

Department of Permitting & Inspections

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To: Development Review Board
From: Ryan Morrison, Associate Planner
Date: December 6, 2022
RE: ZP-22-524; 87 Hungerford Terrace

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-22-524

Location: 87 Hungerford Terrace

Zone: RH **Ward:** 8E

Owner / Applicant: James & Madeleine Posig / Chi Nguyen

Request: The applicant seeks approval to demolish an existing historic garage and replace it with a two-story garage with finished office space in the second floor.

Applicable Regulations:

Article 3 (Applications, Permits, and Project Reviews), Article 4 (Zoning Maps and Districts), Article 5 (Citywide General Regulations), Article 6 (Development Review Standards), Article 8 (Parking)

Background:

- **Zoning Permit 87-246;** rear addition to single family home. Approved 6/12/86
- **Zoning Permit 85-027;** construct two dormers. Approved 3/28/85.

Overview:

The applicant proposes to demolish and replace a historic garage with a new, 2-story garage that will include finished office space in the second story. The garage will also have an attached second story deck at the front.

The existing garage and home (Alfred Larsen House, c. 1920) are included in the property's listing in the Buell St. / Bradley St. Historic District (national registry), and also the State of Vermont Historic Register. The National listing includes the following garage description:

The rear two-thirds of this one bay, 1 story garage, built at the same time as the house, are covered in novelty siding while the front third is covered by wider clapboards. This indicates that the garage was enlarged by adding a section on the front at a later date. The edges of the garage are defined by corner boards. Asphalt covers the gable front roof. The overhead garage door is divided into four rows of six panels each, the uppermost being glazed. No other windows light the structure. The garage rests on a concrete block foundation.

The State listing includes the following garage description:

1 car garage, with gable, novelty siding.

Because of the historic nature of the garage, the Historic Buildings and Sites standards of Sec. 5.4.8 CDO apply, as well as the conditional use standards of Article 3. The applicant has provided a brief analysis describing the condition of the garage, including photos.

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

I. Findings

Article 3: Applications, Permits and Project Reviews

Part 5: Conditional Use and Major Impact Review

Section 3.5.6 Review Criteria

(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;*

The proposal will have no impact on public utilities, facilities and services. **Affirmative finding.**

- 2. The character of the area affected as defined by the purpose or purposes of the zoning district(s) within which the project is located, and specifically stated policies and standards of the Municipal Development Plan;*

The property is within an established residential neighborhood, and the garage is an associated structure to the existing residential use. The second floor office space will be used by residents of the property. **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;*

No greater impacts are anticipated than other residential uses in the area. **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;*

This property is located along Hungerford Terrace, which runs perpendicular between College Street and Bradley Street, a highly developed residential area. The new YMCA abuts the property to the rear. The property's existing driveway and parking will remain as-is. Transit stops exist along College Street, which is well within walking distance from the property, and sidewalks exist on both sides of the street. The proposal is not expected to create adverse impacts on the existing transportation system. **Affirmative finding.**

- 5. The utilization of renewable energy resources;*

Nothing within the application prevents the use of wind, solar, water, geothermal or other renewable energy resource. **Affirmative finding.**
and;

6. *Any standards or factors set forth in existing City bylaws and city and state ordinances.*
The replacement garage will be subject to all applicable life safety and building standards.
Affirmative finding as conditioned.

(c) Conditions of Approval

In addition to imposing conditions of approval necessary to satisfy the General Standards specified in (a) or (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 replacement garage, located behind the primary residential structure, will be relatively difficult to see from the street. No new landscaping or screening is proposed. Given the garage's close placement to the south property line, room for new landscaping and/or screening is not possible. An existing fence runs along this property line, however, and will remain. This side abuts the back yard of 308 College Street, which has been an attorney's office for a number of years. And as noted above, the new YMCA abuts the subject property to the west, and it stands out as a nonresidential development in a residential zone. **Affirmative finding.**

2. *Time limits for construction.*

Standard time limits for construction are normally as follows: construction must commence within one year from the date of zoning permit issuance, and after that, an additional two years is available to finish the project. However, since the proposal involves the demolition of a historic structure and retention of an existing nonconformity, tighter time limits apply per Sec. 5.4.8 (d) and Sec. 5.3.5 (b). See below. **Affirmative finding.**

3. *Hours of operation and/or construction to reduce the impact on surrounding properties.*

Standard construction hours are 7:00 AM to 5:30 PM, Monday – Friday. Saturday construction hours may be allowed upon request to the Development Review Board. No work on Sunday.
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,*

Should the applicant wish to alter the use or structure(s), such alteration will require review and permitting under 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.*

None identified.

