



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

180 High Street

Wakefield, RI 02879

Tel (401) 789-9331 x1225

January 31, 2021

Alexander Gabriele
433 Main Street
Wakefield, RI 02879

At a meeting of the Zoning Board of Review held on January 19, 2022, your petition for a Dimensional Variance was granted for premises located 158A Sherman Road at South Kingstown, Tax Assessor's Map 82-4, Lot 75.

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



RECORDED 01/31/2022 11:02:45 AM
 B/P:1820/Pgs 111 - 112; (2 pgs)
 INST# 20518
 TOWN OF SOUTH KINGSTOWN, RI



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NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

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

At a meeting held on January 19, 2022 regarding the Petition of Alexander Gabriele, 433 Main Street, South Kingstown, RI 02879 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to construct a second story on the existing 38' x 50' detached garage. The proposed roof height will be 28'. The maximum height allowed for accessory structures is 20'. Relief of 8' is requested. Lot size is 14 acres. 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 Kathleen F. Rorick for premises located at 158A Sherman Road, South Kingstown, Assessor's Map 82-4, Lot 75 and zoned R80.

The following individuals spoke as representatives of the applicant:

- Alexander Gabriele, applicant
- Kathleen Rorick, owner

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

The following materials were entered into the record:

- Application signed and dated October 26, 2021; Owner Authorization signed and notarized October 28, 2021; Owner Authorization signed and notarized October 28, 2021; Vision Appraisal Field Card (4 pages) Map 82-4 Lot 75; Construction Documents (5 pages); Boundary survey (1 page) prepared by DiPrete Engineering, stamped by Robert G. Babcock PLS and dated April 26, 2021 and revised May 4, 2021
- 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 simply looking to add a second story on to an already existing garage. Additionally, this property is a large private parcel at a higher elevation than the surrounding neighbors so the proposed second story location will not impede on any of the surrounding properties.
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 planning to use the proposed addition for storage of personnel items and as a recreation room for grandchildren and will realize any financial gain from these intended uses.
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 location is a very private property and the relief being requested is to merely add a second story to an already existing aesthetically pleasing garage.

4. The Board finds that the relief to be granted is the least relief necessary, because without this requested relief being granted there would be no other way to construct a useable space to meet the applicant's needs. Additionally, the current garage has a flat roof which is causing drainage problem so the proposed 10/12 roof pitch is needed for both headroom and to resolve existing drainage issues.
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 has proven their need for additional storage on site, as well as the need for a recreational space for family members. If the relief were not granted, the applicant would not be able to proceed with the addition as planned, therefore they would not be able to fully utilize their property to its maximum potential.

The decision is subject to the following conditions.

- There are no conditions upon this decision.

Respectfully,



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