

## Department of Planning and Zoning

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### MEMORANDUM

**To:** The Design Advisory Board  
**From:** Mary O'Neil, AICP, Principal Planner  
**RE:** ZP18-0294CA; 24 Front Street  
**Date:** March 13, 2018

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**File:** ZP18-0294CA  
**Location:** 24 Front Street  
**Zone:** RM **Ward:** 3C  
**Date application accepted:** September 15, 2017, deemed incomplete. Additional material submitted November 9, 2017.  
**1<sup>st</sup> DAB review:** November 28, 2017  
**Revised plans received:** February 13, 2018  
**Applicant/ Owner:** Liam Flynn + Sarah Woodard.  
**Request:** Second story addition attached to existing single family house.



#### Background:

- Non-applicability of Zoning Permit Requirements **11-0539NA**; remove 14 wood double hung window sashes and replace with new. BLP project. January 2011.
- ZBA HO 96-040; Conditional Use Home Occupation to utilize 173 sf of 1400 sf house for writing, editing, camera-ready documents and reports. Approved February 20, 1996.

**Overview:** This is a continued review for a proposed 2<sup>nd</sup> story addition (352 sf) atop an existing single story addition. The application was originally incomplete until the owner was able to provide setback averages of four neighboring properties to determine whether the proposed addition met required setbacks, or would be forwarded to the DRB. Ultimately the north setback was determined and the review may continue administratively.

The DAB reviewed initial plans at their November 28, 2018 meeting and provided encouragement to the owners in their plan but requested more fully developed drawings and information. Subsequently, staff contacted the owners and informed them that there was decision precedent for denial for the manner in which the addition was designed (addition taller in height than the existing historic building.) Administrative, DRB and Superior Court decisions had consistently denied adding building volume that was higher than the existing historic structure. Staff encouraged redesign to be consistent with the prior decisions.

The architect working with the owners provided the attached drawings via email February 13, 2018 as a “feeler” to see if they were moving in the right direction. Staff again provided encouragement, and asked when the plan would be ready to schedule. The architect felt they were not as yet ready.

The property owner called March 2, 2018, and asked to move forward.

24 Front Street was constructed by John Roberts, a prolific Burlington builder/carpenter c. 1888. His cottages were scattered around Burlington, and easily identifiable by their gable front, side porch entry and highly decorative shingled designs. Although the house has not been listed on the state or National Register of Historic Resources, it is eligible under Criteria A, B and C. See Section 5.4.8, below.

### **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:*

As the proposal is for a 2<sup>nd</sup> story addition, no alterations are proposed to the topography or landscaping of the parcel. Not applicable.

*(b) Topographical Alterations:*

Not applicable.

*(c) Protection of Important Public Views:*

No protection is offered for public views from or through private parcels. 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).*

See Section 5.4.8, below.

*(d) Supporting the Use of Renewable Energy Resources:*

No part of the application will preclude the use of wind, water, solar, geothermal, or other renewable energy resource.

*(e) Brownfield Sites:*

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.*

Not applicable.

*(h) Building Location and Orientation:*

No alteration to the location or orientation of the principal structure is proposed. The orientation of the proposed second story addition (now a cross gable) makes it less visible than the original plan above the existing ridge of the historic house.

*(i) Vehicular Access:*

No change proposed.

*(j) Pedestrian Access:*

No change proposed.

*(k) Accessibility for the Handicapped:*

While encouraged, handicapped accessibility is not required for single family homes. Any ADA requirements are under the jurisdiction of the building inspector.

*(l) Parking and Circulation:*

The submitted site plan shows 1 parking space, but the Conditional Use application of 1996 submitted that 2 spaces were available in the driveway. This must be clarified.

No change is proposed that would require additional parking.

*(m) Landscaping and Fences:*

No changes are proposed to the existing landscaping. Not applicable.

*(n) Public Plazas and Open Space:*

Not applicable.

*(o) Outdoor Lighting:*

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

No additional lighting has been included in the submission packet. If any additional lighting is proposed, spec sheets and illumination information needs to be provided for review.

