CITY OF PROVIDENCE ZONING BOARD OF REVIEW

INSPECTION & STANDARDS RECEIVED

APPLICATION FOR VARIANCE OR SPECIAL USE PERMIT

OCT 28 2024

Check Each Type Zoning Relief Sought: Variance – Use* Variance – Dimensional* Special Use Permit**	د معربی سرد	
<u>A</u>	ttach 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 app	olicable, please indicate this by using N/A in that field.	
Applicant: Derek Simpson	Applicant Mailing Address	
Email: dsimpson@residentialproperties.com	Street: 730 Elmgrove Ave	
Phone: 401-487-2620	City, State, Zip: Providence, RI, 02906	
_{owner:} Derek Simpson	Owner Mailing Address	
Email:dsimpson@residentialproperties.com	Street: 730 Elmgrove Ave	
Phone: 401-487-2620	City, State, Zip: Providence, RI, 02906	
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		
, , ,	Elmgrove Ave	
Plat and Lot Numbers of Subject Property: AP 92 Lot 194		

2.	Base Zoning Dis Overlay District	strict(s):		11-11-11-11-11-11-11-11-11-11-11-11-11-	· · · · · · · · · · · · · · · · · · ·	
			7/2/24			
3b.	Month/year of	lessee's occupancy:	·	···········		
А	Dimensions of	aaala lat.				
4.	Dimensions of Lot # 194		Depth 100.29	Total area 1041	5 ca #	
	Lot #			Total area		
	Lot #	Width				
	Lot #	Width		Total area		
E	Cina of eviction		Alex Burney			
эa.		structure(s) located on	• •			
Principal Structure: Accessory Structure: Area of Footprint 2250 sf Area of Footprint 434 sf		- 7				
	•			•		
		35'6"				
	# of Stories 3		# of Stories 1			
5b.	Size of propose	d structure(s) located	on the Property:			
	Principal Structu	<u>ıre</u> :	Accessory Structure	:		
	Area of Footprin	nt	Area of Footprint 3	56 sf		
				•		
		· mayou				
		ge (area of all roofed st		d impervious surface	s) 4715 sf	
	Total Impervious Coverage Area (area of all roofed structures and impervious Rear Yard Impervious Coverage (area of structures and impervious surface			-	. —	
		= '	of structures and impervio	•		
		ge (area of all roofed st	ructures) 3040 sf			
,	Total Impervious	Coverage Area (area d	of all roofed structures an	d impervious surface	₅) <u>5080 sf</u>	
	Rear Yard Imper	vious Coverage (area o	f structures and impervio	us surface in rear yar	d) <u>1853 sf</u>	
i	Front Yard Impe	rvious Coverage (area o	of structures and impervio	ous surface in front ya	ard) <u>187 sf</u>	
7a. i	Present Zoning (Jse of the Property: 1.	-A - Single Family Residenc	e		
	•			***************************************		
	Legal Zoning Use Single Family Res		corded in the Dept. of Ins	pection & Standards	•	
B.	Proposed Zoning	g Use of the Property:	Single Family Residence			
9. 1	Number of Parki	ng Spaces:				
#	of existing space	es <u>4</u>	# of proposed space:	s <u>4</u>		
10. 4	Are there outsta Zoning Ordi		rning the Property under tate Building or Property	· -		

Signature

	dinance Sections from which a variance is sought: <u>Section Title + Quantity of relief, if applicable (eg. 4' setback where 6' required)</u>		
402 D	imensional Standards, Rear Sel	back - 0' setback where 30' is required	
	(s) of the Zoning Ordinance to wide Use Standards for the provide Use Standards for the provided to the provid	hat provide for the special use permit, and list al roposed Special Use(s):	
Section Number S	ection Title		
	ges proposed for the Propert ragraphs at the end	y (use, construction/renovation, site alteration):	
		mbers of the Zoning Board of Review and its staff to view the Property prior to any hearing on the	
application. The undersigned further as are true and accurate, and and/or civil penalties as property. Acts. Owner(s)/Applicant	cknowledge(s) that the staten d that providing a false stater ovided by law, including prose (s) are jointly responsible w	nents herein and in any attachments or appendices ment in this application may be subject to criminal ecution under the State and Municipal False Claims ith their attorneys for any false statements. As ny not be signed by an attorney on behalf of their	
Owner(s):		Applicant(s):	
Derek Simpson		Derek Simpson	
Туре Name		Type Name	
Derek Simpson	***************************************	Derek Simpson	
Signature		Signature	
Derek Simpson	dotloop verified 10/24/245:50 PM EDT ZH1U-9G3Q-2UTB-GC42	Derek Simpson dottoop verified 10/24/24 5:50 PM EDT 1514-6883-38C2-YXMF	
Туре Name		Type Name	
Derek Simpson	***************************************	Derek Simpson	

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

Signature

APPENDIX A

APPLICATION FOR VARIANCE(S)

Rhode Island General Laws § 45-24-41(d) and (e) require 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(a)(16);
- 2. That the hardship is not the result of any prior action of the applicant;
- 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; and
- 4. (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, meaning that the relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted.

