

CITY OF PROVIDENCE  
ZONING BOARD OF REVIEW

INSPECTION & STANDARDS  
RECEIVED

JUL 08 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: Daniel Hornby c/o Eliane Investments LLC

Applicant Mailing Address

Email: dan@elmrealestatedesign.com

Street: 133 Courtland St

Phone: 401-486-2210

City, State, Zip: Providence, RI 02909

Owner: Eliane Investments LLC

Owner Mailing Address

Email: dan@elmrealestatedesign.com

Street: 133 Courtland St

Phone: 401-486-2210

City, State, Zip: Providence, RI 02909

Lessee: \_\_\_\_\_

Lessee Mailing Address

Email: \_\_\_\_\_

Street: \_\_\_\_\_

Phone: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Attorney: \_\_\_\_\_

Attorney Mailing Address

Email: \_\_\_\_\_

Street: \_\_\_\_\_

Phone: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

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: 414 Broadway

Plat and Lot Numbers of Subject Property: Plat 32 Lot 110

2. Base Zoning District(s): RP  
Overlay District(s): HD

3a. Date owner purchased the Property: 11/23/2021

3b. Month/year of lessee's occupancy: \_\_\_\_\_

4. Dimensions of each lot:

Lot # <u>110</u>	Width <u>25</u>	Depth <u>133</u>	Total area <u>3492</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>1337 SF</u>	Area of Footprint <u>400 SF</u>
Overall Height <u>43'</u>	Overall Height <u>14'</u>
# of Stories <u>4</u>	# of Stories <u>1</u>

5b. Size of proposed structure(s) located on the Property:

<u>Principal Structure:</u>	<u>Accessory Structure:</u>
Area of Footprint _____	Area of Footprint _____
Overall Height _____	Overall Height _____
# of Stories _____	# of Stories _____

6a. Existing Lot Coverage:

Building Coverage (area of all roofed structures) 1737 SF  
 Total Impervious Coverage Area (area of all roofed structures and impervious surfaces) 1817 SF (52%)  
 Rear Yard Impervious Coverage (area of structures and impervious surface in rear yard) 440 SF (29%)  
 Front Yard Impervious Coverage (area of structures and impervious surface in front yard) 100%

6b. Proposed Lot Coverage:

Building Coverage (area of all roofed structures) \_\_\_\_\_  
 Total Impervious Coverage Area (area of all roofed structures and impervious surfaces) \_\_\_\_\_  
 Rear Yard Impervious Coverage (area of structures and impervious surface in rear yard) \_\_\_\_\_  
 Front Yard Impervious Coverage (area of structures and impervious surface in front yard) \_\_\_\_\_

7a. Present Zoning Use of the Property: Office + 3 Apartments

7b. Legal Zoning Use of the Property as recorded in the Dept. of Inspection & Standards:  
Office + 3 Apartments

8. Proposed Zoning Use of the Property: 4 Apartments

9. Number of Parking Spaces:

# of existing spaces 2 # of proposed spaces 2

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>
T 14-1	Off-Street Vehicle and Bicycle Parking Requirements - 4 are required where 2 are provided
_____	_____
_____	_____
_____	_____

**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):**

Convert garden level office to apartment.

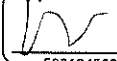
*The undersigned acknowledge(s) and agree(s) that members of the Zoning Board of Review and its staff may enter upon the exterior of the Property in order to view the Property prior to any hearing on the application.*

*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):**  
Daniel Hornby

**Applicant(s):**

Type Name:



5631245008F045D...

Signature

Type Name

Signature

Type Name

Signature

Type Name

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?

Lack of adequate space to provide off-street parking on the property.

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

Size and shape of existing lot also, massing and location of existing structures.

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3. (a) Is the hardship caused by an economic disability? Yes \_\_\_\_\_ No X \_\_\_\_\_
- (b) Is the hardship caused by a physical disability? Yes \_\_\_\_\_ No X \_\_\_\_\_
- (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 X \_\_\_\_\_

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:

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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

