



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

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

April 6, 2021

Joslin & Thomas Leasca
258 Kettle Pond Drive
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 258 Kettle Pond Drive, South Kingstown, Tax Assessor's Map 81-2, Lot 52.

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



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

April 6, 2021

NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

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

At a meeting held on March 17, 2021 regarding the Petition of Joslin and Thomas Leasca, 258 Kettle Pond Drive, South Kingstown, RI 02879 for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is seeking to construct an 8' x 38' covered porch closer to the front property line than allowed. The ground level covered porch and front stair will be located 29' from the front property line. The required front yard setback is 40'. Relief of 11' is requested. Lot size is .47 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 Joslin B & Thomas A Leasca for premises located at 258 Kettle Pond Drive, South Kingstown, Assessor's Map 81-2, Lot 52 and is zoned R 40.

The following individuals spoke as representatives of the applicant:

- Joslin Leasca, applicant
- Thomas Leasca, applicant
- Sergio Cherenzia, PE

The following materials were entered into the record:

- Application with Cover Letter & Narrative, signed and dated February 11, 2021; Owner Authorization Form signed and notarized February 11, 2021; 200' Radius Map and Abutter's List; Proposed Porch Addition Elevation and Floor Plan (3 pages); Site Plan prepared by Cherenzia Associates, Sergio F Cherenzia PE, stamped and dated February 12, 2021
- Legal Notice, Proof of Certified Mailings and Notarized Affidavit of Mailing

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 original foundation encroached upon the front yard setback and the applicants are trying to correct this by requesting dimensional relief for the proposed covered front porch.
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 applicants are planning to age in place and the addition of the proposed front porch will allow the applicants greater enjoyment of their property.
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 surrounding neighborhood have similar covered porches and this proposed addition will be aesthetically more pleasing than the existing front entry stairs.
4. The Board finds that the relief to be granted is the least relief necessary, because the applicants are correcting the initial setback encroachment while adding the proposed covered porch.

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 applicants will not have the full benefit of enjoying their home and property to its fullest utilization.

Approval is subject to the following conditions:

- There are no conditions upon this decision.

Respectfully,

A handwritten signature in black ink, appearing to read "James Gorman". The signature is written in a cursive style with a large initial "J" and "G".

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