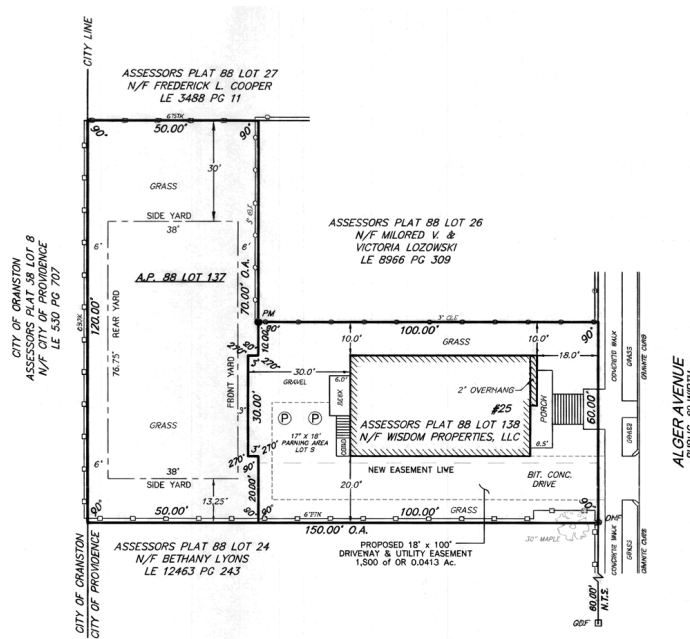


23 Alger Avenue

ANALYSIS OF REQUIRED FINDINGS FOR DIMENSIONAL VARIANCES

September 30, 2026

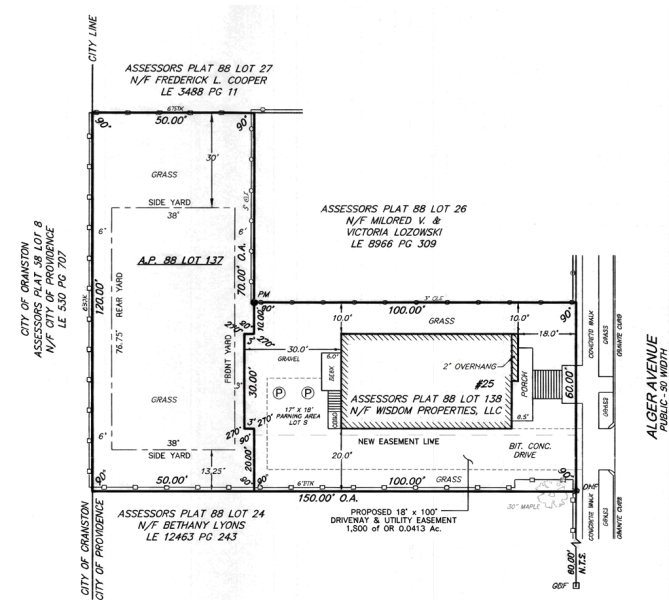


Project Overview

The applicant, Wisdom Properties, LLC, requests dimensional variance relief for the proposed residential development at 23 Alger Avenue (Assessor's Plat 88, Lot 137) in Providence, RI.

Project Details:

- The subject parcel comprises 5,910 square feet in an R-3 residential zoning district.
- Proposed access: 18' x 100' (1,800 sf) driveway and utility easement across adjacent Lot 138 from Alger Avenue.
- Eastern lot line is the legal front boundary (City of Providence Zoning Ordinance Section 202.L.1: the front lot line is designated as "that lot line which is oriented towards the site access")
- This 90-degree pivot alters required setbacks, creating technical non-conformities.
- When the dwelling is oriented according to its intended functional layout the building footprint conforms with standard yard setback and coverage regulations.



Summary of Relief and/or Required Approvals

Relief/Necessary Approvals	Specific Dimensions Presently Proposed	Applicable Statue, Regulation, Ordinance
Dimensional Variance - Front Setback Relief	3' front setback where 18.25' $\pm$ 5' is required	Providence Zoning Ordinance Table 4-1 & Sec. 402.B; R.I. Gen. Laws § 45-24-41
Dimensional Variance - Rear Setback Relief	6' rear setback where 30' is required	Providence Zoning Ordinance Table 4-1; R.I. Gen. Laws § 45-24-41

Dimensional Variance Standards

Pursuant to R.I. Gen. Laws § 45-24-41, the applicant must submit evidence meeting the following standards:

Hardship Due to Unique Characteristics	(d)(1) 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
No Prior Action	(d)(2) The hardship is not the result of any prior action of the applicant
Consistency with Neighborhood, Zoning & Comprehensive Plan	(d)(3) The granting of the relief requested 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
Relief Minimal to Reasonable Enjoyment	(e)(2) 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 relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted

Hardship Components - Unique Hardship

R.I. Gen. Laws § 45-24-41(d)(1) - the applicant must submit evidence of a “hardship relating to the unique characteristics of the land or structure”

<u>Hardship</u> : 90-degree lot pivot creates impracticable building.	
Evidence: Facts & Findings	Municipal Staff Expert Findings
• Providence’s zoning ordinance is designed for rectangular lots with narrow end facing street • Literal language of zoning ordinance permits only a 3.75-foot deep building	• "The subject lot is located at the rear of lot 138, which fronts on Alger Ave. It exhibits a unique layout as it does not have direct street access and is only accessible from an easement that passes over lot 138. In addition, it is laid out as a rectangle with the width of approximately 120' parallel to Alger Ave and a length of 50'." • "The request for relief is attributable to the unique character of the lot as it's layout and length make it difficult to meet both setbacks."

Hardship Components - Not Related to General Characteristics

R.I. Gen. Laws § 45-24-41(d)(1) - the hardship is not related to the “general characteristics of the surrounding area”

General Characteristics: Standard rectangular residential lots along Alger Avenue possessing direct public street frontage.

Evidence: Facts & Findings

- Surrounding parcels along Alger Avenue feature direct street frontage and standard rectangular orientations.
- Subject lot's 90-degree rotated layout

Municipal Staff Expert Findings

- The request for relief is attributable to the unique character of the lot as it's layout and length make it difficult to meet both setbacks.

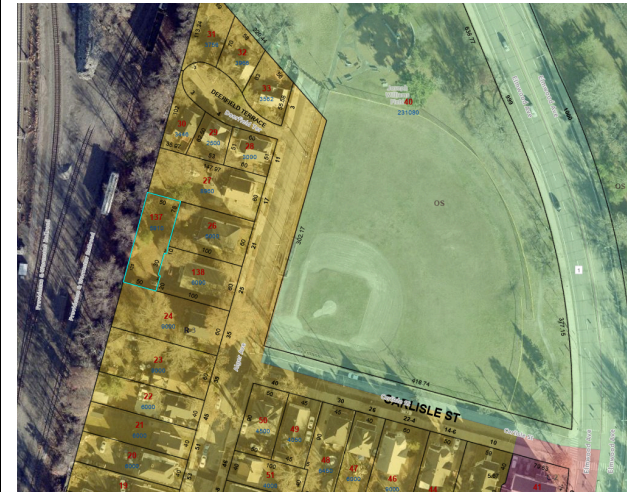


Figure 1 - Aerial photograph of subject parcel and surrounding area. The neighborhood generally features conventional street frontage.

Hardship Components - Not Due to Physical or Economic Disability

R.I. Gen. Laws § 45-24-41(d)(1) - the hardship is not due to the “physical or economic disability of the applicant...”

Evidence: Facts & Findings	Municipal Staff Expert Findings
• Applicant is an LLC • There is no evidence that the applicant has a physical or economic disability.	• "The request for relief is attributable to the unique character of the lot as it's layout and length make it difficult to meet both setbacks."

No Prior Action

R.I. Gen. Laws § 45-24-41(d)(2) - “the hardship is not the result of any prior action of the applicant”

Evidence: Facts & Findings	Municipal Staff Expert Findings
• The lot is conforming • To have a conforming building, based upon current interpretation, maximum building size would be 3.75' deep x 100' wide.	• "These conditions are not the result of a prior action of the applicant..."

Consistency with Zoning & Comprehensive Plan

R.I. Gen. Laws § 45-24-41(d)(3) - The granting of the relief requested 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

Consistency w/ Neighborhood Character	Alter the general character of the surrounding neighborhood
Consistency w/ Intent of Zoning Ordinance	Impair the intent or purpose of the zoning ordinance; or
Consistency w/ Comprehensive Plan	Impair the intent or purpose of the comprehensive plan

Consistency w/ Neighborhood Character

R.I. Gen. Laws § 45-24-41(d)(3) - The granting of the relief requested will not alter the general character of the surrounding area.

Evidence: Facts & Findings	Municipal Staff Expert Findings
● Scale, height, and pervious coverage of proposed dwelling are consistent with surrounding R-3 character ● This area was ceded from Cranston in nineteenth century ● Portion of neighborhood bisected by Roger Williams Park and Northeast Corridor/I-95/Route 10 ● Mix of single- and multi-family homes ● Conforming appearance to neighboring lots along Alger Avenue.	● "[G]ranting of the variance is not expected to alter the general character of the area as the lot is set back from Alger Street with a rail line to the rear."

Purpose & Intent of Zoning Ordinance

Pertinent Sections and Provisions of the Zoning Ordinance	<u>Ordinance 101.A:</u> Promoting the public health, safety, and general welfare.
	<u>Ordinance 101.B:</u> Providing for a range of uses and intensities of use appropriate to the character of the city and reflecting current and expected future needs.
	<u>Ordinance 101.C:</u> Providing for orderly growth and development which recognizes: 6. The need to shape and balance urban and rural development.
	<u>Ordinance 101.H:</u> Promoting a balance of housing choices, for all income levels and groups, to assure the health, safety, and welfare of all citizens and their rights to affordable, accessible, safe, and sanitary housing.
	<u>Ordinance 101.L:</u> Promoting implementation of the Comprehensive Plan.

Consistency w/ Intent of Zoning Ordinance

R.I. Gen. Laws § 45-24-41(d)(3) - The granting of the relief requested will not impair the intent or purpose of the zoning ordinance upon which the ordinance is based.

Evidence: Facts & Findings
<u>Ordinance 101.A:</u> The project ensures public welfare and safety by proposing a structurally sound, code-compliant residential development that fits the surrounding community standards. <u>Ordinance 101.B:</u> The residential development is a principal permitted use in the R-3 district, reflecting appropriate intensity and compatibility with city character. <u>Ordinance 101.C:</u> The project promotes orderly infill development by utilizing an existing lot of record, accommodating unique easement access without disrupting the urban balance. <u>Ordinance 101.H:</u> The development adds to the availability of safe, accessible housing options within an established neighborhood. <u>Ordinance 101.L:</u> The requested dimensional relief supports the housing objectives, infill goals, and efficient utilization of platted lots set forth in the City of Providence Comprehensive Plan.

Purpose & Intent of Comprehensive Plan

Pertinent Sections and Provisions of the Comprehensive Plan	<u>Objective LU3 (Manage Growth in Residential Areas)</u> : "Within residential areas designated on the future land use map, promote the development of a wide range of housing types to ensure a diversity of living options for city residents. Encourage infill residential development that is consistent with existing residential character"
	<u>Objective H2 (Produce New Housing for All)</u> : "Support the creation of new ownership and rental housing citywide at all price points"
	<u>Objective H5 (Housing and Transit)</u> : "Promote the integration of housing and transit services"
	<u>Objective LU1 (Protect and Enhance Stable Neighborhoods)</u> : "Reinforce the stability, character, and diversity of the City's neighborhoods by respecting valued development patterns and attributes"
	<u>Objective BE2 (New Development and Traditional Character)</u> : Encourages "new development to be compatible with Providence's traditional character" through rules governing appropriate size, scale, and massing

Consistency w/ Comprehensive Plan

R.I. Gen. Laws § 45-24-41(d)(3) - The granting of the relief requested will not impair the intent or purpose of the comprehensive plan upon which the ordinance is based.

Evidence: Facts & Findings
<u>Objective LU3:</u> Promotes infill residential development within the R-3 zone that is consistent with existing residential character and adds a complementary housing type to the area. <u>Objective H2:</u> Supports the creation of new ownership housing within the city to help meet local housing needs. <u>Objective H5:</u> Integrates housing with transit services by leveraging the site's convenient proximity to the 20 RIPTA bus line. <u>Objective LU1:</u> Reinforces neighborhood stability and diversity through a well-designed residential infill project that respects established development patterns. <u>Objective BE2:</u> Ensures the new residential structure is compatible with traditional character through appropriate size, scale, and massing.

Hardship Standard - Permitted Use

R.I. Gen. Laws § 45-24-41(e)(2) - the property is being devoted to a permitted use.

Evidence: Facts & Findings	Municipal Staff Expert Findings
Single family, two-family, three-family are permitted uses.	"The applicant proposes to construct a new two-family dwelling on the lot... in conformance with what is permitted by the ordinance."

Hardship Standard - Mere Inconvenience

R.I. Gen. Laws § 45-24-41(e)(2) - the applicant has submitted evidence of a hardship that 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.

Evidence: Facts & Findings	Municipal Staff Expert Findings
• Failure to grant relief will require impracticable building.	• "Denial of the relief would amount to more than a mere inconvenience as it would limit the developable area of the lot, preventing it from being developed in conformance with what is permitted by the ordinance."

Summary

Standard	Facts & Findings	Staff Findings
Dimensional Variance - Unique Hardship	Meets	Meets
Dimensional Variance - Not Related to General Characteristics	Meets	Meets
Dimensional Variance - Not Due to Physical or Economic Disability	Meets	Meets
Dimensional Variance - No Prior Action	Meets	Meets
Dimensional Variance - Consistency w/ Neighborhood, Zoning, Comprehensive Plan	Meets	Meets
Dimensional Variance - Permitted Use	Meets	Meets
Dimensional Variance - Mere Inconvenience	Meets	Meets