



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

180 High Street
Wakefield, RI 02879
Tel (401) 789-9331 x1224
Fax (401) 789-9792

January 5, 2021

Evan & Amanda Poppe
150 Stony Fort Road
Saunderstown, RI 02874

At a meeting of the Zoning Board of Review held December 16, 2020, your petition for a Dimensional Variance was granted for premises located at Assessor's Map 17, Lot 44.

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,
Interim Building Official & Zoning Clerk
Town of South Kingstown



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 INST# 11401
 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. Daniels
Motion passed unanimously: Vote 5-0
(W. Rosen-Aye, T. Daniels-Aye, C. Charkowick-Aye, W. Rosen -Aye, R. Cagnetta-Aye)

At a meeting held on December 16, 2020 regarding the Petition of Evan and Amanda Poppe, 150 Stony Fort Road, Saunderstown, RI 02874 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking rear yard setback relief to construct a new single family dwelling. The vacant lot is nonconforming by dimension, and has reduced setbacks. The new dwelling will be located 19.4' from the rear property line. The required rear yard setback is 40'. Relief of 20.6' is requested. Lot size is 1.77 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 Amanda L. and Evan W. Poppe for premises located at Assessor's Map 17, Lot 44 and zoned R 40.

The following individuals spoke as representatives of the applicant:

- Evan Poppe, Applicant
- Amanda Poppe, Applicant

The following materials were entered into the record:

- Application with Narrative signed and dated October 20, 2020; Owner Authorization form signed and notarized October 17, 2020; 200' Radius Map and Abutter's List; Proposed Site Development Plan prepared by Atlas Land Surveying, LLC Marcus Channell PLS dated October, 2020; Preliminary Construction Plans (Sheets 1, 2, 3, 4 & 5) prepared by Habitat Post & Beam dated September 30, 2020
- Legal Notice, Certified Mail Receipts and Notarized Affidavit of Mailing
- Correspondence
 - James Briggs, Jr., 150 Stony Fort Road with notarized Signature Witnessing dated October 17, 2020
 - Steve and Donna Briggs, 112C Stony Fort Road with notarized Signature Witnessing dated October 17, 2020

There was no one present who spoke in favor 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

property is currently undeveloped and there is an existing driveway which limits the building area. In addition the proposed location on the lot is the highest point which is best suited for the septic design and water runoff.

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 build a single family home on property that is located directly in between other family owned properties.
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 is requesting minor setback relief and leaving the majority of the property in its natural state.
4. The Board finds that the relief to be granted is the least relief necessary, because the applicant wants to utilize an existing driveway that runs through the middle of the property. Additionally, the proposed location of the house is suited for the septic design that would work best with the natural slope of the land.
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 if relief is not granted the applicant would not be able to utilize the full potential of their land.

Approval is subject to the following conditions: There are no conditions upon this decision.

Respectfully,



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