

CITY OF PROVIDENCE

PUBLIC NOTICE

ZONING BOARD OF REVIEW

190 DYER STREET

PROVIDENCE, RHODE ISLAND 02903

AUGUST 8, 2006

Notice is hereby given that the Zoning Board of Review will be in session in the Probate Court Room, fifth floor City Hall, Tuesday, August 22, 2006, at 5:00 and 6:30 P.M. when all persons interested will be heard for or against the granting of the following applications for variances and special use permits under Section 902 of the Zoning Ordinance:

5:00 P.M.

COURTNEY & LYNN McCracken: 109-111 Elmgrove Avenue (corner University Ave.), Lot 206 on the Tax Assessor's Plat 39 located in a Residential Two-Family Zone; to be relieved from Sections 202.4, 304 and 403(E) in the proposed construction of a 8'11" x 13'6" second floor deck that would attach the main structure to the existing garage.

The applicant is requesting a dimensional variance and seeks relief

from regulations governing addition & enlargement of a structure that is legal nonconforming by use (two-family dwelling in a single-family district), the side & rear yard setbacks and lot coverage. The lot in question contains approximately 4,000 square feet of land area.

BERNARD KOTLIER & STEPHANIE CROCE, OWNERS AND PROVIDENCE BYBLOS, LLC, APPLICANT: 235 Meeting Street (corner Thayer St.), Lot 45 on the Tax Assessor's Plat 13 located in a General Commercial C-2 Zone; to be relieved from Sections 303-use code 57.1 and 703.2. The applicant is requesting a special use permit in order to expand the existing restaurant into the second floor of the building. The applicant further requests a dimensional variance related to the parking requirement, whereby the seating capacity would be increased an additional 28 seats requiring 7 additional parking spaces. The lot in question contains approximately 2,045 square feet of land area.

MICHAEL S. MARINO, OWNER AND ORSON & BRUSINI, LTD, APPLICANT: 325 Angell Street, Lot 214 on the Tax Assessor's Plat 13 located in a Residential Professional R-P Zone; to be relieved from Sections 422.3(A), 422.3(B), 703.2 and 705 pursuant to Section 200. The Providence City Plan Commission granted a waiver related to the aforementioned regulations to change the use of the existing structure from a single-family dwelling to a professional office building. The applicant is requesting a dimensional variance related to the parking requirement, whereby the

new office space requires 7 on-site parking spaces, 2 spaces would be provided. The lot in question contains approximately 3,840 square feet of land area.

JEROME T. JIVOIN, JR. & JOHN HOGUE: 170-172 Fourth Street, Lot 103 on the Tax Assessor's Plat 73 located in a Residential R-2 Two-Family Zone; to be relieved from Section 704.2 pursuant to Section 200 in the proposed construction a of second driveway at the southerly side of this existing three-family dwelling that would provide for 2 parking spaces. The applicants are requesting a dimensional variance related to regulations restricting the number of driveways to one per street frontage. The lot in question contains approximately 5,150 square feet of land area.

DOM'S REALTY, LLC: 11 Home Avenue, Lots 213 & 214 on the Tax Assessor's Plat 84 located in a Residential R-2 Two-Family Zone; to be relieved from Sections 204.2 and 304 in the proposed construction of a 24' x 40' single-family dwelling on the above-described premises.

As per section 204.2 of the Zoning Ordinance, if two or more contiguous lawfully established substandard lots of record, where one or more of the lots are less than 4,000 square feet in area and are under the same ownership on or anytime after October 24, 1991, such

lots shall be considered to be one lot and undivided for the purpose of the Ordinance. Lot 213 is substandard in size and was previously recorded under the same ownership as a contiguous lot. The applicant is requesting a dimensional variance in order to construct the new one-family dwelling and seeks relief from regulations governing undersized lots. The lot in question contains approximately 3,275 square feet of land area.

PETER & GOLANDA CERCE: 28 & 30-32 Grosvenor Avenue, Lots 73 & 75 on the Tax Assessor's Plat 84 located in a Residential R-2 Two-Family Zone; to be relieved from Section 204.2 in the proposed construction of a 24' x 42' single-family dwelling on lot 74 (28 Grosvenor Ave.). The existing three-family dwelling on lot 73 (30-32 Grosvenor Ave.) will remain unchanged. Both lots each contain 3,200 square feet of land area. As per Section 204.2 of the Zoning Ordinance, if two or more contiguous lawfully established substandard lots of record, where one or more of the lots are less than 4,000 square feet and are under the same ownership on or anytime after October 24, 1991, such lots shall be considered one lot and undivided for the purpose of the Ordinance. In this instance, both lots are substandard in size and are recorded under the same ownership. The applicant is requesting a dimensional variance in order to retain the lots separately and construct a one-family dwelling on lot 74.

