

Case # 10-2023
Application Filed: 4 April 2023

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

Owners/Applicants: Michael E. & Janice A. Culbert
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At a meeting held remotely via Zoom on Wednesday, 26 April 2023, the Edgartown Zoning Board of Appeals voted unanimously (4-0) to grant a special permit under section 10.1 G of the zoning bylaw to allow the construction of (a) a detached 3-bay garage, (2) a 98 s.f connector between the house and the existing detached 2-bay garage (which will be converted to a music studio), and (3) a 65 s.f. connector between the new music room and existing art studio. The property is located on a preexisting, nonconforming at 149 Litchfield Road (Assr. Pcl.34-29) in the R-120 Residential District.

The application was accompanied by a site plan A001 dated 4 April 2023 by Michael Culbert as well as elevations and floor plans. [For details concerning the hearing please see the Record of Proceedings filed with this Decision on-line and in the office of the Town Clerk.]

FACTS:

1. The property consists of a 1.7 acre lot in a neighborhood where many of the lots are similarly undersized. A conforming lot in the R-120 district is 3-acres.
2. There is currently a one-story, three-bedroom residence on the property; no change in the number of bedrooms is proposed.
3. The applicant is proposing to build a one-story, three-bay detached garage. No plumbing is proposed.
4. The applicant is also proposing to convert the existing two-bay garage into a music studio, connecting to the existing art studio as well as to the main house.
5. There were no objections to the proposal from any town boards or departments or from any abutters.
6. No trees will be cut for the new construction and, because of an extensive tree canopy, the

new construction is unlikely to be visible to adjacent property owners.

FINDINGS:

1. The board found the proposal to be appropriate and in harmony with the general purpose and intent of the bylaw: there are several residences in the neighborhood with detached garages and accessory structures..
2. The proposed development meets all setbacks and height restrictions of the R-120 Residential District.
3. The board found that the proposed garage will not have a negative impact on the neighborhood or contribute to a significant intensification of use on the property.
4. The board found that the site was appropriate and the proposed project will not overburden the lot.
5. There were no objections to the project from town boards or departments or from any abutters. The board found that the proposal will not be detrimental to the neighborhood.

CONDITIONS:

1. There will be no plumbing in the new garage and it will not be used for living space.
2. There will be no sleeping space in the music studio.

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:10-2023.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 28 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: _____