

Department of Planning and Zoning

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Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin *SG*
DATE: November 19, 2013
RE: 14-0005HO; 110 Hyde Street

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

Zone: RM Ward: 2

Owner/Representative: Estate of James Byrd / Andrew Rianhard

Request: Establish home occupation for auto detailing (upholstery work) within garage.

Applicable Regulations: Article 3 (Applications and Reviews), Article 4 (Zoning Maps & Districts), Article 5 (Citywide General Regulations), and Article 8 (Parking)

Background Information:

The applicant is seeking approval for a home occupation automotive detailing business. The home occupation would take place within an existing garage. New garage doors are proposed to be installed to replace previously removed ones, and a driveway would be installed to access the garage.

The Development Review Board initially reviewed this application on August 6, 2013. The Board found that a number of items were outstanding and that the proposal itself was ambiguous. The Board tabled the application pending receipt of additional information to clarify the following:

- Exactly what goods and/or services are proposed;
- How vehicles awaiting service or that are finished will not be kept onsite; and,
- Whether the proposed use will change the fire rating of the structure (confirmation from the Burlington Fire Marshal is needed).

The Board stipulated that this additional information be provided within 60 days of its August 15, 2013 deliberation. The information was submitted September 30, 2013 – within 60 days. Additional details to address items beyond the Board's explicit stipulations were also submitted.

Previous zoning actions for this property are noted below.

- 8/23/99, Approval to install vinyl siding on home. Retain wooden trim and windows.
- 6/6/93, Approval to remove garage chimney

Recommendation: Conditional Use and Certificate of Appropriateness Approval as per, and subject to, the following findings and conditions:

I. Findings

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

(1) The capacity of existing or planned community facilities;

The proposed home occupation will entail little, if any, additional impacts on community facilities currently serving the residence. **(Affirmative finding)**

(2) The character of the area affected;

The immediate neighborhood is exclusively residential with a mix of single family homes, duplexes, and multi-family homes. The duplex use on the subject property will remain unchanged, and there will be no exterior building alterations to the residence. Exterior work associated with this proposal is limited to installation of driveway strips and garage renovations. Insofar as the exterior changes are modest, and the home occupation is limited per Sec. 5.4.6 below, it may be found to have no significant impact on the character of the area affected. **(Affirmative finding)**

(3) Traffic on roads and highways in the vicinity;

Customers will come to the premises. Services will be by appointment only and will be limited to 1 customer per day. With this limit of just 1 customer per day, traffic impacts will be minor. **(Affirmative finding)**

(4) Bylaws then in effect;

As conditioned, this application complies with applicable bylaws. **(Affirmative finding)**

(5) Utilization of renewable energy resources;

The applicant contemplates installing solar panels on the garage roof; however, funding their installation has not yet been secured, and they should not be included in this application. The applicant is encouraged to pursue their installation under separate permit in the future.

(Affirmative finding)

(6) Cumulative impacts of the proposed use;

The proposed home occupation will generate minimal traffic, and no customer vehicles will be stored onsite. Vehicle work will be limited to upholstery services only with no need for commercial ventilation or noise attenuation. **(Affirmative finding)**

(7) Functional family;

This criterion does not apply to the subject permit request. **(Not applicable)**

(8) Vehicular access points;

The subject property contains a duplex and detached garage. There is no driveway, nor has there been one since before the 1978 orthophotos were taken. The applicant proposes to install a driveway to access the garage. The proposed driveway will provide sufficient access for the requested home occupation. **(Affirmative finding)**

(9) Signs;

A small sign for the home occupation is proposed; however, details are lacking. A separate zoning permit is required for outdoor signs. The sign must be a parallel sign no greater than 2 square feet and non-illuminated as per Section 5.4.6 (b) 5. B. **(Affirmative finding as conditioned)**

(10) Mitigation measures;

The proposed home occupation will take place within an enclosed structure. The application does not include any new exterior ventilation. As the application has been revised, the upholstery work will not generate any perceptible noxious effects such as noise, glare, or emissions. **(Affirmative finding)**

(11) Time limits for construction;

A construction schedule is proposed, and it takes place within the standard 2-year time frame for zoning permits. **(Affirmative finding)**

(12) Hours of operation and construction;

The revised application materials propose days and hours of operation of Monday – Friday, 10:00 AM – 6:30 PM. These proposed days and hours of operation are fairly limited and are acceptable for the home occupation. **(Affirmative finding)**

(13) Future enlargement or alterations;

Any future enlargement or alterations of the home occupation will require additional permit review per the regulations in effect at that time.

(14) Performance standards;

See Sections 5.5.2 and 5.5.3 for outdoor lighting and stormwater, respectively.

(15) Conditions and safeguards;

Conditions of approval are included in these findings.

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(3) Residential Medium Density (RM)

The subject property is located in the RM zone. This zone is intended primarily for medium density residential development in the form of single and multi-family homes. The primary use will remain that of a duplex. **(Affirmative finding)**

(b) Dimensional Standards & Density

Residential density will remain unchanged.

Lot coverage is presently nonconforming at 59.6%. The limit in the RM zone is 40%. In order to install the proposed driveway strips, an existing concrete walkway will be removed. As proposed, 270 square feet of concrete walkway will be removed, and 174 square feet of concrete driveway strips will be installed. A set of 10 stone steps will also be installed totaling 40 sf. The net result will be a 56 sf reduction in lot coverage. Lot coverage will drop to 58.3%.

Building setbacks will remain unchanged. The proposed driveway strips will affect the left side yard setback. The site plan is drawn at a scale (1.72 mm = 1') that makes it difficult to determine compliance with the side yard setback. The applicant has clarified this setback noting that the driveway will be ~6 feet from the side property line, whereas a 5' minimum is required.

Building height will remain unchanged. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The duplex is a permitted use in the RM zone. The proposed home occupation may be conditionally permitted. **(Affirmative finding)**

(d) District Specific Regulations

1. Setbacks

No setback encroachments are being sought. **(Not applicable)**

2. Height

No height bonuses are being sought. **(Not applicable)**

3. Lot Coverage

No lot coverage bonuses are being sought. **(Not applicable)**

4. Accessory Residential Structures and Uses

No new accessory structures are sought. **(Not applicable)**

5. Residential Density

No exceptions to the occupancy limits of the duplex are sought. **(Not applicable)**

6. Uses

No neighborhood commercial use is included in this proposal. **(Not applicable)**

7. Residential Development Bonuses

No development bonuses are being sought. **(Not applicable)**

Article 5: Citywide General Regulations

Part 4: Special Use Regulations

Sec. 5.4.6, Home Occupations

1. A home occupation shall be conducted solely by resident occupants plus no more than one additional full-time equivalent employee in RL and WRL districts and no more than two (2) full-time equivalent employees in other districts. The home occupation shall be conducted entirely within an existing dwelling unit and/or one enclosed accessory structure.

