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 INST# 17502  
 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

September 2, 2021

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

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

At a meeting held on August 18, 2021 regarding the Petition of Lucas Hearne, 708 South Road, Wakefield, RI 02879 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to construct two additions on the south side of the existing single-family dwelling. One addition will be located 14' from the rear property line. The required rear yard setback is 40'. Relief of 26' is requested. Lot size is .28 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 Catherine Martin and Lucas Hearne for premises located at 708 South Road, South Kingstown, Assessor's Map 47-3, Lot 28 and is zoned R40.

The following individuals spoke as representatives of the applicant:

- Lucas Hearne, applicant

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

The following materials were entered into the record:

- Application signed and dated July 14, 2021 with attachment; Owner Authorization signed and notarized June 14, 2021; Proposed Addition (A100 & A200) dated June 28, 2021; Existing and Proposed Site Plans (2 pages)
- 200' Radius Map and Abutter's List; Legal Notice; Proof of Certified Mailings and Notarized Affidavit of Mailing

#### 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 looking to square up the existing house on an already constrained 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 only seeking to increase the size of his house to accommodate his growing 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 the design appears to take into account the least amount of relief necessary. Additionally the applicant, Mr. Hearne, indicated that he has the support of his two (2) direct neighbors.

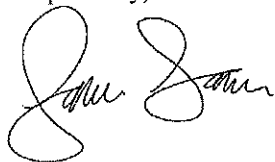
4. The Board finds that the relief to be granted is the least relief necessary, because the current structure is offset on the lot and the applicant's design will not project any further than the existing structure is already built, he is simply looking to square up the structure to create more living 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 the current house does not meet the needs of the applicant's growing family and the applicant has expressed his family's desire to remain in the neighborhood.

**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". The signature is written in a cursive style with a large initial "J" and "G".

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