

APR 12 2021

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:** Bill Stone and Carolyn Mark

**Address** 37 Cooke Street

**E-mail** bstone@outsidegc.com

**Zip Code** 02906

**Phone** 617-501-8058

*Home/Office*

*Mobile (Cell)*

**Owner:** Bill Stone and Carolyn Mark

**Address** 37 Cooke Street

**E-mail** bstone@outsidegc.com

**Zip Code** 02906

**Phone** 617-501-8058

*Home/Office*

*Mobile (Cell)*

**Lessee:** NA

**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:** 37 Cooke Street Providence RI  
*Street Address*

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

**3a. Date owner purchased the Property:** 11.23.2020

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

**3. Dimensions of each lot:**

Lot # <u>256</u>	Frontage <u>70.6</u>	depth <u>110</u>	Total area <u>7,841.00</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:**

<b>Principal Structure:</b>	<b>Total gross square footage</b>	<u>6,602 SF</u>
Footprint <u>2,726 SF</u>	Height _____	Floors <u>2</u>

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

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

**6a. Existing Lot coverage:** (include all buildings, decks, etc.) 54%

**6b. Proposed Lot coverage:** (include new construction) TLA TO ADD

**7a. Present Use of Property (each lot/structure):**  
Single Family Residence

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

**8. Proposed Use of Property (each lot/structure):**  
Single Family Residence

**9. Number of Current Parking Spaces:** 3

**10. Describe the proposed construction or alterations (each lot/structure):**  
Applicant is proposing to make landscape improvements to their home which will include renovating an existing patio, repaving their driveway replacing existing fencing, adding a garden pergola and updating planting. The applicant is proposing to increase the opening of their driveway for 13'- 18' as part of these improvements.

**11. Are there outstanding violations concerning the Property under any of the following:**  
no 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>1407</u>	<u>Applicant is seeking relief from Article 14 section 1407 Residential Driveway width which limits the max driveway width to 12'. Applicant is seeking to increase the existing driveway width to 18'.</u>
_____	_____
_____	_____
_____	_____

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

The applicant recently purchased this home and is seeking to improve the exterior landscape. Improvements will include renovating the existing patio, adding a pergola, replacing old fencing and adding a walkway from the house to the patio space. The applicant will also be installing new planting to accompany the hard scape improvements and moving ac units to a less visible location in the yard.

As part of the landscape upgrades the applicant is seeking the re-pave their driveway and increase the width of the entrance from 13- 18'. The increase will require cutting back an landscape wall to accommodate this new curb cut and removing one street tree.

The applicant has already reviewed this tree removal with the City Forester and it has been approved contingent on a variance being granted and DPW approving the curb but. The applicant has also received confirmation from DPW that they will be amenable to this as well pending the variance is approved.

*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):**

William C. Stone  
Type Name

[Signature]  
Signature

Carolyn Mark  
Type Name

[Signature]  
Signature

**Applicant(s):**

William C. Stone  
Type Name

[Signature]  
Signature

Carolyn Mark  
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?**

See attached for description of hardship

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

See attached

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- 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.**

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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.**

This request is merely to allow safe access into the driveway from the street. This request will not add parking spaces to the residence and will have no impact on the value of the home.

**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 client is not proposing to increase the size of the driveway, simply to increase the width of the entrance to facilitate being able to maneuver into it when cars are occupying the on street parking spaces across from it. 18' is the least necessary relief that will accommodate this. Due to the fact that this is a corner lot with very limited landscape area there is no feasible way to locate a turn around within the property.

**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.**

NA

**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.**

In the current configuration when the adjacent on street parking spaces are occupied the ability to enter the driveway and back out safely is significantly impaired representing a hardship that is more than a mere inconvenience.

