

Case # 5-2021
Date Filed: 26 January 2021

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

Owner/Applicant: Anthony Delvalle
Book: 758 Page: 585

At a meeting held remotely via Zoom on Wednesday, 17 February 2021, the Edgartown Zoning Board of Appeals voted unanimously (5-0) to grant a special permit under section 10.1 G of the zoning bylaw for the construction of a two-car garage with recreation space above - on a preexisting, nonconforming lot located at 7 Candlemaker Circle (Assr. Pcl. 22-1.332) as shown on to the site plan dated 1 April 2019 by Schofield, Barbini & Hoehn and on the floor plans and elevations dated August 2020 by Perdomo's Construction.

FINDINGS:

1. The only nonconformity is the size of the lot, which is just over half an acre in the R-60 Residential District, where a conforming lot requires an acre and a half. The property is located in a development of similarly sized nonconforming lots.
2. Other lots in the subdivision have been similarly developed with accessory structures.
3. There were no objections to the project from abutters or town departments and the board has determined that it will not be detrimental to the neighborhood.

CONDITIONS:

1. Prior to the issuance of any building permit, an executed deed restriction will be filed in the Dukes County Registry of Deeds stating that the area above the garage is not be used for human habitation.
2. No cooking appliances are permitted in the recreation area above the garage.

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: 5-2021.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 22 February 2021. 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.

_____2021

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

Attest: _____