

CITY OF PROVIDENCE  
ZONING BOARD OF REVIEW

MAY 24 2021

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 Variances  
 \*\* Attach Appendix B to apply for a Special Use Permit

**Applicant:** Matthew Murphy  
 E-mail mmurp8@gmail.com  
 Phone 312-843-2633  
           Home/Office

Address 63 Hammond Street  
 Zip Code 02909  
312-843-2633  
 Mobile (Cell)

**Owner:** Matthew Murphy  
 E-mail mmurp8@gmail.com  
 Phone 312-843-2633  
           Home/Office

Address 63 Hammond Street  
 Zip Code 02909  
312-843-2633  
 Mobile (Cell)

**Lessee:** \_\_\_\_\_  
 E-mail \_\_\_\_\_  
 Phone: \_\_\_\_\_  
           Home/Office

Address \_\_\_\_\_  
 Zip Code \_\_\_\_\_  
 \_\_\_\_\_  
 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:** 63 Hammond Street, Providence, RI 02909  
   Street Address

2. **Zoning District(s):** R-3  
**Special purpose or overlay district(s):** Armory Historic District

3a. **Date owner purchased the Property:** May 2020

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

**3. Dimensions of each lot:**

Lot # \_\_\_\_\_ Frontage 34.12' depth 110.36' Total area 6330 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 904' Height 30' Floors 2

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

**5. Size of proposed structure(s):** Total gross square footage: \_\_\_\_\_  
Footprint 505' Height 11'-6" Floors 1

**6a. Existing Lot coverage:** (include all buildings, decks, etc.) 17%

**6b. Proposed Lot coverage:** (include new construction) 23%

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

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

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

**9. Number of Current Parking Spaces:** 2

**10. Describe the proposed construction or alterations (each lot/structure):**  
One-story addition with roof deck at rear and one-story addition at side of existing residence.  
New attached 2-car garage with roof deck at side of residence, facing street.  
Continuous concrete foundation at additions and garage. Wood-framing, typical. Cladding to match existing.

**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:**

402.T.4-1 Corner Side Setback- required 4'-0". Relief: proposed 0'-0" corner side setback.  
1302.J.1 c Driveway Length of 18'-0" from street lot line to garage door. Relief: proposed 0'-0"  
\_\_\_\_\_  
\_\_\_\_\_

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

Expand existing curb cut from 10'-0" to 21'-0".

New wood fence at site perimeter.

(2) small additions to existing residence.

New 2-car garage with roof deck. New stair to roof deck at garage.

New ground-level patio and landscaping.

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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):**

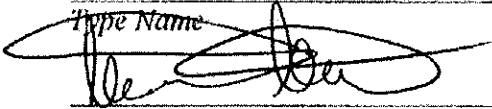
**Applicant(s):**

Matthew Murphy

Matthew Murphy

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?**

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Corner side yard setback (402 T 4-1) and required driveway length (1302.J.1c).

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

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Odd-shape corner lot causes hardship for placement of attached garage.

- 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.**

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**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.**

No, rather it is to enjoy the benefit of an attached two car garage for the family's use.

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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).**

There are no viable alternatives without removing vibrant and beneficial green space.

The least relief necessary is requested to alleviate the hardship caused by the unique site conditions.

There is no practical alternate location for the attached garage.

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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.**

N/A

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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.**

If denied, the owner would suffer a hardship beyond mere inconvenience by being denied the highest and best use of the property, which includes the attached garage. There is no other practical alternate location for the garage. Careful and delicate planning was undertaken to ensure maximum preservation of the property's green space while adding the beneficial use of the attached garage.

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MAP 32  
LOT 261  
N/F LANDS OF  
KATHERINE AMARAL

