

MAY 10 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: Andres A. Pernia Blanco

Address 27 Taber Avenue, Providence, RI

Zip Code 02906

E-mail c/o ngoodier@mancinicar.com

Phone 401-343-7000

Home/Office

Mobile (Cell)

Owner: Andres A. Pernia Blanco

Address 27 Taber Avenue, Providence, RI

Zip Code 02906

E-mail c/o ngoodier@mancinicar.com

Phone 401-343-7000

Home/Office

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:** 27 Taber Avenue, Providence, RI 02906
Street Address

2. **Zoning District(s):** R-1
Special purpose or overlay district(s): _____

3a. **Date owner purchased the Property:** August 01, 2019

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

3. Dimensions of each lot:

Lot #	<u>450</u>	Frontage	<u>50'</u>	depth	<u>100'</u>	Total area	<u>5,000</u>	sq. ft.
Lot #	<u> </u>	Frontage	<u> </u>	depth	<u> </u>	Total area	<u> </u>	sq. ft.
Lot #	<u> </u>	Frontage	<u> </u>	depth	<u> </u>	Total area	<u> </u>	sq. ft.

4. Size of each structure located on the Property:

Principal Structure:	Total gross square footage	<u>7,144</u>
Footprint <u>1,870</u>	Height <u>< 40'</u>	Floors <u>3</u>

Accessory Structure:	Total gross square footage	<u> </u>
Footprint <u> </u>	Height <u> </u>	Floors <u> </u>

5. Size of proposed structure(s):	Total gross square footage:	<u> </u>
Footprint <u> </u>	Height <u> </u>	Floors <u> </u>

6a. Existing Lot coverage: (include all buildings, decks, etc.) 76.08%

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

7a. Present Use of Property (each lot/structure):
Four Family Residential Building

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

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

9. Number of Current Parking Spaces: Eight

10. Describe the proposed construction or alterations (each lot/structure):
Replacement of asphalt and brick pavers in driveway area with crushed stone.

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</u>	<u>Table 4-1, impervious surface coverage (total and rear yard).</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

13. Explain the changes proposed for the Property.

As part of the property's rehabilitation, asphalt and brick pavers in the driveway area was replaced with crushed stone.

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):

Applicant(s):

Andres A. Pernia Blanco

Type Name

Signature

Type Name

Signature

Type Name

Type Name

Signature

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?**
Relief from impervious surface area maximums is necessary to provide off-street parking on the property.
2. **Specify any and all unique characteristics of the land or structure that cause the hardship?**
The four family residential building's location on the property permits off-street parking only in the area that has been improved with crushed stone.
3. (a) **Is the hardship caused by an economic disability?** Yes No
(b) **Is the hardship caused by a physical disability?** Yes No
(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

If "yes," describe any and all such prior action(s), and state the month/year taken.

The Owner/Applicant engaged a contractor in 2020 for the purpose of removing asphalt and brick pavers from the driveway area. Those materials were replaced with crushed stone. The contractor advised the Owner/Applicant the work was approved by the City, producing the attached permit. Subsequently, the Owner/Applicant has been made aware that a dimensional variance is necessary due to parking areas, regardless of their construction being of previous material, always being considered impervious.

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.**

Asphalt and brick pavers, both impervious in nature, was removed due to poor condition. The driveway area was then updated with crushed stone, which is pervious, to permit off-street parking.

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 property's configuration only permits off-street parking in the rear yard, which has existed for many decades. In the event the relief is not approved, it would result on cars being parked on the adjacent streets, in proximity to an intersection.

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.**

The property has been significantly improved over the past year and a half. That rehabilitation includes updating the driveway area to provide off-street parking. The material utilized is pervious. Without the relief requested, more cars would park along adjacent streets, in proximity to an intersection.



*
CITY OF PROVIDENCE
Department of Public Works
ENGINEERING DIVISION
PHYSICAL ALTERATION PERMIT APPLICATION

CASE NO: <u>2020-24</u>
DATE: <u>5-5-2020</u>
FEE: <u>50.00</u>

CK# 2044

PROPERTY OWNER Andres Pernia Blanco
(PRINT NAME)

27 Taber Ave.
(PROPERTY OWNER ADDRESS) PHONE _____

CONTRACTOR De Jesus Driveways LLC (Josh)
(IF BUSINESS, PRINT NAME OF OWNER OR PRINCIPAL)

1550 Fall River Ave. Seekonk 02771
(DEVELOPER ADDRESS) PHONE 1-508-916-1979

ENGINEER _____
(NAME)

(ENGINEER ADDRESS) PHONE _____

TYPE OF APPLICATION: INDIVIDUAL SINGLE FAMILY _____ ALL OTHERS _____

LOCATION OF WORK: 27 Taber Ave.
(BE SPECIFIC)

