

Department of Planning and Zoning

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MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: May 1, 2018
RE: ZP18-0757CA; 131 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: 18-0757CA

Location: 131 Lakeview Terrace

Zone: RM **Ward:** 3C

Date application accepted: March 7, 2018

Applicant/ Owner: Josh Chafe (Truex Cullins) / Katy Lesser

Request: Addition and renovation to historic single family home.

Background:

- **Zoning Permit 76-982;** Convert the side porch into a family room, and enclose front porch with combination windows. June 1976.



The **Design Advisory Board** reviewed the application at the March 27, 2018 meeting, and voted unanimously to forward to the DRB with a recommendation for approval.

Recommended motion: Consent Approval, per the following findings and conditions:

I. Findings

Article 2: Administrative Mechanisms

Section 2.7.8 Withhold Permit

Per this standard, the applicant is required to remedy all violations and close out all zoning permits issued after July 13, 1989 prior to issuance of a Certificate of Occupancy for this permit. See attached list for guidance on open permits/violations. **Affirmative finding as conditioned.**

Article 4: Zoning Maps and Districts

Table 4.4.5-3 Residential District Dimensional Standards

RM Zoning District	Max coverage 35%	Setbacks			Maximum Height
		Front: Ave. of 2 adjacent lots on both sides +/- 5'	Side: 105 of lot width or ave. of side yard setback of 2 adjacent lots on both sides	Rear: Min 25% of lot depth but in no event less than 20'.	
131 Lakeview Terrace	25% existing, 39% proposed	6'9" existing 5' proposed	Currently 6' (north), 2'9" (south) Proposed: 4'7" (south) (10% lot width) North: No change to existing setback.	85' (garage), greater than 47' (25% of lot depth) required.	20'

Affirmative finding.

Section 4.4.5 (d)

1. Setbacks

A. Encroachment for residential driveways
Not applicable.

B. Encroachment into the Waterfront setback
Not applicable.

2. Height

A. Exceptions in the Waterfront RM District
Not applicable.

3. Lot Coverage

A. Exceptions for Accessory Residential Features
Coverage does not exceed allowable limits for the zoning district. **Affirmative finding.**

4. *Accessory Residential Structures and Uses*

The garage will become attached to the principal dwelling. It will continue to function as accessory to the residential use. **Affirmative finding.**

5. *Residential Density*

A. *Additional Unit to Multi-Family*

Not applicable.

B. *Additions to Existing Residential Structures*

No request for an addition to an existing structure shall be considered or imply approval of an additional unit, unless requested specifically on the zoning permit application form.

No additional unit is requested or proposed. Not applicable.

C. *Residential Occupancy Limits*

In all residential districts, the occupancy of any dwelling unit is limited to members of a family as defined in Article 13.

Residential occupancy limits shall apply. Not more than 4 unrelated adults may occupy the residential unit. **Affirmative finding as conditioned.**

6. *Uses*

A. *Exception for Existing Neighborhood Commercial Uses*

Not applicable.

7. *Residential Development Bonuses*

No bonuses are sought. Not applicable.

Section 4.5.4 Natural Resource Protection Overlay (NR) District

(b) 3. Natural Areas Zone, which consists of all areas identified as Significant Natural areas in the City's Open Space Protection Plan and a corresponding buffer area of 100'.

The westerly edge of the lot, outside the development area, is within the 100' buffer. As the project area is outside the identified NRP buffer, this standard does not apply. Not applicable.

Article 5: Citywide General Regulations

Section 5.2.1 Existing Small Lots.

Not applicable.

Section 5.2.2 Required Frontage or Access

There is existing frontage on a public street. **Affirmative finding.**

Section 5.2.3 Lot Coverage Requirements

See Table 4.4.5-3, above.

Section 5.2.4 Buildable Area Calculation

The lot is not more than 2 acres. Not applicable.

Section 5.2.5 Setbacks

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

No change to existing density. One dwelling unit is existing and proposed. **Affirmative finding.**

Part 3: Non Conformities

The existing garage sits within a side yard setback. The garage footprint will not be expanded. Eave lines on the garage both east and west are illustrated; a defined allowance within required setbacks. **Affirmative finding.**

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.

131 Lakeview Terrace, constructed c. 1900 was included in the Historic Sites and Structures Survey of 1993-94, and formally listed on the Vermont State Register of Historic Resources November 21, 2006 as part of the larger Lakeview Terrace district. The standards of Section 5.4.8 therefore apply.

(b) Standards and Guidelines:

The following development standards, following the Secretary of the Interior's Standards for the Treatment of Historic Properties, shall be used in the review of all applications involving historic buildings and sites subject to the provisions of this section and the requirements for Design Review in Art 3, Part 4. The Secretary of the Interior's Standards are basic principles created to help preserve the distinctive character of a historic building and its site. They are a series of concepts about maintaining, repairing and replacing historic features, as well as designing new additions or making alterations. These Standards are intended to be applied in a reasonable manner, taking into consideration economic and technical feasibility.

