

**Department of Planning and Zoning**

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*Nic Anderson, Zoning Clerk*  
*Elsie Tillotson, Department Secretary*



**TO:** Development Review Board  
**FROM:** Scott Gustin  
**DATE:** May 6, 2014  
**RE:** 14-0831CA/CU; 69 Scarff Avenue

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**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.**

Zone: RL                      Ward: 5

Owner/Applicant: Erik Kronk / Chris Brown

**Request:** Construct new single family home on existing vacant lot.

**Applicable Regulations:**

Article 3 (Applications, Permits, & Project Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking)

**Background Information:**

The applicant is seeking approval to construct a new single family home on an existing vacant lot. Associated work also includes a driveway, walkway, and other site improvements. While the single family home is a permitted use, the nonconforming lot frontage of 52' requires conditional use review.

Previous zoning actions for this property are noted below.

- 7/6/13, Approval of lot line adjustment with 75 Scarff Avenue

**Recommendation:** Consent approval as per, and subject to, the following findings and conditions:

**I. Findings**

**Article 3: Applications and Reviews**

**Part 5, Conditional Use & Major Impact Review:**

**Sec. 3.5.6, Review Criteria**

**(a) Conditional Use Review Standards**

**1. The capacity of existing or planned community facilities;**

The proposed single family home will have minimal impact on community facilities. Impact fees will be paid to help offset those impacts. The new home will require a State Wastewater permit.

**(Affirmative finding as conditioned)**

**2. The character of the area affected;**

The subject property is located in the RL zone. This zone is intended for low density residential development primarily in the form of detached single family homes and duplexes. The surrounding neighborhood reflects the intended purpose of the district. The proposed single family home is also consistent with this intent. **(Affirmative finding)**

*3. Traffic on roads and highways in the vicinity;*

No traffic information has been provided; however, traffic impacts associated with the new single family home are expected to be minimal. **(Affirmative finding)**

*4. Bylaws then in effect;*

As conditioned, the project is in compliance with all applicable bylaws. **(Affirmative finding)**

*5. Utilization of renewable energy resources;*

The utilization of alternative energy has not been incorporated into this proposal; however, the new home will not preclude future utilization. **(Affirmative finding)**

*6. Cumulative impacts of the proposed use;*

No significant cumulative impacts are anticipated as a result of the single family home. **(Affirmative finding)**

*7. Functional family;*

Not applicable. There is no request to occupy the new home by anyone other than a family.

*8. Vehicular access points;*

A new driveway will be constructed to access the new home. A curb cut permit from the Department of Public Works will be required. **(Affirmative finding as conditioned)**

*9. Signs;*

Not applicable. No signs are included in this proposal.

*10. Mitigation measures;*

The proposed single family home is not expected to generate any noxious effects such as excessive noise, glare, or emissions. **(Affirmative finding)**

*11. Time limits for construction;*

The new home is expected to be completed within the standard 2-year time frame. **(Affirmative finding)**

*12. Hours of operation and construction;*

No hours of operation need be specified for the single family home.

Consistency in construction hours for other projects in residential neighborhoods requires days and hours of construction not to exceed Monday – Saturday, 7:00 AM – 6:00 PM. No construction activity on Sunday. **(Affirmative finding as conditioned)**

*13. Future enlargement or alterations;*

As with anything else, any future enlargement or alteration to the development will require zoning review under the regulations in effect at that time.

*14. Performance standards;*

Performance standards relating to outdoor lighting and erosion control are addressed under Article 5 of these findings.

