

CITY OF PROVIDENCE
ZONING BOARD OF REVIEW

INSPECTION & STANDARDS
RECEIVED

JUL 18 2024

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 Variance

** Attach APPENDIX B to apply for a Special Use Permit

If a section of the application is not applicable, please indicate this by using N/A in that field.

Applicant: Jeffrey Mateus Applicant Mailing Address
Email: jmateus82@gmail.com Street: _____
Phone: _____ City, State, Zip: _____

Owner: Francisco Cruz Owner Mailing Address
Email: frankcruz103114@gmail.com Street: _____
Phone: _____ City, State, Zip: _____

Lessee: N/A Lessee Mailing Address
Email: _____ Street: _____
Phone: _____ City, State, Zip: _____

Attorney: Conley Law & Associates Attorney Mailing Address
Email: dconley@conleylawri.com Street: 123 Dyer Street Unit 2B
Phone: 401-415-9835 City, State, Zip: Providence RI 02903
jarce@conleylawri.com

Does the proposal require review by any of the following:

- Downtown Design Review Committee
- I-195 Redevelopment District Commission N/A
- Capital Center Commission
- Historic District Commission

1. Street Address of Subject Property: 12 Buffalo Ct
Plat and Lot Numbers of Subject Property: 42-11

2. Base Zoning District(s): R-4

Overlay District(s): N/A

3a. Date owner purchased the Property: 2/14/2022

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

4. Dimensions of each lot: See Survey

Lot # <u>1</u>	Width <u>94.58</u>	Depth <u>35.32</u>	Total area <u>3441</u> sq. ft.
Lot # <u>2</u>	Width <u>95.52</u>	Depth <u>34.375</u>	Total area <u>3293</u> sq. ft.
Lot # _____	Width _____	Depth _____	Total area _____ sq. ft.
Lot # _____	Width _____	Depth _____	Total area _____ sq. ft.

5a. Size of existing structure(s) located on the Property: N/A

<u>Principal Structure:</u>	<u>Accessory Structure:</u>
Area of Footprint _____	Area of Footprint _____
Overall Height _____	Overall Height _____
# of Stories _____	# of Stories _____

5b. Size of proposed structure(s) located on the Property: See Survey

<u>Principal Structure:</u>	<u>Accessory Structure:</u>
Area of Footprint <u>1200</u>	Area of Footprint <u>N/A</u>
Overall Height <u>N/A compliant with zone</u>	Overall Height <u>N/A</u>
# of Stories <u>2</u>	# of Stories <u>N/A</u>

6a. Existing Lot Coverage: N/A

Building Coverage (area of all roofed structures) _____

Total Impervious Coverage Area (area of all roofed structures and impervious surfaces) _____

Rear Yard Impervious Coverage (area of structures and impervious surface in rear yard) _____

Front Yard Impervious Coverage (area of structures and impervious surface in front yard) _____

6b. Proposed Lot Coverage: See Survey

Building Coverage (area of all roofed structures) lot 1 = 34.9% lot 2= 36.4%

Total Impervious Coverage Area (area of all roofed structures and impervious surfaces) 59.4% 51.2%

Rear Yard Impervious Coverage (area of structures and impervious surface in rear yard) 15% 0%

Front Yard Impervious Coverage (area of structures and impervious surface in front yard) 31% 36.4%

7a. Present Zoning Use of the Property: R-4

7b. Legal Zoning Use of the Property as recorded in the Dept. of Inspection & Standards:
R-4 Zone, 2 Family is a permitted use

8. Proposed Zoning Use of the Property: Residential

9. Number of Parking Spaces:
of existing spaces vacant # of proposed spaces 3 each

10. Are there outstanding violations concerning the Property under any of the following:
____ Zoning Ordinance ____ RI State Building or Property Maintenance Code(s)

11a. List all Zoning Ordinance Sections from which a variance is sought:

Section Number Section Title + Quantity of relief, if applicable (eg. 4' setback where 6' required)

TABLE 4-1	Rear Setback Lot 1proposing 5.8' and Lot 2 5.4 where 30' is required

11b. Identify the section(s) of the Zoning Ordinance that provide for the special use permit, and list all section(s) which provide Use Standards for the proposed Special Use(s):

<u>Section Number</u>	<u>Section Title</u>
	N/A

12. Summarize any changes proposed for the Property (use, construction/renovation, site alteration):

The owner is subdividing the vacant parcel into 2 lots and intends to construct a 2-Family dwelling on each lot.

