

Department of Permitting and Inspections

Zoning Division

645 Pine Street

Burlington, VT 05401

<http://www.burlingtonvt.gov/PZ/>

Telephone: (802) 865-7188

(802) 865-7195 (FAX)

William Ward, Director
Theodore Miles, Code Compliance Officer
Charlene Orton, Permitting and Inspections Administrator
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Vacant, Planning Technician
Alison Davis, Zoning Clerk



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: August 3, 2021
RE: ZP21-412 OG 141 Starr Farm Road

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: ZP21-412 OG
Zone: RL **Ward:** 4N
Date application accepted: May 12, 2021
(incomplete)
Applicant/ Owner: Kyle Haggerty
(contractor)
Request: Demolish existing single family home and replace with new home and garage.

Background:

- **Zoning Permit 21-0368CA;** add shed to lot. October 2020.
- **Zoning Permit 17-1300CA;** garage removal and gravel driveway extension. August 2017.
- **Non-Applicability of Zoning Permit Requirements,** handicapped access ramp on front of house. September 2003.

Overview: The application to demolish an existing single family home and replace with a new home requires DRB review as the parcel is non-conforming to dimensional requirements, i.e. frontage < 60 (55.87').

Applicable Regulations: Article 2 (Administrative Mechanisms), Article 4 (Zoning Maps and Districts), Article 5 (Citywide General Standards), Article 6 (Development Review Standards), and Article 8 (Parking.)

Recommended motion: Consent approval, per the following Findings and conditions:

I. Findings

The programs and services of the City of Burlington are accessible to people with disabilities. For accessibility information call 865-7188 (for TTY users 865-7142).



Article 2: Administrative Mechanisms

Section 2.7.8 Withhold Permit

Per this standard, the applicant is required to remedy all violations and close out all zoning permits issued after July 13, 1989 prior to issuance of a Certificate of Occupancy for this permit. See attached list for guidance on open permits/violations. **Affirmative finding as conditioned.**

Article 4: Zoning Maps and Districts

Section 4.4.5

(a) 1. Residential Low Density (RL) district *is intended primarily for low-density residential development in the form of single detached dwellings and duplexes.*

A single detached dwelling is proposed. **Affirmative finding.**

(a) Dimensional Standards and Density

Table 4.4.5-1 Minimum Lot Size and Frontage

While 141 Starr Farm Road meets a minimum lot size of 6,000 sf. (11,948 sf), it does not meet the minimum frontage requirement of 60' (55.87' by recorded plat.) This is a pre-existing non-conforming developed lot. As such, it may be redeveloped. **Affirmative finding.**

Table 4.4.5-2 Base Residential Density

Low Density: RL 7 units/acre. Proposed units: 1 / (11,948 lot size / 43560 acre) or .274 acres x 7 units/acres = 1.92 units. The proposal complies with base residential density of the zoning district. **Affirmative finding.**

Table 4.4.5-3 Residential District Dimensional Standards

Zoning District	Max. Lot Coverage ¹	Setbacks ^{1, 3, 4, 5, 6}			
		Front	Side	Rear	
RL; WRL	35%	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:	Min: 25% of lot depth but in no event less than 20' Max required: 75-feet	Height: 35-feet
141 Starr Farm Road as proposed	24.77%	34' (2 abutting neighbors are 38'; proposed setback within 5' variable)	8' on the west, 6' on the east (garage setback), >10% lot width)	140'7" (> (25% lot depth, or 50'75')	28' to the ridgeline; <35' maximum.

Affirmative finding.

(b) Permitted and Conditional Uses

A single family detached dwelling is a permitted use in the RL zoning district. **Affirmative finding.**

(c) District Specific Regulations

1. *Setbacks*

No setback encroachments are proposed or sought. Not applicable.

2. *Height*

No height exception is proposed or sought. Not applicable.

3. *Lot Coverage*

No exceptions to lot coverage are included or sought. Not applicable.

4. *Accessory Residential Structures and Uses*

The garage is detached, and is subject to applicable standards of Section 6.2.2. (h), below.

5. *Residential Density*

The occupancy of the dwelling unit is limited to members of a family as defined in Article 13. Any divergence from the limitations of functional family and occupancy of more than four unrelated adults is subject to Conditional Use Review and approval by the DRB.

Affirmative finding as conditioned.

6. *Uses*

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

7. *Residential Development Bonuses*

No development bonuses are included or sought. Not applicable.

Article 5: Citywide General Standards

Section 5.2.3 Lot Coverage Requirements

See Table 4.4.5-3, above.

