



TOWN OF HARWICH  
732 Main Street, Harwich, Massachusetts 02645

ZONING BOARD OF APPEALS

Notice of Appeal/Application and Petition for Public Hearing, ("APPLICATION")

This Application *does not* apply to Comprehensive Permits.

Please refer to the Rules and Regulations of the Town of Harwich Board of Appeals for documentation requirements.

This original completed and signed notice ("Application"), along with a certified abutters list and twelve (12) copies of all plans, sketches, statements, site plans or other supporting documents per the attached checklist must be presented to the Building Department prior to being filed with the Town Clerk. The required documentation, **ALL** of which must be submitted on the date of filing, is listed on this Application. **THE RULES AND REGULATIONS ("RULES") OF THE TOWN OF HARWICH BOARD OF APPEALS APPLY TO ALL APPEALS AND APPLICATIONS AND SHOULD BE CONSULTED BEFORE FILING AN APPEAL OR APPLICATION TO ENSURE COMPLIANCE WITH THEM.**

To the Zoning Board of Appeals, Harwich, MA:

(We, I) hereby petition your Board for a public hearing on the request for action checked below:

- ( ) Appeal from decision of or refusal of permit application by the Building Inspector, Selectmen or Planning Board or other administrative officer or officers.
- ( ) Application for a Variance from requirements of the Harwich Zoning By-Law.
- () Application for a Special Permit that is subject to Board of Appeals approval.

I/we am/are the owner[s]/agent of the property involved in this petition, which is located in Harwich, MA at the following address:

20 Duke Ballem Rd Harwich MA Said property is further described on

Assessor's Map # 100 and Parcel # Y2 located in the R - R Zoning District as shown on the attached plan.

Describe

Petition/Appeal: Requesting to roof over existing deck to create a screened porch 10' x 24'

Relief requested - Cite specific Bylaw Section(s):

S325-54A

Pre-existing Nonconformity of side setbacks

Signature of Owner (or Agent) Walter R. Warren, Jr

Date 6/27/22

(Written authorization by the owner must accompany an Application signed by agent.)

Owner Name Jonathan & Sherri Estrellado

Phone No. 860-748-5306

Mailing Address: 13 Church St Unit 2 Farmington CT 06032

Agent Name: Walter R. Warren, Jr.

Phone No. 508-694-5618

Mailing Address: 259 Great Western Road Unit B South Dennis MA 02660

Has a petition previously been submitted for this property (Y/N) No

If yes, the date of original hearing \_\_\_\_\_ Petition No. \_\_\_\_\_ Decision \_\_\_\_\_

