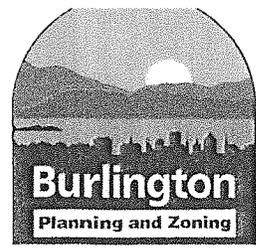


Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
<http://www.ci.burlington.vt.us/planning/>
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

David E. White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, GIS Manager/Planner
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Associate Planner
Nic Anderson, Zoning Clerk
Elsie Tillotson, Department Secretary



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, Associate Planner *MO.*
Date: September 20, 2011
RE: ZP 12-0249CA, 5-11 Mill 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.

File: ZP 12-0249CA

Location: 5-11 Mill Street

Zone: NMU Ward: 1

Date application accepted: August 24, 2011

Applicant/ Owner: Gregg Blasdel and Jennifer Koch

Request: Construct detached accessory structure for carport (4 parking spaces) with 625 sq. ft. of inhabitable space to be used as a personal artist studio above.

Background from zoning permit file:

- **Zoning Permit 11-0779CA;** change of use of loft space from custom banner sign shop to custom picture frame shop. Approved April 2011.
- **Zoning Permit 10-0664CA;** change of use from duplex to single family with single guest room bed and breakfast. Approved March, 2010.
- **Zoning Permit 10-0665SN;** one non illuminated wooden projecting sign for Dubuque Lane Guest House. Approved March, 2010.
- **Non-applicability of zoning permit requirements;** Replacement of posts for second story deck. Approved May 2002.
- **Zoning Permit 02-568;** replace existing second floor rear deck and cover with a roof. Existing lattice on deck to be replaced with clapboards to match structure. Approved June 2002.
- **Zoning Permit 87-258 / COA 87-070;** use building for four "loft spaces" (combination residential and studio/office spaces); parking waiver of three spaces requested, to be sold as condominiums. Total interior square footage – 2700 s.f. Exterior modifications to include rebuilding rear porches and new paint colors. Approved, May 1987. [3 parking spaces existing, 4 proposed with another off-site; 9 required.]

Overview:

The programs and services of the City of Burlington are accessible to people with disabilities. For accessibility information call 865-7188 (for TTY users 865-7142).

The existing property is a single family home with approval for a single guest room bed and breakfast, as well as a small commercial frame shop. The owners, both of whom are professional artists, wish to construct an accessory building to the south (rear) of their existing building to act as both a garage and small private art studio for their own use. No goods are proposed to be sold on site, nor will clients or patrons arrive at the studio.

Recommendation: Consent approval, per the following findings and conditions:

I. Findings

Article 3: Applications, Permits, and Project Reviews

Sec. 3.2.7 Administrative Review and Approval

(a) Authority

The administrative officer is hereby authorized to undertake the review and approval of certain COA Level II applications subject to the following thresholds and conditions:

10. Simple renovations in design control districts such as door and window changes, re-siding, re-roofing, enclosing porches, adding a shed or garage, and additions no greater than 500 sq. feet in size that otherwise comply with all applicable dimensional standards of Article 4 and the development review criteria of Article 6.

As the proposed new accessory structure has living space in excess of 500 square feet, the application cannot be reviewed by Administrative Authority and must be directed to the Development Review Board for decision.

Article 4: Maps and Districts

Sec. 4.4.2 Neighborhood Mixed Use Districts

Table 4.4.2-1 Dimensional Standards and Density

NMU District	Max Intensity 2.0 FAR	Max Lot Coverage 80%	Minimum Building Setbacks			Height
			Front	Side	Rear	Min. 20
			0	0	0	Max 35
Proposed 5-11 Mill Street	< 2.0	75.39% proposed	N/A	7'+ west 18' east	10'	Approx. 22' to midrise of the roof.

Affirmative finding.

Sec. 4.4.5 (d) 4. Accessory Residential Structures and Uses

A. *Accessory Structures shall meet the dimensional requirement set forth in the district in which they are located pursuant to Sec. 4.4.5 (b) of this Article and related requirements in Article 5, Part 2.*

See Table 4.4.2-1 above.

B. *Any accessory structure that is fifty percent (50%) or greater of the ground floor area of the principle structure shall be subject to the site plan and design review provisions of Art. 3 Part 4 and applicable standards of Article 6.*

The ground floor area of the principle structure is 1448.15 (55' x 26'4".) The footprint of the detached accessory structure is 625 sq. ft. (25' x 25'), or less than 50%.

C. *Private garages shall be limited to as many stalls as there are bedrooms in the dwelling to which it is accessory, provided that the ground floor area is less than fifty percent of the ground floor area of the principle structure.*

The garage is intended to serve both the private dwelling with one guest room, and a modest commercial use. The four existing parking spaces are proposed to utilize the proposed four parking spaces in the accessory structure. There is no increase in the parking requirement or reconfiguration of the existing parking pattern.

D. *The overnight storage of commercial vehicles not otherwise associated with an approved home occupation or made available for the exclusive use of the residential occupants, or the outdoor storage of more than one unregistered vehicle, shall be prohibited. Any and all vehicles shall be stored in an approved parking space.*

Affirmative finding as conditioned.

