

CITY PLANNING DEPARTMENT



Memorandum **-REVISED 2.4.25**

To: Cranston City Plan Commission
From: Grace Brownell – Planner Technician
Date: January 29, 2025
Re: 27 Hemlock Avenue Assessors Plat 5, Lots 6, 2088, 2089, 2090, & 2091

Owner/App: Cobble Hill Development, LLC
Location: 27 Hemlock Avenue
Zoning: A-6 (Single-family dwellings on 6,000 ft² minimum lots)
FLU: Single-Family Residential 7.26 to 3.64 Units Per Acre

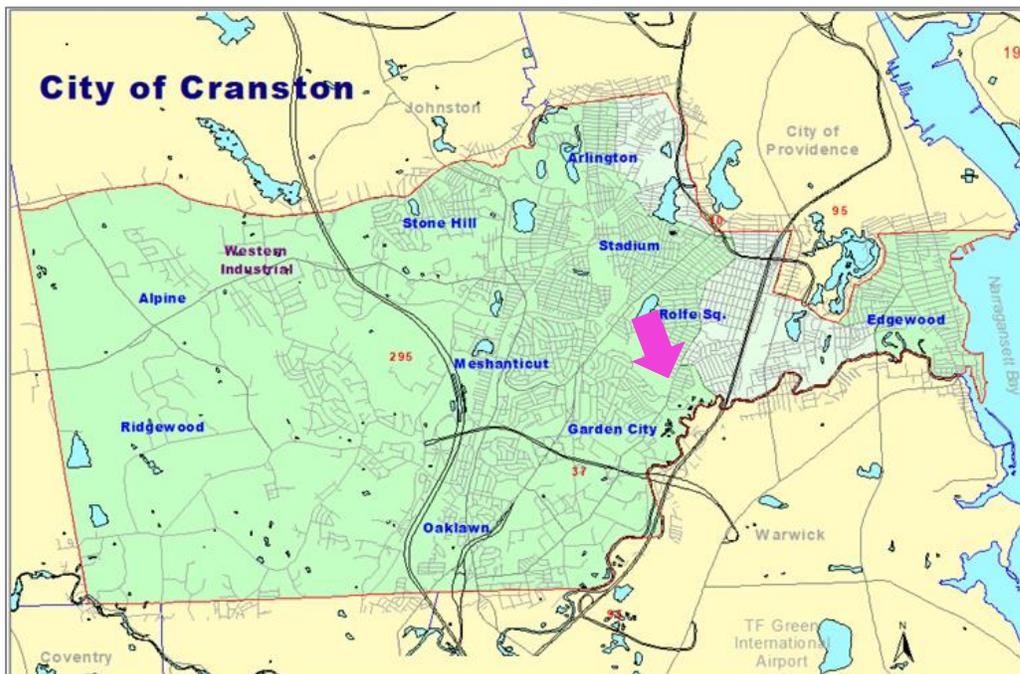
Subject Property:

The subject property is located at 27 Hemlock Avenue, identified as Plat 5, Lots 6, 2088, 2089, 2090, and 2091 with a combined land area of $\pm .444$ acres, ($\pm 19,319$ sq. ft.)

