

JUL 13 2020

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:** Amie Marzilli

**Address** 27 Draper St., Pawtucket, RI

**E-mail** \_\_\_\_\_

**Zip Code** \_\_\_\_\_

**Phone** \_\_\_\_\_

401-626-1566

*Home/Office*

Mobile (Cell)

**Owner:** Amie Marzilli

**Address** 27 Draper St., Pawtucket, RI

**E-mail** jgarrahy@garrahylaw.com

**Zip Code** \_\_\_\_\_

**Phone** \_\_\_\_\_

401-626-1566

*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:** 47 Burnside Street  
*Street Address*  
R-3

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

3a. **Date owner purchased the Property:** November 7, 2019

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

3. Dimensions of each lot:

Lot # <u>480</u>	Frontage <u>46</u>	depth <u>30</u>	Total area <u>1380</u>	sq. ft.
Lot # <u>1114</u>	Frontage <u>46</u>	depth <u>30</u>	Total area <u>1380</u>	sq. ft.
Lot # _____	Frontage _____	depth _____	Total area _____	sq. ft.

4. Size of each structure located on the Property:

Principal Structure:	Total gross square footage	<u>3930</u>
Footprint <u>1350</u>	Height <u>25</u>	Floors <u>2</u>

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

5. Size of proposed structure(s):	Total gross square footage:	<u>3930</u>
Footprint <u>1350</u>	Height <u>25</u>	Floors <u>2</u>

6a. Existing Lot coverage: (include all buildings, decks, etc.) 48.9

6b. Proposed Lot coverage: (include new construction) 48.9

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

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

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

9. Number of Current Parking Spaces: Two

10. Describe the proposed construction or alterations (each lot/structure):  
Alteration necessary to convert to Two 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>Table 4-1</u>	<u>740 sq.ft. of lot area below the minimum of 3500 sq. ft.</u>
_____	_____
_____	_____

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

Convert structure to legal two-family dwelling.

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*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):**

Amie Marzilli

Amie Marzilli

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

\_\_\_\_\_  
*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.**

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

Convert structure to legal two-family dwelling.

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**Owner(s):**

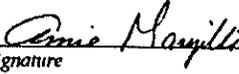
**Applicant(s):**

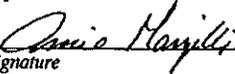
Amio Marzilli

Amio Marzilli

Type Name

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?**  
The house was originally constructed as a metal shop and dwelling. Substantial lots of record.  
\_\_\_\_\_  
See attached report for more information.
2. **Specify any and all unique characteristics of the land or structure that cause the hardship?**  
Original construction as commercial/residential structure - substantial lot of record.  
\_\_\_\_\_  
See attached report for more information.
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.**

Applicant seeks to make better use of the existing structures.

see attached report for more information.

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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 applicant only seeks one additional unit to conform with the space within the existing structure.

See attached report for more information.

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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.**

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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.**

The applicant will suffer more than a mere inconvenience if the relief is not granted because the space within the existing structure is larger than necessary for a one-family dwelling.

See attached report for more information.

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DEPARTMENT OF BUILDING INSPECTION

Date 3/26/2004 Permit No. 1861  
Location - 47 Burnside Street  
Ward - 10 Plat 48 Lot -480  
Owner - Esther Mendez  
Architect  
Builder - owner  
Material - 3B  
Nature of Work - building has been change from sheet metal shop to  
No. of Bldgs. a one family 2 story, plans are as built  
No. of Stories - 2  
To Be Used For - one family  
No. of Families - one family  
Fire District

\$7,500.00

Ashley Porath

**47 BURNSIDE ST**

**Location** 47 BURNSIDE ST

**Plat Lot Unit** 48 / 480 / 1

**Owner** ASHLEY PORATH

**Building Name**

**Assessment** \$188,600

**PID** 41055

**Building Count** 1

**Current Value**

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$156,200	\$32,400	\$188,600

**Owner of Record**

**Owner** ASHLEY PORATH

**Sale Price** \$0

**Co-Owner**

**Book & Page** 8298/ 001

**Address** 20 COTTON ST  
NEWTON, MA 02458

**Sale Date** 09/22/2006

**Ownership History**

Ownership History			
Owner	Sale Price	Book & Page	Sale Date
ASHLEY PORATH	\$0	8298/ 001	09/22/2006
MATTHEW SAMS	\$147,000	7225/ 167	04/19/2005
ESTHER MENDEZ	\$0	6511/ 053	05/03/2004
ESTHER MENDEZ	\$100,000	5986/ 044	08/20/2003

**Building Information**

**Building 1 : Section 1**

**Year Built:** 1950  
**Replacement Cost:** \$229,684  
**Building Percent Good:** 68  
**Replacement Cost**  
**Less Depreciation:** \$156,200

Building Attributes	
Field	Description
Style	Two Family

Grade:	C
Stories:	2
Occupancy:	2
Exterior Wall 1:	Vinyl Siding
Exterior Wall 2:	Brick
Roof Structure:	Gable/Hip
Roof Cover:	Asphalt Shingl
Interior Wall 1:	Plaster
Interior Wall 2:	
Interior Floor 1	Hardwood
Interior Floor 2	
Heat Fuel:	Gas
Heat Type:	Forced Air
AC Type	None
Total Bedrooms	8 Bedrooms
Total Full Baths	2
Total Half Baths	0
Total Rooms	14
Bath Style	Typical
Kitchen Style:	Typical
Total Kitchens	2
Fireplaces	0
Extra Openings	0
Gas Fireplaces	0
Bsmt Garages	
Fin Bsmt Area	
Fin Bsmt Type	
Rec Rm Area	

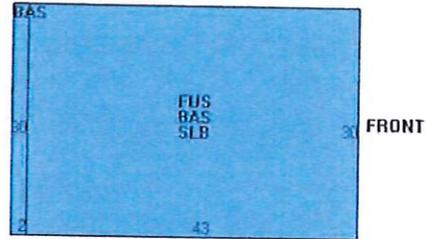
**Building Photo**



(<http://images.vgsi.com/photos/ProvidenceRIPhotos/\00\06\28\65.jpg>)

1350/

**Building Layout**



([http://images.vgsi.com/photos/ProvidenceRIPhotos//Sketches/41055\\_](http://images.vgsi.com/photos/ProvidenceRIPhotos//Sketches/41055_))

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	1,350	1,350
FUS	Finished Upper Story	1,290	1,290
SLB	Slab	1,290	0
		3,930	2,640

**Extra Features**

Extra Features	Legend
No Data for Extra Features	

**Land**

**Land Use**

Use Code 102  
Description Two Family

**Land Line Valuation**

Size (Acres) 0.03  
Assessed Value \$32,400

Neighborhood 1240  
Alt Land Appr No

**Outbuildings**

Outbuildings	Legend
No Data for Outbuildings	

**Valuation History**

Assessment			
Valuation Year	Improvements	Land	Total
2018	\$103,800	\$29,500	\$133,300

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**City of Providence Zoning Board of Review**  
**Two-Unit Residential Dwelling - Dimensional Relief**  
**47 Burnside Street**  
**Assessor's Plat 48; Lot(s) 480 and 1114**

Prepared for: Brian R. Marzilli

By: Pimentel Consulting, Inc.