April, 1, 2021  
Continued from Zoning Application

**1. What is the specific hardship from which the applicant seeks relief:**

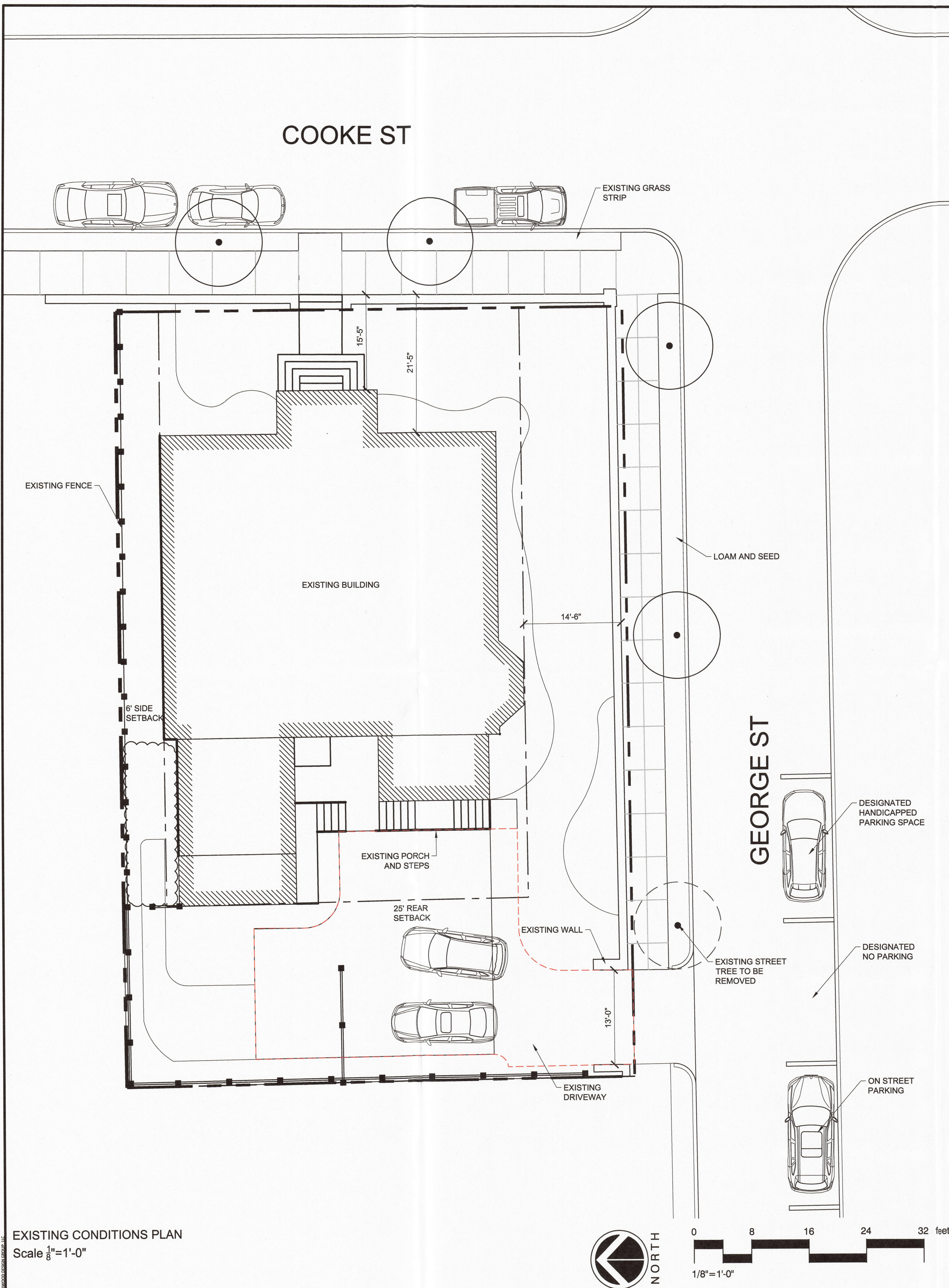
Currently there are two on street parking spaces across from the driveway. When those spaces are occupied, it is difficult to pull out of the driveway, particularly when heading East on George Street. George Street is a narrow street and cars driving uphill East often drive fast, making the location, with parked cars and a narrow driveway with limited visibility, hazardous. This is also intensified by the landscape wall and slope of the driveway. Pulling into the driveway while heading East is a similar challenge with the on-street parking. An extra 5' though a minimum increase will greatly increase the accessibility making it a safer and more reasonable condition.

