

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the June 24, 2003 Meeting

A regular meeting of the Jamestown Zoning Board of Review was held at the Jamestown Library, 26 North Road. The meeting was called to order by the Chairman at 7:05 p.m. The clerk called the roll and noted the following members present:

Richard Allphin
Thomas Ginnerty
Don Wineberg
Raymond Iannetta
Joseph Logan
Kathleen Managhan
David Nardolillo

Also present: Brenda Hanna, Stenographer
Pat Westall, Zoning Clerk
Fred Brown, Zoning Officer
Bruce Leach, Counsel

MINUTES

Minutes of the May 20, 2003 meeting.

A motion was made by Thomas Ginnerty and seconded by Joseph Logan to accept the minutes of the May 20, 2003 meeting as presented.

The motion carried by a vote of 5 – 0.

CORRESPONDENCE

A letter from Hugh M. Balloch dated June 19, 2003 requesting a one-year extension of a previously granted variance.

A motion was made by Don Wineberg and seconded by Thomas Ginnerty to grant the request of Hugh M. Balloch for a one-year extension, June 24, 2004, of a previously granted variance.

The motion carried by a vote of 5 – 0.

A letter from Anne Bal dated June 6, 2003 requesting an extension of a previously granted variance.

A motion was made by Don Wineberg and seconded by Joseph Logan to grant the request of Anne Bal for a one-year extension, June 24, 2004, of a previously granted variance.

The motion carried by a vote of 5 – 0.

OLD BUSINESS

Seated: Richard A., Thomas, Don, Joseph, and Kathleen.

A motion was made by Kathleen Managhan and seconded by Joseph Logan to grant the request of Central Baptist Church, whose property is located at 99 Narragansett Ave., and further identified as Tax Assessor's Plat 9, Lot 32 for variances and special use permits, allowing the construction of a 1839 sq. ft. addition not in conformity with applicable dimensional regulations and off-street parking requirements. The details of the proposed addition and this application are on file in the office of the Clerk of the Town of Jamestown Zoning Board of Review.

Regarding this request, this Board has determined that this application does satisfy the requirements of Article 6, Section 600.

Central Baptist Church cont.

Regarding the request for a variance, this Board has determined that this application does satisfy the requirements of Article 6, Section 606, Paragraphs 1 through 4, and Section 607, Paragraph 2.

Regarding the request for a Special Use Permit, this Board has determined that this application does satisfy the requirements of Article 6, Section 602.

This variance is granted with the condition that the petitioner continues to work with the Planning Board with regard to the concerns expressed by the Board in its 6/24/03 memo.

This motion is based on the following findings of fact:

1. Said property is located in a CD zone and contains 11,308 sq. ft.
2. Essentially all of the setback variance requests, except the south side, are occasioned by the existing building.
3. The addition is sought in order for the church to better serve the existing congregation, the provision of a function room, counseling facilities, and handicap access.
4. Although the church presently has no parking, it is not anticipated that the proposed addition will increase the size of the congregation.
5. The proposed vinyl siding on the addition will match the existing siding on the church.
6. The church's pastor testified that the proposed addition was the minimum necessary to accommodate the church's present needs.
7. No new programs are anticipated if the addition is approved.
8. Appropriate drainage and runoff have been provided for.
9. Sufficient buffering landscaping is to be provided given the limited space.
10. No one appeared to object to the petition. One letter was received appearing to object due to feared loss of a view down North Road.

The motion carried by a vote of 4 – 1.

Don Wineberg voted against the motion.

NEW BUSINESS

Seated on all new business: Richard A., Thomas, Don, Raymond, and Joseph.

Murphy

A motion was made by Joseph Logan and seconded by Thomas Ginnerty to deny the request of William H. and Marlene B. Murphy, whose property is located at 102 Hamilton Ave., and further identified as Tax Assessor's Plat 9, Lot 703 for a variance from Article 3, Table 3-2 (District Dimensional Regulations) to construct a 22' x 24' addition to the existing garage by extending the wall presently located 4'3" from the easterly lot line where 10' is required.

This Board has determined that this application does not satisfy the requirements of Article 6, Section 600, Section 606, and Section 607, Paragraph 2.

This motion is based on the following findings of fact:

1. Said property is located in a R20 zone and contains 22,200 sq. ft.
2. There appears to be several alternatives to satisfy the needs, which would require less relief.
3. The request is not the least relief necessary.
4. There was one objector to the east, whose views would be significantly affected in a negative way.

The motion to deny carried by a vote of 5 – 0.

Webster

A motion was made by Thomas Ginnerty and seconded by Richard Allphin to grant in part and deny in part the request of Mary M. Webster, whose property is located at 22 Mount Hope Avenue, and further identified as Tax Assessor's Plat 8, Lot 275 for a variance from Article 3, Section 311 (Maximum Size of Accessory Structure) and Table 3-2 (District Dimensional Regulations) to construct a front porch 4'6" from the west side lot line where 10' is required.

Webster cont.

1) This Board has determined that this application does satisfy the requirements of Article 6, Section 600, Section 606, and Section 607, Paragraph 2 as to the variance request to construct a front porch 4 ft. 6 inches from the west side lot line where 10 ft. is required.

This motion is based on the following findings of fact:

1. Said property is located in a R20 zone and contains 20,000 sq. ft.
2. The residence is located 4 ft. 6 in. from the west side lot line.
3. The residence has had a front porch in the past at the same location.
4. The house of the abutting neighbor to the west is approximately 50 ft. from the lot line.
5. Neighbors supported the proposal and there were no objectors.

2) The Board has determined that the application does not satisfy the requirements of Article 6, Section 600, Section 606, and Section 607, Paragraph 2 as to the construction of a garage with attached workshop and a sewing/storage room above which will have a 996 sq. ft. footprint where

633 sq. ft. is allowed and which will have 1608 sq. ft. of gross floor area which exceeds 50% of the gross living area of the principal structure (1056 sq. ft.)

This motion is based on the finding of fact that reasonable alternatives exist, not the least relief necessary, for the placement of an accessory building, which complies with the terms, and provisions of the zoning ordinance.

The motion carried by a vote of 4 – 1.

Joseph Logan voted against the motion.

Fay

A motion was made by Raymond Iannetta and seconded by Joseph Logan to grant the request of Peter and Suzanne Fay, whose property is located at 1 Swinburne St., and further identified as Tax Assessor's Plat 8, Lot 605 for a variance from Article 3, Table 3-2 (District Dimensional Regulations) to construct an attached 8' x 24.2' deck that is 22' from the rear lot line instead of the required 30 feet.

This Board has determined that this application does satisfy the requirements of Article 6, Section 600, Section 606, and Section 607, Paragraph 2.

This motion is based on the following findings of fact:

1. Said property is located in a CL zone and contains 7520 sq. ft.
2. The proposed deck also provides a second exit from the home closer to the bedrooms
3. The neighbor on the south side closest to the proposed deck is located 100+ feet from the lot line.
4. One abutter spoke in favor of the application and no one spoke against.
5. The relief being requested is due to the general characteristics of the small lot size of 7520 sq. ft.

The motion carried by a vote of 4 – 1.

Thomas Ginnerty voted against the motion.

ADJOURNMENT

A motion was made and seconded to adjourn at 10:34 p.m.

The motion carried unanimously.