



PLANNING BOARD

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Town of Brookline Massachusetts

To: Brookline Board of Appeals

From: Brookline Planning Board

Date: July 17, 2014

Subject: Construct 302 square foot addition at the rear, requiring design review, FAR, and setback relief

Location: **48 Devon Road**

Atlas Sheet:	67	Case #:	2014-0041
Block:	283	Zoning:	S-10
Lot:	05	Lot Area (s.f.):	±12,905

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

SITE AND NEIGHBORHOOD

48 Devon Road is located near the Brookline-Newton border in Chestnut Hill. It is a four-bedroom, single-family built in 1890. The house is shingle-style and the roof is gambrel. A two-car garage (437s.f.) was built in 1926. Significant remodeling was done in late 2001 and early 2002, including rewiring, remodeling of the kitchen and baths, and boiler renovation. The lot is irregularly shaped and both structures predate current Zoning By-laws. The houses in the neighborhood are of similar sizes and configuration. This house is in the Chestnut Hill North Local Historic District.

APPLICANT'S PROPOSAL

The applicant, John Olsen is proposing to construct a 302 square feet one-story addition in the rear of the dwelling. The addition will allow the applicant to extend the kitchen area and have an enclosed and covered porch. The materials used for the addition will match the dwelling, and will be consistent with the existing style. The base of the addition will be constructed using stones and the exterior will have shingles to match existing. The windows for the enclosed porch and new kitchen area will be 15 over one, which is consistent with other windows on the dwelling.

The applicant is also planning to finish 850s.f. of existing basement space, which is allowed by right, up to 150% of the allowed floor area.

FINDINGS

Section 5.09.2.j – Design Review: Any exterior addition for which a special permit is requested pursuant to *Section 5.22 (Exceptions to Maximum Floor Area Ratio Regulations)* requires a special permit subject to the design review standards listed under *Section 5.09.4(a-l)*. The most relevant sections of the design review standards are described below:

- a. Preservation of Trees and Landscape – The property is well landscaped, and although some shrubbery will need to be removed, the addition’s construction is not expected to significantly impact the landscape or vegetation.
- c. Relation of Buildings to the Form of the Streetscape and Neighborhood – The proposed additions are minor and they are not expected to be especially visible from the street.

Section 5.22.3.c – Exceptions to Floor Area Regulations for Residential Units

Floor Area	Allowed	Existing	Proposed	Finding
Floor Area Ratio (% of allowed)	.30 (100%)	.317 (106%)	.407 (136%)	Special Permit*
Floor Area (s.f.)	3,840	4,052	5,204	

*Under **Section 5.22.3. c**, the Board of Appeals may by special permit allow an increase in gross floor area of up to 350 square feet. The applicant is going to finish the 850 square feet of the basement of the existing dwelling, which is allowed by right up to 150% of the allowed floor area. This leaves 302 square feet of space for the external addition, which can be granted by special permit under **Section 5.22.3.c**.

Section 5.43 – Exceptions to Yard and Setback Regulations

It is recommended to waive the setback requirements as the dwelling is already non-conforming and is not encroaching on the current setback. One such counterbalancing measure could be to require additional planting of trees, shrubs and/or vegetation on the property.

Section 5.70 – Rear Yard Setback

Dimensional Requirements	Required	Existing	Proposed	Relief
Rear Yard Setback	30’	18.52’	18.52’	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 to alter a pre-existing non-conforming structure or use.

PLANNING BOARD COMMENTS

The Planning Board is supportive of this proposal to construct a rear addition and create a screened porch. Both are attractively designed and are expected to fit in with the existing design of the dwelling. The Board does not feel that this proposal will negatively impact the neighborhood, as the addition is in the rear.

Therefore, the Planning Board recommends approval of the site plan by HS&T Group, Inc. dated 4/29/2014, and plans by Patrick Ahearn, dated 7/17/2014, subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit final floor plans and elevations subject to the review and approval of the Preservation Commission Staff and 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 floor plans and 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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