

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, November 23, 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:

On Monday, October 5, 2009, the following members continued the following matter to November 23, 2009 for further details:

YORK, STROTHER, EGAN, WOLF, AND VARIN

DAVID PENTA: 517 & 521 Admiral Street, Lots 58 & 59 on the Tax Assessor's Plat 123 located in a Residential R-2 Two-Family Zone; to be relieved from Sections 204.2 and 304.4 in the proposed construction of a 26' x 30' single-family dwelling on Lot 58 (517 Admiral St.), which contains 3,710 square feet of land area. The existing two-family dwelling on Lot 59 (521 Admiral St.) containing 3,633 square feet of land area 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 in area and are under the same ownership on or any time after October 24, 1991, such lots shall be considered to be 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; therefore, the applicant is requesting a dimensional variance in order to retain the lots separately and to construct a one-family dwelling on Lot 58. Further, the applicant seeks relief from regulations governing the front yard setback requirement for averaging setbacks as per Section 304.4.

NEW MATTERS

5:30 P.M.

HELLER PROPERTIES, LLC, OWNER, CLAUDE M. GOLDSTEIN, APPLICANT AND HELLER DEVELOPMENT D/B/A ABE'S, LESSEE: 302-304 Wickenden Street, Lot 477 on the Tax Assessor's Plat 16 located in a General Commercial C-2 Zone. The applicant is requesting a special use permit pursuant to Section 303-use code 58 in order to include entertainment (maximum 4 musicians and entertainment ending by 11:45 P.M.) within the existing tavern. The property also contains 2 existing dwelling units. The lot in question contains approximately 3,292 square feet of land area.

BAYSIDE MEDICAL CENTER, OWNER, CENTERLINE COMMUNICATIONS, LLC, APPLICANT AND T-MOBILE NORTHEAST LLC, LESSEE: 235 Plain Street (bounded by Willard Ave., Blackstone St. & Staniford St.), Lot 109 on the Tax Assessor's Plat 45 located in a General Commercial C-2 Zone; to be relieved from Section 305 in the proposed installation of 9 facade mounted telecommunications panel antennas to the existing medical office building, with related equipment installed at ground level. The height restriction in the C-2 district is 45 feet. The existing building sits at a height of 60 feet (measured from average grade to building peak height) and the proposed installations would not exceed 59'6" above grade. The applicant is requesting a dimensional variance from regulations governing the height restriction. The lot in question contains approximately 54,404 square feet of land area.

CHERYL BREADY: 38 Congdon Street (corner South Court St.), Lot 676 on the Tax Assessor's Plat 10 located in a Residential R-2 Two-Family Zone and the College Hill Historic District; to be relieved from Sections 704.2(B) and 704.2(D) in the proposed construction of a second driveway and curb cut at the northeast corner of the property, a dimensional variance. The existing structure contains a single-family dwelling. The lot in question contains approximately 5,128 square feet of land area.

DOM'S REALTY: 11 Home Avenue, Lot 213 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 20' x 40' single-family dwelling. As per Section 204.2, 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, an adjacent lot was under the same ownership as the property in question and both lots are substandard in lot area. The applicant is requesting relief from regulations governing minimum lot area and front yard setback, a dimensional variance, in order to retain the subject property separate and apart from the adjacent lot and construct a one-family dwelling on said subject property. The lot in question contains approximately 3,285 square feet of land area.

ARCESE REALTY INTERESTS, INC., OWNER AND 171 ATWELLS, INC., D/B/A ANDINO'S APPLICANT AND LESSEE: 167-171 Atwells Avenue, Lot 134 on the Tax Assessor's Plat 26 located in a General Commercial C-2 Zone; to be relieved from Sections 305.8 and 703.2 in the proposed construction of a 29'2½" x 42' addition to the existing restaurant. The applicant is requesting a special use permit pursuant to Section 303-use code 57.1, whereby a restaurant within a C-2 district is restricted to 2,500 square feet of gross floor area and the applicant seeks to expand to 2,880 square feet. Additionally, the

applicant is requesting a dimensional variance relating to the parking requirement; whereby, a new office and 60 new restaurant seats require 17 parking spaces in total and 11 parking spaces would be provided; therefore, there is a shortfall of 6 parking spaces. The lot in question contains approximately 3,822 square feet of land area.

7:00 P.M.

