

APR 29 2024

CITY OF PROVIDENCE  
ZONING BOARD OF REVIEW

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:** Courtland Club, Inc. **Applicant Mailing Address**  
**Email:** js@courtlandclub.com **Street:** 51 Courtland Street, 1st Floor  
**Phone:** 401-227-9300 **City, State, Zip:** Providence, Rhode Island 02909

**Owner:** Please see Exhibit A, attached hereto **Owner Mailing Address**  
**Email:** \_\_\_\_\_ **Street:** \_\_\_\_\_  
**Phone:** \_\_\_\_\_ **City, State, Zip:** \_\_\_\_\_

**Lessee:** Courtland Club, Inc. **Lessee Mailing Address**  
**Email:** js@courtlandclub.com **Street:** 51 Courtland Street, 1st Floor  
**Phone:** 401-227-9300 **City, State, Zip:** Providence, Rhode Island 02909

**Attorney:** Robert I. Stolzman, Esq. **Attorney Mailing Address**  
**Email:** RStolzman@apslaw.com **Street:** Adler Pollock & Sheehan P.C.  
One Citizens Plaza, 8th Floor  
**Phone:** 401-427-6115 **City, State, Zip:** Providence, Rhode Island 02903

Does the proposal require review by any of the following: [Not Applicable]

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

1. **Street Address of Subject Property:** 51 and 55 Courtland Street, Providence, Rhode Island 02909  
**Plat and Lot Numbers of Subject Property:** 51 Courtland: Plat 33, Lot 557      55 Courtland: Plat 33, Lot 229

2. Base Zoning District(s): R-3  
Overlay District(s): Not Applicable

3a. Date owner purchased the Property: 51 Courtland: December 30, 2014; 55 Courtland: September 24, 2020

3b. Month/year of lessee's occupancy: October 2017

4. Dimensions of each lot:

Lot # <u>51</u>	Width <u>5'</u>	Depth <u>35'</u>	Total area <u>3,060</u> sq. ft.
Lot # <u>55</u>	Width <u>40'</u>	Depth <u>84'</u>	Total area <u>3,380</u> 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: Note, dimensions are for 51 Courtland. There are no structures on 55 Courtland.

<u>Principal Structure:</u> 51 Courtland: 1,288 sq. ft	<u>Accessory Structure:</u>
Area of Footprint <u>55 Courtland: 950 sq. ft +/-</u>	Area of Footprint <u>N/A</u>
Overall Height _____	Overall Height <u>N/A</u>
# of Stories <u>2</u>	# of Stories <u>N/A</u>

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

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

6a. Existing Lot Coverage:

Building Coverage (area of all roofed structures) 51 Courtland: 1,288 sq. ft. 55 Courtland: 750 sq. ft +/-  
Total Impervious Coverage Area (area of all roofed structures and impervious surfaces) 2,038 sq. ft. +/-  
Rear Yard Impervious Coverage (area of structures and impervious surface in rear yard) 373 sq. ft. +/-  
Front Yard Impervious Coverage (area of structures and impervious surface in front yard) 1,665 sq. ft. +/-

6b. Proposed Lot Coverage:

Building Coverage (area of all roofed structures) Same as existing, no change.  
Total Impervious Coverage Area (area of all roofed structures and impervious surfaces) No change.  
Rear Yard Impervious Coverage (area of structures and impervious surface in rear yard) No change.  
Front Yard Impervious Coverage (area of structures and impervious surface in front yard) No change.

7a. Present Zoning Use of the Property: 51 Courtland: Residential/Commercial; 55 Courtland: Undeveloped

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

51 Courtland: Social Club and Dwelling 55 Courtland: N/A

8. Proposed Zoning Use of the Property: Neighborhood Commercial Establishment

9. Number of Parking Spaces:

# of existing spaces 6 spaces on 55 Courtland # of proposed spaces No change.

10. Are there outstanding violations concerning the Property under any of the following: Not Applicable.

\_\_\_\_\_ Zoning Ordinance \_\_\_\_\_ RI State Building or Property Maintenance Code(s)

**11a. List all Zoning Ordinance Sections from which a variance is sought:**

Section Number    Section Title + Quantity of relief, if applicable (eg. 4' setback where 6' required)

