

Town of Barnstable
Zoning Board of Appeals
June 7, 2006
Revised as of 05-31-06

7:00 P.M. Appeal 2006-049 – New Merrick/Merrick
Bulk Variance to Alter Lot Line Between Two Buildable Lots.

Staff Report and application enclosed

Frederick D. Merrick and Sue E. Merrick have applied for a Variance to Section 240-13 (E) Bulk Regulation, Minimum Lot Area. The applicants seek to alter the lot line between two existing, buildable lots. The change in the lot line will result in the lot addressed as 14 Gradiner Lane Osterville to be reduced in area. The properties are addressed 28 and 14 Gardiner Lane, Osterville, MA, and are shown on Assessor's Map 141 as parcels 103 and 102. Both are in a Residence F-1 Zoning District and the Resource Protection Overlay District.

7:15 P.M. Appeal 2006-050 - New Civeti
Site Yard Setback Variance for an Addition

Staff Report and application enclosed

Raymond C. & Lucinda A. Civeti have applied for a Variance to Section 240-14 (E) Bulk Regulations Site Yard Setback. The applicant seeks to add to the existing single-family dwelling a two-story addition that will intruder 5 feet into the required 15-foot side yard setback. The property is addressed 15 Leda Rose Lane, Marstons Mills, MA, as shown on Assessor's Map 046 as parcel 139, in a Residence F Zoning District.

7:30 P.M. Appeal 2006-051 – New Regan
Unmerge undersized lots in common ownership

Staff Report and application enclosed

Stanley J. Regan and Mary E. Regan have applied for a Variance to Section 240-11 (E) Bulk Regulation, Minimum Lot Area of 2-acres. The applicants seek to create a buildable undersized lot from a lot that has merged due to common ownership of adjoining lots. The properties are addressed 370 and 354 Green Dunes Drive, West Hyannisport, MA, and are shown on Assessor's Map 246 as parcels 207 and 208. Both are in a Residence D-1 Zoning District and the Resource Protection Overlay District.

7:30 P.M. Appeal 2006-032 – Continued Hostetter
Special Permit Modification to Include Personal Services

Members Assigned: Ron S. Jansson, Randolph Childs, James R. Hatfield, John T. Norman, Gail C. Nightingale
Alternates Present: Jeremy Gilmore Sheila Geiler, Kelly Kevin Lydon

Opened May 24, 2006 and continued to June 07, 2006, for review and input of the Town Attorney's Office.
A copy of Minutes from May 24th hearing and a May 25, 2006 letter to Robert Smith, Town Attorney is enclosed.

Adams Country Place Realty Trust, Priscilla M. Hostetter Trustee, has applied for a Modification of Special Permit 1981-13 issued to Daniel C. Hostetter or a Special Permit pursuant to Section 240.94 Nonconforming Uses to allow the uses on the property to include Personal Services. The property is addressed 89 South Main Street, Centerville MA, as shown on Assessor's Map 228 as parcel 127. It is in Residence C Zoning District.

7:35 P.M. Appeal 2006-033 – Continued

Soares

Side Yard Setback Variance for a Shed

Members Assigned: Ron S. Jansson, Randolph Childs, James R. Hatfield, John T. Norman, Gail C. Nightingale
Alternates Present: Jeremy Gilmore Sheila Geiler, Kelly Kevin Lydon

Opened on April 26, 2006, continued to May 24, 2006 and to June 07, 2006. Continued to permit the applicant to seek an alternative location for the shed more in conformity to the setback requirements.

A copy of Minutes from May 24th hearing is enclosed.

Richard Soares has applied for a Variance to Section 240-14 (E), Bulk Regulations, Minimum Side Yard Setback. The applicant has demolished an existing shed structure that was situated within the required side yard setback and is now seeking to rebuild a new shed of 374 sq.ft. not in conformity to the required 15-foot side yard setback. The property is addressed 18 Spruce Street, West Barnstable, MA and is shown on Assessor's Map 216 as parcel 021. The property is zoned Residence F Zoning District.

7:45 P.M. Appeal 2006-052 - New

Maciolek

Appeal of Building Commissioner, Seeks Dock in a Roadway

Enclosed are a copy of the Application Submitted and a copy of a May 30th letter from John C. Doriss to the Building Commissioner.

The letter states that construction on the walkway and dock has been initiated. The Board should note that no Waterways License has been approved by the Building Commissioner and no Building permit issued.

It is staff understands that the issues in this appeal are being discussed by the applicant with the Town Attorneys Office.

John R. Maciolek has filed an appeal of the Building Commissioner for not having signed a Municipal Zoning Certificate for a proposed dock to be located within the right-of-way of Powers Drive. The applicant is requesting that the Zoning Board overturn the Building Commissioner and sign the Zoning Certificate. The locus is Powers Drive, Centerville, MA, a private road right-of-way created by a 1953 subdivision plan as that way abuts Bump's River. The locus is in a Residence D-1 Zoning District.

Open

Chairman's Discussion