

Case # 4-2023

Application Filed: 13 February 2023

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

Owners: Constance L. & Leo A. McHugh

Applicants: Emerson Hazell & Sheila McHugh

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At a meeting held remotely via Zoom on Wednesday, 1 March 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 two-bedroom single-family home on two adjacent preexisting, nonconforming lots at 34 Thirteenth Street South (Assr. Pcl. 11B-112) and 33 Fourteenth Street (Assr. Pcl. 11B-111) in the R-20 Residential District.

The application was accompanied by a site plan dated (revised) 24 February 2023 as well as elevations, and floor plans dated 30 June 2009 by South Mountain Company. [For details concerning the hearing please see the Record of Proceedings filed with this Decision in the office of the Town Clerk.]

FACTS:

1. The property consists of a two adjacent preexisting, nonconforming lots totaling 12,600 s.f.
2. There are currently two nonconforming structures on the property: a dilapidated, two-bedroom dome and a one bedroom unpermitted guest house.
3. The applicants are proposing to remove the dome and live in the guest house while the new single-family residence is under construction.
4. A new three-bedroom septic system will be installed on the property.
5. There were no objections to the proposal from any town boards or departments or from any abutters. Two direct abutters wrote in support of the proposal.

FINDINGS:

1. The board found the proposal to be appropriate and in harmony with the general purpose and intent of the bylaw: the current dilapidated dome is both an eyesore and a safety concern.
2. The applicant intends to bring the property up to code. The new dwelling will conform to all setbacks and height restrictions.
3. The board found that the proposed single-family dwelling will be considerably less detrimental to the neighborhood than the original structure.
4. The board found that the site was appropriate and the proposed project will not overburden the lot.

CONDITIONS:

After the new single-family dwelling is constructed, the applicants will convert the existing guest house to a detached bedroom and bring the structure up to code or remove it from the site. .

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: 4-2023.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 2 March 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: _____