

OCT 22 2020

CITY OF PROVIDENCE
ZONING BOARD OF REVIEW

APPLICATION FOR VARIANCE OR SPECIAL USE PERMIT

Check Each Type Zoning Relief Sought:

___ Variance – Use *
___ Variance – Dimensional*
___ Special Use Permit **

* Attach Appendix A to apply for a Use or Dimensional Variances

** Attach Appendix B to apply for a Special Use Permit

Applicant: Frank Bragantin

Address 558 Smithfield Ave, Pawtucket, RI

Zip Code 02860

E-mail frankb@ferlandmgt.com

Phone 401-728-4000 x255

Home/Office

401-413-5675

Mobile (Cell)

Owner: Sessions/Taft Apartments, LLC

Address 558 Smithfield Ave, Pawtucket, RI

Zip Code 02860

E-mail _____

Phone 401-728-4000

Home/Office

Mobile (Cell)

Lessee: _____

Address _____

Zip Code _____

E-mail _____

Phone: _____

Home/Office

Mobile (Cell)

Does the proposal require review by any of the following (check each):

- ___ Downtown Design Review Committee
___ I-195 Redevelopment District Commission
___ Capital Center Commission
___ Historic District Commission

1. Location of Property: 90 & 100 Taft Avenue, Providence, RI
Street Address

2. Zoning District(s): R-2
Special purpose or overlay district(s): _____

3a. Date owner purchased the Property: 04/16/2014

3b. Month/year of lessee's occupancy: _____

3. Dimensions of each lot:

Lot # 27	Frontage 114.13'	depth 86.45'	Total area 8,631	sq. ft.
Lot # 292	Frontage 55'	depth 99.66	Total area 7,505	sq. ft.
Lot # _____	Frontage _____	depth _____	Total area _____	sq. ft.

4. Size of each structure located on the Property:

Principal Structure:	Total gross square footage	15,667
Footprint Lot 27= 3905	Height _____	Floors 3

Accessory Structure:	Total gross square footage	8,630
Footprint Lot 292= 2,099	Height _____	Floors 3

5. Size of proposed structure(s):	Total gross square footage:	_____
Footprint _____	Height _____	Floors _____

6a. Existing Lot coverage: (include all buildings, decks, etc.) Lot 27= 46.6% Lot 292= 29.7% _____

6b. Proposed Lot coverage: (include new construction) Lot 27= 46.6% Lot 292= 29.7% _____

7a. Present Use of Property (each lot/structure):

Residential Apartments _____

7b. Legal Use of Property (each lot/structure) as recorded in Dept. of Inspection & Standards:

8. Proposed Use of Property (each lot/structure):

Residential Apartments _____

9. Number of Current Parking Spaces: Lot 27 = 13 spaces Lot 292 = 11 spaces _____

10. Describe the proposed construction or alterations (each lot/structure):

Re-design parking areas to correct violation. Lot 27 = 9 spaces Lot 292 = 10 spaces

11. Are there outstanding violations concerning the Property under any of the following:

☒ Zoning Ordinance
☐ RI State Building Code
☐ Providence Housing Code

12. List all Sections of the Zoning Ordinance from which relief is sought and description of each section:

Section 4 Article 402	Lot 27 Table 4-1 Relief from - Front Yard Impervious Surface Maximum of 33%
_____	_____
_____	Lot 292 Table 4-1 Relief from - Rear Yard Impervious Surface Maximum of 50% AND
_____	Table 4-1 Relief from - Total Impervious Surface Maximum of 65%
_____	_____

13. Explain the changes proposed for the Property.

Re-design the parking area to eliminate parking on the sidewalk.

The undersigned acknowledge(s) and agree(s) that members of the Zoning Board of Review and its staff may enter upon the exterior of the Property in order to view the Property prior to any hearing on the application.

