



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

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

April 6, 2021

Stephen Cooper
283 High Street
Wakefield, RI 02879

At a meeting of the Zoning Board of Review held March 24, 2021, your petition for a Dimensional Variance was granted for premises located at 283 High Street Street, South Kingstown, Tax Assessor's Map 56-2, Lot 108.

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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 B/P:1785/Pgs 785 - 786 (2 pgs)
 INST# 13793
 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. Rosen
 Motion passed unanimously: Vote 5-0
 (R. Jurczak-Aye, W. Rosen-Aye, T. Daniels-Aye, C. Charkowick-Aye, R. Cagnetta-Aye)

At a meeting held on March 24, 2021 regarding the Petition of Stephen R. Cooper, 283 High Street, South Kingstown, RI 02879 for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is seeking to construct a second floor dormer to the existing single family dwelling. The proposed second floor dormer will be located along the rear of the existing structure, which is within the corner side and side yard setback. The dormer will be located 15' from the corner side property line. The required corner side yard setback is 25'. Relief of 10' is requested. The dormer will also be located 6.5' from the north side property line. The required side yard setback is 10'. Relief of 3.5' is requested. Lot size is .12 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 Abby C & Stephen R Cooper for premises located at 283 High Street, South Kingstown, Assessor's Map 56-2, Lot 108 and zoned R 10.

The following individuals spoke as representatives of the applicant:

- Stephen Cooper, applicant

The following materials were entered into the record:

- Application with Cover Letter & Narrative, signed and dated February 12, 2021; Owner Authorization Form signed and notarized February 12, 2021; 200' Radius Map and Abutter's List; Survey Plan prepared by Flynn Surveys Inc, James G Flynn, dated and stamped January 22, 2021; Existing and Proposed Elevations and Floor Plans (A1, A2, EX1), prepared by Ocean State Drafting dated October 7, 2019
- 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 existing house is located within the setbacks of a small lot, additionally the lot is a corner lot creating more restrictive setbacks further limiting where the applicant could build without the need for additional relief. Therefore the hardship is due to the unique characteristics of the structure itself and where it is situated on the lot.
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 simply requires more space for his family which has grown since the original purchase of the 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 the applicant's proposed addition will be in character with the surrounding neighborhood.
4. The Board finds that the relief to be granted is the least relief necessary, because the applicant is not asking to change the overall footprint of the structure only to increase the leaving space by adding a second story dormer to the 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 the applicant would not be able to construct the necessary addition to accommodate his family anywhere else on the lot due to the nature of the structure and its location on the lot.

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 fluid and cursive, with a large initial "J" and "G".

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