

MAR 17 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: Kevin Shin

Address 203 Howell St. Providence, RI

Zip Code 02906

E-mail khs2110@gmail.com

Phone 917-751-4332

Home/Office

917-751-4332

Mobile (Cell)

Owner: Kevin Shin

Address 203 Howell St. Providence, RI

Zip Code 02906

E-mail khs2110@gmail.com

Phone 917-751-4332

Home/Office

917-751-4332

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: 203 Howell Street AP 9 LOT 27

Street Address

R-3

2. Zoning District(s): _____

Special purpose or overlay district(s): _____

3a. Date owner purchased the Property: January 2022

3b. Month/year of lessee's occupancy: _____

3. Dimensions of each lot:

Lot # <u>27</u>	Frontage <u>40'</u>	depth <u>100'</u>	Total area <u>4,000</u> sq. ft.
Lot # _____	Frontage _____	depth _____	Total area _____ sq. ft.
Lot # _____	Frontage _____	depth _____	Total area _____ sq. ft.

4. Size of each structure located on the Property:

Principal Structure:	Total gross square footage	<u>3,762</u>
Footprint <u>26' X 45'</u>	Height <u>45'</u>	Floors <u>3</u>

Accessory Structure:	Total gross square footage	_____
Footprint _____	Height _____	Floors _____

5. Size of proposed structure(s):	Total gross square footage:	_____
Footprint _____	Height _____	Floors _____

6a. Existing Lot coverage: (include all buildings, decks, etc.) 31%

6b. Proposed Lot coverage: (include new construction) 31%

7a. Present Use of Property (each lot/structure):
Three 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 alterations proposed. Existing three family to be legalized and recorded as a three family.

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:
402 T4-1 RD Dimensional Standards Min Lot Area 5000 SF req (4000 SF provided)

13. Explain the changes proposed for the Property.

There are no changes proposed. This is an existing three family dwelling and has been for many years. The construction and finishes date to the 1950's-1970's era. The shortfall on required land area in the R3 zone is 1000 SF, or within 20%.


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):

Kevin Shin

Type Name


Signature


Type Name

Signature

Applicant(s):

Kevin Shin

Type Name


Signature

Type Name

Signature

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?

A land area shortfall of 1000 SF to have a three family by right. _____

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

The size, shape and massing of the structure. _____

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 _____ 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.

~~The variance is sought to use the existing three family legally so the recorded use is consistent with the actual use.~~

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).

~~Minimum lot area is the only relief sought and it is the least relief necessary to relieve the hardship. There are no viable alternatives as the third floor apartment cannot be deconstructed nor be combined with the second floor as the alterations required would be impractical.~~

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.

~~If denied, the hardship suffered by the owner would amount to more than a mere inconvenience as the third floor apartment would be removed, resulting in a loss of the enjoyment of the highest and best use of the property and viable housing stock in the neighborhood.~~

Tax: \$2,116.00
Date: 01/07/2022
RECORDER: JP
CITY OF PROVIDENCE
673052
RHODE ISLAND
REAL ESTATE
CONVEYANCE TAX

DOC: 2022309794
Bk: 13429 Pg: 109

WARRANTY DEED

Ether Properties, LLC, a Massachusetts Limited Liability Company with a mailing address of 45 Granite Street, Leominster, Massachusetts, for Consideration Paid in the Amount of Four Hundred Sixty Thousand (\$460,000.00) Dollars, Grant To;

Kevin Shin, with a mailing address 22 White Street, Place #1, Somerville, MA as Sole-Tenant;

with WARRANTY COVENANTS

That Parcel of Land with all buildings and improvements thereon described as;

SEE EXHIBIT "A" ATTACHED HERETO

The undersigned hereby certifies that it is in compliance with RIGL 44-30-71.3 and an acknowledgement of discharge of lien has been requested and is forthcoming.

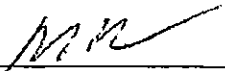
This transfer does not represent a major portion of LLC's assets and is conducted in the ordinary course of business.

Grantor does Hereby Covenant the provisions of the Rhode Island Life Safety Code pertaining to smoke and carbon monoxide detectors in residential dwellings have been complied with.

Being the same Premises conveyed to the grantor by Deed recorded in Book 13428 at Page 221 of the City of Providence Land Evidence Records.


