



OAK BLUFFS ZONING BOARD OF APPEALS

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

508 693 – 3554 x 120

NOTICE OF DECISION October 20, 2022

Moujabber Appeal

Joseph Moujabber

7 Pasque Avenue **Map 9 Parcel 48**

The Oak Bluffs Zoning Board of Appeals opened a duly posted Public Hearing on Thursday, October 20, 2022 at 7:10PM via an in-person meeting in the Oak Bluffs Town Hall Meeting Room on the application of the referenced petitioners seeking a Special Permit from the Oak Bluffs Zoning Bylaws Section 3.5.5 to renovate and expand a pre-existing non-conforming house, and to remove and rebuild an existing guest house.

DECISION: *A motion was made to approve the Special Permit under Zoning Bylaw Section 3.5.5 to renovate and expand a pre-existing non-conforming house, and to remove and rebuild an existing guest house.*

Procedural History:

- On August 16, 2022, the Zoning Board of Appeals (ZBA) received an application dated August 24, 2022 from Chuck Sullivan on behalf of Joseph Moujabber,
- On October 6, 2022, abutters were noticed. First publication in the MV Times,
- On October 13, 2022, second notice published in the MV Times,
- On October 20, 2022 the ZBA hearing was opened and the following findings were made.

Findings of Fact: Jonathan Holter made the following findings.

- The applicant is seeking a Special Permit under Zoning Bylaw 3.5.5 to renovate and expand the pre-existing non-conforming structures,
- the 3,920sq. ft. lot located in R1 is non-conforming. (10,000 required),
- the footprint of the main house will expand to include the existing deck, with approximately 1,230 square feet on the first floor and 1,000 square feet on the second floor, while the guest house will have approximately 400 square feet in the basement and 350 square feet on the first floor, and
- the existing structures are pre-existing non-conforming for all setbacks.

Jonathan Holter moves that we approve the Special Permit within Zoning Bylaw 3.5.5 to allow the renovations to the main house and guest house. This project will not be substantially more detrimental to the neighborhood because the proposed footprints are within the existing footprints and the renovations are in character with the neighborhood. Doug Pease seconds the motion.

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

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 Nov. 22, 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: NOVEMBER 22, 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

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