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MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Senior Planner *monie*
Date: August 19, 2014
RE: ZP 14-1300CA/CU 85 Lakeview 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 14-1300CA/CU

Location: 85 Lakeview Terrace

Zone: RM **Ward:** 7

Date application accepted: June 25, 2014

Applicant/ Owner: William Schebaum/Jovial King

Estimated Construction Cost: \$300,000

Request: Construction of a 2 story addition to existing single family home; remove existing shed and construct new accessory structure for accessory dwelling unit and storage.

Background:

- **Zoning Permit 08-267CA;** Enclose existing front porch and replace two attic windows at gable ends. **Denied**, January 2008.
- **Zoning Permit** to erect a 14' x 16' open deck and railing on the rear of existing house; demolish existing porch except the roof. Approved April 1975.

Overview: 85 Lakeview Terrace is a single family home with a small accessory building/shed. The owners wish to build a rear addition; demolish the shed and construct an accessory building to be used for an Accessory Dwelling Unit. Parking will be reconfigured to meet the requirements of the ordinance. Conditional Use Review is required for the construction of a new building to house an Accessory Dwelling Unit.

The **Design Advisory Board** reviewed the application at their July 8, 2014 meeting. The board voted unanimously to recommend approval, with the following recommendations:

1. Amend the site plan to include a walkway from the primary unit and to add landscaping.
2. Apply for and obtain a fence permit along with the current application.
3. Address inclusion of trash and recycling in the shed.



4. Meet all staff recommendations except for reversal of the south entrance.

Recommendation: Approval, per the following findings and conditions:

I. Findings

Article 3: Applications, Permits and Project Reviews

Part 3: Impact Fees

Section 3.3.2 Applicability

Any new development or additions to existing buildings which result in new dwelling units or in any new non-residential buildings square footage are subject to impact fees as is any change of use which results in an added impact according to Sec. 3.3.4.

As Accessory Dwelling Units are not considered under review of density or intensity of use (See Sec. 5.4.5), Impact Fees are not assessed.

Not applicable.

Part 5: Conditional Use and Major Impact Review (for new accessory structure to house an accessory apartment, as required by Section 5.4.5 (b)):

Section 3.5.6 (a) Conditional Use Review Standards

1. The capacity of existing or planned community facilities;

The inclusion of a 320 sq. ft. accessory apartment will have negligible impact on existing community facilities. **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;

This is a medium density residential district. A small residential unit appurtenant to the principle dwelling is consistent with, and not uncommon within this neighborhood. **Affirmative finding.**

3. Traffic on roads and highways in the vicinity evaluated in terms of increased demand for parking, travel during peak commuter hours, safety, contributing to congestion, as opposed to complementing the flow of traffic and/or parking needs; if not in a commercial district, the impact of customer traffic and deliveries must be evaluated;

No commercial truck traffic or customer deliveries are expected. The site can accommodate the new parking space required by Section 5.4.5. **Affirmative Finding.**

4. Any standards or factors set forth in existing City bylaws and city and state ordinances;

State statute provides for accessory apartments. Appropriate approvals have been secured for water and sewer capacity [letter rec'd June 12, 2014], as well as EPSC and Stormwater management review [July 15, 2014] as required by Chapter 26. **Affirmative finding.**

5. The utilization of renewable energy resources;

No part of this application will prohibit the use of water, wind, solar, geothermal, or other alternative or renewable energy sources. All new construction will be required to meet the energy efficiency standards as defined by Burlington Electric. **Affirmative finding.**

and,

In addition to the General Standards specified above, the DRB;

- 6. shall consider the cumulative impact of the proposed use. For purposes of residential construction, if an area is zoned for housing and a lot can accommodate the density, the cumulative impact of housing shall be considered negligible;*

The subject property is located in the RM zone where residential use is permitted. For purposes of this section, the impact may be considered negligible. **Affirmative finding.**

- 7. in considering a request relating to a greater number of unrelated individuals residing in a dwelling unit within the RL, RL-W, RM and RM-W districts than is allowed as a permitted use, in addition to the criteria set forth in Subsection (a) hereof, no conditional use permit may be granted unless all facilities within the dwelling unit, including bathroom and kitchen facilities are accessible to the occupants without passing through any bedroom. Additionally, each room proposed to be occupied as a bedroom must contain at least one hundred twenty (120) square feet. There must also be a parking area located on the premises at a location other than the front yard containing a minimum of one hundred eighty (180) square feet for each proposed adult of the dwelling unit in excess of the number of occupants allowed as a permitted use. All other green space standards must be observed.*

The Functional Family provision of the ordinance will be applicable in this project. Not more than 4 unrelated adults may occupy the principle residence; not more than 2 adults in the accessory apartment per Section 5.4.5. **Affirmative finding as conditioned.**

- 8. may control the location and number of vehicular access points to the property, including the erection of parking barriers.*

The existing curb cut will be utilized to access a revised parking area to accommodate the required 3 parking spaces. **Affirmative finding.**

- 9. may limit the number, location and size of signs.*

No signs are included within the submission material. Not applicable.

- 10. may require suitable mitigation measures, including landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area.*

The Design Advisory Board has recommended that a fence be included within the plan, and illustrated on a revised site plan. These are illustrated on revised plans received August 5, 2014 and August 8, 2014. No neighborhood impact is anticipated to the west, as the property abuts the steep embankment facing toward the lake where there are no residences. **Affirmative finding as conditioned.**

- 11. may specify a time limit for construction, alteration or enlargement of a structure to house a conditional use.*

The zoning permit is valid for 2 years; 1 year to start construction and another to finish. No additional time is being sought by the applicant. **Affirmative finding.**

- 12. may specify hours of operation and/or construction to reduce the impact on surrounding properties.*

Typical construction hours are 7:30 am – 5:30 pm Monday through Friday, with Saturday construction hours limited to interior work. These may be adjusted by the Development Review Board if specifically requested by the applicant. **Affirmative finding as conditioned.**

13. *may require 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 alterations will require additional permit review in accordance with the regulations in effect at that time. **Affirmative finding as conditioned.**

14. *may consider performance standards, should the proposed use merit such review.*

An Erosion Prevention and Sediment Control Plan has been approved by the City Stormwater Administrator. Any other performance standards may be considered, and implemented by the DRB. **Affirmative finding.**

15. *may attach such additional reasonable conditions and safeguards, as it may deem necessary to implement the purposes of this chapter and the zoning regulations.*

This is at the discretion of the DRB.

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts

Table 4.4.5-3 Residential District Dimensional Standards

RM zoning district	Maximum Lot Coverage 40% (10% bonus provision)	Setbacks				Maximum Height 35'
		Front Ave. of 2 adjacent lots on both sides +/- 5'	Side 10% lot width, or ave. of side yard setback of 2 adjacent lots on both sides	Rear 25% of lot depth, not less than 20'	Waterfront 75' from ordinary high water mark of Lake Champlain and the Winooski River	
85 Lakeview	35.3% existing 42% proposed (358 sf meets open amenity provision, allowing an extra 10% coverage per setbacks per Sec. 4.4.5 (d) 3. A.	n/c	New development meets required 5' minimum setback on both north and south boundary lines. Walkways are permitted to encroach into setback per Sec. 5.2.5. (b).	Structures are compliant. Patio may encroach with a minimum of 5' setback from property boundary line.	Compliant	No change.

Affirmative finding.

Section 4.4.5 (d) 4. Accessory Residential Structures and Uses

An accessory structure and/or use as provided under Sec. 5.1.12 and 5.1.2 customarily incidental and subordinate to a principal residential use, including but not limited to private garages, carriage houses, barns, storage sheds, tennis courts, swimming pools, cabanas for swimming pools and detached fireplaces may be permitted as follows:

A. Accessory Structures shall meet the dimensional requirement set forth in the district in which they are located pursuant to Sec. 4.4.5(b) of this Article and related requirements in Art 5, Part 2;

See table, above. **Affirmative finding.**

B. Any accessory structure that is seventy-five percent (75%) or greater of the ground floor area of the principle structure shall be subject to the site plan and design review provisions of Art. 3, Part 4 and the applicable standards of Art 6;

Existing ground floor area of principle structure is 768. 75% of 768 = 573.75. The new ADU and storage area combined are 428 sq. ft., or less than 75% of the ground floor area of the principle structure. Not applicable.

