



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

James Howe
c/o Distefano Brothers
433 Main Street
Wakefield, RI 02879

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 7 Quagnut Drive, South Kingstown, RI, Assessor's Map 64-4, Lot 1.

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# 11402
 TOWN OF SOUTH KINGSTOWN, RI



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NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

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

At a meeting held on December 16, 2020 regarding the Petition of James Howe c/o DiStefano Brothers, 433 Main Street, Wakefield, RI 02879 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is proposing to construct a 5' x 9' 3" addition to the existing mudroom located on the rear of the dwelling. The proposed addition will be located 22' from the corner side property line. The required corner side setback is 40'. Relief of 18' is requested. The proposed lot coverage is 1,819 square feet. The maximum lot coverage allowed is 1,579 square feet. Relief of 240 square feet is requested. Lot size is 7,895 square feet. 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 James F. Howe for premises located at 7 Quagnut Drive, Assessor's Map 64-4, Lot 1 and zoned R 40.

The following individuals spoke as representatives of the applicant:

- Peter DiStefano, applicant

The following materials were entered into the record:

- Application signed and dated November 12, 2020; Owner/Agent Authorization form signed and notarized November 9, 2020; 200' Radius Map and Abutter's List; Plot Plan prepared by Dowdell Engineering, Inc., Richard Couchon, PLS dated October 7, 2019; Construction Plans (Sheets 13, 14, & 15) prepared by DiStefano Brothers Construction Inc.
- Legal Notice, Certified Proofs of Mailing, & Affidavit of Mailing

There was no one 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 lot is non-conforming and the existing structure is already non-conforming by dimension.
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 increase the functionality of the existing home by expanding the kitchen and mudroom area.

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 there are a number of small non-conforming lots in this area and nothing that is planned for on this addition would change the general character of the neighborhood.

4. The Board finds that the relief to be granted is the least relief necessary, because there is no other addition or side to the building where the addition would make sense.

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 there really is no other alternative for expansion to meet the applicant's needs.

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 stylized with large, flowing loops.

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