



Town of Barnstable
Zoning Board of Appeals
Agenda
August 22, 2007

Revised as of 08-08-07

7:00 PM Appeal 2007-069 - New Raymond
Demo/Rebuild on Nonconforming Lot Special

Permit

George & Shirley Raymond, Trustees of the Raymond/Barnstable Realty Trust have petitioned for a Special Permit pursuant to Section 240-91.H(2) - Demolition Rebuilding on a Pre-existing Nonconforming Lot of Less than 10,000 Square Feet. The applicant seeks to demolish the existing structure on a lot consisting of 9,922 square feet and rebuild a new single-family dwelling in conformance with current setback requirements. The subject property is addressed as 79 Locust Lane, Barnstable, MA and is shown on Assessor's Map 319 as parcel 117. It is in a Residence F-1 Zoning District.

7:15 PM Appeal 2007-071- New Sprinkle
Bulk Variance to Divide a Lot with Two Dwellings

Brad K. Sprinkle has applied for Variances to Section 240-14.E Bulk Regulations, Minimum Lot Area, Minimum Front Yard Setback and Section 240-36 Resource Protection Overlay District Minimum Lot Area. The applicant seeks to divide a lot upon which two dwellings exist. The resulting division would create two new lots consisting of 1.03-acres and 1.32-acres and each containing an existing dwelling. The division does not conform to the minimum lot area requirements of 2-acres for the Resource Protection Overlay District and neither of the existing structures meets the current 100-foot setback from Route 28. The property is addressed as 3600 Falmouth Road (Route 28), Marstons Mills, MA and is shown on Assessor's Map 077 as parcel 005. It is in a Residence F Zoning District

7:30 PM Appeal 2007-073 - New Kaschuluk
Demo/Rebuild on Nonconforming Lot Special

Permit

Deanna Kaschuluk has petitioned for a Special Permit pursuant to Section 240-91.H(2) - Demolition Rebuilding on a Pre-existing Nonconforming Lot of Less than 10,000 Square Feet. The applicant seeks to demolish the existing structure on a lot consisting of 9,973 sq.ft. and rebuild a new single-family dwelling in conformance with current setback requirements. The subject

property is addressed as 8 East Avenue, Osterville, MA and is shown on Assessor's Map 139 as Parcel 075. It is in a Residence F-1 Zoning District.

7:45 PM Appeal 2007-070 - New

Gargano

Modification of Special Permits 1980-35 & 1984-

92

Paul A. and Sheila K. Gargano have petitioned for a modification of Special Permits 1980-35 and 1984-92 for the issuance of a new Special Permit pursuant to Section 240-94 to Alter a Nonconforming Structure Housing a Nonconforming Use. The petitioners seek to demolish and rebuild part of the existing structure located on the property and alter the remaining section resulting in a more unified and updated office building. The property is addressed as 2957 Falmouth Road (Route 28), Marstons Mills, MA and is shown on Assessor's Map 121 as parcel 009. It is in a Residence F Zoning District.

8:00 PM

Appeal 2007-068 & 067 – Continued

Mohan

Opened August 8, 2007, and continued to August 22, 2007.
No Board Members assigned, No Testimony taken.

Appeal 2007-068

Special Permit – Demo/Rebuild Nonconforming

Lot

Marilyn J. Mohan has petitioned for a Special Permit pursuant to Section 240-91.H(2) – Demolition and Rebuilding. The petitioner seeks to demolish the existing single-family dwelling located on the lot and rebuild a new larger single-family dwelling not in conformance with the current setback requirements and which also exceeds the maximum lot coverage and maximum floor area ratio allowed under zoning. The property is addressed as 15 Ripple Cove Road, Hyannis, MA and is shown on Assessor's Map 325 as parcel 065. It is in a Residence B Zoning District.

Appeal 2007-067

Bulk Variances Lot Area & Setback

Marilyn J. Mohan has applied for Variances to Section 240-11.E Bulk Regulations, Minimum Lot Area and Minimum Side Yard Setback and Section 240-91.H(b)(1) & (2) Demolition Rebuilding on Nonconforming Lots - Allowable Lot Coverage and Maximum Floor Area Ratio. The applicant seeks to demolish the existing single-family dwelling located on the undersized 13,600 sq.ft. lot and rebuild a new larger single-family dwelling situated 6 feet off the side property line and exceeding the maximum lot coverage of 20% and maximum floor area ratio of 0.30 allowed under the demolition/rebuilding provision of the ordinance. The property is addressed as 15 Ripple Cove Road, Hyannis, MA and is shown on Assessor's Map 325 as parcel 065. It is in a Residence B Zoning District.

8:00 PM

Remand Appeal 2004-143

McDonald

Bulk Variance to Separate Merged Lots

A letter for Attorney Patrick Butler has requested a continuance of this Appeal to September 26, 2007

By mutual agreement, Appeal 2004-143 of Thomas F. McDonald and Patricia S. McDonald has been remanded back to the Zoning Board of Appeals for a variance to Section 240-13E – Bulk

Regulations, Minimum Lot Area (formerly Section 3-1.3(5) of the Zoning Ordinance). The variance seeks to divide two undersized merged lots so that each would be considered separate buildable lot under zoning. The subject lots are addressed as 242 and 244 Rolling Hitch Lane, Centerville, MA as shown on Assessor's Map 193 as Parcels 239 and 240. The property is in a Residence C Zoning District.

8:15 PM

Zoning Board of Appeals

Public Hearing

Hiring of Outside Consultants

In Accordance with MGL Chapter 40 A, Section 12, the Zoning Board of Appeals will hold a public hearing on amending the Board's Rules and Regulations by adding a new Section 5 to allow for the Hiring of Outside Consultants as provided for in MGL Chapter 44, Section 53G. The purpose of this new Section 5 is to provide the Board with the authority to employ outside consultants to review issues proposed by developments seeking a variance, special permits, or comprehensive permits from the Board and to make recommendations to the Board on that proposed development. The regulation provides the process to fund the consultant through fees to the applicant, recommends minimum qualification for a consultant, and prescribes an appeal process for the applicant should issues arise on the consultant's qualifications. A full text of the proposed amendment is available at the Town Clerk's Office, Barnstable Town Hall, 367 Main Street, Hyannis, MA and at the office of the Zoning Board of Appeals, Town Offices, 200 Main Street, Hyannis, MA. This public hearing will be held at the regularly scheduled hearing of the Zoning Board of Appeals on August 22, 2007 at 8:15 PM at the Barnstable Town Hall, 367 Main Street, Hyannis, MA, Hearing Room, 2nd Floor.