

AUG 12 2022

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: Daniel K. Pritsker

Address 130 Grotto Ave.

Zip Code 02906

E-mail daniel@providencediamond.com

Phone _____

Home/Office

Mobile (Cell) _____

Owner: Daniel K. Pritsker

Address 130 Grotto Ave.

Zip Code 02906

E-mail daniel@providencediamond.com

Phone _____

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:** 130 Grotto Ave.
Street Address

2. **Zoning District(s):** R1-A
Special purpose or overlay district(s): _____

3a. **Date owner purchased the Property:** 04/17/2018

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

3. Dimensions of each lot:

Lot #	199	Frontage	100	depth	100	Total area	10,000	sq. ft.
Lot #		Frontage		depth		Total area		sq. ft.
Lot #		Frontage		depth		Total area		sq. ft.

4. Size of each structure located on the Property:

Principal Structure:	Total gross square footage	3000			
Footprint	1681	Height	26'-2 3/4"	Floors	2

Accessory Structure:	Total gross square footage	285			
Footprint	285	Height	16'-2"	Floors	1

5. Size of proposed structure(s):	Total gross square footage:	1174			
Footprint	587	Height	26'-2 3/4"	Floors	2

6a. Existing Lot coverage: (include all buildings, decks, etc.) 1966 sf

6b. Proposed Lot coverage: (include new construction) 2553 sf

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

Single Family Residence

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

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

Single Family Residence

9. Number of Current Parking Spaces: 3

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

Addition of 2 integral car garage and second floor master bedroom suite to the rear of the existing main house structure.

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:

402.A	Dimensional Standards (Setback Requirements - Minimum Rear Setback) -
	Applicant requests relief of 7 ft from 25 ft rear setback requirement.

13. Explain the changes proposed for the Property.

Proposed 25' x 24' (587 sq ft) addition to rear of existing main house for a 2 car integral garage on the 1st floor, a master suite space on the 2nd floor, and a new entry on the south facing side, a modified driveway that utilizes entry on Laurel Ave., and a roof over the garage/master suite matching the existing main house.

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):

Daniel K. Pritsker

Type Name



Signature

Type Name

Signature

Applicant(s):

Daniel K. Pritsker

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?

See attached Exhibit A.

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

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

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.

See attached Exhibit A.

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).

See attached Exhibit A.

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.

See attached Exhibit A.

EXHIBIT A
To APPENDIX A

Please provide the following information:

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

The original placement of the home deep into the lot causes there to be insufficient setback distance off the rear of the property line. Although the rear setback requirement is 25', there is only 18' of depth which requires relief of 7'.

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

The front of the lot on Grotto Ave. drops off precipitously, which requires the home to be positioned deep into the lot.

- 3. (a) Is the hardship caused by an economic disability? Yes ____ No XX**

(b) Is the hardship caused by a physical disability? Yes ____ No XX

(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 ____

- 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 XX

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 requests the relief to build an integral garage to hold 2 vehicles for safety, security and comfort so that the vehicles are parked and kept indoors, and Applicant and his family may enter the home directly through the integral garage and without the need to be outdoors.

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).

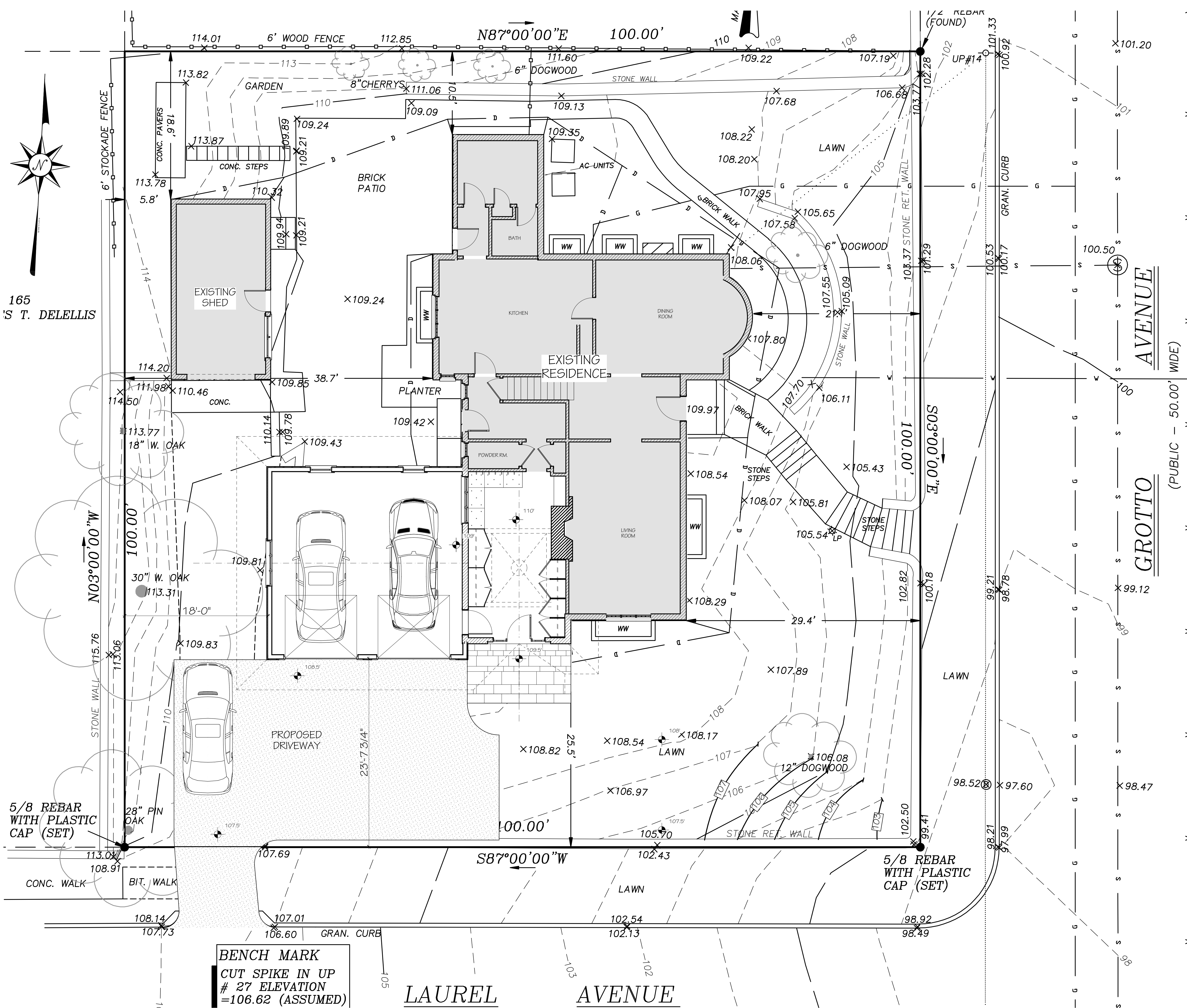
The dimensions of the proposed garage, including the width are the narrowest they can be to accommodate 2 vehicles and allow access to the vehicles, which results in the need for 7' of relief.

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.

Without the relief sought, the Applicant and his family will be required to exit their vehicles outdoors before entering their home thereby exposing them to safety and security issues and also their vehicles will be kept outdoors making them vulnerable to theft and unlawful activity and exposing them to the harsh weather elements especially during winter months. One of Applicant's vehicles was stolen previously from the driveway.