18 June 2020

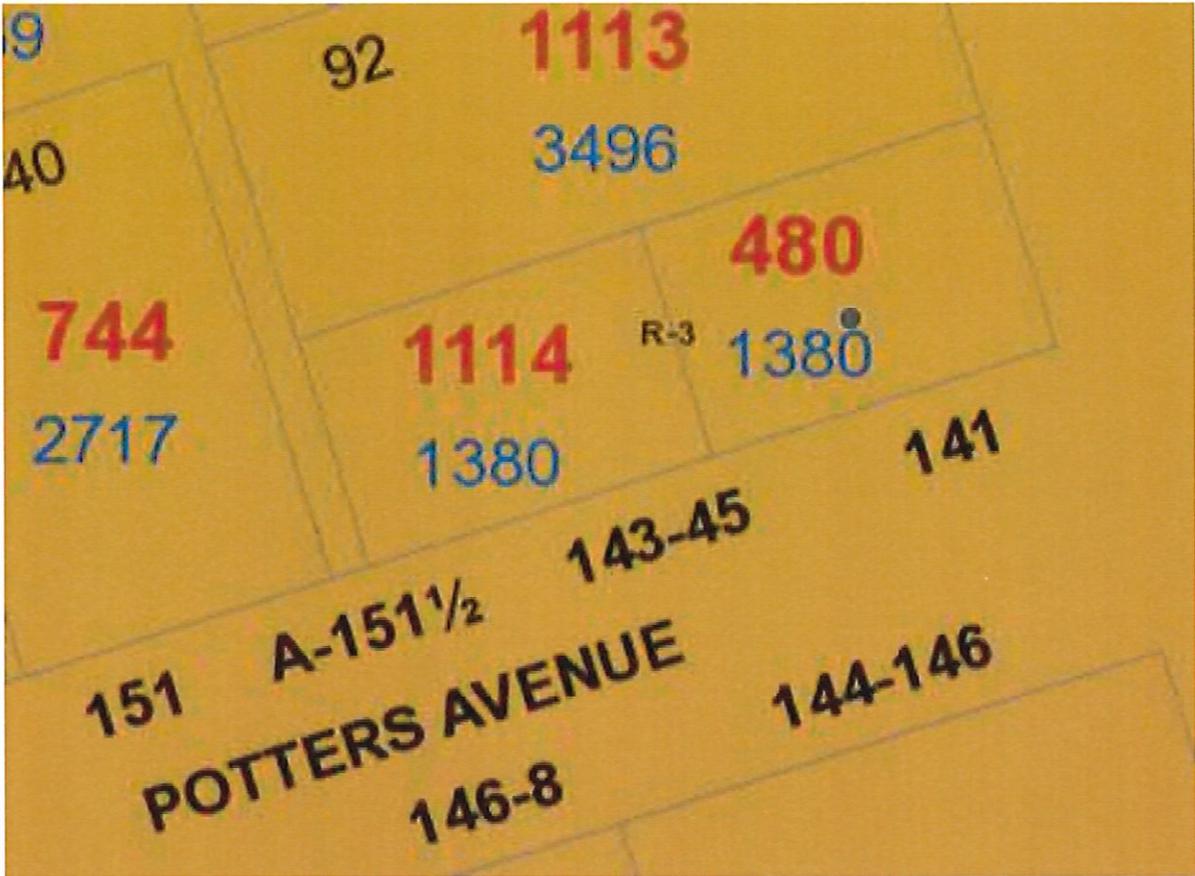
### **INTRODUCTORY STATEMENT**

Brian R. Marzilli (hereinafter 'Applicant'), has retained my professional land use planning and zoning consulting services, in order to provide an independent assessment on the appropriateness of retaining a two-unit residence. The referenced request, albeit having been present for a period of years, has not acquired pre-existing legal nonconforming status. Nevertheless, it is a permitted land use, provided it meets certain minimum land area requirements; minor land area deficiency necessitating dimensional relief.

In light of the referenced proposal, this land use consultant has thoroughly reviewed all associated submission materials, as well as the following regulatory documents: Providence Tomorrow - City Comprehensive Plan (hereinafter 'Comprehensive Plan'); City of Providence Zoning Ordinance - Amended through 30 May 2019 (hereinafter 'Ordinance'); as well as having conducted a thorough neighborhood analysis of the general Potters Avenue and Burnside Street neighborhood(s). My analysis entails rendering a determination as to the appropriateness of retaining the two-unit residence, given the general character of the surrounding neighborhood, long-standing usage of the subject premises for a variety of intensive land uses, and overall goals and objectives of the Comprehensive Plan, specifically the Land Use and Housing Elements.

### **PRESENT PROPERTY CONDITIONS**

The property in question is comprised of two (2) distinct lots, albeit merged pursuant to the zoning regulations. The combined lots have multiple addresses, long reflecting usage of the property for more than single-family purposes. Property details are as follows: Assessor's Plat 48, Lot 480, otherwise addressed 47 Burnside Street; and, Assessor's Plat 48, Lot 1114, otherwise addressed 143 Potters Avenue [hereinafter 'Property']. The lots have an approximate total combined land area of 2,760 square feet. The Property is improved with a two-story, two-unit residential facility, having an approximate footprint of 1,350 square feet, and approximate overall living area of 2,640 square feet. The referenced residential facility is literally situated at the intersection of Burnside Street and Potters Avenue. Being aligned at the respective front-yard setbacks, permits the provision of sufficient off-street parking (upwards of four vehicles) and even a small grassed area for occupancy leisure. All referenced property details are well illustrated below, as excerpted from the City's Website and Google Earth, respectively.





Although, the applicant just recently purchased the property, he did so in good faith. Not only is the neighborhood quite dense (as evidenced below) and the property history reflective of more intensive land usage, physical layout is similarly supportive. The applicant has now acquired several Citywide properties, and in all instances has made extensive development in their up-keep. However, in all instances, the improvements are cosmetic, merely improving on long-standing physical layout and configuration. In other words, improving on pre-existing property usage. The same is true in the subject instance. The following photographs reflect existing cosmetically improved conditions; physical configuration and layout having not been altered in any consequential manner.





The property is located within the R-3 - Residential District (hereinafter 'R-3 District'), said district being defined pursuant to Section 400.D 'Residential Districts - Purpose Statements' of the Ordinance, in the following manner:

**R-3 Residential District - "Intended for higher density residential areas of detached single-family, two-family, and three-family residential development, as well as rowhouse development. Limited non-residential uses, which are compatible with surrounding residential neighborhoods, may be allowed. detached single-family dwellings of low density residential development. Limited non-residential uses, which are compatible with surrounding residential neighborhoods, may be allowed."**

It is abundantly clear that the R-3 District is perhaps the primary district supporting more dense residential development. It is clearly imposed upon those portions of the City comprised of greater residential density. Neighborhood appropriateness, in conjunction with the long-standing usage of property for a variety of land use(s) other than single-family, should assuage any concerns about retention of the subject two-unit residence. Both an historical property analysis, as well as comprehensive neighborhood analysis, have been conducted for purposes of evidencing neighborhood compatibility and land usage appropriateness.

