

TOWN OF JAMESTOWN
ZONING BOARD OF REVIEW

Application for Exception or Variation under the Zoning Ordinance

Zoning Board of Review;

Jamestown, R.I.

Date: December 13, 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 THE DIFANTE FAMILY LIVING TRUST Address 15 High Street, Jamestown, RI 02835

Owner Same Address _____

Lessee NA Address NA

1. Location of premises: No. 15 High Street

2. Assessor's Plat 9 Lot 295

3. Dimensions of lot: frontage 146' depth 137.63' Area 20,075 S.F.

4. Zoning Districts in which premises are located: Use R-40 Area 40,000 sq.ft.
Height 35ft

5. How long have you owned above premises? 2 years

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

7. Size of existing building: Existing home comprising 1685 SF footprint

Size of proposed building or alteration See Plan-proposed addition comprising 1092 SF footprint.

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

Existing house Front: 20' Rear: >30' ft. Left-side: 20' Right-side: >20'

9. Present use of premises: Residential

10. Proposed use of premises: Residential

Location of septic tank & well on lot: NA

11. Give extent of proposed alterations: Add an addition entirely within zoning envelope.

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:

Section 82-703 which provides that "The nonconforming use of a building or structure may be continued, subject to the following regulations: A. The building or structure is not enlarged, extended, structurally altered or reconstructed..." and Section 82-704 which provides that "Any alteration of a nonconforming use shall make the use more closely adhere to the intent and purposes of this ordinance. Applications for alteration of a nonconforming use shall be made as request for a special use permit to the zoning board. The board shall insure that no alteration is permitted which would increase the degree of nonconformity...."

Section 82-601 which provides for the issuance of special use permits.

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

The existing house encroaches into the front setback, so the Building Official has determined that enlargement of the existing house falls under the provisions of Section 82-703. However, the use of the structure as a single family structure will not change. This application is for alteration of a nonconforming structure under section 82-705, which provides that "Any alteration of a nonconforming structure shall be in accordance with the provisions of this ordinance". This application satisfies this requirement, as the proposed addition satisfies all of the dimensional requirements of the ordinance.

Respectfully submitted:

 12-21-23

GINO DIFANTE, TRUSTEE OF THE DIFANTE FAMILY LIVING TRUST

Address: 15 High Street, Jamestown, RI 02835

Telephone Number: 401-862-2326

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

DIFANTE Zoning Advertisement

Application of THE DIFANTE FAMILY LIVING TRUST which owns property located at 15 High Street and further identified as Assessor's Plat 9, Lot 295 for a Special Use Permit under Article 6, Section 82-601, and under Article 7, Section 82-703 and 82-704 governing alteration of a nonconforming use. Applicant is seeking permission to increase the size of his home from 1,685 SF by adding an addition of 1092 SF for a total square footage of 2,777 SF. The addition is conforming as to setbacks and lot coverage.



Received
12-14-23

ZONING:

THIS PARCEL IS LOCATED IN RESIDENTIAL DISTRICT ZONE R-40
 SINGLE FAMILY USE
 MIN. LOT AREA: 40,000 S.F.
 MIN. FRONT YARD: 10 FT.
 MIN. REAR YARD: 40 FT.
 MIN. SIDE YARD: 30 FT.
 MIN. CORNER YARD: 30 FT.
 MAX. LOT COVERAGE: 25%
 MAX. BUILDING HEIGHT: 35 FT.
 MIN. FRONT SETBACK: 10 FT.
 MIN. REAR SETBACK: 10 FT.
 MIN. ACCESSORY SIDE YARD: 15 FT.
 MIN. ACCESSORY REAR YARD: 10 FT.

LEGEND

- PROPERTY LINE
- ADJUTING PROPERTY LINE
- EXISTING DWELLING
- NOW OR FORMERLY
- EDGE OF ASPHALT
- BUILDING ENVELOP SETBACK
- EXISTING CONTOURS
- PROPOSED CONTOURS
- GRAVITE BOUND FOUND
- CONCRETE BOUND FOUND
- PK NAIL SET
- R.R. SPIKE SET
- MAG NAIL SET
- IRON NAIL SET
- IRON REBAR SET
- IRON REBAR FOUND
- DRILL HOLE FOUND
- DRILL HOLE SET
- SEWER MANHOLE
- WATER GATE
- UTILITY POLE
- SEWER CLEANNOUT

REFERENCE:

- PLAT ENTITLED "PLAN OF LAND TO BE ACQUIRED BY JAMES BARRY KING, JR & AMBER ARSENAULT KING PLAT 9, LOT 293, 29 WALCOTT AVENUE JAMESTOWN RHODE ISLAND" REGISTERED PROFESSIONAL LAND SURVEYOR MARIL RASHID NUMBER 44007021760 MAP EFFECTIVE DATE: SEPTEMBER 4, 2013
- DEED BOOKS & PAGES: 650/23, 84/1002, 854/114, 599/218, 785/174 & 895/200.

