

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/PZ/DRB

Phone: (802) 865-7188

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Austin Hart, Chair
Michael Long
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Brad Rabinowitz
Bob Schwartz
Jim Drummond
Missa Aloisi
Alexandra Zipparo (Alt.)
Israel Smith (Alt.)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday May 6, 2014

PUBLIC HEARING NOTICE

The Burlington Development Review Board will hold a meeting on **Tuesday May 6, 2014 at 5:00 p.m. in Contois Auditorium, Second Floor, City Hall.**

- 1. 14-0814VR: 15 CONGER AVENUE (RL-W, Ward 5) Charlene S. Brown et al/Gehn Fujii**
Variance from limitation of development of existing small lot of less than 4,000 sf and from rear yard setback of 20ft.
- 2. 14-0831CA/CU: 69 SCARFF AVENUE (RL, Ward 5) Eric J. Kronk**
Construct new single family home on existing non-conforming vacant lot.
- 3. 12-1138PD: 70 APPLETREE POINT LANE (RL-W, Ward 4) Staniford Farms LLC**
Amend final plat approval to include minor site utility revisions, adjustment of farmhouse location on lot 20, retention & residing of existing storage shed, and provision of four standard house designs.
- 4. Review of [2014-2019 Joint Institutional Parking Management Plan](#)**

Plans may be viewed in the Planning and Zoning Office, (City Hall, 149 Church Street, Burlington), between the hours of 8:00 a.m. and 4:30 p.m.

Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the Planning and Zoning office is considered public and cannot be kept confidential.

This may not be the final order in which items will be heard. Please view final Agenda, at www.burlingtonvt.gov/PZ/Boards/DRB or the office notice board, one week before the hearing for the order in which items will be heard.

The programs and services of the City of Burlington are accessible to people with disabilities. Individuals who require special arrangements to participate are encouraged to contact the Department of Planning & Zoning at least 72 hours in advance so that proper accommodations can be arranged. For information call 865-7188 (TTY users: 865-7142).

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BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday May 6 2014, 5:00 p.m.

Contois Auditorium, City Hall, 149 Church Street, Burlington, VT

AGENDA

- I. **Agenda**
- II. **Communications**
- III. **Minutes**
- IV. **Consent**
 1. **14-0831CA/CU: 69 SCARFF AVENUE (RL, Ward 5) Eric J. Kronk**
Construct new single family home on existing non-conforming vacant lot. (Project Manager: Scott Gustin)
- V. **Public Hearing**
 1. **14-0814VR: 15 CONGER AVENUE (RL-W, Ward 5) Charlene S. Brown et al/Gehn Fujii**
Variance from limitation of development of existing small lot of less than 4,000 sf and from rear yard setback of 20ft. (Project Manager: Scott Gustin)
 2. **12-1138PD: 70 APPLETREE POINT LANE (RL-W, Ward 4) Staniford Farms LLC**
Amend final plat approval to include minor site utility revisions, adjustment of farmhouse location on lot 20, retention & residing of existing storage shed, and provision of four standard house designs. (Project Manager: Scott Gustin)
 3. **Review of [2014-2019 Joint Institutional Parking Management Plan](#)**
- VI. **Other Business**
- VII. **Adjournment**

Applications and Plans may be viewed in the Planning and Zoning office, (City Hall, First Floor, 149 Church Street, Burlington), between the hours of 8:00 a.m. and 4:30 p.m.

All staff comments, plans and supporting documents will be available on the Planning and Zoning website at: www.burlingtonvt.gov/pz/drb/agendas approximately one week before the hearing.

Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the Planning and Zoning office and Development Review Board is considered public and cannot be kept confidential.

This agenda is distributed to: adjacent property owners of projects before the Development Review Board, Neighborhood Planning Assemblies, City Councilors, City Departments and interested parties. You may direct written comments to the Planning and Zoning Department, at the above address. Inquiries may be made by calling 865-7188. Oral comments may be given at the meeting by any persons on any project listed on the Agenda.

Burlington Planning Commission

149 Church Street
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Yves Bradley, Chair
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Jennifer Wallace-Brodeur
Vacant, Youth Member



MEMORANDUM

TO: Development Review Board
FROM: Burlington Planning Commission
DATE: Wednesday, April 09, 2014
RE: CATMA 2014-2019 JIPMP

This memo provides the Burlington Planning Commission's recommendations regarding the Draft 2014-2019 Joint Institutional Parking Management Plan (JIPMP) presented by CATMA. The Commission heard a presentation by CATMA and discussed this proposal at our meetings on 11 and 25 March, and 8 April.

As you are aware, the Commission's review of this Plan falls under the provisions of the *Burlington Comprehensive Development Ordinance*, Article 8, with regard to Institutional Parking Management Plans. Pursuant to Sec. 8.3.4, the role of the Commission is to provide comments to the Development Review Board regarding a proposed IPMP's satisfaction of the following criteria:

- a. *the proposed Institutional Parking Plan adequately serves existing and proposed development by the institution(s);*
- b. *the proposed Institutional Parking Plan more effectively meets the intent of this Article and the goals of the municipal development plan than would strict adherence to the underlying requirements of this Article.*

It is the opinion of the Commission that the proposed *2014-2019 Joint Institutional Parking Management Plan* (JIPMP) clearly and fully satisfies the requirements of Sec. 8.3.4, and we unanimously recommend your approval.

The JIPMP clearly demonstrates that treating institutional parking demand comprehensively is a more sensible approach than requiring parking on a use-by-use or site-by-site basis. Even with anticipated future development, the JIPMP is projecting there to be a surplus of 745 parking spaces across all three institutions in 2019.

In the more than 2 decades since CATMA was created, it has been successful at significantly reducing both parking demand and SOV trips to the 3 hill institutions. This has reduced traffic congestion and off-site parking impacts, provided substantial support for alternative modes such as CCTA and CarShare VT, and allowed for more compact campuses through the redevelopment of former surface parking lots.

In our review of the plan and discussion with CATMA we discussed ways to further improve outcomes in getting more individuals to use transit and expand the mode shift away from SOV trips. The Commission also recommended consideration of new initiatives that would encourage and support employees to live closer to their work and eliminating the need to drive to work all together.

Feel free to contact me or the Planning Staff (Sandrine or David) should you have any questions.

Thank you for your time and consideration.

Department of Planning and Zoning

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Burlington, VT 05401
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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: Development Review Board
FROM: Scott Gustin 
DATE: May 6, 2014
RE: 12-1138PD Amendment; 70 Appletree Point Lane

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: WRL Ward: 4

Owner/Representative: Staniford Farms, LLC/Eric F. Farrell

Request: Amend final plat approval to include minor site utility revisions, adjustment of farmhouse location on lot 20, retention & residing of existing storage shed, and provision of four standard house designs.

Applicable Regulations:

Article 3 (Applications and Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 10 (Subdivision), and Article 11 (Planned Unit Development)

Background Information:

The applicant is requesting approval to again amend an existing final plat approval for a 26-unit planned unit development (PUD) granted October 16, 2012 and initially amended May 10, 2013. The approved project consists of 21 new building lots, a new public road, and associated infrastructure and amenities. It also includes reconstruction of the private Appletree Point Lane and relocation of the original Wick farmhouse.

The approved project does not include construction of the new the homes. These are to be permitted separately. The primary focus of this amendment request is to gain Development Review Board approval for four home designs that will serve as the basis for all of the new homes to be constructed. Individual homes may vary somewhat from these four templates, and each home will still require separate zoning permits. DRB approval of these four design templates will; however, enable administrative review of individual home permits. Doing so is permissible under Sec. 3.2.7, *Administrative Authority*, (b) *Further Delegation by the Development Review Board* so long as the delegation is specified in the DRB's bylaws. An associated change to Sec. XIII, *Administrative Review*, of the bylaws is included for review. Any new home that does not conform to the templates included in this amendment will be subject to review by the Design Advisory Board and Development Review Board.

The requested amendment also seeks approval to shift the relocated farmhouse some 20' to the west to provide greater separation distance between the tree canopy and the home, increase separation distance among the utilities, and retain and renovate the existing storage shed for use by the homeowners' association.

Recommendation: Amended final plat 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 development will be served by municipal water and sewer. Sufficient capacity is available as confirmed by the Department of Public Works. The amendment does not affect capacity in any way. **(Affirmative finding)**

2. The character of the area affected;

The proposed amendment does not affect the development's relationship to the character of the surrounding area. The overall layout and scope of the development remains the same.

(Affirmative finding)

3. Traffic on roads and highways in the vicinity;

Traffic impacts will remain unchanged upon project completion. **(Affirmative finding)**

4. Bylaws then in effect;

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

5. Utilization of renewable energy resources;

Prior approval requires that conduit will be run in each of the homes so that they are solar ready if future owners opt for that choice. This requirement remains. **(Affirmative finding)**

6. Cumulative impacts of the proposed use;

This criterion requires that cumulative impacts associated with residential development where it is permitted be deemed negligible. **(Affirmative finding)**

7. Functional family;

Occupancy of all of the dwelling units in this development will be subject to the functional family provisions. There is no request to exceed the limit of four unrelated adults in any of the homes. **(Affirmative finding)**

8. Vehicular access points;

See Sec. 6.2.2 (i).

9. Signs;

(Not applicable)

10. Mitigation measures;

The proposed development will likely not generate offsite noise or glare substantial enough to require mitigation. **(Affirmative finding)**

11. Time limits for construction;

No changes to the approved 5-year build out for the project are requested. The work associated with the development includes installation of all project infrastructure and relocation and renovation of the farmhouse. Within those 5 years, there are two phases: 1) finalize and file the subdivision plat in the city's land records, and 2) construct project infrastructure and farmhouse relocation and renovations. **(Affirmative finding)**

12. Hours of operation and construction;

Proposed days and hours of construction remain unchanged at Monday – Saturday, 7:00 AM – 6:00 PM. **(Affirmative finding)**

13. Future enlargement or alterations;

In the event of future enlargement or alteration, permits would be required and reviewed under the regulations then in effect.

14. Performance standards;

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

15. Conditions and safeguards;

See conditions of approval.

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(2) Waterfront Residential Low Density (WRL)

The subject property is located in the WRL zone. This zone is primarily intended for low density residential development in the form of single family homes and duplexes. Due to its close proximity to the lake, design review and stormwater management are particularly important considerations. The proposed development as amended remains consistent with the purpose of the WRL zone. **(Affirmative finding)**

(b) Dimensional Standards & Density

See Sec. 4.5.5, *Larger Lot Overlay District* for minimum lot size and density.

Lot coverage is limited to 35%. No changes to lot coverage are sought. The approved subdivision plat depicts building envelopes on each of the proposed building lots. Assuming a complete build-out on each lot, total lot coverage within the development would be 25.2%.

Within the PUD, only peripheral setbacks apply. As noted previously, the overall layout of the proposed development remains unchanged.

Building heights are specified and range from 17' to 26' tall. The maximum building height in the WRL zone is 35'. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The major PUD is subject to conditional use review in the WRL zone. Such review is addressed in these findings. **(Affirmative finding)**

(d) District Specific Regulations

1. Setbacks

No setback encroachments are sought.

2. Height

Not applicable in WRL.

3. Lot Coverage

Lot coverage is compliant as noted previously. **(Affirmative finding)**

4. Accessory Residential Structures and Uses

No new accessory uses or structures are included in this proposal. The existing storage shed to be retained and renovated as part of this amendment was originally to be demolished. Its retention is acceptable. Details (i.e. exterior building materials and fenestration) as to its renovation are needed. **(Affirmative finding as conditioned)**

5. Residential Density

The proposed residential units are subject to the functional family provisions of the Comprehensive Development Ordinance. No request to exceed these limitations is included in this amendment. **(Affirmative finding)**

6. Uses

Not applicable.

7. Residential Development Bonuses

No development bonuses are being sought.

Sec. 4.5.4, Natural Resource Protection Overlay (NR) District

(d) District Specific Regulations: Wetland Conservation Zone

(6) Criteria for Review

The amendment entails no changes to onsite wetland impacts. As originally approved, the Conservation Board determined that there are no direct impacts to any mapped wetlands onsite and that buffer impacts are minor. They found that Home Owner Association (HOA) provisions for annual mowing in common areas within the buffer zones and for pond maintenance were acceptable. **(Affirmative finding)**

Sec. 4.5.5, Larger Lot Overlay District

(c) District Specific Regulations: RL Larger Lot Overlay

(1) Minimum Lot Size and Density

The minimum lot size for single family homes in this overlay district is 9,900 sf and 15,840sf for duplexes. Article 11, *Planned Unit Development*, allows flexibility in dimensional requirements

(including lot sizes) and in residential densities. The approved project contains smaller lots. The proposed amendment includes no changes to lot sizes and remains acceptable. **(Affirmative finding)**

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

The proposed amendment has no effect on the buildable area calculation. Density is calculated based on 12.27 acres. At 4.4 units per acre maximum, up to 54 units could be permitted. The 21 proposed units are compliant. **(Affirmative finding)**

Sec. 5.2.5, Setbacks

See Sec. 4.4.5 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.5 (d) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.5.5 above.

Sec. 5.4.8, Historic Buildings and Sites

The historically significant farmhouse has been approved for relocation already. This amendment seeks only to adjust its new location some 20' to the west in order to improve isolation distance between it and the nearby tree canopy. This slight adjustment is acceptable. **(Affirmative finding)**

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

Outdoor lighting along the new public road remains unchanged and acceptable. Lighting for the new homes will be included in individual permit applications for each home. **(Affirmative finding)**

Sec. 5.5.3, Stormwater and Erosion Control

Stormwater infrastructure remains unchanged as do erosion control measures. Post-construction stormwater management remains the responsibility of the homeowners association as originally approved. Individual home construction must adhere to the erosion control measures included in this project approval. **(Affirmative finding as conditioned)**

Article 6: Development Review Standards:

Part 1, Land Division Design Standards

No changes to the configuration of the previously approved subdivision are proposed. **(Affirmative finding)**

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

The amended project plans entail no new impacts to onsite natural features including ponds, wetlands, wooded areas, and the existing row of mature Locust Trees along Appletree Point Lane. **(Affirmative finding)**

(b) Topographical alterations

No significant topographic changes are included in the amendment. **(Affirmative finding)**

(c) Protection of important public views

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

(d) Protection of important cultural resources

The site has no known archaeological resources. **(Affirmative finding)**

(e) Supporting the use of alternative energy

The original project approval included provision to make all of the new homes solar ready with conduit included in their construction. This provision should continue to apply. **(Affirmative finding as conditioned)**

(f) Brownfield sites

The property is not included on the Vermont DEC's Hazardous Sites List. **(Affirmative finding)**

(g) Provide for nature's events

Stormwater management measures will be installed as originally approved.

There is ample room onsite for seasonal snow storage. **(Affirmative finding)**

(h) Building location and orientation

The approved building envelopes remain unchanged and will provide for consistent spacing and orientation of new homes within the development. All four of the home templates are oriented towards the street with well-defined front entries. **(Affirmative finding)**

(i) Vehicular access

All of the new building lots will be served by private driveways. No changes are proposed in this amendment. **(Affirmative finding)**

(j) Pedestrian access

As previously approved, new public sidewalks will serve the new subdivision. The public sidewalk runs continuously across driveways as required. As depicted in the renderings, each new home will have a front walkway connecting to the public sidewalk. **(Affirmative finding)**

(k) Accessibility for the handicapped

Public sidewalk ramps will be handicap accessible as required. **(Affirmative finding)**

(l) Parking and circulation

Onsite circulation remains unchanged. Parking will be provided with individual homes as they are constructed. **(Affirmative finding)**

(m) Landscaping and fences

As previously approved, new street trees will be planted along the new public road. These trees have been reviewed and approved by the City Arborist. Other landscaping consists of a variety of trees, shrubs, and ground cover. Landscaping will be installed in common open space areas. Construction of individual homes will include landscaping plans.

Split rail cedar fencing will be installed along sections of 50' wetland buffer in the rear yards of affected properties. The fencing will provide an on-the-ground demarcation of the buffer zone.

(Affirmative finding)

(n) Public plazas and open space

Common lands and amenities remain essentially unchanged except that the existing storage shed will be retained and renovated rather than demolished. **(Affirmative finding)**

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

Project infrastructure remains largely unchanged except that utility lines will be laid out to provide greater separation distances than originally proposed. **(Affirmative finding)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

Four building types for the new homes are included in this proposal. These building types will be used throughout the new development and may vary moderately from the templates.

