

Town of Barnstable
Zoning Board of Appeals
Agenda
March 10, 2010

All hearings are scheduled for 7:00 P.M.

Last revised 02-11-10

Appeal No. 2010-002 - Continued

Olsen
Bulk Variance for an Undersized Lot

Opened January 13, 2010, continued to March 10, 2010
No Members Assigned – No Testimony Taken

Staff Report and Application materials previously sent to Board Members.

Christopher J. & Carol J. Olsen have applied for a Variance to Section 240-14.E - Bulk Regulations and to Section 240-36 - Resource Protection Overlay District to allow for the construction of a single-family dwelling on a lot with 0.92-acres of upland when zoning now requires a minimum lot area of 2-acres of upland. The property is addressed 26 Trudy Lane, Cotuit, MA. It is shown on Assessor's Map 021 as parcel 104. It is in a Residence F Zoning District and in the Resource Protection Overlay District

Appeal No. 2010-003 - Continued

Gregory
Expand Nonconforming Structure & Accessory Uses

Opened January 27, 2010, continued to March 10, 2010
No Members Assigned – No Testimony Taken

Staff Report and Application materials previously sent to Board Members.

Nathaniel A. Gregory has petitioned for a Special Permit pursuant to Section 240-93 B – Alteration or Expansion of a Pre-existing Nonconforming Structure and a Special Permit pursuant to Section 240-44 A – Accessory Uses. According to the application submitted, the petitioner seeks the "construction of a pier to replace a prior pier" on an accessory lot located across the road from the principal lot on which the single-family dwelling it serves is located. The principal residential lot is addressed 428 Wianno Avenue, Osterville, MA and is shown on Assessor's Map 163 as Parcel 024. The accessory lot is addressed 320 East Bay Road, Osterville, MA and is shown on Assessor's Map 163 as Parcel 020. Both lots are in a Residential F-1 Zoning District.

Appeal No. 2010-004 - Continued

Curley
Variance Bulk Regulations, Yard Setbacks

Opened January 27, 2010, continued to March 10, 2010. This appeal was continued to allow for a second bulk variance application to correct the infringement of the existing garage.

Members assigned: George Zevitas, Alex Rodolakis, Brian Florence, Craig Larson, Laura Shufelt

Staff Report and Application materials previously sent to Board Members.

James P. Curley and Stacey A. Curley have applied for a Variance to Section 240.11 (E) – Bulk Regulations – Yard Setbacks. The applicants seek to construct an addition to the existing dwelling that will have a 19.3-foot setback off Maple Road where zoning requires a 30-foot setback. The property is addressed 287 Fuller Road, Centerville, MA and is shown on Assessor’s Map 189 as parcel 084. It is in a Residence D-1 Zoning District.

Appeal No. 2010-006 - New

**Curley
Variance – Bulk /Regulations, Yard Setbacks**

Staff Report and Application materials are enclosed.

James P. Curley and Stacey A. Curley have applied for a Variance to Section 240.11 (E) – Bulk Regulations – Yard Setbacks. The applicants are seeking relief from the front yard setback for an existing garage that has a 26.3-foot setback off Fuller Road where zoning requires a 30-foot setback. The property is addressed 287 Fuller Road, Centerville, MA and is shown on Assessor’s Map 189 as parcel 084. It is in a Residence D-1 Zoning District

Special Permits Nos. 2008-054 & 2008-055

**Requests for a One-Year Extension
Shallow Pond Nominee/Sixty North Street Realty
Trust**

Request letter and copy of Special Permits 2008-054 & 2008-055 are enclosed.

By a letter dated February 11, 2010, Attorney Peter L. Freeman has requested a one-year extension of Special Permits Nos. 2008-054 and 2008-055, issued to Shallow Pond Nominee Trust and Sixty North Street Realty Trust. The Conditional Use Permit (No. 2008-054) authorized a proposed bank development to include drive through banking. The other Special Permit (No. 2008-055) allowed for a reduction in the required on-site parking from 59 to 52 spaces.

The subject property is addressed 1555 and 1573 Iyannough Road (Route 132), Hyannis, MA. It is shown on Assessor’s Map 253 as parcels 016, 019-B00 and 019-T00. It is zoned Highway Business.

The existing 2008 permits have been retroactively extended to October 8, 2010 as provided for in Section 240-125.C(3)(b). This request is made pursuant to Section 240-125.C(3)(a) of the Zoning Ordinance that provides for an additional one year extension of a special permit (to October 8, 2011 “upon a showing of good cause”).

Open

Chairman’s Discussion
