CITY OF PROVIDENCE ZONING BOARD OF REVIEW

INSPECTION & STANDARDS RECEIVED

APPLICATION FOR VARIANCE OR SPECIAL USE PERMIT

APR 10 2024

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
	plicable, please indicate this by using N/A in that field.
Applicant: Sithiphone Inthavong	Applicant Mailing Address
Email: lalaintha@icloud.com	Street: 17 Lubec Street
Phone: 401-527-0252	City, State, Zip: Providence, RI 02904
Owner: Sithiphone Inthavong	Owner Mailing Address
Email: lalaintha@icloud.com	Street: 17 Lubec Street
Phone: 401-527-0252	City, State, Zip: Providence, RI 02904
Lessee: N/A	Lessee Mailing Address
Email:	Street:
Phone:	City, State, Zip:
Attorney: N/A	Attorney Mailing Address
Email:	Street:
Phone:	City, State, Zip:
Does the proposal require review by any of the Downtown Design Review Corl-195 Redevelopment District Capital Center Commission Historic District Commission	nmittee Commission
	Lubec Street, Providence, RI
Plat and Lot Numbers of Subject	t Property:Plat 079_Lot 638

	2. Base	· Zoning District(s):	<u>R2</u>			
	Overlay District(s)	:				
24	Data aumay auyah	ased the Property: _	February 2 1998			
			/A			
	• •		/A			
4.	Dimensions of each	cn lot: Width84	Depth60	Total area	5040 sa	fŧ
		Width	Deptho	Total area _		
		Width		Total area _		
		Width	Depth	-	sq. sq. ft.	
	LUL	44IQ411	Deptiii	TOTAL AS CA	34.16.	
5a.	Size of existing str	ucture(s) located on t	he Property:			
	Principal Structure		Accessory Structure	:		
	Area of Footprint	•	Area of Footprint		_	
	Overall Height		Overall Height		-	
	# of Stories		# of Stories			

5b.	Size of proposed s	structure(s) located or	n the Property:			
	Principal Structure	:	Accessory Structure	:		
	Area of Footprint _		Area of Footprint	368		
	Overall Height		Overall Height	14'		
	# of Stories		# of Stories	1		
oa.	Total Impervious Rear Yard Impervi	(area of all roofed Coverage Area (area lous Coverage (area	structures)1080 of all roofed structure of structures and imper f structures and impervio	s and impervious rvious surface in	surfaces)0 rear yard) _0_	···
6b.	Total Impervious C Rear Yard Impervio	(area of all roofed overage Area (area o ous Coverage (area of	structures)1468 f all roofed structures ar structures and impervio f structures and impervio	nd impervious surfa us surface in rear	yard)368_	
7a.	Present Zoning Us	e of the Property:	R2			
7b.			orded in the Dept. of Ins		ds:	
8.	Proposed Zoning L	se of the Property: _	R2			-
9.	Number of Parking	Spaces:				
			# of proposed space	s4		
	٠.		. , .			
10.	Are there outstand	ling violations concer	ning the Property under	any of the follow	ing:	
	x_ Zoning Ordina	nce RI St	ate Building or Property	Maintenance Code	e(s)	

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402	Section Title + Quantity of relief, if applicable (eg. 4' setback where 6' required) 3' Setback where 30 is required (Covering Existin Deck)		
		e that provide for the special use permit, and list al e proposed Special Use(s):	
Section Number Se			
A hard roof was built over We are requesting to kee	r the existing deck on the p the current structure wi	erty (use, construction/renovation, site alteration): property without permit. A stop order was issued. Ith no walls in order to cover our deck, which is a he square footage in the back yard.	
the application. The under attachments or appendice application may be subjec under the State and Munic	rsigned further acknowledges are true and accurate, and to criminal and/or civil positions False Claims Acts. Owelse statements. As indicates	der to view the Property prior to any hearing on ge(s) that the statements herein and in any and that providing a false statement in this enalties as provided by law, including prosecution uner(s)/Applicant(s) are jointly responsible with eated on the instructions page, this application may ent(s).	
Owner(s):		Applicant(s):	
Sithiphone Inthavong		Sithiphone Inthavong	
Type Name Sithiphone Inthavong		Type Name	
C!	· · · · · · · · · · · · · · · · · · ·	Sithiphone Inthavong	
signatyre Sithiphone Anth	avong	signature Sähiphons Anthavong	
Type Name		Type Name	
Signature		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	f?	
	Applicant is requesting to keep hard roof built over existing free-s	tanding deck	in the state of th
2.	Specify all unique characteristics of the land or structure that caus	e the hardship:	
	The hardship was caused by the applicant, but under the impress area	sion that the dec	ck already covered the
3.		Yes	
	(b) Is the hardship caused by a physical disability?(c) If the response to subsection (b) is "yes," is the physical disa	Yes	
	with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12101 et seq.?		No

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
x_ No
If "yes," describe any and all such prior action(s) and state the month/year taken: _Applicant built
the roof over their deck without a permit in January of 2024
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

not granted, the hardship the owner/applicant will suffer is more than a mere inconvenience:

Aside from the amount of money already spent on materials and labor, the applicant will have to tear down the already built deck roof which is over a deck that already existed, but could not be built now because setbacks run almost all the way to the back wall of the house

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

APPENDIX B

APPLICATION FOR SPECIAL USE PERMIT

In accordance with Rhode Island General Laws § 45-24-42(b), Section 1901 of the Zoning Ordinance requires that the Applicant for a special use permit demonstrate:

- 1. That the proposed special use is set forth in the ordinance and complies with the applicable use standards for the authorization of a special use permit;
- 2. That the proposed special use will not substantially injure the use and enjoyment of nor significantly devalue neighboring property; and
- 3. That the proposed special use will not be detrimental or injurious to the general health or welfare of the community.

