



TOWN OF SOUTH KINGSTOWN  
ZONING BOARD OF REVIEW APPLICATION

1. APPLICANT INFORMATION:

Applicant Name: LANCE WHALEY Name of Primary Contact if Organization: \_\_\_\_\_  
Applicant Address: 98 GEORGE SCHAEFFER ST WAKEFIELD, RI 02879  
Applicant Phone: 401-639-4340 Applicant Email: LANCEIYE@COX.NET

2. OWNER INFORMATION:

Owner Name: LANCE WHALEY Owner Phone: 401-639-4340  
Owner Address: 98 GEORGE SCHAEFFER ST WAKEFIELD, RI 02879

3. PROJECT INFORMATION:

Physical Address: \_\_\_\_\_ Assessor's Plat: 48-3 Assessors' Lot: 263 Zoning District: \_\_\_\_\_  
Required Zoning Setbacks: Front yard 25 Rear Yard 30 Side Yard Right 10 Side Yard Left 10 Corner Side Yard \_\_\_\_\_

4. APPLICATION FOR:

Special Use Permit \_\_\_\_\_ Dimensional Variance X Use Variance \_\_\_\_\_ Dimensional Modification by Zoning Officer \_\_\_\_\_

5. LOT SPECIFICATIONS:

Lot Frontage: 80 ft. Lot Depth: 135.01 ft. Lot Area: 10800 ft.

6. USE OF PREMISES:

Present Use: \_\_\_\_\_ # of families: 1 Proposed Use: \_\_\_\_\_ # of families: \_\_\_\_\_

7. EXISTING STRUCTURES:

Number of Existing Buildings or Structures Present: 1

Size of Existing Structures: 936 sf; \_\_\_\_\_ sf; \_\_\_\_\_ sf; \_\_\_\_\_ sf

Distance from Property Lines of Existing Structures:

	Structure 1	Structure 2	Structure 3	Structure 4
Front Yard:	<u>36.1</u> ft;	_____ ft;	_____ ft;	_____ ft.
Rear Yard:	<u>73</u> ft;	_____ ft;	_____ ft;	_____ ft
Side Yard Right:	<u>10.1</u> ft;	_____ ft;	_____ ft;	_____ ft
Side Yard Left:	<u>33</u> ft;	_____ ft;	_____ ft;	_____ ft
Corner Side Yard:	_____ ft;	_____ ft;	_____ ft;	_____ ft

8. WATER AND SOLID WASTE

Water: Town Water YES Well \_\_\_\_\_ Other \_\_\_\_\_  
Waste: Town Sewer YES Septic \_\_\_\_\_ Other \_\_\_\_\_

9. SIZE OF PROPOSED BUILDINGS/ADDITIONS:

Total Square Feet: 672 sf. Width: 28 sf. Length: 24 sf.