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Project

PRITSKER RESIDENCE
130 GROTTO AVE.
PROVIDENCE, RI 02906

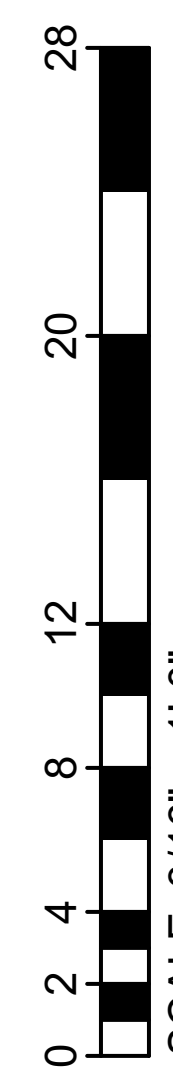
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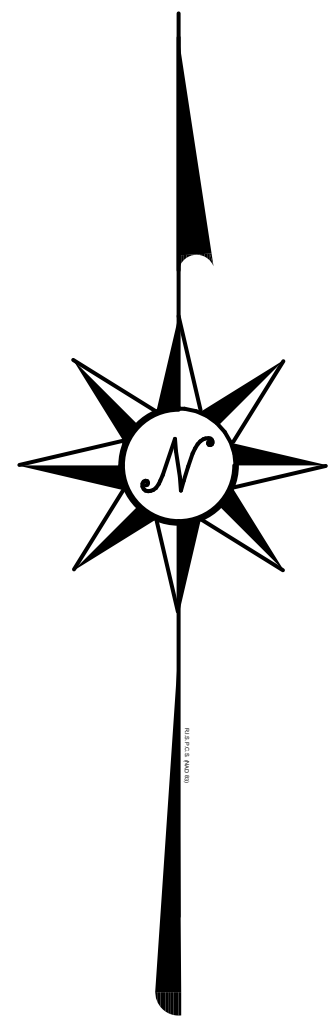
Site Plan

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DRAWN BY:	MRT	
CHECKED BY:	GJS	
FILE NAME:		
DATE	REVISION	BY

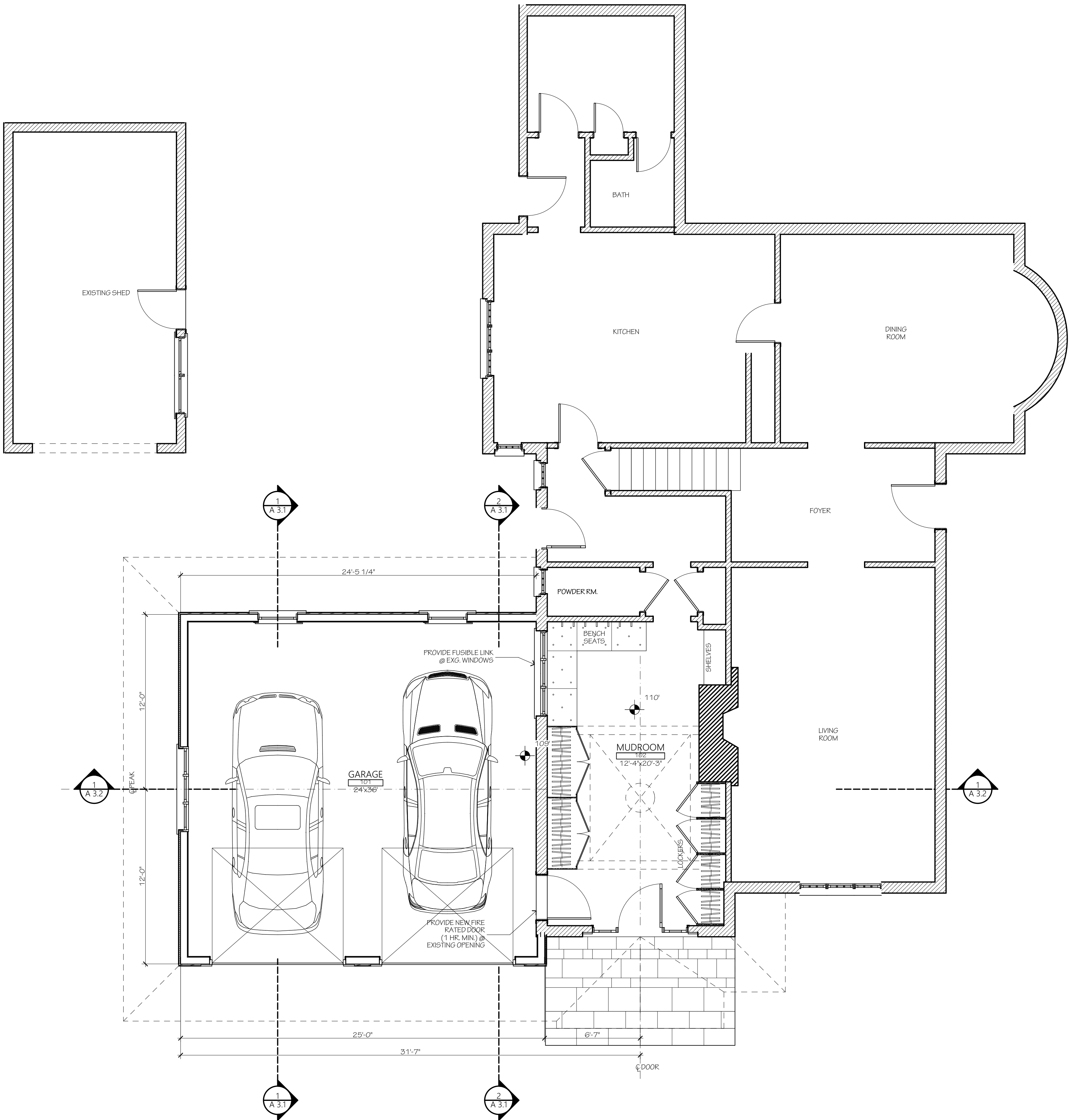
Sheet Number:

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EXISTING
NEW CONSTRUCTION



1 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

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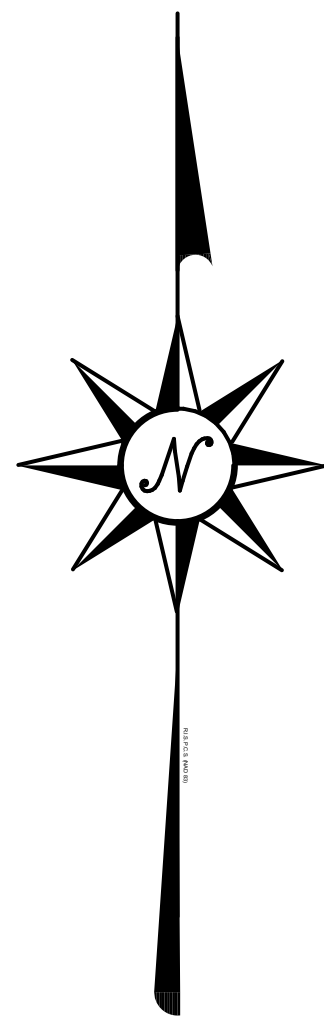
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FILE NAME:		
DATE	REVISION	BY

