CITY OF PROVIDENCE ZONING BOARD OF REVIEW

INSPECTION & STANDARDS RECEIVED

APPLICATION FOR VARIANCE OR SPECIAL USE PERMIT

SEP 06 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
If a section of the application is not ap	plicable, please indicate this by using N/A in that field.
Centro de Liberacion Y Avivamientp	Applicant Mailing Address
Applicant:Email:	Street: PO Box 7826
Phone:	City, State, Zip: <u>Providence, RI 02907</u>
Owner: Same	Owner Mailing Address
Email:	×
Phone:	City, State, Zip:
Lessee: N/A	Lessee Mailing Address
Email:	Street:
Phone:	City, State, Zip:
Attorney: Jeffrey F. Caffrey	Attorney Mailing Address
jcaf frey@resnickandcaffrey.com Email:	Street: 300 Centerville Road
Phone: 401-738-4500	City, State, Zip: Warwick, RI 02887
Does the proposal require review by any of the Downtown Design Review Con I-195 Redevelopment District Capital Center Commission Historic District Commission	mmittee
1. Street Address of Subject Property:	Hayward Street, 239 & 245 Pearl Street, Providence
Plat and Lot Numbers of Subject Property	y: AP 23 Lots 2, 73, 766, 3 and 763

2. Base Zoning District(s): Overlay District(s):			
3a. Date owner purchased the Property 5/2015 (lots 3 & 766) & 8/2		2019(lot 763);
3b. Month/year of lessee's occupancy:			
4. Dimensions of each lot:			
Lot # 73 Width 65	Depth <u>59.42</u>	Total area 3862	sq. ft.
Lot # 763 Width 27	Depth 59.42	Total area 1691	sq. ft.
Lot # 2 Width 42.13	Depth 59.42	Total area 2243	sq. ft.
Lot # <u>3/766</u> Width <u>50/50</u>		Total area 4664/3	3259 sq. ft.
5a. Size of existing structure(s) located of	on the Property:		
Principal Structure:	Accessory Structure:		
Area of Footprint None	Area of Footprint Non	e	
Overall Height	Overall Height		
# of Stories	# of Stories		
5b. Size of proposed structure(s) locate	d on the Property:		
Principal Structure:	Accessory Structure:		
Area of Footprint None	Area of Footprint Non	e	
Overall Height	Overall Height		
# of Stories	# of Stories		
6a. Existing Lot Coverage:	. None		
Building Coverage (area of all roofed			. 15 701
Total Impervious Coverage Area (area			
Rear Yard Impervious Coverage (area			
Front Yard Impervious Coverage (are	a or structures and impervious	s surrace in front ya	ra) _ <u>'\'</u>
6b. Proposed Lot Coverage: Building Coverage (area of all roofed	ctructurae) None		
Total Impervious Coverage Area (area		mnervious surfaces	11,791
Rear Yard Impervious Coverage (area			
Front Yard Impervious Coverage (are			
		•	, <u> </u>
7a. Present Zoning Use of the Property:	Vacant		
7b. Legal Zoning Use of the Property as r Residential	ecorded in the Dept. of Inspe	ction & Standards:	
8. Proposed Zoning Use of the Property	Off-street parking as princip	al use	
9. Number of Parking Spaces:			
# of existing spaces 48	# of proposed spaces 3	.0	
# OI EXISTING SPACES	_ # of brohosed spaces 5		
10. Are there outstanding violations con	- · · · · ·	-	
	I State Building or Property M tion & Appendices Page 2 of 6		

