

CITY OF PROVIDENCE
ZONING BOARD OF REVIEW

INSPECTION & STANDARDS
RECEIVED

NOTICE OF APPEAL

NOV 22 2023

DATE RECEIVED: _____

Application for an **APPEAL** from a decision of (*check which applies*):

- Director of the Department of Inspection and Standards
- City Plan Commission
- Historic District Commission
- Downtown Design Review Committee
- Other

APPELLANT(S):

LGE Realty, LLC

65 Huling Lane, East Providence, RI 02818

Name

Home Address

401-263-4565

Telephone: Home/Work

Mobile (cell phone)

lgerealty199@gmail.com

E-mail Address

OWNER(S):

LGE Realty, LLC

65 Huling Lane, East Providence, RI 02818

Name

Home Address

401-263-4565

Telephone: Home/Work

Mobile (cell phone)

lgerealty199@gmail.com

E-mail Address

FILING INSTRUCTIONS

The following must be submitted to the Secretary of the Board:

- A. The original and seven (7) copies of this notice of appeal (including copies of the decision appealed from, either typed or legibly printed).
- B. A copy of the most current deed on file in the office of the Recorder of Deeds.
- C. Two (2) 200' radius plans drawn to a scale of 1"= 50' from all corners of the lot or lots in question. Show all lot numbers, owners' names, street numbers and building (if any) on each lot within the radius.

- D. Two (2) copies of a list containing the following information, consistent with the latest data available in the office of the Providence Tax Assessor:
 - a. Each plat and lot number that appears within 200 feet of the Property, as designated in an attached 200 foot radius plan.
 - b. The corresponding names and MAILING addresses, including zip codes, of all property owners of each plat and lot number listed.
- E. Two (2) sets of mailing labels with names and full mailing addresses of each property owner on the list described in number above.
- F. All documentation that the Appellant(s) wishes the Board of Appeal to consider as part of the appeal.

NB: The Board's procedures for handling appeals are contained in the Board's Policies and Procedures. All Appellant(s) and Appellee(s) (if not a City entity) must supply a written memorandum of facts and law no fewer than five (5) business days prior to the hearing on the Appeal.

FEES FOR PETITIONS FOR APPEAL

Advertising Fee: \$115.00
(For each advertisement required for the hearing on the petition).

Processing Fee: \$260.00

MAKE CHECK PAYABLE TO: PROVIDENCE CITY COLLECTOR
 NO APPEAL WILL BE ACCEPTED UNTIL PAYMENT IS MADE.

THE PREMISES

1. Location of Premises: 487 Hope Street
(Street Number and Address)
2. (a) Assessor's Map No. 6 (b) Lot(s): 415 (c) Zoning District(s): R-2
3. Are you the owner/occupant of the Premises that is the Subject of this appeal? Yes No
4. Identify the decision you are appealing. Notice of Violation dated November 2nd, 2023 issued with respect to alleged violations of Zoning Ordinance Section 1404.B and 1407.B., as well as the impervious surfaces provisions set forth in Table 4-1 of the Ordinance.
5. What was the date of the decision and/or the date of its recording? November 2nd, 2023
6. On what date did you learn of the decision? November 7th, 2023

7. Please state with specificity the grounds for appeal (how/where the Director, Official, or Commission erred in rendering the decision), and set forth all facts and evidence on which you rely in support of your appeal.**

The Notice of Violation purports that the property is not in compliance with Section 1404.B and/or 1407.B with respect to vehicle parking spaces and curb cuts. The Notice of Violation also purports that the property is in violation of the total impervious surface provisions of Table 4-1 of the Ordinance. As grounds for the appeal, Appellant contends the property was constructed in 1900 and the existing parking and impervious surface conditions have been in existence for at least 25+ years and constitutes a legal nonconforming condition. Applicant purchased the property from family and is familiar with the historic use of the property. Additionally, historic aerials photographs obtained from the City of Providence GIS Mapping service and other sources demonstrates the existence of the purported conditions for 25+ years. The application will further supplement its grounds for appeal in a supplemental memorandum of law and facts as required prior to the hearing on the merits of the within appeal.

**1 This statement is not a substitute for the memorandum of law and facts required by the Board's Rules and Regulations.

The undersigned declares that the information given herein is true to the best of his or her knowledge and belief. The undersigned further acknowledges that providing false information to a municipal official/entity may be subject to civil and criminal penalties.

Signature(s) of Appellant(s)



Date

11/19/23

Counsel for Appellant(s):

Matthew J. Landry, Esq.