Ple	ase provide the following information:
1.	Indicate the Ordinance section(s) which provide Use Standards for the proposed Special Use(s); and State all facts that demonstrate that the proposed special use will be in conformance with the Use Standards for the proposed Special Use(s):
	Unknown: This is a roof over an already existing deck
2.	State all facts that demonstrate that the proposed special use will not substantially injure the use and enjoyment of neighboring property and will not significantly devalue neighboring property:
	_The deck is located in the resident's back yard which is fenced off by a 6' privacy fence. There is no blocking of views from neighboring properties or safeety issues the roof could cause. The roof also pitches to the sides of the property, so rain water will stay on the propoerty and not fall on neighboring land
3.	State all facts that demonstrate that the proposed special use will not be detrimental or injurious to the health or welfare of the community:

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

__Aside from the facts typed in question #2, the deck will also have stairs to from grade to level.

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17 Lubec Street, Providence, RI

- 1. ALL WORK SHALL CONFORM TO ALL APPLICABLE LOCAL, STATE AND FEDEAAL CODES.
- 2. ALL BUILDING PERMITS AND INSPECTIONS INCLUDING BUT NOT LIMITED TO BUILDING AND OCCUPANCY PERMITS SHALL BE OBTAINED AND PAID FOR BY GREED PARTY.
- 3. ALL CONTRACTORS SHALL HOLD TO THE INTENT OF THE DRAWINGS WHICH IS TO PROVIDE COMPLETE AND FINISHED WORK, TESTED AND GUARANTEED FOR A MINIMUM OF ONE YEAR FROM THE TIME OF COMPLETION AND READY FOR OCCUPANCY, INCLUDINCG ALL NECESSARY ITEMS REGIUIRED REGARDLESS OF WHETHER SPECIACALLY CALLED FOR OR NOT ON THE DRAWINGS.
- 4. ALL WORK SHALL BE PERFORMED BY MECHANICS SKILLED IN THEIR RESPECTIVE TRADES.
- 5. ALL CONTRACTORS SHALL BE RESPONSIBLE FOR CUTTING, PATCHING, FILLING, AND CLEANING UP AFTER THEIR OWN WORK.
- 6. IN NO EVENT SHALL STRUCTURAL MEMBERS BE CUT OR DRILLED WITHOUT THE WRITTEN APPROVAL OF THE STRUCTUAAL ENGINEER
- 7. DO NOT SCALE DIMENSIONS FROM THE DRAWINGS. ALL WRITTEN OR DIMENSIONED INFORMATION TAKES PRECEDENCE OVER THE DRAWING.
- 8. ALL CONTRACTORS SHALL CHECK ALL DIMENSIONS, ASSEMBLIES, ETC. AND REPORT TO THE DESIGNER IN WRITING ANY INCONSISTENCIES PRIOR TO STARTING WORK, ORDERING MATERIALS, OR FABRICATING SHOP-BUILT ITEMS.
- 9. ALL CHANGES SHALL BE REQUESTED IN WRITING AND APPROVED IN WRITING BY THE OWNER AND THE DESIGNER.
- 10. THE CONTRACTOR SHALL GUARANTEE ALL HIS WORK AND THE WORK OF HIS SUBCONTRACTORS FOR A PERIOD OF ONE YEAR MINIMUM AFTER RECEIVING FINAL ACCEPTANCE, AND DO ALL REPAIR WORK AND REPLACEMENT AS MAY BE NECESSARY DURING THAT PERIOD AT HIS EXPENSE.
- 11. UPON COMPLETION OF THE CONTRACT AND BEFORE FINAL PAYMENT, EACH CONTRACTOR SHALL CLEAN UP AFTER HIS WORK REMOVING ALL DEBRIS INSIDE AND OUTSIDE THE BUILDING CREATED BY HIS WORK. EACH CONTRACTOR SHALL REPAIR ANY PROPERTY DAMAGED DURING THE COURSE OF CONSTRUCTION SUBJECT TO THE APPROVAL OF THE OWNER. THE OWNER WILL SUPPLY DUMPSTER FOR EACH CONTRACTORS WASTE.
- 12. THE DESIGNER HAS THE RIGHT TO REJECT ANY SLOPPY, POORLY INSTALLED, OR UNAUTHORIZED WORK OR WORK DONE CONTRARY TO THE INTENT OF THE CONTRACT DOCUMENTS. SUCH WORK SHALL BE RELACED, REPAIRED, OR REMOVED AT THE CONTAACTORS EXPENSE.
- 13. SHOP DRAWINGS, WHERE REQUIRED, MUST BE APPROVED BY THE DESIGNER PRIOR TO THE START OF FABRICATION OF THOSE ITEMS.
- 14, ALL FRAMING DIMENSIONS OUTSIDE TO CENTER OR CENTER TO CENTER ON INTERIORS REMODELING DIMENTIONS SHALL HAVE A

TOLERANCE OF +/, 4" AND MEASURED INSIDE FINISH TO INSIDE FINISH

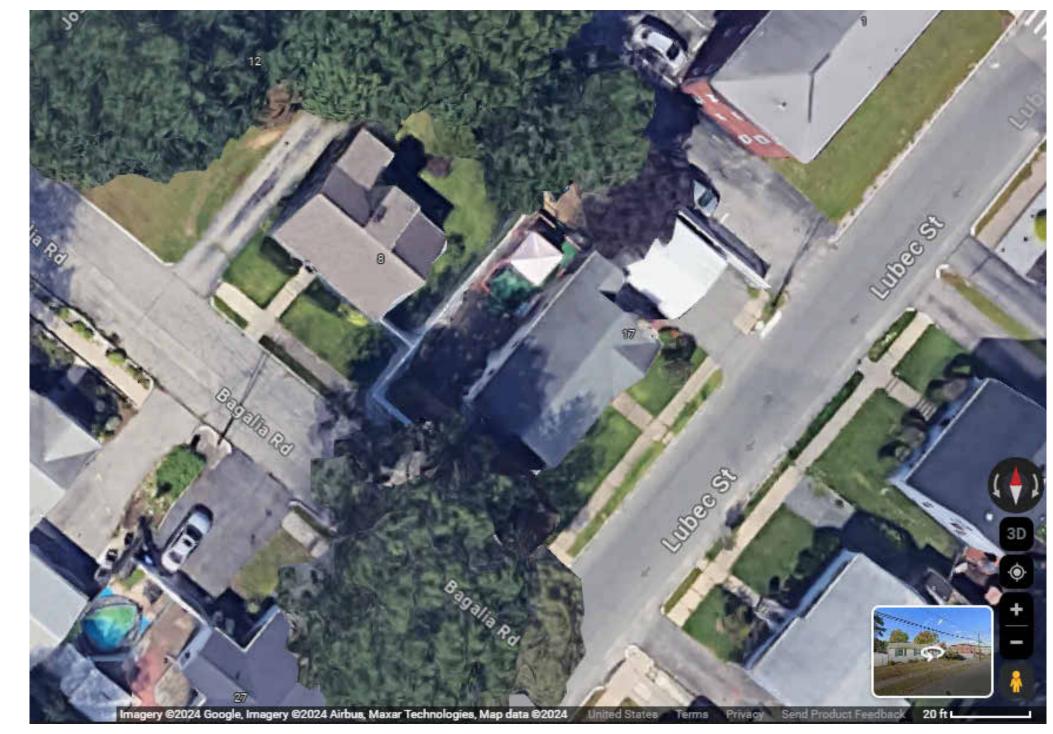
- 15. UTILITIES: THE CONTRACTOR SHALL VERIFY EXACT LOCATION OF EXISTING UTILITIES PRIOR TO COMMENCING WORK.
 THE CONTRACTOR SHALL CONTACT 'DIG SAFE' 48 HOURS PRIOR TO ANY EXCAVATION BEING PERFORMED ON SITE.
- 16. ALL MIE/P BY OTHERS.
- 17. ALL STRUCTUPAL BY OTHERS.