*The undersigned further acknowledge(s) that the statements herein and in any attachments or appendices are true and accurate, and that providing a false statement in this application may be subject to criminal and/or civil penalties as provided by law, including prosecution under the State and Municipal False Claims Acts. **Owner(s)/Applicant(s) are jointly responsible with their attorneys for any false statements.***

Owner(s):

Sessions/Taft Apartments LLC

Type Name

By: John K. Cooper President, Ferland Corp its Sole Member

Signature

Type Name

Signature

Applicant(s):

Frank Bragantin

Type Name

Signature

Type Name

Signature

All requirements listed and described in the Instruction Sheet must be met or this application will not be considered complete.

APPENDIX A

APPLICATION FOR VARIANCE(S)

Rhode Island General Laws § 45-24-41(c) requires that the Applicant for a variance demonstrate:

- (1) That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(16);
- (2) That the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain;
- (3) That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based;
- (4) That the relief to be granted is the least relief necessary; and
- (5) (a) For a **use variance**: That the land or structure cannot yield any beneficial use if it is required to conform to the provisions of the zoning ordinance;
(b) For a **dimensional variance**, that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience.

Please provide the following information:

1. What is the specific hardship from which the applicant seeks relief?

Impervious lot coverage front yard maximum and rear yard maximum to accommodate re-design of parking area to eliminate parking on sidewalk area. Parking design was undertaken by previous owner.

2. Specify any and all unique characteristics of the land or structure that cause the hardship?

Contiguous lots each with a residential apartment building constructed in approximately 1900 and 1930 respectfully.

3. (a) Is the hardship caused by an economic disability? Yes _____ No x _____

(b) Is the hardship caused by a physical disability? Yes _____ No x _____

(c) If the response to subsection (b) is "yes," is the physical disability covered by the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12101 et seq.?

Yes _____ No x _____

4. Did the owner/applicant take any prior action with respect to the Property that resulted in the need for the variance requested? (Examples include, but are not limited to, any changes the owner/applicant made to the structure(s), lot lines, or land, or changes in use of the Property)?

Yes _____ No x _____

If "yes," describe any and all such prior action(s), and state the month/year taken.

5. State any and all facts to support your position that the applicant is not seeking the variance(s) primarily in order to obtain greater financial gain.

Applicant is reducing the number of parking spaces on lot 27 from 13 to 9 and on lot 292 from 11 to 10, both residential properties, thereby restricting rather than obtaining greater financial gain.

6. State any and all facts that support your position that you are seeking the least relief necessary to lessen or eliminate the hardship (for example, why there are no viable alternatives to your proposed plan).