OLUSEYI OLUWATOYIN OGUNDIPE: 12 & 16 Westcott Street, Lots

759, 731 & 730 on the Tax Assessor's Plat 80 located in a Residential R-2 Two-Family Zone; to be relieved from Section 204.2 in the proposed construction of a 28' x 38' one-family dwelling on lot 759 (16 Westcott St.). Lot 759 contains 3,883 square feet of land area, lot 731 contains 3,820-sq. ft. and lot 730 contains 1,000-sq. ft. As per Section 204.2 of the Zoning Ordinance, if two or more contiguous lawfully established substandard lots of record, where one or more of the lots are less than 4,000 square feet and are under the same ownership on or anytime after October 24, 1991, such lots shall be considered one lot and undivided for the purpose of the Ordinance. In this instance, the subject lots are substandard in size and are recorded under the same ownership. The applicant is requesting a dimensional variance in order to retain the lots separately and construct a single-family dwelling on lot 759. The existing single-family dwelling located on lot 731 (12 Westcott St.) will remain unchanged, and lot 730 is presently vacant of structures.

MERITA YSABEL: 2 Yale Avenue, 175 Carlton Street & 177 Carlton Street, Lots 427 & 786 on the Tax Assessor's Plat 64 located in a Residential R-2 Two-Family Zone; to be relieved from Section 204.2 in the proposed construction of a 22' x 36' single-family dwelling on lot 427 (2 Yale Ave.). Lot 427 contains approximately 3,837-sq. ft. of land area. Lot 786 (175 Carlton St.) contains 3,226 square feet of land area where a 22' x 36' single-family dwelling would also be constructed. As per Section 204.2 of the Zoning Ordinance, if two or more

contiguous lawfully established substandard lots of record, where one or more of the lots are less than 4,000 square feet and are under the same ownership on or anytime after October 24, 1991, such lots shall be considered one lot and undivided for the purpose of the Ordinance. In this instance, lots 427 & 786 are substandard in size and are recorded under the same ownership. The applicant also owns lot 787 (177 Carlton St.), however this lot contains 5,243-sq. ft. of land area where an existing two-family dwelling sits, this lot requires no Board action. The applicant is requesting a dimensional variance in order to retain the lots 427 and 786 separately and construct a single-family dwelling on each lot.

6:30 P.M.

JOSE VALERIO: 25 & 27-29 Burnett Street, Lots 23 & 25 on the Tax Assessor's Plat 49 located in a Residential R-3 Three-Family Zone; to be relieved from Section 204.2 in the proposed construction of a 34' x 48' two-family dwelling on lot 23. The existing single-family dwelling on lot 25 will remain unchanged. As per Section 204.2 of the Zoning Ordinance, if two or more contiguous lawfully established substandard lots of record, where one or more of the lots are less than 4,000 square feet and are under the same ownership on or anytime after October 24, 1991, such lots shall be considered one lot and undivided for the purpose of the Ordinance. In this instance, the subject lots are substandard in size and are recorded under the same ownership. The applicant is requesting a dimensional variance in

order to retain the lots separately and construct a two-family dwelling on lot 23, which contains approximately 4,783 square feet of land area. Lot 25 contains approximately 3,603-sq. ft. of land area.

GREATER ELMWOOD NEIGHBORHOOD SERVICES, INC.: 57 Parkis Avenue (corner Elmwood Avenue), Lot 417 on the Tax Assessor's Plat 30 located in a General Commercial C-2 Zone and the Commercial Corridor Overlay District; to be relieved from Sections 305, 507.4(A), 507.4(O) and 703.2. The applicant proposes to demolish the existing building, which requires a special use permit from the Board. Further proposed is the construction of a new three-story 3,795 square foot building consisting of commercial space and 4 dwelling units. The proposed uses are permitted within this C-2 zone and the overlay district, the applicant is requesting a dimensional variance and seeks relief from regulations governing lot area per dwelling unit, the utilities & services (would be located in the side yard rather than underground) and the parking requirements. The lot in question contains approximately 1,673 square feet of land area.

