

AUG 18 2021

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: GARY LIBERMAN

Address P.O. Box 485 Sharon, MA 02067
Zip Code 02067

E-mail GARY.LIBERMAN24@GMAIL.COM
Phone _____
Home/Office

215.962.7605
Mobile (Cell)

Owner: GARY LIBERMAN / 487 WASHINGTON LLC

Address P.O. Box 485 Sharon, MA
Zip Code 02067

E-mail gary.liberman24@gmail.com
Phone _____
Home/Office

215.962.7605
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: 493 WASHINGTON STREET. AP 29. LOT 467

Street Address
R-3

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

3a. Date owner purchased the Property: JULY 2021

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

13. Explain the changes proposed for the Property.

A NEW THREE FAMILY DWELLING IS PROPOSED FOR THE EXISTING LOT WITH LAND AREA OF 4245 SF WHERE 5000 SF IS REQUIRED. A DIMENSIONAL VARIANCE IS REQUESTED FOR THE 755 SF (15%) SHORTFALL.

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):

GARY LIBERMAN

GARY LIBERMAN

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?**
A SHORTFALL OF 755 SF OF LAND AREA

- 2. **Specify any and all unique characteristics of the land or structure that cause the hardship?**
LOT DIMENSIONS AND RESULTING LOT AREA ARE WITHIN 15% OF THE MINIMUM REQUIRED.

- 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 PRIMARY REASON IS TO PROVIDE MUCH NEEDED HOUSING AND DEVELOP THE
PROPERTY IN CONJUNCTION WITH THE INTENT AND PURPOSE OF THE ORDINANCE AND
COMPREHENSIVE PLAN FOR THE R-3 ZONE.

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 LEAST RELIEF IS REQUESTED FOR THE 15% SHORTFALL. IF THE SHORTFALL WAS
WITHIN 10% OR LESS, AN ADMINISTRATIVE MODIFICATION COULD HAVE BEEN
REQUESTED AND NO VARIANCE REQUEST WOULD HAVE BEEN NECESSARY.

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 DENIED THE HARDSHIP SUFFERED WOULD AMOUNT TO MORE THAN A MERE
INCONVENIENCE AS THE PROPERTY WOULD BE LIMITED TO TWO UNITS AND BE
UNDERUTILIZED IN THE R-3 ZONE. A VIABLE HOUSING UNIT WOULD BE LOST.

AUG 18 2021

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ZONING BOARD OF REVIEW

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Applicant: GARY LIBERMAN

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Phone _____
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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:** 497 WASHINGTON STREET AP 29 LOT 38

Street Address
R-3

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

3a. **Date owner purchased the Property:** JULY 2021

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

13. Explain the changes proposed for the Property.

A NEW THREE FAMILY DWELLING IS PROPOSED ON THE EXISTING LOT WITH LAND AREA
OF 4274 SF WHERE 5000 SF IS REQUIRED. A DIMENSIONAL VARIANCE IS REQUESTED FOR
THE 726 SF (14.5%) SHORTFALL.

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):

GARY LIBERMAN

Type Name

Signature

Type Name

Signature

Applicant(s):

GARY LIBERMAN

Type Name

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- (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?

A SHORTFALL OF 726 SF OF LAND AREA.

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

LOT DIMENSIONS AND RESULTING LOT AREA ARE WITHIN 14.5% OF THE MINIMUM
REQUIRED.

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 PRIMARY REASON IS TO PROVIDE MUCH NEEDED HOUSING IN THE CITY AND DEVELOP THE PROPERTY IN CONJUNCTION WITH THE INTENT AND PURPOSE OF THE ORDINANCE AND COMPREHENSIVE PLAN FOR THE R-3 ZONE.

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 LEAST RELIEF IS REQUESTED FOR THE 14.5% SHORTFALL. IF THE SHORTFALL WAS WITHIN 10% OR LESS, AN ADMINISTRATIVE MODIFICATION COULD HAVE BEEN REQUESTED AND NO VARIANCE REQUEST WOULD HAVE BEEN NECESSARY.

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 DENIED, THE HARDSHIP SUFFERED WOULD AMOUNT TO MORE THAN A MERE INCONVENIENCE AS THE PROPERTY WOULD BE LIMITED TO TWO UNITS AND BE UNDERUTILIZED IN THE R-3 ZONE RESULTING IN THE LOSS OF A VIABLE HOUSING UNIT.

ZONING ANALYSIS: PLAT 29 / LOT 38

RESIDENTIAL USE R3.

BULK STANDARDS:

MIN. LOT AREA REQUIRED FOR 3 FAM = 5,000 SQFT.
EXISTING LOT AREA = 4,274 SF < 5,000 SF

MIN. LOT WIDTH REQUIRED = 35'-0"
EXISTING LOT WIDTH = 42.92' > 35'-0" OK

MAX. BLDG. HEIGHT REQUIRED = 45'-0" NOT TO EXCEED 3 STORIES
PROPOSED = 45'-0" = 45'-0" OK

MAX. LOT COVERAGE REQUIRED 45%
PROPOSED LOT COVERAGE = 4,274 SF x 45% = 1,923 SF > 1,438.48 SF OK

MAX. IMPERVIOUS SURFACE REQUIRED @ FRONT YARD = 33% 5' x 42.92' = 214.60 SF
214.60 SF x 33% = 70.18 SF
PROPOSED = 55 SF < 70.18 SF OK

MAX. IMPERVIOUS SURFACE COVERAGE REQUIRED @ REAR YARD = 50% 46.50' x 42.92' = 1,995.78 SF
1,995.78 SF x 50% = 997.89 SF
PROPOSED = 996.77 SF < 997.89 SF OK

TOTAL MAX. IMPERVIOUS SURFACE COVERAGE REQUIRED = 65% 4,274 SF x 65% = 2,778.10 SF
PROPOSED = 1,673.61 SF < 2,778.10 SF OK

