

NOV 02 2021

CITY OF PROVIDENCE
ZONING BOARD OF REVIEW

APPLICATION FOR VARIANCE OR SPECIAL USE PERMIT

Check Each Type Zoning Relief Sought:

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Variance – Use *
Variance – Dimensional*
Special Use Permit **

* Attach Appendix A to apply for a Use or Dimensional Variances

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

Applicant: Alexandra N. Labitue

Address 317 Admiral Street, Providence, RI

Zip Code 02908

E-mail alab2icloud.com

Phone 401 680-5375

Home/Office

Mobile (Cell)

Owner: Alexandra N. Labitue

Address 317 Admiral Street, Providence, RI

Zip Code 02908

E-mail alab2icloud.com

Phone 401 680-5375

Home/Office

Mobile (Cell)

Lessee: _____

Address _____

Zip Code _____

E-mail _____

Phone: _____

Home/Office

Mobile (Cell)

Does the proposal require review by any of the following (check each):

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

1. **Location of Property:** 317-313 Admiral Street
Street Address

2. **Zoning District(s):** R-3
Special purpose or overlay district(s): _____

3a. **Date owner purchased the Property:** 07/07/2012

3b. **Month/year of lessee's occupancy:** _____

3. Dimensions of each lot:

Lot # <u>591</u>	Frontage <u>67.63</u>	depth <u>151.53</u>	Total area <u>7744</u> sq. ft.
Lot # <u>602</u>	Frontage <u>51.72</u>	depth <u>239.06</u>	Total area <u>8172</u> sq. ft.
Lot # _____	Frontage _____	depth _____	Total area _____ sq. ft.

4. Size of each structure located on the Property:

317 Principal Structure:	Total gross square footage	<u>1053</u>
Footprint <u>849</u>	Height <u>24</u>	Floors <u>1 1/2</u>

313 Principal Structure:	Total gross square footage	<u>1453</u>
Footprint <u>1100</u>	Height <u>31</u>	Floors <u>2</u>

5. Size of proposed structure(s):	Total gross square footage:	_____
Footprint _____	Height _____	Floors _____

6a. Existing Lot coverage: (include all buildings, decks, etc.) N/A 6b.

Proposed Lot coverage: (include new construction) N/A 7a.

Present Use of Property (each lot/structure):

313 Admiral St. - Two Family,
317 Admiral St. - Single Family

7b. Legal Use of Property (each lot/structure) as recorded in Dept. of Inspection & Standards:

313 Admiral St. - Two Family, 317 Admiral St. - Single Family

8. Proposed Use of Property (each lot/structure):

No work being done to buildings, just changing lot lines

9. Number of Current Parking Spaces: 317 Admiral St. two parking spaces
313 Admiral St - four parking spaces

10. Describe the proposed construction or alterations (each lot/structure):
None

11. Are there outstanding violations concerning the Property under any of the following:

- Zoning Ordinance
- RI State Building Code
- Providence Housing Code

12. List all Sections of the Zoning Ordinance from which relief is sought and description of each section:

<u>Table 4-1</u>	<u>For Minimum Interior Side Setback (1.6 feet for each Property)</u>
_____	_____
_____	_____

13. Explain the changes proposed for the Property.

The realignment of the joint property line so as to go between the two dwellings. Thereby
allowing each building to be solely and completely on it's own parcel.

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.

Owner(s):

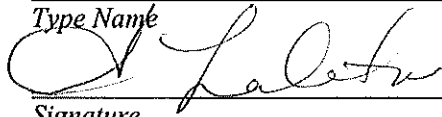
Applicant(s):

Alexandra N. Labitue

Alexandra N. Labitue

Type Name

Type Name





Signature

Signature

Type Name

Type Name

Signature

Signature

All requirements listed and described in the Instruction Sheet must be met or this application will not be considered complete.

APPENDIX A

APPLICATION FOR VARIANCE(S)

Rhode Island General Laws § 45-24-41(c) requires 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(16);
- (2) That the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain;
- (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;
- (4) That the relief to be granted is the least relief necessary; and
- (5) (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.

Please provide the following information:

1. What is the specific hardship from which the applicant seeks relief?

Currently the joint property or lot line goes through both Buildings and as such, is in violation of current Zoning Bylaws and can't be sold or remodeled.

2. Specify any and all unique characteristics of the land or structure that cause the hardship?

The current joint property line of both Lots 317 & 313 is a straight line back to the rear of the property and runs through both buildings.

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

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

5. State any and all facts to support your position that the applicant is not seeking the variance(s) primarily in order to obtain greater financial gain.

