

**Department of Planning and Zoning**

149 Church Street  
Burlington, VT 05401  
Telephone:(802) 865-7188  
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(802) 865-7142 (TTY)

David White, AICP, Director  
Ken Lerner, Assistant Director  
Sandrine Thibault, AICP, Comprehensive Planner  
Jay Appleton, GIS Manager  
Scott Gustin, AICP, Senior Planner  
Mary O'Neil, AICP, Senior Planner  
Nic Anderson, Zoning Clerk  
Elsie Tillotson, Department Secretary



**TO:** Design Advisory Board  
**FROM:** Scott Gustin *SG*  
**DATE:** June 24, 2014  
**RE:** 14-1161CA, 440 Pearl Street

Zone: RL                                      Ward: 1  
Owner/Representative:                  Lambda Iota Society / Spencer Baker

**Request:** Amend zoning permit 11-0565CA to change stair tower from painted steel to bare galvanized steel

**OVERVIEW:**

The applicant is requesting approval to amend a previous zoning permit (11-0565CA) issued for a rear stair and exit addition and associated site changes. The permit was administratively approved and included construction of a new exterior egress stairway to be constructed of painted galvanized steel. As-built, the new egress stairway is bare galvanized steel. Planning & Zoning staff declined to grant as-built approval to the bare metal stair and referred this requested amendment to the Design Advisory Board. The subject building dates to 1913 and is included on the National Register of Historic Places as a contributing structure within the University Green Historic District.

**ARTICLE 5: CITYWIDE GENERAL REGULATIONS**

**Part 4: Special Use Regulations**

**Sec. 5.4.8, Historic Buildings and Sites**

*(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 property is currently used as a fraternity. No change in use is included in the proposal.

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.*

No changes to the primary structure are sought in this application.

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 alterations are proposed. There is no attempt to fabricate faux historic elements.

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.*  
All of the primary building's significant materials, features, and finishes will be retained.
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.*  
No changes to the historic structure are included in this proposal.
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.*  
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 newly constructed exterior stairway is located behind the building and does not impact the primary façade in any way. Conversely, however, it is visible from North Prospect Street. As approved, the stairway was to be painted. While clearly differentiated from the historic materials of the primary structure, the painted stairway would have shared a common finish with existing building trim, columns, and other accents. The bare galvanized metal requested in this application presents a stark contrast to the rest of the structure and appears unsympathetic and out of place. The painted finish as previously approved, while requiring maintenance, is recommended.
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.*  
See #9 above.

**RECOMMENDED MOTION:**

Deny the requested bare galvanized metal finish on the exterior stairway. Require painted finish as previously approved.



Department of Planning and Zoning

149 Church Street, City Hall
Burlington, VT 05401-8415
Phone: (802) 865-7188
Fax: (802) 865-7195

www.burlingtonvt.gov/pz

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MAY 30 2014

DEPARTMENT OF PLANNING & ZONING

Zoning Permit Application

Use this form for ALL zoning permit applications. See the relevant checklist for specific requirements.

PROJECT LOCATION ADDRESS: 440 Pearl Street

PROPERTY OWNER\*: Lambda Lota Society

\*If condominium unit, written approval from the Association is also required

APPLICANT: Spencer Baker

POSTAL ADDRESS: 123 Shunpike Rd

POSTAL ADDRESS: same

CITY, ST, ZIP: So Burlington, VT 05403

CITY, ST, ZIP:

DAY PHONE: 802-233-5977

DAY PHONE:

EMAIL: wspencerbaker@comcast.net

EMAIL:

SIGNATURE: W. Spencer Baker

SIGNATURE: W. Spencer Baker

I am the owner. In addition, I duly authorize the applicant (if noted) to act on my behalf for all matters pertaining to this zoning permit application.