Section 5.2.4 Buildable Area Calculation

The parcel is not greater than 2 acres. Not applicable.

Section 5.2.5 Setbacks

See Table 4.4.5-3, above.

Section 5.2.6 Building Height Limits

See Table 4.4.5-3, above.

Section 5.2.7 Density and Intensity of Development Calculations

See Section 4.4.5-2, above. **Affirmative finding.**

Section 5.4.9 Brownfield Remediation

Not applicable.

Section 5.5.1 Nuisance Regulations

None identified. **Affirmative finding.**

Section 5.5.2 Outdoor Lighting

Specification information indicates residential scale and illumination level lighting fixtures.

Affirmative finding.

Section 5.5.3 Stormwater and Erosion Control

An Erosion Prevention and Sediment Control plan has been prepared and submitted for review by the Stormwater Engineering team. Approval is conditioned upon approval by that division.

Affirmative finding as conditioned.

Article 6: Development Review Standards

Part 1: Land Division Design Standards

Not applicable.

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

This is a deep treed lot. The replacement home is located in the same location as the present house. No significant natural features have been identified to be lost. **Affirmative finding.**

(b) Topographical Alterations:

There are no notable topographic alterations proposed; the site is flat. **Affirmative finding.**

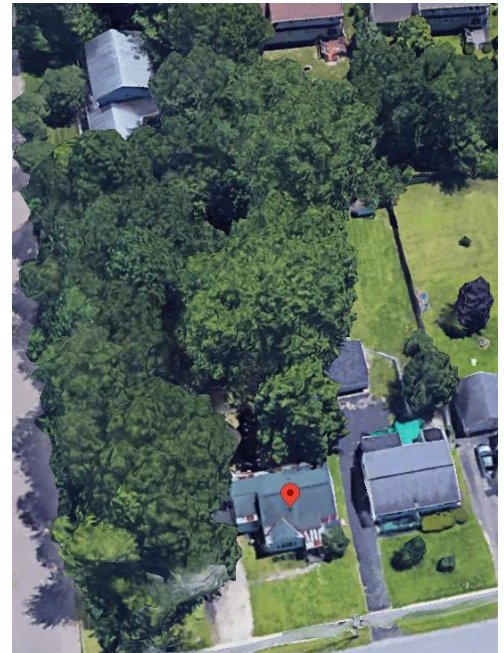
(c) Protection of Important Public Views:

There are no protected public views from this site. 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).

There are no historic structures or sites on this parcel. Not applicable.



(e) Supporting the Use of Renewable Energy Resources:

There is nothing within the application to preclude the use of wind, water, geothermal, solar or other alternative energies. **Affirmative finding.**

(f) Brownfield Sites:

None identified. 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.

A Craftsman-inspired Bungalow is proposed, with a centralized entrance under a porch with battered columns. The rear, paired sliding doors are similarly under a protective porch.

Affirmative finding as conditioned.



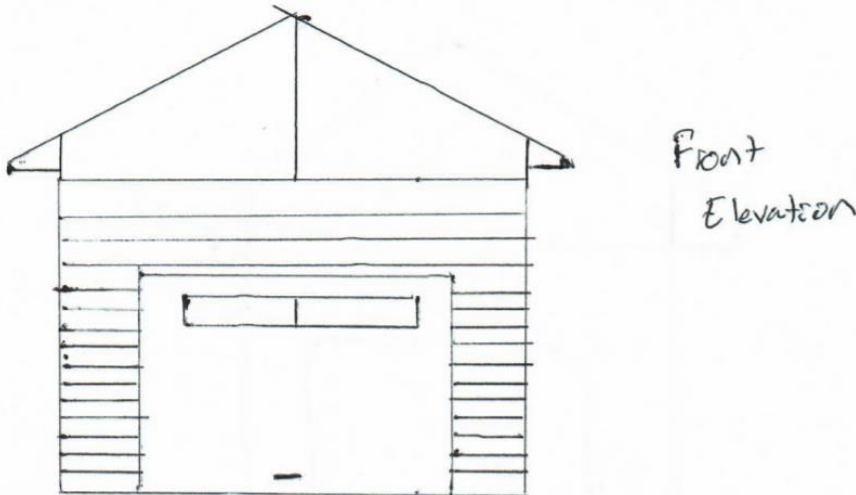
(h) Building Location and Orientation:

The building is a gable front orientation to the public street, referencing a typical residential orientation. The building front is aligned with the front façade of neighboring buildings, reinforcing the street edge.

The primary pedestrian entrance offers a clear and welcoming entrance from the street. This standard states: *Principal buildings shall have their main entrance facing and clearly identifiable from the public street.*

The street facing garage wall is set back behind the front plane of the house, exceeding the minimum 25' setback.