*(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.*

No HVAC or other mechanical equipment is noted within the submission documents. If any mechanical equipment is proposed, specification sheets and building elevations/roof plan as applicable shall be submitted for review.

### **Part 3: Architectural Design Standards**

#### **Sec. 6.3.2 Review Standards**

*(a) Relate development to its environment:*

##### *1. Massing, Height and Scale:*

The revised plan more comfortably settles the new building area without negatively inflating building mass and height. Its scale and height are more consistent with and sensitive to the existing building.

##### *2. Roofs and Rooflines.*

A cross gable front roof is proposed, in perpendicular orientation to the existing roof, successfully masking the new building area into an enclosed space turned away from the building front.

##### *3. Building Openings*

From the submitted "Proposed Side El.(South)" plan, paired window openings are proposed for the side (south) elevation, no windows on the 2<sup>nd</sup> floor north. The rear (east) elevation shows four double hung windows, consistent with the character of the building.



*(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. See Section 5.4.8.*

*(c) Protection of Important Public Views:*

Not applicable.

*(d) Provide an active and inviting street edge:*

The re-orientation of the new building mass has comfortably fit the new area stop an existing structure, without disturbing the recognizable characteristics of the Roberts House. As before, building (sheathing, trim) materials have not been identified and must be.

*(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.*

*Owners of historic structures are encouraged to consult with an architectural historian in order to determine the most appropriate repair, restoration or replacement of historic building materials as outlined by the requirements of Art 5, Sec. 5.4.8.*

No material information has been provided, and is required.

*(f) Reduce energy utilization:*

All new construction is required to meet the Guidelines for Energy Efficient Construction per the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.

*(f) Make advertising features complementary to the site:*

Not applicable.

*(g) Integrate infrastructure into the building design:*

See Section 6.2.2. (p) above.

*(i) Make spaces secure and safe:*

All construction shall meet applicable building and life safety code as defined by the building inspector and/or fire marshal.

**Sec. 5.4.8 Historic Buildings and Sites**

*The City seeks to preserve, maintain, and enhance those aspects of the city having historical, architectural, archaeological, and cultural merit. Specifically, these regulations seek to achieve the following goals:*

*To preserve, maintain and enhance Burlington's historic character, scale, architectural integrity, and cultural resources;*

*To foster the preservation of Burlington's historic and cultural resources as part of an attractive, vibrant, and livable community in which to live, work and visit;*

*To promote a sense of community based on understanding the city's historic growth and development, and maintaining the city's sense of place by protecting its historic and cultural resources; and,*

*To promote the adaptive re-use of 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.*

Although 24 Front Street is not listed on the State or National Register of Historic Resources, it is identified as a John Roberts house, constructed before 1889. In applying the National Register Criteria for Evaluation, 24 Front Street meets eligibility Criterion A (associated with events that

have made a significant contribution to the broad patterns of our history); Criterion B (associated with the lives of persons significant in our part), and Criterion C (Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction.)

Prior review included information from *Historic Guide to Burlington Neighborhoods*, Vol. III, and an educational flyer produced by UVM's Historic Preservation Program about John Roberts and his work.

*(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.*

24 Front Street was constructed as a single family home; a use that is proposed to continue.

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.*

John Roberts houses are distinguishable by their modest size, relatively steep roof slope with gable front orientation, side porch entries and highly characteristic ornamental and graphic arrangement of sheathing, window trim, barge boards, and porches. All those features remain intact here, despite the large one story rear addition. The proposed 2<sup>nd</sup> story rear addition now sits as a cross-gable, more comfortable engaging the new building volume atop the existing structure. This is a method that has been employed on other, similar residential buildings and is successful in its compatibility and sensitivity to the existing home.

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.

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

The one story rear addition was an earlier modification confirming what has been demonstrated on many of the Roberts houses (most about 975 sq. ft.); their small size eventually spurs the desire for additional living space. That earlier addition is done with a light hand that is not immediately discernable from the streetfront. Revised plans for the 2<sup>nd</sup> story addition have minimized the visual and spatial impact of the new building volume, and are consistent with other additions to Roberts' Houses here in Burlington.

