

LIST OF VARIANCES/WAIVERS REQUESTED
APPLICATION FOR COMPREHENSIVE PERMIT
TOWN OF MIDDLETOWN – 650 GREEN END AVENUE
(PLAT 120, LOTS 27 & 27X)

List of variances/waivers requested from zoning ordinance and/or other local regulations:
(Specify each exception with precise reference to section of applicable regulation, attach additional sheets if necessary)

650 Green End Avenue (TAP: 120-27 & 27X) is located within Middletown’s Public Zoning District (“P”).¹ Pursuant to § 1701 of the Zoning Ordinance and R.I.G.L. § 45-53-4, the Applicant hereby identifies the specific sections and provisions of applicable local ordinance and regulations from which the applicant seeks relief:

1. The Application requires relief from § 602 of the Zoning Code (“Schedule of District Regulations – Uses and Districts”). Mixed-use developments are not a permitted use in the P Zoning District. As such, a use variance is required. The Applicant proposes a mixed-use development, having twenty-two (22) affordable housing units designated for senior use (55+) located in a new structure which will be constructed in place of the existing brick building. The existing Middletown Senior Center and gymnasium will remain.
2. The Application requires relief from § 1304 of the Zoning Code (“Minimum and Maximum Off-Street Parking Requirements”). § 1304 provides formulas setting forth the number of parking spaces required for any proposed use. Pursuant to those formulas, the proposed mix of uses for this proposed development requires seventy-eight (86) parking spaces.² The Applicant proposes providing seventy-two (72) parking spaces. The Applicant therefore requires relief in the amount of seventeen (14) parking spaces.
3. The Application requires relief from § 1301(C) of the Zoning Code (“Site Improvements”). § 1301(C) mandates that off-street parking or loading areas abutting residential uses and/or district require a landscaped buffer strip of not less than 20’ in width. The Applicant proposes parking along the western and southern lot lines, abutting the R-40 district, and does not have room to install the required landscaped buffer. As such, relief is required from this section.
4. The Application requires relief from § 1507(A) of the Zoning Code (“Off-Street Parking”). § 1507(A) mandates that no off-street parking area shall be located within twenty-five (25) feet to any lot line in a multifamily dwelling project, or closer than ten (10) feet to any lot line for a multifamily dwelling structure. The proposed parking area on the western lot line is located 2.7’ from the property line. As such, 23.3’ feet of relief

¹ Because the property is located in the P district, under § 602 of the Zoning Code, no general dimensional regulations apply to this property.

² A detailed breakdown of the formulas used to calculate the required parking for the project is provided on the Sheet C-5 of the Applicant’s Master Plan submission, submitted herewith.

is required for this parking area. Additionally, the proposed parking area on the southern lot line by the new traffic circle is located 11.2' from the property line. As such, 13.8' of relief is required for this parking area. The existing parking on the southern lot line by the baseball field is located on the property line. As such, 25' of relief is required for this parking area.

5. The Application requires a variance from § 1507(B) of the Zoning Code (“Off-Street Parking”). § 1507(B) mandates that no off-street parking area shall be located within twenty-five (25) feet of any wall of a principal building used for residential purposes along which is located an entrance or exit generally intended for use by residences thereof or along which are located windows serving habitable rooms less than ten feet above the ground. Under the proposed plans, the proposed residential building is located 14.9' from parking areas along its western façade and 6.5' from parking areas along its eastern façade. As such, 15.1' of relief is required and 18.5' of relief is required respectively.
6. The Application requires a variance from § 1507(B) of the Zoning Code (“Off-Street Parking”). § 1507(C) mandates that no rows or parking spaces shall exceed 100' without a landscape separation of at least 10' in width. The existing parking along the southern lot line is 207' long. This is an existing condition, but the Application requires relief in this respect as well.
7. The Application requires a variance from § 1508(A) of the Zoning Code (“Building Design and Location”). § 1508(A) mandates that in multifamily dwelling projects, principal buildings shall be separated from any other principal building by a minimum of fifty (50) feet. The distance between the existing proposed residential building and the existing gymnasium is 16.8'. As such, 33.2' of relief is required under this section.
8. The Application requires variances from § 27A07(E)(1) and (E)(2). § 27A07(E)(1) mandates that no new principal building shall be located within 100' of an existing residential building on abutting property or 50' of a residentially zoned lot. § 27A07(E)(2) mandates that the area within the required setbacks shall be devoted to a landscaped or natural buffer zone. Although the new structure meets these setbacks, the setback area is not proposed to be landscaped or natural buffer and therefore relief is required.