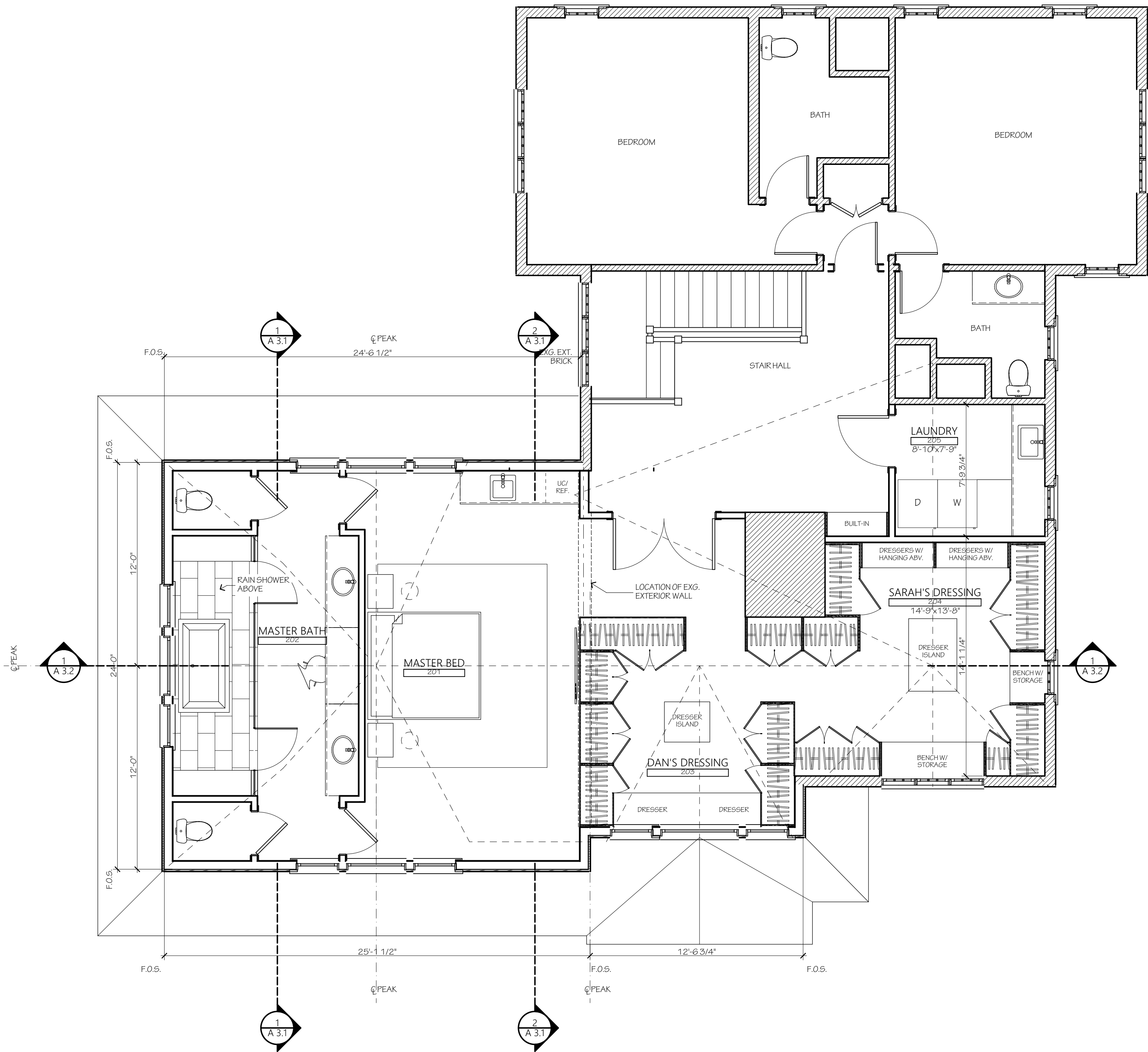
Sheet Number:

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0 2 4 8 12 20 28
SCALE: 1/4" = 1'-0"



EXISTING
NEW CONSTRUCTION



1 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

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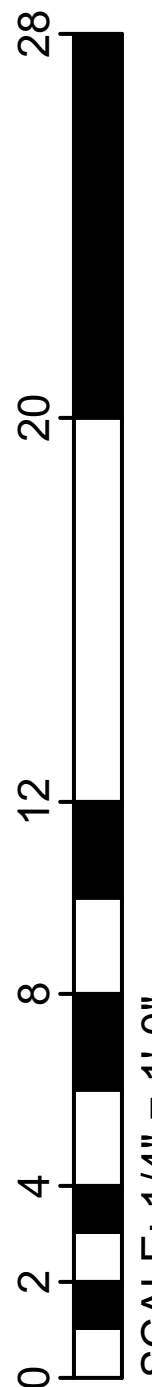
Project
PRITSKER RESIDENCE
130 GROTTO AVE.
PROVIDENCE, RI 02906

Sheet Title:
Second Floor Plan

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DATE	REVISION	BY

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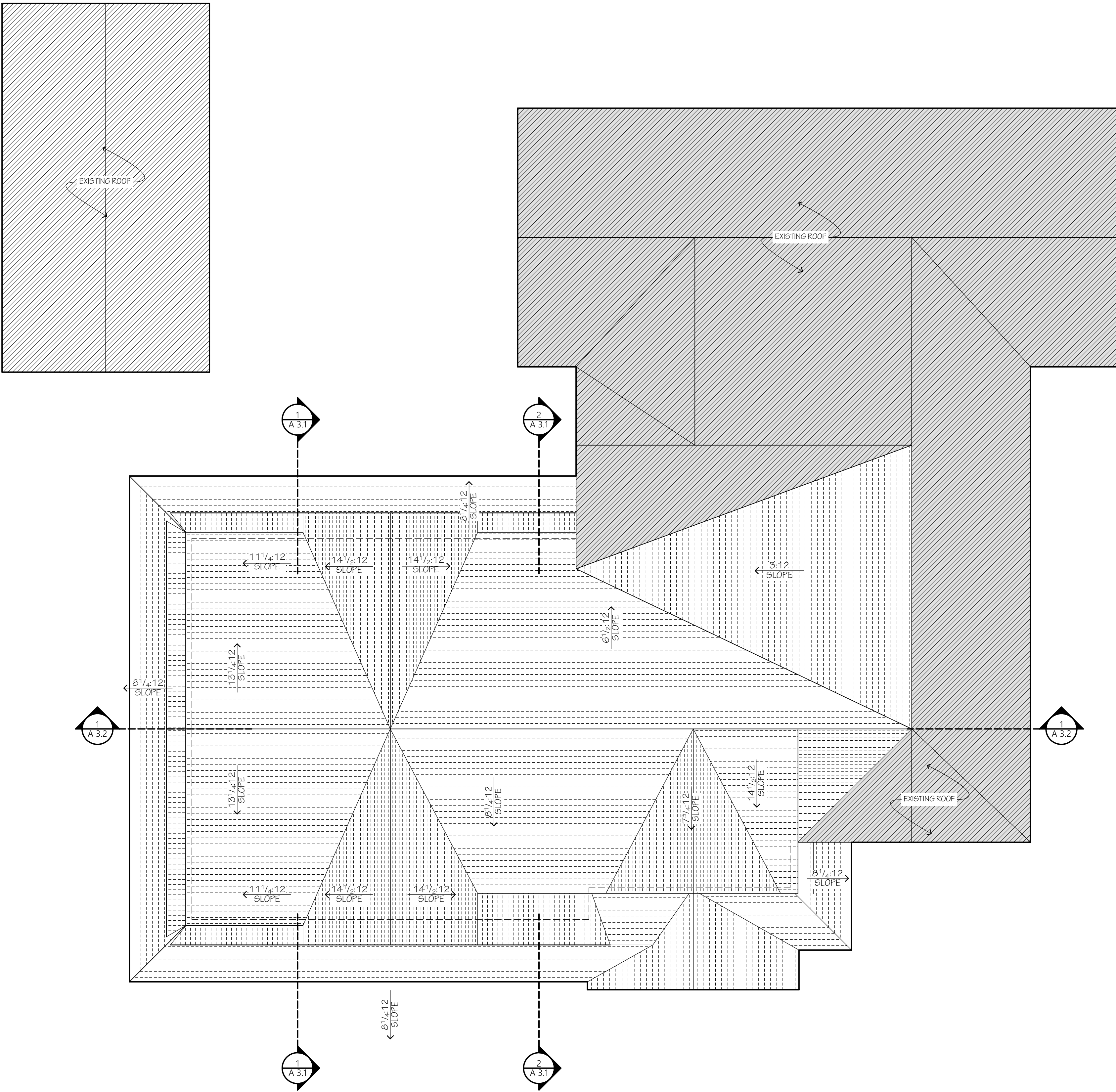
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2