The massing, height, and scale of all proposed building types are consistent with those of existing homes in the surrounding areas. They are 1 ½ to 2 ½ stories tall and all incorporate gabled roofs, porches, and other architectural features to break up their apparent massing and to reflect the human scale of this residential area. **(Affirmative finding)**

2. Roofs and Rooflines

All of the new structures will have gable roofs of one style or another. Some of the homes will incorporate multiple rooflines. **(Affirmative finding)**

3. Building Openings

Fenestration patterns vary among the proposed building types. All are appropriately scaled and styled for the building types proposed. Front entries face the street and are easily identifiable. All front entries incorporate some type of porch. **(Affirmative finding)**

(b) Protection of important architectural resources

Except for a modest revision to its relocation, no changes to the historically significant farmhouse are proposed. **(Affirmative finding)**

(c) Protection of important public views

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

(d) Provide an active and inviting street edge

All of the new homes will face the street with prominent front entries. As noted earlier, all of the homes will include front porches and other architectural details to add visual interest. The proposed building types are variable so as to avoid monotony along the new street. Differing colors among the buildings are depicted. Building placement is consistent and will serve to provide a well-defined streetscape. **(Affirmative finding)**

(e) Quality of materials

Building materials will consist of vinyl siding and trim with asphalt shingle roofing. Vinyl windows are also proposed. While these materials are not of particularly good quality or durability, they are acceptable for new construction of single family homes. Note that “wood grain” vinyl siding is proposed. Only smooth or “brush stroke” vinyl siding may be used. If any of the future houses substitute higher quality materials; such as wood or fiber cement siding or fiberglass, wood or wood clad windows; such materials are acceptable substitutes for the lower quality less desirable materials proposed. **(Affirmative finding as conditioned)**

(f) Reduce energy utilization

All of the new homes must comply with the city’s energy efficiency standards. They will all have ample solar access and will be required to have conduit installed for future optional installation of solar voltaic panels. **(Affirmative finding)**

(g) Make advertising features complimentary to the site

No new commercial signs are included in this proposal.

(h) Integrate infrastructure into the building design

Mailbox and utility meter locations are not noted on the building templates. Mailbox locations were previously approved on posts by the road and may continue to be. If they are to be relocated onto the homes, the change must be noted. All utility meters must be on the sides or rear of the new homes and screened. **(Affirmative finding as conditioned)**

(i) Make spaces safe and secure

All of the new homes must comply with the city’s current egress requirements. The Fire Marshal has previously confirmed the adequacy of proposed access. **(Affirmative finding)**

Article 10: Subdivision

See Articles 3, 4, 5, and 6 of these findings.

Article 11: Planned Unit Development

Sec. 11.1.6, Approval Requirements

(a) Lot coverage requirements of the district shall be met

Lot coverage is compliant at 25.2%. The coverage limit is 35%. **(Affirmative finding)**

(b) The minimum setbacks required for the district shall be met

As noted previously, setbacks are compliant. **(Affirmative finding)**

(c) The minimum parcel size shall be met if the project is located in a RL or RL-W district

The two acre minimum lot size requirement for the PUD has been met. **(Affirmative finding)**

(d) The project shall be subject to design review and site plan review of Article 3, Part 4
See Article 3 above.

(e) The project shall meet the requirements of Article 10 for subdivision review
See Article 10 above.

(f) All other dimensional, density, and use requirements of the underlying zoning district shall be met as calculated across the entire property
Applicable dimensional requirements have been met. The single family homes are permitted in the WRL zone. **(Affirmative finding)**

(g) Open space or common land shall be assured and maintained in accordance with the conditions as prescribed by the DRB
Common open space lands will be held and maintained by the Home Owners' Association.
(Affirmative finding)

(h) The development plan shall specify reasonable periods within which development of each phase of the planned unit development may be started and shall be completed. Deviation from the required amount of usable open space per dwelling unit may be allowed provided such deviation shall be provided for in other sections of the planned unit development.
See Sec. 3.5.6 (a) 11.

(i) The intent as defined in Sec. 11.1.1 is met in a way not detrimental to the city's interests
Sec. 11.1.1, Intent

(a) Promote the most appropriate use of land through flexibility of design and development of land;

The proposed use of land remains unchanged from the original approval. The residential use is appropriate for this property. Site constraints, primarily wetlands and ponds, preclude the proposed number of units in a traditional subdivision meeting standard dimensional requirements. The PUD process enables flexibility in dimensional requirements that allow for the proposed development. **(Affirmative finding)**

(b) Facilitate the adequate and economical provision of streets and utilities;
Multiple residences will be served by shared streets and utilities within the development. **(Affirmative finding)**

(c) Preserve the natural and scenic qualities of open space;
Open space will remain, and much of it will contain protected natural features like the ponds and wetlands. **(Affirmative finding)**

(d) Provide for a variety of housing types;
Only single family homes are proposed; however, they will vary in size and appearance among the four templates provided. **(Affirmative finding)**

(e) *Provide a method of development for existing parcels which because of physical, topographical, or geological conditions could not otherwise be developed; and,* As noted in (a) above, extensive wetlands and ponds preclude development on much of the property. Placing homes on smaller lots as proposed preserves these natural features and allows for a moderately scaled development. **(Affirmative finding)**

(f) *Achieve a high level of design qualities and amenities.*

The Design Advisory Board found the project design compliant with the standards of Article 6. Amenities include individual parcels, common open space lands, gazebo, and associated infrastructure, access to significant natural areas and to the public bike path. **(Affirmative finding)**

(j) *The proposed development shall be consistent with the Municipal Development Plan*

The project can be found in reasonable conformance with the MDP:

The project reflects the existing neighborhood development patterns surrounding it (pg. I-24, City of Neighborhoods and pg. III-1, City Policies).

The proposed development constitutes infill development and brings additional housing units into Burlington, the historic core of the region (pg. I-30, Land Use Action Plan).

The development avoids direct impacts to the extensive onsite wetlands and ponds. Clearing of wooded areas is limited (pg. II-1, City Policies).

The historically significant Wick farm house will be retained and renovated (pg. IV-1, City Policies).

The project will comply with the city's current energy efficiency standards (pg. VIII-1, City Policies). **(Affirmative finding)**

II. Conditions of Approval

1. Within 180 days of the date of final approval, the new subdivision plat mylar, with all applicable endorsement signatures, shall be filed with the City Clerk per Sec. 10.1.11 of the Comprehensive Development Ordinance. Failure to do so shall render void the final plat approval.
2. Except as specifically changed in this amendment, all conditions of zoning permit 12-1138PD approved October 16, 2012 and initially amended May 10, 2013 shall remain in effect.
3. **Prior to release the zoning permit**, exterior building material and fenestration details for the storage shed to be retained and renovated shall be noted on proposed elevation plans for the shed, subject to staff review and approval.
4. Erosion control measures included in the original October 16, 2012 approval shall apply to all construction included in this development (infrastructure and individual home construction).
5. All of the new homes shall contain conduit in order to be "solar ready" for potential rooftop solar panels.
6. Future building of structures on any of the lots shall require individual zoning and associated construction permits. The zoning permits shall be reviewed and approved

administratively if the homes are consistent with the four templates approved in this amendment. Homes that significantly diverge from these approved templates shall be subject to review and approval by the Design Advisory Board and Development Review Board. In all cases, impact fees will be assessed based on the square footage of each new house.

7. Zoning permit applications for the individual homes shall include scaled, detailed elevation drawings and site plans. As noted in this amendment, utility meters shall be located on the sides or rear of the homes and shall be screened. Only smooth or “brush stroke” vinyl siding may be installed. If any of the future houses substitute higher quality materials; such as wood or fiber cement siding or fiberglass, wood or wood clad windows; such materials are acceptable substitutes for the lower quality less desirable materials proposed.
8. Standard permit conditions 1 -15.

Section XIII: Administrative Review.

The DRB hereby authorizes administrative review in addition to that which is already provided for in the Comprehensive Development Ordinance per Sec. 3.2.7 (b) *Further Delegation by the Development Review Board* for the following application types:

1. De minimus telecommunications facilities
2. Landscaping projects and regular turf maintenance including cutting, filling, re-grading, and reseeded that do not involve the construction of new buildings.
3. New single family homes at Stanniford Farms (permit # 12-1138PD) that conform to the templates reviewed and approved by the DRB.

If an application is submitted for such application type that results in substantial adverse impact under any of the standards set forth in the CDO, it shall not be eligible for administrative review under this section. Further, no amendment issued as an administrative review shall have the effect of substantively altering any DRB decision.

Section XIV: Amendments.

These rules may be amended at any regular or special meeting by a two-third vote of the number of regular board members, provided that each DRB member has been presented a written copy of the proposed amendment at least 24 hours before the meeting at which the vote is taken. Only those amendments which are presented to the members prior to the meeting may be amended at that meeting.

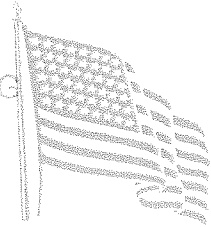
Staniford Farms, LLC

P.O. Box 1335, Burlington, VT 05402
802-861-3000 fax 802-861-3003

RECEIVED

MAR 25 2014

DEPARTMENT OF
PLANNING & ZONING



March 24, 2014

Scott Gustin, AICP
Senior Planner
Department of Planning & Zoning
149 Church Street
Burlington, VT 05401

Re: Staniford Farms, 70 Appletree Point Lane
Final Plat Amendment

Dear Scott,

Enclosed please find the following materials for you use in connection with my request to amend my Final Plat approval for the above referenced property:

- Zoning Permit Application
- Application Fee - \$150.00
- Plan Set - Civil Engineering drawings only
(Drawing Number: C3.0, C3.1; C3.2; C3.3, C3.4, C3.5 & C4.0)
- Pictures of the existing storage shed on Staniford Farms HOA Lot A
- Renderings of four typical/representative house designs
- Article 15, as excerpted from the "Declaration of Planned Community For Staniford Farms, A Common Interest Community" - as recorded in the land records
- Article IX, as excerpted from the "Declaration of Planned Community For Appletree Point Farm, A Common Interest Community" - as recorded in the land records

Proposed Changes

The changes that I would like the DRB to consider are, as follows:

- Minor revisions to the site utilities layout: to provide for greater separation distances between utilities per the request of the utility companies.
- Moved the relocated Farmhouse: on Lot 20 by 20' to the west to gain better separation distance from the existing tree line (canopy) on the east side of the house.

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- Retain the existing storage shed: on Staniford Farms HOA Lot A for use by the homeowners for the storage of gardening tools/equipment and other Association items. The shed will be re-clad with horizontal clapboard siding.
- Proposed (typical) house designs: I would like the DRB to authorize the Staff to approve individual house plans, when and as each lot buyer comes in for a Zoning Permit. The typical renderings that I have attached herein represent a simple, Vermont vernacular design with pitched roofs, front porches and clapboard siding.

Each house will be located within the approved building envelope and otherwise meet all zoning requirements.

The homes on lots 1 - 19 will be subject to architectural controls set forth in Declaration of Planned Community For Staniford Farms. The homes on lots 20 - 22 will be subject to architectural controls set forth in Declaration of Planned Community For Appletree Point Farm.

Each lot buyer will be required to comply with all local, state and federal permit conditions for Staniford Farms and adhere to the City's erosion control standards.

I'm asking the DRB to authorize the Staff to approve all house plans that substantially conform to the designs set forth in the renderings provided herein. My purpose is to reduce the time period and process for securing a Zoning Permit. It makes no sense to me to require the DRB to review the details of each and every house plan.

Please schedule me before the DRB at its earliest convenience.

Many thanks,



Eric F. Farrell
Sole Member

Attachments

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**DECLARATION OF PLANNED COMMUNITY
FOR
APPLETREE POINT FARM
A COMMON INTEREST COMMUNITY**


Doc ID: 001904020064 Type: LAN
BK 1237 PG 590-653

Elements by persons lawfully using or entitled to use the same.

REC-111111
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- I. **Easement for Encroachment.** To the extent that any Lot or Common Element unintentionally and non-negligently encroaches on any other Lot or Common Element, an easement for the encroachment shall exist.
- J. **Easement Over Lot A.** Each Lot Owner is hereby granted an easement, in common with others, over Lot A as shown on the Plat, subject to use restrictions stated in this Declaration.
- K. **Easements Granted to Adjoining Staniford Farms.** Staniford, together with Murphy and Farrell hereby give, grant and convey unto Staniford Farms, a Common Interest Community, a twenty foot (20') wide easement and right of way for new stormwater lines and appurtenances over portions of Lot A, depicted as "E12" and "E13" on the Plat and Plans. The Association shall be responsible, at its own cost and expense, for making any repairs or replacements to the stormwater appurtenances and lines on Lot A and Lot 24 that are connected to the Staniford Farms stormwater system which benefit the Lot Owners, including foundation drains serving Lots 20, 21 and 22, including repairing any damage to the Staniford Farms stormwater system that arises from such connections. A Lot Owner shall be required to reimburse the Association for the cost of any such damage caused by its use or neglect.
- L. **Easement for Access Reserved for the benefit of Lot 24.** Staniford grants an easement over the twenty foot (20') easement identified as "E12" on the Plat to Murphy and Farrell for purposes of vehicular and pedestrian ingress and egress for the benefit of Lot 24. Murphy and Farrell and their successors and assigns shall be solely responsible for the costs of maintaining and repairing the same.
- M. **Additional Easements.** The Board of the Association shall have the power (without submitting the same to the Lot Owners for approval) to authorize the appropriate officers of the Association to execute any and all easements as it may deem desirable for the benefit of the Common Interest Community over, under, above or through any of the Common Elements for such purposes and upon such terms as the Board, in its sole judgment, deems desirable; provided, however, that all such easements shall be subordinate to the liens and rights of all mortgages and deeds of trust recorded prior in time thereto unless the mortgagee or trustee shall join therein.

ARTICLE IX

Restrictions

A. Design Review Committee and Design Standards as to Lots 20, 21 and 22

1. There shall be a Design Review Committee (the "Committee") which is comprised only of Staniford Farms, LLC. The Design Standards set forth below shall apply only to Lots 20, 21 and 22 ("Lots 20-22") for a period of twenty-five (25) years, except for the fencing restrictions on Lots 21 and 22, which shall remain in perpetuity.
2. The Design Standards shall apply only to Lots 20, 21 and 22 ("Lots 20-22").

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3. No Dwelling, building, fence, wall, recreational amenity or other structure shall be commenced, erected or placed on Lots 20-22, nor shall any addition or external alteration be made until plans and specifications showing the location of the Dwelling and the nature, kind, shape, height, color and materials for the Dwelling, together with plans depicting the landscaping, limits and nature of all tree clearing, site work and grading have been submitted for approval in writing to the Committee and approved.

4. All Dwellings shall be designed and built to outwardly reflect the traditional New England style of architecture by incorporating traditional pitched roofs of not less than 5/12 for single-story homes and 7/12 for two-story homes (these roof pitches apply to garages and accessory structures, but not porches), overhangs at the soffits, and siding of natural or earth-tone color consisting of wood or vinyl clapboards, narrow horizontal vinyl or cedar shakes, hardiplank, brick or stone. Dwellings must be at least 2,000 sf of living area, determined as follows: measured from the exterior surface of the enclosing exterior walls, including all finished floor levels, but not including garage or basement areas. Dwellings may contain one or two stories only. Garages may be attached to the Dwelling or detached. Dwellings or other structures shall be constructed within required setbacks and building envelopes depicted on the approved plans and shall not exceed thirty-five feet in height. In addition, the goal of the Appletree Point Farms neighborhood and the adjoining neighborhood Staniford Farms is to establish and maintain a traditional residential ambiance and to preserve the wooded nature of the commons areas of the Property and those areas at the rear or sides of lots which serve as buffers against adjoining properties or natural areas.

5. The Dwelling standards referenced in Section 4 above, shall not apply to the existing and historic farmhouse, which is to be relocated to Lot 20 pursuant to, and in compliance with, the Permits.

6. Fences and hedges for privacy and security are allowed and can be located on each Lot, including along the Lot boundary line. No fence shall exceed 6 feet in height, except in the areas west of the building envelope on Lots 21 and 22, where fencing shall not exceed 4 feet. In cases where a fence has one good (finished) side, the good (finished) side shall face the neighboring Lot or property. Fences shall be in compliance with applicable municipal codes and regulations.