Scope

Capture of existing unnattached deck with roof that rests on house roof and proposed completion for requesting a permit and construction reovations to include the enclosing and repair of existing deck with addition of stairs and deck addition.

<u>Note</u>

The deck is not and will not be connected to the house. For rain and snow purposes, the roof of the enclosed portion of the deck has been designed to rest on top of a portion of the house roof, but will not be secured to it.







www.mkinnearchitecturaldrawings.com

No.	Description	Date

Covered Deck
Cover

roject number AG0029
late 3/21/2024
lrawn by Mike Kinne hecked by N/A

A100

Scale

1/2024 2:43:06 PM





No. Description Date

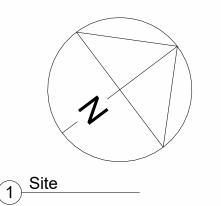
17 Lubec Street
Covered Deck
Site Plan

Project number

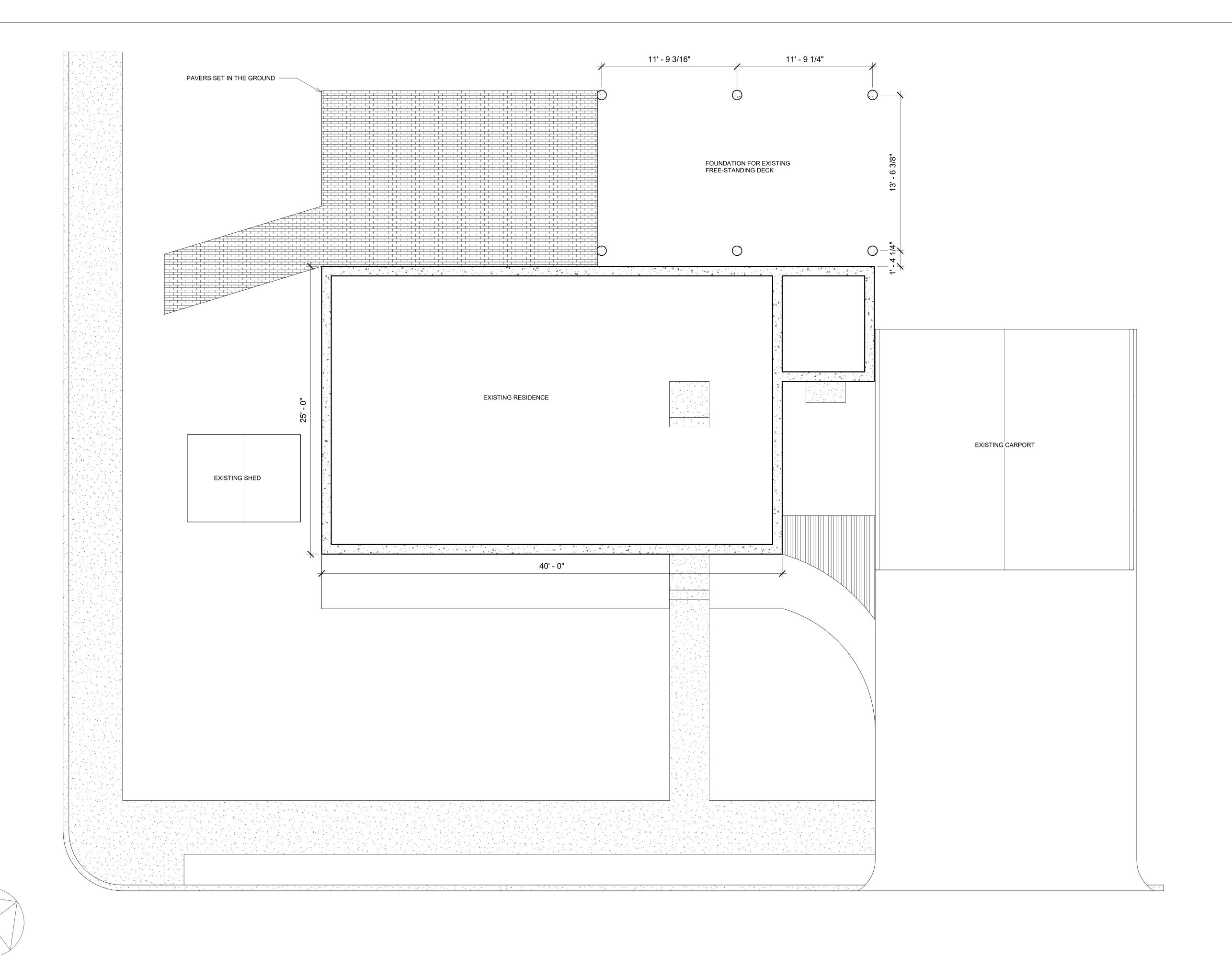
Date

Drawn by

A100.1



AG0029 3/21/2024 Mike Kinne



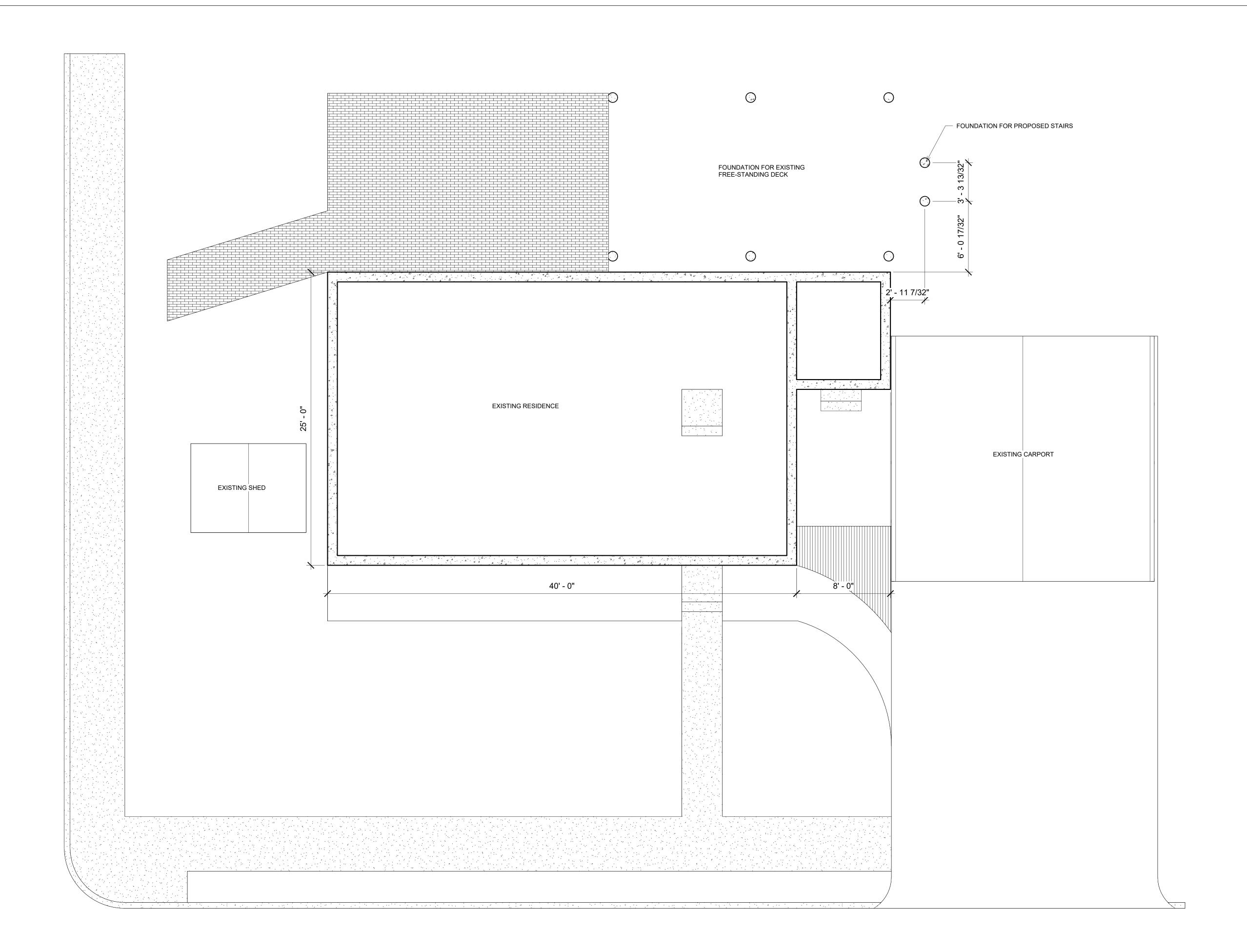


No.	Description	Date
110.	Description	Date

17 Lubec Street Covered Deck Existing Foundation Plan

Project number	AG0029	
Date	3/21/2024	
Drawn by	Mike Kinne	
Checked by	N/A	PM
A101	1	3/21/2024 2:43:11 PM
Scale	1/4" = 1'-0"	21/2
		3/

1 Foundation Existing Plan
1/4" = 1'-0"





No.	Description	Date
1		1

17 Lubec Street
Covered Deck
Proposed Foundation

Proposed Foundation
Project number AG0029

Date 3/21/2024

Drawn by Mike Kinne

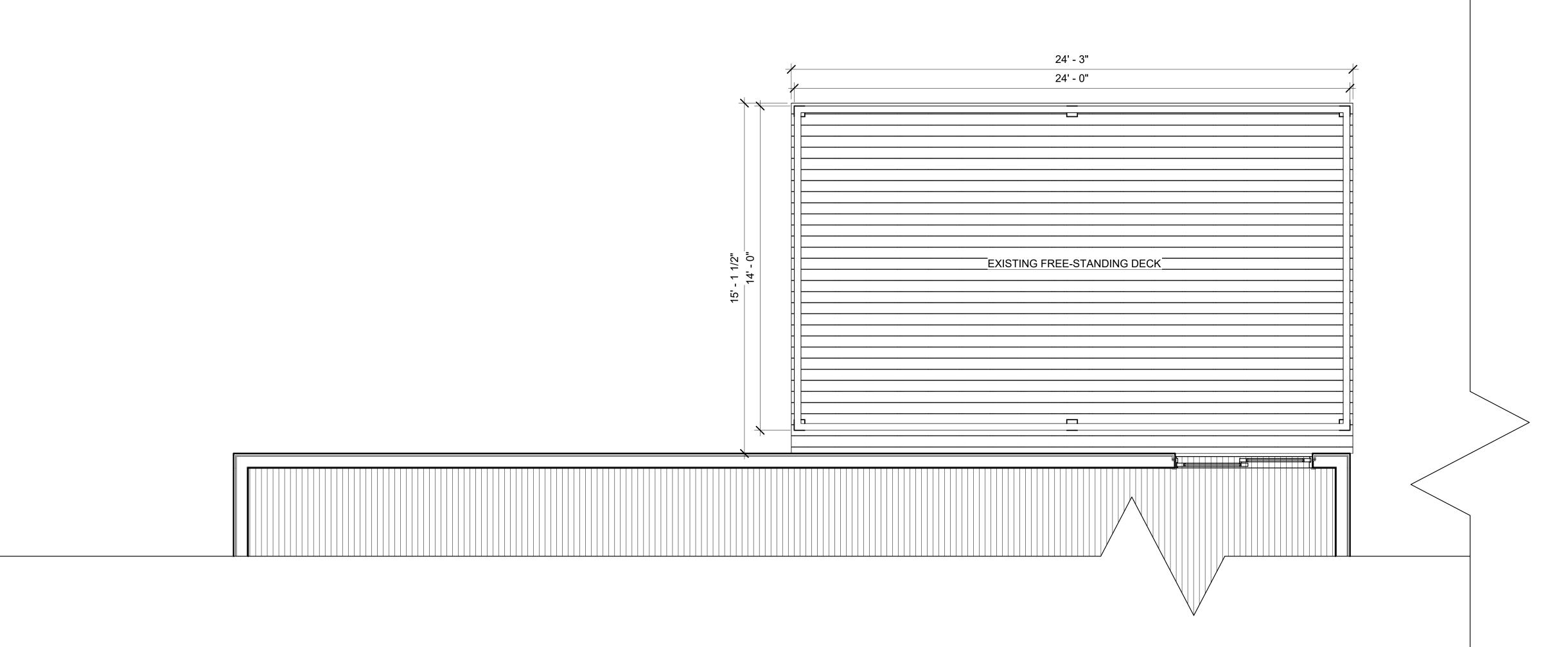
Checked by N/A

A102

Scale

1/4" = 1'

