



OAK BLUFFS ZONING BOARD OF APPEALS

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

508 693 – 3554 x 120

NOTICE OF DECISION September 15, 2022

RE: Morris Appeal

Mark and Dierdre Morris

5 Pasque Avenue, **Map 9 Parcel 49**

The Oak Bluffs Zoning Board of Appeals opened a duly posted Public Hearing on Thursday, September 15, 2022 at 6:05PM via a Zoom meeting on the application of the referenced petitioners seeking a **Special Permit from the Oak Bluffs Zoning Bylaws Section 3.5.5 to renovate and add onto a pre-existing and non-conforming structure on a non-conforming lot zoned R1.**

DECISION: A motion was made to approve the Special Permit under Zoning Bylaw Section 3.5.5 to allow the renovations and additions onto a pre-existing and non-conforming structure on a non-conforming lot zoned R1.

Procedural History:

- On June 28, 2022, the Zoning Board of Appeals (ZBA) received an application dated June 27, 2022 from William Sullivan on behalf of Mark and Dierdra Morris,
- The application was date-stamped by the Town Clerk on June 28, 2022,
- On September 1, 2022, abutters were noticed. First publication in the MV Times,
- On September 8, 2022, second notice published in the MV Times,
- On September 15, 2022 the ZBA hearing was opened and the following findings were made.

Findings of Fact: Jonathan Holter made the following findings.

- The lot is pre-existing and non-conforming as it is only 3,920 sq. ft. and has only 50ft road frontage.
- current setbacks are encroaching in front with 5.4s/11.2s/>26r,
- the proposal removes the front encroachment into the Pasque Avenue right-of-way, with the other setbacks not changing,

Vote:

Jonathan Holter makes a motion to approve the Special Permit under Zoning Bylaw 3.5.5, to renovate and add onto the existing non-conforming structure on a pre-existing and non-conforming lot in R1 after finding that the proposed structure is not more detrimental to the neighborhood and that it fits in line with the neighborhood in terms of height and massing and setbacks. A **Special Condition** is that the Copeland District must approve the 10 foot deck.

Doug Pease seconds the motion.

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Voting in favor are Grace Guck, Leah Brown, Doug Pease, Lou Rogers, and Jonathan Holter, so the motion passed unanimously (5-0).

Signing on behalf of the Zoning Board of Appeals is

Llewellyn Rogers, Chair

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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