7. The Committee shall have the right, in its sole discretion, to refuse to approve any plans, specifications, tree clearing or grading plans, which in its opinion, do not conform with the provisions or the intent of this instrument or the Permits. Decisions of the Committee shall consider the following:

- (i) The intent of the Declaration of Planned Community and these standards to create and maintain a traditional New England neighborhood. The Committee shall permit only improvements and tree clearing which in its opinion are consistent with that purpose in both design and construction.

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(ii) No improvement shall be permitted which does not reflect traditional New England respect for the quality of life and property values of the other Owners; no improvement shall be permitted by the Committee which would have an undue adverse impact on any other Lot Owner's values or which would detract from the traditional residential ambiance of the neighborhood.

(iii) No improvement shall be permitted which does not maintain the continuity of neighboring properties with respect to size, shape, height, color, style, materials, location and screening.

(iv) Varied designs of Dwelling houses shall be preferred, and Dwellings of identical design shall not be constructed on adjacent Lots.

(v) The Permits.

8. The Committee's approval or disapproval, as required herein, shall be in writing. In the event the Committee fails to issue its written approval or disapproval within thirty (30) days after complete plans and specifications have been submitted to it, the submitted plans and specifications shall be deemed to be approved.

9. The Committee shall not be liable or responsible for any approval based on an inaccuracy in the plans and specifications. In addition, the Committee's approval shall not represent or warrant that the improvements are safe or appropriate for their intended uses, nor shall the approval represent or imply that the plans and specifications are accurate and comply with applicable codes, regulations, statutes, permits or approvals.

B. Covenants and Environmental Restrictions as to Lots 20, 21, 22, 23, 24 and 25.

1. **Use of Property Subject to Permits.** The Property shall be used and conveyed only in accordance with the conditions of the Permits; all protective covenants and easements and rights of way for utilities of record, not meaning to reinstate any claims barred by operation of the Vermont Marketable Record Title Act, 27 V.S.A. § 601-611, both inclusive; and as all of the foregoing may be amended from time to time and as set forth on Exhibit A. The Lot Owners by and through the Association have an ongoing obligation to ensure compliance (including, but not limited to, the costs associated therewith) with all applicable laws, regulations and requirements of the Permits.

If the use of or activities or events occurring on a Lot or a condition existing on a Lot violates: the Permits or any other governmental permit, approval, authorization or certification pertaining to a Lot or the Property; or, any government ordinance, statute, rule or regulation relating to use of the Property (a "Violation"), the Violation resulting from (i) the written agreement of the Owner of the Lot acknowledging the Violation; or, (ii) the written determination of the governmental authority having jurisdiction to enforce the Violation, which determination is deemed final in that it is not subject to a further

Scott Gustin

From: Eric Farrell <efarrell@farrellrealestatevt.com>
Sent: Tuesday, April 15, 2014 9:50 AM
To: Scott Gustin
Cc: Chris Brown
Subject: FW: Building Heights
Attachments: Staniford Farms QFS.pdf

Hi Scott,

Does this information from Snyder complete what you need for the DRB?

Eric

Eric F. Farrell
efarrell@farrellrealestatevt.com

FARRELL REAL ESTATE

Mailing: PO Box 1335, Burlington, VT 05402-1335

Physical: 875 Roosevelt Highway, Suite 120, Colchester, VT 05446

P: 802-861-3000 x12

F: 802-861-3003

C: 802-343-7055

*"Prosperity means a healthy, peaceful life with good relationships
and enough resources to be able to be a blessing to others." - Joel Osteen*

From: Chris Brown [mailto:cbrown@snyderhomesvt.com]
Sent: Tuesday, April 15, 2014 8:41 AM
To: Eric Farrell
Subject: Building Heights

Eric,

Building heights as follows:

Champlain 17'

Tamarack 21'

Tyndale 26'

Whitman 26'

Our measurements started 9" below the lowest point on our elevations and were measured "to the midpoint of the rise between the roof plate and the ridge of the highest gable" as defined in section 5.2.5 of the city wide ordinances. I believe maximum height is 35', so we have plenty of room to spare on all 4 elevations.

I'm on dad duty today with my boys out of school so I won't have time to draw on the elevations. Hopefully the description above will be sufficient for Scott.

Chris Brown
Build on Your Lot Coordinator
Snyder Custom Homes LLC
802-825-1031

Staniford Farms

Quality Features

Plumbing:

- All bath fixtures are white, faucets are Moen® Kingsley collection chrome with lever handles.
- Kitchen sink is double bowl stainless steel.
- Kitchen sink faucet is Moen Extensa, chrome.
- Water Heater - 50 gallon direct-vent high efficiency.
- PEX domestic water piping. PVC drainage and vent pipes.
- Two frost-free exterior faucets.
- Plumbing and electrical hookups for clothes washer and electric dryer.
- Anti-Scald valves on showers.
- Low consumption elongated-bowl toilets.

Heating:

- 95% high-efficiency propane forced hot air heating system with fresh air intake.
- Programmable set-back thermostat.

Electrical/Lighting:

- 200 Amp service.
- Two exterior weatherproof outlets.
- A total of eight phone, cable or additional outlets are included (to be located).
- Smoke detectors & CO detectors for all levels wired into the electrical system with battery backups.
- Bathroom Fans - all bathrooms have a Panasonic fan or fan/light combination, some bath fans on timers for air exchange.
- Interior and exterior light fixtures and front door bell. An allowance of \$300 for the dining/dinette room light is included. Recessed lighting is included per home plan.
- Two under cabinet lights included.

Interior Millwork:

- Interior Doors - colonial 2-panel smooth finish.
- Satin chrome Schlage® door knobs.
- Colonial 2 ½" casing for windows and doors, 5 ½" baseboard, millwork is pre-primed and finger-jointed.
- Mirrors - oval white framed mirror above pedestal sinks and full ground-edge mirrors above vanities.
- Closet Shelving - White vinyl covered steel. Pantries and linen closets feature 'close-mesh' shelving.
- Staircase detail is a painted shoe wall with hardwood cap. Railing and newel posts are clear finished hardwood, balusters are white.

Interior Finishes:

- Walls - ½" drywall with two coats of 'Builder Solution' flat paint, one wall color throughout.
- Ceilings - ½" non-textured drywall with flat white paint.
- Interior Millwork and Doors - window and door casings and interior doors are pre-primed and painted with satin finish paint.
- Interior of garage is unpainted and unfinished.
- Towel Bars and Paper Holders - chrome plated. ½ bathroom has towel ring, full and master baths have 30" towel bar. Paper holder matches towel bar.
- Chrome & clear glass shower door in master bathroom.

Cabinets and Countertops:

- Aristokraft® kitchen and bath cabinets per home plan.
- All plans include a waste basket base cabinet.
- Countertops - Granite with undermount double bowl stainless steel sink.
- Medicine cabinet to match vanity in full and master bathrooms.
- Vanity Tops - granite with integrated sink.

Flooring:

- Pre-finished hardwood flooring in the Front Entry Hall, Dinette, Kitchen and Dining Rooms, per plan.
- Ceramic floor tile in all bathrooms.
- Vinyl flooring in laundry room
- Carpet - stain resistant same color throughout.
- Padding - 8 lb. Urethane pad.

Appliances:

- Appliances, stainless steel finish.
- Refrigerator - Whirlpool® side-by-side 25 cubic foot with ice and water dispenser in the door.
- Electric range - Whirlpool® free standing self-cleaning oven w/ window in door.
- Microwave - Whirlpool® vented outside.
- Dishwasher - Whirlpool® 5 cycle Potscrubber, 2 level wash.
- Disposal - Insinkerator® Badger 5™ ½ HP continuous feed (municipal septic systems only).

PLEASE NOTE:

We are continually improving the design and quality of our homes. Therefore, plans, specifications and options may change without notice. All plan dimensions are approximate and are subject to field variations. Revised 3/10/2014



Staniford Farms

Quality Features

Green Building Features:

- 82% or more of construction waste recycled.
- Energy Code Plus Rating including inspection from Efficiency Vermont.
- Energy Star products include: Hot water heater, furnace, refrigerator, microwave, dishwasher, bathroom ventilation fans, windows
- Air Sealing
- Low flow water fixtures
- Low VOC paints
- Recycled carpet included standard
- Passive radon mitigation system, including testing. If high levels of radon are still present the system will be converted to an active radon mitigation system at no charge.

Special Features for all Homes:

- 9' ceilings on the 1st floor which includes taller kitchen cabinets and transom windows over the front and dinette doors
- Architectural columns with trim per plan

Sitework/Landscaping:

- Foundation drainage system.
- Covered front porch – treated wood steps.
- 14'x10' treated wood deck with wood railing and steps on rear of home.
- Final grade, rake and hydroseed for disturbed areas
- Paved driveway – 2" of asphalt

Foundation:

- Concrete Footings - 20"x10" continuous.
- Concrete Walls - steel reinforced, 8" x 7'-10" with 2 coats of pressure seal.
- Concrete Slabs - 4" in basement and 4" with fibermesh in garage.
- Basement Windows - two solid vinyl windows with insulated glass and screen.
- Scapewell window well and egress window.

Framing:

- Floor Joists - 2x10 or 2x12 as required, 16" o/c.
- Floor Decking - 5/8" tongue and groove AdvanTech® engineered sheathing, glued, nailed and screwed.
- Exterior Walls - 2x6 24" o/c with 7/16" OSB sheathing.
- Interior Walls - 2x4 16" o/c and 2x6 16" o/c plumbing walls.
- Garage Walls - 2x4 16" o/c with 7/16" OSB sheathing.

Roofing:

- Engineered roof trusses 24" o/c with 7/16" OSB sheathing, 'H' clips, 15# felt paper.
- Shingles - Architectural asphalt shingles with 30-year warranty.
- 5" metal drip edge and ice and water shield border.
- Continuous ridge vents.
- Seamless aluminum white gutters and down spouts.

Siding & Exterior Trims:

- 4" clapboard vinyl siding in wood grain finish. *to Not*
- 5" wide vinyl outside corners.
- 3-1/2" wide vinyl window casings or shutters on the front (varies with elevation).
- 24" gable end returns with 12" frieze boards on front.
- See elevations for specific exterior trim details that are included with each home plan.

Exterior Doors:

- Exterior Doors - Raised-panel steel insulated doors with pressure seal weather-stripping.
- Deadbolts on all exterior doors.
- Front Door – Satin chrome Schlage® Plymouth handleset with deadbolt, sidelights with full glass and glass transom on top.
- Rear/Dinette – full glass steel insulated door with glass transom on top.
- Garage Doors - Overhead Door® 9x7 steel insulated raised-panel with openers.

Windows:

- Solid white vinyl windows with low 'e' insulated glass, argon gas and screens.
- Double-Hung windows tilt in for easy cleaning.
- Casement windows provided as per home plan.
- Grills - sculpted profile white airspace grills on the front of the home

Insulation:

- Exterior walls have 5 1/2" R-21 high density fiberglass batt insulation.
- Ceilings - 18" R-50 blown cellulose or 12" R-38 fiberglass batts as needed.
- Basement foundation walls are covered with 2.5" R-15 Dow THERMAX™ White Finish insulation. All seams are taped.
- Voids around all windows and doors are filled with expandable foam insulation.
- Bathroom walls are sound insulated with Owens-Corning® QuietZone™ fiberglass batts.

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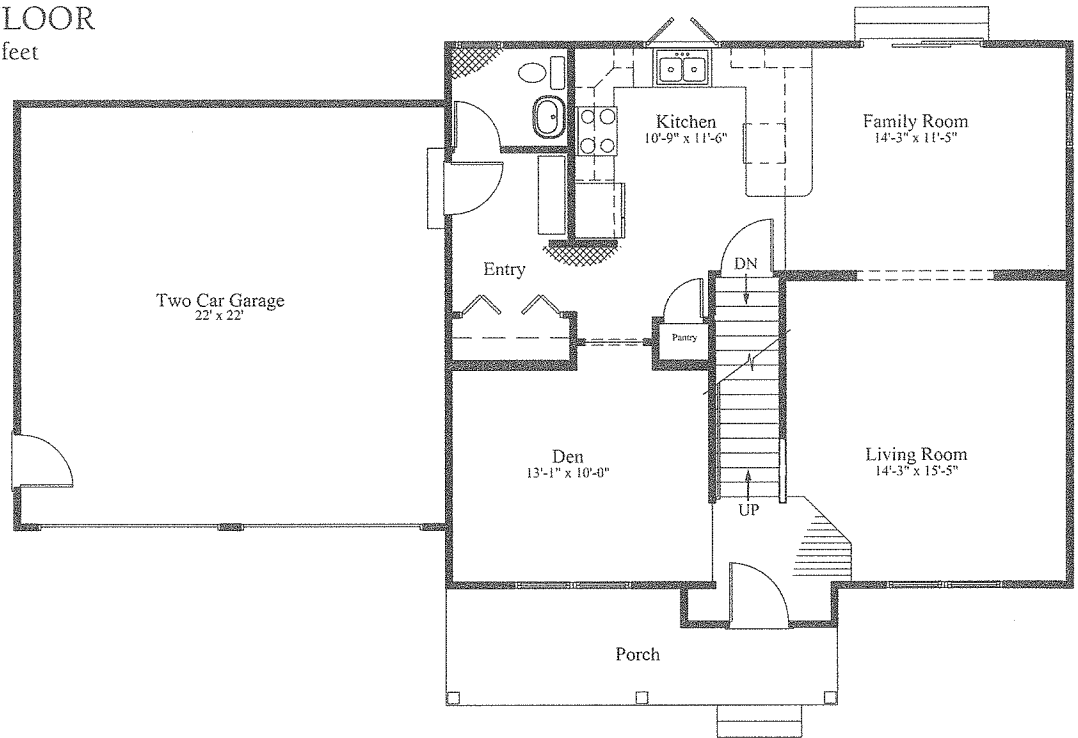
DEPARTMENT OF
PLANNING & ZONING



WHITMAN

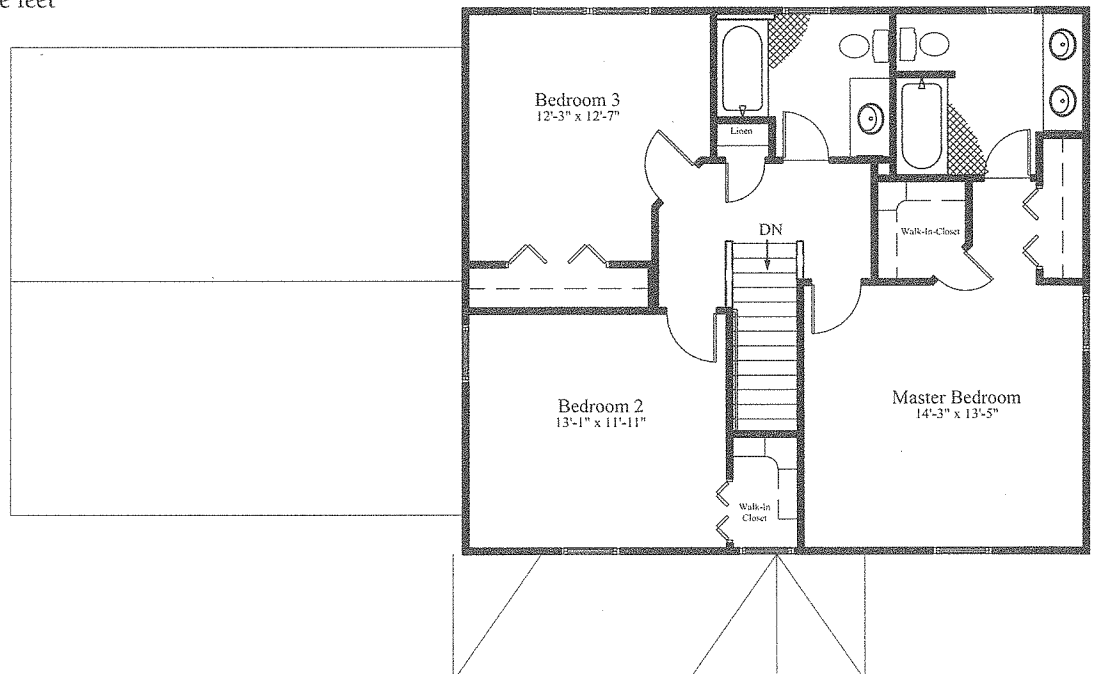
FIRST FLOOR

896 square feet



SECOND FLOOR

864 square feet



TAMARACK RECEIVED

MAR 25 2014

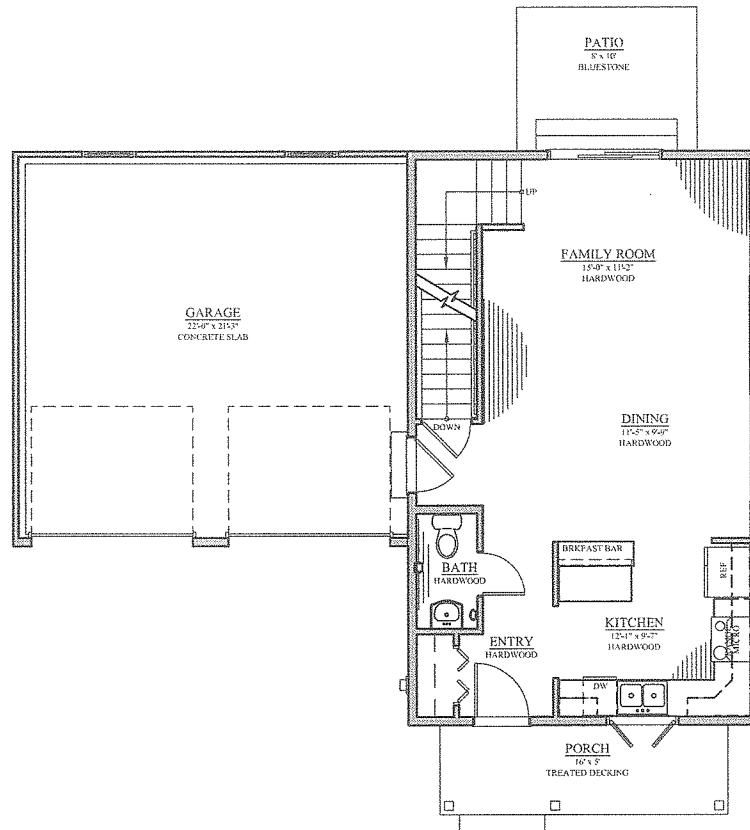
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PLANNING & ZONING