~~The expense to move both buildings - If it could be done without incurring other zoning violations, or the reconstruction of the buildings, would cause extremely financial burden.~~

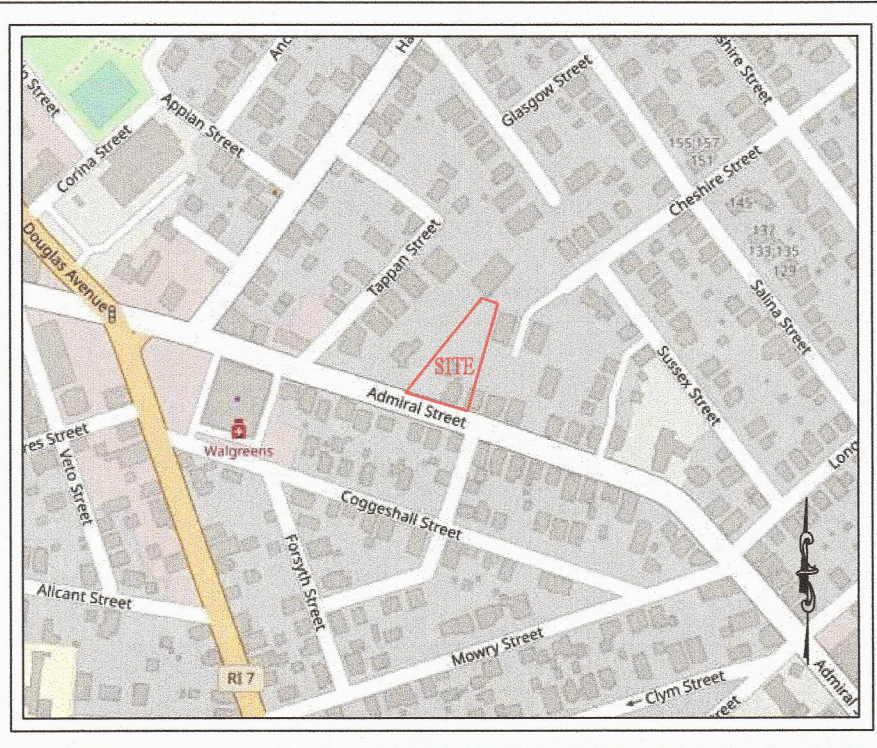
6. State any and all facts that support your position that you are seeking the least relief necessary to lessen or eliminate the hardship (for example, why there are no viable alternatives to your proposed plan).

~~The buildings could be moved, but that might bring in other zoning violations. An other way is to reduce the frontage requirement down to 40 feet for both lots, then the 4 foot sideline setback would be acceptable. This would require the reduction of the lot size of 313 Admiral Street.~~

7. 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.

8. 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.

~~It is the best way to elevate the problem and to bring both lots into compliance. If both lots had less frontage (40 feet) we would not have to seek or ask for a Zoning relief from the sideline setback requirement. To leave both lots as they are now, is totally in violation of the nature and intent of the Zoning By-laws and of the City of Providence.~~



LOCUS MAP
(NOT TO SCALE)

SURVEY REFERENCES

DEEDS

- LOT 591 & 602: DEED BOOK 12726, PAGE 117
- LOT 46: DEED BOOK 10797, PAGE 91
- LOT 655 & 656: DEED BOOK 5511, PAGE 37
- LOT 684: DEED BOOK 11081, PAGE 36
- LOT 698: DEED BOOK 12124, PAGE 242
- LOT 593: DEED BOOK 10791, PAGE 49

