

**ZONING BOARD OF REVIEW MEETING**  
**Jamestown Town Hall**  
***Rosamond A. Tefft Council Chambers***  
**93 Narragansett Avenue**  
**Tuesday, JANUARY 24, 2023**  
**7:00 PM**

THIS MEETING WILL BE CONDUCTED IN PERSON ONLY.

The public is invited to observe and participate in the deliberations of this meeting, in person @ Town Hall.

**TO VIEW THE MEETING LIVE STREAM WITH NO INTERACTION, PLEASE VISIT THE FOLLOWING LINK:**

**<http://158.123.195.41/OTRMedia/Town2020/Others2020/StreamPrimJtown.html>**

**I. ROLL CALL; CALL TO ORDER**

**II. APPROVAL OF MINUTES**

- A. Approval of the minutes of the December 20, 2022 meeting; review, discussion and/or action and/or vote.

**III. CORRESPONDENCE**

- I. **Communications Received:** – Review, Discussion and / or Potential Action and / or Vote.”
- II. OLD BUSINESS: “Public Hearings – Review, Discussion and / or Potential Action and / or Vote:”
  - A. DECISION ONLY. Appeal of Randy Ross and Jill D. Smith whose property is located at 2 West Passage Drive, and further identified as Tax Assessor’s Plat 8, Lot 858 for the appeal of a decision made by the zoning officer pursuant to under Article 5, Zoning Board of Review, Section 82-503, Procedure(s) for appeals, special use permits, and variances. The applicant is aggrieved by the arbitrary and capricious decision made by the zoning officer who applied language from one section of the ordinance to a completely different section of the ordinance in an effort to come to the decision that accessory buildings/structures are not allowed in front yards where there is no explicit prohibition on the permitted use activity pursuant to the dimensional regulations of the ordinance.
  - B. Application of Randy Ross and Jill D. Smith whose property is located at 2 West Passage Drive, and further identified as Tax Assessor’s Plat 8, Lot 858 for relief 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 R40 Zoning District of the zoning ordinance. The Applicant seeks side yard setback relief of 7.5 feet where 15 feet is required. In an abundance of caution, the application also seeks relief from Article 3 Section 82-302, Table 3-2 to permit an accessory structure in the front yard where no front yard setback for accessory structure is provided in Table 3-2 however the "Minimum Yards, Front" for the R40 District is 40' and the proposed tool shed will be over 60 feet off the front yard line. The relief granted is for the applicant to place a premade 10 foot by 14-foot tool shed on the property. Said property is located in an R40 zone and contains 53,700 square feet.

III. NEW BUSINESS: "Public Hearings – Review, Discussion and / or Potential Action and / or Vote:"

- A. Application of 35 Sloop, LLC whose property is located at 35 Sloop Street, and further identified as Tax Assessor's Plat 3, Lot 471 for a Special Use Permit granted under Article 6 Section 82-600 and 602, pursuant to Article 3 Section 82-314, High Groundwater Table and Impervious Overlay District Sub-District A. This application also seeks relief granted under Article 6 Section 82-600 and 602 pursuant to Article 3 Section 82-314, High Groundwater Table and Impervious Overlay District Sub-District A to have the impervious lot coverage be 10.3% where the maximum allowable coverage is 10% and the existing impervious coverage is 20.1%. The Applicant seeks to construct a new 2-bedroom dwelling while decreasing the amount of impervious coverage area. Said property is located in a R-40 zone and contains 8,177 square feet.
- B. Application of the Town of Jamestown, whose property is located at 5 Freebody Drive (Jamestown Highway Garage), and further identified as Tax Assessor's Plat 7, Lot 1 seeks the following relief for the proposed new Workshop Building.
  - a. An amendment to an existing special use permit in accordance with Section 82-302 (District Dimensional Regulations), Table 3-1, IV Gov't, Education, Institutional (1) Gov't Owned utility facility.
  - b. A variance from Section 82-1203 Minimum off street parking, 26 spaces required, and 19 spaces provided. Previous zoning application for highway garage was granted a parking variance for 19 spaces where 33 were required at the time. Said property is located in a PUBLIC zone and contains 25.62 acres.
- C. Application of Alexander and Linda Knowles, whose property is located at 108 Southwest Ave., and further identified as Assessor's Plat 9, Lot 26, are seeking to add 4 feet to the height of a proposed outbuilding that was approved by the Jamestown Zoning Board of Review in June 2022. The plans for the proposed outbuilding as originally submitted for approval included a building height of 16 feet 3 inches. The applicants have revised the building plans to raise the building height to 20 feet 3 inches. Article 3, Section 82-302 (Table 3-2), of the Revised Code of Ordinances for The Town of Jamestown, RI, specifies that properties designated R20 adhere to a maximum building height of 25 feet. The applicant's new plans are within the building provisions as established by section 82-302.
- D. Application of Sanderson H. Carney, Trustee of the Sanderson H. Carney Indenture of Trust, whose property is located at 3 Spirketing Street, and further identified as Tax Assessor's Plat 5, Lot 404 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 R40 Zoning District of the zoning ordinance. The Applicant seeks Side Yard setback relief for an accessory structure of 3 feet where 15 feet is required in order to construct a 12 x 28 Carport with concrete pad. Said property is located in a R-40 zone and contains 17, 575 square feet.

- E. Application of Wendy Warner Harvey whose property is located at 4 Fowler St., and further identified as Assessor's Plat 8, Lot 409 for a variance from Article 3, Section 82-302, District Dimensional Regulations, to construct a new single- family residence that is 17 feet from the rear lot line instead of the required 30 feet and whose footprint represents 35% lot coverage instead of the required 30%. Said property is located in a R8 zone and contains 4225 sq. ft.
- F. Application of Harry Philbrick and Carolyn Coleburn whose property is located at 26 Green Lane, and further identified as Tax Assessor's Plat 9, Lot 241 for a Variance from Article 3, Section 82-302, District Dimensional Regulations, Table 3-2 to remodel an existing Studio outbuilding to include a bedroom and bathroom, and to construct an addition to an existing dwelling to connect said outbuilding to the dwelling. The Applicant seeks to maintain the existing rear yard setback of 11.2 feet where 30 feet is required, and the existing side-yard setback of 4.9 feet where 7 feet is required for the remodeling of the existing outbuilding and connection to the existing dwelling. Said property is located in a R-8 zone and contains 21,344 square feet.

#### **IV. ADJOURNMENT**

***Pursuant to RIGL §42-46-5(c) Notice of this meeting shall be posted on the Secretary of State's website and at the Town Hall and the Jamestown Philomenian Library. In addition, notice may also be posted at the Jamestown Police Station and on the Internet at [www.jamestownri.gov](http://www.jamestownri.gov).***

This meeting location is accessible to the physically challenged. If communications assistance or other accommodations are needed to ensure equal participation, please call 1-800-745-5555 not less than three (3) business days prior to the meeting.

Posted on the RI Secretary of State website.