

APR 21 2021

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: Aref Shehadeh

Address 81 Gentian Ave

E-mail ari@mododevelop.com

Zip Code 02908

Phone 401-573-5553

Home/Office

Mobile (Cell)

Owner: Aref Shehadeh - 215 Broadway L

Address 81 Gentian Ave

E-mail ari@mododevelop.com

Zip Code 02908

Phone 401-573-5553

Home/Office

Mobile (Cell)

Lessee: _____

Address _____

E-mail _____

Zip Code _____

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:** 215 Broadway Providence, RI

Street Address

R-P

2. **Zoning District(s):** _____

Special purpose or overlay district(s): _____

3a. **Date owner purchased the Property:** 12/24/2020

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

3. Dimensions of each lot:

Lot # <u>260</u>	Frontage <u>92</u>	depth <u>100</u>	Total area <u>9200</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>8,215 sq/ft</u>
Footprint <u>2458</u>	Height <u>30</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.) 26.7%

6b. Proposed Lot coverage: (include new construction) 26.7%

7a. Present Use of Property (each lot/structure):
7 apartments and law office.

7b. Legal Use of Property (each lot/structure) as recorded in Dept. of Inspection & Standards:
7 apartments and law office.

8. Proposed Use of Property (each lot/structure):
10 residential, 10 parking spots.

9. Number of Current Parking Spaces: 13

10. Describe the proposed construction or alterations (each lot/structure):
interior alteration to building- full built-out including basement to convert to residential.

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:

<u>402. tbl 4-1</u>	<u>Minimum Lot Area -10 units@1650. Need 16,500, have 9,045.Variance-7,455</u>
<u>402. tbl 4-1</u>	<u>Lot Width- 12' per unit rqd. Need 120'- have 90.23'. Variance - 29.77'</u>

13. Explain the changes proposed for the Property.

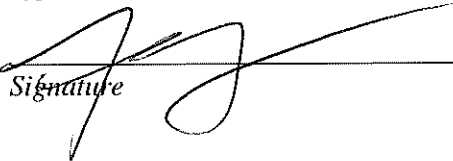
Propose to change use to fully residential from law office on first and partially second floor. Use
large lot to support 10 units of 600+ sq/ft apartment units.

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):

Aref Shehadeh
Type Name

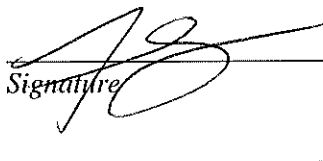

Signature

Type Name

Signature

Applicant(s):

Aref Shehadeh
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?

~~Sizing and massing of unique existing structure on lot causes an abundance of usable building square footage if current RP dimensional standards are adopted.~~

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

~~The large building is of residential quality with a staircase to enter and several entrances not suitable for a business setting, it's clearly a residential property that was used to conduct business.~~

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 X _____

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.

~~10 residential units does not provide excessive gain in rentable income for owner. 10 units with professional appraiser chosen figures results in a modest rate of return-7%. If the building had less units, applicant would either have to charge the same price per square and thus a cost prohibitive number to renters or operate the building at close to break even.~~

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).

~~The building has 4 floors of usable square footage- up to 8,140 including tall basement. Basement will be egressable and compliant. Apartments on Broadway are typically around 600-700 sq/ft. 10 fit perfectly and each will have a parking spots. Additionally, keeping the office building will continue to leave the building partially vacant due to characteristics not being conducive to a business.~~

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.

~~Owner will continue to suffer a vacant office space in the building due to undesirable characteristics of building for a business - Front steps, no parking for client. Owner cannot enjoy highest and best use of building. Building is positioned well for residential use. There are multiple bus lines and public transit and off street parking.~~

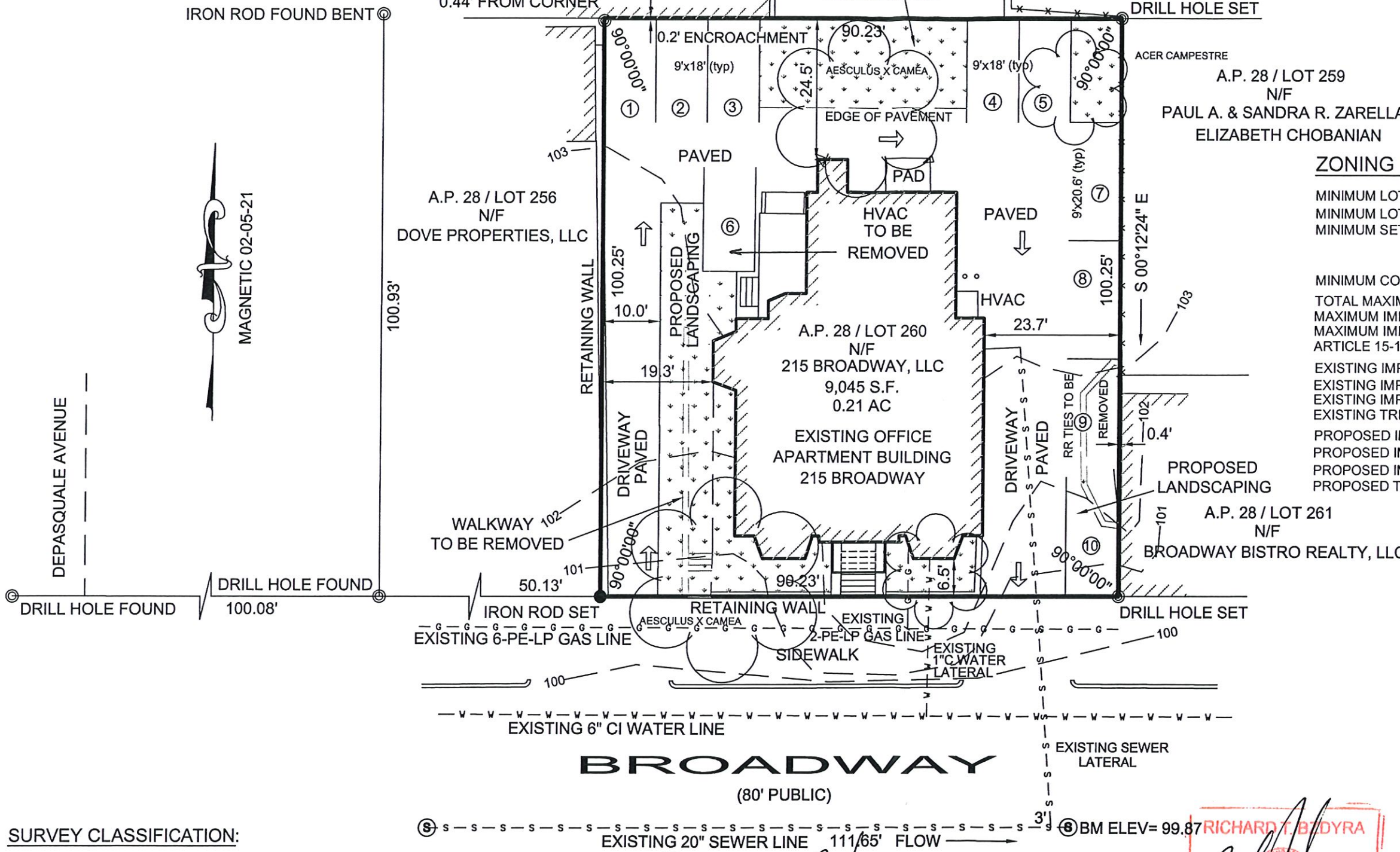
REFERENCE:

1. DEED BK. 12956 / PG. 318
2. "PLAT OF LAND BELONGING TO STEPHEN C. KINYON & OTHERS ON FEDERAL HILL" PLAT CARD 19

PROPOSED 10 PARKING SPACES



LOCUS MAP



ZONING DISTRICT RP

- MINIMUM LOT AREA NONE
- MINIMUM LOT FRONTAGE NONE
- MINIMUM SETBACKS: FRONT AVERAGE ALIGNMENT / FOOTNOTE 402.B
- SIDE LOT WIDTH OVER 40' : 6' MINIMUM PER SIDE
- REAR 25% OF LOT DEPTH OR 25' WHICHEVER IS LESS
- MINIMUM CORNER SIDE SETBACK: SAME AS FRONT SETBACK
- TOTAL MAXIMUM IMPERVIOUS SURFACE COVERAGE: 65%
- MAXIMUM IMPERVIOUS SURFACE COVERAGE REAR YARD: 50%
- MAXIMUM IMPERVIOUS SURFACE COVERAGE FRONT YARD: 33%
- ARTICLE 15-1 TREE CANOPY COVERAGE 30%
- EXISTING IMPERVIOUS SURFACE COVERAGE: 100%
- EXISTING IMPERVIOUS SURFACE COVERAGE REAR YARD: 100%
- EXISTING IMPERVIOUS SURFACE COVERAGE FRONT YARD: 68%
- EXISTING TREE CANOPY COVERAGE 0%
- PROPOSED IMPERVIOUS SURFACE COVERAGE: 80%
- PROPOSED IMPERVIOUS SURFACE COVERAGE REAR YARD: 73%
- PROPOSED IMPERVIOUS SURFACE COVERAGE FRONT YARD: 46%
- PROPOSED TREE CANOPY COVERAGE 30%

