

MAR 08 2022

CITY OF PROVIDENCE  
ZONING BOARD OF REVIEW

## APPLICATION FOR VARIANCE OR SPECIAL USE PERMIT

Check Each Type Zoning Relief Sought:

☐  
☒  
☐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: CLIFFORD YEEE-mail cey636@gmail.com  
Phone 617.833.4333  
*Home/Office*Address 23 VAUGHAN STREET PROVIDENCE  
Zip Code 02904617.833.4333  
*Mobile (Cell)*Owner: CLIFFORD YEEE-mail cey636@gmail.com  
Phone 617.833.4333  
*Home/Office*Address 23 VAUGHAN ST, PROVIDENCE, RI  
Zip Code 02904617.833.4333  
*Mobile (Cell)*

Lessee: \_\_\_\_\_

E-mail \_\_\_\_\_  
Phone: \_\_\_\_\_  
*Home/Office*Address \_\_\_\_\_  
Zip Code \_\_\_\_\_\_\_\_\_\_  
*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: 23 VAUGHAN STREET AP 72 LOT 583  
*Street Address*  
R-32. Zoning District(s): \_\_\_\_\_  
Special purpose or overlay district(s): \_\_\_\_\_3a. Date owner purchased the Property: SINCE JUNE 14, 2013

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

3. Dimensions of each lot:

Lot # 583	Frontage 50'	depth 85'	Total area 4250	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	4200 SF
Footprint 28' X 50'	Height 28'	Floors 3

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.) 30% \_\_\_\_\_

6b. Proposed Lot coverage: (include new construction) 30% \_\_\_\_\_

7a. Present Use of Property (each lot/structure):

TWO FAMILY DWELLING with a FINISHED BASEMENT

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

TWO FAMILY DWELLING

8. Proposed Use of Property (each lot/structure):

THREE FAMILY DWELLING

9. Number of Current Parking Spaces: 3

10. Describe the proposed construction or alterations (each lot/structure):

LEGALIZE THE EXISTING FINISHED BASEMENT INTO A THIRD DWELLING UNIT.

11. Are there outstanding violations concerning the Property under any of the following:

<input checked="" type="checkbox"/>	Zoning Ordinance
<input checked="" type="checkbox"/>	RI State Building Code
<input type="checkbox"/>	Providence Housing Code

12. List all Sections of the Zoning Ordinance from which relief is sought and description of each section:

402 T4-1	DIMENSIONAL STANDARDS-MINIMUM LOT AREA
_____	_____
_____	_____

**13. Explain the changes proposed for the Property.**

SEE ATTACHED ADDENDUM

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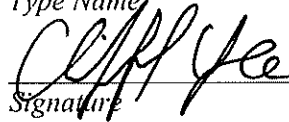
*The undersigned acknowledge(s) and agree(s) that members of the Zoning Board of Review and its staff may enter upon the exterior of the Property in order to view the Property prior to any hearing on the application.*

*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):**

CLIFFORD YEE

Type Name

Signature 

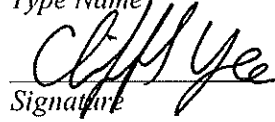
Type Name

Signature

**Applicant(s):**

CLIFFORD YEE

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?

See Attached Addendum

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

LOT AREA IS UNDERSIZED AND NONCONFORMING DUE TO EXISTING CONSTRAINTS WHEN THE PARCEL WAS PLATTED. Also, see 1 above.

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.

See Attached Addendum

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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 LEAST RELIEF HAS BEEN REQUESTED TO RELIEVE THE HARDSHIP SUGGESTED AS NOTED ABOVE.

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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.

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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.

A DENIAL WILL CREATE A SIGNIFICANT HARDSHIP SUGGESTED AS NOTED ABOVE.

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**P. 6 ITEM 13.**

"To legalize the existing finished basement into a third dwelling unit. The finished basement existed when the certificate of occupancy for the property was issued on September 19, 2011, and when the applicant bought the house on June 13, 2013. The finished basement was constructed with the proper ingress and egress at the front and back of the property and meets the definition of a "Dwelling Unit" under the Providence Zoning Code except that the finished basement does not have permanent provisions for cooking as required under the aforementioned definition. Adding permanent cooking is a minor update to the finished basement to meet the definition of a "Dwelling Unit. The relief requested is within the 15% requirement."

