



# *Town of Brookline*

## *Massachusetts*

### **PLANNING BOARD**

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To: Brookline Board of Appeals  
From: Brookline Planning Board  
Date: September 13, 2018  
Subject: Legalize parking at the side of the building within the front yard setback  
Location: **63 Summit Avenue**

Atlas Sheet: 17B	Case #: 2018-0046
Block: 086	Zoning: S-7
Lot: 38	Lot Area (s.f.): 5,366

Board of Appeals Hearing: **September 20<sup>th</sup>, 2018 at 7:00 pm**

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#### **SITE AND NEIGHBORHOOD**

63 Summit Avenue is a two-unit condominium building built in 1920 located near the intersection of Mason Terrace. The property has one garage space and a large paved parking area on the left side of the house.

#### **APPLICANT'S PROPOSAL**

The owners of Unit #1, Joshua and Rebecca Blouwolff, have applied for zoning relief to legalize an existing parking area to the right of the house that is within the front yard setback. The area has been used for parking but the applicants recently received a citation from the Building Department requiring them to apply for relief. The applicants are seeking to legalize a single-car parking space that is located 11.8 feet from the front property line. There is currently no curb cut to this parking area but the applicant has used this gravel parking area that measures about 25.8 feet long by 11 feet wide for parking since they moved in in April 2013.

The applicants have begun the process of requesting a curb cut from the Town and have also proposed a landscaping plan that will retain a row of trees to the right of the parking area and add curbing and a landscaping strip.

**Section 6.04.5.c.1 – Design of All Off-Street Parking Facilities**

<b>Setback</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Finding</b>
<b>Front Yard (Parking Area)</b>	30 feet	11.8 feet	11.8 feet	Special Permit*

*\* Under Section 6.04.12, as the Board of Appeals may grant a special permit to waive dimensional requirements for new parking facilities to serve existing buildings.*

**STAFF ANALYSIS**

Although staff typically does not support parking within the front yard setback, this proposal involves the legalization of an existing parking area that has been in use for 5 years. The location of the parking is not in front of the house but rather to the side and is behind the front façade of the house. There is no interference with pedestrians or traffic flow. The applicants are proposing landscaping, a curb cut and improvements that will overall enhance the appearance of this portion of the front yard and the streetscape.

**PLANNING BOARD COMMENTS**

The Planning Board expressed disappointment that it seemed to be in a position of resolving a private dispute between the two owners of this condominium. The Board felt that front yard parking is not a condition it wants to encourage but understood that this is a pre-existing condition. The Board stressed that it would be much more comfortable supporting this parking area if the parking space could be pushed back to be entirely behind the front façade of the building which would be 16 feet from the front lot line to the back of the space. They expect that the two owners will come to a mutual agreement to push back the parking area prior to proceeding to the ZBA.