Please provide the following information:

	,		
1.	What is the specific hardship from which the applicant seeks relieves extra space paragraphs at the end	ef?	
2.	Specify all unique characteristics of the land or structure that cau see extra space paragraphs at the end	se the hardship:	
3.	(a) Is the hardship caused by an economic disability?(b) Is the hardship caused by a physical disability?	Yes	No X
	(c) If the response to subsection (b) is "yes," is the physical disawith Disabilities Act of 1990 (ADA), 42 U.S.C. § 12101 et seq.?	ability covered b	y the Americans
	With Disubilities Act of 1550 (ADA), 42 0.5.C. 9 12101 et seq.?	res	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.	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			
6.	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:			
	With the finished basement having an interior stair that is not up to modern code and design, having a safer and easier to use stairway to access the Basement as well as a weatherproof Garage entry to the house is important for basic safety and use and enjoyment of the property as well as for my elderly Mother to visit. The existing exterior bulkhead stairs can be reworked for a better entry without being relocated. Having a storage area that is fully enclosed and weather and pest-proof for the Trash and Recycling bins is very important for rodent and pest control in the neighborhood as currently there is no good method beyond bins being stored out-of-doors which squirrels and raccoons and rats access the bins, chew holes in them, etc. Being able to maintain my property via Gardening, Snow removal, Leaf removal, etc will be significantly more difficult without storage space for the equipment and supplies as it would require using the Garage for storage of equipment and supplies rather than vehicles as it is intended to be used as the early 1900's garage interior size can barely fit two modern vehicles there is not room for trash bins or yard / snow equipment.			

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

730 Elmgrove Ave, Providence, RI

City of Providence Zoning Board of Review
Application for a Dimensional Variance --- ADDENDUM #1

"Extra Space" for Application Questions:

MAIN APPLICATION QUESTIONS

12. Summarize any changes proposed for the Property (use, construction/renovation, site alteration): The Zoning Dimensional Variance is being requested for my (the Owner's) desire to build a single-story greenhouse-style connector from the Main House to the Garage. The Garage and the rear of the house sit entirely within the rear setback - both of which were originally constructed well before the Zoning Ordinance was implemented. The greenhouse connector is to provide an all-weather connection from the Garage to the House, and as the Garage interior is quite small and barely fits two modern vehicles, it will house the trash bins, yard waste, and household recycling; gardening tools and supplies and snow removal equipment would be stored there as well. Within the greenhouse connector there is also a small closet and area over top of the trash/recycling storage to serve as an actual Mud Room function. The covered space would allow for a larger stairway entry into the Basement of the house as the current internal stairway does not meet current Building Code and is quite tight and has use hazards. By slightly enlarging the length of the bulkhead stairs, removing the bulkhead exterior door assembly, and adding a railing these stairs would provide a wide, comfortable, easy entry into the finished basement. As there is no Shed of any kind on the property, and in lieu of requesting permission for one, the smallest intrusion into the Rear Setback that accommodates the need for storage of gardening and snow equipment, weatherproof connection to the Garage, and a better and safer entry into the Basement of the house is this greenhouse connector structure as it has been laid out by the Civil Engineer. All of the desired features that this modest addition would provide are able to be accomplished in this small area as the House and Garage entry points, Basement Stair Access, and Driveway (for trash & recycling, snow equipment & salt) and Rear Patio/Yard (gardening/lawn equipment) are all within a very short distance of each other.

The greenhouse connector structure has a flat roof to minimize the volume of the space. The greenhouse connector has been designed to take up the least amount of space to accomplish the goals listed above and sits entirely on an existing hard-scaped patio (large slate pavers). The greenhouse connector has been designed with no operable windows facing the nearest neighbor and the use of the greenhouse connector is intended to be used for Gardening needs, access to the Basement of the House and Entry to/from the Garage and Main House. The trash and equipment enclosures are generally positioned facing the driveway. The existing patio area and use-patterns would not change from the current with the exception of the space on the patio absorbed into the greenhouse connector so there should be no changes detrimental to an Abutter. There would be two exterior doors - one on the Driveway side, and the other on the Patio side, continuing the current existing circulation pattern. In the area between the greenhouse connector and the rear fence & property line there is no Patio or occupiable space. This is filled with new decorative trees and hydrangea shrubs replacing a mature vegetated area that was there previously with many of the old plants nearing the end of their useful lives.

