

Jorge O. Elorza
Mayor

Marc Greenfield
Chair



2022 MAY 26 10:18:20

Zoning Board of Review

RESOLUTION NO. 2022-09

May 18, 2022

IN RE: Application for Special Use Permit
(Principal Use Parking Lot)

PROPERTY: Tax Assessor's Plat 70, Lot 22
27 Hawkins Street (R-3 Residential Zoning District)

OWNER/
APPLICANT: Relentless Realty LLC
536 Atwells Ave
Providence, RI 02909

COUNSEL: Dylan Conley, Esq.
Law Office of William J. Conley, Jr.
123 Dyer Street, 2nd Floor
Providence, RI 02903

On April 13, 2022, the within matter came before the Zoning Board of Review (the "Board") for a duly noticed public hearing on the request by the Owner and Applicant (together the "Applicant"), for a dimensional variance at the above-designated Property. The following members of the Board were present throughout the hearing: Chair Greenfield, Mr. Strother, Ms. Rodriguez, Mr. Mitchell, and Mr. Scott. Mr. Wolf was not present for the full presentation of the matter. Ms. Maniotes was absent.

WHEREAS, the Applicants sought a special use permit pursuant to Table 12-1 and Section 1202.V.2 of the Providence Zoning Ordinance of November 24, 2014, as amended (the "Ordinance") in order to establish the use of the Property as principal use parking lot; and

WHEREAS, prior to the hearing, the members of the Board individually made inspections of the Properties and of the surrounding neighborhood; and

WHEREAS, Attorney Dylan Conley presented the application and the testimony of Robert D'Amico, a member of the Applicant LLC; and

WHEREAS, there was no written or oral comment on the matters; and

WHEREAS, the Board received, and the Chair read into the record, the April 13, 2022 recommendation of the Department of Planning and Development ("DPD") recommending the granting of the special use permits, provided that the Board finds it meets the special use criteria.

NOW, THEREFORE, after consideration of the Application, the testimony, and all the evidence of record, upon motion by Mr. Strother, seconded by Mr. Mitchell, the Board voted unanimously (5-0) to APPROVE the Application for special use permit.

**THE BOARD HEREBY MAKES THE FOLLOWING
FINDINGS OF FACT AND CONCLUSIONS OF LAW:**


1. The Property is located in an R-3 Residential District and consists of what is now a vacant lot of approximately 8,000 square feet.
2. The Applicant is an owner and developer of a number of residential and commercial properties in the area and seeks to use the Property as a principal use parking lot with 17 parking spaces for nearby neighborhood commercial and residential uses.
3. Article 12, Table 12-1 (Use Matrix) specifically provides that a "Parking Lot (Principal Use)" may be permitted in the R-3 zone where it meets the special use criteria, subject to the following requirements of Section 1202.V.2:
 - a. A parking lot shall be used solely for the temporary parking of motor vehicles and shall not be used as an off-street loading area.
 - b. Only structures for the shelter of attendants or for payment kiosks shall be permitted in a parking lot. Shelters or kiosks shall not exceed ten feet in height and 50 square feet in area.
 - c. The parking lots shall be screened and landscaped in accordance with the requirements of this Ordinance.
5. The Board finds that the plan submitted with the Application, together with the testimony, established that the lot will be developed in conformance with the requirements of Ordinance Section 1202.V.2. and other sections of the Ordinance regulating paving, landscaping, and fencing.
6. The Board has read and agrees with the report and recommendation of the DPD, which are incorporated herein by reference.
7. The Board finds that granting the proposed special use permits will not substantially injure the use and enjoyment of, nor significantly devalue neighboring property. The Property

will be developed in compliance with the Ordinance's requirements of perimeter landscape buffers, fencing, and landscaping.

8. For the same reasons set forth in paragraph 7 above, the Board finds that granting the proposed special use permits will not be detrimental or injurious to the general health or welfare of the community.

WHEREFORE, upon motion by Mr. Strother, seconded by Mr. Mitchell, the Board voted unanimously (5-0) to APPROVE the application for special use permit, for principal use parking lot.

