



# Town of Brookline

## Massachusetts

### PLANNING BOARD

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To: Brookline Board of Appeals

From: Brookline Planning Board

Date: April 4, 2013

Subject: **Construct an 80 square foot garden shed within the side and rear yard setback**

Location: 21 Loveland Road

|              |       |                  |           |
|--------------|-------|------------------|-----------|
| Atlas Sheet: | 62    | Case #:          | 2013-0020 |
| Block:       | 269   | Zoning:          | T-5       |
| Lot:         | 05-13 | Lot Area (s.f.): | ±5,349    |

Board of Appeals Hearing: April 11, 2013 at 7:15 p.m.

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### **BACKGROUND**

July 26, 2011 – Symon Realty Trust submitted an ANR Subdivision Plan application to subdivide the existing parcel on 29 Loveland Road into three lots. Planning Board endorsed the subdivision plan as approval is not required (8/5/2011).

### **SITE AND NEIGHBORHOOD**

21 Loveland Road is a single-family colonial style house that was built in 2011. The Preservation Commission imposed a one year stay of demolition on four buildings that were on the now subdivided lot. After June 10, 2010, the owner applied to the Building Department for permits for demolition. The buildings have since been demolished and new dwellings have been constructed on the three new lots. Loveland Road is part of an area in Brookline known as the *Settlement*, because of its origins as a neighborhood settled by Irish immigrants, which began in the 1840s. The area was developed with modest single-family cottages. The Settlement can be accessed from Boylston Street, and is largely comprised of T-5 zoning. A 50' wide subsurface easement for the Dorchester Tunnel runs directly beneath the lot, and under the dwelling.

**APPLICANT’S PROPOSAL**

The applicant is proposing to construct an 80 square foot shed that will be placed within 18” of the side and the rear yard of the property, on the northwest corner of the lot. The shed will be a pre-manufactured structure, and will require minimal assembly on site. The shed will have electricity installed, and will operate off of the main electrical meter from the dwelling.

**FINDINGS**

**Section 5.43 – Exceptions to Yard and Setback Regulations**

**Section 5.63 – Accessory Buildings or Structures in Side Yards**

**Section 5.72 – Accessory Buildings or Structures in Rear Yards**

| <b>Dimensional Requirements</b> | <b>Required</b> | <b>Proposed</b> | <b>Relief</b>                 |
|---------------------------------|-----------------|-----------------|-------------------------------|
| <b>Rear Yard Setback</b>        | 6 feet          | 18 inches       | Special Permit*/<br>Variance  |
| <b>Side Yard Setback (east)</b> | 6 feet          | 18 inches       | Special Permit* /<br>Variance |

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

**PLANNING BOARD COMMENTS**

The Planning Board is supportive of the proposal to construct a shed on the property within the side and rear yard setbacks. The shed is not expected to detract from neighboring properties enjoyment of their property. The applicant has supplied a letter with signatures from abutting properties stating that they support the installation of the shed in its proposed location. 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 site plan submitted by Laura and Michael Ehlers, dated 3/29/12 subject to the following conditions:**

1. Prior to the issuance of a building permit, the applicant shall submit a final landscape plans indicating all counterbalancing amenities 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 to the Building Commissioner for review and approval for conformance to the Board of Appeals decision: 1) a final site plan and 2) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

*tcr*



21 Loveland Road front façade



Location of proposed shed