



RECORDED 02/17/2022 09:03:03 AM  
 B/P:1821/Pgs 503 - 504; (2 pgs)  
 INST# 20784  
 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

February 17, 2022

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

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

At a meeting held on January 26, 2022 regarding the Petition of Caroline Wilkel, 101 Angelfish Lane, Jupiter FL 34477 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to construct a 14' x 22' accessory structure on the property. The applicant also seeks to construct an addition to the first story of the existing dwelling. Both the accessory structure and dwelling addition will be located 13' from the front property line. The required front yard setback is 35'. Relief of 22' is requested. The proposed building height of the accessory structure is 20'. The accessory structure height limit is 15'. Relief of 5' is requested. Lot size is .45 acres. A Dimensional Variance is required per Zoning Ordinance Section 207 (Nonconforming Lots of Record – Building Setback Requirements), Section 208 (Nonconforming Lots of Record – Accessory Building Setback Requirements) Section 503.1 (Accessory Structures), and Section 907 (Standards of Relief). Owner of the property is Caroline S. Wilkel Trust, for premises located at 1039 Matunuck Beach Road, South Kingstown, Assessor's Map 93-4, Lot 14 and zoned R20

**The following individuals spoke as representatives of the applicant:**

- Caroline Wilkel, Applicant
- Laura Krekorian, AIA

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 November 26, 2021; Owner Authorization signed and notarized November 26, 2021; Architectural Drawings (A1, A2, A3, A4, A5, A1 & A2) prepared Laura Krekorian, AIA and stamped by Laura Krekorian, AIA and Ernest George, PE and dated August 10, 2021; Plot Plan (1 page) prepared Dowdell Engineering Associates, LLC. and stamped by Robert Couchon, PLS and dated December 2, 2021
- 200' Radius Map and Abutter's List; Legal Notice; Proof of Certified Mailings and Notarized Affidavit of Mailing; Revised Legal Notice with Zoom instructions
- Correspondence
  - Mark Froelick, 1061 Matunuck Beach Road

**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 has clearly exhausted all options and the proposal before the Board seems to be the only possible way forward.
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 looking to expand the existing

living space in an already small house and is looking to create an additional structure that can be used as garage space with a room above for recreation.

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 proposed location of the accessory structure will still allow for the open space between the principle dwelling which is in line with the surrounding area. Additionally, many other houses in the area have similar setback issues so this request seems consistent.
4. The Board finds that the relief to be granted is the least relief necessary, because the applicant has exhausted all other options and due to the unique lot constraints this seems to be the only viable option.
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, through testimony, has proven that all other options have been looked at and the proposal before the Board tonight is the only solution to meet the applicant's needs.

**The decision is subject to the following conditions.**

- The decision is a Conditional Zoning Approval and is conditioned upon any, if necessary, further CRMC approvals and will have a two-year expiration from the recorded date per Section 908 of the Zoning Ordinance with the right to extend if necessary.

Respectfully,



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