
YARMOUTH GENERAL BOARD of APPEALS

Administrative Appeal Standards, Findings, & Decision General Board of Appeals Meeting of October 26, 2020

Applicant/Project Description

Denise and Craig Benson owners of property at 104 Spruce Point Rd., Map 54 Lot 27,
request an Administrative Appeal of Planning Board Denial of the Expanded Float Waiver.

Reference: Chapter 701, Article VII, Section B.2.a. (General Board of Appeals, Powers and Duties) of the Town's Zoning Ordinance, and Chapter 203, Article C. & F. of the Town's General Board of Appeals Ordinance.

Chapter 203, General Board of Appeals, Article C. Appeals to the GBA (Standing)

1. The Board of Appeals may exercise jurisdiction only upon receipt of a written appeal from a person aggrieved, filed within 30 days of the decision complained of, stating the relief sought and the grounds thereof. The appeal shall be filed with the Town Clerk on forms to be approved by the Board of Appeals.

Findings of Fact:

Findings and conclusion moved by _____, seconded by _____, and voted __ in favor, __ opposed, Vote conducted by roll call.

Chapter 203, General Board of Appeals, Article C. Appeals to the GBA (Timeliness)

1. The Board of Appeals may exercise jurisdiction only upon receipt of a written appeal from a person aggrieved, filed within 30 days of the decision complained of, stating the relief sought and the grounds thereof. The appeal shall be filed with the Town Clerk on forms to be approved by the Board of Appeals.

Findings of Fact:

Findings and conclusion moved by _____, seconded by _____, and voted __ in favor, __ opposed, Vote conducted by roll call.

Chapter 203, General Board of Appeals, Article F. Jurisdiction, Power and Duties

The Board of Appeals is authorized to hear variances and decide appeals from decisions, actions, or failure to act by the following officials and in the following matters:

1. By permitting authority in the administration or issuance of permits and approvals, or establishment of conditions thereon (if any), subject to paragraph 3 below:
 - a. Chapter 301 – Building Code
 - b. b. Chapter 304 – Sewerage Ordinance
 - c. c. Chapter 311 – Electrical Code
 - ...
 - m. Chapter 701 – Zoning Ordinance

Findings of Fact:

Findings and conclusion moved by _____, seconded by _____, and voted __ in favor, __ opposed, Vote conducted by roll call.

Voted by the Town of Yarmouth General Board of Appeals on October 26, 2020

Signed by:

Jennifer Peters, Chair, General Board of Appeals

Date