

CITY OF PROVIDENCE
ZONING BOARD OF REVIEW

INSPECTION & STANDARDS
RECEIVED

SEP 10 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: No Small Feat, LLC Applicant Mailing Address
Email: alexamtrembly@gmail.com Street: 134 Ives Street
Phone: (920) 410-9353 City, State, Zip: Providence, RI 02906

Owner: No Small Feat, LLC Owner Mailing Address
Email: alexamtrembly@gmail.com Street: 134 Ives Street
Phone: (920) 410-9353 City, State, Zip: Providence, RI 02906

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

Attorney: Melissa M. Horne Attorney Mailing Address
Email: mhorne@hcc-law.com Street: Higgins, Cavanagh & Cooney, LLP
Phone: (401) 272-3500 City, State, Zip: 10 Dorrance St., Suite 400
Providence, RI 02903

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

1. Street Address of Subject Property: 134 Ives Street
Plat and Lot Numbers of Subject Property: Plat 017 Lot 553

2. Base Zoning District(s): C1
 Overlay District(s): N/A
- 3a. Date owner purchased the Property: September 20, 2021
- 3b. Month/year of lessee's occupancy: N/A
4. Dimensions of each lot:
- | | | | |
|------------------|--------------------|-------------------|---------------------------------|
| Lot # <u>553</u> | Width <u>40.14</u> | Depth <u>64.5</u> | Total area <u>2,589</u> sq. ft. |
| Lot # _____ | Width _____ | Depth _____ | Total area _____ 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:
- | | |
|------------------------------------|------------------------------------|
| <u>Principal Structure:</u> | <u>Accessory Structure:</u> |
| Area of Footprint <u>788 sq ft</u> | Area of Footprint <u>400 sq ft</u> |
| Overall Height <u>Approx 13 ft</u> | Overall Height <u>Approx 13 ft</u> |
| # of Stories <u>1 story</u> | # of Stories <u>1 story</u> |
- 5b. Size of proposed structure(s) located on the Property:
- | | |
|------------------------------------|------------------------------------|
| <u>Principal Structure:</u> | <u>Accessory Structure:</u> |
| Area of Footprint <u>788 sq ft</u> | Area of Footprint <u>400 sq ft</u> |
| Overall Height <u>Approx 13 ft</u> | Overall Height <u>Approx 13 ft</u> |
| # of Stories <u>1 story</u> | # of Stories <u>1 story</u> |
- 6a. Existing Lot Coverage:
- Building Coverage (area of all roofed structures) 45% (1,188 sq ft)
- Total Impervious Coverage Area (area of all roofed structures and impervious surfaces) N/A
- Rear Yard Impervious Coverage (area of structures and impervious surface in rear yard) N/A
- Front Yard Impervious Coverage (area of structures and impervious surface in front yard) N/A
- 6b. Proposed Lot Coverage:
- Building Coverage (area of all roofed structures) 45% (1,188 sq ft)
- Total Impervious Coverage Area (area of all roofed structures and impervious surfaces) N/A
- Rear Yard Impervious Coverage (area of structures and impervious surface in rear yard) N/A
- Front Yard Impervious Coverage (area of structures and impervious surface in front yard) N/A
- 7a. Present Zoning Use of the Property: Principle structure: Bar/restaurant Accessory structure: Garage used for storage
- 7b. Legal Zoning Use of the Property as recorded in the Dept. of Inspection & Standards:
Retail store
8. Proposed Zoning Use of the Property: Principal structure: Bar/restaurant Accessory structure: Retail store
9. Number of Parking Spaces:
 # of existing spaces 0 # of proposed spaces 0
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:

<u>Section Number</u>	<u>Section Title + Quantity of relief, if applicable (eg. 4' setback where 6' required)</u>
502	Dimensional standards - No setback on lot abutting residential district, where 5' side and 10' rear setbacks are 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>
_____	_____
_____	_____

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

The garage will be modified for use as a bookstore. None of the modifications will enlarge the structure or further encroach on the setbacks. The current overhead garage door will be replaced with a glass window/door combination and the existing doorway will be closed up. In addition, a new interior concrete floor will be poured.