TAMARACK

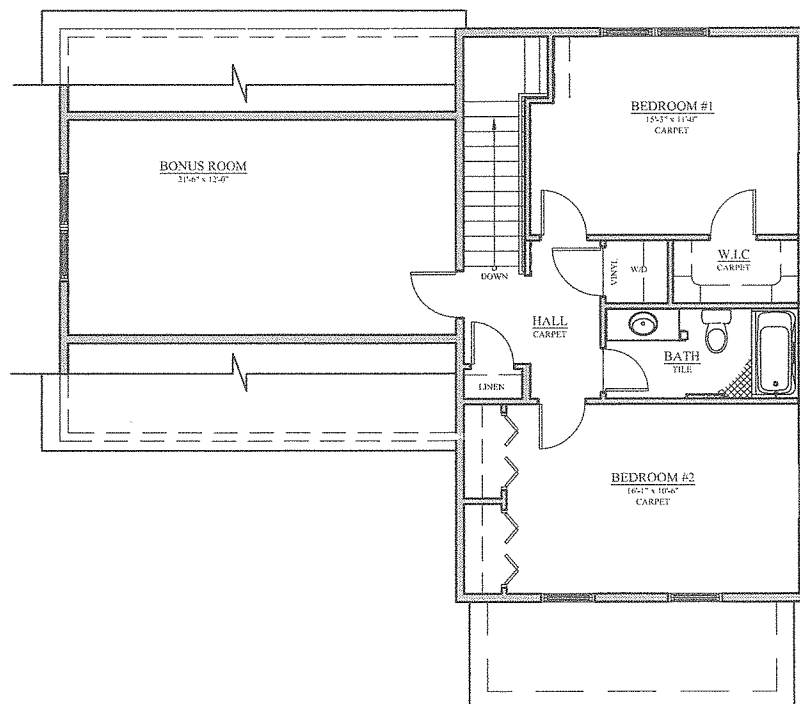
FIRST FLOOR

704 square feet



SECOND FLOOR

950 square feet



CHAMPLAIN

RECEIVED

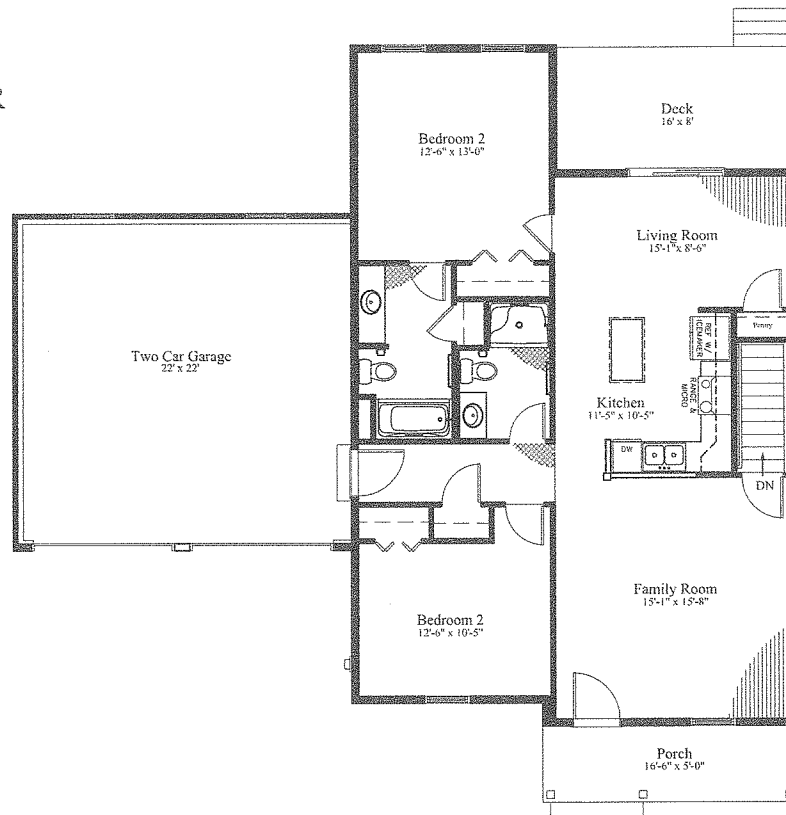
MAR 25 2014

DEPARTMENT OF
PLANNING & ZONING

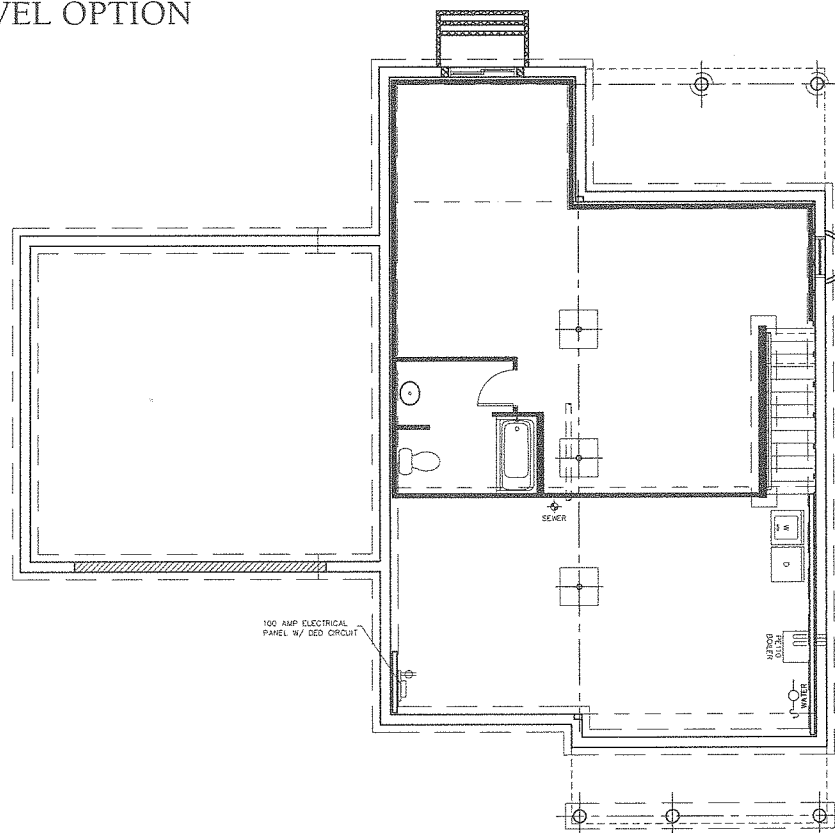


CHAMPLAIN

FIRST FLOOR
1079 square feet



LOWER LEVEL OPTION
627 square feet



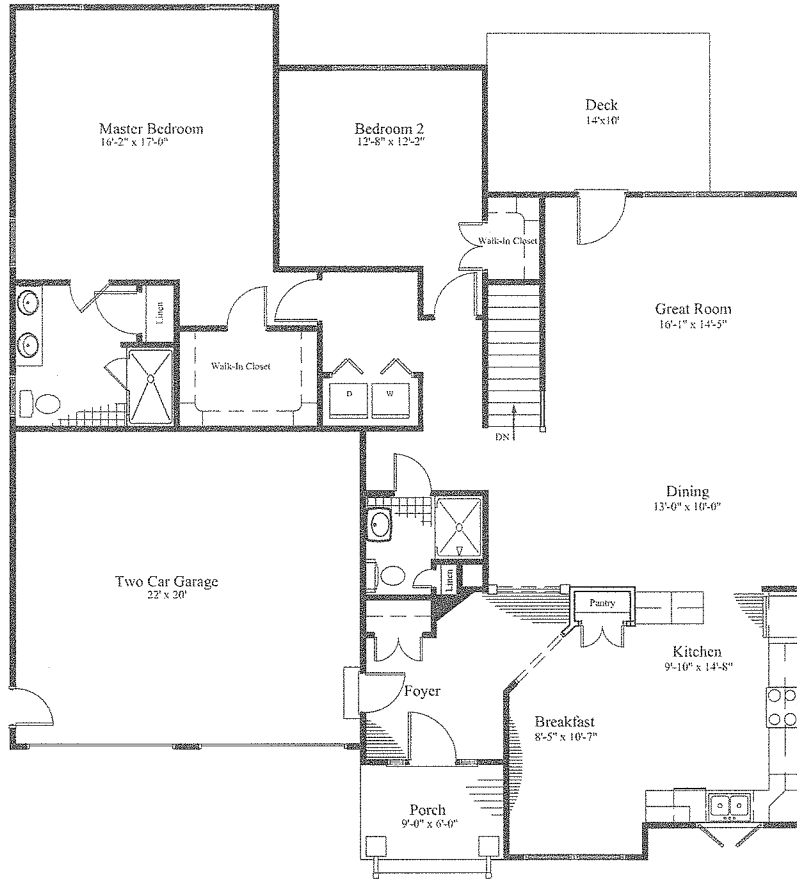
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PLANNING

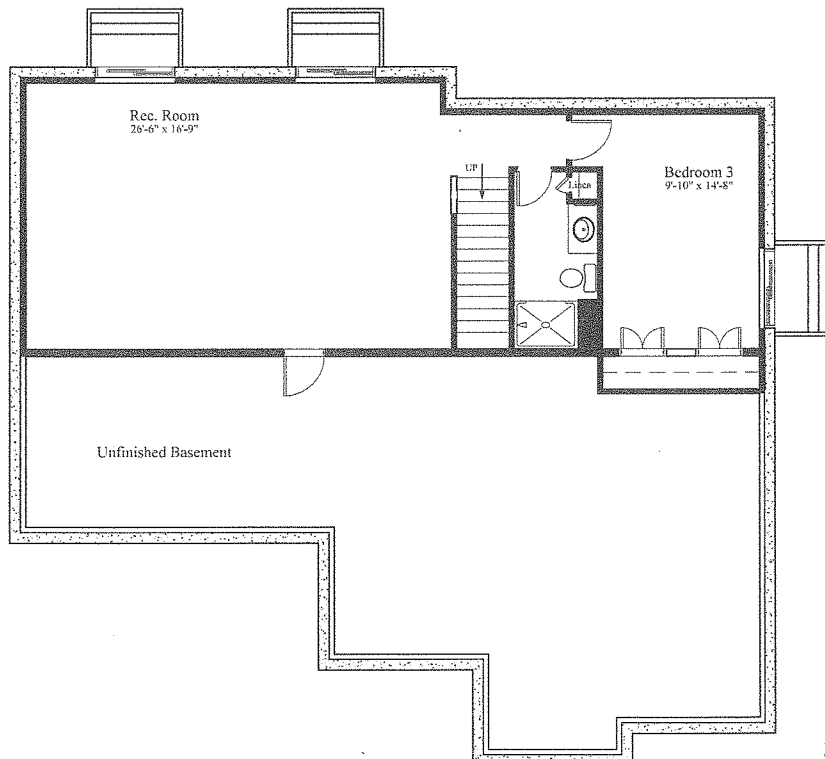


TYNDALE

FIRST FLOOR 1736 square feet



LOWER LEVEL OPTION 861 square feet





MAR 25 2014

TECHNICAL
RECEPTION



SITE ENGINEER:

CIVIL ENGINEERING ASSOCIATES, INC.
10 MANSFIELD VIEW LANE, SU. BURLINGTON, VT 05403
802-688-6282 FAX: 802-684-8271 WEB: WWW.CEAS-VE.COM

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DRAWN: ACL
CHECKED: PBS
APPROVED: SAV

OWNER: STANFORD FARMS, LLC

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MAR 25 2014
DEPARTMENT OF LAND USE

PROJECT: STANFORD FARMS
BURLINGTON VERMONT

APPLETREE BAY-LAKE CHAMPLAIN

LOCATION MAP
1" = 1500'

DATE	CHECKED	REVISION
5.18.12	SAV/ACL	REVISED PLAN PER NEW SITE INFO.
6.21.12	SAV/ACL	REVISED PLAN PER NEW SITE INFO.
7.31.12	SAV/ACL	ADDED SIDEWALK TO STANFORD ROAD
9.20.12	SAV/ACL	REVISED HOUSE LOTS
5.28.13	SAV/ACL	REVISED FOR LOCAL SUBMITTAL
4.18.13	PBS	ADD POUNDS, DRAIN LOTS 21 & 22
6.07.13	CAG	ACT 250 REV. DATE
8.04.13	SAV/ACL	CONSTRUCTION PLAN
11.4.13	SAV/ACL	REV'D PATH & PLAYGROUND, ADDED EX. RIDG. IN PLAYGROUND