MAP 32  
LOT 567  
N/F LANDS OF  
MATTHEW D. GABOR

MAP 32  
LOT 260  
N/F LANDS OF  
CHRISTOPHER J. GOOD

MAP 32  
LOT 568  
N/F LANDS OF  
ALEXIS MARTIN

MAP 32  
LOT 259  
N/F LANDS OF  
DAVID A. COLANNINO

MAP 32  
LOT 569  
N/F LANDS OF  
ANTONIO JUNCO FERNANDEZ

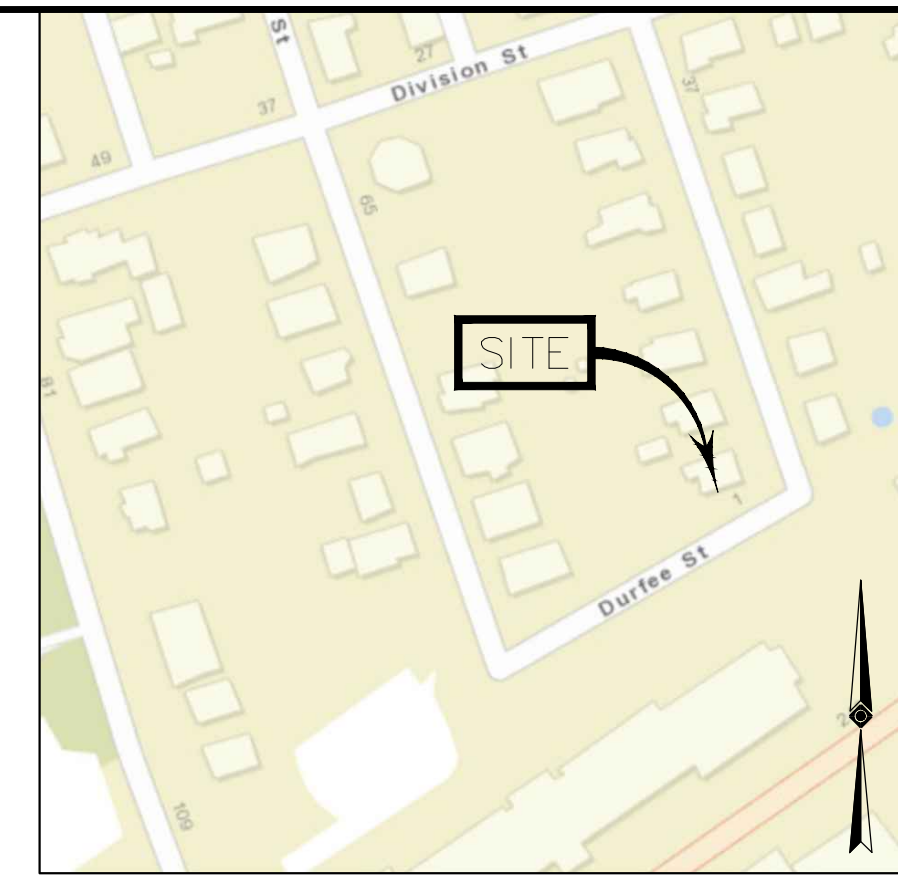
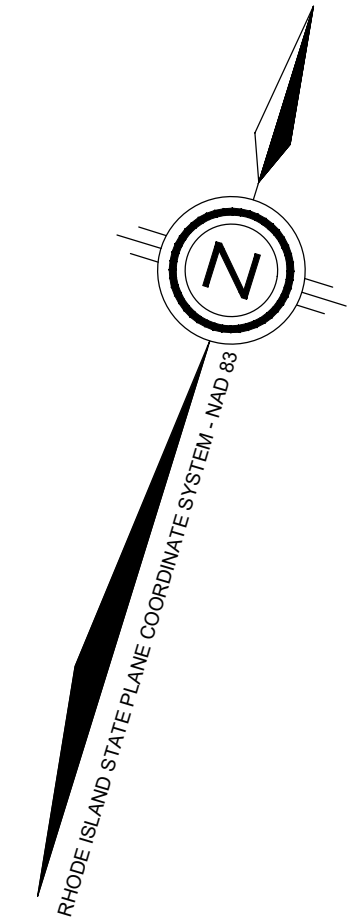
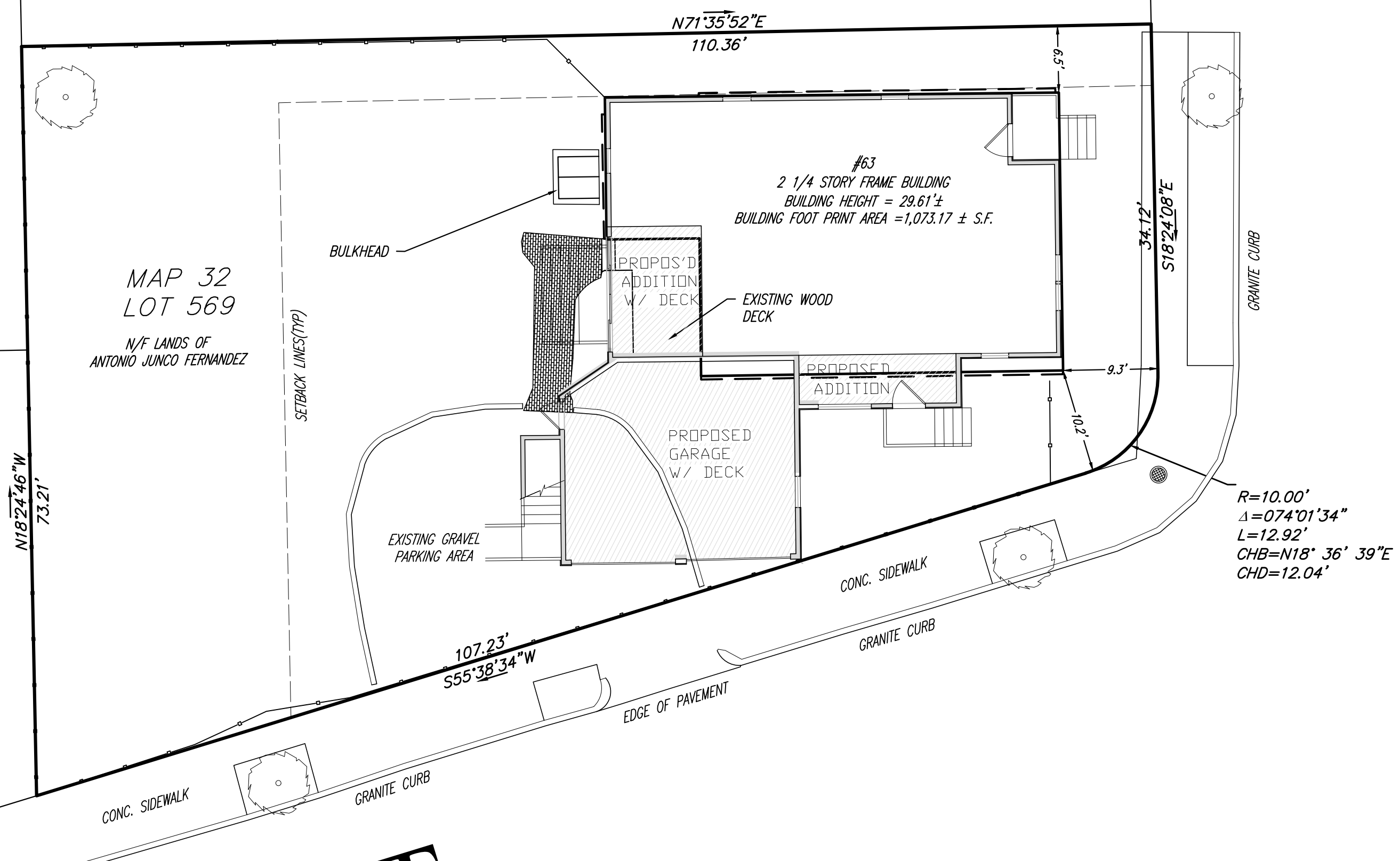
MAP 32  
LOT 586  
N/F LANDS OF  
MICHAEL G. COPPOLA

# DURFEE STREET

(PUBLIC ~ 40' WIDE R.O.W.)

# HAMMOND STREET

(PUBLIC ~ 40' WIDE R.O.W.)