\_\_\_\_\_ This space intentionally left blank. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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):**

Section Number    Section Title  
2000.D.            Special Use Permit for Expansion of Legal Pre-Existing Nonconforming Special Use  
\_\_\_\_\_

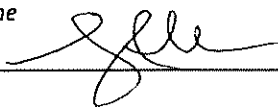
**12. Summarize any changes proposed for the Property (use, construction/renovation, site alteration):**

\_\_\_\_\_ Please see Exhibit A, attached hereto. \_\_\_\_\_

*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):**  
Jason Shechtman

Type Name \_\_\_\_\_  
Signature   
Off Broadway Properties, LLC

Type Name \_\_\_\_\_  
Signature 

**Applicant(s):**  
Courtland Club, Inc.

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 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.

Please 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):

See Exhibit A, attached hereto.

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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:

See Exhibit A, attached hereto.

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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:

See Exhibit A, attached hereto.

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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.***

## Exhibit A

**Courtland Club, Inc.  
51 & 55 Courtland Street, Providence**

### **Application for Special Use Permit**

#### **Ownership Background**

- 51 Courtland (Plat 33, Lot 557):
  - Owner Name: Off Broadway Properties, LLC
  - Owner Address: 51 Courtland Street, Providence RI 02909
  - Owner E-mail: [js@courtlandclub.com](mailto:js@courtlandclub.com)
  - Owner Phone: 401-227-9300
  
- 55 Courtland (Plat 33, Lot 229):
  - Owner Name: Jason Shechtman
  - Owner Address: 51 Courtland Street, Providence RI 02909
  - Owner E-mail: [js@courtlandclub.com](mailto:js@courtlandclub.com)
  - Owner phone: 401-227-9300

#### **Background of Prior Special Use Approval**

Courtland Club, Inc. (the “Applicant”) is the tenant of the properties located at 51 and 55 Courtland Street, Providence, Rhode Island. 51 Courtland consists of a commercial structure operated by Courtland Club, a social club and restaurant that is designated as a IRC 501(c)(7) non-profit by the Internal Revenue Service. 55 Courtland is an undeveloped parking lot abutting 51 Courtland. The 51 Courtland and 55 Courtland properties are referred to collectively herein as the “Property.”

In 2020, the Applicant sought and was granted a Special Use Permit pursuant to Table 12-1: Use Matrix, and Sections 103.B.1, 1202.U. and 2000.D. of the Providence Zoning Ordinance of November 24, 2014, as amended (the “Ordinance”) for the Property (the “2020 Application”). The Applicant was granted the right to expand an existing Neighborhood Commercial Establishment at the Property by providing a patio for outdoor dining on the south side of the existing structure on the Property.

The 2020 Application was heard by the City of Providence Zoning Board of Review (the “ZBR”) at a public hearing on December 9, 2020, and memorialized by Resolution No. 2020-26 (the “2021 Decision”), in which the ZBR voted unanimously to approve the 2020 Application. A copy of the 2021 Decision is attached hereto as **Exhibit B**.

The ZBR in the 2021 Decision found that pursuant to Sections 103.B.1. (“Transition Rules”) and 1204 (“Use Definitions”) of the Ordinance, the current legal use of Lot 557 at the time was a Neighborhood Commercial Establishment (“NCE”) on the first floor, and a single dwelling unit on the second floor. The ZBR found that the NCE was a social club with restaurant.

The ZBR also found that Ordinance Sections 1901 and Table 12-1 (Use Matrix) authorized the ZBR to issue a Special Use Permit for the expansion of an existing Special Use pursuant to Section 2000.D. of the Zoning Ordinance, and for outside dining pursuant to Section 1202.U. Finally, the ZBR found that the weight of the evidence indicated the granting of the proposed Special Use Permit would not substantially injure the use and enjoyment of, nor significantly devalue neighboring property, nor would the Special Use Permit be detrimental or injurious to the general health or welfare of the community.

The ZBR also granted the 2021 Decision “for a probationary period of 3 years.” That time period having now expired, with excellent results for the Applicant, the City and the neighbors, the Applicant seeks the permanent right to use the Property and its patio as permitted in 2021.