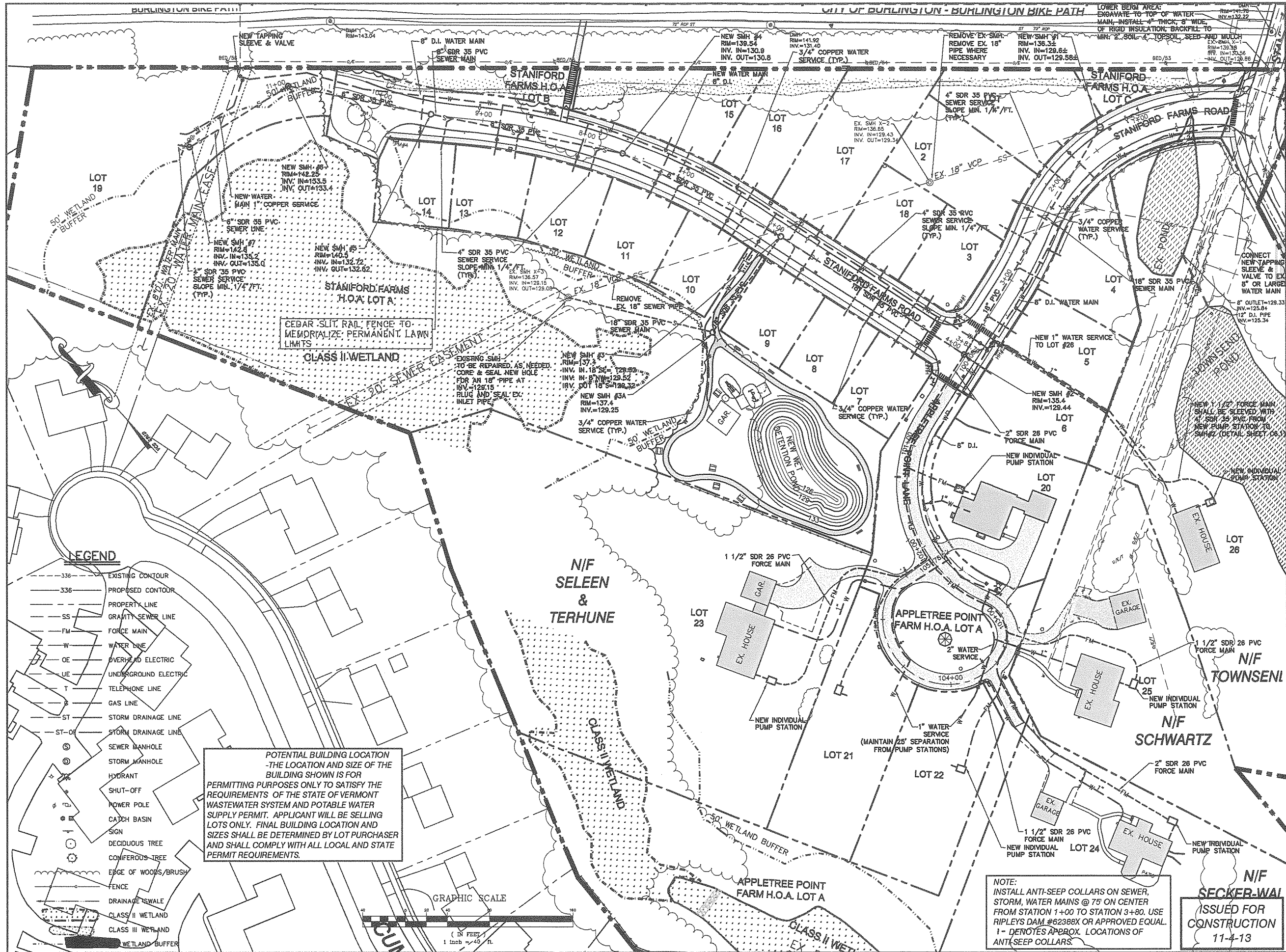
GRADING AND DRAINAGE PLAN

DATE: MARCH, 2011
SCALE: 1" = 40'
PROJ. NO.: 06205.01

DRAWING NUMBER: C4.0

NOTE: INSTALL ANTI-SLEEP COLLARS ON SEWER, STORM, WATER MAINS @ 75' ON CENTER FROM STATION 1+00 TO STATION 3+60. USE HURLEYS DAM #62388X OR APPROVED EQUAL 1" DEMOTES APPROX. LOCATIONS OF ANTI-SLEEP COLLARS.

ISSUED FOR CONSTRUCTION
111-4-13



LEGEND

- 336 EXISTING CONTOUR
- 336 PROPOSED CONTOUR
- SS PROPERTY LINE
- SS GRAVITY SEWER LINE
- FM FORCE MAIN
- W WATER LINE
- OE OVERHEAD ELECTRIC
- UE UNDERGROUND ELECTRIC
- T TELEPHONE LINE
- G GAS LINE
- ST STORM DRAINAGE LINE
- ST-O STORM DRAINAGE LINE
- S SEWER MANHOLE
- D STORM MANHOLE
- H HYDRANT
- SHUT-OFF
- P POWER POLE
- C CATCH BASIN
- S SIGN
- D DECIDUOUS TREE
- C CONIFEROUS TREE
- E EDGE OF WOODS/BRUSH
- F FENCE
- DRAINAGE SWALE
- CLASS II WETLAND
- CLASS III WETLAND
- WETLAND BUFFER

POTENTIAL BUILDING LOCATION - THE LOCATION AND SIZE OF THE BUILDING SHOWN IS FOR PERMITTING PURPOSES ONLY TO SATISFY THE REQUIREMENTS OF THE STATE OF VERMONT WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT. APPLICANT WILL BE SELLING LOTS ONLY. FINAL BUILDING LOCATION AND SIZES SHALL BE DETERMINED BY LOT PURCHASER AND SHALL COMPLY WITH ALL LOCAL AND STATE PERMIT REQUIREMENTS.

GRAPHIC SCALE



SITE ENGINEER:

CIVIL ENGINEERING ASSOCIATES, INC.
10 HANFIELD NEW LANE, SO. BURLINGTON, VT 05408
802-884-8889 FAX: 802-884-8871 web: www.caa-vermont.com

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DRAWN:
ACL
CHECKED:
PBS
APPROVED:
PBS

OWNER:
STANFORD FARMS, LLC

MAR 25 2014

DEPARTMENT OF
PLANNING & ZONING

PROJECT:
STANFORD FARMS

BURLINGTON VERMONT

LOCATION MAP
1" = 1500'

DATE	CHECKED	REVISION
7.01.12	SAT/ACL	REVISED PLAN PER REVIEW COMMENTS ADDED SIDEWALK TO STANFORD ROAD
9.09.12	SAT/ACL	REVISED HOUSING LOTS
3.08.13	SAT/ACL	REVISED FOR LOCAL SUBMITTAL REVISED HOUSING LOTS
4.15.13	PBS	REVISED TOWNSHIPS PM SCHEDULE
6.01.13	CIG	STATE WASTEWATER PERMIT
6.07.13	CIG	ACT 250 KEY DATE
6.26.13	PBS/ACL	RELOCATED INDIVIDUAL PUMP STATION FROM 1/2" SDR 26 PVC WATER LINE
9.04.13	SAT/ACL	CONSTRUCTION PLAN
11.4.13	SAT/ACL	REV'D PATH & PLAYGROUND WATER SERVICE TO EX. BLDG IN PLAYGROUND

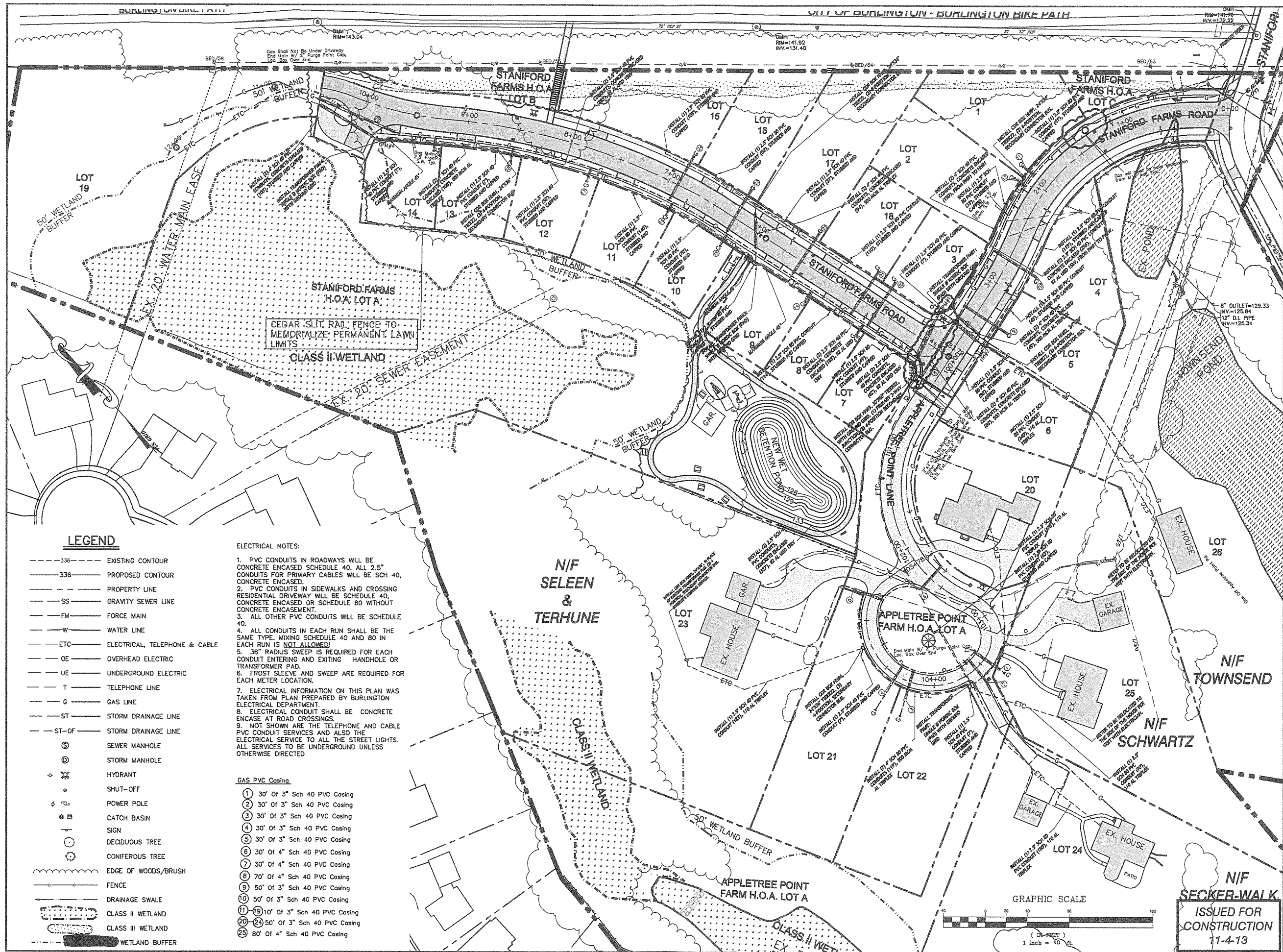
SEWER & WATER PLAN

DATE: MARCH, 2012
SCALE: 1" = 40'
PROJ. NO.: 06205.01

DRAWING NUMBER:
C3.1

NOTE:
INSTALL ANTI-SEEP COLLARS ON SEWER,
STORM, WATER MAINS @ 75' ON CENTER
FROM STATION 1+00 TO STATION 3+80. USE
RIPLEYS DAM #62388X OR APPROVED EQUAL.
1 - DENOTES APPROX. LOCATIONS OF
ANTI-SEEP COLLARS.

ISSUED FOR CONSTRUCTION
11-4-13



LEGEND

- 336 --- EXISTING CONTOUR
- 336 --- PROPOSED CONTOUR
- --- PROPERTY LINE
- SS --- GRAVITY SEWER LINE
- FM --- FORCE MAIN
- W --- WATER LINE
- ETC --- ELECTRICAL, TELEPHONE & CABLE
- OE --- OVERHEAD ELECTRIC
- UE --- UNDERGROUND ELECTRIC
- T --- TELEPHONE LINE
- G --- GAS LINE
- ST --- STORM DRAINAGE LINE
- ST-OF --- STORM DRAINAGE LINE
- ⊙ SEWER MANHOLE
- ⊙ STORM MANHOLE
- ⊙ HYDRANT
- ⊙ SHUT-OFF
- ⊙ POWER POLE
- ⊙ CATCH BASIN
- ⊙ SIGN
- ⊙ DECIDUOUS TREE
- ⊙ CONIFEROUS TREE
- EDGE OF WOODS/BRUSH
- FENCE
- DRAINAGE SWALE
- CLASS II WETLAND
- CLASS III WETLAND
- WETLAND BUFFER

ELECTRICAL NOTES:

1. PVC CONDUITS IN ROADWAYS WILL BE CONCRETE ENCASED SCHEDULE 40. ALL 2.5" CONDUITS FOR PRIMARY CABLES WILL BE SCH 40, CONCRETE ENCASED.
2. PVC CONDUITS IN SIDEWALKS AND CROSSING RESIDENTIAL DRIVEWAY WILL BE SCHEDULE 40, CONCRETE ENCASED OR SCHEDULE 80 WITHOUT CONCRETE ENCASEMENT.
3. ALL OTHER PVC CONDUITS WILL BE SCHEDULE 40.
4. ALL CONDUITS IN EACH RUN SHALL BE THE SAME TYPE. MIXING SCHEDULE 40 AND 80 IN EACH RUN IS NOT ALLOWED.
5. 36" RADIUS SWEEP IS REQUIRED FOR EACH CONDUIT ENTERING AND EXITING HANDHOLE OR TRANSFORMER PAD.
6. FROST SLEEVE AND SWEEP ARE REQUIRED FOR EACH METER LOCATION.
7. ELECTRICAL INFORMATION ON THIS PLAN WAS TAKEN FROM PLAN PREPARED BY BURLINGTON ELECTRICAL DEPARTMENT.
8. ELECTRICAL CONDUIT SHALL BE CONCRETE ENCASED AT ROAD CROSSINGS.
9. NOT SHOWN ARE THE TELEPHONE AND CABLE PVC CONDUIT SERVICES AND ALSO THE ELECTRICAL SERVICE TO ALL THE STREET LIGHTS. ALL SERVICES TO BE UNDERGROUND UNLESS OTHERWISE DIRECTED

GAS PVC Casing

- 1 30' Of 3" Sch 40 PVC Casing
- 2 30' Of 3" Sch 40 PVC Casing
- 3 30' Of 3" Sch 40 PVC Casing
- 4 30' Of 3" Sch 40 PVC Casing
- 5 30' Of 3" Sch 40 PVC Casing
- 6 30' Of 4" Sch 40 PVC Casing
- 7 30' Of 4" Sch 40 PVC Casing
- 8 70' Of 4" Sch 40 PVC Casing
- 9 50' Of 3" Sch 40 PVC Casing
- 10 50' Of 3" Sch 40 PVC Casing
- 11 10' Of 3" Sch 40 PVC Casing
- 12 50' Of 3" Sch 40 PVC Casing
- 13 80' Of 4" Sch 40 PVC Casing

SITE ENGINEER:

CIVIL ENGINEERING ASSOCIATES, INC.
10 MANSFIELD VIEW LANE, SO. BURLINGTON, VT 05403
802-255-5339 FAX: 802-254-8271 Web: www.ces-ve.com

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DRAWN
ACL
CHECKED
PBS
APPROVED
SAV

OWNER:

STANFORD FARMS, LLC

MAR 25 2014
DEPARTMENT OF PLANNING & ZONING
PROJECT:
STANFORD FARMS

BURLINGTON VERMONT

DATE	CHECKED	REVISION
6.11.12	SAV/ACL	REVISED PLAN WITH NEW BED INFO.
7.21.12	SAV/ACL	REVISED PLAN PER REVIEW COMMENTS ADDED SIDEWALK TO STANFORD ROAD.
9.20.12	SAV/ACL	REVISED HOUSE LOTS
8.28.13	SAV/ACL	REVISED FOR LOCAL SUBMITTAL
5.7.13	SAV/ACL	REVISED ELECTRICAL SERVICES
9.04.13	SAV/ACL	CONSTRUCTION PLAN
9.8.13	SAV/ACL	REVISED ELECTRICAL SERVICES
11.4.13	SAV/ACL	REVISED GAS SERVICES, PATH & PLAYGROUND, BLDG. & WATER SERVICE TO EX. BLDG IN PLAYGROUND
8.12.14	SAV/ACL	GAS AND ELECTRICAL LINES TO GET MINIMUM SEPARATION

ELECTRICAL & GAS PLAN

DATE
MARCH, 2012

DRAWING NUMBER
C3.2

GRAPHIC SCALE
1" = 40'
1 inch = 40 ft.

ISSUED FOR CONSTRUCTION
11-4-13

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(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 Tilloison, Department Secretary



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

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.