**2. Specify any and all unique characteristics of the land or structure which cause this hardship:**

This residence is located on a corner lot between Cooke Street and George Street. It is located on narrow city street with on street parking.

The driveway entrance is located at the southwest corner of the lot along George Street. The driveway and parking area for the home occupies a good portion of both the side and back yard. There is not additional space available to create a turnaround internal to the driveway. Additionally, an existing brick wall frames the entrance of the driveway and retains the grade around the home. Eliminating it would not be an option, however cutting it back 5' would greatly improve the current situation. It is also noted that the existing wall stone and cap will be re-used to maintain the same look and feel that exists today. A cobblestone band will also be added to the throat the driveway to minimize the aesthetic impact of the added 5'.





EXISTING CONDITIONS PLAN  
Scale 1/8"=1'-0"



AERIAL VIEW



VIEW LOOKING TOWARDS GEORGE STREET



VIEW LOOKING AT EXISTING DRIVEWAY



VIEW FROM GEORGE STREET



VIEW OF EXISTING PATIO SPACE LOOKING TOWARDS DRIVEWAY



VIEW LOOKING TOWARDS THE REAR OF THE YARD

EXISTING LOT COVERAGE

TOTAL LOT SIZE = 7,841 SF  
EX HOUSE WITH PORCH AND FRONT STEPS = 2,794 SF  
WALL = 209  
HARDSCAPE DRIVEWAY AND CONCRETE PAVING = 1,178 SF  
UTILITY PADS = 24SF  
TOTAL = 4,205 = 53% LOT COVERAGE

ZONING NOTES

PLAT LOT: 13/256  
PARCEL ZONING: R-1  
AREA: .18 ACRES (7,841 SF)  
MIN. INTERIOR SIDE YARD SETBACK: 6'  
SIDE YARD SETBACK: BUILD TO ZONE  
REAR YARD SETBACK: 25'  
FRONT YARD SETBACK: BUILD TO ZONE  
TOTAL MAX REAR IMPERVIOUS SURFACE COVERAGE: 50%  
TOTAL MAX IMPERVIOUS SURFACE COVERAGE: 65%  
BUILDING HEIGHT NOT TO EXCEED 40'



ASHLEY IANNUCCILLI

150 CHESTNUT ST  
4TH FLOOR,  
PROVIDENCE, RI, 02903

401-383-4950

COOKE STREET RESIDENCE  
37 COOKE STREET  
PROVIDENCE, RHODE ISLAND

PERMIT PLANS


PROJECT NO:	R1026
CAD DWG FILE:	March 2021
DRAWN BY:	DP
CHK'D BY:	AI
COPYRIGHT:	