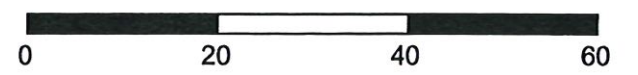
PROPOSED SITE PLAN

A.P. 28 / LOT 260
 215 BROADWAY
 PROVIDENCE, R.I.
 SCALE: 1"=20' DATE: APRIL 21, 2021
 PREPARED FOR:
MODO DEVELOPMENT
 AREF SHEHADEH
 81 GENTIAN AVENUE
 PROVIDENCE, R.I. 02908
 PREPARED BY:

OCEAN STATE PLANNERS, INC.
 1255 OAKLAWN AVENUE, CRANSTON, RI 02920
 PHONE: (401) 463-9696 info@osplanners.com

JOB NO. 9903 / DWG. NO. 9903 - (JNP)

GRAPHIC SCALE / 1" = 20'



SURVEY CLASSIFICATION:

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 NOVEMBER 25, 2015, AS FOLLOWS:

TYPE OF BOUNDARY SURVEY: MEASUREMENT SPECIFICATION:

- LIMITED CONTENT BOUNDARY SURVEY CLASS I
- DATA ACCUMULATION SURVEY CLASS III

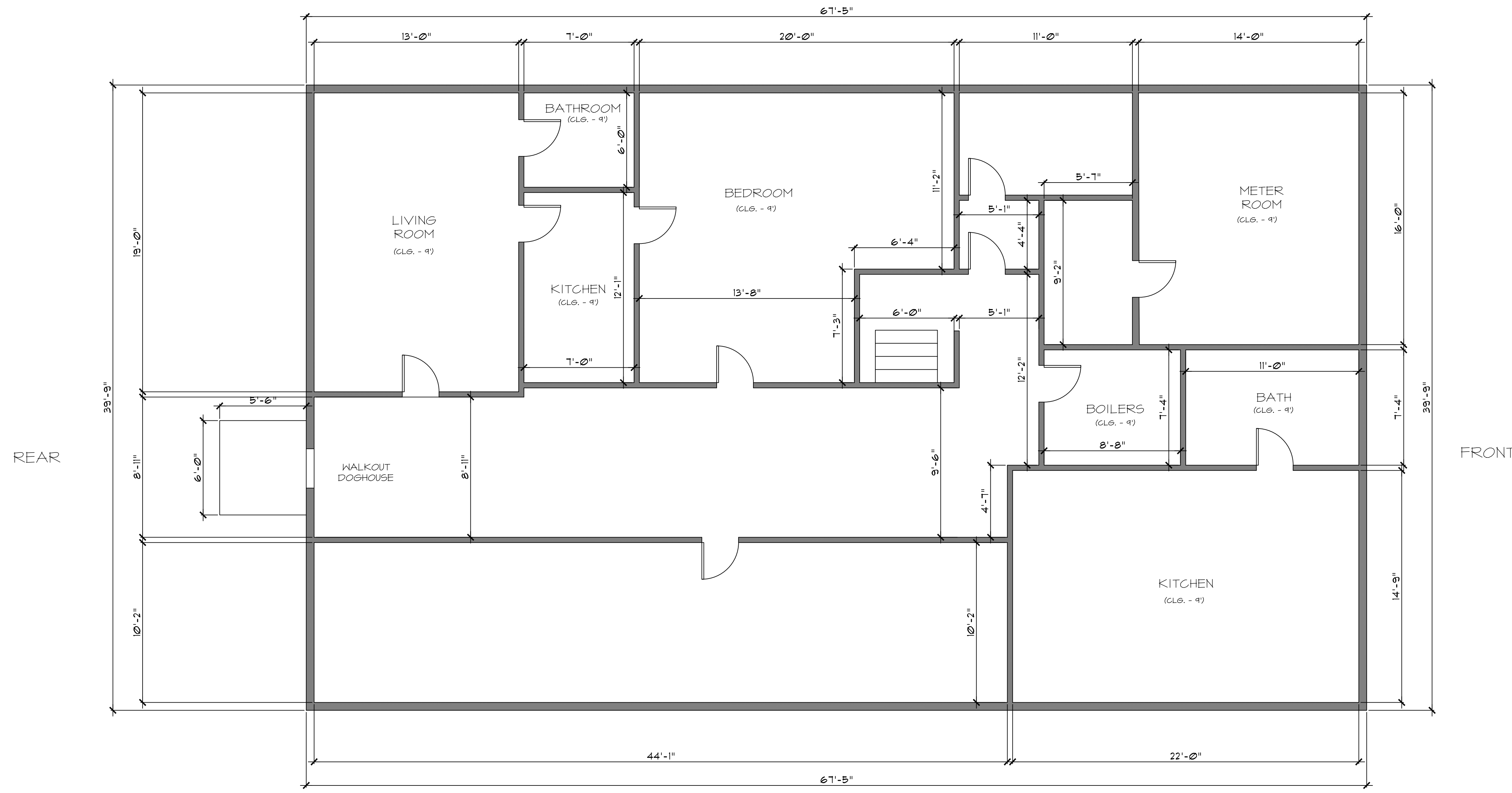
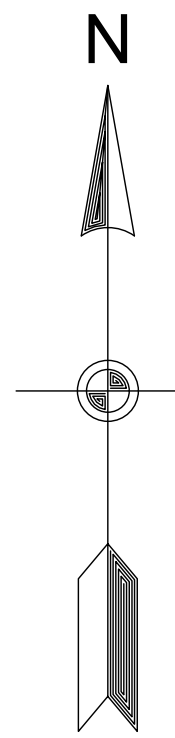
THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THE PLAN IS AS FOLLOWS:

TO ESTABLISH AND STAKE RECORD BOUNDARY LINES.

BY: *[Signature]* DATE: 4/21/21

BY: RICHARD T. BZDYRA, PLS; LICENSE #1786; COA # LS-A60





****BASEMENT LEVEL CEILING HEIGHT - 9 FT****

215 BROADWAY - DEVELOPMENT
 225 BROADWAY, PROVIDENCE, R.I. 02903
 EXISTING BASEMENT LEVEL FLOOR LAYOUT

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 Checked By: -

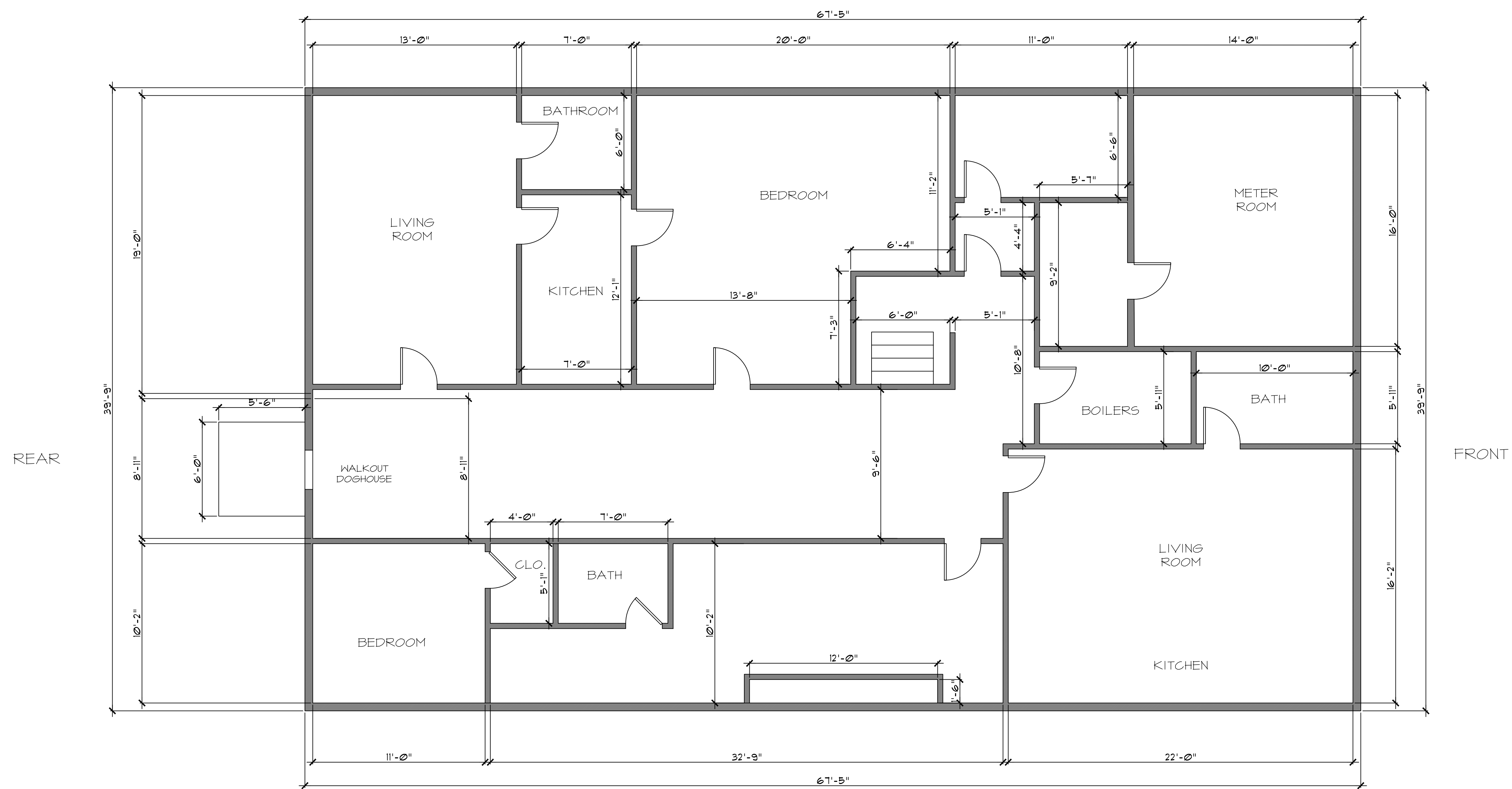
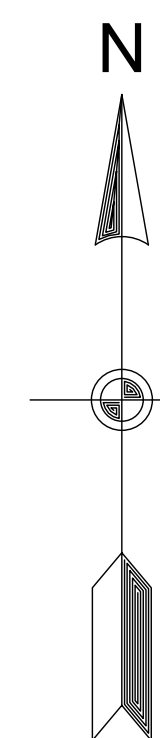


