

Case # 4-2024

Date Application Filed: 29 January 2024

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

Owner: Michael Pastyrnak

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At a meeting held remotely via Zoom on Wednesday, 21 February 2024, the Edgartown Zoning Board of Appeals voted unanimously (5-0) to grant a special permit under section 10.1 C 2 c of the zoning bylaw to permit the construction of a 4 x 12 third-floor balcony on a preexisting, nonconforming structure located on a conforming half-acre lot at 16 Vickers Street (Assr. Pcl. 37-64) in the R-20 Residential District. The application was accompanied by a site plan, elevations from 1994, and several photographs.

FACTS AND FINDINGS:

1. The existing one-story home is nonconforming with respect to the rear and one side yard setback.
2. The proposed third floor balcony will not increase the existing structure's nonconformity.
3. The property is located in a neighborhood where many structures have third floor balconies.
4. Third floor balconies are permitted by special permit in areas where they "...are not out of keeping with the architecture...."
5. There were no objections to the project from any town boards or departments. One direct abutter wrote in favor of the proposal.
6. The board found the proposed to be appropriate for the neighborhood and in harmony with the general purpose and intent of the bylaw. The board determined that the project would not have a negative effect on the neighborhood.

No additional conditions were placed on the permit

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: 4-2024.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 22 February 2024. 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.

_____ 2024

I hereby certify that no appeal has been filed in the twenty-day period following the date of filing this decision.

Attest: _____