ROOF PLAN

SCALE: 1/4" = 1'-0"



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Project

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130 GROTTO AVE.
PROVIDENCE, RI 02906

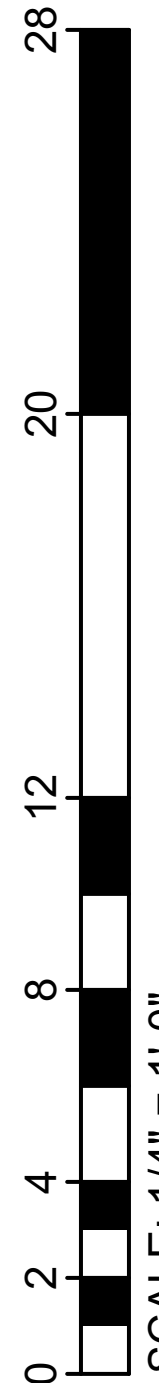
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Roof Plan

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SCALE:	1/4" = 1'-0"	
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FILE NAME:		
DATE	REVISION	BY

Sheet Number:

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PRITSKER RESIDENCE
130 GROTTO AVE.
PROVIDENCE, RI 02906

Project

Sheet Title:

Elevations

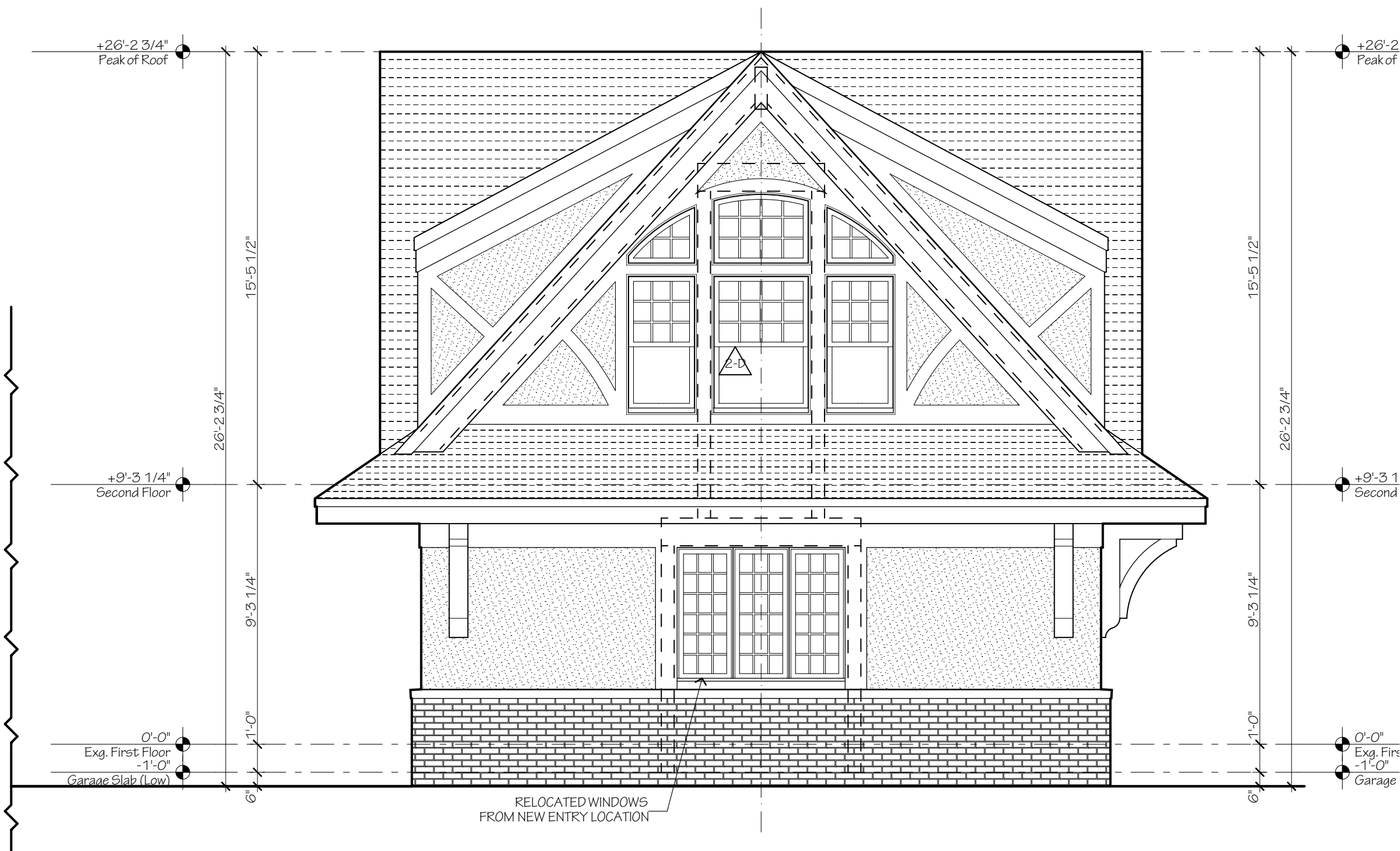
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DATE	REVISION	BY

Sheet Number:

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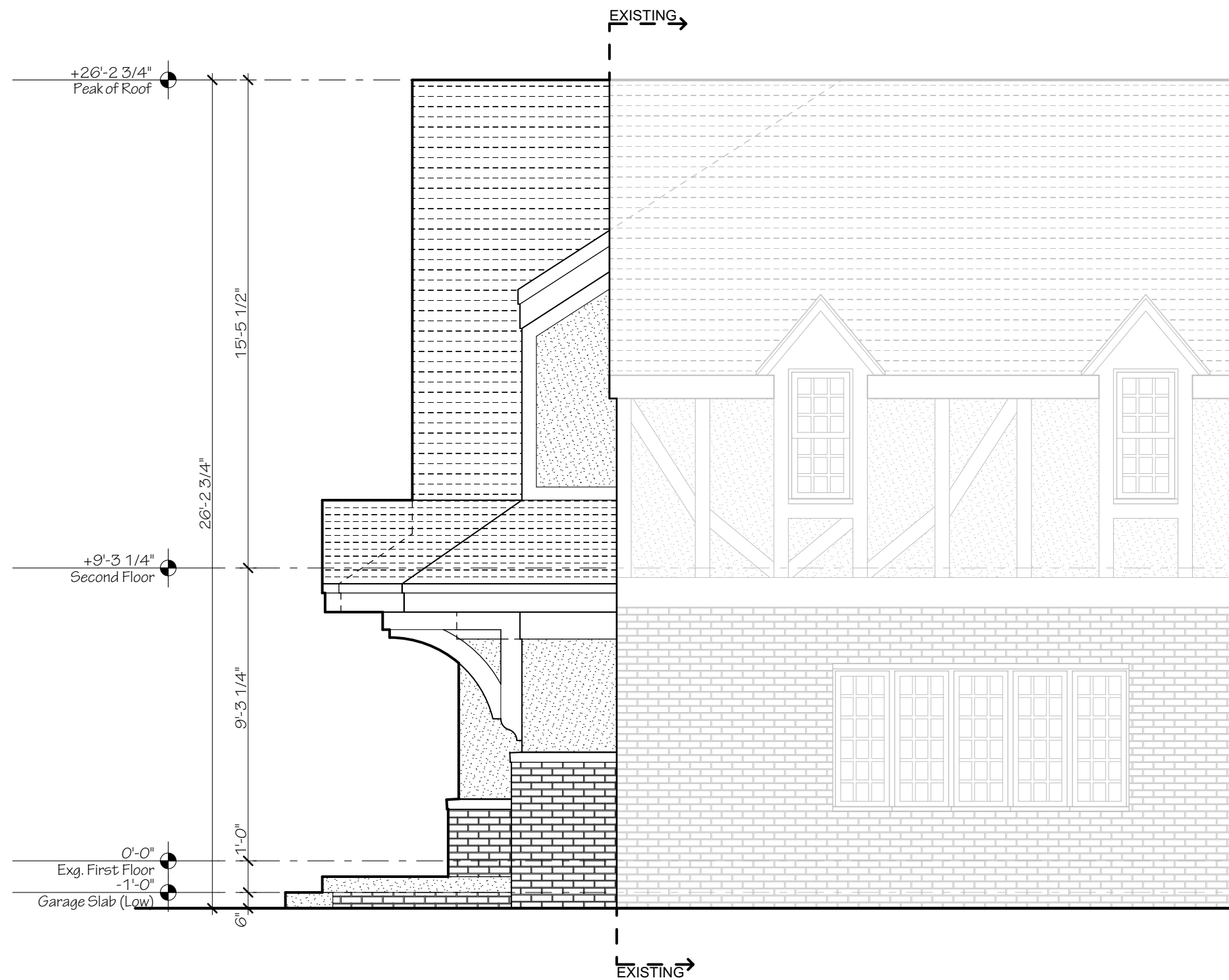
1 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



