

# Town of South Kingstown, Rhode Island

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

May 7, 2021

Wilfred Hernandez  
375 William Reynolds Road  
Exeter, RI 02822

At a meeting of the Zoning Board of Review held February 24, 2021, your petition for a Special Use Permit was granted for premises located at 240 Cards Pond Road, 3W11, South Kingstown, Tax Assessor's Map 92-1, Lot 9-250.

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



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## NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

The following motion, made by Mr. Daniels and duly seconded by Mr. Charkowick  
Motion passed unanimously 5-0

(T. Daniels-Aye, C. Charkowick-Aye, R. Jurczak-Aye, W. Rosen-Aye, R. Cagnetta-Aye)

At a meeting held on April, 2021 regarding the Petition of Wilfred Hernandez, 375 William Reynolds Road, Exeter, RI 02822 for a Special Use Permit under the Zoning Ordinance as follows: The applicant is seeking to relocate an existing 7'x16' attached deck and construct an 8'x16' addition to their seasonal cottage. The applicant is allowed an increase of 128 square feet of living area to the cottage, as it does not exceed 50% of the total gross living floor area. The proposed addition will be no closer to any of the neighboring cottages. The Lot size is 50.2 Acres. A Special Use Permit is required per Zoning Ordinance Section 608.7 (Changes to Coastal Community Structures allowed by the Zoning Board) and Section 907 (Standards of Relief). Owner of the cottage 3W11 is Wilfred & Ellen S. Hernandez on property owned by Matunuck Beach Properties, located at 240 Cards Pond Road, South Kingstown, Assessor's Map 92-1, Lot 9-250, and is zoned R200.

The following individuals spoke as representatives of the applicant:

- Wilfred Hernandez, Applicant

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

The following materials were entered into the record:

- Application signed and dated March 2, 2021; Owner Authorization Form Notarized and Dated March 13, 2021; Existing Site Plan; Proposed Site Plan; Elevation Views; Floor Plans; Footing Plan, General Notes
- 200 Radius Map, 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 A Special Use Permit is required per Zoning Ordinance Section 608.7 (Changes to Coastal Community Structures allowed by the Zoning Board) 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 a 50% increase is specifically authorized by the Ordinance and the applicant is well below the 50% threshold in asking for a 128 square foot addition. Additionally the applicant is not proposing to build any closer to any of the adjacent cottages and is not reducing the fire safety access.

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:

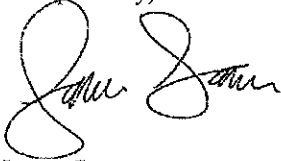
- (i) Ingress and egress to the lot and to existing or proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire, emergency or catastrophe; nothing will be change in regards to parking and there is adequate ingress and egress for emergency vehicles access.
- (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

- (iii) Trash, storage and delivery areas with a particular reference to the items in (i) and (ii) above; Utilities, with reference to locations, availability and compatibility; not applicable
- (iv) Screening and buffering with reference to type, dimensions and character; not applicable
- (v) Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district; not applicable
- (vi) Required yards and other open space; not applicable.
- (vii) General compatibility with lots in the same or abutting zoning districts, because the proposed addition will balance the front of the property on the southerly side and bring it into the same dimensions as other existing cottages along that stretch of road.

**Approval is subject to the following conditions:**

- There are no conditions upon this decision.

Respectfully,



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