

**PUBLIC NOTICE  
CITY OF PROVIDENCE  
ZONING BOARD OF REVIEW  
190 DYER STREET  
PROVIDENCE, RHODE ISLAND 02903-3902**

**Notice is hereby given that the Zoning Board of Review will be in session in the Probate Court Room, fifth floor, City Hall, 25 Dorrance Street on Monday, April 27, 2009, at 5:30 P.M. and 7:00 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:**

**5:30 P.M.**

**On March 23, 2009, the following members continued the following matter for decision only:**

**YORK, STROTHER, EGAN, WOLF AND UNDERWOOD**

**RHODE ISLAND STATE PIER PROPERTIES, LLC (OWNER OF LOTS 481 & 489) AND CARGILL, INC. (OWNER OF LOT 128): 170-180, 184 & 186-200 Allens Avenue, Lots 481, 489 and 128 on the Tax Assessor's Plat 46 located within a Waterfront W-3 Zone; to be relieved from Sections 303-use code 33.3 (transient amusement); 303-use code 33.4 (outdoor entertainment); 303-use code 64.1 (parking lot, principle**

**use); 303-use code 52 (outdoor trade); 303-use code 58 (restaurant with entertainment); 401.1 (outdoor restaurant seating); 425 (landscaping); and 705.4 (paving, parking areas). The applicant seeks variances to (a) allow outdoor restaurant seating, 38 seats for the restaurant and bar with outdoor entertainment on Lot 481; (b) remove the time restrictions for the parking on Lot 481, pursuant to Section 903.7; (c) allow parking spaces for 522 vehicles to be divided onto Lots 481, 489 and 128; (d) to defer landscaping, tree planting and paving for the parking areas; and (e) allow transient amusement, outdoor entertainment and outdoor trade uses on Lots 481, 489 and 128. The applicant is requesting a USE VARIANCE for the aforementioned use codes and a DIMENSIONAL VARIANCE from regulations governing paving and landscaping. The lots in question together contain approximately 188,013 square feet of land area.**

**NEW MATTERS**

**KURT HULL: 13 Huldah Street, Lot 193 on the Tax Assessor's Plat 105 located in a Residential R-3 Three-Family Zone. The applicant is requesting a special use permit pursuant to Section 419.7 in the proposed construction of a 26' x 36' two-family structure. The lot in question has a width of 40 feet and a depth of 80' and contains 3,200 square feet of land area. Section 419.7 states that in any R-3 Zone, a lawfully established lot which has less than the minimum area requirement for that Zone may be used for two dwelling units, provided that such lot shall have a width of at least 35 feet and an area of at least 3,200 square feet and receives a special use permit from the Board.**

**OLUSEYIO OGUNDIPE AND RAFAEL SANTANA, OWNERS: 12 & 16 Westcott Avenue, Lots 730, 731 & 759 on the Tax Assessor's Plat 80 located in a Residential R-2 Two-Family Zone; to be relieved from Sections 204.2 and 304 in the proposed construction of a 26' x 32' single-family dwelling on Lot 759 (16 Westcott Ave.). Lot 759 contains 3,877 square feet of land area, Lot 731 contains 3,834 square feet of land and Lot 730 contains 1,000 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, the subject lots are substandard in size and are recorded under the same ownership. The applicant proposes to**

merge Lots 730 and 731 at 12 Westcott Avenue where the existing two-family structure will remain unchanged. Lot 759 would support the proposed new single-family structure at 16 Westcott Avenue. The applicant is requesting a dimensional variance from the merger provision and for the new construction for Lot 759 relating to regulations governing the rear yard setback.

**BRADY SULLIVAN RHODE ISLAND PROPERTIES, LLC:** 17 Grant Street, Lot 405 on the Tax Assessor's Plat 32 located in a Residential R-3 Three-Family Zone; to be relieved from Section 303-use code 64.1 (footnote #4) pursuant to Section 419.6 and Sections 705.1 and 705.3 pursuant to Section 707.1, a special use permit, in the proposed establishment of a parking lot to support a neighboring residential use. The lot in question contains approximately 3,852 square feet of land area.