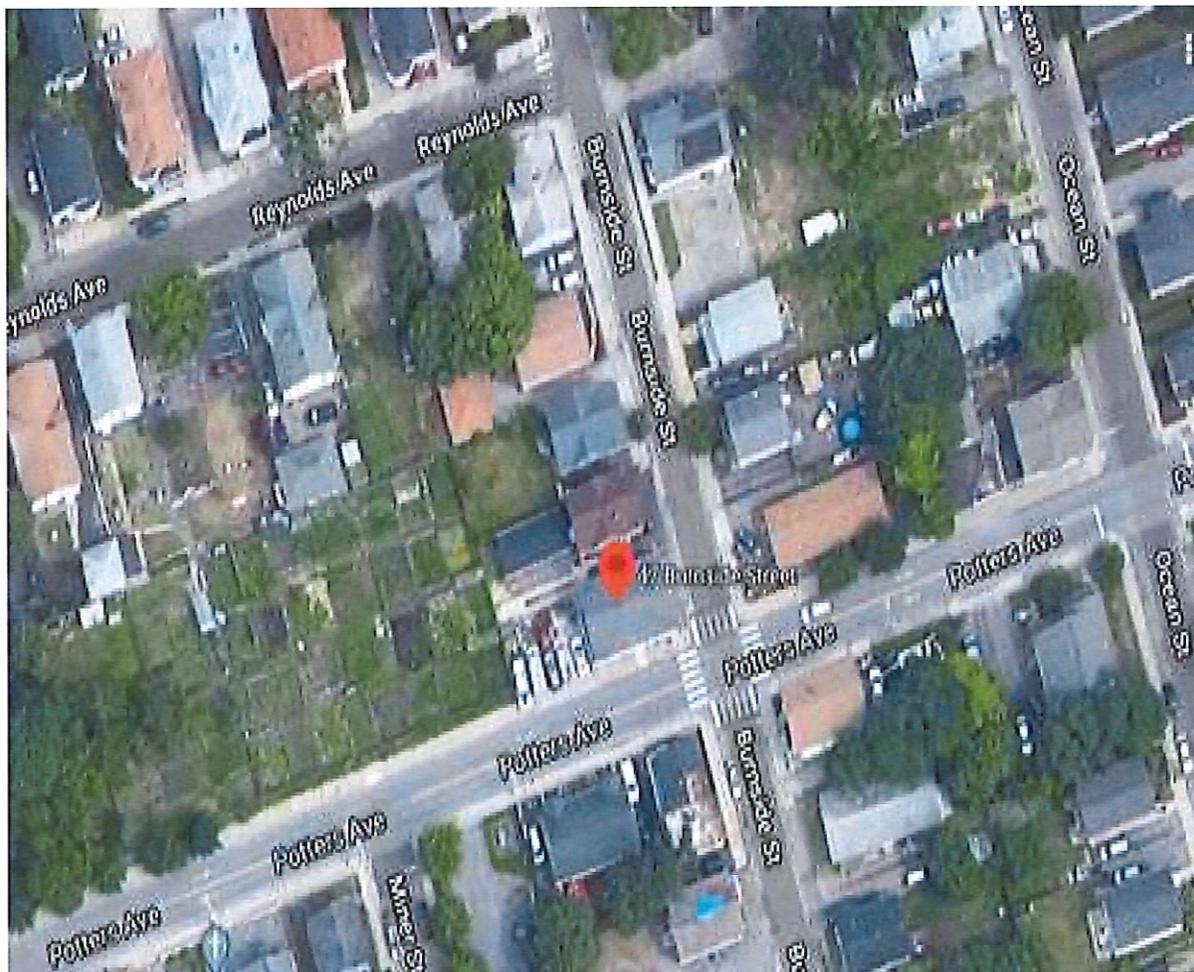
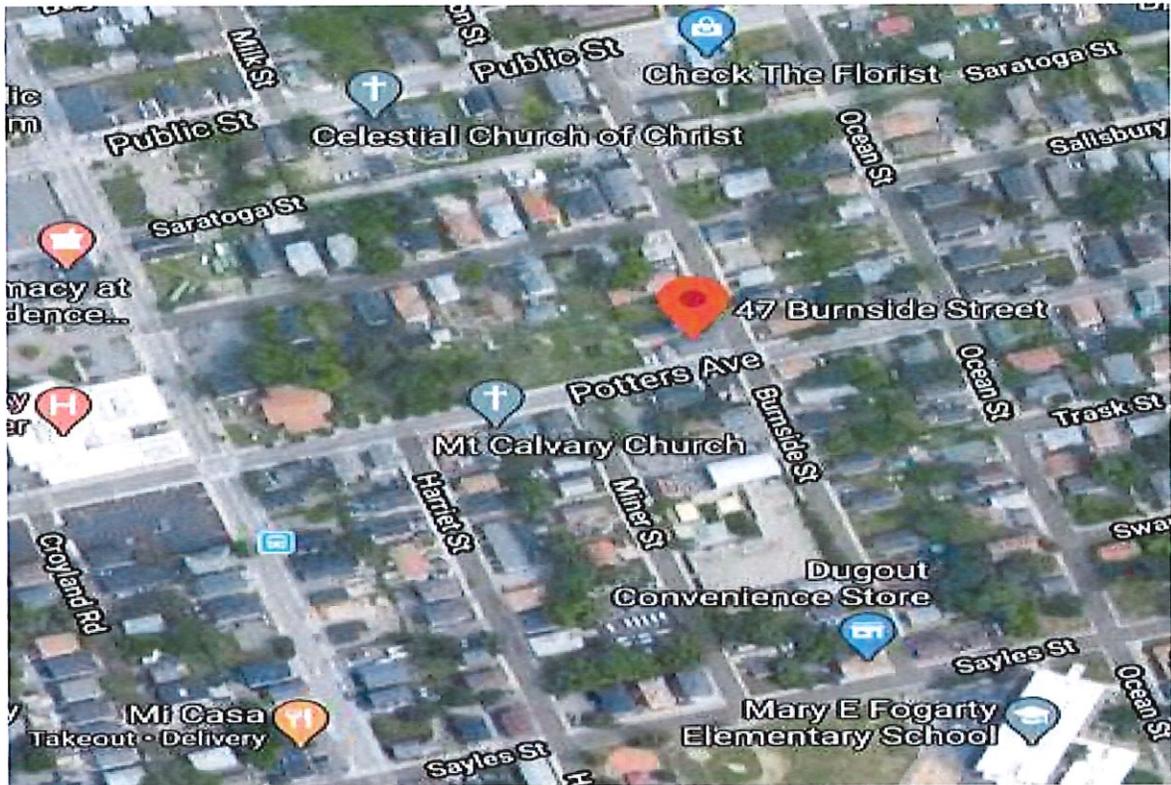
### **NEIGHBORHOOD ANALYSIS**

Although, the subject parcel will fail to comport with the requisite minimum lot area requirement prescribed by regulation for a two-unit residence, the following neighborhood results nevertheless evidence neighborhood compliance. An extensive analysis of the immediate neighborhood has been prepared to illustrate this point. The neighborhood analyzed is

bounded by all properties contained within the following perimeters: Saratoga Street to the north; Prairie Avenue and Harriet Street to the west; Sayles Street to the south; and, Ocean Street to the east. In total, 100-lots were reviewed. However, a portion of the referenced properties have been permanently preserved, averting residential development by being under the ownership of a variety of non-profit organizations. They have therefore been omitted. The sole properties considered, are those already improved with a variety of residential land uses, totaling 78 properties. The results of the analysis detail that one-quarter of all residential properties similarly fail to comply with the requisite lot area prescribed by regulation. Furthermore, on average, the typical residential property is improved with approximately 2.08-units of total density. Finally, the composition of the referenced neighborhood is predominantly greater than one-unit. In fact, upwards of 71% of the entire neighborhood is improved with two (2) units or greater. Two-unit residence is the predominant land use, representing in excess of 38% of the entire analyzed neighborhood.