*15. Conditions and safeguards;*

Approval of this project will be conditioned to implement the purposes of the zoning regulations. **(Affirmative finding)**

**Article 4: Maps & Districts**

***Sec. 4.4.5, Residential Districts:***

***(a) Purpose***

***(1) Residential Low Density (RL)***

The subject property is located in the RL zone. This zone is intended primarily for low density residential development in the form of single detached dwellings and duplexes. The proposed single family home is consistent with this purpose. **(Affirmative finding)**

***(b) Dimensional Standards & Density***

The minimum lot size and road frontage requirement in the RL zone is 6,000 sf and 60', respectively. The subject lot is 8,708 sf in size, but has just 52' of road frontage. Sec. 5.3.6, *Nonconforming Lots, (c) Changes to a Nonconforming Lot*, allows for development to occur without the minimum 60' road frontage, subject to conditional use review. As demonstrated under Article 3 above, the 52' road frontage in no way adversely impacts the applicable conditional use criteria. Furthermore, just two of fourteen homes on this section of Scarff Avenue have at least 60' road frontage. The rest have about 50' of road frontage, just like the subject property.

The 1 residential unit proposed on the 0.2 acre lot is acceptable. Residential density is limited to 7 units per acre in the RL zone. Lot coverage will come to 31.4%, below the 35% limit permitted. The proposed front yard setback is 14' which is within +/- 5' of the 15' average of neighboring homes. Side yard setbacks vary with the slightly irregular lot. As proposed, the home is compliant with the minimum 10% side yard setbacks on both sides. The minimum required rear yard setback is 43' (25% of the 171' depth). As proposed, the rear yard setback is 80'. Building height is consistent with that of other homes along this road and comes to 21' 6" to the mid-point of the roof rise. This height is less than the maximum permissible 35'. **(Affirmative finding)**

***(c) Permitted & Conditional Uses***

The proposed single family home is a permitted use in the RL zone. **(Affirmative finding)**

***(d) District Specific Regulations***

***1. Setbacks***

No setback encroachments are being sought. **(Not applicable)**

***2. Height***

No height bonuses are being sought. **(Not applicable)**

***3. Lot Coverage***

No lot coverage bonuses are being sought. **(Not applicable)**

***4. Accessory Residential Structures and Uses***

The footprint of the attached 2-car garage is not specified, but it is clearly less than 50% of the main home's footprint. **(Affirmative finding)**

***5. Residential Density***

The single family home is subject to the functional family provisions of the Comprehensive Development Ordinance. **(Affirmative finding)**

***6. Uses***

No neighborhood commercial use is included in this proposal. **(Not applicable)**

***7. Residential Development Bonuses***

No development bonuses are being sought. **(Not applicable)**

**Article 5: Citywide General Regulations**

***Sec. 5.2.3, Lot Coverage Requirements***

See Sec. 4.4.5 (b) above.

***Sec. 5.2.4, Buildable Area Calculation***

Not applicable.

***Sec. 5.2.5, Setbacks***

See Sec. 4.4.5 (b) above.

***Sec. 5.2.6, Building Height Limits***

See Sec. 4.4.5 (b) above.

***Sec. 5.2.7, Density and Intensity of Development Calculations***

See Sec. 4.4.5 (b) above.

***Sec. 5.5.1, Nuisance Regulations***

Nothing in the proposal appears to result in creating a nuisance under this criterion. **(Affirmative finding)**

***Sec. 5.5.2, Outdoor Lighting***

New outdoor lighting fixtures will illuminate the overhead garage doors and both the front and back porches. A shielded fixture will illuminate the garage doors, and recessed canister fixtures will illuminate the porches. Both types of fixtures qualify as "low output lamps" and are acceptable. **(Affirmative finding)**

***Sec. 5.5.3, Stormwater and Erosion Control***

As more than 400 sf of earth disturbance is proposed, a "small project erosion control" form has been provided. A residential stormwater management plan has also been provided. Both have been submitted for review and approval by the Stormwater Administrator. **(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 subject property is almost entirely grassy lawn area. There are no important natural features onsite. **(Affirmative finding)**

*(b) Topographical alterations*

The property is flat and will remain so. No significant topographical alterations are proposed. **(Affirmative finding)**

*(c) Protection of important public views*

There are no important public views from or through the subject property. **(Affirmative finding)**

*(d) Protection of important cultural resources*

There are no known archaeological resources on the property. See Sec. 6.3.2 (b) below relative to historic structures. **(Affirmative finding)**

*(e) Supporting the use of alternative energy*

There is no indication that the proposed home will utilize alternative energy; however, its orientation and southern exposure makes it a good candidate for solar energy utilization. In any event, the home will not adversely impact the actual or potential use of alternative energies by neighboring properties. **(Affirmative finding)**

*(f) Brownfield sites*

Not applicable.

