

FEB 18 2022

CITY OF PROVIDENCE
ZONING BOARD OF REVIEW

APPLICATION FOR VARIANCE OR SPECIAL USE PERMIT

Check Each Type Zoning Relief Sought:

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

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: Susan Leahy

Address 187 Howell St., Providence, RI

Zip Code 02906

E-mail susieleahy@live.com

Phone 401-378-6462

Home/Office

Mobile (Cell)

Owner: Michael White, II, Brigid White

Address 187 Howell Street, Providence, RI

Zip Code 02906

Jasper White, Susie Leahy, Michael White

E-mail susieleahy@live.com

Phone 401-378-6462

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:** 185-187 Howell Street, Providence

Street Address

2. **Zoning District(s):** R-3 Zoning District

Special purpose or overlay district(s): N/A

3a. **Date owner purchased the Property:** 1/20/2015

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

3. Dimensions of each lot:

Lot #	<u>23</u>	Frontage	<u>42ft</u>	depth	<u>100feet</u>	Total area	<u>4000sf</u>	sq. ft.
Lot #	<u> </u>	Frontage	<u> </u>	depth	<u> </u>	Total area	<u> </u>	sq. ft.
Lot #	<u> </u>	Frontage	<u> </u>	depth	<u> </u>	Total area	<u> </u>	sq. ft.

4. Size of each structure located on the Property:

Principal Structure:	Total gross square footage	<u>5,076sf</u>
Footprint <u>1,269sf</u>	Height <u> </u>	Floors <u>3</u>

Accessory Structure:	Total gross square footage	<u> </u>
Footprint <u> </u>	Height <u> </u>	Floors <u> </u>

5. Size of proposed structure(s):	Total gross square footage:	<u>5,076sf</u>
Footprint <u>1,269sf</u>	Height <u> </u>	Floors <u>3</u>

6a. Existing Lot coverage: (include all buildings, decks, etc.) 34%

6b. Proposed Lot coverage: (include new construction) 34%

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

Two-Family

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

Two-Family

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

Three-Family

9. Number of Current Parking Spaces: 4

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

No proposed construction - Applicant is seeking to convert existing space into a third residential unit.

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:

<u>1902</u>	<u>Dimensional Variance - Request relief from dimensional standards for 3family.</u>
<u>402</u>	<u>R3 Dimensional Standards</u>

13. Explain the changes proposed for the Property.

Please see Exhibit A to application (attached)

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):

Susan Leahy

Type Name

Susan Leahy

Signature

Signature

Applicant(s):

Susan Leahy

Type Name

Susan Leahy

Signature

Signature

Additional Owners:

Michael White, II

Signed: Michael White

Brigid White

Signed: Brigid White

Jasper White

Signed: Jasper White

Michael White

Signed: Michael White

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?

Conversion of third floor space to usable living space; Allow highest and best use of the property.

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

Former third floor boarding house. Contains separate means of access from rear of building. Desire to restore highest and best use of the property. Consistent with neighborhood 3families

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.**

Please see Exhibit A attached. The Applicants purchased the Property in order for our son to live in Providence while attending RISD. Son co-owns the property and siblings wish to reside in the property independent of one another, thereby requiring a separation of the larger units. Third floor unit has existing/separate ingress and egress.

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).**

Please see exhibit A attached - The applicant seeks the least amount of dimensional relief needed to permit the request. The property otherwise complies with all applicable regulations. The Applicants wish to utilize existing space and are not expanding into areas that do not previously exist. Space formerly 6 bed boarding house with separate ingress/egress. The use is permitted in the zoning district and is consistent with other three families in the neighborhood.

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.**

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.**

Please see Exhibit A attached.

Exhibit A

The subject parcel is located at 185-187 Howell Street, Providence, Rhode Island and is more particularly described as Lot 23 on Tax Assessor's Plat 9. The parcel consists of approximately 4,000 square feet of area (.09 acres) and contains a 3-story building currently used as a two-family dwelling. The property is located in the Residential 3 (R3) Zoning District which permits up to three family dwellings.

Pursuant to Article 4, §402 – Dimensional Standards - of the City of Providence Zoning Ordinance, the Applicant is requesting a dimensional variance to convert third floor living space into a third dwelling unit - no construction or structural alterations are required. Article 4, §402 requires 5,000sf of lot area for three-family structures in the R3 Zoning District. The proposed use is allowed as-of-right in the R3 Zoning District.

Pursuant to Article 4 – Residential Districts – the R3 Zoning District is “intended for higher density residential areas of detached single-family, two family, *and three-family residential development*, as well as rowhouse development.”

In January 2020, the existing structure sustained a fire in the second-floor kitchen. The property suffered significant smoke and fire damage to all floors and the property was rehabilitated and repaired to its previously existing conditions. During the renovation, the Applicants installed sprinkler systems to protect the building and ensure compliance with all relevant building code regulations.

The hardship from which the applicant seeks relief is due to the unique characteristics of the structure and is not due to the general characteristics of the area. The third-floor space where the unit is proposed was a 6-bedroom boarding house with separate ingress/egress. The space is the same size and scale (1,200sf) as the other units in the building and includes a new fire suppression system. The uniqueness of the structure has created an uncharacteristically large (1,200sf) empty space with separate access.

The applicant's intent is to create a livable space for their three children to live in and manage the property together. The Applicants' three children are co-owners, and the premises has been owner-occupied since it was acquired. The proposed use is consistent with the general character of the area and does not involve *any* exterior modifications – the exterior of the structure will remain the same. The immediate area consists of multi-family structures both two and three family dwellings in close proximity on nonconforming lots and the proposed use is consistent with those features.

The R3 zoning district specifically authorizes three-family structures. While the interior was updated and modernized, no new space is being created. The relief to be granted is the least relief necessary as applicants are utilizing existing space and otherwise meets applicable zoning regulations. The application is limited to the minimum relief needed to facilitate the request.

December 1, 2021

Dear Members of the Zoning Board of Review:

My name is Brigid White and I am 20 years old. I am a third year college student majoring in Criminal Justice. When I graduate from college in October 2022, I plan to attend the Rhode Island Police Academy to pursue a future working as a police officer as well as work in the field of animal cruelty investigation.

As a lifelong Rhode Island resident, I have been involved in numerous endeavors around the state and outside of the state as well. My work has consisted of interning with the Humane Special Agent of the Rhode Island Society for the Prevention of Cruelty to Animals (RISPCA) in East Providence, attending school at the New England Institute of Technology in both Warwick and East Greenwich, working at Black and White Pet Care as a groomer in Ashford, Connecticut, and am lucky to have a social life with my friends who live in towns from southern Rhode Island to northern Massachusetts. As small as Rhode Island is, it is common to be involved with various organizations and people in different directions. For me personally, I have found that Providence is central.