EXISTING BASEMENT LEVEL FLOOR LAYOUT

1/4" = 1'-0"

TB.DWG	





215 BROADWAY - DEVELOPMENT

PROPOSED BASEMENT LEVEL FLOOR LAYOUT

225 BROADWAY, PROVIDENCE, R.I. 02903

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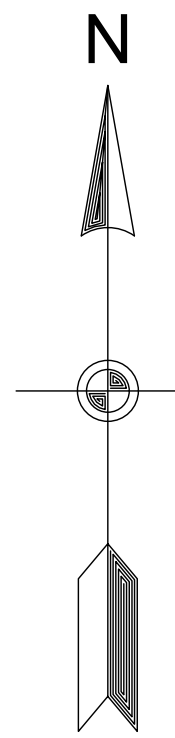


1/4" = 1'-0"

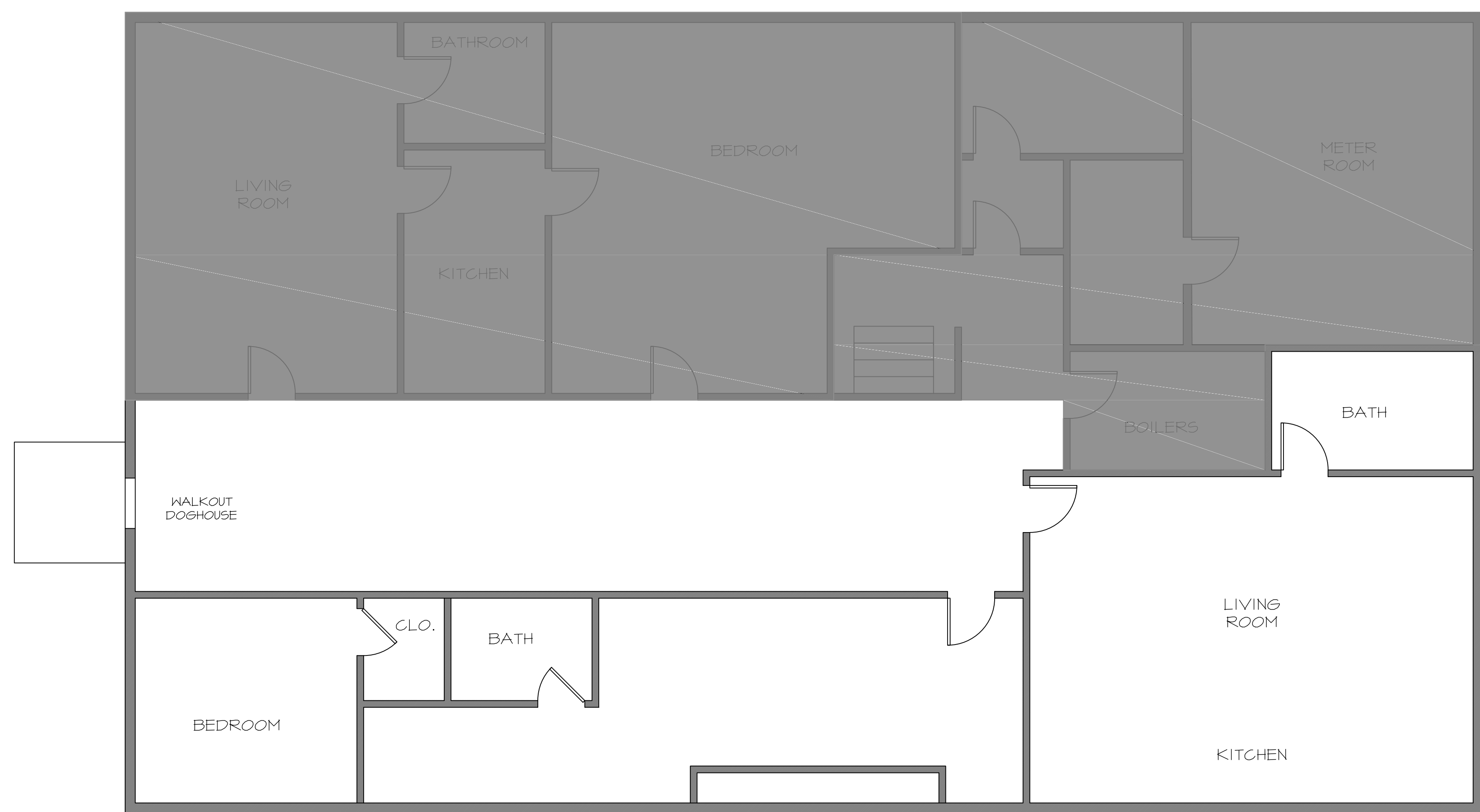
PROPOSED BASEMENT LEVEL FLOOR LAYOUT

A2

TB.DWG

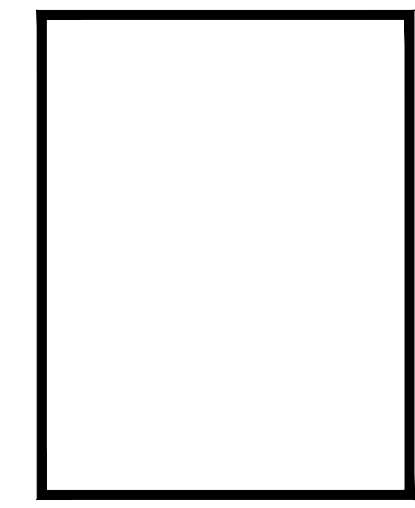


215 BROADWAY - DEVELOPMENT
 225 BROADWAY, PROVIDENCE, R.I. 02903
 PROPOSED BASEMENT LEVEL FLOOR LAYOUT



GB - 1 BED

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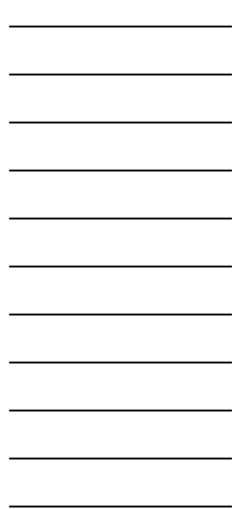
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A4

