

CITY OF PROVIDENCE ZONING BOARD OF REVIEW

INSPECTION & STANDARDS  
RECEIVED

APPLICATION FOR VARIANCE OR SPECIAL USE PERMIT

APR 07 2021

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:** Borna Properties, LLC/Ozren T. Burtak

Address 381 Angell Street, Providence, RI  
Zip Code 02906

E-mail ozfranbun@hotmail.com  
Phone \_\_\_\_\_  
*Home/Office*

339-221-8514  
*Mobile (Cell)*

**Owner:** Borna Properties, LLC/Ozren T. Burtak

Address 381 Angell Street, Providence, RI  
Zip Code 02906

E-mail ozfranbun@hotmail.com  
Phone \_\_\_\_\_  
*Home/Office*

339-221-8514  
*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:** 381 Angell Street, Providence, RI 02906

*Street Address*

**Zoning District(s):** RP

**Special purpose or overlay district(s):** \_\_\_\_\_

**3a. Date owner purchased the Property:** 2002 April

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

**3. Dimensions of each lot:**

Lot # 531 Frontage 50' depth 114.5' Total area 5725 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 30'x49' +/- Height 35'+/- Floors 3

Accessory Structure: Total gross square footage \_\_\_\_\_  
Footprint \_\_\_\_\_ Height \_\_\_\_\_ Floors \_\_\_\_\_

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

6a. Existing Lot coverage: (include all buildings, decks, etc.) 31.1%

6b. Proposed Lot coverage: (include new construction) 31.1%

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

Vacant office and 3 family

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

Dentist office and 3 family

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

A 4 Family Dwelling

9. Number of Current Parking Spaces: 5

**10. Describe the proposed construction or alterations (each lot/structure):**

Minor Building Code Renovations for the conversion into 4 Family Dwelling

**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:**

Table 4-1 Minimum Lot Area

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

Convert a vacant dental office into a residential unit. The dental office space has been vacant for approx. 10 years.

---

---

---

---

---

---

---

*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):**

Ozren T. Buntak  
Type Name

\_\_\_\_\_  
Type Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

Borna Properties LLC  
Type Name

Borna Properties LLC  
Type Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

**All requirements listed and described in the Instruction Sheet must be met or this application will not be considered complete.**

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

---

---

---

---

---

*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):** BORNA PROPERTIES, LLC **Applicant(s):**

Ozren T. Burtak  
Type Name                      Manager

*Ozren T. Burtak*  
Type Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
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?**

Applicant seeks relief from lot area requirement to install 4<sup>th</sup> residential unit on first floor. The area of the dental office is not sufficient to make it viable.

---

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

The area of the dental space on the first floor does not support a reasonable medical/dental office. The inability to utilize the space for such purpose has been established by the inability to lease the space for such use for approx. 10 years.

---

**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 applicant would realize greater financial gain if it were to be able to utilize as a dental office. However, because it cannot be viably leased, the applicant desires to productively utilize the space for permitted residential 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).

A dwelling unit is a permitted use in the R-P district. Relief from the lot area requirements would allow the dwelling unit in the space formerly occupied by the dental office.

---

---

---

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.

Because the office is not viable, in the event that the applicant was not able to utilize the space for a residential use, the applicant will suffer more than a mere inconvenience in that the space would remain vacant without any use.

