

Case # 2-2023

Application Filed: 17 January 2023

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

Owner/Applicant: Charles C. Hajjar, Trustee - BD MV Realty Trust

Book/Page: 1553 80

At a meeting held remotely via Zoom on Wednesday, 8 February 2023, the Edgartown Zoning Board of Appeals voted (4-1) to grant a special permit under sections 3.1 B 4 & 3.1 D 8 c of the zoning bylaw to allow the construction of three one-bedroom apartments above an existing one-story section of a mixed-use structure located at 19 Main Street (Assr. Pcl. 120D-317) in the B-I Business District.

The application was accompanied by a site plan, elevations, and floor plans - all dated 4 January 2023 by Sullivan + Associates. [For details concerning the hearing please see the Record of Proceedings filed with this Decision in the office of the Town Clerk and on the town's website.]

FACTS:

1. The proposal involves the construction of a 1700 s.f. addition over an existing one-story section of a mixed-use structure.
2. The addition will house three 1-bedroom apartments ranging in size from 530 s.f. to 582 s.f.
3. The applicant is asking for a waiver of parking requirements per 3.1 D 8 c.
4. The applicant is also asking to increase the floor area ration from 1:32 to 1:62.
5. The project was reviewed and approved by the Historic District Commission and the Wastewater Department.

FINDINGS:

1. The board found the proposal to be appropriate and in harmony with the general purpose and intent of the bylaw.

2. The board found that the project would not be detrimental to the neighborhood: there was no opposition to the proposal from town boards or departments or from abutters or other members of the public.
3. The board found that the addition of three year-round housing units will benefit the town and the island as a whole.
4. Because of its location in an area of pedestrian-oriented, concentrated development, the board found that waiving parking requirements and floor area ratios would not have a significant negative effect on the town or the neighborhood.

CONDITIONS:

1. No exterior construction or other activity that will block the sidewalk is permitted between 15 May and 15 September.
2. A deed restriction will be placed on the property requiring that all leases be a minimum of one-year with no subletting permitted.
3. A copy of an executed deed restriction will be provided to the Zoning Board prior to the release of the 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: 2-2023.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 15 February 2023. 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.

_____2023

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

Attest: _____