

OCT 21 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: Abraham nunez

Address Po box 413 Seekonk ma
Zip Code 02771

E-mail Nuneza_a@yahoo.com
Phone 401-256-9897
Home/Office

Mobile (Cell)

Owner: Smart homes llc

Address P.O. Box 413 Seekonk ma
Zip Code 02771

E-mail Nuneza_a@yahoo.com
Phone _____
Home/Office

401-256-9897
Mobile (Cell)

Lessee: N/A

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:** 28 Mt. Pleasant ave providence ri 02908
Street Address

AP 64 Lot 844

2. **Zoning District(s):** R3
Special purpose or overlay district(s): N/A

3a. **Date owner purchased the Property:** 5/30/13

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

3. Dimensions of each lot:

Lot # <u>844</u>	Frontage <u>49</u>	depth <u>74-91</u>	Total area <u>3,276</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 _____
 Footprint N/A Height _____ Floors _____

Accessory Structure: Total gross square footage _____
 Footprint N/A Height _____ Floors _____

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

6a. Existing Lot coverage: (include all buildings, decks, etc.) 0

6b. Proposed Lot coverage: (include new construction) 2,009 sqft

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

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

8. Proposed Use of Property (each lot/structure):
Duplex 2-Family

9. Number of Current Parking Spaces: Vacant Lot

10. Describe the proposed construction or alterations (each lot/structure):
Build 2-Family on Vacant Lot

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

Zoning Ordinance
 RI State Building Code N/A
 Providence Housing Code

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

Table 4-1 Minimum Lot Size 3,500 4,000 sqft; 3,276 sqft proposed

(Administrative modification objected to)

13. Explain the changes proposed for the Property.

Build 2 Family on Vacant Lot

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):

Smart homes llc

Type Name



Signature

Type Name

Signature

Applicant(s):

Abraham nunez

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?

w/n 10% of min lot split

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

Oddly shaped property w/n 10% of min lot size + comparable in size to other lots in surrounding area

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 ___ N/A

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.

N/A

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 odd shaped lot is of comparable size
To those in the area + the predominant
Uses in the area ~~are~~ are 2-3 Family
Buildings

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 10% min lot size modification was
objected to, the 2-Family use is less
density per square foot than the median
surrounding residential uses

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.

N/A

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 not granted the required use would
be a single-family home, the use would
be vastly different in density per square foot
for that area + the type of use
may not be viable for the construction cost
+ market demand

TWO FAMILY DWELLING

28 MOUNT PLEASANT AVE. PROVIDENCE, RI. 02908



MAP
NOT TO SCALE

NEW
CONSTRUCTION
2-FAMILY DWELLING

28 MOUNT
PLEASANT AVE
PROVIDENCE, RI
02908

PROPERTY INFORMATION
PLAT / LOT: 64 / 844
ZONE: R-3
LEGAL USE: VACANT LOT
PROP. USE: 2 - FAMILY

PROPERTY CLIENT
SMART HOMES
28 LYNCH ST,
PROVIDENCE RI 02908
TEL. (401) 256-6937
HUNEZA_A@YAHOO.COM

DESIGNER
EUGENIO OVALLE

23 JOSLIN STREET
PROVIDENCE, RI 02909
TEL. 401 433-6655

GENERAL NOTE:
DO NOT REPRODUCE THESE DRAWINGS OR ANY
PARTS OF THEM WITHOUT THE WRITTEN
CONSENT OF THE ARCHITECT.
USE AS INDICATED ON THESE DRAWINGS ONLY.
NO PART OF THESE DRAWINGS SHALL BE
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BY ANY MEANS, ELECTRONIC OR MECHANICAL,
INCLUDING PHOTOCOPYING, RECORDING, OR BY
ANY INFORMATION STORAGE AND RETRIEVAL
SYSTEM, WITHOUT THE WRITTEN PERMISSION OF
THE ARCHITECT.