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MAR 20 2014

DEPARTMENT
PLANNING & ZONING



TOP PLATE
8'-1"
SECOND FLR
10'-1"
FIRST FLR

THIN SET
STONE VENEER

METAL INS.
ENTRY DOOR

10" SQ. FIBERGLASS
COLUMNS

"COURTYARD SERIES"
INSULATED MTL. DOOR

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

RECEIVED

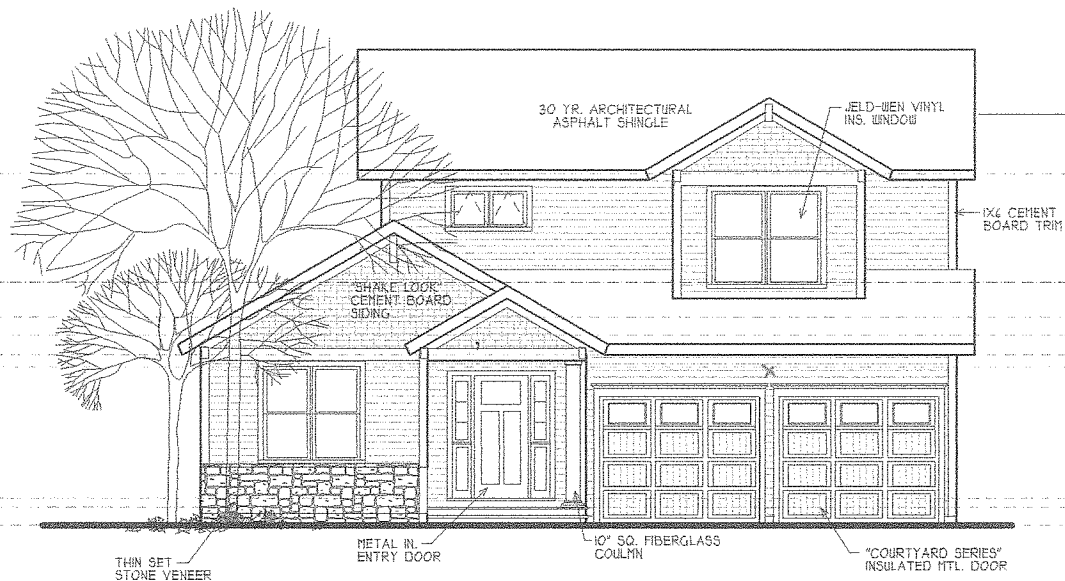
MAR 20 2014

DEPARTMENT OF
PLANNING & ZONING

NO.	DATE	REVISION

Snyder Homes
Great neighborhoods
to call home to

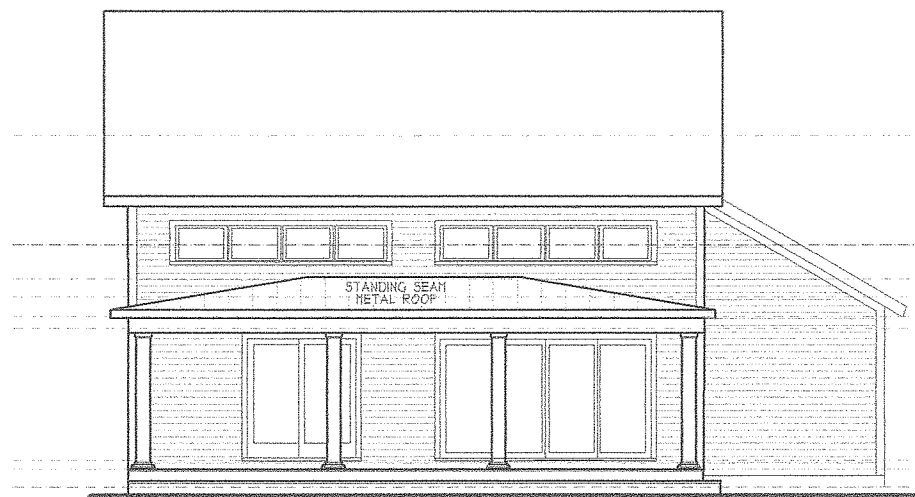
1076 Snyder Homes Blvd., Suite 100
Cincinnati, OH 45240
Phone: (513) 233-1000
Fax: (513) 233-1001
www.snyderhomes.com



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"

PROPOSED ELEVATIONS

DATE	3/19/14	ISSUE	P
DESIGNED BY	M. DUFRESNE		
DRAWN BY	MD	CHECK	

SHEET

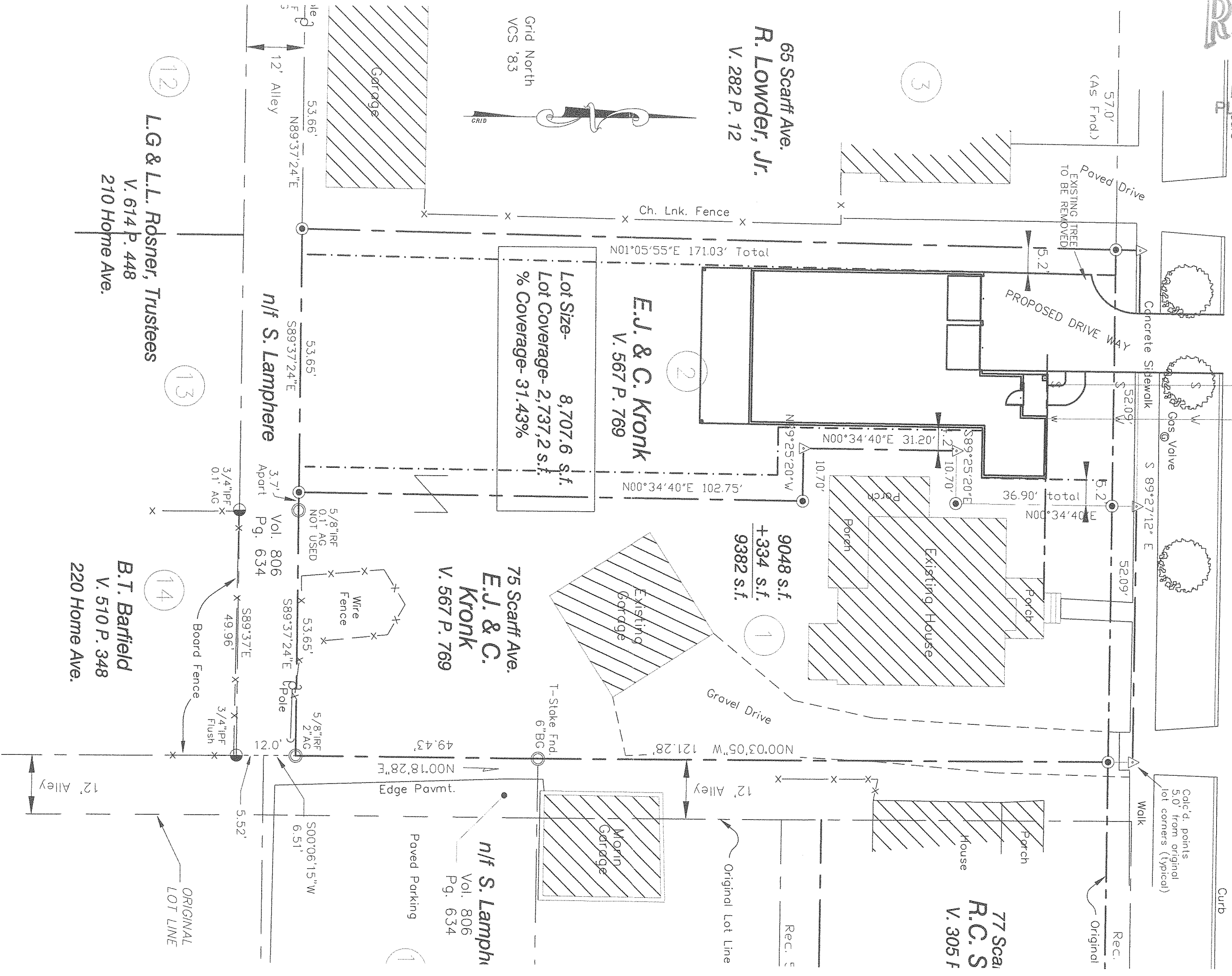
A1.

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MAR 20 2014

DEPARTMENT OF
PLANNING & ZONING

SCARFF AVENUE



65 Scalf Ave.
R. Lowder, Jr.
V. 282 P. 12

E.J. & C. Kronk
V. 567 P. 769

Lot Size-	8,707.6 S.F.
Lot Coverage-	2,737.2 S.F.
% Coverage-	31.43%

75 Scarf Ave.
E.J. & C.
Kronk
V. 567 P. 769

n/f *S. Lamph*
Vol. 806
Pg. 634

L.G. & L.L. Rosner, Trustees
V. 614 P. 448
210 Home Ave.

B.T. Barfield
V. 510 P. 348
220 Home Ave.

77 Sca
R.C.S
V. 305 F

KRONK/BELLE-ISLE

SCARFF AVE.
BURLINGTON, VERMONT


Snyder Homes
Great neighborhoods
to come home to

4076 Shelburne Road, Suite 6
Shelburne, Vermont 05482
p 802.985.5722 - f 802.497.0701

VLS

1334S

ME

MD
CHECKED BY

ens

utere

—

171

1992

Existing Site Plan

SCALE
1:20

U

BMO

BUILD ON YOUR OWN LOT

ON

DATE _____

RE

E-VISIO

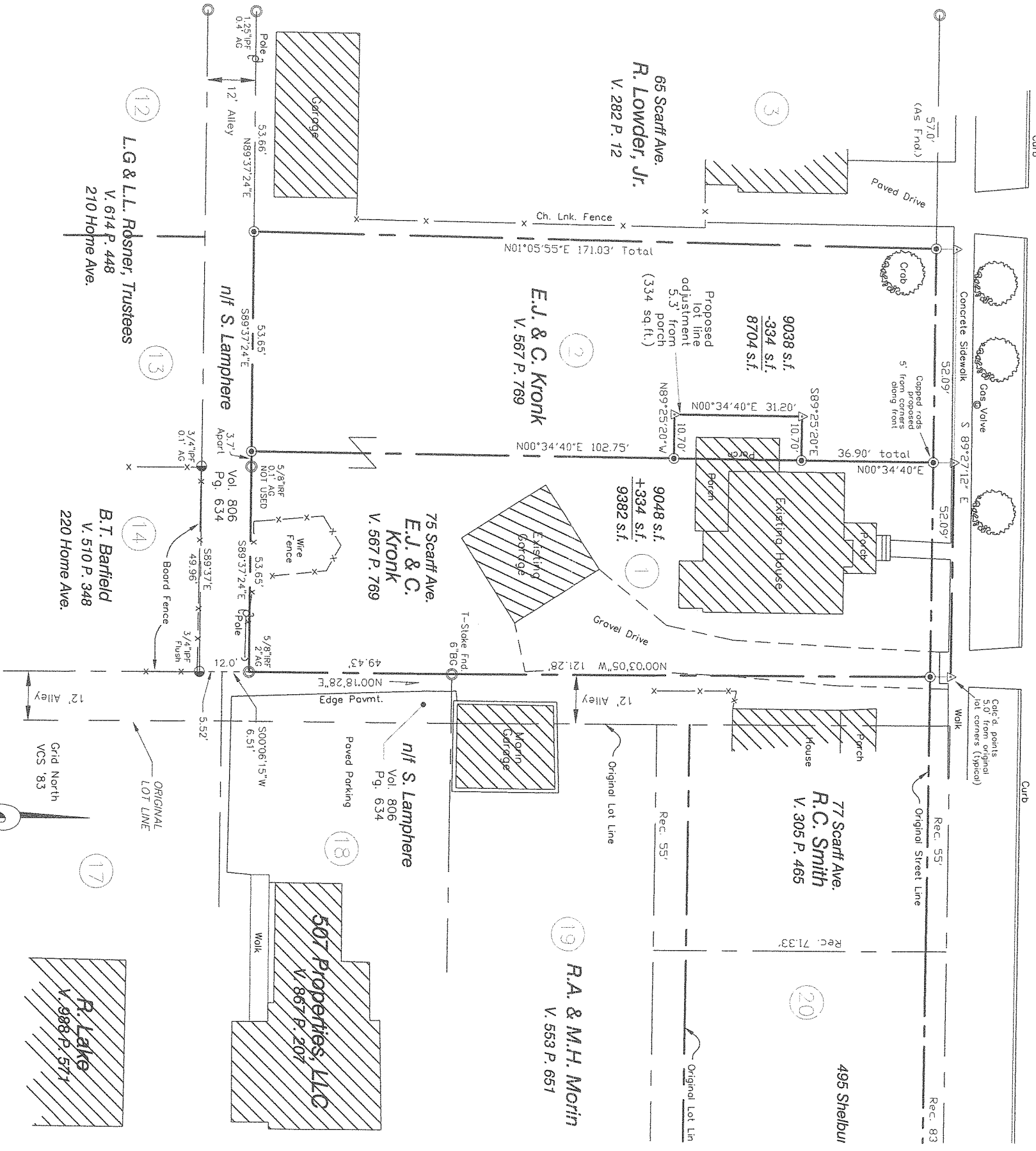
Z

MAR 20 2014

DEPARTMENT OF
PLANNING & ZONING

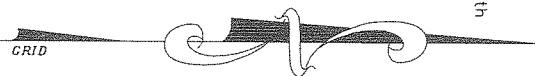
NOTE: PROPOSED CORNER MARKERS HAVE NOT
BEEN SET AS OF FEB., 2014 PER CLIENT REQUEST
BOUNDARY PLAN ONLY - DOES NOT DEPICT
UTILITIES, BURIED OR OTHERWISE.
PLAN SUPPLIED BY CIVIL ENG. ASSOCIATES INC.

SCARFF AVENUE



LEGEND

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



SHEET		DATE		SCALE		MODEL		NO.		DATE		REVISION	
MD		3/19/14		1:30		BUILD ON YOUR OWN LOT		1					
DRAWN BY		DESIGNED BY		CHECKED BY		ISSUE							
MD		M. Dufresne		3/19/14		PERMIT							
KRONK/BELLE-ISLE													
SCARFF AVE.													
BURLINGTON, VERMONT													
Snyder Homes													
4076 Shelburne Road, Suite 6													
Shelburne, Vermont 05482													
p 802.985.5722 - f 802.497.0701													
www.SnyderHomesVT.com													

S1



69 Scarff Ave. Site of Proposed Project



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MAR 20 2014

DEPARTMENT
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.

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(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: Development Review Board
FROM: Scott Gustin *[Signature]*
DATE: May 6, 2014
RE: 14-0814VR; 15 Conger Avenue

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: WRL Ward: 5

Owner/Representative: David Maynard / Gehn Fujii

Request: Variance from limitation of development of existing small lot of less than 4,000 sf and from rear yard setback of 20ft.

Applicable Regulations:
Article 12 (Appeals and Variances)

Background Information:

The applicant is seeking a two-fold variance approval. No development is included in this application. The variance is sought as a precursor to a potential single family home with accessory apartment to be filed under separate permit if the variance is granted.

Relief is sought from the buildable small lot provisions of Sec. 5.2.1, *Existing Small Lots* that requires at least 4,000 sf to build on a small lot (i.e. less than the 6,000 sf minimum lot size) existing as of April 26, 1973. This property appears to date to September 29, 1972 and is just 2,800 sf in area. It contains only a 4-bay, single story garage structure.

Relief is also sought from the rear yard setback required by Table 4.4.5-3: *Residential District Dimensional Standards* which requires a rear yard setback of 25% of the lot depth but in no event less than 20'. The lot is 50' deep and, therefore, requires a 20' rear yard setback. The applicant is seeking approval of a 5' rear yard setback – one that applies to accessory structures of 15' in height or less.

The garage on the property amounts to a nonconforming use. Garages as a primary use are not permitted in the WRL zone, wherein the subject property is located. The variance would enable a conversion to a conforming residential use. As noted in these findings, part of the requested variance is warranted and could enable the construction of a modestly scaled single family home. There may not be sufficient room; however, to accommodate an accessory apartment, particularly as related to the area needed for additional parking. In any event, development of the property would be pursued under separate permit application subject to review by the Development Review Board.

Previous zoning actions for this property are as follows:

- 3/18/14, Adverse determination of existing buildable small lot

Recommendation: Variance approval re: Sec. 5.2.1, Existing Small Lots as per, and subject to, the following findings and conditions:

I. Findings

Article 12: Variances and Appeals

Sec. 12.1.1 Variances

(a) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the zoning regulation in the neighborhood or district in which the property is located.

The subject property is small at just 2,800 sf (56' wide by 50' deep). It is well under the minimum lot size of 6,000 sf that applies in the WRL zone. The lot was created in 1972 and pre-dates the minimum lot size presently in effect. It is also smaller than the minimum 4,000 sf lot size specified in Sec. 5.2.1 that is intended to enable development of pre-existing lots that are less than the district minimum lot size. While the property is less than 4,000 sf, there are three other properties within the same block that are also less than 4,000 sf. They are 45 Lakeside Avenue (3,400 sf with a duplex), 10 Central Avenue (3,900 sf with a duplex), and 70 Wright Avenue (2,250 sf with a single family home). The applicant has noted other < 4,000 sf properties within the overall Lakeside neighborhood as well. As with these other properties, the subject property, while small, is sufficiently large to contain a small residence. **(Affirmative finding)**

The applicable 20' rear yard setback is a substantial portion of the 50' lot depth; however, it does not warrant a variance. The average front yard setback of neighboring properties appears to be 13.5'. The required front yard setback is +/- 5' of this average. A new home on the subject property could be located as close as 8.5' to the front property line. This placement would yield a building depth of 21.5'. There remains room as noted in (b) below for a driveway of sufficient dimension for two vehicles. A garage would be possible but subject to restraints. A street-facing garage, if constructed, must be setback at least 25' from the front property line. With the 8.5' setback for the house, the garage could be attached near the rear of the home, or it could be detached. With a 25' setback and 20' depth, there remains room for a 5' rear yard setback. This 5' rear yard setback would be acceptable for a garage of 15' or less in height. No variance of the rear yard setback is needed in order to build on this property. **(Adverse finding)**

(b) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning regulation and that the authorization of a variance is, therefore, necessary to enable the reasonable use of property.