	of relief, if applicable (eg. 4' setback where 6' required)
Use Matrix Parking as P	Principal use not allowed in R-3 zone
	nance that provide for the special use permit, and list all or the proposed Special Use(s):
Section Title	
anges proposed for the P	roperty (use, construction/renovation, site alteration):
uidelines. Property will	arking lot for the applicant's church in violation of have the number of existing spaces reduced and scaping installed to comply with Section 1500 of the
	hat members of the Zoning Board of Review and its sta <u>f</u> order to view the Property prior to any hearing on the
and that providing a false provided by law, includir ant(s) are jointly respon	e statements herein and in any attachments or appendice. e statement in this application may be subject to crimina ng prosecution under the State and Municipal False Claims sible with their attorneys for any false statements. As tion may not be signed by an attorney on behalf of their
Camira.	Applicant(s): Taminos
	Type Name
	Signature
	use Matrix Parking as Fon(s) of the Zoning Ordinorovide Use Standards for Section Title anges proposed for the Pontly being used as a particle particle and lands and lands section of the Property will respond that providing a false approvided by law, including ant(s) are jointly responding and that providing a false and that provided by law, including ant(s) are jointly responding are jointly responding and the provided by law, including ant(s) are jointly responding a false and that provided by law, including ant(s) are jointly responding a false and that provided by law, including ant(s) are jointly responding and the provided by law, including ant(s) are jointly responding and the provided by law, including ant(s) are jointly responding and the provided by law, including ant(s) are jointly responding and the provided by law, including ant(s) are jointly responding and the provided by law, including ant(s) are jointly responding and the provided by law, including ant(s) are jointly responding and the provided by law, including ant(s) are jointly responding and the provided by law, including ant(s) are jointly responding and the provided by law, including ant(s) are jointly responding and the provided by law, including ant(s) are jointly responding and the provided by law, including ant(s) are jointly responding and the provided by law, including ant(s) are jointly responding and the provided by law, including ant(s) are jointly responding and the provided by law, including ant(s) are jointly responding and the provided by law, including and the provide

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

Signature

Signature

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.

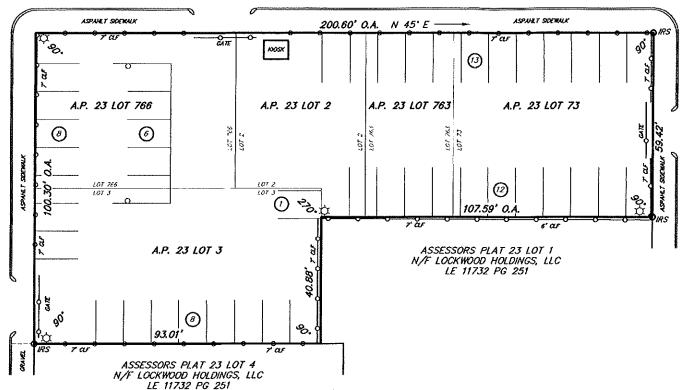
Please provide the following information:

PIE	ease provide the following information:		
1.	What is the specific hardship from which the applicant seeks Applicant operates a Church located at 9 Portland Street On street parking and neighboring businesses do not prosuch that the lack of suitable parking creates safety issuespecially during wintry weather.	et which has inadequate park ovide adequate additional pa	arking
2.	Specify all unique characteristics of the land or structure that	nt cause the hardship:	
	The property is zoned R-3, which formerly allowed for p however, with the new ordinances now requires a use v reflected on the survey plan has been legally coverted t serves to blend the remaining land into the approved pa being utilized for parking.	rariance. A portion of the pro o parking and this applicatio	perty n
2	(a) Is the hardship caused by an economic disability?	Yes No X	
٥.	(b) Is the hardship caused by a physical disability?	Yes No X Yes No X	
	(c) If the response to subsection (b) is "yes," is the physical		
	with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12101 et		

Yes No X
If "yes," describe any and all such prior action(s) and state the month/year taken:
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: Due to the proximity of the property to other commercial uses and the lack of suitable
alternatives for safe parking for the Church it is extremely impractical to develop the site for residential usage.
If you are seeking a DIMENSIONAL VARIANCE, set forth all facts that indicate that if the variance not granted, the hardship the owner/applicant will suffer is more than a mere inconvenience:



HAYWARD STREET
PUBLIC - 40,12 WIDTH



NOTES

- 1) THERE IS NO SIGNIFICANT TREES (>32") ON THE PARCEL.
 2) PROVIDENCE DIVISION OF FORESTRY TREE LIST:
 http://www.providenceri.gov/wp-content/uploads/2017/
- 3) FRONT SETBACK IS CALCULATED AS THE AVERAGE OF THE FRONT SETBACKS OF DEVELOPED LOTS WITHIN 100' ON EITHER SIDE OF THE SUBJECT LOT ON THE SAME SIDE OF THE STREET AS THE SUBJECT LOT, SEE CITY OF PROVIDENCE ZONING ORDINANCE SECTION 402 B.

