

CITY OF PROVIDENCE  
ZONING BOARD OF REVIEW

INSPECTION & STANDARDS  
RECEIVED

JAN 18 2024

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 Variance

\*\* Attach APPENDIX B to apply for a Special Use Permit

If a section of the application is not applicable, please indicate this by using N/A in that field.

Applicant: Shawn Gilheaney Applicant Mailing Address  
Email: shawn.gilheaney@gmail.com Street: 5 Marvin St.  
Phone: 401-206-6608 City, State, Zip: Providence, RI 02909

Owner: Shawn Gilheaney Owner Mailing Address  
Email: shawn.gilheaney@gmail.com Street: 5 Marvin St.  
Phone: 401-206-6608 City, State, Zip: Providence, RI 02909

Lessee: \_\_\_\_\_ Lessee Mailing Address  
Email: \_\_\_\_\_ Street: \_\_\_\_\_  
Phone: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_

Attorney: \_\_\_\_\_ Attorney Mailing Address  
Email: \_\_\_\_\_ Street: \_\_\_\_\_  
Phone: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_

Does the proposal require review by any of the following:

- Downtown Design Review Committee
- I-195 Redevelopment District Commission
- Capital Center Commission
- Historic District Commission

1. Street Address of Subject Property: 5 Marvin St. Providence, RI 02909  
Plat and Lot Numbers of Subject Property: Plat 37 Lot 207

2. Base Zoning District(s): R-3  
Overlay District(s): N/A

3a. Date owner purchased the Property: January 23, 2015

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

4. Dimensions of each lot:

Lot # <u>207</u>	Width <u>50'</u>	Depth <u>143.21</u>	Total area <u>7,057</u> sq. ft.
Lot # _____	Width _____	Depth _____	Total area _____ sq. ft.
Lot # _____	Width _____	Depth _____	Total area _____ sq. ft.
Lot # _____	Width _____	Depth _____	Total area _____ sq. ft.

5a. Size of existing structure(s) located on the Property:

<u>Principal Structure:</u>	<u>Accessory Structure:</u>
Area of Footprint <u>1,193SF</u>	Area of Footprint <u>200SF</u>
Overall Height <u>13'-6" +/-</u>	Overall Height <u>12'-0" +/-</u>
# of Stories <u>1</u>	# of Stories <u>1</u>

5b. Size of proposed structure(s) located on the Property:

<u>Principal Structure:</u>	<u>Accessory Structure:</u>
Area of Footprint <u>1,352SF</u>	Area of Footprint _____
Overall Height <u>35'-8.5"</u>	Overall Height _____
# of Stories <u>2.5 TOTAL</u>	# of Stories _____

6a. Existing Lot Coverage:

Building Coverage (area of all roofed structures) 21%  
Total Impervious Coverage Area (area of all roofed structures and impervious surfaces) 67%  
Rear Yard Impervious Coverage (area of structures and impervious surface in rear yard) 50%  
Front Yard Impervious Coverage (area of structures and impervious surface in front yard) 100%

6b. Proposed Lot Coverage:

Building Coverage (area of all roofed structures) 23%  
Total Impervious Coverage Area (area of all roofed structures and impervious surfaces) 65%  
Rear Yard Impervious Coverage (area of structures and impervious surface in rear yard) 50%  
Front Yard Impervious Coverage (area of structures and impervious surface in front yard) 100%

7a. Present Zoning Use of the Property: Paint Studio

7b. Legal Zoning Use of the Property as recorded in the Dept. of Inspection & Standards:  
Auto Body Repair Shop

8. Proposed Zoning Use of the Property: Neighborhood Commercial Establishment - Art Studio & R-3

9. Number of Parking Spaces:  
# of existing spaces 2 # of proposed spaces 2

10. Are there outstanding violations concerning the Property under any of the following:  
       Zoning Ordinance             RI State Building or Property Maintenance Code(s)

**11a. List all Zoning Ordinance Sections from which a variance is sought:**

**Section Number    Section Title + Quantity of relief, if applicable (eg. 4' setback where 6' required)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**11b. Identify the section(s) of the Zoning Ordinance that provide for the special use permit, and list all section(s) which provide Use Standards for the proposed Special Use(s):**

**Section Number    Section Title**

12-1 Section 1202.T    Special Use Permit for a Neighborhood Commercial Establishment

\_\_\_\_\_  
\_\_\_\_\_

**12. Summarize any changes proposed for the Property (use, construction/renovation, site alteration):**

This proposed design consists of a one and a half story addition on top of the existing single story building at 5 Marvin St for a single family dwelling unit. The added footprint to the existing ground floor consists of a 160sf stair that leads up to the second story addition. The total impervious site coverage will be reduced from 67% to 65% with the removal of pavement behind the building. The parcel is on record as a non-conforming auto body shop, however the owner uses the building as a paint studio, therefore the applicant is seeking a Special Use Permit for a Neighborhood Commercial Establishment.

\_\_\_\_\_

*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. As indicated on the instructions page, this application may not be signed by an attorney on behalf of their client(s).*


**Owner(s):**

PPS LLC  
\_\_\_\_\_

Type Name

Shawn Gilheaney  
\_\_\_\_\_

Signature

  
\_\_\_\_\_

Type Name

Shawn Gilheaney  
\_\_\_\_\_

Signature

**Applicant(s):**

\_\_\_\_\_  
\_\_\_\_\_

Type Name

\_\_\_\_\_  
\_\_\_\_\_

Signature

\_\_\_\_\_  
\_\_\_\_\_

Type Name

\_\_\_\_\_  
\_\_\_\_\_

Signature

***All applicable requirements listed and described on the Instruction Sheet shall be met or this application will not be considered complete.***

## APPENDIX B

### APPLICATION FOR SPECIAL USE PERMIT

In accordance with Rhode Island General Laws § 45-24-42(b), Section 1901 of the Zoning Ordinance requires that the Applicant for a special use permit demonstrate:

1. That the proposed special use is set forth in the ordinance and complies with the applicable use standards for the authorization of a special use permit;
2. That the proposed special use will not substantially injure the use and enjoyment of nor significantly devalue neighboring property; and
3. That the proposed special use will not be detrimental or injurious to the general health or welfare of the community.

**Please provide the following information:**

1. **Indicate the Ordinance section(s) which provide Use Standards for the proposed Special Use(s); and State all facts that demonstrate that the proposed special use will be in conformance with the Use Standards for the proposed Special Use(s):**

Table 12-1: Use Matrix indicates that a Neighborhood Commercial Establishment is allowed as a Special Use in a R-3 zoning district. Section 1202.T states that "Neighborhood commercial establishments are only allowed within existing structures that are non-residential in their construction and/or use as of the effective date of this Ordinance," and both are true for the existing building at 5 Marvin St. It further lists "Arts Studio" as a permitted use within a neighborhood commercial establishment which is what the proposed use is for.

- 
2. **State all facts that demonstrate that the proposed special use will not substantially injure the use and enjoyment of neighboring property and will not significantly devalue neighboring property:**

The proposed special use as a paint studio will improve the neighboring property from the previous non-conforming use as an auto body shop to a much quieter, less active, and less trafficked area. The proposed residential addition will conform to the neighboring properties and adhere to the R-3 zoning regulations.

- 
3. **State all facts that demonstrate that the proposed special use will not be detrimental or injurious to the health or welfare of the community:**

The paint studio is a self-contained occupancy with only the owner working on site during typical daytime business hours. The nature of the work is quiet and solitary and is not disruptive to any neighboring properties.

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***IF MORE ROOM IS NEEDED TO ANSWER ANY OF THE ABOVE QUESTIONS, PLEASE SUBMIT AN ADDENDUM TO THIS APPENDIX WITH COMPLETE RESPONSES.***

# ADDITIONS AND ALTERATIONS TO Providence Painted Sign Shop

Documents have been prepared by the office of Cara Pomeranz, Architect LLC

RI COA Number: 20830

RI License Number: RI-5218

Signature: 