REVISIONS	

DATE: 07/27/2012 COMPLETED

BY: EUGENIO OVALLE

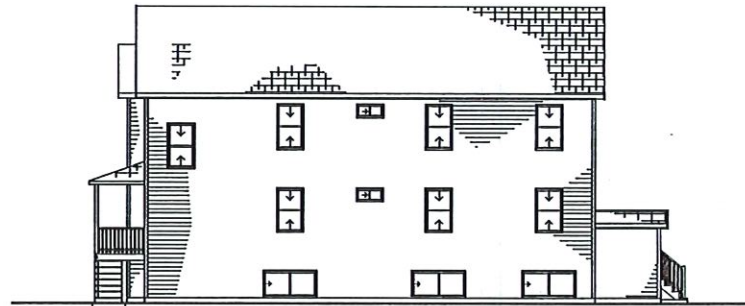
SCALE: AS NOTED

TITLE SHEET

T-S



SOUTH VIEW



EAST VIEW

ZONING INFORMATION

PLAT & LOT: 64 & 844
ZONING: R-3
PROPOSED LEVYING UNITS: 2
HEIGHT: 32'-0"
OCCUPANCY: RESIDENTIAL
No. STORES: 2

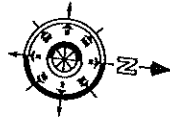
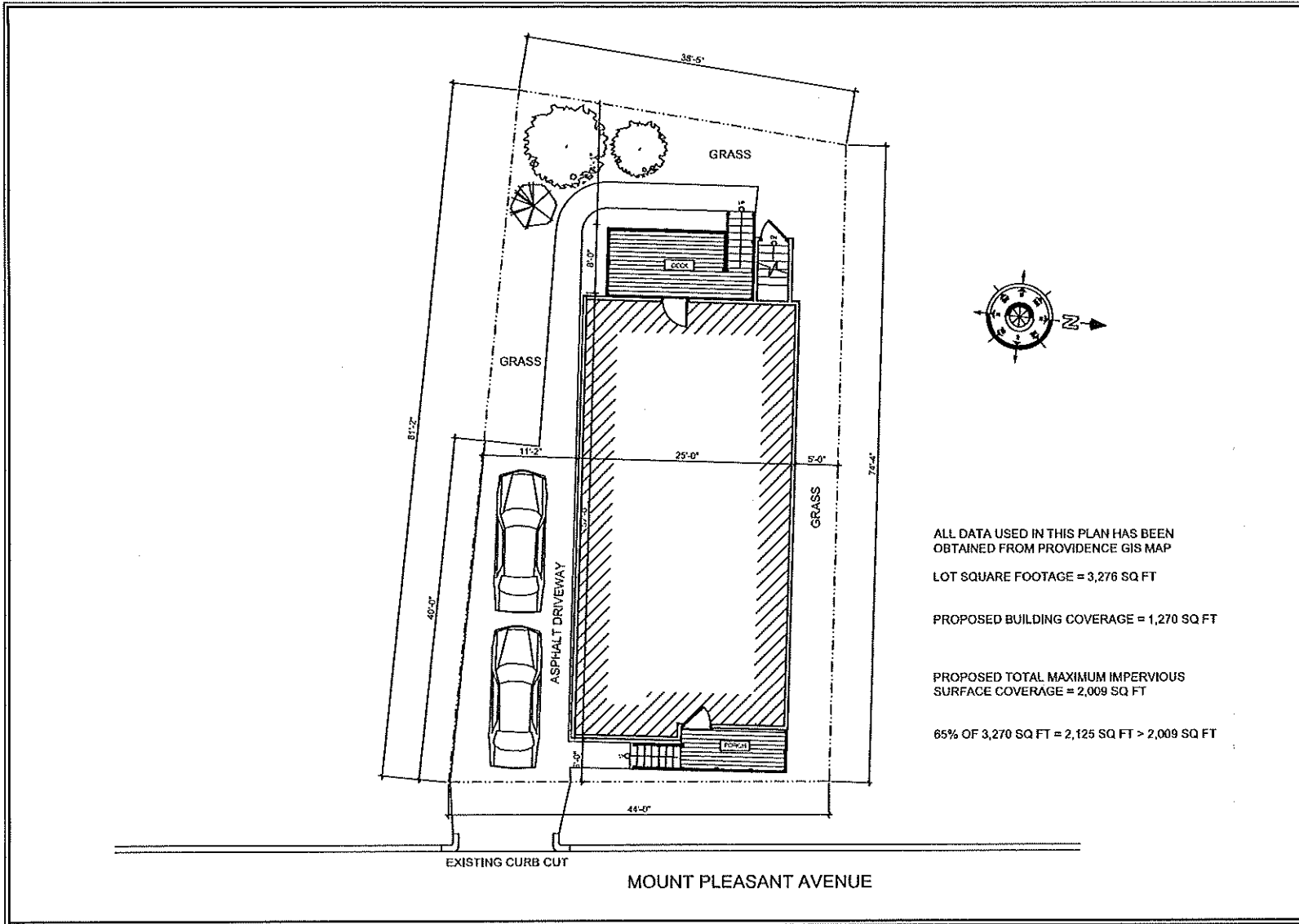
LIST OF DRAWINGS

TS TITLE SHEET
A-1 SITE PLAN
A-2 FOUNDATION, FIRST & SECOND FLOOR PLANS
A-3 BUILDING & STAIR SECTION
A-4 DETAILS
A-5 SOUTH & EAST ELEVATIONS
A-6 NORTH & WEST ELEVATIONS
A-7 FRONT FACADE 15% TRANSPARENCY

DOORS & WINDOWS SCHEDULE

DOOR SCHEDULE				
SYM.	QTY.	TYPE	SIZE	NOTE
1	3	METAL SIX PANEL	36X80	
2	2	90 MIN FIRE RATED	36X80	
3	29	MASONRY SIX PANEL	32X80	
4	13	MASONRY BI-FOLD	VARY	

WINDOW SCHEDULE				
SYM.	QTY.	TYPE	SIZE	UR.FACTOR
A	17	DOUBLE HUNG	36X57	.43 OR LESS
B	2	DOUBLE HUNG	36X37	.43 OR LESS
C	6	SLICING	72X36	.43 OR LESS
D	2	3-DOUBLE HUNG	102X27	.43 OR LESS
E	4	SLICING	34X16	.43 OR LESS



ALL DATA USED IN THIS PLAN HAS BEEN OBTAINED FROM PROVIDENCE GIS MAP

LOT SQUARE FOOTAGE = 3,276 SQ FT

PROPOSED BUILDING COVERAGE = 1,270 SQ FT

PROPOSED TOTAL MAXIMUM IMPERVIOUS SURFACE COVERAGE = 2,009 SQ FT

65% OF 3,270 SQ FT = 2,125 SQ FT > 2,009 SQ FT

**NEW CONSTRUCTION
2-FAMILY DWELLING**

**28 MOUNT PLEASANT AVE
PROVIDENCE, RI
02908**

PROPERTY INFORMATION
 PLAT / LOTS: 641844
 ZONE: R-3
 LEGAL USE: VACANT LOT
 PROP. USE: 2 - FAMILY

PROPERTY CLIENT
 SVART HOMES
 28 LYNDEN ST.
 PROVIDENCE RI 02908
 TEL: (401) 256-9997
 IRNEZA_A@YAHOO.COM

DESIGNER
 EUGENIO OVALLE
 24 JOSHUA STREET
 PROVIDENCE, RI 02909
 TEL. 401 433-6608

GENERAL NOTES
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. SEE ARCHITECTURAL DRAWINGS FOR ALL DETAILS.
 3. VERIFY ALL DIMENSIONS AND LOCATIONS ON SITE BEFORE CONSTRUCTION.
 4. THIS PLAN IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR COPIED WITHOUT HIS WRITTEN PERMISSION.

