



September 11, 2024

**Board
Of
Directors**

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City of Providence Zoning Board
444 Westminster Street, Suite 3A
Providence, RI 02903-3215

RE: Dimensional Variance Request – 138 Prospect Street

Dear Zoning Board Members:

One of the purposes of the College Hill Neighborhood association is to ensure that thoughtful development occurs within this recognized Historic District.

Having read the Application for Variance as well as the September 6 submission from the attorney we remain opposed to the granting of this level of relief. In fact,

Providence Zoning code (excerpt below) whereby 401.B.1 applies to this matter clearly and determines a setback of 31 ft. The applicant has already received a 5 ft relief (16%).

Given there are comparisons to the left and right as required, there is no need to review the setback of other properties across the street or other adjacent properties as the conditions of 401.B.1 have been fully met.

402.B. Front Setback Calculation The front setback requirement in residential districts is a required build-to zone calculated according to an averaging provision, as follows:

1. The build-to zone is calculated as the average of the front setbacks of developed lots within 100 feet on either side of the subject lot on the same side of the street as the subject lot. Any lots within this distance that are only partially within this 100 feet are also included in the calculation. The resulting calculation can be increased or decreased by five feet to establish the build-to zone.

Because the design and planned placement of the home does not fit within setback requirement the developer is asking for significant relief. Instead of changing the elements of the home or site plan after August 14, 2024, the architect and attorney are claiming a hardship. There are no conditions of this 12,100 sq ft lot that make it

unbuildable and requiring some relief. This is a **self-imposed hardship** with a 9,250 sq ft single family home with an additional 975 square foot, 3 car garage. *can be increased or decreased by five feet to establish the build-to zone.*

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Should this Board choose to deviate from a clearly applicable and well-established zoning code, any assessment of the setback should be related to homes that offer the same massing as this proposal.

The massing of this 3-story structure along Prospect Street would be 72 ft wide and over 36 ft tall and would sit 10.5 ft from the sidewalk if approved looming over passersby.

The project team for the development are aware of other homes that are similar in size and scale yet have only presented much smaller homes as a means of comparison that do not adequately represent the frontage or scale of this development. They continue to offer homes that are 1-2 stories with much less street facing mass.

Even the largest single-family homes within a block area are significantly smaller than what is proposed for 138 Prospect, all enjoying appropriate setbacks ensuring the gracious character of this award winning neighborhood is preserved.

Address	House sq ft	Current Set Back	
104 Prospect	5156	Approx. 58 ft	
106 Prospect	6059	Approx. 60 ft	
108 Prospect	6495	25 ft	
112 Prospect	5666	25 ft	
130 Prospect	7324	44 ft	
138 Prospect	9250	Required 26 ft	Request for 10.5 ft

Sincerely,

Nina Markov,
President