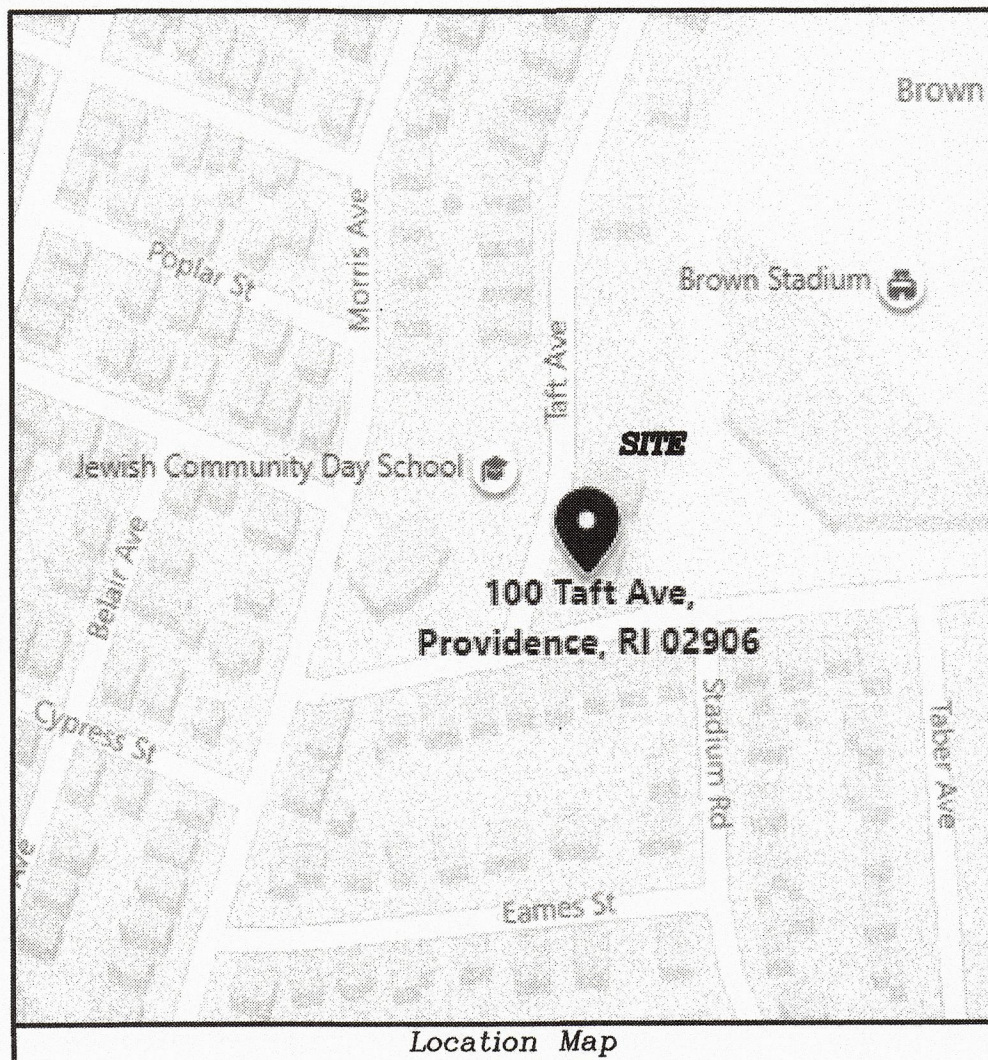
The Applicant and its Surveyor have worked very closely with the the City Planning Department through numerous meetings and conferences. The Applicant has made numerous changes and revisions to its plan as requested by the City to achieve as acceptable and working parking plan.

7. If you are seeking a USE VARIANCE, set forth all facts that demonstrate that the Property cannot have any beneficial use if you are required to use it in a manner allowed in the zoning district.

Not applicable.

8. If you are seeking a DIMENSIONAL VARIANCE, set forth all facts that indicate that if the variance is not granted, the hardship the owner/applicant will suffer is more than a mere inconvenience.

The property consists of two multi-unit residential buildings, each of these buildings was constructed a long time ago (about 1900 and 1930 respectfully). This well pre-dates Sessions/Taft Apartments, LLC's ownership of the property which it was conveyed in 2014. Sessions/Taft has been and is currently working to reduce the number of parking spots to adhere to the current zoning ordinance.