**Application for Special Use Permit**

**12. Explain the changes proposed for the Property.**

The Applicant does not propose any alterations to the Property or any changes to how the Property has been used for the last three (3) years. Instead, the Applicant seeks the permanent right to use the patio as permitted in 2021, now that the three (3) year probationary period imposed by the 2021 Decision has expired. The Applicant has operated the Property in accordance with the terms of the 2021 Decision over the past three (3) years, and will continue to do so in the future.

**Appendix B to Application for Special Use Permit**

**1. Indicate the Ordinance section(s) which provide the 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):**

Section 1202.U. of the Zoning Ordinance provides the use standards for the proposed special use of the Property for Outdoor Dining. During the three (3) year probation period since the 2021 Decision was rendered, the Applicant has operated the Property in compliance with each of the applicable use standards. For example, outdoor dining has been located on private property and has not interfered with any pedestrian access or parking spaces and aisles.

**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 the neighboring property:**

The ZBR previously found in the 2021 Decision that the proposed special use would not substantially injure the use and enjoyment of, nor significantly devalue neighboring property. The Applicant’s operation of the Property has not substantially injured the use and enjoyment of, nor significantly devalued neighboring property during the three (3) year probation period since the 2021 Decision was issued. In fact, the Courtland Club was named a 2024 James Beard Foundation Outstanding Bar Semi-Finalist, one of just twenty such semi-finalists nationwide, and the Property, including the approved patio, have contributed positively to the enjoyment of neighboring properties and the City of Providence more broadly. The Applicant merely seeks to continue the previously approved special use of the Property.

**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:**

The ZBR previously found in the 2021 Decision that the proposed special use would not be detrimental or injurious to the health or welfare of the community. The Applicant’s operation of the Property has not been detrimental or injurious to the health or welfare of the community during the three (3) year probation period since the 2021 Decision was issued. The Applicant will only be continuing the previously approved special use of the Property.

**Exhibit B**

The 2021 Decision



Jorge O. Elorza  
Mayor

FILED

Marc Greenfield  
2021 JAN 26 Chair: 51

DEPT. OF CITY CLERK  
PROVIDENCE, R.I.



## Zoning Board of Review

### RESOLUTION NO. 2020-26

January 25, 2021

IN RE: Application for Special Use Permit  
(Expansion of Neighborhood Commercial Establishment)

PROPERTY: AP 33 Lot 557 (51 Courtland Street) and  
AP 33, Lot 229 (55 Courtland Street)  
R-3 Residential Zoning District

OWNER: Off Broadway Properties, LLC (Lot 557)  
Jason Shechtman (Lot 229)  
51 Courtland Street, 1<sup>st</sup> Floor  
Providence, RI 02909

APPLICANT/  
LESSEE: Courtland Club, Inc.  
51 Courtland Street, 1<sup>st</sup> Floor  
Providence, RI 02909

On December 9, 2020, the within matter came before the Zoning Board of Review (the "Board") for a duly noticed public hearing<sup>1</sup> on the request by the Owner & Applicant (the "Applicant") for a Special Use Permit for the above-designated Property. The following members of the Board were present throughout the hearing: Chair Greenfield, Ms. Rodriguez, Ms. Maniotes, Mr. Mitchell and Mr. Scott.

WHEREAS, the Applicant sought a Special Use Permit pursuant to Table 12-1: Use Matrix, and Sections 103.B.1., 1202.U., and 2000.D. of the Providence Zoning Ordinance of November 24,

<sup>1</sup> The December 9, 2020 Zoning Board of Review public hearing was conducted via the online platform "Zoom;" it was a virtual public hearing authorized by Governor Raimondo's Executive Order 20-05 dated March 16, 2020.



2014, as amended (the "Ordinance") in order to expand an existing Neighborhood Commercial Establishment to provide a patio for outdoor dining; and

WHEREAS, prior to the hearing, the members of the Board individually made inspections of the Property and of the surrounding neighborhood; and

WHEREAS, Attorney Robert Stolzman presented the application and evidence, including the testimony of Mr. Jason Shechtman, Principal and Owner, and of Mr. Peter Scotti, a Certified Real Estate Appraiser and land use expert; and

WHEREAS, there were no oral or written objections to the Application, and the Board heard public comment from one abutter in favor of the proposal, and received 13 letters of support which were included in the record; and

WHEREAS, the Board received, and the Chair read into the record, the December 9, 2020 recommendation of the Department of Planning and Development ("DPD") recommending that the special use permit be granted.

