

received
11-7-22 pw

Notice of Hearing

Application of William Tracey whose property is located at 15 Fowler Street, Jamestown, RI 02835, and further identified as Tax Assessor's Plat 8, Lot 467 for a dimensional relief granted under Article 6, Section 82-600, 605, 606, and 607 for relief from section 82-302, Table 3-2, District Dimensional Regulations for the CL Zoning District of the zoning ordinance. The Applicant seeks to preserve the existing structure and maintain the side-yard setback of 4.9 feet where 6 feet is required as the existing structure is currently located at 4.9 feet from the setback. Said property is located in a CL zone and contains 10,000 square feet.

TOWN OF JAMESTOWN
ZONING BOARD OF REVIEW

Application for Modification, Exception or Variance under the Zoning Ordinance

Zoning Board of Review;

Jamestown, R.I.

Date: 11/2/2022

To Whom it may concern:

The undersigned hereby applies to the Zoning Board of Review for an exception or a variation in the application of the provisions or regulations of the zoning ordinance affecting the following described premises in the manner and on the grounds hereinafter set forth.

Applicant: William Tracey.

Address: c/o Christian Infantolino, Esq.,
77 Narragansett Avenue
Jamestown, RI 02835

Owner: Same

Lessee: None

1. Location of premises: No. 15 Fowler Street
2. Assessor's Plat 8 Lot 467
3. Dimensions of lot: frontage: +/-100 ft. depth: +/-100 ft. Area: 10,000 sq. ft.
4. Zoning Districts in which premises are located: Use: CL Area: 8000 sq. ft. Height: 35 ft.
5. How long have you owned the premises? Purchased on 7/09/2015
6. Is there a building on the premises at present? Yes
7. Size of existing building: +/- 1740 sq. ft Gross.
Size of proposed building or alteration: +/- 2044 sq ft
8. Distance of proposed building or alteration from lot lines:
Required: front: 12' minimum to 24' max rear: 12' side: 6'
Proposed: front: 12' rear: 16.9' side: 4.9' Side: 9.0'

NOTE: Existing structure is located 4.9' from the side and there is no proposal to move the existing structure.

9. Present use of premises: Single family residence

10. Proposed use of premises: Duplex

Location of septic tank & well on lot: On Town water and sewer.

11. Give extent of proposed alterations: Applicant proposes to add on to the existing structure creating a duplex property.

12. Number of families for which building is to be arranged: 2

13. Have you submitted plans for above to Inspector of Buildings? Yes

Has the Inspector of Buildings refused a permit? Yes

14. Provision or regulation of Zoning Ordinance or State Enabling Act under which application for exception or variance is made:

This application seeks a modification pursuant to Section 82-609, Modifications granted by building official for dimensional relief from Section 82-302 District Dimensional Regulations, and Table 3-2 Dimensional Regulations for the CL Zone for side set-back of 4.9 feet where 6 feet is required and the existing structure is located 4.9 feet from the property line.

15. State the grounds for exception or variation in this case:

This property possesses unique characteristics that require the relief requested.

This hardship present is due to the unique characteristics of the subject lot.

The granting of the requested variance will not alter the general characteristic of the surrounding area.

The relief requested is the least relief necessary.

The hardship amounts to more than a mere inconvenience without the requested relief.

The requested relief will allow the applicant to develop the property while preserving as much of the original cottage as possible.

Respectfully Submitted,

Signature: /s/ christian s. infantolino, esq., attorney for
applicants

Address: 77 Narragansett Avenue
Jamestown, RI 02835

Phone: 401-423-0400

NOTE: A LOCATION PLAN AND SKETCH AND DRAWINGS NECESSARY TO GIVE FULL INFORMATION MUST BE FILED WITH THE APPLICATION



Office of the Town Planner
MEMORANDUM

TO: Jamestown Zoning Board of Review
FROM: Lisa Bryer, AICP Town Planner for The Jamestown Planning Commission
RE: William Tracey, Plat 8 Lot 467, 15 Fowler Street, Jamestown, RI. Application for Development Plan for construction of duplex/second dwelling in Jamestown Village Special Development District – CL Zoning District – review as significant alteration per Jamestown Zoning Ordinance Article 11 Section 82-1100. Variance required for side yard setback of existing house
DATE: October 26, 2022

The Planning Commission, at a meeting on October 19, 2022, voted to approve the development plan for 15 Fowler Street and recommend variance approval to the Zoning Board of Review for a south side lot line of 4.9' where 6 feet are required for the existing house, now being attached to the new duplex structure.