C. Private garages shall be limited to as many stalls as there are bedrooms in the dwelling to which it is accessory, provided that the ground floor area is less than seventy-five percent (75%) of the ground floor area of the principle structure;

Does not include the creation of a garage or stalls. Not applicable.

D. The outdoor overnight storage of commercial vehicles not otherwise associated with an approved home occupation or made available for the exclusive use of the residential occupants, or the outdoor storage of more than one unregistered vehicle, shall be prohibited. Any and all vehicles shall be stored in an approved parking space;

Not applicable.

and,

E. Accessory structures such as doghouses, doll houses, or tree houses that are less than or equal to a total of sixteen (16) square feet in area shall not require a zoning permit.

Not applicable.

F. Uncovered play structures, seasonal skating rinks, raised planting beds shall not require a zoning permit.

G. Not applicable.

Affirmative finding.

Article 5: Citywide General Regulations

Part 1: Uses and Structures

(g) Accessory Uses

1. Accessory Dwelling Units. Accessory dwelling units as mandated by 24 VSA 4412 (1) (E) shall be regulated as set forth in Section 5.4.5 hereof.

See Section 5.4.5, below.

Section 5.1.2 Structures

(d) Accessory Residential Structures:

An accessory structure customarily incidental and subordinate to a principal residential use shall also be governed by the provisions of Sec. 4.4.5 (d) 4.

See above.

Section 5.2.5 Lot Coverage Requirements

See Table 4.4.5-3, above.

Section 5.2.4 Buildable Area Calculation

Not applicable.

Section 5.2.5 Setbacks

See 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

An accessory unit is not counted as a dwelling unit for the purposes of density calculation, per Section 5.4.5, below. In that manner, the use/intensity of use remains the same.

Functional Family provisions will continue to apply, however, and the ADU has a maximum occupancy of 2 adults, per Section 5.4.5. **Affirmative finding as conditioned.**

Part 4: Special Use Regulations

Section 5.4.5 Accessory Dwelling Units

(a) Accessory Units, General Standards/Permitted Uses

Where there is a primary structure on a lot which exists as an owner-occupied single family residence, one accessory dwelling unit, that is located within or appurtenant to such single family dwelling, shall be allowed as a permitted use if the provisions of this subsection are met. An accessory dwelling unit means an efficiency or one bedroom apartment that is clearly subordinate to the primary dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation. No accessory unit shall be inhabited by more than 2 adult occupants. An accessory unit shall not be counted as a dwelling unit for the purposes of density calculation. Additionally, there must be compliance with all the following:

1. The property has sufficient wastewater capacity as certified by the department of public works;

A capacity letter was issued for the proposed development and new accessory dwelling unit June 12, 2014. **Affirmative finding.**

2. The unit does not consist of more than 30 percent of the total habitable floor area of the building, inclusive of the accessory dwelling unit;

The new ACU is 320 sq. ft, or 28.46% of the new gross floor area of 1124 sq. ft. (house 740 + new 384 sq. ft.= 1124 sq. ft.) **Affirmative finding.**

3. Applicable setback and coverage requirements are met;

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

4. One additional parking space which may be legally allocated to the accessory unit must be provided for the accessory unit;

One additional parking space has been included on the site plan. **Affirmative finding.**

and,

5. *A deed or instrument for the property shall be entered into the land records by the owner containing a reference to the permit granting the accessory unit prior to the issuance of the certificate of occupancy for the unit. Such reference shall identify the permit number and note that the property is subject to the permit and its terms and conditions including owner occupancy. No certificate of occupancy shall be issued for the unit unless the owner has recorded such a notice.*

Affirmative finding as conditioned.

(b) Conditional Use Approval for Accessory Units:

If any of the following are also proposed, conditional use approval, as well as development review provisions of Article 6 shall be required:

1. *A new accessory structure;*
2. *An increase in the height or habitable floor area of the existing dwelling;*
3. *An increase in the dimensions of any parking area;*

The request to construct a new structure for the accessory dwelling unit spurs the Conditional Use review. See Section 3.5.6. (a), above.

(c) Discontinuance of Accessory Units:

Approval of an accessory dwelling unit is contingent on owner occupancy of the single-family dwelling unit as a primary residence. For purposes of this section, owner occupancy means that, after the creation of the accessory unit all individuals listed on the deed for the property must reside in the primary unit or in the accessory unit. If either the primary unit or the accessory unit is no longer owner occupied as a primary residence, the approval for the accessory dwelling unit is void and the kitchen of the accessory dwelling unit must be removed within 90 days with the entirety of the property being occupied as a single unit. When an accessory unit that is the result of additional square footage and/or a new accessory structure is proposed to be removed, revised floor plans and a revised site plan shall be required to be submitted for review and approval. Furthermore, where additional square footage is added to a single family home for purposes of creating an accessory unit and the accessory unit is at any point discontinued, none of the additional square footage shall be eligible for the purposes of increasing the number of unrelated adults that may be allowed to inhabit the property.

Affirmative finding as conditioned.

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.

As such, a building or site may be found to be eligible for listing on the state or national register of historic places and subject to the provisions of this section if all of the following conditions are present:

1. *The building is 50 years old or older;*

2. *The building or site is deemed to possess significance in illustrating or interpreting the heritage of the City, state or nation in history, architecture, archeology, technology and culture because one or more of the following conditions is present:*
 - A. *Association with events that have made a significant contribution to the broad patterns of history; or,*
 - B. *Association with the lives of persons significant in the past; or,*
 - C. *Embodiment of distinctive characteristics of a type, period, or method of construction, or representation of the work of a master, or possession of high artistic values, or representation of a significant or distinguishable entity whose components may lack individual distinction; or,*
 - D. *Maintenance of an exceptionally high degree of integrity, original site orientation and virtually all character defining elements intact; or,*
 - E. *Yielding, or may be likely to yield, information important to prehistory; and,*
3. *The building or site possess a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association*

85 Lakeview Terrace, including the shed/garage, are listed on the Vermont State Register of Historic Resources (see attached information.)

(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 residential use of the property is proposed to be continued. **Affirmative finding.**

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.*

Any alteration on the primary structure is restricted to the rear, and will have minimal impact on the structure (particularly as can be viewed from the public ROW.) The existing shed/garage is proposed to be replaced with a new accessory structure, which will clearly be new construction. In location, the new building continues the building arrangement on the lot. The new structure will look like a shed/storage building from the street. **Affirmative finding.**

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 features are proposed. The new structure will clearly look new. **Affirmative finding.**

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

Not applicable.

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

Not applicable.

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 shed/garage is not proposed to be replaced due to deterioration, but to provide another housing unit of safe, durable and structurally sound construction. The rear addition on the primary structure is to enhance the livability and enjoyment of the home, and is entirely consistent with residential building evolution. **Affirmative finding.**

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.*

Not applicable.

8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

There are no known archaeologically sensitive areas on this parcel. Not applicable.

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 new work will clearly be differentiated from the old, yet compatible with the historic character of the original. The introduction of new materials will provide a counterpoint to the existing clapboard/wood frame construction. Several successful examples are extant on the Lakeview Terrace streetscape. **Affirmative finding.**

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.*

It would be possible to remove the rear addition at 85 Lakeview with easy reversal to the existing structure.

The new accessory structure could be removed from the site without notable damage to site features or arrangement; however the demolition of the shed can be considered irreversible. In an assessment of the greater public value, it may be determined that providing an additional unit of housing accessory to an existing single family home is a greater benefit to the community and property owner than a deteriorated storage shed. **Affirmative finding.**

(c) Demolition by Neglect:

Not applicable.

(d) Demolition of Historic Buildings:

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;

B. A statement addressing compliance with each applicable review standard for demolition;

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:

(i) the estimated market value of the property on which the structure lies, both before and after demolition or removal; and,

(ii) the feasibility of rehabilitation or reuse of the structure proposed for demolition or partial demolition;

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; 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.

A request to remove an existing shed/storage building does not rise to the requirement for engineering or architectural reporting. New development plans, including elevations, have been submitted. The replacement of the accessory structure with a new structure that will provide clean, safe, sound and attractive living space may be interpreted as a greater advantage to the city.

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; 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; 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.

See above.

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 removal of a small storage building will have a negligible impact on the historic importance of other residential structures on adjacent properties. **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;

The proposed loss of this building does not rise to HABS/HAER documentation standards. Submitted photographs of the building will remain in the zoning file as documentation of the building. **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.