Article 4: Zoning Maps and Districts
Section 4.4.5 Residential Districts

(a) 5. The **Residential High Density (RH)** district is intended primarily for high density attached multi-family residential development. Development is intended to be intense with high lot coverage, large buildings, and buildings placed close together. Parking is intended to be hidden either behind or underneath structures.

The existing single-family residential use of the property will not change as a result of this permit.
Affirmative finding.

(b) Dimensional Standards and Density

Table 4.4.5-1 Minimum Lot Size and Frontage: RL, RL-W, RM, RM-W
Not applicable.

Table 4.4.5-2 Base Residential Density

No change in density or the number of dwelling units on the property are proposed. **Not applicable.**

Table 4.4.5-3 Residential District Dimensional Standards

Zoning District	Max. Lot Coverage ¹	Setbacks ^{1, 3, 4, 5, 6}			Height
		Front	Side	Rear	
RH	80%	Min/Max: Ave. of 2 adjacent lots on both sides +/- 5-feet	Min: 10% of lot width Or ave. of side yard setback of 2 adjacent lots on both sides Max required: 20'	Min: 25% of lot depth but in no event less than 20' Max required: 75-feet	35-feet
87 Hungerford Terrace	Existing: 44.27% Proposed: 45.4%	Not applicable.	Lot width is 50' = 5' min. side yard setback. Per Sec. 5.2.5 (b) (5), accessory structures less than 15 ft in height may have a min. 5' side yard setback. The existing garage has a 21" side yard setback. The proposal is to maintain the existing 21" setback within the existing garage footprint. Additional garage footprint will comply with the 5' side yard setback. See also Sec. 5.3.5 below.	Lot depth is 120' = 30' min. rear yard setback. For accessory structures 15' or less in height, a rear yard setback of no less than 5' is allowable per Sec. 5.2.5 (b) (5). See below. Rear yard setback will be approx. 12'.	15'

Affirmative finding.

(c) Permitted and Conditional Uses

New single family residences are not permitted uses in the RH zoning district. However, Footnote 30 of Appendix A – Use Table – All Zoning Districts, reads: *New single detached dwellings are not permitted. However, a pre-existing single detached dwelling may be reverted to a single family use regardless of its present use if the building was originally designed and constructed for that purpose.* The Alfred Larsen House was originally constructed as such, and the use will continue

as-is. There is no permit evidence that would suggest that it was used as anything else. The garage rebuild, with second floor office space, does not change the use of the property.

Affirmative finding.

(d) District Specific Regulations

1. *Setbacks*

No encroachments for driveways or waterfront setbacks are proposed or sought. **Not applicable.**

2. *Lot Coverage*

A. *Exceptions for Accessory Residential Features*

This only applies to properties within the RL, RL-W, RM, RM-W zones. Lot coverage for this project is not an issue. **Not applicable.**

3. *Accessory Residential Structures and Uses*

The existing garage will be replaced with a slightly larger, two-story garage. **Affirmative finding.**

4. *Residential Density*

No change in density is proposed. **Not applicable.**

5. *Uses*

There is no Neighborhood Commercial Use at this location. **Not applicable.**

6. *Residential Development Bonuses*

No development bonuses are included or sought. **Not applicable.**

Article 5: Citywide General Regulations

Part 2: Dimensional Requirements

Section 5.2.3 Lot Coverage Requirements

See Table 4.4.5-3, above. **Affirmative finding.**

Section 5.2.4 Buildable Area Calculation & Steep Slopes Overlay District

This provision only applies to properties 2-acres or greater in size, and in the RCO, WRM, RM, WRL, and RL zoning districts. No steep slopes exist on the property. **Not applicable.**

Section 5.2.5 Setbacks

See Table 4.4.5-3 above and Sec. 5.3.5 below. The existing garage encroaches into the side yard setback – with a 21” setback. The replacement garage is proposed to occupy the same footprint within this required setback – thus no increase to the nonconformity. For portions of the new garage outside the existing garage footprint, compliance with minimum setback requirements will be met.

Sec. 5.2.5 (b) Exceptions to Yard Setback Requirements

5. Accessory Structures and Parking Areas

Accessory structures no more than fifteen (15) feet in height, parking areas, and driveways may project into a required side and rear yard setback provided they are no less than five (5) feet from a side or rear yard property line where such a setback is required.

The existing driveway will remain as-is. The replacement garage will be setback over 5 ft from the rear property line and will maintain the existing 21” setback from the side yard property line as permitted under Sec. 5.3.5 *Nonconforming Structures*. See below. **Affirmative finding.**

Section 5.2.6 Building Height Limits

(a) Height Measurement

The new garage will have a height of 15 feet, as measured to the midpoint of the gable roof-rise.

Roofs with Dormers: Building height will be calculated to the midpoint of the rise of dormers that either individually or collectively exceed 50% of the width of the horizontal eave length of the roof. Dormers less than this width do not affect height calculation noted in A – C and E of this subsection.

The dormers on both sides of the garage are 13’ wide, which is less than 50% of the horizontal eave length (26’ 3”). Measuring to the midpoint of the gable roof is acceptable. **Affirmative finding.**

Section 5.2.7 Density Calculations

No change to the density of the property is proposed. **Not applicable.**

Part 3: Non-Conformities

Sec. 5.3.5 Nonconforming Structures

(a) Changes and Modifications

Any change or modification to a nonconforming structure, other than to full conformity under this Ordinance, shall only be allowed subject to the following:

1. *Such a change or modification may reduce the degree of nonconformity and shall not increase the nonconformity except as provided below.*

Within the residential districts, and subject to Development Review Board approval, existing nonconforming single family homes and community centers (existing enclosed spaces only) that project into side and/or rear yard setbacks may be vertically expanded so long as the expansion does not encroach further into the setback than the existing structure. Such expansion shall be of the existing nonconformity (i.e. setback) and shall:

- i) *Be subject to conformance with all other dimensional requirements (i.e. height, lot coverage, density and intensity of development);*
- ii) *Not have an undue adverse impact on adjoining properties or any public interest that would be protected by maintaining the existing setbacks; and,*
- iii) *Be compatible with the character and scale of surrounding structures.*

Existing accessory buildings of 15 feet in height or less shall not exceed 15 feet tall as expanded.

Within all districts, and subject to the Development Review Board approval, structures for the purpose of creating an ADU may be constructed on lots with legally non-conforming lot coverage per Sec.5.2.3 (b) 10.

2. *Such a change or modification shall not create any new nonconformity; and,*

3. *Such a change or modification shall be subject to review and approval under the Design Review provisions of Article 3, Part 4.*

The existing garage is nonconforming with regard to the side yard setback. The replacement garage will be taller, but no taller than 15 ft, and will maintain the same level of nonconformity as the existing garage – a 21” side yard setback. **Affirmative finding.**

(b) Demolition:

A nonconforming structure may be replaced by a new structure retaining the same degree of nonconformity as the original structure. This provision is limited to the existing dimensional nonconformity (i.e. setback, lot coverage, or height), and shall not expand the degree of nonconformity except as provided for in (a) above. The new structure shall be subject to conformance with all other dimensional requirements (i.e. setback, lot coverage, and height). Zoning permit application for the replacement structure shall be completed within 1 year of demolition of the nonconforming structure; failure to do so shall result in the loss of the ability to retain the nonconformity.

The existing garage has a nonconforming side yard setback of 21”. The replacement garage will maintain the same degree of nonconformity. Portions of the replacement garage located outside the existing garage footprint will comply with the minimum setback requirements.

As required under the historic demolition standards of Sec. 5.4.8 (d) below, construction of the replacement structure will need to commence within 6 months from time of demolition.

Affirmative finding as conditioned.

Part 4: Special Use Regulations

Sec. 5.4.8 Historic Buildings and Sites

(d) Demolition of Historic Buildings:

The purpose of this subsection is:

. To discourage the demolition of a historic building, and allow full consideration of alternatives to demolition, including rehabilitation, adaptive reuse, resale, or relocation;

. Provide a procedure and criteria regarding the consideration of a proposal for the demolition of a historic building; and,

. To ensure that the community is compensated for the permanent loss of a historic resource by a redevelopment of clear and substantial benefit to the community, region or state.

1. Application for Demolition.

For demolition applications involving a historic building, the applicant shall submit the following materials in addition to the submission requirements specified in Art. 3:

A. A report from a licensed engineer or architect who is experienced in rehabilitation of historic structures regarding the soundness of the structure and its suitability for rehabilitation;

The application includes a brief report from architect Chi Nguyen relative to the condition and structural stability of the garage. The general conclusion is that the structure has deteriorated due to the lack of a structural foundation and the building’s direct contact with the grade. Water and moisture damage is prevalent. Rehabilitation, it seems, is not an option available to the applicant.

The applicant notes that attempts to repair the structure and garage door over the course of ownership (40 years) have been unsuccessful. A receipt for roof repair items is included in the application, demonstrating that some effort has been made to maintain the structure. **Affirmative finding.**

B. A statement addressing compliance with each applicable review standard for demolition;
The architect report addresses each demolition standard. See below. **Affirmative finding.**

C. Where a case for economic hardship is claimed, an economic feasibility report prepared by an architect, developer, or appraiser, or other person experienced in the rehabilitation and adaptive reuse of historic structures that addresses:

There is no claim of economic hardship. **Not applicable.**

D. A redevelopment plan for the site, and a statement of the effect of the proposed redevelopment on the architectural and historical qualities of other structures and the character of the neighborhood around the sites;

The applicant has included a redevelopment plan which includes a two-story replacement garage. **Affirmative finding.**

and,

E. Elevations, drawings, plans, statements, and other materials which satisfy the submission requirements specified in Art. 3, for any replacement structure or structures to be erected or constructed pursuant to a development plan.

Photos of the existing garage and a site plan identifying the garage to be removed have been provided. The redevelopment plans include a site plan, elevation drawings, and floor plans.

Affirmative finding.

2. Standards for Review of Demolition.

Demolition of a historic structure shall only be approved by the DRB pursuant to the provisions of Art. 3, Part 5 for Conditional Use Review and in accordance with the following standards:

A. The structure proposed for demolition is structurally unsound despite ongoing efforts by the owner to properly maintain the structure;

The architect's report states that the garage has continued to deteriorate over the decades due to the lack of structural foundation and the building's direct contact with the grade. Areas of gravel have washed away and exposed the sill plates of the walls. Two corners of the building have no support and float above grade. There is visible water and moisture damage on sills, walls, and on the roof.

The report also states that the owners have attempted to repair the structure and garage door a number of times during their ownership (40 years). They have been unable to find the needed parts to fix the garage door in recent years. While not required for in-kind repairs/replacements, there is no evidence of zoning permits, or building permits for that matter, ever issued or sought for work on the garage, dating as far back as the 1960s. One receipt for roof repair materials has been provided by the applicant, indicating that some effort has been made to maintain the structure. **Affirmative finding.**

or,

B. The structure cannot be rehabilitated or reused on site as part of any economically beneficial use of the property in conformance with the intent and requirements of the underlying zoning district; and, the structure cannot be practicably moved to another site within the district;

Not applicable.

or,

C. The proposed redevelopment of the site will provide a substantial community-wide benefit that outweighs the historic or architectural significance of the building proposed for demolition.

Since the existing garage is tucked into the rear of the property and difficult to see, the amount of community-wide benefit that it provides is minor. The applicant believes that the space could be converted to rental housing for the neighborhood in the future, which would have community-wide benefit. Whether or not that will be possible is unknown at this time. However, the replacement garage will provide the same, plus additional, function to the property. **Affirmative finding.**

And all of the following:

D. The demolition and redevelopment proposal mitigates to the greatest extent practical any impact to the historical importance of other structures located on the property and adjacent properties;

The proposal will not have a negative impact to the existing historic home on the property. There are many other historically documented homes and garages in the immediate area as well, but again, the proposal will not create a negative impact on those. **Affirmative finding.**

E. All historically and architecturally important design, features, construction techniques, examples of craftsmanship and materials have been properly documented using the applicable standards of the Historic American Building Survey (HABS) and made available to historians, architectural historians and others interested in Burlington's architectural history;

If demolition is approved, photo documentation of the structure will be retained. **Affirmative finding.**

and,

F. The applicant has agreed to redevelop the site after demolition pursuant to an approved redevelopment plan which provides for a replacement structure(s).

(i) Such a plan shall be compatible with the historical integrity and enhances the architectural character of the immediate area, neighborhood, and district;

(ii) Such plans must include an acceptable timetable and guarantees which may include performance bonds/letters of credit for demolition and completion of the project; and,

(iii) The time between demolition and commencement of new construction generally shall not exceed six (6) months.

Work for the replacement garage will need to commence within 6 months from the time of the existing garage's demolition. The applicant notes that construction will commence immediately after demolition. **Affirmative finding as conditioned.**

This requirement may be waived if the applicant agrees to deed restrict the property to provide for open space or recreational uses where such a restriction constitutes a greater benefit to the community than the property's redevelopment.

Not applicable.

3. Deconstruction: Salvage and Reuse of Historic Building Materials.

The applicant shall be encouraged to sell or reclaim a structure and all historic building materials, or permit others to salvage them and to provide an opportunity for others to purchase or reclaim the building or its materials for future use. An applicant may be required to advertise the availability of the structure and materials for sale or salvage in a local newspaper on at least three (3) occasions prior to demolition.

If approved, the applicant is encouraged to offer the building for relocation; absent that, deconstruction using the safest method possible, minimizing exposure to lead paint and any other potential public safety issue shall be conducted. What material may be salvaged is encouraged for sale or reuse. **Affirmative finding as conditioned.**

Part 5: Performance Standards

Section 5.5.1 Nuisance Regulations

Nothing within the application suggests non-compliance with applicable nuisance regulations and performance standards per the requirement of the Burlington Code of Ordinances. **Affirmative finding.**

Section 5.5.2 Outdoor Lighting

The applicant proposes a downcast and shielded double spot light under the gable roof eave, and a ceiling mounted light under the deck at the entrance of the garage. Lighting fixture spec sheets have been provided which demonstrate compliance with these lighting standards. **Affirmative finding.**

Section 5.5.3 Stormwater and Erosion Control

If ground disturbance is 400 sf or more, an Erosion Prevention and Sediment Control (EPSC) Plan and stormwater plan will be required. The plans indicate a garage footprint of 333.75 sf. If any additional disturbance occurs during construction, an EPSC plan and stormwater plan will be required. **Affirmative finding as conditioned.**

Section 5.5.4 Tree Removal

The plans do not identify any trees to be removed. **Affirmative finding.**

Article 6: Development Review Standards

Part 1: Land Division Design Standards

No land division is proposed as part of this application. **Not applicable.**

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

There are no important natural features on the property. **Not applicable.**

(b) Topographical Alterations:

No topographical alterations are defined within the project application. **Not applicable.**

(c) Protection of Important Public Views:

There are no protected important views from or through this property. **Not applicable.**

(d) Protection of Important Cultural Resources:

Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Archeological sites likely to yield information important to the city's or the region's pre-history or history shall be evaluated, documented, and avoided whenever feasible. Where the proposed development involves sites listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8(b).

See Section 5.4.8, above. **Affirmative finding.**

(e) Supporting the Use of Renewable Energy Resources:

No part of this application precludes the use of wind, solar, water, geothermal or other renewable energy resource. **Affirmative finding.**

(f) Brownfield Sites:

This address is not listed on the Vermont DEC website for identified Brownfields. **Not applicable.**

(g) Provide for nature's events:

Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.

Design features which address the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage from circulation areas shall also be incorporated.

If ground disturbance is 400 sf or greater, the applicant will be required to submit an Erosion Prevention and Sediment Control Plan, and Stormwater Plan, for review and approval by the Stormwater engineering program. Their review and written approval will be a condition of any permit.

A second story deck is proposed above the garage entrance that will provide cover from the elements. **Affirmative finding as conditioned.**

(h) Building Location and Orientation:

The existing and replacement garage is located at the rear of the property, behind the single family residence. Given this location, it will be difficult to see from the street. No changes are proposed at the front of the property. **Affirmative finding.**

(i) Vehicular Access:

Access will remain as existing off Hungerford Terrace with the driveway extending to the garage. **Affirmative finding.**

(j) Pedestrian Access:

Pedestrian access between the garage and the home will remain as existing. **Affirmative finding.**

(k) Accessibility for the Handicapped:

The building inspector has jurisdiction over ADA requirements. Any special requirements will be identified during the building permit stage. **Affirmative finding.**

(l) Parking and Circulation:

The property will maintain 2 tandem parking spaces in the single width driveway/garage. **Affirmative finding.**

(m) Landscaping and Fences:

The plans do not indicate new fencing or landscaping. An existing chain link fence runs across the width of the property behind the garage, and a wood fence runs along the side property line, between the garage and neighboring property. Existing trees occupy the rear property line, and those have not been identified for removal. **Affirmative finding.**

(n) Public Plazas and Open Space:

There are no public plazas required. **Not applicable.**

(o) Outdoor Lighting:

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

Lighting spec sheets have been provided and they indicate compliance with Sec. 5.5.2, *Outdoor Lighting* above. **Affirmative finding.**

(p) Integrate infrastructure into the design:

Exterior storage areas, machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory structures shall utilize setbacks, plantings, enclosures and other mitigation or screening methods to minimize their auditory and visual impact on the public street and neighboring properties to the extent practicable.

Utility and service enclosures and screening shall be coordinated with the design of the principal building, and should be grouped in a service court away from public view. On-site utilities shall be placed underground whenever practicable. Trash and recycling bins and dumpsters shall be located, within preferably, or behind buildings, enclosed on all four (4) sides to prevent blowing trash, and screened from public view.

Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize, insofar as practicable, any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 4 Performance Standards.

The plans do not identify any exterior mechanical units and they should if any are proposed. **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 new garage will have a height of 15 ft, which is common for accessory structures in residential zones. **Affirmative finding.**

2. Roofs and Rooflines.

The new garage will have a gable roof, which is very common within the residential districts. **Affirmative finding.**

3. *Building Openings*

The front elevation will see a single garage door and man-door at the ground level, and a door accessing the upper deck. At the ground level, three windows line the north façade. The upper level will see three windows on both sides within the dormers, and one window on the rear elevation. There may be however, building limitations on windows in the south facing dormer since they will be so close to the property line. The building inspector will evaluate this at the building permit review stage. **Affirmative finding.**

(b) **Protection of Important Architectural Resources:**

Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Where the proposed development involves buildings listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8. The introduction of new buildings to a historic district listed on a state or national register of historic places shall make every effort to be compatible with nearby historic buildings.

See Section 5.4.8, above.

(c) **Protection of Important Public Views:**

There are no protected important views from this property. **Not applicable.**

(d) **Provide an active and inviting street edge:**

No changes are proposed at the front of the property, nor on the principal, single family residence. **Not applicable.**

(e) **Quality of materials:**

All development shall maximize the use of highly durable building materials that extend the life cycle of the building, and reduce maintenance, waste, and environmental impacts. Such materials are particularly important in certain highly trafficked locations such as along major streets, sidewalks, loading areas, and driveways. Efforts to incorporate the use of recycled content materials and building materials and products that are extracted and/or manufactured within the region are highly encouraged.

The new garage will be sided with wooden lap siding. Double-hung wood windows are proposed. The garage door will be galvanized steel with a woodgrain finish. Specs on the man doors have not been submitted and need to be. Asphalt shingles will be used for roofing material. The deck will be a composite material, with wood railings and metal balusters. **Affirmative finding as conditioned.**

(f) **Reduce energy utilization:**

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. **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 Section 6.2.2. (p), above.

(i) Make spaces secure and safe:

Redevelopment is subject to all applicable building and life safety codes as defined by the Burlington's Building Inspector and the Fire Marshal. **Affirmative finding as conditioned.**

Article 8: Parking

Table 8.1.8-1 Minimum Off-Street Parking Requirements

The Neighborhood Parking District requires 2 parking spaces for single family residences. The property has two tandem parking spaces in the driveway. With the replacement garage and existing driveway, sufficient parking will remain. **Affirmative finding.**

II. Conditions of Approval

1. **Prior to the release of the zoning permit**, the application shall be updated to include the following, subject to staff approval:
 - the location of any new mechanical units, utilities, etc. on the plans;
 - manufacturer's spec sheets for the man doors and composite decking.
2. **Prior to the release of the zoning permit**, the applicant shall provide a final determination as to the amount of ground disturbance that will occur. If it is 400 sf or greater, then an Erosion Prevention and Sediment Control plan and Stormwater plan shall be submitted to the Stormwater Program Manager for review and approval.
3. **Prior to the release of the zoning permit**, the applicant shall provide to staff a plan detailing an acceptable timetable for demolition and completion of the project, subject to staff review and approval. At a minimum, construction of the replacement garage shall commence within 6 months from the time of the existing garage's demolition.
4. Standard construction hours are 7:00 AM to 5:30 PM, Monday – Friday. Saturday construction hours may be allowed upon request to the Development Review Board. No work on Sunday.
5. The applicant is encouraged to offer the building for relocation; absent that, demolition shall be conducted using the safest method possible, minimizing exposure to lead paint and any other potential public safety issue. What material may be salvaged is encouraged for sale or reuse. It is the applicant's responsibility to contact the VT Dept. of Health regarding lead and asbestos prior to demolition.
6. Should the applicant wish to alter the use of the property or structures, such alterations will require review and permitting under regulations in effect at that time.
7. The applicant/property owner is responsible for obtaining all necessary Zoning Permits and Building Permits through the Department of Public Works as well as other permit(s) as may be required, and shall meet all energy efficiency codes of the city and state as required.

8. 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.
9. Standard Permit Conditions 1-15.