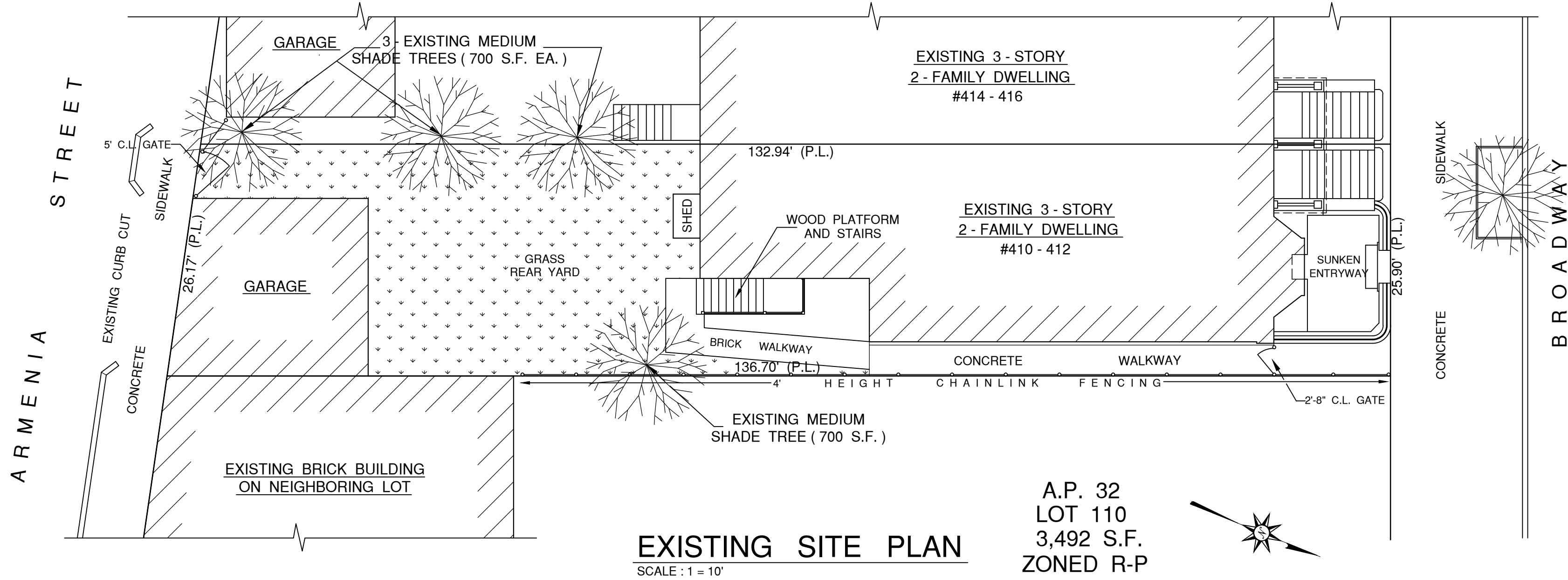
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6. If you are seeking a DIMENSIONAL VARIANCE, set forth all facts that indicate that if the variance is not granted, the hardship the owner/applicant will suffer is more than a mere inconvenience:

If denied, the owner would suffer a hardship beyond a mere inconvenience as the building would not be able to be renovated and developed for its proposed change in use. The garden office area has been vacant for many years and is suitable to be converted to a residential unit.

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

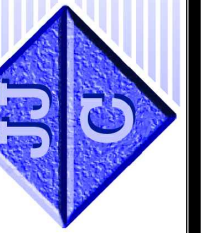


**EXISTING SITE PLAN**  
SCALE : 1 = 10'

A.P. 32  
LOT 110  
3,492 S.F.  
ZONED R-P

**EXISTING LOT COVERAGE BREAKDOWN :**

<u>STRUCTURES :</u>		<u>IMPERVIOUS PAVING</u>	
EXISTING DWELLING = 1,311 SQ. FT.		CONCRETE & BRICK WALKWAYS = 300 SQ. FT.	
GARAGE = 417 SQ. FT.		SUNKEN FRONT ENTRY = 165 SQ. FT.	
SHED = 15 SQ. FT.		<u>TOTAL = 465 SQ. FT.</u>	
FRONT STAIRS = 95 SQ. FT.			( 13.32% )
WOOD PLATFORM & STAIRS = 48 SQ. FT.			
<u>TOTAL = 1,886 SQ. FT.</u>			
	( 54% )	<u>PERVIOUS AREA</u>	
		EXISTING GRASS & PLANTED AREAS = 1,141 SQ. FT.	
			( 32.67% )
<u>CANOPY COVERAGE</u>			
4 - EXISTING MEDIUM SHADE TREES = 2,800 SQ. FT.			
	( 80.18% )		



DATE :  
REVISIONS :

PROJECT NO. : 2024089

DATE : 6/18/2024  
SCALE : AS NOTED

Project :  
ASSESSORS PLAT : 32 LOT : 110  
EXISTING SITE PLAN w/ LOT COVERAGE BREAKDOWN  
412 - 414 BROADWAY, PROVIDENCE, R. I. 02909  
Plans Prepared For :  
MR. PETER CASALE