Additionally, as part of this proposed connector, the existing Hot Tub within the Rear Setback near the fence would be removed in its entirety from the property.

Currently at the Rear of the property there is a 6-7' high wood screening fence with tall vegetation on both sides of the fence (trees - ornamental as well as tall evergreens, tall hydrangea trees, and new shrubbery that will fill volume) helping to provide screening from both sides.

Contextually, this addition connecting the Garage to the House would not be wholly unusual for the area or look out of place. The construction is designed to be non-offensive and complimentary to the house. There are numerous houses in the neighborhood with Garages that appear to have been connected to their House at some point after original construction. While other properties past histories obviously do not grant absolution in terms of a Zoning Variance request, the design and layout of the addition is trying to fit in and not be obtrusive within the fabric of the neighborhood.

APPENDIX "A"

- 1. What is the specific hardship from which the applicant seeks relief? The property is an existing lot and house with a freestanding garage adjacent to the house, built prior to municipal zoning. The property has a very small garage, a non-code compliant interior basement stairway, no sheds or exterior storage for lawn/snow equipment, and no mudroom for family entry into the house. The Garage and Rear Wall of the House are entirely within the Side or Rear Setbacks for the house. I am seeking Relief from the Rear Setback Dimensional Requirement for the lot.
- 2. Specify all unique characteristics of the land or structure that cause the hardship: Per the attached PLS performed survey, the entirety of the rear of the house and the driveway of the house and the Garage are within the Side or Rear setbacks. The Garage is dated in its construction and is very small for modern vehicles - able to barely contain two vehicles and no lawn or snow removal equipment, trash and recycling, etc are able to be stored within. The house's interior basement stair is non-code compliant and there is an exterior bulkhead at the Rear of the House near the Garage that could be modestly enlarged to provide a significantly safer and easier access to the Basement. The size and shape of the lot combined with current Zoning Dimensional Standards for lot-line setbacks make it physically impossible to add even a modest Zoning Compliant structure to provide a weatherproof path from Garage to House, a Mudroom space (the house currently has no Mudroom - the side door enters directly into the Kitchen), storage of Trash and Recycling bins in a secured and animal/weatherproof enclosure, Gardening and Snow Removal Equipment storage, and weatherproof access to a modestly enlarged exterior Basement Stair. The only yard space not within a setback is on the far side, furthest away from any entry door or the Garage / Driveway.

730 ELMGROVE AVE, PROVIDENCE

ZONING DIMENSIONAL VARIANCE APPLICATION

SITE PHOTOS, PROPOSED STRUCTURE SKETCH, AND PHOTOGRAPHIC NOTES



Proposed Greenhouse Connector from Garage to House. Connector to be mostly glass-walled with the exception fully enclosed painted panel structure to house Trash and Recycling bins, Snow Blower, Misc Gardening equipment, and Lawn Maintenance tools. Structure to have a flat roof to minimize the volume of the space. There will be plenty of transparency to see the house finishes behind the Greenhouse glass walls.



Current Rear Patio View to back After new plantings installed. New plantings will fill space Similar to old look.



Driveway view with mature rear yard plantings before new Plantings were installed and elderly plantings removed.



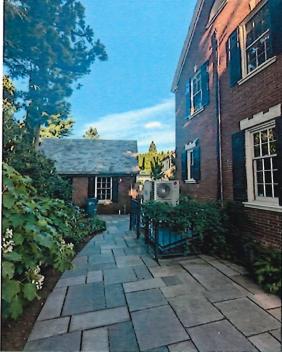
Rear patio looking towards Garage



Same view with proposed footprint



Rear of Garage/Fence Corner looking South



Same view as above, but with the older mature Mature plants that were just removed to plant new ones that will fill out and last longer.