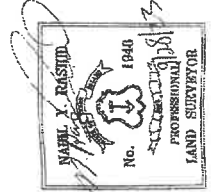
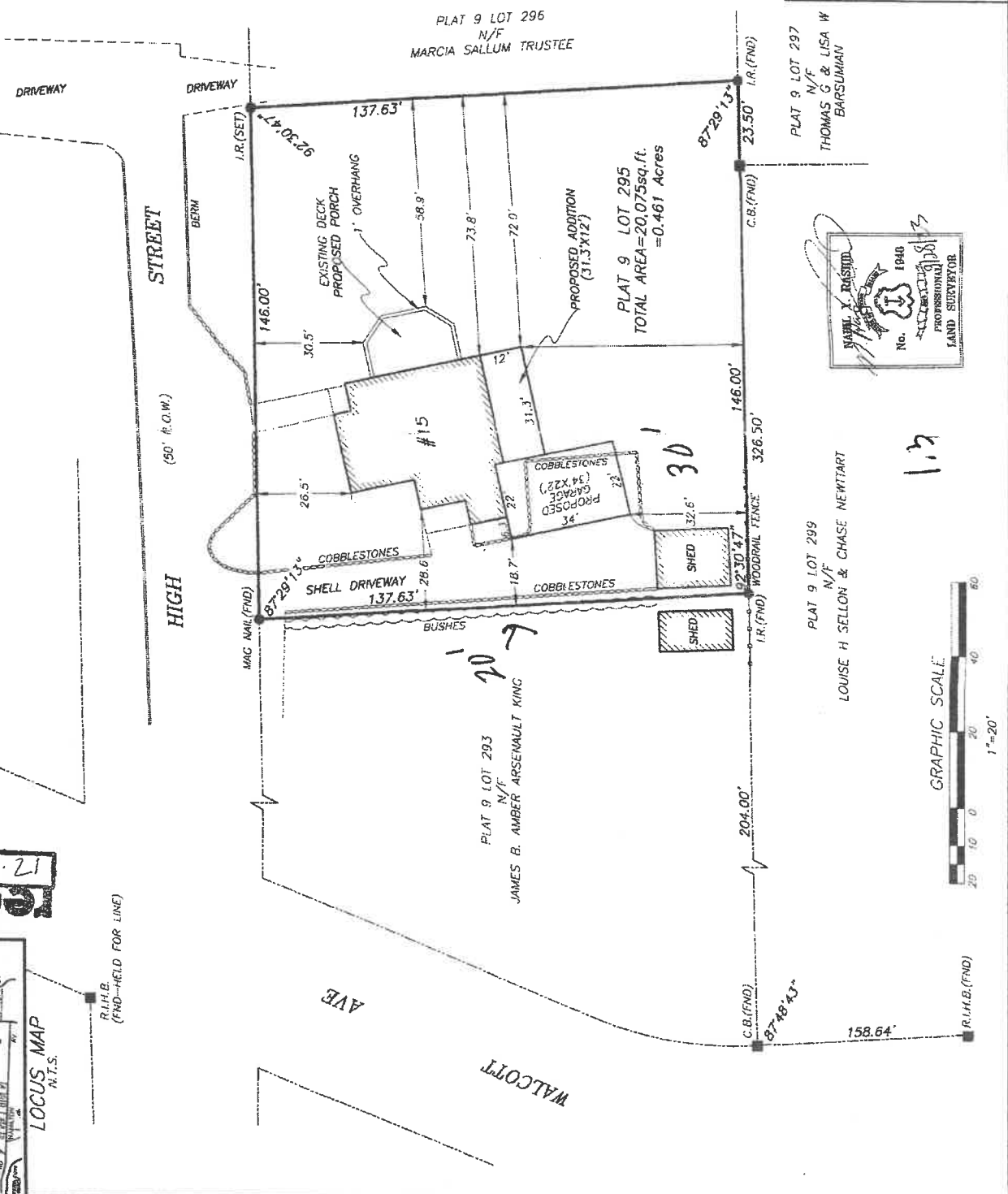
FLOOD NOTE:

THIS PARCEL IS LOCATED IN FLOOD ZONE X, WHICH DETERMINED BY FEMA MAPS FOR THE TOWN OF JAMESTOWN, COUNTY OF NEWPORT, STATE OF RHODE ISLAND AS AREAS OUTSIDE THE 0.2% ANNUAL CHANCE OF FLOODING. MAP NUMBER 44007021760 MAP EFFECTIVE DATE: SEPTEMBER 4, 2013

THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO SECTION 4-35-10(a)-(d)-(e) OF THE RULES AND REGULATIONS GOVERNING THE PRACTICE OF PROFESSIONAL LAND SURVEYING REGISTERED FOR PROFESSIONAL LAND SURVEYORS NOVEMBER 25, 2015 AS FOLLOWS:
 TYPE OF SURVEY: LIMITED CONTENT BOUNDARY SURVEY
 MEASUREMENT SPECIFICATION: CLASS 1
 THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THIS PLAN IS AS FOLLOWS:
 PROPOSED ADDITION

BY: *M. Rashid* DATE: 9/28/23
 MARIL RASHID PLS#1948 LS-4427
 REGISTERED PROFESSIONAL LAND SURVEYOR

SURVEY AND PLAN FOR	
CINDO DIFALITIS	
16 HIGH STREET	
JAMESTOWN, RHODE ISLAND	
PLAT 9 LOT 296	
NRC ASSOCIATES	
C/O: BOB WASSER	
EAST PROVIDENCE, RHODE ISLAND 02914	
DATE	SEPT. 28, 2023
SCALE	1"=20'
PLANNED BY	NOV. 13, 2021
FILED BY	HIGH ST
1 of 1	

