



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

180 High Street
Wakefield, RI 02879
Tel (401) 789-9331 x1224
Fax (401) 789-9792

October 9, 2020

John Smith
13 Laurel Place
Manchester, CT 06040

At a meeting of the Zoning Board of Review held September 16, 2020, your petition for a special use permit was granted for premises located at 240 Cards Pond Road, South Kingstown, RI, Assessor's Map 92-1, Lot 9-11.

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,
Interim Building Official & Zoning Clerk
Town of South Kingstown



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INST# 9411
TOWN OF SOUTH KINGSTOWN, RI



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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. Jurczak
Passed unanimously 5-0
(T. Daniels-Aye, R. Jurczak-Aye, W. Mark-Aye, W. Rosen-Aye, R. Cagnetta-Aye)

At a meeting held on September 16, 2020 the Petition of John K. Smith, 13 Laurel Place, Manchester, CT, 06040 for a **Special Use Permit** under the Zoning Ordinance as follows: The applicant is seeking to replace the existing seasonal cottage substantially damaged by Hurricane Sandy. The applicant received a Special Use Permit for the replacement on December 18, 2013, but the approval has since expired. The cottage replacement will be 24' X 27'-6" with a 4' X 10" enclosed porch and a 10' X 20'-9" open deck. No changes from the original approval are proposed. The required separation between adjacent cottages will be in compliance with the zoning standards. Lot size is 50.2 Acres. A Special Use Permit is required per Zoning Ordinance Section 203 (Special Use Permit for Addition, Enlargement, Expansion or Intensification), Section 608 (Coastal Community Overlay District) and Section 907 (Standards of Relief). Owner of proposed cottage 19E11 is John K. Smith on property owned by Matunuck Beach Properties, located at 240 Cards Pond Road, South Kingstown, RI, Assessor's Map 92-1, Lot 9-11 and is zoned R200.

The following individuals spoke as representatives of the applicant:

- John K. Smith, applicant

No one present spoke in support of or opposition to the petition.

The following materials were entered into the record:

- Application signed and dated August 11, 2020; Signed and Notarized Owner Authorization Form dated , Letter from Matunuck Beach Properties dated June 2, 2020; Site Plan; Previous Notice of Zoning Decision recorded January 10, 2014; Construction Plans (S1.0, S1.1, S1.2, A1.0, A2.0, A2.1, A2.3) prepared by Cordtech Design Architecture dated October 20, 2014
- 200' Radius Map and Abutter's List; Legal Notice, Certified Mail Receipts 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), Section 608 (Coastal Community Overlay District) 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 Zoning Board approved the same application in 2013 for a Special Use

Permit. That Special Use Permit expired without any work having started. The applicant is now resubmitting the previous application and the only change to be noted is the proposed deck will be reduced to 200 square feet.

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; this is an existing parcel with established ingress and egress, in addition the distance between the proposed cottage and the neighboring cottages meets the zoning standards.

(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; the cottage location has parking on site

(iii) Trash, storage and delivery areas with a particular reference to the items in (i) and (ii) above; there is on-site community trash.

(iv) Utilities, with reference to locations, availability and compatibility; on-site utility hookups are present.

(v) Screening and buffering with reference to type, dimensions and character; not applicable, this is an established parcel with sufficient buffering

(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

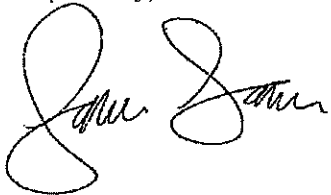
(vii) Required yards and other open space; not applicable

(viii) General compatibility with lots in the same or abutting zoning districts, because this is a cottage community and the proposed unit complies with fire and safety separation distances. The proposed cottage also meets the general compatibility of the community.

Approval is subject to the following conditions:

- All conditions of the previously granted Zoning Decision made on December 18, 2013 and recorded January 10, 2014 must be met except,
- The deck referenced in the December 18, 2013 decision must be reduced to 200 square feet to comply with Section 608 of the Zoning Ordinance.

Respectfully,



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