

ZONING BOARD OF REVIEW

Barrington, Rhode Island

May 31, 2012

APPLICATIONS: #3668, 3669, 3670 & 3672

MINUTES OF THE MEETING:

At the call of the Chairman, Thomas Kraig, the Board met with Peter Dennehy, Mark Freel, Ian Ridlon, Dave Rizzolo and Stephen Venuti.

Also present were solicitors Andrew Teitz and Building Official Robert Speaker.

At 7:03 P.M. Mr. Kraig opened the meeting and the Board proceeded to hear the following matters. At 7:45 P.M. the public participation portion of the meeting was closed and the Board proceeded to deliberate and vote on the applications it had heard.

Continuation of application #3668, Kevin Sawyer, 117 Windward Lane, Bristol, RI 02809, applicant, Albertina Silva and Lisa Ottone, 3 Cherry Lane, Barrington, RI 02806, owners, for permission to create a garage addition; Assessor's Plat 21, Lot 74, R-25 District, 3 Cherry Lane, Barrington, RI 02806, requiring dimensional relief for side yard setback.

Present: Albertina Silva, 3 Cherry Lane, Barrington, RI

Kevin Sawyer, 117 Windward Lane, Bristol, RI

There was no one in the audience to speak for or against this application.

The applicants explained that their current garage is both beneath the house and too small to accommodate the handicap van they require for their disabled son. The existing garage would be converted to much-needed storage and a new garage would be constructed, which would also provide safer access to the street. Due to the unique features of the lot, it would not be practicable to locate the garage elsewhere on the lot, and it would be very difficult to locate the garage farther forward on the side where it is proposed, as the slope on the lot would require a great deal of fill, and the ability to back the vehicle out would be compromised. The proposed location also has the least impact on the neighbors, since the house on that side is much farther forward than their house, and it was noted that Ms. Silva spoke to the most affected neighbor and they had no objection to the proposal.

MOTION: Mr. Ridlon moved to grant the application. Mr. Freel seconded the motion and it carried unanimously (5-0).

DISCUSSION:

The Board members stated they were in favor of approving the

application for the following reasons:

„« The topography of the lot would make any other location difficult

„« The homeowners need the garage to accommodate their handicapped son

„« The proposed location is the most logical and will have the least impact on the neighborhood

REASON FOR DECISION:

It was the judgment of the Board that the standards in Section $\text{j}\pm 185-69$ have been met: A) 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 an economic disability of the applicant; B) 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; C) that the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the comprehensive Plan; D) that the relief to be granted is the least relief necessary. Additionally, the standards for a dimensional variance set forth in Section $\text{j}\pm 185-71$ have been met because the applicant has proved that the hardship to be suffered by the owner, absent granting the relief, would amount to more than a mere inconvenience.

Continuation of application #3669, Lawrence Ashley, 114 Rumstick Road, Barrington, RI 02806, applicant and owner, for permission to construct front and rear dormers; Assessor's Plat 26, Lot 54, R-25 District, 114 Rumstick Road, Barrington, RI 02806, requiring dimensional relief for side yard setback.

Present: Lawrence Ashley & Abigail Rondazo, 114 Rumstick Road, Barrington, RI

There was no one in the audience to speak for or against this application.

The applicants explained that the current layout and usable space for the bedrooms is not sufficient for their family's use. They are seeking to build two dormers in order to create more space, remaining within the existing footprint of the home. They will also be removing an existing porch on that side of the house that is too close to the lot line, in effect creating less of a non-conformance than what is there currently. They have spoken with their neighbors, and they have no objections.

MOTION: Upon a motion by Mr. Venuti, with a second by Mr. Freel, the Board unanimously (5-0) voted to grant this application.

DISCUSSION:

The Board members stated they were in favor of approving the

application for the following reasons:

„« The dormers are within the footprint of the existing home

„« The applicants are improving the setback conditions

REASON FOR DECISION:

It was the judgment of the Board that the standards in Section §185-69 have been met: A) 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 an economic disability of the applicant; B) 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; C) that the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the comprehensive Plan; D) that the relief to be granted is the least relief necessary. Additionally, the standards for a dimensional variance set forth in Section §185-71 have been met because the applicant has proved that the hardship to be suffered by the owner, absent granting the relief, would amount to more than a mere inconvenience.

Continuation of application #3670, Raymond Bullock Jr., 74 Massasoit Avenue, Barrington, RI 02806, applicant and owner, for permission to create a family room addition, add a rear porch, replace rear deck and erect a six-foot fence; Assessor's Plat 32, Lot 242, R-10 District, 74 Massasoit Avenue, Barrington, RI 02806, requiring dimensional relief

for rear yard setback.

Mr. Kraig read into the record a request from the applicant to withdraw the application.

MOTION: Mr. Freel moved to withdraw the application. Upon a second by Mr. Venuti the Board voted unanimously (5-0) to withdraw application #3670.

Continuation of application #3672, Tiffany Thielman and Sergio Sousa, 18 Charles Street, Barrington, RI 02806, applicants and owners, for permission to construct an 8' x 7' addition as well as a 6' x 28' porch; Assessor's Plat 30, Lot 82, R-10 District, 18 Charles Street, Barrington, RI 02806, requiring dimensional relief for front yard setback.

Present: Sergio Sousa, 18 Charles Street, Barrington, RI

There was no one in the audience to speak for or against this application.

Mr. Sousa explained that his family is expanding and the current bedrooms & bath are no longer enough to serve their needs. He is seeking to build an 8' x 7' addition in order to expand the master bedroom and add a second bathroom to the home. Due to the interior layout of the home the proposed location is the only logical location

for the addition.

Additionally, Mr. Sousa is seeking to add a 6' x 28' porch on the front of the home in order to better balance the existing garage and the proposed addition. He is seeking 18 inches of relief from the steps of the porch to the property line and 3'6" of relief for the bedroom addition.

MOTION: Mr. Freel moved to approve the application with a front yard setback of 23'6" to the steps of the porch and a front yard setback of 21'6" for the addition. Mr. Ridlon seconded the motion and it carried unanimously (5-0).

DISCUSSION:

The Board members stated they were in favor of approving the application for the following reasons:

„« The intrusion upon the setbacks will be minimal

„« The proposed location for the additions are the most logical locations

„« The Comprehensive Community Plan provides for items like the front porch to enhance the neighborhood

REASON FOR DECISION:

It was the judgment of the Board that the standards in Section 185-69 have been met: A) 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 an economic disability of the applicant; B) 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; C) that the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the comprehensive Plan; D) that the relief to be granted is the least relief necessary. Additionally, the standards for a dimensional variance set forth in Section 185-71 have been met because the applicant has proved that the hardship to be suffered by the owner, absent granting the relief, would amount to more than a mere inconvenience.

ADJOURN:

There being no other business, Mr. Freel moved to adjourn at 8:02 P.M. Mr. Venuti seconded the motion and the meeting was adjourned.

Respectfully submitted,

Valerie Carroll, Secretary

Thomas Kraig, Chairman

cc: Andrew Teitz, solicitor