

**Notice of Hearing**

Application of Ashley and Matthew Amsden, whose property is located at 29 Bayberry Rd, Jamestown, RI 02835, and further identified as Tax Assessor's Plat 12, Lot 61 for a Variance This application seeks dimensional relief granted under Article 6 Section 82-600, 605, and 606, pursuant to Article 3 Section 82-302, District Dimensional Regulations, Table 3-2 for the R-40 Zoning District for a rear setback of the proposed deck of 14.4 ft where 30 feet is required and a front setback of 14 feet where 40 feet is required and the existing house is located 4.8 feet from the rear setback, 13.2 feet from the front setback and 9.6 feet off the side setback. Said property is located in an R-40 Zone and contains 27,452 square feet.

TOWN OF JAMESTOWN  
ZONING BOARD OF REVIEW

**Application for Exception or Variance under the Zoning Ordinance**

Zoning Board of Review;

Jamestown, R.I.

Date: 4/6/2023

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: Ashley and Matthew Amsden

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

Owner: Same

Lessee: None

1. Location of premises: No. 29 Bayberry Rd
  2. Assessor's Plat 12 Lot 61
  3. Dimensions of lot: frontage: +/- 600 ft. depth: +/-43 ft Area: 27,452 sq. ft.
  4. Zoning Districts in which premises are located: Use:RR40 Area: 40,000 sq. ft. Height: 35 ft.
  5. How long have you owned the premises? Purchased on 12/15/2017
  6. Is there a building on the premises at present? Yes
  7. Size of existing building: +/- 1543 sq. ft.
    - NOTE: Zoning Board approved addition to this home for a new second floor and front yard relief of 13.2 ft where 40 is required, rear setback of 4.8 ft where 30 ft is required, and side setback relief of 9.6 where 20 ft is required. Newly approved square footage approximately 2,589 square ft.
- Size of proposed building or alteration: 21x14 ft deck off the west side
8. Distance of proposed building or alteration from lot lines:  
**Required:** front: 40' rear: 30' side: 20'  
**Proposed House:** front: 13.2' rear: 4.8' side: 9.6'  
**Proposed Deck:** front: 14.0' rear: 14.4'/30.7' (see attached plans)
  9. Present use of premises: Single family residence

10. Proposed use of premises: Single family residence

Location of septic tank & well on lot: No Change

11. Give extent of proposed alterations: Applicant proposes to remodel the property to reduce the amount of impervious coverage area and make it more in line with the aesthetic character of the neighborhood. This application is for relief for the Deck to be added in conjunction with the plans previously approved by this Board at the February Jamestown Zoning Meeting. The deck was taken off of the February proposal because this portion of the project was not advertised and noticed in accordance with the requirements.

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:

This application seeks dimensional relief granted under Article 6 Section 82-600, 605, and 606, pursuant to Article 3 Section 82-302, District Dimensional Regulations, Table 3-2 for the R-40 Zoning District for a rear setback of the proposed deck of 14.4 ft where 30 feet is required and a front yard setback of 14 feet where 40 feet is required.

NOTE: This Board granted relief in February of 2023 for the proposed addition to the property, however, this deck was removed at the meeting because it was not advertised appropriately. The relief granted in February was for 4.8 feet from the rear property line where 30 feet is required, 9.6 feet from the Eastern Side of the property where 20 feet is required and for 13.2 feet for the front setback where 40 feet is required for the House. The new proposed deck is located on the Western side of the property and is being proposed at 14.4 feet from the rear property line. If this relief is granted the setbacks would be as in the site plan provided dated March 22, 2023 by RC Cournoyer Enterprises, Inc. The dimensions would be as follows:

Front House- 13.2'; Front Deck: 14.0'

Rear House-4.8'; Rear Deck-14.4'

Eastern Side-9.6'

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 repair and update the current home and create a property that aesthetically fits with the neighborhood and surrounding properties.

