

## **NOTICE**

**Notice is hereby given that a public hearing will be held by the Middletown Zoning Board of Review at the Town Hall-on-Tuesday-February 28, 2006 at 7:00 P.M.**

**Petition Of: Kim & Mark Pachico-496-East Main Rd.-Middletown, RI-for a Variance from Sections 603, 701, & 803G-to construct a 7'x11' walk-in freezer addition at the rear of the building with a right side yard setback of 11' where 20' is required. Said real estate located at 496 East Main Rd. and further identified as Lot 157-A on Tax Assessor's Plat 113.**

**Petition Of: Kim & Mark Pachico-496 East Main Rd.-Middletown, RI-for a Special Use Permit from Section 803A-to allow for the expansion of the existing building by adding needed additional storage. Said real estate located at 496 East Main Rd. and further identified as Lot 157-A on Tax Assessor's Plat 113.**

**Petition Of: John Bellagamba-224 N. Fenner Ave.-Middletown, RI-for a Variance from Sections 603, 701, & 803G-to construct a 12'x 6' addition to existing accessory structure with a side yard setback of 1'**

where 15' is required and a rear yard setback of 1' where 10' is required. Said real estate located at 224 N. Fenner Ave. and further identified as Lot 143 on Tax Assessor's Plat 108SW.

Petition Of: Joseph & Cheryl Sanfilippo-106 Oak Forest Dr.-Middletown, RI-for a Variance from Sections 603 & 701-to construct a 12'x20' shed with an accessory side yard setback of 3' where 15' is required and an accessory front yard setback of 10' where 25' is required. Said real estate located at 106 Oak Forest Dr. and further identified as Lot 289 on Tax Assessor's Plat 111.

Petition Of: Marc C. Brownell-3 Second St.-Portsmouth, RI-for a Variance from Sections 603, 701,& 803G-to construct a 13'x34.3' addition with a rear yard setback of 31' where 60' is required and a front yard setback of 32.8' where 40' is required. Said real estate located at 13 Cedar Ave. and further identified as Lot 137 on Tax Assessor's Plat 125.

Petition Of: Gary Walsh-188 Rogers Ln.-Middletown, RI-for a Variance from Sections 603 & 701-to construct a single family dwelling on a lot with 15,269 sq. ft. where 60,000 sq. ft. is required, frontage of 80' where 200' is required, a right side yard setback of 6' where 30' is required, and a left side yard setback of 14' where 30' is required. Said real estate located on Third Beach Rd. and further identified as Lot 13 on Tax Assessor's Plat 130.

**Petition Of: Bernice Gracia-558 Green End Ave.-Middletown, RI-Owner-Nicole J. Shannon-Applicant-for a Variance from Section 803A-to convey 453 sq. ft. from Lot 175 to Lot 174-resulting in an increase in non-conformity to Lot 175 and a decrease in the non-conformity to Lot 174. Said real estate located at 558 Green End Ave. and further identified as Lots 174 & 175 on Tax Assessor's Plat 114.**

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**Petition Of: Herbert A. Smith Jr.-3 Marshall Ln.-Middletown, RI-for a Variance from Section 15A01B-to allow an accessory family dwelling unit to be 36% of the dwelling where 25% is allowed and to allow entrance door to be located at the front. Said real estate located at 3 Marshall Ln. and further identified as Lot 78-A on Tax Assessor's Plat 105.**

**Petition Of: Herbert A. Smith Jr.-3 Marshall Ln.-Middletown, RI-for a Special Use Permit-from Section 15A01-to allow a portion of a single family dwelling to be used as an accessory family dwelling unit. Said real estate located at 3 Marshall Ln. and further identified as Lot 78-A on Tax Assessor's Plat 105.**

**Petition Of: Pat & ChrisVorro-19 Harvest Rd.-Middletown, RI-for a Variance from Sections 603 & 701-to install a 12'x24' above ground**

**pool with an accessory side yard setback of 5' where 15' is required. Said real estate located at 19 Harvest Rd. and further identified as Lot 644 on Tax Assessor's Plat 105.**

**Petition Of: Victor Nunes-2982-Diamond Hill Rd.-Cumberland, RI-for a Variance from Sections 603, 701 & 803G-to construct a 10'x12' addition to existing structure (sunroom) with a side yard setback of 23' where 30' is required. Said real estate located at 75 Indian Hill Circle and further identified as Lot 607 on Tax Assessor's Plat 125.(SUMMARY)**

