

JUN 15 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: Yovany Padillia

Address 134-142 Hendricks Street, Central Falls, RI

E-mail yovanypadilla@gmail.com

Zip Code 02863

Phone _____

(401) 499-7301

Home/Office

Mobile (Cell)

Owner: Padilla Construction and Painting, LLC

Address 134-142 Hendricks Street, Central Falls, RI

E-mail yovanypadilla@gmail.com

Zip Code 02863

Phone _____

(401) 499-7301

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: 374 Hope Street
Street Address

2. Zoning District(s): R-3
Special purpose or overlay district(s): _____

3a. Date owner purchased the Property: 09/01/2021

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

3. Dimensions of each lot:

Lot # <u>389</u>	Frontage <u>43'</u>	depth <u>53.88'</u>	Total area <u>2,472</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 1,020sf Height 37' Floors 3

Accessory Structure: Total gross square footage _____
 Footprint _____ Height _____ Floors _____

5. Size of proposed structure(s): Total gross square footage: _____
 Footprint 1,020sf Height 37' Floors 3

6a. Existing Lot coverage: (include all buildings, decks, etc.) 1,055sf

6b. Proposed Lot coverage: (include new construction) 1,055sf

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

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

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

9. Number of Current Parking Spaces: Four

10. Describe the proposed construction or alterations (each lot/structure):
Safety upgrades to an existing third floor apartment; replace bedroom windows with windows that meet energy code and emergency egress requirement.
Replace all other windows to meet energy code, Add automatic fire extinguishers to the kitchen hood, replace entry door with a fire rated door,
fix stair handrails to be continuous to the ground floor exit.

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>Table 4-1</u>	<u>Residential District dimensional requirements; 3 family requires 5,000sf minimum lot area.</u>
_____	_____
_____	_____
_____	_____
_____	_____

13. Explain the changes proposed for the Property.

Change of use from a two family dwelling to a three family dwelling.

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):

Yovanny Padillia

Type Name

Signature

Type Name

Signature

Applicant(s):

Yovanny Padillia

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?

The property was purchased as an existing three family, and the purchase price reflected the same. The property is not viable as a two family building.

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

The size of the property is less than the required minimum for a 3 family building.

- 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.

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 applicant is not seeking the variance in order to obtain greater financial gain, the applicant needs the variance to make the property financially viable, the rents from two apartments do not meet the cost of the mortgage payment.

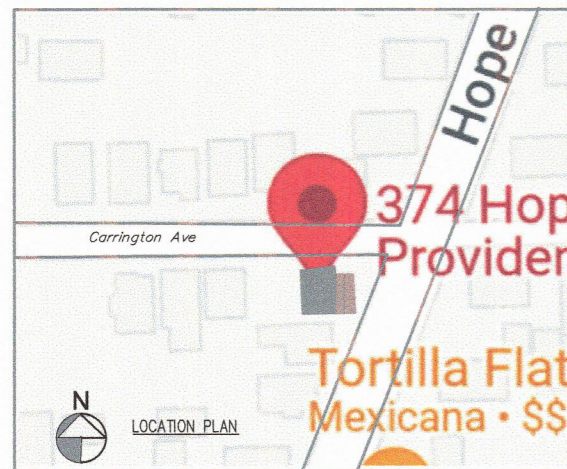
6. State any and all facts that support your position that you are seeking the least relief necessary to lessen or eliminate the hardship (for example, why there are no viable alternatives to your proposed plan).

The relief sought is the least relief necessary to eliminate the existing hardship. There are no other viable alternatives to the proposed plan.

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 the variance is not granted, the hardship the owner is seeking will result in more than a mere inconvenience, as the owner will not be able to meet the debt obligation for this property.