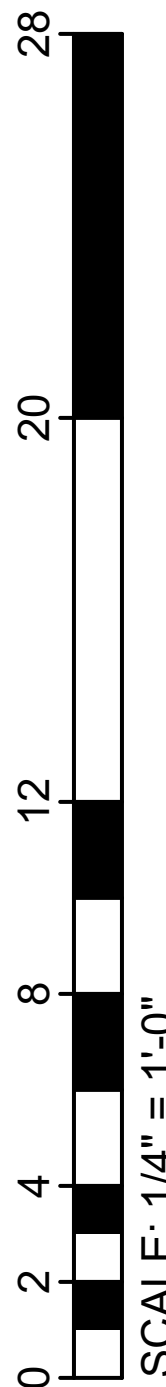
2 WEST ELEVATION
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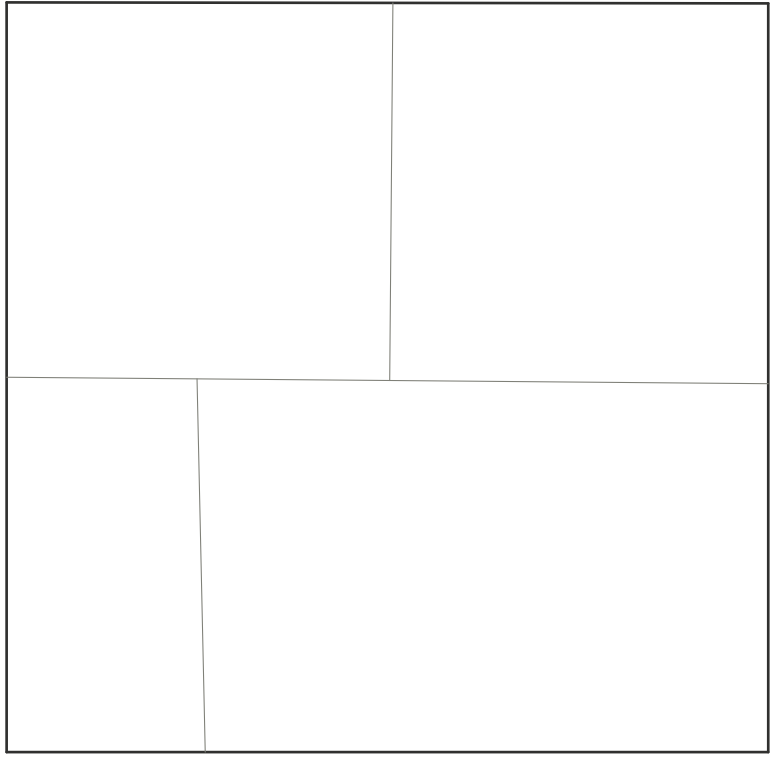
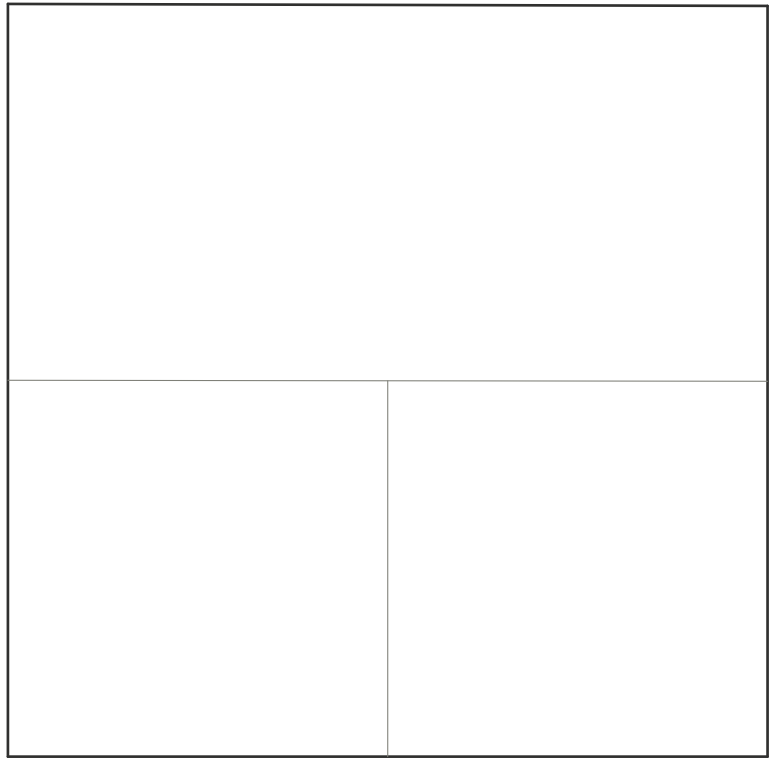
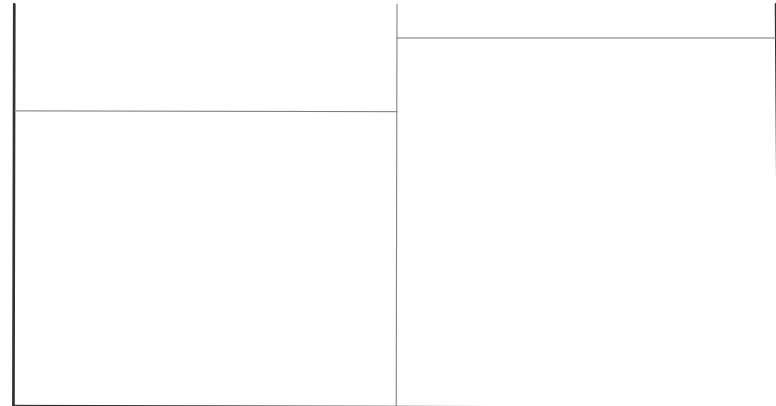