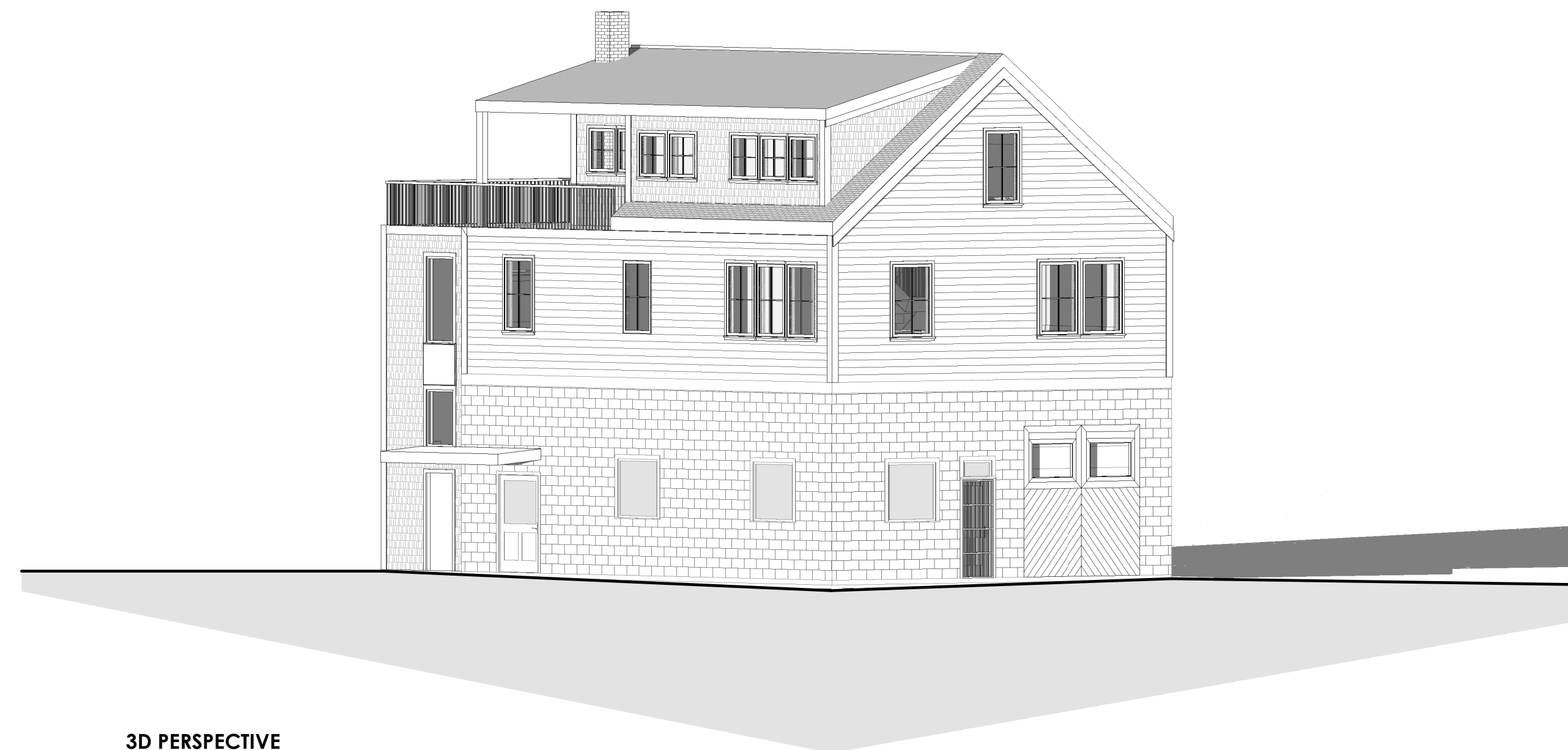
Date: 1/16/2024

**PROJECT DESCRIPTION**

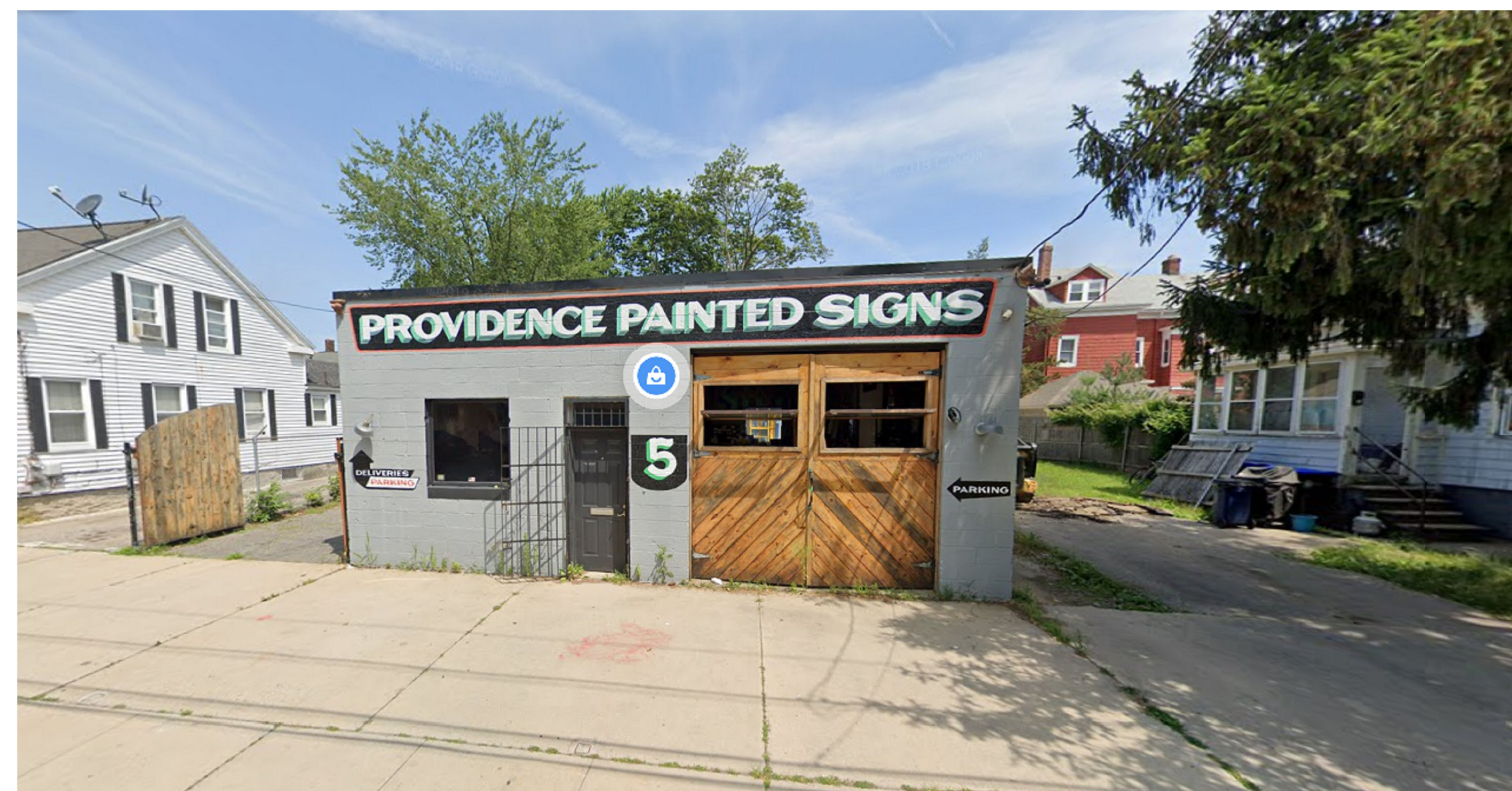
This project consists of a one and a half story addition over an existing one-story commercial space at 5 Marvin St, in Providence, Rhode Island. The addition is for a single family dwelling unit, and the existing commercial space is seeking a Special Use permit due to the site's location in a R-3 zone. The existing structure is Type 3, non-combustible construction, the addition is Type VB light frame construction.