SETBACK REQUIREMENTS:

FRONT SETBACK REQUIRED BUILT TO ZONE
EXISTING FRONT YARDS 5'-0" > 5'-0"
PROPOSED OK

MIN. INTERIOR SIDE SETBACK REQUIRED 6'-0"
PROPOSED SIDE SETBACK 6'-0" = 6'-0" OK

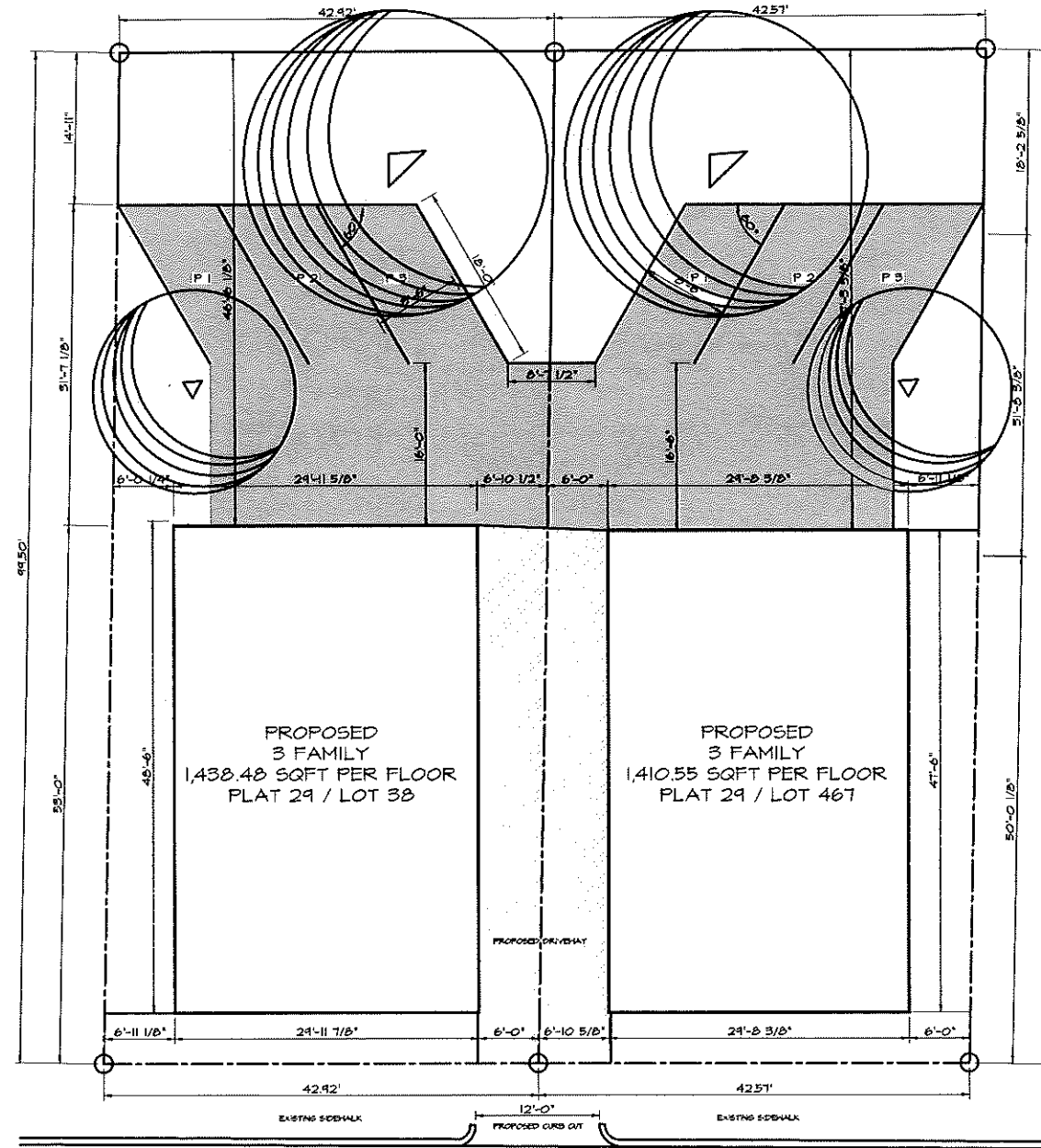
MIN. REAR YARD REQUIRED 25'-0"
PROPOSED REAR YARD 46'-6" > 25'-0" OK

PARKING REQUIREMENTS:

IN R3 1 OFF-STREET PARKING PER DWELLING UNIT
PROPOSED 3 PS = 3 PS REQUIRED OK.

REQUIRED TREE CANOPY PERCENTAGE:

IN R3 ZONE 30% OS SQFT OF THE LOT.
LOT AREA = 4,274 x 30% = 1,282.20 SF
REQUIRED
PROPOSED = 1,300 SQFT > 1,282.20 SF OK



PLAT 29 / LOT 38

PLAT 29 / LOT 467

<input type="checkbox"/>	TOTAL MAX. IMPERVIOUS SURFACE COVERAGE REQUIRED = 65% 4,274 SF x 65% = 2,778.10 SF PROPOSED = 1,673.61 SF < 2,778.10 SF OK	<input type="checkbox"/>	TOTAL MAX. IMPERVIOUS SURFACE COVERAGE REQUIRED = 65% 4,245 SF x 65% = 2,759.25 SF PROPOSED = 1,692.26 SF < 2,778.10 SF OK
<input type="checkbox"/>	MAX. IMPERVIOUS SURFACE COVERAGE REQUIRED @ REAR YARD = 50% 46.50' x 42.92' = 1,995.78 SF 1,995.78 SF x 50% = 997.89 SF PROPOSED = 996.77 SF < 997.89 SF OK	<input type="checkbox"/>	MAX. IMPERVIOUS SURFACE COVERAGE REQUIRED @ REAR YARD = 50% 47.50' x 42.57' = 2,041.07 SF 2,041.07 SF x 50% = 1,020.53 SF PROPOSED = 1,020.47 SF < 1,020.53 SF OK
<input type="checkbox"/>	SHARED DRIVEWAY, 6'-0"	<input type="checkbox"/>	SHARED DRIVEWAY, 6'-0"
<input type="checkbox"/>	CONCRETE SIDEYARD 6'-0"	<input type="checkbox"/>	CONCRETE SIDEYARD 6'-0"

ZONING ANALYSIS: PLAT 29 / LOT 467

RESIDENTIAL USE R3.

