

City Planning Department



Memo

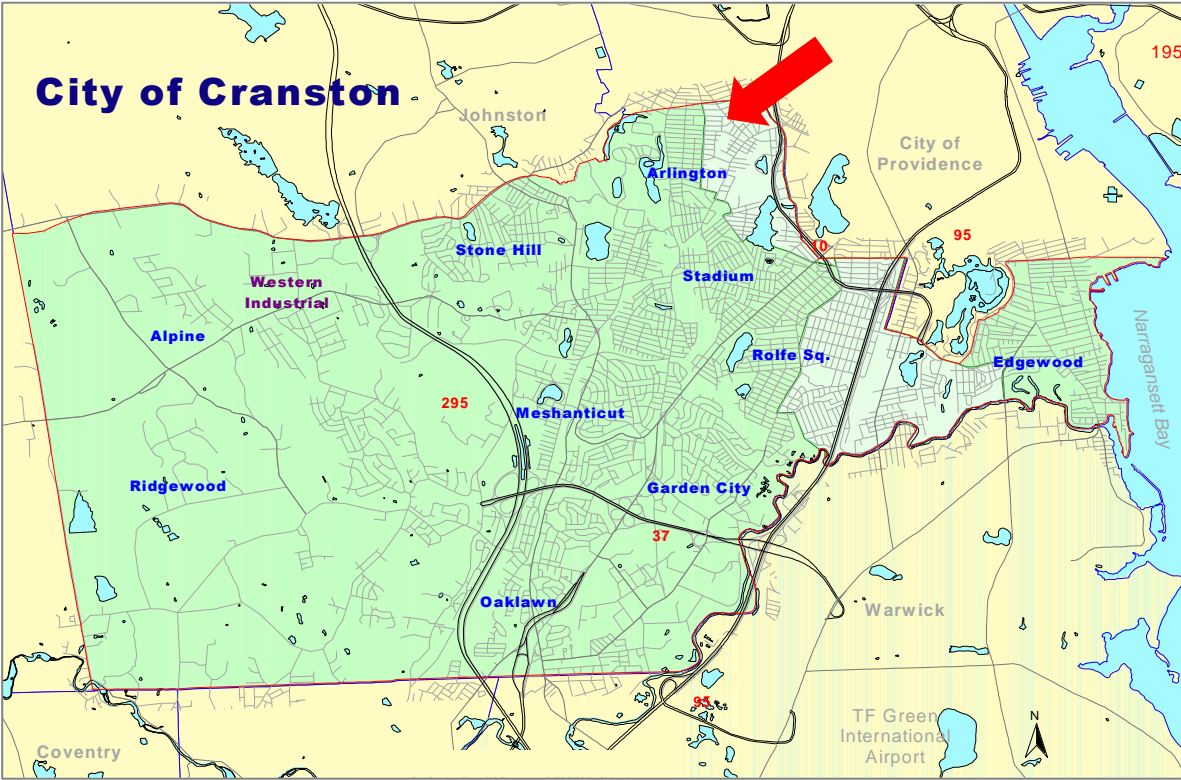
To: Cranston City Plan Commission
From: Joshua Berry, AICP - Senior Planner / Administrative Officer
Date: October 1, 2021
Re: **Dimensional Variance @ 212 Terrace Avenue**

Owner/App: Manuel A. Ventura
Location: 212 Terrace Avenue, AP 10, Lot 1303
Zone: B-1 (Single-family and two-dwellings)
FLU: Single/Two-Family Residential Less than 10.89 units/acre

DIMENSIONAL VARIANCE REQUEST:

1. To allow the a second-story porch encroaching into a front setback to be enclosed without benefit of a permit. [17.20.120 – Schedule of Intensity]