*(g) Provide for nature's events*

As total lot coverage will exceed 2,500 sf, a residential stormwater plan has been provided and is pending review and approval by the Stormwater Administrator. **(Affirmative finding as conditioned)**

*(h) Building location and orientation*

The front façade of the house will align with that of the neighboring homes. Its main entrance faces the road and is clearly identifiable. The open front entrance accentuates the front door. The garage is set back some 30' from the road; more than the minimum required 25' and is set behind the front line of the house. The width of the garage is 20'; just under 50% of the total building width of 41'. **(Affirmative finding)**

*(i) Vehicular access*

A private driveway will provide adequate access to the home. The top of the driveway will be 12' wide; however, it will widen to 20' as it approaches the garage. This widening up to the garage is acceptable. **(Affirmative finding)**

*(j) Pedestrian access*

A front walkway is proposed; however, it will curve and connect to the driveway. The walkway must connect to the public sidewalk. It may parallel the driveway or otherwise. **(Affirmative finding as conditioned)**

*(k) Accessibility for the handicapped*

No handicap accessibility is evident or required with this proposal. **(Affirmative finding)**

*(l) Parking and circulation*

The two required parking spaces will be provided in the attached garage. **(Affirmative finding)**

*(m) Landscaping and fences*

No landscaping details have been provided. Extensive detail is not needed for a proposal such as this; however, at least a basic garden and landscaping plan is needed. No new fencing is proposed. **(Affirmative finding as conditioned)**

*(n) Public plazas and open space*

No public plaza or open space is included or required in this proposal. **(Affirmative finding)**

*(o) Outdoor lighting*

See Sec. 5.5.2.

*(p) Integrate infrastructure into the design*

New utility lines must be buried. Utility meters are located on the sides of the new home. They are not screened and must be, either with an enclosure or with landscaping. **(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 massing, height, and scale of the proposed home are consistent with that of neighboring homes within this neighborhood. Consistency with the existing built environment is the most important consideration for infill development in this zone. An open front entryway, varying rooflines, and building heights serve to articulate separate volumes within the overall structure. **(Affirmative finding)**

***2. Roofs and Rooflines***

The proposed home will have a gable roof with eave ends facing the street. This orientation reflects the dominant pattern along this section of Scarff Avenue. A single front dormer is also proposed. **(Affirmative finding)**

***3. Building Openings***

The front entrance is clearly articulated and is sheltered by a small covered porch. Fenestration is appropriately scaled and placed in consistent rhythm throughout the building. **(Affirmative finding)**

***(b) Protection of important architectural resources***

The neighboring property at 75 Scarff Avenue is included on the VT Historic Sites & Structures Survey. Other homes in the neighborhood are clearly eligible for inclusion on this survey. The proposed home, while clearly new in appearance, respects the established scale of these neighboring homes. It does not adversely impact Burlington's wealth of architectural resources. **(Affirmative finding)**

*(c) Protection of important public views*  
See 6.2.2 (c) above.

*(d) Provide an active and inviting street edge*  
As noted above, the front entry to the proposed home is clearly articulated. There are no large blank walls or expanses of roof. Fenestration, roof variations, and basic architectural detailing work successfully to provide an active and inviting street elevation. **(Affirmative finding)**

*(e) Quality of materials*  
The proposed home will be clad in fiber cement clapboards and trim. Asphalt shingles will be installed. Fiberglass columns will frame the front entryway and rear porch, and windows will be vinyl. These materials are of reasonable quality and acceptable for this new home. **(Affirmative finding)**

*(f) Reduce energy utilization*  
The proposed building must comply with the city's current energy efficiency standards. **(Affirmative finding as conditioned)**

*(g) Make advertising features complimentary to the site*  
No advertising is included in this proposal.

