

Brett P. Smiley  
Mayor

Marc A. Greenfield  
Chair

FILED  
2023 MAY 11  
DEPT. OF CITY CLERK  
PROVIDENCE, R.I.  
**Zoning Board of Review**

**RESOLUTION NO. 2023-18**

May 30, 2023

IN RE: Application for Dimensional Variances  
(Rear and interior side setbacks)

PROPERTY: Tax Assessor's Plat 93, Lot 276  
22 Intervale Road  
(R-1A Residential Zoning District)

OWNERS/  
APPLICANTS: Michael & Zoe Furman  
22 Intervale Road  
Providence, RI 02906

DOC: 2023047451  
Bk: 13883 Pg: 342

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

On May 10, 2023, the within matter came before the Zoning Board of Review (the "Board") for a duly noticed public hearing on the request by the Owners and Applicants (together the "Applicants") for dimensional variances at the above-designated Property. The following members of the Board were present throughout the hearing: Chair Greenfield, Ms. Maniotes, Mr. Holt, Mr. Ryan, and Ms. Rodriguez. Mr. Scott and Mr. Mitchell were absent.

WHEREAS, the Applicants sought dimensional relief from the requirements of Table 4-1 of the Providence Zoning Ordinance of November 24, 2014, as amended (the "Ordinance") in order construct an addition that will result in an existing detached garage becoming an attached garage, and, therefore, part of the principal single family dwelling structure; and

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

WHEREAS, Attorney John Garrahy presented the application, and the testimony of Applicant Zoe Furman and building and zoning consultant Peter Casale; and

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

WHEREAS, the Board received, and the Chair read into the record, the May 10, 2023 recommendation of the Department of Planning and Development (“DPD”) recommending the granting of the dimensional variances.

NOW, THEREFORE, after consideration of the application, the testimony, and all the evidence of record, upon motion by Mr. Holt, seconded by Ms. Rodriguez, the Board voted (5-0) to APPROVE the application for dimensional variances.

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

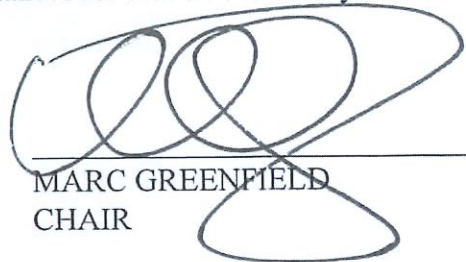
1. The Property is located in an R-1A Residential Zoning District and consists of a lot of 8,000 square feet (80 linear feet wide, and 80 linear feet deep). The lot is improved with a centrally located single-family dwelling with a footprint of approximately 2,064 square feet, and a detached garage in the northeast corner of the lot with a footprint of approximately 528 square feet. The setbacks of the existing detached garage are 1.1 feet from the rear lot line, and 2.5 feet from the easterly interior side lot line, which are in compliance with Ordinance Section 1302.J.2.
2. Ordinance section 1302.J.1 stipulates that an attached garage is not considered an accessory structure. Since the Applicants propose to construct an addition that will connect the current garage to the principal structure, the Applicants seek relief from the principal structure setback requirements as the garage will maintain its existing setbacks. The proposed addition will also widen and add a second level to the exiting garage, which would both be permitted by right if the garage were to remain detached.
3. The Board finds that the relief sought is due to the unique characteristics of the subject Property, more specifically, the existing principal dwelling structure is located on the Property in such a way as to limit space in the rear or side yard in which to construct a new attached garage to meet the needs of the Applicants. The Board further recognizes that the proposed updates to the existing garage structure would be permitted by right save for the vestibule that is proposed to connect the two structures.
4. The Board finds that the relief is not sought primarily from the desire of the Applicants to realize greater financial gain but rather to best utilize the existing structures for the use and enjoyment of the occupants of the home.
5. There was no evidence presented or elicited that the relief sought is due to a physical or economic disability of the Applicants. Nor is it the result of any prior action of the Applicants, who purchased the property in its current form.
6. The Board agrees with, and incorporates, the findings and the recommendation of the DPD, and likewise the Board finds that granting the requested dimensional variances will not alter the general character of the surrounding area nor impair the intent or purpose of the Ordinance or the Comprehensive Plan.



