



TOWN OF COVENTRY
DEPARTMENT OF PLANNING AND DEVELOPMENT
STAFF REPORT

Dimensional Variance	
Owner/Applicant:	Robert Gillman
Address:	6 Circlewood Drive
Plat / Lot/ Zone:	AP 18 Lot 78 Zone R-20 (Residential)
Existing Use:	Single-Family Dwelling with Recreational Vehicle (RV)
Proposed Use:	Single-Family Dwelling with Recreational Vehicle (RV)
Purpose of Application:	Applicant proposes two Dimensional Variances to allow an existing recreation vehicle (RV) to exceed the maximum height requirements and for the RV to be parked in the front yard.

Background

This application comes before the Zoning Board of Review as a Dimensional Variance Application. The subject property is located at 6 Circlewood Drive, Coventry, RI and designated as AP 18, Lot 78.

Proposed Conditions

The applicant proposes to park an existing RV that exceeds the maximum allowable height of 10 ft in a residential zone. The applicant is seeking 2 ft, 6 in of relief from the maximum allowable height. The applicant also proposes to park a portion of the RV in the front yard. The RV is currently parked in the side yard. Parking a portion of the RV in the front yard would require a Dimensional Variance.

Zoning

The zoning designation for the property is R-20 (Residential). The applicable zoning code that relates to this proposal is Zoning Code § 255-1220, which states that major recreation equipment shall not exceed 10' in height and must be placed in the rear yard if possible.

Dimensional Variance Findings: Maximum Height

Staff has conducted an orderly review of this Dimensional Variance application for consistency with the required standards set forth in RIGL Section 45-24-41, as follows (*state law in italics*):

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 the general characteristics*

of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in RIGL §45-24-30(a)(16);

FINDING: The applicant provided the following statements regarding the above hardship standard: Due to the unique characteristics of our landscaping the current zoning restriction forced me to have to move my RV to the rear of my yard causing me to run over multiple electrical and water lines and ruin 40 feet of beautifully landscaped lawn. It would also require me to remove more of my picket fence so my landscaper can maintain my backyard.

2. *That the hardship is not the result of any prior action of the applicant;*

FINDING: The applicant provided the following statements regarding the above hardship standard: The hardship is not the result of a prior action of the applicant; rather it seems to stem from a neighbor complaint to the zoning department. Where the RV is parked it does not affect anyone view or diminish anyone's property. The intent is to make it so we can keep our RV. Safely stored on our property with the height variance.

3. *That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based;*

FINDING: The applicant provided the following statements regarding the above hardship standard: Granting the variance for the height increase will not alter the general character of the surrounding area. The requested relief is minimal and necessary to store our RV on our property.

4. *In granting a dimensional variance, that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, meaning that relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted. The fact that a use may be more profitable or that a structure may be more valuable after the relief is granted is not grounds for relief.*

FINDING: The applicant provided the following statements regarding the above hardship standard: The hardship suffered if the variance is not granted makes it so two disabled veterans have to pay to store their RV off site where it can be vandalized. Also, the condition can deteriorate. It will be an inconvenience to get ready for family trips. The relief being sought is minimal as boats have a height requirement of 15 feet. If there is a height requirement it should be the same across the board. Our direct neighbor at 4 Circlewood Drive is in direct view of the RV whereas the neighbor at 8 Circlewood Dr is not in direct view of the RV and it does not diminish their view from their property. 4 Circlewood Drive has no issues with where the RV is being parked. See attached letter from owners of 4 Circlewood Drive.

Dimensional Variance Findings: Parking in Front Yard

Staff has conducted an orderly review of this Dimensional Variance application for consistency with the required standards set forth in RIGL Section 45-24-41, as follows (*state law in italics*):

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 the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in RIGL §45-24-30(a)(16);*

FINDING: The applicant provided the following statements regarding the above hardship standard: I'm requesting a front yard variance for parking my RV as I can't put it in my backyard. I would need 24 feet in front of the edge of my house. Ordinance states RV over 10 feet needs to be in rear of house.

2. *That the hardship is not the result of any prior action of the applicant;*

FINDING: The applicant provided the following statements regarding the above hardship standard: I'm requesting a front yard variance for my RV. I Would need 24 feet past front edge of home as its been in my yard for 6 years. The neighbor that complained is not the neighbor that is in direct view of it. The neighbor that is directly near has submitted a letter. [...] She has zero issue with it. RV is insured, registered, inspected, and used every other weekend. Sometimes it will be parked further back sometimes not. Depends on yard maintenance/washing/maintenance/etc. 24 feet in front of house edge is max. Still have 100+ feet to road.

3. *That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based;*

FINDING: The applicant provided the following statements regarding the above hardship standard: The hardship is multiple things. 1. Being it's my \$200,000 RV and it shouldn't have to be stored off site where it can be ruined/batteries die/animals/theft/break-ins. 2. It's only a problem because my neighbor X Coventry cop doesn't like me because of my landscaper. 3. I can't get in my backyard. Waterline/electrical line. I already removed 8 feet of fence to try to help now it blocks my yard. 4. Me and my wife are disabled veterans and camp a lot put somewhere else it would be an expense. 5. It will ruin my lawn as well. 6. I can not open to get ready for camping squeezed in side yard fence.

4. *In granting a dimensional variance, that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, meaning that relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted. The fact that a*

use may be more profitable or that a structure may be more valuable after the relief is granted is not grounds for relief.

FINDING: The applicant provided the following statements regarding the above hardship standard:

Public Comment

Staff notes that verbal complaints regarding the RV were received from a direct abutter. A letter of support, referenced in the Dimensional Variance application, was also received from a direct abutter. It reads:

“To Whom It May Concern,

This letter serves as formal confirmation that we are the legal owners of 4 Circlewood Drive in Coventry, Rhode Island, located adjacent to 6 Circlewood Drive. We have no concerns or objections regarding the RV parked in the driveway at 6 Circlewood Drive. Our neighbors, Rob and Sheena, are consistently respectful, considerate, and helpful. They take great pride in maintaining a beautiful property, and their presence is a positive addition to our neighborhood. We fully support them and do not see any issue with the RV being parked on their property.

Best regards,

Shannon Mello
Matthew Silva”

Staff Analysis

Without benefit of hearing any comments or discussion at the pending Zoning Board of Review meeting, staff currently have no concerns with the Dimensional Variance requests in general.