The home occupation will be conducted by one resident occupant and one outside employee. The home occupation will take place entirely within the detached garage. **(Affirmative finding)**

2. No more than thirty-five percent (35%) of the floor area of said residence, including accessory structures, up to a maximum of seven hundred fifty (750) square feet, whichever is less, shall be used for such purpose.

Two of the garage bays, totaling 360 sf, will be used for the home occupation. The associated dwelling and accessory structure space totals 1,422 sf. The proposed 360 sf home occupation space is 25.3% of the associated dwelling and accessory structure space. **(Affirmative finding)**

3. *No home occupation shall require alterations, construction or equipment that would change the fire rating of the structure or the fire district in which the structure is located.*

As now confirmed by the Fire Marshal, the home occupation does not result in a change to the fire rating of the structure. **(Affirmative finding)**

4. *There shall be no outside storage of any kind related to the home occupation.*

No outside storage is proposed. **(Affirmative finding)**

5. *There shall be no exterior evidence of the conduct of a home occupation except for: Occasional garage/lawn/yard type sales (up to twice a year not to exceed two (2) days each); and One non-illuminated attached parallel sign that shall not exceed two (2) square feet. No other signs shall be permitted.*

No garage/lawn/yard type sales are included in this proposal. A 2 sf exterior sign is proposed, but is subject to a separate zoning permit. **(Affirmative finding as conditioned)**

6. *No home occupation may increase vehicular traffic flow or parking by more than one additional vehicle at a time for customers or deliveries. All parking shall be located off-street and shall maintain the required front yard setback per Article 5.*

Customers will come to the premises and will be limited to 1 per day. The property has no parking under current conditions. As proposed, 2 legitimate parking spaces will be provided in the garage with newly provided driveway access. One of the spaces will serve the home occupation and one will serve the residence. The site plans depict 2 more parking spaces on the driveway strips. Doing so would increase the already nonconforming lot coverage and cannot be permitted. Only the 2 garage spaces may be used.

Additional information has been provided about limiting traffic. The driveway will remain gated. Furthermore, customers may drop off and pick up vehicles the day that the work is being done. Alternatively, if they pick up the vehicle on the following day, it will be parked offsite at nearby 310 North Winooski Ave (Champlain Transmission). This arrangement may be acceptable; however, confirmation is needed as to whether the property at 310 North Winooski Avenue has excess parking to lease per the parking requirements of Article 8. There are no zoning permits on file for this property. If it does have excess parking capacity, a long term lease or similar measure tied to the duration of the proposed home occupation must be executed. **(Affirmative finding as conditioned)**

7. *No home occupation shall create sounds, noise, dust, vibration, smell, smoke, heat, humidity, glare, radiation, electrical interference, fire hazard or any other hazard, nuisance or unsightliness which is discernible from any adjacent dwelling unit.*

The home occupation as proposed will not generate any nuisance or unsightliness discernible from the exterior. The only exterior evidence of the home occupation will be the one sign. **(Affirmative finding)**

8. *The home occupation shall be clearly incidental and secondary to the use of the dwelling for residential purposes and shall not change the character thereof or adversely affect the uses permitted in the residential district of which it is a part.*

The vehicle upholstery services will be provided by appointment only, 1 customer per day. Days and hours of operation are limited to 10:00 AM – 6:30 PM, Monday – Friday. The proposed home occupation is limited in scope and secondary to the primary residential use of the property.

(Affirmative finding)

9. *Delivery of products and materials related to the home occupation by vehicles other than automobiles shall occur no more than once per day.*

Commercial delivery vehicles will service the home occupation and will come to the premises 2 times per week. **(Affirmative finding)**

10. *With the exception of one delivery per day, as specified in subparagraph (9), no more than one commercial vehicle shall be allowed on the premises at any one time; and*

No commercial vehicles other than the delivery vehicle as noted are associated with the home occupation. **(Affirmative finding)**

11. *There shall be no sale of goods except for goods fabricated on the premises as part of an approved home occupation.*

Vehicle upholstery services will be provided onsite within the garage. No goods fabricated elsewhere will be sold as part of the home occupation. **(Affirmative finding)**

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.5 (b) above.

Sec. 5.2.4, Buildable Area Calculation

(Not applicable)

Sec. 5.2.5, Setbacks

See Sec. 4.4.5 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.5 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.5 (b) above.

Sec. 5.4.8, Historic Buildings and Sites

(b) Standards and Guidelines

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

The home and detached garage have both been surveyed and deemed eligible for inclusion in the Vermont Register of Historic Places. The home will remain unchanged; however, some alterations to the garage are proposed. The use of the garage will remain largely that of a garage with home occupation space inside. **(Affirmative finding)**

- The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

The photograph of the garage as it is today versus as it was in 1995 depicts substantial changes to the front façade. The 3 double doors and associated ornamentation have been removed and replaced with a single central door. Vinyl siding has also been installed. There are no zoning permits on file for any of these alterations. This is a serious concern as they could have been removed without proper lead-safe practices being utilized. The historic survey was conducted in 2002 and notes the original doors. The applicant proposes to reinstall 3 garage doors and a side window and doorway that had also been boarded up. **(Affirmative finding)**

- Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

Additional details for the proposed garage renovation have been provided but are not yet complete. As noted above, the 3 garage bays will be put back in use, and 3 new garage doors are proposed. A cut sheet for the door has been provided. The steel material is not ideal; however, the door design is acceptable. No cutsheets for the reinstalled side window or door have been provided and must be. As part of the renovations, the unpermitted vinyl siding must be removed, and the underlying material must be fixed or replaced in kind as needed. **(Affirmative finding as conditioned)**

- Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

Not applicable.

- Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

As noted above, the unpermitted vinyl siding must be removed, and the underlying material must be fixed or replaced in kind as needed. **(Affirmative finding as conditioned)**

- Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.*

See criteria 3 and 5 above.

- Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

(Not applicable)

8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

There are no known archeological resources on the property. **(Affirmative finding)**

9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.*

As conditioned, exterior alterations to the garage will restore its historic integrity. Inappropriate and unpermitted exterior materials will be removed. **(Affirmative finding)**

10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

See #9 above.