NOW, THEREFORE, after consideration of the Application, the testimony, and all the evidence of record, upon motion by Mr. Scott, seconded by Mr. Mitchell, the Board voted unanimously (5-0) to APPROVE the application for Special Use Permit for a probationary period of 3 years.

**THE BOARD HEREBY MAKES THE FOLLOWING  
FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

1. The Property consists of two adjacent lots located in an R-3 Residential Zoning District. Lot 557 (51 Courtland) consists of approximately 1,923 sq. ft. improved with a structure with a footprint of 1,288 gross sq. ft. Lot 239 (55 Courtland) is an undeveloped lot of approximately 3,380 sq. ft. which has been used for parking. The Applicant is the lessee of both lots.
2. Pursuant to the Sections 103.B.1. ("Transition Rules"), and 1204 of the Ordinance ("Use Definitions"), the current legal use of Lot 557 is a Neighborhood Commercial Establishment ("NCE") on the first floor, and a single dwelling unit on the second floor. The NCE is a social club with restaurant.
3. The Applicant seeks a Special Use Permit to expand the existing NCE to add an approximately 950 square foot patio for outdoor dining on lot 229, to be located on the south side of the existing structure. The patio will have fencing around the perimeter, a partial corrugated roof, and will be landscaped.

4. Ordinance Sections 1901 and Table 12-1 (Use Matrix) authorize the Board to issue a Special Use Permit for the expansion of an existing Special Use pursuant to Section 2000.D, and for outside dining pursuant to Section 1202.U.
5. The Board finds credible the written neighborhood analysis and oral testimony of Mr. Scotti, who determined that the proposed patio will not have a negative impact on property values, nor on the health and welfare of the community or neighborhood given the mixture of uses in the area and the limitations on the hours of operation set forth in Ordinance Section 1202.U. More specifically, Mr. Scotti testified to the mixed-use nature of the neighborhood and the presence of neighborhood stores and markets along with residential uses. The Board further agrees with and accepts the findings and recommendation of the DPD.
6. Based on the foregoing, the Board finds that the weight of the evidence indicates that the granting of the proposed special use permit will not substantially injure the use and enjoyment of, nor significantly devalue neighboring property. Nor will the special use permit be detrimental or injurious to the general health or welfare of the community.

WHEREFORE, on motion by Mr. Scott, seconded by Mr. Mitchell, the Board voted unanimously (5-0) to APPROVE the application for Special Use Permit for a probationary period of 3 years from the date of the posting of the resolution. **An application to continue the Special Use shall be filed 2 months before the end of the 3-year term.**

By Order of the Zoning Board of Review.



MARC GREENFIELD  
CHAIR

**ATTENTION:** SECTION 1902 OF THE ORDINANCE REQUIRES THAT ANY VARIANCE OR SPECIAL USE PERMIT GRANTED BY THE BOARD SHALL EXPIRE SIX MONTHS AFTER THE DATE OF THE FILING OF THE RESOLUTION IN THE OFFICE OF THE BOARD UNLESS THE APPLICANT SHALL, WITHIN THE SIX MONTHS, OBTAIN A LEGAL BUILDING PERMIT AND PROCEED WITH CONSTRUCTION; OR OBTAIN A LEGAL BUILDING PERMIT AND A CERTIFICATE OF OCCUPANCY WHEN NO CONSTRUCTION IS REQUIRED.

