



Town of Truro Zoning Board of Appeals

P.O. Box 2030, Truro, MA 02666

APPLICATION FOR HEARING

To the Town Clerk of the Town of Truro, MA

Date July 17, 2024

The undersigned hereby files with specific grounds for this application: (check all that apply)

GENERAL INFORMATION

☐ NOTICE OF APPEAL

☐ Applicant is aggrieved by his/her inability to obtain a permit or enforcement action from the Building Commissioner on (date) _____.

☐ Applicant is aggrieved by order or decision of the Building Commissioner on (date) _____ which he/she believes to be a violation of the Truro Zoning Bylaw or the *Massachusetts Zoning Act*.

☐ **PETITION FOR VARIANCE** – Applicant requests a variance from the terms § _____ of the Truro Zoning Bylaw concerning (describe) _____.

☒ APPLICATION FOR SPECIAL PERMIT

☒ Applicant seeks approval and authorization of uses under § _____ of the Truro Zoning Bylaw concerning (describe) Modification of 2011-003 ZBA Decision.

☐ Applicant seeks approval for a continuation, change, or extension of a nonconforming structure or use under § _____ of the Truro Zoning Bylaw and M.G.L. Ch. 40A, §6 concerning (describe) _____.

Property Address 274 Route 6, Truro, MA 02666 Map(s) and Parcel(s) _____

Registry of Deeds title reference: Book 24485, Page 288, or Certificate of Title Number _____ and Land Ct. Lot # _____ and Plan # _____

Applicant's Name Steven J. Garvan & Caren L. Garvan

Applicant's Legal Mailing Address P.O. Box 398, North Truro, MA 02652

Applicant's Phone(s), Fax and Email (860) 803-9175 captgarvan@aol.com

Applicant is one of the following: (please check appropriate box)

*Written Permission of the owner is required for submittal of this application.

☒ Owner ☐ Prospective Buyer* ☐ Other*

Owner's Name and Address Steven J. Garvan & Caren L. Garvan

Representative's Name and Address _____

Representative's Phone(s), Fax and Email _____

- The applicant is *advised* to consult with the Building Commissioner, Planning Department, Conservation Department, Health Department, and/or Historic Commission, as applicable, prior to submitting this application.

Signature(s)

Applicant(s)/Representative Printed Name(s)

Steven J. Garvan / Caren L. Garvan

Owner(s) / Written permission(s) or written permission

Applicant(s)/Representative Signature

Steven J. Garvan / Caren L. Garvan

Owner(s) Signature or written permission

Your signature on this application authorizes the Members of the Zoning Board of Appeals and town staff to visit and enter upon the subject property

DECISIONS/MOTIONS OF THE BOARD OF APPEALS OF TRURO, MASSACHUSETTS

Property Owner(s) and/or Applicant(s): Steven and Caren Garvan

Property Location: 274 Route 6

Atlas Sheet: 46 Parcel(s): 386 (2011-003/ZBA)
(Deed Ref: Book 24485, Page 288)

Hearing Date: Monday, March 28, 2011

Decision #1

Special Permit	<input type="checkbox"/>	Vote: <u>5</u>	Approve	<input checked="" type="checkbox"/>
Variance	<input type="checkbox"/>	<u>0</u>	Disapprove	<input type="checkbox"/>
Building Commissioner Decision	<input type="checkbox"/>		Abstain	<input type="checkbox"/>
& Other	<input checked="" type="checkbox"/>	Request for a Variance withdrawn without prejudice (approved withdrawal)		

1st Motion (Pope; 2nd Matricardi): Move to allow the withdrawal of the request for a Variance without prejudice.

Decision #2

Special Permit	<input checked="" type="checkbox"/>	Vote: <u>5</u>	Approve	<input checked="" type="checkbox"/>
Variance	<input type="checkbox"/>	<u>0</u>	Disapprove	<input type="checkbox"/>
Building Commissioner Decision	<input type="checkbox"/>		Abstain	<input type="checkbox"/>
& Other	<input type="checkbox"/>			

2nd Motion (Pope; 2nd Perkel): Move to grant to Steven and Caren Garvan a Special Permit (w/ref. To Sec. 40.1.C of the Zoning Bylaw) to put a kitchen in the "in-law" apartment, as per plans filed with the Building Commissioner and the ZBA. Conditions: 1) Use shall be limited to family members and guests; 2) Special Permit shall expire upon transfer of ownership of the property; 3) The property shall not be used for a seasonal rental.

I hereby certify this as a true and accurate record of the Board of Appeals:

Signature: [Signature] Date: 4/7/11
Chairman ZBA

Received Office of the Town Clerk:

Signature: [Signature] Date: APRIL 7, 2011

I hereby certify that this decision was filed with the Office of the Town Clerk on

APRIL 7, 2011 and 20 (twenty) days have elapsed since the date of filing, and:

☒ No Appeal has been filed.

☐ An Appeal has been filed and received in this office on:

Signature: [Signature] Date: MAY 17, 2011

NOTE: Any person aggrieved by a decision of the Zoning Board of Appeals may appeal to the Superior or Land Court by bringing action within twenty days after the decision has been filed with the Town Clerk of Truro. (Massachusetts General Laws, Chapter 40A, Section 17.)

THE COPY OF THIS DECISION PROVIDED BY THE TOWN CLERK MUST BE FILED WITH THE REGISTER OF DEEDS OF BARNSTABLE COUNTY BY THE APPLICANT

MODIFICATION TO DECISION #2, 2nd MOTION

We would like the special wording changed as follows:

- 1. Use shall be for family members, guests and potential renters;**

Although our original intention was for our in-laws to use the apartment in their older age so they could be closer to us, they both died before ever getting the opportunity to use it. Consequently, we would like No. 1 to reflect that it can officially also be used by renters in addition to guests and family members.

- 2. Special Permit shall expire upon transfer of the Property. We would like this statement removed as we feel it lessens the value of our home to have an apartment available and a potential buyer (if we were to ever sell) would not be able to rent it without going before the Board to get it approved. Additionally, our daughter will most likely inherit the property and we'd like the right to rent to run with the premises for purposes of convenience.**

- 3. The property shall not be used for a seasonal rental. This statement will remain. We understand the Town's need for housing as well as their position on not wanting individual homeowners to rent their property on a seasonal basis and take away business owner's sources of income.**