





**13. Explain the changes proposed for the Property.**

No changes proposed for the property or the buildings. See attached  
Narrative for background and basis for relief.sought.

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*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.*

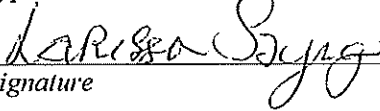
*The undersigned further acknowledge(s) that the statements herein and in any attachments or appendices are true and accurate, and that providing a false statement in this application may be subject to criminal and/or civil penalties as provided by law, including prosecution under the State and Municipal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

**Owner(s):**

**Applicant(s):**

Larissa Sayig

Type Name



Signature

Type Name

Signature

Type Name

Type Name

Signature

Signature

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

#13

Attachment to Application for Variance  
189 Ontario Street, AP 52 Lot 322

Applicant and Owner, Larissa Sayig, acquired the property located at 189-193 Ontario Street, Providence, RI, Assessor's Plat 52 Lot 322 from her ex-husband, John Sayig, on July 16, 2012 in connection with the terms of their Divorce. At the time of acquisition, the property was being used as a five (5) family residential dwelling in an R-2 Zone District.

John Sayig was the owner of the property in January, 1990 when the City of Providence Building Board of Review after hearing on January 31, 1990 granted relief sought by Mr. Sayig in performing the building alterations and the conversion of the building from three (3) to five (5) apartments. See Exhibit A copy of Resolution #4360 issued by the Building Board of Review.

On April 23, 1990 Mr. Sayig obtained Building Permit #1795 from the Department of Inspections and Standards to perform the alterations on the property. Building Department Field Cards document that the work to be performed as various alterations on the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors to convert from Three (3) Fam. To Five (5) Fam Dwelling. See Exhibit B copy of Field Card attached.

On July 27, 1992, John Sayig obtained a subsequent Permit #-170 for the replacement of 12 storm windows on the building. The Field Card at the time listed the property to be used for a five (5) family dwelling and No. of families as Five (5). See Exhibit C copy of Field Card attached.

The Tax Assessor's Property Description Card identifies the property as a five (5) family dwelling in an R-2 Zone District. The property has been taxed by the City Collector as a five (5) unit building since the early 1990's. See Exhibit D attached.

Based upon the records of the Building Official, John Sayig complied with all of the conditions imposed by Resolution #4360 and the property apparently passed all City inspections required to permit occupancy as a five (5) unit apartment house in 1990.

Since at least 1990, the property has been continuously occupied and used as a five (5) unit apartment house, accepted by the Department of Inspection and Standards and taxed as such by the City Collector.

Recently, the Owner entered into an agreement to sell the property to a third party. A Zoning Certificate issued by the Building Official lists the property as a three (3) family dwelling, and not as a five (5) unit as approved by the City in January, 1990. Efforts to correct the record were unsuccessful and the Owner was advised by the Providence City Solicitor to obtain Zoning Board approval in order to legalize the use which has been in existence for 30 years.

## 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 Narrative. Property was approved for conversion from three (3) family to five (5) family in 1990. Owner obtained building permits and converted the building to a five family as approved.

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

Not specifically the land or structure but the approved conversion to a five family which has not been recognized by Building Official issuing Zoning Certificate

**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 \_\_\_\_\_

**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 X No \_\_\_\_\_

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

Prior Owner obtained Building Board of Review approval for conversion of three (3) family dwelling to a five (5) family dwelling in 1990. To the best of our information, all inspections passed and occupancy permitted since 1990.

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 Narrative. Applicant just seeks to formalize relief granted by Building Board of Review in 1990. Applicant will not realize any financial gain but would suffer significant costs in removing units to return the building to a three (3) family dwelling.~~

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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 Narrative. Applicant seeks only to validate what was granted in 1990 by Building Board of Review and no further or additional relief being sought.~~

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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.

~~See Narrative. Applicant already obtained the approval for the use as a five (5) family dwelling in 1990 from Building Board of Review and this application seeks to validate that use.~~

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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.

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## Building Board of Review

*"Building Pride In Providence"*

February 8, 1990

### RESOLUTION NO. 4360

John M. Sayig  
190 Waterman Ave.  
East Providence, RI 02914

Dear Sir:

At a meeting of the Building Board of Review held on Wednesday, January 31, 1990, the following resolution was adopted:

WHEREAS, John M. Sayig, owner of Lot 322 on Assessor's Plat 52 (191-193 Ontario St.) in the Second Fire District; filed an application for permission to be relieved from Table 401(8) and Sections 704.2, 706.2, 807.4.1, 809.4, 816.2.1, 816.3.1, 816.5, 816.6.2, 816.6.3, 816.9.2, 916.0 and 1002.18 in the proposed alteration of the interior of the building being converted from three to five apartments.

