



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

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

November 15, 2021

Nicholas Sinchuk
48 Arrow Head Trail
South Kingstown, RI 02879

At a meeting of the Zoning Board of Review held October 27, 2021, your petition for a Dimensional Variance was granted for premises located at 48 Arrow Head Trail, South Kingstown, Tax Assessor's Map 34-2, Lot 91.

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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NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

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

At a meeting held on October 27, 2021 regarding the Petition of Nicholas N. Sinchuk, 48 Arrow Head Trail, South Kingstown, RI 02879 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to remove the existing 7' x 13.5' porch and construct an 8' x 20.3' porch on the north side of the dwelling. The porch will be located 17.4' from the front property line and 11.1' from the corner side property line. The required front and corner side yard setback is 25'. Relief of 7.6' and 13.9' is requested. Lot size is .23 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 Nicholas N. and Dorothy Sinchuk for premises located at 48 Arrow Head Trail, South Kingstown, Assessor's Map 34-2, Lot 91 and is zoned R20.

The following individuals spoke as representatives of the applicant:

- Nicholas Sinchuk

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

The following materials were entered into the record:

- Application signed and dated September 15, 2021; Owner Authorization signed and notarized September 15, 2021; Site Plan and Expanded View (2 pages) prepared by Christopher Palmer, PLS and dated August 8, 2021; Proposed Porch Site Plan (2 pages); Photo (1 page)
- 200' Radius Map and Abutter's List; Legal Notice; Proof of Certified Mailings and Notarized Affidavit of Mailing
- Correspondence
 - Penney and Jeffrey Hanson, 83 Arrow Head Trail

Findings of Fact:

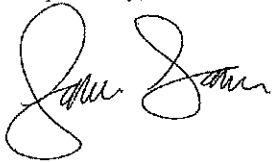
1. The Board finds that the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(16), because this is a small, nonconforming lot and the proposed deck expansion will modernize and square off the existing structure improving the general overall aesthetics.
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 this is the applicant's primary residence and he is simply looking to extend the front porch for greater accessibility and to utilize the front deck to its maximum potential.
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 there are a number of smaller homes with front porches that also required setback relief due to the small nature of the lots and the location of the houses in this neighborhood.

4. The Board finds that the relief to be granted is the least relief necessary, because the applicant is only modifying the front porch to the limit of what is livable and is not overextending the use of this property.
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 will not have the full use and enjoyment of the front area of his home.

Approval is conditional subject to the following conditions:

- A site plan to be reviewed by the Building Official prior to issuance of any building permits that clearly indicates the location of the stairs and meets both the Building Code and the Zoning Ordinance requirements.

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