SHEET TITLE

EXISTING CONDITIONS

L1.01

SHEET OF





ASHLEY IANNUCCILLI

150 CHESTNUT ST  
4TH FLOOR,  
PROVIDENCE, RI, 02903

401-383-4950

COOKE STREET RESIDENCE  
37 COOKE STREET  
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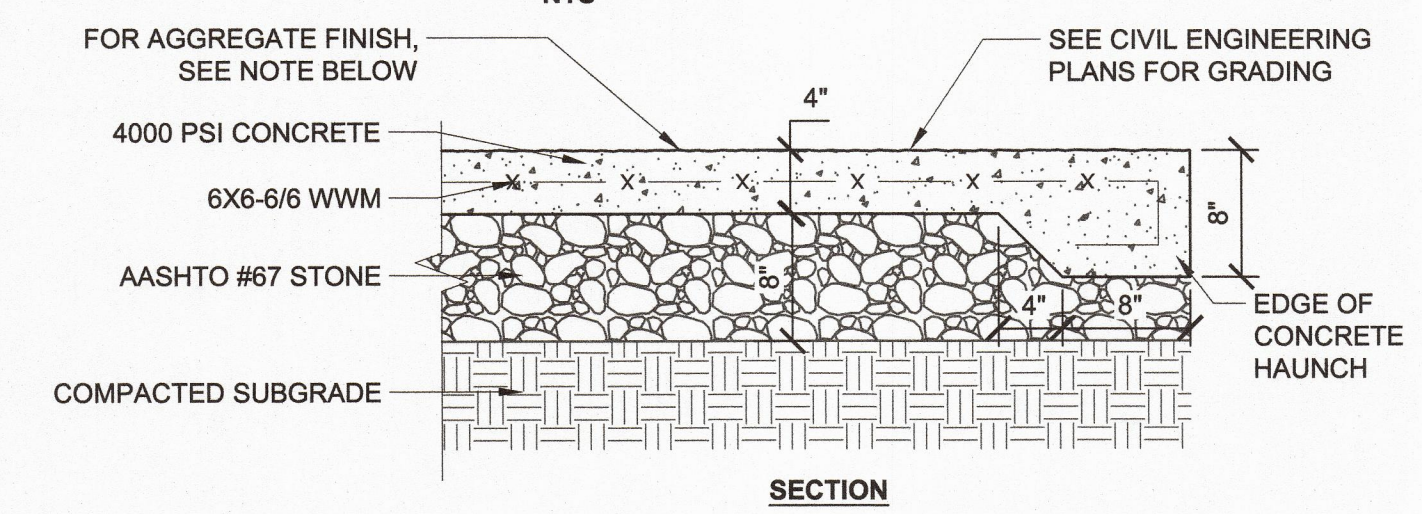
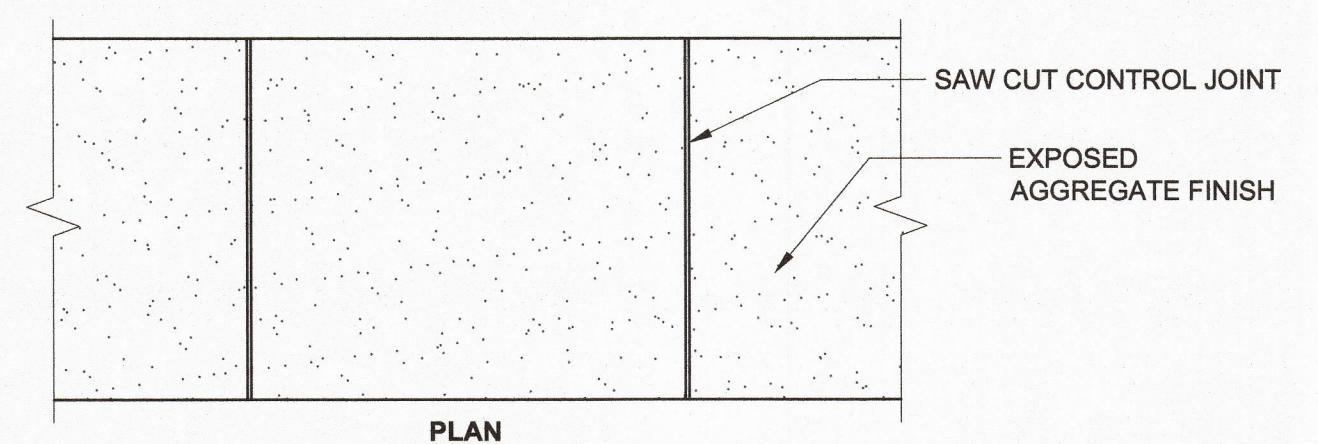
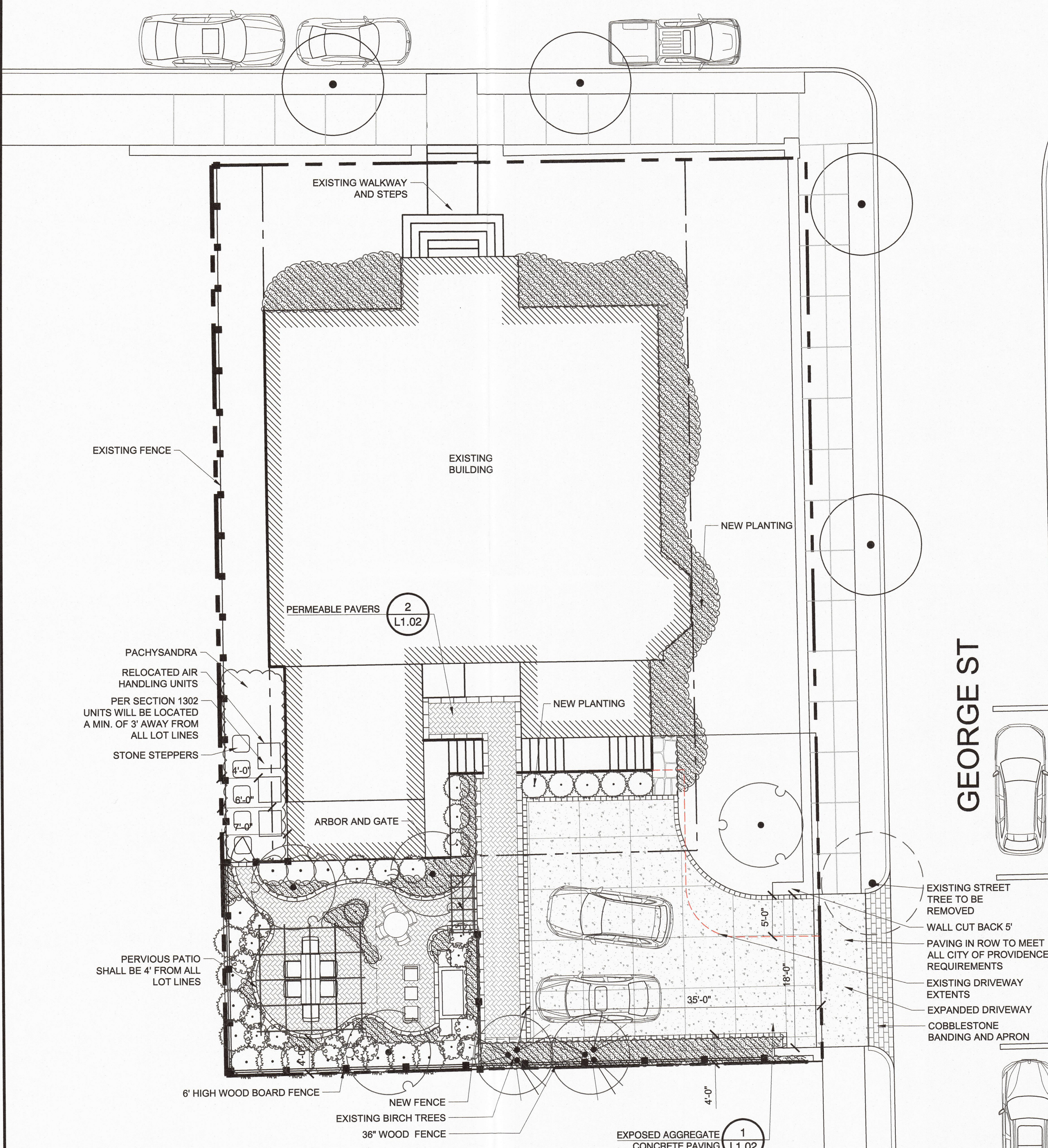
SHEET TITLE  
PROPOSED DRIVEWAY PLAN