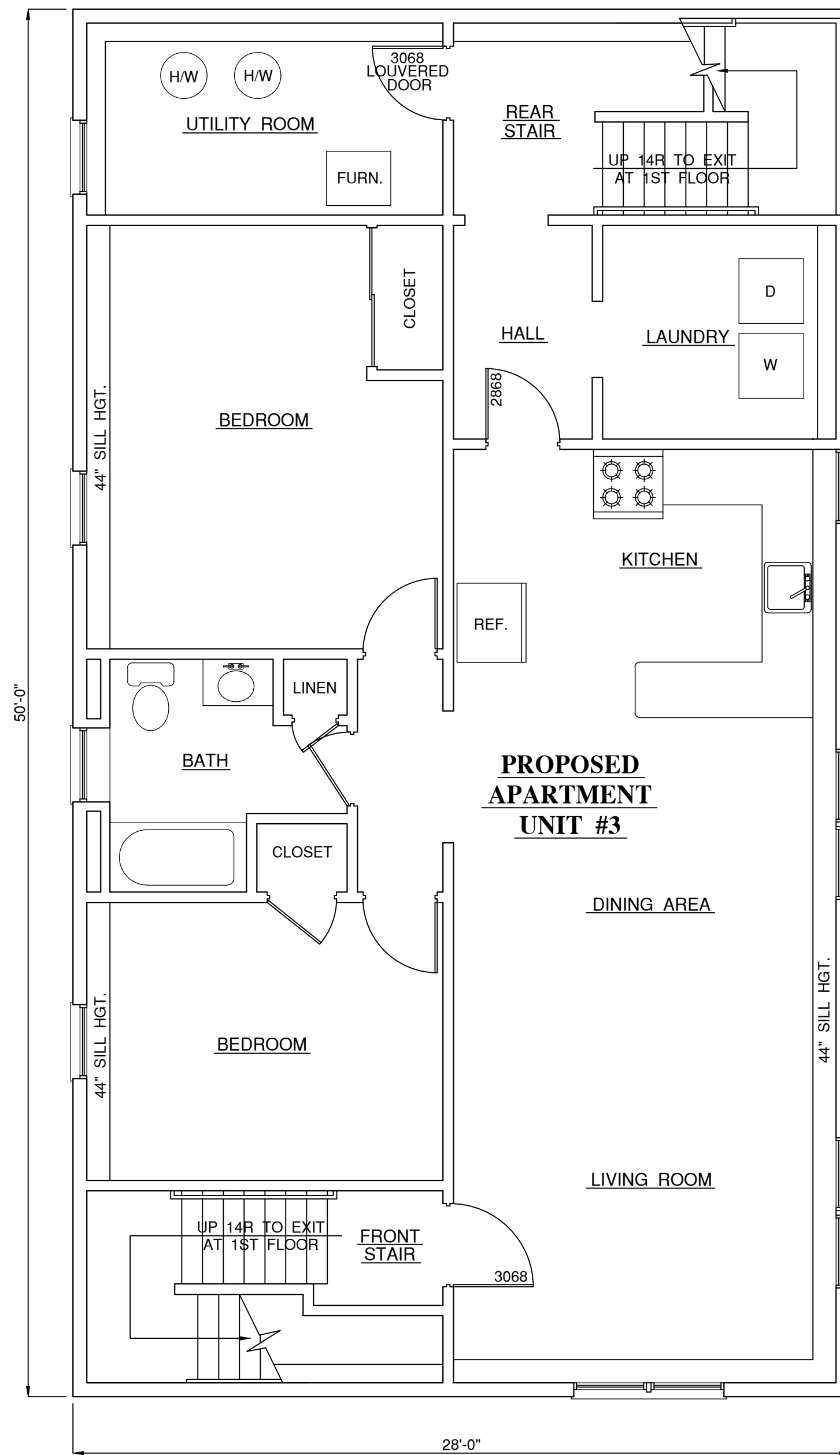
**P. 7 ITEM 1.**

**And**

**P. 8 ITEM 5.**

"The applicant did not create the situation he is in and is not applying for a variance for a financial gain. The City Building Inspector brought a complaint against the applicant and is demanding that proper abatement is that the existing finished basement be fully demolished (removal of plumbing, electrical, walls, etc.) so that it can't be used as a habitable living space. Compliance with such demand would result in a significant waste of property that has existed since the home was issued a certificate of occupancy in 2011. In the alternative, the city building inspector has suggested significantly altering the property so that the first-floor dwelling unit and finished basement be combined to make a townhouse. To do this requires adding additional stairways between the floors and eliminating other areas of access to the finished basement. This is very cost prohibitive. It also creates a dwelling unit in a two-family property that is massively oversized in comparison to other two-family properties in the area. Both suggestions by the city building inspector are major hardships to the applicant. The finished basement should be permitted to be used as a habitable dwelling unit as it fits into the character of the neighborhood."