REVISIONS	

DATE: 08/11/2011	SCALE: AS SHOWN
PROJECT NO: 11-001	OR 11
PLOT PLAN	
SHEET: A-1	

NEW
CONSTRUCTION
2-FAMILY DWELLING

28 MOUNT
PLEASANT AVE
PROVIDENCE, RI
02908

PROPERTY INFORMATION
PLAT / LOT: 64 / B44
ZONE: R-2
LEGAL USE: VACANT LOT
PROP. USE: 2-FAMILY

PROPERTY CLIENT
SMART HOVES
28 LYKCH ST.
PROVIDENCE RI 02903
TEL: (401) 256-8897
IRUNEZA_A@YAHOO.COM

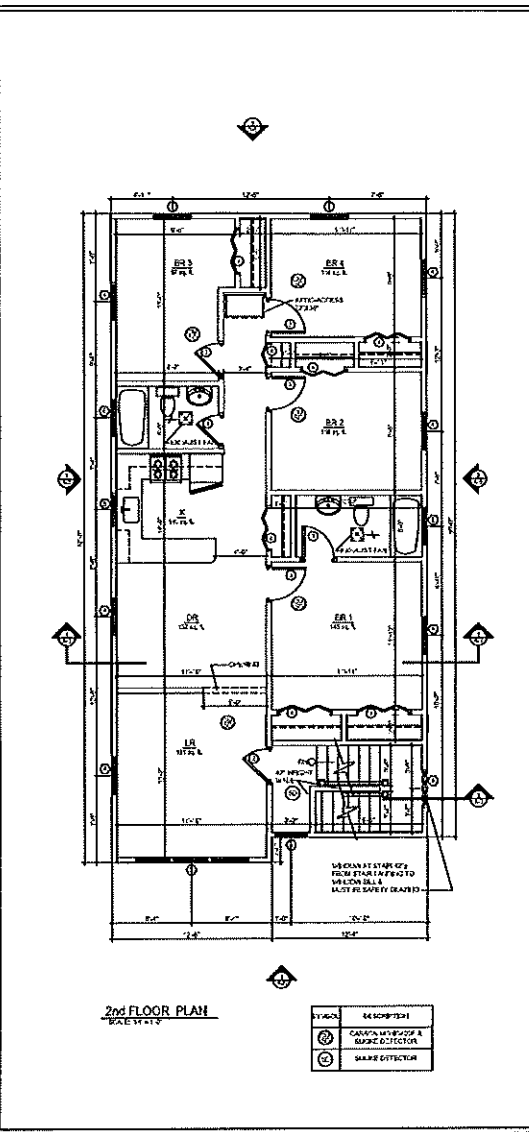
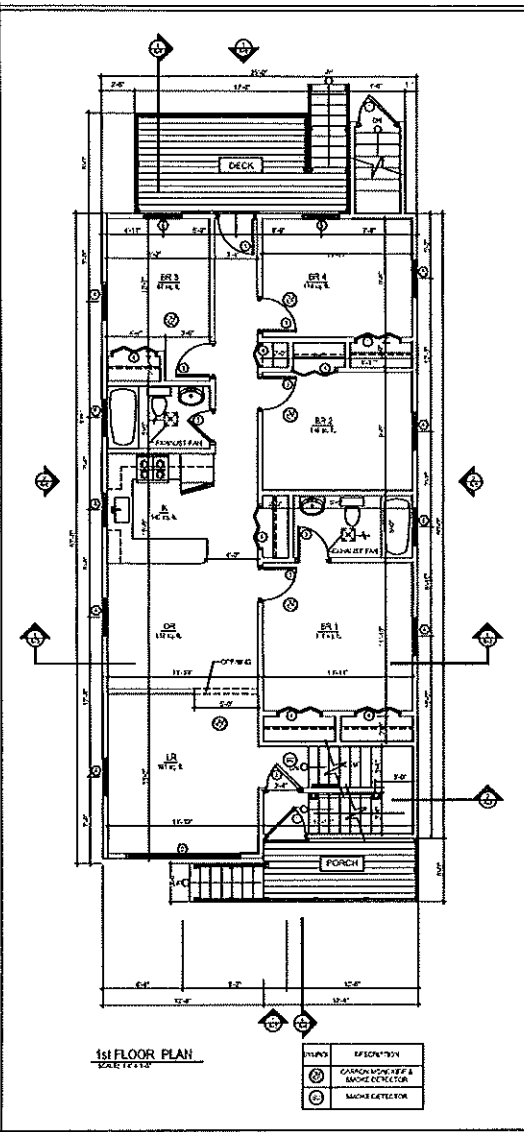
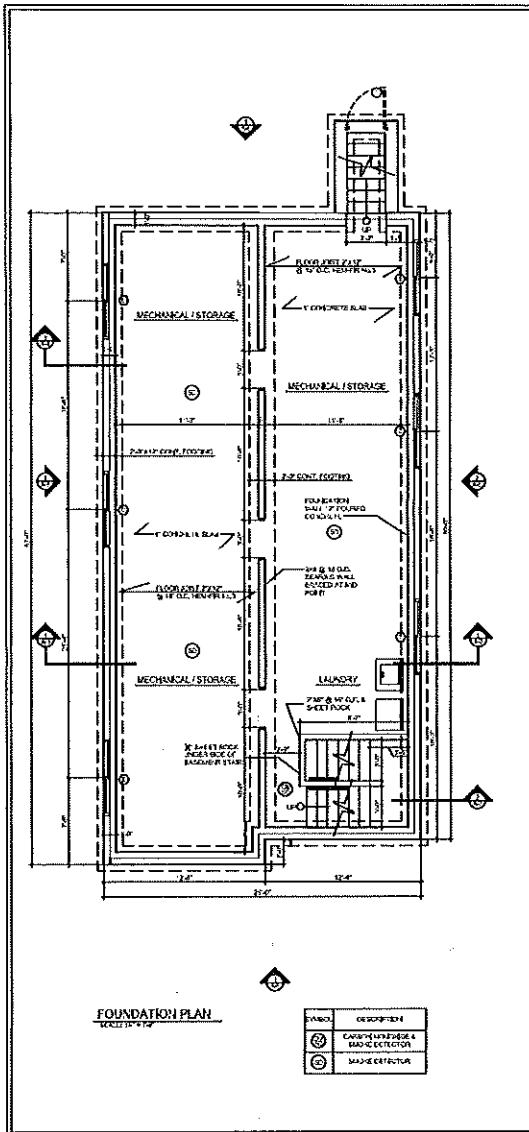
DESIGNER
EUGENIO OVALLE

