

Kenyon Law Associates, LLP
Attorneys at Law
133 Old Tower Hill Road Suite 1
Wakefield, RI 02879

Stephen B. Kenyon
John F. Kenyon
Robert J. Donnelly
Kelly Kenyon LeValley

Phone (401) 789-0217
Fax (401) 789-3584

Archibald B. Kenyon, Jr. (1968 - 2016)

April 30, 2020

Richard Jurczak, Chairman
South Kingstown Zoning Board
180 High Street
Wakefield, RI 02879

RE: John C. Drew and Conrad C. Heffernan
Premises located at: Green Hill Beach Road
(Assessor's Map 90-4, Lot 174)

Dear Chairman Jurczak:

I am writing to you, on behalf of my clients, John C. Drew and Conrad C. Heffernan, to request a third extension on their zoning approval for their Dimensional Variance, granted on March 16, 2016, approved on May 23, 2019 for a second, one-year extension. The Variance was extended until July 1, 2020.

My clients have been marketing the property for sale and had an interested buyer. However, due to recent events it is likely they will not be able to complete a transfer prior to the relief expiring. My clients are requesting an additional one-year extension until July 1, 2021.

If you have any questions or require any additional documentation, please contact me at your convenience.

Very truly yours,



John F. Kenyon, Esq.
JFK/pas

Witness: South Kingstown Town Clerk

PK L1603 Pg114 #1
03-23-2016 @ 09:35a

Town of South Kingstown, Rhode Island

180 High Street
Wakefield, RI 02879
Tel. 401-789-9331



OFFICE OF THE BUILDING OFFICIAL

NOTICE OF DECISION

ZONING BOARD OF REVIEW

March 23, 2016

At a meeting of the Zoning Board of Review held March 16, 2016, the Board **granted** the request for a **Variance** to construct a 24' x 24' single family dwelling closer to a front line than permitted in an R-80 Zone (40' required – 35.7' requested) for property which is the subject of this petition and is owned by **Conrad Heffernan & John Drew**. This application is made by **Conrad Heffernan & John Drew**. Premises located at Green Hill Beach Road, South Kingstown, RI, Lot 174, Tax Assessor's Map 90-4.

The Decision of the Board is as follows:

Mr. Runge made a motion to approve the petition of Conrad Heffernan and John Drew of 130 Rosebriar Avenue, Wakefield for a variance to construct a 24 by 24 single-family dwelling closer to a front line than permitted in an R-80 Zone, 40 feet is required and the applicant is requesting 35.7 feet. Premises is located at Green Hill Beach Road in South Kingstown. We've had the engineer, Mr. Prive, and Mr. Kenyon, the attorney, represent the applicants. They've discussed the situation and a little bit of background, what happened here over the last year or so when seeking other approvals. It's a buildable lot, and they will be doing a number of things to reduce the constraints on that property, also on the adjoining property. I believe that the granting of this requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance, and we had a statement by the engineer that did say the surrounding area is occupied by smaller lots than the R-80 lot and homes, also. So with that said, again, I make the motion to approve this petition.

Mr. Bates seconded the motion.

Mr. Runge amended the motion to include: absent granting the relief would amount to more than a mere inconvenience. And that the relief is necessary because of the unique site conditions, wetlands, and the size of the lot. The hardship is not the result of any prior action of the applicant. In granting this variance, the hardship that will be suffered by the owner of the subject property, the dimensional variance, is more than a mere inconvenience, and that the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure in this case.

Mr. Bates seconded the amended motion.

VOTE: Runge, Aye; Bates, Aye; Bernardo, Aye, Cagnetta, Aye; Toth, Aye.

IT WAS THE UNANIMOUS DECISION OF THE BOARD TO GRANT THE PETITION.

A handwritten signature in black ink, appearing to read 'Jeffrey T. O'Hara'.

