

**CITY OF CENTRAL FALLS
OFFICE OF PLANNING +
ECONOMIC DEVELOPMENT**



ADMINISTRATIVE RECOMMENDATION TO THE PLANNING BOARD

CASE 2015-07-16-1 (39 CLEVELAND STREET)



SUMMARY

Application Type: Minor Subdivision

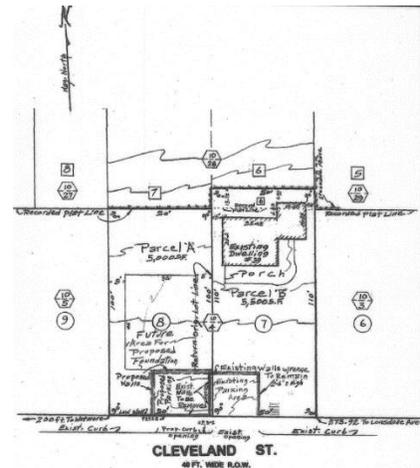
Address/AP/Ward: 39 Cleveland Street; Assessor's Plat 10, Lot 4; Ward 5

Applicant: Amit Anand

Property Owner: “

Parcel Size: 10,500 SF

Zoning: R-3



Project Description

The applicant is requesting preliminary approval for a subdivision of his 10,500 sf property. This lot is the merger of lots 7 and 8 from the F.E. Tucker Plat, as well as a 10' x 50' portion of lot 6 from the S. Perry Plat. The applicant has proposed a recreation of lot 8 and an expanded lot 7 as two new lots, “4A” and “4B.” The portion of lot 6 from the S. Perry Plat will be retained as part of lot 4B, partially due to the fact that the existing structure extends into this previous lot.

The existing structure was also built prior to the Zoning Ordinance is not in compliance for minimum rear or (east) side yard setback. The proposed subdivision would recreate the lot line between F.E Tucker Plat Lots 7 and 8, creating a nonconforming (west) side yard setback of 5'. Any future development of lot 4A will easily conform to the requirements of the Zoning Ordinance (maximum buildout shown on survey).

Discussion

Prior to approval of any land development project, the Board is required to make positive findings on Section 3 F of the “Land Development and Subdivision Review Regulations.”

Element 1 of the Central Falls Comprehensive Community Plan outlines the City’s Goals and Policies. State Goal 6, Municipal Goal 1 urges the city to “Establish and enforce land use regulations which provide for development and redevelopment that is compatible with current uses.” One could effectively argue that this proposed subdivision provides for development that is compatible with current uses, as the two lots to be created will be comparable in size to existing neighboring lots.

This subdivision is will not comply with the Zoning Ordinance, as it creates a side yard setback of less than the requirement. Any decision by the Planning Board should be contingent upon the approval of a Dimensional Variance by the Zoning Board of Review.

This subdivision does not propose any development of the site that would be under the purview of a minor or major development and thus subject to the “Land Development and Subdivision Review Regulations.”

The creation of this subdivision “will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. The submitted survey demonstrates the large footprint of the maximum allowed improvement.

Both proposed lots will have adequate and permanent physical access to a public street.

Recommendation

Based on the above discussion, staff recommends that the requested preliminary approval be given an advisory recommendation and conditional approval, contingent upon approval of a Dimensional Variance from the Zoning Board of Review. Due to the straightforward nature of this application, staff additionally recommends that final approval be delegated to the Administrative Officer.



**City of Central Falls
Zoning Board of Review
Public Meeting
Wednesday, August 19, 2015
6:00 PM
In the City Council Chambers
City Hall
580 Broad Street
Central Falls, R.I. 02863**

- I. Call to Order**
- II. Roll Call**
- III. Approval of Minutes**
 - a. Meeting of July 1, 2015
- IV. New Business**
 - a. Public Hearing
 - i. Case #2015-07-27-1**

Dimensional Variance: Amit Anand of 984 Charles Street, North Providence, RI, applicant and property owner regarding property at 39 Cleveland Street (Plat 10, Lot 4), has filed an application for relief from Article IV, Section 401 for a Dimensional Variance from 8 feet to 5' to permit the subdivision of the property into two lots.
 - b. Consideration
 - i. Consideration for Dimensional Variance**
 - 1. Case #2015-07-27-1**

Dimensional Variance: Amit Anand of 984 Charles Street, North Providence, RI, applicant and property owner regarding property at 39 Cleveland Street (Plat 10, Lot 4), has filed an application for relief from Article IV, Section 401 for a Dimensional Variance from 8 feet to 5' to permit the subdivision of the property into two lots.
- v. **Adjournment**

**CITY OF CENTRAL FALLS
ZONING BOARD OF REVIEW
PUBLIC HEARING
CITY HALL
CENTRAL FALLS, RHODE ISLAND**



Notice is hereby given that a public hearing will be held on Wednesday, August 19, 2015 at 6:00 PM in the Central Falls City Council Chambers, City Hall, 580 Broad Street, Central Falls, R.I. for the purpose of hearing the following:

Case #2015-07-27-1

Amit Anand, applicant and property owner regarding property at 39 Cleveland Street (Plat 10, Lot 4), has filed an application for relief from Article IV, Section 401 for a Dimensional Variance from 8 feet to 5' to permit the subdivision of the property into two lots.

City Hall is accessible to the handicapped. Individuals requesting interpreter services for the hearing impaired should call the City Clerk's Office at 727-7400, 72 hours in advance.

This institution is an equal opportunity provider and employer.