1





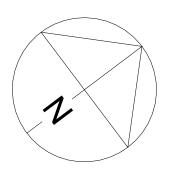
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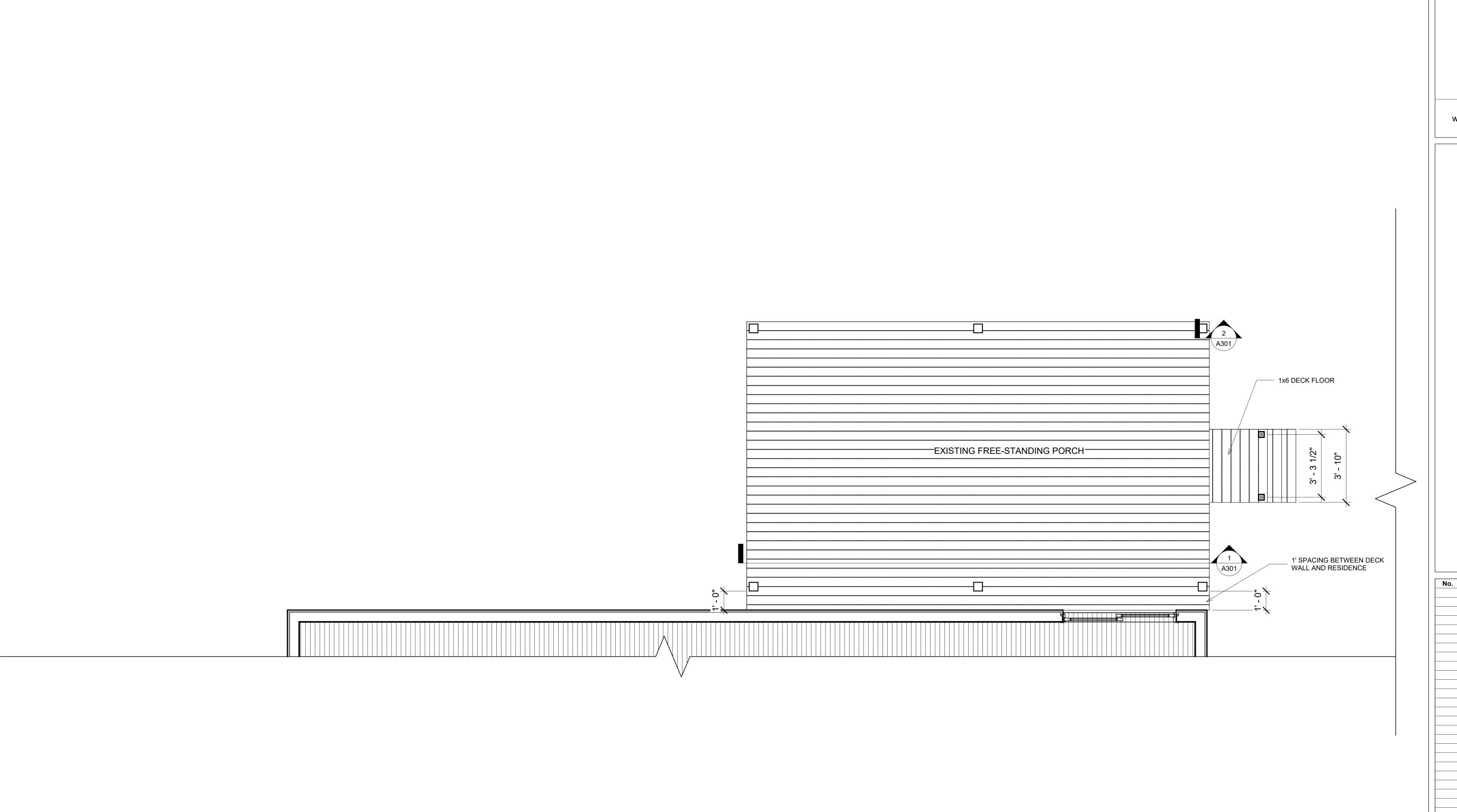
17 Lubec Street Covered Deck

Level 1 Existing Floor Plan

AG0029 3/21/2024 Mike Kinne 3/8" = 1'-0"