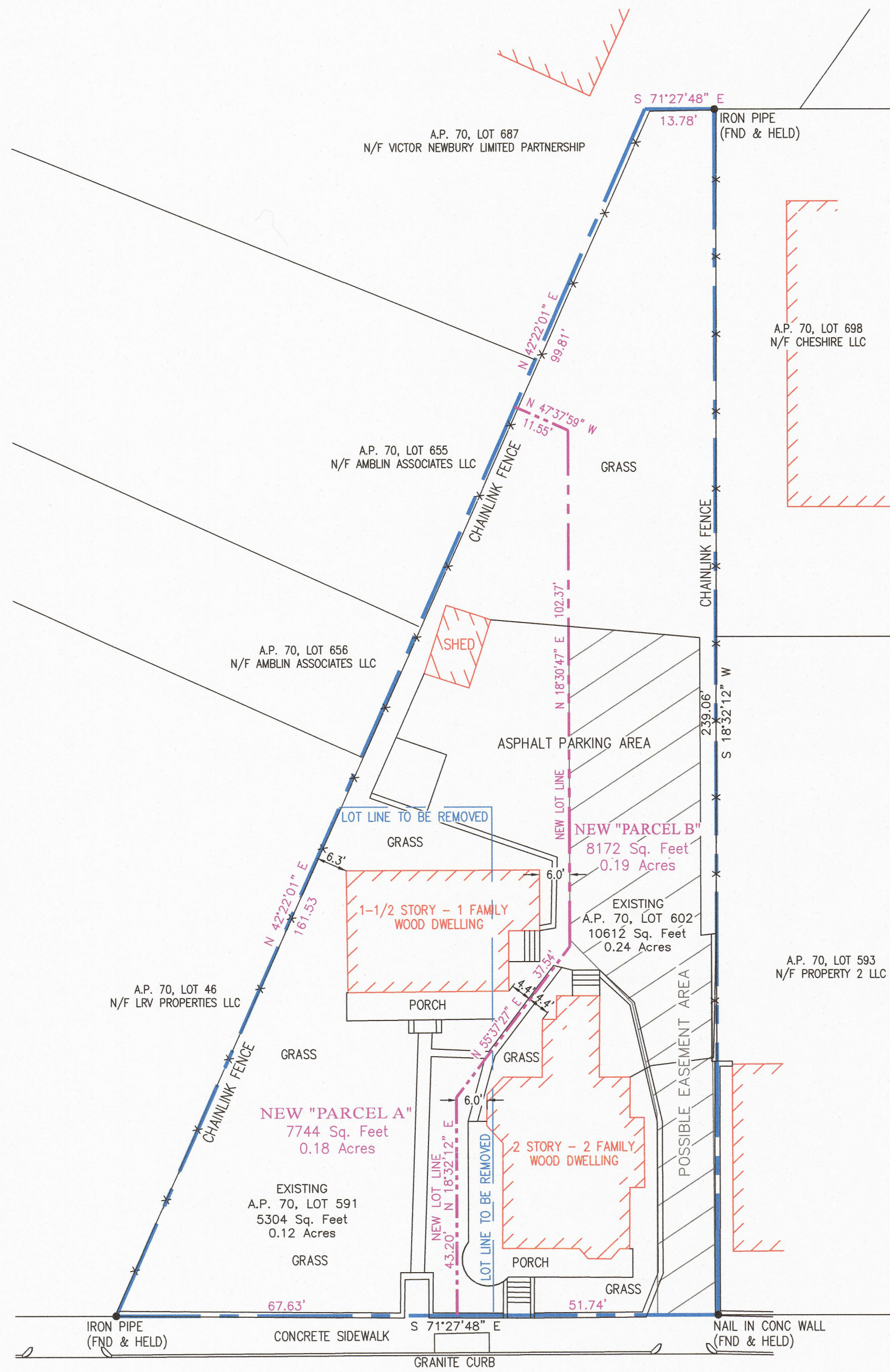
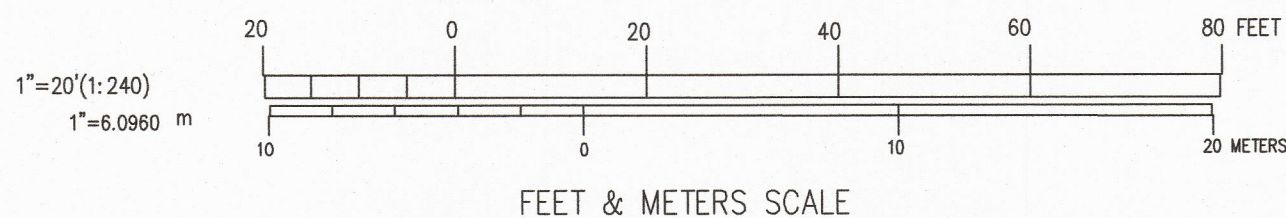
ZONING DISTRICT: R-3

- Max Height: 45 feet (not to exceed 3 stories)
- Max Building Coverage: 45%
- Min. Lot Area: 3500 or 5000 sq.ft.
- Min. Lot Width: 50 feet
- Front Yard Setback: See Sec. 402.B
- Side Yard Setback: 6 feet
- Min. Rear Yard: 25 feet
- Min. Corner Yard: Same as front yard setback

LEGEND

- POLE # UTILITY POLE
- FENCE
- STONEWALL
- PROPERTY LINE (EXISTING)
- PROPOSED NEW PROPERTY LINE
- GRANITE BOUND W/ DRILL HOLE
- PROPERTY CORNER W/ MONUMENT
- PROPERTY CORNER / PROPOSED MONUMENT
- TO BET SET
- TREE
- PINE TREE
- HATCHED EASEMENT AREA

NOTE: SYMBOLS ARE TYPICAL AND SOME MAY NOT BE FOUND ON THIS PLAN.