The following is a sampling of the surrounding, rather intensive usage of property, as excerpted from Google Earth. This is but a microcosm of the density located throughout the referenced neighborhood, The following properties are literally located across the street, and improved with a three-unit, two-unit, and three-unit, respectively.





**HISTORICAL PROPERTY ANALYSIS**

<b>TWO-UNIT RESIDENTIAL DWELLING            HISTORICAL 'USAGE' ANALYSIS            47 Burnside Street            Assessor's Plat 48 - Lot 480 and 1114</b>			
<b>Usage Date</b>	<b>Usage</b>	<b>Document Source(s)</b>	<b>Document Source(s) Date</b>
1940	Two (2) Distinct and Separate Units:  (1) Hope Beverage Co.  (2) Leonard, Jason	Polk Directory	1950
1945	Two (2) Distinct and Separate Units:  (1) Vacant  (2) Leonard, Jason	Polk Directory	1950
1950	Commercial Entity and Distinct Separate Residential Unit:  (1) State Construction Co. Carpenters  (2) Leonard, Jason		1950
1955	Commercial Entity and Distinct Separate Residential Unit:  (1) David Ralph E. Co Inc, Mfg Jewelers  (2) Leonard, Mary	Polk Directory	1955
1965	Commercial Entity and Distinct Separate Unit:  (1) W. & W. Sheet Metal & Roofing Co.  (2) Vacant	Polk Directory	1965

1970	Commercial Entity and Distinct Separate Unit:  (1) W. & W. Sheet Metal & Roofing Co.  (2) Vacant	Polk Directory	1970
2012	Two (2) distinct residents:  (1) Ortiz, Jomar  (2) Sostre, Johana	Polk Directory	2012
2016	Two (2) distinct residents:  (1) No current resident  (2) Williams, Rebecca	Polk Directory	2016

**ZONING ORDINANCE CONSISTENCY ANALYSIS**

The applicant seeks permission to retain a long-standing, two-unit residential apartment facility, necessitating minor dimensional relief. The applicant's proposal is in fact consistent with the Comprehensive Plan - Map 11.2 'Future Land Use,' [Page 112] which classifies the subject property and surrounding neighborhood as 'Medium Density Residential'. The referenced land use classification is defined pursuant to the Comprehensive Plan [Page 117] in the following manner:

**Medium Density Residential** - *"These areas are characterized by one to three- family dwellings and multi-family dwellings on separate lots. Buildings typically range in height from one to three stories. Lot sizes vary by neighborhood, with most ranging from 3,200 to 5,000 square feet. In some areas, small-scale commercial uses, such as neighborhood corner stores, may be appropriate."*

Furthermore, is the fact that the subject property and immediate neighborhood is located within an 'Area of Stability,' pursuant to Map 11.1 'Areas of Stability and Change' [Page 107]. The referenced area classification is defined pursuant to the Comprehensive Plan [Page 108] in the following manner:

**Areas of Stability** - *"Areas of Stability include the vast majority of the city, primarily the residential neighborhoods and their associated commercial areas, where limited change is*

*expected over the coming years. There are 25 ethnically and culturally diverse neighborhoods that are known for their quality of life, including their rich architecture. Each neighborhood has its own identity and character. The goal for these areas is to identify and maintain the existing character of the area while accommodating some limited new development and redevelopment. Of the city's 25 neighborhoods, all but Downtown are designated as areas of stability in whole or part."*

**Objective LU1: Protect and Enhance Stable Neighborhoods** - *"Reinforce the stability, character and diversity of the City's neighborhoods by respecting valued development patterns and attributes.*

**Strategy A.1** - *"Development patterns and attributes that contribute to the character of Providence's stable neighborhoods."*

**Strategy B.1** - *"Ensure that new development maintains existing density levels."*

**Strategy B.2** - *"Ensure that new development complements existing neighborhood character in scale, massing and design."*

**Strategy B.3** - *"Encourage the preservation of the existing building stock."*

Pursuant to Section 1201 'Use Matrix,' of the Ordinance, 'Dwelling - Two-Family' is permitted as a matter of right within the R-3 District. However, the minimum lot area requirement is 3,500 square feet, pursuant to 'Table 4-1: Residential District Dimensional Standards,' of the Ordinance. The combined (merged) lots total approximately 2,760 square feet, resulting in a deficiency of 740 square feet. It is abundantly clear that the relief sought is minor. Regardless, 'development appropriateness' should not be based on a standard regulatory city-wide measure, but actual neighborhood characteristics and Comprehensive Plan consistency, combined with documented historical usage. As previously detailed, the neighborhood analyzed is so intensive that the average lot density is 2.08-units, and in excess of 71% of said neighborhood is improved with two-units or greater.

Regarding the variance sought, the applicant must provide evidence to the satisfaction of the Zoning Board of Review confirming the presence of hardship and that failure to obtain the relief requested will ultimately cause the applicant to suffer hardship amounting to more than a mere inconvenience. The criteria for determining hardship are clearly outlined in Section(s) 1902.B.3(a-d) and 1902.B.4.b. The stated criteria will be discussed individually in greater specificity below.

• **Section 1902.B.3.a** *"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 Rhode Island General Laws §45-24-30(16)."*

The applicant is seeking permission to retain a permissible land use that is not only consistent with the general goals and objectives of the Comprehensive Plan, but also reflective of the surrounding neighborhood, particularly lot density. The detailed lot area deviation results from the unique characteristics of the subject property, in addition to realizing neighborhood compatibility. The Comprehensive Plan speaks to residential density; densifying neighborhoods that are already developed in a 'Medium' and 'High' density manner. It needs to be reemphasized that there is an ardent argument for pre-existing nonconforming rights. Therefore, the documented deviation clearly results from the unique lot characteristics. The applicant is incapable of acquiring any additional land area, and therefore the documented lot-density deviation is incurable.

• **Section 1902.B.3.b** "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."

The property's physical details, in addition to its historical usage, well pre-dates the applicant's ownership. Historical usage varies, but always in a manner more intensive than merely for single-family purposes. Neighborhood consistency and compatibility, is the applicant's primary desire. Therefore, the referenced deviation results directly from the unique characteristics of the subject property, a condition that pre-dates the applicant's ownership of said property.