Height Above Grade: \_\_\_\_\_ ft. Number of Stories: 2

10. IF DIMENSIONAL RELIEF IS SOUGHT INDICATE THE DISTANCE REQUESTED:

Front Yard: \_\_\_\_\_ Rear: \_\_\_\_\_ Side Yard Right: \_\_\_\_\_

Side Yard Left: 5' Corner Side Yard: \_\_\_\_\_ Height: \_\_\_\_\_

11. PROVISION OF THE ZONING ORDINANCE FROM WHICH RELIEF IS SOUGHT:

Section and Use (if known): \_\_\_\_\_

12. DESCRIBE THE EXTENT OF PROPOSED ALTERATIONS, STATE REASONS WHY YOU ARE REQUESTING RELIEF:

THE PLAN IS TO BUILD A 28'x 24' TWO CAR GARAGE WITH A 672 SF ACCESSORY APARTMENT ON THE SECOND FLOOR. THE REQUEST IS TO HAVE THE EXISTING 10 FOOT SIDE YARD SETBACK ON THE LEFT BE CHANGED TO 5 FOOT SETBACK. THIS WILL ALLOW THE STAIRS TO THE SECOND FLOOR BE BUILT INSIDE THE GARAGE AND THIS WILL PROTECT THEM FROM THE WEATHER. IN THE FUTURE THE ENCLOSED STAIRWAY WILL BE ABLE TO SUPPORT AN ELECTRIC CHAIR LIFT. WITH OUR FAMILY AGING THIS APARTMENT WILL BE THE BEST WAY TO HELP OUT AND KEEP THE FAMILY CLOSE. ACCESSORY APARTMENTS IN THE R10 ZONE WITH SEWERS REQUIRE 15,000 SQUARE FEET OF LAND AREA. MY PARCEL HAS 10,890 S.F. I AM SEEKING RELIEF OF 4,110 S.F. FROM THIS DIMENSIONAL REQUIREMENT.

ZONING BOARD OF REVIEW RULES OF PROCEDURE ITEM K: "Reports from expert witnesses should be submitted with the application or ten (10) days prior to the hearing to give the Zoning Board sufficient review time. If a report is submitted at the time of the hearing, the Chairman may rule on whether the Zoning Board will continue to another meeting to give the Zoning Board time to review the reports."

Preparation of this Application and all necessary documentation is the sole responsibility of the Applicant. Town Staff's help in preparations of any facet of this applications, including abutter's list is for assistance only. The staff cannot give the applicant advice on the merits of the application nor can they render legal opinions.

The undersigned declares that the information given herein is a true statement to the best of his/her knowledge and belief.

Applicant Signature(s) [Signature]

Applicant(s) Printed Name LANCE WHALEY Date: 3/5/2020

Attorney / Other (If applicable) \_\_\_\_\_ Date: \_\_\_\_\_

Office Use Only

Received By: \_\_\_\_\_ Payment Amt. \_\_\_\_\_ Check # \_\_\_\_\_ Legal Notice Mailed: \_\_\_\_\_ Cert. Receipts Received: \_\_\_\_\_

**OWNER/AUTHORIZED AGENT AUTHORIZATION FORM**

Submittal Date: \_\_\_\_\_

*The Owner/Authorized Agent Authorization Form must be completed in full and returned to the Office of the Building and Zoning Official for the Town of South Kingstown along with the Zoning Board of Review Application. Failure to submit this form will delay your application being processed.*

I, LANCE WHALEY hereby certify that I am the owner / authorized agent of the property designated as Plat 48-3, Lot 263, as shown on the Town of South Kingstown Tax Assessor Maps. I further certify that I am the owner / authorized agent of the developmental rights for this property.

I hereby authorize and am in agreement with the application signed by LANCE WHALEY (applicant), for the requested relief or use of the subject property. Said application is to be submitted to the Office of the Building and Zoning Official of the Town of South Kingstown for review and decision by the Zoning Board of Review.

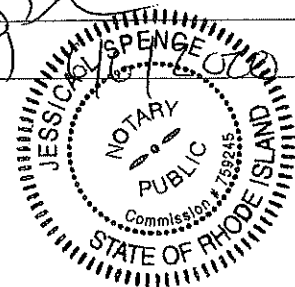
Witness its name this 5 day of March, 2020.

By: [Signature]  
Signature of Owner/Authorized Agent

STATE OF RHODE ISLAND  
County of Washington

In South Kingstown on the 5 day of MARCH, 2020, before me personally appeared Lance Whaley (name) to me known and known by me to the party executing the foregoing instrument and acknowledged said instrument, by him/her executed to be his/her free act and deed, as \_\_\_\_\_ (individual, corporation, trustee, partnership, non-profit, etc.)

Notary Public: [Signature]  
My Commission Expires: \_\_\_\_\_



Notary Seal:

## South Kingstown Zoning Board of Review Application, Filing Instructions & Checklist

1. Original completed, and signed application (plus 9 copies).  
submitted: \_\_\_\_\_
2. Original completed, signed and notarized Owner / Authorized Agent Authorization Form (plus 9 copies).  
submitted: \_\_\_\_\_
3. Payment in full (cash or check only).  
submitted: \_\_\_\_\_
  - Residential \$175.00 / Commercial \$250.00 / Multi-family \$300.00 1<sup>st</sup> unit plus \$10.00 / add. Units
4. 200' Radius Map & Abutters List with Plat & Lot, street address, owner's name(s) & owner's mailing address (1 copy)  
submitted: \_\_\_\_\_
  - Obtained from South Kingstown's GIS & verified with the Tax Assessor for current ownership.  
GIS link: <http://gis.southkingstownri.com/webgis/>  
*Prior to legal mailing, abutter's mailing address must be verified in the Tax Assessor's Office and Current Ownership must be verified with the Town Clerk's Office Land Evidence*
5. Site Plan to scale (10 copies, no larger than 11x17).  
submitted: \_\_\_\_\_
  - Showing name, address of property owner
  - Date, North arrow, scale, lot dimensions & area
  - Road(s) indicated and/or landmarks
  - Existing and proposed structures & the distance from lot lines
  - Existing and proposed parking area, driveways & walkways
  - Existing and proposed wells & septic systems
  - Existing and proposed landscaping, as it relates to the request (i.e.... buffering)
  - Location of wetlands, coastal features, site conditions such as cemeteries or stone walls
6. Floor Plans & Elevations with dimensions of proposed structure to scale (10 copies, no larger than 11x17).  
submitted: \_\_\_\_\_
7. Any other material that may be relevant to the proposed application (10 copies, no larger than 11x17).  
submitted: \_\_\_\_\_

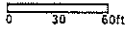
### *Additional information that may be required:*

- Recorded Development Plan Review Decision or advisory opinion from any Municipal Board if applicable. The applicant shall first obtain this approval or the application will not be complete and cannot be processed. (10 copies)
- Soil Erosion Plan & Storm Water Plan with calculations in conformity with standards of USDA Soil Conservation Service and RI Erosion and Sediment Handbook (10 copies)
- Traffic Study addressing the potential impacts of proposed activity/use(s) (10 copies)
- Septic Systems needing to be located closer to a wetland under Sect. 504.1 will require an approved septic system plan from the OWTS Section of RI DEM and a recommendation from the South Kingstown Conservation Commission (10 copies)

The applicant or their representative must appear at the hearing to present the application before the Board. If the applicant is not present at the hearing a notarized designation of authority from the applicant must be provided.

