

**City of Cranston
Zoning Board of Review
Application**

RECEIVED

DEC 07 2020

Application for exception or variation under the zoning ordinance "City of Cranston Zoning Code, December 1994 Edition as amended."

To: Cranston Zoning Board of Review
1090 Cranston Street
Cranston, RI 02910

Date: November 17, 2020

THE UNDERSIGNED HEREBY APPLIES TO THE ZONING BOARD OF REVIEW FOR AN EXCEPTION OR A VARIATION IN THE APPLICATION OF THE PROVISIONS OR REGULATIONS OF THE ZONING ORDINANCE AFFECTING THE FOLLOWING DESCRIBED PREMISES IN THE MANNER AND ON THE GROUNDS HEREINAFTER SET FORTH.

OWNER: Carlson Realty LLC

ADDRESS: 275 Niantic Avenue, Cranston, RI ZIP CODE: 02907

APPLICANT: Carlson Realty LLC

ADDRESS: 275 Niantic Avenue, Cranston, RI ZIP CODE: 02907

LESSEE: _____

ADDRESS: _____ ZIP CODE: _____

1. ADDRESS OF PROPERTY: 1540 Elmwood Avenue

2. ASSESSOR'S PLAT #: 4/2 BLOCK #: _____ ASSESSOR'S LOT #: 2203 WARD: 1

3. LOT FRONTAGE: 45.37' LOT DEPTH: 121.42' LOT AREA: 4,420 sq ft

4. ZONING DISTRICT IN WHICH PROPERTY IS LOCATED: C-5 10,000 sq ft 35'
(ZONE) (AREA LIMITATION) (HEIGHT LIMITATION)

5. BUILDING HEIGHT, PRESENT: 2.5 stories PROPOSED: same

6. LOT COVERAGE, PRESENT: 54.3% PROPOSED: same

7. HOW LONG HAVE YOU OWNED THE ABOVE PREMISES? 8/30/2019

8. ARE THERE ANY BUILDINGS ON THE PREMISES AT PRESENT? yes

9. GIVE SIZE OF EXISTING BUILDING(S): 26' x 40' +/-

10. GIVE SIZE OF PROPOSED BUILDING(S): same

11. WHAT IS THE PRESENT USE? Mixed Use (commercial and residential dwelling unit)

12. WHAT IS THE PROPOSED USE? two family dwelling unit

13. NUMBER OF FAMILIES FOR WHICH BUILDING IS TO BE ARRANGED: two

14. DESCRIBE IN DETAIL THE EXTENT OF PROPOSED ALTERATIONS: Convert existing mixed use building with a residential unit into a two family dwelling unit.
Convert former restaurant/bar on first floor to dwelling.

15. HAVE YOU SUBMITTED PLANS TO THE BUILDING OFFICIAL? yes

16. WERE YOU REFUSED A PERMIT? yes

17. PROVISION OR REGULATION OF THE ZONING ORDINANCE OR STATE ENABLING ACT UNDER WHICH APPLICATION FOR EXCEPTION OR VARIANCE IS MADE.
17.20.030 (Schedule of uses); 17.20.120 (Schedule of intensity
regulations); 17.64.010 (Off Street Parking); 17.88.030 (Extension);
17.88.040 (Change of use); 17.88.050 (Structural alterations); 17.92.010
(Variances) and all other applicable sections of the zoning code

18. STATE GROUNDS FOR EXCEPTION OR VARIANCE IN THIS CASE: Owner/applicant desires to
covert existing bar/tavern area to a dwelling unit with existing unit on
second floor. Subject property with limited parking is not suitable for
commercial use. Building while in a C-5 zone is more appropriate for a
residential use.

SIGNATURE OF APPELLANT(S) AND ATTORNEY (IF APPLICABLE) IS REQUIRED AND MUST BE LEGIBLE.

Carlson Realty LLC
RESPECTFULLY SUBMITTED,

By: [Signature] 944-4444
(OWNER SIGNATURE) (PHONE NUMBER)

(OWNER SIGNATURE)
Carlson Realty LLC
By: [Signature] 944-4444
(APPLICANT SIGNATURE) (PHONE NUMBER)

(LESSEE SIGNATURE)
[Signature] 946-3800
(ATTORNEY SIGNATURE) (PHONE NUMBER)

Robert D. Murray, Esq. Taft & McSally LLP
(ATTORNEY NAME-PLEASE PRINT)

ATTORNEY ADDRESS: 21 Garden City Drive, Cranston, RI 02920

PRE-ZONING APPLICATION MEETING: [Signature] 11/19/20
(PLANNING DEPT. SIGNATURE) (DATE)

CARLSON REALTY LLC
1540 Elmwood Avenue
Cranston, RI 02910

AP 4/2 Lot 2203

ZONING ANALYSIS
400' RADIUS

Types of Uses on Parcels

C-5 Commercial

Industrial	1
Business	11
Mixed Use	3
Single Family	2
Two Family	3
Railroad	1 (split zone with A-6)
Undeveloped	4

A-6 Residential Zone

Single Family	17
Two Family	7
Residential Condo	1
Multifamily Apt	1
Industrial	1
Undeveloped	5

M-2 Industrial

Industrial	4
Railroad	1

CARLSON REALTY LLC
1540 Elmwood Avenue
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AP 4/2 Lot 2203

PROJECT NARRATIVE

Carlson Realty, LLC acquired the property at 1540 Elmwood Avenue in August, 2019. The property is a mixed use property containing a former restaurant/bar on the first floor and a second floor dwelling unit.

