

ZONING BOARD OF REVIEW AGENDA

December 15, 2015 MEETING

7:00 p.m.

Jamestown Town Hall  
93 Narragansett Avenue  
Jamestown, RI

I. MINUTES

1. Reading of the Minutes of the November 17, 2015 meeting.

II. CORRESPONDENCE

III. NEW BUSINESS

1. Application of Jamestown Boat Yard, Inc. whose property is located at 60 Dumplings Dr., and further identified as Assessor's Plat 10, Lots 141, 143, & 20, for a Special Use Permit granted under Article 6, Special Use Permits and Variances, pursuant to Section 82-7044, Alteration of a non-conforming use and Article 3, Section 82-301/Table 3-1 Section F.8 and F.9, and dimensional relief from Section 82-302 District Dimensional Regulations, and Table 3-2, for set back relief and lot coverage relief, to permanently enclose the existing structure for the continued use of boat storage. Said property is located in a R80 zone and contains 92,965 sq. ft.
2. Application of Fowler's Rock, LLC, whose property is located at 340 East Shore Rd., and further identified as Assessor's Plat 4, Lot 10 for a Special Use Permit granted under Article 6, Special Use Permits and Variances, pursuant to Section 82-311, Maximum size of Accessory Buildings, and dimensional relief from Section 82-311(A), pursuant to Article 6 Section 82-605 and 82-606 to construct a detached three car garage with office space. Said property is located in a R80 zone and contains 257,593 sq. ft.
3. Appeal of Stearns Farms Realty, LLC, David S. Martin, and Janice Martin ("Appellants") of the issuance of a Building Permit made out to Diane Lischio and E. Lischio, Jr. (but which property is actually owned by Erasmo Lischio, Jr., in his capacity as Trustee of the Helene C. Lischio Trust - 1992, and Diane M. Lischio

in her capacity as Trustee of the Erasmo Lischio Jr. Turst - 1992) (collectively "Lischios"), whose property is located at 64 Bay View Drive North, and further identified as Assessor's Plat 1, Lot 299. Such building permit was to "construct second floor guest quarters above garage." Appellants seek revocation of the Building Permit due to it being in direct violation of a previous variance granted by the Zoning Board on April 22, 1986, which allowed such garage to be built within 10' of the side lot line rather than the required 20' and also allowed a 7' setback from the front lot line rather than the required 40'. Such variance also explicitly required that "the plans for the building (Exhibit D) be adhered to" and those plans explicitly denied a dormer proposed in 1986 which would have allowed second floor living space. Furthermore, the expansion of the 1986 garage violates Sec. 82-311A, which limits the gross floor area of all accessory buildings to 50 percent of the gross living area of the principal building; violates Sec. 82-402 and 82-403 as no Zoning Certificate was issued, nor available for inspection, nor published as part of a list "in a newspaper of general circulation in Jamestown," and the new second floor addition actually exceeds the footprint of the first floor with a cantilevered overhang. The property which is subject to the appeal is located in a RR-80 zone and contains 24,760 sq. ft.

4. Application of EPI Real Estate Holdings, LLC, whose property is located at 41 Narragansett Ave., and further identified as Assessor's Plat 9, Lot 211 for a variance from Article 3, Table 3-2 Dimensional variances, 3. Art. 12, Sec. 1203 Parking Requirements. 1. Chapter 82 Zoning-Appendix A-Minor Subdivision Regulation. 2. Preliminary Plat check list No.3. 3. Art. 12, Sec. 1203 Parking Requirements. To 1. Divide current 10,210 into 2 lots. Lot A to be 4,059 sq. ft. instead of the required 5,000 sq. ft. 2. Lot B to be 4 ft. 9 in. rear lot set back instead of 12 ft. 3. Lot B - A variance to allow the existing configuration of parking to satisfy the requirements for Lot B. No physical alterations are being requested. Said property is located in a CD zone and contains 10,210 sq. ft.

#### IV. ADJOURNMENT