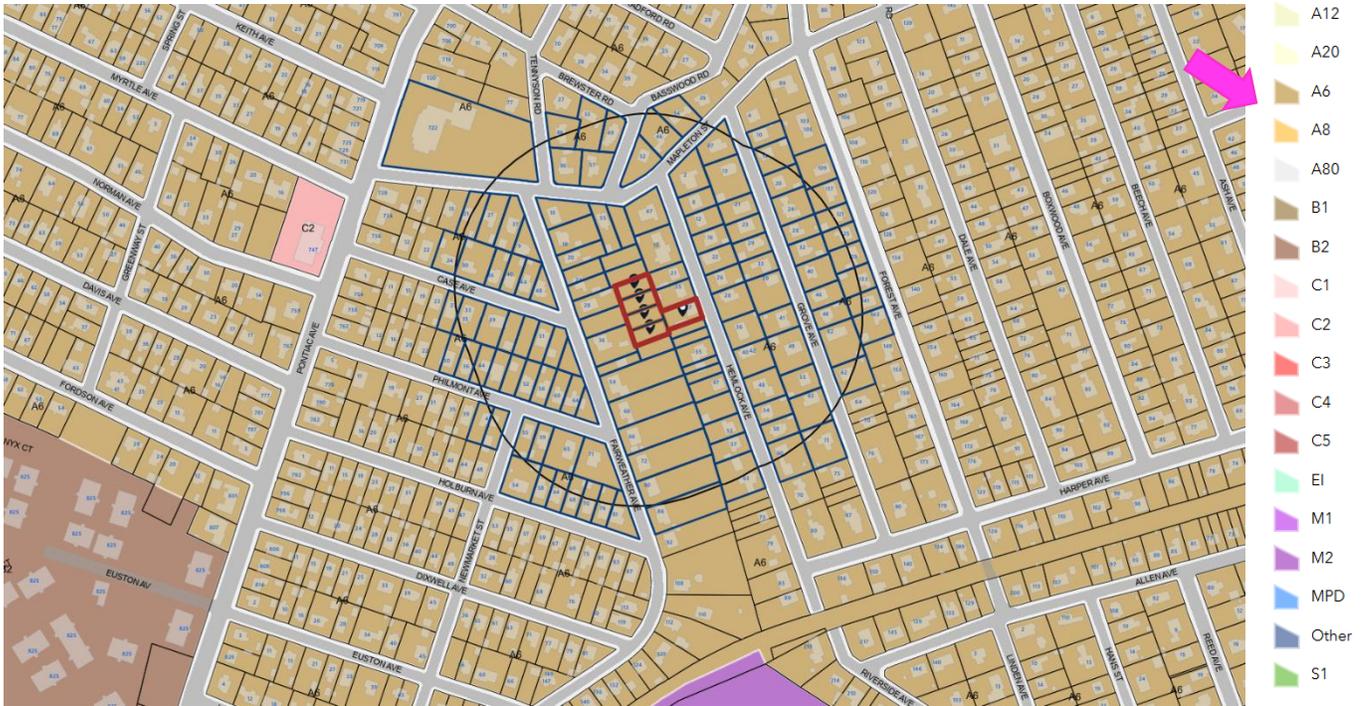
Request:

To secure relief for the location of the existing residential structure, to establish zoning compliance in relation to lot frontage, front, and side setback relief per Section 17.92.010- Variances; Section 17.20.120 Schedule of Intensity; Section 17.60.010 Accessory Uses. This request includes the variances for the pre-existing non-conforming setbacks as well as for the new frontage and accessory structure setback resulting from the lot mergers.

LOCATION MAP



ZONING MAP



FUTURE LAND USE MAP



AERIAL VIEW



Figure 1: The Five Subject Lots under this application: Lots 6, 2088, 2089, 2090, & 2091

The five lots are held in common ownership, and are under 4,000ft.² in area. Therefore the five lots are considered merged for zoning purposes, per Chapter 17.88, Section 17.88.010- Substandard Lots of Record and Lot Mergers. B.:

- 1. If two or more contiguous substandard lots of record are owned by the same person or entity as of January 1, 1966, or if one of any two abutting lots under common ownership by the same person or entity as of the same date is less than four thousand (4,000) square feet, such lots shall be considered to be combined to form conforming lots, unless the lot meets the exemption as outlined in subsection (3) below.*
- 2. In the event that there are multiple contiguous substandard lots of record with more than one way the lots could be merged, upon request of a zoning certificate, the zoning official shall determine which lots are merged. The determination shall be based upon factors including but not limited to the existing improvements on site, natural conditions, and/or the sum of the area and frontage of the substandard lots (those lots whose sum is closest to the minimum required in the underlying zoning district would be combined before lots with larger sums, all other conditions being equal).*
- 3. Lots having an area equal to or greater than the average of fifty percent (50%) parcels within two hundred (200) feet of the lot need not be so combined, as confirmed by the Zoning Enforcement Officer. Substandard lots of record that are merged shall be considered merged for the purposes of calculation of this provision. Non-buildable lots of record and lots with zoning designations other than the subject lot shall not be included in the calculation. Side corner lots and double frontage lots may qualify for this exemption by measuring from any of its available frontages, so long as that frontage becomes the primary front for the subsequent development of the lot.*

