



# Town of Brookline

## Massachusetts

### PLANNING BOARD

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To: Brookline Zoning Board of Appeals  
From: Brookline Planning Department  
Date: June 27, 2019  
Subject: Create a 3<sup>rd</sup> parking space within the front yard setback  
Location: **15 Hancock Road**

Atlas Sheet: 41  
Block: 208  
Lot: 19

Case #: 2019-0037  
Zoning: S-7  
Lot Area (s.f.): 8,663

Board of Appeals Hearing: **July 25, 2019 at 7:00 pm**

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### Status Update

*The applicant's original proposal was to add a third parking space parallel to the two existing tandem spaces. After discussions with the Planning Department, the applicant agreed to eliminate one of the two existing tandem spaces. The revised proposal still requires a special permit because the new space does not meet setback requirements. The applicant submitted a new plan accurately depicting the revised proposal. The rest of this report provides analysis on the original proposal.*

### Site and Neighborhood

15 Hancock Road is a two and a half story house built in 1930. This single-family dwelling is located near the end of Hancock Road, a dead-end street in the Aspinwall Hill neighborhood. The neighborhood is a residential area flanked by the Brookline High School, the Pierce School and Town Hall, and Washington Square.

### Applicant's Proposal

The applicants, Kara and Dave Blackburn, are seeking relief to create a third parking space that would not conform to several provisions of Article 6, Vehicular Service Uses

Requirements. The new parking space is proposed to be 7.5'x18' and located immediately adjacent to two existing tandem spaces. The applicants state that this alteration will also create an off-street basketball play area for the family. The driveway and parking area shown on the plan has already been permitted and constructed, but, to ensure compliance with the Bylaw, the Building Department required that a wide curb be installed to the left of the proposed parking space to prevent its use as a parking space. The applicant is now requesting that the required curbing be eliminated so that he can park a third car in the driveway, thus triggering the need for zoning relief. (At the site visit by planning staff, no curbing was visible.)

**Findings**

The proposed plan fails to comply with the following sections of the Zoning Bylaw:

**Section 6.04.5.a** – “In all districts, parking stalls in parking lots shall be set back from the street lot line, a minimum of five feet and further to whatever extent may be necessary in the specific situation, as determined by the Building Commission, to avoid the probability of cars backing or otherwise maneuvering on the sidewalk upon entering or leaving the stalls.”

**Section 6.04.5.c.1** – In S districts, the surfaced area of parking lots must be set back from the front lot line “the distance specified for building setback under Table 5.01, or the average of the setbacks of the buildings on the adjacent lots on either side, as calculated in §5.54, whichever is greater”.

Relevant section of Table 5.01:

	Required	Proposed	Finding
Front Yard Setback	20 feet	6 feet	Special Permit*

**Section 6.04.5.D** – “In all districts, curbs shall be provided to prevent motor vehicles from being parked within required setback areas, or beyond the boundaries of the lot where no setback is required.

**Planning Department Analysis**

The dimensions of the proposed parking space comply with the requirements for a compact car, so a parking space is feasible in this location. Its proximity to the front lot line does not comply with the Bylaw, but would be a better location than the existing condition, where the rear tandem car extends right up to the lot line and may extend over the public sidewalk (see Google Streetview snapshot below). The Planning Department finds that the proposed location of the third parking space is in fact more reasonable than the existing tandem spaces shown on the plans, and recommends that a condition of the decision require that the applicant eliminate the rear tandem parking space and submit a

plan showing only two parking spaces side-by-side. The request otherwise satisfies all of the Conditions for Approval of Special Permits as listed in §9.05.1.

### **Planning Board Comments**

The Planning Board reviewed the revised plans (showing the elimination of one of the tandem spaces) submitted by the applicant at their meeting on June 27, 2019. The Planning Board was disappointed to find that the hardscaping and landscaping work shown on the plans were already complete, but found the proposal generally acceptable. The applicant had received a building permit to widen the driveway for a “basketball court” and was told if the plan were not approved, curbing should be installed down the middle of the driveway to prevent an additional car from being parked there.

**Therefore, the Planning Board recommends approval of the Parking Layout Plan by Sean Reardon dated June 19, 2019 subject to the following conditions:**

- 1. Prior to the issuance of a Building Permit, the applicant shall submit a final parking lay-out plan 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: a) a final site plan stamped and signed by a registered engineer or land surveyor; b) final parking lay-out plan stamped and signed by a registered architect or engineer; and c) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.**

15 Hancock Road

**Tandem Parking at Subject Property - Google Streetview from 2018**



**Subject Property - Photograph taken 6/17/2019**

15 Hancock Road



**Neighborhood Context**

