

Case # 43-2019
Date Filed: 12 November 2019

DECISION OF THE ZONING BOARD OF APPEALS
ON THE REQUEST FOR A SPECIAL PERMIT

Applicant: Carlos Ribiero
Owners: Eric R. Walker - Book 1272 Page 872
CitiMortgage Inc – Book 1123 Page 655

At a meeting held in the Selectmen's Room, Town Hall, on Wednesday, 4 December 2019, the Edgartown Zoning Board of Appeals voted unanimously (5-0) to grant a special permit under section 10.1 g of the zoning bylaw to permit the demolition of an existing one-bedroom, one-story residence and the construction of a new one-story, one bedroom guesthouse and a new two-story structure containing a garage, office space, and a two-bedroom apartment as shown on the site plan (Bellingham & Associates dated 18 November 2019) and floor plans and elevations (Sasha Robinson-White dated 19 November 2019).

1. The board finds that proposal conforms to setbacks and all requirements of the bylaw. The site is appropriate and, by combining the two lots to their original configuration, the proposal alleviates a zoning violation.
2. A special permit is required because the lot – even combined - is nonconforming with respect to area. A conforming lot in the R-20 Zoning District is one-half an acre. The area of the combined lots is approximately .38 of an acre or 16,553 sq. ft. – enough area to support a guest house by special permit.
3. No abutters had any objection to the project.

Condition: No building permit may be issued for this project until a new easement is recorded in the Dukes County Registry of Deeds, which gives the Highway Department and the town of Edgartown the right to use a portion of the property for drainage. This easement must be approved by both the Highway Superintendant and town counsel prior to recording.

This decision of the Board of Appeals and a record of proceedings are on file in the Zoning Board office and in the office of the Town Clerk, Town Hall under Case No: 43-2019.

Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 10 December 2019. Appeals, if any, should be made pursuant to Section 17 of Chapter 40A of the Massachusetts General Laws and should be filed within 20 days of the filing of this decision in the office of the Town Clerk.

_____2019

I hereby certify that no appeal has been filed in the twenty-day period following the date of filing this decision.

Attest: _____