3 NORTH ELEVATION
SCALE: 1/4" = 1'-0"

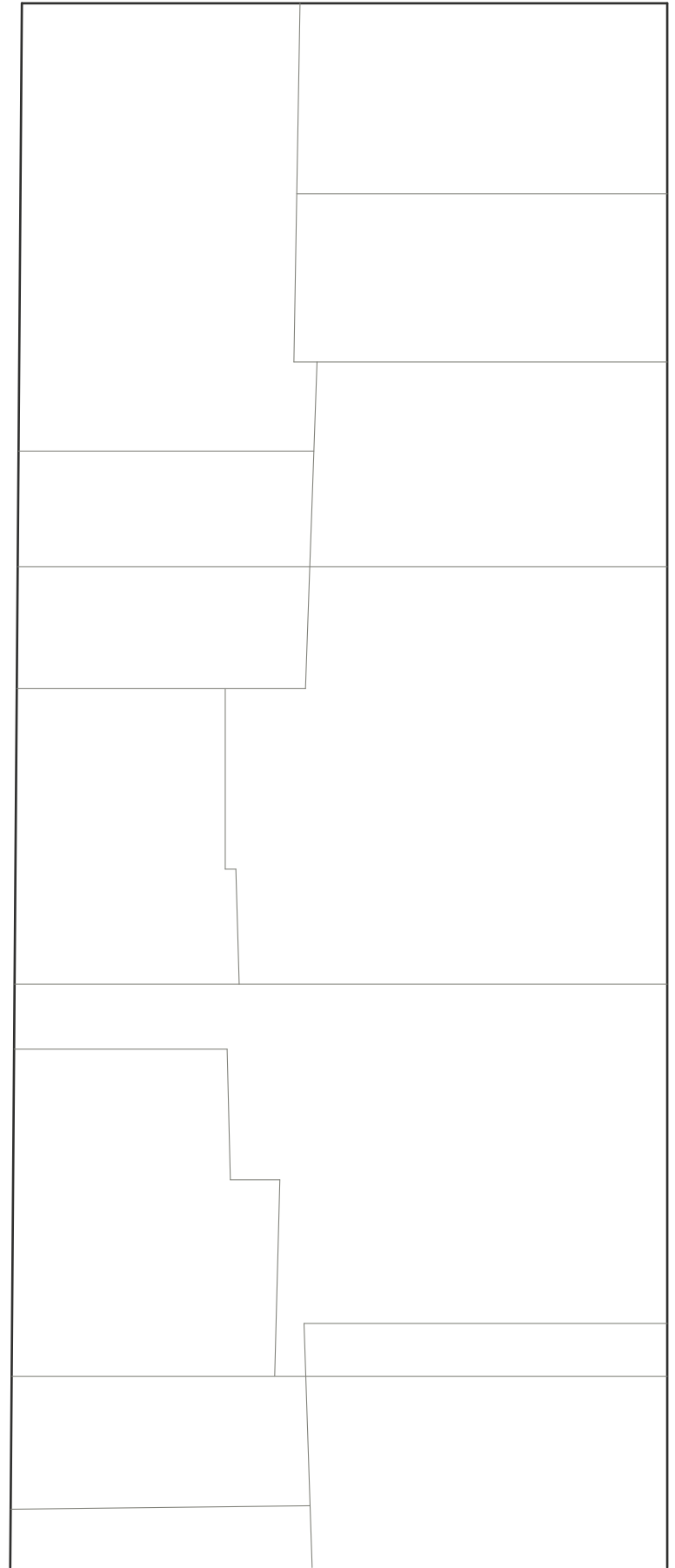


4 EAST ELEVATION
SCALE: 1/4" = 1'-0"

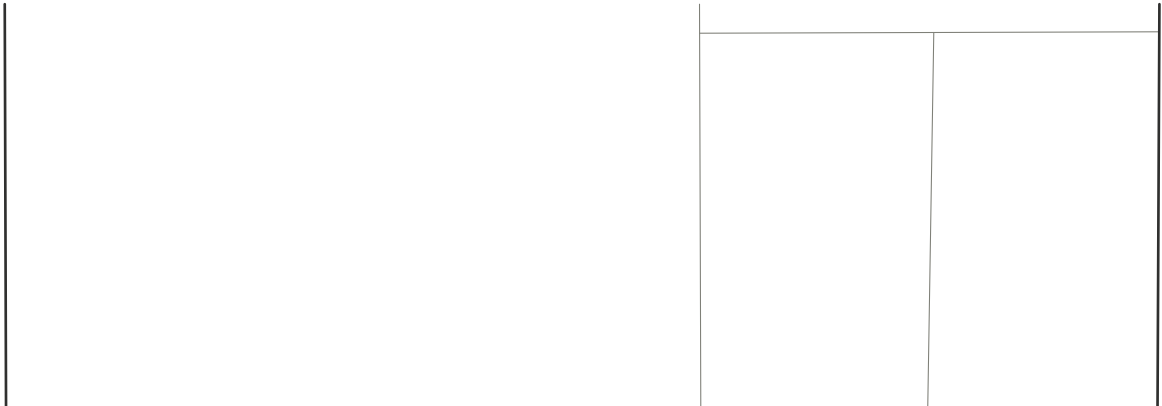




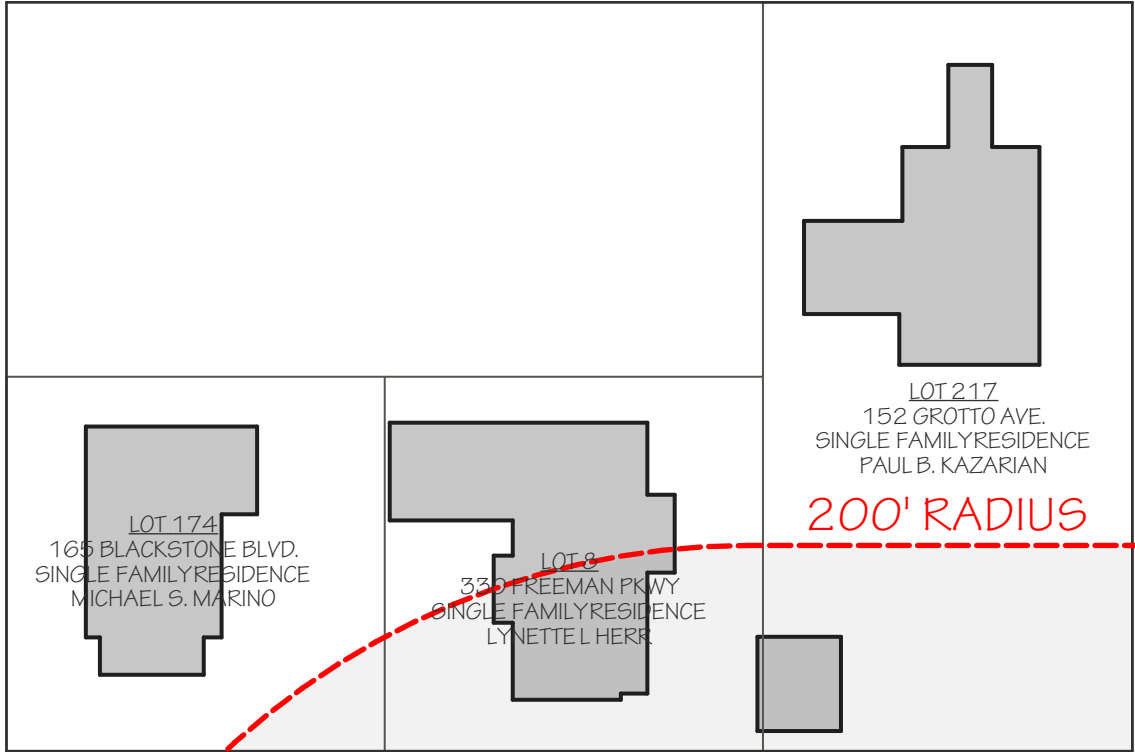
ZONE R1-A



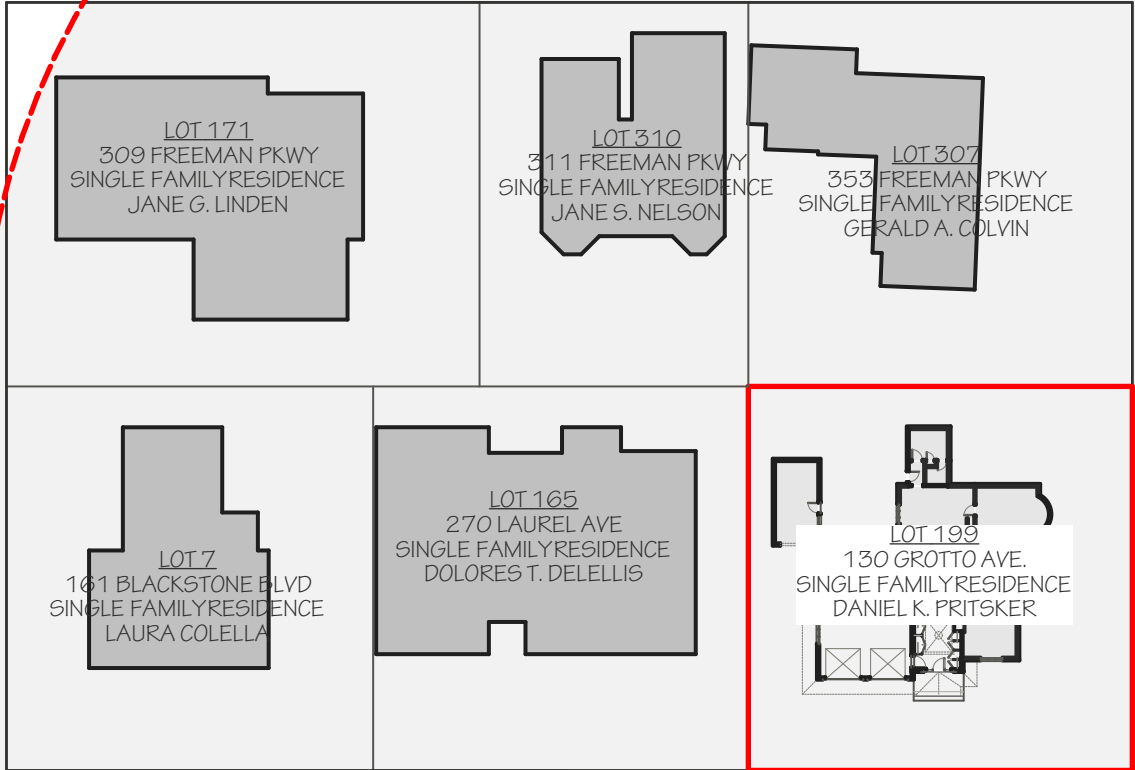
BLACKSTONE BOULEVARD



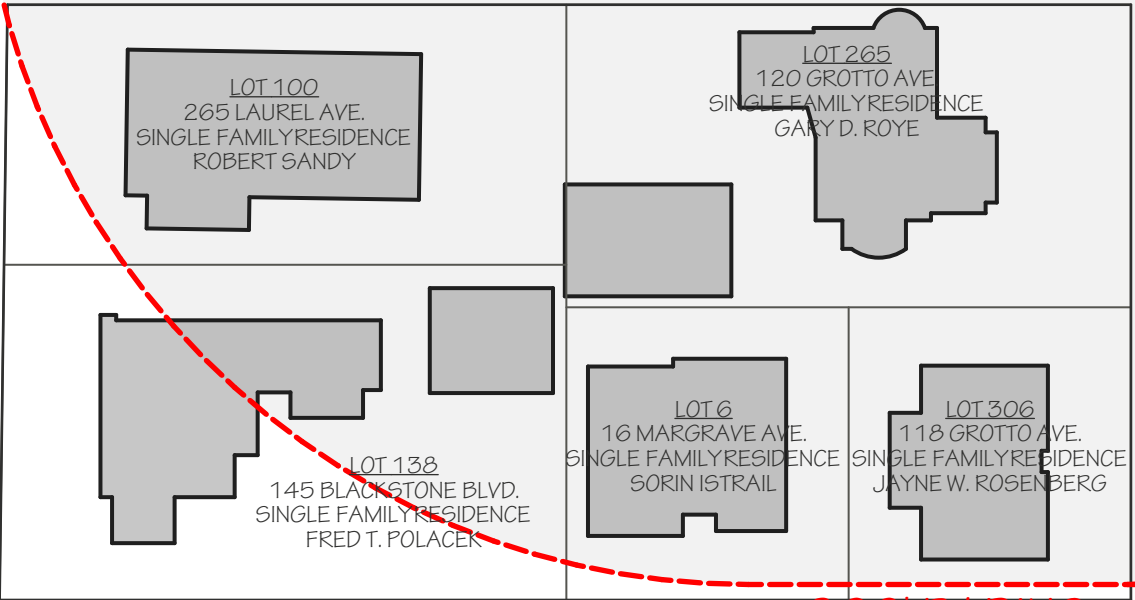
UPTON AVENUE



