



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

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

April 6, 2021

Paul & Phyllis Coristine
392 Stony Fort Road
Saunderstown, RI 02874

At a meeting of the Zoning Board of Review held March 17, 2021, your petition for a Dimensional Variance was granted for premises located at 392 Stony Fort Road, Saunderstown, Tax Assessor's Map 17, Lot 23.

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



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 B/P:1785/Pgs 793 - 794; (2 pgs)
 INST# 13797
 TOWN OF SOUTH KINGSTOWN, RI



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

180 High Street
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April 6, 2021

NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

The following motion, made by Mr. Rosen and duly seconded by Mr. Jurczak
 Motion passed unanimously: Vote 5-0
 (W. Rosen-Aye, R. Jurczak-Aye, T. Daniels-Aye, C. Charkowick-Aye, R. Cagnetta-Aye)

At a meeting held on March 17, 2021 regarding the Petition of Paul R. & Phyllis T. Coristine, 392 Stony Fort Road Saunderstown, RI 02874 for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is seeking to construct a second story addition above an existing breezeway and attached garage. The proposed addition will follow the existing structure footprint and will be located 14.8' from the side property line. The required side yard setback is 20'. Relief of 5.2' is requested. Lot size is .69 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 Phyllis T & Paul R Coristine for premises located at 392 Stony Fort Road, South Kingstown, Assessor's Map 17, Lot 23 and is zoned R 40.

The following individuals spoke as representatives of the applicant:

- Paul Coristine, applicant
- Phyllis Coristine, applicant

The following materials were entered into the record:

- Application signed and dated February 9, 2021; Owner Authorization Form signed and notarized February 8, 2021; 200' Radius Map and Abutter's List; Comprehensive Boundary Survey, Christopher G Palmer, PLS, stamped and dated January 11, 2021; Existing and Proposed Elevations and Floor Plans (7 pages)
- Legal Notice, Proof of Certified Mailings and Notarized Affidavit of Mailing

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

Findings of Fact:

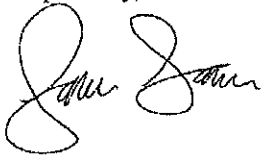
1. The Board finds that the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(16), because a dimensional variance is needed because it was recently discovered that a portion of the existing home was within the setback restrictions and part of that footprint will be expanded upon for the proposed addition.
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 trying to expand upon the existing structure and make the structure more functional as they age in place by allowing for a second story master bedroom suite with laundry and attached bathroom.
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 they are simply adding a second story addition over an existing footprint, which will compatible with other houses in the surrounding area.
4. The Board finds that the relief to be granted is the least relief necessary, because the structure was already encroaching on the side yard setback when the applicants purchased the home. The applicants are simply looking to utilize potential space above the garage and the proposed addition will remain within the existing footprint of the structure.

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 through the applicants' due diligence it was discovered that the existing structure was non-conforming dimensionally and without relief being granted the applicants would not be able to construct the desired master bedroom and utilize the structure to its fullest potential.

Approval is 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