The applicant intends to redevelop the site in a manner that is consistent with other previously approved residential development on this street. **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.

In previous, similar permit review, the DRB has given a measured assessment of structural merit based on the prominence, integrity, function, and condition of individual structures. (See 107 Ledge Road, demolition of garage, ZP 13-0768.)

The existing accessory structure at 85 Lakeview Terrace is important for its association to the primary residential building, but may be interpreted for its very purpose; as a small structure intended for storage. Its replacement would provide a greater public benefit than the existing wood frame building, which should be photo documented for inclusion in the zoning record. The building's marginal importance does not merit documentation per HABS or HAER standards, which are reserved for structures of national significance and federally listed on the National Register of Historic Resources. The existing shed is not.

The application has not included an engineer's report; however an architectural designer has provided replacement plans for the new building (redevelopment plans required per these standards.) This may be deemed sufficient for the proposal. **Affirmative finding as conditioned.**

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 any building materials warrant re-use, then they shall be made available to ReSource or a similar outlet. Building deconstruction must be done with appropriate safe practices; all construction debris must be disposed of in a safe and legal manner. **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:

The proposed addition and new accessory structure are in the same locations as existing features (deck, garage.) No impact is anticipated on any important natural features. **Affirmative finding.**

(b) Topographical Alterations:

No changes to topography are proposed. Not applicable.

(c) Protection of Important Public Views:

This is private property. Existing views between parcels will remain; the proposed new accessory structure will not unduly impede views toward the west (although this standard excludes views from private property.) **Affirmative finding.**

(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, below.

(e) Supporting the Use of Renewable Energy Resources:

The addition to 85 Lakeview Terrace includes ample window glazing facing the west, which will provide passive solar. All new development will be required to meet energy efficiency standards as defined by Burlington Electric Department. No part of this application will prohibit the use of solar, wind, water, geothermal, or other alternate energy resource. **Affirmative finding.**

(f) Brownfield Sites:

None identified. Not applicable.

(g) Provide for nature's events:

An Erosion Prevention and Sediment Control plan have been filed for review and has been approved by the City Stormwater Engineer.

Design features, including a covered porch, covered entryway and mono-pitch rooflines address the effects of rain, snow, and ice at building entrances. It appears that the location for snow storage will be at the head of the newly configured driveway. This will be effective, as long as it doesn't prohibit access to the new addition on the rear of 85 Lakeview, or the sidewalk to the accessory dwelling unit. The bulkhead, however, may be inaccessible if covered in a snowbank. **Affirmative finding.**

(h) Building Location and Orientation:

The existing garage is proposed to be removed for the construction of the accessory structure intended as an accessory dwelling unit. The structure has been designed to present a "polite" front to the street, with barn doors facing east. This is not the residential building entrance, however, but access to storage. The functional ADU access is proposed to be through a side door on the south elevation.

In location and orientation, the new accessory structure is deferential to the existing primary structure and located on the site to be respectful of the same traditional arrangement.

Affirmative finding.

(i) Vehicular Access:

An existing curb cut will be utilized. No change.

(j) Pedestrian Access:

The proposed site plan illustrates a walkway from the parking area/drive to the accessory dwelling (walkways are permitted to encroach within setbacks.) There is a walkway to the primary residence from the public sidewalk. **Affirmative finding.**

(k) Accessibility for the Handicapped:

It would be possible to design the new accessory unit to be completely accessible as it is proposed at or near grade. Although suggested, it is not a requirement for any single family home. **Affirmative finding.**

(l) Parking and Circulation:

The single family home requires 2 parking spaces, and the proposed accessory dwelling unit 1 parking space (Per Zoning Ordinance Amendment 13-10). Three parking spaces are illustrated on the site plan; outside the front yard setback, 2 in tandem to serve the primary residence. The existing curbcut will be utilized. **Affirmative finding.**

(m) Landscaping and Fences:

A planting box is illustrated at the foot of the rear stairs on modeling studies, and three unidentified trees on the site plan. Areas for raised garden beds have been noted. A fence has been added to the plan along the south elevation (Plan A.06), and illustrated at the head of the driveway (A.08) to provide a modicum of privacy for the ADU. **Affirmative finding.**

(n) Public Plazas and Open Space:

There are no public plazas included within the project plan. Not applicable.

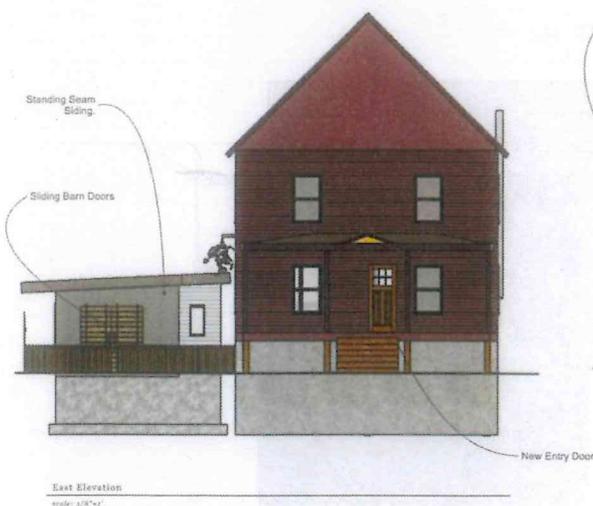
(o) Outdoor Lighting:

The applicant has proposed recessed can lighting, residential grade, for the covered porches and ADU entry canopy. Given the fixture and location, there appears little chance for unnecessary light spill onto neighboring properties. **Affirmative finding.**

(p) Integrate infrastructure into the design:

The applicant will be required to identify the location of meters, mailboxes, utility connection, and any proposed HVAC equipment prior to review by the DRB to assess the appropriateness and potential need for screening.

Trash/recycling as well as bicycles and other typical outdoor equipment are proposed to be stored in the new (front) portion of the accessory structure, accessed through barn doors. **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:

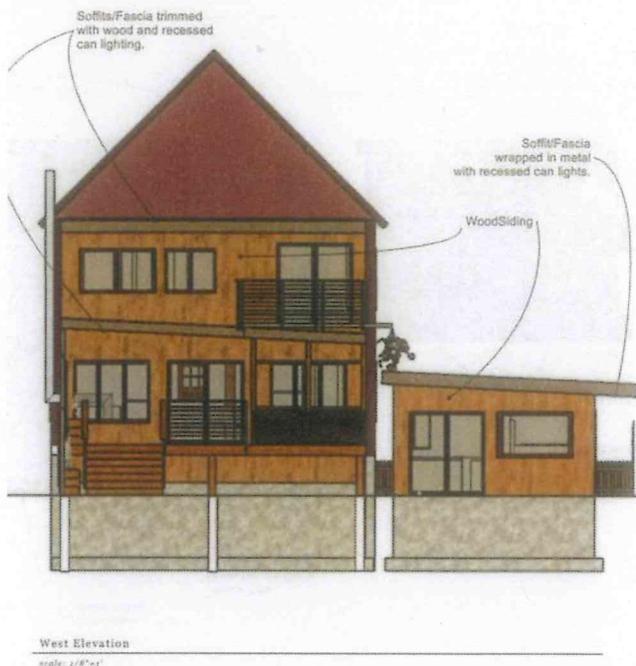
The proposed rear addition to 85 Lakeview will be largely hidden behind the primary structure and minimally visible from the street. The design “cascades” away from the rear gable elevation, beginning at 2 stories, decreasing to one story and a deck extension.

The new accessory structure, proposed to be one story, remains deferential and secondary in the

structural hierarchy on the lot. The new building, with a modern vocabulary been inserted next to its historic antecedent; a companionship appearing with some regularity in this neighborhood. **Affirmative finding.**

2. Roofs and Rooflines.

Roof pitch for the proposed porch, addition, and new accessory structure are all monopitch. While not so common for primary buildings residential buildings in the neighborhood, it is a common roof form for porches, garages, and sheds. In that manner (and considering the new construction) the proposed roof pitches are consistent with the neighborhood. **Affirmative finding.**



3. Building Openings

Window openings for the new rear addition are regularly placed, mimicking the placement, arrangement and size of windows of the primary residence along the north and south elevations. The westerly elevation clearly and understandably intends to exploit the splendid lake views.

