

A meeting of the Cranston Zoning Board of Review was called to order in Cranston City Hall Council Chambers by Vice- Chairperson Joy Montanaro on **Wednesday January 11, 2023 at 6:33 pm**. Also present were Dean Perdikakis, Paula McFarland, and 1st alternate Craig Norcliffe

The following matters were heard before the Board:

OLD BUSINESS

Ward 3

MATTHEW B NELSON 50 BLACKAMORE AVENUE CRANSTON RI 02920 (OWN/APP) has filed an application for permission to convert an existing detached 2 story garage with new addition into a residential dwelling unit with restricted rear and corner side yard setback at **50 Blackamore Avenue**. AP 9/3, Lot 724, 723, area 8000+/- SF; zoned B-1. Applicant seeks relief per Section 17.92.010 Variance, Sections 17.20.120 Schedule of Intensity; 17.20.070 More than one dwelling structure on any lot prohibited. No attorney. Filed 11/09/22.

Two of the five Board members originally hearing this matter were absent and unavailable to render a necessary vote for decision; therefore, this application was continued to the February 8, 2023 meeting.

Ward 3

GARFIELD AVE FOODS, LLC. (OWN) and LAMAR CENTRAL OUTDOOR, LLC (APP) have applied to the Board to convert an existing over-sized billboard sign to a digital LED billboard display of same size at **110 Garfield Avenue**, A.P. 7, lots 2561-62, 2593-97, and 3768, area 29,091 s.f. zoned M2. Applicants seek relief per Section 17.92.010- Variances; Table 17.72.010 (7)- Signs. Application filed 11/4/2022. Dylan Conley, Esq.

This application was withdrawn without prejudice by the applicant; to be revised and re-introduced at a later date.

NEW BUSINESS

Ward 1

EDDY PENA (OWN/APP) has filed an application to request permission to construct an addition to an existing single-family dwelling encroaching into the required side yard setback at **309 Station Street**, A.P. 3, lots 71& 72; total area 10,000 s.f.; zoned M2. Applicant seeks relief per 17.92.010- Variances; Section 17.20.120- Schedule of Intensity Regulations. Application filed 11/28/22. No attorney.

On a motion made by Ms. McFarland and seconded by Mr. Perdikakis, this variance was unanimously **approved** as presented to the Board on January 11, 2023.

The Board made their decision based on the following findings of fact:

FINDINGS OF FACT:

1. The applicant is proposing to construct an additional structure to an existing two-family residential dwelling. The property is located in a M-2 zone (General Industry), thus the immediate request amounts to a Dimensional Variance, due to its lack of adherence to M-2 required setbacks.
2. The existing property contains a legal, pre-existing non-conforming two-family dwelling initially built in the late 19th century.
3. The applicant is requesting dimensional relief for both side and front setbacks. The applicant is required to meet M-2 setback requirements, despite being a legal use as a two-family residential dwelling. In the M-2 zone, a 40 ft. minimum front setback and 25

- ft. minimum side setback are required. The proposed addition is located 9.7' from the side property line and 28.2' from the front property line.
- a. It is salient to note that this addition would **not** require relief, and **would** be compliant with base residential standards, and considered by-right in the A-6, B-1, B-2 zones. In such zones, a 25 ft. minimum front setback and 8 ft. minimum side setback are required
4. The surrounding neighborhood along both Wellington Avenue and Station Street in a north and south direction contains a mix of uses, including industrial and non-conforming residential uses.
 5. The parcels immediately abutting the subject property include: 4 nonconforming residential uses, all located in the M-2 zone.
 6. The Comprehensive Plan Future Land Use Map designates the property as a Special Redevelopment Area, further defined as;
 - a. "Areas in which the City anticipates undertaking redevelopment through mixed-planned development ordinances such as the Elmwood/Wellington industrial corridor".
 7. The Comprehensive Plan supports the preservation of existing residential neighborhoods through Land Use Element Principle 4, which seeks to "Protect and stabilize existing residential neighborhoods by basing land use decisions on neighborhood needs and quality of life" and Housing Action 14, to "Preserve the quality and character of the built environment in selected areas throughout Cranston".
 - a. Staff finds that this application does not detract from the surrounding residential area and is not inherently destabilizing to the neighborhood.
 8. The applicant testified about the addition and no one spoke for or against the application.

In this case, the Board voted to accept the staff finding of fact and applying the facts above to the standard for a variance, the Board further finds that the application involves a hardship that is not due to a physical or economic disability of the applicant, that the hardship does not result primarily from the desire of the applicant to realize greater financial gain, will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the comprehensive plan, and is the least relief necessary. In granting a variance the Applicant met the requirements of the Zoning Code and relief per Section 17.92.010 Variance; Sections 17.92.120 - Schedule of Intensity Regulations.

Stanley Pikul
Secretary, Zoning & Platting Boards

The meeting was adjourned at 8:15 PM