BULK STANDARDS:

MIN. LOT AREA REQUIRED FOR 3 FAM = 5,000 SQFT.
EXISTING LOT AREA = 4,245 SF < 5,000 SF

MIN. LOT WIDTH REQUIRED = 35'-0"
EXISTING LOT WIDTH = 42.57' > 35'-0" OK

MAX. BLDG. HEIGHT REQUIRED = 45'-0" NOT TO EXCEED 3 STORIES
PROPOSED = 45'-0" = 45'-0" OK

MAX. LOT COVERAGE REQUIRED 45%
PROPOSED LOT COVERAGE = 4,245 SF x 45% = 1,910.25 SF > 1,410.55 SF OK

MAX. IMPERVIOUS SURFACE REQUIRED @ FRONT YARD = 33% 5' x 42.57' = 212.85 SF
212.85 SF x 33% = 70.24 SF
PROPOSED = 60.39 SF < 70.24 SF OK

MAX. IMPERVIOUS SURFACE COVERAGE REQUIRED @ REAR YARD = 50% 47.50' x 42.57' = 2,041.07 SF
2,041.07 SF x 50% = 1,020.53 SF
PROPOSED = 1,020.47 SF < 1,020.53 SF OK

TOTAL MAX. IMPERVIOUS SURFACE COVERAGE REQUIRED = 65% 4,245 SF x 65% = 2,759.25 SF
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SETBACK REQUIREMENTS:

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EXISTING FRONT YARDS 5'-0" > 5'-0"
PROPOSED OK

MIN. INTERIOR SIDE SETBACK REQUIRED 6'-0"
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MIN. REAR YARD REQUIRED 25'-0"
PROPOSED REAR YARD 47.25' > 25'-0" OK

PARKING REQUIREMENTS:

IN R3 1 OFF-STREET PARKING PER DWELLING UNIT
PROPOSED 3 PS = 3 PS REQUIRED OK.

REQUIRED TREE CANOPY PERCENTAGE:

IN R3 ZONE 30% OS SQFT OF THE LOT.
LOT AREA = 4,245 x 30% = 1,273.5 SF
REQUIRED
PROPOSED = 1,300 SQFT > 1,273.5 SF OK

493 & 497 WASHINGTON STREET
PROVIDENCE, RHODE ISLAND
02907

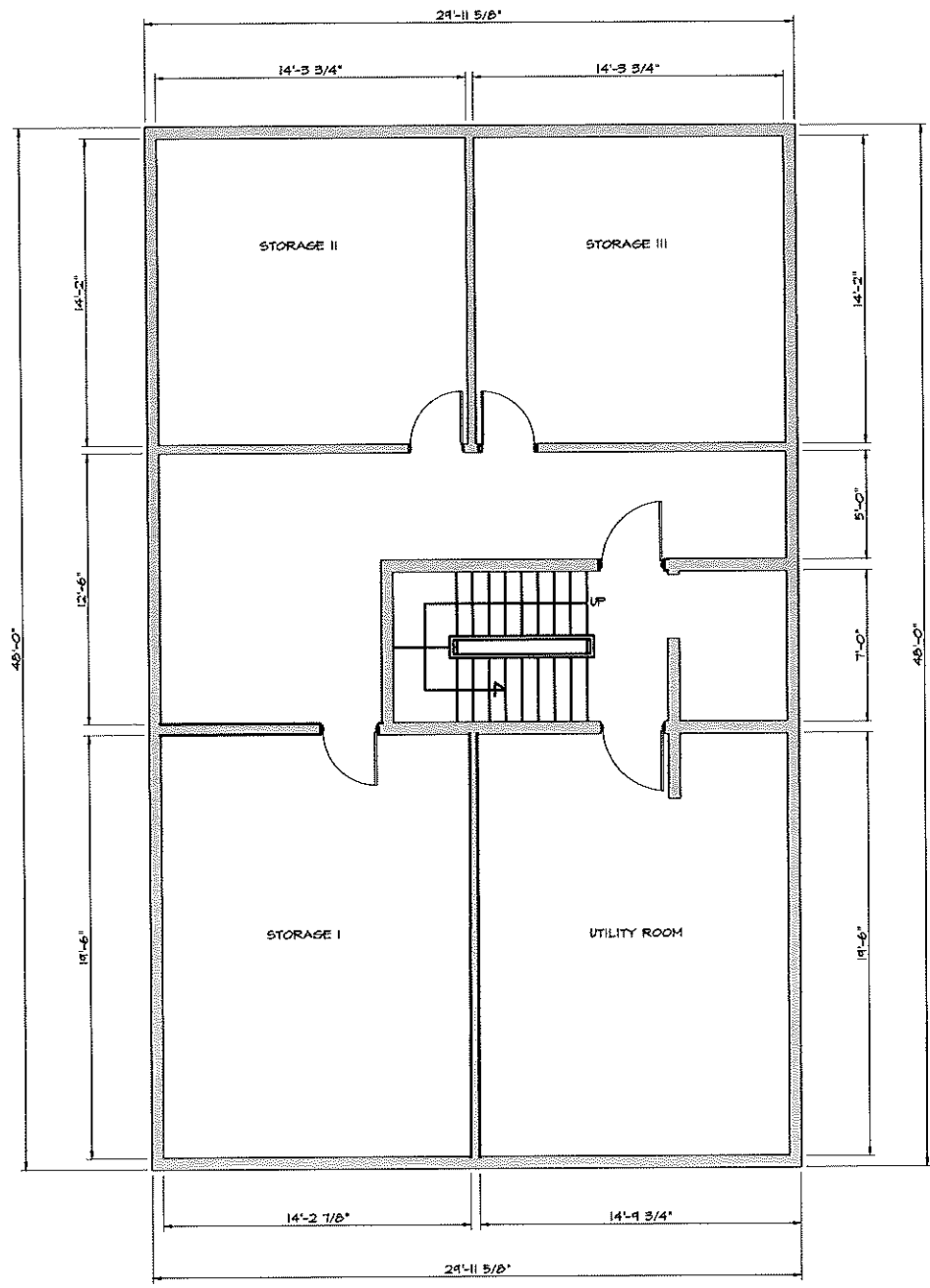
ZONING
LOT
LAYOUT



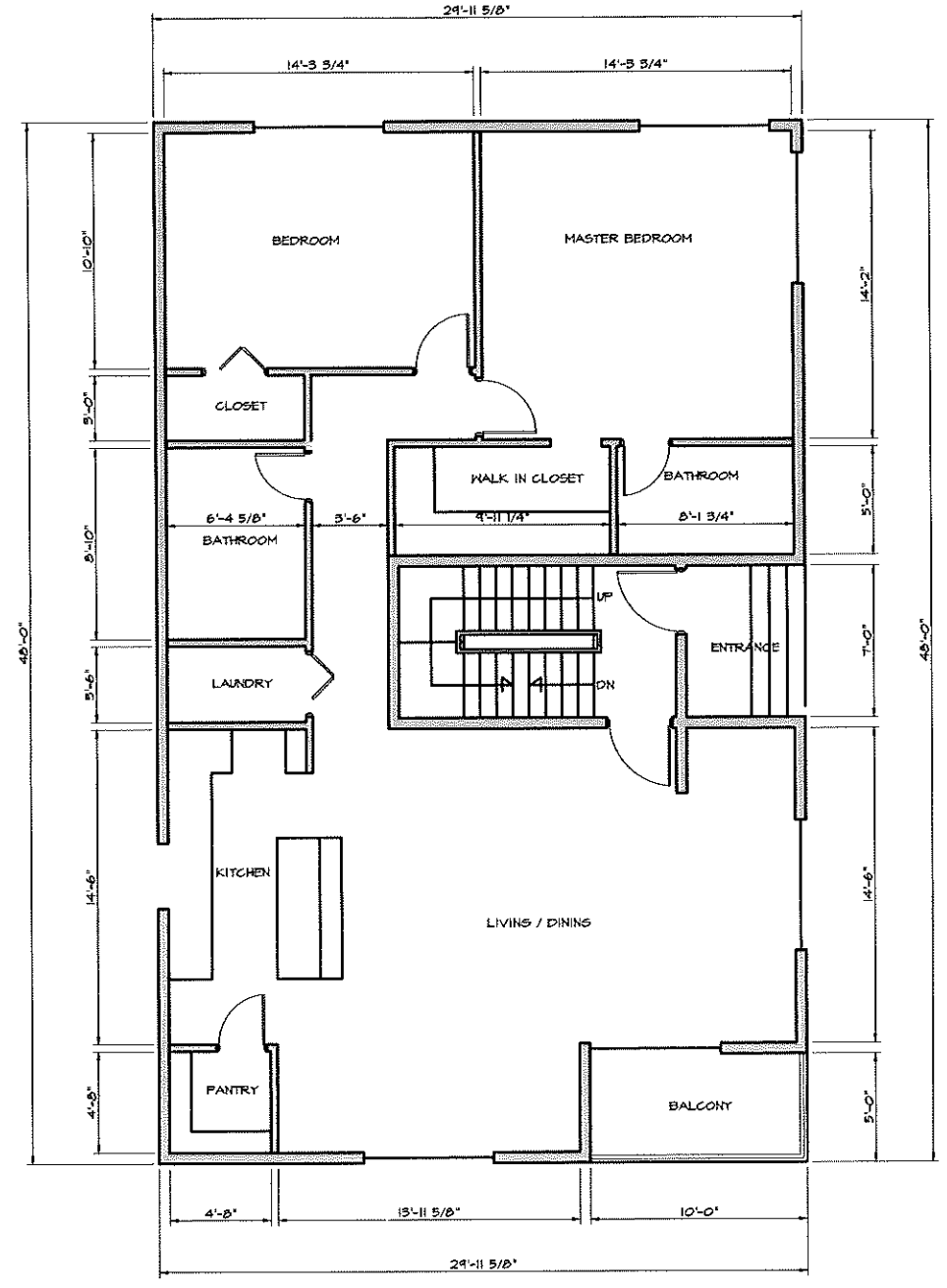
REVISION

REFER TO

DATE: 08/16/2021
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CHECKED:
SHEET: 1