**EXISTING LOWER LEVEL FLOOR PLAN**  
SCALE : 1/4" = 1'-0" EXISTING FLOOR TO CEILING HGT. = 8'-1"

**CANOPY COVERAGE**  
1 - LARGE SHADE TREE = 1,000 SQ. FT.  
1 - MEDIUM SHADE TREE = 500 SQ. FT.  
TOTAL = 1,500 SQ. FT.  
( 35.29% )

**PROPOSED LOT COVERAGE BREAKDOWN :**

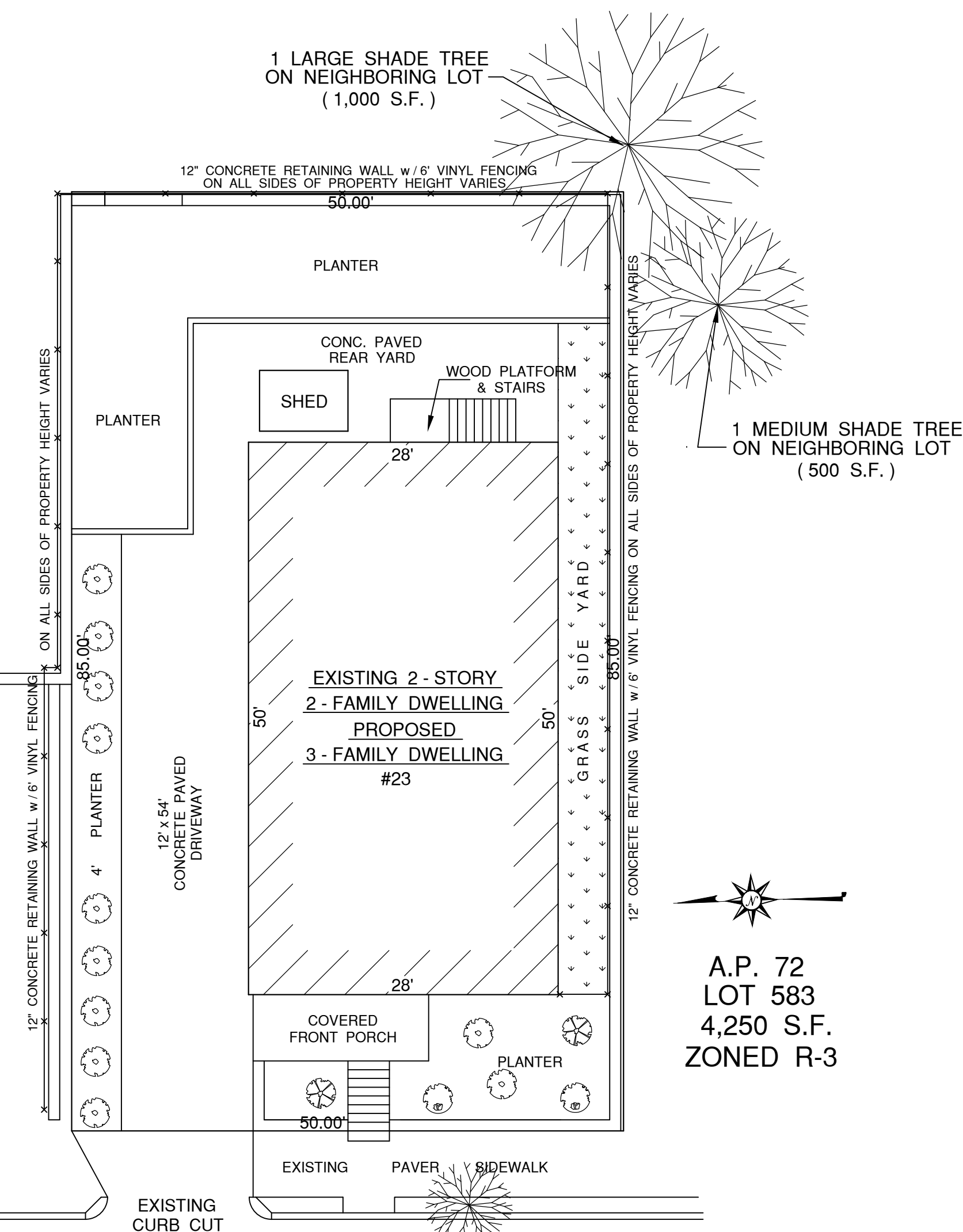
**STRUCTURES :**  
EXISTING DWELLING = 1,400 SQ. FT.  
FRONT PORCH & STAIRS = 207 SQ. FT.  
REAR PLATFORM & STAIRS = 44 SQ. FT.  
EXISTING SHED = 44 SQ. FT.  
TOTAL = 1,695 SQ. FT.  
( 39.88% )