Description of Proposed Project: Change from "painted, galvanized steel" to "galvanized steel" - rear stair tower

Existing Use of Property: [ ] Single Family [ ] Multi Family: # \_\_\_ Units [X] Other: \_\_\_

Proposed Use of Property: [ ] Single Family [ ] Multi Family: # \_\_\_ Units [X] Other: \_\_\_

- Does your project involve new construction, addition, alteration, renovation, or repair to a structure that is heated or cooled? Yes [ ] No [X]
Will 400 sq ft or more of land be disturbed, exposed and/or developed? Yes [ ] No [X]
For Single Family & Duplex, will total impervious area be 2500 sq ft or more? Yes [ ] No [X]
Are you proposing any work within or above the public right of way? Yes [ ] No [X]

Estimated Construction Cost (value)\*: \$ - 0 -

(\*Estimated cost a typical contractor would charge for all materials and labor, regardless of who physically completes the work)

Within 30 days of submission, the permit application will be reviewed for completeness, and, if complete, will be processed administratively or referred to a board for review. All permit approvals or denials are subject to an appeal period (15 days for administrative permit; 30 days for board permit). A building (and/or electrical, mechanical, plumbing, curb cut) permit will also be required. Contact the Department of Public Works at 802-863-9094 to inquire. Please ask for assistance if you have any questions about filling out this form. Call the Planning and Zoning at 802-865-7188, or visit the office in the lower level of City Hall, 149 Church Street.

Office Use Only: Zone: \_\_\_ Eligible for Design Review? \_\_\_ Age of House \_\_\_ Lot Size \_\_\_
Type: SN \_\_\_ AW \_\_\_ FC \_\_\_ BA \_\_\_ COA 1 [X] COA 2 \_\_\_ COA 3 \_\_\_ CU \_\_\_ MA \_\_\_ VR \_\_\_ HO \_\_\_ SP \_\_\_ DT \_\_\_ MP \_\_\_
Check No. 1064 Amount Paid \$ 80 Zoning Permit # 14-1161CA



May 22 2014

City of Burlington Department of Planning/Zoning  
City Hall  
Burlington, Vermont

DEPARTMENT OF  
PLANNING & ZONING

To whom it may concern;

I am submitting as-built drawings on behalf of Lambda Iota Society at 440 Pearl Street Burlington in response to the letter dated Mar 1 2013 from Certificate of Occupancy Inspection.

Six items were identified in the letter as different from plans approved for construction.

1. Roofs on stair and entry were changed from Faux Slate to Copper to match existing lower roofs and drip edge on building.
2. Stair tower was approved as galvanized. The inspector assumed the detail for the railing at the stair to the boiler room applied to the stair tower as well. (See item #5)
3. During construction it was determined that one less riser was required which allowed us to reconfigure steps and exit further from possible snow slide off of roof. No change to coverage/footprint was made. (see photo #4)
4. Owner decided that few tenants would park in rear and use front door. In practice tenants who park use new rear entry door. Redundant concrete walk less than 20 feet from city sidewalk was removed and concrete drip pads along the foundation were installed using same total area of paving. (see photo #1)
5. Final boiler sizing allowed us to eliminate the exterior entrance to the boiler room and its related leaking issues. Therefore the existing steps were removed and new railing system not installed. (see photo #2)
6. The existing side walk was removed when owner decided to add waterproofing and insulation to exterior of foundation below grade. See Item 4 for new concrete installation. Total paved area on the site is less than that shown in approved drawings by about 200 sf. (see photos)

Please contact me if you have any questions regarding these changes.

Sincerely;