CELLAR FLOOR PLAN



FIRST FLOOR PLAN

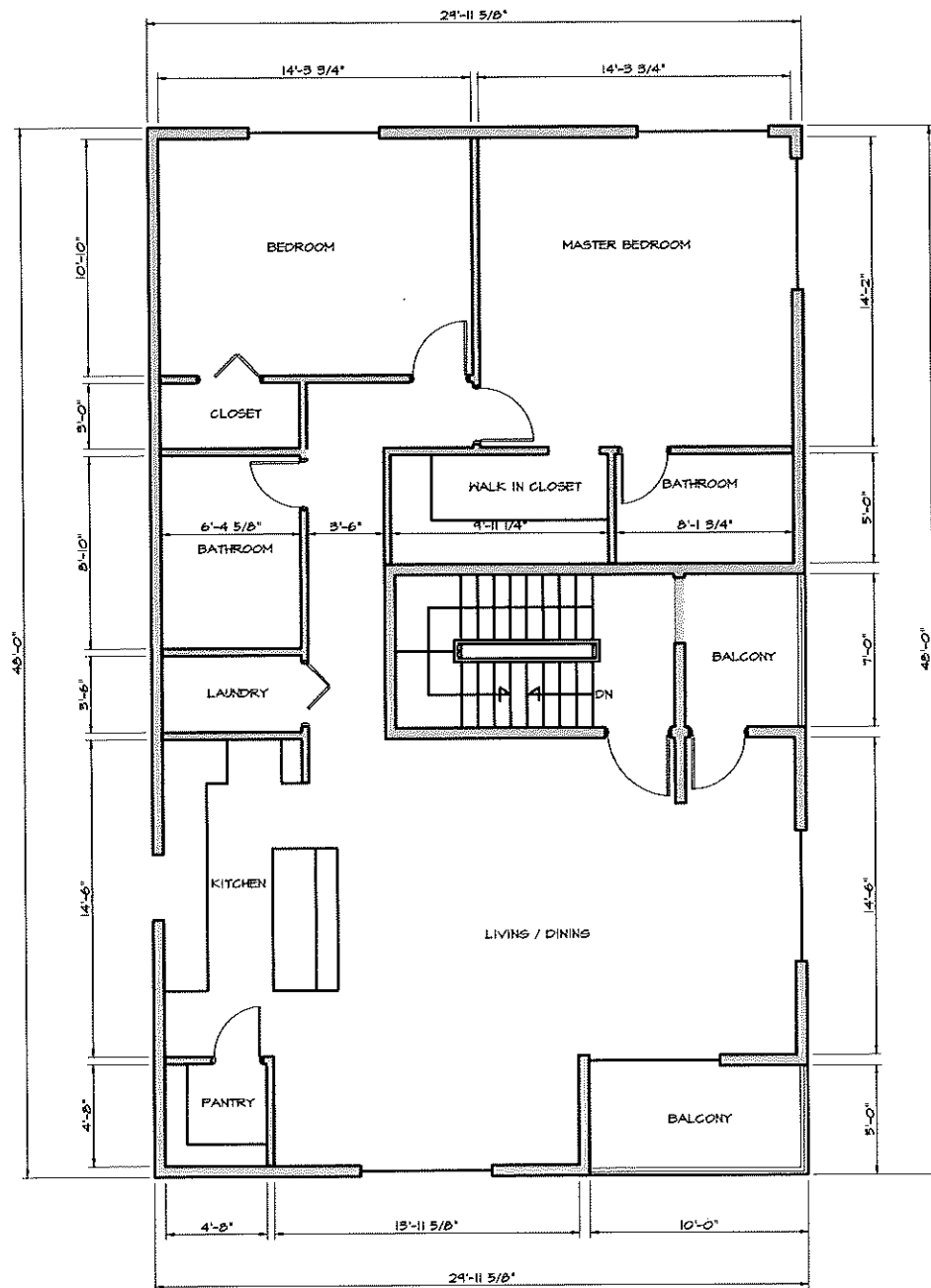
493 & 497 WASHINGTON STREET
 PROVIDENCE, RHODE ISLAND
 02907

CELLAR
 &
 FIRST FLR.
 PLANS

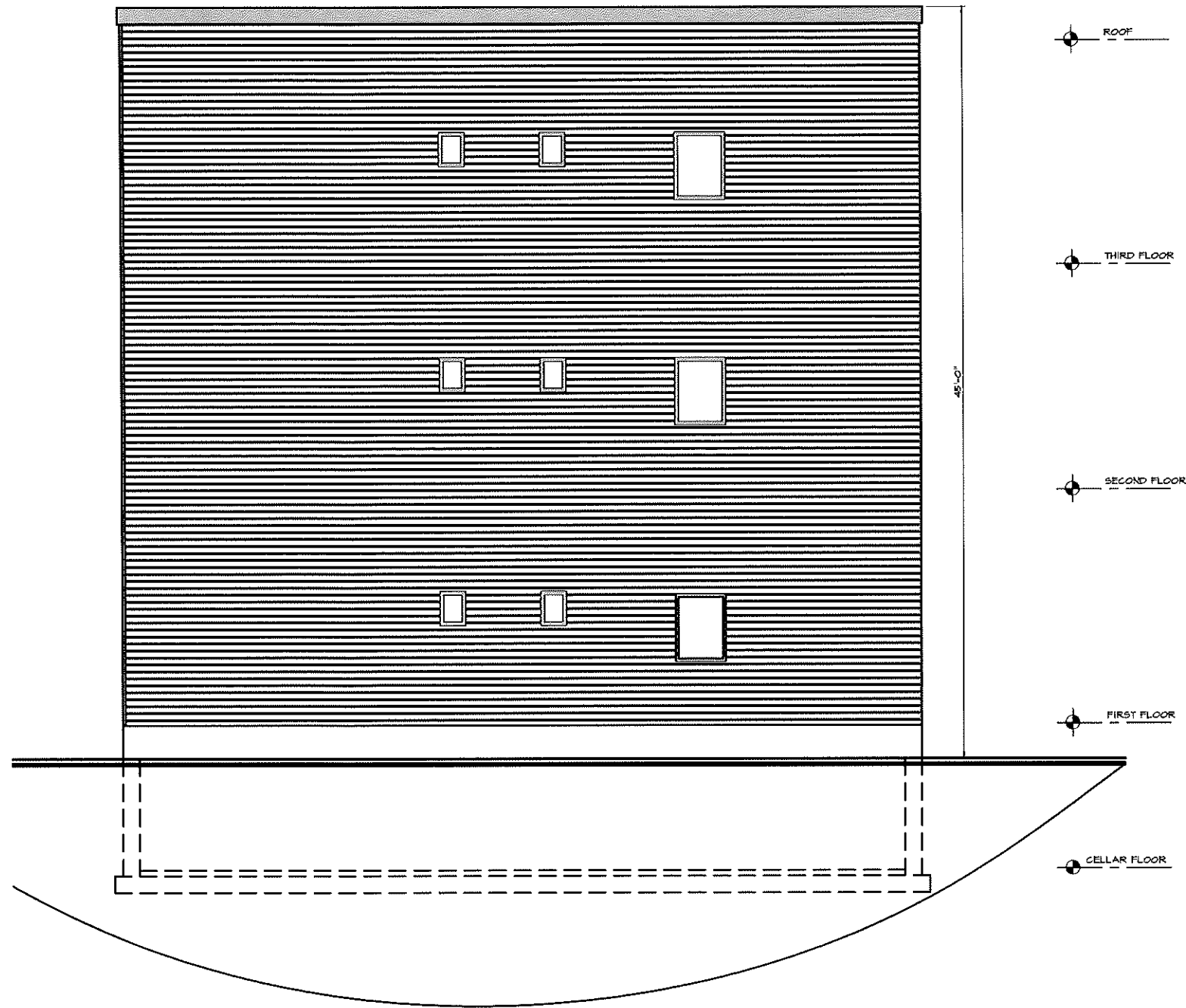
REVISION

DATE: 08/16/2021
