Application of DANIEL & NADINE MENDELSOHN, 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.

TOWN OF JAMESTOWN ZONING BOARD OF REVIEW

Application for Exception or Variation under the Zoning Ordinance

Zoning Board of Review;				
Jamestown, R. I.	Date10/18/2023			
Gentlemen:				
The undersigned hereby applies to the Zon the application of the provisions or regulat described premises in the manner and on the	ning Board of Review for an exception or a variation in itions of the zoning ordinance affecting the following the grounds hereinafter set forth.			
Applicant Daniel & Nadine Mendelsohn	Address 29 Marine Ave, Jamestown			
Owner Daniel & Nadine Mendelsohn	Address 29 Marine Avenue, Jamestown			
Lessee	_Address			
1. Location of premises: No. 29	Marine Avenue Street			
2. Assessor's Plat 9 Lot _	442			
3. Dimensions of lot: frontage 50'+50'	_ ft. depth180' ft. Area9,000sq. ft.			
4. Zoning Districts in which premises are	located: Use R-20 Area 20,000 Height 35'			
5. How long have you owned above prem	ises?27 Years			
6. Is there a building on the premises at pr	resent? Yes			
7. Size of existing building1,068s.f.				
Size of proposed building or alteration	198s.f./588s.f.			
8. Distance of proposed bldg.or alteration				
#1 front 98.5'/63.5' rear No rear yar	d left side 5.7'/33.3' right side 5.7'/33.3'			
	right side <u>12'/10'</u> right side <u>12'/10'</u>			
Note: Subject lot has two fro	nt yards, no rear yard.			
9. Present use of premises: Resi	dential/Single-Family			
10. Proposed use of premises: Resi	dential/Single-Family			
Location of septic tank & well on	lot N/A			

11. Give extent of proposed alterations Construction of two accessory buildings in rear of
principal structure. Subject lot has two front yards and is subject to more stringent zoning
standards requiring relief. Proposal contemplates demo of existing shed. See Exhibit A for additional
detail.
12. Number of families for which building is to be arranged:One
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: Sec. 82-302 District Dimensional Regulations for R-20 Zone. Applicant is proposing a
side yard setback of 5.7' wherein 10' is required (Outbuilding 1); Applicant is proposing a Front
yard setback of 16.7' (Pierce Ave) wherein the building official deemed 50' required.
Sec 82-302 Table 3-2 for the Village District Zone; Applicant is requesting relief to construct an
accessory structure in front yard to extent relief necessary (lot has two front yards).
15. State the grounds for exception or variation in this case: Please see Exhibit A attached.
Respectfully Submitted,
Signature Jawal L. Wendelle
Address 29 Marine Ave.
Jamestown RI Q835
401-862-5973
Telephone No. 401 - 374 - 0366 Lo

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

EXHIBIT A

The subject property is located at 29 Marine Ave, Jamestown, Rhode Island and is more particularly described as Lot 442 on Tax Assessor's Plat 9 (the "Property"). The Property consists of approximately 9,000s.f. of area and is located within the R-20 zoning district and within the Village Special Development District. The Property is a legal non-conforming lot of record and is classified as a "through lot" with frontage along Marine Avenue and Pierce Avenue with no rear yard.

The "Crafted Cottage"

The Applicants are proposing to construct one of two accessory structures behind the principal residence. The "Crafted Cottage" will be situated along the left side yard (from Marine Ave) and is approximately (11x18) 198s.f. in size. The Crafted Cottage will be used to facilitate crafting and other hobbies of the Applicants. The Crafted Cottage is proposed to have a 5.7' side yard setback wherein 10' is required. The proposed setback is consistent with and correlates to the existing setback of the principal residence. Applicant is therefore requesting a side yard setback variance of 4.3'.

The "Westend Workshop"

The Applicants are also proposing to demo an existing shed to the rear of the property and construct a new workshop approximately 588s.f. in size. The Westend Workshop will have an approximately 16.7' front yard setback (Pierce Avenue) wherein the building official determined the minimum setback required to be 50'. Applicant is therefore requesting a front yard setback variance of 33.3'.