Article 5: Citywide General Regulations

Sec. 5.1.2 Structures

(d) Accessory residential structures:

An accessory structure customarily incidental and subordinate to a principal residential use shall also be governed by the provisions of Sec. 4.4.5 (d) 4.

See above.

Article 6: Development Review Standards

PART 2: SITE PLAN DESIGN STANDARDS

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

There is significant landscaping on the rear of the lot, which the applicants intend to retain. The new structure will effectively limit the view of an extremely large concrete retaining wall at the south of the lot. This will not be disturbed or otherwise impacted by the erection of the proposed accessory structure. **Affirmative finding.**

(b) Topographical Alterations:

None proposed.

(c) Protection of Important Public Views:

There are no public views from the site.

(d) Protection of Important Cultural Resources:

The primary structure has an association with historic mill activities near the Winooski River. The construction of a new accessory structure will not have an adverse impact on the the primary structure. **Affirmative finding.**

(e) Supporting the Use of Renewable Energy Resources:

No part of this application prevents the use of renewable energy resources. **Affirmative finding.**

(f) Brownfield Sites:

None identified.

(g) Provide for nature's events:

As more than 400 s.f. of disturbance will occur, the applicants are required to complete a Small Project Sediment and Erosion Control plan to the satisfaction of the City Stormwater Administrator. **Affirmative finding as conditioned.**

(h) Building Location and Orientation:

Accessory buildings shall be located in such a way so as to be deferential and secondary to the principal structure. Under no circumstances shall a parking structure be located closer to the front property line than a principal residential structure, and garages shall be set back a minimum of 25' from the front property line to prevent parked vehicles from blocking the public sidewalk.

The proposed accessory building is set behind the primary structure. The garage access will repeat the existing parking pattern of pulling onto Dubuque Lane (private access drive) and turning into the parking spaces. No public sidewalk will be blocked. **Affirmative finding.**

(i) Vehicular Access:

Vehicle access will remain as existing. **Not applicable.**

(j) Pedestrian Access:

The applicants will be able to access the upper finished area via a private wooden stair facing the garden. Vehicle users can walk via path or Dubuque Lane to their parking spot. **Affirmative finding.**

(k) Accessibility for the Handicapped:

Physical access to parking spaces will continue. The expansion of living space into the upper level will not be handicap accessible, but as a private residence is not required. **Affirmative finding.**

(l) Parking and Circulation:

The proposed parking and circulation method will repeat existing conditions without expansion or alteration, albeit in a covered shelter. **Affirmative finding.**

(m) Landscaping and Fences:

No change. Existing gardens/landscaping will remain. **Not applicable.**

(n) Public Plazas and Open Space:

There are no public plazas on the site. **Not applicable.**

(o) Outdoor Lighting:

Where exterior lighting is proposed the applicant shall meet the lighting performance standards as per Sec 5.5.2.

No information as to proposed outdoor lighting fixtures has been submitted with the application. If new lighting is proposed, spec sheets and elevations indicating their location and level of illumination shall be submitted. **Affirmative finding as conditioned.**

(p) Integrate infrastructure into the design:

If the applicants propose any relocation of existing dumpster/recycling locations or utility connections, these should be noted on site plans or elevations. **Affirmative finding as conditioned.**

PART 3: ARCHITECTURAL DESIGN STANDARDS

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

The proposed detached accessory building is located behind the primary structure, and does not exceed the height of that building. **Affirmative finding.**

2. Roofs and Rooflines.

The new roof is proposed to be a gable roof; a common form in the neighborhood and to Burlington. **Affirmative finding.**

3. Building Openings

The building is proposed to have openings on all four sides at the upper level for the extended living space. These will provide desired light and visibility for the owner's use. The first floor/carport will be open both front and rear. **Affirmative finding.**

(b) Protection of Important Architectural Resources:

The primary structure is within the Winooski Falls District Historic Register (boundary increase); however the new structure is not connected to that historic tenement house and remains secondary and differential to that building. **Affirmative finding.**

(c) Protection of Important Public Views:

There are no public views from this site. **Not applicable.**

(d) Provide an active and inviting street edge:

As this building is situated behind the primary building, little if any view of the building will be possible from Mill Street. **Not applicable.**

(e) Quality of materials:

Proposed materials are concrete foundation walls, corrugated sheet metal roof and siding, and wooden stairs. As part of a mixed use district and within an area known for its gritty commercial/industrial identity, the materials are commensurate with that aesthetic. **Affirmative finding.**

(f) Reduce energy utilization:

New structures should incorporate the best available technologies and materials in order to maximize energy efficient design. All new construction shall meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.

The new structure will have to meet current energy efficiency standards of the city.

Affirmative finding as conditioned.

(g) Make advertising features complementary to the site:

No signage is proposed. **Not applicable.**

(h) Integrate infrastructure into the building design:

See Sec. 6.2.2 (p) (above.)

