

Town of Lincoln

Zoning Board of Review

100 Old River Road, Lincoln, RI

Minutes of December 6, 2011 Meeting

Present: David DeAngelis-Chair, John Bart – Vice Chair, Mark Enander, Lori Lyle, John Barr, Ronald Del Vecchio, Barry Nickerson, Anthony DeSisto, Esq. (Town Solicitor)

Minutes

Motion made by Member Bart to approve Minutes from the November, 2011 meeting as presented. Motion seconded by Member Lyle. Motion carried by all present.

Applications:

Elaine L. Wagner, 5 Valley View Road, Lincoln, RI – Application for Special Use Permit to add a second family unit to an existing single family unit.

AP 3, Lot 134 Zoned RL 9

Chair read into the record standards that need to be met for a Special Use Permit.

Applicant stated in-law apartment added in the 1980s when parents lived with her and is currently not in use. She now needs the added

income and would like to rent the apartment. Applicant will seal off a wall to separate the two units. There is enough parking on site for four vehicles. Second unit will consist of bedroom, bathroom and kitchen. No exterior work will be performed and second unit will have its own entry.

Chair read into the record Planning Board/Technical Review Committee recommendation:

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The proposed special use permit is to allow for the creation of a second family unit from an existing single family unit. According to our Zoning Ordinance, a two family house is allowed within this zoning district by a special use permit if the lot has a minimum of 9,000 square feet of land plus an additional 1500 square feet for a total lot square footage of 10,500 square feet. The original footprint of the house will not change. The lot is over the minimum square footage needed by ordinance. The Technical Review Committee recommends Approval of this application. The TRC finds that the relief requested will not alter the general character of the surrounding area or impair the intent or purpose of the Lincoln Zoning Ordinance or the Lincoln Comprehensive Plan.

Russell Hervieux, Zoning Official informed the Board that there was an error in the Technical Review Committee recommendation. The 10,500 sq. ft. reference is actually 12,000 sq.ft for a two-family and the

lot is oversized.

No opposition present.

Motion made by Member Enander to grant the Special Use Permit stating:

- That the Special Use is specifically authorized under this Ordinance**
- That the Special Use meets all the criteria set forth in this Ordinance authorizing such special use**
- That the granting of the Special Use will not alter the general character of the surrounding area**
- That the granting of the Special Use will not impair the intent or purpose of this Ordinance nor the Lincoln Comprehensive Plan**

Motion seconded by Member Nickerson. Motion carried by all present.

Rosemary Flynn, 17 Avenue F, Lincoln, RI – Application for Special Use Permit to convert a single family home into a two family home.

AP 29, Lot 180 Zoned: RL 9

Chair read into the record standards that need to be met for a Special Use Permit.

Applicant has lived at the site for 45 years. No exterior work will be performed on the house. She wants to add a kitchen to an existing

bedroom and bathroom. Site has two double driveways and meets parking requirements.

Russell Hervieux, Zoning Official informed the Board that there was an error in the Technical Review Committee recommendation. The 10,500 sq. ft. reference is actually 12,000 sq.ft for a two-family. Mr. Hervieux submitted into record:

Exhibit A – Property Record Card Summary showing 8,624.88 sq.ft. lot size

Exhibit B – Map depicting lot created in Lot 6 in the 1960s is 12,785 sq.ft not 10,500 sq.ft.

Exhibit C – Tax Assessor chain of title card on file at Town Hall

No opposition present.

Member Barr stated there are other duplexes in the area so proposed use would fit in.

Chair read into the record Planning Board/Technical Review Committee recommendation:

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The proposed special use permit is to permit the conversion of a single family home into a two family home. According to our Zoning Ordinance, a two family house is allowed within this zoning district by a special use permit if the lot has a minimum of 9,000 square feet of land plus an additional

1500 square feet for a total lot square footage of 10,500 square feet. Unfortunately, the assessor's plat maps show that the property only has 10,000 square feet of land. Therefore, the applicant would need a dimensional variance in addition to this special use permit.

If the applicant is successful in obtaining a dimensional variance, the Technical Review Committee recommends Approval of this application. The TRC finds that the relief requested will not alter the general character of the surrounding area or impair the intent or purpose of the Lincoln Zoning Ordinance or the Lincoln Comprehensive Plan.

Motion made by Member Bart to grant the Special Use Permit stating:

- That the Special Use is specifically authorized under this Ordinance**
- That the Special Use meets all the criteria set forth in this Ordinance authorizing such special use**
- That the granting of the Special Use will not alter the general character of the surrounding area**
- That the granting of the Special Use will not impair the intent or purpose of this Ordinance nor the Lincoln Comprehensive Plan**

Motion seconded by Member Barr. Motion carried by all present.

Motion made by Member Bart to adjourn the meeting. Motion seconded by Member Barr. Motion carried by all present.

Respectfully submitted,

Ghislaine D. Therien

Zoning Secretary