

PUBLIC NOTICE

CITY OF PROVIDENCE

ZONING BOARD OF REVIEW

444 WESTMINSTER STREET (2ND FLOOR)

PROVIDENCE, RHODE ISLAND 02903-3206

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, Providence, Rhode Island on Monday, June 11, 2012 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 pursuant to Section 902 of the Zoning Ordinance:

5:30 P.M.

On May 14, 2012, the Board continued the following matter for further details:

616 BROAD STREET REALTY, LLC: 616 Broad Street (corner Willard Ave.), also known as Lot 7 on the Tax Assessor's Plat 45, and located in a Limited Commercial C-1 Zone; the existing building contains commercial units and automobile sales and office. The applicant seeks a Use Variance for relief from Section 303-Use Code 45 to include automobile repair. This application was the subject of a previous request approved by the Board on June 27, 2006 under Resolution No. 9114 dated August 11, 2006, that allowed the applicant

the ability to repair vehicles not sold on the premises. The Board approved said request on condition that the existing billboards be removed per the owner's commitment. Since the billboards were not removed the original approval is invalid and the applicant seeks the ability to repair automobiles and retain the billboards. The lot in question contains approximately 16,503 square feet of land area.

On May 14, 2012, the Board continued the following matters for hearing:

WANSKUCK STEAM POWER COMPANY, OWNER AND NEW CINGULAR WIRELESS PCS, LLC, APPLICANT: 715 (Rear) Branch Avenue, also known as Lot 430 on the Tax Assessor's Plat 98, and located in an Industrial M-1 Zone; the applicant is requesting a Dimensional Variance from Section 305 pursuant to Section 200 in the proposed installation of telecommunication antennas attached to the existing smokestack, which sits at the height of 150 feet (measured from average grade to peak height) and supports existing wireless telecommunication facilities. The proposed antennas are permitted within the M-1 district; however, the height restriction is 75 feet. The equipment would include 3 panel antennas, one surge arrestor and 6 remote radio heads mounted at no more than 87 feet above grade, and one global positioning system mounted at no more than 86 feet in height. Related equipment would be installed at ground level. The lot in question contains approximately 29,260 square feet of land area.

PROVIDENCE COLLEGE, OWNER AND CINGULAR WIRELESS PCS, LLC, APPLICANT: 177 Eaton Street (corner Huxley Ave.)(Raymond Hall), also known as Lot 1 on the Tax Assessor's Plat 119 and located in a Residential Single-Family R-1 Zone and within an Educational Institution I-2 Overlay District; the applicant is requesting a Special Use Permit pursuant to Section 303-Use Code 65.1 and a Dimensional Variance from Sections 304 and 420 pursuant to Section 200 in the proposed installation of telecommunication antennas attached to the roof of the existing building known as Raymond Hall, which sits at the height of 54 feet above grade (the existing rooftop penthouse being 64 feet above grade). The equipment would be installed at a height of no more than 62 feet and would include 3 panel antennas, 6 remote radio heads and one global positioning system. The applicant is requesting relief from the height restriction, which is 30 feet in the underlying R-1 zone (75 feet in the I-2 overlay district). The lot in question contains approximately 873,378 square feet of land area.

NEW MATTERS

CAROLYN PANOS, OWNER, AND HABITAT FOR HUMANITY, APPLICANT: 52 Ortoleva Drive, also known as Lot 407 on the Tax Assessor's Plat 95, and located in a Residential R-2 Two-Family Zone, filed an application seeking a Dimensional Variance for relief from Sections 204.2 (Merger of Substandard Lots of Record), 204.3(A) (Permitted Uses of Substandard Lots of Record in R Zones), 304 (Front Yard Setback, Minimum Lot Width & Frontage, and Lot Coverage), 304.1(4) (Averaging Setbacks), and 416.4 (Projections into Required Front Yards) in the proposed construction of a 21' x 32' single-family dwelling. Lot 407 contains approximately 3,200 square feet of land area and was originally recorded under the same ownership as an adjacent lot. 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 recorded 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; therefore, the applicant seeks to retain Lot 407 separately and construct the proposed single-family dwelling.

