

MAY 20 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: JENNIFER ZHANG

Address 3 Windemere Dr. Andover, MA

E-mail ZHANG_JENNIFER@HOTMAIL.COM

Zip Code 01810

Phone 617.909.2497

617.909.2497

Home/Office

Mobile (Cell)

Owner: TEN DIRECTIONS PROPERTIES, LLC

Address 3 Windemere Dr. Andover, MA

E-mail ZHANG_JENNIFER@HOTMAIL.COM

Zip Code 01810

Phone 617.909.2497

617.909.2497

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: 30-32 CYPRESS STREET AP 5 LOT 388

Street Address

R-3

2. Zoning District(s): _____

Special purpose or overlay district(s): _____

3a. Date owner purchased the Property: NOVEMBER 2018

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

3. Dimensions of each lot:

Lot #	<u>388</u>	Frontage	<u>50'</u>	depth	<u>86.25' +/-</u>	Total area	<u>4321</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>6213</u>
Footprint <u>30' x 50'</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.)* 41%

6b. Proposed Lot coverage: *(include new construction)* 41%

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

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

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

9. Number of Current Parking Spaces: 4

10. Describe the proposed construction or alterations (each lot/structure):
No alterations proposed. Existing three family to be legalized and recorded as a three family.

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>T4-1 RD Dimensional Standards Min Lot Area 5000 SF req (4321 SF Provided)</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

13. Explain the changes proposed for the Property.

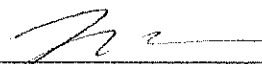
There are no changes proposed. This is an existing three family dwelling and has been for many years. The construction and finishes date to the 1950's-1970's era. The shortfall on required land area in the R3 zone is 679 SF or 13.5%.

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):

Jennifer Zhang-McKenna-Ten Directions Pr
Type Name


Signature

Type Name

Signature

Applicant(s):

Jennifer Zhang-McKenna
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?

A land area shortfall of 679 SF to have a three family by right.

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

The size, shape and massing of the structure.

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 _____

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.**

The variance is sought to use the existing three family legally so the recorded use is consistent with the actual use.

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).**

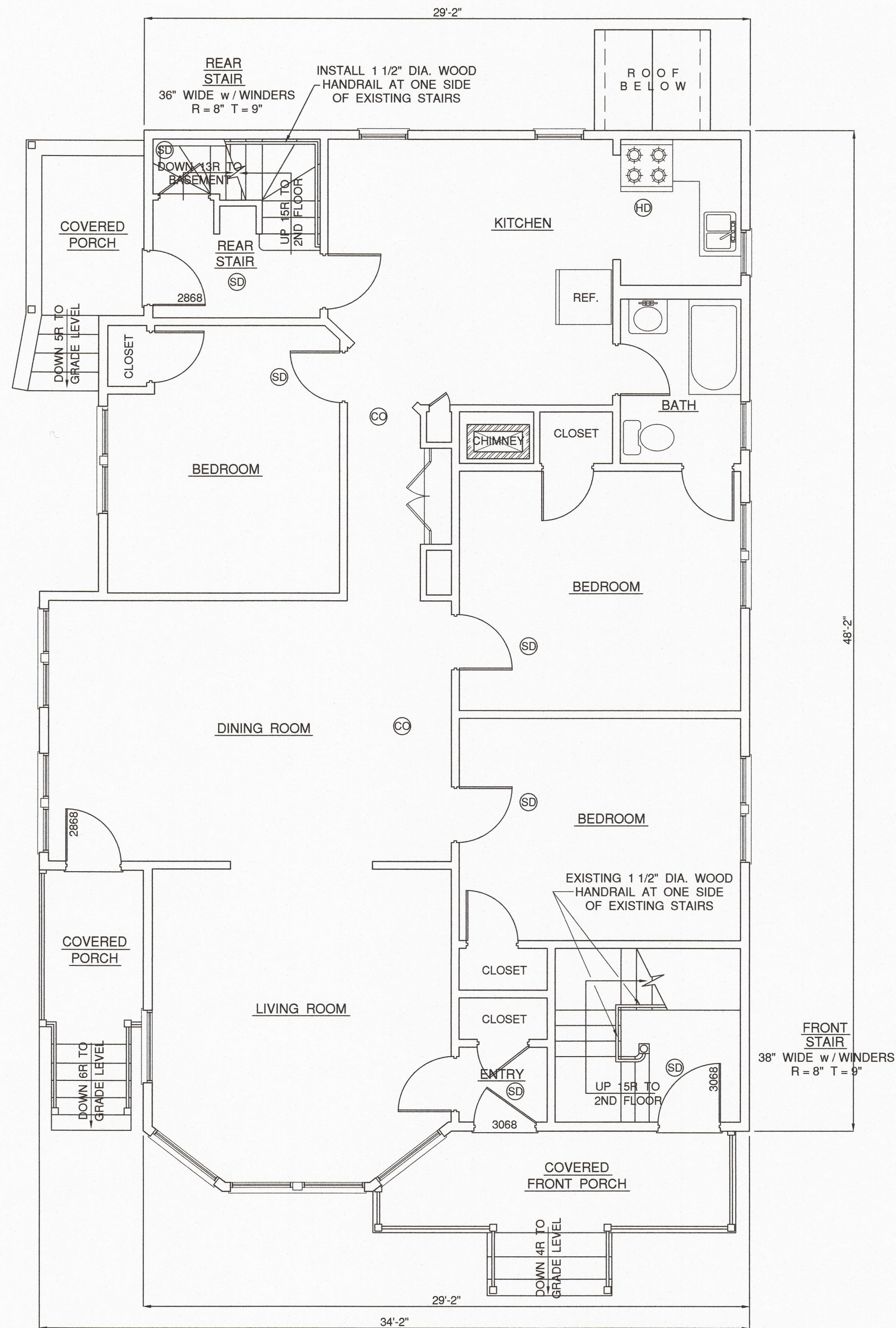
Minimum lot area is the only relief sought and it is the least relief necessary to relieve the hardship.