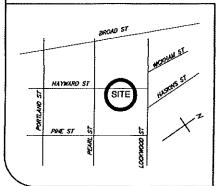
OF PROVIDENCE ZONING ORDINANCE SECTION 402 B.
4) TOTAL NUMBER OF CURRENT PARKING SPACES = 48.

AREA ANALYSIS

ASSESSORS PLAT 23 LOT 2 2,243.71 sf OR 0.0515 Ac. ASSESSORS PLAT 23 LOT 3 4,664.45 sf OR 0.1071 Ac. ASSESSORS PLAT 23 LOT 73 3,862.30 sf OR 0.0887 Ac. ASSESSORS PLAT 23 LOT 763 1,691.69 sf OR 0.0388 Ac. ASSESSORS PLAT 23 LOT 766 3,259.75 sf OR 0.0748 Ac.

TOTAL OF ALL LOTS COMBINED: 15,721.90 sf OR 0.3609 Ac.

LOCUS MAP



<u>LEGEND</u>

05/Providence_Tree_List.pdf

IRS O	IRON ROD SET
N/F	NOW OR FORMERLY
LE/PG	LAND EVIDENCE/PAGE
AP.	ASSESSORS PLAT
aa.	OVERALL
ά	LIGHTPOLE
<u> </u>	BASKETBALL HOOP
<u>r ar </u>	CHAINLINK FENCE W/ BARB WIRE
	EDGE OF PAVEMENT
(B)	# OF PARKING SPACES

<u>REFERENCES</u>

- 1) LAND EVIDENCE 14196 PAGE 270 (SUBJECT DEED)
 2) LAND EVIDENCE 12703 PAGE 72 (SUBJECT DEED)
- 3) LAND EVIDENCE 12333 PAGE 178 (SUBJECT DEED)
- 4) LAND EVIDENCE 11111 PAGE 148 (SUBJECT DEED)

PROJECT OWNER/APPLICANT

PROJECT OWNER & APPLICANT CENTRO DE LIBERACION Y AVIVAMIENTO, INC. P.O. BOX 72826 PROVIDENCE, RI 02907

ZONING

ZONE R-3

MAX. HEIGHT = 45' & 3 STORIES

MAX. BUILDING COVERAGE = 45%

MAX. IMPERVIOUS COVERAGE - 65%

MAX. IMPERVIOUS COVERAGE FRONT YARD = 33%

MAX. IMPERVIOUS COVERAGE REAR YARD = 50%

MIN. PERVIOUS COVERAGE TOTAL = 1,000 sf

FRONT YARD SETBACK = N/A ±5'

(SEE NOTE #3)

SIDE YARD SETBACK = N/A

REAR YARD SETBACK = N/A

FLOOD NOTE

ALL OF PROJECT AREA FALLS WITHIN ZONE "X" (AREAS OUTSIDE OF 0.2% ANNUAL FLOOD CHANCE). FEMA MAP: 44007C0308J EFFECTIVE: 10/02/2015



THIS SURVEY AND PLAN HAS BEEN PREPARED PURSUANT TO 435-RICR-00-00-1.9 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON NOVEMBER 15, 2015, AS FOLLOWS:

TYPE OF BOUNDARY SURVEY
LIMITED CONTENT BOUNDARY SURVEY
DATA ACCUMULATION SURVEY
CLASS III

MEASUREMENT SPECIFICATION
CLASS II
CLASS III

THE PURPOSE OF THIS CONTENT OF THE SURVEY AND FOR THE PREPARATION OF THE PLAN IS AS FOLLOWS:
TO ESTABLISH RECORD BOUNDARY LINES, IN ORDER TO MAXIMIZE THE USE OF LAND.