---

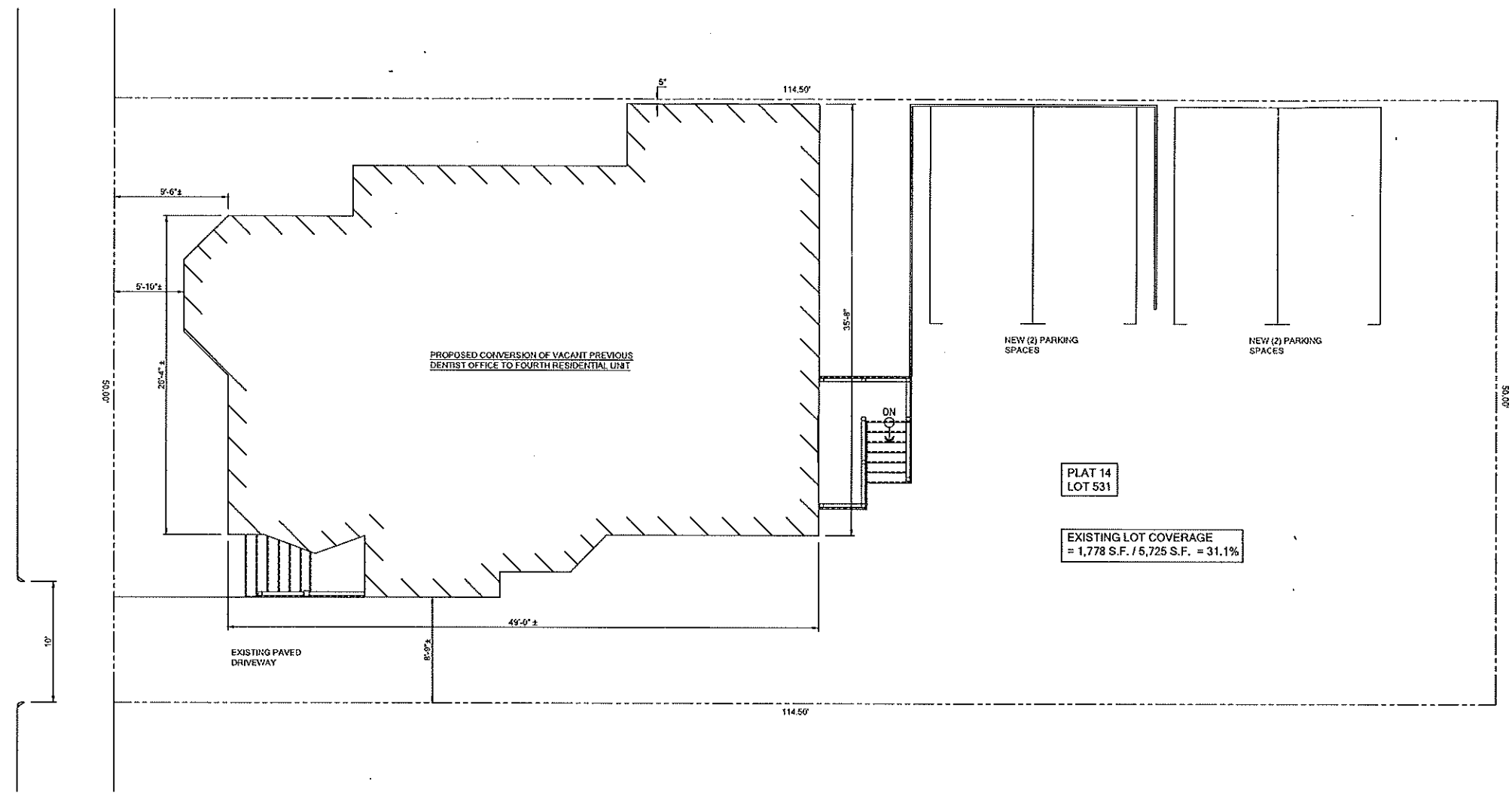
---

---

---



ANGELL STREET



PROPOSED PLOT PLAN  
SCALE: 1/4" = 1'-0"

PROPOSED CHANGE OF USE  
381 ANGELL STREET  
PROVIDENCE, RHODE ISLAND

DRAWN BY:  
MGL  
CHECKED BY:  
RJL

LOQA ENGINEERS, LLC  
CONSULTING ENGINEERS  
49 BATCHELLER AVENUE  
PROVIDENCE, RI 02904  
rljoqa@verizon.net