The property has existed as a legal nonconforming legal structure and use since the 1950's. The building is presently vacant pending a determination from the Zoning Board of Review on the requested relief.

The subject lot is Lot No. 2203 on Cranston Assessor's Plat 4/2. The lot is zoned C-5 (heavy business, industry) under the zoning code and contains approximately 4,420 square feet.

The applicant proposes no exterior renovations to the building. The interior work will include converting the first floor to a dwelling unit with the second dwelling unit to occupy the second and third floor.

The easterly side of Elmwood Avenue along the street in a north and south direction is predominantly commercial and industrial uses and is also zoned C-5. Further to the east behind the subject property are single family uses in an A-6 zoning district. The westerly side of Elmwood Avenue are industrial uses in a M-2 zone.

Certain zoning relief will be necessary from the Cranston Zoning Board of Review including a variances for expansion of the non-conforming residential use and the existing structure which dominates the required setbacks.

17.20.010 (Schedule of uses)

Multifamily or residential units are not permitted in the C-5 zone and expansion of the current non-conforming use will require a use variance.

17.20.120 (Schedule of intensity regulations)

Dimensional variance is needed.

Existing lot is undersized for the C-5 zone with 4,420 sq. ft. instead of 10,000 sq. ft.
Existing lot has restricted street frontage with 45.47' instead of 80'.
Existing front set back ranges from 0 to 7" instead of 30'.
Existing side setback is 0 instead of 8'.

17.64.010 Off Street Parking

Dimensional variance is need for design and layout of off street parking.

17.88.030 Extension

Within a building a nonconforming use shall not be extended except into any portion of the building which was arranged or designed for such nonconforming use at the time of the passage of this chapter.

17.88.040 Change of use

A nonconforming use shall not be changed to another nonconforming use. A nonconforming use, if changed to a conforming use, may not thereafter be changed back to a nonconforming use.

17.88.050 Structural alterations

A nonconforming building, excepting churches and other buildings used in connection with religious or educational activities, may not be reconstructed or structurally altered during its life unless such building is changed to a conforming use.

17.92.010 Variance for use and dimensional relief

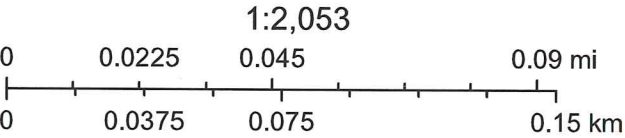
Multifamily dwellings are not a permitted use in the C-5 zone.

1540 Elmwood Ave 400' Plat 4 Lot 2203



8/11/2020, 10:53:55 AM

	Parcel Outlines		Buildings		A20		C1		M2
	Plat Boundaries		Zoning Dimensions		A12		C2		EI
	Parcel ID Labels		Historic Overlay District		A8		C3		MPD
	Streets Names	Zoning			A6		C4		S1
	Cranston Boundary	none			B1		C5		Other
	Parcels	A80			B2		M1		



City of Cranston

REFERENCES:

CITY OF CRANSTON, CLERK'S OFFICE

PLAT CARD 237 ENTITLED
"ELMWOOD GARDENS"

DEED BOOK 5825, PAGE 165

ZONING NOTES:

ALL LOTS SHOWN ARE LOCATED IN A C-5 ZONE.

C-5 ZONING REQUIREMENTS:

AREA	10,000 S.F. MIN.
FRONTAGE	80' MIN.
FRONT SETBACK	30' MIN.
REAR SETBACK	20' MIN.
SIDE SETBACK	8' MIN.
BLDG. HEIGHT	35' MAX.
LOT COVERAGE	60% MAX.

PARKING NOTES:

All Parking Shown is Existing and Witnessed
on the Date of Survey, July 25, 2020.

9 Ft. x 18 Ft. Spaces = 1 Total

11 Ft. x 18 Ft. Spaces = 2 Total

12 Ft. x 20 Ft. Garage Space = 1 Total

Total # of Parking Spaces = 4

FEMA INFO:

ALL LOTS ARE LOCATED WITHIN A DESIGNATION
"X" (AREAS OF MINIMAL FLOODING) ZONE
PER F.I.R.M. 44007C0318H, 10/02/2015.

CERTIFICATION:

This Survey has been conducted and the Plan prepared
pursuant to Section 9 of the Rules and Regulations
adopted by the Rhode Island Board of Registration
for Professional Land Surveyors.

LIMITED CONTENT BOUNDARY SURVEY & SITE FEATURES - CLASS III

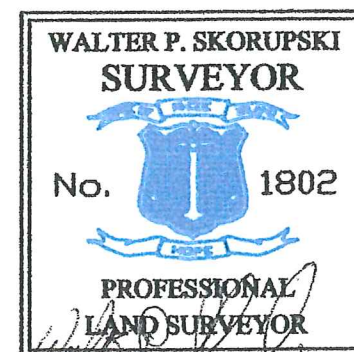
The Purpose and the Conduct of the Survey and for the
Preparation of the Plan is as Follows:

To Demonstrate the Location and Dimensions of Existing Site
Features, Buildings and Perimeter Property Lines at
1540 Elmwood Ave., City of Cranston, A. P. 4/2, Lot 2203.

