

Case # 27-2024

Date Application Filed: 27 August 2024

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

Owners/Applicants: Scott E. Carson 2018 Trust, Scott Carson & Elizabeth Carson, Trs.

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At a meeting held remotely via Zoom on Wednesday, 18 September 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 demolition of an existing 4-bedroom residence and garage with detached bedroom above and the construction of a new 5-bedroom residence, a detached 2-story garage with unfinished storage above, and an 18 x 40 in-ground swimming pool – all on a preexisting, nonconforming .82-acre lot at 7 Kent Harbor Road (Assr. Pcl. 36-317) in the R-60 Residential District.

The application was accompanied by a site plan dated 5 September 2024 by Schofield, Barbini & Hoehn and elevations and floor plans dated 26 August 2024 by Stephen Pogue, architect. 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 .82-acres. A conforming lot in the R-60 Residential District is 1.5 acres.
2. The property is located in a neighborhood of similarly sized nonconforming lots.
3. Many lots in the subdivision have been developed with accessory structures and swimming pools.
4. All the proposed structures meet all the required setbacks and height restrictions for the R-60 Residential District.
5. There were no objections to the project from any town boards, departments, abutters or other members of the public. Seven direct abutters wrote in support of the project. Two additional abutters attended the hearing and spoke in favor of the project.
6. Pool equipment shed will be attached to the rear of the garage and will be fully enclosed and insulated with sound-attenuating material.
7. The board found the project 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.

CONDITIONS:

Applicant will supply the board with a revised plan showing the garage with no exterior stairway or dormers. The second floor of the garage will be accessed by pull-down stairs.

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: 27-2024.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 24 September 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: _____