

## Department of Permitting and Inspections

Zoning Division

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## MEMORANDUM

To: Development Review Board  
From: Mary O'Neil, AICP, Principal Planner  
Date: ~~April 19, 2022~~ June 7, 2022  
RE: 84 Chase Street ZP22-122

**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 Number:** ZP22-122  
**Address:** 84 Chase Street  
**Zone:** RL **Ward:** 1E  
**Date application accepted:** March 2, 2022  
**Applicant/ Owner:** Colleen Hartford  
**Request:** Two bedroom Bed and Breakfast  
**Background:**

- **Zoning Permit 09-906BA;** remove parking area and convert to green space. June 2009.
- **Zoning Permit 10-0150BA;** construction of a single family home with ADU. August 2009.



### Overview:

The applicant seeks to rent out two bedrooms in the existing single family home.

**Recommended motion: Conditional Use approval,** per the following Findings and conditions:

### I. Findings

#### Article 3: Applications, Permits and Project Reviews

##### **Part 5, Conditional Use & Major Impact Review**

##### **Section 3.5.6 (a) Conditional Use Review**

##### **Standards**

*Approval shall be granted only if the DRB, after public notice and public hearing, determines that the proposed conditional use and associated development shall not result in an undue adverse effect on each of the following general standards:*

1. *Existing or planned public utilities, facilities or services are capable of supporting the proposed use in addition to the existing uses in the area;*

Utilization of two bedrooms toward a Bed and Breakfast use would not appreciably alter the current impacts of the single family home with ADU. **Affirmative finding.**

2. *The character of the area affected as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the municipal development plan;*

The property is located within the residential – low density zone. The neighborhood consists of single- and multi-unit homes within buildings of similar scale. The driveway will accommodate the required parking. Residential density will remain unaffected. The property remains in character with the zoning district. **Affirmative finding.**

3. *The proposed use will not have nuisance impacts from noise, odor, dust, heat, and vibrations greater than typically generated by other permitted uses in the same zoning district;*

There is nothing within the application that includes a change to the existing residential structure. The use application will provide living space for guests on a short term basis. The less-than-30 day rental is not expected to generate nuisance impacts from noise, odor, dust, or similar. **Affirmative finding.**

4. *The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street designations and capacity; level of service and other performance measures; access to arterial roadways; connectivity; transit availability; parking and access; impacts on pedestrian, bicycle and transit circulation; safety for all modes; and adequate transportation demand management strategies;*

Little, if any, change in traffic is expected. Short term guests will arrive and depart within established timeframes. Guests will be within easy bike or walking distance to Winooski, the downtown and area attractions. **Affirmative finding.**

5. *The utilization of renewable energy resources*

Nothing in this application would preclude the use of wind, water, solar, geothermal, or other renewable energy resource. **Affirmative finding.**

6. *Any standards set forth in existing City bylaws and city and state ordinances:*

The paired tandem spaces will necessitate the “jockeying” of parked cars to accommodate the two room rental. An attendant must be present to facilitate the parking arrangement.

The bed and breakfast must adhere to applicable life safety standards and provide payment of rooms and meals taxes as per the State of Vermont relative to short term rentals. **Affirmative finding as conditioned.**

#### **(b) Major Impact Review Standards**

Not applicable.

#### **(c) Conditions of Approval**

*In addition to imposing conditions of approval necessary to satisfy the General Standards specified in (a) and (b) above, the DRB may also impose additional conditions of approval relative to any of the following:*

*1. Mitigation measures, including but not limited to screening, landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area.*

The bed and breakfast is not expected to produce adverse effects in need of mitigation.

**Affirmative finding.**

*2. Time limits for construction.*

No construction timeline or phasing is included in this proposal. **Affirmative finding.**

*3. Hours of operation and/or construction to reduce the impacts on surrounding properties.* Guest check-ins will be limited to 7:00 am – 10:00 pm to minimize noise, traffic, and neighborhood nuisances. **Affirmative finding as conditioned.**

*4. That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions;*

Any future enlargement or alteration will be reviewed under the zoning regulations in effect at that time. **(Affirmative finding as conditioned.)**

*and,*

*5. Such additional reasonable performance standards, conditions and safeguards, as it may deem necessary to implement the purposes of this chapter and the zoning regulations.*

Although the site is compliant for the number of parking spaces required for the use, the arrangement does not facilitate independent movement of vehicles. Attendant-facilitated vehicular movement will be required. **Affirmative finding as conditioned.**

#### **Article 4: Zoning Maps and Districts**

##### **Section 4.4.5 Residential Districts**

*(a) Purpose:*

*The Residential Districts are intended to control development in residential districts in order to create a safe, livable, and pedestrian friendly environment. They are also intended to create an inviting streetscape for residents and visitors. Development that places emphasis on architectural details and form is encouraged, where primary buildings and entrances are oriented to the sidewalk, and historic development patterns are reinforced.*

*Parking shall be placed either behind, within, or to the side of structures, as is consistent with the district and/or the neighborhood. Building facades designed for parking shall be secondary to the residential aspect of a structure.*

1. The **Residential Low Density (RL)** district is intended primarily for low-density residential development in the form of single detached dwellings and duplexes. This district is typically characterized by a compact and cohesive residential development pattern reflective of the respective neighborhoods' development history.

84 Chase Street is an existing single family home with an accessory apartment. No exterior changes are included in this application. The previous site plan approval included a four-space parking arrangement in the driveway. Attendant facilitated car "jockeying" will be necessary.

**Affirmative finding as conditioned**

*(b) Dimensional Standards and Density*

**Table 4.4.5-3 Residential District Dimensional Standards**

No exterior changes or changes to lot coverage are included. The last approval (ZP10-150BA) included a lot coverage calculation of 28.68% on an 8,150 sf lot. **Affirmative finding.**

*(c) Permitted and Conditional Uses*

The "bed and breakfast" (short term rental) use is conditional in the RL zone. Owner occupancy is required, and up to 3 rooms may be let. The applicant has provided evidence that 84 Chase Street is her home. Owner occupancy is a prerequisite for consideration of a Bed and Breakfast. The bed and breakfast / short term rental will utilize 2 bedrooms. **Affirmative finding as conditioned.**

*(d) District Specific Regulations*

Not applicable.

**Article 8: Parking**

**Section 8.1.8 Minimum Off-Street Parking Requirements**

The property is located within the Neighborhood Parking District. The single family home requires 2 parking spaces, and when originally approved, the ADU required 1. The "Bed & Breakfast" uses require 1 parking space per bedroom. For the 2 bedrooms proposed for bed and breakfast rental, 2 parking spaces (1 per bedroom) are required. Total parking requirement: 4 spaces, which can be accommodated in the existing driveway. To facilitate free movement of vehicles, an attendant will be necessary. **Affirmative finding as conditioned.**

**Article 13: Definitions**

*Bed and Breakfast: an owner-occupied residence, or portion thereof, in which short-term lodging rooms are rented and where only a morning meal is provided on-premises to guests.*

The property owner has confirmed that he lives on-site. **Affirmative finding.**

**II. Conditions of Approval**

1. This approval is predicated on continued owner-occupancy of the property for the duration of the Bed and Breakfast use.
2. Guest check-ins should be limited to 7:00 am – 10:00 pm to minimize noise, traffic, and neighborhood nuisances.

3. The short term rental must adhere to required life safety standards and provide payment of applicable rooms and meals taxes as per the State of Vermont.
4. All guest parking shall be on-site and off-street.
5. An attendant must be present to facilitate “jockeying” of cars in the proposed parking arrangement.
6. Standard permit conditions 1-15.

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