*(h) Integrate infrastructure into the building design*  
Utility meters must be screened as noted previously. **(Affirmative finding as conditioned)**

*(i) Make spaces safe and secure*  
The proposed building must comply with the city's current egress requirements. Building entries will be illuminated. **(Affirmative finding as conditioned)**

## **Article 8: Parking**

### ***Sec. 8.1.8, Minimum Off-Street Parking Requirements***

The subject property is located in the Neighborhood Parking District. The one residential unit requires two parking spaces. As proposed, the two parking spaces will be provided in the garage. **(Affirmative finding)**

## **II. Conditions of Approval**

1. **Prior to release of the zoning permit**, revised plans shall be submitted subject to staff review and approval. Revised plans shall depict:
  - a. A front walkway that connects the front door to the public sidewalk (and updated lot coverage information);
  - b. Basic landscaping plan; and,
  - c. Utility meter screening.

2. **EPSC Pre-release Condition:** Prior to release of the zoning permit, the applicant shall obtain written approval of the Erosion Prevention and Sediment Control Plan from the Stormwater Administrator.
3. **Stormwater Management Plan Pre-release condition:** Prior to the release of the zoning permit, the applicant shall obtain the written approval of the Stormwater Management Plan from the Stormwater Administrator.
4. **Prior to issuance of a certificate of occupancy,** the applicant must obtain written certification from the Stormwater Administrator that, among other things, the project EPSC plan as approved has been complied with and final site stabilization has occurred. This certification shall be filed with the Department of Planning & Zoning.
5. At least **7 days prior to the issuance of a certificate of occupancy,** the applicant shall pay to the Planning & Zoning Department the impact fee as calculated by staff based on the net new square footage of the proposed development.
6. Days and hours of construction shall be limited to Monday – Saturday, 7:00 AM – 6:00 PM. No construction activity is permitted on Sunday.
7. The Applicant/Property Owner is responsible for obtaining all necessary Zoning Permits and Building Permits through the Department of Public Works as well as other permit(s) as may be required, and shall meet all energy efficiency and egress codes as required.
8. A curb cut permit from the Dept. of Public Works is required.
9. A State of Vermont wastewater permit is required.
10. Standard permit conditions 1-15.

RECEIVED  
MAR 20 2014

DEPARTMENT OF  
PLANNING & ZONING



JELD-WEN VINYL  
INS. WINDOW

HORIZ. CEMENT  
BOARD SIDING  
4" REVEAL

1x6 CEMENT  
BOARD TRIM

"SHAKE LOOK"  
CEMENT BOARD  
SIDING

TOP PLATE

8'-1"

SECOND FLR

21'-6" BUILDING HEIGHT

10'-1"

FIRST FLR

THIN SET  
STONE VENEER

METAL IN.  
ENTRY DOOR

10" SQ. FIBERGLASS  
COULMN

"COURTYARD SERIES"  
INSULATED MTL. DOOR

① FRONT ELEVATION  
NORTH SCALE: 3/16" = 1'-0"

RECEIVED

MAR 20 2014

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PLANNING & ZONING

NO.	DATE	REVISION

**Snyder Homes**  
Great neighborhoods  
to call home to

4076 Shelburne Road, Suite 6  
Shelburne, Vermont 05482  
p 802.985.5722 • f 802.497.0701  
www.SnyderHomesVT.com

PROPOSED ELEVATIONS  
SCALE: 3/16" = 1'-0"