Sec. 5.5.1, Nuisance Regulations

Nothing in the proposal appears to result in creating a nuisance under this criterion. **(Affirmative finding)**

Sec. 5.5.2, Outdoor Lighting

No new outdoor lighting is proposed. **(Not applicable)**

Sec. 5.5.3, Stormwater and Erosion Control

Earthwork associated with this proposal does not exceed 400 sf. Therefore, no erosion control plan is needed. **(Affirmative finding)**

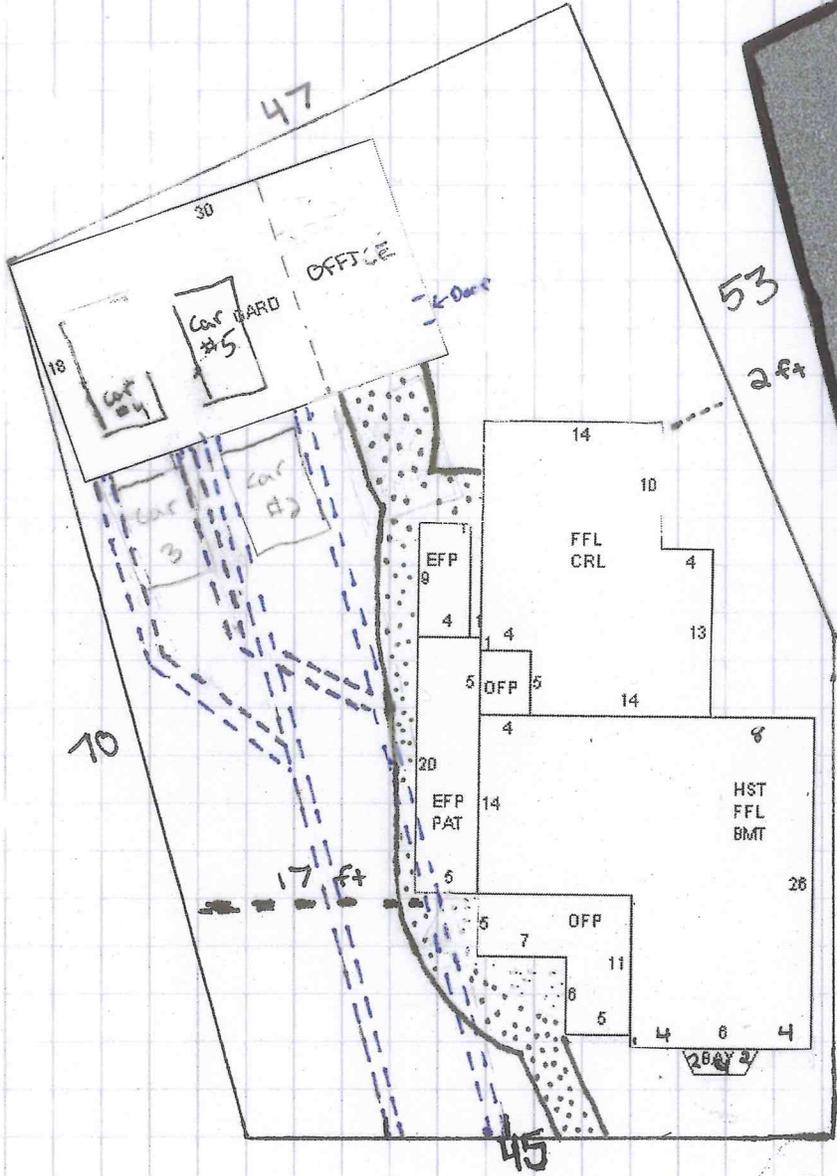
Article 8: Parking

The duplex requires 4 parking spaces (2 per unit). The property has no parking and has not had any since before the 1978 orthophotos were taken. It is nonconforming. The proposed work includes provision of 1 residential space in the garage, thereby lessening the degree of nonconformity. The home occupation requires 1 parking space, and that space will be provided in the garage. As noted previously, parking on the driveway strips is prohibited as it would increase the degree of nonconforming lot coverage. **(Affirmative finding)**

II. Conditions of Approval

1. **Prior to release of the zoning permit**, cut sheets for the proposed side window and door shall be provided, subject to staff review and approval.
2. **Prior to issuance of a certificate of occupancy**, the proposed off-site parking shall be guaranteed for the duration of the home occupation use as evidenced by deed, lease, easement, or other similar written instrument as reviewed and approved by the City Attorney. Confirmation of parking at 310 North Winooski Avenue in excess of the minimum requirements of Article 8 shall be provided, subject to staff review and approval.
3. There shall be no more than one vehicle associated with the home occupation on the premises at any one time. In addition, no vehicles associated with the home occupation shall remain on-site after working hours, i.e. 6:30 PM. Any such vehicles shall be parked at 310 North Winooski Avenue as per condition # 2.

4. The vinyl siding and trim on the garage shall be removed as part of this permit approval. The underlying material shall be repaired or replaced in-kind as needed.
5. Days and hours of operation shall be limited to Monday – Friday, 10:00 AM – 6:30 PM. Customers are limited to 1 per day by appointment only.
6. All outdoor signs are separate to review and approval under a separate sign permit.
7. The home occupation space shall comply with Burlington’s current energy efficiency standards and with Burlington’s current ingress and egress requirements as established by Burlington Electric Department and Burlington Public Works, respectively.
8. It is the applicant’s responsibility to comply with all applicable ADA requirements.
9. Standard permit conditions 1 -15.



