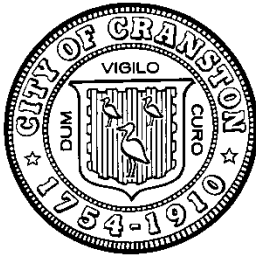


# City Planning Department



## Memo

To: Cranston City Plan Commission  
From: Doug McLean, AICP, Principal Planner  
Date: December 30, 2020  
Re: Dimensional Variance Application for 35 Sparrow Lane

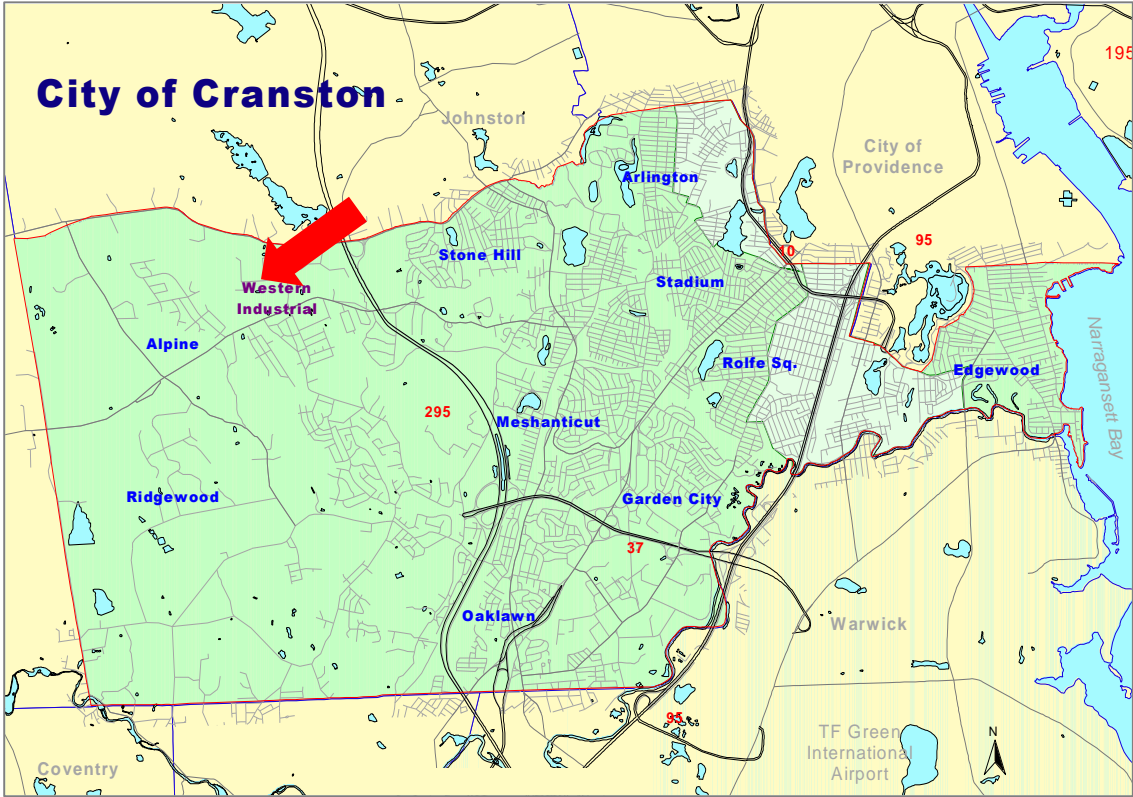
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**Owner/App:** ANTHONY D. LONGANO and CINDY LONGANO.  
**Location:** 35 Sparrow Lane; AP 35, Lot 226  
**Zone:** A-20 (Single-family dwellings on lots of minimum areas of twenty thousand (20,000) square feet.)  
**FLU:** Single Family Residential 3.63 to 1 Unit Per Acre