There are no viable alternatives as the third floor apartment cannot be deconstructed nor be combined with the second floor as the alterations required would be impractical.

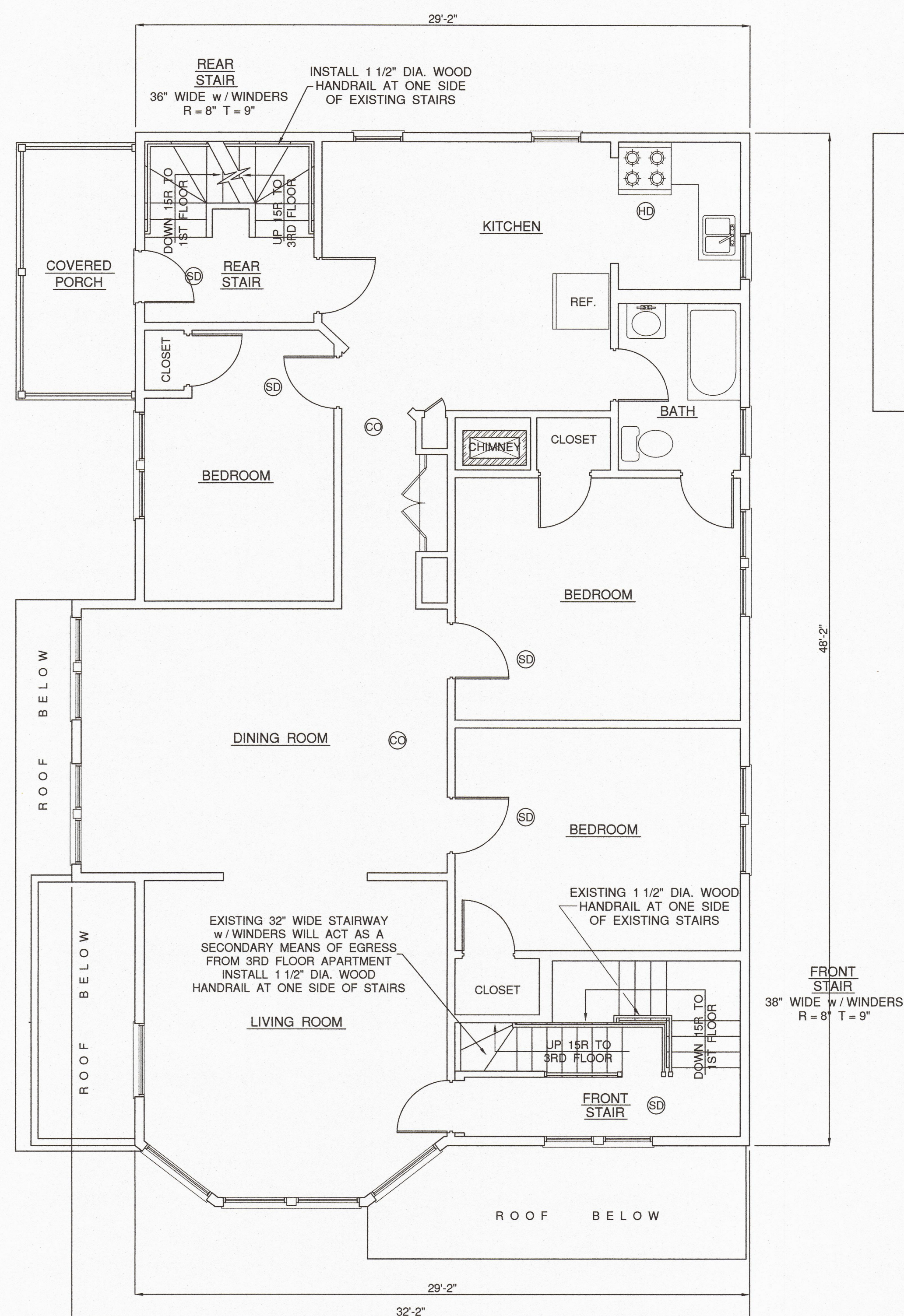
7. **If you are seeking a USE VARIANCE, set forth all facts that demonstrate that the Property cannot have any beneficial use if you are required to use it in a manner allowed in the zoning district.**
-
-
-

