

PAUL DEPETRILLO
CHAIRMAN



FRANK J. PICOZZI
MAYOR

POSTED 4/1/2024

CITY OF WARWICK
ZONING BOARD OF REVIEW
WARWICK, RHODE ISLAND 02886
(401) 921-9534

WARWICK ZONING BOARD OF APPEALS
MINUTES OF THE MARCH 12, 2024 MEETING

A special hearing of the Warwick Zoning Board of Appeals was held on Tuesday, March 12, 2024 at 6:00 P.M. in the 1st Floor Conference Room, City Hall Annex, 65 Centerville Road, Warwick, Rhode Island. The meeting was called to order by Chairman Paul DePetrillo.

The Clerk called the roll and noted the following members were present:

Present: Paul DePetrillo – Chairman
Robert DeGregorio – Vice-Chairman
Salvatore DeLuise - Secretary
Lorraine Caruso Byrne
Walter Augustyn
Constance Beck – Alternate
Julie Finn - Alternate

Also present: Alfred DeCorte – Building/Zoning Official
David Petrarca, Esq., City Solicitor
Mary Ellen Hall - Stenographer
Amy Cota, Secretary

Appeal #10960

Ward 9

161 Charlotte Dr.

The appeal of Richard Carlucci & Nga Le, 153 Charlotte Dr., Warwick, RI, for an appeal to a building permit issued to construct a 10' x 11' rear deck with an attached 4' x 22' deck along the side of the existing dwelling. Assessor's Plat 201, Lot 86, zoned Residential A-15.

Andrew Blais, Esq., from Duffy & Sweeney, LTD, was present and representing the appellants.

Attorney Blais argued that the Building Official erred when he issued the Building Permit, and the Board should rescind the permit because the deck would be expanding the already existing non-conforming use and property. He argued that a deck isn't an accessory structure and needs to meet the required setback for living space, which is twenty-feet (20').

Matthew Pimentel, Esq., was present and representing the appellees.

Attorney Pimentel submitted a letter to the Board as to why the Building Official's decision to issue the permit was properly made. The letter was submitted into the record, and marked as Applicant's Exhibit #1. He argued that a deck does qualify as an accessory structure, and the required side yard setback for an accessory structure in a Residential A-15 zoning district is ten feet (10').

The Chairman asked if there was anyone present in favor or in opposition of the appeal. There being none, a motion was made by Robert DeGregorio, seconded by Walter Augustyn, and passed unanimously by the Board that the appeal be DENIED.

The meeting was adjourned at 6:45 P.M.

BY ORDER OF THE ZONING BOARD OF APPEALS, WARWICK, RHODE ISLAND

Paul DePetrillo, Chairman