



OAK BLUFFS ZONING BOARD OF APPEALS

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

NOTICE OF DECISION March 17, 2022

Taylor Appeal
Kerry Taylor
17 Ocean Avenue
Map 9 Parcel 27

*The Oak Bluffs Zoning Board of Appeals opened a duly posted Public Hearing on **Thursday, March 17, 2022, at 6:19pm** via an hybrid In-Person/Zoom meeting in the Oak Bluffs Library Meeting Room, 56R School Street, on the application of the referenced property seeking:*

A Special Permit under Zoning Bylaws 3.5.5, or any action related thereto, to allow partial demolition, renovation, and additions to a non-conforming structure on a pre-existing and non-conforming lot zoned R1.

DECISION: A motion was made to approve the Special Permit under Zoning Bylaw Section 3.5.5 to allow a *partial demolition, renovation, and addition to a pre-existing non-conforming residence on a non-conforming lot in Residential Zone1*. A roll call vote was taken, and the board voted 4-0 to approve the Special Permit.

Procedural History:

- On February 25, 2022, the Zoning Board of Appeals (ZBA) received an application from Kerry J. Taylor,
- The application was stamped by the Town Clerk on March 1, 2022,
- On March 3 2022, abutters were noticed. First publication in the MV Times,
- On March 10, 2022, second notice published in the MV Times,
- On March 17, 2022, the ZBA opened the public hearing and made the following findings and decision.

Findings of Fact: Andrea Rogers made the following findings.

- The applicant is seeking a Special Permit under Zoning Bylaw 3.5.5,
- the existing 3,049 sq. ft. lot located in Residential Zone 1 is pre-existing and non-conforming. (Req. 10,000 sq. ft.),
- the house was initially built 1875,
- the existing house is non-conforming for all setbacks (at least 20 feet required),
- the front encroachment will be removed, one side setback and the rear setback increase slightly,
- three members visited the site,
- there is no correspondents in favor or opposed, and
- this alteration shall not be substantially more detrimental to the neighborhood because they are correcting the encroachment onto Town property and the building will be less non-conforming.

Vote:

Doug Pease moved that the ZBA issue a Special Permit under Zoning Bylaw 3.5.5 to allow partial demolition, renovation, and additions to a non-conforming structure on a pre-existing and non-conforming lot in R1 after finding that this project is not any more detrimental to the neighborhood due to the pullback of the encroachment. Andrea Rogers seconded the motion.

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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:



Andrea Rogers



Jonathan Holter

Grace Guck



Llewellyn Rogers



Doug Pease

A copy of this decision was filed in the office of the Town Clerk, on MARCH 31, 2022. 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: MARCH 31, 2022

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

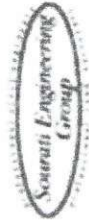
RE: Taylor Appeal, 7 Ocean Avenue, Map 9 Parcel 27



Charles J. D'Alto
11/1/21

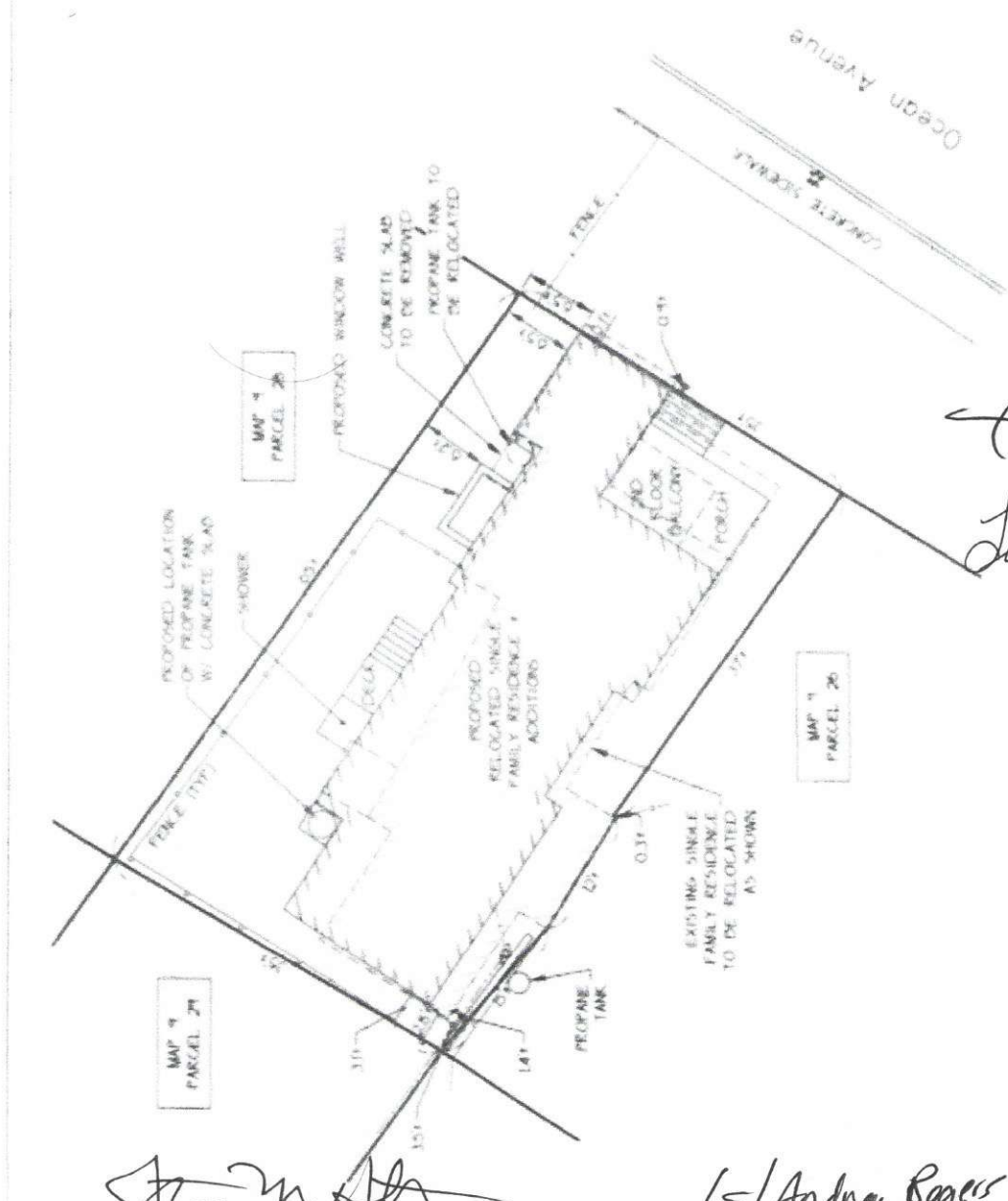
Site Plan
for
Chak Bluffs, Massachusetts
Assessor Parcel 9, 27
prepared for
Army J. Taylor

Scale 1" = 10' February 27, 2020
Revision Date March 25, 2020
Revision Date October 13, 2021
Revision Date November 1, 2021



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Map No. 10297



Grant 3/31/22
Shulby & Pys 3/31/22

John M. [Signature]
3/31/22

1/s/ Andrea Rogers
3/31/22

LOT AREA 2,274 SQ. FT.