



RECEIVED

JAN 05 2021

BURLINGTON
PERMITTING & INSPECTIONS

Variance
Application

To: Planning and Zoning
Regarding: 110 Summit Street
Date: 01/05/21

Proposal to replace existing garage (in poor condition) with 2-car garage / Accessory Dwelling Unit (ADU)

Application for Zoning Variance

Zoning Permit Application and Fee: completed and submitted

Property Description

110 Summit St is a single-family dwelling with a small, detached two-car garage. The lot is irregular in shape and equals 15,239 SQ FT with the greatest depth equaling 181.3' and greatest width equaling 85.5'. The dwelling has 2,872 SQ FT of gross living area above grade with a footprint of 1,317 SQ FT. The driveway is located on the north edge of the property and lies substantially on the neighboring property (102/104 Summit) and historically has been shared both in access and maintenance. The north edge of the existing garage is within 1 FT of the north side property line and 23'-4" from the rear (east) property line.

Applicable Regulatory Provision:

4.4.5-3: Residential District Dimensional Standards states that for RL a rear yard setback is 25% of Lot depth, no less than 20'-0" which would require a setback distance of 45'-11 1/4" for our Garage/ADU structure. Side yard setback is Min: 10% of lot width (8'-6") Or ave. of side yard setback of 2 adjacent lots on both sides. (approx. 18' is the average)

Relief of rear yard setback requested:

1. One of the intentions and purpose of the City's Ordinance is stated as such "to facilitate the growth of Burlington and its neighborhoods so as to create an optimum environment, with good urban and civic design" We think that the placement as shown is in-line with this intention as laid out in more detailed criteria below:
 - a. Neighboring properties / character of Street
 - b. Driveway hardship
 - c. Preservation of open space / usable space
 - d. Less visual impact on neighbors and from the Street

Neighboring properties / character of Street

Both our adjacent neighbors to the North (102/104 Summit) and South (122 Summit) have existing accessory structures that are located beyond the rear property line.

- 102/104 Summit has an accessory dwelling structure comparable in size (864 SF) that is both a 2 car garage and livable unit on the 2nd level, this structure is located approximately 2'-0" from the rear property line.
- 122 Summit Street has a 2 car garage with a habitable 2nd level that is approximately 34'-0" from their rear property line.

HINGE

A historical precedent exists for locating an accessory structures beyond the required ordinance setback of 25% of lot depth as delineated by the two adjacent properties with similar structures. By placing our structure within the setback would be in defiance of the existing / adjacent character of the Street.

Driveway Hardship

The existing 2 car garage is located in such a way that parking is available on the driveway in front of the garage allowing for cars to park in front of the garage entirely on our property as the driveway is shared. The new structure intends to mimic the placement of the garage allowing for both parking of the main house and the ADU with allowance for backing up entirely within our property lines. The Garage/ADU structure is 43'-7" in length and if it were placed at the rear property line there would be a remaining 6'-9 ½" from the garage door to the existing walkway.

Preservation of open space / usable space

We have placed the Garage/ADU in such a manner that respects the existing character of the Street and meets the expectations of the intention of the ordinance by siting it to create an "optimum environment". This placement allows for the driveway to remain the same size, while providing parking for both units. Also to note the usable portion of the yard that currently exists will remain approximately the same size and will only get smaller in width by 8'-3". This placement and variance request allows for maximizing the open space that will be shared by the structures, which also allows for the maximum preservation of existing daylight for all existing structures, while minimizing the increase of non-permeable surfaces.

Less visual impact on neighbors and the Street

The structure placement allows for the view corridors to remain similar to what exists – the rear portion of the existing garage has scrub trees that have seeded themselves over the years.

This location will also push the structure away from the 102/104 Summit and tucking it further behind the main home which minimizes the visual impact from the Street.

Summary

We are seeking to the greatest degree possible for the ADU to overlay the footprint of the existing garage while, maintaining building code regulations which require a minimum 5'-0" setback for openings. We know that this maximum overlay would be possible if we maintained a 15'-0" height to the mid-point of the roof and stayed within the confines of the footprint. This variance allows for an additional 518 SF to be constructed within the setbacks compared to what exists today. This development provides in-fill housing within an already established vernacular of site. To position the Garage /ADU, to the greatest extent possible, in the northeast corner of the lot will compare with the current garage position and with the condition of the neighboring ADU structures while, preserving to the greatest degree possible, the open space of the backyard.

END OF APPLICATION

RECEIVED

JAN 05 2021

BURLINGTON
PERMITTING & INSPECTIONS