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12-6-22 pu

TOWN OF JAMESTOWN
ZONING BOARD REVIEW

Original

Application to Amend a Previously Granted Setback Variance

In a letter dated June 28, 2022, the undersigned were notified that the Jamestown Zoning Board of Review had granted a setback variance for a proposed outbuilding at 108 Southwest Avenue. This application seeks approval for an amendment (as described herewith) to the terms of that grant of variance.

Applicant(s): Alexander and Linda Knowles **Address:** 108 Southwest Avenue, Jamestown

Owner(s): Alexander and Linda Knowles **Address:** 108 Southwest Avenue, Jamestown

1. **Location of Premises:** 108 Southwest Avenue, Jamestown
2. **Assessor's Plat:** 9 **Lot:** 26
3. **Dimensions of lot:** **Frontage** 175 feet **Depth** 574 feet **Area** 87,700 square feet
4. **Zoning Districts in which premises are located:** **Use** R-20 **Area** 20,000 square feet
5. **How long have you owned above premises:** 14 years
6. **Is there a building on the premises at present?** Two buildings—home and outbuilding
7. **Size of existing building:** Outbuilding — 12 feet x 22 feet / 264 square feet
Size of proposed building: Outbuilding — 24 feet x 22 feet / 528 square feet
8. **Distance of proposed bldg. or alteration:**
Front 125 ft. **Rear** 30 ft. **Left Side** 160 ft. **Right Side** 2 ft.¹
9. **Present use of premises:** auto garage, storage, workspace
10. **Proposed use of premises:** auto garage, storage, workspace
Location of septic tank and well on lot: No septic tank or well

¹ As per a letter from the Jamestown Zoning Board of Review dated June 28, 2022, a variance was granted after the Board determined that the application as submitted satisfied requirements under Article 6, Section 600, Section 606 and Section 607, paragraph 2 (of the Revised Code of Ordinances for the Town of Jamestown, RI).

11. Give extent of proposed alterations:

Applicants seek approval to raise the height of the outbuilding by 4 feet (from the previously submitted 16 feet 3 inches) to 20 feet 3 inches

12. Number of families for which building is to be arranged: None

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:

The proposed height of the outbuilding, 20' 3," conforms with Section 82-302 (Table 3-2), contained in the Revised Code of Ordinances for the Town of Jamestown, RI. Section 82-302 specifies a maximum building height for outbuildings associated with properties designated R-20 as 25 feet. In light of the 25' maximum, this applicants does not seek a variance with respect to Section 82-302.

In June 2022 when the Applicants received a letter informing them that they were granted the "setback variance" as requested for a proposed outbuilding. In paragraph 5 of that letter, the Zoning Board of Review stipulated the following: "This project must be constructed in strict accordance with the site and building plans duly approved by this Board." The letter went on to include 9 "findings of fact." In number 5, the Zoning Board noted that: "The proposed structure will be 4 feet higher than currently," (i.e., 16' 3"). Assuming that a 20' 3" height is in material conflict with this "finding of fact," the Applicants are requesting that the Zoning Board amend that finding of fact to read: "The structure will be 8 feet higher than currently."²

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

The Applicants are not seeking a variance with respect to Jamestown's Revised Code of Ordinances They are seeking relief from the Zoning Boards "finding of fact" #4 that specifies that the new structure will be 4' higher than currently (currently being 16' 3").

Respectfully Submitted,

Signature Alexander B. Knowles Linda D. Knowles
Alexander B. Knowles Linda D. Knowles

Address: 108 Southwest Avenue, Jamestown, RI 02835

Telephone No.: (401) 239-4368 Date: December 5, 2022

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

² Alternatively, the Board might issue a new letter stipulating that the height of the structure is increased to 4' over the previously sanctioned height of 16' 3."