Name

30 Exchange Terrace

Address

Providence, RI 02903

City

State

Zip Code

401-831-8900

Phone: Office

Phone: Mobile

mjl@blishcavlaw.com

E-mail Address



CITY OF PROVIDENCE
MAYOR BRETT P. SMILEY



Department of Inspections and Standards

ZONING VIOLATION NOTICE

Today's Date: November 2, 2023
 Inspector: Alexis Thompson
 Date of Inspection: October 26, 2023
 Property Address: 487 Hope St Providence, RI 02906
 Plat-Lot-Unit: 006-0415-0000
 Zoning District: R-2 Residential District

Owner/Mortgagee	Address	City	State	Postal Code
LGE Realty, LLC	65 Huling Lane	East Providence	RI	02918
I & R Realty Corp.	PO BOX 603415	Providence	RI	02906

Violation Details:

Upon inspection, the property has been found to be using the corner side yard for the parking of vehicles, accessed by passage over the curb and sidewalk, and resulting in encroachment into the right of way, in violation of Zoning Ordinance Sections 1404.B. and 1407.B.

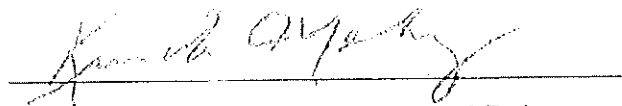
Further, the property is violation of the limits of total impervious surface as set forth in Zoning Ordinance Table 4-1.

Pursuant to Rhode Island General Laws § 45-24-60 and Article 21, Section 2100.D. of the Zoning Ordinance, you are subject to a penalty of up to \$500.00 per day for each violation of the Ordinance. Each day of a violation constitutes a separate violation subject to penalty.

You have the right to appeal this Zoning Violation to the Zoning Board of Review. Pursuant to Zoning Ordinance Section 1918(D), an appeal must be filed within twenty (20) days of the date of the recording of this Notice in the land evidence records. This Notice of Violation will be recorded on the same day of issuance. The appeal period does not prevent the Office of the City Solicitor from exercising its statutory authority to seek injunctive relief.

The appeal shall be filed with the Zoning Board of Review on the form entitled "Notice of Appeal" which may be found at: <https://www.providenceri.gov/inspection/boards-of-review/>, or obtained by contacting the Zoning Board of Review Office at 401-680-5375.

You may also contact the Zoning Office if you believe this violation has already been cured, or to discuss how to cure this violation and resolve this matter without the necessity of an appeal - athompson@providenceri.gov or 401-680-5376.



Authorized Signature - Division of Structures & Zoning

CITY OF PROVIDENCE
ZONING BOARD OF REVIEW

INSPECTION & STANDARDS
RECEIVED

NOTICE OF APPEAL

NOV 22 2023

DATE RECEIVED: 11.22.23

Application for an APPEAL from a decision of *(check which applies)*:

- Director of the Department of Inspection and Standards
- City Plan Commission
- Historic District Commission
- Downtown Design Review Committee
- Other

APPELLANT(S):

LGE Realty, LLC	65 Huling Lane, East Providence, RI 02818
_____ Name	_____ Home Address
401-263-4565	
_____ Telephone: Home/Work	_____ Mobile (cell phone)
lgerealty199@gmail.com	
_____ E-mail Address	

OWNER(S):

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THE PREMISES.

1. Location of Premises: 491 Hope Street
(Street Number and Address)
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3. Are you the owner/occupant of the Premises that is the Subject of this appeal? Yes No
4. Identify the decision you are appealing. Notice of Violation dated November 2nd, 2023 issued with respect to alleged violations of Zoning Ordinance Section 1404.B and 1407.B., as well as the front yard and total impervious surface provisions set forth in Table 4-1 of the Ordinance.
5. What was the date of the decision and/or the date of its recording? November 2nd, 2023
6. On what date did you learn of the decision? November 7th, 2023


7. Please state with specificity the grounds for appeal (how/where the Director, Official, or Commission erred in rendering the decision), and set forth all facts and evidence on which you rely in support of your appeal.**

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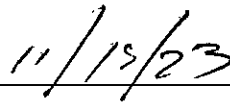
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Signature(s) of Appellant(s)



Date



Counsel for Appellant(s):

Matthew J. Landry, Esq.

Name

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Providence, RI 02903

City State Zip Code

401-831-8900

Phone: Office

Phone: Mobile

mjl@blishcavlaw.com

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CITY OF PROVIDENCE
MAYOR BRETT P. SMILEY



Department of Inspections and Standards

ZONING VIOLATION NOTICE

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 Date of Inspection: October 26, 2023
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 Zoning District: R-2 Residential District

Owner/Mortgagee	Address	City	State	Postal Code
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I & R Realty Group	PO BOX 603415	Providence	RI	02906

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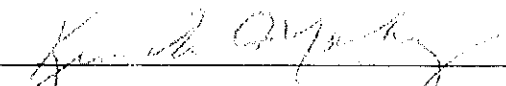
Further, the property is violation of the limits of front yard impervious and total impervious surface as set forth in Zoning Ordinance Table 4-1.

Pursuant to Rhode Island General Laws § 45-24-60 and Article 21, Section 2100.D. of the Zoning Ordinance, you are subject to a penalty of up to \$500.00 per day for each violation of the Ordinance. Each day of a violation constitutes a separate violation subject to penalty.

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