



# Town of South Kingstown, Rhode Island

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

June 3, 2021

Stephen Roman  
61 Beech Tree Place  
Wakefield, RI 02879

At a meeting of the Zoning Board of Review held May 19, 2021, your petition for a Dimensional Variance was granted for premises located at 61 Beech Tree Place, South Kingstown, Tax Assessor's Map 49-2, Lot 61.

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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INST# 15447  
TOWN OF SOUTH KINGSTOWN, RI



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

The following motion, made by Mr. Daniels and duly seconded by Mr. Jurczak

Motion passed unanimously: Vote 5-0

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

At a meeting held on May 19, 2021 regarding the Petition of Stephen Roman, 61 Beech Tree Place, Wakefield, RI 02879 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to construct a 22' x 12'6" deck with stairs to grade attached to the rear of the dwelling. The deck will be located 17'6" from the rear property line. The required rear setback is 30'. Relief of 12'6" is requested. The Lot size is .23 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 Stephen C & Diane D Roman for premises located at 61 Beech Tree Place, South Kingstown, Assessor's Map 49-2, Lot 61 and is zoned R 20.

The following individuals spoke as representatives of the applicant:

- Stephen Roman, applicant
- Diane Roman, applicant

The following materials were entered into the record:

- Application signed and dated March 25, 2021; Owner Authorization signed and notarized March 25, 2021; Final Plan Major Subdivision Phase III Beech Tree Place (1 page) prepared by Environmental Planning & Surveying, Inc.; Current & Proposed Structure Location (2 pages) dated March 25, 2021; Photo dated March 25, 2021; Proposed Deck Layout (1 page) dated March 25, 2021
- 200' Radius Map and Abutter's List; 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 the applicants are looking to locate the proposed expanded deck where an existing smaller deck is currently located which is adjacent to the kitchen/dining room access area. The larger deck will accommodate the placement of a grill and outside furniture reducing the amount of climbing up and down the stairs.
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 applicants are simply looking to build a deck that will accommodate their family's needs.
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 there is plenty of open space and buffering to the rear of the property.
4. The Board finds that the relief to be granted is the least relief necessary, because the deck being built is extending an existing landing and the applicants are requesting to simply enlarge the deck to create a nice outside family gathering space.

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 there is no other space to locate the rear deck that would be adjacent to the kitchen/dining room access area.

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

- There are no conditions upon this decision.

Respectfully,

A handwritten signature in black ink, appearing to read "James Gorman". The signature is fluid and cursive, with the first name "James" and last name "Gorman" clearly distinguishable.

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