

Case # 37-2023
Date Filed: 3 October 2023

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

Owners/Applicants: Valdemar D. Batista & Mikaella S.A. Batista
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At a meeting held remotely via Zoom on Wednesday, 25 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 allow the construction of a 12 x 26 in ground pool and an 8 x 12 sound-proofed equipment shed on a preexisting, nonconforming lot at 51 Twentieth Street South (Assr. Pcl. 11-17) in the R-20 Residential District.

The application was accompanied by a site plan (dated 28 October 1998, revised 3 October 2023) by Brooks Billingham & Associates and a narrative. [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.]

FINDINGS:

1. The lot is preexisting, nonconforming with a total area of 14,400 s.f. A conforming lot in the R-20 Residential District is 21,780 s.f. The lot is located in a neighborhood with many preexisting, nonconforming lots.
2. The proposed pool and equipment shed meet all the required R-20 setbacks.
3. There were no objections to the project from any town boards or departments or from any abutters.
4. Nine abutters wrote in support of the project.
5. The board found the proposed pool and sound-proofed equipment shed to be site appropriate and in harmony with the general purpose and intent of the bylaw and determined that the project would not have a negative effect on the neighborhood.

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: 37-2023.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 30 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: _____