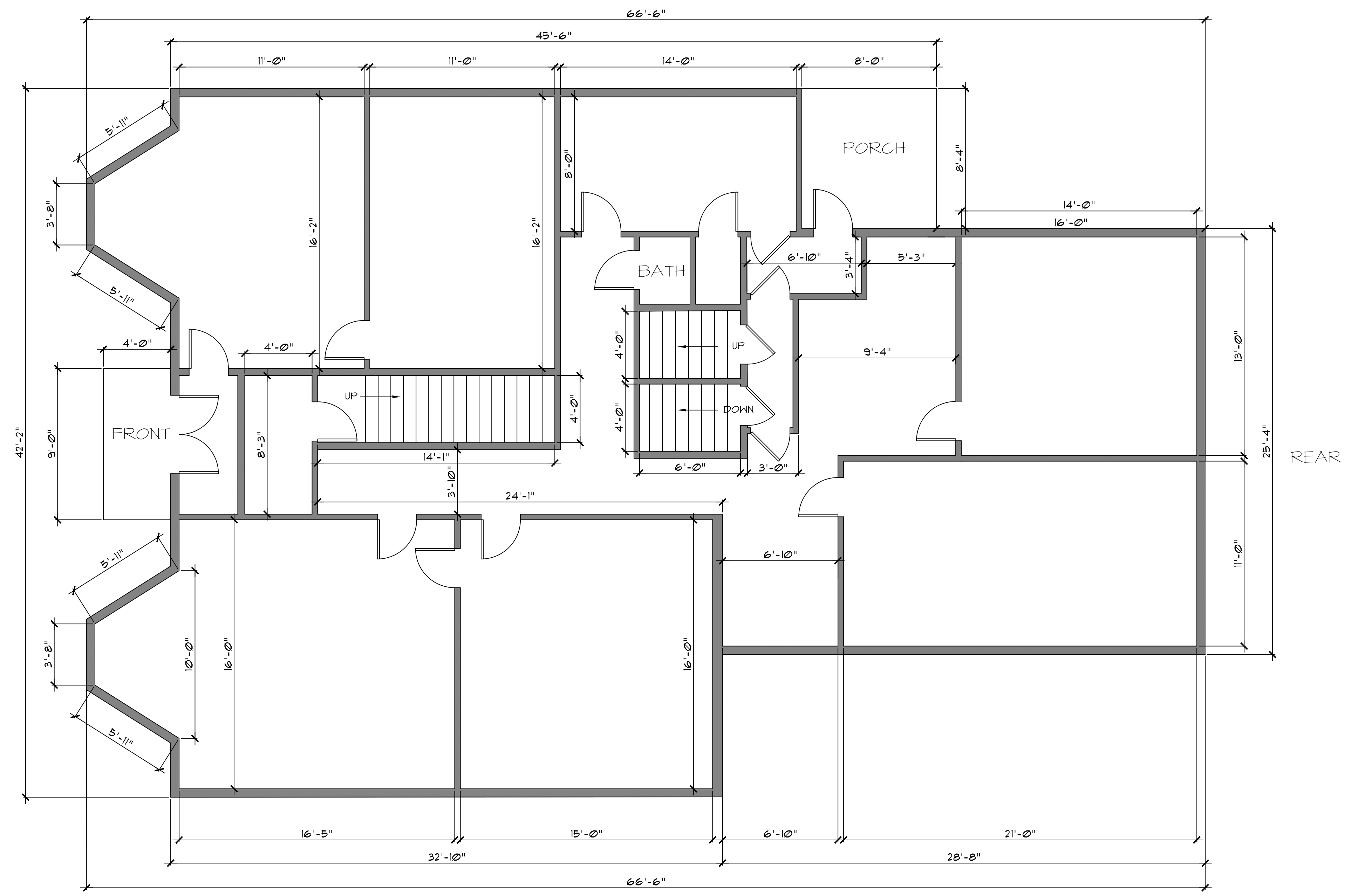
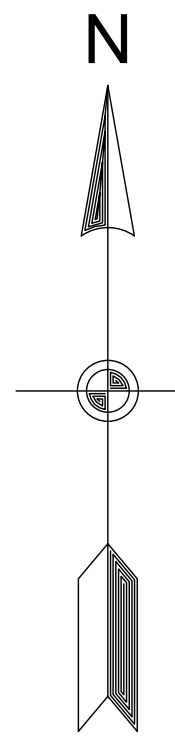


1/4" = 1'-0"

PROPOSED BASEMENT LEVEL FLOOR LAYOUT



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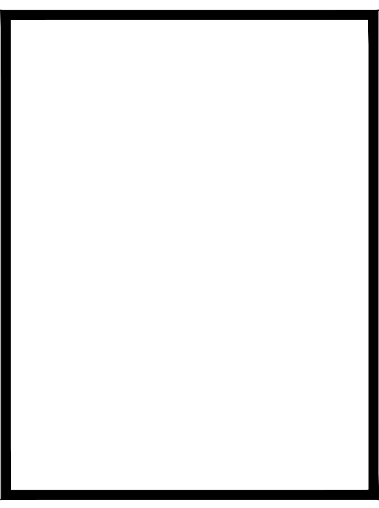


215 BROADWAY - DEVELOPMENT

EXISTING 1ST LEVEL FLOOR LAYOUT

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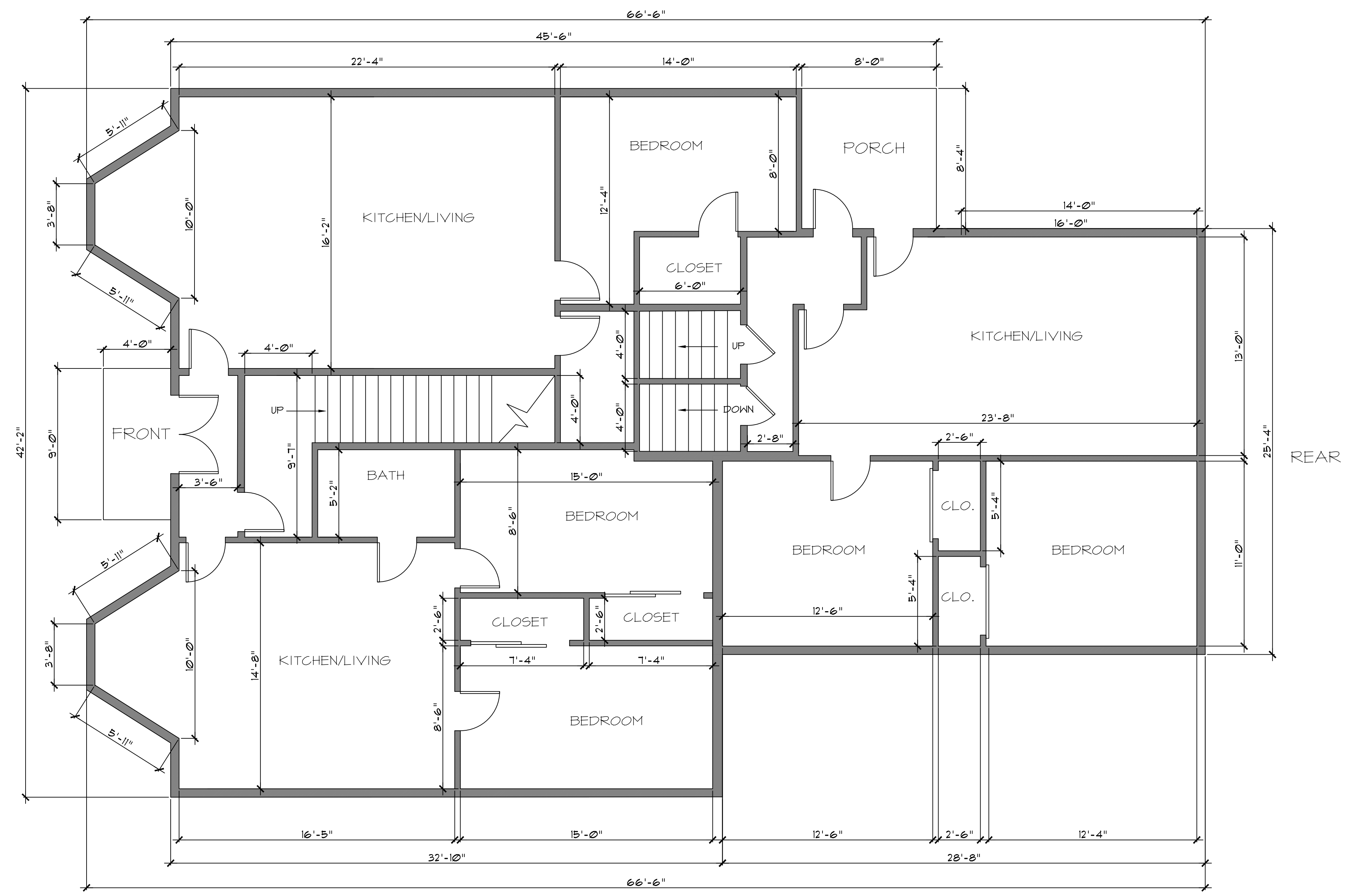
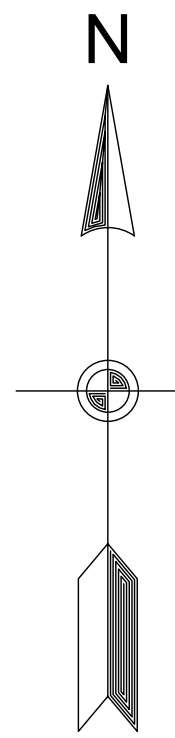
A5



