



OAK BLUFFS ZONING BOARD OF APPEALS
P.O. BOX 1327, OAK BLUFFS, MA 02557-1327

NOTICE OF DECISION May 20, 2021

RE: Woodworth Appeal

Emily Woodworth

67 New York Avenue, **Map 8 Parcel 17**

The Oak Bluffs Zoning Board of Appeals opened a continued Public Hearing on Thursday, May 20, 2021 at 8:15pm 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 an extension of the existing porch on a pre-existing and non-conforming two-story dwelling on an undersized lot in Residential Zone 1.

DECISION:

A motion was made to approve the Special Permit under Zoning Bylaw Section 3.5.5 to alter a pre-existing and non-conforming dwelling. A roll call vote was taken. The board voted 5-0 to approve the Special Permit.

Procedural History:

- On March 15, 2021, the Zoning Board of Appeals (ZBA) received an application from Emily Woodworth seeking a Special Permit under Zoning By-Law Section 3.5.5, to alter a pre-existing and non-conforming dwelling in Residential Zone 1.
- The application was received and stamped by the Town Clerk on March 15, 2021,
- On April 1, 2021, abutters were noticed. First publication in the MV Times.
- On April 8, 2021, second notice published in the MV Times.
- On April 15, 2021, the ZBA opened the public hearing and continued it to May 20, 2021.
- On May 20, 2021, the ZBA made the following findings.

Findings of Fact:

- The 4,356 square foot lot is non-conforming (10,000 sq. ft. required),
- the lot is zoned Residential 1 (R1),
- the setbacks are 224.5, 7.2 and 14.5., and 17.4ft, (20/20/20 ft. required front/side/rear), and
- three Board members (Lou Rogers, Andrea Rogers, and Grace Guck) have visited the site.

RE: Woodworth Appeal, 67 New York Avenue, Map 8 Parcel 17

Vote:

Jonathan Holter moved to approve the Special Permit after determining that this project is not more detrimental to the neighborhood since the non-conformities have not been increased and the setbacks have not changed. Doug Pease seconded the motion. All (Andrea Rogers, Lou Rogers, Jonathan Holter, Grace Guck, and Doug Pease) voted in favor, so the motion passed unanimously (5-0).

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

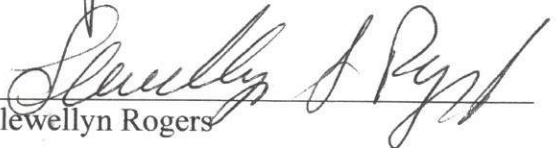


Andrea Rogers

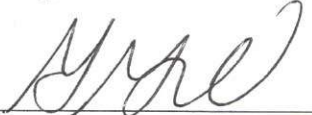


Jonathan Holter

Doug Pease



Llewellyn Rogers



Grace Guck

A copy of this decision was filed in the office of the Town Clerk, on June 3, 2021. 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: June 3 2021

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

RE: Woodworth Appeal, 67 New York Avenue, Map 8 Parcel 17

Plan of Land in
Oak Bluffs, MA
Prepared for
Emily M. Woodworth
&
Christopher Woodworth
April 9, 2021 Scale 1in. = 20 ft.

Deed Reference Book 1471 Page 600
Plan Reference Plan Book 6 Page 10

Zoning District R-1
minimum lot size = 10,000 sq. ft.
minimum setbacks = front 20 ft. side 20 ft. rear 20 ft.

Gregory Marcella P.L.S.
P.O. Box 6
Oak Bluffs, MA 02557
774-521-5400
mvsurveyors@gmail.com

Professional Land Surveyor

Date



magnetic April 2021