Windows and doors on the accessory structure are as minimal as the living space; yet arranged to enjoy visibility to the streetfront (small kitchen window) and westerly toward the lake. Windows close to an abutting neighbor are understandably small. **Affirmative finding.**

(b) Protection of Important Architectural Resources:

See Section 5.4.8, below.

(c) Protection of Important Public Views:

There are no protected public views from this private parcel. Not applicable.

(d) Provide an active and inviting street edge:

The front of 85 Lakeview Terrace will be relatively unchanged as the rear addition will only be minimally apparent from the public ROW.

The removal of the existing garage/shed will allow for the new accessory structure, which is proposed to have a streetfront presence resembling a storage building. In that manner, it is unobtrusive and in step with traditional storage type buildings. The building face of the

accessory structure has been improved both visually and functionally with the addition of a window in the northeast corner. **Affirmative finding.**

(e) Quality of materials:

New materials are proposed to be corrugated siding, vertical standing seam siding, and wood siding. Soffits and fascia for the primary structure are proposed to be boxed with wood; on the ADU to be trimmed in metal. Railings on the deck are intended to be metal. All are considered to be durable with a reasonable life expectancy. **Affirmative finding.**

(f) Reduce energy utilization:

All new construction must 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.

Encouragement is offered for the new ADU to take advantage of solar access where available (southerly exposure).

No shade impact is anticipated on neighboring properties from any portion of this development. **Affirmative finding as conditioned.**

(g) Make advertising features complementary to the site:

Not 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:

All requirements for ingress and egress, as well as for building and life safety code as defined by the building inspector and fire marshal, shall be met. **Affirmative finding as conditioned.**

Article 8: Parking

For an accessory dwelling unit, one additional parking space is required. The single family dwelling, in a Neighborhood Parking District, requires 2 parking spaces. The total parking requirement is 3 parking spaces, which are illustrated on the site plan. **Affirmative finding.**

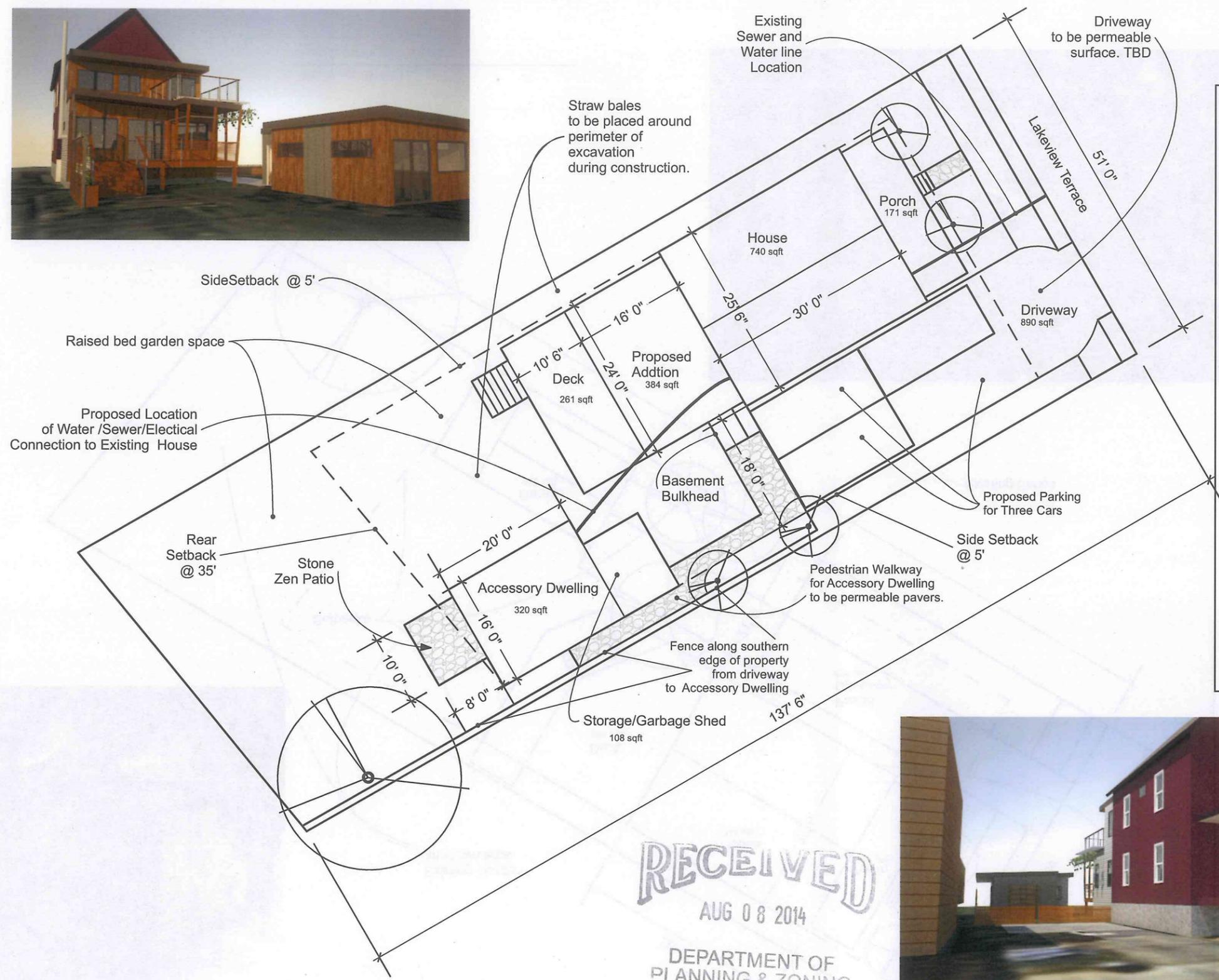
II. Conditions of Approval

1. The Functional Family provision of the ordinance will be applicable in this project. Not more than 4 unrelated adults may occupy the principle residence; not more than 2 adults in the accessory apartment per Section 5.4.5.
2. An EPSC plan shall be approved by the City Stormwater Engineer **prior to release of any zoning permit.** [Approved July 15, 2014.]
3. A deed or instrument for the property shall be entered into the land records by the owner containing a reference to the permit granting the accessory unit prior to the issuance of

the certificate of occupancy for the unit. Such reference shall identify the permit number and note that the property is subject to the permit and its terms and conditions including owner occupancy. **No certificate of occupancy shall be issued** for the unit unless the owner has recorded such a notice.

4. The applicant will be required to identify the location of meters, mailboxes, utility connection, and any proposed HVAC equipment **prior to release of the zoning permit** to assess the appropriateness and potential need for screening.
5. Building deconstruction must be done with appropriate safe practices; all construction debris must be disposed of in a safe and legal manner.
6. The time between demolition and commencement of new construction generally shall not exceed six (6) months.
7. All other requirements of Section 5.4.5 (a) and (b), **Accessory Dwelling Units, General Standards**.
8. Hours of construction are limited to 7:30 am – 5:30 pm Monday through Friday, with Saturday construction hours limited to interior work.
9. Any future enlargement or alterations will require additional permit review in accordance with the regulations in effect at that time.
10. ***Discontinuance of Accessory Units:***
Approval of an accessory dwelling unit is contingent on owner occupancy of the single-family dwelling unit as a primary residence. For purposes of this section, owner occupancy means that, after the creation of the accessory unit all individuals listed on the deed for the property must reside in the primary unit or in the accessory unit. If either the primary unit or the accessory unit is no longer owner occupied as a primary residence, the approval for the accessory dwelling unit is void and the kitchen of the accessory dwelling unit must be removed within 90 days with the entirety of the property being occupied as a single unit. When an accessory unit that is the result of additional square footage and/or a new accessory structure is proposed to be removed, revised floor plans and a revised site plan shall be required to be submitted for review and approval. Furthermore, where additional square footage is added to a single family home for purposes of creating an accessory unit and the accessory unit is at any point discontinued, none of the additional square footage shall be eligible for the purposes of increasing the number of unrelated adults that may be allowed to inhabit the property.
11. Standard Permit Conditions 1-15.

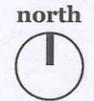
NOTE: These are staff comments only. The Development Review Board, who may approve, table, modify, or deny projects, makes decisions.