March 2024 Aerial view of the eight lots in common ownership showing easement



Drainage Easement:
 Total Area of Eight Lots: ±0.63 acres, (27,843 ft.²)

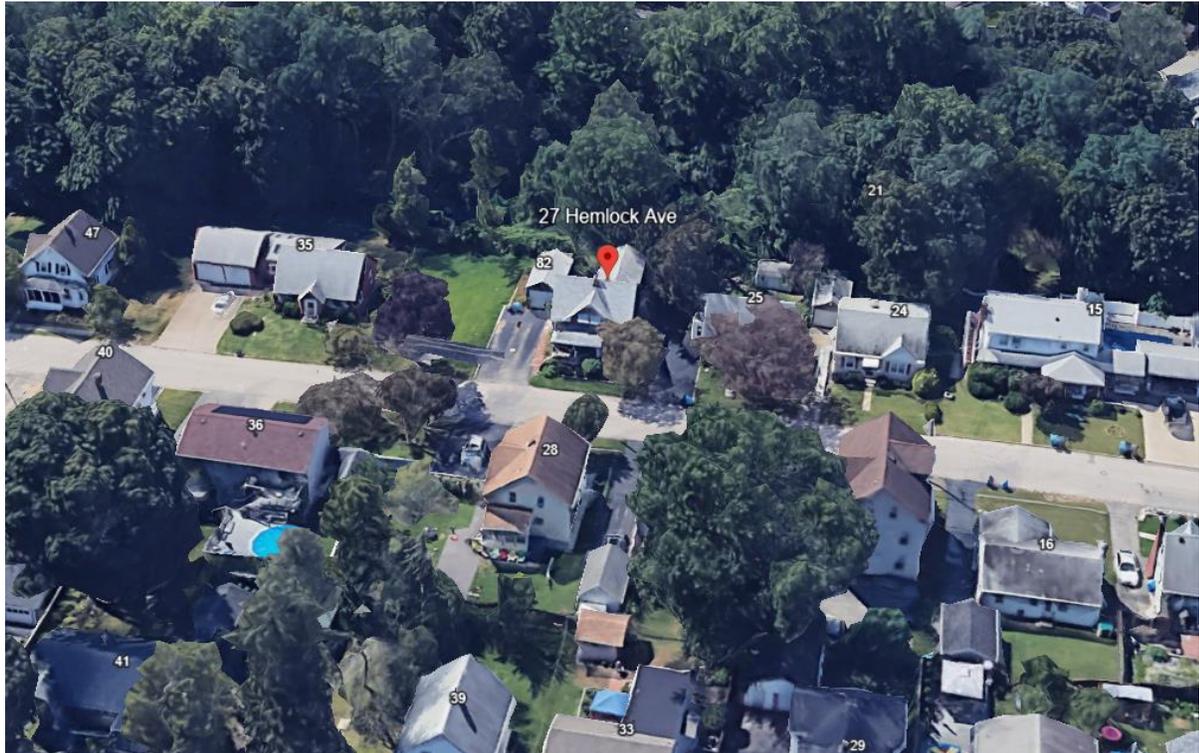
Wider area view highlighting the eight lots in common ownership.



Figure 2-3: Eight lots held in common ownership by Cobble Hill Development, LLC: Lots 6, 2088, 2089, 2090, & 2091

In addition to the three subject lots for this application, Cobble Hill Development, LLC additionally owns Lots 6, 2091, 2090, 2089, and 2088. The applicant has submitted a separate application for zoning variances regarding those three merged lots. Due to being held in common ownership, all eight lots are considered merged for zoning purposes, per Chapter 17.88, Section 17.88.010- Substandard Lots of Record and Lot Mergers. B., as written above. The properties meet the requirements of Section 17.88.010 B (3) to remain as 2 separate buildable lots.