CARRINGTON AVE. VIEW



HOPE STREET VIEW

GENERAL NOTES:

1. VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD PRIOR TO CONSTRUCTION.

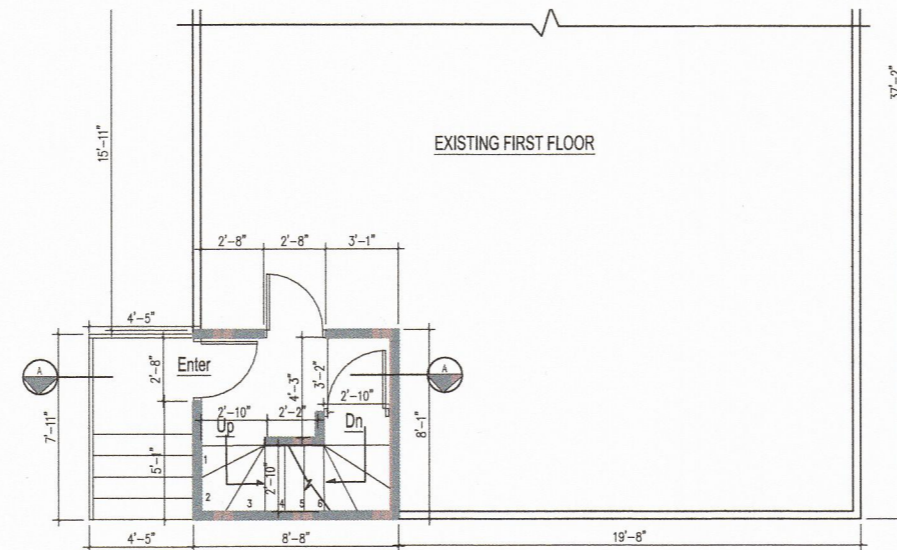
CONTRACTOR TO VERIFY ONE WINDOW IN EACH BEDROOM MEETS EGRESS SIZE REQUIREMENTS (SEE CODE SECTION R310.2.1 BELOW)

ENSURE STAIR HANDRAILS ARE CONTINUOUS FROM THE THIRD FLOOR TO THE FIRST FLOOR EGRESS LANDING, HANDRAIL TO BE MOUNTED BETWEEN 30" AND 34" IN HEIGHT.

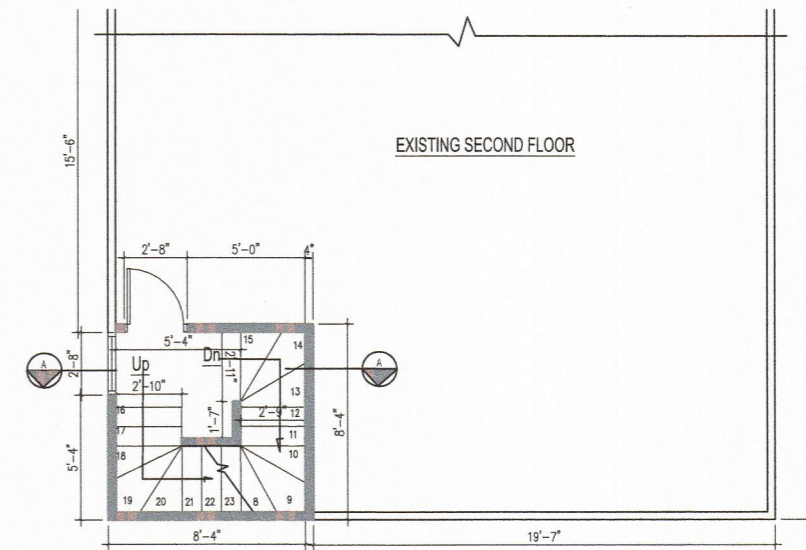
FIRE PROTECTION:

PROVIDE SOLID CORE APARTMENT DOORS WITH SELF CLOSING HINGES.
 PROVIDE SMOKE DETECTORS AT BEDROOMS, VERIFY LOCATION WITH PROVIDENCE FIRE DEPARTMENT.
 PROVIDE INTERCONNECTED FIRE ALARM FOR ALL PUBLIC SPACES; STAIRS, BASEMENT, ETC. VERIFY ALARM SYSTEM WITH PROVIDENCE FIRE DEPARTMENT.
 PROVIDE RANGEHOOD FIRE SUPPRESSORS (2 EACH HOOD) IN EACH APARTMENT.

