

Town of Lincoln
Zoning Board of Review
100 Old River Road, Lincoln, RI
Minutes of September 5th, 2023 Meeting

Present: David DeAngelis- Chairman, Lori Lyle- Vice Chairperson, Secretary Stephen Kearns, Frank Spezzano, Kazem Farhoumand, Council- Stephen Antonucci

Excused: Charles Ruggerio

Minutes: August Minutes

Correspondence: Member Mancini was up for re-election, but opted out of another term. He will no longer be part of The Board going forward.

Applications:

One correction to the August minutes under the Millers Project change “fun” to “fund”- correction caught by Vice Chairperson Lyle. Motion to accept August minutes made by Secretary Kearns; second by Vice Chairperson Lyle.

Chairman: Tonight’s board will be myself, Vice Chairperson Lyle, Secretary Stephen Kearns, with two alternates, Frank Spezzano, Kazem Farhoumand.

Zoning Official Hervieux: Frank Spezzano, Kazem Farhoumand were re-appointed until August 2024, one year tem alternates.

Secretary Kearns: Appreciated all John Mancini did and his services and experience to The Board and The Town.

Chairman: Affidavits from recording secretary Grace, which is a new regulation for documenting the mailing of the abutters notices.

Mathias and Laura Kohring, 425 Front Street, Lincoln, RI 02865- Application for Dimensional Variance for side setback relief for the construction of an addition on a single family residential located on 425 Front Street, Lincoln, RI 02865

AP 9, Lot 206

Zoned: RL 9

Chairman: Sworn in applicant Laura Kohring. This application represents a request for a Dimensional Variance for the construction of an addition. The applicant is proposing to construct a 16’x26’ addition to the rear of an existing house. The proposed addition is 10.0’ from the side property line at the northwest corner which 15’ is required. Therefore, the applicant would need **5.0’** of side relief at the northwest corner of the addition. The proposed addition is 9.7’ from the side property line at the southwest corner (also for the existing house) which 15’ is required. Therefore, the applicant would need **5.3’** of side relief at the southwest corner of the proposed addition (and existing house). The property meets the lot coverage requirements even with the addition. Reads standards Reads standards for a Dimensional Variance 1. Is there a hardship due to unique characteristics of land that is not any physical or economic disability? 2. Is that there's a hardship that results and it's not from any prior action of yourself, and it does not result from the desire to realize any greater financial gain. 3. Granting of the variance will not alter the general character of the neighborhood. 4. What is asked of the Board is reasonable and least relief necessary. 5. For a Dimensional Variance is there a hardship that's more than a mere inconvenience, which results in you needing this variance.

Laura Kohring: Currently 819 sq. /ft. of space- we have two kids who each need a room. Currently sharing a room. Son is 11, daughter is 14- they need separate rooms. Wants to move the laundry room to the first floor. The addition would be a laundry room, bathroom and master bedroom.

Chairman: When did you purchase the house?

Laura Kohring: 2007, purchased the house- didn’t have the kids then.

Secretary Kearns: 18x26 entire footprint.

Laura Kohring: correct.

Secretary Kearns: Bedrooms upstairs same size?

Laura Kohring: Yes.

Vice Chairperson Lyle: Addition will be larger than the house?

Laura Kohring: Structure 16x26, the difference will be a porch not the inside dimensions.

Chairman: What will the finished project look like with the surrounding area?

Applicant: It is mixed. Triple decker next door, some single family, and slightly larger/smaller homes surrounding.

Chairman: Won't be out of character.

Secretary Kearns: Your house is in the middle of two street.

Laura Kohring: It was once a property with three houses. It is now one property, since subdivided.

Secretary Kearns: Age of the home?

Laura Kohring: 1880.

Secretary Kearns: Right of way?

Laura Kohring: There is an easement.

Chairman: What will the dimensions be?

Laura Kohring: 22x26 with porch included. 4ft. of porch, so 22x30ft.

Chairman: What to make sure the relief is granted with the right dimensions.

Zoning Official Hervieux: Sufficient space to the rear and the side toward the side not asking for relief. Lot coverage there was plenty of room with more building and they are removing the shed.

Chairman: The porch does not appear to need any relief with the addition relief. Zoning Official Hervieux's opinion that any issue with lot coverage is not a concern with the wrap around porch.

Laura Kohring: 16x26, two floors.

Chairman: Talk about the hardship to result in this direction.

Laura Kohring: We have an 11 year old boy and a 14 year old girl. Didn't want to move out of Lincoln wants to stay and update the home to fit the family.

Vice Chairperson Lyle: Was this the only place for the addition?