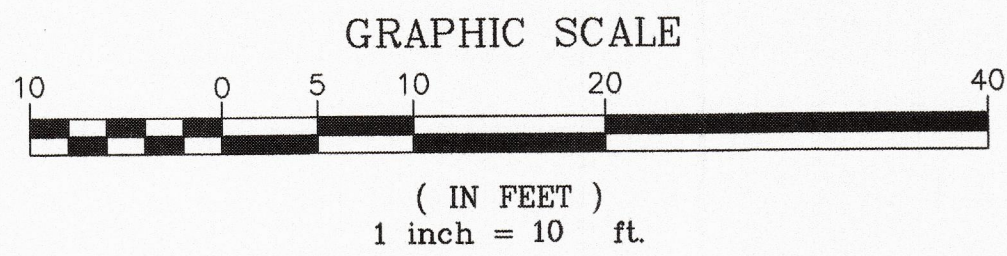
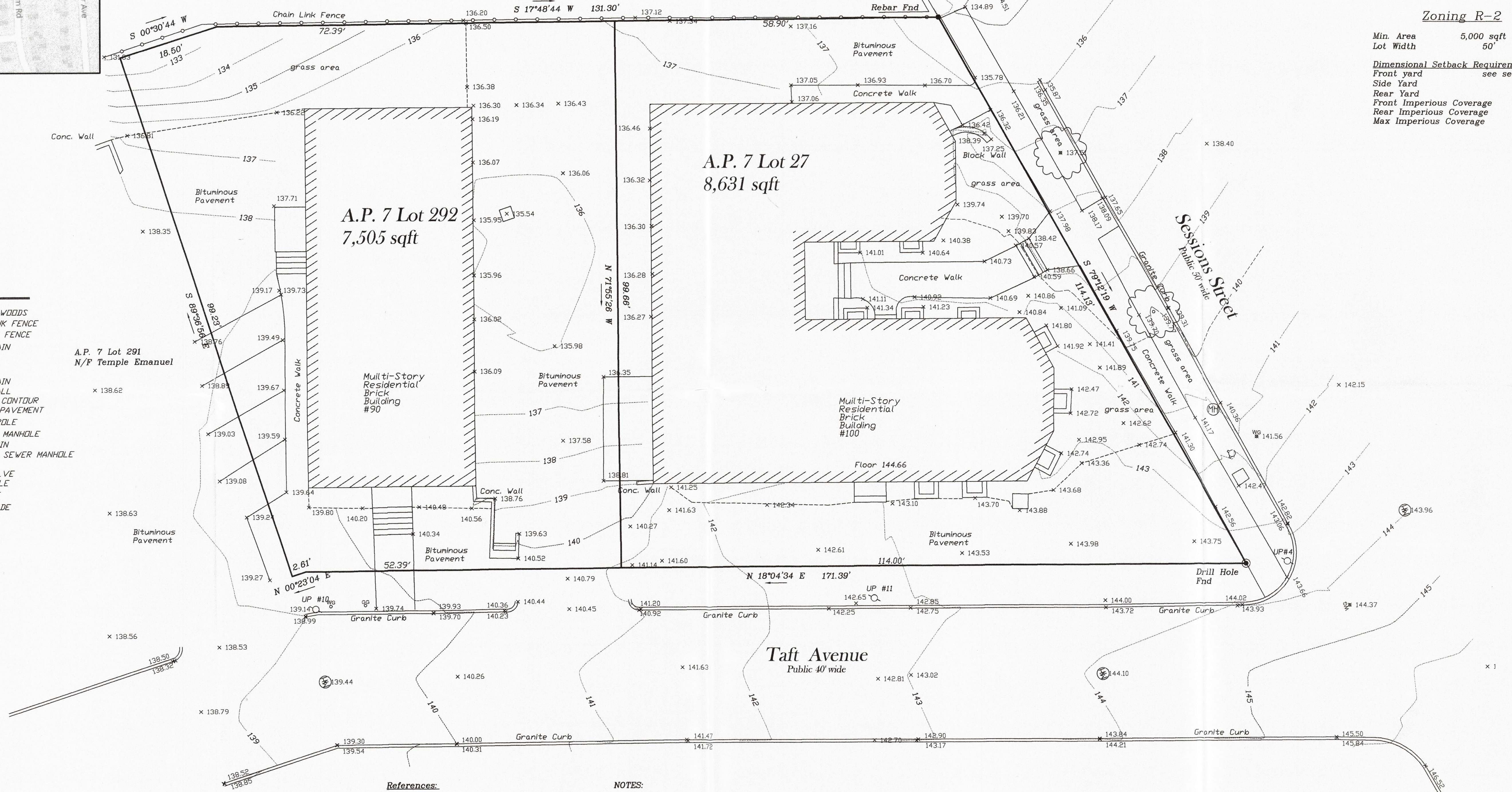


RIGL 34-13-1 INDEX
ABUTTING STREETS
Taft Avenue
Sessions Street

Zoning R-2

Min. Area	5,000 sqft
Lot Width	50'
Dimensional Setback Requirements	
Front yard	see sec402.B
Side Yard	6'
Rear Yard	25'
Front Imperious Coverage	33%
Rear Imperious Coverage	50%
Max Imperious Coverage	65%

