

# RECOMMENDATION TO THE ZONING BOARD OF REVIEW

FEBRUARY 8, 2023

*Application Type*

Use and Dimensional Variance

*Neighborhood*

College Hill

*Applicant*

Brown University, Owner

*Parcel*

AP 16 Lot 534

*Address*

126 Power Street

*Parcel Size*

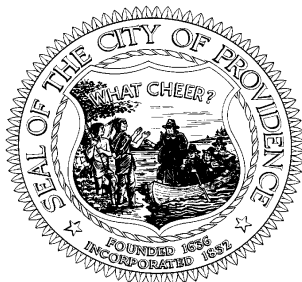
± 4,993 SF

*Zoning District*

R-1; Historic District Overlay

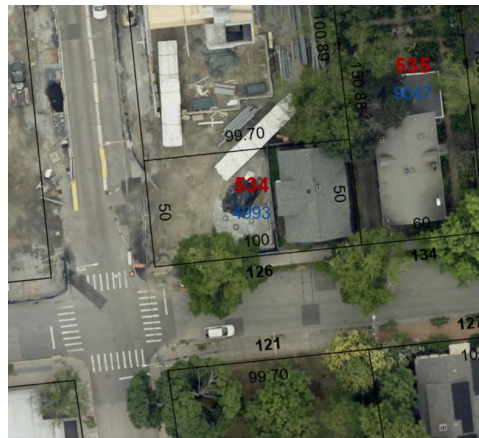
*Variance Requested*

1. Use variance for expansion of nonconforming use
2. Maximum building coverage, front yard impervious coverage, total impervious coverage, minimum corner side setback and rear setback
3. Number of principal buildings on a lot



Updated: February 6, 2023

## 126 POWER STREET



Location Map



View from Power Street

### SUMMARY

#### Project Description

The applicant is seeking relief from Section 2001.B., for the expansion of an existing nonconforming use to another structure on the lot; Table 4-1, for maximum building coverage, maximum front yard impervious coverage, maximum total impervious coverage, minimum corner side setback, and minimum rear setback; and Section 1300.A. for number of principal buildings on a lot. The applicant proposes to convert the existing nonconforming two-family dwelling to a single-family dwelling and to build a second single family dwelling on the lot.

#### Discussion

To grant a use variance, the board must find that that the subject land or structure cannot yield any beneficial use if it is to conform to the provisions of the Zoning Ordinance. It not apparent that the

applicant suffers such a hardship as there is already a beneficial use on the site.

The Department isn't adverse to adding more housing on this property. However, the mechanism should not be through a variance. A zoning change to include the lot in the institutional zone could be one approach. Alternatively, the Department is exploring approaches to allow for accessory dwelling units in detached structures in residential zones. This site may be a good candidate under such a regulatory scheme.

#### Recommendation

Based on the foregoing discussion, the DPD recommends that the requested relief be denied.