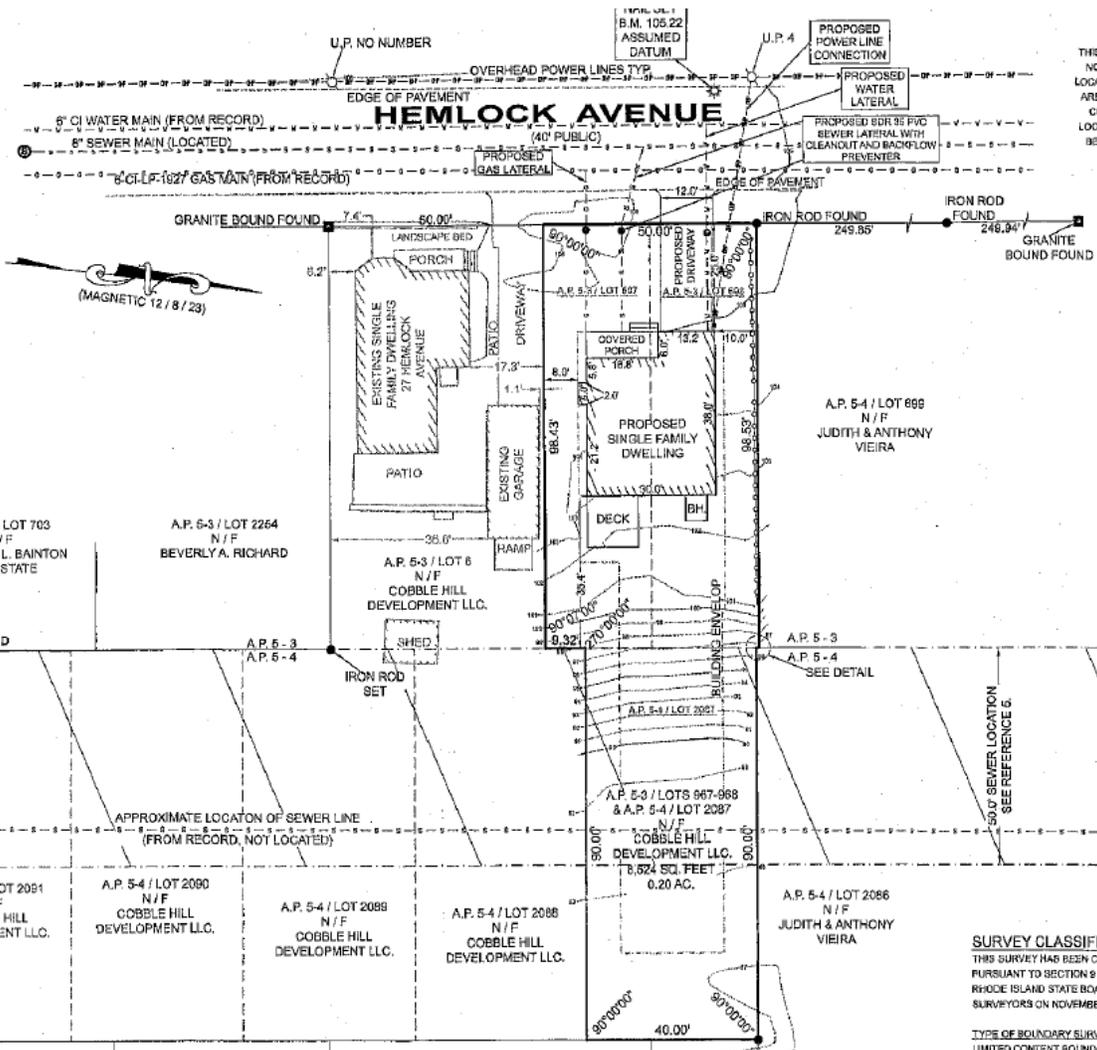
3-D AERIAL VIEW



STREET VIEW



SITE PLAN



THIS PLAN DOES NOT GUARANTEE THE EXISTENCE OR NON-EXISTENCE OF UNDERGROUND UTILITIES. THE LOCATION OF EXISTING UTILITIES SHOWN ON THIS PLAN ARE APPROXIMATE AND MAY NOT BE ACCURATE. THE CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY "DIGSAFE" AT 1-888-344-7233.