CAROLYN PANOS, OWNER, AND HABITAT FOR HUMANITY, APPLICANT:

84 Wadsworth Street, also known as Lot 640 on the Tax Assessor's Plat 43, and located in a Residential R-3 Three-Family Zone, filed an

application seeking a Dimensional Variance for relief from Sections 204.2 (Merger of Substandard Lots of Record), 204.3(A) (Permitted Uses of Substandard Lots of Record in R Zones), 304 (Front Yard Setback, Minimum Lot Width & Frontage, and Lot Coverage), 304.1(4) (Averaging Setbacks), and 416.4 (Projections into Required Front Yards) in the proposed construction of a 21' x 32' single-family dwelling. Lot 640 contains approximately 3,200 square feet of land area and was originally recorded under the same ownership as an adjacent lot. 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 recorded 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; therefore, the applicant seeks to retain Lot 640 separately and construct the proposed single-family dwelling.

MOSES BROWN SCHOOL, A RI NON-PROFIT CORPORATION AND PLAINVIEW PROPERTIES, LLC, OWNERS AND PLAINVIEW PROPERTIES, LLC, APPLICANT:

255 Hope Street, also known as Lot 19 on the Tax Assessor's Plat 11, and located in a Residential R-3 Three-Family Zone, have filed an application seeking a Use Variance for relief from Section 303. The

current use of the main building is limited to one (1) owner-occupied office and two (2) dwelling units pursuant to previous Board Resolutions 4886 (May 26, 1983) and 6709-C (April 4, 1988). The applicant seeks to continue the current use of one (1) dwelling unit on the third floor and use the first and second floors for Use Code 24.5 (medical or dental offices limited to physicians, surgeons, dentists, nurses or other medical, paramedical and para-dental personnel, not owned by or operated in conjunction with a hospital); Use Code 41 (finance, insurance and real estate services limited to insurance carrier, personal credit agency, real estate agent, real estate developer, security and commodity trading service); Use Code 43 (limited business services restricted to advertising agency, business office, credit reporting and collection service, interior designer, stenographic service, private employment service, research and development of related activities, watch/clock and jewelry repair service); and Use Code 46 (professional services limited to architectural and engineering service, legal service, veterinarian service excluding the boarding of animals, trade or professional school for the instruction of said professional services including accountants). This request concerns the main building only; the carriage house would continue to be used for accessory educational use and contain one residential unit and storage. No physical changes would be made to either building. The lot in question contains approximately 13,500 square feet of land area.

7:00 P.M.

ICONOCLAST, LLC, OWNER AND ALEX TOMASSO, APPLICANT: 62-68 Dike Street (bounded by Troy St. & Agnes St.), also known as Lot 536 on the Tax Assessor's Plat 35, and located in an Industrial M-1 Zone, have filed an application seeking a Special Use Permit for relief from Section 703.2 pursuant to Sections 707 and 707.1 for insufficient parking, to continue the existing daytime use of manufacturing and non-manufacturing uses, and for relief for a proposed nighttime use by the conversion of interior manufacturing space to an after-hours entertainment venue and art gallery, without alcohol. Forty-two (42) parking spaces are required for the daytime uses; however, the building covers the entire lot; therefore, no on-site space is available for parking. The entertainment venue requires 120 parking spaces and no parking is available per the Zoning Ordinance definition, although 74 parking spaces would be provided by means of leases in non-contiguous off-site parking lots. The lot in question contains approximately 12,381 square feet of land area.

MARCELLUS SHARPE: 265 Admiral Street, also known as Lot 531 on Tax Assessor's Plat 76, and located in a Residential Three-Family R-3 Zone. The applicant is seeking a Special Use Permit pursuant to Sections 419 and 419.2 to include a home occupation, Security Dispatch & Professional Cleaning, within the first floor dwelling unit of the existing three-family structure. Further, the applicant is requesting a Dimensional Variance seeking relief from the floor area restriction for home occupations that are not specifically listed in

Section 419.2, the floor area restriction being 25 percent or 400 square feet, whichever is less. The applicant proposes to use 700 square feet of the first floor dwelling space for the home occupation. The lot in question contains approximately 26,552 square feet of land area.