A single bay, detached garage is proposed. **Affirmative finding.**



(i) Vehicular Access:

The existing vehicular access will be retained, directly from Starr Farm Road. The driveway is proposed to meet the 18' limitation for residential driveways. The driveway and parking area are required to meet a minimum 5' side yard setback. **Affirmative finding as conditioned.**



(j) Pedestrian Access:

The plan has been revised to include a walkway between the front entrance and the public sidewalk. **Affirmative finding.**

(k) Accessibility for the Handicapped:

This is not a requirement for a single family home, but encouraged. Vermont "visibility" standards may apply. **Affirmative finding.**

(l) Parking and Circulation:

For a single family residence, 2 parking spaces will be required. The application proposes a single bay garage, and a driveway that will accommodate a second, tandem parking space. **Affirmative finding.**

(m) Landscaping and Fences:

No landscaping plan has been provided; however the replacement home is situated in the same location on the lot as the existing house. A landscaping plan shall be submitted for staff review and approval prior to release of the zoning permit. **Affirmative finding as conditioned.**

(n) Public Plazas and Open Space:

None are required from this private parcel. Not applicable.

(o) Outdoor Lighting:

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

See Section 5.5.2, above.

(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.

New utility lines must be buried. A ground mounted condensing unit is illustrated on the west side of the house. Screening shall be required.. Trash and recycling are likely located within the garage. **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:

In low and medium density residential districts, the height and massing of existing residential buildings are the most important consideration when evaluating the compatibility of additions and infill development.

The proposed new structure will be limited in width by the narrow-ish lot. The proposed 1 ½ story gable front structure is consistent in massing, height and scale with neighboring residential properties.

Buildings should maintain consistent massing and perceived building height at the street level, regardless of the overall bulk or height of the building. Buildings should maintain a relationship to the human scale through the use of architectural elements, variations of proportions and materials, and surface articulations. Large expanses of undifferentiated building wall along the public street or sidewalk shall be avoided. The apparent mass and scale of buildings shall be broken into smaller parts by articulating separate volumes reflecting existing patterns in the streetscape, and should be proportioned to appear more vertical than horizontal in order to avoid monotonous repetition.

The proposed replacement structure is similar in massing and height to the existing homes to the west of it, all platted in a plan by John Colaceci in 1940 and constructed in the same time frame. There is interest provided in the materials detailing, the eave line roof brackets, 3/1 fenestration pattern, and the plane modulation introduced by porches, dormers, eave lines and brackets.

Affirmative finding.

2. Roofs and Rooflines.

The project location is within a neighborhood of traditional domestic style architecture featuring eaves front ranch and Cape style homes, some with more complex dormered and shed porch roofs. The proposed gable with dormers is in sync with the neighborhood aesthetic. **Affirmative finding.**

3. Building Openings

Windows are rhythmically placed and consistent in size within the building volume. Some 2nd story casement windows are proposed on the west elevation, and although dissimilar from the proposed 3/1, are not likely to be visible from the public way. **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.

Not applicable.

(c) Protection of Important Public Views:

Not applicable.

(d) Provide an active and inviting street edge:

The proposed replacement home offers design interest and will be an attractive addition to the streetscape. **Affirmative finding.**

(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.

Vinyl siding and asphalt shingles are proposed; considered of acceptable durability for new construction. **Affirmative finding.**

(f) Reduce energy utilization:

All new construction is required to 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. (l), above.

(i) Make spaces secure and safe:

The proposed building must comply with all building and life safety code as defined by the building inspector and fire marshal. **Affirmative finding as conditioned.**

Article 8: Parking

Per Table 8.1.8-1, single family dwellings require 2 parking spaces in the Neighborhood Parking District. The single bay garage and driveway will provide all required parking for the use.

Affirmative finding.

II. Conditions of Approval

1. Screening shall be required for the condensing unit. This may be included in a more robust landscaping plan, subject to staff review and approval.
2. **Prior to release of the zoning permit** the EPSC and Stormwater Plan will require approval of the stormwater engineering division.
3. Driveway width is limited to 18’.
4. Electric service will be undergrounded.
5. Hours of construction are limited to Monday-Friday 7:30 am to 5:30 pm; Saturday construction hours are limited to interior work unless specific allowances are granted by the DRB. Construction is not permitted on Sundays.
6. The property will be subject to limitations of the Functional Family provisions of the ordinance. Not more than four unrelated adults may occupy the residential unit.
7. Standard Permit Conditions 1-15.

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