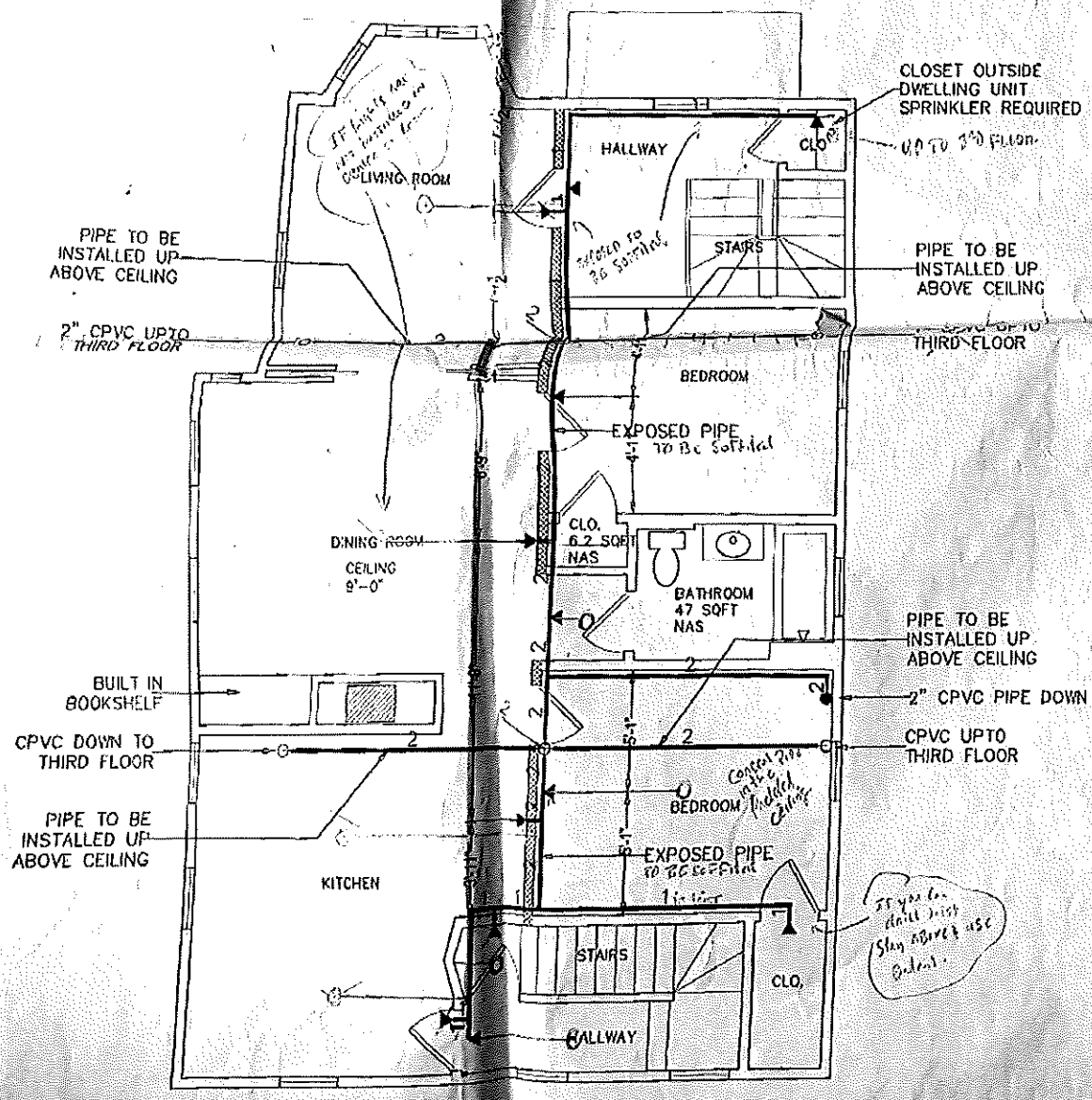
I grew up in North Kingstown, Rhode Island with my two older brothers, Jasper and Mike White. However, as we have all aged and pursued different paths, it is important to me that we have the opportunity to have separate spaces. I moved into our house on Howell Street in Providence this past summer (of 2021.) It would mean a great deal to me to live in a separate unit. Although my brothers and I are very close, living together in our adulthood was not our plan. Our house on Howell Street is wonderful in that it can provide close but separate spaces. Having three separate units would provide a great long-term option for our family.

During my family's renovation of the home, while my brothers lived there since 2015 and since I've moved in, I have become close with the other people who live on Howell Street. The community of neighbors, some there for three generations and some shorter-term, is one that can be uncommon for cities; Howell Street feels safe and inviting and I'm grateful for this space. However, I do hope that my brothers and I can create separate apartments for the longer-term future.

Thank you very much,
Brigid White

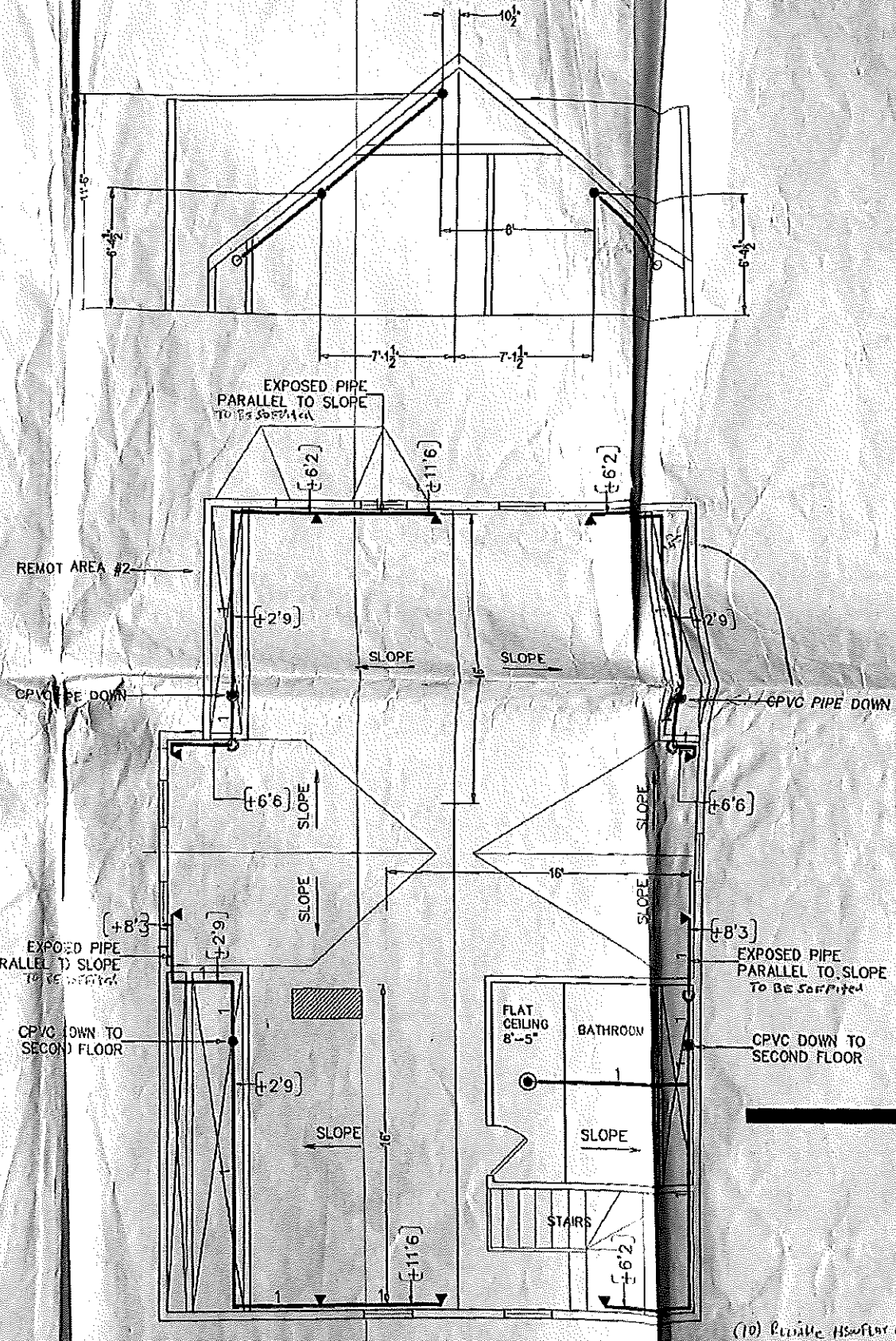
STY	QTY	NOTE	SPRINKLER SYMBOLS			
1	1	RESIDENTIAL OVERALL	OPNVE	155	12"	12"
2	1	RESIDENTIAL PERCENT	OPNVE	155	12"	12"