LOCUS MAP  
©2013 ESRI WORLD STREET MAPS  
NOT TO SCALE

**NOTES:**

- PROPERTY KNOWN AS LOT 569 AS SHOWN ON THE CITY OF PROVIDENCE, PROVIDENCE COUNTY, STATE OF RHODE ISLAND, MAP NO. 32.
- AREA = 6,328 SQUARE FEET OR 0.145 ACRES
- UNDERGROUND UTILITIES HAVE NOT BEEN SHOWN. BEFORE ANY SITE EVALUATION, PREPARATION OF DESIGN DOCUMENTS OR EXCAVATION IS TO BEGIN, THE LOCATION OF UNDERGROUND UTILITIES SHOULD BE VERIFIED BY THE PROPER UTILITY COMPANIES.
- THIS PLAN IS BASED ON INFORMATION PROVIDED BY A SURVEY PREPARED IN THE FIELD BY SITES 2 STRUCTURES GROUP, INC. AND OTHER REFERENCE MATERIAL AS LISTED HEREON.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO THE RESTRICTIONS, COVENANTS AND/OR EASEMENTS THAT MAY BE CONTAINED THEREIN.
- THE OFFSETS SHOWN ARE NOT TO BE USED FOR THE CONSTRUCTION OF ANY STRUCTURE, FENCE, PERMANENT ADDITION, ETC.
- THIS SURVEY DOES NOT SHOW THE EXISTENCE OF WETLANDS, IF ANY.

**REFERENCES:**

- THE TAX ASSESSOR'S MAP OF THE CITY OF PROVIDENCE, PROVIDENCE COUNTY, MAP 32.
- MAP ENTITLED "PLATS OF LOTS OF LAND BELONGING TO THE DEXTER DONATION SURVEYED AND PLATTED NOV. 1843 BY ATWATER & SCHUBARTH COPIED JUNE 30, 1852 BY SCHUBARTH & HAINES" RECORDED IN THE RECORDS OF LAND EVIDENCE IN SAID CITY OF PROVIDENCE IN PLAT BOOK 2 AT PAGE 7 AND ON PLAT CARD 52.

**LEGEND**

- DECIDUOUS TREE
- UNKNOWN MANHOLE
- WOOD FENCE STOCKADE STYLE

THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO 435-RICR-00-01 B OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON NOVEMBER 25, 2015 AS FOLLOWS:

- A. TYPE OF BOUNDARY SURVEY: LIMITED BOUNDARY SURVEY MEASUREMENT SPECIFICATION: I
- B. OTHER TYPE OF SURVEY: DATA ACCUMULATION SURVEY (PLANIMETRIC SURVEY) MEASUREMENT SPECIFICATION: III
- C. THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THIS PLAN IS AS FOLLOWS: PREPARE A BUILDING LOCATION AND PERIMETER SURVEY PLAN FOR PROPOSED GARAGE ADDITION.

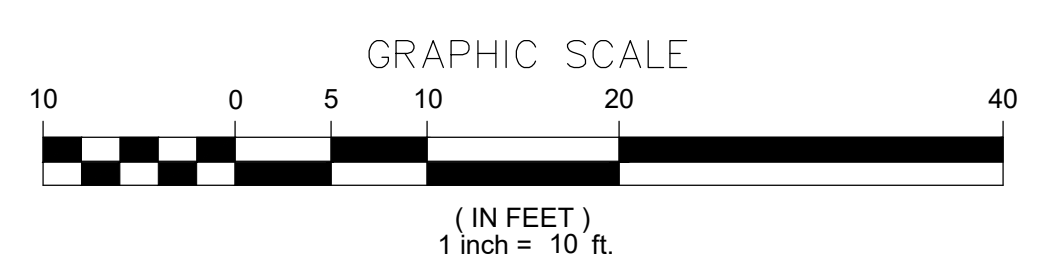


*Charles E. Lent*  
RHODE ISLAND PROFESSIONAL LAND SURVEYOR #1947  
5-13-21  
DATE

**ZONING INFORMATION**  
RESIDENTIAL (R3) HISTORIC OVERLAY DISTRICT  
SOURCE PROVIDENCE, RI ZONING BYLAWS

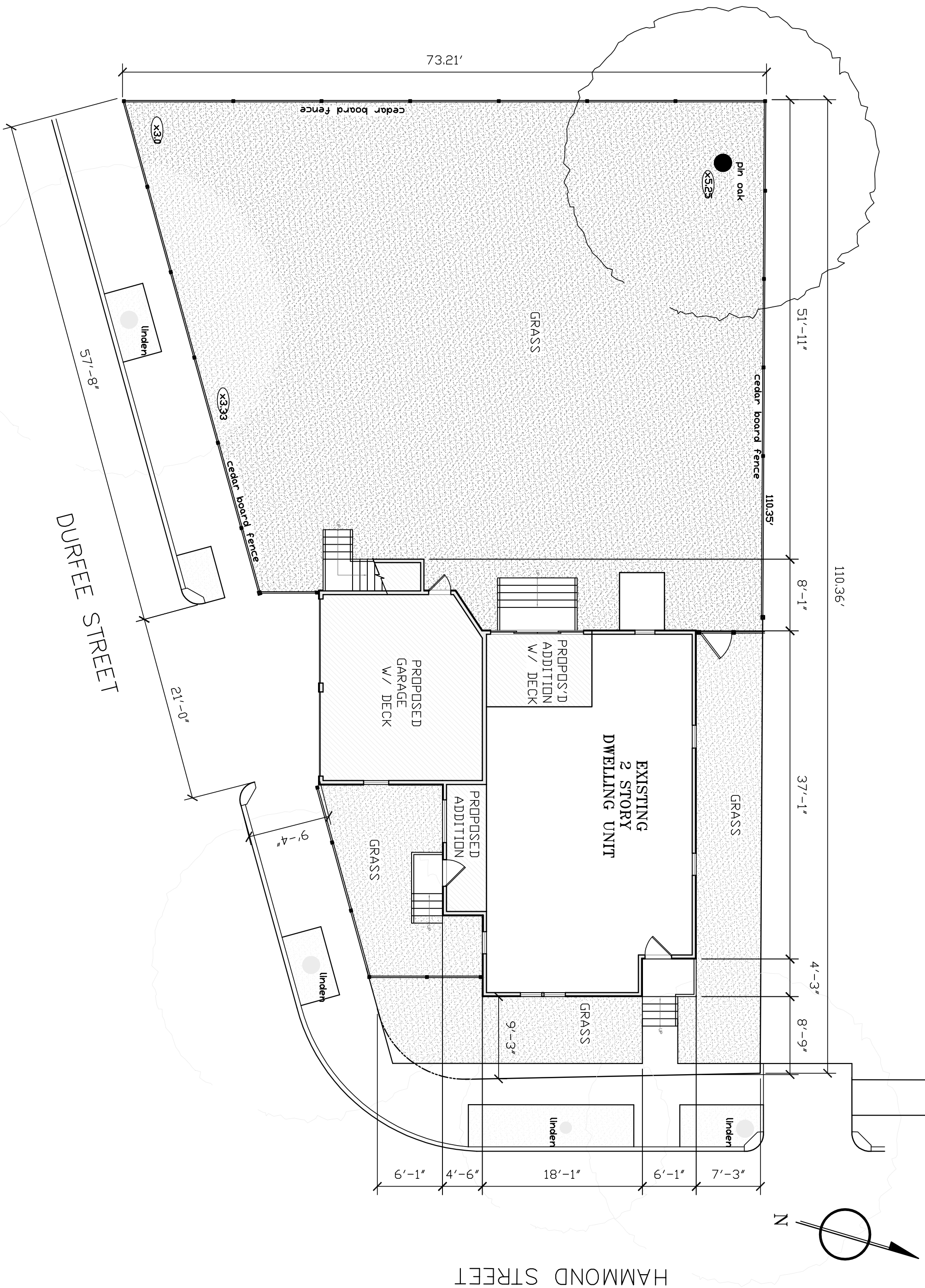
ITEMS	REQUIRED
MIN LOT AREA	NA
MIN FRONTAGE	NA
MIN FRONT YARD	NA
MIN SIDE YARD	6'
MIN REAR YARD	45' (3 STORIES) LESS
MAX BUILDING HEIGHT	45' (3 STORIES)

