



Town of Brookline

Massachusetts

PLANNING BOARD

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To: Brookline Board of Appeals
From: Brookline Planning Board
Date: January 24, 2013
Subject: Construct a carport within the side yard setback
Location: **53 Willard Road**

Atlas Sheet:	59	Case #:	2012-0072
Block:	263	Zoning:	S-15
Lot:	08	Lot Area (s.f.):	14,001

Board of Appeals Hearing: January 31, 2013, 7:15 p.m.

SITE AND NEIGHBORHOOD

53 Willard Road was constructed in 1900 and is one of the oldest homes on the street. The property is developed with a single family dwelling and a garage in the rear yard located within 8' of the rear property line. Surrounding homes are single family dwellings primarily constructed in the first half of the 20th century.

APPLICANT'S PROPOSAL

The applicant, Grey Judge, is proposing to construct a carport, which will be located on the eastern side of the property, within 6" of the side property line. The carport will match the color of the dwelling and will align with and match the trim molding on the porch. The proposed carport will be used to access the existing deck and side entry to the dwelling.

FINDINGS

Section 5.43 – Exceptions to Yard and Setback Regulations

Section 5.60 – Side Yard Requirements

Dimensional Requirements	Required	Existing	Proposed	Relief
Side Yard Setback	15'	20.33'	6"	Special Permit*

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

Section 6.04.5.c.2 – Design of All Off-Street Parking Facilities

Section 8.02.2 – Alteration or Extension

A special permit is required to alter a pre-existing non-conforming structure or use.

PLANNING BOARD COMMENTS

The Planning Board would support the requested relief to allow the applicant to construct a carport on the property if the abutter has no objections. The proposed carport will be shielded by trees and landscaping from 459 Chestnut Hill Avenue, which is the most affected property, directly abutting to the east. The Planning Board recommends that the applicant install additional landscaping as a counterbalancing amenity required for a special permit.

Therefore, the Planning Board recommends approval of the plans by J.M.P. General Contractors, Inc., dated 1/4/12, 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; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

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53 Willard Road front façade



Area of proposed carport