

A meeting of the Cranston Zoning Board of Review was called to order in Cranston City Hall Council Chambers by Chairperson Christopher E. Buonanno on **Wednesday August 9, 2023 at 6:32 pm**. Also present were Joy Montanaro, Paula McFarland, 1st alternate Craig Norcliffe, and 3rd alternate Frank Corrao III

The following matters were heard before the Board:

OLD BUSINESS

Ward 6

DOMAIN REALTY, LLC (OWN/APP) has applied to the Board to construct a new free-standing sign within the required setbacks from the street(s) and within the area required as to not impede corner visibility; and to waive the required Development Review Process for the site at **846 Oaklawn Avenue**, A.P. 15, lot 361; area 15,490 s.f. zoned C-3. Applicant seeks relief per 17.92.010- Variances; Sections 17.20.100(A)- Corner Visibility, 17.72.010- Signs; 17.84, et seq- Development Plan Review. Application filed 7/06/2023. Joseph P. Carneval, Esq

On a motion made by Ms. McFarland and seconded by Mr. Norcliffe, this matter was **continued** to the September 13, 2023 meeting as requested by the applicant.

PLATTING BOARD OF APPEALS:

APPEAL OF THE DECISION OF THE CITY OF CRANSTON PLAN COMMISSION DATED JUNE 6, 2023 DENYING MASTER PLAN APPROVAL TO THE CITY OF CRANSTON ZONING BOARD OF REVIEW SITTING AS THE PLATTING BOARD OF REVIEW PURSUANT TO §45-23-66 OF THE RHODE ISLAND GENERAL LAWS, AS AMENDED AND SECTION XI ENTITLED “APPEALS” OF THE CITY OF CRANSTON’S SUBDIVISION AND LAND DEVELOPMENT REGULATIONS FOR NATICK AVE SOLAR ARRAY, 0 NATICK AVENUE, A.P. 22, LOTS 108 & 119

On a motion made by Ms. McFarland and seconded by Mr. Norcliffe, this matter was **continued** to the September 13, 2023 meeting as requested by the applicant.

NEW BUSINESS

Ward 3

PAPILLON HOME SOLUTIONS, LLC. (OWN/APP) has filed an application to alter an existing multi-family dwelling on an undersized lot, reducing it to a two-family house and to allow an adjacent lot considered merged to be removed from the specific requirements at **592 Dyer Avenue**, A.P. 8, lot 1385, area 5,000 s.f, zoned B1. Applicant seeks relief per 17.92.010- Variances; Sections 17.20.120- Schedule of Intensity Regulations and 17.20.090 (A)- Specific Requirements; 17.88.100- Substandard lots of record. Application filed 7/13/2023. Robert D. Murray, Esq.

On a motion made by Ms. McFarland and seconded by Mr. Corrao, this variance was **unanimously approved** as presented to the Board on August 9, 2023.

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

1. The applicant seeks to convert an existing three-family dwelling to a two-family dwelling located at 592 Dyer Avenue (AP 8, Lots 1385).
2. The applicant seeks dimensional relief from side and front setback requirements.
 - a. To allow the existing dwelling to maintain a side setback of **(5.2 feet)** where 8 feet is required [Section 17.20.120 Schedule of Intensity Regulations]
 - b. To allow the existing dwelling to maintain a pre-existing front yard setback of **(15.3 feet)** where 25 feet is required [Section 17.20.120 Schedule of Intensity Regulations]
3. The average size of the twenty-two (22) two-family residential lots within 400’ radius is 6,497 +/- square feet. Of the twenty-two (22) two family residential lots, eleven (11) of them contain 5,000 square feet or less.

4. The Future Land Use Map designates this area as Single/Two-Family Residential Less Than 10.89 units/acre. This request would amount in a density designation of 17.4 units/acre, a less intense density designation than the existing 26.14 units/acre.
5. The Board found that the relief is generally consistent with the following Comprehensive Plan elements and goals; Land Use Element Principle 4, to "*Protect and stabilize existing residential neighborhoods by basing land use decisions on neighborhood needs and quality of life.*" (p. 34), Housing Goal 4, to "*Promote housing opportunity for a wide range of household types and income levels.*"
6. The applicant spoke about the project and there was no testimony against the application.

In this case, the Board voted to accept the staff finding of fact and expert testimony 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; Section 17.20.120 - Schedule of Intensity Regulations, and 17.20.090 (A)- Specific Requirements.

Ward 3

PAPILLON HOME SOLUTIONS, LLC. (OWN/APP) has filed an application to construct a new single-family dwelling on an undersized lot previously considered to be merged with an adjacent lot at **0 Dyer Avenue**, A.P. 8, lot 1386, area 5,000 s.f, zoned B1. Applicant seeks relief per 17.92.010- Variances; Sections 17.20.120- Schedule of Intensity Regulations; 17.88.100- Substandard lots of record. Application filed 7/13/2023. Robert D. Murray, Esq.

On a motion made by Ms. McFarland and seconded by Mr. Norcliffe, this variance was unanimously approved as presented to the Board on August 9, 2023.

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

FINDINGS OF FACT:

1. The applicant seeks to build a single-family dwelling on a vacant lot at 0 Dyer Avenue (AP 8, Lot 1386).
2. The subject parcel (AP 8, Lot 1386) is located on two adjacent, substandard lots (each with 5,000 ft² of area) in the B-1 zone (Single-family and two-family dwellings).
 - a. In the B-1 zone a single-family dwelling requires a minimum lot size of 6,000 ft² thus the applicant seeks a variance for lot size [Section 17.20.090 – Specific Requirements, Section 17.20.120 Schedule of Intensity Regulations].
3. The applicant seeks dimensional relief from the following requirements.
 - a. **To allow restricted lot width and frontage of 50 ft. where 60 ft. is required [Section 17.20.120 Schedule of Intensity Regulations].**
 - b. **To allow the corner lot front setback to be 16 feet where 25 feet is required [Section 17.20.120 Schedule of Intensity Regulations].**
4. The average size of the twenty-seven (27) single-family residential lots within 400' radius is 6,257 +/- square feet. Of the twenty-seven (27) single family residential lots, nineteen (19) of them contain 5,000 square feet or less.
5. The Future Land Use Map designates this area as Single/Two-Family Residential Less Than 10.89 units/acre. This request would amount in a density designation of 8.71 units/acre.
6. Granting relief is generally consistent with the following Comprehensive Plan elements and goals; Land Use Element Principle 4, to "*Protect and stabilize existing residential neighborhoods by basing land use decisions on neighborhood needs and quality of life.*" (p. 34), Housing Goal 4, to "*Promote housing opportunity for a wide range of household types and income levels.*"
7. The applicant spoke about the project and there was no testimony against the application.

In this case, the Board voted to accept the staff finding of fact and expert testimony 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; Section 17.20.120 - Schedule of Intensity Regulations, 17.88.100- Substandard lots of record.

Stanley Pikul
Secretary, Zoning & Platting Boards

The meeting was adjourned at 8:35 PM