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):

No Small Feat, LLC

Type Name

By: Alexa Trembly

Signature

Alexa Trembly

Type Name

Its Member

Applicant(s):

No Small Feat, LLC

Type Name

By: Alexa Trembly

Signature

Alexa Trembly

Type Name

Its Member

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?

Applicant seeks relief from the hardship imposed by the location of the garage, which was built in 1930 within the 5' side setback and the 10' rear setback now required by the zoning ordinance, which prevents its use for any purpose other than its existing use as an accessory structure.

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

The garage was built in 1930 as an accessory to a residential structure without maintaining any side or rear setbacks. The property is now zoned C-1, so use of the garage as a bookstore is a permitted use that cannot occur unless a variance is granted.

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 _____ 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 _____

If "yes," describe any and all such prior action(s) and state the month/year taken:

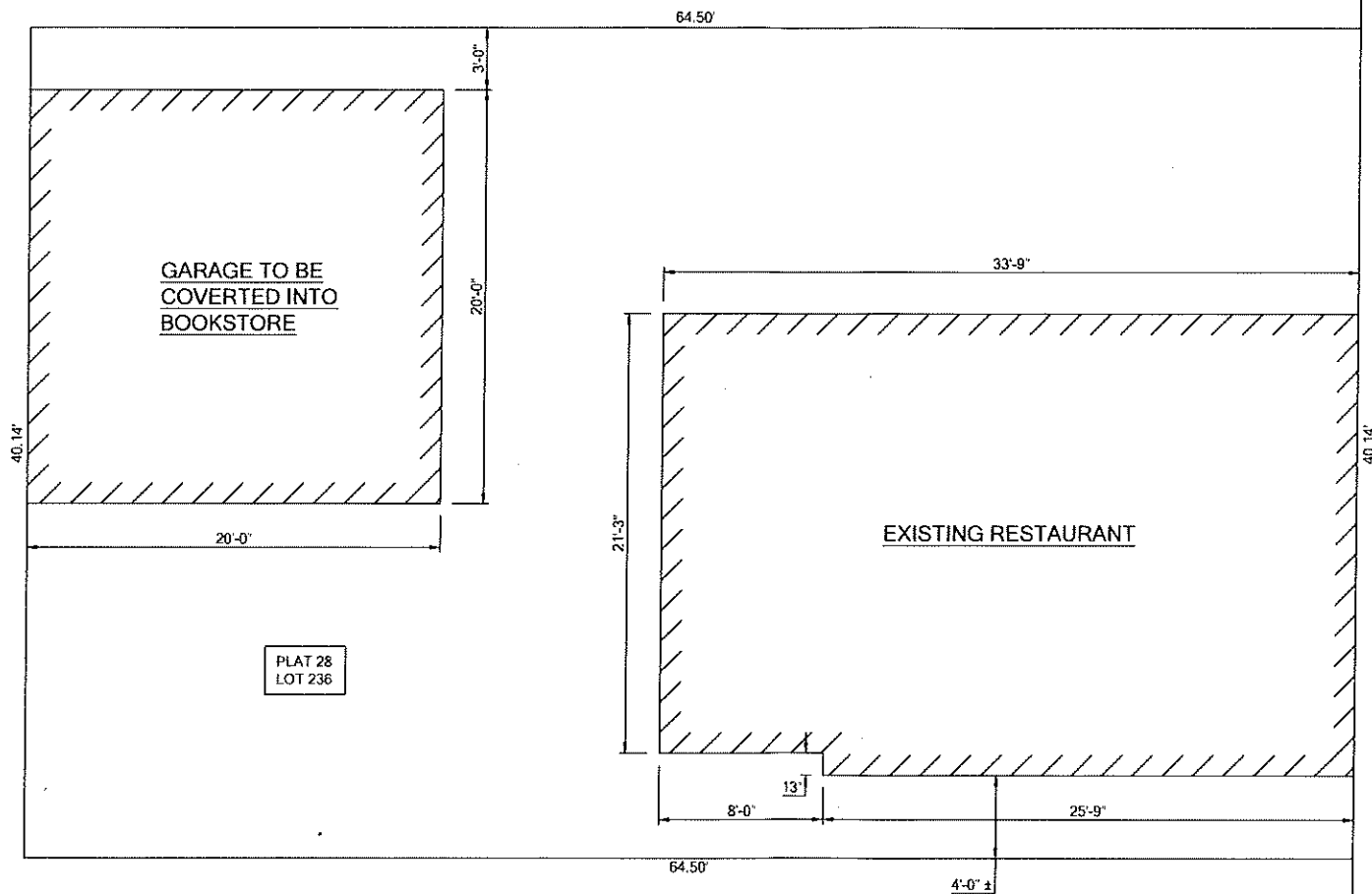
5. If you are seeking a USE VARIANCE, set forth all facts that demonstrate that the Property cannot have any beneficial use if you are required to use it in a manner allowed in the zoning district:

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:

Because the garage was constructed within the side and rear setbacks, the owner/applicant will not be able to reasonably enjoy the proposed legally permitted beneficial use of the property without the requested variance. The relief requested is the minimum relief required to ensure that the owner/applicant will be able to utilize the property for its legally permitted use. Although the owner/applicant could demolish the garage and expand the principal building with an equivalent amount of square footage, owner/applicant prefers to utilize the pre-existing structure because it is more efficient and will result in the preservation of a unique and interesting feature of the property. The property is situated on Ives Street, an existing and lively commercial strip. The accessory structure is oriented on the lot in a manner that will focus the proposed bookstore's operations toward Ives Street. The bookstore will close earlier than the principal structure on the property, which houses the bar/restaurant Nightshade LLC dba Glou, which is owned and operated by owner/applicant and which has not had any noise complaints within the last year. The bookstore will close earlier in the evening than the bar/restaurant, so it will not create any late-night noise concerns for residential neighbors.

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



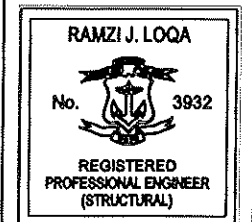
THIS PLOT PLAN IS BASED ON TAX ASSESSOR'S INFORMATION & NOT A REGISTERED SURVEY.

PROPOSED PLOT PLAN
SCALE: 3/16" = 1'-0"

PROPOSED BOOKSTORE
134 IVES STREET
PROVIDENCE, RHODE ISLAND

DRAWN BY:
MGL
CHECKED BY:
RJL

LOQA ENGINEERS, LLC
CONSULTING ENGINEERS
49 BATCHELLER AVENUE
PROVIDENCE, RI 02904
rjloqa@verizon.net