**Sheet List**

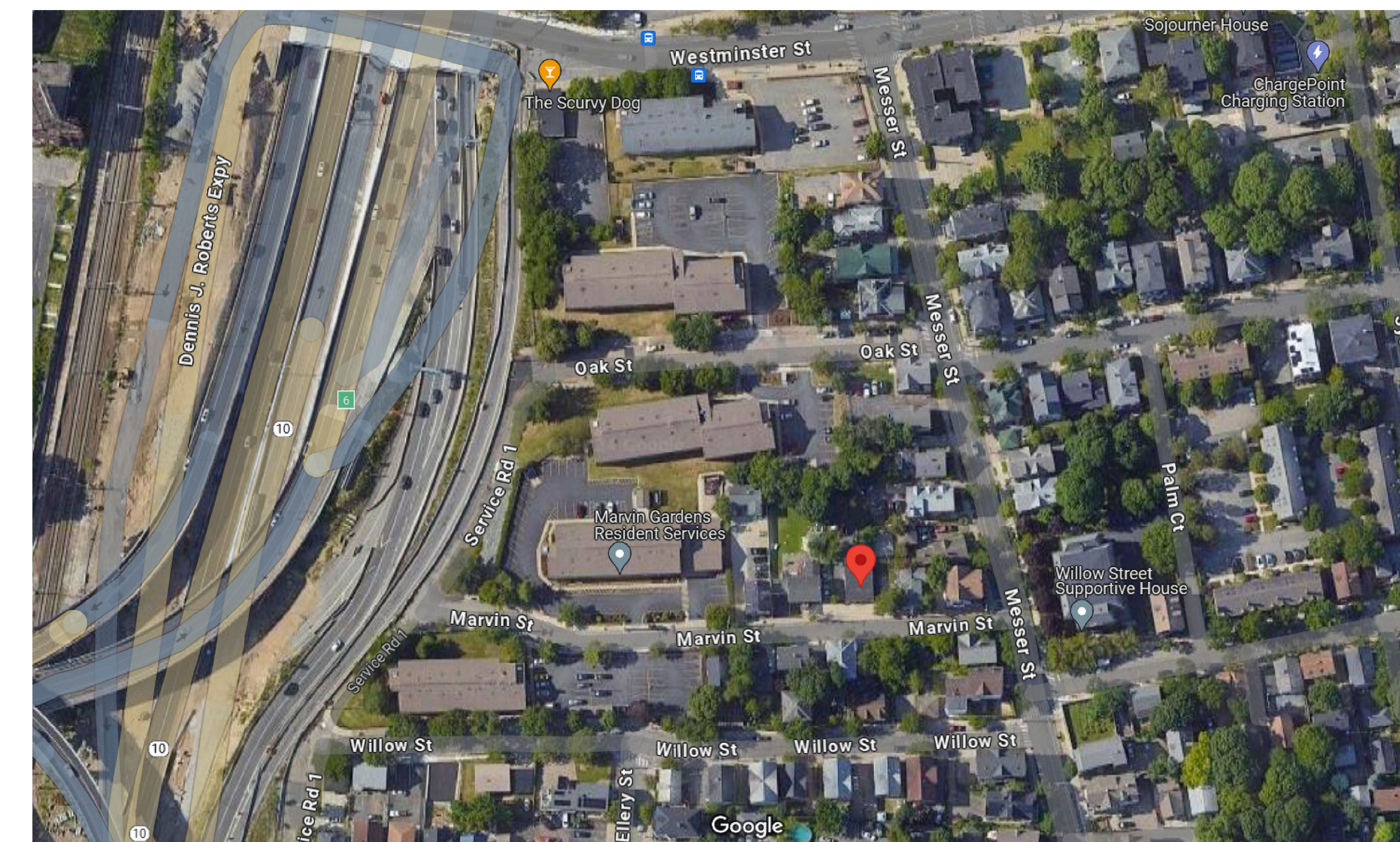
Sheet Number	Sheet Name	Sheet Issue Date
G1.0	Cover Sheet	01/15/24
A0.0	Site Plan	01/16/24
A1.0	Floor Plans	01/16/24
A1.2	Floor Plans Cont'd	01/16/24
A2.0	Exterior Elevations	01/16/24



3D PERSPECTIVE



EXISTING STREET VIEW



SITE MAP - NTS

ADDITIONS AND ALTERATIONS TO  
**Providence Painted Sign Shop**  
 5 Marvin Street, Providence RI 02909  
 Owner: Shawn Gilheeny  
 401-206-6608

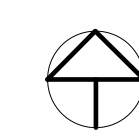
DRAFT - NOT FOR CONSTRUCTION

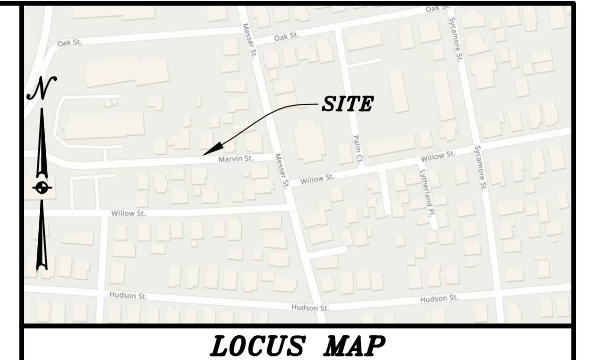
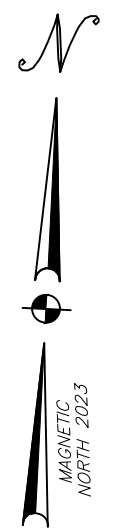
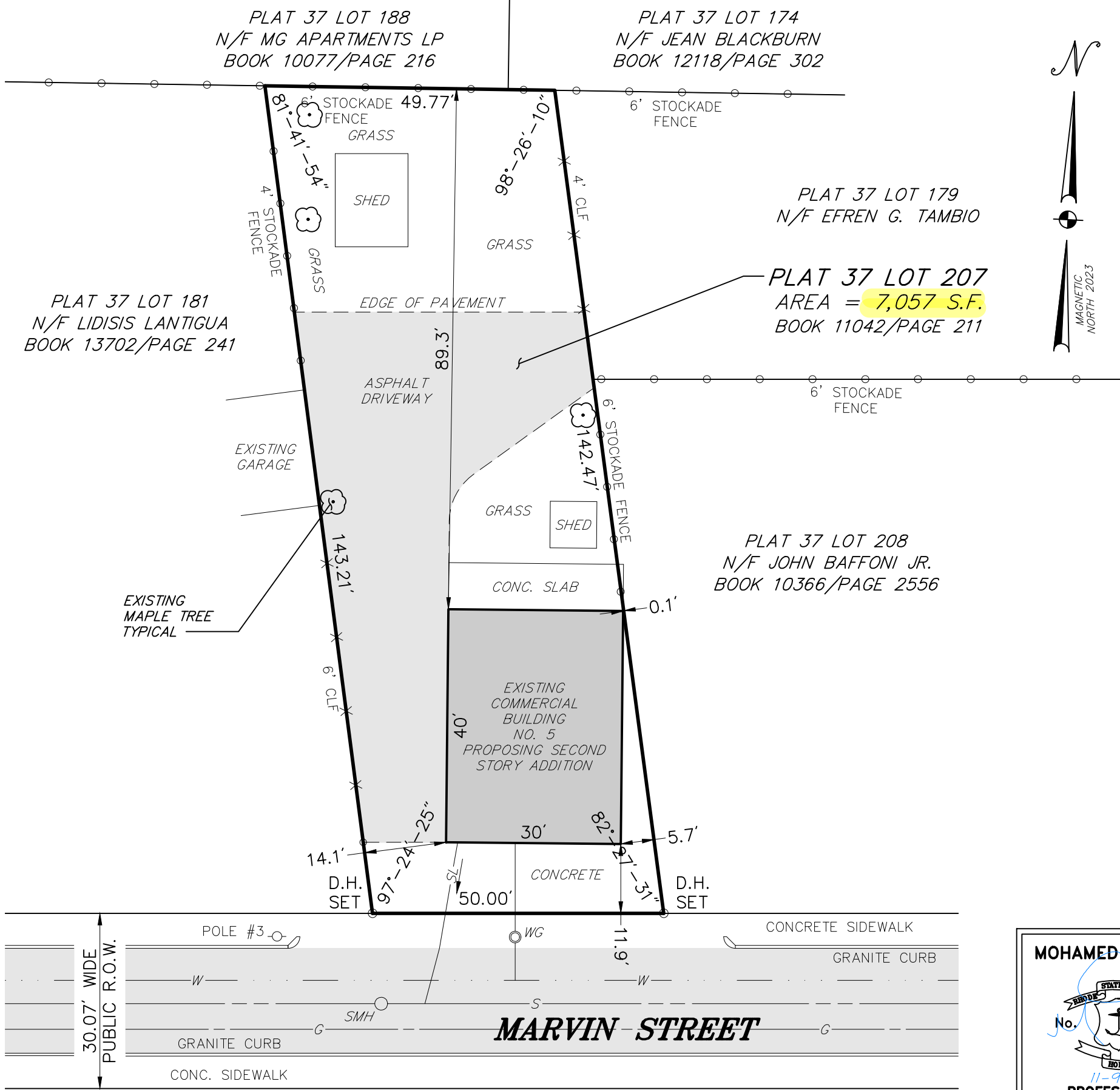
Schematic Design  
 01/05/2024

REVISIONS


Cover Sheet

**G1.0**

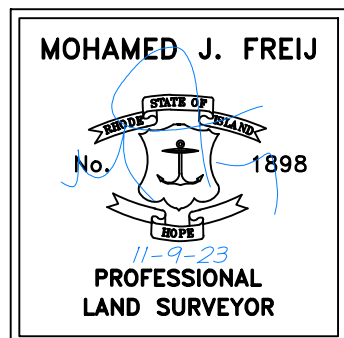




**NOTES:**

1. REFERENCES:  
 - STREET LINE PLAN 86/C-77  
 - RECORD PLAT CARD 81 (BOOK 3/PAGE 33)
  2. ZONING: R3  
 EXISTING BUILDING COVERAGE = 17%  
 EXISTING IMPERVIOUS COVERAGE = 50%  
 EXISTING TREE COVERAGE = 57%  
 EXISTING IMPERVIOUS COVERAGE FRONT YARD = 100%  
 EXISTING IMPERVIOUS COVERAGE REAR = 50%  
 EXISTING TOTAL IMPERVIOUS LOT COVERAGE = 67%
  3. SITE IS LOCATED IN ZONE "X" PER FIRM MAP NO. 44007C0308J EFFECTIVE 10-2-2015.
  4. ALL ROOF STORMWATER RUNOFF SHALL BE CONTAINED AND TREATED ONSITE, NO CONNECTION TO SEWER OR STORMWATER LINE IS ALLOWED.
  5. ALL CONSTRUCTION IN THE PUBLIC ROW MUST BE IN ACCORDANCE WITH THE CITY'S STANDARD DETAILS AVAILABLE AT [HTTPS://WWW.PROVIDENCERI.GOV/PUBLIC-WORKS/FORMS/](https://www.providenceri.gov/public-works/forms/) UNDER "REPORTS + PUBLICATIONS".
  6. UTILITIES SHOWN ON THIS PLAN ARE APPROXIMATELY LOCATED, MUST CONTACT DIG-SAFE AT 1-888-DIG-SAFE BEFORE THE START OF CONSTRUCTION.
  7. THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO SECTION 9 OF THE RULES AND REGULATIONS ADOPTED BY THE STATE OF RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS NOVEMBER 25, 2015 AS FOLLOWS:  
 COMPREHENSIVE BOUNDARY SURVEY- CLASS I
- THE PURPOSE FOR CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THIS PLAN IS AS FOLLOWS:  
 BOUNDARY SURVEY & SITE PLAN

