

November 12, 2024

Zoning Board of Review
Building & Zoning Department
Town of Jamestown

Subject: Request for Extension of Variance Granted November 28, 2023

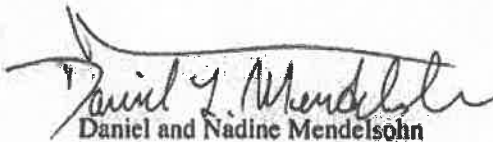
Dear Members of the Zoning Board of Review,

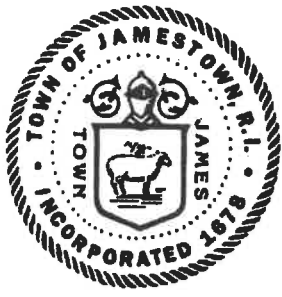
We are writing to respectfully request a one-year extension of the variance granted on November 28, 2023, for our property at 29 Marine Avenue. This variance allows for the construction of accessory structures within the side and front yard setbacks, as approved by the board.

Due to delays related to builder and pricing availability, we have been unable to begin construction within the original timeframe. A one-year extension would allow us the necessary time to proceed with the project as planned.

Thank you for considering our request. We appreciate your assistance in placing this on the agenda before the variance expires. Please let us know if any additional information is needed.

Sincerely,


Daniel and Nadine Mendelsohn



Town of Jamestown

93 Narragansett Avenue
401-423-7200

Jamestown, Rhode Island
02835-1199

November 28, 2023

Daniel Mendelsohn
Et Nadine
29 Marine Avenue
Jamestown, RI 02835

Dear Mr. & Ms. Mendelsohn,

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

A motion was made by Jane Bentley and seconded by Dean Wagner to grant the request of DANIEL & NADINE MENDELSON, whose property is located at 29 Marine Avenue, and further identified as Tax Assessor's Plat 9, Lot 442 for a dimensional variance from Article 3, Section 82-302 and Table 3-2. The property is located in the R-20 zoning district and contains approximately 9,000s.f. of area. Applicants propose to construct an accessory building 198s.f. in size, within the side-yard setback proposing 5.7' wherein 10' is required. An Accessory Structure (588s.f.) is also proposed within the front yard along Pierce Ave proposing a front yard setback of 16.7' wherein the building official determined 50' is required due to the lot having two front yards and no rear yard. Relief is also sought to allow accessory structures in the front yard to the extent deemed necessary.

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):

1. This project must be constructed in strict accordance with the site and building plans duly approved by this Board.
2. Neither structure will be considered an accessory dwelling structure.
3. There will be no kitchen or cooking facilities.
4. There will be no renting of the new garage structure.
5. The garage bedroom will not be used for a rental.
6. Applicant is proposing a front yard setback of 16.7' wherein the Building Official deemed 50' required.
7. Applicant is requesting relief to construct an accessory structure in the front yard to extent relief necessary.

This motion is based on the following findings of fact:

1. The property is located in the R-20 zoning district and contains approximately 9,000 s.f. of area.
2. The property has two front yards and therefore has to follow stricter codes.
3. Construction of two accessory buildings in the rear of the principal structure will adhere to the restrictions set forth.
4. The applicant is proposing a side yard setback of 5.7' wherein 10 is required.
5. The applicant will comply with the stormwater mitigation plan as depicted in the plan submitted as an exhibit.
6. The applicant will implement a landscaping plan consistent with what is depicted in the renderings submitted with the application including a row of shrubs on the south property line.
7. A soil sedimentation plan will be included in the final plan.
8. An approved stormwater plan post construction will be done by the engineer of record.
9. The Planning Memorandum dated Sept. 21, 2023 is incorporated by reference.

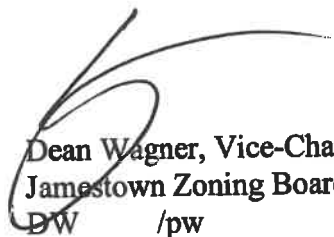
The motion carried by a vote of 5 – 0.

Dean Wagner, James King, Jane Bentley, John Shekarchi and James Sisson voted in favor of the motion.

Robert Maccini was not seated and Terence Livingston was absent.

Richard Boren left at 7:30 p.m.

Very truly yours,



Dean Wagner, Vice-Chair
Jamestown Zoning Board of Review
DW /pw

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or become an accessory dwelling unit. The upstairs will not have a kitchen. There will be a sink and mini-fridge, but not a stove.

There is a house next door and neighboring lots are tight. The cottage will help create a more private back yard. The proposed plans show gardens and raised beds. The workshop being proposed to stay where the shed, which will be razed, is located so existing trees can stay in place. The cottage setback is proposed to stay in line with side yard of the house, which a previous Zoning decision that allowed the existing house at 5 feet for the side yard. Main and accessory setbacks for the R-20 zone are 10 feet. The boundary survey plan needs to be updated with correct dimensional regulations for R-20 zone.

The existing shed on the property that is 14 foot wide. The workshop is designed to re-capture the existing shed's location with a small bump out. However, the new workshop will be slightly smaller.

