



# Town of South Kingstown, Rhode Island

## BUILDING AND ZONING DEPARTMENT

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### ZONING BOARD OF REVIEW

### NOTICE OF DECISION

December 9, 2019

At a meeting of the Zoning Board of Review held November 20, 2019, your petition was **Granted** for a **Special Use Permit** under the Zoning Ordinance as follows: The applicant is seeking a special use permit to allow more than three (3) unrelated individuals within the existing single family dwelling. The dwelling will consist of six bedrooms. They are proposing to house up to 6 unrelated individuals. Advisory Development Plan approval was granted by the South Kingstown Planning Board on August 29, 2019. Lot size is 10,000 square feet. **A Special Use Permit is required per Zoning Ordinance Section 504.14 (Household Occupancy by more than Three Unrelated Individuals) and Section 907 (Standards of Relief).** Owner is Deborah Collins & Bruce Dearnaley for premises located at 239 Old North Road, South Kingstown, RI, Assessor's Map 24-1, Lot 40 and is zoned R-10.

*The Decision of the Board is as follows:*

MR. CAGNETTA: I'd like to make a motion to approve the Continuation of the Petition of Deborah Collins and Bruce Dearnaley of 305 Fletcher Road in North Kingstown. This is for a Special Use Permit that they want to allow more than three unrelated individuals within the existing family dwelling. This is a building that has six bedrooms and the attorney for the applicant had discussed the situation of the house has accommodated these six bedrooms for some time now. The owners of the building are applying for this special use because of their awareness of the regulations. There's been no fines or any violations on the property. There's no concerns by neighbors on the property in terms of use and the amount of families. And the main concern that Board members had was the parking situation. Old North Road is a pretty well-traveled road, especially during the students at U.R.I. when it's in session. So the concern was for the ability of the vehicles to safety turn around and exit the property. The applicant has provided the Board with a full-size set of plans that is dated 11/7/18 depicting the parking spaces to which this Board member is satisfied by their dimensions, as well as the turning radii, as well as the entrance into the property. In a Special Use Permit, we do have to consider ingress and egress as one of our considerations, as well as changing the character of the neighborhood. And we found that this house is not changing the character of the neighborhood because it's been maintained as such as a six-bedroom home that students have been living in for some time, and we resolved the parking and movement in and out. They've also located the trash, the trash bin, on the south elevation of the building, and this will all be tied to said plan that I mentioned. So, with that, I'd like to make a motion to approve.

MR. JURCZAK: Would you consider just amending that to make them specifically require them to do this paving, and I don't know if we want a date? I mean, it's winter. I don't know if you can pave in the winter.

MS. GOINS: As a condition of approval?

MR. JURCZAK: Yeah. Maybe as soon as possible?

MR. CAGNETTA: It's per the plans. Do I have to say –

MR. JURCZAK: Within 3 years?

MR. INDEGLIA: I'll guarantee you we'll get it done within 3 years.

(DISCUSSION)

MR. CAGNETTA: We don't know the weather yet. So I'll amend my motion to reflect the conversation that the paving will be completed within 6 months of this meeting, and in the meantime, the parking will be made available in the area designated as parking –

MR. INDEGLIA: Thank you.

MR. CAGNETTA: -- on the plan.

MR. JURCZAK: Motion made by Mr. Cagnetta. Someone want to second?

MR. DANIELS: Second.

MR. JURCZAK: Second by Mr. Daniels. Any discussion? Let's vote.

**Whereas a Vote was Taken: Cagnetta-Aye, Daniels-Aye, Mark-Aye, Rosen-Aye, Jurczak-Aye  
Motion Passed Unanimously, Petition Granted 5-0**



Wayne Pimental, Clerk  
Zoning Board of Review  
Town of South Kingstown

*For expiration of Variances and Special Use Permits, please refer to  
Section 910 of the Town of South Kingstown Zoning Ordinance*