BY: 05 S.go DATE: 8/c/2024

BY: ROBERT S. ENGELHARDT, PLS; LICENSE #1949; COA # A-437



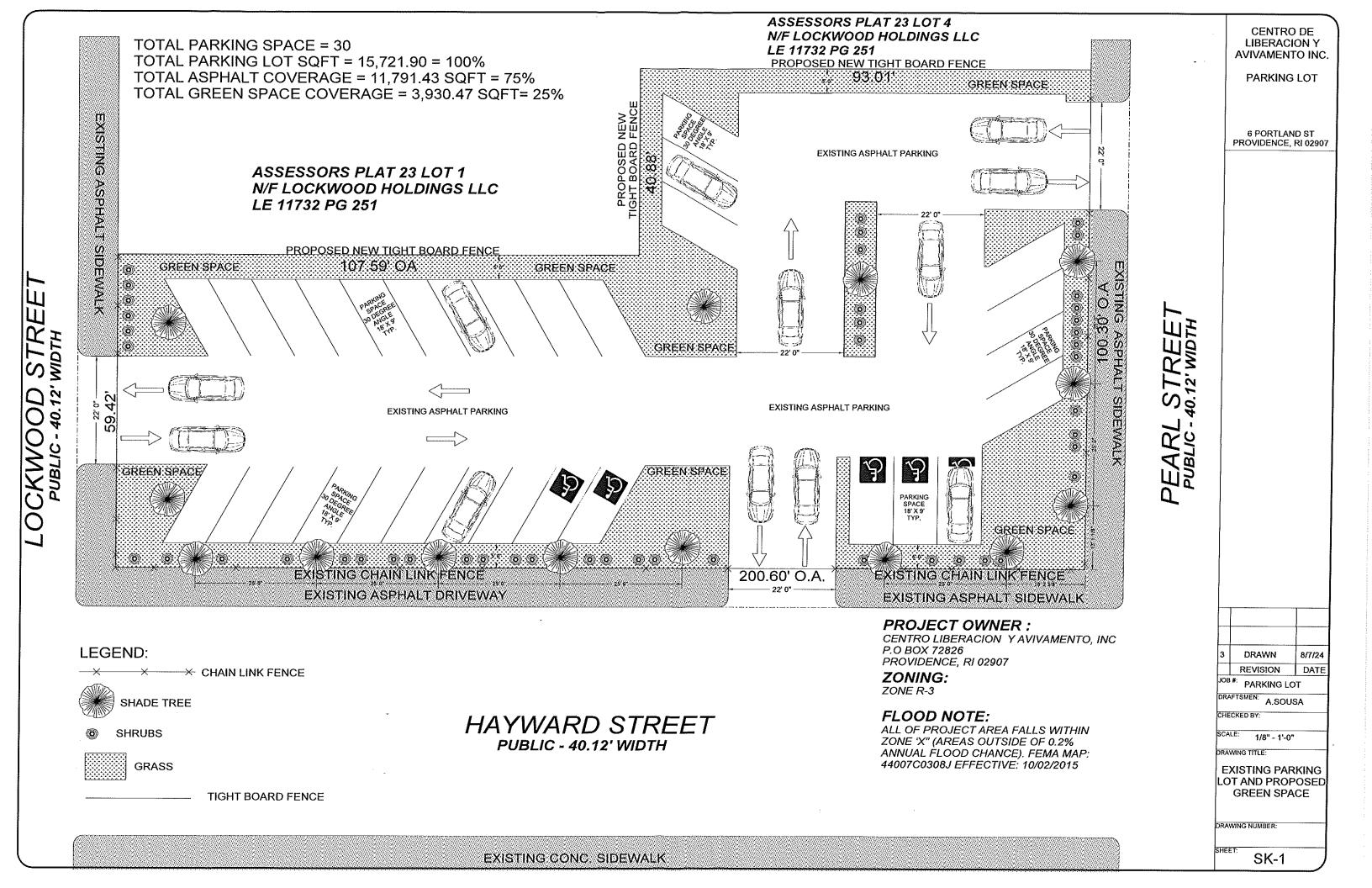
OCKWOOD STREE. PUBLIC-40.12" WIDTH

EXISTING CONDITIONS PLAN

ASSESSORS PLAT 23 LOTS 2, 3, 73, 763 & 766 PROVIDENCE, RHODE ISLAND PREPARED FOR: CENTRO DE LIBERACION Y AVVAMIENTO, INC.

