



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

NOTICE OF DECISION December 29, 2021

**RE: Hajjar Appeal
Charles Hajjar
10 Anthier's Lane Map 30 Parcel 2**

The Oak Bluffs Zoning Board of Appeals opened a duly posted Public Hearing on **Thursday, December 16, 2021 at 6:40pm** via an hybrid In-Person/Zoom meeting in the Oak Bluffs Library Meeting Room on the application of the referenced petitioners seeking:

a Special Permit within Zoning Section 8.1.5.2, or any action related thereto, to construct a pool cabana below the 100 year flood elevation on a conforming lot in Residential Zone 3.

DECISION: A motion was made to approve the Special Permit under Zoning Bylaw Section 8.1.5.2 to allow the construction of a pool cabana on a conforming lot Zoned R3. A roll call vote was taken. The board voted 5-0 to approve the Special Permit.

Procedural History:

- On November 8, 2021, the Zoning Board of Appeals (ZBA) received an application from Charles Hajjar,
- On December 2, 2021, abutters were noticed by mail and first publication in the MV Times,
- On December 9, 2021, second notice published in the MV Times,
- On December 16, 2021 the public hearing was opened,
- On December 16, 2021, the following findings and decision were made.

Findings of Fact: Doug Pease made the following findings.

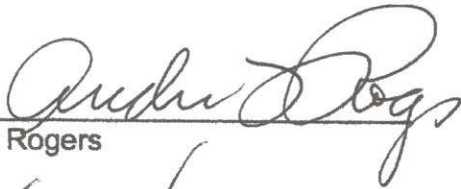
- This project is seeking a permit to construct a pool cabana below the 100 year flood elevation on a conforming lot in Residential Zone 3.
- The site meets all of the engineering requirements of Zoning Bylaw 8.1.5.2, and there are no other issues for the proposed cabana.
- The project is not detrimental to the neighborhood since it is not near property boundaries and there was no public comment.

Vote:

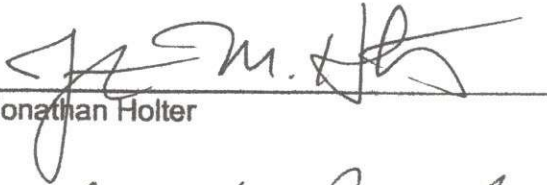
Doug Pease moves that the ZBA issue a Special Permit under Zoning Bylaw 8.1.5.2 to construct a pool cabana since the project is not detrimental to the neighborhood. Jonathan Holter seconds the motion.

All (Andrea Rogers, Lou Rogers, Jonathan Holter, Grace Guck and Doug Pease) voted in favor, so the motion passed unanimously (5-0).

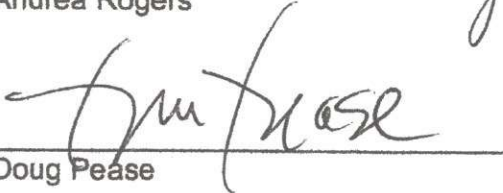
Members sitting for the Board of Appeals at this hearing were:



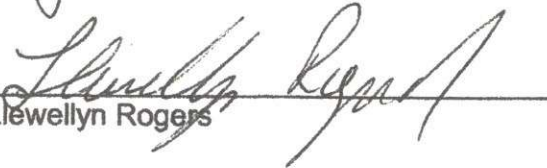
Andrea Rogers



Jonathan Holter



Doug Pease



Llewellyn Rogers

/s/ Grace Guck

Grace Guck

A copy of this decision was filed in the office of the Town Clerk, on December 30, 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 30, 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

