



## Town of South Kingstown, Rhode Island

**BUILDING AND ZONING DEPARTMENT**

180 High Street

Wakefield, RI 02879

Tel (401) 789-9331 x1225

February 23, 2022

Home Away from Home  
4 Rosebriar Avenue  
Wakefield, RI 02879

At a meeting of the Zoning Board of Review held February 16, 2022, your petition for a Dimensional Variance was granted for premises located at 4 Rosebriar Avenue, South Kingstown, Tax Assessor's Map 96-1, Lot 54.

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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 B/P:1822/Pgs 100 - 101; (2 pgs)  
 INST# 20905  
 TOWN OF SOUTH KINGSTOWN, RI



## Town of South Kingstown, Rhode Island

**BUILDING AND ZONING DEPARTMENT**  
 180 High Street  
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February 23, 2021

### 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, S. Walsh-Aye, T. Daniels-Aye, R. Cagnetta-Aye)

At a meeting held on February 16, 2022 regarding the Petition of Home Away from Home, LLC, c/o Robert Marucci, 4 Rosebriar Avenue, Wakefield, RI 02879 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to demolish an 80 square foot attached screened porch and construct a new sunroom in the same location. The proposed sunroom will be located 9.7' from the side property line. The required side yard setback is 10'. Relief of .3' is requested. Although no increase in lot coverage is proposed, the lot coverage will be 1,722 square feet. The maximum lot coverage allowed is 1,500 square feet (20%). Relief of 222 square feet is requested. Lot size is .17 acres. A Dimensional Variance is required per Zoning Ordinance Section 207 (Nonconforming lots of record-Building setback requirements), Section 401 (Schedule of Dimensional Regulations), and Section 907 (Standards of Relief). Owner of the property is Home Away from Home LLC, for premises located at 4 Rosebriar Avenue, South Kingstown, Assessor's Map 96-1, Lot 54 and zoned R30.

The following individuals spoke as representatives of the applicant:

- Robert Marucci
- Iolanda Marucci

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

The following materials were entered into the record:

- Application signed and dated December 29, 2021; Owner Authorization signed and notarized January 6, 2022; Elevations (2 pages); Site Plan (2 pages) prepared by Dowdell Engineering Associates LLC and stamped by Richard Couchon, PLS dated November 11, 2021 with a revision of December 20, 2021
- 200' Radius Map and Abutter's List; Legal Notice; Proof of Certified Mailings and Notarized Affidavit of Mailing

#### Findings of Fact:

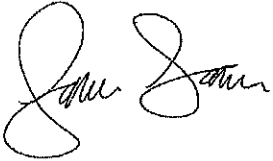
1. The Board finds that the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(16), because the applicant is simply looking to rebuild an already non-conforming screened porch/sunroom that was in disrepair with a new, unheated screened porch/sunroom on the same footprint.
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 seeking to replace what was in disrepair with a new structure on the same footprint and for the same use.

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 they are rebuilding on the same footprint that was there and the proposed structure will be a visual improvement to the neighborhood.
4. The Board finds that the relief to be granted is the least relief necessary, because the applicant is seeking a minor relief of .3'.
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 without approval they would not be able to replace the already demolished screen porch/sunroom.

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

- There are no conditions upon this approval.

Respectfully,

A handwritten signature in black ink, appearing to read "James Gorman", written in a cursive style.

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