

Department of Inspection and Standards

Jorge O. Elorza Mayor
Joseph M. Atchue, Acting Director

February 12, 2020

RE: 75-81 Yorkshire St, Plat 76, Lot 207, R-3 Residential District

Mr. Scungio

In response to your request on behalf of Mr. William D'Amico, Manager of Expo Realty LLC, dated December 26, 2019, for an administrative modification to subdivide a 9,600sf lot into two new lots of 5,077sf and 4523sf.

Pursuant to Section 402 and Table 4-1 of the Providence Zoning Ordinance effective December 24, 2014 (as amended), the minimum square footage to subdivide a new lot in an R-3 district is 5,000 square feet. The short fall of 477 square feet of area on the smaller of the proposed lots is within ten percent (10%) of the requirements.

Under Article 19, Section 1903, the Director of Inspection and Standards may grant a ten percent (10%) modification to dimensional regulations. The Director finds as follows:

- The request is reasonably necessary for the full enjoyment of the permitted use.
- If the modification is granted the neighboring property will neither be substantially injured nor its appropriate use substantially impaired.
- The modification requested is in harmony with the purposes and intent of the Comprehensive Plan and this Ordinance.
- The modification requested does not require a variance of a flood hazard requirement.

Pursuant to section 1801(G), public notice was advertised in the Providence Journal on January 13, 2020 and via certified mail to owner(s) of abutting properties on the same day. There was no written objection received by the Department of Inspection and Standards within 30 days of the public notice. Therefore, the request for the modification is **GRANTED**.

This letter is drafted in accordance with the current Zoning Ordinance, which became effective December 24, 2014, and is subject to any future changes to said Ordinance. If you have any further questions, please feel free to contact me.

Sincerely,

Alexis J. Thompson, Sec. to the Boards of Review, DIS - Zoning Office

CC: Joseph Atchue, Director/Building Official, DIS

Sealed From
D.P.W. Eng's PLAN 74-A-57

R-3 DIMENSIONAL STANDARDS
 MIN. LOT AREA NEW SUB-DIV. = 5,000SF
 MIN. LOT WIDTH NEW SUB-DIV. = 50FT.
 MAX. BLDG. HEIGHT = 46FT.
 MAX. BLDG. COVERAGE = 45% LOT AREA
 MAX. IMPERVIOUS FRONT YD. = 33%
 MAX. IMPERVIOUS REAR YD. = 50%
 TOTAL MAX. IMPERVIOUS = 65%
 FRONT SET BACK = 5' < OR 5' > AVERAGE 100' LEFT + RIGHT
 MIN. SIDE 40' LOT WIDTH OR > = 6'
 MIN. REAR 25% LOT DEPTH OR 25' WHICHEVER IS LESS