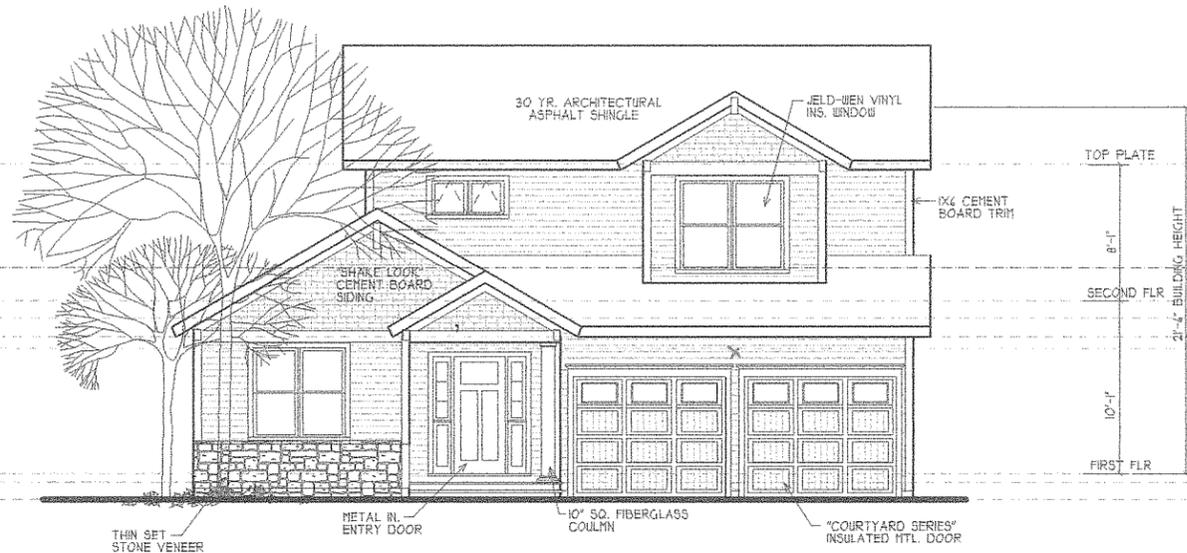
BUILD ON YOUR OWN LOT

KRONKBELLE-ISLE

SCARFF AVE.  
BURLINGTON, VERMONT

DATE	ISSUE
3/19/14	PERMIT
DESIGNED BY: M. DUFRESNE	
DRAWN BY: MD	CHECKED BY:

SHEET  
**A1.1**



① FRONT ELEVATION  
NORTH SCALE: 3/16" = 1'-0"



④A GARAGE SIDE ELEVATION OPT 2  
WEST SCALE: 3/16" = 1'-0"



③ REAR ELEVATION  
SOUTH SCALE: 3/16" = 1'-0"



