



## 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

Jacquelyn French  
c/o Leslie Mahoney  
6 Bubier Road  
Marblehead, MA 01945

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 14 Eldred Court, South Kingstown, Tax Assessor's Map 57-4, Lot 218.

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



RECORDED 01/05/2021 12:33:45 PM  
B/P:1772/Pgs 121 - 122; (2 pgs)  
INST# 11399  
TOWN OF SOUTH KINGSTOWN, RI



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**BUILDING AND ZONING DEPARTMENT**  
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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. Rosen  
Motion passed unanimously: Vote 5-0  
(T. Daniels-Aye, W. Rosen-Aye, R. Jurczak-Aye, C. Charkowick -Aye, R. Cagnetta-Aye)**

At a meeting held December 16, 2020 regarding the Petition of Jacquelyn French c/o Leslie Mahoney, 6 Bubier Road, Marblehead, MA 01945 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is proposing to construct a 288 square feet covered deck and 150 square feet covered deck on the west side of dwelling. The roof will be extended over the existing 72 square feet deck located on the south side. The exterior stairs located on the east side of dwelling will be removed and replaced with a 48 square feet covered stair and landing. The west side covered decks will be located 7' from the front property line and 2.8' from the side property line. The east side covered stairs and landing will be located 8' from the front property line. Additionally, the second story roof will be modified to incorporate a dormer. The required front setback is 25'. Relief of 18' is requested. The required side setback is 10'. Relief of 7.2' is requested. The Lot size is 10,229 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 Jacquelyn M. French for premises located at 14 Eldred Court, South Kingstown, RI, Assessor's Map 57-4, Lot 218 and is zoned R-10.

**The following individuals spoke as representatives of the applicant:**

- Leslie Mahoney, AIA
- Jacquelyn French, applicant

**The following materials were entered into the record:**

- Application signed and dated October 13, 2020; Owner Authorization Form signed and notarized October 13, 2020; South Kingstown Web GIS image; Zoning Sketch prepared by Steven Pinch P.L.S. dated October 2020; Plans and Elevations prepared by Mahoney Architects dated October 12, 2020; Radius Map, 200' Abutter's List
- Original Legal Notice and Certified Mailing Receipts with Affidavit of Mailing
- Revised Legal Notice and Certified Mailing Receipts with Affidavit of Mailing
- Correspondence
  - Melissa Sheridan and Ryan Light, 258 Kenyon Avenue, received November 6, 2020.

**The following spoke in opposition to the petition.**

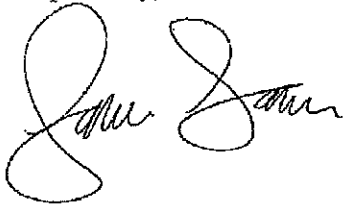
- Melissa Sheridan, 258 Kenyon Avenue
- Ryan Light, 258 Kenyon Avenue

**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 parcel is a unique pistol shaped lot and the house is located in an area where only limited expansion would be possible without the need for a variance.
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 resides on site and is looking to improve the overall use and value of the property while improving the existing structure to meet all of their needs.
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 many homes in the neighborhood are of similar design and style. Additionally, the proposed design will improve this property as well as the surrounding properties.
4. The Board finds that the relief to be granted is the least relief necessary, because once again the unique shape of the lot does not allow the applicant to do much beyond what they have proposed.
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 in order to do anything different would require a major renovation of the existing structure along with a large financial impact. The property also has unique elevations which would hinder expansion of the structure in any other way than proposed.

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

Respectfully,



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