



Town of Bristol, Rhode Island

Department of Community Development

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February 2, 2024

TO: Zoning Board

FROM: Diane M. Williamson, Director

RE: **135 Kickemuit Avenue**
Special Use Permit to construct a single-family dwelling
In the flood zone over 25' in height

The Technical Review Committee met to review the above application and the Special Use Permit Standards that were recently adopted by the Town Council in January. These new Special Use Permit standards regulate the design of structures in the Flood Zone with the intent to minimize the size and scale of the structures.

In review of the application, the Technical Review Committee noted the following:

The proposal includes demolition of a Residential structure in the Flood zone that is non-compliant with the current FEMA requirements.

In review of the Special Use Permit Standards relative to design and the proposed new dwelling, the Technical Review Committee noted that the proposal would comply with all of the standards except for the standard that requires that the second floor be not more than 2/3 of the total size of the first floor for which the applicants are also seeking a dimensional variance. In review of this standard, it was noted that the total gross floor area is substantially smaller than what is allowed to be built on the lot. In addition, the architect provided illustrations to show that the structure could be larger on the first floor which would make the second floor compliant with the standard; however, the applicant did not want a larger first floor. Based on this, the Technical Review Committee believes that the proposal as presented meets the intent of the new standard.

The Technical Review Committee passed a motion to recommend that the Special Use Permit, with the dimensional variance on the second floor, be granted finding that the proposed dwelling meets all of the Special Use Permit standards and also meets the intent of the new standard regulating the size of the second floor given the overall smaller size of the structure.

It was also noted that any approval by the Zoning Board needs to be conditioned on the Special Use Permit standard regarding compliance with all applicable building and FEMA codes (reference Zoning Section 28-301 to 28-311).