**IMPERVIOUS PAVING**  
CONCRETE DRIVEWAY = 648 SQ. FT.  
CONCRETE REAR YARD = 298 SQ. FT.  
BLOCK RETAINING WALLS = 116 SQ. FT.  
TOTAL = 1,062 SQ. FT.  
( 24.99% )

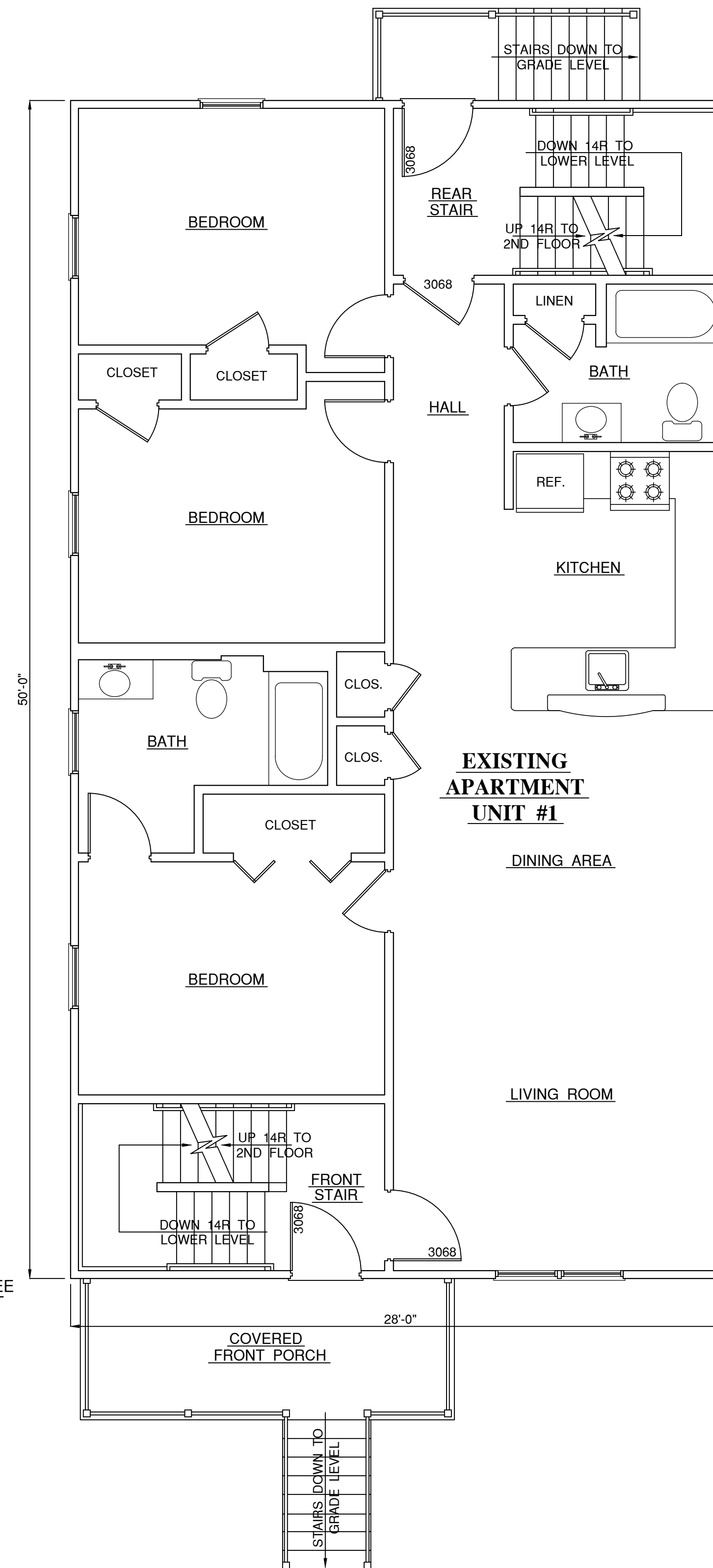
**GRASS & PLANTED AREAS**  
TOTAL = 1,493 SQ. FT.  
( 35.13% )