VINCENT PISATURO AND JOSEPH PISATURO: 254-280 Plainfield Street, Lots 300, 301 & 302 on the Tax Assessor's Plat 105 located in a General Commercial C-2 Zone; to be relieved from Sections 303-use code 45, 305, 305.1(8), 305.1(10), 409.1(B), 409.3(A), 409.3(B), 409.3(D) and 425.2(A) in the proposed construction of a new retail gasoline fuel-dispensing station with a convenience store. The subject property sits vacant and unimproved. The applicant is requesting a use variance for the dispensing of fuel within the C-2 district, and a dimensional variance relating to regulations governing minimum lot depth; minimum distance between access driveway and property line; and front yard setback. The convenience store is permitted within the C-2 district; however, the proposed structures (store and canopy over pump islands) require a dimensional variance relating to provisions for front and rear yard setback. The lots in question together contain approximately 13,891 square feet of land area.

GABRIEL SORIANO: 72, 74 & 76 Hawkins Street (corner Glasgow St.) Lot 197 on the Tax Assessor's Plat 99 located in a Residential R-3 Three-Family Zone; to be relieved from Sections 201.5, 303-use code 14 and 417 in the proposed change in the use of the existing building located at the west corner of the property from a store to one dwelling unit. Further, the applicant is requesting to increase the number of dwelling units within the existing structure located at the east corner of the property from 3 to 4 residential units. The existing structure located to the rear of the aforementioned buildings and fronting on Glasgow Street will remain unchanged. The applicant is requesting a use variance in order to increase the number of dwelling units within the R-3 district, and further relief from having more than one residential building on a lot. The lot in question contains approximately 8,000 square feet of land area.

THE PROPERTY PURCHASE GROUP, LLC, SHAWN HARRINGTON & LAZAR MUNDREAN: 350 & 356 Hawkins Street, Lots 223 & 224 on the Tax Assessor's Plat 71 located in a Residential R-3 Three-Family Zone; to be relieved from Section 204.2 in the proposed construction of a new 28' x 40' single-family dwelling on Lot 224 (356 Hawkins St.), which currently sits vacant and unimproved. The existing single-family dwelling on Lot 223 (350 Hawkins St.) will remain unchanged. Each lot consists of 3,200 square feet of land area. As per Section 204.2 of the 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 one-family dwelling on Lot 224.

JC INVESTMENTS, LLC, OWNER AND JOSE O. MORALES, APPLICANT & LESSEE: 317-339 Pocasset Avenue, Lot 606 on the Tax Assessor's Plat 109 located in a General Commercial C-2 Zone. The applicant is requesting a special use permit pursuant to Section 303-use code 58 in order to include entertainment within the existing restaurant/bar located at 319 Pocasset Ave. Additionally, the applicant proposes to provide pool tables also requiring a special use permit pursuant to Section 303-use code 34. The property also contains several additional commercial spaces, which are not a part of this request. The lot in question contains approximately 27,403 square feet of land area.

THE ZONING BOARD OF REVIEW WILL BE INSPECTING THE ABOVE PROPERTIES STARTING AT 9:30 A.M. ON MONDAY, NOVEMBER 23, 2009.

LA JUNTA DE REVISIONES DE ZONA ESTARA HACIENDO INSPECCIONES SOBRE ESTAS PROPIEDADES EMPESANDO A LAS 9:30 A.M. EL LUNES, NOVIEMBRE 23, 2009.

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

YEAR 2009

SCHEDULE OF MONTHLY MEETINGS

LOCATION OF MEETINGS (UNLESS OTHERWISE ANNOUNCED)

**PROBATE COURT CHAMBER, FIFTH FLOOR, PROVIDENCE CITY
HALL**

25 DORRANCE STREET

PROVIDENCE, RHODE ISLAND

Wednesday, January 14, 2009 at 5:30 P.M.

Monday, February 23, 2009 at 5:30 P.M.

Monday, March 23, 2009 at 5:30 P.M.

Monday, April 27, 2009 at 5:30 P.M.

Tuesday, May 26, 2009 at 5:30 P.M.

Monday, June 22, 2009 at 5:30 P.M.

Monday, July 20, 2009 at 5:30 P.M.

Wednesday, September 9, 2009 at 5:30 P.M.

Monday, October 5, 2009 at 5:30 P.M.

Monday, October 26, at 5:30 P.M.

Monday, November 23, 2009 at 5:30 P.M.

Monday, December 28, 2009 at 5:30 P.M.

Any change in dates will be noticed in writing and/or e-mailed to the Office of the Providence City Clerk and the Office of the Rhode Island Secretary of State.

**The Office of the Zoning Board of Review is located at
190 Dyer Street, Providence, RI 02903-3902**

Board Meetings are held at the Probate Court Chamber, Providence City Hall.

Peter D. Carnevale

Secretary

(401) 421-7740 ext. 376