As the lot is only 2,800 sf, it plainly fails to conform to the 4,000 sf minimum lot size stipulated in Sec. 5.2.1. Development is impossible without a variance from this requirement. **(Affirmative finding)**

As noted above, compliance with the 20' minimum rear yard setback is possible. The resultant home would be modest in scale, likely similar to the one at 70 Wright Avenue. The compliant building depth would be 21.'5. With side yard setbacks of 5.5' taken into account, the compliant building width would be 45'. This width is sufficient to allow a ~20' 2-car garage to contain the required parking at less than 50' of the overall façade width. Alternatively, a narrower home could be constructed with no garage and a wider or longer driveway to contain the required parking. **(Adverse finding)**

(c) The unnecessary hardship has not been created by the applicant.

The hardship relative to Sec. 5.2.1 is related to the pre-existing small lot size. It is not a lot newly created by the applicant. **(Affirmative finding)**

While observing the 20' rear yard setback may be inconvenient, it is not a hardship warranting a variance. **(Adverse finding)**

(d) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, nor be detrimental to the public welfare.

The variance from the limitations of Sec. 5.2.1 would not alter the essential character of the neighborhood or district in which the subject property is located. As noted previously, there are three other properties of less than 4,000 sf within the same block that contain residences and more within the greater neighborhood. **(Affirmative finding)**

The variance from the 20' rear yard setback is unnecessary as noted before. In addition, the requested 5' rear yard setback would be inconsistent with the existing neighborhood pattern. Within the block and throughout much of the Lakeside neighborhood, the rear yards are the largest relative to side or front yards. **(Adverse finding)**

(e) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from the zoning regulation and from the plan.

The requested variance from Sec. 5.2.1 is not a matter of degree. It is a requested exception to the minimum 4,000 sf lot size. As noted above, the 2,800 sf lot size is sufficient to contain a residence consistent with the character of the surrounding built environment. **(Affirmative finding)**

The requested variance from the minimum 20' rear yard setback is unwarranted. The requested 5' rear yard setback represents a substantial deviation from the 20' standard. **(Adverse finding)**

(f) The variance, if granted, will not result in the extension of a non-complying situation or allow the initiation of a nonconforming use of land.

Neither requested variance would result in the extension of a noncomplying situation or allow the initiation of a nonconforming use of land. The requested variances are sought in order to enable replacement of the existing nonconforming garage with a permitted residential use. **(Affirmative finding)**

II. Conditions of Approval

1. This variance approval is for relief from the 4,000 sf minimum lot size of Sec. 5.2.1, *Existing Small Lots*. No variance is granted for the 20' minimum rear yard setback.
2. No development is included in this approval. All development is subject to a separate zoning permit.
3. Per Sec. 12.1.3, *Filing a Request, Public Hearing, and DRB Decision*, this variance approval shall be valid for a period of 2 years.

Lakeside Neighborhood



130 65 0 130 Feet

Gehn Lyon Fujii

139 Burton Rd. Weston, VT 05161 | gehn.fujii@gmail.com | +1 802.779.2710

City of Burlington
Department of Planning & Zoning
149 Church St.
Burlington, VT 05401

Addressee: Nic Anderson

Subject: Request for Variance of

- 1) Development of existing small lot less than 4,000 square feet, CDO Article 5, Section 5.2.1; and
- 2) Rear Setback Standard, CDO Article 4, Section 4.4.5

Property: 15-19 Conger Avenue

Dear Mr. Anderson,

I am currently under contract to purchase 15-19 Conger Avenue, a very small residential lot in the South End. The lot is approximately 56 feet wide by 50 feet deep (2,800 square feet in area), as described by the deed, and has an existing 4-bay garage, which does not conform to the current setback standards. Evidence gathered so far indicates the rear wall of the garage lies directly on or very near to the rear (westerly) property line. Additionally, the right and left walls are within approximately 3 feet of the north and south property lines, respectively.

The neighborhood is comprised predominantly of multi-family dwellings, with this garage more or less at their center. While not a blight, the garage, especially in its deteriorated condition, in no way contributes the character or aesthetics of the neighborhood. My hope is to tear down the existing garage and build an architecturally designed home that the neighborhood will welcome in replacement of the dilapidated garage. However, doing so is not possible in compliance with the small lot development criteria described in the Comprehensive Development Ordinance (CDO) Article 5, Section 5.2.1, and the rear setback standard of 20 feet stated in CDO Article 4, Section 4.4.5.

I respectfully request variance of these two criteria per CDO Article 12, Section 12.1.1 as follows.

Development of existing small lot less than 4,000 square feet, CDO Article 5, Section 5.2.1

The proposed variance would authorize the development of this small 2,800 square feet in area, as justified by the corresponding remarks below to the criteria lettered "a" through "f" in Section 12.1.1:

- a) The unique physical circumstance of the lot creating the hardship is its size (please refer to the attached schematics). Of course, the lot dimensions are not the result of provisions in zoning regulation, but a result of the circumstances under which the lot was created.
- b) Compliance with Article 5, Section 5.2.1 would not allow that a lot this size to be developed.
- c) As applicant and prospective purchaser, I have not created the hardship resulting from the lot's size.
- d) The variance, if authorized, would have no detrimental effect on the character of the neighborhood, the use or development of adjacent property, access to renewable energy sources, or public welfare. In fact, I believe it would have the opposite effect by allowing an under-utilized and dilapidated property to be transformed into a true residential property that contributes to the character neighborhood, and that is consistent in use.
- e) The variance, if authorized, would be the minimum to afford relief allowing for the property to be developed into a single-family home with accessory apartment.
- f) The variance, if authorized, would not extend any situation of non-compliance, or initiate noncompliant use of land.

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Rear Setback Standard, CDO Article 4, Section 4.4.5

The proposed variance would provide a reduction of the rear setback standard from 20 feet to 5 feet as justified by the corresponding remarks below to the criteria lettered "a" through "f" in Section 12.1.1:

- a) The unique physical circumstance of the lot creating the hardship is its shallowness (please refer to the attached schematics). Of course, the lot dimensions are not the result of provisions in zoning regulation, but a result of the circumstances under which the lot was created.
- b) Conforming to a 20-foot rear setback and providing a front setback of approximately 20 feet to allow for parking results in a buildable footprint that is only 10 feet deep, and 13 feet wide where there is no adjacent parking. This allowable footprint is too narrow to be practical for building a single-family home.
- c) As applicant and prospective purchaser, I have not created the hardship resulting from the lot's shallowness.
- d) The variance, if authorized, would have no detrimental effect on the character of the neighborhood, the use or development of adjacent property, access to renewable energy sources, or public welfare. The rear of the property is adjacent to the side of another residential lot and is at the very rear where there is open green space. However, should a future accessory structure be built by that neighbor, the proposed 5-foot rear setback would provide for at least the minimum 10 feet between structures as required by Code Enforcement, given the neighbor complies with the minimum 10% of lot width or 5-foot side setback standards as well. Additionally, no request for variance to current front or side setback standards would be necessary.
- e) The variance, if authorized, would be the minimum to afford relief allowing for ample parking and practical buildable footprint for a single-family home with accessory apartment as illustrated in the attached schematics.
- f) The variance, if authorized, would not extend any situation of non-compliance, or initiate noncompliant use of land.

In addition to the schematics referred to above, I have also attached a copy of the deed, satellite imagery of the adjacent neighborhood lots, and historic neighborhood maps to aid in the review process. Thank you for your consideration.

Respectfully,

Gehn Fujii

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Scott Gustin

From: Nic Anderson
Sent: Wednesday, April 23, 2014 12:19 PM
To: Scott Gustin
Subject: FW: Lakeside Neighborhood Lots smaller than 4000 sqft.

FYI
Nic

From: Gehn Fujii [mailto:gehn.fujii@gmail.com]
Sent: Wednesday, April 23, 2014 10:54 AM
To: Nic Anderson
Cc: Mike Gannett
Subject: Lakeside Neighborhood Lots smaller than 4000 sqft.

Hello Nic,

I write in regard to the variance application submitted for 15-19 Conger Avenue. The seller's agent, Greg Monteith, has brought to my attention several existing lots in the Lakeside neighborhood that are less than 4000 sqft. These lots are listed below with their corresponding area in case this information might support the application to develop 15-19 Conger Avenue.

- 10 Central Ave. (3968 sqft)
- 32-36 Central Ave. (3999 sqft)
- 40 Central Ave. (3999 sqft)
- 41-43 Harrison Ave. (3402 sqft)
- 47 Harrison Ave. (1938 sqft)
- 49 Harrison Ave. (2200 sqft)
- 45-47 Lakeside Ave. (3402 sqft)
- 51 Lakeside Ave. (3938 sqft)
- 53 Lakeside Ave. (3676 sqft)
- 89 Lakeside Ave. (3472 sqft)

I've just realized that I do not have Scott's email address, so please feel free to forward this to him, if you think he would find it helpful.

With thanks,
Gehn Fujii

(b) Dimensional Standards and Density

The density and intensity of development, dimensions of building lots, the heights of buildings and their setbacks from property boundary lines, and the limits on lot coverage shall be governed by the following standards:

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Table 4.4.5-1: Minimum Lot Size and Frontage: RL, RL-W, RM and RM-W²

	Lot Frontage ¹		Lot Size	
Use	(linear feet)		(square feet)	
	RL,WRL	RM,WRM	RL ³	RM
Single detached dwelling	Min: 60'	Min: 30'	Min: 6,000	NA
Duplex and above			Min: 10,000	
1. The DRB may adjust the frontage requirements for lots fronting on cul-de-sacs, multiple streets, or corner lots reflecting the existing neighborhood pattern on each respective street. 2. There are no minimum lot size or frontage requirements in the RH District. 3. Exception: Larger minimum lot size in RL and WRL larger lot overlay district; refer to Section 4.5.5 & Table 5.5-1.				

Table 4.4.5-2: Base Residential Density

District	Maximum dwelling units per acre ¹
Low Density: RL, RL-W	7 units/acre
Medium Density: RM, RM-W	20 units/acre
High Density: RH	40 units/acre
Inclusive of new streets but exclusive of existing streets, and without bonuses or any Inclusionary Zoning allowances.	

Table 4.4.5-3: Residential District Dimensional Standards

Zoning District	Max. Lot Coverage ¹	Setbacks ^{1, 3, 4}				Max. Height ¹
		Front ²	Side ³	Rear	Waterfront	
RL; WRL	35%	Min/Max: Ave. of 2 adjacent lots on both sides +/- 5-feet	Min: 10% of lot width, but in no event less than 5-feet Max required: 20-feet	Min: 25% of lot depth but in no event less than 20' Max required: 75-feet	Min: 75' feet from the ordinary high water mark of Lake Champlain and the Winooski River	35-feet

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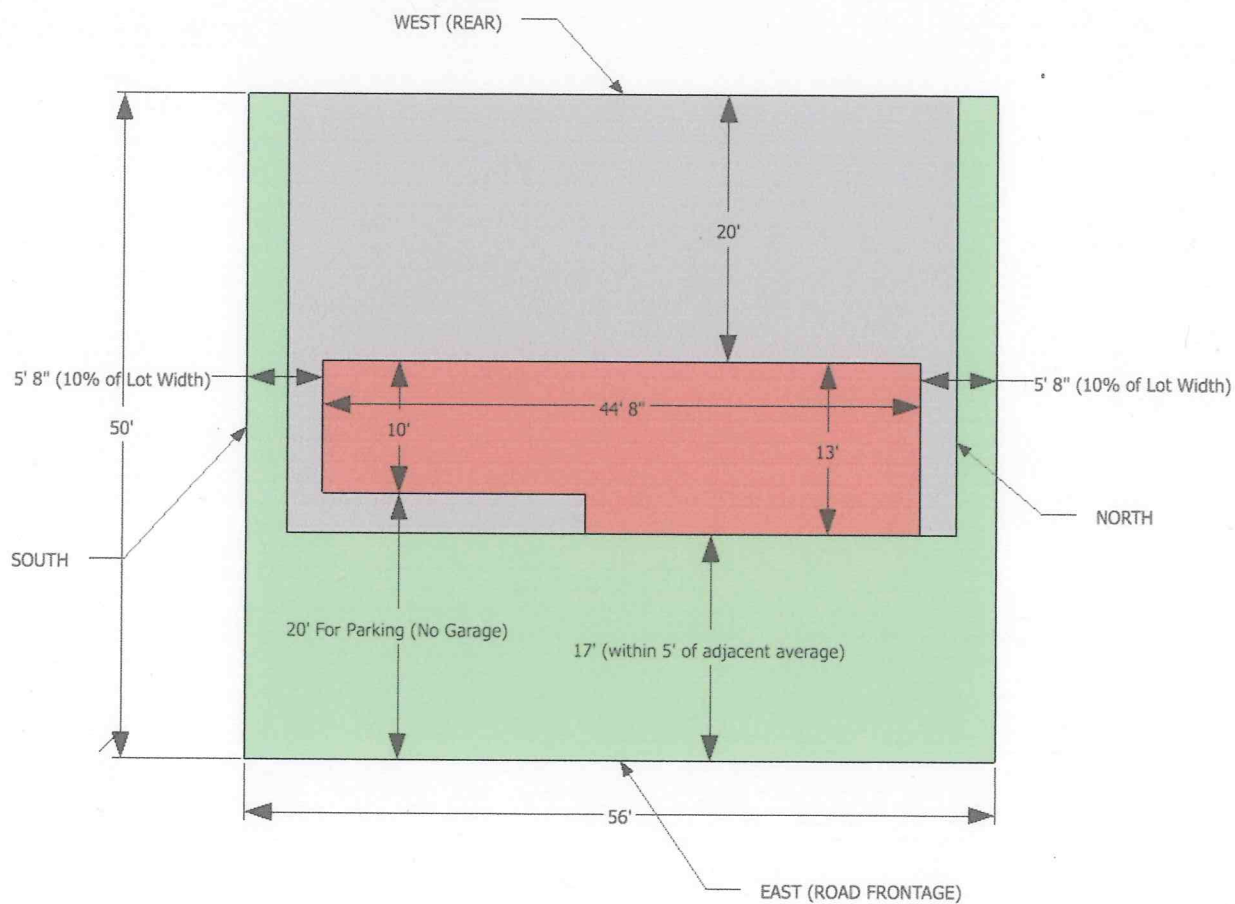
15 CONGER AVE

Green: Approximated Lot Dimensions (56' x 50' per deed)

Grey: Approximated Existing Structure Footprint (50' x 33")

