

Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

180 High Street
Wakefield, RI 02879
Tel (401) 789-9331 x1224
Fax (401) 789-9792

November 4, 2020

John Hanson
47 Wallbridge Road
West Hartford, CT 06119

At a meeting of the Zoning Board of Review held October 21, 2020, your petition for a dimensional variance was granted for premises located at 73 Potter Road, South Kingstown, RI, Assessor's Map 87-2, Lot 121.

Please be further advised that this decision is a Conditional Zoning Approval and is conditioned upon CRMC approval and will have a two year expiration date from the recorded date per Section 908 with the right to extend if necessary.

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,
Interim Building Official & Zoning Clerk
Town of South Kingstown



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NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

The following motion, made by Mr. Mark and duly seconded by Mr. Rosen

Motion passed unanimously: Vote 5-0

(W. Mark-Aye, W. Rosen-Aye, T. Daniels-Aye, R. Jurczak-Aye, R. Cagnetta-Aye)

At a meeting held on October 21, 2020 regarding the Petition of John Hanson, 47 Walbridge Road, West Hartford, CT 06119 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is proposing to construct a new single family dwelling to replace the existing single family dwelling. The lot is nonconforming by dimension, and has reduced setbacks. The new dwelling will be located 20' from the front property line. The required front yard setback is 25'. Relief of 5' is requested. The new dwelling will also be located 18' from the right side property line. The required right yard setback is 30'. Relief of 12' is requested. Lot size is .41 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 Hanson Family GST-Exempt Gift Trust for premises located at 73 Potter Road, Assessor's Map 87-2, Lot 121 and zoned R 80.

The following individuals spoke as representatives of the applicant:

- Attorney John Kenyon, for applicant
- John Hanson, applicant
- Peter Twombly, AIA

The following materials were entered into the record:

- Letter from Attorney Kenyon dated August 12, 2020; Application with Narrative signed and dated August 12, 2020; Signed and Notarized Owner Authorization Form dated August 12, 2020; Vision Appraisal Field Card, Map 87-2 Lot 121; 1. Site Plan prepared by Estes/Twombly Architects dated July 27, 2020;
- Applicant's Exhibits, with letter from Attorney Kenyon dated September 3, 2020
 - 1. Site Plan prepared by Richard Couchon, PLS, Dowdell Engineering Inc. dated July 14, 2020 with revision dates of July 28, 2020 and August 4, 2020.
 - 2. Floor Plans prepared by Estes/Twombly Architects dated July 27, 2020;
 - 3. Elevations prepared by Estes/Twombly Architects dated July 27, 2020;
- 200' Radius Map and Abutter's List; Legal Notice, Certified Mail Receipts and Notarized Affidavit of Mailing
- Correspondence
 - Charles and Rebecca Donnell, email received September 13, 2020
- Continuation Requests from Attorney John Kenyon dated September 16, 2020
- Supplemental Materials received October 9, 2020
 - Letter from Attorney John Kenyon dated October 8, 2020 with
 - Revised Site Plan with new septic system (A1) prepared by Estes/Twombly Architects with a revised date of October 8, 2020
 - OWTS Construction Permit dated September 28, 2020
 - Proposed OWTS site plan prepared by Dowdell Engineering dated August 24, 2020

The following people spoke in regards to the petition.

- Frank Mazza, neighbor 55 Potter Road
- Christine Anderson, owner of Potter Road

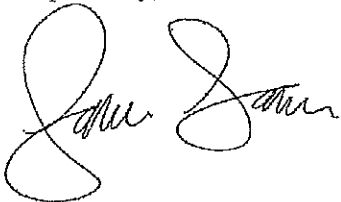
Findings of Fact:

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 proposed structure was designed as minimally as possible to still meet the applicant's needs while meeting the OWTS and CRMC setback requirements on an already non-conforming lot.
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 looking to age in place and the proposed structure was designed accordingly.
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 use as a single family structure will remain the same.
4. The Board finds that the relief to be granted is the least relief necessary, because the applicant worked diligently with their architect in designing a home that would require the least amount of relief while still meeting their needs to age in place.
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 is limited where the proposed structure can be located due to existing CRMC setback requirements from the pond.

Approval is subject to the following conditions:

- The decision is a Conditional Zoning Approval and is conditioned upon CRMC approval and will have a two year expiration from the recorded date per Section 908 with the right to extend if necessary.

Respectfully,



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