

JAN 21 2025

CITY OF PROVIDENCE
BUILDING BOARD OF REVIEWAPPLICATION APPEALING THE DECISION OF THE BUILDING OFFICIAL, OR
FOR A VARIATION OR MODIFICATION FROM CERTAIN SECTIONS OF THE RI STATE BUILDING CODE

Check Type of Building Board Application:

- ☒ Variance – variation from, or modification of, certain sections of the RI State Building Code
☐ Appeal of a decision of the Building Official

If a section of the application is not applicable, please indicate this by using N/A in that field.

Applicant: George Musalli Applicant Mailing Address
Email: mussalli@gmail.com Street: 10 Arrowhead Ln
Phone: 617-510-5743 City, State, Zip: Milton, MA 02186

Owner: Mayflower Realty LLC Owner Mailing Address
Email: mussalli@gmail.com Street: 10 Arrowhead Ln
Phone: 617-510-5743 City, State, Zip: Milton, MA 02186

Appellant: _____ Appellant Mailing Address
Email: _____ Street: _____
Phone: _____ City, State, Zip: _____

Attorney: _____ Attorney Mailing Address
Email: _____ Street: _____
Phone: _____ City, State, Zip: _____

1. Subject Department of inspection + Standards Permit Number: BLDG-24-1532
2. Street Address of Subject Property: 14 Mayflower St
Assessor's Plat and Lot Numbers of Subject Property: 6-339
3. Base Zoning District(s): R-2
Overlay District(s): None

4. Date owner purchased the Property: 11/16/2021

5. Building construction type(s): 5B

6. Dimensions of each lot:

Lot # <u>339</u>	Width <u>40'</u>	Depth <u>124'</u>	Total area <u>5,400</u> sq. ft.
Lot # _____	Width _____	Depth _____	Total area _____ sq. ft.

7. Size of existing structure(s) located on the Property:

Principal Structure:

Area of Footprint 1,179 sq.ft.
Overall Height ~38'
of Stories 3

Accessory Structure:

Area of Footprint _____
Overall Height _____
of Stories _____

8. Size of proposed structure(s) located on the Property:

Principal Structure:

Area of Footprint No changes
Overall Height No changes
of Stories No changes

Accessory Structure:

Area of Footprint _____
Overall Height _____
of Stories _____

9. Present Legal Zoning Use of the Property: Residential - 2 family

10. Proposed Zoning Use of the Property: Residential - 3 family

11. Number of Parking Spaces:

of existing spaces _____ # of proposed spaces _____

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

☐ Providence Zoning Ordinance ☐ RI State Building or Property Maintenance Code(s)

13. Summarize all changes proposed for the Property (use, construction/renovation, site alteration):

Convert existing two family house to a two family house with and ADU. Interior renovation

14. If application is for variance, list RI State Building Code Sections from which a variance is sought:

<u>Section Number</u>	<u>Section Title + Required relief (e.g. dimensional deficiency of 6" on a landing)</u>
<u>420.4</u>	<u>Automatic Sprinkler System. Group R</u>
<u>903.2.8</u>	<u>Automatic Sprinkler System. Group R</u>
<u>1011.5.2</u>	<u>Riser Height and Tread Depth</u>
<u>1010.1.1</u>	<u>Size of Doors</u>
<u>1206.2</u>	<u>Airborne sound</u>
<u>1206.3</u>	<u>Structure-borne sound</u>
<u>3404.1</u>	<u>ALTERATIONS</u>

QUESTIONS 15 AND 16 TO BE ANSWERED ONLY IF APPLICATION IS AN APPEAL

15. IF application is an appeal of a decision of the Building Official, please indicate if:

- ☒ Appellant is the Owner of the subject Property
☐ Appellant is an aggrieved party that is not the Owner of the subject Property

16. IF application is an appeal of a decision of the Building Official, please indicate the grounds for the appeal:

SEE ATTACHED EXPLANATION OF REQUEST

**IF MORE ROOM IS NEEDED TO ANSWER ANY OF THE ABOVE QUESTIONS, PLEASE SUBMIT AN
ADDENDUM TO THIS APPENDIX WITH COMPLETE RESPONSES.**

The undersigned acknowledge(s) and agree(s) that members of the Building Board of Review and its staff may enter upon 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 for any false statements.

Owner(s):

George Musalli

Type Name

George Mussalli
Signature

Type Name

Signature

Applicant(s)/Appellant(s):

George Musalli

Type Name

George Mussalli
Signature

Type Name

Signature

All applicable requirements listed and described on the Instruction Sheet shall be met or this application will not be considered complete.

Please contact the Office of the Boards of Review with questions:

Telephone – 401-680-5375

Email – bsath@providenceri.gov

A fillable PDF copy of this document can be found online at the Boards of Review webpage linked from the Department of Inspection + Standards: <https://www.providenceri.gov/inspection-standards/>

EXPLANATION OF REQUEST:

THE DENIAL OF THIS PERMIT IS FOR THESE SECTIONS:

SECTION 3404.1

Except as provided by section 3401.4 or this section, alterations to any building or structure shall comply with the requirements of the code for new construction. Alterations shall be such that the existing building or structure is no less complying with the provisions of this code than the existing building or structure was prior to the alteration.

420.4 Automatic Sprinkler System

Group R occupancies shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.2.8.