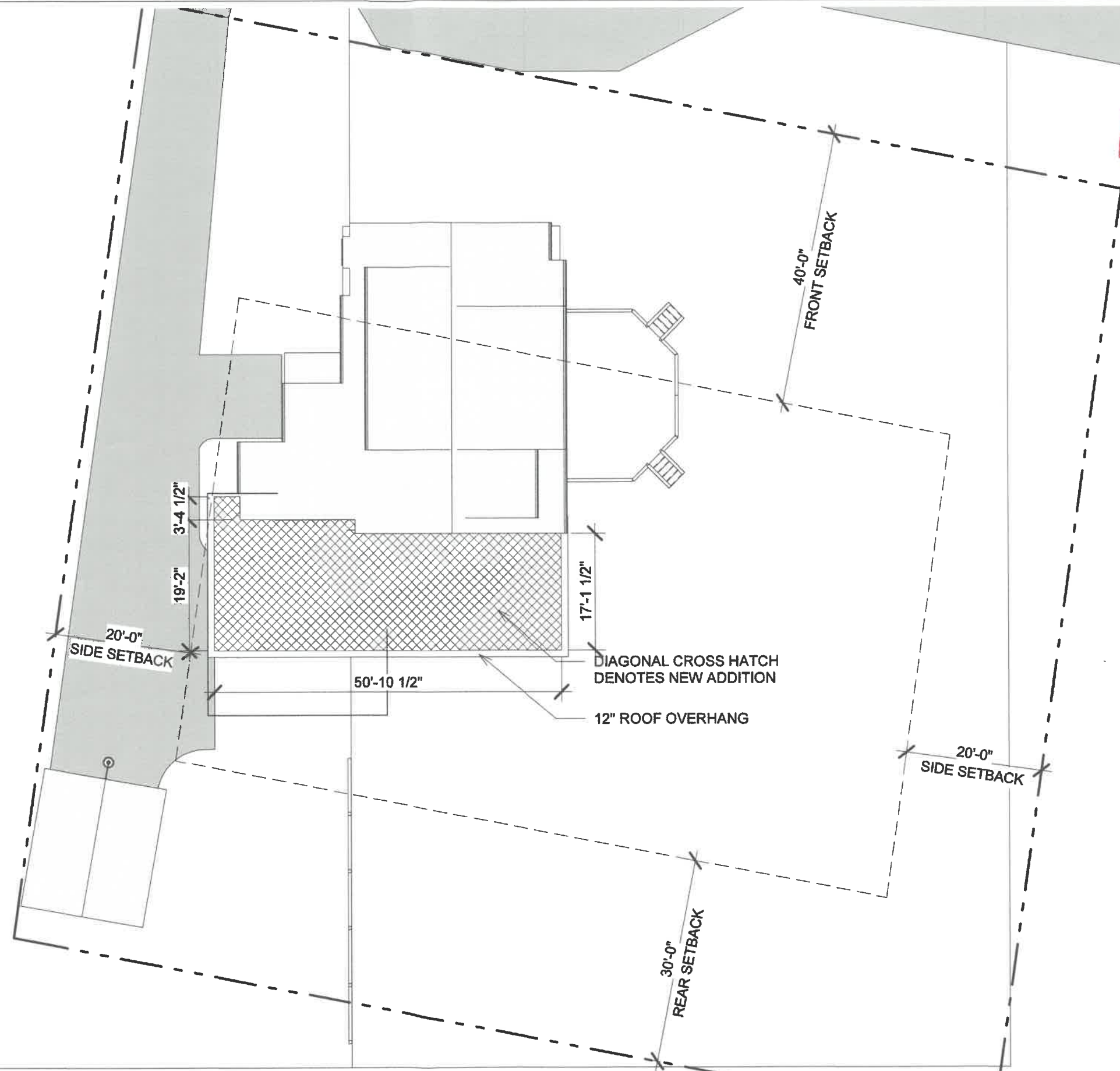


SITE INFO:

MAP / LOT: 9 / 295
ZONE: R40

EXTG. HOUSE FP: 1,685 SF.
EXTG. DECK FP: 330 SF.
EXTG. SHED FP: 320 SF.
TOTAL EXISTING FP: 2,638 SF.
NEW ADDITION FP: 1,092 SF.
TOTAL PROPOSED: 3,730 SF.