NOTE: ZONING CRITERIA IDENTIFIED HEREON ARE BASED UPON PRELIMINARY RESEARCH AND PRESENTED FOR REFERENCE ONLY. SAME MUST BE CONFIRMED WITH LOCAL ZONING OFFICIAL AND LEGAL COUNSEL TO CONFIRM VALIDITY.




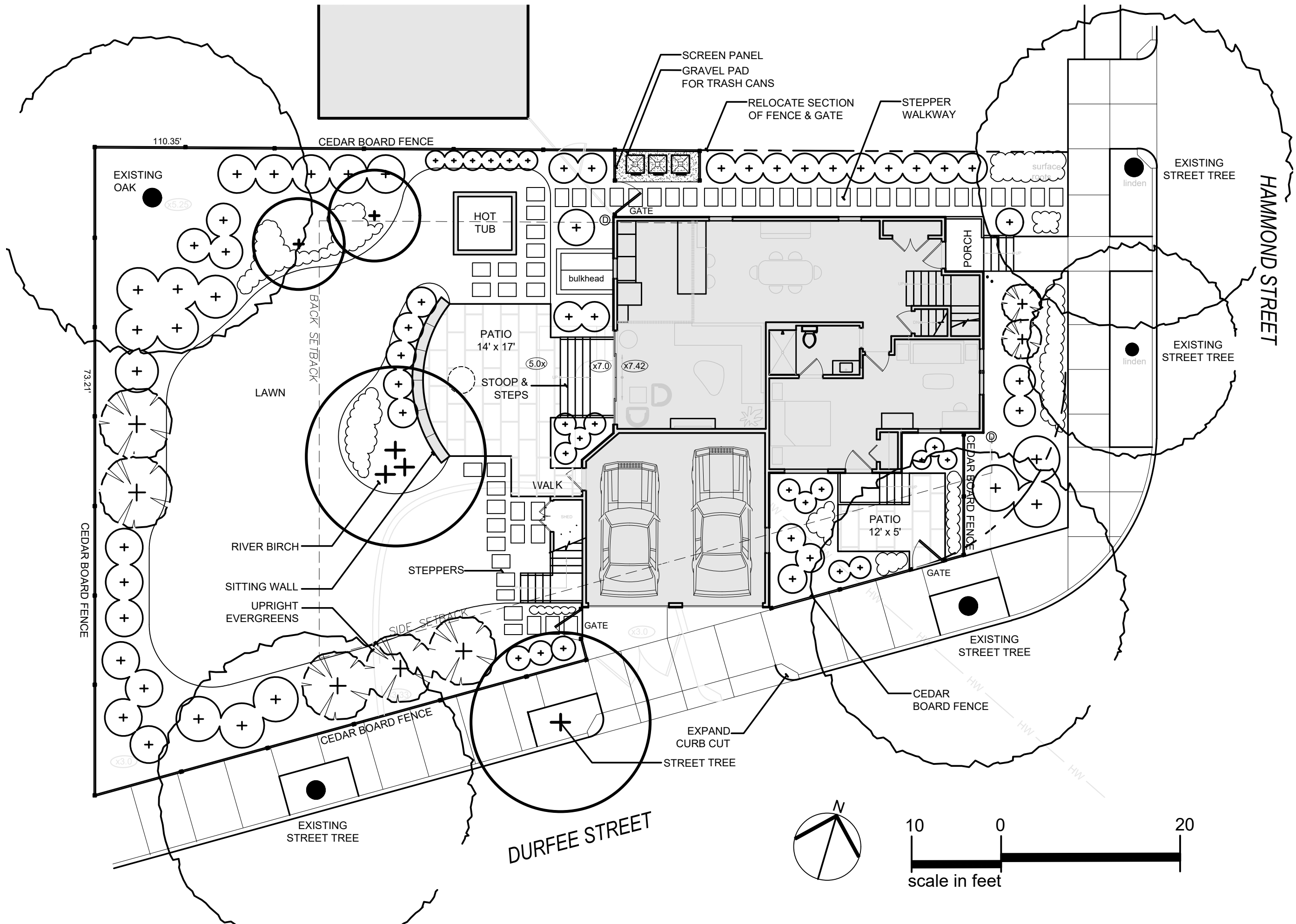
THE STATE OF RHODE ISLAND REQUIRES NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE.

