

TOWN OF JAMESTOWN
ZONING BOARD OF REVIEW

Application for Exception or Variation under the Zoning Ordinance

Zoning Board of Review;

Jamestown, R. I.

Date Feb. 16, 2023

Gentlemen:

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 Gwendolyn Lupinek and Franklin Chew Address 24 Richards Lane, Norwalk, CT 06851

Owner Gwendolyn Lupinek and Franklin Chew Address 24 Richards Lane, Norwalk, CT 06851

Lessee None Address N/a

1. Location of premises: No. 6 Middle _____ Street

2. Assessor's Plat 1 Lot 332

3. Dimensions of lot: frontage 178.86 ft. depth 100.00 ft. Area 17,899.00 sq. ft.

4. Zoning Districts in which premises are located: Use RR-80 Area _____ Height <35' (less than 35 feet)

5. How long have you owned above premises? Since 1997

6. Is there a building on the premises at present? Yes _____

7. Size of existing building 1688 sq. ft. (with patio under second floor included)

Size of proposed building or alteration 1645 sq. ft.

8. Distance of proposed bldg.or alteration from lot lines:

front 25' rear 32.2' left side 19.7 (west) right side 75.9

9. Present use of premises: Single Family Residence with accessory garage

10. Proposed use of premises: Single Family Residence with accessory garage

Location of septic tank & well on lot Southeast Corner of Lot

11. Give extent of proposed alterations Please see attached letter. Thank you.

12. Number of families for which building is to be arranged: 1

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:

Dimensional Variance from Article 3, Section 82-314 for lot coverage (8% maximum; 11.17% requested).

Dimensional Variance from Article 3, Section 82-302 District Dimensional Regulations - Front, Rear, and Side Setbacks

Special Use Permit for High Groundwater Table and Impervious Overlay District - Sec. 82-314

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

Franklin and Gwendolyn have owned this property since 1997. They plan to retire in

Jamestown. The home has a number of issues and a rebuild is the most practical path forward. The relief sought is the least relief necessary due to the constraints of the lot. The increase

in size of the new structure is minimal. The owners would like to preserve the garage on site along with the small expansion

of the home. This lot also includes a right of way in the eastern side of the lot. Technically the right of way creates two

front setbacks. However it appears the likelihood of usage of the right of way is very limited.

Please see attached letter for more detail. Thank you.

Respectfully Submitted,

Signature


James M. Callaghan, Esq., Attorney for Applicants

Address

Callaghan & Callaghan

3 Brown Street, Wickford, RI 02852

Telephone No. (401) 284-7750

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

CALLAGHAN & CALLAGHAN
ATTORNEYS AT LAW
3 BROWN STREET
WICKFORD, RI 02852

MATTHEW F. CALLAGHAN, JR.
JAMES M. CALLAGHAN

TEL. (401) 294-4555
FAX: (401) 294-4557
MATT@CALLAGHANLAWRI.COM
JAMES@CALLAGHANLAWRI.COM

February 16, 2023

Peter Medeiros
Building & Zoning Official
Jamestown Planning Commission
Jamestown Zoning Board
Town of Jamestown
93 Narragansett Avenue
Jamestown, RI 02835

Subject: Dimensional Variance Application and
Special Use Permit Application
Owners: Gewndolyn Lupinek and Franklin Chew
Address: 6 Middle Street
Plat/Lot: 1/332
Zone: R-80 – High Groundwater Overlay District

Dear Building Official Medeiros,

I hope you are doing well. Please accept this letter with the attached Application for a Variation and Special Use Permit under the Jamestown Zoning Ordinance. Our office, along with Nathan Chofay, PE, of Principe & Company, is submitting the application on behalf of Gwendolyn Lupinek and Franklin Chew for 6 Middle Street (Plat 1, Lot 332).

Gwen and Frank have been the owners of 6 Middle Street since 1997. The three-bedroom ranch style home was built in 1962. Unfortunately, the home has developed a number of structural issues. Due to the various structural issues, at this point Gwen and Frank have determined that a raze and rebuild makes more practical sense than a renovation. The photo of the home taken by the Tax Assessor is attached hereto.

The existing dwelling is 1,688 square feet. The proposed new residence would be smaller than the existing dwelling. The proposed dwelling amounts to 1,644.84 square feet.

The lot is in the RR-80 Zone. The lot is undersized for the RR-80 zone (17,889 sq. ft.). The lot also is in the High Groundwater Overlay District – Subdistrict “A”.

Notably, the lot abuts both Middle Street to the southwest and an unused right of way to the eastern side of the lot (please see attached site plan). After speaking with Building Official Medeiros, it is our understanding that Middle Street would represent the “front” as the unused right of way is unnamed.

The existing foundation of the current structure will remain. However, due to the lot configuration we are requesting dimensional variances for the front yard (25' requested where 40' required), rear yard (32.2' requested where 40' required); and side yard (west – 19.7' requested where 30'

required). An existing patio and an existing walkway will both be removed in an effort to reduce lot coverage.