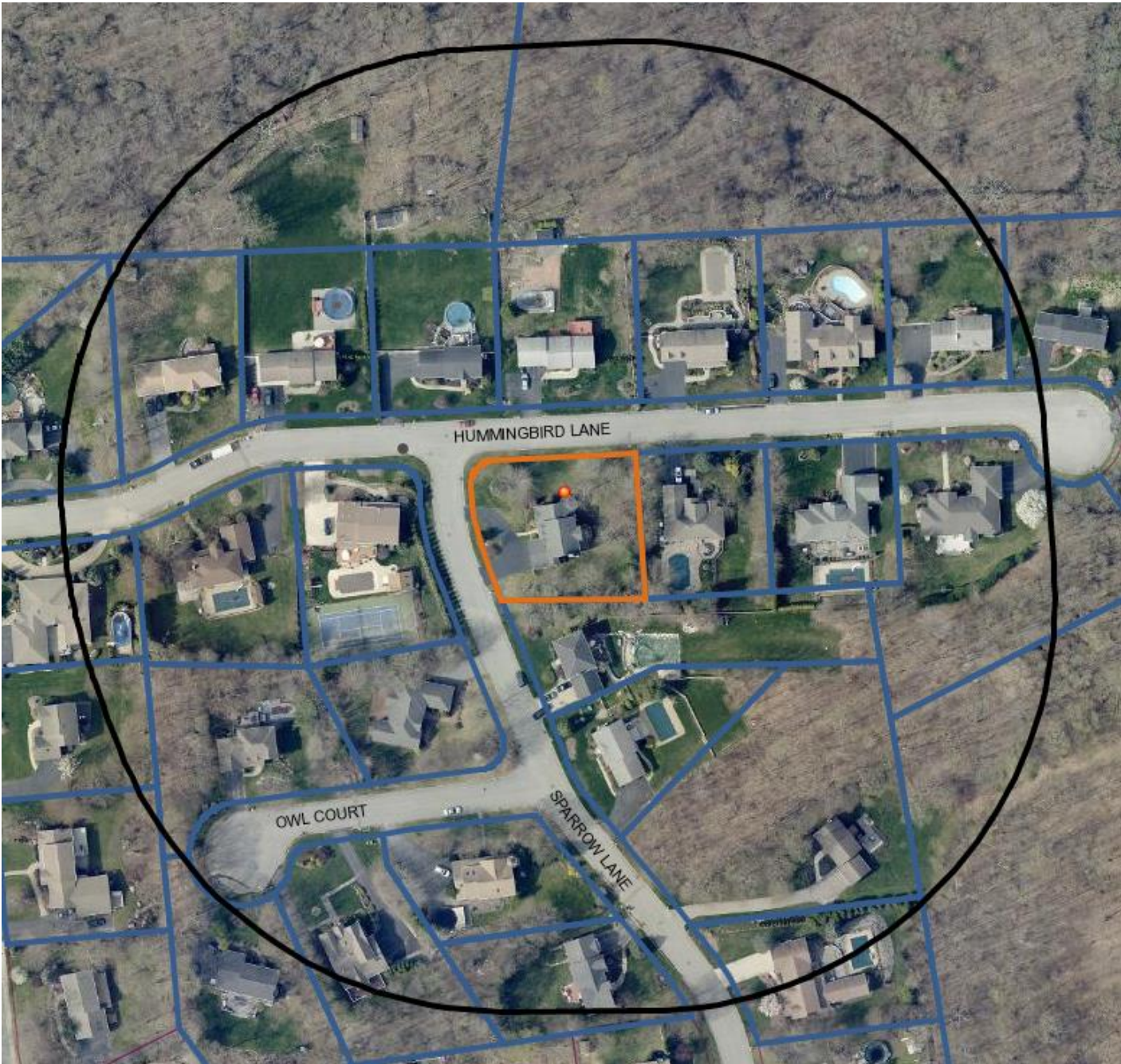
**DIMENSIONAL VARIANCE REQUEST:**

1. To construct a new in-ground pool within a front yard setback on a side-corner lot. [17.20.120- Schedule of Intensity Regulations; 17.60.010(D) - Accessory Uses]