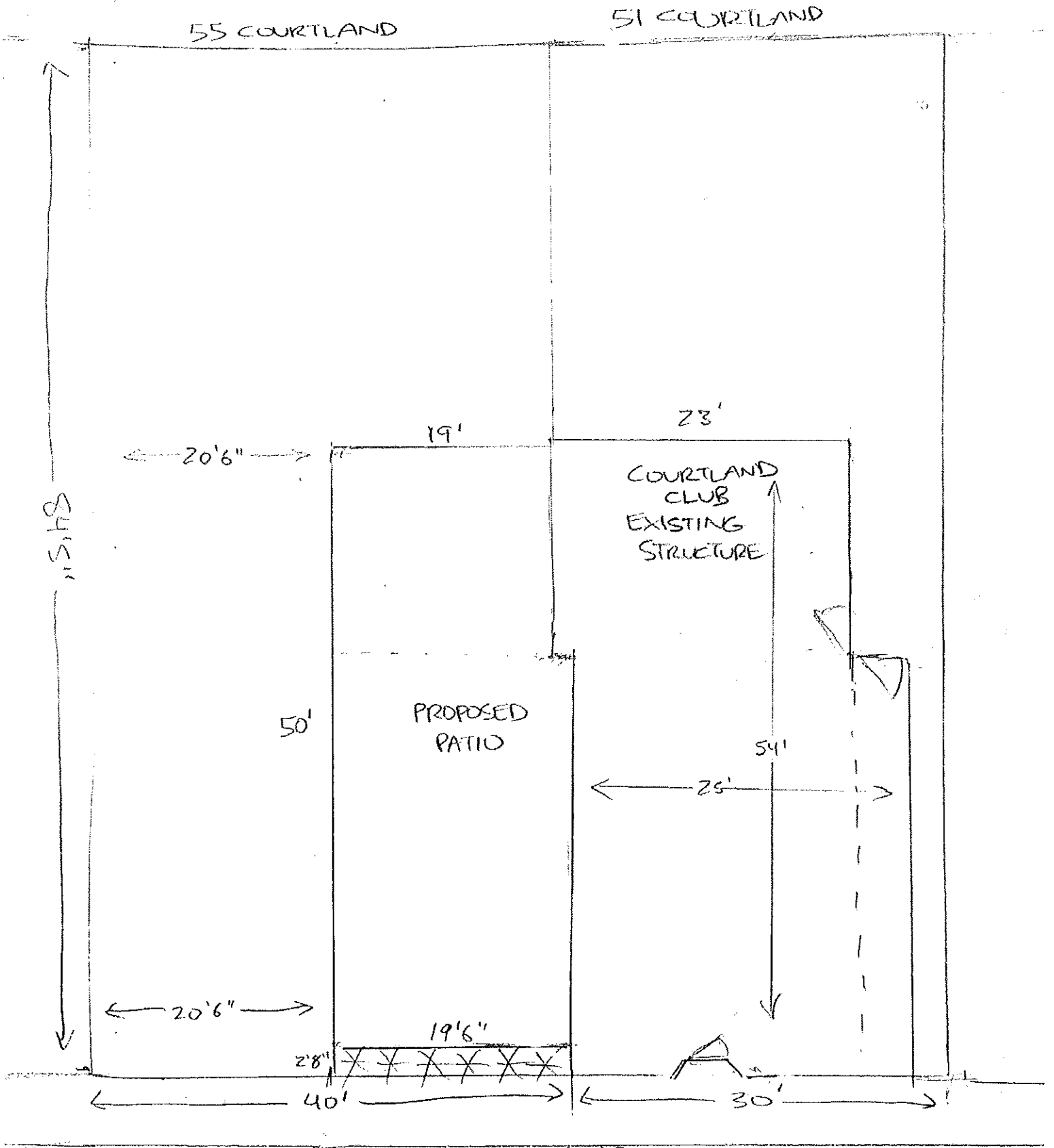
**NOTE:** THE ORIGINAL RESOLUTION IS ON FILE IN THE OFFICE OF THE ZONING BOARD OF REVIEW AND MUST BE OBTAINED BY THE OWNER OR HIS/HER/ITS REPRESENTATIVE AND RECORDED IN THE LAND EVIDENCE RECORDS OF THE CITY OF PROVIDENCE BEFORE THE ISSUANCE OF A BUILDING PERMIT. A COPY OF THE RECEIPT ACKNOWLEDGING THAT THE RESOLUTION HAS BEEN RECORDED MUST BE SUBMITTED TO THE OFFICE OF THE ZONING BOARD OF

1

REVIEW AND TO THE DEPARTMENT OF INSPECTION AND  
STANDARDS BEFORE THE ISSUANCE OF A BUILDING PERMIT.

