

Town of Barnstable
Zoning Board of Appeals
Agenda
January 27, 2010

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

Last Revised 01-21-10

Appeal No. 2009-071 - Continued

Reilley
Appeal of an Administrative Official

Staff Report and Application materials submitted are enclosed

Opened December 9, 2009, continued to January 27, 2009 at request of Appellant.

No Members Assigned, No Testimony Given

Lei Z. Reilley has appealed a Cease and Desist Order dated October 9, 2009 issued by the Building Division. The order requests that the owner abate "creating, renting or utilizing in any fashion a third unit" in the dwelling as that would be in violation of Section 240-94, Nonconforming Use and Section 240-11(A)1, Principal Permitted Uses. The appeal was made pursuant to MGL Chapter 40A, Section 15, maintaining that the dwelling is that of a legal multi-family. The property is addressed 111 Sea Street, Hyannis, MA and is shown on Assessor's Map 307 as parcel 068. It is in a Residence B Zoning District.

Appeal No. 2010-003 - New

Gregory
Expand Nonconforming Structure & Accessory Uses

Staff Report and Application materials submitted are enclosed

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 - New

Curley
Variance Bulk Regulations, Yard Setbacks

Staff Report and Application materials submitted 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 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 .