Drawing No. :

**1**

**EXISTING-PROPOSED  
FLOOR PLANS  
RENOVATION  
FOR  
414 BROADWAY  
APARTMENTS**

OWNERS / CLIENTS  
ELAINE INVESTMENTS  
133 COURTLAND ST  
PROVIDENCE RI 02909

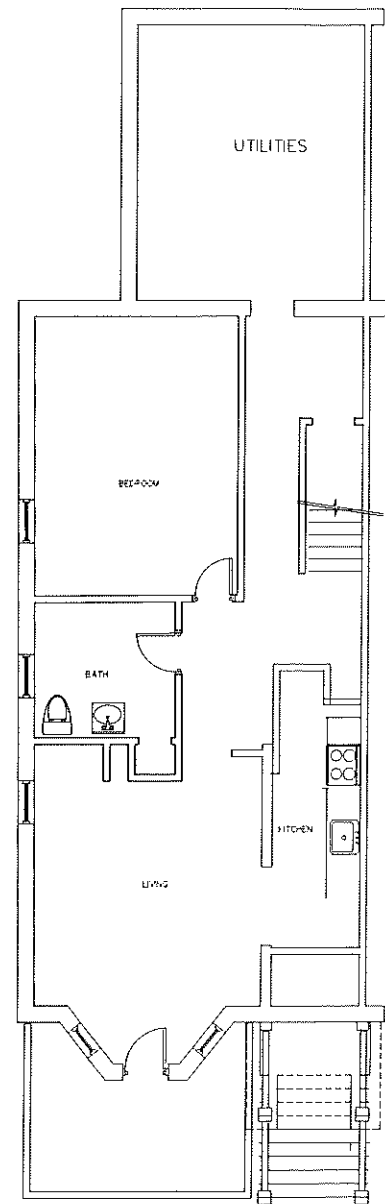
MAP & LOT: 32 / 110  
ZONING: C-2  
LEGAL USE: APARTMENTS  
PROP. USE: APARTMENTS

PLANS:  
**PETER CASALE —  
CODE CONSULTANT**  
44 LANDMARK  
RD WARWICK RI  
02888  
TEL. 401.617.6740  
E-MAIL pccasale28@gmail.com

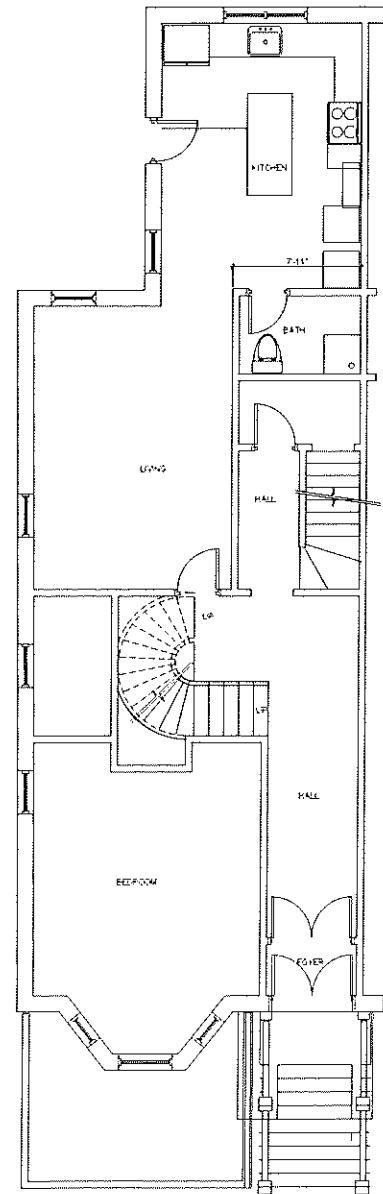
**GENERAL NOTE:**  
DO NOT MEASURE THESE DRAWINGS UNLESS  
OTHERWISE SPECIFIED.  
USE ANNOTATED DIMENSIONS ONLY.  
VERIFY ALL DIMENSIONS IN FIELD (I.F.)  
IN CASE OF VARIANCES OR DISCREPANCIES  
NOTIFY DESIGNER FOR RESOLUTION PRIOR TO  
COMMENCEMENT OF THE WORK.