BY MJF DATE 11-9-23  
 MOHAMED J. FREIJ PLS NO. 1898 C.O.A. NO. A263  
 REGISTERED PROFESSIONAL LAND SURVEYOR



<b>BOUNDARY SURVEY &amp; SITE PLAN</b> PLAT 37 LOT 207 5 MARVIN STREET PROVIDENCE, RI 02909	PROJECT NO.
	SCALE 1" = 20'
OWNER: <b>PPS DEVELOPMENT LLC</b> TELEPHONE 401-206-6608	DATE NOVEMBER 9, 2023
	DRAWN BY RMM
PREPARED BY <b>MJF ENGINEERING ASSOCIATES</b> 326 SOWAMS ROAD BARRINGTON, R.I. 02806 TEL. 401-241-5153 OR 401-247-2003 E-MAIL LANDSURVEYRI@AOL.COM	CHECKED BY MJF
	FILENAME ALICANT_ST.DWG
	1 of 1 SHTS

**SITE AREA**  
 TOTAL BUILDING FOOTPRINT: 1,199  
 AREA OF SHED 1: 64  
 AREA OF SHED 2: 200

TOTAL OF ALL STRUCTURES: 1,463  
 TOTAL SITE AREA: 7,057  
 TOTAL EXISTING LOT COVERAGE: 20.73%  
 ALLOWABLE LOT COVERAGE: 45% (3,176)  
 ADDITIONAL GROUND FLOOR ALLOWABLE: 1,713  
 ADDITIONAL GROUND FLOOR PROPOSED: 160

**ZONING**  
 ZONING DISTRICT: R-3

FRONT IMPERVIOUS LOT COVERAGE: 100% - EXISTING  
 NONCONFORMING, FULL LENGTH CURBCUT

SIDEYARD SETBACK: 0.1' EXISTING NONCONFORMING  
 PROPOSED ADDITION ALLOWED SECTION  
 2002.C.3/2002.F

REAR YARD IMPERVIOUS LOT COVERAGE: 67%  
 REMOVING 90SF OF EXISTING CONCRETE

Documents have been prepared by the office of Cara Pomeranz, Architect LLC  
 RI COA Number: 20830  
 RI License Number: RI-5218  
 Signature: *[Signature]*  
 Date: 1/16/2024

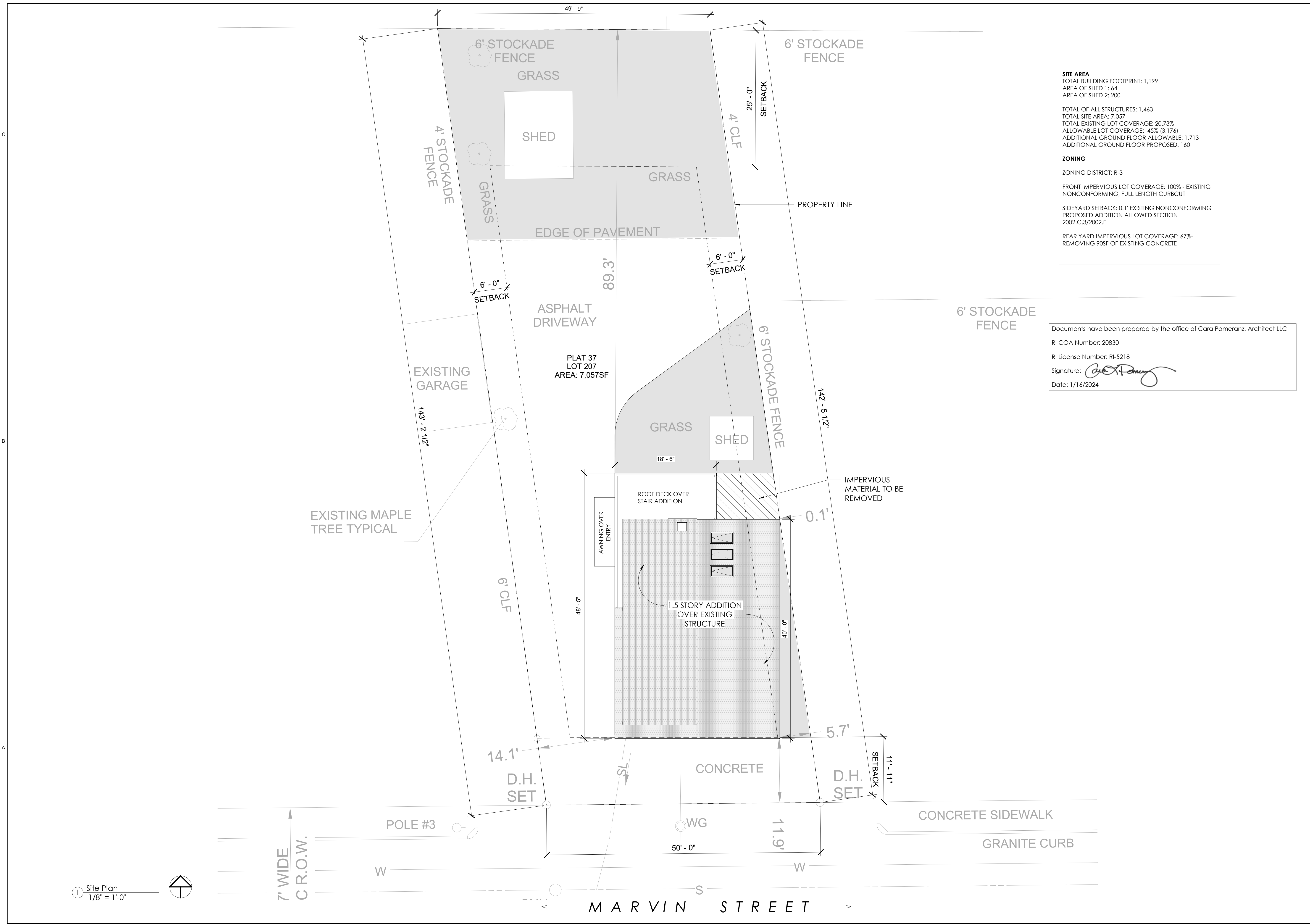
ADDITIONS AND ALTERATIONS TO  
**Providence Painted Sign Shop**  
 5 Marvin Street, Providence RI 02909  
 Owner: Shawn Gilheeny  
 401-206-6608