Grounds for Relief

The Subject Property is situated between two public streets known as Marine Avenue and Pierce Avenue. The Property is thus classified as a "through lot" with two front yards and no rear yard. The dimensional regulations impose an substantive hardship by requiring the Applicants to satisfy the front yard requirements for both ends of their property and are burdened by the lack of a rear yard that would otherwise render the proposal in compliance.

The Subject Property is also subject to the Village District Zoning Guidelines which emphasize streetscapes, reduced building mass and scale, balance and general village characteristics. The proposal addresses the conflicting zoning regulations with the Village guidelines by creating an appropriate streetscape design that defers to the principal structure, creates a street presence along Pierce Avenue and reduces the overall sizing and mass of what would otherwise be allowed on the lot.

The hardship presented is due to the uniqueness of the subject property in that a through lot subject to multiple front yard setbacks, as opposed to less stringent rear yard setbacks, hinders the ability to enjoy a backyard and otherwise construct an accessory structure on the property that is consistent with the Village Guidelines.

The hardship presented is not due to any prior action of the applicant or based primarily on a desire to realize greater financial gain and the proposed design will have minimal impact on the characteristics of the surrounding area. The project architect has included a volume study and village design analysis demonstrating how the proposed design is complimentary to and respects the Village design guidelines as opposed to what would otherwise be permitted by right.





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.



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

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

TRC Meeting – 29 Marine Avenue September 20, 2023 Page 2 of 3

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-caputure 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.

TRC Meeting – 29 Marine Avenue September 20, 2023 Page 3 of 3

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.

Adjournment

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

Attest:

Carrie Kolb

- THE PARCEL IS FOUND ON ASSESSOR'S PLAT 9, LOT 442 IN THE TOWN OF JAMESTOWN, NEWPORT COUNTY, RHODE ISLAND.
- THE OWNER PER DEED BOOK 278, PAGE 117 IS DANIEL L. MENDELSOHN AND NADINE Z. MENDELSOHN.
- THIS SITE IS LOCATED IN FEMA FLOOD ZONE AE (EL I3) AND ZONE X (SHADED). REFERENCE FEMA FLOOD INSURANCE RATE MAP 44005C0157J, MAP REVISED SEPTEMBER 4, 2013. THIS DESIGNATION MAY CHANGE BASED UPON REVIEW BY A FLOOD ZONE SPECIALIST OR BY THE RESULTS OF A COMPREHENSIVE FLOOD STUDY.
- THERE WERE NO CEMETERIES, GRAVE SITES AND OR BURIAL GROUNDS OBSERVED WITHIN THE LIMITS OF THE SURVEY AND THERE ARE NO CEMETERIES, GRAVE SITES AND OR BURIAL GROUNDS SHOWN ON THE RHODE ISLAND HISTORICAL CEMETERIES ONLINE DATABASE.
- 5. FIELD SURVEY PERFORMED BY DIPRETE ENGINEERING ON JUNE 29, 2023. THIS PLAN REFLECTS ON THE GROUND CONDITIONS AS OF THAT DATE.
- 6. ELEVATIONS SHOWN HEREON, IN U.S. SURVEY FEET, ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88), AS DETERMINED BY DIPRETE ENGINEERING USING REAL TIME KINEMATIC G.P.S. OBSERVATIONS.
- 7. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. DIPRETE ENGINEERING IS NOT RESPONSIBLE FOR ANY UNKNOWN OR UNRECORDED EASEMENTS, DEEDS OR CLAIMS THAT A TITLE REPORT WOULD DISCLOSE.

PLAN REFERENCES

20

10'

exco.dwg Plotted: 10/11/2023

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BUNGALOW PARK, JAMESTOWN, R.I., SCALE I"=40', DATED JULY 14, 1914, SURVEYED AND PLATTED BY R.J. EASTON & SON CIV. ENGRS, RECORDED IN PLAN BOOK I, PAGE 24.