1/4" = 1'-0"

EXISTING 1ST LEVEL FLOOR LAYOUT

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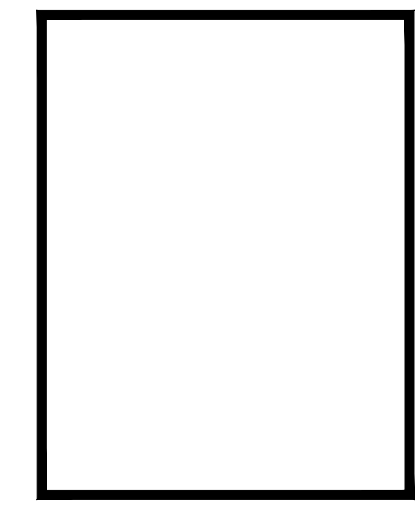


215 BROADWAY - DEVELOPMENT

PROPOSED 1ST LEVEL FLOOR LAYOUT

225 BROADWAY, PROVIDENCE, R.I. 02903

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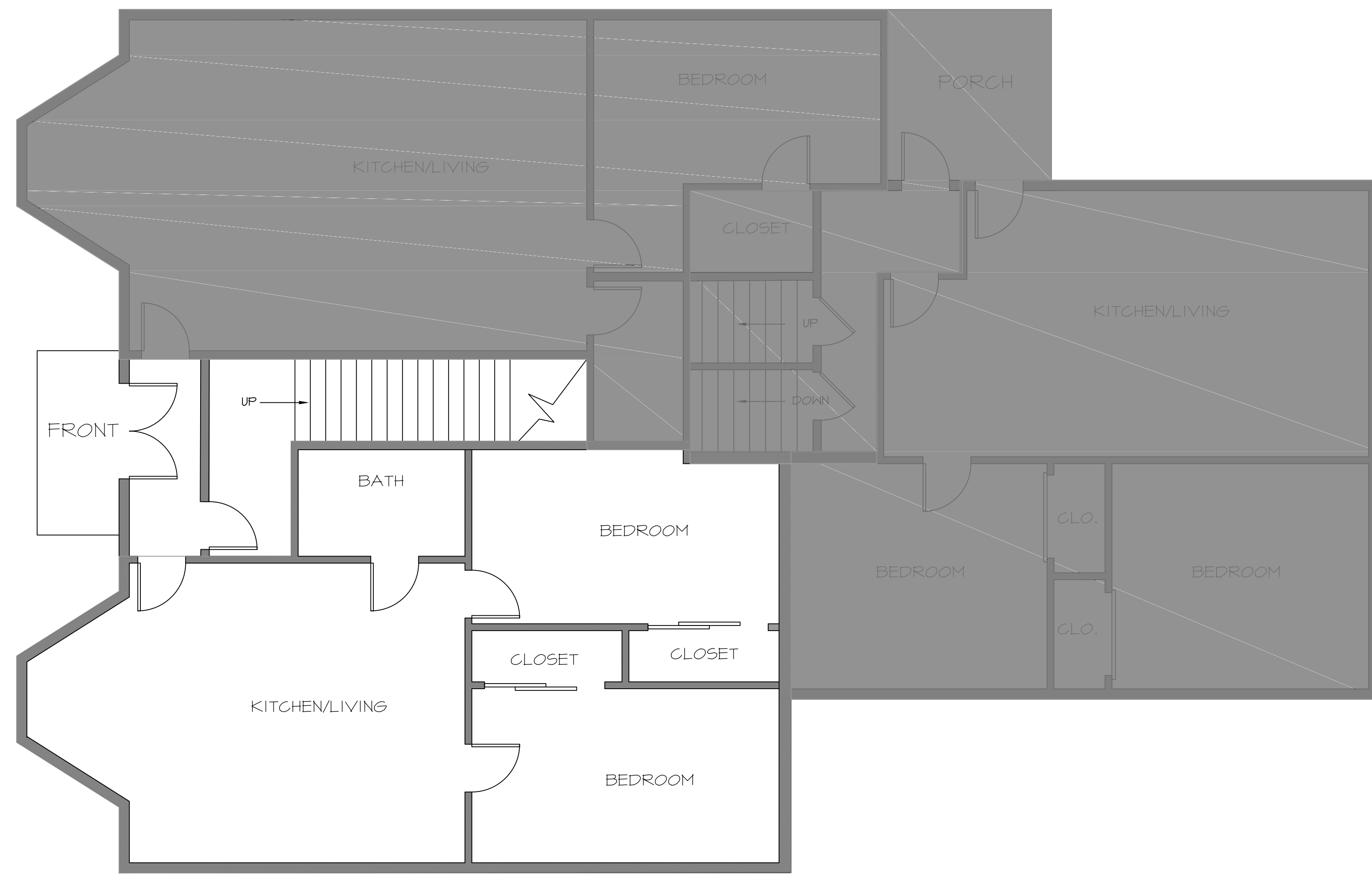
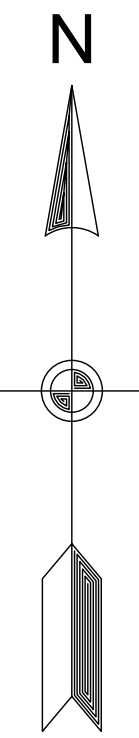
A6



1/4" = 1'-0"

PROPOSED 1ST LEVEL FLOOR LAYOUT

TB.DWG	



IB - 2 BEDS

REAR

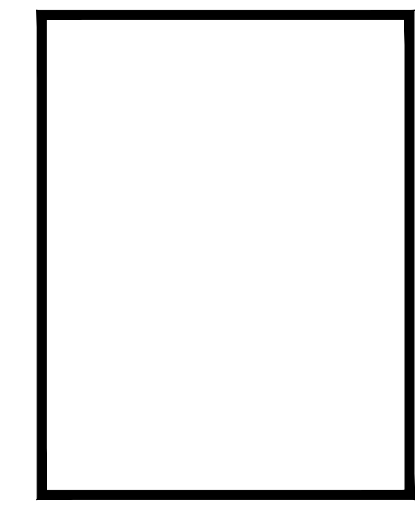
FRONT

215 BROADWAY - DEVELOPMENT

PROPOSED 1ST LEVEL FLOOR LAYOUT

225 BROADWAY, PROVIDENCE, R.I. 02903

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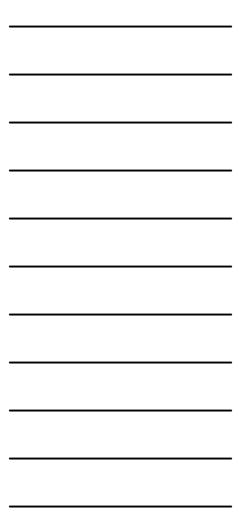
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Job No: -
Project Mgr: -
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AS