- 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.*

131 Lakeview Terrace was constructed as a single family residence, and will remain so.

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.*

The existing principle structure will remain. The project will restore the original front porch to its open appearance, and original materials will be retained or replaced in kind (including the corner boards, cornice returns, boxed cornice, stone foundation and slate roof.) A 1920s era rear flat-roofed addition will be removed for the construction of a larger rear addition. Although the

scale and design are different than the existing rear appendage, it remains behind the original building and has limited visual access 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 identified. The new addition is clearly discernable as distinct from the historic house and a product of its own time. **Affirmative finding.**

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

The 1976 enclosed porch has not acquired its own significance so it not mandated for retention. The 1920s rear addition, although identifiable as a common manner to increase living (kitchen) space, will be replaced with new structure. Its location on a secondary façade with limited visual access strengthens its consideration. **Affirmative finding.**

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

The essential features of the historic house will be retained or replaced, including the central chimney. See above comments. **Affirmative finding.**

- 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 development is not related to structural failure, but a desire for expanded habitable space toward a most favorable prospect. More modern building materials may be exercised there. **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.*

No archaeological resources have been identified at this location. 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 construction includes rehabilitation of the historic house and restoration of features altered or compromised. The new addition profits from its location; in the rear of the lot, behind a tri-gable roof arrangement and between structures in relatively close proximity to the subject house. The new construction is easily discernable as new in design, materials, arrangement of window openings, material and vocabulary. **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.

Although unlikely, the proposed addition could be removed leaving the original house intact; and may therefore be considered reversible. **Affirmative finding.**

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 conceptual site plan with landscaping confirms the intended retention of at least one large Maple tree in the rear yard. The smaller of the two will be removed to accommodate the project. **Affirmative finding.**

(b) Topographical Alterations:

No changes to topography are proposed. The lot begins its grade change west of the proposed addition. **Affirmative finding.**

(c) Protection of Important Public Views:

There are no protected public views from this private parcel. 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.



(e) Supporting the Use of Renewable Energy Resources:

There is nothing within the application precluding the use of wind, solar, water, geothermal or other renewable energy resources. The direct westerly (and limited southerly) exposure offers the opportunity to maximize solar gain via large or numerous window openings. **Affirmative finding.**

(f) 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.



The applicant has provided an Erosion Prevention and Sediment Control Plan for review by the Stormwater program, which was approved March 19, 2018.

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.

The reconstructed front porch will once more provide shelter from inclement weather. The northerly entry to the mudroom is similarly nicely sheltered. Although limited, some snow storage may be provided on the northerly side of the driveway. **Affirmative finding.**

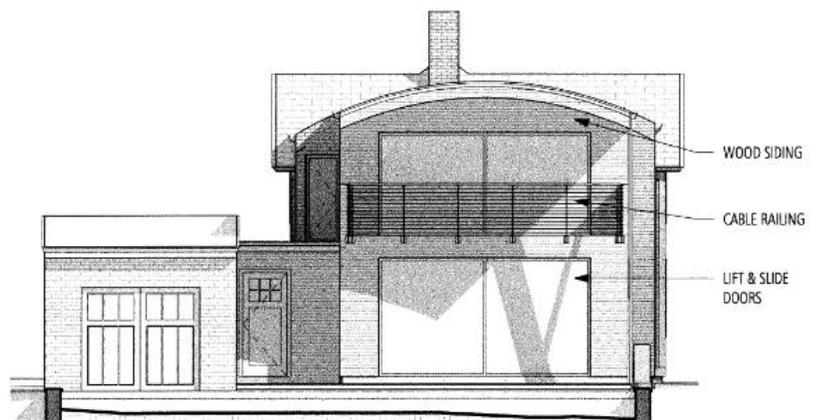
(h) Building Location and Orientation:

The orientation of the principle building will remain as existing. The proposed addition extends westerly, in the rear as is typical of most residential additions. That westerly building elevation provides another articulated face toward Lake Champlain.

Affirmative finding.

(i) Vehicular Access:

Vehicular access remains as existing, from Lakeview Terrace. **Affirmative finding.**



2 **ELEVATION - WEST**
1/8" = 1'-0"

(j) Pedestrian Access:

There remains a front stone walkway. Access is also available via the northerly porch, which abuts the driveway. **Affirmative finding.**

(k) Accessibility for the Handicapped:

Although not required of single family homes, accessibility is always encouraged. Vermont's "visitability" standards may apply. The building inspector has the jurisdiction for ADA review. **Affirmative finding.**

(l) Parking and Circulation:

The existing single lane driveway and garage will continue to accommodate the required 2 parking spaces for the single family residence. **Affirmative finding.**

(m) Landscaping and Fences:

An existing mature Maple tree will be retained west of the proposed addition. See Plan L100 for the proposed landscaping plan. **Affirmative finding.**

(n) Public Plazas and Open Space:

As a private residence, there are no public plazas. The rear terrace and front porch, however, provide opportunities for gathering and enjoying the outdoors with friends and neighbors. **Affirmative finding.**

(o) Outdoor Lighting:

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

The applicant includes specification sheets for exterior lighting, including "downlights" to be placed within the trees in the rear yard. The spec sheet for "Nite Star II" fixtures is illustrated as an "up" light, which is not acceptable per Section 5.5.2. (c). All lighting shall be full cut-off and appropriately residential in nature, with no light spill across property boundaries. **Affirmative finding as conditioned.**

(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.