FRENZY REALTY, LLC: 401-421 Hartford Avenue, also known as Lot 104 on the Tax Assessor's Plat 106, and located in a General Commercial C-2 Zone, and Lot 311 on the Tax Assessor's Plat 113, and located in a Residential R-2 Two-Family Zone; has filed an application seeking a Use Variance for relief from Section 303-Use Code 51.1 to use the middle space (411 Hartford Ave.) of the existing commercial building for a new shipping store. The lots in question together contain approximately 39,295 square feet of land area.

The Zoning Board of Review will be meeting as an Appellate Board concerning the following matters:

**APPEAL FROM THE DECISION OF
THE DIRECTOR OF THE DEPARTMENT OF INSPECTION AND
STANDARDS**

APPELLANT: 110 Providence Owner, LLC

PROPERTY OWNER: 130 Westminster Street Associates, LLC

SUBJECT PROPERTY: 130 Westminster Street, also known as Lot 130 on the Tax Assessor's Plat 20 (Property)

The Appellant is appealing the Director's determination concerning a Tax Stabilization Agreement for the Property pursuant to Sections 902 and 902.1 of the Zoning Ordinance and Chapter 21, Article XIII, Ordinance 21-173(1)(j)(ii) and (v) of the Code of Ordinances of the City of Providence (as amended).

**APPEAL FROM THE DECISION OF
THE PROVIDENCE CITY PLAN COMMISSION**

APPELLANTS: Grant Dulgarian, Trustee, K.S.D. Trust, Seth Kurn, William Touret, Daniel Yee and Josh Eisen

PROPERTY OWNERS: David Shwaery and Gerald Hammel

SUBJECT PROPERTY: 257 Thayer Street, 10 Euclid Avenue, 14 Euclid Avenue, 18 Euclid Avenue, 416 Brook Street, 426 Brook Street, 245 Meeting Street, 241 Meeting Street and 237 Meeting Street, also known as Lots 104, 48, 236, 237, 238, 42, 241, 234 and 235 respectively, on the Tax Assessor's Plat 13 (Property)

ZONING DISTRICTS: Lots 234, 241, 42, 236, 237 and 238 are located in a Residential R-3 Three-Family Zone, and Lots 104, 48 and 235 are located in a General Commercial C-2 Zone. The Appellants are

appealing the decision of the City Plan Commission dated April 27, 2012, related to a Notice of Master Plan Approval and Notice of Appeal for Major Land Development Project 12-001 MA.

THE ZONING BOARD OF REVIEW WILL BE INSPECTING THE ABOVE PROPERTIES STARTING AT 9:30 A.M. ON MONDAY, JUNE 11, 2012.

LA JUNTA DE REVISIONES DE ZONA ESTARA HACIENDO INSPECIONES SOBRE ESTAS PROPIEDADES EMPESANDO A LAS 9:30 A.M. EL LUNES, JUNIO 11, 2012.

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) 680-5376

E-mail at pcarnevale@providenceri.com

YEAR 2012

SCHEDULE OF MONTHLY MEETINGS

LOCATION OF MEETINGS (UNLESS OTHERWISE ANNOUNCED)

PROBATE COURT CHAMBER, FIFTH FLOOR, PROVIDENCE CITY HALL

25 DORRANCE STREET, PROVIDENCE, RHODE ISLAND

January, 2012 (no meetings)

Monday, February 13, 2012 rescheduled to Thursday, February 23, 2012

Monday, March 12, 2012

Monday, April 9, 2012

Monday, May 14, 2012

Monday, June 11, 2012

Monday, July 9, 2012

Monday, August 13, 2012 rescheduled to Tuesday, August 14, 2012

Monday, September 10, 2012

Tuesday, October 9, 2012

Monday, November 12, 2012 rescheduled to Tuesday, November 13, 2012

Monday, December 17, 2012

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

Meetings may be continued from day to day and time to time at the discretion of the Zoning Board of Review.

Peter D. Carnevale

Secretary

(401)680-5376 or e-mail at pcarnevale@providenceri.com

Office location: 444 Westminster Street, Second Floor

Providence, Rhode Island 02903-3206

**Unless otherwise announced, Zoning Board meetings are held in the Providence Probate Court Chamber located on the Fifth Floor of Providence City Hall,
25 Dorrance Street, Providence, Rhode Island.**