WHEREAS, on Wednesday, January 31, 1990, members of the Building Board of Review made an inspection of the above described premises.

WHEREAS, on Wednesday, January 31, 1990, a public hearing was held on this application by the Building Board of Review.

RESOLVED: That the Building Board of Review does hereby grant relief from Table 401(8) and Sections 704.2, 706.2, 807.4.1, 809.4, 816.2.1, 816.3.1, 816.5, 816.6.2, 816.6.3, 816.9.2, 916.0 and 1002.18 of the RI State Building Code substantially in accordance with the application and plans filed with said Board, with the following conditions:

- 1.) A smoke alarm system be installed consisting of 110 volt hard wired smoke detectors in the basement and at the top of the stairway interconnected so that they sound an alarm together.
  - 1a) Individual hard wired smoke detectors be installed in each apartment.
  - 1b) Electrical permits must be obtained for all smoke and heat detectors.
  - 1c) If boilers are within close proximity to one another, at least one sprinkler head must be installed above them. If boilers are not together, one sprinkler head must be installed above each boiler.
- 2.) Solid core doors be installed on all front and rear apartment entrances.
- 3.) Provide a solid core door with closer on second floor between front and rear stairs.

Exhibit A

By Order of the Building Board of Review.

*Caesar D. Floriani*  
CAESAR D. FLORIANI, CHAIRMAN

CDF:bat  
cc: Fire Marshall



Jorge O. Elorza, Mayor



Joseph Atchue, Director

PROVIDENCE A CITY THAT WORKS

**Department of Inspections and Standards**  
**ZONING CERTIFICATION**

A zoning certificate is defined by R.I.G.L. § 45-24-31(65) as "a document signed by the zoning enforcement officer, as required in the zoning ordinance, which acknowledges that a use, structure, building or lot either complies with or is legally nonconforming to the provisions of the municipal zoning ordinance or is an authorized variance or modification therefrom."

**Location:** 189 Ontario St , Providence 02907  
**Plat/Lot:** 052-0322-0000  
**Lot Area:** 9881  
**Zoning District:** R-2 Residential District-HD Historic District Overlay District  
**Zoning Use:** Dwelling - Three Family  
**Issue Date:** March 13, 2020

**Zoning Use 1**

**Zoning Use:** Dwelling - Three Family  
**Reference Document (Permit #):** No. 2406 **Date:** 08-30-1926  
**Date of CO or LOC:**  
**Is this Zoning Use permitted by right?:** No  
**Is this Zoning Use nonconforming?:** Yes  
**Is this Zoning Use by Variance or Special Use Permit?:** No  
**ZBR Resolution Number:** -

**Requestor Info:**

**Name:** jack gannon

**Owner Info:**

**Name:** LARISSA SAYIG  
**Address:** 189 ONTARIO STREET PROVIDENCE R.I.  
**Phone: Email:**

**Comments:**

No zoning relief was granted after the 1990 Building Board of Review Decision.

This certificate is being supplied to you in accordance with R.I.G.L. §45-24-54 and Section 1916, Article 19 of the City of Providence Code of Ordinances, which provide that upon a written request for guidance or clarification, the director of the Department of Inspection and Standards shall issue a zoning certificate or provide information to the requesting party within fifteen (15) days of a written request. The zoning designation provided by the director shall be considered accurate on the date. Please note that zoning designations are subject to change by the Providence City Council

A handwritten signature in black ink, appearing to read "Joseph M. Atchue".

Zoning Official

DEPARTMENT OF INSPECTION & STANDARDS

DATE 4/23/90 PERMIT NO. 1795  
LOCATION 191-193 Ontario St.  
WARD 9 PLAT 52 LOT 322  
OWNER John M. Sayig  
ARCHITECT  
BUILDER Owner  
MATERIAL 5B  
NATURE OF WORK Alterations include: 1st, 2nd, & 3rd  
NO. OF BLDGS. flrs., to convert from Three (3) Fa  
NO. OF STORIES 3 to Five (5) Fam. Dwelling  
TO BE USED FOR Five (5) Family  
NO. OF FAMILIES  
FIRE DISTRICT 2  
\* Refer to Bldg. Bd. Res. #4360/90

DEPARTMENT OF INSPECTION & STANDARDS

DATE	7/27/92	PERMIT NO.	#-170
LOCATION	191-193 Ontario St		
WARD	9	FLAT	52
		LOT	322
OWNER	John Sayig		
ARCHITECT			
BUILDER	Oscar Rico		
MATERIAL	5B		
NATURE OF WORK	Remove & replace (12) Storm windows		
NO. OF BLDGS.			
NO. OF STORIES	three (3)		
TO BE USED FOR	Five (5) family dwelling		
NO. OF FAMILIES	Five (5)		
FIRE DISTRICT	2nd		