(i) Make spaces secure and safe:

Construction shall meet all building and life safety requirements for ingress and egress as recommended by the building inspector and the fire marshal. **Affirmative finding as conditioned.**

Article 8: Parking

The new structure as an accessory building replaces the existing number of parking spaces (4) in a similar parking configuration. No change of use or increased parking requirements are within this permit review. **Affirmative finding.**

II. Conditions of Approval

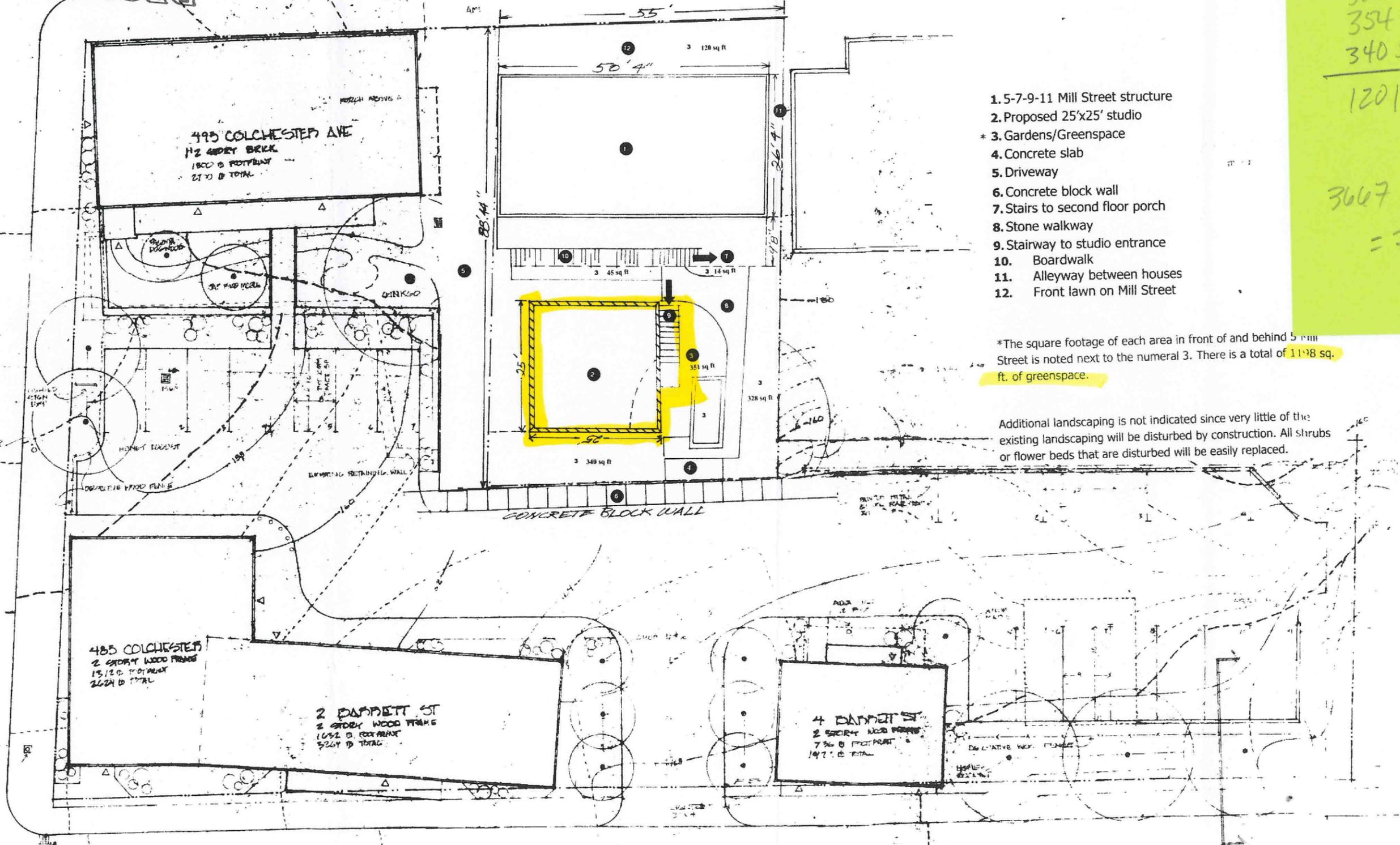
1. **Prior to release of the zoning permit**, a Small Project Sediment and Erosion Control plan shall be submitted for review and approval of the City Stormwater Administrator.
2. The overnight storage of commercial vehicles not otherwise associated with an approved home occupation or made available for the exclusive use of the residential occupants, or the outdoor storage of more than one unregistered vehicle, shall be prohibited.
3. **Occupancy of the proposed structure is accessory to the principal residential use. Approval of the structure herein in no manner whatsoever shall constitute a separate residential unit or be offered for short term rental without obtaining all required permit approvals.**
4. If exterior lighting is proposed, the applicant shall submit spec sheets with illumination levels, and elevations noting the location of new fixtures for staff review and approval **prior to release of the zoning permit.**
5. If dumpster or recycling areas, or utility connections are proposed for relocation, these shall be identified on revised elevations and/or site plan, if appropriate **prior to release of the zoning permit.**
6. All new construction shall meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
7. Standard Permit Conditions 1-18.