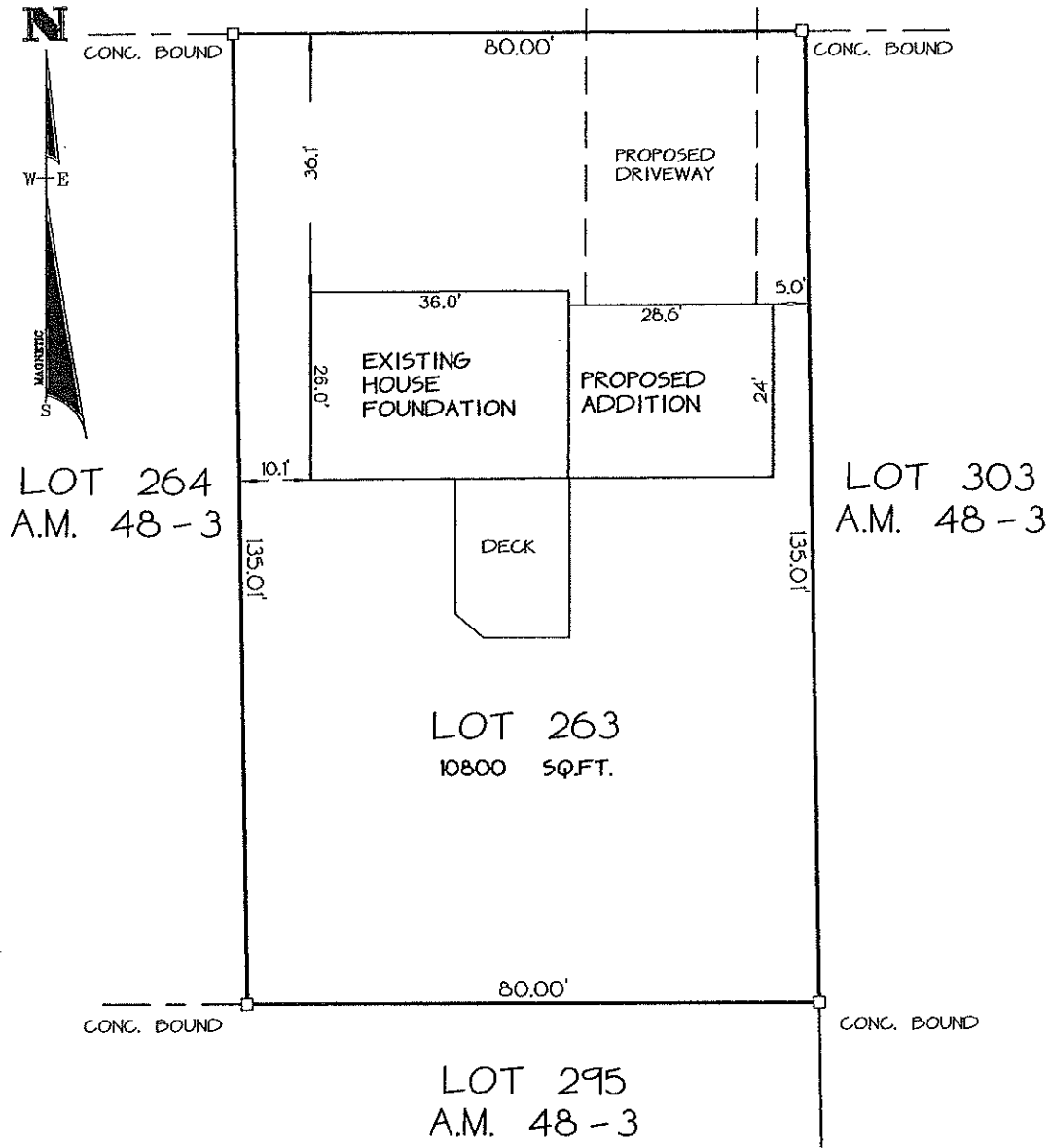
*Preparation of this Application and all necessary documentation is the sole responsibility of the Applicant. Town Staffs help in the preparation of any facet of this application, including abutter's list is for assistance only. The staff cannot give you advise on the merits of the application nor can they render legal opinions.*

