

**Town of Lincoln**

**Zoning Board of Review**

**100 Old River Road, Lincoln, RI**

**Minutes of May 3, 2016 Meeting**

**Present: David DeAngelis-Chair, Lori Lyle, Stephen Kearns, John Barr, Mark Enander, Robert Oster, Town Solicitor**

**Excused: John Bart**

**Minutes**

**Motion made by Member Barr to accept the April 2016 Minutes as presented. Motion seconded by Member Kearns. Motion carried by all present.**

**Correspondence**

**None**

**Applications**

**Roland & Sandra Detonnancourt, 360 Old River Road, Lincoln, RI – Application for Dimensional Variance seeking front and rear setback relief for the construction of a new home to replace home destroyed by fire.**

**AP 36, Lot 94 Zoned: RL 9**

**Represented by: Joseph Raheb, Esquire**

**Member Oster sitting on this application.**

**This application represents a request for a Dimensional Variance for new home due to fire. The applicant proposes to demolish the existing destroyed house and replace it. The front steps on the Cross Street side are 20.42' from the front property line which 25' is required. Therefore the applicant would need 4.58' of front relief on the front steps on the Cross Street side. The proposed house on the southeast corner rear is 22.13' from the rear property line which 27.5' is required. Therefore the applicant would need 5.37' of rear relief on the southeast rear corner of the proposed house. The proposed house on the southwest rear corner is 22.4' from the rear property line which 27.5 is required. Therefore the applicant would need 5.36' of rear relief on the southwest rear corner of the proposed house. The bulkhead on the rear is 16.13 from the rear property line which 27.5' is required. Therefore the applicant would need 11.37' of rear relief on the bulkhead to the rear. The existing shed is 1.12' from the rear property line which 6' is required. Therefore the applicant would need 4.88' of rear relief on the existing shed. The property meets the lot coverage regulation.**

**Chairman read into the record standards that need to be met for a Dimensional Variance,**

**Attorney Raheb stated the house was a two story structure which was destroyed by fire. Property is a corner lot and applicants want to**

**construct a single family home on the site. The proposed new house is smaller than the old home and they need front and rear relief. An existing shed on the property will be removed. Applicants have been living at this location for 46 years and predate current zoning laws. The new house will face Cross Street and will be 1,816 square feet of living space. Attorney submitted into the record as Exhibit #1 a letter from Deborah Bacon stating she had no objection to the application.**

**No opposition present.**

**Chairman 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 Planning Board recommends Approval of this application for a dimensional variance seeking front and rear yard setback relief for the construction of a new house to replace a home destroyed by fire. According to the submitted plans and application, the applicant proposes to replace the fire damaged house with a new house. The house lot is located at the corner of two roadways. This lot is considered a corner lot which limits the buildable envelope of the property. The applicant has paid close attention to the overall design of the new house as well as the placement of the house within the building envelope to limit the amount of relief needed. The Planning Board feels that granting the two dimensional variances will not impair the intent or purpose of the Zoning Ordinance, nor the Comprehensive Plan.**

**Motion made by Member Kearns to grant the Dimensional Variance seeking 4.58' front relief on Cross Street; 5.37' relief on the southeast rear corner; 5.36' rear relief on the southwest corner; 11.37' rear relief on the bulkhead. He further stated:**

- Hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not due to the general characteristics of the surrounding area and is not due to a physical or economic disability of the applicant.**
- 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.**
- The granting of this variance 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.**
- The relief requested is the least relief necessary.**
- The hardship amounts to more than a mere inconvenience.**

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

**Respectfully submitted,**

**Ghislaine D. Therien**

**Recording Secretary**