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. As indicated on the instructions page, this application may not be signed by an attorney on behalf of their client(s).

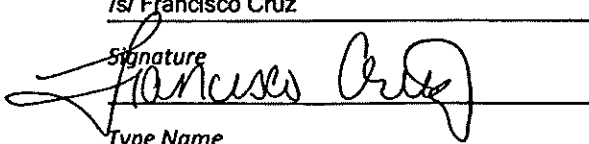
Owner(s):

Francisco Cruz

Type Name

/s/ Francisco Cruz

Signature



Type Name

Signature

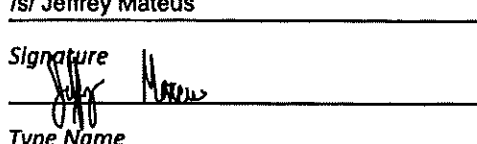
Applicant(s):

Jeffrey Mateus

Type Name

/s/ Jeffrey Mateus

Signature



Type Name

Signature

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

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 relief?

Lot 1 30' rear setback requirement. Proposing 5.8'
Lot 2 30' rear setback requirement. Proposing 5.4'

Consistent with approved zone change petition, ordinance No. 327

2. Specify all unique characteristics of the land or structure that cause the hardship:

The lot is uniquely shaped, with a width of approximately 200 and length of approximately 36'.

The topography and ledge on the site prevent development and requires the units to be located in separate buildings.

Due to the narrow yet lengthy shape and location of street access, the applicant cannot construct a two family within the code's building envelope.

3. (a) Is the hardship caused by an economic disability? Yes _____ No X _____
(b) Is the hardship caused by a physical disability? Yes _____ No X _____
(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 X _____

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:

No. The Owner worked with the city and obtained a zone change as part of the application process to construct the 2 2F dwellings. 11

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:

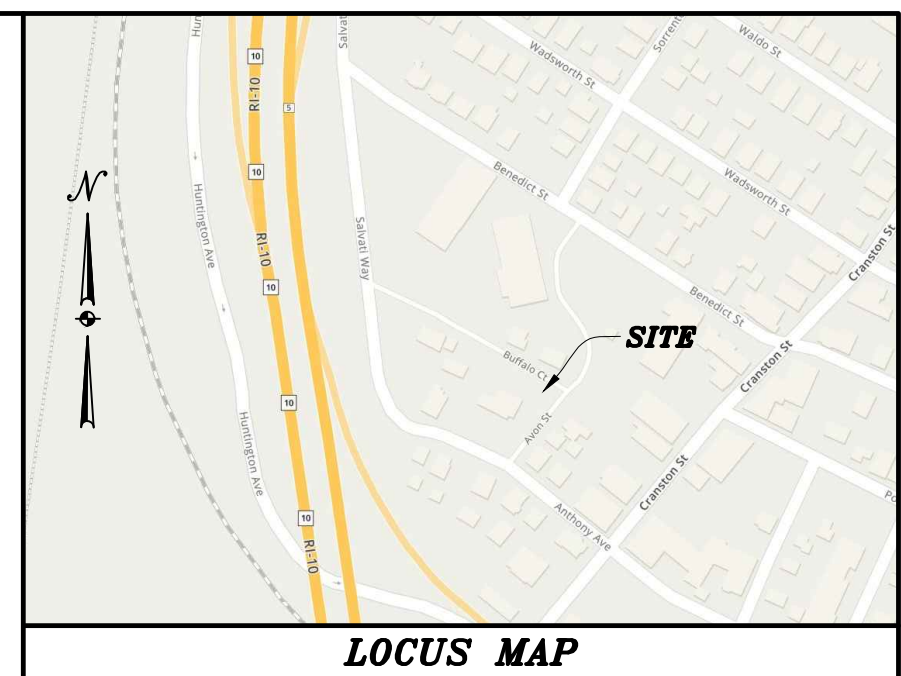
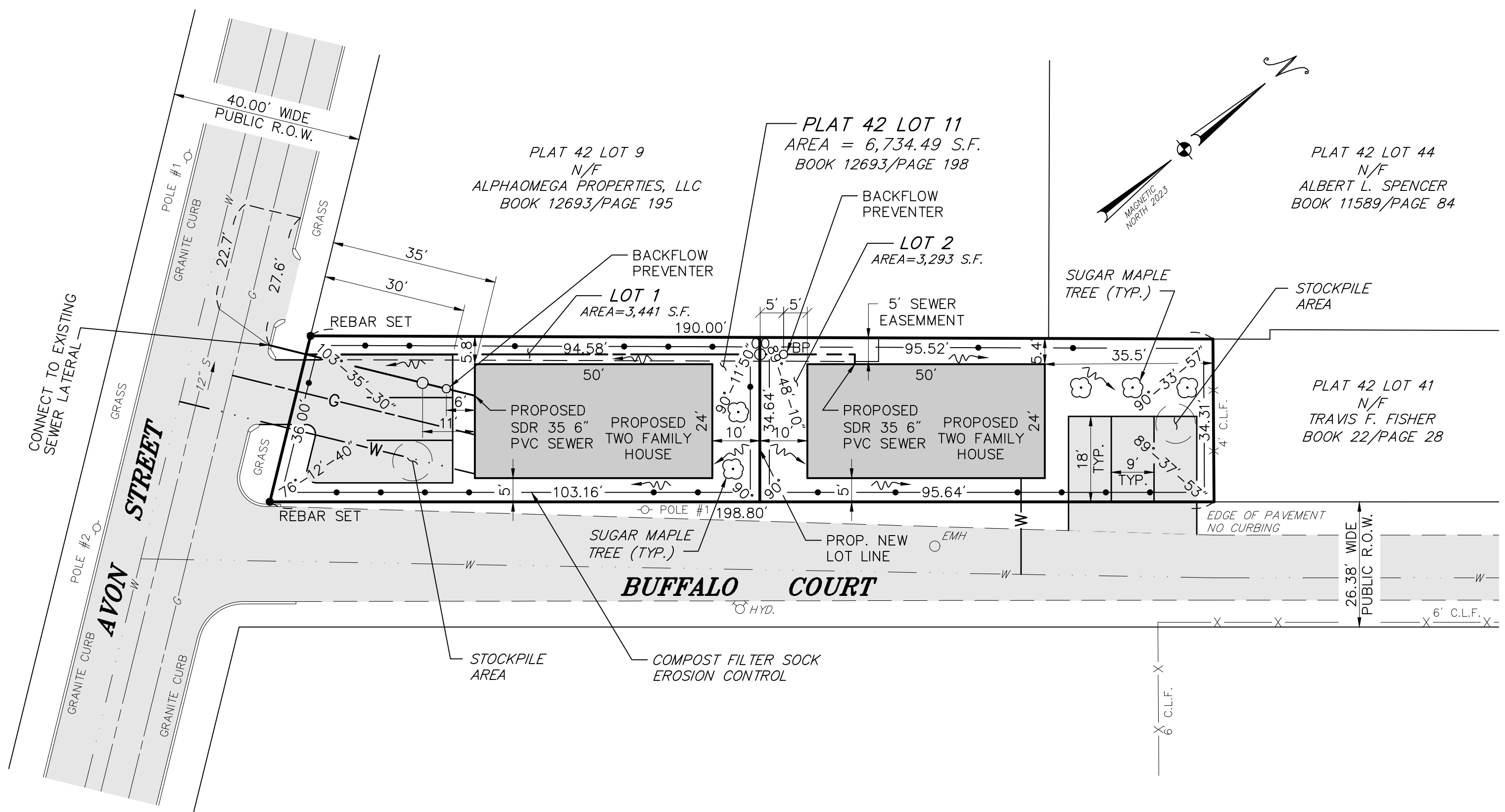
N/A

-
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:

The applicant's property rights will continue to be limited by the site's topography and ledge.

The applicant will not have the opportunity to provide more housing in housing crisis.