FIELD DATE	5-1-21	FIELD BOOK NO.	RI-21	FIELD BOOK PG.	35	FIELD CREW	CMS	DRAWN:	C.M.S.	APPROVED:	C.E.L.	DATE	5-13-21	SCALE	1"=20'	FILE NO.	21-100063	DWG. NO.	1 OF 1
BUILDING LOCATION PLAN		FERNANDEZ MURPHY RESIDENCE			SITES & STRUCTURES GROUP					LAND DEVELOPMENT CONSULTANTS									
63 HAMMOND STREET LOT 569, MAP 32 CITY OF PROVIDENCE, PROVIDENCE COUNTY STATE OF RHODE ISLAND																			
1637 ELMWOOD AVENUE SUITE 200 CRANSTON, RI 02910 (T) 401-332-2200 (F) 401-332-2282																			



FOR: RENOVATION

SP	SCALE: 1:10=1'-0"	DATE: 5/18/2021	REV:	DRAWING TITLE: SITE PLAN	PROJECT: MURPHY/FERNANDEZ RES 63 HAMMOND STREET PROVIDENCE RI 02909	 <p><b>Monika P. Kraemer</b> Architect 401.241.5576 12 Almy Street Providence, RI 02909</p>



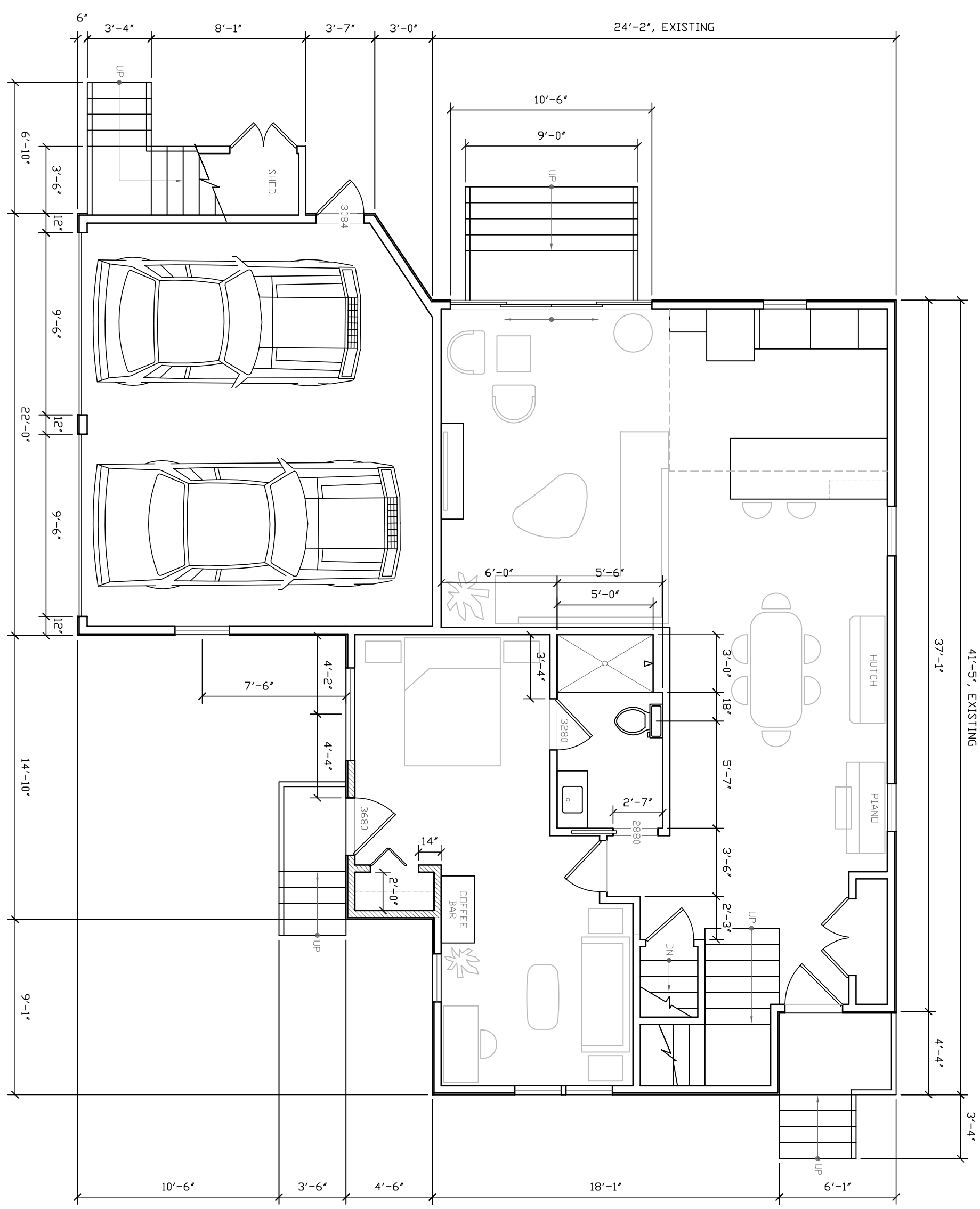
REVISIONS:	DATE:	DESCRIPTION:
	5.01.21	UPDATED ARCH.