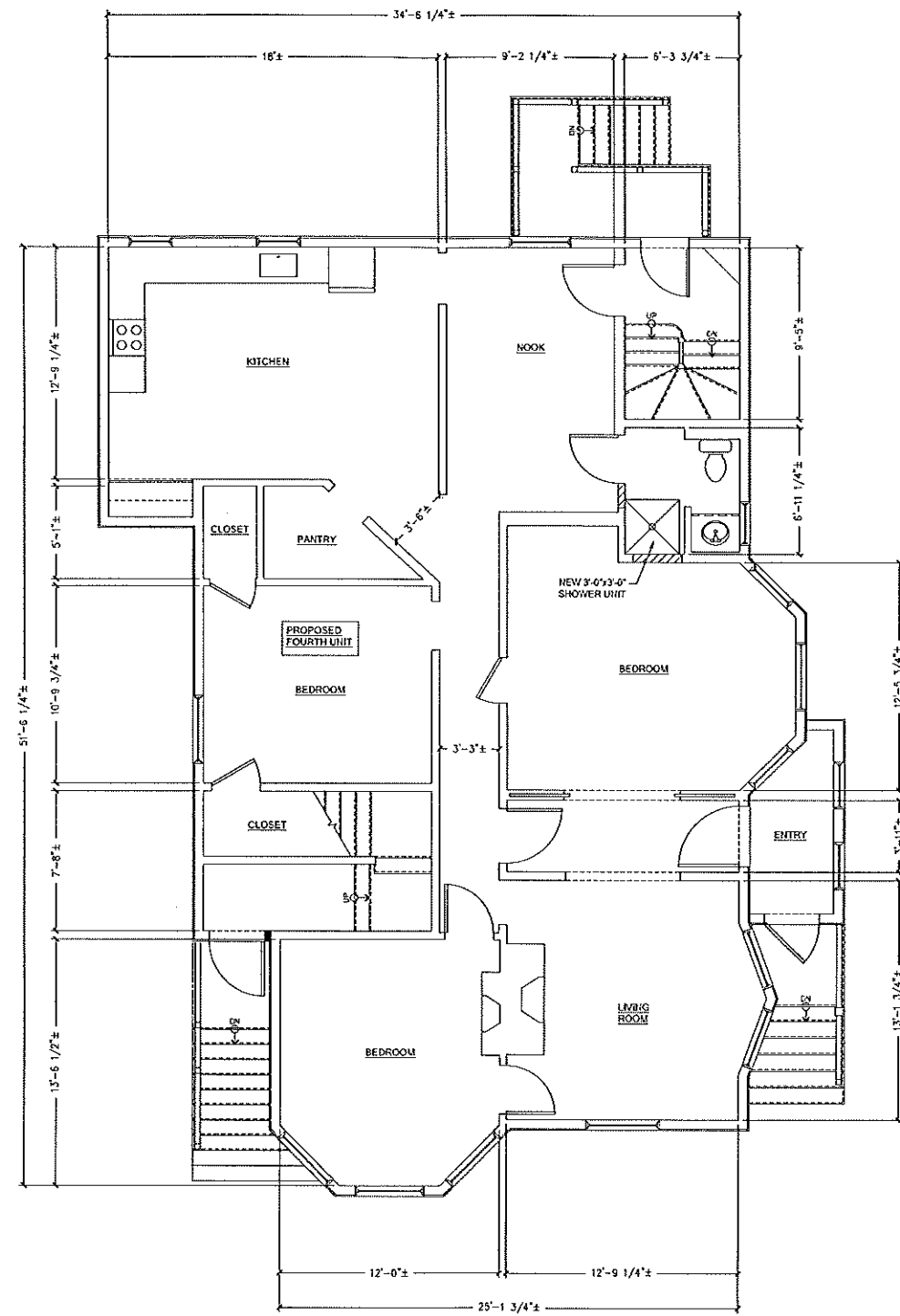
FOR ENGINEERING ONLY

SCALE:  
AS NOTED

CONTENTS:  
PLOT PLAN

DATE:  
FEBRUARY 2021

SHEET NO:  
**C100**



PROPOSED FLOOR PLAN  
SCALE: 1/4" = 1'-0"

PROPOSED CHANGE OF USE  
381 ANGELL STREET  
PROVIDENCE, RHODE ISLAND

DRAWN BY:  
MGL  
CHECKED BY:  
RJL

LOQA ENGINEERS, LLC  
CONSULTING ENGINEERS  
49 BACHELLER AVENUE  
PROVIDENCE, RI 02904  
rjloqa@verizon.net

