

**Town of Barnstable**  
**Zoning Board of Appeals**  
**June 21, 2006**  
Revised as of 05-17-06

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**7:30 P.M.      Appeal 2006-050A – 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: Sheila Geiler, Kelly Kevin Lydon

Opened May 24, 2006 and continued to June 07, 2006 and June 21, 2006 to obtain occupancy permit from the Building Commissioner as-of-right.

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.

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**7:00 P.M.      Appeal-2006-053 - New      Petrovits**  
**Variance for a Detached Family Apartment**

Mark B. & Valerie Petrovits have applied for a Variance to Section 240-47.1 Family Apartments. The applicants seeking relief for a family apartment of 660 sq.ft., located in an existing detached garage. The property is addressed 45 Bog Road, Marstons Mills, MA, as shown on Assessor's Map 045 as parcel 027, in a Residence F Zoning District.

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**7:15 PM      Appeal 2006-054 - New      Butch**  
**Variance Minimum Lot Area (to un-merge lots)**

Barbara Butch has applied for a Variance to Section 240-11.E, Bulk Regulation, Minimum Lot Area. The applicant seeks to create a buildable undersized lot from a lot that has merged due to common ownership of adjoining lots. The properties are addressed 107 Straightway and 104 Melbourne Road, Hyannis MA, located as shown on Assessor's Map 268 as parcels 213 and 228. The lots are in a Residence B Zoning District.

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**7:30 P.M.      Appeal 2006-055 - New      Carey**  
**Special Permit Expansion of a Non-Conforming Structure**

Michael C. and Susan E. Carey have applied for a Special Permit pursuant to Section 240-92.B Non-conforming Buildings or Structures Used as Single and Two-Family Residence. The applicants seek to further expand an existing nonconforming dwelling into the required front yard setback along Ocean Street and Fourth Avenue. The property is addressed 166 Fourth Avenue, West Hyannis Port, MA and is located as shown on Assessor's Map 245 as Parcel 123. It is in a Residence B Zoning District.

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**7:45 P.M.      Appeal 2006-056 - New      Nyman**  
**Variance Minimum Lot Area (to un-merge lots)**

James E. Nyman has applied for a Variance to Section 240-11.E, Bulk Regulation, Minimum Lot Area and Section 240-36 Resource Protection Overlay District that now requires a minimum lot area of 2-acres. The applicant seeks the variance for a 0.93-acre lot that he created in 1999 not in conformity to the then required minimum lot area. The property is addressed 223 Winding Cove Road, Marstons Mills, MA, located as shown on Assessor's Map 057 as parcel 055-001. It is in a Residence F Zoning District and the Resource Protection Overlay District.

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**8:00 P.M.**      **Appeal-2006-057 - New**      **Cleary**  
**Variance to Lot Shape Factor and Minimum Lot Width.**

Raymond Joseph Cleary, Sr. and Carole Ethel Cleary, co-Trustees of both the Carole Ethel Cleary Family Trust and the Raymond Joseph Cleary, Sr. Family Trust have applied for Variances to Section 240-7.D Lot Shape Factor and Section 240-13.E, Bulk Regulations Minimum Lot Width. The subject lot is shown as Lot 1 on an Approval Not Required Plan endorsed by the Planning Board on June 6, 2005 and recorded at the Barnstable Registry of Deed. The subject lot has a lot shape factor of 24.9 exceeding the maximum lot shape factor of 22 and a lot width of 108.57 feet when a minimum of 125 feet is required. The subject lot is a part of parcel 14 shown on Assessor's Map 349, addressed 119 Oakmont Road, (Cummaquid) Barnstable, MA, in a Residence F-1 Zoning District.

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**Open**              **Chairman's Discussion**