ZONING NOTES

- THE PARCEL IS ZONED R-20 PER THE ASSESSOR'S ONLINE DATABASE.
- THE ZONING ORDINANCE SECTION 82-302 LISTS THE DIMENSIONAL REGULATIONS AS FOLLOWS: 20,000 SQUARE FEET

MINIMUM LOT AREA 100 FEET MINIMUM LOT WIDTH 25 % MAXIMUM PERCENT OF LOT COVERAGE

30 FEET MINIMUM FRONT YARD (PRINCIPAL) 15 FEET MINIMUM FRONT YARD (SECONDARY) SETBACK + 20 FEET

MINIMUM ACCESSORY BUILDING SETBACK 10 FEET MINIMUM SIDE YARD 30 FEET

MINIMUM REAR YARD 2 STORIES MAX. - 35 FEET MAXIMUM HEIGHT OF BUILDING (PRINCIPAL)

THE ABOVE NOTES ARE BASED ON INFORMATION FROM THE TOWN OF JAMESTOWN ASSESSOR'S ONLINE DATABASE AND THEIR ZONING ORDINANCE ONLY. ANY SPECIAL PERMITS OR VARIANCES SPECIFIC TO THIS SITE ARE NOT TAKEN INTO CONSIDERATION. PLEASE CONTACT THE ZONING DEPARTMENT FOR ANY ADDITIONAL INFORMATION OR FOR A CERTIFICATE OF ZONING.

CLASS I

CLASS T-2

CLASS III

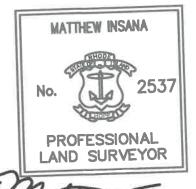
SURVEYOR'S CERTIFICATE

THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO 435-RICR-00-00-1.9 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON NOVEMBER 25, 2015, AS FOLLOWS:

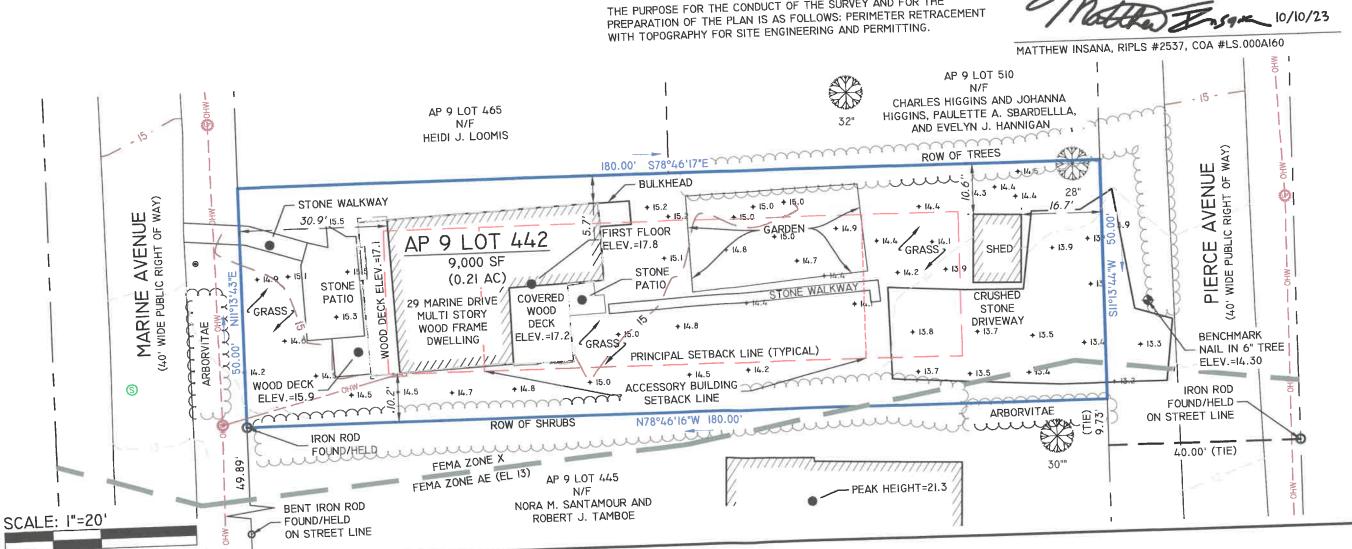
COMPREHENSIVE BOUNDARY SURVEY

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Two Stafford Court (tel 401-943-1000 fa

