



# Town of South Kingstown, Rhode Island

## BUILDING AND ZONING DEPARTMENT

180 High Street  
Wakefield, RI 02879  
Tel (401) 789-9331 x1225

May 26, 2022

Christian Blaney  
60 Sea View Avenue  
South Kingstown, RI 02879

At a meeting of the Zoning Board of Review held May 18, 2022, your petition for a Dimensional Variance was granted for premises located at Gooseberry Road, South Kingstown, Tax Assessor's Map 87-2, Lot 59.

Please be further advised that there is a One-year Expiration. Any variance or special use permit shall expire one year after the date of the filing of the decision in the office of the Town Clerk, unless the applicant shall, within one year, obtain a legal building permit and proceed with the construction, or obtain a certificate of occupancy when no legal building permit is required. If application is made prior to the expiration of the initial one-year period, the Board may, upon written request and for cause shown, renew the variance or special use permit for a second one-year period. Said request for an extension need not be advertised nor noticed, per South Kingstown Zoning Ordinance Section 910.

If you have to apply for a building permit, this Decision must be presented to the Building Official's office at the time you make application for your building permit.

Regards,

James Gorman,  
Building Official & Zoning Clerk  
Town of South Kingstown



RECORDED 05/26/2022 10:54:00 AM  
 B/P:1831/Pgs 494 - 495; (2 pgs)  
 INST# 22862  
 TOWN OF SOUTH KINGSTOWN, RI



## Town of South Kingstown, Rhode Island

**BUILDING AND ZONING DEPARTMENT**  
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May 26, 2022

### NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

The following motion, made by Ms. Walsh and duly seconded by Mr. Brown  
 Motion passed unanimously: Vote 5-0  
 (S. Walsh-Aye, R. Brown-Aye, W. Rosen-Aye, K. Diamond-Aye, T. Daniels-Aye)

At a meeting held on May 18, 2022 regarding the Petition of Christian Blaney, 60 Sea View Avenue, Wakefield, RI 02879 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to reduce the area of an existing lot (AP 87-2, Lot 59) and increase the area of an abutting lot (AP 81-3, Lot 46). Both lots 59 and 46 are currently nonconforming by dimension. Lot 59 is presently 20,376 s.f and is proposed to become 10,335 s.f, whereas Lot 46 is presently 5,000 s.f. and is proposed to become 15,041 s.f.. A Dimensional Variance is required per Zoning Ordinance Section 400D (Compliance with Regulations), Section 401 (Schedule of Dimensional Regulations) and Section 907 (Standards of Relief). Owners of the property are Christian R. & Karen A. Blaney for premises located at Gooseberry Road, Assessor's Map 87-2, Lot 59 and is zoned R80.

The following individuals spoke as representatives of the applicant:

- Attorney Arthur Russo
- Christian Blaney, applicant

There was no one present who spoke either in favor of or opposition to the petition.

The following materials were entered into the record:

- Application with Exhibit A signed and dated April 7, 2022; Owner Authorization Forms (4) signed and notarized April 7, 2022 and April 1, 2022; Site Plan prepared by American Engineering, Inc., Matthew J. Cotta PLS and dated March 9, 2022 with revisions on April 6, 2022; Conditional Subdivision Approval (3 pages) dated March 28, 2022 and recorded in South Kingstown Land Evidence Book 1825 and Pages 449-451; RI DEM OWTS Permit Application (1 page) dated March 22, 2022
- 200' Radius Map and Abutter's List; Legal Notice; Proof of Certified Mailings and Notarized Affidavit of Mailing
- Applicant's Exhibit 1 (1 page) Site Plan

#### Findings of Fact:

1. The Board finds that the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(16), because the two (2) parcels were originally divided in a unique shape creating one property (lot 59) surrounding the other much smaller property (lot 46) on 3-sides.
2. The Board finds that that the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain, because the applicant is simply looking to adjust boundary lines which would make the two (2) existing parcels less nonconforming.

3. The Board finds that the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based, because generally the size of the redefined lots is normal within this community.
4. The Board finds that the relief to be granted is the least relief necessary, because the request will make both lots less non-conforming than they were previously. This proposed change of the parcel boundaries makes the most sense and will allow both lot 59 and lot 46 to be more uniform in size, shape and dimension.
5. The Board finds that that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, because if the petition were denied the irregular shape of vacant lot 59 would remain as is and any future development on lot 59 could adversely affect lot 46 and its existing house.

**Approval is conditional subject to the following conditions:**

- There are no conditions upon this approval.

Respectfully,

A handwritten signature in black ink, appearing to read 'James Gorman', written in a cursive style.

James Gorman,  
Building Official & Zoning Clerk  
Town of South Kingstown