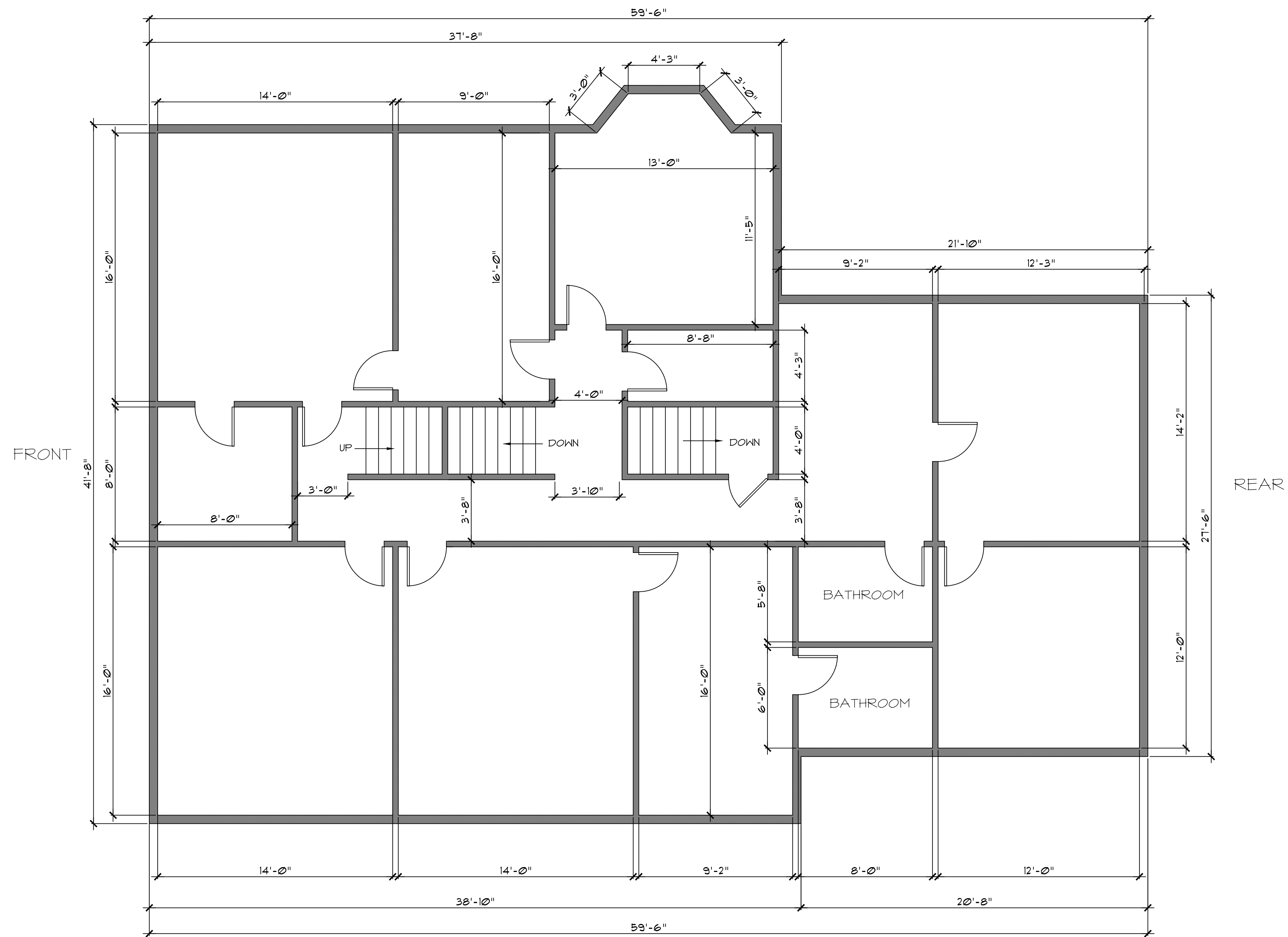
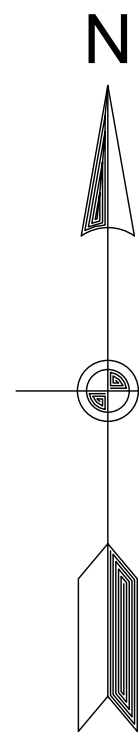


1/4" = 1'-0"

PROPOSED 1ST LEVEL FLOOR LAYOUT



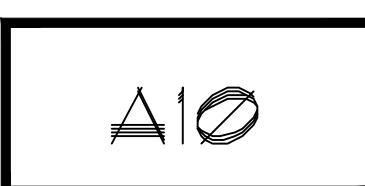
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- 215 BROADWAY - DEVELOPMENT
- EXISTING 2ND LEVEL FLOOR LAYOUT
- 225 BROADWAY, PROVIDENCE, R.I. 02903

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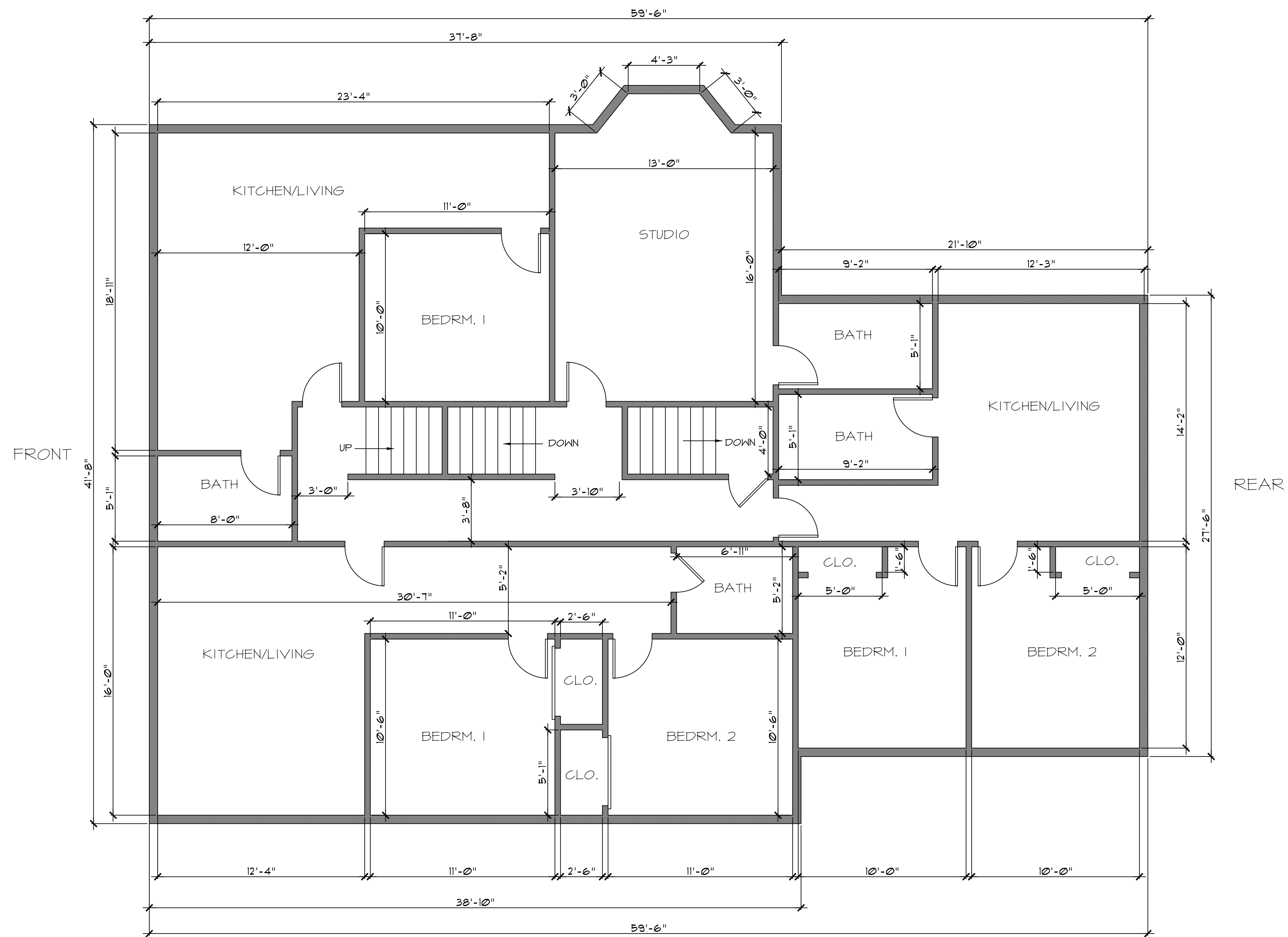
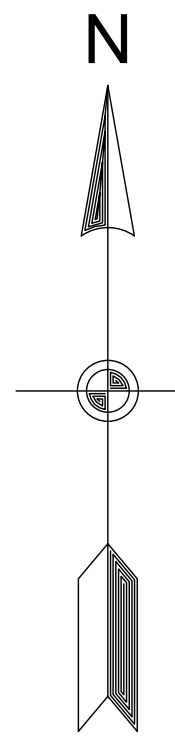
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1/4" = 1'-0"