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 APPLICATION FOR SPECIAL USE PERMIT MADE BY:

Strother

SECONDED BY: Mitchell

MEMBERS VOTING IN FAVOR OF THE MOTION: Strother, Mitchell, Rodriguez, Scott, Greenfield

MEMBERS VOTING AGAINST THE MOTION: None

27 Hawkins Street

Providence, RI 02908

Plat: 70 Lot: 22
17 Proposed Parking Spaces

DOC: 2022321717
BK 13578 PG 247

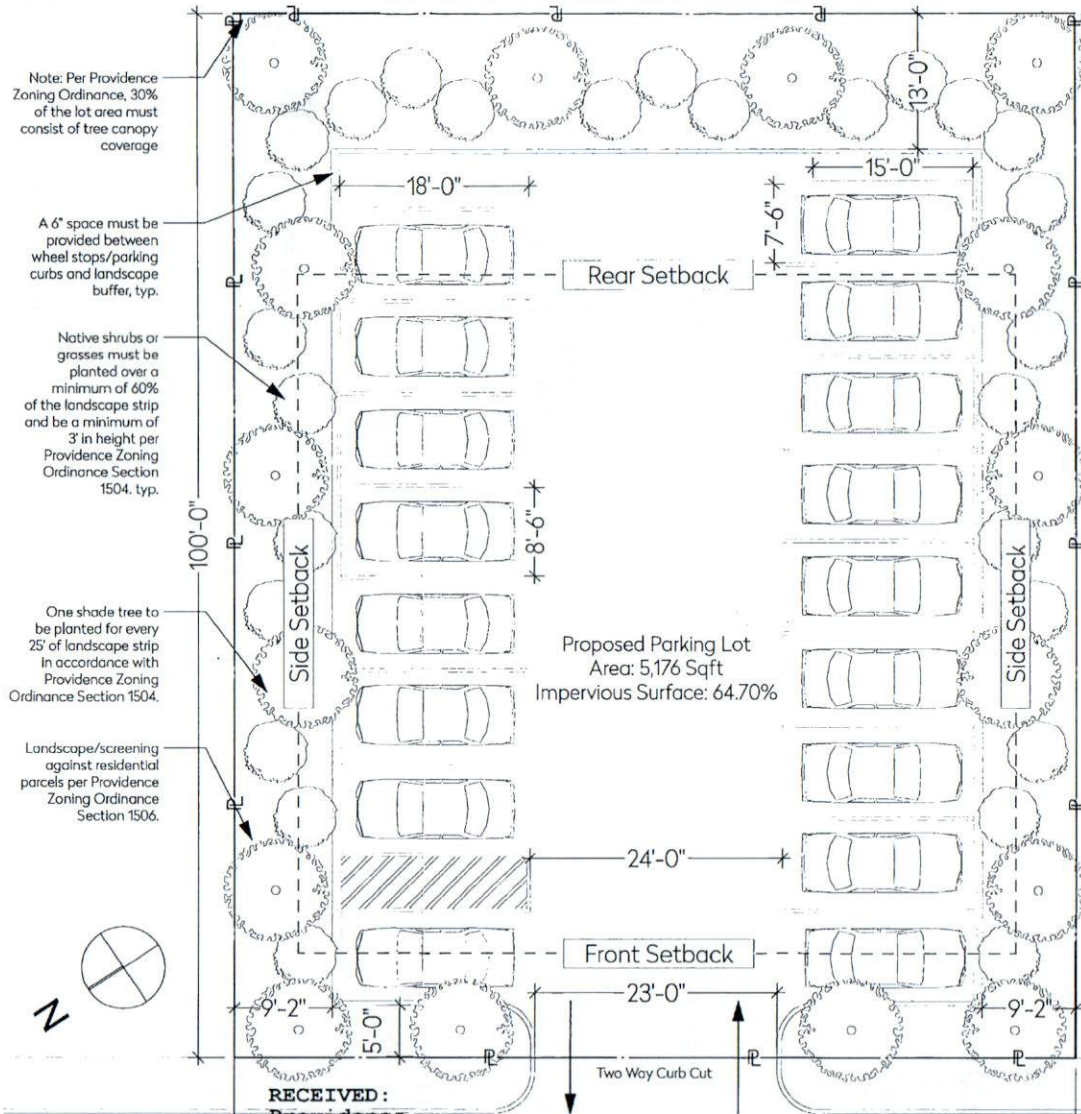
- 15 Parking Spaces
- 1 Compact Space
- 1 Handicap Space

Parcel Information

27 Hawkins Street, Providence, RI 02908
Lot Size: 0.18 Acres
Zone: R3
Overlay Zoning: None
Max Impervious Surface Coverage: 65%
Max Building Height: 45'-0"
Front Setback: 10'-0"
Side Setbacks: 6'-0"
Rear Setback: 25'-0"

Issue	Date	Sheets Updated
REV 1	02/17/2022	All

APPROVED PLANS
ZONING BOARD OF REVIEW
DATE 5/18/2022
PAGE 1 OF 1



1 Architectural Site Plan
SCALE: 1" = 5'

Providence Architecture
269 Wickenden Street
Providence, RI 02902

SEAL

CONSULTANTS

27 Hawkins Street
27 Hawkins St.
Providence, Rhode Island 02908

Architectural Site Plan

AS-001
SHEET 15 OF 48

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