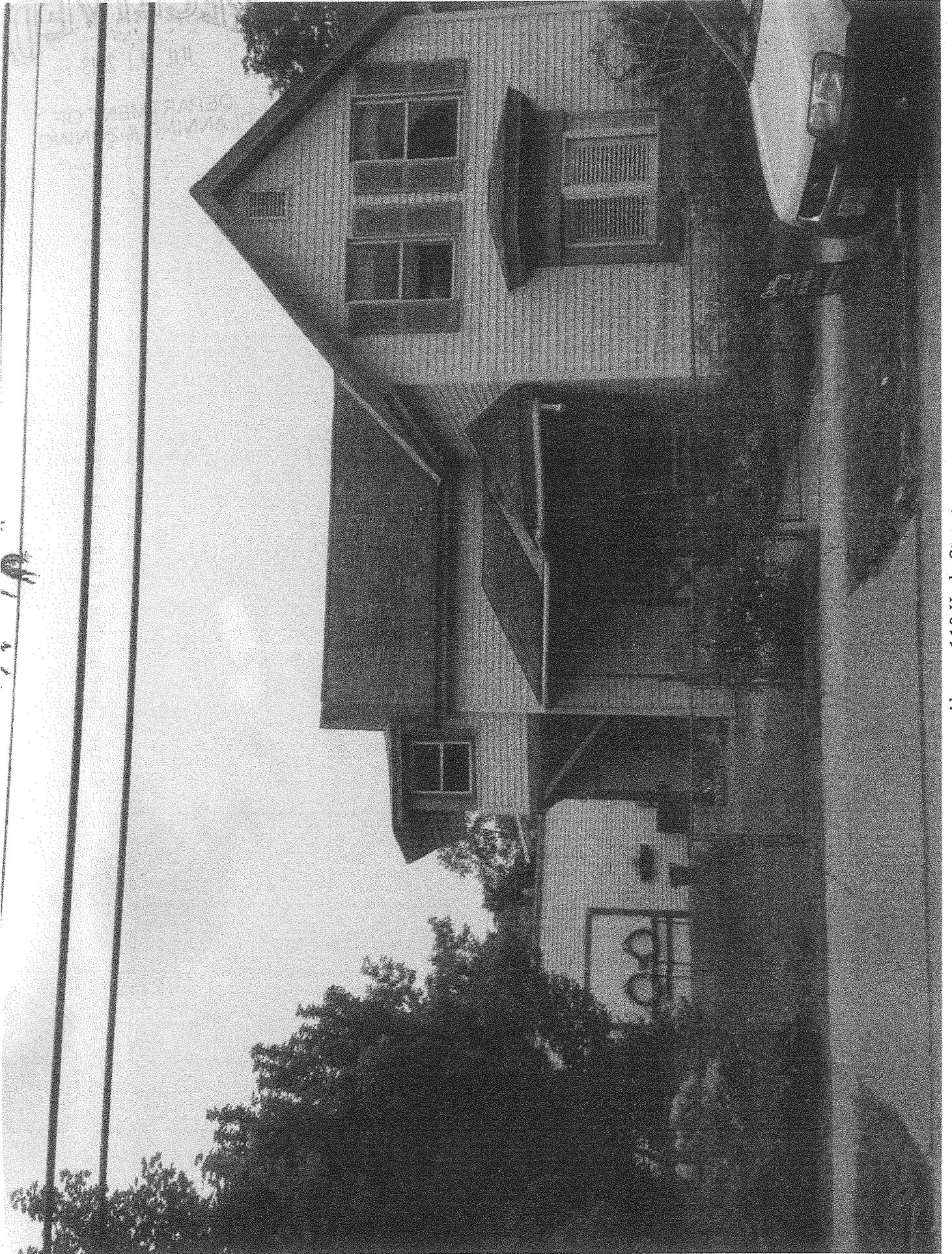
Hyde Street

1 ft = 1.72 mm
 Blue: Proposed tracks
 Green: current sidewalk

RECEIVED

JUL 30 2013

DEPARTMENT OF
 PLANNING & ZONING

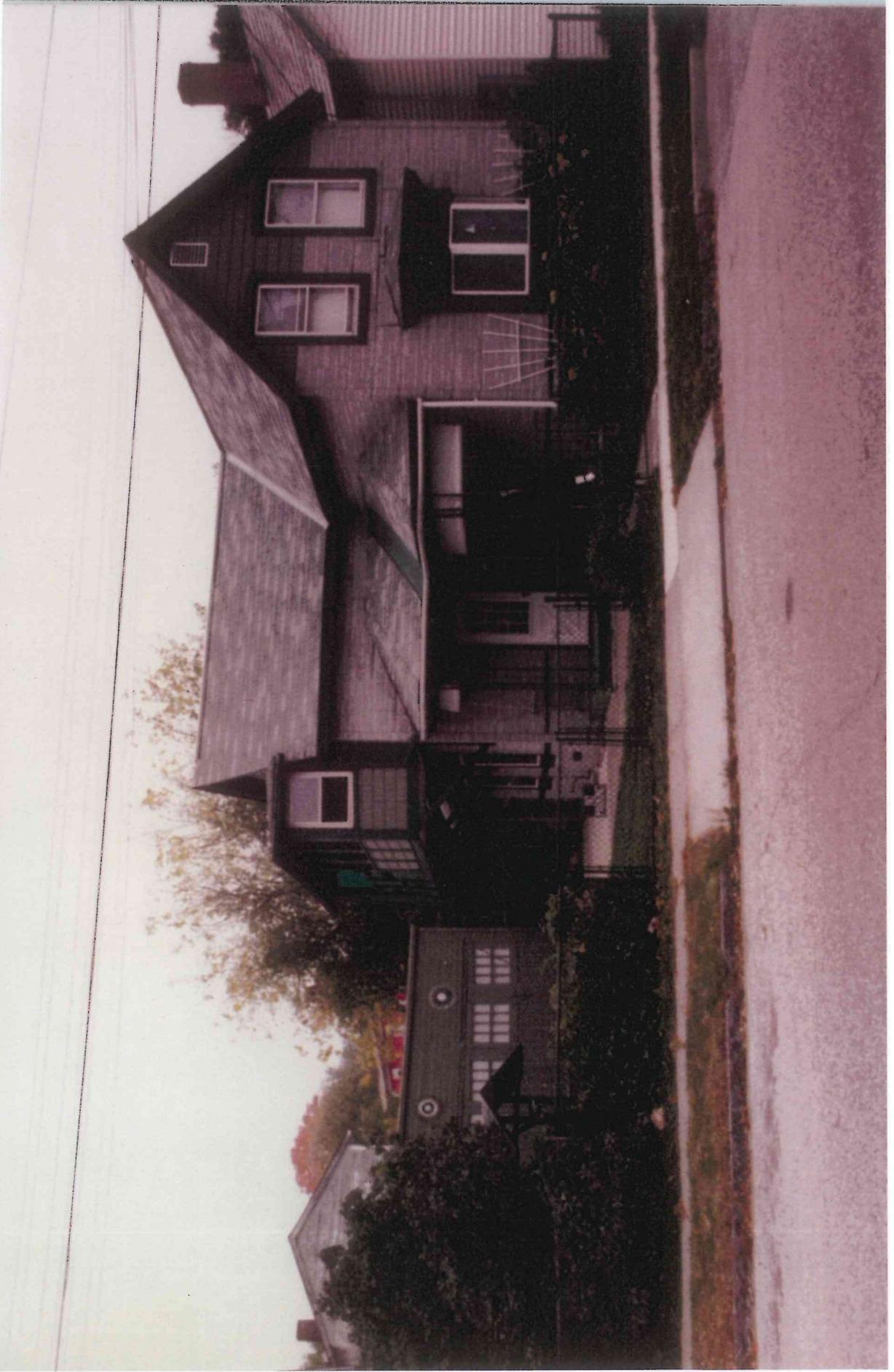


Above: 110 Hyde Street

DATE

BLDG.#

BYRD, JAMES R
L W H BARNEY &
110 HYDE STREET
BURLINGTON, VT 0
1995



2002 VT Historic Sites + Structures Survey

110 Hyde Street, c. 1875

A 1 ½-story, tri-gable ell house with a street fronting gable (west) and a full two-story gable ell extending to the north. A hipped roof overhang fills the angle of the ell and shelters the primary entrance. A series of hip roof additions houses a staircase off the ell gable end. A one-story bay window projects from the front facade. The fenestration is 1/1 sash primarily, although the bay window's sash has been replaced with crank casement windows. The house is clad in aluminum siding.

a. Garage, c. 1880

A 1-story, four bay, flat roof garage with wood clapboards and original hinged doors.