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.**

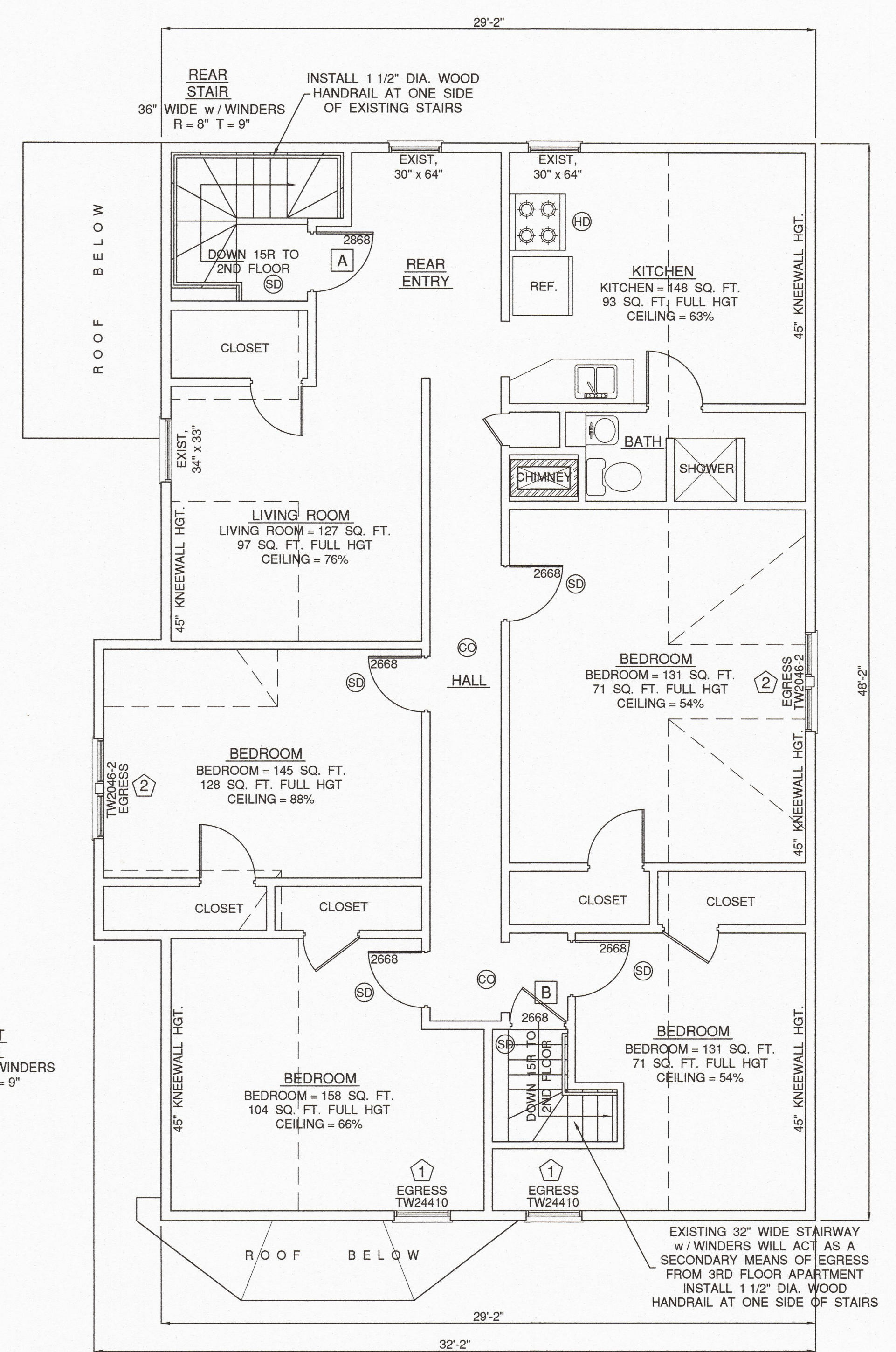
If denied, the hardship suffered by the owner would amount to more than a mere inconvenience as the third floor apartment would be removed resulting in a loss of the enjoyment of the highest and best use off the property and viable housing stock for the neighborhood.