• **Section 1902.B.3.c** "That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of this Ordinance or the Comprehensive Plan."

The results of the personally conducted 'Neighborhood Analysis' in combination with the thorough analysis of the Comprehensive Plan, well document the appropriateness of retaining the referenced two-unit dwelling.

"The proposed development will not impair the intent or purpose of the zoning ordinance or the comprehensive plan". This is evidenced by both the prepared "Comparative Neighborhood Analysis" and density analysis.

• **Section 1902.B.3.d** "That the relief to be granted is the least relief necessary."

The relief sought is directly related to existing unique lot characteristics. Conditions that preclude compliance. Regardless, retention of the two-unit dwelling will in no way negatively impact the character of the surrounding neighborhood. In fact, the present, and arguably pre-existing, usage of property, is reflective of the surrounding neighborhood characteristics. It should be noted that the concept of '**least relief necessary**,' clearly implies that it is the '**least quantity of relief needed**' to cure a documented hardship. Comprehensive Plan consistency, coupled with neighborhood compatibility, which merely incurs a singular dimensional variance,

most assuredly evidences satisfaction with the requisite burden. In other words, the relief requested is the least relief necessary.

It is abundantly clear that the subject proposal complies with all four (4) criteria, and to deny the requested relief will cause the applicant to suffer hardship amounting to more than a mere inconvenience in accordance with Section 1902.B.4.b.

### **CONCLUSION**

It is my professional opinion that the subject request to merely retain a two-unit dwelling amidst such a high-dense residential neighborhood is not only appropriate, but actually furthers numerous goals and objectives of the Comprehensive Plan. My professional opinion is based upon the manner in which the present land use has been well incorporated into the overall fabric of the general area for quite a period of time, without any resulting negative impact. The sole dimensional deviation is a minor lot area deficiency, which satisfies all of the requisite dimensional burdens.

**NEIGHBORHOOD ANALYSIS**  
**47 Burnside Street**  
**Assessor's Plat 48 - Lot(s) 480 and 1114**  
**R-3 Zoning District**

Plat	Lot	Area (Acres)	Area (Sq. Ft.)	Address	Number of Units	Lot Density	Year Built
48 SP	480 and 1114	0.06	2,760	47 Burnside Street 143 Potters Avenue	2	1,380	1950
48	1113	0.08	3,496	43 Burnside Street	1	3,496	1920
48	1107	0.08	3,404	39 Burnside Street	2	1,702	1922
48	79	0.08	3,613	35 - 37 Burnside Street	2	1,807	1920
48	747	0.07	2,932	20 - 22 Reynolds Avenue	2	1,466	1900
48	746	0.07	2,925	24 - 26 Reynolds Avenue	2	1,463	1920
48	742 and 743	0.22	9,450	28 - 34 Reynolds Avenue	3	3,150	1920
48	12, 713, and 714	0.22	9,450	36 - 42 Reynolds Avenue	3	3,150	1920
48	710	0.11	4,725	44 - 46 Reynolds Avenue	3	1,575	1920
48	709	0.11	4,725	48 - 50 Reynolds Avenue	3	1,575	1925
48	705	0.11	4,725	52 - 54 Reynolds Avenue	3	1,575	2020 Rebuilt
48	704	0.11	4,601	56 - 58 Reynolds Avenue	2	2,301	1925
48	680 and 681	0.20	8,600	350 - 356 Prairie Avenue Unimproved Providence Community Health Center	0		
48	701	0.09	4,000	360 - 362 Prairie Avenue	2	2,000	1920
48	702	0.25	11,025	364 Prairie Avenue Church	0		1910

48	706	0.09	4,095	179 - 181 Potters Avenue Unimproved Land Trust	0		
48	707	0.09	4,032	175 - 177 Potters Avenue Unimproved Land Trust	0		
48	794	0.09	4,095	171 - 173 Potters Avenue Unimproved Land Trust	0		
48	711	0.09	4,095	167 - 169 Potters Avenue Unimproved Land Trust	0		
48	712	0.09	4,095	163 - 165 Potters Avenue Unimproved Land Trust	0		
48	715	0.12	5,109	161 Potters Avenue Unimproved Land Trust	0		
48	721 and 741	0.10	4,403	153 - 155 Potters Avenue Unimproved Land Trust	0		
48	703 and 744	0.10	4,403	151 and 151.5 Potters Avenue Unimproved Land Trust	0		
48	1165	0.15	6,354	5 Burnside Avenue	3	2,118	2012
48	720	0.09	4,000	23 - 25 Reynolds Avenue	3	1,333	1925
48	677	0.12	5,257	27 Reynolds Avenue	2	2,629	2006
48	676	0.12	5,303	31 - 33 Reynolds Avenue	3	1,768	1920
48	675	0.12	5,350	35 - 37 Reynolds Avenue	3	1,783	1910
48	1178	0.24	10,325	39 - 41 Reynolds Avenue	6	1,721	1920
48	653	0.09	4,048	47 - 49 Reynolds Avenue	3	1,349	1920

48	748	0.04	1,538	98 Saratoga Street Unimproved	0		
48	652	0.13	5,655	51 - 53 Reynolds Avenue	3	1,885	1920
48	651	0.13	5,708	57 Reynolds Avenue	2	2,854	2004
48	1181	0.29	12,578	336 -338 Prairie Avenue	2	6,289	2004
48	1147	0.09	3,840	144 - 146 Potters Avenue	2	1,920	2006
48	496	0.07	3,046	51 Burnside Street	1	3,046	1920
48	9	0.07	2,946	57 Burnside Street	2	1,473	1922
48	1131	0.95	41,594	20 Miner Street School	0		
48	489	0.09	3,979	85 Burnside Street	3	1,326	1922
48	488	0.09	3,978	89 - 91 Burnside Street	1	3,978	2005
48	487	0.06	2,574	93 Burnside Street	1	2,574	2007
48	486	0.14	6,066	95 - 97 Burnside Street Mixed Use	2	3,033	1940
48	509	0.10	4,282	42 Miner Street	1	4,282	1972
48	507 and 508	0.09	3,910	36 - 40 Miner Street	3	1,303	1920
48	553	0.07	3,200	158 - 160 Potters Avenue	1	3,200	1990
48	552	0.07	3,200	11 Miner Street	1	3,200	2007
48	551	0.07	3,200	13 - 15 Miner Street	1	3,200	1993
48	550	0.11	4,800	19 - 21 Miner Street	2	2,400	1990
48	548	0.11	4,800	25 Miner Street	1	4,800	1989
48	1150	0.15	6,400	29 - 31 Miner Street	3	2,133	1920
48	545	0.07	3,200	35 Miner Street Unimproved	0		

