

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone:(802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

*David White, AICP, Director
Meagan Tuttle, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, CFM, Associate Planner
Anita Wade, Zoning Clerk
Layne Darfler, Planning Technician*



TO: Design Advisory Board
FROM: Scott Gustin
DATE: July 25, 2017
RE: 17-1313CA, 44 Brookes Ave

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Zone: RL Ward: 1E
Owner/Representative: Rhonda Kost

Request: Remove approx. 30 of the 50 course brick chimney. Pour a new crown or put a stainless steel chase cover on the top of the chimney at the new height, repoint the remaining 20 courses of brick, flash seal, and masonry sealer.

OVERVIEW:

The applicant is seeking approval to remove approximately 2/3 of the existing brick chimney located on the north side of the roof. The subject property contains a single family home and is individually listed on the Vermont State Register of Historic Places. The proposed alteration is subject to the review criteria of Sec. 5.4.8, *Historic Buildings and Sites*, of the Comprehensive Development Ordinance.

ARTICLE 5: CITYWIDE GENERAL STANDARDS

Sec. 5.4.8, *Historic Buildings and Sites*

(a) Applicability

These regulations shall apply to all buildings and sites in the city that are listed, or eligible for listing, on the State or National Register of Historic Places.

The home at 44 Brookes Avenue dates to circa 1900 and is listed in the Vermont State Register of Historic Places as a building of state significance. Therefore, the standards of Sec. 5.4.8 apply.

(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 building at 44 Brookes Avenue was constructed as a residence. It will continue to be used as such.

2. *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 home at 44 Brooks Avenue is a high style Georgian Revival structure. It has been well maintained and is remarkably intact. The chimney is located on the rear hip, centrally located

between two dormers. It is tall enough; however, to be seen from the front. It can also be seen from the sides. As proposed, the shortened chimney would no longer be visible from the front. The historic listing cites a number of significant exterior features, including the chimney.

Brick chimneys, such as that at the subject property, are a character defining feature of historic homes in much of Burlington. There is established precedent for repair and retention of these chimneys on other properties. Some examples include:

- 87 Central Ave – chimney removal and in-kind replacement (14-1065CA, 6/11/14)
- 59-61 Central Ave – dual chimney retention and repair (13-0245CA, 9/26/12)
- 63/69 Lakeside Ave – denial of dual chimney removal, required reconstruction (06-413CA, 2/7/06)
- 16 Orchard Tr – Repoint and repair existing brick chimney (14-0827NA, 6/12/15)

The substantial alteration included in this proposal is inconsistent with this precedent and with this standard. Based on the established precedent and this criterion, chimney retention and repair (and replacement where needed) have been the rule of principal for zoning permit decisions by staff, the Design Advisory Board, and the Development Review Board.

3. *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.*

No conjectural alterations are proposed. There is no attempt to fabricate faux historic elements.

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

No such changes are included in this proposal.

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

See item 2 above.

6. *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.*

The chimney has been assessed by Brick Liners, a professional masonry and chimney service. The assessment recommends repointing mortar joints, replacing some bricks, and sealing the bricks. The recommendations focus on typical repair and maintenance. Nothing in the assessment states or implies that removal of much of the chimney is the only feasible option. This criterion calls for repair rather than replacement (or removal). Where repair is not feasible, this criterion calls for in-kind replacement. The height, girth, and visibility of a chimney are among its design features; proposed for alteration in this application. To eliminate 30 courses would significantly reduce the feature so as to be inconsistent with its original design; contrary to this standard.

7. *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.*
No such treatment is included in this proposal.
8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*
Not applicable to this application.
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.*
The proposed removal of 30 of the 50 courses of brick from the chimney will result in significant destruction of this important building feature. Repair and retention would be consistent with the applicable criteria and established precedent.
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.

RECOMMENDED MOTION:

The existing chimney is in need of routine repair and maintenance. It is not so badly deteriorated that substantial removal is the only feasible option. The proposed alteration is inconsistent with criteria 2, 6, and 9 of Sec. 5.4.8. Denial of the permit application is recommended.