Attachments

Page 4 — Advertisement

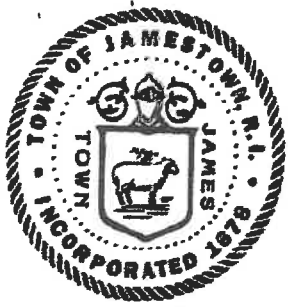
Pages 5/6 — Jamestown Board of Zoning Letter (June 28, 2022)

Page 7 — Outbuilding Design

Page 8 — List of abutting properties (one original only)

Advertisement For Submission to the Jamestown Press

Applicants Alexander and Linda Knowles (the Applicants) whose property is located at 108 Southwest Avenue, Jamestown, RI 02835, and further identified as Plot 9, Lot 26 are seeking to add 4 feet to the height of a proposed outbuilding that was approved by the Jamestown Zoning Board of Review in June 2022. The plans for the proposed outbuilding as originally submitted for approval included a building height of 16 feet 3 inches. The Applicants have revised the building plans to raise the building height to 20 feet 3 inches. Article 3, Section 82-302 (Table 3-2), of the Revised Code of Ordinances for the Town of Jamestown, RI, specifies that properties designed R-20 adhere to a maximum building height of 25 feet. The Applicants' new plans are within the building height provisions as established by Section 82-302.



DEC 1 2022 09:00:43
JUN 28 2022 10:27
ZONING BOARD OF REVIEW

Town of Jamestown

93 Narragansett Avenue
401-423-7200

Jamestown, Rhode Island
02835-1199

June 28, 2022

Alexander B. Knowles
Et Linda D.
108 Southwest Avenue
Jamestown, RI 02835

Dear Mr. & Ms. Knowles,

The following is the decision on your Petition heard by the Town of Jamestown Zoning Board of Review on June 28, 2022.

After testimony was completed at the public hearing for which due notice was given and a record kept, the Town of Jamestown Zoning Board of Review, after taking into consideration all of the testimony and exhibits at the public hearing, makes the following determination:

A motion was made by Terence Livingston and seconded by James King to grant the request of Alexander B & Linda D. Knowles, whose property is located at 108 Southwest Ave., and further identified as Assessor's Plat 9, Lot 26 for a variance from Article 3, Section 82-302, Table 3-2 (District Dimensional Regulations) and Sec. 82-605/606 and 82-705 to replace an existing outbuilding that will utilize the same north side setback of 2 ft. where 10' is required. The new structure will increase the square footage from 264 sq. ft. to 528 sq. ft.

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 following condition(s):
This project must be constructed in strict accordance with the site and building plans duly approved by this Board.

This motion is based on the following findings of fact:

1. Said property is located in a R20 zone and contains 87,700 sq. ft.
2. The applicant proposes to increase the square footage of a non-conforming structure from 264 sq. ft. to 528 sq. ft.

3. The structure will be built to add 12 feet to the south side.
4. The north side of the structure is currently 2 feet from side setback, where 10 ft. is required.
5. The structure will be 4 feet higher than currently.
6. If the structure was moved 8 feet more off the north side setback it would not be in line with the current driveway and would require cutting down at least one mature tree.
7. The building goes higher for esthetic reasons.
8. One person testified in favor of the applicants and none against.
9. One person, Mike O'Neil, had concerns regarding workers on his property during construction.

The motion carried by a vote of 5 -0.

Richard Boren, Terence Livingston, James King, Jane Bentley and Judith Bell voted in favor of the motion.

Alex Finkelman was not seated and Dean Wagner and John Shekarchi were absent.

This variance/special use permit shall expire one year from the date of granting unless the applicant exercises the permission granted.