Zoned Residential Medium Density Allowable coverage: 40%	
Existing Coverage	
Lot	= 7,088sqft
House and Garage	= 1,060sqft
Driveway	= 708sqft
Total	= 1,768sqft 25% Coverage
Porch, Stairs, Decks	= 731sqft 10.3% Coverage
Proposed Coverage	
Existing	= 911sqft
Addition	= 384sqft
Accessory Dwelling/Shed	= 428sqft
Driveway	= 890sqft
Total w/ Proposed	= 2,614sqft 37% Coverage
Deck/Porch/Patio	= 358sqft 5%



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Proposed Site Plan
scale: 1/16"=1'



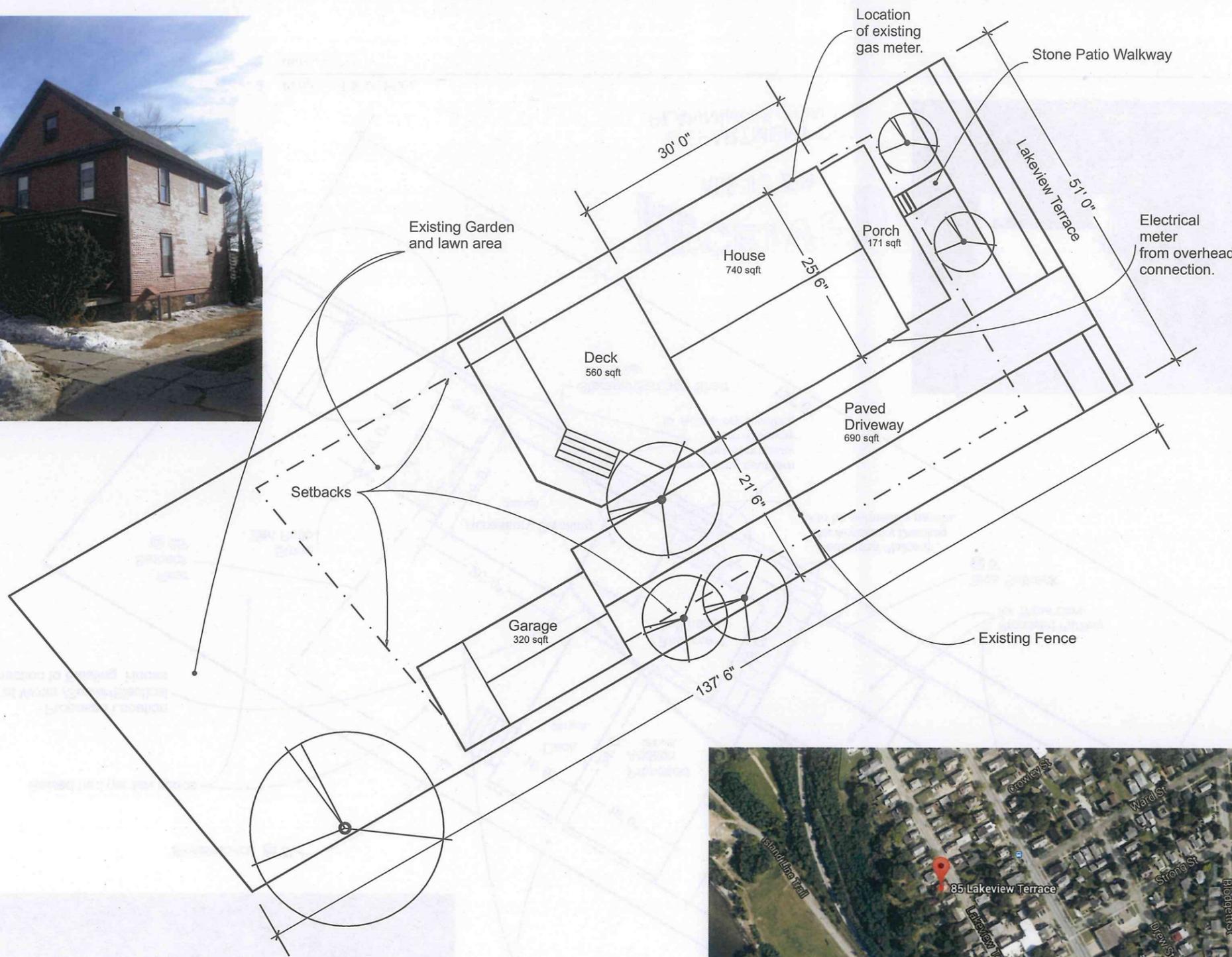
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Proposed Site Plan

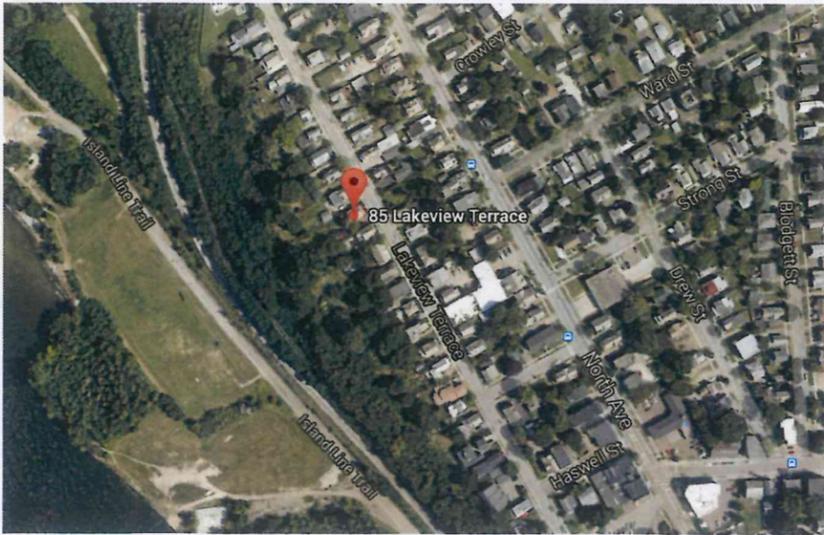
Handwritten note: 1/16" = 1'



Zoned Residential Medium Density
Allowable coverage: 40%

Existing Coverage	
Lot	= 7,088sqft
House and Garage	= 1,060sqft
Driveway/Walkway	= 708sqft
Total	= 1,768sqft 25% Coverage
Porch, Stairs, Decks	= 731sqft 10.3% Coverage

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Existing Site Plan
scale: 1/16"=1'