LOCATION MAP



ZONING MAP



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FUTURE LAND USE MAP



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AERIAL VIEW



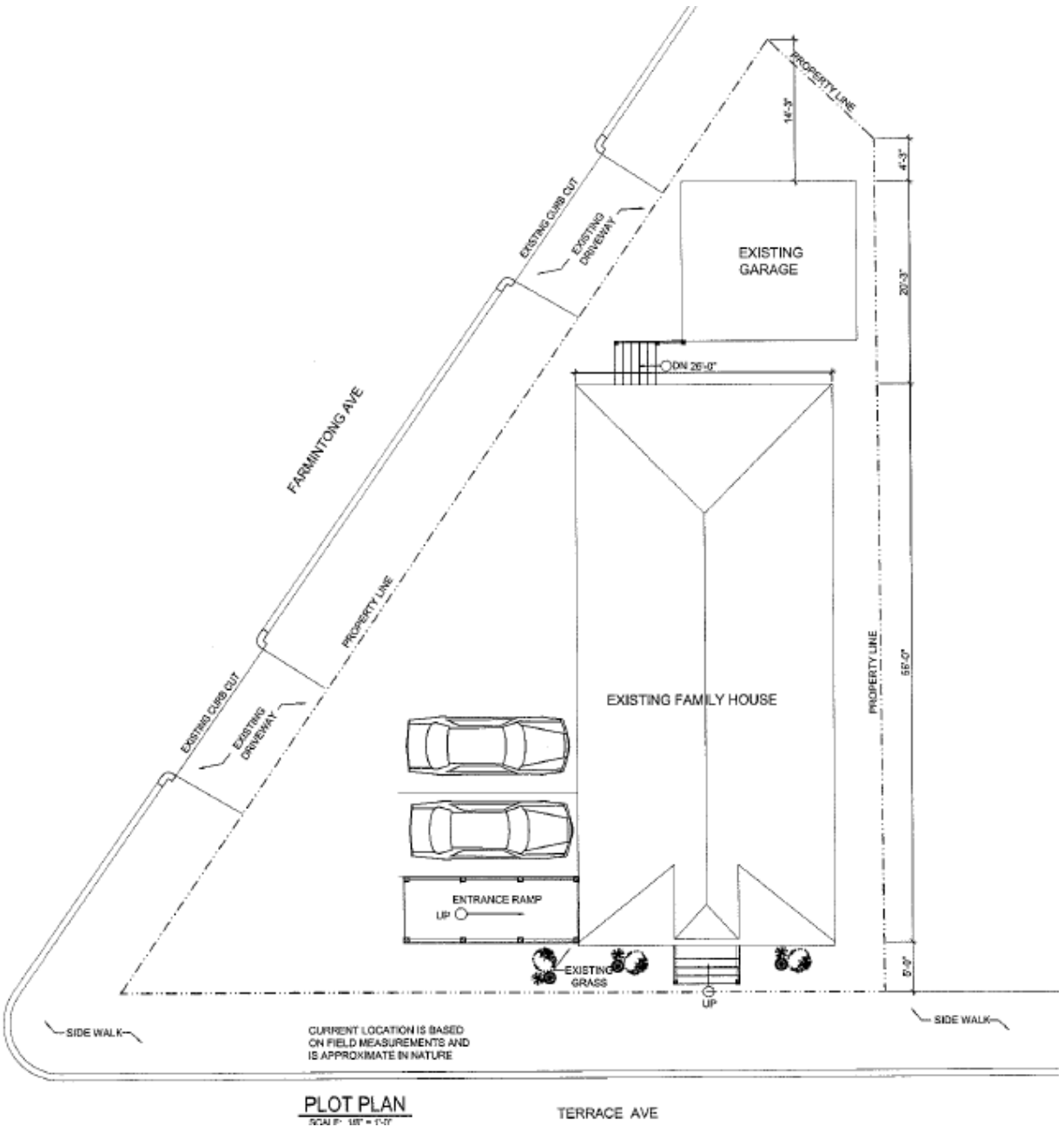
PREVIOUS CONDITIONS



EXISTING/PROPOSED CONDITIONS



SURVEY PLAN



FINDINGS OF FACT

1. The owner/applicant has enclosed a second-story porch area that encroaches into the required 25' front setback in B-1 zones without benefit of a permit. The building footprint did not change.
2. According to city records, the subject property, building and use (four-family) are legally nonconforming, established prior to the enactment of zoning in 1966.
3. Based on the city's GIS, on Terrace Avenue between Farmington Avenue and Webster Avenue there are 6 other dwellings. It appears that only one dwelling complies with the front setback and three of the homes that encroach abut the front property line with enclosed primary dwelling space. Therefore, the requested encroachment is not out of character with the surrounding area.
4. The request to enclose the porch area within the setback does not change the number of dwelling units (4).
5. The Comprehensive Plan Land Use Element; Principle 4 reads: "*Protect and stabilize existing residential neighborhoods by basing land use decisions on neighborhood needs and quality of life. Protect the natural, historic and visual resources that define the neighborhoods*" (p. 34). Relief would not significantly detract from the visual resources that define the neighborhood.

PLANNING ANALYSIS

This is a pretty straight forward case of someone trying to improve their property without considering the zoning restrictions. The applicant has conveyed that they wanted to enclose the porch to have room for their child to play in all weather conditions. The work conducted did not expand the footprint of the building in any way, but merely converted the second-story porch to be enclosed heated space.

Staff finds the proposal to be *generally consistent* with the Comprehensive Plan, but this conclusion is a subjective determination based on one's assessment of the visual resources of the neighborhood. The Comprehensive Plan does not get into very much detail specific to variance requests of this nature, but Land Use Element Principle 4 reads: "*Protect and stabilize existing residential neighborhoods by basing land use decisions on neighborhood needs and quality of life. Protect the natural, historic and visual resources that define the neighborhoods*" (p. 34). Based on the city's GIS, on Terrace Avenue between Farmington Avenue and Webster Avenue there are 6 other dwellings. It appears that only one dwelling complies with the front setback and three of the homes that do not abut the front property line with enclosed space. Therefore, the requested encroachment is not out of character with the surrounding area.

For these reasons, without the benefit of public testimony, staff feels that relief would not be detrimental to the visual resources of the neighborhood and therefore finds the request generally consistent with the Comprehensive Plan.

Recommendation

Due to the finding that the application is generally consistent with the Cranston Comprehensive Plan and findings that relief would not significantly impair the visual character of the area, staff recommends the Plan Commission forward a **positive recommendation** on the application to the Zoning Board of Review.