- THE PARCEL IS FOUND ON ASSESSOR'S PLAT 92, LOT 194 IN THE CITY OF PROVIDENCE, PROVIDENCE
- THE OWNER PER DEED BOOK 14169, PAGE 283 IS DEREK SIMPSON.
- THIS SITE IS LOCATED IN FEMA FLOOD ZONE X. REFERENCE FEMA FLOOD INSURANCE RATE MAP 44007C0307J, MAP REVISED OCTOBER 2, 2015. THIS DESIGNATION MAY CHANGE BASED UPON REVIEW BY A FLOOD ZONE SPECIALIST OR BY THE RESULTS OF A COMPREHENSIVE FLOOD STUDY.
- THERE WERE NO CEMETERIES, GRAVE SITES AND OR BURIAL GROUNDS OBSERVED WITHIN THE LIMITS OF
- 5. FIELD SURVEY PERFORMED BY DIPRETE ENGINEERING ON AUGUST 22, 2024. THIS PLAN REFLECTS ON
- 6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. DIPRETE ENGINEERING IS NOT RESPONSIBLE FOR ANY UNKNOWN OR UNRECORDED EASEMENTS, DEEDS OR CLAIMS THAT A TITLE
- 7. SITE IS SUBJECT TO RESTRICTIONS SET FORTH IN DEED BOOK 718, PAGE 226, DATED OCTOBER 2, 1928.
- I. PLAT OF LAND BELONGING TO BLACKSTONE BOULEVARD REALTY CORPORATION, DATED OCTOBER, 1923, SCALE I"=100', PLAN BY W.H.G. TEMPLE, RECORDED IN PLAT BOOK 35, PAGE 80.
- 2. PLAT OF THREE PARCELS OF LAND IN THE CITY OF PROVIDENCE MARKED A. B. C. RESPECTIVELY, BELONGING TO THE PROPRIETORS OF SWAN POINT CEMETERY, DATED NOVEMBER. 1945, SCALE 1"=20". PLAN BY J.J. CROMPTON, RECORDED IN PLAT BOOK 40, PAGE 43.
- 3. HARTSHORN PLAT, OWNED BY THE PROPRIETORS OF SWAN POINT CEMETERY, PROVIDENCE, R.I., DATED OCTOBER, 1947, SCALE I"=40', PLAN BY JOHN J. CROMPTON, RECORDED IN PLAT BOOK 40, PAGE 49.
- THE PARCEL IS ZONED R-IA PER THE ASSESSOR'S ONLINE DATABASE
- 2. THE ZONING ORDINANCE SECTION 402 LISTS THE DIMENSIONAL REGULATIONS AS FOLLOWS:

NONE (7,500 SF NEW SUBDIVISION) NONE 40 FEET (NOT TO EXCEED 3 STORIES) EXISTING - 26% 35 % PROPOSED - 29 % 33 %

50 % 50 %

EXISTING - 53 % 1,000 SQUARE FEET

BUILD-TO-ZONE (23 FEET) 10 FEET 30 FEET

2250 SF 434

EXISTING 2684 SF PROPOSED 3040 SF EXISTING 187 SF PROPOSED 187 SF EXISTING 1844 SF PROPOSED 1853 SF

PROPOSED - 53 %

THE ABOVE NOTES ARE BASED ON INFORMATION FROM THE CITY OF PROVIDENCE ASSESSOR'S ONLINE DATABASE AND THEIR ZONING ORDINANCE ONLY. ANY SPECIAL PERMITS OR VARIANCES SPECIFIC TO THIS SIT ┙ ARE NOT TAKEN INTO CONSIDERATION. PLEASE CONTACT THE ZONING DEPARTMENT FOR ANY ADDITIONAL

