

Case # 12-2024

Date Application Filed: 1 April 2024

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

Owner/Applicant: Eliedson DaSilva

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At a meeting held remotely via Zoom on Wednesday, 24 April 2024, 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 one-story 22' x 17' addition that will contain a bedroom, bath, laundry, and minor kitchen addition. The property is located on a preexisting, nonconforming .21-acre lot at 52 Tenth Street North (Assr. Pcl. 11A-253) in the R-20 Residential District. The application was accompanied by a site plan dated 27 July 2023 by Vineyard Land Surveying, elevations and floor plans dated 16 July 2023 issued by DWG. The Board reviewed the application, the plans, and all other materials and information submitted prior to the close of the public hearing. The Board received and gave due consideration to the testimony given at the public hearing [See Record of Proceedings].

FACTS AND FINDINGS:

1. The only nonconformity is the size of the lot, which is .21 of an acre. A conforming lot in the R-20 Residential District is one-half an acre.
2. The property is located in an area of varyingly sized lots, many of them preexisting, nonconforming lots that have been similarly developed.
3. The existing residence has approximately 600 s.f. of living space: the proposal will add 374 s.f. of living space bringing the total living space to 974 s.f., well under many residences in the neighborhood
4. The proposed addition meets all the required setbacks and height restrictions.
5. There were no objections to the project from any town boards, departments, or members of the public. Two direct abutters spoke in favor of the proposal.
6. Because of its proximity to the existing leaching field, the addition will be built over a crawl space, not a full foundation.
7. The board found the proposal to be modest in size and 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: 12-2024.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 25 April 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: _____