ADMIRAL STREET
(PUBLIC - 50' WIDTH)

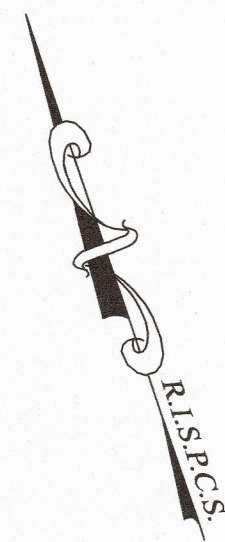


TABLE 4-1: RESIDENTIAL DISTRICT DIMENSIONAL STANDARDS

ZONING DISTRICT: R-3

STANDARD	PARCEL A: SINGLE FAMILY	PARCEL B: TWO FAMILY
MINIMUM LOT AREA: 5000 S.F.	7744 S.F.	8172 S.F.
MINIMUM LOT WIDTH: 50'	67.63'	51.74'
MAXIMUM BUILDING HEIGHT: 45'		
MAXIMUM BUILDING COVERAGE: 45%	12.7%	13.6%
MAXIMUM IMPERVIOUS SURFACE COVERAGE -		
FRONT YARD: 33%	12%	33%
REAR YARD: 50%	50%	39%
TOTAL MAXIMUM IMPERVIOUS SURFACE COVERAGE: 65%	35%	53%
FRONT SETBACK ZONE-SEC. 402.B (30.5')	64.5'	11.2'
MINIMUM INTERIOR SIDE SETBACK - 6'	4.4'	4.4'
MINIMUM REAR SETBACK - 25'	87.2'	175.8'

CERTIFICATION

THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED TO SECTION 9 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON JANUARY 1, 2016, AS FOLLOWS:

TYPE OF BOUNDARY SURVEY	MEASUREMENT / ACCURACY SPECIFICATIONS
COMPREHENSIVE BOUNDARY SURVEY	I
OTHER TYPE OF SURVEY	III
DATA ACCUMULATION SURVEY	III
TOPOGRAPHIC SURVEY	N/A

THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THE PLAN IS AS FOLLOWS:
BOUNDARY SURVEY TO ESTABLISH THE LOCATION OF THE PROPERTY LINES IN RELATION TO THE EXISTING IMPROVEMENTS

BY: *John D. Andrews* 1836 09/07/2021
JOHN D. ANDREWS, P.L.S. REG. NO. DATE
DOUGLAS DESIGN GROUP (LS.000A354-COA)

Certification

Drawn by BSA

Checked by JDA

Revised on

Project

COMPREHENSIVE BOUNDARY SURVEY AND SUBDIVISION OF LAND

PREPARED FOR

313 & 317 ADMIRAL STREET

A.P. 70, LOTS 591 & 602
PROVIDENCE
RHODE ISLAND

Date: AUGUST 10, 2021

Scale: 1" = 20'

Owner:



LAND SURVEYING • CONSULTING
BAY TOWER • LOWER LEVEL SUITE C
101 PLAIN STREET
PROVIDENCE, RHODE ISLAND 02903
508-821-8728 774-284-0085
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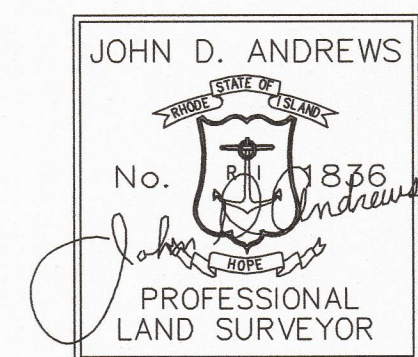
Issued On

Sheet Contents

PROPERTY SURVEY AND SUBDIVISION PLAN

Project Number: 07.21.1699

Drawing No.



09/07/2021

200FT. RADIUS PLAN

313-317 ADMIRAL STREET
A.P. 70, LOTS 591 & 602
SCALE 1"=80' SEPTEMBER, 2020
DRAWN BY: BRADEN ANDREWS
ZONED: R-3



Douglas
DESIGN GROUP

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BAY TOWER • LOWER LEVEL SUITE C
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braden.andrews@ddgsurveying.com

JOHN D. ANDREWS

No. 1836
PROFESSIONAL
LAND SURVEYOR

09/28/2021





FOR SALE
RESIDENTY
Phone: 203-794-1234
Date: 10/15/2023









FOR SALE
PREMIUM
REAL ESTATE
2019-10-26-28

FOR SALE
PREMIUM
REAL ESTATE
2019-10-26-28