



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

November 3, 2020

William Harvey
77 Quarry Road
Bridgewater, CT 06752

Dear Mr. Harvey,

At a meeting of the Zoning Board of Review held October 28, 2020, your petition for a special use permit was granted for premises 703 Kingstown Road, South Kingstown, RI, Assessor's Map 93-1, Lot 70.

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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 B/P:1764/Pgs 72 - 73 (2 pgs)
 INST# 10007
 TOWN OF SOUTH KINGSTOWN, RI



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Date November 3, 2020

NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

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

At a meeting held on October 28, 2020 regarding the Petition of William Harvey, 77 Quarry Road, Bridgewater, CT 06752 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to elevate the existing dwelling 5.5' in same location. The existing south side deck will become detached and the 224 square feet west side deck will be removed and replaced. The north side dwelling and deck do not currently meet the side yard dimensional setback. The side yard setback is 10'. The west side deck will be 8.1' from side property line and the dwelling will be 8.5' from the west side property line. Relief of 1.9' is requested. Lot size is 6,832 square feet. 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 William A. Harvey for premises located at 2 Peninsula Road, South Kingstown, RI, 02879, Assessor's Map 93-1, Lot 70 and is zoned R 20.

The following individuals spoke as representatives of the applicant:

- William Harvey, applicant
- Jeff Balch, PLS

The following materials were entered into the record:

- Application signed and dated August 12, 2020; Owner Authorization Form signed and notarized August 12, 2020; Proposed Site Plan prepared by Michael A. Fontaine, PLS dated June 23, 2020
- Radius Map, 200' Abutter's List, Legal Notice and Certified Mailing Receipts with Affidavit of Mailing

No one present spoke in support of or opposition to the petition.

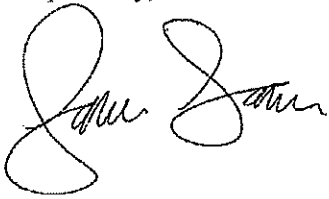
Findings of Fact:

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 existing structure is tightly located on the lot and the existing parcel is a substandard non-conforming legal lot of record..
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 addition is consistent with the rest of the house and utilizes the existing footprint; the applicant is simply looking to raise the structure to become FEMA compliant.

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 looking to elevate an existing structure within the same footprint to continue its use as a single family residence.
4. The Board finds that the relief to be granted is the least relief necessary, because the applicant is asking for only 1.9' of relief which is the same as the existing structure.
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 due to lot restrictions the applicant has no other options for expansion but to utilize the existing footprint; in addition the applicant's primary goal is to raise the structure to comply with FEMA floodplain standards.

Approval is subject to the following conditions: There are no conditions of approval.

Respectfully,

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

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