L1.02

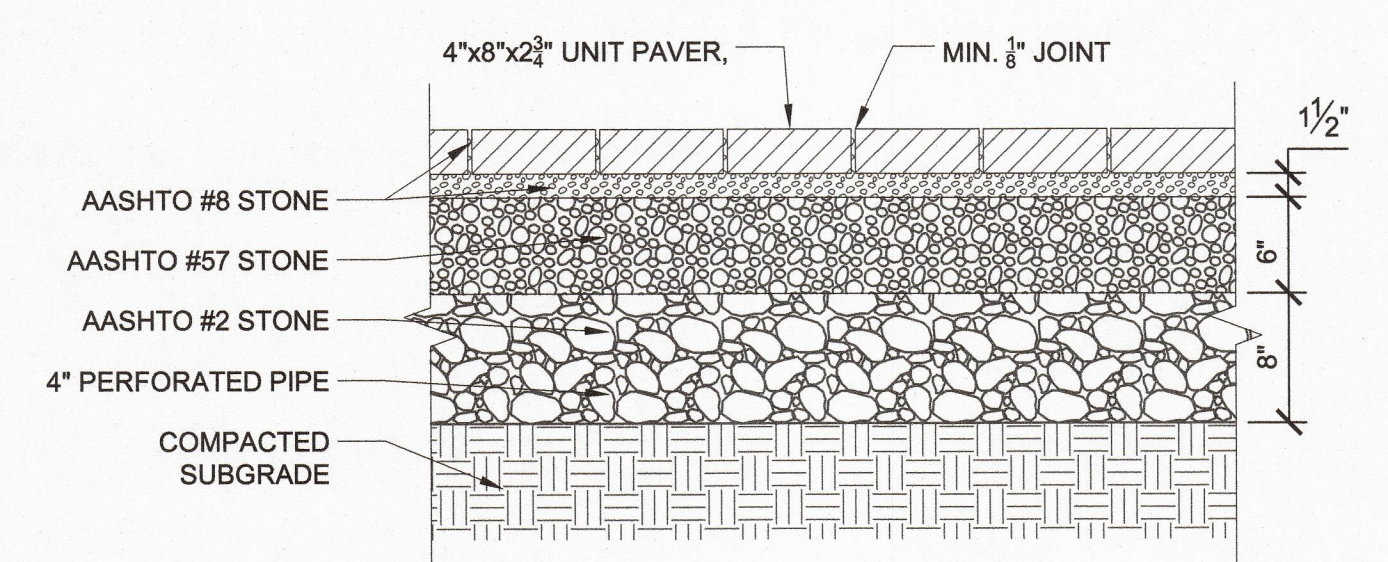
SHEET

COOKE ST

GEORGE ST



1 EXPOSED AGGREGATE CONCRETE PAVING  
1" = 1'-0"



2 PERMEABLE PAVERS  
1" = 1'-0"

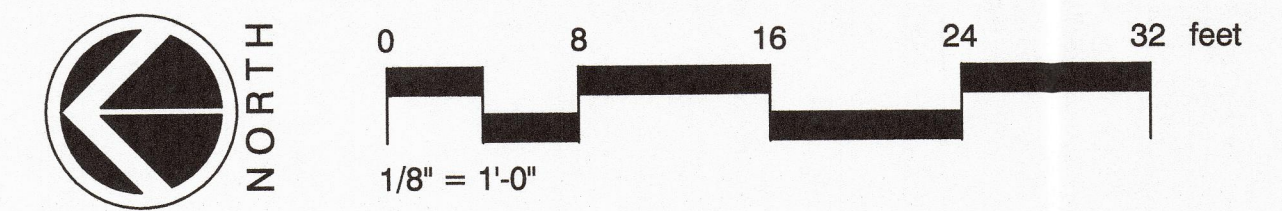
PROPOSED LOT COVERAGE  
TOTAL LOT SIZE = 7,841 SF  
EX HOUSE WITH PORCH AND FRONT STEPS = 2,794 SF  
WALL = 202 SF  
HARDSCAPE DRIVEWAY AND CONCRETE PAVING = 844SF  
UTILITY PADS = 24SF  
GRILL = 26 SF  
TOTAL = 3,890 = 49.6% LOT COVERAGE  
MAX TOTAL ALLOWABLE IMPERVIOUS REAR LOT COVERAGE = 65%