FLOOR RESIDENTIAL OVERALL 155 12" 12" 12"
 FLOOR RESIDENTIAL PERCENT 155 12" 12" 12"



SECOND FLOOR PLAN
 N NTS

(15) revise floor plan



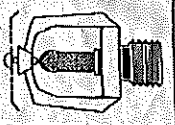
THIRD FLOOR PLAN
 N NTS

(10) Revise HSA floor plan

FIELD DRAWING: 5-20-2020

REVISIONS	DESCRIPTION	DATE	BY

ENCORE FIRE PROTECTION
 70 BACON STREET
 PAINTUCKET, RI 02881
 (800) 966-000

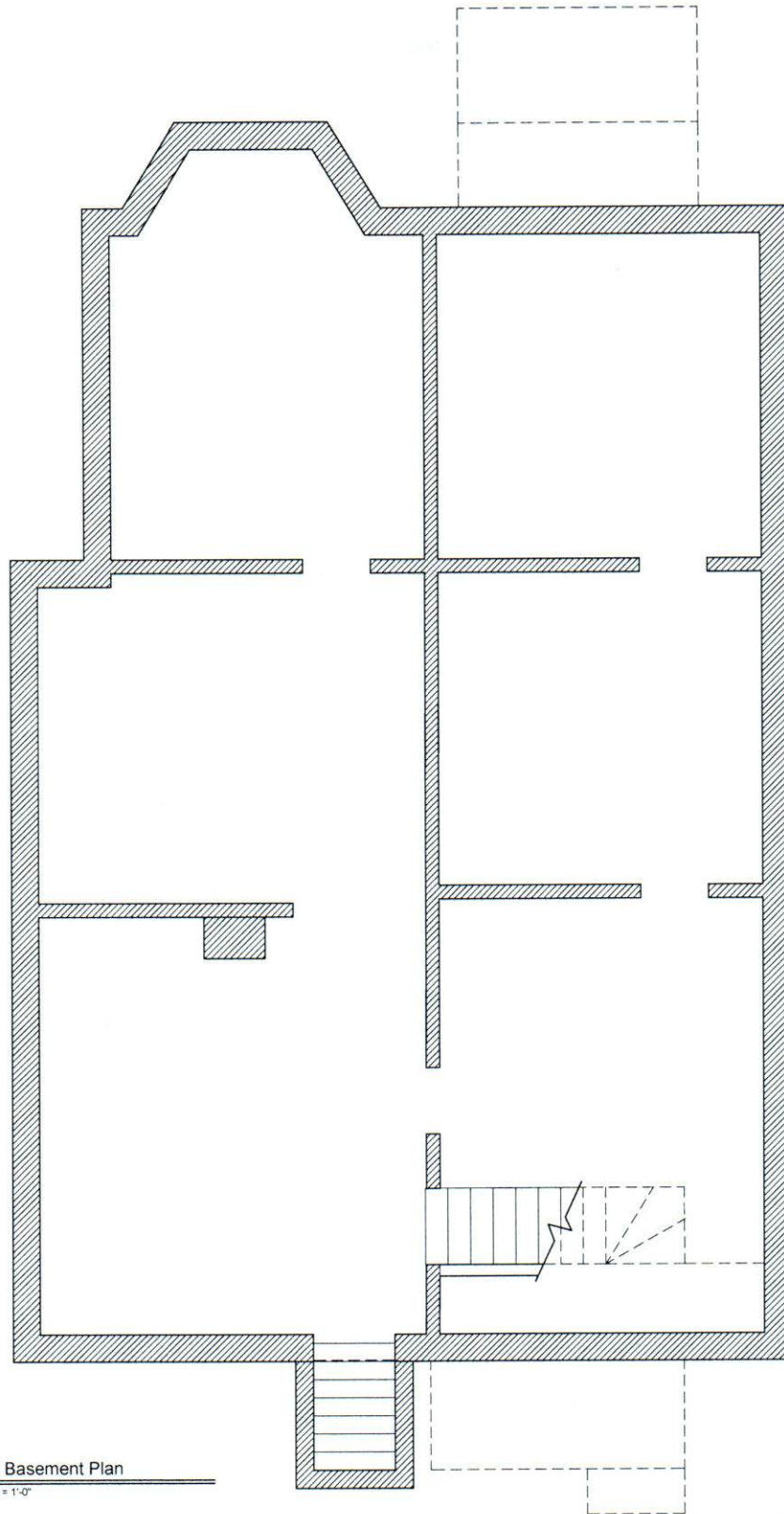


187 HOWELL STREET
 PROVIDENCE, RI

STAMP


*Follman
 Print*

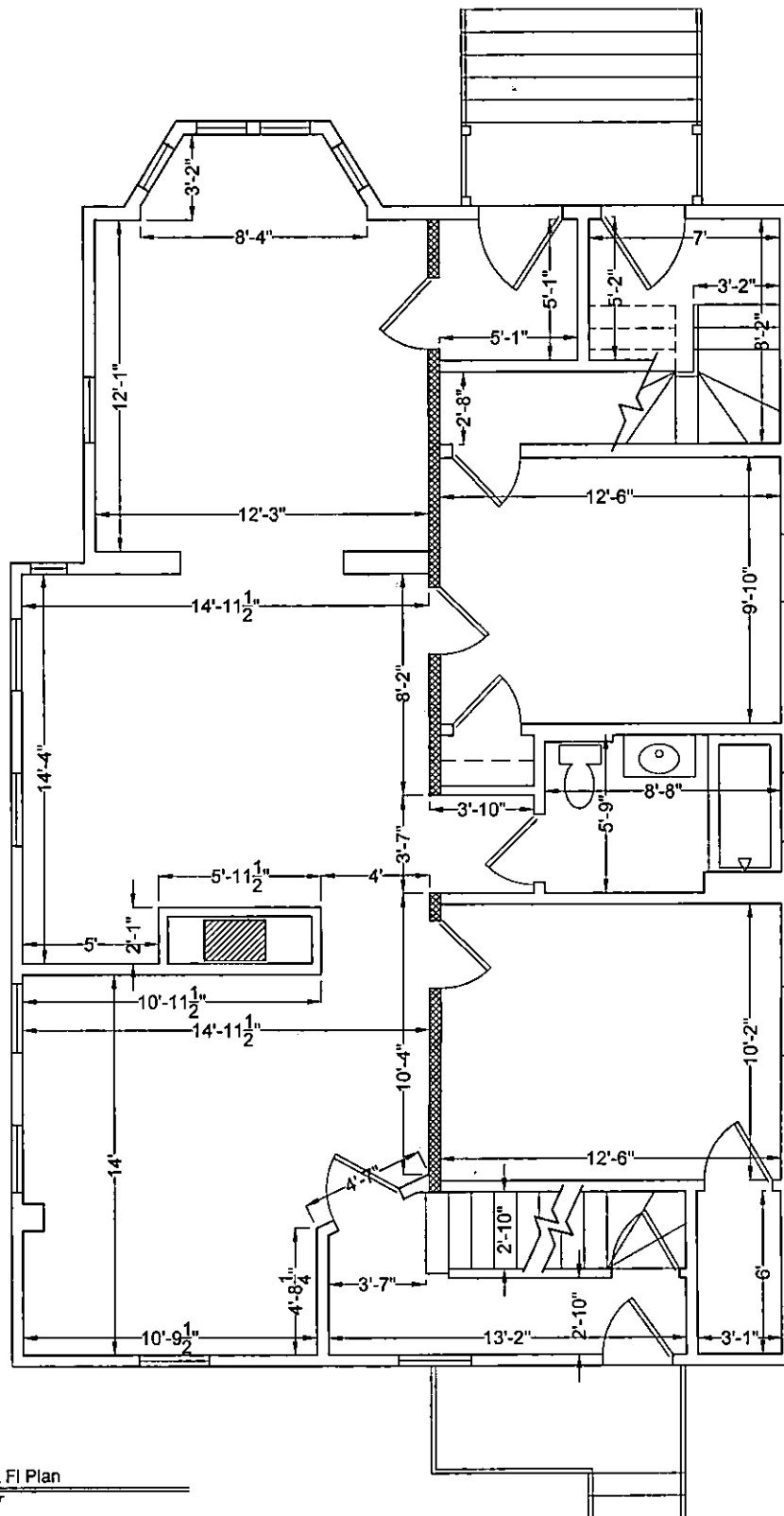
SPRINKLER PIPE SECOND & THIRD FLOOR	
CONTRACT NO.	DATE:
APPROVAL: PROVIDENCE FD	MAA
DRAWN BY:	AS NOTED
SCALE:	DATE: 5-4-2020



Existing Basement Plan

Scale = 1/4" = 1'-0"