NOTE: These are staff comments only. The Development Review Board, who may approve, table, modify, or deny projects, makes decisions.

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 DEPARTMENT OF
 PLANNING & ZONING

COLCHESTER AVENUE

MILL STREET



- 1. 5-7-9-11 Mill Street structure
- 2. Proposed 25'x25' studio
- * 3. Gardens/Greenspace
- 4. Concrete slab
- 5. Driveway
- 6. Concrete block wall
- 7. Stairs to second floor porch
- 8. Stone walkway
- 9. Stairway to studio entrance
- 10. Boardwalk
- 11. Alleyway between houses
- 12. Front lawn on Mill Street

*The square footage of each area in front of and behind 5 Mill Street is noted next to the numeral 3. There is a total of 1198 sq. ft. of greenspace.

Additional landscaping is not indicated since very little of the existing landscaping will be disturbed by construction. All shrubs or flower beds that are disturbed will be easily replaced.

Green space (proposed)

120 sf.
 45 sf.
 14 sf.
 328 sf.
 354 sf.
 340 sf.

1201 / 4808 lot size

3667 coverage
 = 75.32%

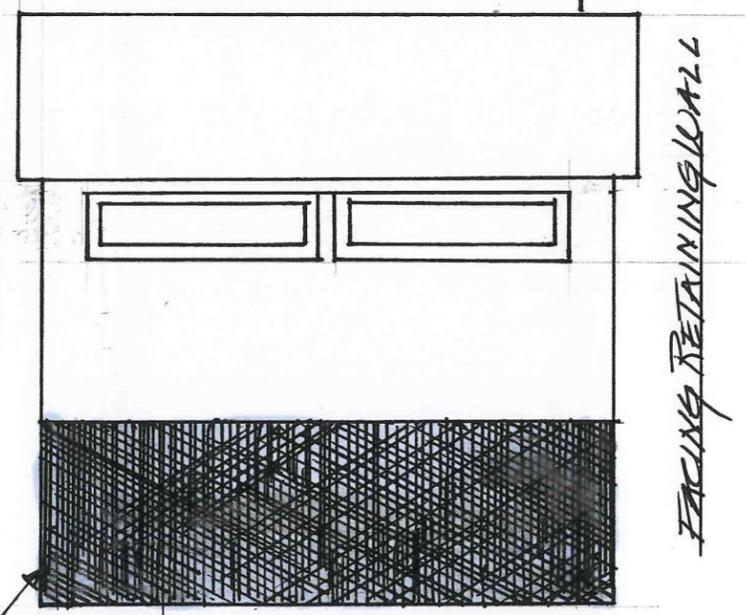
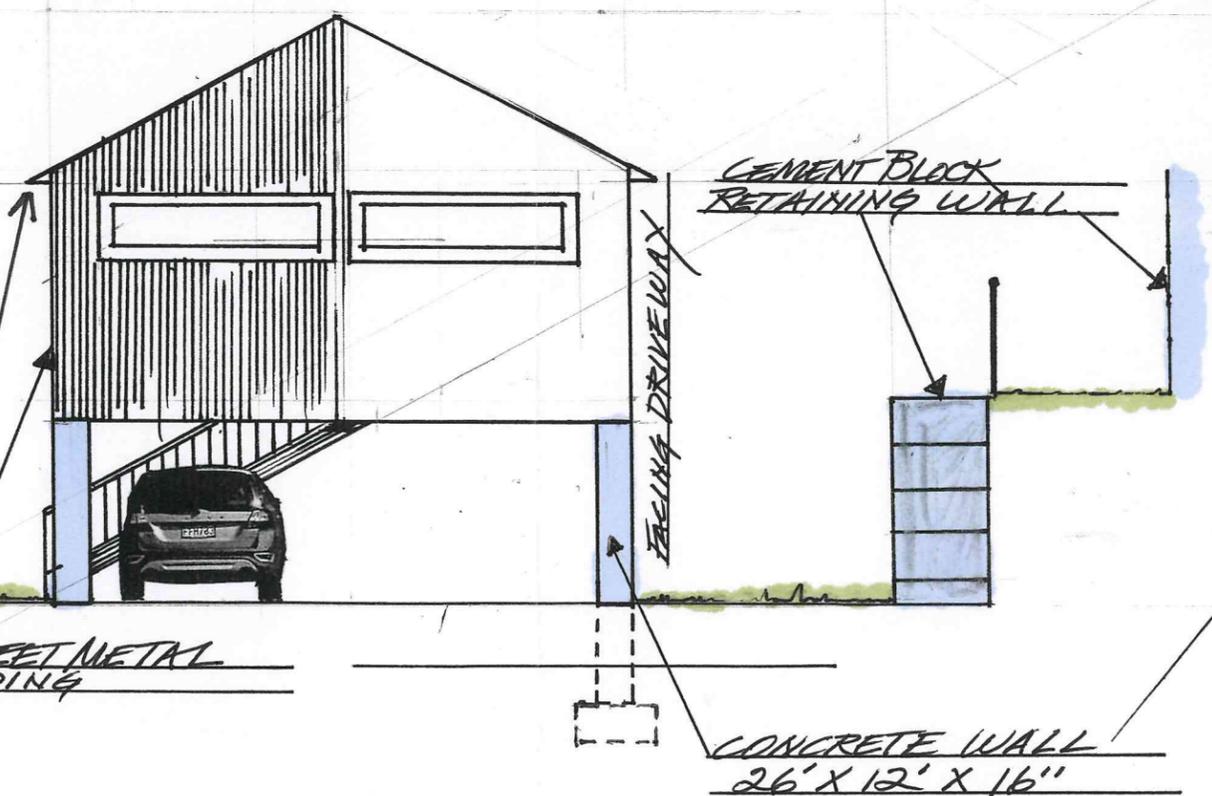
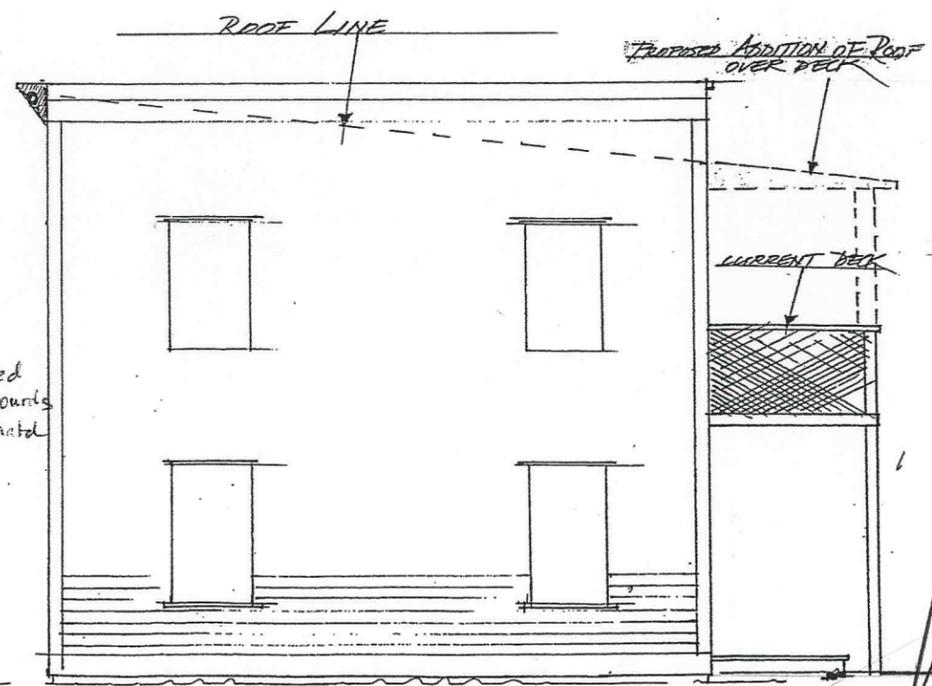
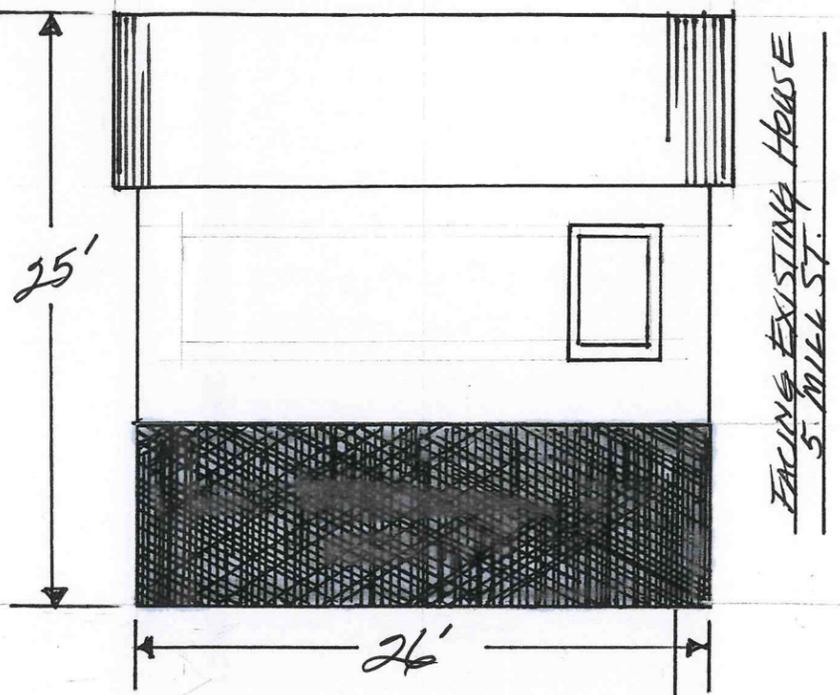
495 COLCHESTER AVE
 1 1/2 STORY BRICK
 1800 sq FOOTPRINT
 2170 sq TOTAL