116 Hyde Street, c. 1870

A 1 ½-story, slate gable roof house with a one-story enclosed shed roof porch on the south facade. The gable roofed sidehall entrance is supported by metal trellises. The fenestration is 2/2 wood sash throughout and the building is clad in aluminum siding.

120 Hyde Street, c. 1880

A large, sprawling 2 ½-story, Queen Anne style house with a slate gable roof and a two-story bay window on the primary (west) facade. A two-story porch also occupies the northern section of the west facade and continues around to the north facade fronting Archibald Street. The bay window has intricate decorative wood siding that includes a band of imbricated shingles and on the second story of the bay and decorative wood paneling on the first story. The second level of the porch is supported by decorative turned posts with a spindlework valence between while the posts on the second level are plain squared columns. The building still retains its original wood clapboards and the fenestration is 1/1 sash throughout. A band of dentil molding is located at the cornice of the roof, porch and bay window roofs. The building has been drastically changed by the fact that its owner has connected this structure to another building fronting Archibald Street via a series of additions.

Scott Gustin

From: Barry Simays
Sent: Tuesday, October 29, 2013 1:13 PM
To: Mary O'Neil
Cc: Scott Gustin
Subject: FW: Auto upholstery home occupation (110 Hyde Street detached garage)

Mary,

In this case, we have a detached garage (storage occupancy) from a residential duplex. The garage in question is NOT attached to nor in the residential structure. Being a garage (storage of vehicles, etc.), the occupancy fire loading classification appears to be "ordinary", and it seems from Mr. Rianhard's email below that his operation will be at or below that level.

With that said, he also proposes building modifications to change the garage back into two bays for vehicle storage and to turn the third bay into an office to house his sewing machine. The level of hazard he describes in his email below appears fairly low when compared to the Life Safety Code (NFPA 101). Any work he would propose to complete would require City trades permits - at the time he requests his building permit, any modifications to the structure would be required to comply with the International Building Code 2012 - through the office of the City Building Inspector.

I will approve the concept in regards to comparative fire hazard and risk of the proposed small sewing/upholstery shop (after work is completed under required permits) as compared to the existing storage use of the garage, and the fact that the garage is NOT attached in any way to the existing residential occupancy at 110 Hyde St.

If you have any questions, please do not hesitate to contact me.

Thanks,

Barry

BC Barry Simays, CFI
Fire Marshal
Burlington Fire Department
132 North Avenue
Burlington, VT 05401
(802) 864-5577
(802) 658-7665 (Fax)
bsimays@burlingtonvt.gov

Non-Discrimination

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at 865-7145.

From: riptusa@gmail.com [riptusa@gmail.com] On Behalf Of Andrew Rianhard [zealousinteriors@gmail.com]
Sent: Wednesday, October 09, 2013 12:50

To: Barry Simays

Subject: Auto upholstery home occupation (110 Hyde Street detached garage)

Barry,

Thank you for giving me a call and explaining the process to me. The garage is 18x30 and it used to have 3 garage doors, but now only has 1 bay. I plan on first converting the garage to have 3 garage doors again. The garage bay description from left to right would be tenant vehicle, customer vehicle, and a refinished office.

My initial plan was to fully insulate the office. If insulating the entire garage is necessary, I will do so. I was told to use a fire proof paint. I would have a licensed contractor help me with the work and would abide by all regulations to make it safe as possible.

The office would have my sewing machine and computer. I would have a can of spray adhesive around, along with a heat gun if allowed. But there would be nothing that is excessively dangerous because it is not needed for this occupation.

Let me know if you need any other information.

Thank you,
Andrew Rianhard
Zealous Interiors

Scott Gustin

From: riptusa@gmail.com on behalf of Andrew Rianhard <zealousinteriors@gmail.com>
Sent: Monday, October 28, 2013 1:45 PM
To: Andrew Rianhard
Cc: Scott Gustin
Subject: Re: Upholstery home occupation proposal (110 Hyde Street)

RECEIVED

OCT 28 2013

DEPARTMENT OF
PLANNING & ZONING

Scott,
The fire marshal confirmed that he could provide a statement about the building's garage fire safety. He has not sent it over yet, but I will remind him and forward that over to you soon. Hopefully more than a week before the board hearing.

Should I tell the neighbors about the change to all upholstery?

Lastly, if possible I want to switch the door style to one this is insulated and less expensive. I will keep the classic carriage style look in white or paint match the house, but I am not sure that I want windows for a few reasons. Therefore, I would go with something like this door: http://www.lowes.com/pd_368906-56870-123467_1z11pnn+1z13abw_?productId=3503190&Ns=p_product_price|0&pl=1¤tURL=%3FNs%3Dp_product_price%7C0%26page%3D2&facetInfo=Single . I could technically go with either but windows are not preferred.

Thank you,
Andrew R

On Sat, Oct 12, 2013 at 3:38 PM, Andrew Rianhard <zealousinteriors@gmail.com> wrote:

Scott,
I have discussed the garage renovation with the fire marshal and I am awaiting his reply. He said his response would take approximately a week and I will forward that information to you shortly. I have a signed document from Champlain transmission about how they are willing to rent me a parking spot. That is attached in this email.

I will also attach a document that has detailed information on the driveway strips, with photos.

For the renovation of the garage, I want to return it to the look that it originally had, with 3 garage bay doors that are white or painted to match the house. I will attach a photo of these doors. The link to them is found here: http://www.lowes.com/pd_420665-56870-123534_1z11pnn+1z13abw_?productId=3817381&Ns=p_product_price|0&pl=1¤tURL=%3FNs%3Dp_product_price%7C0%26page%3D2&facetInfo=Single

On the right side of the garage, which is not viewable from the street whatsoever, the garage used to have a window and a door. I included a photo to show the window. The door was to the right of the clothes hanger. I want to reinstall these features (which were just boarded in with plywood on the inside and then vinyl was put over the outside of them, same as the garage bays, so no structural changes are being made). The garage will be insulated and have fire proof paint. The fire marshal did not seem concerned.

I would happily have the renovation work inspected by the marshall after it has been completed, or anyone else that needs to approve of its safety. Let me know if you need any other information from me.

Thank you,

Andrew Rianhard

On Fri, Oct 4, 2013 at 11:33 AM, Scott Gustin <SGustin@burlingtonvt.gov> wrote:

The garage and driveway work can be included in this application. Please provide me the info to address these items.