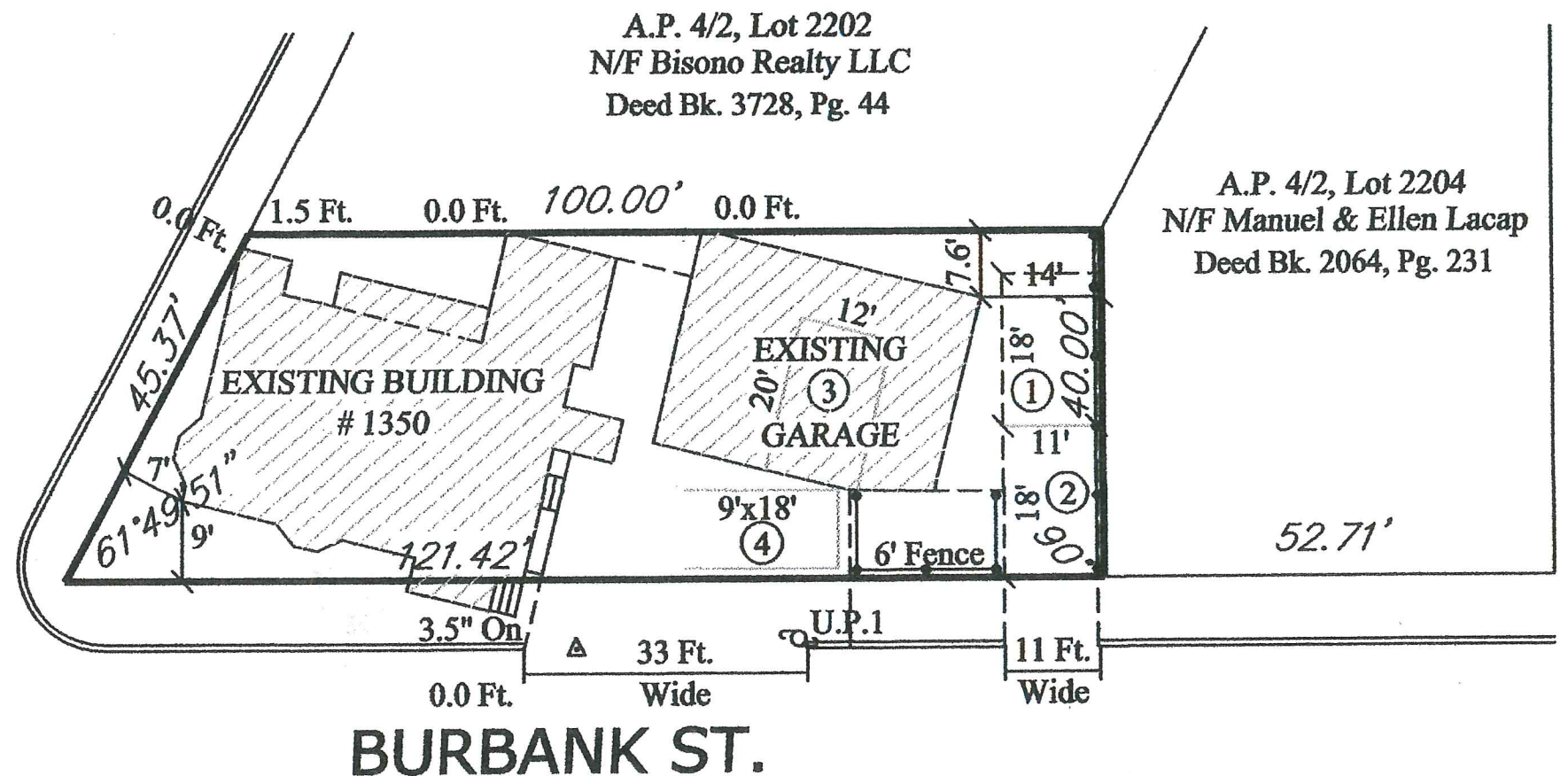
Walter P. Skorupski

Walter P. Skorupski
Registered Professional Land Surveyor
LS A378-COA

8/9/2020
Date



ELMWOOD AVE.



GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

Owner:

Carlson Realty LLC
275 Niantic Avenue
Cranston, R.I. 02907

July, 2020

EXISTING SITE PLAN

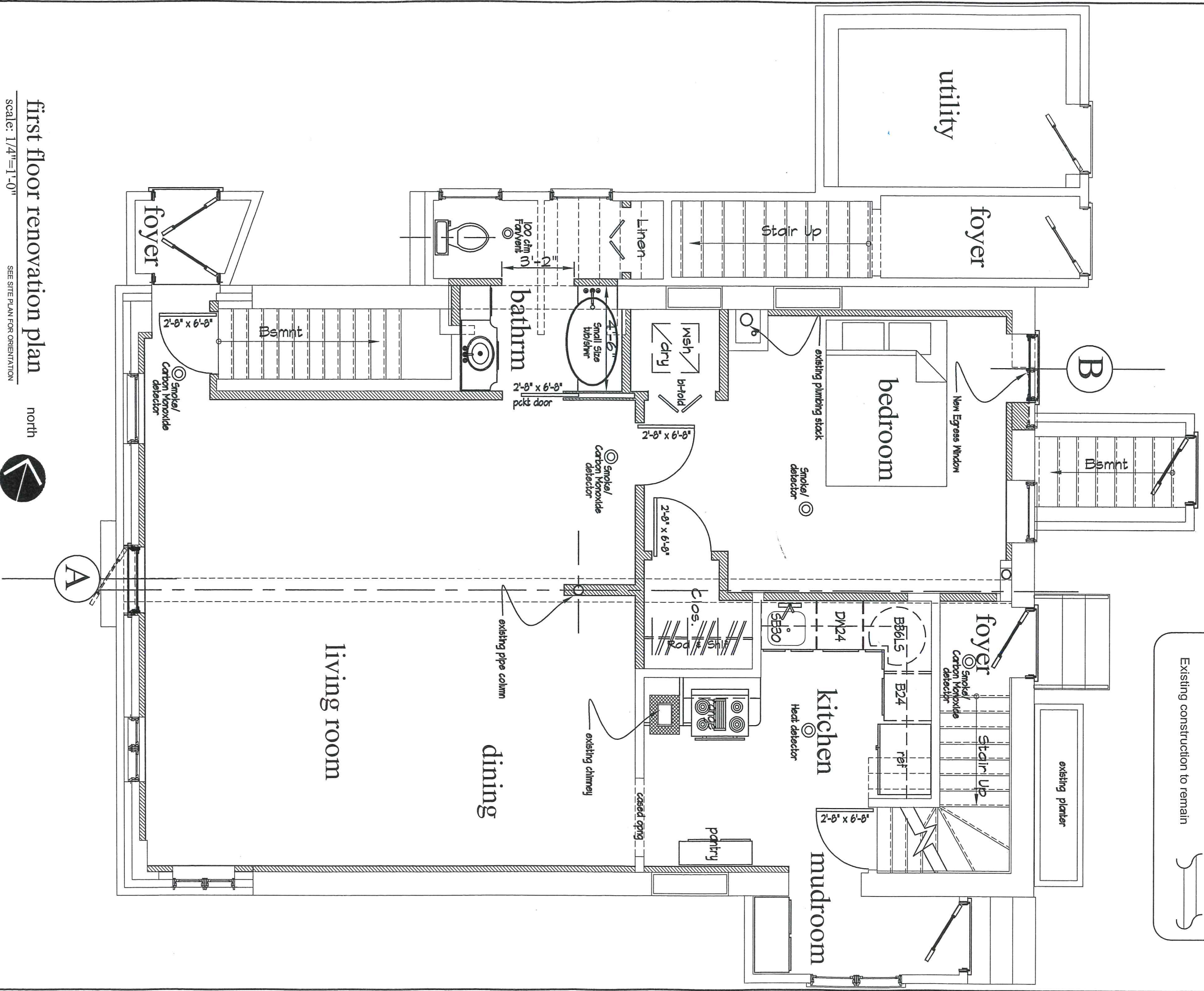
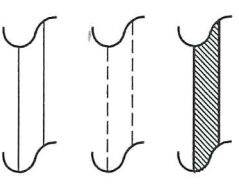
CITY OF CRANSTON
1540 ELMWOOD AVENUE
ASSESSOR'S PLAT 4/2
LOT 2203

Wall Renovation Key

New construction

Construction to be removed

Existing construction to remain



first floor renovation plan

north

scale: 1/4"=1'-0"

