

MAR 14 2022

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: Peter R Brown
E-mail prbrown07@yahoo.com
Phone _____
Home/Office

Address 90 Benevolent Street
Zip Code 02906
401-245-4321
Mobile (Cell)

Owner: Sarah M Brown
E-mail _____
Phone _____
Home/Office

Address 90 Benevolent Street
Zip Code 02906
401-245-4321
Mobile (Cell)

Lessee: N/A
E-mail _____
Phone: _____
Home/Office

Address _____
Zip Code _____

Mobile (Cell)

Does the proposal require review by any of the following (check each):

- No Downtown Design Review Committee
- No I-195 Redevelopment District Commission
- No Capital Center Commission
- No Historic District Commission

1. **Location of Property:** 90 Benevolent Street
Street Address
R

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

3a. **Date owner purchased the Property:** August 27, 2019

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

3. Dimensions of each lot:

Lot # 013-121	Frontage 54'	depth 91'	Total area 4,940	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	2,201
Footprint 1,116	Height 29'	Floors 2

Accessory Structure:	Total gross square footage	906
Footprint 453	Height 27'	Floors 1

5. Size of proposed structure(s):	Total gross square footage:	N/A
Footprint N/A	Height N/A	Floors N/A

6a. Existing Lot coverage: (include all buildings, decks, etc.) 22%

6b. Proposed Lot coverage: (include new construction) 32%

7a. Present Use of Property (each lot/structure):
Single Family Residence

7b. Legal Use of Property (each lot/structure) as recorded in Dept. of Inspection & Standards:
Single Family Residence

8. Proposed Use of Property (each lot/structure):
Single Family Residence

9. Number of Current Parking Spaces: 2

10. Describe the proposed construction or alterations (each lot/structure):
Addition of two garage with storage loft accessed by a ship style ladder.

11. Are there outstanding violations concerning the Property under any of the following:

NO Zoning Ordinance
NO RI State Building Code
NO Providence Housing Code

12. List all Sections of the Zoning Ordinance from which relief is sought and description of each section:

402 Tbl 4-1	Propose to reduce interior side setback to 3 feet
_____	_____
_____	_____

13. Explain the changes proposed for the Property.

Adding garage structure to the west side of the building.

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):

Peter R Brown

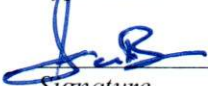
Type Name



Signature

Sarah M Brown

Type Name



Signature

Applicant(s):

Peter R Brown

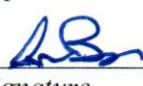
Type Name



Signature

Sarah M Brown

Type Name



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?

Required 6' setback does not allow for a two car garage-storage addition. Submitted plans with a 3' minimum setback currently shows a reduced width (smaller than a standard two car garage).

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

Definition of Accessory Structure needs to be clarified. No previous existence of an accessory structure is known, garage addition would fall under that category.

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 N/A No N/A

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.

N/A

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.**

We intend to stay in the home for many years and the addition allows us to grow into the house. The garage would provide a buffer as we are the last residential house next to a large brick Brown University building.

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).**

This is the least relief and we are only looking to build the structure 3 feet closer to the property line. Alternate layouts for a 2 car garage would be more intrusive to the street and would be more disruptive to the neighborhood. The proposed layout sets the garage back from the street, while also not encroaching on the backyard which would be more disruptive to other neighbors.

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

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 variance is not approved project is not viable. Also, the attached pictures show why the new structure would ease the lack of parking space for the owners/applicants.