\$900

Exhibit C

**189 ONTARIO ST**

Location 189 ONTARIO ST

Plat Lot Unit 52 / 322 / 1

Owner LARISSA SAYIG

Building Name

Assessment \$309,100

PID 10976

Building Count 1

**Current Value**

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$266,300	\$42,800	\$309,100

**Owner of Record**

Owner LARISSA SAYIG

Sale Price \$0

Co-Owner

Book & Page 10318/0177

Address 24 MARY AVE  
EAST PROVIDENCE, RI 02914

Sale Date 07/16/2012

**Ownership History**

Ownership History			
Owner	Sale Price	Book & Page	Sale Date
LARISSA SAYIG	\$0	10318/0177	07/16/2012

**Building Information**

**Building 1 : Section 1**

Year Built: 1930  
 Replacement Cost: \$438,800  
 Building Percent Good: 60  
 Replacement Cost  
 Less Depreciation: \$263,300

**Building Photo**

Building Attributes	
Field	Description
Style	Five Family
Grade:	B-
Stories:	2
Occupancy:	5
Exterior Wall 1:	Stucco

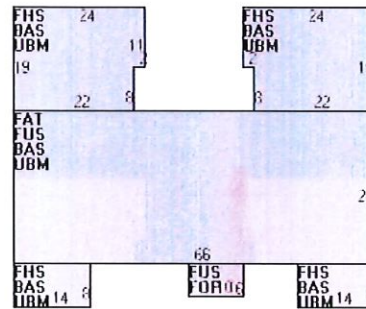
Exhibit D

Exterior Wall 2:	Wood Shingle
Roof Structure:	Gambrel
Roof Cover:	Slate
Interior Wall 1:	Plaster
Interior Wall 2:	
Interior Floor 1	Hardwood
Interior Floor 2	
Heat Fuel:	Gas
Heat Type:	Steam
AC Type	None
Total Bedrooms	9 Bedrooms +
Total Full Baths	5
Total Half Baths	0
Total Rooms	22
Bath Style	Typical
Kitchen Style:	Typical
Total Kitchens	5
Fireplaces	0
Extra Openings	1
Gas Fireplaces	0
Usrflid 107	
Num Park	
Bsmt Garages	
Fin Bsmt Area	
Fin Bsmt Type	
Rec Rm Area	
Usrflid 300	
Usrflid 301	



(<http://images.vgsi.com/photos/ProvidenceRIPhotos/A00107148136.jpg>)

**Building Layout**



([http://images.vgsi.com/photos/ProvidenceRIPhotos/Sketches/10976\\_109](http://images.vgsi.com/photos/ProvidenceRIPhotos/Sketches/10976_109))

Building Sub-Areas (sq ft)		Legend	
Code	Description	Gross Area	Living Area
BAS	First Floor	2,952	2,952
FUS	Finished Upper Story	1,908	1,908
FHS	Finished Half Story	1,104	662
FAT	Finished Attic	1,848	554
FOP	Open Porch	60	0
UBM	Basement	2,952	0
		10,824	6,076



**Extra Features**

Extra Features		Legend
No Data for Extra Features		

**Land**

Land Use		Land Line Valuation	
Use Code	105	Size (Acres)	0.23
Description	Five Family	Assessed Value	\$42,800

Neighborhood 1230  
Alt Land Appr No

**Outbuildings**

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Assessed Value	Bldg #
FGR1	Garage	FR	Frame	324.00 SF	\$3,000	1

**Valuation History**

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$266,300	\$42,800	\$309,100

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
THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO SECTION 9 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON JULY 12, 2020 AS FOLLOWS:

HORIZONTAL ACCURACY CLASS IV

THIS COMPILATION PLAN HAS BEEN PREPARED FROM SOURCES OF INFORMATION AND DATA WHOSE POSITIONAL ACCURACY AND RELIABILITY HAS NOT BEEN VERIFIED. THE PROPERTY LINES DEPICTED HEREON DO NOT REPRESENT A BOUNDARY OPINION, AND INFORMATION DEPICTED IS SUBJECT TO SUCH CHANGES AS AN AUTHORITY FIELD SURVEY MAY DISCLOSE.

THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THE PLAN IS AS FOLLOWS.

