



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

January 5, 2021

Stan Bailey
31 Sandy Bottom Shores Drive
Wakefield, RI 02879

At a meeting of the Zoning Board of Review held December 16, 2020, your petition for a Dimensional Variance was denied for premises located at 31 Sandy Bottom Shores Drive, South Kingstown, Tax Assessor's Map 48-1, Lot 45.

Regards,

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

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



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E/P:1772/Pgs 131 - 132 (2 pgs)
INST# 11404
TOWN OF SOUTH KINGSTOWN, RI

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NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

**The following motion to deny the petition was made by Mr. Jurczak and duly seconded by Mr. Rosen
Motion passed: Vote 3-2 petition denied.
(R. Jurczak-Aye, W. Rosen-Aye, C. Charkowick-Nay, Mr. Daniels-Nay, R. Cagnetta-Aye)**

At a meeting held on December 16, 2020 regarding the Petition of Stan Bailey, 31 Sandy Bottom Shores Drive, South Kingstown, RI 02879 For a Dimensional Variance under the Zoning Ordinance as follows: The applicant is proposing to construct a two story addition onto the existing single family dwelling. The addition will include a garage on the first floor and living space on the second floor. The proposed addition will be located 7' from the side property line. The required side setback is 10'. Relief of 3' is requested. Lot size is 10,024 square feet. A Dimensional Variance is required per Zoning Ordinance Section 401 (Schedule of Dimensional Regulations) and Section 907 (Standards of Relief). Owner of the property is Tiffany and Stanley D. Bailey Jr., for premises located at 31 Sandy Bottom Shores Drive, Assessor's Map 48-1, Lot 45 and zoned R 10.

The following individuals spoke as representatives of the applicant:

- Stan Bailey, Applicant

The following materials were entered into the record:

- Application signed and dated November 9, 2020; Owner Authorization form signed and notarized November 9, 2020; 200' Radius Map and Abutter's List; Construction Plans (2 pages) stamped by Ernest George, PE; Survey and Plot Plan prepared by George B. Dupont, PLS dated November 6, 2020
- Legal Notice, Certified Mail Receipts and Notarized Affidavit of Mailing
- Correspondence
 - Attorney Steven Surdut for abutter at 29 Sandy Bottoms Shores Drive, received December 16, 2020

The following spoke in opposition to the petition:

- Steven Surdut, attorney representing Robert Arnone
- Robert Arnone, 21 Sandy Bottom Shores Drive

Findings of Fact:

1. The Board finds that the hardship from which the applicant seeks relief is not 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 applicant has not satisfied his burden as to why dimensional relief is needed.

2. The Board finds that that the hardship is the result of any prior action of the applicant and does result primarily from the desire of the applicant to realize greater financial gain, because the applicant has other options on his property to place a garage that will not require any dimensional relief.
3. The Board finds that the granting of the requested variance will 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 neighborhood was a planned neighborhood and adding a two story garage with living space above will not fit into the general character of the neighborhood.
4. The Board finds that the relief to be granted is not the least relief necessary, because the applicant has other options to locate a garage on his property that will not require dimensional relief.
5. The Board finds that that the hardship suffered by the owner of the subject property if the dimensional variance is not granted does not amount to more than a mere inconvenience, because as previously stated the applicant has other options on his property to place a garage.

Approval is subject to the following conditions: There are no conditions upon this motion.

Respectfully,



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