<p>Date Issued: 04.13.20 Date Revised: 05.05.00</p> <p>Preliminary Review</p> <p>Drawing No.: A-004 Drawing 4 of 10</p>	<p>Lahay Residence 187 Howell St Providence, RI</p>	<p>Proposed Renovations 187 Howell St Providence, Rhode Island</p>	 <p>PROJECT NORTH</p>
<p>ART+CMITECTURE 60 Riverside Ave Providence, RI - 02871 401-619-1384 ph/fax - 413-441-7608 cell</p>	<p>Existing Basement Plan</p> <p>Scale: As Noted Reviewed by: TMT Drawn by: TMT</p>		



Existing 1st Fl Plan

Scale = 1/4" = 1'-0"

Drawing No.:
A-001
 Drawing 1 of 10
 Preliminary Review
 Date Issued: 04.13.20
 Date Recheck: 08.05.00

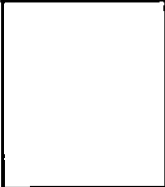
Laney Residence
 187 Howell St
 Providence, RI

ART+CHITECTURE
 60 Riverside Ave
 Portsmouth, RI - 02871
 401-619-1384 ph/fax - 413-441-7608 cell

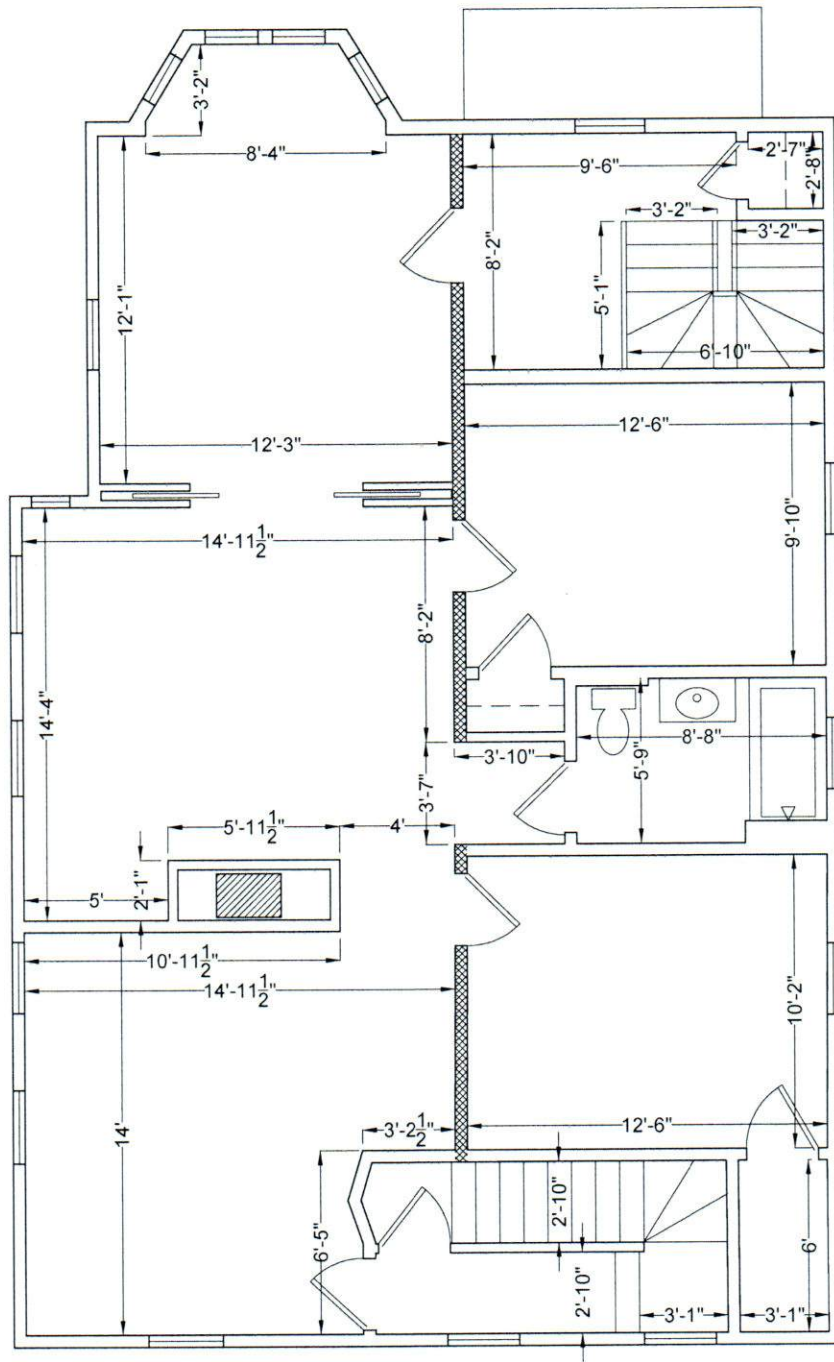
Proposed Renovations
 187 Howell St
 Providence, Rhode Island