Scott

Scott Gustin, AICP, CFM

Senior Planner

Department of Planning & Zoning

149 Church Street

Burlington, VT 05401

Phone: [\(802\) 865-7189](tel:(802)865-7189)

Fax: [\(802\) 865-7195](tel:(802)865-7195)

From: riptusa@gmail.com [mailto:riptusa@gmail.com] **On Behalf Of** Andrew Rianhard

Sent: Thursday, October 03, 2013 7:22 PM

To: Scott Gustin

Subject: Upholstery home occupation proposal (110 Hyde Street)

Scott,

It is possible that I have sent you 4 emails now, but all of them have kicked back to me, your email thinks they are spam. Here is what I wrote:

"Thank you for confirming. I will do my absolute best to get a report from the fire marshall. If there is any other additional topics that I should do more research on, please let me know. Right now, I'm under the impression that I need a separate permit for the addition of the other garage bays/driveway strips. If these are included in this proposal, let me know because I could bring a picture of the proposed garage door to be installed."

Thank you,

Andrew R

Your Store:
Essex, VT

Your Store: **Essex Junction, VT**



ReliaBilt 9-ft x 7-ft Carriage House Insulated White Garage Door

Item #: 368906 | Model #: 123467

Be the first to

\$462.06

Was: \$543.60

Save 15% thru 11/01/2013

Get 5%* Off Every Day or Special Financing**
Minimum Purchase Required

Tweet

0

0

FREE Parcel Shipping

Sent by carriers like UPS, FedEx, USPS, etc.

FREE Store Pickup

Unavailable for This Order

This option is not available for the item you've selected.

Lowe's Truck Delivery

Unavailable for This Order

This option is not available for the item you've selected.

ReliaBilt 9-ft x 7-ft Carriage House Insulated White Garage Door **\$462.06**

Description

9-ft x 7-ft Carriage House Insulated White Garage Door

- Double-layer, insulated garage door
- Energy efficient and quiet operation
- Durable and low-maintenance steel
- Exceptional value
- Attractive, carriage house door design that won't shift or fall off over time

Specifications

Overall Height (Inches)	84.0	Warranty	25-year
Overall Width (Inches)	108.0	R Value	6.64
Thickness (Inches)	2.0	Construction Type	Vinyl-back construction
Insulated	Yes	Hardware Finish	Black
Windows	No	Hardware Included	Yes
Type	Single	Window Material	N/A
Series	Carriage House	Spring Type	Extension
Material	Steel	Decorative Hardware Included	Yes
Carriage House	Yes	Manufacturer Color/Finish	White
High Impact	No	Color/Finish Family	White

RECEIVED

OCT 28 2013

DEPARTMENT
PLANNING & 7

Scott Gustin

From: riptusa@gmail.com on behalf of Andrew Rianhard <zealousinteriors@gmail.com>
Sent: Saturday, October 12, 2013 3:38 PM
To: Scott Gustin
Subject: Re: Upholstery home occupation proposal (110 Hyde Street)
Attachments: IMG_3299.JPG; IMG_3139.JPG; IMG_3138.JPG; photo (2).JPG; Driveway addendum 110 Hyde.docx; Screen Shot 2013-10-12 at 3.35.28 PM.png

Scott,
I have discussed the garage renovation with the fire marshal and I am awaiting his reply. He said his response would take approximately a week and I will forward that information to you shortly. I have a signed document from Champlain transmission about how they are willing to rent me a parking spot. That is attached in this email.

I will also attach a document that has detailed information on the driveway strips, with photos.

For the renovation of the garage, I want to return it to the look that it originally had, with 3 garage bay doors that are white or painted to match the house. I will attach a photo of these doors. The link to them is found here: http://www.lowes.com/pd/420665-56870-123534_1z11pnr+1z13abw?productId=3817381&Ns=p_product_price|0&pl=1¤tURL=%3FNs%3Dp_product_price%7C0%26page%3D2&facetInfo=Single

On the right side of the garage, which is not viewable from the street whatsoever, the garage used to have a window and a door. I included a photo to show the window. The door was to the right of the clothes hanger. I want to reinstall these features (which were just boarded in with plywood on the inside and then vinyl was put over the outside of them, same as the garage bays, so no structural changes are being made). The garage will be insulated and have fire proof paint. The fire marshal did not seem concerned.

I would happily have the renovation work inspected by the marshall after it has been completed, or anyone else that needs to approve of its safety. Let me know if you need any other information from me.

Thank you,
Andrew Rianhard

On Fri, Oct 4, 2013 at 11:33 AM, Scott Gustin <SGustin@burlingtonvt.gov> wrote:

The garage and driveway work can be included in this application. Please provide me the info to address these items.

Scott

Scott Gustin, AICP, CFM

Senior Planner

Department of Planning & Zoning

149 Church Street

RECEIVED
OCT 16 2013

DEPARTMENT OF
PLANNING & ZONING

Burlington, VT 05401

Phone: (802) 865-7189

Fax: (802) 865-7195

From: riptusa@gmail.com [mailto:riptusa@gmail.com] **On Behalf Of** Andrew Rianhard

Sent: Thursday, October 03, 2013 7:22 PM

To: Scott Gustin

Subject: Upholstery home occupation proposal (110 Hyde Street)

Scott,

It is possible that I have sent you 4 emails now, but all of them have kicked back to me, your email thinks they are spam. Here is what I wrote:

"Thank you for confirming. I will do my absolute best to get a report from the fire marshall. If there is any other additional topics that I should do more research on, please let me know. Right now, I'm under the impression that I need a separate permit for the addition of the other garage bays/driveway strips. If these are included in this proposal, let me know because I could bring a picture of the proposed garage door to be installed."

Thank you,

Andrew R

Andrew Rianhard
10/12/13

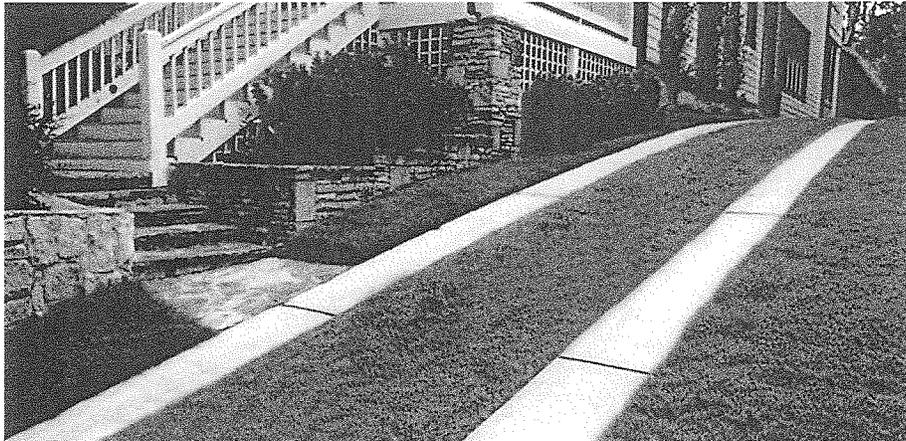
110 Hyde Street- Driveway Addendum

Coverage requirement stopping the construction of a driveway: In order to abide by this regulation, I would like to remove the cement walkway (which is already in need of repair) that begins at the gate and wraps around the building. This would be converted to grass. After measuring the walkway, it has approximately 369.8 sq. feet of area. However, a 5x20 foot section of this walkway is under the upstairs deck, so I assume this will not change the coverage. So by removing the walkway, this leaves approximately 269.8 square feet.