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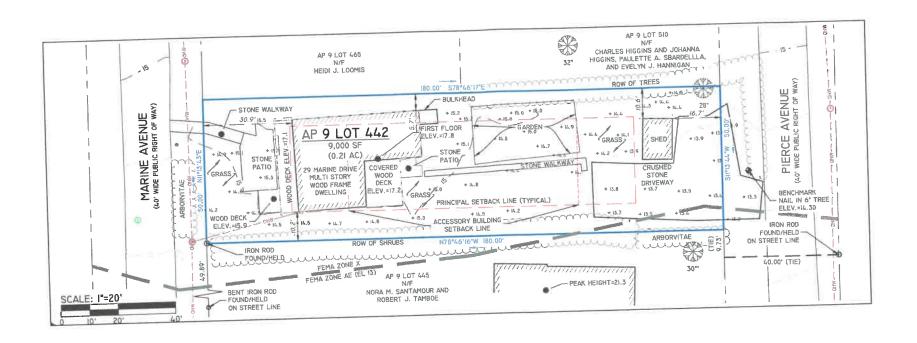
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OF SHEET

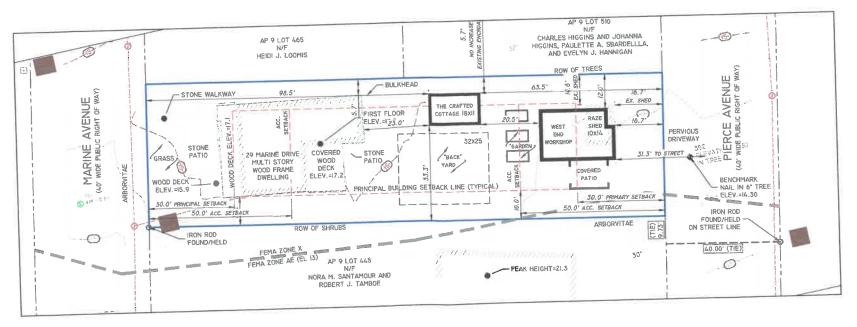


SHEET LIST:

PAGE 1	EXISTING & PROPOSED PLAN
PAGE 2	THE CRAFTED COTTAGE: PLANS + ELEVATIONS
PAGE 3	WEST END WORKSHOP: FLOOR PLANS
PAGE 4	WEST END WORKSHOP: ELEVATIONS
PAGE 5	BUNGALOW PARK THE LOT & THE BLOCK
PAGE 6	THE MENDELSOHN RESIDENCE BUNGALOW PARK
PAGE 7	THE MENDELSOHN RESIDENCE VOLUME STUDY DESIGN SOLUTION
PAGE 8	THE MENDELSOHN RESIDENCE A VILLAGE VISION
PAGE 9	THE MENDELSOHN RESIDENCE VISUALIZING OUR HARDSHIP



