



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

180 High Street
Wakefield, RI 02879
Tel (401) 789-9331 x1225

April 6, 2021

Simon Wildman
191 Holly Ridge Road
Wakefield, RI 02879

At a meeting of the Zoning Board of Review held March 17, 2021, your petition for a Dimensional Variance was granted for premises located at 191 Holly Ridge Road, South Kingstown, Tax Assessor's Map 21, Lot 39.

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:1785/Pgs 787 - 788; (2 pgs)
 INST# 13794
 TOWN OF SOUTH KINGSTOWN, RI



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

April 6, 2021

NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

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

At a meeting held on March 17, 2021 regarding the Continued Petition of Simon Wildman, 191 Holly Ridge Road, West Kingston, RI 02892 for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is proposing to construct a new 24' x 28' detached garage. The building height of the garage will be 25'. The maximum height allowed for accessory structures is 20'. Relief of 5' is requested. Lot size is 14.45 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 Simon and Robin Wildman for premises located at 191 Holly Ridge Road, Assessor's Map 21, Lot 39 and zoned R 80.

The following individuals spoke as representatives of the applicant:

- Simon Wildman, applicant
- Nate Godfrey, Real Estate Appraiser

The following materials were entered into the record:

- Application, signed and dated December 11, 2020; Owner Authorization Form signed and notarized January 4, 2021; 200' Radius Map and Abutter's List; Site Plan; Construction Documents (3 pages)
- Legal Notice, Proof of Certified Mailings and Notarized Affidavit of Mailing
- Photos, 1-3
- Correspondence
 - Continuation Request from Simon Wildman, dated February 2, 2021
 - Steven Wojciechowski, 211 Holly Ridge Road, dated February 4, 2021
 - Bill and Edna DeCesare, 171 Holly Ridge Road, dated February 8, 2021

There was no one present who spoke either in support 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 applicant has a large parcel and is seeking a modest height variance to accommodate the necessary vehicle clearance and allow for second story storage.
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 simply needs the additional height to allow for sufficient clearance of his vehicle.
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 parcel is very large and the proposed garage would not be seen from the road or any of the abutting properties, additionally both of the directly abutting neighbors submitted letters of support for the application.

4. The Board finds that the relief to be granted is the least relief necessary, because the applicant has a 14.45 acre property and is simply requesting a 5' height variance to accommodate his vehicle clearance and allow for storage above.

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 the variance being granted, the applicant would not be able to gain the needed second floor storage and would not be able to store his vehicle due to lack of clearance.

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 fluid and cursive, with the first and last names being the most prominent.

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