Instead of a driveway, I propose that 2 tire-wide, straight cement paths be built going from the entry gate direct back to the middle bay of the garage. This would allow easier snow removal. The average length of the tire paths would be 58 feet long. If both were 1.5 feet wide, it would be 174 square feet of cement added. We will also add approximately 10 stone steps where the cement paths were (next to house that lead to doors), which are 2x2 feet, adding 40 square feet. Thus the lot will have 269.8 square feet of stone removed, and 214 square feet reinstalled.

Site Map Accuracy: The house/garage are done perfectly to scale since they were taken from the town's records. My property lines use an extrapolated version of the town map's drawing, so it uses the same angles. The site map is within 95+% accurate to my best knowledge and skill.

Proposed Driveway Path



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Current Walkway



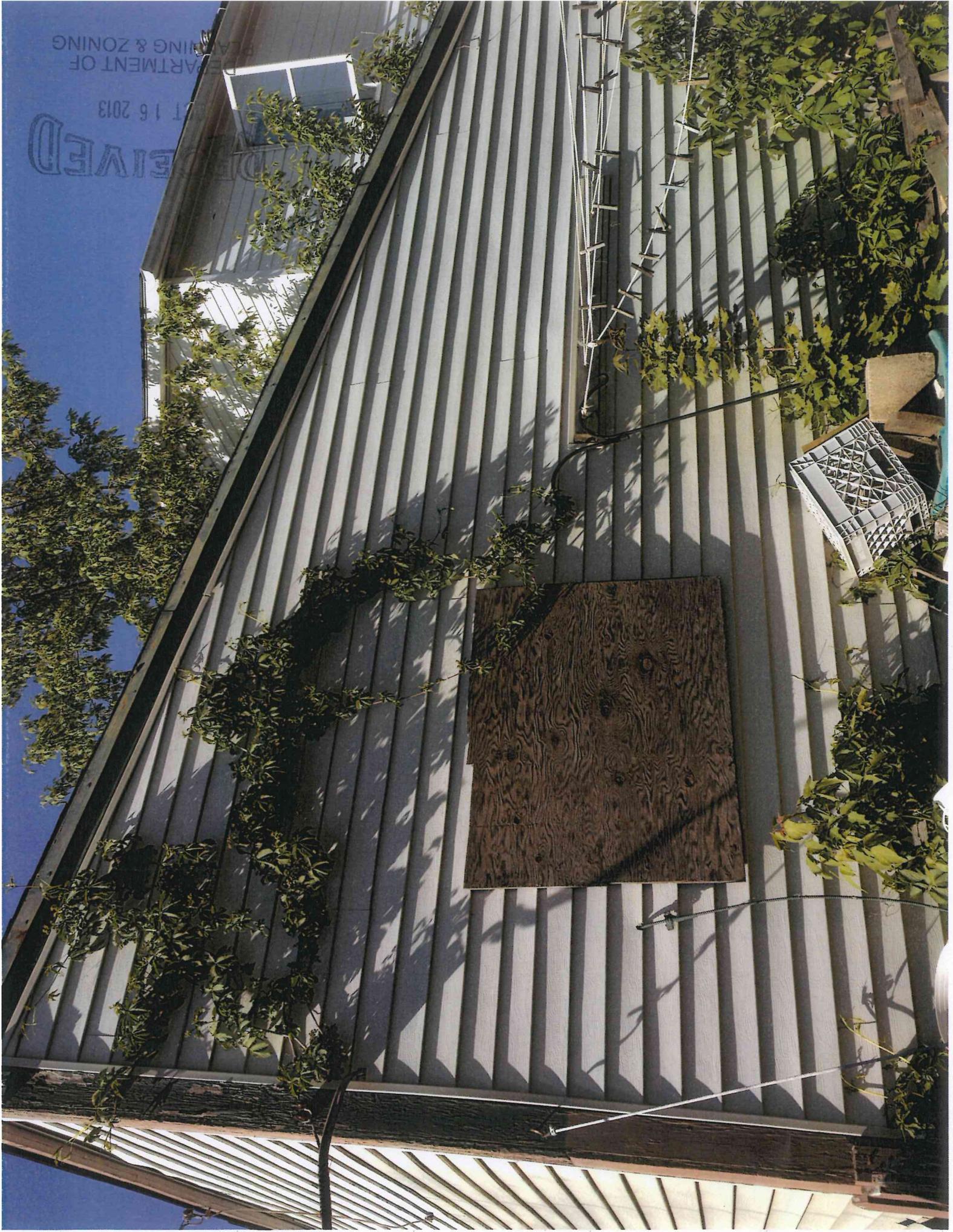


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Additional Parking at Champlain Transmission