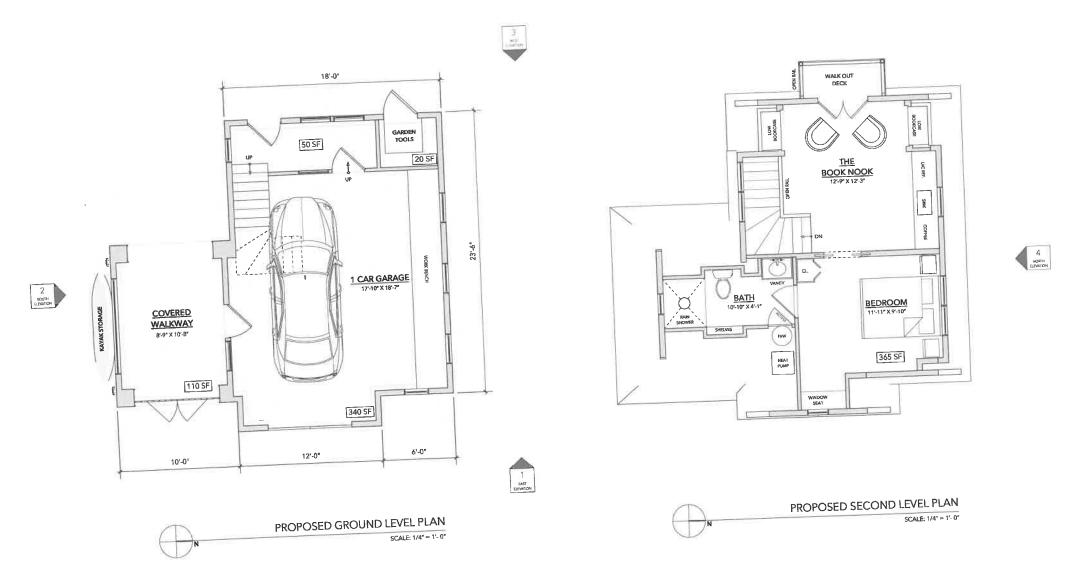
EXISTING SITE PLAN SCALE 1:20



PROPOSED SITE PLAN

SCALE 1:20











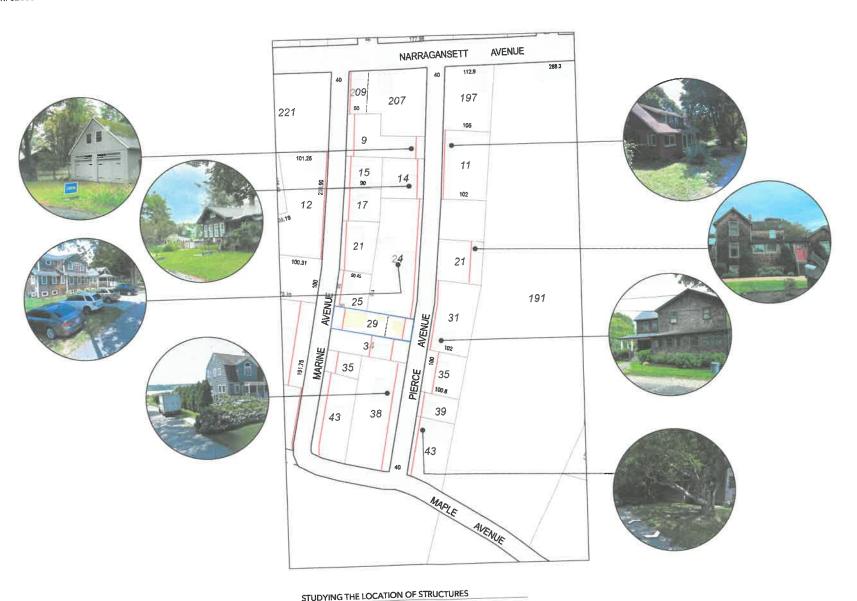
PROPOSED SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



PAGE 4

BUNGALOW PARK: DEFINE A CONTINUOUS BUILDING EDGE ALONG EACH BLOCK.



STUDYING THE LOCATION OF STRUCTURES

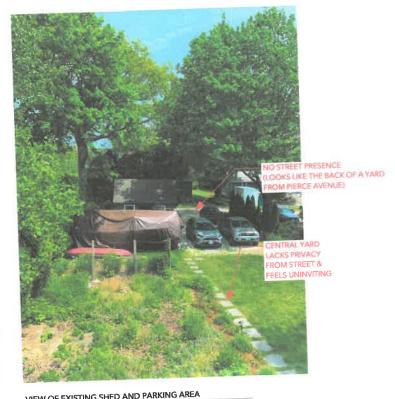
BUNGALOW PARK: OVERVIEW OF THE PROPERTY IN BUNGALOW PARK LOCATED IN THE JAMESTOWN VILLAGE.







