



## OAK BLUFFS ZONING BOARD OF APPEALS

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

### NOTICE OF DECISION      March 17, 2022

#### **RE: Lippens Appeal**

Sandra Lippens  
Vineyard Blinkers Inc.  
147 Edgartown-Vineyard Haven Road  
Map 50 Parcel 1-0

*The Oak Bluffs Zoning Board of Appeals opened a duly posted Public Hearing on **Thursday, March 17, 2022, at 6:35pm** via an hybrid In-Person/Zoom meeting in the Oak Bluffs Library Meeting Room, 56R School Street, on the application of the referenced petitioners seeking:*

***A Special Permit under Zoning Bylaws 3.5.5, or any action related thereto, to allow the construction of a 16x24 foot attached storage shed to a non-conforming structure on a pre-existing and non-conforming lot zoned R3.***

**DECISION: A motion was made to approve the Special Permit under Zoning Bylaw Section 3.5.5 to allow the construction of a 16x24 foot attached storage shed to a non-conforming structure on a pre-existing and non-conforming lot zoned R3. A roll call vote was taken, and the board voted 4-0 to approve the Special Permit.**

#### **Procedural History:**

- On February 21, 2022, the Zoning Board of Appeals (ZBA) received an application from Sandra M. Lippens,
- 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 lot is zoned R-3,
- the existing lot located in Residential Zone 3 is conforming. (Req.: 60,000 sq. ft., 150ft frontage),
- the main structure is conforming with all setbacks >50ft (Req.: 50/50/50),
- the business on this property predates zoning,
- this proposal expands a non-conforming business use on a residential property,
- three members visited the site,
- because of the minimus addition of a shed, this project will not be more detrimental to the neighborhood.

#### **Vote:**

Doug Pease moved that the ZBA issue a Special Permit under Zoning bylaw 3.5.5 to allow the construction of the shed. 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 \_\_\_\_\_, 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: \_\_\_\_\_

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

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