This approval is based on the following findings of fact, and subject to the following conditions of approval as amended:

Findings of Fact:

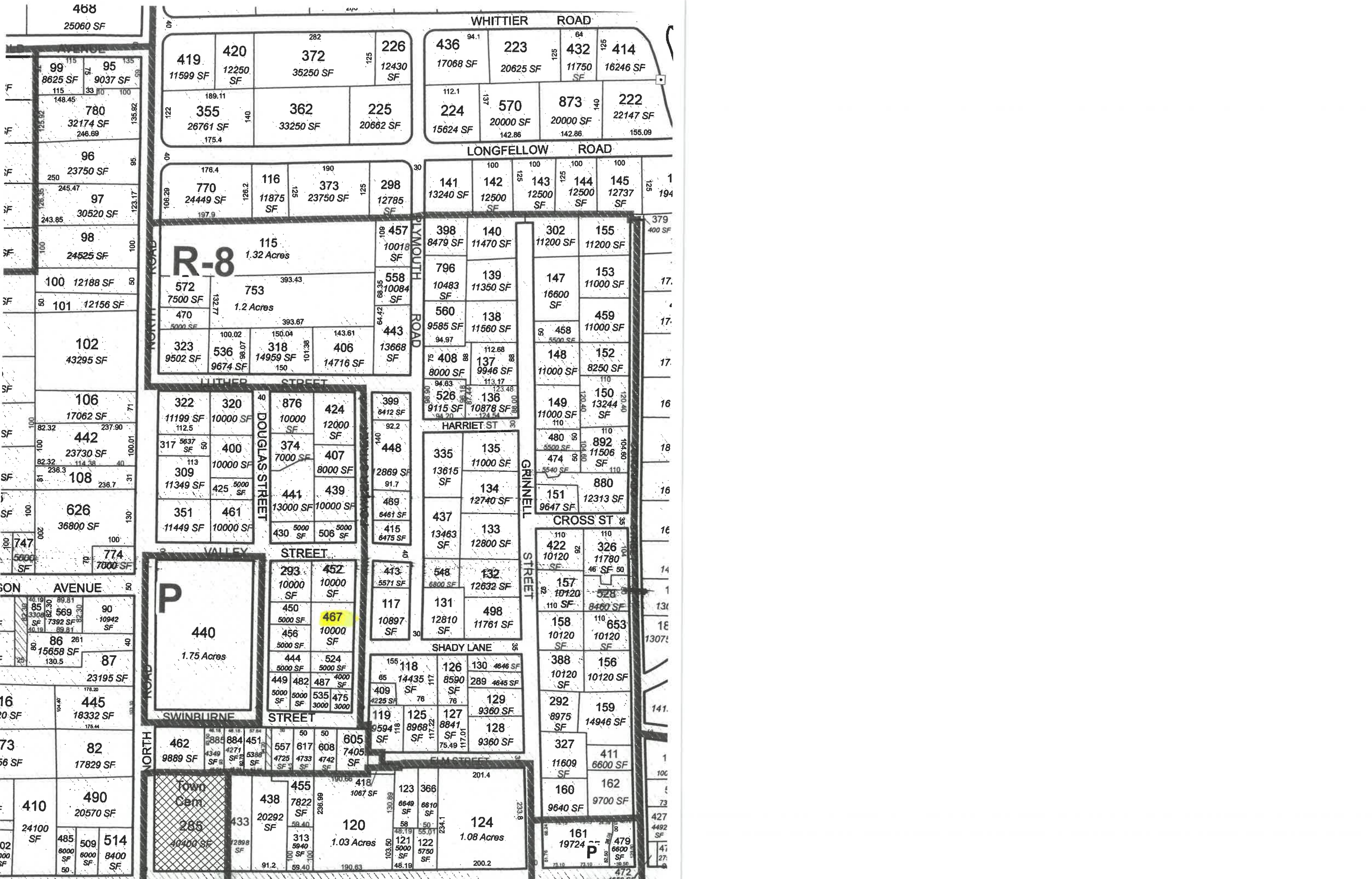
1. This application proposes to add onto an existing house creating a duplex and there will be no exterior alternations to the existing cottage. In addition, a driveway, pool and patio will be added;
2. The dwelling units is proposed to have three bedrooms;
3. The subject lot for construction is 10,000 square feet or .23 acres and is located in the CL Zoning District where duplex is a permitted use with 5,000 square feet;
4. The Technical Review Committee (TRC) reviewed this application on October 11, 2022;
5. Lot Coverage is proposed to be 34.7%, under the 35% maximum;
6. The site is currently serviced by town sewer and water where the connections for duplex is permitted by right;
7. The TRC recommended providing an alternative/reduction for the parking spaces in the front of the site. The applicant has revised the plans to reduce area allocated for parking in the north and south parking spaces;
8. The TRC recommended the applicant provide a cistern for outdoor watering as recommended in the Jamestown Design Guidelines. A 1,000-gallon cistern has been incorporated into the project on the western property boundary;
9. Landscaping and Stormwater retention is proposed on site;