SEE SITE PLAN FOR ORIENTATION

1540 Elmwood Avenue

1540 Elmwood Avenue

Cranston, Rhode Island

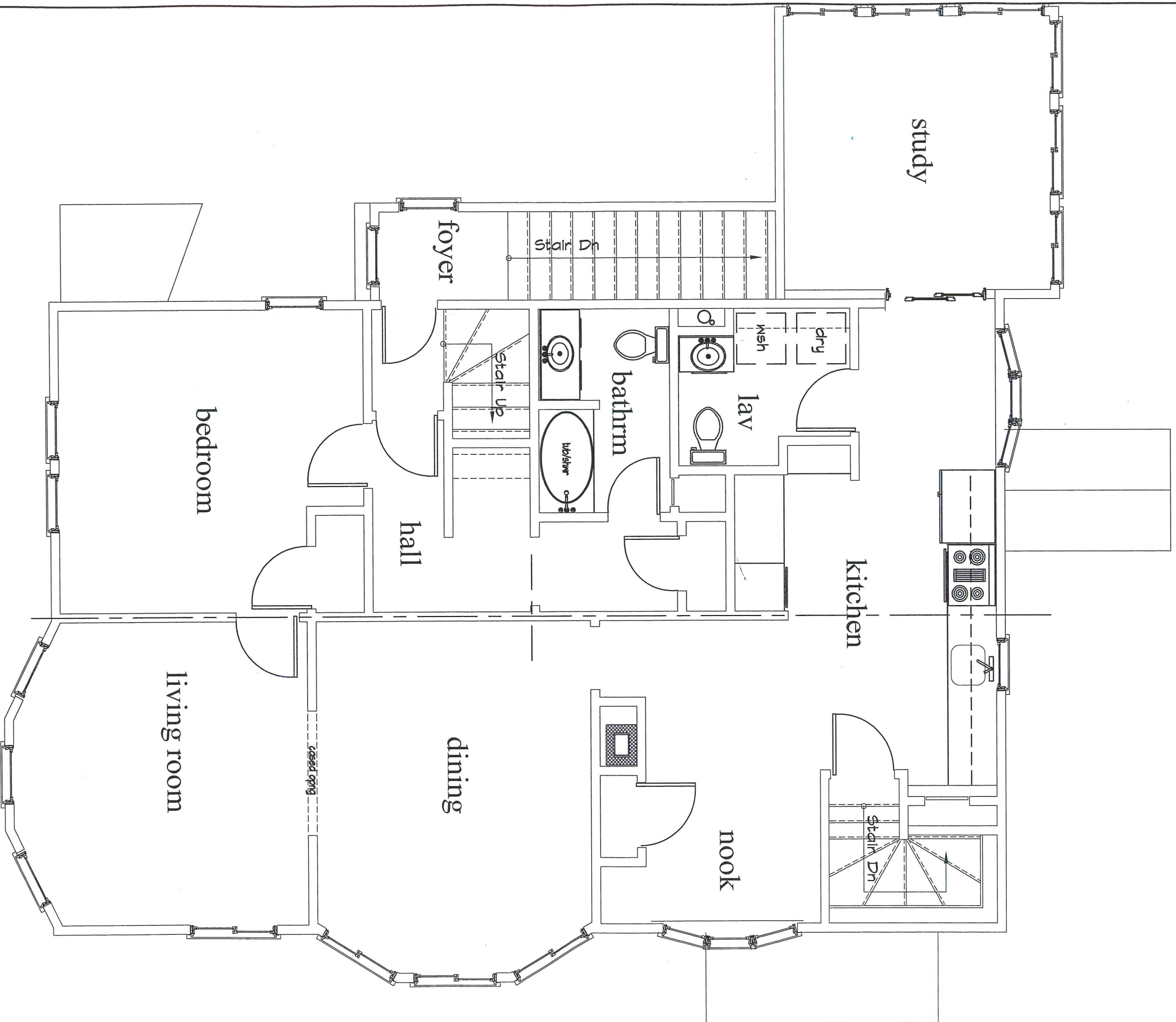
AP. 4/2

LOT 2203

AL



development corporation
planning & design



second floor existing plan

scale: 1/4"=1'-0"

