

TOWN OF YARMOUTH
BOARD OF APPEALS
DECISION

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YARMOUTH TOWN CLERK
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FILED WITH TOWN CLERK: September 11, 2013

PETITION NO: #4474

HEARING DATE: August 22, 2013

PETITIONER: Phyllis L. Fazio

**PROPERTY: 14 Grace Avenue, Yarmouth Camp Grounds Assoc., West Yarmouth
Map & Lot#: 0083.14;
Zoning District: R-40**

MEMBERS PRESENT AND VOTING: Steven DeYoung, Chairman, Sean Igoe, Debra Martin, Bryant Palmer and Gerald Garnick.

Notice of the hearing has been given by sending notice thereof to the Petitioner and all those owners of property as required by law, and to the public by posting notice of the hearing and publishing in *The Register*, the hearing opened and held on the date stated above.

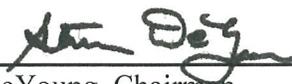
The Petitioner, Phyllis L. Fazio, provided a well presented proposal for grant of Special Permit under Zoning By-law §104.3.2 and for the construction of an 8' x 8' shed at property located at 14 Grace Avenue, West Yarmouth, MA Relief was necessitated due to the varied structures present on this large track known as the Yarmouth Camp Ground Association (YCGA) and consisting of one lot.

No one spoke in opposition to the Petition nor were any exhibits received.

The Board's only concern was that the structure not be located too close to the existing dwelling of the Petitioner so as to reduce/eliminate the risk potentially posed by combustibles which may be stored in the shed.

Finding that the relief would create no undue hazard, nuisance or congestion and would not cause any substantial detriment to the existing or future character of the neighborhood or Town, the Board voted unanimously in favor of the Motion made by Ms. Martin, seconded by Mr. Igoe to grant the Special Permit on the sole condition that the shed be located at a minimum distance of 12' of any dwelling structure.

No permit shall issue until 20 days from the filing of this decision with the Town Clerk. This decision must be recorded at the Registry of Deeds and a copy forwarded to the Board of Appeals. Appeals from this decision shall be made pursuant to MGL c40A section 17 and must be filed within 20 days after filing of this notice/decision with the Town Clerk. Unless otherwise provided herein, the Special Permit shall lapse if a substantial use thereof has not begun within 24 months. (See bylaw, MGL c40A §9)



Steven DeYoung, Chairman