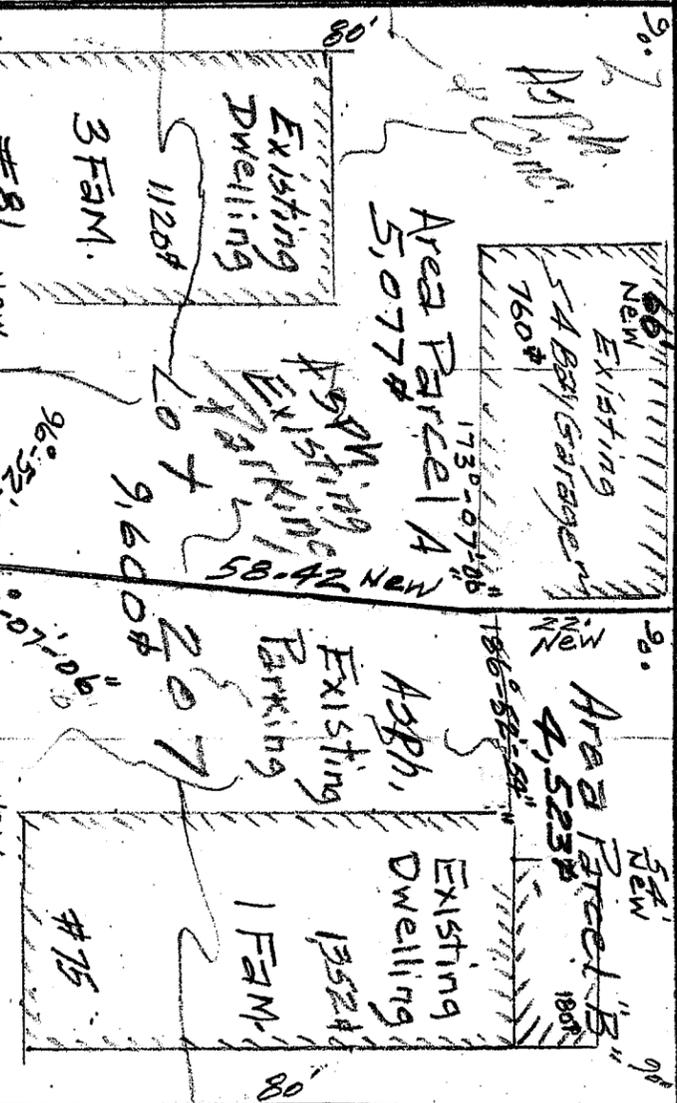
Lot 182
N/F Medina
DB 11552
Pg. 170

Lot 181
N/F Boucher
DB 11328
Pg. 261

Lot 179
N/F Properties LLC
DB 10606
Pg. 50

N/F O'Leary
DB 5012
Pg. 210

Lot 206



N/F Sears
DB 1158
Pg. 785

Lot 210

R-3 Zone

Exist. curb cut
Exist. curb cut
JR

160' Wide R.O.W.
Cheshire St.

YORKSHIRE ST.
40ft Wide R.O.W.

CERTIFICATION:
 THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO SECTION 9 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF LAND SURVEYORS ON NOV. 25, 2015 TYPE OF SURVEY = LIMITED CONTENT BOUNDARY SURVEY MEASUREMENT SPECIFICATION = CLASS 1

THIS LINE LONG
GRAPHIC SCALE

DATE	BY	SCALE	AS
12-07-19		1"=20'	

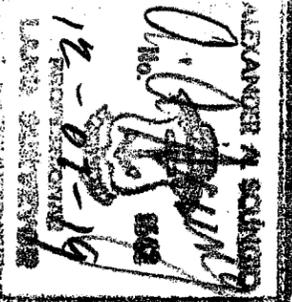
REFERENCES:
 PROV.A.P.76
 D.P.W. ENGS
 ST. LINE PLANS
 74A-57 88B-99
 RECORDED DEEDS
 AS NOTED ON PLAN
 PLAT CARD 605

THIS SURVEY AND PLAN FOR
 EXPO REALTY LLC
 1135 CHARLES ST.
 NORTH PROV. RI 02904
 DEED BOOK 12523
 PAGE 346

Alexander A. Scungio P.L.S.
 18 Twins Lane
 North Providence, RI 02904
 401-265-9638
 scungiosurvey@gmail.com

ON TARGET

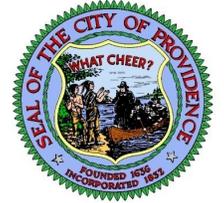
- WE ARE
- Land Consultant
 - Land Surveying
 - Plat Development
 - Construction Layout



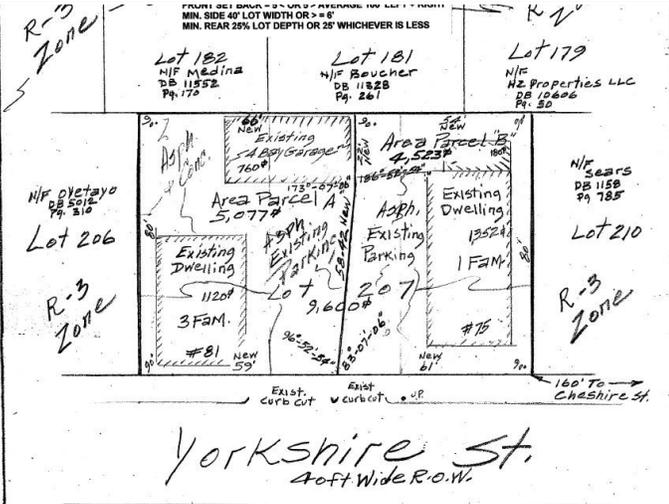
PLAN SHOWING
 PROPOSED MINOR SUBDIVISION
 OF LOT 207 PROV. A.P. 76
 LOCATED AT
 75-81 YORKSHIRE ST.

