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 INST# 25126
 TOWN OF SOUTH KINGSTOWN, RI



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT
 180 High Street
 Wakefield, RI 02879
 Tel (401) 789-9331 x1225

October 7, 2021

NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

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

At a meeting held on September 21, 2022 regarding the Petition of Elizabeth Cummins, 30 Berglund Avenue, Wakefield, RI 02879 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to construct a 6' x 35' porch attached to the existing dwelling. The porch will be located 19' from the front property line. The required front yard setback is 25'. Relief of 6' is requested. The Lot size is .34 acres. A Dimensional Variance is required per Zoning Ordinance Section 207 (Nonconforming lots of record-Building setback requirements) and Section 907 (Standards of Relief). Owner of the property is Elizabeth H. Cummins for premises located at 30 Berglund Avenue, South Kingstown, Assessor's Map 43-1, Lot 63 and is zoned R80.

The following individuals spoke as representatives of the applicant:

- Elizabeth Cummins

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 signed and dated August 12, 2022; Owner Authorization signed and notarized August 19, 2022; Front Elevation and Proposed Front Porch (2 pages); Proposed Front Deck Site Plan (1 page); Existing Site Plan prepared and stamped by Richard T. Bzdyra, PLS and dated November 19, 2012
- 200' Radius Map and Abutter's List; Legal Notice; Proof of Certified Mailings and Notarized Affidavit of Mailing
- Correspondence
 - Jennifer Crellin, 26 Sherman Court

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 as the applicant noted the area is very damp and she is seeking to construct a covered porch that will offer her shelter from the elements.
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 add a covered porch to replace the existing unsheltered front stairs.
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 the proposed design is reasonable and fits in well within the neighborhood. Additionally, the applicant indicated that she has spoken with her neighbor's and has their support.

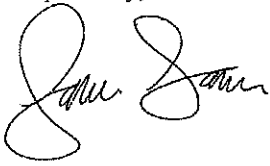
4. The Board finds that the relief to be granted is the least relief necessary, because the applicant determined that the 6' depth would be sufficient to offer her shelter and also utilize the deck fully.

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 the applicant would not have any shelter from inclement weather if relief were not granted.

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". The signature is written in a cursive style with a large initial "J" and "G".

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