### LOCATION MAP



**NEIGHBORHOOD AERIAL**  
(subject parcel marked in orange, 400 foot radius marked in black)



# PARCEL AERIAL



### 3-D AERIAL VIEW



## STREET VIEW (1 of 3)



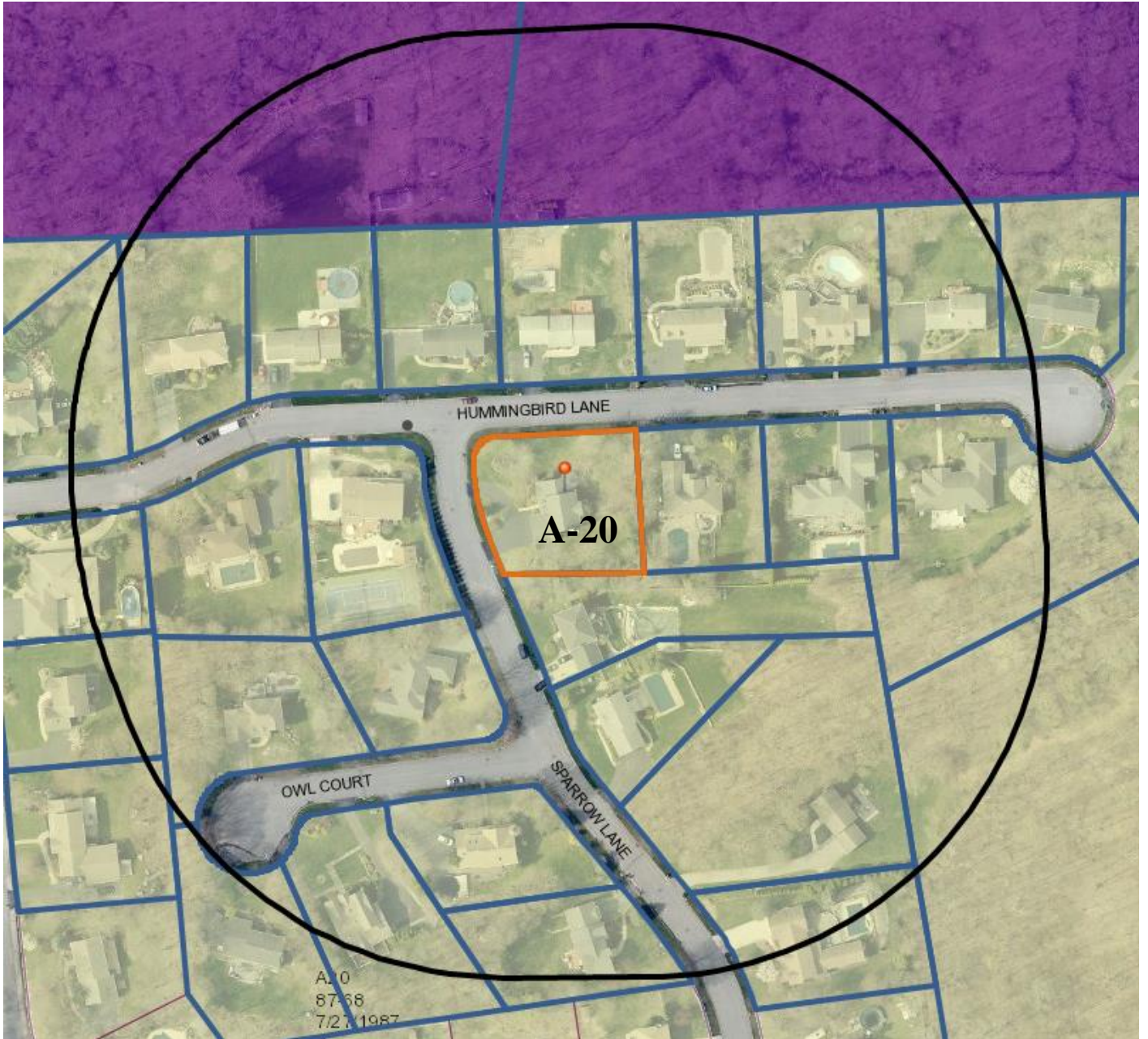
## STREET VIEW (2 of 3)