APPENDIX B

APPLICATION(S) FOR SPECIAL USE PERMIT

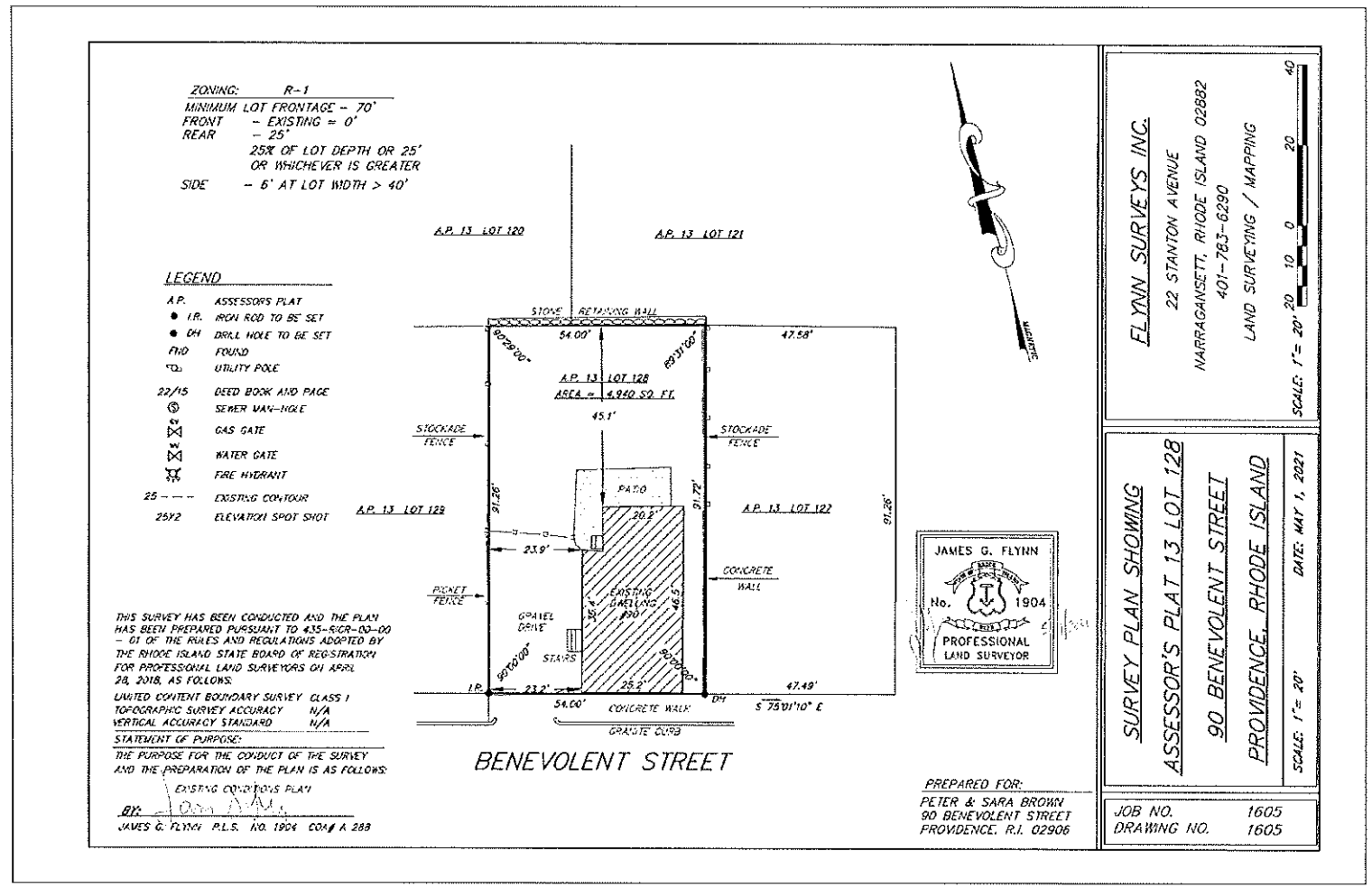
1. Identify the section(s) of the Ordinance that provides for the special use permit.
1302 - Accessory Structure.

2. State all facts that demonstrate that the proposed special use will not substantially injure the use and enjoyment of neighboring property.
New structure placed at more than eight feet away from abutting masonry structure.
Walls facing such existing structure to have a one hour minimum fire rated construction as a condition for a reduced setback dimension up to 3' minimum..

3. State all facts that demonstrate that the proposed special use will not significantly devalue neighboring property.
Accessory structure to maintain architectural character of existing residence.
The west side of the lot abuts a Brown University building and this addition will allow a buffer.

4. State all facts that demonstrate that the proposed special use will not be detrimental or injurious to the health or welfare of the community.
N/A

**IF THE APPLICANT IS AN EDUCATIONAL OR HEALTH CARE INSTITUTION,
COMPLETE PAGES 10 AND 11 BELOW**



1 EXISTING SITE PLAN
 EXC1.1 SCALE: 1"= 20'

CERTIFICATION

CONSULTANT LOGO

THIS DRAWING IS PART OF AN INTEGRATED SET OF CONSTRUCTION CONTRACT DOCUMENTS.

REFER TO ALL DRAWINGS AND SPECIFICATIONS INCLUDING BUT NOT LIMITED TO "GENERAL CONDITIONS", "SUMMARY OF WORK" AND ANY APPLICABLE MANUFACTURERS TECHNICAL SPECIFICATIONS.

REFER TO ALL OF THE DRAWINGS FOR COMPLETE SCOPE OF WORK. THIS DRAWING IS NOT TO BE SCALED AND OR USED AS AAS-BUILT.