Existing 1st Floor Plan

Scale: As Noted
 Reviewed by: TMT
 Drawn by: TMT




PROJECT NORTH

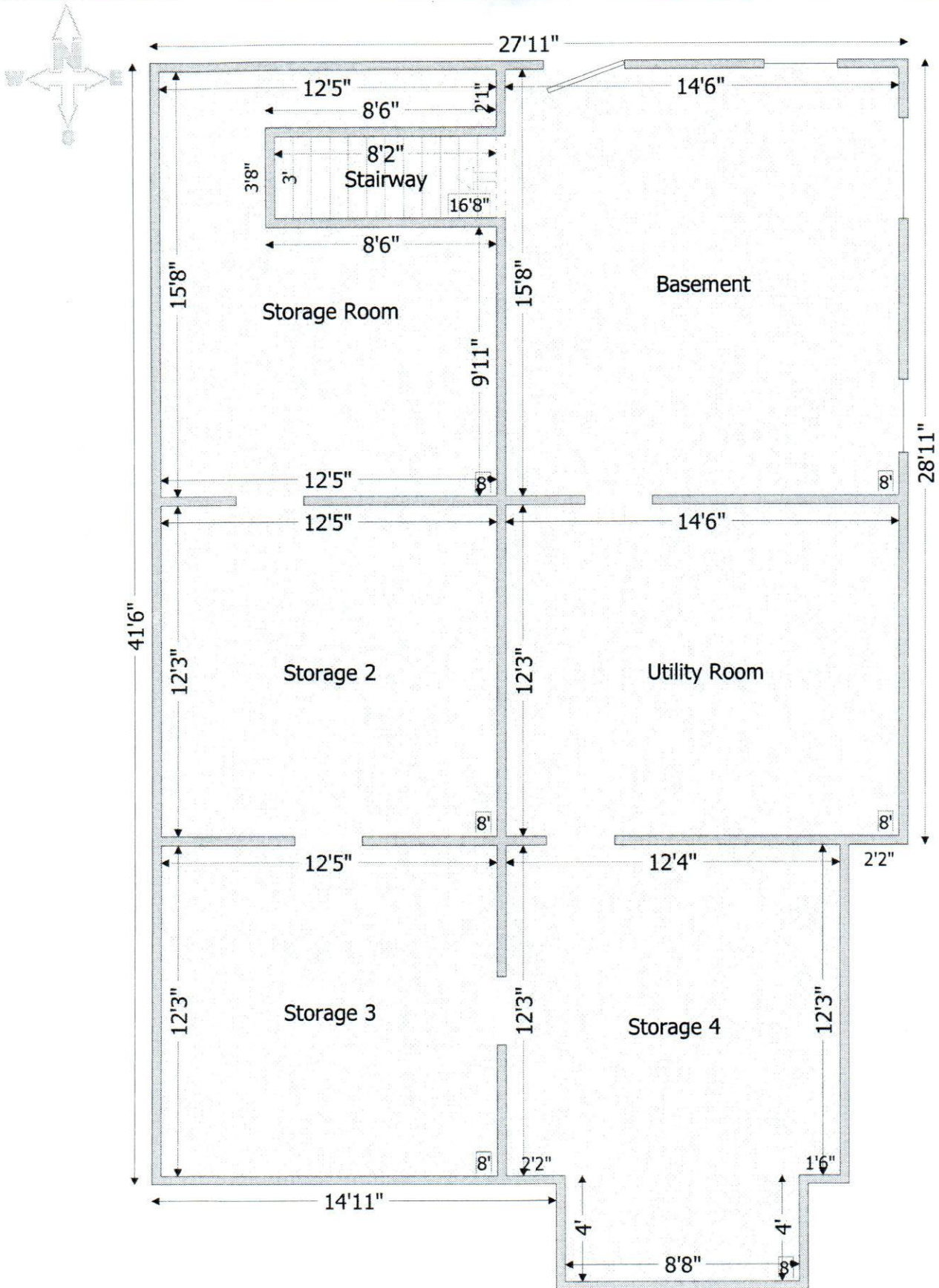


Existing 2nd Fl Plan

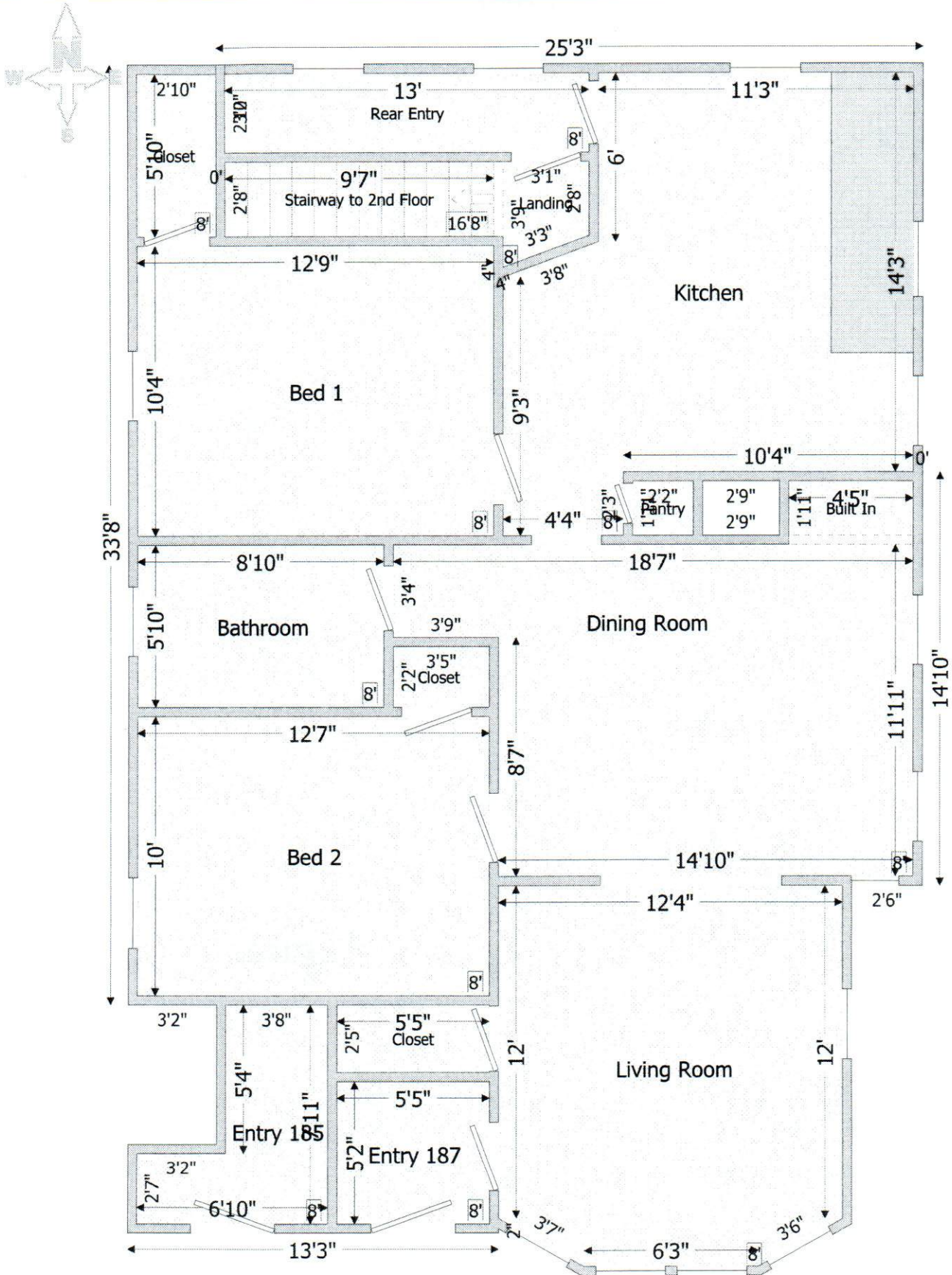
Scale = 1/4" = 1'-0"