A103







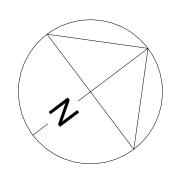
No.	Description	Date

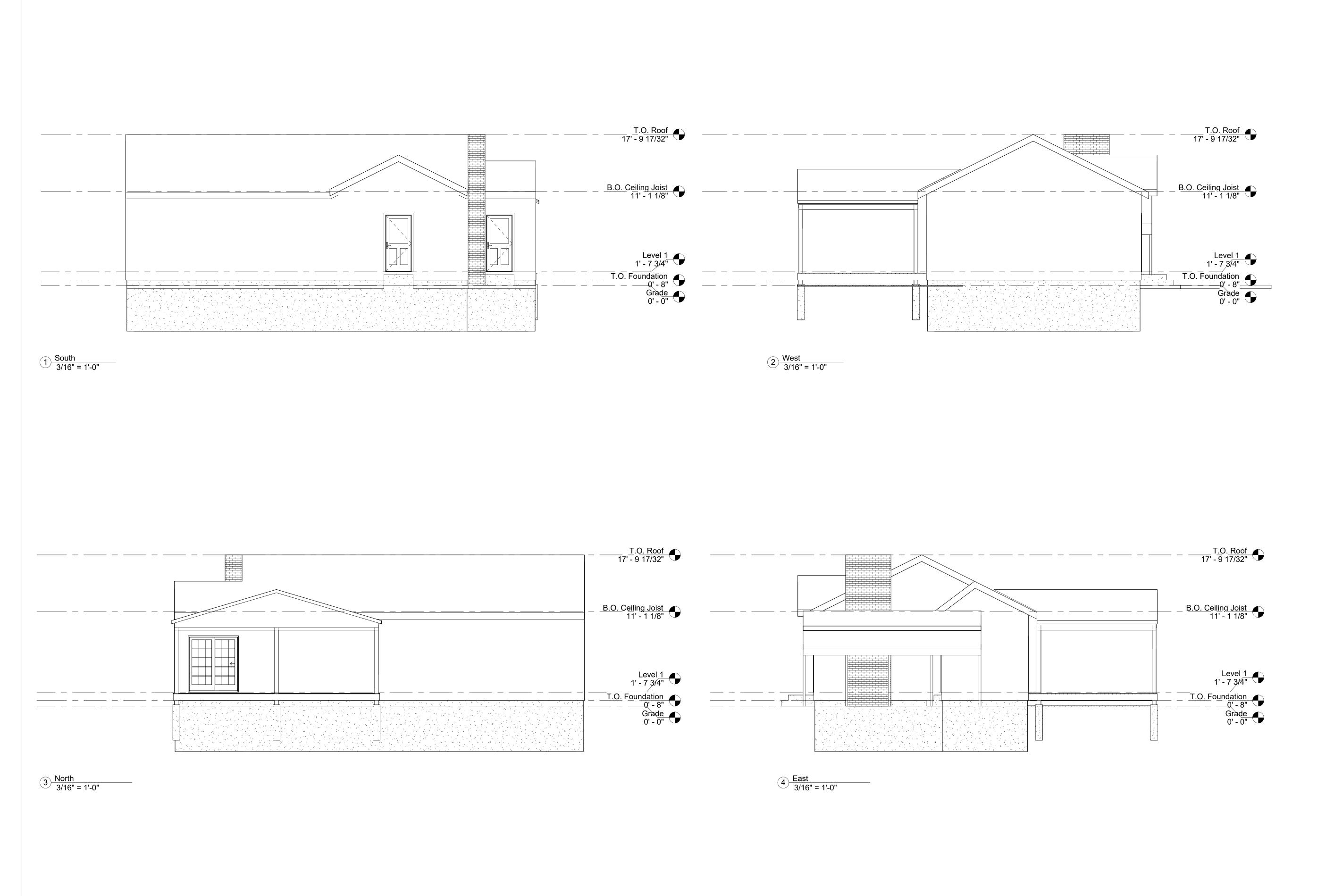
17 Lubec Street Covered Deck

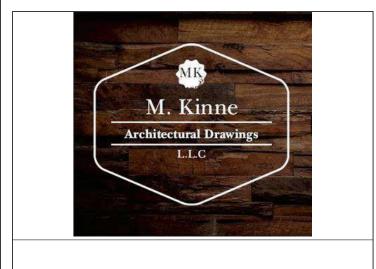
Level 1 Proposed Floor Plan

AG0029 Project number 3/21/2024 Mike Kinne 3/8" = 1'-0"

A104





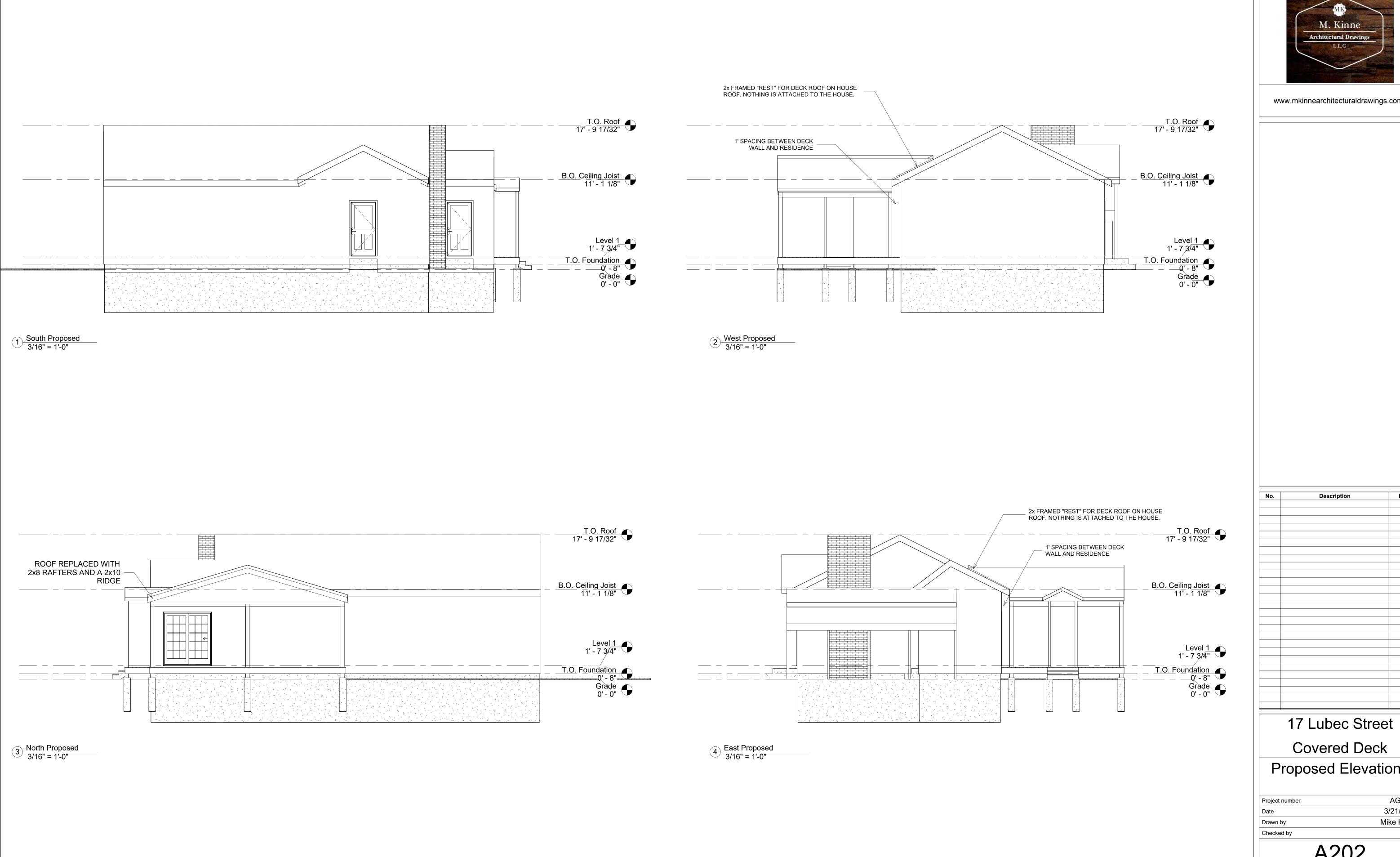


No.	Description	Date

17 Lubec Street Covered Deck Existing Elevations

AG0029 Project number 3/21/2024 Mike Kinne Drawn by 3/16" = 1'-0"