Additionally, due to the prohibition on basements in this zone, there is a significant lack of storage space. Gwen and Frank would like to preserve the current 268 square foot garage on site. The garage allows them to store items like their lawnmower, tools, and assorted summer furniture during the winter months. Without the garage their storage capacity is severely limited.

This lot lies in the High Groundwater Table and Impervious Overlay District. At the present time, the existing lot coverage amounts to 11.56%. The total existing coverage equals 2069 sq. ft.:

Existing Dwelling:	1688 sq. ft.
Existing Garage:	268 sq. ft.
Walkway:	26 sq. ft.
Concrete Pad (1):	46 sq. ft.
Concrete Pad (2):	41 sq. ft.
Total:	2069 sq. ft. (11.56% lot coverage)

We are proposing to reduce the lot coverage. However, even with the proposed reduction we still require a variance for lot coverage purposes:

Proposed Dwelling:	1645 sq. ft.
Existing Garage:	268 sq. ft.
Concrete Walkway:	46 sq. ft.
Total:	2000 sq. ft. (11.17% lot coverage)

Gwen and Frank are not seeking to expand the footprint of their home in any way. They are only seeking to replace the current structure with a structure similar in size. Although they would prefer to expand their home for their family, they have made tremendous efforts to keep the home to a limited footprint.

Due to the limited size and scope of this proposal we believe that the relief requested is the least relief necessary pursuant to Section 82-606 – Variances Authorized by this Ordinance; and Section 82-607 – Variances Additional Restrictions.

Since this property lies in the High Groundwater Overlay District – Subdistrict “A” we also need to request a Special Use Permit pursuant to Section 82-314. We believe that this proposal meets the Special Use Permit requirements in that the proposed lot coverage is less than already existing. The home reconstruction will not harm the public health, safety, or welfare, nor will it substantially or permanently injure the appropriate use of the property in the surrounding area or district.

Please contact me with any questions or concerns. We look forward to the opportunity to discuss this proposal. Thank you for your time and consideration.