Electric and Gas meters are to remain as existing and are identified on the site plan (PZ1, 2)

The mailbox will be located on the front porch.

A condensing unit has been relocated to a void in the building wall on the south elevation, outside of a required setback.

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 place 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.

The trash and recycling are assumedly within the residence or the garage. No outside storage is proposed. The utility meters are proposed to remain on the north elevation. Landscaping screening is identified on Plan L100.

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.

The relocated condensing unit is now situated in an alcove on the south building elevation. In its “niche” location and distance from neighbors, it is unlikely to introduce any adverse impact.

Affirmative finding.

Part 3: Architectural Design Standards

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

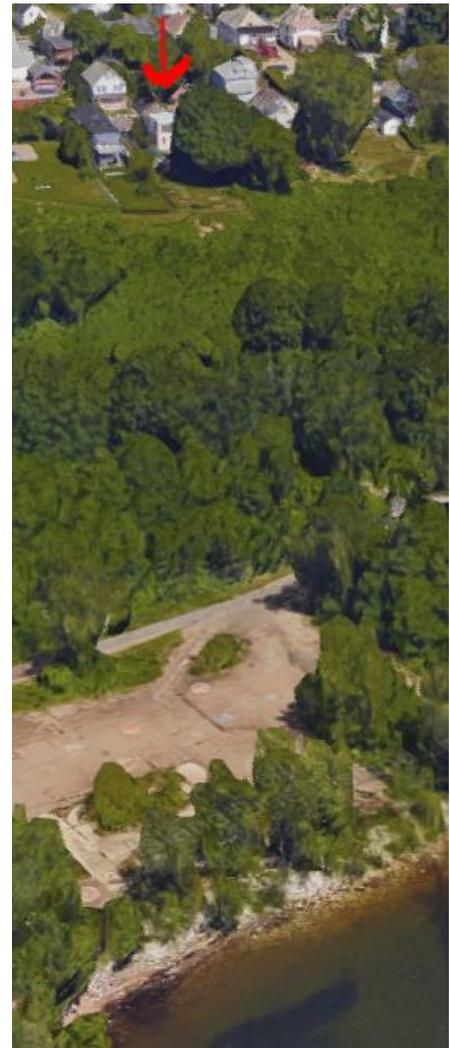
The addition, although large, is located behind the principle structure and will remain largely out of view from the public street. The height does not exceed that of the existing historic home. **Affirmative finding.**

2. Roofs and Rooflines.

The roof form of the new building form is arched (typically referred to as a barrel roof); clearly signaling a more modern vocabulary for the proposed addition. As it remains in the rear of the existing building, it will not be easily discernable from the public realm. If views were possible from the lake, the addition would confirm a consistency with existing modern additions along the terrace. The large maple, however, appears to block that vantage. **Affirmative finding.**

3. Building Openings

The applicant includes replacement window sash on the existing building (aluminum clad double hung in existing openings), with replacement entry doors. Openings on the westerly addition are casement and awning windows, more modern in arrangement and appearance. The largest of openings are predictably at the west elevation (facing the lake.) **Affirmative finding.**



(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. The introduction of new buildings to a historic district listed on a state or national register of historic places shall make every effort to be compatible with nearby historic buildings. See Section 5.4.8.

(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 general rehabilitation of the existing house and the proposed reconstructed front porch re-introduces a feature lost in 1976 when the porch was enclosed. **Affirmative finding.**

(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.

Painted wood clapboards and trim will remain on the existing house in addition to retention of the slate roof. The rear addition will begin with slate tile siding, transitioning to wood siding as the volume moves to the west. The new barrel roof is proposed be membrane.

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.

The historic structure will retain its original materials or be replaced-in-kind.

Affirmative finding.

(f) Reduce energy utilization:

All new construction is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the Burlington Code of Ordinances. **Affirmative finding as conditioned.**

(g) Make advertising features complementary to the site:

Not applicable.

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p), above.

(i) Make spaces secure and safe:

All development must observe building and life safety code as defined by the building inspector and/or fire marshal. **Affirmative finding as conditioned.**

Article 8: Parking

A single family home in the Neighborhood Parking District requires 2 parking spaces. Two parking spaces are currently available, in tandem, on the site. **Affirmative finding.**

II. Conditions of Approval

1. **Per Section 2.7.8 Withhold Permit** the applicant is required to remedy all violations and close out all zoning permits issued after July 13, 1989 prior to issuance of a Certificate of Occupancy for this permit. See attached list for guidance on open permits/violations.
2. The street identification number shall be located on the street façade and readily visible from the right-of-way.
3. Lighting shall be full cutoff and/or directed downward. Up lights are prohibited by Section 5.2.2. (c).
4. No change in use or increase in the number of residential units is included within this application. The property remains a single family residence.
5. All new construction is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the Burlington Code of Ordinances.
6. Standard Permit Conditions 1-15.

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