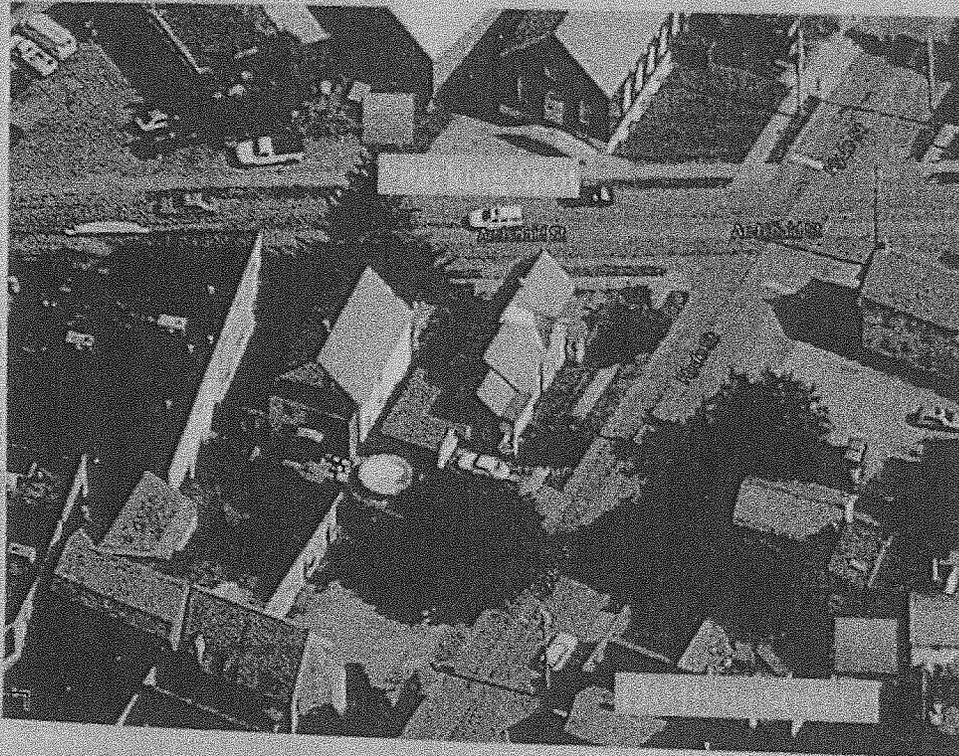
Zealous Interiors, located at 110 Hyde Street in Burlington, VT, is proposing 1-2 parking spots to be rented at Champlain transmission, located at 314 N Winooski Avenue. The introductory rate will be \$40 per night. We plan on initially storing only one car on occasions, however we may become busy at times and discuss having more than one car, if the space allows it. Zealous Interiors will be solely responsible for the insurance coverage of their stored vehicles.

Zealous Interiors
Andrew Rianhard

X *Andrew Rianhard*
Date: 10/8/13

Champlain Transmission
Name(s) Printed:

X *Robert [Signature]*
Date: 10-8-13



RECEIVED

OCT 16 2013

DEPARTMENT OF
PLANNING & ZONING

Scott Gustin

From: riptusa@gmail.com on behalf of Andrew Rianhard <zealousinteriors@gmail.com>
Sent: Monday, September 30, 2013 2:53 PM
To: Scott Gustin
Subject: Re: 110 Hyde St

Scott,
I apologize for how long it has taken me to respond to this email. The closing date for 110 Hyde street is October 17 and I've been very busy with that. I believe I have found solutions to all of the board's concerns, explained below. Please let me know if you need any other information.

1. Exactly what goods and/or services are proposed:

I have decided to only offer upholstery services. By only doing upholstery and dropping the other services that I had proposed, it will create very little to no noise, no flammable fumes will be emitted, and no drainage will be needed. I have over 4.5 years of experience and I know that it's a fairly simple business and hardly anything needs to be done to the building. The garage order from left to right would be tenant, customer, and office. I believe the neighbors would be much more accepting of occasional upholstery jobs being completed in the garage.

2. How vehicles awaiting service or that are finished will not be kept onsite

I plan on having one customer car arrive per day, at a maximum. Champlain Transmission has offered me the ability to rent a parking spot on their property, which is only 80 yards away at 314 N Winooski Ave (next to Old Spokes Home). A customer will arrive in the morning, and they will leave that same day after the car is finished in 1-4 hours. They will wait in the waiting room, or can walk downtown. If they are being picked up near my garage, it will have to be at Champlain Transmission so that additional cars are not arriving at 110 Hyde St. If a customer's car is completed and they do not pick it up the day it's finished, they will be charged \$40 a day to rent the Champlain Transmission parking spot. This is enough of an incentive for customers to follow our schedule and it will take care of any backup issues. In the event that we are not able to park at Champlain Transmission, we will have to cancel the following appointment in order to abide with the rule of 1 customer car in the garage at a time. I do not want any complaints from my neighbors.

In order to control any vehicles from just showing up on the property, the driveway gate will be kept closed (this also keeps our insurance rates lower). We will not list our physical address on our business cards, website, google maps, or any other public place. I have been practicing this method on my current website for 4.5 years, and have never had a customer just show up where I live. Customers will be required to contact us and set up an appointment before we give them our address.

3. Whether the proposed use will change the fire rating of the structure (confirmation from the Burlington Fire Marshal is needed)

The house is being inspected by the fire marshall next week in order to pass the fire and safety permit. The real estate agent said the fire marshall does not do inspections on garages, but I just left him a voicemail in hopes that he can inspect it. Is there any other option for this if he will not inspect it? I am not sure if I need a separate building permit in order to add the second garage bay on the left side of the building, or if that is included with this zoning permit since I have already brought it up in this report. Could it be made a condition of approval that the end result of the renovated garage must pass an inspection by the fire department?

In response to "No finding possible items"

(3) *Traffic on roads and highways in the vicinity*- In addition to the comment above about controlling incoming cars, we will hold hours of M-F 10-6:30.

(5) *Utilization of renewable energy resources:* The panels would be on the house and would most likely require a separate permit as well. I am not sure when I will have the funding for this.

(6) *Cumulative impacts of the proposed use;* There will be a waiting area for customers inside the office (right bay). I believe it would be hard for any person that is driving by to notice that the garage is not just a residential building, since no cars will be parked outside.

(9) *Signs:* I will apply for this permit if I do decide to build a sign.

(b) *Dimensional Standards & Density:* For the side yard setback, the proposed path measures 4mm away from the lot line. So if 1mm=1.72 feet on my map (talking about the original- the photocopy may be different but still at scale), it is approximately 6.88 feet away from the side of the property. 10% of the 47-foot width of the property would be 4.7 feet, so this seems to comply. I am confident that these driveway paths would be at least 5 feet away from the property line.

2. *No more than thirty-five percent (35%) of the floor area of said residence, including accessory structures, up to a maximum of seven hundred fifty (750) square feet, whichever is less, shall be used for such purpose:* If two of the garage spaces (one office, one bay) were for the business, then $\frac{2}{3}$ rds of the 540 square foot garage would be for the business, or 360 square feet. This is conforming because if the associated dwelling and accessory structure totals 1,422 square feet, 35% of this would mean 497.7 square feet.

Sec 5.4.8 We want to install garage doors that are similar to the original doors. I would like a white, wooden door with windows that are similar to the original doors.

5.5.2 The garage already has a motion sensing light over the single bay. Therefore, we are not looking to install any additional lights on the property.

Owner must live on property: To abide by this rule, I have decided to move into the downstairs apartment at this property, and I plan to move in around October 20-25, 2013.

Additionally,

1. I will go to the neighbors and apologize for not considering them in this proposal, and explain to them that I will only be offering upholstery. I believe with time and a few ideas such as holding a neighborhood yard sale , I can have all of the neighbors on board and approve of my home occupation.

Thank you,
Andrew Rianhard
Zealous Interiors

On Thu, Aug 15, 2013 at 10:29 AM, Scott Gustin <SGustin@burlingtonvt.gov> wrote:

Hi Andrew,