Sincerely,



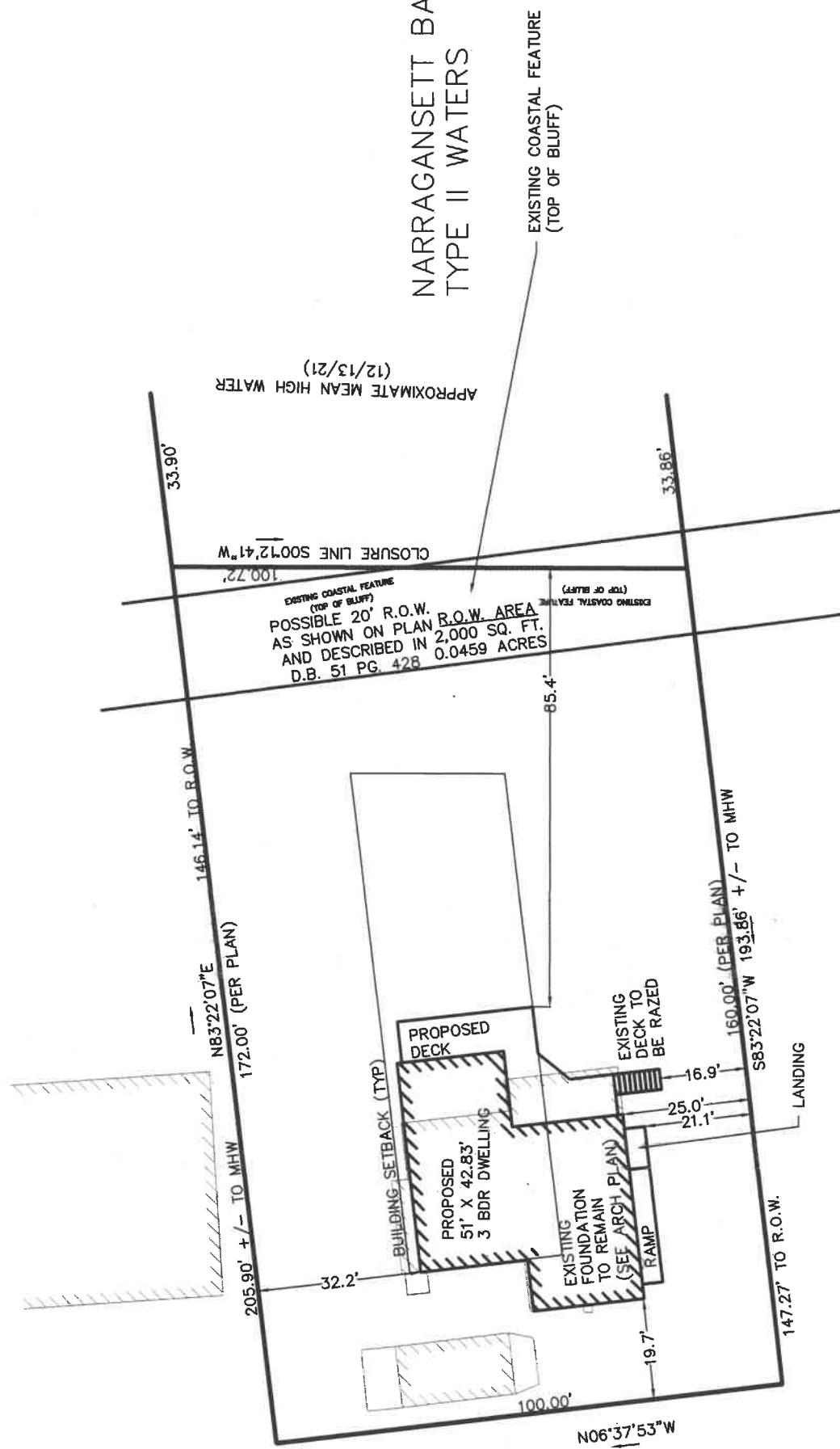
James M. Callaghan

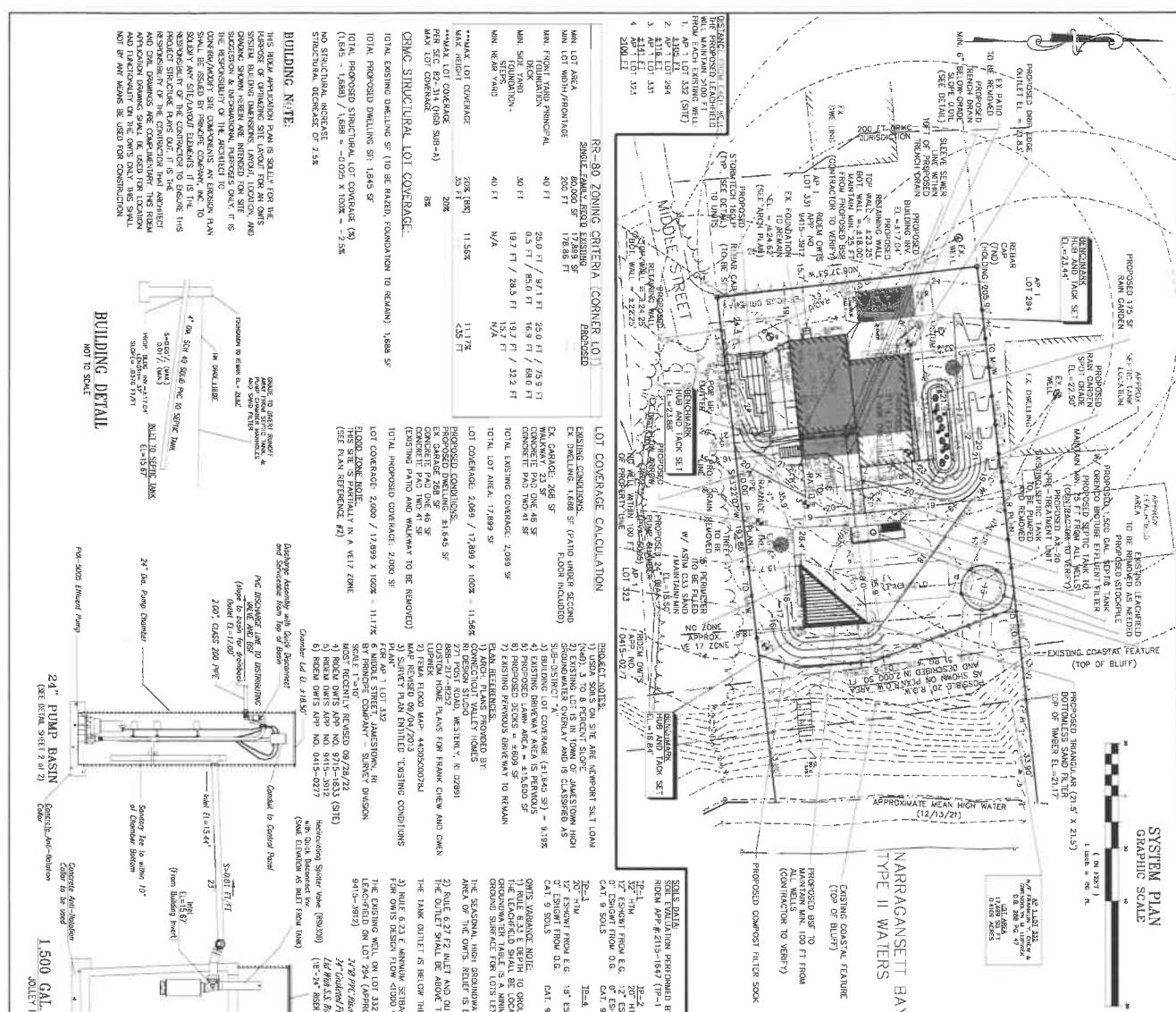
Proposed Zoning Advertisement for 6 Middle Street:

Application of Franklyn Y. Chew and Gwendolyn M. Lupinek whose property is located at 6 Middle Street, Jamestown, RI, and further identified as Tax Assessor's Plat 1, Lot 331 for Variances from Article 82, Section 302 and 314 and a Special Use Permit granted under Article 6, Special Use Permits and Variances, Section 600 and 602. This application is made pursuant to the provisions of Section 82-314, High Groundwater Table and Impervious Overlay District. The Applicant seeks to construct a dwelling to replace the existing dwelling. Variances needed for Front Setback 25' requested where 40' required; Side Yard Setback (west) 19.7' requested where 30' required; Rear Setback (north) 32.2' requested where 40' required; and lot coverage 11.17% requested where 8% required. Special Use permit needed for High Groundwater Table and Impervious Overlay District – Subdistrict "A".



