

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the February 24, 2004 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 7:00 p.m. The clerk called the roll and noted the following members present:

Thomas Ginnerty  
Don Wineberg  
Richard Boren  
Joseph Logan  
Kathleen Managhan

Also present: Brenda Hanna, Stenographer  
Pat Westall, Zoning Clerk  
Fred Brown, Zoning Officer  
J. William W. Harsch, Counsel

MINUTES

Minutes of the January 27, 2004 meeting.

A motion was made by Don Wineberg and seconded by Kathleen Managhan to accept the minutes of the January 27, 2004 meeting as presented.

The motion carried by a vote of 5 – 0.

CORRESPONDENCE

“The Beacon” Volume II, Issue I, Winter-2004.

RI DEM copy of preliminary determination Plat 5, Lot 164.

Correspondence cont.

A letter from James Ingari requesting a one-year extension of a previously granted variance.

Ingari

A motion was made by Don Wineberg and seconded by Joseph Logan to grant the request of James Ingari, whose property is located at 36 Bonnet View Dr., and further identified as Tax Assessor's Plat 12, Lot 149 for a one year extension of a previously granted variance (2-25-03).

The motion carried by a vote of 5 – 0.

Thomas Ginnerty, Don Wineberg, Richard Boren, Joseph Logan, and Kathleen Managhan voted in favor of the motion.

Raymond Iannetta, David Nardollilo, and Elizabeth Brazil were absent.

NEW BUSINESS

Snell

A motion was made by Richard Boren and seconded by Kathleen Managhan to continue the application of Starlet O. Snell to the March 23, 2004 meeting, as they have not completed developmental plan review.

The motion carried by a vote of 5 – 0.

Thomas Ginnerty, Don Wineberg, Richard Boren, Joseph Logan, and Kathleen Managhan voted in favor of the motion.

Raymond Iannetta, David Nardollilo, and Elizabeth Brazil were absent.

New Business cont.

Adams

A motion was made by Richard Boren and seconded by Joseph Logan to grant the request of James Adams, whose property is located at 67 High St., and further identified as Tax Assessor's Plat 9, Lot 572 for a variance from Article 3, Section 3-2 (District Dimensional Regulations) to make alterations to an existing structure that is 1½" from the westerly lot line, 15' required as shown on plans submitted.

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

This variance is granted with the restriction that the garage overhang will be reduced from approximately 2 feet to approximately 3 inches as testified to by the applicant.

This motion is based on the following findings of fact:

1. Said property is located in a R8 zone and contains 13,540 sq. ft.
2. The existing structure; to wit, the garage is presently 1'2" from the westerly property line, where 15 feet is required.
3. The existing garage is 2 feet over the property line into Green St., a paper street.
4. The proposed construction at the rear of the house requires no variance.
5. The proposed construction at the front of the house will contain a porch and enclosed front door and will encroach only 3 feet into the westerly lot line where the garage is already encroaching almost 14 feet.
6. There was no opposition to the petition.
7. In granting the variance, the hardships that will be suffered by the owner if the variance is not granted shall amount to more than a mere inconvenience.

The motion carried by a vote of 5 – 0.

Thomas Ginnerty, Don Wineberg, Richard Boren, Joseph Logan, and Kathleen Managhan voted in favor of the motion.

Raymond Iannetta, David Nardollilo, and Elizabeth Brazil were absent.

New Business cont.

Barber

A motion was made by Joseph Logan and seconded by Richard Boren to grant the request of John & Darla Barber, whose property is located at 31 Hull St., and further identified as Tax Assessor's Plat 14, Lot 85 for a variance from Article 3, Section 302 Table 3-2 (District Dimensional Regulations) to construct an addition 13 ft. from the corner setback where 20 ft. is required as shown on plans submitted.

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

This variance is granted with the restriction that the shed be moved away from the lot line by at least the required setback.

This motion is based on the following findings of fact:

1. Said property is located in a R40 zone and contains 7,200 sq. ft.
2. The modifications will not increase the existing encroachment in the east direction.
3. The alterations are consistent with the house in the neighborhood.
4. There were no objectors.

The motion carried by a vote of 5 – 0.

Thomas Ginnerty, Don Wineberg, Richard Boren, Joseph Logan, and Kathleen Managhan voted in favor of the motion.

Raymond Iannetta, David Nardollilo, and Elizabeth Brazil were absent.

Bates

A motion was made by Don Wineberg and seconded by Joseph Logan to grant the request of Dee Bates, Trustee, whose property is located at 417 Beacon Ave., and further identified as Tax Assessor's Plat 3, Lot 79 for a variance from Article 3, Section 82-302 (District Dimensional Regulations) to build an addition to an existing single-family residence which will be 13'6" from the front lot line (Beacon Ave.) instead of the required 30' as shown on plans submitted.

Bates cont.

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 R40 zone and contains 8,000 sq. ft.
2. Three neighbors supported the application and one opposed.

3. The applicant has proposed a tasteful design, with most of the area proposed for relief actually being open space (porches & decks).
4. The garage cannot be moved back due to the septic system location.
5. Denial of the application would encourage the owner to increase the height and boxiness of the house by building up rather than out.

A motion was made by Don Wineberg and seconded by Joseph Logan to amend the motion to add the restriction that no portion of the garage may be closer than 17'6" from the Beacon Avenue property line.

The motion carried by a vote of 4 – 1.

Thomas Ginnerty voted against the motion.

Don Wineberg, Richard Boren, Joseph Logan, and Kathleen Managhan voted in favor of the motion.

Raymond Iannetta, David Nardollilo, and Elizabeth Brazil were absent.

#### ADJOURNMENT

A motion was made and seconded to adjourn at 8:38 p.m.

The motion carried unanimously.