



TOWN OF COVENTRY, RI  
DEPARTMENT OF PLANNING & DEVELOPMENT

**STAFF REPORT**

<b>Project Name:</b>	<b>Proposed Lake Studio ADU</b>
<b>Plan Type:</b>	Unified Development Review (Accessory Dwelling Unit w/ associated Dimensional Variance)
<b>Owner/Applicant:</b>	Kimberly Sion
<b>Address:</b>	35 & 37 Dixie Road
<b>Plat / Lot / Zone:</b>	<b>AP 30 Lot 155.2</b> <b>Zone R-20 Lot Size 0.65 acres</b>
<b>Existing Use:</b>	Single-Family Dwelling
<b>Proposed Use:</b>	Single-Family Dwelling with an Accessory Dwelling Unit (ADU)
<b>Description:</b>	Applicant proposes to construct a second-story addition with two bedrooms above their existing ADU that totals 1,122 SF. The applicant seeks one dimensional variance as the ADU will exceed the maximum height requirements.

**I. PROJECT INFORMATION**

**Background and Existing Conditions**



ADUs that are not allowed by-right shall utilize the Unified Development Review process and must be heard by the Planning Commission per Zoning Code § 255-920 F(2)(i). The subject parcel is 0.65 acres in size and abuts Lake Tiogue in the rear. This lot was merged by the Town of Coventry, without application by the owner, and currently hosts two one-story, single-family dwellings. The house on the eastern side of the lot, 35 Dixie Road, belongs to the owner/applicant, and the house on the western side, 37 Dixie Road, belongs to the applicant’s mother. The lot also hosts a one-story Accessory Dwelling Unit (ADU) in the rear yard, along the lakefront.

**Proposed Conditions**

The applicant proposes to construct a second-story addition with two bedrooms above their existing ADU, which currently functions as an accessory summer house, to serve as a year-round residence for the applicant’s daughter. The existing main-level ADU is 570 SF, the upper-level addition will be 396 SF,



## Zoning

The applicant seeks a Dimensional Variance from the maximum height requirements. The proposed ADU will be 25' tall, where the maximum allowable height for a detached accessory structure in this case is 18' (the height of the existing primary dwelling structure) per zoning code § 255-920.

No other variances are proposed or required at this time. To start, the existing ADU is located within the footprint of a preexisting, "grandfathered" accessory structure that does not conform to minimum side setback requirements. No variance is required for side setbacks, as neither the existing main-level or upper-level addition of the ADU will expand the existing footprint.

As detailed in the architect's initial response letter to Planning staff's comments, dated February 12, 2026, the proposed ADU will comply with minimum lot area, maximum floor area, and minimum rear setback requirements set forth in zoning code § 255-920:

- The subject parcel is 28,314 SF in size, where a minimum lot area of 20,000 SF is required.
- The proposal total floor area will be 1,122 SF, as noted above, where the maximum allowable floor area is 1,917.6 SF in this case (60% of the floor area of the primary dwelling structure).
- The existing ADU structure is sited approximately 23' from the rear property line, where a minimum setback of 10' is required. No expansion is proposed in the rear.

The existing lot coverage is 25.2% where the maximum is 20%. This "grandfathered" nonconforming condition does not impact this project because the parcel's lot coverage will not increase as a result of this ADU proposal. In fact, the final lot coverage percentage will be slightly reduced by 75 SF as a result of converting an existing paved area into a rain garden.

Finally, recall that per zoning code § 255-920 A(2)(d), detached accessory structures must also be "incidental and subordinate to the principal structure and maintain continuity with the architectural appearance and character of the principal structure."

## Interdepartmental Review and Comments

Please see the attached report from the Technical Review Committee (dated March 16, 2026) for interdepartmental comments on this application.

## II. DIMENSIONAL VARIANCE

### Findings of Fact

The following section of this report provides the applicant-submitted information and corresponding Planning Staff considerations with respect to required standards set forth in RIGL Section 45-24-41 for Findings of Fact for Dimensional Variance applications:

*RIGL § 45-24-41. General provisions – Variances. (d)(1) states, "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 is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(a)(16)”*

- Applicant provided the following answer: This application is for relief from the dimensional height requirement. The ADU is set on an existing foundation. The existing footprint is smaller even by ADU standards. The main building, existing, is a single-story ranch. The need for the second floor on the ADU is due to the compact size of the ADU footprint.
- Staff added the following considerations: Recall that zoning code stipulates § 255-920 that “The maximum height for a detached accessory structure is the height of the principal structure or 25 feet, whichever is lower.” The applicant’s mother’s house at 37 Dixie Road, which is considered the principal structure, is uniquely short in height at 18’ as a single-story single-family dwelling, but nevertheless applies to this ADU proposal because 18’ is lower than the dimensional alternative of 25’ per code.

*RIGL § 45-24-41. General provisions – Variances. (d)(2) states, “That the hardship is not the result of any prior action of the applicant”*

- Applicant provided the following answer: The state law allowing for the conversion of existing structures into an ADU did not exist when the on-site summer structure was constructed.
- Staff added the following considerations: The principal structure at 37 Dixie Road was constructed in 1943 according to Tax Assessor records, prior to its purchase by the current owner and applicant for this variance. Thus, the applicant was not solely responsible for the hardship posed by the current height of the principal dwelling structure – which dictates the height of the proposed ADU.

