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Docket Number V 17 158

NOTICE OF ACTION

RE: Movement Therapy Building, 112 Dukes County Avenue

Oak Bluffs

1. A request for a variance was filed with the Board by Lucy L. Abbot

(Applicant) on June 5, 2017

The applicant has requested variances from the following sections of the 06 Rules and Regulations of the Board:

<u>Section:</u>	<u>Description:</u>
24.1	Petitioner seeks variance relief to remove an existing ramp that currently provides access for persons with disabilities to the first floor of the building and the products and/or services offered there. The petitioner proposes a movement therapy business in the front two rooms of the first floor, with an organizational consulting offered in the back room.

2. The application was heard by the Board as an incoming case on Monday, July 10, 2017

3. After reviewing all materials submitted to the Board, the Board voted as follows:

DENY: the variance to Section 24.1 (3.3.4) **as proposed** in the application submitted, for the reason that impracticability (see definitions of impracticability in Section 5 of 521 CMR) has **not** been proven in this case.

PLEASE NOTE: All documentation (written and visual) verifying that the conditions of the variance have been met must be submitted to the AAB Office as soon as the required work is completed.

Any person aggrieved by the above decision may request an adjudicatory hearing before the Board within 30 days of receipt of this decision by filing the attached request for an adjudicatory hearing. If after 30 days, a request for an adjudicatory hearing is not received, the above decision becomes a final decision and the appeal process is through Superior Court.

Date: July 12, 2017

cc: Local Disability Commission
Local Building Inspector
Independent Living Center

Walter White T.H.
Chairperson
ARCHITECTURAL ACCESS BOARD