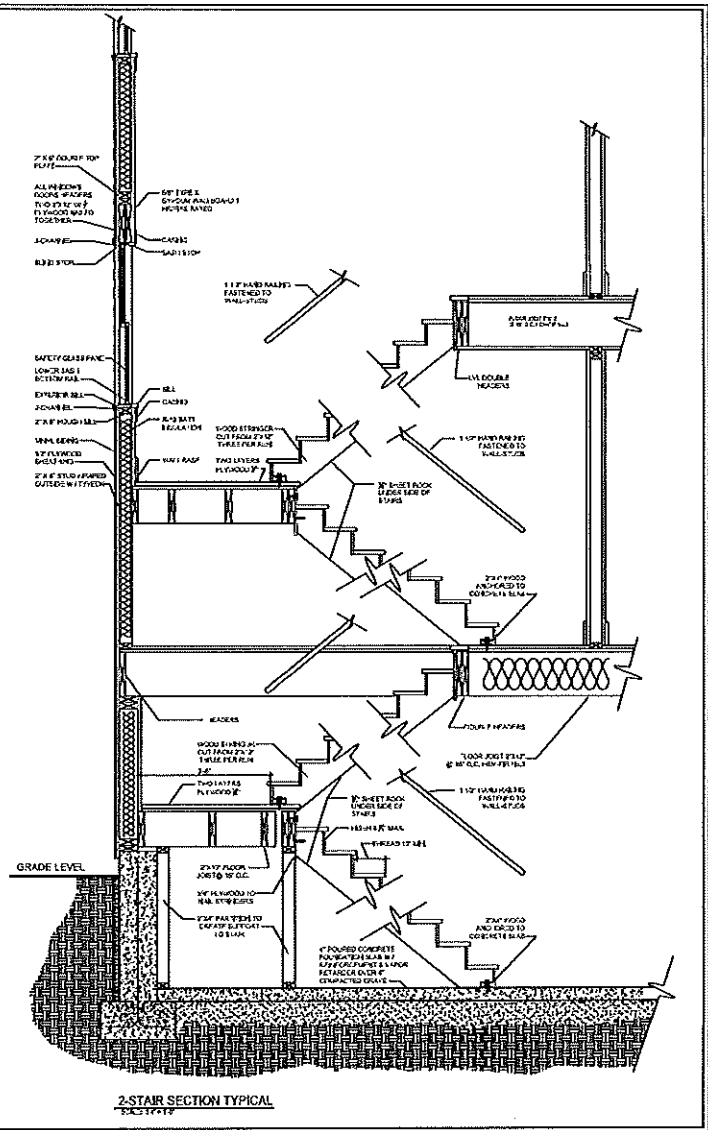
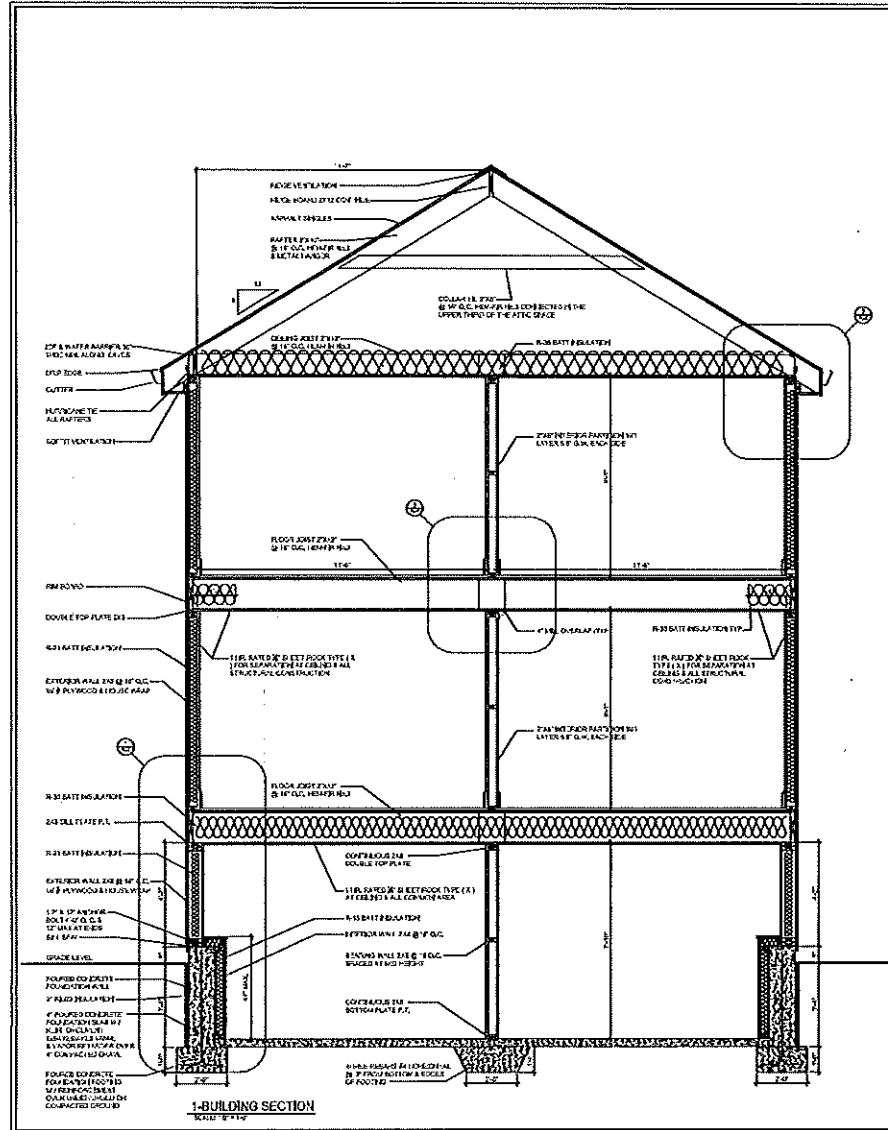
23 JOSLIN STREET
PROVIDENCE, RI 02909
TEL: 401-433-0559

