

**Received April 11, 2022**

**From:** Nikki McPeak <[mcpeak00@gmail.com](mailto:mcpeak00@gmail.com)>

**Sent:** Sunday, April 10, 2022 3:42 PM

**To:** James Gorman <[jgorman@southkingstownri.com](mailto:jgorman@southkingstownri.com)>

**Subject:** [EXTERNAL] Dimensional Variance Requested by Earle & Brenna Sharpe – Parkwood Drive

Nikki and David McPeak

3 Mark Glen Court

Kingston, RI 02881

[mcpeak00@gmail.com](mailto:mcpeak00@gmail.com)

April 10, 2022

Jamie Gorman

Building Official & Zoning Enforcement

[jgorman@southkingstownri.com](mailto:jgorman@southkingstownri.com)

Subject: Dimensional Variance Requested by Earle & Brenna Sharpe – Parkwood Drive

Dear Mr. Gorman and fellow Zoning Board Members,

This correspondence is in regard to the Zoning Board of Review Application dated 2/10/2022 submitted by Earle & Brenna Sharpe requesting a dimensional variance for Assessors Plat 31-2, Assessors Lot 93 located on Parkwood Drive.

We live at 3 Mark Glen Court, Assessors Plat 31-2, Assessors Lot 95 and are abutting residents of the lot in question. We are opposed to the requests for the dimensional variance and special use permit for Lot 93.

We encourage the Board to strictly rely on the Section 907 Standards for Relief, many of which are violated by this proposal, including:

1(a) *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.* Much of lot 93 is part of an extensive wetland encompassing most of the adjacent platted lots. The hardship results from the petitioner's decision to purchase this lot.

1(b) *said 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.* The petitioners created this hardship by purchasing it in June 2020 for \$5,000 in hopes of developing it. As of April 10, 2022, it is listed for sale at \$195,000. It is clear that the applicants' desire is to realize significant financial gain on an investment of \$5,000.

1(c) *granting of the requested variance will not alter the general characteristic of the surrounding area or impair the intent or purpose of this Zoning Ordinance.* Parkwood Drive is zoned R-20 and the houses are generally located near the center of the lots, consistent with zoning requirements. If the applicants' petition is approved, (1) the dwelling will be much closer to the street than the neighborhood standard - it will be located nearly in front of the neighboring home at lot 94 and blocking that home from the street from the eastward direction, (2) the driveway will be located immediately adjacent and parallel to the next-door drive of lot 94, (3) the proposal requires demolition of an old stone wall that is part of neighborhood charm, and (4)

will place above-ground components of a septic system just 10 feet from the front property line. This is completely inconsistent with the intent of R-20 zoning and totally out of character with our neighborhood.

*1(f) there is no other reasonable alternative to enjoy a legally permitted beneficial use of one's property. The fact that a use may be more profitable, or that a structure may be more valuable after the relief is granted, shall not be grounds for relief.* Given the proximate wetlands, and the R-20 zoning standards, there is no legally permitted way to use this property for residential development without gross accommodations. This standard repeats aspects of items 1(b) and 1(e), emphasizing that financial gain shall not be grounds for relief, which appears to be the applicants' intent, given the MLS listing price of \$195,000 for property purchased 2 years ago for \$5,000.

The petition for a special use permit is also inconsistent with the Board's Special Use Permit guidelines including:

*2(c) granting of the special use permit will not alter the general character of the surrounding area.* Parkwood Drive is a loop of roughly 1/3 mile with access to Potter Wood, with most properties separated by woods or stone walls, and backing either to Potter Wood or South Kingstown Land Trust. Parkwood Drive is heavily used by pedestrians from Parkwood Dr, Mark Glen Court, Little Rest Rd, and South Road for walking dogs and getting exercise. Placing a house, driveway, and septic system so close to Parkwood Drive would alter the general character of the surrounding area.

*2(viii) General compatibility with lots in the same or abutting zoning districts.* The proposed development is incompatible with our R-20 neighborhood. The proposal to wedge a house with a 980 square foot footprint, driveway, and above ground septic system along the frontage and within the easement required for the property is totally out of character with the neighborhood and would diminish the aesthetics and property values of the entire plat.

In addition to the above points, we are also very concerned about the landscape plan. I am a gardener with an extensive background in landscape design and horticulture. We routinely have herds of deer moving between our back yard (lot 95) and the lot in question. The proposed plantings for the rain garden (arborvitae, blueberries, rhododendrons) are a deer's preferred food and would be completely destroyed within the first year of planting.

We encourage the Board to deny this petition as presented.

Sincerely,

Nikki and David McPeak  
3 Mark Glen Court  
Kingston, RI 02881  
[mcpeak00@gmail.com](mailto:mcpeak00@gmail.com)