-71.508252, 41.451518



REM_MBLU_REM_MB LOCATION	SLH_OWN_NAME	SLH_OWN_ADDR	CSZ
48-1 48 36 SANDY BOTTOM SHORES DRIVE	TRAFICANTE, DANIEL D II ETUX	36 SANDY BOTTOM SHORES DR	WAKEFIELD, RI 02879 ✓
48-1 47 44 SANDY BOTTOM SHORES DRIVE	TOROK, MARK A & MARTHA K	44 SANDY BOTTOM SHORES DR	WAKEFIELD, RI 02879 ✓
48-2 157 20 CELESTIAL HEIGHTS DRIVE	STAFFORD, BRENDA & JACKSON,	20 CELESTIAL HEIGHTS DR	WAKEFIELD, RI 02879 ✓
48-2 146 17 CELESTIAL HEIGHTS DRIVE	ANDRIULLI GERARD &	17 CELESTIAL HEIGHTS DRIVE	SOUTH KINGSTOWN, RI 02879 ✓
48-3 304 75 GEORGE SCHAEFFER STREET	DUBEE TIMOTHY	75 GEORGE SCHAEFFER ST	WAKEFIELD, RI 02879 ✓
48-3 251 83 GEORGE SCHAEFFER STREET	FARIA ARTHUR C III &	83 GEORGE SCHAEFFER STREET	WAKEFIELD, RI 02879 ✓
48-3 305 95 GEORGE SCHAEFFER STREET	KELLEY, RICHARD M ETUX TINA L	95 GEORGE SCHAEFFER ST	WAKEFIELD, RI 02879 ✓
48-3 306 105 GEORGE SCHAEFFER STREET	SMITH, VICTORIA	105 GEORGE SCHAEFFER ST	WAKEFIELD, RI 02879 ✓
48-4 126 109 GEORGE SCHAEFFER STREET	MARRAN, ROBERT B SR &	109 GEORGE SCHAEFFER ST	WAKEFIELD, RI 02879 ✓
48-4 128 117 GEORGE SCHAEFFER STREET	HATHAWAY, SHERRY M	117 GEORGE SCHAEFFER ST	WAKEFIELD, RI 02879 ✓
48-3 2 78 GEORGE SCHAEFFER STREET	BURT, DAVID V	78 GEORGE SCHAEFFER ST	WAKEFIELD, RI 02879 ✓
48-3 302 84 GEORGE SCHAEFFER STREET	CAMPOS MAUREEN D	84 GEORGE SCHAEFFER STREET	WAKEFIELD, RI 02879 ✓
48-3 303 90 GEORGE SCHAEFFER STREET	PRATT, TRAVIS A & RYAN,	90 GEORGE SCHAEFFER ST	WAKEFIELD, RI 02879 ✓
48-3 263 98 GEORGE SCHAEFFER STREET	WHALEY, LANCE E & KATHLEEN M	98 GEORGE SCHAEFFER ST	PEACE DALE, RI 02883
48-3 264 104 GEORGE SCHAEFFER STREET	SOUZA, ROBERT M JR	104 GEORGE SCHAEFFER ST	WAKEFIELD, RI 02879 ✓
48-4 113 7 SENTINAL DRIVE	DELPRETE, MARGARET	7 SENTINEL DRIVE	WAKEFIELD, RI 02879 ✓
48-4 114 15 SENTINAL DRIVE	THOMPSON, PAULA J	15 SENTINEL DRIVE	WAKEFIELD, RI 02879 ✓
48-3 295 18 SENTINAL DRIVE	SCHLENZ, KATHLEEN C & DAVID J	18 SENTINEL DRIVE	WAKEFIELD, RI 02879 ✓
48-3 290 63 JENNIFER DRIVE	MITCHELL CHARLES &	63 JENNIFER DRIVE	WAKEFIELD, RI 02879 ✓
48-3 291 71 JENNIFER DRIVE	DEIBLER, SEAN P & HEIDI M	71 JENNIFER DRIVE	WAKEFIELD, RI 02879 ✓
48-3 292 77 JENNIFER DRIVE	COMIRE, STEPHEN M & AMANDA M	77 JENNIFER DR	WAKEFIELD, RI 02879 ✓
48-3 293 85 JENNIFER DRIVE	CARR, ANNE A	85 JENNIFER DRIVE	WAKEFIELD, RI 02879 ✓
48-3 294 28 SENTINAL DRIVE	HOLLAND, PAMELA E	28 SENTINEL DR	PEACE DALE, RI 02883 ✓
48-4 115 27 SENTINAL DRIVE	WOSENCROFT, KATHLEEN A	429 OLD NORTH RD	KINGSTON, RI 02881 ✓

# GEORGE SCHAEFFER STREET



ZONING: R-80

**BUILDING SETBACKS:**

- FRONT YARD - 25'
- REAR YARD - 30'
- SIDE YARD - 10'



**PINCH LAND SURVEYING**

P.O. Box 352  
 Wakefield, RI 02879  
 401-789-8087  
 www.pinchsurveying.com  
 pinchsurveying@verizon.net

**ZONING SKETCH**

LOT 263 ASSESSOR'S MAP 48-3

LOCATED AT

98 GEORGE SCHAEFFER STREET

SURVEYED FOR:

LANCE WHALEY

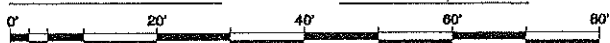
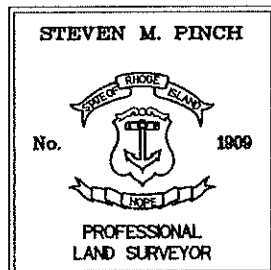
IN THE TOWN OF