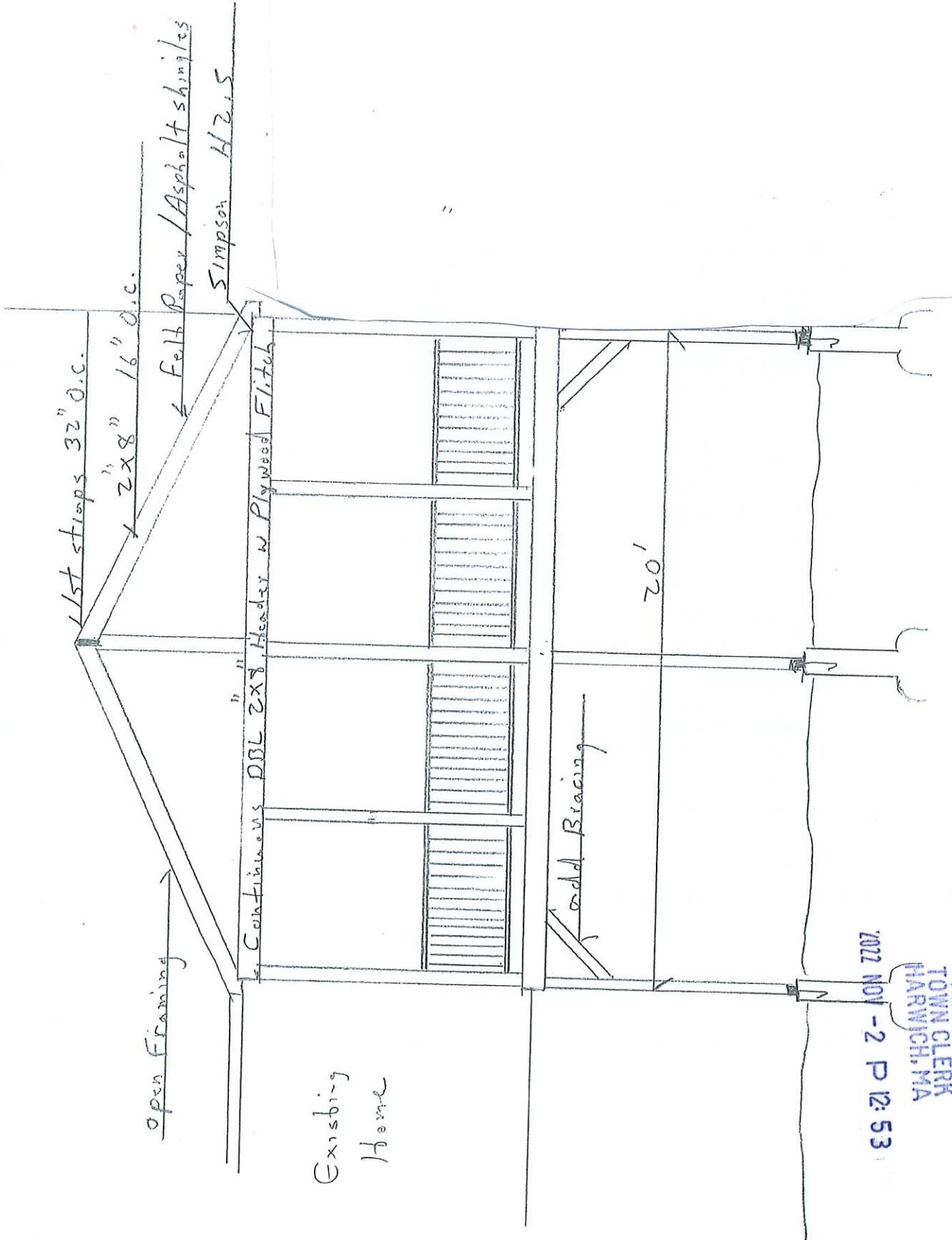
**For Appeal Only:**

Reason for Denial: \_\_\_\_\_

Denial From: \_\_\_\_\_ Date of Denial: \_\_\_\_\_

Within 14 days following any Board decision, the Board will file its decision with the Town Clerk. A building permit will not be issued during the appeals period, until 21 days after the Board of Appeals decision has been filed with the Town Clerk or if an appeal to that decision has been filed during that time. It is the **applicant's responsibility** to have the decision recorded at the Barnstable County Registry of Deeds or Land Court, whichever may be applicable, and to present copies of that recording to the Town Clerk and to the Building Department with all Building Permit application requirements.

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HARWICH, MA  
2022 NOV - 2 P 12:53



1st stops 32" O.C.

2x8" 16" O.C.

Felt Paper / Asphalt shingles

Simpson H.Z.S.

Continuous DBL 2x8 Header w Plywood Fitch

1'02'

Add Bracing

Open Framing

Existing Home

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HARVICH, MA



Sand Dollar Customs LLC  
259 Great Western Rd. Unit B  
South Dennis MA 02660  
508-694-5618  
Sanddollarcustoms.com

## General Contractor and Owner Agreement

### Authorization To Proceed

I hereby authorize Sand Dollar Customs LLC to proceed with construction at 20 Duke Ballen Rd, Harwich, MA in accordance with signed estimate # 1163, dated 4/26/22.

