

Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

180 High Street
Wakefield, RI 02879
Tel (401) 789-9331 x1225

August 18, 2022

Erin Thorkilsen & Justin Zurcher
54 Metaterraine Avenue
Wakefield, RI 02879

At a meeting of the Zoning Board of Review held August 18, 2022, your petition for a Special Use Permit was granted for premises located at 19 Fire Lane 7, South Kingstown, Tax Assessor's Map 82-1, Lot 1-16.

Please be further advised that there is a One-year Expiration. Any variance or special use permit shall expire one year after the date of the filing of the decision in the office of the Town Clerk, unless the applicant shall, within one year, obtain a legal building permit and proceed with the construction, or obtain a certificate of occupancy when no legal building permit is required. If application is made prior to the expiration of the initial one-year period, the Board may, upon written request and for cause shown, renew the variance or special use permit for a second one-year period. Said request for an extension need not be advertised nor noticed, per South Kingstown Zoning Ordinance Section 910.

If you have to apply for a building permit, this Decision must be presented to the Building Official's office at the time you make application for your building permit.

Regards,

James Gorman,
Building Official & Zoning Clerk
Town of South Kingstown



Town of South Kingstown, Rhode Island

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NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

The following motion, made by Mr. Rosen and duly seconded by Mr. Daniels
Motion passed unanimously: Vote 5-0
(W. Rosen-Aye, T. Daniels-Aye, K. Diamond-Aye, S. Walsh-Aye, R. Cagnetta-Aye)

At a meeting held on August 17, 2022 regarding the Petition of Erin Thorkilsen & Justin Zurcher, 54 Metaterraine Avenue, Wakefield, RI 02879 for a Special Use Permit under the Zoning Ordinance as follows: The applicant is seeking to demolish the existing single-family dwelling and cabana and construct a 1,416 square foot dwelling and 192 square foot cabana. The parcel of land that this dwelling is located on is non-conforming due to the number of residential structures on the same parcel. A Special Use Permit is required for any addition, enlargement, expansion or intensification of non-conforming use. Lot size is 70 acres. A Special use permit is required per Zoning Ordinance Section 203 (Special Use Permit for Addition, Enlargement, Expansion or Intensification) and 907 (Standards of Relief). Owner of land is Jerry Brown Farm Association, Inc., and the owner of the dwelling is Eric G & Amy K. Thorkilsen for premises located at 19 Fire Lane Seven, South Kingstown, Assessor's Map 82-1, Lot 1-16 and is zoned R80.

The following individuals spoke as representatives of the applicant:

- Erin Thorkilsen, applicant

There was no one present who spoke either in favor of or opposition to the petition.

The following materials were entered into the record:

- Application signed and dated June 17, 2022; Owner Authorization signed and notarized June 16, 2022; Construction Documents (cover page, A-1, A-3, A-4, EX-1, EX-2, EX-3, EX-4, SX-1, SX-2) prepared by Leslie Architects; Site Plan (1 page); Jerry Brown Farm Association Approval Correspondence (1 page) from Jane M. Carr, JBF Secretary and dated June 16, 2022; Ownership documents (6 pages) dated June 17, 2022
- 200' Radius Map and Abutter's List; Legal Notice; Proof of Certified Mailings and Notarized Affidavit of Mailing

Findings of Fact:

1. The Board finds that the special use is specifically authorized by this Ordinance, because a Special Use Permit is required per Zoning Ordinance Section 203 (Special Use Permit for Addition, Enlargement, Expansion or Intensification) and Section 907 (Standards of Relief).
2. The Board finds that the special use meets all of the criteria set forth in the subsection of this Ordinance authorizing such special use, because the proposed structures will enhance the property and replace an older deteriorating structure.
3. The Board finds that granting of the special use permit will not alter the general character of the surrounding area or impair the intent or purpose of this Ordinance or the Comprehensive Plan of the Town. In so doing, the Board has considered whether or not

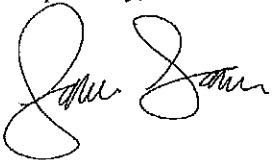
satisfactory provisions and arrangements have been or will be made concerning, but not limited to the following matters, where applicable:

- (i) Ingress and egress to the lot and to existing or proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire, emergency or catastrophe; ingress and egress is existing and will remain the same.
- (ii) Off-street parking and loading areas where required, with particular attention to the items in subsection A.1., above, and the noise, glare or odor effects of the special use permit on adjoining lots; not applicable, parking will remain the same and there will be no noise, glare or odor effects.
- (iii) Trash, storage and delivery areas with a particular reference to the items in (i) and (ii) above; not applicable, already existing.
- (iv) Utilities, with reference to locations, availability and compatibility; the utilities are existing and will be tied into the new structures.
- (v) Screening and buffering with reference to type, dimensions and character; not applicable.
- (vi) Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district; not applicable
- (vii) Required yards and other open space; not applicable
- (viii) General compatibility with lots in the same or abutting zoning districts because the proposed structures are designed modestly in size and height and are compatible with other structures within the community. Additionally, the applicant's proposal received unanimous approval from the Jerry Brown Farm Association Board.

Approval is conditional subject to the following conditions:

- There are no conditions upon this decision.

Respectfully,



James Gorman,
Building Official & Zoning Clerk
Town of South Kingstown