<p>Date Issued: 04.13.20 Date Revised: 00.00.00</p> <p>Preliminary Review</p> <p>Drawing No.: A-002</p> <p>Drawing 2 of 10</p>	<p>Lahy Residence 187 Howell St Providence, RI</p> <hr/> <p>ART+CHITECTURE 60 Riverside Ave Providence, RI - 02871 401-619-1384 ph/fax - 413-441-7608 cell</p>	<p>Proposed Renovations 187 Howell St Providence, Rhode Island</p> <hr/> <p>Existing 2nd Floor Plan</p> <p>Scale: As Noted Reviewed by: TMT Drawn by: TMT</p>	 <p>PROJECT NORTH</p>
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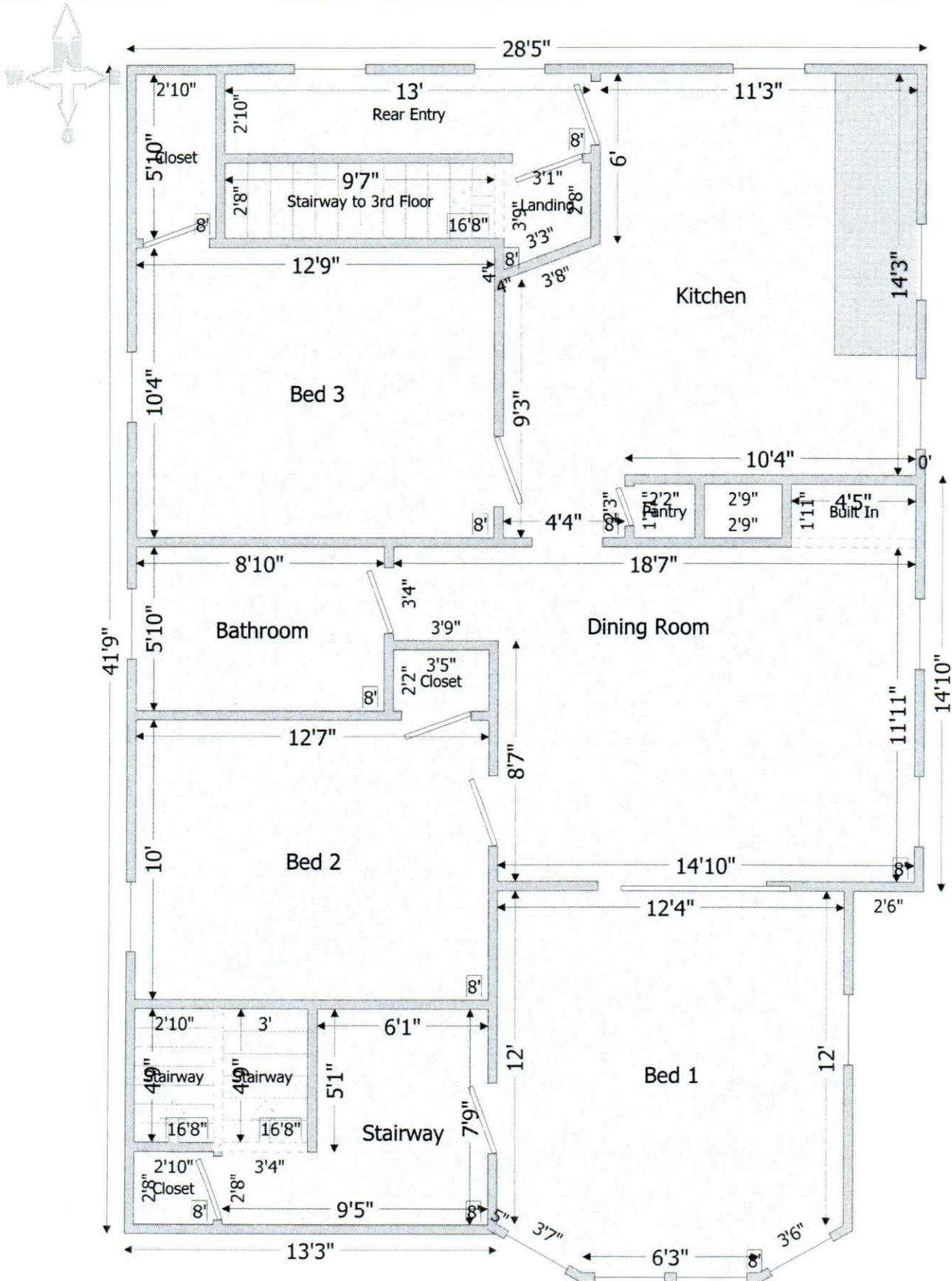
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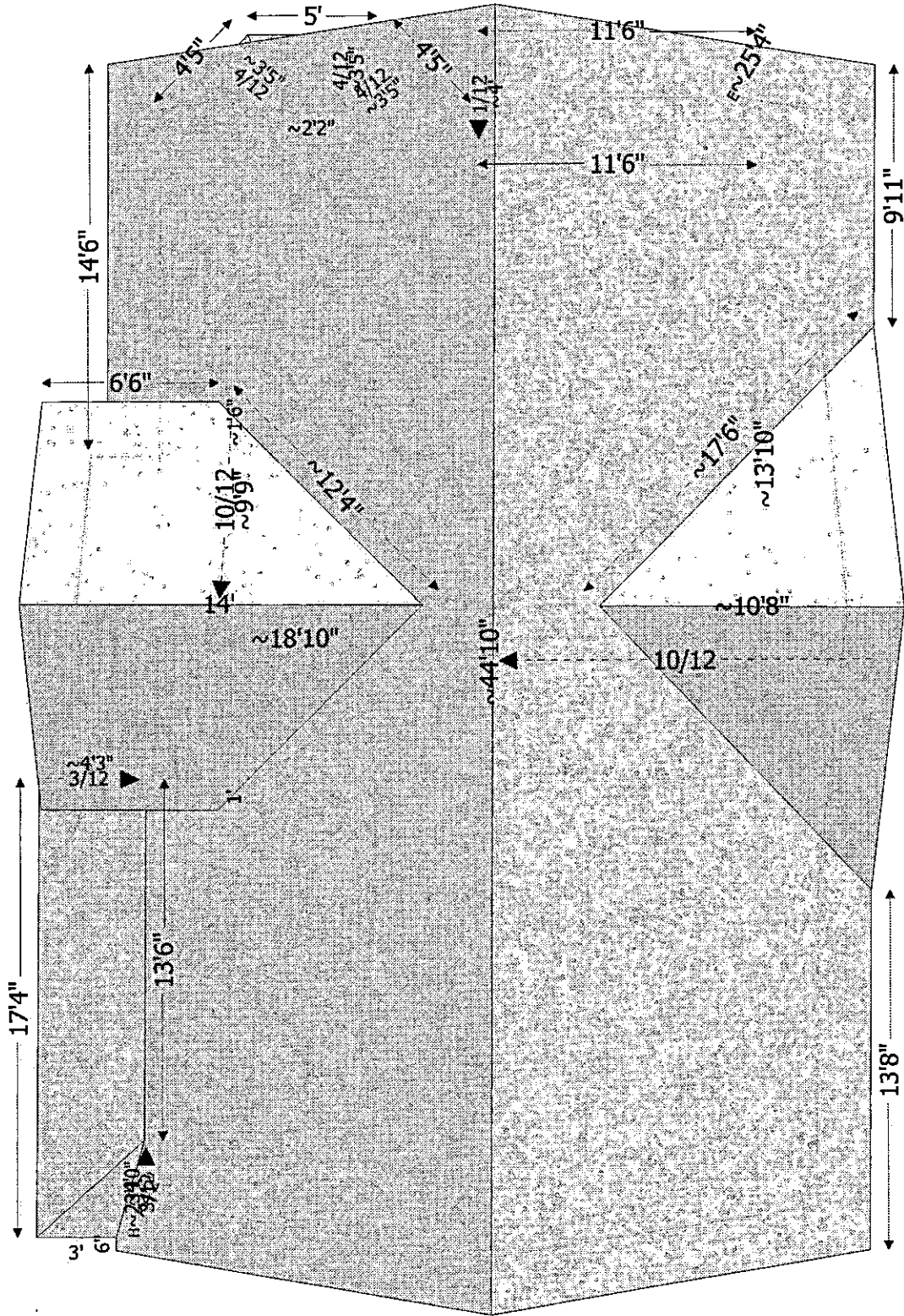
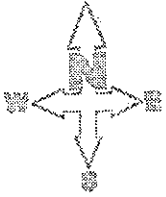
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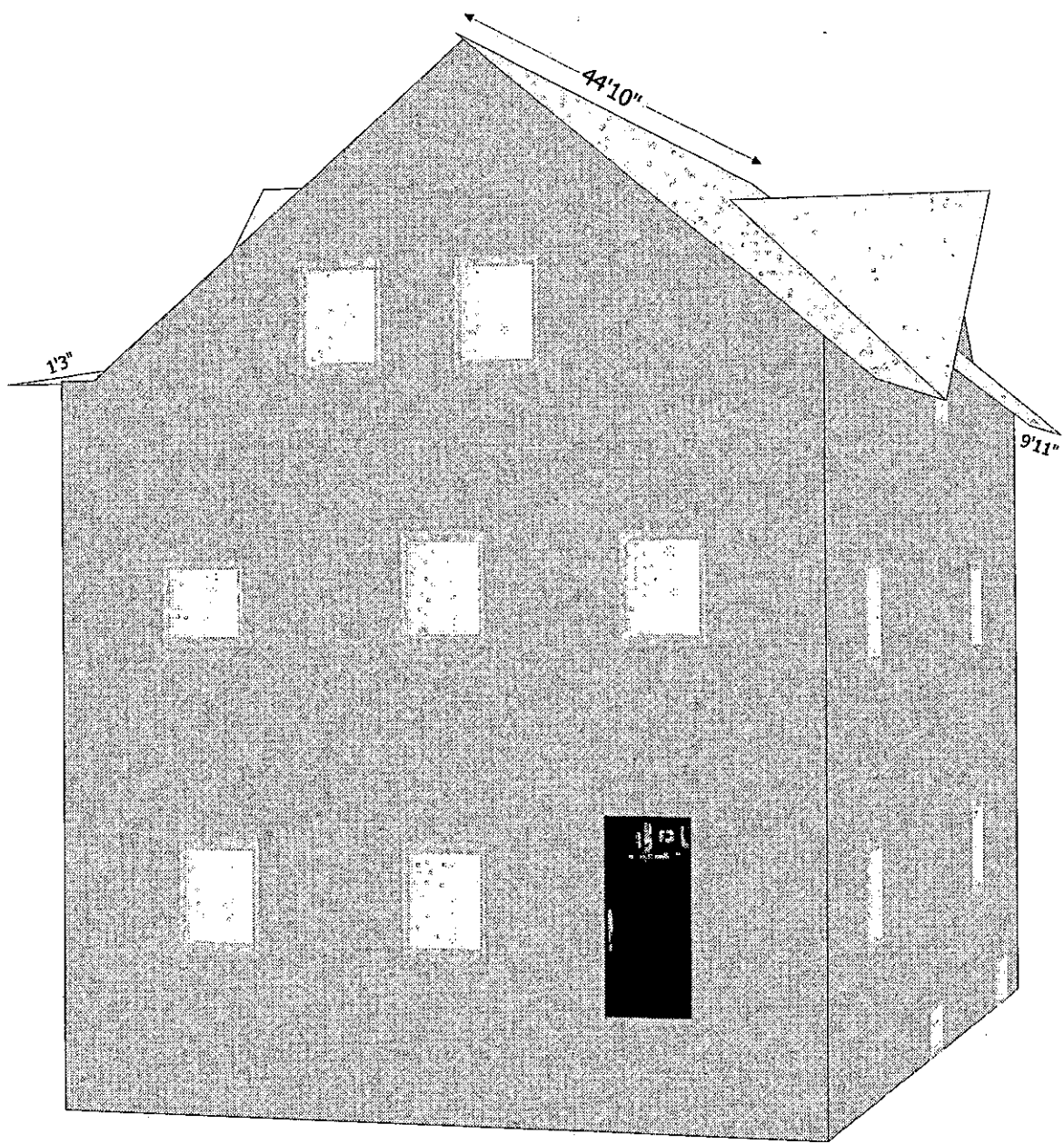
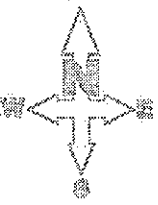
Second Floor:



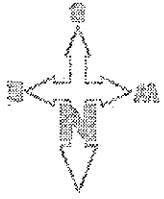
Roofplan:



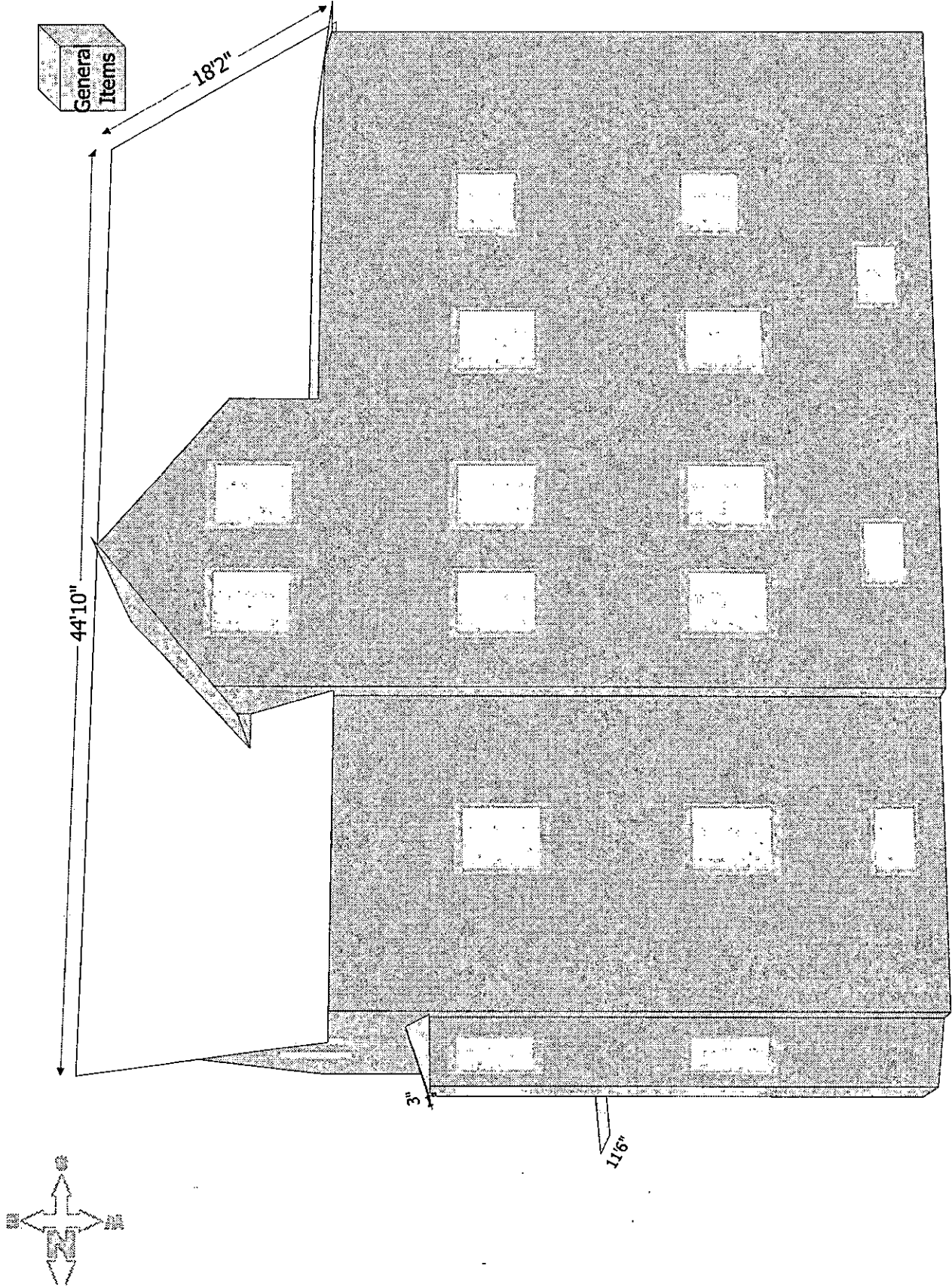
Exterior Plan - View 1:



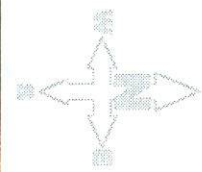
Exterior Plan - View 2:



Exterior Plan - View 3:



Exterior Plan - View 4:





















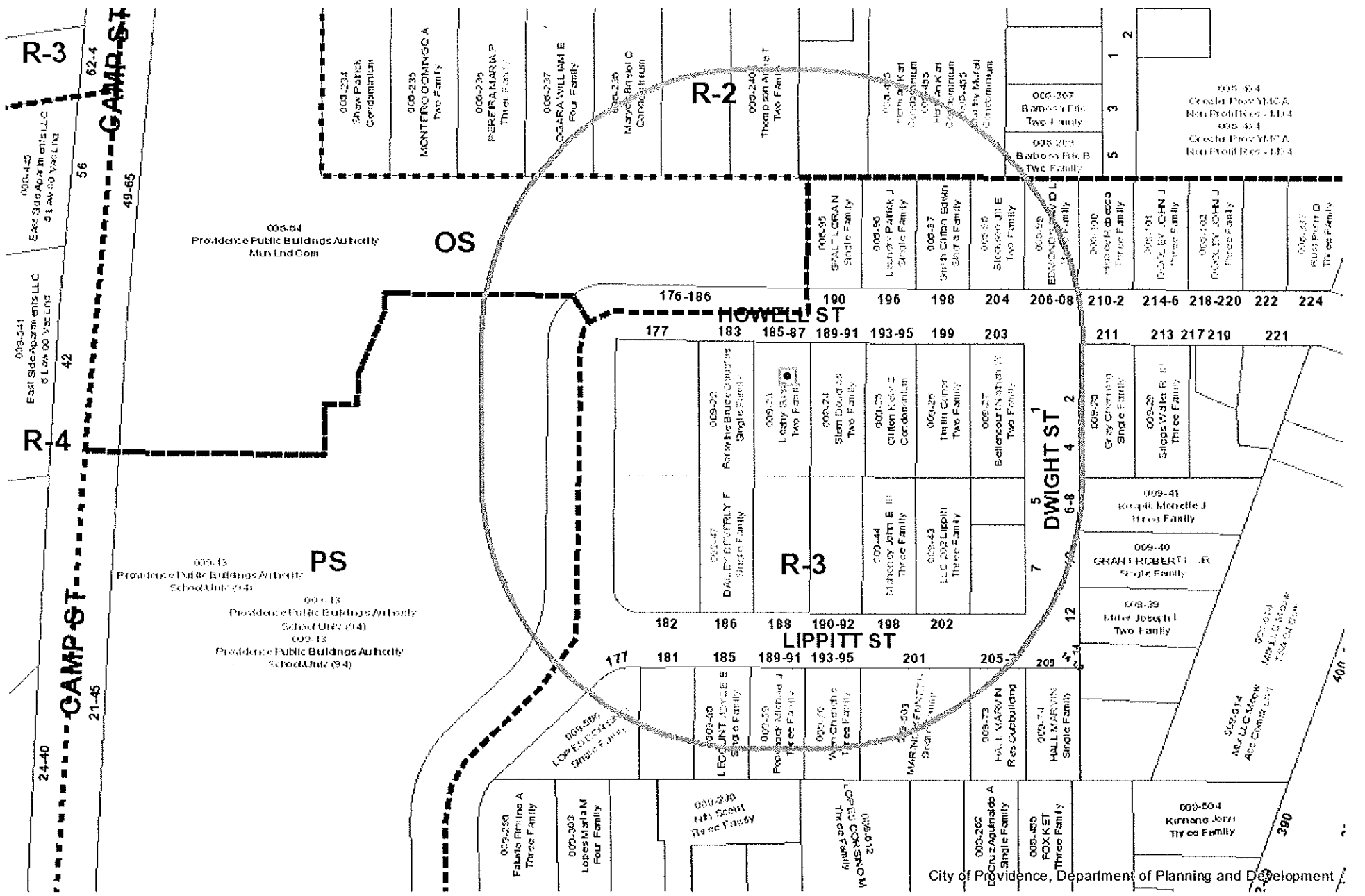










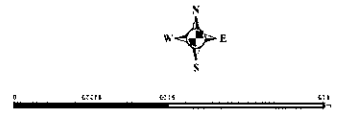


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Produced by the Providence Planning and Development GIS Lab
445 Main Street, Providence, RI 02902

City of Providence
Providence Geographic Information System

Date: 11/20/22



PROVIDENCE, RHODE ISLAND

PROVIDENCE THE CREATIVE CAPITAL

DEPARTMENT OF PLANNING AND DEVELOPMENT
JOSÉ O. BELUNZA, Mayor | JOHANNES PERSONAHO, Director

City of Providence, Department of Planning and Development