48	544	0.07	3,200	37 Miner Street Unimproved	0		
48	543	0.07	3,200	361 Sayles Street	3	1,067	1922
48	542	0.07	3,200	365 Sayles Street	3	1,067	1922
48	1183	0.15	6,400	369 - 371 Sayles Street	3	2,133	1920
48	565	0.07	3,200	44 Harriet Street Unimproved	0		
48	564	0.07	3,200	38 - 40 Harriet Street	3	1,067	1920
48	563	0.07	3,200	34 - 36 Harriet Street	3	1,067	1922
48	562	0.07	3,200	30 - 32 Harriet Street	3	1,067	1922
48	1102	0.22	9,600	18 Harriet Street	4	2,400	1990
48	558	0.07	3,200	14 Harriet Street	2	1,600	1920
48	557	0.07	3,200	10 Harriet Street	1	3,200	2009
48	1161	0.13	5,760	174 Potters Avenue	2	2,880	1920
48	1160	0.09	3,850	164 Potters Avenue	1	3,850	2004
48	888	0.07	3,103	14 - 16 Burnside Street Unimproved	0		
48	886	0.11	4,780	18 Burnside Street	1	4,780	1930
48	352 and 887	0.21	9,221	22 - 24 Burnside Street	3	3,074	1910
48	921	0.20	8,830	32 Burnside Street	2	4,415	1940
48	920	0.10	4,243	38 Burnside Street	1	4,243	2012
48	1132	0.10	4,153	42 Burnside Street	1	4,153	2005
48	918	0.09	4,014	129 Potters Avenue	2	2,007	1989
48	390	0.10	4,493	45 Ocean Street	2	2,247	1930

48	391	0.10	4,314	39 - 41 Ocean Street	2	2,157	1990
48	392	0.09	4,135	33 - 35 Ocean Street Unimproved	0		
48	393	0.09	3,956	29 Ocean Street	1	3,956	1900
48	394	0.07	3,036	25 Ocean Street	1	3,036	1900
48	395	0.10	4,338	19 - 23 Ocean Street	2	2,169	2005
48	396	0.09	3,983	15 - 17 Ocean Street Unimproved	0		
48	928	0.04	1,857	62 - 64 Saratoga Street Unimproved	0		
48	435	0.05	2,320	50 - 52 Burnside Street	3	773	2005
48	1104	0.12	5,415	54 - 58 Burnside Street	3	1,805	1989
48	438	0.14	5,985	60 Burnside Street	2	2,993	1922
48	1105	0.12	5,034	66 - 68 Burnside Street	2	2,517	1990
48	1106	0.15	6,366	72 Burnside Street	2	3,183	1990
48	442	0.07	2,850	78 Burnside Street Unimproved	0		
48	443	0.11	4,750	80 - 82 Burnside Street	2	2,375	1990
48	444	0.09	3,800	88 Burnside Street	1	3,800	1922
48	445	0.09	3,800	92 Burnside Street	1	3,800	1922
48	446	0.09	3,800	94 Burnside Street	1	3,800	1922
48	447	0.11	4,700	100 Burnside Street	2	2,350	1922
48	377	0.10	4,230	97 Ocean Street Unimproved	0		
48	378	0.09	3,800	93 Ocean Street	1	3,800	1920

48	1115	0.17	7,600	85 - 89 Ocean Street	2	3,800	1910
48	381 and 382	0.17	7,600	79 - 83 Ocean Street	2	3,800	1920
48	383	0.09	3,800	75 - 77 Ocean Street	2	1,900	1920
48	384 and 385	0.17	7,600	67 Ocean Street	1	7,600	1962
48	386	0.09	3,800	61 Ocean Street	1	3,800	2005
48	387	0.09	3,800	59 Ocean Street	1	3,800	2006
48	1124	0.17	7,600	128 Potters Avenue	2	3,800	2002
48	437	0.03	1,480	130 Potters Avenue Unimproved	0		
<b>Total:</b>		11.68	508,885		162		
<b>Average:</b>		0.12	5,089		2.08		
<b>Total Res. Improved</b>		8.644697	376563				
<b>Average:</b>		0.11	4,828				
<b>Lot Density:</b>			2,324				
					<b>Single-Family:</b>	23	<b>Average:</b> 0.29
					<b>Two-Units:</b>	30	<b>Average:</b> 0.38
					<b>Three-Units:</b>	23	<b>Average:</b> 0.29
					<b>Four-Units and More:</b>	2	<b>Average:</b> 0.03

PIMENTEL CONSULTING, INC.  
Edward Pimentel, AICP  
26 Avon Road  
Cranston, Rhode Island 02905

(401) 529-0647 – Cellular  
Tax ID No. 56-2331684  
on-line: [edaicp@yahoo.com](mailto:edaicp@yahoo.com)

### **SUMMARY of QUALIFICATIONS**

Forward-thinking, pragmatic urban planning professional with twenty (20+) years of practical experience. Skilled in a variety of neighborhood and commercial planning and zoning activities, frequently in a supervisory or managerial capacity. Solid track records with proven effectiveness in, but not limited to, the following areas:

- ⇒ Zoning Boards of Review
- ⇒ Planning Boards / Commissions
- ⇒ City / Town Councils
- ⇒ Residential, Commercial and Industrial Development
- ⇒ Community Planning and Consulting
- ⇒ Subdivision Review and Planning
- ⇒ Superior Court
- ⇒ Code Enforcement

### **SELECTED EXAMPLES of ACCOMPLISHMENT**

- Testified before numerous boards, commissions and councils on matters of residential, commercial, and industrial development, as well as changes / amendments to Zoning Ordinances and Comprehensive Plans.
- Testified before Municipal and Superior Court on matters of code enforcement and general land use planning.
- Authored various documents including Cost of Community Services Study, Revitalization Plans, Zoning Ordinances, Comprehensive Plan Amendments and the first Telecommunications Ordinance in the State of Rhode Island.
- Responsible for reviewing all development associated with the Quonset Point / Davisville Industrial Park, an approximately 3,500 acre industrial park, site of the former Sea Bee Navy Base, numerous mill rehabilitation projects, including Pocasset Mill, Johnston, RI (Comprehensive Plan Amendments).
- Responsible for reviewing numerous residential subdivisions, especially expert in the field of Comprehensive Permits (Affordable Housing). Work product cited by the Rhode Island Supreme Court.
- Represented clients before numerous Zoning Boards of Review throughout the State of Rhode Island, on a variety of variance and special use permit petitions, with a greater than 90% success rate.
- Extensive energy and renewable energy projects, including solar, wind and gas-fired eccentric generating assets.