north



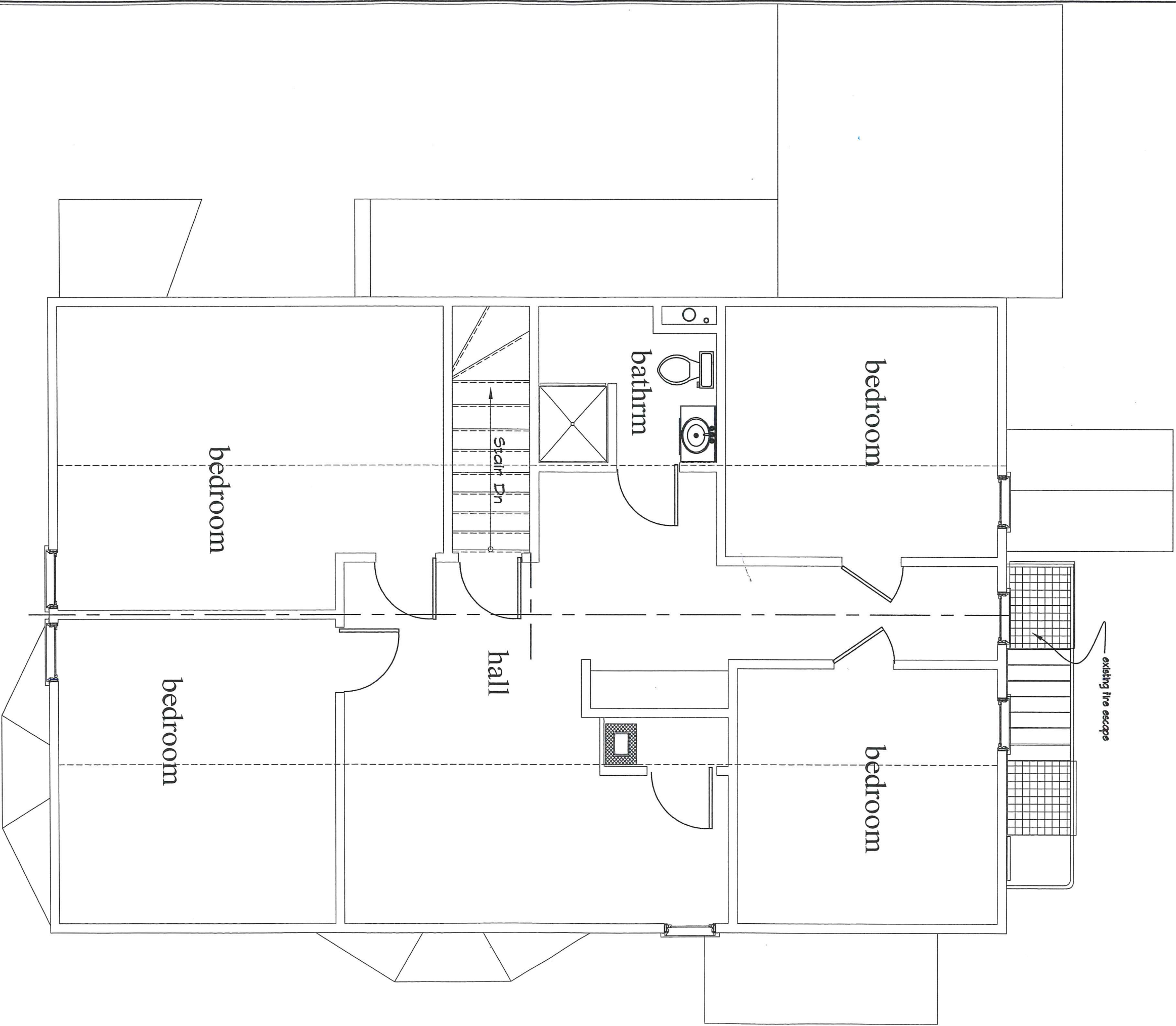
1540 Elmwood Avenue

1540 Elmwood Avenue
Cranston, Rhode Island
AP. 4/2 LOT 2203

A-2



development corporation
planning & design



third floor existing plan

scale: 1/4"=1'-0"