PREPARED BY: ENGELHARDT SURVEYING, LLC
18 TIMBERLINE DRIVE
WARWICK, RHODE ISLAND 02886

TEL. 401-467-1940 SCALE 1"=20" AUGUST, 2024 SHEET 1 OF 1

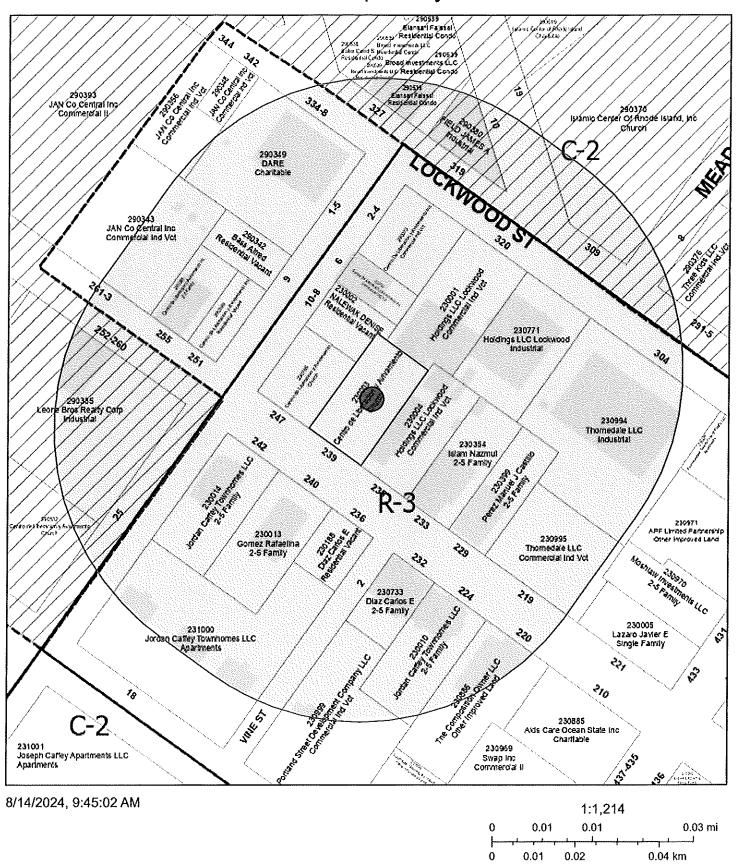




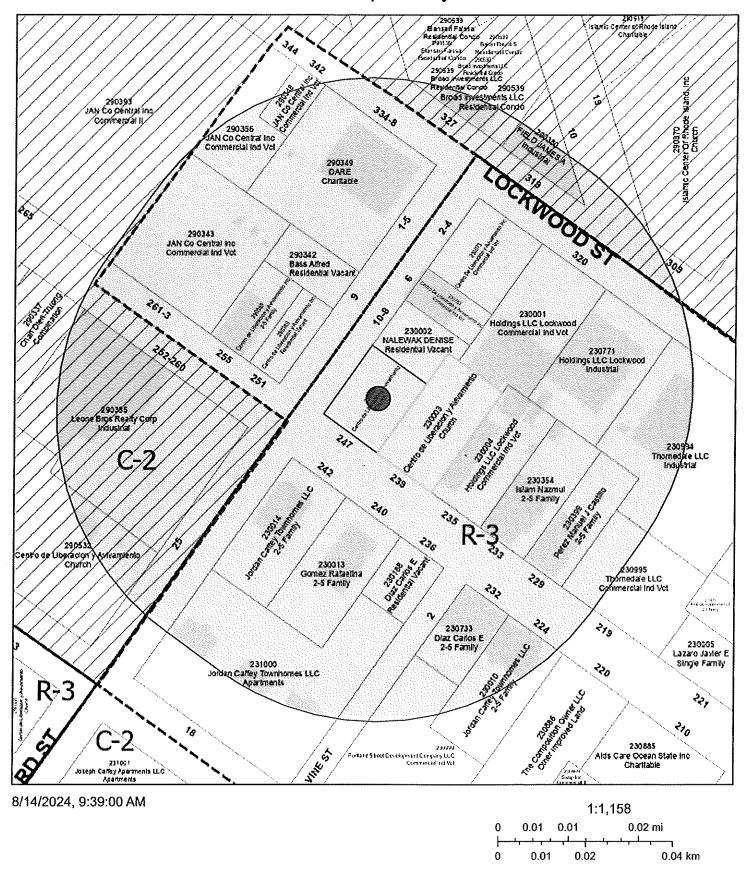




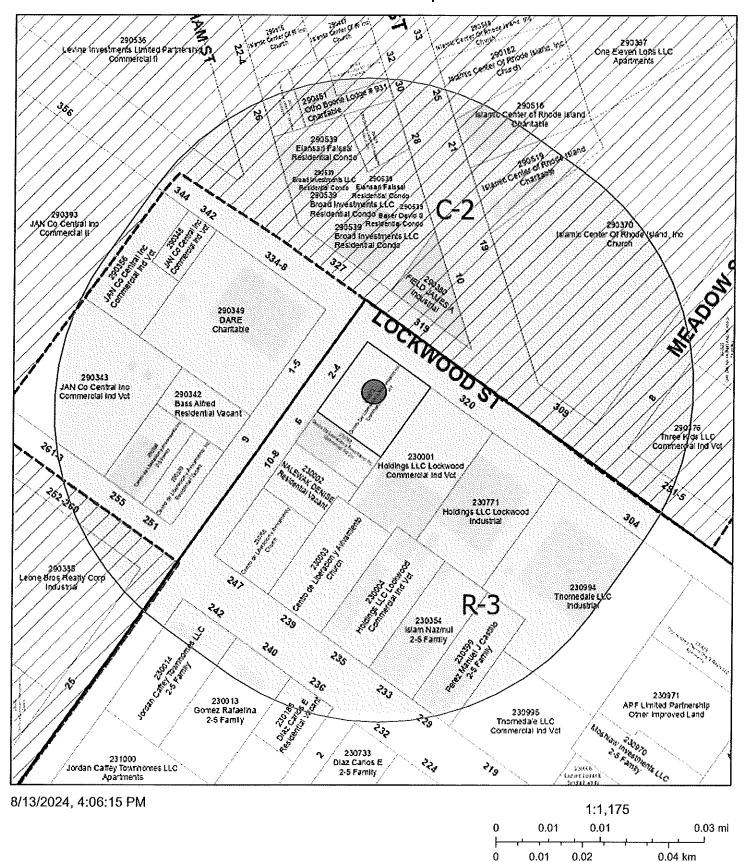




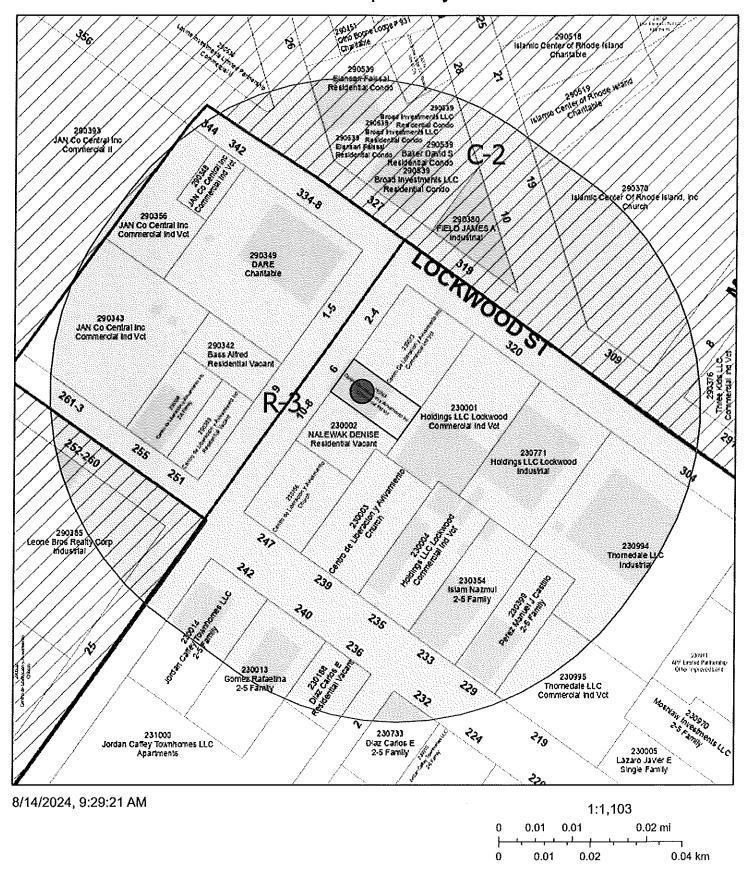
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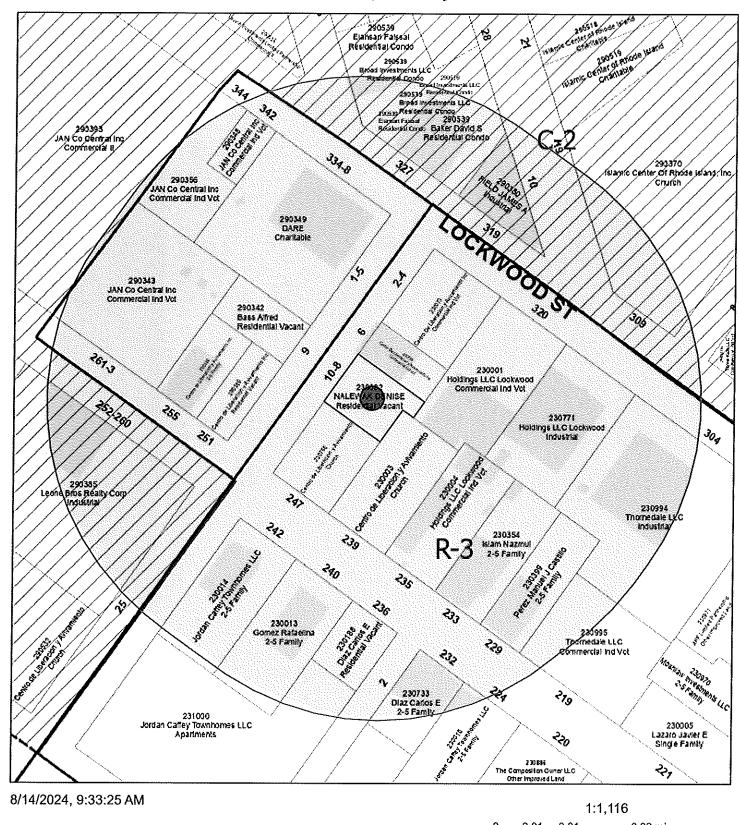
Radius Map

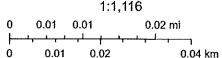


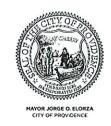
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Joseph M. Atchue, CBO, Director Kevin Mahoney, Deputy Director

ZONING VIOLATION NOTICE

Today's Date:

December 1, 2022

Inspector

Dennis Doorley

Date of Inspection:

November 29, 2022

Property Address:

2 Hayward St Providence, RI 02907

Plat-Lot-Unit:

023-0073-0000

Zoning District

R-3 Residential District

Owner/Mortgagee	Address	City	State	Postal Code
Centro de Liberacion y Avivamiento, Inc	PO BOX 72826	Providence	RI	02907

Violation Details:

The properties at 2, 6, and 10 Hayward St (plat 23, lots 73, 763, and 2) have been paved and are being used as principal use parking lots without having obtained a Special Use Permit as is required by Zoning Ordinance Table 12-1.

Pursuant to Rhode Island General Laws § 45-24-60 and Article 21, Section 2100.D. of the Zoning Ordinance, you are subject to a penalty of <u>up to</u> \$500.00 per day for each violation of the Ordinance. Each day of a violation constitutes a separate violation subject to penalty.

You have the right to appeal this Zoning Violation to the Zoning Board of Review. Pursuant to Zoning Ordinance Section 1918(D), an appeal must be filed within twenty (20) days of the date of the recording of this Notice in the land evidence records. This Notice of Violation will be recorded on the same day of issuance. The appeal period does not prevent the Office of the City Solicitor from exercising its statutory authority to seek injunctive relief.

The appeal shall be filed with the Zoning Board of Review on the form entitled "Notice of Appeal" which may be found at: https://www.providenceri.gov/inspection/boards-of-review/, or obtained by contacting the Zoning Board of Review Office at 401-680-5375.

You may also contact the Zoning Office if you believe this violation has already been cured, or to discuss how to cure this violation and resolve this matter without the necessity of an appeal - athompson@providenceri.gov or 401-680-5376.