LEGEND	
	EDGE OF WOODS
	CHAIN LINK FENCE
	STOCKADE FENCE
	WATER MAIN
	GAS MAIN
	ELECTRIC
	SEWER MAIN
	STONE WALL
	EXISTING CONTOUR
	EDGE OF PAVEMENT
	UTILITY POLE
	DRAINAGE MANHOLE
	CATCHBASIN
	SANITARY SEWER MANHOLE
	HYDRANT
	GATE VALVE
	LIGHT POLE
	CONCRETE
	SPOT GRADE

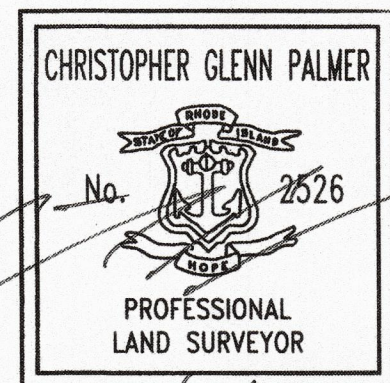


References:

- Botanical Gardens Plat, Providence, R.I. by Frank Waterman Company, May 1923 and recorded on Plat Card 64
- Map of Land Belonging to Lester C. Wales, Inc. by J.A. Latham & Son Dec. 1931 1"=40' and Recorded on Plat Card 1130
- Alta/ Acsm Land Title Survey AP 7 Lots 27 and 292 Providence, R.I. 1"=20' May 10, 2012 by Peter V. Cipolla, Jr.
- Street line layouts recorded in Providence Engineering Office for: A. Taft Avenue B. Sessions Street C. Morris Avenue D. Savoy Street

NOTES:

- The Property shown hereon is classified as zone X as identified by the Flood Insurance Rate Map for the City of Providence, Rhode Island County of Providence, Firm Panel 309 with a map number 44007C0309K, effective date October 1, 2015
- The utilities shown hereon are the result of field locations of visible structures at the time of the field survey and record plans acquired from the utility companies. We accept no responsibility for the accuracy or completeness of the distribution lines shown hereon. Call DIG-SAFE prior to start of any construction or improvements for the exact locations of the utilities servicing this property.
- This project is based and referenced upon the Rhode Island State Plane Coordinate System (currently NAD 83 and NAVD 88) as determined by data transmitted from Smartnet reference stations using the SmartNet RTK Reference Network.



Certification

This survey has been conducted and the plan has been prepared pursuant to 435-RICR-00-00-1.9 of the Rules and Regulations adopted by the Rhode Island Board of Registration for Professional Land Surveyors on November 25, 2015, as follows:

Type of Boundary Survey
Limited Content Boundary

Measurement Specification:
1

Type of Survey
Data Accumulation Survey
Topography Survey

III
T-1

The purpose for the conduct of the survey and for the preparation of this plan is as follows: To prepare an existing conditions plan for the design of a potential parking area.