GENERAL NOTE:
BY THE ARCHITECT'S REPRESENTATIVE
IT IS TO BE UNDERSTOOD THAT THE
OWNER SHALL BE RESPONSIBLE FOR
OBTAINING ALL NECESSARY PERMITS
AND REGULATIONS FROM THE
APPLICABLE AGENCIES AND
DEPARTMENTS AND SHALL BE
RESPONSIBLE FOR THE COSTS OF
OBTAINING THE SAME.

REVISION	DATE	DESCRIPTION

DATE: 08/20/2019	SCALE: AS NOTED
DRAWN BY: E. OVALLE	DATE: 08/20/2019
TITLE: FOUNDATION, FIRST & SECOND FLOOR PLANS	
SHEET: A-2	
SCALE: 1/8" = 1'-0"	





NEW CONSTRUCTION
2-FAMILY DWELLING

28 MOUNT PLEASANT AVE
PROVIDENCE, RI 02908

PROPERTY INFORMATION
PLAT / LOT: 64 / 844
ZONE: R-3
LEGAL USE: VACANT LOT
PROP. USE: 2 - FAMILY

PROPERTY CLIENT
SMART HOVES
28 LYCH ST.
PROVIDENCE, RI 02908
TEL: (401) 256-8997
HUEZA_A@yahoo.com

DESIGNER
EUGENIO OVALLE
23 JOSLIN STREET
PROVIDENCE, RI 02909
TEL: 401-433-0588

GENERAL NOTES
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) UNLESS OTHERWISE SPECIFIED.
2. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED.
3. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED.
4. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED.

REVISIONS

NO.	DATE	DESCRIPTION

DATE: 08/11/10

SCALE: 1/4" = 1'-0"

BUILDING & STAIR SECTIONS

A-3

DATE: 08/11/10

**NEW
CONSTRUCTION
2-FAMILY DWELLING**

**28 MOUNT
PLEASANT AVE
PROVIDENCE, RI
02908**

PROPERTY INFORMATION
 PLAT LOT: 64 / 64
 ZONE: R-3
 LEGAL USE: VACANT LOT
 PROP. USE: 2-FAMILY

PROPERTY CLIENT
 SMART HOMES
 78 LYCH ST.
 PROVIDENCE RI 02938
 TEL: (401) 256-9937
 NINEZA_A@YAHOO.COM

DESIGNER
EUGENO OVALLE

23 JOSLIN STREET
 PROVIDENCE, RI 02909
 TEL: 451-433-0596

GENERAL NOTE:
 ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE BOOK, UNLESS OTHERWISE SPECIFIED.
 ALL MATERIALS SHALL BE OF EQUAL OR BETTER QUALITY THAN SHOWN.
 ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED.

REVISIONS

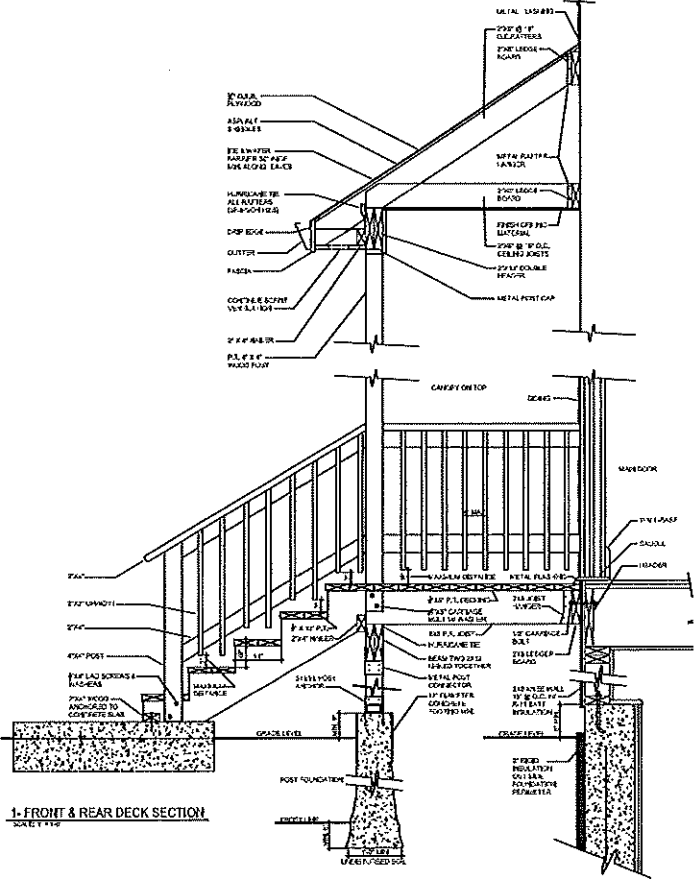
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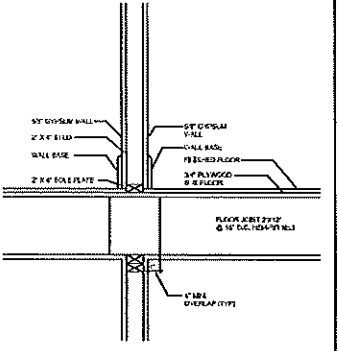
DETAILS

