

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the October 24, 2023 Meeting

A regular meeting of the Jamestown Zoning Board of Review was held at the Jamestown Town Hall, 93 Narragansett Avenue. The Chairman called the meeting to order at 7:00 p.m. The clerk called the roll and noted the following members present:

Richard Boren, Chair
Terence Livingston, Member
James King, Member
Jane Bentley, Member

Also present:

Wyatt Brochu, Counsel
Peter Medeiros, Zoning Officer
Alesha Cerrito, Stenographer
Pat Westall, Clerk

MINUTES

Minutes of August 22, 2023

A motion was made by Terence Livingston and seconded by James King to accept the minutes of the August 22, 2023 meeting as presented.

The motion carried by a vote of 4 – 0.

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

Dean Wagner, John Shekarchi, James Sisson and Robert Maccini were absent.

CORRESPONDENCE

A copy of an e-mail from Deb Foppert, Esq. dated Oct. 17, 2023 withdrawing the Gershenoff application.

All other correspondence was in reference to items on the agenda.

NEW BUSINESS

Frankenbach

A motion was made by Terence Livingston and seconded by Jane Bentley to grant the request of Charles H Frankenbach III ETUX and Lauren B Frankenbach whose property is located at 47 Clinton Ave and further identified as Assessor Plat 9, Lot 364 for a Variance from Article 3, Section 82-302 to construct a second floor over an existing first floor which will be 4'5" from the north side of the property instead of the required 7 feet. The second floor will follow the lines of the current structure and not change the distance of the house to the property line.

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 restriction/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. The property is in zone R-8 which is 5800 sq. ft.
2. The building lot line is nonconforming to the north lot line. The north lot line is 4'5", 7 feet is required.
3. The applicant proposes to add a 480 sq. ft. 2nd floor addition on the same footprint.
4. The applicant is proposing to add a bathroom, bedroom, and a walk-in closet on the 2nd floor.
5. Nobody spoke in favor of the application.
6. Nobody spoke against the application.
7. An expert, Ms. Carlilse an architect described the application and the Board accepts her testimony as credible.

The motion carried by a vote of 4 – 0.

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

Dean Wagner, John Shekarchi, James Sisson and Robert Maccini were absent.

Kohler

A motion was made by Jane Bentley and seconded by Terence Livingston to grant the request of Joseph C. Kohler and Darlene M. Kohler whose property is located at 13 Ship Street and further identified as Assessor Plat 15, Lot 103 for a Variance from Article 3, Section 302 to construct a stairway to the 2nd floor of the south side of the garage which will be 8 feet from the south side of the property line instead of the required 10 feet. The stairway will follow the lines of the current garage structure and will not change the distance of the stairway to the property line.

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 restriction/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. The setback for the lot is 10 feet and the said applicant is requesting 8 feet on the south side of the property.
2. The property is in a zone R40 which is 14,400 sq. ft.
3. The stairway on the west side will be removed and replaced on the south side.
4. The setback is 8 feet where 10 feet is required.
5. This application met the requirements of the Zoning Board.
6. The stairway will follow the lines of the current garage structure and will not change the distance of the stairway to the property line.

The motion carried by a vote of 4 – 0.

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

Dean Wagner, John Shekarchi, James Sisson and Robert Maccini were absent.

Kuffner

A motion was made by James King and seconded by Richard Boren to grant the request of John Kuffner whose property is located at 75 Blueberry Lane, Jamestown, RI 02835, and further identified as Tax Assessor's Plat 10, Lot 98 for a Variance granted under Article 6, Special Use Permits and Variances, Section 600 and 606. This application is made pursuant to the provisions of section 82-302, Table 3-2, District Dimensional Regulations for the RR80 Zoning District of the zoning ordinance. The Applicant seeks an accessory side yard setback relief of four (4.0) feet where twenty (20.0) feet is required and a front yard setback of 20 feet where 40 feet is required in order to construct a small single stall garage and storage area.

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 restriction/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 RR80 zone and contains +/-13,590 square feet.
2. The size of the house is 1283 sq. ft.

3. The lot is non-conforming.
4. The shed is L shape 12'x24' with an 8' x 10" "L" as shown in drawings.
5. Garage to have electricity but no water or sewer.
6. Shahin Barzin, Architect, testified that the hardship is due to lot size and topography.
7. The architect testified that they explored all other options and they were exhausted due to site topography leaving the current placement the most viable.
8. No one objected to the project.

The motion carried by a vote of 4 – 0.

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

Dean Wagner, John Shekarchi, James Sisson and Robert Maccini were absent.

Nota

A motion was made by Richard Boren and seconded by Terence Livingston to grant the request of Andrew & Michele Nota, whose property is located at 61 Cole Street, and further identified as Tax Assessor's Plat 9, Lot 154 for a variance for Article 7 Non-Conforming Uses, Sec. 82-705. Alteration of a non-conforming structure. We are seeking to add a family room, bathroom, and mudroom to an existing structure (1,145 sq. ft) which is within the allowed setbacks. The existing structure is non-conforming regarding front (secondary) setback along Cole Street. 9' required, 6.6' existing. We are seeking general administrative relief from the broad Code language and the work as proposed conforms with the Codes technical requirements which includes setbacks, lot coverage, and building height.

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 restrictions/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 in an R-8 Zone and contains 13,200 sq. ft.
2. The present structure is non-conforming.
3. The existing building is 1,145sq. ft. of living space.
4. The proposed addition will be approximately 977 sq. ft. of which 761 sq. ft. is living space.
5. The addition conforms to the present zoning ordinance.
6. There is no bathroom nor mudroom on the first floor and this addition will resolve that issue.
7. The project manager testified that they were keeping the new ridge line at 17 feet, which is lower than the existing structure.
8. One person corresponded in favor of the application.

9. No one corresponded or spoke in opposition.

The motion carried by a vote of 4 – 0.

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

Dean Wagner, John Shekarchi, James Sisson and Robert Maccini were absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:00 p.m.

The motion carried unanimously.