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 CHECKED:
 SHEET

2



SECOND & THIRD FLOOR PLAN TYP.



LEFT SIDE ELEVATION

493 & 497 WASHINGTON STREET
 PROVIDENCE, RHODE ISLAND
 02907

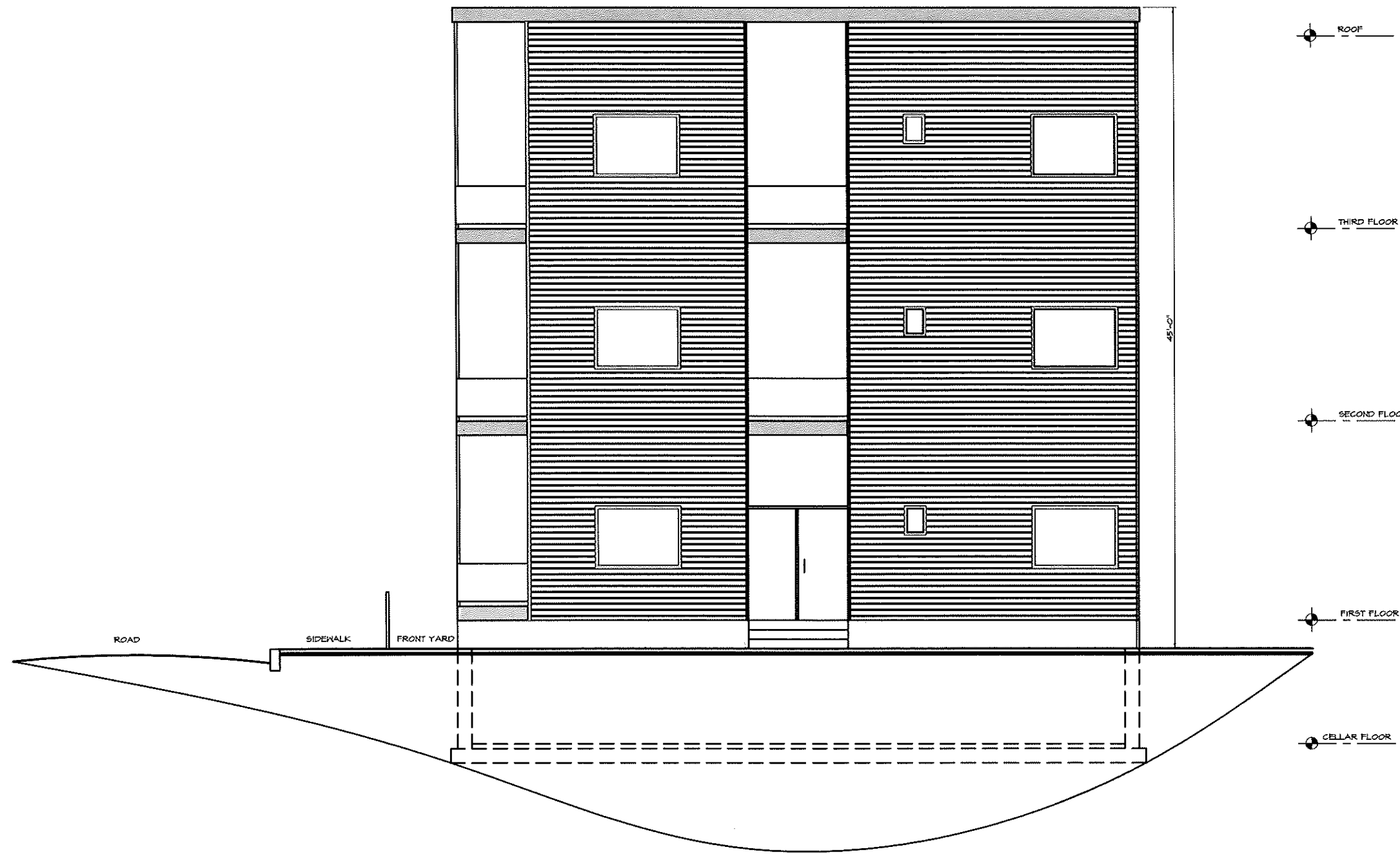
SECOND
 &
 THIRD FLR.
 PLANS

LEFT SIDE
 ELEVATION
 TYP.

