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INST# 16924
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

August 3, 2021

NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

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

At a meeting held on July 21, 2021 regarding the Petition of Raymond and Linda Dionne, 74 Thomas Leighton Blvd., Cumberland, RI 02864 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to replace the existing front deck with a new covered deck with stairs to grade. The new deck stairs will be located 22'4" from the front property line. The required front yard setback is 25'. Relief of 3' is requested. Lot size is 6,488 square feet. 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 Raymond Dionne for premises located at 33 Washington Street, South Kingstown, Assessor's Map 86-3, Lot 115 and is zoned R20.

The following individuals spoke as representatives of the applicant:

- Raymond Dionne, applicant

The following materials were entered into the record:

- Application signed and dated May 22, 2021; Owner Authorization signed and notarized May 22, 2021; Unofficial Site Plan (1 page) Map 86-3 Lot 121; East and North Elevations (1 page) and Basement and First Floor, Floor plans (sheet 2 pf 4) prepared by Norman P. Bellemont AIA and dated May 20, 2021; Washington Street Site Plan (1 page)
- 200' Radius Map and Abutter's List; Legal Notice; Proof of Certified Mailings and Notarized Affidavit of Mailing

There was no one 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 applicant is simply looking to make an existing dimensionally non-conforming front deck into a reasonable front entrance.~~
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 this will be the applicant's year round retirement home and they need to create an entry way that will allow ease of access.
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 applicant has designed a house that fits in nicely with the surrounding neighborhood.
4. The Board finds that the relief to be granted is the least relief necessary, because the applicant is requesting minimal relief and simply looking to correct an existing dimensionally non-conforming deck while creating a front entrance that can be fully utilized.

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 wishes to extend and cover the deck to protect the entry way from any inclement weather and this would not be possible without the granting of the requested dimensional relief.

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