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Existing Site Plan

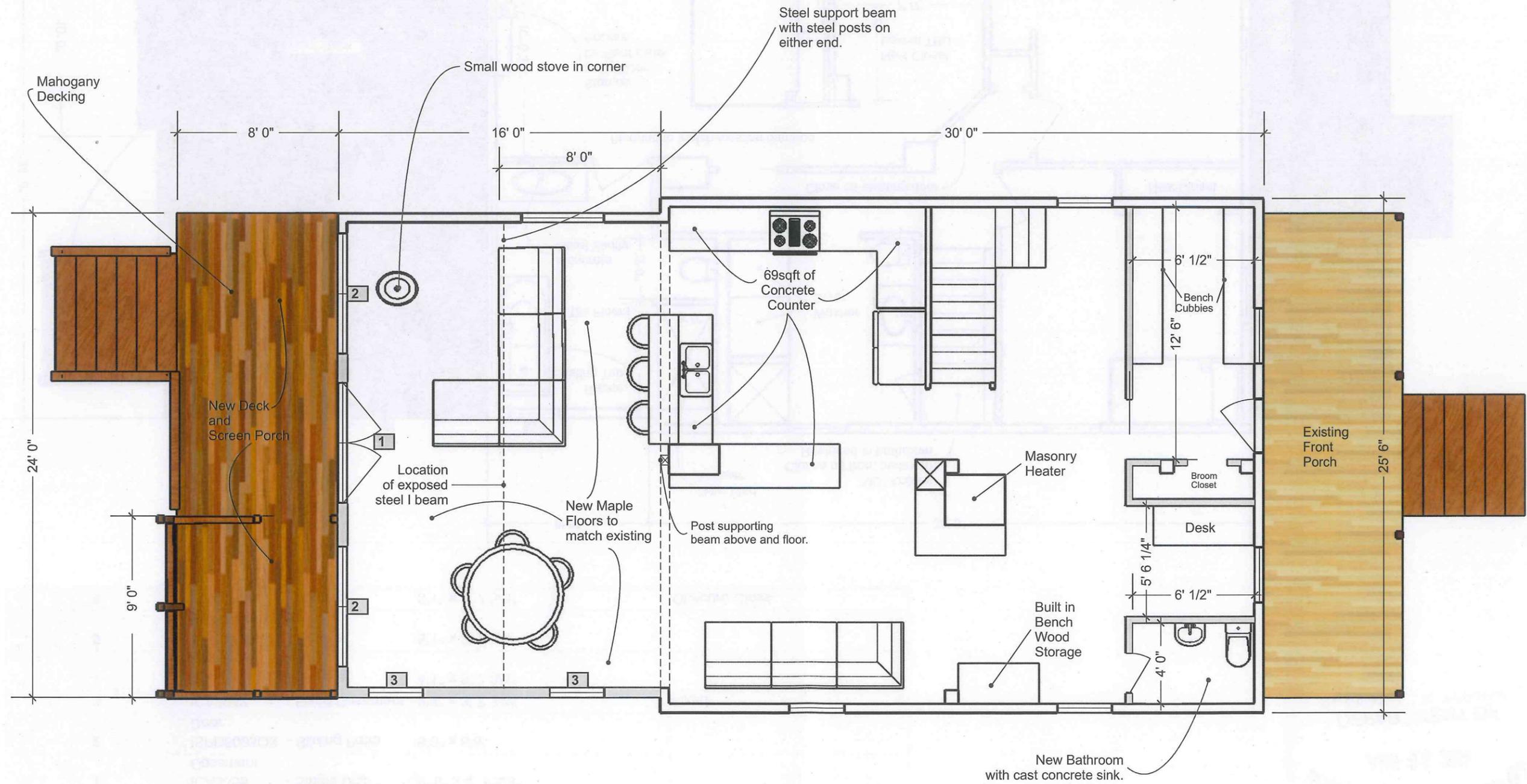
Window	Model #-Marvin Integrity Wood Ultrex	Rough Opening (WxH)	Notes
1	IIFD6065XXL Inswing French Door	6'0" x 6'8"	
2	ITGL7260 Double Glider	6' 1/2" x 5' 1/4"	x2
3	ICA3355 Single Unit Casement	2' 9" x 4' 7 5/8"	x2

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Main House First Floor Plan
scale: 3/16"=1'

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Main House
First Floor Plan

Window	Model #-Marvin Integrity Wood Ultrex	Rough Opening	Notes
1	ICA3355 - Single Unit Casement	2' 9" x 4' 7 5/8"	
2	ISPD6065OX - Sliding Patio Door	6'0" x 6'8"	
3	ICA2943 - Fixed Casement	2'5" x 3' 7 3/4"	Fixed
4	ICA2543 2W - Double Casement	4'1" x 3' 7 3/4"	
5	ICA3743 2W - Double Casement	6'1" x 3' 7 3/4"	
6	IAWN3719 - Awning	3'1" x 1' 7 5/8"	Obscure Glass

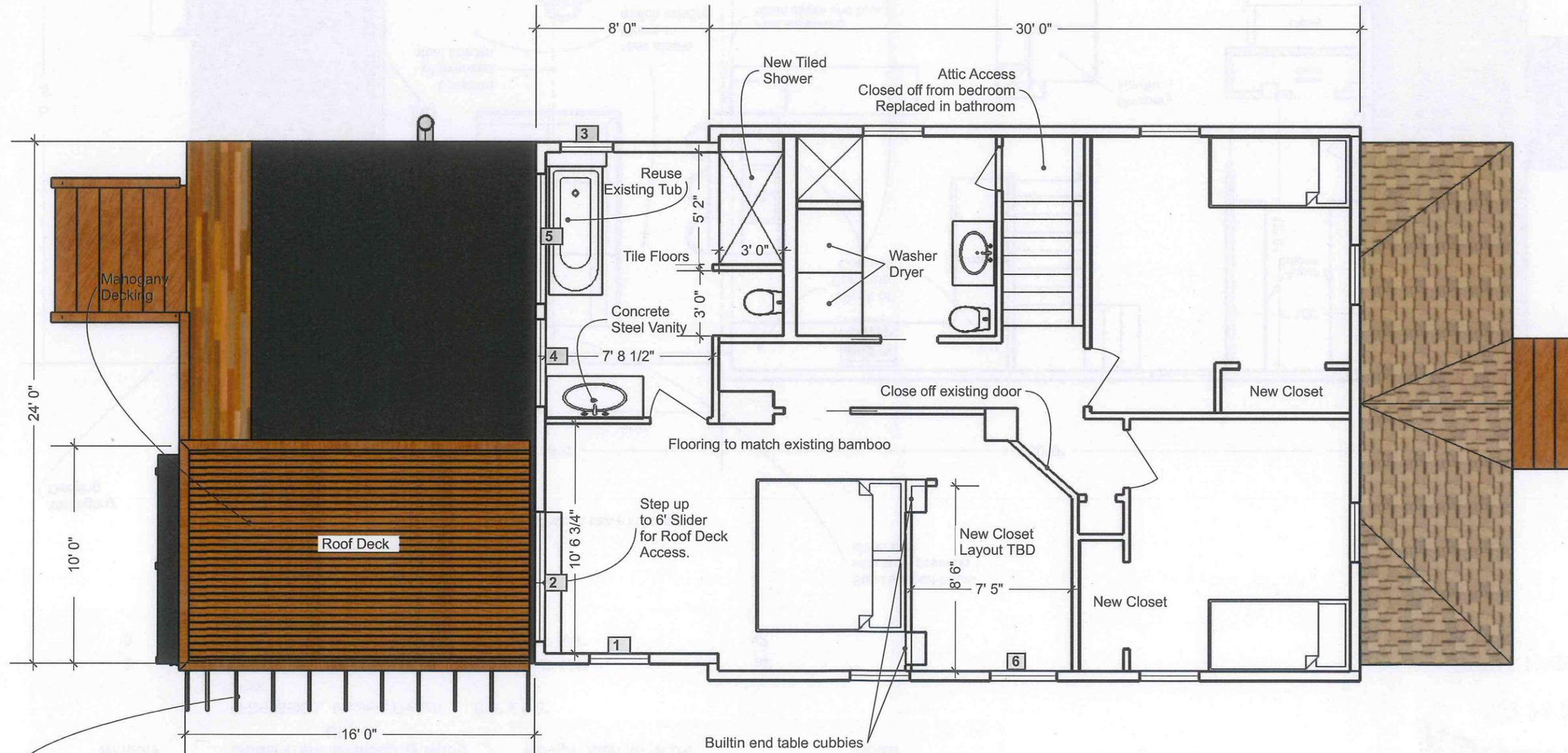
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Main House Second Floor Plan

scale: 3/16"=1'

Cantilevered deck joists for hanging plants.

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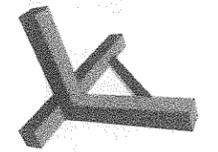
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Main House
Second Floor Plan