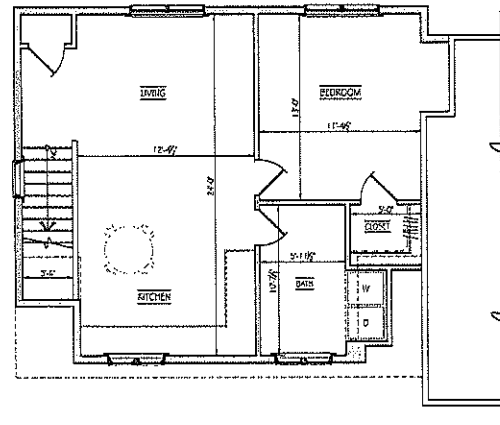
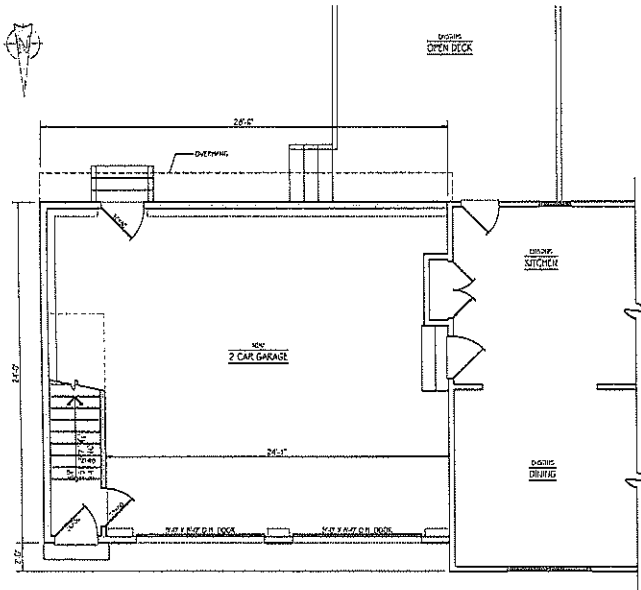
SOUTH KINGSTOWN, RI.

STEVEN M. PINCH P.L.S.

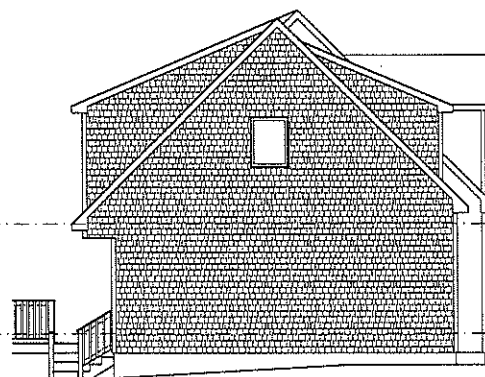
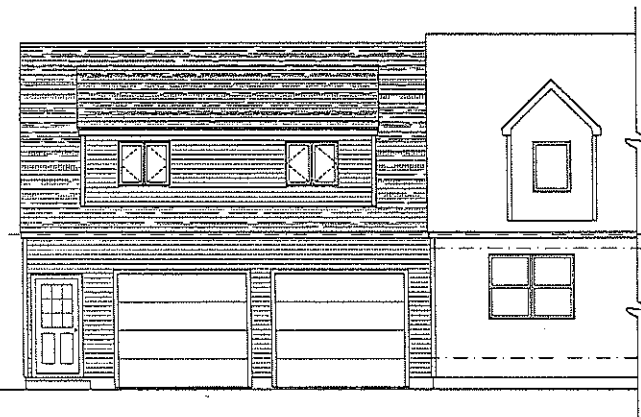
SCALE: 1" = 20'

MARCH, 2020





- NEW CONSTRUCTION
- EXISTING CONSTRUCTION
- EXISTING WALLS
- EXISTING WINDOWS
- EXISTING DOORS
- EXISTING STAIRS
- EXISTING ROOF
- EXISTING FOUNDATION
- EXISTING UTILITIES



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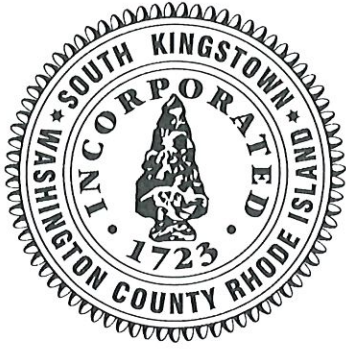
**WHALEY**  
 98 GEORGE SCHAEFFER ST  
 SOUTH KINGSTOWN, RI