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



- NOTES:**
- REFERENCE: PLAT BOOK 22/PAGE 28
SEWER PLAN 174/26 & 181/72
STREET LINE PLAN 85/B-16 & 53/16
FIELD BOOK 3337/PAGE 115
 - PROPOSING TO SUBDIVIDE PLAT 42/LOT 11 INTO TWO LOTS WITH A TOTAL AREA OF 6,734 S.F.. LOT 1 AREA=3,441 S.F. & LOT 2 AREA=3,293 S.F..
 - ZONING: R4
PROPOSED BUILDING COVERAGE LOT 1 = 34.9%
PROPOSED BUILDING COVERAGE LOT 2 = 36.4%
PER 402.B, AVERAGE FRONT YARD SETBACK WITHIN 100' FOR AVON STREET IS 49.0'
PER 402.B, AVERAGE FRONT YARD SETBACK WITHIN 100' FOR BUFFALO COURT IS 10.0', PROPOSING 5'
PROPOSED IMPERVIOUS COVERAGE LOT 1 = 24.5%
PROPOSED TREE COVERAGE LOT 1 = 58.1%
TOTAL PROPOSED IMPERVIOUS LOT COVERAGE LOT 1 = 59.4%
PROPOSED IMPERVIOUS COVERAGE LOT 2 = 14.8%
PROPOSED TREE COVERAGE LOT 2 = 91.1%
TOTAL PROPOSED IMPERVIOUS LOT COVERAGE LOT 2 = 51.2%
 - SITE IS LOCATED IN ZONE "X" PER FIRM MAP NO. 44007C0312H EFFECTIVE 10-2-15.
 - ALL ROOF STORMWATER RUNOFF SHALL BE CONTAINED AND TREATED ONSITE, NO CONNECTION TO SEWER OR STORMWATER LINE IS ALLOWED.
 - UTILITIES SHOWN ON THIS PLAN ARE APPROXIMATELY LOCATED, MUST CONTACT DIG-SAFE AT 1-888-DIG-SAFE BEFORE THE START OF CONSTRUCTION.
 - ALL CONSTRUCTION IN THE PUBLIC ROW MUST BE IN ACCORDANCE WITH THE CITY'S STANDARD DETAILS AVAILABLE AT [HTTPS://WWW.PROVIDENCERI.GOV/PUBLIC-WORKS/FORMS/](https://www.providenceri.gov/public-works/forms/) UNDER "REPORTS + PUBLICATIONS".
 - THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO SECTION 9 OF THE RULES AND REGULATIONS ADOPTED BY THE STATE OF RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS NOVEMBER 25, 2015 AS FOLLOWS:
COMPREHENSIVE BOUNDARY SURVEY- CLASS I

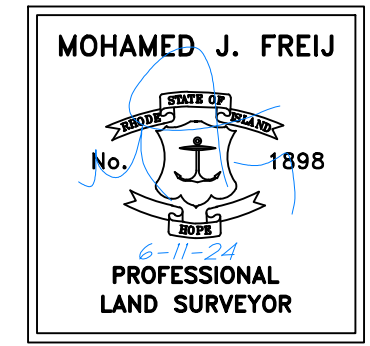
THE PURPOSE FOR CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THIS PLAN IS AS FOLLOWS:
MINOR SUBDIVISION

TABLE 4-1 R4 RESIDENTIAL DISTRICT
RESIDENTIAL STANDARDS

BULK STANDARDS		LOT 1	LOT 2
MIN. LOT AREA	3,500 S.F.	3,441 S.F.	3,293 S.F.
MIN. LOT WIDTH	35'	94.58'	95.52'
MAX. BUILDING COVERAGE	45%	34.9%	36.4%
MAX. IMP. SURFACE COVERAGE FRONT YARD	33%	31%	29%
MAX. IMP. COVERAGE REAR YARD	50%	15%	0%
TOTAL MAX. IMP. LOT SURFACE COVERAGE	65%	59.4%	51.2%
FRONT SETBACK	SEC. 402.B	PROPOSING 5'	PROPOSING 5'
MIN. INTERIOR SIDE SETBACK	6'	10'	10'
MIN. CORNER SIDE SETBACK	6'	5'	-
MIN. REAR SETBACK	30'	* 5.8'	* 5.4'
MIN. PERVIOUS SURFACE COVERAGE	1,000 S.F.	1,397 S.F.	1,607 S.F.

* INDICATES VARIANCE REQUIRED

R.I.C.L. 34-13-1:
THIS PLAN SHALL BE INDEXED AS
BUFFALO COURT AND
AVON STREET



BY Mohamed J. Freij DATE 6-11-24
MOHAMED J. FREIJ PLS NO. 1898 C.O.A. NO. A263
REGISTERED PROFESSIONAL LAND SURVEYOR

MINOR SUBDIVISION PLAT 42, LOT 11 12 BUFFALO COURT PROVIDENCE, RI 02909	PROJECT NO.
	SCALE 1" = 20'
OWNER/APPLICANT: FRANCISCO R. CRUZ TEL. 401-228-4048	DATE JUNE 11, 2024
	DRAWN BY RMM
PREPARED BY MJF ENGINEERING ASSOCIATES 326 SOWAMS ROAD BARRINGTON, R.I. 02806 TEL. 401-241-5153 OR 401-247-2003 FAX 401-247-2004 EMAIL LANDSURVEYRI@AOL.COM	CHECKED BY MJF
	FILENAME BUFFALO COURT MS-H.DWG
1 of 1 SHTS	