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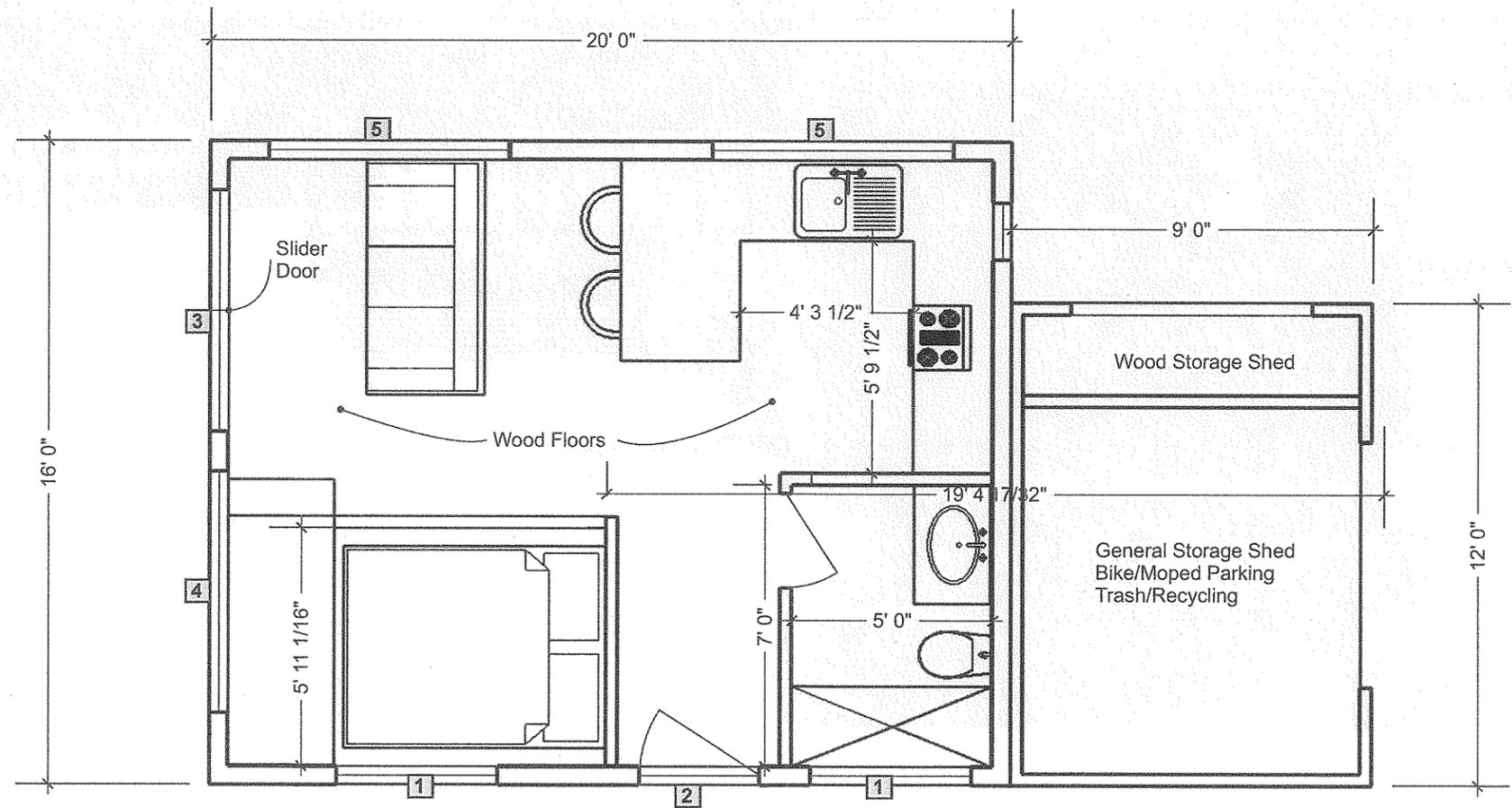
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Window	Model #-Marvin Integrity Wood Ultrex	Rough Opening (WxH)	Notes
1	IAWN4919T -Single Unit Awning	4'1" x 1' 7 5/8"	x2
2	IIFD3065XR - Inswing French Door	3'1 5/16" x 6'8"	
3	ISPD6065OX - Sliding Patio Door	6'0" x 6'8"	
4	ITGL7248 - Double Glider	6' 1/2" x 4' 1/4"	
5	IAWN3723 2W - Double Awning	6'1" x 1'11 5/8"	x2



Guest Cabin Floor Plan
scale: 1/4"=1'

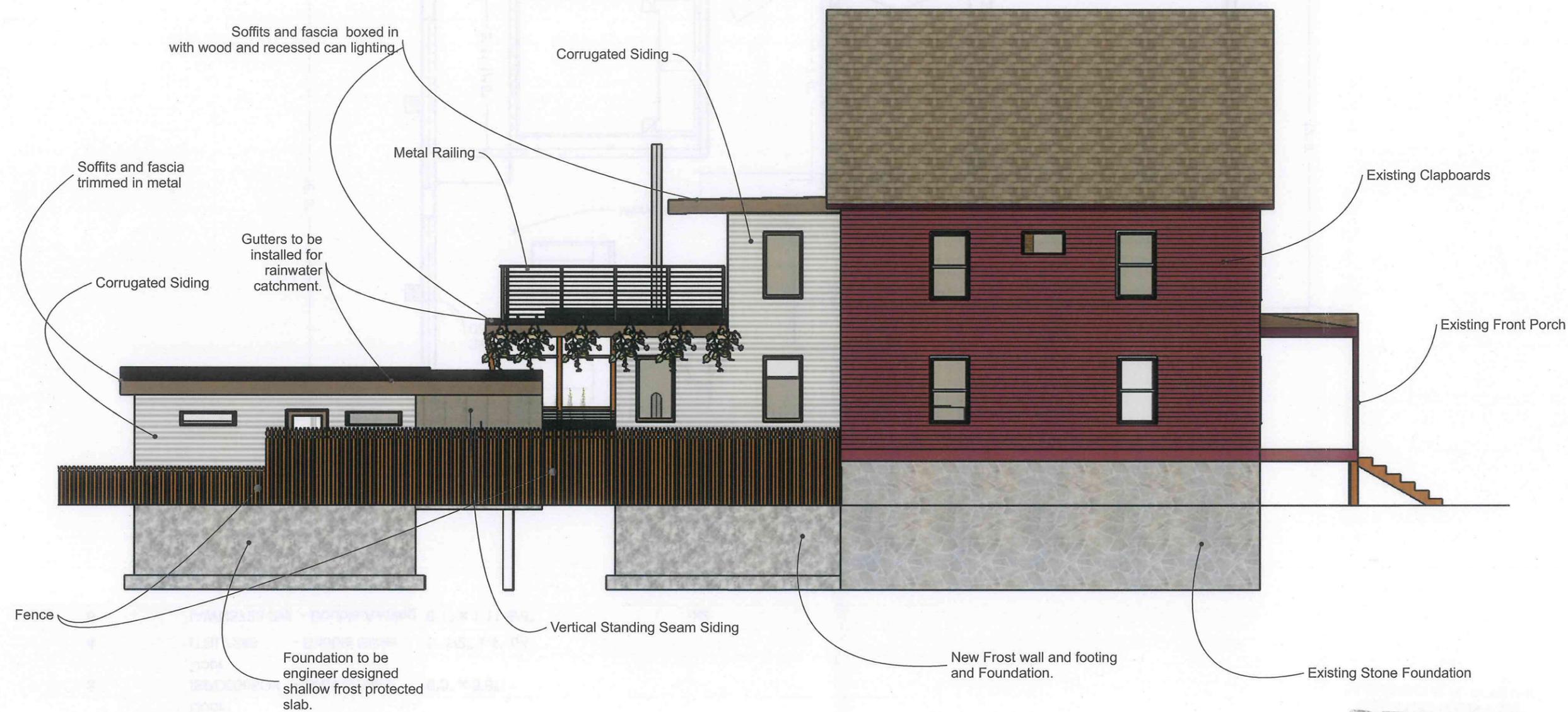
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Guest Cabin
Floor Plan



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South Elevation
 scale: 1/8"=1'