Witness my hand and seal this 6th Day of January, 2022.

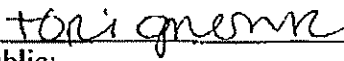
Ether Properties, LLC


By: Michael Despo, Sole Member

State of Massachusetts
County of Worcester

In person on the 6th Day of January, 2022, before me personally appeared Michael Depso, Sole Member of Ether Properties, LLC, to me known and known to me to be the person executing the foregoing instrument and he acknowledged said instrument by him executed to be his free act and deed and the free act and deed of said limited liability company.

 **VICTORIA K. GRENIER-ALLEN**
Notary Public
Commonwealth of Massachusetts
My Commission Expires
October 27, 2028


Notary Public:
My Commission Expires: Oct. 27, 2028

Property Address: (for reference only)
203 Howell Street
Providence, RI 02906
AP 9 Lot 27

EXHIBIT "A"

That lot of land, with all buildings and improvements thereon situated in the City of Providence and State of Rhode Island, and laid out and delineated as Lot No. 43 (forty three) on that plat entitled, "Plot of house lots on Green Lane and adjacent St. belonging to Sthn. Martin, Josa Bacon & Ed. P. Knowles, Surveyed by Benoni Lockwood June 3rd, 1828 Plotted & divided into house lots May 10th 1847 by Atwater & Schubarth" and recorded in the Office of the Recorder of Deeds in said Providence in Plat Book 3 at page 48 and (copy) on Plat Card No. 85.

Said lot is situated at the southwesterly corner of Howell Street and Dwight Street, bounding northerly on Howell Street forty (40) feet, and holding that width extending southerly one hundred (100) feet, bounding easterly on Dwight Street, southerly on land now or lately of James and Vida M. Greenwell, and westerly on land now or lately of Patrick E. O'Hara and wife.

PROPERTY ADDRESS:
(FOR REFERENCE PURPOSES ONLY)
203 Howell Street
Providence, RI
AP 9, Lot 27

RECEIVED:
Providence
Received for Record
01/07/2022 03:04:38 PM
Document Num: 2022309794
John A Murphy
Recorder of Deeds

LEGALIZING THIRD FLOOR UNIT
 203 HOWELL STREET
 PROVIDENCE, RHODE ISLAND

DRAWN BY
 MGL
 CHECKED BY
 RJL

LOGA ENGINEERS, LLC
 CONSULTING ENGINEERS
 49 BATCHELER AVENUE
 PROVIDENCE, RI 02904
 jloga@logaengineers.com