- 7. Furthermore, the Board finds there is substantial evidence demonstrating that the relief sought by the Applicants is the least relief necessary to relieve the hardship because the dimensional relief sought is required in order to utilize the existing detached garage while connecting it to the principal structure. The Board accepts the testimony of Mr. Casale that the additions to the garage were designed to be compliant with the limits of an accessory structure despite the new designation of the structure as attached.
- 8. The Board concludes that the hardship suffered by the Applicants, if the dimensional variances are not granted, will amount to more than a mere inconvenience, as they would not be able to best utilize the current structures on the Property in order to build an addition to further their use and enjoyment of the Property.

WHEREFORE, upon motion by Mr. Holt, seconded by Ms. Rodriguez, the Board voted (5-0) to APPROVE the application for dimensional variances for rear and interior yard setbacks.

By Order of the Zoning Board of Review.



MARC GREENFIELD  
CHAIR

**NOTICE TO OWNERS/APPLICANTS:**

- A SECTION 1901/1902 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 DIMENSIONAL VARIANCES**

MADE BY:	Holt
SECONDED BY:	Rodriguez
MEMBERS VOTING IN FAVOR:	Holt, Rodriguez, Maniotes, Ryan, Greenfield
MEMBERS VOTING AGAINST:	None
MEMBERS RECUSED:	None

RECEIVED;  
Providence  
Received for Record  
JUN 02, 2023 10:17 AM  
Document Num: 2023347451  
Recorder of Deeds

\*-----\*  
Official Receipt for Recording

City of Providence  
25 Dorrance Street  
Providence, RI 02903  
401-680-5000

\*-----\*  
RESOLUTION

Doc #: 2023347451  
Book / Page: 13883 00342  
Recorded: 06/02/2023 10:17:02 AM

Historical Records Trust Fee	\$4.00
Land Evidence Fee	\$47.00

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Total Fees: \$51.00

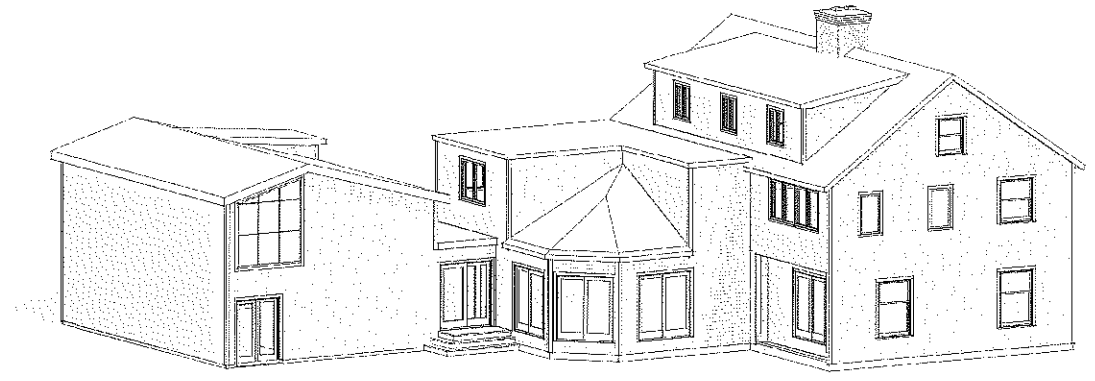
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Check - 001499 \$51.00

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Total Documents: 1  
Cashier: odelliza perez  
Comment:

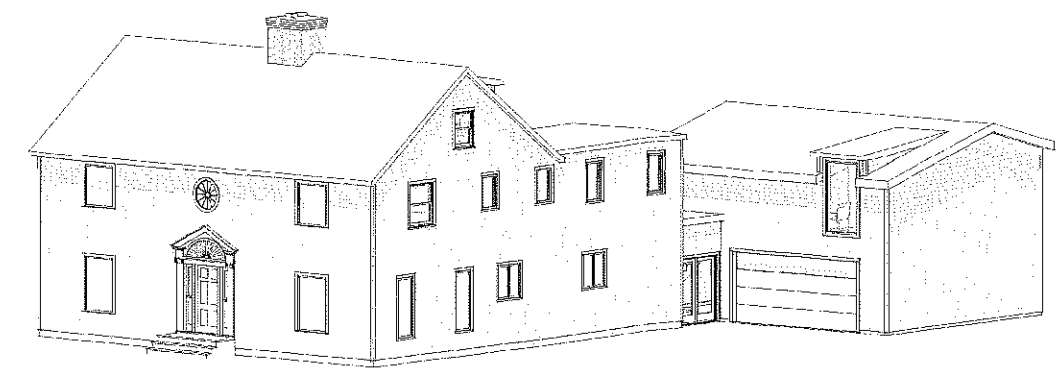
\*-----\*  
Presenter: PETER J CASALE  
Address: 44 LANDMARK ROAD  
Address2:  
City: WARWICK  
State: RI  
Zip: 02886  
Phone:

