

Case # 24-2022

Application Filed: 23 August 2022

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

Owners/Applicants: James M. & Joan A. Malkin

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At a meeting held remotely via Zoom on Wednesday, 14 September 2022, the Edgartown Zoning Board of Appeals voted unanimously (5-0) to grant a special permit under section 2.2 B 13 of the zoning bylaw to allow the construction of a 900 s.f. guesthouse on a lot where the main house has been in existence less than five-years. The property is located on a conforming lot at 27 Fourth Street North (Assr. Pcl. 11A-95) in the R-20 Residential District. [For details concerning this decision please see the Record of Proceedings filed with this Decision in the office of the Town Clerk.]

FINDINGS:

1. The board found the proposal to be appropriate and in harmony with the general purpose and intent of the bylaw: the proposed guest house will be built on a conforming lot with an area of 15,000 s.f. – the minimum required for a guest house.
2. The proposed guest house will meet all required setbacks and height restrictions.
3. There were no objections to the project from town boards or departments. Two abutters spoke in support of the project.
4. The board found the proposal to be in compatible with the neighborhood: several parcels in the Ocean Heights neighborhood have been similarly developed with guest houses.
5. The board found that the proposed construction will not overburden the lot or significantly increase density in the area.
6. The applicants are proposing to use the guest house for year-round workforce housing, which will provide a benefit to both the town and the island.

The following conditions were placed on the permit:

1. Guesthouse is not to exceed 900 s.f. of interior living space.
2. Applicants will record a deed restriction in the Registry of Deeds stipulating that the guesthouse will be rented out year-round for a period of not less than five years.

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: 24-2022.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 15 September 2022. 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.

_____2022

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

Attest: _____