Very truly yours,



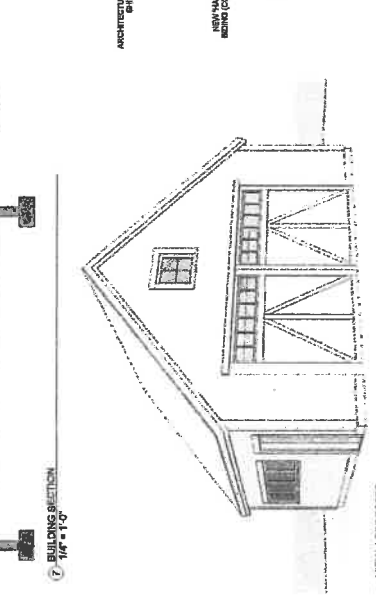
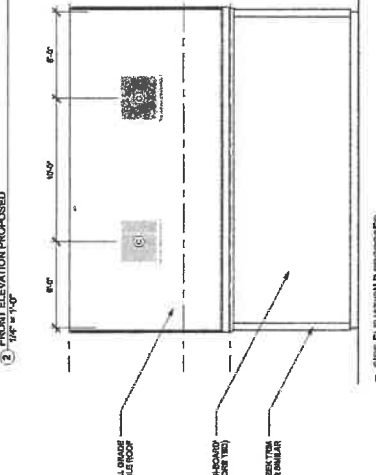
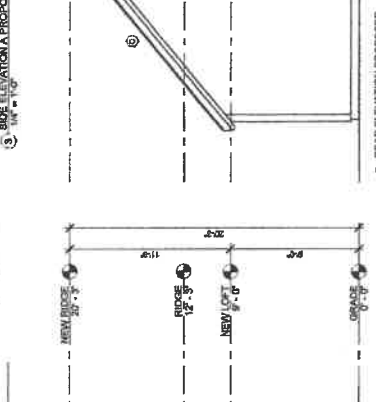
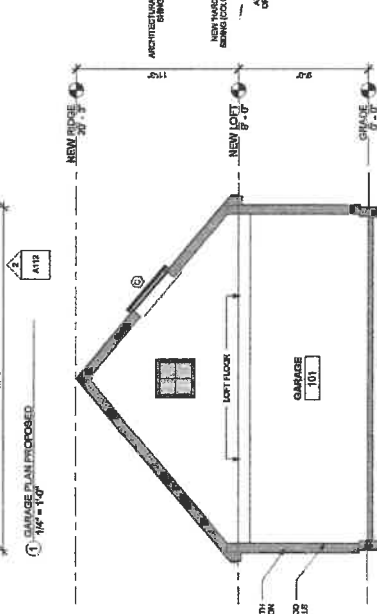
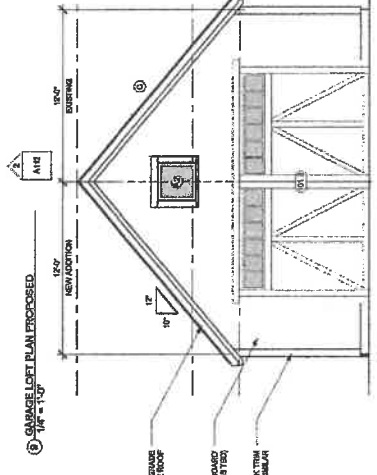
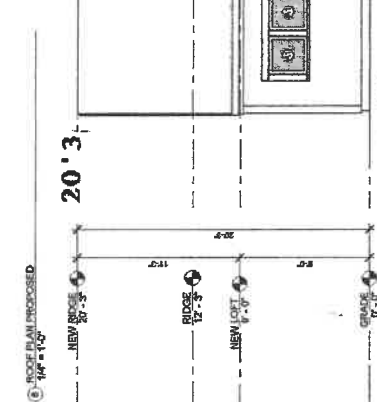
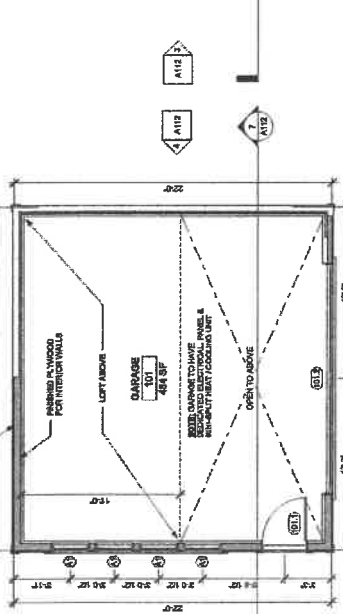
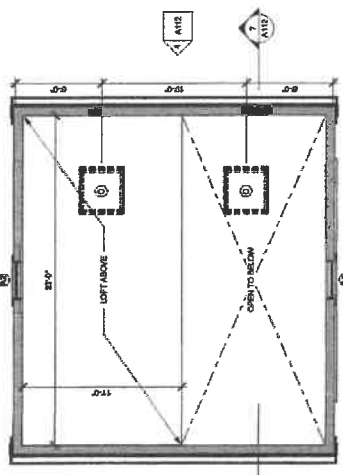
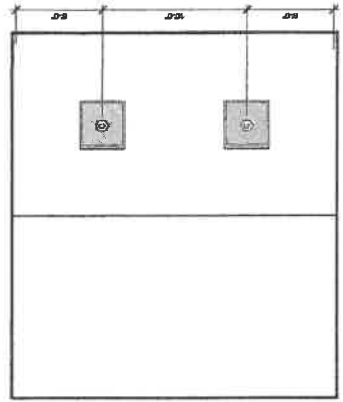
Richard Boren, Chairman
Jamestown Zoning Board of Review
RB/pw

