



Town of Brookline

Massachusetts

PLANNING BOARD

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To: Brookline Board of Appeals
From: Brookline Planning Board
Date: December 19, 2013
Subject: **Construct dormers and new deck in the rear requiring setback relief**
Location: **24 Davis Avenue**

Atlas Sheet:	37B	Case #:	2013-0093
Block:	183	Zoning:	T-5
Lot:	08-02	Lot Area (s.f.):	3,559

Board of Appeals Hearing: January 9, 2014 at 7:00 p.m.

BACKGROUND

The applicant has applied to the Preservation Commission for the demolition of the roof. The Commission heard the case on December 10, 2013, and found the structure to be insignificant.

SITE AND NEIGHBORHOOD

24 Davis Avenue is a three-story single family home that was built in 1930. The property is a rear lot situated behind 22 Davis Avenue and is accessed through a private alley. It is a land locked lot. The home is located on a lot which slopes down from Davis Avenue toward White Place and there are a series of wood and stone retaining walls. The rear of the property is also screened by an existing 6' wood fence. The property is located between Emerson Garden and Brookline Village, the street consists mostly of other similarly built two-family buildings.

APPLICANT'S PROPOSAL

The applicant, Rebecca and Ben Moor, are proposing to remove the existing roof and construct two new dormer additions, raise the overall height of the roof and increase the pitch. The applicant is also proposing to construct an open deck in the rear of the property with spiral stairs to reach the deck.

FINDINGS

Section 5.43 – Exceptions to Yard and Setback Regulations

Section 5.50 – Front Yard Requirements

The subject property is a rear lot, thus the front yard setback is the required rear setback for the zoning district. The required setback for a T-5 District is 30 feet.

Section 5.70 – Rear Yard Setback Requirements

Dimensional Requirements	Required/Allowed	Existing	Proposed	Relief
Front Yard Setback (dormers and deck)	30 feet	15'	15'	Special Permit*
Rear Yard Setback – Deck	30 feet	21.8'	14.3'	Special Permit*

* Under **Section 5.43**, the Board of Appeals may waive yard and setback requirements if counterbalancing amenities are provided.

Section 8.02.2 – Alteration or Extension

A special permit is required to alter a nonconforming use or condition.

PLANNING BOARD COMMENTS

The Planning Board is supportive of this proposal. The proposal will increase the usability of the dwelling by raising the ceiling height and constructing dormers. The Board would prefer that the dormers be symmetrical on each side, but the applicant has explained their reasoning behind the design. The deck in the rear will further increase the usability of the dwelling on this relatively small lot. The Board would like to see the applicant install some additional landscaping as a counterbalancing amenity required for a special permit.

Therefore, the Planning Board recommends approval of the plans by Frank P. Janusz Architecture, dated 10/31/13, and the site plan by Dennis O’Brien P.L.S., dated 9/26/13, subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit final plans and elevations subject to the review and approval of the Assistant Director of Regulatory Planning.
2. Prior to the issuance of a building permit, the applicant shall submit a final landscape plan indicating all counterbalancing amenities subject to the review and approval of the Assistant Director of Regulatory Planning.
3. Prior to the issuance of a building permit, the applicant shall submit to the Building Commissioner for review and approval for conformance to the Board of Appeals decision: 1) a final site plan stamped and signed by a registered engineer or land surveyor; 2) final building elevations stamped and signed by a registered architect; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

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View from Davis Avenue



24 Davis Avenue Front Façade



Existing Rear Yard