Homeowner agrees to make payments to Sand Dollar Customs LLC in accordance with the payment schedule listed on the signed and agreed upon estimate.

*Jm Gill*  
Homeowner

7/5/22  
Date

Walter R. Warren, Jr  
Sand Dollar Customs Representative

7/5/22  
Date

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2022 NOV - 2 P 12:53





October 19, 2022

Dear Zoning Board,

The homeowner at 20 Duke Ballem Rd, Harwich, Massachusetts, the site on map 100 parcel Y2, is requesting an existing deck be transformed into a 3-season room with sliding eze-breeze panels and a relocation of the deck to the adjacent side of finished room (as shown on plan attached to this submittal). We are requesting an approval of this project as it does not change the pre-existing nonconformity of side setbacks or lot coverage stated per §325-54A of Harwich Zoning bylaws. Furthermore, the use of the space will not adversely affect the neighborhood, it is an appropriate location for such use, there will be no additional hazard or nuisance to vehicles or pedestrians and there will be no change to the septic.

Thank you,

*Walter R. Warren, Jr.*

Walter R. Warren, Jr. for Stephen E. Bobola, Sr.

Sand Dollar Customs LLC

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**TOWN OF HARWICH**  
*Building Department*  
732 Main Street  
Harwich, MA 02645



**Telephone: (508) 430-7506**

**Fax: (508) 430-4703**

**By First Class Mail**

October 18, 2022

Jonathan R & Sherri A Estrellado  
13 Church St Unit 2  
Farmington, CT 06032

cc. Sand Dollar Customs LLC

Re: Zoning Relief Required  
Building Permit Application "Requesting to turn an existing deck into a three season room and rebuild deck adjacent to existing."  
20 Duke Ballem Road Harwich, MA 02645 (Assessor's Map 100, Parcel Y-2)  
Zoning District R-R

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Dear Mr. & Mrs. Estrellado,

Please be advised that as a condition to issuance of the above-referenced building permit as submitted, shown on a plan prepared by BSC Group dated September 6, 2022, the following zoning relief is first required:

- §325-54A (1) *Alteration or extension of single or two family residential structure.*
- (a) *A preexisting nonconforming single or two family residential structure may be altered or extended by right if the Building Official determines that it meets the following criteria;*
    - (1) *The proposed addition/extension will conform to current setbacks and coverage for the zoning district in which the existing structure and addition/extension are located; and*
    - (2) *The nonconformance concerns the size of the lot in question and/or the frontage of said lot and/or an encroachment of the existing structure.*

Should you desire to proceed with the project, you must first apply for the foregoing relief; this letter shall serve as a referral to the Board for the same. Copies of the necessary zoning forms and applications are available in the offices of the Town's Building and Planning Departments.

In the meantime, your building permit application shall be deemed 'incomplete' and the period to review and issue such permit suspended until such time as you apply for and obtain the special permit; the special permit decision issues and is filed with the Town Clerk; the applicable appeal period elapses; and you provide the Building Department a copy of the special

permit decision as recorded with the Barnstable Registry of Deeds or, as applicable, the Barnstable Registry District.

I also reserve the right, should you not expeditiously and continuously proceed with obtaining the required zoning relief or otherwise withdraw the building permit application, to deny the building permit application for incompleteness, or inconsistency with zoning, or both.

Further, be advised that, subject to obtaining the required permits and after construction, you will be required to submit a final as-built plan to the Building Department certifying that the project complies with the approved plans and all applicable dimensional requirements under town zoning.

This correspondence also serves as a zoning determination under Section 7 of Massachusetts General Laws Chapter 40A, which may be appealed by a 'person aggrieved' under Sections 8 & 15 of Massachusetts General Laws Chapter 40A.

Please feel free to contact the Building Department to discuss further, as necessary.

Respectfully,

  
\_\_\_\_\_  
Jack Mee  
Harwich Building Commissioner

Cc: File

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