10. The applicant's representatives, Albert Garcia, AIA, of KITE Architects, Inc., and Neal Hingorany, PLS, of Narragansett Engineering, Inc., were accepted as expert witnesses, and present at the Planning Commission meeting representing the application before the Planning Commission on October 19, 2022;
11. The existing structure predates zoning and was built in 1920;
12. The landscape plan needs to be updated to conform to site plan as it relates to the driveway in front of the garage;
13. Zoning Ordinance lists Single Family and Duplex separately in use table and therefore the change from single family to duplex is a change in use.

Conditions of Approval:

1. If required by the Town Zoning Officer, a Zoning Variance be sought for the existing house setback of 4.9' where 6' is required;
2. Landscaping is proposed in right-of-way and all vegetation will be maintained at no more than 3-feet in height.

C: Peter Medeiros, Building Official/ZEO
William Tracey, Applicant
Planning Commission



419 11599 SF	420 12250 SF	372 35250 SF	226 12430 SF
355 26761 SF		362 33250 SF	225 20662 SF

436 17068 SF	223 20625 SF	432 11750 SF	414 16246 SF
224 15624 SF	570 20000 SF	873 20000 SF	222 22147 SF

770 24449 SF	116 11875 SF	373 23750 SF	298 12785 SF
R-8 1.32 Acres 115 393.43			
572 7500 SF	753 1.2 Acres		
470 5000 SF	443		
323 9502 SF	536 9674 SF	318 14959 SF	406 14716 SF

141 13240 SF	142 12500 SF	143 12500 SF	144 12500 SF	145 12737 SF
398 8479 SF	140 11470 SF	302 11200 SF	155 11200 SF	

322 11199 SF	320 10000 SF	876 10000 SF	424 12000 SF
317 5637 SF	400 10000 SF	374 7000 SF	407 8000 SF
309 11349 SF	425 5000 SF	441 13000 SF	439 10000 SF
351 11449 SF	461 10000 SF	430 5000 SF	506 5000 SF

796 10483 SF	139 11350 SF	147 16600 SF	153 11000 SF
560 9585 SF	138 11560 SF	458 11000 SF	459 11000 SF
408 8000 SF	137 9946 SF	148 11000 SF	152 8250 SF
526 9115 SF	136 10878 SF	149 11000 SF	150 13244 SF

P 440 1.75 Acres			
293 10000 SF	452 10000 SF	443 5571 SF	548 6800 SF
450 5000 SF	467 10000 SF	117 10897 SF	131 12810 SF
456 5000 SF	524 5000 SF	132 12632 SF	498 11761 SF