SURVEY CLASSIFICATION:
 THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO SECTION 9 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON NOVEMBER 25, 2015, AS FOLLOWS:

TYPE OF BOUNDARY SURVEY:	MEASUREMENT SPECIFICATION:
LIMITED CONTENT BOUNDARY SURVEY	CLASS I
DATA ACCUMULATION SURVEY	CLASS III

THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THE PLAN IS AS FOLLOWS:
 TO ESTABLISH AND STAKE RECORD BOUNDARY LINES, AND PREPARE A PROPOSED SITE PLAN FOLLOWS:

BY: *[Signature]* DATE: *Oct 2, 2021*
 RICHARD T. SZDYMA, P.L.S. LICENSE #1780; COA # LS-450
 THE FOLLOWING TYPES OF EVIDENCE WERE USED TO CONSTRUCT THIS SURVEY: RECORDED FOUND MONUMENTS IF ANY, NON-RECORDED MONUMENTS, LINES OF POSSESSION, AND OTHER EVIDENCE RELATIVE TO THE DEED OR PLAT. THE BOUNDARY SOLUTION IS THE COMPILATION OF INFORMATION TO DETERMINE THE MOST PROBABLE LOCATION OF THE SURVEYED PARCEL.

FINDINGS OF FACT

- The applicant seeks relief, that if granted will establish zoning conformance for the existing home and accessory garage structure, namely:
- 17.20.120- Variances; 17.20.120 Schedule of Intensity
 - *Frontage/Width requirements:*
 - *Required: 60 ft.*
 - *Proposed: 50 ft.*
 - *Relief Requested: 10 ft.*
 - *Front Setback requirements:*
 - *Required: 25 ft.*
 - *Proposed: 7.4 ft. (pre-existing non-conforming)*
 - *Relief Requested: 17.60 ft.*
 - *Side Setback requirements:*
 - *Required: 8 ft.*
 - *Proposed: 6.2 ft. (pre-existing non-conforming)*
 - *Relief Requested: 1.80 ft.*
- *Relief from 17.60.010 Accessory Uses*
 - *Side setback requirements:*
 - *Required: 5 ft.*
 - *Proposed: 1.1 ft.*
 - *Relief Requested: 3.9 ft.*
- An informal review of GIS suggests the existing single-family home is $\pm 1,075.02 \text{ ft.}^2$ and the existing accessory garage is $\pm 448.70 \text{ ft.}^2$. The applicant did not submit a neighborhood analysis as part of the application to compare the subject parcel's size and density with that of other parcels within a 400-foot radius. Staff notes that an informal review of the surroundings via GIS suggests that roughly 58% of the lots within the 400-foot radius have non-conforming frontage and front setbacks in addition to there being several homes with side setback non-conformities.
- The Future Land Use Map (FLUM) designates the subject parcel as Single-Family Residential 7.26 to 3.64 units per acre.
 - Per the Comprehensive Plan, A-6 is an appropriate zoning classification for single-family residential land designation.
 - The existing density within the subject property is 2.25 units per acre which is within the FLUM's prescribed density.
- The Comprehensive Plan outlines goals, policies, and action items pertaining to Residential Land Use.
 - Housing Goal 4: Promote housing opportunity for a wide range of household types and income levels.
 - Housing Policy H-6: Maintain a varied housing stock, with units of different age, size, and type that are affordable to a wide range of incomes.
 - Housing Action H-7: Review zoning in existing residential neighborhoods to ensure the zoning matches, as closely as possible, what has already been built. Revise in terms of dimensions and unit types unless constraints or specific needs determine otherwise.

STAFF ANALYSIS

According to the ordinance on the merger of substandard lots, the owner's eight lots are combined and split into two lots, pending confirmation by the Zoning Enforcement Officer. Staff finds that granting relief for the subject property would be consistent with the City's interest in supporting neighborhood housing needs and it would not alter the character of the neighborhood, as the home is an existing and legal non-conforming home.

RECOMMENDATION

In accordance with RIGL L § 45-24-41(b) and Section 17.92.010 of the Zoning Ordinance, Staff finds this Application is generally consistent with the Comprehensive Plan and that it does not alter the character of the neighborhood. Staff therefore recommends the Plan Commission forward a **POSITIVE RECCOMENDATION** on the application to the Zoning Board of Review.

Respectfully Submitted,



Grace Brownell,

Planner Technician \ Administrative Officer

Cc: City Planning Director File