LIST OF POSSIBLE ENCROACHMENTS

Engineerin

DiPrete

wo Stafford Court el 401-943-1000 f

BUIL

VENUE

4

Ш

GROVI

Ω

0

SIGN

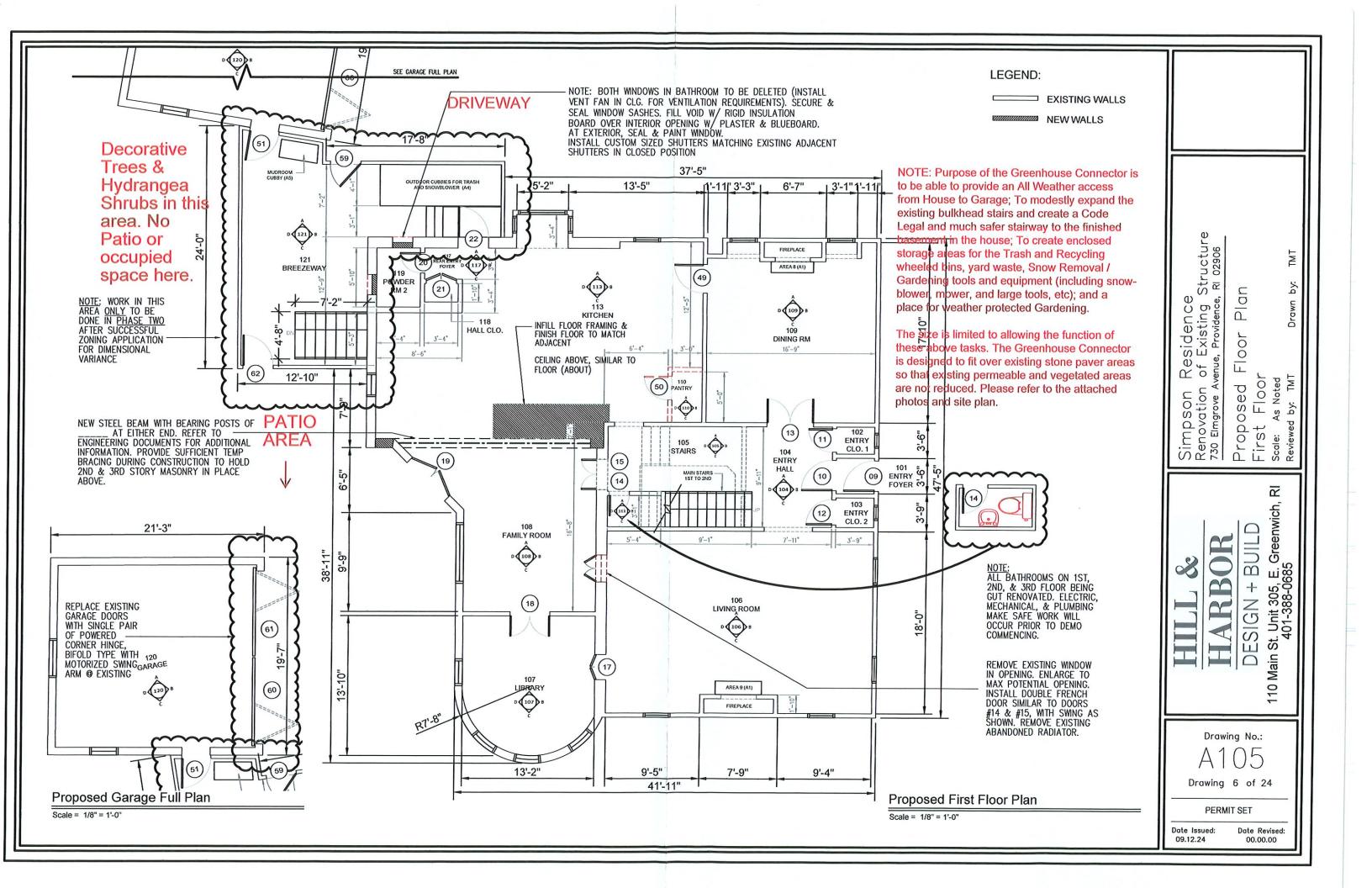
RBO H

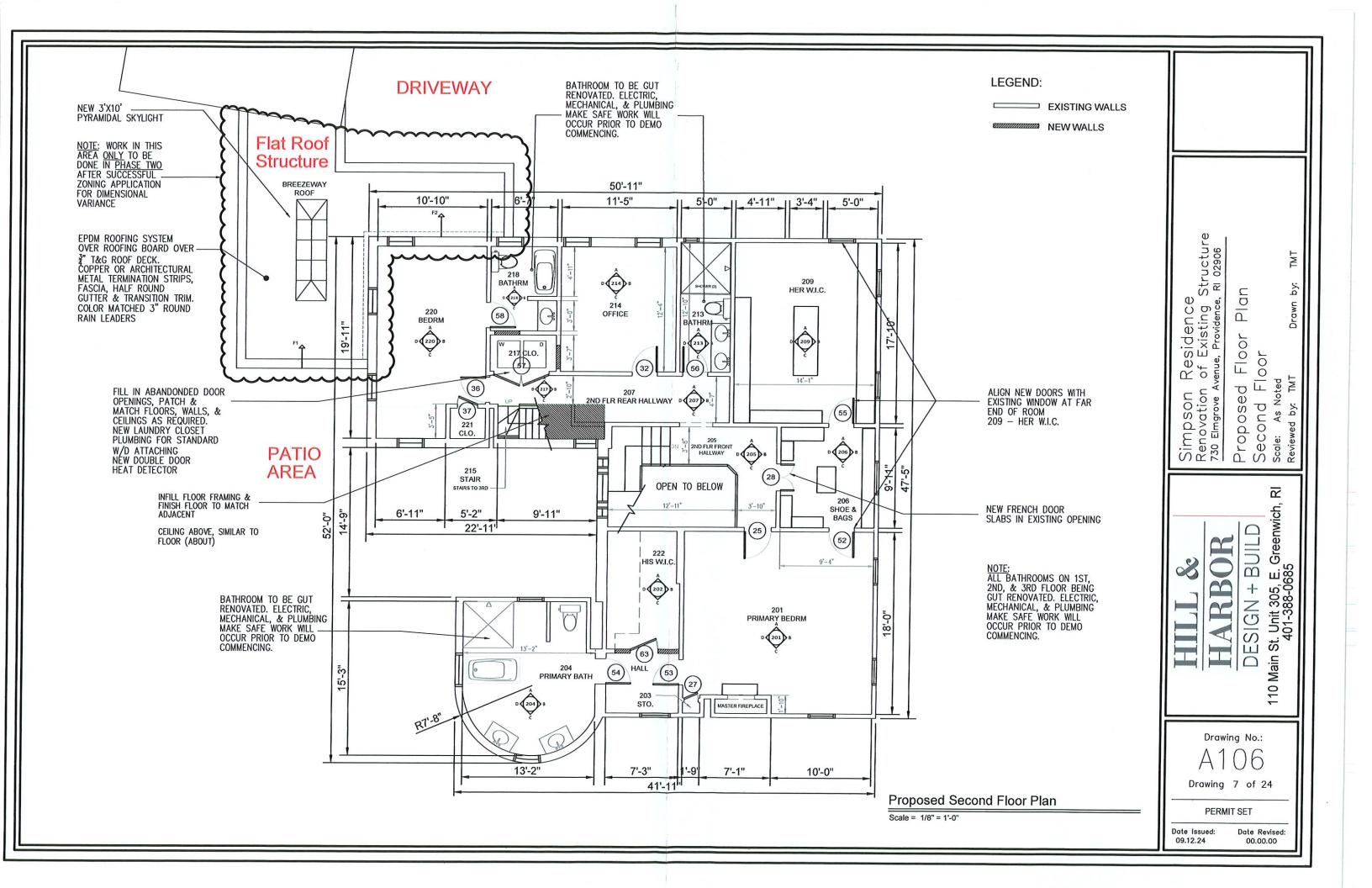
AND

SHEET

0

M







Existing Front Elevation

Scale = 3/32" = 1'-0"



Existing Right Elevation

Scale = 3/32" = 1'-0"

or Elevations Elevation Simpson Renovation 730 Elmgrove Av Existing Front & Scale: As Note

Exterior

E. Greenwich, RI 685 110 Main St. Unit 305, 401-388-0 DESIGN.

Drawing No.:

Drawing 13 of 24

PERMIT SET

Date Issued: 09.12.24



Existing Rear Side Elevation