Laura Kohring: Yes, we could shift toward the driveway some, but the back of the house made the most sense.

Member Farhoumand: Not encroaching any more than the existing building.

Zoning Official Hervieux: Yes, the new construction though is in the setback.

Secretary Kearns: Driveway in the back of the house?

Laura Kohring: Front.

Secretary Kearns: Is the front of the house the first thing you see and the addition is to the back?

Laura Kohring: Yes.

Chairman: Reads the TRC report based upon the findings that granting the relief from the required side yard setback would be consistent with the Comprehensive Plan and the character of the surrounding area, would not undermine the intent of the zoning code and is minimal in nature, the Planning Board recommends that the Zoning Board of Review *approve* this application.

Asks Zoning Official Hervieux about the wetland.

Zoning Official Hervieux: Stream goes through the property a wetland in the back. No requirement from Zoning to get DEM permit but it's a building permit matter.

Public comment: No

Chairman: Motion to approve application. This application represents a request for a Dimensional Variance for the construction of an addition. The applicant is proposing to construct a 16'x26' addition to the rear of an existing house. The proposed addition is 10.0' from the side property line at the northwest corner which 15' is required. Therefore, the applicant would need **5.0'** of side relief at the northwest corner of the addition. The proposed addition is 9.7' from the side property line at the southwest corner (also for the existing house) which 15' is required.

Therefore, the applicant would need **5.3'** of side relief at the southwest corner of the proposed addition (and existing house). The property meets the lot coverage requirements even with the addition. Reads standards Reads standards for a Dimensional Variance 1. Is there a hardship due to unique characteristics of land that is not any physical or economic disability? The home is currently situated making it necessary for the Dimensional Variance relief because there is no other place for the addition. 2. Is that there's a hardship that results and it's not from any prior action of yourself, and it does not result from the desire to realize any greater financial gain. Asked how long in the house, purchased prior to the kids so it is no prior action alter for the family. 3. Granting of the variance will not alter the general character of the neighborhood. Surrounding area is a mix of sizes and styled homes. 4. What is asked of the Board is reasonable and least relief necessary. Other options were explored but this makes most sense. 5. For a Dimensional Variance is there a hardship that's more than a mere inconvenience, which results in you needing this variance. Granting allows the family to stay in house and stay in their home and Town.

Motion second by Member Spezzano. All in favor. Dimensional Variance granted.

Barbara Crosby, 8 Parker Street, Lincoln, RI 02865- Application for Dimensional Variance for side setback relief for the construction of an addition on a single family residential located on 8 Parker Street, Lincoln, RI 02865

AP 6, Lot 189

Zoned: RL 9

Chairman: Sworn in applicant **Barbara Crosby**, This application represents a request for a Dimensional Variance for the construction of an addition. The applicant is proposing to construct a small addition and ADA ramp to the rear of an existing single family home. The property is located in the RL-9 zoning district. The proposed addition is 10.9' from the side property line at the northwest corner which 12.15' is required. Therefore, the applicant would need **1.25'** of side relief on the northwest corner of the proposed addition. The proposed addition is 11.0' from the side property line at the southwest corner which 12.15' is required. Therefore, the applicant would need **1.15'** of side relief on the southwest corner of the proposed addition. The existing house has some dimensional nonconformities. The existing house is 3.1' from the east side property line which 12.15' is required. Therefore, the applicant would need **9.05'** of east side relief on the existing house. The existing house is 24.8' from the front property line which 25' is required. Therefore, the applicant would need **0.2'** of front relief on the existing house. The existing house is 11.0' from the west side property line which 12.15' is required. Therefore, the applicant would need **1.15'** of west side relief on the existing house. The property is already over the lot coverage requirement. The applicant supplied the information for the overhang on the garage. The existing lot coverage is 1,863 square feet and the addition would be 77 square feet which 1,820 square feet is allowed. Therefore, the applicant would need **120 square feet or 1.6%** of lot coverage relief.

TRC: Based upon the findings that granting the relief would be consistent with the Comprehensive Plan and the character of the immediate area, and finding that the relief would not undermine the intent of the zoning code and is minimal in nature, the Planning Board recommends that the Zoning

Board of Review *approve* this application with the condition that the applicant obtain a wetlands permit from RIDEM for any disturbance within the wetland buffer/jurisdictional area, as applicable.

Progress of the of the Comprehensive Plan Advisory Committee

Secretary Kearns: I sent everyone an agenda for the review committee, it is a public meeting. I will keep sending updates.

Chairman: Next meeting October 3rd.

Meeting adjourn motion made by Vice Chairperson Lyle, Second Secretary Kearns All in favor.