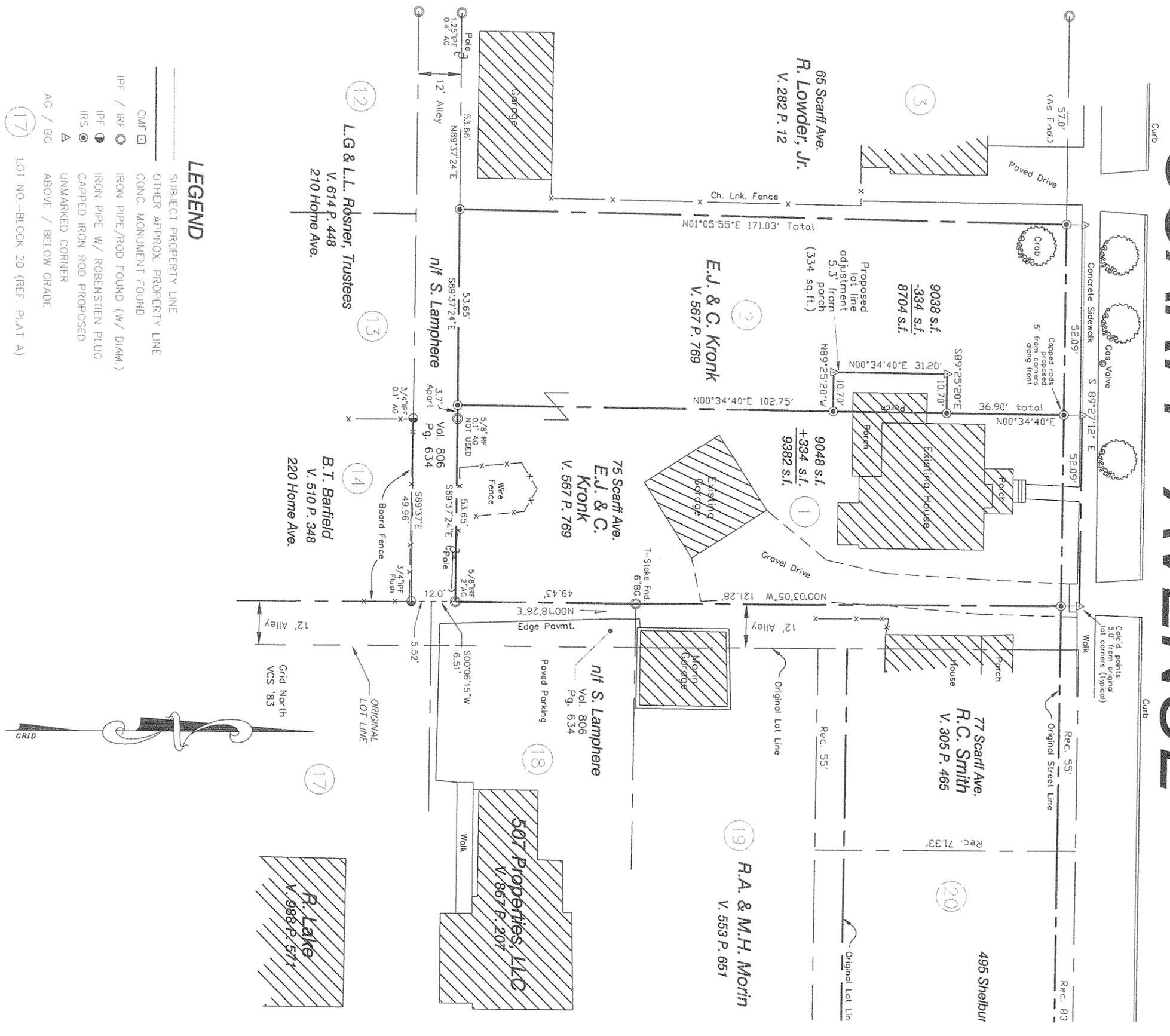
② KITCHEN SIDE ELEVATION  
EAST SCALE: 3/16" = 1'-0"



**NOTE: PROPOSED CORNER MARKERS HAVE NOT BEEN SET AS OF FEB, 2014 PER CLIENT REQUEST BOUNDARY PLAN ONLY - DOES NOT DEPICT UTILITIES, BURIED OR OTHERWISE. PLAN SUPPLIED BY CIVIL ENG. ASSOCIATES INC.**

# SCARFF AVENUE

To WELLS ST.



## LEGEND

- SUBJECT PROPERTY LINE
- OTHER APPROX. PROPERTY LINE
- CMF □ CONC. MONUMENT FOUND
- IPF / IRF ○ IRON PIPE/ROD FOUND (W/ DIAM.)
- IPF ● IRON PIPE W/ ROBSTSTEN PLUG
- IRS ⊙ CAPPED IRON ROD PROPOSED
- △ UNMARKED CORNER
- AG / BG ABOVE / BELOW GRADE
- (17) LOT NO.--BLOCK 20 (REF. PLAT A)



<b>S1</b>	SHEET	DATE	SCALE	NO.
MD	DRAWN BY	3/19/14	1:30	1
M. Dufresne	CHECKED BY	PERMIT	BUILD ON YOUR OWN LOT	REVISION
 4076 Shelburne Road, Suite 6 Shelburne, Vermont 05482 p 802.985.5722 - f 802.497.0701 www.SnyderHomesVT.com				



69 Scarff Ave. Site of Proposed Project



MAR 20 2014

DEPARTMENT OF  
PLANNING & ZONING

Existing homes across the street from proposed project.



75 Scarff Ave. Existing Home to the right of proposed project



65 Scarff Ave. Existing home to the right of proposed project along with other homes on the block.