NARRAGANSETT BAY
TYPE II WATERS





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CAI Property Card

Town of Jamestown, RI



GENERAL PROPERTY INFORMATION		BUILDING EXTERIOR
LOCATION: 6 MIDDLE STREET		BUILDING STYLE: Ranch
ACRES: 0.3811		UNITS: 1
PARCEL ID: 1-332		YEAR BUILT: 1962
LAND USE CODE:	FRAME: WOOD FRAME	
CONDO COMPLEX:	EXTERIOR WALL COVER: Board & Batt	
OWNER: CHEW FRANKLIN Y ET	ROOF STYLE: Gable/Hip	
CO - OWNER: LUPINEK GWENDOLYN M	ROOF COVER: Asph/F Gls/C	
MAILING ADDRESS: 24 RICHARDS LANE	BUILDING INTERIOR	
NORWALK, CT 06851	INTERIOR WALL: Drywall/Shee	
ZONING: R80	FLOOR COVER: Hardwood	
PATRIOT ACCOUNT #: 183	HEAT TYPE: Forced Air-D	
SALE INFORMATION		FUEL TYPE: Oil
SALE DATE: 5/5/1997	PERCENT A/C: True	
BOOK & PAGE: 288-47	# OF ROOMS: 5	
SALE PRICE: \$310,000	# OF BEDROOMS: 3	
SALE DESCRIPTION:	# OF FULL BATHS: 2	
SELLER: TASCA, ROBERT E ET	# OF HALF BATHS: 0	
PRINCIPAL BUILDING AREAS		
GROSS BUILDING AREA: 4,014	# OF ADDITIONAL FIXTURES: 2	
FINISHED BUILDING AREA: 1,444	# OF KITCHENS: 1	
BASEMENT AREA:	# OF FIREPLACES: 0	
# OF PRINCIPAL BUILDINGS: 1	# OF METAL FIREPLACES: 0	
	# OF BASEMENT GARAGES: 0	
ASSESSED VALUES		
LAND: \$1,189,300		
YARD: \$2,100		
BUILDING: \$307,200		
TOTAL: \$1,498,600		
SKETCH		PHOTO

CAI Technologies

www.cai-tech.com

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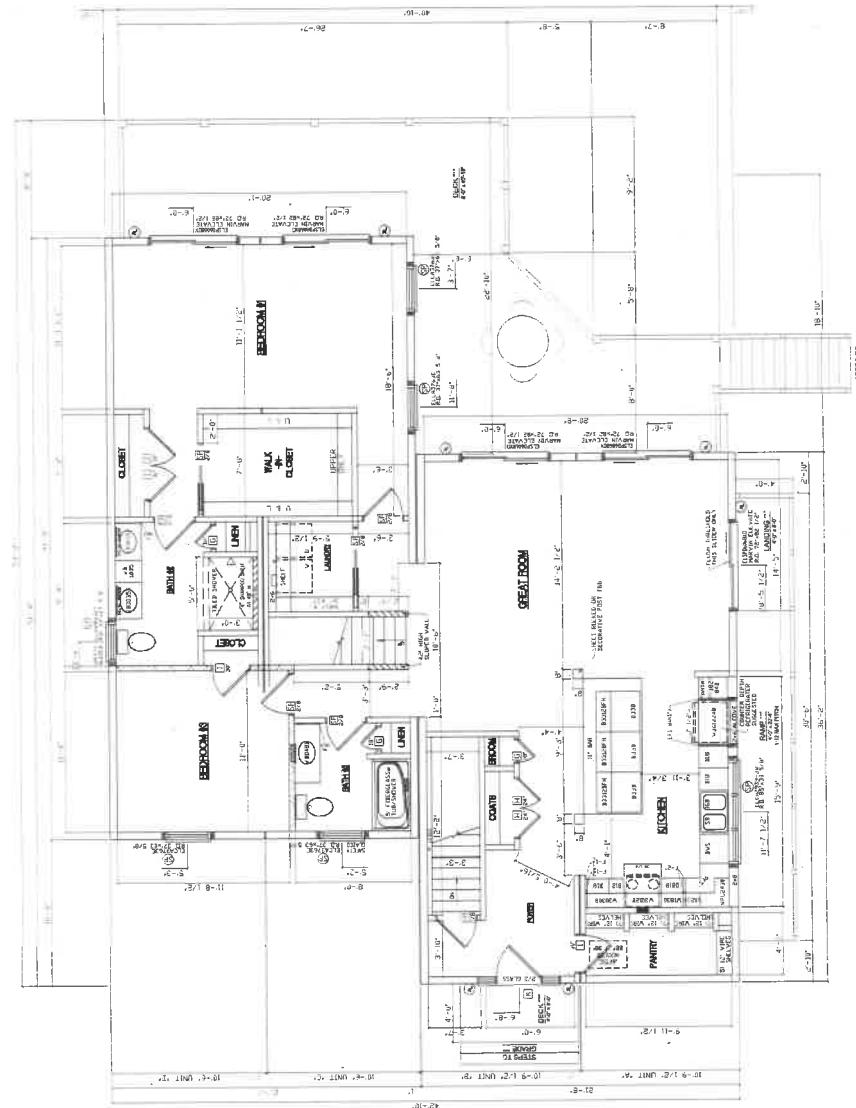
The diagram illustrates a refrigeration system with the following components and their connections:

- Compressor:** Located at the top left, connected to the condenser.
- Condenser:** Located above the compressor, connected to the expansion valve.
- Expansion Valve:** Located below the condenser, connected to the evaporator.
- Evaporator:** Located at the bottom center, connected to the suction line.
- Suction Line:** A horizontal pipe connecting the evaporator to the compressor.
- Refrigerant Lines:** Vertical pipes connecting the condenser to the expansion valve and the expansion valve to the evaporator.
- Accessories:** Includes a pressure gauge, a float valve, a drain valve, and a safety valve.
- Electrical Components:** Shows a motor, a current transformer (CT), and a switch.
- Dimensions:** The width of the unit is indicated as 1.4 meters (140 cm).

REY PREM	D91722	\$50
REY PREM	D91722	\$50
REY PREM	D905220	\$50
REY PREM	D92722	\$50
REY PREM	D97922	\$50
REY PREM	D91522	\$50
REY PREM	D911722	\$50
REY PREM	D97022	\$50
10% RAY	D97022	\$50
ZONING RE	D942022	1%

**1ST STORY FLOOR PLAN
CUSTOM 2 STORY**

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******* OPTIONAL FEATURE:** WORK TO BE PERFORMED BY C.V.H. THE OWNER OR THE GENERAL CONTRACTOR AS NOTED ON THE CONSTRUCTION AGREEMENT

A1.5



STOM HOME PLANS
FRANK CHEW &
GWEN LUPINEK

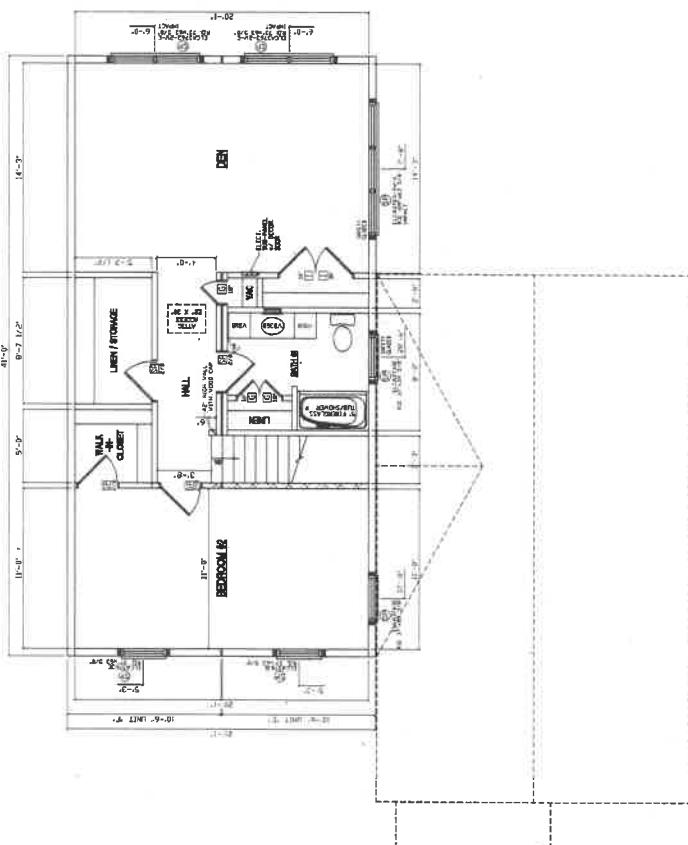
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www.scholarone.com