RADIUS MAP FOR PLANNING PURPOSES

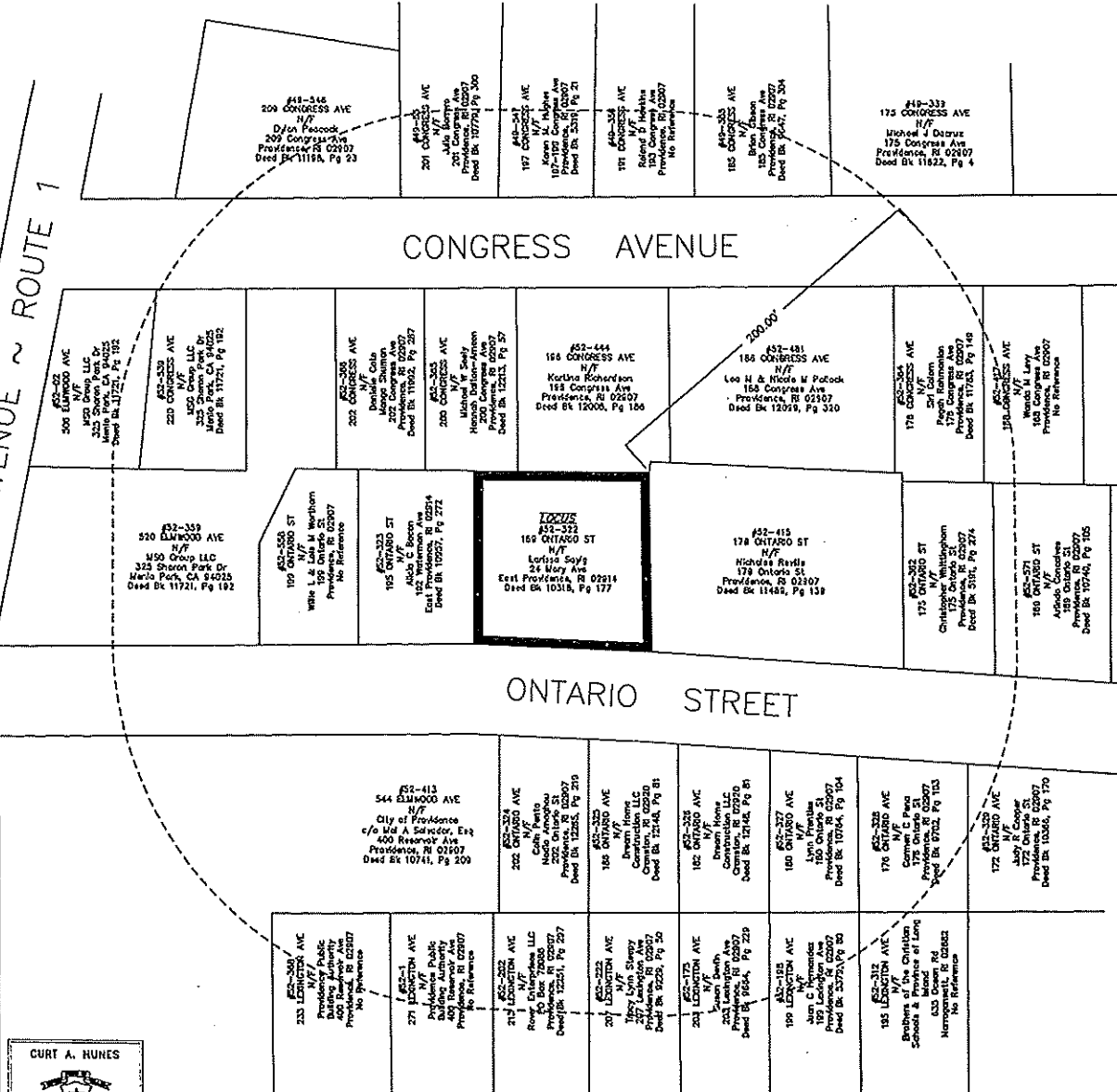
BY:  (P.L.S. 5)  
CURT A. HUNES 1901 (P.L.S. PRINTED AND #)  
L.S. 4335 (COA #)

ELMWOOD AVENUE ~ ROUTE 1

CONGRESS AVENUE

ONTARIO STREET

LEVINSTON AVENUE



**COMMONWEALTH  
LAND SURVEYORS, INC.**  
1182 SOUTH MAIN STREET  
ATLANTON, MASSACHUSETTS 02703  
800-453-2834

**200-FOOT RADIUS ABUTTERS  
MAP  
FOR  
189 ONTARIO STREET  
PROVIDENCE, RHODE ISLAND**



SCALE: 1"=40'	SHEET NO.: 1 of 1
DRAWN BY: CH	CHECKED BY: CAN
DATE: JULY 12, 2020	PROJECT NO.: 2020-028





12.16.2020 18:01





12.16.2020 18:01





12.16.2020 18:02





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