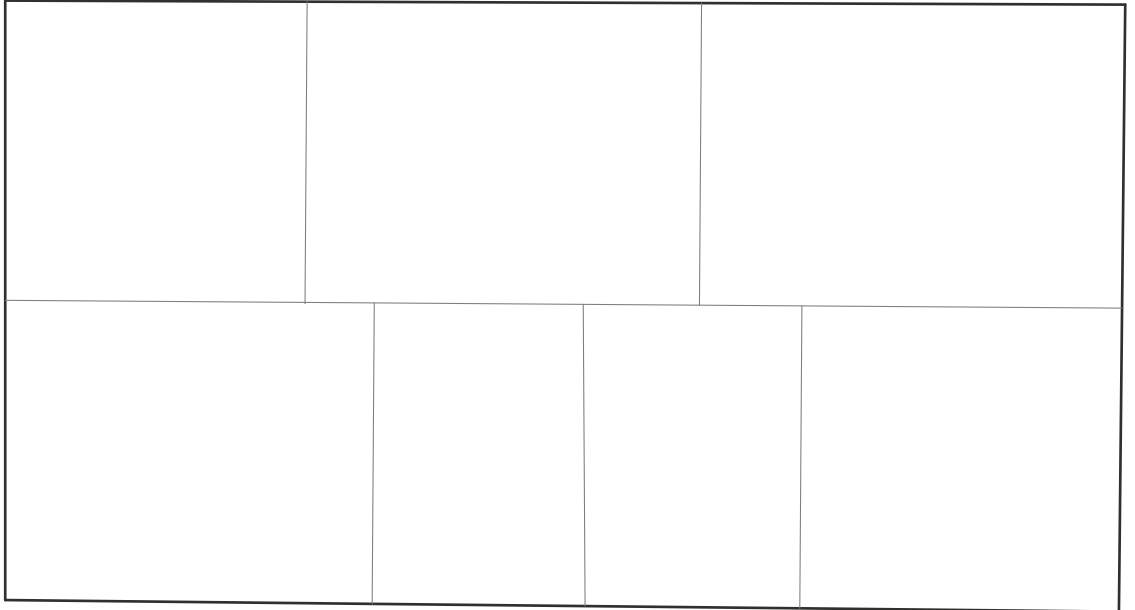
FREEMAN PARKWAY



LAUREL AVENUE



MARGRAVE AVENUE

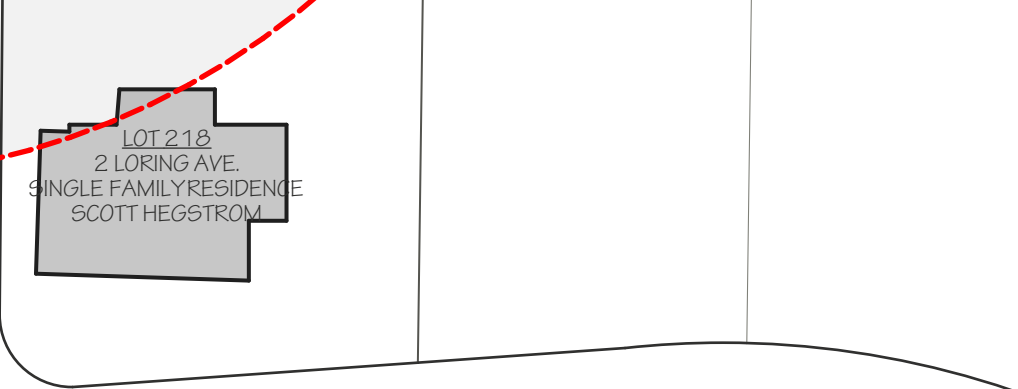
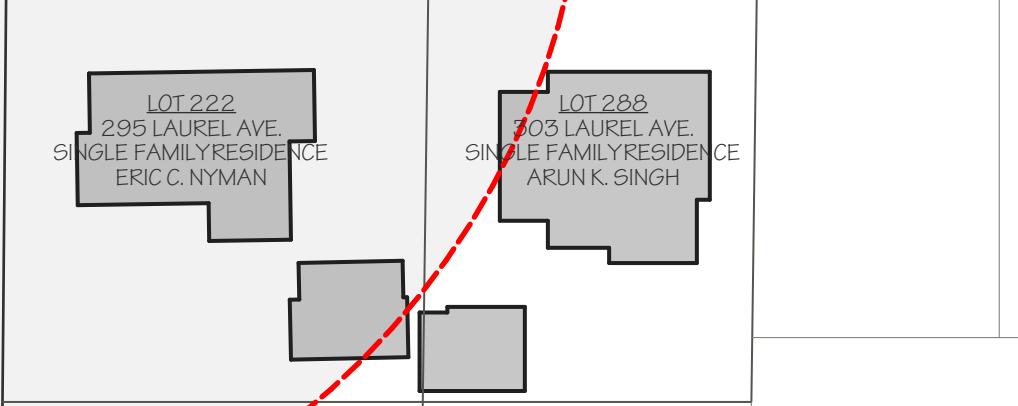
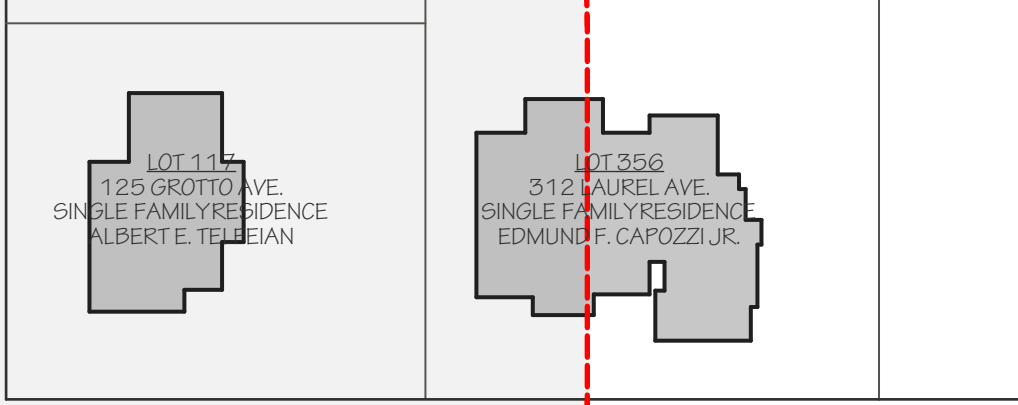
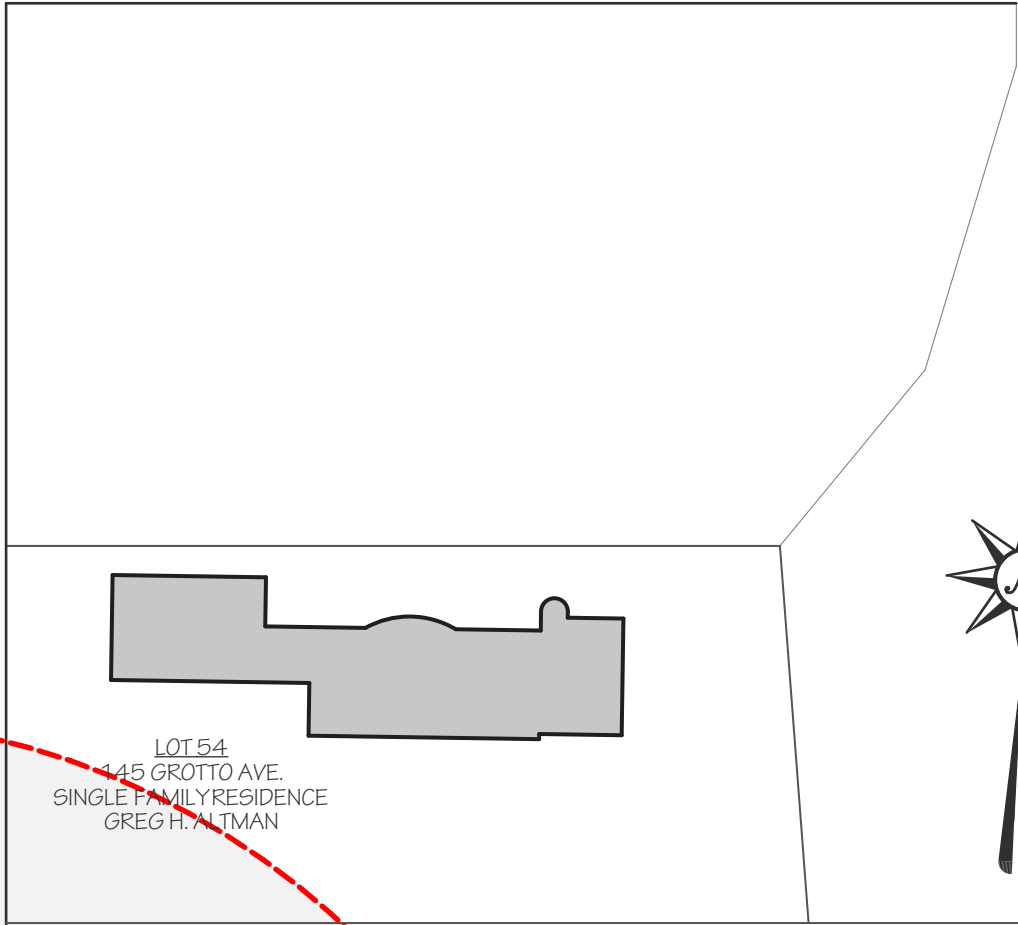


PENROSE AVENUE

ZONING LINE TYP.

ZONE R1

ZONE R1-A



LORING AVENUE



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Project
PRITSKER RESIDENCE
130 GROTTO AVE.
PROVIDENCE, RI 02906

Sheet Title:
200' Radius Site Plan

ISSUED FOR:		
DATE:	Thursday, July 21, 2022	
SCALE:	1" = 50'	
DRAWN BY:	MRT	
CHECKED BY:	GJS	
FILE NAME:		
DATE	REVISION	BY

Sheet Number:

1 of 6

0 50 100 200 300
SCALE: 1" = 50'