1 OF 4
A-4

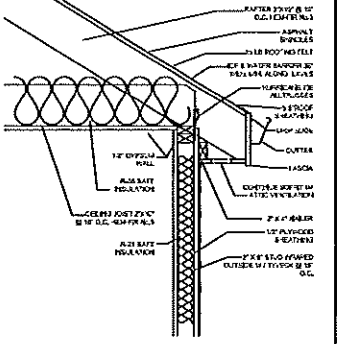
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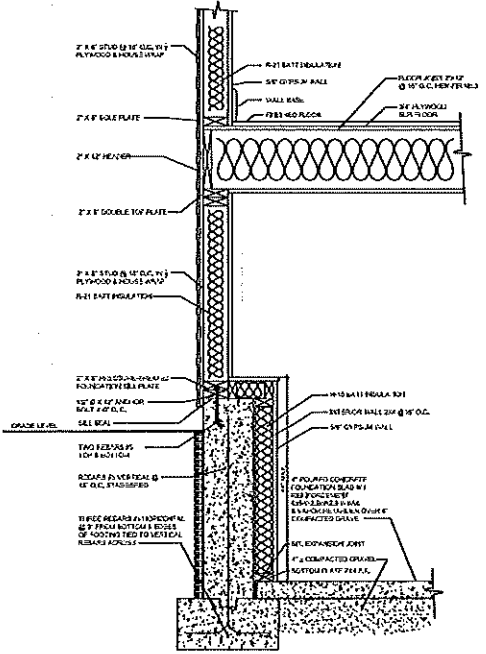
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 SCALE: 1/4"=1'-0"



3-INTERIOR PARTITION WALL
 SCALE: 1/4"=1'-0"



2-ROOFING & SOFFIT
 SCALE: 1/4"=1'-0"



1-FOUNDATION & FLOOR JOIST
 SCALE: 1/4"=1'-0"

1-FOUNDATION & FLOOR JOIST
SCALE: 1/4"=1'-0"

2-ROOFING & SOFFIT
SCALE: 1/4"=1'-0"

3-INTERIOR PARTITION WALL
SCALE: 1/4"=1'-0"

4-PORCH & DECK DETAILS
SCALE: 1/4"=1'-0"

NEW
CONSTRUCTION
2-FAMILY DWELLING

28 MOUNT
PLEASANT AVE
PROVIDENCE, RI
02908

PROPERTY INFORMATION
PLAT / LOT: 64 / B44
ZONE: R-3
LEGAL USE: VACANT LOT
PROP. USE: 2 - FAMILY

PROPERTY CLIENT
SVART HOVES
28 LEVICH ST.
PROVIDENCE RI 02908
TEL: (401) 256-6697
HUIREZA_A@YAHOO.COM

DESIGNER
EUGENIO OVALLE
23 JOSLYN STREET
PROVIDENCE, RI 02909
TEL. 401 434 0566

GENERAL NOTES
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE RI BUILDING CODE AND ALL APPLICABLE ORDINANCES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXISTING CONDITIONS OF THE SITE.

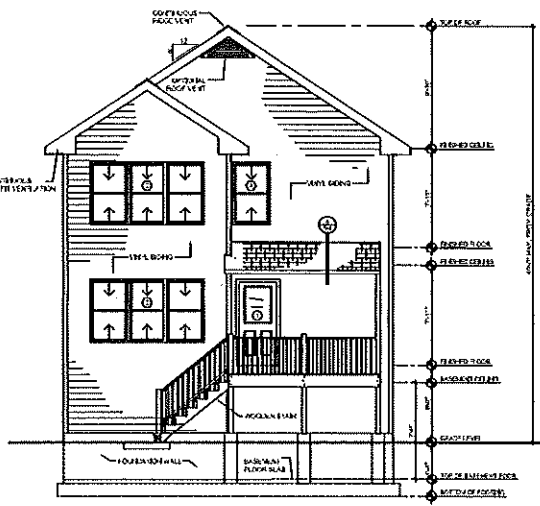
REVISIONS	
NO.	DESCRIPTION

DATE: 03/21/2024	SCALE: AS SHOWN
DRAWN BY: E. OVALLE	CHECKED BY: E. OVALLE

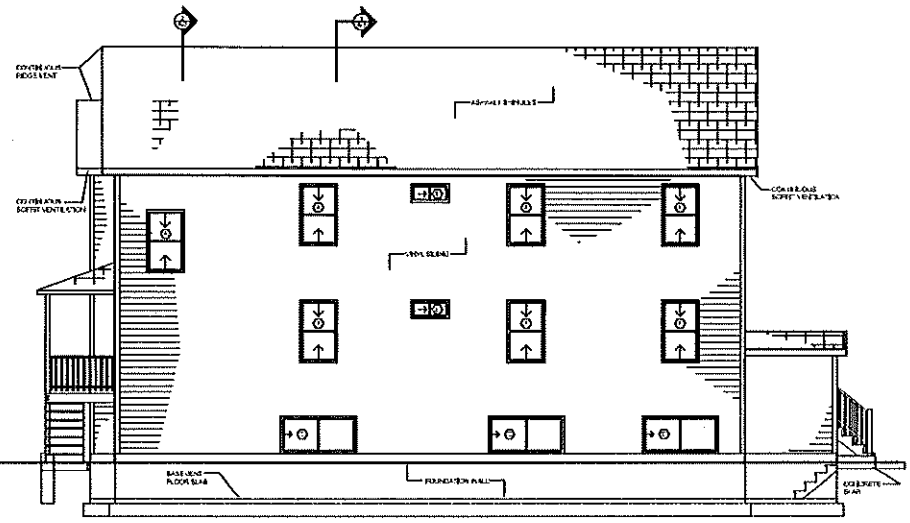
SOUTH & EAST
ELEVATION PLANS

1 OF 11
A-5

DATE: 03/21/2024



1- SOUTH ELEVATION
SCALE 1/8" = 1'-0"



2- EAST ELEVATION
SCALE 1/8" = 1'-0"

**NEW CONSTRUCTION
2-FAMILY DWELLING**

28 MOUNT PLEASANT AVE
PROVIDENCE, RI 02908

PROPERTY INFORMATION
 PLOT / LOT: 64 / 844
 ZONE: R-3
 LEGAL USE: VACANT LOT
 PROP. USE: 2 - FAMILY

PROPERTY CLIENT
 SMART HOMES
 28 LYRICH ST.
 PROVIDENCE RI 02905
 TEL: (401) 255-8637
 INNEZA_A@YAHOO.COM

DESIGNER
 EUGENIO OVALLE
 23 JOSLIN STREET
 PROVIDENCE, RI 02909
 TEL. 401-455-6528

GENERAL NOTES
 1. ALL WORK SHALL BE ACCORDING TO THE
 2018 IBC AND ALL APPLICABLE CODES.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR
 OBTAINING ALL NECESSARY PERMITS.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR
 OBTAINING ALL NECESSARY UTILITIES.