REAR ELEVATION OF MAIN HOUSE



VIEW OF EXISTING SHED AND PARKING AREA

SITE CHARACTERISTICS

UNIQUE LOT SIZE:

-LOT IS SMALL AND NARROW MAKING IT DIFFICULT TO DESIGN/LIVE

-ZONED IN AN R-20 BUT IT'S ONLY 9,000 SF, LESS THAN HALF OF THE REQUIRED SPACE FOR THE ZONE -HELD TO SAME STANDARDS OF A 20,000 SF LOT

UNIQUE LOT LOCATION:

-LOCATED ON A THROUGH STREET WHICH IS FURTHER RESTRICTING THE LOT

-FRONT YARDS ON BOTH SIDES DON'T ALLOW FOR A BACK YARD -CENTRAL YARD BECOMES MORE IMPORTANT

BUILDING HEIGHT

MAIN HOUSE:

-THE MAIN HOUSE IS ABOUT 25'-0' FROM GRADE

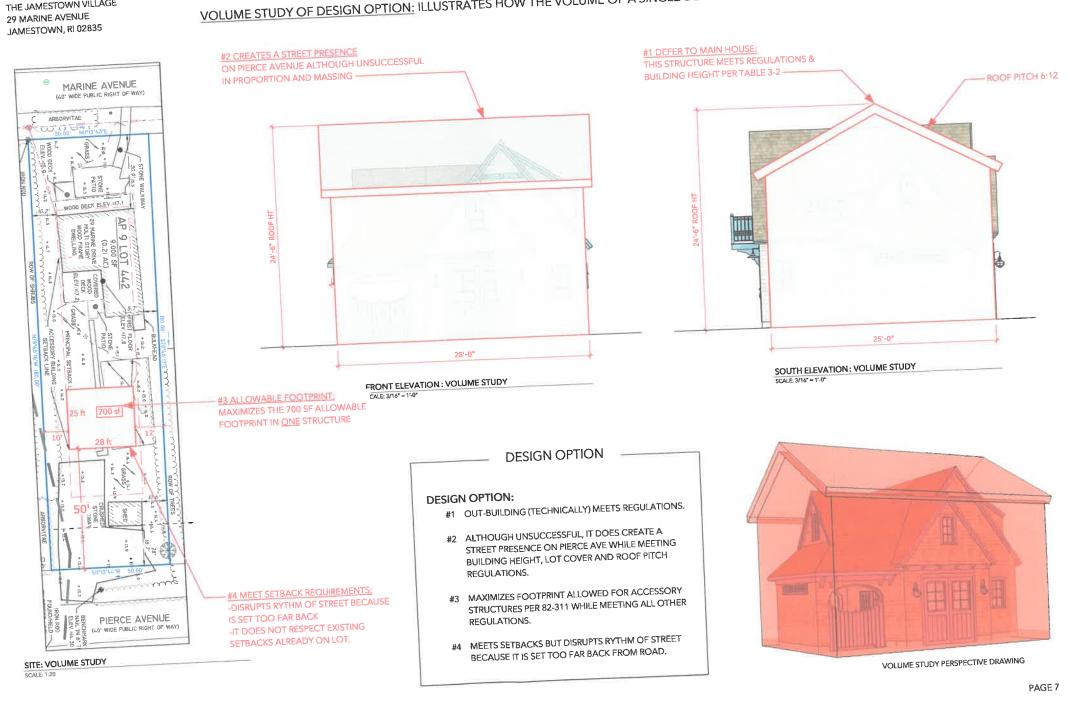
CHALLENGES:

- #1 OUT-BUILDING DEFER TO MAIN HOUSE
- #2 CREATE A STREET PRESENCE ON PIERCE AVENUE
- #3 ADHERE TO LOT COVERAGE REGULATIONS
- #4 MEET SETBACK REQUIREMENTS ON THROUGH-LOT

PAGE 6

THE JAMESTOWN VILLAGE

VOLUME STUDY OF DESIGN OPTION: ILLUSTRATES HOW THE VOLUME OF A SINGLE BUILDING REFLECTS REGULATIONS.