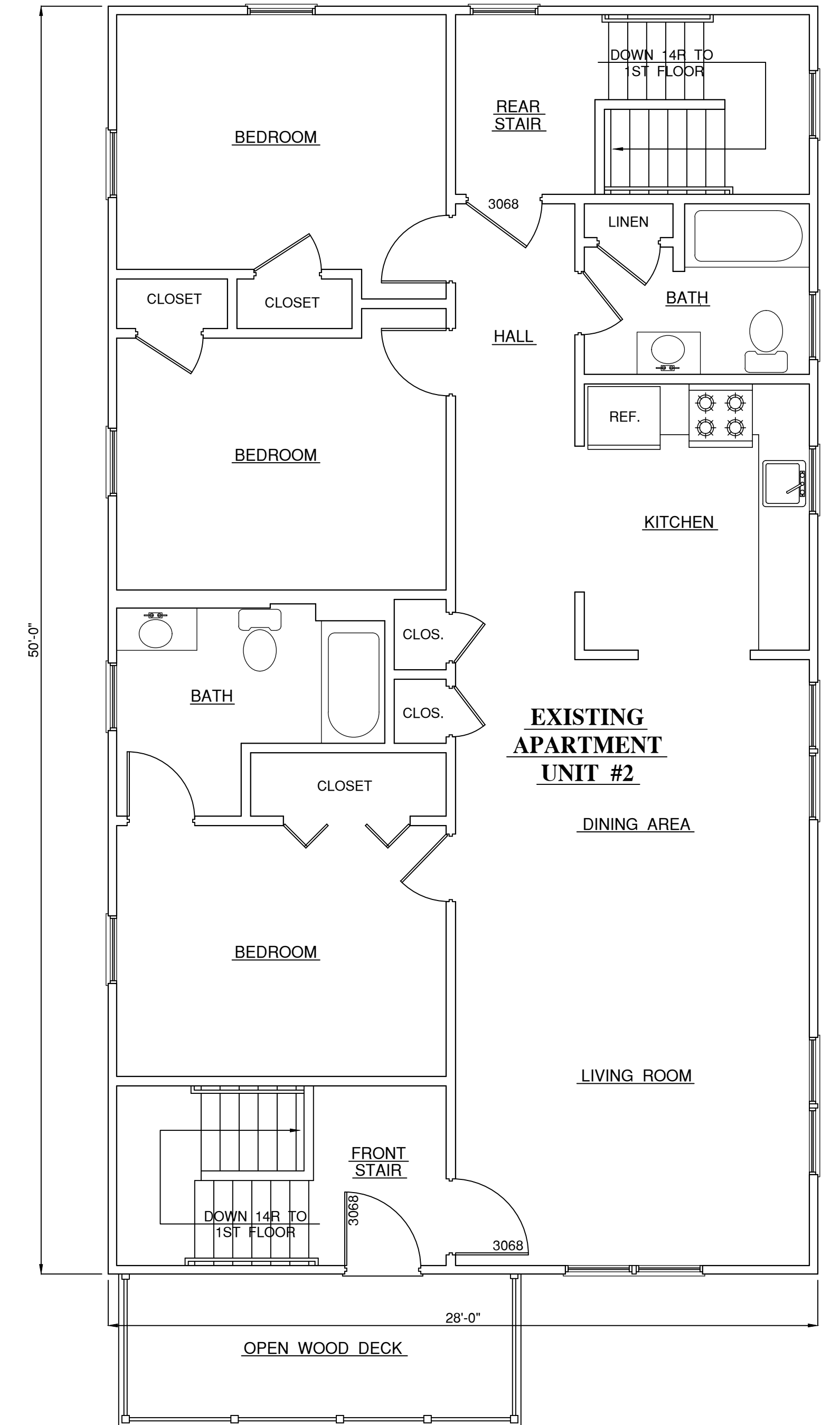
**EXISTING WEST ( FRONT ) ELEVATION**  
( FACING VAUGHAN STREET )