Respectfully Submitted,

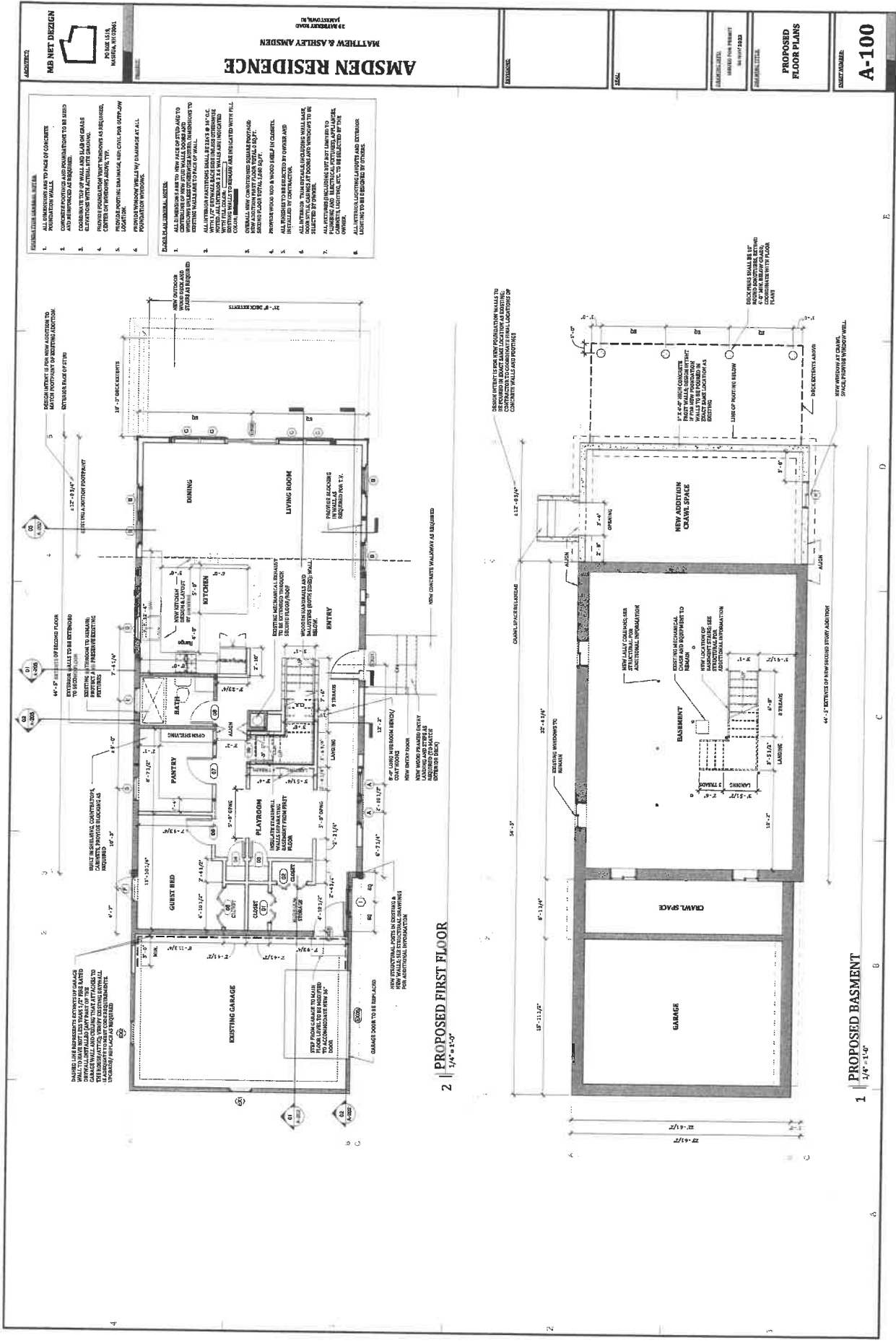
Signature: /s/ christian s. infantolino, esq., attorney for applicants

