

Case # 9-2023

Application Filed: 21 March 2023

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

Owners/Applicants: Charles C. Duncan & Laura R. Ment

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At a meeting held remotely via Zoom on Wednesday, 12 April 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 12 x 16 studio with half-bath on a preexisting, nonconforming lot at 18 Mattakesett Bay Road (Assr. Pcl. 51A-8) in the R-60 Residential District.

The application was accompanied by a site plan dated 1 May 2015, as well as elevations and floor plans from Mashek MacLean Architects, Inc. [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 27,200 s.f. lot in a neighborhood of similarly sized nonconforming lots. A conforming lot in the R-60 district is 1.5-acres.
2. There is two-unit condominium on the property – unit 11 is owned by the applicants; unit 12 is owned by Stephen Kahn and his family.
3. Mr. Kahn wrote in support of the applicants' proposal.
3. The applicant is proposing to build a 12 x 16 detached studio with half-bath. The studio will not be used as sleeping space.
4. There were no objections to the proposal from any town boards or departments or from any abutters.

FINDINGS:

1. The board found the proposal to be appropriate and in harmony with the general purpose and intent of the bylaw.
2. The proposed structure meets all setbacks and height restrictions of the R-60 Residential District.
3. The board found that the proposed studio will not have a negative impact on the neighborhood.
4. The board found that the site was appropriate and the proposed project will not overburden the lot.

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: 9-2023.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 13 April 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: \_\_\_\_\_