

Case # 5-18
Date Filed: 5 February 2018

DECISION AND FINDINGS OF THE ZONING BOARD OF APPEALS

Re: Request for a special permit under section 11.9 f of the Edgartown Zoning Bylaw
Owners: Jamie & Emily Weston
Assessor's Parcel: 45-419
Book: 75 Page: 71

PROCEDURAL HISTORY

1. Application is for a special permit under section 11.9 f of the bylaw to construct additions to an existing residence on a preexisting, nonconforming lot. *The request to install a swimming pool was withdrawn from the application and is not part of the special permit.*
2. The property is located at 14 Katama Farm North in the R-60 Residential District.
3. A public hearing - after proper notice was given to abutters, town departments, and placed in the *Vineyard Gazette* - was held on Wednesday, 28 February 2018 in the Town Hall.
4. The application was accompanied by a plot plan from Schofield, Barbini & Hoehn dated 14 Dec 2017, as well as elevations, and existing conditions dated 12 December 2017 by Equilibrium Architectural Design..
5. The Board reviewed the application, the plans, and all other materials and information submitted prior to the close of the public hearing. [See Record of Proceedings].

FACTS

1. The property consists of a preexisting, nonconforming .51-acre lot in the R-60 Residential District. A conforming lot in the R-60 district is an acre and a half.
2. The lot is located in a subdivision of half-acre lots, which became nonconforming when the town changed the dimensional requirements from .5 an acre to 1.5 acres in April of 1980.
3. The applicant is proposing to construct additions of approximately 750 sq. ft. to the existing two-story addition to the existing house. The existing house has approximately 3136 sq. ft. of living space. The additions consist of a two-story 'bump out' that will provide more space for the living room and a second-floor bedroom, a small sitting area (one story), and a stairway enclosure.
4. All proposed additions comply with R-60 setback and height restrictions.

5.

FINDINGS:

The Board finds that the proposal complies with the provisions of 11.9 f necessary for the granting of the special permit for the following reasons:

1. It is in harmony with the general purpose and intent of the bylaw. The proposed additions will not be more objectionable or detrimental to the neighborhood than the existing structure.
2. The site is appropriate and has adequate area to contain the additions without overburdening the lot.
4. There were no objections to the additions from either town boards or departments.
5. Residential additions are a permitted in the R-60 Residential District, provided they meet the necessary setbacks; the only reason a special permit is required is because the lot is less than the acre and a half needed to be a conforming lot in R-60.

Based on the above findings and reasons, the Board voted in favor of granting the special permit 5-0.

CONDITIONS

No additional conditions were placed on the permit. *The request for a swimming pool was withdrawn and is not part of this special permit.*

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: 5-2018.

Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 2 March 2018. 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.

_____2018
I hereby certify that no appeal has been filed in the twenty-day period following the date of filing this decision.

Attest: _____