REVISION

REFER TO

DATE: 08/16/2021
 DRAWN: AA
 SCALE: 1/8" = 1'-0"
 CHECKED: 3
 SHEET



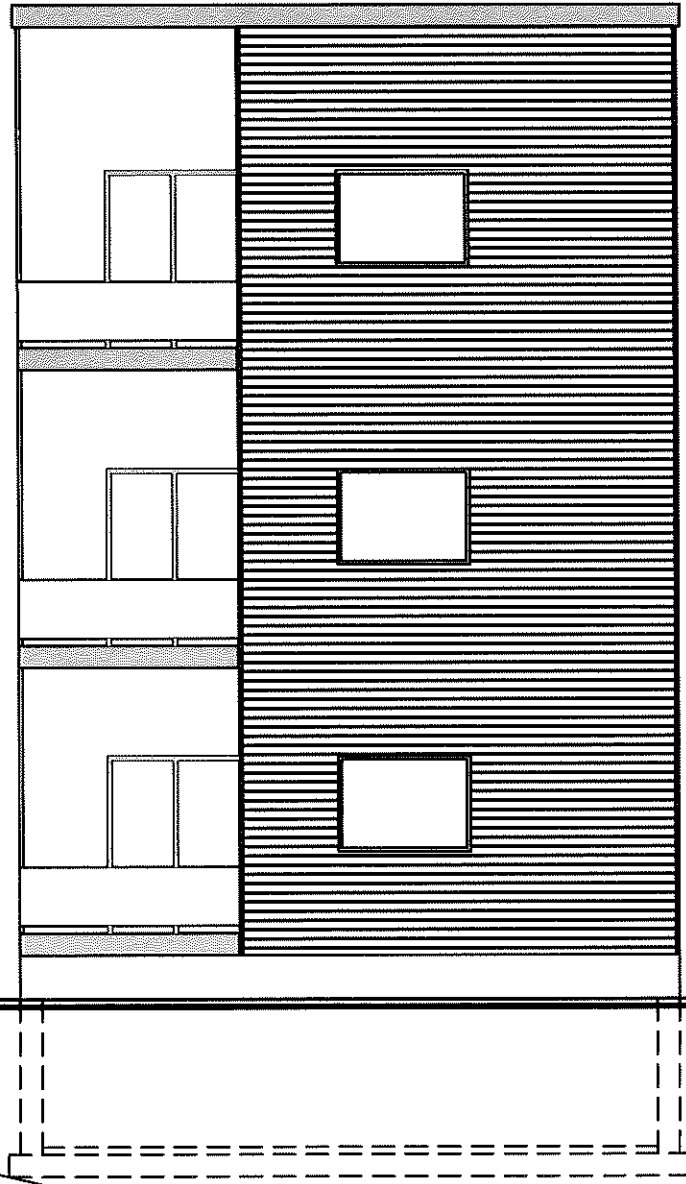
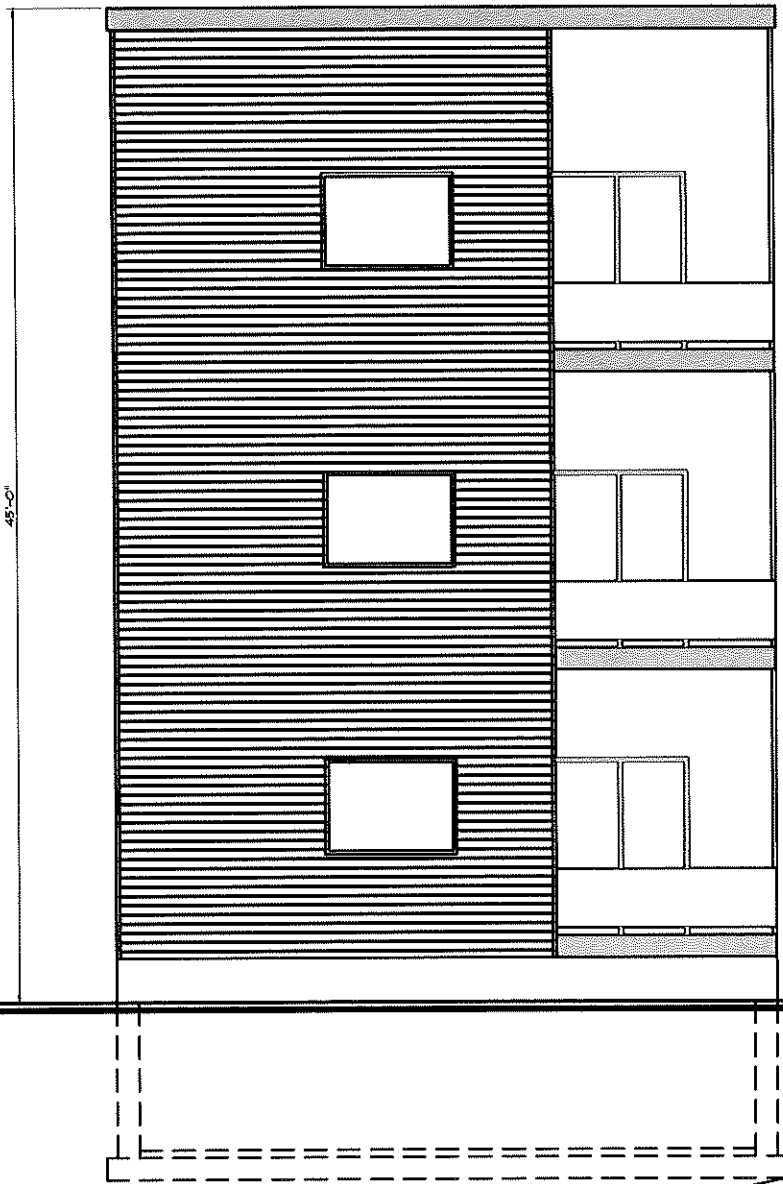
RIGHT SIDE ELEVATION

493 & 497 WASHINGTON STREET
 PROVIDENCE, RHODE ISLAND
 02907

RIGHT SIDE
 ELEVATION
 TYP.