**Petition Of: James D. Scribner-308 Chases Ln.-Middletown, RI-by his Attorney-David P. Martland Esq.-for a Variance from Section 603-to permit an existing barn with a left and right side yard setback of 5' where 15' is required. Said real estate located at 308 Chases Ln. and further identified as Lot 6-A on Tax Assessor's Plat 106.**

**Petition Of: 619 West Main Realty, LLC-Owner-Marshall Properties, Inc.-Applicant-c/o Robert M. Silva Esq.-1100 Aquidneck Ave.-Middletown, RI – for a Variance from Sections 1301 (B) & 1301 (D)-to allow off-street parking to be located closer then ten (10') feet to the side and front lot lines and to provide a ten (10') foot landscaped buffer strip where 25' is required. Said real estate located at 619 West Main Rd. and further identified as Lots 13 & 14 on Tax Assessor's Plat 107SE.**

**Petition Of: Yvonne Blackman-72 Powers St.-Needham, MA-for a Special Use Permit-from Section 1105-H-to construct a 20'x40' addition to existing car wash in Zone 2 of the Watershed Protection District. Said real estate located at 1379 West Main Rd. and further identified as Lot 3A on Tax Assessor's Plat 112.**

**Petition Of: Edward W. Beckett-c/o Robert M. Silva Esq.-1100 Aquidneck Ave.-Middletown, RI-for a Variance from Sections 603 & 701-to construct a single family dwelling with front yard setbacks ranging from 7' to 15' where 25' is required and having lot coverage of 33% where 25% is allowed. Said real estate located on Shore Dr. and further identified as Lot 43 on Tax Assessor's Plat 116SE.**

**Petition Of: WM Group, LLC, Kempenaar Real Estates, Inc., & Joseph & Karen Brooks-Owners-Island Hotel Group, LLC-Applicant-c/o Robert M. Silva Esq.-1100 Aquidneck Ave.-Middletown, RI-for a Special Use Permit from Sections 602, 1400 et seq., & 704 (B)-to permit the construction of a 97 room hotel and remove 40 rooms from an existing facility, and to permit the structure to exceed the height restriction by 24.25' with a side yard setback of 25'. Said real estate located at 317-351 West Main Rd. and further identified as Lots 97G, 131, & 193 on Tax Assessor's Plat 108.**

**Petition Of: WM Group, LLC, Kempenaar Real Estates, Inc., & Joseph & Karen Brooks-Owners-Island Hotel Group, LLC-Applicant-c/o Robert M. Silva Esq.1100 Aquidneck Ave.-Middletown, RI-for a Variance from Sections 603, 704, 1406 & 1301 (B)-to allow a front yard setback of 142.53' (10' is required in Town Center), to allow an off-street parking area with a landscape buffer setback of 5.5' (25' required), to allow parking setbacks of 5' & 6' in a commercial zone (10' required), and to allow the height of the structure to exceed the height limitation by 24.25' with a side yard setback of 25'. Said real estate located at 317-351 West Main Rd. and further identified as Lots 97G, 131, & 193 on Tax Assessor's Plat 108.**

**Petition Of: Estate of Alfred Arruda- Owner-Phillip Fitting-Applicant-c/o David P. Martland Esq.-1100 -Aquidneck**

**Ave.-Middletown, RI-for a Variance from Sections 603 & 701-to construct a single family dwelling with a front yard setback of 25' where 40' is required and a rear yard setback of 37' where 50' is required and a deck with a rear yard setback of 27' where 50' is required. Said real estate located at Arruda Terrace and further identified as Lot 26 on Tax Assessor's Plat 111.**

**Petition Of: Estate of Alfred Arruda-Owner-Phillip Fitting-Applicant-c/o David P. Martland Esq.-1100 Aquidneck Ave.-Middletown, RI-for a Variance from Sections 603 & 701-to construct a single family dwelling with a front yard setback of 25' where 40' is required and a rear yard setback of 37' where 50' is required and a deck with a rear yard setback of 27' where 50' is required. Said real estate located at Arruda Terrace and further identified as Lot 27 on Tax Assessor's Plat 111.**

**Lucy R. Levada  
Secretary**

**It is the practice of the Board of Review to assemble at the Town Hall**

**at 6:30 P.M. to set the docket for the meeting.**

**THIS ASSEMBLY IS OPEN TO THE PUBLIC**

**TO BE ADVERTISED ON FEBRUARY 14, 2006**

**“ This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing-impaired should notify the Town Clerk’s Office at 847-0009, not less than 48 hours before the meeting.”**