

Jorge O. Elorza
Mayor

Marc A. Greenfield
Chair



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Zoning Board of Review

RESOLUTION NO. 2021-27

October 22, 2021

IN RE: Request to Extend Expiration Date of Resolution No. 2021-18 for an
Additional Six (6) Month Period (Article 19, Section 1902.B.)

PROPERTY: Tax Assessor's Plat 14, Lot 531
381 Angell Street

OWNER/
APPLICANT: Borna Properties/Ozren T. Buntak
381 Angell Street
Providence, RI 02906

COUNSEL: John J. Garrahy, Esq.
2088 Broad Street
Cranston, RI 02905

2021 OCT 25 A 11: 10
CITY CLERK
PROVIDENCE, RI
FILED

On October 13, 2021, the within matter came before the Zoning Board of Review (the "Board") for a public hearing on the request by the Owner and Applicant (the "Applicant") for a six-month extension of the expiration date for the dimensional variance granted to the above-designated Property. The following members of the Board were present throughout the hearing: Chair Greenfield, Mr. Wolf, Mr. Strother, Ms. Maniotes, and Ms. Rodriguez. Mr. Mitchell and Mr. Scott sat as a non-voting alternates.

After hearing thereon, the Board finds as follows:

1. Pursuant to Resolution No. 2020-18, issued on June 14, 2021, the Board granted a dimensional variance related to the lot area requirement for a change of use of the Property to 4 dwelling units.

2. Article 19, Section 1902.D. of the Ordinance provides that any variance granted by the Board shall expire six (6) months after the date of the filing of the Resolution granting the variance, unless the applicant obtains a complete building permit for the project and proceeds with construction.

3. Ordinance Section 1902.E.1. provides that the Board may, upon written request and for cause shown prior to the expiration of the initial six-month period, renew the variance for a second six-month period.

4. On September 17, 2021, Counsel for the Applicant submitted a written request for a six (6) month extension of the expiration of the variance, which would provide the Applicant an extension of time from December 14, 2021 until June 14, 2022 to obtain a complete building permit and commence construction.

5. This is the first request filed by the Applicant. The Board may grant the extension without advertising the request.

6. The Board accepts the representations of Attorney John Garrahy that the delay in the project is due to the fact that the Applicant is a member of the United States Military, is stationed in Germany, and as a result is having difficulty making arrangements with a contractor to perform the work.

WHEREFORE, on motion made by Mr. Wolf, seconded by Mr. Strother, the Board voted (5-0) to GRANT THE EXTENSION of time for a six (6) month period ending **June 14, 2022**.

By Order of the Zoning Board of Review.



MARC GREENFIELD
CHAIR

NOTICE TO OWNERS/APPLICANTS:

A SECTION 1902 OF THE ORDINANCE REQUIRES THAT ANY VARIANCE OR SPECIAL USE PERMIT GRANTED BY THE BOARD SHALL EXPIRE SIX MONTHS AFTER THE DATE OF THE FILING OF THE RESOLUTION IN THE OFFICE OF THE BOARD UNLESS THE APPLICANT SHALL, WITHIN THE SIX MONTHS, OBTAIN A LEGAL, COMPLETE BUILDING PERMIT AND PROCEED WITH CONSTRUCTION; IF NO CONSTRUCTION IS REQUIRED, THE APPLICANT SHALL OBTAIN A LEGAL BUILDING PERMIT FOR THE USE, OR A CERTIFICATE OF OCCUPANCY. DEMOLITION AND FOUNDATION PERMITS ARE NOT BUILDING PERMITS FOR PURPOSES OF THIS REQUIREMENT. NO PERMIT OR CERTIFICATE OF OCCUPANCY WILL ISSUE UNTIL THE OWNER AND/OR ITS REPRESENTATIVE COMPLIES WITH PARAGRAPH B BELOW.

- B. THE ORIGINAL RESOLUTION IS ON FILE IN THE OFFICE OF THE ZONING BOARD OF REVIEW. THE OWNER OR THEIR REPRESENTATIVE MUST OBTAIN THE ORIGINAL RESOLUTION FROM SAID OFFICE, RECORD THE RESOLUTION IN THE CITY'S LAND EVIDENCE RECORDS, AND PROVIDE COPIES OF THE RECORDED RESOLUTION TO BOTH THE OFFICE OF THE ZONING BOARD OF REVIEW AND THE DEPARTMENT OF INSPECTION AND STANDARDS.

MOTION TO APPROVE THE REQUEST FOR EXTENSION

MADE BY: Wolf

SECONDED BY: Strother

MEMBERS VOTING IN FAVOR OF THE MOTION: Wolf, Strother, Maniotes, Rodriguez, Greenfield

MEMBERS VOTING AGAINST THE MOTION: None

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