Douglas R. Viehmann



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NEW ADA WALK

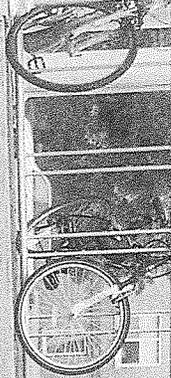
EXISTING CITY SIDEWALK



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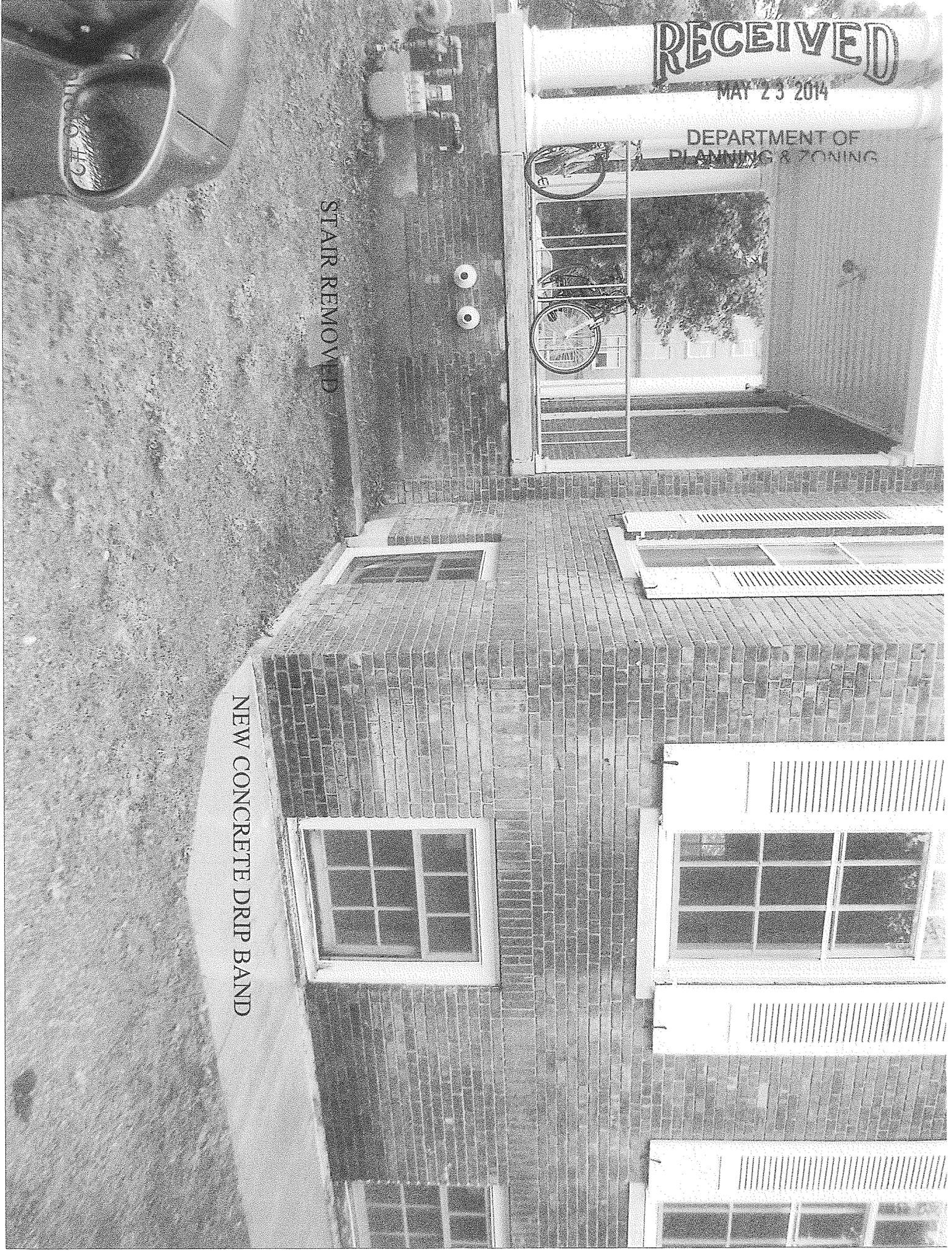
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STAIR REMOVED

