



Town of Oak Bluffs, Massachusetts
Office of The Board of Appeals
P.O. Box 1327
Zoning Board of Appeals



Bk: 1552 Pg: 59 Doc: DECIS
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NOTICE OF DECISION October 15, 2020

**RE: Lyons Appeal
Peter A. and GERALYN J. LYONS
33 Simpson Ave., Map 8 Parcel 158**

The Oak Bluffs Zoning Board of Appeals held a Public Hearing on Thursday, October 15, 2020 at 6:30 p.m. via Zoom virtual meeting on the application of the referenced petitioners seeking:

A Special Permit within Zoning By-Laws 3.5.5, or any action related thereto, to allow the demolition and replacement of existing non-conforming single family dwelling on an undersized lot in Residential Zone 1.

DECISION: A motion was made a motion to approve the Special Permit under Zoning By-law 3.5.5. A roll call vote was taken. The board voted 5-0 to approve the Special Permit.

Procedural History:

- On August 28, 2020, the Zoning Board of Appeals (ZBA) received an application from Vineyard Land Surveying on behalf of Peter A. and GERALYN J. LYONS seeking a Special Permit under 3.5.5, ***seeking to allow the demolition and replacement of existing non-conforming single family dwelling on an undersized lot in Residential Zone 1.***
- On October 1, 2020, abutters were noticed. First publication in the MV Times.
- On October 8, 2020, second publication notice published in the MV Times.
- On October 15, 2020, the ZBA opened and closed the public hearing and made the following findings and decision:

Findings of Fact:

- The lot is 9,344 square feet and so is non-conforming (10,000 square feet required),
- The new front setback will be 27 feet, the new side setback will be 24 feet, and the new rear setback will be 15.3 feet (20/20/20 feet is required).
- The height of the proposed structure will be 23 feet one inch,
- The footprint of the first floor will be 1,032 square feet and the second floor will be 821 square feet.

Vote:





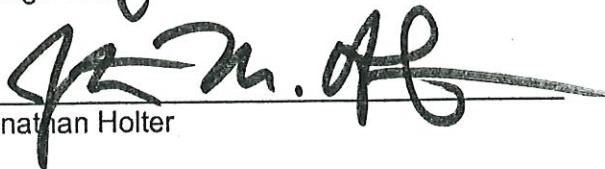
Member Lou Rogers made a motion to approve the Special Permit under Zoning By-law 3.5.5, to allow the demolition and replacement of the existing non-conforming single family

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dwelling on an undersized lot in Residential Zone 1, as it would not be any more detrimental to the neighborhood or the use thereof, on the condition that this project must be approved by the Copeland District Committee.

Member J. Holter seconded. A roll call vote was taken and the board voted 5 to 0 to approve the Special Permit with the condition as stated.

Members sitting for the Board of Appeals at this hearing were:

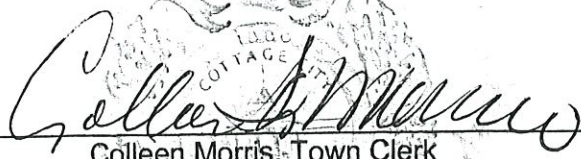
 Andrea Rogers	 Peter Yoars
 Doug Pease	 Llewellyn Rogers
 Jonathan Holter	

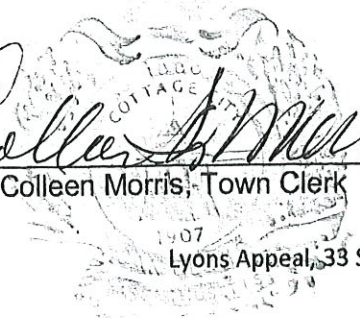
A copy of this decision was filed in the office of the Town Clerk, on October 28, 2020. Appeals, if any, should be made pursuant to Section 17, of Chapter 40A of the Massachusetts General Laws and should be filed within 20 days of the filing of this decision in the office of the Town Clerk, excepting that such timeframe may be suspended and extended pursuant to Section 17 of Chapter 53 of the Acts of 2020 (Covid-19).

Received and filed in the Office of the Town Clerk:


Date: October 28, 2020

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

Attest: 
Colleen Morris, Town Clerk



DUKES COUNTY REGISTRY OF DEEDS
Book 1552 Page 59
Case File No. _____

A true copy
attest:  Register
11/19/20

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ATTEST: Paulo C. DeOliveira, Register
Dukes County Registry of Deeds

Official Receipt for Recording in:

Dukes County Registry of Deeds
 81 Main St. PO Box 5231
 www.masslandrecords.com
 Edgartown, Massachusetts 02539

Issued To:
 SQUASH MEADOW CONSTRUCTION INC
 PO BOX 4547
 VINEYARD HAVEN MA 02568

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Document Description	Number	Book/Page	Recording Amount
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Collected Amounts			\$108.00

Payment Type	Amount
Check 9315	\$108.00
	\$108.00

Total Received : \$108.00
 Less Total Recordings: \$108.00
 Change Due : \$0.00

Thank You
 PAULO C. DEOLIVEIRA - Register of Deeds
 By: Shannon L

Receipt# Date Time
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