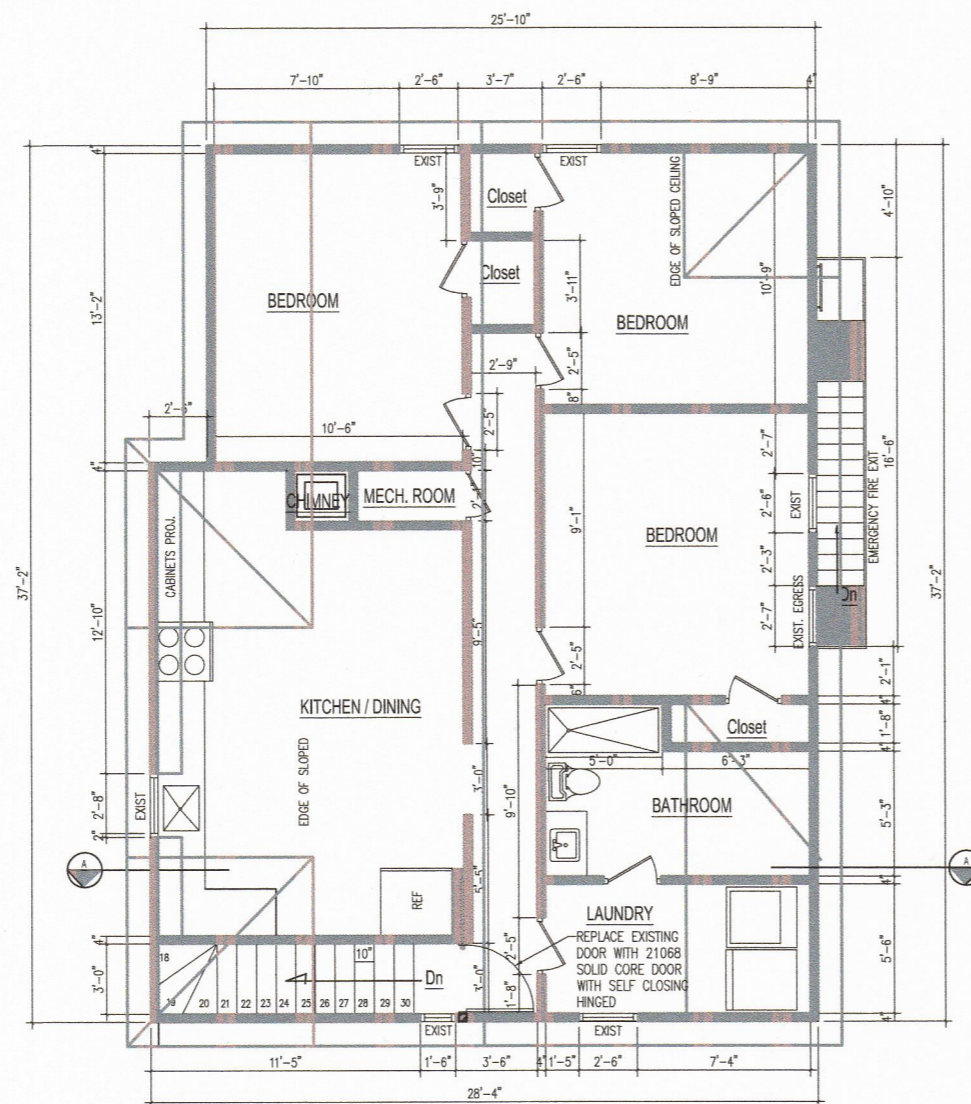
R310.2.1 Minimum opening area. Emergency and escape rescue openings shall have a net clear opening of not less than 5.7 square feet (0.530 m²). The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. The net clear height opening shall be not less than 24 inches (610 mm) and the net clear width shall be not less than 20 inches (508 mm).