NEW CONCRETE DRIP BAND



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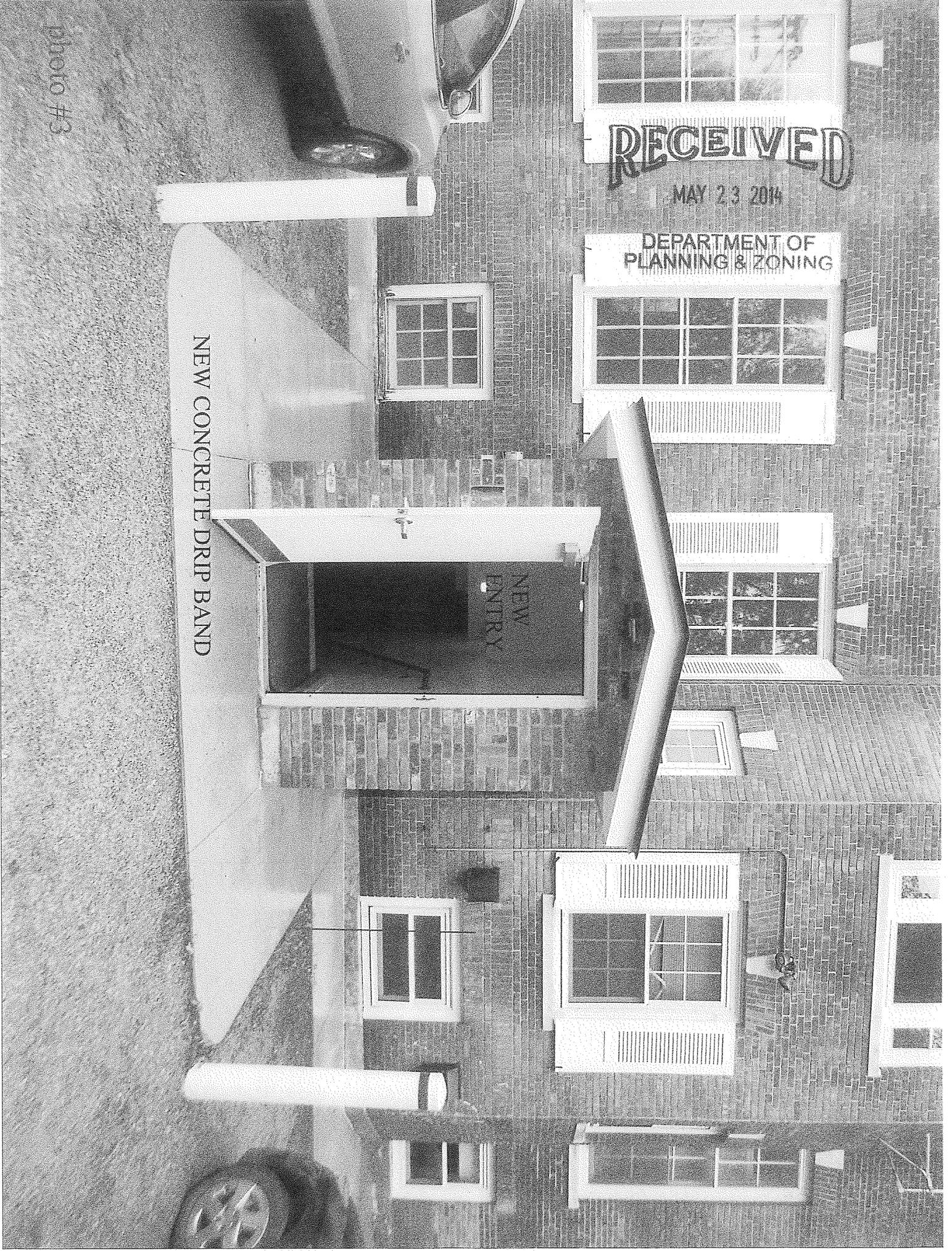
MAY 23 2014

