

In this appeal, the Superior Court (“Court”) affirmed a decision of the Zoning Board of Review of the Town of Jamestown (“Board”), denying Appellant’s request for a dimensional variance for front yard setbacks for a single family house. The Court found that the Board’s decision was not affected by error of law and the Board did not act in excess of its statutory authority or in violation of Ordinance provisions. The Appellant failed to show that the requested relief was the “least relief necessary” because there was testimony presented to the Board that the subject house could be made smaller. Accordingly, the Superior Court further found that the Appellant’s takings claim failed. Finally, the Superior Court, in affirming the Board’s decision, denied the Appellant’s claim for Attorney’s fees pursuant to the Equal Access to Justice Act, G.L. 1956 § 42-92-1, et. seq.