**EDUCATION**

MASTERS OF COMMUNITY PLANNING AND DEVELOPMENT  
University of Rhode Island - Masters Received 1994

University of Florida - Studied City Planning - 1991 / 1992

BACHELOR OF ARTS – URBAN AFFAIRS; MINORS IN MATHEMATICS AND PHILOSOPHY  
University of Rhode Island - BA Received 1990

ACCREDITATION: AMERICAN INSTITUTE of CERTIFIED PLANNERS – May 1996

**PROFESSIONAL EXPERIENCE**

**Land Use Consultant** PIMENTEL CONSULTING, INC.  
East Providence, Rhode Island

**Zoning Officer** CITY OF EAST PROVIDENCE  
East Providence, Rhode Island

**Consulting Town Planner** TOWN OF BARRINGTON  
Barrington, Rhode Island

**Town Planner** TOWN OF WAYLAND  
Wayland, Massachusetts

**Principal Planner** TOWN OF NORTH KINGSTOWN  
North Kingstown, Rhode Island

**Assistant Planner** CITY OF EAST PROVIDENCE  
East Providence, Rhode Island

**Planning Consultant** NEWPORT COLLABORATIVE  
Newport, Rhode Island

**Planning Intern** CITY OF ORANGE CITY  
Orange City, Florida

**RHODE ISLAND AIR NATIONAL GUARD**

Plans and Implementation Communications Specialist  
Rhode Island Air National Guard 1995 – Retired 2013