Receipt #: 46156  
Date: 06/02/2023 10:17:02 AM

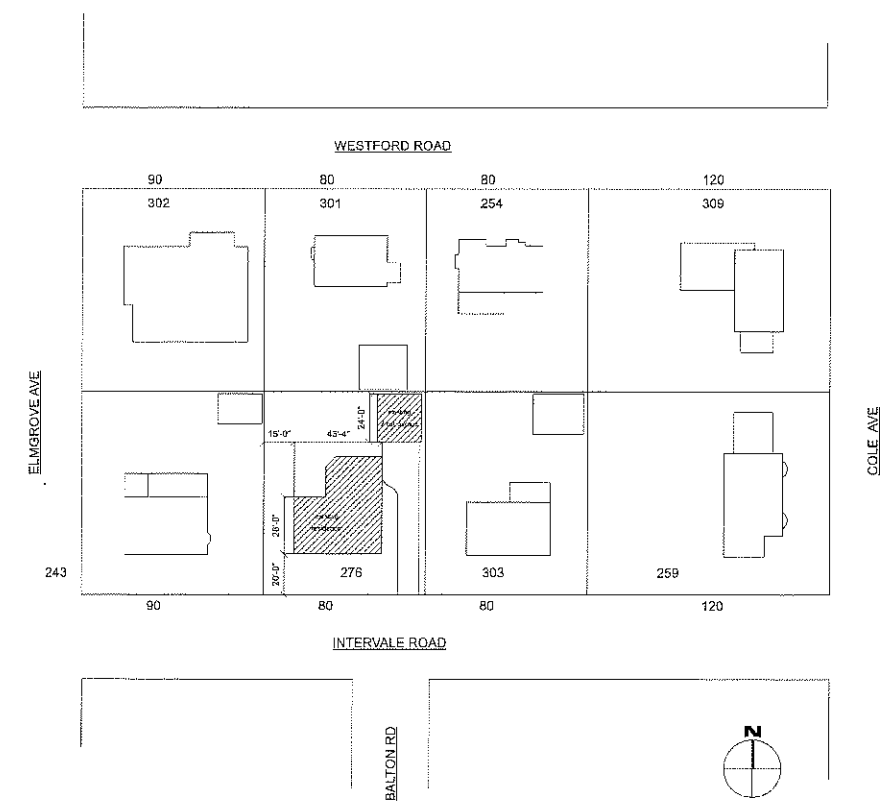
Thank You  
Jeanne Pascone



View looking South-East (not to scale)



View Looking North-West (not to scale)