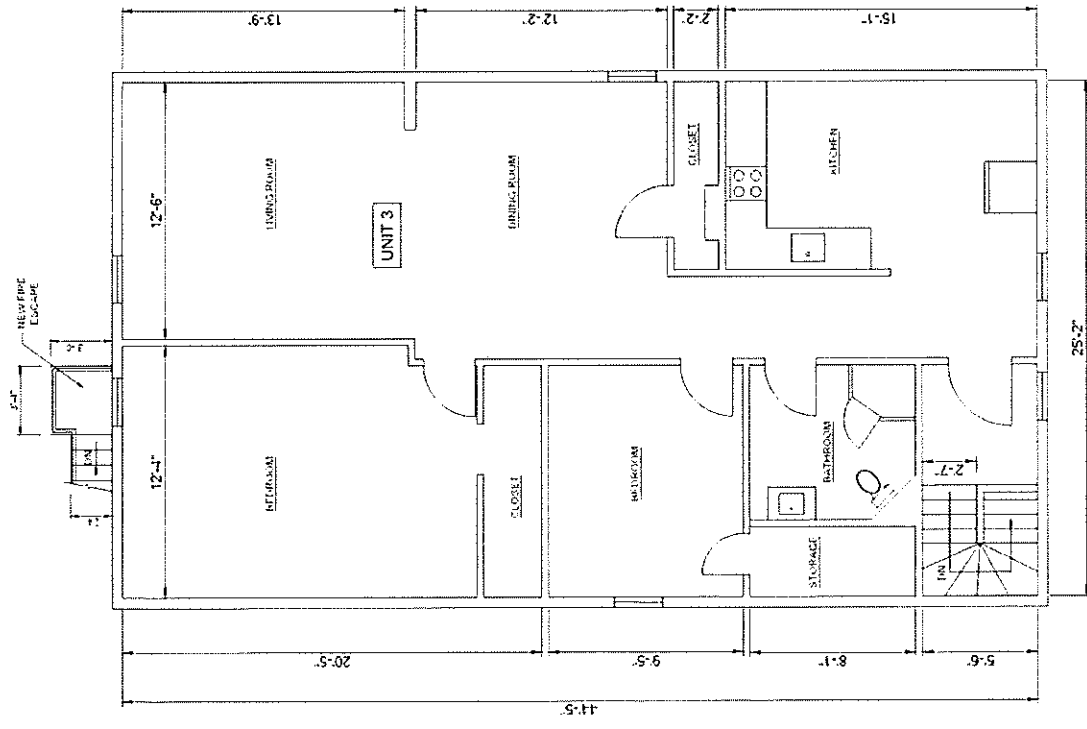
FOR ENGINEERING ONLY
 SCALE
 AS NOTED

CONTENT
 FLOORPLAN

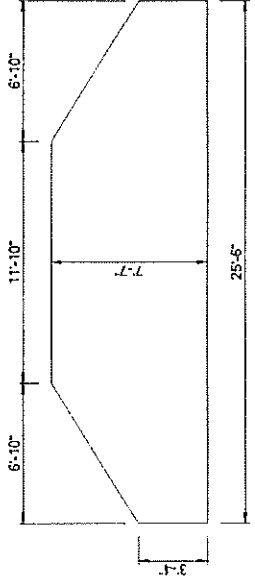
DATE
 MARCH 2022

SHEET NO

S100



EXISTING THIRD FLOOR UNIT PLAN
 SCALE 3/4" = 1'-0"



EXISTING THIRD FLOOR CROSS SECTION
 SCALE 3/4" = 1'-0"

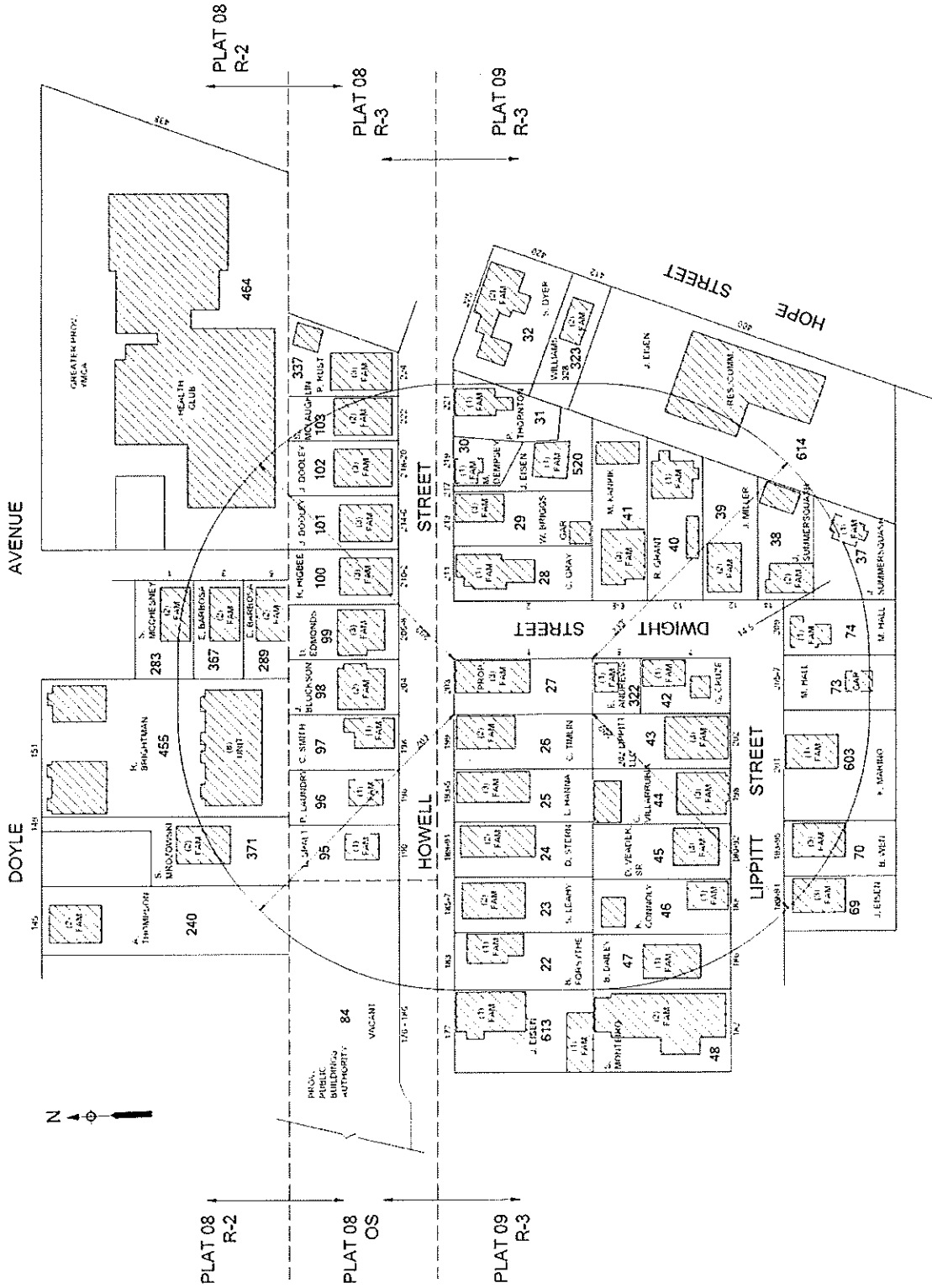
NOTE: UNITS 1 & 2 ARE EXISTING LEGAL UNITS AND OCCUPY THE 1ST & 2ND FLOORS RESPECTIVELY.

