

Case # 1-2023

Application Filed: 17 January 2023

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

Owner/Applicant: Portside Builders LLC

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At a meeting held remotely via Zoom on Wednesday, 8 February 2023, the Edgartown Zoning Board of Appeals voted unanimously (5-0) to grant a special permit under section 10.1 G of the zoning bylaw to allow the construction of a garage with detached bedroom above on a preexisting, nonconforming lot located 9 Hollow Way (Assr. Pcl. 11-2.33) in the R-60 Residential District.

The application was accompanied by a site plan dated 25 October 2022 from Vineyard Land Surveying as well elevations and floor plans dated 30 September 2022 by New England Home Designs. [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 property consists of one-acre preexisting, nonconforming lot. A conforming lot in the R-60 Residential District is 1 ½ acres.
2. The property is currently vacant. The Zoning Inspector has determined that the lot is grandfathered, which entitles the owner to build one single-family dwelling by right.
3. The owner would like to build an accessory structure containing a garage and a 400 s.f. detached bedroom, which requires a special permit as the lot is nonconforming.

FINDINGS:

1. The board found the proposal to be appropriate and in harmony with the general purpose and intent of the bylaw: the proposed accessory structure meets all setbacks and height requirements of the R-60 Residential District.
2. The board found that the proposed addition would not be detrimental to the neighborhood:

There were no objections to the project from town boards or from any abutters or members of the public.

3. The board found that the proposal to be compatible with the neighborhood: the property is located in a neighborhood of comparably sized lots that have been similarly developed with main houses and accessory structures.

CONDITION:

1. The detached bedroom may not be connected to the adjacent 195 s.f. storage area and converted to a guest apartment without a special permit from the Board of Appeals.

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: 1-2023.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 13 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: _____