

**THE CITY OF CRANSTON
ZONING BOARD DOCKET
July 10, 2024**

The following applications were heard in the City Council Chambers, Cranston City Hall
869 Park Avenue, Cranston, RI 02910 on
Wednesday July 10, 2024 at 6:30 p.m.
The items listed may be subject to final action.

OLD BUSINESS

Ward 3

CESAR H. GONZALES GONZALES (OWN/APP) has applied to the Board to request permission to expand and convert an existing single-family dwelling into a multi-family (3 unit) dwelling on an under-sized lot at **12 Howard Street**; A.P. 7, lot 1128; area 6,048 sf.; zoned B2. Applicant seeks relief per 17.92.010- Variances; Sections 17.20.030- Schedule of Uses; 17.20.120- Schedule of Intensity Regulations. Application filed 4/6/2024. No Attorney.

On a motion made by Mr. Perdikakis and seconded by Ms. Swinski, this matter was unanimously allowed to be withdrawn by the applicant in order to submit a new application.

NEW BUSINESS

Ward 6

TRI-STATE DISPLAYS, INC. (OWN) and LAMAR ADVERTISING COMPANY (APP) have applied to the Board for permission to replace the west side only of existing double-sided billboard to a digital advertising panel at **1 Wholesale Way**, A.P. 10, lot 698, area 2,408 sf; zoned M2. Applicant seeks relief per 17.92.010- Variances; Sections 17.20.030- Schedule of Uses; 17.20.120- Schedule of Intensity Regulations; 17.72.010(7)- Signs. Application filed 6/10/2024. Dylan B. Conley, Esq.

On a motion made by Ms. Montanaro and seconded by Ms. Swinski, this application was unanimously approved as presented to the Board on July 10, 2024.

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

Findings of Fact:

1. The applicant proposes to convert an existing static billboard into a digital, LED billboard while retaining existing dimensions (14' x 48') of the billboard itself.
2. The Applicant has requested specific relief in their Application, namely:
 - o 17.72.010.G. Signs Prohibited Under This Section
 - *"All signs not expressly permitted under this section or exempt from regulation hereunder in accordance with the previous section are prohibited in the city."*

3. the Future Land Use Map (FLUM) designates the subject property as “*Industrial.*”
 - o The Comprehensive Plan is silent on LED billboards specifically as an appropriate use.
4. The applicant, through their attorney, submitted written material in support of applicant and gave a narrative of the application.
5. Representatives of the applicant answered questions from the Board and public
6. There was no testimony in opposition.
7. The Board found that the proximity to another business operation which also is bright at night, mitigated any light pollution issues.

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, and the applicant would suffer more than a mere inconvenience if the variance were denied. The relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted and will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the comprehensive plan. In granting a variance the Applicant met the requirements of the Zoning Code and relief per Sections 17.92.010 Variance; Section 17.20.120 - Schedule of Intensity Regulations,

Ward 1

ELLEN AND IDIR BEN BOUAZZA (OWN/APP) have filed an application to construct a two-story addition encroaching into the rear setback exceeding allowable lot coverage on an existing single-family home at **3 Sefton Drive**; A.P. 2, lot 3924; area 3,144sf; zoned B-1. Applicant seeks relief per 17.92.010- Variances; Section; 17.20.120- Schedule of Intensity Regulations;. Application filed 6/11/2024. No Attorney.

On a motion made by Mr. Zambrano and seconded by Ms. Swinski, this application was unanimously **approved** as presented to the Board on June 12, 2024.

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

Findings of Fact:

- The Applicant has requested specific relief in their Application, namely:

| | <u>Existing</u> | <u>Proposed</u> | <u>§17-20-120</u> Schedule of Intensity Regulations | <u>RIGL §45-24-38</u> General Provisions – Substandard lots of record |
|-----------------------------|-----------------|-----------------|---|---|
| Rear setback | 18.7 ft. | 7.1 ft. | 20 ft. (minimum) | 10 ft. (minimum) |
| Overall lot coverage | 25.7% | 40.8% | 35% (maximum) | 76% (maximum) |

- The Board found that the applicant requires only rear setback relief (a difference of 2.9 ft. from the minimum rear setback requirement of 10 ft. for the B-1 Single-family Residential zone per RIGL §45-24-38).
- The Board found this Application compatible with the general character of the surrounding neighborhood and the request does not impose undue nuisances and is not out of character beyond any other uses on this site or within the surrounding area.
 - The property and the surrounding area are residential in nature and the request does not propose or encourage incompatible uses that would be disruptive to the surrounding area.
 - The proposed use (single-family residential) is consistent with the Comprehensive Plan.
 - The density of the lot is **not proposed to change**.
- The Board found The Future Land Use Map (FLUM) designates the subject property as “*Single/Two Family Residential Less Than 10.89 Units/Acre.*” – The subject lot is of a configuration that is pre-existing, non-conforming to zoning.
 - Per the Comprehensive Plan, the B-1 Residential Single and two-family zoning district is an appropriate zoning classification for single-family residential land designation and development.
 - Staff finds that the Application is not inconsistent with the Future Land Use Map designation due to the fact that the unit density is **not proposed to change**.
- The Board found Comprehensive Plan outlines goals, policies, and action items pertaining to commercial (re)development which Staff find support the approval of this Application, specifically:
 - Land Use Goal 9: Protect and stabilize existing residential neighborhoods.
 - Land Use Policy 9.3: Preserve the existing density of established neighborhoods.
 - Housing Goal 2: Permit a variety of residential development types to achieve multiple community objectives.
 - Housing Policy 2.2: Enact flexible development standards that attain desired community objectives, but also provide a wide range of building types, uses, subdivisions, and site plans.