DRAFT - NOT FOR CONSTRUCTION

Schematic Design  
 01/05/2024

REVISIONS


Site Plan



1 Site Plan  
 1/8" = 1'-0"

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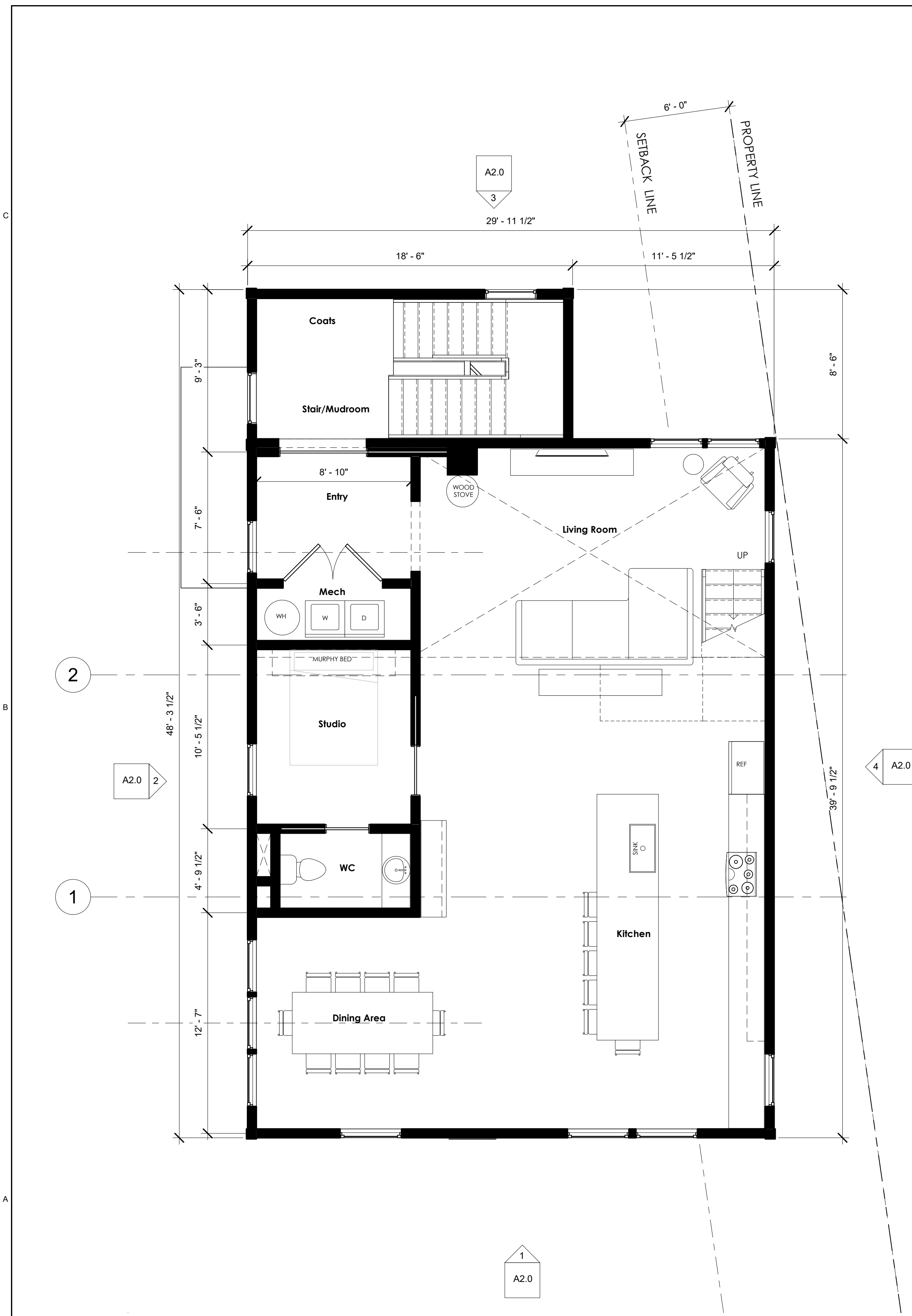
DRAFT - NOT FOR CONSTRUCTION

Schematic Design  
 01/05/2024

REVISIONS

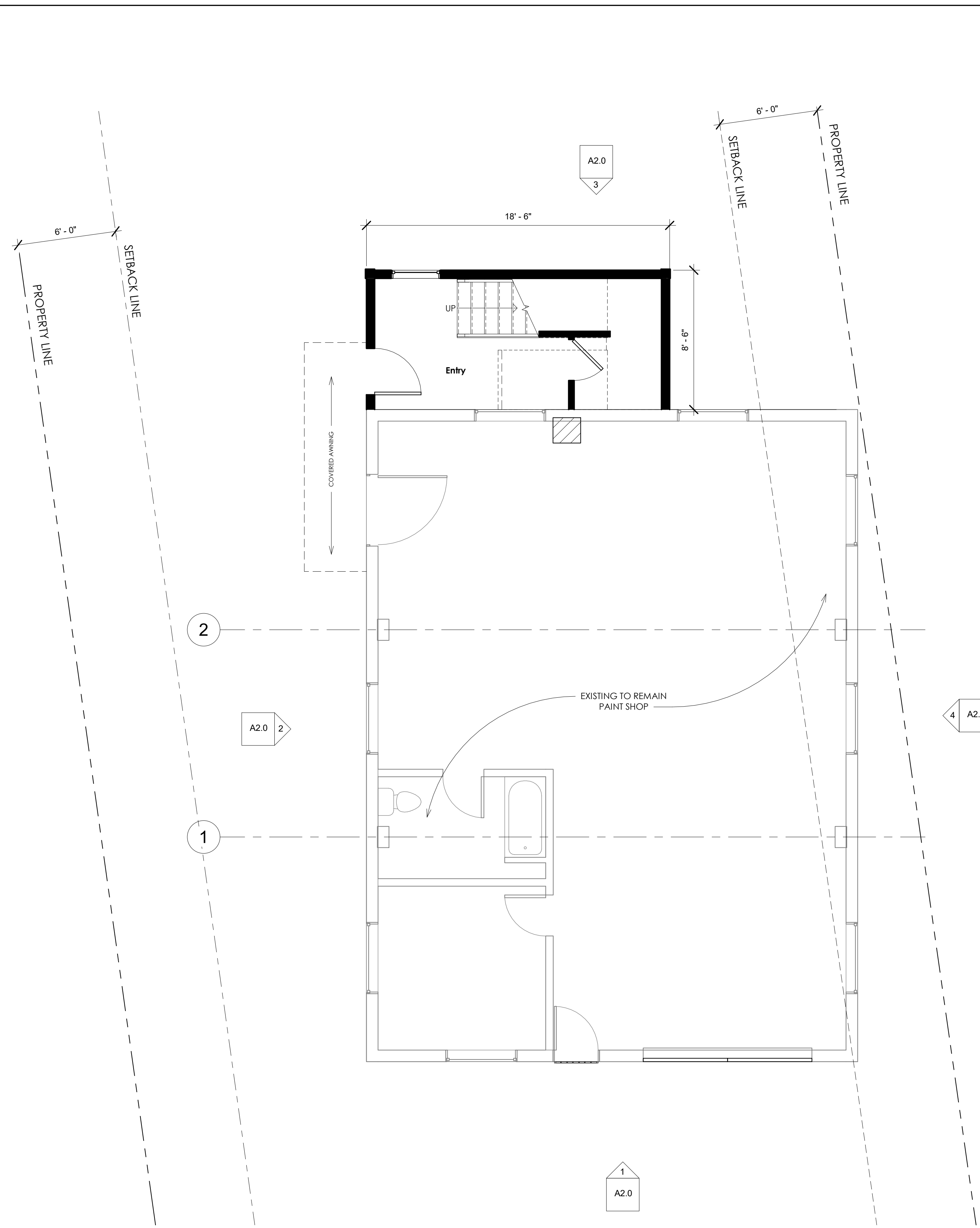

Floor Plans

**A1.0**



SECOND FLOOR AREA: 1,352 GSF

2 Second Floor Plan - Proposed  
 1/4" = 1'-0"



GROUND FLOOR, NEW AREA: 160 SF  
 GROUND FLOOR, EXISTING AREA: 1193 SF

1 First Floor - Proposed  
 1/4" = 1'-0"

Documents have been prepared by the office of Cara Pomeranz, Architect LLC  
 RI COA Number: 20830  
 RI License Number: RI-S218  
 Signature: *Cara Pomeranz*  
 Date: 1/16/2024