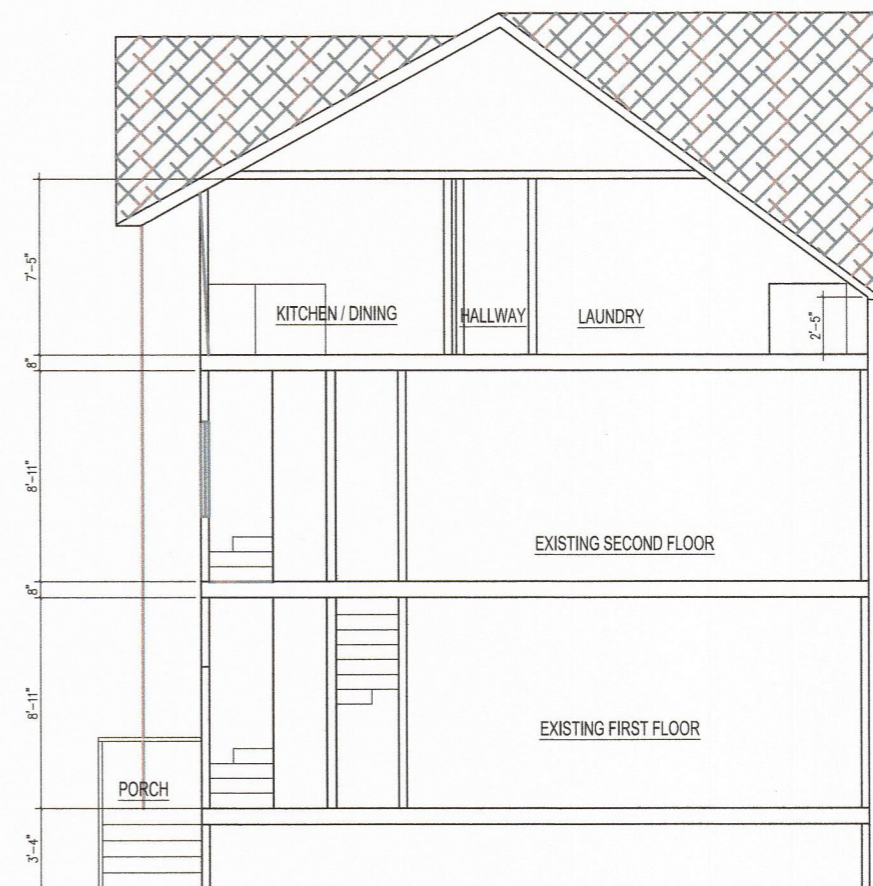
EXISTING STAIRS AREA FIRST FLOOR PLAN 1/4"=1'-0"



EXISTING STAIRS AREA SECOND FLOOR PLAN 1/4"=1'-0"



EXISTING THIRD FLOOR PLAN 1/4"=1'-0"



DIAGRAMATIC SECTION A - A' 1/4"=1'-0"

376 HOPE ST
 PROVIDENCE
 RI 02906

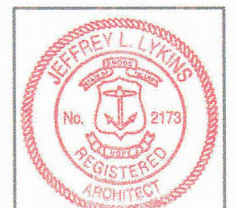
MBL 09-0389-0000
 R-3 DISTRICT

LEGALIZE AN EXISTING
 NON-CONFORMING
 3 FAMILY

YOVANY PADILLA
 134-142 HENDRICKS STREET
 CENTRAL FALLS, RI 02863
 yovany.padilla@gmail.com

ARCHITECT
 JEFFREY LYKINS

110-1/2 SOUTH KILLINGLY RD
 FOSTER, RI 02825.1350
 401-474-9901
 jeffreylykins.architect@gmail.com