LOT SIZE: 20,075 SF
MAX COVERAGE: 25%
EXISTING COVERAGE: 13.14%
PROPOSED COVERAGE: 18.6%

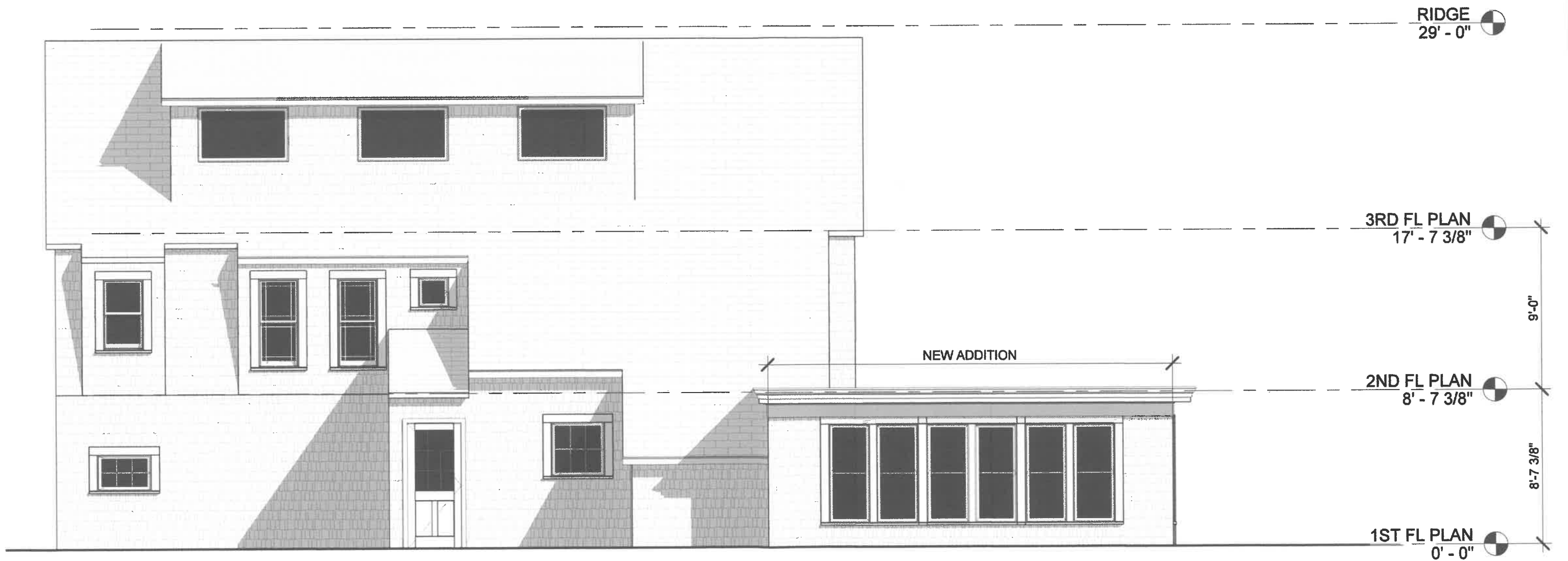


received
12.14.23

1 SITE PLAN
1/16" = 1'-0"



2 SOUTH ELEVATION PROPOSED
 3/16" = 1'-0"



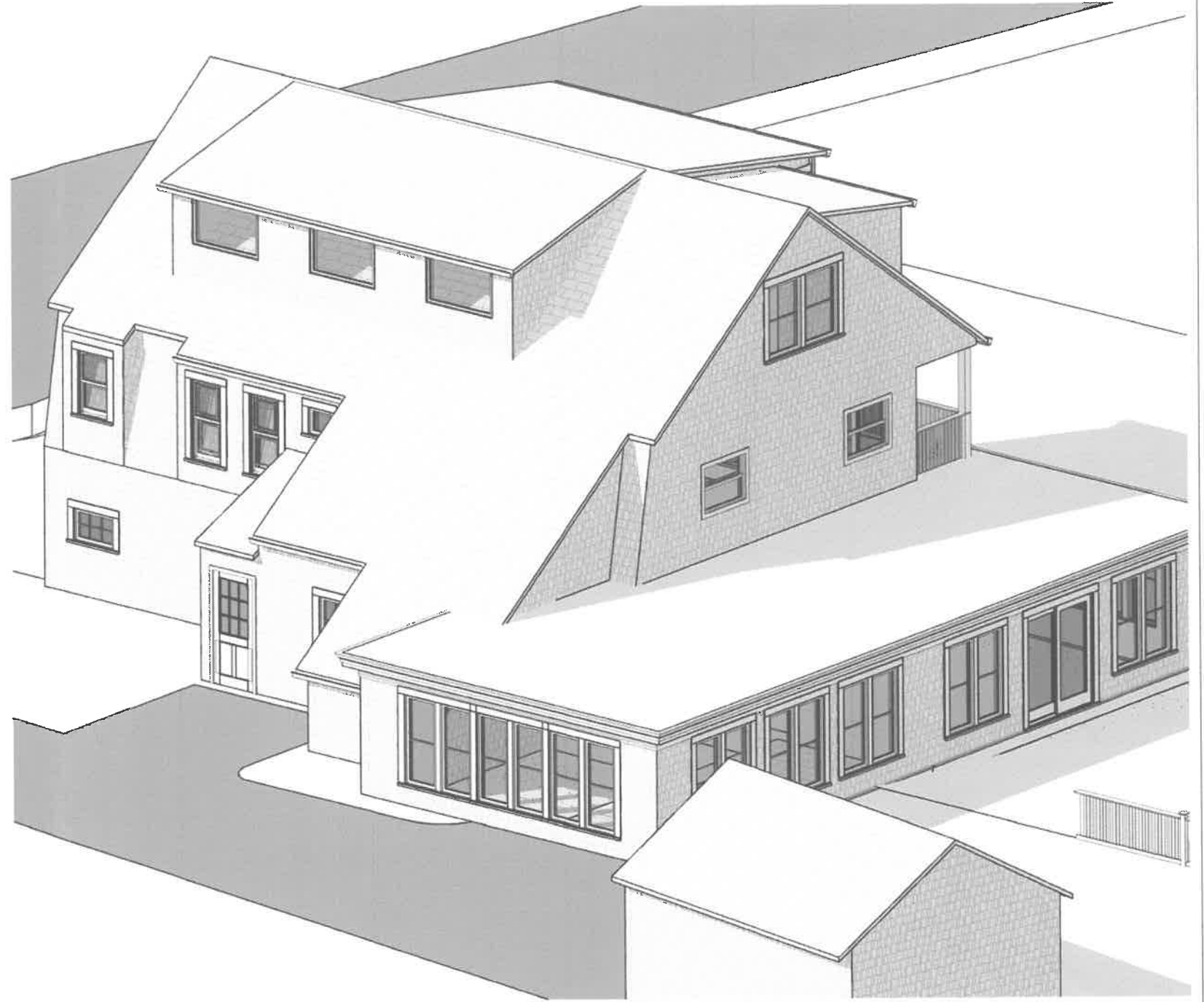
② WEST ELEVATION PROPOSED
 3/16" = 1'-0"



2 EAST ELEVATION PROPOSED
 3/16" = 1'-0"



1 VIEW1 EXTG



2 VIEW1 PROPOSED



1 VIEW2 EXTG



2 VIEW2 PROPOSED