

Case # 7-18
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
Owner/Applicant: Peter Graczykowski
Assessor's Parcel: 10-55
Book: 73 Page: 175

PROCEDURAL HISTORY

1. Application is for a special permit under section 11.9 f of the bylaw to construct a two-story addition to an existing residence on a preexisting, nonconforming lot.
2. The property is located at 24 Sparrow Lane 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, elevations, and existing conditions dated 31 January 2018 by Perdomo's Construction, Vineyard Haven MA.
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 a two-story addition to the existing house. The first floor of the addition will be approximately 600 sq. ft. and will contain a bathroom, office, and storage space. The second floor of the addition will be approximately 300 sq. ft. and will connect to the existing kitchen and be used as a family room.
4. There will be no increase in the number of bedrooms, which will remain at three.
5. The project conforms to the required setbacks and height restrictions.

6. Letters of support for the project were received from the Edgartown Forest Estates Association, as well as from five abutters.

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 addition 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 addition without overburdening the lot.
4. There were no objections to the project from either town boards or departments. Five abutters and the homeowner's association wrote in support of the project.
5. Residential additions are a permitted use 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 4-0.

CONDITIONS

No additional conditions were placed on the 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: 7-2018.

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: _____