**PROJECT:**  
MURPHY RESIDENCE  
**LANDSCAPE IMPROVEMENTS**  
63 HAMMOND STREET  
PROVIDENCE, RHODE ISLAND


<b>CONCEPTUAL LANDSCAPE PLAN</b>	DATE: 3.12.21
	SCALE: 1" = 10'-0"
M-1	



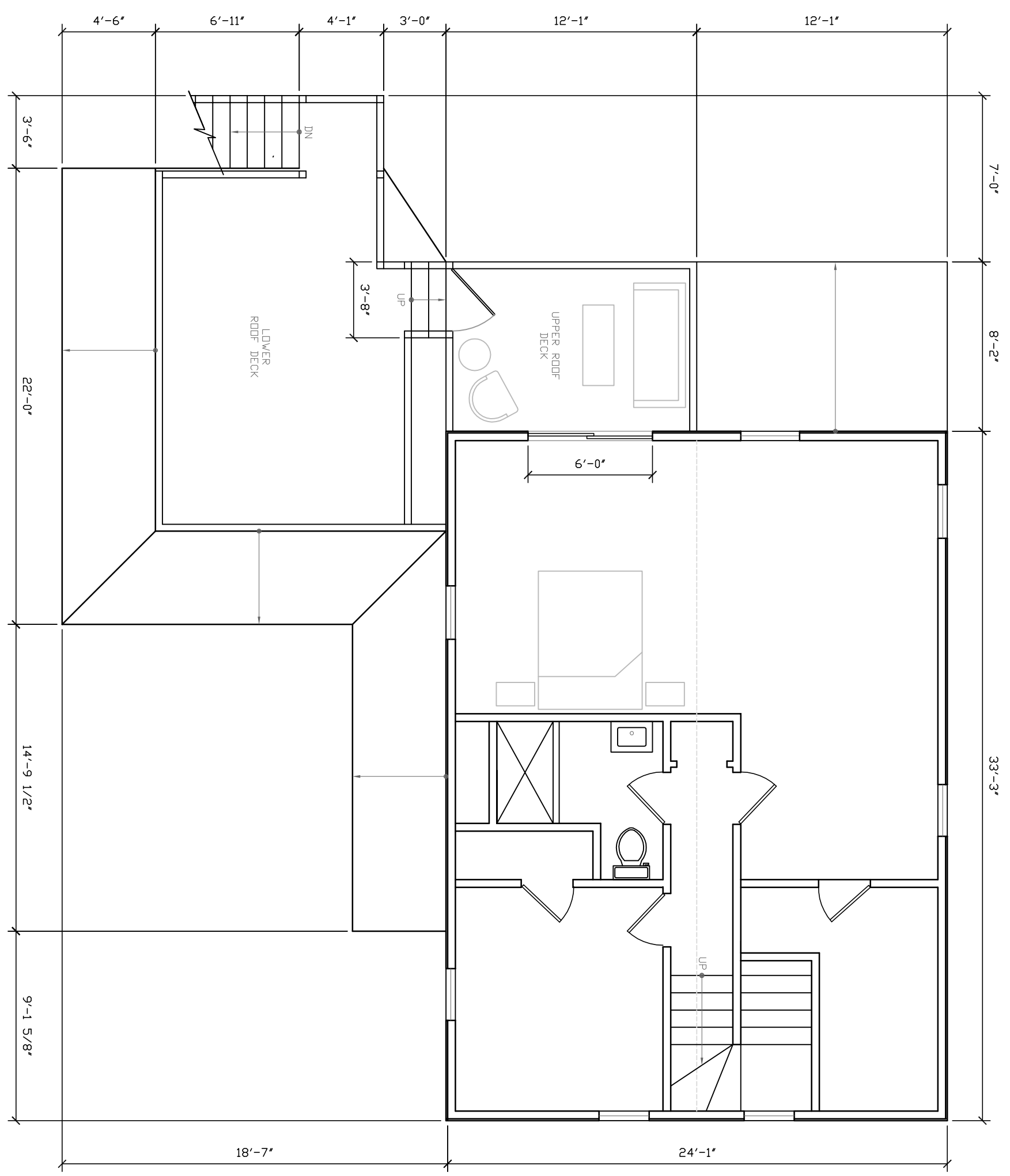
FIRST FLOOR PLAN WITH GARAGE




FOR: RENOVATION

A1.0	SCALE: 3/16"=1'-0"	DATE: 5/18/2021	REV:	DRAWING TITLE: <b>FIRST FLOOR CONSTRUCTION PLAN</b>	PROJECT: <b>MURPHY/FERNANDEZ RES 63 HAMMOND STREET PROVIDENCE RI 02909</b>	 <b>Monika P. Kraemer Architect</b> 401.241.5576 12 Almy Street Providence, RI 02909

SECOND FLOOR PLAN




FOR: RENOVATION

<b>A1.1</b>	SCALE: <b>3/16"=1'-0"</b>	DATE: <b>5/18/2021</b>	REV:	DRAWING TITLE: <b>SECOND FLOOR CONSTRUCTION PLAN</b>	PROJECT: <b>MURPHY/FERNANDEZ RES 63 HAMMOND STREET PROVIDENCE RI 02909</b>	 <b>Monika P. Kraemer</b> <i>Architect</i> 401.241.5576 12 Almy Street Providence, RI 02909