## STREET VIEW (3 of 3)

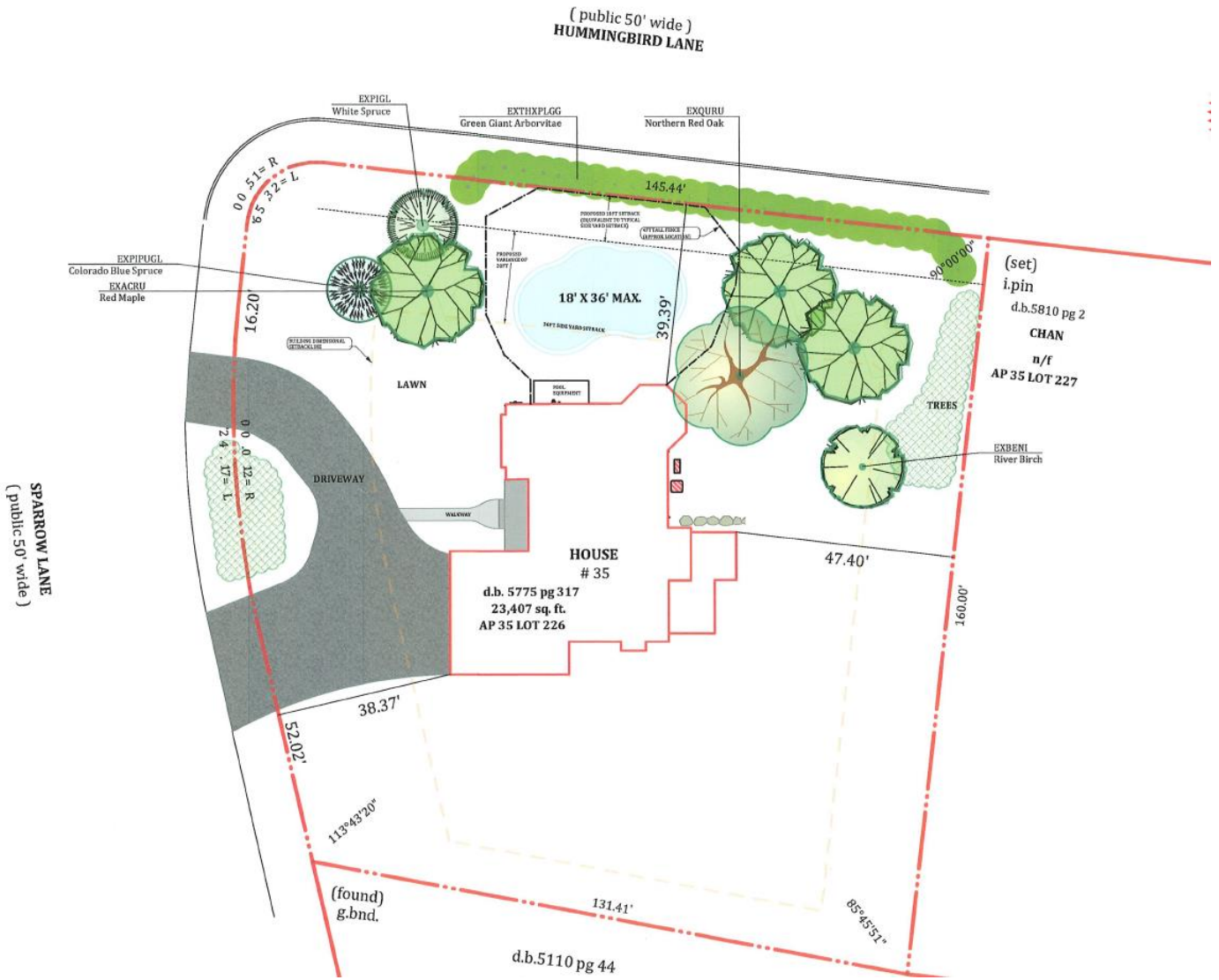


# ZONING MAP





# LANDSCAPE PLAN



## FINDINGS OF FACT:

1. The applicant is seeking to construct an in-ground 18'X36' swimming pool in a front yard setback in an A-20 zone. The proposed pool will be located 10' from the front property line abutting Hummingbird Lane where 30' is required.
2. The lot conforms to all A-20 standards for required lot dimensions.
3. The existing single-family dwelling conforms to all required building setbacks.
4. Section 17.60.010 "Accessory Uses" of the zoning code establishes specific setbacks for a pool, however, this section of code does NOT provide a specific setback for pool in a front yard, thus the required front yard setback for a pool is the same as the required setback for a building (30').
5. The property does not have the benefit of a typical size backyard because it is a corner lot and is required to have 2 front yard setbacks. A front yard setback must be measured from both the Sparrow Lane right-of-way and the Hummingbird Lane right-of-way. Because the existing dwelling conforms to all setbacks, and the majority of the lot has existing vegetation (trees), there is limited space for an in-ground pool behind the home without significant loss of tress. The unique circumstance of this property being a corner lot with tree behind the house creates a hardship with regard to locating customary accessory uses.
6. The front yard area where the pool is proposed is surrounded by a row of 3-5 foot Green Giant Arborvitae. The applicant has submitted a letter from their Landscape Architect that the Green Giant Arborvitae will *"continue to grow at a rate of roughly 2-3 ft per year"*. Based on this projection, the trees will be between 7-11 ft within 2 years. Staff is of the view that while the existing height of the trees is not tall enough to provide a full visual screen (see street views of pages 5-7 of this memo), the tress will grow to provide an effective visual screen within 2 years.
7. Installing the pool at grade, along with maintaining the row of Green Giant Arborvitae, combines to create an effective visual mitigation strategy to provide privacy from abutting neighbors and public rights-of-way.
8. Staff reviewed the Cranston Comprehensive Plan for policies relating to swimming pools, accessory uses, front setbacks, and corner lots. There are no specific policies relating to these items. Staff did identify a limited number of policies relating to community character and visual impacts within residential neighborhoods that provide some direction with regard to the subject application:
  - a. Land Use Element; Principle 4 (page 34): *"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. In addition, support the existing residential development patterns in order to stabilize the residential blocks and neighborhoods."*
  - b. Land Use Element - LU-2 (page 47): *"Continue to amend subdivision regulations to promote land development patterns that minimize site disturbance, **minimize visual impacts**, and retain rural features and community character."*