PURPOSE OF PERMIT curb-cut

PRINT PROPERTY OWNER'S NAME <u>A. P. Blanco</u>	PRINT CONTRACTOR'S NAME <u>J. De Jesus</u>	PRINT ENGINEER'S NAME
PROPERTY OWNER'S SIGNATURE <u>s.k. per phone call</u>	CONTRACTOR'S SIGNATURE <u>s.k. per phone call</u>	ENGINEER'S SIGNATURE
DATE <u>5-5-2020</u>	DATE <u>5-5-2020</u>	DATE

DO NOT WRITE BELOW THIS LINE

CITY OF PROVIDENCE
Department of Public Works

THIS PERMIT VALID FOR ONE YEAR FROM DATE OF APPROVAL
SUBJECT TO CONDITIONS LISTED BELOW

CONDITIONS OF APPROVAL

USE CITY-STANDARD GRANITE CURBING
(7-INCH) & 2'R CURB RETURNS

- SURPLUS CURBING MUST BE RETURNED TO THE CITY YARD
- CONTRACTOR MUST HAVE CURRENT SIDEWALK LICENSE

s.k. by W.B.

ENGINEERING DIVISION:

APPROVED BY: [Signature]

INSPECTED BY: _____

DATE: _____

DEPARTMENT OF PUBLIC WORKS:

APPROVED BY: _____

DATE: _____ CHIEF ENGINEER

(REQUIRED FOR OTHER THAN SINGLE FAMILY DWELLING)

1. ORIG.

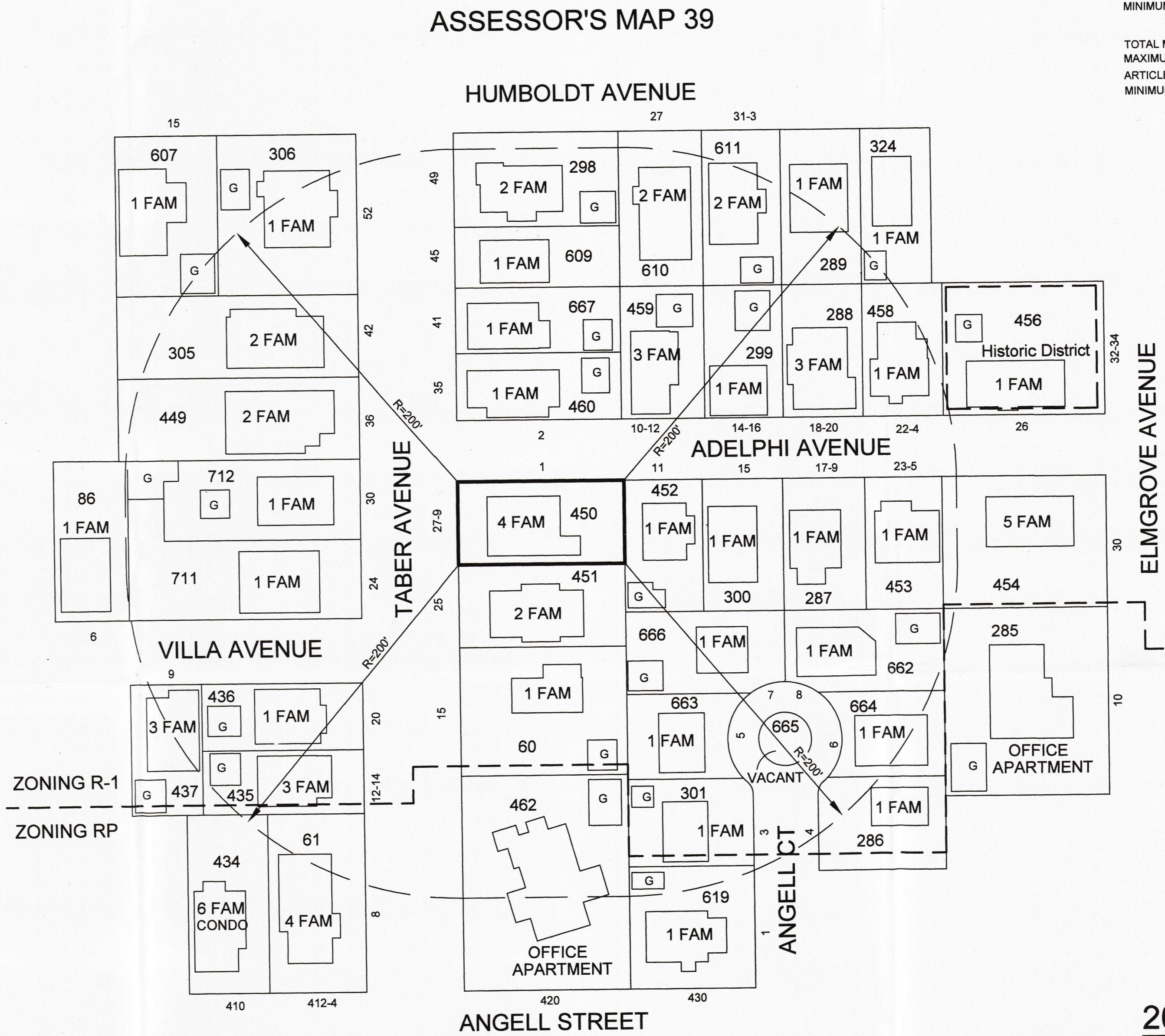
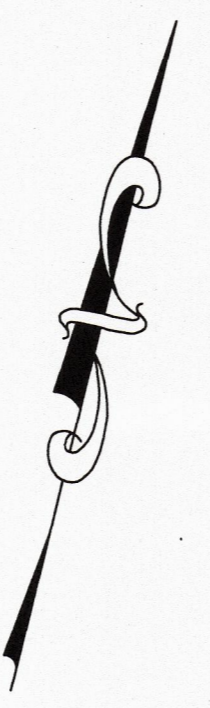
2. CHIEF ENG.

