



Town of South Kingstown, Rhode Island

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

November 30, 2021

NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

The following motion, made by Mr. Rosen and duly seconded by Mr. Charkowick
Motion passed unanimously 5-0
(W. Rosen-Aye, C. Charkowick-Aye, S. Walsh-Aye, R. Brown-Aye, R. Cagnetta-Aye)

At a meeting held on November 17, 2021 regarding the Petition of Snug Harbor Marina, c/o Albert Conti, 410 Gooseberry Road, South Kingstown, RI 02879 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to construct a storage room above an existing accessory building. The proposed building height will be 22' 15/16". The maximum accessory building height associated with a marina use is 15'. Relief of 7' 15/16" is requested. Lot size is 1.31 acres. A Dimensional Variance is required per Zoning Ordinance Section 401 (Schedule of Dimensional Regulations) and Section 907 (Standards of Relief). Owners of the property are Albert L. & Patricia Conti for premises located at 410 Gooseberry Road, South Kingstown, Assessor's Map 88-1, Lot 10 and is zoned CW (Commercial Waterfront).

The following individuals spoke as representatives of the applicant:

- Elisa Conti Cahill

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 September 28, 2021; Owner Authorization signed and notarized September 28, 2021; Site Location Plan (1 page) prepared by Coastal Engineering Group, Inc. and dated October 2016; Locus Map (1 page) stamped by Joseph Frisella PE; Structural Analysis Report (3 pages) prepared by Coastal Engineering Group, Inc and stamped by Ernest George Jr., PE and dated March 31, 2021; Elevations and Floor Plans (A1 & A2) prepared by Ocean State Drafting and dated November 27, 2020; Authorization Letter signed by Albert Conti and dated November 10, 2021.
- 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 hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(16), because the applicant is simply looking to replace a deteriorating roof on an existing structure and raise it by 7'5/16" to create much needed storage space with adequate headroom.
2. The Board finds that that the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain, because although this is a commercial operation raising the roof to accommodate more storage will not result in the applicant realizing any greater financial gain.
3. The Board finds that the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based, because they are simply asking to raise the roof on an already established and allowed business within the Commercial Waterfront zoning district.

4. The Board finds that the relief to be granted is the least relief necessary, because the current flat roof is presently in terrible condition and needs to be replaced.
5. The Board finds that that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, because the current storage space is inadequate and the existing roof is in poor condition and ultimately needs to be replaced.

The decision is subject to the following conditions.

- The decision is a Conditional Zoning Approval and is conditioned upon any, if necessary, further CRMC 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.

Respectfully,



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