FOR ENGINEERING ONLY

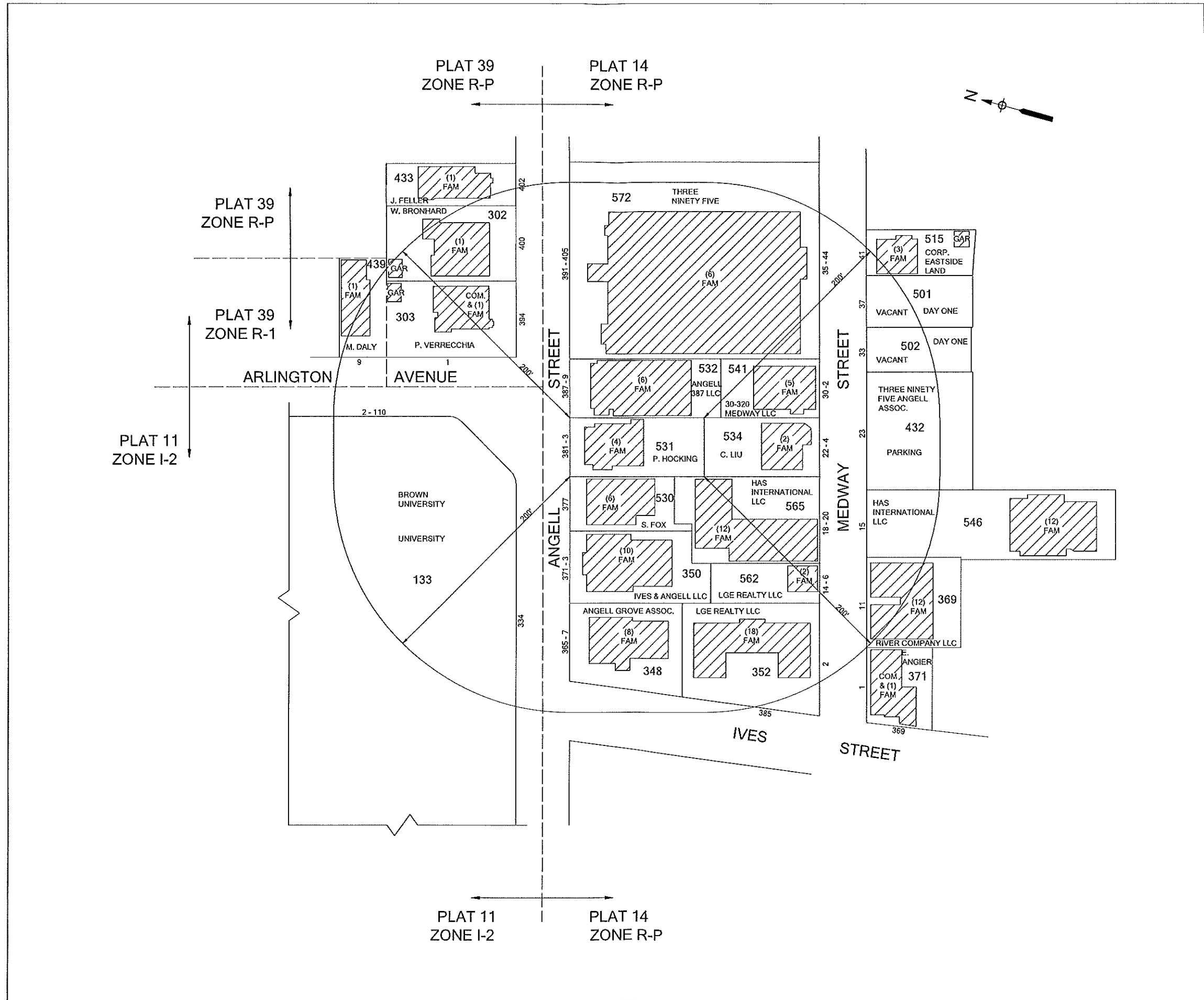
SCALE:  
AS NOTED

CONTENTS:  
FLOOR PLAN

DATE:  
FEBRUARY 2021

SHEET NO:  
**S100**





381 ANGELL STREET  
PROVIDENCE, RHODE ISLAND

RAMZI J. LOQA, P.E.  
49 BATCHELLER AVENUE  
PROVIDENCE, RI 02904

SCALE:  
1" = 50'-0"

CONTENTS:  
200' RADIUS  
MAP