



**City of Central Falls  
Zoning Board of Review  
Public Meeting  
July 18<sup>th</sup>, 2018 6:00 PM  
3<sup>rd</sup> Floor Conference Rm.  
City Hall  
580 Broad Street  
Central Falls, R.I. 02863**

The following case was heard before the City of Central Falls Zoning Board of Review at a legally noticed public meeting on July 18<sup>th</sup>, 2018 in the 3<sup>rd</sup> Floor Conference Room, 580 Broad St., Central Falls, RI 02863.

**Case number:** Case #2018-05-11-1

**Applicant:** The City of Central Falls

**Subject Property Owner:** The City of Central Falls

**Property Address:** 147 Summer Street, Central Falls RI

**Plat Map:** 6                                      **Lots:** 118 and 143

**Requested action:**

The Applicant is requesting a Dimensional Variance from Section 401 of the Zoning Ordinance for (1) minimum lot area from 5,000 sq. ft. to 2,769 sq. ft., (2) front yard from 18 ft. to 0 ft., (3) rear yard from 20 ft. to 11.3 ft., and (4) off-street parking requirements from 6 parking spaces per lot to 0.

**Board Members Present at the hearing:** Chairman Kevin Marchand, Vice Chairman Kevin Kazarian, Ms. Ann Peckham, and Mr. Gary Berdugo

**The following individuals spoke at the meeting in support of the request:**

Caitlin Coppinger, Intern, City of Central Falls

**The following individuals spoke at the meeting in opposition to the request:**

-None-

**Documents and other material submitted in regard to the subject petition:**

- Completed application and attachments (May 23<sup>rd</sup> , 2018)
- Administrative recommendation from Planning and Economic Development
- Notice of a public hearing (dated June 28<sup>th</sup>, 2018)
- Copy of the notice letter sent to the applicant (dated June 28<sup>th</sup>, 2018)
- Copy of the notice letter sent to property owners within the notice area (June 28<sup>th</sup> , 2018)
- The written minutes of the July 18<sup>th</sup>, 2018 Zoning Board of Review meeting

FINDINGS OF FACT IN A DECISION OF GRANTING DIMENSIONAL VARIANCES OF  
THE ZONING BOARD OF REVIEW

The “City of Central Falls Zoning Ordinance” requires that *evidence to the satisfaction of the following standards be entered into the record of the proceedings* in granting a Dimensional Variance:

- (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 hardship from which the Applicant seeks relief is due to the unique characteristics of the subject land or structure and not due to the general characteristics of the surrounding area. There is no evidence of physical or economic disability of the applicant. The structure was built before the Applicant had received the property.

- (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 hardship is not a result of actions by the Applicant. There is no evidence that the applicant’s hardship is the result from the desire to realize greater financial gain. As stated previously, the multi-family structure was built before the Applicant received the property.

- (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 dimensional variance, if approved, will preserve the existing “Garfield Park” that is located within the Commercial District. The multi-family home will not alter the general characteristics of the surrounding area as the surrounding homes are multi-family. The approval is in harmony with the general intent of the Zoning Ordinance per Section 100 regarding (F) “Provide for the preservation and promotion of open space” and (L) “Provide for coordination of land uses with contiguous municipalities, other municipalities, the state, and other agencies”

The bullet points below shows how this project is in support of the City’s Comprehensive Plan:

- State Goal 3, “To promote a balance of housing choices, for all income levels and age groups, which recognizes the affordability of housing as the responsibility of each municipality and the State. The approval of this variance will allow for a multi-family home to be in conformance with the zoning code.
- State Goal 5, “To promote the preservation of the open space and recreational resources of each municipality in the state”
- State Goal 6, “To encourage the use of innovative development regulations and techniques that promote the development regulations and techniques that promote the development of land suitable for development while protecting our natural, cultural, historical and recreational resources and achieving a balanced pattern of land uses.”

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

This is the least amount of relief necessary.

In addition, the Board shall require that evidence [be] entered into the record... showing that:

*(1) In granting a dimensional variance, that the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted shall amount to more than a mere inconvenience, which shall mean that there is no other reasonable alternative to enjoy a legally permitted beneficial use of one's property.*

If not granted, this would amount to more than a mere inconvenience.

***Recommendation***

Based on the above discussion, staff believes that all standards have been met and recommends that the Dimensional Variances be granted.

CONCLUSIONS IN A DECISION TO APPROVE AN APPLICATION TO THE ZONING BOARD OF REVIEW FOR A DIMENSIONAL VARIANCE

Upon a motion made by Mr. Kevin Kazarian and seconded by Ms. Ann Peckham,

After due consideration of the Application and the entire record presented to the City of Central Falls Zoning Board of Review, the Board makes the following decision:

To approve a a Dimensional Variance from Section 401 of the Zoning Ordinance for

- (1) minimum lot area from 5,000 sq. ft. to 2,769 sq. ft.
- (2) front yard from 18 ft. to 0 ft.,
- (3) rear yard from 20 ft. to 11.3 ft., and
- (4) off-street parking requirements from 6 parking spaces per lot to 0.

*Votes In favor*

*Votes against*

Chairman Kevin Marchand  
Vice-Chair Kevin Kazarian  
Ms. Ann Peckham  
Mr. Gary Berdugo

-None-

SO ORDERED

*Kevin Marchand*

Kevin Marchand, Chairman

*30 July 2018*

Date

