



OAK BLUFFS ZONING BOARD OF APPEALS

P.O. BOX 1327, OAK BLUFFS, MA 02557-1327

NOTICE OF DECISION December 1, 2021

RE: Richardson Appeal

Veta Richardson

165 Circuit Avenue Map 11 Parcel 201

The Oak Bluffs Zoning Board of Appeals opened a duly posted Public Hearing on **Thursday, November 18, 2021 at 7:19pm** via an In-Person meeting in the Oak Bluffs Library Meeting Room on the application of the referenced petitioners seeking:

a Special Permit within Zoning Section 3.5.5, or any action related thereto, to demolish the existing non-conforming house and build a new house on the existing footprint on a pre-existing and non-conforming lot in Residential Zone 1.

DECISION: A motion was made to approve the Special Permit under Zoning Bylaw Section 3.5.5 to allow the demolition and reconstruction of a non-conforming house on a non-conforming lot Zoned R1. A roll call vote was taken. The board voted 4-0 to approve the Special Permit.

Procedural History:

- On November 1, 2021, the Zoning Board of Appeals (ZBA) received an application from Joan Hughes on behalf of Veta Richardson,
- On November 4, 2021, abutters were noticed by mail and first publication in the MV Times,
- On November 11, 2021, second notice published in the MV Times,
- On November 17, the Martha's Vineyard Commission notified ZBA that they will not be reviewing the demolition of the house as a Development of Regional Impact,
- On November 18, 2021 the public hearing was opened,
- On November 18, 2021, the following findings and decision were made.

Findings of Fact: Doug Pease made the following findings:

- The lot (Map 11 Parcel 201) is zoned R1,
- the applicant is seeking a Special Permit under Zoning Bylaw 3.5.5 to demolish the existing house and build a new house on the existing footprint,
- the lot is non-conforming lot (3,920 sq. ft., required: 10,000 sq. ft.),
- the setbacks for the existing house are non-conforming (front 11 feet, side setbacks are 10 feet and four feet, and the rear setback is 27 feet, all required to be 20 feet),
- the existing and proposed height is 22.5 feet (less than the 32 feet maximum),
- this project has been approved by the Board of Health, the Historic Commission, and the Martha's Vineyard Commission, and
- this project will be a big improvement to the neighborhood.

Vote:

Jonathan Holter makes a motion to grant a Special Permit under zoning bylaw section 3.5.5 to allow the existing non-conforming house to be demolished, and to build a new house on the existing footprint on a pre-existing and non-conforming lot zoned R1, after finding that the project is a substantial improvement to the neighborhood. Andrea Rogers adds a **Special Condition** that any changes to the shed in the back yard of the house are not part of this Special Permit. Andrea Rogers seconds the motion.

All (Andrea Rogers, Lou Rogers, Jonathan Holter, and Doug Pease) voted in favor, so the motion passed unanimously (4-0).

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

/s/ Andrea Rogers

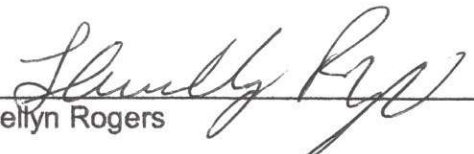
Andrea Rogers



Jonathan Holter



Doug Pease



Llewellyn Rogers

A copy of this decision was filed in the office of the Town Clerk, on December , 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: December 2 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