Bryer stated that Peter Medeiros, Building and Zoning Official, was unable to attend the meeting, but reviewed the application. He had the following comments:

- The crafted cottage does not meet the setback, not sure where a hardship exists;
- Gross floor area: I would think the garage floor level would be included in the total (GFA definition obscure);
- Gross floor area: covered walkway not depicted on the plan, but would count as lot coverage. Keene said the covered walkway was included in lot coverage. Keene will work with Medeiros to answer and clarify the questions about the request for variances. Keene and Bryer asked if the basement is considered livable space? Keene said that it is a storage space and did not have the ceiling height for living space. Cochran said that he does not believe that basements are part of living space.

Bryer explained that the meeting would address the development on an undersized lot aspect of the application and not the variances. The application fits beautifully in the Village District. The application was reviewed against Jamestown Vision: Pattern Book and Design Guidelines and it complies except for the variances.

Keene questioned the number of parking spaces needed? The driveway is big enough and there is a parking space inside the garage. Bryer said that she did not see the plans as being inconsistent with Zoning.

Lambert questioned if the water into workshop will come from the house? Keene said that yes, the water and all utilities will come from the house.

Cochran questioned the location of the chimney chase. Keene showed where the chimney chase is on the plans as it was not drawn in.

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September 20, 2023
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A motion was moved by Bryer and seconded by Cochran to forward the recommendation of approval of the Development Plan to the Zoning Board so the applicant can request the needed variances. All in favor.

II. Adjournment

A motion to adjourn at 3:34pm was moved by Bryer and seconded by Lambert. All in favor.

Attest:

Carrie Kolb

Received for Record
Roberta J. Fasan
TOWN CLERK
JAMESTOWN, R.I.
DEC 11, 2023 08:17 AM
Vol: 1043 PG: 162



TOWN OF JAMESTOWN
P.O. Box 377
93 Narragansett Ave.
JAMESTOWN, RHODE ISLAND 02835

Planning Office (401) 423-7210

Technical Review Committee Minutes
September 20, 2023
3:00 PM
Town Hall – Small Conference Room
93 Narragansett Avenue, Jamestown

I. New Business

1. Daniel and Nadine Mendelsohn, 29 Marine Avenue, Plat 9 Lot 442, Jamestown, RI – Development Plan Review for construction of a Crafted Cottage and West End Workshop on an undersized lot in Jamestown Village Special Development District per Jamestown Zoning Ordinance Article 11 Section 82-1100 – Review, Discussion, and/or Action and/or Vote.

The meeting was called to order at 3:00pm and the following members were present: Lisa Bryer, Town Planner; Mick Cochran, Planning Commission Representative; Jean Lambert, Department of Public Works;

Also present: Carrie Kolb, Planning Assistant; and Laurie Keene, Architect

Not present: Peter Medeiros, Building and Zoning Official

Laurie Keene presented the plans for 29 Marine Avenue, which is located in the Village District on a through street with frontage on Marine Avenue and Pierce Avenue. The lot is undersized and non-conforming with an existing house and shed. The plans propose new West End Workshop with living space above, in place of the shed, which will create a better street presence on Pierce Avenue. The Crafted Cottage is more than a garden folly structure but less than a shed for crafting and office space. The space will be small, but dedicated to Nadine. It will be insulated and have a heat pump. The overall lot coverage of the two accessory buildings is 786 sq ft. The allowable square footage is 2,250. The proposed plans put the house and accessory structures at 25% of the lot coverage. The two structures will both be slab on grade. The reason for two accessory structures is to manage the scale and not build one large, egregious structure.

The West End Workshop is designed as a workshop and to allow parking for one car. The left side is more of a covered porch and open to the elements. The main gable structure itself will be a workshop and an area to work on their wooden boat. The upstairs is space for overnight guests. The applicants have 3 children who come to visit. The space is not meant to be for rent



Office of the Town Planner
MEMORANDUM

TO: Zoning Board of Review
FROM: Lisa Bryer, AICP, Town Planner
On behalf of the Technical Review Committee
RE: Application of 29 Marine Avenue, AP 9 Lot 442, for Development
Plan Review for construction of a detached crafted cottage and
west end workshop on an undersized lot in the Jamestown Special
Development District. TRC recommendation to the Zoning Board
per Article 11 Section 82-1100.
DATE: September 21, 2023

At the September 20, 2023 Technical Review Committee Meeting, a motion was made by Town Planner Lisa Bryer and seconded by Planning Commission Representative Mick Cochran "to approve the development plan for 29 Marine Avenue and forward the recommendation of approval to the Zoning Board of Review so the applicant can request the needed variances". The application was reviewed against Jamestown Vision: Pattern Book and Design Guidelines and it complies, and per Article 11 Section 82-1100, based on the following findings of fact:

1. The site plan was provided by DiPrete Engineering, titled Boundary Survey Plan 29 Marine Ave Jamestown RI dated 7/19/23. The architectural plans were provided by Keene Architecture titled: Proposed Site Layout; The Crafted Cottage; West End Workshop; untitled for site location; aerial site photos; native planting suggestions; untitled GIS Map/aerial photograph; and Volume Study of Conforming Building. The application for development plan review, project narrative and zoning board of review decisions from June 23, 2004 and December 14, 2005 were submitted;
2. The lot is 9,000 square feet in an R-20 District. This is an existing non-conforming lot by size;
3. The existing house received a variance for side lot setback on December 13, 2005
4. The allowed lot coverage in the R-20 District is 25% and the proposed lot coverage 25%.

So unanimously voted.

Attachments: 1)) TRC Minutes dated September 20, 2023

C: Peter Medeiros, Building Official
Laurie Keene, Keene Architecture, Inc.