

TOWN OF COVENTRY

ORDINANCE OF THE TOWN COUNCIL

IN AMENDMENT OF CHAPTER 255 OF THE CODE OF ORDINANCES OF THE TOWN OF COVENTRY, ENTITLED "Zoning"

Ordinance No. 2024-X

Passed:

Hillary V. Lima, Council President

Approved:

Daniel O. Parrillo, Town Manager

It is Ordained by the Town of Coventry Town Council as follows:

Note: Words set as ~~strikeover~~ are to be deleted from the ordinance; words set in **bold/underline** are to be added to the ordinance.

Chapter 255-870. Single nonconforming lots of record.

- A. ~~A lot or parcel of land having a lot width or area which is less than required by Article VI may be considered buildable for single family residential purposes regardless of the lot width or area, provided such lot or parcel of land was duly recorded prior to the effective date of this chapter, and further provided that at the time of the recording said lot or parcel of land so created conformed in all respects to the minimum requirements of the Zoning Ordinance in effect at the time of such recording, and did not adjoin other land of the same owner on the effective date of this chapter or at any time after such lot or parcel of land was rendered substandard by the provisions of any prior Zoning Ordinance. Any lot meeting the requirements of a single nonconforming lot of record for single family purposes shall be governed by the requirements of § 255-890 for determination of setbacks for principal structures.~~ **Notwithstanding the failure of a single substandard lot of record or contiguous lots of record to meet the dimensional and /or quantitative requirements of this zoning ordinance, and/or road frontage or other access requirements applicable to the district as stated in the ordinance, a substandard lot of record shall not be required to seek any zoning relief based solely on the failure to meet minimum lot size requirements of the district in which such lot is located. For any structure proposed under this section on a substandard lot of record, the following dimensional regulations shall apply:**

- 40 (1) Minimum building setbacks, lot frontage and lot width requirements for a lot  
 41 which is nonconforming in area shall be reduced by applying the building setback,  
 42 lot frontage and lot width requirements from another zoning district in the  
 43 municipality in which the subject lot would be conforming as to lot area. If the  
 44 subject lot is not conforming as to lot area in any zoning district in the  
 45 municipality, the setbacks, lot frontage and lot width shall be reduced by the same  
 46 proportion that the area of such substandard lot meets the minimum lot area of  
 47 the district in which the lot is located. By way of example, if the lot area of a  
 48 substandard lot only meets forty percent (40%) of the minimum lot area required  
 49 in the district in which it is located, the setbacks, frontage and width shall each be  
 50 reduced to forty percent (40%) of the requirements for those dimensional  
 51 standards in the same district.
- 52 (2) Maximum lot building coverage for lots that are nonconforming in area shall be  
 53 increased by the inverse proportion that the area of such substandard lot meets  
 54 the minimum area requirements in the district in which the lot is located. By way  
 55 of example, if the lot area of a substandard lot only meets forty percent (40%) of  
 56 the required minimum lot area, the maximum lot building coverage is allowed to  
 57 increase by sixty percent (60%) over the maximum permitted lot building  
 58 coverage in that district.
- 59 (3) All proposals exceeding such reduced requirement shall proceed with a  
 60 modification request under § 45-24-46 or a dimensional variance request under §  
 61 45-24-41, whichever is applicable.

62 ~~B. Nothing in this section shall be construed as exempting single nonconforming lots of~~  
 63 ~~record from complying with the maximum percentage of lot coverage of principal and~~  
 64 ~~accessory buildings, maximum building height and accessory building setback~~  
 65 ~~requirements, as required by § 255-600.~~

66 **Chapter 255-880. Adjacent nonconforming lots of record under same ownership.**

- 67 A. ~~Generally. If two or more adjacent nonconforming lots of record or parcels of land are~~  
 68 ~~under the same ownership on the effective date of this chapter, such lots shall be considered~~  
 69 ~~to be an undivided parcel of land for the purpose of this chapter, and no single lot or portion~~  
 70 ~~thereof shall be used in violation of the requirements of § 255-600 as to lot width and area.~~  
 71 ~~If the total lot width or lot area of such adjacent merged lots of record is less than required~~  
 72 ~~by § 255-600, such lots may be considered as a single nonconforming lot of record for~~  
 73 ~~single family residential purposes and shall be governed by the provisions of § 255-870~~  
 74 The merger of lots shall not be required when the substandard lot of record has an  
 75 area equal to or greater than the area of fifty percent (50%) of the lots within two  
 76 hundred feet (200 ft) of the subject lot, as confirmed by the zoning enforcement  
 77 officer, as may be supported through the submission of a Compilation Survey of the  
 78 property prepared by a Rhode Island Registered Professional Land Surveyor,  
 79 submitted by the property owner.
- 80 B. Adjacent nonconforming lots of record under common ownership in Rural Residential  
 81 Zone; exemption from merger provision. Two or more adjacent nonconforming lots of  
 82 record or parcels of land under the same ownership on the effective date of this subsection,  
 83 June 26, 2000, in an RR-2, RR-3, or RR-5 Zone shall not be merged for the purpose of this

84 chapter pursuant to § 255-880A, provided that the adjacent nonconforming lots of record  
85 or parcels of land conformed to the minimum two-acre dimensional requirements in effect  
86 after May 4, 1981, and provided that they were lawfully created and recorded.

87 C. Nothing in this section shall be construed as exempting such adjacent nonconforming lots  
88 of record from complying with the maximum percentage of lot coverage of principal and  
89 accessory buildings, maximum building height and accessory building setback  
90 requirements, as required in § 255-600 for the zoning district in which such lot is located.  
91 Any lots meeting those requirements shall be considered as a conforming lot of record for  
92 single-family residential purposes.

93 ~~§ 255-890. Nonconforming lots of record, building setback requirements in residential~~  
94 ~~zones.~~

95 ~~Table 8-1~~

96 ~~Minimum Depth of Lot (feet)~~

97 ~~Minimum Front Yard Setback (feet)~~

98 ~~Minimum Rear Yard Setback (feet)~~

99 ~~RR5 RR3, RR2 R20 RR5 RR3, RR2 R20~~

100 ~~Up to 125 25 25 25 30 30 30~~

101 ~~126 to 150 35 35 35 40 40 40~~

102 ~~151 to 175 40 40 35 50 50 40~~

103 ~~176 to 200 40 40 35 90 70 40~~

104 ~~201 to 275 45 45 35 90 90 40~~

105 ~~276 to 300 45 45 35 90 90 40~~

106 ~~301 and up 45 45 35 90 90 40~~

107 ~~Table 8-2~~

108 ~~Lot Width Measured at Building Setback Line Not Less Than (feet)~~

109 ~~Minimum Side Yard for: RR5, RR3, RR2, R20 (feet)~~

110 ~~50-10~~

111 ~~60-11~~

112 ~~70-12~~

113 ~~80-13~~

114 ~~90-14~~

115 ~~100-15~~

116 ~~120-20~~

117 ~~130-22~~

118 ~~140-26~~

- 119 ~~150-30~~
- 120 ~~160-35~~
- 121 ~~170-40~~
- 122 ~~180-45~~
- 123 ~~190-50~~
- 124 ~~200+-50~~