9. Based on the above cited Comprehensive Plan policies, with consideration of the visual mitigation efforts noted in Findings #6 and #7 above, staff finds that the proposed application is consistent with the intent of the Comprehensive Plan with regard to minimizing visual impacts in residential neighborhoods. Staff acknowledge that this Comprehensive Plan language is not directly tied to accessory swimming pools in front yard setbacks. However, based on the limited amount of specific policies that relate to the subject application, staff is this is the most relevant policy guidance available and is supportive of the application based on existing conditions.

## **PLANNING ANALYSIS:**

The applicant is requesting to construct a below ground swimming pool in a front yard setback that would be 10' from the front property line whereas 30' is required. The property it is a corner lot and is required to have 2 front yard setbacks. The aerial imagery and site photos included as part of this memo provide additional evidence that there are site conflicts to locate the pool in the backyard of the property because of the number of existing tree on the property that are serving to provide privacy from the nearest abutting resident. The proposed location is being pursued in an effort to reduce tree loss.

The front yard area where the pool is proposed is surrounded by a row of 3-5 foot Green Giant Arborvitae that is intended to screen the view from surrounding properties and public rights-of-way. Staff finds that 1) installing the pool at ground level and 2) the anticipated growth of the arborvitae both combine to provide an effective visual mitigation. As such, staff is of the view that maintaining the arborvitae is a critical component to considering a positive recommendation on this matter.

Staff reviewed the Cranston Comprehensive Plan for policies relating to swimming pools, accessory uses, front setbacks, and corner lots. No such specific policies exist in the plan. In staff's view, the closest relatable policies in the plan (identified in Finding #8) are related to maintaining community character. Based on these polices, in combination with the visual mitigations included as part of the application, staff finds that the application is consistent with the Cranston Comprehensive Plan.

## **RECOMMENDATION:**

Due to the fact that the application is consistent with the Cranston Comprehensive Plan, and due to the fact that the applicant has provided a mitigation element (row of Green Giant Arborvitae) to reduce the visual impacts and maintain the aesthetic character of the neighborhood, staff recommends the Plan Commission forward a **positive recommendation** to the Zoning Board of Review. Staff further recommends that the Plan Commission consider including a condition as part of its recommendation that that the existing row of Green Giant Arborvitae be maintained, and that any dead or significantly damaged trees be replaced as necessary, in order to preserve a continuous visual screen for the life of the swimming pool.