Received for Record
Roberta J. Fasan
TOWN CLERK
JAMESTOWN, N.Y.
JUL 27 2022 11:11 AM
Vol: 1023 Pg: 277

**PERMIT SET
FOR CONSTRUCTION**

WINDOW SCHEDULE			
Type	Count	Width	Height
A1	4	2'-6"	4'-4"
A2	2	2'-6"	5'-0"
A3	2	5'-0"	4'-0"
Manufacturer: PELLA LIFESTYLE			
Description: CABINETS			
Manufacturer: PELLA LIFESTYLE			
Description: SKYLIGHT			

DOOR SCHEDULE	
Mark	Description
D1	SINGLE SWING
D2	EXT. GARAGE STYLE GARAGE DOOR



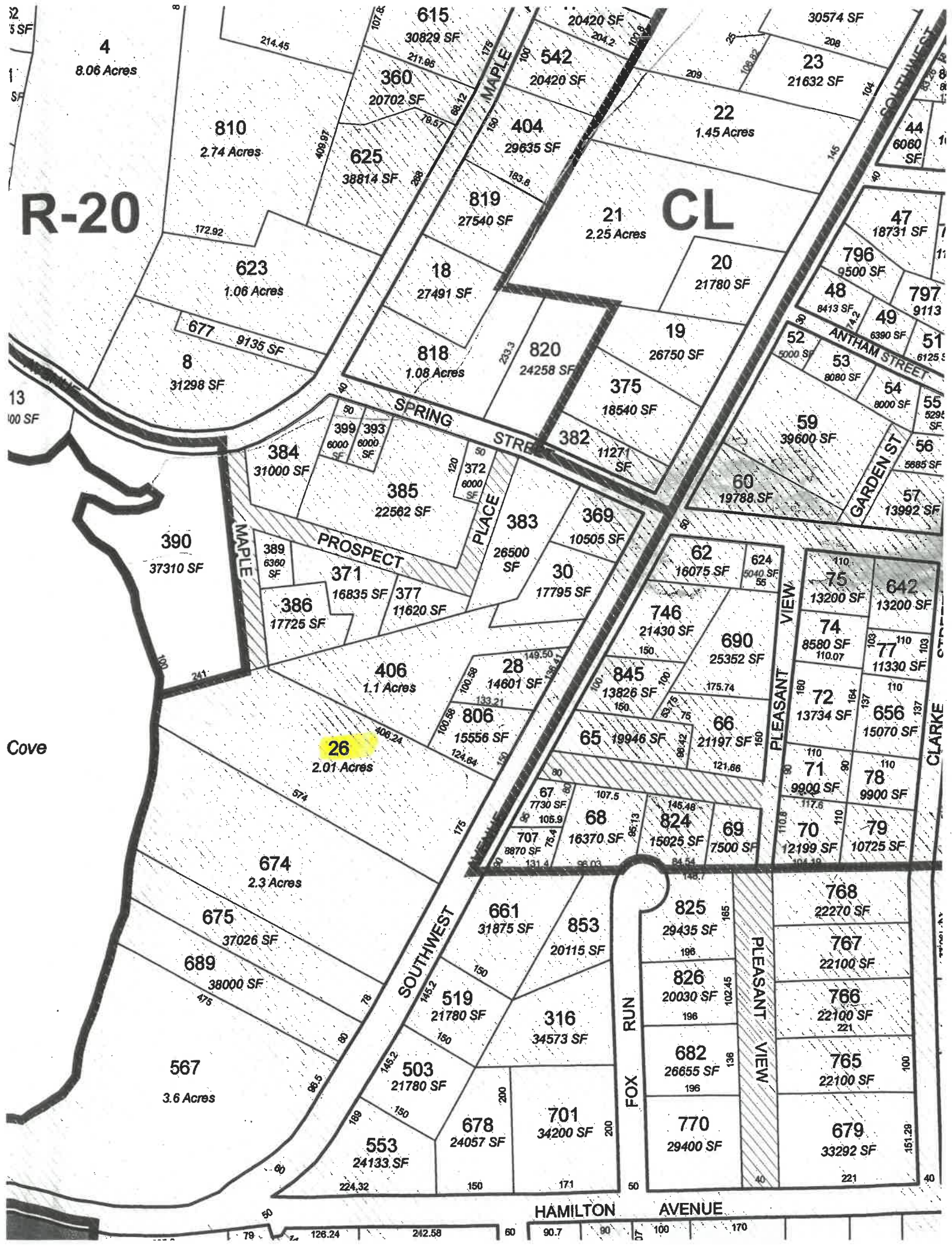
A112

DESCRIPTION: PROPOSED FLOOR PLANS, ELEVATIONS
 SCALE: 1/4" = 1'-0"
 DATE: 11-23-22
 PAPER: 24"x36"
 "CONSTRUCTION SET"

KNOWLES GARAGE RENOVATION
 108 SOUTHWEST AVENUE, JAMESTOWN, RI 02835

CHRIS FAGAN
 T: 401-865-4873
 E: FAGAN1@GMAIL.COM
 W: CFD-STUDIO.COM
 A: PO BOX 774
 NEWPORT, RI 02840

FAGAN DESIGN BUILD STUDIO



R-20

CL

4
8.06 Acres

810
2.74 Acres

623
1.06 Acres

390
37310 SF

Cove

567
3.6 Acres

674
2.3 Acres

26
2.01 Acres

406
1.1 Acres

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HAMILTON AVENUE

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AUDUBON SOCIETY OF R I