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NEW CONCRETE DRIP BAND

NEW  
ENTRY

photo #3



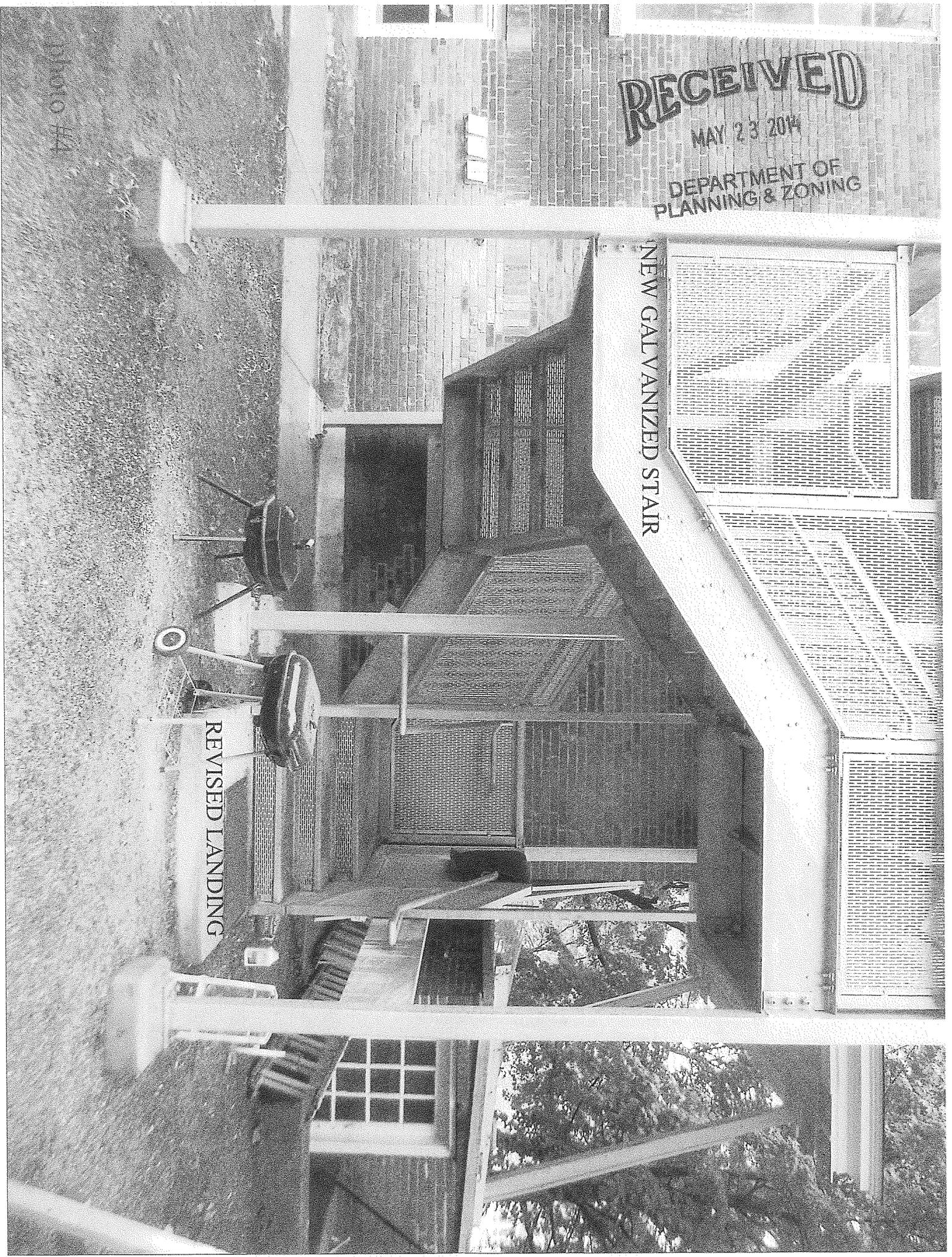
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NEW GALVANIZED STAIR