485 COLCHESTER
 2 STORY WOOD FRAME
 1573 sq FOOTPRINT
 2624 sq TOTAL

2 DARNETT ST
 2 STORY WOOD FRAME
 1052 sq FOOTPRINT
 5264 sq TOTAL

4 DARNETT ST
 2 STORY WOOD FRAME
 796 sq FOOTPRINT
 1477 sq TOTAL

DARNETT STREET



CORRUGATED SHEET METAL
ROOF AND ALL SIDING

TO SECOND FLOOR

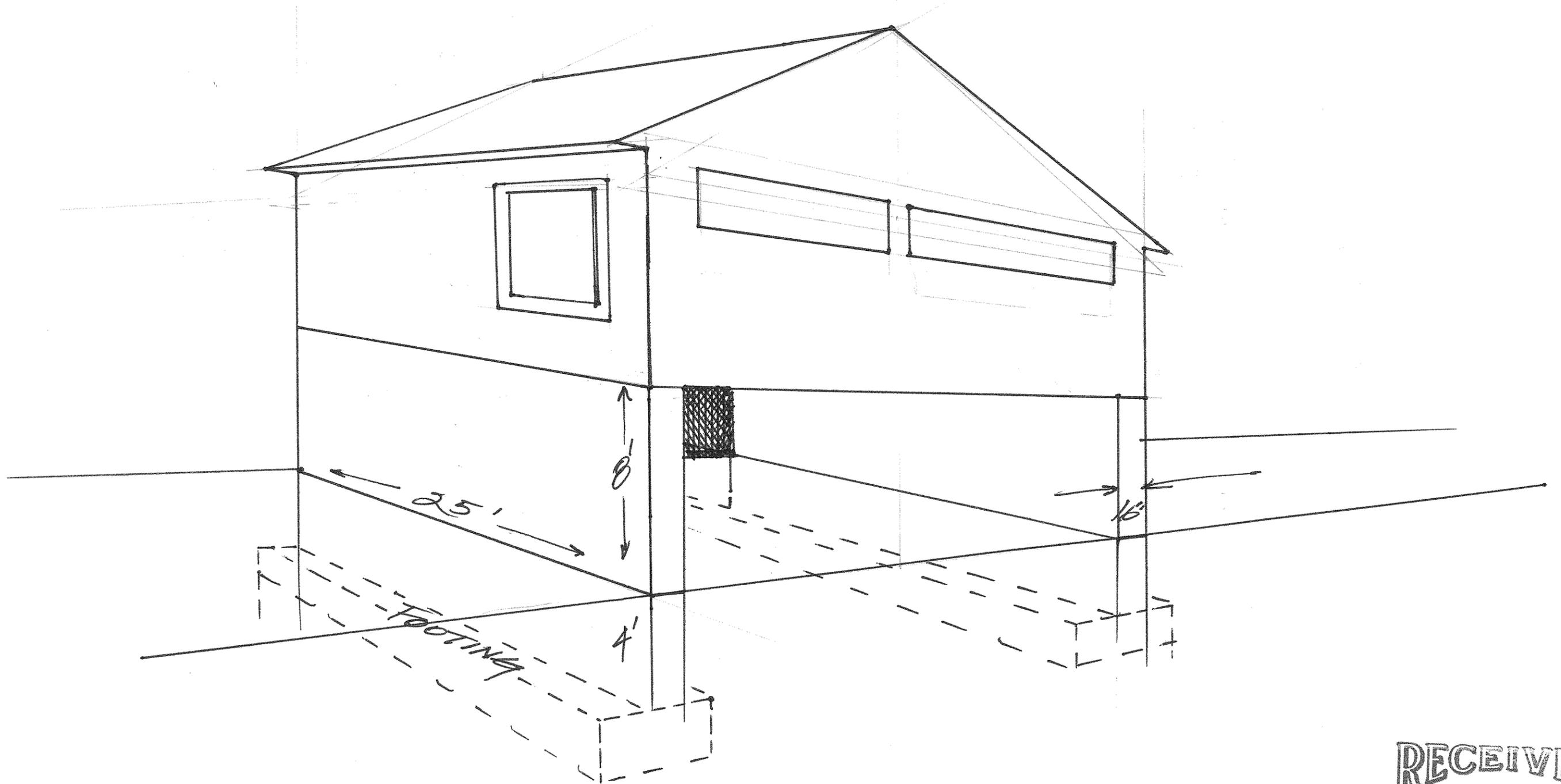
CHIEF VIZIT

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$\frac{1}{8}'' = 1 FT.$



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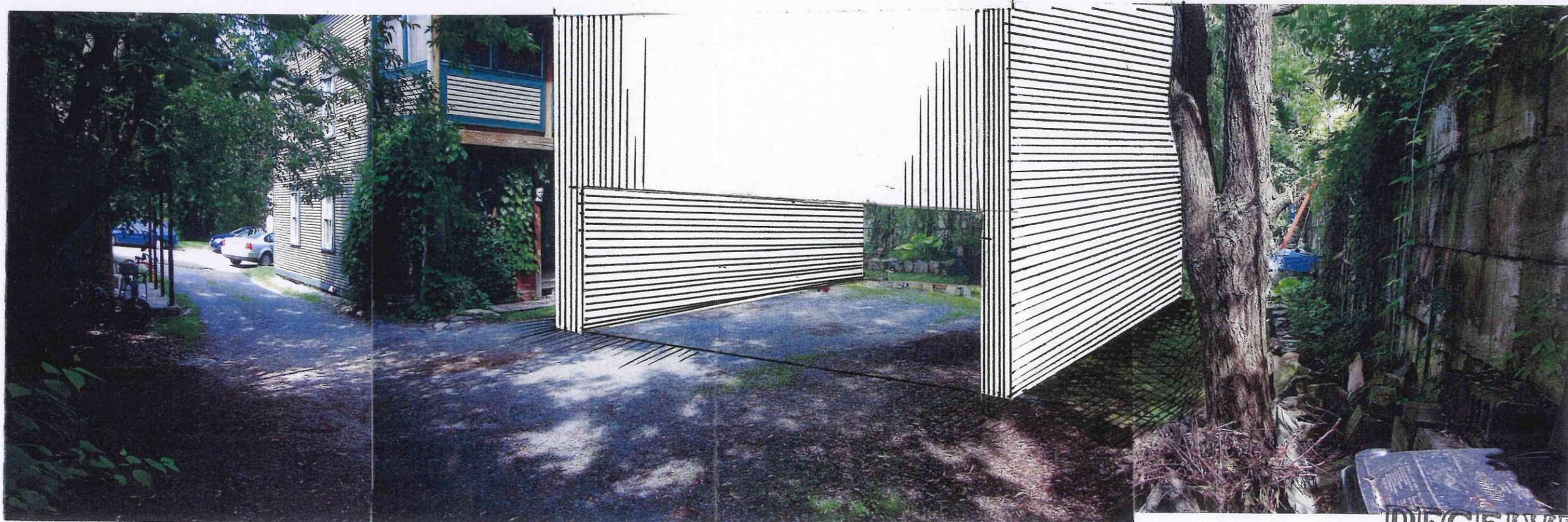
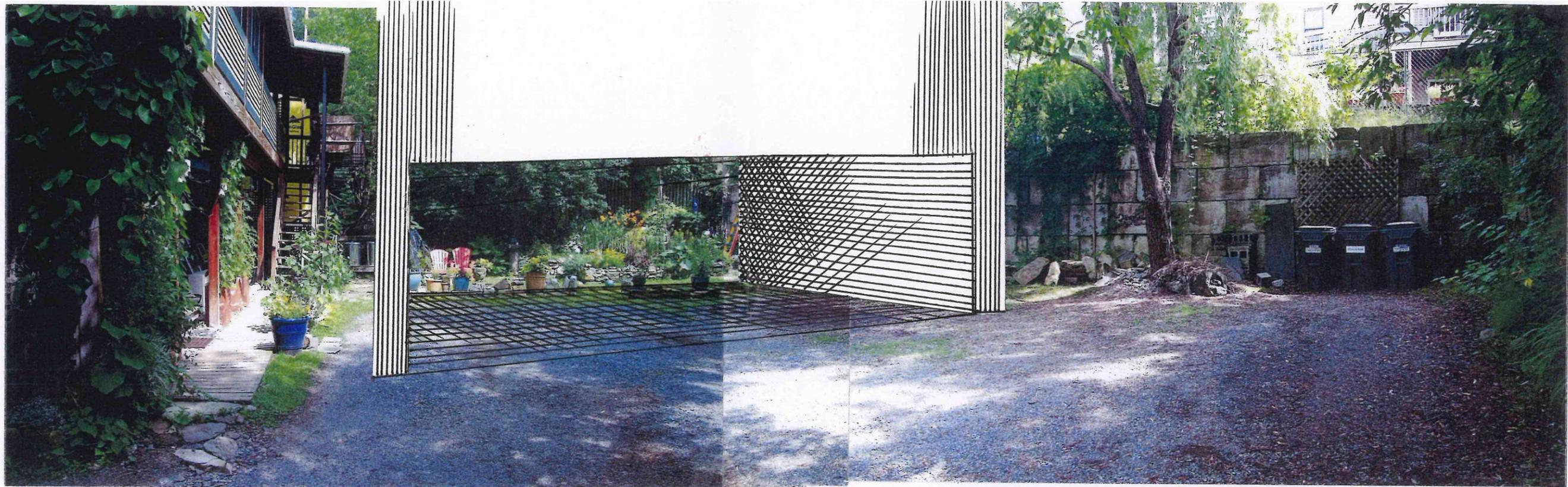