THE JAMESTOWN VILLAGE

PAGE 8

A VILLAGE VISION: SHOWCASES HOW THE DESIGN ALIGNS WITH "A JAMESTOWN VISION: Pattern Book & Design Guidelines" 29 MARINE AVENUE JAMESTOWN, RI 02835 - ADDRESSES STREET:
-SUCCESSFUL STREET FACADE WITH LANDSCAPE
ELEMENTS SOFTENING THE HARD EDGES OF THE BUILDING -DEFERS TO MAIN BUILDING BUT MAINTAINS A PRESENCE ALONG FRONTAGE ON PIERCE AVENUE BUILDING FORM: MARINE AVENUE TRADITIONAL NEW ENGLAND BUILDING FORM: -SECONDARY
MASSING DEFERS TO MAIN ROOFLINE ARCHITECTURE -SINGLE DOMINATING ROOFLINE RETREATS FROM SIDE & FRONT YARDS TO RESPECT NEIGHBORING LOTS COVERED WALKWAY: CREATES SEPARATION BETWEEN UNDER-STORY TREE
-PROVIDE BACKDRO
-DEFINE YARD EDGE PUBLIC ZONE AND PRIVATE ZONE STREET SIDE: PUBLIC ZONE PROPOSED PERSPECTIVE DRAWING LOCATION:
AUXILIARY STRUCTURE IN THIRD LAYER FRAMES PRIVATE OUTDOOR 'BACK' YARD SPACE ON INTERIOR OF THE LOT OVERALL BALANCE WINDOWS ARE VERTICAL PROPORTIONS
-EAVES SCALED TO RELATIVE SIZE OF STRUCTURE
AND WORKS TO CREATE A HARMONIOUS WHOLE PROPOSED SOLUTION -CRAFT "BACK" #1 OUT-BUILDING DEFERS TO MAIN HOUSE IN MASSING, PROPORTION, & HEIGHT. YARD #2 CREATES A CHARMING STREET PRESENCE IN THE SPIRIT OF THE VILLAGE WHILE DESIGN CUES FROM MAIN HOUSE:
-GABLE END MASSING
-HIP DESIGN RELATES TO GAMBREL WITHOUT MIMICKING MEETING BUILDING HEIGHT, LOT COVER & ROOF PITCH REGS. WELL-PLACED GARDEN STRUCTURE GARDEN #3 CREATES ONE OUT-BUILDING AND ONE AUXILIARY BUILDING TO MAINTAIN CREATES SENSE OF PRIVACY -NATURAL WHITE CEDAR SHINGLES & SLATE BLUE TRIM -OTHERWISE LACKING SCALE WHILE MEETING LOT COVERAGE REGULATIONS. #4 MAINTAINS RYTHM OF STREET AND RESPECTS EXISTING SETBACKS. ALLOWS FOR A 'BACK' YARD IN THE CENTER OF THE PROPERTY. WORKSHOP ROOFLINE DEFERS TO SITE BUILDING -DEFINED FRONTAGE:
-MAINTAINS RYTHM OF STREET
-RESPECTS EXISTING SETBACK PROPERTY DESIGN -DOES NOT COMPETE IN SCALE PIERCE AVENUE (40' WIDE PUBLIC RIGHT OF WAY) SITE: PROPOSED BILATERAL SYMMETRY: SCALE: 1:20 ORDERED W&D OPENINGS TO REINFORCE SYMMETRY OF VOLUME 'BACK' YARD: PRIVATE ZONE

PROPOSED PERSPECTIVE DRAWING

-NON-FUNCTIONAL

THE JAMESTOWN VILLAGE 29 MARINE AVENUE JAMESTOWN, RI 02835 MARINE AVENUE

NO 'BACK' YARD AREA

MAIN HOUSE

WORKSHOP

PIERCE AVENUE

SITE: VOLUME STUDY SCALE: 1:20

VISUALIZING OUR HARDSHIP: ILLUSTRATES HOW THE LOT WOULD BE IMPACTED WITHOUT THE RELIEF REQUESTED.



VIEW WITHOUT RELIEF



VIEW WITH REQUESTED RELIEF