REAR LOT COVERAGE  
TOTAL AREA = 1,756 SF  
DRIVEWAY = 824 SF  
GRILL = 26 SF  
WALL = 12 SF  
TOTAL = 862 SF = 49%  
MAX TOTAL ALLOWABLE IMPERVIOUS REAR LOT COVERAGE = 50%

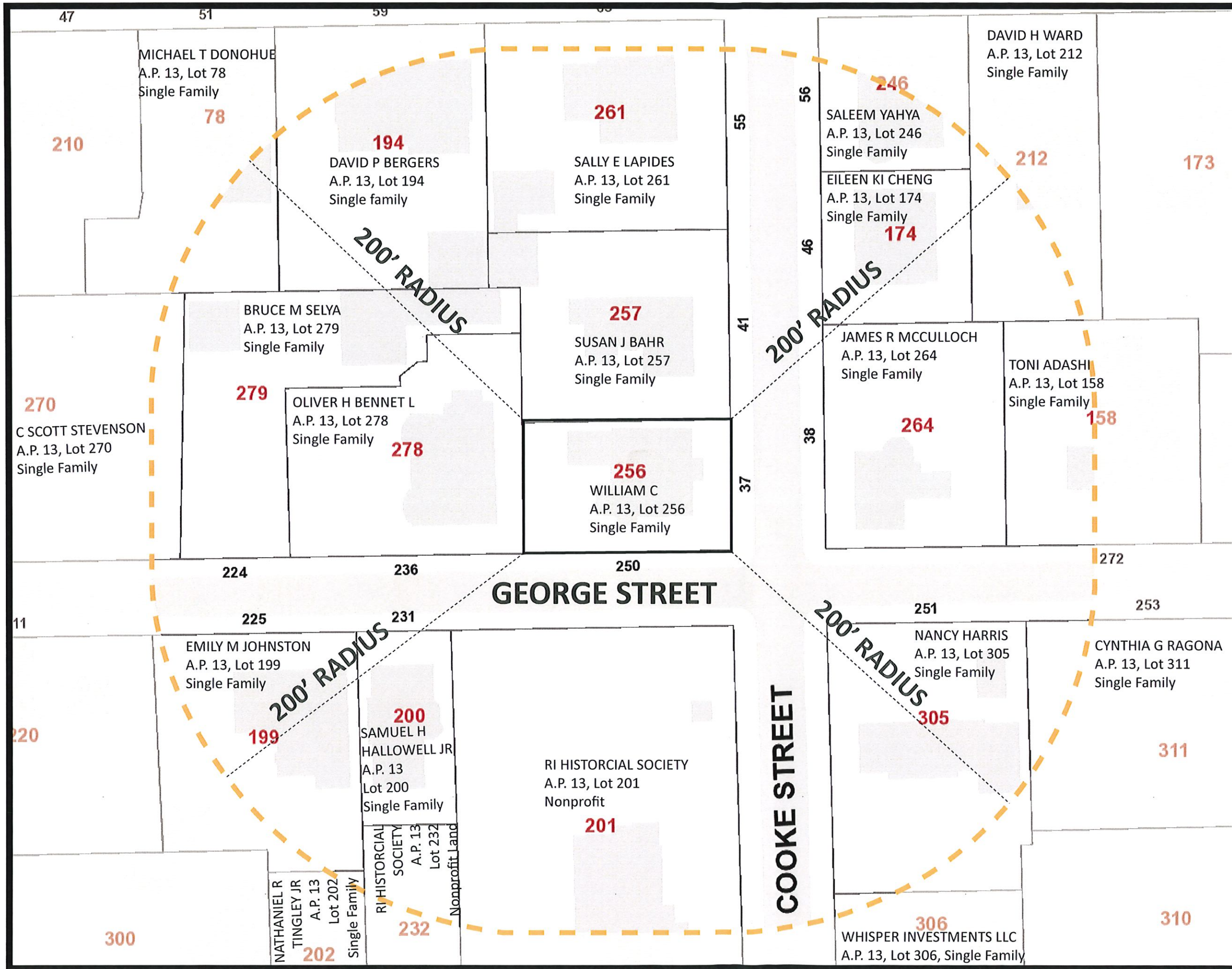
NOTE: APPLICANT IS PROPOSING THE USE OF PERVIOUS PAVERS FOR ALL WALKWAYS, BANDING AND THE REAR PATIO TO MEET THE IMPERVIOUS LOT COVERAGE REQUIREMENTS. A DETAIL OF THIS PAVER INSTALLATION IS SHOWN ABOVE.