REVISION

DATE:	08/16/2021
DRAWN:	AA
SCALE:	1/8" = 1'-0"
CHECKED:	4
SHEET	



● ROOF
 ● THIRD FLOOR
 ● SECOND FLOOR
 ● FIRST FLOOR
 ● CELLAR FLOOR

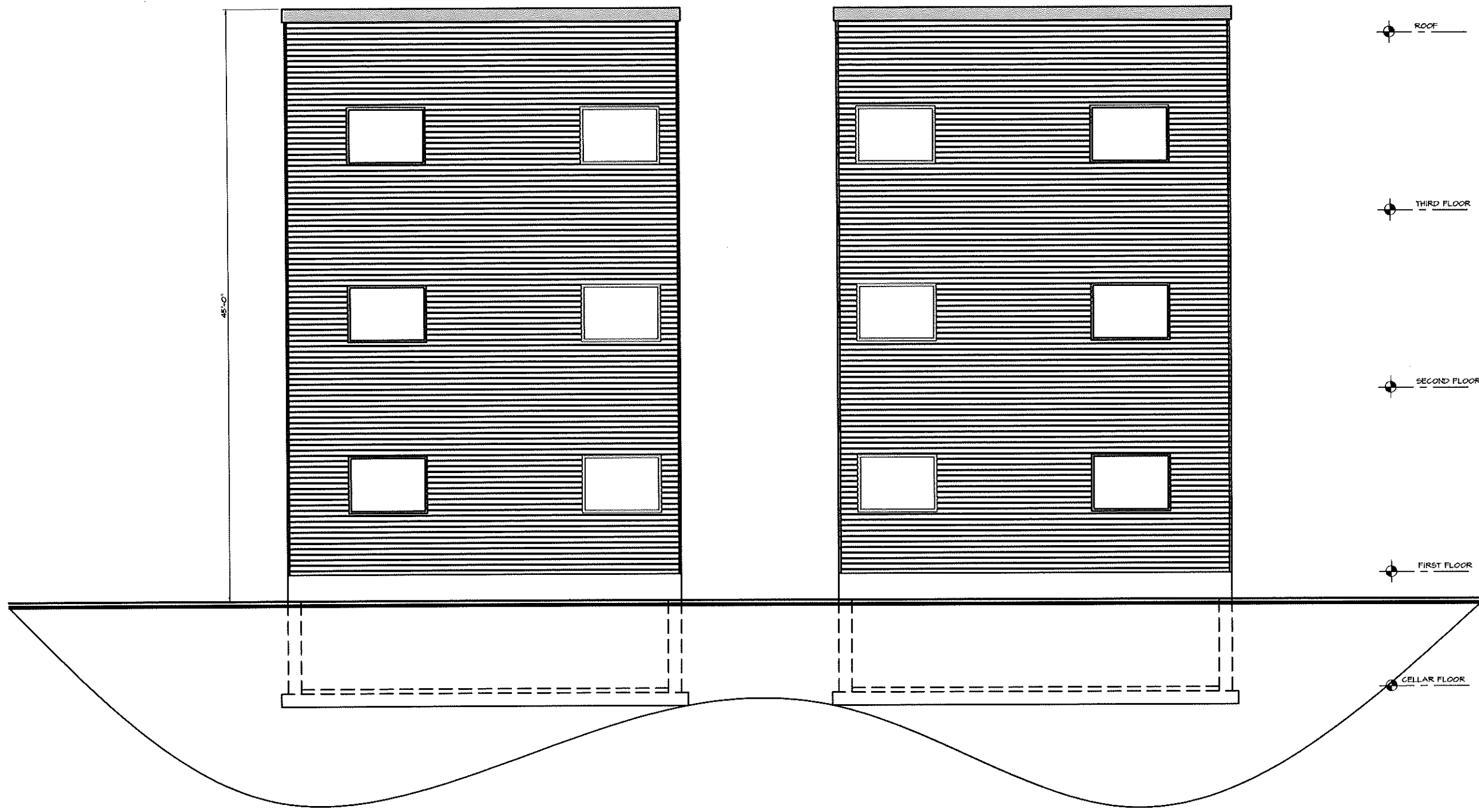
493 & 497 WASHINGTON STREET
 PROVIDENCE, RHODE ISLAND
 02907

FRONT ELEVATION

REVISION
REFER TO

DATE: 08/16/2021
 DRAWN: AA
 SCALE: 1/8" = 1'-0"
 CHECKED: 5
 SHEET

FRONT ELEVATION



45'-0"

REAR ELEVATION

493 & 497 WASHINGTON STREET
 PROVIDENCE, RHODE ISLAND
 02907

REAR
 ELEVATION

REVISION

DATE:	08/16/2021
DRWN:	AA
SCALE:	1/8" = 1'-0"
CHECKED:	6
SHEET	

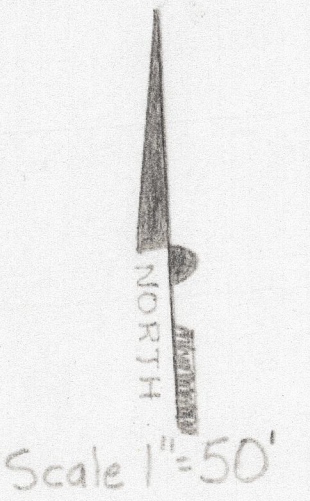




200FT RADIUS PLAN

AP 29 LOTS 38 & 467-493 & 497 WASHINGTON ST

Note: All Parcel Within AP 29



AP 29 Lot #2
R. Delson
R. Morris
N. Alieves
A. Larriva
V. Grounke
A. Lion

7/2021