August 25, 2023

NOTICE OF DECISION
SOUTH KINGSTOWN ZONING BOARD OF REVIEW

The following motion, made by Mr. Rosen and duly seconded by Ms. Hicks
Motion passed unanimously: Vote 5-0 in favor

At a meeting held on August 16, 2023 regarding Petition of Salt Pond Builders, LLC, PO Box 1474, Charlestown, RI 02813 a Dimensional Variance was granted under the Zoning Ordinance as follows: The applicant is seeking to legally establish a recently constructed 2nd story addition to the existing dwelling. The vertical addition is located 18.1’ from the front property line. The required front yard setback is 40’, therefore relief of 21.9’ is requested. Lot size is .41 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 Ethan Reid for premises located at 50 Beach Drive, South Kingstown, Assessor’s Map 90-1, Lot 178 and is zoned R80.

The following individuals spoke as representatives of the applicant:
- William Dickey

There was no one present who spoke either in favor of or opposition to the petition.

The following materials were entered into the record:
- Application signed and dated June 15, 2023; Two Owner Authorization Forms signed and notarized June 15th and 16th, 2023;
- Elevation Drawings, Floor Plan and Existing House Plan (5 pages); Dimensional Conformance Survey (2 copies) prepared by Eric D. Colburn, PLS and dated May 31, 2019;
- 200’ Radius Map and Abutter’s List; Legal Notices; Proof of Certified Mailings and Notarized Affidavit of Mailing

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 within the setbacks and the dormer addition is within the footprint of the existing house.

2. The Board finds 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 is simply looking to add a dormer to the front of an already existing house.

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 addition of a dormer on the existing house will not change the general character of the neighborhood.
4. The Board finds that the relief to be granted is the least relief necessary, because with the addition of the front dormer, the applicant is not expanding on the original footprint of the existing house.

5. The Board finds 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 without granting the dimensional variance the existing dormer would need to be removed at a considerable financial burden to the applicant.

Approval is conditional subject to the following conditions:

- The decision is a Conditional Zoning Approval and is conditioned upon any, if necessary, CRMC or RIDEM approvals and will have a two-year expiration from the recorded date per Section 908 of the Zoning Ordinance with the right to extend if necessary.

Respectfully,

[Signature]

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