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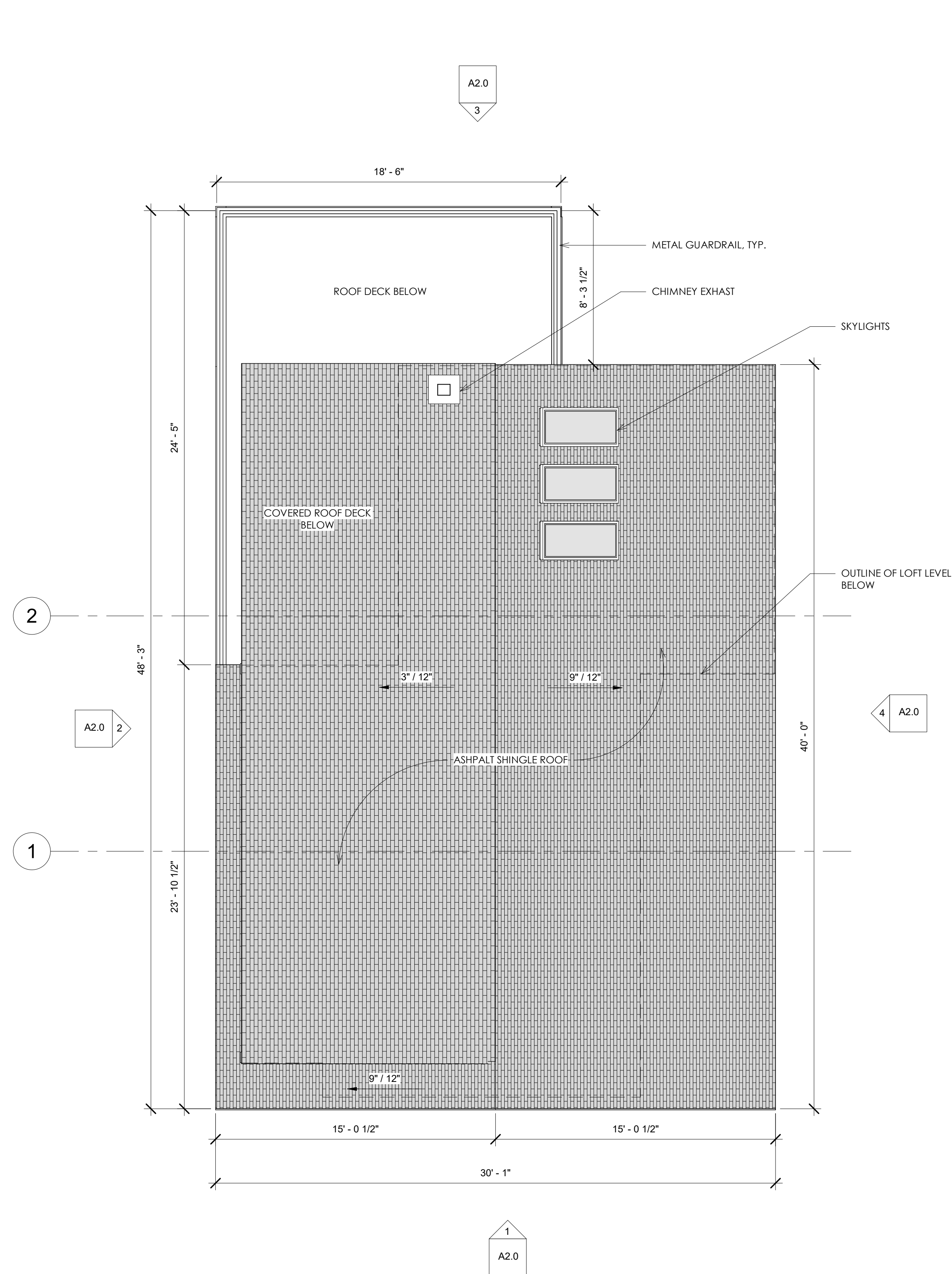
DRAFT - NOT FOR CONSTRUCTION

Schematic Design  
 01/05/2024

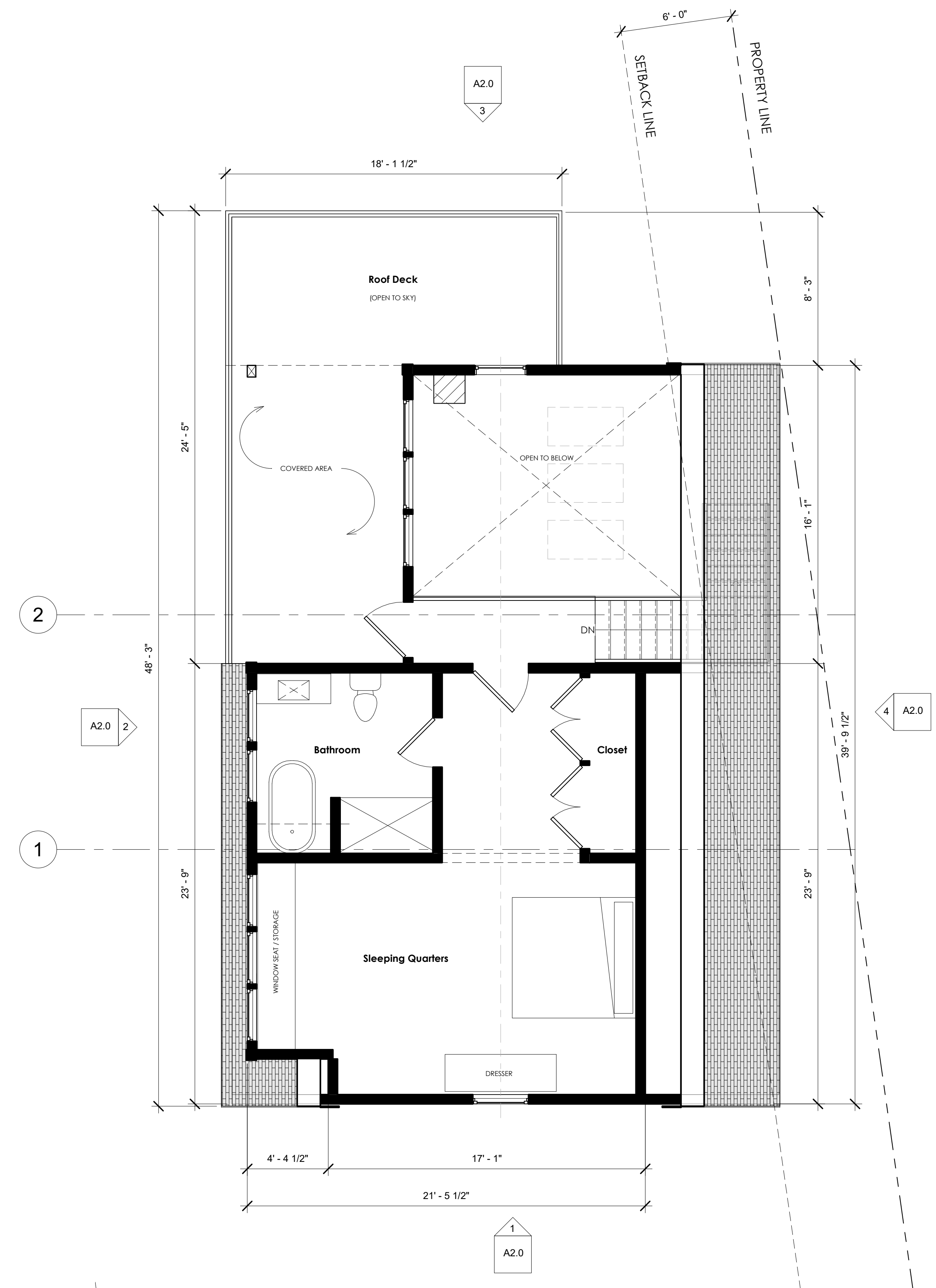
REVISIONS

NO.	DESCRIPTION

Floor Plans Cont'd



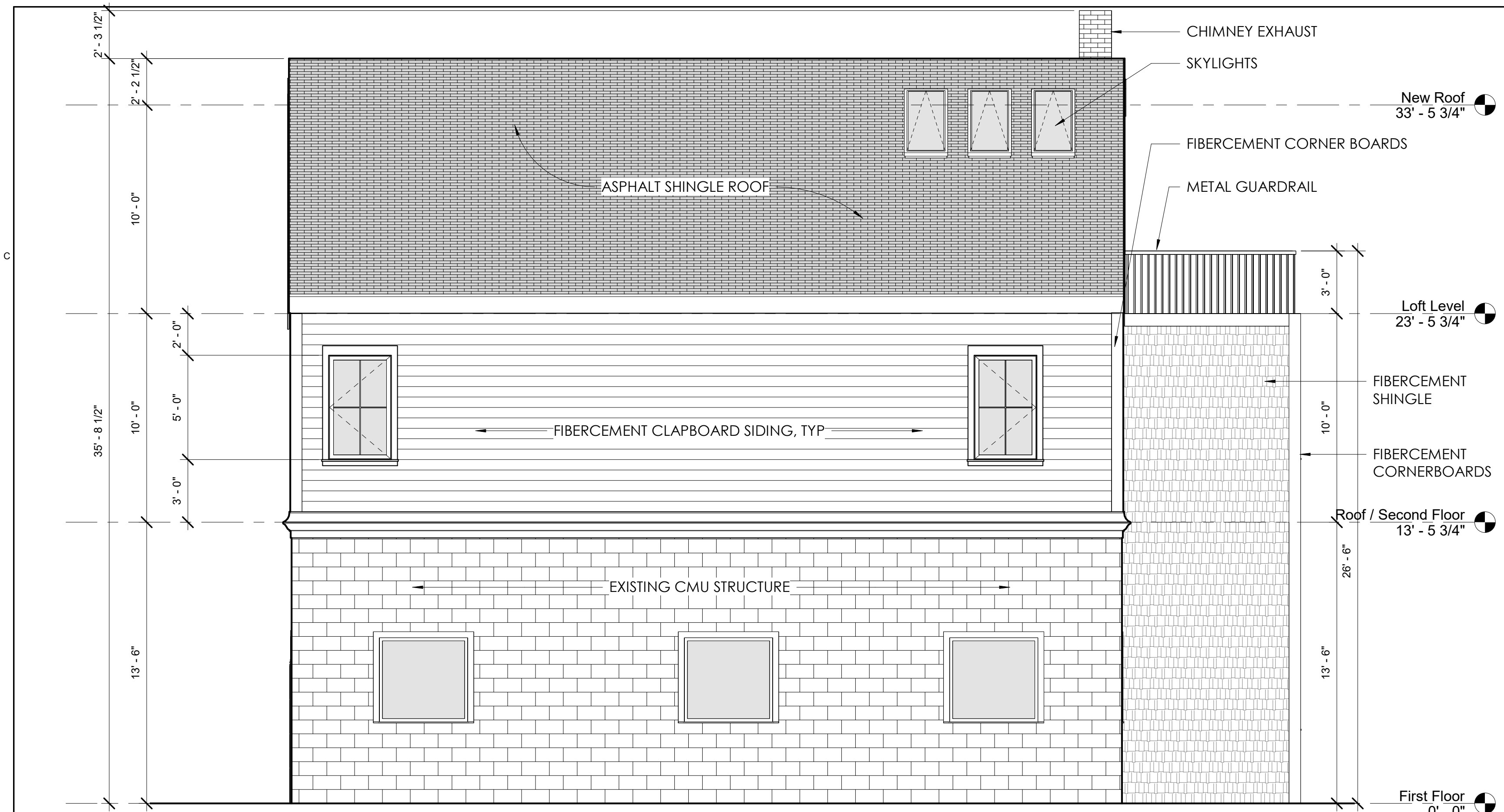
4 Roof Plan - Proposed  
 1/4" = 1'-0"