335 13615 SF	135 11000 SF	480 5500 SF	892 11506 SF
437 13463 SF	134 12740 SF	474 5540 SF	880 12313 SF
437 13463 SF	133 12800 SF	151 9647 SF	880 12313 SF
422 10120 SF	326 11780 SF	157 10120 SF	528 8460 SF

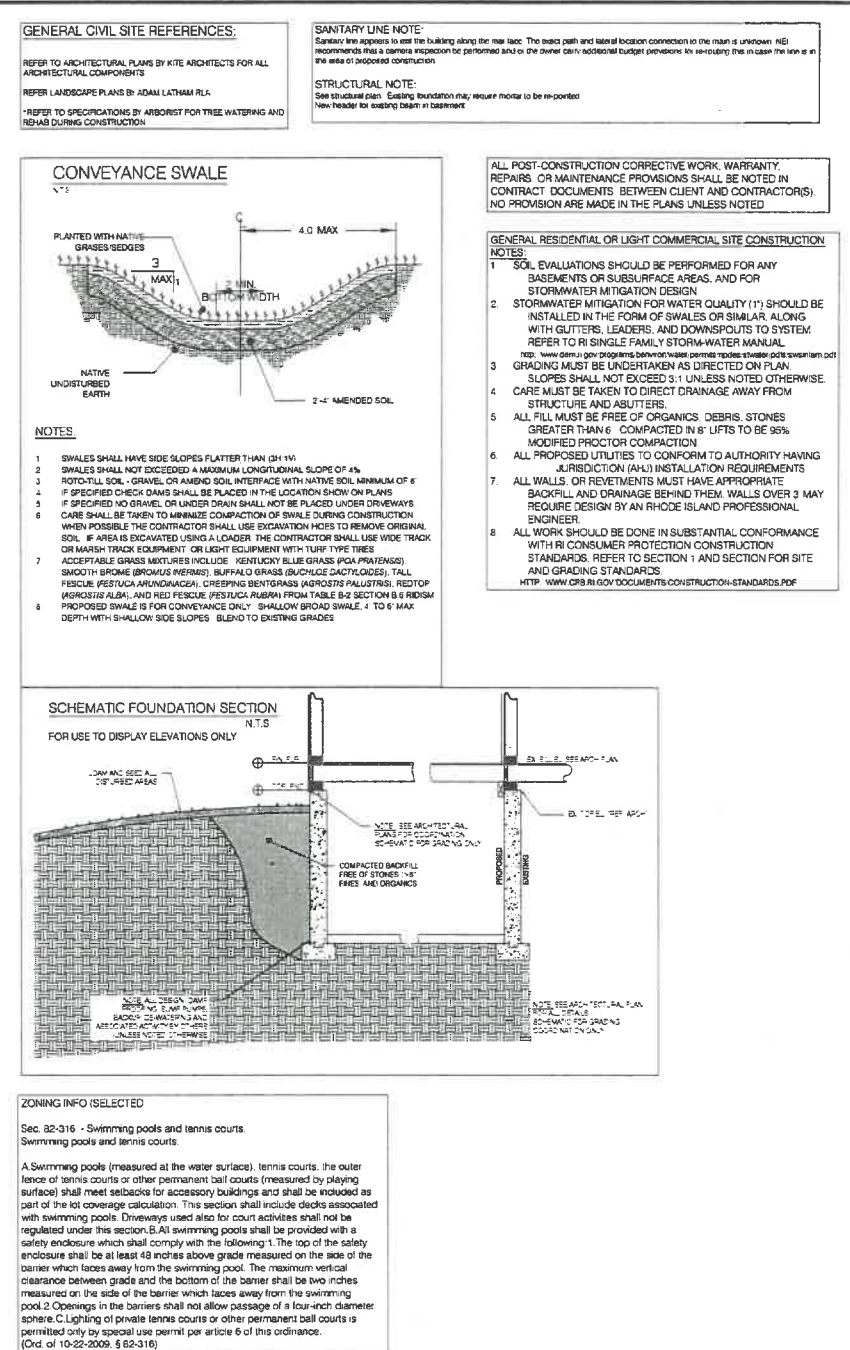
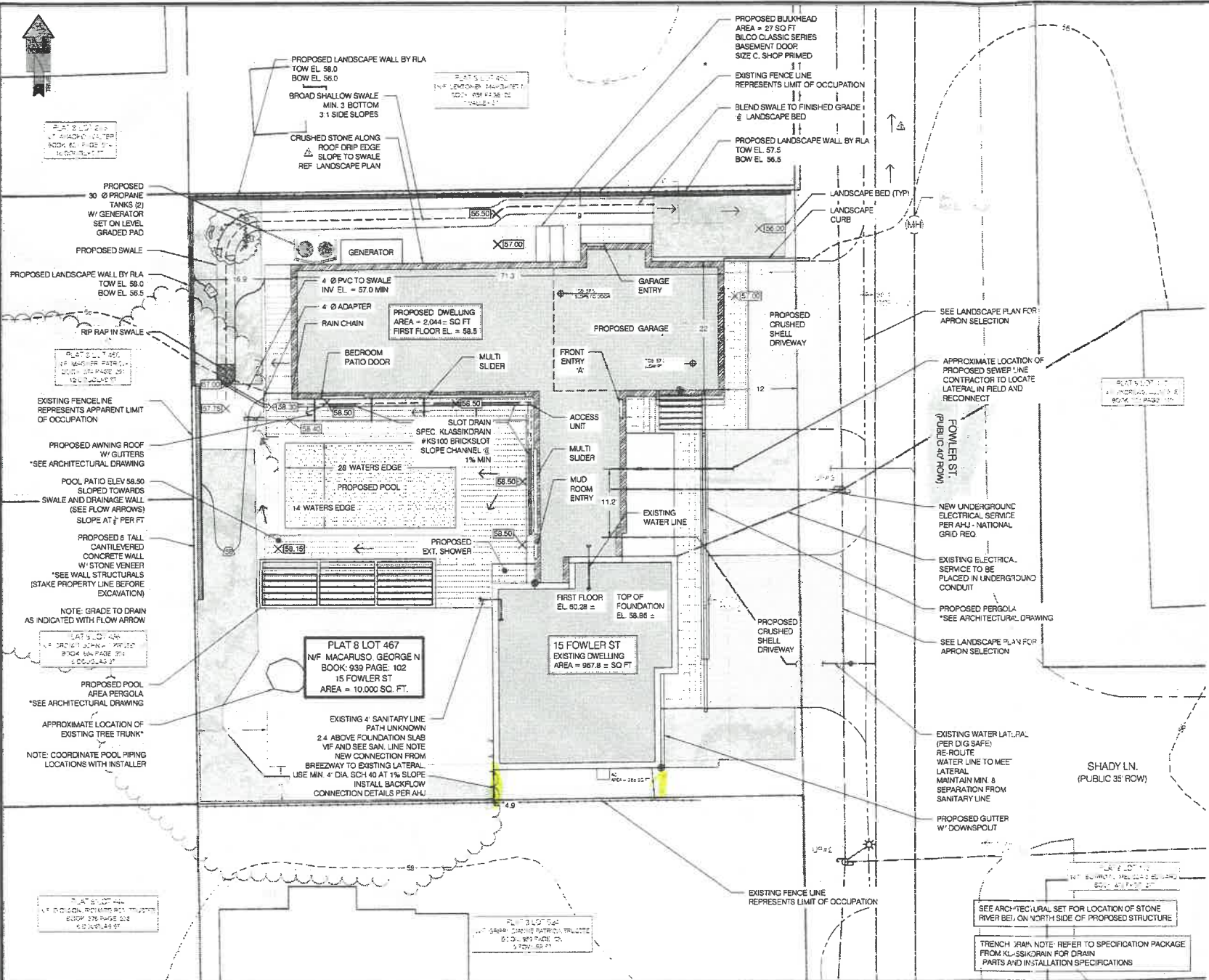
462 9889 SF	884 4271 SF	451 5388 SF	557 4725 SF	617 4733 SF	608 4742 SF	605 7405 SF
Town Cem 285 40400 SF						
438 20292 SF	455 7822 SF	418 1067 SF	123 6649 SF	366 6810 SF	120 1.03 Acres	
433 2998 SF	313 5940 SF	121 5000 SF	122 5750 SF	128 9360 SF	124 1.08 Acres	

