



TOWN OF YARMOUTH
BOARD OF APPEALS
DECISION

FILED WITH TOWN CLERK: April 22, 2016

PETITION NO: #4636

HEARING DATE: March 24, 2016

PETITIONER: Jim Roberts

**PROPERTY: 30 Simpson Avenue, (Yarmouth Camp Ground Assoc.)
West Yarmouth
Map & Lot#: 0083.2; Zoning District: R-40**

MEMBERS PRESENT AND VOTING: Steven DeYoung, Chairman, Sean Igoe, Bryant Palmer, and Richard Neitz.

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, Jim Roberts, appeared in connection with his request for a Special Permit to construct a 6' x 13' farmer's porch to the front of his dwelling located at #30 Simpson Avenue, West Yarmouth, MA, property in an R-40 Zoning District. The property is situated in the so-called "Yarmouth Camp Ground" and relief is necessary as each structure therein is essentially on one lot and so each is non-conforming to current zoning.

The modest request will help Mr. Roberts to restore the property to how it appeared when owned by prior family members and had the approval of the Yarmouth Camp Ground Association, Inc. As well, the Board file contained correspondence in support. No one spoke in opposition. One photo was submitted which depicted the manner in which the porch previously existed.

The Board agreed that all criteria for the grant of a Special Permit had been met and a Motion was, therefore, made by Mr. Neitz, seconded by Mr. Palmer, to grant the Special Permit on the condition that the porch not be enclosed. The Board voted unanimously in favor of this Motion and the Special Permit was, therefore, granted with the stated condition.

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