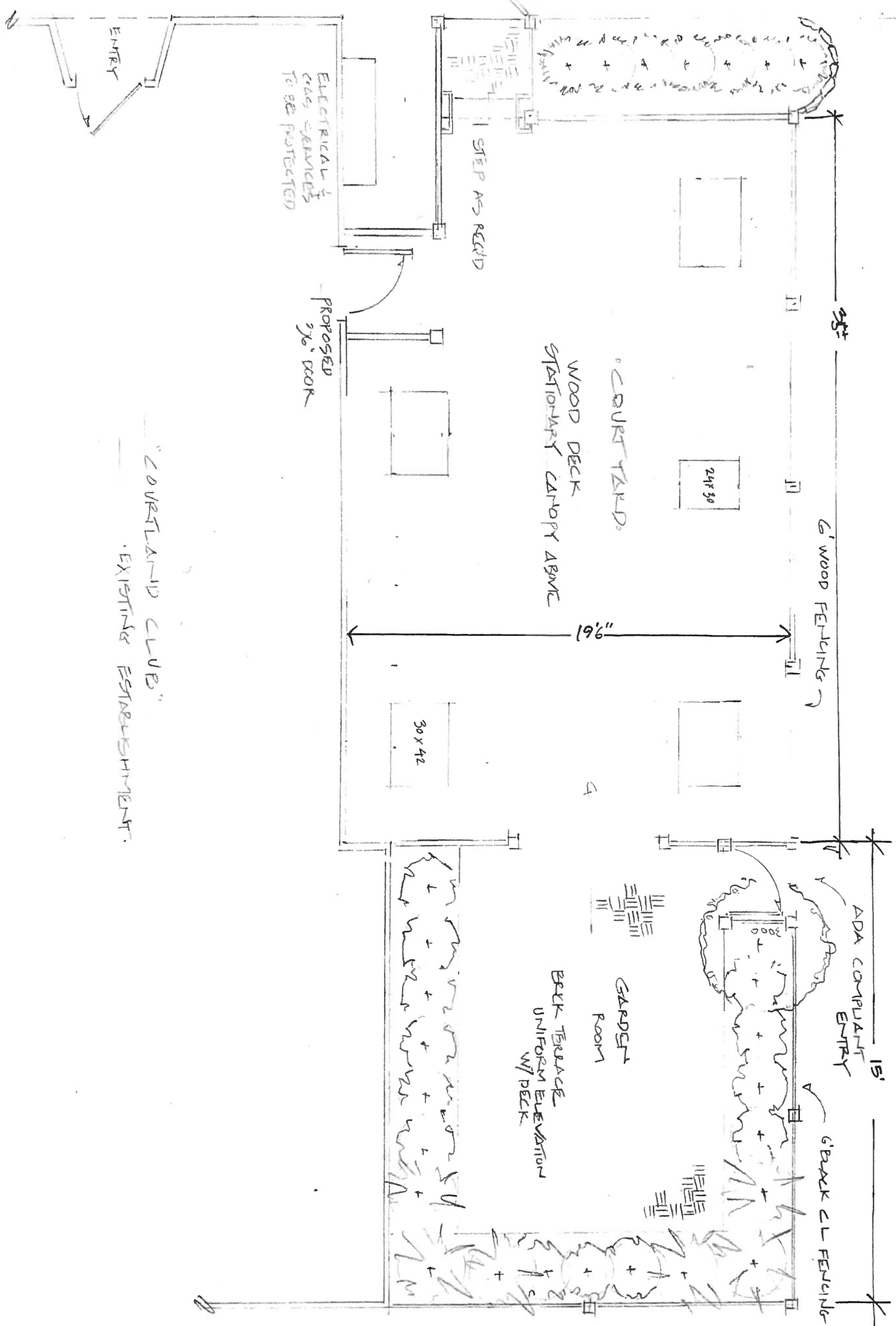
MOTION TO APPROVE THE SPECIAL USE PERMIT MADE BY: Scott  
SECONDED BY: Mitchell  
MEMBERS VOTING IN FAVOR: Scott, Mitchell, Maniotes, Rodriguez, Greenfield  
MEMBERS VOTING AGAINST: None