Red: Allowable footprint under current ordinance

**Indicated setbacks per CDO Sec. 4.4.5, Table 4.4.5-3



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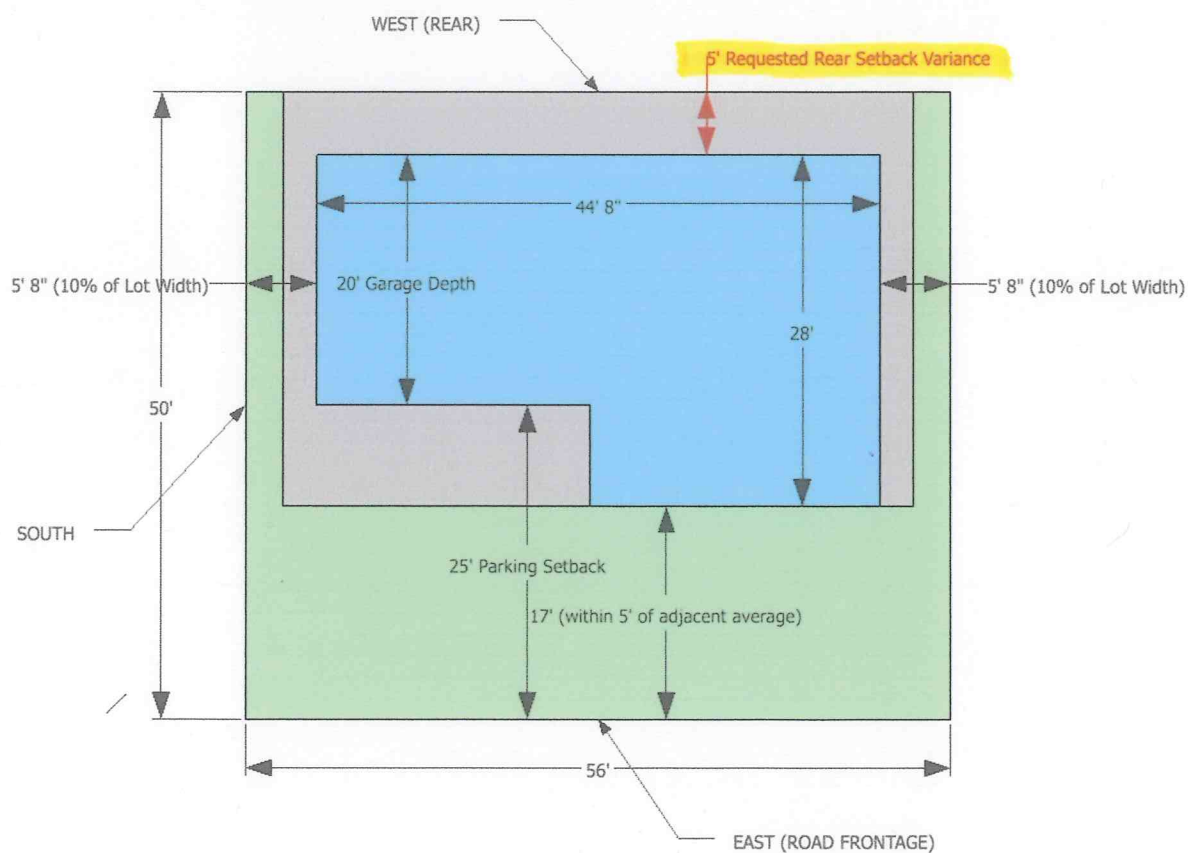
15 CONGER AVE

Green: Approximated Lot Dimensions (56' x 50' per deed)

Grey: Approximated Existing Structure Footprint (50' x 33')

Blue: Proposed Footprint

**Indicated setbacks per CDO Sec. 4.4.5, Table 4.4.5-3
except requested variance to rear setback in RED.





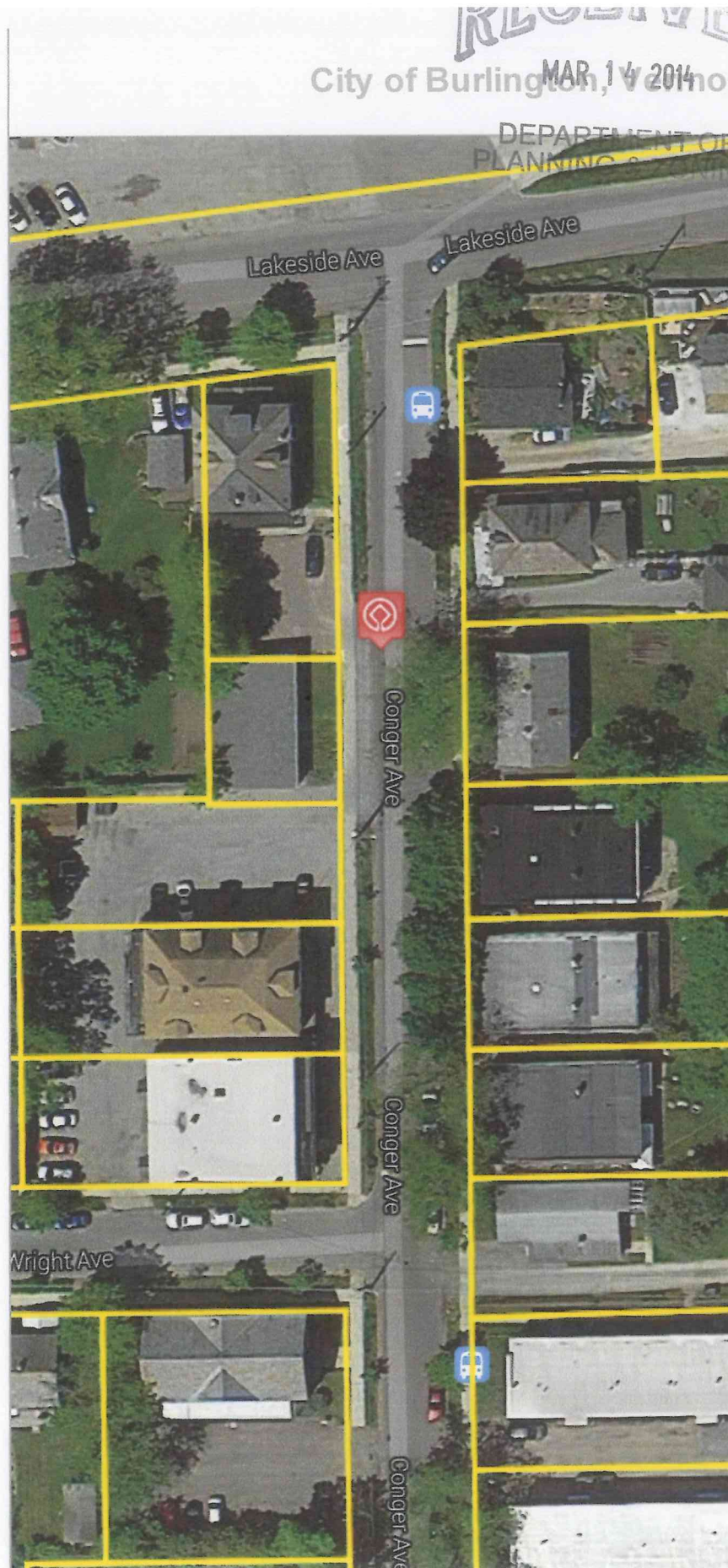
Map Overlay

- ☒ None
- ☐ 1978 B & W
- ☐ 1988 B & W
- ☐ 2000 B & W
- ☐ 2004 B & W
- ☐ 2004 Color
- ☐ 2009 Color

Search

Layers

- ☐ City Wards
- ☐ State Legislative Districts
- ☒ Tax Parcel Boundary
- ☐ Zoning Districts



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0 12.5 25 50 Feet

15 Conger Ave - 2004

Property lines are assumed only and are not considered accurate.
Produced by N. Anderson at City of Burlington Planning and Zoning

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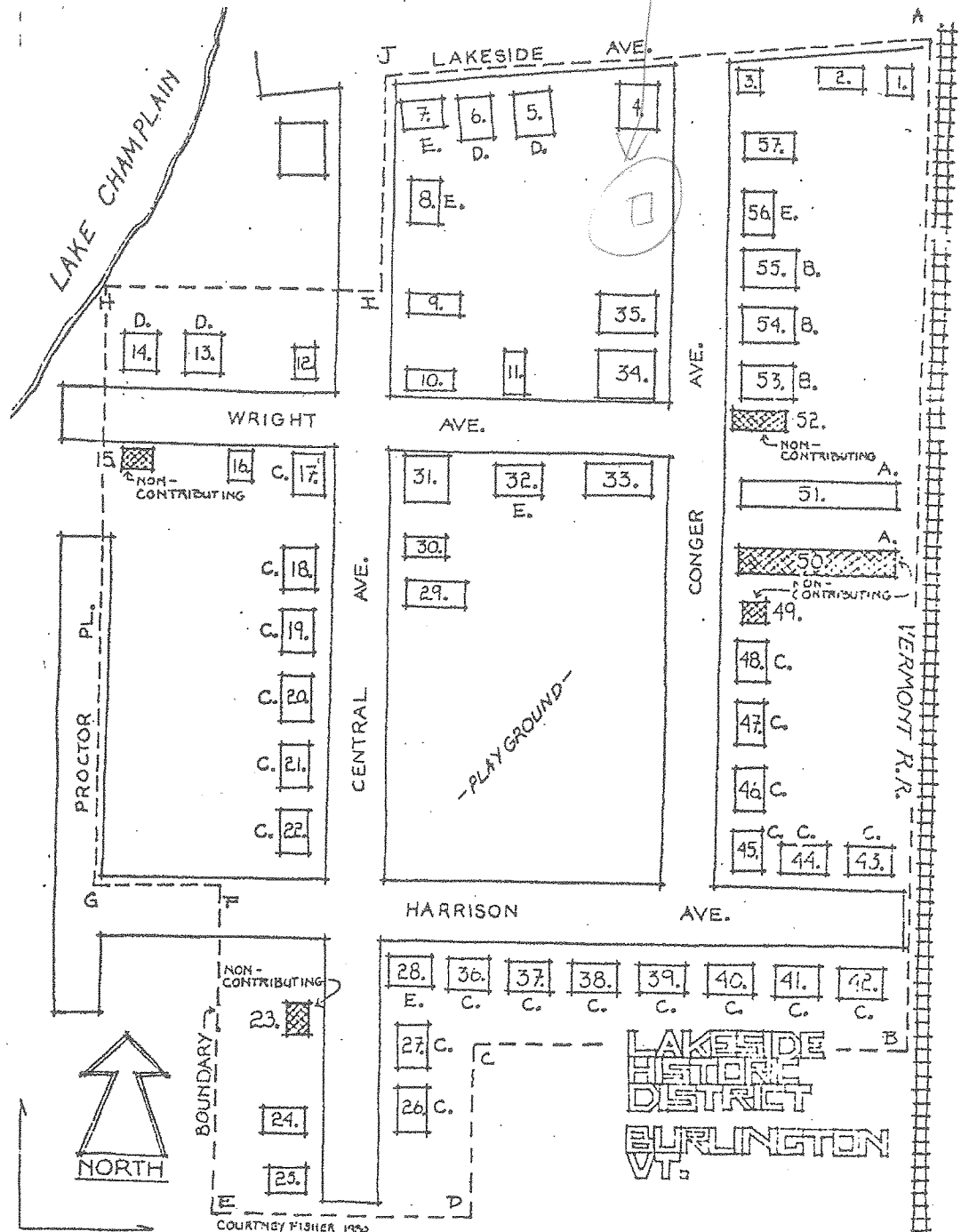
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0 12.5 25 50 Feet

15 Conger Ave - 1978

Property lines are assumed only and are not considered accurate.
Produced by N. Anderson at City of Burlington Planning and Zoning



B-610
9

Know all Men by these Presents

That we, ARTHUR R. MARCHANT and JEANNETTE H. MARCHANT, husband and wife,

of Burlington in the County of Chittenden
and State of Vermont Grantors, in the consideration of
Ten and more ----- Dollars
paid to our full satisfaction by

LOUIS J. MAYNARD and JEANNETTE R. MAYNARD,
husband and wife,

of Burlington in the County of Chittenden
and State of Vermont Grantees, by these presents, do
freely Give, Grant, Sell, Convey and Confirm unto the said Grantees

LOUIS J. MAYNARD and JEANNETTE R. MAYNARD,
husband and wife, as an estate by the entirety,

and their heirs and assigns forever, a
certain piece of land in Burlington in the
County of Chittenden and State of Vermont, described as
follows, viz:

A lot of land with all buildings thereon situated on the westerly side of Conger Avenue, the structure on said lot consisting of four garages known as Nos. 15 and 19 Conger Avenue, meaning to convey all and the same land and premises acquired by us, said Arthur R. and Jeannette H. Marchant, in Warranty Deed of Mamie Adler dated September 25, 1964 and recorded in Vol. 167, Page 572, of the City of Burlington Land Records.

The land herein conveyed comprises the northerly three feet of Lot No. 6 in Block F, and the southerly portion of Lot No. 1 in Block F, on a plan of land of H. R. Conger recorded in Vol. 34, Pages 454-5, of the City of Burlington Land Records, making a total frontage of 56 feet, more or less, and a depth of 50 feet, more or less.

Reference is made to said deed, plan and their records and to the deeds therein mentioned in aid of this description.

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To have and to hold said granted premises, with all the privileges and appurtenances thereof, to the said Grantee s,

LOUIS J. MAYNARD and JEANNETTE R. MAYNARD,
husband and wife, as an estate by the entirety,
their heirs and assigns, to their own use and behoof forever;
And we, the said Grantor s,

ARTHUR R. MARCHANT and JEANNETTE H. MARCHANT,
for ourselves and our heirs,
executors and administrators, do covenant with the said Grantee s,

LOUIS J. MAYNARD and JEANNETTE R. MAYNARD, their
heirs and assigns, that, until the enrolling of these presents we are
the sole owners of the premises, and have good right and title to convey the
same in manner aforesaid, that they are Free from every encumbrance;
except taxes and assessments on said premises hereafter due and pay-
able, which taxes and assessments the within grantees assume and agree
to pay, and we

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hereby engage to ~~Warrant and~~ Defend the same against all lawful claims
whatever, except as above stated.

In Witness Whereof, we hereunto set our hands and seals
this 29th day of September, A. D. 1972.

In Presence of

Royal M. Gibbo, Jr.
Royal M. Gibbo, Jr.

Arthur R. Marchant
Arthur R. Marchant

Monica A. Dupont
Monica A. Dupont

Jeannette H. Marchant
Jeannette H. Marchant

Vermont Property Transfer Tax
22 V.S.A. Chap. 231

—ACKNOWLEDGMENT—
Notion Rec'd. - For this Board of Health Cert. Rec'd.

Vt. Land Use & Development Plans Act Cert. Rec'd.

Notary No. 8114663

Signed R. M. Gibbo, Jr. Clerk

Date 9-29-72

State of Vermont,

CHITTENDEN

County

ss. At

Burlington

this

29th day of September, A. D. 1972

ARTHUR R. MARCHANT and JEANNETTE H. MARCHANT

personally appeared, and they acknowledged this instrument, by
them sealed and subscribed, to be their free act and deed

Before me

Royal M. Gibbo, Jr.
Royal M. Gibbo, Jr.

Notary Public

Received for record Sept 29, 1972, at 3:00 P. M. and recorded.

Attest:

B. H. Hendry
City Clerk

Scott Gustin

From: Ken Lerner
Sent: Wednesday, April 02, 2014 2:26 PM
To: 'Marc Landry'
Cc: Scott Gustin
Subject: RE: 15-19 Conger Ave

Hi Marc;

The application for a variance is scheduled for a hearing on May 6th at the DRB. Notices for public hearings are sent 14 days prior to the meeting, so you are ahead of the curve on this. The file is available for review at the P&Z Office in Conger Hall on weekdays from 8 am to 4:30 PM.

Scot Gustin is the staff project manager who will be preparing staff comments for the DRB hearing. Variances are based on unique circumstances of a particular lot that preclude it being developed and there are several criteria that must be found in order to grant a variance. These are in the zoning regulations:

http://www.burlingtonvt.gov/sites/default/files/PZ/CDO/CDO20120910_13_article_12.pdf.

Hope this helps,
Ken

**** Please note that any response or reply to this electronic message may be subject to disclosure as a public record under the Vermont Public Records Act**

From: Marc Landry [<mailto:landryinsurance@comcast.net>]
Sent: Wednesday, April 02, 2014 10:54 AM
To: Ken Lerner
Subject: 15-19 Conger Ave

Ken

I hope that you are the correct party to contact regarding an application for variance that is underway for the property. I called your office and got voicemail. Received a letter today from Mr. Fujii.

Questions:

As owner of an adjoining property why were my wife and I not given notice of this application? (57-5 Lakeside Avenue).

When is the hearing scheduled?

Are there any changes that are being requested that could have an effect on our ability to develop our own property in the future? In other words were a 5' rear setback granted, were we at some point

in time to want to locate a structure in a similar fashion, would the 10' proximity result in more stringent review of our application and be deemed to be too close? Might it result in height restrictions being imposed on us?

Can the applicant stipulate that they will not contest any future permit requests relative to our property based on the variances that they seek for themselves? Lot cover/density/setback?

All of Lakeside, with the possible exception of Joan Shannon's home, is probably non-conforming. Anyone who seeks to expand usage on their property will need a variance. In our case we are probably the only parcel with what works out to a vacant lot. If we are able to arrive at a