

EAST KINGSTON BOARD OF ADJUSTMENT

June 11, 1992

Members attending: John V. Daly, Chairman; David Ciardelli, David Boudreau, Jr., and Joseph Conti

Mr. Daly called the meeting to order at 7:37pm.

(1992-01)

Mr. Daly read the Notification for the Public Hearing scheduled for Anthony R. and A. Suzanne A. Rizzotti, 101 Powwow River Road. Mr. & Mrs. Rizzotti request a Variance from Article VI, Paragraph B of the Zoning Ordinance.

Mrs. Rizzotti addressed the five criteria to be met to be granted this variance. She noted that they wish to build an addition to the side of their present home. Their home is not in conformance with the Zoning Ordinance determining the minimum footage required for centerline from road. Side lot lines are not in question.

Mrs. Rizzotti described the dwelling as 15 ft. from the side of the road and they would build the addition to be in line with the existing building.

Mr. Conti asked the distance between the property lines with Mr. Smith and Mr. Wilson.

Mrs. Rizzotti noted the distance to the centerline is the problem and there was plenty of room from the side lot lines.

Addressing the five criteria:

1. The new addition would improve the value of the Rizzotti property. It could improve the value of the surrounding property. The building will be professionally done according to the plan as displayed.
2. Public interest would be benefited with residents within the building. Adequate lighting would be provided, discouraging vandalism. Obviously more to our benefit.
3. The 95 year old dwelling pre-existing the current zoning laws. The property was affected by zoning, only the existance of the house and the road's closeness keep us from doing what we want. Similar situation occurs within this neighborhood.
4. Justice would be fair in this situation. Abutters could do what we cannot.

5. We are not trying to encroach on the zoning ordinance, attempting to stay in compliance by keeping the proposed building within the lines of the present dwelling and not going closer to the road.

Mr. Conti asked the length of time before the outside would be complete.

Mrs. Rizzotti assured him that it would be about 30 days. The exterior will be the same as that of the original house. They are planning to paint the siding prior to putting it up.

Mr. Daly asked Board members for questions.

There were none.

There were no abutters present.

Mrs. Rizzotti noted that this had been an interesting new experience to her.

Mrs. Rizzotti noted that she plans to move the lilacs closer to the property line with Mr. Wilson, which could afford more privacy to him.

Mr. Conti motioned to grant the variance.

Mr. Ciardelli second.

There was no further discussion.

The motion passed 4-0.

Mr. Conti noted that he wanted a limited time on the exterior completion. He requested 30 working days for completion of the exterior.

Mr. Conti noted the Faxons (prior owners of the Rizzotti property) were refused a variance for an apartment in 1981. Assessors found an in-law apartment there and so assessed it is 1982.

Mr. Conti requested to do an inspection of the apartment during his inspections for the new addition. He noted he is concerned with the adequacy of the well and septic systems.

Mrs. Rizzotti stated they have never had a problem.

Mr. Conti noted that the apartment is grandfathered now. Further information regarding the ordinance governing systems was discussed.

Mr. Conti suggested coming to the Board of Adjustment to ask for a written decision regarding the apartment.

When the Board questioned how or why they would do this, it was suggested they might appeal Faxon's denial.

Mr. Ciardelli noted that this is nothing that they have to do.

A fee for recording the variance at the Registry of Deeds was collected. (\$10.25).

The meeting was adjourned at 8:15pm.

Respectfully submitted,

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Nancy J. ..  
Administrative Assistant