Authorized Signature - Division of Structures & Zoning



Joseph M. Atchue, CBO, Director Kevin Mahoney, Deputy Director

CERTIFICATE OF SERVICE

Owner/Mortgagee	Address	City	State	Postal Code
Centro de Liberacion y Avivamiento, Inc	PO BOX 72826	Providence	RI	02907

Wendy Delarosa

RECEIVED: Providence Received for Record DEC 02, 2022 09:48 AM Document Num: 2022336573 John A Murphy Recorder of Deeds





Department of Inspections and Standards ZONING VIOLATION NOTICE

Today's Date:

May 6, 2024

Inspector

Dennis Doorley

Date of Inspection:

Property Address:

10 Hayward St Providence, RI 02907

Plat-Lot-Unit:

023-0002-0000

Zoning District

R-3 Residential District

Owner/Mortgagee	Address	City	State	Postal Code
LRV Properties aka LRV Properties LLC	99 De Pasquale Avenue	Providence	RI	02903

Violation Details:

The property at 10 Hayward St (plat 23, lot 2) has been paved is being used as principal use parking lot in violation of Zoning Ordinance Table 12-1.

Pursuant to Rhode Island General Laws § 45-24-60 and Article 21, Section 2100.D. of the Zoning Ordinance, you are subject to a penalty of <u>up to</u> \$500.00 per day for each violation of the Ordinance. Each day of a violation constitutes a separate violation subject to penalty.

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Authorized Signature - Division of Structures & Zoning

RECEIVED: Providence Received for Record MAY 06: 2024 11:35 AM Document Mum: 2024366896 Jeanne Pascone Recorder of Deeds





Joseph M. Atchue, CBO, Director Kevin Mahoney, Deputy Director

ZONING VIOLATION NOTICE

Today's Date:

December 1, 2022

Inspector

Dennis Doorley

Date of Inspection: Property Address:

November 29, 2022 239 Pearl St Providence, RI 02907

Plat-Lot-Unit:

023-0003-0000

Zoning District

R-3 Residential District

Owner/Mortgagee	Address	City	State	Postal Code
	297 Elmwood Avenue	Providence,	RI	02907

Violation Details:

Repaying has occurred without bringing the nonconforming site condition of landscape buffers and tree canopy into compliance, and without obtaining a zoning certificate; in violation of Providence Zoning Ordinance Sections 2004.C. and 1916.

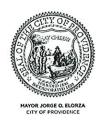
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Authorized Signature - Division of Structures & Zoning



Department of Inspections and Standards Joseph M. Atchue, CBO, Director Kevin Mahoney, Deputy Director

CERTIFICATE OF SERVICE

I, Wendy Delarosa, herby certify that on <u>recently that on the property address:</u> 239 Pearl St Providence, RI 02907 by U.S. Postal Service to the following party(ies):

Owner/Mortgagee	Address	City	State	Postal Code
Centro de Liberacion y Avivamiento	297 Elmwood Avenue	Providence,	RI	02907

Wendy Delarosa





ZONING VIOLATION NOTICE

Today's Date:

January 5, 2024

Inspector

Dennis Doorley

Date of Inspection:

December 21, 2023

Property Address:

245 Pearl St Providence, RI 02907

Plat-Lot-Unit:

023-0766-0000

Zoning District

R-3 Residential District

Owner/Mortgagee	Address	City	State	Postal Code
Centro de Liberacion y Avivamiento	PO BOX 72826	Providence	RI	02907

Violation Details:

The property is being used as principal use parking lot (along with adjacent lots 3, 2, 763, and 73), in violation of Zoning Ordinance Table 12-1.

Pursuant to Rhode Island General Laws § 45-24-60 and Article 21, Section 2100.D. of the Zoning Ordinance, you are subject to a penalty of <u>up to</u> \$500.00 per day for each violation of the Ordinance. Each day of a violation constitutes a separate violation subject to penalty.

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Authorized Signature - Division of Structures & Zoning

DOC: 2024360348 Bk: 14043 Ps: 160

RECEIVED:
Providence
Received for Record
JAN 05: 2024-02:45 PM
Document Nom: 2024360348
Jeanne Pascone
Recorder of Deeds