REVISIONS:	
02/11/19	COMPLETED
ISSUE:	

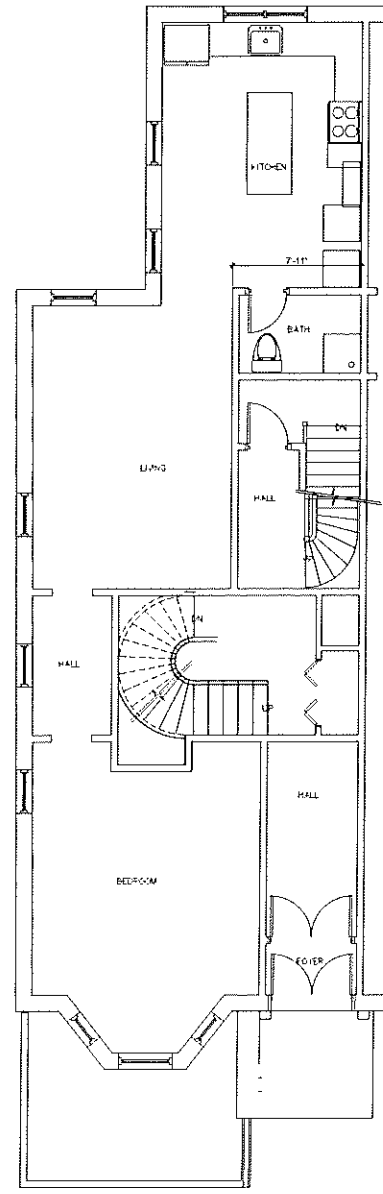
DRAWN BY: LCJ	SCALE: AS NOTED
PROJECT No: FFF	DATE: 2-23-23
SHEET NAME: <b>PROPOSED ADDITION PLANS</b>	
SHEET No: <b>A-1</b>	



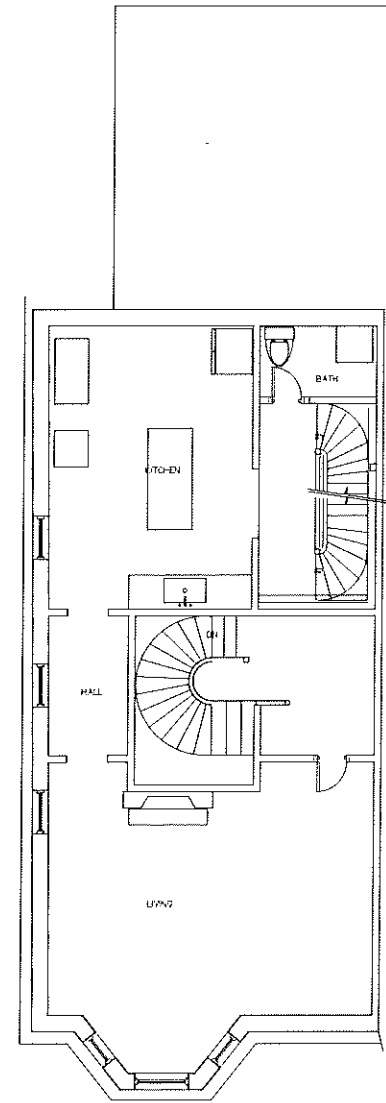
LOWER FLOOR PLAN  
SCALE - 1/8" = 1'-0"



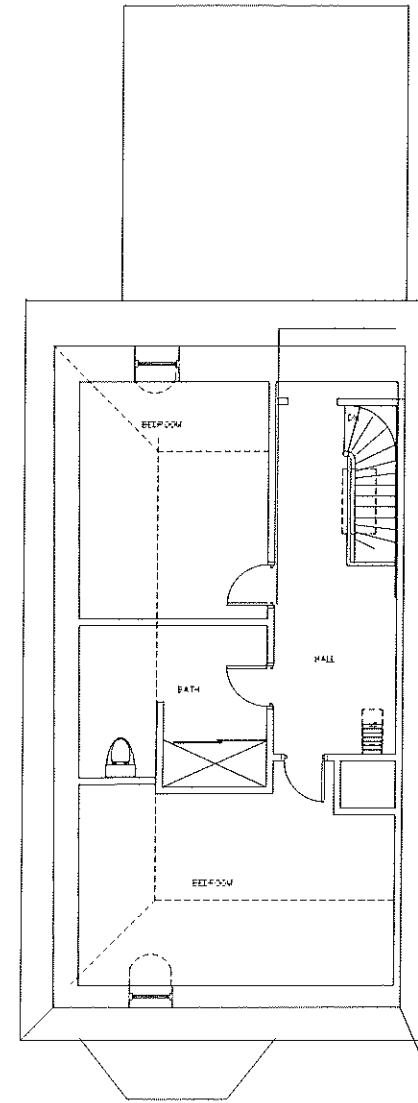
FIRST FLOOR PLAN  
SCALE - 1/8" = 1'-0"



