

John C. Revens, Jr.
David E. Revens
Michael A. St. Pierre
Kathleen Wyllie

REVENS, REVENS
ST. PIERRE & WYLLIE P.C.

946 Centerville Road
Warwick, Rhode Island
02886-4373

Julie E. McKenna Alavian
David M. Revens

*Member of Massachusetts Bar

Telephone (401) 822-2900
Fax (401) 826-3245

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PLANNING DEPARTMENT

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TOWN OF
SOUTH KINGSTOWN

November 25, 2024

Hand-delivered

Jamie D. Rabbitt
Director of Planning
180 High Street
Wakefield, RI 02879

RE: 349 Main Street
Unified Development & Combined Stages

Dear Jamie:

In accordance with R.I General Law 45-24-46.4 Special provisions - Unified development review and R.I. General Law 45-23-39(a) General provisions – M Land development and major subdivision review stages, the applicant is requesting combined stages and unified development for 349 Main Street application for major land development, special use permit and dimensional variance.

The applicant meets the criteria for Unified development review under 45-24.46.4 (a), (b), and (c).

The subject property is located at 349 Main Street and is more particularly described as Assessor's Plat 56-3 Lots 38. The subject property is zoned CD -Commercial Downtown.

The applicant proposes a Hotel, 20 rooms, (Use Code 40.1) at 349 MAIN STREET, which is permitted use within the CD (Commercial Downtown) zoning district (Section 301), the building is pre-existing non-conforming. The CD district is characterized by buildings with little or no setback requirements or off-street parking, a mix of land uses, and a pedestrian scale. Numerous historic structures exist as well as new buildings and reconstructed properties.

The applicant is seeking 505.1 Development plan review. - 505.1(B-2.(c) to change the existing use within a building or upon a lot from one (1) use code category to another use code category, which is permitted use with the (CD) (Commercial Downtown) zoning district, the change of use with the structure will necessitate relief from Sec. 501 – Supplementary use regulations, 501.9 Hotel and motel use to establish special conditions for certain uses by way of variance.

The applicant plans to renovate and convert the existing structure to a hotel with twenty hotel rooms and 660 sq. ft. dedicated to food and coffee service ancillary to the hotel. Each room shall be a minimum of 240 sq. ft. The renovation shall include the demolition of an existing staircase located at the Northwest corner of the structure and the addition of a 12 ft. by 11 ft. area to include a passenger elevator, accessible entrance and exit staircase.

The existing structure, located in zoning district CD, is nonconforming for building height and building coverage. The existing structure has a height of 49.5 ft. which exceeds the maximum allowance of 40 ft. The building coverage of the lot exceeds the maximum allowance of 50%. With the exception of the addition, the converted structure will maintain the same footprint and building height as the existing structure. The applicant's proposed change in use requires compliance with the dimensional regulations in **section 501.9 Hotel and Motel Use**.

Pursuant to **section 501.9 Hotel and Motel Use**, the applicant is seeking a dimensional variance from **section 501.9 A. Minimum Lot size**, with a lot size of 5481 sq. ft. where 50,000 sq. ft. is required; **section 501.9 B. Lot coverage**, with lot coverage of greater than 50% where 25% or less is required; **section 501.9 D. Setback regulations**, with less than required front, side, and rear setbacks; **section 501.9 E.2.** where the 49.5 ft. building height exceeds the maximum allowed of 35 ft.; and **section 501.9 E.3.** with a lot width of 55.7 ft. where 200 ft. is required. The applicant is also seeking a dimensional variance from **section 711**, as the subject property has five non-conforming parking spaces, which is less than the required 12.

The applicant's request for unified development review should be granted, as the applicant's petition meets the criteria of R.I. General Law – 45-24-26.4. Special provisions, Unified development review. That the 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; and not due to a physical or economic disability of the applicant, except where necessary to provide reasonable accommodation to applicants with physical disabilities addressed in the Rhode Island Fair

Housing Practices Act, the United States Fair Housing Amendments Act of 1988 (FHAA), the Rhode Island Civil Rights of Individuals with Handicaps Act, and the Americans with Disabilities Act of 1990 (ADA). That said hardship is not the result of any prior action of the applicant. That the 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 or the Comprehensive Plan of the Town. In granting a dimensional variance, that the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted shall amount to more than a mere inconvenience, meaning that relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted.

Enclosed please find (1) one original copy along with 9 copies of the Unified Zoning Application, also enclosed are:

Nine (9) copies of the radius map;

Nine (9) copies of the abutters list;

Nine (9) copies of Dimensional Conformance Survey

Nine (9) copies of Floor Plans & Elevations

Thank you very much for your courtesy and cooperation on this matter.

Very Truly Yours,

John C. Revens, Jr.

JCR/jw