*RIGL § 45-24-41. General provisions – Variances. (d)(3) states, “That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based”*

- Applicant provided the following answer: The lot on which the ADU is being constructed is already unusual with two residences on one lot after merger by the Town. The requested height of the ADU is within the height allowed for a newly built two-story residence.
- Staff added the following considerations: This ADU is an upper-level addition of an existing single-story summer house built by the applicant’s father in the late 1960s. The proposed ADU is located in the rear of the property and the applicant is also proposed new buffer trees near the proposed ADU for additional screening. It is not near or negatively impacting abutting houses. Based on the location of ADU and mitigations being offered, it does not appear this proposal will alter the general character of the surrounding area.

*RIGL § 45-24-41. General provisions – Variances. (d)(4) states, “In granting a dimensional variance, that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts 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. The fact that a use may be more profitable or that a structure may be more valuable after the relief is granted is not grounds for relief. The zoning board of review, or, [planning board] in unified development review, has the power to grant dimensional variances where the use is permitted by special-use permit.”*

- Applicant provided the following answer: The hardship suffered by the applicant if the relief in the form of variance for height would be more than a mere inconvenience. The footprint of the ADU is slightly less than 650 square feet. A kitchen and bath taking up a good amount of the floor space would leave the applicant without a separate bedroom with closets for storage for this permanent home for applicant’s daughter to live adjacent with the support she needs.
- Staff added the following considerations: The relief sought for this ADU is minimal to a reasonable enjoyment of the permitted use as only one variance is requested for height – the building complies with minimum lot area, maximum floor area, and minimum rear setback requirements. Moreover, the upper-level addition and balcony does not expand the existing footprint and thus does not increase the current, nonconforming lot coverage and side setbacks. Further, the proposed ADU is, and will continue to be, incidental and subordinate to the principal structure at 37 Dixie Road.

### **Recommendation on Dimensional Variances**

Staff finds this proposal consistent with the standards for required Dimensional Variance findings of fact set forth in RIGL Section 45-24-41. Staff therefore recommends that the Planning Commission adopt the documented findings of fact and **approve** the Dimensional Variance for maximum height requirements requested as part of this application.

### **Conditions of Approval**

1. The accessory structure’s construction is conditioned upon strict adherence to the associated Dimensional Variance Application as presented and approved.
2. The following items will be required upon submittal of a building permit application: (a) site plan showing the proposed structures comply with Zoning Code and/or comply with the Dimensional Variance Approval, (b) approval from Central Coventry Fire District, (c) RIDEM OWTS permit for the additional ADU bedrooms, and (d) stormwater management practices, subject to the Town Engineer’s approval.

### **Recommendation on Accessory Structure**

Staff recommends that the Planning Commission **allow** the proposed accessory structure to proceed to building permit stage.



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## **TECHNICAL REVIEW COMMITTEE REPORT**

**DATE:** March 16, 2026  
**PROJECT NAME:** "Proposed Lake Studio ADU"  
**PROPERTIES:** AP 30, Lot 155.2  
**ADDRESS:** 35 & 37 Dixie Road  
**ZONE:** R-20 (Residential)  
**OWNER/APPLICANT:** Kimberly Sion

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This matter came before the Coventry Technical Review Committee at its March 16, 2026 meeting as a Unified Development Review Application for an Accessory Dwelling Unit (ADU) with an associated Dimensional Variance. ADUs that are not allowed by-right shall utilize the Unified Development Review process and must be heard by the Planning Commission per Zoning Code § 255-920 F(2)(i).

An application and plan were submitted for review in February 2026, and revised materials were received on March 13, 2026. The applicant proposes to construct a 1,122 SF second-story addition with two bedrooms above their 570 SF existing ADU on their subject parcel. Applicant seeks one dimensional variance as the ADU will exceed the maximum height requirements.

The members of the Technical Review Committee reviewed the following documents related to this application when preparing the comments below:

Proposed Lake Studio ADU - Architect Response Letter.pdf  
Proposed Lake Studio ADU - Revised Site Plan.pdf  
Proposed Lake Studio ADU - Site Temp Cond Plan.pdf  
Proposed Lake Studio ADU - Dimensional Variance Application and Plans.pdf

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### **PRINCIPAL PLANNER DESIGNEE**

1. The applicant proposes to construct a second-story addition with two bedrooms above their existing ADU that totals 1,122 SF.
2. The applicant seeks a Dimensional Variance from the maximum height requirements. The proposed ADU will be 25' tall, where the maximum allowable height for a detached accessory structure in this case is 18' (the height of the existing primary dwelling structure) per zoning code § 255-920.
3. The existing ADU is located within the footprint of a preexisting, "grandfathered" accessory structure that does not conform to minimum side setback requirements. No variance is required

for side setbacks, as neither the existing main-level or upper-level addition of the ADU will expand the existing footprint.

4. The existing lot coverage is 25.2% whereas the maximum per zoning code is 20%. This “grandfathered” nonconforming condition does not impact this project because the parcel’s lot coverage is not increasing as a result of this ADU proposal. In fact, the final lot coverage percentage will be slightly reduced by 75 SF as a result of converting an existing paved area into a rain garden as part of this project.
5. The proposed ADU will comply with minimum lot area, maximum floor area, and minimum rear setback requirements as detailed in the architect’s response letter to Planning staff’s comments.

TOWN ENGINEER

- A suitable OWTS shall be required for the proposed second floor bathroom. A RIDEM OWTS Suitability Assessment or a new OWTS permit will be required.

PUBLIC WORKS DIRECTOR

- No comments at this time.

FIRE REPRESENTATIVE

- No comments at this time.

POLICE CHIEF

- No comments at this time.

PLANNING COMMISSION CHAIR

*The Planning Commission Chair recused as this item will be heard before the Planning Commission.*