3. APPLICANT'S COPY



List of Owner's within a 200' Radius of
A.P. 39 Lot 450
27 Taber Avenue, Providence
As of March 22, 2021

A.P. 39	NAME/ADDRESS		NAME/ADDRESS
60	DENISE LABORDE 15 TABER AVE. PROVIDENCE, RI 02906-4110	451	KARIN MORSE 25 TABER AVE. PROVIDENCE, RI 02906-4110
61	JAMES J. DELUCA, JR. PAMELA E. DELUCA 49 ORCHARD AVE. PROVIDENCE, RI 02906-4119	452	EUGENE & JULIA CALLANAN, TRUSTEES CALLANAN FAMILY TRUST 11 ADELPHI AVE. PROVIDENCE, RI 02906-4119
86	BOYD P. KING, TRUSTEE JOANNE KING, TRUSTEE 6 VILLA AVE. PROVIDENCE, RI 02906	453	ANTOINE TELFORD KATHERINE TOUAFEK 23 ADELPHI AVE. PROVIDENCE, RI 02906
285	GREAT LLC. 231 ARLINGTON AVE. PROVIDENCE, RI 02906	454	HEATHER MOWATT CAMPBELL, TRUSTEE HEATHER MOWATT CAMPBELL TRUST 89 LEESHORE LN. TIVERTON, RI 02878
286	STEPHEN RICHMAN 161 PEQUOT AVE. MYSTIC, CT 06355	456	JO-ANNE HART 32 ELMGROVE AVE. PROVIDENCE, RI 02906
287	ANDREW ROSENZWEIG SUSAN WEINMAN 17 ALDELPHI AVE. PROVIDENCE, RI 02906-4119	458	WILLIAM J. THOMAS AMY E. THOMAS 24 ADELPHI AVE. PROVIDENCE, RI 02903
288	JOHN J. STEIN MARIA J. STEIN 28 SHALES LANDING ATTLEBORO, MA 02703-4456	459	HELEN SPROUL FOR LIFE DAVID C. GOWER 12 ADELPHI AVE. PROVIDENCE, RI 02903
289	MARC A. LECLAIR DIANE ARVANITES-LECLAIR 35 HUMBOLDT AVE. PROVIDENCE, RI 02906	460	TAD A. CLARKE, TRUSTEE ROBERT S. HAYES, TRUSTEE 35 TABER AVE. PROVIDENCE, RI 02906
298	JAMES M. BLUME ALLAN F. BOWER 49 TABER AVE. PROVIDENCE, RI 02906-4112	462	DEZILL, LLC. PO BOX 1657 SAGAMORE BEACH, MA 02562
299	RICHARD A. SHERMAN JANE G. OFARRELL 16 ADELPHI AVE. PROVIDENCE, RI 02906-4120	607	DAVID MARTIRANO 15 HUMBOLDT AVE. PROVIDENCE, RI 02906-4632
300	JUSTIN A. REID LAURA G. SHAWHUGHES 15 ADELPHI AVE. PROVIDENCE, RI 02906	609	JAMES DANIELSON KELLY DANIELSON 45 TABER AVE. PROVIDENCE, RI 02906-4112
301	PANETHA T. OTT STEPHEN D. OTT 3 ANGELL CT. PROVIDENCE, RI 02906-4117	610	DAVID H. HOFFENBERG TRUSTEE 151 COLE AVE. PROVIDENCE, RI 02906
305	TERESA A. JUCHA 40 TABER AVE. PROVIDENCE, RI 02906	611	DAVID M. TREMBLAY SUSAN G. TREMBLAY 31-33 HUMBOLDT AVE. PROVIDENCE, RI 02906
306	TERESA JUCHA JOSEPH MOCCO III 52 TABER AVE. PROVIDENCE, RI 02906	619	RICHARD A. FOLEY KATHELENE D. FOLEY 430 ANGELL ST. PROVIDENCE, RI 02906
324	HERBERT C. MACOMBER JOAN F. MACOMBER 45 HUMBOLDT AVE. PROVIDENCE, RI 02906-4138	662	CHARLES N. STURTEVANT III BARBARA F. STURTEVANT 8 ANGELL CT. PROVIDENCE, RI 02906
434-1	CCOR CAPITAL LLC. 1 CUSTOM HOUSE ST. PROVIDENCE, RI 02903	663	JULIE L. PLAUT WILLIAM A. CLEMENTS 5 ANGELL CT. PROVIDENCE, RI 02906
434-2	TIMOTHY E. FURMAN 410 ANGELL ST. UNIT 2 PROVIDENCE, RI 02906	664	GEORGE E. ATWOOD ELIZABETH M. ATWOOD 6 ANGELL CT. PROVIDENCE, RI 02906
434-3	MARCHIONTE HOLDINGS LLC. 1 CUSTOM HOUSE ST. PROVIDENCE, RI 02903	665	CITY OF PROVIDENCE 25 DORRANCE ST. PROVIDENCE, RI 02903-1738
434-4	BENJAMIN M. LUCOCK 410 ANGELL ST. PROVIDENCE, RI 02906	666	ROSS R. BERGE NICOLE D. PICARD 7 ANGELL CT. PROVIDENCE, RI 02906
434-5	ERIK HOY, TRUSTEE ELISABETH G. HOY, TRUSTEE 173 STONE SOUP FARM WAY WAKEFIELD, RI 02879	667	HENRY F. MAJEWSKI 41 TABER AVE. PROVIDENCE, RI 02906-4112
434-6	JOHN CAZEAU 69 TELEGRAPH ST. BOSTON, MA 02127	711	TERESA JUCHA 52 TABER AVE. PROVIDENCE, RI 02906
435	KEVIN M. WALSH 12 TABER AVE. PROVIDENCE, RI 02906-4111	712	PAUL A. SPROLLCHERYL L. WILLIAMS 30 TABER AVE. PROVIDENCE, RI 02906-4113
436	TATIANA ARKHIPOVA 20 TABER AVE. PROVIDENCE, RI 02906		
437	RICHARD P. SMITH MARY E. SMITH 26 BROOKFIELD RD. EAST PROVIDENCE, RI 02915		
449	S&S SOLUTIONS, LLC. 40 TABER AVE. PROVIDENCE, RI 02906		