EXISTING FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0" * FLOOR TO CEILING HGT. = 9'-0"



EXISTING SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0" * FLOOR TO CEILING HGT. = 9'-0"



PROPOSED THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0" * FLOOR TO FULL CEILING HGT. = 8'-6"

LEGEND

- EXISTING BRICK WALL
- NEW APARTMENT ENTRY DOOR
- NEW EGRESS WINDOW
- SMOKE / FIRE DETECTOR
- SMOKE / FIRE / CARBON MONOXIDE DETECTOR
- HEAT DETECTOR

NEW 3RD FLOOR BEDROOM EGRESS WINDOWS :

NEW BEDROOM WINDOWS SPECIFIED ARE TO HAVE THE CAPABILITY OF HAVING BOTH WINDOW SASHES SHALL BE EASILY REMOVABLE WITHOUT THE USE OF KEYS, TOOLS OR EXCESSIVE FORCE, MINIMUM NET CLEAR OPENING SHALL BE 5.7 SQ. FT.

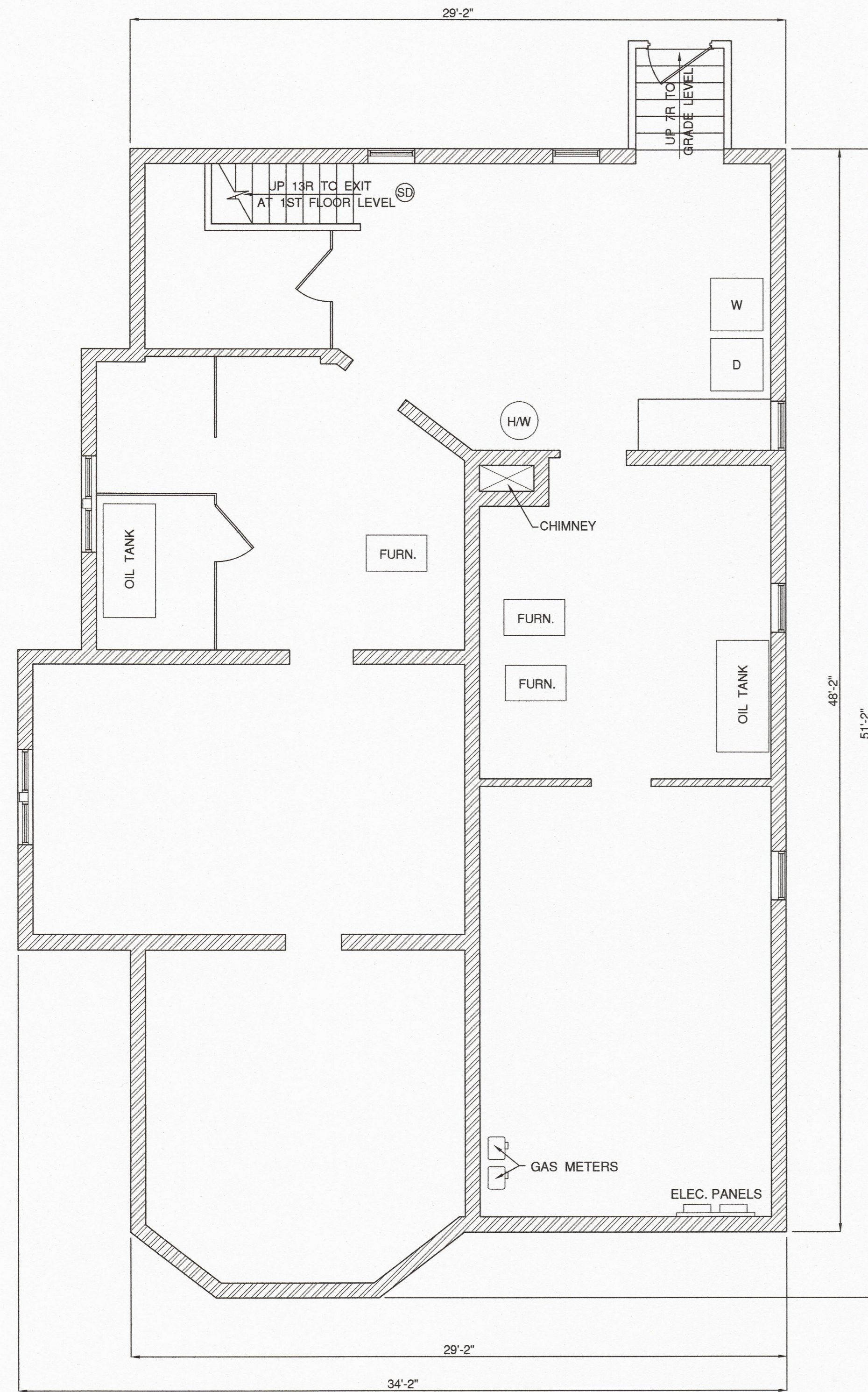
- TW24410 - ANDERSEN / 400 SERIES - SINGLE DOUBLE HUNG R.O. = 2'-6 1/8" x 5'-0 7/8" - 27 7/8" CLEAR WIDTH OPENING 13.36 SQ. FT. NET CLEAR OPENING, 34" SILL HGT.
- TW2046-2 - ANDERSEN / 400 SERIES - 2 - WIDE DOUBLE HUNG R.O. = 4'-4" x 4'-8 7/8" - EACH SINGLE UNIT PROVIDES 21 7/8" CLEAR WIDTH OPENING, 10.12 SQ. FT. NET CLEAR OPENING 42" SILL HGT.

NOTE : NEW WINDOW SHALL BE INSTALLED WITHIN THE EXISTING WINDOW OPENINGS - NO NEW HEADERS WILL BE REQUIRED.

