

Case # 34-2023  
Date Filed: 21 September 2023

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

Applicant/Owner: Charles A. Morano  
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At a meeting held remotely via Zoom on Wednesday, 11 October 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 permit (1) the raising of a portion of an existing garage roof to accommodate a half-bath in a second floor recreation room and (2) the construction of a 10 x 20 second floor deck. The property is located on a preexisting, nonconforming lot at 9 Donalbin Close (Assessor's Map 21 Lot 133.6) in the R-60 Residential District. The application was accompanied by an undated site plan stamped by Richard J. Barbini RLS and by floor plans and elevations dated 21 September 2023, supplied by the applicant. [For details of the hearing, please see the Record of Proceedings filed with this document in the office of the Town Clerk and on the town's website.]

FINDINGS:

1. The lot is preexisting, nonconforming with a total area of .69 acres. A conforming lot in the R-60 Residential District is an acre and a half. The lot is located in a neighborhood of preexisting, nonconforming lots that have been similarly developed.
2. No changes to the footprint or the overall square footage of the existing two-story garage are proposed. A 20-foot section of roof will be raised by 1-foot 9-inches to accommodate the installation of a half-bath. There will be no change in the ridge height of the existing garage.
3. The existing garage and the proposed second floor deck meet all the required R-60 setbacks and height restrictions.
4. There were no objections to the project from any town boards or departments or from any abutters.
5. A letter of approval was submitted from the Birnam Woods Association.
6. The board found the proposal to be modest, site appropriate, and in harmony with the general purpose and intent of the bylaw. The board further determined that the project would not result in a substantial intensification of use or have a negative effect on the neighborhood.

The following condition was placed on the permit: *Applicant will place a deed restriction on the property stipulating that the second-floor recreation room will not be rented and will be for family use only*

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: 16-2023.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 17 October 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: \_\_\_\_\_