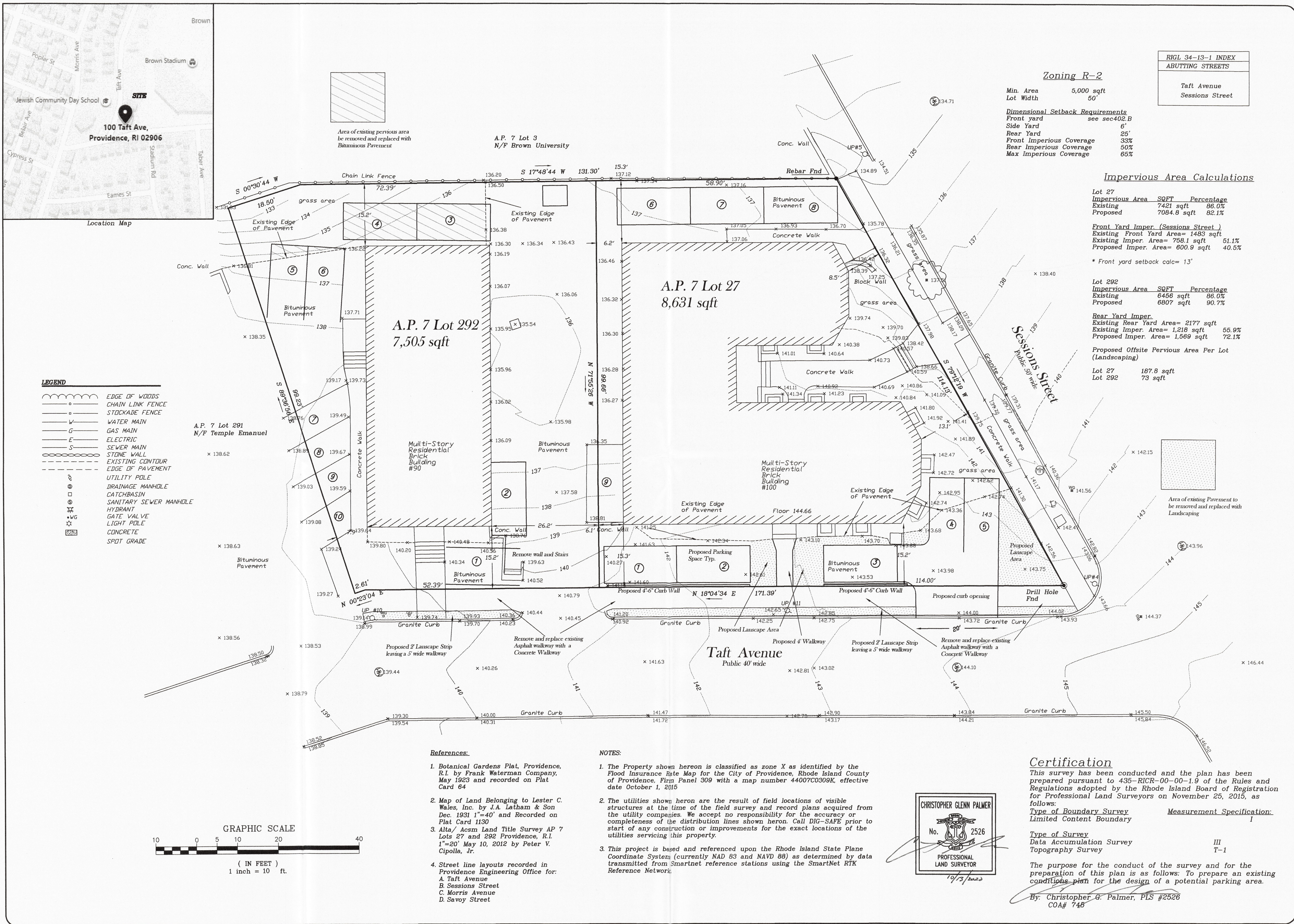
By: Christopher G. Palmer, PLS #2526
COA# 745

Christopher G. Palmer, PLS
66 Falcon Ridge Drive
Exeter, Rhode Island 02822
PH: 401-474-5233
Email: palmerc6@gmail.com

Existing Conditions Plan
Limited Content Boundary Survey
90 & 100 Taft Avenue
Providence, Rhode Island
Assessor's Plat 7 Lot s No. 27 & 292

PREPARED FOR:
Ferland Corporation
558 Smithfield Avenue
Pawtucket, Rhode Island 02860

DATE:
12/13/19
SCALE
1"=10'
PROJECT NO:
19-065
DRAWN BY
C.G.P.
CHECKED BY:
C.G.P.
1
SHEET NO.



Christopher G. Palmer, PLS
66 Falcon Ridge Drive
Exeter, Rhode Island 02822
PH: 401-474-5233
Email: palmerc6@gmail.com

Proposed Parking Plan
Limited Content Boundary Survey
90 & 100 Taft Avenue
Providence, Rhode Island
Assessor's Plat 7 Lot s No. 27 & 292

PREPARED FOR:
Ferland Corporation
558 Smithfield Avenue
Pawtucket, Rhode Island 02860

REVISIONS
10/13/2020 Add location and area calculations

DATE:
9/16/2020

SCALE
1"=10'

PROJECT NO:
19-065

DRAWN BY
C.G.P.

CHECKED BY:
C.G.P.

2
SHEET NO.