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**



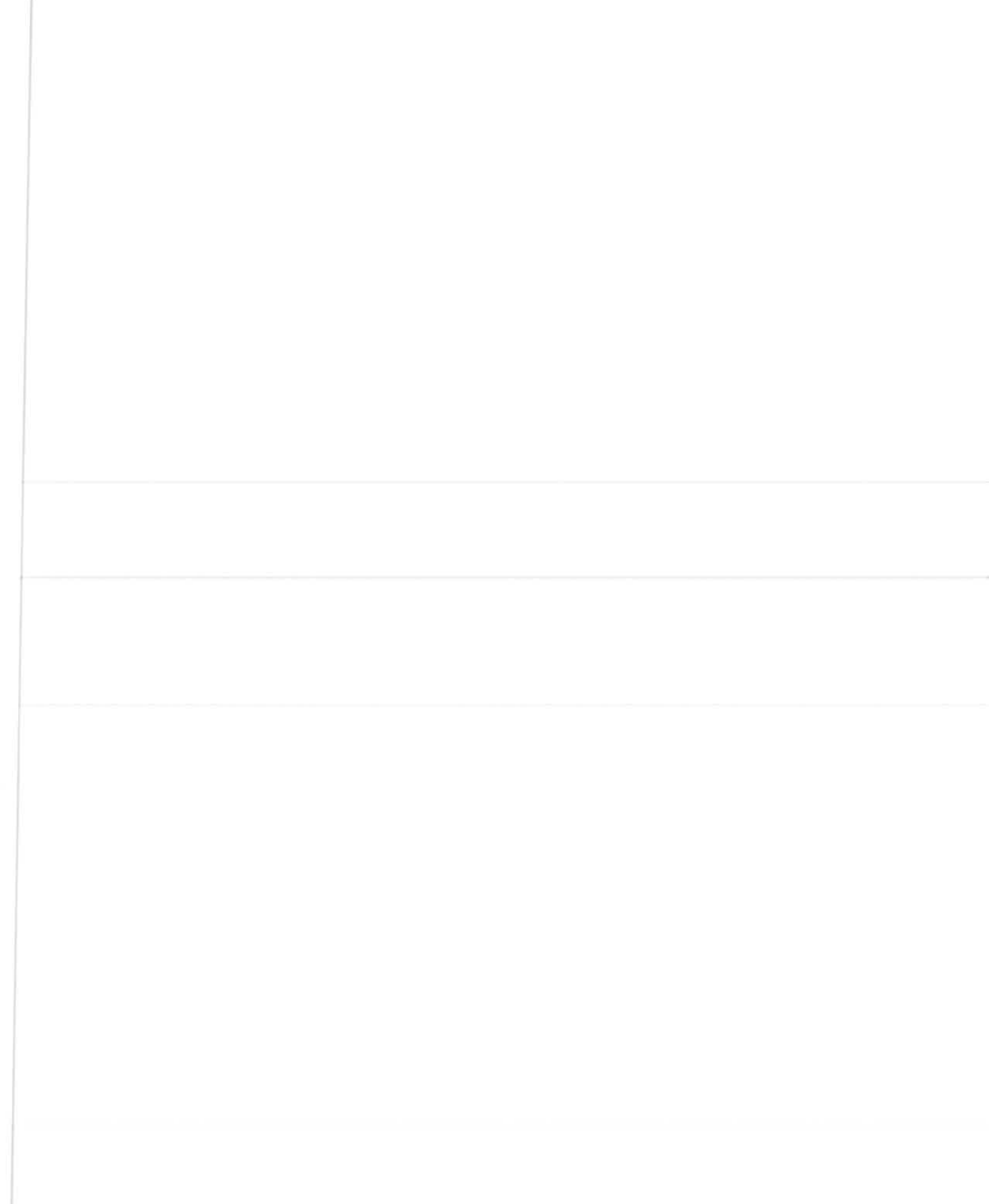


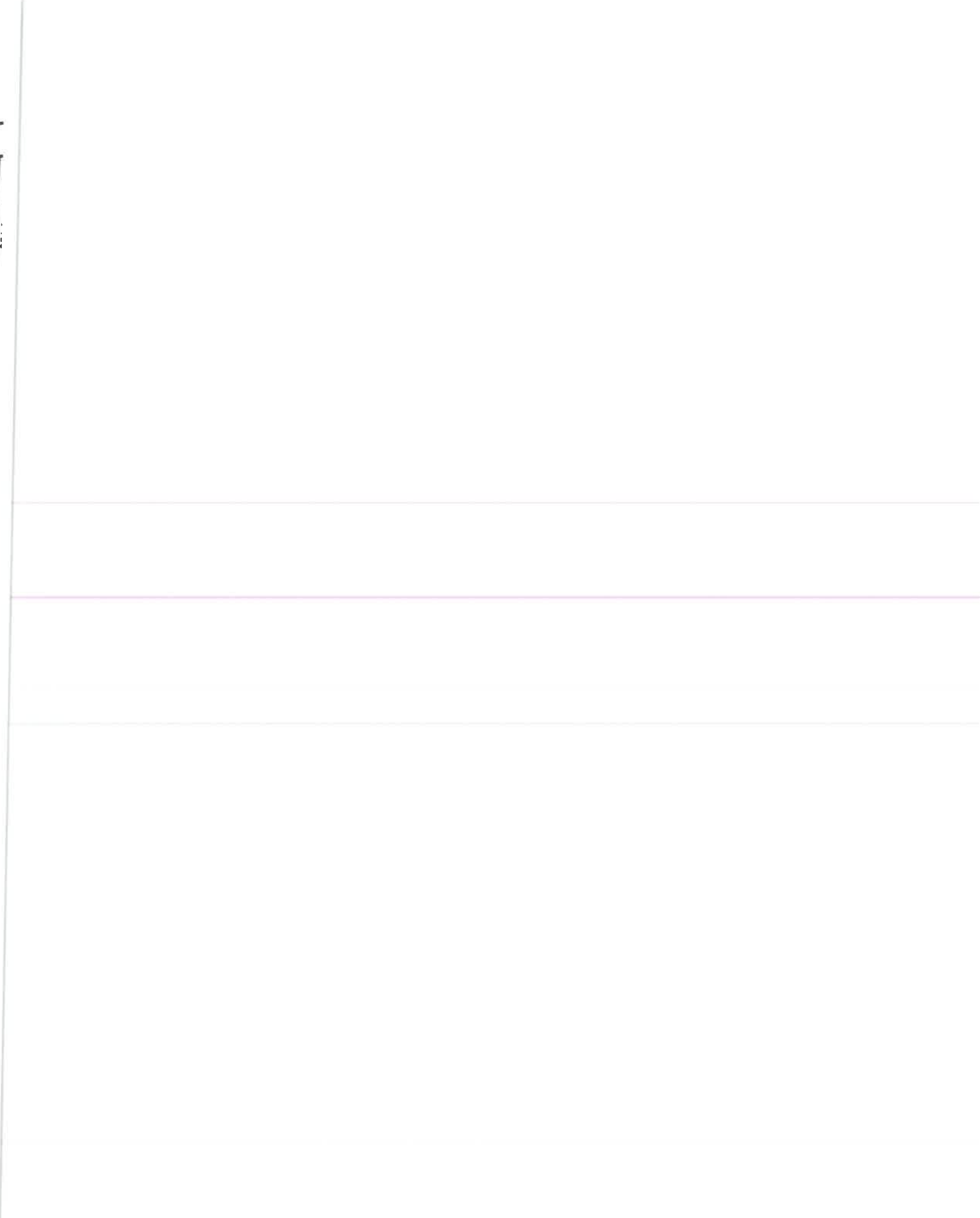
- REINFORCING LABELS LIST:**
1. ALL REINFORCING SHALL BE CONCRETE ENCASED UNLESS OTHERWISE NOTED.
  2. ALL REINFORCING SHALL BE PLACED TO FACE OF CONCRETE UNLESS OTHERWISE NOTED.
  3. ALL REINFORCING SHALL BE PLACED TO FACE OF CONCRETE UNLESS OTHERWISE NOTED.
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  6. ALL REINFORCING SHALL BE PLACED TO FACE OF CONCRETE UNLESS OTHERWISE NOTED.
- GENERAL NOTES:**
1. ALL REINFORCING SHALL BE CONCRETE ENCASED UNLESS OTHERWISE NOTED.
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**AMSDEN RESIDENCE**  
 MATTHEW & ASHLEY AMSDEN  
 23 HARTFORD ROAD  
 HARTFORD, CT 06111