203 HOWELL STREET
PROVIDENCE, RHODE ISLAND

RAMAZZI LLOCA, P.E.
49 BATCHELLER AVENUE
PROVIDENCE, RI 02904

SCALE
1" = 50'-0"

CONTENTS
200' RADIUS
MAP



The following is a List of Properties and Respective Owners located within 200-feet of the
Subject Property: 203 Howell Street
 also known as **Lot 27** on the Tax Assessor's **Plat 9**
 Providence, Rhode Island

Plat/Lot/Unit:	Names and Mailing Addresses of Property Owners within 200-feet:
9/22 one fam	Bruce Douglas Forsythe 183 Howell Street Providence, RI 02906
9/23 2 fam	Susan Leahy 187 Howell Street Providence, RI 02906
9/24 2 fam	Douglas Stern 191 Howell Street Providence, RI 02906
9/25/Unit 1 3 fam	Laurie A. Hanna 193 Howell Street, Unit 1 Providence, RI 02906
9/25/Unit 2	Kelly C. Clifton 195 Howell Street, Unit 2 Providence, RI 02906
9/25/Unit 3	Marta Couce Bartolome Burguera 193 Howell Street, Unit 3 Providence, RI 02906
9/26 2 fam	Conor Timlin 199 Howell Street Providence, RI 02906
9/28 one fam	Channing Gray 211 Howell Street Providence, RI 02906

Plat/Lot/Unit: Names and Mailing Addresses of Property Owners within 200-feet:

9/29	3 fam	Walter R. Briggs, III David E. Briggs 213 Howell Street Providence, RI 02906
9/30	one fam	Marybeth Dempsey 219 Howell Street Providence, RI 02906
9/31	one fam	Peter J. Thornton & Barbara J. 221 Howell Street Providence, RI 02906
9/32	2 fam	Stephanie Dyer 315 Hope Street Providence, RI 02906
9/37	one fam	Julie A. Summersquash 14 Dwight Street Providence, RI 02906
9/38	2 fam	Julie A. Summersquash 14 Dwight Street Providence, RI 02906
9/39	2 fam	Joseph L. Miller 36 Armstrong Avenue Providence, RI 02903
9/40	one fam	Robert L. Grant, Jr. Ruby J. Palmer Rence Grant Kaine 10 Dwight Street Providence, RI 02906
9/41	3 fam	Monette J. Knapik 6-8 Dwight Street Providence, RI 02906