12 SANDERSON ROAD
SMITHFIELD, RI 02917

MAVRIDES MARCIA J ET
KAZARIAN CHARLES P JT
21 WORMWOOD ST #502
BOSTON, MA 02210

BELL PETER A & MARILYN A
99 SOUTHWEST AVENUE
JAMESTOWN, RI 02835

O NEIL MICHAEL ET KATHLEE
104 SOUTHWEST AVENUE
JAMESTOWN, RI 02835

CASEY CHRISTA TRUSTEE
P O BOX 65
JAMESTOWN, RI 02835

PINCINCE DENNIS E RICHARD
PINCINCE RITA
111 SOUTHWEST AVENUE
JAMESTOWN, RI 02835-1105

CONANICUT ISLAND LAND TRU
P O BOX 106
JAMESTOWN, RI 02835

RICHARDSON JOHN W & LISA
P O BOX 653
HARRISON, ME 04040

CONANICUT ISLAND LANDTRUS
PO BOX 106
JAMESTOWN, RI 02835

RODERICK PETER S JR
1746 BAYSIDE BEACH ROAD
PASADENA, MD 21122-3506

CONANICUT ISLAND TRUST
C/O PO BOX 106
JAMESTOWN, RI 02835

SCHUBERT JAMES E & MEGHAN
9550 STONEY RIDGE LANE
ALPHARETTA, GA 30022

DRURY PETER F JR
133 SOUTHWEST AVENUE
JAMESTOWN, RI 02835

GAYNOR GRACE DEVLIN TRUST
C/O PETER & SUSAN GAYNOR
100 SOUTHWEST AVENUE
JAMESTOWN, RI 02835

HARVEY HEIDI S TRUSTEE
128 SOUTHWEST AVENUE
JAMESTOWN, RI 02835

MATTHEWS KRISTOPHER D
MATTHEWS JAMIE HAINES TE
1 FOX RUN
JAMESTOWN, RI 02835