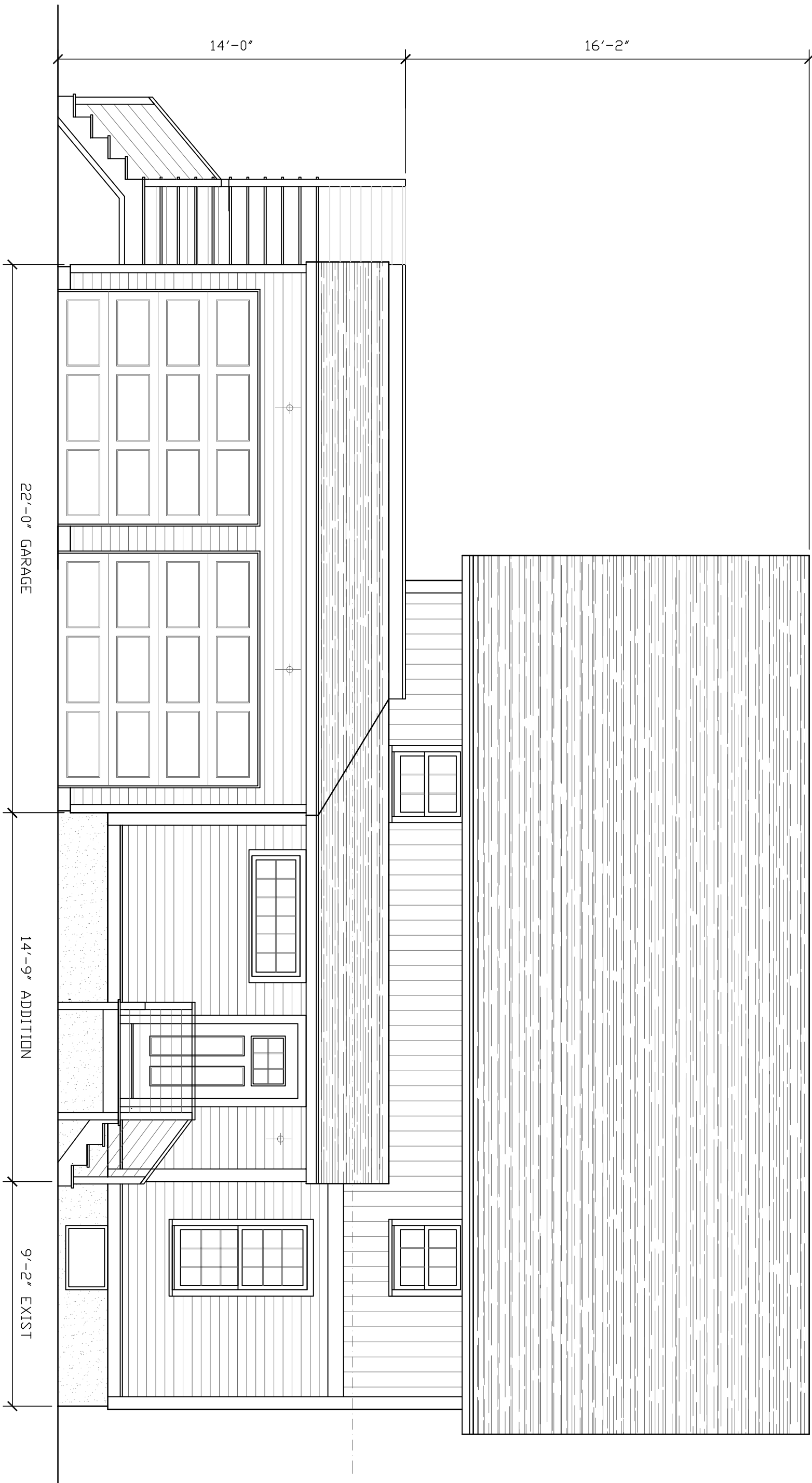
EAST ELEVATION



FOR: RENOVATION

A2.2	SCALE: 1/4"=1'-0"	DATE: 5/18/2021	REV:	DRAWING TITLE: EAST ELEVATION	PROJECT: MURPHY/FERNANDEZ RES 63 HAMMOND STREET PROVIDENCE RI 02909	 <b>Monika P. Kraemer</b> <i>Architect</i> 401.241.5576 12 Almy Street Providence, RI 02909

SOUTH ELEVATION



FOR: RENOVATION

PROJECT:  
**MURPHY/FERNANDEZ RES**  
**63 HAMMOND STREET**  
**PROVIDENCE RI 02909**



**Monika P. Kraemer**  
*Architect*  
 401.241.5576  
 12 Almy Street  
 Providence, RI 02909

DRAWING TITLE:  
**SOUTH ELEVATION**

REV:

DATE:  
**5/18/2021**

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

**A2.1**

WEST ELEVATION



FOR: RENOVATION

PROJECT:  
**MURPHY/FERNANDEZ RES**  
 63 HAMMOND STREET  
 PROVIDENCE RI 02909



**Monika P. Kraemer**  
*Architect*  
 401.241.5576  
 12 Almy Street  
 Providence, RI 02909

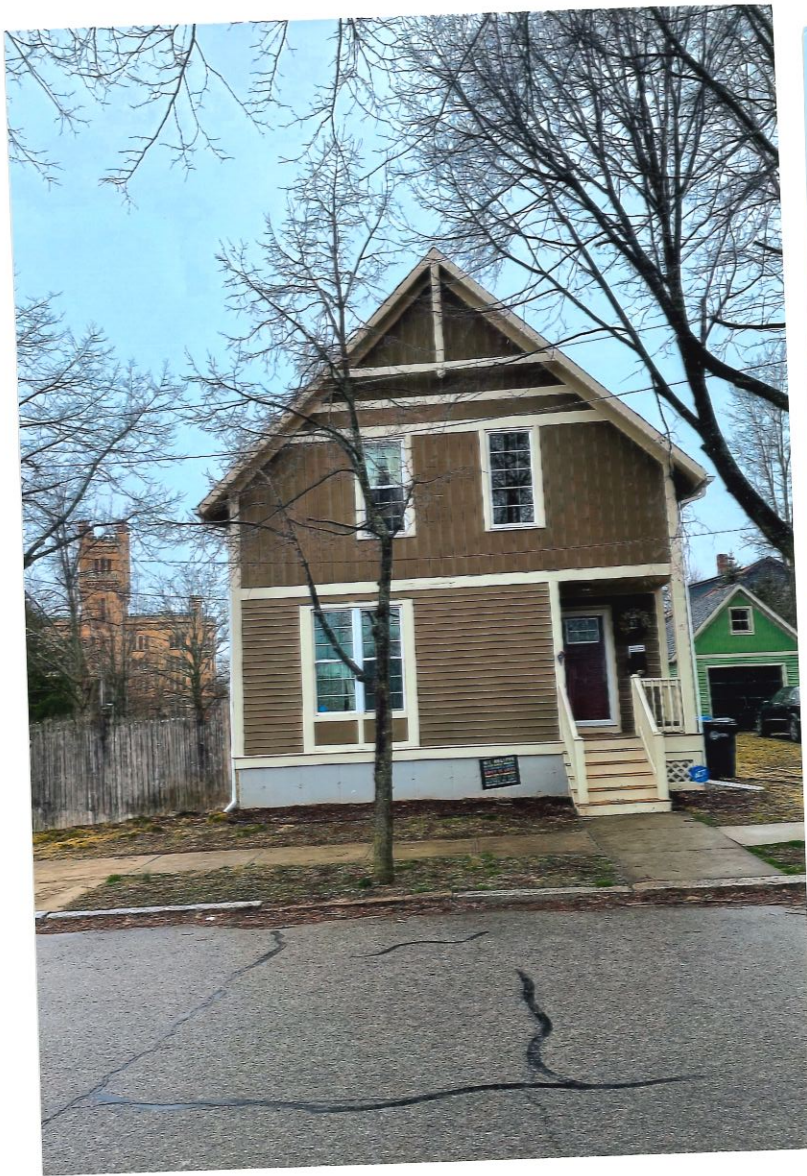
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**WEST ELEVATION**

REV:

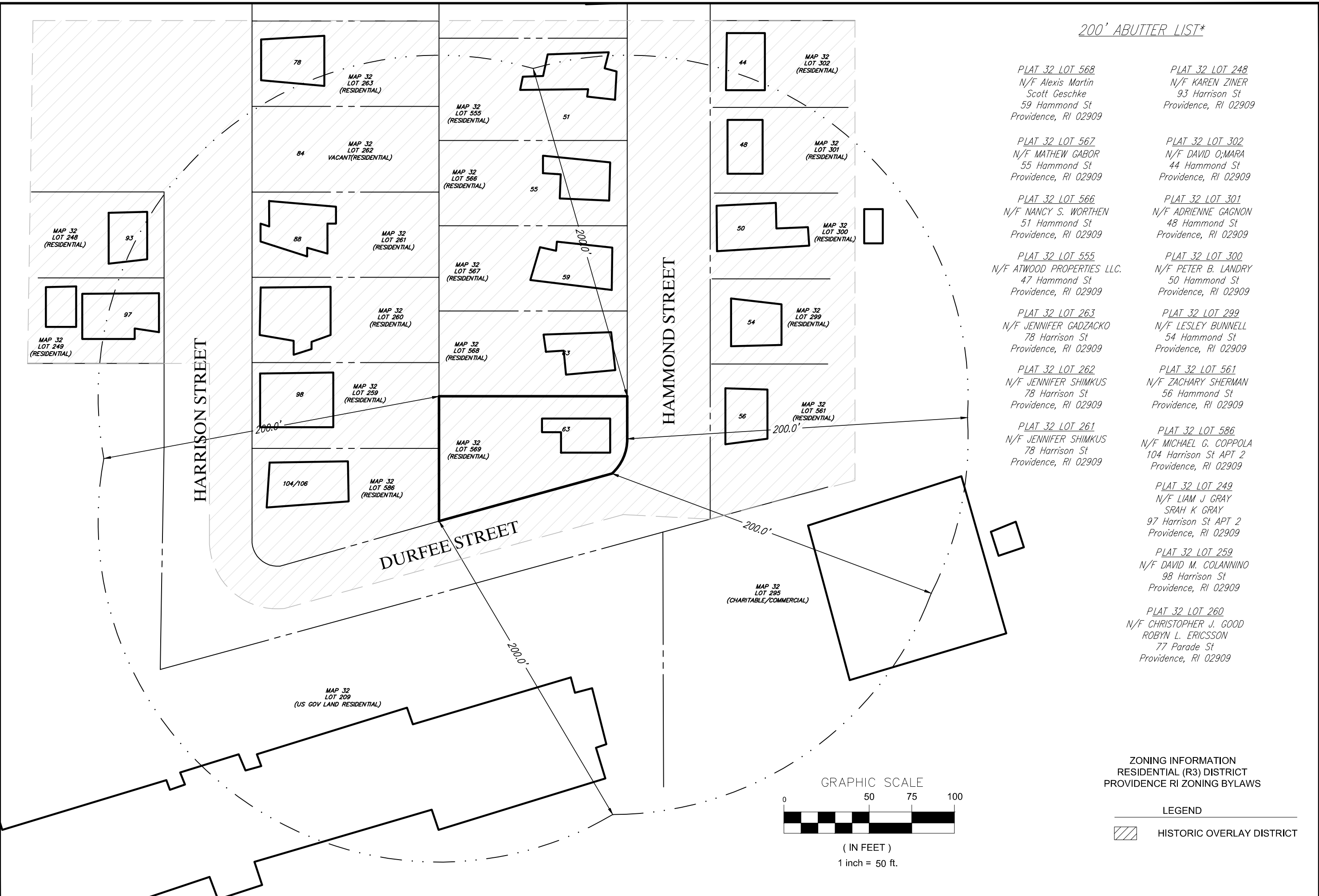
DATE:  
**5/18/2021**

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

**A2.0**







- |   |   |
|---|---|
| <p>PLAT 32 LOT 568<br/>N/F Alexis Martin<br/>Scott Geschke<br/>59 Hammond St<br/>Providence, RI 02909</p> <p>PLAT 32 LOT 567<br/>N/F MATHEW GABOR<br/>55 Hammond St<br/>Providence, RI 02909</p> <p>PLAT 32 LOT 566<br/>N/F NANCY S. WORTHEN<br/>51 Hammond St<br/>Providence, RI 02909</p> <p>PLAT 32 LOT 555<br/>N/F ATWOOD PROPERTIES LLC.<br/>47 Hammond St<br/>Providence, RI 02909</p> <p>PLAT 32 LOT 263<br/>N/F JENNIFER GADZACKO<br/>78 Harrison St<br/>Providence, RI 02909</p> <p>PLAT 32 LOT 262<br/>N/F JENNIFER SHIMKUS<br/>78 Harrison St<br/>Providence, RI 02909</p> <p>PLAT 32 LOT 261<br/>N/F JENNIFER SHIMKUS<br/>78 Harrison St<br/>Providence, RI 02909</p> | <p>PLAT 32 LOT 248<br/>N/F KAREN ZINER<br/>93 Harrison St<br/>Providence, RI 02909</p> <p>PLAT 32 LOT 302<br/>N/F DAVID O;MARA<br/>44 Hammond St<br/>Providence, RI 02909</p> <p>PLAT 32 LOT 301<br/>N/F ADRIENNE GAGNON<br/>48 Hammond St<br/>Providence, RI 02909</p> <p>PLAT 32 LOT 300<br/>N/F PETER B. LANDRY<br/>50 Hammond St<br/>Providence, RI 02909</p> <p>PLAT 32 LOT 299<br/>N/F LESLEY BUNNELL<br/>54 Hammond St<br/>Providence, RI 02909</p> <p>PLAT 32 LOT 561<br/>N/F ZACHARY SHERMAN<br/>56 Hammond St<br/>Providence, RI 02909</p> <p>PLAT 32 LOT 586<br/>N/F MICHAEL G. COPPOLA<br/>104 Harrison St APT 2<br/>Providence, RI 02909</p> <p>PLAT 32 LOT 249<br/>N/F LIAM J GRAY<br/>SRAH K GRAY<br/>97 Harrison St APT 2<br/>Providence, RI 02909</p> <p>PLAT 32 LOT 259<br/>N/F DAVID M. COLANNINO<br/>98 Harrison St<br/>Providence, RI 02909</p> <p>PLAT 32 LOT 260<br/>N/F CHRISTOPHER J. GOOD<br/>ROBYN L. ERICSSON<br/>77 Parade St<br/>Providence, RI 02909</p> |
|---|---|

**FOR: RENOVATION**

**PROJECT:**  
MURPHY/FERNANDEZ RES  
63 HAMMOND STREET  
PROVIDENCE RI 02909

**DRAWING TITLE:**  
RADIUS MAP

**REV:**

**DATE:**  
4/26/2021

**SCALE:**  
AS NOTED

**Monika P. Kraemer**  
Architect  
401.241.5576  
12 Almy Street  
Providence, RI 02909