2ND STORY FLOOR PLAN
CUSTOM 2 STORY

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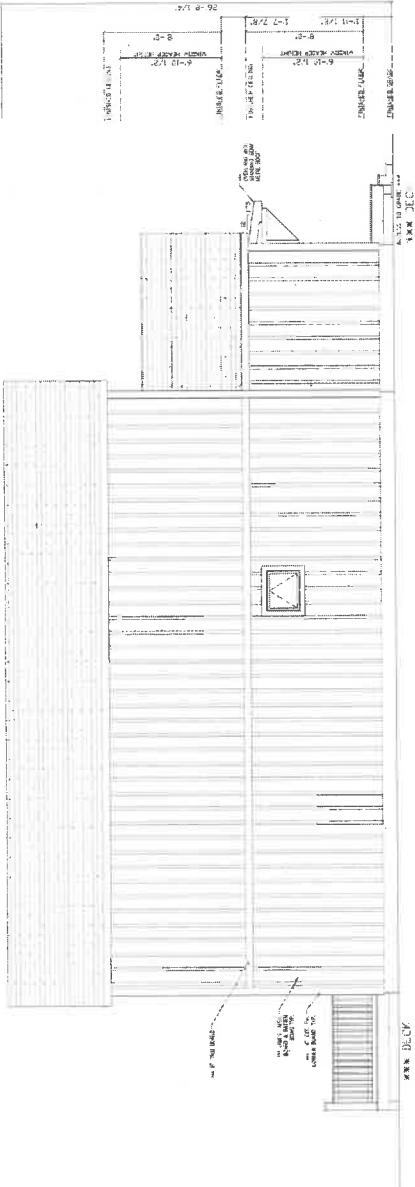
A1.6



***** OPTIONAL FEATURE:**
WORK TO BE PERFORMED BY C.V.H., THE
OWNER' OR THE GENERAL CONTRACTOR AS
NOTED ON THE CONSTRUCTION AGREEMENT

COMPUTER DRAWN BY KENT ARCHITECTURE	
CUSTOM HOME PLANS FOR FRANK & GWINN LUPINEK	
S. KENT, AIA, NCARB KENT ARCHITECTURE	
BIRMINGHAM, ALABAMA 3301 1/2 16TH STREET, SUITE 200 BIRMINGHAM, AL 35203 (205) 933-1111	

COMPUTER DRAWN BY KENT ARCHITECTURE	PRINTED BY KENT ARCHITECTURE
CUSTOM HOME PLANS FOR FRANK & GWINN LUPINEK	S. KENT, AIA, NCARB KENT ARCHITECTURE
BIRMINGHAM, ALABAMA 3301 1/2 16TH STREET, SUITE 200 BIRMINGHAM, AL 35203 (205) 933-1111	BIRMINGHAM, ALABAMA 3301 1/2 16TH STREET, SUITE 200 BIRMINGHAM, AL 35203 (205) 933-1111
PRINTED ON 10/10/2002	PRINTED ON 10/10/2002



LEFT SIDE ELEVATION

COMPUTER DRAWN BY KENT ARCHITECTURE	PRINTED BY KENT ARCHITECTURE
CUSTOM HOME PLANS FOR FRANK & GWINN LUPINEK	S. KENT, AIA, NCARB KENT ARCHITECTURE
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PRINTED ON 10/10/2002	PRINTED ON 10/10/2002

** OPTIONAL FEATURE:
WORK TO BE PERFORMED BY CONTRACTOR OR AS ORDERED OR THE GENERAL CONTRACTOR OR AS ADMITTED IN THE CONSTRUCTION AGREEMENT

*** NOTE:

- ALL WINDOWS & SLIDING DOORS TO BE MASON ELEVATE SERIES
- ALL WINDOWS & SLIDING DOORS TO BE DAYLIGHT UNITS WITH NO GALLIES UNLESS ORDERED TO THE FLOOR
- TYPICAL SIZES - 3' X 6' & 4' X 6'

A1.3

CONTRACTOR INFORMATION	GENERAL CONTRACTOR
	THE HOMES OF JAMES STONE
	1000 E. 10TH ST.
	WICHITA, KS 67203
	(316) 263-1111



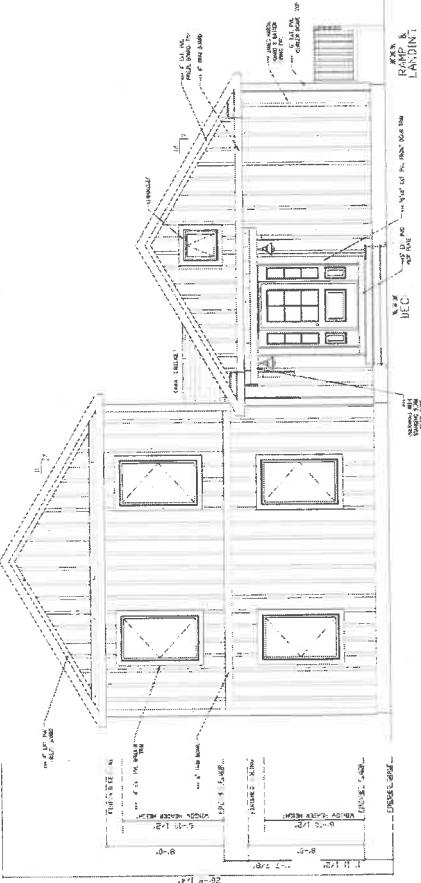
CUSTOM HOME PLANS FOR
FRANK CHEW &
Gwen Lupinek

7111 1/2

JAMES STONE

STORY

FLOOR



FRONT ELEVATION

The drawing shows a two-story house with a central entrance featuring a circular window above it. The upper story has two windows, and the lower story has three windows. The roofline features a decorative gable over the entrance. The drawing includes a north arrow and dimensions for the overall width and depth.

