they weren't common at the time the document was drafted and there have been no updates.

I know this is a confusing organizational structure but I hope I have cleared it up for you. Brian Marcotte can provide any exemption that you need for the shed that the Doney's plan to install (10x10'). They specifically selected this size because it allows them to utilize the 2' setback exemption.

If you still want my PMHA President input on this permit request, I have no issue at all with the Doney shed using the 2' zoning exclusion setback. It would make no sense for it to be placed further away from the boundary given the topography of their land, the location of the septic system, and the fact that it's fairly common for other sheds in the neighborhood to be located with that smaller setback.

Nancy Pratt
PMHA President
54 Forest Road
802-238-2268 (call/text)