The applicants attorney and their experts gave a presentation concerning the uniqueness of the lot and structure

There was no testimony in opposition to the project.

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, and the applicant would suffer more than a mere inconvenience if the variance were denied. The relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted and will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the comprehensive plan. In granting a variance the Applicant met the requirements of the Zoning Code and relief per Sections 17.92.010 Variance; Section 17.20.120 - Schedule of Intensity Regulations,

Ward 3

CESAR H. GONZALES GONZALES (OWN/APP) has applied to the Board to request permission to expand and convert an existing single-family dwelling into a Two family (2 unit) dwelling on an under-sized lot at **12 Howard Street**; A.P. 7, lot 1128; area 6,048 sf.; zoned B2.

Applicant seeks relief per 17.92.010- Variances; Section 17.20.120- Schedule of Intensity Regulations. Application filed 6/13/2024. No Attorney.

On a motion made by Mr. Zambrano and seconded by Mr. Perdikakis, this application was unanimously **approved** as presented to the Board on July 10, 2024.

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

Findings of Fact:

- The Applicant has requested specific relief in their Application, namely:
 - 17.20.090 - Specific requirements & 17.20.120 - Schedule of intensity regulations
 - B-2 Multifamily:
 - Required minimum lot area for 2 units: 8,000 sq ft
 - Site lot area: 6,021 sq ft
 - Relief needed: 1,979 sq ft
- The Board found the project compatible with the general character of the surrounding neighborhood and the request does not impose undue nuisances and is not out of character beyond any other uses on this site or within the surrounding area.
 - The property and the surrounding area are residential in nature and the request does not propose or encourage incompatible uses that would be disruptive to the surrounding area.
 - The proposed use (multifamily residential) is consistent with the Comprehensive Plan.
 - The subject property is a conforming lot size for a single-family residence, but noticeably undersized for a two-family residence.
 - Staff finds that the proposed density (14.5 units/acre) does not conform to the Future Land Use Map density designation of *Residential Less than 10.39 Units/Acre*.
 - Staff analysis found that the average density per lot in the immediate neighborhood of the property (Howard Street and the connected block on Cranston Street) is 10.8 Units/Acre, 3.7 units/acre less than the proposal.
 - Of the 30 residential properties in that area, 12 are single family units. 8 are two-family, 5 are three-family, and 2 properties are greater than three-family.
 - Howard Street features 2 three-family properties and 5 two-family properties. The rest are small single-family properties on around 6,000 sq ft.
 - All two-family buildings are on undersized lots, with the median lot size being 7,714 sq ft. Median density of the two-family lots is ~11 units/acre.
 - All three-family buildings in the neighborhood are on undersized lots, with the median lot size being ~6,840 sq ft and median density being ~19 units/acre.
 - A two-family on the subject property exceeds the density and lot sizes of other two-family properties but proposes significantly less density than comparative three-family buildings in the area.
- The Future Land Use Map (FLUM) designates the subject property as “*Residential Less than 10.39 Units/Acre*.”
 - Per the Comprehensive Plan, the B-2 zoning district is an appropriate zoning classification for a two-family residential land designation and development.
 - The proposal provides plentiful parking.
 - The expansion of the building’s footprint is minimal enough to fit in with the surrounding area.
- The Board Found that the following goals, policies, and action items outlined in the Comprehensive Plan pertaining to residential (re)development support the approval of this Application:
 - Housing Goal 2: Permit a variety of residential development types to achieve multiple community objectives.
 - Housing Goal 4: Promote housing opportunity for a wide range of household types and income levels.
 - Housing Policy 4.1: Maintain a varied housing stock, with units of different age, size and type that are affordable to a wide range of incomes.
 - Land Use Goal 9: Protect and stabilize existing residential neighborhoods.

- Land Use Policy 9.3: Preserve the existing density of established neighborhoods.

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, and the applicant would suffer more than a mere inconvenience if the variance were denied. The relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted and will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the comprehensive plan. In granting a variance the Applicant met the requirements of the Zoning Code and relief per Sections 17.92.010 Variance; Section 17.20.120 - Schedule of Intensity Regulations,