A201



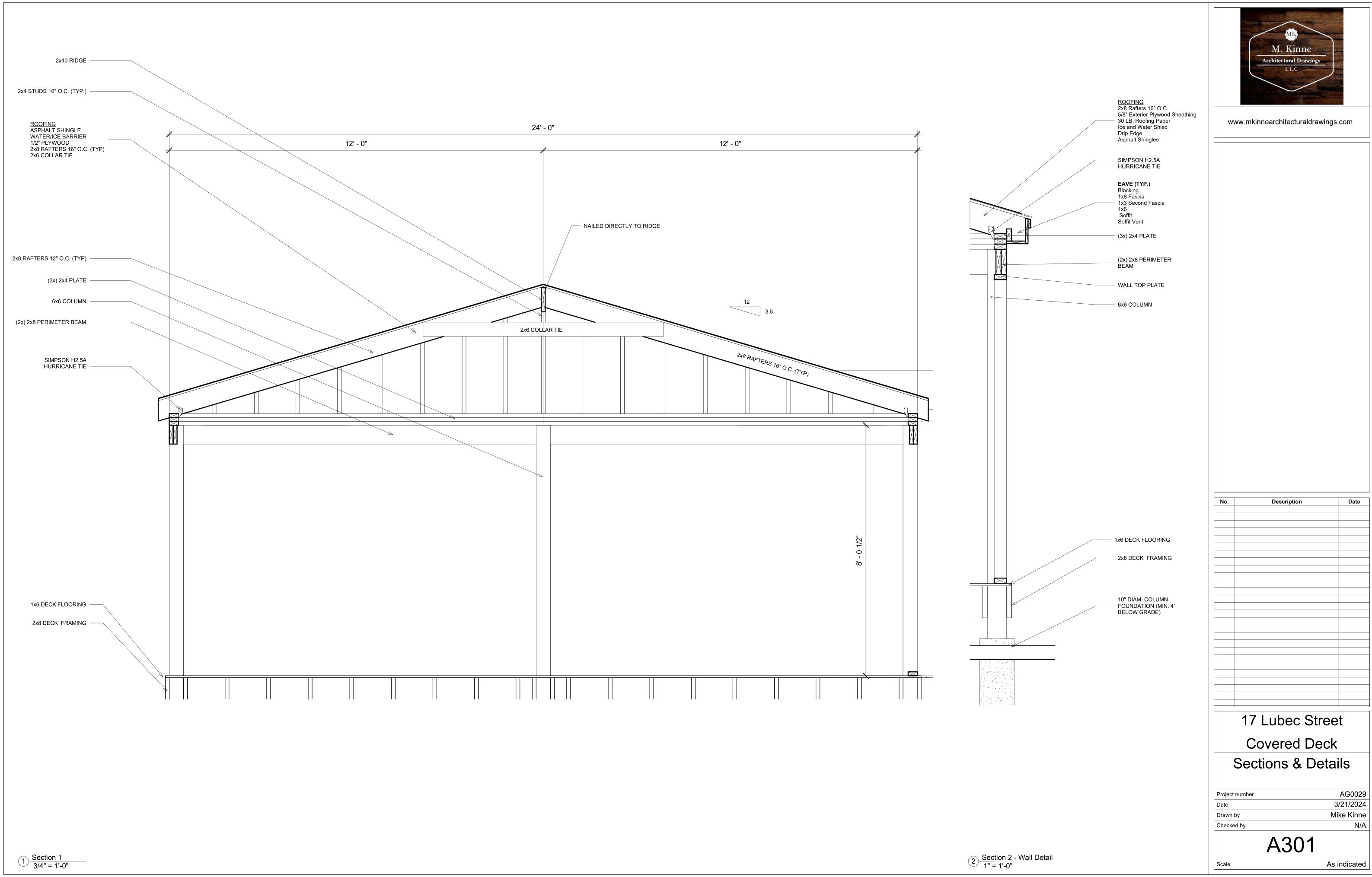


0.	Description	Date

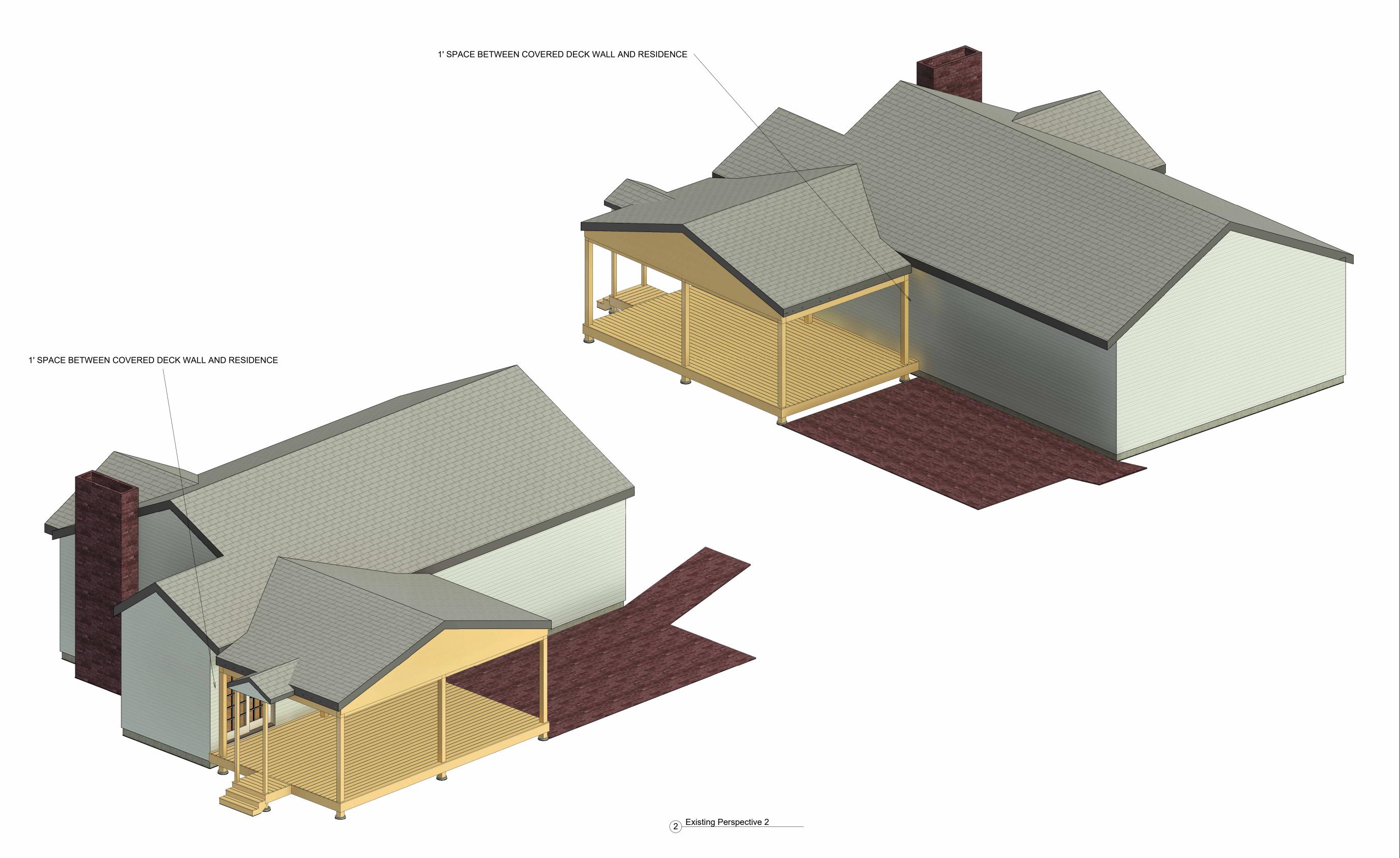
Covered Deck Proposed Elevations

AG0029 3/21/2024 Mike Kinne 3/16" = 1'-0"

A202



AG0029 3/21/2024 Mike Kinne



1 Existing Perspective 1



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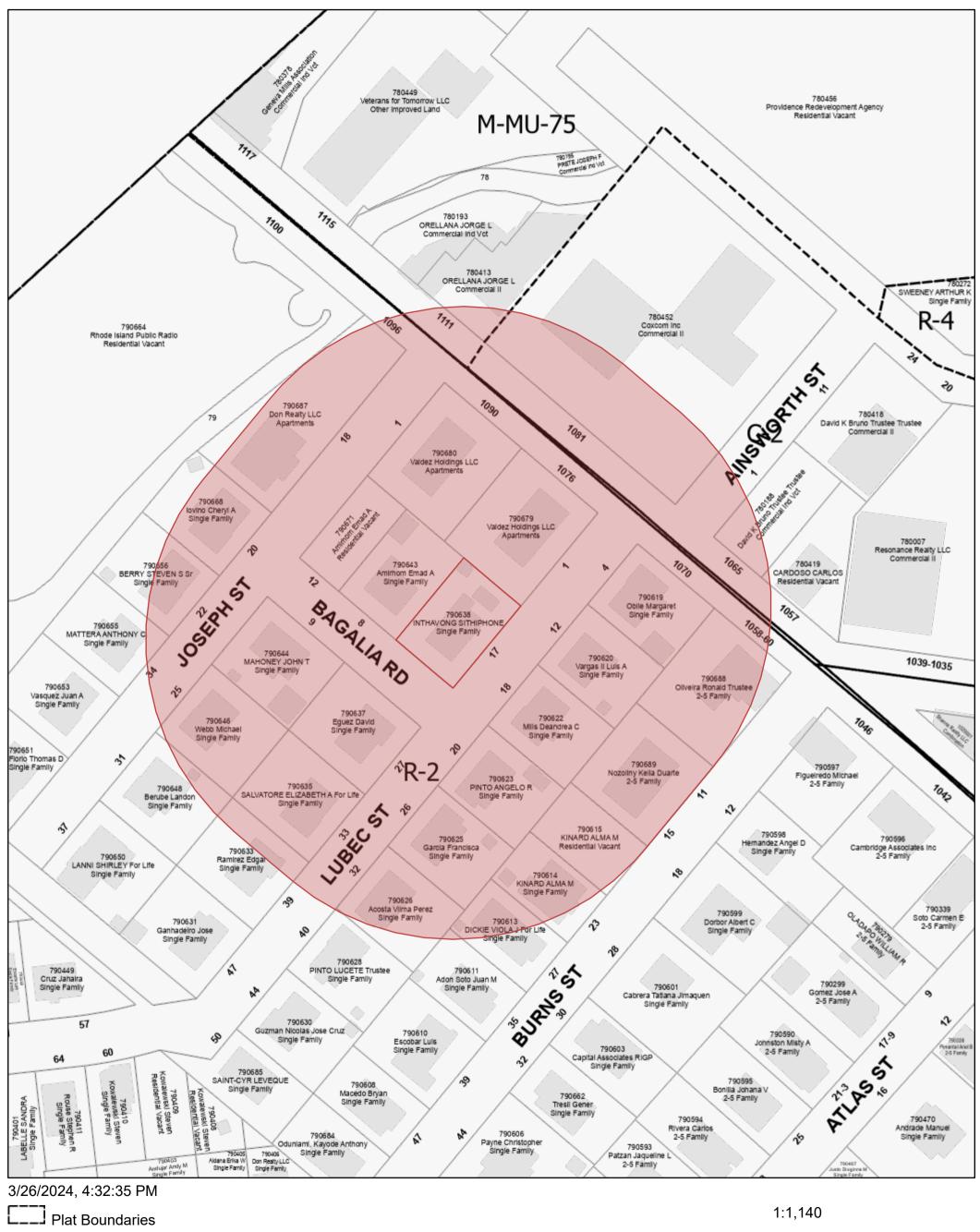
No.	Description	Date

17 Lubec Street
Covered Deck
Perspectives

AG0029
3/21/2024
Mike Kinne
N/A

A401

200ft Radius Map - 17 Lubec Street



Plat Boundaries

1:1,140

2oning
Parcels

Parcels

1:1,140

0 0.01 0.01 0.03 mi

0 0.01 0.03 0.06 km

Buildings



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