EXISTING 2ND LEVEL FLOOR LAYOUT

TB.DWG



215 BROADWAY - DEVELOPMENT
PROPOSED 2ND LEVEL FLOOR LAYOUT
225 BROADWAY, PROVIDENCE, R.I. 02903

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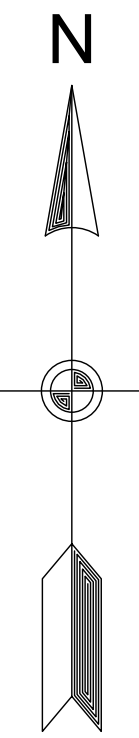
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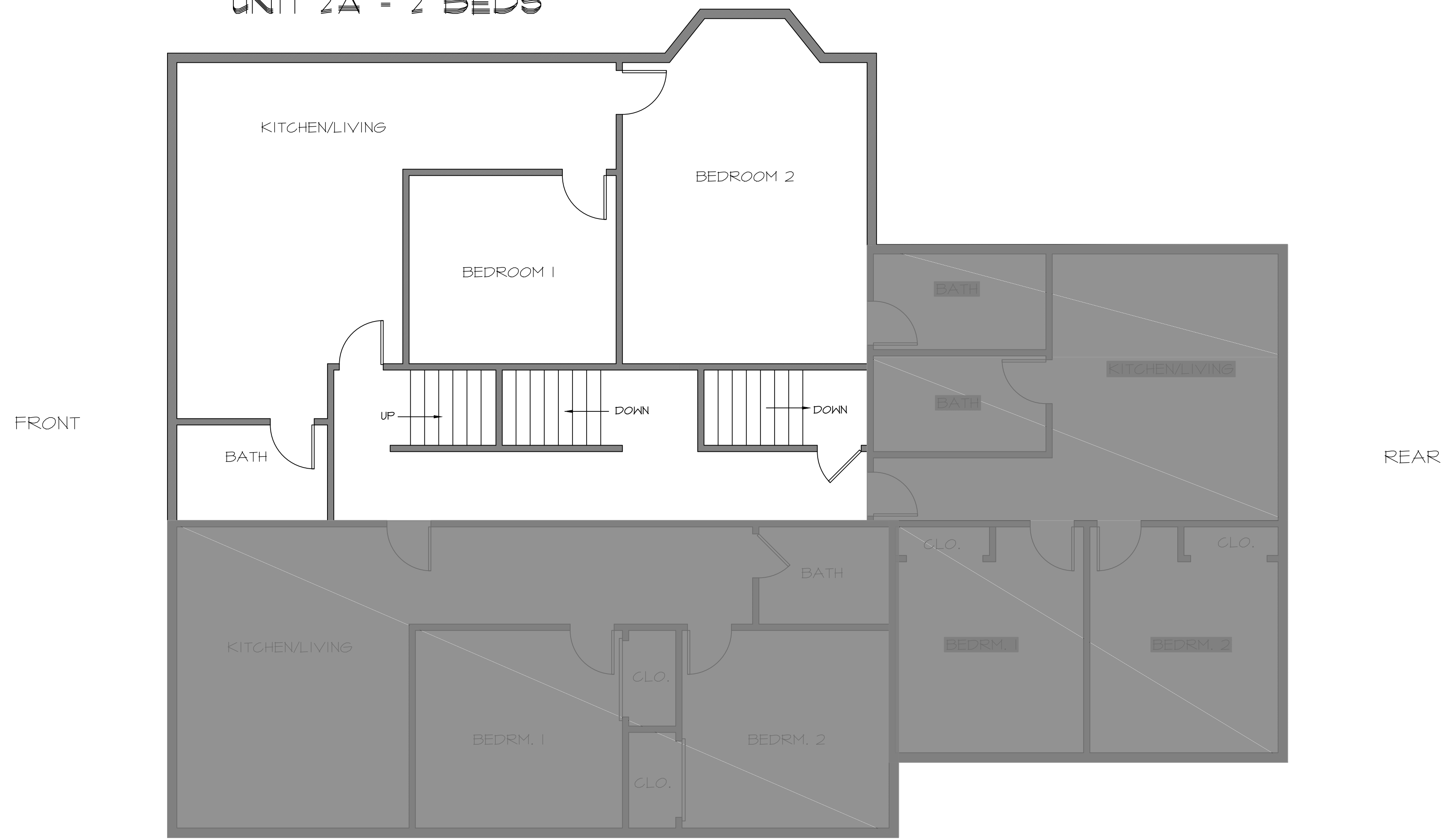
PROPOSED 2ND LEVEL FLOOR LAYOUT

1/4" = 1'-0"

TB.DWG



UNIT 2A - 2 BEDS

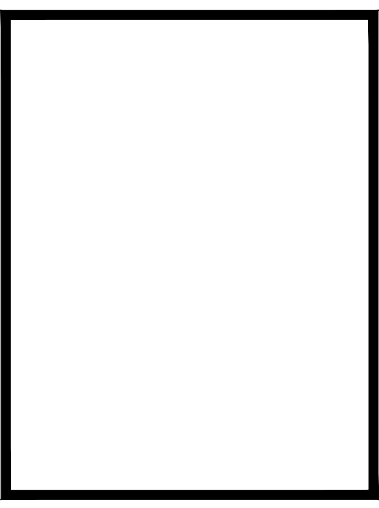


215 BROADWAY - DEVELOPMENT

225 BROADWAY, PROVIDENCE, R.I. 02903

PROPOSED 2ND LEVEL FLOOR LAYOUT

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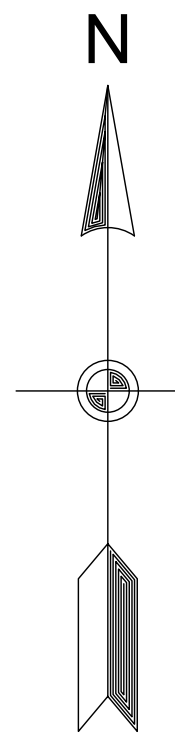
A12



1/4" = 1'-0"

PROPOSED 2ND LEVEL FLOOR LAYOUT

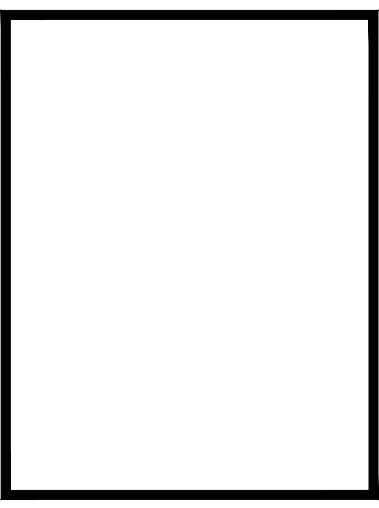
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UNIT 2B - 2 BEDS

215 BROADWAY - DEVELOPMENT
 225 BROADWAY, PROVIDENCE, R.I. 02903
 PROPOSED 2ND LEVEL FLOOR LAYOUT

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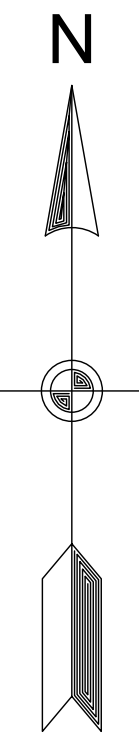
Date: NOV/2020
 Job No: -
 Project Mgr: -
 Drawn By: TRB
 Checked By: -

A13



1/4" = 1'-0"