Scale = 3/32" = 1'-0"



Existing Left Side Elevation

Scale = 3/32" = 1'-0"

Simpson Residence Renovation of Existing Structure 730 Elmgrove Avenue, Providence, RI 02906

TARBOR

ESIGN + BUILD

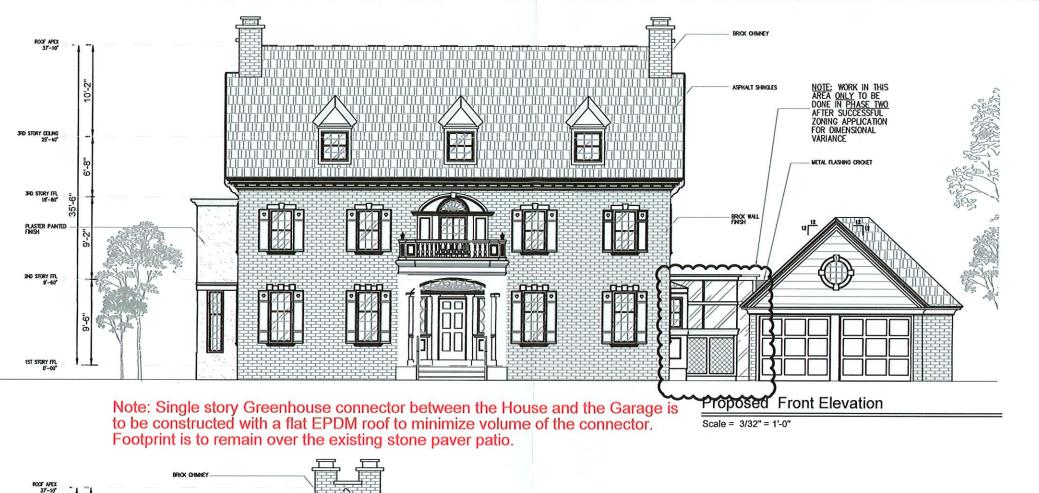
St. Unit 305, E. Greenwich, RI

Drawing No.:

Drawing 14 of 24

PERMIT SET

Date Issued: 09.12.24





exterior wall system, with the exception of the closest portion to the neighbor which shall be painted stucco system, as well as the exterior accessible storage cubbies which shall be painted wood paneling to match the existing adjacent exterior painted wood features.

