

CITY OF CENTRAL FALLS  
DEPARTMENT OF PLANNING +  
ECONOMIC DEVELOPMENT  
STAFF RECOMMENDATION  
TO THE ZONING BOARD



CASE 2017-02-14-1 (854 DEXTER ST)



*Summary*

**Application Type:** Special Use Permit and Dimensional Variance

**Address/AP/Ward:** 854 Dexter St.

Assessor's Plat 9, Lot 206B

Ward 5

**Applicant:** Mario Monterroso, 729 Pine Street, Central Falls, RI

**Property Owner:** Victor Almerda, 20 Tori Leigh Lane, Rohoboth, MA

**Parcel Size:** 5,200 square feet

**Zoning:** R-3

### ***Project Description***

The applicant is requesting a Special Use Permit for Assembly use in an R-3 Zone. The building is an existing formal retail store built in 1955. The property is located at 854 Broad Street with adjacent properties either residential or commercial.

### ***Discussion***

The request for a Special Use Permit is analyzed as follows:

Prior to approval of a special use permit, the Board is required to make positive findings on the following standards:

- (1) That the special use is specially authorized by sections 304 and 514 of this ordinance, and setting forth the exact subsection of this ordinance containing jurisdictional authorization;*

Assembly use is authorized with a Special Use Permit in an R-3 Three-Family Residential Zone per Section 304 Table 1 2.23 and 21, respectively, of the Zoning Ordinance.

- (2) That the special use meets all the criteria set forth in the subsection of this ordinance authorizing such special use; and*

There are no criteria set forth in the subsection of the Zoning Ordinance authorizing Assembly Services.

- (3) That the granting of the requested variance will not alter the general characteristic of the area or impair the intent or purpose of this zoning ordinance or the comprehensive plan for the city;*

The requested use will not alter the general character of the surrounding area, as the structure already exists. The purpose of the Zoning Ordinance includes “Provides for a range of uses and intensities of use appropriate to the character of the city and reflecting current and expected future needs.” (Section 100 B) and “The availability and capacity of existing and planned public and/or private services and facilities.” (Section 100 C5). The proposed use might be congruent with these outlined purposes, if renovated in a fashion that meets these criteria. The Comprehensive Plan contains goals that promote projects like this, such as “promote orderly growth and development that recognizes...the availability of existing and proposed public and/or private services and facilities.” (State Goal 1) and “To promote the protection of...cultural resources” (State and Municipal Goal 4)

**The request for a dimensional variance is analyzed as follows:**

Prior to approval of a dimensional variance, the Board is required to make positive findings on the following standards:

- (1) *That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to general characteristics of the surrounding area; and not due to a physical or economic disability of the applicant;*

The building is constructed on the corner of the lot which features a parking lot behind the structure. Structures in the surrounding area typically do not have driveways. There is no indication that the hardship from which the applicant seeks relief is due to their physical or economic disability.

- (2) *That said hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain.*

The Applicant is a church so it is exempt from financial gain. They are the prospective tenant of the property and have undertaken no prior action.

- (3) *That the granting of the requested variance will not alter the general characteristic of the area or impair the intent or purpose of this zoning ordinance or the comprehensive plan for the city;*

The parking will be located in the back of the structure and will be screened from the road. Granting the variance will not alter the general character of the surrounding area, as the parking is already used in a haphazard manner.. The purpose of the Zoning Ordinance includes “Provides for a range of uses and intensities of use appropriate to the character of the city and reflecting current and expected future needs.” (Section 100 B) and “The availability and capacity of existing and planned public and/or private services and facilities.” (Section 100 C5). The proposed use is congruent with these outlined purposes. The Comprehensive Plan contains goals that promote projects like this, such as “promote orderly growth and development that recognizes...the availability of existing and proposed public and/or private services and facilities.” (State Goal 1) and “To promote the protection of...cultural resources” (State and Municipal Goal 4).

Due to the high use of the proposed use at limited times, parking can be stacked. Dexter St. can accommodate the 15 vehicles at one time, as it is a state road.

(4) *That the relief to be granted is the least relief necessary.*

Approval of the proposed variance is the least relief necessary to fit the building program on the site without significant design or environmental sacrifices.

***Recommendation***

Based on the above discussion, staff believes that all standards have been met and recommends that the requested Special Use Permit and Dimensional Variance be approved.

A handwritten signature in blue ink, appearing to read "Peter Friedrichs".

Peter Friedrichs  
Director, Planning and Economic Development