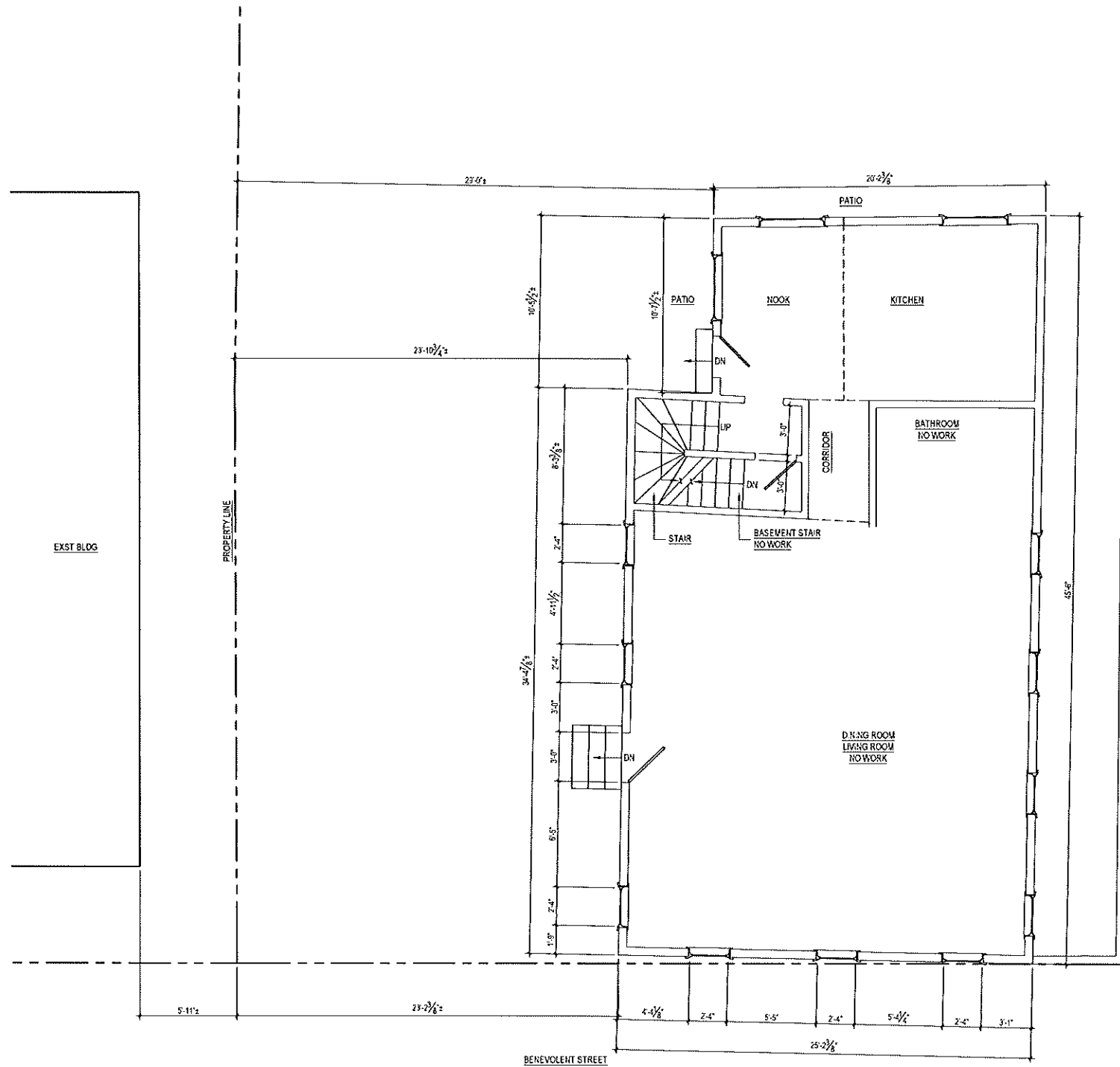
REVISIONS	
No.	DATE DESCRIPTION
1	11/15/21 PLANS UPDATES