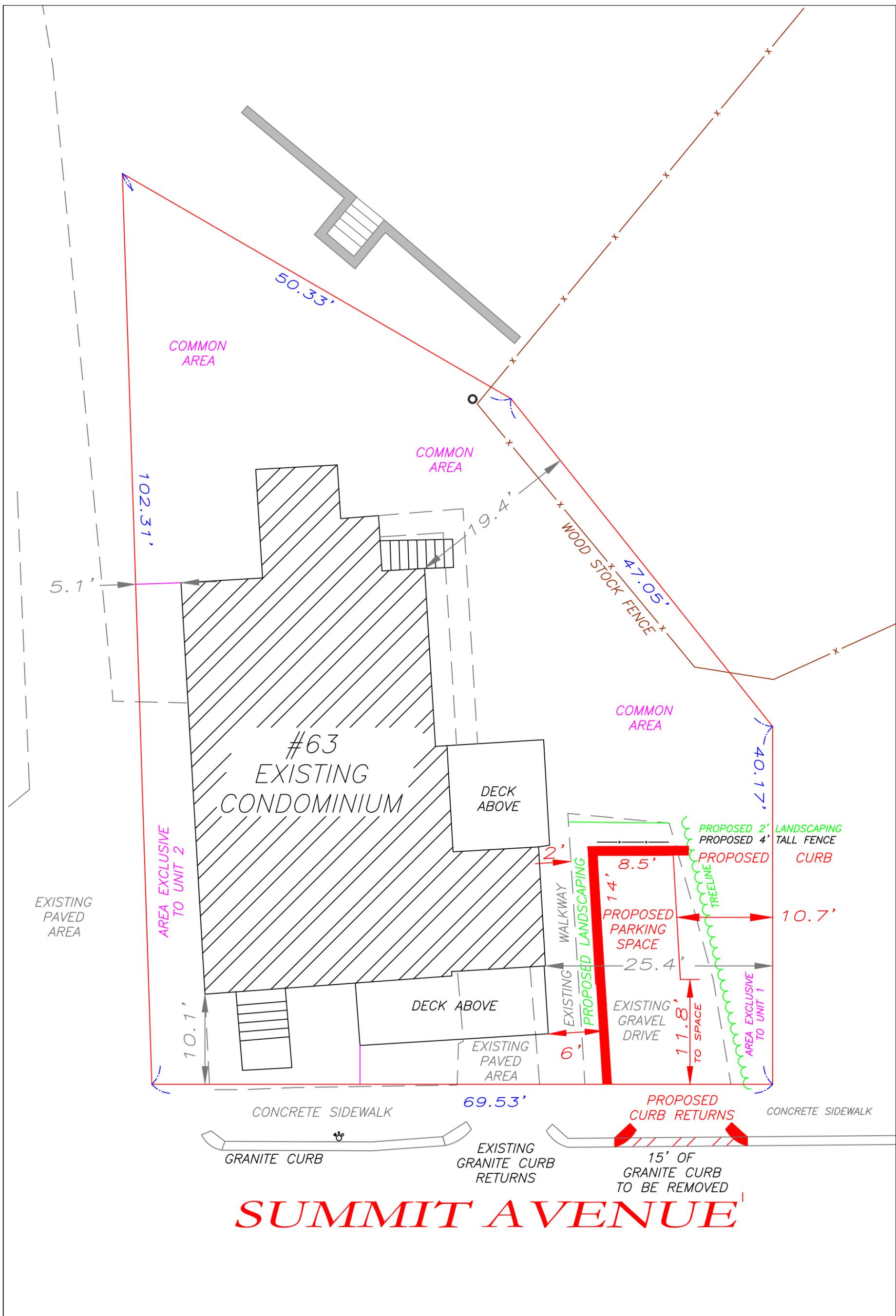
**Therefore, the Planning Board recommends approval of the parking plan prepared by Dennis O’Brien, dated 6/18/2018 subject to the following conditions:**

- 1) Prior to the issuance of a building permit, the applicant shall submit a stamped and surveyed parking plan including existing and proposed conditions mutually agreed upon by the owners of Unit 1 and Unit 2 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 landscaping plan subject to the review and approval of the Assistant Director of Regulatory Planning.
- 3) Prior to 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 parking plan plan, stamped and signed by a registered engineer or land surveyor; and  
2) evidence the decision have been recorded at the Registry of Deeds.

*knm*





 <p><b>D. O'BRIEN</b> LAND SURVEYING</p> <p>31 HAYWARD STREET UNIT 3-G, EST 1996 FRANKLIN, MA 02038 508-541-0048</p>	<p>PLAN SHOWING PROPOSED CURB CUTS 63 SUMMIT AVE. BROOKLINE, MA MIDDLESEX COUNTY</p>				
	<p>Dennis O'Brien P.L.S.</p>	<p>SCALE: 1:10'</p>	<p>DATE: 02/08/2018</p>	<p>REVISED: 9/12/2018</p>	<p>DRAFTED: PJC</p>