



Town of Brookline

Massachusetts

PLANNING BOARD

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To: Brookline Board of Appeals
From: Brookline Planning Board
Date: April 25, 2013
Subject: Construct garage in the rear of one lot and move the rear lot line between the two properties
Location: 72 Stedman Street & 73 Beals Street

Atlas Sheet:	10	Case #:	2013-0034 & 3013-0035
Block:	050	Zoning:	T-5
Lot:	27	Lot Area (s.f.):	± 5,537

Board of Appeals Hearing: May 23, 2013 at 7:15 p.m.

SITE AND NEIGHBORHOOD

72 Stedman Street is a three story Colonial Revival style structure that is currently assessed as a two family dwelling. The dwelling was originally constructed in 1910. The neighborhood consists of structures that are similar in overall bulk, and were primarily constructed in the early 1900s, between 1910 and 1930. The properties in the vicinity are a mix of single and three family dwellings. The Devotion School and Playground is located across the street and to the south of the property. The property that shares the rear lot line with 72 Stedman Street is 73 Beals Street. 73 Beals Street is currently developed with a single-family dwelling and a garage to the rear.

APPLICANT'S PROPOSAL

The applicant is proposing to construct a new garage at 72 Stedman Road that requires relief to the side and rear yard setback. The applicant is also proposing to move the rear lot line between 72 Stedman Street and 73 Beals Street through an ANR Subdivision Plan. The movement of the rear lot line will convey 389 square feet from 73 Beals Street to 72 Stedman Street.

FINDINGS

Section 5.43 – Exceptions to Yard and Setback Requirements

Section 5.70 – Rear Yard Requirements

Section 5.72 – Accessory Buildings or Structures in Rear Yards

Section 6.05.5.c.2 – Design of All Off-Street Parking Facilities

Section 6.05.5.c.3 – Design of All Off-Street Parking Facilities

Dimensional Requirements	Required/Allowed	Existing	Proposed	Relief
Rear Yard Setback (72 Stedman Street garage)	6 feet	N/A	2 feet	Special Permit*
Rear yard Setback (73 Beals Street garage)	6 feet	N/A	2 feet	Special Permit*
Side Yard Setback (72 Stedman Street garage)	6 feet	N/A	2 feet	Special Permit*
Side Yard Setback (73 Beals Street existing garage)	6 feet	39 feet	0 feet	Special Permit*

* Under **Section 5.43**, the Board of Appeals may waive yard and setback requirements if a counterbalancing amenity is provided.

Section 8.02.2 – Alteration or Extension

A special permit is required for alterations to a dimensionally nonconforming structure.

PLANNING BOARD COMMENTS

The Planning Board is supportive of the construction of the garage within the rear and side yard of 72 Stedman Street. The proposed garage is in a similar location as garages of other properties in the immediate vicinity, and the Board does not consider this special permit request for side and rear yard setback relief unreasonable. The applicant has supplied letters of support from affected neighbors in the vicinity. The Planning Board recommends that the applicant install additional landscaping as a counterbalancing amenity required for a special permit.

The Board is not opposed to the proposed lot line reconfiguration between 72 Stedman Street and 73 Beals Street. The two lots are in common ownership, and are not expected to negatively impact the neighborhood. Both of the lots will be above the minimum lot size of 5,000 square feet after the line adjustment. The existing garage on 73 Beals Street will be made to have a nonconforming side yard setback after the reconfiguration. If the Board of Appeals grants relief, the Planning Board recommends landscaping to serve as a counterbalancing amenity.

The vote would have been unanimous if the applicant had constructed the garage with no separation from the garage on the other lot.

Therefore, the Planning Board recommends approval (Voted 5-1) of the plans by Helios Design Group, Inc, dated 2/15/13, and the proposed subdivision plan by Boston Survey, Inc dated 2/1/13 subject to the following conditions:

1. Prior to issuance of a building permit, final elevations, indicating all exterior alterations and proposed materials shall be submitted to the Assistant Director of Regulatory Planning for review and approval.
2. Prior to the issuance of a building permit, a landscaping plan showing all counterbalancing amenities shall be submitted to the Assistant Director of Regulatory Planning for review and approval.
3. Prior to issuance of a building permit, the applicant shall submit to the Building Commissioner to ensure conformance with the Board of Appeals decision: 1) a final site plan, stamped and signed by a registered land surveyor; 2) final 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.

tcr



72 Stedman Street front façade



Location of proposed garage



doc



73 Beals Street front façade



Existing garage at 73 Beals Street