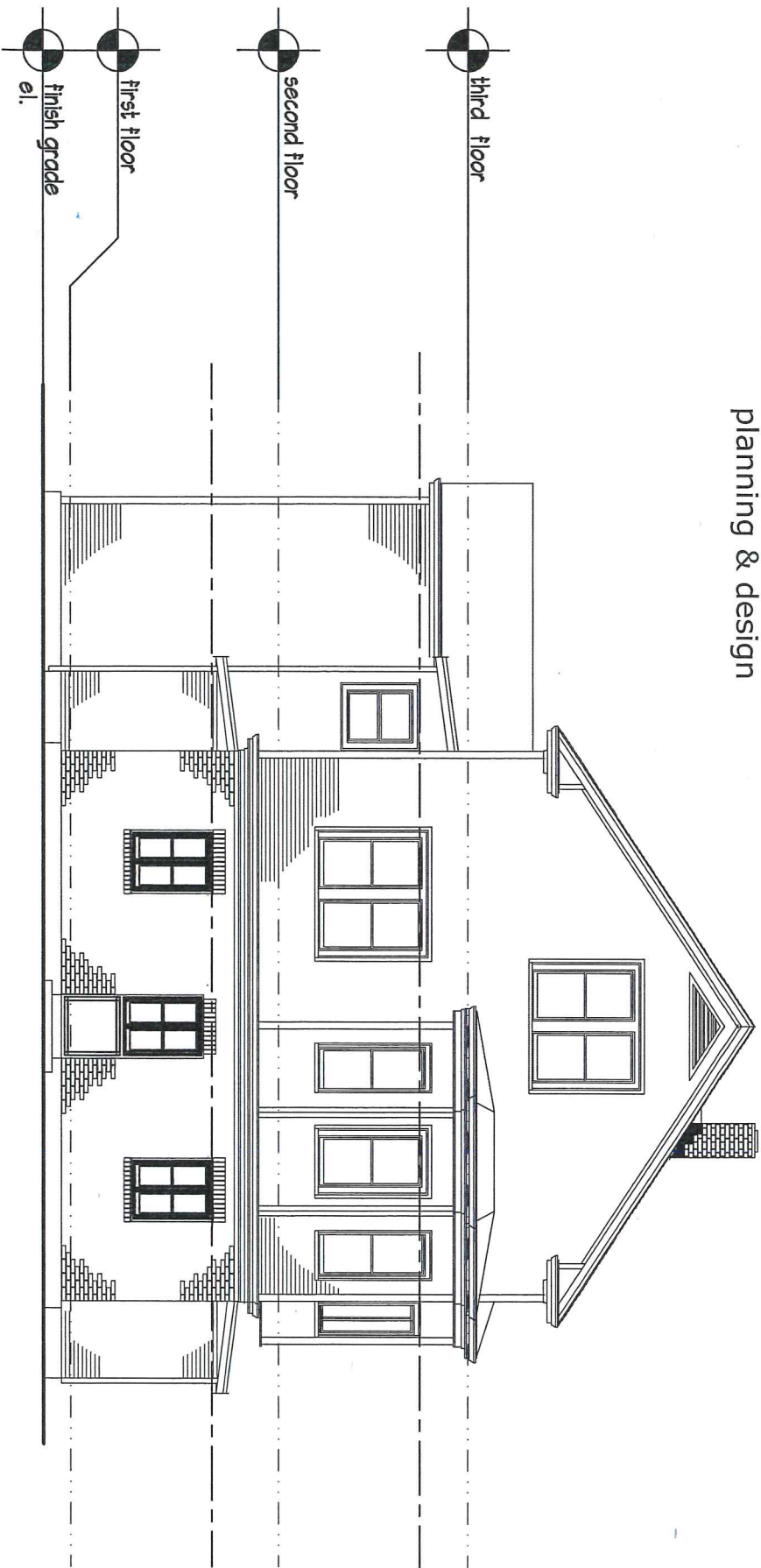
north



1540 Elmwood Avenue

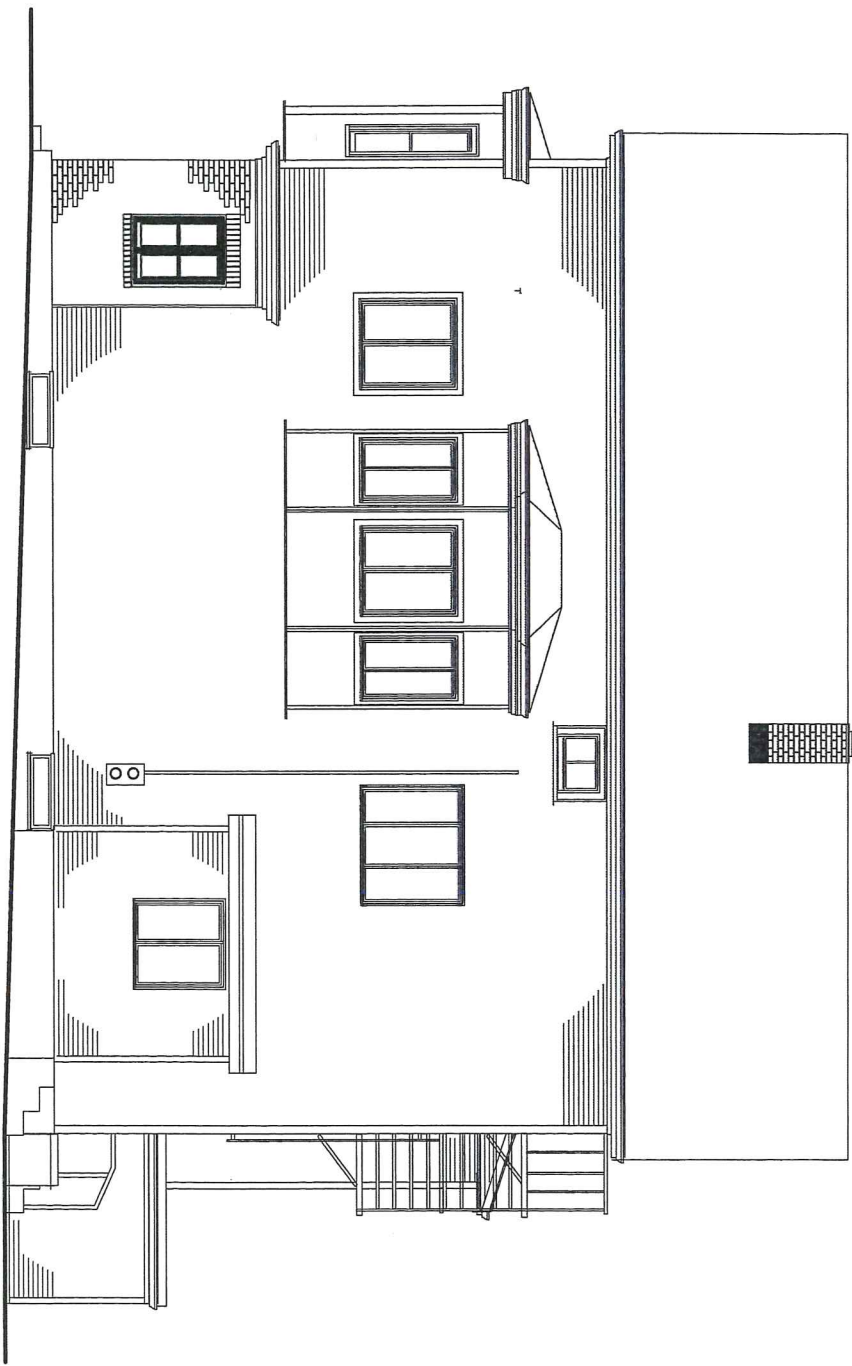
1540 Elmwood Avenue
Cranston, Rhode Island
AP. 4/2 LOT 2203

A-3



front elevation

scale: 1/8"=1'-0"