Jeffrey T. O'Hara, Clerk
Zoning Board of Review

JTO:sla

Witness: South Kingstown Town Clerk

Bk L1680 F#619 #32
07-23-2018 @ 02:30P

Bk L1680 F#619 #32
07-23-2018 @ 02:30P



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

180 High Street
Wakefield, RI 02879
Tel (401) 789-9331 x1224
Fax (401) 789-9792

ZONING BOARD OF REVIEW

NOTICE OF DECISION

July 23, 2018

At a meeting of the Zoning Board of Review held on July 18, 2018 the board **granted** the request for a **one-year extension** of expiration date for a **Variance** granted on March 16, 2016 and recorded on March 23, 2016 for property owned by **Conrad Heffernan and John Drew**, 130 Rosebriar Avenue, Wakefield, RI for a **Variance** to construct a 24' x 24' single family dwelling closer to a front line than permitted in a R-80 Zone (40' required – 35.7' requested). Premises located at Green Hill Beach Road, South Kingstown, RI, Assessor's Map 90-4, Lot 174, Section 207 and 907. Request made pursuant to Sec. 910(A) of the Zoning Ordinance. Applicant requests an extension of the expiration date from July 1, 2018 to July 1, 2019.

The Decision of the Board is as follows:

Mr. Daniels made the motion to approve a one-year extension of the petition of Conrad C. Heffernan and John C. Drew. The Variance granted on March 16th, 2016, recorded on March 23rd, 2016, for the property owned by Conrad Heffernan and John Drew. Premises located at Green Hill Beach Road, South Kingstown, Assessor's Map 90-4, Lot 174, and I move that the application be extended for one year from July 1, 2018 to July 1, 2019.

Mr. Mark seconded the motion.

Vote: Daniels-Aye, Mark-Aye, Henry-Aye, Cagnetta-Aye, Jurczak
One Year Extension granted from July 1, 2018 to July 1, 2019

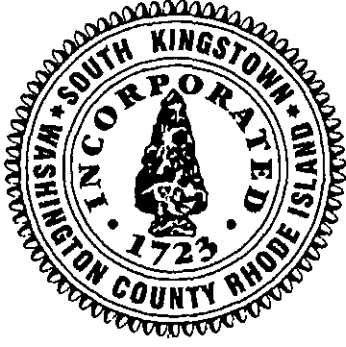
Wayne Pimental, Clerk
Zoning Board of Review
Town of South Kingstown

WP:js

Witness: South Kingstown Town Clerk

Abel S. Hollister

Bk L1705 P#602 #14
05-23-2019 @ 02:11p



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

180 High Street

Wakefield, RI 02879

Tel (401) 789-9331 x1224

Fax (401) 789-9792

ZONING BOARD OF REVIEW

NOTICE OF DECISION

May 23, 2019

At a meeting of the Zoning Board of Review held May 15, 2019, your petition was **Granted** for a second one-year extension for a **Variance** under the Zoning Ordinance as follows: Request for **second one-year extension** of expiration date for **Variance** granted on March 16, 2016 and recorded on March 23, 2016 for property owned by **John Drew c/o Conrad C. Heffernan**, 109 Scott Road, Cumberland, RI for a **Variance** to construct a 24' x 24' single family dwelling closer to a front line than permitted in a R-80 Zone (40' required – 35.7' requested). Premises located at Green Hill Beach Road, South Kingstown, RI, Assessor's Map 90-4, Lot 174, Section 207 and 907. **Request made pursuant to Sec. 910(B) of the Zoning Ordinance. Applicant requests an extension of the expiration date from July 1, 2019 to July 1, 2020.**

The Decision of the Board is as follows:

MR. DANIELS: Move the Petition of John Drew, Care Of Conrad Heffernan, 109 Scott Road, Cumberland. The property is located at Green Hill Beach Road in South Kingstown. The applicant is seeking a second one-year extension due to the I.S.D.S. system not being properly granted at this point. I would also move that the second one-year extension of the Special Use Permit be extended for the same reason, the same property, and it's located at Green Hill Beech Road, Rhode Island, Assessor's Map 90-4, Lot 174. Sections 504 and 907. And the Chairman has read the criteria for both the Dimensional Variance and the Special Use Permit, and I would move that both be extended for a second one year.

MR. JURCZAK: Okay. Thank you. Motion made by Mr. Daniels. Would someone like to second?

MR. HENRY: Second on both.

MR. JURCZAK: Second by Mr. Henry. Any discussion? If no discussion, let's vote.

Whereupon a Vote was Taken: Daniels-Aye, Henry-Aye, Cagnetta-Aye, Bernardo-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*