PROJECT NAME
BROWN RESIDENCE GARAGE ADDITION
 90 BENEVOLENT STREET PROVIDENCE, RI

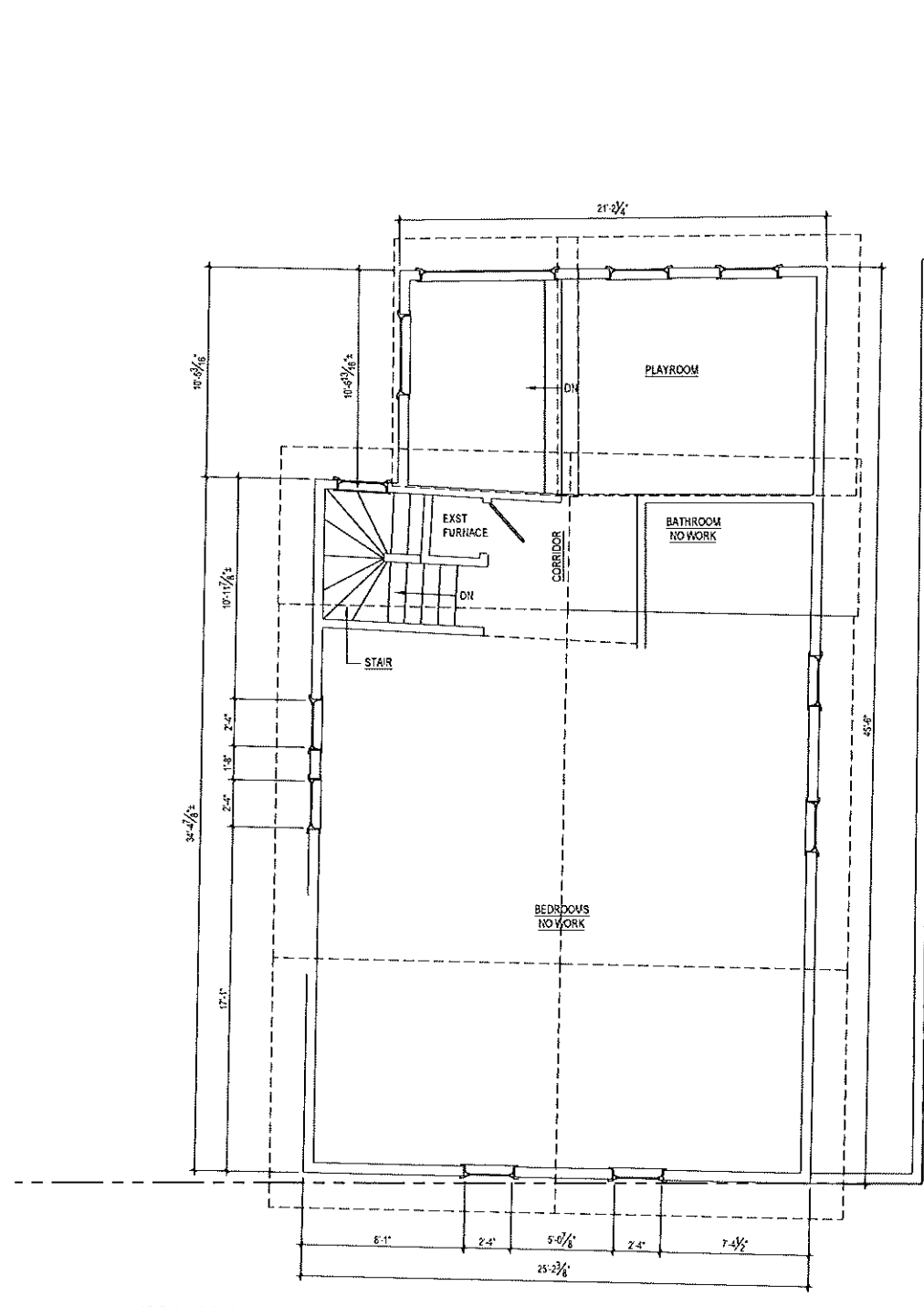
SHEET TITLE
EXISTING SITE PLAN

DESIGNED BY
 DRAWN BY **DFM**
 CHECKED BY
 DATE ISSUED **08.12.2021**
 SCALE **AS NOTED**

SHEET NUMBER
EXC1.1



1 EXISTING GROUND FLOOR PLAN
EX1.1 SCALE: 1/4" = 12"



2 EXISTING UPPER LEVEL FLOOR PLAN
EX1.1 SCALE: 1/4" = 12"



CERTIFICATION

CONSULTANT LOGO

THIS DRAWING IS PART OF AN INTEGRATED SET OF CONSTRUCTION CONTRACT DOCUMENTS. REFER TO ALL DRAWINGS AND SPECIFICATIONS INCLUDING BUT NOT LIMITED TO "GENERAL CONDITIONS", "SUMMARY OF WORK" AND ANY APPLICABLE MANUFACTURER'S TECHNICAL SPECIFICATIONS. REFER TO ALL OF THE DRAWINGS FOR COMPLETE SCOPE OF WORK. THIS DRAWING IS NOT TO BE SCALED AND OR USED AS A BASIS BUILT.

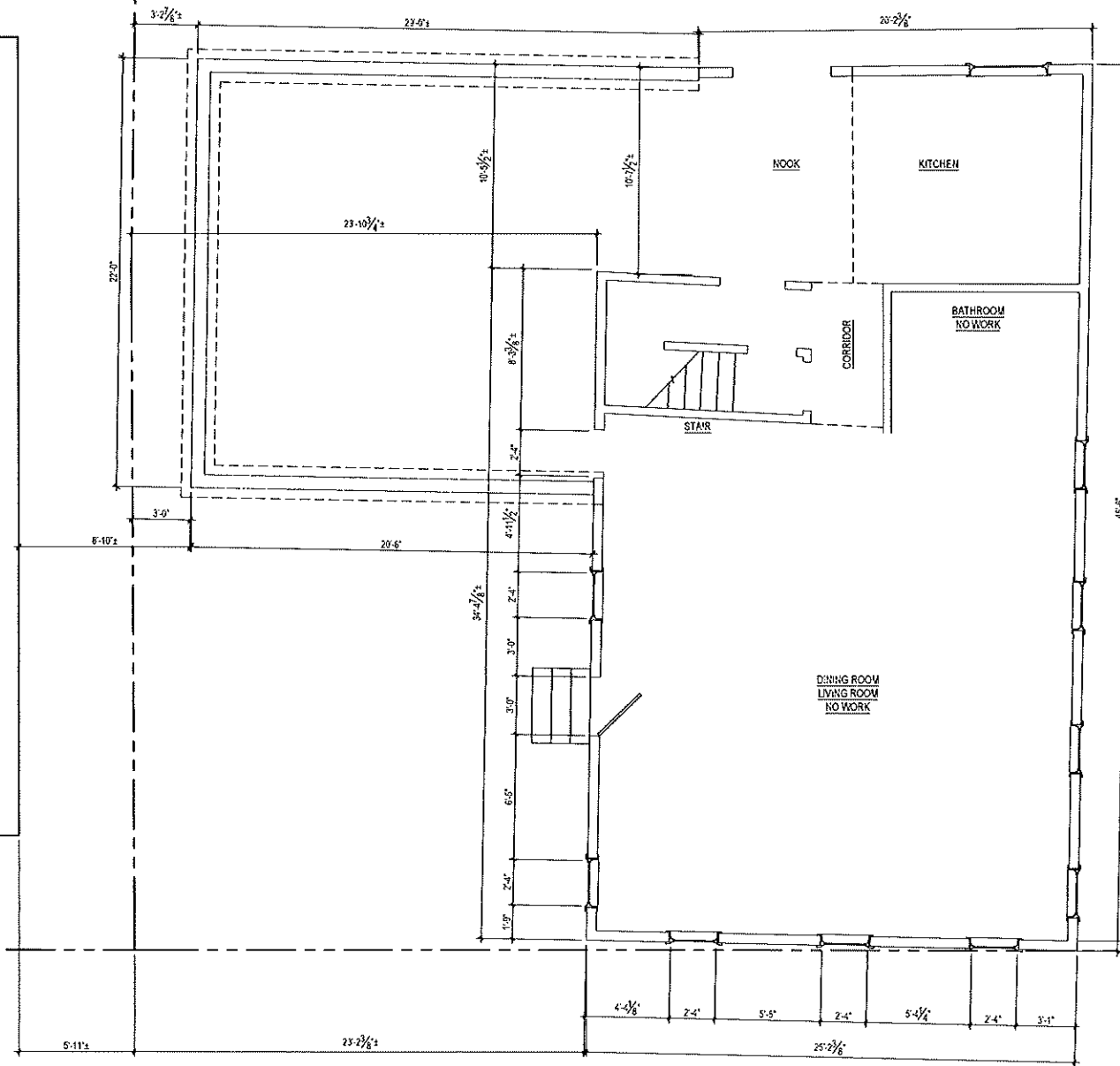
NO.	DATE	DESCRIPTION
1	11.22.21	PLANS UPDATED

PROJECT NAME
BROWN RESIDENCE GARAGE ADDITION
90 BENEVOLENT STREET PROVIDENCE, RI

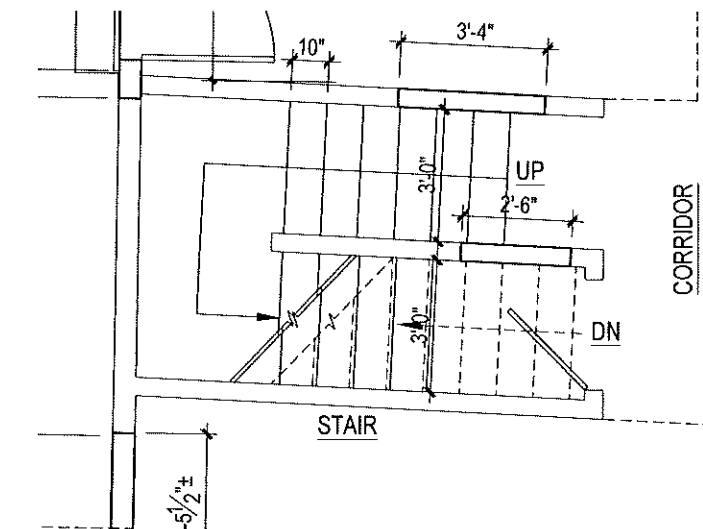
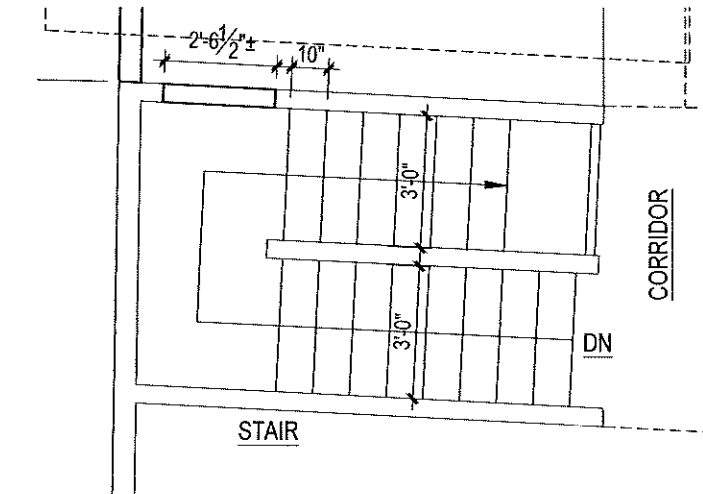
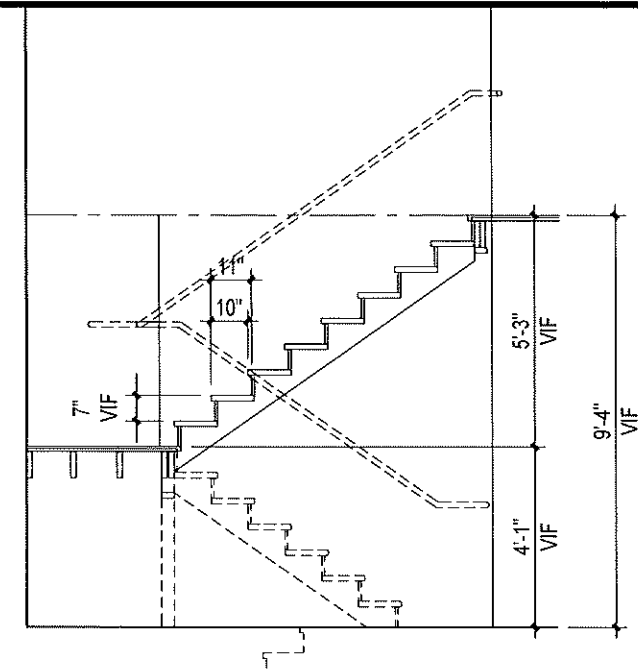
SHEET TITLE
EXISTING GROUND FLOOR PLAN
EXISTING UPPER LEVEL FLOOR PLAN

DESIGNED BY
DRAWN BY DFM
CHECKED BY
DATE ISSUED 08.12.2021
SCALE AS NOTED
SHEET NUMBER

EX1.1



1 FOUNDATION PLAN
A1.0 SCALE: 1/4" = 12'



2 PROPOSED STAIR PLANS - SECTION
A1.0 SCALE: 1/2" = 12'



CERTIFICATION

CONSULTANT LOGO

THIS DRAWING IS PART OF AN INTEGRATED SET OF CONSTRUCTION CONTRACT DOCUMENTS.

REFER TO ALL DRAWINGS AND SPECIFICATIONS INCLUDING BUT NOT LIMITED TO "GENERAL CONDITIONS", "SUMMARY OF WORK" AND ANY APPLICABLE MANUFACTURERS TECHNICAL SPECIFICATIONS.

REFER TO ALL OF THE DRAWINGS FOR COMPLETE SCOPE OF WORK. THIS DRAWING IS NOT TO BE SCALED AND/OR USED AS BUILT.

NO.	DATE	DESCRIPTION
1	11.15.21	PLANS UPDATES

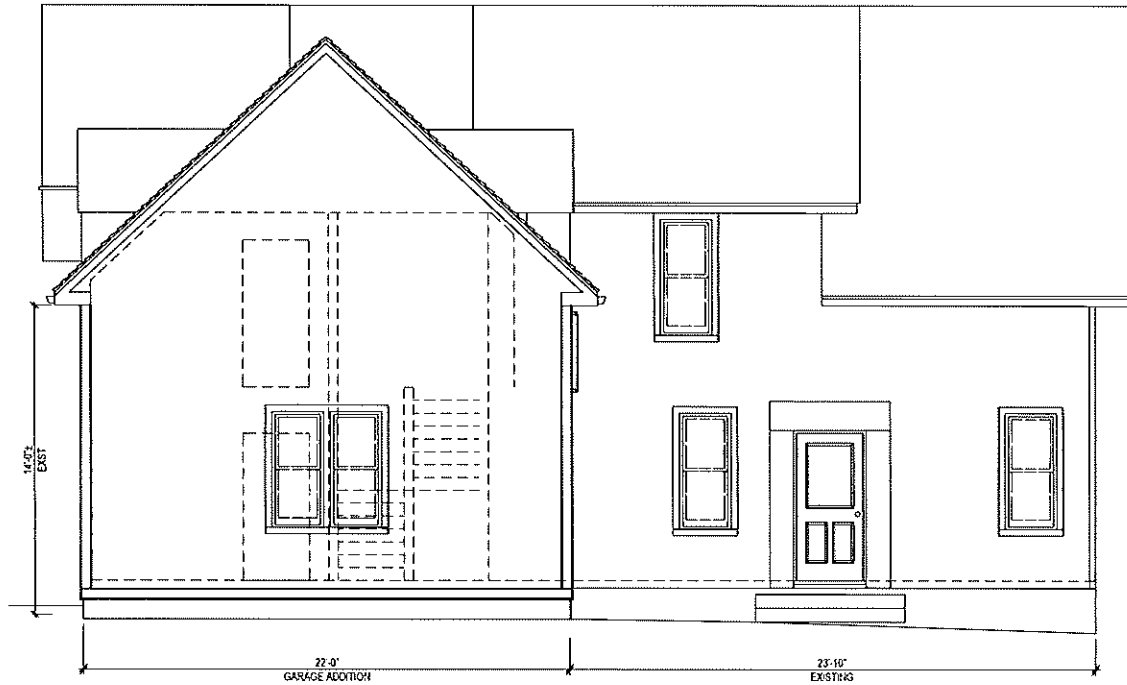
PROJECT NAME
BROWN RESIDENCE GARAGE ADDITION
90 BENVOLENT STREET PROVIDENCE, RI

SHEET TITLE
FOUNDATION PLAN
PROPOSED STAIR PLANS AND SECTION

DESIGNED BY
DRAWN BY DFM
CHECKED BY
DATE ISSUED 08.12.2021
SCALE AS NOTED

SHEET NUMBER

A1.0



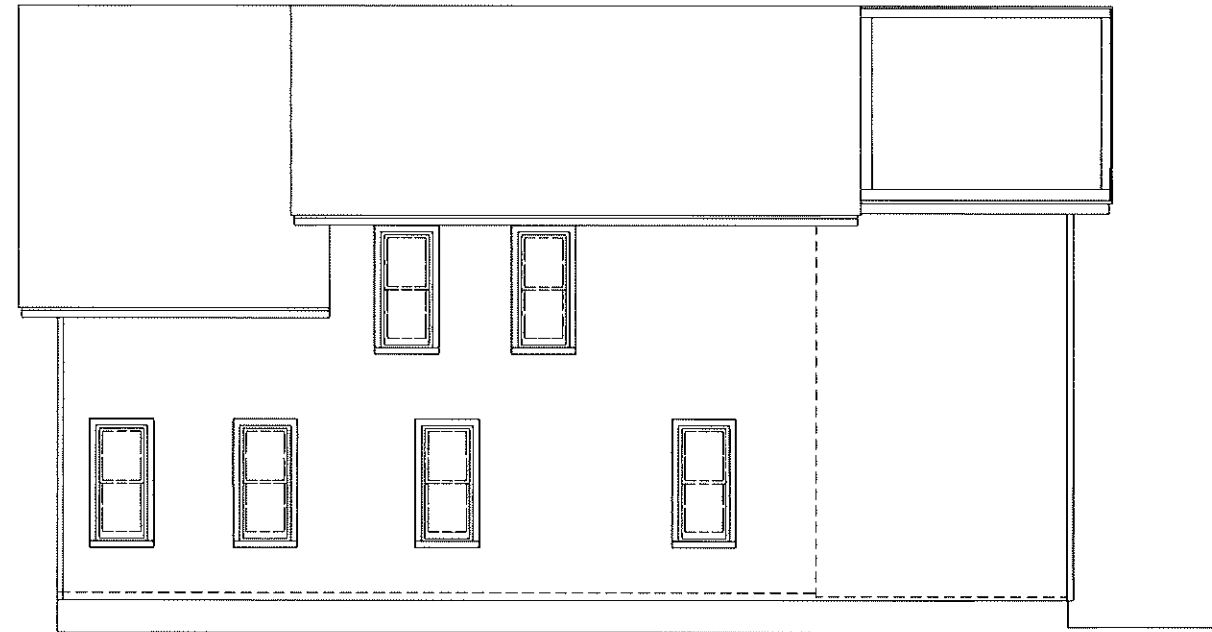
LEFT ELEVATION



BENEVOLENT ST ELEVATION



RIGHT ELEVATION



REAR ELEVATION

A
A12 PROPOSED ELEVATIONS
SCALE 1/4" = 1'



CERTIFICATION

CONSULTANT LOGO

THIS DRAWING IS PART OF AN INTEGRATED SET OF CONSTRUCTION CONTRACT DOCUMENTS

REFER TO ALL DRAWINGS AND SPECIFICATIONS INCLUDING BUT NOT LIMITED TO "GENERAL CONDITIONS", "SUMMARY OF WORK" AND ALL APPLICABLE MANUFACTURERS TECHNICAL SPECIFICATIONS.

REFER TO ALL OF THE DRAWINGS FOR COMPLETE SCOPE OF WORK. THIS DRAWING IS NOT TO BE SCALED AND/OR USED AS A BASIS-BUILT.