**EXISTING SITE PLAN**  
SCALE : 1" = 10'



**EXISTING FIRST FLOOR PLAN**  
SCALE : 1/4" = 1'-0" EXISTING FLOOR TO CEILING HGT. = 8'-0"



**EXISTING SECOND FLOOR PLAN**  
SCALE : 1/4" = 1'-0" EXISTING FLOOR TO CEILING HGT = 8'-0"

Project :  
**EXISTING CONDITION FLOOR PLANS  
OF EXISTING 2 - STORY, 2 - FAMILY  
DWELLING - PROPOSED 3 - FAMILY**

**53 VAUGHAN STREET  
PROVIDENCE, R.I.**

**Greg W. Bagian  
(401)-464-2601**

Revision : Date : Drawing No. :

Date : 6/22/21  
Scale : As Noted  
Drawn by : GB  
A.P. : 72  
Lot No. : 583

**A1**  
1 OF 1 DWGS.





For Sale  
Ken Scotti  
354-4971  
RenWill Preferred















# 200FT RADIUS PLAN

AP 72 LOT 583-23 VAUGHAN ST

Note: All Parcels Within AP72 And R3 Zoning



Celene Smith  
3/2022



# WARRANTY DEED

Doc No: 00069180  
Book: 10613 Page: 101

ATLANTIC LLC, a Rhode Island limited liability company, with its principal office located at 136 Windmill Street, Providence, RI 02904

for consideration paid and in full consideration of *TWO HUNDRED TEN THOUSAND DOLLARS AND 00/100 U.S. dollars (\$210,000.00)*

grant to **Clifford Yee** of 636 Dedham Street, Newton, MA 02459, *Individually*

*with WARRANTY COVENANTS:*

That certain parcel of land with all buildings and improvements thereon located in the City of Providence, State of Rhode Island, more particularly described in Exhibit "A" attached hereto and made a part hereof.

This transfer is such that no R.I.G.L. Section §44-30-71.3 withholding is required as Atlantic LLC is a Rhode Island Limited Liability Company and its sole member is a resident of the State of Rhode Island as evidenced by affidavit.

WITNESS my/its hand this 14<sup>th</sup> day of June, 2013.

Atlantic LLC

By:

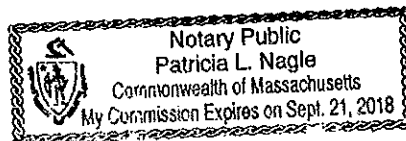
Gertrudis Quiles Member  
Gertrudis Quiles, Sole Member

STATE OF ~~RHODE ISLAND~~ Massachusetts  
COUNTY OF ~~PROVIDENCE~~ Bristol

In Mansfield, MA, on this 14<sup>th</sup> day of June 2013, personally appeared Gertrudis Quiles, the sole member of Atlantic LLC to me known and known by me to be the party executing the foregoing instrument, and she acknowledged said instrument executed by her to be her free act and deed in her capacity as sole member for Atlantic LLC and individual.

Patricia L. Nagle  
Notary Public

Property Address: AND GRANTEE  
23 Vaughan Street  
Providence, RI 02904  
A.P. 72, Lot 583



049715  
REAL ESTATE TAX  
RECORDS  
CITY OF PROVIDENCE  
DATE  
6-18-13  
840

**EXHIBIT A**

That certain lot or parcel of land with all the buildings and improvements thereon, situated on the easterly side of Vaughan Street in the City of Providence, County of Providence, State of Rhode Island, delineated as Parcel A NEW AREA 4,250 s.f. on that plat entitled, "PLANS SHOWING ADMINISTRATIVE SUBDIVISION LOTS 103 & 105, 23-27 VAUGHAN STREET, PROV. A.P. 72, ALEXANDER AND ASSOCIATES, 930 DOUGLAS AVENUE, PROVIDENCE, 02906", which subdivision plan was prepared for: Rosendo and Maria Vicioso and is recorded in the Land Evidence Records of the City of Providence on September 9, 2005 at 12:33 pm in Bk 68-022.

Property Address:  
23 Vaughan Street  
Providence, RI  
AP 72, Lot 583

**RECEIVED:**

Providence  
Received for Record  
Jun 18, 2013 at 03:07:23P  
Document Num: 00069180  
John A Murphy  
Recorder of Deeds