SITE PLAN  
11/10/2020



NOVEMBER 10 2020

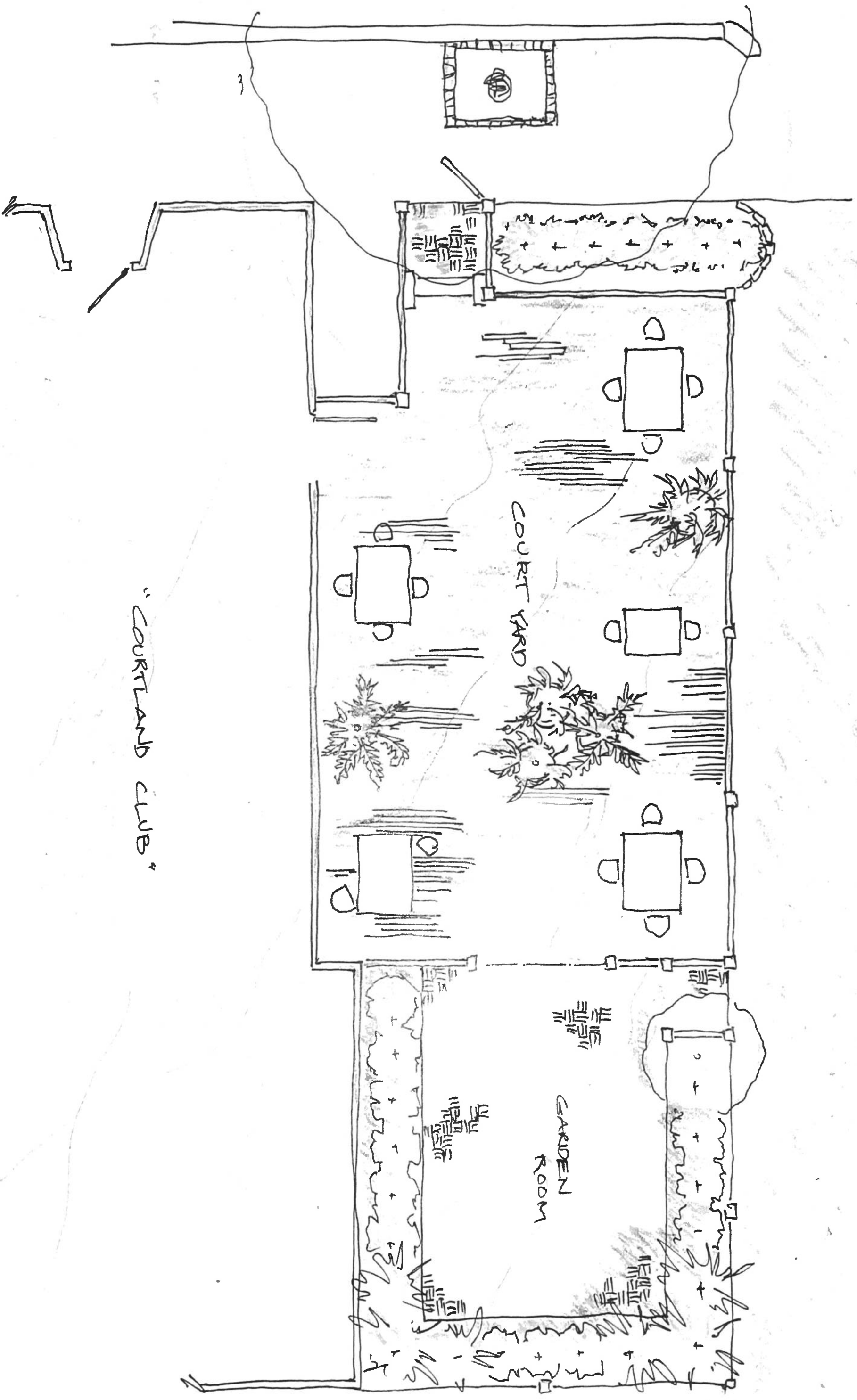
WOODLAND CLUB  
S - D E B A J K  
V O O K L V A Z D O W T