REVISED LANDING

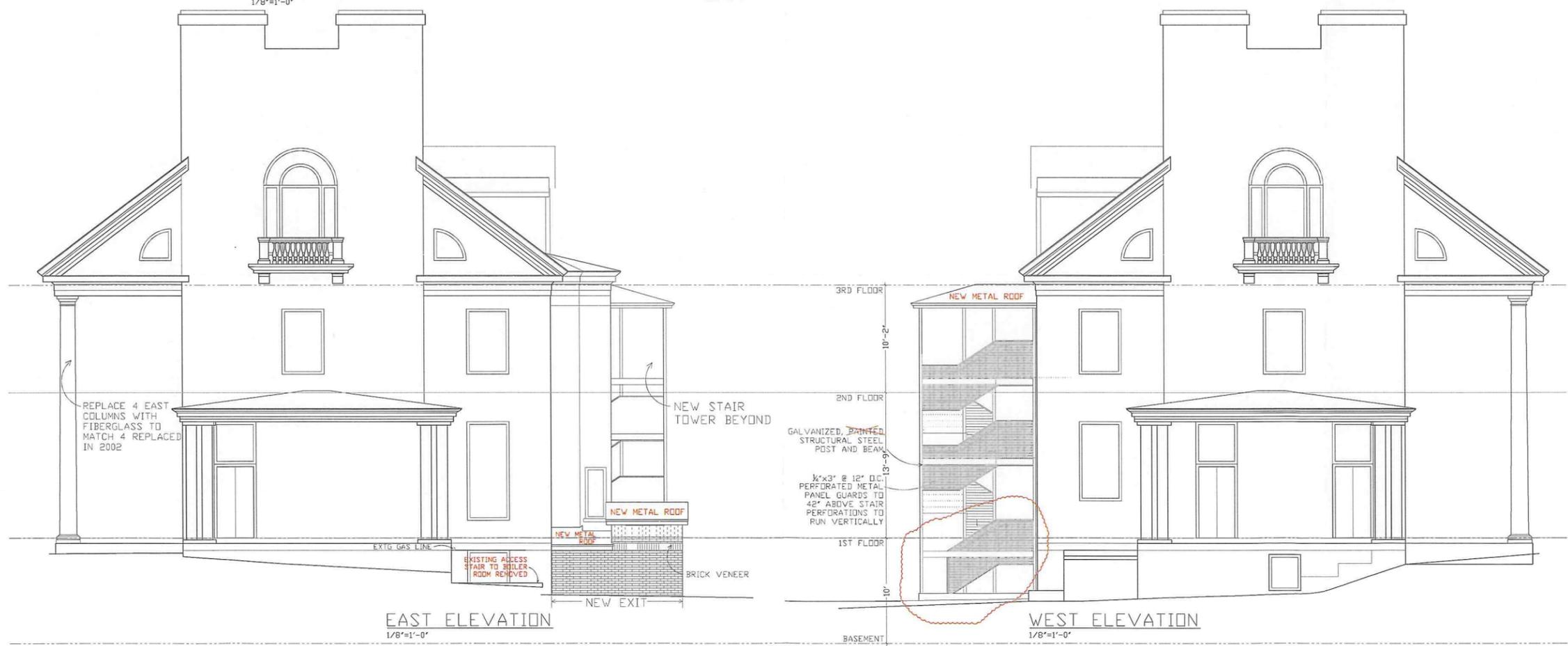
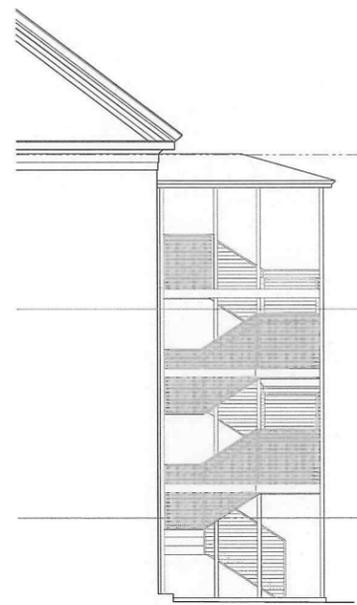
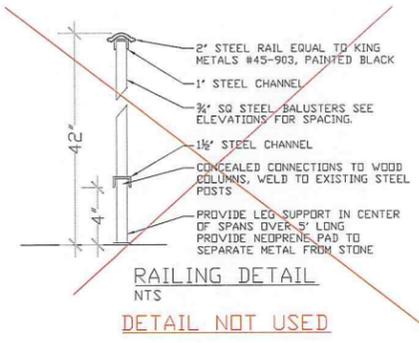
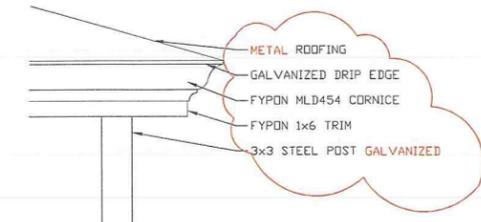
Photo #4





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 MAY 23 2014

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 PLANNING & ZONING



LAMBDA IOTA  
 Burlington, Vermont  
 GUILLOT VIVIAN VIEHMANN ARCHITECTS, INC. 264 So. Union Street Burlington, VT 802 - 862 - 9631

DATED 14 FEB 2011  
 AS BUILT 22 MAY 2014

ELEVATIONS  
 NEW STAIR  
 3/16" = 1'-0"  
 --TITL.BLCK--

DRAWING:  
 A3