ZONING DISTRICT R-1
 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
 TOTAL MAXIMUM IMPERVIOUS SURFACE COVERAGE: 65%
 MAXIMUM IMPERVIOUS SURFACE COVERAGE REAR YARD: 50%
 MINIMUM CORNER SIDE SETBACK: SAME AS FRONT SETBACK
 ARTICLE 15-1 TREE CANOPY COVERAGE 30%

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
 TOTAL MAXIMUM IMPERVIOUS SURFACE COVERAGE: 65%
 MAXIMUM IMPERVIOUS SURFACE COVERAGE REAR YARD: 50%
 ARTICLE 15-1 TREE CANOPY COVERAGE 30%
 MINIMUM CORNER SIDE SETBACK: SAME AS FRONT SETBACK

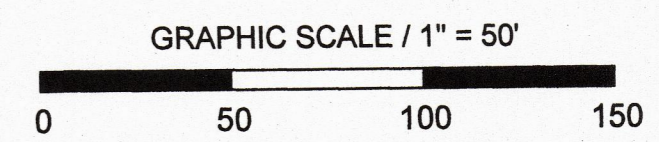
200' RADIUS MAP

A.P. 39 / LOT 450
 27 TABER AVENUE
 PROVIDENCE, R.I.
 SCALE: 1"=50' DATE: MARCH 26, 2021

PREPARED FOR:
ANDRES PERNIA BIANCO
 C/o MANCINI CARTER, PC
 56 PINE STREET 3rd FLOOR
 PROVIDENCE, R.I. 02903

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

JOB NO. 9941 / DWG. NO. 9941 - (JNP)



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