Plat/Lot/Unit: Names and Mailing Addresses of Property Owners within 200-feet:

9/42	one fam	George R. Cruze & Pamela D. 7 Dwight Street Providence, RI 02906
9/43	3 fam	202 Lippitt LLC 355 Hope Street Providence, RI 02906
9/44	3 fam	Charles w. Villarrubia Marianne Gedigian 198 Lippitt Street Providence, RI 02906
9/45	3 fam	Dennis Veadar, Sr. 190 Lippitt Street Providence, RI 02906
9/46	one fam	Kathleen Connoly 188 Lippitt Street Providence, RI 02906
9/47	one fam	Beverly F. Dailey & Jo-Anna 186 Lippitt Street Providence, RI 02906
9/48	2 fam	Salomao B. Monteiro Trustee Maria G. Monteiro Trustee 182 Lippitt Street Providence, RI 02906
9/69	3 fam	Michael J. Popchock 189 Lippitt Street Providence, RI 02906
9/70	3 fam	Ben Wen 177 Smith Street Stoughton, MA 02072

Plat/Lot/Unit: Names and Mailing Addresses of Property Owners within 200-feet:

9/73	garage	Marvin Hall & Palmeira 209 Lippitt Street Providence, RI 02906
9/74	one fam	Marvin Hall 209 Lippitt Street Providence, RI 02906
9/322	one fam	Edward B. Andrews & Deborah L. 5 Dwight Street Providence, RI 02906
9/323	2 fam	Williams 328 374 Wickenden Street Providence, RI 02903
9/520	one fam	Lesley S. Miller 217 Howell Street Providence, RI 02906
9/603	one fam	Kenneth Marino 56 Wapping Drive Bristol, RI 02809
9/613	3 fam	Salomao & Maria Monteiro Rev. Trust 182 Lippitt Street Providence, RI 02906
9/614	mixed use residential/commercial	Mcow Mix LLC 400 Hope Street Providence, RI 02906

Plat/Lot/Unit: Names and Mailing Addresses of Property Owners within 200-feet:

8/103 2 fam	Shannon L. McLaughlin 74 Glendale Road Sharon, MA 02067
8/240 2 fam	Anna T. Thompson Stephen A. Mrozowski 145 Doyle Avenue Providence, RI 02906
8/283 2 fam	Sarah J. McChesney 1 Proctor Place Providence, RI 02906
8/289 2 fam	Eric B. Barbosa Dulcidia Benros 5 Proctor Place Providence, RI 02906
8/337 3 fam	Peter D. Rust 224 Howell Street Providence, RI 02906
8/367 2 fam	Eric Barbosa 3 Proctor Place Providence, RI 02906
8/371 2 fam	Stephen A. Mrozowski & Anna L. 53 Elton Street Providence, RI 02906
8/455/Unit 151-A 8 unit complex in 2 buildings	Richard J. Brightman Lindsay M. Watts 151 Doyle Avenue, Unit 151-A Providence, RI 02906
8/455/Unit 151-B	Baishali Bhattacharya 8817 S 51 st Street, Unit 1 Pheonix, AZ 85044

Plat/Lot/Unit: Names and Mailing Addresses of Property Owners within 200-feet:

8/455/Unit 153-A Karl Herman
153 Doyle Avenue, Unit 153-A
Providence, RI 02906

8/455/Unit 153-B Deepak Agrawal
153 Doyle Avenue, Unit 153-B
Providence, RI 02906

8/455/Unit 153-C Mello, Raquel M.
153 Doyle Avenue, Unit 153-C
Providence, RI 02906

8/455/Unit 153-D Kelly B. Thomas
Devin Walsh
153 Doyle Avenue, Unit 153-D
Providence, RI 02906

8/455/Unit 157-A Joanne H. Boehm
157 Doyle Avenue, Unit 157-A
Providence, RI 02906

8/455/Unit 157-B Jonathan B. Fine
Aryn Pazornick Fine
157 Doyle Avenue, Unit B
Providence, RI 02906

8/464 health club Greater Prov YMCA
160 Broad Street
Providence, RI 02903







203 Howell St., 3rd Floor Kitchen



203 Howell St., Living Room



203 Howell St., Bathroom



203 Howell St., Bedroom #1



203 Howell St., Bedroom #2