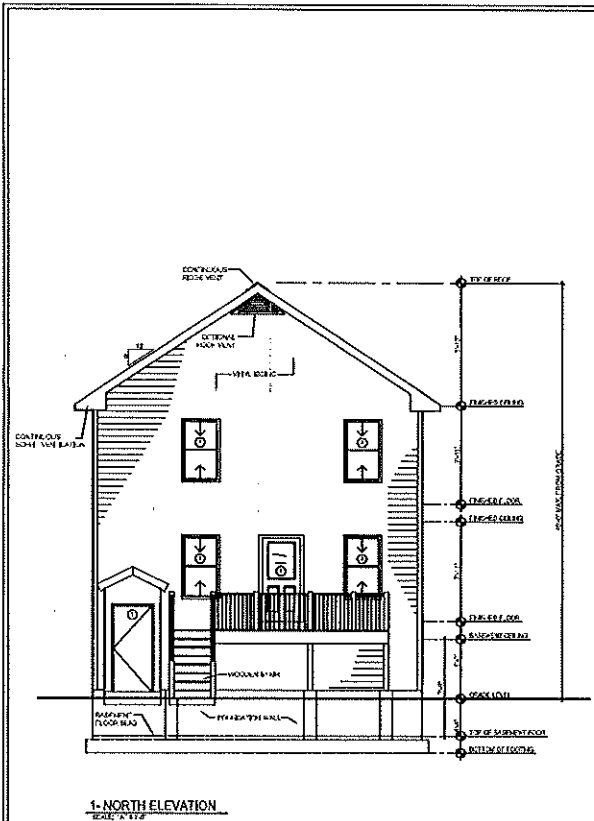
DATE:	
DRAWN BY:	
CHECKED BY:	
REVISIONS:	

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 PROJECT NO: 2023-001

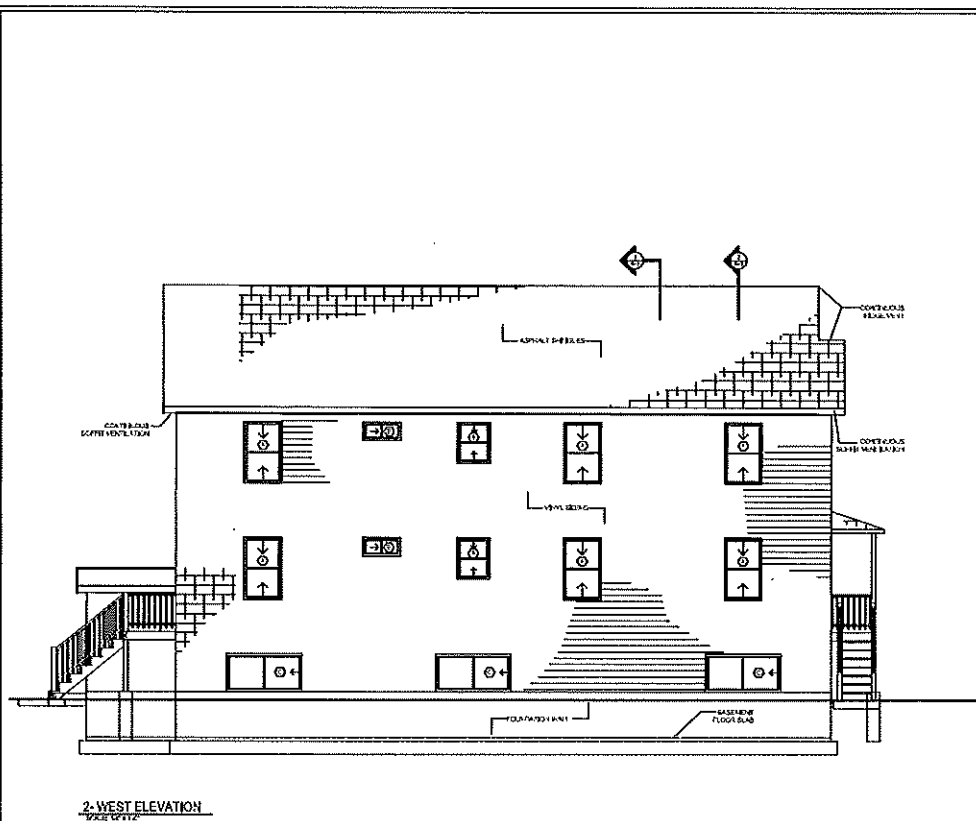
NORTH & WEST ELEVATIONS

DATE: 10/10/2023
A-6

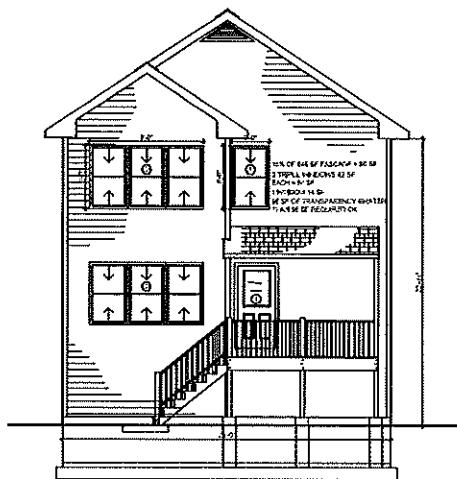
SCALE: 1/4" = 1'-0"