**A-47 CHRISTIAN INTERDENOMINATIONAL ASSEMBLY:** 483-485 Washington Street, Lot 39 on the Tax Assessor's Plat 29 located in a Heavy Commercial C-4 Zone; to be relieved from Sections 305.1(4), 305.1(8) and 703.2. The applicant proposes to demolish the existing building and construct a new 24' x 71'6" building that would be used for a church. Religious services are permitted within the C-4 district. The Applicant is requesting a dimensional variance relating to the front and rear yard setbacks and provisions for parking; whereby 16 parking spaces are required, no on-site parking would be provided. The lot in question contains approximately 3,400 square feet of land

area.

7:00 P.M.

**O & P INVESTMENTS, LLC, OWNER AND APPLICANT AND BOWEN INVESTMENTS D/B/A HONEY DEW DONUTS, LESSEE: 771-773 Hope Street (corner Burlington St.) Lot 153 on the Tax Assessor's Plat 93 located in a Limited Commercial C-1 Zone; to be relieved from Section 703.2 in order to provide 10 seats within a new donut shop proposed for the first floor (currently vacant corner space). The existing building currently supports 2 retail stores and 4 dwelling units. The donut shop is permitted within the C-1 district, the applicant is requesting a dimensional variance from regulations governing parking; whereby, the proposed seating requires 3 additional parking spaces and there is no on-site parking available. The lot in question contains approximately 4,987 square feet of land area.**

**BROTHERS OF CHRISTIAN SCHOOLS PROVINCE OF LONG ISLAND-NE & RI, OWNER AND OCEAN TIDES SCHOOL, APPLICANT: 260 Highland Avenue (also known as 49 Ninth St.) Lot 147 on the Tax Assessor's Plat 91 located in a Residential R-2 Two-Family Zone; to be relieved from Section 303-use code 21 in the proposed construction of an 11' x 21' greenhouse for the existing school to be**

used for agricultural studies. The applicant is requesting a special use permit for the proposed construction within the R-2 district. The proposed greenhouse would be located within the northeast corner of the property set back 15 feet from both front yards. The lot in question contains approximately 15,000 square feet of land area.

**MEAN COMPANY, LLC, OWNER AND EMMA & GENNADY BASKIN, APPLICANT:** 190 Angell Street, Lot 87 on the Tax Assessor's Plat 13 located in a Residential R-3 Three-Family Zone; to be relieved from Sections 202.4 and 304 pursuant to Section 200 in the proposed construction of an enclosure within the existing footprint of the existing three-family structure, which use will not change. The applicant is requesting a dimensional variance for the proposed construction that would accommodate finished rooms for the first and second floor apartments. The lot in question contains approximately 3,687 square feet of land area.

**239 OAKLAND, LLC:** 63-65 Pinehurst Avenue, Lot 301 on the Tax Assessor's Plat 120 located in a Residential R-2 Two-Family Zone; to be relieved from Sections 202.4, 304 and 304.1 (footnote #1). The applicant proposes to increase the building's height from 32'3" to 34'10" to accommodate a full third floor for townhouse bedrooms to be used within the second floor apartment. The use of the structure will remain at two dwelling units. The lot in question contains approximately 4,907 square feet of land area.

**DAVID T. SHWAERY AND GERALD P. HAMMEL, OWNERS AND NARAH, INC., APPLICANT: 245 Meeting Street, Lot 241 on the Tax Assessor's Plat 13 located in a Residential R-3 Three-Family Zone; to be relieved from Sections 303-use code 56.1 and 703.2 pursuant to Section 200 in the proposed change in use of the first floor of the existing structure from a retail store to a smoking lounge with incidental soft drinks, coffee, tea, prepared snacks and food. The existing second floor dwelling unit will remain unchanged. The applicant is requesting a use variance for this proposal within the R-3 district, and a dimensional variance related to the parking requirement; whereby, 7 parking spaces are required, 3 on-site parking spaces would be provided. The lot in question contains approximately 3,347 square feet of land area.**

**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 DISCRECTION 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**