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*[Signature]*

Received by the Town Clerk:

Date:

Application complete \_\_\_\_\_

Application incomplete \_\_\_\_\_

Signed: \_\_\_\_\_

**APPLICATION COVER PAGE**

Date: February 8, 2024

Date Received by ZBA: \_\_\_\_\_

Name of Applicant and Mailing Address: Middle Point Bend, LLC

c/o Sourati Engineering Group, LLC, P.O. Box 4458, Vineyard Haven, MA 02568

Email Address: gsourati@souratigroup.com Telephone Number: 508-693-9933

Name of Owner and Mailing Address (If not Applicant): \_\_\_\_\_

Map and Lot #: Assessor's Map 39, Parcels 7 & 8

Street Address of Subject Property: 208 & 216 Middle Point Road

Applicant is: Owner (Owner, Tenant, Purchaser, Other)

Nature of Application (Special Permit, Appeal, Variance): Appeal of Building & Zoning Inspector Determination

Applicable Section of Zoning Bylaw: M.G.L. Ch. 40A Sections 8 & 15, WT ZBL Section 14.2

Date of Denial by Building Inspector, Zoning Inspector, or Planning Board  
(If Applicable): February 5, 2024

**Plot Plan:** Must provide a plan by a registered surveyor showing the total property with the existing buildings, including the proposed project, all setback distances to be provided.

**Plans:** 2 sets of scaled drawings of floor plans that show total sq. ft. per floor (measured from exterior of wall), at least 2 elevations with one showing proposed height to ridge. If the project is an addition to existing structure please clearly identify proposed work.

**Description of proposed project:** Please attach a detailed narrative.

I have read the overview of the ZBA process attached to this application and completed all sections of the application cover page and therefore request a hearing before the West Tisbury Zoning Board of Appeals with reference to the above noted application.

Signed: *[Signature]*

Title(s): Representative

Application fee of \$200.00 is required. Date Paid: \_\_\_\_\_

received  
2/12/2024  
CK# 1214

Applicant: Middle Point Bend, LLC

RE: Appeal of the Building & Zoning Inspectors Determination dated February 5, 2024  
208 & 216 Middle Point Road  
Assessor's Map 39, Parcels 7&8  
West Tisbury, MA

### **PROJECT DESCRIPTION**

The project consists of an Appeal of the Building & Zoning Inspector's Determination dated February 5, 2024, regarding the installation of a small fireplace in the Studio portion of the accessory structure currently undergoing renovations at the above referenced property.

Below is the Definition of a Studio/Craft Workshop in the Zoning Bylaw (Section 14.2): *A non-habitable structure or portion of a structure used for hobbies or a home occupation. A studio/workshop may have a bathroom.*

In his Determination Letter, the Building & Zoning Inspector states that *"the studio appears to be a non-habitable structure that may have a bathroom. It does not appear that a fireplace would be allowed."*

In reviewing this Appeal, we request that the Zoning Board of Appeals consider the following:

- Craft Workshops with fireplaces have previously been allowed in West Tisbury.
- Studios have been allowed to have washing machines and driers.
- There are examples of pool houses (also non-habitable structures) with fireplaces.
- In the Definition of a Studio/Craft Workshop it is stated that a bathroom is allowed, however, no other features are listed (e.g. a television, washing machine or drier). We do not believe that the lack of mention of a fireplace is intended to prohibit its presence in a Studio. We believe that the reason a bathroom is specifically referenced is to provide a mechanism for a non-habitable structure with a bathroom to be considered a Studio, and not be counted as a bedroom.