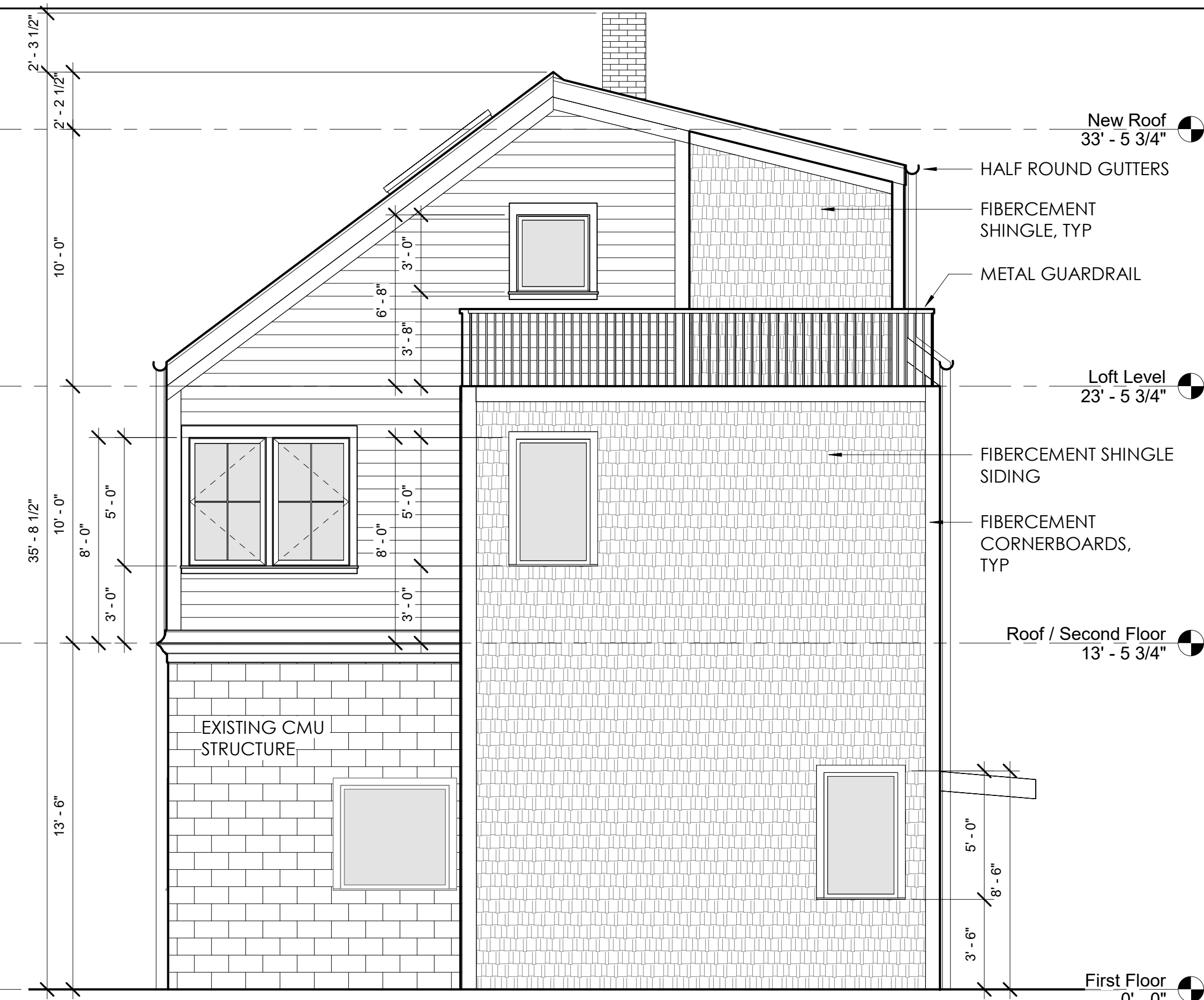
LOFT AREA: 550 GSF  
 ROOF DECK + COVERED ROOF DECK: 310 SF

1 Loft Level - Proposed  
 1/4" = 1'-0"

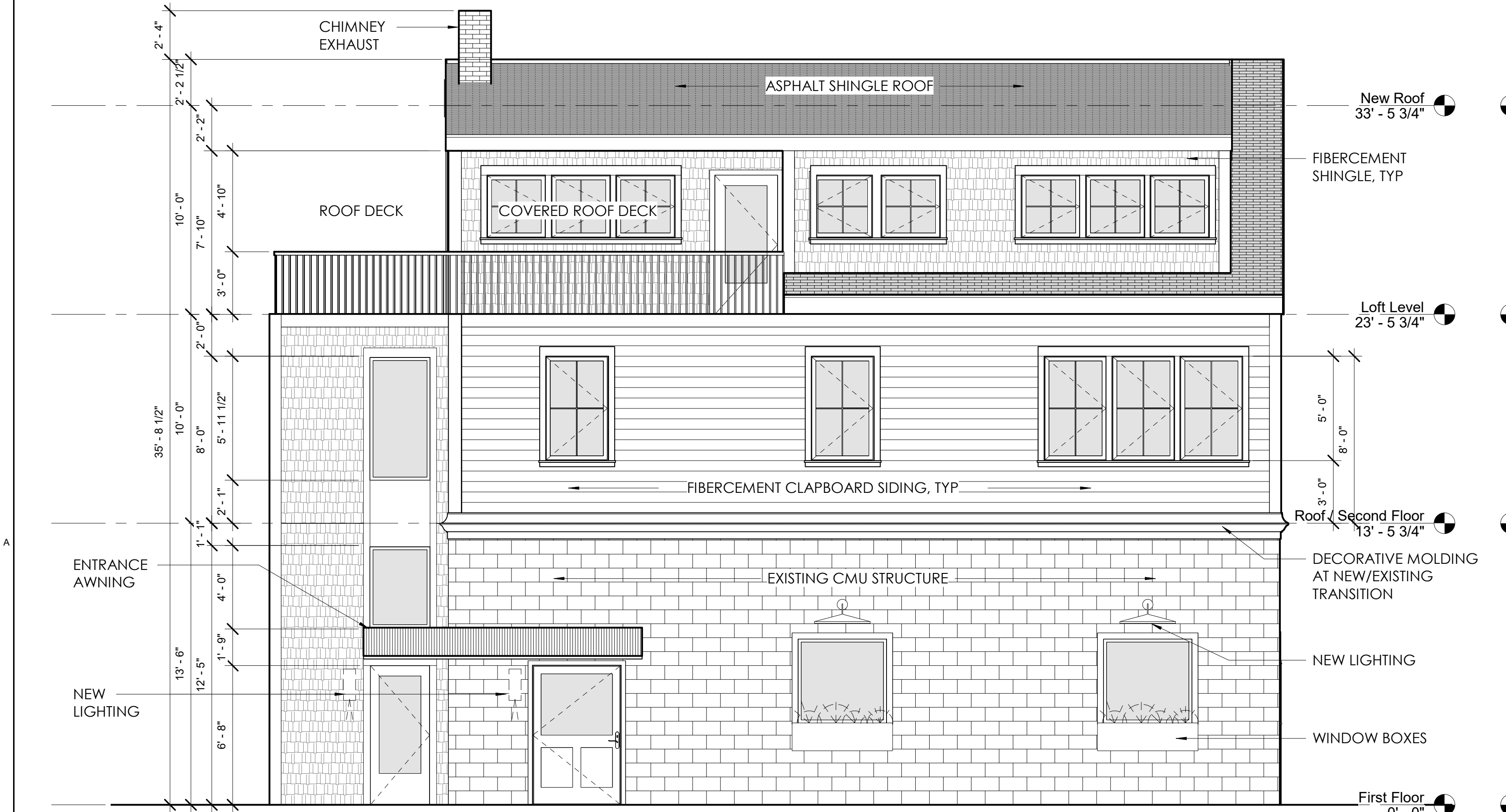
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 RI COA Number: 20830  
 RI License Number: RI-5218  
 Signature: *Cara Pomeranz*  
 Date: 1/16/2024



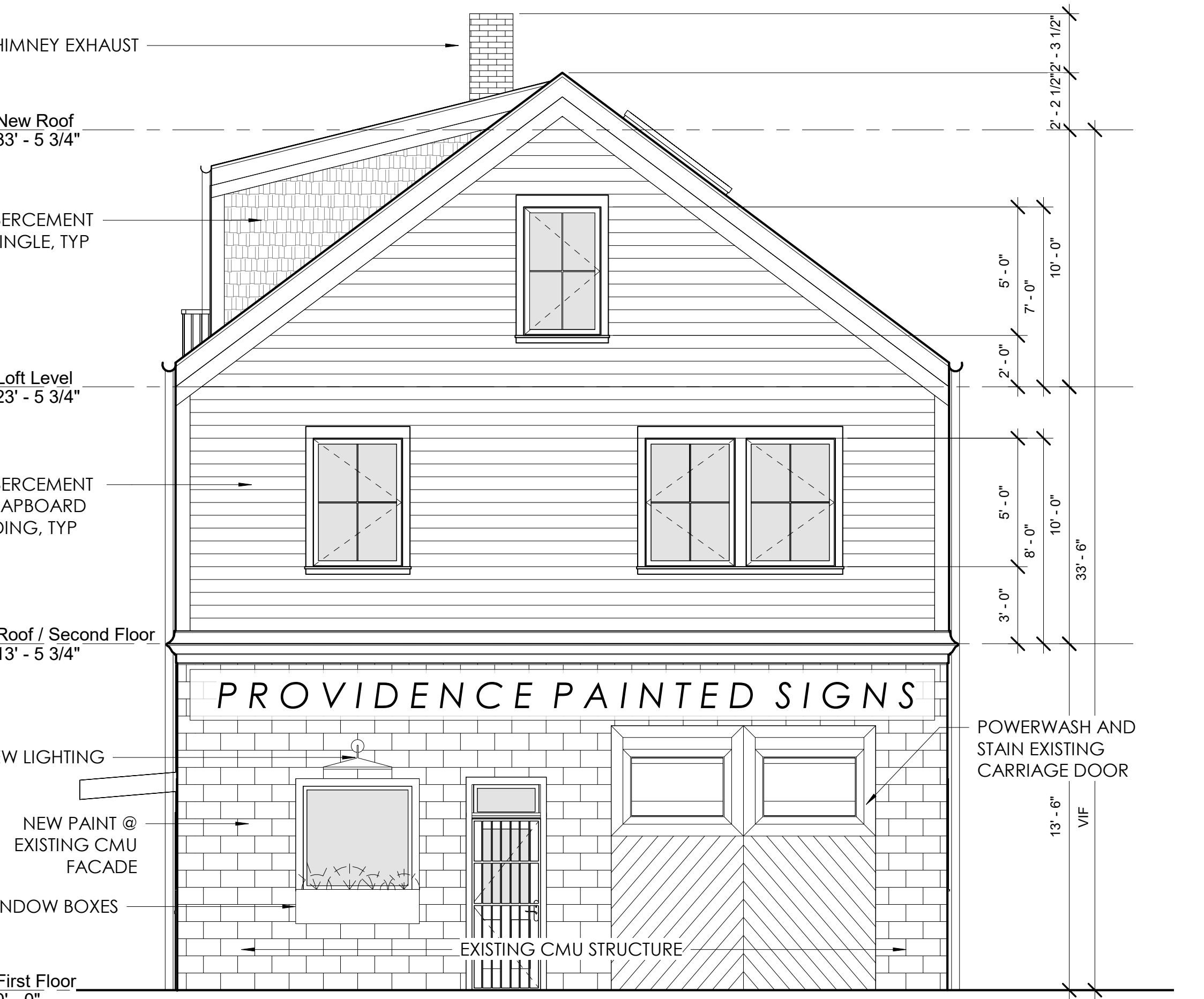
4 Neighbor Elevation (East)  
 1/4" = 1'-0"



3 Back Elevation (North)  
 1/4" = 1'-0"



2 Driveway Facade (West)  
 1/4" = 1'-0"



1 Front Facade (Street, South)  
 1/4" = 1'-0"

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 5 Marvin Street, Providence RI 02909  
 Owner: Shawn Gilheeny  
 401-206-6608

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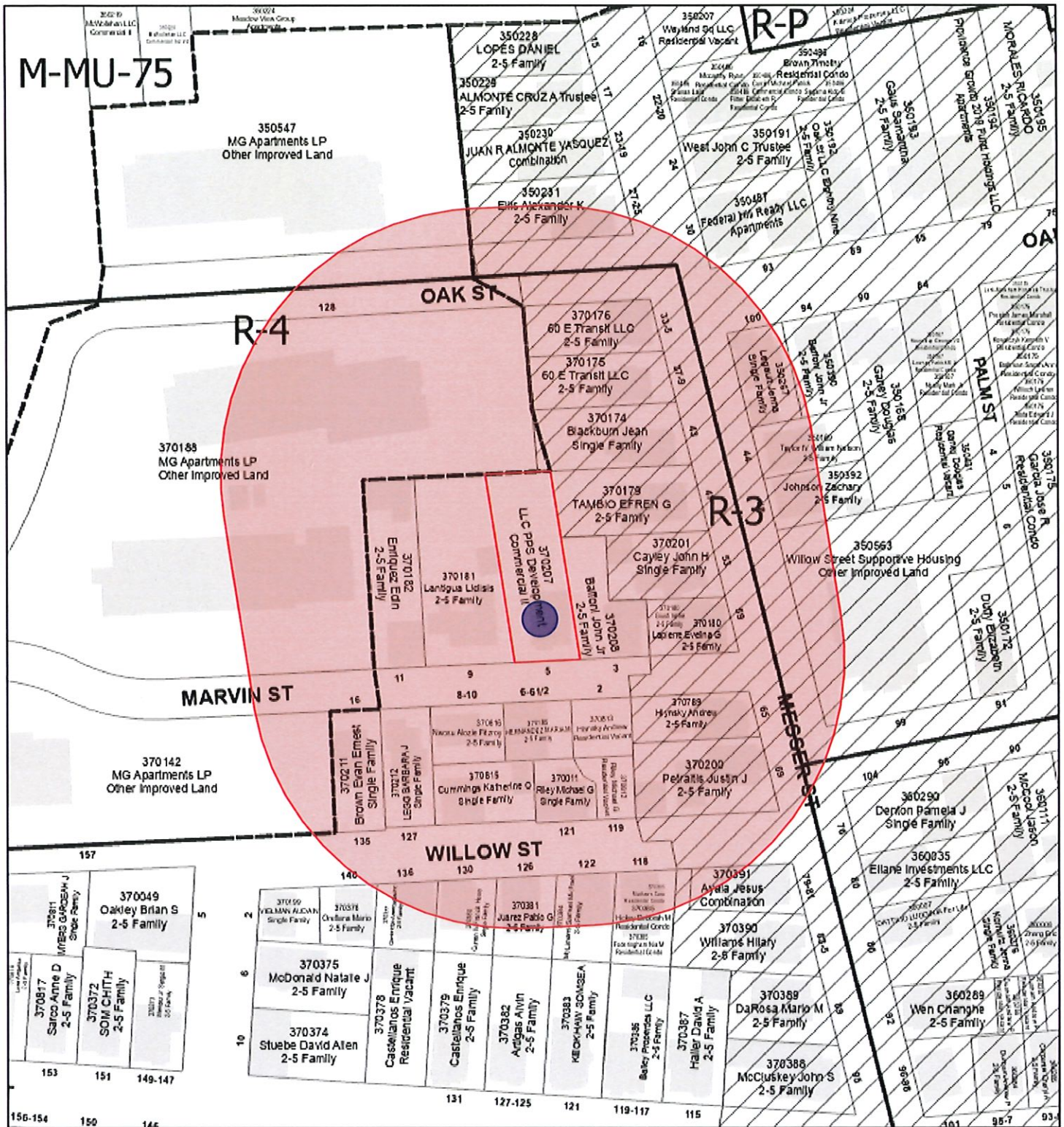
REVISIONS

Exterior Elevations

Documents have been prepared by the office of Cara Pomeranz, Architect LLC  
 RI COA Number: 20830  
 RI License Number: RI-5218  
 Signature: *Cara Pomeranz*  
 Date: 1/16/2024

A2.0

# Radius Map



1/16/2024, 4:31:41 PM

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