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

Although the submitted photographs are a shielded view of the house, a photo taken in 2010 demonstrates the retention of the major elements of the Roberts exterior. It has not been confirmed if the slate roof is to be retained. More information is needed, particularly about building height and sheathing/trim materials.

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 proposal is not for replacement of failed historic materials, but for a structural addition.

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.*

No chemical treatments are proposed.

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.*

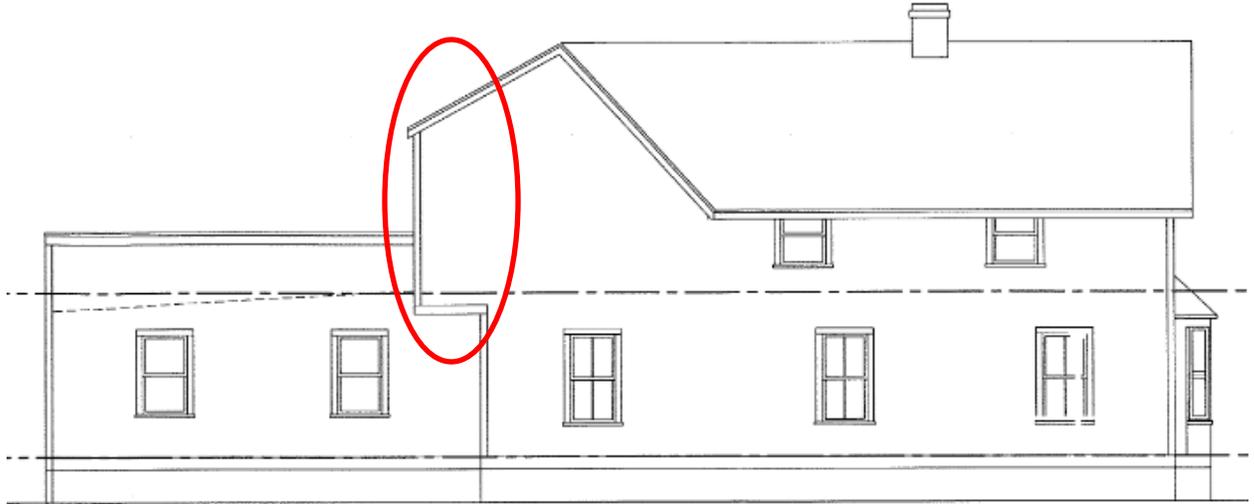
The proposed new addition quietly increases the building volume without detracting from the essential characteristics of the building's identity. Many of the Roberts houses have been the subject of building addition (see Mansfield Avenue, Loomis Street) demonstrating that careful arrangement and orientation can successfully achieve new living space without sacrificing the character of the original structure. The solution presented is successful in maintaining building character, massing, and scale. A change in roof material on the new roofline will clearly discern the cross gable as new construction.

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.*

Although unlikely to occur, it may be possible to consider the proposed addition reversible; leaving the original structure intact.

#### **Items for the Board's consideration:**

1. **There is a fundamental problem with new building mass encroaching into a required setback.** It has been determined, by average, that the north setback is 1.7'. Any new development must observe that required setback. It cannot exercise the existing, non-conforming building setback of 1.2-1.5'. Eavelines may encroach, but building mass may not. This may require some paring of the north elevation.



2. Submission materials should be supplemented to provide additional information. Toward that end, the following are needed:
  - (a) Proposed building materials, including sheathing and trim;
  - (b) proposed building height;
  - (c) Net new habitable area;
  - (d) New roofing material and whether the slate roof will be retained, and
  - (e) lighting information, if any new fixtures are proposed.
3. The applicant shall confirm the existing use of the property. (A 1996 permit was issued for a home occupation. Does this still exist?)
4. Any vertical expansion within a required setback requires DRB review (Section 5.3.5(A) 1.) . The application materials and analysis have defined a required northerly setback of 1.7'. The owners indicate that the existing house is 1.2-1.5 feet from the property line. To vertically expand within the required 1.7', DRB review is required.
5. All new construction is required to meet the Guidelines for Energy Efficient Construction per the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
6. No request for an addition to the existing structure shall imply or be considered approval of an additional residential unit.
7. Standard Permit Conditions 1-15.