1- NORTH ELEVATION
 SCALE: 1/4" = 1'-0"



2- WEST ELEVATION
 SCALE: 1/4" = 1'-0"



15% TRANSPARENCY ELEVATION
SCALE 1/8" = 1'-0"

**NEW
CONSTRUCTION
2-FAMILY DWELLING**

28 MOUNT
PLEASANT AVE
PROVIDENCE, RI
02908

PROPERTY INFORMATION

PLAT / LOT: 64 / 644
ZONE: R3
LEGAL USE: VACANT LOT
PROP. USE: 2-FAMILY

PROPERTY CLIENT

SMART HOMES
28 LYNCH ST.
PROVIDENCE RI 02908
TEL. (401) 255-6687
RUNEZA_A@YAHOO.COM

**DESIGNER
EUGENIO OVALLE**

23 JOSLIN STREET
PROVIDENCE, RI 02909
TEL. 401 433-0558

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6. DO NOT SCALE DRAWING.

REVISIONS

NO.	DATE	DESCRIPTION

DATE: 05/20/12 SCALE: AS SHOWN

PROJECT NO. 12-001

DATE: 05/20/12

SCALE: AS SHOWN

PROJECT NO. 12-001

DATE: 05/20/12

SCALE: AS SHOWN

PROJECT NO. 12-001

DATE: 05/20/12

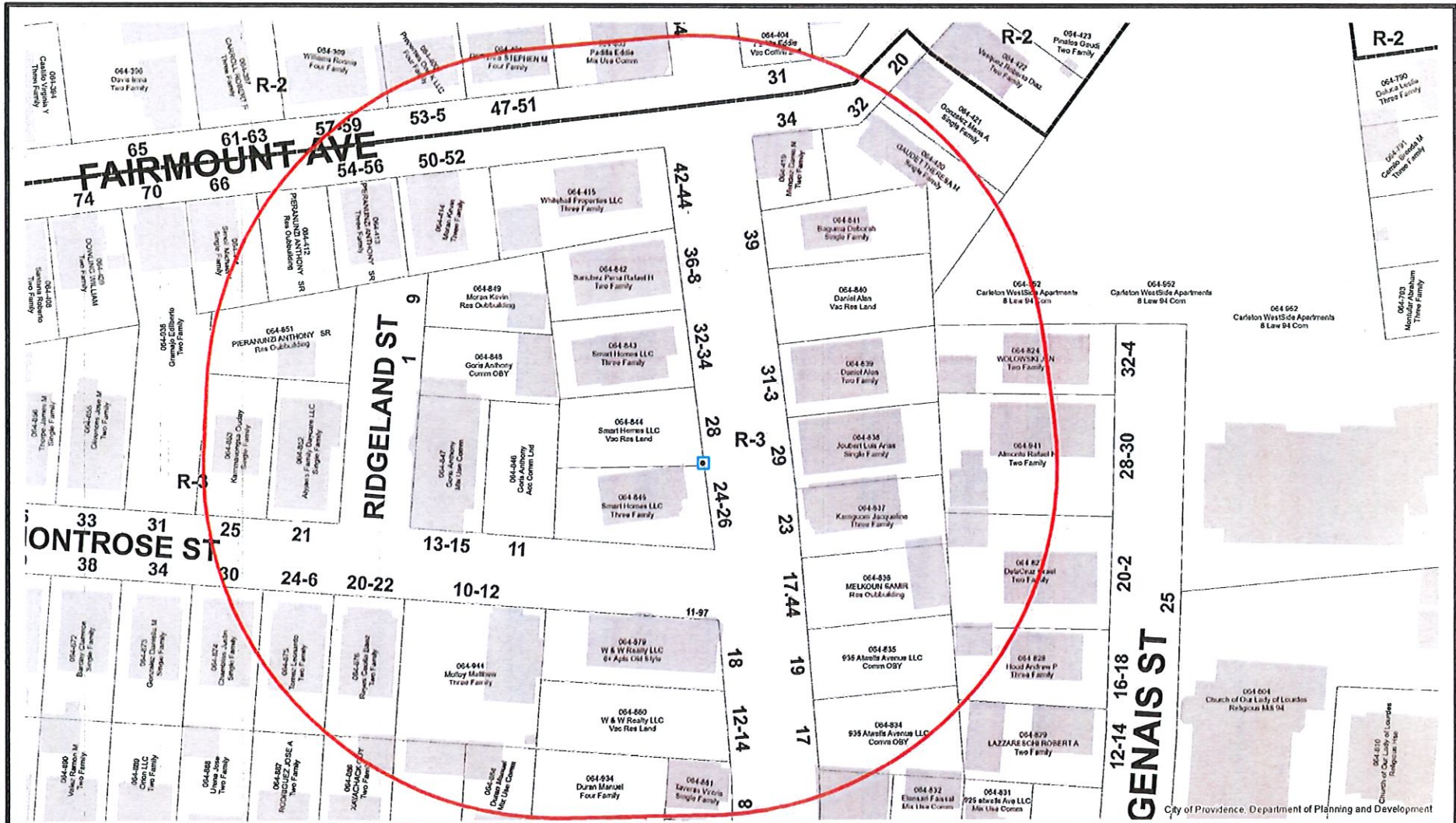
SCALE: AS SHOWN

PROJECT NO. 12-001

DATE: 05/20/12

SCALE: AS SHOWN

PROJECT NO. 12-001



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P PROVIDENCE, RHODE ISLAND
 PROVIDENCE THE CREATIVE CAPITAL
 DEPARTMENT OF PLANNING AND DEVELOPMENT
 JERSEY O. ELORZA, MAYOR | EDWINE NICKERSON, AICP, DIRECTOR

City of Providence, Department of Planning and Development









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