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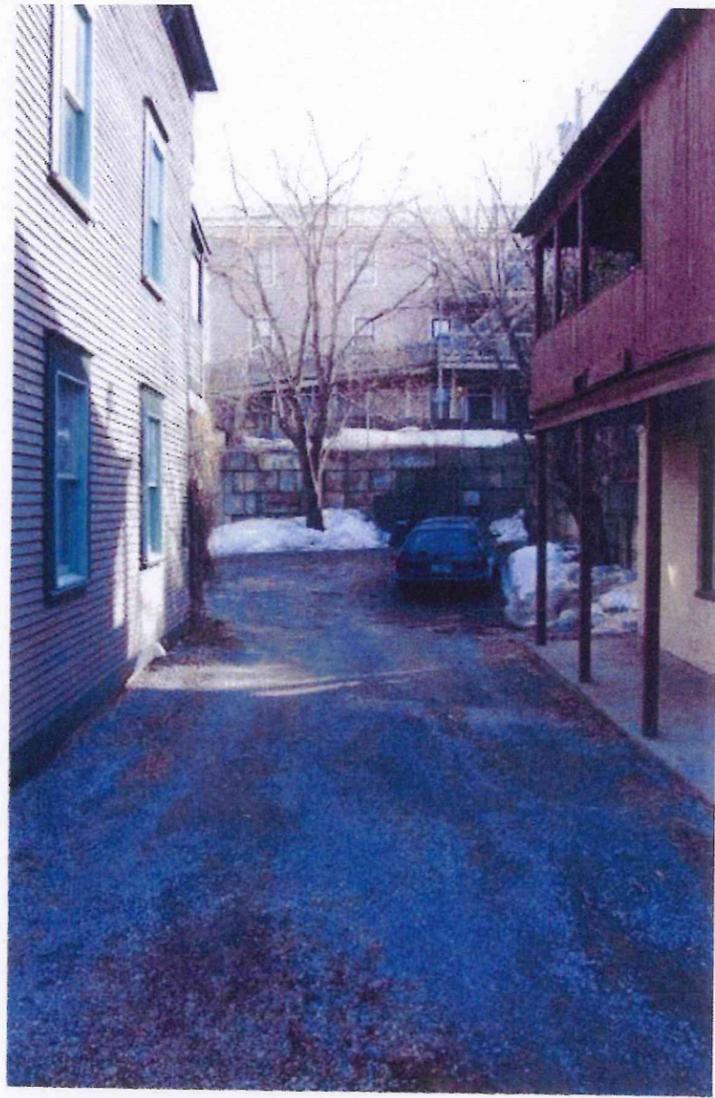




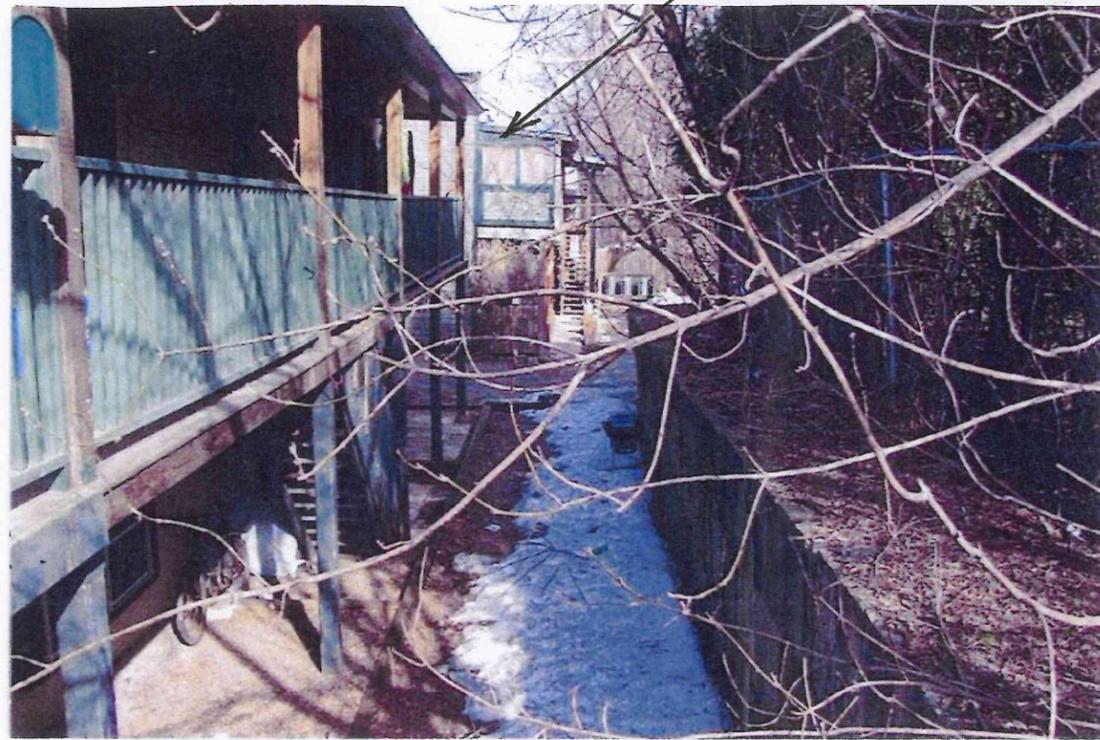
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DRIVEWAY FROM MILL ST.



FROM COLCHESTER AVE.



PARKING AREA / GREEN SPACE



FROM STONE WALL



FROM BACK OF HOUSE

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