NOTE

- NOTE:** ALL WINDOWS & SLIDING DOORS TO BE MAINTAINED IN
GOOD WORKING ORDER.
NOVELTY OR REVERSE
OPENING DOORS ARE NOT
PERMITTED.

******* OPTIONAL FEATURE:** Work to be performed by C.E.H., Inc. owner or contractor, or as needed on the construction agreement.



CUSTOM HOME PLANS
FRANK CHEW &
GWEN LUPINEK
6 MODA ST.
MILWAUKEE WI

APPROVED BY THE STATE
REAR ELEVATION
CUSTOM 2 STORY

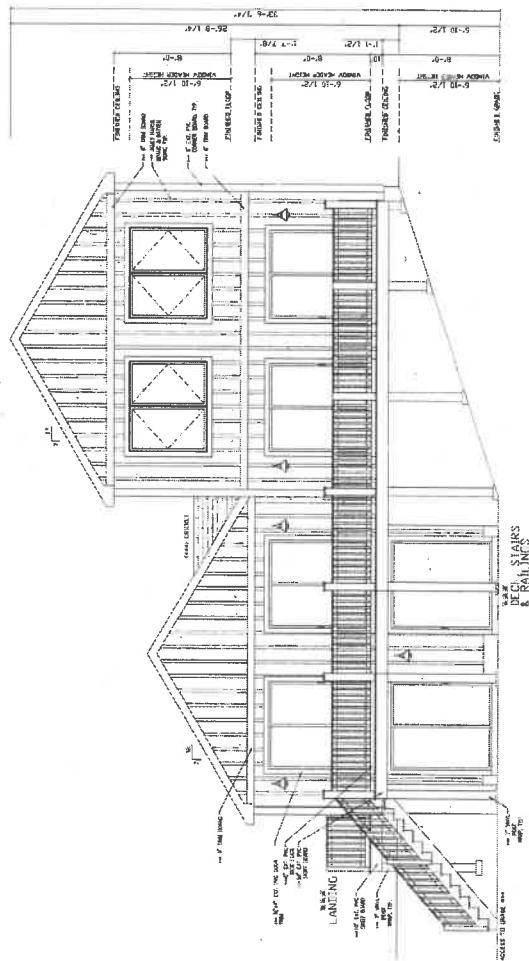

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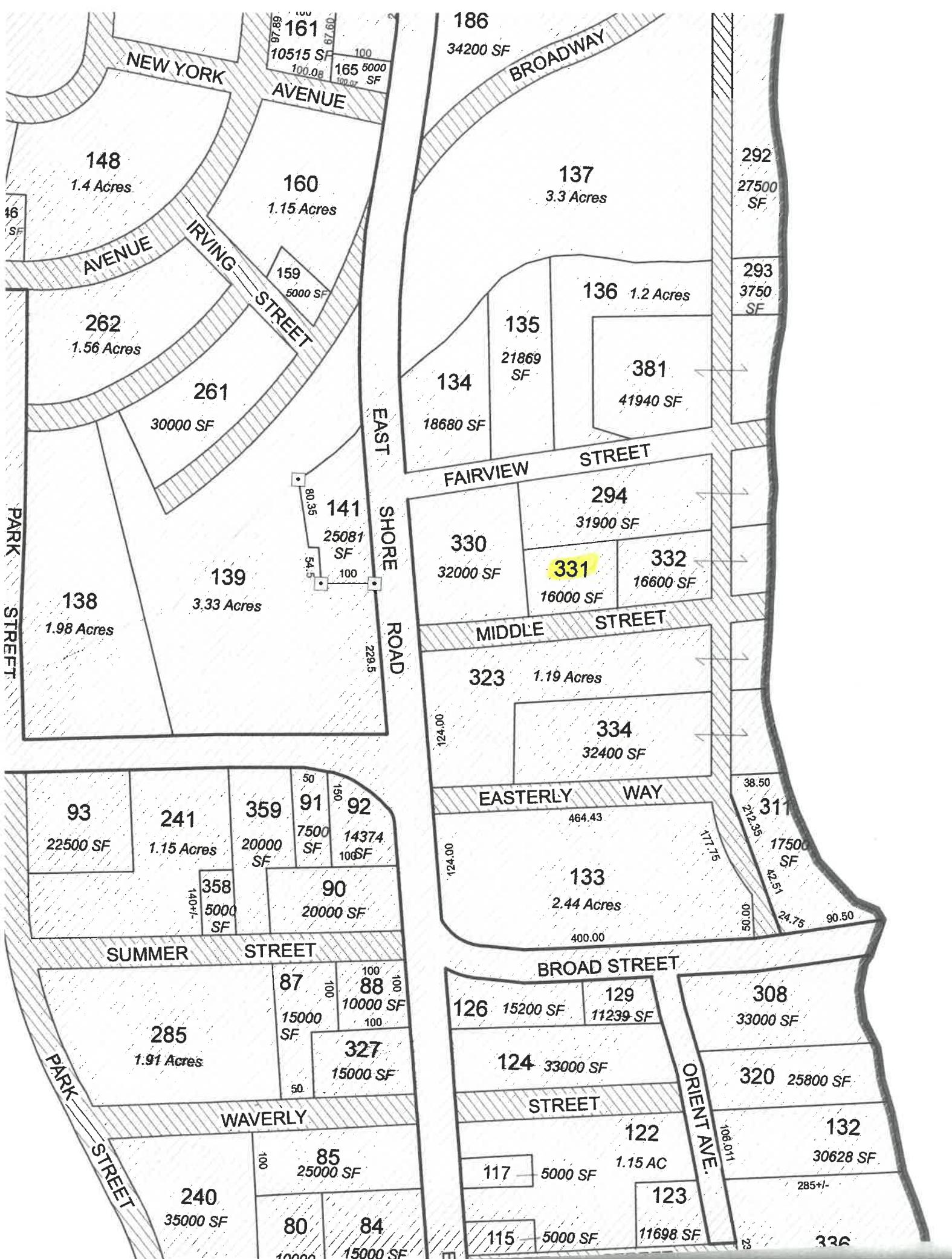
*****NOTE:**

