



**SOUTH KINGSTOWN PLANNING DEPARTMENT  
PROJECT REVIEW MEMO**

**Sanchez**

**Development Plan Review with Unified Development Review (UDR)**

May 30, 2024

Project Type:	<b>Development Plan Review with Unified Development Review</b>		
Address:	<b>62 Weathervane Road</b>		
Plat:	<b>48-4</b>	Lot:	<b>76</b>
Parcel Size:	<b>0.24 acres</b>	Zoning District:	<b>R20</b>
Applicant:	Felipe Sanchez 1940 South County Trail West Kingston, RI 02891	Owner:	Same

**Property Characteristics**

This property is a residential dwelling located on Weathervane Road used for occupancy by more than three (3) unrelated individuals and was purchased by the current owner in July 2021. Assessor's Tax records identify this dwelling as containing five (5) bedrooms and three (3) bathrooms within approximately 1,768 square feet of living area.

**Project Description**

The applicant is proposing to use the property for the residential occupancy of more than three (3) unrelated individuals. Aside from the request to allow for unrelated tenants, the applicant is requesting a construct a parking that is approximately 40' x 50' (approximately 2,016 square feet) with five (5) spaces and a turnout for vehicular circulation purposes.

**Waivers Requested**

None.

**Decision Deadline**

There is no deadline for Planning Board decisions associated with Development Plan Review applications.

**Regulatory Considerations**

***Zoning Ordinance – Article 5, Sec. 504.14: Household occupancy by more than three unrelated individuals.***

Section 504.14 of the Zoning Ordinance requires that properties to contain household occupancy by more than three (3) unrelated individuals meet the following criteria as listed below:

- There must be a minimum of one parking space per proposed occupant;
- Parking is to be delineated on the site and cannot be on lawn areas;

- Parking areas must comply with the landscape standards set forth in the Town Subdivision and Land Development Regulations;
- No more than two (2) persons can occupy a bedroom;
- There must be a minimum of 330 square feet of Gross Leasable Floor Area (GFLA) per proposed occupant;
- Bedrooms containing one occupant must be a minimum of 70 sq. ft.;
- Bedrooms containing two occupants must be a minimum of 100 sq. ft.;
- For duplex or multi-family dwellings, the appearance must be residential in character.

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### Review to Date

This application was reviewed with the applicant at the Technical Review Committee meeting on April 10, 2024. Upon review and discussion with the applicant's project team the TRC granted **conditional approval** of the application with the following conditions subject to confirmation by the Planning Board:

1. That the applicant addresses Fire Safety on site as it relates to apparatus access and internal residential fire code compliance.
  2. That the applicant addresses stormwater management as it relates to the proposed new parking areas and access aisles, and that any associated soil erosion control is added to the plans.
  3. That the applicant solidifies sewer and water needs as it relates to the increase residential utilization of the property.
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### Required Findings

As a reminder, the Planning Board must make positive findings on the following standard provisions for Development Plan Review applications:

- (1) The granting of approval will not result in conditions inimical to the public health, safety, and welfare.
- (2) The granting of such approval will not substantially or permanently injure the appropriate use of the property in the surrounding area or zoning district, with the required conditions of approval.
- (3) The plans for the project comply with all the requirements of the zoning ordinance and the subdivision and land development regulations.
- (4) The plans for the project are consistent with the Comprehensive Plan.
- (5) Any conditions or restrictions that are necessary to ensure that these findings have been met have been incorporated into this written approval.

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### Draft Motions for Consideration

"The South Kingstown Planning Board hereby grants advisory Development Plan approval to Commodore Manor, LLC to allow household occupancy by six (6) unrelated individuals within the existing single-family dwelling located on Assessor's Plat 80-2, Lot 14, located at 2625B Commodore Oliver Hazard Perry Highway, as depicted on the plan entitled "*Site Plan for Commodore Manor, LLC, located at 2625B Comm. Oliver Hazard Perry Hwy, South Kingstown, RI*", Sheets 1 through 2, dated November 17, 2023 prepared by American Engineering, Inc., 400 South County Trail, Suite A201, Exeter, Rhode Island. This approval is based on upon the following Findings of Fact and Conditions of Approval for the Zoning Board to consider:

### **Findings of Fact**

- A. The granting of approval will not result in conditions inimical to the public health, safety, and welfare.
- B. With the required conditions of approval, the granting of such approval will not substantially or permanently injure the appropriate use of the property in the area or zoning district.
- C. The plans for the project comply with all requirements of the zoning ordinance and the subdivision and land development regulations.
- D. The plans for the project are consistent with the Comprehensive Plan.
- E. Any condition or restrictions that are necessary to ensure that these findings have been met have been incorporated into this approval.

### **Conditions of Approval**

- 1. The development shall occur in strict conformance with the plans and specifications submitted in support of the application, and with the Conditions of Approval found herein.
- 2. There shall be a single lease, with a single rent, covering the entire building to be signed by all occupants. Individual leases, or rents for individual occupants, or leases for individual areas within the building are prohibited.
- 3. All occupants shall be jointly and severally responsible for the payment of rent, damage to the premises and compliance with all other lease terms.
- 4. The lease shall prohibit subletting of any kind, including but not limited to the subletting of rooms.
- 5. Parking areas shall be for the exclusive use of occupants and guests. No parking spaces or areas shall be rented, leased, or otherwise approved for the use of non-occupants. Parking shall be limited to no more than six (6) cars at any one time. Parking may only occur as shown on the approved site plan (Five (5) spaces behind house and one (1) in the driveway)
- 6. As no waivers have been requested, parking areas must comply with the landscape standards set forth in the Town Subdivision and Land Development Regulations.
- 7. Individual keyed locks on any interior doors shall not be allowed, with the exception that the owner installed keyed locks on rooms/areas that not intended to be utilized by rental occupants (i.e., storage, furnace room etc.). Locks and security shall be installed limiting access to the second floor and basement by renters.
- 8. No more than 10 individuals shall be permitted on the property at any one time. No more than 5 guests shall be permitted on the property at any one time and in addition, the total number of individuals on the property at any given time shall not exceed ten (guests, renter/lessee and/or guests).
- 9. No public or private events shall be held on site where the general public is either an invited guest or a general guest. The application shall include language in the lease to solidify the limitation of occupancy and guests, parking, events, parties, overnight stays, number of overnight stays, etc.
- 10. Overnight accommodation/rentals shall be limited to five (5) people/persons. Except that primary lessees/renter may have guests stay inside the home for no more than two nights with a 30-day period. All rentals shall be limited to the 5 bedrooms shown on the plans. In no instance shall there be more than 10 individuals on the property at any one time.
- 11. The property owner shall install a lock box for Fire and EMS to access the dwelling."