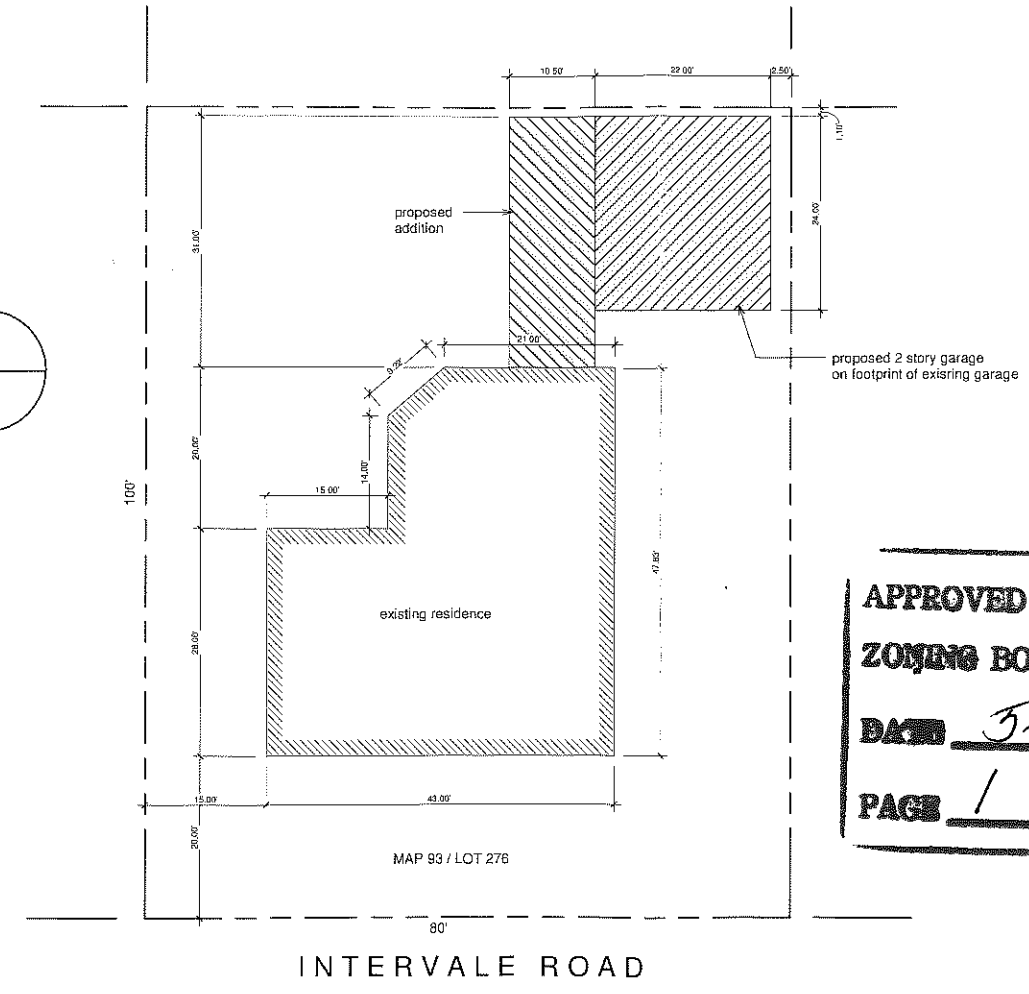


Existing Site Plan  
1" = 40'-0"

REVISED COVERAGE CALCULATIONS 02 FEB 23  
22 INTERVALE ROAD

T 4 - 1 DIMENSIONAL STANDARDS

	allowed	existing	proposed
max. building coverage	55%	28%	32.4%
max. impervious coverage	50%	47.53%	47.0%
Ry setback (23.5)	25'	31.72'	1.10'
By setback (17.5)	10'	2.5'	2.5'
canopy	30%	33.75%	33.75%
	2,400 sq ft	2,700 sq ft	2,700 sq ft



Proposed Site Plan  
1" = 10'-0"

**APPROVED PLANS**  
**ZONING BOARD OF REVIEW**  
DATE 5-30-2023  
PAGE 1 OF 4

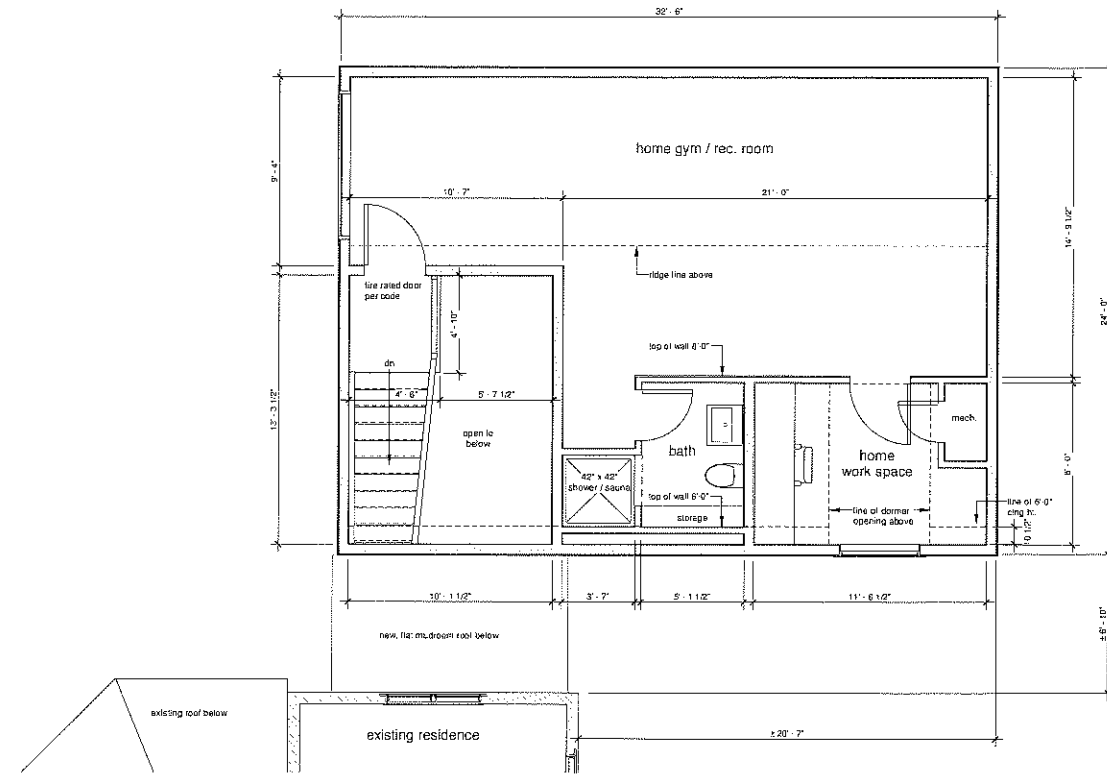
**BILLINKOFF ARCHITECTURE PLLC**  
402 Ponce De Leon Place  
Decatur, GA 30030  
cell: 917.703.2116  
www.billinkoff.com  
dbillinkoff@billinkoff.com