PARKING

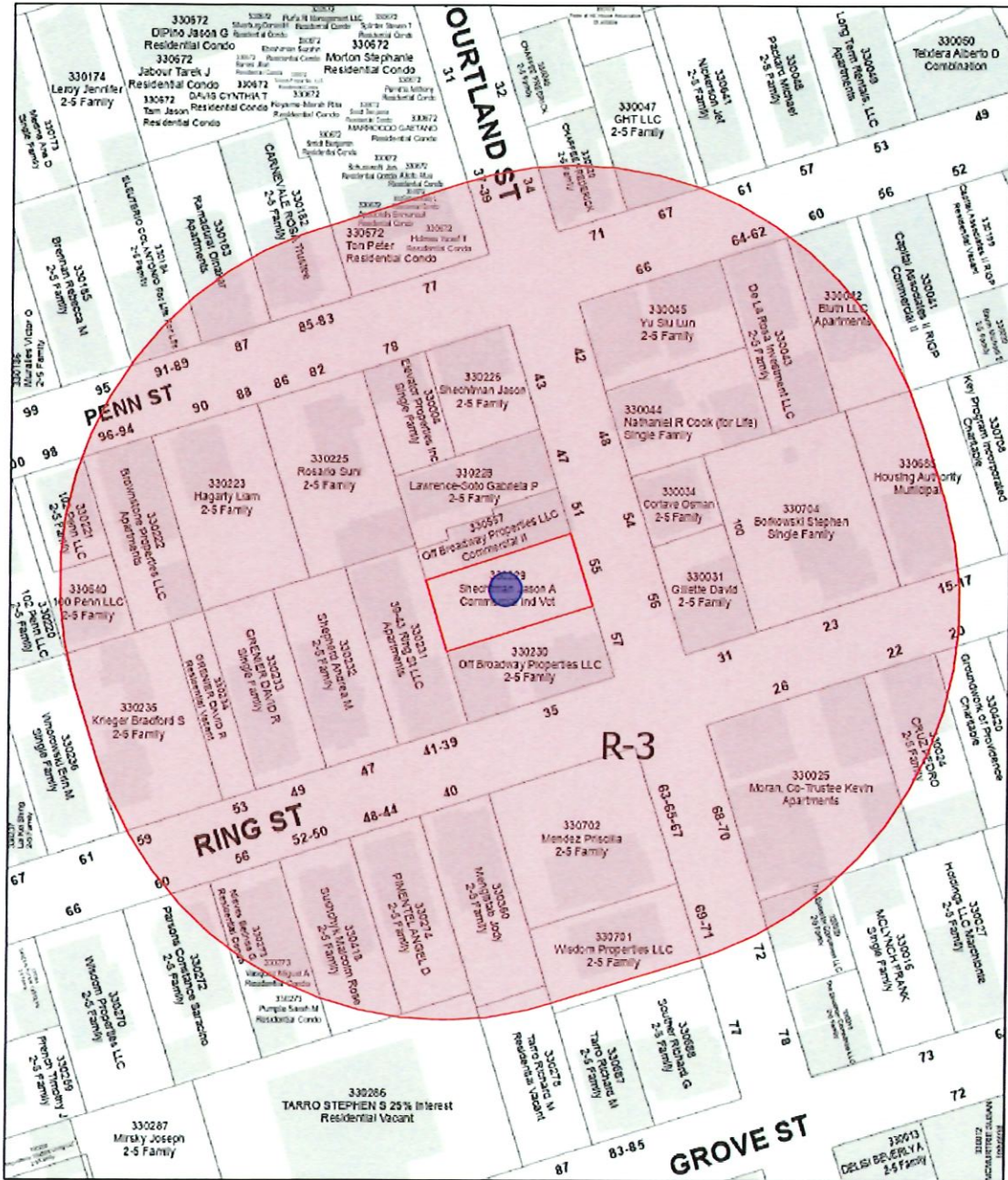
"WOODLAND CLUB"  
EXISTING ESTABLISHMENT.

L A D Y - 2 B

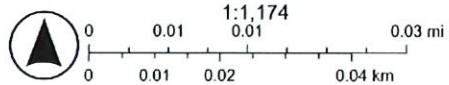


"COURTLAND CLUB"

# Radius Map - 55 Courtland Plat 33 Lot 229



4/25/2024, 12:58:39 PM



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