118 14435 SF	126 8590 SF	130 4646 SF	130 4645 SF
119 9594 SF	125 8968 SF	127 8841 SF	128 9360 SF
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118 14435 SF	126 8590 SF	130 4646 SF	130 4645 SF

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99 8625 SF	95 9037 SF	780 32174 SF	96 23750 SF	97 30520 SF	98 24525 SF	100 12188 SF	101 12156 SF	102 43295 SF	106 17062 SF	442 23730 SF	108 2367 SF	626 36800 SF	747 5000 SF	774 7000 SF	85 7392 SF	569 10942 SF	86 15658 SF	87 23195 SF	445 18332 SF	82 17829 SF	410 24100 SF	490 20570 SF	514 8400 SF
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15 FOWLER ST - LOT 467 PROPOSED SITE PLAN (PROJECT # 19.0136) NEEL HINGRANY, INC. 01/27/2019 NEEL HINGRANY



NEI Narragansett Engineering Inc.
 Civil / Survey Structural Environmental Design
 3102 East Main Road, Portsmouth RI 02871
 Tel. 401.683.9530 www.nei-cds.com

SHEET TITLE
PROPOSED SITE PLAN
TRACY RESIDENCE

Property Record
 15 Fowler St. Jamestown, RI 02835
 Plat & Lot: 467
 Zone: CL Area: 0.23 Acres
 N/F: Macarus, George N (per assessment)

CERTIFICATION THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO 435-RICR00-1.9 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON DECEMBER 16, 2019. AS FOLLOWS:

LIMITED CONTENT BOUNDARY SURVEY - CLASS I
 DATA ACCUMULATION SURVEY - CLASS III
 TOPOGRAPHIC SURVEY T-2 ACCURACY (81:9.0(D)) **

THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THE PLAN IS AS FOLLOWS. TO CONDUCT A METES AND BOUNDS SURVEY AND LOCATED PERTINENT SITE FEATURES.

NEAL HINGRANY REG. 2516
 COA: 436
 nei-cds.com

PROJECT #	DATE	DRAWN	CHECK
19.0136	7/8/21	CB	NKH

No	DATE	REVISIONS/DESCRIPTION	BY
1	10/07/22	TRC MEETING	CB

PROPOSED SITE PLAN
 Scale 1" = 10'

PROJECT # 19.0136
15 FOWLER ST - LOT COVERAGE TABLE

DESCRIPTION	AREA	UNITS	NOTES
1 EX. DWELLING	967.8	SQ FT	
2 EX. GARAGE/SHED	294.3	SQ FT	TO BE DEMO
3 EX. BULKHEAD	13.9	SQ FT	
4 EX. AC CONDENSER	3.8	SQ FT	
5 EX. BACKYARD PATIO	278.6	SQ FT	NOT INCLUDED IN LOT COVERAGE %
6 TOTAL COVERAGE	1278.8	SQ FT	
LOT COVERAGE %	12.8%		< 35% OK

PROJECT # 19.0136
15 FOWLER ST - PROPOSED LOT COVERAGE TABLE

DESCRIPTION	AREA	UNITS	NOTES
1 EX. DWELLING	967.8	SQ FT	
2 PRO. BULKHEAD	27	SQ FT	
3 EX. AC CONDENSER	3.8	SQ FT	
4 PRO. DWELLING	2044	SQ FT	
5 PRO. POOL	392	SQ FT	28'x14' (PATIO NOT INCLUDED)
6 PRO. GENERATOR	40	SQ FT	
7 TOTAL COVERAGE	3474.6	SQ FT	
LOT COVERAGE %	34.7%		< 35% OK