# Proposed New Garage at

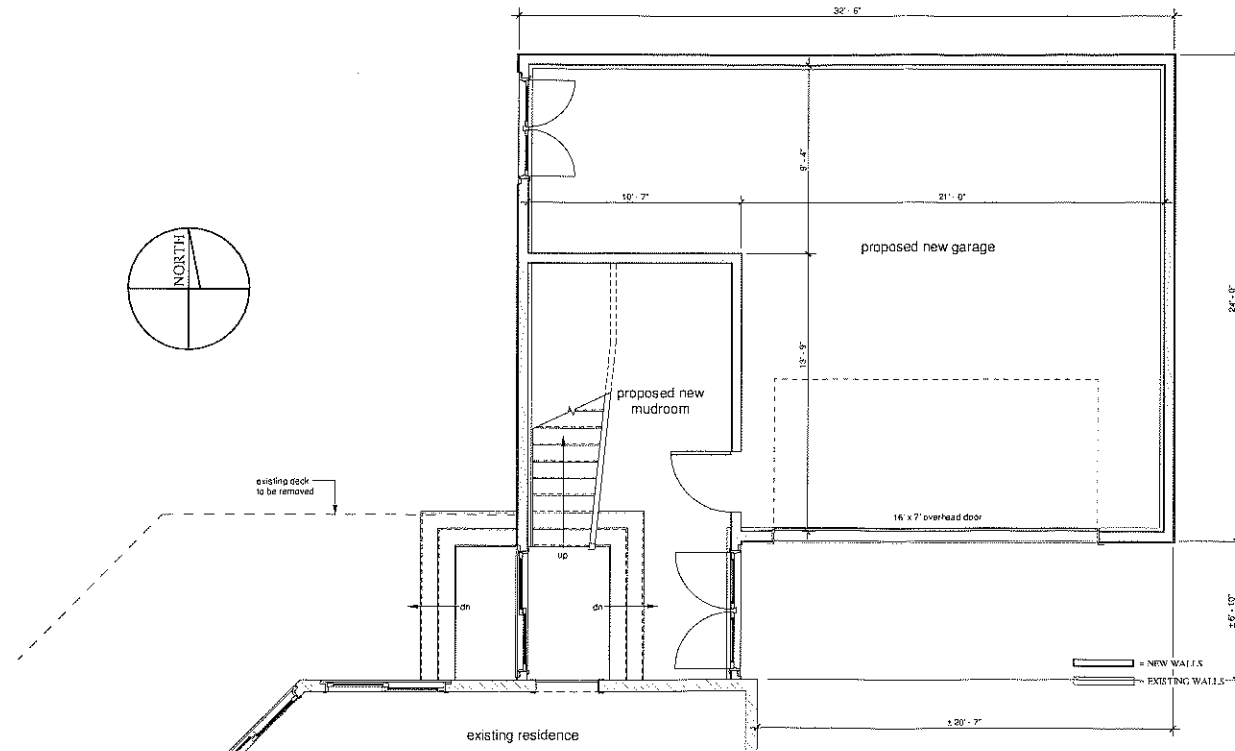
## 22 Intervale Road Providence, RI

drawing **Site Plans**  
scale **Scale as Noted**  
date **July 1, 2022**  
revisions  
2-10-2023 add dimension chart and setback dimensions  
2-23-2023 revised dimension chart  
3-27-2023 revised garage roof and 2nd flr plan