SECOND FLOOR PLAN  
SCALE - 1/8" = 1'-0"



THIRD FLOOR PLAN  
SCALE - 1/8" = 1'-0"



FOURTH FLOOR PLAN  
SCALE - 1/8" = 1'-0"



4161







414

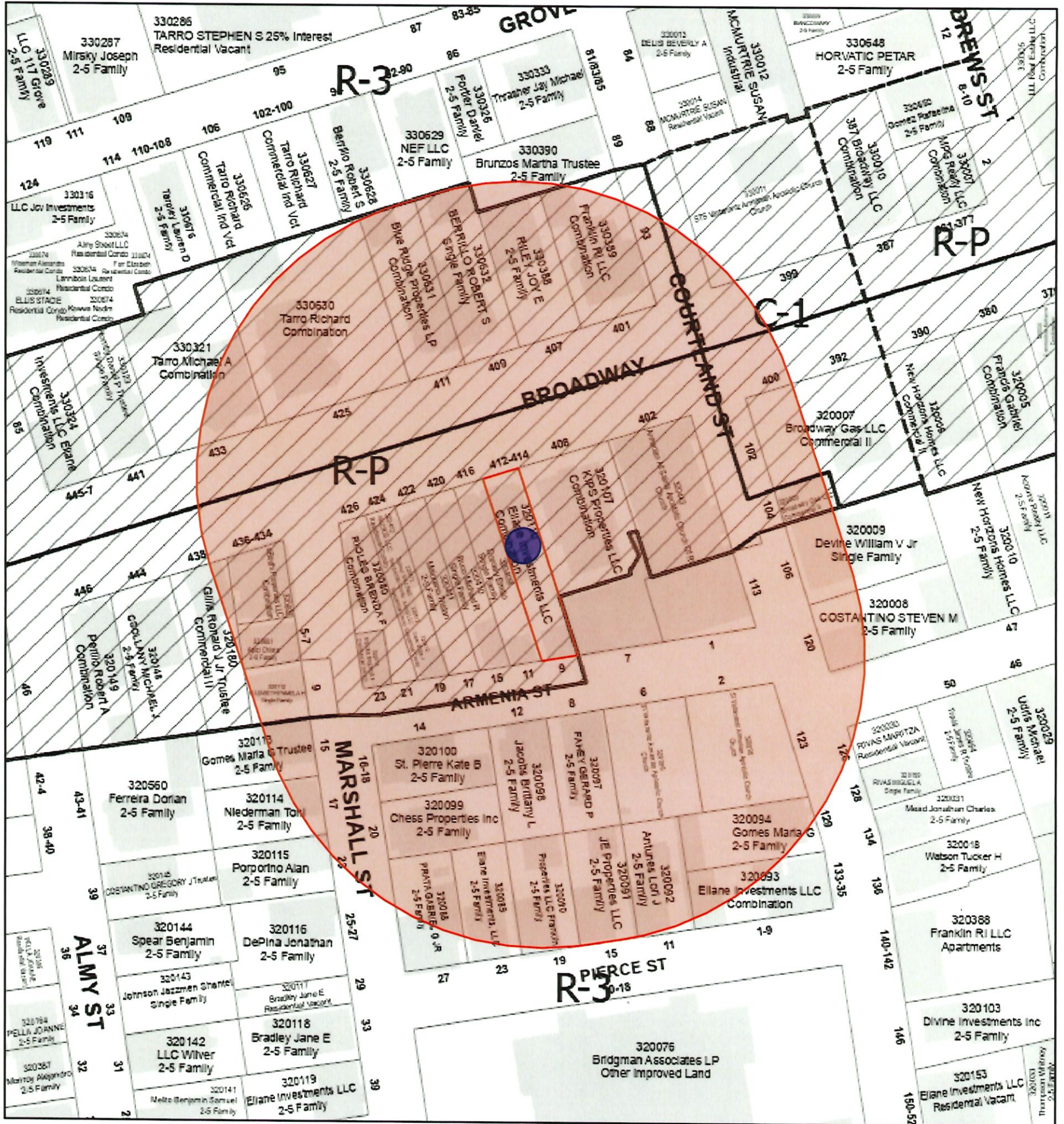
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416

416L

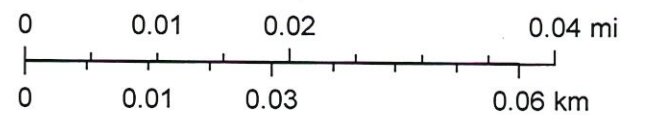


# Radius Map



6/5/2024, 1:57:37 PM

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