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South
 Elevation

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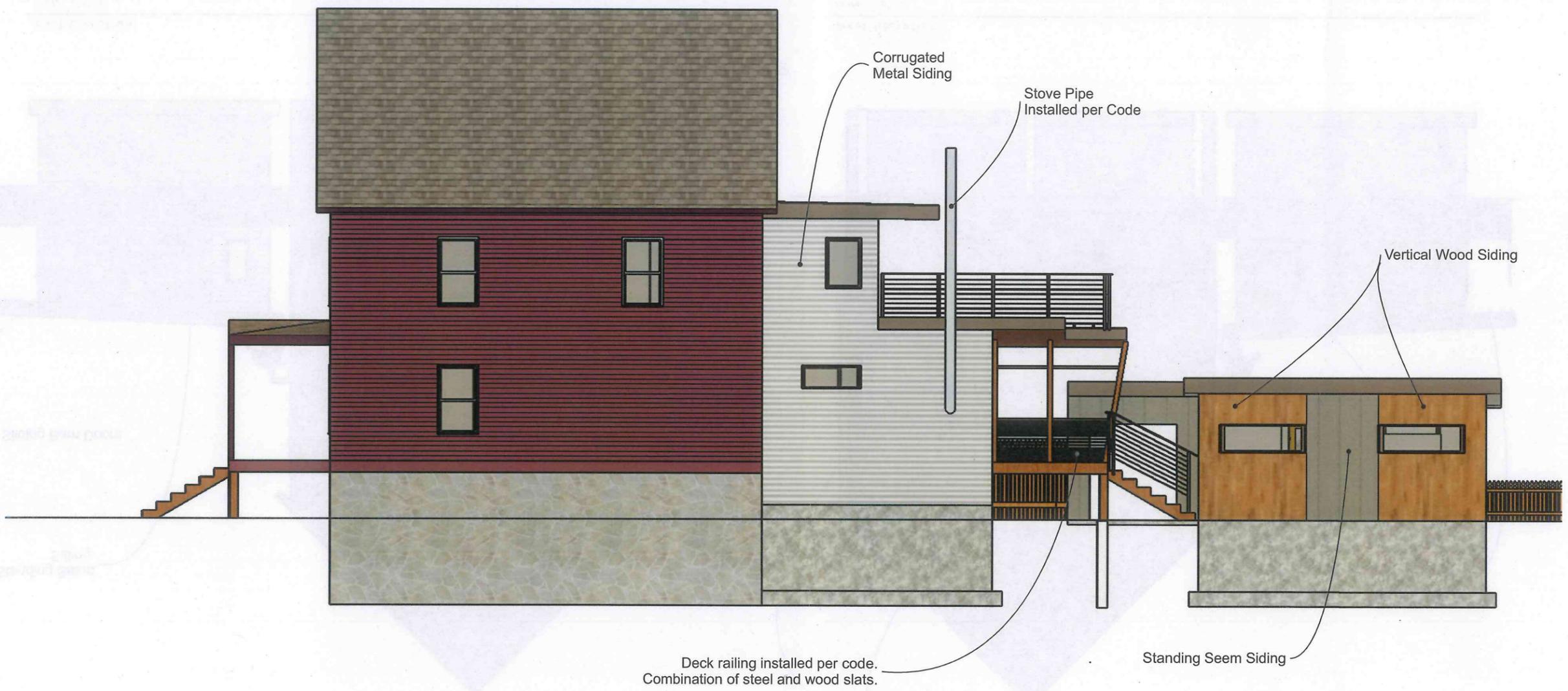
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North Elevation

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North Elevation
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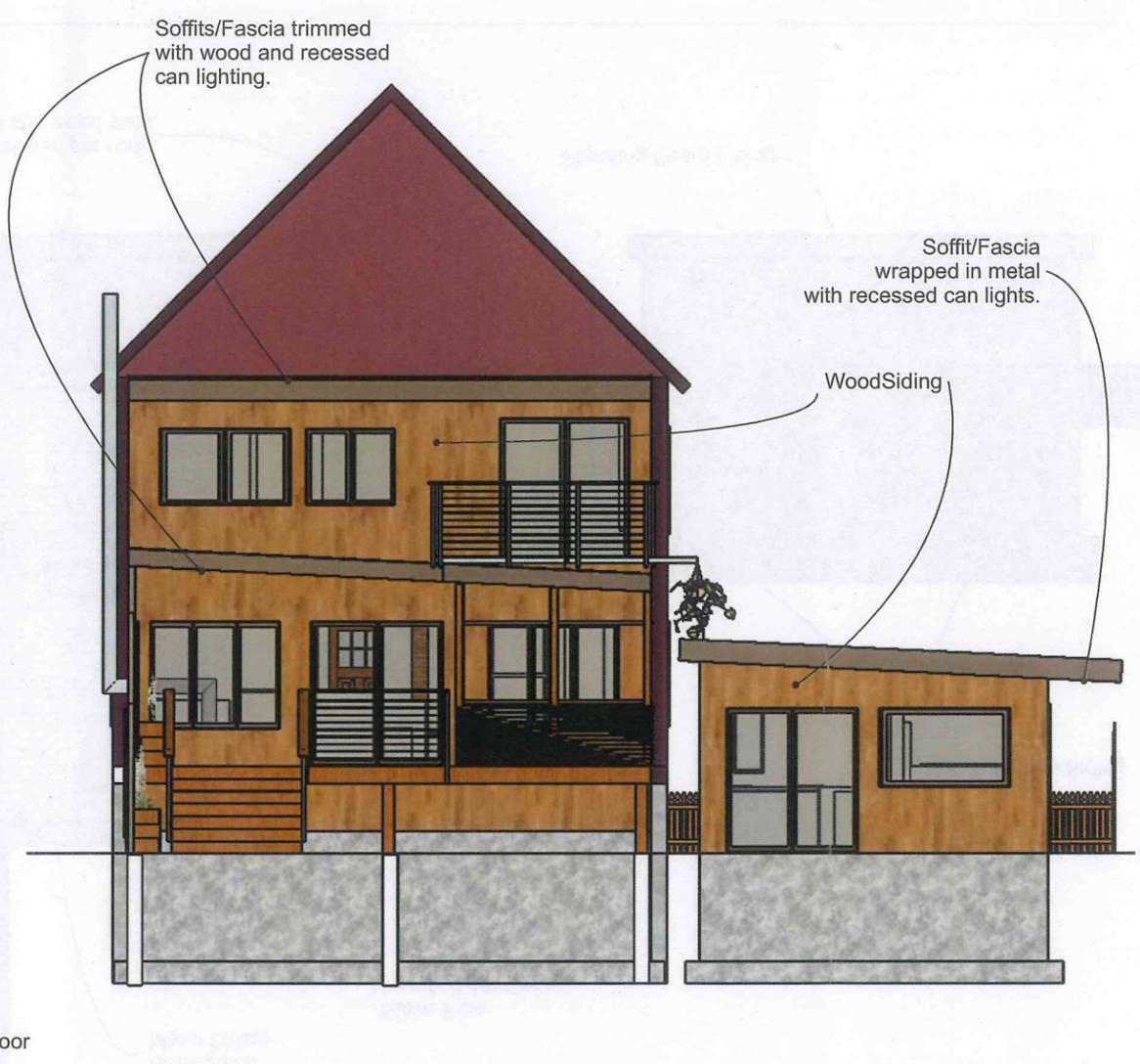
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**East/West
 Elevations**

A.08

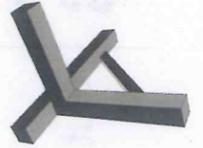


East Elevation
 scale: 1/8"=1'



West Elevation
 scale: 1/8"=1'

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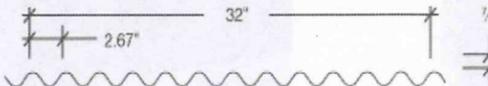
5-inch Recessed Lighting Kit - Approved For Wet Locations

Detailed Specifications

The following are detailed specifications about the 5-inch Recessed Lighting Kit - Approved For Wet Locations by Juno Lighting Group. Our customer service team is available M-F between 7am and 5pm, Sunday between 11am and 4pm (Pacific Time) at (800) 653-6556 to provide any information that is not listed on our website.

- Product Number: 236632
- Manufacturer: Juno Lighting Group
- Model Number: IC20/215W-WH
- Manufacturer Finish: White
- Total Wattage: 75 w.
- Voltage Type: Line Voltage
- Voltage Input: 120 v.
- Aspect: 0
- Height: 7-1/2 in.
- Width: 13-1/2 in.
- Length: 12-3/4 in.
- Wattage: 75
- Bulb Type: Halogen
- Bulb Shape: PAR30
- Base Type: Medium
- Number of Bulbs: 1
- EnergyStar Compliant: No
- Recessed Trim Finish: White
- Material: Aluminum, Plastic, Steel
- Shipping: UPS Regular
- Can Size: 5"
- Trim Style: Baffle
- Trim Size: 5"

PBC METAL PANEL



PRODUCT FEATURES

- Coverage Width - 32"
- Rib Spacing - 2.67" on center
- Rib Height - 7/8"
- Minimum Slope - 3:12
- Panel Attachment - Exposed Fastening System
- Gauge - 26 (standard); 29, 24, 22 (optional)
- Finishes - Smooth (standard); Embossed (optional)
- Coatings - Galvalume Plus®, Signature® 200, Signature® 300



Integrity Glider windows are exceptionally simple to use because they are one of the few Gliders designed exclusively for horizontal use. Because they offer the same contemporary sightlines as Casement windows, Gliders are ideal where there is not room for a swinging sash. Integrity Glider fiberglass windows tilt inward in one simple motion for easy cleaning.

Features

- Low-maintenance Ultrex exterior; rich pine interior
- Low-profile ergonomic sash lock
- Sash tilts and removes easily for cleaning
- Glides smoothly with minimal resistance



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