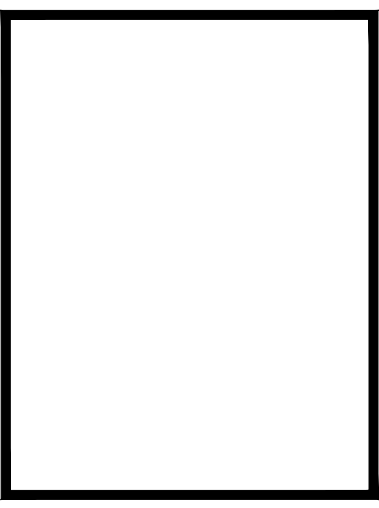
TB.DWG	



UNIT 2C - 2 BEDS

215 BROADWAY - DEVELOPMENT
 225 BROADWAY, PROVIDENCE, R.I. 02903
 PROPOSED 2ND LEVEL FLOOR LAYOUT

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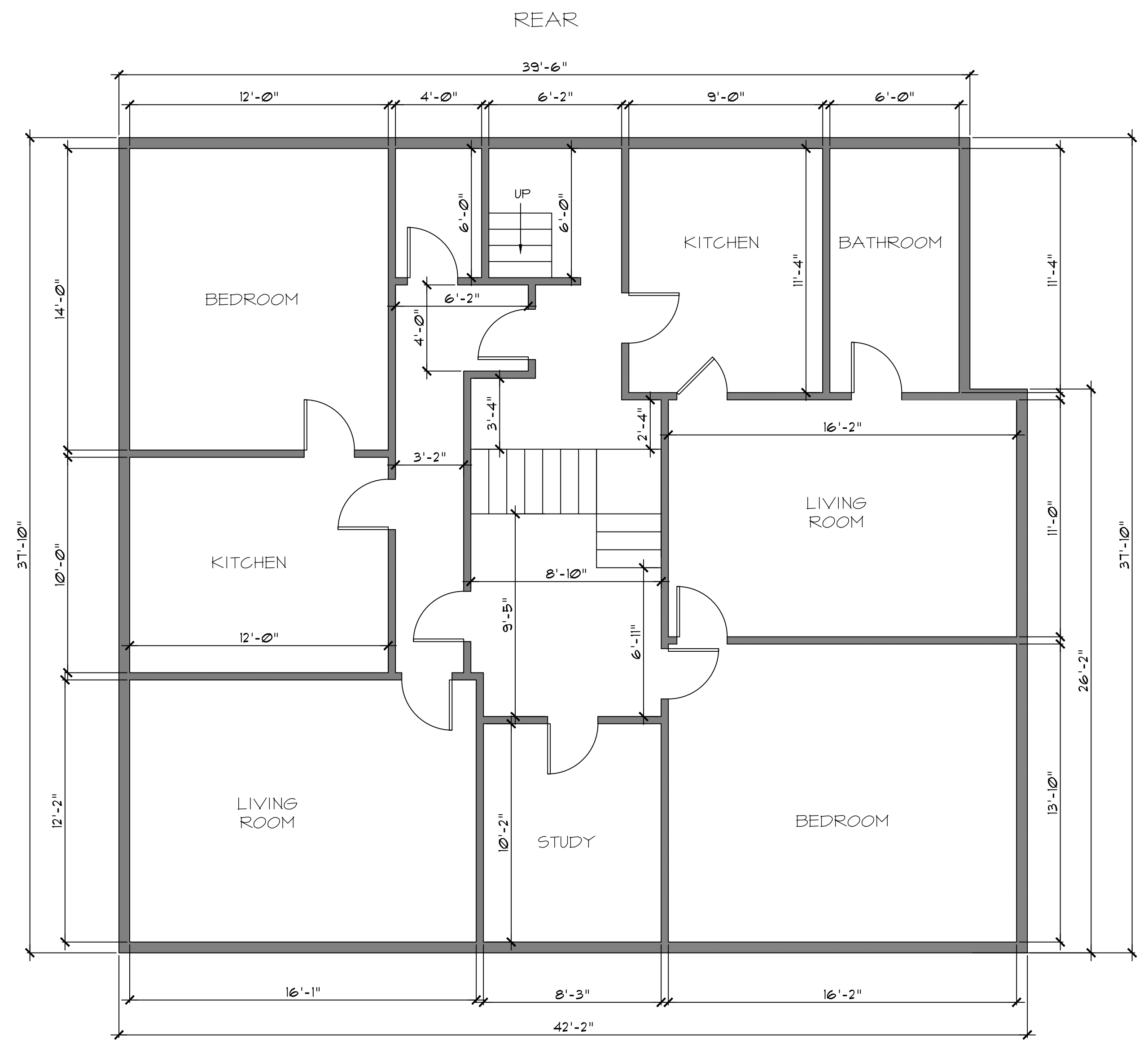
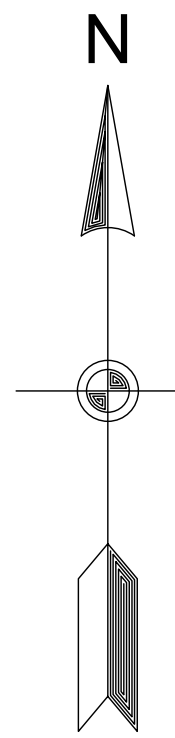
A14



1/4" = 1'-0"

PROPOSED 2ND LEVEL FLOOR LAYOUT

TB.DWG	

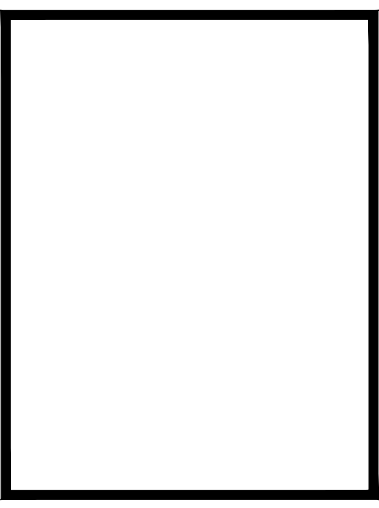


215 BROADWAY - DEVELOPMENT

EXISTING 3RD LEVEL FLOOR LAYOUT

225 BROADWAY, PROVIDENCE, R.I. 02903

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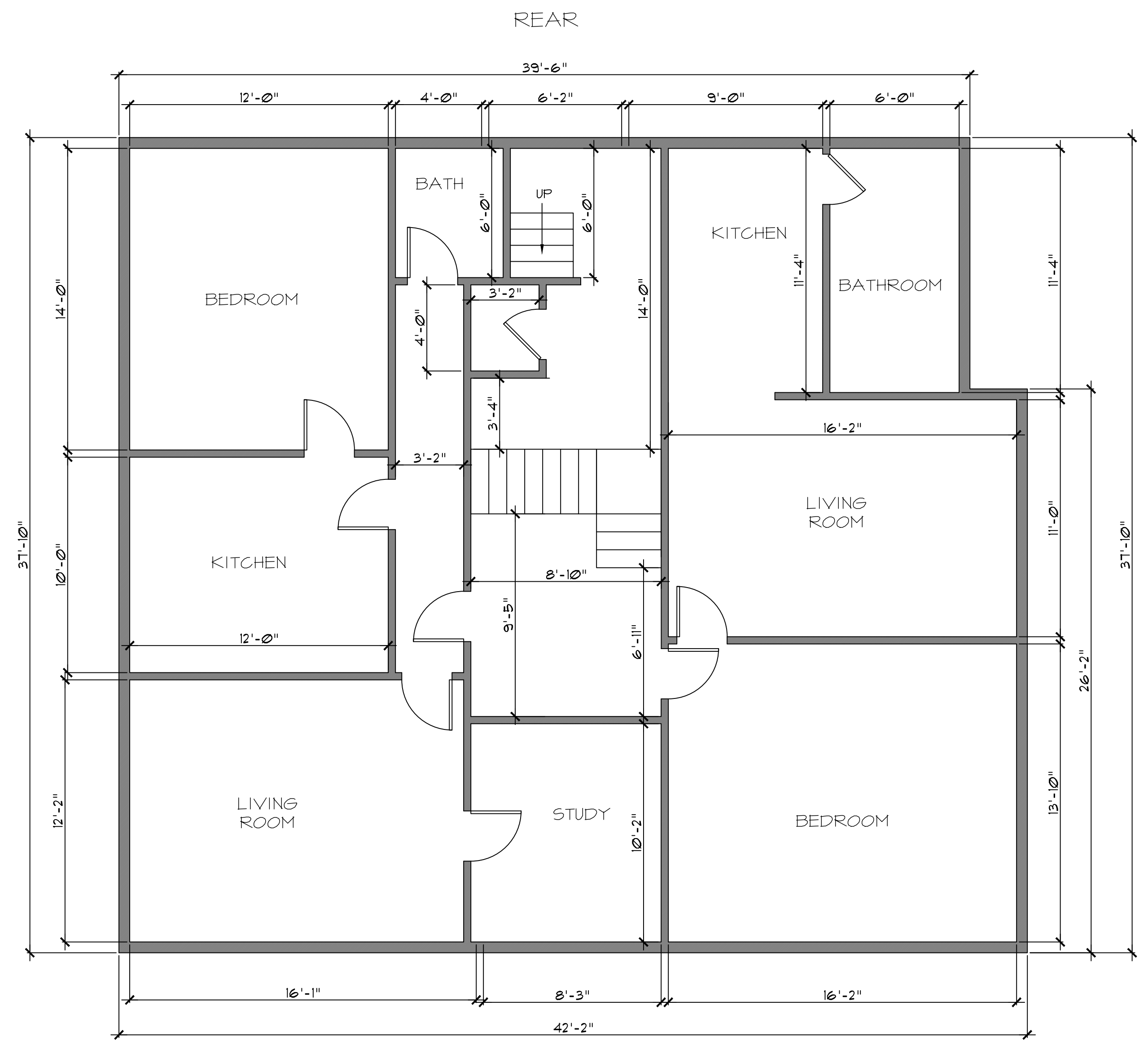
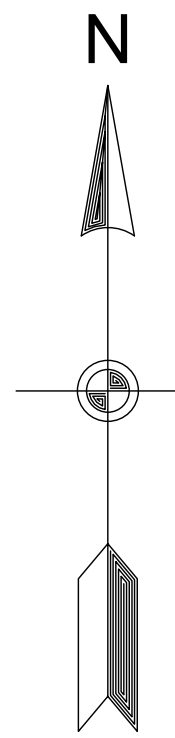
A15



1/4" = 1'-0"

EXISTING 3RD LEVEL FLOOR LAYOUT

TB.DWG	

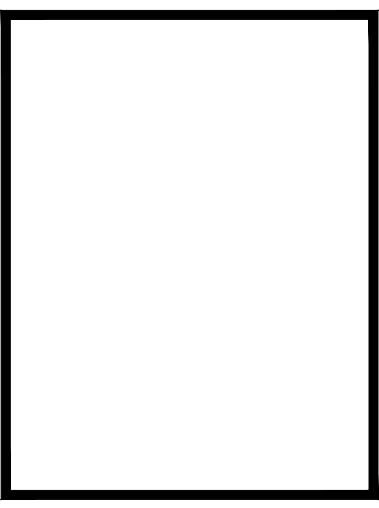


215 BROADWAY - DEVELOPMENT

PROPOSED LOWER FLOOR LAYOUT

225 BROADWAY, PROVIDENCE, R.I. 02903

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A16



PROPOSED 3RD LEVEL FLOOR LAYOUT

1/4" = 1'-0"

TB.DWG	

200 FT RADIUS PLAN

AP28 LOT 260-215 BROADWAY

Note: All Parcel Within AP28



Scale 1"=50'



Edde Smith
1/2021