48-3 263  
 MARCH 19, 2020  
 PROPOSED PLANS

**A1**

CONTRACTOR IS TO FIELD VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO CONSTRUCTION





# 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

### NOTICE OF PUBLIC HEARING UNDER THE ZONING ORDINANCE

Town of South Kingstown  
Zoning Board of Review  
Wakefield, RI

You are hereby notified that a Public Hearing will be held at the Town Hall, 180 High Street, Wakefield, Rhode Island on:

**Wednesday, April 22, 2020**

at 7:00 p.m. in regard to the petition of:

**Lance Whaley  
98 George Schaeffer Street  
South Kingstown, RI, 02879**

for a **Dimensional Variance** under the Zoning Ordinance as follows:

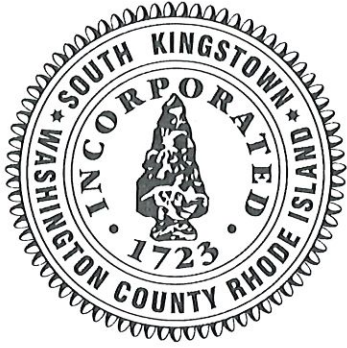
*The applicant is seeking is seeking to construct an attached two car garage with a 672 square foot accessory apartment above. The side yard setback on the left side is 10'. The addition along the left side will be 5' from the property line. Relief of 5' is required. Accessory apartments in the R10 zone with sewers require a lot size of 15,000 square feet. The lot size is 10,890 square feet. Relief of 4,110 square feet is required. Lot size is 10,890 square feet. **A Dimensional Variance is required per Zoning Ordinance Section 401 (Schedule of Dimensional Regulations Table) and Section 907 (Standards of Relief).** Owner of the property is Lance & Kathleen Whaley for premises located at 98 George Schaeffer Street, Assessor's Map 48-3, Lot 263 and zoned R 10.*

Said petition is on file in the office of the Building Inspector in the Town Hall and may be inspected by you during regular office hours. Said petition is also available to view or printout online at [www.southkingstownri.com](http://www.southkingstownri.com) under "Document Center"

**Individuals requesting American Sign Language interpreters or Cart service must call the Town Clerk's Office at 401-789-9331 at least seventy-two (72) hours in advance of public meeting.**

Very truly yours,

Wayne Pimental, Clerk  
Zoning Board of Review



# 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

### **TOWN OF SOUTH KINGSTOWN ZONING BOARD OF REVIEW**

March 23, 2020

Lance Whaley  
98 George Schaeffer Street  
South Kingstown, RI, 02879

Dear Lance Whaley:

Enclosed is the Legal Notice for your hearing with the Zoning Board of Review that must be sent Certified Mail, Return Receipt Requested to all of the following:

- All property owners within the 200-foot radius of the property in question whether within the Town or an adjacent town.
- The South Kingstown Town Council, 180 High Street, Wakefield, RI; and
- If the 200-foot radius of the property in question extends into an adjacent Town, to that Town Council.

These notices must be mailed no later than fourteen (14) days prior to the hearing. Green and white certified proof of mailing receipts must be returned to the Zoning Office along with the completed enclosed affidavit no later than seven (7) days prior to the hearing.

Please note the date of the hearing and be sure that you or someone with written authorization to act on your behalf is present to explain the application.

If you have any further questions, please feel free to call this office.

Yours truly,

Wayne R. Pimental, Clerk  
Zoning Board of Review

TOWN OF SOUTH KINGSTOWN  
ZONING BOARD OF REVIEW  
TOWN HALL

AFFIDAVIT OF MAILING LEGAL NOTICE

On \_\_\_\_\_, I mailed by certified mail, return receipt requested, the Legal Notice for the Petition of \_\_\_\_\_ to all the abutters within two hundred (200) feet of the Applicant's property as evidenced by the attached receipts for certified mail.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Signature of Sender

Subscribed and sworn to before me at \_\_\_\_\_ this  
\_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

Commission Expires: \_\_\_\_\_