

**Application for a Dimensional Variance from the Zoning Code**

Rhode Island General Law §45-24-41 states that "An application for relief from the literal requirements of a zoning ordinance because of hardship may be made by any person, group, agency, or corporation by filing with the zoning enforcement officer or agency an application describing the request and supported by any data and evidence as may be required by the zoning board of review or by the terms of the ordinance."

There are four criteria that the Zoning Board of Review will take into consideration when reviewing an application for a Dimensional Variance. Please note that all four criteria must be answered. Failure to do so may result in an application being deemed incomplete.

§45-24-41(d)(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 § 45-24-30(a)(16)":

**Currently, the site is zoned as GB1 (General Business - 1 Acre) and has been used as a self-storage facility since 2008. The current property has six drive-up, self-storage buildings. It has a permitted use classification as a self-storage facility per a variance for use approved August 22, 1994.**

**The project proposes to construct a climate-controlled, self-storage facility at the Northwest portion of the site closest to Nooseneck Hill Road. The proposed self-storage facility will be a three-story building with approximately 75,088 GFA. Additional site improvements will be made to the entrance and surrounding impervious area to include parking and loading spaces. Stormwater management will be constructed as well to limit the project's impacts on water quality and quantity.**

**A dimensional variance is requested for the reduced loading spaces provided. As per the "Article XII Standards for Parking Lots and Loading Facilities code 255-1210" 8 loading spaces are required for the building of 75,088 Gross floor area. As per the coordination with planning board, the requirement of 8 loading spaces for the proposed development is highly excessive, therefore a dimensional variance is requested to reduce the proposed loading space to 1.**

§45-24-41(d)(2): “That the hardship is not the result of any prior action of the applicant”:

**The existing site is located at 1920 Nooseneck Hill Road, parcel number 0010-031.000. Currently, the site is zoned as GB1 (General Business - 1 Acre) and has been used as a self-storage facility since 2008. It has a permitted use classification as a self-storage facility per a variance for use approved August 22, 1994. The current property has six drive-up, self-storage buildings with one loading zone. Current users entire the site, drive to and park at their respective units. The proposed project will expand on the existing use of the site.**

§45-24-41(d)(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.”:

**Currently, the site is zoned as GB1 (General Business - 1 Acre) and has been used as a self-storage facility since 2008. It has a permitted use classification as a self-storage facility per a variance for use approved August 22, 1994. A Dimensional variance is requested to reduce the loading space to 1 space from the required 8 spaces. Since the existing site is already being used as a self-storage facility, the requested zoning variance would have minimal effect on the surrounding properties.**

§45-24-41(e)(2): “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.”

**Currently, the site has one loading zone for the six existing buildings containing 303 units. Current users entire the site, drive to and park at their respective units. As generally recognized, and per coordination with director of the Planning Department, Doug Mclean, mini-storage facilities do not generate high concentrations of demand in terms of both trips and loading space demands. Providing 8 specific loading spaces based on the currently available Town Zoning Bylaws would be highly excessive and not consistent with this type of use. Once completed the project is anticipated to have one (1) employee per on site shift, therefore there will be three (3) parking spaces available for the customer’s use. Customers could utilize the**

proposed parking spaces for loading and unloading in addition to the designated 60 foot long loading zone. This would result in four (4) spaces in total available for customer use to load and unload. While lower than seven, our information indicates that the four spaces will be more than adequate to meet the needs. As a result, it has been determined that the proposed four (4) parking spaces and one (1) loading zone will adequately meet the needs for the proposed use based on employees and storage units occupied.