Jeffrey Lykins

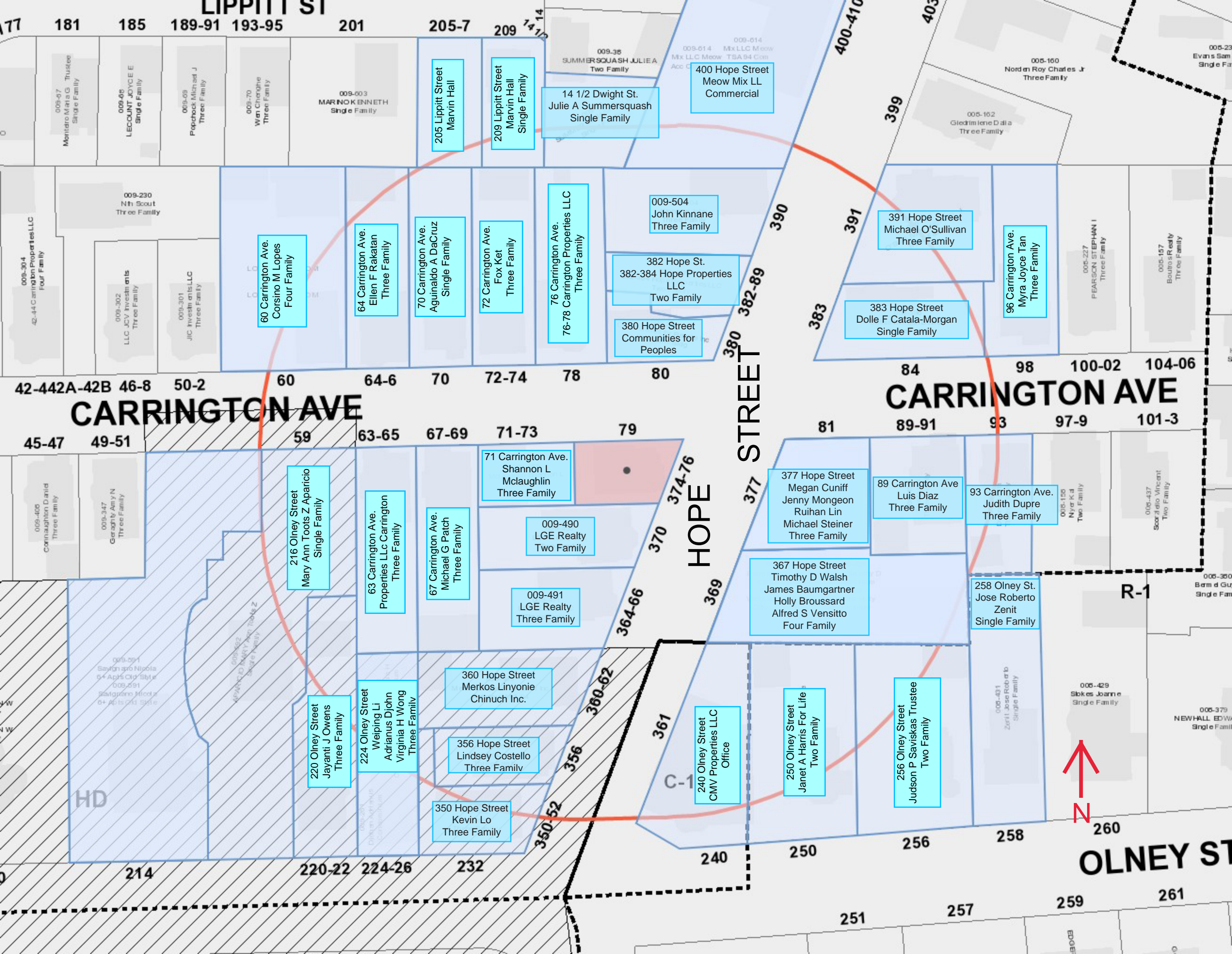
DRAWING BY: MB SCALE: AS NOTED
 PROJECT No: 22-004 DATE: 3/14/2022

SHEET NAME:

PLANS

SHEET No.

A1.1





374 Hope Street