**PROPOSED FLOOR PLANS**  
 DATE: 08/15/2024  
 DRAWN BY: J. SMITH  
 CHECKED BY: M. JONES  
 SCALE: AS SHOWN

**A-100**





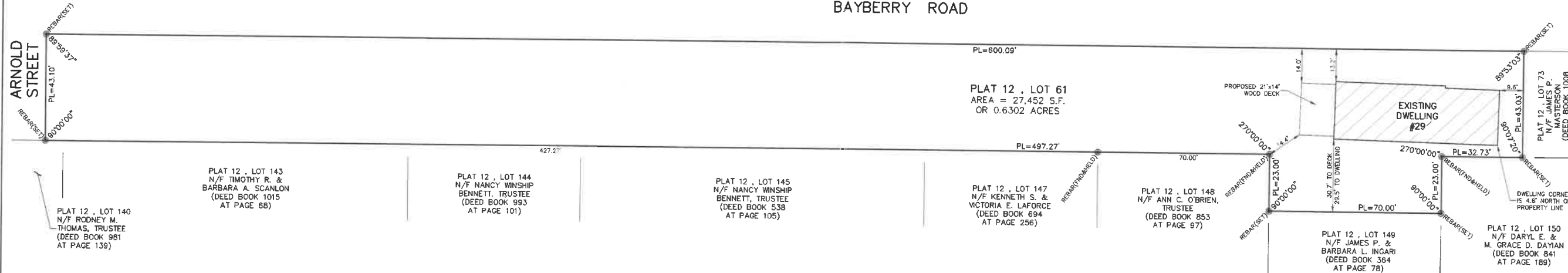


**LEGEND**

PL PROPERTY LINE  
 FND FOUND  
 N/F NOW, OF FORMERLY  
 S.F. SQUARE FEET

- NOTES:
1. THE PARCEL IS PLAT 12, LOT 61.
  2. THE TOTAL PARCEL AREA IS 27,452 S.F. OR 0.6302 ACRES.
  3. THE EXISTING DWELLING ADDRESS IS 29 BAYBERRY ROAD.
  4. SEE DEED BOOK 912 AT PAGE 118 FOR TITLE REFERENCE.
  5. THE EXISTING LOT COVERAGE IS 5.6%.

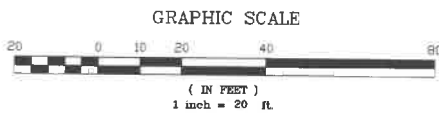
**BAYBERRY ROAD**



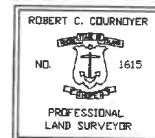
**RC COURNOYER ENTERPRISES, INC.**  
 P.O. BOX 176  
 JAMESTOWN, R.I. 02835  
 PHONE 401-439-8029

PROPOSED DECK LOCATION PLAN FOR  
**MATTHEW R. & ASHLEY M. AMSDEN**  
 PLAT 12, LOT 61  
 29 BAYBERRY ROAD  
 JAMESTOWN, RHODE ISLAND

ZONING INFORMATION:  
 THE PARCEL IS ZONED: R-40  
 (USE R-20 SETBACKS FOR UNDERSIZED LOTS)  
 MINIMUM LOT AREA = 20,000 S.F.  
 MINIMUM LOT WIDTH = 100 FEET  
 MINIMUM BUILDING SETBACKS:  
 FRONT YARD (PRINCIPAL) = 30 FEET  
 FRONT YARD (SECONDARY) = 15 FEET  
 SIDE YARD = 10 FEET  
 REAR YARD = 30 FEET  
 MAXIMUM LOT COVERAGE = 25%  
 MAXIMUM BUILDING HEIGHT = 35 FEET



PLAN REFERENCE:  
 1. PLAN ENTITLED "NARRAGANSETT SHORES, JAMESTOWN, R.I., OWNED BY JAMES O. TAYLOR AND ANTHONY C. PAOLINO, MAY 1930, C.A. THAYER, ENGR," WHICH PLAN IS RECORDED IN THE TOWN OF JAMESTOWN REGISTRY OF DEEDS AT HPF252A.



THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO 435-RICR-00-00-1.9 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON NOVEMBER 25, 2015, AS FOLLOWS:

TYPE OF BOUNDARY SURVEY: LIMITED CONTENT BOUNDARY SURVEY  
 DATA ACCUMULATION SURVEY  
 MEASUREMENT SPECIFICATION: CLASS I  
 CLASS III

STATEMENT OF PURPOSE:  
 THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THE PLAN IS AS FOLLOWS:  
 1) PREPARE A PROPOSED DECK LOCATION PLAN.

BY: ROBERT C. COURNOYER, PLS#1615  
 PRESIDENT, R.C. COURNOYER ENTERPRISES, INC.  
 DATE COA #A51

PROJECT NO: BAYBERRY	SCALE: 1" = 20'
SHEET NO: 1 OF 1	DATE: MAR. 22, 2023
	DRAWN BY: R.C.C.