Proposed Right Elevation

Scale = 3/32" = 1'-0"

Residence 1 of Existing Structure Avenue, Providence, RI 02906 Proposed Front & L Scale: As Noted

> $\overline{\mathbf{x}}$ 110 Main St. Unit

evation

Ш

erior Side

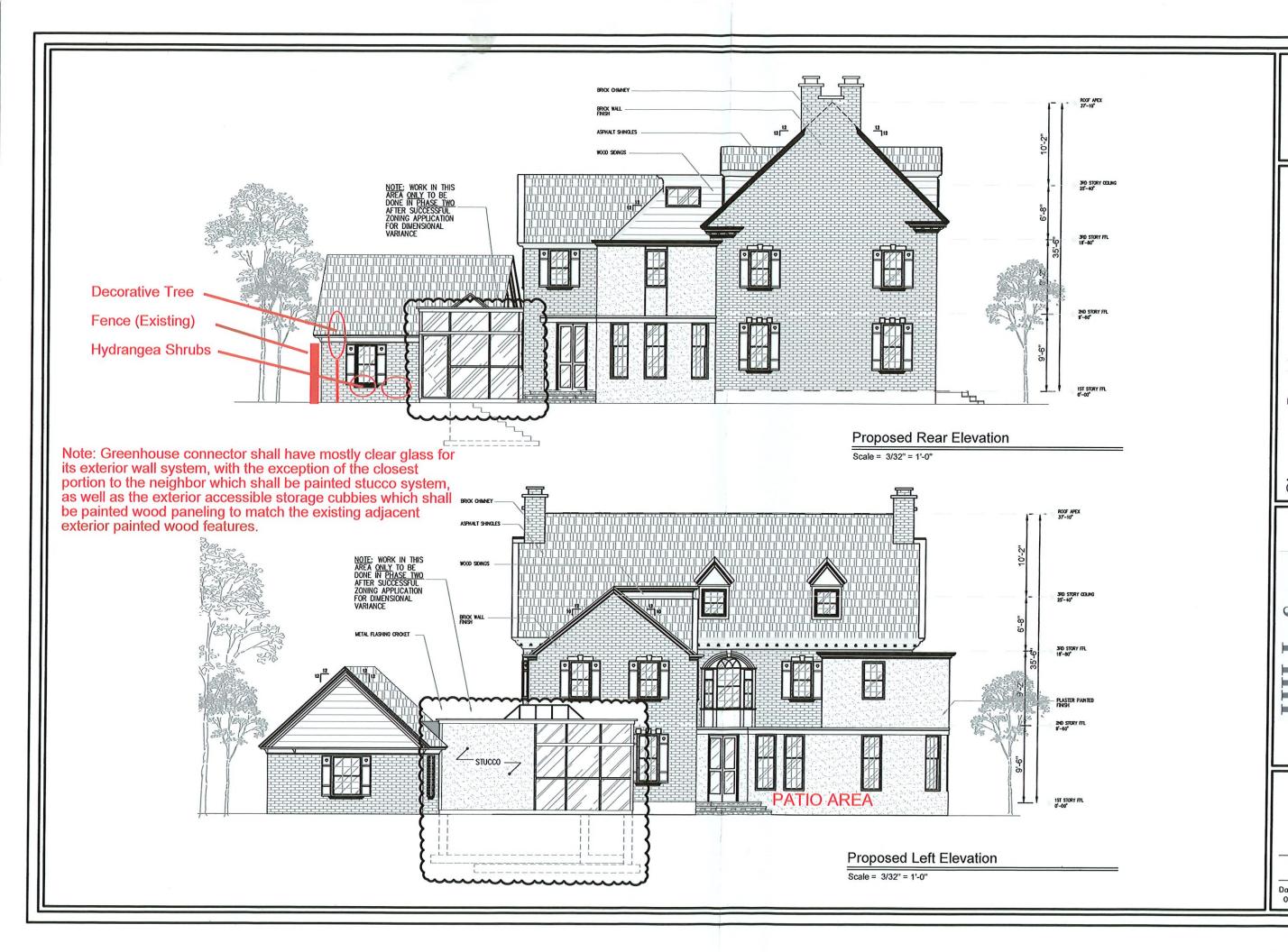
Elevation

Drawing No.:

Drawing 15 of 24

PERMIT SET

Date Issued: 09.12.24



Simpson Residence
Renovation of Existing Structure
730 Elmgrove Avenue, Providence, RI 02906
Proposed Exterior Elevations