903.2.8 Group R

An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

This existing home had an illegal third floor apartment unit. The goal of this project is to legalize this unit by creating a new Accessory Dwelling Unit on the third floor. This allows the building to be legalized and inspected. As part of this process, we are verifying and upgrading fire separations between the units (ceilings and walls, 1 hour) and installing self closing fire rated doors into stairwells and common areas (1 hour). Our request is to do this work without the need for installation of a sprinkler system.

WE ARE ADDITIONALLY REQUESTING RELIEF FROM THESE SECTIONS:

1011.5.2 Riser Height and Tread Depth

Stair riser heights shall be 7 inches maximum and 4 inches minimum. Winder treads shall have a minimum tread depth of 11 inches between the vertical planes of the foremost projection of adjacent treads at the intersections with the walkline and a minimum tread depth of 10 inches within the clear width of the stair.

This is an existing home, built many years ago. The existing stairs, front and rear, do not meet the requirements of 1011.5.2

1010.1.1 Size of Doors

The required capacity of each door opening shall be sufficient for the occupant load thereof and shall provide a minimum clear opening width of 32 inches.

This home has doors at the rear of the 1st floor and 2nd floor apartments that are nominally 30" wide. The design of this project increased the size of several doors to 36", but these two doors could not be enlarged due to the configuration of the existing stairs.

1206.2 Airborne Sound

Walls, partitions and floor-ceiling assemblies separating dwelling units and sleeping units from each other or from public or service areas shall have a sound transmission class of not less than 50

206.3 Structure-Borne Sound

Floor-ceiling assemblies between dwelling units and sleeping units or between a dwelling unit or sleeping unit and a public or service area within the structure shall have an impact insulation class rating of not less than 50.

For both airborne sound and structure-borne sound, this is an existing building with existing assemblies. There is not an intent to reconstruct this building, and therefore it is not possible to achieve modern assemblies that achieve an STC of or IIC of 50.

Signature Certificate

Reference number: 7URZT-99WYH-NIALG-S5REU

Signer

George Mussalli

Email: mussalli@gmail.com

Sent:

17 Jan 2025 21:38:39 UTC

Viewed:

18 Jan 2025 01:20:49 UTC

Signed:

18 Jan 2025 01:21:04 UTC

Timestamp

Signature

George Mussalli

Recipient Verification:

✓Email verified

18 Jan 2025 01:20:49 UTC

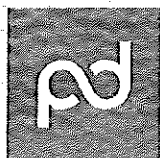
IP address: 24.147.42.2

Location: Milton, United States

Document completed by all parties on:

18 Jan 2025 01:21:04 UTC

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Signed with PandaDoc

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NOTICE OF REFUSAL OF PERMIT APPLICATION	CITY OF PROVIDENCE DEPT OF INSPECTIONS AND STANDARDS 444 Westminster Street - Providence, RI. 02903 Joseph A. Doorley – Municipal Building		APPLICATION DATE 11/07/2024	APPLICATION NO. BLDG-24-1532
			DATE OF REFUSAL 12/12/2024	APPEAL FEE \$440
LOCATION 14 Mayflower St. Providence, RI 02906		PAGE NUMBER 1 of 1		
APPLICANT George Mussalli	TITLE Applicant	ADDRESS 10 Arrowhead Ln, Milton, MA 02186		
PROPERTY OWNER'S NAME Mayflower Realty Llc		PROPERTY OWNER'S FULL ADDRESS 10 Arrowhead Ln, Milton, MA 02186		
THE APPLICATION FOR A <u>CERTIFICATE OF OCCUPANCY</u> FOR THE ABOVE LOCATION HAS BEEN REFUSED BECAUSE THE PROVISIONS OF THE RHODE ISLAND STATE CODE HAVE NOT BEEN COMPLIED WITH IN THE FOLLOWING PARTICULARS.				
SCOPE OF PERMIT: For interior alteration to change use from two-family dwelling to three-family dwelling. BUILDING DESCRIPTION: <u>Three (3) story, existing structure.</u> USE GROUP(S): <u>R-2 – Three dwelling units</u> LOCATION OF SPRINKLERS (IF ANY): <u>N/A</u> FLOOR AREAS / USES First Floor: 1058 Square Feet / Residential Unit #1 Second Floor: 1019 Square Feet / Residential Unit #2 Third Floor: 649 Square Feet / Residential Unit #3 TYPE OF CONSTRUCTION: <u>V-B (Existing)</u> C.O. REQUIRED: <u>YES</u>				
Has the proposed scope of work been completed? <input type="radio"/> Yes <input checked="" type="radio"/> No Has a violation been noted for this property? <input type="radio"/> Yes <input checked="" type="radio"/> No				
<u>RISBC-1 Rhode Island Building Code (510-RICR-00-00-1)</u>		<u>CODE SECTIONS AND REASONS FOR REFUSAL</u>		
Section 3404.1		Alterations Except as provided by section 3401.4 or this section, alterations to any building or structure shall comply with the requirements of the code for new construction. Alterations shall be such that the existing building or structure is no less complying with the provisions of this code than the existing building or structure was prior to the alteration.		
Section 420.4		Automatic sprinkler system. Group R occupancies shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.2.8.		
Section 903.2.8		Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.		
**		Whereas, No fire suppression system is proposed.		

Discipline: --Building Code--

Signed


Yaniv Gal
Senior Plan Examiner

Signed


Johnny Suarez
Building Official

☒ Applicant ☐ Property Owner