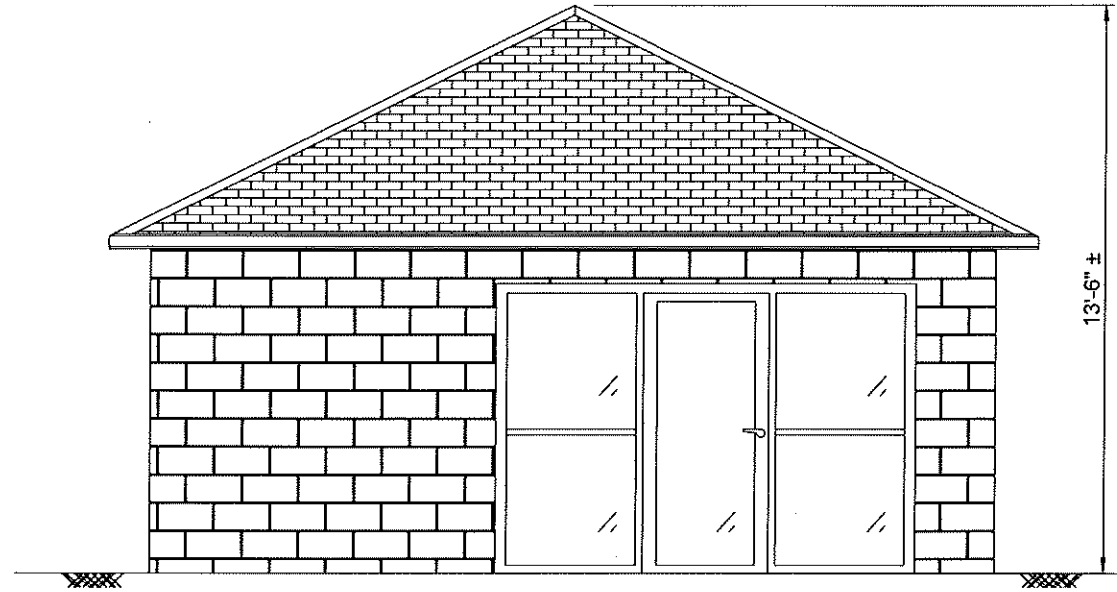
FOR ENGINEERING ONLY

SCALE:
AS NOTED

CONTENTS:
PLOT
PLAN

DATE:
AUGUST 2024

SHEET NO:
C100



PROPOSED FRONT ELEVATION

SCALE: $\frac{1}{4}'' = 1'-0''$

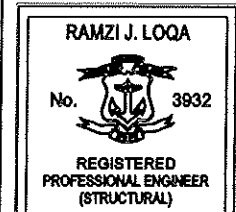
GENERAL NOTES:

1. ALL WORK SHALL CONFORM TO THE RHODE ISLAND STATE / INTERNATIONAL BUILDING CODE / IBC 2022 AND ITS APPLICABLE REFERENCED STANDARDS.
2. CONTRACTOR TO VERIFY DIMENSIONS PRIOR TO CONSTRUCTION.
3. CONTRACTOR SHALL SHORE, BRACE OR OTHERWISE SUPPORT THE STRUCTURE AS REQUIRED IN ORDER TO MAINTAIN STRUCTURAL INTEGRITY AT ALL TIMES. (MASONRY, STEEL, WOOD, ETC.)
4. CONTRACTOR WILL NOTIFY ENGINEER IMMEDIATELY OF ANY DISCREPANCIES IN THE DRAWINGS AND WILL NOT PROCEED WITH WORK IN THOSE AREAS UNTIL DISCREPANCIES ARE RESOLVED.
5. ANY DEVIATIONS FROM THE CONTENTS OF THESE PLANS WITHOUT WRITTEN CONSENT OF THIS ENGINEER WOULD MAKE IT NULL AND VOID.
6. THIS ENGINEER HAS NO CONTRACT WITH OWNER TO SUPERVISE OR OBSERVE THE CONSTRUCTION OF THIS PROJECT. IT IS THE OWNER'S AND CONTRACTOR'S RESPONSIBILITY TO ENSURE FULL COMPLIANCE AND NOT OF THIS ENGINEER.
7. THIS ENGINEER IS NOT RESPONSIBLE FOR MECHANICAL, PLUMBING, AND ELECTRICAL WORK OR DESIGN.
8. LOCATIONS OF ALL UTILITIES MUST BE DETERMINED IN THE FIELD BEFORE EXCAVATING BY THE CONTRACTOR. WE ASSUME NO RESPONSIBILITY FOR DAMAGES INCURRED AS A RESULT OF UTILITIES OMITTED OR INACCURATELY SHOWN.
9. NOTIFY THE ENGINEER OF ANY FIELD CONDITIONS WHICH DIFFER FROM THOSE SHOWN IMPLIED ON THE DRAWINGS.
10. IT IS THE OWNER'S RESPONSIBILITY TO MAINTAIN THIS STRUCTURE IN A SAFE WAY. ALL SERVICE EQUIPMENT, MEANS OF EGRESS DEVICES AND SAFE GUARDS WHICH ARE REQUIRED BY THE R.I. STATE BUILDING CODE OF IRC SHALL BE MAINTAINED IN GOOD WORKING ORDER.
11. THIS ENGINEER IS NOT RESPONSIBLE FOR ANY HIDDEN STRUCTURAL PROBLEMS.
12. THE USE OF THIS STAMP IS FOR ENGINEERING ONLY.