**A1.0**



GARAGE 2nd FLOOR  
 1/4" = 1'-0"



1st FLOOR PLAN  
 1/4" = 1'-0"

# Proposed New Garage at

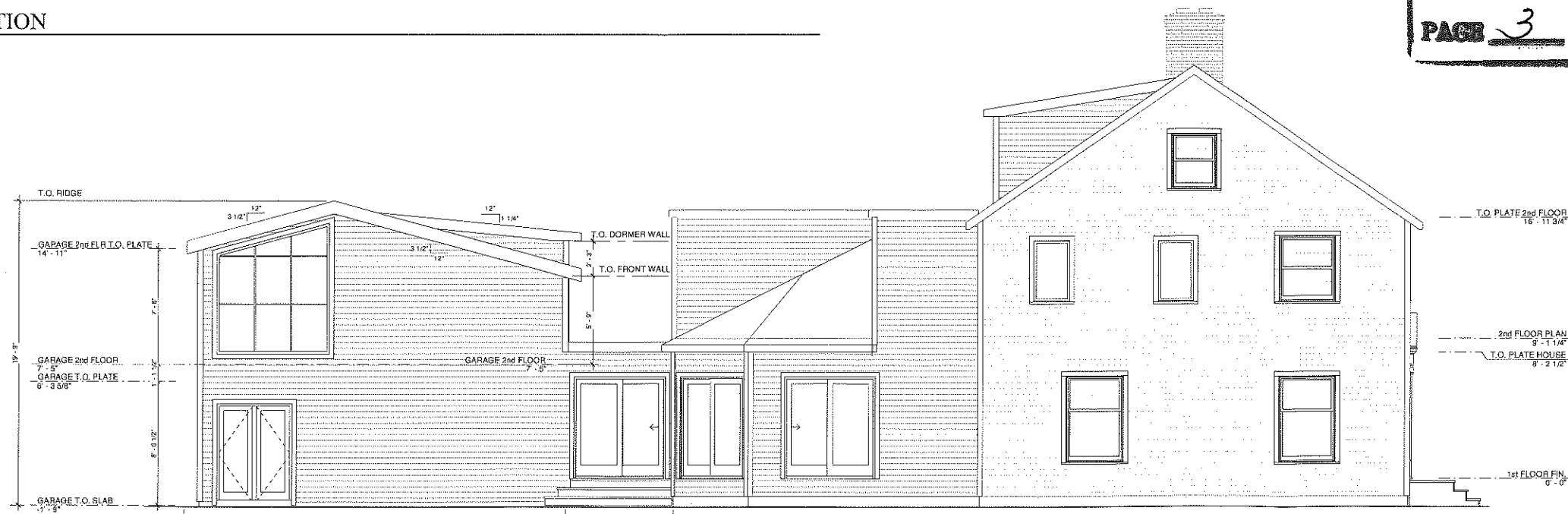
22 Intervale Road  
 Providence, RI

drawing	Floor Plans
scale	Scale as Noted
date	July 1, 2022
revisions	2-10-2023 added dimension chart and setback dimensions
	2-23-2023 revised dimension chart
	3-27-2023 revised garage roof and 2nd flr plan



**NORTH ELEVATION**  
1/4" = 1'-0"

**APPROVED PLANS**  
**ZONING BOARD OF REVIEW**  
**DATE** 5-30-2023  
**PAGE** 3 **OF** 4



**WEST ELEVATION**  
1/4" = 1'-0"

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# Proposed New Garage at

22 Intervale Road  
 Providence, RI

drawing **Exterior Elevations**  
 scale **Scale as Noted**  
 date **July 1, 2022**  
 revisions  
 2-10-2023 added dimension chart and setback dimensions  
 2-23-2023 revised dimension chart  
 3-27-2023 revised garage roof and 2nd flr plan

**A3.0**



SOUTH ELEVATION  
1/4" = 1'-0"



EAST ELEVATION  
1/4" = 1'-0"

APPROVED PLANS  
ZONING BOARD OF REVIEW  
DATE 5-30-2023  
PAGE 4 OF 4

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# Proposed New Garage at

## 22 Intervale Road Providence, RI

drawing Exterior Elevations  
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**A3.1**