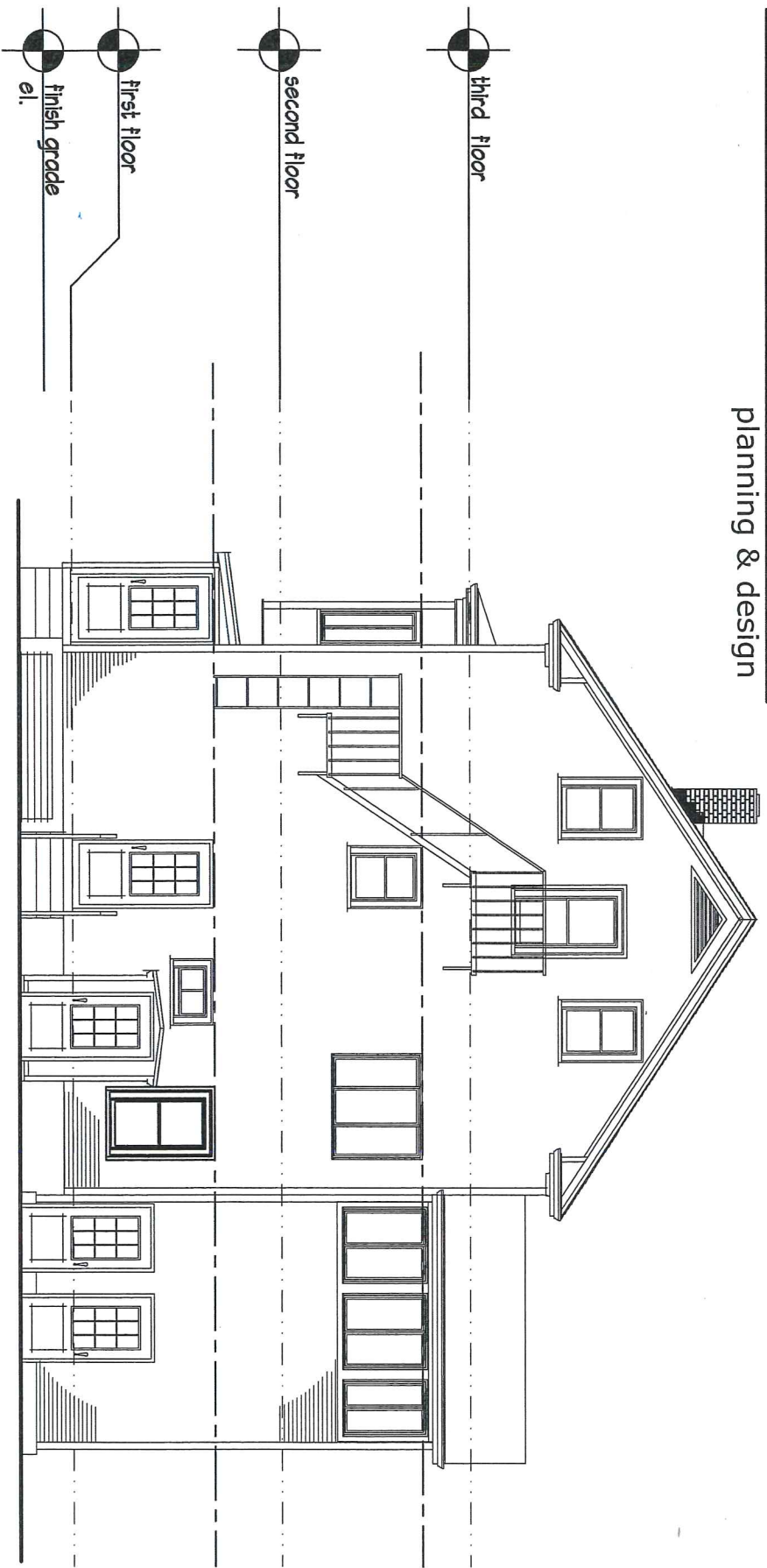
side elevation

scale: 1/8"=1'-0"

1540 Elmwood Avenue

1540 Elmwood Avenue
Cranston, Rhode Island
AP. 4/2 LOT 2203

A-4



rear elevation

scale: 1/8"=1'-0"



side elevation

scale: 1/8"=1'-0"

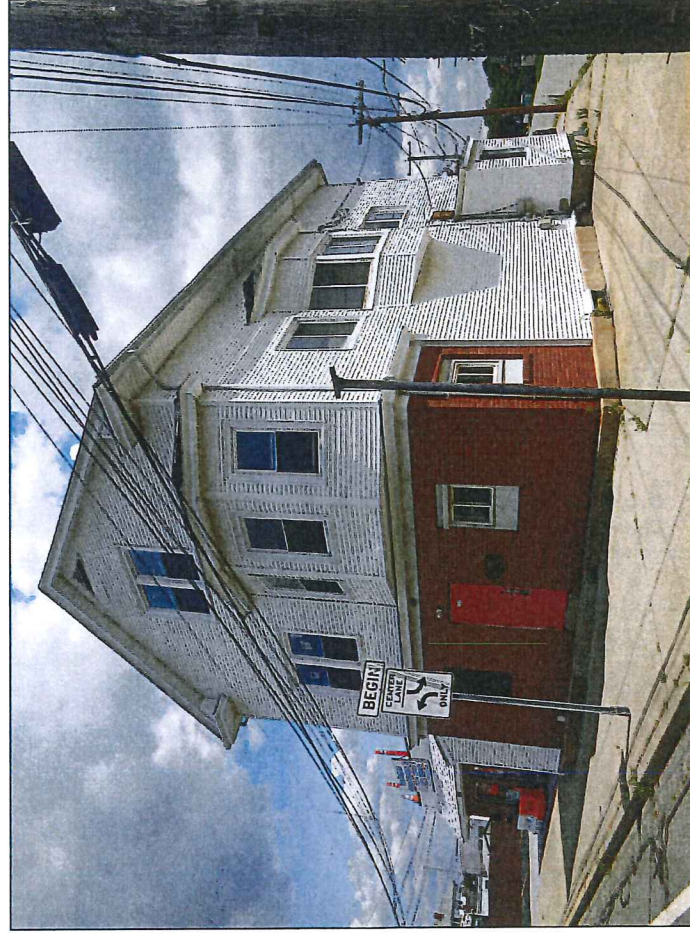
1540 Elmwood Avenue

1540 Elmwood Avenue
Cranston, Rhode Island
AP. 4/2 LOT 2203

A-5



Elmwood Avenue View



Elmwood Avenue View



Burbank Street View

1540 Elmwood Avenue

1540 Elmwood Avenue
Cranston, Rhode Island

AP. 4/2 LOT 2203

AP-1