*Monte
12/2/21*

*Shulky Pap
12/2/21*

*15/ Andrew Rogers
12/2/21*

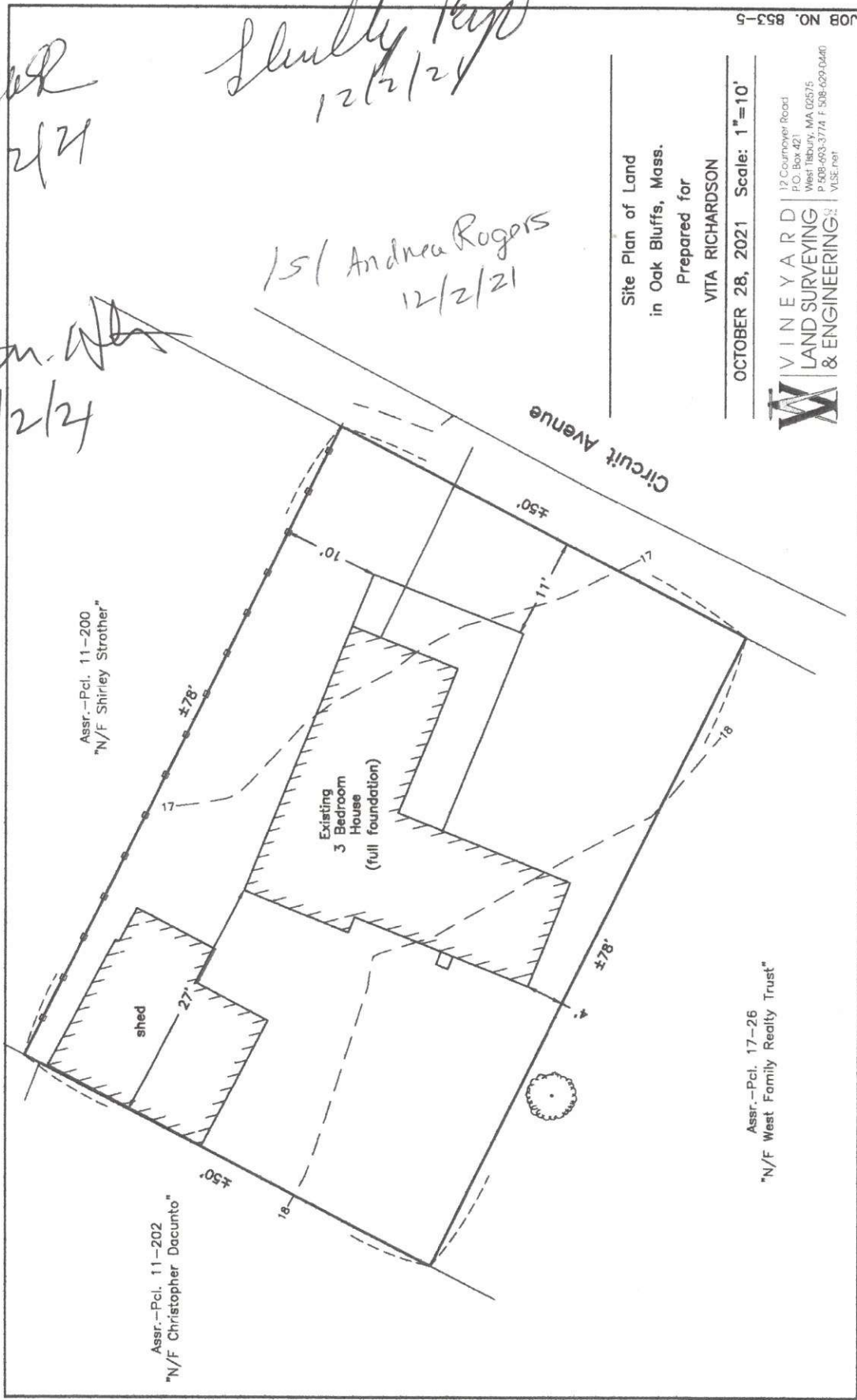
12/2/21

Site Plan of Land
in Oak Bluffs, Mass.

Prepared for
VITA RICHARDSON

OCTOBER 28, 2021 Scale: 1"=10'

W VINEYARD
LAND SURVEYING
& ENGINEERING
12 Courtoyer Road
P.O. Box 421
West Tibbury, MA 02575
P: 508-693-3774 F: 508-629-0440
VISE.net



Assr.-Pci. 11-200
"N/F Shirley Strother"

Assr.-Pci. 11-202
"N/F Christopher Dacunto"

Assr.-Pci. 17-26
"N/F West Family Realty Trust"