- PAVING LEGEND
- EXPOSED AGGREGATE CONCRETE
  - PERMEABLE PAVERS
  - COBBLESTONE BANDING

PROPOSED SITE PLAN  
Scale 1/8" = 1'-0"







# 200' RADIUS PLAN

37 COOKE ST. LOT 256  
 MARCH 2021

SCALE 1"=50'



47

51

59

65

56

55

46

41

38

37

**GEORGE STREET**

**COOKE STREET**

MICHAEL T DONOHUE  
 A.P. 13, Lot 78  
 Single Family

78

210

194

DAVID P BERGERS  
 A.P. 13, Lot 194  
 Single family

261

SALLY E LAPIDES  
 A.P. 13, Lot 261  
 Single Family

DAVID H WARD  
 A.P. 13, Lot 212  
 Single Family

212

173

246

SALEEM YAHYA  
 A.P. 13, Lot 246  
 Single Family

EILEEN KI CHENG  
 A.P. 13, Lot 174  
 Single Family

174

**200' RADIUS**

**200' RADIUS**

257

SUSAN J BAHR  
 A.P. 13, Lot 257  
 Single Family

BRUCE M SELYA  
 A.P. 13, Lot 279  
 Single Family

279

OLIVER H BENNET L  
 A.P. 13, Lot 278  
 Single Family

278

270

C SCOTT STEVENSON  
 A.P. 13, Lot 270  
 Single Family

JAMES R MCCULLOCH  
 A.P. 13, Lot 264  
 Single Family

264

TONI ADASHI  
 A.P. 13, Lot 158  
 Single Family

158

224

236

250

272

225

231

251

253

EMILY M JOHNSTON  
 A.P. 13, Lot 199  
 Single Family

199

200  
 SAMUEL H HALLOWELL JR  
 A.P. 13  
 Lot 200  
 Single Family

200

RI HISTORICAL SOCIETY  
 A.P. 13, Lot 201  
 Nonprofit

201

NANCY HARRIS  
 A.P. 13, Lot 305  
 Single Family

305

CYNTHIA G RAGONA  
 A.P. 13, Lot 311  
 Single Family

311

11

220

NATHANIEL R  
 TINGLEY JR  
 A.P. 13  
 Lot 202  
 Single Family

202

RI HISTORICAL SOCIETY  
 A.P. 13  
 Lot 232  
 Nonprofit Land

232

306  
 WHISPER INVESTMENTS LLC  
 A.P. 13, Lot 306, Single Family

306

310

300