NO	DATE	DESCRIPTION
1	11.15.21	PLANS UPDATES

PROJECT NAME
BROWN RESIDENCE GARAGE ADDITION
90 BENEVOLENT STREET PROVIDENCE, RI

SHEET TITLE
PROPOSED ELEVATIONS

DESIGNED BY
DRAWN BY DFM
CHECKED BY
DATE ISSUED 08.12.2021
SCALE AS NOTED

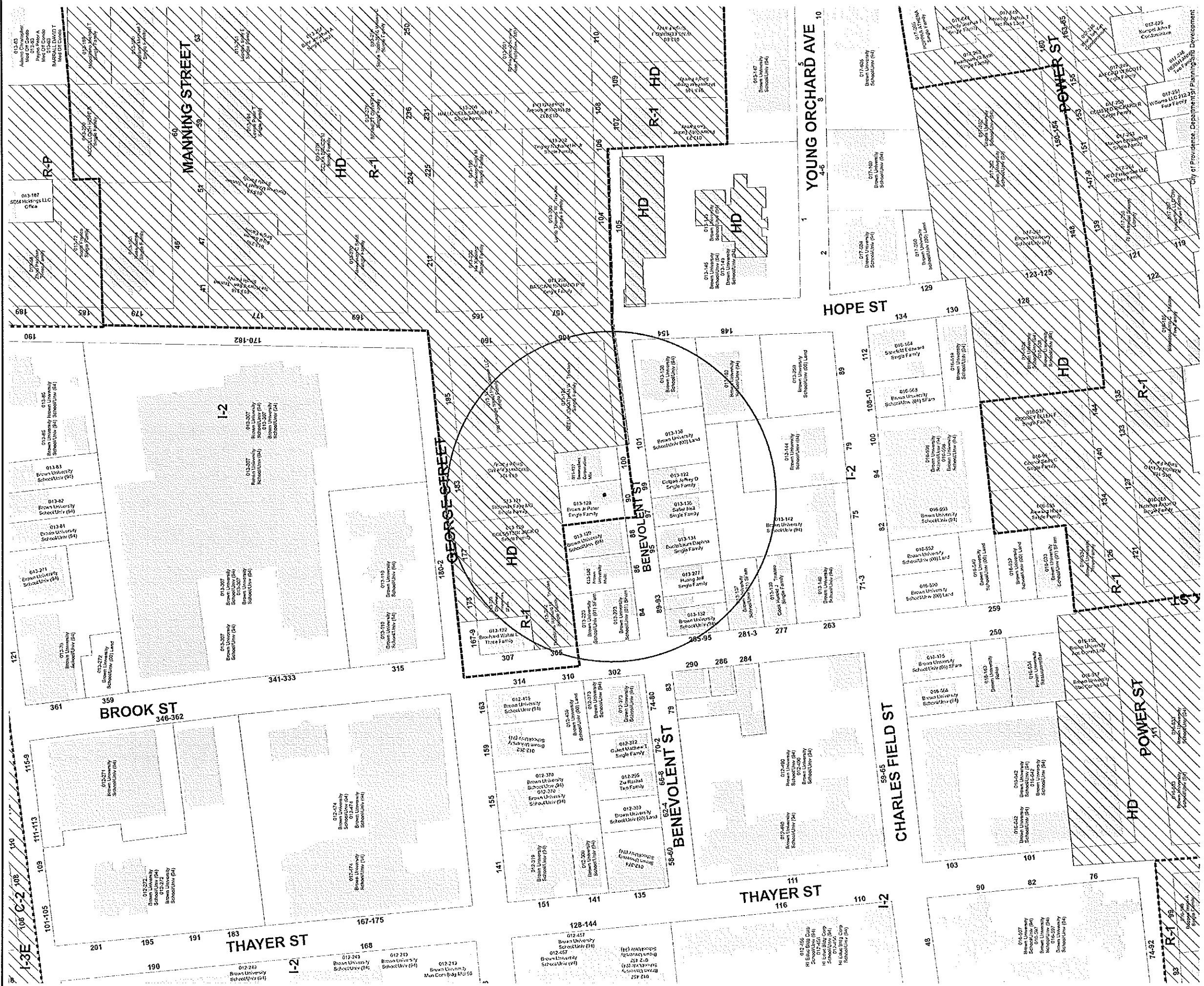
SHEET NUMBER
A1.2











PROVIDENCE, RHODE ISLAND

PROVIDENCE THE CREATIVE CAPITAL

DEPARTMENT OF PLANNING AND DEVELOPMENT

JORGE O. FLOREZ, MAYOR | BONNIE NICKERSON AICR, DIRECTOR

1 inch = 40 feet

The information depicted on this map is for planning purposes only. It is not intended to be used for legal purposes. The information is provided as a service to the public and is subject to change without notice.

Map of Providence, Rhode Island, Department of Planning and Development, Providence, Rhode Island, 02903.

Map Date: 07/15/2022



GEORGE STREET

BENEVOLENT ST

315

314

310

302

290

286

284

281-3

277

167-9

173

177

183

195

160

165

156

157

154

154

148

013-152

013-151

013-150

013-121

013-123

013-124

013-125

013-126

013-127

013-128

013-129

013-130

013-131

013-132

013-133

013-134

013-135

013-136

013-137

013-138

013-139

013-140

013-141

013-142

013-143

013-144

013-145

013-146

013-147

013-148

013-149

013-150

013-151

013-152

013-153

013-154

013-155

013-156

013-157

013-158

013-159

013-160

013-161

013-162

013-163

013-164

013-165

013-166

013-167

013-168

013-169

013-170

013-171

013-172

013-173

013-174

013-175

013-176

013-177

013-178

013-179

013-180

013-181

013-182

013-183

013-184

013-185

013-186

013-187

013-188

013-189

013-190

013-191

013-192

013-193

HD

013-110
Brown University
School/Univ (94)

013-110
Brown University
School/Univ (94)

013-152
Birmingham Trust
Trustee