

Department of Permitting and Inspections

Zoning Division

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MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: May 2, 2023
RE: ZAP-23-3; 25 Oakledge

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: ZAP-23-3

Location: 25 Oakledge

Zone: RL-W **Ward:** 5S

Parking District: Neighborhood

Date application accepted: March 30, 2023

Applicant/ Owner: Ellie Tretola (Trudell Consulting Engineers / Nate Carr, Churchill Landscaping / 25 Oakledge Drive Realty, LLC; Marisha Taylor

Request: Appeal of an administrative denial of ZP-23-52; Driveway layout modification to accommodate parking for residence.

Background:

- **Zoning Permit 21-0340CA;** bury powerlines along private road and install/replace lighting fixtures. October 2020.
- **Zoning Permit 18-0535CA / ZP17-819 OG;** adding skylights, replacing roof over front entry, replacing windows into the shed. December 2017.
- **Zoning Permit 16-1361CA / 16-401 OG;** addition of one window. June 2016.
- **Zoning Permit 16-1285CA;** install exterior access stairway with associated landscaping. May 2016.
- **Zoning Permit 14-1116AW / ZP14-315 OG;** install mechanized retractable awning over deck area. June 2014.
- **Zoning Permit 12-1257CA;** finish existing empty space above mudroom. Interior work only. July 2012.
- **Zoning Permit 12-1068CA;** expand existing deck and install permanent stairs. May 2012.
- **Zoning Permit 12-0142CA;** construct addition for enclosed swimming pool. September 2011.

- **Zoning Permit 10-0204CA**; Lot Line Adjustment with 0 Oakledge (Lot 11). September 2009.
- **Zoning Permit 09-571CA**; combine lots 16.5 and 17 into one lot, consisting of 3.2 acres. March 2009.
- **Zoning Permit 08-662CA**; 24' x 27' heated addition with 5' connector at south elevation. April 2008.
- **Zoning Permit 06-781CA**; construct 7 x 16' connector between potting shed and main house. Construct 4' wide addition to potting shed, install windows, and convert to studio. Add 13' x 16' to existing garden shed. June 2006.
- **Zoning Permit 04-593**; replace existing windows with larger windows. May 2004.
- **Zoning Permit 02-382**; Lot line adjustment for Lot 17- Oakledge Manor. March 2002.

Overview: 25 Oakledge is an existing single family home. The applicant requested alteration of the existing, three pronged driveway, replacing it with an arched access drive with a parking area in front (east) of the home. Staff met with the applicant February 21, 2023 to discuss options. No further revisions were made to the plan.

The application was denied March 22, 2023 based on non-conformity to Front Yard Parking prohibitions. The appeal was filed March 30, 2023, and is therefore timely.

Recommended motion: Deny appeal and uphold administrative denial, per the following Findings:

I. Findings

Article 4: Zoning Maps and Districts

Article 4.4.5 Residential Districts

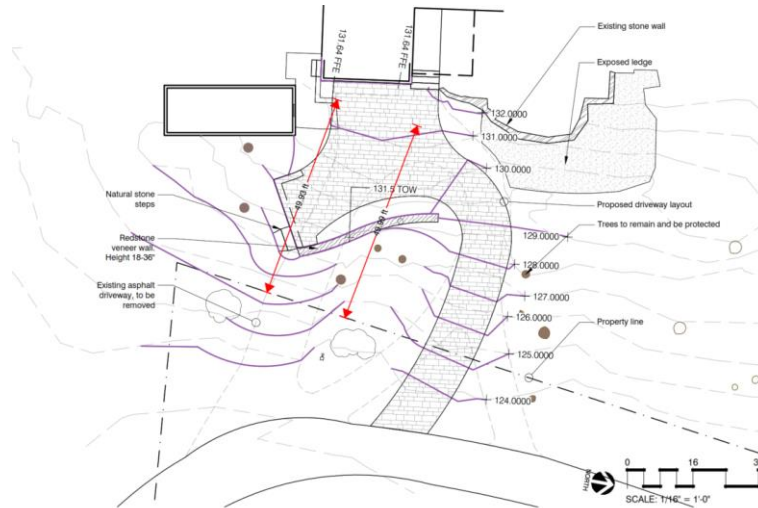
(a) Purpose:

*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 the 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.*

The proposed revisions to the access drive at 25 Oakledge Road place a parking area immediately in front of the residential structure, outside of the driveway. Parking is required to be behind, within or to the side of structures. **Adverse finding.**

Table 4.4.5-3 Residential District Dimensional Standards

Footnote 7: For properties in the WRL and WRM zones with frontage along Lake Champlain or the Winooski River, the front yard setback shall not be required to exceed 50' in any event. The calculated front yard setback of 50', based on the submitted driveway plan:



The proposed parking area is within the required Front Yard Setback. See Section 8.1.12 (b), below. **Adverse finding.**

Article 6: Development Review Standards

Section 6.2.2 Review Standards

(1) Parking and Circulation:

To the extent possible, parking should be **placed at the side or rear** of the lot and screened from view from surrounding properties and adjacent public rights of ways.

The driveway layout includes a parking area in front of the principal structure; in conflict with this standard. It is entirely possible to organize the new drive access without the front yard parking area, even if only by retaining the current southerly access lane. **Adverse finding.**



Submitted existing conditions site plan. Note multi-path driveway.

Article 8: Parking

Section 8.1.12 Limitations, Location, Use of Facilities:

(b) Front Yard Parking Restricted and Residential Driveways:

*Parking spaces in all residential zoning districts shall be located to the **side or rear** of the principal residential structure. **Parking spaces shall not be located within a front yard setback except within a driveway and located to the side or rear** of the principal structure.*

As proposed, the reconfigured driveway introduces parking space(s) within the Front Yard Setback (see illustration above), and in front of the residential structure; contradictory to the standard of Section 8.1.12 (b). **Adverse finding.**

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