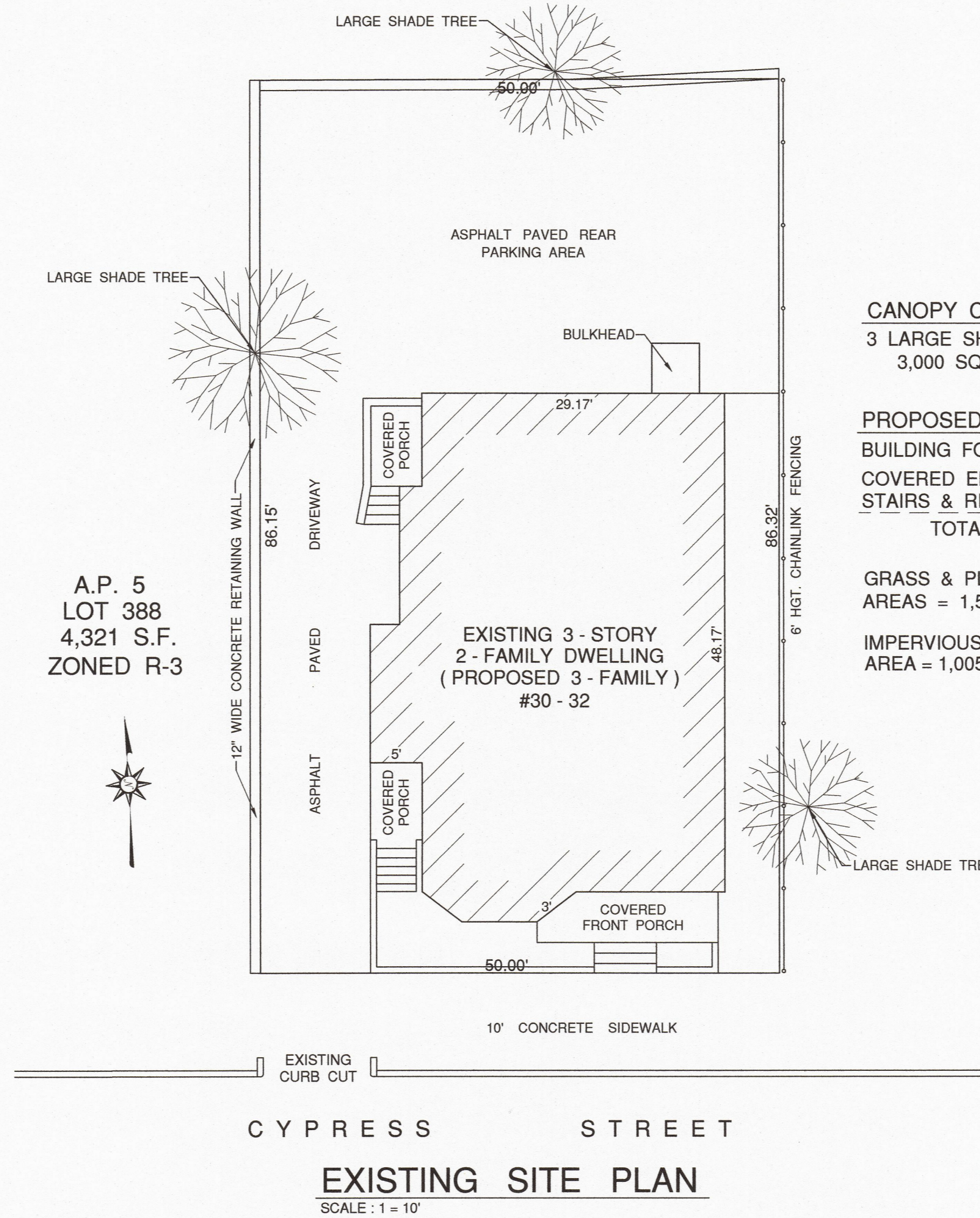
NEW 3RD FLOOR APARTMENT ENTRY DOORS :

- 2'-8" x 6'-8" 20 MINUTE RATED DOOR EQUIPPED w / SPRING LOADED SELF CLOSING HINGES - 2 PR PER LEAF
- 2'-6" x 6'-8" 20 MINUTE RATED DOOR EQUIPPED w / SPRING LOADED SELF CLOSING HINGES - 2 PR PER LEAF

Project : EXISTING FLOOR PLANS 1ST 2ND & 3RD FLOORS 30 - 32 CYPRESS STREET PROVIDENCE, R.I.	Date : 12/26/19
	Scale : AS NOTED
	Drawn By : GB
A.P. : 5	Lot No. : 388
Greg W. Bagian 244 Smith Street Warwick, R.I. 02886 (401)-464-2601	Revision : Date : Drawing No. : <div style="text-align: center; font-size: 2em; font-weight: bold;">1</div> DWG 1 OF 2



EXISTING BASEMENT PLAN
SCALE: 1/4" = 1'-0"

