



TOWN OF COVENTRY
DEPARTMENT OF PLANNING AND DEVELOPMENT
STAFF REPORT

Dimensional Variance	
Owner/Applicant:	Daniel McCrystal
Address:	2124 Harkney Hill Road
Plat / Lot/ Zone:	AP 311 Lot 65 Zone RR-5 (Rural Residential)
Existing Use:	Single-family dwelling
Proposed Use:	Single-family dwelling with detached garage
Purpose of Application:	Applicant proposes to build a detached accessory structure (garage) to an existing single-family house that will require a Dimensional Variance to be placed 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 2124 Harkney Hill Road, Coventry, RI and designated as AP 311, Lot 65.

Proposed Conditions

The applicant to build a detached accessory structure (garage) to an existing single-family house that will require a Dimensional Variance to be placed in the front yard, where side or rear yard placement is required.

Zoning

The zoning designation for the property is RR-5 (Rural Residential). Zoning Code § 255-920 mandates that detached accessory structures must be placed in the rear yard or in the side yard, if minimum side setbacks for the principal structure can be maintained.

Dimensional Variance Findings: Detached accessory structure in the 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: The location and configuration of the existing septic system and the property create a particular physical limitation on the placement of the proposed residential garage. Strict compliance with the applicable dimensional requirements would significantly limit the available area for the garage while also preserving reasonable access to the septic system for necessary inspection, maintenance and servicing.

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 applicant has not created or intentionally caused the condition for which relief is being requested. The proposed garage is intended to provide a reasonable accessory use to the existing residential dwelling, and the requested dimensional relief is necessary because of the existing circumstances of the property.

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 proposed garage is accessory to the existing residential use of the property and is consistent with the residential character and customary development pattern of the surrounding neighborhood. The proposed structure will be used for ordinary residential purposes and will not introduce a commercial, industrial, or other incompatible use to the area.

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 requested dimensional variance is necessary to allow reasonable enjoyment of the permitted residential use of the subject property. Due to the existing physical characteristics and configuration of the lot, strict compliance with the applicable dimensional requirements would make it impractical to locate a residential garage in a reasonable and functional manner while maintaining the existing permitted residential use.

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 request in general.