PROPOSED BOOKSTORE
134 IVES STREET
PROVIDENCE, RHODE ISLAND

DRAWN BY:
MGL
 CHECKED BY:
RJL

LOQA ENGINEERS, LLC
 CONSULTING ENGINEERS
 49 BATCHELLER AVENUE
 PROVIDENCE, RI 02904
 rjloqa@verizon.net



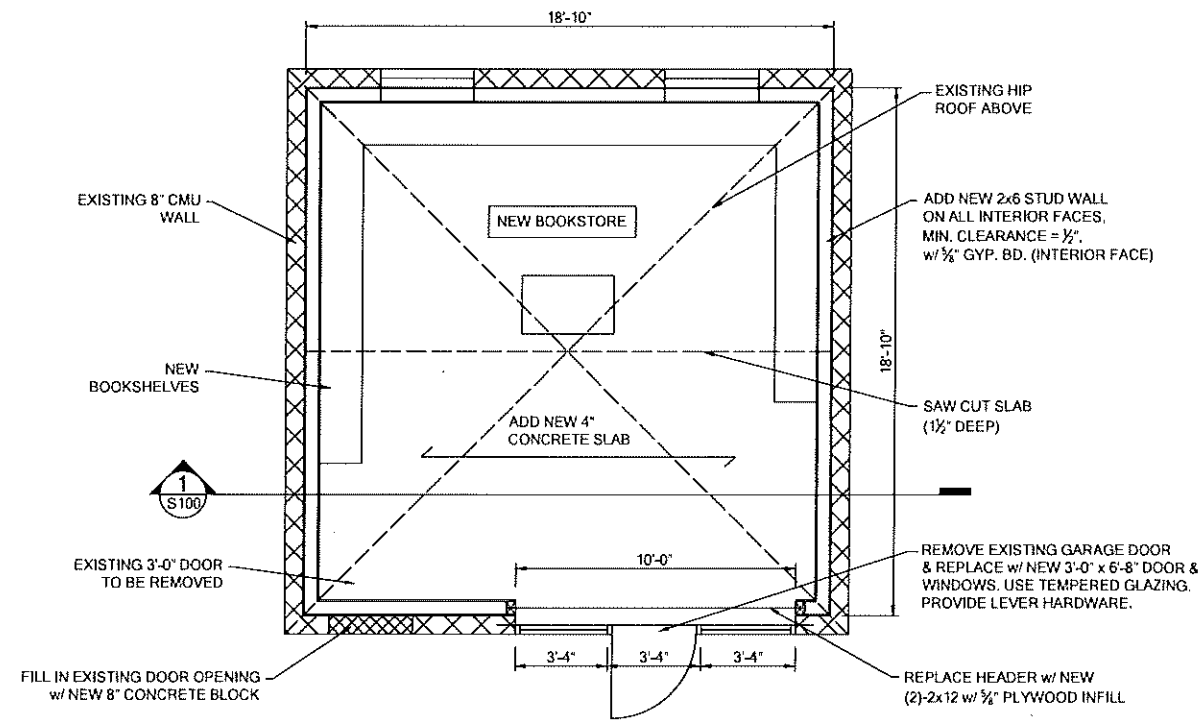
FOR ENGINEERING ONLY

SCALE:
AS NOTED

CONTENTS:
ELEVATION

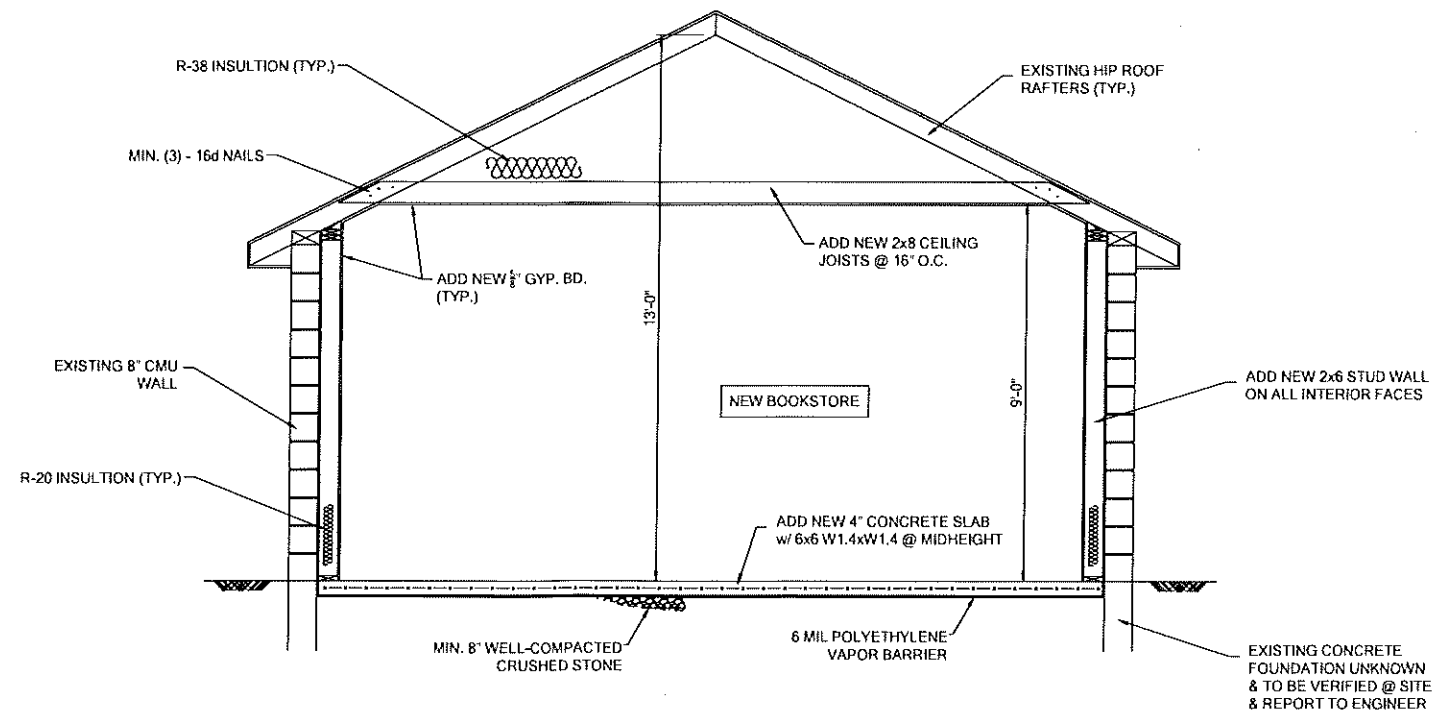
DATE:
AUGUST 2024

SHEET NO:
S101



PROPOSED FLOOR PLAN
SCALE: 1/4" = 1'-0"

CHANGE OF USE FROM A GARAGE
TO A BOOKSTORE

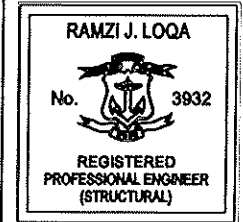


SECTION 1
SCALE: 1/8" = 1'-0" S100

PROPOSED BOOKSTORE
134 IVES STREET
PROVIDENCE, RHODE ISLAND

DRAWN BY:
MGL
CHECKED BY:
RJL

LOQA ENGINEERS, LLC
CONSULTING ENGINEERS
49 BACHELLER AVENUE
PROVIDENCE, RI 02904
rjloqa@verizon.net



