



## 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

Christine Cohane  
c/o Edward Ferland  
225 Greenslitt Avenue  
Pawtucket, RI 02861

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 321 Succotash Road, South Kingstown, RI, Assessor's Map 81-3, Lot 99.

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:1772/Pgs 129 - 130 (2 pgs)  
INST# 11403  
TOWN OF SOUTH KINGSTOWN, RI

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### **NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW**

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

At a meeting held on December 16, 2020 regarding the Petition of Christine Cohane c/o Edward Ferland, 225 Greenslitt Avenue, Pawtucket, RI 02861 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is proposing to construct a new single family dwelling to replace the existing single family dwelling. The lot is nonconforming by dimension, and has reduced setbacks. The new dwelling will be located 19.1' from the front property line and 8.3' from the corner side. The required front yard and corner side setback is 40'. Relief of 20.9' and 31.7', respectively is requested. The new dwelling will be located 7.8' from the side property line. The required side yard setback is 12'. Relief of 4.2' is requested. The proposed lot coverage will be 1,768 square feet. The maximum allowed lot coverage is 1,494 square feet. Relief of 274 square feet is requested. Lot size is .17 Acres. 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 Christine Cohane for premises located at 321 Succotash Road, Assessor's Map 81-3, Lot 99 and zoned R 80.

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

- Edward Ferland, Applicant

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

- Application signed and dated October 22, 2020; Owner Authorization form signed and notarized October 23, 2020; 200' Radius Map and Abutter's List; Soil Erosion Control Plan/Site prepared by DiPrete Engineering, Jason Clough PE dated October 21, 2020; Construction Plans (Sheets A1.1, A1.2, A1.0, A2.1, A3.1, A3.2, S1.1, S1.1, A4.2) prepared by Jeffrey L. Lykins, Architect, Christine Cohane, AIA dated August 6, 2020
- Legal Notice, Certified Proofs of Mailing, & Affidavit of Mailing

**There was no one present 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 nature, configuration and lot size are substandard for an R80 Zone and the setbacks requirements are such that in order to build a replacement dwelling on the lot dimensional relief needs to be granted.

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 was an old summer cottage that the applicant is looking to demolish and build a year round home.
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 based on the plans submitted the proposed house will fit in well with the surrounding area.
4. The Board finds that the relief to be granted is the least relief necessary, because the proposed house is similar in size to the existing house which will be demolished and the only real expansion is adding a garage.
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 if the applicant had to build within the allowable building envelope the design and placement would create a small house, strange in appearance and not address the applicant's needs for a year round home.

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

Respectfully,



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