

Case # 24-18
Date Filed: 27 June 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/Applicants: John Fiorito & Kate Hennigan
Assessor's Parcel: 10-99.25
Certificate: 11031 Document: 48558

PROCEDURAL HISTORY

1. Application is for a special permit under section 11.9 f of the bylaw to construct additions to a conforming residence on a preexisting, nonconforming lot.
2. The property is located at 3 Thames Court 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, 18 July 2018 in the Town Hall.
4. The application was accompanied by a plot plan, elevations, and existing conditions submitted by Worth & Wing (20 June 2018).
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 .50-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 build a small one-story addition on the south side of the residence and a larger two-story addition on the north side of the house.
4. The additions conform to R-60 setbacks and height requirements.
5. There is no change in the total number of bedrooms on the property.

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 residence.
2. There were no objections to the project from either town boards or departments. Two abutters wrote in support of the project.
3. The additions are modest in size and do not appreciably alter the overall mass of the structure.
4. As there is no change in the total number of bedrooms on the property, it is presumed that there will be no substantial increase in the intensity of use that could negatively affect the neighborhood.

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.

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: 27-2018.

Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 20 July 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: _____