- ALL WINDOWS & SLIDING DOORS TO BE MARIN ELEVATE SERIES
 - ALL WINDOWS TO BE CASEMENT UNITS WITH NO GRILLES UNLESS NOTED OTHERWISE
 - TYPICAL SIDING - JAMES HARDIE BOARD & BATTEN SIDING



FAIR ELEVATION
TERADING LTD.







300 foot Abutters List Report

Jamestown, RI
February 14, 2023

Subject Property:

Parcel Number: 1-332
CAMA Number: 1-332
Property Address: 6 MIDDLE STREET

Mailing Address: CHEW FRANKLIN Y ET LUPINEK
GWENDOLYN M
24 RICHARDS LANE
NORWALK, CT 06851

Abutters:

Parcel Number: 1-134
CAMA Number: 1-134
Property Address: 20 FAIRVIEW STREET

Mailing Address: SHALVEY ADAM ET BROOKS ABBIGAIL
JT
20 FAIRVIEW STREET
JAMESTOWN, RI 02835

Parcel Number: 1-135
CAMA Number: 1-135
Property Address: 14 FAIRVIEW STREET

Mailing Address: HENDRY WALLACE H ET HENDRY
NANCY K TRUSTEES
640 ACACIA LANE
WOODSIDE, CA 94062

Parcel Number: 1-136
CAMA Number: 1-136
Property Address: 10 FAIRVIEW STREET

Mailing Address: CALLAHAN BRUCE W TRUSTEE
765 DOCTOR AVENUE
SEBASTIAN, FL 32958-4821

Parcel Number: 1-294
CAMA Number: 1-294
Property Address: 5 FAIRVIEW STREET

Mailing Address: MARTIN DAVID S ET UX JANICE M
C/O STEARNS FARMS INC PO BOX 506
JAMESTOWN, RI 02835

Parcel Number: 1-311
CAMA Number: 1-311
Property Address: 2 BROAD STREET

Mailing Address: TOWN OF JAMESTOWN
93 NARRAGANSETT AVENUE
JAMESTOWN, RI 02835

Parcel Number: 1-323
CAMA Number: 1-323
Property Address: 974 EAST SHORE ROAD

Mailing Address: PERRY JAMES M ET UX PERRY
PATRICIA TRUSTEES
974 EAST SHORE ROAD
JAMESTOWN, RI 02835

Parcel Number: 1-330
CAMA Number: 1-330
Property Address: 982 EAST SHORE ROAD

Mailing Address: MCCAFFREY WILLIAM K MCCAFFREY
GLENN J TE
982 EAST SHORE ROAD
JAMESTOWN, RI 02835

Parcel Number: 1-331
CAMA Number: 1-331
Property Address: 5 MIDDLE STREET

Mailing Address: ABBOOD TERESA A TRUSTEE
5 MIDDLE STREET
JAMESTOWN, RI 02835

Parcel Number: 1-334
CAMA Number: 1-334
Property Address: 12 EASTERLY WAY

Mailing Address: WILKINSON AUDREY TRUSTEE ET AL
WILKINSON ROBERT E JR TRUST 2007
5608 COUNTRY CLUB WAY
SARASOTA, FL 34243

Parcel Number: 1-381
CAMA Number: 1-381
Property Address: 6 FAIRVIEW STREET

Mailing Address: SAVASTANO SALVATORE JR ET
SAVASTANO KIM M TRUSTEES
182 HALLVILLE ROAD
EXETER, RI 02822



www.cai-tech.com

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