



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT
180 High Street
Wakefield, RI 02879
Tel (401) 789-9331 x1225

October 7, 2022

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, S. Walsh-Aye, K. Diamond-Aye, R. Cagnetta-Aye)

At a meeting held on September 21, 2022 regarding the Petition of Steven and Sharon Tetreault, 55 Jamaica Way, North Kingstown, RI 02852 for a Special Use Permit under the Zoning Ordinance as follows: The applicant is seeking to demolish the existing 807 square foot dwelling and construct a 1,214 square foot dwelling. 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 4.62 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 South Jerry Cove Home Owners, and the owner of the dwelling is Steven W. & Sharon W. Tetreault for premises located at 160 South Jerry Cove Road, South Kingstown, Assessor's Map 82-4, Lot 74-7 and is zoned R80.

The following individuals spoke as representatives of the applicant:

- James Callaghan, attorney
- Steven Tetreault, applicant
- Sharon Tetreault, 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 with cover letter signed and dated August 10, 2022; Owner Authorization signed and notarized August 10, 2022 and September 19, 2022; Proposed Plans (Cover, Elevations, 1st Floor, Interior View, 2nd Floor) prepared by Excel Homes and dated September 29, 2020; Proposed Sewage Disposal System prepared and stamped by Eugene F. Spring, PE and dated December 1, 2021 with a revision date of December 29, 2021; Site Plan (1 page);
- 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 structure is one of (10) houses on (1) one large lot that was established back in the 1930's and the applicant is simply looking to update their cottage to modern standards.

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.
 - (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 this is one large lot that has 10 dwellings on it, many of which have undergone major changes and the applicant is simply seeking a modest expansion of an old deteriorating structure and has received approval from the Jerry Brown Cove Association.

Approval is conditional subject to the following conditions:

- The decision is a Conditional Zoning Approval and is conditioned upon any, if necessary, CRMC or RIDEM approvals and will have a two-year expiration from the recorded date per Section 908 of the Zoning Ordinance with the right to extend if necessary.
- Prior to issuance of any building permits the applicants must meet with the Building Official to review lot coverage and verify that the 50% lot coverage has not been exceeded.

Respectfully,



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