Security Police Officer  
Rhode Island Air National Guard 1987 – 1990

**CIVIC**

WGBH – Community Advisory Board Member  
Cambridge, Massachusetts 2000 - 2003

**SPECIAL SKILLS AND TRAINING**

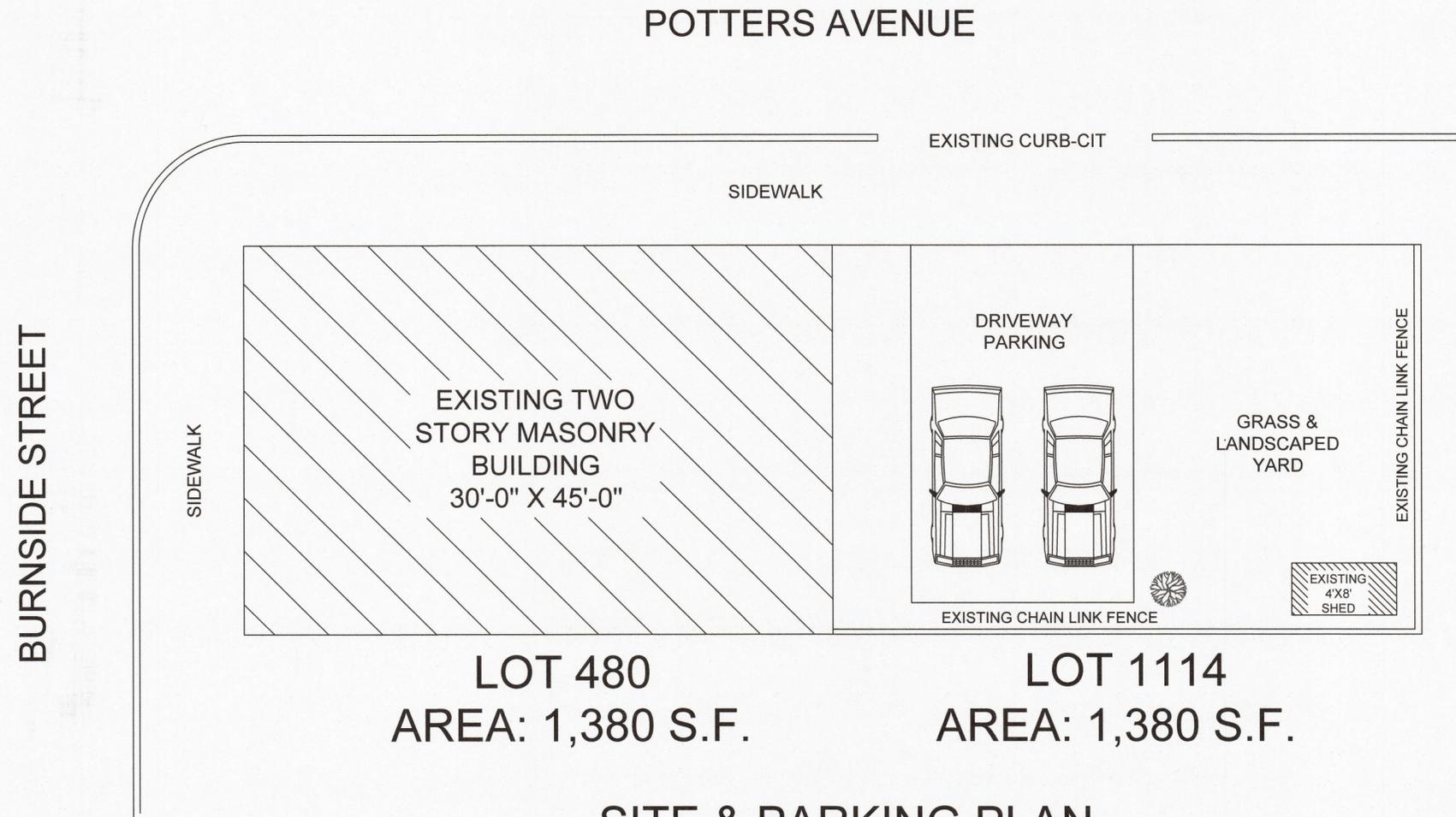
- Fluent in Portuguese

# EXISTING BUILDING PLANS

# 47 BURNSIDE STREET

## PROVIDENCE, RI

## MAY 13, 2020



### SITE & PARKING PLAN

SCALE: NTS

#### NOTES:

LOCATION: 47 BURNSIDE STREET  
PROVIDENCE, RI

ASSESSORS PLAT: 48

LOT: 480 & 1114

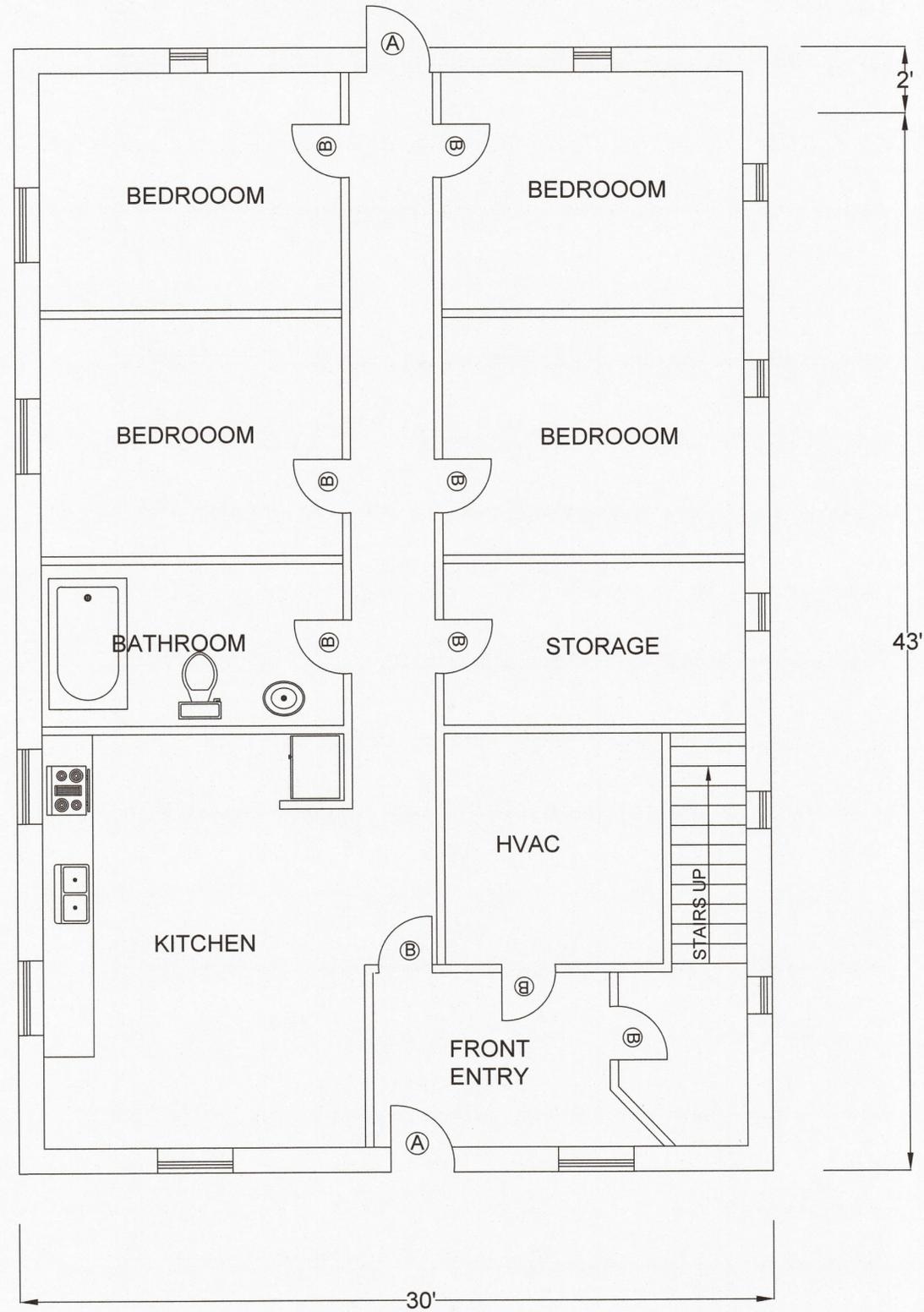
ZONE: R-3

AREA: -- S.F.

USE GROUP: TWO FAMILY DWELLING

BUILD. CLASS.: 3B - EXTERIOR MASONRY

BUILD. HEIGHT: 2 STORIES

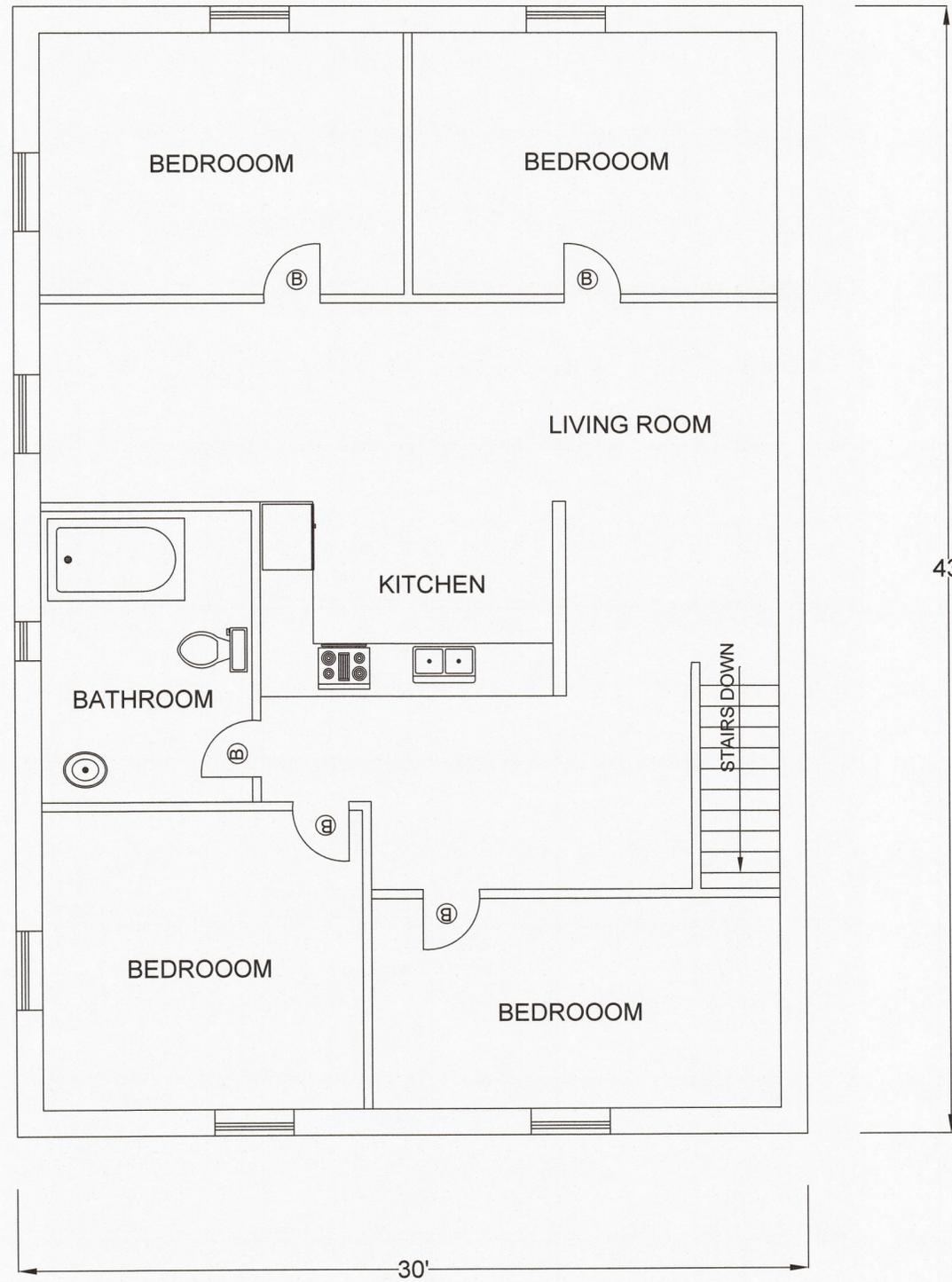


STAIRWAY INFO  
 WIDTH = 3'-0"  
 RISERS = 8"  
 TREADS = 9 1/2"

# FIRST FLOOR PLAN

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

EXISTING HOUSE PLANS 47 BURNSIDE STREET PROVIDENCE, RHODE ISLAND	DATE: 05-13-20 DRAWN: MCM CHECKED: REVISED:
<b>MCM DESIGN</b> ARCHITECTURAL DESIGN & CONSULTANT RESIDENTIAL/COMMERCIAL PLANNING	
MCM PROJECT NO.	SHEET NO. A-1



43'

STAIRWAY INFO  
 WIDTH = 3'-0"  
 RISERS = 8"  
 TREADS = 9 1/2"

## SECOND FLOOR PLAN

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

EXISTING HOUSE PLANS 47 BURNSIDE STREET PROVIDENCE, RHODE ISLAND	DATE: 05-13-20 DRAWN: MCM CHECKED: REVISED:
<b>MCM DESIGN</b> ARCHITECTURAL DESIGN & CONSULTANT RESIDENTIAL/COMMERCIAL PLANNING	
MCM PROJECT NO.	SHEET NO. A-2