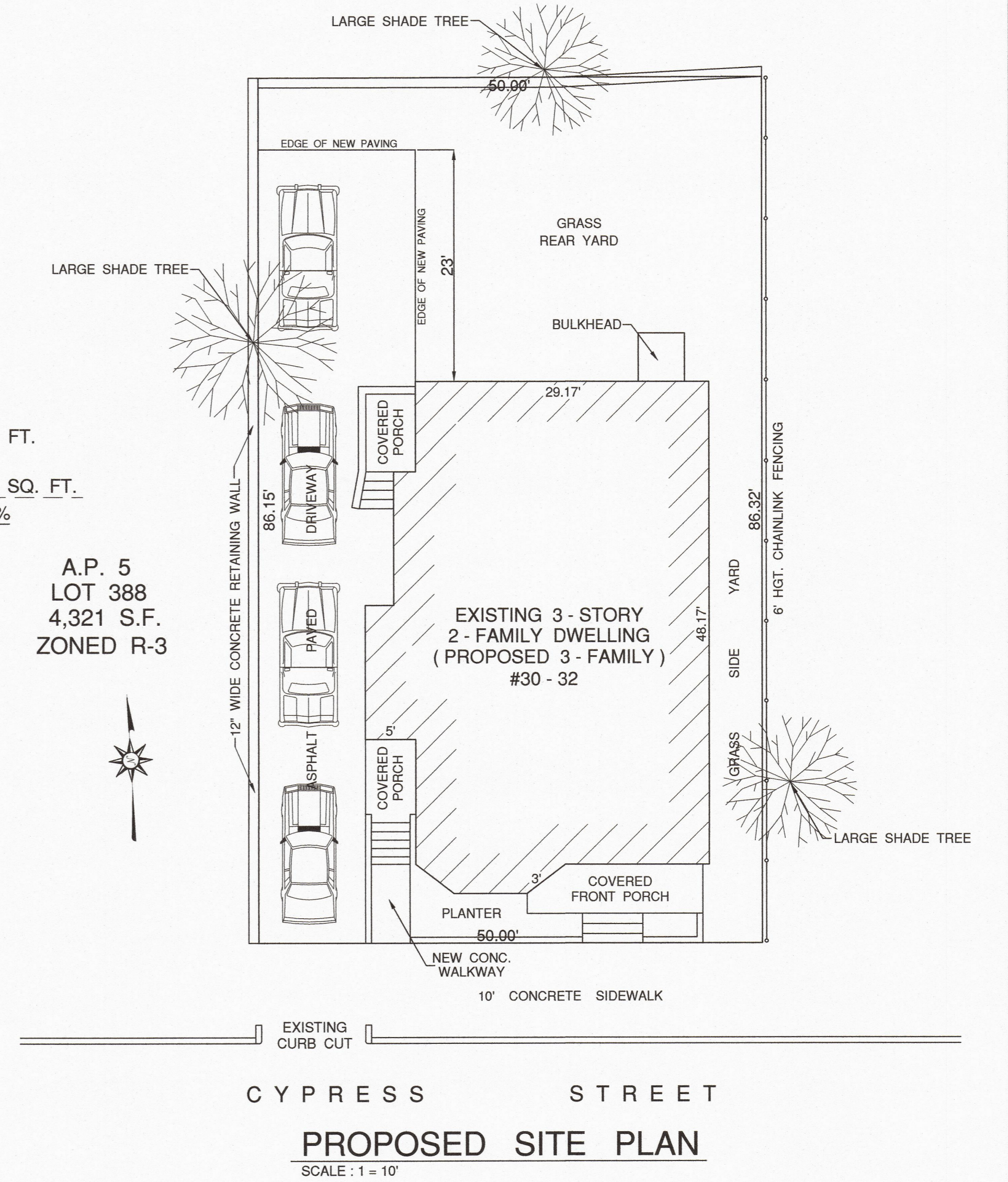


CANOPY COVERAGE :
3 LARGE SHADE TREES =
3,000 SQ. FT. = 69%

PROPOSED LOT COVERAGE :
BUILDING FOOTPRINT = 1,534 SQ. FT.
COVERED ENTRIES, EXTERIOR
STAIRS & REAR BULKHEAD = 239 SQ. FT.
TOTAL : 1,773 SQ. FT. = 41%

GRASS & PLANTED
AREAS = 1,543 SQ. FT. = 36%

IMPERVIOUS PAVING
AREA = 1,005 SQ. FT. = 23%



Project :		Date :
EXISTING FLOOR PLANS BASEMENT & SITE PLAN		12/26/19
30 - 32 CYPRESS STREET PROVIDENCE, R.I.		Scale : AS NOTED
Greg W. Bagian 244 Smith Street Warwick, R.I. 02886 (401)-464-2601		Drawn By : GB
Revision :	Date :	A.P. : 5
		Lot No. : 388
		Drawing No. :
		2
		DWG 2 OF 2

30-32 CYPRESS ST #1



30-32 Cypress St #2



30-32 CYPRESS ST #3



30-32 cypress st #4



200 FT RADIUS PLAN

AP 5 LOT 388-30 CYPRESS ST.

Note: All Parcels Within AP 5

NORTH
Scale 1" = 50'



[Signature]
12/2020