

Burlington Development Review Board

Department of Permitting & Inspections
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Brooks McArthur
Kienan Christianson
Caitlin Halpert
Sean McKenzie, (Alternate)
Ravi Venkataraman, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday, March 16, 2021, 5:00 PM REMOTE MEETING

Zoom: <https://us02web.zoom.us/j/87040817817?pwd=d2RoRnNwZmRDMHQ0bzBHeVVZM1cydz09>

Webinar ID: 870 4081 7817

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Recorded meeting link: <https://www.cctv.org/watch-tv/programs/burlington-development-review-board-354>

Minutes

Board Members Present: Brad Rabinowitz, Springer Harris, AJ LaRosa, Kienan Christianson, Brooks McArthur, Caitlin Halpert

Board Members Not Present: Geoff Hand, Sean McKenzie (Alt), Ravi Venkataraman (Alt)

Staff Present: Scott Gustin, Ryan Morrison, Alison Davis

I. Agenda

B. Rabinowitz: No changes to the agenda.

II. Communications

B. Rabinowitz: All communications posted online.

III. Minutes

B. Rabinowitz: Minutes from March 3rd are posted online.

IV. Consent

1. 21-0674CU; 56 Howard Street (RM, Ward 5S) Amy Magyar

Request for two-bedroom bed and breakfast. (Project Manager: Scott Gustin)

Amy Magyar appeared on behalf of item

No public appeared for item

B. Rabinowitz: Has questions. *Moves item to public hearing.*

B. Rabinowitz: Asks to clarify with Scott Gustin that a single-family home with an Accessory Dwelling Unit requires two parking spaces. Asks that when it is a Bed and Breakfast, if there is a requirement for one more space.

S. Gustin: No there is not that requirement. Explains that if that the primary single-family home was to remain as a primary single-family home, there would be two spaces, and then the BnB could require parking on top of that. Explains that in this case, the owner lives in the ADU on site, which has no parking requirement, and the primary residence would be the short-term rental (BnB).

B. Rabinowitz: Asks applicant if intention is to rent out when you are not there

A. Magyar: Explains that intention is to rent it out. There may be some times that I am busy or away for the day when it is being rented out.

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B. Rabinowitz: Asks if the short-term rental unit is in the main house.

A. Magyar: Yes, it is the house.

B. Rabinowitz: Asks Board if they have any questions.

None

B. Rabinowitz: Closes public hearing item.

2. 21-0670CU; 136 Birch Court (RL, Ward 7N) Ervina Ramic

Request for one-bedroom bed and breakfast. (Project Manager: Ryan Morrison)

Ervina Ramic appeared on behalf of item

No public provided comment

B. Rabinowitz: Explains that this is on the consent agenda. Asks if applicant has comments or concerns with Staff comments or recommendations.

None

B. Rabinowitz: Asks if there is any public to comment on item and asks Board members is there are any questions or comments for applicant.

None

C. Halpert: Motion to accept Staff recommendations and approve application.

K. Christianson: Seconds motion

6-0-0

V. Public Hearing

1. 21-0589CU; 19-21 Monroe Street (RH, Ward 3C) Henry Abbott Stark

Establish short-term rental (bed and breakfast) in apartment. Convert a three-unit apartment building to a four-unit apartment building, with a parking waiver request. (Project Manager: Ryan Morrison)

Henry Abbott Stark appeared on behalf of item

No public appeared to comment on item

B. Rabinowitz: Asks and clarifies that Staff said that applicant needs to ask for more of a parking waiver than what was asked for previously.

H. Stark: Yes, correct. Explains project and explains that the building has been four units for a long time, as far back as potentially 1983, but was never permitted. Through applying, it seemed like there is space on the lot for four units, decided to go through the process and apply for the unit.