Providence City Plan Commission

May 19, 2020



AGENDA ITEM 3 ■ 75-81 YORKSHIRE STREET



Proposed subdivision



Aerial view of the site



View of the site from Yorkshire Street

OWNER/APPLICANT: Expo Realty LLC, Owner
William D'Amico, Applicant

PROJECT DESCRIPTION: Subdivision of a lot measuring 9,600 SF into two lots of 4,523 SF and 5,077 SF in the R-3 zone. New lots in the R-3 zone are required to provide a minimum of 5,000 SF of lot area. The applicant has received an administrative modification to create a lot of 4,523 SF, and is requesting to combine preliminary and final plan approval.

CASE NO./PROJECT TYPE: 20-013 MI—Minor Subdivision

RECOMMENDATION: Approval of preliminary and final plan subject to the conditions on Page 2

PROJECT LOCATION: 75-81 Yorkshire Street
AP 76 Lot 207; R-3 zoning district

NEIGHBORHOOD: Wanskuck

PROJECT PLANNER: Choyon Manjrekar

PROJECT OVERVIEW

The subject property is a lot that fronts on Yorkshire Street. It measures 9,600 SF and is occupied by two buildings, a three family and a single family. The applicant is proposing to subdivide the lot into two lots of 5,077 SF and 4,523 SF, so that each building will be located on a separate lot. New subdivisions in the R-3 zone require at least 5,000 SF of lot area. The applicant has received an administrative modification from the Department of Inspection and Standards to maintain an undersized lot as it is within 10 percent of the required minimum. The applicant is requesting to combine preliminary and final plan approval.

FINDINGS

Section 806 of the Commission's *Development Review Regulations* requires that the City Plan Commission make the following findings as part of their approval of all land development project applications. Based on the analysis contained herein and subject to the conditions contained in this report, staff has prepared the following findings regarding the request for approval of the Preliminary Plan stage:

1. *Consistency—The proposed development is consistent with the Comprehensive Plan and/or has satisfactorily addressed the issues where there may be inconsistencies.*

The subject property is located in an area that the future land use map of Providence Tomorrow has designated for medium density residential development. These areas are characterized by one to three family dwellings in detached structures on separate lots ranging between 3,200 to 5,000 SF. The subdivision will conform to this description as it would result in the creation of lots that allow for the type of development envisioned by the plan. Based on a site visit and review of the plat map, the resultant lots would be similarly sized as the lots in the vicinity.

2. *Compliance with Zoning Ordinance—The proposed development is in compliance with the standards and provisions of the Zoning Ordinance.*

New lots in the R-3 zone and lots to accommodate three family dwellings, are required to maintain a minimum lot area of 5,000 SF. The lot will be subdivided into two lots of 4,523 SF and 5,077 SF with the single family dwelling to be located on the smaller lot. The subdivision is in compliance with the zoning ordinance as a three family dwelling is permitted by right on a lot of 5,000 SF, and the applicant has received an administrative modification to maintain the undersized lot.

3. *Environmental Impact—There will be no significant environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval.*

It does not appear that the subdivision will pose a negative environmental impact as the applicant will comply with applicable environmental regulations.

4. *Buildable Lot—The subdivision or development project, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.*

The subdivision is not expected to pose any constraints to development as the lots meet the dimensional standards of the R-3 zone pursuant to receiving an administrative modification.

5. *Street Access—All proposed development projects and all subdivision lots shall have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered compliance with this requirement.*

Vehicular and pedestrian access to the newly created lots will be provided from Yorkshire Street.

Recommendation

1. Based on the analysis and findings contained in this report, the City Plan Commission should vote to combine preliminary and final plan approval, finding that the applicant meets the requirements for both stages.
2. The CPC should vote to approve the preliminary and final plans, finding them to be in conformance with the zoning ordinance and comprehensive plan.