FOR ENGINEERING ONLY

SCALE:
AS NOTED

CONTENTS:
FLOOR PLAN &
SECTION

DATE:
AUGUST 2024

SHEET NO:
S100

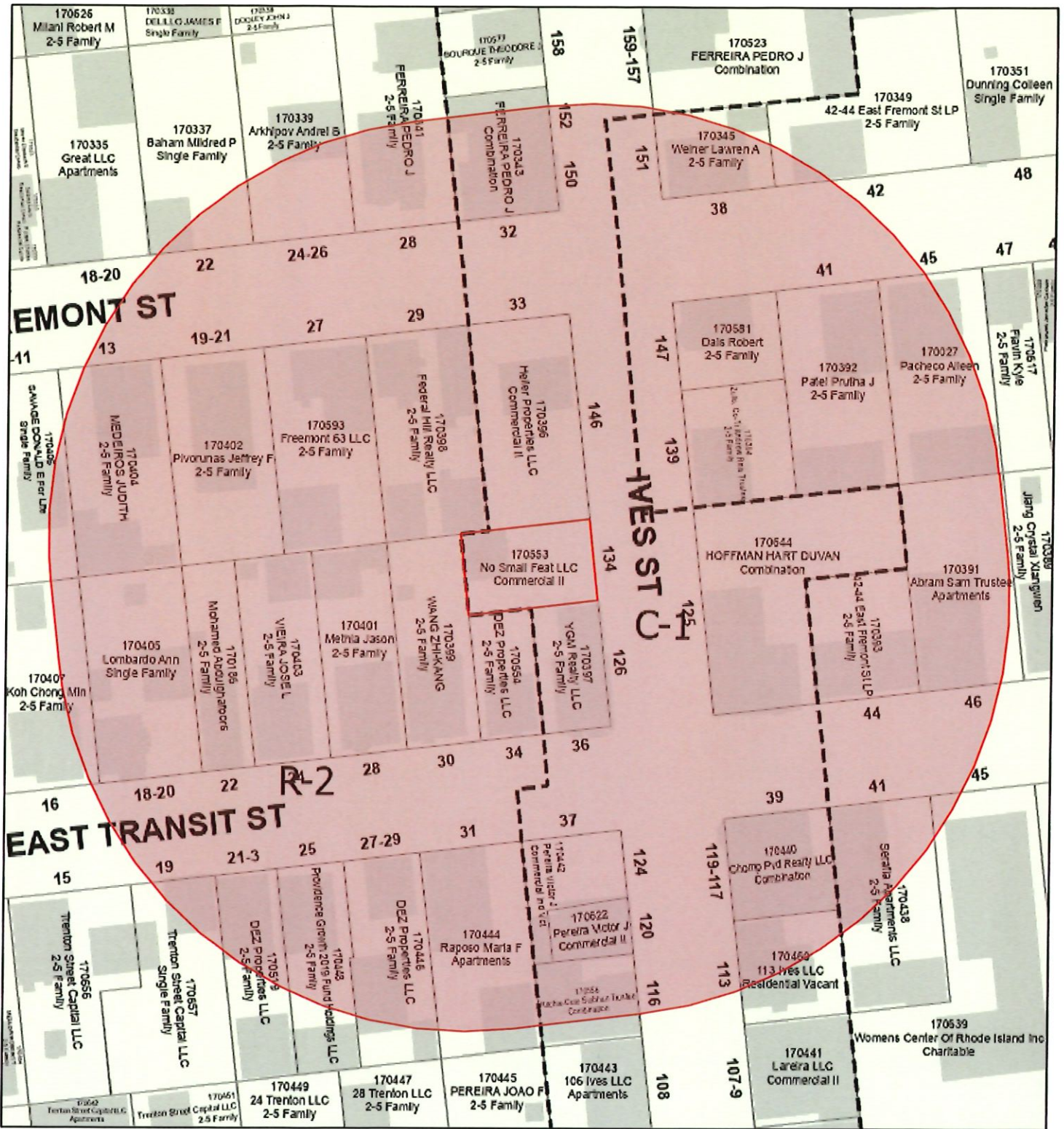








Radius Map



8/23/2024, 2:40:09 PM

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