4 (5) Photos of 12 Buffalo Ct Providence RI 02909



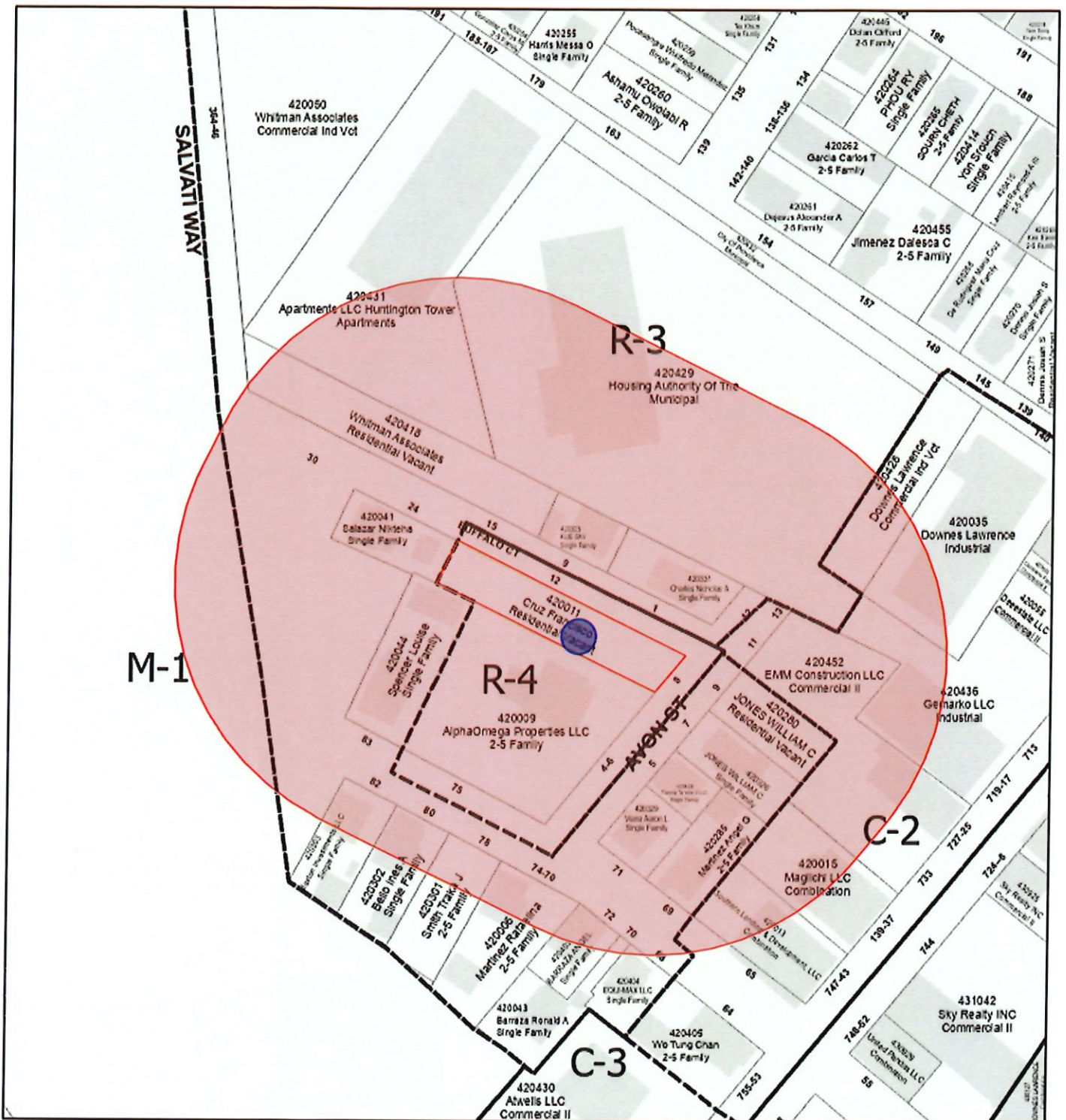
4 (5) Photos of 12 Buffalo Ct Providence RI 02909







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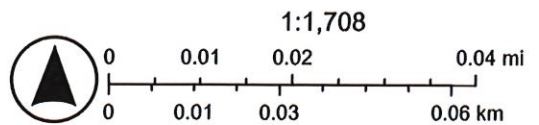


Radius Map



3/20/2024, 2:14:03 PM

-  Plat Boundaries
-  Zoning
-  Parcels
-  Buildings



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