

Town of Barnstable
Zoning Board of Appeals
Agenda
April 28, 2010

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

Appeal No. 2010-009 - New

Reed
Appeal of the Building Commissioner

Staff Report and Application Materials enclosed.

Carol Anne Reed has appealed the Building Commissioner's February 12, 2010 denial of a building permit to construct a single family dwelling on a lot addressed as 1175 Shootflying Hill Road, Centerville, MA. The appeal is being made pursuant to Section 8 of MGL Chapter 40A and is requesting that the Board overrule the Commissioner and find that the lot is a legally-created, pre-existing undersized nonconforming lot that is independently buildable. The subject property is shown on Map 190 as parcel 218, and addressed 1175 Shootflying Hill Road, Centerville, MA. The lot is in a Residence D-1 and Residence C Zoning District and in the Resource Protection Overlay District.

Appeal No. 2010-010 - New

Sousa & Sousa
Modification of Special Permit No. 1990-031

Staff Report and Application Materials enclosed.

Joseph J. Sousa and Lorraine A. Sousa have applied for a Modification of Special Permit No. 1990-031 issued to Marathon Enterprise, Inc., for a conditional use of a convenience store and to alter a nonconforming use of a gas station. The modification is sought to alter the area upon which the special permit applies from a 7.88-acre lot to a new lot of 1.86 acres. The new lot is shown as Parcel 1 on a plan submitted. The subject property is shown on Assessor's Map 290 as parcel 101-001, addressed 125 West Main Street, Hyannis, MA. It is in the Highway Business and Residence B Zoning Districts.

Appeal No. 2010-011 - New

Old Post Road, LLC & Law
Bulk Variance to Exchange Equal Land Area

Staff Report and Application Materials enclosed.

Old Post Road, LLC and Donald F. Law, Jr., Trustee of the 595 Old Post Road Realty Trust have applied for a variance to Section 240-14.E Bulk Regulations, Minimum Lot Area and Section 240-36, Resource Protection Overlay District. Both sections require all single-family lots recorded after November of 2000 to have a minimum lot area of 2 acres. The subject lots are developed and the petitioners seek the variance to allow for an equal exchange of 2,152 sq.ft., between the two lots. The subject properties are shown on Assessor's Map 054 as parcels 017 and 016 addressed 581 and 595 Old Post Road, Cotuit, MA. The lots are in the Residence F Zoning District and the Resource Protection Overlay District.

Open Chairman's Discussion