PROVIDENCE RENTALS, LLC: 72 Bernon Street, Lot 595 on the Tax Assessor's Plat 68 located in a Residential R-3 Three-Family Zone; to be relieved from Sections 304 and 703.2 in the proposed change in the use of the existing building from a two-family to a three-family dwelling. A three-family dwelling is a permitted use within this R-3 three-family zone when located on a lot having no less than 6,000

square feet of land area. The applicant is requesting a dimensional variance, whereby the subject lot contains approximately 2,287 square feet of land area. Further relief is sought from regulations governing the parking requirement, whereby 4 parking spaces are required, 2 on-site spaces are provided.

CAPITOL PROPERTIES, INC., OWNER AND CAPITOL COVE, LLC, APPLICANT: 80 Smith Street (bounded by Canal Street, Park Row West & the Railroad), Lot 261 & 262 on the Tax Assessor's Plat 4 located in a DOWNCITY D-1 Zone and the Capital Center District (Parcel 6); filed an application to be relieved from Section 306.1.2 in the proposed construction of two buildings totaling 300,000 square of floor area containing commercial space, 260 residential dwelling units and structured parking. The proposed uses are permitted within this D-1 district. The applicant requesting a dimensional variance, whereby, D-1 regulations require that new structures be built to the property line at the street level. The applicant proposes a setback for the structure at the Smith Street property line and requests to taper the setback of the building face from the property line along Park Row West. The lots in question contain approximately 211,474 square feet of land area.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, OWNER AND MASONIC TEMPLE DEVELOPMENT, LLC, APPLICANT: 5 Avenue of the Arts (corner Frances St., formerly known as 57-83 Park St.), Lots 258, 259 & 260 (former lot no. 174 which has been

divided into 3 lots) on the Tax Assessor's Plat 4 located in a D-1 Douncity District and the Capital Center District; to be relieved from Section 502.2(C) in the proposed installation of 9 exterior signs. Four of the proposed signs would be nonconforming as relates to use of materials and lighting, in that these 4 signs would be Lexan (flexible material) and internally illuminated. The proposed signs would be placed on the new hotel building presently under construction and located on lot 260. Lot 260 contains approximately 22,305 square feet of land area.

MANUEL A. LEITAO: 396 & 400 Jastram Street (corner Walton St.), Lots 238 & 239 on the Tax Assessor's Plat 85 located in a Residential R-1 Single-Family Zone; to be relieved from Sections 204.2 and 304 in the proposed construction of a 26' x 42' single-family dwelling on lot 239 (400 Jastram St.). Lot 239 contains approximately 3,574-sq. ft. of land area. Lot 238 contains 4,000 square feet of land area upon which the existing single-family dwelling will remain unchanged. As per Section 204.2 of the Zoning Ordinance, if two or more contiguous lawfully established substandard lots of record, where one or more of the lots are less than 4,000 square feet and are under the same ownership on or anytime after October 24, 1991, such lots shall be considered one lot and undivided for the purpose of the Ordinance. In this instance, the subject lots are substandard in size and are recorded under the same ownership. The applicant is requesting a dimensional variance in order to retain the lots separately and construct a single-family dwelling on lot 239, which also requires

relief from the front yard setback requirement.

THIS MEETING MAY BE CONTINUED FROM DAY TO DAY AND TIME TO TIME AT THE DISCRETION OF THE ZONING BOARD OF REVIEW.

THIS MEETING IS ACCESSIBLE TO ALL PERSONS. INDIVIDUALS REQUESTING INTERPRETER SERVICES MUST NOTIFY THE OFFICE OF NEIGHBORHOOD SERVICES AT (401) 421-7768, 48 HOURS IN ADVANCE OF THE HEARING DATE.

ESTA REUNION PUEDE SER CONTINUADA EN CUALQUIER MOMENTO BAJO LA DISCRETION DE LA JUNTA DE REVISIONES DE ZONA.

LA INFORMACION DE ESTA REUNION ESTA DISPONIBLE PARA TODAS LAS PERSONAS E INDIVIDUOS QUE REQUIERAN SERVICIOS DE INTERPRETE, LLAME A LA OFICINA DE SERVICIOS VECINDALES AL (401) 421-7768, POR LO MEMOS 48 HORAS ANTES DE SU FECHA DE JUICIO.

PETER D. CARNEVALE, SECRETARY

(401) 421-7740 EXT. 376