FSIGN + BUILD St. Unit 305, E. Greenwich, RI

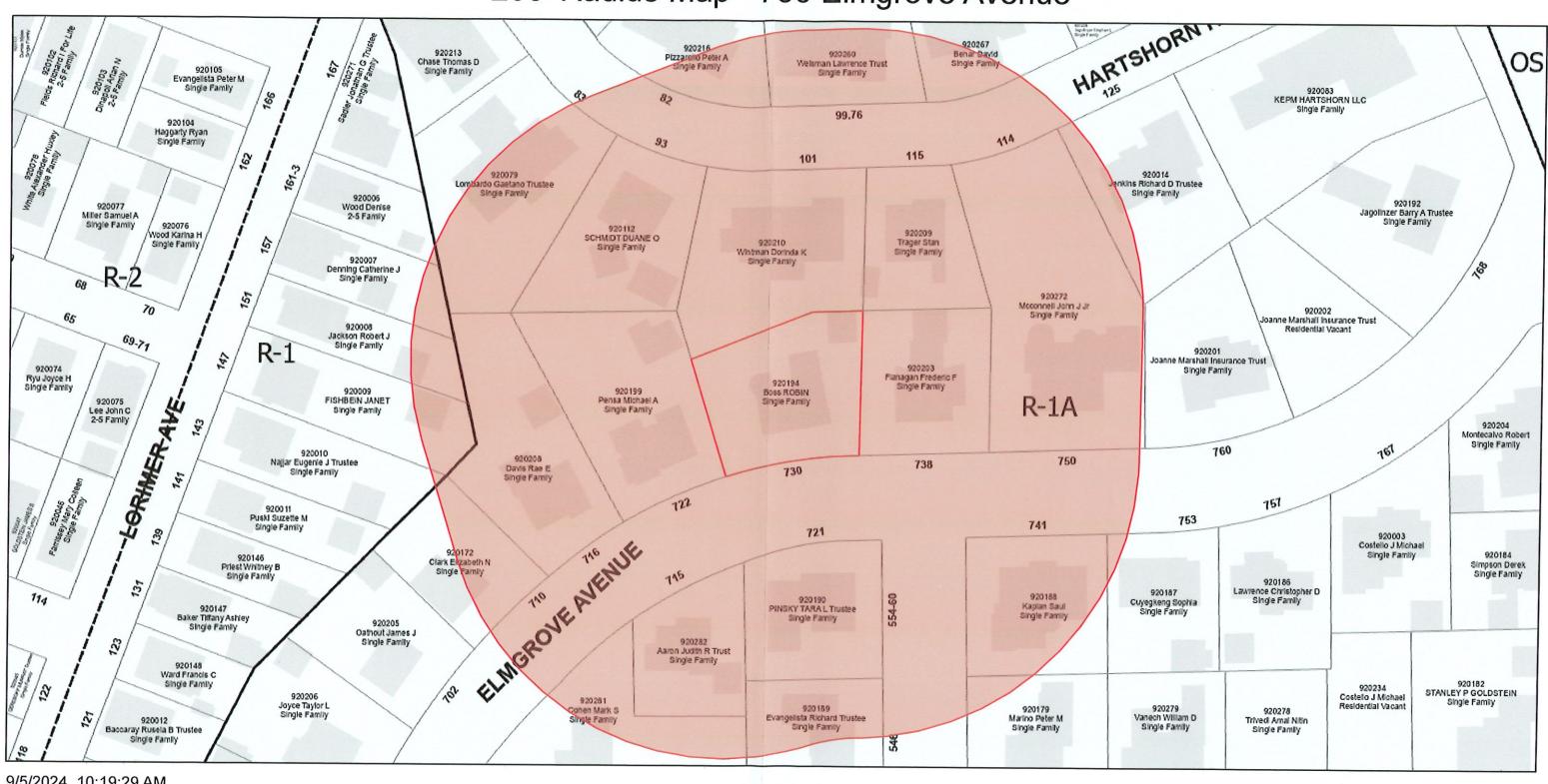
Drawing No.: A204

Drawing 16 of 24

PERMIT SET

Date Issued: Do 09.12.24

200' Radius Map - 730 Elmgrove Avenue



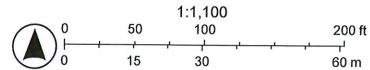
9/5/2024, 10:19:29 AM

Plat Boundaries

L__ Zoning

Parcels

Buildings



Esri Community Maps Contributors, University of Rhode Island, City of East Providence, City of Providence, MassGIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS