

MAR 13 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*

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 #	260	Frontage	92	depth	100	Total area	9200	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	8,215
Footprint 2458	Height 30	Floors 4

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):  
12 residential

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:

402. tbl 4-1	Minimum Lot Area -12 units@1650. Need 19,800, have 9,200.Variance-10,600
402. tbl 4-1	Lot Width- 12' per unit reqd. Need 144'- have 92'. Variance - 52'
_____	Parking - Need 12, Have 8. Variance - 4"

**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 12 units of 600+ sq/ft apartment units.

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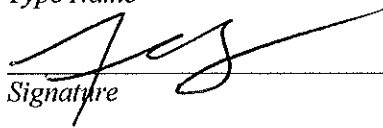
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*The undersigned acknowledge(s) and agree(s) that members of the Zoning Board of Review and its staff may enter upon the exterior of the Property in order to view the Property prior to any hearing on the application.*

*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

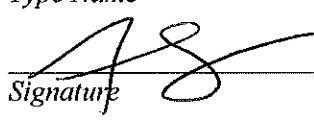
  
Signature

\_\_\_\_\_  
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.

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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.

Converting an office space to residential units does not provide a gain in rentable income for owner. Rather, it allows goal of fully occupying the building. First floor office space is currently unusable due to the nature of the building and lack of demand for the office space. +

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. Apartments on Broadway are typically around 600-700 sq/ft. Larger apartments are not marketable. There are also 13 parking spots for the building. 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 8 PARKING SPACES**

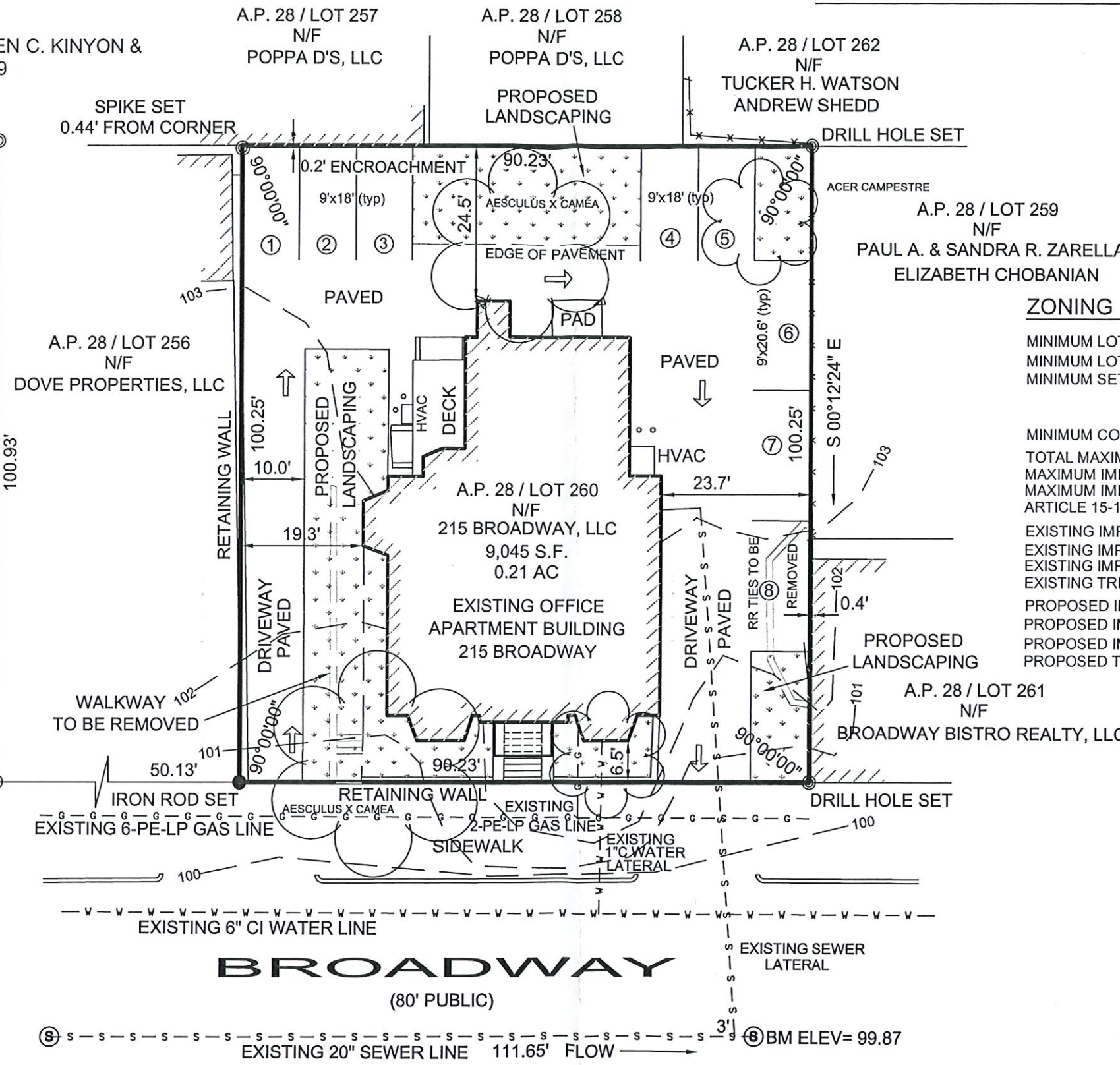


**LOCUS MAP**

IRON ROD FOUND BENT

MAGNETIC 02-05-21

DEPASQUALE AVENUE



**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: 79%
- PROPOSED IMPERVIOUS SURFACE COVERAGE REAR YARD: 73%
- PROPOSED IMPERVIOUS SURFACE COVERAGE FRONT YARD: 45%
- PROPOSED TREE CANOPY COVERAGE 30%

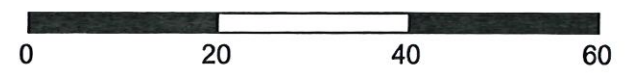
**PROPOSED SITE PLAN**

A.P. 28 / LOT 260  
 215 BROADWAY  
 PROVIDENCE, R.I.  
 SCALE: 1"=20' DATE: MARCH 15, 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:

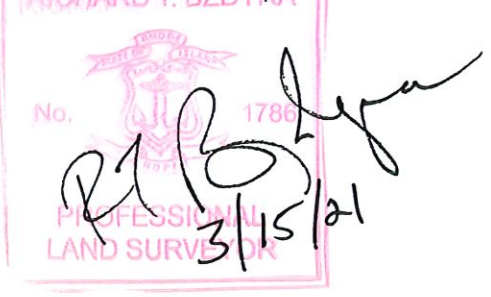
- LIMITED CONTENT BOUNDARY SURVEY CLASS I
- DATA ACCUMULATION SURVEY CLASS III

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: 3/15/21

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



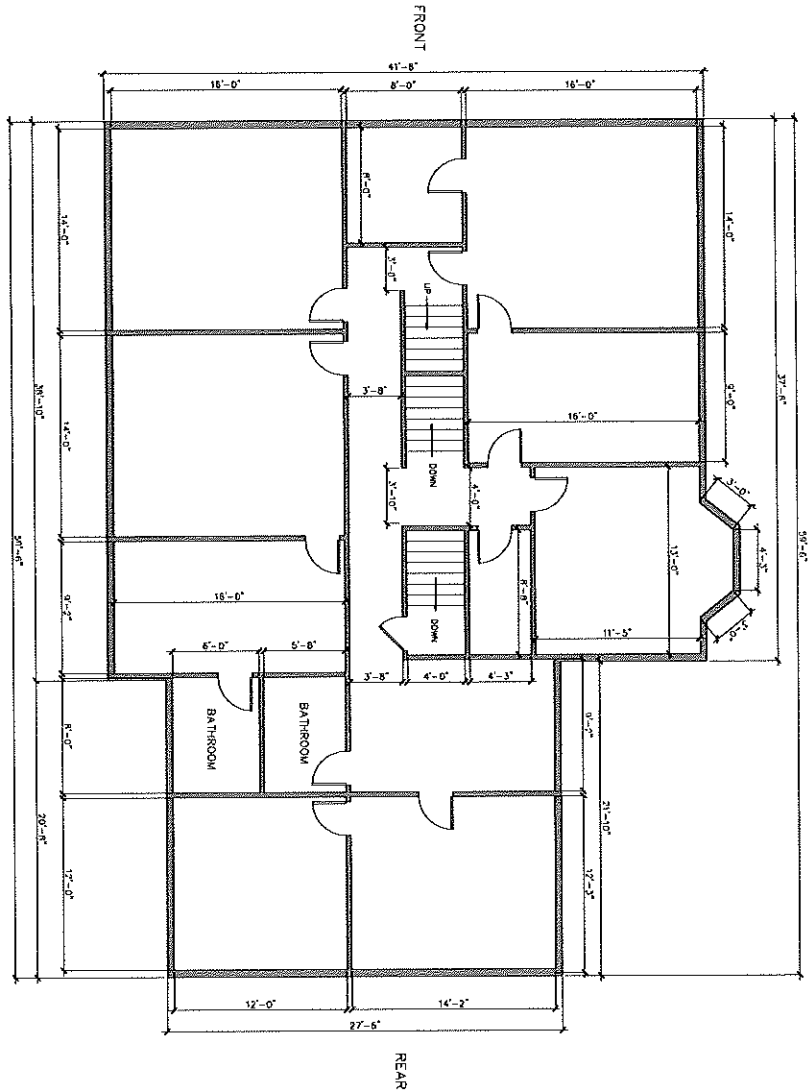






DATE	
DESCRIPTION	

EXISTING 2ND LEVEL FLOOR LAYOUT



1/4"=1'-0"  
 NORTH

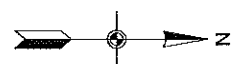
A6

DATE: 10/17/2008  
 APP. NO.: 2008-178  
 PROJECT NO.: 718  
 DRAWN BY: [Signature]



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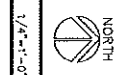
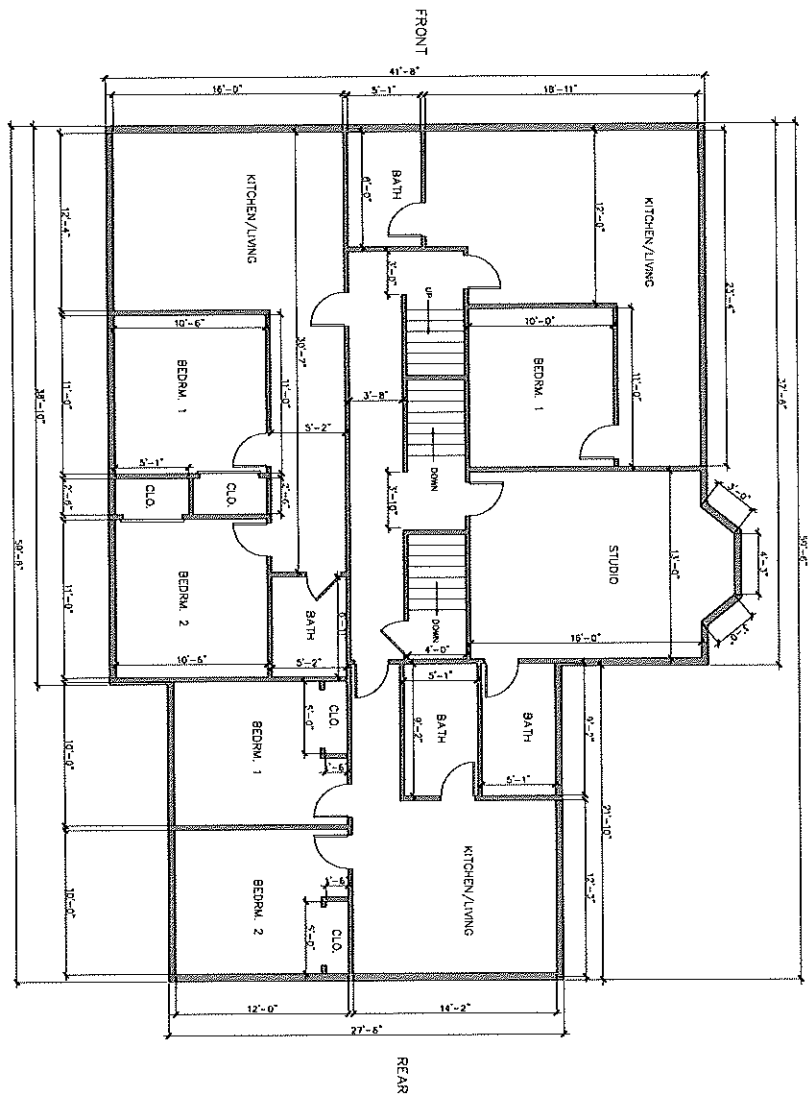
215 BROADWAY - DEVELOPMENT	
EXISTING 2ND LEVEL FLOOR LAYOUT	225 BROADWAY, PROVIDENCE, R.I. 02903



79 DWG
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PROPOSED 2ND LEVEL FLOOR LAYOUT



A7

Date: NOV/2003  
 Job No: 147  
 Project No: 150  
 Checked By: \_\_\_\_\_

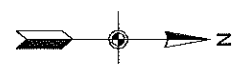


225 BROADWAY - DEVELOPMENT  
 225 BROADWAY, PROVIDENCE, R.I. 02903

215 BROADWAY - DEVELOPMENT

PROPOSED 2ND LEVEL FLOOR LAYOUT

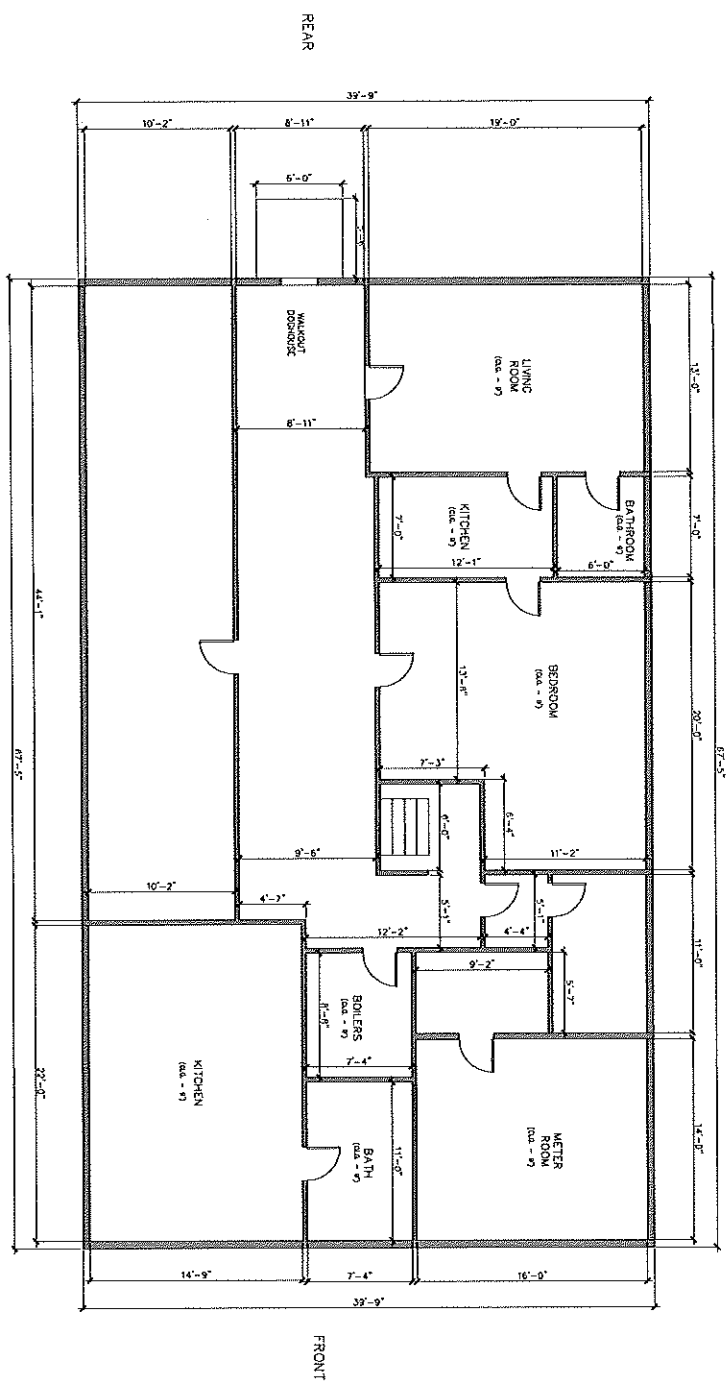
225 BROADWAY, PROVIDENCE, R.I. 02903



TBD/018											


EXISTING BASEMENT LEVEL FLOOR LAYOUT

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

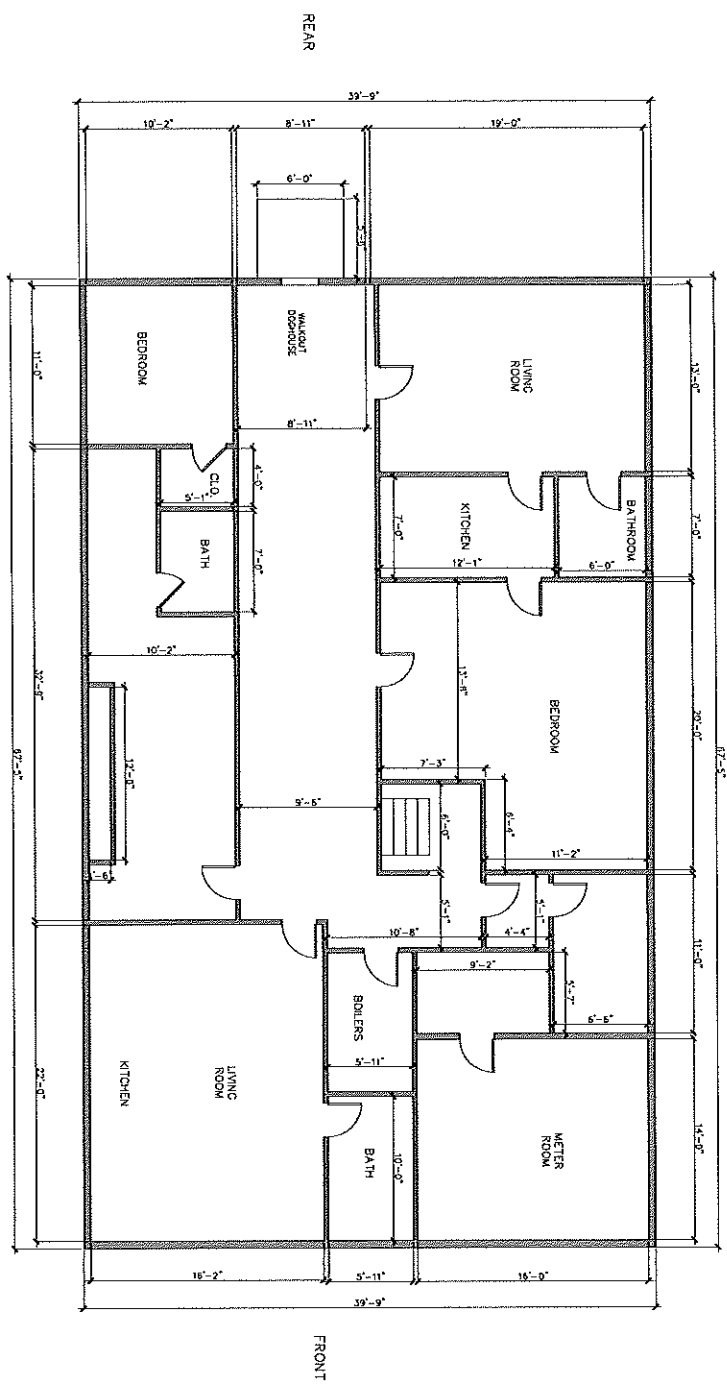


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215 BROADWAY - DEVELOPMENT	
• EXISTING BASEMENT LEVEL FLOOR LAYOUT •	• 215 BROADWAY, PROVIDENCE, R.I. 02903 •




PROPOSED BASEMENT LEVEL FLOOR LAYOUT



1/4" = 1'-0"  
NORTH

Date: NOV/2020  
 Job No: 2019-011  
 Project: 215 BROADWAY - DEVELOPMENT  
 Drawn By: TBL  
 Checked By:

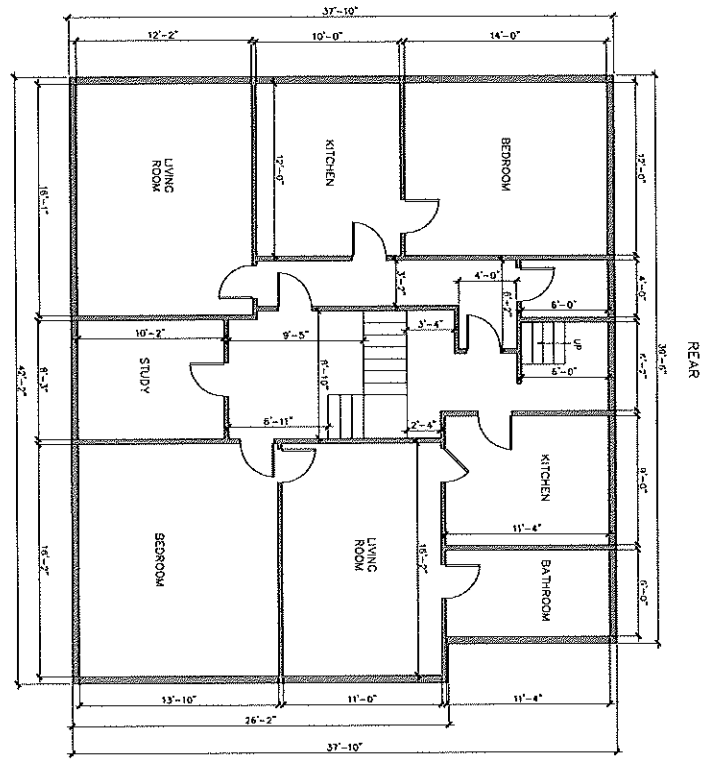
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215 BROADWAY – DEVELOPMENT  
 PROPOSED BASEMENT LEVEL FLOOR LAYOUT  
 225 BROADWAY, PROVIDENCE, R.I. 02903



TBLDWS


EXISTING 3RD LEVEL FLOOR LAYOUT





# 200 FT RADIUS PLAN

AP28 LOT 260-215 BROADWAY

Note: All Parcel Within AP28



Scale 1"=50'



*Edde Smith*  
1/2021



215  
LAW OFFICES

LOMBARDI