Table 3-2 for the Village Special Development District Zone CL

ZONING DISTRICT	CL	PROVIDED
Lot Size	8,000 sq. ft.	10,000 SQ FT
Duplex	8,000 sq. ft.	
Multifamily dwelling	25,000 sq. ft.	
(See Article 10)		
Lot Occupation:		
Lot Width	80' min. - 120' max.	100 FT
Lot Coverage	35% max.	34.7%
Building Height	35 ft.	24.0 FT
Setbacks - Principal Building		
Front Setback - Principal	12' min. - 24' max.	12 FT
Front Setback - Secondary	6' min. - 18' max.	12 FT
Side Setback	6' min.	9 FT NORTH ' 4.8 FT SOUTH
Rear Setback	12' min.	16.9 FT
Frontage buildout	40% min. at setback	56%
Setback - outbuilding		
Front setback	20' min. + bldg. setback	NOTE: 4 PARKING SPOTS PROVIDED
Side setback	10' min.	2 PER DWELLING UNIT
Rear setback	10' min.	

REGULATORY NOTE:
 Pools and decks count towards lot coverage and have to meet setbacks in the zone they are in. If a patio is located more than 30' away from the house, it may count towards lot coverage. Also any work being done in the High Ground water overlay, owner will have to follow 82-314 for emergency drainage and lot coverage.
 PEP
 Wetland Buffer: Safety Critical and Zoning Enforcement Overlay
 PROPOSED PATIO IS LESS THAN 30' FROM EXISTING GRADE AND NOT COUNTED TO BUILDING COVER

GRADING AND UTILITIES NOTES:

- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THAT THE PROPOSED WORK SHOWN ON THESE PLANS DOES NOT CONFLICT WITH ANY EXISTING CONDITIONS OR OTHER PROPOSED WORK. IF CONFLICTS ARISE, THE CONTRACTOR SHALL NOTIFY THE OWNER AND ENGINEER PRIOR TO INSTALLATION OF ANY PORTION OF THE SITE WORK WHICH WOULD BE AFFECTED. NO FIELD ADJUSTMENTS IN THE LOCATION OF SITE ELEMENTS SHALL BE MADE WITHOUT THE ENGINEER'S APPROVAL.
- WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH WORK, THE LOCATION, ELEVATION, SIZE AND MATERIAL SHALL BE ACCURATELY DETERMINED BY THE CONTRACTOR IMMEDIATELY AND THE INFORMATION FURNISHED TO THE ENGINEER FOR RESOLUTION. THE CONTRACTOR SHALL NOT CONTINUE WORK ON AFFECTED UTILITIES UNTIL THE CONFLICT IS RESOLVED.
- ALL WORK PERFORMED AND ALL MATERIALS FURNISHED SHALL CONFORM WITH THE LINE AND GRADES ON THE PLANS AND SITE WORK SPECIFICATIONS.
- THE CONTRACTOR SHALL PROTECT ALL UNDERGROUND UTILITY FACILITIES FROM EXCESSIVE VEHICULAR LOADING. ANY DAMAGE TO THESE FACILITIES SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AT THE CONTRACTOR'S EXPENSE.
- ALL WATER WORKS SHALL HAVE 5 FEET OF COVER.
- GAS, ELECTRIC, AND COMMUNICATIONS ROUTING ARE SUBJECT TO REVIEW AND APPROVAL BY UTILITY COMPANY.
- DURING CONSTRUCTION CONTRACTOR SHALL PROTECT EXISTING UTILITIES BY PROVIDING TEMPORARY SUPPORTS OR SHEETING AS REQUIRED AT NOT ADDITIONAL COST TO THE OWNER.
- EXCAVATION REQUIRED WITHIN THE PROXIMITY OF EXISTING UTILITY LINES SHALL BE DONE BY HAND. CONTRACTOR SHALL REPAIR ANY DAMAGE TO EXISTING UTILITY LINES OR STRUCTURES INCURRED DURING CONSTRUCTION OPERATION AT NO COST TO THE OWNER.
- PITCH EQUALS BETWEEN ALL SPOT GRADES.
- THE CONTRACTOR IS RESPONSIBLE FOR REMOVAL AND DISPOSAL OF ANY ROCKS, DEBRIS, ORGANICS, OR THE LIKE UNCOVERED IN THE COURSE OF WORK.

