August 25, 2023

NOTICE OF DECISION
SOUTH KINGSTOWN ZONING BOARD OF REVIEW

The following motion, made by Mr. Daniels and duly seconded by Mr. Rosen
Motion passed unanimously: Vote 5-0 in favor
(T. Daniels-Aye, Mr. Rosen-Aye, K. Diamond-Aye, A. Hicks-Aye, R. Cagnetta-Aye)

At a meeting held on August 16, 2023 regarding the Petition of Deborah L. Hamilton, 1087 Oak Forest Circle, Port Orange, FL 32129 a Special Use Permit was granted under the Zoning Ordinance as follows: The applicant is seeking to demolish a 176 sq. ft. deck attached to the existing cottage and replace it with a 240 sq. ft. addition to be utilized as livable area. 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 cottage 16E12 is Deborah Hamilton on property owned by Matunuck Beach Properties Inc, located at 240 Cards Pond Road, South Kingstown, Assessor’s Map 92-1, Lot 9-182 and is zoned R200

The following individuals spoke as representatives of the applicant:
• Deborah Hamilton

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 July 7, 2023; Owner Authorization Forms signed and notarized June 25, 2023; Existing Drawings, Proposed Drawings, Elevations and Proposed Distances (5 pages); Aerials and Photos (4 pages)
• 200’ Radius Map and Abutter’s List; Legal Notices; 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), 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 through testimony the applicant addressed all of the subsections of the Ordinance authorizing the granting of this Special Use Permit. The applicant is simply looking to take an existing deck and make it into livable space while not exceeding the 50% enlargement as indicated in the Ordinance. Additionally, the proposal is very similar to many other enlargements that have occurred within this community.

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:

Hamilton, Zoning Decision Page 1 of 2
(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 catastrophic, ingress and egress is existing and is sufficient.

(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; off-street parking is existing and sufficient. Loading areas, noise, glare and odor effects are not applicable.

(iii) Trash, storage, and delivery areas with a particular reference to the items in (i) and (ii) above; all are existing and will remain the same.

(iv) Utilities, with reference to locations, availability, and compatibility; utilities are existing and will remain the same.

(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; this is a small coastal community and the proposal will fit in well with the surrounding cottages, many of which have also had similar expansions.

Approval is conditional subject to the following conditions:

- There are no conditions upon this approval.

Respectfully,

[Signature]

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