B. Rabinowitz: Asks if it has been rented as four units.

H. Stark: Yes, it has been rented as four units.

B. Rabinowitz: Asks if the parking is tandem on both sides of the house.

H. Stark: Correct.

S. Gustin: Clarifies that the parking is stacked, not tandem, because stacked is three in a row. Explains that this property has a permit in the 80s to be a triplex, and it had a site plan that showed a driveway on either side with three spaces each. That was approved then. Fast-forward to today, we have an extra dwelling unit, with no way to stack the parking spaces four deep, hence the requested waiver. The Board needs to be aware of the property was approved in the past for the three stacked parking spaces on both sides, but that would not be approved today. Since they had a permit that was approved in the past for that parking plan, that could stay as three stacked.

B. Rabinowitz: Asks if any Board members have questions.

K. Christianson: Asks about the agreements with Airbnb guests, asks if parking expectations are clear for guests.

H. Stark: Yes.

K. Christianson: Mentions that there had been conversations in paperwork that you make clear to tenants that they do not have parking spaces or that you discourage parking spaces. Is that clear in the lease? Asks how it is tenants know that there is limited parking.

H. Stark: Explains that there are long-term tenants who do not have a vehicle and do not plan to get one. Half of the building is rented out to elderly or low-income or people with disabilities. For those leases, they naturally do not usually have vehicles, but it is also in their lease that they are not granted any parking with their unit.

B. Rabinowitz: Asks if he is planning to rent out his unit as a short-term rental when he is away.

H. Stark: Yes, correct.

B. Rabinowitz: Asks if it is common if he is away from his unit.

H. Stark: Depends if we are in a global pandemic or not. Under normal circumstances, I do travel for work on a somewhat regular basis, but recently it has been much lighter.

B. Rabinowitz: Asks to clarify which unit is being rented out.

H. Stark: It is unit 21 apt B. It is first floor rear in the building.

B. Rabinowitz: Asks if the second floor rear has its own access.

H. Stark: Correct, they have their own stairs.

S. Harris: Asks if this is where the applicant lives full-time.

H. Stark: Yes

A. LaRosa: Mentions that in the Staff comments, going from two-unit waiver to four-unit waiver, wondering if applicant has any objections to update the parking management plan to eliminate any discrepancies or questions in the future.

S. Gustin: Sure. The two nonconforming spaces were approved in the 1982 and would not comply with the current Ordinance, and we do not really recognize them, but for management plan I think it would be best to refer to four spaces.

H. Stark: It is odd to have three cars stacked in a row, especially if they are from different units. The way we are operating now is that you can get three cars on both sides, but on one side is reserved for one unit, they have two bedrooms and sometimes they do have a third car there. That is the way it has been done. Going down to five spaces, two on one side and three on the other, would be more ideal because it would be better for the people who have live there and have enjoyed having that third parking space when they need it.

B. Rabinowitz: Clarifies that that would be a three parking space waiver.

H. Stark: Yes, that would be a three parking space waiver, but it would be good for the tenants that are there now.

A. LaRosa: If you want to request less waiver that is always good. I just want to make sure that what is submitted and what we are approving line up because it will be a mess later down the road.

H. Stark: Yes, that is a good point. Asks if the parking management plan could be rewritten to accommodate five spaces if presuming that on one side it would just be one unit, not a blending of units if that waiver were to be granted.

S. Gustin: Makes sense. We do not want to over complicate it. Parking management plan needs to get to how you are managing actual parking demand with this arrangement and how the spaces are divvied up and managed.

K. Christianson: Asks to clarify if the applicant is asking for a three parking waiver or a four parking waiver.

R. Morrison: Since there was confusion between the number of parking spaces and the previously approved spaced, whether it is a three space or four space waiver, it is really whatever the Board is comfortable with. If you have two on the one side and then three spaces on the other side, as long as you meet your required number.

H. Stark: Sounds fair and fine.

B. Rabinowitz: Adds that since there was a previously approved plan for six spaces, is in support of recognizing three stacked spaces on one side and two tandem spaces on the other.

B. Rabinowitz: Asks if there is any public who has comment for item or if Board members have other questions.

None

B. Rabinowitz: Closes public hearing

VI. Adjournment

Meeting adjourned at 5:25PM



Bradford L. Rabinowitz, Chair of Development Review Board

July 6, 2021

Date



Alison Davis, Zoning Clerk

03/22/2021

Date

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